



**MEETING OF THE  
TEMPLE CITY COUNCIL  
MUNICIPAL BUILDING  
2 NORTH MAIN STREET  
3<sup>rd</sup> FLOOR – CONFERENCE ROOM  
THURSDAY, APRIL 20, 2017  
2:30 P.M.  
AGENDA**

1. Discuss, as may be needed, Regular Meeting agenda items for the meeting posted for Thursday, April 20, 2017.
2. Receive a presentation on and discuss the process for filling the city manager position.
3. Receive a presentation on and discuss the Funding and Operating Agreement between the City of Temple and the Temple Economic Development Corporation.
4. Receive a presentation on and discuss the operation of Sammons Golf Links.
5. Receive a presentation on and discuss the City's Neighborhood Revitalization initiative.
6. Discuss commercial and financial information relating to Panda Temple Power, LLC and Panda Temple Power II, LLC.

*Executive Session – Texas Government Code Section 551.087, Deliberation Regarding Economic Development Negotiations – A governmental body may meet in executive session to discuss or deliberate prospect that the governmental body seeks to have locate, stay or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations or to deliberate the offer of a financial or other incentive to a business prospect who seeks to locate, stay, or expand in or near the territory of the governmental body.*

**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. 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.

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

**Minutes**

- (A) [April 6, 2017 Special and Regular Meeting](#)

**Contracts, Leases, & Bids**

- (B) [2017-8605-R](#): Consider adopting a resolution authorizing the purchase of two rights of way necessary for the expansion of Hogan Road and authorizing closing costs associated with the purchase in an estimated amount of \$79,000.
- (C) [2017-8606-R](#): Consider adopting a resolution authorizing the purchase of two John Deere 310HL backhoes in the amount of \$199,486.51 from RDO Equipment Company of Hewitt.
- (D) [2017-8607-R](#): Consider adopting a resolution authorizing the purchase of two properties necessary for the Connor Park Drainage Channel Improvement Project, authorizing closing costs associated with the purchase, relocation expenses, and business re-establishment expenses in an estimated amount of \$463,000.



- (E) [2017-8608-R](#): Consider adopting a resolution authorizing a contract amendment with Kasberg, Patrick & Associates, LP, in the amount of \$42,740 for professional services related to Advanced Metering Infrastructure implementation.
- (F) [2017-8609-R](#): Consider adopting a resolution authorizing a contract for professional services with Kasberg, Patrick and Associates, LP, in an amount not to exceed \$419,974 for an update to the City's water and wastewater Master Plan.
- (G) [2017-8610-R](#): Consider adopting a resolution authorizing Change Order #1 to the Santa Fe Plaza Phase I construction contract with McLean Construction, of Killeen in the amount of \$46,495.60.
- (H) [2017-8611-R](#): Consider adopting a resolution authorizing the acceptance of an assignment of a commercial contract from Kiella Land Investments, Ltd. for the purchase of property located at Pea Ridge Road, Temple, 76502.
- (I) [2017-8612-R](#): Consider adopting a resolution authorizing change order #2 to the construction contract with Quality W Contractors, LLC, in the amount of \$39,850 for the addition of an electric security gate, new overhead electric service and electric power service removal at the Draughon-Miller Central Texas Regional Airport.
- (J) [2017-8613-R](#): Consider adopting a resolution authorizing a professional services agreement with Kasberg, Patrick & Associates, LP, in the lump sum amount of \$211,400 for design, bidding, construction administration and on-site representation of the Corporate Hangar Development Project Phase III at the Draughon-Miller Central Texas Regional Airport.
- (K) [2017-8614-R](#): Consider adopting a resolution finding that a portion of property located within Lot 5, Block 22, Original Town of Temple, Bell County, Texas, is of negligible value to the City, authorizing the conveyance of such property to the adjacent property owner, and authorizing an agreement with the adjacent property owner to address construction work to be done on the property.

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

- (L) [2017-4836](#): SECOND READING – Z-FY-17-19: Consider adopting an ordinance authorizing a rezoning from Agricultural zoning district to General Retail zoning district on 3.91 +/- acres, Lot 1 Block 1, Fernandez Addition, located at 430 Hilliard Road, Temple, Texas.
- (M) [2017-4837](#): SECOND READING – Z-FY-17-20: Consider adopting an ordinance authorizing a rezoning from Agricultural zoning district to Single Family-Three, General Retail, and Office-Two zoning districts on 81.173 +/- acres, situated in the B. Stracener Survey, Abstract No. 746, Bell County, Texas, located at 3131 Lower Troy Road.
- (N) [2017-4838](#): SECOND READING: Consider adopting an ordinance authorizing amendments the Tax Increment Financing Reinvestment Zone No. 1 Financing and Project Plans to align with the 2022 Master Plan for years FY 2017-2019.

## **Misc.**

- (O) **2017-8615-R:** Consider adopting a resolution authorizing the rejection of the following vehicle bids received on February 24, 2017:
  - (1) All bids received for a ¾-Ton Light Duty Extended Cab Pickup/Bed Delete with Utility Body, and
  - (2) Silsbee Ford's bid for a ¾-Ton Light Duty Full Size Pickup.
- (P) **2017-8616-R:** Consider adopting a resolution authorizing the purchase of one ¾-Ton Light Duty Full Size Pickup in the amount of \$30,169 from Caldwell Country Ford of Caldwell.
- (Q) **2017-8617-R:** Consider adopting a resolution ordering a Special Election for June 24, 2017 for Councilmember District 2 to fill an unexpired term through May 2020.
- (R) **2017-8618-R:** Consider adopting a resolution establishing an outside agency funding policy.
- (S) **2017-8619-R:** Consider adopting a resolution authorizing budget amendments for fiscal year 2016-2017.

## **IV. REGULAR AGENDA**

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

- 4. **2017-4839:** FIRST READING – PUBLIC HEARING Z-FY-17-17: Consider adopting an ordinance authorizing amendments to the City of Temple's Unified Development Code: Article 4 (Sec. 4.5.4) related to Residential Dimensional Standards and Article 5 (Sec. 5.3) related to Specific Use Standards to allow two-family residential dwellings (duplexes) in a Two-Family Dwelling Zoning District for existing platted lots with a width of not less than 50 feet subject to additional compatibility design standards primarily related to parking, landscaping and architecture.
- 5. **2017-4840:** FIRST READING – PUBLIC HEARING Z-FY-17-22: Consider adopting an ordinance authorizing a rezoning request from the Agricultural zoning district to the Single Family-One zoning district, on 10.666 +/- acres, of the Maximo Moreno Survey, Abstract No. 14, being a part of a 10.00 acre tract of land and a part of a 42.13 acre tract described in a deed to Stellar Improvement Corporation, Bell County, located at 1610 West FM 93, Temple, Texas.

### **RESOLUTIONS**

- 6. **2017-8620-R:** Consider adopting a resolution authorizing a construction contract with Bell Contractors, Inc., of Belton, for a lump sum price of \$56,434, for construction of a system pressure reducing valve near the Horny Toad Harley-Davidson property.
- 7. **2017-8621-R:** Consider adopting a resolution authorizing a construction contract with Bell Contractors, Inc., of Belton, for a lump sum price of \$1,195,345.20 for construction of the Jackson Park Wastewater Line Improvement Project.

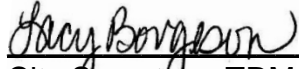
8. [2017-8622-R](#): Consider adopting a resolution authorizing a construction contract with Skyblue Utilities, Inc., of Kingsland, for a lump sum price of \$1,689,725.73, for construction of the Western Hills Water Main Improvements Project.

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

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I hereby certify that a true and correct copy of this Notice of Meeting was posted in a public place at 1:30 PM, on Thursday, April 13, 2017.



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City Secretary, TRMC



## COUNCIL AGENDA ITEM MEMORANDUM

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04/20/17  
Item #3(A)  
Consent Agenda  
Page 1 of 1

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

Lacy Borgeson, City Secretary

**ITEM DESCRIPTION:** Approve Minutes:

(A) April 6, 2017 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:**

[April 6, 2017 Special and Regular Meeting](#)



## COUNCIL AGENDA ITEM MEMORANDUM

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04/20/17  
Item #3(B)  
Consent Agenda  
Page 1 of 1

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

Kayla Landeros, City Attorney  
Christina Demirs, Deputy City Attorney

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing the purchase of two rights of way necessary for the expansion of Hogan Road and authorizing closing costs associated with the purchase in an estimated amount of \$79,000.

*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 Hogan Road from South Pea Ridge Road to State Highway 317. The design requires the acquisition of seven rights-of-way and one easement from six property owners. Appraisals have been performed on five of the parcels. Offers have been made to those five property owners based upon the appraisals. Staff anticipates receiving the last two appraisals in the coming weeks and will present offers accordingly.

With the assistance H.W. Lochner, Inc., the City has reached an agreement with two property owners. Staff is actively negotiating with the other property owner who has received an offer and hopes to reach an agreement with owner in the coming weeks. At this time, Staff is asking for authorization to purchase the two rights of way needed and pay closing costs in an estimated amount of \$79,000.

The address and Bell County Appraisal District ID Numbers of the properties are listed below:

9312 Hogan Road—Bell CAD ID #33834  
9302 Hogan Road—Bell CAD ID #70886

**FISCAL IMPACT:** Funding is available for the purchase of 9302 Hogan Road and 9312 Hogan Road, necessary for the expansion of Hogan Road, in an estimated amount of \$79,000 in account 365-3400-531-6857, project #100952.

### **ATTACHMENTS:**

[Resolution](#)

RESOLUTION NO. 2017-8605-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE PURCHASE OF TWO RIGHTS OF WAY NECESSARY FOR THE EXPANSION OF HOGAN ROAD; AUTHORIZING THE PAYMENT OF CLOSING COSTS ASSOCIATED WITH THE PURCHASE IN AN ESTIMATED AMOUNT OF \$79,000; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, the City is currently in the design phase for the proposed expansion of Hogan Road from South Pea Ridge Road to State Highway 317 and the design requires the acquisition of seven rights-of-way and one easement from six property owners;

**Whereas**, appraisals have been performed on five of the parcels, and offers have been made to those five property owners based upon those appraisals - Staff anticipates receiving the last two appraisals in the coming weeks and will present offers accordingly;

**Whereas**, with the assistance H.W. Lochner, Inc. the City has reached an agreement with two property owners and Staff is actively negotiating with the other property owner who has received the City's offer and hopes to reach an agreement in the coming weeks;

**Whereas**, Staff recommends Council authorize the purchase of the two rights of way on properties located at 9312 Hogan Road and 9302 Hogan Road, and the payment of closing costs, in an estimated amount of \$79,000;

**Whereas**, funding for the purchase of these two rights of way is available in Account No. 365-3400-531-6857, Project No. 100952; 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: Findings.** 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 authorizes the purchase of two rights of way on properties located at 9312 Hogan Road and 9302 Hogan Road which are necessary for the expansion of Hogan Road from South Pea Ridge Road to State Highway 317, and authorizes the payment of closing costs associated with these two rights of way in an estimated amount of \$79,000.

**Part 3:** The City Council authorizes the City Manager, or her designee, after approval as to form by the City Attorney, to execute any documents that may be necessary for these purchases.

**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 **20<sup>th</sup>** day of **April**, 2017.

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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04/20/17  
Item #3(C)  
Consent Agenda  
Page 1 of 1

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

Damon Boniface, Utility Director  
Kirk Scopac, Fleet Services Director

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing the purchase of two John Deere 310HL backhoes in the amount of \$199,486.51 from RDO Equipment Company of Hewitt.

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

**ITEM SUMMARY:** Currently, the Public Works Water Distribution Division has two backhoes in their fleet that have been identified for routine replacement in the FY2017 Budget. The backhoes are used daily in the repair and maintenance of the water distribution system. The new backhoes will be replacing an existing 18-year old John Deere 410E backhoe (asset #10988) and 15-year old Caterpillar 416D backhoe (asset #11622).

RDO Equipment Company has been awarded NJPA cooperative contract #032515-JDC, which staff is recommending to use for this purchase. Contracts awarded through NJPA have been competitively procured and meet the statutory procurement requirements for Texas municipalities.

References of RDO Equipment Company have been checked, and based on the feedback received, staff believes that they will be a responsible and responsive vendor.

**FISCAL IMPACT:** Funding is appropriated for the purchase of two John Deere 310HL Backhoe Loaders in the amount of \$199,486.51 in account 520-5200-535-6220, as shown below:

	Replace 2000 John Deere Backhoe Asset # 10988	Replace 2003 Caterpillar Backhoe Asset # 11622	
	Project 101565	Project 101566	Total
Project Budget	\$ 100,256	\$ 99,744	\$ 200,000
Encumbered/Committed to Date	-	-	-
<b>RDO Equipment Company</b>	<b>(99,743)</b>	<b>(99,744)</b>	<b>(199,487)</b>
<b>Remaining Project Funds</b>	<b>\$ 513</b>	<b>\$ -</b>	<b>\$ 513</b>

**ATTACHMENTS:**

[Resolution](#)



RESOLUTION NO. 2017-8606-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE PURCHASE OF TWO JOHN DEERE 310HL BACKHOES IN THE AMOUNT OF \$199,486.51, FROM RDO EQUIPMENT COMPANY OF HEWITT, TEXAS; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas,** the Public Works Water Distribution division currently has two backhoes in their fleet that have been identified for routine replacement in the fiscal year 2017 budget which are used daily in the repair and maintenance of the water distribution system;

**Whereas,** the new backhoes will replace an 18-year old John Deere 410E backhoe and a 15-year old Caterpillar 416D backhoe;

**Whereas,** Staff recommends Council authorize the purchase of two John Deere 310HL Backhoes in the amount of \$199,486.51, from RDO Equipment Company of Hewitt, Texas;

**Whereas,** RDO Equipment Company has been awarded an NJPA Cooperative contract, which Staff recommends utilizing for this purchase - contracts awarded through NJPA have been competitively procured and meet the statutory procurement requirements for Texas municipalities;

**Whereas,** references have been checked, and based on feedback received, Staff believes RDO Equipment Company will be a responsible and responsive vendor;

**Whereas,** funding is available for this purchase in Account No. 520-5200-535-6220, Project No. 101565 and Project No. 101566; 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: Findings.** 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 authorizes the purchase of two John Deere 310HL backhoes in the amount of \$199,486.51 from RDO Equipment Company of Hewitt, Texas utilizing an NJPA Cooperative contract.

**Part 3:** The City Council authorizes the City Manager, or her designee, after approval as to form by the City Attorney, to execute any documents that may be necessary for this purchase.

**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 **20<sup>th</sup>** day of **April**, 2017.

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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04/20/17  
Item #3(D)  
Consent Agenda  
Page 1 of 2

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

Kayla Landeros, City Attorney  
Christina Demirs, Deputy City Attorney

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing the purchase of two properties necessary for the Connor Park Drainage Channel Improvement Project, authorizing closing costs associated with the purchase, relocation expenses, and business re-establishment expenses in an estimated amount of \$463,000.

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

**ITEM SUMMARY:** A Pepper Creek tributary drains south from Adams Avenue into a grass channel where it repeatedly escapes its banks and floods property and structures in the vicinity of Conner Park in west Temple. Smaller drainage swales that contribute to this tributary also back up and cause repetitive nuisance flooding to adjacent properties. The tributary continues through a detention pond and goes underground into box culverts along the west side of the Brazos Bend subdivision. It reemerges through a grass channel before joining the Thompson drainage channel at Old Waco Road.

The City is currently in the design phase for the Connor Park Drainage Channel Improvement Project. The design requires the acquisition of seven rights-of-way from five property owners. Appraisals have been performed on six of the parcels. Offers have been made to those four property owners based upon the appraisals. Staff anticipates receiving the last appraisal in the coming weeks and will present an offer accordingly.

With the assistance of Stateside Right of Way Services, Inc., the City has reached an agreement with two property owners. The two properties being acquired require the taking of two duplex structures and relocation of tenants in three of the four units. One unit is currently unoccupied. Additionally, the owners of the duplexes are entitled to business reestablishment assistance. At this time, Staff is asking for authorization to purchase two properties necessary for the Connor Park Drainage Channel Improvement Project, authorizing closing costs associated with the purchase, relocation expenses, and business re-establishment expenses in an estimated amount of \$463,000.

The address and Bell County Appraisal District ID Numbers of the properties are listed below:

7111 Cameron Park Road—Bell CAD ID #453197  
7116 Cameron Park Road—Bell CAD ID #453196

**FISCAL IMPACT:** Funding is available for the purchase of 7111 Cameron Park Road and 7116 Cameron Park Road, which is necessary for the construction of the improvements to the Connor Park Drainage Channel, in an estimated amount of \$463,000 in account 292-2900-534-6312, project #101592.

**ATTACHMENTS:**

[Resolution](#)

RESOLUTION NO. 2017-8607-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE PURCHASE OF TWO PROPERTIES NECESSARY FOR THE CONNOR PARK DRAINAGE CHANNEL IMPROVEMENT PROJECT; AUTHORIZING CLOSING COSTS ASSOCIATED WITH THE PURCHASES; AUTHORIZING RELOCATION EXPENSES; AND AUTHORIZING BUSINESS RE-ESTABLISHMENT EXPENSES, ALL IN AN ESTIMATED AMOUNT OF \$463,000; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, a Pepper Creek tributary drains south from Adams Avenue into a grass channel where it repeatedly escapes its banks and floods property and structures in the vicinity of Conner Park in west Temple - smaller drainage swales that contribute to this tributary also back up and cause repetitive nuisance flooding to adjacent properties;

**Whereas**, this tributary continues through a detention pond and goes underground into box culverts along the west side of the Brazos Bend subdivision where it reemerges through a grass channel before joining the Thompson drainage channel at Old Waco Road;

**Whereas**, the City is currently in the design phase for the Connor Park Drainage Channel Improvement Project which requires the acquisition of seven rights-of-way from five property owners - appraisals have been performed on six of the parcels and offers have been made to four property owners based upon the appraisals;

**Whereas**, Staff anticipates receiving the last appraisal in the coming weeks and will present an offer accordingly;

**Whereas**, with the assistance of Stateside Right of Way Services, Inc. the City has reached agreements with two property owners which require the taking of two duplex structures and relocation of tenants in three of the four units - one unit is currently unoccupied and the duplex owners are entitled to business reestablishment assistance;

**Whereas**, Staff recommends Council authorize the purchase of two properties located at 7111 Cameron Park Road and 7116 Cameron Park Road which are necessary for the Connor Park Drainage Channel Improvement Project, authorize the payment of closing costs associated with the purchases, authorize the payment of relocation expenses, and authorize the payment of business re-establishment expenses, all in an estimated amount of \$463,000;

**Whereas**, funding is available for the purchase of these two properties in Account No. 292-2900-534-6312, Project No. 101592; 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: Findings.** 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 authorizes the purchase of two properties located at 7111 Cameron Park Road and 7116 Cameron Park Road which are necessary for the Connor Park Drainage Channel Improvement Project, authorizes the payment of closing costs associated with the purchases, authorizes the payment of relocation expenses, and authorizes the payment of business re-establishment expenses, all in an estimated amount of \$463,000.

**Part 3:** The City Council authorizes the City Manager, or her designee, after approval as to form by the City Attorney, to execute any documents that may be necessary for these purchases.

**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 **20<sup>th</sup>** day of **April**, 2017.

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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4/20/17  
Item #3(E)  
Consent Agenda  
Page 1 of 2

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

Traci Barnard, Finance Director  
Heather Mikulas, Utility Business Office Manager

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a contract amendment with Kasberg, Patrick & Associates, LP, in the amount of \$42,740 for professional services related to Advanced Metering Infrastructure implementation.

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

**ITEM SUMMARY:** The city's water meter inventory includes approximately 100 large meters (4" and greater) that serve mostly commercial, industrial and multi-family customers. Those 100 meters account for approximately 25% of the city's water consumption. Placing these large meters on an automated metering infrastructure system will allow both the city and the customers to more accurately monitor water consumption by allowing for frequent automated meter readings, high/low usage alerts and possible leak notifications.

In April 2015, Council authorized a professional services contract with Kasberg, Patrick & Associates, LP, for design, bid and construction services. The original scope of the project was to select an AMI system and oversee the bid and construction of the project. The initial project consisted of 98 meters sized 4" and larger throughout the system. Throughout the design process, this project has gradually evolved into two separate bidding and construction contracts; including repairing and/or replacing meter vaults and bypasses.

In addition to selecting and installing the AMI system, Kasberg, Patrick & Associates, LP, will also perform the following services which are outlined in more detail on the attached proposal.

Additional Design Services	\$ 22,720
- Meter bypasses	
- Vault design	
- Piping design/modification	
Bid Phase Services	4,100
Construction Phase Services	<u>15,920</u>
<b>Total Professional Services</b>	<b><u>\$ 42,740</u></b>

The proposed timeline for these services is 60 days.

**FISCAL IMPACT:** Funding for the contract amendment with Kasberg, Patrick & Associates, LP is available in account 520-5300-535-6250, project 101173, in the amount of \$42,740 as shown below:

Project Budget	\$	450,000
Encumbered/Committed to Date		(54,680)
KPA Contract Amendment #1		(42,740)
Remaining Funds Available	\$	<u>352,580</u>

**ATTACHMENTS:**

[Proposal](#)  
[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. ATRAJE, SUTTON, III, P.E., CFM**  
**JOHN A. SIMCIK, P.E., CFM**

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

March 24, 2017

Mrs. Heather Mikulas  
Utility Business Office Manager  
401 N. 3<sup>rd</sup> Street  
Temple, Texas 76501

Re: City of Temple, Texas  
Advanced Metering Infrastructure Systems Contract Amendment

Dear Mrs. Mikulas:

This letter is in response to the City's request for a proposal for the additional engineering services related to the installation of meters on existing and proposed meter bypass lines. KPA was previously awarded a contract for the design of an Advanced Metering Infrastructure System (AMI) and necessary replacements or retrofits of existing valves to allow them to operate in the proposed AMI system.

The initial scope included the following:

1. Design Services
  - a. Meter Replacement
  - b. Selection & Design of AMI
2. Bid Phase Services (1 Contract)
3. Construction Phase Services (1 Contract)

This initial project consisted of 98 meters sized four inches (4") or larger throughout the system. Throughout the design process, this project has gradually evolved into two separate bidding and construction contracts. In addition to splitting the project into multiple bid documents, we have spent many hours performing additional analysis, meeting, preparing summaries of additional analyses and modifying project documents. The following scope items are required to complete the design plans and to allow for the bidding and construction of two separate construction contracts:

1. Design Services
  - a. Field/Site work to determine the condition of bypasses and to document existing laying lengths and available space.
  - b. Design detail for installation of meters in bypasses.
  - c. Provide site specific design of meters in bypasses:
    - i. 49 new bypasses (will have meter included)
    - ii. 20 existing bypasses within vaults (determine if meter can be placed into piping and provide detail or design new bypass outside of vault).
    - iii. 20 existing bypasses outside of vaults. Provide design of new vaults and piping modifications to install bypass meters.

Note: proposed bypass meters will not be connected to AMI system.

Mrs. Heather Mikulas  
March 24, 2017  
Page Two

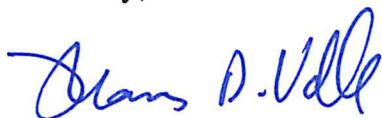
2. Bid Phase Services for Piping Modification Project.
3. Construction Phase Services for Piping Modification Project.

We can complete this work for the lump sum amount of \$54,680.00 within 60 days of a notice to proceed being issued. We request that the contract time be adjusted to 60 days after the date of the notice to proceed. This proposal assumes that the existing Bid Phase Services previously authorized will be invoiced for the work associated with awarding a contract on the AMI project, whether bid or authorized through a BuyBoard type service. A breakdown by task is as follows:

Additional Design Services	\$ 22,720
Bid Phase Services	\$ 4,100
Construction Phase Services	<u>\$ 15,920</u>
<b>Total Professional Services =</b>	<b>\$ 42,740</b>

We appreciate the opportunity to submit this proposal and look forward to these projects.

Sincerely,

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

Thomas D. Valle, P.E.

RESOLUTION NO. 2017-8608-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 \$42,740, FOR PROFESSIONAL SERVICES RELATED TO ADVANCED METERING INFRASTRUCTURE IMPLEMENTATION; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, the City's water meter inventory includes approximately 100 large meters that serve mostly commercial, industrial and multi-family customers and account for approximately 25% of the City's water consumption;

**Whereas**, placing these large meters on an automated metering infrastructure system will allow both the City and the customers the ability to more accurately monitor water consumption by allowing for frequent automated meter readings, high/low usage alerts and possible leak notifications;

**Whereas**, in April, 2015, Council authorized a professional services agreement with Kasberg, Patrick & Associates, LP, for design, bid and construction services - the original scope of the project was to select an Advanced Metering Infrastructure implementation system and oversee the bid and construction of the project;

**Whereas**, the initial project consisted of 98 meters sized 4-inches and larger throughout the system, however, throughout the design process, this project has gradually evolved into two separate bidding and construction contracts, including repairing and/or replacing meter vaults and bypasses;

**Whereas**, Staff recommends Council authorize an amendment to the Professional Services Agreement with Kasberg, Patrick & Associates, LP in the amount of \$42,740, for professional services related to Advanced Metering Infrastructure implementation;

**Whereas**, funding for this amendment to the professional services agreement is available in Account No. 520-5300-535-6250, Project No. 101173; 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: Findings.** 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 authorizes the City Manager, or her designee, after approval as to form by the City Attorney, to execute an amendment to the professional services agreement with Kasberg, Patrick & Associates, LP, in the amount of \$42,740, for professional services related to Advanced Metering Infrastructure implementation.

**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 20<sup>th</sup> day of **April**, 2017.

THE CITY OF TEMPLE, TEXAS

---

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

---

Kayla Landeros  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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04/20/17  
Item #3(F)  
Consent Agenda  
Page 1 of 2

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

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

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a contract for professional services with Kasberg, Patrick and Associates, LP, in an amount not to exceed \$419,974 for an update to the City's water and wastewater Master Plan.

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

**ITEM SUMMARY:** On August 17, 2006, Council adopted a resolution authorizing a professional services agreement with Kasberg, Patrick & Associates, LP, for professional services required to complete the 2008 Water and Sewer Master Plan Update.

Under this professional services agreement Kasberg, Patrick & Associates, LP, will provide a 2018 Water and Wastewater Master Plan Update. The Master Plan will evaluate system demands and improvements through 2070. The scope includes assessment of current infrastructure, water and wastewater system analysis, and development of a plan for implementing future improvements.

The water and wastewater system analysis will utilize computer modeling packages compatible with the City's Geographic Information System.

The proposed work will be completed within 12 months after receipt of City's data files. Professional services associated with the studies include the following tasks and costs:

Task I – Update Summaries of Water and WW Contracts	\$ 2,440
Task II – Update Infrastructure assessments/Inventories	23,120
Task III – Governing Agencies/Regulations	805
Task IV – Water System Analysis	196,052
Task V – Wastewater System Analysis	129,422
Task VI – Reclaimed Water System Analysis	12,710
Task VII – Phasing Plan and OPC's for Improvements	29,460
Task VIII – Update Project Planning/Delivery Considerations	805
Task IX – Prepare Report	<u>25,160</u>
Total	<u>\$ 419,974</u>

**FISCAL IMPACT:** Funding in the amount of \$600,000 for the award of the professional services agreement with KPA for an update to the City's water and wastewater Master Plan is appropriated in account 520-5900-535-2616, project 101197.

**ATTACHMENTS:**

[Engineer's Proposal](#)  
[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  
JOHN A. SIMCIK, P.E., CFM

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

April 6, 2017

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

Re: City of Temple, Texas  
Water and Wastewater Master Plans

Dear Mr. Wilson:

This letter outlines our proposal to the City of Temple for providing engineering services required for the Water and Wastewater Master Plans. This Master Plan will evaluate the needs and improvements through 2070 and also incorporate results and improvements implemented from the 2008 Master Plan. The Master Plan will be formatted as two volumes, with Volume I containing the executive summary and recommendations. Volume II will contain the detailed information that is the basis for recommendations.

The Scope of Services is shown on the attached Exhibit A. The Scope generally consists of reviewing the City's Water and Wastewater Contracts, performing an assessment/inventory of the infrastructure (plants, pump stations, storage tanks, lift stations, pipelines), summarizing regulations of governing authorities, performing Water and Wastewater system analyses and providing phasing plans and opinions of probable cost. This information will be summarized in the form of a Water and Wastewater Master Plan Report which will include exhibits and system maps. Ten (10) hard copies and a pdf of the two-volume report will be furnished.

The software which KPA will utilize for the analyses will be the WaterCAD/GEMS and SewerCAD/GEMS software packages by Bentley Systems, for compatibility with the City's GIS (Geographic Information System). KPA will deliver the completed modeling files to the City electronically for their use and incorporation into the City's GIS.

In order for us to provide services required for completion of these master plans, a not-to-exceed lump sum amount of \$419,974 as shown below, will be applicable.

Task I -- Update Summaries of Water and WW Contracts	\$ 2,440
Task II -- Update Infrastructure Assessments/Inventories	\$ 23,120
Task III -- Governing Agencies/Regulations	\$ 805
Task IV -- Water System Analysis	\$ 196,052
Task V -- Wastewater System Analysis	\$ 129,422
Task VI -- Reclaimed Water System Analysis	\$ 12,710
Task VII -- Phasing Plan and OPCs for Improvements	\$ 29,460
Task VIII -- Update Project Planning/Delivery Considerations	\$ 805
Task IX -- Prepare Report	\$ 25,160
	<u>\$ 419,974</u>

We anticipate completing the work within 12 months after receipt of the City's GIS data files. We anticipate that the process of data transfer will be slightly iterative in nature and will require coordination with the City's GIS Staff to ensure the basis of the hydraulic models is as accurate as possible. In addition, this project requires numerous work sessions and meetings throughout the project duration. The collective availability of personnel for these meetings could impact the actual schedule due to the necessary sequencing of tasks. The project timeline may also vary depending on receipt of historical data, inventory assessments, previously completed studies by other consultants and timing of model calibration due to seasonal requirements.

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

Sincerely,



Ginger R. Tolbert, P.E.  
Principal



Scope of Services  
City of Temple, Texas  
Water and Wastewater Master Plans

Exhibit A

**Task I - Update Summaries of Water and Wastewater Contracts**

KPA will review updated and/or additional contracts, incorporate this information into the summary of contracts and integrate into subsequent components of the master plan as appropriate. Copies of these contracts will be included as an Appendix in Volume II of the Master Plan for future reference.

- A. Contracts with Brazos River Authority
  - 1. Water Rights
  - 2. Wastewater Treatment
- B. Wholesale Water Customers

**Task II - Update Infrastructure Assessments/Inventories**

KPA will prepare and distribute infrastructure inventory forms to collect necessary data for the water treatment plants, pump stations, storage tanks, wastewater plants, lift stations, waterlines, wastewater lines, reclaimed lines and force mains. Work Sessions with City Staff will be conducted by category as indicated below to review and discuss the key points contained in these inventories. This information will be incorporated into subsequent components of the master plan as appropriate. Copies of these inventory forms will be included as an Appendix in Volume II of the Master Plan for future reference.

- A. Water Treatment Plant (1 work session)
  - 1. Conventional
  - 2. Membrane
- B. Pump Stations (1 work session)
  - 1. High Service Pumps No. 1
    - a.) Old High Service
    - b.) New High Service
  - 2. High Service Pumps No. 2
  - 3. Avenue G (including rehabilitation options)
  - 4. Loop 363
  - 5. West Park
  - 6. Old Howard
  - 7. FM 2305
  - 8. Airport
- C. Storage Tanks (1 work session)
  - 1. Clearwells
  - 2. Avenue G Ground Storage
  - 3. WTP Backwash
  - 4. 720 Elevated
  - 5. Nugent Elevated
  - 6. West Park Elevated
  - 7. 25<sup>th</sup> Street Elevated
  - 8. Taylor Rd. Elevated

9. Scott Elevated
10. Airport Elevated
11. Pepper Creek Elevated
12. Range Road Elevated
13. FM 2483 Elevated
- D. Wastewater Treatment Plants (1 work session)
  1. Doshier Farm
  2. Temple/Belton
- E. Lift Stations (1 work session)
  1. Oak Hills
  2. Pea Ridge
  3. Trantum
  4. Shallow Ford
  5. Valley Ranch
  6. Timber Ridge
  7. Cliffs
  8. Forest Hills
  9. Steeplechase
  10. Taylors Valley
  11. Airport
  12. PFG
  13. Gulf States
  14. Troy
  15. Williamson Creek
  16. Service Center
  17. Little Flock
  18. 40<sup>th</sup> Street
  19. 30<sup>th</sup> Street
  20. 19<sup>th</sup> Street
  21. Action World
  22. Knob Creek
  23. Hart Road
- F. Pipelines (1 work session)
  1. Water
  2. Wastewater
  3. Force Mains
  4. Reclaimed

### **Task III - Update Governing Agencies/Regulations Descriptions**

KPA will review the previous agency descriptions and update the summaries in the master plan as appropriate.

- A. Environmental Protection Agency
- B. Texas Commission on Environmental Quality
- C. Texas Water Development Board
- D. Region G Water Planning Group
- E. US Corps of Engineers
- F. Texas Historical Commission

## Task IV - Water System Analysis

KPA will evaluate the City's existing water system and prioritize improvements to serve the projected 2070 population. A hydraulic analysis will be performed utilizing the information exported from the City's GIS and modeled in Bentley's WaterCAD/GEMS software package for compatibility with the City's GIS platform. This model will include both the existing system and proposed improvements with steady state and extended period simulation.

The Master Plan will include exhibits illustrating historical and projected demands, a schematic of the system, CCN boundaries, land use, existing and proposed pressure planes, and proposed improvements. The Appendix will contain pump curves and our Opinions of Probable Cost for the Recommended Improvements.

The specific task items are enumerated below.

### A. Data Collection

1. Obtain existing and projected land use
2. Define long term service area
  - a.) Identify CCN boundary, city limits and ETJ
  - b.) Evaluate areas served/not served related to city limits, ETJ and growth outside City.
  - c.) Evaluate possible adjustments to current CCN boundaries
  - d.) Policy for extension of water lines.
3. Obtain historical water consumption
4. Obtain and evaluate usage data by pressure zone boundary
5. Obtain and evaluate most current projections by Brazos G and Texas Water Development Board
6. Obtain and Transfer/Import current GIS data for to be used in the hydraulic model
7. Update existing distribution system maps

### B. Hydraulic Analysis of Water System

1. Determine feasibility of second water source and/or water treatment plant (to be completed prior to commencement of modeling). Modeling of proposed improvements includes a single scenario for water plant locations. Dual scenarios are not included in the modeling tasks. The investigation will include identification of location options and address permitting, access, water rights and cost considerations.
2. Define feasibility of groundwater source, aquifer storage and recovery, regional planning efforts in conjunction with Clearwater Underground Water District
3. Evaluate Transmission Mains
4. Evaluate Interconnect options/opportunities (Belton/WCID/CTWSC/BWSC)
5. Evaluate Distribution lines (size and location)
6. Evaluate required storage tanks and pump stations (capacities and location)
  - a.) Incorporation of ground storage
7. Evaluate water supplied to wholesale customers
8. Model existing water system (steady state and EPS)
9. Model proposed improvements (interim and ultimate in steady state and EPS)
  - a.) Run model at minimum, maximum day and peak flows
  - b.) Run model for fire protection scenarios
    - a.) Lines to provide fire protection
    - b.) Lines to upgrade existing fire protection
  - c.) Analyze results and recommend improvements

### C. Evaluate Water Treatment Plant Capacity and determine expansion timelines



- D. Evaluate System Rehabilitation/Maintenance Needs
- E. Update Water System Schematic
- F. Evaluate Water Conservation and Drought Contingency Plans including Recommended Modifications. Preparation of a new plan for adoption and/or submission to TCEQ would be accomplished by separate contract or contract amendment.
- G. Progress Meetings with Staff (8 each)

## **Task V - Wastewater System Analysis**

KPA will evaluate the City's existing wastewater system and prioritize improvements to serve the projected 2070 population. We will utilize the information exported from the City's GIS and model in Bentley's SewerCAD/GEMS software package for compatibility with the City's GIS platform. The Master Plan will also incorporate recent basin specific studies performed by others for the Williamson, Bird Creek and Knob Creek basins.

The Master Plan will include exhibits illustrating the service area, OSSF areas, basins and proposed improvements. The Appendix will contain wastewater basin design flow calculations and our Opinions of Probable Cost for the Recommended Improvements.

The specific task items are enumerated below.

### **A. Data Collection**

- 1. Existing and projected land use
  - a.) Define areas within City Limits currently on septic systems
  - b.) Policy for extension of wastewater lines.
- 2. Incorporate data from basin studies by others (Williamson, Bird, Knob)
- 3. Evaluate Historical flows
- 4. Inflow/Infiltration Considerations
- 5. Obtain and Transfer/Import current GIS data for to be used in the model
- 6. Update existing collection system maps

### **B. Analysis of Wastewater System**

- 1. Collection and Trunk lines (size and location)
- 2. Required lift stations and force mains (capacities and location)
- 3. Elimination/Consolidation of lift stations
- 4. Required treatment capacities (Doshier, TBWWTP)
- 5. Future Treatment Plant location
- 6. Model existing system
- 7. Model proposed improvements
  - a.) Analyze results and recommend improvements

### **C. Evaluate System Rehabilitation/Maintenance Needs**

### **D. Progress Meetings with Staff (6 each)**

## **Task VI - Reclaimed Water System Analysis**

KPA will evaluate the City's existing reclaimed water systems to determine the feasibility for expansion of the system. The Master Plan will include exhibits illustrating the existing system and feasible expansion of the system.

- A. Doshier Farm System
  - 1. Existing system location and capacity
  - 2. Determine future capacity
  - 3. Feasibility for expansion of system
- B. Temple-Belton System
  - 1. Existing system location and capacity
  - 2. Determine future capacity
  - 3. Feasibility for expansion of system
- C. Progress Meetings/Work Sessions with Staff (1 each)

## **Task VII - Phasing Plan and Opinions of Probable Cost for Recommended Improvements**

KPA will develop OPC's and work with City Staff to develop a phasing plan for the recommended improvements. The Master Plan will include the Phasing Plan and the project specific OPC's will be included in an Appendix.

- A. Develop OPC's for Recommended Improvements to Year 2030
- B. Incorporate Utility Components of Reinvestment Zone Projects
- C. Develop CIP Plan
- D. Review Phasing Plan
- E. Progress Meetings with Staff (4 each)

## **Task VIII - Update Project Planning/Delivery Considerations**

KPA will review the previous project planning and delivery considerations and update the summaries in the master plan as appropriate.

- A. Selection of Engineer
- B. Right of Way
  - a.) Right of Entry
  - b.) Easement Acquisition
  - c.) Land Acquisition
- C. Permitting
  - a.) Archeological
  - b.) Environmental
  - c.) TxDOT

## **Task IX- Prepare Report**

The Master Plan will consist of two volumes. Volume I will contain an executive summary and recommendations. Volume II will contain the detailed information, exhibits and appendices. KPA will provide draft copies of the report for review, incorporate review comments and deliver 10 copies of the Final Master Plan Report. A pdf of the document will also be provided.



City of Temple  
Water and Wastewater Master Plans  
April 6, 2017

Scope Items	Total	Summary of Hours					Direct Costs
		Principal \$180.00	Proj Mgr \$160.00	Grad Eng \$110.00	CAD \$100.00	Clerical \$45.00	
I. Update Summaries of Water and Wastewater Contracts							
Contracts with BRA	\$ 630		2	2		2	
Wholesale Water Customers	\$ 1,810		8	4		2	
II. Update Infrastructure Assessments/Inventories							
Water Treatment Plant, including 1 work session	\$ 3,140	2	8	12		4	
Pump Stations, including 1 work session	\$ 3,140	2	8	12		4	
Storage Tanks, including 1 work session	\$ 6,100	4	16	24		4	
Wastewater Treatment Plants, including 1 work session	\$ 3,140	2	8	12		4	
Lift Stations, including 1 work session	\$ 3,140	2	8	12		4	
Pipelines, including 1 work session	\$ 4,460	2	8	24		4	
III. Governing Agencies/Regulations							
	\$ 805		2	4		1	
IV. Water System Analysis							
Data Collection							
Existing and Projected Land Use	\$ 3,840		8	16	8		
Define Long Term Service Area	\$ 9,880	6	24	16	32		
Historical Water Consumption	\$ 2,580	1	4	16			
Evaluate Usage Data by Pressure Zone	\$ 4,320		16	16			
Evaluate Brazos G/TWDB Projections	\$ 1,700	1	4	8			
Obtain and Transfer/Import Current GIS data	\$ 3,680		2	16	16		
Update System Maps	\$ 6,400		4	16	40		
Hydraulic Analysis of Water System (WATERCAD/GEMS)	\$ 15,632	Software upgrade cost to unlimited pipes and compatibility with City GIS					\$15,632
Feasibility of Second Water Source/WTP	\$ 22,080	16	40	80	40		
Feasibility of Groundwater, ASR, Regional Efforts	\$ 5,000	4	12	16	6		
Evaluate Transmission Mains	\$ 3,400	2	8	16			
Evaluate Interconnect Options	\$ 2,520	2	8	8			
Evaluate Distribution Lines	\$ 8,080	4	24	32			
Required Storage and Pump Stations	\$ 6,680	2	12	40			
Evaluate Water Supplied to Wholesale Customers	\$ 2,780	1	8	12			
Model Existing Water System (steady state)	\$ 21,400	2	24	120	40		
Model Existing Water System (extended period simulation)	\$ 12,600	2	16	88			
Model Proposed Improvements (steady state)	\$ 24,200	2	24	160	24		
Model Proposed Improvements (extended period simulation)	\$ 17,400	2	24	120			
Evaluate Water Treatment Plant Capacity/Expansion Timelines	\$ 5,400	2	16	8	16		
Evaluate System Rehabilitation/Maintenance Needs	\$ 3,620	1	16	8			
Update Water System Schematic	\$ 1,560		2	4	8		
Evaluate Water Conservation and Drought Contingency Plan	\$ 4,420	3	16	12			
Progress Meetings with Staff (8 each)	\$ 6,880	12	24	8			
V. Wastewater System Analysis							
Data Collection							
Existing and Projected Land Use	\$ 3,840		8	16	8		
Incorporate data from basin studies by others	\$ 8,400	4	24	24	12		
Evaluate Historical Flows	\$ 5,800	2	12	32			
Inflow/Infiltration Considerations	\$ 2,580	1	4	16			
Obtain and Transfer/Import Current GIS data	\$ 3,680		2	16	16		
Update Existing Collection System Maps	\$ 6,400		4	16	40		
Analysis of Wastewater System (SEWERCAD/GEMS)	\$ 21,022	Software upgrade cost to unlimited pipes and compatibility with City GIS					\$21,022
Collection and Trunk Lines	\$ 6,960		16	40			
Required Lift Station and Force Mains	\$ 4,100	1	8	24			
Elimination/Consolidation of Lift Stations	\$ 2,580	1	4	16			
Required Treatment Capapcities	\$ 3,400	2	8	16			
Future Treatment Plant Locaiton	\$ 2,520	2	8	8			
Model Existing System	\$ 25,800	2	24	160	40		
Model Proposed Improvements	\$ 24,200	2	24	160	24		
Evaluate System Rehabilitation/Maintenance Needs	\$ 2,980	1	12	8			
Progress Meetings with Staff (6 each)	\$ 5,160	9	18	6			
VI. Reclaimed Water System Analysis							
Doshier Farm System	\$ 5,880	2	8	24	16		
Temple-Belton System	\$ 5,880	2	8	24	16		
Progress Meetings/Work Sessions with Staff (1 each)	\$ 950	2	3	1			
VII. Phasing Plan and OPCs for Recommended Improvements							
Develop OPCs for Improvements to Year 2030	\$ 9,340	1	16	60			
Incorporate Utility Components of RZ Projects	\$ 9,340	1	16	60			
Develop CIP Plan	\$ 4,860	1	16	12	8		
Review Phasing Plan	\$ 2,120	1	8	6			
Progress Meetings with Staff (4 each)	\$ 3,800	8	12	4			
VIII. Update Project Planning/Delivery Considerations							
	\$ 805		2	4		1	
IX. Prepare Report							
Prepare draft report	\$ 11,540	2	40	24	16	12	
Prepare exhibits for report	\$ 3,340		2	4	24	4	
Provide copies of draft report for review	\$ 2,600		2	4	8	12	\$500
Incorporate comments as appropriate	\$ 5,080		8	24	8	8	
Provide Final Report	\$ 2,600	1	2	4	8	8	\$500
TOTAL HOURS	3,153	127	723	1,755	474	74	
Task I -- Update Summaries of Water and WW Contracts	20	0	10	6	0	4	
Task II -- Update Infrastructure Assessments/Inventories	190	14	56	96	0	24	
Task III -- Governing Agencies/Regulations	7	0	2	4	0	1	
Task IV -- Water System Analysis	1,467	65	336	836	230	0	
Task V -- Wastewater System Analysis	901	27	176	558	140	0	
Task VI -- Reclaimed Water System Analysis	106	6	19	49	32	0	
Task VII -- Phasing Plan and OPCs for Improvements	230	12	68	142	8	0	
Task VIII -- Update Project Project Planning/Delivery Considerations	7	0	2	4	0	1	
Task IX -- Prepare Report	225	3	54	60	64	44	
TOTAL COSTS	\$419,974.20	\$22,860.00	\$115,680.00	\$193,050.00	\$47,400.00	\$3,330.00	\$37,654.20
Task I -- Update Summaries of Water and WW Contracts	\$ 2,440	\$ -	\$ 1,600.00	\$ 660.00	\$ -	\$ 180.00	\$ -
Task II -- Update Infrastructure Assessments/Inventories	\$ 23,120	\$ 2,520.00	\$ 8,960.00	\$ 10,560.00	\$ -	\$ 1,080.00	\$ -
Task III -- Governing Agencies/Regulations	\$ 805	\$ -	\$ 320.00	\$ 440.00	\$ -	\$ 45.00	\$ -
Task IV -- Water System Analysis	\$ 196,052	\$ 11,700.00	\$ 53,760.00	\$ 91,960.00	\$ 23,000.00	\$ -	\$ 15,632
Task V -- Wastewater System Analysis	\$ 129,422	\$ 4,860.00	\$ 28,160.00	\$ 61,380.00	\$ 14,000.00	\$ -	\$ 21,022
Task VI -- Reclaimed Water System Analysis	\$ 12,710	\$ 1,080.00	\$ 3,040.00	\$ 5,390.00	\$ 3,200.00	\$ -	\$ -
Task VII -- Phasing Plan and OPCs for Improvements	\$ 29,460	\$ 2,160.00	\$ 10,880.00	\$ 15,620.00	\$ 800.00	\$ -	\$ -
Task VIII -- Update Project Project Planning/Delivery Considerations	\$ 805	\$ -	\$ 320.00	\$ 440.00	\$ -	\$ 45.00	\$ -
Task IX -- Prepare Report	\$ 25,160	\$ 540.00	\$ 8,640.00	\$ 6,600.00	\$ 6,400.00	\$ 1,980.00	\$ 1,000
TOTAL FEE ESTIMATE						\$	419,974

RESOLUTION NO. 2017-8609-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH KASBERG, PATRICK & ASSOCIATES, LP OF TEMPLE, TEXAS, IN AN AMOUNT NOT TO EXCEED \$419,974, FOR AN UPDATE TO THE CITY'S WATER AND WASTEWATER MASTER PLAN; AND PROVIDING AN OPEN MEETINGS CLAUSE.

---

**Whereas**, on August 17, 2006, Council adopted a resolution authorizing a professional services agreement with Kasberg, Patrick & Associates, LP ("KPA"), for professional services required to complete the 2008 Water and Sewer Master Plan update;

**Whereas**, the scope of the proposed agreement includes assessment of current infrastructure, water and wastewater system analysis, and development of a plan for implementing future improvements – this agreement will provide a 2018 Master Plan update which will evaluate system demands and improvements through 2070;

**Whereas**, the water and wastewater system analysis will utilize computer modeling packages compatible with the City's Geographic Information System;

**Whereas**, Staff recommends Council authorize a professional services agreement with Kasberg, Patrick & Associates, LP for an update to the City's Water and Wastewater master Plan, in an amount not to exceed \$419,974;

**Whereas**, funding for this agreement is available in Account No. 520-5900-535-2616, Project No. 101197; 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: Findings.** 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 authorizes the City Manager, or her designee, after approval as to form by the City Attorney, to execute a professional services agreement with Kasberg, Patrick & Associates, LP, in the amount of \$419,974 for an update to the City's Water and Wastewater Master Plan, which will evaluate system demands and improvements through 2070.

**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 **20<sup>th</sup>** day of **April**, 2017.

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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04/20/17  
Item #3(G)  
Consent Agenda  
Page 1 of 2

### DEPT./DIVISION SUBMISSION & REVIEW

Kevin Beavers, CPRP, Parks and Recreation Director

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing Change Order #1 to the Santa Fe Plaza Phase I construction contract with McLean Construction, of Killeen in the amount of \$46,495.60.

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

**ITEM SUMMARY:** Approval of this item will allow McLean Construction to minimize the interruption of power to the Temple Daily Telegram as Oncor takes overhead utilities underground, in addition to project enhancements for cement stabilization, additional conduit needs, and the electrical connection at the Santa Fe Depot.

On November 17, 2016, Council authorized a construction contract with McLean Construction for roadway, parking lots, and utilities associated with the Santa Fe Plaza project. As shown on the attached Change Order and supporting letter from Kasberg, Patrick & Associates, Change Order #1 in the amount of \$46,495.60 includes the following project enhancements:

- |   |             |
|---|-------------|
| 1) Electrical connection and switch over at the Temple Daily Telegram | \$32,496.00 |
| 2) Cement stabilization adjacent to the Whistle Stop Park             | 7,800.00    |
| 3) Extension of conduit to the Moody Model Train Building             | 3,955.60    |
| 4) Installation of an electrical pull box at the Santa Fe Depot       | 2,244.00    |

The proposed change order also changes the completion date of the project from July 15, 2017 to August 10, 2017.

**FISCAL IMPACT:** Funding for Change Order #1 with McLean Construction in the amount of \$46,495.60 is appropriated in account 795-9500-531-6870, project 101008, as follows:

	<b>795-9500-531-6870</b>
	<b>795-9600-531-6870</b>
	<b>795-9800-531-6870</b>
	<b>Project 101008</b>
Project Budget	\$ 11,326,400
Encumbered/Committed to Date	(6,856,643)
<b>McLean Construction C.O. #1</b>	<b>(46,496)</b>
<b>Remaining Project Funds</b>	<b>\$ 4,423,261</b>

**ATTACHMENTS:**

Letter from Kasberg, Patrick & Associates, LP  
Change Order #1  
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**  
**JOHN A. SIMCIK, P.E., CFM**

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

April 11, 2017

Mr. Kevin Beavers, CPRP  
Director of Parks and Recreation  
2 North Main St, Suite 201  
City of Temple, Texas 76501

Re: City of Temple, Texas  
Santa Fe Plaza Phase I  
Change Order #1

Dear Mr. Beavers:

Attached is Change Order #1 for the Santa Fe Plaza Phase I Project. This change order is developed for connections of electrical service to the Temple Daily Telegram and the Santa Fe Depot as well as soil stabilization for a weak area of soil in a proposed parking facility. Included within the change order is an additional 18 calendar days. In our opinion, this is a reasonable request. Listed below are individual descriptions of the items included in the change order.

**ADD ITEMS (TRZ):**

- Item CO1-1 – Electrical Connection and Switch Over for the Temple Daily Telegram – This item is added for the connection of overhead electric utility and service converted to underground at the Temple Daily Telegram. In original discussions with Oncor, it was thought the connection for electrical service to the Temple Daily Telegram could be tied in just north of Avenue A. Once the service was exposed during construction, it was discovered the electrical service would need to extend to the Temple Daily Telegram Building at 5<sup>th</sup> Street. This item includes extension of conduit north to the connection point for the Temple Daily Telegram, replacement of landscaping, sod and irrigation system, temporary power by generator and replacement of fence at the transformer. The price submitted is reasonable for this type of work.
- Item CO1-2 – Cement Stabilization TXDOT Item 275 11.5lbs/SY- This item is added for stabilization of unsuitable soil found at the parking facility near the Whistle Stop Park. During proof rolling of the soil a small section of unsuitable soil was discovered which will be remedied by cement stabilization. The price submitted is reasonable for this type of work.

Mr. Kevin Beavers, CPRP

April 11, 2017

Page Two

- Bid Item 98 – Conduit Detail T-3 – 124 linear feet of conduit will be added to the project under this existing bid item for extension of conduit from the Moody Model Train Building to the service connection for the train exhibit near the Santa Fe Depot.
- Bid Item 105 – Install Pull Box, Including Connections – After Oncor reviewed the Santa Fe Depot infrastructure in the field during construction with the exposed connections, it was determined the least intrusive electrical service connection would be to tie into the existing service outside of the transformer. This required two additional pull boxes.

We have reviewed Change Order #1 and recommend it be processed and executed with respect to the McLean Construction contract for the above referenced project.

Sincerely,



R. David Patrick, P.E., CFM

RDP/rdp

xc: Mr. Mario Villalpando, McLean Construction  
KPA Project File: 2014-126-40 Phase I

## CHANGE ORDER

**PROJECT:** Santa Fe Plaza Phase I - Roadways & Utilities

**OWNER:** City of Temple

**CONTRACTOR:** McLean Construction

**ENGINEER:** Kasberg, Patrick & Associates

**CHANGE ORDER #:** 1

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

Add:	Site Work Adjustments					
Item	Description	Quantity	Unit	Unit Price	Extended Amount	
CO1-1	Electrical Connection and Switch Over for the Temple Daily Telegram	100%	LS	\$ 32,496.00	\$	32,496.00
CO1-2	Cement Stabilization TXDOT Item 275 11.5 lbs/SY	300	SY	\$ 26.00	\$	7,800.00
98	Conduit Per Detail T-3, Including But Not Limited to All Piping, Trenchwork, Bends, Fittings, & Connections	124	LF	\$ 31.90	\$	3,955.60
105	Install Pull Box, Including Connections	2	EA	\$ 1,122.00	\$	2,244.00
				<b>Add Total</b>	<b>\$</b>	<b>46,495.60</b>
<b>Change Order Total</b>					<b>\$</b>	<b>46,495.60</b>

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	\$ 2,833,834.50
Previous Net Change in Contract Amount	\$ -
Net Change in Contract Amount	\$ 46,495.60
Revised Contract Amount	\$ 2,880,330.10
Original Contract Time	N/A days
Previous Net Change in Contract Time	0 days
Net Change in Contract Time	0 days
Revised Contract Time	0 days
Original Final Completion Date	July 15, 2017
Revised Final Completion Date	August 10, 2017

**Recommended By:**

Project Manager (City Staff)

Date

**Agreed to:**

Contractor

Date

**Approved as to form:**

City Attorney's Office

Date

**Recommended by:**

Architect/Engineer

Date

**Approved by City of Temple:**

Jonathan Graham, City Manager

Date

**Approved by Finance Department**

Finance

Date



RESOLUTION NO. 2017-8610-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING CHANGE ORDER NO. 1 IN THE AMOUNT OF \$46,495.60, WITH MCLEAN CONSTRUCTION, INC. OF KILLEEN, TEXAS, FOR PROJECT ENHANCEMENTS ASSOCIATED WITH PHASE 1 OF THE SANTA FE PLAZA PROJECT; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, on November 17, 2016, Council authorized a construction contract with McLean Construction, Inc. of Killeen, Texas for roadway, parking lots, and utilities associated with the Santa Fe Plaza project;

**Whereas**, Change Order No. 1 will allow McLean Construction to minimize the interruption of power to the Temple Daily Telegram as Oncor takes overhead utilities underground, in addition to project enhancements for cement stabilization, additional conduit needs, and the electrical connection at the Santa Fe Depot;

**Whereas**, Staff recommends Council authorize Change Order No. 1 in the amount of \$46,495.60 to the construction contract with McLean Construction for project enhancements to Phase 1 of the construction of the Santa Fe Plaza project;

**Whereas**, funding for Change Order No. 1 is available in Account Nos. 795-9500-531-6870, 795-9600-531-6870 and Account No. 795-9800-531-6780, Project No. 101008; 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: Findings.** 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 1:** The City Council authorizes the City Manager, or her designee, after approval as to form by the City Attorney, to execute Change Order No. 1 in the amount of \$46,495.60, with McLean Construction, Inc. of Killeen, Texas, for project enhancements associated with Phase 1 of the Santa Fe Plaza 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 20<sup>th</sup> day of **April**, 2017.

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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04/20/17  
Item #3(H)  
Consent Agenda  
Page 1 of 1

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

Kayla Landeros, City Attorney  
Kevin Beaver, Director of Parks and Recreation

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing the acceptance of an assignment of a Commercial Contract from Kiella Land Investments, Ltd. for the purchase of property located at Pea Ridge Road, Temple, 76502.

*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:** Land acquisition and development of a Southwest Community Park was identified in the 2014 Parks, Recreation and Open Space Master Plan. This was also included in the 2015 Parks bond package. Staff, along with the help of community leaders, were able to identify a parcel of land in the targeted area for the Southwest Community Park.

The property is approximately 74.34 acres and is currently under contract by Kiella Land Investments, Ltd. The City is interested in accepting an assignment of the Commercial Contract from Kiella to purchase the property. Kiella has negotiated a purchase price of \$743,400 or \$10,000/acre for the property which Staff believes is reasonable. Kiella is willing to assign the contract to the City under the same terms.

At this time, Staff is asking for authorization to accept the assignment of the Commercial Contract for the 74.34 acre property necessary for the construction of the proposed Southwest Community Park and authorizing closing costs associated with the purchase in an amount not to exceed \$7,000. The address and Bell CAD ID Number of the property is listed below:

Pea Ridge Road, Temple, Texas (Bell CAD #7095)

**FISCAL IMPACT:** Funding is available for the purchase of the 74.34 acre property necessary for the construction of the proposed Southwest Community Park in an amount not to exceed \$750,400 in account 362-3500-552-6415, project 101324.

**ATTACHMENTS:**

[Resolution](#)



RESOLUTION NO. 2017-8611-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE ACCEPTANCE OF AN ASSIGNMENT OF A COMMERCIAL CONTRACT FROM KIELLA LAND INVESTMENTS, LTD. FOR THE PURCHASE OF PROPERTY LOCATED AT PEA RIDGE ROAD, TEMPLE, TEXAS, 76502; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, land acquisition and development of a Southwest Community Park was identified in the 2014 Parks, Recreation and Open Space Master Plan and was included in the 2015 Parks bond package;

**Whereas**, Staff, along with the help of community leaders, were able to identify a parcel of land in the targeted area for the Southwest Community Park which is approximately 74.34 acres, located on Pea Ridge Road, and is currently under contract by Kiella Land Investments, Ltd. (“Kiella”);

**Whereas**, the City is interested in accepting an assignment of the Commercial Contract from Kiella to purchase the property in an amount of \$743,400 or \$10,000 per acre, which Staff believes is reasonable - Kiella is willing to assign the contract to the City under the same terms;

**Whereas**, Staff recommends Council authorize the acceptance of an assignment of the Commercial Contract for the approximately 74.34 acre property necessary for the construction of the proposed Southwest Community Park and authorize closing costs associated with the purchase in an amount not to exceed \$7,000;

**Whereas**, funding for this land purchase is available in Account No. 362-3500-552-6415, Project No. 101324; 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: Findings.** 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 authorizes the City Manager, or her designee, after approval as to form by the City Attorney, to execute a Commercial Contract with Kiella Land Investments, Ltd. for the purchase of property located on Pea Ridge Road, for the development of Southwest Community Park.

**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 **20<sup>th</sup>** day of **April**, 2017.

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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04/20/17  
Item #3(I)  
Consent Agenda  
Page 1 of 1

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

Sharon Rostovich, Airport Director

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing change order #2 to the construction contract with Quality W Contractors, LLC, in the amount of \$39,850 for the addition of an electric security gate, new overhead electric service and electric power service removal at the Draughon-Miller Central Texas Regional Airport.

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

**ITEM SUMMARY:** On February 4, 2016, City Council authorized a construction contract with Quality W Contractors, LLC for \$252,759 for development in the Airport Corporate Hangar Phase II project.

As indicated in the attached Engineer's Recommendation Letter and Change Order Form, Change Order #2 proposes to provide a 22 foot electric security gate to access newly completed corporate hangar; provide overhead electric service to the maintenance facility and remove existing overhead electric service line in the amount of \$39,850. This and the previous change order would result in a total contract of \$315,003. This change order includes a revised completion date of May 1, 2017.

**FISCAL IMPACT:** Funding for Change Order #2 with Quality W Contractors, LLC in the amount of \$39,850 is available in the Reinvestment Zone No. 1 Financing and Project Plans, line 508, and is appropriated in account 795-9500-531-6558, project #100811, as follows:

Project Budget	\$	396,026
Encumbered/Committed to Date	\$	(355,215)
Quality Contractors C.O. #2	\$	(39,850)
Remaining Funds Available	\$	<u>961</u>

### **ATTACHMENTS:**

Recommendation Letter  
Change Order #2  
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**  
**JOHN A. SIMCIK, P.E., CFM**

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

March 22, 2017

Mrs. Sharon Rostovich  
Airport Director  
City of Temple  
7720-F Airport Road  
Temple, Texas 76501

Re: City of Temple  
Airport Corporate Hangar Phase II  
Draughon-Miller Central Texas Regional Airport

Dear Mrs. Rostovich:

Attached are four (4) copies of Change Order No. 2 in the amount of \$39,850.00 for the above referenced project. This change order reflects additional work for the installation of a 22-foot electric security gate, new overhead electrical service at the maintenance building, and removal of an overhead electric service line.

Please review and let me know if you have any questions or comments. If there are none, please sign forward for further execution.

Sincerely,

Alvin R. (Trae) Sutton III, P.E., C.F.M.

ARS/

xc: 2015-146-40

Change Order for  
Gate to Beer's  
hangar  
Shaw

# CHANGE ORDER

PROJECT: Airport Corporate Hangar Phase II  
 OWNER: City of Temple  
 CONTRACTOR: Quality W Contractors, LLC  
 ENGINEER: Kasberg, Patrick & Associates  
 CHANGE ORDER #: 2

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

<b>Add:</b>		<b>Addition of 22-foot electric security gate, new overhead electric service to maintenance building, and electric power service line removal</b>				
Item	Description	Quantity	Unit	Unit Price	Extended Amount	
CO2-1	Provide and Install 22-foot Electric Security Gate: Install new 4" roller posts into existing fence line; Install keypad gooseneck with two 4" bollards; Form and pour concrete operator mounting pad; Fabricate one cantilever gate for 22ft opening 8ft black vinyl chain link with 3 strand barbed wire top; Install one 22ft cantilever gate; Install Liftmaster 1hp gate operator Install wired keypad access control; Cut asphalt and install exit loop and safety loop wire to operator; Fabricate and install proper safety signs on gate; Connect power from maintenance building to gate.	1	LS	\$ 38,593.20	\$ 38,593.20	
CO2-2	Provide and Install a New Overhead Electric Service to Maintenance Building	1	EA	\$ 1,100.00	\$ 1,100.00	
CO2-3	Overhead Electric Power Service Line Removal	28	LF	\$ 5.60	\$ 156.80	
<b>Add Total</b>					<b>\$ 39,850.00</b>	
<b>Change Order Total</b>					<b>\$ 39,850.00</b>	

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	\$ 252,759.00
Previous Net Change in Contract Amount	\$ 22,394.00
Net Change in Contract Amount	\$ 39,850.00
Revised Contract Amount	\$ 315,003.00
Original Contract Time	120 days
Previous Net Change in Contract Time	0 days
Net Change in Contract Time	189 days
Revised Contract Time	309 days
Original Final Completion Date	October 24, 2016
Revised Final Completion Date	May 1, 2017

<b>Recommended By:</b>	<b>Recommended by:</b>
Project Manager (City Staff)	Architect/Engineer
Date	Date
<b>Agreed to:</b>	<b>Approved by City of Temple:</b>
Contractor	Jonathan Graham, City Manager
Date	Date
<b>Approved as to form:</b>	<b>Approved by Finance Department</b>
City Attorney's Office	Finance
Date	Date

RESOLUTION NO. 2017-8612-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING CHANGE ORDER NO. 2 TO THE CONSTRUCTION CONTRACT WITH QUALITY W CONTRACTORS, LLC OF WACO, TEXAS, IN THE AMOUNT OF \$39,850, FOR THE ADDITION OF AN ELECTRIC SECURITY GATE, NEW OVERHEAD ELECTRIC SERVICE AND ELECTRIC POWER SERVICE REMOVAL AT THE DRAUGHON-MILLER CENTRAL TEXAS REGIONAL AIRPORT; AND PROVIDING AN OPEN MEETINGS CLAUSE.

---

**Whereas**, on February 4, 2016, Council authorized a construction contract with Quality W Contractors, LLC of Waco, Texas, for the development in the Airport Corporate Hangar Phase II project at the Draughon-Miller Central Texas Regional Airport;

**Whereas**, Staff and the City's Engineer recommends Council authorize Change Order No. 2 to provide a 22-foot electric security gate for access to the newly completed corporate hangar, to provide overhead electric service to the maintenance facility and to remove existing overhead electric service lines, in the amount of \$39,850;

**Whereas**, funding is available in the Reinvestment Zone No. 1 Financing and Project Plans, Line 508 and is appropriated in Account No. 795-9500-531-6558, Project No. 100811; 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: Findings.** 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 authorizes the City Manager, or her designee, after approval as to form by the City Attorney, to execute Change Order No. 2 to the construction contract with Quality W Contractors, LLC of Waco, Texas, in the amount of \$39,850, for the addition of an electric security gate, new overhead electric service, and electric power service removal at the Draughon-Miller Central Texas Regional Airport.

**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 **20<sup>th</sup>** day of **April**, 2017.

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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04/20/17  
Item #3(J)  
Consent Agenda  
Page 1 of 2

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

Sharon Rostovich, Airport Director

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a professional services agreement with Kasberg, Patrick & Associates, LP, in the lump sum amount of \$211,400, for design, bidding, construction administration and on-site representation of the Corporate Hangar Development Project Phase III at the Draughton-Miller Central Texas Regional Airport.

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

**ITEM SUMMARY:** During the Reinvestment Zone No 1 Board meeting April 5, 2017, the Zone Board recommended the City Council approve the professional services agreement with KPA in the amount of \$211,400. The project will develop a proposed 160' X 112' concrete hangar apron, 120' X 100' hangar facility, parking spaces, drive connections, storm water improvements, other miscellaneous improvements and utilities for Phase III of the Master Plan for the City of Temple Corporate Hangar area at the Temple Airport. The preliminary opinion of probable construction cost for the project is \$1,404,000.

The scope of services provided by KPA includes:

Design	\$120,300
Bidding	\$ 5,000
Construction Administration	\$ 52,500
On Site Representation	\$ 33,600
	<b><u>\$211,400</u></b>

**FISCAL IMPACT:** Funding in the amount of \$1,620,000 for the Corporate Hangar Development Project Phase III is available in the Reinvestment Zone No. 1 Financing Plan, Airport Park, account # 795-9500-531-6523, project 101586. In addition to funding from the Zone, this project is being funded with grant funds in the amount of \$200,000 and an anticipated minimum contribution from others in the amount of \$150,000. The "net" cost to the Reinvestment Zone No. 1 is \$1,270,000.

Funding for the professional services agreement with Kasberg, Patrick & Associates, LP in the amount of \$211,400 is available as shown below:

Project Budget	\$	1,620,000
KPA Agreement		(211,400)
Remaining Funds Available	\$	<u>1,408,600</u>

**ATTACHMENTS:**

[Resolution](#)

RESOLUTION NO. 2017-8613-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH KASBERG, PATRICK & ASSOCIATES, LP OF TEMPLE, TEXAS, IN THE AMOUNT OF \$211,400, FOR DESIGN, BIDDING, CONSTRUCTION ADMINISTRATION, AND ON-SITE REPRESENTATION OF THE CORPORATE HANGAR DEVELOPMENT PROJECT, PHASE III, AT THE DRAUGHON-MILLER CENTRAL TEXAS REGIONAL AIRPORT; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, during the April 5, 2017 meeting of the Reinvestment Zone No. 1 Board, the Board recommended that Council approve a professional services agreement with Kasberg, Patrick & Associates, LP, in the amount of \$211,400 for the design, bidding, construction administration, and on-site representation of the Corporate Hangar Development Project Phase III at the Draughon-Miller Central Texas Regional Airport;

**Whereas**, the project will develop a proposed 160-foot by 112-foot concrete hangar apron, 120-foot by 100-foot hangar facility, parking spaces, drive connections, storm water improvements, other miscellaneous improvements and utilities for Phase III of the Master Plan for the City of Temple Corporate Hangar at the Draughon-Miller Central Texas Regional Airport;

**Whereas**, Staff recommends Council authorize a professional services agreement with Kasberg, Patrick & Associates, LP for the design, bidding, construction administration and on-site representation of the Corporate Hangar Development Project Phase III at the Draughon-Miller Central Texas Regional Airport, in the lump sum amount of \$211,400;

**Whereas**, funding for this agreement is available in the Reinvestment Zone No. 1 Financing Plan, Airport Park, Account No. 795-9500-531-6523, Project No. 101586, as well as other anticipated grant funds; 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: Findings.** 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 authorizes the City Manager, or her designee, after approval as to form by the City Attorney, to execute a professional services agreement with Kasberg, Patrick & Associates, LP, in the amount of \$211,400, for the design, bidding, construction administration and on-site representation of the Corporate Hangar Development Project Phase III at the Draughon-Miller Central Texas Regional Airport.

**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 **20<sup>th</sup>** day of **April**, 2017.

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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04/20/17  
Item #3(K)  
Consent Agenda  
Page 1 of 2

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

Kayla Landeros, City Attorney

**ITEM DESCRIPTION:** Consider adopting a resolution finding that a portion of property located within Lot 5, Block 22, Original Town of Temple, Bell County, Texas, is of negligible value to the City, authorizing the conveyance of such property to the adjacent property owner, and authorizing an agreement with the adjacent property owner to address construction work to be done on the property.

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

**ITEM SUMMARY:** The City currently owns property located at 9 South Main Street and legally described as Lot 5, Block 22, Original Town of Temple, Bell County, Texas. Several years ago, the City demolished the structure that was located on the property. The property is now used as a public parking lot. The demolished structure shared a wall with the structure located on the adjacent property, as is typical for downtown buildings. The adjacent property is located at 13 South Main Street and is legally described as Lot 6, Block 22, Original Town of Temple, Bell County, Texas. When the City's structure was demolished, the demolition left the north-facing, outer wall of the building located at 13 South Main Street exposed. Approximately ten inches of the wall is located upon Lot 5 (owned by the City) and approximately two inches of the wall is located upon Lot 6 (owned by Karen Keith). Over the years, the property owner of Lot 6, has experienced water infiltration through the north wall and into her building which has caused some damage.

To address this issue and the issue of ownership in the wall, Staff has been working on a potential agreement with Ms. Keith. The proposed "Wall Agreement" would obligate the City to perform certain construction work on the north wall to address the water infiltration issues. The City would also be obligated to convey to Ms. Keith, by Quitclaim Deed, any ownership interest the City has in the north wall. Ms. Keith would agree to accept the Quitclaim Deed and release the City from any obligation to maintain the north wall in the future. Ms. Keith would be solely responsible for maintenance of the north wall.

The City may convey property of a negligible value to an adjacent property owner if Council finds the following facts to be true:

- (1) the property is not improved;
- (2) ownership of the property does not provide any identifiable positive benefit to the municipality in relation to the municipality's current needs;
- (3) ownership of the property is not likely to provide any identifiable positive benefit to the municipality in relation to the municipality's future needs; and
- (4) the cost of maintaining the property is a substantial burden to the municipality.

First, the property on which the north wall sits is improved by the wall, however the City's ownership in the wall is of no value in its improved state. Any ownership interest the City has in the wall provides no identifiable positive benefit to the City and ownership is not likely to provide an identifiable positive benefit to the City in relation to the City's future needs. Lastly, the cost of maintaining the property, considering that it provides no positive benefit to the City, is a substantial burden.

For the reasons outlined above, Staff recommends finding any ownership the City has in the approximately ten inches of the north wall that sits on Lot 5, Block 22, Original Town of Temple, to be of a negligible value and authorizing the conveyance of any ownership interest to the adjacent property owner. Staff also recommends authorization of the proposed Wall Agreement with Ms. Keith.

**FISCAL IMPACT:** Upon approval of the Wall Agreement, funding in the amount of \$30,000 will be available in account 110-1195-513-6310, project 101144 for construction work addressing the water infiltration issues.

**ATTACHMENTS:**

[Resolution](#)

RESOLUTION NO. 2017-8614-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, FINDING THAT A PORTION OF PROPERTY LOCATED WITHIN LOT 5, BLOCK 22, ORIGINAL TOWN OF TEMPLE, BELL COUNTY, TEXAS, IS OF NEGLIGIBLE VALUE TO THE CITY OF TEMPLE; AUTHORIZING THE CONVEYANCE OF SUCH PROPERTY TO THE ADJACENT PROPERTY OWNER; AUTHORIZING AN AGREEMENT WITH THE ADJACENT PROPERTY OWNER TO ADDRESS CONSTRUCTION WORK TO BE PERFORMED; AND PROVIDING AN OPEN MEETINGS CLAUSE.

---

**Whereas**, the City currently owns property located at 9 South Main Street and legally described as Lot 5, Block 22, Original Town of Temple, Bell County, Texas;

**Whereas**, several years ago, the City demolished a structure that was located on the property which is currently used as a public parking lot - the demolished structure shared a common wall with the structure located on the adjacent property, as is typical for downtown buildings;

**Whereas**, the adjacent property is located at 13 South Main Street and is legally described as Lot 6, Block 22, Original Town of Temple, Bell County, Texas - when the City's structure was demolished, the demolition left the north-facing, outer wall of the building exposed;

**Whereas**, approximately ten inches of this common wall is located upon Lot 5 (owned by the City) and approximately two inches of the wall is located upon Lot 6 (owned by Karen Keith) - over the years, the property owner of Lot 6 has experienced water infiltration through the north wall and into her building which has caused some damage;

**Whereas**, Staff has been working with the property owner of Lot 6 to address this issue and the issue of ownership of the wall and has prepared a proposed Wall Agreement between the City and the property owner of Lot 6, which would obligate the City to perform certain construction work on the north wall to address the water infiltration issues;

**Whereas**, the City would be obligated to convey to the property owner of Lot 6, by Quitclaim Deed, any ownership interest the City has in the north wall and the property owner of Lot 6 is willing to accept the Quitclaim Deed and release the City from any obligation to maintain the north wall in the future - the property owner of Lot 6 would be solely responsible for all future maintenance of the north wall;

**Whereas**, the City may convey property of a negligible value to an adjacent property owner if Council finds the following facts to be true:

1. The property is not improved;
2. Ownership of the property does not provide any identifiable positive benefit to the municipality in relation to the municipality's current needs;
3. Ownership of the property is not likely to provide any identifiable positive benefit to the municipality in relation to the municipality's future needs; and
4. The cost of maintaining the property is a substantial burden to the municipality;

**Whereas,** the property on which the north wall sits is improved by the wall, however the City's ownership in the wall is of no value in its improved state and any ownership interest the City has in the wall provides no identifiable positive benefit to the City and ownership is not likely to provide an identifiable positive benefit to the City in relation to the City's future needs;

**Whereas,** the cost of maintaining the property, considering that it provides no positive benefit to the City, is a substantial burden;

**Whereas,** Staff is asking Council to find that any ownership the City has in the approximately ten inches of the north wall that sits on Lot 5, Block 22, Original Town of Temple, to be of a negligible value and authorize the conveyance of any ownership interest to the adjacent property owner - Staff also recommends Council authorize a Wall Agreement with the property owner of Lot 6;

**Whereas,** funding for this Wall Agreement will be available in Account No. 110-1195-513-6310, Project No. 101144; 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 property located within Lot 5, Block 22, Original Town of Temple, Bell County, Texas, is of negligible value to the City, authorizes the conveyance of such property to the adjacent property owner, and authorizes a Wall Agreement with the adjacent property owner to address construction work to be done on the property.

**Part 3:** The City Council authorizes the City Manager, or her designee, after approval as to form by the City Attorney, to execute the Wall Agreement and any other documents necessary for the conveyance of the property.

**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 20<sup>th</sup> day of **April**, 2017.

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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04/20/17  
Item #3(L)  
Consent Agenda  
Page 1 of 3

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

Mark Baker, Senior Planner

**ITEM DESCRIPTION:** SECOND READING - Z-FY-17-19: Consider adopting an ordinance authorizing a rezoning from Agricultural zoning district to General Retail zoning district on 3.91 +/- acres, Lot 1 Block 1, Fernandez Addition, located at 430 Hilliard Road, Temple, Texas.

**STAFF RECOMMENDATION:** Staff recommends approval for a rezoning from Agricultural district to General Retail district for the following reasons:

1. The proposed rezoning is compliant with the Future Land Use Map's Suburban Commercial District;
2. The proposed zoning is compliant with surrounding zoning and anticipated retail and service uses along this section of Hilliard Road;
3. The request is compliant with the Thoroughfare Plan; and
4. Public facilities are available to serve the subject property.

**PLANNING & ZONING COMMISSION RECOMMENDATION:** At their March 6, 2017 meeting, the Planning & Zoning Commission voted six to zero for approval of the proposed rezoning from Agricultural (AG) zoning district to General Retail (GR) zoning district, per staff's recommendation.

**ITEM SUMMARY:** Aldrich-Thomas Group, on behalf of the owner James Mendenhall, is requesting rezoning from Agricultural (AG) district to General Retail (GR) district on 3.91 +/- acres tract of land, described as Lot 1, Block 1, Fernandez Addition (Exhibit A). The property is currently developed with a single residence.

It is noteworthy that this is the second rezoning on Hilliard Road (Outer Loop) within the last year. Per Ordinance 2016-4786, the property across the street at 419 Hilliard Road was rezoned from Agricultural (AG) zoning district to General Retail (GR) zoning district.

While there is currently a single-family residence on the property, it is anticipated the property eventually will be re-developed with retail and service uses.

There are a number of residential and non-residential uses that are permitted by right in the GR zoning district. The uses allowed in the GR, include but are not limited those uses listed in the attached table. Non-residential development of this property may require a replat to be submitted and reviewed by the City

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

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

Future Land Use Map (CP Map 3.1)

The subject property is entirely within the Suburban Commercial land use district. The Suburban Commercial district is intended for office and retail service-related zoning districts, of which the requested GR-zoning is in compliance with the Future Land Use Map. While there are no immediate plans to develop the property for retail and service uses, if approved, the zoning would be in-place to accommodate future market trends to allow development along this section of the Outer Loop, which is north of its intersection with West Adams Avenue (FM 2305).

Thoroughfare Plan (CP Map 5.2)

The subject property takes access from Hilliard Road, located approximately 1200 feet north of its intersection with West Adams Avenue. This section of Hilliard Road, also known as Research Parkway and the Outer Loop, is a major arterial, which requires a 6-foot sidewalk on both sides. Sidewalk improvements are currently in place on the east side of Hilliard, across the street from the subject property. A 6-foot sidewalk will be required at the Construction Plan phase along the subject property's frontage. Otherwise sidewalks will be addressed at the platting stage, if replatting is required. Currently, there are no funded or scheduled TCIP improvement projects along this section of Hilliard Road.

As an arterial, UDC Section 7.2.4 prohibits residential driveways onto an arterial. While the proposed rezoning would reduce the number of residential driveways onto an arterial, once developed with non-residential uses, the current residential driveway is non-conforming.

Availability of Public Facilities (CP Goal 4.1)

Sewer is available to the subject property through an existing 8-inch sewer line in Hilliard Road and will require extension to the subject from its current location. Water is available through an existing 18-inch waterline in Hilliard Road. Public facilities will be addressed through the subdivision plat process.

Temple Trails Master Plan Map and Sidewalks Ordinance

The Trails Master Plan identifies an existing City-Wide spine trail in Hilliard Road. Any needed trail improvements or upsizing will be addressed during the future platting process.

**DEVELOPMENT REGULATIONS:** Residential setbacks in the Agricultural (AG) district & non-residential for the General Retail (GR) district are found in the attached table. Additional standards are shown below.

- ❖ 10' rear setback (Non-residential use abuts a residential zoning district or use - UDC Section 4.4.4.F3) and,

General provisions for buffering and screening for non-residential uses adjacent to residential uses are found in UDC Section 7.7, highlighted provisions include but not limited to:

- \* Landscaping or solid fencing from 6 to 8 feet in height (UDC Section 7.7.4),
- \* Refuse containers located in the side or rear of the property (UDC Section 7.7.6), and
- \* Screened outdoor storage (UDC Section 7.7.8.B1).

**PUBLIC NOTICE:** Eight notices to property owners within 200-feet of the subject property were sent notice of the public hearing as required by State law and City Ordinance. As of Tuesday March 28, 2017 at 9:00 AM, three notices have been received in agreement.

The newspaper printed notice of the public hearing on February 23, 2017, in accordance with state law and local ordinance.

**FISCAL IMPACT:** Not Applicable

**ATTACHMENTS:**

[Site and Surrounding Property Photos](#)  
[Fernandez Addition Final Plat \(Exhibit A\)](#)  
[Maps](#)  
[Tables](#)  
[Returned Property Notices](#)  
[P&Z Excerpts \(March 6, 2017\)](#)  
[Ordinance](#)

# Site & Surrounding Property Photos



**Site: Existing SF Residential Use on Acreage  
(AG)**



**North: Existing SF Residential Uses on Acreage  
(AG)**





**East: Existing Single Family Residential Use  
(GR, per Ord. 2016-4786)**



**West: Undeveloped & Unplatted Land & Platted Westfield Development  
(PD-GR & MF-2)**



**South: Existing SF Residential Use on Acreage  
(AG)**



**South: Existing Service & Retail Uses  
Intersection of Hilliard Road & W. Adams Ave (FM2305)  
(GR)**



STATE OF TEXAS  
COUNTY OF BELL

BE, THE UNDERSIGNED, BEING THE OWNERS OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS FERNANDEZ ADDITION WITHIN THE CITY LIMITS OF THE CITY OF TEMPLE, BELL COUNTY, TEXAS, AND WHOSE NAMES ARE SUBSCRIBED HERETO, HEREBY DEDICATE THE USE OF THE PUBLIC FOR THE ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINAGE, EASEMENTS, AND PUBLIC PLACES SHOWN HEREON WITHIN THE PLAT BOUNDARIES OF THIS ADDITION.

BY: Pedro Armando Fernandez  
PEDRO ARMANDO FERNANDEZ  
BY: Margo Fernandez  
MARGO FERNANDEZ

STATE OF TEXAS  
COUNTY OF BELL

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED PEDRO ARMANDO FERNANDEZ, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 16th DAY OF November, 1999.

Jennifer M. Ward  
NOTARY PUBLIC, STATE OF TEXAS



STATE OF TEXAS  
COUNTY OF BELL

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED MARGO FERNANDEZ, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT SHE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 18th DAY OF November, 1999.

Jennifer M. Ward  
NOTARY PUBLIC, STATE OF TEXAS



#### Recordation Information:

Plat Recorded in Cabinet C, Slide 194-D  
of the Plat Records of Bell County, Texas.

Dedication Recorded in Volume 4150, Page 16  
of the Official Public Records of Real Property Bell County, Texas.

I HEREBY CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF FERNANDEZ ADDITION WITHIN THE CITY LIMITS OF THE CITY OF TEMPLE, BELL COUNTY, TEXAS WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF TEMPLE ON THE 11th DAY OF January, 1999. SAID APPROVAL SHALL BE SUBJECT TO ALL REQUIREMENTS OF THE SUBDIVISION ORDINANCE OF THE CITY OF TEMPLE, TEXAS.

WITNESSED MY HAND THIS 11th DAY OF January, 1999.

Christine Sprague  
CITY SECRETARY



STATE OF TEXAS  
COUNTY OF BELL

I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, HEREBY CERTIFY THAT PROCTOR ENGINEERING CONSULTANTS HAS BEEN GIVEN TOTAL AT

Anthony D. Brack 11/11/99  
ANTHONY D. BRACK, P.E.



STATE OF TEXAS  
COUNTY OF BELL

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

Robert S. Love, P.L.S. 11-11-99  
ROBERT S. LOVE, P.L.S.  
REGISTRATION NO. 5103



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

DATED THIS 28th DAY OF August, 1999.

Richard S. Smith  
CHAIRPERSON

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

APPROVED: Michael J. Galt DATE: 2-8-2000  
TITLE: Sanitizing Engineer BOD

I, THE UNDERSIGNED, DIRECTOR OF PUBLIC WORKS OF THE CITY OF TEMPLE, HEREBY CERTIFY THAT THIS SUBDIVISION PLAT CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION ORDINANCE, AS APPROVED BY THE CITY COUNCIL, AND HEREBY RECOMMEND APPROVAL.

Thomas G. Mott  
DIRECTOR OF PUBLIC WORKS

I, THE UNDERSIGNED, CITY ENGINEER OF THE CITY OF TEMPLE, HEREBY CERTIFY THAT THIS SUBDIVISION PLAT CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION ORDINANCE, AS APPROVED BY THE CITY COUNCIL, AND HEREBY RECOMMEND APPROVAL.

T.G. Mott  
CITY ENGINEER

## FINAL PLAT OF FERNANDEZ ADDITION

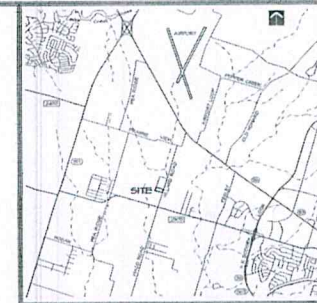
WITHIN THE CITY LIMITS OF THE  
CITY OF TEMPLE, BELL COUNTY, TEXAS

Being a part of the NANCY CHANCE SURVEY,  
ABSTRACT NO. 5, Bell County, Texas

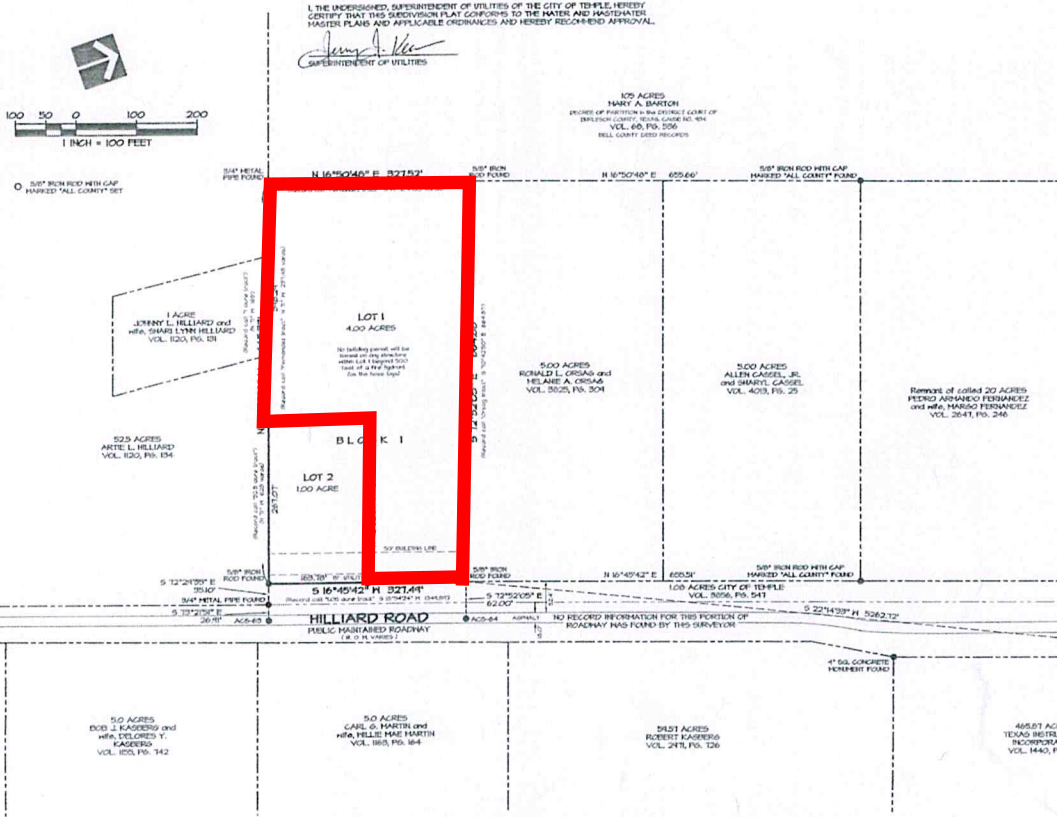
This plat is to accompany a meters and bounds description  
of the herein shown 5.00 acre tract.

LOTS - TWO (2)  
BLOCKS - ONE (1)  
AREA - 5.00 ACRES

OWNERS:  
PEDRO ARMANDO FERNANDEZ  
MARGO FERNANDEZ  
P. O. BOX 1517  
TEMPLE, TX 76503-1517



VICINITY MAP  
NOT TO SCALE



#### ATTACH:

The Tax Appraisal District of Bell County, the having authority for all taxing entities in that County, Texas, does hereby certify that there are currently no delinquent taxes due or owing on the property described by this plat.  
Dated this 4th day of February, 2001.  
Christine Sprague, City Secretary

#### CITY OF TEMPLE

ALL BLOCK CORNERS FOUND OR SET  
HAVE BEEN PLACED IN CONCRETE.  
ACS MONUMENTS AC-45 & AC-46  
ARE 3/4\"/>

COORDINATE TABLE		
MON. NO.	NORTHING	EASTING
ACS-45	10303.41435	32046.1518
ACS-46	10303.12142	32047.11935

Based upon what can be scaled from the graphics shown on Federal Insurance Rate Map (FIRM) No. 480106 C100 D and 480106 C100 B, dated February 15, 1984, the above shown property does not appear within the "Special Flood Hazard Area" and appears to be situated in Zone C. This Flood statement does not imply that this tract will never flood, nor does it create any liability in such event on the part of this surveyor or company.

This project is referenced to the City of Temple Coordinate System, an extension of the Texas Coordinate System of 1983, Central Zone. All distances are horizontal surface distances unless noted and all bearings are grid bearings. All coordinates are referenced to City Monument No. 205. The theta angle at City Monument No. 205 is 0°30'24\"/>

FINAL PLAT  
OF  
FERNANDEZ ADDITION  
WITHIN THE CITY LIMITS OF THE  
CITY OF TEMPLE, BELL COUNTY, TEXAS

ALL COUNTY SURVEYING, INC.  
1903 South 21st Street, Temple, Texas 76504  
(254) 718-2372  
FAX (254) 714-7608

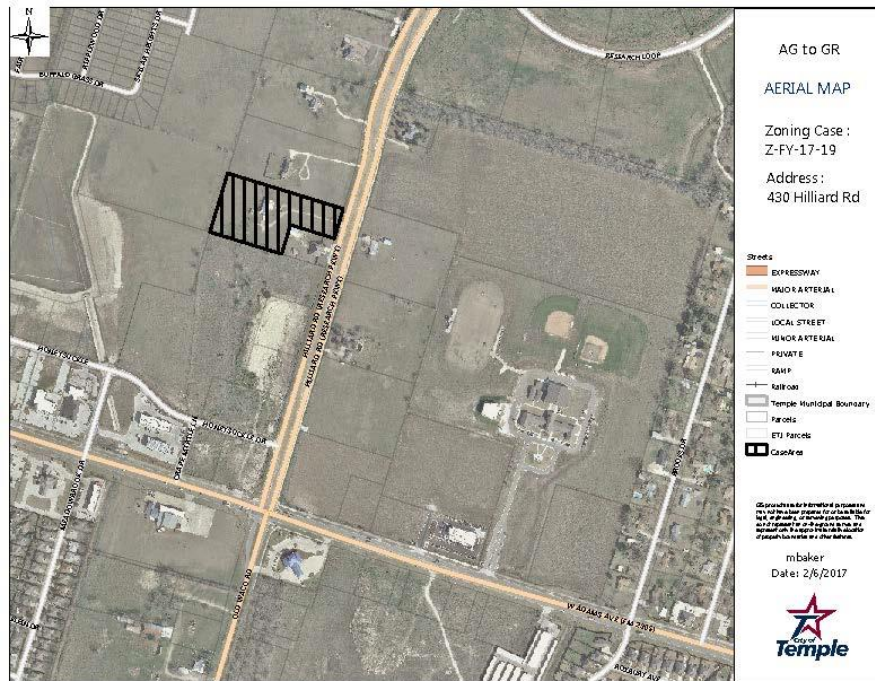


Job No: 981006  
Date: 8-28-99  
Drawn By: JMS  
Checked By: RSL  
Drawing No: 981006P  
Disk No: 2041JMS

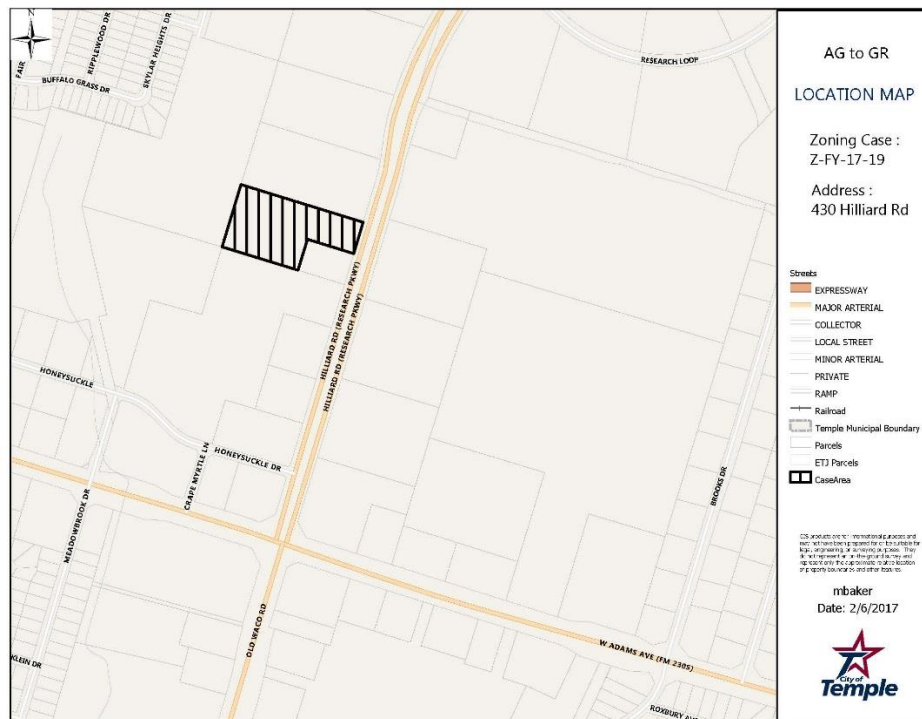
Exhibit A

TD 1324

# Maps

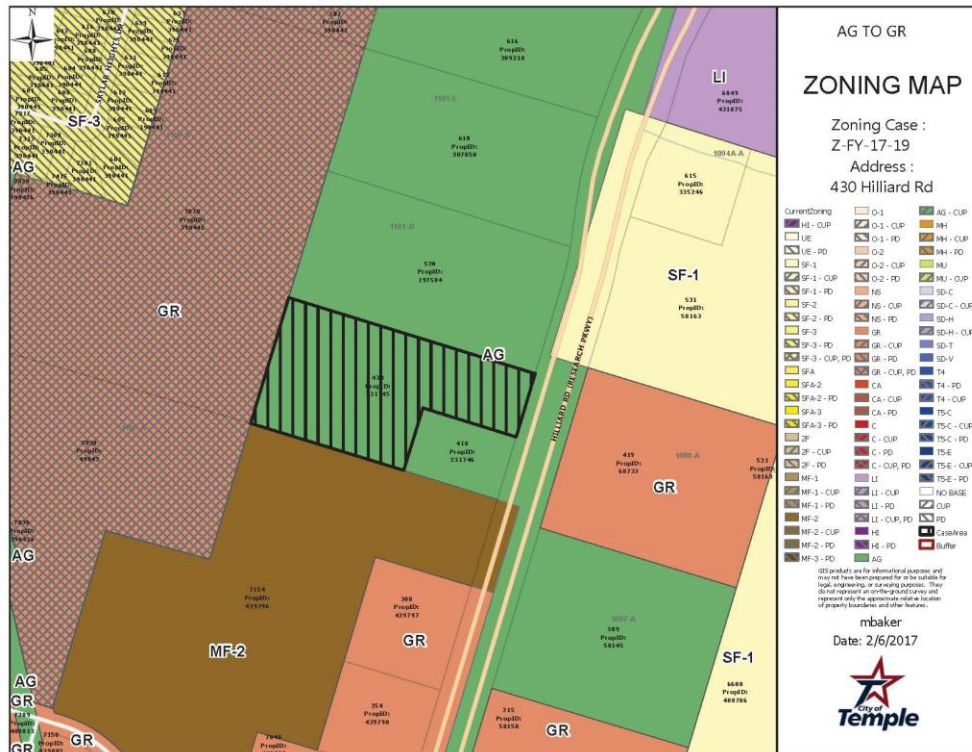


**Aerial Map**

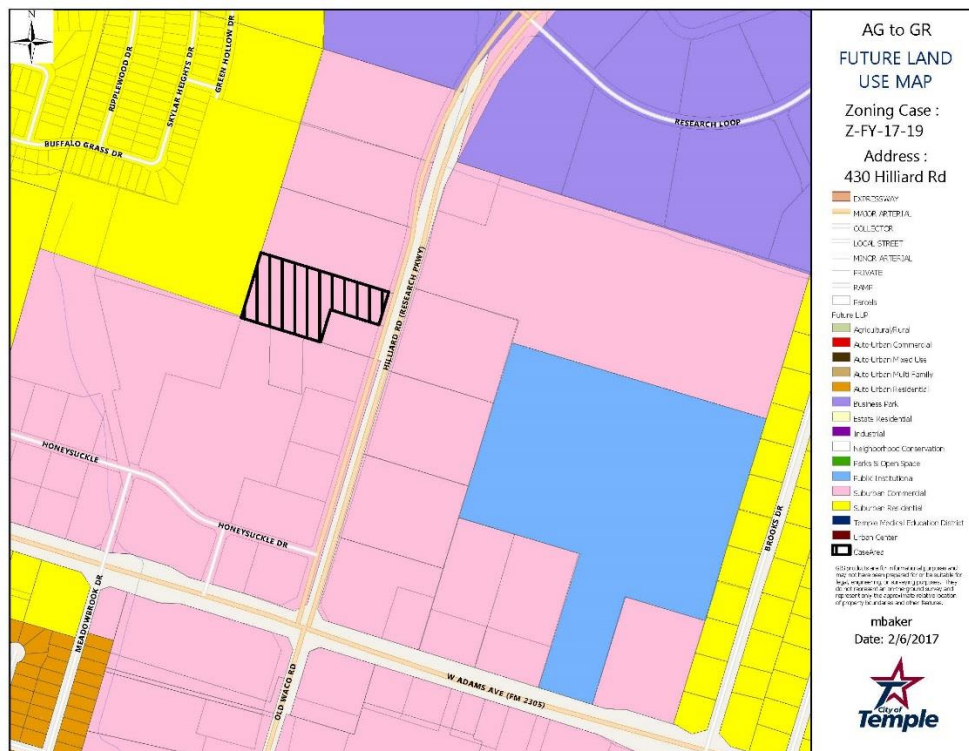


**Location Map**

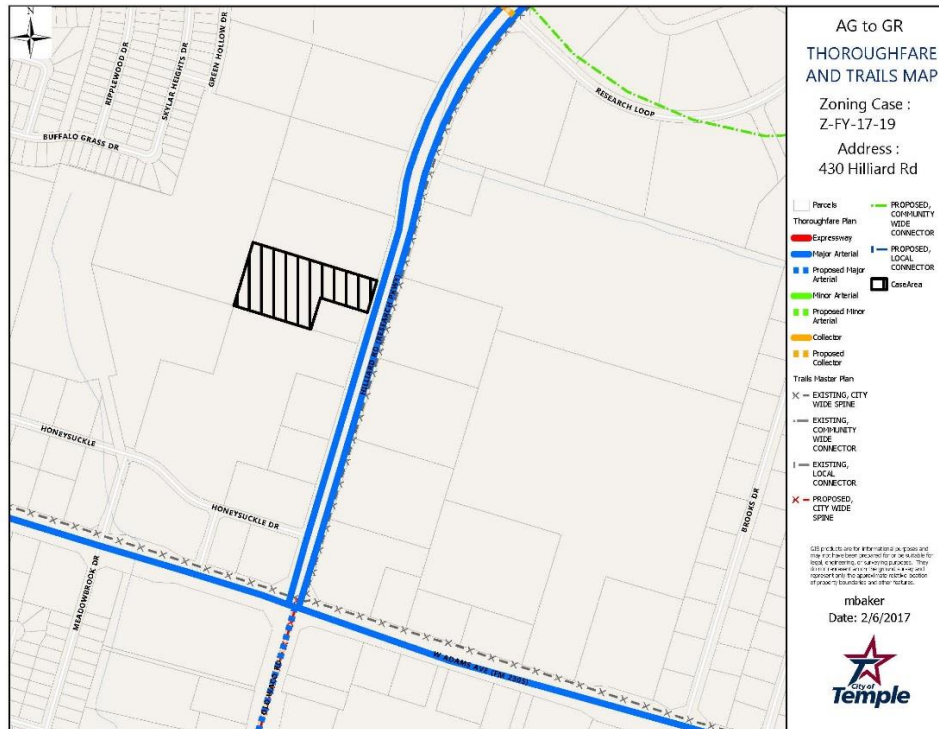




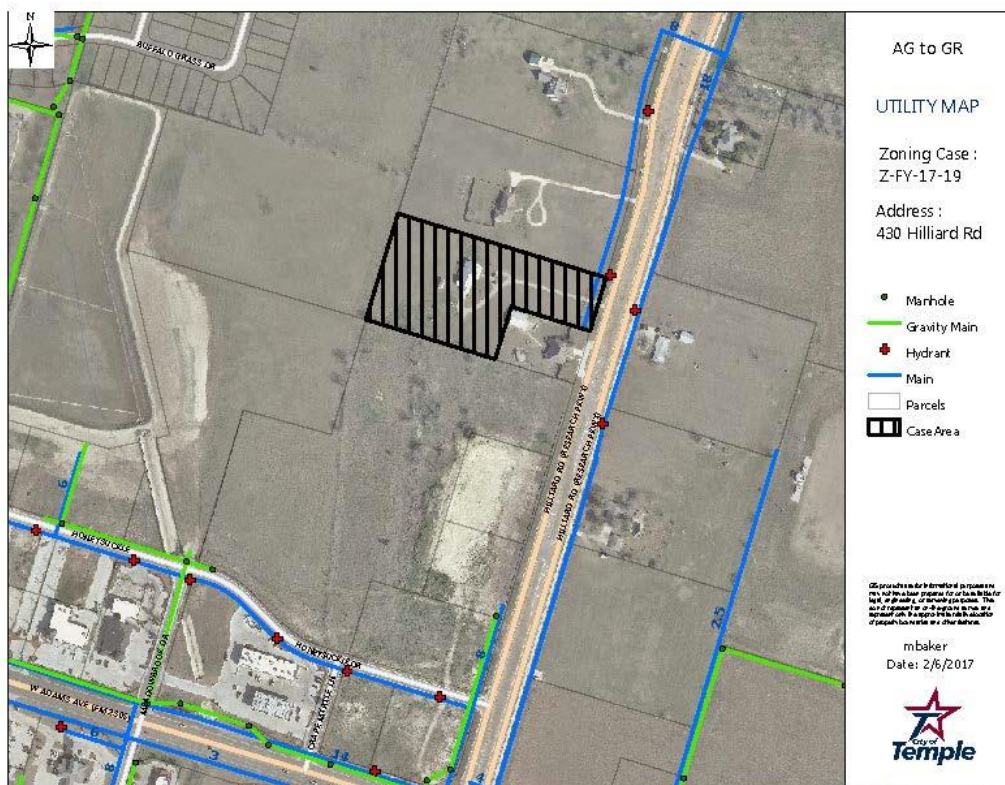
## Zoning Map



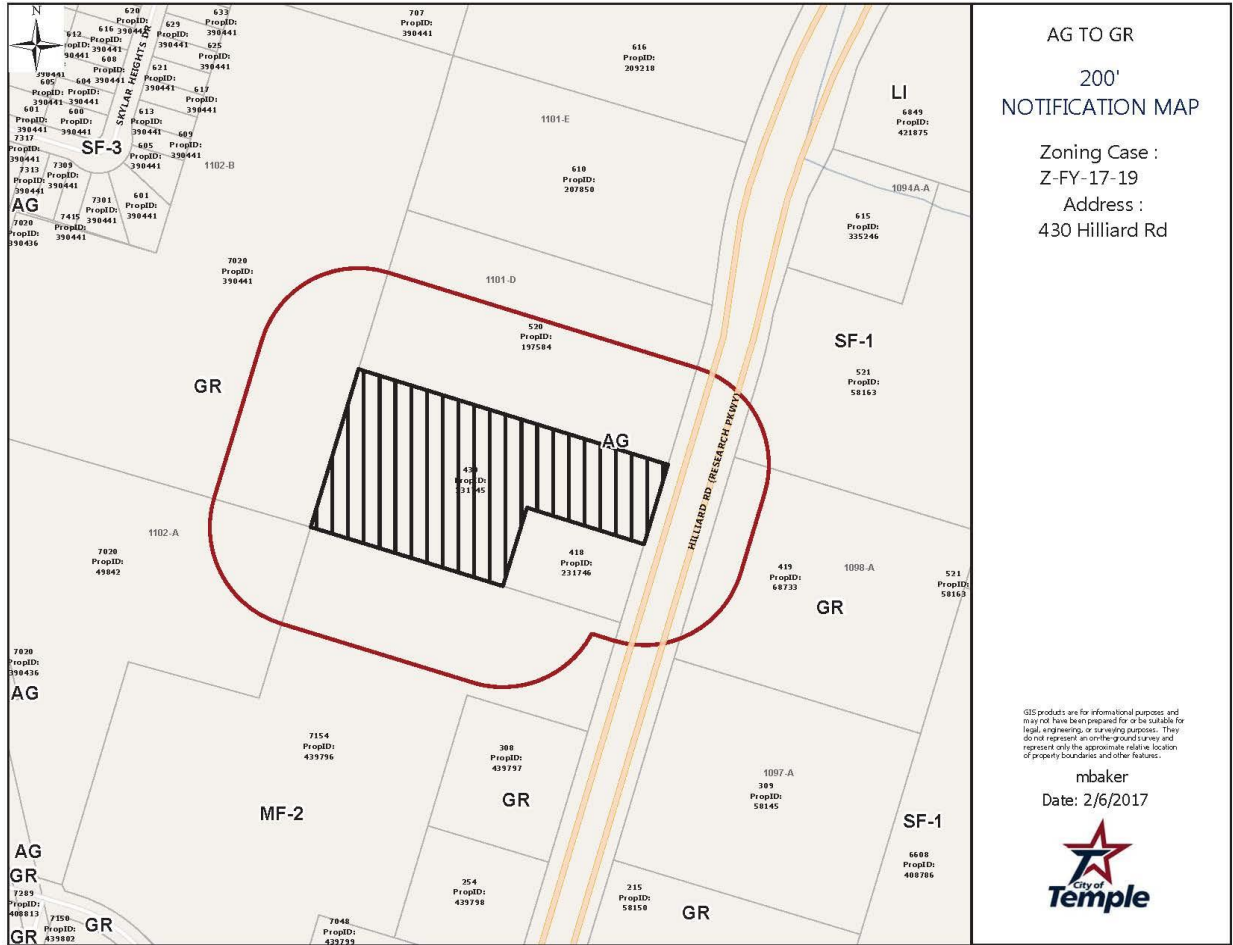
## Future Land Use Map



Thoroughfare & Trails Map



Utility Map



**Notification Map**

# Tables

**Permitted & Conditional Uses Table (GR)**

<b>Permitted &amp; Conditional Use Table - General Retail (GR)</b>	
<b>Agricultural Uses</b>	* Farm, Ranch or Orchard
<b>Residential Uses</b>	<ul style="list-style-type: none"> <li>* Single Family Residence (Detached &amp; Attached)</li> <li>* Duplex</li> <li>* Townhouse</li> <li>* Industrialized Housing</li> <li>* Family or Group Home</li> <li>* Home for the Aged</li> </ul>
<b>Retail &amp; Service Uses</b>	<ul style="list-style-type: none"> <li>* Most Retail &amp; Service Uses</li> <li>* Alcoholic Beverage Sales, off-premise consumption, package Store (CUP)</li> </ul>
<b>Commercial Uses</b>	<ul style="list-style-type: none"> <li>* Plumbing Shop</li> <li>* Upholstery Shop</li> <li>* Kennel without Veterinary Hospital (CUP)</li> <li>* Indoor Flea Market</li> </ul>
<b>Industrial Uses</b>	<ul style="list-style-type: none"> <li>* Temporary Asphalt &amp; Concrete Batching Plat (CUP)</li> <li>* Laboratory, medical, dental, scientific or research</li> <li>* Recycling collection location</li> </ul>
<b>Recreational Uses</b>	<ul style="list-style-type: none"> <li>* Park or Playground</li> <li>* Beer &amp; Wine (On Premise Consumption) &lt; 75%</li> </ul>
<b>Vehicle Service Uses</b>	<ul style="list-style-type: none"> <li>* Auto Leasing, Rental</li> <li>* Auto Sales - New &amp; Used (outside Lot)</li> <li>* Car Wash</li> <li>* Vehicle Servicing (Minor)</li> </ul>
<b>Restaurant Uses</b>	* With & Without Drive-In
<b>Overnight Accommodations</b>	* Hotel or Motel
<b>Transportation Uses</b>	<ul style="list-style-type: none"> <li>* Emergency Vehicle Service</li> <li>* Helistop</li> </ul>

### Surrounding Property Uses

<u>Surrounding Property &amp; Uses</u>			
Direction	FLUP	Zoning	Current Land Use
Site	Suburban Commercial	AG	SF Use on Acreage
North	Suburban Commercial	AG	Undeveloped & Scattered SF Uses
South	Suburban Commercial	AG & GR	Undeveloped & Scattered SF Uses
East	Suburban Commercial	AG, GR & SF-1	SF Residential Uses Holy Trinity Catholic High School
West	Suburban Commercial	AG, MF-2 & GR	Undeveloped & Scattered SF Uses

### Comprehensive Plan Compliance

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



## Development Standards

	<u>Current (AG)</u> <u>Residential</u>	<u>Proposed (GR)</u> <u>Non-Res</u>
Minimum Lot Size	1 Acre	N/A
Minimum Lot Width	100 Feet	N/A
Minimum Lot Depth	150 Feet	N/A
Front Setback	50 Feet	15 Feet
Side Setback	15 Feet	10 Feet
Side Setback (corner)	15 Feet	10 Feet
Rear Setback	10 Feet	❖ 10 Feet
Max Building Height	3 Stories	3 Stories

**❖ 10' rear setback (Non-residential use abuts a residential zoning district or use - UDC Section 4.4.4.F3)**

General provisions for buffering and screening for non-residential uses adjacent to residential uses are found in UDC Section 7.7, highlighted provisions include but not limited to:

- \* Landscaping or solid fencing from 6 to 8 feet in height (UDC Section 7.7.4),
- \* Refuse containers located in the side or rear of the property (UDC Section 7.7.6), and
- \* Screened outdoor storage (UDC Section 7.7.8.B1).



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

TEM-TEX INVESTMENTS LTD  
PO BOX 1344  
TEMPLE, TX 76503-1344

**Zoning Application Number:** Z-FY-17-19

**Case Manager:** Mark Baker

**Location:** 430 Hilliard Road

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

I ☒ agree

( ) disagree with this request

**Comments:**

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**Signature**



**Print Name**

If you would like to submit a response, please email a scanned version of this completed form to the Case Manager referenced above, [mbaker@templetx.gov](mailto:mbaker@templetx.gov) or mail or hand-deliver this comment form to the address below, no later than March 6, 2017.

**City of Temple  
Planning Department  
2 North Main Street, Suite 102  
Temple, Texas 76501**

**RECEIVED  
FEBRUARY 28, 2017**

**Number of Notices Mailed:** 8

**Date Mailed:** February 24, 2017

***OPTIONAL:*** Please feel free to email questions or comments directly to the Case Manager or call us at 254.298.5668.



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

ZWERNEMAN, MARK D ETUX ANNETTE P  
518 RIVERWOOD DR  
BELTON, TX 76513-1041

**Zoning Application Number:** Z-FY-17-19

**Case Manager:** Mark Baker

Location: 430 Hilliard Road

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

I ☒ agree

( ) disagree with this request

**Comments:**

**RECEIVED**

MAR - 2 2017

City of Temple  
Planning & Development

**Signature**

*Mark Zwerneman*

**Print Name**

Mark Zwerneman

If you would like to submit a response, please email a scanned version of this completed form to the Case Manager referenced above, [mbaker@templetx.gov](mailto:mbaker@templetx.gov) or mail or hand-deliver this comment form to the address below, no later than March 6, 2017.

**City of Temple  
Planning Department  
2 North Main Street, Suite 102  
Temple, Texas 76501**

Number of Notices Mailed: 8

Date Mailed: February 24, 2017

***OPTIONAL:*** Please feel free to email questions or comments directly to the Case Manager or call us at 254.298.5668.



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

SHORT-TERM LENDING GP INC  
15 N MAIN ST  
TEMPLE, TX 76501-7629

**Zoning Application Number: Z-FY-17-19**

**Case Manager: Mark Baker**

**Location: 430 Hilliard Road**

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

I ☒ agree

( ) disagree with this request

**Comments:**


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**Signature**

Short-Term Lending GP INC  
THOMAS C. BAIRD  
**Print Name**

If you would like to submit a response, please email a scanned version of this completed form to the Case Manager referenced above, [mbaker@templetx.gov](mailto:mbaker@templetx.gov) or mail or hand-deliver this comment form to the address below, no later than March 6, 2017.

**RECEIVED**

**City of Temple  
Planning Department  
2 North Main Street, Suite 102  
Temple, Texas 76501**

**MAR - 3 2017**  
City of Temple  
Planning & Development

Number of Notices Mailed: 8

Date Mailed: February 24, 2017

**OPTIONAL:** Please feel free to email questions or comments directly to the Case Manager or call us at 254.298.5668.

**EXCERPTS FROM THE**  
**PLANNING & ZONING COMMISSION MEETING**  
**MONDAY, MARCH 6, 2017**

**ACTION ITEMS**

**Item 3: Z-FY-17-19** - Hold a public hearing to consider and recommend action on a rezoning from Agricultural (AG) zoning district to General Retail (GR) zoning district on 3.91 +/- acres, Lot 1 Block 1, Fernandez Addition, located at 430 Hilliard Road, Temple, Texas.

Mr. Mark Baker, Senior Planner, stated this item was scheduled to go forward to City Council for first reading on April 6, 2017 and for second reading on April 20, 2017.

Vicinity map shown.

No specific development has been identified by the applicant.

Zoning map shown. The subject property is currently zoned Agricultural (AG).

The Future Land Use and Character Map designate the subject property as Suburban-Commercial which supports office, retail, and services use, and supports GR zoning.

Both water and sewer are available to serve the property with an 18-inch water line in Hilliard and an eight-inch sewer line in Hilliard.

Hilliard Road is designated as a major arterial by the Thoroughfare Plan. No anticipated Transportation Capital Improvements Program (TCIP) are funded or scheduled along this section of Hilliard.

An existing City-wide spine trail is on the east side of Hilliard.

Site photos shown.

Surrounding properties include single family residential uses on acreage and front Hilliard Road, zoned AG, is located to the north; scattered retail and service uses at the intersection of Hilliard Road and West Adams Avenue, zoned GR, and an existing single family residence on acreage, zoned AG, is located to the south; and an existing single family residential use, zoned GR (Ord. No. 2016-4786), is located to the east.

Several GR allowed uses (not inclusive) are briefly covered.

Current and proposed Development Standards are cited.

Buffering and screening would be required. Per the Unified Development Code (UDC) Section 7.7.4 – Buffering:

May consist of evergreen hedges composed of five-gallon plants or larger, with a planted height of six-feet on 36-inch centers

May consist of a six-foot to eight-foot high fence or wall, constructed by any number of allowed materials per UDC Section 7.7.5, such as:

Wood,

Masonry,

Stone or pre-cast concrete

Eight notices were mailed in accordance with all state and local regulations, with three notices returned in agreement and zero notices returned in disagreement.

The request is in compliance with the Future Land Use and Character Map, the Thoroughfare Plan, is compatible with surrounding uses and zoning, and public facilities are available to serve the property.

Staff recommends approval of the request for a rezoning from AG district to GR district.

Chair Rhoads opened the public hearing.

Mr. Ryan Flores, Aldrich-Thomas Group, 10715 Bridgeport Drive, Temple, Texas, stated he was available for any concerns or questions.

There being no further speakers, the public hearing was closed.

Commissioner Marshall made a motion to approve Item 2, **Z-FY-17-19**, per Staff recommendation, and Commissioner Ward made a second.

*Motion passed: (6:0)*

Vice-Chair Fettig, Commissioners Armstrong and Jones absent

ORDINANCE NO. \_\_\_\_\_  
(Z-FY-17-19)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A REZONING FROM AGRICULTURAL ZONING DISTRICT TO GENERAL RETAIL ZONING DISTRICT ON APPROXIMATELY 3.91 ACRES, LOT 1, BLOCK 1, FERNANDEZ ADDITION, LOCATED AT 430 HILLIARD ROAD, TEMPLE, TEXAS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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

**Part 1:** The City Council approves a rezoning from Agricultural zoning district to General Retail zoning district on approximately 3.91 acres, Lot-1, Block-1, Fernandez Addition, located at 430 Hilliard Road, Temple, Texas, as outlined in the map attached hereto as Exhibit 'A,' and made a part hereof for all purposes.

**Part 2:** Staff recommends approval of a rezoning from Agricultural zoning district to General Retail 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 **6<sup>th</sup>** day of **April**, 2017.



PASSED AND APPROVED on Second Reading on the **20<sup>th</sup>** day of **April**, 2017.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

---

Kayla Landeros  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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04/20/17  
Item #3(M)  
Consent Agenda  
Page 1 of 4

### DEPT./DIVISION SUBMISSION & REVIEW:

Tammy Lyerly, Senior Planner

**ITEM DESCRIPTION:** SECOND READING – Z-FY-17-20: Consider adopting an ordinance authorizing a rezoning from Agricultural zoning district to Single Family-Three, General Retail, and Office-Two zoning districts on 81.173 +/- acres, situated in the B. Stracener Survey, Abstract No. 746, Bell County, Texas, located at 3131 Lower Troy Road.

**PLANNING AND ZONING COMMISSION RECOMMENDATION:** At its March 6, 2017, meeting the Planning and Zoning Commission voted six to zero to recommend approval of the requested rezoning from Agricultural (AG) zoning district to Single Family-Three (SF-3), General Retail (GR), and Office-Two (O-2) zoning districts.

**STAFF RECOMMENDATION:** Staff recommends approval of the requested rezoning from Agricultural (AG) District to Single Family-Three (SF-3) and General Retail (GR), and Office-Two (O-2) zoning districts for the following reasons:

1. Compliance with surrounding zoning and land uses; and
2. Compliance with the Thoroughfare Plan; and

**ITEM SUMMARY:** The applicant requests this rezoning from Agricultural (AG) zoning district to Single Family-Three (SF-3), General Retail (GR), and Office-Two (O-2) to allow development of duplexes along Lower Troy Road; retail uses along NE H.K. Dodgen Loop, and single-family residential uses within the interior portion of the subject property. **While staff generally prefers a Two-Family (2F) zoning designation for duplexes when property is abutting existing residential uses, the applicant's subject property is appropriate for duplexes or offices in this location.** The subject property is currently agricultural land which spans from the east side of Lower Troy Road to the west side of NE H.K. Dodgen Loop. The Union Pacific Railroad runs along the west side of Lower Troy Road.

The applicants plan to have potential development maintained by a home owners association (H.O.A). If this proposed rezoning is approved, the subject property will need to go through the platting process prior to development. **Since the subject property does not have water or sewer facilities, the applicant's engineers will need to work out issues currently associated with connecting to existing water and sewer facilities in the vicinity.**

The Planning and Zoning Commission discussed the lack of water and sewer facilities for the subject property and surrounding properties to the north and south during the public hearing on March 6, 2017. During the public hearing, the applicant's engineer assured the Planning and Zoning Commission that the proposed development would have water and sewer services through connections to existing facilities west of Lower Troy Road. **As of March 27, 2017, the Public Works Engineering Division has reviewed the applicant's proposed Utility Extension Plan and offered the following comments:**

1. **The wastewater system connection to an existing 6 inch vitrified clay pipe is not acceptable. The connection must be made to a larger diameter segment of the Bellaire Relief Sewer.**
2. **The water system connection to an existing 6 inch water main is not in compliance with the City of Temple Water Master Plan. The Master Plan includes a network of 8 inch water mains and a 12 inch water main along Loop 363.**

The applicant's requested **SF-3 zoning district** permits single-family detached residences and related accessory structures and provides single-family development at urban densities in locations well served by public utilities and roadways. The district should have adequate thoroughfare access and be relatively well connected with community and neighborhood facilities such as schools, parks, and shopping areas and transit services.

The applicant's requested **SF-3 zoning district** permits single-family detached residences and related accessory structures and provides single-family development at urban densities in locations well served by public utilities and roadways. The district should have adequate thoroughfare access and be relatively well connected with community and neighborhood facilities such as schools, parks, and shopping areas and transit services.

The applicant's requested **GR zoning district**, along NE H.K. Dodgen Loop, is the standard retail district and allows most retail uses including retail sales, restaurants, grocery stores, department stores, or offices and residential uses except apartments.

The **GR zoning district** is intended to serve larger service areas than neighborhoods. This district **should be located at the intersection of major arterials** and should provide total on-site traffic maneuvering such that traffic entering and exiting the facility should have room to turn, stack and park within the confines of the retail facility. **Adjoining zoning districts should be carefully selected to reduce environmental conflicts.**

The applicant's requested **O-2 zoning district** permits a variety of low, mid and high rise office development. **Apartments and duplexes are allowed.** Buildings in the O-2 District may be built to any legal height. Office buildings over 40 feet in height must provide additional yard space. **The O-2 zoning district is intended to allow for office uses in an area that is primarily business or high density residential.** This district provides for professional, financial, medical and other office services and may include corporate offices and major employment centers. Uses in this district generally have low traffic generation characteristics and do not require high visibility to conduct business.

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

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

The subject property is within the **Suburban Residential** and **Suburban Commercial** character districts of the *Choices '08* City of Temple Comprehensive Plan.

**The property's Suburban Commercial land use classification along the northeast tip of the subject property along NE H. K. Dodgen Loop** is appropriate for office, retail and services uses adjacent to and abutting residential neighborhoods and in other areas where the community's image and aesthetic value is to be promoted, such as at "gateways" and high-profile corridor locations. Therefore, it limits the floor area ratio and requires a higher landscape surface ratio than in the Auto Urban Commercial district. **The applicant's requested General Retail District complies with this land use classification, but it does not comply with the remaining property's Suburban Residential land use classification.**

According to the City of Temple Comprehensive Plan, the property's **Suburban Residential land use classification along Lower Troy Road** is characterized by mid-size single family lots, allowing for greater separation between dwellings and more emphasis on green space versus streets and driveways. The applicant's requested **SF-3 zoning district does not comply** since it provides single-family development at **urban densities**. The applicant's requested **O-2 district also does not comply with the Suburban Residential land use classification, but it does comply with the Thoroughfare Plan.**

Thoroughfare Plan (CP Map 5.2) and Temple Trails Master Plan Map and Sidewalk Ordinance

The subject property's west property line fronts **Lower Troy Road**, a designated Minor Arterial in the Thoroughfare Plan. **The applicant's requested O-2 zoning district is appropriate along Minor Arterials. But, single-family or two-family dwellings are not appropriate along Minor Arterials.** The property's east property line fronts **NE H.K. Dodgen Loop**, a designated Expressway in the Thoroughfare Plan. **The applicant's requested GR zoning district is appropriate along Expressways.**

Availability of Public Facilities (CP Goal 4.1)

City maps do not show existing water or sewer lines on the subject property, but existing water and sewer facilities exist across the street in the Bellaire North Subdivision, located on the west side of the Union Pacific Railroad along Lower Troy Road. Additional water lines exist south of the subject property along East Young Avenue and along Gun Club Road.

**As previously mentioned in this staff report, the Public Works Engineering Division has reviewed the applicant's proposed Utility Extension Plan and offered the following comments on March 27, 2017:**

1. The wastewater system connection to an existing 6 inch vitrified clay pipe is not acceptable. The connection must be made to a larger diameter segment of the Bellaire Relief Sewer.
2. The water system connection to an existing 6 inch water main is not in compliance with the City of Temple Water Master Plan. The Master Plan includes a network of 8 inch water mains and a 12 inch water main along Loop 363.

Proposed City Council Meeting Schedule

This item is tentatively scheduled for a City Council public hearing (first reading) on April 6, 2017. The second reading of City Council is tentatively scheduled for April 20, 2017.

**PUBLIC NOTICE:** Eighteen (18) notices of the Planning and Zoning Commission public hearing were sent out to property owners within 200-feet of the subject property as required by State law and City Ordinance. As of Thursday, March 2, 2017, one notice has been received in favor of the proposed rezoning and one notice has been returned in opposition to the proposed rezoning. A verbal response of opposition was received by phone from the property owner at 3109 North 12<sup>th</sup> Street.

The newspaper printed notice of the public hearing on February 23, 2016, in accordance with state law and local ordinance.

**FISCAL IMPACT:** Not Applicable

**ATTACHMENTS:**




[Site and Surrounding Property Photos](#)  
[Maps](#)  
[Development Regulations](#)  
[Surrounding Property & Uses Chart](#)  
[Comprehensive Plan Compliance](#)  
[Applicant's Rezoning Exhibit](#)  
[Notification Response Letters](#)  
[Ordinance](#)

## **SURROUNDING PROPERTY AND USES:**




The following table shows the subject property, existing zoning and current land uses:

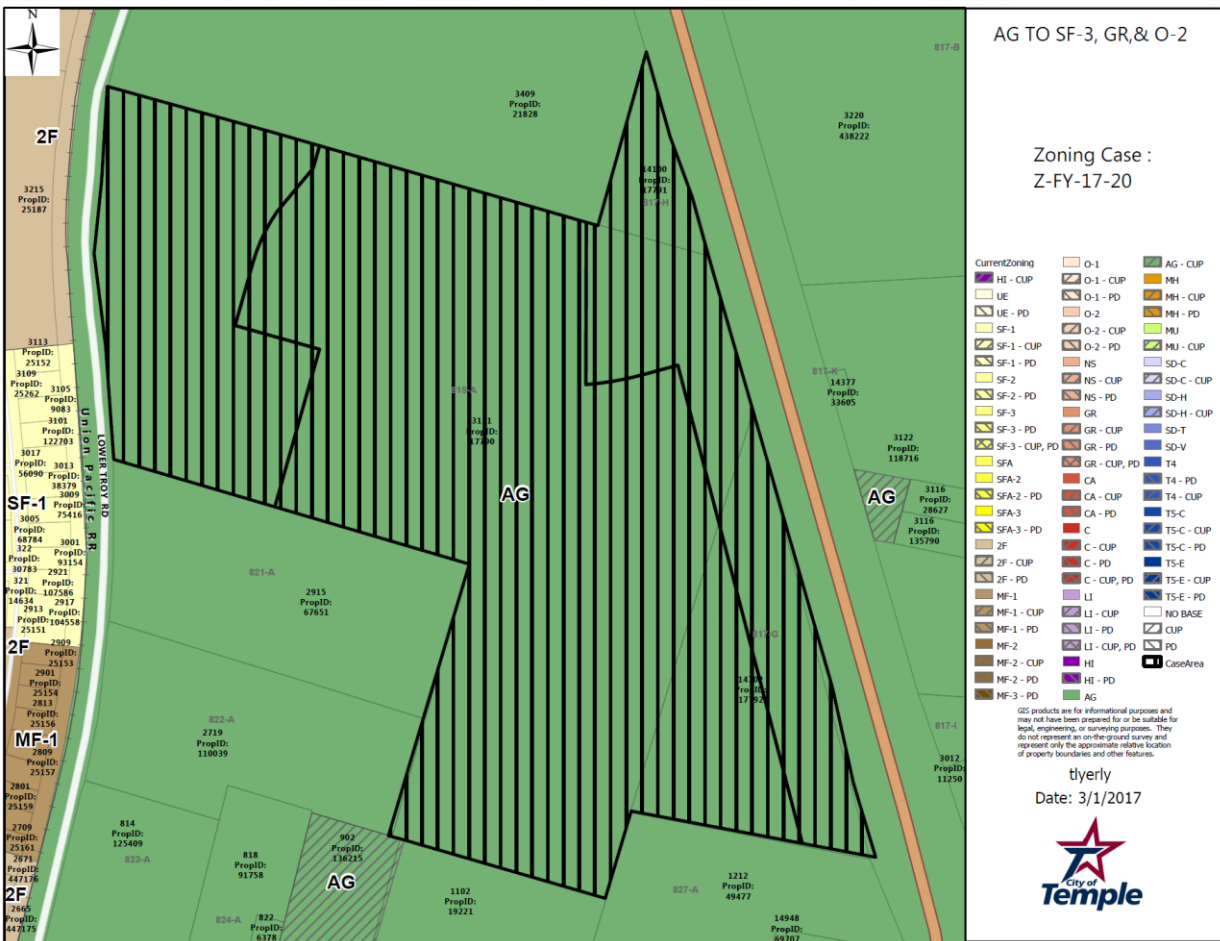
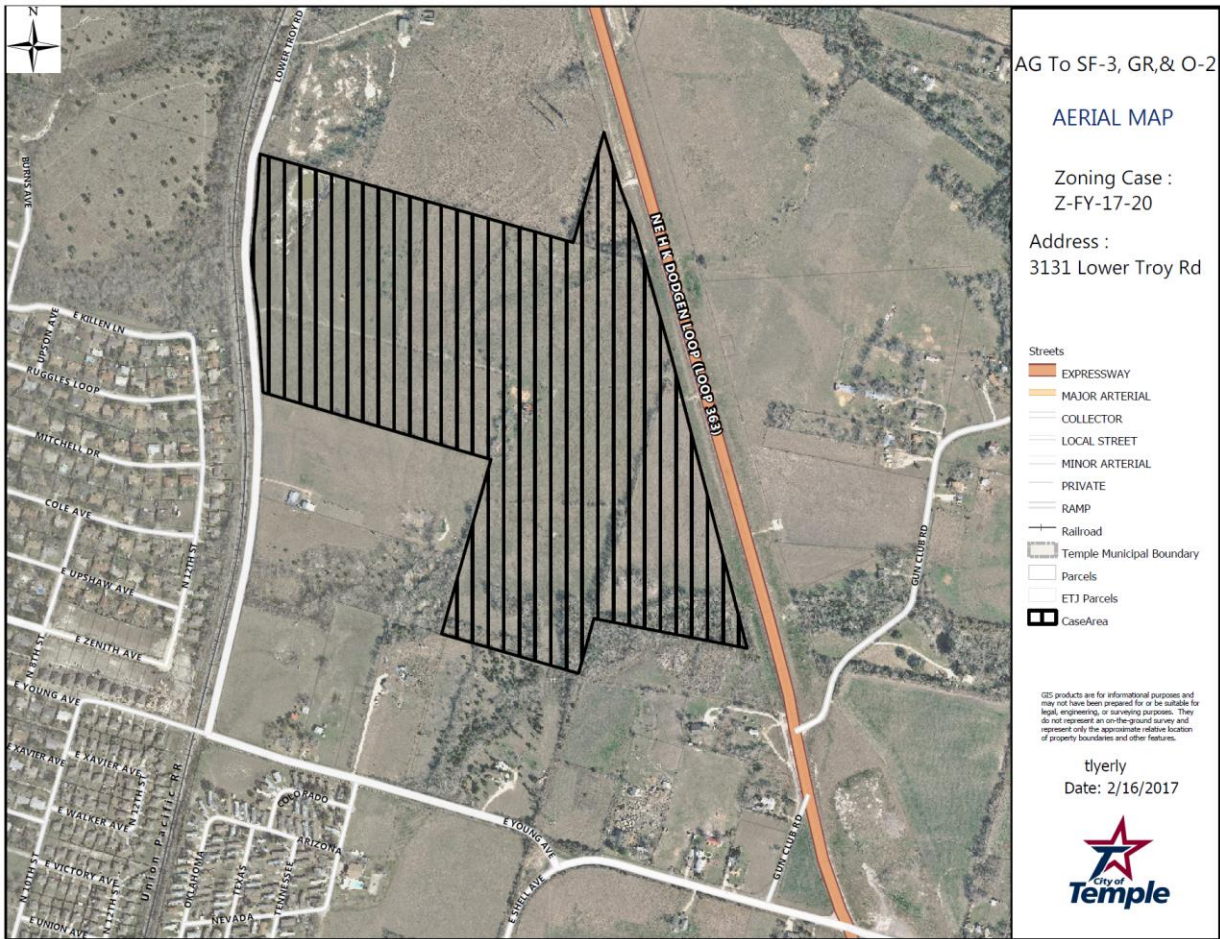
Direction	Zoning	Current Land Use	Photo
Subject Property	AG	Agricultural Land	 <p>Lower Troy RD</p> <p>Site</p>
			 <p>NE H.K. Dodgen Loop</p> <p>Site</p>
East	AG	Expressway	 <p>NE H.K. Dodgen Loop</p>



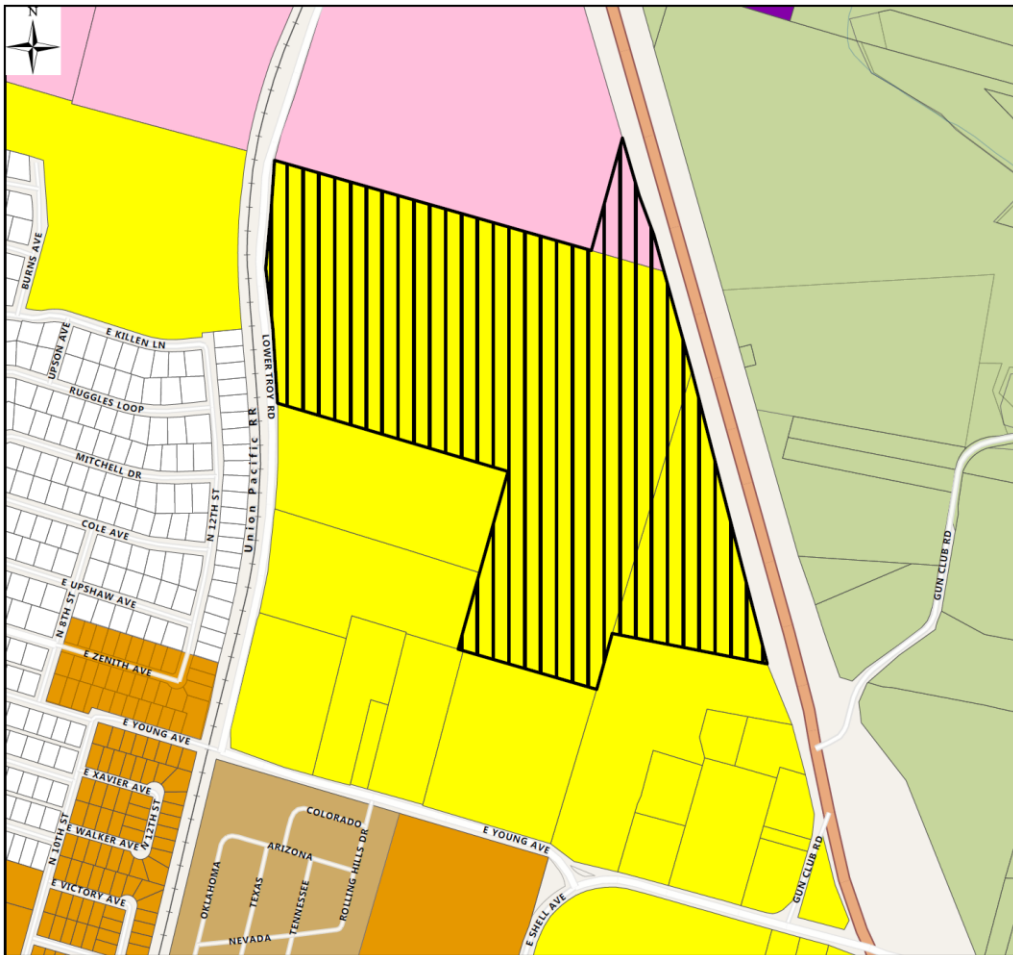
Direction	Zoning	Current Land Use	Photo
West	SF-1, 2F, AG	Residential, Agricultural Land, & Undeveloped Land	 <p>Lower Troy RD</p>
			 <p>Lower Troy RD</p>
South	AG	Agricultural Land and Rural Residential	 <p>Lower Troy RD</p>



Direction	Zoning	Current Land Use	Photo
			 <p>NE H.K. Dodgen Loop</p>
North	AG	Agricultural Land	 <p>Lower Troy RD</p>
			 <p>NE H.K. Dodgen Loop</p>







AG To SF-3, GR,& O-2

## FUTURE LAND USE MAP

Zoning Case :

Z-FY-17-20

Address :

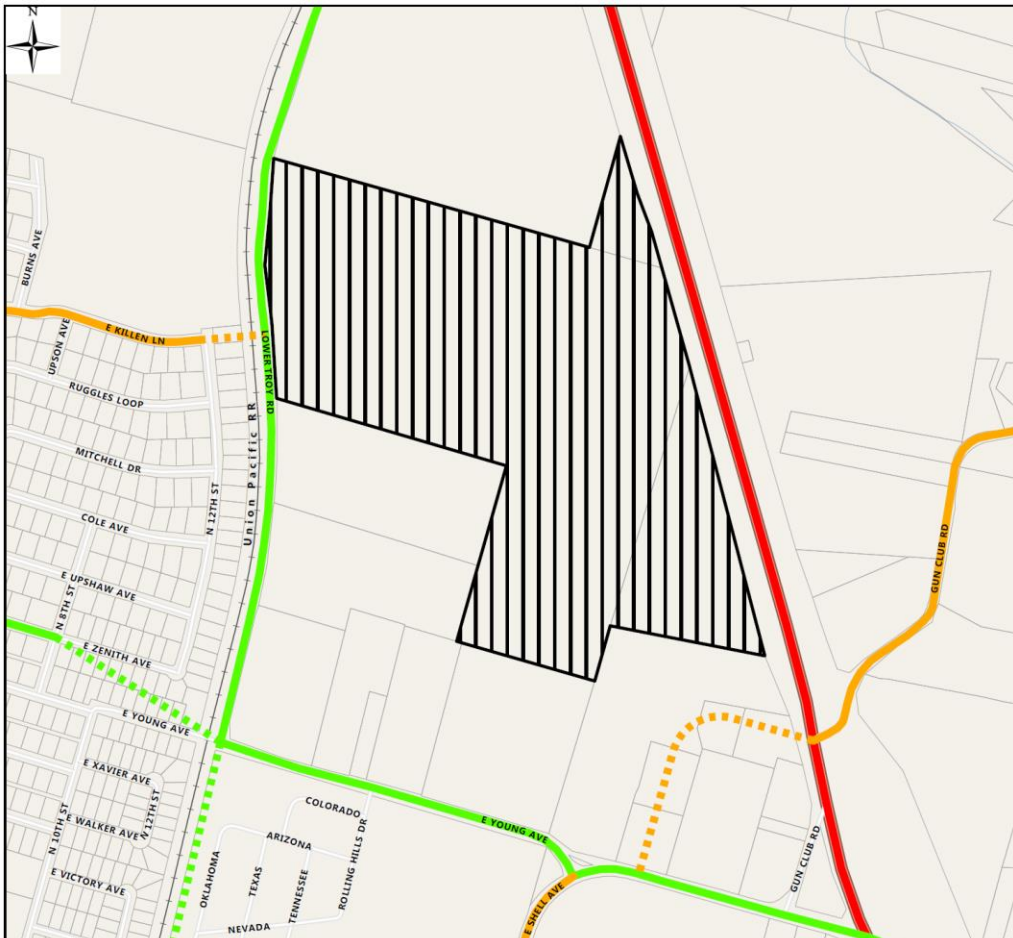
3131 Lower Troy Rd

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

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

tylerly

Date: 2/16/2017



## AG To SF-3, GR,& O-2 THOROUGHFARE AND TRAILS MAP

Zoning Case :

Z-FY-17-20

Address :

3131 Lower Troy Rd

- Parcels
- Thoroughfare Plan
  - Expressway
  - Major Arterial
  - Proposed Major Arterial
  - Minor Arterial
  - Proposed Minor Arterial
  - Collector
  - Proposed Collector
  - 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.

tylerly

Date: 2/16/2017





**DEVELOPMENT REGULATIONS:**

	<b><u>Proposed (SF-3)</u></b>	<b><u>Current (AG)</u></b>
Minimum Lot Size	4,000 Square Feet	1 Acre
Minimum Lot Width	40 Feet	100 Feet
Minimum Lot Depth	100 Feet	150 Feet
Front Setback	15 Feet	50 Feet
Side Setback	5 Feet	15 Feet
Side Setback (corner)	15 Feet	15 Feet
Rear Setback	10 Feet	10 Feet
Max Building Height	2-1/2 Stories	3 Stories
ALH - Any Legal Height not Prohibited by other Laws		
* UDC Sect 4.4 - Measurements and Special Case		

	<b><u>Proposed (O-2)</u></b>	<b><u>Proposed (GR)</u></b>
Minimum Lot Size	6000	N/A
Minimum Lot Width	50 Feet	N/A
Minimum Lot Depth	100 Feet	N/A
Front Setback	*25 Feet	15 Feet
Side Setback	10% Lot Width 5 feet min.	10 Feet
Side Setback (corner)	15 Feet	10 Feet
Rear Setback	10 Feet	*0 Feet
Max Building Height	*ALH	3 Stories
ALH - Any Legal Height not Prohibited by other Laws		
* UDC Sect 4.4 - Measurements and Special Case		

**Permitted & Conditional Use Table – Office-Two (O-2)**

<b>Agricultural Uses</b>	<b>* Farm, Ranch or Orchard</b>
<b>Residential Uses</b>	<b>* Single Family Residence (Detached &amp; Attached) * Duplex * Townhouse * Industrialized Housing * Family or Group Home * Home for the Aged</b>
<b>Retail &amp; Service Uses</b>	<b>* Retail Shop, * Offices * Bank or Savings and Loans * Alcoholic Beverage Sales with CUP (not package store)</b>
<b>Commercial Uses</b>	<b>N/A</b>
<b>Industrial Uses</b>	<b>* Petroleum or Gas Well</b>
<b>Recreational Uses</b>	<b>* Park or Playground</b>
<b>Vehicle Service Uses</b>	<b>N/A</b>
<b>Restaurant Uses</b>	<b>* With &amp; Without Drive-In</b>
<b>Overnight Accommodations</b>	<b>* Hotel or Motel</b>
<b>Transportation Uses</b>	<b>* Emergency Vehicle Service * Helistop</b>

**Permitted & Conditional Use Table – Single Family-Three (SF-3)**

<b>Agricultural Uses</b>	<b>* Farm, Ranch or Orchard</b>
<b>Residential Uses</b>	<b>* Single Family Residence (Detached) * Industrialized Housing</b>
<b>Retail &amp; Service Uses</b>	<b>N/A</b>
<b>Commercial Uses</b>	<b>N/A</b>
<b>Industrial Uses</b>	<b>N/A</b>
<b>Recreational Uses</b>	<b>* Park or Playground</b>
<b>Vehicle Service Uses</b>	<b>N/A</b>
<b>Restaurant Uses</b>	<b>N/A</b>
<b>Overnight Accommodations</b>	<b>N/A</b>
<b>Transportation Uses</b>	<b>*Railroad track right-of-way or team track</b>



**Permitted & Conditional Use Table - General Retail (GR)**

<b>Agricultural Uses</b>	<ul style="list-style-type: none"><li>* Farm, Ranch or Orchard</li></ul>
<b>Residential Uses</b>	<ul style="list-style-type: none"><li>* Single Family Residence (Detached &amp; Attached)</li><li>* Duplex</li><li>* Townhouse</li><li>* Industrialized Housing</li><li>* Family or Group Home</li><li>* Home for the Aged</li></ul>
<b>Retail &amp; Service Uses</b>	<ul style="list-style-type: none"><li>* Most Retail &amp; Service Uses</li><li>* Alcoholic Beverage Sales, off-premise consumption, package Store (CUP)</li></ul>
<b>Commercial Uses</b>	<ul style="list-style-type: none"><li>* Plumbing Shop</li><li>* Upholstery Shop</li><li>* Kennel without Veterinary Hospital (CUP)</li><li>* Indoor Flea Market</li></ul>
<b>Industrial Uses</b>	<ul style="list-style-type: none"><li>* Temporary Asphalt &amp; Concrete Batching Plant (CUP)</li><li>* Laboratory, medical, dental, scientific or research</li><li>* Recycling collection location</li></ul>
<b>Recreational Uses</b>	<ul style="list-style-type: none"><li>* Park or Playground</li><li>* Beer &amp; Wine (On Premise Consumption) &lt; 75%</li></ul>
<b>Vehicle Service Uses</b>	<ul style="list-style-type: none"><li>* Auto Leasing, Rental</li><li>* Auto Sales - New &amp; Used (outside Lot)</li><li>* Car Wash</li><li>* Vehicle Servicing (Minor)</li></ul>
<b>Restaurant Uses</b>	<ul style="list-style-type: none"><li>* With &amp; Without Drive-In</li></ul>
<b>Overnight Accommodations</b>	<ul style="list-style-type: none"><li>* Hotel or Motel</li></ul>
<b>Transportation Uses</b>	<ul style="list-style-type: none"><li>* Emergency Vehicle Service</li><li>* Helistop</li></ul>

Surrounding Property & Uses			
<u>Direction</u>	<u>Future Land Use Map</u>	<u>Zoning</u>	<u>Current Land Use</u>
Site	Suburban Commercial, and Suburban Residential	AG	Agricultural
North	Suburban Commercial	AG	Agricultural
South	Suburban Residential	AG	Agricultural
West	Suburban Residential, Neighborhood Conservation, & Auto-Urban Residential	2F, SF-1, & MF-1	Undeveloped Land, Single-Family & Multi-Family Residential
East	Agricultural/Rural	AG	Agricultural

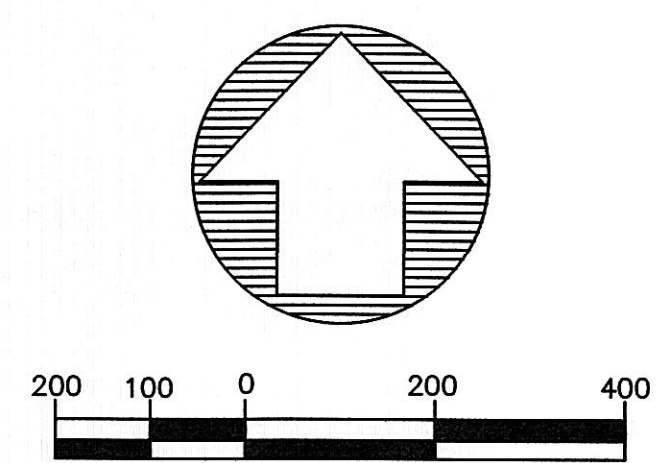
**COMPREHENSIVE PLAN (CP) COMPLIANCE:** The proposed rezoning relates to the following goals, objectives or maps of the Comprehensive Plan and Sidewalk and Trails Plan

:

<u>Document</u>	<u>Policy, Goal, Objective or Map</u>	<u>Compliance?</u>
CP	Map 3.1 - Future Land Use 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 Sidewalks Ordinance	Yes

CP = Comprehensive Plan      STP = Sidewalk and Trails Plan





Line Table		
Line #	Length	Direction
L1	293.71'	N07°02'55"W
CALLS	294.24'	N04°20'04"W
L2	226.79'	N05°51'59"E
CALLS	226.31'	N08°41'13"E
L3	300.11'	N03°28'18"E
CALLS	300.11'	N06°13'10"E
L4	149.63'	S73°55'50"E
CALLS	1421.63'	S71°07'39"E
L5	73.31'	S15°45'34"W
L6	176.58'	S39°39'08"W
L7	204.45'	S15°45'34"W
L8	274.57'	S74°14'26"E
L9	111.22'	N74°40'53"E
L10	36.42'	N76°01'46"W
L11	233.79'	N79°16'04"W
CALLS	777.84'	M76°21'14"W
L12	37.75'	S73°55'50"E
CALLS	1421.63'	S71°07'39"E
L13	200.75'	S20°03'25"E
L14	200.73'	S15°22'43"E

Curve Table			
Curve #	Radius	Chord	Length
C1	542.21'	S25°15'43"W 179.03'	179.85'
C2	970.00'	N80°06'39"E 183.58'	183.85'

**TRACT 1**  
BEING a 15.137 acre tract situated in the B. STRACENER SURVEY, ABSTRACT No. 746, Bell County, Texas and being a part or portion of that certain 67.00 acre tract of land (TRACT ONE) described in a Warranty Deed with Vendor's Lien dated October 15, 2015 from Alton C. Boston aka A. C. Boston and wife, Nancy Boston to 3 Nex-Gen Devel LLC, a Texas limited liability company and being of record in Document No. 2015-00040147, Official Public Records of Bell County, Texas.

**TRACT 2**  
BEING a 52.243 acre tract situated in the B. STRACENER SURVEY, ABSTRACT No. 746 and the H. B. BALCH SURVEY, ABSTRACT No. 976, both in Bell County, Texas and being all of that certain 67.00 acre tract of land (TRACT ONE) and a part or portion of that certain 11.83 acre tract of land (TRACT THREE) described in a Warranty Deed with Vendor's Lien dated October 15, 2015 from Alton C. Boston aka A. C. Boston and wife, Nancy Boston to 3 Nex-Gen Devel LLC, a Texas limited liability company and being of record in Document No. 2015-00040147, Official Public Records of Bell County, Texas.

**TRACT 3**  
BEING a 13.793 acre tract situated in the B. STRACENER SURVEY, ABSTRACT No. 746, and the H. B. BALCH SURVEY, ABSTRACT No. 976, both in Bell County, Texas and being all of that certain 67.00 acre tract of land (TRACT ONE) and all of that certain 2.36 acre tract of land (TRACT TWO) and all of that certain 11.83 acre tract of land (TRACT THREE) described in a Warranty Deed with Vendor's Lien dated October 15, 2015 from Alton C. Boston aka A. C. Boston and wife, Nancy Boston to 3 Nex-Gen Devel LLC, a Texas limited liability company and being of record in Document No. 2015-00040147, Official Public Records of Bell County, Texas.



STATE OF TEXAS I KNOW ALL MEN BY THESE PRESENTS, that I Michael E. Alvis, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that this survey was this day made on the ground of the property described herein and is correct.

IN WITNESS THEREOF, my hand and seal, this the 1st day of February, 2016.

*Michael E. Alvis*  
Michael E. Alvis, R.P.L.S., No. 5402

**TURLEY ASSOCIATES, INC.**  
ENGINEERING • PLANNING • SURVEYING  
301 N. 3rd St.  
TEMPLE, TEXAS 76501  
TBP# No. F-1658 • TBPLS No. 10056000  
254.773.2400  
www.turley-inc.com

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**ZONING MAP:**  
**81.173 ACRES**

IN THE B. STRACENER SURVEY, ABSTRACT No. 746 AND THE BALCH SURVEY, ABSTRACT No. 976 CITY OF TEMPLE, BELL COUNTY, TEXAS

DEVELOPED BY:  
**3 NEX-GEN DEVEL, LLC.**  
7348 W. ADAMS AVENUE, SUITE 700  
TEMPLE, TX 76502

REVISIONS		
DATE	DESCRIPTION	DFTR

DRAFTSMAN:  
T JAHOS

DATE:  
JANUARY 27, 2017

COMPUTER FILE NAME:  
15398.am.v2.dwg

REFERENCE DRAWING NUMBERS:  
n/a

JOB NUMBER:  
15-398

DRAWING NUMBER:  
15398-D

PAGE #  
**01**





RESPONSE TO PROPOSED  
REZONING REQUEST  
CITY OF TEMPLE

MAYBORN, FRANK ENTERPRISES INC  
PO BOX 6114  
TEMPLE, TX 76503-6114

**Zoning Application Number:** Z-FY-17-20

**Case Manager:** Tammy Lyerly

Location: 3131 Lower Troy Road

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

I ☒ agree

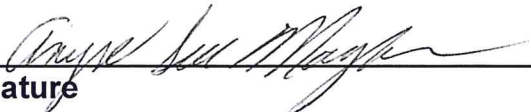
( ) disagree with this request

Comments:

RECEIVED

MAR - 2 2017

City of Temple  
Planning & Development

  
Signature

Anyse Sue Mayborn, President  
Print Name

If you would like to submit a response, please email a scanned version of this completed form to the Case Manager referenced above, [tylerly@templetx.gov](mailto:tylerly@templetx.gov) or mail or hand-deliver this comment form to the address below, no later than **March 6, 2017**.

City of Temple  
Planning Department  
2 North Main Street, Suite 102  
Temple, Texas 76501

Number of Notices Mailed: 18

Date Mailed: February 24, 2017

**OPTIONAL:** Please feel free to email questions or comments directly to the Case Manager or call us at 254.298.5668.



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

MACHALEK, WILLIAM JOE ETUX FAYE  
5 W ZENITH AVE  
TEMPLE, TX 76501-1545

298-5273

**Zoning Application Number:** Z-FY-17-20

**Case Manager:** Tammy Lyerly

**Location:** 3131 Lower Troy Road

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

I ( ) agree

(X) disagree with this request

**Comments:**

Lower Troy road not good enough for more traffic.  
East Young (500 Block) too narrow. Will schools  
be able to handle increase in students (Somers  
Jefferson, Harissa). More trash on road and ditches.  
No safe access from north east loop.

WJ Machalek  
Signature

W. J. Machalek  
Print Name

If you would like to submit a response, please email a scanned version of this completed form to the Case Manager referenced above, [tylerly@templetx.gov](mailto:tylerly@templetx.gov) or mail or hand-deliver this comment form to the address below, no later than **March 6, 2017**.

City of Temple  
Planning Department  
2 North Main Street, Suite 102  
Temple, Texas 76501

Number of Notices Mailed: 18

Date Mailed: February 24, 2017

**OPTIONAL:** Please feel free to email questions or comments directly to the Case Manager or call us at 254.298.5668.

**RECEIVED**

MAR - 6 2017

City of Temple  
Planning & Development

ORDINANCE NO. \_\_\_\_\_  
(Z-FY-17-20)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A REZONING FROM AGRICULTURAL ZONING DISTRICT TO SINGLE FAMILY THREE, GENERAL RETAIL, AND OFFICE TWO ZONING DISTRICTS ON APPROXIMATELY 81.173 ACRES SITUATED IN THE B. STRACENER SURVEY, ABSTRACT NO. 746, BELL COUNTY, TEXAS, LOCATED AT 3131 LOWER TROY ROAD; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

---

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

**Part 1:** The City Council approves a rezoning from Agricultural zoning district to Single Family Three, General Retail, and Office Two zoning districts on approximately 81.173 acres, situated in the B. Stracener Survey, Abstract No. 746, Bell County, Texas, located at 3131 Lower Troy Road, as outlined in the map attached hereto as Exhibit 'A,' and made a part hereof for all purposes.

**Part 2:** Staff recommends approval for a rezoning from Agricultural zoning district to Single Family Three, General Retail, and Office Two zoning districts.

**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 6<sup>th</sup> day of April, 2017.



PASSED AND APPROVED on Second Reading on the **20<sup>th</sup>** day of **April**, 2017.

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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04/20/17  
Item #3(N)  
Consent Agenda  
Page 1 of 3

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

Traci L. Barnard, Director of Finance

**ITEM DESCRIPTION:** SECOND READING: Consider adopting an ordinance authorizing amendments the Tax Increment Financing Reinvestment Zone No. 1 Financing and Project Plans to align with the 2022 Master Plan for years FY 2017-2019.

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

**ITEM SUMMARY:** The Reinvestment Zone No. 1 Finance and Project Committees have met and discussed the 2022 Master Plan Projects. The result of the meeting is recommended changes to the Financing and Project Plans to continue with the execution of the 2022 Master Plan. The focus of the proposed amendment is for the fiscal years 2017-2019, however, state law requires a financing and project plan to span the life of the Zone.

The Reinvestment Zone No. 1 Board approved these amendments at its April 5, 2017 board meeting.

The proposed amendment allocates funding for the following projects:

- Design and construction of a Corporate airport hangar
- Design and construction of an extension of 'TMED' South 1<sup>st</sup> street
- Additional funding for construction of Cross Roads Park @ Pepper Creek Trail
- Design and Construction of a parking lot for the Pepper Creek Trail

Funding for the projects is available from the combination of State and Federal Airport Grants, a tenant contribution for their requested upgrades to the Corporate airport hangar, deletion of the allocation for the Airport taxiway improvements that are not needed at the current time, moving \$5,000,000 of the \$10,000,000 allocated to Temple Independent School District to FY 2018 to align with the contractual obligation to make the payment, transferring project funding between bond and cash funding for Research Parkway, and reducing the amount of funding allocated for the construction of Veterans Memorial Boulevard in FY 2019.

The following table summarizes the amendment to the Financing Plan by line item #, project description, funding year and amount of increase (decrease):

Line #	Description	FY 2017	FY 2018	FY 2019
409	TISD-Obligation per Contract	\$ (5,000,000)	\$ 5,000,000	\$ -
10	NPE Airport Grant Revenue	\$ 150,000	\$ -	\$ -
14	Miscellaneous Reimbursement	\$ 150,000	\$ -	\$ -
509	RAMP Grant Project	\$ (100,000)	\$ -	\$ -
207	Cross Roads Park @ Pepper Creek Trail	\$ 1,000,000	\$ -	\$ -
305	Research Parkway I35 to Wendland	\$ (1,000,000)	\$ 1,000,000	\$ -
510	Airport Hangar	\$ 1,620,000	\$ -	\$ -
155	Pepper Creek Trail Hwy 36 to McLane Pkwy-parking lot	\$ 150,000	\$ -	\$ -
466	TMED South 1st Street Design	\$ 120,000	\$ -	\$ -
466	TMED South 1st Street Construction	\$ 1,200,000	\$ -	\$ -
507	Airport Taxiway	\$ -	\$ (1,310,000)	\$ -
464	Veteran's Memorial Blvd. Phase II	\$ -	\$ -	\$ (2,500,000)
	<b>Net change in projects</b>	<b>\$ (2,310,000)</b>	<b>\$ 4,690,000</b>	<b>\$ (2,500,000)</b>

The following is a summary of funding for the 2022 Master Plan projects:

Project Description	Bond Issue		2018	2019	2020	2021	2022	TOTAL
	2017	2017						
Temple Industrial Park	\$ -	\$ -	\$ 400,000	\$ -	\$ -	\$ -	\$ -	\$ 400,000
Corporate Campus Park	150,000	-	-	-	-	-	-	150,000
Bioscience Park	-	1,000,000	-	-	-	-	-	1,000,000
Research Parkway/Outer Loop	400,000	14,600,000	1,000,000	-	10,750,000	-	-	26,750,000
Downtown	9,550,000	3,400,000	7,700,000	450,000	450,000	450,000	450,000	22,450,000
TMED	1,320,000	-	-	3,960,000	-	-	-	5,280,000
Airport Park	1,620,000	-	-	-	-	-	-	1,620,000
Public Improvements	-	-	-	-	-	5,500,000	7,000,000	12,500,000
<b>MASTER PLAN PROJECT FUNDING</b>	<b>\$ 13,040,000</b>	<b>\$ 19,000,000</b>	<b>\$ 9,100,000</b>	<b>\$ 4,410,000</b>	<b>\$ 11,200,000</b>	<b>\$ 5,950,000</b>	<b>\$ 7,450,000</b>	<b>\$ 70,150,000</b>

See the attached "TRZ Master Plan Project Funding (2017-2022)" for more detail on the projects. All changes have been highlighted in yellow.

**FISCAL IMPACT:** Below is a table summarizing the Source and Use of funds included in the Financing and Project Plans.

Description	2017	2018	2019	2020	2021	2022	Future Years
Available FB <sup>(1)</sup> @ October 1	\$ 27,838,651	\$ 3,988,025	\$ 2,841,256	\$ 5,576,198	\$ 1,626,227	\$ 3,075,793	\$ 3,706,289
Total Source of Funds	39,486,878	16,107,145	15,303,122	15,500,830	15,651,671	16,317,253	862,639,314
Total Debt & Operating Exp.	7,305,206	8,153,914	8,158,180	8,250,801	8,252,105	8,236,757	79,283,805
Total Planned Project Exp.	56,032,298	9,100,000	4,410,000	11,200,000	5,950,000	7,450,000	787,061,798
Available FB <sup>(1)</sup> @ September 30	\$ 3,988,025	\$ 2,841,256	\$ 5,576,198	\$ 1,626,227	\$ 3,075,793	\$ 3,706,289	\$ -

<sup>(1)</sup> - Fund Balance

**ATTACHMENTS:**

Financing Plan  
Summary Financing Plan with Detailed Project Plan  
Summary - TRZ Master Plan Project Funding (2017 - 2022)  
TRZ Master Plan Project Funding (2017 - 2022)  
Budget Adjustment  
Ordinance

Financing Plan - 04/05/17 to Zone Board

		Revised					
DESCRIPTION		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"	\$ 435,256,703	\$ 382,863,680	\$ 370,649,604	\$ 377,916,559	\$ 382,213,195	\$ 427,532,778
1	FUND BALANCE, Begin	\$ 27,838,651	\$ 3,988,025	\$ 2,841,256	\$ 5,576,198	\$ 1,626,227	\$ 3,075,793
2	Adjustments to Debt Service Reserve	-	-	-	-	-	-
3	Fund Balance Available for Appropriation	\$ 27,838,651	\$ 3,988,025	\$ 2,841,256	\$ 5,576,198	\$ 1,626,227	\$ 3,075,793
SOURCES OF FUNDS:							
4	Tax Revenues	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]	(290,572)	(243,977)	(231,885)	(234,896)	(237,345)	(247,786)
8	Interest Income-Other	50,000	50,000	40,000	40,000	30,000	10,000
10	Grant Funds	1,170,000	-	-	-	-	-
12	License Fee - Central Texas Railway	36,000	36,000	36,000	36,000	36,000	36,000
14	Other Revenues	150,000	-	-	-	-	-
17	Bond Proceeds	19,000,000	-	-	-	-	-
20	Total Sources of Funds	\$ 39,486,878	\$ 16,107,144	\$ 15,303,122	\$ 15,500,830	\$ 15,651,671	\$ 16,317,253
25	TOTAL AVAILABLE FOR APPROPRIATION	\$ 67,325,529	\$ 20,095,169	\$ 18,144,378	\$ 21,077,028	\$ 17,277,898	\$ 19,393,046
USE OF FUNDS:							
DEBT SERVICE							
27	2009 Bond Refunding	1,510,150	1,488,750	1,485,000	-	-	-
28	2008 Bond Issue-Taxable {\$10.365 mil}	1,240,096	1,241,957	1,241,173	1,237,744	1,241,670	1,242,422
29	Debt Service - 2011A Issue {Refunding}	912,200	908,350	915,950	2,497,800	2,497,550	2,494,950
30	Debt Service - 2012 Issue {Refunding}	76,400	79,600	77,650	80,050	77,250	78,750
31	Debt Service - 2013 Issue {\$25.260 mil}	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	1,452,000	1,454,500	1,451,700	1,452,200	1,452,100
35	Paying Agent Services	1,700	1,700	1,700	1,700	1,700	1,700
40	Subtotal-Debt Service	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	175,000	175,000	175,000	175,000	175,000	175,000
52	Legal/Audit	1,300	1,300	1,300	1,300	1,300	1,400
54	Zone Park Maintenance [mowing, utilities, botanical supplies]	330,000	330,000	330,000	330,000	330,000	330,000
56	Rail Maintenance	214,390	100,000	100,000	100,000	100,000	100,000
58	Road/Signage Maintenance	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
62	TISD-Reimbursement [per contract]	26,250	27,563	27,563	27,563	28,941	28,941
65	Subtotal-Operating Expenditures	1,185,183	933,863	933,863	933,863	935,241	935,341
70	TOTAL DEBT & OPERATING EXPENDITURES	\$ 7,305,206	\$ 8,153,914	\$ 8,158,180	\$ 8,250,801	\$ 8,252,105	\$ 8,236,757
80	Funds Available for Projects	\$ 60,020,323	\$ 11,941,256	\$ 9,986,198	\$ 12,826,227	\$ 9,025,793	\$ 11,156,289
PROJECTS							
150	Temple Industrial Park	696,509	400,000	-	-	-	-
200	Corporate Campus Park	1,651,520	-	-	-	-	-
250	Bioscience Park	4,814,692	-	-	-	-	-
350	Research Parkway	21,229,812	1,000,000	-	10,750,000	-	-
400	Synergy Park	501,701	-	-	-	-	-
450	Downtown	17,886,895	7,700,000	450,000	450,000	450,000	450,000
500	TMED	7,304,245	-	3,960,000	-	-	-
550	Airport Park	1,946,924	-	-	-	-	-
610	Public Improvements	-	-	-	-	5,500,000	7,000,000
	Subtotal-Projects	56,032,298	9,100,000	4,410,000	11,200,000	5,950,000	7,450,000
TOTAL USE OF FUNDS		\$ 63,337,504	\$ 17,253,914	\$ 12,568,180	\$ 19,450,801	\$ 14,202,105	\$ 15,686,757
700	FUND BALANCE, End	\$ 3,988,025	\$ 2,841,256	\$ 5,576,198	\$ 1,626,227	\$ 3,075,793	\$ 3,706,289

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	\$ 3,706,289	\$ 2,549,157	\$ 2,589,183	\$ 2,759,223	\$ 2,850,949	\$ 3,161,901	\$ 3,169,415	\$ 3,385,358	\$ 3,794,771	\$ 3,906,806
2	Adjustments to Debt Service Reserve	-	-	-	-	-	-	-	-	-	-
3	Fund Balance Available for Appropriation	\$ 3,706,289	\$ 2,549,157	\$ 2,589,183	\$ 2,759,223	\$ 2,850,949	\$ 3,161,901	\$ 3,169,415	\$ 3,385,358	\$ 3,794,771	\$ 3,906,806
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	\$ 20,420,292	\$ 19,959,565	\$ 20,641,324	\$ 22,495,050	\$ 23,064,521	\$ 23,577,135	\$ 23,788,328	\$ 24,209,986	\$ 24,827,171	\$ 25,149,056
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	\$ 15,999,157	\$ 15,539,183	\$ 16,209,223	\$ 18,050,949	\$ 18,611,901	\$ 19,119,415	\$ 19,335,358	\$ 19,744,771	\$ 20,356,806	\$ 20,669,041
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	13,000,000	12,500,000	13,000,000	14,750,000	15,000,000	15,500,000	15,500,000	15,500,000	16,000,000	16,000,000
	Subtotal-Projects	13,450,000	12,950,000	13,450,000	15,200,000	15,450,000	15,950,000	15,950,000	15,950,000	16,450,000	16,450,000
TOTAL USE OF FUNDS		\$ 17,871,135	\$ 17,370,382	\$ 17,882,101	\$ 19,644,101	\$ 19,902,620	\$ 20,407,720	\$ 20,402,970	\$ 20,415,215	\$ 20,920,365	\$ 20,930,015
700	FUND BALANCE, End	\$ 2,549,157	\$ 2,589,183	\$ 2,759,223	\$ 2,850,949	\$ 3,161,901	\$ 3,169,415	\$ 3,385,358	\$ 3,794,771	\$ 3,906,806	\$ 4,219,041



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	\$ 4,219,041	\$ 4,232,799	\$ 4,055,537	\$ 4,594,235	\$ 4,597,294	\$ 4,823,108	\$ 4,975,932	\$ 4,851,896	\$ 4,955,097	\$ 4,787,809
2	Adjustments to Debt Service Reserve	-	-	-	-	-	-	-	-	-	-
3	Fund Balance Available for Appropriation	\$ 4,219,041	\$ 4,232,799	\$ 4,055,537	\$ 4,594,235	\$ 4,597,294	\$ 4,823,108	\$ 4,975,932	\$ 4,851,896	\$ 4,955,097	\$ 4,787,809
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	\$ 25,673,239	\$ 25,901,064	\$ 25,940,012	\$ 26,697,080	\$ 26,920,694	\$ 27,369,268	\$ 27,747,079	\$ 27,850,280	\$ 28,182,992	\$ 28,247,508
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	\$ 21,182,799	\$ 23,505,537	\$ 23,544,235	\$ 24,297,294	\$ 24,523,108	\$ 26,425,932	\$ 26,801,896	\$ 26,905,097	\$ 27,237,809	\$ 27,300,386
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	18,500,000	19,250,000	19,250,000	21,000,000	21,500,000	21,500,000	22,000,000	22,000,000
	Subtotal-Projects	16,950,000	19,450,000	18,950,000	19,700,000	19,700,000	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	\$ 21,345,777	\$ 22,099,786	\$ 22,097,586	\$ 22,393,336	\$ 22,895,183	\$ 22,895,183	\$ 23,395,183	\$ 23,397,122
700	FUND BALANCE, End	\$ 4,232,799	\$ 4,055,537	\$ 4,594,235	\$ 4,597,294	\$ 4,823,108	\$ 4,975,932	\$ 4,851,896	\$ 4,955,097	\$ 4,787,809	\$ 4,850,386

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	\$ 4,850,386	\$ 5,183,512	\$ 5,217,019	\$ 5,450,771	\$ 5,388,829	\$ 5,533,234	\$ 5,383,913	\$ 5,445,088	\$ 5,218,864	\$ 5,205,121
2	Adjustments to Debt Service Reserve	-	-	-	-	-	-	-	-	-	-
3	Fund Balance Available for Appropriation	\$ 4,850,386	\$ 5,183,512	\$ 5,217,019	\$ 5,450,771	\$ 5,388,829	\$ 5,533,234	\$ 5,383,913	\$ 5,445,088	\$ 5,218,864	\$ 5,205,121
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	\$ 24,925,734	\$ 25,459,141	\$ 25,694,929	\$ 26,132,987	\$ 26,277,392	\$ 26,630,209	\$ 26,691,384	\$ 26,965,160	\$ 26,953,662	\$ 27,156,793
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	\$ 24,133,512	\$ 24,667,019	\$ 24,900,771	\$ 25,338,829	\$ 25,483,234	\$ 25,833,913	\$ 25,895,088	\$ 26,168,864	\$ 26,155,121	\$ 26,358,252
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	18,500,000	19,000,000	19,000,000	19,500,000	19,500,000	20,000,000	20,000,000	20,500,000	20,500,000	20,500,000
	Subtotal-Projects	18,950,000	19,450,000	19,450,000	19,950,000	19,950,000	20,450,000	20,450,000	20,950,000	20,950,000	20,950,000
TOTAL USE OF FUNDS		\$ 19,742,222	\$ 20,242,122	\$ 20,244,158	\$ 20,744,158	\$ 20,744,158	\$ 21,246,296	\$ 21,246,296	\$ 21,746,296	\$ 21,748,541	\$ 21,748,541
700	FUND BALANCE, End	\$ 5,183,512	\$ 5,217,019	\$ 5,450,771	\$ 5,388,829	\$ 5,533,234	\$ 5,383,913	\$ 5,445,088	\$ 5,218,864	\$ 5,205,121	\$ 5,408,252

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	\$ 5,408,252	\$ 5,330,426	\$ 5,471,475	\$ 5,335,970	\$ 5,426,145	\$ 5,241,781	\$ 5,287,634	\$ 5,566,005	\$ 5,576,621	\$ 5,324,427
2	Adjustments to Debt Service Reserve	-	-	-	-	-	-	-	-	-	-
3	Fund Balance Available for Appropriation	\$ 5,408,252	\$ 5,330,426	\$ 5,471,475	\$ 5,335,970	\$ 5,426,145	\$ 5,241,781	\$ 5,287,634	\$ 5,566,005	\$ 5,576,621	\$ 5,324,427
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	\$ 27,578,967	\$ 27,722,373	\$ 28,086,868	\$ 28,177,043	\$ 28,495,154	\$ 28,541,007	\$ 28,819,378	\$ 29,332,592	\$ 29,580,399	\$ 29,567,770
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	\$ 26,780,426	\$ 26,921,475	\$ 27,285,970	\$ 27,376,145	\$ 27,691,781	\$ 27,737,634	\$ 28,016,005	\$ 28,526,621	\$ 28,774,427	\$ 28,761,798
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	21,000,000	21,500,000	21,500,000	22,000,000	22,000,000	22,000,000	22,500,000	23,000,000	28,311,798
	Subtotal-Projects	21,450,000	21,450,000	21,950,000	21,950,000	22,450,000	22,450,000	22,450,000	22,950,000	23,450,000	28,761,798
TOTAL USE OF FUNDS		\$ 22,248,541	\$ 22,250,898	\$ 22,750,898	\$ 22,750,898	\$ 23,253,373	\$ 23,253,373	\$ 23,253,373	\$ 23,755,972	\$ 24,255,972	\$ 29,567,770
700	FUND BALANCE, End	\$ 5,330,426	\$ 5,471,475	\$ 5,335,970	\$ 5,426,145	\$ 5,241,781	\$ 5,287,634	\$ 5,566,005	\$ 5,576,621	\$ 5,324,427	\$ (0)

TIF Reinvestment Zone #1  
Summary Financing Plan with Detailed Project Plan

Project Plan - 04/05/17 - to Zone Board

\$ 19,000,000  
Bond Proceeds

SUMMARY FINANCING PLAN						
	Revised 2017	2018	2019	2020	2021	2022
1 Beginning Available Fund Balance, Oct 1	\$ 27,838,651	\$ 3,988,025	\$ 2,841,256	\$ 5,576,198	\$ 1,626,227	\$ 3,075,793
20 Total Sources of Funds	39,486,878	16,107,144	15,303,122	15,500,830	15,651,671	16,317,253
2 Adjustments to Debt Service Reserve		-	-	-	-	-
25 Net Available for Appropriation	67,325,529	20,095,169	18,144,378	21,077,028	17,277,898	19,393,046
50/52 General Administrative Expenditures	176,300	176,300	176,300	176,300	176,300	176,400
54 Zone Park Maintenance [mowing, utilities, botanical supplies]	330,000	330,000	330,000	330,000	330,000	330,000
56 Rail Maintenance	214,390	100,000	100,000	100,000	100,000	100,000
58 Road/Signage Maintenance	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
62 TISD-Reimbursement [per contract]	26,250	27,563	27,563	27,563	28,941	28,941
27 Debt Service - 2009 Issue {Refunding}	1,510,150	1,488,750	1,485,000	-	-	-
28 Debt Service - 2008 Taxable Issue {\$10.365 mil}	1,240,096	1,241,957	1,241,173	1,237,744	1,241,670	1,242,422
29 Debt Service - 2011A Issue {Refunding}	912,200	908,350	915,950	2,497,800	2,497,550	2,494,950
30 Debt Service - 2012 Issue {Refunding}	76,400	79,600	77,650	80,050	77,250	78,750
31 Debt Service - 2013 Issue {\$25.260 mil}	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	1,452,000	1,454,500	1,451,700	1,452,200	1,452,100
33 Paying Agent Services	1,700	1,700	1,700	1,700	1,700	1,700
70 Total Debt & Operating Expenditures	7,305,206	8,153,914	8,158,180	8,250,801	8,252,105	8,236,757
80 Funds Available for Projects	\$ 60,020,323	\$ 11,941,256	\$ 9,986,198	\$ 12,826,227	\$ 9,025,793	\$ 11,156,289

PROJECT PLAN						
	Revised 2017	2018	2019	2020	2021	2022
TEMPLE INDUSTRIAL PARK:						
101 Receiving & Delivery (R&D) Tracks	107,500	400,000	-	-	-	-
102 North Lucius McCelvey Extension	186,655					
108 31st Street Sidewalks Grant Match	52,354	-	-	-	-	-
109 31st Street Sidewalks	350,000	-	-	-	-	-
150 Total North Zone/Rail Park (including Enterprise Park)	696,509	400,000	-	-	-	-
CORPORATE CAMPUS PARK:						
155 Pepper Creek Trail Hwy 36 to McLane Parkway	1,651,520	-	-	-	-	-
200 Total Corporate Campus Park	1,651,520	-	-	-	-	-
BIOSCIENCE PARK:						
207 Cross Roads Park @ Pepper Creek Trail	3,814,692	-	-	-	-	-
207 Cross Roads Park @ Pepper Creek Trail {bond funded}	1,000,000	-	-	-	-	-
250 Total Bio-Science Park	4,814,692	-	-	-	-	-
RESEARCH PARKWAY						
305 Research Pkwy (IH 35 to Wendland Ultimate) STAG grant	1,925,000	-	-	-	-	-
305 Research Pkwy (IH 35 to Wendland Ultimate)	2,202,056	1,000,000	-	-	-	-
305 Research Pkwy (IH 35 to Wendland Ultimate) {bond funded}	12,500,000	-	-	-	-	-
310 Research Pkwy (Wendland to McLane Pkwy)	1,081,176	-	-	-	-	-
315 Research Pkwy (McLane Pkwy to Central Point Pkwy)	1,021,580	-	-	-	-	-
320 Outer Loop (I35 South)	400,000	-	-	10,750,000	-	-
320 Outer Loop (I35 South) {bond funded}	2,100,000	-	-	-	-	-
350 Total Research Parkway	21,229,812	1,000,000	-	10,750,000	-	-
SYNERGY PARK:						
351 Lorraine Drive (Southeast Industrial Park) - [\$1.5M total project cost]	13,975	-	-	-	-	-
352 Entry Enhancement	487,726	-	-	-	-	-
400 Total Synergy Park	501,701	-	-	-	-	-
DOWNTOWN:						
401 Downtown Improvements {Transformation Team}	681,100	450,000	450,000	450,000	450,000	450,000
404 Santa Fe Plaza	8,039,332	1,500,000	-	-	-	-
404 Santa Fe Plaza {bond funded}	1,900,000	-	-	-	-	-
406 Intersection Improvements at Central & North 4th Street	-	750,000	-	-	-	-
407 Santa Fe Market Trail	716,463					
407 Santa Fe Market Trail {bond funded}	1,500,000	-	-	-	-	-
408 MLK Festival Fields	50,000	-	-	-	-	-
409 TISD-Obligation per Contract	5,000,000	5,000,000	-	-	-	-
450 Total Downtown	17,886,895	7,700,000	450,000	450,000	450,000	450,000
TMED:						
458 Loop 363 Frontage Rd (UPRR to 5th TIRZ portion)	182,935	-	-	-	-	-
459 31st Street/Loop 363 Improvements/Monumentation	2,037,205	-	-	-	-	-
460 Ave U TMED Ave. to 1st Street	2,884,670	-	-	-	-	-
461 TMED Master Plan (Health Care Campus)	20,150	-	-	-	-	-
462 TMED Master Plan & Thoroughfare Plan	55,000	-	-	-	-	-
464 Veteran's Memorial Blvd. Phase II	804,285	-	3,960,000	-	-	-
465 1st Street @ Temple College Pedestrian Bridge	-	-	-	-	-	-
466 South 1st Street	1,320,000	-	-	-	-	-
500 Total TMED	7,304,245	-	3,960,000	-	-	-
AIRPORT PARK:						
507 Taxiway for Airport	63,700	-	-	-	-	-
508 Corporate Hangar Phase II	263,224	-	-	-	-	-
509 Airport RAMP Grant	-	-	-	-	-	-
510 Corporate Hangar	1,620,000					
550 Total Airport Park	1,946,924	-	-	-	-	-
610 Public Improvements	-	-	-	-	5,500,000	7,000,000
Total Planned Project Expenditures	56,032,298	9,100,000	4,410,000	11,200,000	5,950,000	7,450,000
700 Available Fund Balance at Year End	\$ 3,988,025	\$ 2,841,256	\$ 5,576,198	\$ 1,626,227	\$ 3,075,793	\$ 3,706,289

SUMMARY TRZ MASTER PLAN PROJECT FUNDING (2016 - 2022)

		2013-2016 		\$ 63,921,747								FY2017-2022
Available for allocation		\$ 25,361,960	\$ 19,374,500	\$ 19,185,287	\$ 12,464,306	\$ 19,000,000	\$ 7,953,231	\$ 7,144,942	\$ 7,250,029	\$ 7,399,566	\$ 8,080,496	\$ 69,292,570

	**2013 Bond Issue**		**See note**			Bond Issue						
	2013	2014	2015	2016	2017	2017	2018	2019	2020	2021	2022	TOTAL
Temple Industrial Park	\$ -	\$ 114,275	\$ 7,222,395	\$ 596,882	\$ -	\$ -	\$ 400,000	\$ -	\$ -	\$ -	\$ -	\$ 8,333,552
Corporate Campus Park	127,600	1,037,300	3,090,693	1,700,000	150,000	-	-	-	-	-	-	6,105,593
Bioscience Park	245,000	1,505,000	-	2,425,000	-	1,000,000	-	-	-	-	-	5,175,000
Research Parkway	5,665,000	800,000	-	2,925,000	400,000	14,600,000	1,000,000	-	10,750,000	-	-	36,140,000
Synergy Park	-	838,578	564,580	-	-	-	-	-	-	-	-	1,403,158
Downtown	644,100	-	2,389,450	4,655,400	9,550,000	3,400,000	7,700,000	450,000	450,000	450,000	450,000	30,138,950
TMED	948,738	7,975,000	5,911,540	4,005,000	1,320,000	-	-	3,960,000	-	-	-	24,120,278
Airport Park	170,000	1,150,000	2,186,497	465,000	1,620,000	-	-	-	-	-	-	5,591,497
Public Improvements	-	-	-	-	-	-	-	-	-	5,500,000	7,000,000	12,500,000
MASTER PLAN PROJECT FUNDING	\$ 7,800,438	\$ 13,420,153	\$ 21,365,155	\$ 16,772,282	\$ 13,040,000	\$ 19,000,000	\$ 9,100,000	\$ 4,410,000	\$ 11,200,000	\$ 5,950,000	\$ 7,450,000	\$ 129,508,028

	2013	2014	2015	2016	2017	2017	2018	2019	2020	2021	2022	TOTAL
Favorable (Unfavorable) Balance		\$ 4,141,369	\$ (1,990,655)	\$ 2,413,005	\$ (575,694)	\$ -	\$ (1,146,769)	\$ 2,734,942	\$ (3,949,971)	\$ 1,449,566	\$ 630,496	\$ 3,706,289
Cumulative Favorable (Unfavorable)		\$ 4,141,369	\$ 2,150,714	\$ 4,563,719	\$ 3,988,025	\$ 3,988,025	\$ 2,841,256	\$ 5,576,198	\$ 1,626,227	\$ 3,075,793	\$ 3,706,289	

**\*\*Note\*\*:** The amounts shown in FY 2017 for projects will not be the same as in the Financing Plan. The Financing Plan is a cumulative amount that includes previous years allocations. The cumulative balance available at the end of FY 2017 of \$3,988,025 balances to Line 700 of the Financing Plan.

TRZ MASTER PLAN PROJECT FUNDING (2016 - 2022)

		2013-2016 < >		\$ 63,921,747									FY 2017-2022
Available for allocation		\$ 25,361,960	\$ 19,374,500	\$ 19,185,287	\$ 12,464,306	\$ 19,000,000	\$ 7,953,231	\$ 7,144,942	\$ 7,250,029	\$ 7,399,566	\$ 8,080,496	\$ 69,292,570	

Temple Industrial Park

		**2013 Bond Issue**		Bond Issue									
Line #	Project Description	2013	2014	2015	2016	2017	2017	2018	2019	2020	2021	2022	TOTAL
1	North Lucius McCelvey Ext. (1/2) Design	-	114,275	-	-	-	-	-	-	-	-	-	114,275
2	North Lucius McCelvey Ext. (1/2) Construction	-	-	2,150,491	-	-	-	-	-	-	-	-	2,150,491
3	Northern Y Design				78,400	-	-	-	-	-			78,400
4	Northern Y Construction				-	-	-	-	-	-			-
5	Receiving & Delivery Tracks Preliminary Design				124,400	-	-	-	-	-			124,400
6	Receiving & Delivery Tracks ROW				-	-	-	400,000	-	-			400,000
7	Pepper Creek Main Stem Regional Detention Pond Construction	-	-	1,041,129	-	-	-	-	-	-	-	-	1,041,129
8	Property Acquisition	-	-	4,000,000	-	-	-	-	-	-	-	-	4,000,000
9	N 31st Street Sidewalks Grant Match	-	-	30,775	44,082	-	-	-	-	-	-	-	74,857
10	N 31st Street Sidewalks Construction	-	-	-	350,000	-	-	-	-	-	-	-	350,000
11	Berger Road Improvements	-	-	-	-	-	-	-	-	-			-
SUBTOTAL		-	114,275	7,222,395	596,882	-	-	400,000	-	-	-	-	8,333,552

Corporate Campus Park

							Bond Issue						
Line #	Project Description	2013	2014	2015	2016	2017	2017	2018	2019	2020	2021	2022	TOTAL
12	Pepper Creek Trail Hwy 36 to McLane Prkwy Design	93,700	256,300	-	-	-	-	-	-	-	-	-	350,000
13	Pepper Creek Trail Hwy 36 to McLane Prkwy ROW	33,900	-	-	-	-	-	-	-	-	-	-	33,900
14	Pepper Creek Trail Hwy 36 to McLane Prkwy Construction	-	71,000	-	1,700,000	150,000	-	-	-	-	-	-	1,921,000
15	McLane Prkwy/Research Pkwy Connection Design	-	710,000	-	-	-	-	-	-	-	-	-	710,000
16	McLane Prkwy/Research Pkwy Connection Construction	-	-	3,090,693	-	-	-	-	-	-	-	-	3,090,693
SUBTOTAL		127,600	1,037,300	3,090,693	1,700,000	150,000	-	-	-	-	-	-	6,105,593

Bioscience Park

							Bond Issue						
Line #	Project Description	2013	2014	2015	2016	2017	2017	2018	2019	2020	2021	2022	TOTAL
17	Cross Roads Park @ Pepper Creek Trail Design	245,000	-	-	-	-	-	-	-	-	-	-	245,000
18	Cross Roads Park @ Pepper Creek Trail Construction	-	1,505,000	-	2,425,000	-	1,000,000	-	-	-	-	-	4,930,000
SUBTOTAL		245,000	1,505,000	-	2,425,000	-	1,000,000	-	-	-	-	-	5,175,000

Research Parkway

							Bond Issue						
Line #	Project Description	2013	2014	2015	2016	2017	2017	2018	2019	2020	2021	2022	TOTAL
19	Research Pkwy (IH35 to Wendland At Grade) Design	1,610,000	-	-	-	-	-	-	-	-	-	-	1,610,000
20	Research Pkwy (IH35 to Wendland Ultimate) ROW	301,364	-	-	1,000,000	-	-	-	-	-	-	-	1,301,364
21	Research Pkwy (IH35 to Wendland At Grade) Grant (Little Elm Sewer)	793,636	-	-	1,925,000	-	-	-	-	-	-	-	2,718,636
22	Research Pkwy (IH35 to Wendland At Grade) Construction	-	-	-	-	-	12,500,000	1,000,000	-	-	-	-	13,500,000
23	Research Pkwy (Wendland to McLane Prkwy) Design	960,000	-	-	-	-	-	-	-	-	-	-	960,000
24	Research Pkwy (Wendland to McLane Prkwy) ROW	1,300,000	-	-	-	-	-	-	-	-	-	-	1,300,000
25	Research Pkwy (Wendland to McLane Prkwy) Construction	-	-	-	-	-	-	-	-	-	-	-	-
26	Research Pkwy (McLane Pkwy to Cen Pt Pkwy) Design	700,000	-	-	-	-	-	-	-	-	-	-	700,000
27	Research Pkwy (McLane Pkwy to Cen Pt Pkwy) ROW	-	800,000	-	-	-	-	-	-	-	-	-	800,000
28	Research Pkwy (McLane Pkwy to Cen Pt Pkwy) Construction	-	-	-	-	-	-	-	-	-	-	-	-
29	Outer Loop (I35 South) Design	-	-	-	-	400,000	800,000	-	-	750,000	-	-	1,950,000
30	Outer Loop (I35 South) ROW	-	-	-	-	-	1,300,000	-	-	-	-	-	1,300,000
31	Outer Loop (I35 South) Construction	-	-	-	-	-	-	-	-	10,000,000	-	-	10,000,000
SUBTOTAL		5,665,000	800,000	-	2,925,000	400,000	14,600,000	1,000,000	-	10,750,000	-	-	36,140,000



TRZ MASTER PLAN PROJECT FUNDING (2016 - 2022)

Synergy Park

Synergy Park							Bond Issue						
Line #	Project Description	2013	2014	2015	2016	2017	2017	2018	2019	2020	2021	2022	TOTAL
32	Entry Enhancement Design	-	75,000	-	-	-	-	-	-	-	-	-	75,000
33	Entry Enhancement Constr	-	425,000	-	-	-	-	-	-	-	-	-	425,000
34	Lorraine Drive/Panda Drive Service Road Design	-	-	-	-	-	-	-	-	-	-	-	-
35	Lorraine Drive/Panda Drive Service Road Construction	-	338,578	-	-	-	-	-	-	-	-	-	338,578
36	Lorraine Drive/Panda Drive {Panda Commitment}	-	-	564,580	-	-	-	-	-	-	-	-	564,580
SUBTOTAL		-	838,578	564,580	-	-	-	-	-	-	-	-	1,403,158

Downtown

Downtown		**2013 Bond Issue**					Bond Issue						
Line #	Project Description	2013	2014	2015	2016	2017	2017	2018	2019	2020	2021	2022	TOTAL
37	Santa Fe Plaza Design	538,600	-	76,400	261,400	-	-	-	-	-	-	-	876,400
38	Santa Fe Plaza ROW	-	-	1,750,000	1,600,000	500,000	-	-	-	-	-	-	3,850,000
39	Santa Fe Plaza Construction	-	-	-	1,100,000	3,600,000	1,900,000	1,500,000	-	-	-	-	8,100,000
40	Downtown Master Plan ROW	-	-	-	-	-	-	-	-	-	-	-	-
41	Downtown Master Plan	105,500	-	-	-	-	-	-	-	-	-	-	105,500
42	TISD-Obligation per Contract	-	-	-	-	5,000,000	-	5,000,000	-	-	-	-	10,000,000
43	Intersection improvements at Central and N. 4th Street	-	-	-	-	-	-	750,000	-	-	-	-	750,000
44	Santa Fe Market Trail Design	-	-	190,000	-	-	-	-	-	-	-	-	190,000
45	Santa Fe Market Trail ROW	-	-	-	1,500,000	-	-	-	-	-	-	-	1,500,000
46	Santa Fe Market Trail Construction	-	-	-	-	-	1,500,000	-	-	-	-	-	1,500,000
47	MLK Festival Fields Design	-	-	-	35,600	-	-	-	-	-	-	-	35,600
48	MLK Festival Fields Construction	-	-	-	14,400	-	-	-	-	-	-	-	14,400
49	Downtown Transformation Team	-	-	373,050	144,000	450,000	-	450,000	450,000	450,000	450,000	450,000	3,217,050
50	1st Street from Avenue B to Central Avenue Design	-	-	-	-	-	-	-	-	-	-	-	-
51	1st Street from Avenue B to Central Avenue ROW	-	-	-	-	-	-	-	-	-	-	-	-
52	1st Street from Avenue B to Central Avenue Construction	-	-	-	-	-	-	-	-	-	-	-	-
53	North General Bruce Drive Enhancements Study	-	-	-	-	-	-	-	-	-	-	-	-
SUBTOTAL		644,100	-	2,389,450	4,655,400	9,550,000	3,400,000	7,700,000	450,000	450,000	450,000	450,000	30,138,950

TMED

TMED							Bond Issue						
Line #	Project Description	2013	2014	2015	2016	2017	2017	2018	2019	2020	2021	2022	TOTAL
54	Loop 363 FR (UPRR to 5th TRZ Portion) Design	330,000	-	-	-	-	-	-	-	-	-	-	330,000
55	Loop 363 FR (UPRR to 5th TRZ Portion) ROW	120,000	-	-	-	-	-	-	-	-	-	-	120,000
56	Loop 363 FR (UPRR to 5th TRZ Portion) Construction	-	6,000,000	-	300,000	-	-	-	-	-	-	-	6,300,000
57	31st Street/Loop 363 Improvements/Monumentation Design	70,000	-	-	-	-	-	-	-	-	-	-	70,000
58	31 Street/Loop 363 Improvements/Monumentation Construction	-	450,000	1,650,000	-	-	-	-	-	-	-	-	2,100,000
59	Ave U TMED Ave. to 1st Design	175,000	-	-	-	-	-	-	-	-	-	-	175,000
60	Ave U TMED Ave. to 1st ROW	-	1,100,000	1,125,000	180,000	-	-	-	-	-	-	-	2,405,000
61	Ave U TMED Ave. to 1st Construction	-	-	250,000	2,600,000	-	-	-	-	-	-	-	2,850,000
62	TMED Master Plan (Health Care Campus) Design	123,738	-	-	-	-	-	-	-	-	-	-	123,738
63	TMED Master Plan &Thoroughfare Plan * Design	55,000	-	-	-	-	-	-	-	-	-	-	55,000
64	Friars Creek Trail to Ave. R Trail Design	75,000	-	-	-	-	-	-	-	-	-	-	75,000
65	Friars Creek Trail to Ave. R Trail Construction	-	425,000	36,558	-	-	-	-	-	-	-	-	461,558
66	1st Street @ Temple College Pedestrian Bridge	-	-	-	-	-	-	-	-	-	-	-	-
67	Friars Creek Trail Amphitheater	-	-	-	-	-	-	-	-	-	-	-	-
68	Ave R Intersections Construction	-	-	2,849,982	-	-	-	-	-	-	-	-	2,849,982
69	Veteran's Memorial Blvd. Phase II Design	-	-	-	675,000	-	-	-	-	-	-	-	675,000
70	Veteran's Memorial Blvd. Phase II ROW	-	-	-	250,000	-	-	-	-	-	-	-	250,000
71	Veteran's Memorial Blvd. Phase II Construction	-	-	-	-	-	-	-	3,960,000	-	-	-	3,960,000
72	TMED South 1st Street Design	-	-	-	-	120,000	-	-	-	-	-	-	120,000
73	TMED South 1st Street Construction	-	-	-	-	1,200,000	-	-	-	-	-	-	1,200,000
74	Bond Contingency	-	-	-	-	-	-	-	-	-	-	-	-
SUBTOTAL		948,738	7,975,000	5,911,540	4,005,000	1,320,000	-	-	3,960,000	-	-	-	24,120,278

TRZ MASTER PLAN PROJECT FUNDING (2016 - 2022)

Airport Park							Bond Issue						
Line #	Project Description	2013	2014	2015	2016	2017	2017	2018	2019	2020	2021	2022	TOTAL
75	Airport Enhancement Projects Design	170,000	-	-	-	-	-	-	-	-	-	-	170,000
76	Airport Enhancement Projects Construction	-	1,150,000	2,186,497	-	-	-	-	-	-	-	-	3,336,497
77	Taxiway for Airport {60 ft width}	-	-	-	90,000	-	-	-	-	-	-	-	90,000
78	Corporate Hangar Phase II	-	-	-	375,000	-	-	-	-	-	-	-	375,000
79	Corporate Hangar	-	-	-	-	1,620,000	-	-	-	-	-	-	1,620,000
80	Airport RAMP Grant	-	-	-	-	-	-	-	-	-	-	-	-
SUBTOTAL		170,000	1,150,000	2,186,497	465,000	1,620,000	-	-	-	-	-	-	5,591,497

Public Improvements

Line #	Project Description	2013	2014	2015	2016	2017	2017	2018	2019	2020	2021	2022	TOTAL
81	Public Improvements	-	-	-	-	-	-	-	-	-	5,500,000	7,000,000	12,500,000

MASTER PLAN PROJECT FUNDING	\$	7,800,438	\$	13,420,153	\$	21,365,155	\$	16,772,282	\$	13,040,000	\$	19,000,000	\$	9,100,000	\$	4,410,000	\$	11,200,000	\$	5,950,000	\$	7,450,000	\$	129,508,028
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						Bond Issue							
	2013	2014	2015	2016	2017	2017	2018	2019	2020	2021	2022	TOTAL	
Favorable (Unfavorable) Balance		4,141,369	(1,990,655)	2,413,005	(575,694)	-	(1,146,769)	2,734,942	(3,949,971)	1,449,566	630,496	3,706,289	
Cumulative Favorable (Unfavorable)		4,141,369	2,150,714	4,563,719	3,988,025	3,988,025	2,841,256	5,576,198	1,626,227	3,075,793	3,706,289		

# BUDGET ADJUSTMENT FORM

FY 2017

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	
795-9600-531-68-67	101005	CROSS ROADS PARK @ PEPPER CREEK TRAIL	\$ 1,000,000		
795-9600-531-68-63	101000	RESEARCH PARKWAY-IH35 TO WENDLAND		\$ 1,000,000	
795-0000-431-02-61		GRANT FUNDS-NPE AIRPORT GRANT	\$ 150,000		
795-0000-461-08-65		MISCELLANEOUS REIMBURSEMENTS	\$ 150,000		
795-9500-531-65-70	101627	SOUTH 1ST STREET IMPROVEMENTS	\$ 1,320,000		
795-9500-531-68-65	101002	PEPPER CREEK TRAIL HWY 36 TO MCLANE PKWY	\$ 150,000		
795-9500-531-65-59	101586	AIRPORT RAMP GRANT PROJECT		\$ 100,000	
795-9500-531-65-23	101586	CORPORATE HANGAR	\$ 1,620,000		
795-9500-531-26-27		TISD OBLIGATION PER CONTRACT {FY 18 PAYMENT BEING MOVED TO FY 18}		\$ 5,000,000	
795-0000-358-11-10		UNALLOCATED FUND BALANCE	\$ 2,310,000		
		DO NOT POST			
TOTAL.....			\$ 6,700,000	\$ 6,100,000	

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

To appropriate funds as recommended by the Reinvestment Zone No. 1 Board at its 04.05.17 meeting and as approved on second reading by Council on 04.20.17.

DOES THIS REQUEST REQUIRE COUNCIL APPROVAL?

☒

Yes

☐

No

DATE OF COUNCIL MEETING

4/20/2017

WITH AGENDA ITEM?

☒

Yes

☐

No

Department Head/Division Director

Date

☐

Approved

☐

Disapproved

Finance

Date

☐

Approved

☐

Disapproved

City Manager

Date

☐

Approved

☐

Disapproved

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING AMENDMENTS TO THE TAX INCREMENT FINANCING REINVESTMENT ZONE NO. 1 FINANCING AND PROJECT PLANS TO ALIGN WITH THE 2022 MASTER PLAN FOR YEARS 2017-2019; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; DECLARING FINDINGS OF FACT; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, the City Council (the "Council") of the City of Temple, Texas, (the "City") created Reinvestment Zone Number One, City of Temple, Texas (the "Zone") by Ordinance No. 1457 adopted on September 16, 1982;

**Whereas**, the Council adopted a Project Plan and Reinvestment Zone Financing Plan for the Zone by Ordinance No. 1525 adopted on December 22, 1983, and thereafter amended such plans by Ordinance No. 1664 adopted on June 20, 1985, Ordinance No. 1719 adopted on November 21, 1985, Ordinance No. 1888 adopted on December 21, 1987, Ordinance No. 1945 adopted on October 20, 1988; Ordinance No. 1961 adopted on December 1, 1988; Ordinance No. 2039 adopted on April 19, 1990; Ordinance No. 91-2119 adopted on December 5, 1991; Ordinance No. 92-2138 adopted on April 7, 1992; Ordinance No. 94-2260 adopted on March 3, 1994; Ordinance No. 95-2351 adopted on June 15, 1995; Ordinance No. 98-2542 adopted on February 5, 1998; Ordinance No. 98-2582 adopted on November 19, 1998; Ordinance No. 99-2619 adopted on March 18, 1999; Ordinance No. 99-2629 adopted on May 6, 1999; Ordinance No. 99-2631 adopted on May 20, 1999; Ordinance No. 99-2647 adopted on August 19, 1999; Ordinance No. 99-2678 adopted on December 16, 1999; Ordinance No. 2000-2682 adopted on January 6, 2000; Ordinance No. 2000-2729 adopted on October 19, 2000; Ordinance No. 2001-2772 adopted on June 7, 2001; Ordinance No. 2001-2782 adopted on July 19, 2001; Ordinance No. 2001-2793 adopted on September 20, 2001; Ordinance No. 2001-2807 on November 15, 2001; Ordinance No. 2001-2813 on December 20, 2001; Ordinance No. 2002-2833 on March 21, 2002; Ordinance No. 2002-2838 on April 18, 2002; Ordinance No. 2002-3847 on June 20, 2002; Ordinance No. 2002-3848 on June 20, 2002; Ordinance No. 2002-3868 on October 17, 2002; Ordinance No. 2003-3888 on February 20, 2003; Ordinance No. 2003-3894 on April 17, 2003; Ordinance No. 2003-3926 on September 18, 2003; Ordinance No. 2004-3695 on July 1, 2004; Ordinance No. 2004-3975 on August 19, 2004; Ordinance No. 2004-3981 on September 16, 2004; Ordinance No. 2005-4001 on May 5, 2005; Ordinance No. 2005-4038 on September 15, 2005; Ordinance No. 2006-4051 on January 5, 2006; Ordinance No. 2006-4076 on the 18<sup>th</sup> day of May, 2006; Ordinance No. 2006-4118; Ordinance No. 2007-4141 on the 19<sup>th</sup> day of April, 2007; Ordinance No. 2007-4155 on July 19, 2007; Ordinance No. 2007-4172 on the 20<sup>th</sup> day of September, 2007; Ordinance No. 2007-4173 on October 25, 2007; Ordinance No. 2008-4201 on the 21<sup>st</sup> day of February, 2008; and Ordinance No. 2008-4217 the 15<sup>th</sup> day of May, 2008; Ordinance No. 2008-4242 the 21<sup>st</sup> day of August, 2008; Ordinance No. 2009-4290 on the 16<sup>th</sup> day of April, 2009; Ordinance No. 2009-4294 on the 21<sup>st</sup> day of May, 2009; Ordinance No. 2009-4316 on the 17<sup>th</sup> day of September, 2009; Ordinance No. 2009-4320 on the 15<sup>th</sup> day of October, 2009; Ordinance No. 2010-4338 on the 18<sup>th</sup> day of February, 2010; Ordinance No. 2010-4373 on the 19<sup>th</sup> day of August, 2010; Ordinance No. 2010-4405 on November 4, 2010; Ordinance No. 2011-4429 on March 17,

2011; Ordinance No. 2011-4455 on July 21, 2011; Ordinance No. 2011-4477 on October 20, 2011; Ordinance No. 2012-4540 on June 21, 2012; and Ordinance No. 2012-4546 on July 19, 2012; Ordinance No. 2012-4554 on September 20, 2012; Ordinance No. 2012-4566 on November 15, 2012; Ordinance No. 2013-4595 on June 20, 2013; Ordinance No. 2014-4665 on May 15, 2014; Ordinance No. 2014-4676 on July 17, 2014; Ordinance No. 2014-4683 on September 18, 2014; Ordinance No. 2014-4695 on December 18, 2014; Ordinance No. 2015-4705 on April 16, 2015; Ordinance No. 2015-4734 on October 17, 2015; Ordinance No. 2016-4809 on July 21, 2016; October 20, 2016; Ordinance No. 2017-4838 on April 20, 2017;

**Whereas**, the Board of Directors of the Zone has adopted an additional amendment to the Reinvestment Zone Financing and Project Plans for the Zone and forwarded such amendment to the Council for appropriate action;

**Whereas**, the Council finds it necessary to amend the Reinvestment Zone Financing and Project Plans for the Zone to include financial information as hereinafter set forth;

**Whereas**, the Council finds that such amendment to the Reinvestment Zone Financing and Project Plans is feasible and conforms to the Comprehensive Plan of the City, and that this action will promote economic development within the City of Temple; and

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

**Part 1: Findings.** The statements contained in the preamble of this ordinance are true and correct and are adopted as findings of fact hereby.

**Part 2: Reinvestment Zone Financing and Project Plans.** The amendment to the Tax Increment Financing Reinvestment Zone No. 1 Financing and Project Plans, heretofore adopted by the Board of Directors of the Zone and referred to in the preamble of this ordinance, is hereby approved and adopted, as set forth in the Amendments to Reinvestment Zone Number 1, City of Temple, Texas, attached hereto as Exhibits A and B.

**Part 3: Plans Effective.** The Financing Plan and Project Plans for the Zone heretofore in effect shall remain in full force and effect according to the terms and provisions thereof, except as specifically amended hereby.

**Part 4: Severability.** It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this ordinance are severable and, if any phrase, clause, sentence, paragraph or section of this ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such invalid phrase, clause, sentence, paragraph or section.



**Part 5: 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 6: Open Meetings.** 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 and Public Hearing on the **6<sup>th</sup>** day of **April**, 2017.

PASSED AND APPROVED on Second Reading on the **20<sup>th</sup>** day of **April**, 2017.

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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04/20/17  
Item #3(O)  
Consent Agenda  
Page 1 of 1

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

Belinda Mattke, Director of Purchasing

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing the rejection of the following vehicle bids received on February 24, 2017:

- (1) All bids received for a ¾-Ton Light Duty Extended Cab Pickup/Bed Delete with Utility Body, and
- (2) Silsbee Ford's bid for a ¾-Ton Light Duty Full Size Pickup.

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

**ITEM SUMMARY:** Approval of this item will allow staff to pursue alternative means for the purchase of two pickup trucks in which Silsbee Ford was the low bidder. The award of the purchase of these two trucks were tabled by Council on April 6, 2017.

On February 24, 2017, five vendors submitted pricing on eight independent vehicle bids. As shown on the attached two bid tabulations, Silsbee Ford was the lowest bidder on Bid D, a ¾-Ton Light Duty Full Size Pickup, and Bid E, a ¾-Ton Light Duty Extended Cab Pickup/Bed Delete with Utility Body. On April 4<sup>th</sup>, Silsbee Ford communicated to Purchasing staff that they needed to withdraw their bid for Bid E as they could not honor the bid price submitted.

Based on the Silsbee Ford's bid withdrawal, staff is recommending rejection of Silsbee Ford's bid for Bid D, a ¾-Ton Light Duty Full Size Pickup. Rejection of this bid will allow staff to award the truck purchase to the next lowest bidder, Caldwell Country Ford. See Agenda Item that follows for a recommendation for award related to this truck.

Rejection of all bids received Bid E, a ¾-Ton Light Duty Extended Cab Pickup/Bed Delete with Utility Body, will allow staff to re-bid this vehicle with some clarification of the specifications. Staff will come back to Council at a later date with a recommendation for award of this truck purchase.

**FISCAL IMPACT:** There is no fiscal impact related to this item.

### **ATTACHMENTS:**

[Bid Tabulation D & E  
Resolution](#)

## REVISED Bid "D" Tabulation

**Tabulation of Bids Received  
on February 24, 2017 at 2:00 p.m.  
One (1) 3/4-Ton Light Duty Full-Size Pickup  
Bid# 13-10-17**

		Caldwell Country Chevrolet Caldwell, TX		Jim Bass Ford, Inc. San Angelo, TX		Caldwell Country Ford Caldwell, TX	
Description	Qty	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
<b>Total Bid Price</b>	<b>1</b>	No Bid	No Bid	\$23,775.00	\$23,775.00	\$23,923.00	\$23,923.00
Light Bar		No Bid		\$2,625.00		\$2,295.00	
Sprayed-on bed liner		No Bid		\$456.00		\$495.00	
Back up alarm		No Bid		\$128.00		\$138.00	
Hearache Rack		No Bid		\$400.00		\$462.00	
Full length entry steps on both sides		No Bid		\$295.00		\$280.00	
Factory CNG/Propane Gaseous Engine Prep Package		No Bid		\$289.00		\$299.00	
CNG/Propane Bi-Fuel Conversion with tanks and fueling moduel		No Bid		\$10,900.00 17 Gal.	\$11,900.00 23 Gal.	\$11,900.00	
Hydraulic utility body lift gate		No Bid		\$3,065.00		\$2,576.00	
Bid Price + Aftermarket Add Alternate Options		No Bid		\$41,933.00 17 Gal	\$42,933.00 23 Gal	\$42,368.00	
Bid price + Aftermarket Add Alternate Options - Propane		No Bid		\$30,744.00		\$30,169.00	
Delivery within 180 days?		No Bid		Yes		Yes	
Exceptions?		No Bid		Yes		No	
Local Preference?		No Bid		No		No	
Credit Check Authorization		No Bid		Yes		Yes	

Ford F250

2017 Ford F250

		Silsbee Ford Silsbee, TX		Mac Haik Dodge Temple, TX			
Description	Qty	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
<b>Total Bid Price</b>	<b>1</b>	\$24,934.12	\$24,934.12	\$27,918.00	\$27,918.00		
Light Bar		\$1,493.95		\$1,950.00			
Sprayed-on bed liner		\$350.00		\$375.00			
Back up alarm		\$50.00		\$140.00			
Hearache Rack		\$341.10		\$425.00			
Full length entry steps on both sides		\$208.00		\$260.00			
Factory CNG/Propane Gaseous Engine Prep Package		\$289.00		N/C			
CNG/Propane Bi-Fuel Conversion with tanks and fueling moduel		\$10,900.00		N/C			
Hydraulic utility body lift gate		\$2,470.00		\$2,475.00			
Bid Price + Aftermarket Add Alternate Options		\$41,036.17		\$33,543.00			
Bid Price + Aftermarket Add Alternate Options - Propoane		\$29,847.17		\$33,543.00			
Delivery within 180 days?		Yes		Yes			
Exceptions?		Yes		None			
Local Preference?		No		Yes			
Credit Check Authorization		Yes		Yes			

Ford F250 Reg Cab

2017 RAM2500 Tradesman

Non-Responsive Bidder

RESOLUTION NO. 2017-8615-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, REJECTING ALL BIDS RECEIVED ON FEBRUARY 24, 2017 FOR ONE ¾-TON LIGHT DUTY EXTENDED CAB PICKUP/BED DELETE WITH UTILITY BODY AND REJECTING SILSBEE FORD'S BID FOR ONE ¾-TON LIGHT DUTY FULL SIZE PICKUP; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, on February 24, 2017, five vendors submitted pricing on eight independent vehicle bids and on April 4, 2017, Silsbee Ford communicated that they needed to withdraw their bid as they could not honor their bid prices which were submitted;

**Whereas**, based on the bid withdrawal by Silsbee Ford, Staff recommends Council reject Silsbee Ford's bid for one ¾-Ton Light Duty Full Size Pickup which will allow Staff to award the truck purchase to the next lowest bidder;

**Whereas**, Staff recommends Council also reject all bids received for one ¾-Ton Light Duty Extended Cab Pickup/Bed Delete with Utility Body – rejection of this bid will allow Staff to re-bid this vehicle with specification clarifications;

**Whereas**, per the Local Government Code §252.043(f), the governing body is the designated authority to reject any and all bids; 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: Findings.** 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 rejects the bid received on February 24, 2017 from Silsbee Ford for one ¾-Ton Light Duty Full Size Pickup.

**Part 3:** The City Council rejects all bids received for one ¾-Ton Light Duty Extended Cab Pickup/Bed Delete with Utility Body.

**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 20<sup>th</sup> day of April, 2017.

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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04/20/17  
Item #3(P)  
Consent Agenda  
Page 1 of 1

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

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

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing the purchase of one ¾-Ton Light Duty Full Size Pickup in the amount of \$30,169 from Caldwell Country Ford of Caldwell.

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

**ITEM SUMMARY:** In conjunction with the approval of the rejection of bids in the previous Agenda Item, approval of this purchase will allow for the procurement of a Ford F250 ¾-Ton Light Duty Full Size Pickup for the Solid Waste Department from Caldwell Country Ford, the lowest responsible bidder. This new truck will replace a 2005 Ford F150 (Asset #12141) that has reached the end of its useful life.

As shown on the attached bid tabulation, on February 24, 2017, four vendors submitted bids for one ¾-Ton Light Duty Full Size Pickup. With the determination that the low bidder, Silsbee Ford, to be an irresponsible bidder for withdrawing their bid on a vehicle, it is staff's recommendation to award the purchase of the ¾-Ton Light Duty Full Size Pickup to the 2<sup>nd</sup> lowest bidder, Caldwell Country Ford in the amount of \$30,169, \$322 higher than Silsbee Ford's bid.

The City has done business with Caldwell Country Ford in the past and finds them to be a responsible vendor.

**FISCAL IMPACT:** Funding is appropriated for the purchase of the Ford F250 ¾-Ton Light Duty Full Size Pickup in the amount of \$30,169 in account 110-5900-540-6213, project 101551, as shown below:

Project Budget	\$ 30,875
Caldwell Country Ford	(30,169)
Remaining Project Funds Available	<u>\$ 706</u>

**ATTACHMENTS:**

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

## REVISED Bid "D" Tabulation

**Tabulation of Bids Received  
on February 24, 2017 at 2:00 p.m.  
One (1) 3/4-Ton Light Duty Full-Size Pickup  
Bid# 13-10-17**

		Caldwell Country Chevrolet Caldwell, TX		Jim Bass Ford, Inc. San Angelo, TX		Caldwell Country Ford Caldwell, TX	
Description	Qty	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
<b>Total Bid Price</b>	<b>1</b>	No Bid	No Bid	\$23,775.00	\$23,775.00	\$23,923.00	\$23,923.00
Light Bar		No Bid		\$2,625.00		\$2,295.00	
Sprayed-on bed liner		No Bid		\$456.00		\$495.00	
Back up alarm		No Bid		\$128.00		\$138.00	
Hearache Rack		No Bid		\$400.00		\$462.00	
Full length entry steps on both sides		No Bid		\$295.00		\$280.00	
Factory CNG/Propane Gaseous Engine Prep Package		No Bid		\$289.00		\$299.00	
CNG/Propane Bi-Fuel Conversion with tanks and fueling moduel		No Bid		\$10,900.00 17 Gal.	\$11,900.00 23 Gal.	\$11,900.00	
Hydraulic utility body lift gate		No Bid		\$3,065.00		\$2,576.00	
Bid Price + Aftermarket Add				\$41,933.00 17 Gal.	\$42,933.00 23 Gal.	\$42,368.00	
Alternate Options		No Bid					
Bid price + Aftermarket Add				\$30,744.00		\$30,169.00	
Alternate Options - Propane		No Bid					
Delivery within 180 days?		No Bid		Yes		Yes	
Exceptions?		No Bid		Yes		No	
Local Preference?		No Bid		No		No	
Credit Check Authorization		No Bid		Yes		Yes	
Ford F250				2017 Ford F250			

		Silsbee Ford Silsbee, TX		Mac Haik Dodge Temple, TX			
Description	Qty	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
<b>Total Bid Price</b>	<b>1</b>	\$24,934.12	\$24,934.12	\$27,918.00	\$27,918.00		
Light Bar		\$1,493.95		\$1,950.00			
Sprayed-on bed liner		\$350.00		\$375.00			
Back up alarm		\$50.00		\$140.00			
Hearache Rack		\$341.10		\$425.00			
Full length entry steps on both sides		\$208.00		\$260.00			
Factory CNG/Propane Gaseous Engine Prep Package		\$289.00		N/C			
CNG/Propane Bi-Fuel Conversion with tanks and fueling moduel		\$10,900.00		N/C			
Hydraulic utility body lift gate		\$2,470.00		\$2,475.00			
Bid Price + Aftermarket Add							
Alternate Options		\$41,036.17		\$33,543.00			
Bid Price + Aftermarket Add							
Alternate Options - Propoane		\$29,847.17		\$33,543.00			
Delivery within 180 days?		Yes		Yes			
Exceptions?		Yes		None			
Local Preference?		No		Yes			
Credit Check Authorization		Yes		Yes			
Ford F250 Reg Cab				2017 RAM2500 Tradesman			

Recommended for Council Award  
Non-Responsive Bidder



RESOLUTION NO. 2017-8616-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE PURCHASE OF ONE ¾-TON LIGHT DUTY FULL SIZE PICKUP, IN THE AMOUNT OF \$30,169, FROM CALDWELL COUNTRY FORD OF CALDWELL, TEXAS; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, on February 24, 2017, the City received four bids for one ¾-Ton Light Duty Full Size Pickup with the low bidder being Silsbee Ford of Silsbee, Texas – Silsbee Ford was determined to be an irresponsible bidder and therefore Staff recommends this purchase be made through Caldwell Country Ford of Caldwell, Texas, in the amount of \$30,169 which will replace a 2005 Ford F150, which has reached the end of its useful life;

**Whereas**, Staff recommends Council authorize the purchase of one ¾-Ton Light Duty Full Size Pickup in the amount of \$30,169 from Caldwell Country Ford of Caldwell, Texas - the City has done business with Caldwell Country Ford in the past and finds it to be a responsible vendor;

**Whereas**, funding for this purchase is available in Account No. 110-5900-540-6213, Project No. 101551; 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: Findings.** 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 authorizes the purchase of one ¾-Ton Light Duty Full Size Pickup in the amount of \$30,169 from Caldwell Country Ford of Caldwell, Texas.

**Part 3:** The City Council authorizes the City Manager, or her designee, after approval as to form by the City Attorney, to execute any documents that may be necessary for this purchase.

**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 20<sup>th</sup> day of **April**, 2017.

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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04/20/17  
Item #3(Q)  
Consent Agenda  
Page 1 of 1

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

Lacy Borgeson, TRMC, City Secretary

**ITEM DESCRIPTION:** Consider adopting a resolution ordering a Special Election for June 24, 2017 for Councilmember District 2 to fill an unexpired term through May, 2020.

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

**ITEM SUMMARY:** On February 2, 2017, the City Council ordered an Election for May 6, 2017, for both the District 2 Councilmember and the District 3 Councilmember positions.

Since there was only one candidate for these seats, Bryant Ward (District 2 candidate) and Susan Long (District 3 candidate), the Council declared the unopposed candidates elected to office and canceled the May 6, 2017 election, as ordered.

On April 6, 2017, Mr. Ward (officer-elect for District 2) submitted his Letter of Declination for councilmember. The vacancy for District 2 Councilmember becomes effective immediately; and as a result, the City will need to conduct a special election to fill this vacancy.

As per Texas Constitution Article 11, Section 11(b), and our City Charter Article 4, Section 4.7(b) any vacancy occurring on such governing body shall not be filled by appointment but must be filled by majority vote of the qualified voters at a special election called for such purpose within one hundred and twenty (120) days after such vacancy or vacancies occurs.

This proposed resolution calls the City's special election for Saturday, June 24, 2017 for the election of the District 2 Councilmember for a three year term. The resolution also sets forth the polling places, early voting procedures, and various other requirements in accordance with State law and the City Charter.

If a candidate for District 2 Councilmember is unopposed as of May 20, 2017, the City Council may declare the candidate elected and cancel the June 24, 2017 special election.

**FISCAL IMPACT:** Funding in the amount of \$11,439 is appropriated in account 110-1400-511-2517, as part of the City Secretary's budget for the 2017 Special Election.

### **ATTACHMENTS:**

[Resolution](#)

RESOLUTION NO. 2017-8617-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, ORDERING A SPECIAL ELECTION FOR JUNE 24, 2017 FOR THE ELECTION OF DISTRICT 2 COUNCILMEMBER TO FILL AN UNEXPIRED TERM THROUGH MAY, 2020; MAKING PROVISIONS FOR THE CONDUCT OF SAID ELECTION; CONTAINING OTHER PROVISIONS INCIDENT AND RELATED TO THE PURPOSE OF THIS RESOLUTION; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, on February 2, 2017, the City Council ordered an election for May 6, 2017, for both the District 2 and the District 3 Councilmember positions;

**Whereas**, since there was only one candidate for these seats, Bryan Ward (District 2 candidate) and Susan Long (District 3 candidate), the Council declared the unopposed candidates elected to office and canceled the May 6, 2017 election;

**Whereas**, on April 6, 2017, Mr. Ward (officer-elect for District 2) submitted his Letter of Declination for councilmember – the vacancy for District 2 Councilmember becomes effective immediately and as a result, the City will need to conduct a special election to fill the vacancy;

**Whereas**, the Texas Constitution, Article XI, Section 11(b), and the City Charter, Section 4.7 state that any vacancy occurring on the governing body of the City must be filled by an election within 120 days after the vacancy occurs;

**Whereas**, Staff recommends Council order a special election for the election of District 2 Councilmember to be held on June 24, 2017, to fill an unexpired term through May, 2020;

**Whereas**, funding in the amount of \$11,439 is appropriated in account 110-1400-511-2517, as part of the City Secretary's budget for the 2017 Special Election; 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: Findings.** 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:** It is hereby ordered that a special election be held on Saturday, June 24, 2017, for the purpose of electing one City Councilmember by the voters from District 2.

The candidate receiving a majority of the votes cast in such election shall be declared elected by the City Council. If none of the candidates receives a majority of the votes cast in a particular race, the City Council shall order a run-off election as provided by the City Charter, at which the two candidates receiving the highest number of votes in the June 24, 2017 election shall stand for election. The candidate receiving the greatest number of votes in the run-off election shall be declared elected by the City Council. Councilmembers shall hold office for a term of three years.

**Part 3:** Optical scan paper ballots shall be used for early voting, voting by mail and Election Day voting in each polling place, in conjunction with the ES&S Model Precinct Ballot Counter. The ES&S AutoMARK Voter Assist Terminal, which is Help America Vote Act (HAVA) compliant, will also be used for early voting and in each polling place on Election Day. Both systems of voting shall provide privacy for voters while casting their votes in accordance with Section 51.032 of the Texas Election Code. The vote for the election of District 2 Councilmember shall be recorded in such a manner as will permit the voters to cast one vote: one for a candidate from the single member district in which the voter resides.

**Part 4:** All independent candidates at the election to be held on June 24, 2017, for the above-mentioned Office, shall file their applications to become candidates with the City Secretary of the City of Temple at the City Secretary's Office, Room 103, first floor of the Municipal Building, 2 North Main Street, Temple, Texas, beginning 65 days before the date of said election, being April 20, 2017, and ending on or before 40 days before the date of said election being May 15, 2017, in compliance with Section 143.007 of the Texas Election Code. No person may, in such election, be a candidate for two positions. All applications shall be sworn to and comply with Section 141.031 of the Election Code. All candidates shall file with said application the loyalty affidavit and statement regarding awareness of the State nepotism statute as required by Article 141.031 of the Election Code.

**Part 5:** The City Secretary of this City shall, in accordance with the terms and provisions of the Election Code, post in her Office the names of all candidates who have filed their application in accordance with the terms and provisions of this order, and said names shall be posted in a conspicuous place in said Office for at least ten (10) days before said City Secretary orders the same to be printed on the ballot for said election.

**Part 6:** The election shall be held at the following places in the City for the election called by this resolution:

***Early Voting Location***

Municipal Building,  
2 North Main Street, 1<sup>st</sup> Floor, Lobby Area  
(between Central and Adams)

***Election Day***

Fred Poteet Building  
120 West Central Avenue  
(building west of Municipal Building)

**Part 7:** (a) **Early voting by personal appearance.** Any registered voter is eligible to vote early by personal appearance on weekdays, beginning on June 12, 2017, and ending on June 20, 2017, outside the City Secretary's Office, Room 103 (First Floor), Municipal Building, Temple, Texas. Early Voting will be conducted from 8:00 a.m. to 5:00 p.m. June 12, 2017 through June 16, 2017. During the time period of June 19 and June 20, 2017, Early voting will be conducted from 7:00 a.m. to 7:00 p.m.

(b) **Early voting by mail.** A registered voter is eligible to vote early *by mail* if (1) the voter expects to be absent from the county on election day, and during the regular hours for conducting early voting at the main early voting polling place for the part of the period for early voting by personal appearance remaining after the voter's early voting ballot application is submitted to the early voting clerk, (2) the voter is under a disability that would prevent them from appearing at the polling place on

election day, (3) the voter will be 65 years of age or older on election day, or (4) the registered voter is confined in jail at the time the early voting ballot application is submitted.

(1) Applications for ballot by mail shall be mailed to Lacy Borgeson, City Secretary, P.O. Box 207, Temple, Texas 76503, and must be received no later than June 13, 2017, provided that if the sole ground for voting early by mail is that the voter will be out of the county on Election Day.

**Part 8:** Lacy Borgeson, the City Secretary, is hereby appointed Clerk for early voting, and authorized to appoint by written order one or more persons to assist her as deputy early voting clerks. The early voting clerk shall maintain a roster listing each person who votes early by personal appearance and for each person to whom an early ballot to be voted by mail is sent in accordance with Section 87.121 of the Texas Election Code. The early voting clerk shall perform all other duties required by her by the Texas Election Code.

**Part 9:** The Mayor shall make proclamation of the June 24, 2017 election and issue, or cause to be issued, all necessary orders, writs and notices for said election and returns of said election shall be made to this the City Council immediately after the closing of the polls. The Mayor is further authorized to give notice of a run-off election if such election is necessary. The City Secretary shall cause notice of this election, in both English and Spanish, to be published and posted in compliance with Texas Election Code Section 4.003(a)(1) and 4.003(b).

**Part 10:** A copy of this order shall also serve as a Writ of Election which shall be delivered to the Presiding Judges for said election along with the Election Judge's Certificate of Appointment.

**Part 11:** The City Secretary is hereby authorized and instructed to provide and furnish all necessary election supplies to conduct said election and to comply with Federal, State, and local law and in the conduct thereof.

**Part 12:** If any section or part of any section, paragraph, or clause of this resolution is declared invalid or unconstitutional for any reason, such declaration shall not be held to invalidate or impair the validity, force, or effect of any other section or sections, part of section, paragraph, or clause of this resolution.

**Part 13:** This resolution shall take effect immediately from and after its passage, and it is accordingly so ordained.

**Part 14:** 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 on the 20<sup>th</sup> day of April, 2017.

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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04/20/17  
Item #3(R)  
Consent Agenda  
Page 1 of 1

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

Brynn Myers, Acting City Manager

**ITEM DESCRIPTION:** Consider adopting a resolution establishing an outside agency funding policy.

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

**ITEM SUMMARY:** The City of Temple has historically supported the efforts of many outside agencies that help the City leverage service delivery and funding levels through funding support within the City's Annual Budget. However, no formal policy has been adopted by City Council establishing the guidelines and processes that should be followed for consideration of these funding requests.

At the April 6, 2017 City Council meeting, Council conducted a workshop to receive an overview of a draft policy relating to the funding of outside agencies.

The proposed policy establishes a policy statement, defines agencies eligible to be funded under the policy, establishes a public purpose test, defines funding categories, establishes funding procedures for agencies within each funding category, establishes a requirement that agencies awarded funds under this policy must enter into a funding agreement with the City, and establishes reporting and monitoring procedures.

**FISCAL IMPACT:** The amount of funding received by each agency under this policy depends upon Council direction and the availability of funds. Funding is appropriated through the City's annual budgeting process.

### **ATTACHMENTS:**

[Proposed Outside Agency Funding Policy Resolution](#)

## CITY OF TEMPLE OUTSIDE SERVICE AGENCY FUNDING POLICY

- A. **Policy Statement:** It is the policy of the City of Temple to consider funding requests from outside agencies or organizations that help the City leverage service delivery and funding levels in areas such as transportation, social services, recreation, tourism, and cultural services.

The City Council may fund a number of outside agencies and organizations that are committed to providing programs and/or services for the citizens of Temple that fulfill a public purpose. The amount of funding received by each agency depends upon Council direction and the availability of funds.

- B. **Eligible Agencies:** An eligible agency must provide programs and/or services within the City of Temple and be a not-for-profit (public or private), governmental, or quasi-governmental entity organized and existing under Texas law. The agency must be recognized by and provide proof of tax-exempt status under Section 501 (c) of the Internal Revenue Code of the United States, unless the agency is a governmental or quasi-governmental entity.
- C. **Public Purpose Test:** The Texas Constitution, State statutes, and Federal regulations establish clear standards for the use of public funds. The standards require cities to spend taxpayer money for public purposes and prohibit the use of public money for private purposes. The application of this mandate, for the purposes of this policy, will be accomplished on the basis that the City will fund those agencies and programs that fully meet the requirements of this policy. Every agency must serve a public purpose by delivering service that the City government could provide itself but chooses to deliver the services through a non-profit entity.
- D. **Funding Categories:**
1. **Strategic Partner** – This category includes funding awarded to organizations that work collaboratively with the City of Temple to provide programs or services that directly support City departmental activities.  
  
Examples of agencies eligible for funding through this category include:
    - a. Bell County HELP Center
    - b. Keep Temple Beautiful
    - c. Hill Country Community Action Association (congregant meals)
    - d. Hill Country Transit District
    - e. Hillcrest (Temple) Cemetery
    - f. Ralph Wilson Youth Clubs
  2. **Tourism & Arts Grant (Hotel-Motel Tax Fund)** – This category includes grants awarded to organizations that work collaboratively with the City of Temple Convention and Visitors Bureau to provide programs or services that promote tourism. Agencies that received funding in this category must meet all requirements of State law regarding the proper use of Hotel Occupancy Tax funds.
  3. **Public Service Agency Grant (Community Development Block Grant (CDBG) Fund)** – This category includes competitive grants awarded to organizations for the administration of qualified public services that achieve specific outcomes that are in alignment with the City of Temple's Community

Development Consolidated Plan. Agencies that received funding in this category must meet all requirements of Federal regulations regarding the proper use of CDBG grant funds. The City may allocate up to 14% of the City's CDBG total annual award amount for Public Service Agency grants.

4. **Community Enhancement Grant (General Fund)** – This category includes competitive grants awarded to organizations for the administration of programs and activities that achieve specific outcomes that are in alignment with the City of Temple's Strategic Plan. Programs and activities funded in this category will typically be time-limited and project-based, generally undertaken over a 12 month period, rather than for general operating costs. The City will typically allocate an amount equal to the Public Service Agency Grant allocation for Community Enhancement grants.

#### E. Funding Procedures:

1. **Strategic Partner** – Strategic Partner agencies will use the following procedures for annual funding requests:
  - a. Submit budget requests to the City Manager, or his designee, by the deadline and in the format established by the City Manager.
  - b. Agency funding requests will be reviewed during the departmental budget review process.
  - c. The City Manager will provide to the City Council, via submission within the Preliminary Budget, funding recommendations for each agency.
  - d. The City Council will approve, via adoption of the Annual Budget, funding levels for each agency.
2. **Tourism & Arts Grant (Hotel-Motel Tax Fund)** – Agencies seeking a Tourism & Arts grant will use the following procedures for funding requests:
  - a. Submit budget requests to the City Manager, or his designee, by the deadline and in the format established by the City Manager.
  - b. Agency funding requests will be reviewed during the departmental budget review process.
  - c. The City Manager will provide to the City Council, via submission within the Preliminary Budget, funding recommendations for each agency.
  - d. The City Council will approve, via adoption of the Annual Budget, funding levels for each agency.
3. **Public Service Agency Grant (CDBG Fund)** – Agencies seeking a Public Service Agency grant will use the following procedures for funding requests:
  - a. All applications for Public Service Agency grants must be in writing using the prescribed format and schedule established by the City Manager. Grant applications will contain the following elements:
    - i. Must demonstrate how the program or activity achieves specific outcomes that are in alignment with the City of Temple's Community Development Consolidated Plan.
    - ii. Must demonstrate the program meets the public purpose test for expenditure of public funds.
  - b. All applications for Public Service Agency grants will be reviewed by a committee established by the City Manager. The Committee will use the following criteria to evaluate applications:
    - i. **Public Purpose:** Each program funded by the City of Temple must meet the public purpose test established in this policy.

- ii. **Community Impact:** Each program funded must have a substantive impact on the Temple community consistent with the goals and objectives established in the City of Temple's Community Development Consolidated Plan.
    - iii. **Policy Compliance.** The Committee will consider the completeness of the application in adherence to the requirements of this policy.
  - c. The Committee will present to the City Manager recommendations for programs to be funded, and the respective amounts of funding recommended for each. A written narrative which explains the rationale for the recommendations will be provided.
  - d. The City Manager will provide to the City Council, via submission within the Preliminary Budget, funding recommendations for each agency.
  - e. The City Council will approve, via adoption of the CDBG Annual Action Plan and the City's Annual Budget, funding levels for each agency.
4. **Community Enhancement Grant (General Fund)** – Agencies seeking a Community Enhancement grant will use the following procedures for funding requests:
- a. All applications for Community Enhancement grants must be in writing using the prescribed format and schedule established by the City Manager. Grant applications will contain the following elements:
    - i. Must demonstrate how the program or activity achieves specific outcomes that are in alignment with the City of Temple's Strategic Plan.
    - ii. Must demonstrate the program meets the public purpose test for expenditure of public funds.
    - iii. Must demonstrate the request is for a specific project or activity that is time-limited and project-based, generally undertaken over a 12 month period, rather than for general operating costs.
  - b. All applications for Community Enhancement grants will be reviewed by a committee established by the City Manager. The Committee will use the following criteria to evaluate applications:
    - i. **Public Purpose:** Each program funded by the City of Temple must meet the public purpose test established in this policy.
    - ii. **Community Impact:** Each program funded must have a substantive impact on the Temple community consistent with the goals and objectives established in the City of Temple's Strategic Plan.
    - iii. **Policy Compliance.** The Committee will consider the completeness of the application in adherence to the requirements of this policy.
  - c. The Committee will present to the City Manager recommendations for programs to be funded, and the respective amounts of funding recommended for each. A written narrative which explains the rationale for the recommendations will be provided.
  - d. The City Manager will provide to the City Council, via submission within the Preliminary Budget, funding recommendations for each agency.
  - e. The City Council will approve, via adoption of the Annual Budget, funding levels for each agency.

- F. **Funding Agreements:** Agencies that are awarded funds through this policy will be required to enter into a funding agreement with the City.
- G. **Reports and Monitoring:** Agencies that are awarded funds through this policy will be required to provide a written annual report of the expenditure of City funds and a written annual report on the effectiveness of services or projects for which the agency received funding.

Agencies may be required to provide a presentation of their annual report to the City Council at a scheduled City Council meeting.

City funding may only be used for the purpose and service(s) duly authorized and in accordance with the approved funding agreement. Any deviation from the approved funding agreement may be made only with the City's prior written approval. If not, funds must be returned immediately to the City.

DRAFT

RESOLUTION NO. 2017-8618-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE,  
TEXAS, ESTABLISHING AN OUTSIDE AGENCY FUNDING POLICY; AND  
PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, the City of Temple has historically supported the efforts of many outside agencies that help the City leverage service delivery and funding levels through funding support within the City's Annual Budget and no formal policy has been adopted by City Council establishing the guidelines and processes that should be followed for consideration of these funding requests;

**Whereas**, at the April 6, 2017 Council meeting, Council conducted a workshop to receive an overview of a draft policy relating to the funding of outside agencies – this proposed policy establishes a policy statement, defines agencies eligible to be funded under the policy, establishes a public purpose test, defines funding categories, establishes funding procedures for agencies within each funding category, establishes a requirement that agencies awarded funds under this policy must enter into a funding agreement with the City, and establishes reporting and monitoring procedures;

**Whereas**, Staff recommends Council establish an outside agency funding policy;

**Whereas**, funding amounts received by each agency under this policy will depend upon Council direction, the availability of funds, and funds appropriated through the City's annual budgeting process; 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: Findings.** 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 adopts the outside agency funding policy, a copy of which is attached hereto as Exhibit A and incorporated herein for all purposes, which outlines a policy statement, defines agencies eligible to be funded under the policy, establishes a public purpose test, defines funding categories, establishes funding procedures for agencies within each funding category, establishes a requirement that agencies awarded funds under this policy must enter into a funding agreement with the City, and establishes reporting and monitoring procedures.

**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 **20<sup>th</sup>** day of **April**, 2017.

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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04/20/17  
Item #3(S)  
Consent Agenda  
Page 1 of 1

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

Traci Barnard, Director of Finance

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing budget amendments for fiscal year 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 \$1,047,301.

**ATTACHMENTS:**

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

**CITY OF TEMPLE**  
**BUDGET AMENDMENTS FOR FY 2017 BUDGET**  
**April 20, 2017**

ACCOUNT #	PROJECT #	DESCRIPTION	APPROPRIATIONS	
			Debit	Credit
292-2900-534-6312	101592	Capital - Meadowbrook/Conner Park	\$ 688,665	
292-2900-534-6312	101636	Capital - Azalea Drive	\$ 83,200	
292-2900-534-6312	101637	Capital - Avenue T & Avenue R	\$ 148,300	
292-2900-534-6312	101638	Capital - Avenue D/14th Street	\$ 31,300	
292-2900-534-2317		Repair & Maintenance / Drainage Systems	\$ 82,257	
292-0000-443-4061		Drainage Fee / Commercial		\$ 587,686
292-0000-443-4062		Drainage Fee / Residential		\$ 446,036
<p>On December 15, 2016, Council authorized an increase in drainage fees for residential and commercial drainage services effective January 1, 2017. The approved increase in drainage fee rates will generate approximately \$1,100,000 annually in additional revenue. The adjustment to the existing rates was necessary to fund system improvements to address the most urgent and recurring drainage capital projects. This budget adjustment will appropriate funding for ROW and design of those projects deemed most urgent: Meadowbrook/Conner Park - Design at \$154,595 (\$115,930 previously appropriated form Drainage Fund Balance) &amp; ROW at \$650,000; Azalea Drive - Design at \$83,200; Avenue T &amp; Avenue R - Design at \$148,300; Avenue D &amp; 14th Street - Design \$31,300.</p>				
110-2032-521-2211		Capital < \$5,000 / Instruments/Special Equipment	\$ 529	
110-0000-452-0455		Administrative Fees / Technology Fee		\$ 529
<p>To appropriate Municipal Court Technology Fees for the purchase of accessories for (3) ticket writer printers for Police Traffic unit. Ticket writers were purchased in January 2017.</p>				
260-0000-431-0163		Federal Grants / Federal Grants	\$ 10,572	
260-3500-552-2623	101465	Contracted Services / Other Contracted Services		\$ 5,972
260-3500-552-2514	101465	Other Services / Travel & Training		\$ 4,600
<p>To unappropriate grant funding from the Centers for Disease Control and Prevention (Department of Health and Human Services) for the Botanical Gardens' master plan. Funding was appropriated in the amount of \$150,000 on 11/25/15. Final reimbursement of expenses were received in the amount of \$139,428.13 in January 2017. This BA will unappropriate the difference that the City will not receive.</p>				
110-1800-525-2212		Capital < \$5,000 / Office Machines	\$ 2,478	
110-0000-452-0455		Administrative Fees / Technology Fee		\$ 2,478
<p>To appropriate Municipal Court Technology Fees for the purchase of a replacement shredder.</p>				
<b>TOTAL AMENDMENTS</b>			<b>\$ 1,047,301</b>	<b>\$ 1,047,301</b>
<b>GENERAL FUND</b>				
Beginning <b>Contingency</b> Balance			\$	-
Added to Contingency Sweep Account				-
Carry forward from Prior Year				-
Taken From Contingency				-
Net Balance of Contingency Account			\$	-
Beginning <b>Judgments &amp; Damages</b> Contingency			\$	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
<b>Net Balance Council Contingency</b>			<b>\$</b>	<b>565,257</b>
Beginning Balance <b>Budget Sweep</b> Contingency			\$	-
Added to Budget Sweep Contingency				-
Taken From Budget Sweep				-
Net Balance of Budget Sweep Contingency Account			\$	-

**CITY OF TEMPLE**  
**BUDGET AMENDMENTS FOR FY 2017 BUDGET**  
**April 20, 2017**

		APPROPRIATIONS	
ACCOUNT #	PROJECT #	DESCRIPTION	Debit      Credit
WATER & SEWER FUND			
		Beginning <b>Contingency</b> Balance	\$      50,000
		Added to Contingency Sweep Account	-
		Taken From Contingency	(41,558)
		Net Balance of Contingency Account	\$      8,442
		Beginning <b>Compensation</b> Contingency	\$     112,500
		Added to Compensation Contingency	-
		Taken From Compensation Contingency	-
		Net Balance of Compensation Contingency Account	\$     112,500
		<b>Net Balance Water &amp; Sewer Fund Contingency</b>	<b>\$    120,942</b>
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
		<b>Net Balance Hotel/Motel Tax Fund Contingency</b>	<b>\$     28,300</b>
DRAINAGE 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	\$     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>\$     24,300</b>
FED/STATE GRANT FUND			
		Beginning <b>Contingency</b> Balance	\$      -
		Carry forward from Prior Year	14,947
		Added to Contingency Sweep Account	22,397
		Taken From Contingency	-
		<b>Net Balance Fed/State Grant Fund Contingency</b>	<b>\$    37,344</b>

RESOLUTION NO. 2017-8619-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: Findings.** 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 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 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 20<sup>th</sup> day of **April**, 2017.

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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04/20/17  
Item #4  
Regular Agenda  
Page 1 of 3

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

Brian Chandler, Planning Director

**ITEM DESCRIPTION:** FIRST READING – PUBLIC HEARING Z-FY-17-17: Consider adopting an ordinance authorizing amendments to the City of Temple's Unified Development Code: Article 4 (Sec. 4.5.4) related to Residential Dimensional Standards and Article 5 (Sec. 5.3) related to Specific Use Standards to allow two-family residential dwellings (duplexes) in a Two-Family Dwelling Zoning District for existing platted lots with a width of not less than 50 feet subject to additional compatibility design standards primarily related to parking, landscaping and architecture.

**STAFF RECOMMENDATION:** Staff recommends approval to allow duplexes on 50' to 59.99' lots in 2F zoning districts with accompanying compatibility design standards for landscaping and architecture (previously presented to City Council at their November 17, 2016 Workshop and found in the draft code amendments attachment) as follows per concerns brought up by P&Z:

- Vacant lots at the time of Code Amendment adoption (estimated 234 eligible lots today)
- Limit to 20% duplexes in each subdivision (final plat)

### **Parking**

- If located between two single-family homes **and** if a majority of homes on block utilize parking on the side or rear, parking must be either located:
  - **In rear**
    - Would then require compliance with only three of the seven compatibility standards for landscaping and architecture
      - Could be accommodated on 10-foot driveways/ribbon drives on either side of duplex
  - **On side**
    - Would then require compliance with only three of the seven compatibility standards for landscaping and architecture
      - Could be accommodated on 10-foot driveways/ribbon drives on either side of duplex
- Revisit standards in a year to evaluate within the context of East Temple revitalization plans/efforts

**P&Z COMMISSION RECOMMENDATION:** At their March 20, 2017 meeting, the Planning and Zoning Commission recommended unanimous approval per staff recommendation.



**MEETINGS SUMMARY:** Staff has had the following meetings since these proposed Code amendments were discussed at the November 17, 2016 City Council workshop:

1. June 1, 2016 – TABA (Temple Area Builders Association) presentation
2. February 16, 2017 – TABA
3. February 21, 2017 – P&Z (tabled until 3/3/17 meeting per request for additional data by P&Z)
  - a. Of the 6,200+ 2F-zoned lots, it was difficult to estimate how many of those lots were:
    - i. 50' to 59.99' wide; and
    - ii. Vacant
    - iii. City's IT (Information Technology) Department was asked to develop maps showing number of eligible lots
      1. Due to discrepancies with Bell County Appraisal District (BellCAD) information, IT created their own data layer, which resulted in about 2/3 of the same properties identified by BellCAD
4. March 6, 2017 – P&Z (tabled until 3/20/17 meeting per staff recommendation to allow additional time to analyze data provided by IT on 3/3)
  - a. Due to the data discrepancies, IT was not able to provide the map data until 3/3
  - b. Staff needed more time to analyze the lot width data and to request additional mapping related to vacant properties
  - c. Per P&Z direction, Staff did some research on the Cities of Austin, Bryan, College Station, Georgetown, Killeen, San Marcos and Waco related to their duplex standards
  - d. Research by Staff was also done on upcoming East Temple revitalization efforts
  - e. Pat and David Patterson also provided a list of properties they owned for which they wanted to build duplexes
    - i. Staff provided analysis of the proposed Code amendments related to these properties, as well
    - ii. Findings were presented to P&Z on 3/20/17
5. March 20, 2017 – P&Z recommended approval per staff recommendation

**ADDITIONAL BACKGROUND**

- Two-Family Zoning Districts (2F) allow duplexes only on a minimum of 60-foot wide lots despite the fact that:
  - “Two-family” suggests that it is a district primarily for duplexes even though these 2F neighborhoods are still primarily characterized by single-family homes
  - A significant number of the lots in these neighborhoods are less than 60-feet wide and many are vacant
- There are a number of examples where local duplex builders have successfully built duplexes on 50-foot lots in 2F districts
  - However, to be able to build on these lots in the past, builders have had to rely on either variances or administrative approval that current Planning staff does not have the authority to grant
  - Many of these duplexes have also utilized some landscaping and/or architectural features that make them more compatible with nearby single-family homes than the 2F zoning standards would require
  - Single-family builders have not historically been interested in building single-family homes in these locations, thereby, leaving vacant lots in areas that often are in need of quality housing

- Staff has been working with local duplex builders, TABA (Temple Area Builders Association) and City Council to develop standards that would allow duplexes by right with a menu of landscaping and architecture options to make them more compatible with surrounding single-family homes

**PROPOSED COMPATIBILITY STANDARDS**

Proposed amendments include the following standard categories:

1. Driveways
2. Architecture
3. Landscaping
4. Parking
5. Sidewalks

**PUBLIC NOTICE:** The newspaper printed notice of the Planning and Zoning Commission public hearing on February 2, 2017, in accordance with state law and local ordinance.

**FISCAL IMPACT:** NA

**ATTACHMENTS:**

[UDC Draft Code Amendments](#)  
[3-20-17 P&Z Presentation](#)  
[TABA Support Letter](#)  
[Ordinance](#)

#### Section 4.5.4 Two-Family Dwelling

Add footnote to Minimum Lot Width (ft.) for 2F Dwelling in 2F District:

60\*\*

\*\* = See Sec. 5.3.28 allowing minimum lot width of 50 feet for a Two-Family Dwelling built on a lot platted before *[fill in date of amendment]*, subject to standards for compatibility with Single-Family Dwellings.

Add footnote to Minimum Front Yard Setback (ft.) for 2F Dwelling in 2F District:

25\*\*

\*\*= See Sec. 5.3.28 allowing minimum front yard setback of 18 feet for a Two-Family Dwelling built on a lot platted before *[fill in date of amendment]*, subject to standards for compatibility with Single-Family Dwellings.

DRAFT

### Section 5.3.28 Two-Family Dwelling with Single-Family Lot Width

- A Purpose. The intent of the following standards is to encourage residential infill development on vacant lots while also ensuring that new Two-Family Dwellings are compatible with surrounding single-family homes. These standards do not apply to 60-foot or wider lots in a 2F district.
- B Applicability. The provisions in this Section apply to:
- 1) A Two-Family Dwelling in a Two-Family District when the dwelling is built on a lot that is zoned 2F and platted before *[fill in date of amendment]*, if the development meets the standards established in this Section for compatibility with Single-Family Dwellings.
  - 2) Vacant lots prior to *[fill in date of amendment]*
- C Minimum lot width. The minimum lot width is 50 feet.
- D Minimum front yard setback.
- 1) Dwellings with front parking areas.
    - i The minimum front yard setback is the greater of 18 feet or 5 feet **less** than the average of the estimated setbacks observed by dwelling on each side of the Two-Family Dwelling.
    - i Dwellings with side or rear parking areas. The minimum front yard setback is the average of the estimated setbacks observed by dwelling on each side of the Two-Family Dwelling.
- E Maximum front yard setback. The maximum front yard setback is the greater of 18 feet or 5 feet **greater** than the average of the estimated setbacks observed by dwellings on each side of the Two-Family Dwelling.
- F Limit on the percentage of two-family dwellings. A maximum of 20 percent of the lots within a subdivision platted prior to *[fill in date of amendment]* can be built with a two-family dwelling.
- G Revisit standards within a year. The Planning Department is responsible for returning to Planning and Zoning Commission and City Council within a year of adoption of these code amendments to evaluate their effectiveness and determine whether Sections H through M below should be modified.

*Example: If homes on either side of a proposed duplex have average front yard setbacks of 17 feet, a duplex with parking in the front can have a front yard setback of 18 to 22 feet or a front yard setback of 17 to 22 feet with parking along the side or rear.*

- H Driveways. Driveways shall meet the standards in one of the categories listed as follows:
- 1) Concrete ribbon driveways
    - i Maximum of two driveways, one for each dwelling unit
    - ii 2-foot-wide, parallel, concrete strips
    - iii 3-foot-wide strip of grass, groundcover, rock, brick, gravel or pavers between strips
    - iv No closer than 3 feet to a wall, fence or other structure
    - v Concrete approach at least 14 feet in width
    - vi Can be used for parking
  - 2) Solid concrete or asphalt driveways
    - i Maximum of two driveways, one for each dwelling unit
    - ii Solid concrete or asphalt no wider than 10 feet
    - iii Concrete approach that is at least 14 feet in width
    - iv Can be used for parking
- I Two-family dwellings located between two single-family dwellings and if a majority of the dwellings on the block (both sides) utilize parking on the rear or side must utilize parking along the side or rear yards.

- J Dwellings with front parking areas. Parking is permitted only on driveways and on optional concrete parking pads, if provided, limited to two 9 by 18 foot parking spaces per dwelling unit. Development of a Two-Family Dwelling utilizing the front parking option must include 5 of the 8 landscaping and architectural options listed below, one of which may be waived in writing by the planning director on grounds that unique conditions on the lot prevent compliance.
- 1) Architectural offsets in front wall
    - i Two offset, attached and covered porches, or
    - ii One attached and covered porch that is equal to or longer than 50 percent of the width of the front wall of the dwelling, or
    - iii An offset at least 4 feet deep in front wall of dwelling
  - 2) Building materials for front façade
    - ii Stone or brick masonry, or
    - iii Cementitious siding—if more than half of the residential structures on the street block (both sides of the street) have a form of siding as the primary exterior material
  - 3) Front-facing roof gable
    - i Single gable, or
    - ii Two gables with different sizes, or
    - iii Two gables of the same size, if one is oriented to accentuate a front porch
  - 4) Trees planted in front yard
    - i Minimum of 2 trees
    - ii Medium or large canopy species from Approved Tree List in Sec. 7.4.5.B
    - iii Minimum 2-inch diameter at breast height (dbh), which is 4' 5"
    - iv Preservation of tree(s) in the front yard listed in Sec. 7.4.5.B meets the tree planting requirement
  - 5) Landscape beds in front yard
    - i One landscape bed along the entire front of each dwelling unit façade or porches, with the exception of sidewalks
    - ii Minimum of 3 feet in depth
    - iii Covered with mulch or 2-inch (minimum) river rock and planted with one or more types of plantings from the Approved Shrub List in Sec. 7.4.5.C or Approved Groundcover List in Sec. 7.4.5.D
  - 6) Contiguous lawn grass front yard
    - i Covering front yard from parking pad to front wall, porches and landscape bed
    - ii Minimum of 100 square feet
    - iii With species from Approved Lawn Grass List in Sec. 7.4.5.E
  - 7) Lawn grass in front and side yards
    - i With species from Approved Lawn Grass List in Sec. 7.4.5.E
  - 8) Landscaping between parking pads
    - i With minimum width of 2 feet
    - ii Planted with one or more types of plantings from the Approved Shrub List in Sec. 7.4.5.C, Approved Groundcover List in Sec. 7.4.5.D, or Approved Lawn Grass List in Sec. 7.4.5.E
- K Dwellings with side or rear parking areas. Development of a Two-Family Dwelling with side or rear parking spaces must include 3 of the 7 landscaping and architectural options listed below:.
- 1) Architectural offsets in front wall
    - i Two offset, attached and covered porches that are offset, or
    - ii One attached and covered porch that is equal to or longer than 50 percent of the width of the front wall of the dwelling, or

- iii An offset at least 4 feet deep in front wall of dwelling
- 2) Building materials for front façade
  - i Stone or brick masonry, or
  - ii Cementitious siding—if more than half of the residential structures on the street block (both sides of the street) have a form of siding as the primary exterior material
- 3) Front-facing roof gable
  - i Single gable, or
  - ii Two gables with different sizes, or
  - iii Two gables of the same size, if one is oriented to accentuate a front porch
- 4) Trees planted in front yard
  - i Minimum of 2 trees
  - ii Medium or large canopy species from Approved Tree List in Sec. 7.4.5.B.
  - iii Minimum 2-inch diameter at breast height (dbh), which is 4' 5"
  - iv Preservation of tree(s) in the front yard listed in Sec. 7.4.5.B meets the tree planting requirement
- 5) Landscape beds in front yard
  - i One landscape bed along the entire front of each dwelling unit façade or porches, with the exception of sidewalks
  - ii Minimum of 3 feet in depth
  - iii Covered with mulch or 2-inch river rock (minimum) and planted with one or more types of plantings from the Approved Shrub List in Sec. 7.4.5.C or Approved Groundcover List in Sec. 7.4.5.D
- 6) Contiguous lawn grass front yard
  - i Covering front yard from parking pad to front wall, porches and landscape bed
  - ii Minimum of 100 square feet
  - iii May be bisected by a private sidewalk connecting the front doors to the public street
  - iv With species from Approved Lawn Grass List in Sec. 7.4.5.E
- 7) Lawn grass in front and side yards
  - i With species from Approved Lawn Grass List in Sec. 7.4.5.E
- L Public sidewalks. Public sidewalks in adjoining right-of-way must be preserved or replaced.
- M Private sidewalks. If side or rear parking spaces are utilized, and the majority of properties on the block have a sidewalk connecting the front doors to the public street, the builder must construct a single shared sidewalk for access from front doors to the public street.



## Proposed UDC Amendments

### Duplex Compatibility Standards in 2F on 50-foot+ Lots

Planning & Zoning Commission	February 21, 2017
Planning & Zoning Commission	March 6, 2017
Planning & Zoning Commission	March 20, 2017
City Council – 1 <sup>st</sup> Reading	April 20, 2017

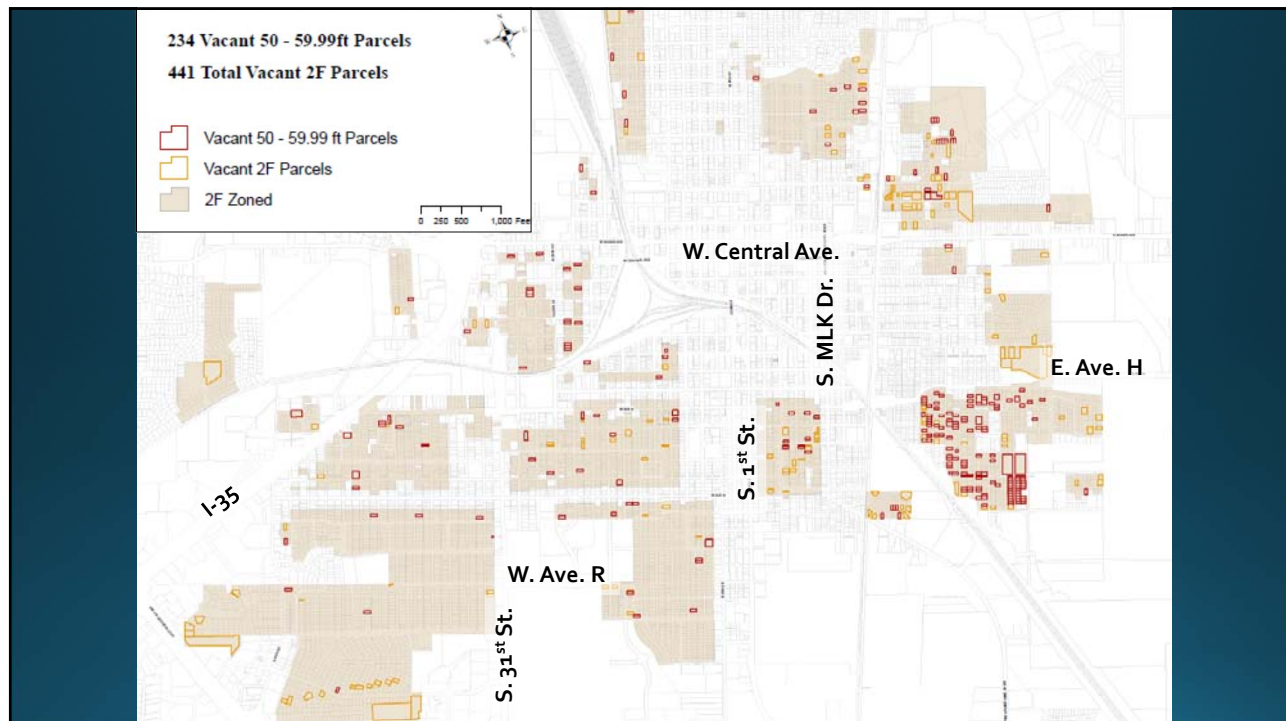
1

### Code Amendment Objectives

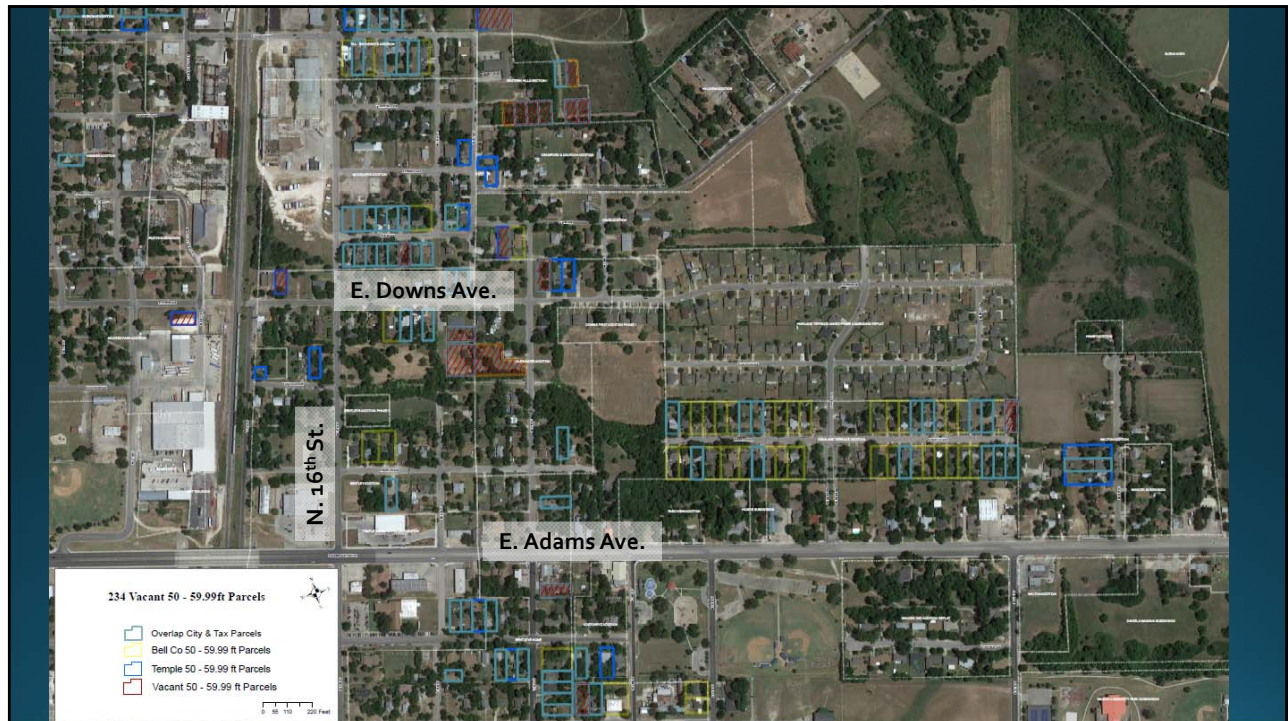
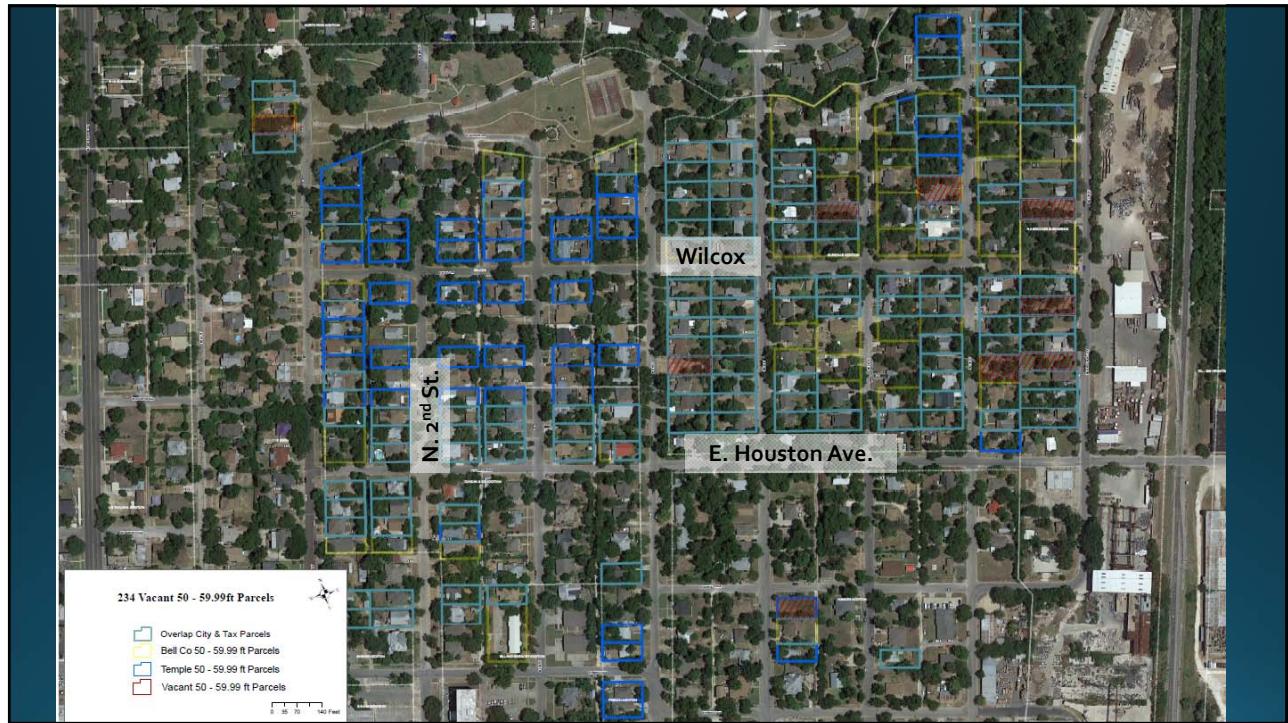
1. Proposed Design Standards for duplexes on 50-foot lots in 2F would:
  - a) Address basic compatibility with surrounding single-family uses
  - b) Allow duplexes by right at those locations in need of reinvestment
  - c) Still provide some flexibility
2. A Planned Development District (PD) is currently an option to address proposed duplexes on a case-by-case basis

## Friday 3/20 Update

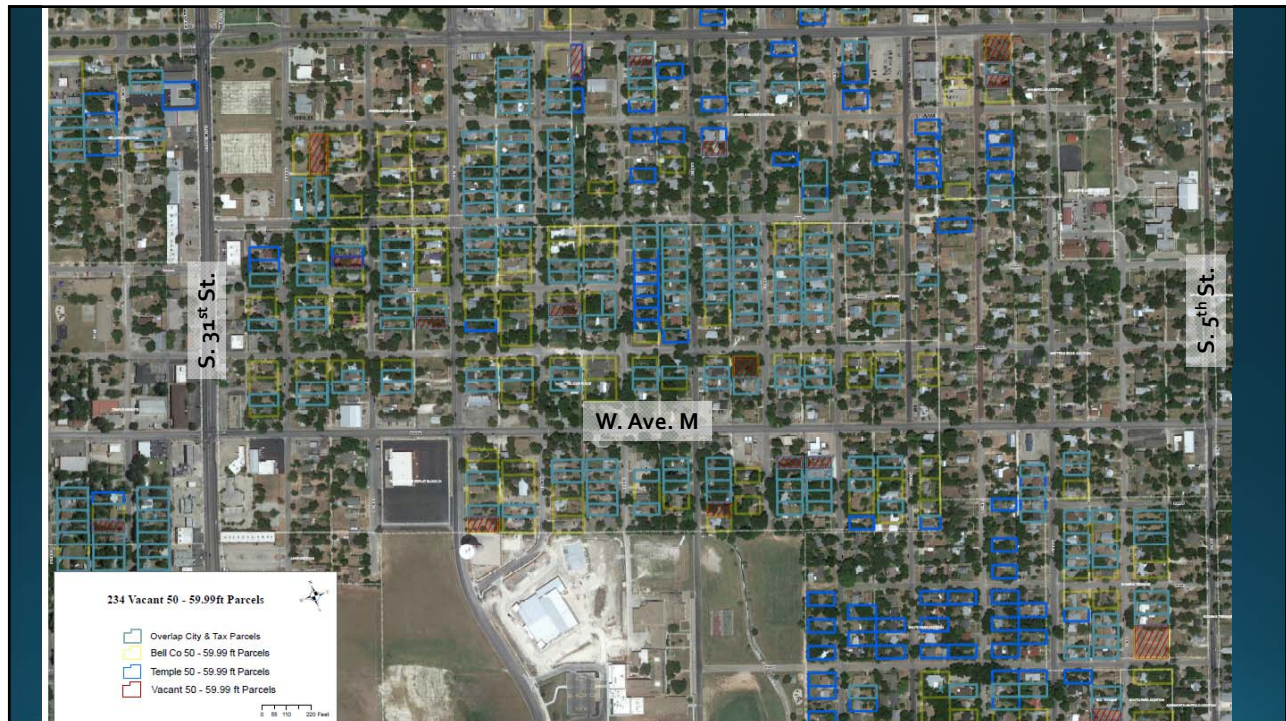
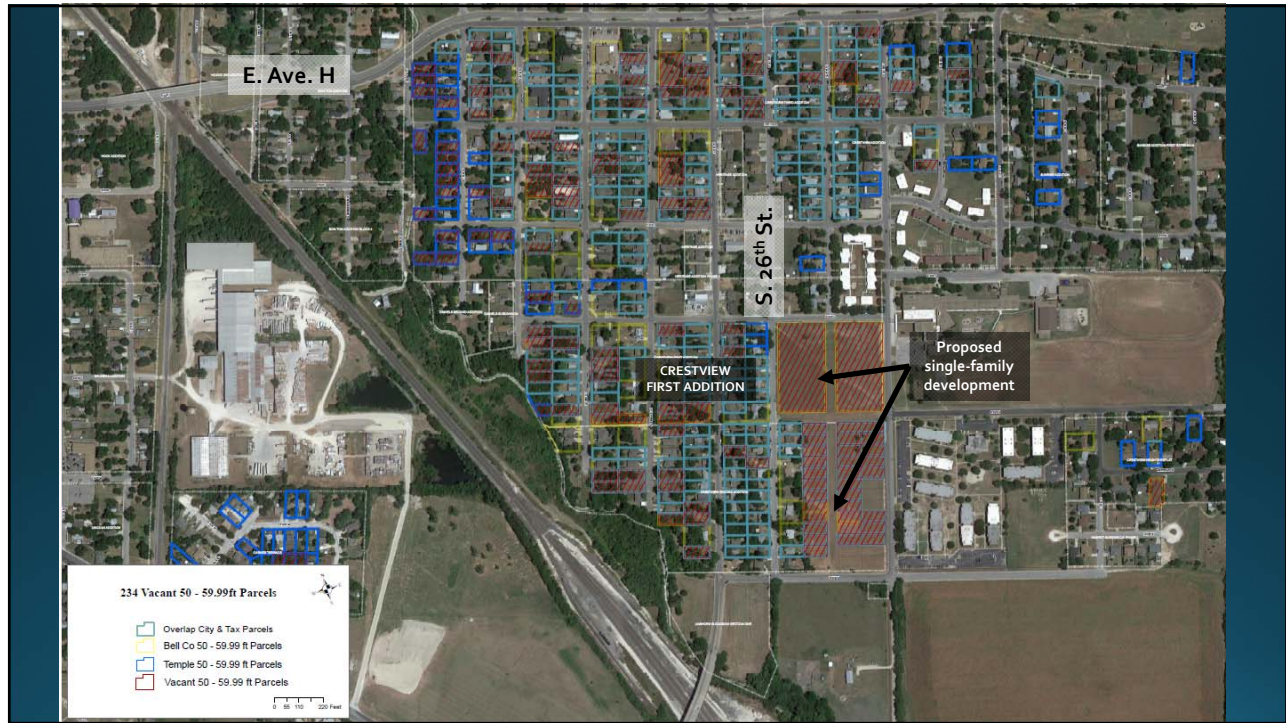
- Estimated 234 vacant lots zoned 2F between 50' and 59.99' wide (see map on following slide)
- 107 others
  - Most of which are 60' + wide and could be built on today
- Lots tend to be fairly evenly distributed throughout the City's 2F zoned subdivisions
  - Exception being area bound by E. Ave. H on north, railroad on west, E. Ave. N on the south and S. 30<sup>th</sup> on the east



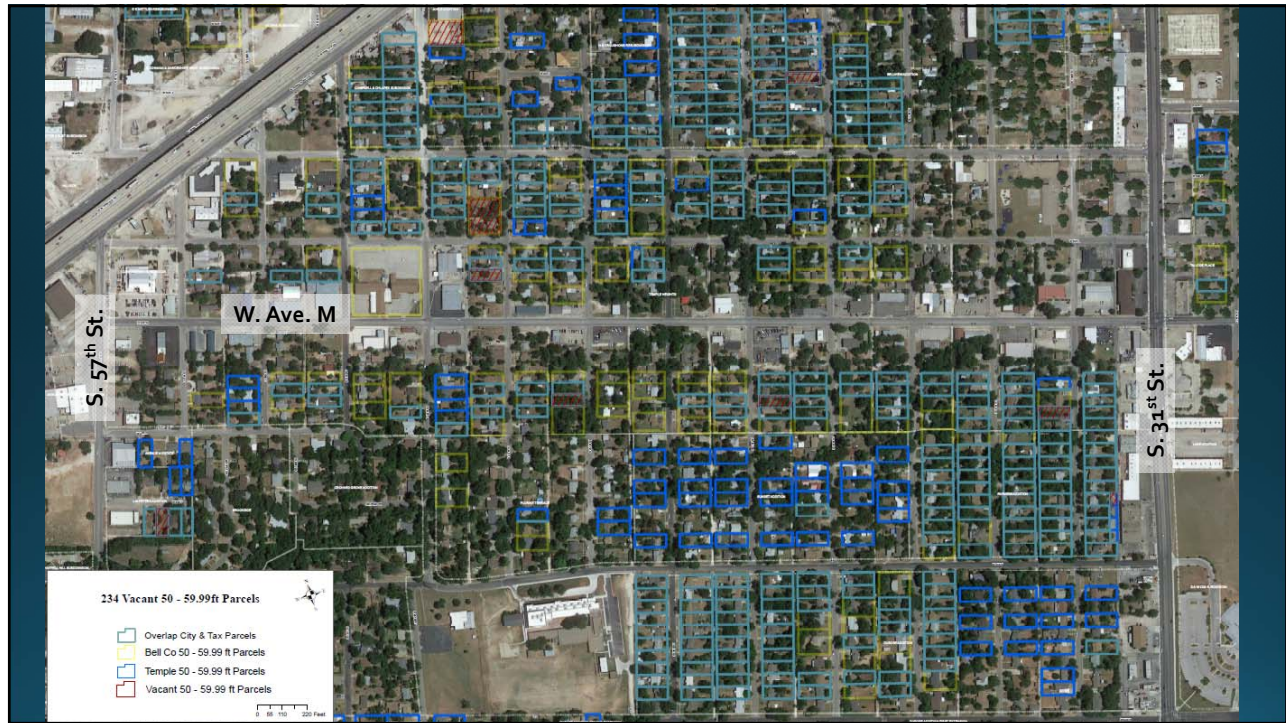














## List of Potential Duplex Locations (provided by a local duplex builder)

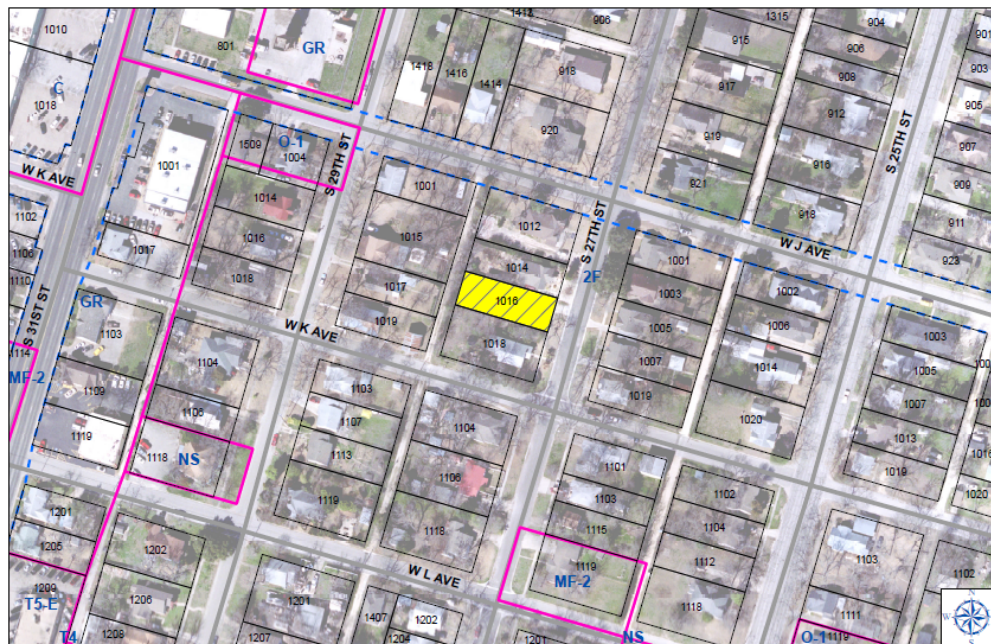
1016 S.  
27<sup>th</sup> St.



**B-FY-15-01**

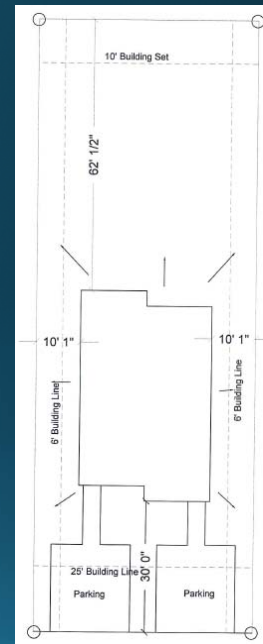
Location Aerial and Zoning Map

1016 S. 27th Street

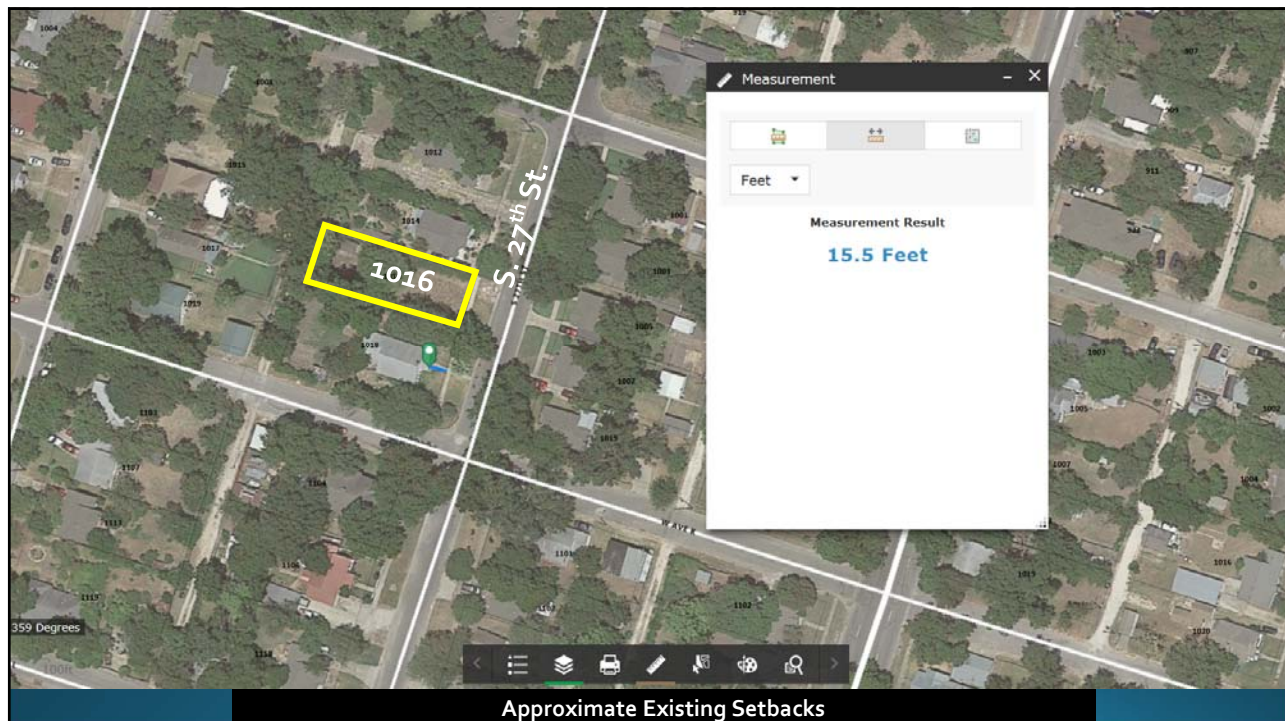




1016 S. 27<sup>th</sup>  
St.



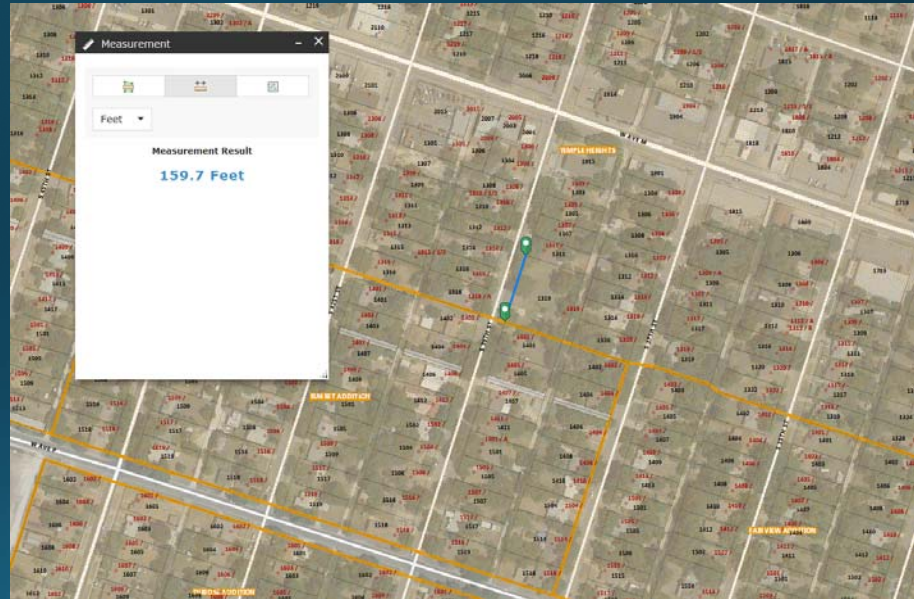
Original Proposed Site Plan



Approximate Existing Setbacks

## 1319 S. 39<sup>th</sup> Street

- Zoned 2F
- 3 platted lots
- Lots 7, 8 and 9
- 2 50-foot and 1 60-foot lot, respectively



## 1319 S. 39<sup>th</sup> Street

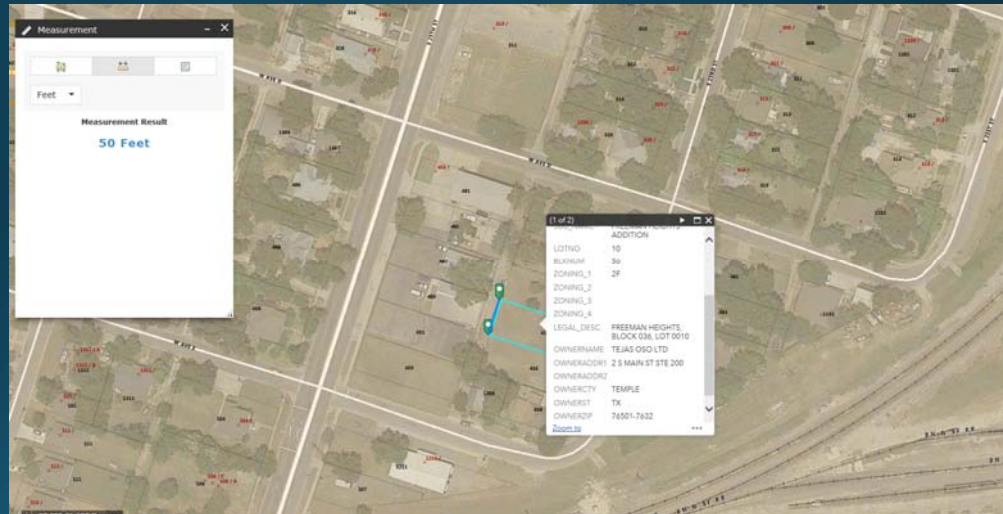
- Zoned 2F
- 3 platted lots
- Lots 7, 8 and 9
- Two 50-foot and one 60-foot lot, respectively
  - a) Duplex can be built now on 60-foot lot





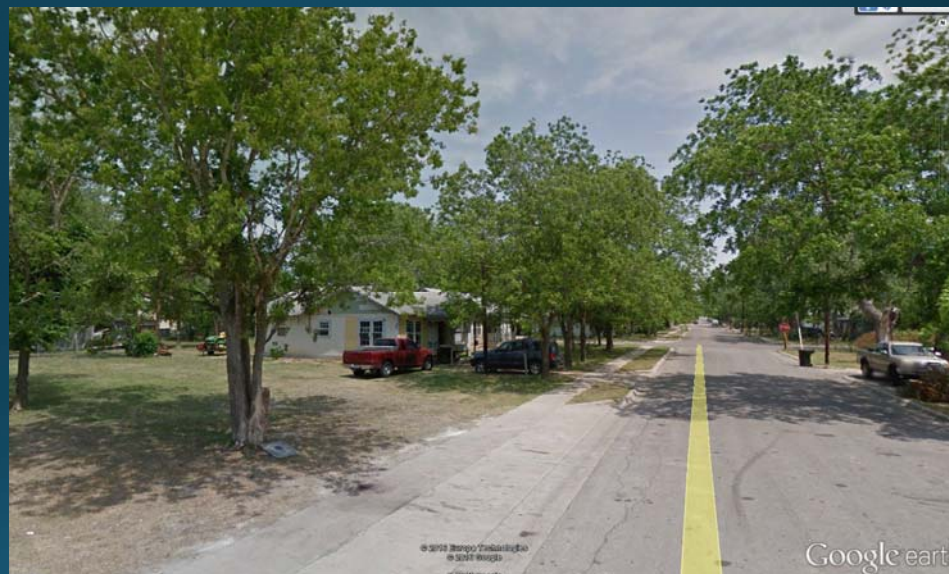
412 S. 23<sup>rd</sup> St.  
(owner or  
potential owner  
indicated "414")

- Zoned 2F
- 50-foot lot
- Other vacant lots on block



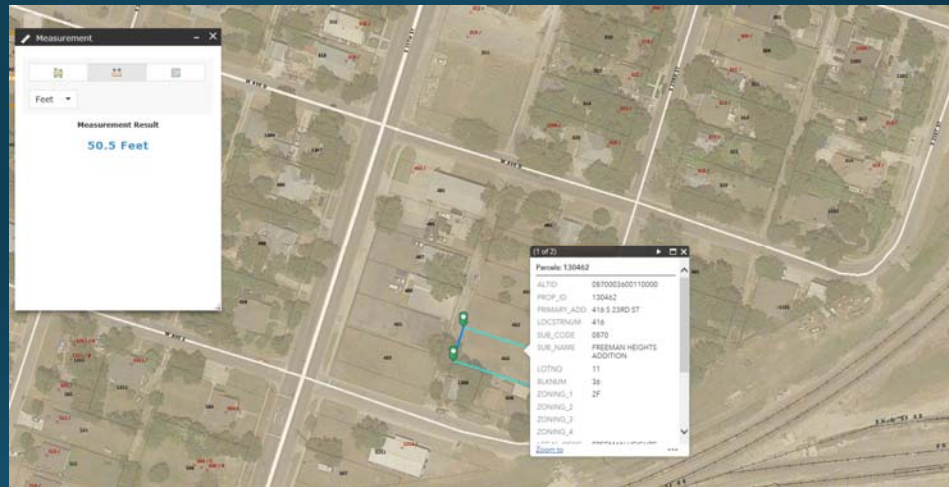
412 S. 23<sup>rd</sup> St.  
(owner or  
potential owner  
indicated "414")

- Zoned 2F
- 50-foot lot
- Area in need of  
reinvestment



416 S. 23<sup>rd</sup> Street

- Zoned 2F
- 50-foot lot
- Other vacant lots on block



416 S. 23<sup>rd</sup> Street

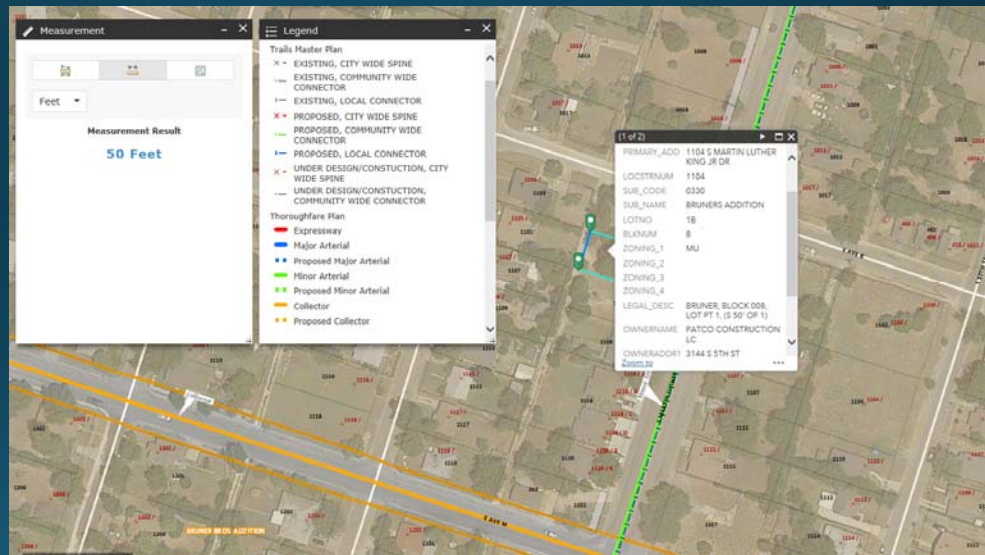
- Zoned 2F
- 50-foot lot
- Area in need of reinvestment





1104 S. MLK

- Zoned MU (Mixed Use)
- 50-foot lot
- Other vacant lots nearby
- Non-conforming driveway on a minor arterial



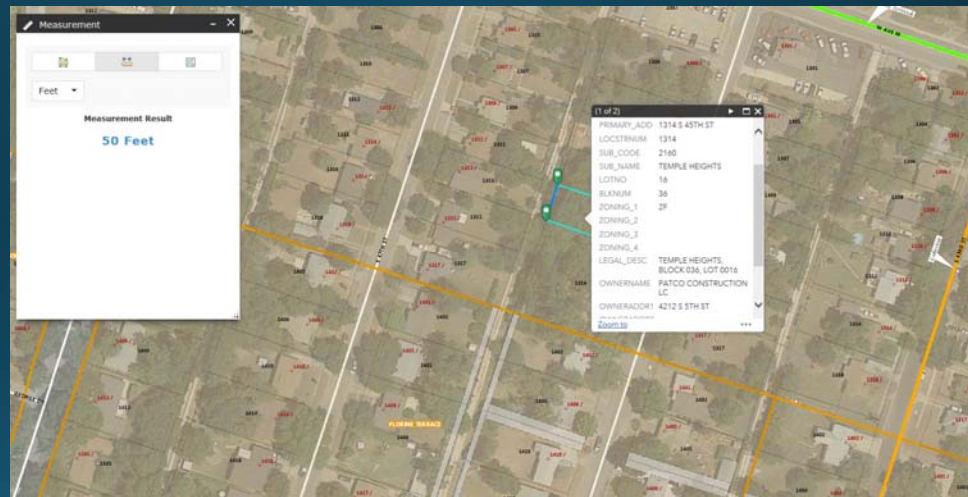
1104 S. MLK

- Zoned MU (Mixed Use)
  - Duplex can be built now
- 50-foot lot
- Area in need of reinvestment
- Non-conforming driveway on a minor arterial



1314 S. 45<sup>th</sup> St.

- Zoned 2F
- 50-foot lot



1314 S. 45<sup>th</sup> St.

- Zoned 2F
- 50-foot lot



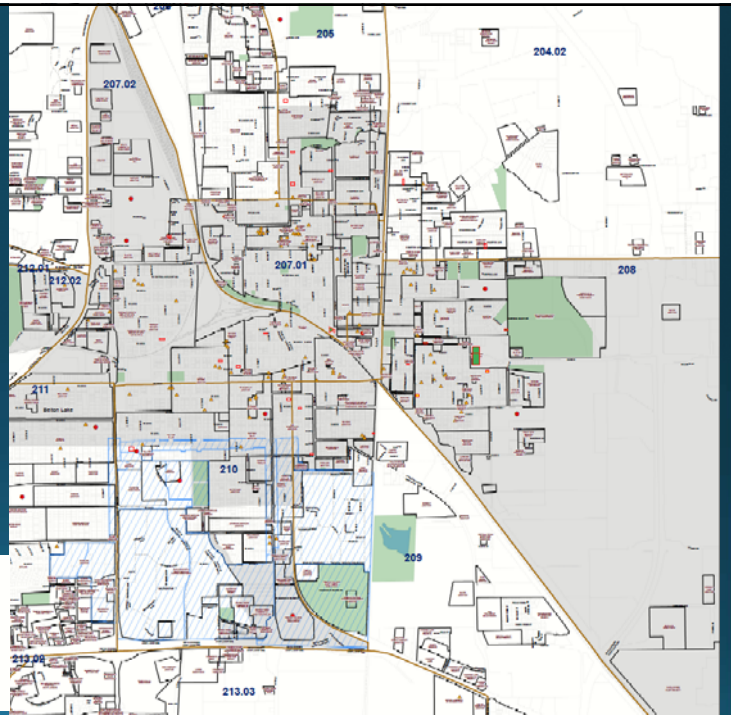


## Summary of New Info: City Comparison

City	Min. Lot Size (by square feet)	Min. Lot Width	Other relevant standards
Austin	7,000	50'	40% lot coverage and 45% impervious cover limits
Bryan	7,000	70'	N/A
College Station	7,000 (3,500 per DU) in R2	70' or 60' w/ side or rear parking	Front parking requires berm, hedge or wall screening
Georgetown	7,000	70' or 60' w/ rear parking	Allowed only in TF (Two-Family) District
Killeen	7,000	60'	N/A
San Marcos	11,000 in "Duplex Residential (Low Density) District" ; 5,400 in "Medium Density"	90' in "Low Density"; 60' in "Medium Density"	N/A
Waco	6,000 (3,000 per DU)	50' (requiring review of a development plan)	Limiting duplexes or townhomes to 20% of any block
Temple	4,000	60' (50' with compatibility standards)	5' side setback

## Summary of New Information

- Upcoming E. Temple Revitalization Efforts
  - 1<sup>st</sup> – working on establishing Neighborhood Associations within these CDBG LMI Target Areas
  - Future expansion of "Empowerment Zones," which includes incentives
  - Revitalization Plan projected for end of 2017



## Revised Recommendation

1. Eligible 50' to 59.99' lots for duplexes with accompanying compatibility standards include only:

a) Vacant lots at the time of Code Amendment adoption

2. Limit to 20% duplexes in each subdivision (final plat)

3. Parking

a) If sandwiched between 2 single-family homes **and** if a majority of homes on block utilize parking on the side or rear, parking must be either:

i. In rear

a. Would then require compliance with only 3 of the 7 compatibility standards

ii. On side

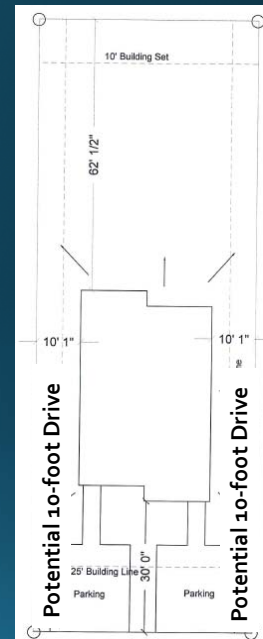
a. Could include 10-foot driveways/ribbon drives on either side of duplex

b. Would then require compliance with only 3 of the 7 compatibility standards

4. Revisit standards in a year to evaluate within the context of E. Temple revitalization plans/efforts

**\*Note: Duplexes could be encouraged as a tool for multi-generational living**

1016 S. 27<sup>th</sup>  
St.



Original Proposed Site Plan

## Potential 2F District Duplex Compatibility Standards on 50-foot Lots

(Choose 5 of the following 8 for front parking and 3 of 7 for side or rear – Director can waive 1 requirement for unique conditions on-site)

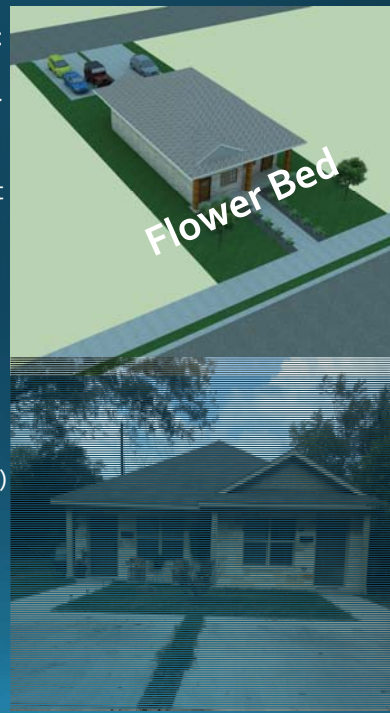
### Architecture

1. Front: offset porches, single porch across entire facade or 4-foot offset (minimum)
2. Masonry front
  - a) Hardie board an option if street block includes primarily siding
3. Single front gable

### Landscaping

4. Planting strip between each parking pad\*
5. Minimum 100 sf contiguous front yard
6. Plant qualifying 2-inch canopy trees (diameter-at-breast height)
  - credit given for preservation of front yard or right-of-way tree(s) on Sec. 7.4.5.B. tree list (new since 3-6-17 P&Z)
7. Plant sod in front and side yards
8. Minimum 3' deep front flower bed

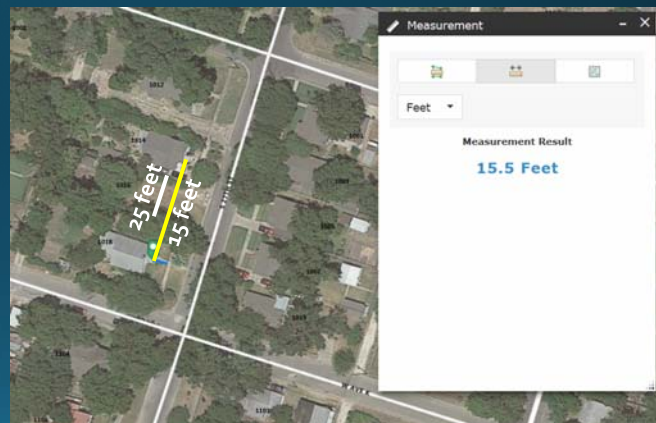
\*Not applicable for parking to side or rear



## Potential Duplex Compatibility Standards

The following would be required:

9. Parking in the Front
  - Limit to 4 (9' x 18') spaces
    - Encourage parking to rear via a side drive or alley access
    - Driveway can be a concrete ribbon drive or a single 10' wide driveway to side with a 2-car parking pad
10. Public Sidewalk: preserve or replace
11. Private Sidewalk: from street to front if parking on side or in rear
12. Front Setback: within 5' of the estimated setback average of residential buildings on either side
  - No less than 18'





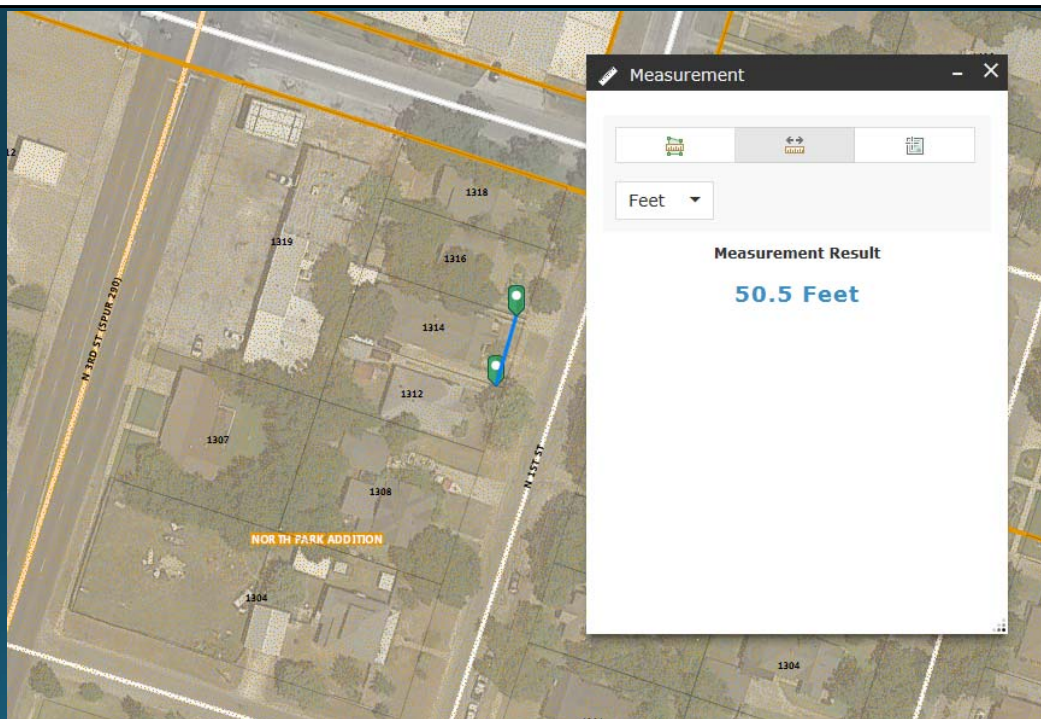
## 1314 N. 1<sup>st</sup> Street



### 7.2.4 Residential Drive Approaches

- A. A drive approach for a Residential Use listed in the use table in Sec. 5.1 is prohibited on arterial streets, unless the lot fronts on an arterial street on a final plat approved prior to February 19, 1987.
- B. Joint access curb cuts are encouraged where lots are less than 50 feet in width.

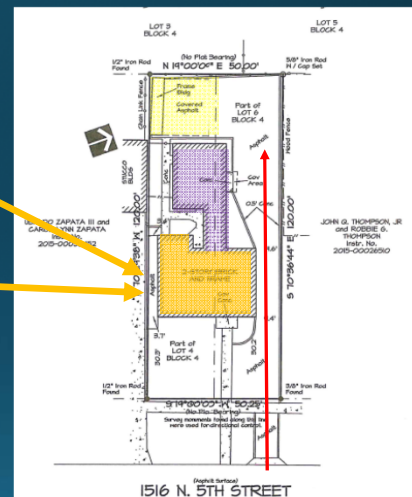
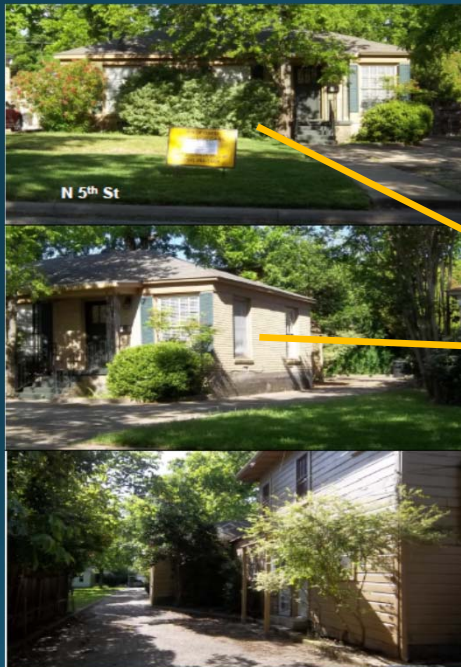
## 1314 N. 1<sup>st</sup> Street



## 1106 N. 5<sup>th</sup> Street

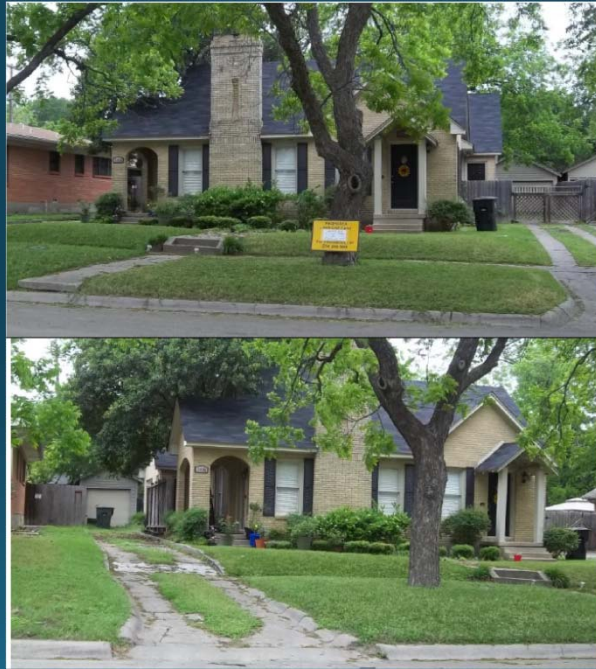


## 1516 N. 5<sup>th</sup> Street





1408 and 1410  
N. 5<sup>th</sup> Street



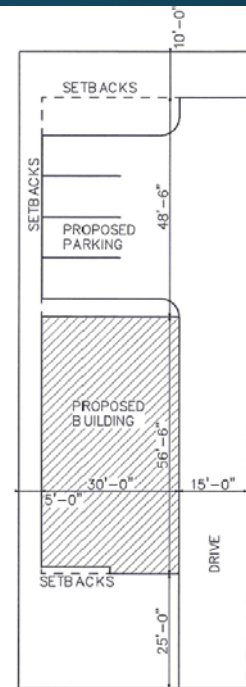
Parking to Rear Example: 302 S. 25<sup>th</sup> Street







Parking to Rear Example: 302 S. 25<sup>th</sup> Street



**SITE PLAN**  
SCALE: 1" = 20'

Questions/Discussion?



Temple Planning & Zoning Commission  
2 N. Main St  
Temple, TX 76501

February 21, 2017

Commissioners,

On behalf of our members and their workforce, thank you for the opportunity to provide input regarding the proposed amendments to the City of Temple's Unified Development Code Articles 4 & 5.

We appreciate City Staff's efforts and outreach on these proposed changes and the opportunity to have a meaningful dialogue with staff and stakeholders. We support Item 4, Z-FY-17-17 as presented and recommend its passage.

Once again, we would like to thank you for your consideration of our recommendations. We value the opportunity to have an open dialogue with City Staff and work together to identify positive solutions to keep Temple moving forward.

Sincerely,

Brad Wyrick  
Executive Director, Temple Area Builders Association

ORDINANCE NO. 2017-4839

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AMENDING TEMPLE UNIFIED DEVELOPMENT CODE ARTICLE 4, SECTION 4.5.4, RELATED TO RESIDENTIAL DIMENSIONAL STANDARDS, AND ARTICLE 5, SECTION 5.3, RELATED TO SPECIFIC USE STANDARDS TO ALLOW TWO-FAMILY RESIDENTIAL DWELLINGS IN A TWO-FAMILY DWELLING ZONING DISTRICT FOR EXISTING PLATTED LOTS WITH A WIDTH OF NOT LESS THAN 50 FEET, SUBJECT TO ADDITIONAL COMPATIBILITY DESIGN STANDARDS PRIMARILY RELATED TO PARKING, LANDSCAPING AND ARCHITECTURE; PROVIDING A REPEALER; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, at Council Workshop on November 17, 2016, Staff presented recommended amendments to the City of Temple's Unified Development Code Article 4, Section 4.5.4 related to Residential Dimensional Standards, and Article 5, Section 5.3 related to Specific Use Standards, to allow two-family residential dwellings (duplexes) in a Two-Family Dwelling Zoning District for existing platted lots with a width of not less than 50 feet subject to additional compatibility design standards primarily related to parking, landscaping and architecture;

**Whereas**, Staff performed several presentations since November 17, 2016, outlining the proposed amendments and on March 20, 2017, the Planning and Zoning Commission unanimously voted to approve the amendments as presented by Staff;

**Whereas**, the proposed amendments will allow duplexes by right with a menu of landscaping and architecture options to make them more compatible with surrounding single-family homes;

**Whereas**, the proposed amendments will only allow duplexes in a Two-Family Dwelling Zoning District on existing platted lots which are vacant at the time the amendments are adopted by Council and duplexes can make up no more than 20% of the structures in each subdivision;

**Whereas**, Staff recommends Council amend Temple Unified Development Code Article 4, Section 4.5.4 related to Residential Dimensional Standards, and Article 5, Section 5.3 related to Specific Use Standards, to allow two-family residential dwellings (duplexes) in a Two-Family Dwelling Zoning District for existing platted lots with a width of not less than 50 feet subject to additional compatibility design standards primarily related to parking, landscaping and architecture; and

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

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

**Part 1: Findings.** 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 Ordinance as if copied in their entirety.

**Part 2:** The City Council amends Temple Unified Development Code Article 4, Section 4.5.4 related to Residential Dimensional Standards, and Article 5, Section 5.3 related to Specific Use Standards, to allow two-family residential dwellings (duplexes) in a Two-Family Dwelling Zoning District for existing platted lots with a width of not less than 50 feet subject to additional compatibility design standards primarily related to parking, landscaping and architecture, as set forth more fully in Exhibit A, attached hereto and incorporated herein for all purposes.

**Part 3:** All ordinances or parts of ordinances in conflict with the provisions of this ordinance are to the extent of such conflict hereby repealed.

**Part 4:** It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this ordinance are severable and, if any phrase, clause, sentence, paragraph or section of this ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such invalid phrase, clause, sentence, paragraph or section.

**Part 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.

**Part 7:** The City Council directs the Planning Director to prepare a report for the Planning and Zoning Commission and City Council, approximately one year from the effective date of this Ordinance, for the purpose of evaluating the effectiveness of the Ordinance and making recommendations about retaining or revising its provisions.

PASSED AND APPROVED on First Reading and Public Hearing on the **20<sup>th</sup>** day of **April**, 2017.

PASSED AND APPROVED on Second Reading on the **4<sup>th</sup>** day of **May**, 2017.

THE CITY OF TEMPLE, TEXAS

---

DANIEL A. DUNN, MAYOR

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

---

Kayla Landeros  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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04/20/17  
Item #5  
Regular Agenda  
Page 1 of 3

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

Dessie Redmond, Planner

**ITEM DESCRIPTION:** FIRST READING – PUBLIC HEARING Z-FY-17-22: Consider adopting an ordinance authorizing a rezoning request from the Agricultural zoning district to the Single Family-One zoning district, on 10.666 +/- acres, of the Maximo Moreno Survey, Abstract No. 14, being a part of a 10.00 acre tract of land and a part of a 42.13 acre tract described in a deed to Stellar Improvement Corporation, Bell County, located at 1610 West FM 93, Temple, Texas.

**PLANNING & ZONING COMMISSION RECOMMENDATION:** At their March 20, 2017 meeting, the Planning & Zoning Commission voted six to zero to recommend approval of the proposed rezoning as presented by staff.

**STAFF RECOMMENDATION:** Based on compliance with the following factors, staff recommends approval for a rezoning from the AG zoning district to the SF-1 zoning district:

1. Surrounding zoning;
2. Partial compliance with the Future Land Use Estate Residential designation;
3. The Thoroughfare Plan; and
4. Availability of public facilities to serve the subject property.

**ITEM SUMMARY:** The subject property contains 10.666 +/- acres (attachment: Concept Plan). The property is currently undeveloped with some tree and canopy coverage. It is anticipated the property will be developed with single-family residential, similar to adjacent and existing residential development in the Highland Park Estates.

The subject property has never been platted but is within city limits. Adjacent to the east is Highland Park Estates, which was originally platted in 2015, amended in 2016 and is in the Planned Development-Single Family1 (PD-SF1) zoning district. To the north, west and south is undeveloped, vacant land and is in the AG zoning district (attachment: Surrounding Property & Uses Table).

There is an existing .8 acre Temporary Easement for a temporary detention facility and an all-weather turning area for emergency vehicles on the northwest portion of the property. This Temporary Easement will expire with the platting and construction of this proposed phase. There is also an existing 20 foot wide utility easement that runs west beginning at the northwest portion of the property and turns 90 degrees in the center and continues north into the abutting northern property (attachment: Existing Easements).

There are other residential and non-residential uses permitted in the SF-1 zoning district. The SF-1 zoning district provides for standard single-family lots that should serve as a transition between larger and smaller lot single-family districts. A Use Comparison Summary Table is located in the attachments.

**COMPREHENSIVE PLAN (CP) COMPLIANCE:** The proposed rezoning relates to the following goals, objectives or maps of the Comprehensive Plan 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 within the Estate Residential character district. According to the Future Land Use Map (FLUM), this character district is intended for larger lot rural development generally on the fringes of the city but available within the City so this character and lifestyle setting is not limited only to the extra-territorial jurisdiction (ETJ). This rezoning request partially complies with the Estate Residential character district as it is for single-family residential and on the fringes but within the City limits. However, it is anticipated that the lots will be larger than the 7,500 square feet minimum lot size, per the Unified Development Code (UDC), but not large lots for rural development as stated in the FLUM. Therefore, this request is in partial compliance with the FLUM. It is also compatible with the existing adjacent development.

Thoroughfare Plan (CP Map 5.2)

The subject property is accessed off of Hartrick Bluff via Timberline Road via Lakeview Lane and then off of Drexel Loop, which is designated as a local street in our Thoroughfare Plan. A local street requires 50 feet of right-of-way and 31 feet of pavement, which is what is proposed on the Concept Plan. There are no sidewalk requirements for local street designations. Therefore, this request does comply with our Thoroughfare Plan.

UDC, Section 8.2.1.D.4 (b) states, "Subdivisions must provide for the location of a reasonable number of street openings to adjoining properties. Such an opening must occur a minimum of every 1,000 feet or in alignment with existing or proposed subdivision streets along each boundary of the subdivision." According to the Concept Plan, this proposal may not meet this requirement in which case would require an exception with recommendation by the Planning & Zoning Commission and approval by City Council. This would be determined during the platting process.

Temple Trails Master Plan Map and Sidewalks Ordinance

The Trails Master Plan does not identify any existing or proposed trails on or abutting the subject property.

Availability of Public Facilities (CP Goal 4.1)

Sewer and water infrastructure is available to the site. There is an eight inch water pipe that runs along the west boundary of the site and a 10 inch sewer line that runs along the existing Drexel Loop and continues north into the subject property. Therefore, public facilities are available to the site and the request complies with the City's public service capacities.

**DEVELOPMENT REGULATIONS:** A comparison summary table for residential dimensional standards in the AG & SF-1 zoning districts is located in the attachments (Residential Dimensional Standards Comparison Table).



**PUBLIC NOTICE:** Thirty-one 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 Monday, April 10, 2017, 19 returned notices have been received in agreement with the rezoning. Fifteen of these notices were from the applicant. One letter was received that was not in agreement or disagreement but described concerns over increased traffic. These notices are included in the attachments.

The newspaper printed notice of the public hearing on March 9, 2017, in accordance with state law and local ordinance.

**FISCAL IMPACT:** Not Applicable

**ATTACHMENTS:**

[Site and Surrounding Property Photos](#)

[Concept Plan](#)

[Location Map / Aerial](#)

[Zoning Map / Future Land Use Map](#)

[Thoroughfare & Trails Map / Utility Map](#)

[Notification Map / Existing Easement](#)

[Use Comparison Summary Table](#)

[Surrounding Properties & Uses Table / Comprehensive Plan Compliance Summary Table /](#)

[Residential Dimensional Standards Comparison Table](#)

[Returned Property Owner Notifications](#)

[March 20, 2017 Planning & Zoning Commission Excerpts](#)

[Ordinance](#)

Site Photos



On Drexel Loop looking north into site at Temporary Easement).



Looking west into site: front portion is the Amending Highland Park Estates and rear portion is subject property.



Site Photos



Looking south down Drexel Lane at Residences in the Amending Highland Park Estates, which is east of the subject property.

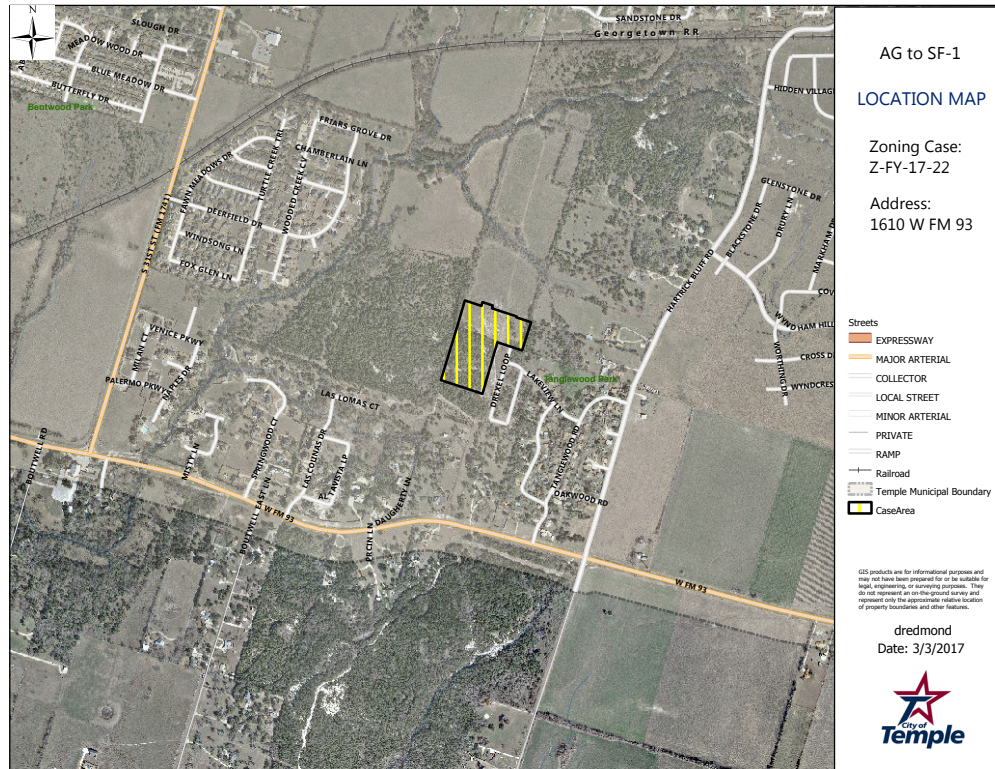


Properties to the east: Ridgewood Estates.

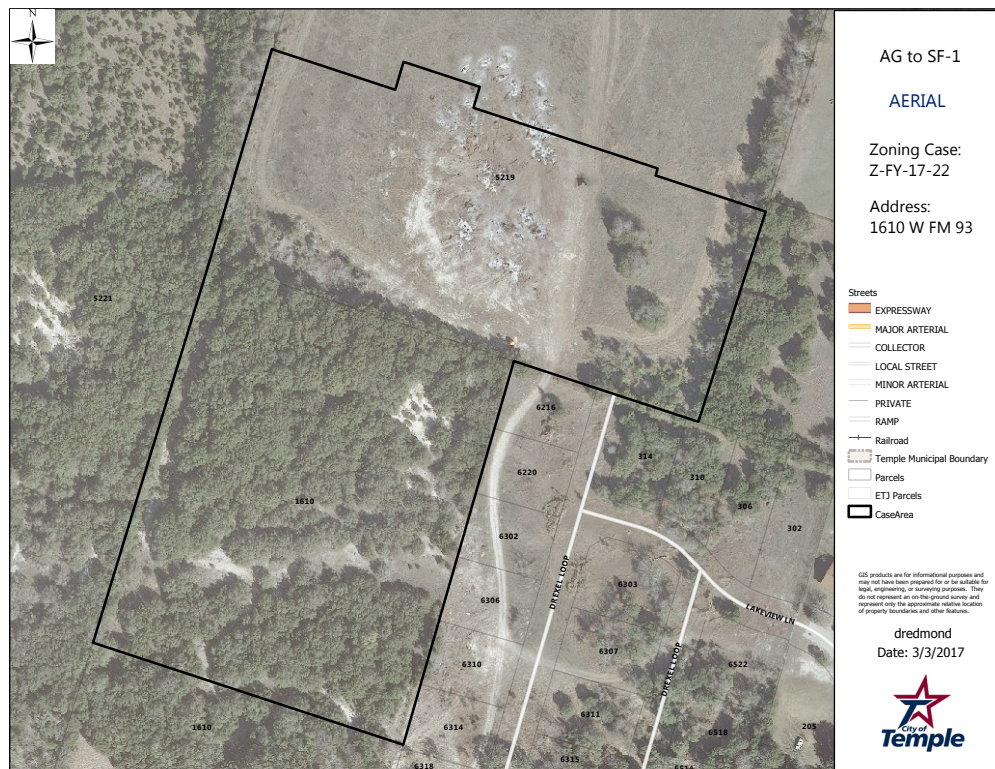


Concept Plan





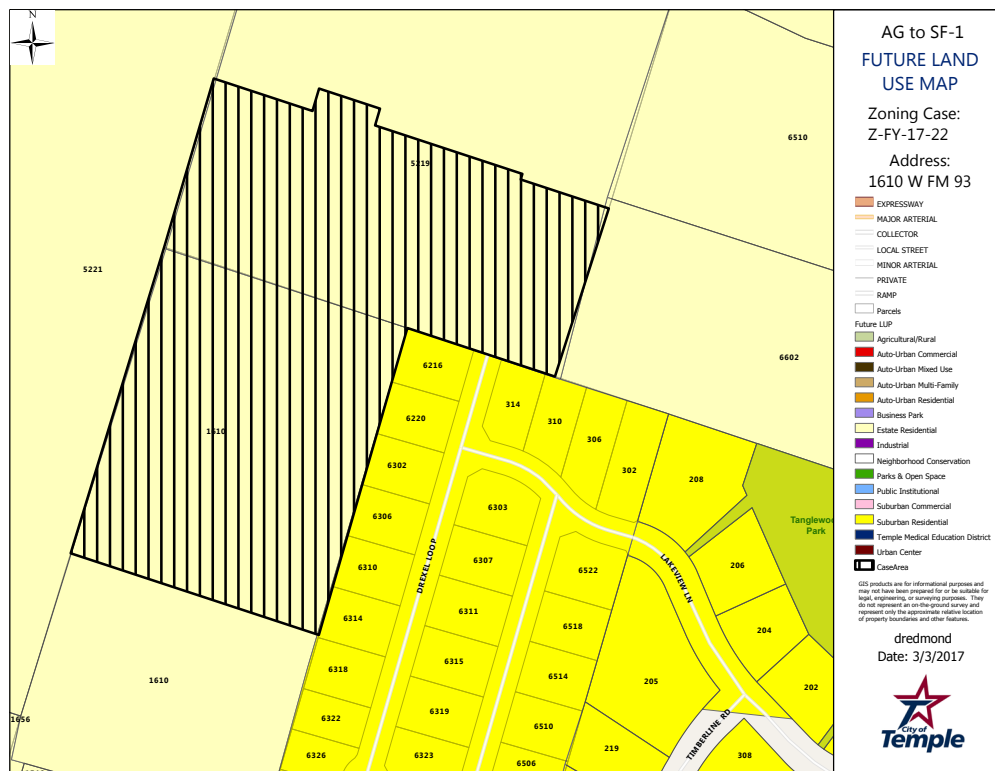
Location Map



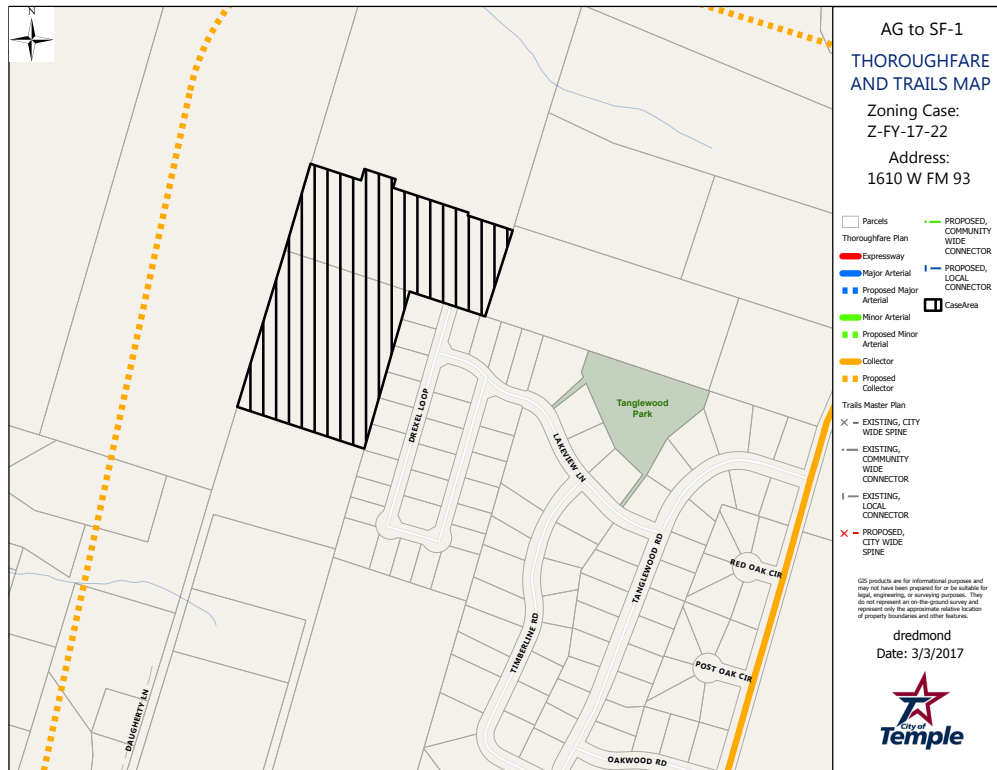
Aerial



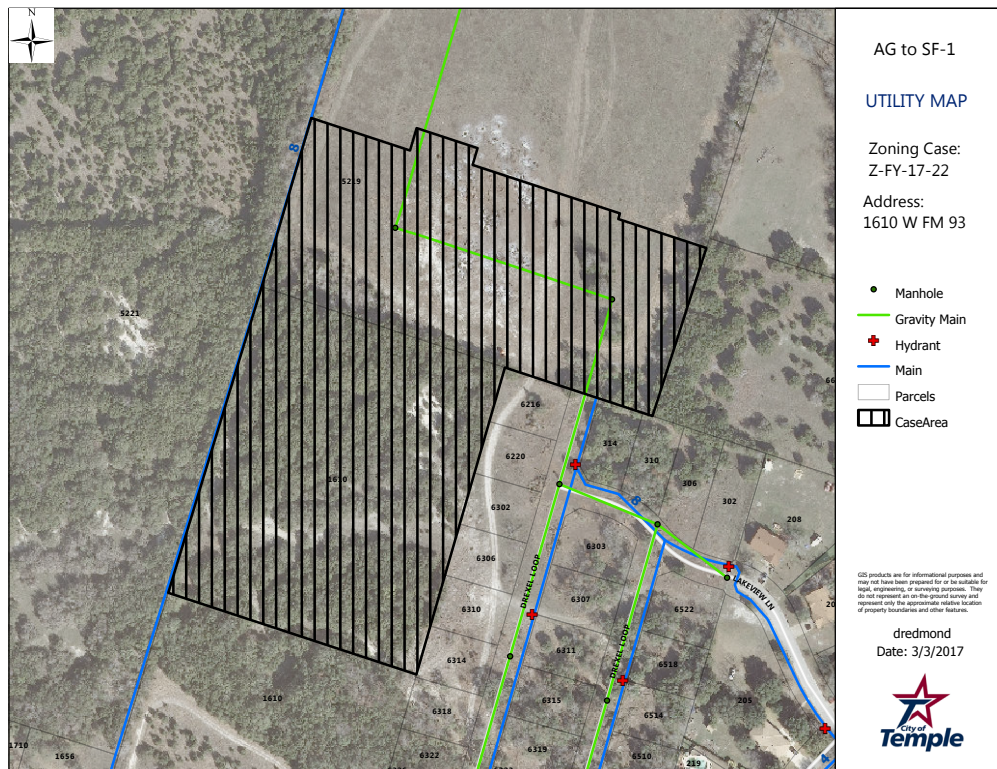
## Zoning Map



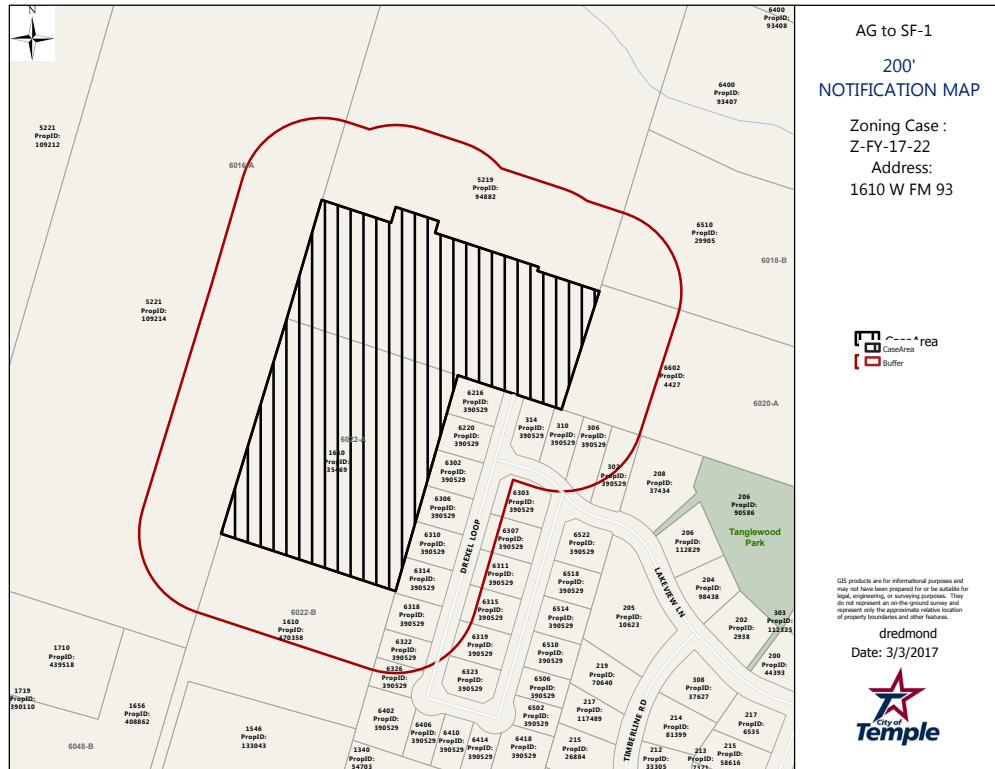
Future Land Use Map



Thoroughfare & Trails Master Plans



Utility Map



Notification Map



Use Comparison Summary Table

	Existing Agriculture	Proposed Single Family-1
<b>Residential Uses</b>	Single-family dwelling *Home for the aged	Single-family dwelling
<b>Agricultural Uses</b>	Farm, Ranch or Orchard *Animal shelter Livestock auction	Farm, Ranch or Orchard
<b>Commercial Uses</b>	None	None
<b>Education &amp; Institutional</b>	*Child care: day care center Fairgrounds Place of Worship	Place of Worship
<b>Industrial Uses</b>	Animal feedlot Laboratory medical, dental, scientific or research Recycling collection location	*Animal feedlot *Recycling collection location
<b>Overnight Accommodations</b>	*Recreational vehicle park	None
<b>Recreational Uses</b>	Park or Playground Zoo	Park or Playground
<b>Restaurant Uses</b>	None	None
<b>Retail &amp; Service Uses</b>	*Exercise gym	None
<b>Transportation Uses</b>	*Airport or landing field	None
<b>Vehicle Service Uses</b>	None	None

\*Conditional Use Permit required

**Surrounding Properties & Uses Table**

Direction	FLUM	Zoning	Current Land Use
Site	Estate Residential	AG	vacant
North	Estate Residential	AG	vacant
South	Estate Residential	AG	vacant
West	Estate Residential	AG	vacant
East	Suburban Residential	PD-SF1	single-family residences

**Comprehensive Plan Compliance Summary Table**

Document	Policy, Goal, Objective or Map	Compliance?
CP	Map 3.1 - Future Land Use Map	Partial
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

**Residential Dimensional Standards Comparison**

	Existing Agricultural	Proposed Commercial
Minimum Lot Size	1 acre	7,500 sq ft
Minimum Lot Width	100 ft	60 ft
Minimum Lot Depth	150 ft	100 ft
Front Setback	50 ft	25 ft
Side Setback	15 ft	6 ft min/7.5 ft max
Side Setback (corner)	15 ft	15 ft
Rear Setback	10 ft	10 ft
Max Building Height	3 stories	2





RESPONSE TO PROPOSED  
REZONING REQUEST  
CITY OF TEMPLE

MCCUSKEY, STUART & RONY LEDESMA  
1645 ALTA VISTA LOOP  
TEMPLE, TX 76502-5573

460763

**Zoning Application Number:** Z-FY-17-22

**Case Manager:** Dessie Redmond

Location: 1610 W. FM 93, Temple, Texas

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

I ☒ agree

( ) disagree with this request

**Comments:**

*Please rezoning the area with the same value of houses, safety, street lights, fire safety, and trees. Thank you Stuart*

*Stuart McCuskey*  
Signature

STUART MCCUSKEY  
Print Name

If you would like to submit a response, please email a scanned version of this completed form to the Case Manager referenced above, [dredmond@templetx.gov](mailto:dredmond@templetx.gov), or mail or hand-deliver this comment form to the address below, no later than March 20, 2017.

City of Temple  
Planning Department  
2 North Main Street, Suite 102  
Temple, Texas 76501

Number of Notices Mailed: 31

Date Mailed: March 9, 2017

**OPTIONAL:** Please feel free to email questions or comments directly to the Case Manager or call us at 254.298.5668.



RESPONSE TO PROPOSED  
REZONING REQUEST  
CITY OF TEMPLE

AVERY, ROBERT D ETUX JANET CAROL  
6602 HARTRICK BLUFF RD  
TEMPLE, TX 76502-3588

4427

**Zoning Application Number:** Z-FY-17-22

**Case Manager:** Dessie Redmond

Location: 1610 W. FM 93, Temple, Texas

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

I ☐ agree

☐ disagree with this request

**Comments:**

*My concern is that Lakewood LN and  
Tanglewood ST are not sufficient to handle  
more traffic for access especially with the  
houses being built around Drexel Coop. There  
needs to be another outlet for traffic.*

*Robert D. Avery*  
Signature

ROBERT D. AVERY  
Print Name

If you would like to submit a response, please email a scanned version of this completed form to the Case Manager referenced above, [dredmond@templetx.gov](mailto:dredmond@templetx.gov), or mail or hand-deliver this comment form to the address below, no later than March 20, 2017.

City of Temple  
Planning Department  
2 North Main Street, Suite 102  
Temple, Texas 76501

RECEIVED

MAR 24 2017

City of Temple  
Planning & Development

Number of Notices Mailed: 31

Date Mailed: March 9, 2017

**OPTIONAL:** Please feel free to email questions or comments directly to the Case Manager or call us at 254.298.5668.

Returned Property Owner Notices - Within 200' Buffer Area -  
Stellar Improvement Corporation (the applicant): 15 total



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

STELLAR IMPROVEMENT CORPORATION  
23 EAST 21ST AVENUE  
BELTON, TX 76513

390529 /460761

**Zoning Application Number:** Z-FY-17-22

**Case Manager:** Dessie Redmond

**Location:** 1610 W. FM 93, Temple, Texas

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

I ☒ agree

( ) disagree with this request

**Comments:**

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Signature

Lina Chay as representative for  
Print Name Mark Rendon

If you would like to submit a response, please email a scanned version of this completed form to the Case Manager referenced above, [dredmond@templetx.gov](mailto:dredmond@templetx.gov), or mail or hand-deliver this comment form to the address below, no later than March 20, 2017.

**City of Temple  
Planning Department  
2 North Main Street, Suite 102  
Temple, Texas 76501**

**Number of Notices Mailed:** 31

**Date Mailed:** March 9, 2017

**OPTIONAL:** Please feel free to email questions or comments directly to the Case Manager or call us at 254.298.5668.



Returned Property Owner Notices - Within 200' Buffer Area -  
Alethium Star Homes LLC: 3 total notices



RESPONSE TO PROPOSED  
REZONING REQUEST  
CITY OF TEMPLE

ALETHIUM STAR HOMES LLC  
2133 DOWNING ST  
BELTON, TX 76513

460760

**Zoning Application Number:** Z-FY-17-22

**Case Manager:** Dessie Redmond

Location: 1610 W. FM 93, Temple, Texas

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

I ☒ agree

( ) disagree with this request

Comments:

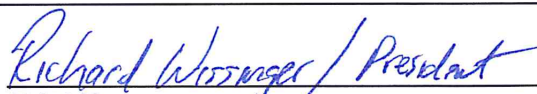
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Signature

  
Print Name

If you would like to submit a response, please email a scanned version of this completed form to the Case Manager referenced above, [dredmond@templetx.gov](mailto:dredmond@templetx.gov), or mail or hand-deliver this comment form to the address below, no later than March 20, 2017.

RECEIVED

City of Temple  
Planning Department  
2 North Main Street, Suite 102  
Temple, Texas 76501

MAR 17 2017  
City of Temple  
Planning & Development

Number of Notices Mailed: 31

Date Mailed: March 9, 2017

**OPTIONAL:** Please feel free to email questions or comments directly to the Case Manager or call us at 254.298.5668.

## PLANNING & ZONING COMMISSION MEETING

MONDAY, MARCH 20, 2017

### ACTION ITEMS

**Item 2: Z-FY-17-22** - Hold a public hearing to discuss and recommend action on a rezoning request from the Agricultural (AG) zoning district to the Single Family-One (SF-1) zoning district, on 10.666 +/- acres, of the Maximo Moreno Survey, Abstract No. 14, being a part of a 10.00 acre tract of land and a part of a 42.13 acre tract described in a deed to Stellar Improvement Corporation, Bell County, located at 1610 W. FM 93, Temple, Texas.

Ms. Dessie Redmond, Planner, stated this item is scheduled to go forward to City Council for first reading on April 20, 2017 and second reading on May 4, 2017.

The applicants for this rezoning request are Mr. Mark Rendon with Stellar Homes and Ms. Lina Chtay with Belton Engineering. The subject property is currently vacant and undeveloped.

Various site photos shown. Currently there is a row of lots along the front of Drexel Loop which are part of the amending Highland Park Estates. The subject property is located behind these lots to the east.

It is anticipated the site will be developed with single-family residences similar to existing development in the area.

The site has never been platted, but it lies within the City limits.

Surrounding properties include Highland Park Estates to the east (Ridgewood Estates further to the east), and undeveloped and vacant land to the north, west and south.

There are two existing easements on the property:

- A point eight (.8) acre temporary easement for temporary detention facility and an all-weather turning area for emergency vehicles, which will expire with the platting and construction of this proposed phase; and
- A 20-foot wide utility easement.

Zoning map is shown. The existing zoning for the subject property is AG, the proposed zoning requested is SF-1, AG lies to the north, south, and west, and a Planned Development-Single Family One (PD-SF1) is to the east.

The Future Land Use and Character Map designate the subject property as Estate Residential, which is intended for larger lot rural development located on the fringes of the City. This request is for single family residential on the fringes of the City, and it is anticipated the lots will be larger than the 7,500 square foot minimum lot size, per the Unified Development Code (UDC) but not large lots for rural developed as stated in the Future Land Use and Character Map. This request is compatible with the existing development surrounding the area. Therefore, this request is in partial compliance with the Future Land Use Map. If approved, the Future Land Use and Character Map will need to be updated.

Access is available from West FM 93, Timberline Road, Lakeview Lane, and Drexel Loop which is designated by the Thoroughfare Plan as a local street. If additional right-of-way is needed it will be addressed during the platting phase.

No sidewalk requirements exist for local street designations.

There are no trails proposed within or abutting the site.



March 20, 2017 Planning & Zoning Commission Excerpts,  
continued

A compliance summary table is shown. This request is in compliance with the Thoroughfare Plan, the Trails Master Plan and Sidewalk Ordinance, and is consistent with the growth and development patterns of the City's infrastructure and public service capabilities. This request is in partial compliance with the Future Land Use and Character Map.

A Use Comparison Summary Table and a Residential Dimensional Standards Table are shown for existing and proposed zoning districts.

This request includes a companion case for review of a concept plan (sketch plan) which is not considered an official plat submittal. A Development Review Committee (DRC) meeting is scheduled to review this concept plan on March 23, 2017 with the applicant and Staff anticipates an official plat submittal in the near future.

Notices were mailed in accordance with all state and local regulations with 19 notices returned in agreement of the request and zero notices in disagreement. Sixteen of the notices returned in agreement were from the applicant who owns those properties. The other three notices were from the same property owner.

Based on the following compliance factors, Staff recommends approval for a rezoning from the AG zoning district to the SF-1 zoning district:

1. Surrounding zoning;
2. Partial compliance with the Future Land Use Map Estate Residential designation;
3. Thoroughfare Plan; and
4. Availability of public facilities to serve the subject property.

Chair Rhoads opened the public hearing.

There being no speakers, the public hearing was closed.

Commissioner Armstrong made a motion to approve Item 2, **Z-FY-17-22**, as presented, and Commissioner Alaniz made a second.

*Motion passed: (6:0)*

Vice-Chair Fettig, Commissioners Jones and Ward absent

ORDINANCE NO. 2017-4840  
(Z-FY-17-22)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A REZONING FROM AGRICULTURAL ZONING DISTRICT TO SINGLE FAMILY ONE ZONING DISTRICT ON APPROXIMATELY 10.666 ACRES OUT OF THE MAXIMO MORENO SURVEY, ABSTRACT NO. 14, BEING A PART OF AN APPROXIMATELY 10 ACRE TRACT OF LAND, AND A PART OF AN APPROXIMATELY 42.13 ACRE TRACT OF LAND DESCRIBED IN A DEED TO STELLAR IMPROVEMENT CORPORATION, BELL COUNTY, LOCATED AT 1610 WEST FM93, TEMPLE, TEXAS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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

**Part 1:** The City Council approves a rezoning from Agricultural zoning district to Single Family One zoning district, on approximately 10.666 acres, out of the Maximo Moreno Survey, Abstract No. 14, being a part of an approximately 10 acre tract of land and a part of an approximately 42.13 acre tract of land described in a deed to Stellar Improvement Corporation, Bell County, located at 1610 West FM 93, Temple, Texas, as outlined in the map attached hereto as Exhibit 'A,' and made a part hereof for all purposes.

**Part 2:** Staff recommends approval of a rezoning from Agricultural zoning district to Single Family One 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 **20<sup>th</sup>** day of **April**, 2017.

PASSED AND APPROVED on Second Reading on the **4<sup>th</sup>** day of **May**, 2017.

THE CITY OF TEMPLE, TEXAS

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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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04/20/17  
Item #6  
Regular Agenda  
Page 1 of 2

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

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

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a construction contract with Bell Contractors, Inc., of Belton, for a lump sum price of \$56,434, for construction of a system pressure reducing valve near the Horny Toad Harley-Davidson property.

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

**ITEM SUMMARY:** Horny Toad Harley-Davidson Dealership, located at 7454 South General Bruce Drive, has experienced frequent water pressure spikes as a result of a direct connection to a high service system transmission main, which has caused damage to water service, irrigation lines, building, and the City's 8-Inch water main. These pressure spikes are caused by close proximity to a large transmission main and pump station which provides service to areas east of IH-35. This project will install a system pressure reducing valve (PRV) and new gate valves on the City's 8-Inch water main to address these high pressures. Please see the attached Project Map for details.

On March 21, five bids were received that ranged from \$56,434 to \$165,900. Per the attached Recommendation Letter & Bid Tabulation, Bell Contractors, Inc., submitted the low bid in the amount of \$56,434. The opinion of probable construction cost was \$83,765, slightly higher than the 2<sup>nd</sup> lowest bidder.

City Staff and the Engineer agree that Bell Contractors is qualified to complete this project and recommend award of a construction contract for the total bid amount of \$56,434. Time allotted for construction is 30 calendar days.

**FISCAL IMPACT:** Funding for the construction contract with Bell Contractors, Inc. in the amount of \$56,434 is appropriated in account 561-5200-535-6977, project 101620, as follows:

Project Budget	\$	93,091
Encumbered/Committed to Date		(9,509)
Bell Contractors, Inc. Contract		(56,434)
Remaining Project Funds	\$	<u>27,148</u>

**ATTACHMENTS:**

[Recommendation Letter](#)

[Bid Tabulation](#)

[Project Map](#)

[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

April 4, 2017

City of Temple Engineering  
Diego Yorsky, P.E.  
3210 East Avenue H, Building A  
Temple, Texas 76501

Re: City of Temple - Harley Davidson Pressure Reducing Valve Improvements

Dear Mr. Yorsky,

On March 21st, we received five (5) bids for the City of Temple - Harley Davidson Pressure Reducing Valve Improvements ranging from \$56,434.00 to \$164,400.00. We have reviewed each bid for accuracy and completeness. Bell Contractors, Inc. submitted a very competitive Bid totaling \$56,434.00, making them the apparent low bidder. *Please see the enclosed Bid Tabulation Sheet and Bid Schedule Breakout for detailed information.*

The engineer's project estimate for the City of Temple - Harley Davidson Pressure Reducing Valve Improvements was \$83,765.00 for the total bid, which was slightly higher than the 2nd low bidder.

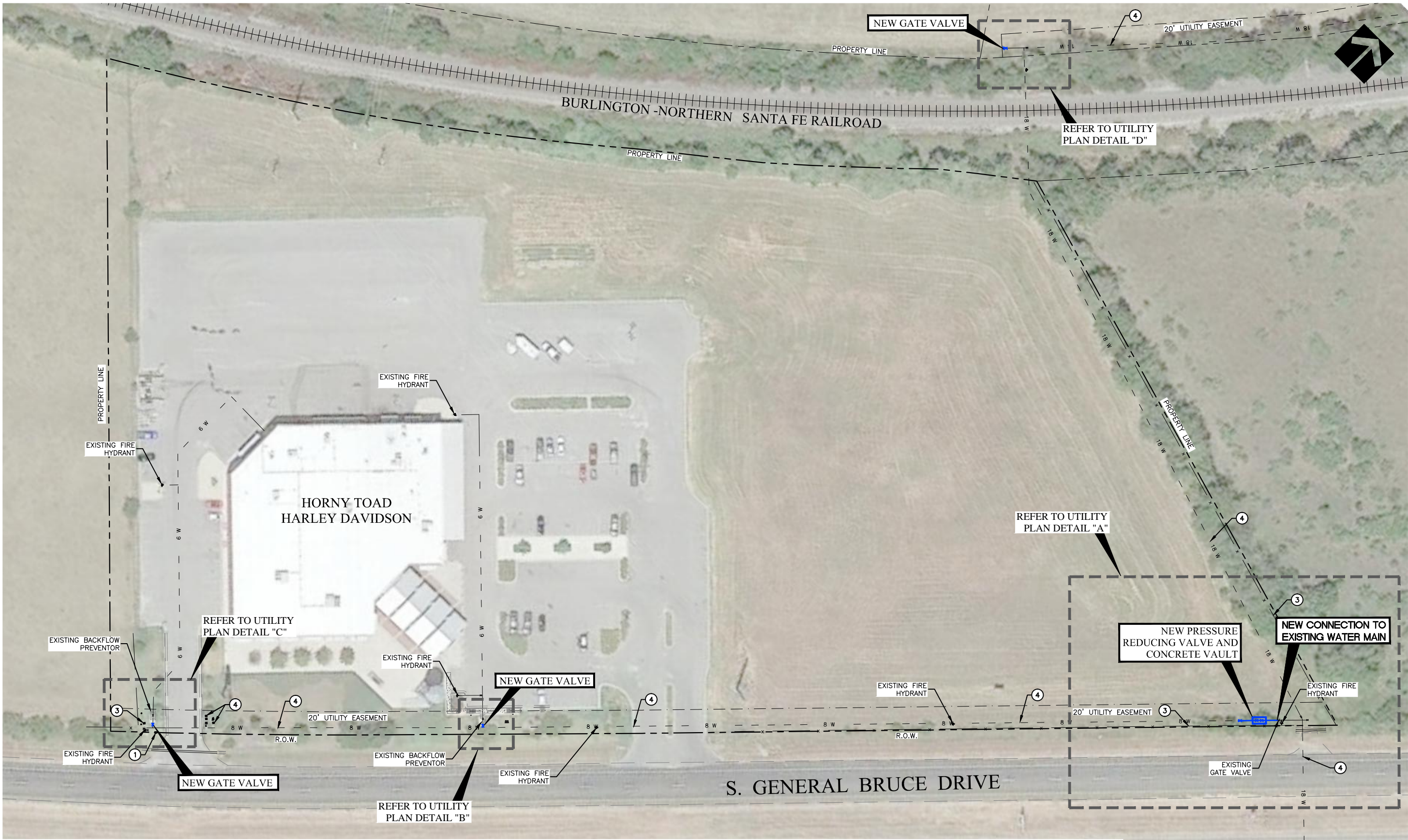
Therefore, we are recommending that you award the contract Bid to Bell Contractors, Inc. We believe, through past experience, that Bell Contractors, Inc. is qualified and is capable of constructing the City of Temple - Harley Davidson Pressure Reducing Valve Improvements Project and we look forward to working with them on this project.

Sincerely,

Monty Clark, P.E., CPESC

**Bid Tabulation Sheet**  
**Harley Davidson Pressure Reducing Valve Improvements**  
 Bid Date: March 21, 2017

No.	Item Description			Bell Contractors		Whitewater Construction		Holy Contractors		JKB Construction Co.		Lupe Rubio Construction	
		Est. Quan.	UOM	Unit Price	Total Cost	Unit Price	Total Cost	Unit Price	Total Cost	Unit Price	Total Cost	Unit Price	Total Cost
1	Site R.O.W. Preparation & Clearing	100%	LS	\$ 4,100.00	\$ 4,100.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 20,000.00	\$ 20,000.00	\$ 6,000.00	\$ 6,000.00
2	Mobilization, Bonds, Permits, & Insurance	100%	LS	\$ 2,600.00	\$ 2,600.00	\$ 10,000.00	\$ 10,000.00	\$ 3,890.00	\$ 3,890.00	\$ 17,000.00	\$ 17,000.00	\$ 18,000.00	\$ 18,000.00
3	Traffic Control Plan, Implementation, and 4 copies provided to City	100%	LS	\$ 2,500.00	\$ 2,500.00	\$ 5,000.00	\$ 5,000.00	\$ 500.00	\$ 500.00	\$ 12,000.00	\$ 12,000.00	\$ 3,600.00	\$ 3,600.00
4	Trench Safety Plan and Implementation	100%	LS	\$ 3,100.00	\$ 3,100.00	\$ 2,400.00	\$ 2,400.00	\$ 300.00	\$ 300.00	\$ 1,200.00	\$ 1,200.00	\$ 1,800.00	\$ 1,800.00
5	Storm Water Pollution Plan and Implementation	100%	LS	\$ 2,600.00	\$ 2,600.00	\$ 2,000.00	\$ 2,000.00	\$ 700.00	\$ 700.00	\$ 4,200.00	\$ 4,200.00	\$ 4,200.00	\$ 4,200.00
6	Connection to Existing Water Main	6	EA	\$ 1,100.00	\$ 6,600.00	\$ 2,000.00	\$ 12,000.00	\$ 2,333.33	\$ 13,999.98	\$ 4,500.00	\$ 27,000.00	\$ 2,771.46	\$ 16,628.76
7	New 8" PVC DR18 Class 235 Water Main	20	LF	\$ 39.20	\$ 784.00	\$ 75.00	\$ 1,500.00	\$ 47.50	\$ 950.00	\$ 300.00	\$ 6,000.00	\$ 83.52	\$ 1,670.40
8	New 8" MJ Gate Valve	3	EA	\$ 1,200.00	\$ 3,600.00	\$ 2,500.00	\$ 7,500.00	\$ 1,950.00	\$ 5,850.00	\$ 2,500.00	\$ 7,500.00	\$ 1,682.50	\$ 5,047.50
9	New 8" MJ 45 Degree Bend	4	EA	\$ 400.00	\$ 1,600.00	\$ 1,200.00	\$ 4,800.00	\$ 500.00	\$ 2,000.00	\$ 1,000.00	\$ 4,000.00	\$ 778.92	\$ 3,115.68
10	New 8" CLA-VAL Class 300 Pressure Reducing Valve Model 90-01 with Bypass	1	EA	\$ 15,300.00	\$ 15,300.00	\$ 72,000.00	\$ 72,000.00	\$ 22,818.00	\$ 22,818.00	\$ 35,000.00	\$ 35,000.00	\$ 49,625.93	\$ 49,625.93
11	Nre Heavy Duty Reinforced Concrete Vault with Halliday Double Leaf Aluminium Access Hatch	1	EA	\$ 9,300.00	\$ 9,300.00	\$ 30,000.00	\$ 30,000.00	\$ 15,840.00	\$ 15,840.00	\$ 25,000.00	\$ 25,000.00	\$ 18,500.00	\$ 18,500.00
12	Provide ALL TESTING per TCEQ and City of Temple Requirements and Contract Documents	100%	LS	\$ 1,900.00	\$ 1,900.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 3,000.00	\$ 3,000.00	\$ 2,756.78	\$ 2,756.78
13	Provide New 12" FLG Gate Valve	1	EA	\$ 1,800.00	\$ 1,800.00	\$ 4,000.00	\$ 4,000.00	\$ 2,595.00	\$ 2,595.00	\$ 3,000.00	\$ 3,000.00	\$ 6,000.00	\$ 6,000.00
14	Provide New 12" Blind Flange	1	EA	\$ 650.00	\$ 650.00	\$ 1,700.00	\$ 1,700.00	\$ 750.00	\$ 750.00	\$ 1,000.00	\$ 1,000.00	\$ 843.18	\$ 843.18
<b>Total Bid</b>				<b>\$ 56,434.00</b>		<b>\$ 164,400.00</b>		<b>\$ 81,692.98</b>		<b>\$ 165,900.00</b>		<b>\$ 137,788.23</b>	

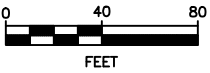


NOTES

1. PRIOR TO BEGINNING CONSTRUCTION, THE CONTRACTOR SHALL COORDINATE DEMOLITION OF EXISTING STRUCTURES, PAVEMENT SECTIONS, VEGETATION, ETC. WITH OWNER.
2. EXISTING UTILITIES WERE LOCATED BY FIELD RESEARCH/OBSERVATION. PRIOR TO CONSTRUCTION, THE CONTRACTOR SHALL FIELD VERIFY UTILITY LOCATIONS AND COORDINATE UTILITY REMOVAL AND RELOCATION WITH OWNER AND APPROPRIATE UTILITY COMPANY.

KEYED NOTES

1. CAUTION!!! EXISTING GAS MAIN/METER
2. EXISTING FENCING
3. EXISTING TELEPHONE/FIBER OPTIC
4. EXISTING WATER MAIN/METER



Date:  
3/9/17

Revisions  
Remarks:

LOCATION OF PRV SHIFTED TO THE NORTH AND GATE VALVE REPLACEMENT ADDED TO PROJECT

CIVIL SITE PLAN

**DRAWING STATUS**  
THESE DRAWINGS WERE PREPARED UNDER THE AUTHORITY OF MONTY L. CLARK P.E. 90894, CLARK & FULLER, PLLC FIRM NO. F-10384...  
☒ THIS DOCUMENT IS RELEASED FOR THE PURPOSES OF INTERIM REVIEW ONLY AS PER DATE ON DRAWING. IT IS NOT TO BE USED FOR CONSTRUCTION. ANY CHANGES OR MODIFICATIONS ISSUED FOR CONSTRUCTION CAN BE CONSIDERED COMPLETE.  
☐ FOR CONSTRUCTION  
☐ FINAL DRAWINGS

**CITY OF TEMPLE**  
**HARLEY DAVIDSON**  
**PRESSURE REDUCING VALVE**  
**IMPROVEMENTS PROJECT**  
TEMPLE, TEXAS



**CLARK & FULLER**  
CIVIL ENGINEERING • DESIGN • PLANNING  
215 North Main Street, Temple, TX 76501  
754.899.0899 www.clarkfuller.com F-10384

Project No:	171736.00	Designed By:	MLC
Plot Date:	3-9-17	Drawn By:	DGR

C3.1



RESOLUTION NO. 2017-8620-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A CONSTRUCTION CONTRACT WITH BELL CONTRACTORS, INC. OF BELTON, TEXAS, IN THE AMOUNT OF \$56,434, FOR CONSTRUCTION OF A PRESSURE REDUCING VALVE NEAR THE HORNY TOAD HARLEY-DAVIDSON PROPERTY LOCATED AT 7454 SOUTH GENERAL BRUCE DRIVE, TEMPLE, TEXAS; AND PROVIDING AN OPEN MEETINGS CLAUSE.

---

**Whereas**, the Horny Toad Harley-Davidson dealership located at 7454 South General Bruce Drive, has experienced frequent water pressure spikes as a result of a direct connection to a high service system transmission main, which has caused damage to water service, irrigation lines, the building, and the City's 8-inch water main;

**Whereas**, these pressure spikes are caused by the close proximity to a large transmission main and pump station which provides service to areas east of IH-35;

**Whereas**, this project will provide for the installation of a system pressure reducing valve and new gate valves on the City's 8-inch water main which will address these high pressures;

**Whereas**, on March 21, 2017, five bids were received for this project with Bell Contractors, Inc. of Belton, Texas submitting the low bid in the amount of \$56,434;

**Whereas**, Staff and the City's Engineer agree that Bell Contractors is qualified to complete this project and recommend Council award a construction contract to Bell Contractors, Inc. in the amount of \$56,434;

**Whereas**, funding for this construction contract is available in Account No. 561-5200-535-6977, Project No. 101620; 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: Findings.** 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 authorizes the City Manager, or her designee, after approval as to form by the City Attorney, to execute a construction contract with Bell Contractors, Inc. of Belton, Texas, in the amount of \$56,434, for construction of a pressure reducing valve near the Horny Toad Harley-Davidson property located at 7454 South General Bruce Drive, Temple, Texas.

**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 **20<sup>th</sup>** day of **April**, 2017.

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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04/20/17  
Item #7  
Regular Agenda  
Page 1 of 2

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

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

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a construction contract with Bell Contractors, Inc., of Belton, for a lump sum price of \$1,195,345.20 for construction of the Jackson Park Wastewater Line Improvement Project.

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

**ITEM SUMMARY:** The wastewater system near Jackson Park, located north of downtown, is several decades old and is showing signs of aging and failure. The Public Works Utility Services Division identified specific wastewater lines on the south side of the park for replacement. Please see the attached Project Map for details. This project will consist of replacing approximately 5,300 linear feet of 8" main via pipe bursting, 1,600 linear feet of 8" main via open trenching and relocating and upgrading old 2-inch water lines to 6-inch water lines for compliance with TCEQ requirements.

On March 23, three bids were received that ranged from \$1,195,345.20 to \$1,968,595. Per the attached Recommendation Letter & Bid Tabulation, Bell Contractors submitted the low bid in the amount of \$1,195,345.20. The opinion of probable construction cost was \$1,540,123.

City Staff and the Engineer agree that Bell Contractors is qualified to complete this project and recommend award of a construction contract for the total bid of \$1,195,345.20. Time allotted for construction is 295 calendar days.

**FISCAL IMPACT:** A budget adjustment is being presented to Council to appropriate additional funding in the amount of \$185,346 for the construction contract with Bell Contractors. Funding for the construction of the Jackson Park Wastewater Line Improvements will be appropriated in account 520-5900-535-6361, project 101476, as follows:

Project Budget	\$	1,010,000
Budget Adjustment		185,346
Encumbered/Committed to Date		-
Bell Contractors, Inc. Contract		(1,195,346)
Remaining Project Funds	\$	-

**ATTACHMENTS:**

Recommendation Letter

Bid Tabulation

Project Map

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

April 7, 2017

City of Temple Engineering  
Diego Yorsky, P.E.  
3210 East Avenue H, Building A  
Temple, Texas 76501

Re: City of Temple - 2016 Jackson Park Wastewater Line Improvements

Dear Mr. Yorsky,

On March 23rd, we received three (3) bids for the City of Temple - 2016 Jackson Park Wastewater Line Improvements Project ranging from \$1,195,345.20 to \$1,968,595.00. We have reviewed each bid for accuracy and completeness. Bell Contractors, Inc. submitted a Bid totaling \$1,195,345.20, 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 the City of Temple - 2016 Jackson Park Wastewater Line Improvements, was \$1,540,123.00. During design development and field exploration, it was found that one of the sewer alignments, planned for re-construction, had already been replaced. In addition, we could neither locate nor find any evidence of the existing 8" sewer main extending west to east between the existing residential house north of Irvin Avenue. By removing these two (2) sewer mains from the scope of the project, we were able to add two (2) new 6" PVC water mains to the project scope and still remain within the overall project budget. The new water mains are being constructed to replace an aging 2" water main, which is currently located in the rear yards of the houses fronting North 10th and North 8th Streets between East Houston and King Circle, and to move the existing water meters to the edge of right of way within the front yards.

Therefore, we are recommending that you award the contract to Bell Contractors, Inc. We believe, through past experience, that Bell Contractors, Inc. is qualified and is capable of constructing the City of Temple - 2016 Jackson Park Wastewater Line Improvements Project and we look forward to working with them on this project.

Sincerely,

Monty Clark, P.E., CPESC



## 2016 City of Temple Jackson Park Wastewater Line Improvements Project






Bid Date: March 23, 2017

Item Description	Est. Quan.	UOM	Bell Contractors		Skyblue Utilities, Inc		T Construction, LLC	
			Unit Price	Total Cost	Unit Price	Total Cost	Unit Price	Total Cost
Site R.O.W. Preparation & Clearing	72	STA	\$ 260.00	\$ 18,720.00	\$ 774.00	\$ 55,728.00	\$ 1,220.00	\$ 87,840.00
Mobilization, Bonds, Permits, & Insurance	100%	LS	\$ 55,100.00	\$ 55,100.00	\$ 66,360.00	\$ 66,360.00	\$ 390,230.00	\$ 390,230.00
Traffic Control Plan, Implementation, and 4 copies provided to City	100%	LS	\$ 28,100.00	\$ 28,100.00	\$ 2,640.00	\$ 2,640.00	\$ 59,000.00	\$ 59,000.00
Trench Safety Plan and Implementation	100%	LS	\$ 22,600.00	\$ 22,600.00	\$ 1,980.00	\$ 1,980.00	\$ 69,000.00	\$ 69,000.00
Storm Water Pollution Plan and Implementation	100%	LS	\$ 7,500.00	\$ 7,500.00	\$ 18,000.00	\$ 18,000.00	\$ 13,125.00	\$ 13,125.00
Disconnect, Cap, and Abandon Existing Utilities	100%	LS	\$ 720.00	\$ 720.00	\$ 7,200.00	\$ 7,200.00	\$ 14,120.00	\$ 14,120.00
Excavate and Locate Existing Utilities	100%	LS	\$ 8,700.00	\$ 8,700.00	\$ 6,000.00	\$ 6,000.00	\$ 10,694.00	\$ 10,694.00
Saw cut, Remove, and Replace existing HMAc Pavement Section	835	SY	\$ 50.00	\$ 41,750.00	\$ 48.00	\$ 40,080.00	\$ 61.00	\$ 50,935.00
Saw Cut, Remove, and Replace existing Reinforced Concrete Curb and Gutter	190	LF	\$ 11.40	\$ 2,166.00	\$ 42.00	\$ 7,980.00	\$ 35.00	\$ 6,650.00
Saw Cut, Remove, and Replace existing Reinforced Concrete Pavement Section	95	SY	\$ 54.00	\$ 5,130.00	\$ 132.00	\$ 12,540.00	\$ 104.00	\$ 9,880.00
Saw Cut, Remove, and Replace existing Reinforced Concrete Sidewalk Section	25	SY	\$ 54.00	\$ 1,350.00	\$ 120.00	\$ 3,000.00	\$ 85.00	\$ 2,125.00
Saw Cut, Remove, and Replace existing Reinforced Concrete Drainage Flume	40	LF	\$ 34.10	\$ 1,364.00	\$ 114.00	\$ 4,560.00	\$ 470.00	\$ 18,800.00
Remove and Replace existing Gravel Pavement Section	3780	SY	\$ 12.00	\$ 45,360.00	\$ 8.40	\$ 31,752.00	\$ 40.00	\$ 151,200.00
<b>SANITARY SEWER</b>								
Demolish and Remove Existing Sanitary Sewer Manhole	21	EA	\$ 1,100.00	\$ 23,100.00	\$ 1,080.00	\$ 22,680.00	\$ 4,250.00	\$ 89,250.00
Demolish and Remove Existing Aerial Sanitary Sewer Crossing	100%	LS	\$ 5,700.00	\$ 5,700.00	\$ 3,600.00	\$ 3,600.00	\$ 1,476.00	\$ 1,476.00
New Aerial Sanitary Sewer Crossing	100%	LS	\$ 28,800.00	\$ 28,800.00	\$ 15,240.55	\$ 15,240.55	\$ 43,100.00	\$ 43,100.00
New 5' Diameter Precast Eccentric Concrete Manhole with Heavy Duty 32" Ring and Lid Assembly	3	EA	\$ 5,000.00	\$ 15,000.00	\$ 5,269.60	\$ 15,808.80	\$ 6,195.00	\$ 18,585.00
New 4' Diameter Precast Eccentric Concrete Manhole with Water Tight 32" Ring and Lid Assembly	1	EA	\$ 3,300.00	\$ 3,300.00	\$ 3,542.00	\$ 3,542.00	\$ 4,440.00	\$ 4,440.00
New 4' Diameter Precast Eccentric Concrete Manhole with Heavy Duty 32" Ring and Lid Assembly	25	EA	\$ 3,200.00	\$ 80,000.00	\$ 3,393.10	\$ 84,827.50	\$ 4,440.00	\$ 111,000.00
New 4' Diameter Reinforced Concrete Shallow Manhole with Heavy Duty Water Tight 32" Ring and Lid Assembly	2	EA	\$ 2,700.00	\$ 5,400.00	\$ 3,255.80	\$ 6,511.60	\$ 4,030.00	\$ 8,060.00
New 5' Diameter Precast Eccentric Concrete Manhole with Heavy Duty Water Tight 32" Ring and Lid Assembly	4	EA	\$ 5,200.00	\$ 20,800.00	\$ 5,172.20	\$ 20,688.80	\$ 6,195.00	\$ 24,780.00
Provide Connection to Existing Sanitary Sewer Main	28	EA	\$ 790.00	\$ 22,120.00	\$ 1,880.15	\$ 52,644.20	\$ 280.00	\$ 7,840.00
Provide new Internal Drop Connection	6	EA	\$ 1,100.00	\$ 6,600.00	\$ 3,077.80	\$ 18,466.80	\$ 1,280.00	\$ 7,680.00
New 12" HDPE DR 17 Sanitary Sewer Main via Bursting Methods	495	LF	\$ 76.60	\$ 37,917.00	\$ 90.84	\$ 44,965.80	\$ 59.00	\$ 29,205.00
New 10" HDPE DR 17 Sanitary Sewer Main via Bursting Methods	195	LF	\$ 69.10	\$ 13,474.50	\$ 81.60	\$ 15,912.00	\$ 52.00	\$ 10,140.00
New 8" HDPE DR 17 Sanitary Sewer Main via Bursting Methods	2121	LF	\$ 62.40	\$ 132,350.40	\$ 73.32	\$ 155,511.72	\$ 42.00	\$ 89,082.00
New 6" HDPE DR 17 Sanitary Sewer Main via Bursting Methods	255	LF	\$ 62.30	\$ 15,886.50	\$ 73.20	\$ 18,666.00	\$ 42.00	\$ 10,710.00
New 15" PVC SDR 26 Class 160 "Pressure Rated" Sanitary Sewer Main	307	LF	\$ 110.00	\$ 33,770.00	\$ 88.76	\$ 27,249.32	\$ 113.00	\$ 34,691.00
New 10" PVC SDR 26 Class 160 "Pressure Rated" Sanitary Sewer Main	233	LF	\$ 91.60	\$ 21,342.80	\$ 70.41	\$ 16,405.53	\$ 100.00	\$ 23,300.00
New 8" PVC SDR 26 Class 160 "Pressure Rated" Sanitary Sewer Main	2025	LF	\$ 89.20	\$ 180,630.00	\$ 64.51	\$ 130,632.75	\$ 83.00	\$ 168,075.00
New 12" Steel Pipe Encasement via bore	20	LF	\$ 350.00	\$ 7,000.00	\$ 172.11	\$ 3,442.20	\$ 136.00	\$ 2,720.00
New 8" Sanitary Sewer Cleanout with Heavy Duty Lid Assembly	1	EA	\$ 270.00	\$ 270.00	\$ 1,229.88	\$ 1,229.88	\$ 1,240.00	\$ 1,240.00
New 4" Sanitary Sewer Service and Service Connection	152	EA	\$ 860.00	\$ 130,720.00	\$ 1,516.92	\$ 230,571.84	\$ 1,364.00	\$ 207,328.00
Miscellaneous 4" PVC Sanitary Sewer Service Pipe	400	LF	\$ 20.60	\$ 8,240.00	\$ 21.79	\$ 8,716.00	\$ 43.00	\$ 17,200.00
Provide ALL SANITARY SEWER TESTING per TCEQ and City of Temple Requirements	100%	LS	\$ 4,800.00	\$ 4,800.00	\$ 3,600.00	\$ 3,600.00	\$ 16,283.00	\$ 16,283.00
<b>WATER</b>								
Provide Connection to Existing Water Main	6	EA	\$ 990.00	\$ 5,940.00	\$ 3,048.60	\$ 18,291.60	\$ 1,986.00	\$ 11,916.00
New 6" PVC C900 Class 150 Water Main	1520	LF	\$ 54.70	\$ 83,144.00	\$ 31.15	\$ 47,348.00	\$ 38.00	\$ 57,760.00
New 12" Steel Pipe Encasement	20	LF	\$ 350.00	\$ 7,000.00	\$ 88.11	\$ 1,762.20	\$ 109.00	\$ 2,180.00
New 8"x6" MJ Tapping Sleeve and Valve Assembly	2	EA	\$ 1,800.00	\$ 3,600.00	\$ 5,491.16	\$ 10,982.32	\$ 4,670.00	\$ 9,340.00
New 6"x6" MJ Tapping Sleeve and Valve Assembly	1	EA	\$ 2,200.00	\$ 2,200.00	\$ 5,806.88	\$ 5,806.88	\$ 4,890.00	\$ 4,890.00
New 6"x6" MJ Tee	4	EA	\$ 340.00	\$ 1,360.00	\$ 3,188.37	\$ 12,753.48	\$ 392.00	\$ 1,568.00
New 6" MJ Gate Valve	6	EA	\$ 920.00	\$ 5,520.00	\$ 962.85	\$ 5,777.10	\$ 855.00	\$ 5,130.00
New 6" MJ 45 Degree Bend	4	EA	\$ 300.00	\$ 1,200.00	\$ 446.75	\$ 1,787.00	\$ 409.00	\$ 1,636.00
New Standard Fire Hydrant Assembly	2	EA	\$ 3,100.00	\$ 6,200.00	\$ 3,844.13	\$ 7,688.26	\$ 3,970.00	\$ 7,940.00
New Domestic Water Service, Meter, and Meter Vault	18	EA	\$ 600.00	\$ 10,800.00	\$ 1,146.87	\$ 20,643.66	\$ 881.00	\$ 15,858.00
Remove and Salvage Existing Domestic Water Meter and Meter Vault, and provide New Domestic Water Service, Meter, and Meter Vault	21	EA	\$ 790.00	\$ 16,590.00	\$ 1,721.34	\$ 36,148.14	\$ 881.00	\$ 18,501.00
New 1" Poly Water Service and New Connection to Existing Residential Service	21	EA	\$ 610.00	\$ 12,810.00	\$ 2,321.34	\$ 48,748.14	\$ 881.00	\$ 18,501.00
Provide ALL WATER MAIN TESTING per TCEQ and City of Temple Requirements	100%	LS	\$ 3,200.00	\$ 3,200.00	\$ 4,800.00	\$ 4,800.00	\$ 3,591.00	\$ 3,591.00
<b>TOTAL BID</b>				<b>\$ 1,195,345.20</b>		<b>\$ 1,381,270.07</b>		<b>\$ 1,968,595.00</b>





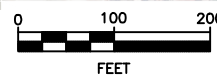
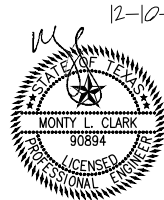
LEGEND:

-  NEW 8" HDPE DR 17 SANITARY SEWER MAIN VIA BURSTING
-  NEW 8" PVC SDR 26 SANITARY SEWER MAIN VIA OPEN TRENCH
-  NEW 4' DIAMETER ECCENTRIC CONCRETE MANHOLE

KEYED NOTES

1. NEW AERIAL CREEK CROSSING

## 2016 CITY OF TEMPLE JACKSON PARK WASTEWATER LINE IMPROVEMENTS PROJECT





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	
520-5900-535-63-61	101476	Cap Bldgs & Grnds / Jackson Park	\$ 185,346			
520-0000-373-04-11		Unreserved - Retained Earnings			185,346	
		<b>DO NOT POST</b>				
<b>TOTAL.....</b>			<b>\$ 185,346</b>		<b>\$ 185,346</b>	

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

To appropriate additional funding needed in the amount of \$185,346 for construction contract with Bell Contractors, Inc. for construction of the Jackson Park Wastewater Line Improvement project. The construction contract with Bell Contractors, Inc. is \$1,195,345.20.

DOES THIS REQUEST REQUIRE COUNCIL APPROVAL?

☒ Yes☐ No

DATE OF COUNCIL MEETING

4/20/2017

WITH AGENDA ITEM?

☒ Yes☐ No

Department Head/Division Director

Date

☐ Approved  
☐ Disapproved

Finance

Date

☐ Approved  
☐ Disapproved

City Manager

Date

☐ Approved  
☐ Disapproved

RESOLUTION NO. 2017-8621-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A CONSTRUCTION CONTRACT WITH BELL CONTRACTORS, INC. OF BELTON, TEXAS, IN THE AMOUNT OF \$1,195,345.20, FOR CONSTRUCTION OF THE JACKSON PARK WASTEWATER LINE IMPROVEMENT PROJECT; AND PROVIDING AN OPEN MEETINGS CLAUSE.

---

**Whereas**, the wastewater system near Jackson Park, located north of downtown, is several decades old and is showing signs of aging and failure;

**Whereas**, the Public Works Utility Services division has identified specific wastewater lines on the south side of the park which are in need of replacement – the repairs will consist of replacing approximately 5,300 linear feet of 8-inch main via the pipe bursting method, approximately 1,600 linear feet of 8-inch main via open trenching and the relocation and upgrading of old 2-inch water lines to 6-inch water lines for compliance with TCEQ requirements;

**Whereas**, on March 23, 2017, three bids were received for this project with Bell Contractors submitting the low bid in the amount of \$1,195,345.20;

**Whereas**, Staff and the City's Engineer agree that Bell Contractors is qualified to complete this project and recommend Council award a construction contract to the company in the amount of \$1,195,345.20 for the Jackson Park Wastewater Line Improvement Project;

**Whereas**, funding for this construction contract is available, but an amendment to the fiscal year 2017 budget needs to be approved to appropriate additional funding for this project into Account No. 520-5900-535-6361, Project No. 101476; 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: Findings.** 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 authorizes the City Manager, or her designee, after approval as to form by the City Attorney, to execute a construction contract with Bell Contractors, Inc. of Belton, Texas in a lump sum amount of \$1,195,345.20, for the construction of the Jackson Park Wastewater Line Improvement Project.

**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 **20<sup>th</sup>** day of **April**, 2017.

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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04/20/17  
Item #8  
Regular Agenda  
Page 1 of 1

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

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

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a construction contract with Skyblue Utilities, Inc., of Kingsland, for a lump sum price of \$1,689,725.73, for construction of the Western Hills Water Main Improvements Project.

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

**ITEM SUMMARY:** There have been numerous operational water main issues in the Western Hills subdivision in Temple. The proposed mains to be replaced will be a continuation of the recent utility work completed in 2015. These mains are located on Brazos Drive, Fox Trail, Gazelle Trail, Red River Circle, Sabine Circle, Westview Circle, Neches Circle, Trinity Drive, Tyler Trail, and portions of Antelope Trail, Erie Drive, Ermine Trail, Hope Trail, Pecos Drive, and Filly Lane (Project Map attached). This project will replace 16,475 linear feet of 6" diameter PVC pipe with new 8" diameter PVC pipe, substantially upgrading the water service in the area.

Six bids were received on April 6<sup>th</sup>. Per the attached Bid Tabulation, Skyblue submitted the low bid in the amount of \$1,689,725.73. The opinion of probable construction cost was \$2.6 million. Clark & Fuller recommends awarding construction to the low bidder, Skyblue, in their attached Recommendation Letter. Construction time allotted for the project is 390 calendar days.

**FISCAL IMPACT:** Funding for the construction contract with Skyblue Utilities, Inc. in the amount of \$1,689,725.73 is appropriated in account 520-5900-535-6357, project 101503, as follows:

Project Budget	\$	1,690,000
Encumbered/Committed to Date		(176)
Skyblue Utilities, Inc. Contract		(1,689,726)
Remaining Project Funds	\$	<u>98</u>

**ATTACHMENTS:**

[Recommendation Letter](#)  
[Bid Tabulation](#)  
[Project Map](#)  
[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

April 7, 2017

City of Temple Engineering  
Sharon Carlos, E.I.T.  
3210 East Avenue H, Building A  
Temple, Texas 76501

Re: City of Temple - Western Hills Water Main Improvements

Dear Ms. Carlos,

On April 6th, we received six (6) bids for the City of Temple - Western Hills Water Main Improvements Project. These bids ranged from \$1,689,725.73 to \$2,797,797.50. We have reviewed each bid for accuracy and completeness. Skyblue Utilities, Inc. submitted a very competitive Bid totaling \$1,689,725.73, making them the apparent low bidder. *Please see the enclosed Bid Tabulation Sheet and Bid Schedule Breakout for detailed information.*

The engineers original project estimate for the City of Temple - Western Hills Water Main Improvements Project was \$2.6 million. This estimate was created assuming the new water mains were to be constructed behind the back of curbs within existing residential front yards and that only "all domestic materials" were to be used. During design development and bidding, the new water mains were moved out of the front yards and into the existing streets. This location for construction allows for less intrusive construction to the existing residences and minimizes the damage to existing lawns, landscaping, mailboxes, driveways, and vegetation. In addition, there are multiple buried utilities located behind the existing curbs and within the ROW. (I.e. Existing water, sewer, storm sewer, electric, gas, phone, cable, etc.) Moving the construction into the road allows the contractor more room to work and alleviates constructing the water main within very cramped conditions. The contractor will be able to minimize residential lot construction to replacing the existing water services within the front yards. These changes, allow for the contractor to install the water mains with less conflicts and space limitations and ultimately creates a very competitive bidding environment.

Therefore, we are recommending that you award the contract to Skyblue Utilities, Inc. We believe, through past experience, that Skyblue Utilities, Inc. is qualified and is capable of constructing the City of Temple - Western Hills Water Main Improvements Project and we look forward to working with them on this project.

Sincerely,

Monty Clark, P.E., CPESC





# Western Hills Water Main Improvements

Bid Date: April 6th, 2017



No.	Item Description			Skyblue Utilities, Inc		TTG Utilities		McLean Construction	
		Est. Quan.	UOM	Unit Price	Total Cost	Unit Price	Total Cost	Unit Price	Total Cost
1	Site R.O.W. Preparation & Clearing	165	STA	\$ 222.00	\$ 36,630.00	\$ 265.00	\$ 43,725.00	\$ 1,499.00	\$ 247,335.00
2	Mobilization, Bonds, Permits, & Insurance	100%	LS	\$ 33,300.00	\$ 33,300.00	\$ 39,750.00	\$ 39,750.00	\$ 66,101.00	\$ 66,101.00
3	Remove and Replace existing HMAC Pavement Section	7333	SY	\$ 31.08	\$ 227,909.64	\$ 30.35	\$ 222,556.55	\$ 31.00	\$ 227,323.00
4	Remove and Replace existing Reinforced Concrete Curb and Gutter	200	SY	\$ 27.75	\$ 5,550.00	\$ 49.80	\$ 9,960.00	\$ 24.50	\$ 4,900.00
5	Remove and Replace existing Reinforced Concrete Pavement Section	40	SY	\$ 89.91	\$ 3,596.40	\$ 134.00	\$ 5,360.00	\$ 93.00	\$ 3,720.00
6	Disconnect, Cap, and Abandon Existing Utilities	100%	LS	\$ 6,660.00	\$ 6,660.00	\$ 33,575.00	\$ 33,575.00	\$ 8,412.00	\$ 8,412.00
7	Traffic Control Plan	100%	LS	\$ 2,220.00	\$ 2,220.00	\$ 37,800.00	\$ 37,800.00	\$ 7,867.00	\$ 7,867.00
8	Trench Safety Plan	100%	LS	\$ 1,110.00	\$ 1,110.00	\$ 17,175.00	\$ 17,175.00	\$ 5,243.00	\$ 5,243.00
9	Storm Water Pollution Prevention Plan	100%	LS	\$ 17,205.00	\$ 17,205.00	\$ 8,950.00	\$ 8,950.00	\$ 2,620.00	\$ 2,620.00
10	Connection to Existing Water Main	6	EA	\$ 2,903.41	\$ 17,420.46	\$ 2,125.00	\$ 12,750.00	\$ 1,803.00	\$ 10,818.00
11	New 8" PVC C900 Class 150 Water Main	16501	LF	\$ 29.66	\$ 489,419.66	\$ 46.15	\$ 761,521.15	\$ 43.00	\$ 709,543.00
12	New 16" Steel Pipe Encasement via bore	110	LF	\$ 192.42	\$ 21,166.20	\$ 200.00	\$ 22,000.00	\$ 384.50	\$ 42,295.00
13	New 16" Steel Pipe Encasement	210	LF	\$ 121.39	\$ 25,491.90	\$ 98.25	\$ 20,632.50	\$ 106.00	\$ 22,260.00
14	12"x8" MJ Tapping Sleeve and Valve Assembly	1	EA	\$ 5,252.15	\$ 5,252.15	\$ 4,680.00	\$ 4,680.00	\$ 3,234.00	\$ 3,234.00
15	6"x6" MJ Tapping Sleeve and Valve Assembly	1	EA	\$ 4,740.75	\$ 4,740.75	\$ 3,845.00	\$ 3,845.00	\$ 2,681.00	\$ 2,681.00
16	8"x8" MJ Tapping Tee	27	EA	\$ 619.96	\$ 16,738.92	\$ 475.00	\$ 12,825.00	\$ 549.00	\$ 14,823.00
17	8"x6" MJ Tee	29	EA	\$ 591.54	\$ 17,154.66	\$ 450.00	\$ 13,050.00	\$ 519.00	\$ 15,051.00
18	8" MJ Gate Valve	61	EA	\$ 1,280.86	\$ 78,132.46	\$ 1,235.00	\$ 75,335.00	\$ 1,410.00	\$ 86,010.00
19	6" MJ Gate Valve	33	EA	\$ 866.79	\$ 28,604.07	\$ 800.00	\$ 26,400.00	\$ 1,010.00	\$ 33,330.00
20	8" MJ 45 Degree Bend	65	EA	\$ 419.55	\$ 27,270.75	\$ 305.00	\$ 19,825.00	\$ 444.00	\$ 28,860.00
21	6" MJ 45 Degree Bend	2	EA	\$ 379.76	\$ 759.52	\$ 260.00	\$ 520.00	\$ 403.00	\$ 806.00
22	8" MJ 22.5 Degree Bend	4	EA	\$ 418.41	\$ 1,673.64	\$ 300.00	\$ 1,200.00	\$ 443.00	\$ 1,772.00
23	8" MJ 11.25 Degree Bend	3	EA	\$ 413.49	\$ 1,240.47	\$ 300.00	\$ 900.00	\$ 438.00	\$ 1,314.00
24	8" MJ Plug	4	EA	\$ 269.27	\$ 1,077.08	\$ 200.00	\$ 800.00	\$ 258.00	\$ 1,032.00
25	8"x6" MJ Reducer	6	EA	\$ 337.15	\$ 2,022.90	\$ 255.00	\$ 1,530.00	\$ 400.00	\$ 2,400.00
26	End of Line Flush Assembly	2	EA	\$ 1,935.64	\$ 3,871.28	\$ 1,500.00	\$ 3,000.00	\$ 1,815.00	\$ 3,630.00
27	Remove and Salvage Existing Fire Hydrant Assembly	23	EA	\$ 888.00	\$ 20,424.00	\$ 500.00	\$ 11,500.00	\$ 903.00	\$ 20,769.00
28	Salvage and Relocate Existing Fire Hydrant Assembly	1	EA	\$ 1,110.00	\$ 1,110.00	\$ 1,425.00	\$ 1,425.00	\$ 1,849.00	\$ 1,849.00
29	New Standard Fire Hydrant Assembly	32	EA	\$ 3,750.17	\$ 120,005.44	\$ 3,750.00	\$ 120,000.00	\$ 2,902.00	\$ 92,864.00
30	New Water Service and Connection to Existing Domestic Water Services	346	EA	\$ 1,348.03	\$ 466,418.38	\$ 1,020.00	\$ 352,920.00	\$ 1,199.00	\$ 414,854.00
31	All Testing per TCEQ and City of Temple Requirements	100%	LS	\$ 5,550.00	\$ 5,550.00	\$ 24,125.00	\$ 24,125.00	\$ 18,485.00	\$ 18,485.00
<b>Total Base Bid</b>					<b>\$ 1,689,725.73</b>		<b>\$ 1,909,635.20</b>		<b>\$ 2,102,201.00</b>



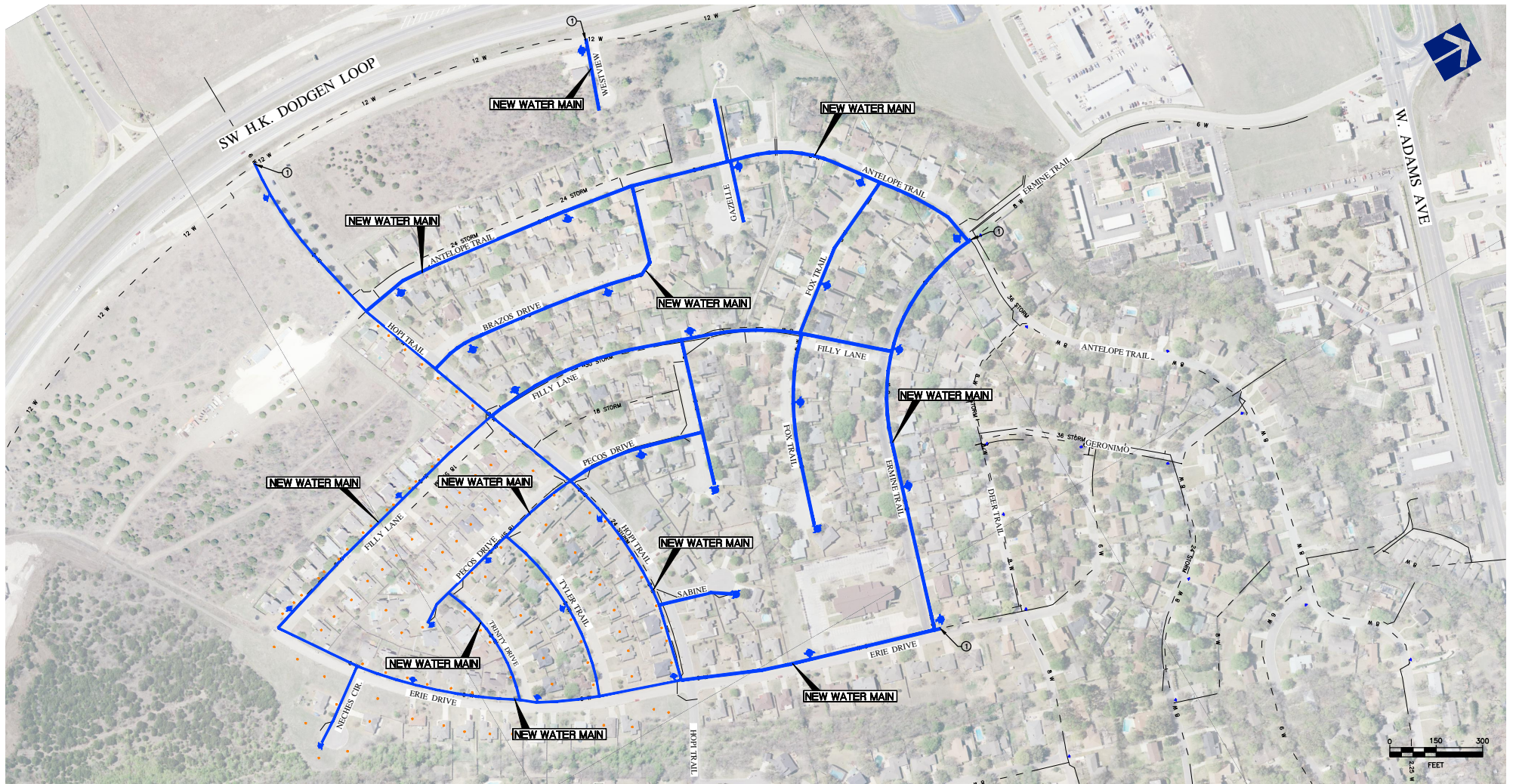
# Western Hills Water Main Improvements

Bid Date: April 6th, 2017



No.	Item Description			B-Corp Utilities		Bruce Flanigan Construction		Bell Contractors, Inc	
		Est. Quan.	UOM	Unit Price	Total Cost	Unit Price	Total Cost	Unit Price	Total Cost
1	Site R.O.W. Preparation & Clearing	165	STA	\$ 350.76	\$ 57,875.40	\$ 459.00	\$ 75,735.00	\$ 330.00	\$ 54,450.00
2	Mobilization, Bonds, Permits, & Insurance	100%	LS	\$ 83,083.20	\$ 83,083.20	\$ 92,478.00	\$ 92,478.00	\$ 61,600.00	\$ 61,600.00
3	Remove and Replace existing HMAC Pavement Section	7333	SY	\$ 25.87	\$ 189,704.71	\$ 41.60	\$ 305,052.80	\$ 38.00	\$ 278,654.00
4	Remove and Replace existing Reinforced Concrete Curb and Gutter	200	SY	\$ 25.91	\$ 5,182.00	\$ 49.20	\$ 9,840.00	\$ 34.90	\$ 6,980.00
5	Remove and Replace existing Reinforced Concrete Pavement Section	40	SY	\$ 63.45	\$ 2,538.00	\$ 119.20	\$ 4,768.00	\$ 49.00	\$ 1,960.00
6	Disconnect, Cap, and Abandon Existing Utilities	100%	LS	\$ 63,601.20	\$ 63,601.20	\$ 47,656.00	\$ 47,656.00	\$ 7,800.00	\$ 7,800.00
7	Traffic Control Plan	100%	LS	\$ 15,600.00	\$ 15,600.00	\$ 43,280.00	\$ 43,280.00	\$ 24,100.00	\$ 24,100.00
8	Trench Safety Plan	100%	LS	\$ 8,820.00	\$ 8,820.00	\$ 8,509.00	\$ 8,509.00	\$ 18,700.00	\$ 18,700.00
9	Storm Water Pollution Prevention Plan	100%	LS	\$ 5,040.00	\$ 5,040.00	\$ 21,879.00	\$ 21,879.00	\$ 34,100.00	\$ 34,100.00
10	Connection to Existing Water Main	6	EA	\$ 2,200.00	\$ 13,200.00	\$ 1,830.00	\$ 10,980.00	\$ 2,200.00	\$ 13,200.00
11	New 8" PVC C900 Class 150 Water Main	16501	LF	\$ 34.15	\$ 563,509.15	\$ 71.70	\$ 1,183,121.70	\$ 70.80	\$ 1,168,270.80
12	New 16" Steel Pipe Encasement via bore	110	LF	\$ 231.92	\$ 25,511.20	\$ 377.00	\$ 41,470.00	\$ 280.00	\$ 30,800.00
13	New 16" Steel Pipe Encasement	210	LF	\$ 63.47	\$ 13,328.70	\$ 137.00	\$ 28,770.00	\$ 73.20	\$ 15,372.00
14	12"x8" MJ Tapping Sleeve and Valve Assembly	1	EA	\$ 3,760.00	\$ 3,760.00	\$ 4,834.00	\$ 4,834.00	\$ 4,100.00	\$ 4,100.00
15	6"x6" MJ Tapping Sleeve and Valve Assembly	1	EA	\$ 3,417.60	\$ 3,417.60	\$ 3,794.00	\$ 3,794.00	\$ 3,300.00	\$ 3,300.00
16	8"x8" MJ Tapping Tee	27	EA	\$ 549.69	\$ 14,841.63	\$ 415.00	\$ 11,205.00	\$ 440.00	\$ 11,880.00
17	8"x6" MJ Tee	29	EA	\$ 494.11	\$ 14,329.19	\$ 397.00	\$ 11,513.00	\$ 410.00	\$ 11,890.00
18	8" MJ Gate Valve	61	EA	\$ 1,268.32	\$ 77,367.52	\$ 1,301.00	\$ 79,361.00	\$ 1,300.00	\$ 79,300.00
19	6" MJ Gate Valve	33	EA	\$ 844.69	\$ 27,874.77	\$ 869.00	\$ 28,677.00	\$ 820.00	\$ 27,060.00
20	8" MJ 45 Degree Bend	65	EA	\$ 375.05	\$ 24,378.25	\$ 307.00	\$ 19,955.00	\$ 520.00	\$ 33,800.00
21	6" MJ 45 Degree Bend	2	EA	\$ 339.00	\$ 678.00	\$ 268.00	\$ 536.00	\$ 340.00	\$ 680.00
22	8" MJ 22.5 Degree Bend	4	EA	\$ 378.00	\$ 1,512.00	\$ 307.00	\$ 1,228.00	\$ 380.00	\$ 1,520.00
23	8" MJ 11.25 Degree Bend	3	EA	\$ 373.20	\$ 1,119.60	\$ 301.00	\$ 903.00	\$ 380.00	\$ 1,140.00
24	8" MJ Plug	4	EA	\$ 270.90	\$ 1,083.60	\$ 182.00	\$ 728.00	\$ 280.00	\$ 1,120.00
25	8"x6" MJ Reducer	6	EA	\$ 316.20	\$ 1,897.20	\$ 225.00	\$ 1,350.00	\$ 360.00	\$ 2,160.00
26	End of Line Flush Assembly	2	EA	\$ 2,498.40	\$ 4,996.80	\$ 2,132.00	\$ 4,264.00	\$ 1,300.00	\$ 2,600.00
27	Remove and Salvage Existing Fire Hydrant Assembly	23	EA	\$ 633.03	\$ 14,559.69	\$ 860.00	\$ 19,780.00	\$ 800.00	\$ 18,400.00
28	Salvage and Relocate Existing Fire Hydrant Assembly	1	EA	\$ 6,591.36	\$ 6,591.36	\$ 3,650.00	\$ 3,650.00	\$ 1,300.00	\$ 1,300.00
29	New Standard Fire Hydrant Assembly	32	EA	\$ 4,289.85	\$ 137,275.20	\$ 4,085.00	\$ 130,720.00	\$ 3,200.00	\$ 102,400.00
30	New Water Service and Connection to Existing Domestic Water Services	346	EA	\$ 1,816.43	\$ 628,484.78	\$ 1,606.00	\$ 555,676.00	\$ 1,500.00	\$ 519,000.00
31	All Testing per TCEQ and City of Temple Requirements	100%	LS	\$ 12,000.00	\$ 12,000.00	\$ 46,084.00	\$ 46,084.00	\$ 11,200.00	\$ 11,200.00
<b>Total Base Bid</b>					<b>\$ 2,023,160.75</b>		<b>\$ 2,797,797.50</b>		<b>\$ 2,548,836.80</b>





## 2016 WESTERN HILLS NEW WATER MAIN IMPROVEMENTS PROJECT



LEGEND:	
<span style="color: blue;">—</span>	NEW PVC WATER MAIN
<span style="color: blue;">◆</span>	NEW STANDARD FIRE HYDRANT ASSEMBLY
KEYED NOTES	
1.	NEW CONNECTION TO EXISTING WATER MAIN

RESOLUTION NO. 2017-8622-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A CONSTRUCTION CONTRACT WITH SKYBLUE UTILITIES, INC. OF KINGSLAND, TEXAS, IN AN AMOUNT NOT TO EXCEED \$1,689,725.73 FOR THE CONSTRUCTION OF THE WESTERN HILLS WATER MAIN IMPROVEMENTS PROJECT; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, there have been numerous operational water main issues in the Western Hills subdivision in Temple and the proposed mains to be replaced will be a continuation of the recent utility work completed in 2015;

**Whereas**, these proposed mains will replace approximately 16,475 linear feet of 6-inch diameter PVC pipe with new 8-inch diameter PVC pipe, substantially upgrading the water service in the area of Brazos Drive, Fox Trail, Gazelle Trail, Red River Circle, Sabine Circle, Westview Circle, Neches Circle, Trinity Drive, Tyler Trail, and portions of Antelope Trail, Erie Drive, Ermine Trail, Hope Trail, Pecos Drive, and Filly Lane;

**Whereas**, on April 6, 2017, six bids were received for this project with Skyblue Utilities submitting the low bid in the amount of \$1,689,725.73;

**Whereas**, Staff and the City's Engineer, recommend Council authorize a construction contract with Skyblue Utilities, Inc. in an amount not to exceed \$1,689,725.73, for the construction of the Western Hills Water Main Improvements Project;

**Whereas**, funding for this construction contract will be in Account No. 520-5900-535-6357, Project No. 101503; and

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

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

**Part 1: Findings.** 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 authorizes the City Manager, or her designee, after approval as to form by the City Attorney, to execute a construction contract with Skyblue Utilities, Inc. of Kingsland, Texas in the amount of \$1,689,725.73, for the construction of the Western Hills Water Main Improvements Project.

**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 **20<sup>th</sup>** day of **April**, 2017.

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