



**MEETING OF THE  
TEMPLE CITY COUNCIL  
MUNICIPAL BUILDING  
2 NORTH MAIN STREET  
3<sup>rd</sup> FLOOR – CONFERENCE ROOM  
THURSDAY, DECEMBER 15, 2016  
3:00 P.M.  
AGENDA**

1. Discuss, as may be needed, Regular Meeting agenda items for the meeting posted for Thursday, December 15, 2016.
2. Receive an update from TXDOT regarding I-35, and discuss the demolition of Nugent Bridge.
3. Receive and discuss a report from NewGen Strategies and Solutions, LLC and the City Staff on the City's curbside recycling program and our recycling agreement with Balcones Resources, Inc.
4. Receive a presentation on the Annual Report of the Tax Increment Financing Reinvestment Zone No. 1 for fiscal year 2015-2016 and discuss State legislation requiring the City Council to take action extending the term of the Reinvestment Zone.
5. Discuss the status of right-of-way acquisition for the expansion of Prairie View Road and the purchase of properties necessary for construction of the project.

*Executive Session – Pursuant to Chapter 551, Government Code § 551.072 – Real Property – The City Council may enter into executive session to discuss the purchase, exchange, lease or value of real property relating to City projects, the public discussion of which would have a detrimental effect on negotiations with a third party.*

6. Discuss the status of right-of-way acquisition for the Martin Luther King, Jr. Festival Fields and the purchase of properties necessary for the construction of the project.

*Executive Session – Pursuant to Chapter 551, Government Code § 551.072 – Real Property – The City Council may enter into executive session to discuss the purchase, exchange, lease or value of real property relating to City projects, the public discussion of which would have a detrimental effect on negotiations with a third party.*

5:00 P.M.

**MUNICIPAL BUILDING**

**2 NORTH MAIN STREET  
CITY COUNCIL CHAMBERS – 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. SPECIAL RECOGNITIONS & PRESENTATIONS**

3. (A) Presentation by Judge Burrow and Sharon Long, Tax Assessor Collector, of the Child Safety Funds collect in the amount of \$82,174.34, and a check for the hotel occupancy tax in the amount of \$69,204.08.
- (B) Recognize Temple College Young Adult LULAC Council 22305 for being awarded the Texas and National LULAC Council of the Year.
- (C) Recognize Eva Garcia of LULAC Council 4971 as Temple College Young Adult Council 22305 Advisor of the Year.

**IV. PUBLIC HEARING & ANNEXATION**

4. **PUBLIC HEARING** – Receive Municipal Service Plan and conduct a public hearing to receive comments on the possible annexation of 60.33 acres of land Redding Roberts Survey, Abstract 692, Bell County, Texas, embracing a portion of a called 86.91 acre tract conveyed as Tract Four to Roy Skaff, as the Independent Executor of the estate of Leonard Apt, in Document No. 2016-00009203, Official Public Records of Real Property, Bell County, Texas.

**V. CONSENT AGENDA**

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

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

## **Minutes**

- (A) [November 17, 2016 Special and Regular Meeting](#)
- (B) [December 1, 2016 Special and Regular Meeting](#)

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

- (C) [2016-8469-R](#): Consider adopting a resolution authorizing the purchase of an upgrade to the Utility Billing Interactive Voice Response System from Selectron Technologies Inc. of Portland, OR, in the amount of \$15,100.
- (D) [2016-8470-R](#): Consider adopting a resolution authorizing the purchase of computer hardware during FY 2017 from GovConnection, Inc., of Merrimack, NH, in the estimated annual amount of \$190,000.
- (E) [2016-8471-R](#): Consider adopting a resolution authorizing the purchase of Naviline Edge software from SunGard Public Sector in the amount of \$24,264.
- (F) [2016-8472-R](#): Consider adopting a resolution authorizing payment of the TCEQ Water System Fee to the Texas Commission on Environmental Quality, in the amount of \$78,823.85 for operations of Temple's water treatment plants.
- (G) [2016-8473-R](#): Consider adopting a resolution authorizing additional funds for the purchase of an easement necessary for the construction of the Bird Creek Interceptor project and authorizing closing costs associated with the purchase, in an amount not to exceed \$4,500.
- (H) [2016-8474-R](#): Consider adopting a resolution authorizing the purchase of one easement necessary for the construction of the Charter Oak Water Line and authorizing closing costs associated with the purchase, in an amount not to exceed \$16,000.
- (I) [2016-8475-R](#): Consider adopting a resolution authorizing the purchase of one drainage easement necessary for the construction of the proposed expansion and realignment of Prairie View Road and authorizing closing costs associated with the purchase, in an amount not to exceed \$6,200.
- (J) [2016-8476-R](#): Consider adopting a resolution authorizing the purchase of a property necessary for the expansion of Old Howard Road and Moores Mill Road and authorizing closing costs associated with the purchase in an amount not to exceed \$91,000.
- (K) [2016-8477-R](#): Consider adopting a resolution authorizing change order #1 with B-Corp Utilities, Inc., of Gatesville in the amount of \$83,401.04 for construction of the 2015 Water and Wastewater Line Replacement.
- (L) [2016-8478-R](#): Consider adopting a resolution authorizing a construction contract with The Playwell Group, Inc./Playworks, Inc. of Dallas in the amount of \$177,580.25 for the reconstruction of the playscape and shade structure at Wilson Community Park.
- (M) [2016-8479-R](#): Consider adopting a resolution authorizing a construction contract with Tecta America of Pflugerville, in the amount of \$37,253.28 for the roof repairs at multiple City facilities.

- (N) [2016-8480-R](#): Consider adopting a resolution authorizing an amendment to the Prairie View Road contract with Kasberg, Patrick and Associates, LP, in an amount not to exceed \$29,800 for professional services required to comply with Federal Highway Administration and Texas Department of Transportation grant-related requirements.
- (O) [2016-8481-R](#): Consider adopting a resolution authorizing a contract extension to the service agreement for non-curb-side recyclables through September 30, 2017, with Balcones Recycling, Inc. of Austin.
- (P) [2016-8482-R](#): Consider adopting a resolution authorizing a Second Amendment to the Services Agreement between the City of Temple and Balcones Resources, Inc. for single stream recyclable materials processing and marketing.
- (Q) [2016-8483-R](#): Consider adopting a resolution authorizing an intergovernmental agreement with National Purchasing Partners to enable the City to utilize contracts competitively procured by NPP lead contracting agencies.
- (R) [2016-8484-R](#): Consider adopting a resolution authorizing a facility user's agreement with Justice Enterprise of Belton, with a monthly usage fee paid to the City, in the amount of \$150 per month, for the operation of the Lions Park Softball Complex concession stand.
- (S) [2016-8485-R](#): Consider adopting a resolution authorizing a professional services agreement with Stateside Right of Way Services, Inc., in an amount not to exceed \$53,200, for additional land acquisition and relocation services for the Santa Fe Market Trail/MLK Festival Fields project.
- (T) [2016-8486-R](#): Consider adopting a resolution authorizing a professional services agreement with Kimley-Horn of Austin, in an amount not to exceed \$49,300 for engineering services required for the traffic signal design at the intersections of North Kegley Road at Airport Road and West Adams Avenue at Greenview Drive.
- (U) [2016-8487-R](#): Consider adopting a resolution authorizing an Interlocal Cooperation Agreement between Bell County and the City of Temple regarding the disbursement and expenditure of the Bell County hotel occupancy tax.
- (V) [2016-8488-R](#): Consider adopting a resolution authorizing a Chapter 380 Economic Development Agreement with Mud City Holdings, Ltd. for the conveyance of City-owned property located at 118 North 3<sup>rd</sup> Street, Temple.
- (W) [2016-8489-R](#): Consider adopting a resolution authorizing a Wholesale Water Supply Agreement between the City of Temple and Arrowhead Hill Water Supply Corporation.
- (X) [2016-8490-R](#): Consider adopting a resolution authorizing a First Amendment to the Tax Abatement Agreement with Block 015 Doering, LLC, covering increases in the taxable value of real property located at 114 East Central Avenue, Temple.
- (Y) [2016-8491-R](#): Consider adopting a resolution authorizing a First Amendment to the Tax Abatement Agreement with Block 015 Arcadia, LLC, covering increases in the taxable value of real property located at 110 East Central Avenue, Temple.



- (Z) [2016-8492-R](#): Consider adopting a resolution authorizing the acceptance of grant funds from the Bureau of Justice Assistance Bulletproof Vest Partnership Program of 2016 for the purchase of ballistic vests and replacements for the Police Department in the amount of \$22,876, with \$11,437.72 of required City matching funds.

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

- (AA) [2016-4814](#): SECOND READING: Consider adopting an ordinance amending the Corporal, Sergeant, and Lieutenant classifications of certified police officers.
- (BB) [2016-4815](#): SECOND READING: Consider adopting an ordinance designating a tract of land consisting of approximately 5.184 acres and located on Marlandwood Road between South 5<sup>th</sup> Street and Lowes Drive as City of Temple Tax Abatement Reinvestment Zone Number 34 for commercial/industrial tax abatement.
- (CC) [2016-4816](#): SECOND READING – Z-FY-17-01: Consider adopting an ordinance authorizing a rezoning from the Agricultural zoning district to the Commercial zoning district on 1.89 +/- acres situated in the City of Temple, Bell County, Texas, located at 5890 West Adams Avenue.

### **Misc.**

- (DD) [2016-8493-R](#): Consider adopting a resolution approving the annual report of the Tax Increment Financing Reinvestment Zone No. 1 for fiscal year 2015-2016.
- (EE) [2016-8494-R](#): Consider adopting a resolution authorizing budget amendments for fiscal year 2016-2017.

## **VI. REGULAR AGENDA**

### **RESOLUTIONS**

6. [2016-8495-R](#): Consider adopting a resolution setting drainage fees for residential and commercial drainage services effective January 1, 2017.
7. [2016-8496-R](#): Consider adopting a resolution pursuant to Chapter 2206, Government Code § 2206.053 finding that a 0.282-acre permanent easement and a 0.665 acre temporary construction easement on a portion of the property located at the intersection of Taylor's Valley Road and Rockwool Lane near FM 93, Belton, is necessary for the construction of the Leon River wastewater line and authorizing the use of eminent domain to condemn the property.
8. [2016-8497-R](#): Consider adopting a resolution pursuant to Chapter 2206, Government Code § 2206.053 finding that two properties situated in the Baldwin Robertson Survey, Abstract 17, which are located along Prairie View Road in Temple, are necessary for the construction of the proposed expansion and realignment of Prairie View Road and authorizing the use of eminent domain to condemn the properties.

9. [2016-8498-R](#): Consider adopting a resolution pursuant to Chapter 2206, Government Code § 2206.053 finding that two properties situated in the S.E. Bill Addition and one property situated in the J.W. Roach Addition, all of which are located along South 6<sup>th</sup> Street in Temple, Texas, 76501, are necessary for the construction of the proposed Santa Fe Market Trail and Martin Luther King, Jr. Fields festival grounds and authorizing the use of eminent domain to condemn the properties.
10. [2016-8499-R](#): Consider adopting a resolution authorizing a tax abatement agreement with MS Temple, LLC which will cover increases in the taxable value of real property for a 5.184 acre tract of land located in Tax Abatement Reinvestment Zone Number 34.

### **BOARD APPOINTMENTS**

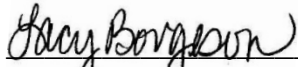
11. [2016-8500-R](#): Consider adopting a resolution designating the Chair of the Tax Increment Financing Reinvestment Zone No. 1 Board of Directors for 2017.

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

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I hereby certify that a true and correct copy of this Notice of Meeting was posted in a public place at 11:00 AM, on Friday, December 9, 2016.



City Secretary, TRMC



## COUNCIL AGENDA ITEM MEMORANDUM

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12/15/16

Item #4

Regular Agenda

Page 1 of 1

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

Tammy Lyerly, Senior Planner

**ITEM DESCRIPTION:** PUBLIC HEARING – Receive Municipal Service Plan and conduct a public hearing to receive comments on the possible annexation of 60.33 acres of land Redding Roberts Survey, Abstract 692, Bell County, Texas, embracing a portion of a called 86.91 acre tract conveyed as Tract Four to Roy Skaff, as the Independent Executor of the estate of Leonard Apt, in Document No. 2016-00009203, Official Public Records of Real Property, Bell County, Texas.

**STAFF RECOMMENDATION:** Receive staff presentation on the Municipal Service Plan, as required by State law, hold public hearing and take no action at this time.

**ITEM SUMMARY:** WGG Land, LLC filed a petition on November 3, 2016, seeking voluntary annexation of 60.33 acres into the City of Temple. Voluntary annexation is governed by Section 43.028 of the Texas Local Government Code and applies only to the annexation of an area that is:

1. Less than one-half mile in width,
2. Contiguous to the annexing municipality, and
3. Vacant and without residents or on which fewer than three qualified voters reside.

On November 17, 2016, the City Council adopted a resolution directing City staff to create a Municipal Service Plan and public hearing schedule to consider the annexation of the subject property. The second public hearing is scheduled as a **special meeting** of the City Council, Friday, December 16, 2016 at 8:30 am in the City Council Chambers.

The applicant requests the subject property be annexed into the City of Temple with a zoning of Planned Development-Single Family One (PD-SF-1).

The proposed schedule anticipates completion of annexation proceedings through a Second Reading at City Council on February 2, 2017.

**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 this small tract.

### **ATTACHMENTS:**

[Voluntary Annexation Map](#)

[Municipal Service Plan](#)

[Field Notes of Proposed Annexation Area](#)

[Survey of Proposed Annexation Area](#)

[Voluntary Annexation Schedule](#)

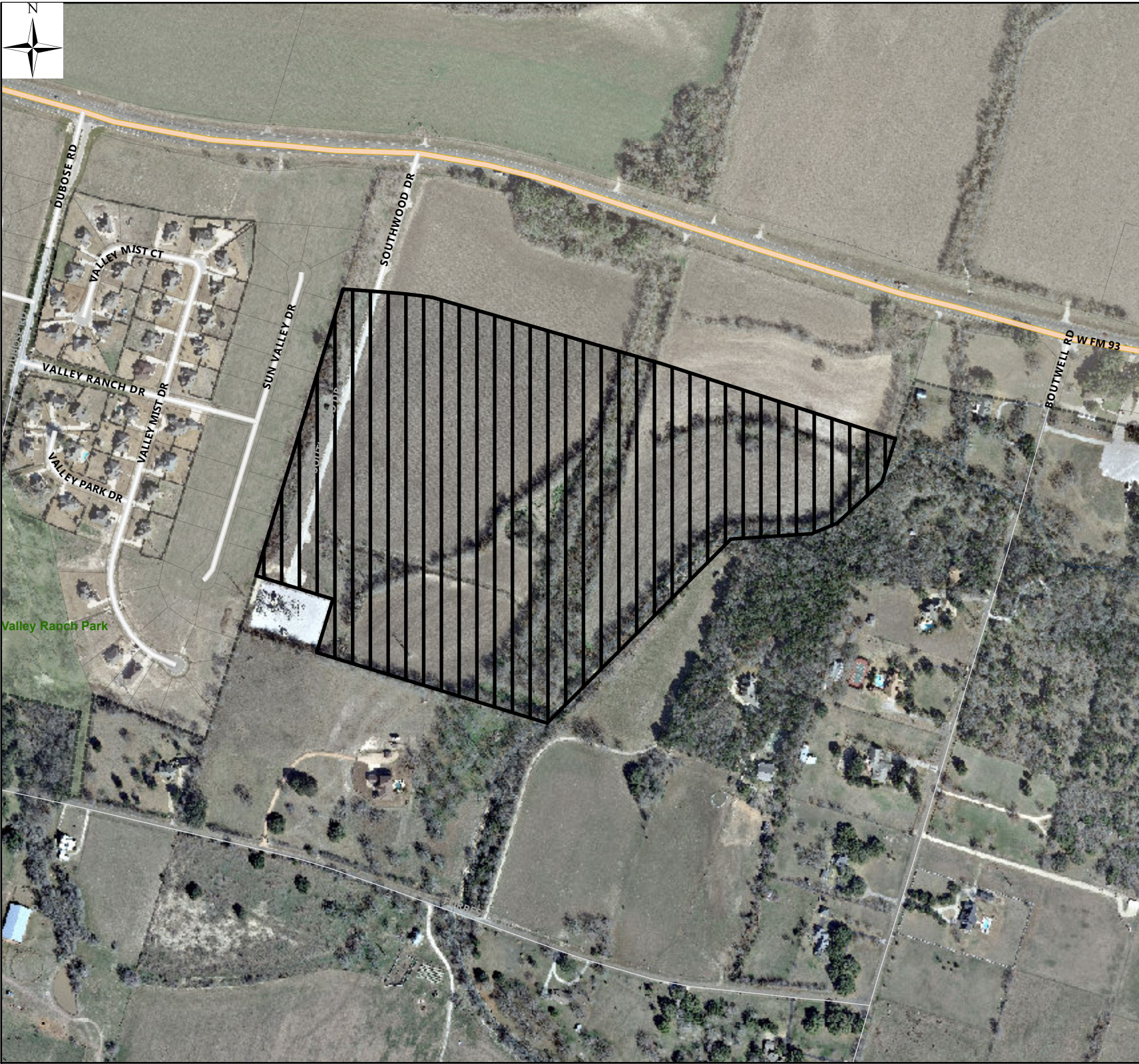




# AERIAL MAP

Annexation Case :  
X-FY-17-01

Address :  
6851 Southwood 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.

tlyerly  
Date: 11/10/2016





**CITY OF TEMPLE**  
**ANNEXATION SERVICE PLAN—VOLUNTARY ANNEXATION**  
**J.C. Wall III and WGG Land, LLC.**

For a 60.33 acre tract of land situated in the Redding Roberts Survey, Abstract 692, Bell County, Texas, embracing a portion of a called 86.91 acre tract conveyed as Tract Four to Roy Skaff, as the Independent Executor of the estate of Leonard Apt, in Document No. 2016-00009203, Official Public Records of Real Property, Bell County, Texas, and being more particularly described as Exhibit “A” (Fields) 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 from Stations #3 and #4 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) with a licensed emergency medical services provider.

**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 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 in the West FM 93 right-of way along the north the boundary 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 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

Survey showing 60.33 ACRES OF LAND,  
situated in the REDDING ROBERTS SURVEY,  
ABSTRACT 692, Bell County, Texas.

This sketch to accompany a metes and bounds  
description of the hereon shown 60.33 Acre tract.

REMAINDER OF  
CALLED 60.430 ACRES  
SECOND TRACT  
JEANNE A. RAFFAPORT and  
LEONARD APT  
Vol. 1524, Pg. 218

REMAINDER OF  
CALLED 42.191 ACRES  
HIGHWAY 91 PROPERTIES, LLC  
Doc. No. 2013-00041474

A - 251.68'  
R - 2789.79'  
D - 5°10'08"  
B - S 83°11'20" E  
C - 251.60'

(150' ROW) (Asphalt Surface)  
**F. M. 93**  
Vol. 2617, Pg. 348

Concrete  
Monument  
Found

Concrete  
Monument  
Found

Concrete  
Monument  
Found

Concrete  
Monument  
Found

A - 178.57'  
R - 2289.79'  
C - 178.53'  
B - S 83°32'20" E  
D - 4°28'06"

26.58 ACRES  
(inside existing  
City Limits)

EXISTING CITY LIMITS  
Ordinance No. 44-2310

EXTRA-TERRITORIAL JURISDICTION

CALLED 86.91 ACRES  
ROY SKAFF, INDEPENDENT EXECUTOR  
OF THE ESTATE OF LEONARD APT  
TRACT FOUR  
Doc. No. 2016-00009203

60.33 ACRES  
(inside ETJ)

EXISTING CITY LIMITS  
EXTRA-TERRITORIAL JURISDICTION  
CALLED 6.73 ACRES  
TRACT NO. 1  
MILLARD LEE HUBBARD, JR. and  
wife, BETH ELAINE HUBBARD  
Vol. 1084, Pg. 621

CALLED 3.28 ACRES  
TRACT NO. 1  
EDWARD E. BELLENS and  
wife, MIA J. BELLENS  
Vol. 1486, Pg. 827

CALLED 37.09 ACRES  
HUGH D. SHINE and wife,  
DEBRA H. SHINE  
Doc. No. 2007-00033432

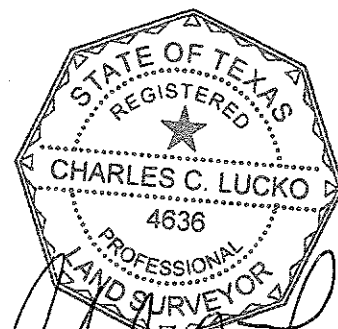
CALLED 1.674 ACRES  
TXU ELECTRIC DELIVERY  
Vol. 5346, Pg. 178  
(described in  
Vol. 2057, Pg. 125)

CALLED 23.047 ACRES  
TRACT 1  
JIMMY SCOTT THOMAS and BELINDA  
MELISSA KOHL-THOMAS  
Doc. No. 2013-00025446

LINE	BEARING	DISTANCE
L1	S 47°18'30" W	245.50'
L2	S 67°45'20" W	112.75'
L3	S 86°12'20" W	324.75'
L4	N 16°50'21" E	225.14'
L5	N 73°02'06" W	324.25'
L6	S 85°46'31" E	71.16'
L7	S 73°55'26" E	125.54'
L8	S 85°46'31" E	183.62'
L9	S 73°55'26" E	121.66'

0 200 400 600

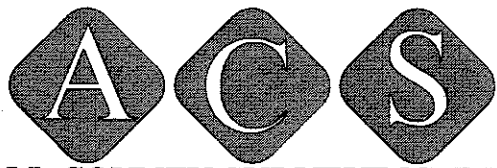
IRF - Iron Rod Found  
IRF - Iron Pipe Found  
IRCF - Iron Rod with cap stamped "ACS" Found  
IRCS - Iron Rod with cap stamped "ACS" Set



Bearings cited hereon are based upon the Texas State Plane Coordinate System, Central  
Zone, NAD 83, as per GPS observations, utilizing the Western Data Systems network.

This sketch represents a survey made on the ground. During the performance of this survey, persons working  
under my supervision observed conditions within and along the boundaries and to the best of my knowledge they  
are as shown. The location of visual structural improvements with respect to the boundary lines are as shown. This  
document is not valid for any purpose unless signed and sealed by a Registered Professional Land Surveyor.

Copyright 2016 All County Surveying, Inc.



1303 South 21st Street  
Temple, Texas 76504  
254-TT8-2272 Killeen 254-634-4636  
Fax 254-TT4-7608  
Tx. Firm Lic. No. 10023600

Survey showing 60.33 ACRES OF LAND, situated  
in the REDDING ROBERTS SURVEY, ABSTRACT  
692, Bell County, Texas.

Plot Date: 11-09-2016  
Survey  
completed 10-28-2015  
Scale: 1" = 200'  
Job No. 160853.1  
Dwg No. 160853.1  
Drawn by SLN  
Surveyor CCL #4636

## FIELD NOTES PREPARED BY ALL COUNTY SURVEYING, INC.

November 9, 2016

Surveyor's Field Notes for:

**60.33 ACRES**, situated in the **REDDING ROBERTS SURVEY, ABSTRACT 692**, Bell County, Texas, embracing a portion of a called 86.91 Acre tract conveyed as Tract Four to Roy Skaff, as he Independent Executor of the estate of Leonard Apt, in Document No. 2016-00009203, Official Public Records of Real Property, Bell County, Texas, and being more particularly described as follows:

**BEGINNING** at a calculated point which bears S 17° 25' 34" W – 500.13' from a 5/8" iron rod with cap stamped "ACS" at the northeast corner of Said 86.91 Acre tract, being the northwest corner of a called 6.73 Acre tract conveyed as Tract No. 1 to Willard Lee Hubbard, Jr. and wife, Beth Elaine Hubbard in Volume 1084, Page 621, Deed Records of Bell County, Texas, and being on the south line of F. M. 93, as conveyed in Volume 2617, Page 348, Official Public Records of Real Property, Bell County, Texas, said calculated point being the northeast corner of the herein described tract;

**THENCE**, in a southerly direction, with the west line of said 6.73 Acre tract, **S 17° 25' 34" W – 184.63'**, to a calculated point in the center of a creek, being the southwest corner of said 6.73 Acre tract and the northeast corner of a called 37.09 Acre tract conveyed to Hugh D. Shine and wife, Debra H. Shine in Document No. 2007-00033932, Official Public Records of Real Property, Bell County, Texas, said calculated point bears N 17° 25' 34" E – 25.00' from a 5/8" iron rod found for reference, for the easternmost southeast corner of the herein described tract;

**THENCE**, in a southwesterly direction, with the northwest line of said 37.09 Acre tract, with the approximate center of said creek, the following calls:

1. **S 47° 18' 30" W – 245.50'**, a calculated point,
2. **S 67° 45' 20" W – 112.75'**, a calculated point,
3. **S 86° 12' 20" W – 324.75'**, a calculated point, and
4. **S 44° 56' 50" W – 1048.66'**, to a calculated point at the westernmost northwest corner of said 37.09 Acre tract, being the northeast corner of a called 23.047 Acre tract conveyed as Tract 1 to Jimmy Scott Thomas and Belinda Melissa Kohl-Thomas in Document No. 2013-00025446, Official Public Records of Real Property, Bell County, Texas, which said calculated point bears N 60° 40' 51" W – 46.01' from a 5/8" iron rod found for reference, for the southernmost southeast corner of the herein described tract;

**THENCE**, in a westerly direction, with the north line of said 23.047 Acre tract, same being the south line of said 88.639 Acre tract, **N 72° 57' 37" W – 971.82'**, to a 1/2" iron rod found at the southeast corner of a called 1.679 Acre tract in the name of TXU Electric Delivery as conveyed in Volume 5396, Page 178, Official Public Records of Real Property, Bell County, Texas and described in Volume 2057, Page 725, Deed Records of Bell County, Texas, for the southernmost southwest corner of the herein described tract;

**THENCE**, in a northerly direction, with the east line of said 1.679 Acre tract, **N 16° 50' 21" E – 225.14'**, to a 1/2" iron rod found at the northeast corner of said 1.679 Acre tract, for an interior corner of the herein described tract;



Surveyor's Field Notes for **60.33 ACRES** (continued):

**THENCE**, in a westerly direction, with the north line of said 1.679 Acre tract, **N 73° 02' 06" W – 324.25'**, to a ½" iron rod found on the west line of said 88.639 Acre tract, same being the east line of Valley Ranch Addition, Phase II, an addition in the City of Temple, Bell County, Texas, according to the plat of record in Cabinet D, Slide 160-C, Plat Records of Bell County, Texas,, for the westernmost southwest corner of the herein described tract;

**THENCE**, in a northerly direction, with the east line of said Valley Ranch Addition, Phase II, **N 16° 53' 34" E – 1207.73'**, to a calculated point, for the northwest corner of the herein described tract;

**THENCE**, in an easterly direction, severing said 86.91 Acre tract, the following calls:

1. **S 85° 46' 31" E – 183.62'**, a calculated point,
2. With a curve to the right; having a radius of **2289.79'**, a delta angle of **04° 28' 06"**, and a long chord which bears **S 83° 32' 20" E – 178.53'**, an arc length of **178.57'**, a calculated point,
3. **S 73° 51' 57" E – 959.32'**, a calculated point,
4. **S 72° 06' 43" E – 871.27'**, a calculated point, and
5. **S 73° 55' 26" E – 121.66'**, to the **POINT OF BEGINNING** and containing 60.33 Acres of Land.

Bearings cited hereon are based upon the Texas State Plane Coordinate System, Central Zone, NAD 83, as per GPS observations, utilizing the Western Data Systems network.

This document is not valid for any purpose unless signed and sealed by a Registered Professional Land Surveyor.

This metes and bounds description to accompany a Surveyor's Sketch of the herein described 60.33 Acre tract.

Surveyed October 28, 2015

**ALL COUNTY SURVEYING, INC.**

**1-800-749-PLAT**

**Tx. Firm Lic. No. 10023600**

server/projects/pro160000/160800/160853/160853.1.doc



Charles C. Lucko  
Registered Professional Land Surveyor  
Registration No. 4636

# SCHEDULE

## Voluntary Annexation – WGG Land, LLC (60.33 acres)

DATE	ACTION	TIME LIMIT/NOTES
<b>11-3-16</b>	<b>CITY RECEIVES PETITION</b> of landowner to annex area adjacent to city limits; fewer than 3 qualified voters reside in the area.	N/A
<b>11-17-16</b> <b>Regular Meeting</b>	<b>COUNCIL ADOPTS RESOLUTION</b> 1. Granting petition (14th day after petition filed); 2. Directing staff to develop service plans; and 3. Setting dates, times, places for public hearings	1. Hear and grant or deny petition after the 5 <sup>th</sup> day, but on or before the 30 <sup>th</sup> day after petition is filed. 2. Council must direct Staff to develop the services plan before publication of notice of 1 <sup>st</sup> hearing required under § 43.063 LGC. § 43.065 LGC
<b>11-14-16</b>	<b>CITY SECRETARY MAILS NOTICES TO</b> 1. Property owners 2. Public and private service entities 3. Railroads <i>31st 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>12-02-16</b>	<b>CITY SECRETARY SENDS NOTICE TO</b> Public school districts located in annexation area <i>13th 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>12-04-16</b>	<b>CITY SECRETARY PUBLISHES NOTICES FOR PUBLIC HEARINGS ON ANNEXATION</b> Posts notice on City web site Publishes notice in Telegram <i>11<sup>th</sup> day before 1<sup>st</sup> public hearing</i> <i>12<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>12-14-16</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 10 days after publication of notice. § 43.063(b) LGC
<b>12-15-16</b> <b>Regular meeting</b>	<b>COUNCIL HOLDS 1<sup>st</sup> PUBLIC HEARING</b> Staff presents service plan <i>35th 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>12-16-16</b> <b>Special meeting</b>	<b>COUNCIL HOLDS 2<sup>nd</sup> PUBLIC HEARING</b> Staff presents service plan <i>34th 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>01-19-17</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>02-02-17</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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## COUNCIL AGENDA ITEM MEMORANDUM

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12/15/16  
Item #5(A-B)  
Consent Agenda  
Page 1 of 1

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

Lacy Borgeson, City Secretary

**ITEM DESCRIPTION:** Approve Minutes:

- (A) November 17, 2016 Special and Regular Meeting
- (B) December 1, 2016 Special and Regular Meeting

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

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

**FISCAL IMPACT:** N/A

**ATTACHMENTS:**

[November 17, 2016 Special and Regular Meeting](#)  
[December 1, 2016 Special and Regular Meeting](#)



## COUNCIL AGENDA ITEM MEMORANDUM

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12/15/16  
Item #5(C)  
Consent Agenda  
Page 1 of 1

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

Alan DeLoera, Information Technology Director

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing the purchase of an upgrade to the Utility Billing Interactive Voice Response System from Selectron Technologies Inc. of Portland, OR, in the amount of \$15,100.

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

**ITEM SUMMARY:** The City currently uses the Selectron Technologies Inc. Interactive Voice Response to collect water payments from citizens. Currently, the city uses a PC server that is obsolete and needs to be replaced. Staff is proposing that the City replace the obsolete server with a new server with integrated Voice Over IP (VOIP). This purchase will upgrade software, license, integrate our VOIP phone system to a virtual server and provide a hosted fax server.

This purchase is being recommended as a single source purchase as Selectron's software is proprietary and the only interactive voice response system that interfaces with Naviline, the City's business application system since 2004.

The implementation of this software will cost \$15,100. However, the City already invested \$15,395 for FY2017 annual maintenance for the IVR software, making the FY2017 purchase commitment \$30,495 for the application.

**FISCAL IMPACT:** Funding is available as follows:

Account	Project No.	Description	Amount Available
520-5800-535-6218	101564	IVR Server Upgrade - UBO	\$ 15,100

### **ATTACHMENTS:**

[Resolution](#)

RESOLUTION NO. 2016-8469-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE PURCHASE OF AN UPGRADE TO THE UTILITY BILLING INTERACTIVE VOICE RESPONSE SYSTEM IN THE AMOUNT OF \$15,100, FROM SELECTRON TECHNOLOGIES, INC. OF PORTLAND, OREGON; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, the City currently uses the Selectron Technologies Inc. Interactive Voice Response (IVR) to collect water payments from citizens;

**Whereas**, the PC server that is currently used is obsolete and needs to be replaced - Staff recommends Council authorize the replacement of the obsolete server with a new server with integrated Voice Over IP (VOIP);

**Whereas**, this purchase will upgrade software, license, integrate VOIP phone system to a virtual server, and provide a hosted fax server;

**Whereas**, this purchase is being recommended as a single source purchase as Selectron's software is proprietary and the only interactive voice response system that interfaces with Naviline, the City's business application system since 2004;

**Whereas**, funding is available for this purchase in Account No. 520-5800-535-6218, Project No. 101564; and

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

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

**Part 1:** The City Council authorizes the purchase of an upgrade to the Utility Billing Interactive Voice Response System, in the amount of \$15,100 from Selectron Technologies Inc. of Portland, Oregon.

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

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

PASSED AND APPROVED this the **15<sup>th</sup>** day of **December**, 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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12/15/16  
Item #5(D)  
Consent Agenda  
Page 1 of 2

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

Alan DeLoera, Information Technology Director

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing the purchase of computer hardware during FY 2017 from GovConnection, Inc., of Merrimack, NH, in the estimated annual amount of \$190,000.

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

**ITEM SUMMARY:** The Information Technology Department currently has a PC, laptop and server replacement program that is funded through the Information Technology CIP funding to replace obsolete computer systems. Computers are in a four to five year replacement cycle. This cycle is based on the type of use (computing power needed) and overall age of the system. This replacement program was started in 2002 to ensure that we were running applications efficiently and effectively while also ensuring desktop and software applications were being supported under maintenance contracts. The Desktop PC Replacement Program will only cover current in-service PC's. If a new position is added or a program calls for an additional PC, software license or printer, this must be a newly budgeted item.

The City of Temple has chosen to standardize all hardware purchases with Dell PCs, laptops, storage and servers. Our relationship with Dell has been very beneficial to the City and Dell equipment has proven to be reliable, supportable and cost competitive. Dell support offerings and service, in our experience, are un-matched by their competitors. Standardization is a key for any efficient support organization. It is not possible to support hardware from any and all vendors in a timely manner. As technical staff became familiar with specific hardware, they are able to diagnose and resolve issues more quickly. With each varying hardware model, software varies as well. It isn't practical to maintain software drivers and technical information for any offering on the market. Additionally, large PC manufacturers offer several models within their own products. Some are intended for the home market and others are for the corporate/business market. Business PCs generally consist of more standardized components that will be offered for a longer period of time. These components are tested specifically for use in network environments, and are certified by software developers to work well in those environments.

It is anticipated in FY 2017 that 68 desktop computers, ten laptops, three servers and a storage will be purchased. The desktops and laptops to be replaced are currently four to five years old as well as the servers. GovConnection, Inc. has been awarded the State of Texas DIR Contract, which staff is recommending the use of this contract for these purchases.

**FISCAL IMPACT:** A budget adjustment is presented for Council's approval appropriating \$180,000 of Technology and \$10,000 of PEG funds. Once the budget adjustment is approved, funding will be appropriated in the following accounts:

<u>Description</u>	<u>Account #</u>	<u>Project #</u>	<u>Amount</u>
Dell Server	351-1900-519-62-18	101608	\$45,000
Dell Storage	351-1900-519-62-18	101609	\$62,000
Dell Storage	110-1900-519-62-28	101609	\$10,000
Dell PC's/Laptops	351-1900-519-22-21		\$73,000
<b>Total Funds Available</b>			<b>\$ 190,000</b>

**ATTACHMENTS:**

[Budget Adjustment  
Resolution](#)



FY 2017

# BUDGET ADJUSTMENT FORM

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

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

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ACCOUNT NUMBER	PROJECT #	ACCOUNT DESCRIPTION	INCREASE		DECREASE	
351-1900-519-62-18	101608	Capital Equipment/Computer Hardware	\$ 45,000			
351-1900-519-62-18	101609	Capital Equipment/Computer Hardware	\$ 62,000			
351-1900-519-22-21		Capital < \$5,000 Computer Equipment	\$ 73,000			
351-0000-490-25-82		Transfer In- Desg Capital Proj Fund	\$ 180,000			
110-0000-351-09-43		Desg Capital Unallocated Tech Funds			180,000	
110-9100-591-81-51		Transfer Out- Desg Captial Proj Funds	180,000			
110-1900-519-62-28	101609	Capital Equipment / PEG	\$ 10,000			
110-0000-315-19-00		Reserved for Public Education Channel			10,000	
		<b>Do Not Post</b>				
<b>TOTAL.....</b>			\$ 550,000		\$ 190,000	

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

## Replacement Servers, PC's, Laptops, Storage Program for Fiscal Year 2017

DOES THIS REQUEST REQUIRE COUNCIL APPROVAL?

☒ Yes☐ No

DATE OF COUNCIL MEETING 12/15/2016

WITH AGENDA ITEM?

☒ Yes☐ No

Alan DeLoera

11/21/2016

☒ Approved

	Disapproved
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Department Head/Division Director

Date \_\_\_\_\_

☐ Approved

	Disapproved
--	-------------

Finance

Date \_\_\_\_\_

☐ Approved

	Disapproved
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City Manager

Date \_\_\_\_\_

RESOLUTION NO. 2016-8470-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE PURCHASE OF COMPUTER HARDWARE, IN THE ESTIMATED ANNUAL AMOUNT OF \$190,000, FROM GOVCONNECTION, INC., OF MERRIMACK, NEW HAMPSHIRE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas,** the Information Technology Department currently has a replacement program to replace obsolete computer systems – the program is funded through the Information Technology Capital Improvement Plan;

**Whereas,** computers are on a 4-5 year replacement cycle based on the type of use and overall age of the system - this replacement program was started in 2002 to ensure that the City is running applications efficiently and effectively while also ensuring desktop and software applications were being supported under current maintenance contracts;

**Whereas,** the City has chosen to standardize all hardware purchases with Dell PCs, laptops, storage and servers - our relationship with Dell has been very beneficial to the City and Dell equipment has proven to be reliable, supportable and cost competitive;

**Whereas,** GovConnection, Inc. has been awarded a State of Texas DIR Contract which Staff recommends to be used for these purchases;

**Whereas,** Staff recommends Council authorize the purchase of computer hardware from GovConnection, Inc. of Merrimack, New Hampshire, in the estimated annual amount of \$190,000;

**Whereas,** funds are available for this project, but an amendment to the fiscal year 2017 budget needs to be approved to transfer funds in to Account No. 351-1900-519-6218, Project No. 101608, Account No. 351-1900-519-6218, Project No. 101609. Account No. 110-1900-519-6228, Project No. 101609, and Account No. 351-1900-519-2221; and

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

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

**Part 1:** The City Council authorizes the purchase of computer hardware, in the estimated annual amount of \$190,000, from GovConnection, Inc., of Merrimack, New Hampshire, utilizing a State of Texas DIR Contract.

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

**Part 3:** 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 **15<sup>th</sup>** day of **December**, 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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12/15/16  
Item #5(E)  
Consent Agenda  
Page 1 of 2

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

Alan DeLoera, Information Technology Director

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing the purchase of Naviline Edge software from SunGard Public Sector in the amount of \$24,264.

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

**ITEM SUMMARY:** The City currently uses Naviline Software from SunGard Public Sector, LLC (Sungard) for the following business applications in helping the City to conduct financial transactions:

General Ledger	Accounts Payable	Accounts Receivables
Fixed Assets	Inventory	Purchasing
Cash Receipts	Payroll	Human Resources
Utility Billing	Business Licenses	Municipal Court

SunGard has a new user interface that has a windows look and feel that makes it easier to navigate for our users. This enhancement also allows for users to export reports directly to Microsoft Excel and allows the user to customize their own views.

Development is ongoing and not yet complete for all modules but the following are available and of interest to the city: GMBA, Utility Billing, HR/Payroll and Purchasing. This purchase gives us access to fully developed modules and modules developed in the future. We can choose which modules we want to implement and when. The Utility Business Office will be the first module.

This purchase is being recommended as a single source purchase as Naviline Edge is a proprietary software solely developed and supported by SunGard. Accordingly, utilizing an open market software would not be feasible.

The implementation of this software will cost \$24,264. However, continued annual maintenance of this software will cost \$3,267.88, making the purchase commitment greater than \$25,000.

**FISCAL IMPACT:** A budget adjustment is being presented to Council for approval to appropriate funding in the amount of \$14,558 for the Utility Fund's share of the purchase. Upon approval of the budget adjustment, funding for this item will be available as follows:

Account	Description	Amount Available
110-1900-519-2338	Maintenance Contract (SunGard)	\$ 9,706
520-5800-535-2338	Maintenance Contract (IVR)	14,558

**ATTACHMENTS:**

[Budget Adjustment  
Resolution](#)

FY 2017**BUDGET ADJUSTMENT FORM**

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

Adjustments should be rounded to the nearest \$1.

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ACCOUNT NUMBER	PROJECT #	ACCOUNT DESCRIPTION	INCREASE	DECREASE
520-5800-535-23-38		Computer Maintenance	\$ 14,558	
520-5000-535-65-32		W&S Fund Contingency		14,558
<b>TOTAL.....</b>			\$ 14,558	\$ 14,558

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

To appropriate funding for the Utility Fund's share of the EDGE upgrade to Naviline. The total cost for the EDGE upgrade is \$24,264. the Utility's share is 60% of the cost. The General Fund's share of the cost is 40% and is currently available in the IT operating budget.

DOES THIS REQUEST REQUIRE COUNCIL APPROVAL?

☒

Yes

☐

No

DATE OF COUNCIL MEETING

12/15/2016

WITH AGENDA ITEM?

☒

Yes

☐

No

Department Head/Division Director

Date

☐

Approved

☐

Disapproved

Finance

Date

☐

Approved

☐

Disapproved

City Manager

Date

☐

Approved

☐

Disapproved



RESOLUTION NO. 2016-8471-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS,  
AUTHORIZING THE PURCHASE OF NAVILINE EDGE SOFTWARE IN THE  
AMOUNT OF \$24,264, FROM SUNGARD PUBLIC SECTOR; AND PROVIDING  
AN OPEN MEETINGS CLAUSE.

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**Whereas**, the City currently uses Naviline software from Sungard Public Sector, LLC for multiple business applications which assists the City in conducting financial transactions;

**Whereas**, Sungard has a new user interface that has a windows look and feel which is easier to navigate – this enhancement allows users to export reports directly to Microsoft Excel and customize their own views;

**Whereas**, this purchase is being recommended as a single source purchase as Naviline Edge is a proprietary software solely developed and supported by SunGard;

**Whereas**, Staff recommends Council authorize the purchase of Naviline Edge software from Sungard Public Sector in the amount of \$24,264;

**Whereas**, funding is available for this purchase but an amendment to the fiscal year 2017 budget needs to be approved to appropriate funding into Account No. 110-1900-519-2338 and Account No. 520-5800-535-2338; 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 purchase of Naviline Edge software from SunGard Public Sector, LLC in the amount of \$24,264.

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

**Part 3:** The City Council authorizes an amendment to the fiscal year 2017 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 **15<sup>th</sup>** day of **December**, 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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12/15/16  
Item #5(F)  
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 TCEQ Water System Fee to the Texas Commission on Environmental Quality, in the amount of \$78,823.85 for operations of Temple's water treatment plants.

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

**ITEM SUMMARY:** The Texas Commission on Environmental Quality (TCEQ) requires Public Water Systems within the State of Texas to pay a Water System Fee for services provided by the commission to public water systems annually, as outlined in 30 TAC Chapter 290.51. This fee provides for general revenue in support of TCEQ's public water system activities.

This year, the TCEQ Water System Fee associated with permitted operations of the City's water treatment plant operation is \$78,823.85. Payment of this fee is due within 30 days of receipt of the invoice, and must be paid promptly.

**FISCAL IMPACT:** Funds are budgeted in the FY 2017 adopted budget to pay for the TCEQ Water System Fee in the amount of \$78,823.85 as follows:

Account	Description	Amount Available
520-5100-535-2616	Professional	\$ 78,824

**ATTACHMENTS:**

[Resolution](#)

RESOLUTION NO. 2016-8472-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING PAYMENT OF THE TCEQ WATER SYSTEM FEE TO THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY FOR OPERATIONS OF TEMPLE'S WATER TREATMENT PLANTS, IN THE AMOUNT OF \$78,823.85; AND PROVIDING AN OPEN MEETINGS CLAUSE.

---

**Whereas**, the Texas Commission on Environmental Quality (TCEQ) requires public water systems within the State of Texas to pay a water system fee for services provided by the Commission to public water systems annually, as outlined in 30 TAC Chapter 290.51 – this fee provides for general revenue in support of TCEQ's public water system activities;

**Whereas**, this year, the TCEQ Water System Fee associated with permitted operations of the City's water treatment plant operation is \$78,823.85 and is due within 30 days of receipt of the invoice;

**Whereas**, funds are budgeted in the fiscal year 2017 adopted budget for this payment in Account No. 520-5100-535-2616; 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 payment of the TCEQ Water System fee to the Texas Commission on Environmental Quality for operations of Temple's water treatment plants, in the amount of \$78,823.85.

**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 **15<sup>th</sup>** day of **December**, 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:**

Kayla Landeros, City Attorney  
Christina Demirs, Deputy City Attorney

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing additional funds for the purchase of an easement necessary for the construction of the Bird Creek Interceptor project and authorizing closing costs associated with the purchase, in an amount not to exceed \$4,500.

*Executive Session – Pursuant to Chapter 551, Government Code § 551.072 – Real Property – The City Council may enter into executive session to discuss the purchase, exchange, lease or value of real property relating to City projects, the public discussion of which would have a detrimental effect on negotiations with a third party.*

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

**ITEM SUMMARY:** The City is currently in the design phase for Phase 4 of the proposed Bird Creek Interceptor project. The design requires the acquisition of easements for wastewater utilities and temporary construction easements from several property owners, including the property situated at 2402 South 61<sup>st</sup> Street in Temple. An appraisal was performed on the parcel and an offer was presented to the property owner in November 2015. In February 2016, the property owner presented a counter offer based upon its own appraisal. Staff has reached a settlement agreement with the property owner. At its April 7, 2016 meeting, Council authorized the purchase of the necessary easements and closing costs in an amount not to exceed \$89,000. However, there has been an additional necessary expense associated with the purchase of the easement. Closing has not yet taken place. Staff is asking for authorization of additional funds to purchase the necessary easement and pay closing costs in an amount not to exceed \$4,500.

**FISCAL IMPACT:** Funding is appropriated for the purchase of an easement necessary for the construction of the Bird Creek Interceptor in account 520-5900-535-6110, project #101213.

**ATTACHMENTS:**

[Resolution](#)

RESOLUTION NO. 2016-8473-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING ADDITIONAL FUNDS FOR THE PURCHASE OF AN EASEMENT NECESSARY FOR THE CONSTRUCTION OF THE BIRD CREEK INTERCEPTOR PROJECT; AUTHORIZING CLOSING COSTS ASSOCIATED WITH THIS PURCHASE IN AN AMOUNT NOT TO EXCEED \$4,500; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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

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

**Whereas**, Staff reached an agreement with the property owner and at its April 7, 2016 meeting, Council authorized the purchase of the necessary easements and the payment of associated closing costs, in an amount not to exceed \$89,000;

**Whereas**, there has been an additional necessary expense associated with the purchase of this easement and Staff recommends Council authorize additional funds to purchase the necessary easement and authorize the payment of closing costs in an amount not to exceed \$4,500;

**Whereas**, funding for the additional funds necessary for the acquisition of an easement required for construction of Phase 4 of the Bird Creek Interceptor project is appropriated in Account No. 520-5900-535-6110, Project No. 101213; and

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

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

**Part 1:** The City Council authorizes additional funds for the purchase of an easement from property located at 2402 South 61<sup>st</sup> Street which is necessary for the construction of the Bird Creek Interceptor project and authorizes closing costs associated with the purchase, in an amount not to exceed \$4,500.

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

**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 **15<sup>th</sup>** day of **December**, 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:**

Kayla Landeros, City Attorney  
Christina Demirs, Deputy City Attorney

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing the purchase of one easement necessary for the construction of the Charter Oak Water Line and authorizing closing costs associated with the purchase, in an amount not to exceed \$16,000.

*Executive Session – Pursuant to Chapter 551, Government Code § 551.072 – Real Property – The City Council may enter into executive session to discuss the purchase, exchange, lease or value of real property relating to City projects, the public discussion of which would have a detrimental effect on negotiations with a third party.*

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

**ITEM SUMMARY:** The City is installing a new transmission water line in southwest Temple, roughly parallel to Charter Oak Drive. The project is necessary to replace deteriorating existing facilities and improve service to properties along the route. Phase One of the project is currently under construction and required the acquisition of easements from four property owners.

The design of Phase Two requires the acquisition of easements for water lines across 30 properties owned by 23 different property owners. Appraisals have been completed for eighteen of the properties, and offers based on the appraisals have been made to most of the property owners. The City has reached an agreement for the acquisition or dedication of eleven of these easements. On July 7, Council approved the acquisition of four easements, on July 21 Council approved the acquisition of one easement, and on August 18 Council approved the acquisition of two easements. Two of the twelve easements were dedicated with a plat approved by Council on August 18. On September 15, Council approved the acquisition of two easements.

Staff is now seeking authorization to purchase an additional easement across one property and pay closing costs in an amount not to exceed \$16,000.

**FISCAL IMPACT:** Funding is appropriated for the purchase of the property necessary for the construction of the Charter Oak Water Line in account 520-5900-535-6110, project #100608.

### **ATTACHMENTS:**

[Resolution](#)

RESOLUTION NO. 2016-8474-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE PURCHASE OF ONE EASEMENT NECESSARY FOR THE CONSTRUCTION OF THE CHARTER OAK WATER LINE; AUTHORIZING CLOSING COSTS ASSOCIATED WITH THE PURCHASE IN AN AMOUNT NOT TO EXCEED \$16,000; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, the City is installing a new transmission water line in southwest Temple, roughly parallel to Charter Oak Drive which is necessary to replace deteriorating existing facilities and to improve service to properties along the route - Phase One of the project is currently under construction and required the acquisition of easements from four property owners;

**Whereas**, the design of Phase Two requires the acquisition of easements for water lines from 30 properties owned by 23 different property owners and appraisals have been completed for eighteen of the properties and offers based on the appraisals have been made to most of the property owners and Staff has reached an agreement for the acquisition or dedication of eleven of the remaining easements;

**Whereas**, on July 7, 2016 Council authorized the acquisition of four easements, on July 21, 2016 Council authorized the acquisition of one easement, and on August 18, 2016 Council authorized the acquisition of two easements - two of the twelve easements were dedicated with a plat approved by Council on August 18, 2016 and on September 15, 2016 Council approved the acquisition of two additional easements;

**Whereas**, Staff recommends Council authorize the purchase of an additional easement across one property located on General Bruce Drive (Bell Cad ID 188730), Temple, Texas, as well as the payment of associated closing costs, in an amount not to exceed \$16,000;

**Whereas**, funding for the acquisition of this easement necessary for the construction of the Charter Oak Water Line is appropriated in Account No. 520-5900-535-6110, Project No. 100608; and

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

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

**Part 1:** The City Council authorizes the purchase of one easement across one property located on General Bruce Drive (Bell Cad ID 188730), Temple, Texas, which is necessary for the construction of the Charter Oak Water Line and authorizes closing costs associated with the purchase in an amount not to exceed \$16,000.

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

**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 **15<sup>th</sup>** day of **December**, 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:**

Kayla Landeros, City Attorney  
Christina Demirs, Deputy City Attorney

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing the purchase of one drainage easement necessary for the construction of the proposed expansion and realignment of Prairie View Road and authorizing closing costs associated with the purchase, in an amount not to exceed \$6,200.

*Executive Session – Pursuant to Chapter 551, Government Code § 551.072 – Real Property – The City Council may enter into executive session to discuss the purchase, exchange, lease or value of real property relating to City projects, the public discussion of which would have a detrimental effect on negotiations with a third party.*

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

**ITEM SUMMARY:** The City is currently in the design phase for the proposed expansion of Prairie View Road from North Pea Ridge Road to the water tower approximately 0.4 miles west of FM 317, including a realigned intersection at FM 317. The design requires the acquisition of right-of-way from eighteen different property owners. Appraisals have been performed on the parcels, offers have been made to the property owners based upon those appraisals, and the City's consultant has prepared the required relocation studies.

Agreements have been reached with fourteen of the property owners. One property will be dedicated with the adjacent plats, and one was removed from the scope of the project. Below is a table of property acquisitions that have been approved by Council.

Date Approved	Number of Properties Approved	Not to Exceed Amount
June 2	3	\$214,000
June 16	2	\$366,000
July 21	4	\$496,000
August 4	2	\$24,000
August 18	3	\$385,000

As of December 5, Staff was able to reach a settlement agreement for the purchase of a needed drainage easement. At this time, Staff is asking for authorization to purchase the necessary drainage easement in an amount not to exceed \$6,200. The address and Bell CAD ID Number of the property is:

State Highway 317, Temple, Bell CAD ID 149023.

**FISCAL IMPACT:** Funding for the purchase of the drainage easement is appropriated in account 365-3400-531-6862, project #101257.

**ATTACHMENTS:**

[Resolution](#)

RESOLUTION NO. 2016-8475-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE PURCHASE OF ONE DRAINAGE EASEMENT NECESSARY FOR THE CONSTRUCTION OF THE PROPOSED EXPANSION AND REALIGNMENT OF PRAIRIE VIEW ROAD; AUTHORIZING CLOSING COSTS ASSOCIATED WITH THE PURCHASE IN AN AMOUNT NOT TO EXCEED \$6,200; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, the City is currently in the design phase for the proposed expansion of Prairie View Road from North Pea Ridge Road to the water tower approximately 0.4 miles west of FM 317, including a realigned intersection at FM 317;

**Whereas**, the design requires the acquisition of right-of-way from eighteen different property owners - appraisals have been performed on the parcels, offers have been made to the property owners based upon those appraisals, and the City's consultant has prepared the required relocation studies;

**Whereas**, on June 2, 2017, Council approved the acquisition of three properties, on June 16, 2016, Council approved the acquisition of two properties, on July 21, 2016, Council approved the acquisition of four properties, on August 4, 2016, Council approved the acquisition of two properties, and on August 18, 2016, Council approved the acquisition of the three remaining properties;

**Whereas**, as of December 5, 2016, Staff was able to reach a settlement agreement for the purchase of a needed drainage easement located at State Highway 317, Temple, Texas - Staff recommends Council authorize this purchase in an amount not to exceed \$6,200;

**Whereas**, funding for the purchase of the drainage easement is appropriated in Account No. 365-3400-531-6862, Project No. 101257; and

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

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

**Part 1:** The City Council authorizes the purchase of one drainage easement necessary for the construction of the proposed expansion and realignment of Prairie View Road and authorizes closing costs associated with the purchase, in an amount not to exceed \$6,200.

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



**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 **15<sup>th</sup>** day of **December**, 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:**

Kayla Landeros, City Attorney  
Christina Demirs, Deputy City Attorney

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing the purchase of a property necessary for the expansion of Old Howard Road and Moores Mill Road and authorizing closing costs associated with the purchase in an amount not to exceed \$91,000.

*Executive Session – Pursuant to Chapter 551, Government Code § 551.072 – Real Property – The City Council may enter into executive session to discuss the purchase, exchange, lease or value of real property relating to City projects, the public discussion of which would have a detrimental effect on negotiations with a third party.*

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

**ITEM SUMMARY:** The City is currently in the design phase for the proposed expansion of Old Howard Road from Central Pointe Parkway to Moores Mill Road, as well as an expansion of Moores Mill Road from Old Howard Road to IH-35, including a realigned intersection at Pegasus Drive. The design requires the acquisition of right-of-way from 20 different property owners. Appraisals have been performed on all of the parcels. Offers have been made to several of the property owners based upon those appraisals, and the remaining offers will be presented in the coming weeks. For those properties that will require relocation, the City's consultant is preparing the necessary relocation studies.

The City has acquired seven rights of way and has reached an agreement with a property owner. Staff is actively negotiating with each of the remaining property owners and hopes to reach agreements with each of them this fiscal year. At this time, Staff is asking for authorization to purchase the property and pay closing costs in an amount not to exceed \$91,000.

The address and Bell County Appraisal District ID Numbers of the property is listed below:

1501 Moores Mill Road – Bell CAD ID #183472, 94525, and 350831

**FISCAL IMPACT:** Funding for the purchase of the property necessary for the expansion of Research Parkway is appropriated in account 795-9800-531-6863, project #101000.

### **ATTACHMENTS:**

[Resolution](#)

RESOLUTION NO. 2016-8476-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE PURCHASE OF A PROPERTY NECESSARY FOR THE EXPANSION OF OLD HOWARD ROAD AND MOORES MILL ROAD; AUTHORIZING THE PAYMENT OF CLOSING COSTS ASSOCIATED WITH THIS PURCHASE IN AN AMOUNT NOT TO EXCEED \$91,000; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, the City is currently in the design phase for the proposed expansion of Old Howard Road from Central Pointe Parkway to Moores Mill Road, as well as an expansion of Moores Mill Road from Old Howard Road to IH-35, including a realigned intersection at Pegasus Drive and the design requires the acquisition of right-of-way from 20 different property owners;

**Whereas**, appraisals have been performed on all of the parcels, and offers have been made to several of the property owners based upon those appraisals with the remaining offers to be presented in the coming weeks;

**Whereas**, for those properties that will require relocation, the City's consultant is preparing the necessary relocation studies;

**Whereas**, the City has acquired seven rights of way and has reached an agreement with a property owner - Staff is actively negotiating with each of the remaining property owners and hopes to reach agreements with each of them this fiscal year;

**Whereas**, Staff recommends Council authorize the purchase of the property located at 1501 Moores Mill Road and the payment of closing costs in an amount not to exceed \$91,000;

**Whereas**, funding for the purchase of this property is available in Account No. 795-9800-531-6863, Project No. 101000; and

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

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

**Part 1:** The City Council authorizes the purchase of a portion of 1501 Moores Mill Road, which is necessary for the expansion of Old Howard Road and Moores Mill Road, and authorizes closing costs associated with the purchases, in an amount not to exceed \$91,000.

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

**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 **15<sup>th</sup>** day of **December**, 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:**

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

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing change order #1 with B-Corp Utilities, Inc., of Gatesville in the amount of \$83,401.04 for construction of the 2015 Water and Wastewater Line Replacement.

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

**ITEM SUMMARY:** In November 2014, Council authorized a professional services agreement with Clark & Fuller, Inc. for \$213,791.59 to replace wastewater lines in South 18<sup>th</sup> and South 20<sup>th</sup> Streets and a water line in South 22<sup>nd</sup> Street. In March 2016, Council authorized a construction contract with B-Corp Utilities for \$2,069,132.29 for projects in the areas mentioned above. The attached change order #1 represents items added to repair a wastewater trunk main related to the South 20<sup>th</sup>/Avenue H project. See the attached map.

Services authorized under this change order will replace 150 linear feet of 27" sewer main and manholes. Clark & Fuller recommends the change order in their attached letter.

30 additional calendar days are allotted for this additional scope.

**FISCAL IMPACT:** Funding for this change order is appropriated in account 561-5400-535-6963, project #101196 (South 20<sup>th</sup>/Avenue H area), in the amount of \$83,401.04 as follows:

Project Budget	\$	368 ,466
Encumbered/Committed to Date		(285,064)
B-Corp Change Order #1		(83,402)
Remaining Project Funds	\$	-

**ATTACHMENTS:**

Map  
Recommendation Letter  
Change order Form  
Resolution









215 North Main Street  
Temple, Texas 76501  
(254) 899-0899  
Fax (254) 899-0901  
[www.clark-fuller.com](http://www.clark-fuller.com)  
Firm Registration No: F-10384

December 5, 2016

City of Temple  
Sharon Carlos, E.I.T.  
3210 E. Ave H, Bldg A  
Temple, Texas 76501

Re: 2015 City of Temple Water & Wastewater Line Replacement Project

Dear Ms. Carlos,

On December 2nd, Change Order no. 1 was submitted for the 2015 City of Temple Water & Wastewater Line Replacement Project. The amount of Change Order no. 1 is \$83,401.04. In addition, the contractor has requested an additional 30 calendar days to provide mobilization, construction, and final site cleanup. This Change Order is being provided at the request of the City of Temple to provide an emergency repair to a collapsed section of the existing 27" Knob Creek Sanitary Sewer Interceptor. We have reviewed Change Order no. 1 for accuracy and completeness. *Please see attached Change Order no. 1 for details.*

It is the engineer's opinion to authorize this change order. We believe through experience that B-Corps Utilities will be able to provide the additional construction needed to repair the collapsed Knob Creek Sanitary Sewer Interceptor.

Sincerely,

Monty Clark, P.E., CPESC

## CHANGE ORDER

**PROJECT:** 2015 City of Temple Water and Wastewater Line Replacement Project

**OWNER:** City of Temple

**CONTRACTOR:** B-Corps Utilities, Inc.

**ENGINEER:** Clark & Fuller, PLLC

**CHANGE ORDER #:** One (1)

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

**ITEM #:**

Add:

This change order is for additional days to be added to the contract time for the emergency sewer main repair requested by the City of Temple.

Add: Contractor Item

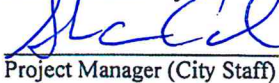
#1	2.5 STA – Right-of-Way prep and Site Clearing	\$ 1,145.65
#2	100% LS – Mobilization, Bonds, and Insurance	\$ 6,055.00
#8	100% LS – Trench Safety Plan	\$ 1,750.00
#13	2 EA – New 4' Dia. Precast Concrete Manhole	\$ 7,163.00
#14	2 EA – New 5' Dia. Precast Concrete Manhole	\$ 10,658.84
#15	3 EA – Connection to Existing Sanitary Sewer Main	\$ 1,207.20
	150 LF – New 27" PVC SDR 26 Sanitary Sewer Main	\$ 43,500.00
	100% LS – Concrete Encasement for Existing sewer main	\$ 2,500.00
	100% LS – Bypass Pumping	\$ 9,421.35

**Total Add:** \$ 83,401.04

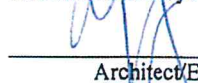
The compensation agreed upon in this Change Order is full, complete and final payment for all costs the Contractor may incur as a result of or relating to this change whether said costs are known, unknown, foreseen or unforeseen at this time, including without limitation, any cost for delay (for which 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:	\$ 2,069,132.29
Previous Net Change in Contract Amount:	\$ 0.00
Net Change in Contract Amount:	\$ 83,401.04
Revised Contract Amount:	\$ 2,152,533.33
Original Contract Time:	370 Days
Previous Net Change in Contract Time:	0 Days
Net Change in Contract Time:	30 Days
Revised Contract Time:	400 Days
Original Final Completion Date:	5-21-2017
Revised Final Completion Date:	6-20-2017

Recommended by:

 Dec 6, 2016  
Project Manager (City Staff) Date

Recommended by:

 12/6/16  
Architect/Engineer Date

Agreed to:

 12/6/16  
Contractor Date

Approved by City of Temple:

Jonathan Graham, City Manager Date

Approved as to form:

Approved by Finance Department:

City Attorney's Office Date

Finance Date

RESOLUTION NO. 2016-8477-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING CHANGE ORDER NO. 1 TO THE CONSTRUCTION CONTRACT WITH B-CORP UTILITIES, INC. OF GATESVILLE, TEXAS, IN THE AMOUNT OF \$83,401.04, FOR THE CONSTRUCTION OF THE 2015 WATER AND WASTEWATER LINE REPLACEMENT; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, in November 2014, Council authorized a professional services agreement with Clark & Fuller, Inc. to replace wastewater lines at South 18<sup>th</sup> and South 20<sup>th</sup> Streets and a water line at South 22<sup>nd</sup> Street;

**Whereas**, in March 2016, Council authorized a construction contract with B-Corp Utilities for projects in those areas - Change Order No. 1 represents items added to repair a wastewater trunk main related to the South 20<sup>th</sup> /Avenue H project which will replace 150 linear feet of 27-inch sewer main and manholes;

**Whereas**, Staff and the City's engineer, Clark & Fuller recommend Council authorize Change Order No. 1 to the construction contract with B-Corp Utilities, Inc. in the amount of \$83,401.04;

**Whereas**, funding for Change Order No. 1 is available in Account No. 561-5400-535-6963, Project No. 101196; 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 No. 1 to the construction contract with B-Corp Utilities, Inc. of Gatesville, Texas, in an amount of \$83,401.04, for the construction of the 2015 Water and Wastewater Line Replacement.

**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 **15<sup>th</sup>** day of **December**, 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:**

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

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a construction contract with The Playwell Group, Inc./Playworks, Inc. of Dallas, in the amount of \$177,580.25 for the reconstruction of the playscape and shade structure at Wilson Community Park.

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

**ITEM SUMMARY:** Authorization of this agreement will allow for the reconstruction of the playscape and shade structure that were destroyed by a fire on June 29, 2016, at Wilson Community Park.

Council originally authorized the construction of the playscape and shade structure on July 16, 2015 at a cost of \$258,300, utilizing Community Development Block Grant (CDBG) funds, and the facility was originally placed into service in the fall of 2015. The reconstruction involves removal, disposal, and reinstallation of the following: primary playscape structure (excluding the swing set), playground tensile shade structure (excluding the shade structure columns), and fiber ground cover.

Per the attached letter of recommendation and bid tabulation prepared by Clark & Fuller, on December 1, 2016, one bid was received from The Playwell Group, Inc./Playworks, Inc. for the reconstruction project. Vanguard Contractors, LP originally constructed the playscape and shade structure in 2015, and Vanguard used The Playwell Group, Inc./Playworks, Inc. as a supplier and installer of the original equipment.

The Parks & Recreation Department has used Playwell Group, Inc./Playworks, Inc. for several projects over recent years and has found them to be a responsive and responsible vendor.

It is anticipated that the reconstruction project will be complete by April 2017 based on 80 days allowed in the construction contract.

**FISCAL IMPACT:** Funding for the project in the amount of \$177,580.25 is available from insurance recovery proceeds in account 260-6100-571-6516, Project #101124, in the amount of \$77,986.48. A budget adjustment is being presented to Council for the additional required funding of \$99,593.77 in the same account.

The additional amount of \$99,593.77 will be submitted to TML as an additional claim against the City's property insurance policy. Once the insurance recovery proceeds are received, they will be forwarded to CDBG since the original facility was funded with CDBG funds. Once the funds are in the City's CDBG account, they are available to the City to fund the reconstruction of the facility.

Funding will be available in account 260-6100-571-6516, Project #101124 as shown below:

Project Budget	\$ 82,774
Budget Adjustment	99,594
Encumbered/Committed to Date	(4,788)
The Playwell Group, Inc/Playworks, Inc.	(177,580)
<b>Remaining Project Funds</b>	<b>\$ 0</b>

**ATTACHMENTS:**

[Engineer Letter of Recommendation](#)  
[Bid Tabulation](#)  
[Budget Adjustment](#)  
[Resolution](#)



215 North Main Street  
Temple, Texas 76501  
(254) 899-0899  
Fax (254) 899-0901  
[www.clark-fuller.com](http://www.clark-fuller.com)  
Firm Registration No: F-10384

December 1, 2016

City of Temple Parks and Leisure  
Val Roming  
1909 Curtis B. Elliot Drive  
Temple, Texas 76503

Re: City of Temple - 2016 CDBG Wilson Park Playscape Addition - Reconstruction Project

Dear Mr. Roming,

On December 1<sup>st</sup>, we received one (1) bid for the City of Temple - 2016 CDBG Wilson Park Playscape Addition - Reconstruction Project. We have reviewed the bid for accuracy and completeness. The Playwell Group, Inc. submitted a Base Bid totaling \$177,580.25, making them the apparent low bidder. *Please see the enclosed Bid Tabulation Sheet and Bid Schedule Breakout for detailed information.*

The engineers project estimate for this project is \$240,000.00 for the base bid. We are recommending that you award the contract Base Bid to The Playwell Group, Inc. We believe, through personal experience, that The Playwell Group, Inc is qualified and is capable of providing the 2016 CDBG Wilson Park Playscape Addition - Reconstruction Project.

We believe that The Playwell Group, Inc. is a proven company with many successfully completed projects and we look forward to working with them on this project.

Sincerely,

Monty Clark, P.E., CPESC



## Bid Tabulation Sheet

### 2016 CDBG Wilson Park Playscape Reconstruction

Bid Date: December 1, 2016



No.	Base Bid Item Description	Est. Quan.	Unit	Unit Price	The Playwell Group, Inc. Total Cost
	Base Bid				
1	Provide Mobilization, Insurance, Bonding, Site Demolition, Playground, including but not limited to new playscape, removal and replacement of wood fiber play area, existing utility and structure verification, bracing, and/or protection, tree protection, and all miscellaneous appurtenances.	100%	LS	\$ 139,413.97	\$ 139,413.97
2	Remove existing playground tensile shade structure and provide new playground tensile shade structure.	100%	LS	\$ 38,166.28	\$ 38,166.28
	<b>Total</b>				<b>\$ 177,580.25</b>



FY 2017**BUDGET ADJUSTMENT FORM**

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

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

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-

ACCOUNT NUMBER	PROJECT #	ACCOUNT DESCRIPTION	INCREASE		DECREASE	
260-6100-571-65-16	101124	Park Improvements - Wilson Park	\$ 99,594			
260-0000-431-01-31		CDBG Revenue	99,594			
<b>TOTAL.....</b>			\$ 199,188		\$ -	

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

Appropriate CDBG funds for the amount of additional funds that will be returned to CDBG when they are received from TML for the insurance claim regarding the Wilson Park playground fire. After the funds are returned to CDBG, they are available to be spent on replacing/repairing the playground.

DOES THIS REQUEST REQUIRE COUNCIL APPROVAL?

☒ Yes☐ No

DATE OF COUNCIL MEETING

12/15/2016

WITH AGENDA ITEM?

☒ Yes☐ No\_\_\_\_\_  
Department Head/Division Director\_\_\_\_\_  
Date
☐ Approved  
☐ Disapproved
\_\_\_\_\_  
Finance\_\_\_\_\_  
Date
☐ Approved  
☐ Disapproved
\_\_\_\_\_  
City Manager\_\_\_\_\_  
Date
☐ Approved  
☐ Disapproved

RESOLUTION NO. 2016-8478-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A CONTRACT WITH THE PLAYWELL GROUP, INC./PLAYWORKS, INC. OF DALLAS, TEXAS, IN THE AMOUNT OF \$177,580.25 FOR THE RECONSTRUCTION OF THE PLAYScape AND SHADE STRUCTURE AT WILSON COMMUNITY PARK; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, Council originally authorized the construction of the playscape and shade structure on July 16, 2015 at a cost of \$258,300, utilizing Community Development Block Grant (CDBG) funds, and the facility was originally placed into service in the fall of 2015;

**Whereas**, the reconstruction involves removal, disposal, and reinstallation of the primary playscape structure (excluding the swing set), playground tensile shade structure (excluding the shade structure columns), and fiber ground cover;

**Whereas**, on December 1, 2016, one bid was received from The Playwell Group, Inc./Playworks, Inc. for the reconstruction project - Vanguard Contractors, LP originally constructed the playscape and shade structure in 2015, and Vanguard used The Playwell Group, Inc./Playworks, Inc. as a supplier and installer of the original equipment;

**Whereas**, Staff has used The Playwell Group, Inc./Playworks, Inc. for several projects over recent years and has found them to be a responsive and responsible vendor;

**Whereas**, funding for the project is available from insurance recovery proceeds in Account No. 260-6100-571-6516, Project No. 101124, however a budget adjustment is being presented to Council for additional funding required which will be submitted to TML as an additional claim against the City's property insurance policy; and

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

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

**Part 1:** The City Council authorizes the City Manager, or his designee, after approval as to form by the City Attorney, to execute a construction contract with The Playwell Group, Inc./Playworks, Inc. of Dallas, Texas in the amount of \$177,580.25, for the reconstruction of the playscape and shade structure at Wilson Community Park.

**Part 2:** The City Council authorizes an amendment to the fiscal year 2017 budget, substantially in the form of the copy attached hereto as Exhibit 'A.'

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

PASSED AND APPROVED this the **15<sup>th</sup>** day of **December**, 2016.

THE CITY OF TEMPLE, TEXAS

---

DANIEL A. DUNN, Mayor

APPROVED AS TO FORM:

ATTEST:

---

Lacy Borgeson  
City Secretary

---

Kayla Landeros  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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12/15/16  
Item #5(M)  
Consent Agenda  
Page 1 of 2

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

Ashley Williams, Director of General Services

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a construction contract with Tecta America of Pflugerville, in the amount of \$37,253.28 for the roof repairs at multiple City facilities.

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

**ITEM SUMMARY:** The project entails the repair of fourteen roofs at the following facilities that were damaged in a hail storm.

Facility	Address	Cost
Clark Building - Curtis Pool Bath House	1806 Curtis Elliot Dr	\$ 1,519.19
Ferguson Park Splash Pad	1203 E Adams Ave	1,526.24
Fire Station 2	1710 E Ave H	3,844.96
Fire Station 5	510 N Apache	2,422.43
Golf Course Club House	2727 W Ave D	3,708.03
Golf Course Maintenance Barn	2727 W Ave D	3,540.23
Lanier School/Health District	201 N 8th St	4,124.56
Lions Park - Mercer Complex Storage	4320 Lions Park Rd	8,443.05
Lion Sam Farrow Amphitheater	4320 Lions Park Rd	446.02
Pate Pavilion	2205 Curtis B. Elliot	2,010.90
Sammons Indoor Pool	2220 W Ave D	4,747.98
Whistlestop Park Bathroom	22 S 11th St	919.69
TOTAL		\$ 37,253.28

Tecta America of Pflugerville was identified through Choice Partners Cooperative, a national cooperative purchasing service out of Harris County. Choice Partners Coop offers contracts for facility services through a Job Order Contract. Through the use of Tecta America contract, the City pays 87% of the costs identified through RS Means (construction cost estimating data).

Staff has worked closely with Tecta America through this process and recommends approval of this contract. This is phase 1 of 2 of roof replacements related to hail damage.

**FISCAL IMPACT:** In July 2015, Council authorized a budget adjustment in the amount of \$224,230 to recognize insurance proceeds, as well as, anticipated proceeds from Texas Municipal League related to hail damage that occurred during May 2013 to several City facilities.

The FY 2017 General Fund carry forwards included \$161,240 for roof repairs to the City facilities that still need to be repaired. Funding for the roof repairs at multiple City facilities is appropriated as shown below:

Facility	Account #	Appropriated Amount
Fire Station 2	110-2210-522-2516	\$ 6,268
Fire Station 5		
Lanier School/Health District	110-2400-519-2516	4,125
Golf Course Maintenance Barn	110-3110-551-2516	3,541
Golf Course Club House	110-3130-551-2516	3,709
Clark Building - Curtis Pool Bath House	110-3223-551-2516	1,520
Sammons Indoor Pool	110-3224-551-2516	4,748
Ferguson Park Splash Pad	110-3500-552-2516	13,346
Lions Park - Mercer Complex Storage		
Lion Sam Farrow Amphitheater		
Pate Pavilion		
Whistlestop Park Bathroom		
TOTAL		\$ 37,257

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

RESOLUTION NO. 2016-8479-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A CONSTRUCTION CONTRACT WITH TECTA AMERICA OF PFLUGERVILLE, TEXAS, IN THE AMOUNT OF \$37,253.28 FOR ROOF REPAIRS AT MULTIPLE CITY FACILITIES; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, in May, 2013, several City buildings sustained damages as a result of a severe hail storm;

**Whereas**, Staff recommends the repair of fourteen roofs at the following facilities:

Clark Building – Curtis Pool Bath House	Ferguson Park Splash Pad
Fire Station No. 2	Fire Station No. 5
Golf Course Club House	Golf Course Maintenance Barn
Lanier School/Health District	Lions Park - Mercer Complex Storage
Lion Sam Farrow Amphitheater	Pate Pavilion
Sammons Indoor Pool	Whistlestop Park Bathroom

**Whereas**, Choice Partners Cooperative, a national cooperative purchasing service out of Harris County, Texas offers contracts for facility services through a Job Order Contract and Tecta America of Pflugerville, Texas was identified through them;

**Whereas**, through the use of the Tecta America contract, the City pays 87% of the costs identified through RS Means (construction cost estimating data);

**Whereas**, Staff has worked closely with Tecta America through this process and recommends Council authorize a construction contract with them for Phase 1 of 2 of roof replacements related to hail damage;

**Whereas**, in July 2015, Council authorized a budget adjustment which recognized insurance proceeds, as well as, anticipated proceeds from Texas Municipal League related to hail damage that occurred during May 2013 to several City facilities;

**Whereas**, funding for the roof repairs at the above listed facilities is appropriated in the following accounts:

- Fire Station No. 2 & No. 5 - Account No. 110-2210-522-2516;
- Lanier School/Health District - Account No. 110-2400-519-2516;
- Golf Course Maintenance Barn – Account No. 110-3100-552-2516;
- Golf Course Club House – Account No. 110-3130-551-2516;
- Clark Building-Curtis Bath House – Account No. 110-3223-551-2516;
- Sammons Indoor Pool – Account No. 110-3224-551-2516;
- Ferguson Park Splash Pad – Account No. 110-3500-552-2516;
- Lions Park – Mercer Complex Storage - Account No. 110-3500-552-2516;

- Lion Sam Farrow Amphitheater - Account No. 110-3500-552-2516;
- Pate Pavilion - Account No. 110-3500-552-2516; and
- Whistlestop Park Bathroom - Account No. 110-3500-552-2516;

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

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

**Part 1:** The City Council authorizes the City Manager, or his designee, after approval as to form by the City Attorney, to execute a construction contract with Tecta America of Pflugerville, Texas, in the amount of \$37,253.28, for roof repairs at multiple City facilities.

**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 **15<sup>th</sup>** day of **December**, 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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12/15/16  
Item #5(N)  
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 amendment to the Prairie View Road contract with Kasberg, Patrick and Associates, LP, in an amount not to exceed \$29,800 for professional services required to comply with Federal Highway Administration and Texas Department of Transportation grant-related requirements.

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

**ITEM SUMMARY:** On December 4, 2014, Council authorized an amendment to a contract with KPA for professional services required to provide design plans, exhibits, estimates, metes & bounds descriptions, and bidding services for proposed improvements to Prairie View Road from North Pea Ridge Road to FM 2483.

On November 5, 2015, Council authorized an application for federal funding through the Killeen-Temple Metropolitan Planning Organization Category 7 program and authorized acceptance of federal funds in the amount of \$3,888,000 (based on a project construction cost of \$6,480,000 and to be reimbursed through the grant program). The City's estimated construction cost match is \$2,592,000 (40%). Additional costs have been identified for TxDOT administration/direct state expenses in the amount of \$96,960. The City is also responsible for engineering and environmental consulting. The State is responsible for Indirect State Costs of \$125,000.

On June 16, 2016, Council authorized the City Manager to execute all documents necessary to complete the transaction with TxDOT.

This contract amendment proposes KPA and sub-consultant Terracon to perform a noise study documenting existing and future noise levels within the project area, a Noise Barrier Evaluation, and a Historic Studies Project Coordination Request with a public hearing.

The proposed work will be completed within 60 calendar days after notice to proceed. An additional 124 calendar days is included to accommodate TxDOT reviews to date for a total of 184 additional calendar days. The following tasks and costs are proposed:

Task 1 - Noise Analysis	\$20,600
Task 2 - Noise Barrier Evaluation	\$ 5,300
Task 3 – Historic Studies (PCR)	<u>\$ 3,900</u>

Total \$29,800

**FISCAL IMPACT:** Funding for the contract amendment with KPA in the amount of \$29,800 is appropriated in account 365-3400-531-6862, project #101257, as follows:

Project Budget	\$ 2,372,638
Encumbered/Committed to Date	(2,178,353)
<b>KPA Contract Amendment</b>	<b>(29,800)</b>
<b>Remaining Project Funds</b>	<b><u>\$ 164,485</u></b>

**ATTACHMENTS:**

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



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

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

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

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

November 15, 2016

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

Re: Prairie View Road Ph.2  
Categorical Exclusion Additional Scope

Dear Mr. Wilson:

At the request of the City of Temple, we are submitting this proposal for the above referenced project. The additional professional services consist of historic studies project coordination request (PCR) and document existing and future noise levels within project study area. The project study area includes proposed Prairie View Road and FM2483 roadway realignment and SH317 Intersection improvements. The project location is between North Pea Ridge Road and extending along FM2483 ending 0.4 miles west of SH317 near the City of Temple Elevated Storage Tank.

The work to be performed by KPA and sub-consultant Terracon under this proposal consists of performing the following services:

Task 1

- A. Receptor Survey identifying potential noise-sensitive areas or receptors including schools, churches and residential areas.
- B. Noise Modeling and Validation per Federal Highway Administration (FHWA) regulations and Texas Department of Transportation (TxDOT) guidelines. Three noise measurements will be conducted along the roadway within the vicinity of noise sensitive areas. Services include set-up, noise measuring equipment, weather documentation during noise measurement data collection, determination of peak noise hours consistent with peak traffic hour, collection of existing noise levels, prediction of future noise levels and Noise Report with summary sections for the Environmental Document. Services not covered are required traffic data collection, which may be provided by TxDOT, City of Temple, or by separate proposal (as necessary).

Task 2

- A. Noise Barrier Evaluation (if required). TxDOT guidelines require examination and evaluation of noise abatement when traffic noise impacts are predicted for churches, schools and residential areas. Barrier will be evaluated over short segments selected based upon receptor grouping, configuration, elevations and proximity to the roadway improvements.

Task 3

- A. Based on results of previous services related to the Scope Development Tool, TxDOT is requiring a Historic Studies Project Coordination Request (PCR) and a Public Hearing. Services include creation of required maps, analysis of historic data, and photo documentation of buildings, structures, road features, and areas of proposed construction.

Mr. Richard Wilson  
November 15, 2016  
Page Two

The following scope of work for the Prairie View Road Ph. 2 Roadway Improvements can be completed for the lump sum price of \$29,800. The work is anticipated to be completed within 60 days of notice to proceed including anticipated TxDOT review time. Below is a breakdown of project costs by individual item. We are pleased to submit this proposal and look forward to the benefit it will bring the City of Temple.

Task 1 Noise Analysis	\$ 20,600
Task 2 Noise Barrier Evaluation	\$ 5,300
Task 3 Historic Studies (PCR)	<u>\$ 3,900</u>
Total	\$ 29,800

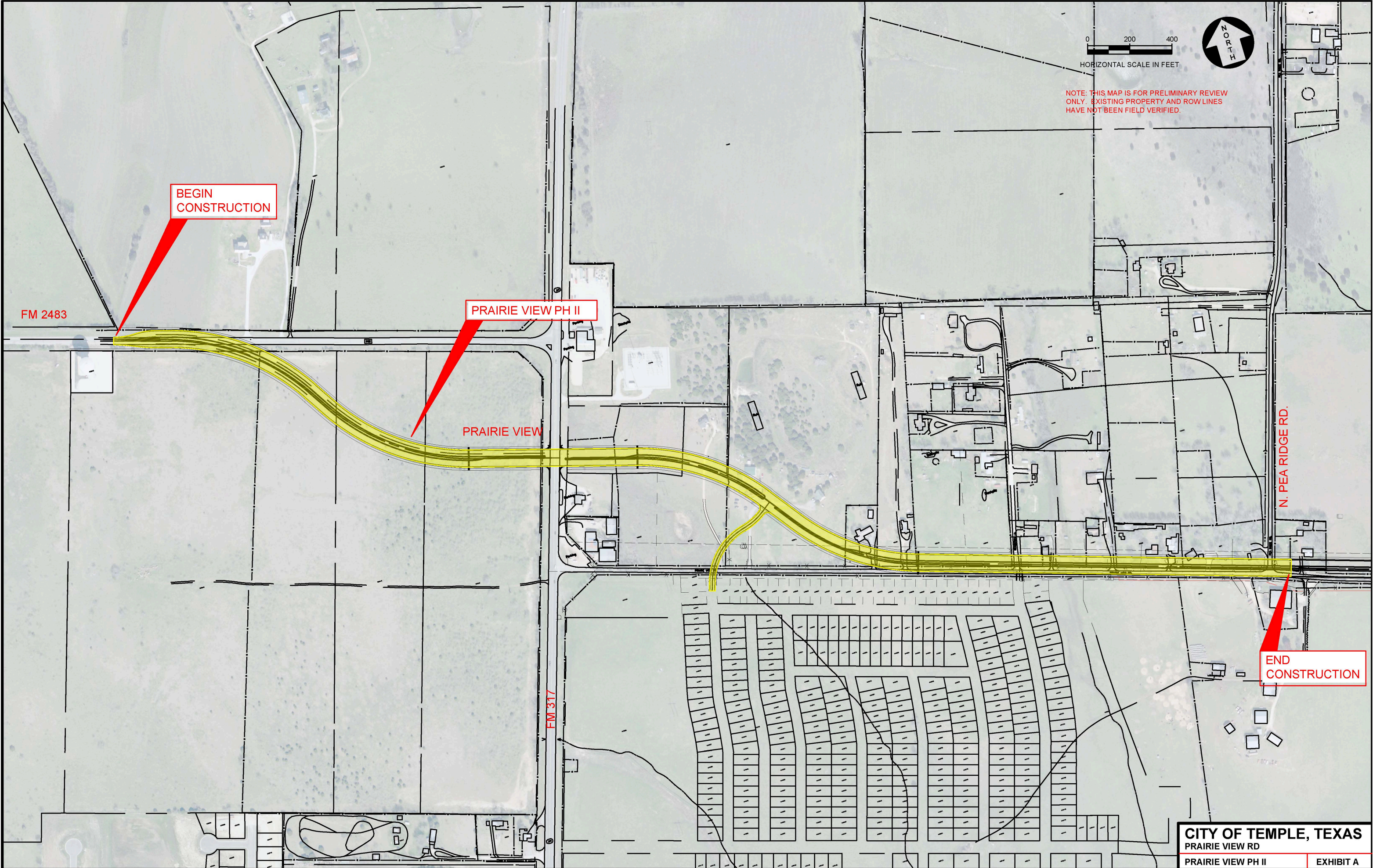
Sincerely,

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

Michael C. Newman, P.E., CFM  
xc: File



P:\Temple\2013\2013-128 Prairie-View\CAD\Bases\Civil\3d\2013-128-PBASE-extended.dwg





RESOLUTION NO. 2016-8480-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH KASBERG, PATRICK & ASSOCIATES, LP OF TEMPLE, TEXAS, IN THE AMOUNT OF \$29,800, FOR SERVICES REQUIRED TO COMPLY WITH FEDERAL HIGHWAY ADMINISTRATION AND TEXAS DEPARTMENT OF TRANSPORTATION GRANT-RELATED REQUIREMENTS; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, on December 4, 2014, Council authorized an amendment to a professional services agreement with Kasberg, Patrick and Associates, LP (“KPA”) for professional services required to provide design plans, exhibits, estimates, metes & bounds descriptions, and bidding services for proposed improvements to Prairie View Road from North Pea Ridge Road to FM 2483;

**Whereas**, on November 5, 2015, Council authorized an application for federal funding through the Killeen-Temple Metropolitan Planning Organization Category 7 program and authorized acceptance of federal funds in the amount of \$3,888,000 (based on a project construction cost of \$6,480,000 and to be reimbursed through the grant program);

**Whereas**, the City’s estimated construction cost match is \$2,592,000 (40%) and additional costs have been identified for TxDOT administration/direct state expenses in the amount of \$96,960 - the City is also responsible for engineering and environmental consulting and the State is responsible for Indirect State Costs of \$125,000;

**Whereas**, on June 16, 2016, Council authorized the City Manager to execute all documents necessary to complete the transaction with TxDOT;

**Whereas**, this contract amendment proposes KPA and sub-consultant Terracon, to perform a noise study documenting existing and future noise levels within the project area, a Noise Barrier Evaluation, and a Historic Studies Project Coordination Request with a public hearing;

**Whereas**, Staff recommends Council authorize an amendment to the Prairie View Road professional services agreement with KPA in an amount not to exceed \$29,800, for professional services required to comply with Federal Highway Administration and Texas Department of Transportation (TxDOT) grant-related requirements;

**Whereas**, funding for this contract amendment is appropriated in Account No. 365-3400-531-6862, Project No. 101257; and

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

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

**Part 1:** The City Council authorizes the City Manager, or his designee, after approval as to form by the City Attorney, to execute an amendment to the Prairie View Road professional services agreement with Kasberg, Patrick and Associates, LP, for professional services required to comply with Federal Highway Administration and Texas Department of Transportation grant-related requirements in an amount not to exceed \$29,800.

**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 **15<sup>th</sup>** day of **December**, 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 #5(O)  
Consent Agenda  
Page 1 of 1

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

Lisa Sebek, Director of Solid Waste Services  
Belinda Mattke, Director of Purchasing

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a contract extension to the service agreement for non-curbide recyclables through September 30, 2017, with Balcones Recycling, Inc. of Austin.

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

**ITEM SUMMARY:** The extension of this service agreement will provide for the generation of revenues from the non-curbide recyclables from Balcones Recycling, Inc. (Balcones) through September 30, 2017.

On September 18, 2014 and September 17, 2015, the Council authorized an annual contract to Balcones for recyclables, not including curbide recyclables. On September 15, 2016, Council authorized a renewal to this agreement through December 31, 2016. Based on the recent curbide recycling negotiations with Balcones, City staff desires to extend the service agreement for the sale of non-curbide recycling through September 30, 2017, and Balcones is willing to extend the agreement accordingly.

The payment structure to the City is based on a percentage of published market index. The pricing received for the recyclables is based on a percentage of the maximum quote of the Official Board Markets (OBM) and the Waste New Pricing Report (WNPR) indexes as follows:

	<u>Picked Up</u>	<u>City-Delivered</u>
Newspaper – OBM, Southwest, News 6	50%	65%
White Paper – OBM, Southwest, Sorted White	50%	65%
Cardboard – OBM, Southwest, Box Cuttings	50%	75%
Mixed Paper – OBM, Southwest, Boxboard Cuttings	40%	50%
Plastics Type 1,2 – WNPR, PET, Houston	25%	33%

**FISCAL IMPACT:** It is estimated that revenues generated from non-curbide recycling for FY2017 will total approximately \$40,000, and these revenues will be posted to account 110-0000-444-2056, Solid Waste/Other Recycling Revenues.

**ATTACHMENTS:**

[Resolution](#)

RESOLUTION NO. 2016-8481-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A CONTRACT EXTENSION TO THE SERVICES AGREEMENT WITH BALCONES RESOURCES, INC., OF AUSTIN, TEXAS, FOR NON-CURBSIDE RECYCLABLES; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, on September 18, 2014 and September 17, 2015, Council authorized an annual contract with Balcones Resources, Inc. of Austin, Texas, for recyclables, not including curbside recyclables;

**Whereas**, on September 15, 2016, Council authorized a renewal to this agreement through December 31, 2016 and based on the recent curbside recycling negotiations with Balcones, Staff recommends Council authorize a contract extension to the service agreement for the sale of non-curbside recycling through September 30, 2017;

**Whereas**, payment structure to the City is based on a percentage of published market index and the pricing received for the recyclables is based on a percentage of the maximum quote of the Official Board Markets and the Waste New Pricing Report indexes;

**Whereas**, it is estimated that revenues generated from non-curbside recycling for fiscal year 2017 will total approximately \$40,000 – those revenues will be posted to Account No. 110-0000-444-2056; 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 contract extension to the services agreement with Balcones Resources, Inc. of Austin, Texas, for non-curbside recyclables through 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 **15<sup>th</sup>** day of **December**, 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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12/15/16  
Item #5(P)  
Consent Agenda  
Page 1 of 2

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

Jonathan Graham, City Manager  
Nicole Torralva, Public Works Director

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a Second Amendment to the Services Agreement between the City of Temple and Balcones Resources, Inc. for single stream recyclable materials processing and marketing.

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

**ITEM SUMMARY:** In August, 2013, the City entered into a Services Agreement with Balcones Resources, Inc. ("Balcones") in which Balcones agreed to accept recyclable materials delivered by the City and transport those materials for processing and marketing. The Agreement was for a term of five years and was set to expire on September 30, 2018.

In the Agreement, Balcones agreed to pay to the City, as part of a revenue share, \$5.00 for every ton delivered by the City to the Balcones facility. However, the parties agreed that if after October, 2015, the City was not averaging 12.5% or less of non-recyclable materials in the loads transported by Balcones, the parties would work together to adjust the revenue share. The City had not met the percentage set forth in the Agreement and the parties discussed options for adjusting the revenue share. Balcones was willing to continue to provide services under the Agreement if the City would pay to Balcones a processing fee for every ton delivered by the City to the Balcones recycling facility. Balcones also agreed to a revenue share with the City that is based on the price received for the recyclables by Balcones. Specifically, Balcones proposed that the City pay a processing fee of \$79.00 per ton and Balcones would then share with the City 51% of the revenue received from the sale of the recyclables (calculated on a per ton basis).

Council previously approved a First Amendment to the Services Agreement which provided for the adjusted revenue share and requires the City to pay to Balcones \$79.00 for every ton delivered by the City to the Balcones recycling facility. Balcones agreed to share with the City 51% of the revenue received from the sale of the recyclables. The First Amendment was effective June 1, 2016 and will terminate on December 31, 2016. The First Amendment also deleted the Public Education section of the original Agreement.

City Staff is continuing to discuss and explore long term options that would allow for an efficient and economical process for the collection, transportation, processing and marketing of recyclable materials. To help with this process, the City contracted with David Yanke at NewGen Strategies & Solutions to perform a recycling processing options analysis. Mr. Yanke will be giving a presentation on that analysis at the December 15, 2016, Council workshop meeting. However, at this time, Staff would like to continue its relationship with Balcones until a final decision on a long term process is made. Balcones has offered to continue its services through March 31, 2017 if the City will agree to pay to Balcones \$89.00 for every ton delivered by the City to the Balcones recycling facility. Balcones will continue to share with the City 51% of the revenue received from the sale of the recyclables. The proposed Second Amendment will be effective January 1, 2017 and will terminate on March 31, 2016.

**FISCAL IMPACT:** The City delivers approximately 250 tons of recyclables per month to the Balcones facility. The average 'net' cost (\$79 per ton processing fee less 51% revenue share) per ton over the past few months has been \$25.45 per ton. With the proposed amendment, the 'net' cost will increase by approximately \$10 per ton. If the revenue per ton received from the sale of recyclables fluctuates, the 'net' cost will also fluctuate based on the 51% revenue share. The total net cost per month is estimated to be \$8,862.50. The fiscal year 2017 adopted budget includes \$200,000 for recycling operating services in account 110-2330-540-2623.

**ATTACHMENTS:**

[Resolution](#)

RESOLUTION NO. 2016-8482-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A SECOND AMENDMENT TO THE SERVICES AGREEMENT WITH BALCONES RESOURCES, INC., OF AUSTIN, TEXAS, FOR SINGLE STREAM RECYCLABLE MATERIALS PROCESSING AND MARKETING; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, in August, 2013, the City entered into a Services Agreement with Balcones Resources, Inc. ("Balcones") in which Balcones agreed to accept recyclable materials delivered by the City and transport those materials for processing and marketing - the Agreement is for a term of five years and is set to expire on September 30, 2018;

**Whereas**, in the Agreement, Balcones agreed to pay to the City, as part of a revenue share, \$5.00 for every ton delivered by the City to the Balcones facility, however, the parties agreed that if after October, 2015, the City was not averaging 12.5% or less of non-recyclable materials in the loads transported by Balcones, the parties would work together to adjust the revenue share - the City has not met the percentage set forth in the Agreement and has been working with Balcones over the last few months to discuss options for adjusting the revenue share;

**Whereas**, at that time, Balcones was willing to continue to provide services under the Agreement if the City would pay to Balcones a processing fee for every ton delivered by the City to the Balcones recycling facility – Balcones also agreed to a revenue share with the City that is based on the price received for the recyclables by Balcones;

**Whereas**, Balcones proposed that the City pay a processing fee of \$79.00 per ton and Balcones will then share with the City 51% of the revenue received from the sale of the recyclables (calculated on a per ton basis);

**Whereas**, Council previously approved a First Amendment to the Services Agreement which provided for the adjusted revenue share and required the City to pay to Balcones \$79.00 for every ton delivered by the City to the Balcones recycling facility - Balcones agreed to share with the City 51% of the revenue received from the sale of the recyclables;

**Whereas**, the First Amendment deleted the Public Education section of the original Agreement and was effective June 1, 2016 and terminates December 31, 2016;

**Whereas**, Staff continues to discuss and explore long term options that would allow for an efficient and economical process for the collection, transportation, processing and marketing of recyclable materials - to help with this process, the City contracted with David Yanke at NewGen Strategies & Solutions to perform a recycling processing options analysis;

**Whereas,** in the meantime, Staff recommends Council authorize a Second Amendment to the Services Agreement with Balcones Resources, Inc. for single stream recyclable materials processing and marketing through March 31, 2017 in which the City will agree to pay to Balcones \$89.00 for every ton delivered by the City to the Balcones recycling facility and Balcones will continue to share with the City 51% of the revenue received from the sale of the recyclables;

**Whereas,** for fiscal year 2017, the adopted budget includes \$200,000 for recycling operating services and is available in Account No. 110-2330-540-2623; 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 Second Amendment to the services agreement with Balcones Resources, Inc. of Austin, Texas, for single stream recyclable materials processing and marketing.

**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 **15<sup>th</sup>** day of **December**, 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 an intergovernmental agreement with National Purchasing Partners to enable the City to utilize contracts competitively procured by NPP lead contracting agencies.

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

**ITEM SUMMARY:** Authorization of this intergovernmental agreement will allow staff to evaluate and purchase off of contracts competitively procured by NPP lead contracting agencies.

NPP has instituted a cooperative purchasing program under which participating agencies may utilize contracts competitively solicited by NPP lead contracting agencies. It is staff's desire to be able to evaluate and consider purchasing off of cooperative contracts procured by NPP lead contracting agencies. In order to facilitate the evaluation of these available cooperative contracts, the City must exercise the attached Member Intergovernmental Cooperative Purchasing Agreement.

State law encourages participation in cooperatives to eliminate duplication of efforts, thereby saving taxpayers' dollars. The Texas Local Government Code §271.101-102 outlines the statutory requirements for participating in a cooperative purchasing program.

**FISCAL IMPACT:** There is no membership fee for the City to utilize contracts for goods and services procured utilizing a NPP contract.

### **ATTACHMENTS:**

[National Purchasing Partners Member Intergovernmental Cooperative Purchasing Agreement Resolution](#)



# **National Purchasing Partners**

## **Member Intergovernmental Cooperative Purchasing Agreement**

This Intergovernmental Agreement (Agreement) by and between government entities that execute a Lead Contracting Agency Authorization ("Lead Contracting Agency(ies)") to be supplemented and made a part hereof and participating National Purchasing Partners ("NPP") government entity members ("Participating Agencies") including members of FireRescue GPO and Public Safety GPO, that agree to the terms and conditions of this Agreement. All NPP Lead Contracting Agencies and Participating Agencies shall be considered as "parties" to this agreement.

WHEREAS, upon completion of a formal competitive solicitation and selection process, the Lead Contracting Agencies have entered into Master Price Agreements with one or more Vendors to provide goods and services, often based on national sales volume projections;

WHEREAS, NPP, created by a nonprofit medical center, provides group purchasing marketing and administrative support for governmental entities within the membership. NPP's marketing and administrative services are free to its membership, which includes participating public entities and non-profit institutions throughout the United States and Canada.

WHEREAS, NPP has instituted a cooperative purchasing program under which member Participating Agencies may reciprocally utilize competitively solicited Vendor Contracts through the inclusion of the membership in Lead Contracting Agency bid Solicitation and Master Price Agreements;

WHEREAS, the Master Price Agreements provide that all members of NPP may purchase goods and services on the same terms, conditions and pricing as the Lead Contracting Agency, subject to applicable local and state laws of the Participating Agencies;

WHEREAS, the parties agree to comply with the requirements of the Intergovernmental Cooperation Act as may be applicable to the local and state laws of the Participating Agencies;

WHEREAS, the parties desire to conserve and leverage resources, and to improve the efficiency and economy of the procurement process while reducing solicitation and procurement costs;

WHEREAS, the parties are authorized and eligible to contract with governmental bodies and Vendors to perform governmental functions and services, including the purchase of goods and services; and

WHEREAS, the parties desire to contract with Vendors under the terms of the Master Price Agreements open to all Participating Agencies;

NOW, THEREFORE, the parties agree as follows:

### **ARTICLE 1: LEGAL AUTHORITY**

Each Party represents and warrants that it is eligible to participate in this Agreement because it is a local government or non-profit corporation created and operated to provide one or more governmental functions and possesses adequate legal authority to enter into this Agreement.

### **ARTICLE 2: APPLICABLE LAWS**

The procurement of goods and services subject to this Agreement shall be conducted in accordance with and subject to the relevant statutes, ordinances, rules, and regulations that govern each party's procurement policies. It is the responsibility of each party to ensure it has met all applicable solicitation and procurement requirements, both in state law and local policy.

### **ARTICLE 3: USE OF BID, PROPOSAL OR PRICE AGREEMENT**

- a. Each party will facilitate the cooperative procurement of goods and services.
- b. The procuring party shall be responsible for the ordering of goods and services under this Agreement. A non-procuring party shall not be liable in any fashion for any violation by a procuring party, and the procuring party shall hold non-procuring parties harmless from any liability that may arise from action or inaction of the procuring party.
- c. The procuring party shall not use this agreement as a method for obtaining additional concessions or reduced prices for similar goods and services outside the scope of the Master Price Agreements and NPP.
- d. The exercise of any rights or remedies by the procuring party shall be the exclusive obligation of such procuring party.
- e. The cooperative use of bids, proposals or price agreements obtained by a party to this Agreement shall be in accordance with the terms and conditions of the bid, proposal or price agreement, except as modified where otherwise allowed or required by applicable law, and does not relieve the party of its other bid requirements under state law or local policies.



#### **ARTICLE 4: PAYMENT OBLIGATIONS**

The procuring party will make timely payments to Vendors for goods and services received in accordance with the terms and conditions of the procurement. Payment for goods and services, inspections and acceptance of goods and services ordered by the procuring party shall be the exclusive obligation of such procuring party. Disputes between procuring party and Vendor shall be resolved in accordance with the law and venue rules of the state of the procuring party.

#### **ARTICLE 5: COMMENCEMENT DATE**

This Agreement shall take effect after execution of the "Lead Contracting Agency Endorsement and Authorization" or "Participating Agency Endorsement and Authorization," as applicable.

#### **ARTICLE 6: TERMINATION OF AGREEMENT**

This Agreement shall remain in effect until terminated by a party giving 30 days written notice to the Lead Contract Agency.

#### **ARTICLE 7: ENTIRE AGREEMENT**

This Agreement and any attachments, as provided herein, constitute the complete Agreement between the parties hereto, and supersede any and all oral and written agreements between the parties relating to matters herein.

#### **ARTICLE 8: CHANGES AND AMENDMENTS**

This Agreement may be amended only by a written amendment executed by all parties, except that any alterations, additions, or deletions of this Agreement which are required by changes in Federal and State law or regulations are automatically incorporated into this Agreement without written amendment hereto and shall become effective on the date designated by such law or regulation.

#### **ARTICLE 9: SEVERABILITY**

All parties agree that should any provision of this Agreement be determined to be invalid or unenforceable, such determination shall not affect any other term of this Agreement, which shall continue in full force and effect.

**THIS INSTRUMENT HAS BEEN EXECUTED IN TWO OR MORE ORIGINALS BY EXECUTION AND ATTACHMENT OF EACH "LEAD CONTRACTING AGENCY ENDORSEMENT AND AUTHORIZATION" OR "PARTICIPATING AGENCY ENDORSEMENT AND AUTHORIZATION," AS APPLICABLE. ONCE EXECUTED, IT IS THE RESPONSIBILITY OF EACH PARTY TO FILE THIS AGREEMENT WITH THE PROPER AGENCY IF REQUIRED BY LOCAL OR STATE LAW.**

**LEAD CONTRACTING AGENCY  
ENDORSEMENT AND AUTHORIZATION**

The undersigned acknowledges, on behalf of League of Oregon Cities (Lead Contracting Agency) that he/she has read and agrees to the general terms and conditions set forth in the enclosed Member Intergovernmental Cooperative Purchasing Agreement regulating use of the Master Price Agreements and purchase of goods and services that from time to time are made available by Lead Contracting Agencies to Participating Agencies locally, regionally, and nationally through NPP. Copies of Master Price Agreements and any amendments thereto made available by Lead Contracting Agencies will be provided to Participating Agencies and NPP to facilitate use by Participating Agencies.

The undersigned understands that the purchase of goods and services under the provisions of the Member Intergovernmental Cooperative Purchasing Agreement is at the absolute discretion of the Participating Agencies.

The undersigned affirms that he/she is an agent of League of Oregon Cities and is duly authorized to sign this Lead Contracting Agency Endorsement and Authorization.

  
BY: \_\_\_\_\_  
ITS: \_\_\_\_\_

Date: 4.3.14

**Lead Contracting Agency Contact Information:**

Contact Person: SUSAN MUIR  
Address: 1201 COURT ST NE SUITE 200  
SALEM, OR 97301  
Telephone No.: 503.588.6550  
Email: smuir@orcities.org

**PARTICIPATING AGENCY  
ENDORSEMENT AND AUTHORIZATION**

The undersigned acknowledges, on behalf of City of Temple, TX (Participating Agency) that he/she has read and agrees to the general terms and conditions set forth in the enclosed Member Intergovernmental Cooperative Purchasing Agreement regulating use of the Master Price Agreements and purchase of goods and services that from time to time are made available by Lead Contracting Agencies to Participating Agencies locally, regionally, and nationally through NPP.

The undersigned further acknowledges that the purchase of goods and services under the provisions of the Member Intergovernmental Cooperative Purchasing Agreement is at the absolute discretion of the Participating Agency and that neither the Lead Contracting Agency nor NPP shall be held liable for any costs or damages incurred by or as a result of the actions of the Vendor or any other Participating Agency. Upon award of contract, the Vendor shall deal directly with the Participating Agency concerning the placement of orders, disputes, invoicing and payment.

The undersigned affirms that he/she is an agent of City of Temple, TX and is duly authorized to sign this Participating Agency Endorsement and Authorization.\*

BY: \_\_\_\_\_ Date: \_\_\_\_\_  
ITS: \_\_\_\_\_

**Participating Agency Contact Information:**

Contact Person: Belinda Matthe, Director of Purchasing  
Address: 3210 E. Avenue H, Bldg C  
Temple, TX 76501

Telephone No.: 254-298-5655  
Email: purchasing@templetx.gov

\* In addition to execution of this Member Intergovernmental Cooperative Purchasing Agreement, all Participating Agencies must be registered members of NPP and/or FireRescue GPO in order to access NPP competitively bid contracts. Registration is fast and free. Go to [www.nppgovernment.com](http://www.nppgovernment.com) or contact a customer service representative at 1-877-329-8847 or [customerservice@nppgovernment.com](mailto:customerservice@nppgovernment.com).

RESOLUTION NO. 2016-8483-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING AN INTERGOVERNMENTAL COOPERATIVE PURCHASING AGREEMENT WITH NATIONAL PURCHASING PARTNERS TO ENABLE THE CITY TO UTILIZE CONTRACTS COMPETITIVELY PROCURED BY LEADING CONTRACTING AGENCIES; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, National Purchasing Partners (“NPP”) has instituted a cooperative purchasing program under which participating agencies may utilize contracts competitively solicited by NPP lead contracting agencies;

**Whereas**, Staff desires to be able to evaluate and consider purchasing from cooperative contracts procured by NPP lead contracting agencies and in order to facilitate the evaluation of these available cooperative contracts, the City must enter into an Intergovernmental Cooperative Purchasing Agreement with NPP;

**Whereas**, State law encourages participation in cooperatives to eliminate duplication of efforts, thereby saving taxpayers' dollars – the Texas Local Government Code §271.101-102 outlines the statutory requirements for participating in a cooperative purchasing program;

**Whereas**, there is no membership fee for the City to utilize contracts for goods and services procured utilizing a NPP contract; and

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

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

**Part 1:** The City Council authorizes the City Manager, or his designee, after approval as to form by the City Attorney, to execute an Intergovernmental Cooperative Agreement with National Purchasing Partners to enable the City to utilize contracts competitively procured by lead contracting agencies.

**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 **15<sup>th</sup>** day of **December**, 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:**

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

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a facility user's agreement with Justice Enterprise of Belton, with a monthly usage fee paid to the City, in the amount of \$150 per month, for the operation of the Lions Park Softball Complex concession stand.

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

**ITEM SUMMARY:** Authorization of this agreement will allow for continued concessionaire services at Lions Park Softball Complex (also commonly referred to as Mercer Softball Complex) by Justice Enterprise from January 1, 2017, through December 31, 2017.

Per a Request for Proposals (RFP) released in October, on November 1, 2016, one proposal was received from Justice Enterprise for the operation of the concession stand at Lions Park Softball Complex. These services have been outsourced for several years, with concessionaire services being provided by Justice Enterprise for the last ten years.

The proposed concessionaire agreement allows for the contracted concessionaire to have the exclusive right to operate the concession stand at the Lions Park Complex during all events at the Complex and to pay the City \$150 per month for this right. In addition to supervising the concession stand and operating it in accordance with all laws and ordinances, the concessionaire also has the responsibility of turning on and off lights and raising and lowering the flags.

A committee involving Parks & Recreation personnel and the Purchasing Director reviewed and evaluated the proposal received from Justice Enterprise. The evaluation criteria as outlined in the RFP is as follows: 30%, qualifications, experience, and reputation of concessionaire; 30%, proposed menu content, including variety of selection offered; 25%, proposed menu pricing; 5%, compensation to be paid to the City; 5%, ability of concessionaire to comply with contract and insurance requirements; and 5%, overall quality of proposal and adherence to RFP instructions. The committee is satisfied with Justice Enterprise's proposed menu and pricing, and staff has been very pleased with the quality of service provided by Justice Enterprise over the last ten years. Accordingly, it is staff's unanimous recommendation to award the concessionaire services contract to Justice Enterprise.

The proposed contract is for a one-year period beginning on January 1, 2017. The recommended agreement also includes the right to extend the contract for four additional one-year periods, if agreeable to both parties.



**FISCAL IMPACT:** The facility user's agreement will provide for revenue in the amount of \$1,800 per year for the operation of the Lions Park Softball Complex concession stand

**ATTACHMENTS:**

[Resolution](#)

RESOLUTION NO. 2016-8484-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A FACILITY USER'S AGREEMENT WITH JUSTICE ENTERPRISE OF BELTON, TEXAS FOR THE OPERATION OF THE LIONS PARK SOFTBALL COMPLEX CONCESSION STAND; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, on November 1, 2016, one proposal was received from Justice Enterprise of Belton, Texas for the operation of the concession stand at Lions Park Softball Complex - these services have been outsourced for several years, with concessionaire services being provided by Justice Enterprise for the last ten years;

**Whereas**, the proposed Facility User's Agreement allows for the contracted concessionaire to have the exclusive right to operate the concession stand at the Lions Park Complex during all events at the Complex and to pay the City \$150 per month for this right;

**Whereas**, a Staff committee reviewed and evaluated the proposal received from Justice Enterprise - Staff is satisfied with Justice Enterprise's proposed menu and pricing, and has been very pleased with the quality of service they have provided over the last ten years;

**Whereas**, Staff recommends Council authorize a Facility User's Agreement with Justice Enterprise of Belton Texas for operation of the Lions Park Softball Complex concession stand with a monthly usage fee paid to the City in the amount of \$150 per month;

**Whereas**, this agreement will be for a one-year period beginning January 1, 2017 and running through December 31, 2017 – the agreement will also include the right to extend the contract for four additional one-year periods, if agreeable to both parties;

**Whereas**, this Agreement will provide for revenue in the amount of \$1,800 per year for the operation of the Lions Park Softball Complex concession stand; 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 Facility User's Agreement with Justice Enterprise of Belton, Texas for operation of the Lions Park Softball Complex concession stand with a monthly usage fee paid to the City in the amount of \$150 per month.

**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 **15<sup>th</sup>** day of **December**, 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:**

Kayla Landeros, City Attorney  
Christina Demirs, Deputy City Attorney

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a professional services agreement with Stateside Right of Way Services, Inc., in an amount not to exceed \$53,200, for additional land acquisition and relocation services for the Santa Fe Market Trail/MLK Festival Fields project.

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

**ITEM SUMMARY:** The development of the Santa Fe Market Trail/MLK Festival Fields project is in conjunction with the recently developed Downtown Master Plan. The Santa Fe Market Trail project will extend from the future Santa Fe Plaza east to Martin Luther King, Jr. Drive.

In February 2016, Council entered into a services agreement with Stateside Right of Way Services, LLC ("Stateside") for land acquisition and relocation services for approximately 20 tracts of land. As the design phase of this project has progressed, the Parks & Recreation Department and the Project Committee for the Reinvestment Zone No. Board have requested that additional parcels be acquired for use in the project.

At this time, Staff anticipates the acquisition of approximately six tracts of land. Staff has received a proposal for land acquisition and relocation services from Stateside.

Stateside will offer multiple services during the acquisition process, including, but not limited to, project management, title, relocation, and appraisal services.

Staff has worked with Stateside in the past and has been pleased with the company's work. Staff recommends entering into a services agreement with Stateside, in an amount not to exceed \$53,200, for land acquisition and relocation services for the Santa Fe Market Trail/MLK Festival Fields project. The not to exceed amount does not include condemnation services that may be required. Stateside will provide such services at the request of the City. Stateside will bill for the services at a rate of \$110/hour.

**FISCAL IMPACT:** Funding for the professional services agreement with Stateside Right of Way Services, Inc., in an amount not to exceed \$53,200, is available in account 795-9500-531-6566, project #101262, as follows:

Project Budget	\$ 1,390,000
Encumbered/Committed to Date	(1,247,544)
Stateside Right of Way	(53,200)
<b>Remaining Project Funds</b>	<b>\$ 89,256</b>

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

RESOLUTION NO. 2016-8485-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH STATESIDE RIGHT-OF-WAY SERVICES, INC. OF TEMPLE, TEXAS, IN AN AMOUNT NOT TO EXCEED \$53,200, FOR ADDITIONAL LAND ACQUISITION AND RELOCATION SERVICES FOR THE SANTA FE MARKET TRAIL/MLK FESTIVAL FIELDS PROJECT; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, the development of the Santa Fe Market Trail/MLK Festival Fields project is in conjunction with the recently developed Downtown Master Plan - the Santa Fe Market Trail project will extend from the future Santa Fe Plaza east to Martin Luther King, Jr. Drive;

**Whereas**, in February 2016, Council authorized a services agreement with Stateside Right of Way Services, LLC ("Stateside") for land acquisition and relocation services for approximately 20 tracts of land however, as the design phase of this project progressed, the Parks & Recreation Department and the Project Committee for the Reinvestment Zone No. Board have requested that additional parcels be acquired for use in the project;

**Whereas**, Staff anticipates the acquisition of an additional 6 tracts of land and has received a proposal for the land acquisition and relocation services from Stateside - Stateside will offer multiple services during the acquisition process, including, but not limited to, project management, title, relocation, and appraisal services;

**Whereas**, Staff has worked with Stateside in the past and has been pleased with the company's work;

**Whereas**, Staff recommends Council enter into a professional services agreement with Stateside, in an amount not to exceed \$53,200, for land acquisition and relocation services for the Santa Fe Market Trail/MLK Festival Fields project - the not to exceed amount does not include condemnation services that may be required and Stateside will provide such services at the request of the City;

**Whereas**, funds are available for this project in Account No. 795-9500-531-6566, Project No. 101262; 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 Stateside Right-of-Way Services, LLC of Temple, Texas, in an amount not to exceed \$53,200, for additional land acquisition and relocation services for the Santa Fe Market Trail/MLK Festival Fields project.

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

PASSED AND APPROVED this the **15<sup>th</sup>** day of **December**, 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:**

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

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a professional services agreement with Kimley-Horn of Austin, in an amount not to exceed \$49,300 for engineering services required for the traffic signal design at the intersections of North Kegley Road at Airport Road and West Adams Avenue at Greenview Drive.

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

**ITEM SUMMARY:** The intersections of North Kegley Road at Airport Road and West Adams Avenue at Greenview Drive have met warrants for the installation of traffic signals. This is due to growth in the area.

Professional engineering services are broken down as follows.

Task I	Project Management	\$ 6,200.00
Task II	Data Collection	\$ 2,600.00
	Survey Sub-Consultant	\$ 9,500.00
Task III	Plans, Specification, and Estimate	<u>\$ 31,000.00</u>
<b>Total</b>		<b><u>\$ 49,300.00</u></b>

The proposed timeline for design of this project is 90 days. The estimated construction costs for the two traffic signals is \$450,000.

**FISCAL IMPACT:** Council received a briefing on December 1, 2016, recommending adding these two signals to the City's Transportation Capital Improvement Program (TCIP) in the FY 2017 Budget.

A budget adjustment is being presented to Council to appropriate funding for the professional services agreement with Kimley-Horn for engineering services required for the traffic signal design at the intersections of North Kegley Road at Airport Road and West Adams Avenue at Greenview Drive in an amount not to exceed \$49,300. Funding will be appropriated in account 365-2800-532-6810, projects 101611 and 101612 as follows:

	North Kegley Road @ Airport Road 365-2800-532-6810 Project 101611	West Adams Avenue @ Greenview Drive 365-2800-532-6810 Project 101612	Total
Project Budget	\$ -	\$ -	\$ -
Budget Adjustment	24,650	24,650	49,300
Encumbered/Committed to Date	-	-	-
<b>Kimley-Horn Agreement</b>	<b>(24,650)</b>	<b>(24,650)</b>	<b>(49,300)</b>
<b>Remaining Project Funds</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>

Funding for construction will be reallocated within current TCIP funding

**ATTACHMENTS:**

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

## **SERVICES TO BE PROVIDED BY THE ENGINEER**

City: **Temple, Texas**  
Location(s): **Airport Road and N Kegley Road**  
**W Adams Ave. and Greenview Dr.**

Project: **Airport Road and N Kegley Road & W Adams Ave. and Greenview Dr.**  
**Traffic Signal Design**

### **SCOPE OF WORK**

Kimley-Horn (the “Engineer”) will be responsible for the proper, accurate, and adequate design and preparation of plans, specifications, and estimate for the Project. The Project generally includes Plans, Specifications, and Estimate (PS&E) for new signal installations at:

- Airport Road at N Kegley Road
- W Adams Ave. at Greenview Dr.

The intersections of Airport Road at N Kegley Road and W Adams Ave. at Greenview Dr. are unsignalized three and four-legged intersections respectively. Both intersections operate under ‘Two-Way’ stop control. Airport Road is a five lane undivided arterial including a center two-way-left-turn lane. This is a State road with a designation of SH 36 and has a speed limit of 60 mph and. W Adams Ave. is also a five lane undivided arterial including a center two-way-left-turn lane. W Adams Ave. has a speed limit of 50 mph and is a State road with a designation of FM 2305. A new traffic signal will be designed for both the intersections.

Design services related to the design and plan production for this project will be performed in accordance with the current TxDOT Design and Construction Standards. Plans will be prepared on 11”x17” sheets per TxDOT criteria and 2014 TxDOT Specifications. .

This project will be developed utilizing Microstation V8i and Bentley Geopak V8i.

### **TASK OUTLINE**

#### **I. PROJECT MANAGEMENT**

Project management spans the entire duration of the project and involves monitoring and coordination of services provided to the City of Temple (“the City”) to assure timely and efficient completion of the project. This task consists of project control and scheduling, documentation, reporting requirements, sub-consultant coordination, and quality control. The Engineer will conduct project review and project specific technical meetings under this subtask. The Engineer will attend one (1) kick-off meeting, one (1) 30% field review meeting, and one (1) 90% review meeting.

#### **II. DATA COLLECTION AND SURVEY**

The Engineer will conduct field reconnaissance to verify existing conditions at each of the above locations.

The Engineer will coordinate with a Sub-Consultant to obtain topographical and Level B sub-surface utility (SUE) survey to locate the approximate horizontal location of existing underground utilities at the above locations. The intersection survey limits will be within the right-of-way (ROW), extending approx. 150 feet down each leg from the center of the intersection.

The Engineer will coordinate with the City to mark field locates for their utilities, obtain copies of utility plans in the area, obtain copies of plans for any improvements constructed in the area, and meet with the surveyor in the field as required.

#### **III. PLANS, SPECIFICATIONS & ESTIMATE**

##### **A. SIGNAL DESIGN PLANS**

The Engineer will develop plans to install new traffic signals at the intersections of Airport Road at N Kegley Road and W Adams Ave. at Greenview Dr.

Airport at Kegley and Adams at Greenview Signal Designs  
Temple, Texas

November 18, 2016

- (a) The signal plans will be prepared at a scale of 1"=40' and will include the following sheets.
  - (i) Existing Conditions sheet will show locations of existing traffic control devices, underground, and overhead utilities at each intersection.
  - (ii) Signal Layout sheet will show the locations of proposed signal poles, pedestrian poles, signal heads, communication equipment, electrical conduits, ground boxes, signal cabinet, new electrical service, existing utilities, right of way, and proposed roadway improvements. Due to lateral and vertical clearance required from an overhead electric line (per the State law), the Engineer will coordinate with the City before finalizing locations of signal poles, where applicable.
  - (iii) Signal Elevation sheet will show placement of signal heads on a mast-arm and vertical clearance required for the mast-arm.
  - (iv) Conduit Chart and Electrical Wiring sheet will show the type and number of electrical wires in each conduit run. A new electrical service will be designed to support total electrical load due to the new traffic signal and safety lighting at the intersection. The electrical service will include two separate circuits for traffic signal and illumination. The Engineer will conduct a field meeting with the City and local electric service provider to determine location of new electrical service.
  - (v) Phasing & Detection sheet will show the proposed phasing at each intersection. Phasing and signal-heads for left-turn movements will be designed in conformance with 2014 Texas MUTCD. Video detection details for each movement will also be shown.
  - (vi) Quantities sheet will be provided for the intersection.
- (b) The Engineer will use latest general notes issued by the City/TxDOT and update appropriately as required for traffic signals.
- (c) There is no existing pedestrian sidewalks or ramps at either intersection. Locations of new pedestrian poles and pedestrian access ramps will be designed in conformance with ADA requirements, where possible.
  - (i) Airport Ave. at N Kegley Road – There are existing drainage pipes on the south side of the intersection and grade differences at the intersection. The Engineer has assumed that no drainage or roadway improvements shall be needed to provide pedestrian crosswalk and ADA ramps, and other pedestrian equipment. The Engineer shall not develop any drainage or roadway improvement plans to provide pedestrian access as part of the scope of services for this project.
  - (ii) W Adams Ave. at Greenview Dr. – There is an existing drainage structure on the east side of the intersection that requires guardrails and causes steep grade difference on the northeast and southeast corners of the intersection. The Engineer shall not develop any drainage or roadway improvement plans to provide pedestrian access as part of the scope of services for this project.

#### **B. STANDARDS, SPECIFICATIONS, AND ESTIMATE**

- (a) The Engineer will download the appropriate City and TxDOT standards from the City or State web site, as appropriate. Standards that require modification will be corrected and sealed by the Engineer. All other standards will have their title blocks filled out with the applicable project data and printed for inclusion in the final plan set.
- (b) The Engineer will provide a list of applicable special specifications for traffic signals. If needed, the Engineer will develop or modify up to four (4) unique special specifications where an existing statewide specification is unavailable.
- (c) An opinion of probable construction cost will be prepared at the 90% and prior to final PS&E submittal, and supplied to the City in Microsoft Excel format.

#### **IV. DELIVERABLES**

- 1. 30% Plans Submittal
  - (a) Existing Conditions
  - (b) Proposed Signal Layout
  - (c) Signal Elevation

2. 90% Plans Submittal

- (a) Address any comments from City's 30% review
- (b) Title Sheet & Index
- (c) General Notes
- (d) Existing Conditions
- (e) Proposed Signal Layout
- (f) Signal Elevation
- (g) Electrical Wiring
- (h) Phasing and Detection
- (i) Signing and Markings
- (j) Estimated Quantities
- (k) City/TxDOT Standards
- (l) Preliminary Cost Estimate

3. 100% Plans Submittal

- (a) Address any review comments from the City and TxDOT to plan sheets from 90% submittal
- (b) Signed and sealed sheets (see above)
- (c) Final cost estimate

## V. SCHEDULE

Task	Time	Week															
		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
Kick-off Meeting	1 Day	◆															
Field Recon and Survey	3 Wks	■	■	■													
30% Plans	3 Wks				■	■	■	■									
City Review - Field Meeting	2 Wks							■	■								
90% Plans	4 Wks									■	■	■	■				
City Review	2 Wks													■	■	■	
Final PS&E	1.5 Wks															■	◆

## ADDITIONAL SERVICES

Any services not specifically provided for in the above scope will be considered additional services and can be performed at our then current hourly rates. Additional services we can provide include, but are not limited to, the following:

- Bidding phase services
- Construction phase services and record drawings.
- Traffic signal warrant study.
- Drainage design, intersection re-grading, and roadway design.
- Illumination design except intersection safety lighting mounted on top of signal poles.
- Traffic signal communication system and coordinated signal timing plans.
- Preparation of ROW easement exhibit outside of those prepared by the surveyor.
- Application and permitting fees.
- As-built surveys of constructed improvements.
- Attendance at public meetings or City Council, Planning & Zoning meetings.
- Any additional meetings not listed in the scope of services.

## FEE SCHEDULE

Kimley-Horn will perform the services in Tasks I – III for the total lump sum labor fee as shown below. Individual task amounts are informational only. In addition to the lump sum labor fee, direct reimbursable expenses such as express delivery services, fees, air travel, and other direct expenses will be billed at 1.15 times cost. All permitting, application, and similar project fees will be paid directly by the City.

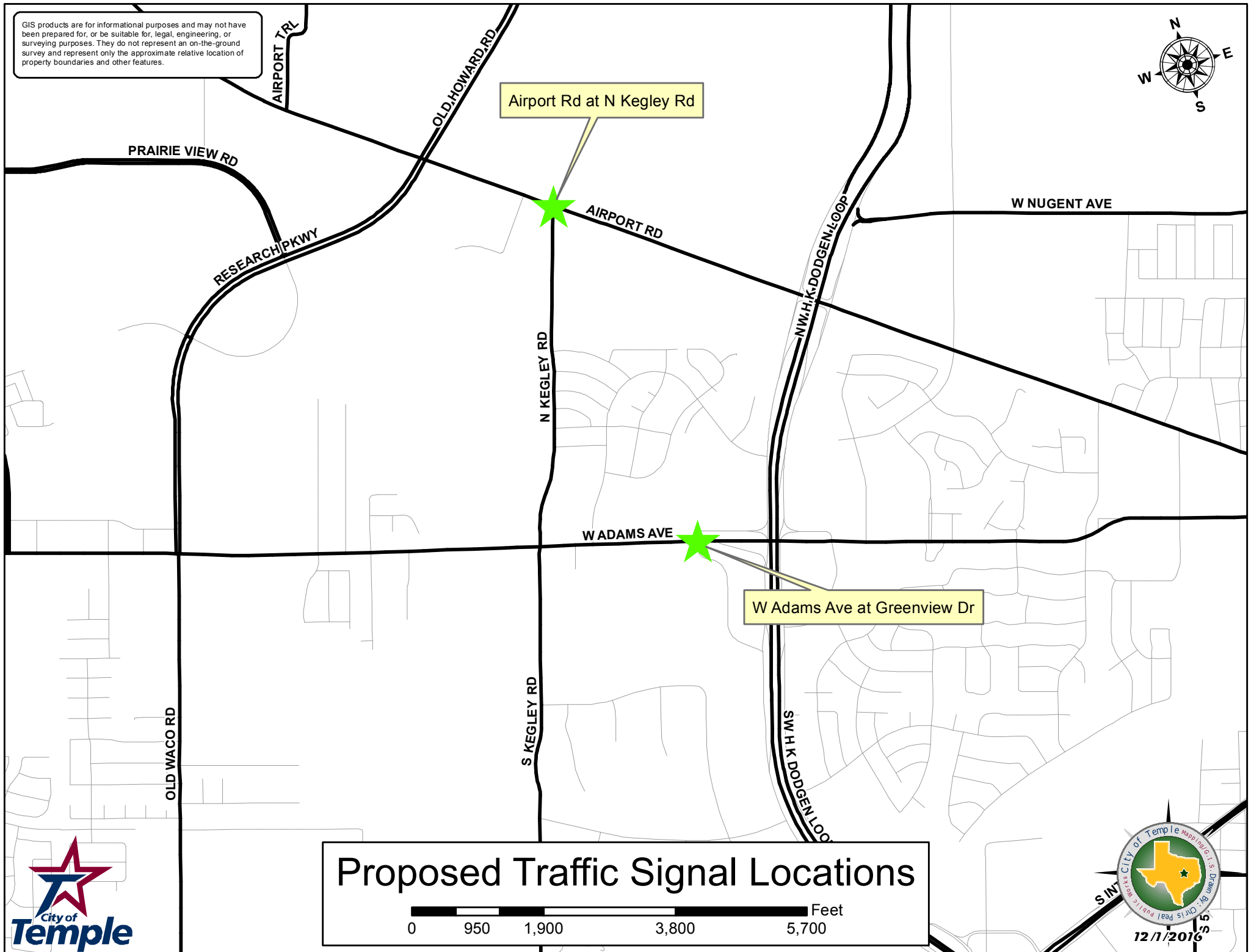
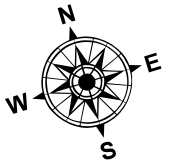
### Lump Sum

Task I	Project Management	\$ 6,200
Task II	Data Collection	\$ 2,600
	<i>Survey Sub-Consultant</i>	\$ 9,500
Task III	Plans, Specifications, and Estimate	\$ 31,000

<b>Total Lump Sum Fee</b>	<b>\$ 49,300</b>
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Lump sum fees will be invoiced monthly based upon the overall percentage of services performed. Reimbursable expenses will be invoiced based upon expenses incurred. Payment will be due within 25 days of your receipt of the invoice and should include the invoice number and Kimley-Horn project number.

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.



# Proposed Traffic Signal Locations

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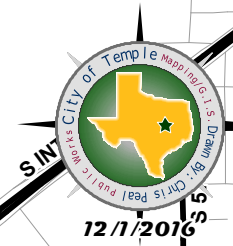
950

1,900

3,800

5,700

Feet





FY 2017**BUDGET ADJUSTMENT FORM**

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

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

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ACCOUNT NUMBER	PROJECT #	ACCOUNT DESCRIPTION	INCREASE	DECREASE
365-2800-532-68-10	101611	Capital-Bonds / Traffic Signals-North Kegley Road @ Airport Road	\$ 24,650	
365-2800-532-68-10	101612	Capital-Bonds / Traffic Signals-West Adams Avenue @ Greenview Drive	24,650	
365-3400-531-68-86	101215	Capital-Special Projects/Poison Oak Road Improvements		49,300
<b>TOTAL.....</b>			<b>\$ 49,300</b>	<b>\$ 49,300</b>

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

Reallocate funding for projects #101611 and #101612 in the amount of \$24,650 each totaling \$49,300 to cover the professional services agreement with Kimley-Horn for engineering services required for the traffic signal design at intersections of North Kegley Road at Airport Road and West Adams Avenue at Greenview Drive.

DOES THIS REQUEST REQUIRE COUNCIL APPROVAL?

☒ Yes☐ No

DATE OF COUNCIL MEETING

12/15/2016

WITH AGENDA ITEM?

☒ Yes☐ No\_\_\_\_\_  
Department Head/Division Director\_\_\_\_\_  
Date☐ Approved  
☐ Disapproved\_\_\_\_\_  
Finance\_\_\_\_\_  
Date☐ Approved  
☐ Disapproved\_\_\_\_\_  
City Manager\_\_\_\_\_  
Date☐ Approved  
☐ Disapproved

RESOLUTION NO. 2016-8486-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH KIMLEY-HORN OF AUSTIN, TEXAS IN THE AMOUNT OF \$49,300, FOR ENGINEERING SERVICES REQUIRED FOR THE TRAFFIC SIGNAL DESIGN AT THE INTERSECTIONS OF NORTH KEGLEY ROAD AT AIRPORT ROAD AND WEST ADAMS AVENUE AT GREENVIEW DRIVE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, on December 1, 2016, City Council received a briefing on the recommendation of adding two traffic signals to the City's Transportation Capital Improvement Program (TCIP) located at the intersections of North Kegley Road at Airport Road and West Adams Avenue at Greenview Drive;

**Whereas**, the intersections of North Kegley Road at Airport Road and West Adams Avenue at Greenview Drive have met warrants for the installation of traffic signals due to growth in the area;

**Whereas**, Staff recommends Council authorize a professional services agreement with Kimley-Horn in the amount of \$49,300 for engineering services required for the design at the above intersections;

**Whereas**, funds are available for this project, but an amendment to the fiscal year 2017 budget needs to be approved to appropriate funding to Account No. 365-2800-532-6810, Project No. 101611 and 101612; 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 Kimley-Horn of Austin, Texas in an amount not to exceed \$49,300 for engineering services required for the traffic signal design at the intersections of North Kegley Road at Airport Road and West Adams Avenue at Greenview Drive.

**Part 2:** The City Council authorizes an amendment to the fiscal year 2017 budget, substantially in the form of the copy attached hereto as Exhibit 'A.'

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

PASSED AND APPROVED this the **15<sup>th</sup>** day of **December**, 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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12/15/16  
Item #5(U)  
Consent Agenda  
Page 1 of 2

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

Jonathan Graham, City Manager  
Kayla Landeros, City Attorney

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing an Interlocal Cooperation Agreement between Bell County and the City of Temple regarding the disbursement and expenditure of the Bell County hotel occupancy tax.

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

**BACKGROUND:** The County imposes a hotel occupancy tax which is permitted by Texas Tax Code Chapter 352. The tax is imposed upon the cost of occupancy of any room or space furnished by any hotel within the geographical boundaries of the County. The County has approached the City about the disbursement of a percentage of the County's hotel occupancy tax to the City for use in any manner that directly enhances and promotes tourism and the convention and hotel industry in the City of Temple.

Under Section 353.1015 of the Texas Tax Code, the County may, by contract, delegate to another governmental entity, the management of the programs and activities funded with revenue from the County hotel occupancy tax. This would be handled through an Interlocal Cooperation Agreement between the City and the County. The County would agree to assess and collect the County's hotel occupancy tax on eligible properties within the City of Temple. The County would pay to the City, on an annual basis, 17% of the net County Tax receipts collected from hotels in the geographical boundaries of the City for management by the City in providing City programs. The programs must directly enhance and promote tourism and the convention and hotel industry in the City. The City must present an annual budget and maintain complete records of each expenditure of the County's hotel occupancy tax. The City must also maintain a separate account established for this purpose and may not commingle the funds with other City revenue.

The initial term of the Interlocal Cooperation Agreement will terminate on September 30, 2017, but will automatically renew for successive one year terms unless either party provides 30 days' notice of termination.

The initial payment to the City of Temple will be \$69,204.08. Staff recommends approval of this Interlocal Cooperation Agreement with Bell County.

**FISCAL IMPACT:** A budget adjustment is being presented to Council for approval in the amount of \$69,204 to recognize revenue and appropriate expenditure related to initial payment of \$69,204.08 from Bell County for the City's share of hotel occupancy tax for Bell County.

**ATTACHMENTS:**

[Budget Adjustment  
Resolution](#)

## BUDGET ADJUSTMENT FORM

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

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

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ACCOUNT NUMBER	PROJECT #	ACCOUNT DESCRIPTION	INCREASE		DECREASE	
240-4620-551-21-29		Supplies / Advertising/Marketing	\$ 69,204			
240-0000-412-09-27		Hotel/Motel Taxes / Bell County HOT	69,204			
TOTAL.....			\$ 138,408		\$ -	

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

To recognize revenue and appropriate expenditure related to initial payment of \$69,204.08 for Bell County hotel occupancy taxes.

DOES THIS REQUEST REQUIRE COUNCIL APPROVAL?

☒ Yes

☐ No

DATE OF COUNCIL MEETING

12/15/2016

WITH AGENDA ITEM?

☒ Yes☐ No

Department Head/Division Director

Date \_\_\_\_\_

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

## Finance

Date \_\_\_\_\_

☐ Approved  
☐ Disapproved

City Manager

Date \_\_\_\_\_

	Approved
	Disapproved

RESOLUTION NO. 2016-8487-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING AN INTERLOCAL AGREEMENT BETWEEN BELL COUNTY AND THE CITY OF TEMPLE REGARDING THE DISBURSEMENT AND EXPENDITURE OF THE BELL COUNTY HOTEL OCCUPANCY TAX; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, the County imposes a hotel occupancy tax which is permitted by Texas Tax Code Chapter 352 and is imposed upon the cost of occupancy of any room or space furnished by any hotel within the geographical boundaries of the County;

**Whereas**, the County has approached the City about the disbursement of a percentage of the County's hotel occupancy tax to the City for use in any manner that directly enhances and promotes tourism and the convention and hotel industry in the City of Temple;

**Whereas**, under Section 353.1015 of the Texas Tax Code, the County may, by contract, delegate to another governmental entity, the management of programs and activities funded with revenue from the County hotel occupancy tax - this would be handled through an Interlocal Cooperation Agreement between the City of Temple and Bell County;

**Whereas**, Bell County agrees to assess and collect the County's hotel occupancy tax on eligible properties within the City of Temple and pay to the City, on an annual basis, 17% of the net County Tax receipts collected from hotels in the geographical boundaries of the City for management by the City in providing City programs which must directly enhance and promote tourism and the convention and hotel industry within the City;

**Whereas**, the City must present an annual budget and maintain complete records of each expenditure of the County's hotel occupancy tax and the City must also maintain a separate account established for this purpose and may not commingle the funds with other City revenue;

**Whereas**, the initial term of the Interlocal Cooperation Agreement will terminate on September 30, 2017, but will automatically renew for successive one-year terms unless either party provides 30 days' notice of termination;

**Whereas**, Staff recommends Council authorize an Interlocal Cooperation Agreement with Bell County regarding the disbursement and expenditure of the Bell County hotel occupancy tax;

**Whereas**, a budget adjustment is being presented to Council for approval to recognize revenue and appropriate expenditures related to initial payment from Bell County for the City's share of hotel occupancy tax for Bell County; and

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



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

**Part 1:** The City Council authorizes the City Manager, or his designee, after approval as to form by the City Attorney, to execute an Interlocal Cooperation Agreement between Bell County and the City of Temple regarding the disbursement and expenditure of the Bell County hotel occupancy tax.

**Part 2:** The City Council authorizes an amendment to the fiscal year 2017 budget, substantially in the form of the copy attached hereto as Exhibit 'A.'

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

PASSED AND APPROVED this the **15<sup>th</sup>** day of **December**, 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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12/15/16  
Item #5(V)  
Consent Agenda  
Page 1 of 1

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

Kayla Landeros, City Attorney

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a Chapter 380 Economic Development Agreement with Mud City Holdings, Ltd. for the conveyance of City-owned property located at 118 North 3<sup>rd</sup> Street, Temple.

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

**ITEM SUMMARY:** Mud City Holdings, Ltd. is interested in acquiring City-owned property located at 118 North 3<sup>rd</sup> Street. The lot has been owned by the City since 2011 and is currently undeveloped. Mud City has acquired or is in the process of acquiring property located adjacent 118 North 3<sup>rd</sup> Street for commercial use. In the proposed Economic Development Agreement, Mud City will agree to pay the City \$10,454.40 (\$2.00/square foot) for conveyance of the property and will agree to construct a parking lot on the property to service the adjacent property's commercial use. The parking lot must be constructed within two years of execution of the Economic Development Agreement.

The proposed agreement is authorized by Chapter 380 of the Texas Local Government Code. Staff recommends approval of the agreement.

**FISCAL IMPACT:** The City will receive \$10,454.40 from Mud City Holdings, Ltd. for conveyance of the property. The property is currently exempt from property taxes. Once the property is conveyed to Mud City Holdings, Ltd., it will return to the tax rolls and become subject to property taxes.

### **ATTACHMENTS:**

[Resolution](#)

RESOLUTION NO. 2016-8488-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A CHAPTER 380 DEVELOPMENT AGREEMENT WITH MUD CITY HOLDINGS, LTD FOR THE CONVEYANCE OF CITY-OWNED PROPERTY LOCATED AT 118 NORTH 3<sup>RD</sup> STREET, TEMPLE, TEXAS; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, Mud City Holdings, Ltd. is interested in acquiring City-owned property located at 118 North 3<sup>rd</sup> Street, Temple, Texas - the lot has been owned by the City since 2011 and is currently undeveloped;

**Whereas**, Mud City Holdings has acquired, or is in the process of acquiring, property located adjacent to the City-owned property at 118 North 3<sup>rd</sup> Street for commercial use;

**Whereas**, in the proposed Economic Development Agreement, Mud City Holdings agrees to pay the City \$10,454.40 (\$2/square foot) for conveyance of the property and agrees to construct a parking lot on the property to service the adjacent property's commercial use - the parking lot must be constructed within 2 years of execution of the Economic Development Agreement;

**Whereas**, the proposed Chapter 380 Development Agreement is authorized by Chapter 380 of the Texas Local Government Code and Staff recommends Council approve this agreement with Mud City Holdings, Ltd;

**Whereas**, this property is currently exempt from property taxes - once the property is conveyed to Mud City Holdings, Ltd., it will return to the tax rolls and become subject to property taxes; 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 Chapter 380 Development Agreement with Mud City Holdings, Ltd. for the conveyance of City-Owned property located at 118 North 3<sup>rd</sup> Street, Temple, Texas.

**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 **15<sup>th</sup>** day of **December**, 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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12/15/16  
Item #5(W)  
Consent Agenda  
Page 1 of 1

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

Kayla Landeros, City Attorney  
Nicole Torralva, Public Works Director

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a Wholesale Water Supply Agreement between the City of Temple and Arrowhead Hill Water Supply Corporation.

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

**ITEM SUMMARY:** Arrowhead Hill Water Supply Corporation ("Arrowhead Hill") has been a City of Temple ("Temple") wholesale water customer for many years. In 1997, the City entered into a "Water Sale and Purchase Agreement" with Arrowhead Hill for a term of 5 years. That contract has since expired, but the City has continued to provide wholesale water to Arrowhead Hill.

Arrowhead Hill recently approached City Staff to discuss a new Wholesale Water Supply Agreement. The Texas Commission on Environmental Quality is requiring Arrowhead Hill to have a written agreement for the supply of water to the small community.

Staff is proposing that Council approve a Wholesale Water Supply Agreement with Arrowhead Hill for a term of 5 years. Under the Agreement, Arrowhead Hill will continue to purchase water from Temple and will pay the "out of City" rate. Arrowhead Hill will also agree to purchase a minimum of 2,210,000 gallons of water annually during the term of the agreement. Temple will agree to make available to Arrowhead Hill, on an annual basis, up to 9,460,800 gallons of treated water.

**FISCAL IMPACT:** During 2016, Arrowhead Hill purchased 2,520,700 gallons of water for total revenue of \$10,946.80. As noted above, Arrowhead Hill will pay the 'out of city' rate which is 1.25 times the inside City rate.

**ATTACHMENTS:**

[Resolution](#)

RESOLUTION NO. 2016-8489-R

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

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**Whereas**, Arrowhead Hill Water Supply Corporation (“Arrowhead”) has been a City of Temple (“Temple”) wholesale water customer for many years;

**Whereas**, in 1997, the City entered into a “Water Sale and Purchase Agreement” with Arrowhead for a term of 5 years –that contract has since expired, but the City of Temple has continued to provide wholesale water to Arrowhead;

**Whereas**, Arrowhead recently approached City Staff to discuss a new Wholesale Water Supply Agreement and the Texas Commission on Environmental Quality is requiring Arrowhead to have a written agreement for the supply of water to the small community;

**Whereas**, Staff recommends Council approve a Wholesale Water Supply Agreement with Arrowhead Hill Water Supply Corporation for a term of 5 years - under the Agreement, Arrowhead will continue to purchase water from the City of Temple and will pay the “out of City” rate;

**Whereas**, Arrowhead also agrees to purchase a minimum of 2,210,000 gallons of water annually during the term of the agreement and the City of Temple agrees to make available to Arrowhead Hill, on an annual basis, up to 9,460,800 gallons of treated water;

**Whereas**, during 2016, Arrowhead Hill purchased 2,520,700 gallons of water for total revenue of \$10,946.80; and

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

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

**Part 1:** The City Council authorizes the City Manager or his designee, after approval as to form by the City Attorney, to enter into a Wholesale Water Supply Agreement between the City of Temple and Arrowhead Hill Water Supply Corporation in which Arrowhead Hill agrees to purchase a minimum of 2,210,000 gallons of water annually during the term of the agreement and the City of Temple agrees to make available to Arrowhead Hill, on an annual basis, up to 9,460,800 gallons of treated water.

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

PASSED AND APPROVED this the **15<sup>th</sup>** day of **December**, 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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12/15/16  
Item #5(X)  
Consent Agenda  
Page 1 of 2

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

Kayla Landeros, City Attorney

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a First Amendment to the Tax Abatement Agreement with Block 015 Doering, LLC, covering increases in the taxable value of real property located at 114 East Central Avenue, Temple.

*Executive Session: Pursuant to Section 551.087 of the Government Code, the City Council may meet in executive session to discuss either commercial or financial information that the City has received from a business prospect that the City wishes to locate, stay or expand within the City limits and with which the City is conducting economic development negotiations, or to deliberate the offer of a financial or other incentive to a business prospect the public discussion of which would adversely affect ongoing economic development negotiations.*

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

**BACKGROUND:** On June 5, 2014, Council authorized a Chapter 380 Economic Development Agreement ("Chapter 380 Agreement") with Criterion Management, LLC ("Criterion"). The purpose of that agreement was to induce Criterion to develop two properties located at the intersection of East Central Avenue and North 4<sup>th</sup> Street in Temple as a residential, retail and performing arts center. The two properties include the tract located at 114 East Central Avenue and commonly referred to as the Hawn Hotel and the tract located at 110 East Central Avenue and commonly referred to as the Arcadia Theater.

In November, 2014, pursuant to the Chapter 380 Agreement, the Hawn Hotel was conveyed to Block 015 Doering, LLC. The Arcadia Theater was conveyed to Block 015 Arcadia, LLC. In December, 2014, Council authorized Tax Abatement Agreements on the Hawn Hotel and Arcadia Theater properties. The Tax Abatement Agreements allow for a ten year, declining percentage tax abatement on the value of real property improvements on the properties. The tax abatement agreements required all improvements be completed by April 1, 2017.

On August 26, 2016, the City Council approved a First Amendment to the 2014 Chapter 380 Agreement with Criterion. The First Amendment extended the timeline for completion of the improvements to both properties. Substantial completion of the improvements to the Arcadia Theater façade must be done by December 31, 2019. Substantial completion of the first and second retail spaces, the exterior improvements, and 50% of the residential units in the Hawn Hotel must be done by December 31, 2019. Substantial completion of all interior and exterior improvements to the Arcadia Theater must be done by December 31, 2020.

Because of the extended timeline in the First Amendment to the Chapter 380 Agreement, the Tax Abatement Agreements must also be amended to extend the substantial completion date. Staff is recommending that the substantial completion date in the Tax Abatement Agreements be extended from April 17, 2017, to December 31, 2020.

The Staff has provided the other taxing entities involved with notice and a copy of the proposed First Amendment.

**FISCAL IMPACT:** The tax abatement agreement with Block 015 Doering, LLC, covering the increases in the taxable value of real property located at 114 East Central Avenue, Temple, Texas, would have the potential of abating approximately \$391,034 to \$502,758 over the life of the agreement (100% for years 1-5, 90% year 6, 80% year 7, 70% year 8, 60% year 9 and 50% year 10) using the City's current tax rate of \$0.6572 per \$100 value based on an estimated increase in the appraised real property value improvements of \$7 million to \$9 million.

**ATTACHMENTS:**

[Resolution](#)

RESOLUTION NO. 2016-8490-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A FIRST AMENDMENT TO THE TAX ABATEMENT AGREEMENT WITH BLOCK 015 DOERING, LLC, COVERING INCREASES IN THE TAXABLE VALUE OF REAL PROPERTY LOCATED AT 114 EAST CENTRAL AVENUE, TEMPLE, TEXAS, AND LOCATED WITHIN TAX ABATEMENT REINVESTMENT ZONE 24A; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, on June 5, 2014, Council authorized a Chapter 380 Economic Development Agreement (“Chapter 380 Agreement”) with Criterion Management, LLC (“Criterion”) and the purpose of that agreement was to induce Criterion to develop two properties located at the intersection of East Central Avenue and North 4<sup>th</sup> Street in Temple as a residential, retail and performing arts center;

**Whereas**, the two properties include the tract located at 114 East Central Avenue and commonly referred to as the Hawn Hotel and the tract located at 110 East Central Avenue and commonly referred to as the Arcadia Theater;

**Whereas**, in November, 2014, pursuant to the Chapter 380 Agreement, the Hawn Hotel was conveyed to Block 015 Doering, LLC and in December 2014, Council authorized a tax abatement agreement which allows for a ten year, declining percentage tax abatement on the value of real property improvements on the property - the tax abatement agreement required all improvements to be completed by April 1, 2017;

**Whereas**, on August 26, 2016, Council approved a First Amendment to the 2014 Chapter 380 Agreement with Criterion which extended the timeline for completion of the improvements on the property – the amendment requires substantial completion of the improvements to the Arcadia Theater façade to be done by December 31, 2019, substantial completion of the first and second retail spaces, the exterior improvements, and 50% of the residential units in the Hawn Hotel to be done by December 31, 2019, and substantial completion of all interior and exterior improvements to the Arcadia Theater to be done by December 31, 2020;

**Whereas**, because of the extended timeline in the First Amendment to the Chapter 380 Agreement, Staff recommends Council authorize a First Amendment to the Tax Abatement Agreement with Block 015 Doering, LLC extending the substantial completion date from April 17, 2017, to December 31, 2020;

**Whereas**, the tax abatement agreement with Block 015 Doering, LLC, covering the increases in the taxable value of real property located at 114 East Central Avenue, Temple, Texas, would have the potential of abating approximately \$391,034 to \$502,758 over the life of the agreement (100% for years 1-5, 90% year 6, 80% year 7, 70% year 8, 60% year 9 and 50% year 10) using the City’s current tax rate of \$0.6572 per \$100 value based on an estimated increase in the appraised real property value improvements of \$7 million to \$9 million; and

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

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

**Part 1:** The City Council authorizes the City Manager, or his designee, after approval as to form by the City Attorney, to execute a First Amendment to the Tax Abatement Agreement with Block 015 Doering, LLC, covering increases in the taxable value of real property located at 114 East Central Avenue, Temple, Texas.

**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 **15<sup>th</sup>** day of **December**, 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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12/15/16  
Item #5(Y)  
Consent Agenda  
Page 1 of 2

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

Kayla Landeros, City Attorney

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a First Amendment to the Tax Abatement Agreement with Block 015 Arcadia, LLC, covering increases in the taxable value of real property located at 110 East Central Avenue, Temple.

*Executive Session: Pursuant to Section 551.087 of the Government Code, the City Council may meet in executive session to discuss either commercial or financial information that the City has received from a business prospect that the City wishes to locate, stay or expand within the City limits and with which the City is conducting economic development negotiations, or to deliberate the offer of a financial or other incentive to a business prospect the public discussion of which would adversely affect ongoing economic development negotiations.*

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

**BACKGROUND:** On June 5, 2014, Council authorized a Chapter 380 Economic Development Agreement ("Chapter 380 Agreement") with Criterion Management, LLC ("Criterion"). The purpose of that agreement was to induce Criterion to develop two properties located at the intersection of East Central Avenue and North 4<sup>th</sup> Street in Temple as a residential, retail and performing arts center. The two properties include the tract located at 114 East Central Avenue and commonly referred to as the Hawn Hotel and the tract located at 110 East Central Avenue and commonly referred to as the Arcadia Theater.

In November, 2014, pursuant to the Chapter 380 Agreement, the Hawn Hotel was conveyed to Block 015 Doering, LLC. The Arcadia Theater was conveyed to Block 015 Arcadia, LLC. In December, 2014, Council authorized Tax Abatement Agreements on the Hawn Hotel and Arcadia Theater properties. The Tax Abatement Agreements allow for a ten year, declining percentage tax abatement on the value of real property improvements on the properties. The tax abatement agreements required all improvements be completed by April 1, 2017.

On August 26, 2016, the City Council approved a First Amendment to the 2014 Chapter 380 Agreement with Criterion. The First Amendment extended the timeline for completion of the improvements to both properties. Substantial completion of the improvements to the Arcadia Theater façade must be done by December 31, 2019. Substantial completion of the first and second retail spaces, the exterior improvements, and 50% of the residential units in the Hawn Hotel must be done by December 31, 2019. Substantial completion of all interior and exterior improvements to the Arcadia Theater must be done by December 31, 2020.

Because of the extended timeline in the First Amendment to the Chapter 380 Agreement, the Tax Abatement Agreements must also be amended to extend the substantial completion date. Staff is recommending that the substantial completion date in the Tax Abatement Agreements be extended from April 17, 2017, to December 31, 2020.

The Staff has provided the other taxing entities involved with notice and a copy of the proposed First Amendment.

**FISCAL IMPACT:** The tax abatement agreement with Block 015 Arcadia, LLC, covering the increases in the taxable value of real property located at 110 East Central Avenue, Temple, Texas, would have the potential of abating approximately \$139,655 to \$223,448 over the life of the agreement (100% for years 1-5, 90% year 6, 80% year 7, 70% year 8, 60% year 9 and 50% year 10) using the City's current tax rate of \$0.6572 per \$100 value based on an estimated increase in the appraised real property value improvements of \$2.5 million to \$4 million.

**ATTACHMENTS:**

[Resolution](#)

RESOLUTION NO. 2016-8491-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A FIRST AMENDMENT TO THE TAX ABATEMENT AGREEMENT WITH BLOCK 015 ARCADIA, LLC, COVERING INCREASES IN THE TAXABLE VALUE OF REAL PROPERTY LOCATED AT 110 EAST CENTRAL AVENUE, TEMPLE, TEXAS, AND LOCATED WITHIN TAX ABATEMENT REINVESTMENT ZONE 24A; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, on June 5, 2014, Council authorized a Chapter 380 Economic Development Agreement (“Chapter 380 Agreement”) with Criterion Management, LLC (“Criterion”) and the purpose of that agreement was to induce Criterion to develop two properties located at the intersection of East Central Avenue and North 4<sup>th</sup> Street in Temple as a residential, retail and performing arts center;

**Whereas**, the two properties include the tract located at 114 East Central Avenue and commonly referred to as the Hawn Hotel and the tract located at 110 East Central Avenue and commonly referred to as the Arcadia Theater;

**Whereas**, in November, 2014, pursuant to the Chapter 380 Agreement, the Arcadia Theater was conveyed to Block 015 Arcadia, LLC and in December 2014, Council authorized a tax abatement agreement which allows for a ten year, declining percentage tax abatement on the value of real property improvements on the property - the tax abatement agreement required all improvements to be completed by April 1, 2017;

**Whereas**, on August 26, 2016, Council approved a First Amendment to the 2014 Chapter 380 Agreement with Criterion which extended the timeline for completion of the improvements on the property – the amendment required substantial completion of the improvements to the Arcadia Theater façade to be done by December 31, 2019, substantial completion of the first and second retail spaces, the exterior improvements, and 50% of the residential units in the Hawn Hotel to be done by December 31, 2019, and substantial completion of all interior and exterior improvements to the Arcadia Theater to be done by December 31, 2020;

**Whereas**, because of the extended timeline in the First Amendment to the Chapter 380 Agreement, Staff recommends Council authorize a First Amendment to the Tax Abatement Agreement with Block 015 Arcadia, LLC extending the substantial completion date from April 17, 2017, to December 31, 2020;

**Whereas**, The tax abatement agreement with Block 015 Arcadia, LLC, covering the increases in the taxable value of real property located at 110 East Central Avenue, Temple, Texas, would have the potential of abating approximately \$139,655 to \$223,448 over the life of the agreement (100% for years 1-5, 90% year 6, 80% year 7, 70% year 8, 60% year 9 and 50% year 10) using the City’s current tax rate of \$0.6572 per \$100 value based on an estimated increase in the appraised real property value improvements of \$2.5 million to \$4 million; and

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



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

**Part 1:** The City Council authorizes the City Manager, or his designee, after approval as to form by the City Attorney, to execute a First Amendment to the Tax Abatement Agreement with Block 015 Arcadia, LLC, covering increases in the taxable value of real property located at 110 East Central Avenue, Temple, Texas.

**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 **15<sup>th</sup>** day of **December**, 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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12/15/16  
Item #5(Z)  
Consent Agenda  
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### **DEPT./DIVISION SUBMISSION & REVIEW:**

Floyd Mitchell, Chief of Police

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing the acceptance of grant funds from the Bureau of Justice Assistance Bulletproof Vest Partnership Program of 2016 for the purchase of ballistic vests and replacements for the Police Department in the amount of \$22,876, with \$11,437.72 of required City matching funds.

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

**ITEM SUMMARY:** The Temple Police Department desires approval to accept grant funds available through the Department of Justice, Bureau of Justice Assistance Bulletproof Vest Partnership Program. This will be the 15<sup>th</sup> grant received from this program. The grant requires a City match of 50% of the cost associated with the purchase of new ballistic vests. The Police Department buys vests on a yearly basis and budgets for the matching funds required by the grant.

**FISCAL IMPACT:** If the grant awarded is accepted, the City will receive \$11,437.72 in grant funds with the City's match being \$11,437.72. Total funding for the purchase of 28 vests is estimated at \$22,876. The grant funds are reimbursed to the City after the purchase is completed.

A budget adjustment is being presented for Council's approval appropriating the grant revenue to be received in the amount of \$11,437.72. Funds are appropriated in the Police Department's FY 2017 operating budget, account 110-2011-521-2113, Clothing and Uniforms for the City's required match.

### **ATTACHMENTS:**

[Budget Adjustment](#)  
[Resolution](#)

FY **2017****BUDGET ADJUSTMENT FORM**

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

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

+

-

ACCOUNT NUMBER	PROJECT #	ACCOUNT DESCRIPTION	INCREASE	DECREASE	
260-2000-521-21-13		Clothing & Uniforms	\$ 22,876		
260-0000-431-01-63		Federal Grants	11,438		
260-0000-490-25-89		Transfer In - General Fund	11,438		
110-9100-591-81-60		Transfer Out - Grant Fund	11,438		
110-2011-521-21-13		Clothing & Uniforms		11,438	
<b>TOTAL.....</b>			<b>\$ 57,190</b>	<b>\$ 11,438</b>	

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

Allocate funding to purchase ballistic vests. Grant funds of \$11,437.72 were awarded through the Bureau of Justice Assistance Bulletproof Vest Partnership Program of 2016 for the purchase of ballistic vests for the Police Department. The required 50% minimum match is budgeted in the FY 17 Operating budget in account 110-2011-521-2113.

DOES THIS REQUEST REQUIRE COUNCIL APPROVAL?

☒

Yes

☐

No

DATE OF COUNCIL MEETING

12/15/2016

WITH AGENDA ITEM?

☒

Yes

☐

No

Department Head/Division Director

Date

☐

Approved

☐

Disapproved

Finance

Date

☐

Approved

☐

Disapproved

City Manager

Date

☐

Approved

☐

Disapproved

RESOLUTION NO. 2016-8492-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE ACCEPTANCE OF GRANT FUNDS FROM THE BUREAU OF JUSTICE ASSISTANCE BULLETPROOF VEST PARTNERSHIP PROGRAM OF 2016, IN THE AMOUNT OF \$22,876, WITH A CITY MATCH OF \$11,437.72, FOR THE PURCHASE OF BALLISTIC VESTS FOR THE TEMPLE POLICE DEPARTMENT; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, the Department of Justice, Bureau of Justice Assistance Bulletproof Vest Partnership Program offers a matching grant program for the purchase of ballistic vests for the Temple Police Department;

**Whereas**, this grant requires a City match of 50% of the cost (\$11,437.72) - the Police Department buys vests on a yearly basis and budgets for the matching funds required by the grant - if awarded, this will be the 15<sup>th</sup> grant received from this program;

**Whereas**, Staff recommends Council accept grant funds from The Bureau of Justice Assistance Bulletproof Vest Partnership Program of 2016 in the amount of \$22,876;

**Whereas**, if awarded the grant, the City will receive up to \$11,437.72 in grant funds with the City's 50% match of \$11,437.72 - the total cost for the purchase of 28 vests is approximately \$22,876;

**Whereas**, funds will be appropriated in the Police Department's fiscal year 2017 operating budget, but an amendment to the fiscal year 2017 budget needs to be approved to transfer the funds to Account No. 110-2031-521-2113 for the City's required match - the grant funds are reimbursed to the City after the purchase is completed; 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 a grant application to the Bureau of Justice Assistance Bulletproof Vest Partnership Program of 2016 for the purchase of ballistic vests for the Temple Police Department in the amount of \$22,876, with \$11,437.72 of required City matching funds.

**Part 2:** The City Council authorizes an amendment to the fiscal year 2017 budget, substantially in the form of the copy attached hereto as Exhibit 'A.'

**Part 3:** The City Manager, or his designee, is authorized to execute any documents which may be necessary to apply, accept funds, implement or renew this grant, after approval as to form by the City Attorney.

**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 **15<sup>th</sup>** day of **December**, 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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12/15/16  
Item #5(AA)  
Consent Agenda  
Page 1 of 1

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

Floyd Mitchell, Police Chief

**ITEM DESCRIPTION:** SECOND READING: Consider adopting an ordinance amending the Corporal, Sergeant, and Lieutenant classifications of certified police officers.

**STAFF RECOMMENDATION:** Adopt ordinance as presented on second and final reading.

**ITEM SUMMARY:** Chapter 143 of the Local Government Code requires that the Council establish by ordinance the classifications in the Police Department, and prescribe by ordinance the number of positions in each classification. Increased need for supervisory and administrative oversight in the Police Department requires increasing the number of positions in the Sergeant and Lieutenant ranks to provide efficient, effective public safety services. At the same time, a decrease in the number of positions in the Corporal ranks is necessary to align the number of these positions with current Departmental staffing needs.

The Police Chief requests the addition of two Sergeant, and two Lieutenant positions, and the concurrent elimination of four Corporal positions from the current classification ordinance.

Currently, there are five Lieutenant, and sixteen Sergeant positions. The requested increase to seven Lieutenant, and eighteen Sergeant positions will increase essential administrative and supervisory oversight within the Department, consistent with current staffing needs.

There are currently twenty-two positions in the Corporal rank. The creation of two additional Lieutenant, and two additional Sergeant positions will result in the promotion of four Corporals to the rank of Sergeant. Elimination of the four Corporal positions concurrent with these promotions is requested to decrease the number of positions in the Corporal rank from twenty-two to eighteen, to align the number of Corporal positions with current Departmental staffing needs.

**FISCAL IMPACT:** Additional funding in a net amount of \$215,389 is included in the FY 2017 Operating Budget of the Police Department for the two new Sergeant positions, two new Lieutenant positions, and the elimination of four Corporal positions. The net amount includes funding for vehicles, equipment and other operation costs associated with these staffing changes.

### **ATTACHMENTS:**

[Ordinance](#)

ORDINANCE NO. 2016-4814

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AMENDING THE CLASSIFICATIONS OF CORPORAL, SERGEANT, AND LIEUTENANT OF 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 Police Department;

**Whereas**, an increased need for supervisory and administrative oversight in the Police Department requires an increase in the number of positions in the Sergeant and Lieutenant ranks to provide efficient, effective public safety services - at the same time, a decrease in the number of positions in the Corporal ranks is necessary to align the number of these positions with current Departmental staffing needs;

**Whereas**, Staff recommends that Council authorize two positions in the rank of Sergeant and two positions in the rank of Lieutenant, as well as eliminate four positions in the rank of Corporal from the current classifications;

**Whereas**, currently, there are five Lieutenant positions and sixteen Sergeant positions – this request will increase the number of Lieutenant positions to seven and the number of Sergeant positions to eighteen - this increase will allow for an increase in essential administrative and supervisory oversight within the Department, consistent with current Departmental staffing needs;

**Whereas**, currently there are twenty-two positions in the rank of Corporal – with the creation of two additional Lieutenant positions and two additional Sergeant positions, this will result in the promotion of four Corporals to the rank of Sergeant;

**Whereas**, the elimination of the four Corporal positions concurrent with these promotions, will decrease the number of positions in the Corporal rank from twenty-two to eighteen, and this will align the number of Corporal positions with current Departmental staffing needs;

**Whereas**, additional funding in the net amount of \$215,389 is included in the fiscal year 2017 Operating Budget of the Police Department for the two new Sergeant positions, two new Lieutenant positions, and the elimination of four Corporal positions;

**Whereas**, the net amount includes funding for vehicles, equipment and other operation costs associated with these staffing changes; 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 Police Officers for civil service positions in the Police Department:

**CLASSIFICATIONS AND POSITIONS  
OF CERTIFIED POLICE OFFICERS**

**I. UNCLASSIFIED POSITIONS**

**A. *POLICE CHIEF* – 1 Position**

The Police Chief is appointed by the City Manager. No person shall be eligible for appointment as 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* – 7 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* – 18 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* – 18 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* – 104 Positions

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

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

3. *CADET POLICE OFFICER*: An employee not certified in this state shall start in this classification. Upon successful completion of the requirements for certification by the Texas Commission on Law Enforcement, the Cadet shall automatically advance to the Probationary position. Cadet police officers may be hired only in such numbers as, together with Probationary police officers, will not exceed the vacancies in the total authorization for Police Officers and shall, during the period of time that they occupy this position, receive the pay allotted to them by the budget.

**Part 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 December 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 **December, 2016**.

**PASSED AND APPROVED** on Second Reading on the **15<sup>th</sup> day of December, 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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12/15/16  
Item #5(BB)  
Consent Agenda  
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### **DEPT./DIVISION SUBMISSION & REVIEW:**

Kayla Landeros, City Attorney

**ITEM DESCRIPTION:** SECOND READING: Consider adopting an ordinance designating a tract of land consisting of approximately 5.184 acres and located on Marlandwood Road between South 5<sup>th</sup> Street and Lowes Drive as City of Temple Tax Abatement Reinvestment Zone Number 34 for commercial/industrial tax abatement.

**STAFF RECOMMENDATION:** Adopt ordinance as presented on second and final reading.

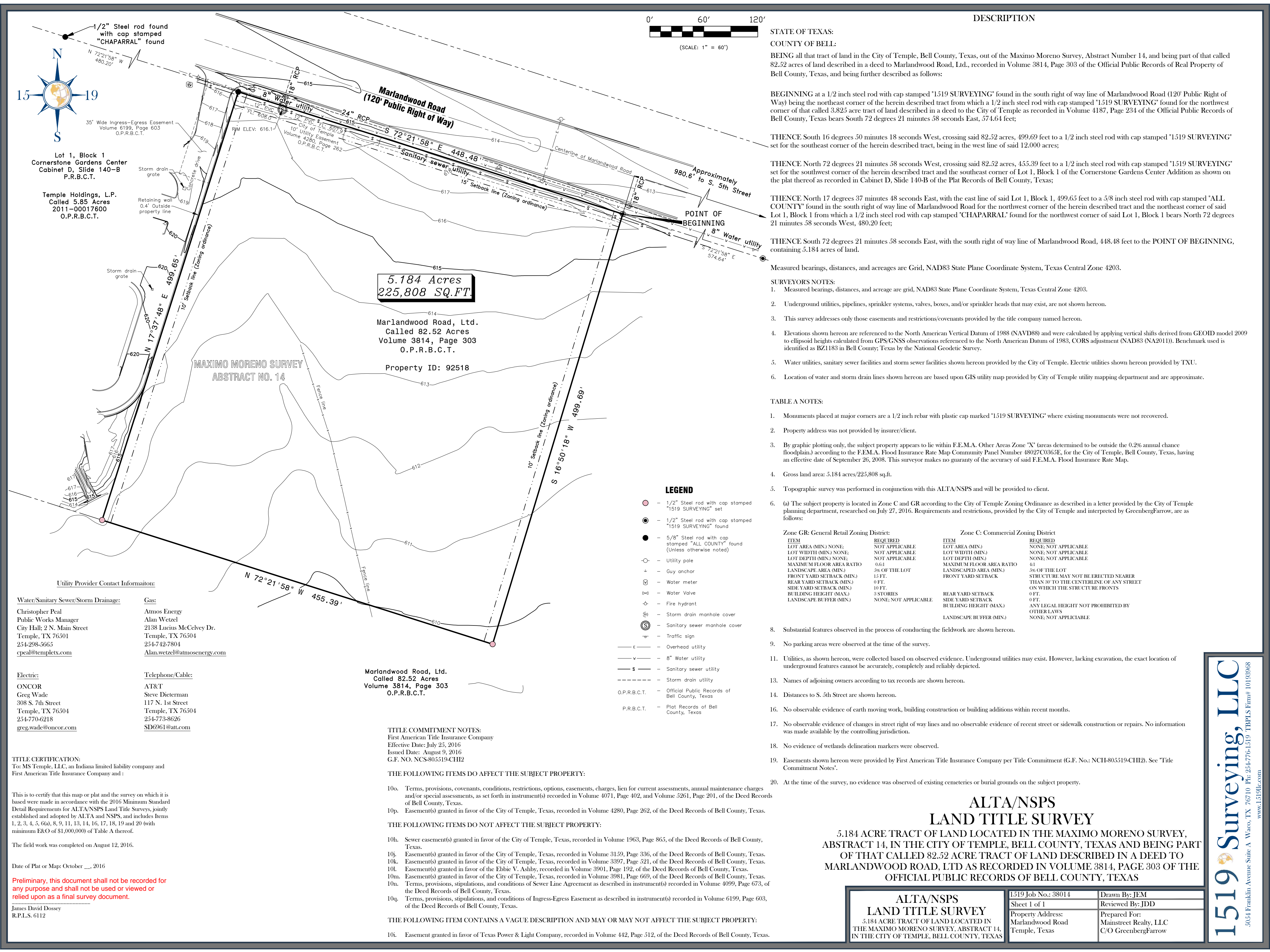
**ITEM SUMMARY:** The proposed ordinance designates a tract of land consisting of approximately 5.184 acres and located on Marlandwood Road between South 5<sup>th</sup> Street and Lowes Drive as Tax Abatement Reinvestment Zone Number 34 for commercial/industrial tax abatement.

The designation of a tax abatement reinvestment zone lasts for five years and is a prerequisite for entering into a tax abatement agreement with a future economic development prospect. We anticipate bringing a tax abatement agreement for proposed improvements to the property for Council's consideration at the December 15, 2016 meeting.

**FISCAL IMPACT:** None at this time

### **ATTACHMENTS:**

[Survey](#)  
[Ordinance](#)



DESCRIPTION

STATE OF TEXAS:  
COUNTY OF BELL:  
BEING all that tract of land in the City of Temple, Bell County, Texas, out of the Maximo Moreno Survey, Abstract Number 14, and being part of that called 82.52 acres of land described in a deed to Marlandwood Road, Ltd., recorded in Volume 3814, Page 303 of the Official Public Records of Real Property of Bell County, Texas, and being further described as follows:

BEGINNING at a 1/2 inch steel rod with cap stamped "1519 SURVEYING" found in the south right of way line of Marlandwood Road (120' Public Right of Way) being the northeast corner of the herein described tract from which a 1/2 inch steel rod with cap stamped "1519 SURVEYING" found for the northwest corner of that called 3.825 acre tract of land described in a deed to the City of Temple as recorded in Volume 4187, Page 234 of the Official Public Records of Bell County, Texas bears South 72 degrees 21 minutes 58 seconds East, 574.64 feet;

THENCE South 16 degrees 50 minutes 18 seconds West, crossing said 82.52 acres, 499.69 feet to a 1/2 inch steel rod with cap stamped "1519 SURVEYING" set for the southeast corner of the herein described tract, being in the west line of said 12.000 acres;

THENCE North 72 degrees 21 minutes 58 seconds West, crossing said 82.52 acres, 455.39 feet to a 1/2 inch steel rod with cap stamped "1519 SURVEYING" set for the southwest corner of the herein described tract and the southeast corner of Lot 1, Block 1 of the Cornerstone Gardens Center Addition as shown on the plat thereof as recorded in Cabinet D, Slide 140-B of the Plat Records of Bell County, Texas;

THENCE North 17 degrees 37 minutes 48 seconds East, with the east line of said Lot 1, Block 1, 499.65 feet to a 5/8 inch steel rod with cap stamped "ALL COUNTY" found in the south right of way line of Marlandwood Road for the northwest corner of the herein described tract and the northeast corner of said Lot 1, Block 1 from which a 1/2 inch steel rod with cap stamped "CHAPARRAL" found for the northwest corner of said Lot 1, Block 1 bears North 72 degrees 21 minutes 58 seconds West, 480.20 feet;

THENCE South 72 degrees 21 minutes 58 seconds East, with the south right of way line of Marlandwood Road, 448.48 feet to the POINT OF BEGINNING, containing 5.184 acres of land.

Measured bearings, distances, and acreages are Grid, NAD83 State Plane Coordinate System, Texas Central Zone 4203.

- SURVEYORS NOTES:
- Measured bearings, distances, and acreage are grid, NAD83 State Plane Coordinate System, Texas Central Zone 4203.
  - Underground utilities, pipelines, sprinkler systems, valves, boxes, and/or sprinkler heads that may exist, are not shown hereon.
  - This survey addresses only those easements and restrictions/covenants provided by the title company named hereon.
  - Elevations shown hereon are referenced to the North American Vertical Datum of 1988 (NAVD88) and were calculated by applying vertical shifts derived from GEIOD model 2009 to ellipsoid heights calculated from GPS/GNSS observations referenced to the North American Datum of 1983, CORS adjustment (NAD83 (NA2011)). Benchmark used is identified as BZ1183 in Bell County; Texas by the National Geodetic Survey.
  - Water utilities, sanitary sewer facilities and storm sewer facilities shown hereon provided by the City of Temple. Electric utilities shown hereon provided by TXU.
  - Location of water and storm drain lines shown hereon are based upon GIS utility map provided by City of Temple utility mapping department and are approximate.

TABLE A NOTES:

- Monuments placed at major corners are a 1/2 inch rebar with plastic cap marked "1519 SURVEYING" where existing monuments were not recovered.
- Property address was not provided by insurer/client.
- By graphic plotting only, the subject property appears to lie within F.E.M.A. Other Areas Zone "X" (areas determined to be outside the 0.2% annual chance floodplain.) according to the F.E.M.A. Flood Insurance Rate Map Community Panel Number 48027C0365E, for the City of Temple, Bell County, Texas, having an effective date of September 26, 2008. This surveyor makes no guaranty of the accuracy of said F.E.M.A. Flood Insurance Rate Map.
- Gross land area: 5.184 acres/225,808 sq.ft.
- Topographic survey was performed in conjunction with this ALTA/NSPS and will be provided to client.
- (a) The subject property is located in Zone C and GR according to the City of Temple Zoning Ordinance as described in a letter provided by the City of Temple planning department, researched on July 27, 2016. Requirements and restrictions, provided by the City of Temple and interpreted by GreenbergFarrow, are as follows:

Zone GR: General Retail Zoning District:		Zone C: Commercial Zoning District	
ITEM	REQUIRED	ITEM	REQUIRED
LOT AREA (MIN.)	NONE	LOT AREA (MIN.)	NONE; NOT APPLICABLE
LOT WIDTH (MIN.)	NONE	LOT WIDTH (MIN.)	NONE; NOT APPLICABLE
LOT DEPTH (MIN.)	NONE	LOT DEPTH (MIN.)	NONE; NOT APPLICABLE
MAXIMUM FLOOR AREA RATIO	0.61	MAXIMUM FLOOR AREA RATIO	4:1
LANDSCAPE AREA (MIN.)	5% OF THE LOT	LANDSCAPE AREA (MIN.)	5% OF THE LOT
FRONT YARD SETBACK (MIN.)	15 FT.	FRONT YARD SETBACK	STRUCTURE MAY NOT BE ERRECTED NEARER THAN 30' TO THE CENTERLINE OF ANY STREET ON WHICH THE STRUCTURE FRONTS
REAR YARD SETBACK (MIN.)	0 FT.	REAR YARD SETBACK	0 FT.
SIDE YARD SETBACK (MIN.)	10 FT.	SIDE YARD SETBACK	0 FT.
BUILDING HEIGHT (MAX.)	3 STORIES	BUILDING HEIGHT (MAX.)	ANY LEGAL HEIGHT NOT PROHIBITED BY OTHER LAWS
LANDSCAPE BUFFER (MIN.)	NONE; NOT APPLICABLE	LANDSCAPE BUFFER (MIN.)	NONE; NOT APPLICABLE
- Substantial features observed in the process of conducting the fieldwork are shown hereon.
- No parking areas were observed at the time of the survey.
- Utilities, as shown hereon, were collected based on observed evidence. Underground utilities may exist. However, lacking excavation, the exact location of underground features cannot be accurately, completely and reliably depicted.
- Names of adjoining owners according to tax records are shown hereon.
- Distances to S. 5th Street are shown hereon.
- No observable evidence of earth moving work, building construction or building additions within recent months.
- No observable evidence of changes in street right of way lines and no observable evidence of recent street or sidewalk construction or repairs. No information was made available by the controlling jurisdiction.
- No evidence of wetlands delineation markers were observed.
- Easements shown hereon were provided by First American Title Insurance Company per Title Commitment (G.F. No.: NCH-805519-CHI2). See "Title Commitment Notes".
- At the time of the survey, no evidence was observed of existing cemeteries or burial grounds on the subject property.

ALTA/NSPS  
LAND TITLE SURVEY

5.184 ACRE TRACT OF LAND LOCATED IN THE MAXIMO MORENO SURVEY, ABSTRACT 14, IN THE CITY OF TEMPLE, BELL COUNTY, TEXAS AND BEING PART OF THAT CALLED 82.52 ACRE TRACT OF LAND DESCRIBED IN A DEED TO MARLANDWOOD ROAD, LTD AS RECORDED IN VOLUME 3814, PAGE 303 OF THE OFFICIAL PUBLIC RECORDS OF BELL COUNTY, TEXAS

ALTA/NSPS LAND TITLE SURVEY 5.184 ACRE TRACT OF LAND LOCATED IN THE MAXIMO MORENO SURVEY, ABSTRACT 14, IN THE CITY OF TEMPLE, BELL COUNTY, TEXAS	1519 Job No.: 38014 Sheet 1 of 1 Property Address: Marlandwood Road Temple, Texas	Drawn By: JEM Reviewed By: JDD Prepared For: Mainstreet Realty, LLC C/O GreenbergFarrow
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5.184 Acres  
225,808 SQ.FT.

Marlandwood Road, Ltd.  
Called 82.52 Acres  
Volume 3814, Page 303  
O.P.R.B.C.T.

Property ID: 92518

LEGEND

- 1/2" Steel rod with cap stamped "1519 SURVEYING" set
- 1/2" Steel rod with cap stamped "1519 SURVEYING" found
- 5/8" Steel rod with cap stamped "ALL COUNTY" found (Unless otherwise noted)
- Utility pole
- Guy anchor
- Water meter
- Water Valve
- Fire hydrant
- Storm drain manhole cover
- Sanitary sewer manhole cover
- Traffic sign
- Overhead utility
- 8" Water utility
- Sanitary sewer utility
- Storm drain utility
- O.P.R.B.C.T. - Official Public Records of Bell County, Texas
- P.R.B.C.T. - Plat Records of Bell County, Texas

TITLE COMMITMENT NOTES:  
First American Title Insurance Company  
Effective Date: July 25, 2016  
Issued Date: August 9, 2016  
G.F. NO. NCS-805519-CHI2

THE FOLLOWING ITEMS DO AFFECT THE SUBJECT PROPERTY:

- Terms, provisions, covenants, conditions, restrictions, options, easements, charges, lien for current assessments, annual maintenance charges and/or special assessments, as set forth in instrument(s) recorded in Volume 4071, Page 402, and Volume 3261, Page 201, of the Deed Records of Bell County, Texas.
- Easement(s) granted in favor of the City of Temple, Texas, recorded in Volume 4280, Page 262, of the Deed Records of Bell County, Texas.

THE FOLLOWING ITEMS DO NOT AFFECT THE SUBJECT PROPERTY:

- Sewer easement(s) granted in favor of the City of Temple, Texas, recorded in Volume 1963, Page 865, of the Deed Records of Bell County, Texas.
- Easement(s) granted in favor of the City of Temple, Texas, recorded in Volume 3159, Page 336, of the Deed Records of Bell County, Texas.
- Easement(s) granted in favor of the City of Temple, Texas, recorded in Volume 3397, Page 321, of the Deed Records of Bell County, Texas.
- Easement(s) granted in favor of the Ebbie V. Ashby, recorded in Volume 3901, Page 192, of the Deed Records of Bell County, Texas.
- Easement(s) granted in favor of the City of Temple, Texas, recorded in Volume 3981, Page 669, of the Deed Records of Bell County, Texas.
- Terms, provisions, stipulations, and conditions of Sewer Line Agreement as described in instrument(s) recorded in Volume 4099, Page 673, of the Deed Records of Bell County, Texas.
- Terms, provisions, stipulations, and conditions of Ingress-Egress Easement as described in instrument(s) recorded in Volume 6199, Page 603, of the Deed Records of Bell County, Texas.

THE FOLLOWING ITEM CONTAINS A VAGUE DESCRIPTION AND MAY OR MAY NOT AFFECT THE SUBJECT PROPERTY:

- Easement granted in favor of Texas Power & Light Company, recorded in Volume 442, Page 512, of the Deed Records of Bell County, Texas.

Utility Provider Contact Information:

Water/Sanitary Sewer/Storm Drainage:	Gas:
Christopher Peal Public Works Manager City Hall; 2 N. Main Street Temple, TX 76501 254-298-5665 cpeal@templetx.com	Atmos Energy Alan Wetzel 2138 Lucius McCelvey Dr. Temple, TX 76504 254-742-7804 Alan.wetzel@atmosenergy.com

Electric:	Telephone/Cable:
ONCOR Greg Wade 308 S. 7th Street Temple, TX 76504 254-770-6218 greg.wade@oncor.com	AT&T Steve Dieterman 117 N. 1st Street Temple, TX 76504 254-773-8626 SD6961@att.com

TITLE CERTIFICATION:  
To: MS Temple, LLC, an Indiana limited liability company and  
First American Title Insurance Company and :

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 5, 6(a), 8, 9, 11, 13, 14, 16, 17, 18, 19 and 20 (with minimum E&O of \$1,000,000) of Table A thereof.

The field work was completed on August 12, 2016.

Date of Plat or Map: October \_\_, 2016

Preliminary, this document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document.

James David Dossey  
R.P.L.S. 6112

ORDINANCE NO. 2016-4815

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, DESIGNATING A TRACT OF LAND CONSISTING OF APPROXIMATELY 5.184 ACRES LOCATED ON MARLANDWOOD ROAD BETWEEN SOUTH 5<sup>TH</sup> STREET AND LOWES DRIVE, AS CITY OF TEMPLE TAX ABATEMENT REINVESTMENT ZONE NUMBER THIRTY-FOUR FOR COMMERCIAL/INDUSTRIAL TAX ABATEMENT; ESTABLISHING THE BOUNDARIES THEREOF AND OTHER MATTERS RELATING THERETO; DECLARING FINDINGS OF FACT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, the City Council of the City of Temple, Texas (“City”), desires to promote the development or redevelopment of a certain geographic area within its jurisdiction by creation of a reinvestment zone for commercial/industrial tax abatement, as authorized by Chapter 312 of the Texas Tax Code;

**Whereas**, the City held such public hearing after publishing notice of such public hearing, and giving written notice to all taxing units overlapping the territory inside the proposed reinvestment zone;

**Whereas**, the City at such hearing invited any interested person, or his attorney, to appear and contend for or against the creation of the reinvestment zone, the boundaries of the proposed reinvestment zone, whether all or part of the territory described in the ordinance calling such public hearing should be included in such proposed reinvestment zone, and the concept of tax abatement; and

**Whereas**, the proponents of the reinvestment zone offered evidence, both oral and documentary, in favor of all of the foregoing matters relating to the creation of the reinvestment zone, and opponents of the reinvestment zone appeared to contest creation of the reinvestment zone.

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

**Part 1:** The facts and recitations contained in the preamble of this ordinance are hereby found and declared to be true and correct.

**Part 2:** The City, after conducting such hearings and having heard such evidence and testimony has made the following findings and determinations based on the testimony presented to it:

**A.** That a public hearing on the adoption of the reinvestment zone has been properly called, held and conducted and that notices of such hearings have been published as required by law and mailed to all taxing units overlapping the territory inside the proposed reinvestment zone;



**B.** That the boundaries of the reinvestment zone (hereinafter "REINVESTMENT ZONE NUMBER THIRTY-FOUR") should be approximately 5.184 acres located on Marlandwood Road between South 5<sup>th</sup> Street and Lowes Drive, Temple, Bell County, Texas, as described in the drawing attached as Exhibit "A."

**C.** That creation of REINVESTMENT ZONE NUMBER THIRTY-FOUR will result in benefits to the City and to the land included in the zone after the term of any agreement executed hereunder, and the improvements sought are feasible and practical.

**D.** That REINVESTMENT ZONE NUMBER THIRTY-FOUR meets the criteria for the creation of a reinvestment zone as set forth in Section 312.202 of the Code in that it is "reasonably likely as a result of the designation to contribute to the retention or expansion of primary employment or to attract major investment in the zone that would be a benefit to the property and that would contribute to the economic development of the City."

**E.** That REINVESTMENT ZONE NUMBER THIRTY-FOUR meets the criteria for the creation of a reinvestment zone as set forth in the City of Temple Guidelines and Criteria for granting tax abatement in reinvestment zones.

**Part 3:** Pursuant to Section 312.201 of the Code, the City hereby creates a reinvestment zone for commercial/industrial tax abatement encompassing approximately 5.184 acres located on Marlandwood Road between South 5<sup>th</sup> Street and Lowes Drive, Temple, Bell County, Texas, described by the drawing in Exhibit "A," attached hereto and such REINVESTMENT ZONE is hereby designated and shall hereafter be officially designated as Tax Abatement Reinvestment Zone Number Thirty-Four, City of Temple, Texas.

**Part 4:** The REINVESTMENT ZONE shall take effect on December 15, 2016.

**Part 5:** To be considered for execution of an agreement for tax abatement the commercial/industrial project shall:

**A.** Be located wholly within the Zone as established herein;

**B.** Not include property that is owned or leased by a member of the City Council of the City of Temple, Texas, or by a member of the Planning and Zoning Commission;

**C.** Conform to the requirements of the City's Zoning Ordinance, the CRITERIA governing tax abatement previously adopted by the City, and all other applicable laws and regulations; and

**D.** Have and maintain all land located within the designated zone, appraised at market value for tax purposes.

**Part 6:** Written agreements with property owners located within the zone shall provide identical terms regarding duration of exemption and share of taxable real property value exempted from taxation.

**Part 7:** Written agreements for tax abatement as provided for by Section 312.205 of the Code shall include provisions for:

**A.** Listing the kind, number and location of all proposed improvements of the property;



**B.** Access to and inspection of property by municipal employees to ensure that the improvements or repairs are made according to the specification and conditions of the agreements;

**C.** Limiting the use of the property consistent with the general purpose of encouraging development or redevelopment of the zone during the period that property tax exemptions are in effect; and

**D.** Recapturing property tax revenue lost as a result of the agreement if the owner of the property fails to make the improvements as provided by the agreement.

**Part 8: Severance clause.** 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 9: Effective date.** This ordinance shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Temple, Texas, and it is accordingly so ordained.

**Part 10: Sunset provision.** The designation of Tax Abatement Reinvestment Zone Number Thirty-Four shall expire five years from the effective date of this ordinance. The designation of a tax abatement reinvestment zone may be renewed for periods not exceeding five years. The expiration of a reinvestment zone designation does not affect an existing tax abatement agreement authorized by the City Council.

**Part 11: Open Meeting Act.** 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 Meeting Act.

PASSED AND APPROVED on First Reading on the 1<sup>st</sup> day of **December**, 2016.

PASSED AND APPROVED on Second and Final Reading and Public Hearing on the 15<sup>th</sup> day of **December**, 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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12/15/16  
Item #5(CC)  
Consent Agenda  
Page 1 of 3

### **DEPARTMENT / DIVISION SUBMISSION & REVIEW:**

Dessie Redmond, Planner

**ITEM DESCRIPTION:** SECOND READING - Z-FY-17-01: Consider adopting an ordinance authorizing a rezoning from the Agricultural zoning district to the Commercial zoning district on 1.89 +/- acres situated in the City of Temple, Bell County, Texas, located at 5890 West Adams Avenue.

**PLANNING & ZONING COMMISSION RECOMMENDATION:** At their November 7, 2016 meeting, the Planning & Zoning (P&Z) Commission voted eight to zero to recommend approval of the proposed rezoning as presented by staff.

**STAFF RECOMMENDATION:** Based on the following, staff recommends approval for a rezoning from the AG zoning district to the C zoning district:

1. The proposed zoning is compatible with surrounding zoning and anticipated commercial uses along this section of West Adams Avenue;
2. The request complies with the Thoroughfare Plan; and
3. Public facilities are available to serve the subject property.

**ITEM SUMMARY:** The subject property contains a 1.89 +/- acre tract, (Exhibit A) which is being proposed for rezoning from the AG zoning district to the C zoning district, which would match the current zoning of the adjacent lot that is also under the same property ownership. The property is currently undeveloped.

This rezoning request is a companion file to a final plat that has been submitted to the Planning Department. The plat and rezoning would consolidate the site into a single lot with consistent C zoning. The plat is a one lot, one block minor plat with no requested exceptions. Therefore, the plat can be approved administratively.

It is anticipated the property will eventually be developed with retail uses. There are a number of residential and non-residential uses that are permitted by right in the C zoning district. A Use Comparison Summary Table is located in the attachments.

The property to the north is part of the Scott & White West Campus Subdivision. Currently, the portion of the Scott & White Campus that abuts the subject property is vacant. The property to the east is unplatted, vacant land. To the south is a city-owned parcel with the Pepper Creek trailhead. The Pepper Creek trail abuts the property to the west (Surround Properties & Uses Table).

**COMPREHENSIVE PLAN (CP) COMPLIANCE:** The proposed rezoning relates to the following goals, objectives or maps of the Comprehensive Plan and Sidewalk and Trails Plan. A table summarizing the following discussion is attached (Comprehensive Plan Compliance Summary Table).

**Future Land Use Map (CP Map 3.1)**

The subject property is entirely within the Auto-Urban Residential character district. This character district is intended for smaller single-family lots. Bufferyard requirements and design standards are also needed to provide adequate separation and buffering from other less intensive uses and to ensure their compatibility. This rezoning request does not comply with the Auto-Urban Residential character district. However, the Pepper Creek trail abuts the property to the west and provides a vegetative buffer to the existing residential uses to the west of the property. While there are no immediate plans to develop the property for commercial uses, if approved, the zoning would be in place to accommodate future market trends to allow development along the West Adams Avenue corridor.

**Thoroughfare Plan (CP Map 5.2)**

The subject property currently does not have direct access. However, as mentioned previously, this rezoning request is a companion file with a submitted plat that proposes to combine the abutting lot to the east of subject property. Therefore, after completing the plat process, the property may be accessed off of West Adams Avenue or North Kegley Road. Both West Adams Avenue and this section of North Kegley Road are designated as arterials in the city's Thorough Fare plan; therefore, a 6-foot sidewalk will be required on both sides of each road. A note on the plat addresses this requirement.

**Availability of Public Facilities (CP Goal 4.1)**

Sewer is available to the subject property through an existing 30-inch sewer line that abuts the property to the west. There is no direct water line access to the subject property. However, once the plat process is completed water will be available through a line in West Adams Road.

**Temple Trails Master Plan Map and Sidewalks Ordinance**

The Trails Master Plan identifies an existing city-wide spine trail along West Adams Avenue. The request is in compliance with the Trails Master Plan.

**DEVELOPMENT REGULATIONS:** A comparison summary table for non-residential dimensional standards in the AG & C zoning districts is located in the attachments (Non-Residential Dimensional Standards Comparison Table).

**PUBLIC NOTICE:** Three property owners within 200-feet of the subject property were sent notice of the public hearing as required by state law and city ordinance. As of Tuesday, November 15, 2016, zero returned notices have been received.

The newspaper printed notice of the public hearing on October 27, 2016, in accordance with state law and local ordinance.

**CITY COUNCIL MEETING SCHEDULE:** This rezoning is scheduled for the first reading on December 1, 2016 and a second reading on December 15, 2016.

**FISCAL IMPACT:** Not Applicable

**ATTACHMENTS:**

Site and Surrounding Property Photos

Surveyor Sketch (Exhibit A)

Aerial Map / Utility Map

Zoning Map / Future Land Use and Character Map

Thoroughfare & Trails Map / Notification Map

Use Comparison Summary Table

Surrounding Property & Uses Table / Comprehensive Plan Compliance Summary Table / Non-Residential Dimensional Standards Comparison Table

November 7, 2016 P&Z Commission meeting excerpt  
Ordinance





Location Key



Aerial image



Site Photos



Location of sign posting along W. Adams Ave. on adjacent site to the east of subject property



Property to the north: Scott & White West Campus



Site Photos

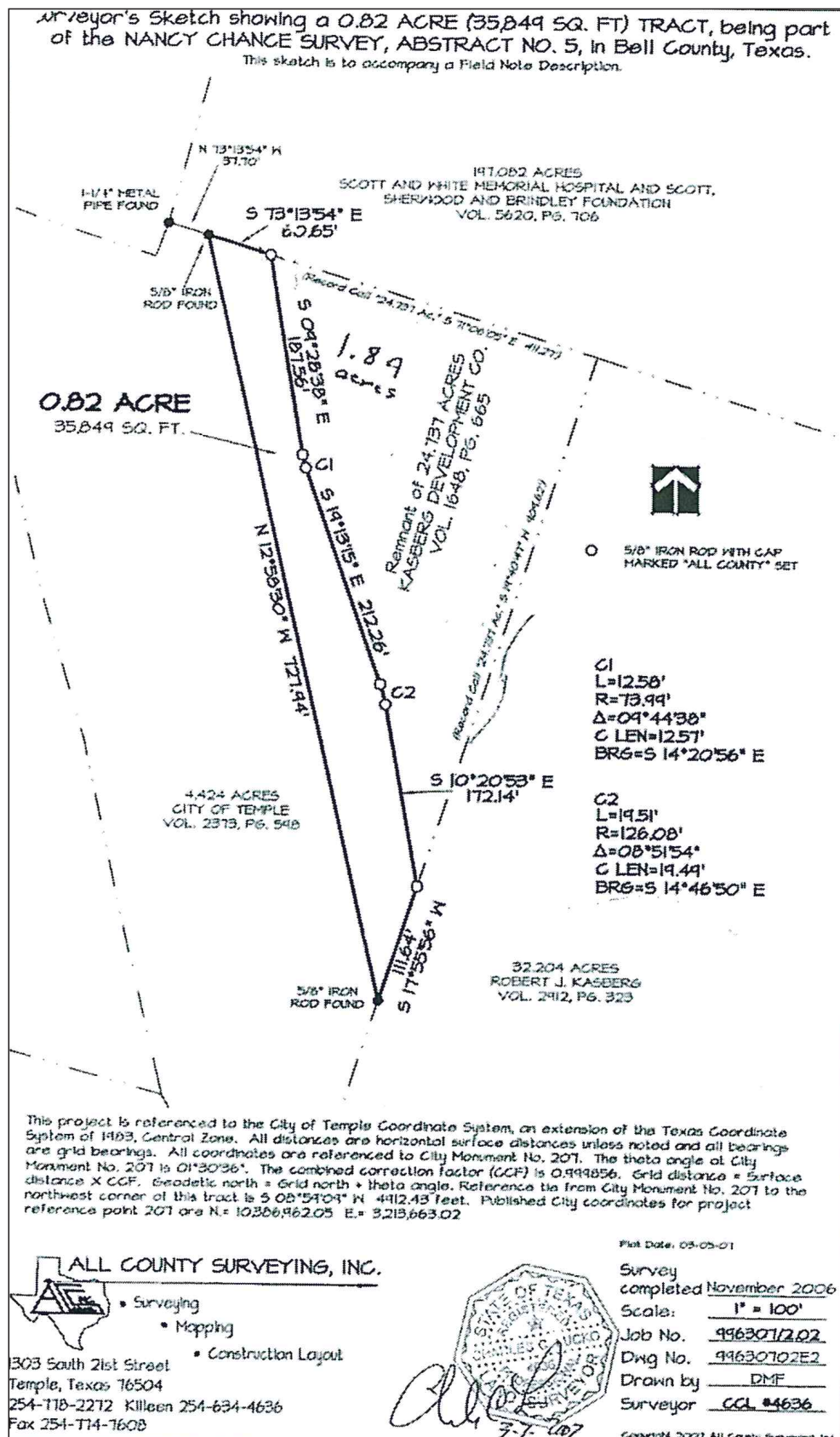


Property to the south and west: Pepper Creek Trail

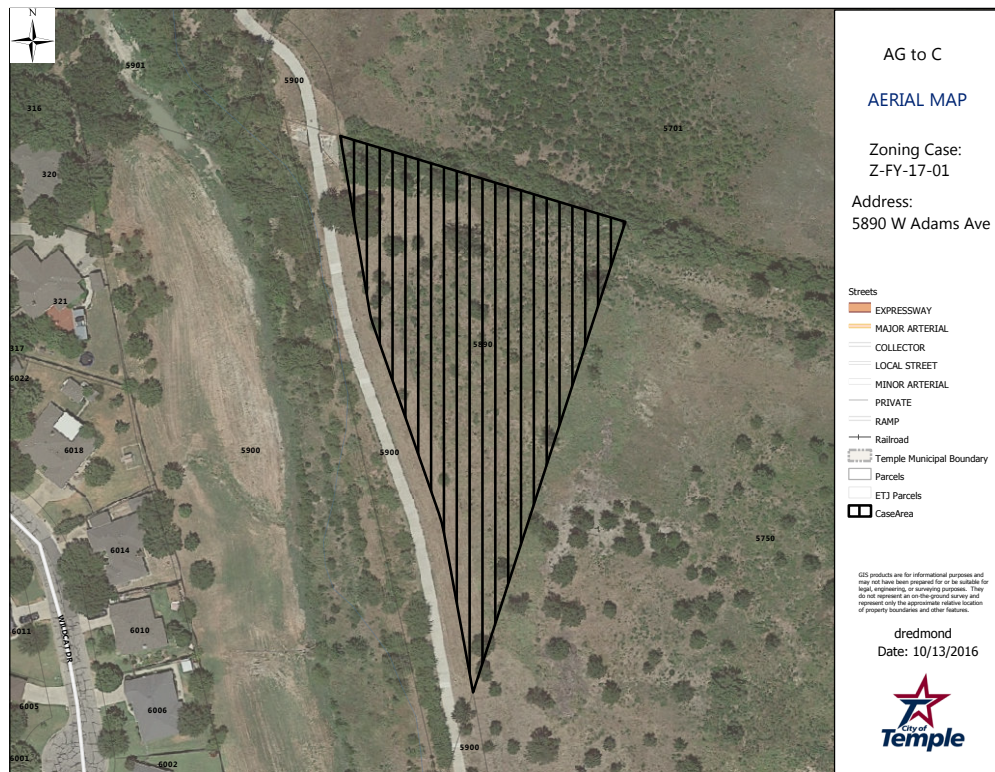


Property to the east: vacant

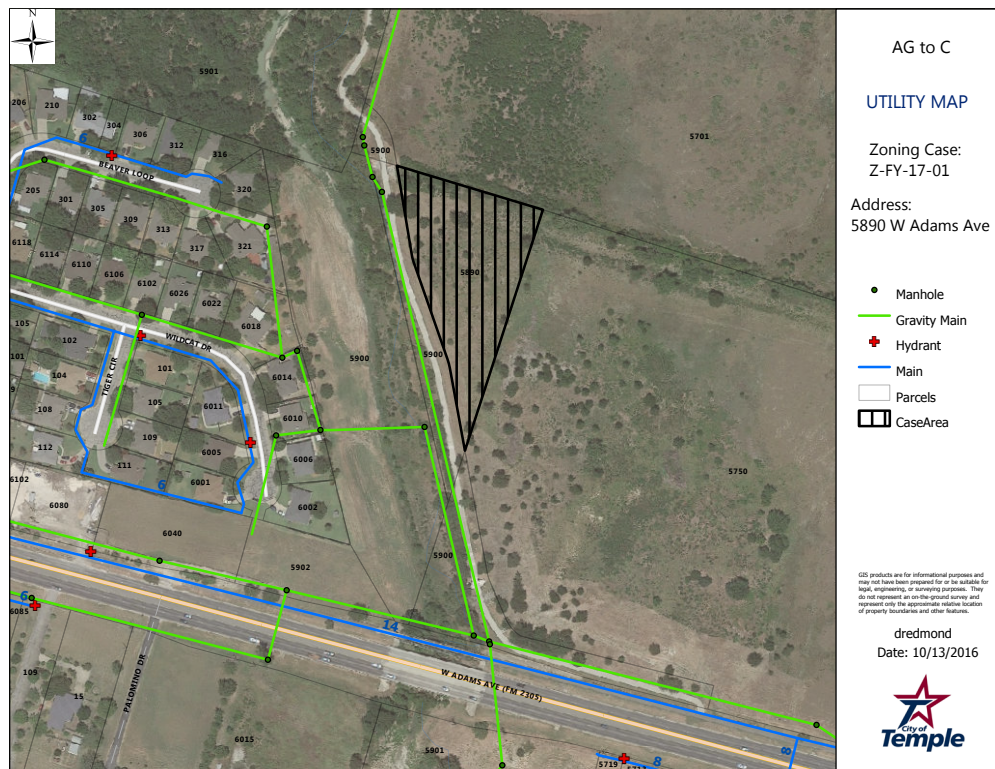




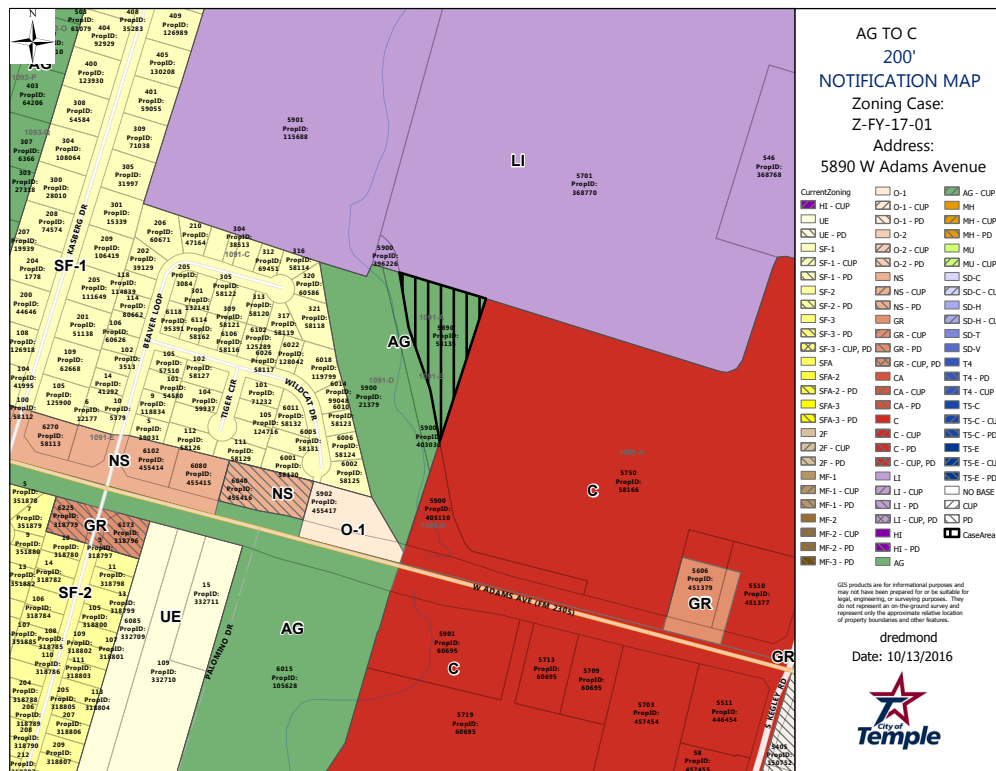
Surveyor Sketch (Exhibit A)



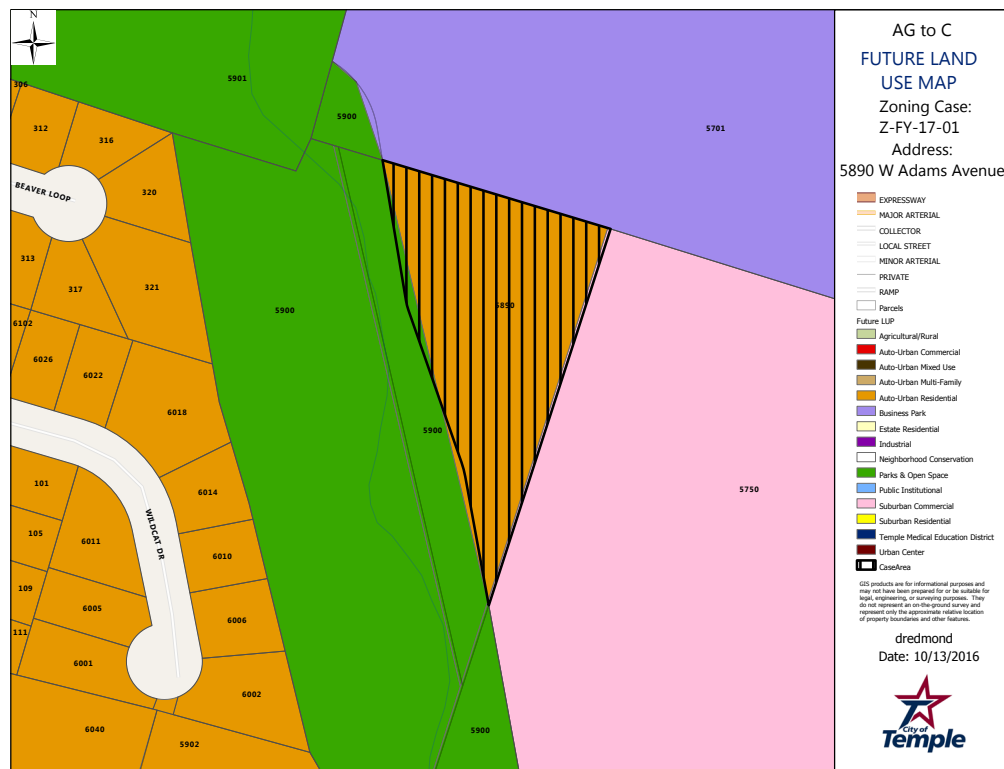
Aerial Map



Utility Map

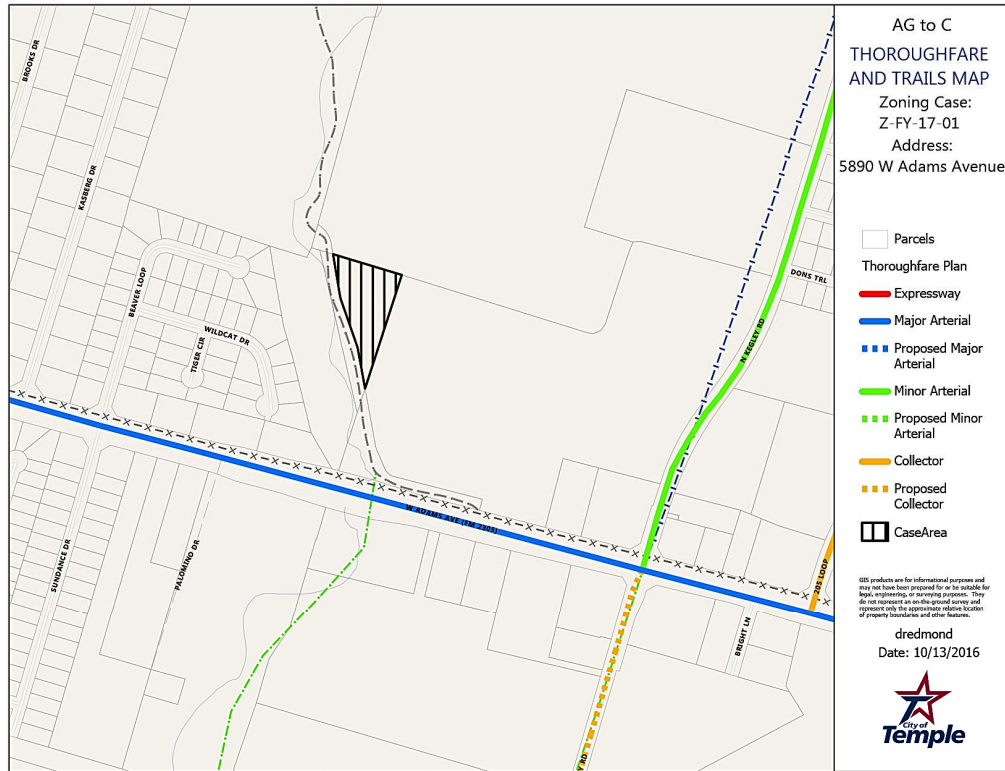


## Zoning Map

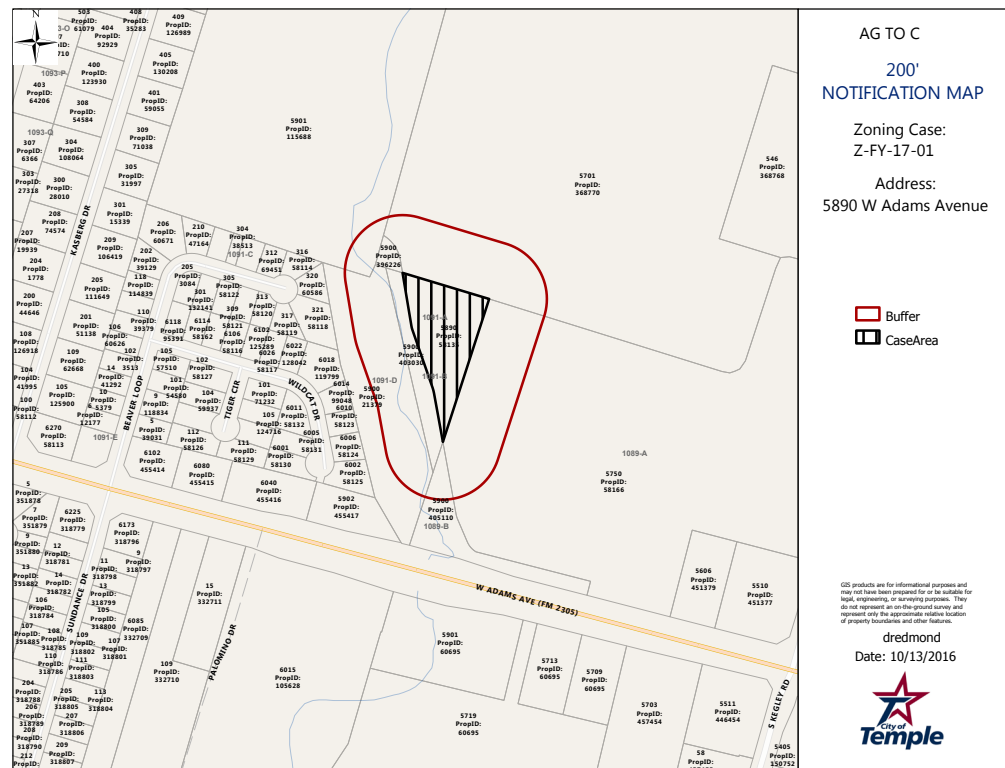


## Future Land Use Character Map





Thoroughfare & Trails Map



Notification Map

Use Comparison Summary Table

	Existing Agriculture	Proposed Commercial
<b>Residential Uses</b>	Single-family dwelling *Home for the aged Industrialized housing	Single-family dwelling Home for the aged Industrialized housing
<b>Agricultural Uses</b>	Farm, Ranch or Orchard	Farm, Ranch or Orchard
<b>Commercial Uses</b>	None	Cabinet shop Maintenance & repair service for building Paint shop Open storage of furniture, appliances or machinery
<b>Education &amp; Institutional</b>	Place of worship *Pre-school	Place of worship Pre-school
<b>Industrial Uses</b>	*Asphalt or concrete batching plant (temporary)	*Asphalt or concrete batching plant (temporary) Laboratory Medical, dental, scientific or research
<b>Overnight Accommodations</b>	*Recreational vehicle park	Hotel or motel
<b>Recreational Uses</b>	Park or Playground Zoo	Park or Playground *Zoo Alcoholic beverage sales for on-premise consumption: beer and wine only less than 75% revenue from alcohol
<b>Restaurant Uses</b>	None	Restaurant (drive-in & non-drive-in)
<b>Retail &amp; Service Uses</b>	*Exercise gym	Alcohol beverage sales, off-premise consumption, beer and wine store Exercise gym
<b>Transportation Uses</b>	*Airport or landing field	*Airport or landing field Emergency vehicle service
<b>Utility &amp; Service Uses</b>	Fire station Sewage treatment plant	Fire station
<b>Vehicle Service Uses</b>	None	Auto leasing, rental *Auto storage or auto auction Truck sales

\*Conditional Use Permit required

**Surrounding Properties & Uses Table**

Direction	FLUP	Zoning	Current Land Use
Site	Auto-Urban Residential	AG	vacant
North	Business Park	LI	Scott & White West Campus
South	Parks & Open Space	C	Pepper Creek Trail
West	Parks & Open Space	AG	Pepper Creek Trail
East	Suburban Commercial	C	vacant

**Comprehensive Plan Compliance Summary Table**

Document	Policy, Goal, Objective or Map	Compliance?
CP	Map 3.1 - Future Land Use Map	No
CP	Map 5.2 - Thoroughfare Plan	Yes
CP	Goal 4.1 - Growth and development patterns should be consistent with the City's infrastructure and public service capacities	Yes
STP	Temple Trails Master Plan Map and Sidewalk Ordinance	Yes

CP = Comprehensive Plan STP = Sidewalk and Trails Plan

**Non-Residential Dimensional Standards Comparison**

	Existing Agricultural	Proposed Commercial
<b>Minimum Lot Size</b>	N/A	N/A
<b>Minimum Lot Width</b>	N/A	N/A
<b>Minimum Lot Depth</b>	N/A	N/A
<b>Front Setback</b>	50 ft	*
<b>Side Setback</b>	20 ft	0*
<b>Side Setback (corner)</b>	15 ft	10 ft
<b>Rear Setback</b>	10 ft	0*
<b>Max Building Height</b>	3 stories	ALH

N/A = use permitted but standard does not apply

ALH = any legal height not prohibited by other laws

\* = See Section 4.4 Measurements & Special Cases

**EXCERPTS FROM THE  
PLANNING & ZONING COMMISSION MEETING**

**MONDAY, NOVEMBER 7, 2016**

**ACTION ITEMS**

**Item 3: P-FY-16-44 – Consider and take action on the amended Preliminary Plat of Legacy Ranch Phase II, an 89.09 +/- acres, 143 lot, 13-block, residential and nonresidential subdivision, including a requested exception to the Unified Development Code, Section 8.2.1.D.4.b. projection of streets regarding openings every 1,000 feet, and an exception to the park land dedication with a condition of an approval, located in the northwest corner of FM 1741, South 31st Street, and West FM 93, in the City of Temple, Bell County, Texas.**

Ms. Redmond stated the description Chair Rhoads read for this item was taken from the Staff Report description which differed from the posted Agenda description.

The applicant is Patrick Johnson on behalf Skyward Development and Monty Clark on behalf of Clark & Fuller. Mr. Clark is in attendance.

This item is scheduled to go forward to City Council for a Resolution reading on December 1, 2016.

The applicant is requesting exceptions to the UDC Section 8.2.1.D.4.b, Projection of Streets regarding street openings every 1,000 feet. The existing railroad to the north sets some constraints on the property which is why the exception is being requested.

Also, an exception to the park land dedication with a condition of approval is requested.

The preliminary plat was reviewed by the Development Review Committee (DRC) on August 22 and 25 and was deemed administratively complete on October 26, 2016.

In 2014 a zoning change was requested from Agricultural (AG) to Planned Development-General Retail (PD-GR). This was approved by City Council.

Wastewater and water are available to the site.

The two bounding roadways, FM 1741/South 31st Street and FM 93 are major arterials as designated in the Thorough Fare Master Plan. This designation requires a six-foot sidewalk which will be noted on the plat.

City Council is the final plat authority since the applicant is requesting exceptions.

Plat maps shown. Tracts A through D (in green) are proposed to be Homeowner Association (HOA) maintained tracts.

Aerial and topo/utility maps shown.



Staff recommends approval of the amended preliminary plat of Legacy Ranch Phase II, subject to:

City Council's approval of the requested exceptions (UDC, Section 8.2.1.D.4.b: Projection of Streets, regarding street openings every 1,000 feet); and

Park land dedication with the following condition:

The design with value statements for the private park be submitted prior to the final plat process and approved by Council. A possible future exception can only be approved for the single family portion of the plat. Multi-family will be required to pay the park land dedication fee at \$225 per dwelling with a possible 50% credit given for any on-site recreational amenities (pool, trail, fitness area).

Chair Roads asked about the exception for the street openings.

Ms. Redmond explained the exception is for streets that are accessed into the subdivision, which are Legacy Ranch Drive and King Ranch Drive. Due to the railroad location, a northerly access road is not possible at this time. However, one access off of 31st Street and one off of FM 93 is possible.

The railroad is not active at this time.

Mr. Monty Clark, Clark & Fuller Engineers, 215 North 9th Street, Temple, Texas, stated they tried to stick with the original plat the Commission saw in the past. The roads are 31-foot, back-of-curb to back-of-curb roads which are wider.

The railroad to the north has no provision to cross it.

Utilities and a road are being stubbed out to the northern right-of-way for future extension.

Future possible access openings, interior shared drives and non-accessed easements have been discussed with TxDOT.

Retail will be on South 31st and multi-family for FM 93.

Commissioner Crisp made a motion to approve Item 3, P-FY-16-44, as presented, and Commissioner Jones made a second.

Motion passed: (8:0)  
One Vacancy

ORDINANCE NO. 2016-4816  
(Z-FY-17-01)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A REZONING FROM AGRICULTURAL ZONING DISTRICT TO COMMERCIAL ZONING DISTRICT ON APPROXIMATELY 1.89 ACRES, LOCATED AT 5890 WEST ADAMS AVENUE, TEMPLE, BELL COUNTY, TEXAS; 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 the Agricultural zoning district to the Commercial zoning district on approximately 1.89 acres situated in the City of Temple, Bell County, Texas, located at 5890 West Adams Avenue, as outlined in the surveyor's sketch as Exhibit 'A,' and field notes attached hereto, and made a part hereof for all purposes.

**Part 2:** Staff recommends approval for a rezoning from the Agricultural zoning district to the Commercial zoning district.

**Part 3:** The City Council directs the Director of Planning to make the necessary changes to the City Zoning Map.

**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 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 **1st** day of **December**, 2016.

**PASSED AND APPROVED** on Second Reading on the **15<sup>th</sup>** day of **December**, 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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12/15/16  
Item #5(DD)  
Consent Agenda  
Page 1 of 2

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

Traci L. Barnard, Director of Finance

**ITEM DESCRIPTION:** Consider adopting a resolution approving the annual report of the Tax Increment Financing Reinvestment Zone No. 1 for fiscal year 2015-2016.

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

**BACKGROUND:** This item is to comply with the State law requiring submission of an annual report to the taxing units within the Reinvestment Zone No. 1 (Zone).

The attached report discloses the financial condition of the Zone as of 9/30/2016, as well as the tax collections by taxing entity.

The financial information contained in this report was presented to the Reinvestment Zone No. 1 Board at the December 7, 2016 board meeting. The annual report will be mailed to the chief executive officer of each taxing unit that levies property taxes on real property in the Reinvestment Zone and to the State Comptroller as required by state law.

**FISCAL IMPACT:** Attached is the annual report of the Tax Increment Financing Reinvestment Zone No. 1 for fiscal year 2015-2016.

### **ATTACHMENTS:**

[Annual Report](#)  
[Resolution](#)

A large, maroon-colored abstract shape with a white outline, resembling a stylized 'S' or a flowing ribbon, serves as a background for the title. It is positioned in the upper half of the page.

# Reinvestment Zone No. 1 Annual Report

For the year ended  
September 30, 2016

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Map of Reinvestment Zone No. 1 Boundaries .....	18

**CITY OF TEMPLE, TEXAS**  
**REINVESTMENT ZONE NO. 1**  
**COMPARATIVE BALANCE SHEET**  
**September 30, 2016 and 2015**

	<u>2016</u>	<u>2015</u>	<u>Increase (Decrease)</u>
<b>ASSETS</b>			
Current assets:			
Investments	\$ 20,329,562	\$ 9,646,528	\$ 10,683,034
Receivables (net of allowance for estimated uncollectible):			
Ad valorem taxes	74,178	63,704	10,474
Accounts receivable	55,722	307,164	(251,442)
Total current assets	<u>20,459,462</u>	<u>10,017,396</u>	<u>10,442,066</u>
Restricted assets:			
Bond proceeds	<u>8,620,941</u>	<u>12,888,766</u>	<u>(4,267,825)</u>
Total restricted assets	<u>8,620,941</u>	<u>12,888,766</u>	<u>(4,267,825)</u>
Total assets	<u>\$ 29,080,403</u>	<u>\$ 22,906,162</u>	<u>\$ 6,174,241</u>
<b>LIABILITIES AND FUND BALANCES</b>			
Current liabilities:			
Vouchers and contracts payable	\$ 494,983	\$ 938,193	\$ (443,210)
Retainage payable	112,661	220,038	(107,377)
Unearned revenues	74,178	63,704	10,474
Total current liabilities	<u>681,822</u>	<u>1,221,935</u>	<u>(540,113)</u>
Liabilities from restricted assets:			
Vouchers and contracts payable	539,693	137,867	401,826
Retainage payable	20,238	38,779	(18,541)
Total liabilities from restricted assets	<u>559,931</u>	<u>176,646</u>	<u>383,285</u>
Total liabilities	<u>1,241,753</u>	<u>1,398,581</u>	<u>(156,828)</u>
Fund Balance:			
Restricted for:			
Construction	8,061,010	12,712,120	(4,651,110)
Committed to:			
Reinvestment Zone No. 1 Projects	<u>19,777,640</u>	<u>8,795,461</u>	<u>10,982,179</u>
Total fund balance	<u>27,838,650</u>	<u>21,507,581</u>	<u>6,331,069</u>
Total liabilities, deferred inflows and fund balances	<u>\$ 29,080,403</u>	<u>\$ 22,906,162</u>	<u>\$ 6,174,241</u>



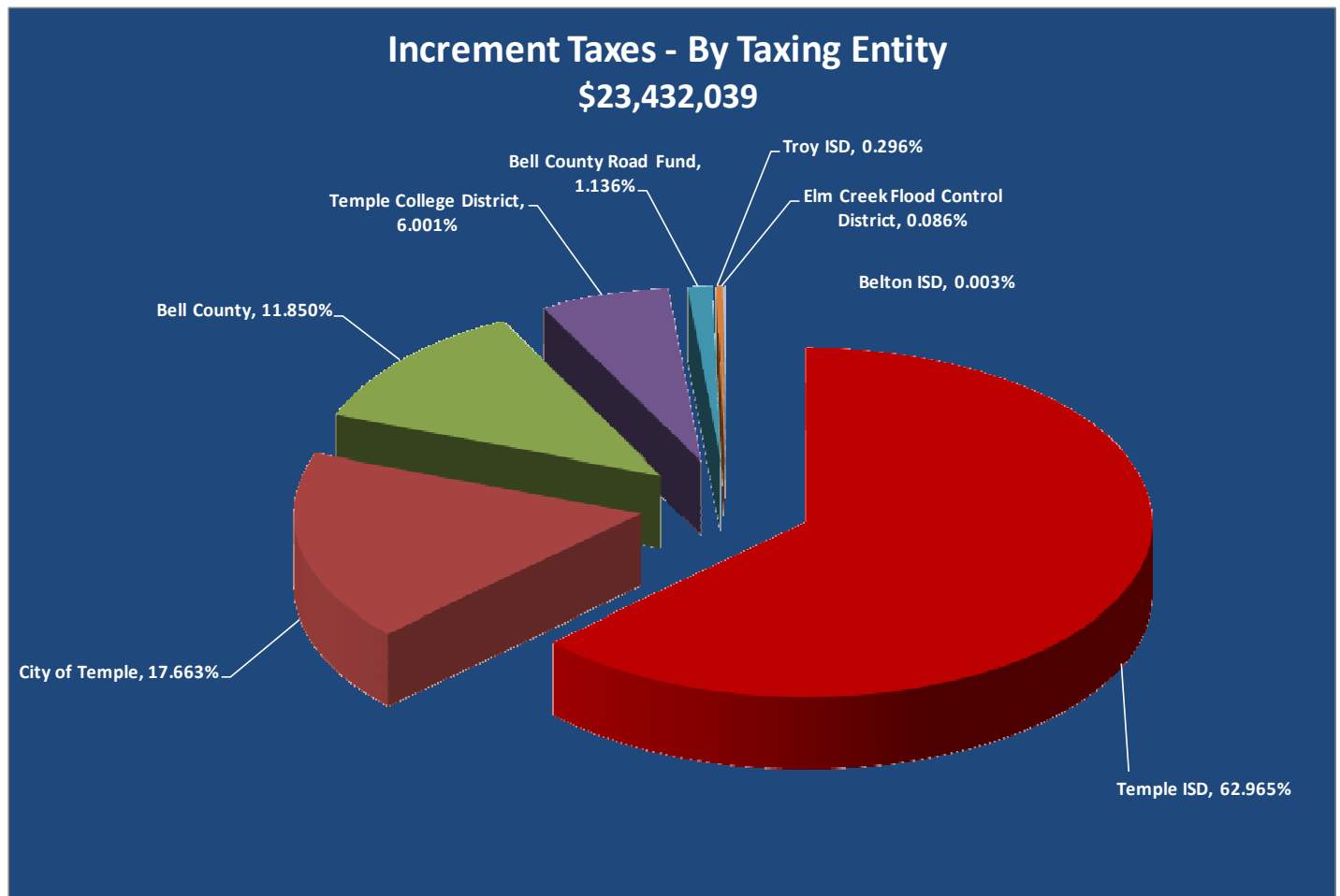
CITY OF TEMPLE, TEXAS  
 REINVESTMENT ZONE #1  
 SCHEDULE OF REVENUES, EXPENDITURES, AND CHANGES  
 IN FUND BALANCE - ACTUAL AND BUDGET  
 For the year ended September 30, 2016  
 (With comparative amounts for the year ended September 30, 2015)

	2016			2015	Analytical
	Actual	Budget	Variance Favorable (Unfavorable)	Actual	Increase (Decrease) Prior yr.
<b>REVENUES:</b>					
Taxes	\$ 23,432,039	\$ 23,200,006	\$ 232,033	\$ 14,586,939	\$ 8,845,100
Interest	113,767	50,000	63,767	62,621	51,146
Leases	8,452	-	8,452	8,513	(61)
Miscellaneous reimbursements	735,004	846,376	(111,372)	1,602,212	(867,208)
Proceeds on sale of land	-	-	-	10,087	(10,087)
License and permits	78,277	36,000	42,277	61,730	16,547
Grants	-	970,000	(970,000)	350,000	(350,000)
<b>Total revenues</b>	<b>24,367,539</b>	<b>25,102,382</b>	<b>(734,843)</b>	<b>16,682,102</b>	<b>7,685,437</b>
<b>EXPENDITURES:</b>					
<b>Administrative</b>					
Professional	2,506	37,625	35,119	18,316	(15,810)
Other contracted services	255,000	255,000	-	150,000	105,000
Temple Medical Education District (TMED)	-	1,550	1,550	-	-
Downtown non-capital improvements	133,036	375,500	242,464	90,898	42,138
Contractual obligation - TEDC	200,000	200,000	-	200,000	-
Reimbursement to TISD	-	26,250	26,250	26,250	(26,250)
Total administrative expenditures	590,542	895,925	305,383	485,464	105,078
<b>Capital Improvements</b>					
General Rail Spur Improvements	17,255	131,645	114,390	8,099	9,156
General Roadway Improvements	25,670	163,913	138,243	19,164	6,506
Temple Industrial Park	1,853,480	2,703,471	849,991	5,365,840	(3,512,360)
Corporate Campus Park	2,761,406	4,347,341	1,585,935	1,307,217	1,454,189
Bioscience Park	153,279	3,967,971	3,814,692	159,851	(6,572)
Research Parkway	1,029,117	7,258,929	6,229,812	1,432,847	(403,730)
Synergy Park	12,274	635,497	623,223	564,580	(552,306)
Downtown Improvements	2,054,827	6,792,662	4,737,835	1,247,285	807,542
TMED	2,572,498	8,672,712	6,100,214	10,083,416	(7,510,918)
Airport Improvements	2,293,860	2,620,784	326,924	1,266,955	1,026,905
Total capital improvements	12,773,666	37,294,925	24,521,259	21,455,254	(8,681,588)
<b>Debt Service</b>					
Bond principal	2,820,000	2,820,000	-	2,655,000	165,000
Bond interest	1,850,773	1,850,773	-	1,941,046	(90,273)
Fiscal agent fees	1,489	1,700	211	1,200	289
Total debt service	4,672,262	4,672,473	211	4,597,246	75,016
<b>Total expenditures</b>	<b>18,036,470</b>	<b>42,863,323</b>	<b>24,826,853</b>	<b>26,537,964</b>	<b>(8,501,494)</b>
Excess (deficiency) of revenues over expenditures	6,331,069	(17,760,941)	24,092,010	(9,855,862)	16,186,931
Fund balance, beginning of period	21,507,581	21,507,581	-	31,363,443	(9,855,862)
Fund balance, end of period	\$ 27,838,650	\$ 3,746,640	\$ 24,092,010	\$ 21,507,581	\$ 6,331,069

**CITY OF TEMPLE, TEXAS**  
**REINVESTMENT ZONE NO. 1**  
**SCHEDULE OF APPRAISED TAXABLE VALUE, TAX LEVY & TAX COLLECTIONS BY TAXING ENTITY**  
**For the Tax Year 2015/Fiscal Year Ending September 30, 2016**

<b>Taxing Jurisdiction</b>	<b>Appraised Taxable Value</b>	<b>Tax Collections <sup>(1)</sup></b>	<b>% of Total Collected</b>
Temple ISD	\$ 905,353,204	\$14,753,907	62.965%
City of Temple	670,071,846	4,138,890	17.663%
Bell County	672,010,092	2,776,688	11.850%
Temple College District	670,127,500	1,406,131	6.001%
Bell County Road Fund	906,343,107	266,305	1.136%
Troy ISD	4,143,893	69,340	0.296%
Elm Creek Flood Control District	63,182,371	20,114	0.086%
Belton ISD	38,003	664	0.003%
		<b>\$ 23,432,039</b>	<b>100.000%</b>

<sup>(1)</sup> Tax collections include the amount collected from the current year levy and any amount collected from prior years.



**CITY OF TEMPLE, TEXAS**  
**REINVESTMENT ZONE NO. 1**  
**SCHEDULE OF CAPITAL ASSETS**  
**For the year ending September 30, 2016 and 2015**

	<b>2016</b>	<b>2015</b>	<b>Increase (Decrease)</b>
Land	\$ 12,024,267	\$ 9,626,471	\$ 2,397,796
Buildings	763,036	763,036	-
Machinery & Equipment	42,559	42,559	-
Infrastructure {Streets/Rail/Downtown/Trails}	70,692,627	56,978,511	13,714,116
Construction in Progress	12,962,025	16,385,128	(3,423,103)
	96,484,514	83,795,705	12,688,809
Less: Accumulated Depreciation	(22,228,241)	(19,498,166)	(2,730,075)
Total Capital Assets	<u>\$ 74,256,273</u>	<u>\$ 64,297,539</u>	<u>\$ 9,958,734</u>

CITY OF TEMPLE, TEXAS  
REINVESTMENT ZONE NO. 1

SCHEDULE OF OUTSTANDING BONDS (PRINCIPAL & INTEREST) - AS OF SEPTEMBER 30, 2016

Fiscal Year	Percent of Debt Retired		TIRZ Revenue Bonds, Taxable Series 2008	General Obligation Bonds Series 2009 {2003 CO}	General Obligation Bonds Series 2011A {2008 CO}	General Obligation Bonds Series 2012 {2003 CO}	Combo Tax & Revenue Bonds Series 2013	Total
	Annual	Cummulative						
	%	%						
2017	10.04%	10.04%	\$ 1,240,096	\$ 1,510,150	\$ 912,200	\$ 76,400	\$ 2,034,894	\$ 5,773,740
2018	10.02%	20.06%	1,241,957	1,488,750	908,350	79,600	2,047,694	5,766,351
2019	10.03%	30.08%	1,241,173	1,485,000	915,950	77,650	2,048,344	5,768,117
2020	10.19%	40.28%	1,237,744	-	2,497,800	80,050	2,047,944	5,863,538
2021	10.19%	50.47%	1,241,670	-	2,497,550	77,250	2,046,494	5,862,964
2022	10.16%	60.63%	1,242,422	-	2,494,950	78,750	2,031,494	5,847,616
2023	3.53%	64.16%	-	-	-	-	2,030,094	2,030,094
2024	3.52%	67.68%	-	-	-	-	2,026,694	2,026,694
2025	3.54%	71.23%	-	-	-	-	2,038,412	2,038,412
2026	3.57%	74.79%	-	-	-	-	2,051,612	2,051,612
2027	3.58%	78.37%	-	-	-	-	2,059,112	2,059,112
2028	3.58%	81.95%	-	-	-	-	2,061,712	2,061,712
2029	3.58%	85.54%	-	-	-	-	2,061,712	2,061,712
2030	3.60%	89.13%	-	-	-	-	2,069,112	2,069,112
2031	3.60%	92.74%	-	-	-	-	2,073,512	2,073,512
2032	3.62%	96.36%	-	-	-	-	2,084,912	2,084,912
2033	3.64%	100.00%	-	-	-	-	2,092,913	2,092,913
Total:			\$ 7,445,062	\$ 4,483,900	\$ 10,226,800	\$ 469,700	\$ 34,906,661	\$ 57,532,123

Principal Outstanding \$ 6,240,000 \$ 4,220,000 \$ 8,670,000 \$ 405,000 \$ 25,260,000 \$ 44,795,000

**CITY OF TEMPLE, TEXAS**  
**REINVESTMENT ZONE NO. 1 - VALUES FOR BASE AND INCREMENT (CAPTURED APPRAISED VALUE)**  
**For the Tax Year 2015/FY 2016 As of 10/1/2015**

Taxing Jurisdiction	ORIGINAL ZONE			EXPANDED ZONE			TOTAL		
	Tax Increment Base	Captured Appraised Value <sup>(1)</sup>	TOTAL	Tax Increment Base	Captured Appraised Value	TOTAL	Tax Increment Base	Captured Appraised Value	TOTAL
Temple ISD	\$ 97,186,149	\$ 905,353,204	\$ 1,002,539,353				\$ 97,186,149	\$ 905,353,204	\$ 1,002,539,353
City of Temple	97,765,552	659,290,397	757,055,949	267,979,786	10,781,449	278,761,235	365,745,338	670,071,846	1,035,817,184
Bell County	97,765,552	661,156,314	758,921,866	267,979,786	10,853,778	278,833,564	365,745,338	672,010,092	1,037,755,430
Temple College District	97,765,552	659,346,051	757,111,603	267,979,786	10,781,449	278,761,235	365,745,338	670,127,500	1,035,872,838
Bell County Road Fund	97,765,552	906,343,107	1,004,108,659				97,765,552	906,343,107	1,004,108,659
Troy ISD	8,146,123	4,143,893	12,290,016				8,146,123	4,143,893	12,290,016
Elm Creek Flood Control District	28,984,337	63,182,371	92,166,708				28,984,337	63,182,371	92,166,708
Belton ISD	18,028	38,003	56,031				18,028	38,003	56,031
									653

<sup>(1)</sup> Note: Captured Appraised Value for each taxing entity will vary based on exemptions allowed, participation in tax abatements and varying geographical boundaries.

**DEFINITIONS:**

**Original Zone** - Includes Zone Boundaries as originally created in 1982 and expanded in 1999.

**Expanded Zone** - TMED area as expanded in 2010. City of Temple - 11/04/10; Temple College - 01/24/11; Bell County - 12/03/12.

**Tax Increment Base** - Total taxable value of all real property taxable by the unit and located in a reinvestment zone for the year in which the zone was designated.

**Captured Appraised Value** - The captured appraised value of real property taxable by a taxing unit for a year is the total taxable value of all real property taxable by the unit and located in a reinvestment zone for that year less the tax increment base of the unit.



# Supplemental Schedules





		{A}	{B}	{C}	{D}						
DESCRIPTION		Y/E 9/30/16 Year 34	9/30/2016 Actual	FY 2016 Open Encumbrances & Carry Forwards	As Currently Adopted FY 2017 Year 35	Revised Y/E 9/30/17 Year 35	Y/E 9/30/18 Year 36	Y/E 9/30/19 Year 37	Y/E 9/30/20 Year 38	Y/E 9/30/21 Year 39	Y/E 9/30/22 Year 40
1	"Taxable Increment"	\$ 670,071,846	\$ 670,071,846	\$ -	\$ 435,432,974	\$ 435,256,703	\$ 382,863,680	\$ 370,649,604	\$ 377,916,559	\$ 382,213,195	\$ 427,532,778
1	FUND BALANCE, Begin	\$ 21,507,581	\$ 21,507,581	\$ -	\$ 3,746,641	\$ 27,838,650	\$ 1,678,024	\$ 5,221,255	\$ 5,456,197	\$ 1,506,226	\$ 2,955,792
2	Adjustments to Debt Service Reserve	-	-	-	-	-	-	-	-	-	-
3	Fund Balance Available for Appropriation	\$ 21,507,581	\$ 21,507,581	\$ -	\$ 3,746,641	\$ 27,838,650	\$ 1,678,024	\$ 5,221,255	\$ 5,456,197	\$ 1,506,226	\$ 2,955,792
SOURCES OF FUNDS:											
4	Tax Revenues	23,553,306	23,432,039	-	19,371,450	19,371,450	16,265,121	15,459,007	15,659,726	15,823,016	16,519,039
6	Allowance for Uncollected Taxes [1.5% of Tax Revenues]	(353,300)	-	-	(290,572)	(290,572)	(243,977)	(231,885)	(234,896)	(237,345)	(247,786)
8	Interest Income-Other	50,000	113,767	-	50,000	50,000	50,000	40,000	40,000	30,000	10,000
10	Grant Funds	970,000	-	970,000	50,000	1,020,000	-	-	-	-	-
12	License Fee - Central Texas Railway	36,000	78,277	-	36,000	36,000	36,000	36,000	36,000	36,000	36,000
14	Other Revenues	846,376	743,456	-	-	-	-	-	-	-	-
17	Bond Proceeds	-	-	-	19,000,000	19,000,000	-	-	-	-	-
20	Total Sources of Funds	\$ 25,102,382	\$ 24,367,539	\$ 970,000	\$ 38,216,878	\$ 39,186,878	\$ 16,107,144	\$ 15,303,122	\$ 15,500,830	\$ 15,651,671	\$ 16,317,253
25	TOTAL AVAILABLE FOR APPROPRIATION	\$ 46,609,963	\$ 45,875,120	\$ 970,000	\$ 41,963,520	\$ 67,025,528	\$ 17,785,168	\$ 20,524,377	\$ 20,957,027	\$ 17,157,897	\$ 19,273,045
USE OF FUNDS:											
DEBT SERVICE											
27	2009 Bond Refunding	1,508,775	1,508,775	-	1,510,150	1,510,150	1,488,750	1,485,000	-	-	-
28	2008 Bond Issue-Taxable {\$10.365 mil}	1,240,854	1,240,854	-	1,240,096	1,240,096	1,241,957	1,241,173	1,237,744	1,241,670	1,242,422
29	Debt Service - 2011A Issue {Refunding}	913,550	913,550	-	912,200	912,200	908,350	915,950	2,497,800	2,497,550	2,494,950
30	Debt Service - 2012 Issue {Refunding}	82,700	82,700	-	76,400	76,400	79,600	77,650	80,050	77,250	78,750
31	Debt Service - 2013 Issue {\$25.260 mil}	924,894	924,894	-	2,034,894	2,034,894	2,047,694	2,048,344	2,047,944	2,046,494	2,031,494
32	Debt Service - 2017 Issue {\$19 mil}	-	-	-	344,583	344,583	1,452,000	1,454,500	1,451,700	1,452,200	1,452,100
35	Paying Agent Services	1,700	1,489	-	1,700	1,700	1,700	1,700	1,700	1,700	1,700
40	Subtotal-Debt Service	4,672,473	4,672,262	-	6,120,023	6,120,023	7,220,051	7,224,317	7,316,938	7,316,864	7,301,416
OPERATING EXPENDITURES											
50	Prof Svcs/Proj Mgmt	36,425	2,506	-	175,000	175,000	175,000	175,000	175,000	175,000	175,000
52	Legal/Audit	1,200	-	-	1,300	1,300	1,300	1,300	1,300	1,300	1,400
54	Zone Park Maintenance [mowing, utilities, botanical supplies]	255,000	255,000	-	330,000	330,000	330,000	330,000	330,000	330,000	330,000
56	Rail Maintenance	131,645	17,255	114,390	100,000	214,390	100,000	100,000	100,000	100,000	100,000
58	Road/Signage Maintenance	163,913	25,670	138,243	100,000	238,243	100,000	100,000	100,000	100,000	100,000
60	Contractual Payments [TEDC - Marketing]	200,000	200,000	-	200,000	200,000	200,000	200,000	200,000	200,000	200,000
62	TISD-Reimbursement [per contract]	26,250	-	-	26,250	26,250	27,563	27,563	27,563	28,941	28,941
65	Subtotal-Operating Expenditures	814,433	500,431	252,633	932,550	1,185,183	933,863	933,863	933,863	935,241	935,341
70	TOTAL DEBT & OPERATING EXPENDITURES	\$ 5,486,906	\$ 5,172,693	\$ 252,633	\$ 7,052,573	\$ 7,305,206	\$ 8,153,914	\$ 8,158,180	\$ 8,250,801	\$ 8,252,105	\$ 8,236,757
80	Funds Available for Projects	\$ 41,123,057	\$ 40,702,427	\$ 717,367	\$ 34,910,947	\$ 59,720,322	\$ 9,631,255	\$ 12,366,197	\$ 12,706,226	\$ 8,905,792	\$ 11,036,288
PROJECTS											
150	Temple Industrial Park	2,703,471	1,853,480	696,509	-	696,509	400,000	-	-	-	-
200	Corporate Campus Park	4,347,341	2,761,406	1,501,520	-	1,501,520	-	-	-	-	-
250	Bioscience Park	3,967,971	153,279	3,814,692	-	3,814,692	-	-	-	-	-
350	Research Parkway	7,258,929	1,029,117	6,229,812	16,000,000	22,229,812	-	-	10,750,000	-	-
400	Synergy Park	635,497	12,274	501,701	-	501,701	-	-	-	-	-
450	Downtown	7,168,162	2,187,863	4,936,895	17,950,000	22,886,895	2,700,000	450,000	450,000	450,000	450,000
500	TMED	8,674,261	2,572,498	5,984,245	-	5,984,245	-	6,460,000	-	-	-
550	Airport Park	2,620,784	2,293,860	326,924	100,000	426,924	1,310,000	-	-	-	-
610	Public Improvements	-	-	-	-	-	-	-	-	5,500,000	7,000,000
	Subtotal-Projects	37,376,416	12,863,777	23,992,298	34,050,000	58,042,298	4,410,000	6,910,000	11,200,000	5,950,000	7,450,000
TOTAL USE OF FUNDS		\$ 42,863,322	\$ 18,036,470	\$ 24,244,931	\$ 41,102,573	\$ 65,347,504	\$ 12,563,914	\$ 15,068,180	\$ 19,450,801	\$ 14,202,105	\$ 15,686,757
700	FUND BALANCE, End	\$ 3,746,641	\$ 27,838,650	\$ (23,274,931)	\$ 860,947	\$ 1,678,024	\$ 5,221,255	\$ 5,456,197	\$ 1,506,226	\$ 2,955,792	\$ 3,586,288

DESCRIPTION		2023 41	2024 42	2025 43	2026 44	2027 45	2028 46	2029 47	2030 48	2031 49	2032 50
1	"Taxable Increment"	\$ 450,142,634	\$ 496,141,511	\$ 537,771,984	\$ 660,938,023	\$ 689,548,837	\$ 696,444,325	\$ 703,408,769	\$ 710,442,856	\$ 717,547,285	\$ 724,722,758
1	FUND BALANCE, Begin	\$ 3,586,288	\$ 3,429,156	\$ 2,969,182	\$ 3,139,222	\$ 2,980,948	\$ 3,041,900	\$ 3,049,414	\$ 3,265,357	\$ 3,174,770	\$ 3,286,805
2	Adjustments to Debt Service Reserve	-	-	-	-	-	-	-	-	-	-
3	Fund Balance Available for Appropriation	\$ 3,586,288	\$ 3,429,156	\$ 2,969,182	\$ 3,139,222	\$ 2,980,948	\$ 3,041,900	\$ 3,049,414	\$ 3,265,357	\$ 3,174,770	\$ 3,286,805
SOURCES OF FUNDS:											
4	Tax Revenues	16,921,830	17,628,841	18,280,346	19,989,672	20,474,693	20,679,426	20,886,206	21,095,054	21,305,990	21,519,035
6	Allowance for Uncollected Taxes [1.5% of Tax Revenues]	(253,827)	(264,433)	(274,205)	(299,845)	(307,120)	(310,191)	(313,293)	(316,426)	(319,590)	(322,786)
8	Interest Income-Other	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000
10	Grant Funds	-	-	-	-	-	-	-	-	-	-
12	License Fee - Central Texas Railway	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,000
14	Other Revenues	-	-	-	-	-	-	-	-	-	-
17	Bond Proceeds	-	-	-	-	-	-	-	-	-	-
20	Total Sources of Funds	\$ 16,714,003	\$ 17,410,408	\$ 18,052,141	\$ 19,735,827	\$ 20,213,573	\$ 20,415,235	\$ 20,618,913	\$ 20,824,628	\$ 21,032,400	\$ 21,242,249
25	TOTAL AVAILABLE FOR APPROPRIATION	\$ 20,300,291	\$ 20,839,564	\$ 21,021,323	\$ 22,875,049	\$ 23,194,520	\$ 23,457,134	\$ 23,668,327	\$ 24,089,985	\$ 24,207,170	\$ 24,529,055
USE OF FUNDS:											
DEBT SERVICE											
27	2009 Bond Refunding	-	-	-	-	-	-	-	-	-	-
28	2008 Bond Issue-Taxable {\$10.365 mil}	-	-	-	-	-	-	-	-	-	-
29	Debt Service - 2011A Issue {Refunding}	-	-	-	-	-	-	-	-	-	-
30	Debt Service - 2012 Issue {Refunding}	-	-	-	-	-	-	-	-	-	-
31	Debt Service - 2013 Issue {\$25.260 mil}	2,030,094	2,026,694	2,038,413	2,051,613	2,059,113	2,061,713	2,061,713	2,069,113	2,073,513	2,084,913
32	Debt Service - 2017 Issue {\$19 mil}	1,454,500	1,455,700	1,455,700	1,454,500	1,454,000	1,456,500	1,451,750	1,455,000	1,455,750	1,454,000
35	Paying Agent Services	1,200	1,200	1,200	1,200	1,200	1,200	1,200	1,200	1,200	1,200
40	Subtotal-Debt Service	3,485,794	3,483,594	3,495,313	3,507,313	3,514,313	3,519,413	3,514,663	3,525,313	3,530,463	3,540,113
OPERATING EXPENDITURES											
50	Prof Svcs/Proj Mgmt	175,000	175,000	175,000	175,000	175,000	175,000	175,000	175,000	175,000	175,000
52	Legal/Audit	1,400	1,400	1,400	1,400	1,400	1,400	1,400	1,400	1,400	1,400
54	Zone Park Maintenance [mowing, utilities, botanical supplies]	330,000	330,000	330,000	330,000	330,000	330,000	330,000	330,000	330,000	330,000
56	Rail Maintenance	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000
58	Road/Signage Maintenance	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000
60	Contractual Payments [TEDC - Marketing]	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000
62	TISD-Reimbursement [per contract]	28,941	30,388	30,388	30,388	31,907	31,907	31,907	33,502	33,502	33,502
65	Subtotal-Operating Expenditures	935,341	936,788	936,788	936,788	938,307	938,307	938,307	939,902	939,902	939,902
70	TOTAL DEBT & OPERATING EXPENDITURES	\$ 4,421,135	\$ 4,420,382	\$ 4,432,101	\$ 4,444,101	\$ 4,452,620	\$ 4,457,720	\$ 4,452,970	\$ 4,465,215	\$ 4,470,365	\$ 4,480,015
80	Funds Available for Projects	\$ 15,879,156	\$ 16,419,182	\$ 16,589,222	\$ 18,430,948	\$ 18,741,900	\$ 18,999,414	\$ 19,215,357	\$ 19,624,770	\$ 19,736,805	\$ 20,049,040
PROJECTS											
150	Temple Industrial Park	-	-	-	-	-	-	-	-	-	-
200	Corporate Campus Park	-	-	-	-	-	-	-	-	-	-
250	Bioscience Park	-	-	-	-	-	-	-	-	-	-
350	Research Parkway	-	-	-	-	-	-	-	-	-	-
400	Synergy Park	-	-	-	-	-	-	-	-	-	-
450	Downtown	450,000	450,000	450,000	450,000	450,000	450,000	450,000	450,000	450,000	450,000
500	TMED	-	-	-	-	-	-	-	-	-	-
550	Airport Park	-	-	-	-	-	-	-	-	-	-
610	Public Improvements	12,000,000	13,000,000	13,000,000	15,000,000	15,250,000	15,500,000	15,500,000	16,000,000	16,000,000	16,500,000
	Subtotal-Projects	12,450,000	13,450,000	13,450,000	15,450,000	15,700,000	15,950,000	15,950,000	16,450,000	16,450,000	16,950,000
TOTAL USE OF FUNDS		\$ 16,871,135	\$ 17,870,382	\$ 17,882,101	\$ 19,894,101	\$ 20,152,620	\$ 20,407,720	\$ 20,402,970	\$ 20,915,215	\$ 20,920,365	\$ 21,430,015
700	FUND BALANCE, End	\$ 3,429,156	\$ 2,969,182	\$ 3,139,222	\$ 2,980,948	\$ 3,041,900	\$ 3,049,414	\$ 3,265,357	\$ 3,174,770	\$ 3,286,805	\$ 3,099,040

DESCRIPTION		2033 51	2034 52	2035 53	2036 54	2037 55	2038 56	2039 57	2040 58	2041 59	2042 60
1	"Taxable Increment"	\$ 731,969,985	\$ 739,289,685	\$ 746,682,582	\$ 754,149,408	\$ 761,690,902	\$ 769,307,811	\$ 777,000,889	\$ 784,770,898	\$ 792,618,607	\$ 800,544,793
1	FUND BALANCE, Begin	\$ 3,099,040	\$ 3,112,798	\$ 2,935,536	\$ 2,974,234	\$ 2,977,293	\$ 2,953,107	\$ 3,105,931	\$ 2,981,895	\$ 3,085,096	\$ 2,917,808
2	Adjustments to Debt Service Reserve	-	-	-	-	-	-	-	-	-	-
3	Fund Balance Available for Appropriation	\$ 3,099,040	\$ 3,112,798	\$ 2,935,536	\$ 2,974,234	\$ 2,977,293	\$ 2,953,107	\$ 3,105,931	\$ 2,981,895	\$ 3,085,096	\$ 2,917,808
SOURCES OF FUNDS:											
4	Tax Revenues	21,734,211	21,951,539	22,171,040	22,392,736	22,616,650	22,842,802	23,071,215	23,301,913	23,534,918	23,770,253
6	Allowance for Uncollected Taxes [1.5% of Tax Revenues]	(326,013)	(329,273)	(332,566)	(335,891)	(339,250)	(342,642)	(346,068)	(349,529)	(353,024)	(356,554)
8	Interest Income-Other	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000
10	Grant Funds	-	-	-	-	-	-	-	-	-	-
12	License Fee - Central Texas Railway	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,000
14	Other Revenues	-	-	-	-	-	-	-	-	-	-
17	Bond Proceeds	-	-	-	-	-	-	-	-	-	-
20	Total Sources of Funds	\$ 21,454,198	\$ 21,668,266	\$ 21,884,474	\$ 22,102,845	\$ 22,323,400	\$ 22,546,160	\$ 22,771,147	\$ 22,998,384	\$ 23,227,894	\$ 23,459,699
25	TOTAL AVAILABLE FOR APPROPRIATION	\$ 24,553,238	\$ 24,781,063	\$ 24,820,011	\$ 25,077,079	\$ 25,300,693	\$ 25,499,267	\$ 25,877,078	\$ 25,980,279	\$ 26,312,991	\$ 26,377,507
USE OF FUNDS:											
DEBT SERVICE											
27	2009 Bond Refunding	-	-	-	-	-	-	-	-	-	-
28	2008 Bond Issue-Taxable {\$10.365 mil}	-	-	-	-	-	-	-	-	-	-
29	Debt Service - 2011A Issue {Refunding}	-	-	-	-	-	-	-	-	-	-
30	Debt Service - 2012 Issue {Refunding}	-	-	-	-	-	-	-	-	-	-
31	Debt Service - 2013 Issue {\$25.260 mil}	2,092,913	-	-	-	-	-	-	-	-	-
32	Debt Service - 2017 Issue {\$19 mil}	1,454,750	1,452,750	1,453,000	1,455,250	1,454,250	-	-	-	-	-
35	Paying Agent Services	1,200	1,200	1,200	1,200	-	-	-	-	-	-
40	Subtotal-Debt Service	3,548,863	1,453,950	1,454,200	1,456,450	1,454,250	-	-	-	-	-
OPERATING EXPENDITURES											
50	Prof Svcs/Proj Mgmt	175,000	175,000	175,000	175,000	175,000	175,000	175,000	175,000	175,000	175,000
52	Legal/Audit	1,400	1,400	1,400	1,400	1,400	1,400	1,400	1,400	1,400	1,400
54	Zone Park Maintenance [mowing, utilities, botanical supplies]	330,000	330,000	330,000	330,000	330,000	330,000	330,000	330,000	330,000	330,000
56	Rail Maintenance	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000
58	Road/Signage Maintenance	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000
60	Contractual Payments [TEDC - Marketing]	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000
62	TISD-Reimbursement [per contract]	35,177	35,177	35,177	36,936	36,936	36,936	38,783	38,783	38,783	40,722
65	Subtotal-Operating Expenditures	941,577	941,577	941,577	943,336	943,336	943,336	945,183	945,183	945,183	947,122
70	TOTAL DEBT & OPERATING EXPENDITURES	\$ 4,490,440	\$ 2,395,527	\$ 2,395,777	\$ 2,399,786	\$ 2,397,586	\$ 943,336	\$ 945,183	\$ 945,183	\$ 945,183	\$ 947,122
80	Funds Available for Projects	\$ 20,062,798	\$ 22,385,536	\$ 22,424,234	\$ 22,677,293	\$ 22,903,107	\$ 24,555,931	\$ 24,931,895	\$ 25,035,096	\$ 25,367,808	\$ 25,430,385
PROJECTS											
150	Temple Industrial Park	-	-	-	-	-	-	-	-	-	-
200	Corporate Campus Park	-	-	-	-	-	-	-	-	-	-
250	Bioscience Park	-	-	-	-	-	-	-	-	-	-
350	Research Parkway	-	-	-	-	-	-	-	-	-	-
400	Synergy Park	-	-	-	-	-	-	-	-	-	-
450	Downtown	450,000	450,000	450,000	450,000	450,000	450,000	450,000	450,000	450,000	450,000
500	TMED	-	-	-	-	-	-	-	-	-	-
550	Airport Park	-	-	-	-	-	-	-	-	-	-
610	Public Improvements	16,500,000	19,000,000	19,000,000	19,250,000	19,500,000	21,000,000	21,500,000	21,500,000	22,000,000	22,000,000
	Subtotal-Projects	16,950,000	19,450,000	19,450,000	19,700,000	19,950,000	21,450,000	21,950,000	21,950,000	22,450,000	22,450,000
TOTAL USE OF FUNDS		\$ 21,440,440	\$ 21,845,527	\$ 21,845,777	\$ 22,099,786	\$ 22,347,586	\$ 22,393,336	\$ 22,895,183	\$ 22,895,183	\$ 23,395,183	\$ 23,397,122
700	FUND BALANCE, End	\$ 3,112,798	\$ 2,935,536	\$ 2,974,234	\$ 2,977,293	\$ 2,953,107	\$ 3,105,931	\$ 2,981,895	\$ 3,085,096	\$ 2,917,808	\$ 2,980,385

DESCRIPTION		2043 61	2044 62	2045 63	2046 64	2047 65	2048 66	2049 67	2050 68	2051 69	2052 70
1	"Taxable Increment"	\$ 808,550,241	\$ 816,635,743	\$ 824,802,101	\$ 833,050,122	\$ 841,380,623	\$ 849,794,429	\$ 858,292,373	\$ 866,875,297	\$ 875,544,050	\$ 884,299,491
1	FUND BALANCE, Begin	\$ 2,980,385	\$ 3,063,511	\$ 3,047,018	\$ 3,030,770	\$ 2,968,828	\$ 3,063,233	\$ 2,863,912	\$ 2,875,087	\$ 3,148,863	\$ 3,085,120
2	Adjustments to Debt Service Reserve	-	-	-	-	-	-	-	-	-	-
3	Fund Balance Available for Appropriation	\$ 2,980,385	\$ 3,063,511	\$ 3,047,018	\$ 3,030,770	\$ 2,968,828	\$ 3,063,233	\$ 2,863,912	\$ 2,875,087	\$ 3,148,863	\$ 3,085,120
SOURCES OF FUNDS:											
4	Tax Revenues	20,334,364	20,537,694	20,743,056	20,950,473	21,159,963	21,371,548	21,585,250	21,801,088	22,019,084	22,239,261
6	Allowance for Uncollected Taxes [1.5% of Tax Revenues]	(305,015)	(308,065)	(311,146)	(314,257)	(317,399)	(320,573)	(323,779)	(327,016)	(330,286)	(333,589)
8	Interest Income-Other	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000
10	Grant Funds	-	-	-	-	-	-	-	-	-	-
12	License Fee - Central Texas Railway	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,000
14	Other Revenues	-	-	-	-	-	-	-	-	-	-
17	Bond Proceeds	-	-	-	-	-	-	-	-	-	-
20	Total Sources of Funds	\$ 20,075,349	\$ 20,275,629	\$ 20,477,910	\$ 20,682,216	\$ 20,888,564	\$ 21,096,975	\$ 21,307,471	\$ 21,520,072	\$ 21,734,798	\$ 21,951,672
25	TOTAL AVAILABLE FOR APPROPRIATION	\$ 23,055,733	\$ 23,339,140	\$ 23,524,928	\$ 23,712,986	\$ 23,857,391	\$ 24,160,208	\$ 24,171,383	\$ 24,395,159	\$ 24,883,661	\$ 25,036,792
USE OF FUNDS:											
DEBT SERVICE											
27	2009 Bond Refunding	-	-	-	-	-	-	-	-	-	-
28	2008 Bond Issue-Taxable {\$10.365 mil}	-	-	-	-	-	-	-	-	-	-
29	Debt Service - 2011A Issue {Refunding}	-	-	-	-	-	-	-	-	-	-
30	Debt Service - 2012 Issue {Refunding}	-	-	-	-	-	-	-	-	-	-
31	Debt Service - 2013 Issue {\$25.260 mil}	-	-	-	-	-	-	-	-	-	-
32	Debt Service - 2017 Issue {\$19 mil}	-	-	-	-	-	-	-	-	-	-
35	Paying Agent Services	-	-	-	-	-	-	-	-	-	-
40	Subtotal-Debt Service	-	-	-	-	-	-	-	-	-	-
OPERATING EXPENDITURES											
50	Prof Svcs/Proj Mgmt	175,100	175,000	175,000	175,000	175,000	175,000	175,000	175,000	175,000	175,000
52	Legal/Audit	1,400	1,400	1,400	1,400	1,400	1,400	1,400	1,400	1,400	1,400
54	Zone Park Maintenance [mowing, utilities, botanical supplies]	150,000	150,000	150,000	150,000	150,000	150,000	150,000	150,000	150,000	150,000
56	Rail Maintenance	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000
58	Road/Signage Maintenance	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000
60	Contractual Payments [TEDC - Marketing]	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000
62	TISD-Reimbursement [per contract]	40,722	40,722	42,758	42,758	42,758	44,896	44,896	44,896	47,141	47,141
65	Subtotal-Operating Expenditures	792,222	792,122	794,158	794,158	794,158	796,296	796,296	796,296	798,541	798,541
70	TOTAL DEBT & OPERATING EXPENDITURES	\$ 792,222	\$ 792,122	\$ 794,158	\$ 794,158	\$ 794,158	\$ 796,296	\$ 796,296	\$ 796,296	\$ 798,541	\$ 798,541
80	Funds Available for Projects	\$ 22,263,511	\$ 22,547,018	\$ 22,730,770	\$ 22,918,828	\$ 23,063,233	\$ 23,363,912	\$ 23,375,087	\$ 23,598,863	\$ 24,085,120	\$ 24,238,251
PROJECTS											
150	Temple Industrial Park	-	-	-	-	-	-	-	-	-	-
200	Corporate Campus Park	-	-	-	-	-	-	-	-	-	-
250	Bioscience Park	-	-	-	-	-	-	-	-	-	-
350	Research Parkway	-	-	-	-	-	-	-	-	-	-
400	Synergy Park	-	-	-	-	-	-	-	-	-	-
450	Downtown	450,000	450,000	450,000	450,000	450,000	450,000	450,000	450,000	450,000	450,000
500	TMED	-	-	-	-	-	-	-	-	-	-
550	Airport Park	-	-	-	-	-	-	-	-	-	-
610	Public Improvements	18,750,000	19,050,000	19,250,000	19,500,000	19,550,000	20,050,000	20,050,000	20,000,000	20,550,000	20,550,000
	Subtotal-Projects	19,200,000	19,500,000	19,700,000	19,950,000	20,000,000	20,500,000	20,500,000	20,450,000	21,000,000	21,000,000
TOTAL USE OF FUNDS		\$ 19,992,222	\$ 20,292,122	\$ 20,494,158	\$ 20,744,158	\$ 20,794,158	\$ 21,296,296	\$ 21,296,296	\$ 21,246,296	\$ 21,798,541	\$ 21,798,541
700	FUND BALANCE, End	\$ 3,063,511	\$ 3,047,018	\$ 3,030,770	\$ 2,968,828	\$ 3,063,233	\$ 2,863,912	\$ 2,875,087	\$ 3,148,863	\$ 3,085,120	\$ 3,238,251

DESCRIPTION		2053 71	2054 72	2055 73	2056 74	2057 75	2058 76	2059 77	2060 78	2061 79	2062 80
1	"Taxable Increment"	\$ 893,142,486	\$ 902,073,910	\$ 911,094,650	\$ 920,205,596	\$ 929,407,652	\$ 938,701,729	\$ 948,088,746	\$ 957,569,633	\$ 967,145,330	\$ 976,816,783
1	FUND BALANCE, Begin	\$ 3,238,251	\$ 3,160,425	\$ 3,251,474	\$ 3,065,969	\$ 3,106,144	\$ 2,871,780	\$ 2,867,633	\$ 3,096,004	\$ 3,056,620	\$ 3,054,426
2	Adjustments to Debt Service Reserve	-	-	-	-	-	-	-	-	-	-
3	Fund Balance Available for Appropriation	\$ 3,238,251	\$ 3,160,425	\$ 3,251,474	\$ 3,065,969	\$ 3,106,144	\$ 2,871,780	\$ 2,867,633	\$ 3,096,004	\$ 3,056,620	\$ 3,054,426
SOURCES OF FUNDS:											
4	Tax Revenues	22,461,639	22,686,241	22,913,089	23,142,206	23,373,614	23,607,336	23,843,395	24,081,814	24,322,618	24,565,830
6	Allowance for Uncollected Taxes [1.5% of Tax Revenues]	(336,925)	(340,294)	(343,696)	(347,133)	(350,604)	(354,110)	(357,651)	(361,227)	(364,839)	(368,487)
8	Interest Income-Other	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000
10	Grant Funds	-	-	-	-	-	-	-	-	-	-
12	License Fee - Central Texas Railway	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,000
14	Other Revenues	-	-	-	-	-	-	-	-	-	-
17	Bond Proceeds	-	-	-	-	-	-	-	-	-	-
20	Total Sources of Funds	\$ 22,170,714	\$ 22,391,947	\$ 22,615,393	\$ 22,841,073	\$ 23,069,010	\$ 23,299,226	\$ 23,531,744	\$ 23,766,587	\$ 24,003,779	\$ 24,243,343
25	TOTAL AVAILABLE FOR APPROPRIATION	\$ 25,408,966	\$ 25,552,372	\$ 25,866,867	\$ 25,907,042	\$ 26,175,153	\$ 26,171,006	\$ 26,399,377	\$ 26,862,591	\$ 27,060,398	\$ 27,297,769
USE OF FUNDS:											
DEBT SERVICE											
27	2009 Bond Refunding	-	-	-	-	-	-	-	-	-	-
28	2008 Bond Issue-Taxable {\$10.365 mil}	-	-	-	-	-	-	-	-	-	-
29	Debt Service - 2011A Issue {Refunding}	-	-	-	-	-	-	-	-	-	-
30	Debt Service - 2012 Issue {Refunding}	-	-	-	-	-	-	-	-	-	-
31	Debt Service - 2013 Issue {\$25.260 mil}	-	-	-	-	-	-	-	-	-	-
32	Debt Service - 2017 Issue {\$19 mil}	-	-	-	-	-	-	-	-	-	-
35	Paying Agent Services	-	-	-	-	-	-	-	-	-	-
40	Subtotal-Debt Service	-	-	-	-	-	-	-	-	-	-
OPERATING EXPENDITURES											
50	Prof Svcs/Proj Mgmt	175,000	175,000	175,000	175,000	175,000	175,000	175,000	175,000	175,000	175,000
52	Legal/Audit	1,400	1,400	1,400	1,400	1,400	1,400	1,400	1,400	1,400	1,400
54	Zone Park Maintenance [mowing, utilities, botanical supplies]	150,000	150,000	150,000	150,000	150,000	150,000	150,000	150,000	150,000	150,000
56	Rail Maintenance	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000
58	Road/Signage Maintenance	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000
60	Contractual Payments [TEDC - Marketing]	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000
62	TISD-Reimbursement [per contract]	47,141	49,498	49,498	49,498	51,973	51,973	51,973	54,572	54,572	54,572
65	Subtotal-Operating Expenditures	798,541	800,898	800,898	800,898	803,373	803,373	803,373	805,972	805,972	805,972
70	TOTAL DEBT & OPERATING EXPENDITURES	\$ 798,541	\$ 800,898	\$ 800,898	\$ 800,898	\$ 803,373	\$ 803,373	\$ 803,373	\$ 805,972	\$ 805,972	\$ 805,972
80	Funds Available for Projects	\$ 24,610,425	\$ 24,751,474	\$ 25,065,969	\$ 25,106,144	\$ 25,371,780	\$ 25,367,633	\$ 25,596,004	\$ 26,056,620	\$ 26,254,426	\$ 26,491,797
PROJECTS											
150	Temple Industrial Park	-	-	-	-	-	-	-	-	-	-
200	Corporate Campus Park	-	-	-	-	-	-	-	-	-	-
250	Bioscience Park	-	-	-	-	-	-	-	-	-	-
350	Research Parkway	-	-	-	-	-	-	-	-	-	-
400	Synergy Park	-	-	-	-	-	-	-	-	-	-
450	Downtown	450,000	450,000	450,000	450,000	450,000	450,000	450,000	450,000	450,000	450,000
500	TMED	-	-	-	-	-	-	-	-	-	-
550	Airport Park	-	-	-	-	-	-	-	-	-	-
610	Public Improvements	21,000,000	21,050,000	21,550,000	21,550,000	22,050,000	22,050,000	22,050,000	22,550,000	22,750,000	25,224,719
	Subtotal-Projects	21,450,000	21,500,000	22,000,000	22,000,000	22,500,000	22,500,000	22,500,000	23,000,000	23,200,000	25,674,719
	TOTAL USE OF FUNDS	\$ 22,248,541	\$ 22,300,898	\$ 22,800,898	\$ 22,800,898	\$ 23,303,373	\$ 23,303,373	\$ 23,303,373	\$ 23,805,972	\$ 24,005,972	\$ 26,480,691
700	FUND BALANCE, End	\$ 3,160,425	\$ 3,251,474	\$ 3,065,969	\$ 3,106,144	\$ 2,871,780	\$ 2,867,633	\$ 3,096,004	\$ 3,056,620	\$ 3,054,426	\$ 817,078



TIF Reinvestment Zone #1  
Summary Financing Plan with Detailed Project Plan

Project Plan - 09/28/16 - to Zone Board

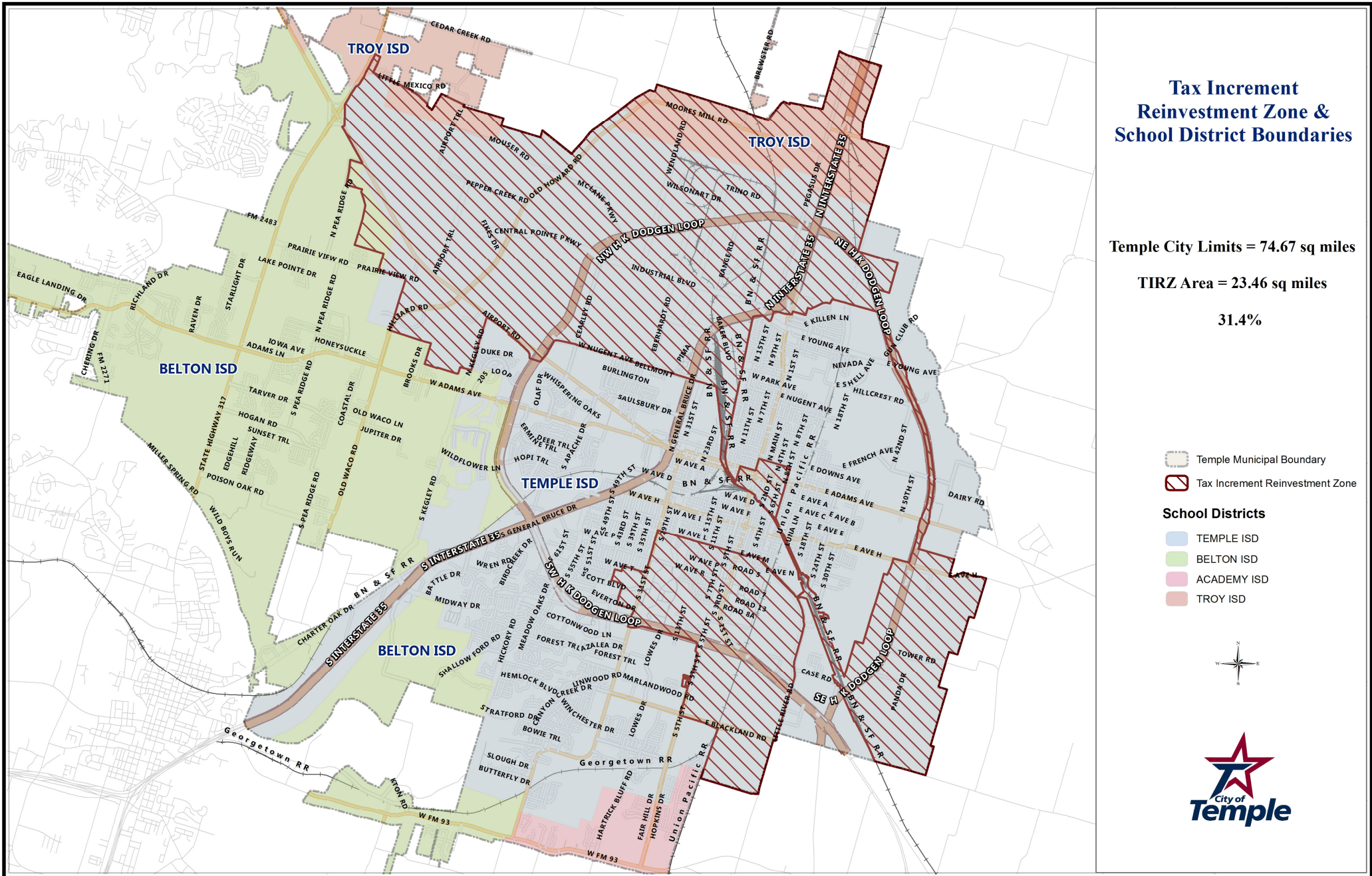
					\$ 19,000,000 Bond Proceeds			
SUMMARY FINANCING PLAN								
	2016	FY 2016 Actual	FY 2016 Open Encumbrances & Carry Forwards	As currently adopted FY 2017	Revised 2017	2018	2019	2020
1 Beginning Available Fund Balance, Oct 1	\$ 21,507,581	\$ 21,507,581	\$ -	\$ 3,746,641	\$ 27,838,650	\$ 1,678,024	\$ 5,221,255	\$ 5,456,197
20 Total Sources of Funds	25,102,382	24,367,539	970,000	38,216,878	39,186,878	16,107,144	15,303,122	15,500,830
2 Adjustments to Debt Service Reserve	-	-	-	-	-	-	-	-
25 Net Available for Appropriation	46,609,963	45,875,120	970,000	41,963,520	67,025,528	17,785,168	20,524,377	20,957,027
50/52 General Administrative Expenditures	37,625	2,506	-	176,300	176,300	176,300	176,300	176,300
54 Zone Park Maintenance [mowing, utilities, botanical supplies]	255,000	255,000	-	330,000	330,000	330,000	330,000	330,000
56 Rail Maintenance	131,645	17,255	114,390	100,000	214,390	100,000	100,000	100,000
58 Road/Signage Maintenance	163,913	25,670	138,243	100,000	238,243	100,000	100,000	100,000
60 Contractual Payments (TEDC - Marketing)	200,000	200,000	-	200,000	200,000	200,000	200,000	200,000
62 TISD-Reimbursement [per contract]	26,250	-	-	26,250	26,250	27,563	27,563	27,563
27 Debt Service - 2009 Issue {Refunding}	1,508,775	1,508,775	-	1,510,150	1,510,150	1,488,750	1,485,000	-
28 Debt Service - 2008 Taxable Issue {\$10.365 mil}	1,240,854	1,240,854	-	1,240,096	1,240,096	1,241,957	1,241,173	1,237,744
29 Debt Service - 2011A Issue {Refunding}	913,550	913,550	-	912,200	912,200	908,350	915,950	2,497,800
30 Debt Service - 2012 Issue {Refunding}	82,700	82,700	-	76,400	76,400	79,600	77,650	80,050
31 Debt Service - 2013 Issue {\$25.260 mil}	924,894	924,894	-	2,034,894	2,034,894	2,047,694	2,048,344	2,047,944
32 Debt Service - 2017 Issue {\$19 mil}	-	-	-	344,583	344,583	1,452,000	1,454,500	1,451,700
33 Paying Agent Services	1,700	1,489	-	1,700	1,700	1,700	1,700	1,700
70 Total Debt & Operating Expenditures	5,486,906	5,172,693	252,633	7,052,573	7,305,206	8,153,914	8,158,180	8,250,801
80 Funds Available for Projects	\$ 41,123,057	\$ 40,702,427	\$ 717,367	\$ 34,910,947	\$ 59,720,322	\$ 9,631,255	\$ 12,366,197	\$ 12,706,226
PROJECT PLAN								
	2016	FY 2016 Actual	FY 2016 Open Encumbrances & Carry Forwards	As currently adopted FY 2017	Revised 2017	2018	2019	2020
<b>TEMPLE INDUSTRIAL PARK:</b>								
100 Northern "Y" Phase I	78,400	78,400	-	-	-	-	-	-
101 Receiving & Delivery (R&D) Tracks	150,000	16,900	107,500	-	107,500	400,000	-	-
102 North Lucius McCelvey Extension	1,289,983	1,073,518	186,655	-	186,655	-	-	-
103 Pepper Creek Main Stem Regional Detention Pond	760,231	662,159	-	-	-	-	-	-
107 Property Acquisition - North Industrial Park	-	-	-	-	-	-	-	-
108 31st Street Sidewalks Grant Match	74,857	22,503	52,354	-	52,354	-	-	-
109 31st Street Sidewalks	350,000	-	350,000	-	350,000	-	-	-
150 Total North Zone/Rail Park (including Enterprise Park)	2,703,471	1,853,480	696,509	-	696,509	400,000	-	-
<b>CORPORATE CAMPUS PARK:</b>								
155 Pepper Creek Trail Hwy 36 to McLane Parkway	1,926,800	425,280	1,501,520	-	1,501,520	-	-	-
156 McLane Pkwy/Research Pkwy Connection	2,420,541	2,336,126	-	-	-	-	-	-
200 Total Corporate Campus Park	4,347,341	2,761,406	1,501,520	-	1,501,520	-	-	-
<b>BIOSCIENCE PARK:</b>								
204 Pepper Creek Trail Connection to S&W	-	-	-	-	-	-	-	-
205 Bioscience Park Service Road & Utility Extensions	-	-	-	-	-	-	-	-
207 Cross Roads Park @ Pepper Creek Trail	3,967,971	153,279	3,814,692	-	3,814,692	-	-	-
250 Total Bio-Science Park	3,967,971	153,279	3,814,692	-	3,814,692	-	-	-
<b>RESEARCH PARKWAY</b>								
305 Research Pkwy (IH 35 to Wendland Ultimate) STAG grant	1,925,000	-	1,925,000	-	1,925,000	-	-	-
305 Research Pkwy (IH 35 to Wendland Ultimate)	2,434,039	231,983	2,202,056	-	2,202,056	-	-	-
305 Research Pkwy (IH 35 to Wendland Ultimate) (bond funded)	-	-	-	13,500,000	13,500,000	-	-	-
310 Research Pkwy (Wendland to McLane Pkwy)	1,760,764	679,588	1,081,176	-	1,081,176	-	-	-
315 Research Pkwy (McLane Pkwy to Central Point Pkwy)	1,139,126	117,546	1,021,580	-	1,021,580	-	-	-
320 Outer Loop (I35 South) (bond funded)	-	-	-	2,500,000	2,500,000	-	-	10,750,000
350 Total Research Parkway	7,258,929	1,029,117	6,229,812	16,000,000	22,229,812	-	-	10,750,000
<b>SYNERGY PARK:</b>								
351 Lorraine Drive (Southeast Industrial Park) - [\$1.5M total project cost]	102,675	-	13,975	-	13,975	-	-	-
352 Entry Enhancement	500,000	12,274	487,726	-	487,726	-	-	-
353 Lorraine Drive/Panda Drive Asphalt	32,822	-	-	-	-	-	-	-
354 Lorraine Drive - Commitment to Panda	-	-	-	-	-	-	-	-
400 Total Synergy Park	635,497	12,274	501,701	-	501,701	-	-	-
<b>DOWNTOWN:</b>								
401 Downtown Improvements {Transformation Team}	375,500	133,036	231,100	450,000	681,100	450,000	450,000	450,000
402 Rail Safety Zone Study	68,210	55,670	-	-	-	-	-	-
403 Lot Identification & Signage	-	-	-	-	-	-	-	-
404 Santa Fe Plaza	4,964,952	1,025,620	3,939,332	4,500,000	8,439,332	1,500,000	-	-
404 Santa Fe Plaza (bond funded)	-	-	-	1,500,000	1,500,000	-	-	-
405 Downtown Master Plan	19,500	-	-	-	-	-	-	-
406 Intersection Improvements at Central & North 4th Street	-	-	-	-	-	750,000	-	-
407 Santa Fe Market Trail	1,390,000	973,537	416,463	-	416,463	-	-	-
407 Santa Fe Market Trail {bond funded}	-	-	-	1,500,000	1,500,000	-	-	-
408 MLK Festival Fields	350,000	-	350,000	-	350,000	-	-	-
409 TISD-Obligation per Contract	-	-	-	10,000,000	10,000,000	-	-	-
450 Total Downtown	7,168,162	2,187,863	4,936,895	17,950,000	22,886,895	2,700,000	450,000	450,000
<b>TMED:</b>								
451 TMED - 1st Street @ Temple College - STEP Grant Match	1,262	-	-	-	-	-	-	-
452 Master Plan Integration 2010	1,550	-	-	-	-	-	-	-
453 TMED - 1st Street @ Loop 363 Design/Construction - Design only	-	-	-	-	-	-	-	-
454 TMED - Friars Creek Trail 5th Street to S&W Blvd. - [\$1.9M total project cost - DOE Grant of \$400K]	-	-	-	-	-	-	-	-
455 Avenue R - S&W Blvd, Ave R - 19th Intersections	1,165,773	1,087,268	-	-	-	-	-	-
456 Ave U from S&W Blvd to 1st St & 13th to 17th connector from Ave R to Loop 363	5,270	5,270	-	-	-	-	-	-
457 South 1st Street Improvements from the Temple College Apartments to Ave O	-	-	-	-	-	-	-	-
458 Loop 363 Frontage Rd (UPRR to 5th TIRZ portion)	590,657	407,722	182,935	-	182,935	-	-	-
459 31st Street/Loop 363 Improvements/Monumentation	2,081,573	44,368	2,037,205	-	2,037,205	-	-	-
460 Ave U TMED Ave. to 1st Street	3,566,419	681,749	2,884,670	-	2,884,670	-	-	-
461 TMED Master Plan (Health Care Campus)	33,209	13,059	20,150	-	20,150	-	-	-
462 TMED Master Plan & Thoroughfare Plan	55,000	-	55,000	-	55,000	-	-	-
463 Friars Creek Trail to Ave. R Trail	248,548	212,347	-	-	-	-	-	-
464 Veteran's Memorial Blvd. Phase II	925,000	120,715	804,285	-	804,285	-	6,460,000	-
465 Avenue R - 25th to 31st Street	-	-	-	-	-	-	-	-
466 Avenue R - 25th to 1st Street	-	-	-	-	-	-	-	-
500 Total TMED	8,674,261	2,572,498	5,984,245	-	5,984,245	-	6,460,000	-
<b>AIRPORT PARK:</b>								
Airport Improvements [roadway, drainage, parking, lighting, fencing, landscaping, fuel farm impr, entrance impr, guard facility]	2,155,784	2,136,158	19,626	-	19,626	-	-	-
507 Taxiway for Airport	90,000	24,900	65,100	-	65,100	1,310,000	-	-
508 Corporate Hangar Phase II	375,000	132,802	242,198	-	242,198	-	-	-
509 Airport RAMP Grant	-	-	-	100,000	100,000	-	-	-
550 Total Airport Park	2,620,784	2,293,860	326,924	100,000	426,924	1,310,000	-	-
610 Public Improvements	-	-	-	-	-	-	-	-
Total Planned Project Expenditures	37,376,416	12,863,777	23,992,298	34,050,000	58,042,298	4,410,000	6,910,000	11,200,000
700 Available Fund Balance at Year End	\$ 3,746,641	\$ 27,838,650	\$ (23,274,931)	\$ 860,947	\$ 1,678,024	\$ 5,221,255	\$ 5,456,197	\$ 1,506,226

TIF Reinvestment Zone #1  
Summary Financing Plan with Detailed Project Plan  
Project Plan - 09/28/16 - to Zone Board

SUMMARY FINANCING PLAN			
		2021	2022
1	Beginning Available Fund Balance, Oct 1	\$ 1,506,226	\$ 2,955,792
20	Total Sources of Funds	15,651,671	16,317,253
2	Adjustments to Debt Service Reserve	-	-
25	Net Available for Appropriation	17,157,897	19,273,045
50/52	General Administrative Expenditures	176,300	176,400
54	Zone Park Maintenance [mowing, utilities, botanical supplies]	330,000	330,000
56	Rail Maintenance	100,000	100,000
58	Road/Signage Maintenance	100,000	100,000
60	Contractual Payments (TEDC - Marketing)	200,000	200,000
62	TISD-Reimbursement [per contract]	28,941	28,941
27	Debt Service - 2009 Issue {Refunding}	-	-
28	Debt Service - 2008 Taxable Issue {\$10.365 mil}	1,241,670	1,242,422
29	Debt Service - 2011A Issue {Refunding}	2,497,550	2,494,950
30	Debt Service - 2012 Issue {Refunding}	77,250	78,750
31	Debt Service - 2013 Issue {\$25.260 mil}	2,046,494	2,031,494
32	Debt Service - 2017 Issue {\$19 mil}	1,452,200	1,452,100
33	Paying Agent Services	1,700	1,700
70	Total Debt & Operating Expenditures	8,252,105	8,236,757
80	Funds Available for Projects	\$ 8,905,792	\$ 11,036,288

PROJECT PLAN			
		2021	2022
TEMPLE INDUSTRIAL PARK:			
100	Northern "Y" Phase I	-	-
101	Receiving & Delivery {R&D} Tracks	-	-
102	North Lucius McCelvey Extension		
103	Pepper Creek Main Stem Regional Detention Pond	-	-
107	Property Acquisition - North Industrial Park	-	-
108	31st Street Sidewalks Grant Match		
109	31st Street Sidewalks	-	-
150	Total North Zone/Rail Park (including Enterprise Park)	-	-
CORPORATE CAMPUS PARK:			
155	Pepper Creek Trail Hwy 36 to McLane Parkway	-	-
156	McLane Pkwy/Research Pkwy Connection	-	-
200	Total Corporate Campus Park	-	-
BIOSCIENCE PARK:			
204	Pepper Creek Trail Connection to S&W	-	-
205	Bioscience Park Service Road & Utility Extensions	-	-
207	Cross Roads Park @ Pepper Creek Trail	-	-
250	Total Bio-Science Park	-	-
RESEARCH PARKWAY			
305	Research Pkwy (IH 35 to Wendland Ultimate) STAG grant	-	-
305	Research Pkwy (IH 35 to Wendland Ultimate)	-	-
305	Research Pkwy (IH 35 to Wendland Ultimate) {bond funded}		
310	Research Pkwy (Wendland to McLane Pkwy)	-	-
315	Research Pkwy (McLane Pkwy to Central Point Pkwy)	-	-
320	Outer Loop (I35 South) {bond funded}	-	-
350	Total Research Parkway	-	-
SYNERGY PARK:			
351	Lorraine Drive (Southeast Industrial Park) - [\$1.5M total project cost]	-	-
352	Entry Enhancement	-	-
353	Lorraine Drive/Panda Drive Asphalt	-	-
354	Lorraine Drive - Commitment to Panda	-	-
400	Total Synergy Park	-	-
DOWNTOWN:			
401	Downtown Improvements {Transformation Team}	450,000	450,000
402	Rail Safety Zone Study	-	-
403	Lot Identification & Signage	-	-
404	Santa Fe Plaza	-	-
404	Santa Fe Plaza {bond funded}	-	-
405	Downtown Master Plan	-	-
406	Intersection Improvements at Central & North 4th Street	-	-
407	Santa Fe Market Trail		
407	Santa Fe Market Trail {bond funded}	-	-
408	MLK Festival Fields	-	-
409	TISD-Obligation per Contract	-	-
450	Total Downtown	450,000	450,000
TMED:			
451	TMED - 1st Street @ Temple College - STEP Grant Match	-	-
452	Master Plan Integration 2010	-	-
453	TMED - 1st Street @ Loop 363 Design/Construction - Design only	-	-
454	TMED - Friars Creek Trail 5th Street to S&W Blvd. - [\$1.9M total project cost - DOE Grant of \$400K]	-	-
455	Avenue R - S&W Blvd, Ave R - 19th Intersections	-	-
456	Ave U from S&W Blvd to 1st St & 13th to 17th connector from Ave R to Loop 363	-	-
457	South 1st Street Improvements from the Temple College Apartments to Ave O	-	-
458	Loop 363 Frontage Rd (UPRR to 5th TIRZ portion)	-	-
459	31st Street/Loop 363 Improvements/Monumentation	-	-
460	Ave U TMED Ave. to 1st Street	-	-
461	TMED Master Plan (Health Care Campus)	-	-
462	TMED Master Plan & Thoroughfare Plan	-	-
463	Friars Creek Trail to Ave. R Trail	-	-
464	Veteran's Memorial Blvd. Phase II	-	-
465	Avenue R - 25th to 31st Street	-	-
466	Avenue R - 25th to 1st Street	-	-
500	Total TMED	-	-
AIRPORT PARK:			
	Airport Improvements {roadway, drainage, parking, lighting, fencing, landscaping, fuel farm impr, entrance impr, guard facility}	-	-
506		-	-
507	Taxiway for Airport	-	-
508	Corporate Hangar Phase II	-	-
509	Airport RAMP Grant	-	-
550	Total Airport Park	-	-
610	Public Improvements	5,500,000	7,000,000
	Total Planned Project Expenditures	5,950,000	7,450,000
700	Available Fund Balance at Year End	\$ 2,955,792	\$ 3,586,288





RESOLUTION NO. 2016-8493-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, APPROVING THE SUBMISSION OF THE CITY OF TEMPLE TAX INCREMENT FINANCING REINVESTMENT ZONE NUMBER ONE ANNUAL REPORT FOR FISCAL YEAR 2015-2016; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, Section 311.016 of the Tax Increment Financing Act requires that the governing body of a municipality submit to the chief executive officer of each taxing unit that levies property tax on real property in a reinvestment zone created by the municipality, a report on the status of the zone on or before the 150<sup>th</sup> day following the end of the fiscal year of the municipality;

**Whereas**, a copy of the report must also be sent to the Texas Attorney General and State Comptroller as required by state law;

**Whereas**, the financial information contained in the report was presented to the City of Temple Tax Increment Financing Reinvestment Zone Number One Board at the December 7, 2016 board meeting;

**Whereas**, Staff recommends approval of the City of Temple Tax Increment Financing Reinvestment Zone Number One Annual Report for 2015-2016 which meets all the mandated requirements for submission, including a balance sheet and income statement of September 30, 2016; and

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

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

**Part 1:** The City Council approves the City of Temple Tax Increment Financing Reinvestment Zone Number One Annual Report for the fiscal year 2015-2016, a copy of which is attached hereto and made a part of this Resolution for all purposes as Exhibit "A," and the Director of Finance is hereby directed to submit the report to the chief executive officer of each taxing unit that levies property tax on real property in City of Temple Tax Increment Financing Reinvestment Zone Number One. A copy of the report shall also be sent to the Attorney General and State Comptroller.

**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 15<sup>th</sup> day of **December**, 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:**

Traci Barnard, Director of Finance

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing budget amendments for fiscal year 2016-2017.

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

**ITEM SUMMARY:** This item is to recommend various budget amendments, based on the adopted FY 2016-2017 budget. The amendments will involve transfers of funds between contingency accounts, department and fund levels.

**FISCAL IMPACT:** The total amount of budget amendments is \$1,547,800.

**ATTACHMENTS:**

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

**CITY OF TEMPLE**  
**BUDGET AMENDMENTS FOR FY 2017 BUDGET**  
**December 15, 2016**

ACCOUNT #	PROJECT #	DESCRIPTION	APPROPRIATIONS	
			Debit	Credit
362-0000-311-0112		Reserve for Encumbrance - Prior Year	\$ 119,800	
362-3500-552-6411	101320	Capital - Bonds / Optimist Park		\$ 119,800
To correct the carry forward entry from FY 16 for an invoice for services performed in FY 16 received on 11/08/2016 after all year end entries were recorded.				
795-0000-311-0111		Reserve for Encumbrance - Prior Year	\$ 407,722	
795-9800-531-6872	101010	Capital - Special Projects / Spur 290/Loop 363 Frontage Roads		\$ 290,657
795-9500-531-6872	101010	Capital - Special Projects / Spur 290/Loop 363 Frontage Roads		\$ 117,065
To correct the carry forward entry from FY 16 for an invoice for services performed in FY 16 received after all year end entries were recorded.				
240-0000-311-0111		Reserve for Encumbrance - Prior Year	\$ 2,500	
240-4400-551-6310	101387	Capital - Buildings & Grounds / Electrical System Upgrade - Mayborn		\$ 2,500
To correct the carry forward entry from FY 16 for an invoice for services performed in FY 16 received on 11/17/2016 after all year end entries were recorded.				
110-2033-521-1119		Salaries / Overtime - POPS	\$ 2,900	
110-2041-521-2115		Supplies / Fuel - GIU	\$ 385	
110-2041-521-2333		Repair & Maintenance / Auto & Equipment (Fleet Services) - GIU	\$ 480	
110-2033-521-2120		Supplies / Education/Recreation - POPS	\$ 1,260	
110-0000-431-0261		State Grants / State Grants		\$ 5,025
To appropriate revenue and expenditures related to the award of a Tobacco Enforcement grant from the Texas School Safety Center in the amount of \$5,025. The money will be used to pay overtime for officers to conduct inspections at retail stores and do follow ups, as well as, the operational and fuel costs of police vehicles and educational training materials.				
260-6100-571-2691		Contracted Services / Housing Rehabilitation	\$ 14,983	
260-6100-571-6532		Capital - Special Projects / Contingency	\$ 22,397	
260-0000-431-0131		Federal Grants / CDBG Federal Grant	\$ 1	
260-6000-515-2514		Other Services / Travel & Training		\$ 36
260-6000-515-6532		Capital - Special Projects / Contingency		\$ 37,345
To adjust the amounts carried forward for CDBG for the projects that have been completed and the funds have now been reallocated.				
365-3400-531-6862	101257	Capital - Special Projects / Prairie View Road Improvements, Phase II	\$ 355,000	
365-3400-531-6532		Capital - Special Projects / Contingency		\$ 248,556
365-3400-531-6886	101215	Capital - Special Projects / Poison Oak Route Study		\$ 106,444
365-1500-515-6536		Capital - Special Projects / Contingency - Compensation	\$ 444	
365-3400-531-6886	101215	Capital - Special Projects / Poison Oak Route Study		\$ 444
To reallocate funding for ROW to be purchased for Prairie View Road, Phase II in the estimated amount of \$355,000. This BA will also allocate \$444 back into contingency - compensation account because BA # 100-007 over appropriated funding.				
561-0000-311-0111		Reserve for Encumbrance - Prior Year	\$ 64,288	
561-5100-535-6931	101206	Capital - Buildings & Grounds / SCADA System Upgrade - WTP		\$ 64,288
To correct the carry forward entry from FY 16 for an invoice for services performed in FY 16 received on 12/02/2016 after all year end entries were recorded.				

**CITY OF TEMPLE**  
**BUDGET AMENDMENTS FOR FY 2017 BUDGET**  
**December 15, 2016**

ACCOUNT #	PROJECT #	DESCRIPTION	APPROPRIATIONS	
			Debit	Credit
110-2011-521-1119		Salaries / Overtime	\$ 555,640	
110-0000-442-0718		Police Revenue / Police Overtime		\$ 555,640

To appropriate revenue and expenditure related to James Construction overtime for I-35 reconstruction project.

**TOTAL AMENDMENTS**

**\$ 1,547,800 \$ 1,547,800**

**GENERAL FUND**

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	\$ 5,257
Added to Contingency Judgments & Damages from Council Contingency	-
Taken From Judgments & Damages	-
Net Balance of Judgments & Damages Contingency Account	\$ 5,257

Beginning <b>Compensation</b> Contingency	\$ 560,000
Added to Compensation Contingency	-
Taken From Compensation Contingency	-
Net Balance of Compensation Contingency Account	\$ 560,000

**Net Balance Council Contingency** **\$ 565,257**

Beginning Balance <b>Budget Sweep</b> Contingency	\$ -
Added to Budget Sweep Contingency	-
Taken From Budget Sweep	-
Net Balance of Budget Sweep Contingency Account	\$ -

**WATER & SEWER FUND**

Beginning <b>Contingency</b> Balance	\$ 50,000
Added to Contingency Sweep Account	-
Taken From Contingency	-
Net Balance of Contingency Account	\$ 50,000

Beginning <b>Compensation</b> Contingency	\$ 112,500
Added to Compensation Contingency	-
Taken From Compensation Contingency	-
Net Balance of Compensation Contingency Account	\$ 112,500

**Net Balance Water & Sewer Fund Contingency** **\$ 162,500**

**HOTEL/MOTEL TAX FUND**

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	\$ 28,300
Added to Compensation Contingency	-
Taken From Compensation Contingency	-
Net Balance of Compensation Contingency Account	\$ 28,300

**Net Balance Hotel/Motel Tax Fund Contingency** **\$ 28,300**

CITY OF TEMPLE  
BUDGET AMENDMENTS FOR FY 2017 BUDGET  
December 15, 2016

ACCOUNT #	PROJECT #	DESCRIPTION	APPROPRIATIONS	
			Debit	Credit
		<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	\$	24,300
		Added to Compensation Contingency		-
		Taken From Compensation Contingency		-
		Net Balance of Compensation Contingency Account	\$	24,300
		<b>Net Balance Drainage Fund Contingency</b>	<b>\$</b>	<b>24,300</b>
		<b>FED/STATE GRANT FUND</b>		
		Beginning <b>Contingency</b> Balance	\$	-
		Carry forward from Prior Year		52,292
		Added to Contingency Sweep Account		-
		Taken From Contingency		(14,948)
		<b>Net Balance Fed/State Grant Fund Contingency</b>	<b>\$</b>	<b>37,344</b>

RESOLUTION NO. 2016-8494-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, APPROVING BUDGET AMENDMENTS TO THE 2016-2017 CITY BUDGET; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, on the 26<sup>th</sup> day of August, 2016, the City Council approved a budget for the 2016-2017 fiscal year; and

**Whereas**, the City Council deems it in the public interest to make certain amendments to the 2016-2017 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 2016-2017 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 15<sup>th</sup> day of **December**, 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 #6  
Regular Agenda  
Page 1 of 1

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

Nicole Torralva, Public Works Director  
Kenny Henderson, Transportation Director

**ITEM DESCRIPTION:** Consider adopting a resolution setting drainage fees for residential and commercial drainage services effective January 1, 2017.

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

**BACKGROUND:** Current drainage funding was established for ongoing maintenance needs and does not support capital projects. An adjustment to the current rates is necessary to fund system improvements to address the most urgent and recurring drainage capital projects. Projects identified include Conner Park/Meadowbrook, Azalea Drive, 57<sup>th</sup> Street and Avenue T, 49<sup>th</sup> / Avenue R / and 43<sup>rd</sup> Streets, and Avenue D and 14<sup>th</sup> Street. This resolution will increase drainage system fees by the following amount:

	Current Fee	Proposed Fee
Residential	\$3.00 per month	\$6.00 per month
Commercial (0 – 2,500 sf)	\$7.15 per month	\$12.00 per month
Commercial (2,500 – 10,000 sf)	\$14.00 per month	\$24.00 per month
Commercial (10,001 – 50,000 sf)	\$34.65 per month	\$75.00 per month
Commercial (50,001 – 100,000 sf)	\$51.80 per month	\$175.00 per month
Commercial (100,001+)	\$69.00 per month	\$350.00 per month

A city-wide basin modeling assessment and continued review of system conditions will result in identified and prioritized future capital projects.

**FISCAL IMPACT:** The proposed increase in drainage fee rates, as presented above, will generate approximately \$1,100,000 annually in additional revenue. The additional revenue will fund expenses associated with completing capital projects, as identified through system needs.

**ATTACHMENTS:**

[Resolution](#)

RESOLUTION NO. 2016-8495-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, SETTING DRAINAGE FEES FOR RESIDENTIAL AND COMMERCIAL DRAINAGE SERVICES EFFECTIVE JANUARY 1, 2017; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, the City's current drainage funding was established for ongoing maintenance needs but does not support capital projects - an adjustment to the current rates is necessary to fund system improvements to address the most urgent and recurring drainage capital projects;

**Whereas**, projects identified as most urgent and recurring drainage capital projects include Conner Park/Meadowbrook, Azalea Drive, 57<sup>th</sup> Street and Avenue T, 49<sup>th</sup>/Avenue R/43<sup>rd</sup> Streets, and Avenue D and 14<sup>th</sup> Street;

**Whereas**, Staff recommends Council authorize an increase in drainage system fees by the following amounts:

	<b><u>Current Fee</u></b>	<b><u>Proposed Fee</u></b>
Residential	\$3.00 per month	\$6.00 per month
Commercial (0 – 2,500 sf)	\$7.15 per month	\$12.00 per month
Commercial (2,500 – 10,000 sf)	\$14.00 per month	\$24.00 per month
Commercial (10,001 – 50,000 sf)	\$34.65 per month	\$75.00 per month
Commercial (50,001 – 100,000 sf)	\$51.80 per month	\$175.00 per month
Commercial (100,001+)	\$69.00 per month	\$350.00 per month

**Whereas**, a city-wide basin modeling assessment and continued review of system conditions will result in identified and prioritized future capital projects;

**Whereas**, the proposed increase in drainage fee rates will generate approximately \$1,100,000 annually in additional revenue and the additional revenue will fund expenses associated with completing capital projects, as identified through system needs; 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 drainage fees, as set forth below, for residential and commercial drainage services effective January 1, 2017.

	<b><u>Drainage Fee</u></b>
Residential	\$6.00 per month
Commercial (0 – 2,500 sf)	\$12.00 per month
Commercial (2,500 – 10,000 sf)	\$24.00 per month
Commercial (10,001 – 50,000 sf)	\$75.00 per month
Commercial (50,001 – 100,000 sf)	\$175.00 per month
Commercial (100,001+)	\$350.00 per month

**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 fee increase.

**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 **15<sup>th</sup>** day of **December**, 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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12/15/16  
Item #7  
Regular Agenda  
Page 1 of 1

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

Kayla Landeros, City Attorney  
Christina Demirs, Deputy City Attorney

**ITEM DESCRIPTION:** Consider adopting a resolution pursuant to Chapter 2206, Government Code § 2206.053 finding that a 0.282-acre permanent easement and a 0.665 acre temporary construction easement on a portion of the property located at the intersection of Taylor's Valley Road and Rockwood Lane near FM 93, Belton, is necessary for the construction of the Leon River wastewater line and authorizing the use of eminent domain to condemn the property.

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

**ITEM SUMMARY:** The City has completed the design phase for the proposed construction of the Leon River wastewater line. The design requires the acquisition of a permanent easement on a 0.282-acre tract and a 0.665-acre temporary construction easement on land situated in the O.T. Tyler Survey, Abstract 20, Bell County, Texas, for the construction of the wastewater line and its necessary appurtenances under Chapter 251, Local Government Code § 251.001. A survey and legal description of the property needed for the permanent easement and temporary construction easement are included with the Resolution attached to this memorandum.

An appraisal was performed on the property and the City made an offer to purchase the necessary easements, based on the appraisal, on June 9, 2016, via Lone Star Right of Way Services, Inc. The property owner made a counter offer to the City in an amount of approximately 100% of the appraised value. In response, the City made a bona fide final offer to the property owner on November 28, 2016.

Staff has continued to negotiate with the property owner, but the parties have been unable to come to an agreement, and a settlement appears unlikely at this time. Accordingly, Staff is asking pursuant to Chapter 2206, Government Code § 2206.053, for the City Council to authorize the use of the power of eminent domain to acquire the property.

**FISCAL IMPACT:** Funding for the purchase of the property is appropriated in account 561-5400-535-6941, project #100851.

### **ATTACHMENTS:**

[Resolution](#)

RESOLUTION NO. 2016-8496-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, FINDING THAT AN APPROXIMATELY 0.282 ACRE PERMANENT EASEMENT AND AN APPROXIMATELY 0.665 ACRE TEMPORARY CONSTRUCTION EASEMENT ON A PORTION OF PROPERTY LOCATED AT THE INTERSECTION OF TAYLOR'S VALLEY ROAD AND ROCKWOOL LANE, NEAR FM 93, BELTON, TEXAS, ARE NECESSARY FOR THE CONSTRUCTION OF THE LEON RIVER WASTEWATER LINE; AUTHORIZING THE USE OF EMINENT DOMAIN TO CONDEMN THE PROPERTIES; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, the City has completed the design phase for the proposed construction of the Leon River wastewater line and the design requires the acquisition of a permanent easement on an approximately 0.282 acre tract and an approximately 0.665 acre temporary construction easement on a portion of property situated in the O.T. Tyler Survey, Abstract 20, Bell County, Texas, for the construction of the wastewater line and its necessary appurtenances under Chapter 251, Local Government Code § 251.001;

**Whereas**, an appraisal was performed on the property and on June 9, 2016, via Lone Star Right of Way Services, Inc., the City made an offer to purchase the necessary easements - the property owner made a counter offer to the City in an amount of approximately 100% of the appraised value and the City, in response, made a bona fide final offer to the property owner on November 28, 2016;

**Whereas**, Staff has continued to negotiate with the property owner, but the parties have been unable to come to an agreement, and a settlement appears unlikely at this time;

**Whereas**, Staff recommends, pursuant to Chapter 2206, Government Code § 2206.053, that Council authorize the use of the power of eminent domain to acquire the easements described above;

**Whereas**, funding is available in Account No. 561-5400-535-6941, Project No. 100851; 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:** All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Temple, Texas, and they are hereby approved and incorporated into the body of this resolution as if copied in their entirety.

**Part 2:** The City Council hereby finds and determines that the necessity exists for acquiring, by eminent domain, an approximately 0.282 acre tract and an approximately 0.665 acre temporary construction easement on a portion of property situated in the O.T. Tyler Survey, Abstract 20, Bell County, Texas, for the construction of the Leon River wastewater line.

**Part 3:** The City Council hereby finds and determines that the construction of the Leon River wastewater line, is a public use under Chapter 251, Local Government Code § 251.001(a)(1).

**Part 4:** The City Council authorizes the use of the City's eminent domain authority under Article 3, Section 3.6, of the Charter of the City of Temple and the initiation of condemnation proceedings of said property interests.

**Part 5:** 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 and the Truth in Condemnation Act, Chapter 2206, Government Code § 2206.053.

PASSED AND APPROVED this the **15<sup>th</sup>** day of **December**, 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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12/15/16  
Item #8  
Regular Agenda  
Page 1 of 2

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

Kayla Landeros, City Attorney  
Christina Demirs, Deputy City Attorney

**ITEM DESCRIPTION:** Consider adopting a resolution pursuant to Chapter 2206, Government Code § 2206.053 finding that two properties situated in the Baldwin Robertson Survey, Abstract 17, which are located along Prairie View Road in Temple, are necessary for the construction of the proposed expansion and realignment of Prairie View Road and authorizing the use of eminent domain to condemn the properties.

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

**ITEM SUMMARY:** The City is currently in the design phase for the proposed Prairie View Road expansion and re-alignment. The design requires fee simple title to all or a portion of 14 properties for the construction of the street improvements and their necessary appurtenances, under Chapter 251, Local Government Code § 251.001. The City has reached agreements to acquire 12 of the properties, and the acquisitions of those properties are nearly complete or complete. However, the design still requires the acquisition of fee simple title to a portion of two properties. Legal descriptions of the real property needed are included with the Resolution attached to this memorandum. The properties needed are as follows:

- Being 3.592 acres of land, more or less, out of the Baldwin Robertson Survey, Abstract No. 17, Bell County, Texas, being a portion of a called 5.08 acre tract of land, in Vol. 3758, Pg. 48, Official Public Records of Real Property, Bell County, Texas, with an address of 9244 Prairie View Road, Temple, Texas 76502 (Bell CAD ID #197189).
  - An appraisal was performed on the property and the City made an offer to purchase, based on the appraisal, to the owners of record on April 27, 2016 via H.W. Lochner, Inc. (Lochner), a right-of-way acquisition company.
  - An agreement was reached with the owners. However, the owners are parties in a pending bankruptcy case and have not been able to proceed to closing.
  - A motion is being filed in the bankruptcy case asking the Court to allow the sale of the needed right of way.
  - In the event the Court does not allow the sale, Staff is asking Council to authorize the use of the power of eminent domain to acquire the property.



- Being 0.378 acres of land, more or less, out of the Baldwin Robertson Survey, Abstract No. 17, Bell County, Texas, being a portion of a called 4.14 acre tract of land, conveyed in Document No. 2013-0004517, Official Public Records of Real Property, Bell County, Texas and described in Vol. 1658, Pg. 495, Deed Records of Bell County, Texas, with an address of 8890 Prairie View Road, Temple, Texas 76502 (Bell CAD ID #63366).
  - An appraisal was performed on the property and the City made an offer to purchase, based on the appraisal, to the owners of record on April 18, 2016 via H.W. Lochner, Inc. (Lochner), a right-of-way acquisition company.
  - An agreement was reached with the owner of record. However, it was discovered that title was not properly conveyed after a preceding owner's death. Lochner was able to contact the deceased's heirs, but has been unable to reach an agreement.
  - On September 19, 2016, a final offer was sent and was rejected after 14 days. Staff is asking Council to authorize the use of the power of eminent domain to acquire the property.

Staff is asking, pursuant to Chapter 2206, Government Code § 2206.053, for the City Council to authorize the use of the power of eminent domain to acquire the properties described above, if the parties are ultimately unable to reach agreements.

**FISCAL IMPACT:** Funding for the purchase of the properties is appropriated in account 365-3400-531-6862, project #101257.

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

RESOLUTION NO. 2016-8497-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, FINDING THAT TWO PROPERTIES SITUATED IN THE BALDWIN ROBERTSON SURVEY, ABSTRACT 17, WHICH ARE LOCATED ALONG PRAIRIE VIEW ROAD IN TEMPLE, TEXAS, ARE NECESSARY FOR THE CONSTRUCTION OF THE PROPOSED EXPANSION AND REALIGNMENT OF PRAIRIE VIEW ROAD; AUTHORIZING THE USE OF EMINENT DOMAIN TO CONDEMN THE PROPERTIES; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, the City is currently in the design phase for the proposed Prairie View Road expansion and re-alignment and the design requires fee simple title to all or a portion of 14 properties for the construction of the street improvements and their necessary appurtenances, under Chapter 251, Local Government Code § 251.001;

**Whereas**, the design requires the acquisition of fee simple title to a portion of two properties situated in the Baldwin Robertson Survey, Abstract 17, and outlined as follows:

- being approximately 3.592 acres of land out of the Baldwin Robertson Survey, Abstract No. 17, Bell County, Texas, being a portion of a called 5.08 acre tract of land, in Vol. 3758, Pg. 48, Official Public Records of Real Property, Bell County, Texas, with an address of 9244 Prairie View Road, Temple, Texas 76502 (Bell CAD ID #197189);
- being approximately 0.378 acres of land out of the Baldwin Robertson Survey, Abstract No. 17, Bell County, Texas, being a portion of a called 4.14 acre tract of land, conveyed in Document No. 2013-0004517, Official Public Records of Real Property, Bell County, Texas and described in Vol. 1658, Pg. 495, Deed Records of Bell County, Texas, with an address of 8890 Prairie View Road, Temple, Texas 76502 (Bell CAD ID #63366);

**Whereas**, appraisals were performed on the properties and the City made offers to purchase the properties, based on appraisals, to the owners of record on April 27, 2016 via H.W. Lochner, Inc.;

**Whereas**, Staff recommends, pursuant to Chapter 2206, Government Code § 2206.053, that Council authorize the use of the power of eminent domain to acquire the properties described above;

**Whereas**, funding is available in Account No. 365-3400-531-6862, Project No. 101257; 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:** All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Temple, Texas, and they are hereby approved and incorporated into the body of this resolution as if copied in their entirety.

**Part 2:** The City Council hereby finds and determines that the necessity exists for acquiring, by eminent domain, approximately 3.592 acres of land out of the Baldwin Robertson Survey, Abstract No. 17, Bell County, Texas, being a portion of a called 5.08 acre tract of land, in Vol. 3758, Pg. 48, Official Public Records of Real Property, Bell County, Texas, with an address of 9244 Prairie View Road, Temple, Texas 76502 (Bell CAD ID #197189).

**Part 3:** The City Council hereby finds and determines that the necessity exists for acquiring, by eminent domain, approximately 0.378 acres of land out of the Baldwin Robertson Survey, Abstract No. 17, Bell County, Texas, being a portion of a called 4.14 acre tract of land, conveyed in Document No. 2013-0004517, Official Public Records of Real Property, Bell County, Texas and described in Vol. 1658, Pg. 495, Deed Records of Bell County, Texas, with an address of 8890 Prairie View Road, Temple, Texas 76502 (Bell CAD ID #63366).

**Part 4:** The City Council hereby finds and determines that the construction of the proposed expansion and realignment of Prairie View Road, is a public use under Chapter 251, Local Government Code § 251.001(a)(1).

**Part 5:** The City Council authorizes the use of the City's eminent domain authority under Article 3, Section 3.6, of the Charter of the City of Temple and the initiation of condemnation proceedings of said property interests.

**Part 6:** 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 and the Truth in Condemnation Act, Chapter 2206, Government Code § 2206.053.

PASSED AND APPROVED this the **15<sup>th</sup>** day of **December**, 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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12/15/16

Item #9

Regular Agenda

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

Kayla Landeros, City Attorney

Christina Demirs, Deputy City Attorney

**ITEM DESCRIPTION:** Consider adopting a resolution pursuant to Chapter 2206, Government Code § 2206.053 finding that two properties situated in the S.E. Bill Addition and one property situated in the J.W. Roach Addition, all of which are located along South 6<sup>th</sup> Street in Temple, Texas, 76501, are necessary for the construction of the proposed Santa Fe Market Trail and Martin Luther King, Jr. Fields festival grounds and authorizing the use of eminent domain to condemn the properties.

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

**ITEM SUMMARY:** The City is currently in the design phase for the proposed Santa Fe Market Trail and Martin Luther King, Jr. Fields festival grounds. The design requires fee simple title to 25 properties in downtown Temple for the construction of the street improvements, park, and festival grounds, and their necessary appurtenances, under Chapter 251, Local Government Code § 251.001. The City has reached agreements to acquire eighteen of the properties, and the acquisitions of those properties are nearly complete. However, the design still requires the acquisition of fee simple title to seven properties, including two properties situated in the S.E. Bill Addition and one property situated in Roach's Addition, located along South 6<sup>th</sup> Street and Avenue D in Temple, Texas, 76501. Legal descriptions of the real property needed are included with the Resolution attached to this memorandum. The properties needed are as follows:

- An unimproved lot legally described as the South Twenty-eight feet (S 28') of Lot 9 and all of Lot 10, Block 37, J.W. Roach Addition, an addition to the City of Temple, Bell County, Texas, with an address of 219 South 6<sup>th</sup> Street, Temple, Texas 76501 (Bell CAD ID #68398).
  - An appraisal was performed on the property and the City made an offer to purchase, based on the appraisal, to the owners of record on March 30 via Stateside Right-of-Way Services (Stateside).
  - This property was sold at a Sheriff's Auction on May 3, 2016.
  - As of August 9, no response has been received, and Stateside Right-of-Way Services has been unable to contact or physically locate the owners.
  - In October 2016, Staff was informed by Counsel for Bell County Tax Appraisal District, that the legal description posted at the auction was legally deficient to convey proper title to the whole property. Staff was provided a name of another potential owner.

- Due to issues regarding property owners of record and title, Stateside will make additional initial offers and final offers to all potential owners. However, due to the legal issues regarding this property, Staff is asking Council to authorize the use of the power of eminent domain to acquire the property if the parties are ultimately unable to come to an agreement.
- Two unimproved lots legally described as: Lot 1 and the North Twenty Feet (N 20') of Lot 2, in Block 1, of S.E. Bill's Addition, in the City of Temple, Bell County, Texas, with an address of 301 East Avenue D, Temple, Texas 76501 (Bell CAD ID #50445 & #50446).
  - An appraisal was performed on the property and the City made an offer to purchase, based on the appraisal, to the owners of record on March 30 via Stateside.
  - After multiple attempts, Stateside Right-of-Way Services, has been unable to make contact with the owners of record.
  - A final offer was sent on December 8, 2016, and if rejected after 14 days, Staff is asking Council to authorize the use of the power of eminent domain to acquire the property.

Staff is asking pursuant to Chapter 2206, Government Code § 2206.053, for the City Council to authorize the use of the power of eminent domain to acquire the properties described above, if the parties are ultimately unable to reach agreements.

**FISCAL IMPACT:** Funding for the purchase of the properties necessary for the construction of the proposed Santa Fe Market Trail and Martin Luther King, Jr. Fields festival grounds is appropriated in account 795-9500-531-6566, project #101262

**ATTACHMENTS:**

[Resolution](#)

RESOLUTION NO. 2016-8498-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, FINDING THAT TWO PROPERTIES SITUATED IN THE S.E. BILL ADDITION AND ONE PROPERTY SITUATED IN THE J.W. ROACH ADDITION, ALL OF WHICH ARE LOCATED ALONG SOUTH 6<sup>TH</sup> STREET, TEMPLE, TEXAS 76501, ARE NECESSARY FOR THE CONSTRUCTION OF THE PROPOSED SANTA FE MARKET TRAIL/MLK FIELDS FESTIVAL GROUNDS; AUTHORIZING THE USE OF EMINENT DOMAIN TO CONDEMN THE PROPERTIES; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, the City is currently in the design phase for the proposed Santa Fe Market Trail/MLK Fields festival grounds, which requires fee simple title to 25 properties in downtown Temple for the construction of the street improvements, park, and festival grounds, and their necessary appurtenances, under Chapter 251, Local Government Code §251.001;

**Whereas**, the City has reached agreements to acquire eighteen of the properties, and the acquisitions of those properties are nearly complete, however the design still requires the acquisition of fee simple title to seven properties, including two properties situated in the S.E. Bill Addition and one property situated in the J.W. Roach Addition, which are located along South 6<sup>th</sup> Street and Avenue D in Temple, Texas, 76501 and outlined as follows:

- an unimproved lot legally described as the South Twenty-Eight feet (S 28') of Lot 9 and all of Lot 10, Block 37, J.W. Roach Addition, an addition to the City of Temple, Bell County, Texas, with an address of 219 S. 6<sup>th</sup> Street, Temple, Texas 76501 (Bell CAD ID #68398);
- two unimproved lots legally described as Lot 1 and the North Twenty feet (N 20') of Lot 2, in Block 1, of S.E. Bill's Addition, in the City of Temple, Bell County, Texas, with an address of 301 E. Avenue D, Temple, Texas 76501 (Bell CAD ID #50445 & #50446);

**Whereas**, appraisals were performed on the properties and the City made offers to purchase the properties, based on appraisals, to the owners of record on March 30, 2016 via Stateside Right-of-Way Services;

**Whereas**, Staff recommends, pursuant to Chapter 2206, Government Code § 2206.053, that Council authorize the use of the power of eminent domain to acquire the properties described above;

**Whereas**, funding for the acquisition of this property is available in Account No. 795-9500-531-6566, Project No. 101262; 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:** All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Temple, Texas, and they are hereby approved and incorporated into the body of this resolution as if copied in their entirety.

**Part 2:** The City Council hereby finds and determines that the necessity exists for acquiring, by eminent domain, an unimproved lot legally described as the South Twenty-Eight feet (S 28') of Lot 9 and all of Lot 10, Block 37, J.W. Roach Addition, an addition to the City of Temple, Bell County, Texas, with an address of 219 S. 6<sup>th</sup> Street, Temple, Texas 76501 (Bell CAD ID #68398).

**Part 3:** The City Council hereby finds and determines that the necessity exists for acquiring, by eminent domain, two unimproved lots legally described as Lot 1 and the North Twenty feet (N 20') of Lot 2, in Block 1, of S.E. Bill's Addition, in the City of Temple, Bell County, Texas, with an address of 301 E. Avenue D, Temple, Texas 76501 (Bell CAD ID #50445 & #50446).

**Part 4:** The City Council hereby finds and determines that the construction of the proposed Santa Fe Market Trail/MLK Fields festival grounds, is a public use under Chapter 251, Local Government Code § 251.001(a)(1).

**Part 5:** The City Council authorizes the use of the City's eminent domain authority under Article 3, Section 3.6, of the Charter of the City of Temple and the initiation of condemnation proceedings of said property interests.

**Part 6:** 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 and the Truth in Condemnation Act, Chapter 2206, Government Code § 2206.053.

PASSED AND APPROVED this the **15<sup>th</sup>** day of **December**, 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 #10  
Regular Agenda  
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### **DEPT./DIVISION SUBMISSION & REVIEW:**

Kayla Landeros, City Attorney

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a tax abatement agreement with MS Temple, LLC which will cover increases in the taxable value of real property for a 5.184 acre tract of land located in Tax Abatement Reinvestment Zone Number 34.

*Executive Session: Pursuant to Section 551.087 of the Government Code, the City Council may meet in executive session to discuss either commercial or financial information that the City has received from a business prospect that the City wishes to locate, stay or expand within the City limits and with which the City is conducting economic development negotiations, or to deliberate the offer of a financial or other incentive to a business prospect the public discussion of which would adversely affect ongoing economic development negotiations.*

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

**BACKGROUND:** The proposed resolution authorizes an agreement with MS Temple, LLC, which if approved, gives the company five years of 50% tax abatement on the increased taxable value of real property improvements on land consisting of approximately 5.184 acres and located on Marlandwood Road between South 5<sup>th</sup> Street and Lowes Drive.

The proposed agreement covers approximately 5.184 acres of land that has been designated as City of Temple Tax Abatement Reinvestment Zone Number 34. The site will be the location of senior housing facility. The tax abatement applies only to *new* real property improvements. The agreement provides that the tax abatement period commences in the first full calendar year after the required improvements are completed.

MS Temple, LLC timely filed an application to receive tax abatement on improvements to real property proposed for a senior housing facility to be located on the tract described above. On the December 15, 2016 agenda, the City Council will consider, on second reading, an ordinance designating the property on which the improvements will be located as a tax abatement reinvestment zone. MS Temple estimates that its investment will be in the neighborhood of \$16,000,000 in real property improvements. The actual value of the improvements, and the value of our tax abatement, is dependent on appraisal by the Bell County Appraisal District. The new facility will house approximately 90 employees.

The City's Economic Development Policy sets out the criteria and guidelines for granting tax abatement. The improvements proposed meet the minimum criteria established for tax abatement consideration and meet the requirements for 50% tax abatement. The proposed improvements fall within the definition of "eligible facilities" in the criteria. The application indicates real property improvements which meet the criteria for granting 50% tax abatement for 5 years because the applicant is proposing an investment of more than \$1,000,000 and the creation of at least 51 jobs.

Staff has provided the other taxing entities involved with notice and a copy of the proposed agreement. Additionally, the agreement has all of the other terms required by Chapter 312 of the Texas Tax Code for tax abatement agreements, including provisions: (1) listing the kind and number of improvements; (2) providing for inspections of the facility by the taxing entities; (3) requiring compliance with State and local laws; (4) recapturing abated taxes in the event of a default under the agreement; and (5) requiring MS Temple to annually certify to all the taxing entities that it is in compliance with all of the terms and conditions of the agreement.

MS Temple's application meets the standards for granting tax abatement on the increase in real property improvements established by the City's Criteria and Guidelines for tax abatement. The City Council has discretion whether to approve an application for tax abatement and to increase the percentage of tax abatement over the recommended percentage specified in the matrix in the City's Criteria and Guidelines for tax abatement. The agreement should add to the continued development of the City's commercial growth, which would not have occurred in the absence of tax abatement.

**FISCAL IMPACT:** The tax abatement agreement with MS Temple, LLC would have the potential of abating approximately \$262,480 in property taxes over the life of the agreement (50% for five years) using the City's current tax rate of \$0.6572 per \$100 value. This amount is based on an estimated increase in the appraised value of real property improvements of \$16,000,000.

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

RESOLUTION NO. 2016-8499-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE MAYOR TO EXECUTE A TAX ABATEMENT AGREEMENT WITH MS TEMPLE, LLC COVERING INCREASES IN THE TAXABLE VALUE OF REAL PROPERTY ON AN APPROXIMATELY 5.184 ACRE TRACT OF LAND LOCATED IN TAX ABATEMENT REINVESTMENT ZONE NUMBER THIRTY-FOUR; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, the City adopted a Resolution dated June 15, 1989, stating that it elects to be eligible to participate in tax abatement;

**Whereas**, on July 7, 2016, the City Council adopted Ordinance No. 2016-4783, establishing a comprehensive economic development policy for the City of Temple, which policy includes criteria and guidelines for granting tax abatement within the City of Temple in accordance with Chapter 312 of the Tax Code;

**Whereas**, MS Temple, LLC timely filed an application to receive tax abatement on improvements to real property proposed for a senior housing facility to be located on an approximately 5.184 acre tract of land located in Tax Abatement Reinvestment Zone Number Thirty-Four;

**Whereas**, the real property improvements meet the criteria for granting 50% tax abatement for 5 years because the applicant is proposing an investment of more than \$1,000,000 and the creation of at least 51 jobs;

**Whereas**, MS Temple estimates that its investment will be in the neighborhood of \$16,000,000 in real property improvements - the actual value of the improvements, and the value of tax abatement, is dependent on appraisal by the Bell County Appraisal District;

**Whereas**, as required by law, the City will notify all taxing entities of its intent to enter into the agreement;

**Whereas**, the City's Economic Development Policy sets out the criteria and guidelines for granting tax abatement and the proposed improvements meet the minimum criteria established for tax abatement consideration;

**Whereas**, the proposed agreement has all of the terms required by Chapter 312 of the Texas Tax Code for tax abatement agreements; and

**Whereas**, the City Council has considered the matter and finds that the proposed tax abatement with MS Temple, LLC is in compliance with State law and the City's *Guidelines and Criteria* governing tax abatement, and that the proposed improvements by said company are feasible and likely to attract major investment and expand employment within the City.

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

**Part 1:** The Mayor is authorized to execute a tax abatement agreement, after approval as to form by the City Attorney, with MS Temple, LLC granting the company 5 years of 50% tax abatement on the increased taxable value of real property improvements on approximately 5.184 acres of land located in Tax Abatement Reinvestment Zone Number Thirty-Four.

**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 **15<sup>th</sup>** day of **December**, 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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Item #11  
Regular Agenda  
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**DEPT./DIVISION SUBMISSION & REVIEW:**

Lacy Borgeson, City Secretary

**ITEM DESCRIPTION:** Consider adopting a resolution designating the Chair of the Tax Increment Financing Reinvestment Zone No. 1 Board of Directors for 2017.

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

**ITEM SUMMARY:** Chapter 311 of the Tax Code, Tax Increment Financing Act, specifies that each year the governing body of the municipality shall appoint one member of the board to serve as chairman for a term of one year that begins on January 1 of the following year. The board of directors may elect a vice-chairman to preside in the absence of the chair.

Thomas Baird is currently serving as Chair of the TIF RZ No. 1 Board of Directors. Please see the attached board member list.

We recommend the Council designate one member of the board to serve as Chair for a one year term beginning January 1, 2017.

**FISCAL IMPACT:** N/A

**ATTACHMENTS:**

[RZ No. 1 Board Member List](#)  
[Resolution](#)

**REINVESTMENT ZONE NUMBER ONE**

TERM EXPIRATION: SEPTEMBER - 2 YEAR TERMS

APPOINTED BY: C.C., TJC, BELL COUNTY, &amp; TISD

MEMBER	DATE APPOINTED	EXPIRATION YEAR
John Howe <a href="mailto:john@omegabuilders.com">john@omegabuilders.com</a>	09/12	2018
Pat Patterson <a href="mailto:pat@lvrmtg.com">pat@lvrmtg.com</a>	09/11	2017
Larry Neal <a href="mailto:arcneal@hotmail.com">arcneal@hotmail.com</a>	12/12 Unxp term	2017
Tyler Johnson <a href="mailto:tyler.johnson@BBVAcompass.com">tyler.johnson@BBVAcompass.com</a>	10/13	2017
Bob Browder (Temple College Rep. appt.02/13) <a href="mailto:bobbrowder@bcswlaw.com">bobbrowder@bcswlaw.com</a>	10/08 Appt by TC 02/13	2017
Wendell Williams <a href="mailto:wwilliams@cnbtemple.com">wwilliams@cnbtemple.com</a>	09/11	2017
Raymond Smith <a href="mailto:Rwsmith@fikes.com">Rwsmith@fikes.com</a>	09/15 Unexp term	2018
Jim Kent <a href="mailto:jkent88@yahoo.com">jkent88@yahoo.com</a>	09/16	2018
Steve Wright (TISD Rep.) <a href="mailto:steve@wrightbuilders.com">steve@wrightbuilders.com</a>	6/06 appt.by TISD	2017
Thomas Baird, Chair (12/14) <a href="mailto:thomasbaird@bcswlaw.com">thomasbaird@bcswlaw.com</a>	06/11	2017
Commissioner, Bill Schumann (Bell Co. Rep.) *unexp term <a href="mailto:Bill.schumann@co.bell.tx.us">Bill.schumann@co.bell.tx.us</a>	01/13 appt.by Bell Co.	2017
Steve Wolfe <a href="mailto:swolfe@extracobanks.com">swolfe@extracobanks.com</a>	09/12	2018
John Kiella (BISD Rep.) <a href="mailto:ikiella@kiella.com">ikiella@kiella.com</a>	09/05	2018
Gary Schmidt (Troy ISD Rep.) <a href="mailto:gschmidt@cnbtemple.com">gschmidt@cnbtemple.com</a>	02/2000	2018
Calvin Sanders (Elm Crk) <a href="mailto:Sanders.mr@icloud.com">Sanders.mr@icloud.com</a>	09/15 Unexp. term	2017

**REINVESTMENT ZONE NUMBER ONE**

Created pursuant to Section 311.004(a)(2) of the Tax Increment Financing Act; Ordinance 1457, December 16, 1982. **Purpose:** Make recommendations to the City Council concerning the administration of the Zone. The board of directors exercise powers necessary to implement the project plan which is delegated by ordinance of the Council. **Membership:** 15 directors - 9 appointed by the Council; 1 director each of every taxing entity with levies taxes within the Zone, currently: TC, TISD, BISD, Troy ISD, Bell County and Elm Creek Water District. To be eligible for appointment to the board an individual must be a qualified voter of the municipality or be at least 18 years of age and own real property in the zone, whether or not the individual resides in the municipality. **Term:** 2 years

Revised 09.16