



**MEETING OF THE  
TEMPLE CITY COUNCIL  
MUNICIPAL BUILDING  
2 NORTH MAIN STREET  
3<sup>rd</sup> FLOOR – CONFERENCE ROOM  
THURSDAY, SEPTEMBER 1, 2016  
3:30 P.M.  
AGENDA**

1. Discuss, as may be needed, Regular Meeting agenda items for the meeting posted for Thursday, September 1, 2016.
2. Discuss various Board Appointments.
3. Discuss contemplated litigation regarding Temple City Code Chapter 16, Article VIII, "Tattoo Shops."

*Executive Session - Texas Government Code Section 551.071, Consultations with Attorney – The City Council may meet in executive session to consult with the City Attorney when the City Council is seeking the advice of its attorney about pending or contemplated litigation.*

**5:00 P.M.**  
**MUNICIPAL BUILDING**  
**2 NORTH MAIN STREET**  
**CITY COUNCIL CHAMBERS – 2<sup>ND</sup> 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. PRESENTATIONS**

3. Receive an update on Parks Bond projects.

**IV. CONSENT AGENDA**

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

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

**Minutes**

- (A) [August 18, 2016 Special and Regular Meeting](#)
- (B) [August 26, 2016 Special Called Meeting](#)

**Contracts, Leases, & Bids**

- (C) [2016-8269-R](#): Consider adopting a resolution authorizing the purchase and installation of a door access control system in the amount of \$31,408.54 from Convergent Technologies, LLC of Austin.
- (D) [2016-8270-R](#): Consider adopting a resolution authorizing the purchase of jail services from Bell County Law Enforcement Center in the estimated amount of \$74,500 for FY 2017.



- (E) [2016-8271-R](#): Consider adopting a resolution authorizing a purchase agreement for liquid copper sulfate with Chemrite, Inc. of Buford, GA, in the estimated annual amount of \$207,600.
- (F) [2016-8272-R](#): Consider adopting a resolution authorizing an increase in the estimated purchase of liquid chlorine from Brenntag Southwest, Inc., of Houston, for FY2016 from \$106,020 to \$163,000.
- (G) [2016-8273-R](#): Consider adopting a resolution authorizing the purchase of spare membrane replacement modules and necessary parts from Pall Advanced Separations Systems of Cortland, NY, in the amount of \$34,118.52.
- (H) [2016-8274-R](#): Consider adopting a resolution authorizing a three-year renewal to a services agreement for propane delivery services with Star-Tex Propane, Inc. of Waco in the estimated annual amount of \$30,000.
- (I) [2016-8275-R](#): Consider adopting a resolution authorizing a one-year renewal to a professional services agreement with Gallagher Benefit Services, Inc., for employee benefits consulting services at an annual cost of \$46,620.
- (J) [2016-8276-R](#): Consider adopting a resolution authorizing a professional services agreement with Kasberg, Patrick & Associates, LP, of Temple for engineering services required for the rehabilitation of Water Treatment Plant Clarifiers 1 and 2 in an amount not to exceed \$31,300.
- (K) [2016-8277-R](#): Consider adopting a resolution authorizing an agreement with Kasberg, Patrick, & Associates, LP, of Temple for professional services required for preliminary engineering design services for Task 4 and 5 at the City of Temple Water Treatment Plant in an amount not to exceed \$141,315.
- (L) [2016-8278-R](#): Consider adopting a resolution authorizing the renewal of a Memorandum of Understanding with the U.S. Department of Justice Drug Enforcement Agency for participation in the Waco Task Force.
- (M) [2016-8279-R](#): Consider adopting a resolution authorizing renewal of an Interlocal Agreement with the Texas Department of Public Safety for participation in the DPS Sex Offender Registration program.
- (N) [2016-8280-R](#): Consider adopting a resolution authorizing renewal of an Interlocal Cooperation Agreement with the Texas Department of Public Safety for participation in the DPS Breath Testing and Laboratory Alcohol and Drug Testing Program.
- (O) [2016-8281-R](#): Consider adopting a resolution authorizing a change order to the Prairie View Road Phase 1 – Research Boulevard to North Pea Ridge Road construction contract with R.T. Schneider Construction Company, Ltd. of Belton, for construction services required for street improvements in the amount of \$38,291.02.
- (P) Consider adopting resolutions authorizing FY 2017 contract renewals for the following:
  - 1. [2016-8282-R](#): Liquid Polyaluminum Chloride – GEO Specialty Chemicals, Inc., in the in the estimated annual amount of \$330,000

2. [2016-8283-R](#): Water Meter Reading Services – Alexander’s Contract Services, Inc., in the estimated annual amount of \$270,000
3. [2016-8284-R](#): Mowing and Maintaining Various Parks and Roadways – Green Ackors, LLC, in the estimated annual amount of \$260,025
4. [2016-8285-R](#): Water Meters – HD Supply Waterworks, in the estimated annual amount of \$230,000
5. [2016-8286-R](#): HVAC Repair Services – Temple Heat & Air, LLC, in the estimated annual amount of \$180,000
6. [2016-8287-R](#): Tires – Southern Tire Mart, LLC, in the estimated annual amount of \$140,000
7. [2016-8288-R](#): Aggregate Base – Superior Crushed Stone in the estimated annual amount of \$120,000
8. [2016-8289-R](#): Liquid Chlorine – Brenntag Southwest, Inc., in the estimated annual amount of \$110,000
9. [2016-8290-R](#): Books, Audios & Videos – Baker & Taylor, Inc., Brodart Co, and Scholastic Library Publishing, Inc. in the estimated annual amount of \$105,000
10. [2016-8291-R](#): Electric Motor and Pump Repair Services – Evans Enterprises, Inc., in the estimated annual amount of \$100,000
11. [2016-8292-R](#): Carpentry and Minor Building Remodel and Repair Services – Camden Enterprises, LLC, in the estimated annual amount of \$90,000
12. [2016-8293-R](#): Liquid Caustic Soda – DPC Industries, Inc., in the estimated annual amount of \$65,000
13. [2016-8294-R](#): Hot Mix Asphalt – APAC-Texas, Inc./Wheeler Companies, in the estimated annual amount of \$65,000
14. [2016-8295-R](#): Oil & Lubricants – Brazos Valley Lubricants, in the estimated annual amount of \$55,000
15. [2016-8296-R](#): Electrical Supplies – Dealers Electrical Supply, in the estimated annual amount of \$50,000
16. [2016-8297-R](#): Citric Acid – Chemtrade Chemicals US, LLC, in the estimated annual amount of \$45,000
17. [2016-8298-R](#): Retreading and Repair of Tires – Wingfoot Commercial Tire System, LLC, in the estimated annual amount of \$45,000
18. [2016-8299-R](#): Industrial Electrical Services – T. Morales Company Electric & Controls, Ltd., in the estimated annual amount of \$40,000
19. [2016-8300-R](#): Liquid Ammonium Sulfate – Chemtrade Chemicals US, LLC, in the estimated annual amount of \$40,000
20. [2016-8301-R](#): Asbestos Inspection & Consulting Services – Austin Environmental, Inc., in the estimated annual amount of \$40,000
21. [2016-8302-R](#): Plumbing Repair Services – C.A.P.’s Mechanical, in the estimated annual amount of \$40,000
22. [2016-8303-R](#): Protective Footwear – Cochran, Blair & Potts, in the estimated annual amount of \$34,000
23. [2016-8304-R](#): Plumbing Supplies – Ham & McCreight Supply, Inc., in the estimated annual amount of \$30,000
24. [2016-8305-R](#): Security Guard Services – Special Protective Service, in the estimated annual amount of \$30,000
25. [2016-8306-R](#): Elevator Repair and Maintenance – Schindler Elevator Corporation, in the estimated annual amount of \$30,000
26. [2016-8307-R](#): Hauling and Disposal of CIP Waste from WTP – Magna-Flow Environmental, in the estimated annual amount of \$29,600
27. [2016-8308-R](#): Medium Duty Truck Brakes – Russell & Smith Ford, in the estimated annual amount of \$25,000

28. [2016-8309-R](#): Hot Crack Sealant – Crafcot, Texas, Inc., in the estimated annual amount of \$25,000
29. [2016-8310-R](#): Lighting Supplies – Dealers Electrical Supply, in the estimated annual amount of \$25,000
30. [2016-8311-R](#): Telemetry/SCADA Services – T. Morales Company Electric & Controls, Ltd., in the estimated annual amount of \$25,000
31. [2016-8312-R](#): Irrigation Supplies – Ewing Irrigation Products, in the estimated annual amount of \$25,000
32. [2016-8313-R](#): Dri Fit T-shirts Design & Printing – Sports World, in the estimated annual amount of \$25,000
33. [2016-8314-R](#): Automotive and Equipment Filters – Napa Auto Parts, in the estimated annual amount of \$25,000

(Q) Consider adopting resolutions authorizing the following new FY2017 annual contracts:

1. [2016-8315-R](#): Utility Bill and Accounts Receivable Statement Processing Services – DataProse, in the estimated annual amount of \$188,870
2. [2016-8316-R](#): Hauling and Disposal of Sludge – S&M Vacuum and Waste, Ltd, in the estimated annual amount of \$160,000
3. [2016-8317-R](#): Construction Material Testing Services – Langerman Foster Engineering Company, LLC, in the estimated annual amount of \$70,000
4. [2016-8318-R](#): Low Voltage Electrical Services – Bluebonnet Electrical Services, Inc., in the estimated annual amount of \$60,000
5. [2016-8319-R](#): Janitorial Services at the Summit Fitness & Recreation Center – Jani-King of Austin, in the estimated annual amount of \$47,856

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

- (R) [2016-4800](#): SECOND READING - X-FY-16-10: Consider adopting an ordinance authorizing the annexation of a 2.149 acre part or portion of existing right-of-way of Dubose Road, situated in the William Frazier Survey, Abstract No. 310, Bell County, Texas, and located adjacent to the Valley Ranch subdivision.
- (S) [2016-4801](#): SECOND READING – Consider adopting an ordinance amending the Code of Ordinances, Chapter 15, “Garbage, Refuse, and Recycling.”

### **Misc.**

- (T) [2016-8320-R](#): Consider adopting a resolution funding the rates for medical and prescription insurance for employees and under-age 65 retirees, as well as Dental, Vision and Basic Life Insurance, AD&D, Voluntary Life and Voluntary AD&D Insurance.
- (U) [2016-8321-R](#): Consider adopting a resolution authorizing payment of the annual invoice from Brazos River Authority in the amount of \$180,000 which covers the availability of 2,500 acre-feet of water per year to the City for FY 2017.
- (V) [2016-8322-R](#): Consider adopting a resolution authorizing payment of the annual invoice from Brazos River Authority in the amount of \$36,679.21 which covers operation and maintenance costs associated with the City's portion of raw water storage in Lake Belton.

- (W) [2016-8323-R](#): Consider ratifying a resolution authorizing the submission of an application to the Killeen Temple Metropolitan Planning Organization prioritization program for future funding, to include up to a 30% match in future funding, for the following transportation choices projects:
1. Adams Avenue Bicycle and Pedestrian Improvements;
  2. FM 2271 Trail;
  3. Bird Creek Interceptor Trail;
  4. Georgetown Railroad Trail; and
  5. South 31<sup>st</sup> Street Sidewalks
- (X) [2016-8324-R](#): Consider ratifying a resolution authorizing the submission of an application to the Killeen Temple Metropolitan Planning Organization prioritization program for potential grant funding, to include up to a 30% match in future funding, for the following roadway projects:
1. Outer Loop (Phase 3b for proposed project enhancements only);
  2. Kegley Road (Phase 2);
  3. Hogan Road;
  4. Outer Loop (Research Parkway) (Phase 2);
  5. Westfield Boulevard;
  6. Outer Loop. (Phase 4);
  7. Outer Loop (Phase 5); and
  8. 1<sup>st</sup> Street (Veteran's Memorial Boulevard)
- (Y) [2016-8325-R](#): Consider adopting a resolution authorizing submission of an application for funding through the National Endowment for the Arts, Our Town grant program in an amount not to exceed \$100,000, with \$50,000 reimbursed through grant funding, to fund a Main Street Arts Project – Energizing Opportunity.
- (Z) [2016-8326-R](#): Consider adopting a resolution authorizing the rejection of all bids received for Environmental Lead Testing Services (CDBG Funded) on August 11, 2016.
- (AA) [2016-8327-R](#): Consider adopting a resolution confirming the appointment of Christina Demirs as a Deputy City Attorney and setting compensation for the position.
- (BB) [2016-8328-R](#): Consider adopting a resolution authorizing budget amendments for fiscal year 2015-2016.

## **V. REGULAR AGENDA**

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

5. [2016-4802](#): FIRST READING – PUBLIC HEARING - Z-FY-16-39: Consider adopting an ordinance authorizing a rezoning from Agricultural District to Commercial District, on Lots 14 & 15, Block 001, Honeycutt Subdivision, located at 7099 Airport Road.
6. [2016-4803](#): FIRST READING - PUBLIC HEARING - Z-FY-16-40: Consider adopting an ordinance authorizing a Conditional Use Permit to allow wholesale automobile auctions for dealers on Lot 1, Block 1, Wildflower Commerce Park IV, Bell County, Texas, located at 5615 SW H.K. Dodgen Loop.

7. [2016-4804](#): FIRST READING - PUBLIC HEARING - Z-FY-16-41: Consider adopting an ordinance authorizing a Conditional Use Permit to allow sales of beer and wine only, for on-premise consumption, where the gross revenue from such sales is less than 75% of the total gross revenue of the establishment, on Lot 1A, Block 1, Canyon Creek Place Section 2, located at 1710 Canyon Creek Drive, Suites B & C.
8. [2016-4805](#): FIRST READING – PUBLIC HEARING: Consider adopting an ordinance amending the classifications of certified firefighters and certified police officers.

## **RESOLUTION**

9. [2016-8329-R](#): Consider adopting a resolution authorizing change order #6 to the Outer Loop Phase III (Adams Avenue to Channel) construction contract with R.T. Schneider Construction Company, Ltd., of Belton, for construction services required for extension of the proposed roadway section in the deduct amount of \$181,403.80.

## **BOARD APPOINTMENTS**

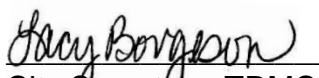
10. [2016-8330-R](#): Consider adopting a resolution appointing members to the following City boards and commissions:
  - (A) Airport Advisory Board – five members to fill expiring terms through September 1, 2019
  - (B) Animal Services Advisory Board – one member to fill an expiring terms through September 1, 2019; and appoint Chair for the period of September 1, 2016 through August 31, 2017
  - (C) Civil Service Commission - one member to fill expiring term through September 1, 2019;
  - (D) Library Board – two members to fill unexpired terms through September 1, 2018; three member to fill expiring terms through September 1, 2019
  - (E) Planning & Zoning Commission – three members to fill expiring terms through September 1, 2019
  - (F) Reinvestment Zone No. 1 Board of Directors – six members to fill expiring terms through September 1, 2018
  - (G) Temple Economic Development Corporation – four members to fill expiring terms through September 1, 2019
  - (H) Temple Public Safety Advisory Board – five members to fill expiring terms through September 1, 2019
11. [2016-8331-R](#): Consider adopting a resolution appointing five members and two alternate members to the City of Temple Ethics Review Board.
12. [2016-8332-R](#): Consider adopting a resolution appointing one regular member and one alternate member to the Bell County Public Health District Board of Directors.

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

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I hereby certify that a true and correct copy of this Notice of Meeting was posted in a public place at 1:30 PM, on Friday, August 26, 2016.

  
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City Secretary, TRMC



## **COUNCIL AGENDA ITEM MEMORANDUM**

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09/01/16  
Item #4(A-B)  
Consent Agenda  
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### **DEPT./DIVISION SUBMISSION & REVIEW:**

Lacy Borgeson, City Secretary

### **ITEM DESCRIPTION:** Approve Minutes:

- (A) August 18, 2016 Special and Regular Meeting
- (B) August 26, 2016 Special Called Meeting

**STAFF RECOMMENDATION:** Approve minutes as presented in item description.

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

**FISCAL IMPACT:** N/A

### **ATTACHMENTS:**

August 18, 2016 Special and Regular Meeting – to be provided  
August 26, 2016 Special Called Meeting – to be provided





## COUNCIL AGENDA ITEM MEMORANDUM

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Consent Agenda  
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### DEPT./DIVISION SUBMISSION & REVIEW:

Alan DeLoera, Information Technology Director

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing the purchase and installation of a door access control system in the amount of \$31,408.54 from Convergent Technologies, LLC of Austin.

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

**ITEM SUMMARY:** The City Council approved funding in FY2016 for video surveillance and access control at the City of Temple Service Center. The video surveillance part of this project was approved by Council in February 2016 and work has been completed, and we are now ready to complete the access control piece of the project.

The City currently utilizes the Hirsch Access Control System in several City facilities. This project will expand the system to the Service Center to encompass the entrances into the Public Works building, the Main gate, and two walk-thru gates. With this access control card reading system, authorized individuals can access certain areas within specified hours. By installing an internal control electronic access system we will save time and money by not having to re-key facilities when keys are lost or when there are staffing changes.

Convergent Technologies, LLC has been awarded contract #R5167-TX-111056 by TCPN, a public purchasing cooperative. Contracts awarded through TCPN have been competitively procured and meet the statutory procurement requirements for Texas municipalities. The proposed devices and installation services are covered by this contract.

**FISCAL IMPACT:** Council approved this project as part of the Capital Improvement Plan in the FY 2016 Budget. This project will be partially funded with the 2016 Limited Tax Notes. The remaining funding is available in the Water & Sewer Fund FY 2016 Operating budget.

Funds are available for the purchase of the Access Control System, project 101404, in the amount of \$31,408.54 as follows:

	<u>364-3800-519-6310</u>	<u>520-5000-535-6310</u>	<u>Total</u>
Project Budget	\$ 42,099	\$ 42,100	\$ 84,199
Encumbered/Committed to Date	(26,395)	(26,395)	(52,790)
<b>Convergent Technologies, LLC- door access control system</b>	<b>(15,704)</b>	<b>(15,705)</b>	<b>(31,409)</b>
Remaining Project Funds	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>

### ATTACHMENTS:

[Resolution](#)

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE PURCHASE AND INSTALLATION OF A DOOR ACCESS CONTROL SYSTEM FROM CONVERGINT TECHNOLOGIES OF AUSTIN, TEXAS, IN THE AMOUNT OF \$31,408.54; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, approved in the fiscal year 2016 budget was funding for video surveillance and access control at the City of Temple Service Center;

**Whereas**, the City currently utilizes the Hirsch Access Control System in several City facilities – the expansion of this system to the Service Center will encompass the entrances into the Public Works building, the Main gate, and two walk-thru gates;

**Whereas**, this access control card reading system allows authorized individuals access to certain areas within specified hours - this access system will save time and money by not having to re-key facilities when keys are lost or when there are staffing changes;

**Whereas**, Convergent Technologies, LLC has been awarded a TCPN public purchasing cooperative contract - contracts awarded through TCPN have been competitively procured and meet the statutory procurement requirements for Texas municipalities;

**Whereas**, Council approved this project as part of the Capital Improvement Plan in the fiscal year 2016 budget and will be partially funded with 2016 Limited Tax Notes – the remaining funding is available in Account Nos. 364-3800-519-6310 and 520-5000-535-6310, Project No. 101404; 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 and installation of a door access control system from Convergent Technologies of Austin, Texas, in the amount of \$31,408.54, and authorizes the City Manager, or his designee, after approval as to form by the City Attorney, to execute any documents associated with this purchase.

**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 **1<sup>st</sup>** day of **September**, 2016.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Kayla Landeros  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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Item#4(D)  
Consent Agenda  
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### **DEPT./DIVISION SUBMISSION & REVIEW:**

Floyd Mitchell, Chief of Police

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing the purchase of jail services from Bell County Law Enforcement Center in the estimated amount of \$74,500 for FY 2017.

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

**ITEM SUMMARY:** Resolution number 2012-6820-R allows the City of Temple to utilize the services of Bell County to house inmates instead of maintaining an in-house jail operation. The Bell County Law Enforcement Center has trained staff in place and space available to fulfill the City's needs. The City has been pleased with the services provided by Bell County and staff recommends the continued purchase of jail services.

**FISCAL IMPACT:** Funding in the amount of \$74,500 is appropriated for jail housing in the FY 2017 budget in account 110-2011-521-2623.

### **ATTACHMENTS:**

[Resolution](#)

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE PURCHASE OF JAIL SERVICES IN THE ESTIMATED AMOUNT OF \$74,500, PROVIDED BY THE BELL COUNTY LAW ENFORCEMENT CENTER; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas,** the City of Temple has utilized the services of Bell County to house inmates for several years instead of maintaining an in-house jail operation - the Bell County Law Enforcement Center has trained staff in place and space available to fulfill the City's needs;

**Whereas,** Staff recommends the continued purchase of jail services from Bell County Law Enforcement Center, for fiscal year 2017, in the estimated annual amount of \$74,500;

**Whereas,** funding for jail services is appropriated in the fiscal year 2017 budget in Account No. 110-2011-521-2623; 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 continued purchase of jail services from Bell County Law Enforcement Center for fiscal year 2017, in the annual amount of \$74,500.

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

**Part 3:** It is hereby officially found and determined that the meeting at which this Resolution 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 1<sup>st</sup> day of **September**, 2016.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Kayla Landeros  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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Item #4(E)  
Consent Agenda  
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**DEPT./DIVISION SUBMISSION & REVIEW:**

Damon B. Boniface, Utility Director

Belinda Mattke, Director of Purchasing

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a purchase agreement for liquid copper sulfate with Chemrite, Inc. of Buford, GA, in the estimated annual amount of \$207,600.

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

**ITEM SUMMARY:** In April, 2016, staff began using on a test basis liquid copper sulfate to improve the control of disinfection by-product formation at the City's Water Treatment Plant. Use of the chemical has proven successful in destroying organic material in the City's raw water source (Leon River) which is believed to be a contributing cause for disinfection by-product levels above the maximum measurable amount per U.S EPA rules.

Council previously authorized emergency purchases of this chemical on April 21, 2016, and July 21, 2016. As shown on the attached bid tabulation, on August 2, 2016, five competitive sealed bids were received for liquid copper sulfate. Staff is recommending award of the bid to the low bidder, Chemrite, Inc., at a unit price of \$4.152 per gallon.

The City has not done business with Chemrite previously. Accordingly, references were checked, and based on feedback received, staff believes that they will be a responsive and responsible supplier of this chemical.

Authorization of this purchase agreement will establish a contract for the purchase and delivery of the chemical that will commence immediately and continue through September 30, 2017. The agreement will have four optional one-year renewal periods, if agreed to by the City and Chemrite, Inc.

**FISCAL IMPACT:** Currently, funding in the amount of \$52,704 is available in account 520-5100-535-2118 to support the purchase of liquid copper sulfate through September 30, 2016, in an estimated amount of \$30,000. The adopted FY2017 Budget includes a budget of \$1,120,537 for Water Treatment Plant chemicals, of which it is expected that approximately \$207,600 will be used to purchase liquid copper sulfate.

**ATTACHMENTS:**

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

**Tabulation of Bids Received**  
**on Tuesday, August 2, 2016 at 2:30 p.m.**  
**Liquid Copper Sulfate**  
**Bid # 51-03-17**

		Bidders					
		Chemtrade Chemicals US LLC Parsippany, NJ (800)441-2659		Univar USA Inc. Kent, WA (253)872-5000		Brenntag Southwest, Inc. Houston, TX (713)330-8570	
Description	Qty	Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost
Liquid Copper Sulfate	50,000	\$4.70	\$235,000.00	No Bid	No Bid	\$4.3365	\$216,825.00
Delivery (72 Hours)		Yes		No Bid		Yes	
Exceptions		No		No Bid		No	
Credit Check Authorization		Yes		No Bid		Yes	
Local Preference		No		No Bid		No	

		Bidders			
		GEO Specialty Chemicals, Inc. Little Rock, AR (501)888-1211		Chemrite, Inc. Buford, GA (770)271-5576	
Description	Qty	Unit Cost	Total Cost	Unit Cost	Total Cost
Liquid Copper Sulfate	50,000	\$4.32	\$216,000.00	\$4.152	\$207,600.00
Delivery (72 Hours)		Yes		Yes	
Exceptions		No		No	
Credit Check Authorization		Yes		Yes	
Local Preference		No		No	

**Recommended for Council Award**

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A PURCHASE AGREEMENT WITH CHEMRITE, INC. OF BUFORD, GEORGIA, IN THE ESTIMATED AMOUNT OF \$207,600, FOR LIQUID COPPER SULFATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, in April, 2016, Staff began using liquid copper sulfate to improve the control of disinfection by-product formation at the City's Water Treatment Plant – the use of this chemical has proven successful in destroying organic material in the City's raw water source (Leon River) which is believed to be a contributing cause for disinfection by-product levels above the maximum measurable amount per US EPA rules;

**Whereas**, on August 2, 2016, five bids were received for liquid copper sulfate and Staff recommends Council award a purchase agreement to the low bidder, Chemrite, Inc. of Buford, Georgia, at a unit price of \$4.152 per gallon;

**Whereas**, the City has not previously done business with Chemrite, Inc. - Staff checked references, and based on feedback received, believes Chemrite will be a responsive and responsible supplier of this chemical;

**Whereas**, this purchase agreement will establish the purchase and delivery of the chemical and will be effective through September 30, 2017, with four additional one-year renewal periods, if so agreed to by both parties;

**Whereas**, funding is available in Account No. 520-5100-535-2118 to support the purchase of liquid copper sulfate; 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 purchase agreement with Chemrite, Inc. of Buford, Georgia in the estimated amount of \$207,600, for the purchase of liquid copper sulfate.

**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 1<sup>st</sup> day of **September**, 2016.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

---

Kayla Landeros  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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Page 1 of 1

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

Nicole Torralva, P.E., Public Works Director  
Damon B. Boniface, Utility Director

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing an increase in the estimated purchase of liquid chlorine from Brenntag Southwest, Inc., of Houston, for FY2016 from \$106,020 to \$163,000.

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

**ITEM SUMMARY:** On September 17, 2015, Council authorized a one-year renewal to a purchase agreement for liquid chlorine with Brenntag Southwest, Inc. for FY2016 at a rate of \$589 per ton and with an estimated annual purchase during FY2016 of \$106,020. In late spring, the City's water treatment plant experienced a record amount of rain and higher than normal lake levels. As a result, raw water quality diverted from the Leon River has declined significantly, requiring increased usage of liquid chlorine to obtain compliance with adequate disinfection, and as such, staff is estimating that approximately 96 more tons of liquid chlorine is going to be needed to treat the water than originally estimated.

This annual contract is structured as a 'unit price' contract to allow for flexibility in the contract based on the needs of the City during the fiscal year. Accordingly, no change order is required for this increased purchase quantity. However, staff desires to acknowledge to Council that expenditures have exceeded the estimated annual expenditures which were previously disclosed.

**FISCAL IMPACT:** Funding for the increased usage is available in the Water Treatment Plant chemicals/compressed gas budget, account 520-5100-535-2118, to fund the estimated additional cost for liquid chlorine as shown below:

Account Budget	\$ 1,031,500
Encumbered/Committed to Date	(974,520)
Brenntag Southwest, Inc.- purchase of additional liquid chlorine	(56,980)
Remaining Funds	<u>\$ 0</u>

**ATTACHMENTS:**

[Resolution](#)



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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING AN INCREASE IN THE ESTIMATED PURCHASE OF LIQUID CHLORINE, FROM 106,020 TO \$163,000, WITH BRENNTAG SOUTHWEST, INC. OF HOUSTON, TEXAS; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, on September 17, 2015, Council authorized a one-year renewal to a purchase agreement with Brenntag Southwest, Inc., of Houston for fiscal year 2016 for the purchase of liquid chlorine at a rate of \$589 per ton;

**Whereas**, in late spring, the City's water treatment plant experienced a record amount of rain and higher than normal lake levels and as a result, the raw water quality diverted from the Leon River has declined significantly, requiring increased usage of liquid chlorine to obtain compliance with adequate disinfection;

**Whereas**, Staff is estimating that approximately 96 more tons of liquid chlorine is going to be needed to treat the water for the remainder of fiscal year 2016;

**Whereas**, therefore, Staff recommends Council authorize an increase in the purchase of liquid chlorine for the remainder of fiscal year 2016 with Brenntag Southwest, Inc.;

**Whereas**, funding for the increased usage of chemicals for the Water Treatment Plant is budgeted in Account No. 520-5100-535-2118; and

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

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

**Part 1:** The City Council authorizes an increase in the purchase of liquid chlorine, from \$106,020 to \$163,000, with Brenntag Southwest, Inc., of Houston, Texas.

**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 estimated expenditure increase from \$106,020 to \$163,000.

**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 **1<sup>st</sup>** day of **September**, 2016.

THE CITY OF TEMPLE, TEXAS

---

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Kayla Landeros  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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Item #4(G)  
Consent Agenda  
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**DEPT. /DIVISION SUBMISSION & REVIEW:**

Nicole Torralva, P.E., Public Works Director  
Damon B. Boniface, Utility Director

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing the purchase of spare membrane replacement modules and necessary parts from Pall Advanced Separations Systems of Cortland, NY, in the amount of \$34,118.52.

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

**ITEM SUMMARY:** The City of Temple water treatment plant is comprised of both Conventional & Membrane treatment facilities used to provide potable water to over 70,000 residents, including several wholesale customers. The membrane treatment train consists of over eight hundred microfiltration membrane modules for the use of delivery high quality potable water that exceeds the U.S. EPA drinking water standards. The original membrane modules have surpassed their useful life expectancy (10 years), and staff is replacing them with new spare modules as they fail to meet performance requirements. The purchase of 20 new modules and necessary parts will replenish modules which have reached the end of their useful life, and are no longer capable of producing treated water.

At the time the membrane facility was built in 2002-2004, Pall Corporation's parts and equipment were originally installed, resulting in specialized equipment on site. At this time, replacement for some of these parts can only be supplied by the original vendor, Pall Corporation. Accordingly, this purchase is being recommended as a single source purchase per LGC §252.022.

**FISCAL IMPACT:** Funding is available in the FY 2016 operating budget, account 520-5100-535-6310, project # 101419, to fund the purchase of spare membrane replacement modules and necessary parts from Pall Advanced Separation Systems in the amount of \$34,118.52 as shown below:

Project Budget	\$	504,000
Encumbered/Committed to Date		-
Pall Advanced Separation Systems		(34,119)
Remaining Project Funds	\$	<u>469,881</u>

**ATTACHMENTS:**

[Resolution](#)

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE PURCHASE OF SPARE MEMBRANE REPLACEMENT MODULES AND NECESSARY PARTS FROM PALL ADVANCED SEPARATIONS SYSTEMS OF CORTLAND, NEW YORK, IN THE AMOUNT OF \$34,118.52; AND PROVIDING AN OPEN MEETINGS CLAUSE.

---

**Whereas**, the City of Temple's water treatment plant is comprised of both Conventional & Membrane treatment facilities used to provide potable water to over 70,000 residents, including several wholesale customers;

**Whereas**, the membrane treatment train consists of over eight hundred microfiltration membrane modules for the use and delivery of high quality potable water that exceeds the US EPA drinking water standards - the original membrane modules have surpassed their useful life expectancy (10 years), and Staff has been replacing them with new spare modules as they fail to meet performance requirements;

**Whereas**, the purchase of 20 new modules and necessary parts will replenish modules which have reached the end of their useful life, and are no longer capable of producing treated water;

**Whereas**, at the time the membrane facility was built in 2002-2004, Pall Corporation's parts and equipment were originally installed, resulting in specialized equipment on site – currently, replacement for some of these parts can only be supplied by the original vendor, Pall Corporation and therefore Staff recommends this purchase as a single source purchase per Local Government Code §252.022;

**Whereas**, funding for this purchase is available in Account No. 520-5100-535-6310, Project No. 101419; 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 purchase agreement for the purchase of spare membrane replacement modules and necessary parts from Pall Advanced Systems of Cortland, New York, in the amount of \$34,118.52.

**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 **1<sup>st</sup>** day of **September**, 2016.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Kayla Landeros  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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

Belinda Mattke, Director of Purchasing

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a three-year renewal to a services agreement for propane delivery services with Star-Tex Propane, Inc of Waco in the estimated annual amount of \$30,000.

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

**ITEM SUMMARY:** Authorization of this services agreement with provide for the continued supply and delivery of propane from Star-Tex Propane, Inc. (Star-Tex) through September 30, 2019, at a rate of 50¢ over the Mont Belvieu published rate. Propane is currently used to heat Fire Station #7, Fire Station #8 & Training Center, and the Central Service Center. In addition, propane is used to fuel simulation props at the new Fire Training Center along with 16 vehicles and two off-road machines.

On November 4, 2010, the City Council authorized a three-year services agreement for propane delivery services with Star-Tex. The original agreement allowed for two additional three-year extensions. On September 4, 2013, Council authorized a three-year renewal to the agreement. The current contract will expire on September 30, 2016. In order to renew the contract, the vendor must agree to hold their prices firm, which they are willing to do.

Staff is pleased with the services provided by Star-Tex and staff believes that the pricing offered by Star Tex Propane is still a good value. Accordingly, staff recommends that Council authorize an extension to the contract. This will be the second and final renewal available under this contract.

**FISCAL IMPACT:** Each department that uses propane has budgeted for the purchase of propane. Estimated annual expenditure for propane based on historical purchases - \$30,000.

### **ATTACHMENTS:**

[Resolution](#)

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A THREE-YEAR RENEWAL TO THE ANNUAL SERVICES AGREEMENT WITH STAR-TEX PROPANE, INC. OF WACO, TEXAS, IN AN ESTIMATED ANNUAL AMOUNT OF \$30,000, FOR PROPANE DELIVERY SERVICES; AND PROVIDING AN OPEN MEETINGS CLAUSE.

---

**Whereas**, on November 4, 2010, Council authorized a three-year services agreement for propane delivery services with Star-Tex Propane, Inc - the original agreement allowed for two additional three-year renewals;

**Whereas**, on September 4, 2013, Council again authorized a three-year renewal to the services agreement and the current contract expires September 30, 2016 - in order to renew the agreement, the vendor must agree to hold its prices firm, which it is willing to do;

**Whereas**, propane is currently used to heat Fire Station No. 7, Fire Station No. 8 & Training Center, and the Central Service Center - in addition, propane is used to fuel simulation props at the new Fire Training Center along with 16 vehicles and two off-road machines;

**Whereas**, Staff has been pleased with the services provided by Star-Tex Propane, believes the pricing offered is still a good value to the City, and recommends Council authorize a three-year renewal to the services agreement – this will be the second and final renewal available under this agreement;

**Whereas**, each department that uses propane has budgeted for the purchase of propane in their individual departmental accounts; and

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

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

**Part 1:** The City Council authorizes the City Manager, or his designee, after approval as to form by the City Attorney, to execute a three-year renewal to the services agreement with Star-Tex Propane, Inc. of Waco, Texas, in an estimated annual amount of \$30,000, for propane delivery 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 1<sup>st</sup> day of **September**, 2016.

THE CITY OF TEMPLE, TEXAS

---

DANIEL A. DUNN, Mayor

ATTEST:

ATTEST:

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Lacy Borgeson  
City Secretary

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Kayla Landeros  
City Attorney





## COUNCIL AGENDA ITEM MEMORANDUM

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Item#4(I)  
Consent Agenda  
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### **DEPT./DIVISION SUBMISSION & REVIEW:**

Sandra Esqueda, Director of Human Resources

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a one-year renewal to a professional services agreement with Gallagher Benefit Services, Inc., for employee benefits consulting services at an annual cost of \$46,620.

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

**ITEM SUMMARY:** City of Temple Staff has worked closely with SAI-CCBS, now Gallagher Benefits Services, Inc., over the past ten year on health insurance, dental insurance, retiree insurance, long term disability insurance, life insurance, Section 125 insurances, GASB 45 compliance issues and the Patient Protection Affordable Care Act (PPACA).

Gallagher (formerly SAI-CCBS) has provided invaluable guidance in these areas. Gallagher has extensive knowledge of our past claims data as well as our organizational goal in regard to health management. They have provided the City with sound guidance and best practice recommendations for the past ten years.

Gallagher will continue to monitor our claims experience and help staff with administering the contracts, as well as guiding us through recommendations for complying with PPACA. Included in the agreement, Gallagher continues to provide an on-line enrollment platform for employee insurance at no additional cost to the City.

Staff recommends Council authorize the Fiscal Year 2017 professional services agreement with Gallagher Benefit Services, Inc. The agreement can be extended for additional years based on the mutual agreement of both parties.

**FISCAL IMPACT:** Funding in the amount of \$46,622 for benefit consulting services is included in the FY 2017 Adopted Budgeted. Funding is shown in the table below.

Account #	Funding
110-2700-515-2616	\$ 39,254
240-4400-551-2616	\$ 886
292-2900-534-2616	\$ 840
520-5000-535-2616	\$ 5,642
<b>Total</b>	<b>\$ 46,622</b>

### **ATTACHMENTS:**

[Resolution](#)

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A ONE-YEAR RENEWAL TO THE PROFESSIONAL SERVICES AGREEMENT WITH GALLAGHER BENEFIT SERVICES, INC., IN THE ANNUAL AMOUNT OF \$46,620, FOR EMPLOYEE BENEFITS CONSULTING SERVICES; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, City Staff has worked closely with SAI-CCBS, now Gallagher Benefits Services, Inc., over the past ten years on health insurance, dental insurance, retiree insurance, long term disability insurance, life insurance, Section 125 insurances, GASB 45 compliance issues and the Patient Protection Affordable Care Act (PPACA);

**Whereas**, Gallagher has provided invaluable guidance in these areas and continues to have extensive knowledge of our past claims data as well as our organizational goals with regard to health management;

**Whereas**, Gallagher will continue to monitor the City's claims experience and assist Staff with administering the contracts, as well as guide the City through recommendations for complying with PPACA - Gallagher will also continue to provide an on-line enrollment platform for employee insurance at no additional cost to the City;

**Whereas**, Staff recommends Council authorize a one-year renewal to the professional services agreement with Gallagher Benefit Services, Inc. with the option to renew, if so agreed to by both parties;

**Whereas**, funding for benefit consulting services is included in the fiscal year 2017 adopted budget and in Account Nos. 110-2700-515-2616, 240-4400-551-2616, 292-2900-534-2616 and 520-5000-535-2616; 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 execute a one-year renewal to the professional services agreement with Gallagher Benefit Services, Inc., in the annual amount of \$46,620, for employee benefits consulting 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 1<sup>st</sup> day of **September**, 2016.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Kayla Landeros  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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09/01/16  
Item #4(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 Kasberg, Patrick & Associates, LP, of Temple for engineering services required for the rehabilitation of Water Treatment Plant Clarifiers 1 and 2 in an amount not to exceed \$31,300.

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

**ITEM SUMMARY:** The City of Temple owns a water treatment plant located on the north side of the Leon River just off Charter Oak Drive. The plant consists of a conventional water treatment train (CWTT) and a membrane water treatment train (MWTT), which ultimately combine through shared storage and pumping facilities and operate as one plant which delivers water to customers along the distribution system. The 29.4 MGD CWTT is an aging facility that has been renovated and expanded several times since its construction in 1957. Clarifiers 1 and 2 are the oldest of the four clarifiers and in need for rehabilitation and recoating of the aged concrete surfaces. To accomplish this rehabilitation, this engineering contract recommended for award will consist of the following services:

Plans and Specifications	\$ 19,700
HOT Inspection Services, Inc. Consulting	\$ 5,100
Bidding Services	\$ 6,500
<b>Total</b>	<b><u>\$ 31,300</u></b>

Please refer to the attached proposal and map for further details. The proposed timeline for design is 30 days. Construction is anticipated to begin in December 2016 and is estimated to require 150 calendar days to complete with the requirement that only one clarifier can be out of service at a time. The preliminary opinion of rehabilitation cost is \$600,000.

**FISCAL IMPACT:** Funding is available in account 520-5100-535-6310, project # 101571, to fund the engineering services from Kasberg, Patrick & Associates, LP in the amount of \$31,300 as shown below:

Available Funding	\$	31,300
Encumbered/Committed to Date		-
Kasberg, Patrick & Associates, LP-engineering services		(31,300)
<b>Remaining Funds Available*</b>		<b>\$ 0</b>

\*Funding in the amount of \$750,000 is available in the FY 2017 operating budget to fund the construction.

**ATTACHMENTS:**

[Engineer's Proposal and 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. "TRAE" SUTTON, III, P.E., CFM

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

August 10, 2016

Mr. James Billeck, P.E.  
3210 E. Avenue H  
Building A  
Temple, Texas 76501

Re: City of Temple, Texas  
Rehabilitation of Water Plant Clarifiers 1 & 2

Dear Mr. Billeck:

This letter is in response to your request for engineering services required for Rehabilitation of Clarifiers 1 & 2 at the Conventional Water Treatment Plant as shown on Exhibit A. We will complete plans and specifications so that construction may begin in December 2016. The plans will include requirements that only one clarifier may be out of service for rehabilitation at a time and restored to service prior to work beginning on the second clarifier.

In order for us to provide the services required for completion of the final design and bidding of the project, the following not-to-exceed lump sum amounts will be applicable:

Basic Services

A. Plans and Specifications

Task 1 – Document/Photograph Condition of Clarifiers	\$ 1,200.00
Task 2 – Prepare Plans	9,700.00
Task 3 – Prepare Technical Specifications	4,100.00
Task 4 – HOT Inspection Services, Inc.	5,100.00
Task 5 – Develop Sequence, Bid Schedule, Opinion of Probable Cost	1,600.00
Task 6 – Meetings/Coordination with City Staff	1,300.00
Task 7 – Address Comments, Finalize Plans and Specifications	1,800.00

B. Bidding Services

	6,500.00
<b>Total Basic Services</b>	<b>\$ 31,300.00</b>

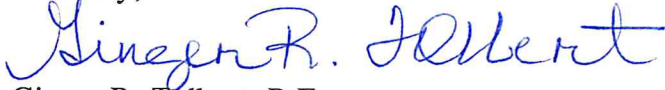
Mr. James Billeck, P.E.

August 10, 2016

Page Two

Exhibit B provides a more detailed breakdown and description of the tasks included in our Scope of Services. KPA will begin work once a written notice to proceed is received in our office. The Contract Documents and Specifications will be completed within a 30 calendar day period. We are available to address any questions or comments that you may have about this proposal.

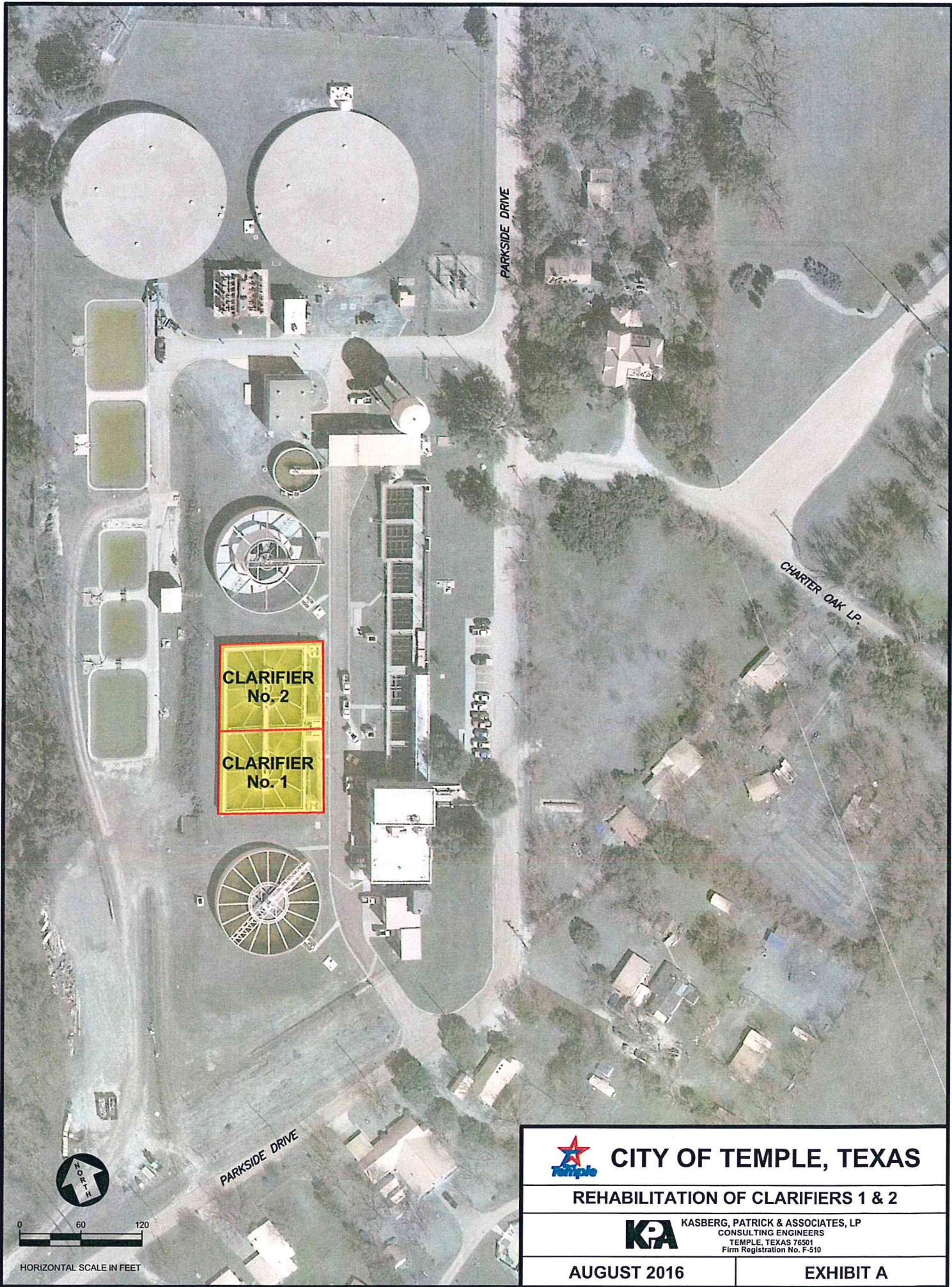
Sincerely,



A handwritten signature in blue ink that reads "Ginger R. Tolbert". The signature is fluid and cursive, with the first name "Ginger" and last name "Tolbert" clearly legible.

Ginger R. Tolbert, P.E.

GRT/





 <b>CITY OF TEMPLE, TEXAS</b>	
<b>REHABILITATION OF CLARIFIERS 1 &amp; 2</b>	
 <b>KASBERG, PATRICK &amp; ASSOCIATES, LP</b> CONSULTING ENGINEERS TEMPLE, TEXAS 76501 Firm Registration No. F-510	
<b>AUGUST 2016</b>	<b>EXHIBIT A</b>



## EXHIBIT "B"

### Scope of Services Rehabilitation of Water Plant Clarifiers 1 & 2

#### I. Basic Services

##### A. Plans and Specifications

1. Document condition of clarifiers with photographs to incorporate in plans;
2. Provide Project Location Map;
3. Prepare plan and section views of the clarifiers;
4. Provide colored photographs in Bid Documents;
5. Prepare specifications;
6. KPA will utilize HOT Inspection Services, Inc. as a sub-consultant for recommended rehabilitation methods, coatings, development and review of technical specifications.
7. Develop time frame and sequence for project;
8. Develop bid schedule;
9. Provide Opinion of Probable of Construction Cost;
10. Submit to City for review;

##### B. Bidding

1. Assist in soliciting bidders;
2. Monitor status/number of bidders on plan holders list;
3. Answer potential bidders questions;
4. Conduct pre-bid conference;
5. Prepare addenda as required;
6. Attend bid opening;
7. Tabulate bids and recommend contract award.

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT, IN THE AMOUNT OF \$31,300, WITH KASBERG, PATRICK & ASSOCIATES, LP OF TEMPLE, TEXAS FOR ENGINEERING SERVICES REQUIRED FOR THE REHABILITATION OF WATER TREATMENT PLANT CLARIFIERS NO. 1 AND NO. 2; AND PROVIDING AN OPEN MEETINGS CLAUSE.

---

**Whereas**, the City of Temple owns a water treatment plant located on the north side of the Leon River just off Charter Oak Drive that consists of a conventional water treatment train (CWTT) and a membrane water treatment train (MWTT), which ultimately combines through shared storage and pumping facilities and operate as one plant which delivers water to customers along the distribution system;

**Whereas**, the aging facility has been renovated and expanded several times since its construction in 1957 - clarifiers 1 and 2 are the oldest of the 4 clarifiers and in need of rehabilitation and recoating of the aged concrete surfaces;

**Whereas**, funds are available for this professional services agreement in Account No. 520-5100-535-6310, Project No. 101571; 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, in the amount of \$31,300, with Kasberg, Patrick & Associates, LP for engineering services required for the rehabilitation of Water Treatment Plan Clarifiers No. 1 and No. 2.

**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 1<sup>st</sup> day of **September**, 2016.

THE CITY OF TEMPLE, TEXAS

---

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Kayla Landeros  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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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 Kasberg, Patrick, & Associates, LP, of Temple for professional services required for preliminary engineering design services for Task 4 and 5 at the City of Temple Water Treatment Plant in an amount not to exceed \$141,315.

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

**ITEM SUMMARY:** The City of Temple owns a water treatment plant located on the north side of the Leon River just off Charter Oak Drive. The plant consists of a conventional water treatment train (CWTT) and a membrane water treatment train (MWTT), which ultimately combine through shared storage and pumping facilities and operate as one plant which delivers water to customers along the distribution system. The 29.4 MGD CWTT is an aging facility that has been renovated and expanded several times since its construction in 1957. In 2004, the 11.6 MGD MWTT was constructed in response to increasing water demands. Kasberg, Patrick, & Associates has been engaged to rehabilitate, renovate, improve, and expand the City's water treatment plant. This effort will be an on-going and evolving venture which will consist of numerous tasks and activities over the next several years. This agenda item includes preliminary engineering for Tasks 4 and 5 to address raw water and high service pumping improvements. On December 17, 2015, Council authorized KPA to begin preliminary design services on Tasks 1-3 in an amount of \$242,649, to identify zebra mussel control measures, improve membrane plant production rates, and improve conventional solids handling and lagoon infrastructure. Design engineering and construction administration services and professional services contract amendment for Tasks 1-3 will be forthcoming later this fall. Since the preliminary portions of these three tasks are coming to a close, Public Works is ready to move forward with the next round of Tasks, outlined below and detailed in the attached proposal.

Task 4 – Raw Water Pumping Improvements	\$ 79,825	(150 days)
Task 5 – High Service Pump Station Improvements	\$ 61,490	(180 days)
<b>Total</b>	<b><u>\$ 141,315</u></b>	

The attached Project Map illustrates the above tasks. The proposed services will recommend solutions that will be considered for final design and construction that will include estimated construction costs (tbd). Time required for these design services are variable depending upon task, with 150 days for Tasks 4 and 180 days for Task 5.

It is anticipated that final design and construction phase services for each of these tasks will be ready for further consideration by Council in the next fiscal year. As this project moves forward, development of new tasks will be advanced, as needed, to provide for ultimate build-out and expansion of Temple's water treatment facilities.

**FISCAL IMPACT:** Funding is available in account 561-5100-535-6959, project 101088, to fund the design services from KPA at the Water Treatment Plant in an amount not to exceed \$141,315 as follows:

Project Budget	\$ 1,000,000
Encumbered/Committed to Date	-
Kasberg, Patrick, & Associates, LP agreement	(141,315)
<b>Remaining Project Funds</b>	<b><u>\$ 858,685</u></b>

**ATTACHMENTS:**

[Engineer's Proposal and 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. HRAE, SUTTON, III, P.E., CFM

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

August 22, 2016

Mr. James Billeck, P.E.  
3210 E. Avenue H  
Building A  
Temple, Texas 76501

Re: City of Temple, Texas  
Temple WTP Improvements, Tasks 4 & 5

Dear Mr. Billeck

Please accept his proposal for preliminary design services required for the Temple Waster Treatment Plant Improvements, Tasks 4 and 5 as requested.

The City of Temple owns and operates the Temple Water Treatment Plant which consists of a "conventional" treatment train and a "membrane" treatment train. The City is currently in the process of addressing each aspect of both treatment processes through a phased preliminary design/study and design process. Tasks 1, 2 and 3 are currently in the "study" phase, with preliminary reports submitted on Tasks 1 and 3 and pilot studies associated with Task 2 either in process or in the planning stages. Tasks 4 and 5 will generally address the Raw Water Pumping Station and Discharge Piping and the High Service Pump Station and Discharge Piping. The specific scope items are included as Exhibit A and provide a detailed description of the scope of services proposed for this project.

Please note that this contract includes only preliminary design services that culminate in a final Technical Memorandum. Construction plans and specifications are not included in this proposal and will be forwarded at a later date.

The specific timeline from Notice to Proceed until the draft version of the Technical Memorandum is summarized in Exhibit A and is as follows:

- Task 4 – 150 calendar days
- Task 5 – 180 calendar days

In order for us to provide the services required for completion of this project, the following not-to-exceed lump sum amounts will be applicable:

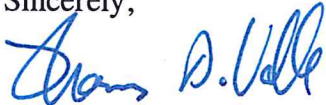
I.	BASIC SERVICES / Preliminary Design	
A.	Task 4A – Raw Water Pumping/Leon River	\$ 79,825
B.	Task 5A – High Service Pumping	\$ 61,490
	Total	\$ 141,315

Mr. James Billeck  
August 22, 2016  
Page Two

Exhibit B outlines the rates which would be used to charge for special or additional services authorized beyond the scope.

We appreciate the opportunity to submit this proposal and look forward to working with you on this project.

Sincerely,

A handwritten signature in blue ink, appearing to read "Thomas D. Valle".

Thomas D. Valle, P.E.

TDV/



## **Exhibit A**

### **Temple WTP Improvements Tasks 4 & 5**

**August 22, 2016**

#### **Background**

The City of Temple, Texas owns and operates the Temple Water Treatment Plant located in the southwest portion of town. The Conventional WTP train consists of four (4) clarifiers, eight (8) gravity filters, chemical storage and feed assemblies, two (2) clearwells and a high service pump station. The Membrane WTP train consists of 858 Pall pressure membrane modules. While the two WTP trains have separate raw water intake structures, the Membrane Plant does not have separate chemical storage and feed, clearwells or high service pump station. The Conventional WTP was constructed in 1957 with expansions/modifications in 1977, 1988 and 2004. The Membrane Treatment Train was constructed in 2004, with the backwash sedimentation improvements constructed in 2011. This Scope of Services will detail the improvements associated with Tasks 4 & 5 covering the Raw Water Pump Station discharge piping and High Service Pump Station assessment. Tasks 1 -3 (Raw Water Intake/Mussels, Membrane Optimization and Lagoons/Solids Handling Improvements) are currently under preliminary design under a separate contract.

**Scope** -- The following scope items are based on a team approach from discussions between KPA and City Staff to address the issues noted above. Please note that the tasks are labeled as "A" corresponding to the preliminary design phase. Future phases for final design ("B") and construction ("C") will be included under a separate contract.

#### **TASK 4A -- Raw Water Pump Station Discharge Piping:**

##### **4.1 Raw Water Discharge Header Improvements (both Conventional and Membrane)**

- a. Review existing Raw Water Pump Station Plan Sheets, available shop drawings and perform a site visit to determine existing conditions (pipe size, material, depth of cover, etc).
- b. Prepare a preliminary piping plan to allow:
  - i. New discharge header above grade from pump discharge to selected connection point to existing header,
  - ii. New valves, including but not limited to check valves, air release valves and isolation valves
  - iii. Interconnection between CWTP & MWTP Raw Water header pipes,
- c. Prepare preliminary modification plan detailing components to be constructed in a sequence that will allow the plants to remain operable and/or minimize downtime.
- d. Prepare preliminary Opinion of Probable Construction Costs (OPC) and project timeline/schedule.
- e. Prepare Technical Memorandum (Task 4) including background, analysis, preliminary schematics and drawings, recommendations and OPCs

#### 4.2 Raw Water Pumping Improvements

- a. Review available shop drawings to determine existing pump characteristics (size, flow rate, head, physical dimensions, etc.) and perform a site visit to obtain nameplate data for both Conventional and Membrane pumps and motors.
- b. Compile a summary of existing pump characteristics for both Conventional and Membrane pumps.
- c. Review and/or recreate System Head Curves (SHC) for both Conventional and Membrane WTPs.
- d. Review need for and requirements of two (2) additional pumps on the MWTP RWIS that could be utilized as redundancy for the CWTP.
  - i. Preliminarily Size Pumps and depict performance curves on both CWTP and MWTP SHCs.
  - ii. Review sizing of vertical traveling screens in MWTP and determine if additional screening capacity is required.
- e. Review the CWTP Raw Water pumping process and determine if the use of variable frequency drives would allow a more efficient pumping strategy and if it would allow the five pumps to be redundant (1 or 2 different pump sizes at most).
- f. Review the MWTP Raw Water pumping process and determine if the two pumps from Item 1.2d can be sized similarly to the existing MWTP Raw Water pumps to allow the five pumps to be redundant (1 or 2 different pump sizes at most).
- g. Recommend pump improvements based on factors noted above with an emphasis on increased energy efficiency.
- h. Review existing electrical building footprints and available spacing for additional VFDs and make recommendation on additional space/building requirements.
- i. Review existing Raw Water Electrical Generator sizing and summarize which pumps and total flow that could be pumped to each of the WTPs (Conventional and Membrane).
- j. Review new electrical load on existing MCC for both Conventional and Membrane RW Electrical.
- k. Assess arc flash hazard and recommend improvement alternatives. This scope item does not include the actual arc flash study which will be completed during final design.
- l. Review HVAC requirements for both electrical buildings in regards to VFD requirements.
- m. Prepare a preliminary plan and associated OPC for expansion of the electrical generator capacities to accommodate the Conventional Raw Water electrical components.
- n. Prepare preliminary Opinion of Probable Construction Costs (OPC) and project schedule/timeline.
- o. Include a section in Technical Memorandum (Task 4) detailing background, analysis, preliminary schematics and drawings, recommendations and OPCs.



#### 4.3 Leon River Dredging

- a. Review the City's current bathymetric data from just upstream of the Intake Structures to the Low Water Dam, and determine if additional data is required. At this time, additional measurements and/or studies are not included in this scope and will be included under a separate proposal if additional data is required.
- b. Assess and calculate the anticipated total volume of material to be removed from the River.
- c. Summarize options for disposal of dredged material, including preliminary costs and permitting requirements.
- d. Review permitting requirements and prepare a preliminary schedule detailing the overall timeline.
- e. Prepare preliminary Opinion of Probable Construction Costs (OPC).
- f. Include a section in Technical Memorandum (Task 4) detailing background, analysis, preliminary drawings, recommendations and OPCs.
- g. Preliminary coordination with CoE to begin permit procurement.

#### 4.4 Deliverables:

- a. Technical Memorandum (TM4) detailing the analysis, findings, recommendation, costs and timelines/schedules associated with the improvements in Task 4.
- b. No final design component is included in this scope. This is the preliminary, conceptual portion of the project. A separate contract will be required for final design and future construction phases.

- 4.5 Schedule – A draft version of TM4 will be prepared within 150 days of a Notice to Proceed. It is anticipated that the final TM4 will be submitted 30-45 days after submittal of the draft version, depending on review time.

#### TASK 5A – High Service Pump Station Assessment

- 5.1 Review available shop drawings to determine existing pump characteristics (size, flow rate, head, physical dimensions, etc.) and perform a site visit to obtain nameplate data for both Old and New High Service pumps and motors.
- 5.2 Compile a summary of existing pump characteristics for Old and New High Service pumps.
- 5.3 Review and/or recreate System Head Curves (SHC) for both Old and New High Service.
- 5.4 Review Old and New High Service pumping process and determine if the use of variable frequency drives would allow a more efficient pumping strategy and if it would allow the pumps to be redundant (1 or 2 different pump sizes at most).
- 5.5 Review existing electrical building footprints and available spacing for additional VFDs and make recommendation on additional space/building requirements.
- 5.6 Review existing generator capacity for affects from VFD harmonics.
- 5.7 Review new electrical load on existing MCC for High Service Electrical.
- 5.8 Review HVAC requirements for both electrical buildings in regards to VFD requirements.
- 5.9 Assess existing discharge header piping and recommend improvements, including possibility of completely replacing existing header.
- 5.10 Review and assess existing surge relief system and recommend improvements, including possibility of relocating the assembly for ease of maintenance.

- 5.11 Prepare summary of necessary improvements to allow dedicated vertical turbine pumps for filter backwash. Prepare a summary of alternatives for existing Backwash Tank once it is no longer in service.
- 5.12 Review existing backwash procedure and make recommendations for modifications to the system, infrastructure and operation.
- 5.13 Review existing chlorinator feed water supply line and recommend improvements to allow continuous operation independent of either High Service Pumps being operational.
- 5.14 Prepare preliminary OPCs for recommended improvements.
- 5.15 Prepare TM5 detailing findings and recommendations including OPCs and timelines/schedules.
- 5.16 Deliverables:
  - a. Technical Memorandum (TM5) detailing the analysis, findings, recommendation, costs and schedules associated with the improvements in Task 5.
  - b. No final design component is included in this scope. This is the preliminary, conceptual portion of the project. A separate contract will be required for final design and future phases.
- 5.17 Schedule – A draft version of TM5 will be prepared within 180 days of a Notice to Proceed. It is anticipated that the final TM5 will be submitted 30-45 days after submittal of the draft version, depending on review time.

**Requested Information and/or Data from the City of Temple:**

1. Existing Pump Data for both Membrane and Conventional Raw Water Intake Pump Stations
  - a. Shop drawings showing dimensions and pump characteristics/performance curves.
  - b. Summary of any modifications to existing pumps (re-built, replaced, etc.) including the Pump #, date (year) and supply company that performed the modification.
  - c. Raw Water Pump Run Time Data (which pumps are being operated the most, etc.)
2. City's bathymetric data of the Leon River. (Preliminary data from April 2014 was forwarded). Determination to be made if current data is required for comparison.
3. Existing Pump Data for both Old and New High Service Pump Stations
  - a. Shop drawings showing dimensions and pump characteristics/performance curves.
  - b. Summary of any modifications to existing pumps (re-built, replaced, etc.) including the Pump #, date (year) and supply company that performed the modification.
  - c. High Service Pump Run Time Data (which pumps are being operated the most, etc.)





## LEGEND

- TASK 4 - RAW WATER / DREDGING
- TASK 5 - HIGH SERVICE PUMP STATION



**CITY OF TEMPLE, TEXAS**

**WTP IMPROVEMENTS TASKS 4 & 5**



**KASBERG, PATRICK & ASSOCIATES, LP**  
CONSULTING ENGINEERS  
TEMPLE, TEXAS 76501  
Firm Registration No. F-510

**AUGUST 2016**

**LOCATION MAP**



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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT, IN THE AMOUNT OF \$141,315, WITH KASBERG, PATRICK & ASSOCIATES, LP OF TEMPLE, TEXAS FOR PROFESSIONAL SERVICES REQUIRED FOR PRELIMINARY ENGINEERING DESIGN SERVICES FOR TASKS 4 AND 5 AT THE CITY OF TEMPLE WATER TREATMENT PLANT; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, the City of Temple owns a water treatment plant located on the north side of the Leon River just off Charter Oak Drive, that consists of a conventional water treatment train (CWTT) and a membrane water treatment train (MWTT), which ultimately combines through shared storage and pumping facilities and operates as one plant which delivers water to customers along the distribution system;

**Whereas**, the aging facility has been renovated and expanded several times since its construction in 1957 – in 2004, the MWTT was constructed in response to increasing water demands;

**Whereas**, Kasberg, Patrick & Associates (KPA) has been engaged to rehabilitate, renovate, improve and expand the City's water treatment plant – this will be an on-going and evolving venture which will consist of numerous tasks and activities over the next several years;

**Whereas**, Tasks 4 and 5 will address raw water and high service pumping improvements - on December 17, 2015, Council authorized KPA to begin preliminary design services on Tasks 1-3 to identify zebra mussel control measures, improve membrane plant production rates, and improve conventional solids handling and lagoon infrastructure - since the preliminary portions of these three tasks are coming to a close, Public Works is ready to move forward with the next round of Tasks;

**Whereas**, funding is available for this professional services agreement in Account No. 561-5100-535-6959; 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, in the amount of \$141,315, with Kasberg, Patrick & Associates, LP for professional services required for preliminary engineering design services for Tasks 4 and 5 at the Temple Water Treatment Plant.

**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 **1<sup>st</sup>** day of **September**, 2016.

THE CITY OF TEMPLE, TEXAS

---

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Kayla Landeros  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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

Floyd Mitchell, Chief of Police

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing the renewal of a Memorandum of Understanding with the U.S. Department of Justice Drug Enforcement Agency for participation in the Waco Task Force.

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

**ITEM SUMMARY:** 21 U.S.C. § 873 authorizes the DEA to enter into cooperative agreements for the formation of specialized task forces devoted to detecting, investigating and prosecuting criminal activity related to dangerous drug and narcotic trafficking in a specific geographical area. The Waco Task Force is composed of experienced local peace officers and four DEA Special Agents under the direct supervision and control of DEA supervisory personnel. The Task Force's activities include disrupting illicit drug traffic in the area, gathering and reporting intelligence related to trafficking of narcotics and dangerous drugs, and conducting undercover operations where appropriate to facilitate effective criminal prosecution of offenders. Temple Police Department (TPD) currently has one experienced peace officer assigned to the Waco Task Force. Participation in the Task Force provides valuable personnel and intelligence resources to TPD for narcotics and drug trafficking investigations.

TPD has participated in the Waco Task Force since October 1, 2014. The current Memorandum of Understanding will expire on September 30, 2016. The proposed renewal will extend the terms of the Memorandum from October 1, 2016 through September 30, 2017.

**FISCAL IMPACT:** This agreement is neutral with regard to fiscal impact. No additional personnel, equipment, or funding is required for the item.

### **ATTACHMENTS:**

[Resolution](#)

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE RENEWAL OF A MEMORANDUM OF UNDERSTANDING WITH THE UNITED STATES DEPARTMENT OF JUSTICE DRUG ENFORCEMENT AGENCY, FOR PARTICIPATION IN THE WACO TASK FORCE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas,** 21 U.S.C. §873 authorizes the United States Drug Enforcement Agency (DEA) to enter into cooperative agreements for the formation of specialized task forces devoted to detecting, investigating and prosecuting criminal activity related to dangerous drug and narcotic trafficking in a specific geographical area;

**Whereas,** the Waco Task Force is composed of experienced local peace officers and four DEA Special Agents under the direct supervision and control of DEA supervisory personnel - the Task Force's activities include disrupting illicit drug traffic in the area, gathering and reporting intelligence related to trafficking of narcotics and dangerous drugs, and conducting undercover operations where appropriate to facilitate effective criminal prosecution of offenders;

**Whereas,** the Temple Police Department (TPD) currently has one experienced peace officer assigned to the Waco Task Force – participation in the Task Force provides valuable personnel and intelligence resources to TPD for narcotics and drug trafficking investigations;

**Whereas,** TPD has participated in the Waco Task Force since October 1, 2014 - the current Memorandum of Understanding expires September 30, 2016 and Staff recommends Council authorize a one-year renewal that will extend the terms of the Memorandum through September 30, 2017; 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 one-year renewal to the Memorandum of Understanding with the United States Department of Justice Drug Enforcement Agency for participation in the Waco Task Force, expiring September 30, 2017.

**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 **1<sup>st</sup>** day of **September**, 2016.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Kayla Landeros  
City Attorney





## COUNCIL AGENDA ITEM MEMORANDUM

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

Floyd Mitchell, Chief of Police

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing renewal of an Interlocal Agreement with the Texas Department of Public Safety for participation in the DPS Sex Offender Registration program.

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

**ITEM SUMMARY:** Texas Code of Criminal Procedure Art. 62.051(e) requires local law enforcement agencies to use the DPS Texas Secure Website for Sex Offender Registration (website), to maintain detailed identifying information about local residents who have been convicted of or adjudicated for an offense involving sexual abuse or exploitation of a child. The website allows law enforcement personnel and the public to identify and track sex offenders living in the local community. DPS provides local law enforcement agencies access to the website under the terms of the Interlocal Agreement, for the purpose of maintaining, verifying and tracking information related to registered sex offenders across the state. Participation in the Agreement has been instrumental in providing the Temple Police Department (TPD) the ability to accurately maintain, verify and track the records of sex offenders living in Temple.

The City has participated in this Agreement since September 1, 2014. The City's current Sex Offender Registration Interlocal Agreement with DPS expires on August 30, 2016. The proposed renewal will extend the terms of the Agreement from September 1, 2016 through August 30, 2017.

**FISCAL IMPACT:** There is not a cost associated with the use of the DPS Texas Secure Website for Sex Offender Registration. Funding not required for this item.

### **ATTACHMENTS:**

[Resolution](#)

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE RENEWAL OF AN INTERLOCAL ASSISTANCE AGREEMENT WITH THE TEXAS DEPARTMENT OF PUBLIC SAFETY FOR PARTICIPATION IN THE DPS SEX OFFENDER REGISTRATION PROGRAM; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, the Texas Code of Criminal Procedure Article 62.051(e) requires local law enforcement agencies to use the Department of Public Safety (DPS) Texas Secure Website for Sex Offender Registration to maintain detailed identifying information about local residents who have been convicted of, or adjudicated for, an offense involving sexual abuse or exploitation of a child;

**Whereas**, the website allows law enforcement personnel and the public to identify and track sex offenders living in the local community - DPS provides local law enforcement agencies access to the website under the terms of the Interlocal Agreement, for the purpose of maintaining, verifying and tracking information related to registered sex offenders across the state;

**Whereas**, participation in the Agreement has been instrumental in providing the Temple Police Department the ability to accurately maintain, verify and track the records of sex offenders living in Temple;

**Whereas**, the Temple Police Department has participated in this Agreement since September 1, 2014 and the current Interlocal Agreement expires August 30, 2016 – and Staff recommends Council approve a one-year renewal to the Interlocal Agreement that will extend the terms of the Agreement from September 1, 2016 through August 30, 2017; 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 one-year renewal to the Interlocal Agreement with the Texas Department of Public Safety through August 30, 2017 for participation in the DPS Sex Offender Registration program.

**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 **1<sup>st</sup>** day of **September**, 2016.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Kayla Landeros  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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Item#4(N)  
Consent Agenda  
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### **DEPT./DIVISION SUBMISSION & REVIEW:**

Floyd Mitchell, Chief of Police

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing renewal of an Interlocal Cooperation Agreement with the Texas Department of Public Safety for participation in the DPS Breath Testing and Laboratory Alcohol and Drug Testing Program.

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

**ITEM SUMMARY:** To ensure statewide consistency of forensic testing, DPS provides gunshot residue kits, breath testing supplies, laboratory drug testing supplies, testing forms and manuals to Texas law enforcement agencies who participate in the Interlocal Cooperation Agreement. Use of standardized testing supplies and procedures, and consistent documentation of the test results enhances public confidence in the testing process, which increases the probability of convicting offenders at trial. As a DPS-related agency, the Temple Police Department ("TPD") can obtain the DPS supplies free of charge. Participation in the Agreement will provide TPD necessary forensic testing supplies and equipment at no cost.

The City has participated in this Interlocal Cooperation Agreement with DPA since September 1, 2014. The City's current Agreement expires on August 30, 2015. The proposed renewal will extend the terms of the Agreement from September 1, 2016 through August 30, 2017.

**FISCAL IMPACT:** DPS supplies under the Interlocal Agreement with Texas Department of Public Safety are provided at no charge. Funding not required for this agreement.

### **ATTACHMENTS:**

[Resolution](#)

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE RENEWAL OF AN INTERLOCAL COOPERATION AGREEMENT WITH THE TEXAS DEPARTMENT OF PUBLIC SAFETY, FOR PARTICIPATION IN THE BREATH TESTING AND LABORATORY ALCOHOL AND DRUG TESTING PROGRAM; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, to ensure statewide consistency of forensic testing, the Texas Department of Public Safety (DPS) provides gunshot residue kits, breath testing supplies, laboratory drug testing supplies, testing forms and manuals to Texas law enforcement agencies who participate in the Interlocal Cooperation Agreement;

**Whereas**, use of standardized testing supplies and procedures, and consistent documentation of the test results enhances public confidence in the testing process, which increases the probability of convicting offenders at trial;

**Whereas**, as a DPS-related agency, the Temple Police Department can obtain the supplies free of charge and participation in the Interlocal Cooperation Agreement will provide the Temple Police Department with necessary forensic testing supplies and equipment at no cost;

**Whereas**, the City has participated in this Interlocal Cooperation Agreement with DPS since September 1, 2014 and the current Agreement expires on August 30, 2016 – Staff recommends Council authorize a renewal to the Interlocal Cooperation Agreement from September 1, 2016 through August 30, 2017;

**Whereas**, supplies under the Interlocal Agreement with Texas Department of Public Safety are provided at no charge to the City; 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 renewal to the Interlocal Cooperation Agreement with the Texas Department of Public Safety from September 1, 2016 through August 30, 2017, for participation in the breath testing and laboratory alcohol and drug testing program.

**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 **1<sup>st</sup>** day of **September**, 2016.

THE CITY OF TEMPLE, TEXAS

---

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Kayla Landeros  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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09/01/16  
Item #4(O)  
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 change order to the Prairie View Road Phase 1 – Research Boulevard to North Pea Ridge Road construction contract with R.T. Schneider Construction Company, Ltd. of Belton, for construction services required for street improvements in the amount of \$38,291.02.

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

**ITEM SUMMARY:** On December 18, 2014 Council authorized a construction contract with R.T. Schneider Construction Co., Ltd. for construction of Phase 1 of Prairie View Road from Research Boulevard to North Pea Ridge Road.

The attached change order includes additional traffic control signs and stop bars at intersections and cross-overs. The original construction contract amount is \$7,689,762.90. Previous change orders totaling \$300,020.52 result in a current revised contract amount of \$7,989,783.42. This change order represents a contract increase of \$38,291.02 or 0.5% of the original contract amount. The net increase in the contract amount including previous change orders is \$338,311.54 or 4.4% of the original contract amount.

The engineering consultant has reviewed the change order and recommends approval. There is no proposed added time for the change order.

Original Contract Amount	\$ 7,689,762.90
Previous Net Change in Contract Amount	\$ 300,020.52
Net Change in Contract Amount	\$ 38,291.02
Revised Contract Amount	\$ 8,028,074.44
Original Contract Time	330 Days
Previous Net Change in Contract Time	222 Days
Net Change in Contract Time	0 Days
Revised Contract Time	532 Days
Original Final Completion Date	December 10, 2015
Revised Final Completion Date	July 19, 2016

**FISCAL IMPACT:** Funding is available in account 365-3400-531-6862, project #100984, to fund the change order for R.T Schneider Construction Company, Ltd. in the amount of \$38,291.02 as follows:

Project Budget	\$	8,427,414
Encumbered/Committed to Date		(8,387,414)
R.T. Schneider Construction Company, Ltd. Change order		(38,292)
Remaining Project Funds	\$	<u>1,708</u>

**ATTACHMENTS:**

Engineer's Letter of Recommendation  
Change Order  
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. "TRAE" SUTTON, III, P.E., CFM

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

August 23, 2016

Mr. Richard Wilson, P.E.  
3210 E. Avenue H  
Building A  
Temple, Texas 76501

Re: City of Temple, Texas  
Prairie View Road Ph.1, Research Parkway to North Pea Ridge

Dear Mr. Wilson:

Attached is Change Order #10. A substantially complete walk-through was conducted on July 27, 2016. During the walk-through, city staff requested that additional traffic control signs and stop bars be installed at the intersection of Prairie View Road and Westfield Boulevard. This change order is intended to compensate the Contractor for temporary stop signs, additional permanent signage and required stop bars. On August 1, 2016, construction work to install permanent traffic control signs and stop bars was completed and the road was opened to traffic for the entire length of this project beginning at Research Parkway and ending at North Pea Ridge. The contractor is diligently working towards completing the remaining punch list items, which most notably include installing median pavers, installing median landscaping with trees and establishing revegetation of disturbed soils throughout the construction site.

The cost of additional traffic control signs and stop bars for this project is \$38,291.02. We have reviewed Change Order #10 and recommend that it be processed and executed with respect to the R.T. Schneider Construction, Co, LTD construction contract for the above referenced project.

Sincerely,

A handwritten signature in blue ink, reading 'Michael C. Newman'.

Michael C. Newman, P.E., CFM

MCN/mcn

2013-128-40

# CHANGE ORDER

PROJECT: **Prairie View Ph.1 Roadway Improvements**  
 OWNER: **City of Temple**  
 CONTRACTOR: **RT Schneider Construction Co LTD**  
 ENGINEER: **Kasberg, Patrick & Associates**  
 CHANGE ORDER #: **10**

Make the following additions, modifications or deletions (circle those that apply) to the work described in the Contract Documents:

**Add:** **Traffic signage and Pavement Markings**

Item	Description	Quantity	Unit	Unit Price	Extended Amount
CO-10-1	Temporary Stop Signs	3	EA	\$ 385.00	\$ 1,155.00
CO-10-2	36" LED Stop Sign	6	EA	\$ 4,389.00	\$ 26,334.00
CO-10-3	30" LED Stop Sign	1	EA	\$ 4,042.00	\$ 4,042.00
CO-10-4	Yield Signs	5	EA	\$ 519.60	\$ 2,598.00
CO-10-5	"All Way" below Stop Signs	6	EA	\$ 86.67	\$ 520.02
CO-10-6	Pavement Stop Bars	80	LF	\$ 5.50	\$ 440.00
CO-10-7	Move In For Striping	1	LS	\$ 1,732.00	\$ 1,732.00
CO-10-8	Stop Sign Ahead Signs	3	EA	\$ 490.00	\$ 1,470.00

**Change Order Total \$ 38,291.02**

The compensation agreed upon in this Change Order is full, complete and final payment for all costs the Contractor may incur as a result of or relating to this change whether said costs are known, unknown, foreseen or unforeseen at this time, including without limitation, any cost for delay (for which only revised time is available), extended overhead, ripple or impact cost, or any other effect on changed or unchanged work as a result of this Change Order.

Original Contract Amount	\$ 7,689,762.90
Previous Net Change in Contract Amount	\$ 300,020.52
Net Change in Contract Amount	\$ 38,291.02
Revised Contract Amount	\$ 8,028,074.44
Original Contract Time	330 days
Previous Net Change in Contract Time	222 days
Net Change in Contract Time	0 days
Revised Contract Time	552 days
Original Final Completion Date	December 10, 2015
Revised Final Completion Date	July 19, 2016

**Recommended By:**

Project Manager (City Staff) \_\_\_\_\_ Date \_\_\_\_\_

**Agreed to:**

Contractor \_\_\_\_\_ Date 8/23/16

**Approved as to form:**

City Attorney's Office \_\_\_\_\_ Date \_\_\_\_\_

**Recommended by:**

Architect/Engineer \_\_\_\_\_ Date 8/23/2016

**Approved by City of Temple:**

Jonathan Graham, City Manager \_\_\_\_\_ Date \_\_\_\_\_

**Approved by Finance Department**

Finance \_\_\_\_\_ Date \_\_\_\_\_

SIGNED: \_\_\_\_\_ DATE: \_\_\_\_\_



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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A CHANGE ORDER IN THE AMOUNT OF \$38,291.02, TO THE CONSTRUCTION CONTRACT WITH R.T. SCHNEIDER CONSTRUCTION COMPANY, LTD OF BELTON, TEXAS FOR CONSTRUCTION SERVICES REQUIRED FOR STREET IMPROVEMENTS RELATED TO THE PRAIRIE VIEW ROAD, PHASE I PROJECT; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, on December 18, 2014, Council authorized a construction contract with R.T. Schneider Construction Co., Ltd. for construction of Phase 1 of Prairie View Road from Research Boulevard to North Pea Ridge Road;

**Whereas**, this change order will include additional traffic control signs and stop bars at intersections and cross-overs required for street improvements in the designated area;

**Whereas**, funding for this change order is available in Account No. 365-3400-531-6862, Project No. 100984; 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 change order, in the amount of \$38,291.02, to the construction contract with R.T. Schneider Construction Company, Ltd of Belton, Texas for construction services required for street improvements to Prairie View Road, Phase 1.

**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 1<sup>st</sup> day of **September**, 2016.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Kayla Landeros  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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

Damon Boniface, Utility Director  
Belinda Mattke, Director of Purchasing

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a one-year renewal to a purchase agreement for liquid polyaluminum chloride for FY2017 with GEO Specialty Chemicals, Inc. of Little Rock, Arkansas, in the estimated annual amount of \$330,000.

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

**ITEM SUMMARY:** Renewal of this purchase agreement will allow for the continued purchase of liquid polyaluminum chloride (PAC) suitable for treatment of potable water for both the conventional and membrane water treatment plants during FY2017 from GEO Specialty Chemicals, Inc. (GEO). In FY2015, PAC was introduced as a new chemical at the City's water treatment plants to reduce the use of liquid aluminum sulfate blend chemicals and caustic soda, and to reduce sludge generation.

On September 17, 2015, Council awarded an annual purchase agreement to GEO for the purchase of PAC at a cost of 20.94¢ and 18.9¢ per wet pound for specially blended PAC for the conventional and membrane plants, respectively. The original bid allowed for four additional one-year extensions, assuming City staff considers the performance by GEO and their product to be satisfactory, and staff deems the product prices to still be a good value. Based on staff's review of these renewal criteria, it is staff's recommendation to award a one-year extension to the PAC purchase agreement with GEO.

**FISCAL IMPACT:** Funding for water treatment plant chemicals are included in the adopted FY2017 Budget in account 520-5100-535-2118 in the amount of \$1,120,537, of which it is expected that approximately \$330,000 will be used to purchase liquid polyaluminum chloride.

**ATTACHMENTS:**

[Resolution](#)

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A ONE-YEAR RENEWAL TO THE PURCHASE AGREEMENT WITH GEO SPECIALTY CHEMICALS, INC. OF LITTLE ROCK, ARKANSAS, IN AN ESTIMATED ANNUAL AMOUNT OF \$330,000, FOR LIQUID POLYALUMINUM CHLORIDE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, liquid polyaluminum chloride (PAC) is suitable for treatment of potable water for both the conventional and membrane water treatment plants - PAC was introduced in fiscal year 2015 as a new chemical at the City's water treatment plants to reduce the use of liquid aluminum sulfate blend chemicals and caustic soda, and to reduce sludge generation;

**Whereas**, on September 17, 2015, Council awarded an annual purchase agreement to GEO Specialty Chemicals, Inc., of Little Rock, Arkansas for the purchase of PAC at a cost of 20.94¢ and 18.9¢ per wet pound for specially blended PAC for the conventional and membrane plants, respectively;

**Whereas**, the original bid allowed for four additional one-year renewals - Staff still considers the performance of GEO Specialty Chemicals to be satisfactory and deems the product prices to still be a good value for the City;

**Whereas**, based on Staff's review of the renewal criteria, Staff recommends Council authorize a one-year renewal to the purchase agreement with GEO Specialty Chemicals, Inc. - this is the second renewal available under this agreement, with two renewals remaining;

**Whereas**, funding for water treatment chemicals are included in the adopted fiscal year 2017 budget in Account No. 520-5100-535-2118; 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 one-year renewal to the purchase agreement with GEO Specialty Chemicals, Inc. of Little Rock, Arkansas, in the estimated annual amount of \$330,000, for the purchase of liquid polyaluminum chloride.

**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 **1<sup>st</sup>** day of **September**, 2016.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Kayla Landeros  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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

Heather Mikulas, Utility Business Office Manager  
Belinda Mattke, Director of Purchasing

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a one-year renewal to a services agreement for water meter reading services for FY2017 with Alexander's Contract Services, Inc. of Atascadero, CA, in an estimated annual amount of \$270,000.

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

**ITEM SUMMARY:** Renewal of this agreement will continue to provide contracted monthly water metering services by Alexander's Contract Services, Inc. (Alexander's) at a rate of 79¢ per meter read for FY2017. Alexander's currently reads substantially all of the City's water meters monthly.

On May 2, 2013, the City Council authorized a 2.5-year agreement with Alexander's for water meter reading services, and on September 3, 2015, the City Council authorized a 1-year extension to this agreement. The current contract will expire September 30, 2016. The original bid allows for two additional one-year extensions. In order to renew the contract, the vendor must agree to hold their prices firm for an additional year, which they are willing to do.

Staff is satisfied with the services provided by Alexander's and recommends Council authorize an extension to the contract. This is the second renewal available under this contract, with one year remaining.

**FISCAL IMPACT:** Funding for contracted water meter reading services is included in the adopted FY2017 budget in account 520-5300-535-2623, Other Contracted Services, in the amount of \$270,000.

**ATTACHMENTS:**

[Resolution](#)



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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A ONE-YEAR RENEWAL TO THE SERVICES AGREEMENT WITH ALEXANDER'S CONTRACT SERVICES, INC. OF ATASCADERO, CALIFORNIA, IN AN ESTIMATED ANNUAL AMOUNT OF \$270,000, FOR WATER METER READING SERVICES FOR FISCAL YEAR 2017; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, on May 2, 2013, Council authorized a 2.5 year services agreement with Alexander's Contract Services, Inc. of Atascadero, California, for water meter reading services;

**Whereas**, on September 30, 2015, Council authorized a one-year renewal to this agreement – the current contract will expire on September 30, 2016;

**Whereas**, the original bid allowed for two additional one-year renewals and in order to renew the agreement, the vendor must agree to hold its prices firm for an additional year, which it is willing to do;

**Whereas**, Staff has been satisfied with the services provided by Alexander's and recommends Council authorize a one-year renewal to the services agreement - this is the second renewal available under this agreement, with one renewal remaining;

**Whereas**, funding for contracted water meter reading services is included in the adopted fiscal year 2017 budget in Account No. 520-5300-535-2623; 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 one-year renewal to the services agreement with Alexander's Contract Services, Inc. of Atascadero, California, in the estimated annual amount of \$270,000, for contracted water meter reading services for fiscal year 2017.

**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 1<sup>st</sup> day of **September**, 2016.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

APPROVED AS TO FORM:

ATTEST:

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Lacy Borgeson  
City Secretary

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Kayla Landeros  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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

Kevin Beavers, Parks and Recreation Director  
Belinda Mattke, Director of Purchasing

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a one-year renewal to a services agreement for mowing and maintaining of various parks and roadways for FY2017 with Green Ackors of China Springs in the estimated annual amount of \$265,065.

**STAFF RECOMMENDATION:** Adopt resolutions as described in item description.

**ITEM SUMMARY:** Renewal of this mowing and maintenance agreement with Green Ackors will provide for mowing and maintenance of 19 City-owned parks and roadway areas during FY2017.

On September 17, 2015, the City Council authorized a 1-year agreement with Green Ackors for the mowing and maintaining of 16 various parks and roadway areas throughout the City for an estimated annual contract amount of \$214,470. During FY2016, three change orders were executed which extended the maintenance services to the new Avenue R & 25<sup>th</sup> Street beds, the new NW Loop 363 & SH36 intersection beds, and the new Airport entrance beds, making the estimated annual contract value now \$265,025.

The current Services Agreement will expire on September 30, 2016. The original bid allows for four additional one-year extensions. In order to renew the contract, the vendor must agree to hold their prices firm for an additional year, which they are willing to do.

Staff is satisfied with the services provided by Green Ackors and recommends Council authorize an extension to the contract. This is the first renewal available under this contract, with three years remaining.

**FISCAL IMPACT:** The FY2017 Operating Budget includes funding in the amount of \$200,750 in account #110-3595-552-2623, which is funded by the Reinvestment Zone, and \$59,275 in the Parks FY2017 adopted budget account #110-3500-552-2623.

**ATTACHMENTS:**

[Resolution](#)

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A ONE-YEAR RENEWAL TO THE SERVICES AGREEMENT WITH GREEN ACKORS LANDSCAPING, LLC OF CHINA SPRINGS, TEXAS, IN THE ESTIMATED ANNUAL AMOUNT OF \$260,025, FOR MOWING AND MAINTENANCE OF VARIOUS PARKS AND ROADWAYS FOR FISCAL YEAR 2017; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, on September 17, 2015, Council authorized a 1-year services agreement with Green Ackors Landscaping, LLC of China Springs, Texas, for the mowing and maintaining of 16 various parks and roadway areas throughout the City;

**Whereas**, during fiscal year 2016, three change orders were executed which extended the maintenance services to the new Avenue R & 25<sup>th</sup> Street beds, the new NW Loop 363 & SH36 intersection beds, and the new Airport entrance beds, raising to 19 the number of City-owned parks and roadway areas being mowed and maintained;

**Whereas**, the current Services Agreement expires September 30, 2016 and the original bid allowed for four additional one-year renewals - in order to renew the agreement, the vendor must agree to hold its prices firm for an additional year, which it is willing to do;

**Whereas**, Staff has been satisfied with the services provided by Green Ackors and recommends Council authorize a one-year renewal to the services agreement - this is the first renewal available under this contract, with three renewals remaining;

**Whereas**, funds are available for this annual services agreement in the Reinvestment Zone Account No. 110-3595-552-2623 and in the Parks and Recreation Department Account No. 110-3500-552-2623; 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 one-year renewal to the services agreement with Green Ackors Landscaping, LLC of China Spring, Texas, in an estimated annual amount of \$260,025, for mowing and maintenance services at 19 City-owned parks and roadway areas for fiscal year 2017.

**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 **1<sup>st</sup>** day of **September**, 2016.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Kayla Landeros  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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

Heather Mikulas, Utility Business Office Manager  
Belinda Mattke, Director of Purchasing

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a one-year renewal to a purchase agreement for water meters for FY2017 from HD Supply Waterworks of Belton in the estimated annual amount of \$230,000.

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

**ITEM SUMMARY:** Renewal of this agreement will allow for the continued purchase of water meters for FY2017 from HD Supply Waterworks.

On September 5, 2013, Council awarded an annual purchase agreement to HD Supply Waterworks for the purchase of water meters. On September 4, 2014, and September 17, 2015, Council authorized one-year extensions to the agreement. The current agreement will expire on September 30, 2016. The original bid allowed for four additional one-year extensions. In order to renew the agreement, the vendor must agree to hold their prices firm for an additional year, which they are willing to do. This will be the third one-year renewal authorized under this agreement, with one year remaining.

Staff is pleased with the products and services provided by HD Supply Waterworks, and staff believes that the pricing offered by HD Supply is still a good value. Accordingly, staff recommends that Council authorize an extension to the purchase agreement.

**FISCAL IMPACT:** Meters are purchased on an as needed basis and are accounted for in the Utility Warehouse's inventory account. The meters are charged to departmental expenditure accounts as they are issued to departments, primarily in this case, the Water Metering Department. Based on historical usage, it is estimated that \$230,000 in water meters will be purchased during FY2017.

**ATTACHMENTS:**

[Resolution](#)

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A ONE-YEAR RENEWAL TO THE PURCHASE AGREEMENT WITH HD SUPPLY WATERWORKS OF BELTON, TEXAS, IN THE ESTIMATED ANNUAL AMOUNT OF \$230,000, FOR THE PURCHASE OF WATER METERS; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, on September 5, 2013, City Council awarded an annual purchase agreement with HD Supply Waterworks of Belton, Texas, for the purchase of water meters – on September 4, 2014 and September 17, 2015, Council authorized one-year renewals to the agreement which expires September 30, 2016;

**Whereas**, the original bid allowed for four additional one-year renewals and in order to renew the agreement, the vendor must agree to hold its prices firm for an additional year, which it is willing to do - this will be the third one-year renewal authorized under this agreement, with one renewal remaining;

**Whereas**, Staff has been pleased with the products and services provided by HD Supply Waterworks and believes that the pricing offered is still a good value to the City;

**Whereas**, meters are purchased on an ‘as needed’ basis and are accounted for in the Utility Warehouse’s inventory account –meters are charged to departmental expenditure accounts as they are issued; 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 one-year extension to the purchase agreement with HD Supply Waterworks of Belton, Texas, in the estimated annual amount of \$230,000, for the purchase of water meters.

**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 1<sup>st</sup> day of **September**, 2016.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Kayla Landeros  
City Attorney





## COUNCIL AGENDA ITEM MEMORANDUM

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

Belinda Mattke, Director of Purchasing  
Ashley Williams, General Services Manager

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a one-year renewal to a contract for HVAC maintenance and repair services for FY2017 with Temple Heat & Air, LLC of Temple in the estimated annual amount of \$180,000.

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

**ITEM SUMMARY:** Authorization of this contract will allow for continued HVAC maintenance and repair services by Temple Heat & Air during FY2017.

On September 4, 2014, the City Council authorized an annual contract with Temple Heat & Air for providing HVAC repair and maintenance services on an as needed basis using a fixed rate guarantee for materials and labor as follows:

Material markup over cost	- 15% - 50%, depending on unit cost
Labor, straight time	- \$50/hour
Labor, nights & weekends	- \$75/hour
Labor, holidays	- \$85/hour

On September 3, 2015, Council authorized a 1-year extension to the contract. The current contract will expire on September 30, 2016.

Staff is satisfied with the services provided by Temple Heat & Air and recommends Council authorize an extension to the contract. This will be the second one-year renewal authorized under this contract, with two years remaining.

**FISCAL IMPACT:** Each department has budgeted for HVAC repair service. This service will be ordered on an as-needed basis. Based on historical expenditures, staff estimates that approximately \$180,000 will be expended for HVAC repair and maintenance services in FY2017.

**ATTACHMENTS:**

[Resolution](#)

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A ONE-YEAR RENEWAL TO THE CONSTRUCTION CONTRACT WITH TEMPLE HEAT & AIR, LLC OF TEMPLE, TEXAS, IN THE ESTIMATED ANNUAL AMOUNT OF \$180,000, FOR HVAC MAINTENANCE AND REPAIR SERVICES; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, on September 4, 2014, Council authorized an annual construction contract with Temple Heat & Air, LLC of Temple, Texas, for HVAC repair and maintenance services using a fixed rate guarantee for materials and labor;

**Whereas**, on September 3, 2015, Council authorized a one-year renewal to the contract which expires on September 30, 2016;

**Whereas**, Staff has been satisfied with the services provided by Temple Heat & Air and recommends Council authorize a one-year renewal to the construction contract - this will be the second one-year renewal authorized under this contract, with two renewals remaining;

**Whereas**, repairs are ordered on an 'as-needed' basis and each department has budgeted for HVAC repair services in their fiscal year 2017 budget; 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 one-year renewal to the construction contract with Temple Heat & Air, LLC of Temple, Texas, in the estimated amount of \$180,000, for HVAC maintenance and repair 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 **1<sup>st</sup>** day of **September**, 2016.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Kayla Landeros  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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

Kirk Scopac, Interim Director of Fleet Services  
Belinda Mattke, Director of Purchasing

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a one-year renewal to a purchase agreement for tires for FY2017 from Southern Tire Mart, LLC of Memphis, TN, in the estimated annual amount of \$140,000.

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

**ITEM SUMMARY:** Renewal of this agreement will allow for the continued purchase of tires during FY2017 from Southern Tire Mart.

On September 4, 2014, the City Council authorized an annual purchase agreement for the purchase of tires with Southern Tire Mart. On September 3, 2015, Council authorized a one-year extension to this purchase agreement. The current agreement will expire on September 30, 2016. The original bid allowed for four additional one-year extensions. In order to renew the agreement, the vendor must agree to hold their prices firm for an additional year, which they are willing to do.

Staff is pleased with the products and service provided by Southern Tire Mart and staff believes that the prices are still a good value. Accordingly, staff recommends that Council authorize an extension to the agreement. This will be the second renewal available under this agreement, with two years remaining.

**FISCAL IMPACT:** Each department with vehicles has budgeted for tires. These items will be ordered on an as-needed basis. The estimated annual expenditure of \$140,000 is based on historical expenditures.

**ATTACHMENTS:**

[Resolution](#)

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS,  
AUTHORIZING A ONE-YEAR RENEWAL TO THE PURCHASE AGREEMENT  
WITH SOUTHERN TIRE MART, LLC, OF MEMPHIS, TENNESSEE, IN THE  
ESTIMATED ANNUAL AMOUNT OF \$140,000, FOR THE PURCHASE OF TIRES;  
AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, on September 4, 2014, the Council authorized an annual purchase agreement with Southern Tire Mart of Memphis, Tennessee for the purchase of tires – on September 3, 2015, Council authorized a one-year extension to the purchase agreement that expires on September 30, 2016;

**Whereas**, the original bid allowed for four additional one-year renewals and in order to renew the agreement, the vendor must agree to hold its prices firm for an additional year, which it is willing to do;

**Whereas**, Staff has been pleased with the products and service provided by Southern Tire Mart and believes that the prices offered are still a good value to the City;

**Whereas**, Staff recommends Council authorize a one-year renewal to the purchase agreement - this will be the second renewal available under this agreement, with two renewals remaining;

**Whereas**, each department with vehicles has budgeted for tires in their fiscal year 2017 budget and tires will be ordered on an as-needed basis; 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 one-year renewal to the purchase agreement with Southern Tire Mart, LLC of Memphis, Tennessee, in the estimated annual amount of \$140,000, for the purchase of tires.

**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 1<sup>st</sup> day of **September**, 2016.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Kayla Landeros  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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

Kenny Henderson, Transportation Director  
Belinda Mattke, Director of Purchasing

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a one-year renewal to a purchase agreement for aggregate base for FY2017 with Superior Crushed Stone of Jarrell in the estimated annual amount of \$120,000.

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

**ITEM SUMMARY:** Renewal of this agreement will allow for the continued purchase of aggregate base during FY2017 from Superior Crushed Stone.

On September 17, 2015, Council authorized an annual purchase agreement for aggregate base with Superior Crushed Stone at a cost of \$11.50 per ton for delivered base and \$5.50 per ton for base picked up by City staff. The current agreement will expire on September 30, 2016. The original bid allowed for four additional one-year extensions. In order to renew the agreement, the vendor must agree to hold their prices firm for an additional year, which they are willing to do.

Staff is pleased with the aggregate base and service provided by Superior Crushed Stone and staff believes that the prices are still a good value. Accordingly, staff recommends that Council authorize an extension to the agreement. This will be the first renewal available under this agreement, with three years remaining.

**FISCAL IMPACT:** Aggregate base is ordered on an as-needed basis. Departments have budgeted for this material in the adopted FY2017 budget. The estimated annual expenditure for FY2017 based on historical expenditures is \$120,000.

**ATTACHMENTS:**

[Resolution](#)

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A ONE-YEAR RENEWAL TO THE ANNUAL PURCHASE AGREEMENT WITH SUPERIOR CRUSHED STONE, OF JARRELL, TEXAS, IN THE ESTIMATED ANNUAL AMOUNT OF \$120,000, FOR AGGREGATE BASE FOR FISCAL YEAR 2017; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, on September 17, 2015, Council authorized an annual purchase agreement for aggregate base with Superior Crushed Stone of Jarrell, Texas, at a cost of \$11.50 per ton for delivered base and \$5.50 per ton for base picked up by City Staff;

**Whereas**, the current agreement expires September 30, 2016 - the original bid allowed for four additional one-year renewals and in order to renew the agreement, the vendor must agree to hold its prices firm for an additional year, which it is willing to do;

**Whereas**, Staff has been pleased with the aggregate base and service provided by Superior Crushed Stone and believes that the prices offered are still a good value to the City;

**Whereas**, Staff recommends Council authorize a one-year renewal to the purchase agreement - this will be the first renewal available under this agreement, with three renewals remaining;

**Whereas**, aggregate base is ordered on an 'as-needed' basis and departments have budgeted for this material in the fiscal year 2017 budget; 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 one-year renewal to the purchase agreement with Superior Crushed Stone, of Jarrell, Texas, in the estimated annual amount of \$120,000, for the purchase of aggregate base for fiscal year 2017.

**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 1<sup>st</sup> day of **September**, 2016.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

APPROVED AS TO FORM:

ATTEST:

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Lacy Borgeson  
City Secretary

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Kayla Landeros  
City Attorney





## COUNCIL AGENDA ITEM MEMORANDUM

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09/01/16  
Item #4(P8)  
Consent Agenda  
Page 1 of 1

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

Damon Boniface, Utility Director  
Belinda Mattke, Director of Purchasing

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a one-year renewal to a purchase agreement for liquid chlorine for FY2017 with Brenntag Southwest, Inc. of Houston in the estimated annual amount of \$110,000.

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

**ITEM SUMMARY:** Approval of this purchase agreement will allow for the continued purchase of liquid chlorine at a cost of \$589 per ton for the City's Conventional Water Treatment Plant during FY2017. The liquid chlorine is used in the treatment of potable water.

On September 17, 2015, Council authorized an annual purchase agreement for the purchase of liquid chlorine from Brenntag Southwest, Inc. This purchase agreement will expire on September 30, 2016. The original bid allowed for four additional one-year extensions. In order to renew the agreement, the vendor must agree to hold their prices firm for an additional year, which they are willing to do.

Staff is pleased with the product and service provided by Brenntag Southwest, and staff believes that the price is still a good value. Accordingly, staff recommends that Council authorize an extension to the agreement. This will be the first renewal under the agreement, with three years remaining.

**FISCAL IMPACT:** Water Treatment Plant chemicals are purchased on an as needed basis throughout the year. Funding for Water Treatment Plant chemicals, to include liquid chlorine, is included in the adopted FY2017 Budget in account 520-5100-535-2118 in the amount of \$1,120,537.

**ATTACHMENTS:**

[Resolution](#)

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A ONE-YEAR RENEWAL TO THE PURCHASE AGREEMENT WITH BRENNTAG SOUTHWEST, INC. OF HOUSTON, TEXAS, IN THE ESTIMATED ANNUAL AMOUNT OF \$110,000, FOR THE PURCHASE OF LIQUID CHLORINE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, on September 17, 2015, Council authorized an annual purchase agreement for the purchase of liquid chlorine from Brenntag Southwest, Inc. - this purchase agreement expires on September 30, 2016;

**Whereas**, the original bid allowed for four additional one-year renewals and in order to renew the agreement, the vendor must agree to hold its prices firm for an additional year, which it is willing to do;

**Whereas**, Staff has been pleased with the product and service provided by Brenntag Southwest, Inc. and finds it to be a responsive and responsible vendor;

**Whereas**, Staff recommends Council authorize a one-year renewal to the purchase agreement - this will be the first renewal available under this agreement, with three renewals remaining;

**Whereas**, chemicals for the Water Treatment Plant are purchased on an 'as-needed' basis and funding is budgeted in Account No. 520-5100-535-2118; 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 annual purchase agreement with Brenntag Southwest, Inc. of Houston, Texas, in the estimated annual amount of \$110,000, for the purchase of liquid chlorine.

**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 1<sup>st</sup> day of **September**, 2016.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

APPROVED AS TO FORM:

ATTEST:

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Lacy Borgeson  
City Secretary

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Kayla Landeros  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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09/01/16  
Item #4(P9)  
Consent Agenda  
Page 1 of 2

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

Leigh Gardner, Library Director  
Belinda Mattke, Director of Purchasing

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing one-year renewals to annual purchase agreements for the purchase of library books, DVD's, books on CD and compact disks for FY2017 with Baker & Taylor, Inc. of Charlotte, NC, Brodart Co. of Williamsport, PA, and Scholastic Library Publishing, Inc. of Danbury, CT, in the estimated annual amount of \$105,000.

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

**ITEM SUMMARY:** On September 5, 2013, Council awarded annual purchase agreements to Baker & Taylor, Inc. of Charlotte, NC, Brodart Co. of Williamsport, PA, and Scholastic Library Publishing, Inc. of Danbury CT for the purchase of library books, DVD's, books on CD and compact disks. On September 4, 2014, and September 3, 2015, Council authorized one-year extensions to the agreements. The current agreements expire on September 30, 2016. The original bid allowed for four additional one-year extensions. In order to renew the agreement, the vendors must agree to hold their prices firm for an additional year, which they are willing to do.

A summary of the pricing and distribution of awards by vendor is as follows:

	<b>Primary Award</b>	<b>Secondary Award</b>
<b>General Trade Books</b>	Brodart, 46.5%*	Baker & Taylor, 45%
<b>Paper Backs, Mass Market</b>	Baker & Taylor, 41%	Brodart, 40%*
<b>Paper Backs, Trade</b>	Baker & Taylor, 41%	Brodart, 40%*
<b>Paper Backs, Pre-Bound</b>	Brodart, 23%	Baker & Taylor, 15%
<b>Library Bindings</b>	Scholastic Lib, 30%	Baker & Taylor, 24%
<b>Books on CD, Abridged</b>	Baker & Taylor, 46%	Brodart, 45%
<b>Books on CD, Unabridged</b>	Baker & Taylor, 46%	Brodart, 45%
<b>DVD's</b>	Baker & Taylor, 32%	Brodart, 15%
<b>Compact Discs</b>	Baker & Taylor, 27%	N/A

***Note: %'s noted are Discount from Publisher's Price List***

\* Hardcover, paperback and audio titles on which Brodart receives minimal or no discount and/or the publisher requires prepayment may be discounted at the non-trade discount or invoiced at the publisher's list price

Staff is satisfied with the products and services provided by the vendors listed above and recommends Council authorize extensions to their agreements. This will be the third one-year renewal authorized under these agreements with one year remaining.

**FISCAL IMPACT:** The adopted FY2017 budget includes \$171,390 for books, periodicals, and microfilm/audio visuals in the following accounts: 110-4000-555-2225, 110-4000-555-2226, and 110-4000-555-2522. Estimated expenditure under these purchase agreements based on historical expenditures: \$105,000.

**ATTACHMENTS:**

[Resolution](#)

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A ONE-YEAR RENEWAL TO THE PURCHASE AGREEMENTS WITH BAKER & TAYLOR, INC., OF CHARLOTTE, NORTH CAROLINA, BRODART CO., OF WILLIAMSPORT, PENNSYLVANIA, AND SCHOLASTIC LIBRARY PUBLISHING, INC. OF DANBURY, CONNECTICUT, IN THE ESTIMATED ANNUAL AMOUNT OF \$105,000, FOR THE PURCHASE OF LIBRARY BOOKS, DVDS, BOOKS ON CD, AND COMPACT DISKS FOR FISCAL YEAR 2017; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, on September 5, 2013, Council authorized annual purchase agreements with Baker & Taylor, Inc., of Charlotte, North Carolina, Brodart Co., of Williamsport, Pennsylvania, and Scholastic Library Publishing, Inc., of Danbury, Connecticut, for the purchase of library books, DVDs, books on CD, and compact disks;

**Whereas**, on September 4, 2014 and September 3, 2015, Council authorized one-year renewals to these agreements which expire September 30, 2016;

**Whereas**, the original bid allowed for four additional one-year renewals and in order to renew the agreements, the vendors must agree to hold their prices firm for an additional year, which they are willing to do;

**Whereas**, Staff has been satisfied with the products and services provided by all vendors and recommends Council authorize one-year renewals to their purchase agreements - this will be the third one-year renewal authorized under these agreements, with one renewal remaining;

**Whereas**, funds are available for these purchases in Account Nos. 110-4000-555-2225, 110-4000-555-2226 and 110-4000-555-2522; 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 one-year renewals to the purchase agreements with Baker and Taylor, Inc., of Charlotte, North Carolina, Brodart Co, of Williamsport, Pennsylvania and Scholastic Library Publishing, Inc., of Danbury, Connecticut, in the estimated annual amount of \$105,000, for the purchase of library books, DVDs, books on CD, and compact disks for fiscal year 2017.

**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 1<sup>st</sup> day of September, 2016.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Kayla Landeros  
City Attorney





## COUNCIL AGENDA ITEM MEMORANDUM

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09/01/16  
Item #4(P10)  
Consent Agenda  
Page 1 of 1

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

Damon Boniface, Utility Director  
Belinda Mattke, Director of Purchasing

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a one-year renewal to a services agreement for electric motor and pump repair services for FY2017 with Evans Enterprises, Inc. of Waco in the estimated annual amount of \$100,000.

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

**ITEM SUMMARY:** Authorization of this agreement will provide for continued electric motor and pump repair services by Evans Enterprises during FY2017 at the water treatment plants, booster pump stations, golf course, and water recreational facilities.

On October 15, 2015, Council authorized a services agreement with Evans Enterprises, Inc. for electric motor and pump repair services on an as-needed basis using a fixed rate guarantee for materials and labor as follows:

Material markup over cost	- 15%
Shop Labor	- \$45/hour
Field Labor	- \$60/hour

The current contract will expire on September 30, 2016. The original bid allowed for four additional one-year extensions. In order to renew the contract, the vendor must agree to hold their prices firm for an additional year, which they are willing to do.

Staff is satisfied with the services provided by Evans Enterprises, Inc. and recommends Council authorize an extension to the contract. This will be the first one-year renewal authorized under this contract, with three years remaining.

**FISCAL IMPACT:** The annual FY2017 adopted budgets for the Water Treatment Plant and Parks include funding for pump and motor repairs within repairs & maintenance accounts. Estimated annual expenditure based on historical expenditures: \$100,000.

**ATTACHMENTS:**

[Resolution](#)

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A ONE-YEAR RENEWAL TO THE SERVICES AGREEMENT WITH EVANS ENTERPRISES, INC, OF WACO, TEXAS, IN THE ESTIMATED ANNUAL AMOUNT OF \$100,000, FOR ELECTRIC MOTOR AND PUMP REPAIR SERVICES; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, on October 1, 2015, Council authorized a services agreement with Evans Enterprises, Inc. of Waco, Texas for electric motor and pump repair services on an as-needed basis using a fixed rate guarantee for materials and labor;

**Whereas**, the current contract expires September 30, 2016 and the original bid allowed for four additional one-year renewals - in order to renew the contract, the vendor must agree to hold its prices firm for an additional year, which it is willing to do;

**Whereas**, Staff has been satisfied with the services provided by Evans Enterprises, Inc. and recommends Council authorize a one-year renewal to the contract - this will be the first one-year renewal authorized under this contract, with three renewals remaining;

**Whereas**, the fiscal year 2017 adopted budgets for the Water Treatment Plant and the Parks and Recreation Department, include funding for pump and motor repairs within their respective repairs and maintenance accounts; and

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

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

**Part 1:** The City Council authorizes the City Manager, or his designee, after approval as to form by the City Attorney, to execute a one-year renewal to the annual services agreement with Evans Enterprises, Inc., of Waco, Texas, in the estimated annual amount of \$100,000, for electric motor and pump repair services, for fiscal year 2017.

**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 **1<sup>st</sup>** day of **September**, 2016.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Kayla Landeros  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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09/01/16  
Item #4(P11)  
Consent Agenda  
Page 1 of 1

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

Belinda Mattke, Director of Purchasing  
Ashley Williams, General Services Manager

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a one-year renewal to a construction contract for as-needed carpentry and minor building remodel and repair services for FY2017 with Camden Enterprises, LLC of Belton in the estimated annual amount of \$90,000.

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

**ITEM SUMMARY:** Authorization of this agreement will provide for continued as-needed carpentry and minor building remodel and repair services by Camden Enterprises during FY2017. "Minor" is defined as being a project with an expected cost of less than \$10,000.

On October 15, 2015, Council authorized an as-needed annual contract for carpentry and minor building remodel and repair services with Camden Enterprises at a fixed rate guarantee for materials and labor as follows:

Material and rental equipment markup over cost	- 28%
Supervisor Labor, straight time / overtime	- \$75/hour / \$112.50/hour
Skilled Craftsman Labor, straight time / overtime	- \$54/hour / \$81/hour
Helper Labor, straight time / overtime	- \$36/hour / \$54/hour

The current contract will expire on September 30, 2016. The original bid allowed for four additional one-year extensions. In order to renew the contract, the vendor must agree to hold their prices firm for an additional year, which they are willing to do.

Staff is satisfied with the services provided by Camden Enterprises and recommends Council authorize an extension to the contract. This will be the first one-year renewal authorized under this contract, with three years remaining.

**FISCAL IMPACT:** The FY2017 adopted departmental budgets include appropriations for building repairs & maintenance. The estimated annual expenditure based on anticipated and budgeted needs: \$90,000.

**ATTACHMENTS:**

[Resolution](#)

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A ONE-YEAR RENEWAL TO THE CONSTRUCTION CONTRACT WITH CAMDEN ENTERPRISES, LLC, OF BELTON, TEXAS, IN THE ESTIMATED ANNUAL AMOUNT OF \$90,000, FOR CARPENTRY AND MINOR BUILDING REMODEL AND REPAIR SERVICES; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, on October 15, 2016, Council authorized an 'as-needed' construction contract for carpentry and minor building remodel and repair services with Camden Enterprises, LLC of Belton, Texas at a fixed rate guarantee for materials and labor - 'minor' remodeling is defined as a project with an expected cost of less than \$10,000;

**Whereas**, the current contract expires September 30, 2016 and the original bid allowed for four additional one-year renewals - in order to renew the contract, the vendor must agree to hold its prices firm for an additional year, which it is willing to do;

**Whereas**, Staff has been satisfied with the services provided by Camden Enterprises and recommends Council authorize a one-year renewal to the construction contract - this will be the first one-year renewal authorized under this contract, with three renewals remaining;

**Whereas**, the annual fiscal year 2017 adopted budget includes appropriations for building repairs & maintenance; 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 one-year renewal to the construction contract with Camden Enterprises, LLC, of Belton, Texas, in the estimated annual amount of \$90,000, for carpentry and minor building remodel and repair 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 **1<sup>st</sup>** day of **September**, 2016.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Kayla Landeros  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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09/01/16  
Item #4(P12)  
Consent Agenda  
Page 1 of 1

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

Damon Boniface, Utility Director  
Belinda Mattke, Director of Purchasing

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a one-year renewal to a purchase agreement for liquid caustic soda for FY2017 from DPC Industries, Inc. of Cleburne in the estimated annual amount of \$65,000.

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

**ITEM SUMMARY:** Approval of this purchase agreement will allow for the continued purchase of liquid caustic soda for the City's Membrane and Conventional Water Treatment Plants during FY2017 from DPC Industries at a cost of 10.73¢ per wet pound. Liquid caustic soda is used in the treatment of potable water and is also used in the cleaning of modules at the Membrane Plant.

On September 17, 2015, Council authorized an annual purchase agreement for the purchase of liquid caustic soda from DPC Industries. This purchase agreement will expire on September 30, 2016. The original bid allowed for four additional one-year extensions. In order to renew the agreement, the vendor must agree to hold their prices firm for an additional year, which they are willing to do.

Staff is pleased with the product and service provided by DPC Industries, and staff believes that the price is still a good value. Accordingly, staff recommends that Council authorize an extension to the agreement. This will be the first renewal under the agreement, with three years remaining.

**FISCAL IMPACT:** Water Treatment Plant chemicals are purchased on an as needed basis throughout the fiscal year. Funding for Water Treatment Plant chemicals, to include liquid caustic soda, is included in the adopted FY2017 Budget in account 520-5100-535-2118 in the amount of \$1,120,537.

**ATTACHMENTS:**

[Resolution](#)

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A ONE-YEAR RENEWAL TO THE PURCHASE AGREEMENT WITH DPC INDUSTRIES, INC. OF CLEBURNE, TEXAS, IN AN ESTIMATED ANNUAL AMOUNT OF \$65,000, FOR THE PURCHASE OF LIQUID CAUSTIC SODA; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, on September 17, 2015, Council authorized an annual purchase agreement for the purchase of liquid caustic soda from DPC Industries, Inc. - this purchase agreement expires September 30, 2016;

**Whereas**, the original bid allowed for four additional one-year renewals and in order to renew the agreement, the vendor must agree to hold its prices firm for an additional year, which it is willing to do;

**Whereas**, Staff has been pleased with the product and services provided by DPC Industries, believes the prices offered are still a good value to the City, and recommends Council authorize a one-year renewal to the purchase agreement;

**Whereas**, this will be the first renewal under the agreement, with three renewals remaining;

**Whereas**, water treatment plant chemicals are purchased on an 'as needed' basis throughout the year and funds are available for this annual purchase in Account No. 520-5100-535-2118; 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 one-year renewal to the annual purchase agreement with DPC Industries, Inc., of Cleburne, Texas, in the estimated amount of \$65,000, for the purchase of liquid caustic soda.

**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 1<sup>st</sup> day of **September**, 2016.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Kayla Landeros  
City Attorney





## COUNCIL AGENDA ITEM MEMORANDUM

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09/01/16  
Item #4(P13)  
Consent Agenda  
Page 1 of 1

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

Kenny Henderson, Transportation Director  
Belinda Mattke, Director of Purchasing

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a one-year renewal to a purchase agreement for hot mix asphalt for FY2017 from APAC-Texas, Inc/Wheeler Companies of Round Rock in the estimated annual amount of \$65,000.

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

**ITEM SUMMARY:** Approval of this purchase agreement will allow for the continued purchase of hot mix asphalt from APAC-Texas, Inc./Wheeler Companies (Wheeler) at a cost of \$66.50 per ton during FY2017.

On September 17, 2015, Council authorized an annual purchase agreement for the purchase of hot mix asphalt from Wheeler. This purchase agreement will expire on September 30, 2016. The original bid allowed for four additional one-year extensions. In order to renew the agreement, the vendor must agree to hold their prices firm for an additional year, which they are willing to do.

Staff is pleased with the product and service provided by Wheeler, and staff believes that the price is still a good value. Accordingly, staff recommends that Council authorize an extension to the agreement. This will be the first renewal under the agreement, with three years remaining.

**FISCAL IMPACT:** This annual agreement is utilized primarily by the Streets & Drainage Departments. Departments have budgeted for this material in the adopted FY 2017 budget. Based on historical usage, the estimated annual expenditure is \$65,000.

**ATTACHMENTS:**

[Resolution](#)

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A ONE-YEAR RENEWAL TO THE ANNUAL PURCHASE AGREEMENT WITH APAC-TEXAS, INC./WHEELER COMPANIES, OF ROUND ROCK, TEXAS, IN THE ESTIMATED ANNUAL AMOUNT OF \$65,000, FOR THE PURCHASE OF HOT MIX ASPHALT; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, on September 17, 2015, Council authorized an annual purchase agreement for the purchase of hot mix asphalt from APAC-Texas, Inc./Wheeler Companies - this purchase agreement expires September 30, 2016;

**Whereas**, the original bid allowed for four additional one-year renewals and in order to renew the purchase agreement, the vendor must agree to hold its prices firm for an additional year, which it is willing to do;

**Whereas**, Staff has been pleased with the product and services provided by APAC/Wheeler, believes that the price offered is still a good value to the City, and asks that Council authorize a one-year renewal to the annual purchase agreement;

**Whereas**, this will be the first renewal under the agreement, with three renewals remaining;

**Whereas**, departments which utilize hot mix asphalt have budgeted for this material in their adopted fiscal year 2017 budget; 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 one-year renewal to the annual purchase agreement with APAC-Texas, Inc./Wheeler Companies, of Round Rock, Texas, in the estimated annual amount of \$65,000, for the purchase of hot mix asphalt.

**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 1<sup>st</sup> day of **September**, 2016.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

APPROVED AS TO FORM:

ATTEST:

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Lacy Borgeson  
City Secretary

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Kayla Landeros  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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09/01/16  
Item #4(P14)  
Consent Agenda  
Page 1 of 1

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

Kirk Scopac, Interim Director of Fleet Services  
Belinda Mattke, Director of Purchasing

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a one-year renewal to a purchase agreement for oil and lubricants for FY2017 with Brazos Valley Lubricants of Bryan in the estimated annual amount of \$55,000.

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

**ITEM SUMMARY:** Authorization of this purchase agreement will allow for the continued purchase of oils and lubricants from Brazos Valley Lubricants during FY2017.

On September 5, 2013, the City Council authorized an annual purchase agreement with Brazos Valley Lubricants for the purchase of oil and lubricants. On September 4, 2014, and on September 3, 2015, Council authorized one-year extensions to the contract. The current agreement will expire on September 30, 2016. The original bid allowed for four additional one-year extensions. In order to renew the agreement, the vendor must agree to hold their prices firm for an additional year, which they are willing to do. The detailed pricing is attached to the September 5, 2013, Council Agenda Item Memorandum.

Staff is satisfied with the products provided by Brazos Valley Lubricants, and based on price research conducted, staff has concluded that we have a good value with the current contracted prices. Accordingly, staff recommends Council authorize an extension to the agreement. This will be the third one-year renewal authorized under this agreement, with one remaining.

**FISCAL IMPACT:** Departments have budgeted for oils and lubricants in their FY2017 departmental automotive repair & maintenance accounts. Purchases under this agreement will be purchased into a Fleet Maintenance inventory account and charged out to the various department accounts upon use by Fleet Services. Estimated annual expenditure: \$55,000.

**ATTACHMENTS:**

[Resolution](#)

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A ONE-YEAR RENEWAL TO THE PURCHASE AGREEMENT WITH BRAZOS VALLEY LUBRICANTS OF BRYAN, TEXAS, IN THE ESTIMATED ANNUAL AMOUNT OF \$55,000, FOR THE PURCHASE OF OILS AND LUBRICANTS; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, on September 5, 2013, Council authorized an annual purchase agreement with Brazos Valley Lubricants of College Station, Texas, for the purchase of oils and lubricants – on September 4, 2014 and September 3, 2015, Council authorized one-year renewals to the agreement;

**Whereas**, the current agreement expires September 30, 2016 – the original bid allowed for four additional one-year renewals and in order to renew the agreement, the vendor must agree to hold its prices firm for an additional year, which it is willing to do;

**Whereas**, Staff has been satisfied with the products provided by Brazos Valley Lubricants, and based on price research conducted, believes Brazos Valley Lubricants continues to offer a good value for the current contracted prices;

**Whereas**, Staff recommends Council authorize a one-year renewal to the purchase agreement with Brazos Valley Lubricants of College Station, Texas – this will be the third one-year renewal authorized under this agreement, with one renewal remaining;

**Whereas**, departments have budgeted for oils and lubricants in their departmental automotive repair and maintenance accounts; and

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

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

**Part 1:** The City Council authorizes the City Manager, or his designee, after approval as to form by the City Attorney, to execute a one-year renewal to the purchase agreement with Brazos Valley Lubricants of Bryan, Texas, in the estimated annual amount of \$55,000 for the purchase of oils and lubricants.

**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 1<sup>st</sup> day of **September**, 2016.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

APPROVED AS TO FORM:

ATTEST:

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Lacy Borgeson  
City Secretary

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Kayla Landeros  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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Item #4(P15)  
Consent Agenda  
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**DEPT./DIVISION SUBMISSION & REVIEW:**

Belinda Mattke, Director of Purchasing  
Ashley Williams, General Services Manager

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a one-year renewal to a purchase agreement for electrical supplies for FY2017 from Dealers Electrical Supply of Temple in the estimated annual amount of \$50,000.

**STAFF RECOMMENDATION:** Adopt resolutions as presented in the item description.

**ITEM SUMMARY:** Approval of this purchase agreement will allow for the continued purchase of electrical supplies from Dealers Electrical Supply during FY2017.

On September 5, 2013, the City Council authorized an annual purchase agreement for electrical supplies to Dealers Electrical Supply. On September 4, 2014, and September 3, 2015, Council authorized a one-year extensions to the contact. The current agreement will expire on September 30, 2016. The original bid allowed for four additional one-year extensions. In order to renew the agreement, the vendor must agree to hold their prices firm for an additional year, which they are willing to do.

The detailed pricing related to this purchase agreement is attached to the September 5, 2013, Council Agenda Item Memorandum. However, a large percentage of the City's electrical supply purchases are not included in the core list of items that were bid, but are purchased under a contracted rate of cost plus 12%.

Staff is pleased with the products and service provided by Dealers Electrical Supply and staff believes that the pricing under the purchase agreement is still a good value. Accordingly, staff recommends that Council authorize an extension to the agreement. This will be the third renewal available under this agreement, with two years remaining.

**FISCAL IMPACT:** Electrical supplies will be purchased on an as needed basis. Departments have budgeted for these materials in several accounts in the adopted FY2017 budget. The estimated annual expenditure of \$50,000 is based on historical expenditures.

**ATTACHMENTS:**

[Resolution](#)

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A ONE-YEAR RENEWAL TO THE PURCHASE AGREEMENT WITH DEALERS ELECTRICAL SUPPLY OF TEMPLE, TEXAS, IN THE ESTIMATED ANNUAL AMOUNT OF \$50,000, FOR ELECTRICAL SUPPLIES; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, on September 5, 2013, Council authorized an annual purchase agreement for electrical supplies with Dealers Electrical Supply of Temple, Texas – on September 4, 2014 and September 3, 2015, Council authorized one-year renewals to the purchase agreement;

**Whereas**, the current agreement expires September 30, 2016 – the original bid allowed for four additional one-year renewals, and in order to renew the agreement the vendor must agree to hold its prices firm for an additional year, which it is willing to do;

**Whereas**, a large percentage of the City's electrical supply purchases are not included in the core list, but are purchased under a contracted rate of cost plus 12% above Dealers Electrical Supply's cost;

**Whereas**, Staff has been pleased with the products and services provided by Dealers Electrical Supply and believes the pricing under the agreement is still a good value for the City;

**Whereas**, Staff recommends Council authorize a one-year renewal to the purchasing agreement – this will be the third renewal available under this agreement, with one renewal remaining;

**Whereas**, electrical supplies are purchased on an 'as-needed' basis and departments which utilize this agreement have budgeted funds in their respective annual budgets; 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 one-year renewal to the annual purchase agreement with Dealers Electrical Supply of Temple, Texas, in the estimated annual amount of \$50,000, for electrical supplies.

**Part2:** 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 **1<sup>st</sup>** day of **September**, 2016.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Kayla Landeros  
City Attorney





## COUNCIL AGENDA ITEM MEMORANDUM

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Item #4(P16)  
Consent Agenda  
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**DEPT./DIVISION SUBMISSION & REVIEW:**

Damon Boniface, Utility Director  
Belinda Mattke, Director of Purchasing

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a one-year renewal to a purchase agreement for citric acid for FY2017 from Chemtrade Chemicals US, LLC of Parsippany, New Jersey, in the estimated annual amount of \$45,000.

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

**ITEM SUMMARY:** Approval of this purchase agreement will allow for the continued purchase of citric acid that will be used for cleaning modules at the City's Membrane Water Treatment Plant during FY2017. The citric acid is stored in a bulk storage tank.

On September 17, 2015, Council authorized an annual purchase agreement for the purchase of citric acid at a cost of \$5.725 per gallon from Chemtrade Chemicals US LLC. The current agreement will expire on September 30, 2016. The original bid allowed for four additional one-year extensions. In order to renew the agreement, the vendor must agree to hold their prices firm for an additional year, which they are willing to do.

Staff is pleased with the product and service provided by Chemtrade Chemicals, and staff believes that the price is still a good value. Accordingly, staff recommends Council authorize an extension to the agreement. This will be the first one-year renewal authorized under this agreement, with three remaining.

**FISCAL IMPACT:** Water Treatment Plant chemicals are purchased on an as needed basis throughout the fiscal year. Funding for Water Treatment Plant chemicals, to include citric acid, is included in the adopted FY2017 Budget in account 520-5100-535-2118 in the amount of \$1,120,537.

**ATTACHMENTS:**

[Resolution](#)

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A ONE-YEAR RENEWAL TO THE ANNUAL PURCHASE AGREEMENT WITH CHEMTRADE CHEMICALS US, LLC OF PARSIPPANY, NEW JERSEY, IN THE ESTIMATED ANNUAL AMOUNT OF \$45,000, FOR THE PURCHASE OF CITRIC ACID; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, on September 17, 2015, Council authorized an annual purchase agreement for the purchase of citric acid at a cost of \$5.725 per gallon from Chemtrade Chemicals US, LLC - the current agreement expires September 30, 2016;

**Whereas**, the original bid allowed for four additional one-year renewals and in order to renew the agreement, the vendor must agree to hold its prices firm for an additional year, which it is willing to do;

**Whereas**, Staff is pleased with the products and services provided by Chemtrade Chemicals, believes the price is still a good value to the City, and recommends Council authorize a one-year renewal to the purchase agreement - this will be the first one-year renewal authorized under this agreement, with three renewals remaining;

**Whereas**, Water Treatment Plant chemicals are purchased on an 'as-needed' basis throughout the year and funds are included in the fiscal year 2017 budget, Account No. 520-5100-535-2118; 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 one-year renewal to the purchase agreement with Chemtrade Chemicals US, LLC of Parsippany, New Jersey, in the estimated annual amount of \$45,000, for the purchase of citric acid.

**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 1<sup>st</sup> day of **September**, 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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09/01/16  
Item #4(P17)  
Consent Agenda  
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**DEPT./DIVISION SUBMISSION & REVIEW:**

Kirk Scopac, Interim Director of Fleet Services  
Belinda Mattke, Director of Purchasing

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a one-year renewal to an agreement for the retreading and repair of vehicle tires for FY2017 from Wingfoot Commercial Tire System, LLC of Elm Mott in the estimated annual amount of \$45,000.

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

**ITEM SUMMARY:** Approval of this agreement will allow for the continued purchase of retreading and vehicle tire repair services from Wingfoot Commercial Tire System, LLC for the City's fleet department during FY2017.

On September 5, 2013, Council awarded an annual purchase agreement to Wingfoot Commercial Tire System for the retreading and repair of vehicle tires. On September 4, 2014, and September 17, 2015, Council authorized one-year extensions to the agreement. The current agreement will expire on September 30, 2016. The original bid allowed for four additional one-year extensions. In order to renew the agreement, the vendor must agree to hold their prices firm for an additional year, which they are willing to do. The pricing under the agreement is as follows:

Retread of a 11R22.5	\$140 / tire
Retread of a 12R22.5	\$175 / tire
Casing of a 11R22.5	\$70 / tire
Casing of a 12R22.5	\$80 / tire

Staff is satisfied with the services provided by Wingfoot Commercial Tire System and staff believes that the prices are still a good value. Accordingly, staff recommends Council authorize an extension to the agreement. This will be the third renewal available under this agreement, with one remaining.

**FISCAL IMPACT:** Each department with vehicles has budgeted for vehicle maintenance. The repair and retreading services will be ordered on an as-needed basis when it is deemed cost effective to repair a tire versus replace it. Staff estimates an annual expenditure of \$35,000 based on FY2016 expenditures.

**ATTACHMENTS:**

[Resolution](#)

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A ONE-YEAR RENEWAL TO THE ANNUAL PURCHASE AGREEMENT WITH WINGFOOT COMMERCIAL TIRE SYSTEM, LLC OF ELM MOTT, TEXAS, IN THE ESTIMATED ANNUAL AMOUNT OF \$45,000, FOR THE RETREADING AND REPAIR OF VEHICLE TIRES; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, on September 5, 2013, Council awarded an annual purchase agreement to Wingfoot Commercial Tire System, LLC for the retreading and repair of vehicle tires;

**Whereas**, on September 4, 2014 and September 17, 2015, Council authorized one-year renewals to the purchase agreement - the current agreement expires September 30, 2016;

**Whereas**, the original bid allowed for four additional one-year renewals and in order to renew the agreement, the vendor must agree to hold its prices firm for an additional year, which it is willing to do;

**Whereas**, Staff has been satisfied with the services provided by Wingfoot Commercial Tire System, LLC and believes that the prices offered are still a good value for the City - this will be the third renewal available under this agreement, with one renewal remaining;

**Whereas**, each department with vehicles has budgeted for vehicle maintenance and tires which are ordered on an 'as-needed' basis; 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 one-year renewal to the purchase agreement with Wingfoot Commercial Tire System, LLC of Elm Mott, Texas, in the estimated annual amount of \$35,000, for the retreading and repair of vehicle tires.

**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 1<sup>st</sup> day of **September**, 2016.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Kayla Landeros  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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Item #4(P18)  
Consent Agenda  
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**DEPT./DIVISION SUBMISSION & REVIEW:**

Damon Boniface, Utility Director  
Belinda Mattke, Director of Purchasing

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a one-year renewal to a services agreement for industrial and high voltage electrical services for FY2017 with T. Morales Company Electric & Controls, Ltd of Florence in the estimated annual amount of \$40,000.

**STAFF RECOMMENDATION:** Adopt the resolution as described in item description.

**ITEM SUMMARY:** Renewal of this agreement will provide for continued industrial and high voltage electrical services at the Water Treatment Plant and other City facilities during FY2017.

On September 5, 2013, the City Council authorized an annual services agreement with T. Morales Company Electric & Controls, Ltd for providing as-needed industrial electrical services. On September 4, 2014, and September 3, 2015, Council authorized one-year extensions to the contract. Industrial Electrical Services is defined as all electrical service repair services needed at the Water Treatment Plants and all high voltage repairs (i.e. greater than 600 volts) needed at other City facilities.

The current contract will expire on September 30, 2016. The original bid allowed for four (4) additional one-year extensions. In order to renew the contract, the vendor must agree to hold their prices firm for an additional year, which they are willing to do. The pricing under the contract is structured as follows:

Materials, Rental Equipment, Contracted Labor	- cost plus 15%
Labor Master Electrician/Journeyman (straight time)	- \$58 per hour
Labor Master Electrician/Journeyman (overtime)	- \$87 per hour
Labor Apprentice (straight time)	- \$34 per hour
Labor Apprentice (overtime)	- \$51 per hour

Staff is satisfied with the services provided by T. Morales Company Electric & Controls, Ltd and recommends Council authorize an extension to the services agreement. This will be the third one-year renewal authorized under this contract, with one year remaining.

**FISCAL IMPACT:** Departments have budgeted for electrical services in several departmental accounts. This contract will be used on an as-needed basis. Estimated annual expenditure based on historical expenditures: \$40,000.

**ATTACHMENTS:**

[Resolution](#)

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A ONE-YEAR RENEWAL TO THE SERVICES AGREEMENT WITH T. MORALES COMPANY ELECTRIC & CONTROLS, LTD. OF FLORENCE, TEXAS, IN THE ESTIMATED ANNUAL AMOUNT OF \$40,000, FOR INDUSTRIAL AND HIGH VOLTAGE ELECTRICAL SERVICES; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, on September 5, 2013, Council authorized an annual services agreement with T. Morales Company Electric & Controls, Ltd for providing as-needed industrial electrical services - on September 4, 2014 and September 3, 2015, Council authorized one-year renewals to the services agreement;

**Whereas**, industrial electrical services is defined as all electrical service repair services needed at the Water Treatment Plants and all high voltage repairs (i.e. greater than 600 volts) needed at other City facilities;

**Whereas**, the current agreement expires September 30, 2016 - the original bid allowed for four additional one-year renewals and in order to renew the agreement, the vendor must agree to hold its prices firm for an additional year, which it is willing to do;

**Whereas**, Staff is satisfied with the services provided by T. Morales Company Electric & Controls, Ltd and recommends Council authorize a one-year renewal to the services agreement - this will be the third renewal authorized under this contract, with one renewal remaining;

**Whereas**, departments have budgeted for electrical services in the adopted annual budget - this agreement will be used on an 'as-needed' basis; 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 one-year renewal to the services agreement with T. Morales Company & Electric Controls, Ltd. of Florence, Texas, in the estimated annual amount of \$40,000, for industrial and high voltage electrical 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 **1<sup>st</sup>** day of **September**, 2016.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Kayla Landeros  
City Attorney





## COUNCIL AGENDA ITEM MEMORANDUM

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

Damon Boniface, Utility Director  
Belinda Mattke, Director of Purchasing

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a one-year renewal to a purchase agreement for liquid ammonium sulfate for FY2017 from Chemtrade Chemicals US, LLC of Parsippany, New Jersey, in the estimated annual amount of \$40,000.

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

**ITEM SUMMARY:** Approval of this purchase agreement allows for the continued purchase of liquid ammonium sulfate for the City's Conventional Water Treatment Plant during FY2017 from Chemtrade Chemicals US, LLC at a cost of 8.555¢ per pound. The liquid ammonium sulfate is used on a consistent basis in the treatment of potable water.

On September 17, 2015, Council authorized an annual purchase agreement for the purchase of liquid ammonium sulfate from Chemtrade Chemicals US, LLC. This purchase agreement will expire on September 30, 2016. The original bid allowed for four additional one-year extensions. In order to renew the agreement, the vendor must agree to hold their prices firm for an additional year, which they are willing to do.

Staff is pleased with the product and service provided by Chemtrade Chemicals, and staff believes that the price is still a good value. Accordingly, staff recommends that Council authorize an extension to the agreement. This will be the first renewal under the agreement, with three years remaining.

**FISCAL IMPACT:** Water Treatment Plant chemicals are purchased on an as needed basis throughout the fiscal year. Funding for Water Treatment Plant chemicals, to include liquid ammonium sulfate, is included in the adopted FY2017 Budget in account 520-5100-535-2118 in the amount of \$1,120,537.

**ATTACHMENTS:**

[Resolution](#)

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A ONE-YEAR RENEWAL TO THE PURCHASE AGREEMENT WITH CHEMTRADE CHEMICALS US, LLC OF PARSIPPANY, NEW JERSEY, IN THE ESTIMATED ANNUAL AMOUNT OF \$40,000, FOR THE PURCHASE OF LIQUID AMMONIUM SULFATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, on September 17, 2015, Council authorized an annual purchase agreement for the purchase of liquid ammonium sulfate from Chemtrade Chemicals US, LLC – the current purchase agreement expires September 30, 2016;

**Whereas**, the original bid allowed for four additional one-year renewals and in order to renew the agreement, the vendor must agree to hold its prices firm for an additional year, which it is willing to do;

**Whereas**, Staff is pleased with the product and services provided by Chemtrade Chemicals, believes the price offered is still a good value to the City, and recommends Council authorize a one-year renewal to the purchase agreement - this will be the first renewal under the agreement, with three renewals remaining;

**Whereas**, water treatment plant chemicals are purchased on an 'as-needed' basis throughout the year and funding is included in the adopted fiscal year 2017 budget in Account No. 520-5100-535-2118; 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 one-year renewal to the purchase agreement with Chemtrade Chemicals US, LLC of Parsippany, New Jersey, in the estimated annual amount of \$40,000, for the purchase of liquid ammonium sulfate.

**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 1<sup>st</sup> day of **September**, 2016.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

APPROVED AS TO FORM:

ATTEST:

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Lacy Borgeson  
City Secretary

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Kayla Landeros  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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09/01/16  
Item #4(P20)  
Consent Agenda  
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### **DEPT./DIVISION SUBMISSION & REVIEW:**

Belinda Mattke, Director of Purchasing

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a one-year renewal to a services agreement for as-needed asbestos inspection and consulting services for FY2017 with Austin Environmental, Inc. of Bryan in the estimated annual amount of \$40,000.

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

**ITEM SUMMARY:** Renewal of this agreement will allow for continued asbestos inspection and consulting services by Austin Environmental during FY2017.

The Texas Asbestos Health Protection Rules (TAHPR) require that a licensed abatement consultant be engaged to determine the existence of asbestos fibers on the renovation or demolition of any building that has public access or occupancy. If it is determined that asbestos containing materials exist, the City is then required to engage a licensed abatement consultant to monitor the asbestos abatement activities.

On February 6, 2014, the City Council authorized an annual contract for as-needed asbestos inspection and consulting services with Austin Environmental, Inc. On September 4, 2014, and September 3, 2015, Council authorized one-year extensions to the contract. The current contract will expire on September 30, 2016. The original RFP allowed for four one-year extensions to the agreement. In order to renew the contract.

Staff is pleased with the services provided by Austin Environmental, Inc., and staff believes that the pricing structure offered by Austin Environmental, Inc. provides a good value. Accordingly, staff recommends that Council authorize an extension to the agreement. This will be the third renewal available under this agreement, with one year remaining.

**FISCAL IMPACT:** Asbestos consulting services will be budgeted in the capital or demolition budget associated with each project. Estimated annual expenditures for FY2017 based on historical expenditures: \$40,000.

### **ATTACHMENTS:**

[Resolution](#)

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A ONE-YEAR RENEWAL TO THE SERVICES AGREEMENT WITH AUSTIN ENVIRONMENT, INC., OF BRYAN, TEXAS, IN THE ESTIMATED ANNUAL AMOUNT OF \$40,000, FOR AS-NEEDED ASBESTOS INSPECTION AND CONSULTING SERVICES; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas,** the Texas Asbestos Health Protection Rules (TAHPR) require that a licensed abatement consultant be engaged to determine the existence of asbestos fibers in the renovation or demolition of any building that has public access or occupancy;

**Whereas,** if during the renovation or demolition it is determined that asbestos containing materials exist, the City is then required to engage a licensed abatement consultant to monitor the asbestos abatement activities;

**Whereas,** on February 6, 2014, Council authorized an annual services agreement for ‘as-needed’ asbestos inspection and consulting services with Austin Environmental, Inc., of Bryan, Texas – on September 4, 2014 and September 3, 2015, Council authorized one-year renewals to the agreement;

**Whereas,** the current services agreement expires September 30, 2016 - the original bid allowed for four additional one-year renewals and in order to renew the agreement, the vendor must agree to hold its prices firm for an additional year, which it is willing to do;

**Whereas,** Staff is pleased with the services provided by Austin Environmental, Inc., believes that the pricing structure offered provides a good value to the City, and recommends that Council authorize a one-year renewal to the services agreement - this will be the third renewal available under this agreement, with one renewal remaining;

**Whereas,** asbestos consulting services are budgeted in the capital or demolition budget associated with each project; and

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

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

**Part 1:** The City Council authorizes the City Manager, or his designee, after approval as to form by the City Attorney, to execute a one-year renewal to the services agreement with Austin Environmental, Inc., of Bryan, Texas, in the estimated annual amount of \$40,000, for as-needed asbestos inspection and consulting 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 1<sup>st</sup> day of **September**, 2016.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Kayla Landeros  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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09/01/16  
Item #4(P21)  
Consent Agenda  
Page 1 of 1

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

Belinda Mattke, Director of Purchasing  
Ashley Williams, General Services Manager

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a one-year renewal to a services agreement for plumbing repair services for FY2017 with C.A.P.'s Mechanical of Moody in the estimated annual amount of \$40,000.

**STAFF RECOMMENDATION:** Adopt the resolution as described in the item description.

**ITEM SUMMARY:** Authorization of this services agreement will allow for continued plumbing repair service by C.A.P.'s Mechanical during FY2017.

On September 5, 2013, the City Council authorized a services agreement with C.A.P.'s Mechanical for providing plumbing repair services on an as needed basis. On September 4, 2014, and September 3, 2015, Council authorized one-year extensions to the contract. The current contract will expire on September 30, 2016. The original bid allowed for four additional one-year extensions. In order to renew the contract, the vendor must agree to hold their prices firm for an additional year, which they are willing to do and are as follows:

Materials, depending on unit cost	- cost plus 12 - 28%
Rental Equipment	- cost plus 5%
Labor Plumber-straight time	- \$95 per hour
Labor Plumber-overtime	- \$127.50 per hour
Labor Plumber's Helper-straight time	- \$48 per hour
Labor Plumber's Helper-overtime	- \$72 per hour

Staff is satisfied with the services provided by C.A.P.'s Mechanical and recommends Council authorize an extension to the services agreement. This will be the third one-year renewal authorized under this contract, with one year remaining.

**FISCAL IMPACT:** Departments have budgeted for plumbing services in several departmental accounts. Estimated annual expenditure for FY2017 based on historical expenditures: \$40,000.

**ATTACHMENTS:**

[Resolution](#)

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A ONE-YEAR RENEWAL TO THE SERVICES AGREEMENT WITH C.A.P.'S MECHANICAL OF MOODY, TEXAS, IN THE ESTIMATED ANNUAL AMOUNT OF \$40,000, FOR PLUMBING REPAIR SERVICES ON AN AS-NEEDED BASIS; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, on September 5, 2013, Council authorized a services agreement with C.A.P.'s Mechanical for plumbing repair services on an 'as-needed' basis – on September 4, 2014 and September 3, 2015, Council authorized one-year renewals to the agreements;

**Whereas**, the current agreement expires on September 30, 2016 – the original bid allowed for four additional one-year renewals and in order to renew the agreement, the vendor must agree to hold its prices firm for an additional year, which it is willing to do;

**Whereas**, Staff has been satisfied with the services provided by C.A.P.'s Mechanical and recommends Council authorize a one-year renewal to the services agreement - this will be the third one-year renewal authorized under this agreement, with one renewal remaining;

**Whereas**, plumbing services have been budgeted in various departmental accounts in the adopted fiscal year 2017 budget; 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 one-year renewal to the services agreement with C.A.P.'s Mechanical of Moody, Texas, in the estimated annual amount of \$40,000, for plumbing repair services on an 'as needed' basis.

**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 **1<sup>st</sup>** day of **September**, 2016.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Kayla Landeros  
City Attorney





## COUNCIL AGENDA ITEM MEMORANDUM

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

Belinda Mattke, Director of Purchasing

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a one-year renewal to a purchase agreement for protective footwear for FY2017 with Cochran, Blair & Potts of Belton in the estimated annual amount of \$34,000.

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

**ITEM SUMMARY:** Approval of this purchase agreement will allow for the continued purchase of protective boots and shoes for City employees who work in an environment where there is a danger of foot injuries from Cochran, Blair & Potts during FY2017.

On October 1, 2015, the City Council authorized an annual purchase agreement with Cochran, Blair & Potts for the purchase of protective footwear. The current agreement will expire on September 30, 2016. The original bid allowed for four additional one-year extensions. In order to renew the agreement, the vendor must agree to hold their prices firm for an additional year, which they are willing to do. The detailed price list is attached to the October 1, 2015, Council Agenda Item Memorandum.

Staff is pleased with the product and service provided by Cochran, Blair & Potts, and staff believes that the prices offered are still a good value. Accordingly, staff recommends that Council authorize an extension to the agreement. This will be the first renewal under the agreement, with three years remaining.

**FISCAL IMPACT:** Work boots and shoes are ordered on an as-needed basis. Departments have budgeted for work boots/shoes in the adopted FY2017 budget. The estimated annual expenditure for work boots and shoes based on historical spending is approximately \$34,000.

### **ATTACHMENTS:**

[Resolution](#)

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A ONE-YEAR RENEWAL TO THE PURCHASE AGREEMENT WITH COCHRAN, BLAIR & POTTS, OF BELTON, TEXAS, IN THE ESTIMATED ANNUAL AMOUNT OF \$34,000, FOR THE PURCHASE OF PROTECTIVE FOOTWEAR; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas,** On October 1, 2015, Council authorized an annual purchase agreement with Cochran, Blair & Potts for the purchase of protective footwear - the current agreement expires September 30, 2016;

**Whereas,** the original bid allowed for four additional one-year renewals and in order to renew the purchase agreement, the vendor must agree to hold its prices firm for an additional year, which it is willing to do;

**Whereas,** Staff is pleased with the product and service provided by Cochran, Blair & Potts, believes that the prices offered are still a good value to the City, and recommends Council authorize a one-year renewal to the purchase agreement - this will be the first renewal under the agreement, with three renewals remaining;

**Whereas,** work boots and shoes are ordered on an 'as-needed' basis and departments have budgeted for this expense in their departmental clothing and uniforms account; 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 one-year renewal to the purchase agreement with Cochran, Blair & Potts, of Belton, Texas, in an estimated annual amount of \$34,000, for the purchase of protective footwear.

**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 1<sup>st</sup> day of **September**, 2016.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Kayla Landeros  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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09/01/16  
Item #4(P23)  
Consent Agenda  
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**DEPT./DIVISION SUBMISSION & REVIEW:**

Belinda Mattke, Director of Purchasing  
Ashley Williams, General Services Manager

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a one-year renewal to a purchase agreement for plumbing supplies for FY2017 from Ham & McCreight Supply, Inc. of Temple in the estimated annual amount of \$30,000.

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

**ITEM SUMMARY:** Approval of this purchase agreement will allow for the continued purchase of plumbing supplies from Ham & McCreight Supply during FY2017.

On September 20, 2012, Council awarded an annual purchase agreement to Ham & McCreight of Temple for the purchase of plumbing supplies. On September 5, 2013, September 4, 2014, and September 3, 2015, the City Council authorized one-year extensions to the agreement. The current agreement will expire on September 30, 2016. The original bid allowed for four additional one-year extensions. In order to renew the agreement, the vendor must agree to hold their prices firm for an additional year, which they are willing to do.

The detailed pricing related to this purchase agreement is attached to the September 20, 2012, Council Agenda Item Memorandum. However, a large percentage of the City's plumbing supply purchases are not included in the core list of items that were bid, but are purchased under a contracted rate of cost plus 10%.

Staff is satisfied with the products and service provided by Ham & McCreight. Accordingly, staff recommends Council authorize an extension to the agreement. This will be the final renewal available under this agreement.

**FISCAL IMPACT:** These products will be ordered on an as needed basis. Departments have budgeted for these materials in several accounts in the adopted FY2017 budget. Estimated annual expenditure: \$30,000.

**ATTACHMENTS:**

[Resolution](#)

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS,  
AUTHORIZING A ONE-YEAR RENEWAL TO THE PURCHASE AGREEMENT  
WITH HAM & MCCREIGHT SUPPLY OF TEMPLE, TEXAS, IN THE  
ESTIMATED ANNUAL AMOUNT OF \$30,000, FOR PLUMBING SUPPLIES;  
AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, on September 20, 2012, City Council awarded an annual purchase agreement to Ham & McCreight Supply of Temple, Texas, for the purchase of plumbing supplies – on September 5, 2013, September 4, 2014 and September 3, 2015, Council authorized one-year renewals to the purchase agreement;

**Whereas**, the current agreement expires September 30, 2016 - the original bid allowed for four additional one-year renewals and in order to renew the agreement, the vendor must agree to hold its prices firm for an additional year, which it is willing to do;

**Whereas**, a large percentage of the City's plumbing supply purchases are not included in the core list of items that were bid, but are purchased under a contracted rate of cost plus 10% above Ham & McCreight's cost;

**Whereas**, Staff has been satisfied with the products and services provided by Ham & McCreight Supply, and recommends Council authorize a one-year renewal to the purchase agreement – this will be the final renewal available under this agreement;

**Whereas**, plumbing supplies are purchased on an 'as needed' basis and departments have budgeted for these materials in several accounts in the adopted fiscal year 2017 annual budget; 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 one-year renewal to the purchase agreement with Ham & McCreight Supply of Temple, Texas, in an estimated annual amount of \$30,000, for the purchase of plumbing supplies.

**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 1<sup>st</sup> day of **September**, 2016.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

APPROVED AS TO FORM:

ATTEST:

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Lacy Borgeson  
City Secretary

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Kayla Landeros  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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Item #4(P24)  
Consent Agenda  
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**DEPT./DIVISION SUBMISSION & REVIEW:**

Leigh Gardner, Library Director  
Belinda Mattke, Director of Purchasing

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a one-year renewal to a services agreement for security guard services for FY2017 with Special Protective Service of San Antonio in the estimated annual amount of \$30,000.

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

**ITEM SUMMARY:** Authorization of this services agreement will allow for continued security guard services at the Library and Parks & Recreation events by Special Protective Service during FY2017.

On September 3, 2015, the City Council authorized a services agreement with Special Protective Services for security guard services. The current contract will expire on September 30, 2016. The original bid allowed for four additional one-year extensions. In order to renew the contract, the vendor must agree to hold their prices firm for an additional year, which they are willing to do and are as follows:

Services at the Temple Public Library - \$11.24 per hour  
Services at Parks & Recreation Events - \$15.24 per hour

Staff is satisfied with the services provided by Special Protective Service and recommends Council authorize an extension to the services agreement. This will be the first one-year renewal authorized under this contract, with three remaining.

**FISCAL IMPACT:** Included in the adopted FY2017 budget is \$28,720 for Library security guard services in account 110-4000-555-2623. Funding for the services needed by the Parks & Recreation Department are available in various contracted services accounts.

**ATTACHMENTS:**

[Resolution](#)

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A ONE-YEAR RENEWAL TO THE SERVICES AGREEMENT WITH SPECIAL PROTECTIVE SERVICES OF SAN ANTONIO, TEXAS, IN THE ESTIMATED ANNUAL AMOUNT OF \$30,000, FOR SECURITY GUARD SERVICES; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, on September 3, 2015, Council authorized a services agreement with Special Protective Services for security guard services - the current agreement expires September 30, 2016;

**Whereas**, the original bid allowed for four additional one-year renewals and in order to renew the agreement, the vendor must agree to hold its prices firm for an additional year, which it is willing to do;

**Whereas**, Staff has been satisfied with the services provided by Special Protective Service and recommends Council authorize a one-year renewal to the services agreement - this will be the first one-year renewal authorized under this contract, with three renewals remaining;

**Whereas**, the Library has budgeted for security guard services in their adopted fiscal year 2016 annual budget which is located in Account No. 110-4000-555-2623; 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 one-year renewal to the annual services agreement with Special Protective Services of San Antonio, Texas, in the estimated annual amount of \$30,000, for security guard 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 1<sup>st</sup> day of **September**, 2016.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Kayla Landeros  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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Item #4(P25)  
Consent Agenda  
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**DEPT./DIVISION SUBMISSION & REVIEW:**

Belinda Mattke, Director of Purchasing  
Ashley Williams, General Services Manager

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a one-year renewal to a services agreement for elevator repair and maintenance for FY2017 with Schindler Elevator Corporation of Austin in the estimated annual amount of \$30,000.

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

**ITEM SUMMARY:** Authorization of this services agreement will allow for continued monthly preventative maintenance and emergency maintenance of elevators and chair lifts by Schindler Elevator Corporation during FY2017.

On October 15, 2015, the City Council authorized a services agreement with Schindler Elevator Corporation for elevator repair and maintenance services. The current contract will expire on September 30, 2016. The original bid allowed for four additional one-year extensions. In order to renew the contract, the vendor must agree to hold their prices firm for an additional year, which they are willing to do. The detailed pricing related to this agreement is attached to the October 15, 2015, Council Agenda Item Memorandum.

Staff is satisfied with the services provided by Schindler Elevator Corporation and recommends Council authorize an extension to the services agreement. This will be the first one-year renewal authorized under this contract, with three remaining.

**FISCAL IMPACT:** The FY2017 adopted budget includes funding for elevator repairs and maintenance in various departmental repair & maintenance accounts. Staff estimates that approximately \$30,000 will be expended for elevator repair and maintenance during FY2017.

**ATTACHMENTS:**

[Resolution](#)



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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A ONE-YEAR RENEWAL TO THE ANNUAL SERVICES AGREEMENT WITH SCHINDLER ELEVATOR CORPORATION OF AUSTIN, TEXAS, IN THE ESTIMATED ANNUAL AMOUNT OF \$30,000, FOR ELEVATOR REPAIR AND MAINTENANCE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, on October 15, 2015, Council authorized a services agreement with Schindler Elevator Corporation for elevator repair and maintenance services - the current services agreement expires September 30, 2016;

**Whereas**, the original bid allowed for four additional one-year renewals and in order to renew the agreement, the vendor must agree to hold its prices firm for an additional year, which it is willing to do;

**Whereas**, Staff is satisfied with the services provided by Schindler Elevator Corporation and recommends Council authorize a one-year renewal to the services agreement - this will be the first renewal authorized under this contract, with three renewals remaining;

**Whereas**, the fiscal year 2017 budget includes funding for elevator repairs and maintenance in various departmental repair and maintenance accounts; and

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

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

**Part 1:** The City Council authorizes the City Manager, or his designee, after approval as to form by the City Attorney, to execute a one-year renewal to the annual services agreement with Schindler Elevator Corporation of Austin, Texas, in the estimated annual amount of \$30,000, for elevator repair and maintenance.

**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 **1<sup>st</sup>** day of **September**, 2016.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

APPROVED AS TO FORM:

ATTEST:

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Lacy Borgeson  
City Secretary

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Kayla Landeros  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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09/01/16  
Item #4(P26)  
Consent Agenda  
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**DEPT./DIVISION SUBMISSION & REVIEW:**

Damon Boniface, Utility Director  
Belinda Mattke, Director of Purchasing

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a one-year renewal to a services agreement for the hauling and disposal of Membrane Water Treatment Plant cleaning waste for FY2017 with Magna-Flow Environmental of Humble in the estimated annual amount of \$29,600.

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

**ITEM SUMMARY:** Approval of this services agreement will allow for the continued hauling and disposal of Membrane Water Treatment Plant CIP waste by Magna-Flow Environmental during FY2017 at a rate of 7¢ per gallon.

On January 3, 2013, the City Council awarded a contract to Magna-Flow Environmental for the hauling and disposal of clean-in-place ("CIP") waste from the Membrane Water Treatment Plant. On September 5, 2013, September 4, 2014, and September 3, 2015, the City Council authorized one-year extensions to the contract. The current contract will expire on September 30, 2016. The original bid allowed for four additional one-year extensions. In order to renew the agreement, the vendor must agree to hold their prices firm for an additional year, which they are willing to do.

Staff is pleased with the services provided by Magna-Flow, and staff believes that the haul and disposal rate of 7¢ is still a good value. Accordingly, staff recommends that Council authorize an extension to the contract. This will be the fourth and final annual renewal.

**FISCAL IMPACT:** Funding in the amount of \$29,600 for this service is included in the FY2017 adopted budget in account 520-5121-535-2338.

**ATTACHMENTS:**

[Resolution](#)

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A ONE-YEAR RENEWAL TO THE SERVICES AGREEMENT WITH MAGNA-FLOW ENVIRONMENTAL OF HUMBLE, TEXAS, IN THE ESTIMATED ANNUAL AMOUNT OF \$29,600, FOR THE HAULING AND DISPOSAL OF MEMBRANE WASTE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, on January 3, 2013, Council awarded a services agreement to Magna-Flow Environmental for the hauling and disposal of clean-in-place ("CIP") waste from the Membrane Water Treatment Plant;

**Whereas**, on September 5, 2013, September 4, 2014, and September 3, 2015, Council authorized one-year renewals to the agreement - the current agreement expires September 30, 2016;

**Whereas**, the original agreement allowed for four additional one-year renewals and in order to renew the agreement, the vendor must agree to hold its prices firm for an additional year, which it is willing to do;

**Whereas**, Staff is pleased with the services provided by Magna-Flow, believes the haul and disposal rate of 7¢ is still a good value for the City and recommends Council authorize a one-year renewal to the services agreement - this will be the fourth and final renewal authorized under this agreement;

**Whereas**, funds are budgeted for the hauling and disposal of CIP waste in Account No. 520-5121-535-2338; and

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

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

**Part 1:** The City Council authorizes the City Manager, or his designee, after approval as to form by the City Attorney, to execute a one-year renewal to the services agreement with Magna-Flow Environmental of Humble, Texas, in the estimated annual amount of \$29,600, for hauling and disposal of membrane clean-in-place waste.

**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 1<sup>st</sup> day of **September**, 2016.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

APPROVED AS TO FORM:

ATTEST:

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Lacy Borgeson  
City Secretary

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Kayla Landeros  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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Item #4(P27)  
Consent Agenda  
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**DEPT./DIVISION SUBMISSION & REVIEW:**

Kirk Scopac, Interim Director of Fleet Services  
Belinda Mattke, Director of Purchasing

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a one-year renewal to a purchase agreement for medium duty truck brakes for FY2017 with Russell & Smith Ford of Houston in the estimated annual amount of \$25,000.

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

**ITEM SUMMARY:** Approval of this purchase agreement will allow for the continued purchase of medium duty truck brakes from Russell & Smith Ford by the Fleet Services Department during FY2017.

On September 4, 2014, the City Council authorized an annual purchase agreement with Russell & Smith Ford, Inc for the purchase of medium duty truck brakes. On September 3, 2015, Council authorized a one-year extension to the contract. The current agreement will expire on September 30, 2016. The original bid allowed for four additional one-year extensions. In order to renew the agreement, the vendor must agree to hold their prices firm for an additional year, which they are willing to do. There is detailed line item pricing for 41 items and a markup of 6% over cost on brake items not specifically listed.

Staff is satisfied with the products provided by Russell & Smith Ford, and based on price research conducted, staff has concluded that we have a good value with the current contracted prices. Accordingly, staff recommends Council authorize an extension to the agreement. This will be the second one-year renewal authorized under this agreement, with two remaining.

**FISCAL IMPACT:** Departments have budgeted for brakes in their FY2017 departmental automotive repair & maintenance accounts. Purchases under this agreement will be purchased into a Fleet Maintenance inventory account and charged out to the various department accounts upon use by Fleet Services. Estimated annual expenditure: \$25,000.

**ATTACHMENTS:**

[Resolution](#)

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A ONE-YEAR RENEWAL TO THE PURCHASE AGREEMENT WITH RUSSELL & SMITH FORD OF HOUSTON, TEXAS, IN THE ESTIMATED ANNUAL AMOUNT OF \$25,000, FOR MEDIUM DUTY TRUCK BRAKES; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, on September 4, 2014, Council authorized an annual purchase agreement with Russell & Smith Ford, Inc. for the purchase of medium duty truck brakes - on September 3, 2015, Council authorized a one-year renewal to the agreement;

**Whereas**, the current agreement expires September 30, 2016 - the original agreement allowed for four additional one-year renewals and in order to renew the agreement, the vendor must agree to hold its prices firm for an additional year, which it is willing to do;

**Whereas**, Staff is satisfied with the products provided by Russell & Smith Ford, based on price research conducted, Staff concludes that the City has a good value with the current contracted prices and recommends Council authorize a one-year renewal to the agreement - this will be the second one-year renewal authorized under this agreement, with two renewals remaining;

**Whereas**, brakes will be purchased on an 'as-needed' basis and are charged to departmental expenditure accounts that are serviced by Fleet Services – departments have budgeted for automotive repairs in their individual departmental accounts in the adopted fiscal year 2017 annual budget; 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 one-year renewal to the purchase agreement with Russell & Smith Ford of Houston, Texas, in the estimated annual amount of \$25,000, for the purchase of medium duty truck brakes.

**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 1<sup>st</sup> day of **September**, 2016.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

APPROVED AS TO FORM:

ATTEST:

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Lacy Borgeson  
City Secretary

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Kayla Landeros  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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09/01/16  
Item #4(P28)  
Consent Agenda  
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**DEPT./DIVISION SUBMISSION & REVIEW:**

Kenny Henderson, Transportation Director  
Belinda Mattke, Director of Purchasing

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a one-year renewal to a purchase agreement for hot crack sealant for FY2017 with Crafcot Texas, Inc. of San Antonio in the estimated annual amount of \$25,000.

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

**ITEM SUMMARY:** Approval of this purchase agreement will allow for the continued purchase of hot crack sealant from Crafcot Texas at a cost of \$12.90 per 30-pound box for the City's Street Department during FY2017.

On September 17, 2015, Council authorized an annual purchase agreement for the purchase of hot crack sealant from Crafcot Texas. This purchase agreement will expire on September 30, 2016. The original bid allowed for four additional one-year extensions. In order to renew the agreement, the vendor must agree to hold their prices firm for an additional year, which they are willing to do.

Staff is pleased with the product and service provided by Crafcot Texas, and staff believes that the price is still a good value. Accordingly, staff recommends that Council authorize an extension to the agreement. This will be the first renewal under the agreement, with three years remaining.

**FISCAL IMPACT:** Aggregate base is ordered on an as-needed basis by the Street Department. Included in account 110-3400-531-2316, Repairs & Maintenance, of the adopted FY2017 Street Department budget is \$45,000 for crack sealant supplies. The estimated annual expenditure for FY2017 for hot crack sealant is \$25,000.

**ATTACHMENTS:**

[Resolution](#)

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A ONE-YEAR RENEWAL TO THE ANNUAL PURCHASE AGREEMENT WITH CRAFTCO TEXAS, INC., OF SAN ANTONIO, TEXAS, IN THE ESTIMATED ANNUAL AMOUNT OF \$25,000, FOR HOT CRACK SEALANT; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, on September 17, 2015, Council authorized an annual purchase agreement for the purchase of hot crack sealant from Craftco Texas, Inc. - this purchase agreement expires September 30, 2016;

**Whereas**, the original bid allowed for four additional one-year renewals and in order to renew the agreement, the vendor must agree to hold its prices firm for an additional year, which it is willing to do;

**Whereas**, Staff is pleased with the product and service provided by Craftco Texas, believes that the price is still a good value to the City and recommends Council authorize a one-year renewal to the purchase agreement - this will be the first renewal under the agreement, with three renewals remaining;

**Whereas**, the Street Department is the primary department which utilizes this agreement and they have budgeted funds in the fiscal year 2017 adopted budget in Account No. 110-3400-531-2316; 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 one-year renewal to the purchase agreement with Craftco Texas, Inc., of San Antonio, Texas, in the estimated annual amount of \$25,000, for hot crack sealant.

**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 1<sup>st</sup> day of **September**, 2016.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Kayla Landeros  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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09/01/16  
Item #4(P29)  
Consent Agenda  
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**DEPT./DIVISION SUBMISSION & REVIEW:**

Belinda Mattke, Director of Purchasing  
Ashley Williams, General Services Manager

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a one-year renewal to a purchase agreement for lighting supplies for FY2017 from Dealers Electrical Supply of Temple in the estimated annual amount of \$25,000.

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

**ITEM SUMMARY:** Approval of this purchase agreement will allow for the continued purchase of electrical supplies from Dealers Electrical Supply during FY2017.

On September 5, 2013, the City Council authorized an annual purchase agreement for lighting supplies with Dealers Electrical Supply. On September 4, 2014, and September 3, 2015, Council authorized one-year extensions to the contract. The current agreement will expire on September 30, 2016. The original bid allowed for four additional one-year extensions. In order to renew the agreement, the vendor must agree to hold their prices firm for an additional year, which they are willing to do.

The detailed pricing of the core list of items included under the purchase agreement is attached to the September 5, 2013, Council Agenda Item Memorandum. Lighting supplies needed that are not on the core list are purchased at Dealer's Electrical Supply's cost + 12%.

Staff is pleased with the products and service provided by Dealers Electrical Supply and staff believes that the prices are still a good value. Accordingly, staff recommends that Council authorize an extension to the agreement. This will be the third renewal available under this agreement, with one year remaining.

**FISCAL IMPACT:** Lighting supplies will be purchased on an as needed basis. Departments have budgeted for these materials in several accounts in the adopted FY2017 budget. The estimated annual expenditure based on historical expenditures: \$25,000.

**ATTACHMENTS:**

[Resolution](#)



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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A ONE-YEAR RENEWAL TO THE PURCHASE AGREEMENT WITH DEALERS ELECTRICAL SUPPLY OF TEMPLE, TEXAS, IN THE ESTIMATED ANNUAL AMOUNT OF \$25,000, FOR LIGHTING SUPPLIES; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, on September 5, 2013, Council authorized an annual purchase agreement for lighting supplies with Dealers Electrical Supply - on September 4, 2014, and September 3, 2015, Council authorized one-year renewals to the agreement;

**Whereas**, the current agreement expires September 30, 2016 - the original bid allowed for four additional one-year renewals and in order to renew the agreement, the vendor must agree to hold its prices firm for an additional year, which it is willing to do;

**Whereas**, lighting supplies needed that are not on the core list are purchased at Dealers Electrical Supply's cost plus 12%;

**Whereas**, Staff is pleased with the products and services provided by Dealers Electrical Supply, believes the prices are still a good value for the City and recommends Council authorize a one-year renewal to the purchase agreement - this will be the third renewal available under this agreement, with one renewal remaining;

**Whereas**, lighting supplies are purchased on an 'as-needed' basis and departments have budgeted for these materials in several accounts in their adopted fiscal year 2017 annual budget; 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 one-year renewal to the annual purchase agreement with Dealers Electrical Supply of Temple, Texas, in the estimated annual amount of \$25,000, for lighting supplies.

**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 1<sup>st</sup> day of **September**, 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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09/01/16  
Item #4(P30)  
Consent Agenda  
Page 1 of 1

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

Belinda Mattke, Director of Purchasing

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a one-year renewal to a services agreement for telemetry/SCADA for FY2017 with T. Morales Company Electric & Controls, Ltd of Florence in the estimated annual amount of \$25,000.

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

**ITEM SUMMARY:** Renewal of this agreement will provide for continued as-needed telemetry/SCADA services by T. Morales Company Electric & Controls, Ltd during FY2017.

On September 5, 2013, the City Council authorized an annual services agreement with T. Morales Company Electric & Controls, Ltd for providing Telemetry/SCADA services on an as needed basis. On September 4, 2014, and September 3, 2015, Council authorized one-year extensions to the contract. The current contract will expire on September 30, 2016. The original bid allowed for four additional one-year extensions. In order to renew the contract, the vendor must agree to hold their prices firm for an additional year, which they are willing to do and are as follows:

Materials, Rental Equipment, Contracted Labor	- cost plus 15%
Labor Master Electrician (straight time)	- \$85 per hour
Labor Master Electrician (overtime)	- \$110 per hour
Labor Journeyman (straight time)	- \$75 per hour
Labor Journeyman (overtime)	- \$100 per hour
Labor Apprentice (straight time)	- \$45 per hour
Labor Apprentice (overtime)	- \$67.50 per hour

Staff is satisfied with the services provided by T. Morales Company Electric & Controls, Ltd and recommends Council authorize an extension to the contract. This will be the third one-year renewal authorized under this contract, with one year remaining.

**FISCAL IMPACT:** Department that use telemetry/SCADA services has included funding for these services in their adopted FY 2017 repairs & maintenance budget. Estimated annual expenditure based on historical expenditures: \$25,000.

### **ATTACHMENTS:**

[Resolution](#)

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A ONE-YEAR RENEWAL TO THE SERVICES AGREEMENT WITH T. MORALES COMPANY ELECTRIC & CONTROLS, LTD. OF FLORENCE, TEXAS, IN THE ESTIMATED ANNUAL AMOUNT OF \$25,000, FOR TELEMETRY/SCADA SERVICES; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, on September 5, 2013, Council authorized an annual services agreement with T. Morales Company Electric & Controls, Ltd for providing Telemetry/SCADA services on an 'as needed' basis - on September 4, 2014, and September 3, 2015, Council authorized one-year renewals to the agreement;

**Whereas**, the current contract expires September 30, 2016 - the original bid allowed for four additional one-year renewals and in order to renew the contract, the vendor must agree to hold its prices firm for an additional year, which it is willing to do;

**Whereas**, Staff has been satisfied with the services provided by T. Morales Company Electric & Controls, Ltd and recommends Council authorize a one-year renewal to the services agreement - this will be the third renewal authorized under this agreement, with one renewal remaining;

**Whereas**, departments that utilize telemetry/SCADA services have included these services in their adopted fiscal year 2017 annual budget; 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 one-year renewal to the services agreement with T. Morales Company & Electric Controls, Ltd of Florence, Texas, in the estimated annual amount of \$25,000, for telemetry/SCADA 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 1<sup>st</sup> day of **September**, 2016.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

APPROVED AS TO FORM:

ATTEST:

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Lacy Borgeson  
City Secretary

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Kayla Landeros  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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09/01/16  
Item #4(P31)  
Consent Agenda  
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**DEPT./DIVISION SUBMISSION & REVIEW:**

Kevin Beavers, Director of Parks & Recreation  
Belinda Mattke, Director of Purchasing

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a one-year renewal to a purchase agreement for irrigation supplies for FY2017 with Ewing Irrigation Products of Harker Heights in the estimated annual amount of \$25,000.

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

**ITEM SUMMARY:** Approval of this purchase agreement will allow for the continued purchase of irrigation supplies from Ewing Irrigation Products during FY2017.

On November 5, 2015, the City Council authorized a purchase agreement with Ewing Irrigation Products for the purchase of irrigation supplies. The current agreement will expire on September 30, 2016. The original bid allowed for four additional one-year extensions. In order to renew the agreement, the vendor must agree to hold their prices firm for an additional year, which they are willing to do. The detailed pricing is attached to the November 5, 2015, Council Agenda Item Memorandum.

Staff is satisfied with the products and service provided by Ewing Irrigation Products, and based on price research conducted, staff has concluded that we have a good value with the current contracted prices. Accordingly, staff recommends Council authorize an extension to the agreement. This will be the first one-year renewal authorized under this agreement, with three years remaining.

**FISCAL IMPACT:** Irrigation supplies are ordered on an as-needed basis. Departments have budgeted for these materials in the adopted FY2017 budget. The estimated annual expenditure for routine irrigation supplies is \$25,000 based on historical expenditures.

**ATTACHMENTS:**

[Resolution](#)

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A ONE-YEAR RENEWAL TO THE PURCHASE AGREEMENT WITH EWING IRRIGATION PRODUCTS OF HARKER HEIGHTS, TEXAS, IN THE ESTIMATED ANNUAL AMOUNT OF \$25,000, FOR IRRIGATION SUPPLIES; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, on November 5, 2015, Council authorized a purchase agreement with Ewing Irrigation Products for the purchase of irrigation supplies - the current purchase agreement expires September 30, 2016;

**Whereas**, the original agreement allowed for four additional one-year renewals and in order to renew the agreement, the vendor must agree to hold its prices firm for an additional year, which it is willing to do;

**Whereas**, Staff is satisfied with the products and services provided by Ewing Irrigation Products, and based on price research conducted, Staff believes the City is receiving a good value with the current contracted prices;

**Whereas**, Staff recommends Council authorize a one-year renewal to the purchase agreement with Ewing Irrigation Products - this will be the first one-year renewal authorized under this agreement, with three renewals remaining;

**Whereas**, irrigation supplies are ordered on an as-needed basis and are budgeted in individual departmental accounts; and

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

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

**Part 1:** The City Council authorizes the City Manager, or his designee, after approval as to form by the City Attorney, to execute a one-year renewal to the purchase agreement with Ewing Irrigation Products of Harker Heights, Texas, in an estimated annual amount of \$25,000, for the purchase of irrigation supplies.

**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 **1<sup>st</sup>** day of **September**, 2016.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Kayla Landeros  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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09/01/16  
Item #4(P32)  
Consent Agenda  
Page 1 of 1

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

Belinda Mattke, Director of Purchasing  
Kevin Beavers, Director of Parks & Recreation

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a one-year renewal to a purchase agreement for the design and printing of dri fit t-shirts for FY2017 with Sports World of Temple in the estimated annual amount of \$25,000.

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

**ITEM SUMMARY:** Renewal of this agreement will allow for the continued design and printing of dri fit t-shirts by Sports World during FY2017.

On September 4, 2014, the Council authorized an annual purchase agreement with Sports World for the design and printing of dri fit t-shirts. On September 3, 2015, Council authorized a one-year extension to this agreement. The current agreement expires on September 30, 2016. The original bid allowed for four additional one-year extensions. In order to renew the agreement, the vendor must agree to hold their prices firm for an additional year, which they are willing to do. The detailed pricing is attached to the September 4, 2014, Council Agenda Item Memorandum.

Staff is satisfied with the products and pricing provided by Sports World and recommends Council authorize an extension to the agreement. This will be the second one-year renewal authorized under this agreement, with two years remaining.

**FISCAL IMPACT:** This contract will be used on as needed basis by various departments. However, the Parks & Leisure Services Department makes the majority of the purchases under this contract. Funding is designated in various departmental accounts in the adopted FY2017 budget. Estimated annual expenditure based on historical expenditures: \$25,000.

**ATTACHMENTS:**

[Resolution](#)

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A ONE-YEAR RENEWAL TO THE PURCHASE AGREEMENT WITH SPORTS WORLD OF TEMPLE, TEXAS, IN THE ESTIMATED ANNUAL AMOUNT OF \$25,000, FOR THE DESIGN AND PRINTING OF DRI FIT T-SHIRTS; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, on September 4, 2014, Council authorized an annual purchase agreement with Sports World for the design and printing of dri fit t-shirts - on September 3, 2015, Council authorized a one-year extension to the agreement;

**Whereas**, the current agreement expires September 30, 2016 - the original bid allowed for four additional one-year renewals and in order to renew the agreement, the vendor must agree to hold its prices firm for an additional year, which it is willing to do;

**Whereas**, Staff is satisfied with the products and pricing provided by Sports World and recommends Council authorize a one-year renewal to the purchase agreement - this will be the second one-year renewal authorized under this agreement, with two renewals remaining;

**Whereas**, this contract will be used on an 'as-needed' basis by various departments and those departments have budgeted for this purchase in the adopted fiscal year 2017 annual budget; 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 one-year renewal to the purchase agreement with Sports World of Temple, Texas, in the estimated annual amount of \$25,000, for the design and printing of dri fit t-shirts.

**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 **1<sup>st</sup>** day of **September**, 2016.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

APPROVED AS TO FORM:

ATTEST:

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Lacy Borgeson  
City Secretary

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Kayla Landeros  
City Attorney





## COUNCIL AGENDA ITEM MEMORANDUM

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09/01/16  
Item #4(P33)  
Consent Agenda  
Page 1 of 1

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

Kirk Scopac, Interim Director of Fleet Services  
Belinda Mattke, Director of Purchasing

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a one-year renewal to a purchase agreement for automotive and equipment filters for FY2017 with Napa Auto Parts of Temple in the estimated annual amount of \$25,000.

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

**ITEM SUMMARY:** Authorization of this purchase agreement will allow for continued purchase of automotive and equipment filters from Napa Auto Parts during FY2017.

On October 1, 2015, the City Council authorized an annual purchase agreement with Napa Auto Parts for the purchase of automotive and equipment filters. The current agreement will expire on September 30, 2016. The original bid allowed for four additional one-year extensions. In order to renew the agreement, the vendor must agree to hold their prices firm for an additional year, which they are willing to do. The detailed pricing is attached to the October 1, 2015, Council Agenda Item Memorandum.

Staff is satisfied with the products provided by Napa Auto Parts, and based on price research conducted, staff has concluded that we have a good value with the current contracted prices. Accordingly, staff recommends Council authorize an extension to the agreement. This will be the first one-year renewal authorized under this agreement, with three years remaining.

**FISCAL IMPACT:** Automotive and equipment filters will be purchased on an as needed basis and are charged to departmental expenditure accounts for vehicles that are serviced by Fleet Services. Departments have budgeted for automotive repairs in their departmental accounts. The estimated annual expenditure based on historical expenditures: \$25,000.

**ATTACHMENTS:**

[Resolution](#)

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A ONE-YEAR RENEWAL TO THE PURCHASE AGREEMENT WITH NAPA AUTO PARTS OF TEMPLE, TEXAS, IN AN ANNUAL ESTIMATED AMOUNT OF \$25,000, FOR AUTOMOTIVE AND EQUIPMENT FILTERS; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas,** on October 1, 2015, Council authorized an annual purchase agreement with Napa Auto Parts for the purchase of automotive and equipment filters - the current agreement expires September 30, 2016 - the original bid allowed for four additional one-year extensions;

**Whereas,** in order to renew the agreement, the vendor must agree to hold its prices firm for an additional year, which it is willing to do - Staff is satisfied with the products provided by Napa Auto Parts, and based on price research conducted, has concluded that Napa offers a good value with the current contracted prices;

**Whereas,** Staff recommends Council authorize a one-year renewal to the purchase agreement - this will be the first one-year renewal authorized under this agreement, with three renewals remaining;

**Whereas,** automotive and equipment filters are purchased on an 'as-needed' basis and are charged to departmental expenditure accounts for vehicles that are serviced by Fleet Services – departments have budgeted for automotive repairs funds in their individual departmental accounts; and

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

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

**Part 1:** The City Council authorizes the City Manager, or his designee, after approval as to form by the City Attorney, to execute a one-year renewal to the purchase agreement with Napa Auto Parts of Temple, Texas, in the estimated annual amount of \$25,000, for automotive and equipment filters.

**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 1<sup>st</sup> day of **September**, 2016.

THE CITY OF TEMPLE, TEXAS

\_\_\_\_\_  
DANIEL A. DUNN, Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
Kayla Landeros  
City Attorney

ATTEST:

\_\_\_\_\_  
Lacy Borgeson  
City Secretary



## COUNCIL AGENDA ITEM MEMORANDUM

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09/01/16  
Item #4(Q1)  
Consent Agenda  
Page 1 of 2

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

Heather Mikulas, Utility Business Office Manager  
Belinda Mattke, Director of Purchasing

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a services agreement for the processing of utility bills and accounts receivable statements for FY2017 with DataProse of Coppell in the estimated annual amount of \$188,870.

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

**ITEM SUMMARY:** The Utility Business Office generates approximately 29,000 utility statements and delinquency notices per month. In addition, the Finance Office generates approximately 400 accounts receivable statements per month. Staff has found that the outsourcing of the printing, folding, stuffing, and mailing of these bills and statements has been very effective and efficient.

On June 9, 2016, the City received proposals from the following 8 vendors for the performance of this service:

- SouthData, Inc. of Mount Airy, NC
- InfoSend, Inc. of Anaheim, CA
- Business Ink, Co of Austin, TX
- Pinnacle Data System of Birmingham, AL
- QuestMark Information Management, Inc. of Houston, TX
- The Master's Touch, LLC of Spokane, WA
- DataProse of Coppell, TX
- Diversified Data Processing and Consulting, Inc. of Ferndale, MI

A committee comprised of members from the Utility Business Office, the Information Technology Services Department, and the Finance Department was formed to evaluate the proposals. The evaluation criteria included the following: price-30%, qualifications & experience-25%, ability to meet the City's needs and requirements-25%; references-15%, and quality of proposal submittal-5%. Based on the evaluation of these criteria, the committee is recommending the award of the contract to DataProse out of Coppell, Texas.

The cost for the mailing services will be as follows:

Statement Processing/Printing/Paper/Envelopes	\$ .09 per statement
Second Side Printing (optional)	\$ .04 per statement
Inserting Extra Items with Statement	\$ .005 per page
Presorted Postage Rate	\$ .376 (will be billed based on 'actual' USPS rates)

The proposed mailing printing and mailing service will commence on October 1, 2016. The proposed agreement is through September 30, 2017, with the option for four additional one-year renewal periods.

**FISCAL IMPACT:** It is estimated that \$188,870 will be needed to fulfill this contract in FY2017. Funding in the amount of \$180,000 is included in the FY2017 budget in account 520-5800-535-2623 for Utility Bill Printing and Processing and \$8,870 in account 110-1200-515-2128 for Accounts Receivable Supplies and Postage.

**ATTACHMENTS:**

[Resolution](#)

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A SERVICES AGREEMENT WITH DATAPROSE OF COPPELL, TEXAS, IN THE ESTIMATED ANNUAL AMOUNT OF \$188,870, FOR THE PROCESSING OF UTILITY BILLS AND ACCOUNTS RECEIVABLE STATEMENTS FOR FISCAL YEAR 2017; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas,** the Utility Business Office generates approximately 29,000 utility statements and delinquency notices per month, and the Finance Department generates approximately 400 accounts receivable statements per month and Staff has found that the outsourcing of the printing, folding, stuffing, and mailing of these bills and statements has been very effective and efficient;

**Whereas,** on June 9, 2016, Staff received 8 proposals for the processing of utility bills and accounts receivable statements – Staff evaluated all eight proposals and recommends Council award a services agreement to DataProse of Coppel, Texas for fiscal year 2017;

**Whereas,** the agreement will be effective October 1, 2016 and continue through September 30, 2017, with the option for four additional one-year renewal periods if so agreed to by both parties;

**Whereas,** funding is available in the adopted fiscal year 2017 budget in Account No. 520-5800-535-2623 and Account No. 110-1200-515-2128; and

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

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

**Part 1:** The City Council authorizes the City Manager, or his designee, after approval as to form by the City Attorney, to execute a services agreement with DataProse of Coppel, Texas, in the estimated annual amount of \$188,870, for the processing of utility bills and accounts receivable statements for fiscal year 2017.

**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 1<sup>st</sup> day of **September**, 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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09/01/16  
Item #4(Q2)  
Consent Agenda  
Page 1 of 1

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

Damon Boniface, Utility Director  
Belinda Mattke, Director of Purchasing

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a services agreement for hauling and disposal of sludge for FY2017 with S&M Vacuum and Waste, Ltd. of Killeen in the estimated annual amount of \$160,000.

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

**ITEM SUMMARY:** Approval of this services agreement will provide for the hauling and disposal of sludge from the City's Membrane and Conventional Water Treatment Plants during FY2017 by S&M Vacuum and Waste, Ltd. (S&M) at a rate of 3¢ per gallon. The hauling and disposal of sludge shall vary seasonally depending on water production and the turbidity of the raw water in the river.

S&M as the only bidder for this service on July 21, 2016, a bid price of 3¢ per gallon. The previous bid for this service in 2011 had two bidders for this contract with S&M providing the low bid at 2.9¢ per gallon, versus the second low bid of 8.5¢ per gallon.

The City has done business with S&M for many years, and staff finds them to be a responsive and responsible vendor. The proposed services agreement is for a one year period commencing on October 1, 2016, and is renewable for four additional one-year periods, if agreed to by the City and S&M.

**FISCAL IMPACT:** Funding for Water Treatment Plant sludge maintenance is included in the adopted FY2017 budget in account 520-5100-535-2338 in the amount of \$160,000.00.

**ATTACHMENTS:**

[Resolution](#)

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A SERVICES AGREEMENT WITH S&M VACUUM & WASTE, LTD, OF KILLEEN, TEXAS, IN THE ESTIMATED ANNUAL AMOUNT OF \$160,000, FOR THE HAULING AND DISPOSAL OF SLUDGE FOR FISCAL YEAR 2017; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas,** S&M Vacuum & Waste, Ltd. was the only bidder for this service on July 21, 2016, at a bid price of 3¢ per gallon -the previous bid for this service in 2011 had two bidders for this contract with S&M providing the low bid;

**Whereas,** the City has done business with S&M for many years, Staff finds S&M to be a responsive and responsible vendor and recommends Council award a services agreement to S&M for the hauling and disposal of sludge for fiscal year 2017;

**Whereas,** this agreement will be for a one-year period beginning October 1, 2016, and will be renewable for four additional one-year periods, if so agreed to by both parties;

**Whereas,** funding for the water treatment plant sludge maintenance is included in the adopted fiscal year 2017 budget in Account No. 520-5100-535-2338; and

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

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

**Part 1:** The City Council authorizes the City Manager, or his designee, after approval as to form by the City Attorney, to execute a services agreement with S&M Vacuum & Waste, Ltd., of Killeen, Texas, in the estimated annual amount of \$160,000, for the hauling and disposal of sludge.

**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 **1<sup>st</sup>** day of **September**, 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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09/01/16  
Item #4(Q3)  
Consent Agenda  
Page 1 of 1

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

Don Bond, PE, City Engineer  
Belinda Mattke, Director of Purchasing

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a professional services agreement for public infrastructure construction materials testing for FY2017 with Langerman Foster Engineering Company, LLC of Waco in the estimated annual amount of \$70,000.

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

**ITEM SUMMARY:** On July 14, 2016, the City received nine proposals for construction materials testing services for all infrastructure projects, both City-initiated and subdivision-related. This testing includes, but is not limited to, density of subgrade, base and hot mixed asphaltic concrete (MHAC) for roadway construction, gradation of subgrade and base material as well as HMAC, California Bearing Ratios (CBD), concrete strength and density and bedding of trench excavation for utility installations. This testing is essential to assure quality construction and compliance with City specifications and standards.

Proposals were received from the following engineering firms: Langerman Foster Engineering Company, LLC; Regional Engineering, Inc.; Raba Kistner, Inc.; Fugro Consultants Inc.; Alliance Geotechnical Group, Inc.; ECS Texas, LLP; Kleinfelder, Inc.; Braun Intertec Corporation; and Professional Service Industries, Inc. Langerman Foster Engineering Co. (LFE) was selected by a review committee, comprised of staff from the Public Works Division, as being the most qualified firm to provide these services.

Attached is the fee schedule that was negotiated with LFE for the required services. The recommended contract is for a period of one year commencing on October 1, 2016, with the option for four one-year renewals, if so agreed to by the City and LFE.

**FISCAL IMPACT:** Funding for the construction material testing services is included in the adopted FY2017 budget in account 110-3900-533-2513 in the amount of \$15,000 for subdivision testing. Costs related to testing for City-funded capital infrastructure projects will be funded out of the respective capital accounts.

**ATTACHMENTS:**

[LFE Fee Schedule](#)  
[Resolution](#)



**REVISED FEE SCHEDULE FOR THE CITY OF TEMPLE**

***PROFESSIONAL STAFF RATES***

Engineer (P.E.) .....	\$150 / hour
Supervisory Technician .....	70 / hour
Field Technician .....	54 / hour
Administrative/Word Processor .....	54 / hour

***Note: For most, if not all projects, only Field Technician time will be charged. Engineering, Supervisory Technician, or Administrative time will only be charged when approved by the City for special situations.***

***CONSTRUCTION MATERIALS TESTING SERVICES***

Sieve Analysis.....	90 / each
#200 Sieve Only .....	34 / each
Air Content (when no cylinders are made) .....	30 / each
Concrete Slump (when no cylinders are made) .....	20 / each
Concrete cylinders .....	22 / each
Concrete Unit Weight.....	30 / each
Atterberg Limits.....	90 / each
Moisture-Density Relations	
- ASTM D698 .....	260 / each
- ASTM D1557 .....	260 / each
- TEX-113-E .....	320 / each
- TEX-114-E, PI>20 .....	320 / each
Field Density Tests	
- Nuclear Method, per test (Minimum 3) plus technician time ....	24 / each
Texas Wet Ball Mill .....	270 / each
Los Angeles Abrasion.....	300 / each
Asphalt Cores (Minimum 3).....	100 / each
Extraction / Gradation .....	270 / each
Specimen Molding/Bulk Density .....	160 / each
Maximum Theoretical Specific Gravity.....	70 / each
Vehicle Fee (per round trip to jobsite local in Temple).....	34 / each
Report Fee (per each report issued) .....	16 / each

We believe that the tests quoted above will cover 90% or better of the City's needs. Quotes for other tests, including geotechnical work, will be provided upon request.

### **BASIS OF CHARGES**

1. Prices listed are for services most frequently performed. Prices for other services provided by the firm or other services not listed will be given upon request.
2. Invoices will be issued on a periodic basis. The net cash amount of this invoice is payable on presentation of the invoice.
3. Jobsite time only will be charged (travel time to and from jobsites will not be charged). Field technician time will be charged in one-hour increments.
4. A fee of \$16 applies for each test report issued. Reports will be issued via e-mail. If hard copy reports are requested via US mail, then additional charges will apply.
5. Time worked before 7 am or after 5 pm, in excess of 8 hours per day, or weekend\holiday work will be charged at 1.5 times the hourly rate.
6. Outside services will include a 20% markup unless otherwise noted.
7. All samples will be disposed at the completion of the test unless prior arrangements are made. LFE does not accept environmental or contaminated samples.
8. A vehicle fee of \$34 per trip will be applicable within the city limits of Temple. An addition charge of \$0.60 per mile will apply outside of the city limits.

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH LANGERMAN FOSTER ENGINEERING COMPANY, LLC OF WACO, TEXAS, IN THE ESTIMATED ANNUAL AMOUNT OF \$70,000, FOR PUBLIC INFRASTRUCTURE CONSTRUCTION MATERIALS TESTING FOR FISCAL YEAR 2017; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, on July 14, 2016, the City received nine proposals for construction materials testing services for all infrastructure projects, both City-initiated and subdivision-related;

**Whereas**, this testing includes, but is not limited to, density of subgrade, base and hot mixed asphaltic concrete for roadway construction, gradation of subgrade and base material as well as hot mixed asphaltic concrete, California Bearing Ratios, concrete strength and density and bedding of trench excavation for utility installations - this testing is essential to assure quality construction and compliance with City specifications and standards;

**Whereas**, proposals were reviewed from all nine engineering firms and Langerman Foster Engineering Company, LLC was selected as being the most qualified firm to provide these services;

**Whereas**, Staff has worked with Langerman Foster previously and finds them to be a responsible bidder – the term of this services agreement will be for a period of one-year beginning October 1, 2016, with the option for four additional one-year renewals, if so agreed to by both parties;

**Whereas**, funding for construction materials testing is included in the adopted fiscal year 2017 budget in Account No. 110-3900-533-2513; 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 Langerman Foster Engineering Company, LLC, in the amount of \$70,000, for public infrastructure construction materials testing for fiscal year 2017.

**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 1<sup>st</sup> day of **September**, 2016.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Kayla Landeros  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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09/01/16  
Item #4(Q4)  
Consent Agenda  
Page 1 of 1

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

Ashley Williams, General Services Manager  
Belinda Mattke, Director of Purchasing

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a services agreement for low voltage electrical services for FY2017 with Bluebonnet Electrical Services, Inc. of Temple in the estimated annual amount of \$60,000.

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

**ITEM SUMMARY:** Authorization of this agreement will provide for as-needed low voltage electrical services by Bluebonnet Electrical Services, Inc. (Bluebonnet) during FY2017.

As shown on the attached bid tabulation, on August 11, 2016, the City received four bids for low voltage electrical services. As allowed by Chapter 252 of the Local Government Code, the bid was advertised to be awarded to the bidder that provided the best value to the City, taking into consideration price, experience and reputation of bidder, and skilled staffing available to deliver services in a timely basis. A six-member bid evaluation committee was formed to evaluate the four bids. Based on the pre-defined bid evaluation criteria, it is the committee's recommendation to award the low voltage electrical services to Bluebonnet Electrical Services, Inc.

The City has done business with Bluebonnet Electrical Services in the past and finds them to be a responsible vendor.

The proposed contract is for a one year period commencing on October 1, 2016, and is renewable for four additional one-year periods, if agreed to by both parties.

**FISCAL IMPACT:** Departments have budgeted for low voltage electrical services in several departmental accounts. These contracts will be used on an as-needed basis. Estimated annual expenditure based on historical expenditures: \$60,000.

**ATTACHMENTS:**

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

**Tabulation of Bids Received**  
**on Thursday, August 11, 2016 at 2:00 p.m.**  
**General Low-Voltage Electrical Services**  
**Bid # 13-09-17**

Description	Bidders				Memo: FY16 Unit Cost
	Bluebonnet Electrical Services, Inc Temple, TX (254)771-2775	AC Electric Services  Rogers, TX (254)760-1610	Amos Electric Supply Company Temple, TX (254)778-4271	T. Morales Co. Electric & Controls Ltd. Florence, TX (254)793-4344	
Material (Cost plus %)	15%	Up to \$100: 25% \$100 - \$500: 20% \$500 and over: 15%	20%	15%	15%
Rental Equipment (Cost plus %)	15%	10%	15%	15%	15%
Labor -Sub Contractors (Cost Plus %) - (Only Used if Pre-approved by City)	N/A	10%	15%	15%	N/A
Labor - Licensed Master Electrician (Straight time)	\$57.00	\$60.00	\$59.00	\$64.00	\$57.00
Labor - Licensed Master Electrician (Overtime)	\$85.50	\$90.00	\$88.50	\$96.00	\$85.50
Labor Licensed Journeyman (Straight time)	\$55.00	\$60.00	\$59.00	\$58.00	\$55.00
Labor - Licensed Journeyman (Overtime)	\$82.50	\$90.00	\$88.50	\$87.00	\$82.50
Labor - Apprentice (Straight time)	\$32.00	\$32.00	\$59.00	\$38.00	\$32.00
Labor - Apprentice (Overtime)	\$48.00	\$48.00	\$88.50	\$57.00	\$48.00
Company Owned Equipment (per hour)	Bucket Truck/Crane \$135.00 (2 hr. min.); Trencher, rider \$30.00 (2 hr. min.); Trencher, walk behind \$20.00 (2 hr. min.); Skid Steer \$30.00 (2 hr. min.); Mini Track Hoe \$30.00 (2hr. min.)	John Deere 4044M Tracker w/Backhoe, front loader bucket or forklift attachment \$50.00 (4hr. min./or \$250.00 day); Towable Boom Lift w/50' Platform & 56' Max Work Height. \$50.00 hr (4 hr. min. or \$300.00 day)	Bucket Truck \$85.00	Bucket Truck without operator \$100.00	
Exceptions	No	No	No	No	
Local Preference	Yes	No	Yes	No	
Credit Check Authorization	Yes	Yes	Yes	Yes	

**Recommended for Council Award**

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS,  
AUTHORIZING A SERVICES AGREEMENT WITH BLUEBONNET  
ELECTRICAL SERVICES, INC. OF TEMPLE, TEXAS,, IN THE ESTIMATED  
ANNUAL AMOUNT \$60,000, FOR LOW VOLTAGE ELECTRICAL SERVICES;  
AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, on August 11, 2016, the City received four bids for low voltage electrical services - as allowed by Chapter 252 of the Local Government Code, the bid was advertised to be awarded to the bidder that provided the best value to the City, taking into consideration price, experience, reputation of bidder, and skilled staffing available to deliver services in a timely basis;

**Whereas**, a six-member Staff evaluation committee was formed to evaluate the four bids and based on the pre-defined bid evaluation criteria, Staff recommends Council award a services agreement to Bluebonnet Electrical Services, Inc. for low voltage electrical services;

**Whereas**, the City has done business with Bluebonnet Electrical Services in the past and finds them to be a responsible vendor - the agreement is for a one-year period beginning October 1, 2016, and is renewable for four additional one-year renewals, if so agreed to by both parties;

**Whereas**, departments have budgeted for low voltage electrical services in their departmental accounts - this services agreement will be used on an 'as-needed' basis; 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 Bluebonnet Electric Services, Inc. of Temple, Texas, in the estimated annual amount of \$60,000, for low voltage electrical 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 1<sup>st</sup> day of **September**, 2016.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Kayla Landeros  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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09/01/16  
Item #4(Q5)  
Consent Agenda  
Page 1 of 1

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

Kevin Beavers, Director of Parks & Recreation  
Belinda Mattke, Director of Purchasing

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a services agreement for janitorial services at the Summit Fitness & Recreation Center for FY2017 with Jani-King of Austin in the estimated annual amount of \$47,856.

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

**ITEM SUMMARY:** Authorization of this annual contract will provide for continued daily (7 days per week) janitorial cleaning services, including all cleaning and personal hygiene supplies (except gym wipes), by Jani-King of Austin at the Summit Fitness & Recreation Center (Summit) during FY2017.

As shown on the attached tabulation of proposals received, on August 11, 2016, three proposals were received from vendors offering to provide janitorial cleaning services at the Summit. A committee comprised of members from Facility Services and the Parks & Recreation Department was formed to evaluate the proposals. The committee is unanimously recommending that Jani-King of Austin be engaged to perform the janitorial services based on their competitive pricing and the City's favorable experience in using their services since the summer of 2013.

The proposed agreement will commence on October 1, 2016, and it will continue through September 30, 2017, with the option for four additional one-year period renewal periods.

**FISCAL IMPACT:** Consistent with prior year contracted amounts, the Summit FY2017 budget, account 110-3250-551-2623, includes \$42,548 for janitorial services, which leaves a budget shortfall of \$5,308 to fund this contract for FY2017. It is staff's intent to fund the budget shortfall from account 110-3250-551-2117, Janitorial Supplies.

**ATTACHMENTS:**

[Tabulation of Proposal Received](#)  
[Resolution](#)



**Janitorial Services for the Summit Recreation Center**  
**RFP No. 32-03-17**  
**Tabulation of Proposals Received on August 11, 2016**

Company	Loc	Pricing Per Yr
Jani-King of Austin	Cedar Park, TX	\$ 47,856
Smith Supply Co., LLC	Temple, TX	\$ 63,852
CTJ Maintenance, Inc.	Irving , TX	\$ 167,700

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A SERVICES AGREEMENT WITH JANI-KING OF AUSTIN, TEXAS, IN THE ESTIMATED AMOUNT OF \$47,856, FOR JANITORIAL SERVICES FOR THE SUMMIT FITNESS AND RECREATION CENTER; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, on August 11, 2016, the City received three proposals for janitorial cleaning services at the Summit Fitness and Recreation Center;

**Whereas**, a Staff committee was formed to evaluate the proposals and the committee unanimously recommends Council authorize a services agreement with Jani-King to perform the janitorial services based on their competitive pricing and the City's favorable experience in using their services since the summer of 2013;

**Whereas**, this agreement will be effective October 1, 2016, and will continue through September 30, 2017, with the option for four additional one-year renewals, if so agreed to by both parties;

**Whereas**, the Summit Fitness and Recreation Center has budgeted for these janitorial services in its fiscal year 2017 Account Nos. 110-3250-551-2623 and 110-3250-551-2117; 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 Jani-King of Austin, Texas, in the estimated annual amount of \$47,856, for janitorial services at the Summit Fitness and Recreation Center.

**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 1<sup>st</sup> day of **September**, 2016.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Kayla Landeros  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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09/01/16  
Item #4(R)  
Consent Agenda  
Page 1 of 2

### **DEPARTMENT / DIVISION SUBMISSION & REVIEW:**

Brian Chandler, Director of Planning

**ITEM DESCRIPTION:** SECOND READING - X-FY-16-10: Consider adopting an ordinance authorizing the annexation of a 2.149 acre part or portion of existing right-of-way of Dubose Road, situated in the William Frazier Survey, Abstract No. 310, Bell County, Texas, and located adjacent to the Valley Ranch subdivision.

**STAFF RECOMMENDATION:** Adopt ordinance as presented on second and final reading.

**ITEM SUMMARY:** Bell County Judge, Jon Burrows, on behalf of Bell County, filed a request on May 6, 2016 that the city annex 2.149 acres into the City of Temple, being more particularly described as Exhibit "A" (Field Notes) and depicted as Exhibit "B" (Drawing) of the annexation.

The proposed annexation meets the width requirements in Section 43.054 of the Local Government Code for annexation of a publicly or private owned strip of area following the course of a road. The minimum width of 1,000 feet at the narrowest point does not apply when the strip is contiguous to the annexing municipality's boundaries on two sides. The strip proposed to be annexed is contiguous to Temple's current city limits on three sides. The subject property is within the City of Temple City Council Election District Number 3.

Pursuant to Chapter 43 of the Local Government Code, the city has completed the following steps during the annexation process:

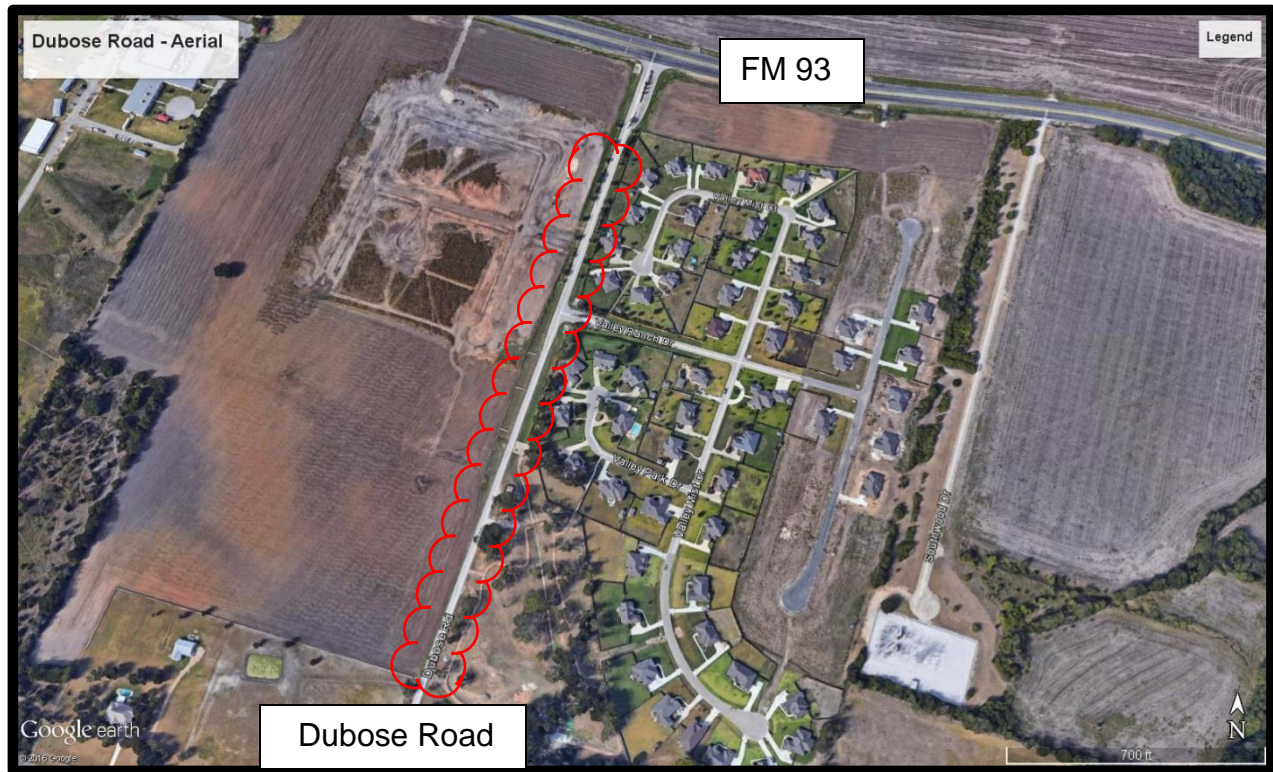
1. June 2, 2016 - City Council adopted Resolution 2016-8176-R to direct staff to develop the Municipal Service Plan
2. July 21, 2016 - Municipal Service Plan Public Hearing #1
3. July 22, 2016 - Municipal Service Plan Public Hearing #2

**FISCAL IMPACT:** The Municipal Service Plan does not contain any proposal to extend water or wastewater services to the area, or any other new physical facilities to serve the 2.149 +/- acre portion of the existing right of way of Dubose Road. Public Works has evaluated the section of road and determined that the road is not in need of major maintenance at this time.

**ATTACHMENTS:**

Aerial & Street View Photos  
Vicinity Map  
Municipal Service Plan  
Field Notes of Proposed Annexation Area (Exhibit A)  
Survey of Proposed Annexation Area (Exhibit B)  
Voluntary Annexation Schedule  
Letter of Request from Bell County Judge Jon Burrows  
Ordinance

# Aerial & Street View Photos



**Aerial: Google Earth Image**



**Street View: Google Earth Image of Dubose Road**



## Dubose Road Annexation

Approx. 2.149 Acres

0 125 250 500 Feet

- Annexation Area
- City Limits
- Parcels

**DISCLAIMER:**  
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.



**CITY OF TEMPLE**  
**ANNEXATION SERVICE PLAN—VOLUNTARY ANNEXATION**  
**DUBOSE ROAD**

For a 2.149 acre part or portion of existing right-of-way of Dubose Road, a publically maintained roadway, located adjacent to the Valley Ranch subdivision abutting the city limits boundary situated in the William Frazier Survey, Abstract No. 310, Bell County, Texas and being more particularly described as Exhibit “A” (Field Notes) and depicted as Exhibit “B” (Survey) of the Annexation Ordinance (2016-####).

**SERVICES TO BE PROVIDED ON THE EFFECTIVE DATE OF ANNEXATION**

**1. POLICE PROTECTION**

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

**2. FIRE PROTECTION AND AMBULANCE SERVICE**

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

**3. SOLID WASTE COLLECTION**

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

**4. MAINTENANCE OF WATER AND WASTEWATER FACILITIES**

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

**5. MAINTENANCE OF ROADS AND STREETS**

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

## 6. MAINTENANCE OF PUBLIC PARKS, PLAYGROUNDS AND SWIMMING POOLS

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

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

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

## 8. INSPECTIONS

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

## 9. CODE ENFORCEMENT

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

## 10. MOWING

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

## CAPITAL IMPROVEMENTS

### 1. POLICE PROTECTION, FIRE PROTECTION AND EMERGENCY MEDICAL SERVICES

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



## 2. ROADS AND STREETS

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

## 3. WATER AND WASTEWATER FACILITIES

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

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

## 4. CAPITAL IMPROVEMENTS

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

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### **SPECIFIC FINDINGS**

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

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

APPROVED ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.

City of Temple, Texas

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Mayor

ATTEST:

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City Secretary

BEING a 2.149 acre tract situated in the WILLIAM FRAZIER SURVEY, ABSTRACT No. 310, Bell County, Texas and being a part or portion of the existing right-of-way of Dubose Road ( a publicly maintained roadway ), being partially described in the map or plat of Valley Ranch Addition, Phase I, an addition to the City of Temple, Bell County, Texas being of record in Cabinet D, Slide 21-A, Plat Records of Bell County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a ½" iron rod found being the southeast corner of that certain 44.234 acre tract of land described as TRACT 3 in a Special Warranty Deed dated October 14, 2004 from J & B Holdings, Ltd., a Texas limited partnership to Lexington Holdings, Ltd., a Texas limited partnership and being of record in Volume 5572, Page 849, Official Public Records of Bell County, Texas and being the northeast corner of that certain 5.000 acre tract of land described in a Warranty Deed with Vendor's Lien dated January 8, 1998 from Thomas Jackson Wicker, also known as Tom Wicker, and wife, Sandra Kay Wicker to Gary Alan Pauer and wife, Deyette M. Pauer and being of record in Volume 3728, Page 298, Official Public Records of Bell County, Texas and being in the west right-of-way line of Dubose Road ( a publicly maintained roadway ) as occupied and evidenced on the ground for corner;

THENCE N. 14° 13' 56" E., 1654.73 feet departing the said 5.000 acre tract and with the east boundary line of the said 44.234 acre tract ( calls S. 17° 14' 22" W., 2133.14 feet ) and part way with the east boundary line of that certain 16.206 acre tract of land described as Valley Ranch Addition, Phase III according to the map or plat of record in Year 2015, Plat No. 20, Plat Records of Bell County, Texas ( calls S. 14° 13' 48" W., 818.15 feet ) and part way with the west boundary line of the said Valley Ranch Addition, Phase I ( calls N. 14° 13' 38" E., 1015.16 feet ) and with the said west right-of-way line of Dubose Road to a ½" iron rod with cap stamped "RPLS 2475" set being in the east boundary line of Lot 2, Block 1, said Valley Ranch, Phase III and being in the west boundary line of the said Valley Ranch subdivision for corner;

THENCE S. 74° 30' 03" E., 56.59 feet departing the said Valley Ranch Addition, Phase III and the said west boundary line and the said west right-of-way line and over and across the said Valley Ranch Addition, Phase I to a ½" iron rod with cap stamped "RPLS 2475" set being in the east right-of-way line of the said Dubose Road and being in the west boundary line of Lot 11, Block 2, said Valley Ranch Addition, Phase I from which a ½" iron rod found at the northwest corner of the said Lot 11, Block 2 bears N. 14° 12' 33" E., 41.07 feet for corner;

THENCE S. 14° 12' 33" W., 117.01 feet with the said east right-of-way line and with the west boundary line of the said Lot 11, Block 2 ( calls N. 14° 13' 38" E., 158.21 feet ) to a ½" iron rod found being the southwest corner of the said Lot 11 and being the northwest corner of Lot 10, said Block 2 for corner;

THENCE S. 14° 14' 10" W., 183.73 feet departing the said Lot 11 and with the west boundary line of the said Lot 10 ( calls N. 14° 13' 38" E., 183.82 feet ) and continuing with the said east right-of-way line to a ½" iron rod with cap stamped "WALLACE" found being the southwest corner of the said Lot 10 and being the northwest corner of Lot 9, said Block 2 for corner;

THENCE S. 14° 14' 24" W., 235.30 feet departing the said Lot 10 and with the west boundary line of the said Lot 9 and continuing over and across the right-of-way of Valley Ranch Drive as described in said plat of Valley Ranch Addition, Phase I and continuing with the west boundary line of Lot 64, Block 2, said Valley Ranch Addition, Phase I and continuing with the said east right-of-way line of Dubose Road to a ½" iron rod found being an angle point in the west boundary line of the said Valley Ranch Addition, Phase I for corner;



10771


THENCE S. 14° 13' 51" W., 341.11 feet with the west boundary line of the said Valley Ranch Addition, Phase I ( calls N. 14° 13' 38" E., 1255.79 feet ) with the west boundary line of the said Lot 64 ( calls N. 14° 13' 38" E., 225.92 feet ) and continuing with the west boundary line of Lot 63, said Block 2 ( calls N. 14° 13' 38" E., 140.28 feet ) and continuing with the said east right-of-way line to a ½" iron rod with cap stamped "WALLACE" found being the most westerly southwest corner of the said Lot 63 and being the northwest corner of that certain 1.133 acre tract of land described as TRACT "A" in said plat of Valley Ranch Addition, Phase I for corner;

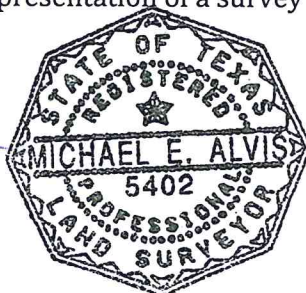
THENCE S. 14° 13' 51" W., 776.24 feet departing the said Lot 63 and with the west boundary line of the said TRACT "A" ( calls N. 14° 13' 38" E., 307.89 feet and continuing with the west boundary line of that certain 6.668 acre tract of land described as TRACT "B" in said plat of Valley Ranch Addition, Phase I ( calls N. 14° 13' 38" E., 806.70 feet ) and continuing with the said east right-of-way line and the said west boundary line of Valley Ranch Addition, Phase I to a ½" iron rod with capo stamped "RPLS 2475" set for corner;

THENCE N. 75° 51' 26" W., 56.61 feet departing the said Valley Ranch Addition, Phase I and the said TRACT "B" and the said east right-of-way line and over and across the said right-of-way of Dubose Road to the Point of BEGINNING and containing 2.149 acres of land.

\*\*\*\*\*

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

  
Michael E. Alvis, R.P.L.S. #5402  
April 22, 2016



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

ALL COORDINATE VALUES ARE REFERENCED TO CITY MONUMENT NUMBER 141  
THE THETA ANGLE AT SAID CITY MONUMENT IS 01° 30' 27"  
THE COMBINED CORRECTION FACTOR (CCF) IS 0.999858  
PUBLISHED CITY COORDINATES ARE X = 3,212,989.81 Y = 10,354,042.98  
THE TIE FROM THE ABOVE CITY MONUMENT TO THE POINT OF BEGINNING (POB) IS  
S. 15° 45' 56" W., 2092.48 FEET.  
GRID DISTANCE = SURFACE DISTANCE X CCF  
GEODETIC NORTH = GRID NORTH + THETA ANGL

## EXHIBIT A

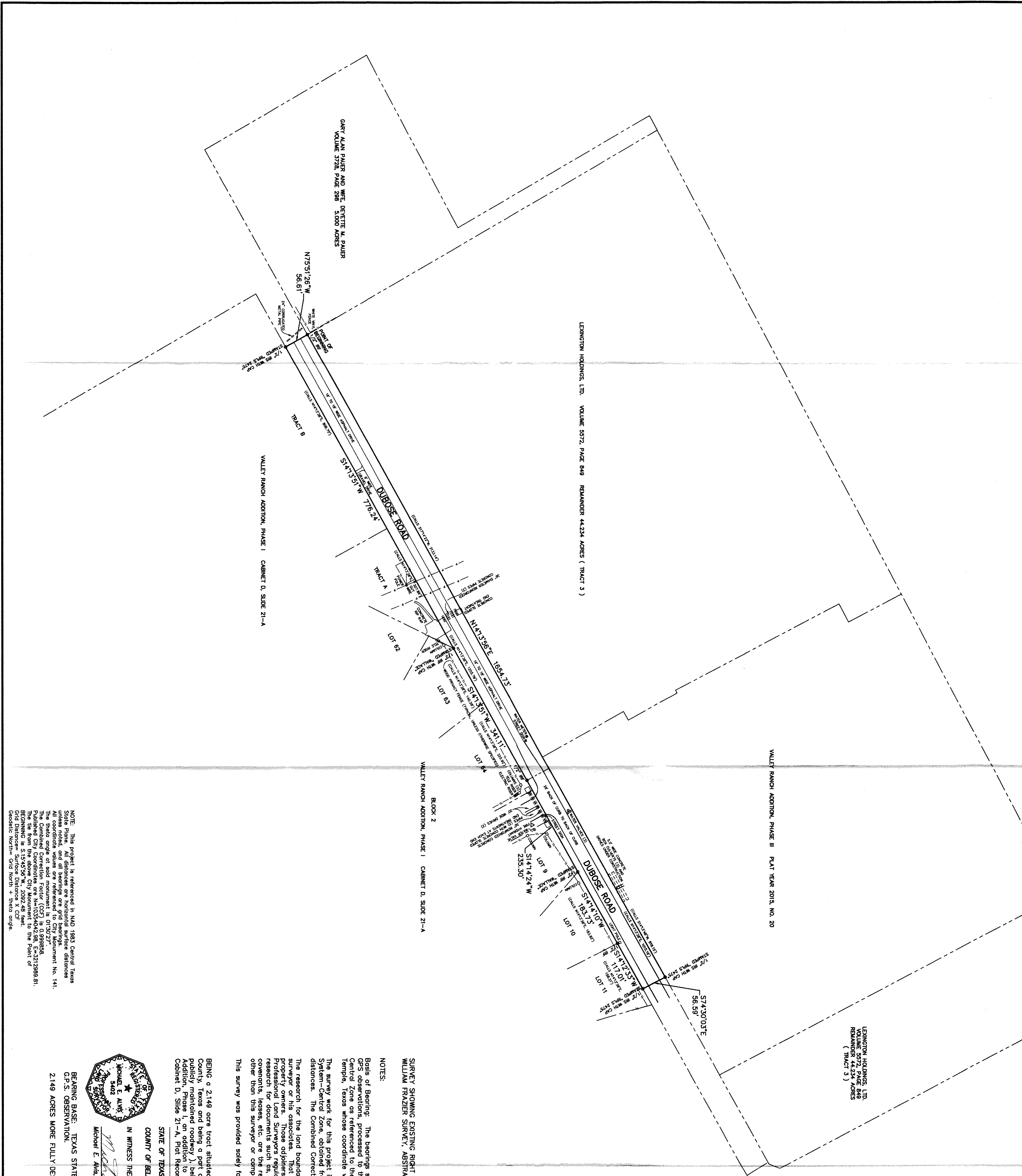


Exhibit B

SURVEY SHOWING EXISTING RIGHT OF WAY OVER PART OF DUBOSE ROAD, BEING PART OF THE WILLIAM FRAZIER SURVEY, ABSTRACT NO. 310, IN BELL COUNTY, TEXAS.

NOTES:

Basis of Bearing: The bearings shown hereon are related to Geodetic or True North based on GPS observations, processed to the Texas Coordinate System using the NAD 83 Datum, Texas Central Zone as referenced to the NGS "CORES" Base Station at "TCIX" of Temple College in Temple, Texas whose coordinate value is N=10,566,800.419 E=3,229,850.945.

The survey work for this project is on Grid Coordinates (NAD83) Texas Coordinate System—Central Zone, published from GPS observations. The distances shown are surface distances. The Combined Correction Factor (CCF) for this project is 0.9988574.

The research for the land boundary property line of these tracts has been provided by this surveyor or his associates. That research includes the names and references to the adjoining property owners. Those adjoining references are for compliance to the Texas Board of Professional Land Surveyors regulations, and are shown for information purposes only. All other research for documents such as, but not limited to, easements, deed restrictions, restrictive covenants, leases, etc. are the responsibility of the client's Title Company or other third parties other than this surveyor or company.

This survey was provided solely for the use of Bell County, Engineers.

BEING a 2.149 acre tract situated in the WILLIAM FRAZIER SURVEY, ABSTRACT NO. 310, Bell County, Texas and being a part or portion of the existing right-of-way of Dubose Road (a publicly maintained roadway), being partially described in the map or plot of Valley Ranch Addition, Phase I, an addition to the City of Temple, Bell County, Texas being of record in Cabinet D, Slide 21-A, Plat Records of Bell County, Texas.

STATE OF TEXAS I, MICHAEL E. ALMS, a duly qualified and licensed Surveyor of the State of Texas, do hereby certify that this survey was this day made on the property described herein and is correct.

IN WITNESS WHEREOF, my hand and seal, this the 22nd day of April, 2016.



Michael E. Alms, R.P.L.S. #5402

BEARING BASE: TEXAS STATE PLANNING COORDINATE SYSTEM (NAD 1983) AS DETERMINED BY G.P.S. OBSERVATION.

2.149 ACRES MORE FULLY DESCRIBED BY METES AND BOUNDS BY SEPARATE FIELD NOTES.



**TURLEY ASSOCIATES, INC.**  
ENGINEERING • PLANNING • SURVEYING  
301 N. 3rd St. 76501  
TEMPLE, TEXAS  
SURVEY FIRM NO. 10056000 • ENGINEERING FIRM NO. 1658  
254.773.2400  
254.773.3998  
www.turley-inc.com

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SURVEY OF:  
**2.149 ACRES**  
WILLIAM FRAZIER SURVEY, ABSTRACT NO. 310  
BELL COUNTY, TEXAS  
PREPARED FOR:  
**BELL COUNTY ENGINEER**  
P.O. BOX 264  
BELTON, TEXAS 76513

**RECEIVED**  
MAY - 4 2016  
City of Temple  
Planning & Development

REVISIONS		
DATE	DESCRIPTION	DATE



# SCHEDULE

## Annexation of Dubose Road Right-of-Way

DATE	ACTION	TIME LIMIT/NOTES
<b>06-02-16</b>	<b>COUNCIL ADOPTS RESOLUTION</b> 1. Granting the petition 2. Directing staff to develop service plans 3. Setting dates, times, places for public hearings	1. After the 5 <sup>th</sup> day, but on or before the 30 <sup>th</sup> day after the date the petition is filed, Council must grant or refuse petition. § 43.028(d) 2. Before publication of notice of 1 <sup>st</sup> hearing required under § 43.063 LGC. § 43.065 LGC
<b>06-20-16</b>	<b>CITY SECRETARY MAILS NOTICES TO</b> 1. Property owners 2. Public and private service entities 3. Railroads (N/A—no RR ROW in area) <i>31<sup>st</sup> day before 1<sup>st</sup> public hearing</i>	Before the 30 <sup>th</sup> day before the date of the first hearing required under § 43.063. § 43.062(b) LGC
<b>07-03-16</b>	<b>CITY SECRETARY PUBLISHES NOTICES FOR PUBLIC HEARINGS ON ANNEXATION</b> Posts notice on City web site Publishes notice in Telegram <i>18<sup>th</sup> day before 1<sup>st</sup> public hearing</i> <i>19<sup>th</sup> day before 2<sup>nd</sup> public hearing</i>	Publish hearing notice on or after the 20 <sup>th</sup> day but before the 10 <sup>th</sup> day before the date of the hearing § 43.063(c) LGC
<b>07-05-16</b>	<b>CITY SECRETARY SENDS NOTICE TO</b> Public school districts located in annexation area <i>16<sup>th</sup> day before 1<sup>st</sup> public hearing</i>	Within the period prescribed for publishing the notice of the 1 <sup>st</sup> hearing under § 43.063 LGC
<b>07-13-16</b>	<b>RESIDENTS' LAST DAY TO FILE PROTEST</b> <i>10<sup>th</sup> day after publication of hearing notice</i>	Hold one hearing in area proposed for annexation if more than 10% of adults who are permanent residents of area file written protest within 20 days after publication of notice. § 43.052(b) LGC
<b>07-21-16</b> <b>Regular meeting</b>	<b>COUNCIL HOLDS 1<sup>st</sup> PUBLIC HEARING</b> Staff presents service plan <i>28<sup>th</sup> day before 1<sup>st</sup> reading of ordinance</i>	Hold hearings on or after the 40 <sup>th</sup> day but before the 20 <sup>th</sup> day before the date of institution of annexation proceedings with 1 <sup>st</sup> reading of ordinance. § 43.063(a) LGC.
<b>07-22-16</b> <b>Special meeting</b>	<b>COUNCIL HOLDS 2<sup>nd</sup> PUBLIC HEARING</b> Staff presents service plan <i>27<sup>th</sup> day before 1<sup>st</sup> reading of ordinance</i>	Hold hearings on or after the 40 <sup>th</sup> day but before the 20 <sup>th</sup> day before the date of institution of annexation proceedings with 1 <sup>st</sup> reading of ordinance. LGC § 43.063(a)
<b>08-18-16</b> <b>Regular Meeting</b>	<b>COUNCIL CONSIDERS ANNEXATION ORDINANCE ON 1<sup>ST</sup> READING &amp; HOLDS PUBLIC HEARING</b>	First reading institutes proceedings for purposes of statutory time limits.
<b>09-01-16</b> <b>Regular Meeting</b>	<b>COUNCIL CONSIDERS ANNEXATION ORDINANCES ON 2<sup>ND</sup> READING</b> <i>14<sup>th</sup> day from 1<sup>st</sup> reading</i>	Complete annexation proceedings within 90 days from 1 <sup>st</sup> reading. § 43.064(A) LGC.

DATE	ACTION	TIME LIMIT/NOTES
	<b>INFORMATION TECHNOLOGY SERVICES PREPARES AMENDED CITY MAP</b> 1. Amended City limit boundary 2. Amended City ETJ boundary	

	<b>CITY SECRETARY SENDS NOTICES TO:</b>  <b>TEXAS SECRETARY OF STATE</b> 1. Copy of annexation ordinance 2. Annexation map 3. Statement that annexation is not involved in any litigation	Secretary of State certifies to U. S. Department of Commerce that annexation was valid. <i>[No citation found.]</i>
	<b>VOTER REGISTRAR FOR BELL COUNTY</b> 1. Map in format compatible with mapping format used by registrar's office.	Not later than the 30 <sup>th</sup> day after the date the change is adopted. § 42.0615 Election Code  The County Election Administrator is the Voter Registrar for Bell County.
	<b>STATE COMPTROLLER, SALES TAX DIVISION</b> 1. Annexation ordinance 2. Map showing whole municipality	§ 321.102 Tax Code Delivery of notice affects implementation of tax collection.
	<b>BELL COUNTY CLERK</b> 1. Certified copy of annexation ordinance including legal description of annexed area.	Within 30 days after obtaining preclearance for the annexation under the Federal Voting Rights Act. § 41.0015 LGC
	<b>BELL COUNTY CLERK</b> 1. Certified copy of annexation ordinance 2. Copy of petition	For annexation of Sparsely Occupied Area on Petition of Area Landowners § 43.028(f)
	<b>PUC AND FRANCHISEES</b> Utility, telecommunication, transportation, and EMS providers	
	<b>TxDOT</b> If state road is affected.	
	<b>TEXAS COMMISSION ON FIRE PROTECTION</b>	<i>[No citation found. No information found on Commission's web site.]</i>
	<b>U. S. BUREAU OF THE CENSUS</b>	<i>[Or does SOS notify Bureau of the Census?]</i>

	<b>CITY ATTORNEY SENDS INFORMATION TO U. S. ARMY CORPS OF ENGINEERS:</b> 1. Ordinance 2. Map 3. Service plan 4. Copies of pertinent laws /regulations	If annexation affects Corps' property. Army Regulation 405-25
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# Bell County, Texas

POST OFFICE BOX 768 / BELTON, TEXAS 76513-0768 / TELEPHONE (254) 933-5105 / FAX (254) 933-5179

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COUNTY JUDGE JON H. BURROWS

May 2, 2016

Mr. Jonathan Graham  
City Manager, City of Temple  
2 N. Main Street, Suite 306  
Temple, Texas 76501

RE: Dubose Road Right-of-Way Annexation

Mr. Graham,

The Bell County Commissioners' Court of the State of Texas, respectfully requests that the City of Temple take the appropriate actions to initiate the annexation of a portion of the Dubose Road Right-of-Way as described and shown in the attached survey exhibits provided by Bell County.

The portion of existing Dubose Road Right-of-Way being proposed for annexation is less the 1000' feet in width, contains 2.149 acres of land, and is contiguous on three (3) sides to the current city limits of the City of Temple.

Thank you for your consideration regarding this matter.

Sincerely,

  
Jon H. Burrows  
Bell County Judge

Cc- Mr. Brian Chandler, Planning Director  
Cc- Ms. Trudi Dill, Deputy City Attorney

**RECEIVED**

**MAY - 4 2016**

City of Temple  
Planning & Development



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

AN ORDINANCE OF THE CITY OF TEMPLE, TEXAS, ANNEXING APPROXIMATELY 2.149 ACRES OF EXISTING RIGHT-OF-WAY OF DUBOSE ROAD, SITUATED IN THE WILLIAM FRAZIER SURVEY, ABSTRACT NO. 310, BELL COUNTY, TEXAS, AND LOCATED ADJACENT TO THE VALLEY RANCH SUBDIVISION; APPROVING A MUNICIPAL SERVICE PLAN; FINDING THAT ALL NECESSARY AND REQUIRED LEGAL CONDITIONS HAVE BEEN SATISFIED; PROVIDING THAT SUCH AREA SHALL BECOME A PART OF THE CITY AND THAT THE OWNERS AND INHABITANTS THEREOF, IF ANY, SHALL BE ENTITLED TO THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BE BOUND BY THE ACTS AND ORDINANCES NOW IN EFFECT AND TO BE HEREAFTER ADOPTED; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

---

**Whereas**, the City of Temple is a home-rule city authorized by State law and the City Charter to annex territory lying adjacent and contiguous to the City;

**Whereas**, two separate public hearings were conducted prior to consideration of this ordinance in accordance with Chapter 43 of the Texas Local Government Code and the hearings were conducted and held not more than forty nor less than twenty days prior to the institution of annexation proceedings;

**Whereas**, notice of the public hearings was published in a newspaper of general circulation in the City and the territory proposed to be annexed not more than twenty nor less than ten days prior to the public hearings;

**Whereas**, the property to be annexed is contiguous with and adjacent to the City and not within the boundaries of any other city; and

**Whereas**, the City is able to provide all services to the property to be annexed according to the service plan attached hereto.

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

**Part 1:** All of the above premises are found to be true and correct and are incorporated into the body of this Ordinance as if copied in their entirety.

**Part 2:** The property consisting of approximately 2.149 acres of existing right-of-way of Dubose Road, situated in the William Frazier Survey, Abstract No. 310, Bell County, Texas, and located adjacent to the Valley Ranch subdivision, described in Exhibit 'A' attached hereto, is hereby annexed and brought within the corporate limits of the City of Temple, Bell County, Texas, and is made an integral part thereof.

**Part 3:** The service plan submitted in accordance with Chapter 43 of the Texas Local Government Code is hereby approved as part of this ordinance, made a part hereof and attached hereto as Exhibit "B."

**Part 4:** The official map and boundaries of the City of Temple are hereby amended so as to include the annexed Property as part of the City of Temple.

**Part 5:** The annexed Property shall be zoned at a future date, in compliance with the Zoning Ordinance of the City of Temple.

**Part 6:** The annexed Property shall be included in, and become a part of, the City of Temple City Council Election District Number 3.

**Part 7:** 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 8:** If the taking of any territory annexed by this ordinance is declared by a court of competent jurisdiction to be invalid and/or illegal, it shall not affect the balance of the property annexed and attempted to be annexed, and that property shall remain as part of the City of Temple, Texas. It is the intent of this ordinance that any territory that is not lawful for the City to incorporate be excluded from this annexation and that such exclusion be documented by having a qualified surveyor correct the property description of the annexed area to conform to the Council's intention and to insure that the boundary description closes.

**Part 9:** 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 10:** 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 **18<sup>th</sup>** day of **August**, 2016.

PASSED AND APPROVED on Second and Final Reading on the **1<sup>st</sup>** day of **September**, 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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09/01/16  
Item #4(S)  
Consent Agenda  
Page 1 of 2

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

Kayla Landeros, City Attorney  
Nicole Torralva, Public Works Director

**ITEM DESCRIPTION:** SECOND READING – Consider adopting an ordinance amending the Code of Ordinances, Chapter 15, “Garbage, Refuse, and Recycling.”

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

**ITEM SUMMARY:** Chapter 15, Section 15-10 of the Code of Ordinances currently reads as follows:

#### **Section 15-10. Collection by City Generally; Private Collection of Brush, Etc.**

The collection of garbage in the City shall be the responsibility of the Solid Waste Division, the employees of which shall make periodic garbage pickups throughout the City from the garbage containers provided by the City as required by this Chapter. It shall be unlawful for any person, firm or corporation other than employees of the Solid Waste Division to collect garbage or refuse in the City without having first obtained written authority, by contract, from the City. Such contract shall provide the extent of collection and other authority to such person, firm or corporation as the City may deem appropriate. All rates of collection shall be regulated by the City Council by resolution. The private collection of brush, shrubs, leaves, grass and tree trimmings and cuttings for hire or otherwise shall be allowed, notwithstanding the provisions of this section. Private (professional/commercial) tree trimmers must register their businesses with the City and are required to haul their cuttings to the landfill or other site designated by the Director of Solid Waste Services.

Section 15-10 states that the City is the sole provider of residential and commercial solid waste services. The section makes one exception and allows for the private collection of brush, shrubs, leaves, grass and tree trimmings. After several discussions with the City Council, Staff is now proposing to amend the language of Section 15-10 to add another exception to allow for the private collection and hauling of residential construction waste. The proposed amendment to Section 15-10 is set forth below:

#### **Section 15-10. Collection by City Generally; Private Collection of Brush and Construction Waste**

- (a) The collection of garbage in the City is the responsibility of the Solid Waste Division, the employees of which will make periodic garbage pickups throughout the City from the garbage containers provided by the City as required by this Chapter.

(b) It is unlawful for any person, firm or corporation other than employees of the Solid Waste Division to collect garbage or refuse in the City without having first obtained written authority, through a franchise agreement with the City. Such agreement will provide the extent of collection and other authority to such person, firm or corporation as the City may deem appropriate. All rates of collection will be regulated by the City Council by resolution.

(c) The private collection of brush, shrubs, leaves, grass and tree trimmings and cuttings for hire or otherwise is allowed, notwithstanding the provisions of this section. Private (professional/commercial) tree trimmers must register their businesses with the Director of Solid Waste Services and are required to haul their cuttings to the landfill or other site designated by the Director of Solid Waste Services.

(d) The private collection and hauling of construction waste is allowed, notwithstanding the provisions of this section. For the purposes of this Chapter, "construction waste" means construction or demolition debris, litter, garbage, rubbish, refuse, trash, and/or solid waste or materials generated by residential construction activities. Entities engaged in the hauling of construction waste, pursuant to this subsection, must register their businesses with the Director of Solid Waste Services. All construction waste collected in the City must be hauled to the City's landfill or other site designated by the Director of Solid Waste Services.

(1) Construction waste hauling is only allowed in the City pursuant to subsection (d) if the person, firm or corporation is providing construction waste hauling services on residential construction sites at which the person, firm or corporation is also performing job site cleaning, which includes, but is not limited to, cleanup of construction sites for new residential construction, demolition and cleanup of existing residential structures, and landscaping, grading or tractor services.

This amendment is intended to have limited applicability to companies that provide a variety of construction site services to residential homebuilders. Primarily, the proposed exception in 15-10(d) would apply to those companies providing site cleaning and waste hauling services to residential home builders.

Staff also recommends adding a definition of "City Landfill" to Section 15-1. The proposed amendment would read as follows:

"City Landfill" or "Landfill" as used herein, means the City's waste disposal facility located at 706 Landfill Road, Temple, Texas 76501.

**FISCAL IMPACT:** None

**ATTACHMENTS:**

[Ordinance](#)

ORDINANCE NO. 2016-4797

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AMENDING CHAPTER 15, "GARBAGE, REFUSE, AND RECYCLING" OF THE CODE OF ORDINANCES OF THE CITY OF TEMPLE, TEXAS; PROVIDING A REPEALER; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

---

**Whereas**, Chapter 15, Section 15-10 of the Code of Ordinances currently reads as follows:

The collection of garbage in the City shall be the responsibility of the Solid Waste Division, the employees of which shall make periodic garbage pickups throughout the City from the garbage containers provided by the City as required by this Chapter. It shall be unlawful for any person, firm or corporation other than employees of the Solid Waste Division to collect garbage or refuse in the City without having first obtained written authority, by contract, from the City. Such contract shall provide the extent of collection and other authority to such person, firm or corporation as the City may deem appropriate. All rates of collection shall be regulated by the City Council by resolution. The private collection of brush, shrubs, leaves, grass and tree trimmings and cuttings for hire or otherwise shall be allowed, notwithstanding the provisions of this section. Private (professional/commercial) tree trimmers must register their businesses with the City and are required to haul their cuttings to the landfill or other site designated by the Director of Solid Waste Services.

**Whereas**, Section 15-10 states that the City is the sole provider of residential and commercial solid waste services and makes one exception to allow for the private collection of brush, shrubs, leaves, grass and tree trimmings;

**Whereas**, after several discussions with the City Council, Staff is now proposing to amend the language of Section 15-10 to add another exception to allow for the private collection and hauling of residential construction waste;

**Whereas**, the proposed amendments define "construction waste" as construction or demolition debris, litter, garbage, rubbish, refuse, trash, and/or solid waste or materials generated by residential construction activities – the proposed amendments would allow the private collection and hauling of such waste upon registration with the Director of Solid Waste Services;

**Whereas**, the proposed amendments also include a definition of "City Landfill" which would refer to the City's waste disposal facility located at 706 Landfill Road, Temple, Texas 76501;

**Whereas**, Staff recommends approval of the proposed amendments to Chapter 15 of the Code of Ordinances of the City of Temple; and

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

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

**Part 1:** The City Council amends Chapter 15, “Garbage, Refuse and Recycling” of the Code of Ordinances of the City of Temple, Texas, as outlined in Exhibit ‘A,’ attached hereto and incorporated herein for all purposes.

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

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

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

**Part 5:** It is hereby officially found and determined that the meeting at which this ordinance 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 **18th** day of **August**, 2016.

PASSED AND APPROVED on Second Reading on the **1st** day of **September**, 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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09/01/16  
Item#4(T)  
Consent Agenda  
Page 1 of 2

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

Sandra Esqueda, Director of Human Resources

**ITEM DESCRIPTION:** Consider adopting a resolution funding the rates for medical and prescription insurance for employees and under-age 65 retirees, as well as Dental, Vision and Basic Life Insurance, AD&D, Voluntary Life and Voluntary AD&D Insurance.

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

**ITEM SUMMARY:** At their meeting on July 21, 2016, the Trustees of the City of Temple Employee Benefits Trust agreed to renew the contract with Scott & White Health Plan for medical and prescription insurance, which includes Conexus services for COBRA administration through FY 16-17.

At their August 6, 2015 meeting, the Trustees agreed to a two year fixed rate guarantee of 3% with Metropolitan Life Insurance Company for Employee and Retiree Dental insurance and to a four year contract extension with Avesis for Voluntary Vision Insurance.

At their meeting on July 21, 2016, the Trustees of the City of Temple Employee Benefits Trust agreed to a one year rate extension insurance contracts from Metropolitan Life Insurance Company for Life Insurance, Accidental Death & Dismemberment Insurance, and Long Term Disability Insurance.

The City must now, with the adoption of the budget, fund the cost of those benefits awarded in addition to allowing for the biweekly transfer of contributions made by the City and by employees/retirees to the trust.

**FISCAL IMPACT:** Funding for the rates is shown in the table below.

<b>FY 17 Budget Amount</b>	<b>Insurance Type</b>
<b><i>Employees:</i></b>	
\$ 3,329,667	Medical/Prescription
64,304	Dental
52,202	Basic Life
11,021	AD&D
72,549	Long Term Disability
<b><i>Retirees:</i></b>	
\$ 165,110	Medical/Prescription - Retirees < age 65
3,800	Dental - Retirees < age 65
<b>\$ 3,698,653</b>	<b>TOTAL</b>

**ATTACHMENTS:**

[Resolution](#)



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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, APPROVING THE FUNDING OF THE RATES FOR MEDICAL/PRESCRIPTION INSURANCE FOR EMPLOYEES AND UNDER AGE 65 RETIREES, AS WELL AS DENTAL, VISION, BASIC LIFE INSURANCE, ACCIDENTAL DEATH AND DISMEMBERMENT, VOLUNTARY LIFE AND VOLUNTARY ACCIDENTAL DEATH AND DISMEMBERMENT INSURANCE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

---

**Whereas**, at their August 6, 2015 meeting, the Trustees of the City of Temple Employee Benefits Trust agreed to a two-year fixed rate guarantee of 3% with Metropolitan Life Insurance Company for employee and retiree dental insurance and a four-year contract extension with Avesis for Voluntary Vision Insurance;

**Whereas**, at their July 21, 2016 meeting, the Trustees of the City of Temple Employee Benefits Trust agreed to renew the contract with Scott & White Health Plan for medical and prescription insurance, which includes Conexis services for COBRA administration through fiscal year 2016-2017;

**Whereas**, at their meeting on July 21, 2016, the Trustees of the City of Temple Employee Benefits Trust agreed to a one-year rate extension with Metropolitan Life Insurance Company for Life Insurance, Accidental Death & Dismemberment Insurance, and Long Term Disability Insurance;

**Whereas**, funding of the contracts awarded by the Trust are as follows:

\$3,329,667 for Medical/Prescription Insurance for employees;  
\$ 64,304 for Dental Insurance for employees;  
\$ 52,202 for Basic Life Insurance for employees;  
\$ 11,021 for AD&D Insurance for employees;  
\$ 72,549 for Long Term Disability Insurance for employees;  
\$ 165,110 for Medical/Prescription Insurance for retirees < age 65;  
\$ 3,800 for Dental Insurance for retirees < age 65; 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 funding the rates for medical and prescription insurance for employees and under-age 65 retirees, as well as Dental, Vision and Basic Life Insurance, Accidental Death & Dismemberment, Voluntary Life and Voluntary Accidental Death & Dismemberment Insurance for fiscal year 2016-2017 as follows:

\$3,329,667 for Medical/Prescription Insurance for employees;  
\$ 64,304 for Dental Insurance for employees;  
\$ 52,202 for Basic Life Insurance for employees;  
\$ 11,021 for AD&D Insurance for employees;  
\$ 72,549 for Long Term Disability Insurance for employees;  
\$ 165,110 for Medical/Prescription Insurance for retirees < age 65;  
\$ 3,800 for Dental Insurance for retirees < age 65; and

**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 1<sup>st</sup> day of **September**, 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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09/01/16  
Item #4(U)  
Consent Agenda  
Page 1 of 1

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

Nicole Torralva, P.E., Public Works Director  
Damon B. Boniface, Utility Director

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing payment of the annual invoice from Brazos River Authority in the amount of \$180,000 which covers the availability of 2,500 acre-feet of water per year to the City for FY 2017.

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

**ITEM SUMMARY:** Pursuant to the System Water Availability Agreement between the Brazos River Authority ("BRA") and the City, dated October 1, 2008, the City is allocated 2,500 acre-feet of water per year. This water is then treated at the City's treatment plant and pumped throughout the City. Staff is seeking authorization to make this payment to BRA.

**FISCAL IMPACT:** Funding in the amount of \$180,000 is appropriated in the FY 2017 Operating Budget, account 520-5100-535-2651.

**ATTACHMENTS:**

[Resolution](#)

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING PAYMENT OF THE ANNUAL INVOICE, IN THE AMOUNT OF \$180,000, FROM BRAZOS RIVER AUTHORITY, WHICH COVERS THE AVAILABILITY OF 2,500 ACRE-FEET OF WATER PER YEAR TO THE CITY OF TEMPLE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, pursuant to the Water Supply Agreement between the Brazos River Authority and the City of Temple dated July 1, 1992, the City is allocated 2,500 acre-feet of water per year which is treated at the City's treatment plant and pumped throughout the City;

**Whereas**, Staff recommends Council authorize payment of the annual invoice, in the amount of \$180,000, from the Brazos River Authority;

**Whereas**, funding for this annual invoice is appropriated in the fiscal year 2017 Operating Budget, Account No. 520-5100-535-2651; 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 payment of the annual invoice, in the amount of \$180,000, from Brazos River Authority which covers the availability of 2,500 acre-feet of water per year to the City of Temple.

**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 **1<sup>st</sup>** day of **September**, 2016.

THE CITY OF TEMPLE, TEXAS

---

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Kayla Landeros  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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09/01/16  
Item #4(V)  
Consent Agenda  
Page 1 of 1

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

Nicole Torralva, P.E., Public Works Director  
Damon B. Boniface, Utility Director

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing payment of the annual invoice from Brazos River Authority in the amount of \$36,679.21 which covers operation and maintenance costs associated with the City's portion of raw water storage in Lake Belton.

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

**ITEM SUMMARY:** Pursuant to the Water Storage Contract between the Brazos River Authority ("BRA") and the City, dated July 16, 1962, the City is responsible for 22.013% of the BRA's operation and maintenance costs associated with Lake Belton and the Belton Dam. Staff is seeking authorization to make this payment to BRA.

**FISCAL IMPACT:** Currently, funding is available in account 520-5100-535-2651 to fund the payment of the annual invoice from Brazos River Authority in the amount of \$36,679.21 as shown below:

Account Budget	\$	369,483
Encumbered/Committed to Date		(303,204)
Brazos River Authority		(36,680)
Remaining Funds	\$	<u>29,599</u>

**ATTACHMENTS:**

[Resolution](#)

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING PAYMENT OF THE ANNUAL INVOICE, IN THE AMOUNT OF \$36,679.21, FROM BRAZOS RIVER AUTHORITY, WHICH COVERS OPERATION AND MAINTENANCE COSTS ASSOCIATED WITH THE CITY'S PORTION OF RAW WATER STORAGE IN LAKE BELTON; AND PROVIDING AN OPEN MEETINGS CLAUSE.

---

**Whereas,** pursuant to the Water Storage Contract between the Brazos River Authority and the City of Temple dated July 16, 1962, the City of Temple is responsible for 22.013% of the Brazos River Authority's operation and maintenance costs associated with Lake Belton and the Belton Dam;

**Whereas,** Staff recommends Council authorize payment of the annual invoice from Brazos River Authority in the amount of \$36,679.21;

**Whereas,** funding for this annual invoice is available in Account No. 520-5110-535-2651; 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 payment of the annual invoice, in the amount of \$36,679.21, from Brazos River Authority, which covers operation and maintenance costs associated with the City's portion of raw water storage in Lake 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 **1<sup>st</sup>** day of **September**, 2016.

THE CITY OF TEMPLE, TEXAS

---

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Kayla Landeros  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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09/01/16  
Item #4(W)  
Consent Agenda  
Page 1 of 2

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

Ashley Williams, General Services Manager  
Brian Chandler, Director of Planning

**ITEM DESCRIPTION:** Consider ratifying a resolution authorizing the submission of an application to the Killeen Temple Metropolitan Planning Organization (KTMPO) prioritization program for future funding, to include up to a 30% match in future funding, for the following transportation choices projects:

1. Adams Avenue Bicycle and Pedestrian Improvements;
2. FM 2271 Trail;
3. Bird Creek Interceptor Trail;
4. Georgetown Railroad Trail; and
5. South 31<sup>st</sup> Street Sidewalks

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

**ITEM SUMMARY:** Killeen Temple Metropolitan Planning Organization (KTMPO) has announced a call for projects, as a new way to prioritize the Metropolitan Transportation Plan list. KTMPO will score and prioritize all projects submitted under this solicitation and award future funding from the list created. The scoring criteria for the grant focuses on improving congestion, connectivity, safety, quality of life, regional benefit, and environmental justice.

Staff is recommending that the City submit an application for the construction of the following projects and associated improvements, with a current estimated construction cost indicated:

1. Adams Avenue Bicycle and Pedestrian Improvements – \$1,913,044
  - a. The project involves constructing a 6' sidewalk and 5' bike path along Central Avenue and Adams Avenue from IH-35 to 34<sup>th</sup> Street;
2. FM 2271 Trail – \$950,000
  - a. The project involves constructing an 8' wide trail from FM 2305 to Miller Springs Park;
3. Bird Creek Interceptor Trail – \$375,000
  - a. The project involves constructing an 8' wide trail from Lions Park to Midway Drive within the Bird Creek interceptor wastewater easement;
4. Georgetown Railroad Trail – \$2,000,000
  - a. The project involves constructing a 10' wide trail from 5<sup>th</sup> Street to the Belton City limits along the Georgetown Railroad; and
5. South 31<sup>st</sup> Street Sidewalks – \$500,000
  - a. The project involves constructing 6' wide sidewalks on both sides of the street, connecting transit stops, from Canyon Creek Drive to FM 93.

Staff believe the proposed projects achieve the following objectives overall:

- Increase safety by providing adequate multi-modal facilities;
- Enhance connectivity;
- Help to alleviate congestion across the area;
- Provide multi-modal transportation elements, to include dual sidewalks and bike lanes.

The deadline for submittal was August 26, 2016. Applications will be evaluated by KTMPO staff and Technical Advisory Committee for prioritization and potential award of future funding. If awarded staff will request approval of the grant agreement and funding match from City Council, prior to execution.

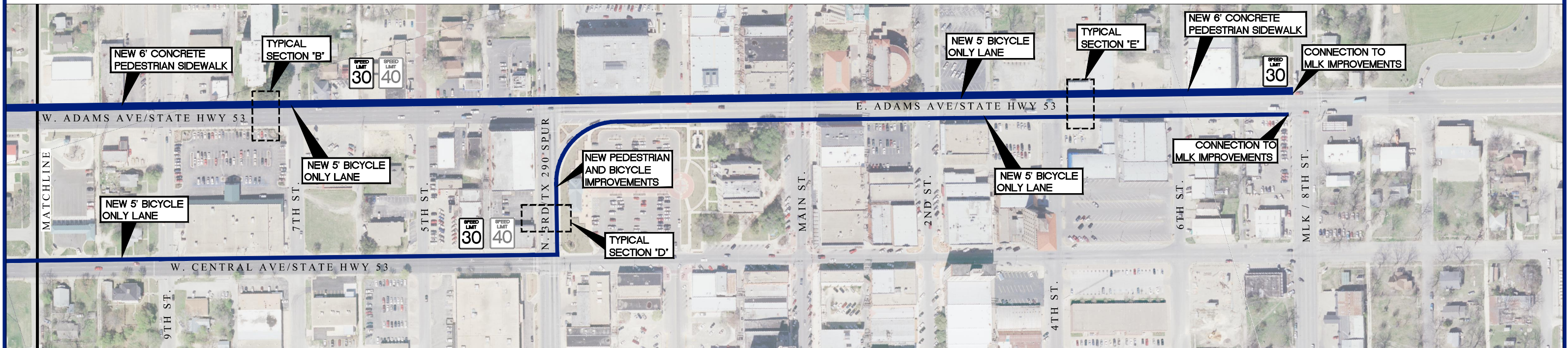
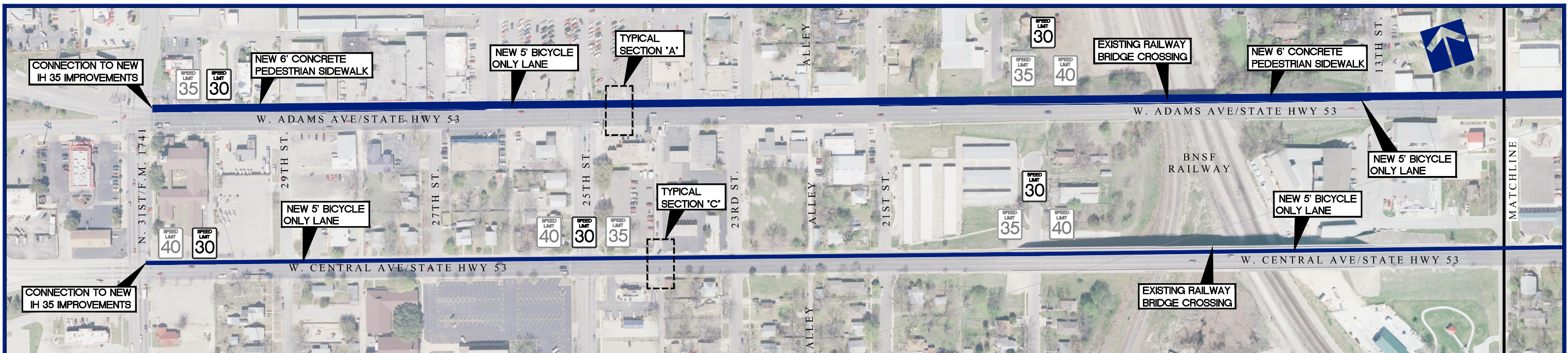
**FISCAL IMPACT:** The City will receive additional points by providing above a 20% match, if awarded the grant. Per the purpose of submitting the current application, the City will need to commit to providing up to a 30% match, if awarded.

The City's matching funds for selected projects would come from the reprioritization of the City's Transportation Capital Improvement Program (TCIP).

**ATTACHMENTS:**

[Project schematic plan](#)  
[Resolution](#)





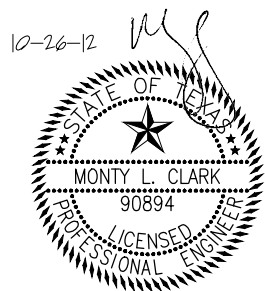
LEGEND



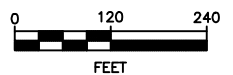
PROPOSED NEW  
SPEED LIMIT



CURRENT POSTED  
SPEED LIMIT



# 2013 ADAMS AVE AND CENTRAL AVE BICYCLE AND PEDESTRIAN IMPROVEMENTS PROJECT

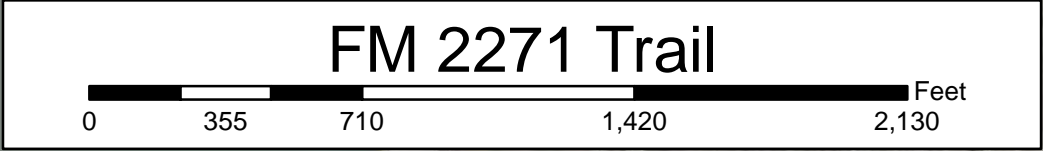
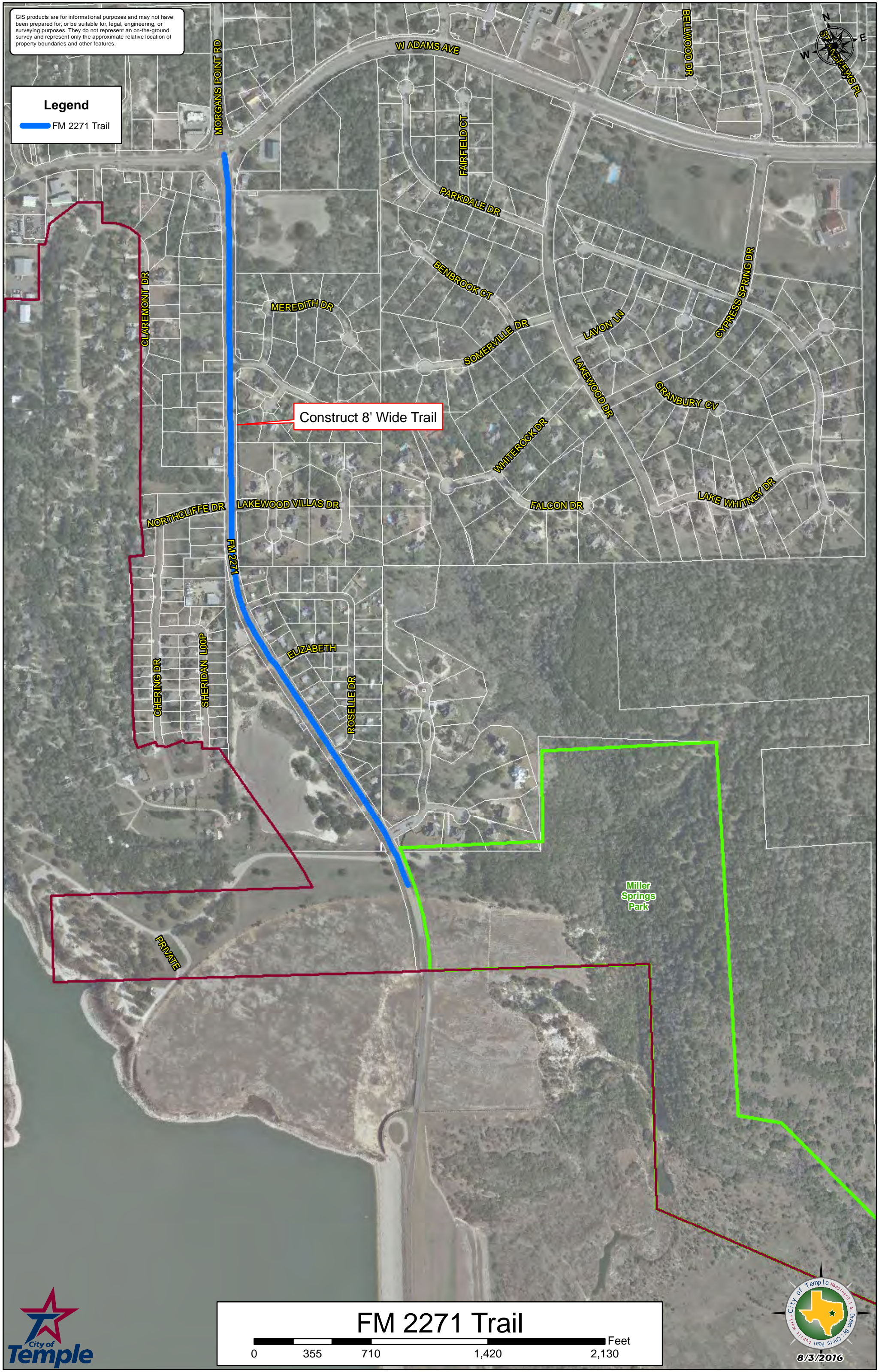




GIS products are for informational purposes and may not have been prepared for, or be suitable for, legal, engineering, or surveying purposes. They do not represent an on-the-ground survey and represent only the approximate relative location of property boundaries and other features.

Legend

FM 2271 Trail



City of Temple  
Official Seal  
Chris Peal, Public Works Director

8/3/2016



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.

Bonham Middle School

**Legend**

- Bird Creek Trail
- 10' Safe Routes to School

Construct 8' Wide Trail

# Bird Creek Trail

0 285 570 1,140 1,710 Feet

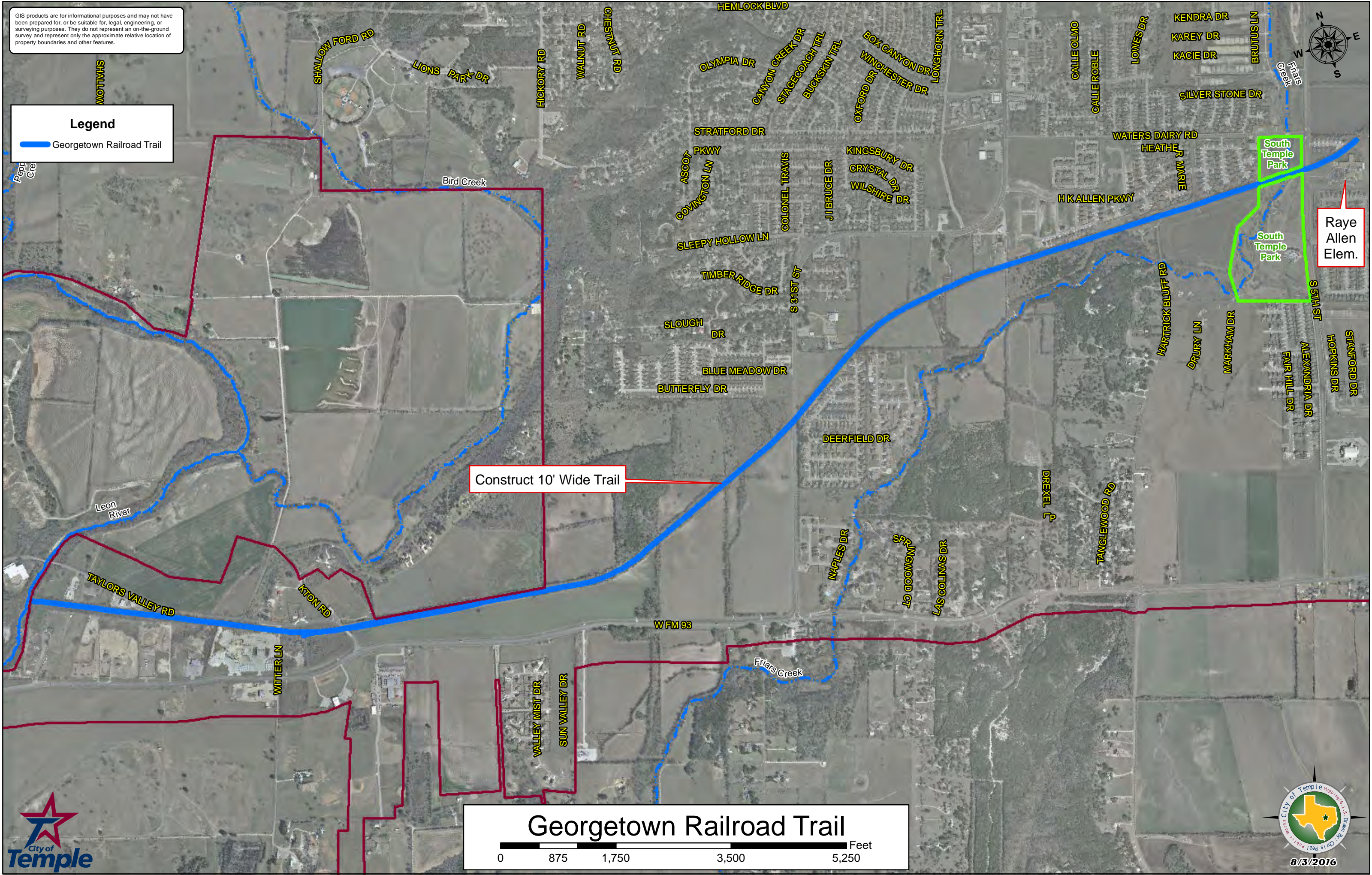




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**Legend**

 Georgetown Railroad Trail



Georgetown Railroad Trail

0

875

1,750

3,500

5,250

Feet

City of Temple  
Map  
8/3/2016



8/3/2016



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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR FUTURE FUNDING THROUGH THE KILLEEN-TEMPLE METROPOLITAN PLANNING ORGANIZATION PRIORITIZATION PROGRAM TO INCLUDE UP TO A 30% MATCH IN FUTURE FUNDING FOR SPECIFIC TRANSPORTATION CHOICE PROJECTS; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas,** the Killeen-Temple Metropolitan Planning Organization (KTMO) has announced a call for projects as a new way to prioritize the Metropolitan Transportation Plan lists – KTMO will score and prioritize all projects submitted and award future funding from the list developed;

**Whereas,** the following roadway projects are being submitted for consideration:

- Adams Avenue Bicycle and Pedestrian Improvements - \$1,913,044;
- FM 2271 Trail – 950,000;
- Bird Creek Interceptor Trail - \$375,000;
- Georgetown Railroad Trail - \$2,000,000;
- South 31st Street Sidewalks – 500,000;

**Whereas,** Staff recommends Council authorize the submission of an application for the construction of these projects which will increase safety by providing adequate multi-modal facilities, enhance connectivity, help to alleviate congestion across the area and provide multi-modal transportation elements, to include dual sidewalks and bicycle lanes;

**Whereas,** the City will receive additional points by providing above a 20% match, if awarded the grant and the City will need to commit to providing up to a 30% match, if awarded;

**Whereas,** the City's matching funds for selected projects would come from the reprioritization of the City's Transportation Capital Improvement Program; 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 submission of an application for funding through the Killeen-Temple Metropolitan Planning Organization, prioritization program for future funding, to include up to a 30% match in future funding for the following transportation choice projects:

- Adams Avenue Bicycle and Pedestrian Improvements - \$1,913,044;
- FM 2271 Trail – 950,000;
- Bird Creek Interceptor Trail - \$375,000;
- Georgetown Railroad Trail - \$2,000,000; and
- South 31st Street Sidewalks – 500,000.

**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 which may be necessary to apply for this grant, and accept any funds that may be received for this grant.

**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 **1<sup>st</sup>** day of **September**, 2016.

THE CITY OF TEMPLE, TEXAS

---

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Kayla Landeros  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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09/01/16  
Item #4(X)  
Consent Agenda  
Page 1 of 2

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

Ashley Williams, General Services Manager  
Brian Chandler, Director of Planning

**ITEM DESCRIPTION:** Consider ratifying a resolution authorizing the submission of an application to the Killeen Temple Metropolitan Planning Organization (KTMPPO) prioritization program for potential grant funding, to include up to a 30% match in future funding, for the following roadway projects:

1. Outer Loop (Phase 3b for proposed project enhancements only);
2. Kegley Road (Phase 2);
3. Hogan Road;
4. Outer Loop (Research Parkway) (Phase 2);
5. Westfield Boulevard;
6. Outer Loop. (Phase 4);
7. Outer Loop (Phase 5); and
8. 1<sup>st</sup> Street (Veteran's Memorial Boulevard)

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

**ITEM SUMMARY:** Killeen Temple Metropolitan Planning Organization (KTMPPO) has announced a call for projects, as a new way to prioritize the Metropolitan Transportation Plan list. KTMPPO will score and prioritize all projects submitted under this solicitation and award future funding from the list created. The scoring criteria for the grant focuses on improving congestion, connectivity, safety, quality of life, regional benefit, and environmental justice.

Staff is recommending that the City submit an application for the construction of the following projects and associated improvements, with a current estimated construction cost indicated:

1. Outer Loop (Phase 3b) – \$ \$75,000
  - a. The project involves widening the existing roadway from Adams Avenue to Jupiter from two lanes to four lanes, with a divided roadway and curb and gutter, which is fully-funded at an estimated \$6,000,200; the request for this particular project is for additional enhancements related to Low Impact Development storm water features, such as landscaped bioswales.
2. Kegley Road (Phase 2) – \$3,800,000
  - a. The project involves widening and adding a curb and gutter from South of FM 2305 to Wildflower Lane;
3. Hogan Road – \$3,500,000
  - a. The project involves widening the existing two-lane road to 3-lanes and add curb and gutter from SH 317 to S. Pea Ridge;

4. Outer Loop (Research Parkway) (Phase 2) – \$25,000,000
  - a. The project involves widening the existing 2-lanes to 4- lanes with a divided roadway and addition of curb and gutter from IH-35 to Industrial Boulevard;
5. Westfield Boulevard – \$3,100,000
  - a. The project involves extending the 4-lane divided roadway with curb and gutter from Prairie View Road to Airport Road;
6. Outer Loop. (Phase 4) – \$9,700,000
  - a. The project involves widening the existing 2-lane roadway to 4-lanes with divided roadway and addition of curb and gutter from Jupiter to the floodplain;
7. Outer Loop (Phase 5) – \$13,000,000
  - a. The project involves extending the divided roadway with curb and gutter from the floodplain to IH-35;
8. 1<sup>st</sup> Street (Veteran's Memorial Boulevard)– \$8,746,700
  - a. The project involves widening the existing 4-lane undivided roadway to a 4-lane divided roadway with curb and gutter from Loop 363 to Avenue M.

Staff believe the proposed projects achieve the following objectives overall:

- Improve road condition to prevent further deterioration of the roadway;
- Increase safety by eliminating surface disruptions at edges and providing separation of opposing traffic;
- Enhance connectivity;
- Help to alleviate congestion across the area; and
- Provide multi-modal transportation elements, to include dual sidewalks and bike lanes.

The deadline for submittal was August 26, 2016. Applications will be evaluated by KTMPO staff and Technical Advisory Committee for prioritization and potential award of future funding. If awarded staff will request approval of the grant agreement and funding match from City Council, prior to execution.

**FISCAL IMPACT:** The City will receive additional points by providing above a 20% match, if awarded the grant. Per the purpose of submitting the current application, the City will need to commit to providing up to a 30% match, if awarded.

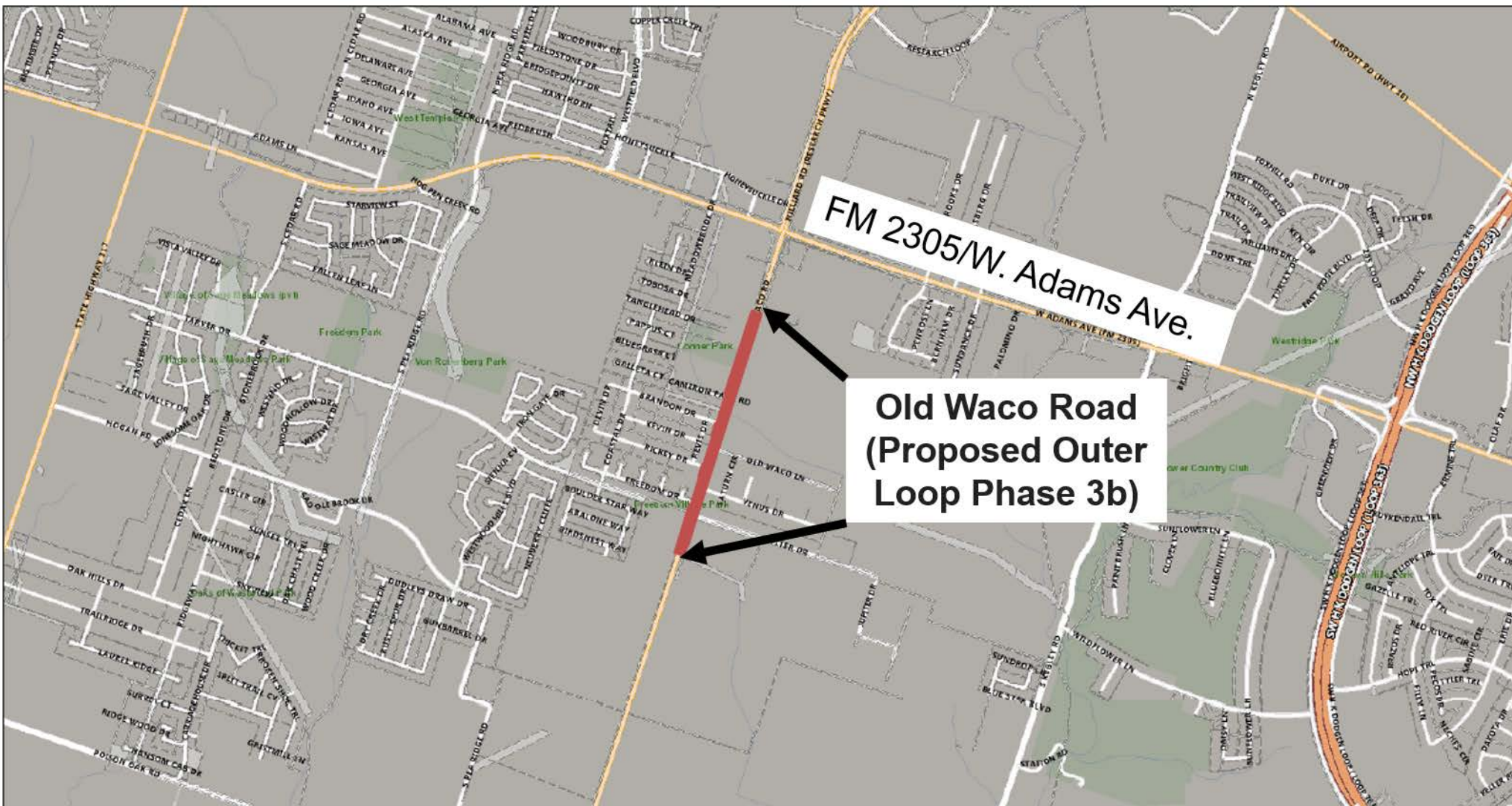
The City's matching funds would come from the reprioritization of projects in the Reinvestment Zone No. 1 Financing Plan and reprioritization of projects in the City's Transportation Capital Improvement Program (TCIP). The source of the matching funds would depend on the project funded. Matching funds for Projects 1, 2, 3, 5, and 6 would be funded by TCIP. Matching funds for Projects 4, 7, and 8 would be funded by the Reinvestment Zone.

**ATTACHMENTS:**

[Project schematic plan](#)  
[Resolution](#)



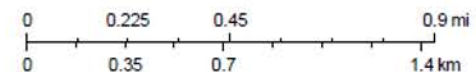
# Outer Loop (Phase 3b to Jupiter)



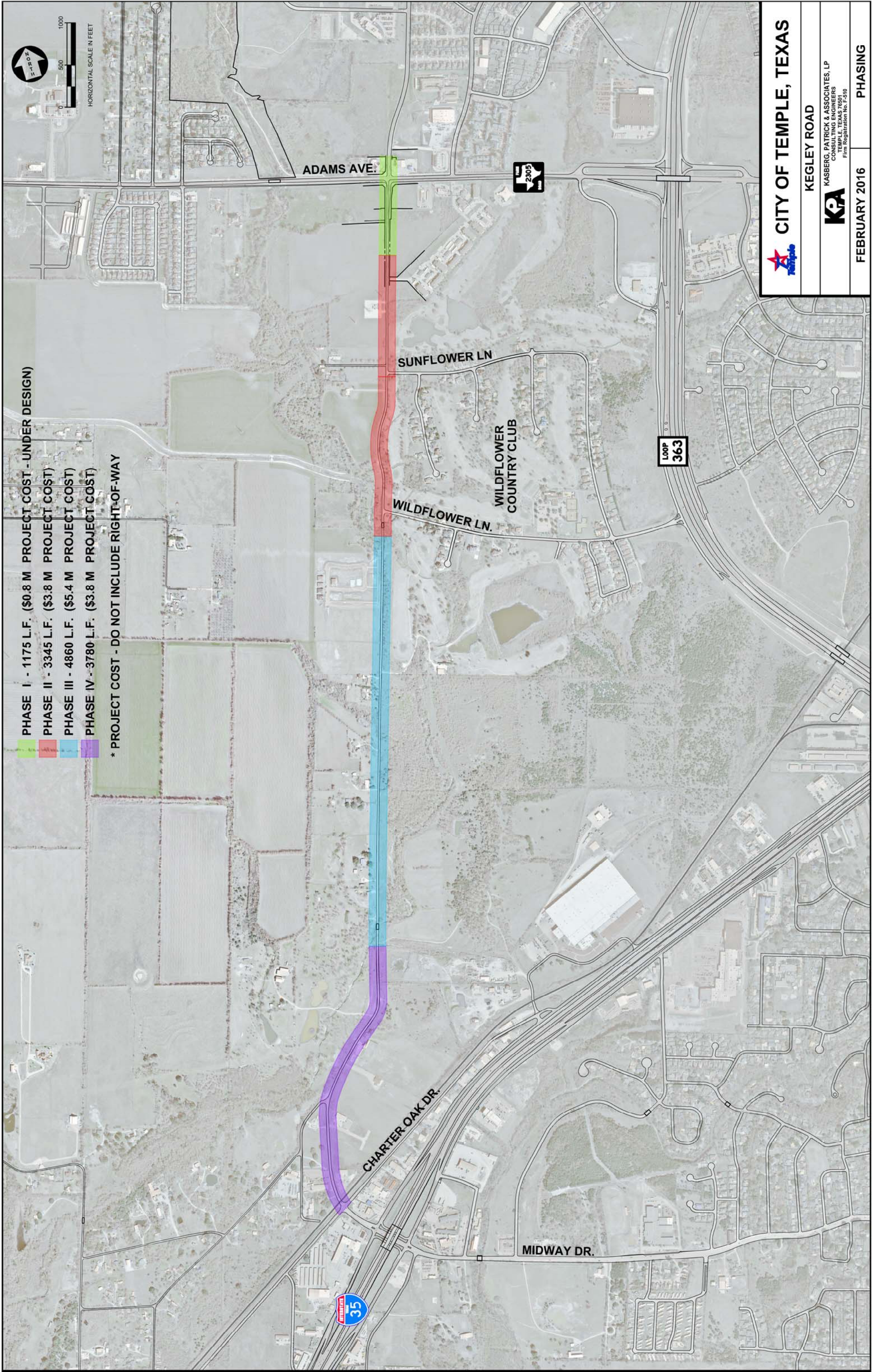
August 21, 2016

- |                  |                |                                  |                      |
|------------------|----------------|----------------------------------|----------------------|
| Easement         | COLLECTOR      | Temple Municipal Boundary        | Temple Boundary      |
| Outblock Numbers | LOCAL STREET   | Water Areas                      | Bell County Boundary |
| ETJ Boundary     | MINOR ARTERIAL | Water Lines                      |                      |
| <b>Streets</b>   | PRIVATE        | Park Areas                       |                      |
| EXPRESSWAY       | RAMP           | Bell County Streets              |                      |
| MAJOR ARTERIAL   | Railroad       | Bell County Municipal Boundaries |                      |

1:18,056







- PHASE I - 1175 L.F. (\$0.8 M PROJECT COST - UNDER DESIGN)
- PHASE II - 3345 L.F. (\$3.8 M PROJECT COST)
- PHASE III - 4860 L.F. (\$5.4 M PROJECT COST)
- PHASE IV - 3780 L.F. (\$3.8 M PROJECT COST)

\* PROJECT COST - DO NOT INCLUDE RIGHT-OF-WAY

**CITY OF TEMPLE, TEXAS**

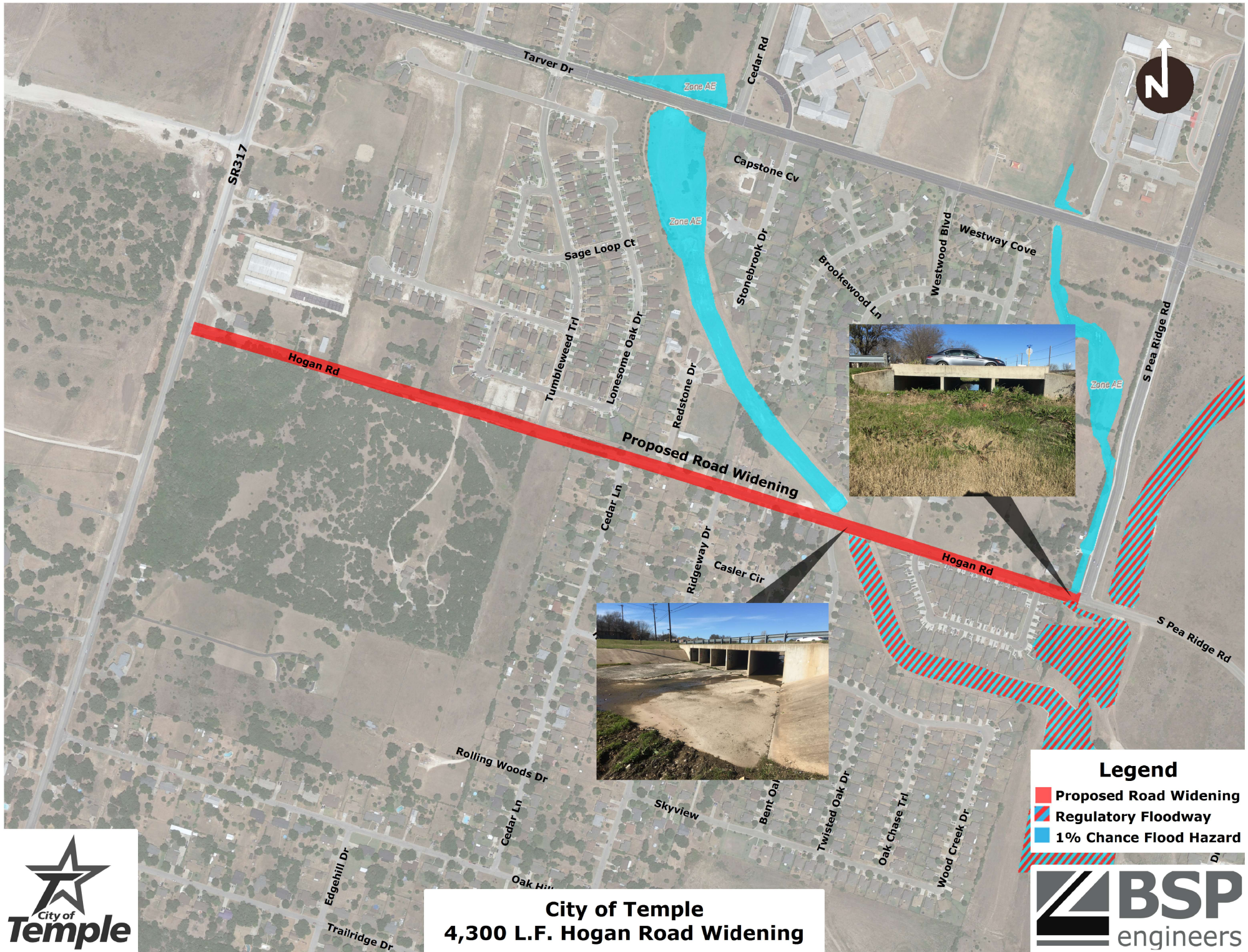
KEGLEY ROAD

KASBERG, PATRICK & ASSOCIATES, L.P.  
CONSULTING ENGINEERS  
TEMPLE, TEXAS 76701  
Firm Registration No. F-510

FEBRUARY 2016

PHASING





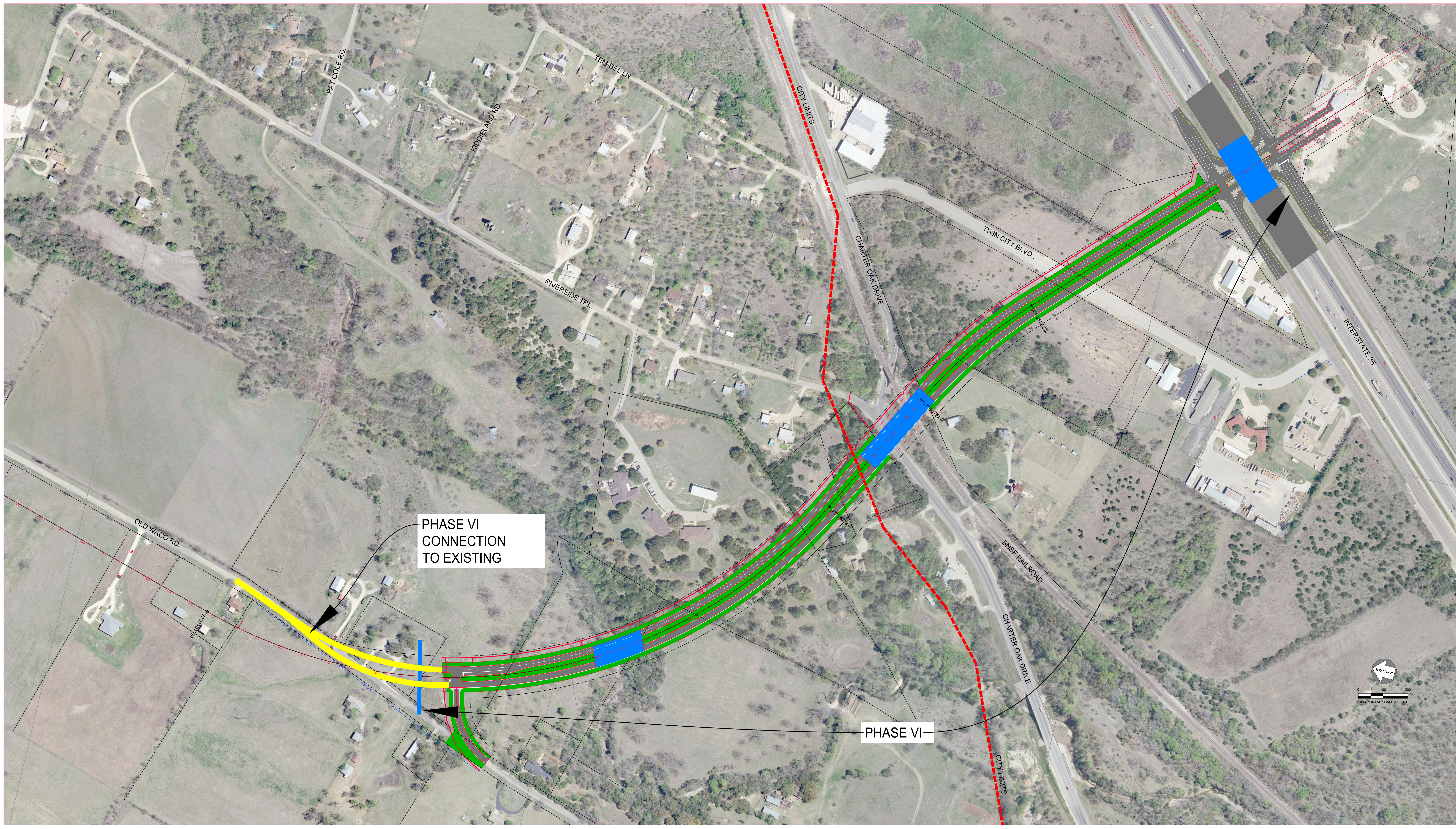
**City of Temple**  
**4,300 L.F. Hogan Road Widening**

**Legend**

- Proposed Road Widening
- Regulatory Floodway
- 1% Chance Flood Hazard

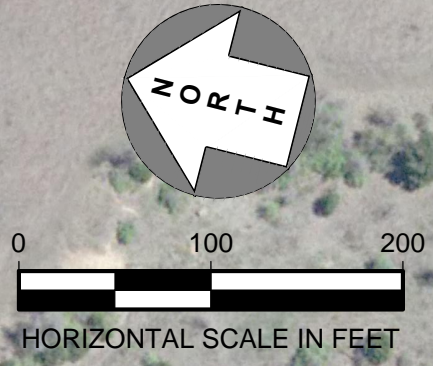
**BSP**  
engineers





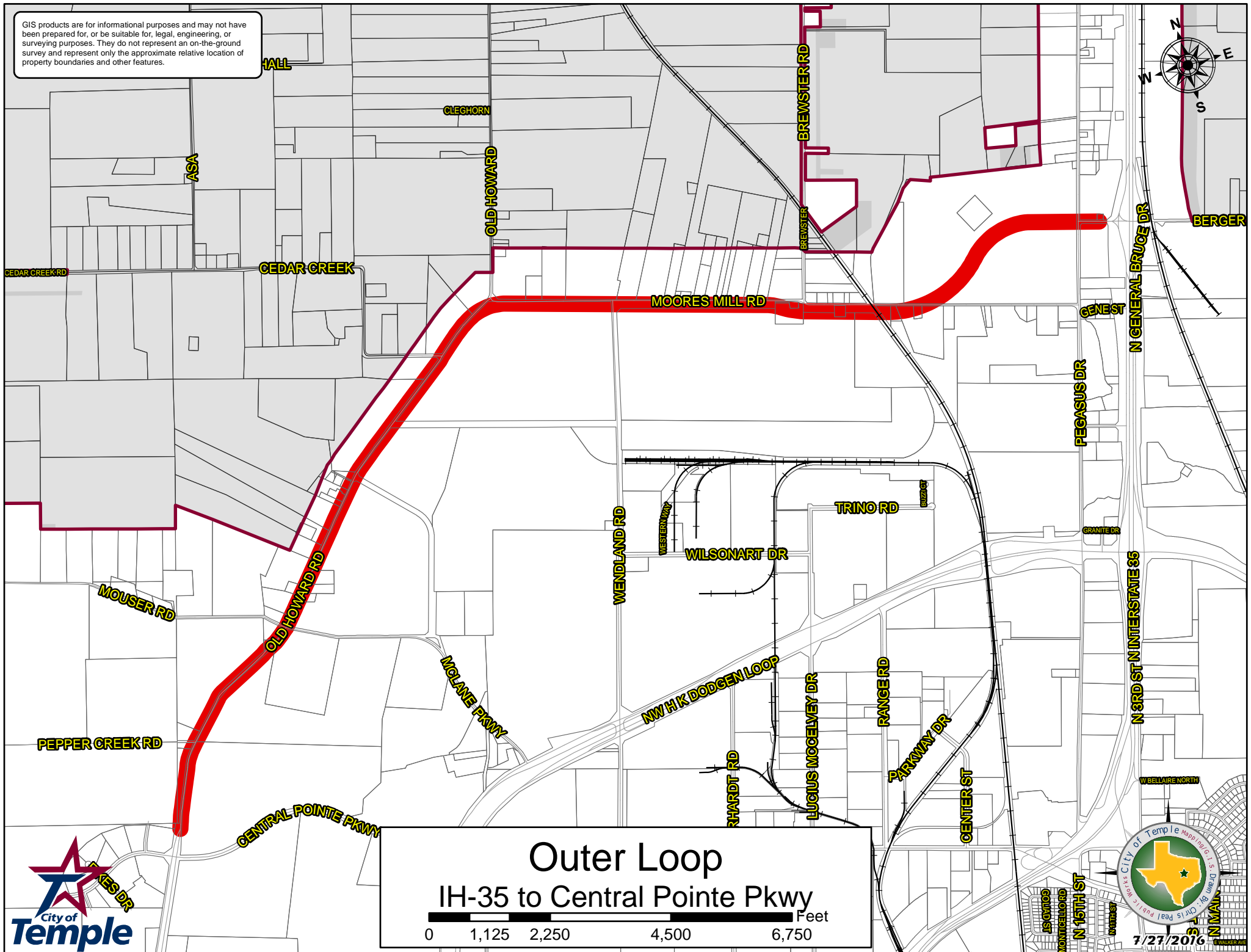
PHASE VI  
CONNECTION  
TO EXISTING

PHASE VI





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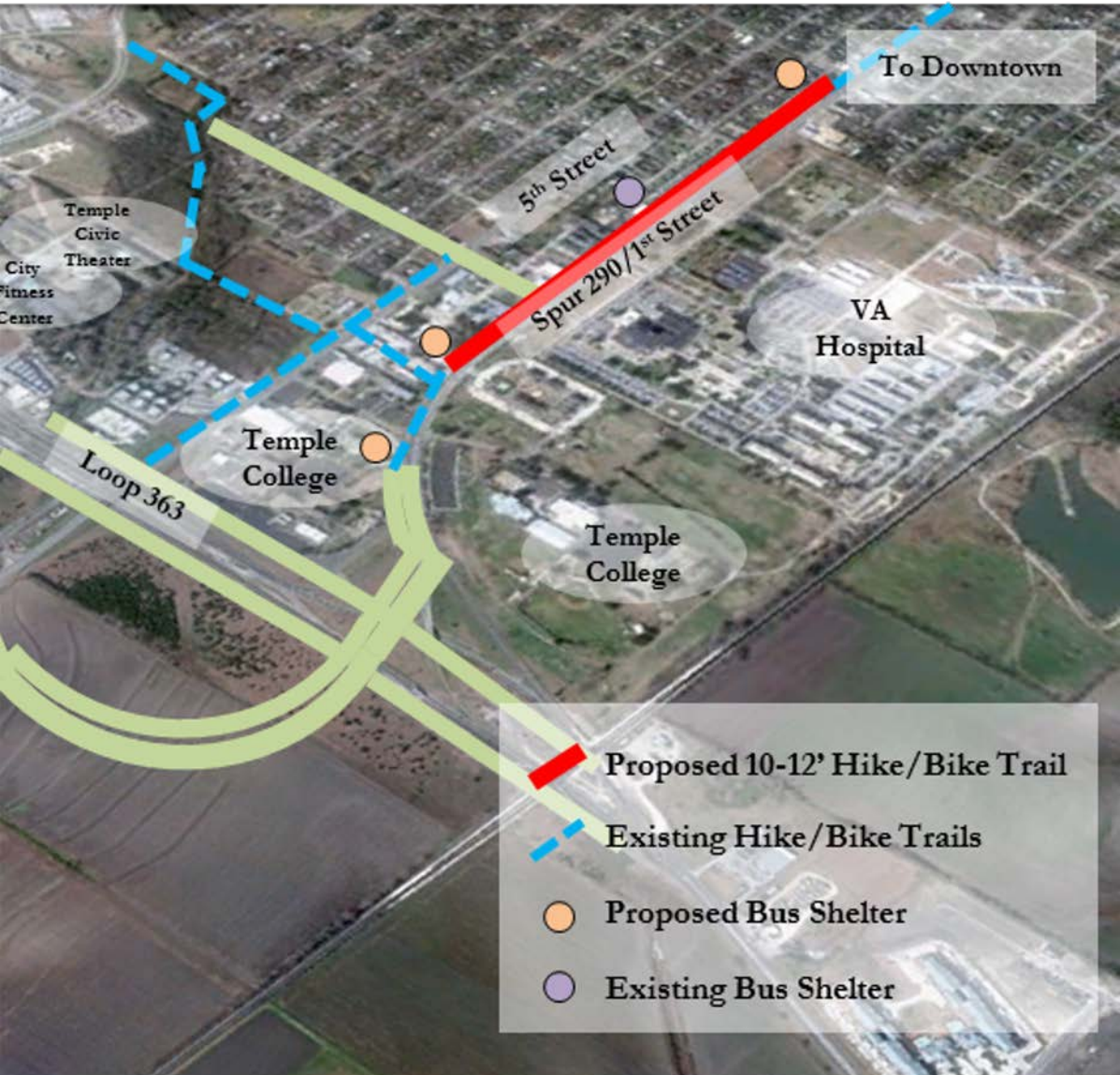


Outer Loop  
IH-35 to Central Pointe Pkwy

0 1,125 2,250 4,500 6,750 Feet



7/27/2016



## 1<sup>st</sup> Street Roadway and Sidewalk Improvements

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE KILLEEN-TEMPLE METROPOLITAN PLANNING ORGANIZATION PRIORITIZATION PROGRAM FOR POTENTIAL FUNDING, TO INCLUDE UP TO A 30% MATCH IN FUTURE FUNDING FOR SPECIFIC ROADWAY PROJECTS; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, the Killeen-Temple Metropolitan Planning Organization (KTMPO) has announced a call for projects as a new way to prioritize the Metropolitan Transportation Plan lists – KTMPO will score and prioritize all projects submitted and award future funding from the list developed;

**Whereas**, the following roadway projects are being submitted for consideration:

- Outer Loop (Phase 3b for proposed project enhancements only) - \$75,000;
- Kegley Road (Phase 2) – 3,800,000;
- Hogan Road \$3,500,000;
- Outer Loop (Research Parkway) (Phase 2) - \$25,000,000;
- Westfield Boulevard - \$3,100,000;
- Outer Loop (Phase 4) - \$9,700,000;
- Outer Loop (Phase 5) - \$13,000,000;
- 1st Street (Veteran’s Memorial Boulevard) - \$8,746,700;

**Whereas**, Staff recommends Council ratify the submission of an application for the construction of these roadway projects which will improve road conditions to prevent further deterioration of the roadway, increase safety by eliminating surface disruptions at edges and providing separation of opposing traffic, enhance connectivity, help alleviate congestion across the area, and provide multi-modal transportation elements, to include dual sidewalks and bicycle lanes;

**Whereas**, the City will receive additional points by providing above a 20% match, if awarded the grant, and the City will need to commit to providing up to a 30% match, if awarded;

**Whereas**, the City’s matching funds would come from the reprioritization of projects in the Reinvestment Zone No. 1 Financing Plan and reprioritization of projects in the City’s Transportation Capital Improvement Program - the source of the matching funds would depend on the project funded; 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 submission of an application for funding through the Killeen-Temple Metropolitan Planning Organization prioritization program for future funding, to include up to a 30% match in future funding for the following roadway projects:

- Outer Loop (Phase 3b for proposed project enhancements only) - \$75,000;
- Kegley Road (Phase 2) – 3,800,000;
- Hogan Road \$3,500,000;
- Outer Loop (Research Parkway) (Phase 2) - \$25,000,000;
- Westfield Boulevard - \$3,100,000;
- Outer Loop (Phase 4) - \$9,700,000;
- Outer Loop (Phase 5) - \$13,000,000; and
- 1st Street (Veteran’s Memorial Boulevard) - \$8,746,700.

**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 which may be necessary to apply for this grant, and accept any funds that may be received for this grant.

**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 1<sup>st</sup> day of **September**, 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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09/01/16  
Item #4(Y)  
Consent Agenda  
Page 1 of 2

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

Brynn Myers, Assistant City Manager  
Ashley Williams, General Services Manager

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing submission of an application for funding through the National Endowment for the Arts, Our Town grant program in an amount not to exceed \$100,000, with \$50,000 reimbursed through grant funding, to fund a Main Street Arts Project – Energizing Opportunity.

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

**ITEM SUMMARY:** The National Endowment for the Arts has announced a matching grant program entitled Our Town. The Our Town grant program supports creative placemaking projects that help to transform communities into lively, beautiful, and resilient places with the arts at their core. This funding supports local efforts to enhance quality of life and opportunity for residents, increase creative activity, and create a distinct sense of place.

Distribution of funding will be allocated to community focused projects that require partnerships between arts organizations and government to achieve livability goals for communities.

The final application is due September 12, 2016, awards will be announced as early as April 2017.

The project scope involves partnering with Central Texas Art League and the Cultural Activities Center to further the Downtown Master Plan in implementing a project that will focus on Energizing Opportunity in the downtown area, by addressing vacant properties and the inclusion of functional art and playscapes. Overall, the goal is to establish art that encourages residents and visitors alike to come downtown, view art and engage in cultural activities. The project includes the implementation of a community engaged art project of painting trains (that are functional benches) to be installed on the sidewalk intersections for visual and functional appeal. Furthermore, the project will include installation of and increased access to local art across the downtown by facilitating vacant building windows and activating sidewalks and vacant property with functional art and playscapes, as well as the inclusion of an Art Incubator space.

By partnering with Central Texas Art League and the Cultural Activities Center, with a high level of involvement of the Discover Downtown and the Visitors and Convention Bureau, the City will leverage funding and maximize the reach and long-term impacts of the project. The City will work with core partners to identify opportunities downtown that increase access to art and provide a better quality of place to encourage downtown engagement by Energizing Opportunity. It is anticipated that with a budget of \$100,000 the City, Central Texas Art League and the Cultural Activities Center can implement a plan to activate and engage downtown through art.

Staff recommends matching local funds with \$50,000. The grant application requests and additional \$50,000 in funding from the Our Town program, creating a project budget of \$100,000.

**FISCAL IMPACT:** If awarded the grant, the City anticipates receiving \$50,000 in grant funds with the City matching \$50,000 for a total project cost of \$100,000. A budget adjustment is being presented to Council for approval to designate the City's 50% grant match of \$50,000 from Hotel/Motel Unallocated Fund Balance.

**ATTACHMENTS:**

[Budget Adjustment  
Resolution](#)

**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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[illegible]

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

To designate funding for City's 50% required match for the FY 2017 Our Town grant program, to fund a Main Street Arts Project. Total amount of the project is \$100,000. Awards are expected to be announced as early as April of 2017.

DOES THIS REQUEST REQUIRE COUNCIL APPROVAL?

☒ Yes

☐ No

DATE OF COUNCIL MEETING

9/1/2016

WITH AGENDA ITEM?

☒ Yes

☐ No

Department Head/Division Director

Date \_\_\_\_\_

	Approved
	Disapproved

Finance

Date \_\_\_\_\_

	Approved
	Disapproved

City Manager

Date \_\_\_\_\_

	Approved
	Disapproved

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR FUNDING THROUGH THE NATIONAL ENDOWMENT FOR THE ARTS, OUR TOWN GRANT PROGRAM, IN AN AMOUNT NOT TO EXCEED \$100,000, WITH \$50,000 BEING REIMBURSED THROUGH GRANT FUNDING, TO FUND A MAIN STREET ARTS PROJECT – ENERGIZING OPPORTUNITY; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, the National Endowment for the Arts has announced a matching grant program entitled ‘Our Town’ - the ‘Our Town’ grant program supports creative placemaking projects that help transform communities into lively, beautiful, and resilient places with the arts at their core and supports local efforts to enhance quality of life and opportunity for residents, increase creative activity, and create a distinct sense of place;

**Whereas**, distribution of funding will be allocated to community focused projects that requires partnerships between arts organizations and governments to achieve livability goals for communities - final applications are due September 12, 2016 with awards being announced in early April 2017;

**Whereas**, the project scope involves partnering with the Central Texas Art League and the Cultural Activities Center to further the Downtown Master Plan in implementing a project that will focus on Energizing Opportunity in the downtown area by addressing vacant properties and the inclusion of functional art and playscapes – the overall goal is to establish art that encourages residents and visitors to come downtown, view art and engage in cultural activities;

**Whereas**, the project includes the implementation of a community engaged art project of painting trains (that are functional benches) which will be installed on the sidewalk intersections for visual and functional appeal – the project will also include installation of, and access to, local art across the downtown by facilitating vacant building windows and activating sidewalks and vacant property with functional art and playscapes, as well as the inclusion of an Art Incubator space;

**Whereas**, by partnering with the Central Texas Art League and the Cultural Activities Center, with a high level of involvement of the Discover Downtown and the Visitors and Convention Bureau, the City will leverage funding and maximize the reach and long-term impact of the project;

**Whereas**, the City will work with core partners to identify opportunities downtown that increase access to art and provides a better quality of place to encourage downtown engagement by Energizing Opportunity - it is anticipated that with a budget of \$100,000 the City, the Central Texas Art League, and the Cultural Activities Center will be able to implement a plan to activate and engage downtown through art;

**Whereas,** Staff recommends Council authorize the submission of an application for funding through the National Endowment for the Arts, ‘Our Town’ grant program, in an amount not to exceed \$100,000, with \$50,000 being reimbursed through grant funding, to fund a Main Street Arts Project – Energizing Opportunity;

**Whereas,** if awarded, the City anticipates receiving \$50,000 in grant funds with the City matching \$50,000 for a total project cost of \$100,000;

**Whereas,** a budget adjustment is being presented to Council for approval to designate the City’s 50% grant match of \$50,000 from the Hotel/Motel Unallocated Fund Balance; 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 submission of an application for funding through the National Endowment for the Arts, ‘Our Town’ grant program, in an amount not to exceed \$100,000, with \$50,000 being reimbursed through grant funding, to fund a Main Street Arts Project – Energizing Opportunity.

**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 which may be necessary to apply for this grant, and accept any funds that may be received for this grant.

**Part 3:** 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 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 1<sup>st</sup> day of **September**, 2016.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Kayla Landeros  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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09/01/16  
Item #4(Z)  
Consent Agenda  
Page 1 of 1

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

Ashley Williams, General Services Manager  
Belinda Mattke, Director of Purchasing

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing the rejection of all bids received for Environmental Lead Testing Services (CDBG Funded) on August 11, 2016.

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

**ITEM SUMMARY:** Authorization of the rejection of the Environmental Lead Testing (CDBG Funded) bid received on August 11, 2016, will allow staff to pursue a more cost effective plan for acquiring lead testing services needed to fulfill requirements under the CDBG-funded Housing Improvement Program.

On August 11, 2016, the City received one proposal from Baer Engineering & Environmental Consulting, Inc. (Baer) for Environmental Lead Testing (CDBG Funded) services. Baer offered proposed pricing of \$2,655.67 for the risk assessment task on each house, and if needed, \$2,315.19 for the clearance task. Contrarily, there is only \$5,000 in funding available for each project. Accordingly, it is staff's desire to re-evaluate the project, and incorporate some other project options under Federal allowances.

Per the Local Government Code §252.043(f), the governing body is the designated authority to reject any and all bids.

If Council authorizes the rejection of bids, staff anticipates including Environmental services as a qualified contractor field through the Housing Improvement Program's Qualified Contractor Application process.

**ATTACHMENTS:**

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

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, REJECTING ALL BIDS RECEIVED FOR ENVIRONMENTAL LEAD TESTING (CDBG FUNDED) ON AUGUST 11, 2016; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, on August 11, 2016, the City received one proposal from Baer Engineering & Environmental Consulting, Inc. for Environmental Lead Testing (CDBG Funded) services;

**Whereas**, the base bid received was over the funding available for this project and Staff desires to re-evaluate the project and incorporate other project options under the Federal allowances;

**Whereas**, with the rejection of this bid, Staff anticipates including environmental services as a qualified contractor field through the Housing Improvement Program's Qualified Contractor Application process;

**Whereas**, in accordance with the Local Government Code §252.043, the governing body is the designated authority to reject any and all bids;

**Whereas**, therefore, Staff recommends Council reject the bid received on August 11, 2016 for Environmental Lead Testing (CDBG Funded) services; and

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

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

**Part 1:** The City Council rejects the bid received on August 11, 2016 for Environmental Lead Testing (CDBG Funded).

**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 1<sup>st</sup> day of **September**, 2016.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Kayla Landeros  
City Attorney





## COUNCIL AGENDA ITEM MEMORANDUM

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09/01/16  
Item #4(AA)  
Consent Agenda  
Page 1 of 1

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

Kayla Landeros, City Attorney

**ITEM DESCRIPTION:** Consider adopting a resolution confirming the appointment of Christina Demirs as a Deputy City Attorney and setting compensation for the position.

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

**ITEM SUMMARY:** According to the City of Temple Charter, the City Attorney shall have the power to appoint such assistants as may be deemed necessary, subject to the approval of the City Council, and at compensation set by the City Council. The proposed resolution confirms the appointment of Christina Demirs as a Deputy City Attorney and sets her compensation at \$72,500 per year.

We are excited to welcome Ms. Demirs to the City Attorney's Office and the City of Temple.

**FISCAL IMPACT:** Total compensation including salary and benefits for this position is estimated at \$91,500. This position is funded 50% with TCIP bonds and 50% with Utility Revenue bonds.

### **ATTACHMENTS:**

[Resolution](#)

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, CONFIRMING THE APPOINTMENT OF CHRISTINA DEMIRS AS A DEPUTY CITY ATTORNEY AND SETTING COMPENSATION FOR THE POSITION; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, according to the City of Temple Charter, the City Attorney shall have the power to appoint such assistants as may be deemed necessary, subject to the approval of the City Council;

**Whereas**, after receiving applications, the City Attorney has extended a job offer to Christina Demirs and sets her compensation at \$72,500 per year;

**Whereas**, Ms. Demirs received her law degree from the South Texas College of Law in Houston, Texas, and we are excited to welcome Ms. Demirs to the City Attorney's office and the City of Temple;

**Whereas**, this position is funded 50% with TCIP bonds and 50% with Utility Revenue bonds; and

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

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

**Part 1:** The City Council confirms the appointment of Christina Demirs as a Deputy City Attorney for the City of Temple, Texas, and sets her annual salary at \$72,500.

**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 1<sup>st</sup> day of **September**, 2016.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Kayla Landeros  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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09/01/16  
Item #4(BB)  
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 \$622,444.

**ATTACHMENTS:**

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

**CITY OF TEMPLE**  
**BUDGET AMENDMENTS FOR FY 2016 BUDGET**  
**September 1, 2016**

ACCOUNT #	PROJECT #	DESCRIPTION	APPROPRIATIONS	
			Debit	Credit
110-2100-529-2117		Supplies / Janitorial Supplies	\$ 1,400	
110-0000-461-0841		Other / Donations/Gifts		\$ 1,400
To appropriate donations received for janitorial supplies related to the need for sanitizing chemicals to be purchased.				
260-6100-571-6516	<b>101124</b>	Capital - Special Projects / Park Improvements	\$ 82,773	
260-0000-431-0131		Federal Grants / CDBG Federal Grant		\$ 82,773
To appropriate CDBG funds for the amount of funds returned to CDBG for the insurance proceeds received for the Wilson Park playground fire. After the funds are returned to CDBG, they will be available for replacing/repairing the playground.				
363-2200-522-6856	<b>101351</b>	Capital - Bonds / Fire Equipment	\$ 94	
363-0000-315-1116		Reserved for Future Expenditures - Fund Balance		\$ 94
To appropriate unallocated GO Bond proceeds to fund \$93.72 in additional expenditures related to the replacement of the 2002 Ford Excursion Command Vehicles for Fire.				
365-2800-532-6810	<b>101556</b>	Capital - Bonds / Traffic Signals	\$ 75,000	
365-3400-531-6315	<b>101497</b>	Capital - Bonds / Sidewalk/Curb/Gutter	\$ 112,173	
365-2800-532-6810	<b>101584</b>	Capital - Bonds / Traffic Signals	\$ 250,000	
365-2800-532-6810	<b>101225</b>	Capital - Bonds / Traffic Signals		\$ 32,064
365-3400-531-6874	<b>100718</b>	Capital - Bonds / Avenue U		\$ 219,786
365-3400-531-6532		Capital - Special Projects / Contingency		\$ 185,323
To allocate funding for three projects: (1) upgrade (5) traffic signals for \$75,000, (2) sidewalk and pedestrian upgrades at Adams and Pea Ridge for \$112,173, and (3) signal upgrade for South 1st @ W Avenue U for \$250,000. Funding is available from savings of the completed traffic signal upgrade for South 1st @ W Avenue R and then from Avenue U project that came in substantially under budget. Remaining needed funds will come from contingency account in the amount of \$185,323.				
561-5000-535-6532		Capital - Special Projects / Contingency	\$ 89	
561-5200-535-6949	<b>101082</b>	Capital - Bonds / WL Replacement - Lamar Street		\$ 89
To move available funds from completed project into Contingency account for future use.				
561-5000-535-6532		Capital - Special Projects / Contingency	\$ 100,915	
561-5400-535-6882	<b>101107</b>	Capital - Bonds / South 23rd Street Extension		\$ 100,915
To move available funds from completed project into Contingency account for future use.				
<b>TOTAL AMENDMENTS</b>			<b>\$ 622,444</b>	<b>\$ 622,444</b>

**CITY OF TEMPLE**  
**BUDGET AMENDMENTS FOR FY 2016 BUDGET**  
**September 1, 2016**

ACCOUNT #	PROJECT #	DESCRIPTION	APPROPRIATIONS	
			Debit	Credit
		<b>GENERAL FUND</b>		
		Beginning <b>Contingency</b> Balance	\$	-
		Added to Contingency Sweep Account		-
		Carry forward from Prior Year		-
		Taken From Contingency		-
		Net Balance of Contingency Account	\$	-
		Beginning <b>Judgments &amp; Damages</b> 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 <b>Compensation</b> Contingency	\$	375,000
		Added to Compensation Contingency		-
		Taken From Compensation Contingency		(375,000)
		Net Balance of Compensation Contingency Account	\$	-
		<b>Net Balance Council Contingency</b>	\$	9,912
		Beginning Balance <b>Budget Sweep</b> Contingency	\$	-
		Added to Budget Sweep Contingency		-
		Taken From Budget Sweep		-
		Net Balance of Budget Sweep Contingency Account	\$	-
		<b>WATER &amp; SEWER FUND</b>		
		Beginning <b>Contingency</b> Balance	\$	50,000
		Added to Contingency Sweep Account		-
		Taken From Contingency		(23,198)
		Net Balance of Contingency Account	\$	26,802
		Beginning <b>Compensation</b> Contingency	\$	64,000
		Added to Compensation Contingency		-
		Taken From Compensation Contingency		(64,000)
		Net Balance of Compensation Contingency Account	\$	-
		<b>Net Balance Water &amp; Sewer Fund Contingency</b>	\$	26,802
		<b>HOTEL/MOTEL TAX FUND</b>		
		Beginning <b>Contingency</b> Balance	\$	-
		Added to Contingency Sweep Account		-
		Carry forward from Prior Year		-
		Taken From Contingency		-
		Net Balance of Contingency Account	\$	-
		Beginning <b>Compensation</b> Contingency	\$	13,300
		Added to Compensation Contingency		-
		Taken From Compensation Contingency		(13,300)
		Net Balance of Compensation Contingency Account	\$	-
		<b>Net Balance Hotel/Motel Tax Fund Contingency</b>	\$	-
		<b>DRAINAGE FUND</b>		
		Beginning <b>Contingency</b> Balance	\$	-
		Added to Contingency Sweep Account		-
		Carry forward from Prior Year		-
		Taken From Contingency		-
		Net Balance of Contingency Account	\$	-
		Beginning <b>Compensation</b> Contingency	\$	10,300
		Added to Compensation Contingency		(10,300)
		Taken From Compensation Contingency		-
		Net Balance of Compensation Contingency Account	\$	-
		<b>Net Balance Drainage Fund Contingency</b>	\$	-

CITY OF TEMPLE  
BUDGET AMENDMENTS FOR FY 2016 BUDGET  
September 1, 2016

ACCOUNT #	PROJECT #	DESCRIPTION	APPROPRIATIONS	
			Debit	Credit
		FED/STATE GRANT FUND		
		Beginning <b>Contingency</b> Balance		\$ -
		Carry forward from Prior Year		69,089
		Added to Contingency Sweep Account		-
		Taken From Contingency		(54,142)
		Net Balance of Contingency Account		<b>\$ 14,947</b>

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.

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**Whereas**, on the 27<sup>th</sup> 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 1<sup>st</sup> day of **September**, 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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09/01/16  
Item #5  
Regular Agenda  
Page 1 of 2

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

Tammy Lyerly, Senior Planner

**ITEM DESCRIPTION:** FIRST READING – PUBLIC HEARING - Z-FY-16-39: Consider adopting an ordinance authorizing a rezoning from Agricultural District to Commercial District, on Lots 14 & 15, Block 001, Honeycutt Subdivision, located at 7099 Airport Road.



Figure 1: Aerial & Location Map

**PLANNING AND ZONING COMMISSION RECOMMENDATION:** At its August 1, 2016, meeting the Planning and Zoning Commission voted 6/0 to recommend approval of the requested rezoning from Agricultural (AG) District to Commercial (C) District.

**STAFF RECOMMENDATION:** Staff recommends approval of the requested rezoning from Agricultural (AG) District to Commercial (C) District for the following reasons:

1. Compliance with surrounding zoning and land uses;
2. Compliance with the Thoroughfare Plan; and
3. Partial compliance of availability of public and private facilities to serve the subject property

**ITEM SUMMARY:** The applicant, Michael E. Phillips, requests this rezoning from Agricultural District (AG) to Commercial District (C) to allow him to market this property for office/warehouse and service related uses. The applicant has had several inquiries regarding office/warehouse combinations and service related (HVAC-plumbing) uses for the subject property.

The Commercial District permits all retail and most commercial land uses, including auto dealerships with complete servicing facilities, building material sales, light manufacturing and heavy machinery sales and storage. Residential uses are allowed, except apartments. This district is intended to serve citywide or regional service areas.

The Commercial District should be located at the intersection of major thoroughfares and highways. This district should be located away from low and medium density residential development and may be used as a buffer between retail and industrial uses. Adjoining zoning districts should be carefully selected to reduce environmental conflicts.

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

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

The subject property is within the Agricultural Rural character district of the *Choices '08* City of Temple Comprehensive Plan. The applicant's requested Commercial District does not comply with this character district, but it does appear compatible with the adjacent Light Industrial District to the west, consisting of undeveloped land and a school.

Thoroughfare Plan (CP Map 5.2) and Temple Trails Master Plan Map and Sidewalk Ordinance

The subject property fronts Airport Road, a major arterial. The applicant's requested Commercial District (C) is appropriate along major arterials, such as Airport Road. Development of the property would require installation of a 6-foot wide sidewalk along Airport Road, per Unified Development Code (UDC) Section 8.2.3: Sidewalks and Trails.

Availability of Public Facilities (CP Goal 4.1)

There is an existing 24-inch water line along the property's frontage within the Airport Road right-of-way. Although the subject property currently does not have sewer services, the applicant has expressed interest in a septic system, as well as working with the Public Works Department in possibly extending sewer services to the property.

Proposed City Council Meeting Schedule

This item is tentatively scheduled for a City Council public hearing (first reading) on September 1, 2016. The second reading of City Council is tentatively scheduled for September 15, 2016.

**PUBLIC NOTICE:** Four (4) notices of the Planning and Zoning Commission public hearing were sent out to property owners within 200-feet of the subject property as required by State law and City Ordinance. As of Tuesday, August 22, 2016, two notices have been received in favor of the proposed rezoning and no notices have been returned in opposition to the proposed rezoning.

The newspaper printed notice of the public hearing on July 21, 2016, in accordance with state law and local ordinance.

**FISCAL IMPACT:** Not Applicable

**ATTACHMENTS:**

[Site and Surrounding Property Photos](#)

[Location map with Aerial](#)

[Zoning Map](#)

[Future Land Use and Character Map](#)

[Thoroughfare Map](#)

[Utility Map](#)

[Notification Map](#)

[Development Regulations](#)

[Surrounding Property and Uses](#)




[Comprehensive Plan Compliance](#)

[Notification Response Letters](#)




[August 1, 2016: Planning & Zoning Commission Meeting Excerpts](#)  
[Ordinance](#)

**SURROUNDING PROPERTY AND USES:**

The following table shows the subject property, existing zoning and current land uses:

Direction	Zoning	Current Land Use	Photo
Subject Property	AG	Undeveloped Property	 <p>Airport Road</p>
East	AG	Agricultural	 <p>Airport Road</p>
			



Direction	Zoning	Current Land Use	Photo
West	AG & LI	Undeveloped Land & School	 <p>Airport Road</p>
South	AG	Agricultural	
North	AG	Agricultural & Rural Residential	 <p>Airport Road</p>



AG to C

## AERIAL MAP

Zoning Case :  
Z-FY-16-39

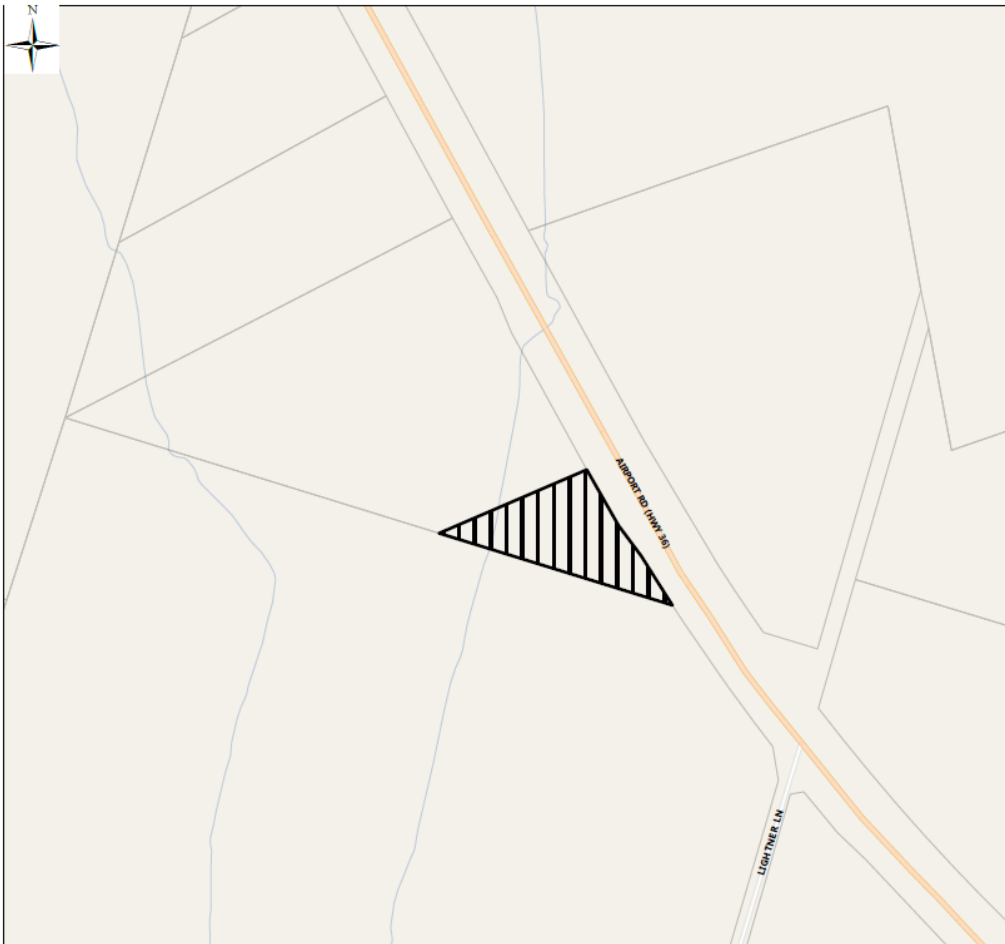
Address :  
7099 Airport Rd

### 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.

tlyerly  
Date: 7/15/2016



AG to C

## AERIAL MAP

Zoning Case :  
Z-FY-16-39

Address :  
7099 Airport Rd

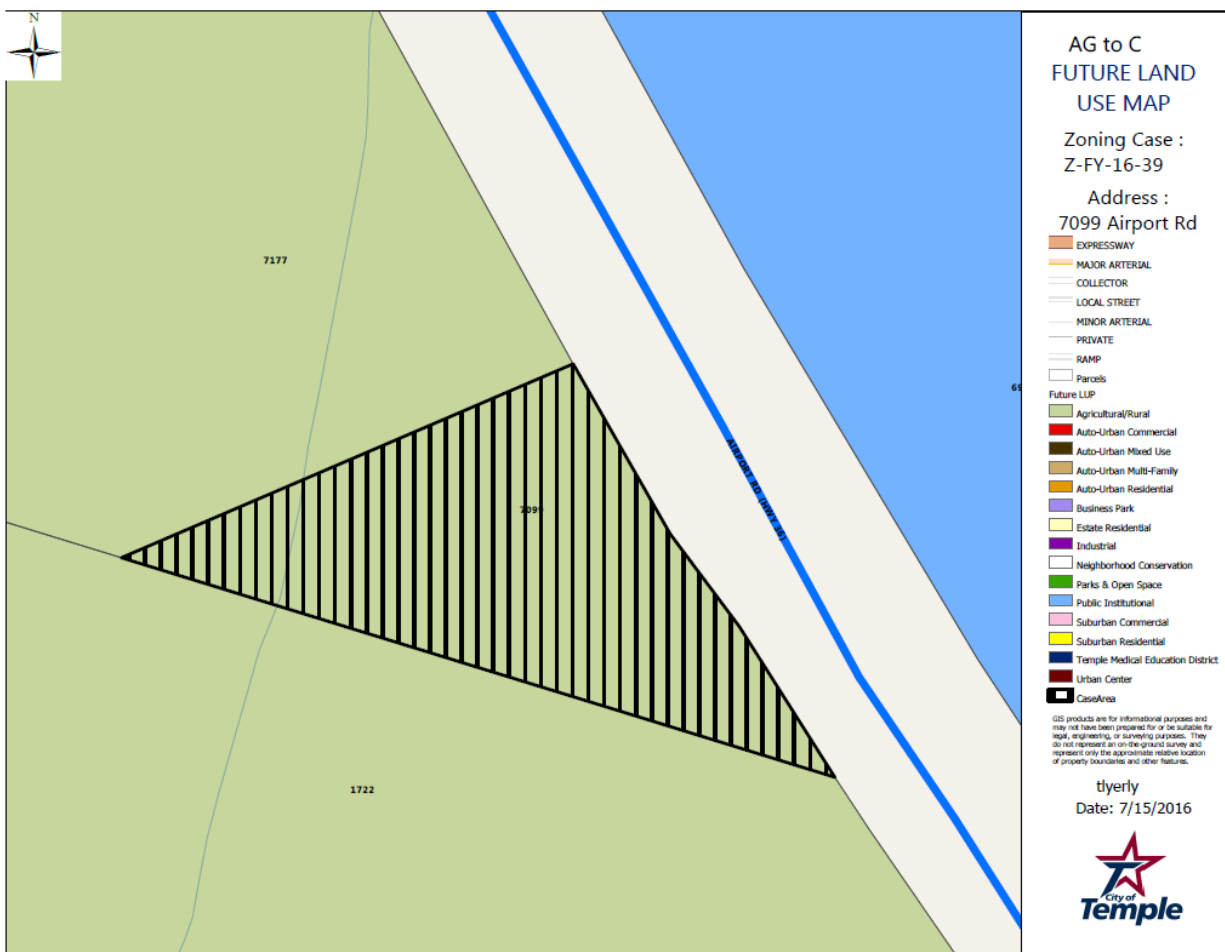
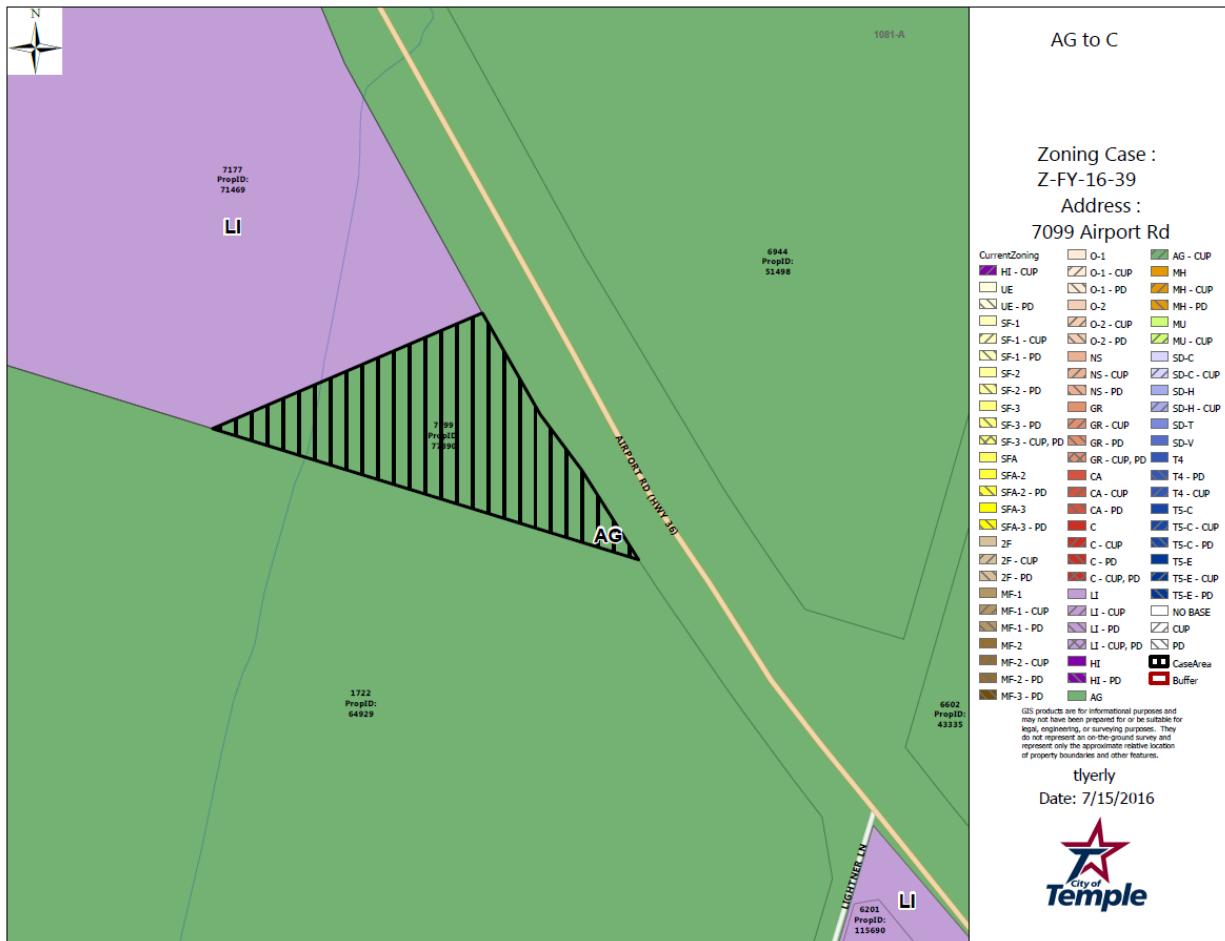
### Streets

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

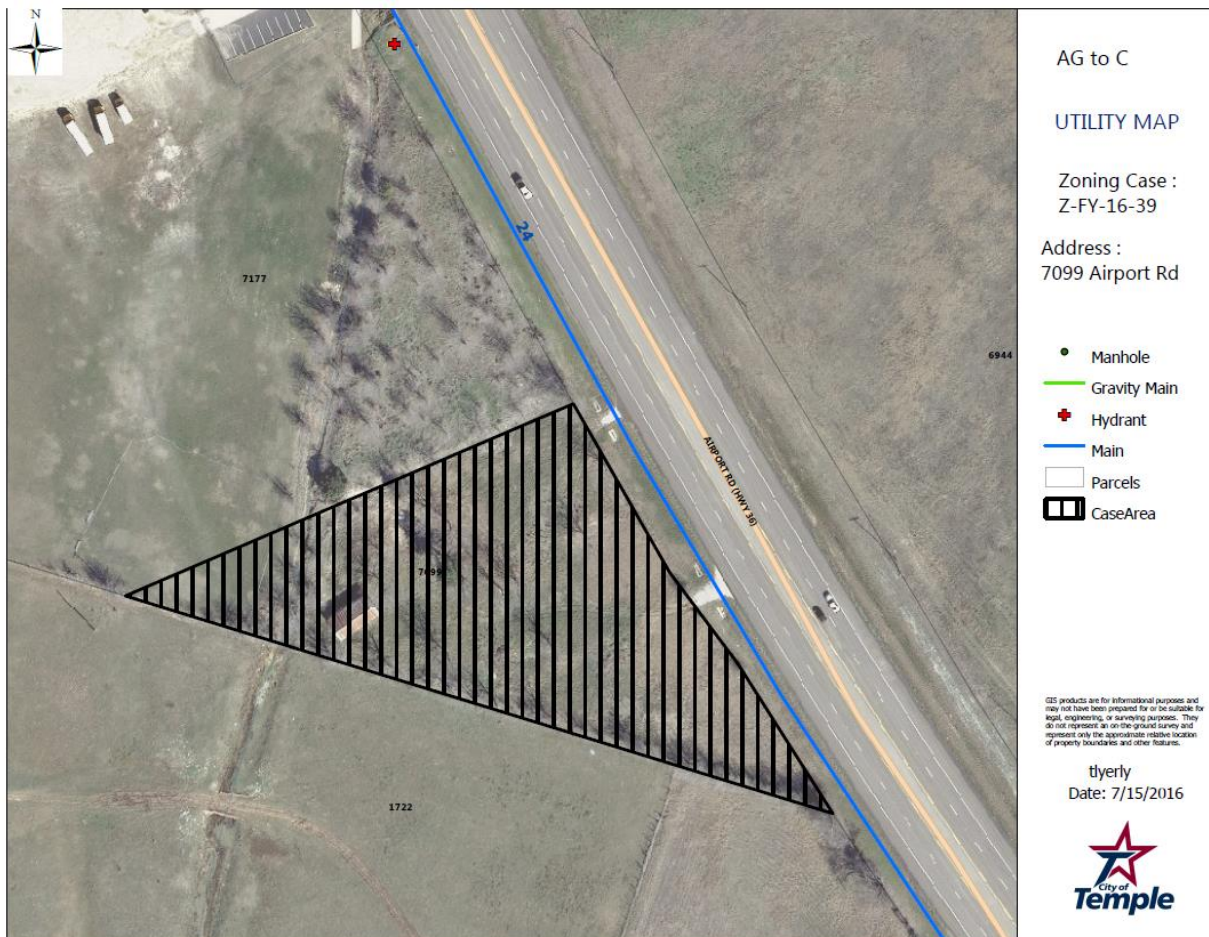
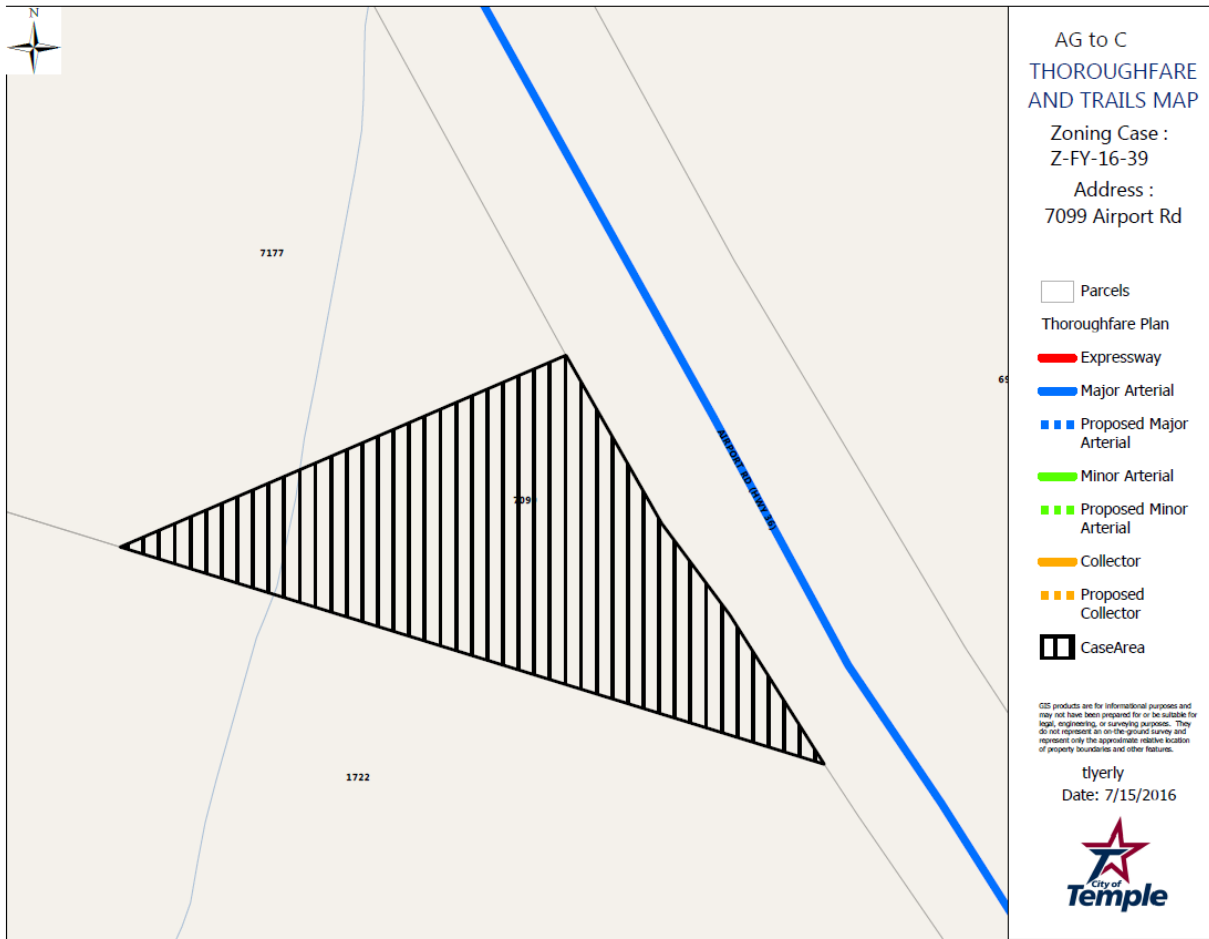
GIS products are for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. They do not represent an on-the-ground survey and represent only the approximate relative location of property boundaries and other features.

tlyerly  
Date: 7/15/2016

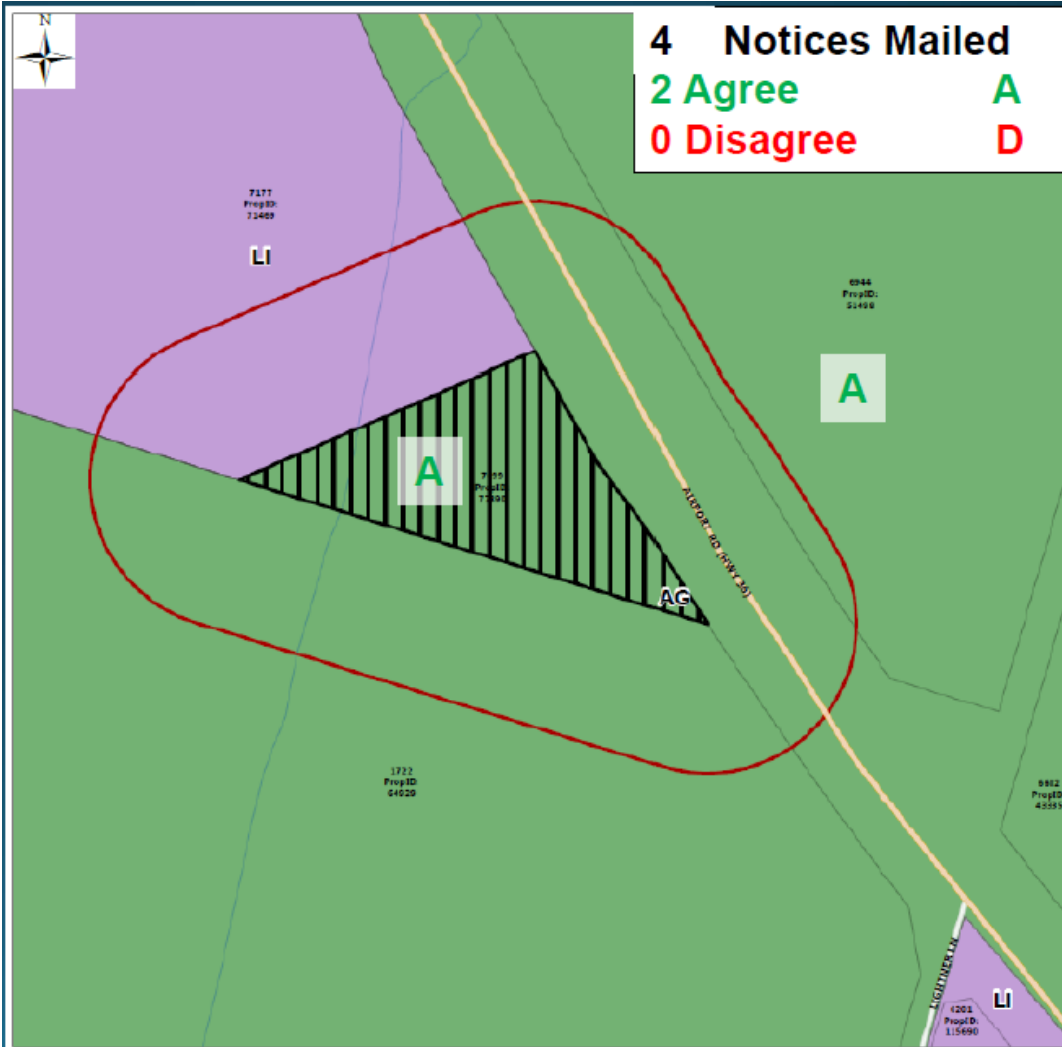












**4 Notices Mailed**  
**2 Agree**  
**0 Disagree**

**A**  
**D**

AG to C  
 200'  
 NOTIFICATION MAP

Zoning Case :

Z-FY-16-39

Address :

7099 Airport Rd

Current Zoning	O-1	AG - CUP
HE - 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	TS-C
SFA-3 - PD	C	TS-C - CUP
2F	C - CUP	TS-C - PD
2F - CUP	C - PD	TS-E
2F - PD	C - CUP, PD	TS-E - CUP
MP-1	LI	TS-E - PD
MP-1 - CUP	LI - CUP	NO BASE
MP-1 - PD	LI - PD	CUP
MP-2	LI - CUP, PD	PD
MP-2 - CUP	HE	Case/Use
MP-2 - PD	HE - PD	Buffer
MP-3 - PD	AG	

GIS products are for informational purposes and may not have been prepared to be suitable for legal, engineering, or planning purposes. They do not represent an on-the-ground survey and represent only the information contained within the GIS products and other features.

tlyerly

Date: 7/15/2016



**DEVELOPMENT REGULATIONS (C):** Here are the nonresidential dimensional standards for the applicant's requested **Commercial District (C)**:

- Minimum Lot Width – N/A
- Minimum Lot Depth – N/A
- Front Yard Setback – 0 feet, but must be at least 30 feet from street centerline
- Side Yard Setback – 10 feet adjacent to a residential zoning district. If the building exceeds 40 feet, the side yard setback must increase one foot for each three feet over 40 feet in building height.
- Side Yard Setback (corner) – 10 feet
- Rear Yard Setback – 10 feet adjacent to a residential zoning district or use.

**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	Agricultural / Rural	AG	Undeveloped Land
North	Public Institutional	AG	Agricultural/ Rural Residential
South	Agricultural / Rural	AG	Agricultural/ Rural Residential
East	Agricultural / Rural	AG	Commercial Property
West	Agricultural / Rural	LI	Commercial Property

**COMPREHENSIVE PLAN 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 and Character (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	Partial
STP	Temple Trails Master Plan Map and Sidewalks Ordinance	Yes

CP = Comprehensive Plan      STP = Sidewalk and Trails Plan



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

HONEYCUTT FAMILY TRUST  
C/O ALEXANDER, CYNTHIA MICHELLE CO TRUSTEE  
936 FM 380  
PAINT ROCK, TX 76866-3655

**Zoning Application Number: Z-FY-16-39**

**Case Manager: Tammy Lyerly**

**Location: 7099 Airport 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 ☒ agree

( ) disagree with this request

**Comments:**

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Michele Alexander

**Signature**

Michele Alexander

**Print Name**

If you would like to submit a response, please email a scanned version of this completed form to the Case Manager referenced above, [tlyerly@templetx.gov](mailto:tlyerly@templetx.gov), or mail or hand-deliver this comment form to the address below, no later than **August 1, 2016**.

**City of Temple  
Planning Department  
2 North Main Street, Suite 102  
Temple, Texas 76501**

**RECEIVED**

**JUL 28 2016**

City of Temple  
Planning & Development

Number of Notices Mailed: 4

Date Mailed: July 21, 2016

***OPTIONAL:*** Please feel free to email questions or comments directly to the Case Manager or call us at 254.298.5668.



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

PHILLIPS, MICHAEL E  
190 COUNTY ROAD 304  
ROSEBUD, TX 76570-2240

**Zoning Application Number: Z-FY-16-39**

**Case Manager: Tammy Lyerly**

**Location: 7099 Airport 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 ☒ **agree**

( ) **disagree with this request**

**Comments:**

AS PROPERTY OWNER, IT IS MY INTENTION TO IMPROVE VACANT  
PROPERTY WITH POSSIBLE OFFICE/WAREHOUSE BUILDING PER REQUEST BY  
POTENTIAL BUYERS. ALTHOUGH NO DEFINITE PLANS YET, IT SEEMS  
TO BE IN THE FUTURE.

Michael E Phillips  
**Signature**

MICHAEL E PHILLIPS  
**Print Name**

If you would like to submit a response, please email a scanned version of this completed form to the Case Manager referenced above, [tyerly@templetx.gov](mailto:tyerly@templetx.gov), or mail or hand-deliver this comment form to the address below, no later than **August 1, 2016**.

**City of Temple  
Planning Department  
2 North Main Street, Suite 102  
Temple, Texas 76501**

**RECEIVED**

**JUL 28 2016**

City of Temple  
Planning & Development

Number of Notices Mailed: 4

Date Mailed: July 21, 2016

**OPTIONAL:** Please feel free to email questions or comments directly to the Case Manager or call us at 254.298.5668.

**EXCERPTS FROM THE  
PLANNING & ZONING COMMISSION MEETING  
MONDAY, AUGUST 1, 2016**

**ACTION ITEMS**

**Item 2: Z-FY-16-39** – Hold a public hearing to discuss and recommend action on a rezoning from Agricultural (AG) District to Commercial (C) District, on Lots 14 & 15, Block 001, Honeycutt Subdivision, 7099 Airport Road.

Ms. Lyerly stated this item was scheduled to go forward to City Council for first reading on September 1, 2016 and second reading on September 15, 2016.

The applicant's requested rezoning from AG to C is to allow for marketing of the property for office/warehouse and service uses. There have been several inquiries regarding this type of development.

There is a school located to the west of the property.

The Zoning Map designates the property as Commercial District (C), it fronts a major arterial (Airport Road), and adjacent property is zoned Light Industrial (LI). The request is in compliance with the Zoning Map.

The Future Land Use and Character Map designates the subject property as Agricultural Rural which is intended for areas of agricultural use and homes are an accessory or secondary use. The request is not in compliance with the Future Land Use and Character Map.

Water is available from a 24-inch line located in Airport Road right-of-way. There is no sewer available. The applicant would need to install septic system and work with the Public Works Department in Bell County if the request is approved. This request is in partial compliance since water is available. These type of issues would be addressed during the platting process.

Surrounding properties include residential and agricultural use to the north, agricultural use to the south, undeveloped land to the east, and the school and airport water tower to the west.

Allowed and prohibited uses for both AG and C are cited, along with current and proposed Development Standards.

Four notices were mailed out in accordance with state and local regulations with two notices returned in agreement and zero notices returned in disagreement.

This request is not in compliance with the Future Land Use and Character Map, is only in partial compliance with public facilities available to serve the property, and in full compliance with the Thoroughfare Plan and surrounding uses and zoning.

Staff recommends approval of the request for a rezoning from AG to C.

Brief discussion regarding Commercial setback requirements located off of a highway.

Chair Jones asked how often the land use map was updated. Ms. Lyerly stated this was from *Choices '08* Comprehensive Plan and was updated in 2008.

Mr. Brian Chandler, Director of Planning, added when there is a discrepancy between the Future Land Use and Character Map and what is recommended, it was considered taking them one at a time before P&Z and City Council, concurrently with the zoning case request. Instead, the discrepancies are tracked and is more efficient to take them as a group rather than individually.

Mr. Chandler also commented that Comprehensive Plans ideally get updated every five years or at least every ten. There are many changes and development patterns occurring in the subject area being discussed and amendments will be forthcoming to the P&Z and City Council.

Chair Jones opened the public hearing.

There being no speakers, the public hearing was closed.

Vice-Chair Johnson made a motion to approve Item 2, **Z-FY-16-39**, as presented, and Commissioner Pitts made a second.

*Motion passed: (6:0)*

Commissioners Alaniz, Sears, and Fettig absent

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

(PLANNING NO. Z-FY-16-39)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A REZONING FROM AGRICULTURAL DISTRICT TO COMMERCIAL DISTRICT ON LOTS 14 & 15, BLOCK 001, HONEYCUTT SUBDIVISION, LOCATED AT 7099 AIRPORT ROAD, BELL COUNTY, TEMPLE, TEXAS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**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 Commercial District on lots 14 & 15, block 001, Honeycutt Subdivision, located at 7099 Airport Road, Bell County, Temple, Texas, 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 **1<sup>st</sup>** day of **September**, 2016.

PASSED AND APPROVED on Second Reading on the **15<sup>th</sup>** day of **September**, 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

09/01/16

Item #6

Regular Agenda

Page 1 of 5

### **DEPARTMENT / DIVISION SUBMISSION & REVIEW:**

Dessie Redmond, Planner

**ITEM DESCRIPTION:** FIRST READING - PUBLIC HEARING - Z-FY-16-40: Consider adopting an ordinance authorizing a Conditional Use Permit to allow wholesale automobile auctions for dealers on Lot 1, Block 1, Wildflower Commerce Park IV, Bell County, Texas, located at 5615 SW H.K. Dodgen Loop.



Figure 1: Location Map

**PLANNING & ZONING COMMISSION RECOMMENDATION:** At their August 1, 2016 meeting, the Planning & Zoning Commission voted 6 to 0 to recommend approval with conditions including the six conditions stated by staff, and adding two additional conditions. (1) That transport vehicles are prohibited to park on Loop 363 frontage road and (2) the previous CUP (Ordinance 2010-4362) approved for outdoor retail display including storage sheds, a garden center with landscaping and lawn supplies be repealed.

During the meeting, the P&Z Commissioners discussed parking during auctions and how to ensure no vehicles, transporters or car haulers would be parked on abutting streets. The applicant was able to respond to this by stating she could not guarantee a car hauler would pull up on to Greenview Drive but she thinks they have enough room to contain them within the property. There is a possibility for the business to expand to the north, if necessary. The applicant understands that an expansion would require an additional CUP. Ultimately, a motion included a condition to prohibit transport vehicles parked on the Loop 363 frontage road.

Continued discussion included adding a condition to repeal the previous CUP that was approved in 2010 for an outdoor retail display including storage sheds, a garden center with landscaping and lawn supplies (Ordinance 2010-4362 – attached). It was asked if the 2010 CUP needs to stay with the property or if they could make a recommendation to repeal the 2010 CUP. Staff responded that a CUP runs with the land; therefore, if a different applicant proposed the same use as the 2010 ordinance reads that CUP would still currently be valid, unless a motion for this proposal included a

repeal of the 2010 CUP. Ultimately, the motion included a condition to repeal the 2010 CUP. This condition was added to the motion because the Commission was concerned that both uses (outdoor retail display including storage sheds, a garden center with landscaping and lawn supplies as well as wholesale automobile auctions for dealers) could simultaneously happen on the site.

During subsequent discussion with the applicant and the property owner, it was stated that they prefer the 2010 CUP remain on the land and not be repealed as a condition with the current proposal or if the condition could limit the property to one use at a time instead of repealing the 2010 CUP.

It was also stated that development adjacent to the loop will be expanding in the next few years and this proposed use is a new use to the city. There was discussion on specifying a certain time period for this CUP to expire for land use reasons. Ultimately, a time expiration was decided not to be part of the motion because the Commission determined if the business is not in compliance with the CUP, City Council has the ability to revoke the permit (August 1, 2016: Planning & Zoning Commission Meeting Excerpts – attached).

**STAFF RECOMMENDATION:** Staff recommends approval of Z-FY-16-40, a CUP to allow a wholesale automobile auctions use with the following conditions:

1. All automobile auction operations are held inside the enclosed building.
2. All automobiles offered for sale are contained on this property.
3. No junked or inoperable cars are visible from outside.
4. All repair work must take place completely inside the building.
5. The existing parking lot is newly striped prior to the business operating.
6. No salvage auctions are permitted on the property.

**ITEM SUMMARY:** The subject property is three acres and is located in the Wildflower Commerce Park Phase IV subdivision. The property is currently developed with a 10,256 square foot warehouse building. There is also a concrete parking lot that exists on the majority of the remainder of the site.

Prior to the issuance of a building permit for any non-single-family residential development, a subdivision plat is required. The subject property was platted in 2000. The applicant has indicated that there are currently no plans to improve the property. Also, pending approval of the CUP, the wholesale automobile auction business (Manheim Remarketing, Incorporated) hopes to open in late October of 2016.

A letter included in the application submittal stated that the proposed use will conduct wholesale automobile auctions, which are open only to licensed automobile dealers, at the property. Regular business hours will be Monday through Thursday from 9:00 a.m. to 5:00 p.m., and Friday from 9:00 a.m. to 3:00 p.m. Activities at the property will include inventory maintenance, inspection of vehicles, and other business related to the transfer of title and auctioning of the vehicles. Manheim Remarketing, Inc. will conduct its wholesale automobile auctions on the second and fourth Monday of each month, during the regular business hours, to which only licensed automobile dealers may attend.

The applicant further explained in emails to staff that a typical auction would be a two lane automobile auction held inside the service department of the existing building. All automobiles offered for the sale will be contained to the parking lot of this property. The auction sales will be held every other Monday

to start, with the potential to grow in to every week. The applicant anticipates it taking time to build up to a weekly occurrence for the auctions. Generally, most noise would be contained to inside the building from auctioning the automobiles. However, some associated noise would also be present outside the building. The majority of any traffic would typically be on the Mondays the sales are held. Other key points are:

- 224 total parking spaces provided on the site plan
  - 134 multiple stacked parking spaces (inventory only)
  - 901 spaces with drive lane access (either for inventory or employee/customer parking)
- 5-10 employees associated with the use
- 24 hour typical turnaround time for an automobile to be sold
- If expanding to the north property, an additional CUP process would be required
- Most cars are operable when they come into the business
- Generally, it will look like a car dealership
  - Cars would be parked around the building and driven through the two service bays and offered for sale then parked back outside for buyers to pick up

In 2010, a CUP was granted on the same property for outdoor retail display including storage sheds, a garden center with landscaping and lawn supplies (Ordinance 2010-4362). The Unified Development Code (UDC), Section 3.5.3 Conditional Use Duration states, “an approved CUP runs with the land and does not expire without City Council revocation.” The approved 2010 CUP is still applicable to this site for the outdoor retail display uses. However, a new and different proposed use (that also requires a CUP in the commercial zoning district) is now requested. Therefore, the property is subject to the CUP process because of the requested new auto auction use.

**SURROUNDING PROPERTY AND USES:** A summary table in the attachments shows how the site and surrounding properties relates to the Future Land Use Plan (FLUP), zoning and adjacent current uses.

**COMPREHENSIVE PLAN COMPLIANCE:** The proposed rezoning relates to the goals, objectives or maps of the Comprehensive Plan and Sidewalk and Trails Plan. A summary table can be found in the attachments.

**Future Land Use Map (CP Map 3.1)**

The subject property is within the Suburban Commercial character district. In areas where the Suburban Commercial character district is adjacent to non-residential uses it is intended to be the community’s image and aesthetic value is to be promoted, such as at “gateways” and high-profile corridor locations. Therefore, it requires a higher landscape surface than in the Auto-Urban Commercial district. The subject property is located in the HK Dodgen Loop corridor and there are some existing large and medium canopy trees on the property that provide aesthetic value.

**Thoroughfare Plan (CP Map 5.2)**

The subject property is accessed off Greenview Drive (local street) or HK Dodgen Loop (expressway) frontage road. Sidewalks are not required for either of these designations.

Availability of Public Facilities (CP Goal 4.1)

Sewer is available to the subject property through an existing 18 inch sewer line in Greenview Drive. Water is available through an existing 18 inch waterline that is in a 20 foot maintenance and utility easement on the east side of the subject property.

Temple Trails Master Plan Map and Sidewalks Ordinance

There are no existing or proposed trails in or adjacent to the site.

**REVIEW CRITERIA (UDC Section 3.5.4):** In determining whether to approve, approve with conditions or deny a CUP application, the review bodies in Sec. 3.5.2 above must consider the following criteria.

- A. The conditional use is compatible with and not injurious to the use and enjoyment of the property, and does not significantly diminish or impair property values within the immediate vicinity.
- B. The establishment of the conditional use does not impede the normal and orderly development and improvement of surrounding vacant property.
- C. Adequate utilities, access roads, drainage, and other necessary support facilities have been or will be provided.
- D. The design, location and arrangement of all driveways and parking spaces provide for the safe and convenient movement of vehicular and pedestrian traffic without adversely affecting the general public or adjacent development.
- E. Adequate nuisance prevention measures have been or will be taken to prevent or control offensive odors, fumes, dust, noise and vibration.
- F. Directional lighting is provided so as not to disturb or adversely affect neighboring properties.
- G. There is sufficient landscaping and screening to insure harmony and compatibility with adjacent property.

**ADDITIONAL CONDITIONS (UDC Section 3.5.5):** In authorizing a CUP, the Planning and Zoning Commission may recommend and the City Council may impose additional reasonable conditions necessary to protect the public interest and welfare of the community, including a time period for which a CUP is valid. The Planning and Zoning Commission and the City Council, in considering and determining the additional conditions, may impose such developmental standards and safeguards as conditions and locations indicate to be important to the welfare and protection of adjacent property from excessive noise, vibration, dust, dirt, smoke, fumes, gas, odor, explosion, glares, offensive view or other undesirable or hazardous conditions.

**DEVELOPMENT REVIEW COMMITTEE:** The Development Review Committee (DRC) met on July 18<sup>th</sup> to discuss the requested CUP. There was discussion on expansion, operable or non-operable cars, and how the business would appear visually. All of the questions were answered by the applicant and a summary of the answers is included in the "Item Summary" of this report.

**PUBLIC NOTICE:** Twelve notices were mailed to property owners within 200 feet of the subject property. As of Tuesday, August 23<sup>rd</sup> two notices for approval were returned (both returned letters were from the property owner). The newspaper printed notice of the public hearing on July 21<sup>st</sup> in accordance with state law and local ordinance.

**PROPOSED CITY COUNCIL MEETING SCHEULE:** The CUP is scheduled to be heard at the September 1, 2016 City Council for a first reading and on September 15, 2016 Council meeting for a second reading.

**FISCAL IMPACT:** Not Applicable

**ATTACHMENTS:**

Site and Surrounding Property Photos

Letter from Applicant

Site Plan / Location Map

Zoning Map / Future Land Use and Character Map

Thoroughfare & Trails Map / Utility Map

Notification Map / Comprehensive Plan & Surrounding Uses Summary Tables

Returned Property Owner Letters

Ordinance 2010-4362

August 1, 2016: Planning & Zoning Commission Meeting Excerpts

Ordinance





Looking west at existing vacant warehouse building



Looking south along SW H.K. Dodgen Loop frontage road





Aerial of the subject property



Commercial uses to the south





Commercial uses and vacant lots to the west



Looking east across SW H.K. Dodgen Loop

Letter from the Applicant



SUTHERLAND ASBILL & BRENNAN LLP  
1001 Fannin, Suite 3700  
Houston, Texas 77002  
713.470.6100 Fax 713.654.1301  
[www.sutherland.com](http://www.sutherland.com)

ROBERT A. LEMUS  
DIRECT LINE: 713.470.6129  
E-mail: [robert.lemus@sutherland.com](mailto:robert.lemus@sutherland.com)

June 30, 2016

Planning Department  
City Hall  
2 North Main Street  
Suite 102  
Temple, Texas 76501

RE: Conditional Use Permit Application for 5615 S.W. HK Dodgen Loop, Temple,  
Texas

To Whom It May Concern:

I represent Manheim Remarketing, Inc. d/b/a Manheim Central Texas ("Manheim") in relation to the above referenced Conditional Use Permit Application. I write in response to your request about the anticipated business operations of at 5615 S.W. HK Dodgen Loop, Temple, Texas ("the Property").

Manheim will conduct wholesale automobile auctions, which are open only to licensed automobile dealers, at the Property. Regular business hours at the Property will be Monday through Thursday from 9:00 a.m. to 5:00 p.m., and Friday from 9:00 a.m. to 3:00 p.m. Activities at the Property will include inventory maintenance, inspection of vehicles, and other business related to the transfer of title and auctioning of the vehicles. Manheim will conduct its wholesale automobile auctions on the second and fourth Monday of each month, during the regular business hours, to which only licensed automobile dealers may attend.

Should you have any questions or concerns, please do not hesitate to contact me.

Best wishes,

A blue ink signature of Robert A. Lemus, written in a cursive style.

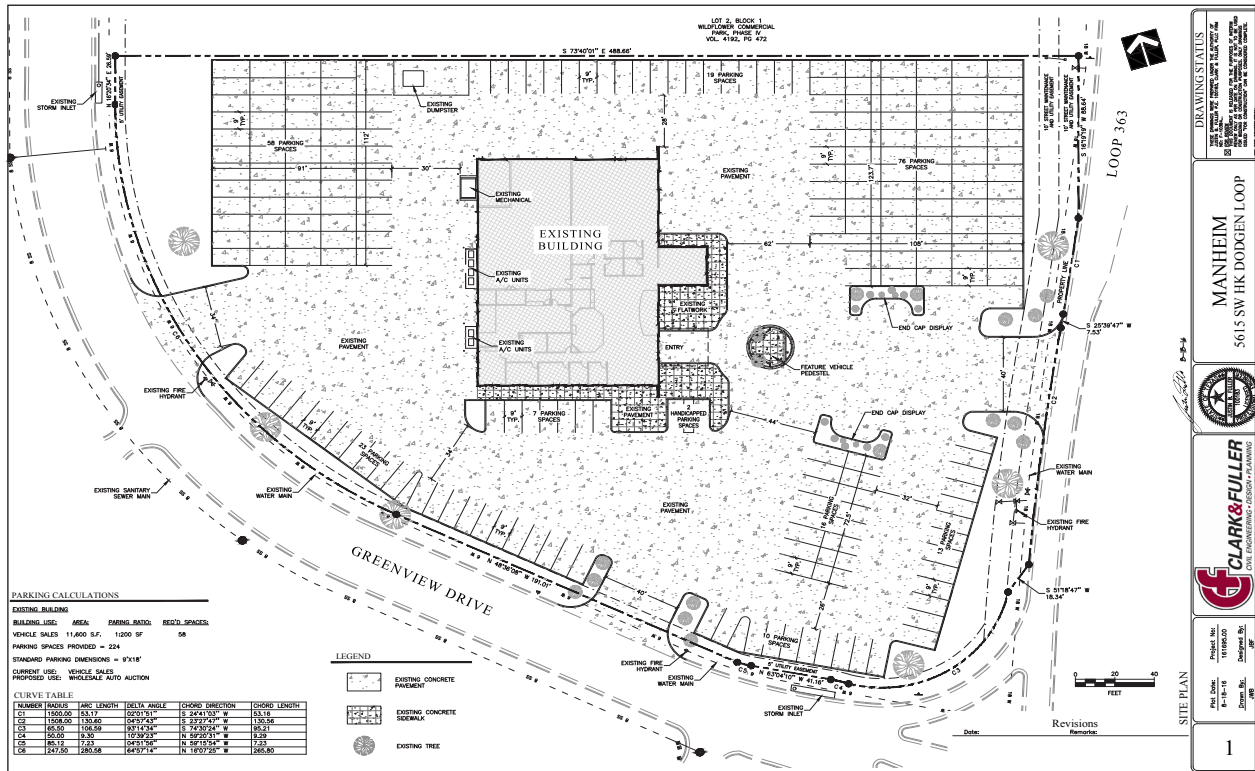
Robert A. Lemus

cc: Nicole Graham (Client)  
Nancy Loudermilk (Client)

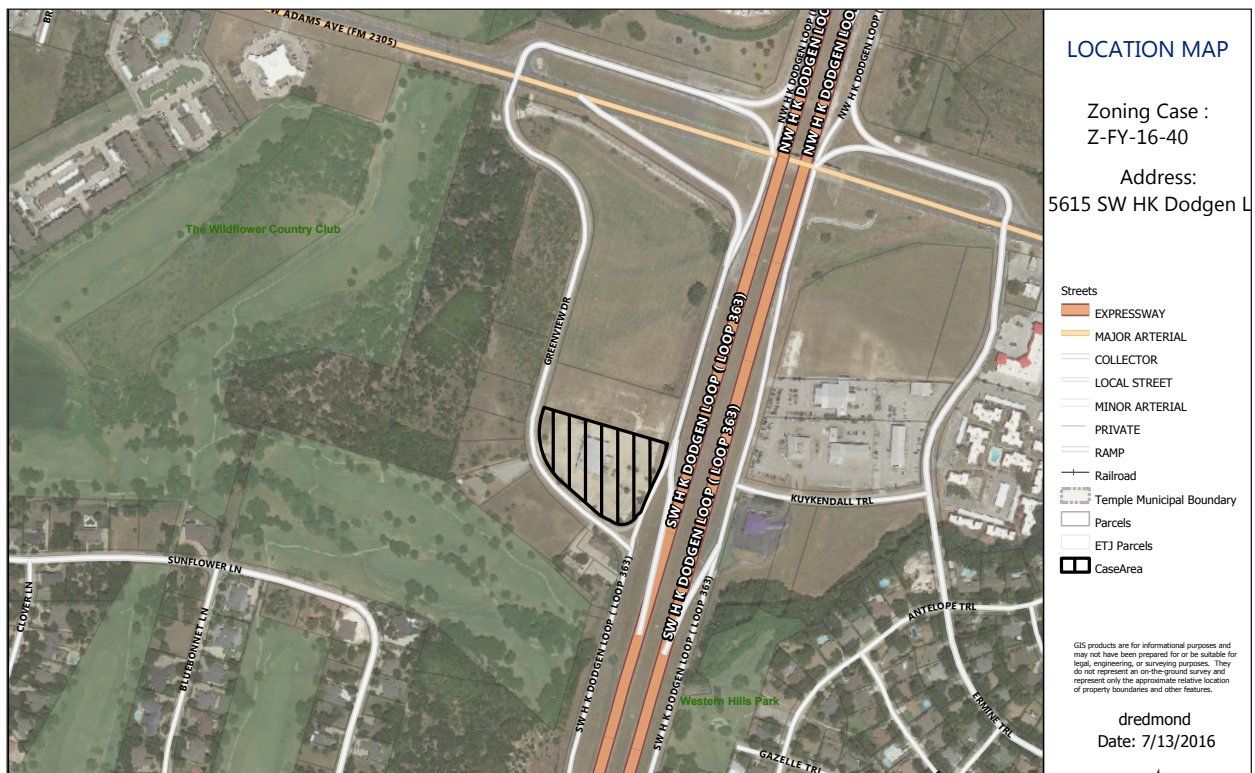
36803139.1

ATLANTA AUSTIN GENEVA HOUSTON LONDON NEW YORK SACRAMENTO WASHINGTON D.C.

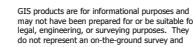




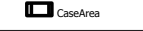
Site Plan



Location Map



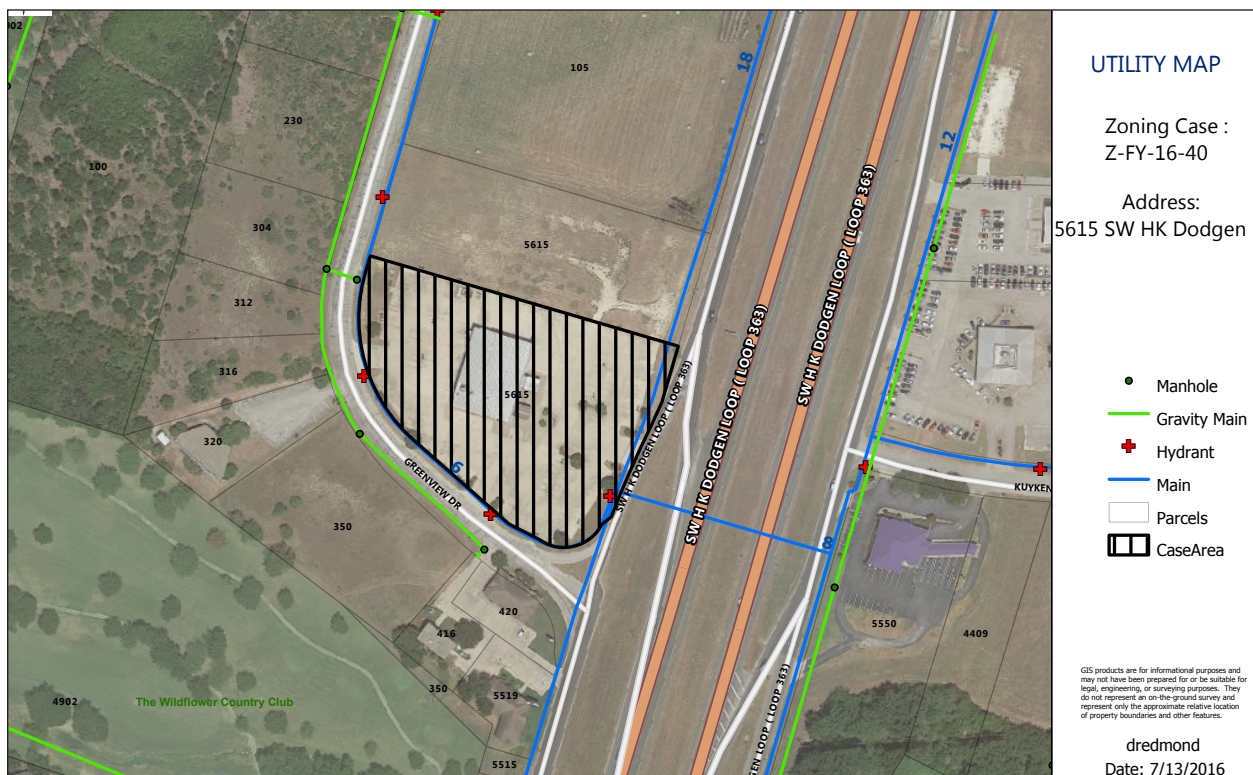
## Zoning Map



## Future Land Use Map



Thoroughfare & Trails Map



Utility Map





Notification Map

Comprehensive Plan Summary Table

Document	Policy, Goal, Objective or Map	Compliance?
CP	Map 3.1 - Future Land Use Map	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

Surrounding Uses Summary Table

Direction	FLUP	Zoning	Current Land Use
Site	Suburban Commercial	C	vacant warehouse
North	Suburban Commercial	C	vacant
South	Suburban Commercial	C	commercial/vacant
West	Suburban Commercial	C	vacant
East (HK Dodgen Loop)	n/a	n/a	n/a

Returned Property Owner Letter: Ringler Property ID: 232055



**RESPONSE TO PROPOSED  
CONDITIONAL USE PERMIT  
CITY OF TEMPLE**

CEDON REALTY LTD  
PO BOX 1928  
TEMPLE, TX 76503-1928

**Zoning Application Number:** Z-FY-16-40

**Case Manager:** Dessie Redmond

**Location:** 5615 SW H.K. Dodgen Loop

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

I ☒ **Agree**

( ) **disagree with this request**

**Comments:**

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**Signature**

**Print Name** Don Ringler

If you would like to submit a response, please email a scanned version of this completed form to the Case Manager referenced above, [drredmond@templetx.gov](mailto:drredmond@templetx.gov), or mail or hand-deliver this comment form to the address below, no later than **August 1, 2016**.

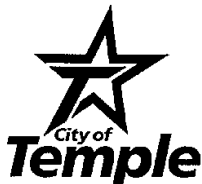
**City of Temple  
Planning Department  
2 North Main Street, Suite 102  
Temple, Texas 76501**

**Number of Notices Mailed:** 12

**Date Mailed:** July 21, 2016

***OPTIONAL:*** Please feel free to email questions or comments directly to the Case Manager or call us at 254.298.5668.

Returned Property Owner Letter: Ringler Property ID 232053



**RESPONSE TO PROPOSED  
CONDITIONAL USE PERMIT  
CITY OF TEMPLE**

CEDON REALTY LTD  
PO BOX 1928  
TEMPLE, TX 76503-1928

**Zoning Application Number:** Z-FY-16-40

**Case Manager:** Dessie Redmond

**Location:** 5615 SW H.K. Dodgen Loop

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

I ☒ **agree**

( ) **disagree with this request**

**Comments:**

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**Signature**

Don Ringler  
**Print Name**

If you would like to submit a response, please email a scanned version of this completed form to the Case Manager referenced above, [drredmond@templetx.gov](mailto:drredmond@templetx.gov), or mail or hand-deliver this comment form to the address below, no later than **August 1, 2016**.

**City of Temple  
Planning Department  
2 North Main Street, Suite 102  
Temple, Texas 76501**

**Number of Notices Mailed:** 12

**Date Mailed:** July 21, 2016

**OPTIONAL:** Please feel free to email questions or comments directly to the Case Manager or call us at 254.298.5668.

Ordinance 2010-4362

ORDINANCE NO. 2010-4362

[PLANNING NO. Z-FY-10-26]

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A CONDITIONAL USE PERMIT TO ALLOW DISPLAY FOR SALE IN A COMMERCIAL DISTRICT ON LOT 1, BLOCK 1, WILDFLOWER COMMERCE PARK IV, AT 5615 SW H K DODGEN LOOP; DECLARING FINDINGS OF FACT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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WHEREAS, the Comprehensive Zoning Ordinance of the City of Temple, Texas, provides for the issuance of conditional use permits under certain conditions and authorizes the City Council to impose such developmental standards and safeguards as the conditions and locations indicate to be important to the welfare or protection of adjacent property and for the protection of adjacent property from excessive noise, vibration, dust, dirt, smoke, fumes, gas, odor, explosion, glare, offensive view or other undesirable or hazardous conditions, and for the establishment of conditions of operation, time limits, location, arrangement and construction for any use for which a permit is authorized;

WHEREAS, the Planning and Zoning Commission of the City of Temple, Texas, after due consideration of the conditions, operation and location of Lot 1, Block 1, Wildflower Commerce Park IV, at 5616 SW H K Dodgen Loop, recommends that the City Council approve the application for this Conditional Use Permit to allow display for sale in a Commercial District; and

WHEREAS, the City Council of the City of Temple, Texas, after public notice as required by law, has at a public hearing, carefully considered all the evidence submitted by the applicant concerning the proposed plans for operation of said establishment and has heard the comments and evidence presented by all persons supporting or opposing this application at said public hearing, and after examining the conditions, operation and the location of said establishment, finds that the proposed use of the premises substantially complies with the comprehensive plan and the area plan adopted by the City Council.

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

**Part 1:** The City Council approves a Conditional Use Permit to allow display for sale in a Commercial District on Lot 1, Block 1, Wildflower Commerce Park IV, at 5615 SW H K Dodgen Loop, more fully shown on Exhibit A, attached hereto and made a part of for all purposes.

**Part 2:** The owner/applicant, his employees, lessees, agents or representatives, hereinafter called "permittee" shall comply with the following developmental standards and conditions of operation:

Ordinance 2010-4362, continued

- (A) The permittee must design and operate the establishment in such a manner that the proposed use does not substantially increase traffic congestion or create overcrowding in the establishment or the immediately surrounding area.
- (B) The permittee must demonstrate that the granting of the permit would not be detrimental to the public welfare of the citizens of the City.
- (C) The permittee must operate the establishment in such a manner as to prevent excessive noise, dirt, litter and odors in the establishment or in the surrounding area and operate the establishment in such a manner as to minimize disturbance to surrounding property owners.
- (D) The City Council may cancel, suspend, deny or revoke this CUP, in accordance with the revocation clause set forth in Section 7-608 of the Zoning Ordinance.
- (E) The CUP runs with the property. Changes in the owner or lessee of a permitted establishment do not affect the permit.
- (F) The CUP may be canceled, suspended or revoked in accordance with the revocation clause set forth in Section 7-608 of the Zoning Ordinance.
- (G) The applicant's site plan and application are attached hereto and made a part hereof for all purposes as Exhibits B and C, respectively.
- (H) Storage must occur only inside the primary building or inside the two permitted shipping containers. Semi-trailers or any other moveable accessory storage structures are prohibited.
- (I) No auto, boat or lawnmower parts may be stored outside the building.
- (J) All repair work must take place completely inside the primary building.
- (K) The back of the portable buildings acts as a screening device along Greenview Drive. A wood fence that is 8 feet in height is required if a gap in portable buildings exists for more than 30 days in the area along Greenview Drive that is designated for such buildings on the attached site plan.

**Part 3:** The Director of Planning is hereby directed to make the necessary changes to the City Zoning Map accordingly.

**Part 4:** The declarations, determinations and findings declared, made and found in the preamble of this ordinance are hereby adopted, restated and made a part of the operative provisions hereof.

**Part 5:** It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable and, if any phrase, clause, sentence, paragraph or section of this ordinance should be declared invalid

Ordinance 2010-4362, continued

by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such phrase, clause, sentence, paragraph or section.

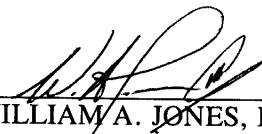
**Part 6:** This ordinance shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Temple, Texas, and it is accordingly so ordained.

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

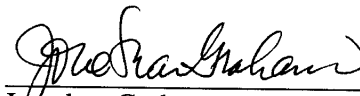
PASSED AND APPROVED on First Reading and Public Hearing on the 20<sup>th</sup> day of May, 2010.

PASSED AND APPROVED on Second Reading on the 3<sup>rd</sup> day of June, 2010.

THE CITY OF TEMPLE, TEXAS

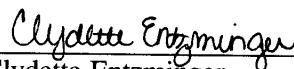
  
WILLIAM A. JONES, III Mayor

APPROVED AS TO FORM:

  
Jonathan Graham  
City Attorney

ATTEST:



  
Clydette Entzminger  
City Secretary



August 1, 2016: Planning & Zoning Commission Meeting Excerpt

**EXCERPTS FROM THE  
PLANNING & ZONING COMMISSION MEETING  
MONDAY, AUGUST 1, 2016**

**ACTION ITEMS**

**Item 3: Z-FY-16-** – Hold a public hearing to consider and recommend action on a Conditional Use Permit (CUP) to allow wholesale auto auctions for dealers on Lot 1, Block 1, Wildflower Commerce Park IV, located at 5615 SW H.K. Dodgen Loop.

Ms. Dessie Redmond, Planner, stated this item was tentatively scheduled for City Council for a first reading on September 1, 2016 and for second reading on September 15, 2016.

The applicant is Ms. Nicole Graham-Ponce with Manheim Remarketing, Inc. and the property owner is Cedon Realty LTD.

The property is three acres and a vacant warehouse approximately 10,256 square feet exists on the property.

This request is for a CUP to allow wholesale automobile auctions for dealers in the commercial zoned district.

This property was platted in 2000 and in 2010 a CUP was approved for outdoor retail display of storage sheds, with garden center, landscaping, and lawn supplies.

Surrounding properties include Loop 363 to the east, Greenview Drive to the west, office and retail uses to the south, and office use and vacant lots to the west.

Zoning Map is shown. UDC, Section 5.1 Use Tables states that a CUP is required for an auto auction use in the Commercial zone. If approved, this request would be in compliance.

The Future Land Use and Character Map designate the subject property as Suburban Commercial. In areas where the Suburban Commercial character district is adjacent to non-residential uses (as in this case) it is intended to be the community's image and aesthetic value is to be promoted, such as at "gateways" and high-profile corridor locations. Therefore, it requires a higher landscape surface than in the Auto-Urban Commercial district. The subject property is located in the HK Dodgen Loop corridor and there are some existing large and medium canopy trees on the property that provide aesthetic value. The Thoroughfare Plan designates Greenview Drive as a local street and SW H.K. Dodgen Loop as an expressway. The request is in compliance.

Sidewalks not required for either designations.

No existing or proposed trails are proposed in or adjacent to the subject site. The request is in compliance.

Sewer and water are readily available to serve the site. The request is in compliance.

August 1, 2016: Planning & Zoning Commission Meeting Excerpt, continued

Site map shown.

Operational Details for the proposed business:

The applicant has no plans to improve or develop the property other than cleaning and maintenance of the site.

The wholesale automobile auctions would only be opened to licensed automobile dealers.

Regular business hours proposed are Monday through Thursday beginning at 9:00 a.m. and ending at 5:00 p.m. and Fridays beginning at 9:00 a.m. and ending at 3:00 p.m.

Inventory maintenance, inspection of vehicles, and other business related to the transfer of vehicles titles, and auctioning of automobiles will take place on site.

All automobiles will be contained on the parking lot on site.

A typical auction consists of two lane automobile auctions held entirely within the existing building.

Auctions would be held every other Monday in the beginning of business operations with the potential to grow to an auction held every week.

Any noise would be inside the building from auctioning the automobiles. Five to ten employees are anticipated to be associated with the use.

24 hours is a typical turnaround time for an automobile to be sold.

Possible future expansion to the north adjacent property would require an additional CUP process which the applicant is fully aware of.

The automobiles are operable when they come in; it would be a rare case to have an inoperable automobile.

The business would generally look like an automobile dealership.

During an automobile auction a vehicle would be parked around the building and driven through the two service bays, offered for sale, then parked back outside for buyers to pick them up.

Pending approval of the CUP, the applicant hopes to open in late October 2016.

CUP Review Criteria: UDC, Section 3.5.4 states, in determining whether to approve, approve with conditions or deny a CUP application, the following criteria must be considered:

Compatible with and not injurious to the use and enjoyment of the property;

Does not impede the normal development of surrounding vacant properties;

Adequate utilities and facilities have been or will be provided;

Designed for convenient movement of vehicular and pedestrian traffic;

Adequate nuisance prevention measures have been or will be taken;

Directional lighting is provided to not adversely affect neighboring properties; and

Landscaping and screening to insure harmony with adjacent property.

August 1, 2016: Planning & Zoning Commission Meeting Excerpt, continued

UDC, Section 3.5.5 Additional Conditions:

Additional conditions may be added to the CUP;

A certain time period for which a CUP is valid may be added; and

Developmental standards and safeguards as conditions may be added to protect adjacent property from any possible nuisances.

DRC did discuss the requested CUP on July 18, 2016. Some of the questions discussed were mentioned previously in more detail:

Are the automobiles operable or non-operable;

How does the business appear visually;

Is there possible future expansion to the north?

Twelve notices were mailed out in accordance with state and local regulations with two notices returned in agreement (both returned letters were from the property owner) and zero notices returned in disagreement.

Staff recommends approval of a CUP to allow a wholesale automobile auctions use with the following conditions:

1. All automobile auction operations are held inside the existing building;
2. All automobiles offered for sale are contained on the property;
3. No junked or inoperable automobiles are visible from outside;
4. All repair work must take place completely inside of the existing building;
5. Newly striped parking; and
6. No salvage auctions are permitted on the site.

Ms. Redmond confirmed that all parking for the automotive auction business will remain on the paved subject property.

Commissioner Pitts was concerned about the parking for the actual auctions. Is the applicant able to handle all of the parking within the facility or will trucks and transport vehicles be parked up and down the access road and public streets and right-of-ways? Ms. Redmond deferred the question to the applicant.

Commissioner Pitts also asked if they would have any special signage. Ms. Redmond explained the signage would be regulated by the normal sign code.

The P&Z Commission has the option to make a recommendation to repeal the previously approved CUP for this property (specifically for landscaping business/open storage use) or leave it in place.

Discussion regarding CUPs and applicability.

August 1, 2016: Planning & Zoning Commission Meeting Excerpt, continued

Mr. Chandler explained that some properties have had multiple CUPs with previously approved CUPs being revoked. Otherwise, the CUPs would run with the land. Mr. Chandler explained Staff was fine with leaving the prior CUP in place; however, the Commission has the option to recommendation revocation of the prior CUP.

Discussion about a time period recommendation being added to the current CUP request.

Mr. Chandler stated Ms. Trudi Dill, Deputy City Attorney, explained that the prior CUP should be "repealed" and reads from the UDC, Section 3.5.6, Revocation and Modification:

A CUP may be revoked or modified, after notice to the property owner and a hearing before the City Council, for any of the following reasons:

- A. The CUP was obtained or extended by fraud or deception;
- B. One or more of the conditions imposed by the permit has not been met or has been violated; or
- C. The CUP previously authorized is determined to be detrimental to the public health, safety and/or welfare.

Chair Jones opened the public hearing.

Ms. Nicole Graham-Ponce, 12101 Trinity Boulevard, Euless, Texas 76040, stated she was the General Manager at the Manheim Dallas-Fort Worth location. Manheim would like to have a two lane wholesale auto auction for licensed car dealers only.

Ms. Graham-Ponce stated they do anticipate getting one-car, three-car haulers. Usually on smaller off-site sales the independent car dealers are attracted, typically local, within 60 miles. The dealers that buy outside of the local area will bring a one- or three-car hauler in. Eight- to ten-car haulers are not typical for these sales since they are fairly small and contained.

Ms. Graham-Ponce could not guarantee there would never be an inoperable car on the premises nor could she guarantee there would not be someone who would pull up with a one-car hauler on the back road (Greenview Drive) but believes there is enough room on-site to contain those.

Ms. Redmond and the applicant have discussed the possibility of taking the adjacent property to the north and providing additional parking if needed. Staff informed Ms. Graham-Ponce of the additional CUP that would be required for this adjacent property to the north.

Ms. Graham-Ponce informed the Commission she is currently in discussions with the property owner on this issue. If her company finds out this auction business turns into a bigger thing, they will definitely go down that route.

This is a sale Ms. Graham-Ponce believes they could fulfill twice a month, second and fourth Mondays. If the volume increases sales would be held every Monday. This would keep capacity down and the cars will turn quickly. Unlike a normal auto auction, these are dealer cars, people come in, they sell, and buyers pick them up quickly so they do not sit very long.

August 1, 2016: Planning & Zoning Commission Meeting Excerpt, continued

The number of cars expected to be sitting at one time could be 100 to 150 and approximately 50 people will show up in lane at these auctions and approximately 70 online since online simulcast is offered.

Chair Jones was concerned about the parking space available. Ms. Graham-Ponce responded when they walked off the lot there were approximately 200 spaces, without restriping.

Mr. Justin Fuller, Clark & Fuller, 215 North Main Street, stated with the existing layout there are 152 parking spaces.

Ms. Graham-Ponce added if overcapacity occurred sales could be held every week. Currently they are gathering the business and going through the entire process which includes the CUP request. Based on the information they know today, if they could get 100 cars every two weeks (which they feel is feasible) but reach capacity, they could go every week. Eventually they would like to go every week.

Ms. Graham-Ponce stated their mission was to try to keep traffic off of the road but could not guarantee it. Manheim wants to be compliant with the CUP and also be a good neighbor.

Mr. Fuller commented that Greenview was not a heavily used road and felt it would have enough room for a small transporter to park and still allow plenty of room for other traffic.

When asked how many transporters, trailers, haulers, etc., could be on site at any one time, Ms. Graham-Ponce stated it would depend on the buyer base. Off-site sales do not typically see a lot of them since most of the buyers are small independents within 60 miles and it is highly unlikely they would all show up at the same time. The business would be staffed to assist folks with loading and unloading.

The two service bays are the only part of the property that will be used. The showroom side will not be used. The cars will be parked like a car dealership, the parking spaces will be restriped which will provide more spaces, the cars will drive through the property through the service bays, auctioned off in the service bays, drive out and go back into that parking spot.

Typically the cars are gone within 24 hours and by that time if a car buyer comes in with a three-car hauler, a third of the inventory is already gone. This is a fast turn business; not a bunch of repossessed cars or commercial cars that sit for a long time.

Ms. Graham-Ponce commented that an auction with 100 cars lasts approximately one and half hours.

The vehicles come from car dealers. They bring them to Manheim and Manheim sells them to other car dealers. They have a business in Killeen, a couple in Weatherford, one in Arlington.

Chair Jones asked the applicant her thoughts on the previously approved CUP. Ms. Graham-Ponce replied they have no interest in selling landscaping/equipment, etc.; they want to sell cars and would leave it to the Commission to decide.

Mr. Chandler commented on the overflow parking and cited Condition No. 2 previously stated that all automobiles offered for sale are contained on the property. The P&Z Commission

August 1, 2016: Planning & Zoning Commission Meeting Excerpt, continued

could modify that statement to state essentially that all vehicles are contained on the property which includes customers. No overflow parking on Greenview or on the lot to the north. If the applicant needs that north lot they would return for another CUP.

There being no further speakers, Chair Jones closed the public hearing.

Commissioner Pitts asked that any motion made include absolutely no parking of any kind on the frontage road of Loop 363.

Mr. Chandler stated the Loop frontage belonged to TxDOT and Greenview was a City street.

Just to clarify, Mr. Chandler informed the Commission if it is a condition of the CUP right now, that condition is only related to the automobiles offered for sale and not the transport vehicles, not the customers, and not the employees. The Commission might want to consider that to revise the previous six conditions mentioned.

Vice-Chair Johnson recommended the inclusion of repealing the previously approved CUP for landscaping/equipment, etc. in any motion made.

Vice-Chair Johnson made a motion to approve Item 3, **Z-FY-16-40**, to include the six conditions stated by Staff, and adding two additional conditions: 1) that transport vehicles are prohibited to park on Loop 363 frontage road, and 2) the previous CUP (Ordinance No. 2010-4362) approved for outdoor retail display including storage sheds, a garden center with landscaping and lawn supplies be repealed. Commissioner Rhoads made a second.

*Motion passed: (6:0)*

Commissioners Alaniz, Sears, and Fettig absent



ORDINANCE NO. \_\_\_\_\_  
(Z-FY-16-40)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, APPROVING A CONDITIONAL USE PERMIT TO ALLOW WHOLESALE AUTOMOBILE AUCTIONS FOR DEALERS ON LOT 1, BLOCK 1, WILDFLOWER COMMERCE PARK IV, BELL COUNTY TEXAS, LOCATED AT 5615 SOUTHWEST H.K. DODGEN LOOP; DECLARING FINDINGS OF FACT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, the applicant has requested a Conditional Use Permit (CUP) to allow wholesale automobile auctions for dealers at 5615 Southwest H.K. Dodgen Loop;

**Whereas**, the Comprehensive Zoning Ordinance of the City of Temple, Texas, provides for the issuance of conditional use permits under certain conditions and authorizes the City Council to impose such developmental standards and safeguards as the conditions and locations indicate to be important to the welfare or protection of adjacent property and for the protection of adjacent property from excessive noise, vibration, dust, dirt, smoke, fumes, gas, odor, explosion, glare, offensive view or other undesirable or hazardous conditions, and for the establishment of conditions of operation, time limits, location, arrangement and construction for any use for which a permit is authorized;

**Whereas**, the Planning and Zoning Commission of the City of Temple, Texas, after due consideration of the conditions and operation of said property located on Lot 1, Block 1, Wildflower Commerce Park IV, Bell County, Texas, and located at 5615 Southwest H.K. Dodgen Loop, Temple, Texas, recommends that the City Council approve the application for this Conditional Use Permit to allow wholesale automobile auctions for dealers; and

**Whereas**, the City Council of the City of Temple, Texas, after public notice as required by law, has at a public hearing, carefully considered all the evidence submitted by the applicant concerning the proposed plans and has heard the comments and evidence presented by all persons supporting or opposing this application at said public hearing, and after examining the conditions, operation and the location of said establishment, finds that the proposed use of the premises substantially complies with the comprehensive plan and the area plan adopted by the City Council.

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

**Part 1:** The City Council approves a Conditional Use Permit (CUP) to allow wholesale automobile auctions for dealers on Lot 1, Block 1, Wildflower Commerce Park IV, Bell County, Texas, and located at 5615 Southwest H.K. Dodgen Loop, Temple, Texas.

**Part 2:** The owners/applicants, shall comply with following standards:

- all automobile auction operations are to be held inside the enclosed building;
- all automobiles offered for sale are contained on this property;
- no junked or inoperable cars are visible from outside of the property;
- all repair work must take place completely inside the building;
- the existing parking lot will be newly striped prior to the business operating; and
- no salvage auctions are permitted on the property.

**Part 3:** The Director of Planning is hereby directed to make the necessary changes to the City Zoning Map accordingly.

**Part 4:** The declarations, determinations and findings declared, made and found in the preamble of this ordinance are hereby adopted, restated and made a part of the operative provisions hereof.

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

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

**Part 7:** It is hereby officially found and determined that the meeting at which this Ordinance 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 **1<sup>st</sup>** day of **September**, 2016.

PASSED AND APPROVED on Second Reading on the **15<sup>th</sup>** day of **September**, 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

09/01/16  
Item #7  
Regular Agenda  
Page 1 of 4

### **DEPARTMENT / DIVISION SUBMISSION & REVIEW:**

Mark Baker, Senior Planner

**ITEM DESCRIPTION:** FIRST READING - PUBLIC HEARING - Z-FY-16-41: Consider adopting an ordinance authorizing a Conditional Use Permit to allow sales of beer and wine only, for on-premise consumption, where the gross revenue from such sales is less than 75% of the total gross revenue of the establishment, on Lot 1A, Block 1, Canyon Creek Place Section 2, located at 1710 Canyon Creek Drive, Suites B & C.

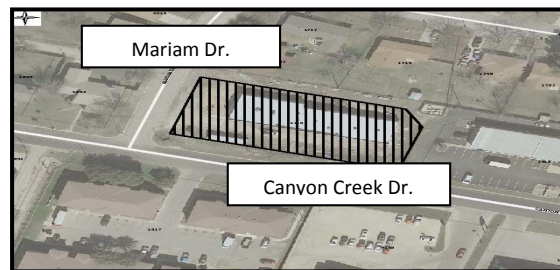


Figure 2: Aerial Location Map

**PLANNING & ZONING COMMISSION RECOMMENDATION:** At their August 1, 2016 meeting, the Planning & Zoning Commission voted 6 to 0 to recommend approval of the proposed conditional use permit as presented by staff.

**STAFF RECOMMENDATION:** Based on the following analysis that:

1. The project has demonstrated compliance with the specific standards in Unified Development Code (UDC) Section 5.3.15;
2. The project has demonstrated compliance to Chapter 4 of the City of Temple Code of Ordinances related to alcoholic beverages; and
3. The request is consistent with zoning and compatible with existing adjacent and anticipated retail and service uses.

Staff recommends approval of the requested Conditional Use Permit to allow sales of beer and wine only where less than 75% of the total gross revenue of the establishment, subject to the following conditions:

1. That the sale of beer and wine be restricted to on-premise consumption only, contained within the developed site of Lot 1A, Block 1 of the Canyon Creek Place, Section 2 subdivision, located at 1710 Canyon Creek Drive, Suites B & C;

2. The use is subject to compliance to Chapter 4 of the City Code of Ordinances related to alcoholic beverages; and
3. That the Conditional Use, complies with UDC Section 5.3.15 related to beer and wine only sales with on-premise consumption.

**ITEM SUMMARY:** The existing establishment provides for indoor dining exclusively and there are no accommodations for an outdoor patio area. This request is for the existing Roopa's Kitchen restaurant, located in Suites B & C on Lot 1A of the recorded Canyon Creek Place, Section 2 subdivision, at 1710 Canyon Creek Drive.

**BACKGROUND:** The Existing Roopa's Kitchen occupies Suites B & C of the existing strip center as shown by Exhibit A. The two existing suites (B & C) are located within Lot 1A, of the recorded Canyon Creek Place, Section 2, Final Plat as shown by Exhibit B, is subject to Ordinance 2011-4442 as a Planned Development. The PD ordinance currently allows a convenience store with on-premise sales but no on-premise consumption.

Per Ordinance 2011-4442, approved on May 5, 2011, the property is zoned Planned Development - Neighborhood Service (PD-NS). The base zoning of NS requires a conditional use permit (C.U.P.) for sales of beer and wine with on-premise consumption where less than 75% of the gross revenue is from the sale of beer and wine.

If approved, the conditional use permit would amend Planned Development Ordinance 2011-4442 by a new ordinance and allow the conditional use permit for the on-premise consumption of beer and wine only as well as the convenience store in the neighboring suite. Discussion related to Comprehensive Plan compliance was addressed during the related analysis of that request.

Specific to this request, a restaurant that generates less than 75% of its total gross revenue from the sale of beer and wine only is a compatible use subject to approval of a Conditional Use Permit. The use as a restaurant with on-premise consumption of beer and wine only is compatible with the existing and range of permitted retail and service uses within the surrounding area.

Section 5.3.15 of the Unified Development Code provides for multiple performance standards related to the provision of a Conditional Use Permit for the on-premise sale of alcoholic beverages. Some of which include, but not limited to:

- *The permittee must comply with applicable licensing and permit provisions of the Alcoholic Beverage Code within 6 months from the date of the issuance of the Conditional Use Permit, such limitation in time being subject to City review and possible extension,*
- *The permittee must demonstrate that the granting of the permit would not be detrimental to the public welfare of the Citizens of the City,*
- *The permittee must, at all times, provide an adequate number of employees for security purposes to adequately control the establishment to prevent incidents of drunkenness, disorderly conduct and raucous behavior. The permittee must consult with the Chief of*



- *Police, who acts in an advisory capacity, to determine the number of qualified employees necessary to meet such obligations.*

*Additionally, the UDC states:*

*The City Council may deny or revoke a Conditional Use Permit in accordance with UDC Section 3.5 if it affirmatively determines that the issuance of the permit is:*

- Incompatible with the surrounding uses of property; or*
- Detrimental or offensive to the neighborhood or contrary to the health, safety and general welfare of the City and its inhabitants, and*
- Per UDC Section 3.5.5, the Planning & Zoning Commission may recommend and the City Council may impose additional conditions of approval.*

Adherence to UDC Section 5.3.15 in its entirety is included by reference in the Ordinance as conditions of approval. A Conditional Use Permit runs with the property and a change in ownership or change in the lessee does not affect the Conditional Use Permit.

Further, UDC Section 5.3.15B provides standards for all establishments with alcoholic beverage sales with on-premise consumption that is less than 75% of the gross total revenue. The standards include a distance requirement of not being within 300 feet of a place of worship, public school or public hospital and how the distance is measured. Using the calculation prescribed by UDC Sec. 5.3.15B2, the nearest sensitive use is Canyon Creek Baptist Church located approximately 1,641 feet away.

Lastly, Chapter 4 of the City of Temple Code of Ordinances reiterates state laws for distancing with regard to alcohol sales and on-premise consumption. Compliance to Chapter 4 standards are required and are included as a condition.

**DEVELOPMENT REVIEW COMMITTEE (DRC):** The DRC reviewed the proposed conditional use permit on July 18, 2016. No issues were identified during the review.

**PUBLIC NOTICE:** Twenty properties 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 August 23, 2016 at 9:00 AM, three notices in agreement, one notice in disagreement and two notices returned as undeliverable have been received.

The newspaper printed notice of the public hearing on July 21, 2016, in accordance with state law and local ordinance.

**FISCAL IMPACT:** Not Applicable

**ATTACHMENTS:**

Chapter 4 – Code of Ordinances – Alcoholic Beverages  
Site and Surrounding Property Photos  
Aerial Map  
Zoning Map  
Site Plan for Existing Plaza (Exhibit A)  
Canyon Creek Place, Section 2, Final Plat (Exhibit B)  
Notification Map  
Returned Property Notices  
Ord. 2011-4442  
Ordinance

## **Chapter 4**

### **ALCOHOLIC BEVERAGES**

#### **ARTICLE I. EXTENDED HOURS**

##### **Sec. 4-1. Extended hours.**

The City of Temple is an "extended hours area" as that term is defined in the Texas Alcoholic Beverage Code. (Ref. V.T.C.A., Alcoholic Beverage Code § 105.06)

#### **ARTICLE II. SPACING**

##### **Sec. 4-2. Sales near school, church or hospital.**

It is an offense for any person to sell alcoholic beverages at a place of business which is within 300 feet of a church, public school or public hospital. (Ref. V.T.C.A., Alcoholic Beverage Code § 109.33)

##### **Sec. 4-3. Measurement for church or public hospital.**

The measurement of the distance between the place of business where alcoholic beverages are sold and the church or public hospital shall be along the property lines of the street fronts and from front door to front door, and in a direct line across intersections.

##### **Sec. 4-4. Measurement for public school.**

The measurement of the distance between the place of business where alcoholic beverages are sold and the public school shall be:

(a) in a direct line from the property line of the public school to the property line of the place of business, and in a direct line across intersections; or

(b) if the permit or license holder is located on or above the fifth story of a multistory building, in a direct line from the property line of the public school to the property line of the place of business, in a direct line across intersections, and vertically up the building at the property line to the base of the floor on which the permit or license holder is located.

**Sections 4-5 through 4-10 reserved.**

### **ARTICLE III. LICENSE AND PERMIT FEES**

#### **Sec. 4-11. Alcoholic beverage license and permit fees.**

A license fee and permit fee is levied in the amount of one-half of the state license and permit fees for each permit issued for premises located within the City, except for permits that are exempted from municipal fees. The city license and permit fees shall be paid to the City at the same time that the state license and permit fees are paid to the state. (Ref. V.T.C.A. Alcoholic Beverage Code § 11.38, § 61.36.

#### **Sec. 4-12. Display.**

It is an offense for any person licensed under this article to fail to display ~~such~~ the City license and keep the same displayed in a conspicuous place in the place of business licensed.

**Sections 4-13 through 4-20 reserved.**

### **ARTICLE IV. SALE OF ALCOHOLIC BEVERAGES ON CITY PROPERTY**

#### **Sec. 4-21. Sale of alcoholic beverages on city property prohibited except where specially permitted.**

(a) **City Property.** It shall be unlawful for any person to sell alcoholic beverages in any public park of the city, or on or in other publicly owned property, save and except that the city and concessionaires or caterers having a contract with the city to sell alcoholic beverages at the Frank W. Mayborn Civic and Convention Center, Santa Fe Depot, and at Sammons Park, if properly licensed, may sell alcoholic beverages upon the premises of the civic and convention center, depot, and within the Sammons Park Restaurant, Clubhouse, and deck exclusively. The city manager or his designee may authorize a special event permit for the sale of alcoholic beverages on city property other than a city park.

(b) **Criteria for Permits.** The City Council shall from time to time by resolution establish criteria for special event permit applications and approvals under this section.

(Ordinance No. 2009-4323, 11-05-09)



## Site & Surrounding Property Photos



**Site – Existing Roopa's Kitchen (PD-NS)**



**North: SF Residential Uses – Terrace Gardens First Unit, subdivision (2F)**



**South: Raintree Apartment Complex (C)**



**East: Retail & Service Uses along Canyon Creek Dr. (C, PD-NS, NS & O-1)**





**West: SF Uses along Canyon Creek Dr. – Canyon Creek, Phase I subdivision  
(2F & C)**



Conditional Use Permit

## AERIAL MAP

Zoning Case :  
Z-FY-16-41

Address :  
1710 Canyon Creek Dr

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

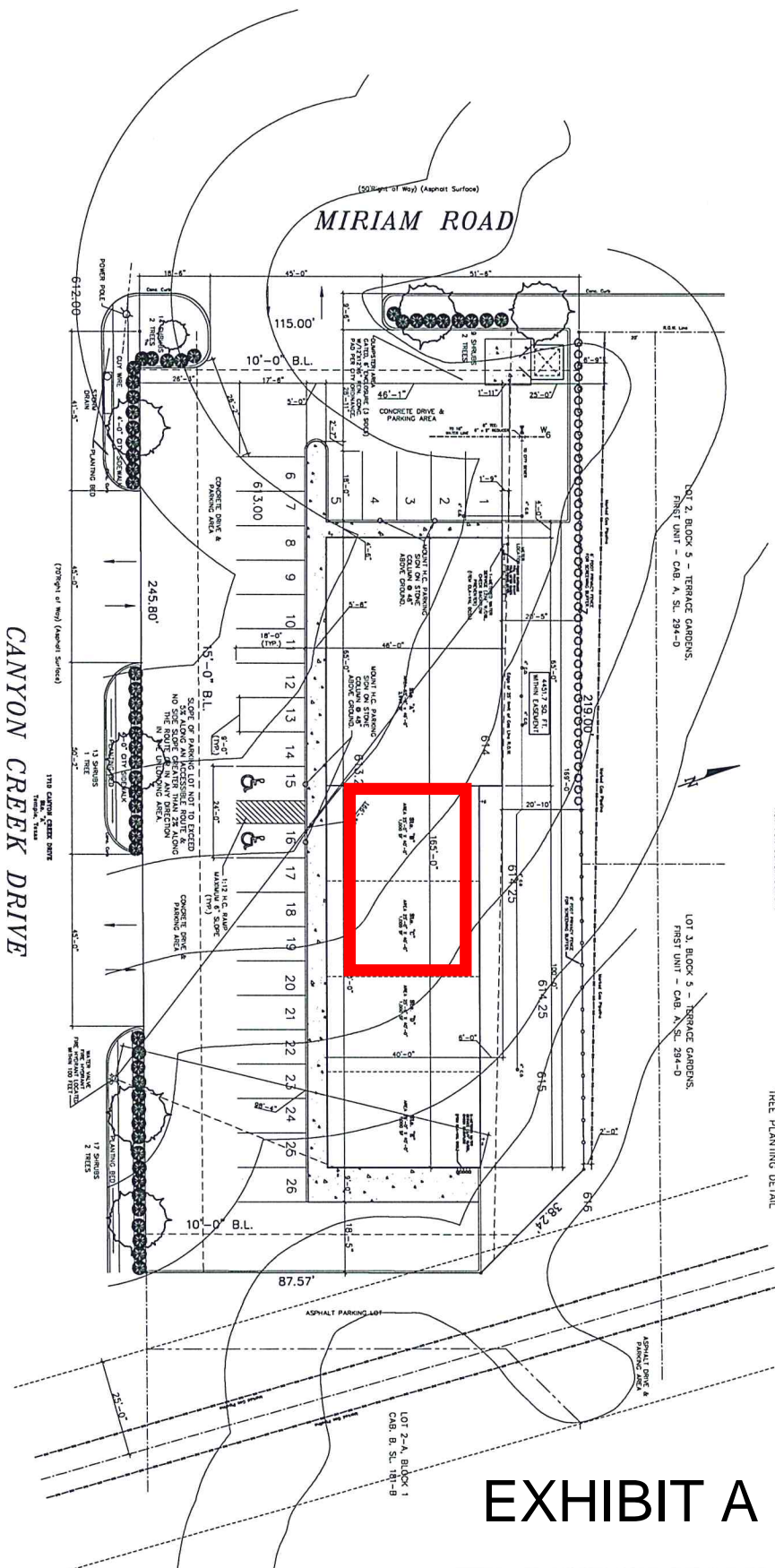
GIS products are for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. They do not represent an on-the-ground survey and represent only the approximate relative location of property boundaries and other features.

mbaker  
Date: 6/30/2016









LANDSCAPE REQUIREMENTS	
TREES	ROW Length = $225.8 / 10 = 22.58$ required
Canopy & Size	8/5-2/0 required
SHRUBS	ROW Length = $225.8 / 5 = 45.16$ required
2x0	2" Caliper 6' High Live Oaks
7x0	5' Crepe Myrtle
5.5x0 4" Pots	Yucca Holly "Dwarf" Shrubs
Ground Cover	Asian Jasmine / Desmodium Sage & "Pine Bark" mulch

PROPOSED IRRIGATION	
LAWN/GRASS	TYPE: HOSE BIB WITH IN 100' OF IRRIGANT
FLOWER BEDS	TYPE: HOSE BIB WITH IN 100' OF IRRIGANT
BACKLAWN PRIVILEGE	TYPE: 3/4" Fesco Model 755 or equivalent
WATERLINE	SIZE: 1" TYPE: PVC

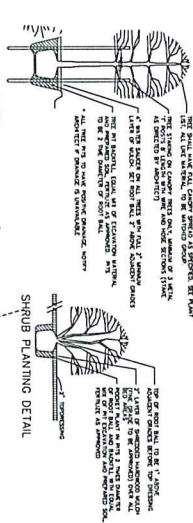
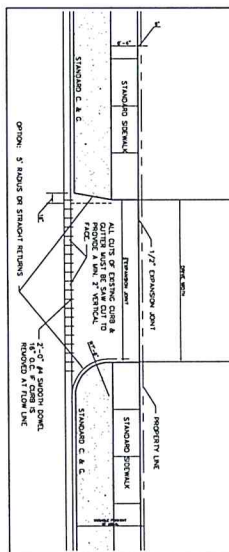
\* LANDSCAPING CALCULATIONS ARE BASED ON LOT FRONTAGE REQUIREMENTS AND INSTALLATION AND/OR ARRANGEMENT MAY VARY FROM SHOWN HEREON.

**PARKING REQUIREMENTS (FOR NEW RETAIL SPACE,**

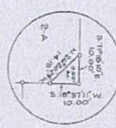
BUSINESS 8'-400 S.T. / 2-10 S.T. = 40 EA.  
HANDICAPPED PARKING SPACE W/ 6'-6" X 18' LOADING AREA = 2 EA.  
PARKING SHOWN  
STD. PARKING SPACES (9'X18') = 24 EA.  
HANDICAPPED PARKING SPACE W/ 6'-6" X 18' LOADING AREA = 2 EA.

1. ALL PARTS OF THE PERIMETER OF THE STRUCTURE SHOWN HEREON ARE LESS THAN 150 FEET FROM A PUBLIC STREET. THEREFORE, UPON CONTRIBITION OF THE FIRE MARSHAL, NO FIRE LANE IS REQUIRED FOR THIS PROJECT.

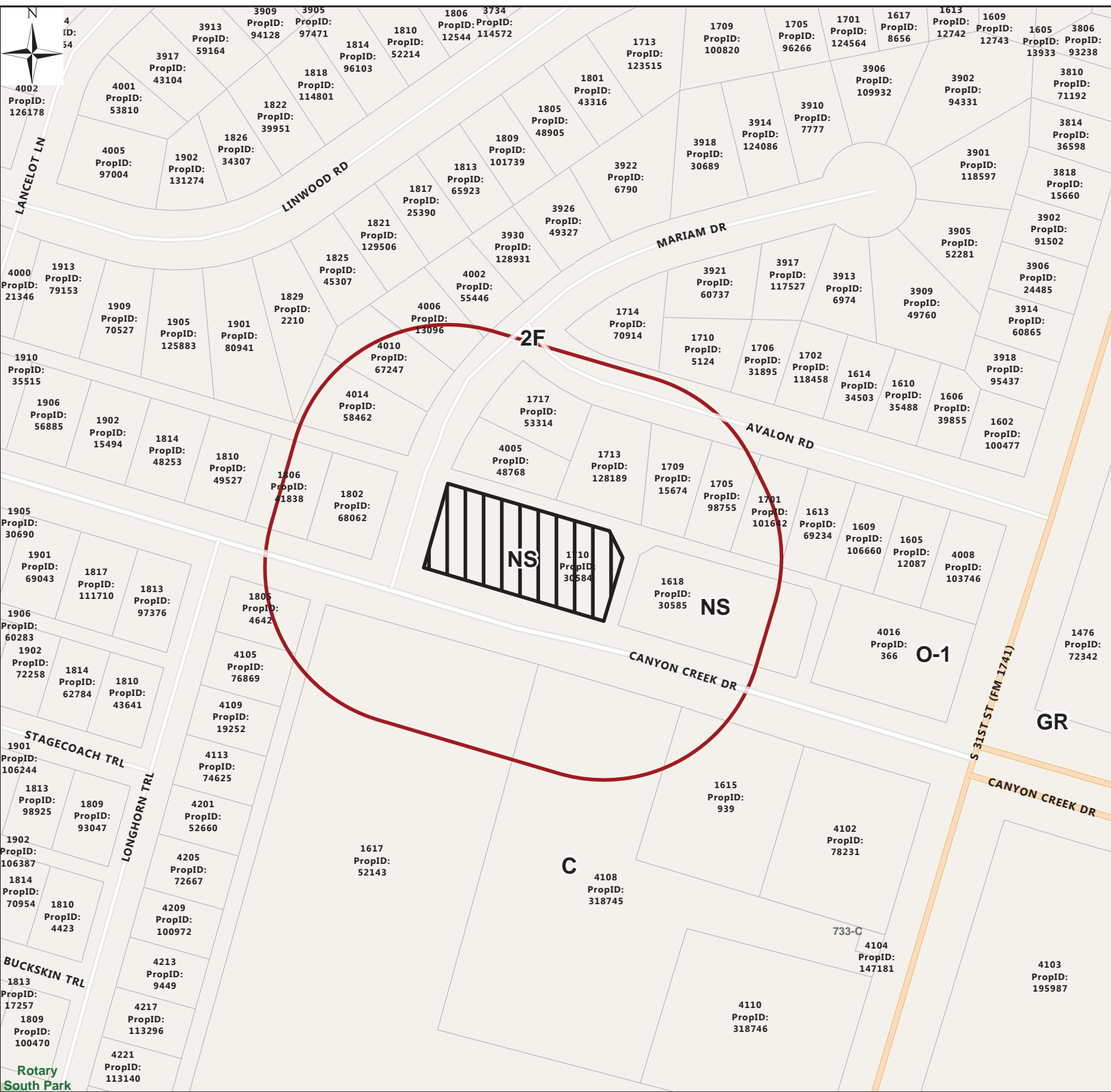
FOR PERMITTING PURPOSES ONLY  
NOT FOR CONSTRUCTION.





So. 31<sup>ST</sup>. STREET

Graphic Scale TD 1015



# Conditional Use Permit

## 200' NOTIFICATION MAP

Zoning Case :  
Z-FY-16-41  
Address :  
1710 Canyon Creek Dr

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: 6/30/2016







RECEIVED  
JUL 26 2016  
ER

RESPONSE TO PROPOSED  
REZONING REQUEST  
CITY OF TEMPLE

HOUSING AUTHORITY OF CITY OF TEMPLE  
700 W CALHOUN AVE  
TEMPLE, TX 76501-4218

Zoning Application Number: Z-FY-16-41 Case Manager: Mark Baker

Location: 1710 Canyon Creek Drive, Suites B & C

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 ☒ agree ( ) disagree with this request

Comments:

NONE

Barbara B. Bozon  
Signature

BARBARA B. BOZON, CPA  
Print Name 7/26/16

If you would like to submit a response, please email a scanned version of this completed form to the Case Manager referenced above, [mbaker@templetx.gov](mailto:mbaker@templetx.gov), or mail or hand-deliver this comment form to the address below, no later than **August 1, 2016**.

City of Temple  
Planning Department  
2 North Main Street, Suite 102  
Temple, Texas 76501

RECEIVED  
JUL 27 2016  
City of Temple  
Planning & Development

Number of Notices Mailed: 20

Date Mailed: July 21, 2016

**OPTIONAL:** Please feel free to email questions or comments directly to the Case Manager or call us at 254.298.5668.



RESPONSE TO PROPOSED  
REZONING REQUEST  
CITY OF TEMPLE

MAREK, JOAN SMITH  
1802 CANYON CREEK DR  
TEMPLE, TX 76502-3211

Zoning Application Number: Z-FY-16-41

Case Manager: Mark Baker

Location: 1710 Canyon Creek Drive, Suites B & C

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 ☐ agree

☒ disagree with this request

Comments:

THIS IS A FAMILY NEIGHBORHOOD AND  
MORE LIQUOR AVAILABILITY IS WRONG!

Signature

Print Name

If you would like to submit a response, please email a scanned version of this completed form to the Case Manager referenced above, [mbaker@templetx.gov](mailto:mbaker@templetx.gov), or mail or hand-deliver this comment form to the address below, no later than **August 1, 2016**.

City of Temple  
Planning Department  
2 North Main Street, Suite 102  
Temple, Texas 76501

**RECEIVED**

JUL 27 2016

City of Temple  
Planning & Development

Number of Notices Mailed: 20

Date Mailed: July 21, 2016

**OPTIONAL:** Please feel free to email questions or comments directly to the Case Manager or call us at 254.298.5668.



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

PLEASANT GRAY PROPERTIES LLC  
5304 BRIARCREST CIR  
TEMPLE, TX 76502

**Zoning Application Number: Z-FY-16-41**

**Case Manager: Mark Baker**

**Location: 1710 Canyon Creek Drive, Suites B & C**

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 ☒ agree

( ) disagree with this request

**Comments:**

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**Signature**

**Print Name**

Todd Gordon

If you would like to submit a response, please email a scanned version of this completed form to the Case Manager referenced above, [mbaker@templetx.gov](mailto:mbaker@templetx.gov), or mail or hand-deliver this comment form to the address below, no later than **August 1, 2016**.

**RECEIVED**

**City of Temple  
Planning Department  
2 North Main Street, Suite 102  
Temple, Texas 76501**

**JUL 28 2016**  
City of Temple  
Planning & Development

Number of Notices Mailed: 20

Date Mailed: July 21, 2016

***OPTIONAL: Please feel free to email questions or comments directly to the Case Manager or call us at 254.298.5668.***





RESPONSE TO PROPOSED  
REZONING REQUEST  
CITY OF TEMPLE

SIMECEK, KAREL G ETUX RUBY L  
1319 N 6TH ST  
TEMPLE, TX 76501-2030

Zoning Application Number: Z-FY-16-41

Case Manager: Mark Baker

Location: 1710 Canyon Creek Drive, Suites B & C

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 ☒ agree

( ) disagree with this request

Comments:

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Karel Simecek  
Signature

Karel Simecek  
Print Name

If you would like to submit a response, please email a scanned version of this completed form to the Case Manager referenced above, [mbaker@templetx.gov](mailto:mbaker@templetx.gov), or mail or hand-deliver this comment form to the address below, no later than **August 1, 2016**.

RECEIVED

City of Temple  
Planning Department  
2 North Main Street, Suite 102  
Temple, Texas 76501

JUL 28 2016  
City of Temple  
Planning & Development

Number of Notices Mailed: 20

Date Mailed: July 21, 2016

**OPTIONAL:** Please feel free to email questions or comments directly to the Case Manager or call us at 254.298.5668.



[PLANNING NO. Z-FY-11-24]

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, APPROVING A REZONING FROM NEIGHBORHOOD SERVICES DISTRICT (NS) TO PLANNED DEVELOPMENT NEIGHBORHOOD SERVICE PLUS ALCOHOL BEVERAGE SALES, OFF-PREMISE CONSUMPTION, BEER AND WINE STORE ON LOT 1-A, BLOCK 1, CANYON CREEK PLACE II ADDITION, LCOATED AT 1710 CANYON CREEK DRIVE; 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 Neighborhood Services District (NS) to Planned Development Neighborhood Service plus alcohol beverage sales, off-premise consumption, beer and wine store, on Lot 1-A, Block 1, Canyon Creek Place II Addition, located at 1710 Canyon Creek Drive in the City of Temple, Bell County, Texas, more fully described in Exhibit A, attached hereto and made a part hereof for all purposes.

Part 2: In accordance with Section 3.4 of the Unified Development Code (UDC) of the City of Temple, the City Zoning Map is amended by changing the zoning classification of the property described in Part 1 above, to Planned Development Neighborhood Service District. The planned development shall comply with all applicable sections of the Code of Ordinances of the City of Temple, Texas, and all local, State and Federal laws and regulations as they may now read or hereafter be amended, including but not limited to the following conditions:

- (a) Except as modified by the binding site development plan, attached hereto as Exhibit B, the use and development standards of the property must conform to the requirements of the Neighborhood Services Zoning District.
- (b) In addition to the uses permitted in the Neighborhood Services Zoning District, alcohol beverage sales, off-premise consumption, beer and wine store is a permitted use.
- (c) In the event of a conflict between the site development plan and the text of the Planned Development ordinance, the stricter standard applies.

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

Part 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.

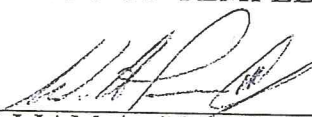
**Part 5:** This ordinance shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Temple, Texas, and it is accordingly so ordained.

**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 21<sup>st</sup> day of April, 2011.

PASSED AND APPROVED on Second Reading on the 5<sup>th</sup> day of May, 2011.

THE CITY OF TEMPLE, TEXAS

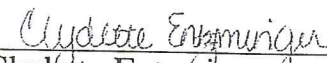
  
\_\_\_\_\_  
WILLIAM A. JONES, III, Mayor

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Jonathan Graham  
City Attorney

ATTEST:



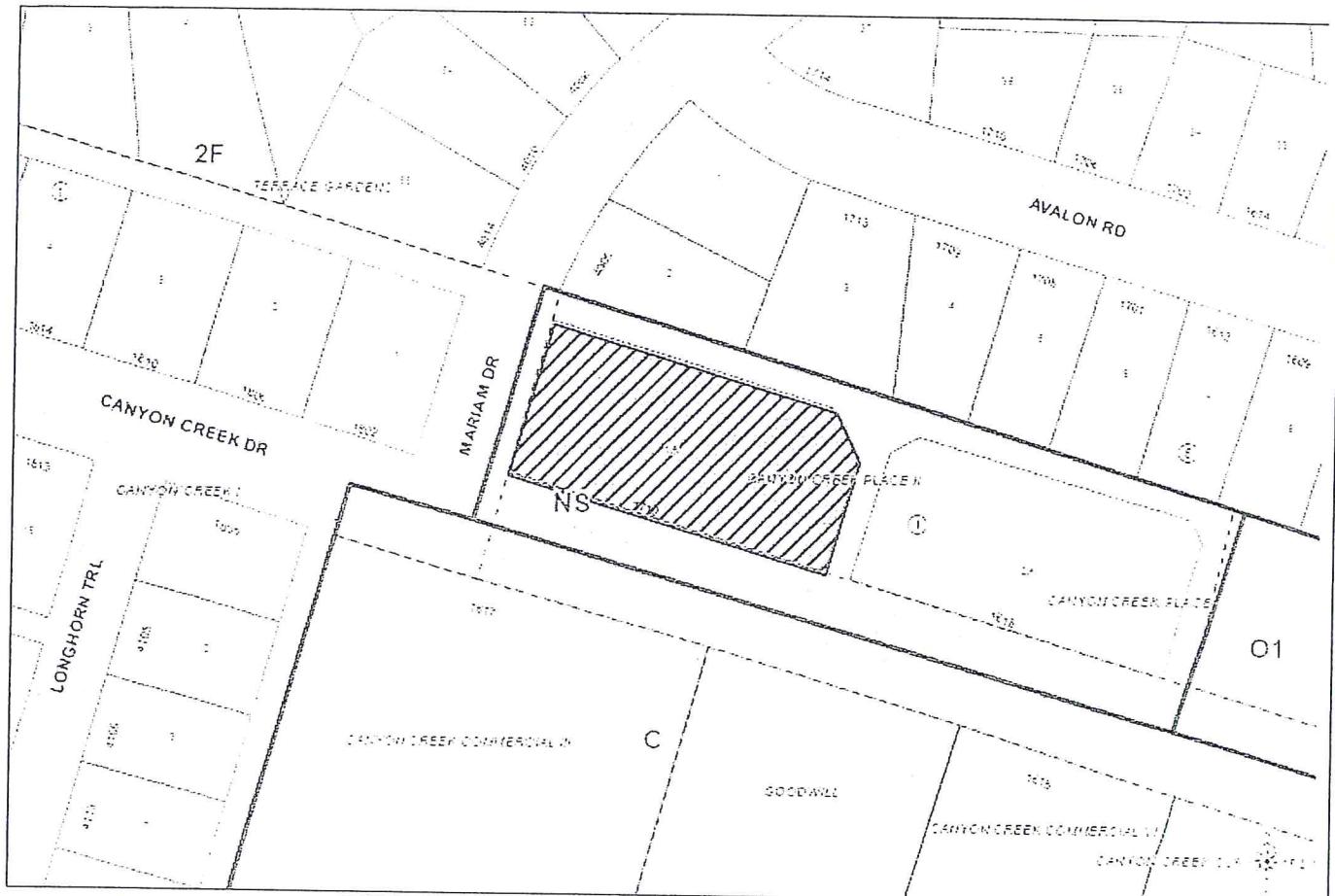
  
\_\_\_\_\_  
Clydette Entzminger  
City Secretary



Z-FY-11-24

Lot 1-A, Block 1,  
Canyon Creek Place II

1710 Canyon Creek Drive



Z FY 11-24  
Lots

123

Zoning Boundary  
Blocks

OUTSTANDING  
3

Subdivision  
Outblock

Addition  
123

Addresses 321

Page 2 50 100 150 200

LMetlock Planning 2025

**EXCERPTS FROM THE  
PLANNING & ZONING COMMISSION MEETING  
MONDAY, AUGUST 1, 2016**

**ACTION ITEMS**

**Item 4: Z-FY-16-41** - Hold a public hearing to consider and recommend action on a Conditional Use Permit (CUP) to allow sales of beer and wine only, for on-premise consumption, where the gross revenue from such sales is less than 75% of the total gross revenue of the establishment, on Lot 1A, Block 1, Canyon Creek Place Section 2, located at 1710 Canyon Creek Drive, Suites B & C.

Mr. Mark Baker, Senior Planner, stated this item was scheduled to go forward to City Council for first reading on September 1, 2016 and for second reading on September 15, 2016.

Lot 1A (includes Suites B and C) are already addressed in Ordinance No. 2011-4442, approved May 5, 2011, for a Planned Development (PD) with a base zoning of Neighborhood Service (NS) to allow beer and wine sales with off-premise consumption (convenience store). This PD would not address the current request which is the sale of beer and wine for on-premise consumption with a base zoning of NS which requires a CUP.

This request is for the existing Roopa's Kitchen which is currently occupied in Suites B and C.

Site plan and aerial map shown.

Subject to Chapter 4 of the Code of Ordinances (Alcoholic Beverages), this request is in compliance for:

- Sale of alcoholic beverages, and

- 300 foot minimum distances from sensitive uses (place of worship, public school or public hospital). The closest use is Canyon Creek Baptist Church located 1,641 feet east, per Chapter 4, Code of Ordinances and Texas Alcohol & Beverage Commission (TABC) measurement requirements.

UDC Section 5.3.15 reiterates those requirements in Chapter 4 and the request is in compliance for:

- UDC provisions for distance requirements from sensitive uses;

- Based on percentage of gross revenue generated by the type and percentage of anticipated gross generated income by establishment;

- Reiterates Chapter 4 requirements; and

- Provides additional distances from a public park for bars.

Zoning map is shown for NS base zoning:



Establishment which receives less than 75 percent of total gross revenue from the sales of beer and wine only with on-premise consumption is consistent with the base NS-district, subject to approval of a CUP.

Surrounding properties include Raintree Apartment Complex zoned C to the south, single family residential uses (Terrace Gardens First Unit Subdivision) zoned Two Family (2F) to the north, retail and service uses along Canyon Creek Drive zoned C, PD-NS, NS and Office-One (O-1) to the east, and single family uses (Canyon Creek, Phase 1 Subdivision) to the west.

Twenty notices were mailed out in accordance with state and local regulations with three notices returned in agreement and one notice returned in disagreement.

The request is in compliance with UDC Section 5.3.15, Chapter 4 (Code of Ordinances), and is consistent with zoning and compatible with existing adjacent and anticipated retail and service uses.

Staff recommends approval of the request for a CUP to allow sales of beer and wine only, for on-premise consumption, where the gross revenue from such sales is less than 75 percent of the total gross revenue of the establishment, subject to three conditions:

That the sale of beer and wine only be restricted to on-premise consumption only, contained within the developed site of Lot 1A, Block 1 of the Canyon Creek Place Section 2 subdivision, located at 1710 Canyon Creek Drive, Suites B & C;

The use is subject to compliance to Chapter 4 of the Code of Ordinances related to alcoholic beverages; and

That the conditional use, complies with UDC Section 5.3.15, related to alcoholic beverage sales with on-premise consumption.

Chair Jones opened the public hearing.

There being no speakers, the public hearing was closed.

Commissioner Crisp made a motion to approve Item 4, **Z-FY-16-41**, as presented, and Vice-Chair Johnson made a second.

*Motion passed: (6:0)*

Commissioners Alaniz, Sears, and Fettig absent

ORDINANCE NO. \_\_\_\_\_  
(Z-FY-16-41)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, APPROVING A CONDITIONAL USE PERMIT FOR THE SALE OF BEER AND WINE ONLY, FOR ON-PREMISE CONSUMPTION WHERE THE GROSS REVENUE FROM THE SALE IS LESS THAN 75% OF THE TOTAL GROSS REVENUE OF THE ESTABLISHMENT ON LOT 1A, BLOCK 1, CANYON CREEK PLACE SECTION 2, ON LOT 2, AND LOCATED AT 1710 CANYON CREEK DRIVE, SUITES B & C; DECLARING FINDINGS OF FACT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

---

**Whereas**, the Comprehensive Zoning Ordinance of the City of Temple, Texas, provides for the issuance of conditional use permits under certain conditions and authorizes the City Council to impose such developmental standards and safeguards as the conditions and locations indicate to be important to the welfare or protection of adjacent property and for the protection of adjacent property from excessive noise, vibration, dust, dirt, smoke, fumes, gas, odor, explosion, glare, offensive view or other undesirable or hazardous conditions, and for the establishment of conditions of operation, time limits, location, arrangement and construction for any use for which a permit is authorized;

**Whereas**, the Planning and Zoning Commission of the City of Temple, Texas, after due consideration of the conditions, operation and location of property on Lot 1A, Block 1, Canyon Creek Place Section 2, located at 1710 Canyon Creek Drive, Suites B & C, recommends that the City Council approve the application for this Conditional Use Permit for the sale of beer and wine only, for on-premise consumption where the gross revenue from the sale of alcoholic beverages is less than 75% of the total gross revenue of the establishment sales; and

**Whereas**, the City Council of the City of Temple, Texas, after public notice as required by law, has at a public hearing, carefully considered all the evidence submitted by the applicant concerning the proposed plans for operation of said establishment and has heard the comments and evidence presented by all persons supporting or opposing this application at said public hearing, and after examining the conditions, operation and the location of said establishment, finds that the proposed use of the premises substantially complies with the comprehensive plan and the area plan adopted by the City Council.

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

**Part 1:** The City Council approves a Conditional Use Permit for the sale of beer and wine only, for on-premise consumption where the gross revenue from the sale of alcoholic beverages is less than 75% of the total gross revenue of the establishment for property on Lot 1A, Block 1, Canyon Creek Place Section 2, located at 1710 Canyon Creek Drive, Suites B & C, more fully described in Exhibit 'A', attached hereto and made a part hereof for all purposes.

**Part 2:** The owners/applicants, their employees, lessees, agents or representatives, hereinafter called "permittee" operating an establishment with alcoholic beverage sales for on-premise consumption shall comply with following standards:

- A. The sale of beer and wine is restricted to on-premise consumption only, contained within the developed site of Lot 1A, Block 1, Canyon Creek Place Section 2, located at 1710 Canyon Creek Drive, Suites B & C;
- B. The use is subject to compliance to Chapter 4 of the City Code of Ordinances related to alcoholic beverages; and
- C. The Conditional Use must comply with UDC Section 5.3.15 related to all alcoholic beverage sales with on-premise consumption.

**Part 3:** The Director of Planning is hereby directed to make the necessary changes to the City Zoning Map accordingly.

**Part 4:** The declarations, determinations and findings declared, made and found in the preamble of this ordinance are hereby adopted, restated and made a part of the operative provisions hereof.

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

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

**Part 7:** It is hereby officially found and determined that the meeting at which this Ordinance 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 **1<sup>st</sup>** day of **September**, 2016.

PASSED AND APPROVED on Second Reading on the **15<sup>th</sup>** day of **September**, 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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09/01/16

Item #8

Regular Agenda

Page 1 of 1

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

Mitch Randles, Fire Chief  
Floyd Mitchell, Police Chief

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

**ITEM SUMMARY:** Chapter 143 of the Local Government Code requires that the Council establish by ordinance the classifications in the Police Department and the Fire Department, and prescribe by ordinance the number of positions in each classification. Increased demand for public safety services requires increased staffing in the Fire and Rescue Department and the Police Department to maintain efficient, effective public safety services.

**Fire Department Classified Positions:** It is recommended that three additional positions in the rank of Driver be added, and three positions in the rank of Firefighter be eliminated at this time. The additional Three Driver positions will allow the Department to assign a Driver to Rescue truck #3 on a consistent basis. Rescue truck #3 contains highly technical and specialized equipment which requires personnel who stay current with accepted uses and practices. It is used to provide redundant emergency medical response resources in the second busiest area of the city, and currently makes approximately 100 runs a month.

It is recommended that an additional position in the rank of Deputy Chief be added at this time. This position will be occupied by the Fire Marshal, making the Fire Marshal a division level supervisor who will oversee the inspection, investigation and prevention division within the Department. The Fire Marshal will supervise two public education personnel, nine TCOLE certified investigators, and 5 state certified fire inspectors. The Fire Marshal will also oversee TCOLE certification training and records for the division.

**Police Department Classified Positions:** It is recommended that six additional positions in the rank of Police Officer be added at this time. These additional 6 positions will be used to fulfill future staffing requirements.

**FISCAL IMPACT:** With the elimination of three firefighter position, additional funding in a net amount of \$37,629 is included in the FY 2017 Operating Budget for the addition of three driver positions for the Fire Department. The FY 2017 Operating Budget also includes additional funding in a net amount of \$17,559 for the one additional position in the rank of Deputy Chief and the elimination of one Fire Captain.

Funding in the amount of \$349,450 is included in the FY 2017 Operating Budget for the six new police officer positions for the Police Department.

### **ATTACHMENTS:**

[Classification Ordinance](#)



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

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AMENDING THE CLASSIFICATIONS OF CERTIFIED FIREFIGHTERS AND CERTIFIED POLICE OFFICERS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, Chapter 143 of the Local Government Code requires that the City Council establish, by ordinance, the number of positions in each classification for the Temple Fire and Rescue Department and the Temple Police Department;

**Whereas**, increased demand for public safety services requires increased staffing in the Fire and Rescue Department and the Police Department to maintain efficient, effective public safety services;

**Whereas**, Staff recommends that three additional positions in the rank of Driver be added and three positions in the rank of Firefighter be eliminated for the Temple Fire and Rescue Department;

**Whereas**, Staff recommends that one additional position in the rank of Deputy Chief be added and one position in the rank of Fire Captain be eliminated for the Temple Fire and Rescue Department;

**Whereas**, Staff recommends that six additional positions in the rank of Police Officer be added in the Police Department;

**Whereas**, with the elimination of three firefighter positions, additional funding in a net amount of \$37,629 is included in the FY 2017 Operating Budget for the addition of three driver positions in the Fire Department – the FY 2017 Operating Budget also includes additional funding in a net amount of \$17,559 for the one additional position in the rank of Deputy Chief and the elimination of one Fire Captain;

**Whereas**, funding is available in the amount of \$349,450 for the six police officer positions and is included in the FY 2017 Operating Budget; 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:** Council establishes the following Classifications and the Number of Positions of Certified Firefighters and Classifications and Number of Positions of Certified Police Officers for civil service positions in the Fire and Rescue and Police Departments:

## 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. *DEPUTY CHIEF* – 5 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.

#### B. *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.

#### C. *DRIVER* – 33 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.

#### D. *FIREFIGHTER* – 53 Positions

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.

## 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 the Chief of the Police Department who is not eligible for certification by the Commission on Law Enforcement Standards and Education at the intermediate level or its equivalent as determined by that Commission or who has not served as a bona fide law enforcement officer for at least 5 years.

#### B. *DEPUTY CHIEF* – 2 Positions

No person shall be eligible for appointment as a Deputy Chief who has not served as a Lieutenant or continuously served for a minimum of 2 years as a Sergeant in the Department.

### II. CLASSIFIED POSITIONS

#### A. *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. In addition to base pay, every Lieutenant having more than 5, 8, 12, 16 or 20 years of service in the Department shall receive the amount shown on the attached compensation plan for such increments of seniority.

#### B. *SERGEANT* – 16 Positions

No person shall be eligible for appointment as a Sergeant who has not served continuously as a Corporal in the Department for at least 2 years. In addition to base pay, every Sergeant having more than 3, 6, 10, 15 or 20 years of service in the Department shall receive the amount shown on the attached compensation plan for such increments of seniority.

#### C. *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. In addition to base pay, every Corporal having more than 3, 6, 10, 15 or 20 years of service in the Department shall receive the amount shown on the attached compensation plan for such increments of seniority.

D. *POLICE OFFICER* – 101 Positions

No person shall be eligible for appointment as a Probationary Police Officer who has not met the basic requirements for entrance into the Department. No person shall be eligible for a permanent appointment as a Police Officer who has not completed 1 year of satisfactory performance in the Department. In addition to base pay, every Police Officer who has 1, 3, 6, 10, 15 or 20 years of service in the Department shall receive the amount shown on the attached compensation plan for such increments of seniority.

**Part 3:** 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 4:** This ordinance shall take effect September 15, 2016.

**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 1<sup>st</sup> day of **September, 2016.**

PASSED AND APPROVED on Second Reading on the 15<sup>th</sup> day of **September, 2016.**

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, MAYOR

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

---

Kayla Landeros  
City Attorney





## COUNCIL AGENDA ITEM MEMORANDUM

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09/01/16  
Item #9  
Consent Agenda  
Page 1 of 2

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

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

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing change order #6 to the Outer Loop Phase III (Adams Avenue to Channel) construction contract with R.T. Schneider Construction Company, Ltd., of Belton, for construction services required for extension of the proposed roadway section in the deduct amount of \$181,403.80.

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

**ITEM SUMMARY:** West Temple is rapidly growing along the West Adams corridor. On December 4, 2014, Council authorized a construction contract with RTS for construction of the Outer Loop Phase 3 from Adams Avenue to the channel.

The original construction contract amount was \$2,368,916. Change orders to date have increased the contract \$564,470.69, or 23.8%, of the original contract amount. Change order #6 is the final change order and represents items not used for the project. The Change order results in a contract decrease of \$181,403.80, or 7.66%, of the original contract amount for a final contract amount of \$2,751,982.89.

The engineering consultant has reviewed the change order and recommends approval. There are no additional calendar days proposed for the change order.

Original Contract Amount	\$	2,368,916.00
Previous Net Change in Contract Amount	\$	564,470.69
Net Change in Contract Amount	\$	(181,403.80)
Revised Contract Amount	\$	2,751,982.89
Original Contract Time		240 Days
Net Change in contract Time to Date		316 Days
Net Change in Contract Time This CO		0 Days
Revised Contract Time		560 Days
Original Final Completion Date		August 16, 2015
Revised Final Completion Date		June 27, 2016

**FISCAL IMPACT:** The savings from the deductive change order with R.T. Schneider Construction Company, Ltd. in the total amount of \$181,403.80 will be realized in project 101121 as shown below:

	<u>365-3400-531-6813</u>	<u>520-5900-535-6521</u>	<u>Total</u>
Project Budget	\$ 6,893,692	\$ 1,428,071	\$ 8,321,763
Encumbered/Committed to Date	(2,484,821)	(752,895)	(3,237,716)
Deductive Change Order #2 – R.T. Schneider Construction	174,494	6,910	181,404
<b>Remaining Project Funds</b>	<b>\$ 4,583,365</b>	<b>\$ 682,086</b>	<b>\$ 5,265,451</b>

**ATTACHMENTS:**

Recommendation Letter  
Change Order  
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. "TRAE" SUTTON, III, P.E., CFM

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

August 9, 2016

Mr. Richard Wilson, P.E., CFM  
3210 E. Avenue H  
Building A  
Temple, Texas 76501

Re: City of Temple, Texas  
Outer Loop III A FM 2305 to Thompson Channel

Dear Mr. Wilson:

Attached is Change Order #6. This change order is developed to represent the final quantities as constructed on the project, including items added for project completion. The result of the change order is an over-all reduction in cost. This change order finalizes all units constructed on the project.

**ADD ITEMS:**

- CO6-1 – Insurance – This item is recognized due to the length of time the project has been in place since the Notice to Proceed and the need to extend the duration of the insurance policy for the project. The price submitted is within the scale of reason and the invoice for the policy is attached.
- CO6-2 – Furnish & Install Brick Mailbox – This item is added to install a brick mailbox at a residence on the project. The price submitted by the contractor is reasonable for this work.
- CO6-3 – Site Grading in lieu of Retaining Wall – This item is added at the request of the property owner to tie into the natural contour in lieu of constructing a retaining wall. The net effect to the project is a savings of \$54,175. The price submitted by the contractor is reasonable for this work.
- CO6-4 – Directional Striping at FM 2305 - This item is added to the project to install directional striping across the FM 2305 intersection. The price submitted by the contractor is reasonable for this work.
- CO6-5 – Repair Irrigation System at Connor Prk – This item added to the project to repair the existing irrigation system at Connor Park that was damaged during the relocation of dry utilities. Since the system is for irrigation, lines were not marked during the one call request for utility locates. The price submitted by the contractor is reasonable for this work.
- CO6-6 – Substitute Yield Signs for Stop Signs – This item is added to the project to replace the existing stop signs at the median breaks for yield signs. The price submitted by the contractor is reasonable for this work.

Mr. Richard Wilson, P.E.  
August 9, 2016  
Page Two

DELETE ITEMS:

- Bid Item 8 – 4 5/8" Type B HMAC – This item has been reduced in quantity to reflect the actual units installed on the project.
- Bid Item 9 – 2" Type C HMAC - This item has been reduced in quantity to reflect the actual units installed on the project.
- Bid Item 32 – 6" Concrete Riprap - This item has been reduced in quantity to reflect the actual units installed on the project.
- Bid Item 33 – 18" Rock Riprap - This item has been reduced in quantity to reflect the actual units installed on the project.
- Bid Item 35 – Class A Concrete - This item has been reduced in quantity to reflect the actual units installed on the project.
- Bid Item 40 – Retaining Wall – This item has been deleted from the project for grading as described in Item CO6-3.
- Bid Item 56 – 24" Class 200 Ductile Iron Water Line - This item has been reduced in quantity to reflect the actual units installed on the project.
- Bid Item 57 – 6" PVC Water Line - This item has been reduced in quantity to reflect the actual units installed on the project.
- CO1-4 – 12"x4" WYE - This item has been reduced in quantity to reflect the actual units installed on the project.
- CO1-5 – 4"x4" WYE - This item has been reduced in quantity to reflect the actual units installed on the project.

We have reviewed Change Order #6 and recommend it be processed and executed with respect to the RT Schneider Construction Co, LTD construction contract for the above referenced project.

Sincerely,

A handwritten signature in blue ink, appearing to read "R. David Patrick", with a stylized flourish at the end.

R. David Patrick, P.E., CFM

RDP/rdp

xc: Mr. Russell Schneider, RT Schneider Construction Co., LTD  
KPA Project File: 2014-110-40



## CHANGE ORDER

PROJECT: Outer Loop Phase IIIA, FM 2305 to Thompson Drainage Channel  
OWNER: City of Temple  
CONTRACTOR: RT Schneider Construction Co, Ltd  
ENGINEER: Kasberg, Patrick & Associates, LP  
CHANGE ORDER #: Six

Make the following additions, modifications or deletions to the work described in the Contract Documents: See the attached letter and exhibit.

Add:

Item #	Description	Unit	Quantity	Unit Price	Extended
CO6-1	Insurance	LS	1	3,703.00	3,703.00
CO6-2	Furnish & Install Brick Mailbox	LS	1	1,095.00	1,095.00
CO6-3	Site Grading in lieu of Ret. Wall	LS	1	1,850.00	1,850.00
CO6-4	Directional Striping at FM 2305	LS	1	1,650.00	1,650.00
CO6-5	Repair Irrigation System at Connor Prk	LS	1	3,960.00	3,960.00
CO6-6	Substitute Yield Signs for Stop Signs	LS	1	865.00	865.00
<b>Total Add</b>					<b>\$ 13,123.00</b>

Delete:

Item #	Description	Unit	Quantity	Unit Price	Extended
8	4 5/8" Type B HMAC	SY	-2,927	\$ 22.40	\$ (65,564.80)
9	2" Type C HMAC	SY	-2,927	\$ 11.60	\$ (33,953.20)
32	6" Concrete Riprap	SY	-100	\$ 28.00	\$ (2,800.00)
33	18" Rock Riprap	SY	-350	\$ 17.00	\$ (5,950.00)
35	Class A Concrete	CY	-98	\$ 238.00	\$ (23,324.00)
40	Retaining Wall	SF	-1,350	\$ 41.50	\$ (56,025.00)
56	24" Class 200 Ductile Iron Water Line	LF	-48	\$ 105.00	\$ (5,040.00)
57	6" PVC Water Line	LF	-8	\$ 70.00	\$ (560.00)
CO1-4	12" x 4" WYE	EA	-1	\$ 765.90	\$ (765.90)
CO1-5	4" x 4" WYE	EA	-1	\$ 543.90	\$ (543.90)
<b>Total Delete</b>					<b>\$ (194,526.80)</b>

**Change Order Total \$ (181,403.80)**

The Compensation agreed upon in this Contract Amendment is the full, complete and final payment for all costs the Contractor may incur as a result of or relating to this amendment whether said costs are known, unknown, foreseen or unforeseen at this time, including without limitation, any cost for delay (for which only revised time is available), extended overhead, ripple or impact cost, or any other effect on changed or unchanged work as a result of this Contract Amendment.

## CHANGE ORDER

PROJECT: Outer Loop Phase IIIA, FM 2305 to Thompson Drainage Channel  
OWNER: City of Temple  
CONTRACTOR: RT Schneider Construction Co, Ltd  
ENGINEER: Kasberg, Patrick & Associates, LP  
CHANGE ORDER #: Six

Original Contract Amount:	\$	2,368,916.00
Previous Net Change in Contract Amount:	\$	564,470.69
Net Change in Contract Amount:	\$	(181,403.80)
Revised Contract Amount:	\$	2,751,982.89
Original Contract Time:		240 Days
Previous Net Change in Contract Time:		316 Days
Net Change in Contract Time:		0 Days
Revised Contract Time:		556 Days
Original Final Completion Date:		August 16, 2015
Revised Final Completion Date:		June 27, 2016

Recommended by:

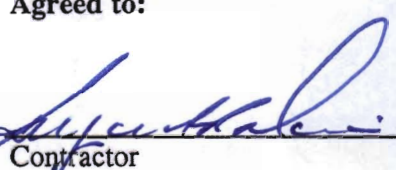
\_\_\_\_\_  
Project Manager (City Staff)

\_\_\_\_\_  
Date

Agreed to:

  
\_\_\_\_\_  
Architect or Engineer Date

Agreed to:

  
\_\_\_\_\_  
Contractor

  
\_\_\_\_\_  
Date

Approved by City of Temple:

\_\_\_\_\_  
Jonathan Graham, City Manager Date

Approved as to Form:

\_\_\_\_\_  
City Attorneys Office

\_\_\_\_\_  
Date

Approved by Finance Department:

\_\_\_\_\_  
Date

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING CHANGE ORDER NO. 6, IN THE DEDUCT AMOUNT OF \$181,403.80, TO THE CONSTRUCTION CONTRACT WITH R. T. SCHNEIDER CONSTRUCTION COMPANY, LTD OF BELTON, TEXAS FOR CONSTRUCTION SERVICES REQUIRED FOR THE EXTENSION OF THE PROPOSED OUTER LOOP PHASE III ROADWAY SECTION; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas,** West Temple is rapidly growing along the West Adams corridor - on December 4, 2014, Council authorized a construction contract with R.T. Schneider Construction Company, Ltd for construction of the Outer Loop Phase 3 from Adams Ave to the channel;

**Whereas,** the original construction contract amount awarded by Council was \$2,368,916 and change orders to date have increased the contract \$564,470.69, or 23.8%, of the original contract amount;

**Whereas,** change order number 6 is the final change order and represents items not used for the project and results in a contract decrease of \$181,403.80, or 7.66%, of the original contract amount for a final contract amount of \$2,751,982.89;

**Whereas,** the savings from the deductive change order with R.T. Schneider Construction Company, Ltd. will be realized in project 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 City Manager, or his designee, after approval as to form by the City Attorney, to execute change order number 6, in the amount of \$181,403.80, to the construction contract with R. T. Schneider Construction Company, Ltd of Belton, Texas, for construction services required for the extension of the proposed Outer Loop Phase III roadway section.

**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 **1<sup>st</sup>** day of **September**, 2016.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Kayla Landeros  
City Attorney





## COUNCIL AGENDA ITEM MEMORANDUM

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09/01/16  
Item # 10(A-H)  
Regular Agenda  
Page 1 of 1

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

Daniel A. Dunn, Mayor

**ITEM DESCRIPTION:** Consider adopting a resolution appointing members to the following City boards and commissions:

- (A) Airport Advisory Board – five members to fill expiring terms through September 1, 2019
- (B) Animal Services Advisory Board – one member to fill an expiring terms through September 1, 2019; and appoint Chair for the period of September 1, 2016 through August 31, 2017
- (C) Civil Service Commission - one member to fill expiring term through September 1, 2019;
- (D) Library Board – two members to fill unexpired terms through September 1, 2018; three member to fill expiring terms through September 1, 2019
- (E) Planning & Zoning Commission – three members to fill expiring terms through September 1, 2019
- (F) Reinvestment Zone No. 1 Board of Directors – six members to fill expiring terms through September 1, 2018
- (G) Temple Economic Development Corporation – four members to fill expiring terms through September 1, 2019
- (H) Temple Public Safety Advisory Board – five members to fill expiring terms through September 1, 2019

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

**ITEM SUMMARY:** The City Council adopted a resolution in June, 2003, establishing policies governing the appointment and training of citizens to City boards. In accordance with that resolution, appointments to the above stated boards are to be made by the council, with an effective date of September 1<sup>st</sup>.

Please see the attached summary listing which has been updated to include all applications received for board appointments.

**FISCAL IMPACT:** N/A

### **ATTACHMENTS:**

Board Application Summary - to be provided



## **COUNCIL AGENDA ITEM MEMORANDUM**

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09/01/16  
Item #11  
Regular Agenda  
Page 1 of 2

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

Kayla Landeros, City Attorney  
Lacy Borgeson, City Secretary

**ITEM DESCRIPTION:** Consider adopting a resolution appointing five members and two alternate members to the City of Temple Ethics Review Board.

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

**ITEM SUMMARY:** On August 4, 2016, the City Council adopted certain amendments to the Code of Ordinances, Chapter 2. The amendments to Chapter 2 updated the City's "Code of Ethics" to create an Ethics Review Board, add standards of conduct, add complaint procedures, and implement sanctions for violations of the Ethics Code.

Pursuant to the new Ethics Code, the Ethics Review Board will consist of five members and two alternate members. The Mayor and each Councilmember must nominate one member of the Board and each nominee must be confirmed by a majority of the City Council. Two alternate members must be proposed and confirmed by unanimous vote of the City Council. The two alternate members may be proposed by any member of the City Council, including the Mayor. The alternate members will serve on the Board in the case of a conflict of another Board member.

The terms of office for each Board member will correspond with the terms of office of the City Councilmember who nominated him/her to the Board and will run for such Councilmember's corresponding three year term. No member of the Board may serve for more than three full terms. A partial term to which a person is appointed will not be counted as a full three year term except that a partial term will be counted as a full three year term if the person resigns or forfeits his/her position. The two alternate Board members will serve three year terms which will not correspond with any Councilmember's term.

To be nominated and serve on the Board, a person must be of good moral character and a resident of the City of Temple. A member may not have any convictions for a felony or any crime of moral turpitude. A Board member may not be:

- A salaried city official or employee;
- An elected public official;
- A candidate for public office;
- A campaign treasurer, campaign manager, officer or other policy or decision-maker for the campaign of any candidate for the Mayor or any Councilmember positions for the City of Temple; or
- A member of any City board or commission other than the Ethics Review Board.

The Board must include at least one member who is an attorney and one member with expertise in finance or accounting.

A member of the Board may be removed for cause by a majority of the City Council after a public hearing. Grounds for removal include, but are not limited to: failure to satisfy, or continue to satisfy, the qualifications set forth above; substantial neglect of duty; gross misconduct in office; inability to discharge the power or duties of office; or violation of any provision of the Code of Ethics or a conviction of a felony or crime of moral turpitude.

A Board member must recuse himself/herself from any case in which, because of familial relationship, employment, investments, or otherwise, his/her impartiality might reasonably be questioned. A Board member may not participate in any manner regarding any complaint that the member initiated, that involves the City Councilmember who nominated him/her for a seat on the Board, or during the pendency of an indictment or information charging the member of any felony or crime of moral turpitude or after finding of guilt of such offense.

**FISCAL IMPACT:** None.

**ATTACHMENTS:**  
Resolution – to be provided



## COUNCIL AGENDA ITEM MEMORANDUM

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Item #12  
Regular Agenda  
Page 1 of 1

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

Daniel A. Dunn, Mayor

**ITEM DESCRIPTION:** Consider adopting a resolution appointing one regular member and one alternate member to the Bell County Public Health District Board of Directors.

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

**ITEM SUMMARY:** Dr. Ray Ashcraft was appointed to the Bell County Public Health District Board of Directors in June 2009 to fill the position vacated by Dr. William Hardin. Dr. Ashcraft's term has expired and The Health District has now requested the City appoint both a regular member as well as an alternate member to serve.

The appointment of an alternate is provided for in the Cooperative Agreement with the Health District.

**FISCAL IMPACT:** N/A

**ATTACHMENTS:**

Resolution – to be provided