



**MEETING OF THE
TEMPLE CITY COUNCIL
MUNICIPAL BUILDING
2 NORTH MAIN STREET
3rd FLOOR – CONFERENCE ROOM
THURSDAY, AUGUST 3, 2017
3:00 P.M.
AGENDA**

1. Discuss, as may be needed, Regular Meeting agenda items for the meeting posted for Thursday, August 3, 2017.
2. Receive an overview briefing of the FY2018 Preliminary Budget, including, but not limited to, the following strategic and budget related policy issues:
 - a. Public Safety
 - b. Neighborhood Revitalization Initiative
 - c. Sammons Golf Course
3. Receive a presentation on Senate Bill 1004 and Texas Local Government Code Chapter 284 regarding wireless facilities in City right-of-way.
4. Discuss implementation of civil fines for parking violations under City Code of Ordinance, Chapter 37.

5:00 P.M.

**MUNICIPAL BUILDING
2 NORTH MAIN STREET
CITY COUNCIL CHAMBERS – 2ND FLOOR
TEMPLE, TX**

**TEMPLE CITY COUNCIL
REGULAR MEETING AGENDA**

I. CALL TO ORDER

1. Invocation
2. Pledge of Allegiance

II. PUBLIC COMMENTS

Citizens who desire to address the Council on any matter may sign up to do so prior to this meeting. Public comments will be received during this portion of the meeting. Please limit comments to three minutes. No discussion or final action will be taken by the City Council.

III. BUDGET / PUBLIC HEARING

3. [2017-8731-R](#): PUBLIC HEARING – Conduct a final public hearing and consider a resolution approving the Community Development Block Grant 2017/18 Annual Action Plan, including the funding recommendations.
4. (A) [PUBLIC HEARING](#) - Receive presentation by the City Manager and conduct a public hearing on the proposed 2017-2018 operating budget.

(B) [2017-8732-R](#): Discuss proposed tax rate and consider adopting a resolution scheduling the adoption of the proposed tax rate for August 25, 2017.

IV. CONSENT AGENDA

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

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

Minutes

- (A) [July 20, 2017 Special and Regular Meeting](#)

Contracts, Leases, & Bids

- (B) [2017-8733-R](#): Consider adopting a resolution ratifying the purchase of repairs to Fire Engine #7 in the amount of \$31,472.48 from E-One, Inc. of Ocala, Florida.
- (C) [2017-8734-R](#): Consider adopting a resolution authorizing the purchase of properties necessary for the Connor Park Drainage Channel Improvement Project and authorizing closing costs associated with the purchase in an estimated amount of \$225,000.
- (D) [2017-8735-R](#): Consider adopting a resolution authorizing an agreement through September 30, 2018, with Synovia Solutions, LLC of Indianapolis, Indiana, in the amount of \$62,498 for fleet tracking monitoring services.
- (E) [2017-8736-R](#): Consider adopting a resolution authorizing a contract with Cen-Tex Wrecker Association, LLC of Temple for wrecker services.
- (F) [2017-8737-R](#): Consider adopting a resolution authorizing a deductive change order to the construction contract with James Construction Group, LLC, in the deductive amount of \$89,762.35 for construction activities on NW Loop 363.
- (G) [2017-8738-R](#): Consider adopting a resolution ratifying the support of The Salvation Army, Central Counties Services and Families in Crisis in its application for grant funding through the US Housing and Urban Development Emergency Shelter Grant program.

Ordinances – Second & Final Reading

- (H) [2017-4852](#): SECOND READING – Z-FY-17-29: Consider adopting an ordinance rezoning from Two Family zoning district to Planned Development-Two Family zoning district and its Site Development Plan, on 5.078 +/- acres, situated in the Maximo Moreno Survey, Abstract 14, Bell County, Texas, located at 1109 and 1203 East Downs Avenue.
- (I) [2017-4853](#): SECOND READING – Z-FY-17-30: Consider adopting an ordinance authorizing rezoning from Agricultural & Single Family One zoning districts to Single Family One zoning district, on 42.13 +/- acres, of the Maximo Moreno Survey, Abstract No. 14, Bell County, Texas, generally located north of Drexel Loop and west of Hartrick Bluff Road.
- (J) [2017-4854](#): SECOND READING – Z-FY-17-31: Consider adopting an ordinance and accompanying Site Development Plan for rezoning from Agricultural zoning district to Planned Development-Two Family district, on 3.420 +/- acres, situated in the Baldwin Robertson Survey, Abstract No. 17, Blocks 2717-A and 2812-A Bell County, located at 9218 and 9260 Hogan Road, Temple, Texas.

Misc.

- (K) [2017-8739-R](#): Consider adopting a resolution authorizing an increase in the estimated expenses in FY 2017 from \$160,000 to \$212,000 for the hauling and disposal of sludge by S&M Vacuum & Waste, Ltd of Killeen.

- (L) [2017-8740-R](#): Consider adopting a resolution ratifying an update to the City of Temple General Government Compensation Plan.
- (M) [2017-8741-R](#): Consider adopting a resolution authorizing budget amendments for fiscal year 2016-2017.

V. REGULAR AGENDA

ORDINANCES – SECOND READING/PUBLIC HEARING

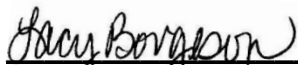
6. [2017-4855](#): SECOND READING – PUBLIC HEARING - Z-FY-17-32: Consider an ordinance adopting a rezoning from Agricultural zoning to Planned Development-Urban Estates zoning district and its Planned Development Site Plan, on 86.91 +/- acres, situated in the Redding Roberts Survey, Abstract 692, Bell County, Texas, located southeast of FM 93 and Southwood Drive, 3093 West FM 93.

ORDINANCES – FIRST READING/PUBLIC HEARING

7. [2017-4856](#): FIRST READING – PUBLIC HEARING – Z-FY-17-34: Consider adopting an ordinance and accompanying Site Development Plan for rezoning from Agricultural zoning to Planned Development Single Family One zoning district on 12.48 +/- acres, situated in the S.P. Terry Survey, Abstract No. 812, Bell County, Texas, located west of the cul-de-sac of Lago Del Norte Drive.
8. [2017-4857](#): FIRST READING – PUBLIC HEARING: Consider adopting an ordinance authorizing the closure of a section of West Avenue B, a public street, beginning at the western boundary of Lot 1, Block 2 and extending to the eastern boundary of Lot 5, Block 2, Final Plat of Santa Fe Plaza West.

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

I hereby certify that a true and correct copy of this Notice of Meeting was posted in a public place at 11:30 am, on Friday, July 28, 2017.



City Secretary, TRMC

SPECIAL ACCOMMODATIONS: *Persons with disabilities who have special communication or accommodation needs and desire to attend this meeting should notify the City Secretary's Office by mail or telephone 48 hours prior to the meeting date.*

I certify that this Notice of Meeting Agenda was removed by me from the outside bulletin board in front of the City Municipal Building on _____ day of _____ 2017.

Title_____



COUNCIL AGENDA ITEM MEMORANDUM

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DEPT./DIVISION SUBMISSION & REVIEW:

Ashley Williams, Director of General Services

ITEM DESCRIPTION: PUBLIC HEARING – Conduct a final public hearing and consider a resolution approving the Community Development Block Grant 2017/18 Annual Action Plan, including the funding recommendations.

STAFF RECOMMENDATION: Conduct public hearing and adopt resolution as presented in item description.

ITEM SUMMARY: 2017–2018 Annual Action Plan and Budget

The Annual Action Plan reflects the City of Temple's funding priorities and identifies the projects proposed to receive Federal funds under the CDBG program. The City of Temple anticipates we will receive \$431,615 for our 2017/18 CDBG allocation. These funds enhance the City's community development programs, supporting safe, well-planned residential and business districts. Over 70% of the funding allocated to CDBG activities must benefit low to moderate income persons.

The City of Temple also plans to reallocate \$37,344 from the 2016 Action Plan in order to assist us with meeting the goals identified in the 2015/19 Consolidated Plan.

<i>2017-18 CDBG Funding</i>	<i>Program Income Received</i>	<i>Prior Funding Reallocation</i>	<i>Total</i>
\$431,615	\$0	\$37,344	\$468,959

The proposed allocation of funds is as follows:

Public Services	\$60,000
Infrastructure Improvements	\$25,000
Housing Improvements	\$166,934
Main Street Program	\$20,000
Neighborhood Revitalization	\$60,000
Demolition	\$70,000
Administration	\$67,025
Total	\$468,959

Public Services - \$60,000

The City received eight applications requesting a total of \$156,573 in CDBG Public Service Agency (PSA) funding. A total of \$60,000 will be awarded to qualifying programs and to those that address objectives outlined in the five-year Consolidated Plan.

Infrastructure Improvements - \$25,000

Infrastructure improvements will focus on sidewalk/transportation enhancements. Projects will address accessibility issues along West Adams Avenue. The project will address objectives in the five-year Consolidated Plan.

Housing Improvements - \$166,934

Housing improvements will focus on accessibility, emergency home repair, pre-weatherization and maintenance classes to improve and encourage continued maintenance of homes needing attention and repair. Projects will address objectives in the five-year Consolidated Plan.

Main Street Program - \$20,000

Infrastructure related improvements will focus on façade, code compliance, and accessibility enhancements for buildings in the downtown core that encourage mixed use and residential units downtown. Projects will address objectives in the five-year Consolidated Plan.

Neighborhood Revitalization - \$60,000

Neighborhood Revitalization is intended to provide an integrated approach to community redevelopment by 1) building connections between our Code Compliance and Community Development programs and 2) fostering collaboration with our many community partners. The goal of the Neighborhood Revitalization initiative is to build healthy, safe, and vibrant neighborhoods using approaches that foster the long-term, positive, and sustainable changes necessary for Temple to remain a place of choice to live, work, and play. Projects will address objectives in the five-year Consolidated Plan.

Demolition - \$70,000

Demolition of vacant and dilapidated structures will be conducted to address blighted conditions on a spot basis in locations to be determined based on code violations. This is an on-going program managed by Community Development, in conjunction with Code Compliance.

Administration - \$67,025

It is recommended that \$67,025 be allocated for the City's administration of the CDBG Program.

This presentation and public hearing on June 15, 2017 for the proposed 2017/18 Annual Action Plan and Budget was followed by a 30-day public comment period. No comments were received. A final public hearing and action on the 2017/18 Annual Action Plan and Budget will occur at the August 3, 2017 Council Meeting.

FISCAL IMPACT: The anticipated allocation amount of \$431,615 in FY 2017/18 CDBG funds along with the reprogramming of \$37,344 in additional funds available for a total of \$468,959 are to be allocated as recommended.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. 2017-8731-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, APPROVING THE COMMUNITY DEVELOPMENT BLOCK GRANT 2017-2018 ANNUAL ACTION PLAN AND FUNDING RECOMMENDATIONS; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, a public hearing was held on August 3, 2017, to receive public comments on the proposed Community Development Block Grant (CDBG) 2017-2018 Annual Action Plan and funding recommendations;

Whereas, the CDBG Annual Action Plan reflects the City of Temple's funding priorities and identifies the projects proposed to receive Federal funds under the CDBG program;

Whereas, the City anticipates the receipt of \$431,615 for the 2017-2018 CDBG allocation and these funds will be used to enhance the City's community development programs and support safe, well-planned residential and business districts;

Whereas, over 70% of funding allocated to CDBG activities must benefit low to moderate income persons;

Whereas, the City also plans to reallocate \$37,344 from the 2016 Action Plan to assist with meeting the goals identified in the 2015-2019 Consolidated Plan;

Whereas, the City Council has considered this matter and deems it in the public interest to adopt the Community Development Block Grant 2017-2018 Annual Action Plan, including funding recommendations.

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 Community Development Block Grant 2017-2018 Annual Action Plan, including funding recommendations.

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 on this the **3rd** day of **August**, 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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Regular Agenda
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DEPT./DIVISION SUBMISSION & REVIEW:

Brynn Myers, Interim City Manager
Traci Barnard, Director of Finance

ITEM DESCRIPTION: (A) PUBLIC HEARING - Receive presentation by the City Manager and conduct a public hearing on the proposed 2017-2018 operating budget.

(B) Discuss proposed tax rate and consider adopting a resolution scheduling the adoption of the proposed tax rate for August 25, 2017.

STAFF RECOMMENDATION: (A) Receive presentation and conduct public hearing. Final action is to be taken by the Council at the August 25th meeting; (B) Adopt resolution as presented in item description.

ITEM SUMMARY: (A) **Budget- Public Hearing** - The City Manager's recommended budget was filed in accordance with the City Charter on June 23, 2017. Council has met for budget related work sessions on July 6th and 20th.

This is the initial public hearing on the proposed 2017-2018 budget, and complies with the State and Charter requirements that must be met before the budget can be adopted by the Council. A supplemental second public hearing on the budget will be conducted at the August 25th Special Council meeting, prior to budget adoption.

(B) Proposed Tax Rate – Resolution setting date for adoption - The proposed tax rate will be presented and discussed at the meeting, prior to adoption of a resolution scheduling the adoption of the proposed tax rate for August 25th. In addition, public hearings for the proposed tax rate will be held on August 11th and August 17th.

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

FISCAL IMPACT:

(A) Budget: The proposed FY 2018 budget as filed on June 23, 2017:

Revenues/Other Sources	Adopted Budget FY 2017	Filed Budget FY 2018	% Increase/ (Decrease)
General Fund	\$ 67,491,178	\$ 70,519,883	4.49%
Water & Wastewater Fund	34,029,828	34,428,191	1.17%
Debt Service Fund	14,599,530	16,740,207	14.66%
Hotel/Motel Tax Fund	1,900,800	1,903,300	0.13%
Federal/State Grant Fund	410,971	328,768	-20.00%
Drainage Fund	1,175,740	2,300,050	95.63%
Reinvestment Zone No. 1 Fund	22,212,397	16,107,144	-27.49%
Total Revenues/Other Sources	\$ 141,820,444	\$ 142,327,543	0.36%

Expenditures/Transfers	Adopted Budget FY 2017	Filed Budget FY 2018	% Increase/ (Decrease)
General Fund	\$ 70,472,396 ⁽¹⁾	\$ 73,330,973 ⁽²⁾	4.06%
Water & Wastewater Fund	34,029,828	34,428,191	1.17%
Debt Service Fund	14,900,556	16,740,207	12.35%
Hotel/Motel Tax Fund	1,912,400	1,923,600 ⁽³⁾	0.59%
Federal/State Grant Fund	410,971	328,768	-20.00%
Drainage Fund	1,175,740	2,300,050	95.63%
Reinvestment Zone No. 1 Fund	20,222,490	17,253,914	-14.68%
Total Expenditures/Transfers	\$ 143,124,381	\$ 146,305,703	2.22%

⁽¹⁾ Includes the use of \$2,981,218 in Undesignated Fund Balance - Capital Projects to fund Capital of \$2,359,218, TEDC Matrix allocation of \$522,000, and Strategic Investment Zone of \$100,000.

⁽²⁾ Includes the use of \$2,447,590 in Undesignated Fund Balance - Capital Projects to fund Capital of \$1,541,182, TEDC Matrix allocation of \$230,283, Strategic Investment Zone of \$150,000, Capital Replacement - Sanitation Vehicles of \$273,575 and Capital Replacement - Public Safety P25 Radios of \$252,550. Also includes the use of \$363,500 in Designated Fund Balance for General Government Compensation Plan.

⁽³⁾ Includes the use of \$20,300 in Designated Fund Balance for General Government Compensation Plan.

Changes from the preliminary budget filed on June 23, 2017 to the proposed budget as presented August 3, 2017, with a proposed tax rate of 67.72¢. Adjustments are as indicated on the attached documents.

Revenues/Other Sources	Adopted Budget FY 2017	Proposed Budget FY 2018	% Increase/ (Decrease)
General Fund	\$ 67,491,178	\$ 70,390,686	4.30%
Water & Wastewater Fund	34,029,828	34,428,191	1.17%
Debt Service Fund	14,599,530	16,598,413	13.69%
Hotel/Motel Tax Fund	1,900,800	1,903,300	0.13%
Federal/State Grant Fund	410,971	431,615	5.02%
Drainage Fund	1,175,740	2,300,050	95.63%
Reinvestment Zone No. 1 Fund	22,212,397	16,107,144	-27.49%
Total Revenues/Other Sources	\$ 141,820,444	\$ 142,159,399	0.24%

Expenditures/Transfers	Adopted Budget FY 2017	Proposed Budget FY 2018	% Increase/ (Decrease)
General Fund	\$ 70,472,396 ⁽¹⁾	\$ 73,192,639 ⁽²⁾	3.86%
Water & Wastewater Fund	34,029,828	34,428,191	1.17%
Debt Service Fund	14,900,556	16,740,207	12.35%
Hotel/Motel Tax Fund	1,912,400	1,923,600 ⁽³⁾	0.59%
Federal/State Grant Fund	410,971	431,615	5.02%
Drainage Fund	1,175,740	2,300,050	95.63%
Reinvestment Zone No. 1 Fund	20,222,490	17,253,914	-14.68%
Total Expenditures/Transfers	\$ 143,124,381	\$ 146,270,216	2.20%

⁽¹⁾ Includes the use of \$2,981,218 in Undesignated Fund Balance - Capital Projects to fund Capital of \$2,359,218, TEDC Matrix allocation of \$522,000, and Strategic Investment Zone of \$100,000.

⁽²⁾ Includes the use of \$2,438,453 in Undesignated Fund Balance - Capital Projects to fund Capital of \$1,541,182, TEDC Matrix allocation of \$221,146, Strategic Investment Zone of \$150,000, Capital Replacement - Sanitation Vehicles of \$273,575 and Capital Replacement - Public Safety P25 Radios of \$252,550. Also includes the use of \$363,500 in Designated Fund Balance for General Government Compensation Plan.

⁽³⁾ Includes the use of \$20,300 in Designated Fund Balance for General Government Compensation Plan.

(B) Tax Rate: The proposed tax rate for FY 2018 is 67.72¢. This rate is comprised of two components, maintenance and operations (M&O) of 31.42¢ and the interest & sinking (I&S) rate of 36.30¢. The current FY 2017 tax rate is 65.72¢.

			FY 17 Adopted vs FY 18 Filed +/-	Certified Roll 2018	FY 17 Adopted vs FY 18 Proposed +/-
	Adopted 2017	Filed 2018			
I&S Rate	\$ 0.3430	\$ 0.3630	\$ 0.0200	\$ 0.3630	\$ 0.0200
M&O Rate	0.3142	0.3142	-	0.3142	-
Total Rate	\$ 0.6572	\$ 0.6772	\$ 0.0200	\$ 0.6772	\$ 0.0200

Note: The tax rate proposed in the budget document filed on June 23, 2017 was 67.72¢. The rate was developed based on estimates. Subsequent to the budget filing, staff received the Certified Roll and the Effective Tax Rate calculations. No changes to the filed tax rate are recommended at this time.

ATTACHMENTS:

[FY 2017-2018 Budget Message](#)

[Schedule of Adjustments](#)

[Resolution](#)



BUDGET MESSAGE

June 23, 2017

Honorable Mayor and City Council,

I am pleased to present my proposed Fiscal Year 2017-2018 Budget (FY 2018 Budget) for the City of Temple totaling \$146,305,703 for all funds.

The emphasis and focus of this FY 2018 Budget is on providing services that our residents request and responding to the growth of our community. I believe this proposed budget reflects a fiscally responsible approach to improving the City's infrastructure and maintaining quality City services to a growing population.

The City's four strategic focus areas formed the basis for the budgetary decisions made in preparing this proposed budget:

1. Serving Our Community;
2. Improving Our Infrastructure;
3. Expanding the Tax Base; and
4. Growing the Health and Bioscience Industries.

The four (4) focus areas provide the foundation for our planning, budgeting, and work plans. These focus areas and their associated goals and objectives guided the development of the FY 2018 Budget.

Budget Development & Background

Budget Process—The City's budget is a complex document representing the culmination of months of preparation and discussion. Developing a budget is a year round process and the framework for the development of this budget began in late 2016 with the City Manager working on timelines and issue identification. Through late 2016 and early 2017, the City Manager's Office and the Finance Department worked to develop the budget calendar and process for the FY 2018 Budget.

In January, we held a planning retreat with department and division heads to identify and discuss issues for the upcoming budget.

In February, the City Council held a budget retreat to discuss various strategic issues. During the retreat, Council received information regarding potential budget issues identified by staff.

From February through the delivery of the FY 2018 Budget, staff has worked on preparing, reviewing, researching, and responding to questions relating to the programs and services this Proposed Budget recommends.

Budget Approach—This year's budget has been developed within the framework of the strategic plan priorities adopted by the City Council and the budget parameters that I briefed the Council on at the May 18, 2017 budget work session. Those parameters are:

- maintain fiscal soundness;
- focus on core mission and activities;
- maintain or improve services and service levels;
- continue to improve infrastructure;
- continue to support and develop our workforce; and
- align strategic, financial, and staff work plan.

Financial Highlights—The FY 2018 Budget appropriates a total of \$146,305,703 for the upcoming fiscal year. Of this amount, \$138,627,445 is allocated for the operations and maintenance budget which includes debt service and transfers and \$7,678,258 is allocated for routine capital for the general operating budget which includes equipment and public infrastructure projects. Included in this amount is \$3,850,000 of Reinvestment Zone infrastructure improvements. In accordance with current fiscal

and financial policies, \$1,541,182 of General Fund routine capital is funded with fund balance.

As in previous years, the FY 2018 Budget is a balanced budget under the policies and parameters discussed in earlier planning sessions with the City Council.

In addition, \$33,243,000 is included for capital improvements programs (CIP), of which \$29,243,000 is related to the City's Transportation Capital Improvement Program and \$4,000,000 is for Drainage Capital Improvement Projects.

City Manager's Highlights

With the above in mind, I will highlight a few areas of general priority and significance in the FY 2018 Budget.



Serving Our Community

Parks & Recreation- In May of 2015, voters approved a \$27,675,000 Parks bond package that includes 24 projects ranging from neighborhood park improvements, new community parks, new and upgraded athletic facilities, facility upgrades, water recreation projects, and linkage trails.

The FY 2018 Budget includes operating and maintenance expenses associated with bond improvements anticipated to come online during FY 2018. The additional operations and maintenance expenses associated with newly completed bond projects total \$46,159 for FY 2018.

The FY 2018 Budget also includes an allocation of funding to continue our preliminary planning efforts associated with the Bend of the River project and \$344,000 in funding for replacement of capital equipment to allow us to continue to

maintain our existing Parks and Recreational facilities.

Public Safety- The FY 2018 Budget includes funding for the replacement of 11 marked and 1 unmarked police vehicles, as well as the replacement of a van with equipment to be utilized for crash reconstruction sites. In addition, vehicles in Police support service and Fire administration functions and are also recommended for replacement.

The FY 2018 Budget also includes a \$1,200,000 allocation to purchase new public safety radios that will allow the City to transition from the traditional analog radio system to a wholly digital radio system based on P25 interoperability standards. P25 is a suite of standards for digital radio communications for use by federal, state, and local public safety agencies. P25 digital standards help ensure compatible and interoperable radio communication systems within our own organization and also among other departments and agencies in order to preserve and enhance our ability to effectively and safely respond to emergency events.

The proposed budget also includes an allocation to fund additional positions within the Police and Fire Department. The FY 2018 Budget recommends funding an additional Deputy Police Chief, an additional Customer Service Supervisor position, and a Media Relations Specialist position in the Police Department. Additionally the budget recommends funding the first staffing phase for a new Proactive Enforcement/Violent Crime Squad in the Police Department. This proposed new squad will allow a dedicated unit to routinely perform proactive strategies that are designed to reduce violent crime and apprehend criminal offenders. The first staffing phase consists of 2 police officers (1 addition and 1 reassignment) to establish the squad. Future staffing phases will include the addition of a

sergeant and 4 additional officers to bring the unit to full staffing.

The FY 2018 Budget also recommends converting 3 existing firefighter overhire positions to permanent firefighter positions and adding 1 overhire position.

The allocation to fund these additional positions is included in the base budget, with no tax rate impact, based on revenue estimates developed using the preliminary appraised value appraisal roll for Ad Valorem taxes. The certified roll will not be available from the Appraisal District of Bell County until late July. Therefore, the proposal is based on assumptions and may require adjustments prior to the final adoption of the budget.

Neighborhood Revitalization- The FY 2018 Budget continues to leverage our Community Development Block Grant (CDBG) funds to assist with the implementation of our Neighborhood Revitalization initiative. Programs proposed for funding include the housing improvement program, main street program, neighborhood revitalization program, infrastructure improvements, and the demolition program. The FY 2018 Budget also includes an additional part-time Recreational Specialist position to help coordinate efforts in enhancing access to youth recreational opportunities in East Temple.

Responding to Growth- Many of the new staffing and operating costs proposed in the FY 2018 Budget are intended to maintain service levels in the midst of the growth of our community. The FY 2018 Proposed Budget includes the following additional positions:

- a Technology Support Specialist I in Information Technology department;
- a part-time Collection Development Librarian for the Library division;

- an additional Traffic Signal Maintenance Technician for the Traffic Signal division;
- an additional Connect & Disconnect Technician for the Metering division;
- a Management Specialist in the Public Works Administration; and,
- a part-time Customer Service Representative I to the Utility Business Office division.

Outside Service Agencies- The FY 2018 Budget continues to provide funding to outside service 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.

In alignment with the Council's Outside Service Agency Funding Policy, the FY 2018 Budget allocates funding in the following categories:

- Strategic Partner;
- Tourism & Arts Grant (Hotel-Motel Tax Fund);
- Public Service Agency Grant (Community Development Block Grant Fund); and
- Community Enhancement Grant (General Fund).

The FY 2018 Budget recommends a total of \$506,111 in funding for outside service agencies.

Other Highlights—In addition to the programs and positions detailed above, the FY 2018 Budget also includes an allocation to continue our performance pay program for general government employees, as well as a full year implementation of General Government pay plan adjustments that will go into effect on July 14, 2017.

The Budget recommends a 2% salary increase for all Civil Service employees at the beginning of the fiscal year, as well as an additional 3% increase for police officers and corporals and an additional 4% increase for firefighters effective

June 13, 2018. Adjustments and additions to our Police and Fire certification pay program are also recommended.

The FY 2018 Budget also includes continued funding for a group health insurance plan with an estimated premium increase of 19.1%, employee retirement plan, and employee longevity program.

Also recommended in the FY 2018 Budget is the replacement of 6 sanitation vehicles in the amount of \$1,532,376.



Improving Our Infrastructure

Transportation Infrastructure—The FY 2018 Budget includes the sixth year of a multi-year transportation capital improvement program and recommends expansion of the program in order to fund several additional projects that have been identified as high priority needs since the original program began as a result of changes within the community such as new developments, new school campus activities, changing traffic patterns, and condition of existing pavements.

The Transportation CIP (TCIP) is a ten-year, effort to expand and maintain our major transportation infrastructure. The TCIP is a result of our recent assessments and reports on both the condition of our transportation infrastructure and the need to improve our mobility.

The project areas identified in the TCIP are intended to address both the need to improve our existing transportation infrastructure and provide new capacity and connectivity. The TCIP is a dynamic program that has, and will continue to, evolve and change in response to community needs.

A key element in the TCIP is a recognition that, in addition to building new roads to increase capacity and connectivity, we also need to take

care of the streets and roads that we have built. We refer to this as the “Legacy Pavement Preservation Program.” Taking care of existing infrastructure is the most cost effective way to manage and maintain the system, as the more infrastructure deteriorates, the more costly it is to restore serviceability. The Legacy Pavement Preservation Program enhances pavement performance, extends pavement life, decreases lifetime roadway costs, reduces user delays, and provides improved safety and mobility.

The implementation and financing plan recommended for the TCIP is a phased approach which groups projects in packages with design and right-of-way acquisition funded first and, in most cases, construction funded in the following package. Each package also includes \$9,000,000 for the Legacy Pavement Preservation Program – an average of \$3,000,000 each year.

This phased approach allows us to allocate construction funds only when projects are ready, minimize and stabilize the tax rate impact, maximizes opportunity for tax base growth; and allows us to balance debt amortization.

The funding for implementation of the TCIP program was also established as a phased plan with an initial tax rate adjustment of 1.25 cents in FY 2013 and 3.50 cents in FY 2017. The FY 2018 Budget recommends an additional tax rate adjustment of 2.00 cents in order to expand the existing program to include:

- construction of Outer Loop Phase 4;
- preliminary engineering of Outer Loop Phase 5;
- matching funds to support sidewalk & trail grant opportunities;
- a placeholder for potential additional signals in future years; and
- design, right-of-way, and construction of Hartrick Bluff (Waters Dairy to FM 93).

These additions will expand the TCIP from the existing \$126,700,000 effort to a \$140,258,343 program.

Additional recommended adjustments to the program include:

- aligning funding with project readiness for construction of Prairie View Phase 2 and Outer Loop Phase 3B in fall 2017;
- accelerating the timing of Outer Loop Phase 4 (design & ROW), Poison Oak (design, ROW, & construction), Westfield Phase 2 (construction), and Kegley Phase 2, 3, & 4 (design, ROW, & construction);
- addressing improvements to South Pea Ridge later in the program;
- completing improvement to North 8th Street through overlay; and
- removing North Pea Ridge Phase 2 and East-West local collector from the program.

Utility Infrastructure—The City has invested almost \$142,716,000 over the past 10 years in improving and extending our water and sewer infrastructure. Our utility infrastructure, no less so than our transportation infrastructure, is extremely important to our ability to deliver services in one of our core mission areas. We will be completing the Water/Wastewater Master Plan update in FY 2018. 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.

Drainage Infrastructure—The FY 2018 Budget includes an allocation of \$4,000,000 for Drainage Capital Improvement Projects. Projects to be funded in FY 2018 include:

- Conner Park/Meadowbrook

- Azalea Drive
- 57th Street & Avenue T
- 49th / Avenue R / 43rd Street
- Avenue D & 14th Street
- Comprehensive Modeling Assessment



Expanding Our Tax Base

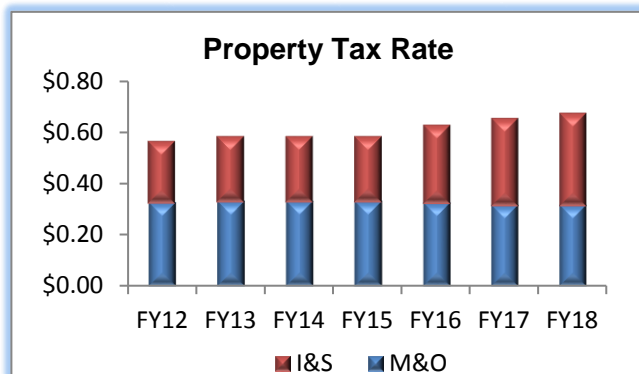
One of the strategic focus areas identified in our Strategic Plan is to “expand the tax base.” In order for us to continue to meet the demands for current service, and in order for us to meet the needs of projected growth and development, it is critical that this objective be met. As Council will recall, the FY 2008 Budget included a commitment to fund a “matrix incentive pool” through the Temple Economic Development Corporation (TEDC). This “matrix incentive pool” was intended to provide funding for economic development incentives relating to economic development agreements with new and/or expanding businesses. The FY 2018 Budget continues that commitment and includes a \$230,283 “placeholder” investment to maintain and replenish the matrix funding level, as well as \$1,281,152 for the operations and maintenance component of TEDC.

Financial Highlights by Fund

General Fund Revenues—Total revenues for the FY 2018 General Fund Budget are presented at \$70,519,883, an increase of 4.49% compared to the FY 2017 Adopted Budget. The three largest sources of revenue for the General Fund are sales tax, property tax, and solid waste charges.

Property Tax—In the FY 2018 Budget, property tax accounts for 19.49% of the General Fund budgeted revenues and is the second largest revenue source of the General Fund. The tax rate for FY 2018 is at 67.72¢ per \$100 valuation, which includes the recommended 2.00¢ tax rate adjustment for the Transportation Capital Improvement Program.

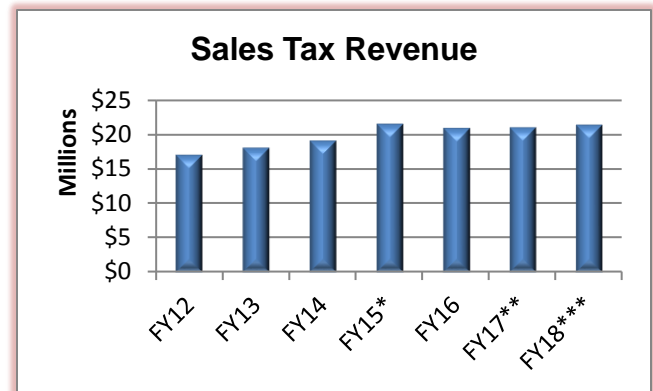
This rate is based on a preliminary appraised value of \$4,189,452,803 (net taxable value not adjusted for frozen values). The tax rate is comprised of two components, the Maintenance and Operations rate (M&O) and the Interest Sinking rate (I&S). This year's tax rate is 31.42¢ for the M&O rate and 36.30¢ for the I&S rate.



The certified appraisal roll for Ad Valorem taxes will not be available from the Appraisal District of Bell County until late July. Therefore, the proposed tax rate is based on assumptions and may require adjustments prior to the final adoption of the budget.

Sales Tax—While much attention is focused on the property tax rate number, our single largest source of revenue for the General Fund continues to be sales tax revenue. In the FY 2018 Budget, sales tax is projected to account for 30.28% of the General Fund budgeted revenues.

The FY 2018 Budget estimates \$21,350,000 in sales tax revenue, a 2.30% increase in sales tax revenue over budgeted FY 2017 sales tax revenue.

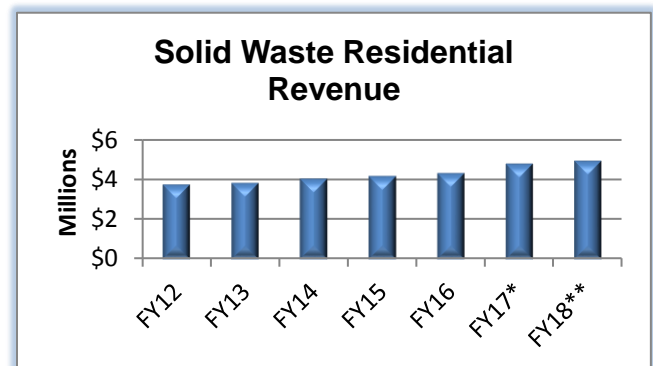


*Includes a \$1,798,088 prior period audit adjustment

**Forecasted for FY 2017

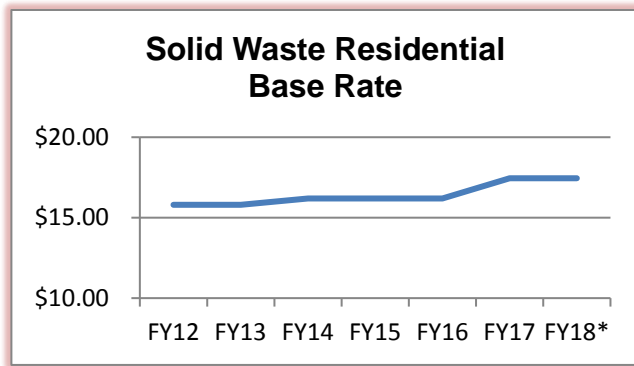
***Proposed for FY 2018

Solid Waste—Charges associated with solid waste services represent the third largest source of revenue for the General Fund and are projected to account for 15.70% of total General Fund revenues. \$11,072,295 in solid waste revenue is projected for FY 2018, representing an 11.64% increase from the FY 2017 solid waste revenue adopted budget of \$9,918,339. The increase is attributed to the growth in the customer base, commercial roll-off services, and the addition of gross revenues associated with the Recycling Processing Center. These revenues are based on rates that remain unchanged from current year.



*Forecasted for FY 2017

**Proposed for FY 2018



*FY 2018 Proposed Residential Base Rate

General Fund Expenditures—Total expenditures for the FY 2018 General Fund Budget are presented at \$73,330,973, an increase of 4.06% compared to the FY 2017 Adopted Budget.

Capital Improvement Programs—The City Staff continues to manage the largest capital improvement programs in the history of the community. As of March 31, 2017, a total of \$179,060,232 has been allocated for various capital projects including such improvements as water and sewer infrastructure, transportation infrastructure, parks improvements, and public safety infrastructure.

Funding sources for these projects can be identified in eight major areas:

- Utility Revenue Bonds
- General Obligation Bonds
- Certificates of Obligation
- General Operating Budget Funding
- Limited Tax Notes
- TxDOT Pass Through Finance Agreement
- Grants
- Reinvestment Zone No. 1

Within the Capital Improvement Projects section of this document, the specific projects recommended are listed within three categories.

The categories are routine capital, multi-year non-routine capital, and projects identified for future funding.

Water and Wastewater Fund—Total revenues for the FY 2018 Water and Wastewater Fund Budget are presented at \$34,428,191, an increase of 1.17% compared to the FY 2017 Adopted Budget. These revenues are based on rates that remain unchanged from current year.

Expenses, capital improvements, and debt service for the FY 2018 Water and Wastewater Fund Budget are presented at \$34,428,191, an increase of 1.17% compared with prior year.

Hotel/Motel Tax Fund—Total revenues for the Hotel/Motel Fund Budget are presented at \$1,903,300, an increase of 0.13% compared to the FY 2017 Adopted Budget. 20.02% of the Hotel/Motel revenues are from the operations of the Frank Mayborn Center. Expenditures for the Hotel/Motel Fund Budget are presented at \$1,923,600, an increase of 0.59% compared to the FY 2017 Adopted Budget.

Federal and State Grant Fund—Total revenues and expenditures for Federal and State Grant Fund Budget are presented at \$328,768, a decrease of 20.00% compared to the FY 2017 Adopted Budget. Total revenues include the award of the Community Development Block Grant (CDBG) at \$328,768. The proposed allocation of CDBG funds are as follows:

- Public service agencies - \$46,000
- Demolition - \$32,656
- Housing improvement program - \$100,112
- Main street program - \$20,000
- Neighborhood revitalization program - \$45,000
- Infrastructure improvements- \$20,000
- General administration - \$65,000

Drainage Fund—Total revenues are presented at \$2,300,050, a 95.63% increase from prior year. Expenditures are presented at \$2,300,050, an increase of 95.63% compared to the FY 2017 Adopted Budget. The significant increase in both revenues and expenditures is related to the establishment of the Drainage Capital Improvement Program and associated increase in drainage fees for residential and commercial drainage services effective January 1, 2017. Council authorized the rate adjustment on December 15, 2016 to support major capital improvement projects.

Conclusion

This is only a brief synopsis of the Budget for FY 2018. Developing the budget is a team effort that requires participation and input by citizens, City Council, and City staff. I would like to extend my thanks to all of the Department and Division Heads who contributed to the development of this budget.

Finally, I want to extend a special word of appreciation to Director of Finance Traci Barnard and her staff for their many hours of work and effort. Of special note is the work done by Assistant Director of Finance Melissa Przybylski and Budget Coordinator Jennifer Emerson. Without the commitment, dedication, and countless hours of work performed by Traci, Melissa, and Jennifer this document would simply not be possible.

Respectfully submitted,



Brynn Myers | Interim City Manager



FY 2018

GENERAL FUND PROPOSED BUDGET

SCHEDULE OF ADJUSTMENTS AFTER FILING PROPOSED BUDGET

	Proposed Budget		Increase (Decrease)
	Filed Copy as of 06-23-17	Current as of 08-03-17	
Projected Revenues	\$ 70,519,883	\$ 70,390,686	\$ (129,197) ^A
Proposed Budget Expenditures	71,823,048	71,684,714	(138,334) ^B
Excess Revenues Over (Under) Expenditures	(1,303,165)	(1,294,028)	9,137
Transfers In (Out):			
Less: Transfer Out To Debt Service Fund -			
LTN 2013 - Sanitation Vehicles, CNG Facility and Recycling Containers	(981,800)	(981,800)	-
CO 2017 - Sanitation Vehicles	(273,575)	(273,575)	-
CO 2017 - PS P25 Radios	(252,550)	(252,550)	-
Total Transfer In (Out)	(1,507,925)	(1,507,925)	-
Excess Revenues Over (Under) Expenditures for FY 2018	\$ (2,811,090)	\$ (2,801,953)	\$ 9,137
Recommended Use of Undesignated Fund Balance:			
- TEDC Matrix Funding	\$ 230,283	\$ 221,146	\$ (9,137)
- Strategic Investment Zone Funding	150,000	150,000	-
- Capital Funded with Fund Balance	1,541,182	1,541,182	-
- Capital Replacement - Sanitation Vehicles	273,575	273,575	-
- Capital Replacement - PS P25 Radios	252,550	252,550	-
	\$ 2,447,590	\$ 2,438,453	\$ (9,137)
Recommended Use of Designated Fund Balance:			
- FY 2017 General Government Compensation Plan	\$ 363,500	\$ 363,500	\$ -
	\$ 363,500	\$ 363,500	\$ -

Explanation of Changes from Filed Budget to Proposed Budget @ 08/03/2017:

^A Revenue Changes:

Required adjustment from preliminary to certified tax roll	\$ (129,197)
Total Revenue Changes	\$ (129,197)

^B Expenditure Changes:

Various operational adjustments	\$ (129,197)
Total Expenditures Changes	\$ (129,197)

Net Revenue Over (Under) Expenditures	\$ -
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FY 2018
WATER & WASTEWATER FUND PROPOSED BUDGET
SCHEDULE OF ADJUSTMENTS AFTER FILING PROPOSED BUDGET

	Proposed Budget		Increase (Decrease)
	Filed Copy as of 06-23-17	Current as of 08-03-17	
Projected Revenues	\$ 34,428,191	\$ 34,428,191	\$ -
Proposed Budget Expenses	34,428,191	34,428,191	-
Excess Revenues Over (Under) Expenditures for FY 2018	\$ -	\$ -	\$ -

FY 2018
DEBT SERVICE FUND PROPOSED BUDGET
SCHEDULE OF ADJUSTMENTS AFTER FILING PROPOSED BUDGET

	Proposed Budget		Increase (Decrease)
	Filed Copy as of 06-23-17	Current as of 08-03-17	
Projected Revenues	\$ 14,955,882	\$ 14,814,088	\$ (141,794) ^A
Proposed Budget Expenditures	16,740,207	16,740,207	- ^B
Excess Revenues Over (Under) Expenditures	\$ (1,784,325)	\$ (1,926,119)	(141,794)
Transfers In (Out):			
Plus: Transfer In From General Fund -			
LTN 2013 - Sanitation Vehicles, CNG Facility and Recycling Containers	981,800	981,800	-
CO 2017 - Sanitation Vehicles	273,575	273,575	-
CO 2017 - PS P25 Radios	252,550	252,550	-
Plus: Transfer In From Drainage Fund -			
CO 2017 - Drainage CIP	276,400	276,400	-
Total Transfer In (Out)	1,784,325	1,784,325	-
Excess Revenues Over (Under) Expenditures for FY 2018	\$ -	\$ (141,794)	\$ (141,794)
Recommended Use of Undesignated Fund Balance	-	141,794	141,794 ^A
	\$ -	\$ -	\$ -

Explanation of Changes from Filed Budget to Proposed Budget @ 08/03/2017:

^A **Revenue Changes:**

Required adjustment from preliminary to certified tax roll	\$ (141,794)
Increase recommended use of Undesignated Fund Balance	141,794
Total Revenue Changes	\$ -

^B **Expenditure Changes:**

None	\$ -
Total Expenditures Changes	\$ -
Net Revenue Over (Under) Expenditures	\$ -

FY 2018

HOTEL/MOTEL TAX FUND PROPOSED BUDGET

SCHEDULE OF ADJUSTMENTS AFTER FILING PROPOSED BUDGET

	Proposed Budget		Increase (Decrease)
	Filed Copy as of 06-23-17	Current as of 08-03-17	
Projected Revenues	\$ 1,903,300	\$ 1,903,300	\$ -
Proposed Budget Expenditures	1,923,600	1,923,600	-
Excess Revenues Over (Under) Expenditures	<u>\$ (20,300)</u>	<u>\$ (20,300)</u>	<u>-</u>
Excess Revenues Over (Under) Expenditures for FY 2018	<u>\$ (20,300)</u>	<u>\$ (20,300)</u>	<u>\$ -</u>
Recommended Use of Designated Fund Balance			
- FY 2017 General Government Compensation Plan	\$ 20,300	\$ 20,300	\$ -
	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>

FY 2018

FEDERAL/STATE GRANT FUND PROPOSED BUDGET

SCHEDULE OF ADJUSTMENTS AFTER FILING PROPOSED BUDGET

	Proposed Budget		Increase (Decrease)
	Filed Copy as of 06-23-17	Current as of 08-03-17	
Projected Revenues	\$ 328,768	\$ 431,615	\$ 102,847 ^A
Proposed Budget Expenditures	328,768	431,615	102,847 ^B
Excess Revenues Over (Under) Expenditures for FY 2018	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>

Explanation of Changes from Filed Budget to Proposed Budget @ 08/03/2017:

^A **Revenue Changes:**

Required adjustment for actual HUD allocation	\$ 102,847
Total Revenue Changes	<u>\$ 102,847</u>

^B **Expenditure Changes:**

Various operational adjustments	\$ 88,847
Adjusted PSA allocations	14,000
Total Expenditures Changes	<u>\$ 102,847</u>
Net Revenue Over (Under) Expenditures	<u>\$ -</u>

FY 2018

DRAINAGE FUND PROPOSED BUDGET

SCHEDULE OF ADJUSTMENTS AFTER FILING PROPOSED BUDGET

	Proposed Budget		Increase (Decrease)
	Filed Copy as of 06-23-17	Current as of 08-03-17	
Projected Revenues	\$ 2,300,050	\$ 2,300,050	\$ -
Proposed Budget Expenditures	2,023,650	2,023,650	-
Excess Revenues Over (Under) Expenditures	<u>\$ 276,400</u>	<u>\$ 276,400</u>	<u>-</u>
Transfers In (Out):			
Less: Transfer Out To Debt Service Fund - CO 2017 - Drainage CIP	(276,400)	(276,400)	-
Total Transfer In (Out)	<u>(276,400)</u>	<u>(276,400)</u>	<u>-</u>
Excess Revenues Over (Under) Expenditures for FY 2018	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>

FY 2018

**REINVESTMENT ZONE NO. 1 FUND PROPOSED BUDGET
SCHEDULE OF ADJUSTMENTS AFTER FILING PROPOSED BUDGET**

	Proposed Budget ¹		Increase (Decrease)
	Filed Copy as of 06-23-17	Current as of 08-03-17	
Projected Revenues	\$ 16,107,144	\$ 16,107,144	\$ -
Proposed Budget Expenditures	17,253,914	17,253,914	-
Excess Revenues Over (Under) Expenditures for FY 2018	<u>\$ (1,146,770)</u>	<u>\$ (1,146,770)</u>	<u>\$ -</u>
Recommended Use of Fund Balance	\$ 1,146,770	\$ 1,146,770	\$ -
	<u>\$ 1,146,770</u>	<u>\$ 1,146,770</u>	<u>\$ -</u>

¹ - As amended in Financing Plan approved by Council on April 20, 2017

RESOLUTION NO. 2017-8732-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS,
SCHEDULING THE ADOPTION OF THE PROPOSED TAX RATE FOR
AUGUST 25, 2017; DECLARING FINDINGS OF FACTS; AND PROVIDING AN
OPEN MEETINGS CLAUSE.

Whereas, Chapter 26 of the Property Tax Code requires all taxing entities to comply with truth-in-taxation laws in adopting their tax rates in an effort to make taxpayers aware of tax rate proposals and, in certain cases, to roll back or limit a tax increase;

Whereas, the Interim City Manager's recommended budget was filed in accordance with the City Charter on June 23, 2017 and City Council met for budget related work sessions on July 6, 2017, and July 20, 2017;

Whereas, the proposed tax rate for fiscal year 2018 is 67.72¢ and is comprised of maintenance and operations of 31.42¢ and the interest and sinking rate of 36.30¢ - the current fiscal year tax rate is 65.72¢;

Whereas, the City Council has determined that it is in the public interest to schedule the adoption of the proposed tax rate for August 25, 2017.

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 schedules the adoption of the proposed tax rate for 8:30 a.m. on August 25, 2017, in the City Council Chambers on the second floor of the Municipal Building located at Main and Central in 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 3rd day of **August**, 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

08/03/17
Item #5(A)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Lacy Borgeson, City Secretary

ITEM DESCRIPTION: Approve Minutes:

(A) July 20, 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:

[July 20, 2017 Special and Regular Meeting](#)



COUNCIL AGENDA ITEM MEMORANDUM

08/03/17
Item #5(B)
Consent Agenda
Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

Mitch Randles, Fire Chief

ITEM DESCRIPTION: Consider adopting a resolution ratifying the purchase of repairs to Fire Engine #7 in the amount of \$31,472.48 from E-One, Inc. of Ocala, Florida.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: On June 28th, 2017 Asset #14491, which is a fire engine assigned to station #7, was involved in an accident with a protective bollard at fire station #5 while returning from a training exercise. The Engine suffered significant body damage and damage to the plumbing of the fire pump and water tank.

Fire Engine #7 was originally authorized for purchase by Council on June 2, 2016, and the truck was just recently delivered from E-One and put into service. Accordingly, staff believes that the best vendor to make the repairs to the fire truck is E-One, and accordingly, this purchase is being recognized as a single-source purchase as allowed by the Local Government Code Chapter 252.022 based on the captive replacement parts that are needed to make the repairs.

The total estimated cost of making repairs to the apparatus is \$31,472.48. Of this amount, \$6,472.48 will be covered by the City's collision insurance policy, and \$25,000 will be the responsibility of the City as an insurance deductible.

For public safety reasons, the Fire Department is needing to get the fire truck back into service as soon as possible. As such, the Interim City Manager authorized initiation of the repairs prior to receiving Council authorization.

FISCAL IMPACT: A budget adjustment is being presented to Council for approval to appropriate funding for the repairs of Fire Engine #7 to account 110-2230-522-2516 in the amount of \$31,472.48. The budget adjustment will appropriate the deductible amount of \$25,000 from the General Fund's Unallocated Fund Balance and will appropriate the insurance proceeds of \$6,472.48 to be received from TML.

A summary of funding for the repairs of Fire Engine #7 is shown below:

Project Budget	\$	0
Budget Adjustment – Insurance proceeds		6,472
Budget Adjustment – Unallocated Fund Balance		25,000
E-One, Inc.		(31,472)
Remaining Funds Available	\$	-

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

BUDGET ADJUSTMENT FORM

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

Adjustments should be rounded to the nearest \$1.

+

—

[illegible]

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

To appropriate the anticipated insurance proceeds to be received from TML in the amount of \$6,472, as well as, appropriate \$25,000 for the City's deductible related to damages to asset # 14491 (Engine 7) that occurred in June 2017. The total amount to be appropriated for the repairs is \$31,472.

DOES THIS REQUEST REQUIRE COUNCIL APPROVAL?

☒ Yes ☐ No

DATE OF COUNCIL MEETING

08/03/17

WITH AGENDA ITEM?

☒ Yes ☐ No

Department Head/Division Director

Date _____

☐ Approved
☐ Disapproved

Finance

Date _____

☐ Approved
☐ Disapproved

City Manager

Date _____

☐ Approved
☐ Disapproved

RESOLUTION NO. 2017-8733-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, RATIFYING THE REPAIRS TO FIRE ENGINE NO. 7 IN AN AMOUNT NOT TO EXCEED \$31,472.48, THROUGH E-ONE, INC. OF OCALA, FLORIDA; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on June 28, 2017, Asset No. 14491, a fire engine assigned to Fire Station No. 7, was involved in an accident with a protective bollard at Station No. 5 while returning from a training exercise;

Whereas, the engine suffered significant body damage including damage to the plumbing of the fire pump and the water tank;

Whereas, Fire Engine No. 7 was authorized for purchase by Council on June 2, 2016, and the truck had recently been delivered to the City from E-One and put into service;

Whereas, because this is a new truck, Staff believes that the best vendor to make the repairs is E-One, and as such, this purchase is being recognized as a single-source purchase as allowed by the Local Government Code Chapter 252.022 based on the captive replacement parts that are needed to make the repairs;

Whereas, for public safety reasons, the Fire Department is needing to get the fire truck back into service as soon as possible and as such, the Interim City Manager authorized the initiation of the repairs prior to receiving Council approval;

Whereas, the total estimated cost of repairs is \$31,472.48 and of this amount, \$6,472.48 will be covered by the City's' collision insurance policy, and \$25,000 will be the responsibility of the City as an insurance deductible;

Whereas, Staff recommends Council ratify the repairs to City Asset No. 14491, Fire Engine No. 7, in the amount of \$31,472.48 by E-One, Inc, of Ocala, Florida;

Whereas, funds are available for these repairs, but an amendment to the fiscal year 2017 budget needs to be approved to appropriate funds to Account No. 110-2230-522-2516; 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 ratifies the repairs of City Asset No. 14491, Fire Engine No. 7, in the amount of \$31,472.48 through E-One, Inc. of Ocala, Florida.

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

Part 4: 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 5: It is hereby officially found and determined that the meeting at which this Resolution was passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED this the 3rd day of **August**, 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

08/03/17
Item #5(C)
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 properties necessary for the Connor Park Drainage Channel Improvement Project and authorizing closing costs associated with the purchase in an estimated amount of \$225,000

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 Connor 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 six property owners. Appraisals have been performed on all the parcels and offers have been made to all property owners based upon the appraisals. Three rights of way needed for the project have been acquired and relocations are in progress. Staff continues to negotiate with the remaining owner.

The City has reached an agreement with two of the property owners. At this time, Staff is asking for authorization to purchase the needed rights of way necessary for the Connor Park Drainage Channel Improvement Project and authorizing closing costs associated with the purchase in an estimated amount of \$225,000.

The address and Bell County Tax Appraisal District ID Number of the properties are:

7107 Cameron Park Road—Bell CAD ID #453206
124 Old Waco Road—Bell CAD ID #95290 and 95292.

FISCAL IMPACT: Funding is available for the purchase of 7107 Cameron Park Road and 124 Old Waco Road, which are necessary for the construction of the improvements to the Connor Park Drainage Channel, in an estimated amount of \$225,000 in account 292-2900-534-6312, project 101592.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE PURCHASE OF PROPERTIES NECESSARY FOR THE CONNOR PARK DRAINAGE CHANNEL IMPROVEMENT PROJECT AND AUTHORIZING CLOSING COSTS ASSOCIATED WITH THE PURCHASES IN AN ESTIMATED AMOUNT OF \$225,000; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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 six property owners - appraisals have been performed on all of the parcels and offers have been made to all property owners based upon the appraisals;

Whereas, three rights of way needed for the project have been acquired, relocations are in progress and Staff continues to negotiate with the remaining property owner~~s~~;

Whereas, the City has reached an agreement with two property owners and Staff recommends Council authorize the purchase of the needed rights of ways and authorize the payment of closing costs associated with these purchases, in an estimated amount of \$225,000;

Whereas, the addresses of the properties are:

7107 Cameron Park Road
(Bell CAD ID: 453206)

124 Old Waco Road
(Bell CAD ID: 95290 & 95292)

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 properties located at 7107 Cameron Park Road and 124 Old Waco Road which are necessary for the Connor Park Drainage Channel Improvement Project and authorizes the payment of closing costs associated with these purchases, in an estimated amount of \$225,000.

Part 3: The City Council authorizes the Interim 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 3rd day of **August**, 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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DEPT./DIVISION SUBMISSION & REVIEW:

Alan DeLoera, Director of Information Technology
Ashley Williams, Director of General Services

ITEM DESCRIPTION: Consider adopting a resolution authorizing an agreement through September 30, 2018, with Synovia Solutions, LLC of Indianapolis, Indiana, in the amount of \$62,498 for fleet tracking monitoring services.

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

ITEM SUMMARY: On April 19, 2012, Council authorized the purchase of fleet tracking hardware and monitoring services for an initial pilot group of 82 City vehicles. Since 2012, an additional 93 vehicles have been equipped with fleet tracking devices, making a total of 175 vehicles in the program.

Some of the goals of the program are to help raise employee awareness of important issues such as speeding, idle-time, excessive acceleration/deceleration, and general vehicle usage. Additional goals are to assist in the optimization of routes, reduce travel times, provide real-time fleet tracking, balance workload among vehicles, reduce fuel and maintenance costs, and contribute to the overall efficiency and effectiveness of the City fleet.

Staff is recommending the use of a National Joint Powers Alliance (NJPA) cooperative contract #022217-SSL for the procurement of the fleet tracking system. Contracts awarded through NJPA have been competitively procured and meet the statutory procurement requirements for Texas municipalities.

The services under the services agreement actually commenced in April 2017. Staff is recommended an 18-month contract commencing on April 1, 2017, and ending on September 30, 2018. Through this agreement the City will pay a monthly fee of \$3,472.08, which covers the rental of the fleet tracking devices and the online services associated with monitoring and managing the system.

FISCAL IMPACT: Funding for the fleet tracking service is available in the FY 2017 Operating Budget in account 110-1900-519-2610. The FY 2018 Proposed Operating Budget includes funding for the service in the same account.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. 2017-8735-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING AN AGREEMENT WITH SYNOVIA SOLUTIONS, LLC OF INDIANAPOLIS, INDIANA IN THE AMOUNT OF \$62,498, FOR FLEET TRACKING MONITORING SERVICES, THROUGH SEPTEMBER 30, 2018; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on April 19, 2012, Council authorized the purchase of fleet tracking hardware and monitoring services for an initial pilot group of 82 vehicles - since 2012, an additional 93 vehicles have been equipped with these fleet tracking devices, making a new total of 175 vehicles in the program;

Whereas, some of the goals of the program are to help raise employee awareness of important issues such as speeding, idle-time, excessive acceleration/deceleration, and general vehicle usage - additional goals are to assist in the optimization of routes, reduce travel times, provide real-time fleet tracking, balance workload among vehicles, reduce fuel and maintenance costs, and contribute to the overall efficiency and effectiveness of the City fleet;

Whereas, Staff recommends the use of a National Joint Powers Alliance (NJPA) cooperative contract (022217-SSL) for the procurement of the fleet tracking system - contracts awarded through NJPA have been competitively procured and meet the statutory procurement requirements for Texas municipalities;

Whereas, the services under the agreement actually commenced in April 2017 and Staff is currently recommending an 18-month contract from April 1, 2017 to September 30, 2018;

Whereas, through this agreement, the City will pay a monthly fee of \$3,472.08, which covers the rental of the fleet tracking devices and the online services associated with monitoring and managing the system;

Whereas, funds are available for the fleet tracking services in the fiscal year 2017 Operating Budget in Account No. 110-1900-519-2610; 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 an agreement with Synovia Solutions, LLC of Indianapolis, Indiana in the amount of \$62,498, for fleet tracking monitoring services, through September 30, 2018.

Part 3: The City Council authorizes the Interim 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 3rd day of **August**, 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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DEPT./DIVISION SUBMISSION & REVIEW:

Belinda Mattke, Director of Purchasing

ITEM DESCRIPTION: Consider adopting a resolution authorizing a contract with Cen-Tex Wrecker Association, LLC of Temple for wrecker services.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: As recently amended by Council, City Ordinance Chapter 39 specifies that the City will advertise for proposals in order to establish a contract for non-consent motor vehicle wrecker services within the City and to operate and maintain a storage facility for impounded vehicles. Additionally, per the recently amended City Ordinance Chapter 37, Traffic, in order to enforce unpaid fines, a vehicle may be impounded or 'booted,' of which the tasks associated with these services will be contracted with the City's contracted wrecker service provider. In addition to the requirements as specified in the Code of Ordinances, the wrecker services contract will also provide for the towing of City vehicles on an as-needed basis.

On July 13, 2017, the City received two proposals for Wrecker Services: (1) Cen-Tex Wrecker Association, LLC (Cen-Tex) of Temple and (2) Temple Towman's Association, Inc. (Towman's) of Troy. Cen-Tex is comprised of two independent companies: Ward's Towing, Ltd of Temple, and Temple Towing, Inc. of Temple. Towman's is comprised of the following four independent companies: Ward's Towing, Ltd of Temple; Temple Towing, Inc. of Temple; 121 Towing Service of Belton; and Big John's Paint & Body Shop of Temple. As reflected in the attached tabulation of proposed pricing, both associations submitted identical pricing schedules.

The Request for Proposals (RFP) specifies among other things, that the awarded contractor shall have one phone number that is answered 24 hours a day for all service requests and that each service request shall be responded to within 30 minutes. As stated within the RFP, the evaluation criteria related to the best value evaluation is as follows: 25%, respondent's experience and ability to provide all required services per the specifications defined within the RFP; 25%, respondent's overall proposed pricing to provide services; 10%, respondent's approach for managing the contract in a way that demonstrates their ability to successfully perform the specifications and requirement of the contract; 10%, respondent's reputation based on feedback from references and prior experience with the City; 10%, quality, quantity, and location of respondent's available equipment; 10%, quality and location of respondent's storage facility(ies); and 10%, quality and quantity of available qualified employees.

A five member staff evaluation committee consisting of representation from the Police Department, Fire Department, Fleet Services Department, and City Attorney's office reviewed and evaluated the two proposals. Based on the compiled scoring, the committee is unanimously recommending a contract with Cen-Tex Wrecker Association, LLC. Ultimately, the committee concluded that the best value for the City will be obtained through the two companies that have formed Cen-Tex based on their historical high quality service, available equipment, and experienced personnel.

The recommended contract will commence on September 1, 2017, and will continue for a two year period ending on August 31, 2017. As stated in the RFP, the contract may be renewed for three additional one-year periods, if agreed to by the City and Cen-Tex.

FISCAL IMPACT: Per the attached proposed fee schedule, the City will only be charged for wrecker services related to the following: (1) the towing of City-owned vehicles that weighs more than 10,000 pounds at a rate of \$125 per tow, and (2) the towing of City-owned vehicle to a repair shop (10,001-39,999 GVW at \$4.50 per mile; 40,000 GVW and over at \$5.50 per mile). These fees when incurred will be absorbed by the respective department's operating budget.

ATTACHMENTS:

[Proposed Fee Schedule](#)
[Resolution](#)

PROPOSED FEE SCHEDULE
Cen-Tex Wrecker Association, LLC
Temple Towman's Association

DESCRIPTION	UOM	UNIT PRICE
1. Price for all privately owned passenger automobiles, ambulances, limousines, and all other vehicles having a rated capacity of 10,000 GVW or less , including motorcycles, towed to any storage facility within the city limits of Temple or to Vendor's storage facility, by request of the owner or the Temple Police Department (unit price shall include all mileage, hook-up and disconnect fees)	EA	\$130.00
2. Price for all privately owned vehicles having a rated capacity from 10,001-39,999 GVW towed to any storage facility within the city limits of Temple or to Vendor's storage facility, by request of the owner or City Police Dept (unit price shall include all mileage, hook-up and disconnect fees)	EA	See Attached Schedule
3. Price for all privately owned vehicles having a rated capacity of 40,000 GVW or greater towed to any storage facility within the city limits of Temple or to Vendor's storage facility, by request of the owner or City Police Dept (unit price shall include all mileage, hook-up and disconnect fees)	EA	See Attached Schedule
4. Price for all City owned vehicles having a rated capacity of 10,000 GVW or less , towed to the City of Temple Fleet Services Dept, located at 3210 East Ave H, Building B, Temple, TX (unit price shall include all mileage, hook-up and disconnect fees)	EA	No Charge
5. Price for all City owned vehicles having a rated capacity from 10,001-39,999 GVW , towed to the City of Temple Fleet Services Dept, located at 3210 East Ave H, Building B, Temple, TX (unit price shall include all mileage, hook-up and disconnect fees)	EA	\$125.00
6. Price for all City owned vehicles having a rated capacity of 40,000 GVW or greater , towed to the City of Temple Fleet Services Dept, located at 3210 East Ave H, Building B, Temple, TX (unit price shall include all mileage, hook-up and disconnect fees)	EA	\$125.00
7. Price for all City owned vehicles having a rated capacity from 10,001-39,999 GVW , towed from the City of Temple Fleet Services Dept to a repair shop, possibly outside the City of Temple	Per Mile	\$4.50
8. Price for all City owned vehicles having a rated capacity of 40,000 GVW or greater , towed from the City of Temple Fleet Services Dept to a repair shop, possibly outside the City of Temple	Per Mile	\$5.50
9. At the Police Department's request, price for privately owned vehicles having a rated capacity of 10,000 GVW or less , towed to the Temple Police Dept located at 209 E. Avenue A, Temple, TX, for evidence processing with subsequent towing of the same vehicle to Vendor's storage facility or some other location within the City of Temple as designated by the City Police Dept (unit price shall include all mileage, hook-up and disconnect fees)	EA	No Charge to City

DESCRIPTION	UOM	UNIT PRICE
10. Price for winching or off-road recovery	HR	\$100.00
11. Price for waiting time (Time accrues after responding tow truck has been at the scene for 15 minutes.)	¼ HR	\$25.00
12. Price for working time – defined as any work completed other than hook-up of vehicle (e.g., clean-up of debris and spills or preparation of vehicle to be towed). [time accrues after responding tow truck has been at the scene for 15 minutes.]	¼ HR	\$25.00
13. Price for the use of dollies or flat bed	EA	\$50.00
14. Price for up-righting an overturned vehicle	EA	\$75.00
15. Price for installing or uninstalling wheel lock boot (per call out)	EA	\$65.00
16. Price for high water recovery (knee-deep or higher)	EA	\$100.00
17. Price for privately-owned vehicles, having a rated capacity of 10,000 GVW or less , stored at Vendor's secured storage facility, by request of the Police Dept	Per Reg Unit- Per day	\$20.00
18. Price for privately-owned vehicles, having a rated capacity of over 10,000 GVW , stored at Vendor's secured storage facility, by request of the Police Dept	Per Reg Unit- Per day	\$35.00
19. Price for notification letters required to be sent pursuant to Texas law	EA	\$50.00

Additional Fees:

Fuel Surcharge (Towing Invoice Items Only)

10% of Towing Bill

See attached additional Heavy Duty Fee Schedule

NON-CONSENT TOWING FEES
HEAVY DUTY (OVER 10,000 GVWR)
(4 HOUR MINIMUM FOR INCIDENT MANAGEMENT EVENTS)

ROTATOR PER HOUR	\$950.00
HEAVY DUTY WRECKER PER HOUR	\$480.00
MEDIUM DUTY WRECKER PER HOUR	\$375.00
FLATBED TOW TRUCK PER HOUR	\$300.00
FORKLIFT PER HOUR	\$225.00
SKID STEER PER HOUR	\$300.00
GRAPPLE BUCKET	\$300.00
POWER BROOM SWEEPER	\$300.00
ON DEMAND LABOR PER HOUR	\$105.00
REFRIGERATED TRAILER PER HOUR	\$375.00
SAFETY EQUIPMENT HEADSETS PER HOUR	\$150.00 PER HEADSET
INCIDENT RESPONSE UNIT PER HOUR	\$350.00
TRUCK TRACTOR PER HOUR	\$375.00
SLIDING AXLE TRAILER PER HOUR	\$375.00
TRUCK DOLLY OR CONVERTER DOLLY	\$600.00
INCIDENT MANAGER PER HOUR	\$300.00
LIGHT TOWER PER HOUR	\$200.00
SHRINK WRAP	\$200.00 FLAT FEE
BANDING MATERIAL	\$200.00 FLAT FEE
PALLET JACK PER HOUR	\$100.00
ADDITIONAL PALLETS	\$40.00 EACH
SPREADER BARS	\$400.00
SUBLET CHARGES	COST PLUS 38% OF TOTAL BILL
RENTAL EQUIPMENT OR SPECIAL TOOLS	COST PLUS 38% OF TOTAL BILL
FUEL CHARGE	10% OF TOTAL BILL
AIR CUSHION RECOVERY PER HOUR	\$1250.00

RESOLUTION NO. 2017-8736-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A WRECKER SERVICES CONTRACT WITH CEN-TEX WRECKER ASSOCIATION, LLC OF TEMPLE, TEXAS; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, as recently amended by Council, City Ordinance, Chapter 39 specifies that the City will advertise for proposals in order to establish a contract for non-consent motor vehicle wrecker services within the City and to operate and maintain a storage facility for impounded vehicles;

Whereas, additionally, per the recently amended City Ordinance, Chapter 37, Traffic, in order to enforce unpaid fines, a vehicle may be impounded or 'booted,' and the tasks associated with these services will be contracted with the City's contracted wrecker service provider;

Whereas, in addition to the requirements as specified in the Code of Ordinances, the wrecker services contract will also provide for the towing of City vehicles on an as-needed basis;

Whereas, on July 13, 2017, Staff received two proposals for wrecker services and based on the scoring of the evaluation committee, Staff recommends Council authorize a contract with Cen-Tex Wrecker Association, LLC;

Whereas, Staff believes that based on their historically high quality service, available equipment and experienced personnel, Cen-Tex Wrecker Association is the best value for the City;

Whereas, the contract with Cen-Tex Wrecker Association, LLC will commence on September 1, 2017 and continue for a 2-year period ending August 31, 2019 with an option to be renewed for three additional one-year periods, if agreed to by both parties;

Whereas, per the proposed fee schedule, the City will only be charged for wrecker services related to the following: (1) the towing of City-owned vehicles that weigh more than 10,000 pounds at a rate of \$125 per tow, and (2) the towing of City-owned vehicles to a repair shop (10,001-39,999 GVW at \$4.50 per mile; 40,000 GVW and over at \$5.50 per mile) - these fees, when incurred, will be absorbed by the respective department's operating budget; and

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

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

Part 1: 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 Interim City Manager, or her designee, after approval as to form by the City Attorney, to execute a wrecker services contract with Cen-Tex Wrecker Association, LLC of Temple, Texas beginning September 1, 2017 and continuing for a 2-year period ending August 31, 2019.

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 3rd day of **August**, 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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DEPT./DIVISION SUBMISSION & REVIEW:

Nicole Torralva, P.E., Public Works Director

ITEM DESCRIPTION: Consider adopting a resolution authorizing a deductive change order to the construction contract with James Construction Group, LLC, in the deductive amount of \$89,762.35 for construction activities on NW Loop 363.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The City and TxDOT negotiated an agreement under the Pass-Through Program for the NW Loop 363 expansion project from FM 2305/West Adams north up to the BNSF main line. On September 16, 2010, Council authorized a pass through financing agreement with TxDOT for these improvements. On September 30, 2010, TxDOT authorized approval of the agreement. General terms and conditions of the agreement were presented to council on September 16, 2010.

On May 24, 2012, Council authorized a construction contract with James Construction in the amount of \$39,883,619.28 for expansion of the NW Loop 363. The current contract value, including all previously approved changed orders, is \$40,722,347.78. The change order requiring council authorization is final change order #43 in the amount of (\$89,762.35), reconciling final quantities and reflecting completed work, bringing the final contract value to \$40,632,585.43.

FISCAL IMPACT: Funding for the deductive change order with James Construction Group in the amount of (\$89,762.35) will be recognized in account 261-3400-531-2588, project 100681, as follows:

Project Budget	\$	46,092,049
Encumbered/Committed to Date		(46,092,049)
Final Change Order - James Construction Group		89,762
Remaining Funds Available	\$	<u>89,762</u>

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. 2017-8737-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A DEDUCTIVE CHANGE ORDER IN THE AMOUNT OF \$89,762.35, TO THE CONSTRUCTION CONTRACT WITH JAMES CONSTRUCTION GROUP, LLC OF BELTON, TEXAS FOR CONSTRUCTION ACTIVITIES ON NORTHWEST LOOP 363; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the City and the Texas Department of Transportation (TxDOT) negotiated an agreement under the Pass-Through Program for the Northwest Loop 363 expansion project from FM 2305/West Adams north up to the BNSF main line;

Whereas, on September 16, 2010, Council authorized a pass-through financing agreement with TxDOT for these improvements - on September 30, 2010, TxDOT authorized approval of the agreement;

Whereas, on May 24, 2012, Council authorized a construction contract with James Construction Group, LLC of Belton, Texas in the amount of \$39,883,619.28 for expansion of Northwest Loop 363 - this deductive change order in the amount of \$89,762.35, reconciles all final quantities and reflects all completed work;

Whereas, Staff recommends Council authorize a deductive change order in the amount of \$89,762.35 with James Construction Group, LLC for construction activities on Northwest Loop 363;

Whereas, funding for this deductive change order will be recognized in Account No. 261-3400-531-2588, Project No. 100681; 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 Interim City Manager, or her designee, after approval as to form by the City Attorney, to execute a deductive change order in the amount of \$89,762.35, to the construction contract with James Construction Group, LLC of Belton, Texas for construction activities on Northwest Loop 363.

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 3rd day of **August**, 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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DEPT./DIVISION SUBMISSION & REVIEW:

Brynn Myers, Acting City Manager
Ashley Williams, Director of General Services

ITEM DESCRIPTION: Consider adopting a resolution ratifying the support of The Salvation Army, Central Counties Services and Families in Crisis in its application for grant funding through the US Housing and Urban Development Emergency Shelter Grant program.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: Through its Emergency Shelter Grant program, the US Housing and Urban Development provides funding for essential services related to emergency shelters, rehabilitation and conversion of buildings to be used as emergency shelters, operation of emergency shelters and homelessness prevention services.

The Salvation Army, Central Counties Services and Families in Crisis have requested \$450,000 in grant funding to provide street outreach, homelessness prevention services, rapid rehousing and shelter access. The application was submitted to HUD July 21, 2017.

FISCAL IMPACT: None.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. 2017-8738-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, RATIFYING THE SUPPORT OF THE SALVATION ARMY, CENTRAL COUNTIES SERVICES AND FAMILIES IN CRISIS IN THEIR APPLICATION FOR GRANT FUNDING THROUGH THE US HOUSING AND URBAN DEVELOPMENT EMERGENCY SHELTER GRANT PROGRAM; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, through its Emergency Shelter Grant program, the US Housing and Urban Development provides funding for essential services related to emergency shelters, rehabilitation and conversion of buildings to be used as emergency shelters, operation of emergency shelters and homelessness prevention services;

Whereas, the Salvation Army, Central Counties Services and Families in Crisis have requested \$450,000 in grant funding to provide street outreach, homelessness prevention services, rapid rehousing and shelter access - their application was submitted on July 21, 2017; and

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

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

Part 1: 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 ratifies its support of The Salvation Army, Central Counties Services and Families in Crisis in its application for grant funding through the US Housing and Urban Development Emergency Shelter Grant program.

Part 3: The City Council authorizes the Mayor, Interim City Manager, or their designees, after approval as to form by the City Attorney, to execute any documents that may be necessary to show the City's support.

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 **3rd** day of **August**, 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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DEPT./DIVISION SUBMISSION & REVIEW:

Tammy Lyerly, Senior Planner

ITEM DESCRIPTION: SECOND READING – Z-FY-17-29: Consider adopting an ordinance rezoning from Two Family zoning district to Planned Development-Two Family zoning district and its Site Development Plan, on 5.078 +/- acres, situated in the Maximo Moreno Survey, Abstract 14, Bell County, Texas, located at 1109 and 1203 East Downs Avenue.

PLANNING AND ZONING COMMISSION RECOMMENDATION: At its June 19, 2017, meeting the Planning and Zoning Commission voted seven to zero to recommend approval of the requested rezoning from Agricultural (AG) zoning to Planned Development-Urban Estates (PD-UE) zoning district and its Planned Development Site Plan, per Staff's recommendation.

STAFF RECOMMENDATION: Staff recommends approval of the applicant's requested for rezoning from Two Family (2F) zoning district to Planned Development-Two Family (PD-2F) zoning district and its Site Development Plan for the following reasons and with the following conditions:

1. Compliance with the Future Land Use Plan;
2. Compliance with surrounding zoning and land uses; and
3. Compliance with the Thoroughfare Plan

With the following conditions:

1. Development will be subject to the Planned Development Site Plan;
2. Development will also be subject to all Unified Development Code (UDC) platting requirements during the platting process;
3. Lot widths to be a minimum of 50 feet;
4. Lot Depths to be a minimum of 73 feet for Lot 1, Block 1; a minimum of 86 feet for Lot 2, Block 1; and a minimum of 99.1 feet for Lot 3, Block 1;
5. Lot size to be a minimum of 4,700 square feet;
6. Front yard building line setback to be 20 feet; and
7. Construction of cul-de-sacs on East Barton Avenue and East Calhoun Avenue, as shown with their lengths on the Site Development Plan

ITEM SUMMARY: The applicant, Pat Dauphinais, requests this rezoning from Two Family District (2F) to Planned Development Two Family District (PD-2F) to allow development of thirteen one-bedroom duplexes on proposed lots that are a minimum 50 feet in width. Although **Unified Development Code (UDC) Section 4.5: Residential Dimensional Standards** allows a minimum lot width of 50 feet for single family homes in the 2F zoning district, it requires a minimum lot width of 60 feet for duplexes in the 2F zoning district. **Although the minimum lot depth requirement for a duplex in the 2F district is 100 feet, the site development plan reflects a lot depth of 73.4 feet in Lot 1, Block 1; a lot depth of 86.6 feet in Lot 2, Block 1; and a lot depth of 99.1 feet in Lot 3, Block 1.**

Existing duplexes are located at the north boundary of the subject property, along East Downs Avenue. Existing single family homes are located along the east boundary of the subject property, on East Calhoun and East Barton Avenues.

Planned Development: UDC Section 3.4.1 defines a Planned Development as:

“A flexible overlay zoning district designed to respond to unique development proposals, special design considerations and land use transitions by allowing evaluation of land use relationships to surrounding areas through development plan approval.”

As a Planned Development, a Site Development Plan is subject to review and approval as part of the rezoning. As opposed to a standard rezoning, conditions of approval can be included into the rezoning Ordinance.

The Development Review Committee (DRC) reviewed the applicant’s Site Development Plan (attached) on May 25, 2017. The applicant proposes duplexes on lots that are approximately 50 feet in width, as well as the creation of an interior street configuration connecting East Calhoun Avenue to East Barton Avenue.

Per UDC Section 3.4.2C, the City Council may include additional conditions of approval into the rezoning ordinance.

In approving a Planned Development, the City Council may require additional standards deemed necessary to create a reasonable transition to, and protection of, adjacent property and public areas, including but not limited to, access and circulations, signs, parking, building design, location and height, light and air, orientation, building coverage, outdoor lighting, landscaping, homeowners or property owners associations, open space, topography and screening.

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 **Auto-Urban Residential character district** of the *Choices '08* City of Temple Comprehensive Plan. The Auto-Urban Residential land use classification is characterized smaller single family lots similar to the range of lot sizes available the City's current SF and SFA zoning districts. To the extent that other housing types on smaller lots are allowed under the corresponding zoning district (e.g., garden/patio homes, two-family dwellings, townhouses), density limitations and open space requirements would serve to maintain the auto-urban character and avoid crossing over into an urban residential character. **Bufferyard requirements and design standards would also be needed to provide adequate separation and buffering from other less intensive uses within the district and ensure their compatibility. A minimum site area requirement would be needed for planned development.**

The applicant's requested Planned Development Two Family District (PD-2F) complies with the Auto-Urban Residential character district.

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

The subject property fronts East Barton Avenue and East Calhoun Avenue. They are both classified as local streets, which is appropriate for duplex developments. The applicant's Site Development Plan proposes extending East Calhoun Avenue and East Barton Avenue with cul-de-sacs. Both proposed local street extensions, shown on the attached Site Development Plan, are appropriate for residential dwellings. The proposed Site Development Plan is in agreement with the Temple Trails Master Plan.

Availability of Public Facilities (CP Goal 4.1)

Existing six inch water lines at the property's east boundary at East Barton Avenue and East Calhoun Avenue. An existing six inch water line exists along the south right-of-way of East Downs Avenue. An existing waterline exists along a portion of the west right-of-way line of North 20th Street. The applicant proposes new six inch water lines within both proposed extensions of East Barton Avenue and East Calhoun Avenue.

Existing sewer facilities surround the subject property along its north property line, mid property line, and bisects its southern region at East Barton Avenue. The applicant proposes a new eight inch sanitary sewer main and manholes within the right-of-way of his proposed extension of East Calhoun Avenue and to the south, crossing the existing concrete drainage flume along the property's south boundary.

An existing drainage easement with drainage facilities runs along the south property line and connects to the concrete flume that crosses North 20th Street.

PUBLIC NOTICE: Fifty-four notices of the Planning and Zoning Commission public hearing were sent out to all property owners (including the extra-territorial jurisdiction) within 200-feet of the subject property as required by State law and City Ordinance. As of Tuesday, July 11, 2017, one notice was received in favor of the proposed rezoning and none were received in opposition to the proposed rezoning.

The newspaper printed notice of the public hearing on May 25, 2017, in accordance with state law and local ordinance.




FISCAL IMPACT: Not Applicable




ATTACHMENTS:




Site and Surrounding Property Photos
Maps
Development Regulations
Surrounding Property and Uses Chart
Comprehensive Plan Compliance
Notification Response Letter
Planned Development Site Plan Exhibits17
Ordinance




SURROUNDING PROPERTY AND USES:



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

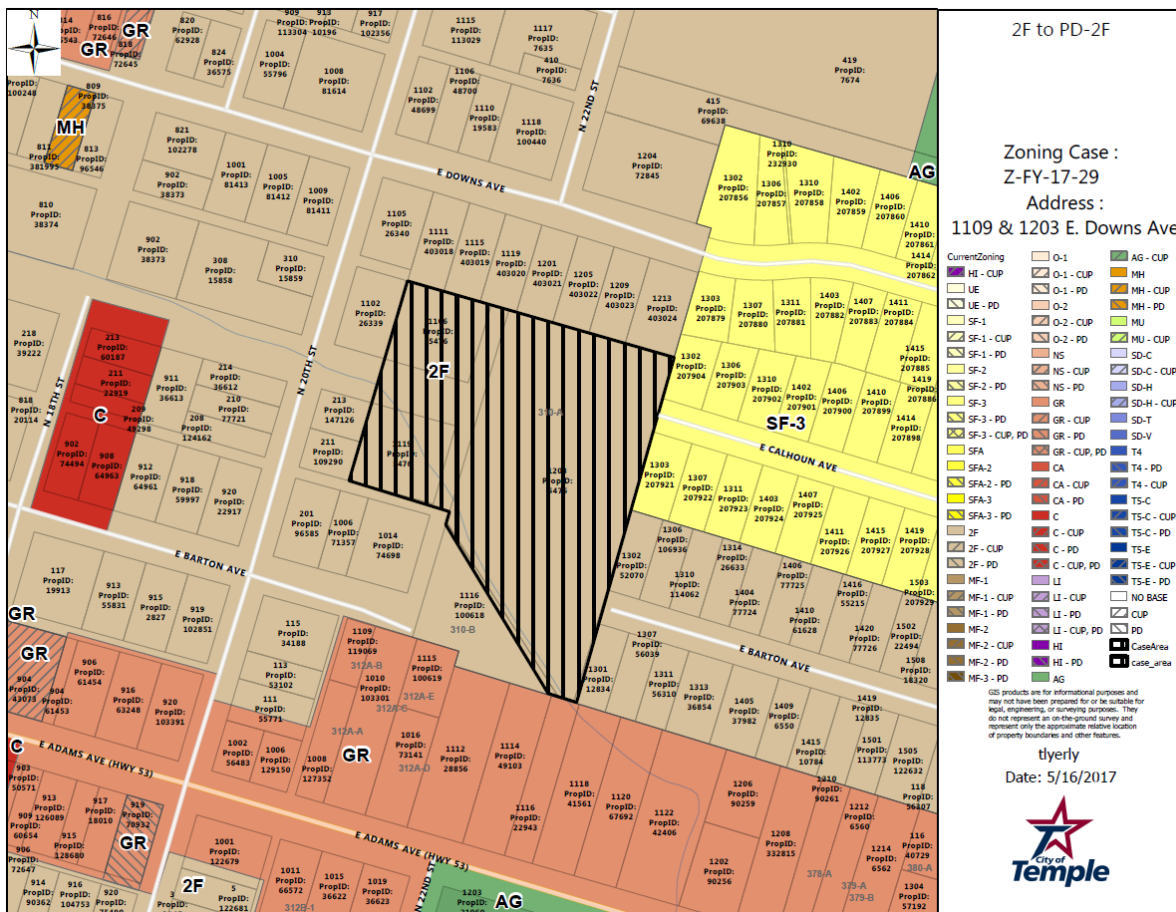
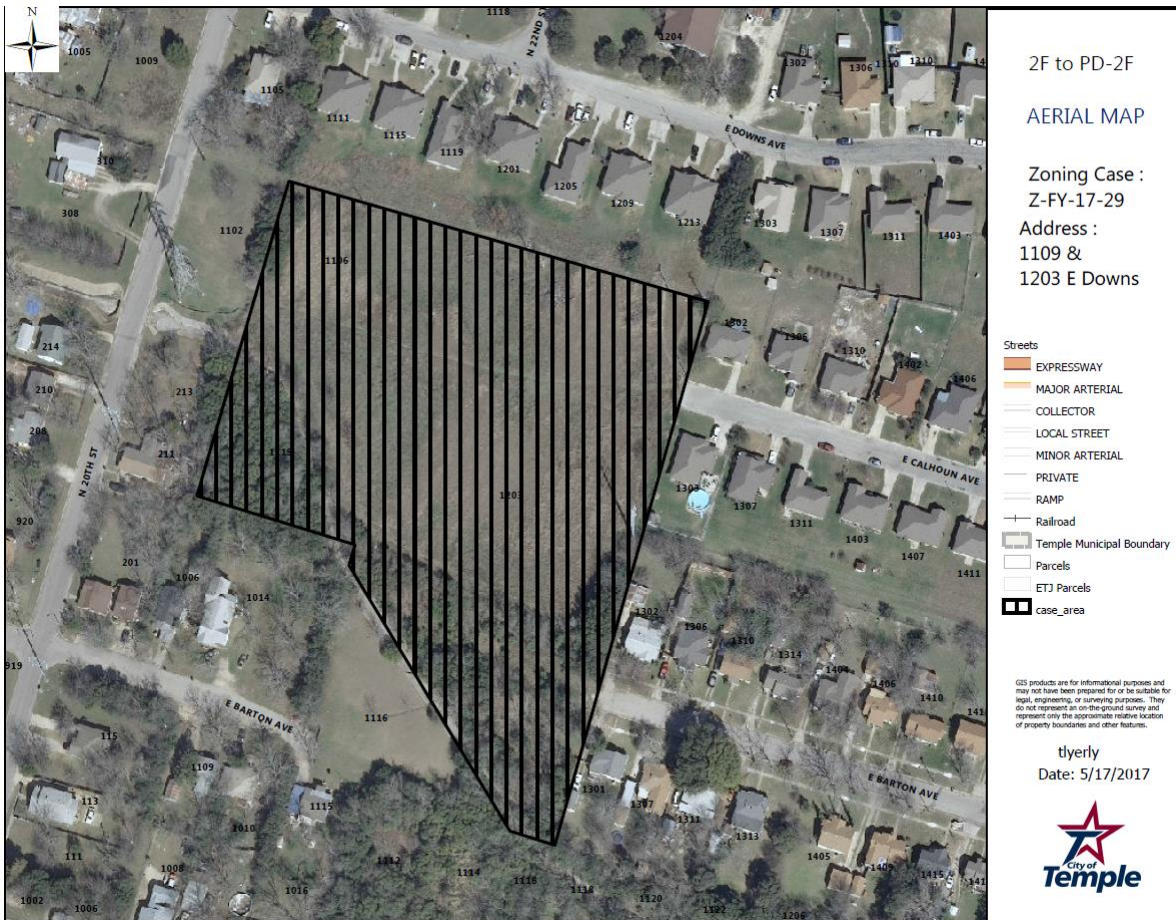
Direction	Zoning	Current Land Use	Photo
Subject Property	2F	Undeveloped Property	 <p>E. Calhoun Ave.</p>
			 <p>E. Barton Ave.</p>
East	2F & SF-3	Single-Family Residential	 <p>E. Calhoun Ave.</p>

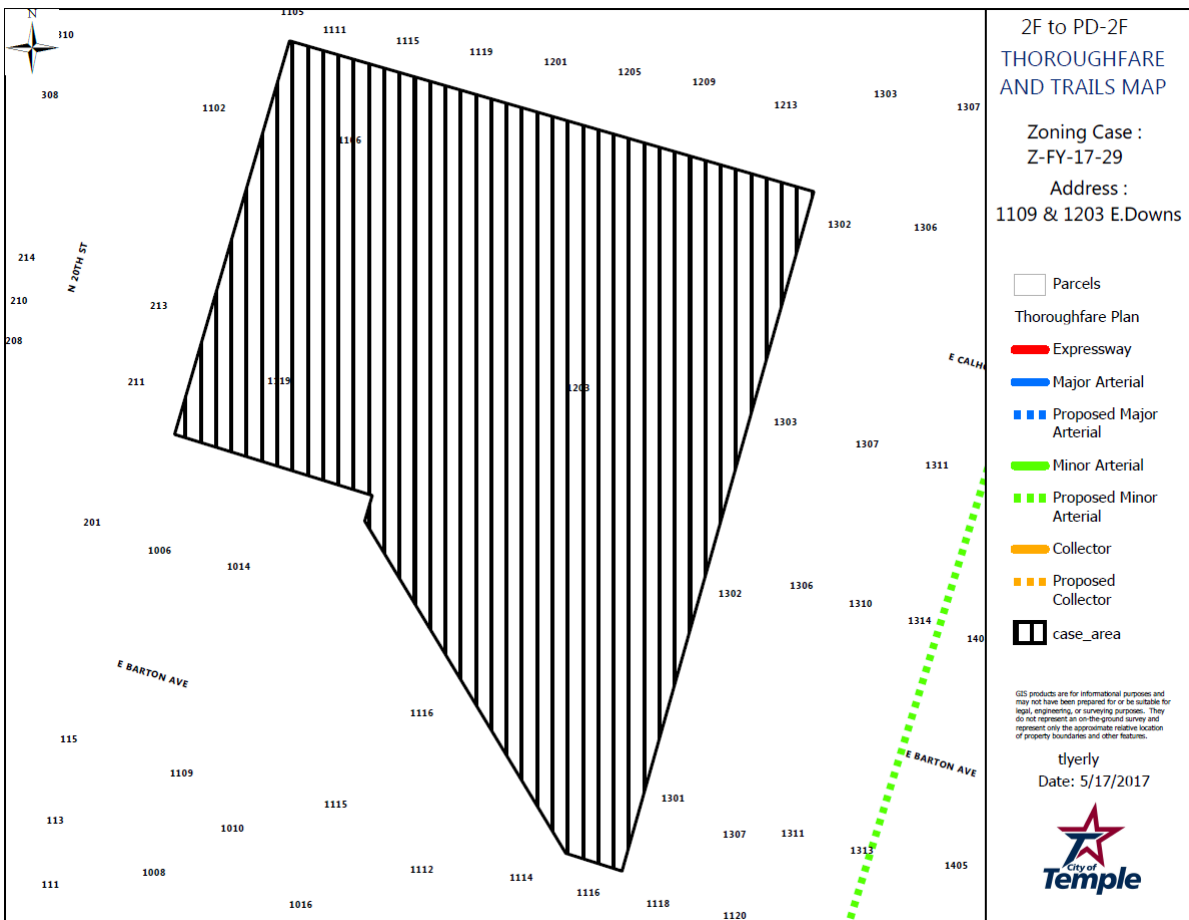
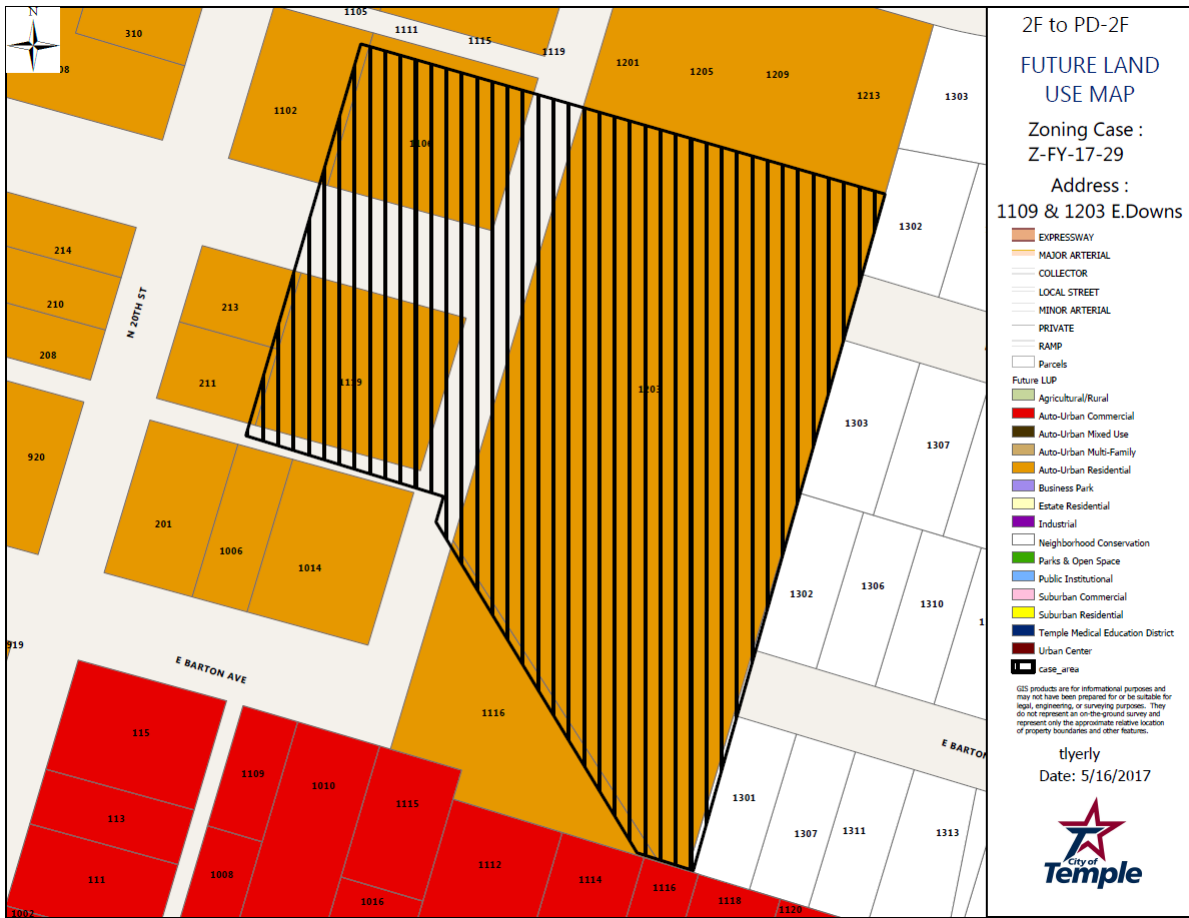
Direction	Zoning	Current Land Use	Photo
			
			 <p>E. Calhoun Ave.</p>
			 <p>E. Barton Ave.</p>

Direction	Zoning	Current Land Use	Photo
			 <p>E. Barton Ave.</p>
West	2F	Single Family Residential	 <p>N. 20th St.</p>
			

Direction	Zoning	Current Land Use	Photo
			 <p>N. 20th St.</p>
South	2F & GR	Single-Family Residential	
			 <p>E. Barton Ave. (View from N. 20th St.)</p>

Direction	Zoning	Current Land Use	Photo
North	2F	Two-Family Residential	
			







2F to PD-2F

UTILITY MAP

Zoning Case :

Z-FY-17-29

Address :

1109 &

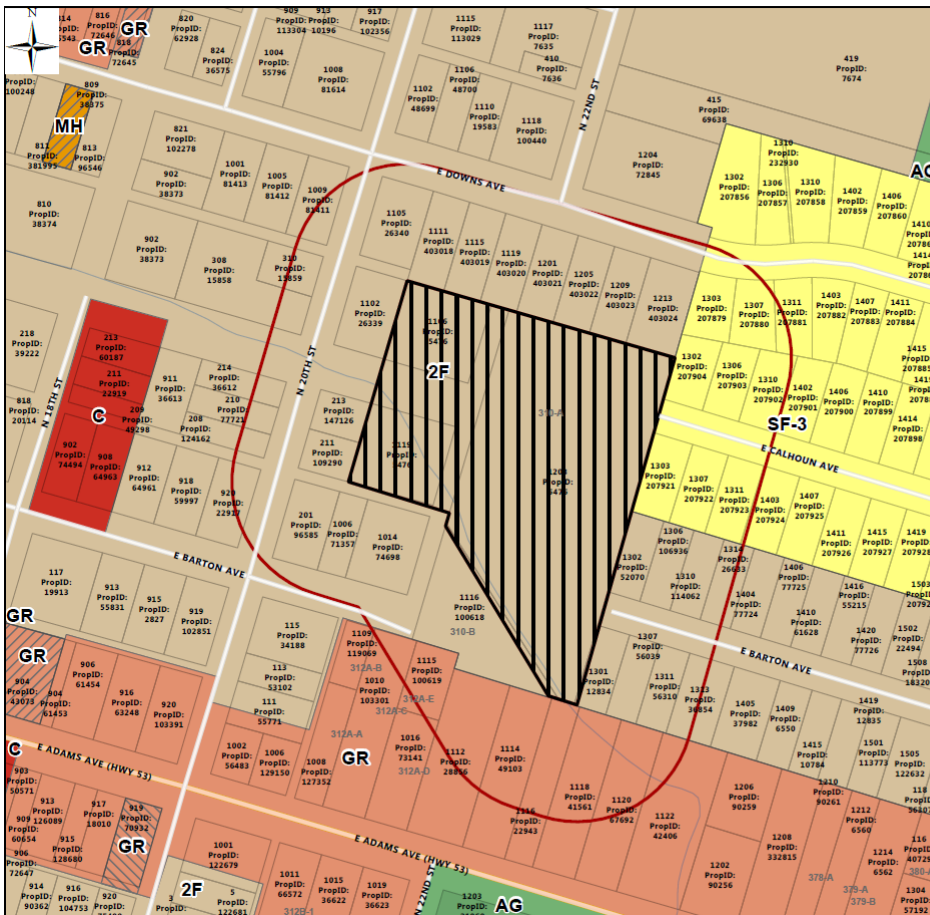
1203 East Downs

- Manhole
- Gravity Main
- Hydrant
- Main
- Parcels
- case_area

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: 5/17/2017



2F to PD-2F

200' NOTIFICATION MAP

Zoning Case :

Z-FY-17-29

Address :

1109 & 1203 E. Downs Ave

- | | | |
|-----------------|---------------|-------------|
| Current Zoning | O-2 | SD-C |
| HI - CLIP | O-2 - CLIP | SD-C - CLIP |
| UE | O-2 - PD | SD-H |
| UE - PD | NS | SD-H - CLIP |
| SF-1 | NS - CLIP | SD-T |
| SF-1 - CLIP | NS - PD | SD-V |
| SF-1 - PD | GR | T4 |
| SF-2 | GR - CLIP | T4 - PD |
| SF-2 - PD | GR - PD | T4 - CLIP |
| SF-3 | GR - CLIP, PD | T5-C |
| SF-3 - CLIP | CA | T5-C - CLIP |
| SF-3 - CLIP, PD | CA - CLIP | T5-C - PD |
| SFA | CA - PD | T5-E |
| SFA-2 | C | T5-E - CLIP |
| SFA-2 - PD | C - CLIP | T5-E - PD |
| SFA-3 | C - PD | NO BASE |
| SFA-3 - PD | C - CLIP, PD | CLIP |
| 2F | LI | PD |
| 2F - CLIP | LI - CLIP | 1000buffer |
| 2F - PD | LI - CLIP, PD | CaseArea |
| MF-1 | HE | buffer |
| MF-1 - CLIP | HE - PD | case_area |
| MF-2 | AG | |
| MF-2 - CLIP | AG - CLIP | |
| MF-3 - PD | MH | |
| O-1 | MH - CLIP | |
| O-1 - PD | MH - PD | |
| | MU - CLIP | |

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: 5/16/2017



DEVELOPMENT REGULATIONS: Standards for Two-Family Dwellings in the 2F district are:

	2F
Minimum Lot Size	4,000 Square Feet
Minimum Lot Width	60 Feet
Minimum Lot Depth	100 Feet
Front Setback	25 Feet
Side Setback	5 Feet
Side Setback (corner)	15 Feet
Rear Setback	10 Feet
Max Building Height	2 ½ Stories

Although the property is anticipated for development of duplexes, there are a number of other uses allowed in the 2F district which, include but are not limited to:

Permitted & Conditional Use Table – Two Family (2F)	
Agricultural Uses	* Farm, Ranch or Orchard
Residential Uses	* Single Family Residence (Detached Only) * Industrialized Housing * Family or Group Home
Retail & Service Uses	* None
Commercial Uses	* None
Industrial Uses	* Temporary Asphalt & Concrete Batching Plat (CUP)
Recreational Uses	* Park or Playground
Educational & Institutional Uses	* School * Place of Worship * Child Care: Group Day Care (CUP) * Social Service Shelter (CUP)
Restaurant Uses	* None
Overnight Accommodations	* None
Transportation Uses	* Railroad Track Right-of-Way

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

Surrounding Property & Uses			
<u>Direction</u>	<u>Future Land Use Map</u>	<u>Zoning</u>	<u>Current Land Use</u>
Site	Auto-Urban Residential	2F	Undeveloped Land
North	Auto-Urban Residential	2F	Two-Family Residential
South	Auto-Urban Residential & Auto-Urban Commercial	2F & GR	Single-Family Residential
East	Neighborhood Conservation	2F & SF-3	Single-Family Residential
West	Auto-Urban Residential	2F	Single-Family Residential

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

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



RESPONSE TO PROPOSED
REZONING REQUEST
CITY OF TEMPLE
2nd RESPONSE

LARY, JOYCE ANNELL SPEER
601 N 6TH ST
TEMPLE, TX 76501-3307

Zoning Application Number: Z-FY-17-29

Case Manager: Tammy Lyerly

Location: 1109 and 1203 E. Downs Avenue, Temple, TX

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

I ☒ agree

() disagree with this request

Comments:

*As long as it does not
take my property*

RECEIVED
JUN 20 2017
City of Temple
Planning & Development

Joyce Annell Speer Lary
Signature

Joyce Annell Speer Lary
Print Name

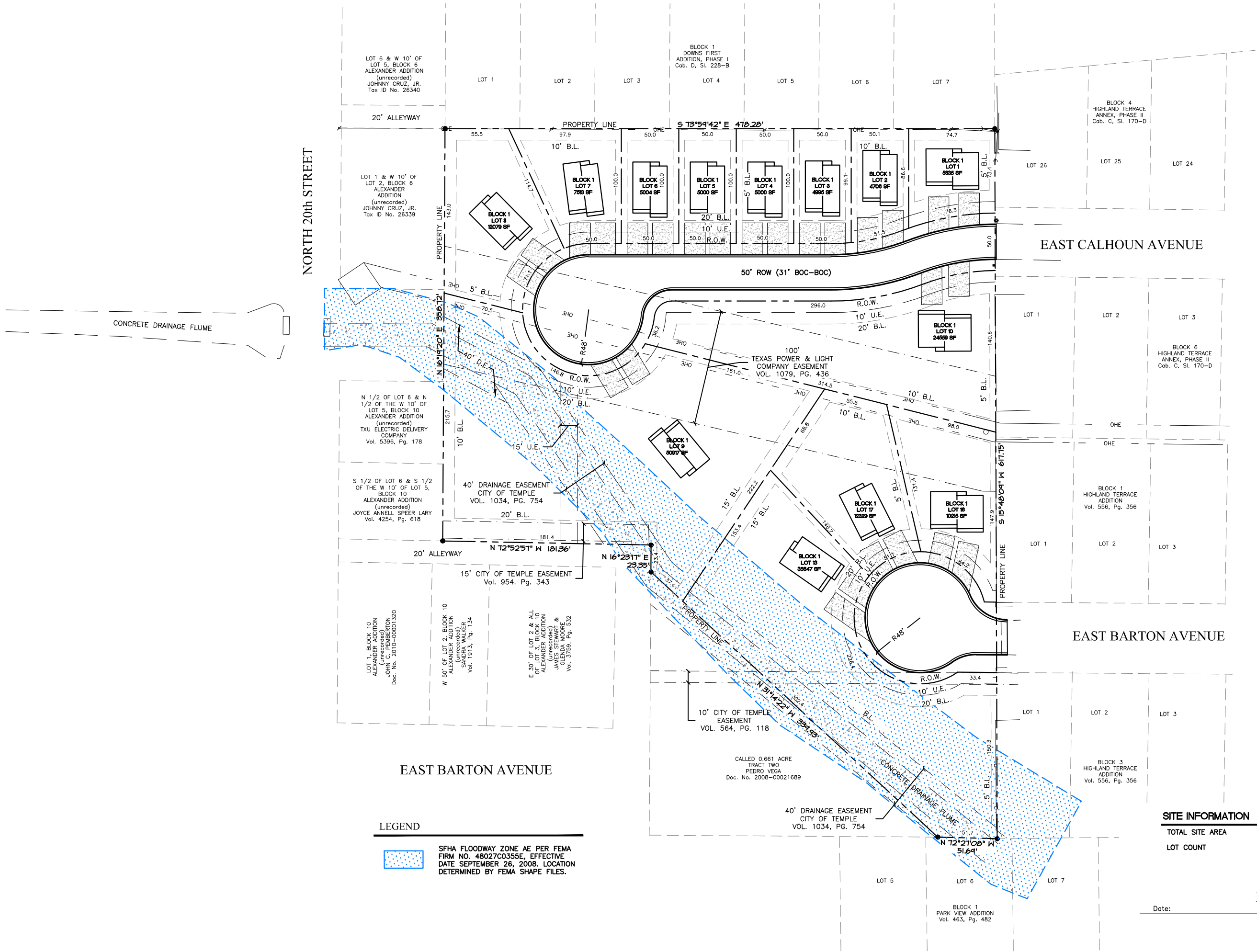
If you would like to submit a response, please email a scanned version of this completed form to the Case Manager referenced above, tlyerly@templetx.gov or mail or hand-deliver this comment form to the address below, no later than **June 19, 2017**.

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

Number of Notices Mailed: 54

Date Mailed: June 14, 2017

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



LEGEND

SFHA FLOODWAY ZONE AE PER FEMA FIRM NO. 48027C0355E, EFFECTIVE DATE SEPTEMBER 26, 2008. LOCATION DETERMINED BY FEMA SHAPE FILES.

SITE INFORMATION

TOTAL SITE AREA	=	5.078 ACRES
LOT COUNT	=	13

Date: _____ Revisions _____
Remarks: _____

SITE PLAN

DRAWING STATUS

THESE DRAWINGS WERE PREPARED UNDER THE AUTHORITY OF JUSTIN B. FULLER, P.E. 100183, 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 ANY OTHER PURPOSES OR FOR CONSTRUCTION PURPOSES OR FOR ISSUED FOR CONSTRUCTION. IT CAN BE CONSIDERED COMPLETE.

☐ FOR CONSTRUCTION
☐ FINAL DRAWINGS

DOWN'S ADDITION PHASE II TEMPLE, TEXAS

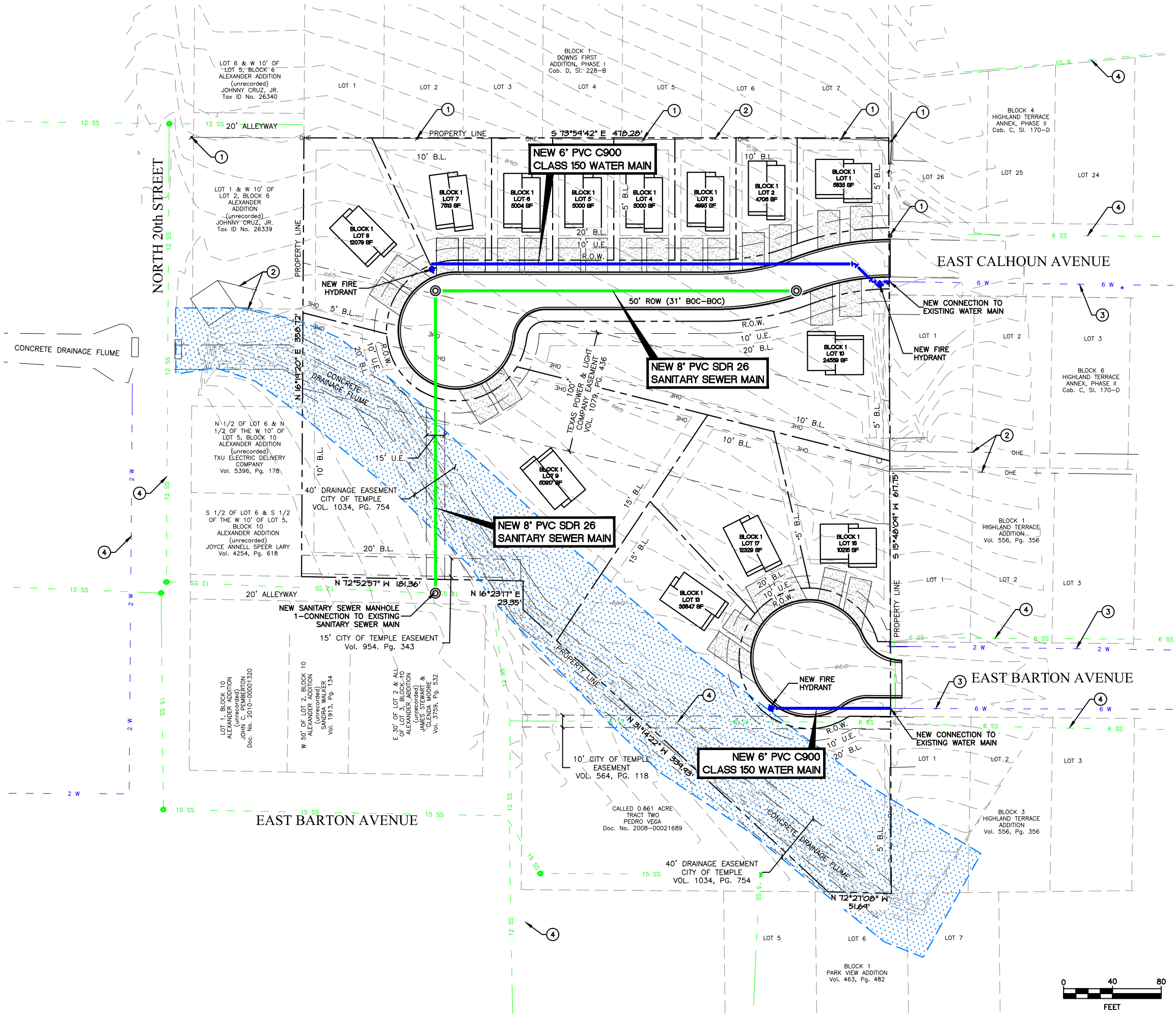


CLARK & FULLER
CIVIL ENGINEERING • DESIGN • PLANNING

215 North Main Street, Temple, TX 76701
754.899.0899 www.clarkfuller.com F-10384

Project No:	161742.00	Designed By:	JBF
Plot Date:	6-14-17	Drawn By:	ECB

C3.1



- LEGEND:**
- NEW MANHOLE
 - NEW STANDARD FIRE HYDRANT
 - PROPOSED 6" PVC C900 CLASS 150 WATER MAIN
 - PROPOSED 8" PVC SDR 26 SANITARY SEWER MAIN
 - SFHA FLOODWAY ZONE AE PER FEMA FIRM NO. 48027C0355E, EFFECTIVE DATE SEPTEMBER 26, 2008. LOCATION DETERMINED BY FEMA SHAPE FILES.

- KEYED NOTES**
- CAUTION!!! EXISTING POWER POLE/LIGHT POLE
 - CAUTION!!! OVERHEAD ELECTRIC
 - EXISTING WATER MAIN
 - EXISTING SANITARY SEWER
 - EXISTING STORM SEWER
 - EXISTING TELEPHONE BOX
 - CAUTION!!! EXISTING OVERHEAD ELECTRIC

- STANDARD WATER LAYOUT NOTES**
- CONTRACTOR SHALL COMPLY WITH ALL CURRENT OSHA REQUIREMENTS REGARDING TRENCH SAFETY AND SHORING.
 - CONTRACTOR SHALL COMPLY WITH ALL TCEQ RULES FOR UTILITY LINE LOCATIONS IN ACCORDANCE WITH 30 TAC 290.
 - ALL WATER MAINS SHALL BE C900 PVC PIPE UNLESS OTHERWISE NOTED.
 - ALL MATERIALS USED IN WATER SYSTEM CONSTRUCTION SHALL BE APPROVED BY THE CITY OF TEMPLE.
 - ALL WATER MAINS SHALL HAVE A MINIMUM OF 42 INCHES OF COVER MATERIAL BELOW FINISH GRADE.

- STANDARD SANITARY SEWER LAYOUT NOTES**
- CONTRACTOR SHALL COMPLY WITH ALL CURRENT OSHA REQUIREMENTS REGARDING TRENCH SAFETY AND SHORING.
 - CONTRACTOR SHALL COMPLY WITH ALL TCEQ RULES FOR UTILITY LINE LOCATIONS IN ACCORDANCE WITH 30 TAC 217.
 - ALL SANITARY SEWER MAINS SHALL BE SDR 26 PVC PIPE UNLESS OTHERWISE NOTED.
 - ALL MATERIALS USED IN SANITARY SEWER SYSTEM CONSTRUCTION SHALL BE APPROVED BY THE CITY OF TEMPLE.

- NOTES**
- PRIOR TO BEGINNING CONSTRUCTION, THE CONTRACTOR SHALL COORDINATE DEMOLITION OF EXISTING STRUCTURES, PAVEMENT SECTIONS, VEGETATION, ETC. WITH OWNER.
 - EXISTING UTILITIES WERE LOCATED BY FIELD RESEARCH/OBSERVATION. PRIOR TO CONSTRUCTION, THE CONTRACTOR SHALL FIELD VERIFY UTILITY LOCATIONS AND COORDINATE UTILITY REMOVAL AND RELOCATION WITH OWNER AND APPROPRIATE UTILITY COMPANY.

Date: Revisions Remarks:

DRAWING STATUS

THESE DRAWINGS WERE PREPARED UNDER THE AUTHORITY OF JUSTIN B. FULLER, P.E. 100183, CLARK & FULLER, PLLC FIRM NO. F-10384.

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☐ FOR CONSTRUCTION
☐ FINAL DRAWINGS

**DOWN'S ADDITION
PHASE II**

TEMPLE, TEXAS

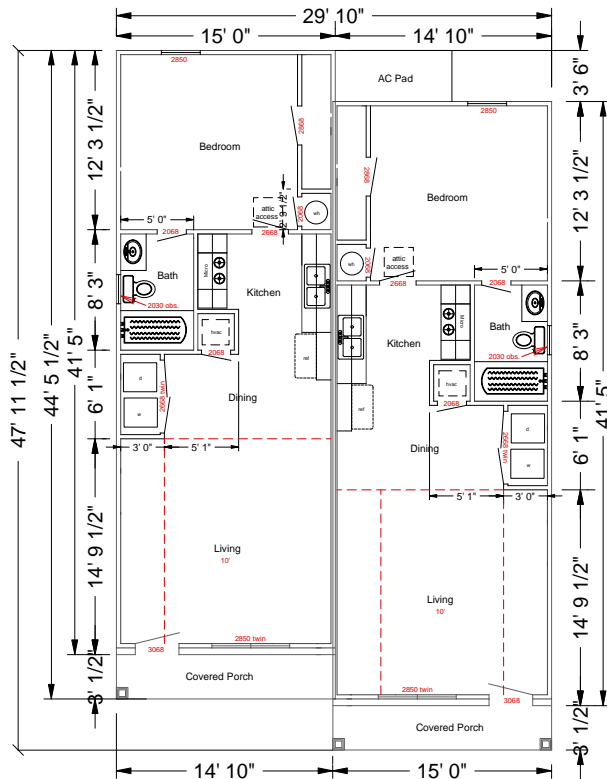
6-14-17

CLARK & FULLER
CIVIL ENGINEERING • DESIGN • PLANNING
215 North Main Street, Temple, TX 76701
754.899.0899 www.clarkfuller.com F-10384

TOPOGRAPHIC AND UTILITY MAP

Project No: 161742.00
Plot Date: 6-14-17
Designed By: JBF
Drawn By: ECB

2



Property Selections:

Rock	
Brick	
Exterior Siding Color	
Exterior Trim Color	
Front Door Color	
Roofing Color	
Window Style/Color	
Interior Wall Color	
Interior Trim Color	
Interior Doors	
Interior Casing	
Interior Base	
Hardware & Fixtures	
Kitchen Tops	
Marble Color	

Plan File:

P:\New Plans File3 Bedroom Plans\

Address	
City	Temple
State & Zip	
Lot	
Block	
Sub Division	
Electrical Contr.	
Plumbing Contr.	
HVAC Contr.	
Flooring Contr.	
Painting Contr.	

Patco
Construction and Development
2116 W Ave H - Temple, TX 76504
Office (254) 771-2228

SCALE 1/8" = 1'

1st Floor	1236
Ac Pad	28
Frnt. Porch	91
Bk Porch	
Gar/Stor	
Total AC	
Total Slab	1355

ORDINANCE NO. 2017-4852
(Z-FY-17-29)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A REZONING FROM TWO FAMILY ZONING DISTRICT TO PLANNED DEVELOPMENT-TWO FAMILY ZONING DISTRICT AND A SITE DEVELOPMENT PLAN, ON APPROXIMATELY 5.078 ACRES, SITUATED IN THE MAXIMO MORENO SURVEY, ABSTRACT NO. 14, BELL COUNTY, TEXAS, LOCATED AT 1109 AND 1203 EAST DOWNS AVENUE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the applicant, Pat Dauphinais requests rezoning from the current zoning of Two Family zoning district to Planned Development-Two Family zoning district to allow development of thirteen one bedroom duplexes;

Whereas, the Planning and Zoning Commission of the City of Temple, Texas, after due consideration of the conditions, recommends approval of the rezoning from Two Family zoning district to Planned Development-Two Family zoning district, on approximately 5.078 acres of land in the Maximo Moreno Survey, Abstract No. 14, Bell County, Texas, located at 1109 and 1203 East Downs Avenue, with the following conditions:

1. Development will be subject to the Planned Development Site Plan;
2. Development will also be subject to all Unified Development Code (UDC) platting requirements during the platting process;
3. Lot width will be a minimum of 50 feet;
4. Lot depth will be a minimum of 73 feet for Lot 1, Block 1, a minimum of 86 feet for Lot 2, Block 1, and a minimum of 99.1 feet for Lot 3, Block 1;
5. Lot size to be a minimum of 4,700 square feet;
6. Front yard building line setback to be 20 feet;
7. Construction of cul-de-sacs on East Barton Avenue and East Calhoun Avenue, as shown with their lengths on the Site Development Plan; and

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

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

Part 1: 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 approves a rezoning from Two Family zoning district to Planned Development-Two Family zoning district, on approximately 5.078 acres of land in the Maximo Moreno Survey, Abstract No. 14, Bell County, Texas, located at 1109 and 1203 East Downs Avenue, as outlined in the map attached hereto as Exhibit 'A,' and made a part hereof for all purposes.

Part 3: The City Council approves the Site Development Plan attached hereto as Exhibit 'B,' and made a part hereof for all purposes.

Part 4: The City Council directs the Director of Planning to make the necessary changes to the City Zoning Map.

Part 5: It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable and, if any phrase, clause, sentence, paragraph or section of this ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such phrase, clause, sentence, paragraph or section.

Part 6: This Ordinance shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Temple, Texas, and it is accordingly so ordained.

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

PASSED AND APPROVED on First Reading and Public Hearing on the **20th** day of **July**, 2017.

PASSED AND APPROVED on Second Reading on the **3rd** day of **August**, 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

08/03/17
Item #5(I)
Consent Agenda
Page 1 of 3

DEPT. / DIVISION SUBMISSION & REVIEW:

Mark Baker, Senior Planner

ITEM DESCRIPTION: SECOND READING - Z-FY-17-30: Consider adopting an ordinance authorizing rezoning from Agricultural & Single Family One zoning districts to Single Family One zoning district, on 42.13 +/- acres, of the Maximo Moreno Survey, Abstract No. 14, Bell County, Texas, generally located north of Drexel Loop and west of Hartrick Bluff Road.

STAFF RECOMMENDATION: Staff recommends approval for a rezoning from Agricultural (AG) district to Single Family One (SF-1) district based on the following compatibility factors:

1. Compatibility with surrounding zoning, existing and anticipated SF residential uses;
2. Partial compliance with the Future Land Use Estate Residential designation;
3. Compliance with the Thoroughfare Plan; and
4. Availability of public facilities to serve the subject property.

PLANNING & ZONING COMMISSION RECOMMENDATION: At their June 19, 2017 meeting, the Planning & Zoning Commission voted seven to zero to recommend approval of the proposed rezoning per staff's recommendation.

ITEM SUMMARY: The subject property contains 37.040 +/- acre tract, out of a larger 42.13 +/- acre tract, is being proposed for rezoning from Agricultural (AG) & Single Family one (SF-1) to Single Family One (SF-1), by Mark Rendon, on behalf of Stellar Development Corporation.

In the big picture, this current request is the third in a sequence of rezoning related to the Highland Park Estates development. Most recently, Phase Two, per Ordinance 2017-4840, was rezoned from AG to SF-1 for 10.666 +/- acres.

Although this application represents the third phase of zoning activity and publically noticed for 42.13 +/- acres, only 37.040 +/- acres is proposed to be rezoned to SF-1. The balance is attributed to an overlap of land area from Phase two in the amount of 5.09 +/- acres. The 5.09 +/- acres is already zoned SF-1. The ordinance will contain a survey sketch and field notes reflecting only the 37.040 +/- acres and not the entire 42.13 +/- acres.

The anticipated development for detached single family homes would be the third phase to the recorded Highland Park Estates subdivision, which was amended in 2016. The initial 30-lot Highland Park Estates and the subsequent amending plat were consistent with the original Development Plan approved with Planned Development-Single Family One (PD-SF-1) zoning by Ordinance 2011-4468.

While it is anticipated for the property to be developed with detached single family residences, there are other residential and non-residential uses permitted in the SF-1 district. The uses include but are not limited to those listed in the attached permitted and conditional use table.

COMPREHENSIVE PLAN (CP) COMPLIANCE: Compliance to goals, objectives or maps of the Comprehensive Plan and Sidewalk and Trails Plan are summarized by the attached Comprehensive Plan Compliance table but further described below:

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 rural lot 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 within the City limits. However, while it is anticipated that the lots will be larger than the 7,500 square feet minimum lot size, required by the SF-1, the lots will not meet the Urban Estate standards of ½ acre as would be expected within the Estate Residential character district. It is compatible with the existing adjacent development of Highland Park Estates, which is consistent with the SF-1 zoning district. Therefore, this request is in **partial compliance** with the Future Land Use Map.

Thoroughfare Plan (CP Map 5.2)

Although addressed as 5219 South 31st Street, the subject property is physically accessed from Drexel Loop via Lakeview Lane via Tanglewood Road via Hartrick Bluff Road. Drexel Loop, a local street is anticipated to be extended into the subject property. In addition, the Thoroughfare Plan identifies a proposed collector to the west of the property which crosses in a west / east direction. As a collector, 55-feet of right-of-way and 36-feet of pavement is required. Discussions are on-going between staff and the applicant to address the implementation of the Thoroughfare Plan by providing the proposed collector within this and other phases ultimately connecting to FM 93. Compliance with the Thoroughfare Plan will be addressed during the review of the subdivision plat. Therefore, this request **is** in compliance with the Thoroughfare Plan.

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. Compliance to the Sidewalks Ordinance for collector streets will be addressed during the review of the subdivision plat.

Availability of Public Facilities (CP Goal 4.1)

Sewer is available through an existing 10-inch sewer line that is located within the interior of the subject property. Water is available from an existing 8-inch water line located at the end of Drexel Loop. In addition, there is an existing 8-inch waterline along the entire length of the western boundary of the subject property. Therefore, public facilities **are** available to the site.

DEVELOPMENT REGULATIONS: The attached table compare and contrast, the current Agricultural development dimensional standards with the proposed Single-Family One standards.

PUBLIC NOTICE: Twenty one 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 9:00 AM on Monday, July 3, 2017, one notice, representing eleven properties owned by the applicant have been received.

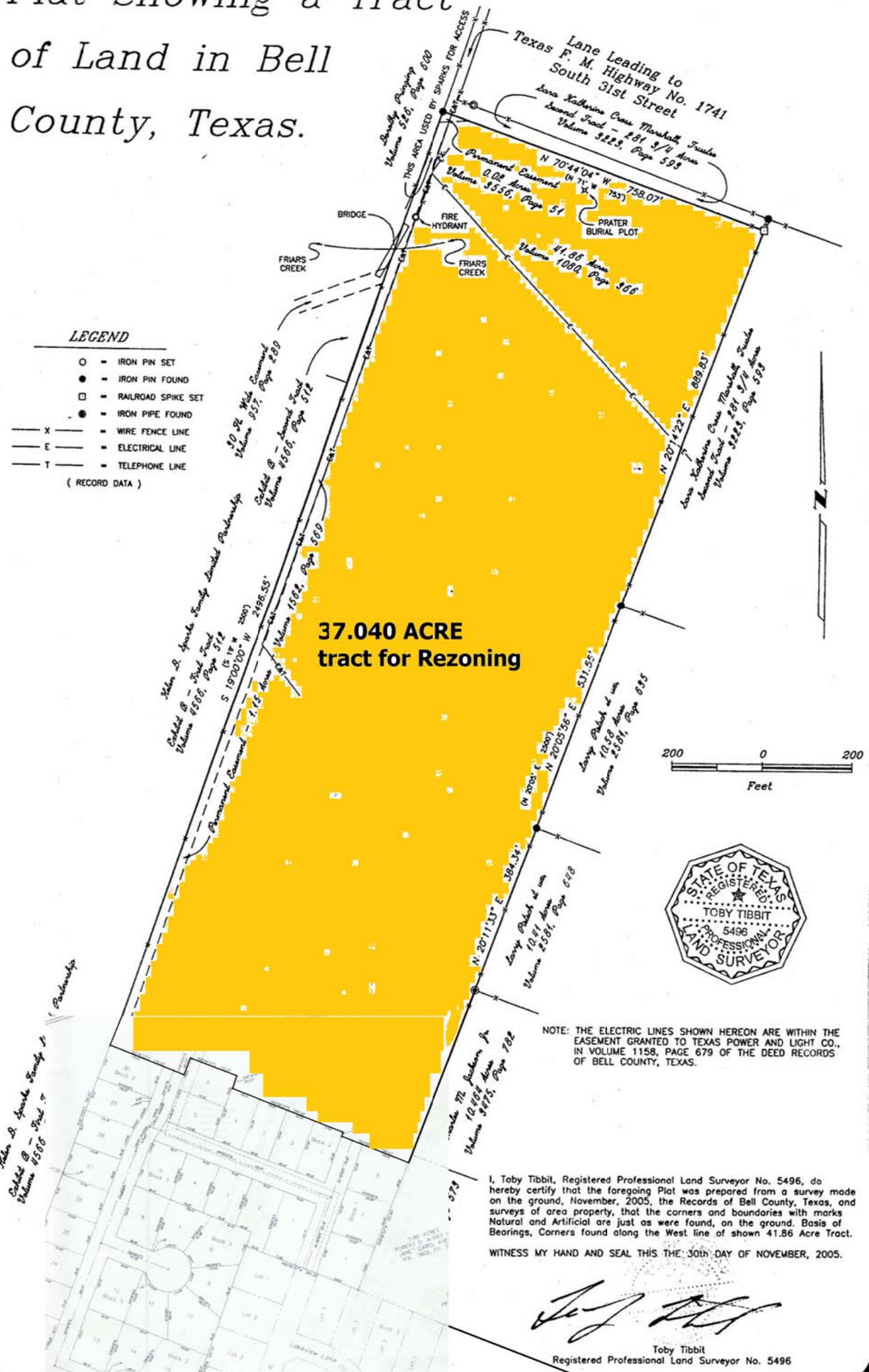
The newspaper printed notice of the public hearing on June 8, 2017, in accordance with state law and local ordinance.

FISCAL IMPACT: Not Applicable

ATTACHMENTS:

Surveyor Sketch & Field Notes (37.040 +/- Acres) Exhibit A
Photos
Maps
Tables
Returned Property Notices
P&Z Excerpts (June 19, 2017)
Ordinance

Plat Showing a Tract of Land in Bell County, Texas.





FIELD NOTES FOR A TRACT OF LAND IN THE CITY OF TEMPLE, BELL COUNTY, TEXAS.

Being **37.040 Acres**, more or less, of the Maximo Moreno Survey, Abstract No. 14, and being part of a 42.13 Acre tract described in a deed to Stellar Improvement Corporation as recorded in Document No. 2008-00027990 of the Official Public Records of Real Property of Bell County, Texas;

COMMENCING at the Southwest corner of said 42.13 Acre tract and at the Northwest corner of a 10.000 Acre tract of land described in a deed to Stellar Improvement Corporation as recorded in Document No. 2014-00024933 of said official public records and also being in the East line of a 63 Acre tract described as First Tract in Exhibit B of a deed to Helen D. Sparks Family Limited Partnership as recorded in Volume 4566, Page 512 of said official public records;

THENCE, N 18° 13' 06" E, with the West line of said 42.13 Acre tract and the East line of said 63 Acre tract, 301.61 Feet, to the **PLACE OF BEGINNING**;

THENCE, crossing said 42.13 Acre tract, as follows: **S 69° 56' 27" E, 178.23 Feet**; and **N 18° 14' 51" E, 40.02 Feet**; and **S 69° 56' 27" E, 110.00 Feet**; and **S 18° 14' 51" W, 30.02 Feet**; and **S 69° 56' 27" E, 265.90 Feet**; **S 17° 55' 55" W, 10.01 Feet**; **S 69° 56' 27" E, 158.93 Feet**, to the Southeast corner hereof, in the East line of said 42.13 Acre tract and in the West line of a 5.86 Acre tract described in a deed to Robert D. Avery and wife, Janet Carol Avery as recorded in Volume 1902, Page 573 of the Deed Records of Bell County, Texas, and also being in the West line of a 281¾ Acre tract described as Second Tract in a deed to Sara Katherine Cross Marshall, Trustee as recorded in Volume 3223, Page 593 of said official public records;

THENCE, N 19° 36' 53" E, with the East line of said 42.13 Acre tract and the West line of said 5.86 Acre tract and said 281¾ Acre tract, **19.03 Feet**, to the Northwest corner of said 5.86 Acre tract and the Southwest corner of a 10.464 Acre tract described in a deed to Charles M. Jackson, Jr., as recorded in Volume 3475, Page 782 of said official public records;

THENCE, N 19° 18' 28" E, with the East line of said 42.13 Acre tract and the West line of said 10.464 Acre tract and said 281¾ Acre tract, **390.05 Feet**, to the Northwest corner of said 10.464 Acre tract and at the Southwest corner of a 10.41 Acre tract described in a deed to Larry Pietsch and wife, Linda Pietsch as recorded in Volume 2581, Page 648 of said official public records;

THENCE, N 19° 24' 39" E, with the East line of said 42.13 Acre tract and the West line of said 10.41 Acre tract and said 281¾ Acre tract, **384.34 Feet**, to the Northwest corner of said 10.41 Acre tract, and at the Southwest corner of a 10.58 Acre tract described in a deed to Larry Pietsch and wife, Linda Pietsch as recorded in Volume 2581, Page 635 of said official public record;

THENCE, N 19° 19' 02" E, with the East line of said 42.13 Acre tract and the West line of said 10.58 Acre tract and said 281¾ Acre tract, **531.55 Feet**, to the Northwest corner of said 10.58 Acre tract;

THENCE, N 19° 27' 28" E, with the East line of said 42.13 Acre tract and the West line of said 281¾ Acre tract, **889.83 Feet**, to the Northeast fence corner of said 42.13 Acre tract and at an inner ell corner of said 281¾ Acre tract;

THENCE, N 71° 30' 58" W, with the North line of said 42.13 Acre tract and a line of said 281¾ Acre tract, **758.07 Feet**, to the Northwest corner of said 42.13 Acre tract, in the East line of a tract of land described in a deed to Dorothy Prinzing as recorded in Volume 526, Page 600 of the Deed Records of Bell County, Texas;

THENCE, S 18° 13' 06" W, with the West line of said 42.13 Acre tract, **2194.94 Feet**, to the **PLACE OF BEGINNING**.

I, Toby Tibbit, Registered Professional Land Surveyor No. 5496, do hereby certify that the foregoing Field Notes were compiled from the Records of Bell County, Texas, referenced hereon, and that this document was prepared under 22 TAC §663.21, and does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared

WITNESS MY HAND AND SEAL THIS THE 7TH DAY OF JUNE, 2017.

Toby Tibbit
Registered Professional Land Surveyor No. 5496



EXHIBIT A

Site & Surrounding Property Photos



**Site: Undeveloped (Street view from end of Drexel Loop)
(AG)**



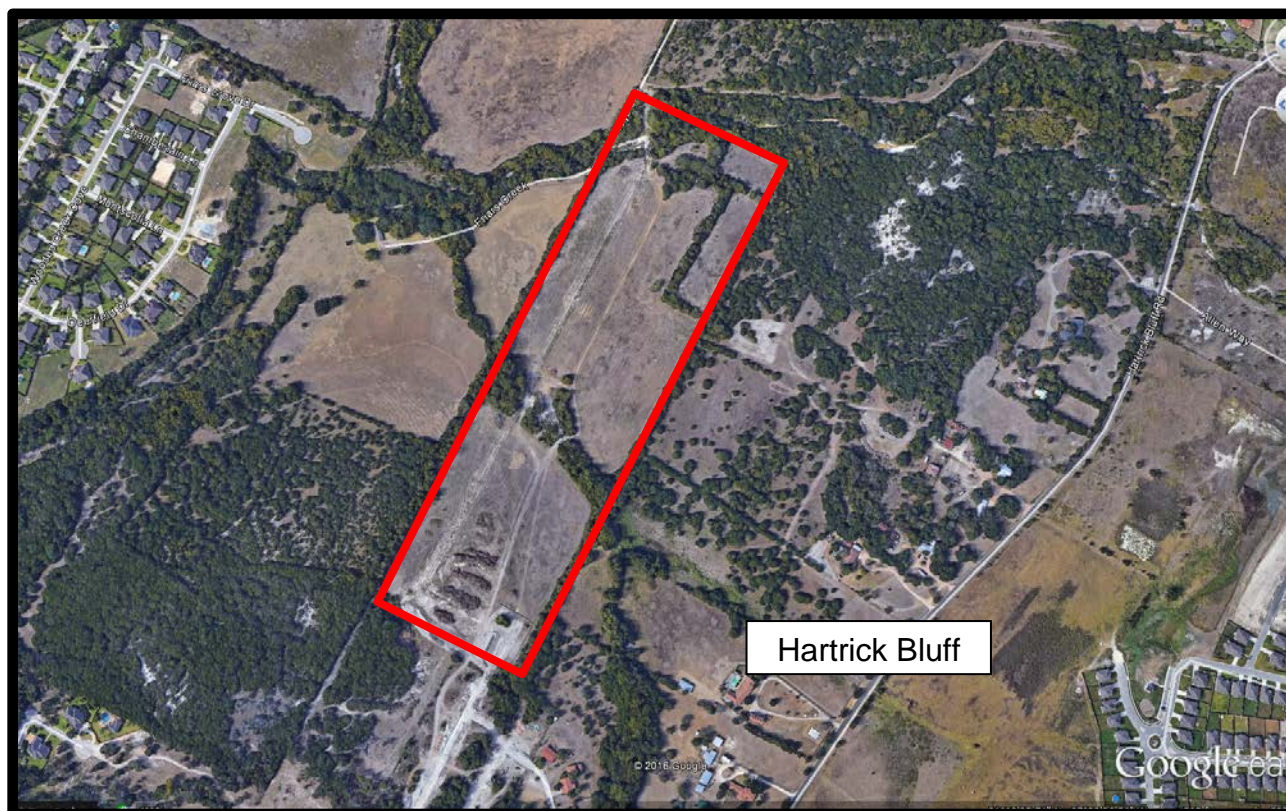
**South: Street view on Drexel Loop (Highland Park Estates)
(PD - SF-1)**



**South: Alternative Street view at Drexel Loop & Lakeview Ln
(Highland Park Estates)
(PD-SF-1)**

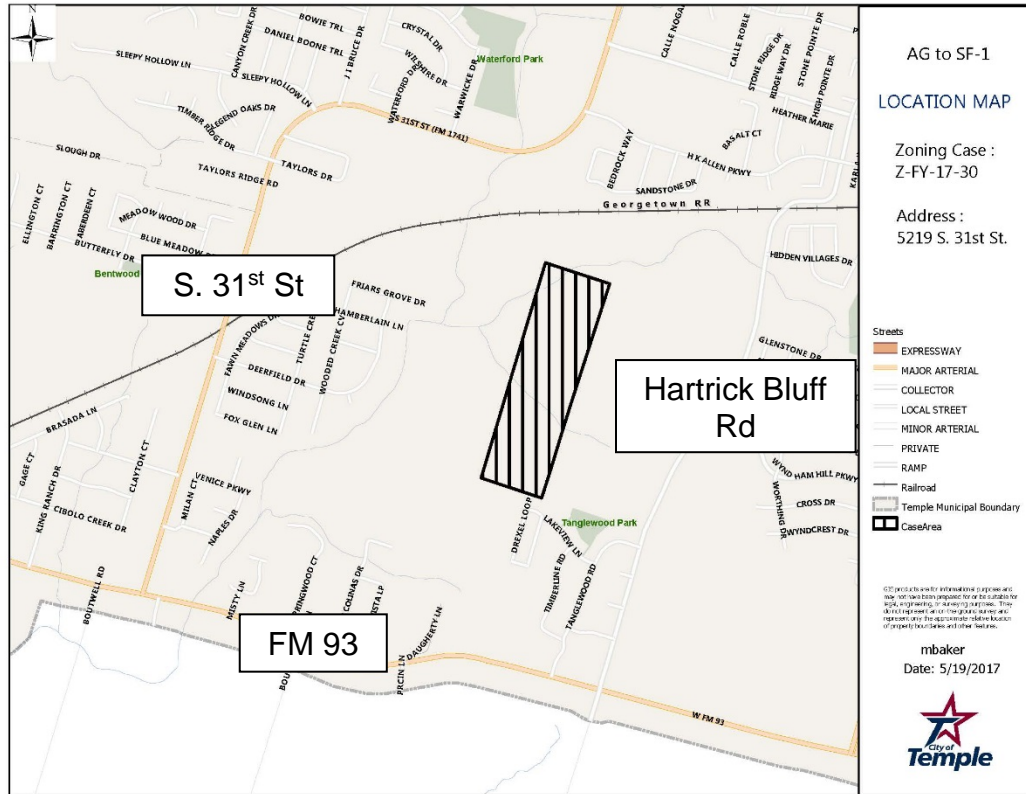


**South: Street view on Lakeview Ln
(Ridgewood Estates)
(SF-1)**



**Aerial (Google Earth Image showing
North – South - East & West):
Undeveloped & Scattered SF Residences
(AG)**

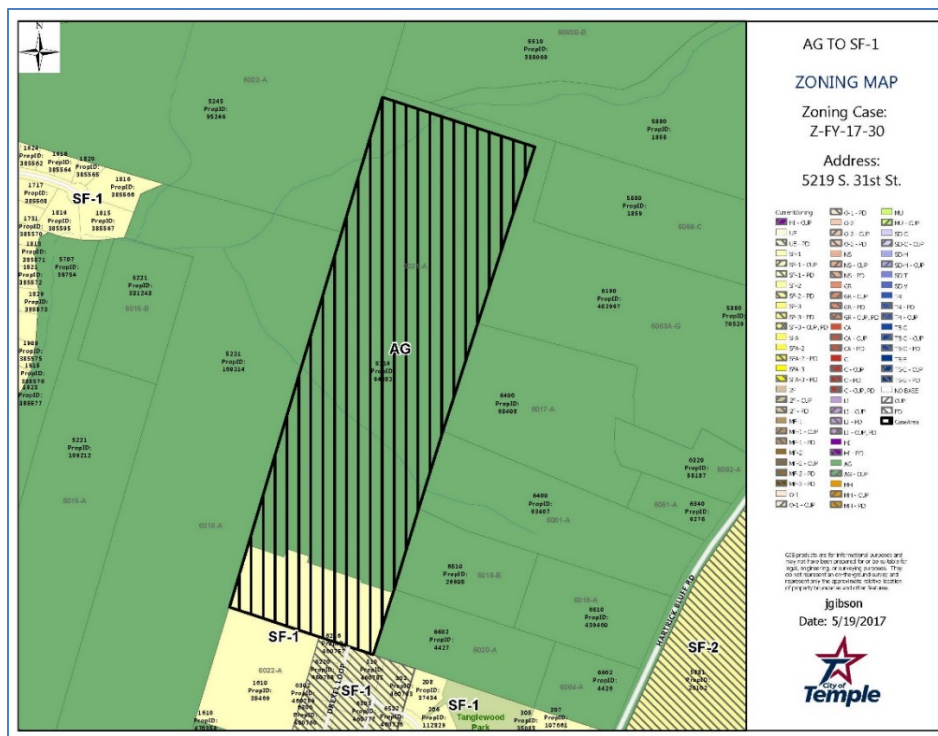
Maps



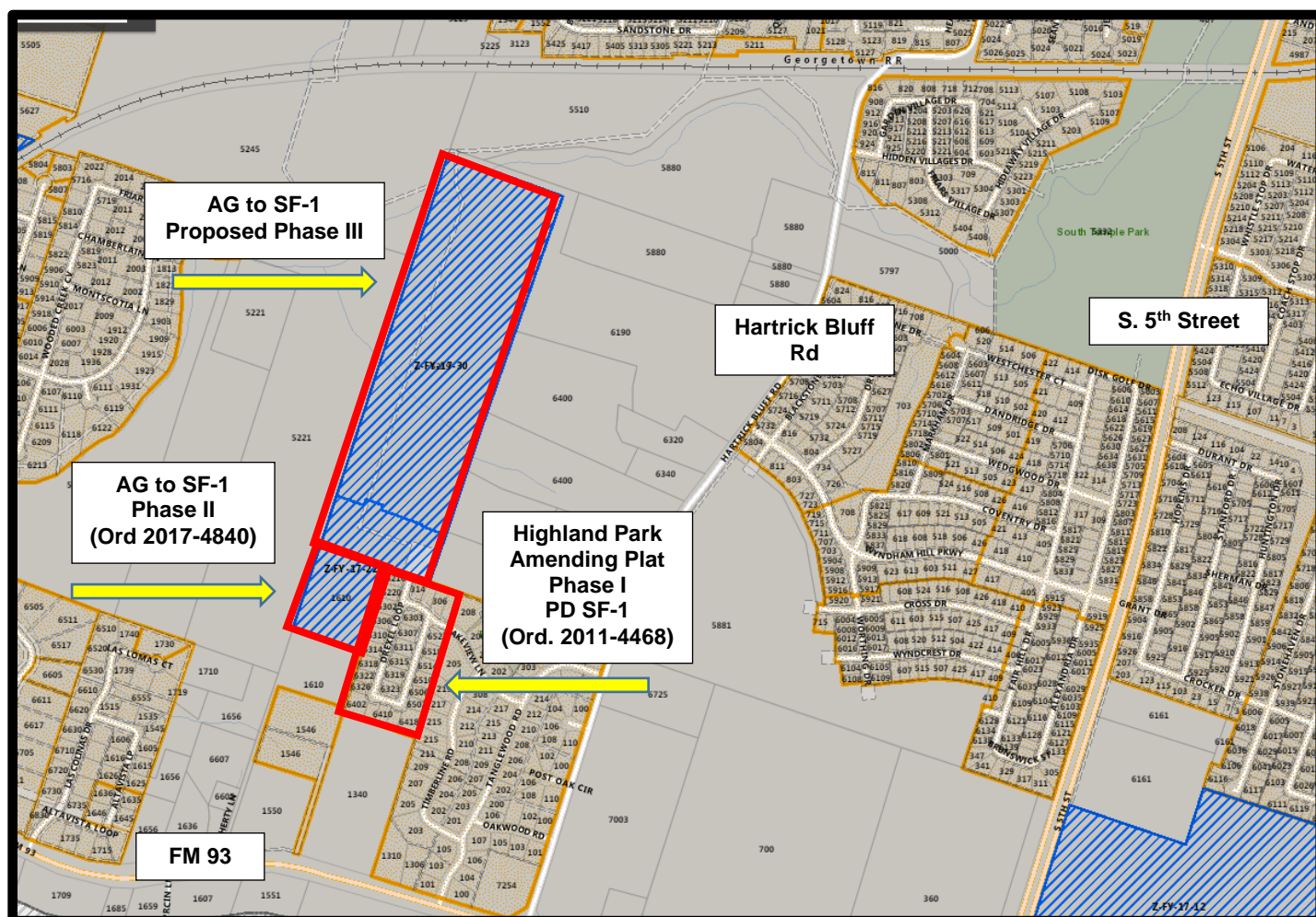
Location Map

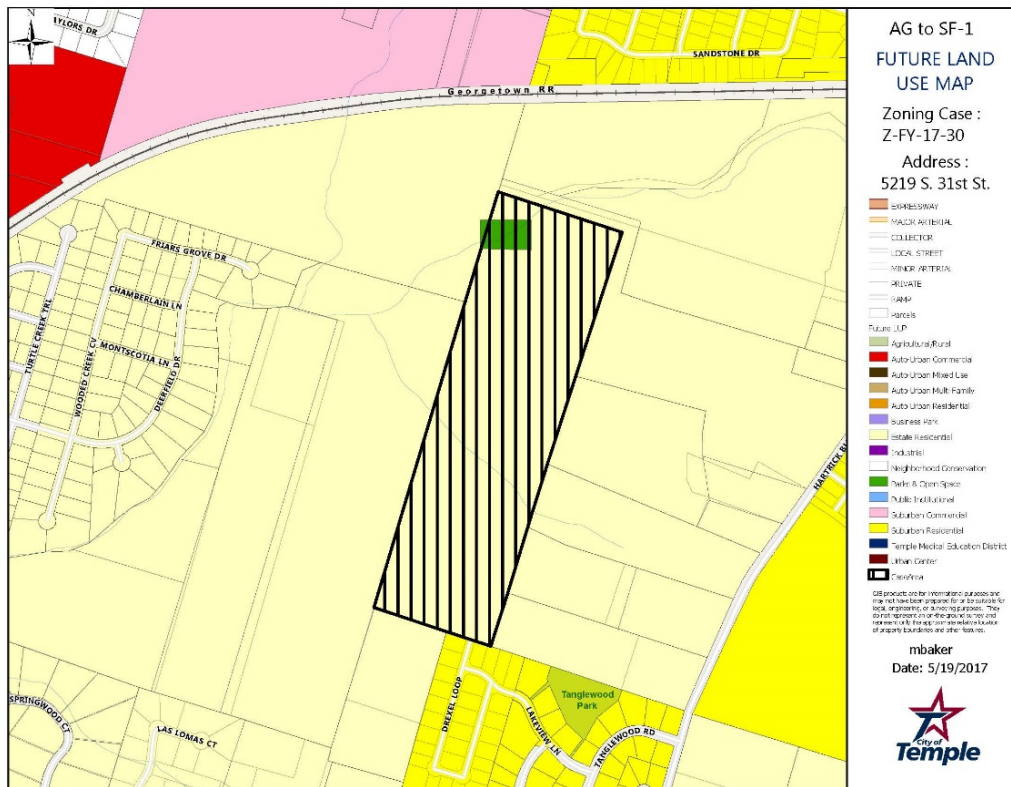


Aerial Map

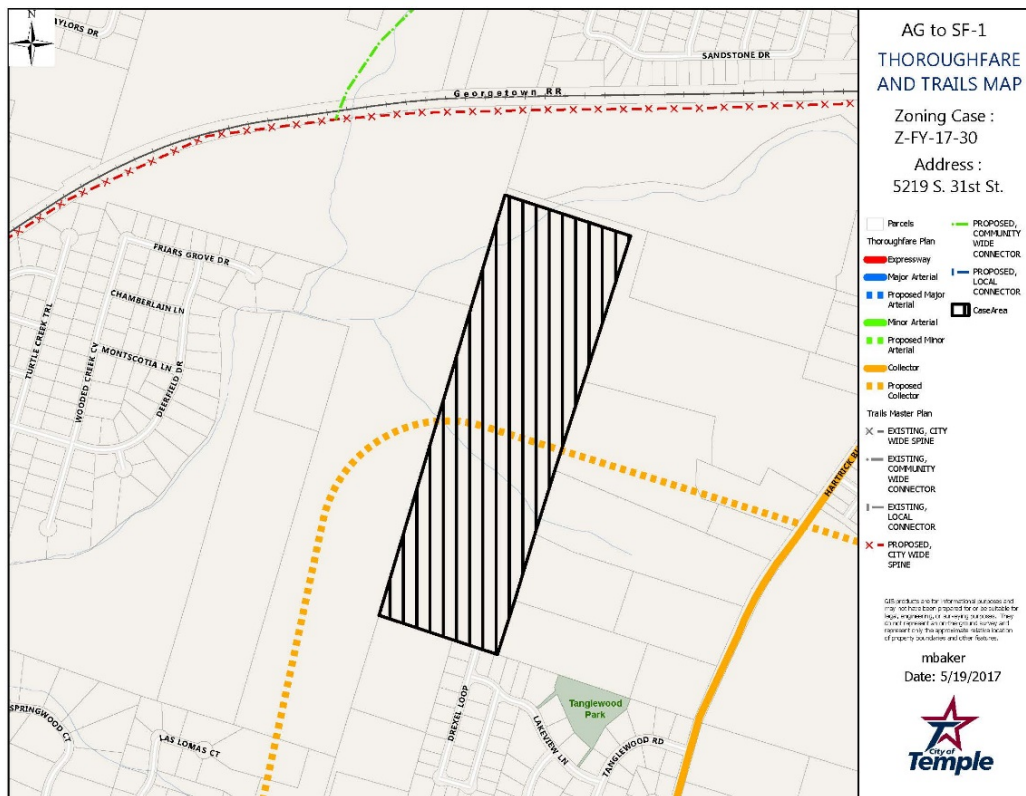


Zoning Map

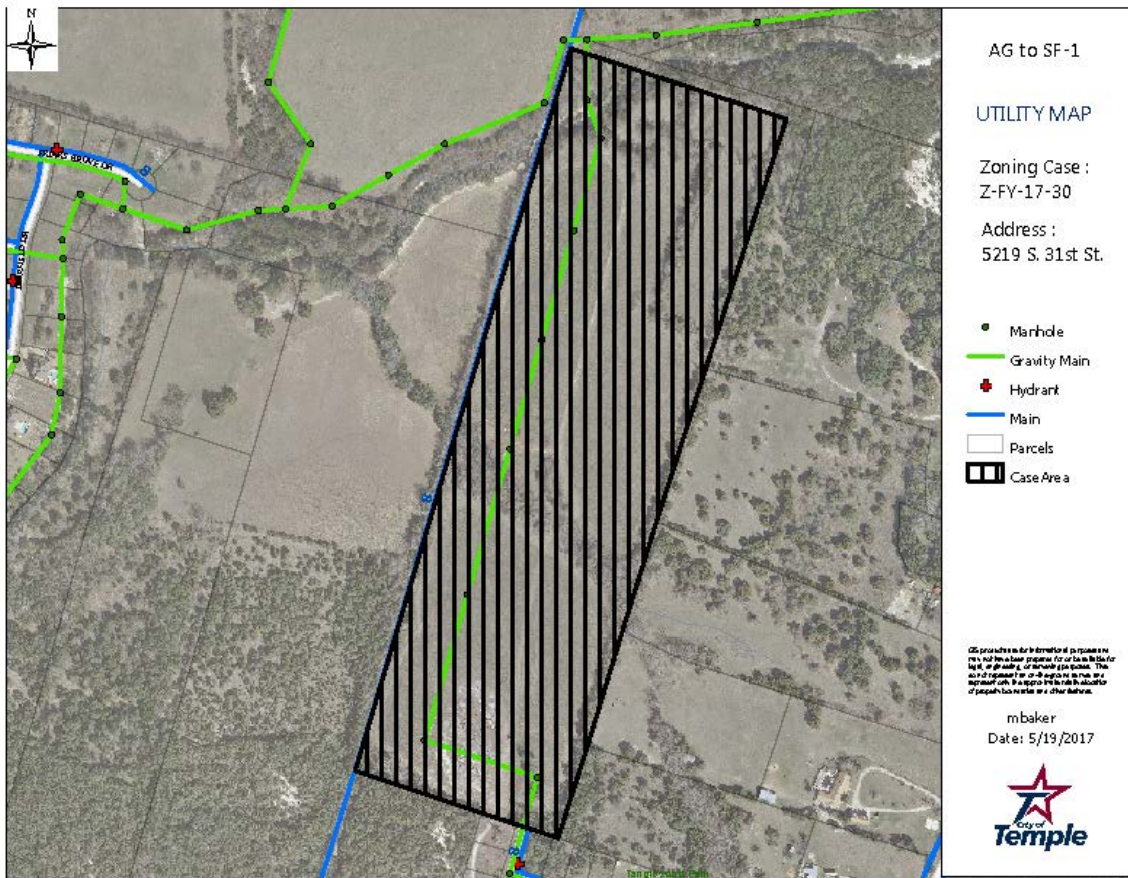




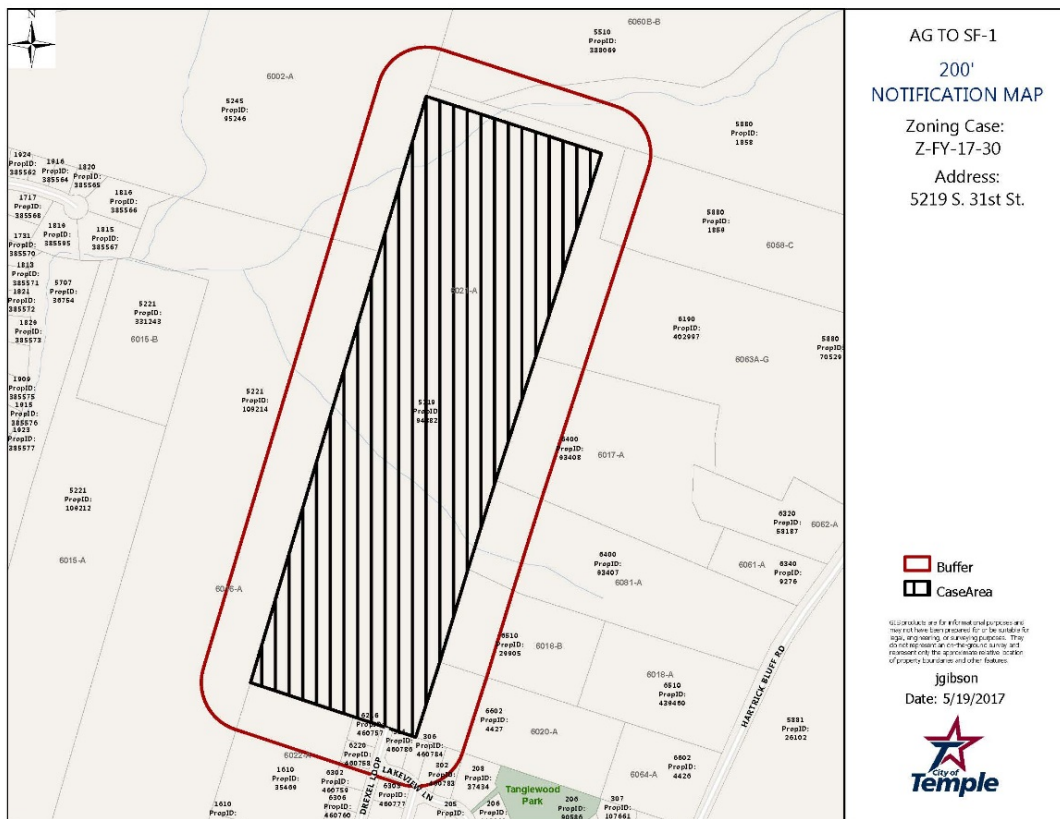
Future Land Use Map



Thoroughfare & Trails Map



Utility Map



Notification Map

Tables

Permitted & Conditional Uses Table
Comparison between AG & SF-1

Use Type	Agricultural (AG)	Single Family One (SF-1)
Agricultural Uses	Farm, Ranch or Orchard	Same as AG
Residential Uses	Single Family Residence (Detached only) Industrialized Housing Family or Group Home Home for the Aged (CUP)	Same as AG Home for the Aged (Not Permitted)
Retail & Service Uses	None	Same as AG
Commercial Uses	None	Same as AG
Industrial Uses	Temporary Asphalt & Concrete Batching Plat (CUP)	Same as AG
Recreational Uses	None	Same as AG
Educational & Institutional Uses	Cemetery (CUP) Place of Worship Social Svc. Shelter (CUP) Child Care (CUP)	Same as AG
Vehicle Service Uses	None	Same as AG
Restaurant Uses	None	Same as AG
Overnight Accommodations	RV Park (CUP)	None

Surrounding Property Uses

	<u>Surrounding Property & Uses</u>		
<u>Direction</u>	<u>FLUP</u>	<u>Zoning</u>	<u>Current Land Use</u>
Site	Estate Residential	AG	Undeveloped
North	Estate Residential	AG	Undeveloped
South	Estate Residential / Suburban Residential	SF-1 & PD-SF-1	Undeveloped & Scattered SF Uses (Highland Park Estates & Ridgewood Estates)
East	Estate Residential	AG	Undeveloped & Scattered SF Uses on acreage
West	Estate Residential	AG & SF-1	Undeveloped & Scattered SF Uses on Acreage

Comprehensive Plan Compliance

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 Sidewalks Ordinance	YES
CP = Comprehensive Plan STP = Sidewalk and Trails Plan		

Dimensional Standards

	<u>Current (AG) Residential</u>	<u>Proposed (SFA-1) UDC Sec. 4.5.2 SF Detached</u>
Minimum Lot Size	1 Acre	7,500 SF
Minimum Lot Width	100 Feet	60 Feet
Minimum Lot Depth	150 Feet	100 Feet
Front Setback	50 Feet	25 Feet
Side Setback	15 Feet	10% of Lot Width (6' Min - 7.5' Max)
Side Setback (corner)	15 Feet	15 Feet
Rear Setback	10 Feet	10 Feet
Max Building Height	3 Stories	2 Stories



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

STELLAR IMPROVEMENT CORP
DBA STELLAR DEVELOPMENT CO
PO BOX 292
BELTON, TX 76513-0292

Zoning Application Number: Z-FY-17-30

Case Manager: Mark Baker

Location: 5219 South 31st Street, 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:

Area should be developed for SFI homes.

Signature

Mark Baker for SDCo

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 or mail or hand-deliver this comment form to the address below, no later than **June 19, 2017**.

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

RECEIVED
JUN 16 2017
City of Temple
Planning & Development

Number of Notices Mailed: 21

Date Mailed: June 8, 2017

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



**Properties Owned within
200 Feet of Requested Rezoning**

Zoning Application Number: Z-FY-17-30

Case Manager: Mark Baker

STELLAR IMPROVEMENT CORPORATION PROPERTIES			
#	Property ID #	Address	City
1	94882	5219 S 31ST ST	BELTON, TX
2	460777	6303 DREXEL LP	BELTON, TX
3	460759	6302 DREXEL LP	BELTON, TX
4	460783	302 LAKEVIEW LN	BELTON, TX
5	460784	306 LAKEVIEW LN	BELTON, TX
6	460758	6220 DREXEL LP	BELTON, TX
7	460785	310 LAKEVIEW LN	BELTON, TX
8	460786	314 LAKEVIEW LN	BELTON, TX
9	460757	6216 DREXEL LP	BELTON, TX
10	35469	1610 W FM 93	BELTON, TX
11	29905	6510 HARTRICK BLUFF RD	TEMPLE, TX

**EXCERPTS FROM THE
PLANNING & ZONING COMMISSION MEETING
MONDAY, JUNE 19, 2017**

ACTION ITEMS

Item 3: Z-FY-17-30 - Hold a public hearing to discuss and recommend action on a rezoning from Agricultural (AG) & Single Family One (SF-1) zoning districts to Single Family One (SF-1) zoning district, on 42.13 +/- acres, of the Maximo Moreno Survey, Abstract No. 14, Bell County, Texas, generally located north of Drexel Loop and west of Hartrick Bluff Road.

Mr. Mark Baker, Senior Planner, stated this item was scheduled to go forward to City Council for first reading on July 20, 2017 and second reading on August 3, 2017.

The rezoning is for the 37.040 +/- acres out of 42.13 +/- acres. The overall subdivision and circulation is being evaluated and no formal plat has been submitted. Staff anticipates the plat is forthcoming.

Recent zoning activity map shown around the subject property.

The zoning map is shown and this is a request for SF-1 which is an expansion of single family uses in immediate area (adjacent Ridgewood Subdivision) and expansion of Highland Park Estates.

The Future Land Use and Character Map designate the subject property as Estate Residential which is intended for larger rural lot development (one-half acre lots in UE), and does supports SF-1.

The Suburban Residential zoning is intended for smaller SF zoning (SF-1 and SF-2). The request is in partial compliance.

Both water and sewer are available to serve the property. An eight-inch water line on located the western property boundary and the end of Drexel Loop. An eight-inch sewer line is lies within the interior of the subject property.

A proposed Collector will cross through the property and the location is to be finalized with review of subdivision plat.

No trails are proposed within the project boundaries.

On-site photos shown of subject property.

Surrounding properties include Ridgewood Subdivision and Highland Park Estates to the south.

An aerial is shown of the surrounding properties which is primarily undeveloped.

Comparison of permitted and prohibited uses for AG and SF-1 given. The SF-1 zoning will be limited to detached single family homes.

Comparison between the current and proposed Development Standards.

Twenty-one notices were mailed in accordance with all state and local regulations with eleven (11) notices (owned by the applicant) returned in agreement and zero notices returned in opposition.

The request complies with the Thoroughfare Plan, is compatible with the surrounding uses and zoning, and public facilities are available to serve the property.

The request is in partial compliance with the Future Land Use and Character Map.

Staff recommends approval of the request for a rezoning of 37.040 +/- acres from AG district to SF-1 District.

Chair Rhoads opened the public hearing.

There being no speakers, the public hearing was closed.

Commissioner Crisp made a motion to approve Item 3, **Z-FY-17-30**, as presented, and Commissioner Alaniz made a second.

Motion passed: (7:0)

Vice-Chair Fettig and Commissioner Armstrong absent

ORDINANCE NO. 2017-4853
(Z-FY-17-30)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A REZONING FROM AGRICULTURAL AND SINGLE FAMILY ONE ZONING DISTRICTS TO SINGLE FAMILY ONE ZONING DISTRICT ON APPROXIMATELY 42.13 ACRES OF LAND IN THE MAXIMO MORENO SURVEY, ABSTRACT NO. 14, BELL COUNTY, TEXAS, GENERALLY LOCATED NORTH OF DREXEL LOOP AND WEST OF HARTRICK BLUFF 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 and Single Family One zoning districts to Single Family One zoning district, on approximately 42.13 acres of land in the Maximo Moreno Survey, Abstract No. 14, Bell County, Texas, generally located north of Drexel Loop and west of Hartrick Bluff Road, 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 and Single Family One zoning districts 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 **20th** day of **July**, 2017.

PASSED AND APPROVED on Second Reading on the **3rd** day of **August**, 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

08/03/17
Item #5(J)
Consent Agenda
Page 1 of 3

DEPT. / DIVISION SUBMISSION & REVIEW:

Lynn Barrett, Assistant Planning Director

ITEM DESCRIPTION: SECOND READING – Z-FY-17-31 – Consider adopting an ordinance and accompanying Site Development Plan for rezoning from Agricultural zoning district to Planned Development-Two Family district, on 3.420 +/- acres, situated in the Baldwin Robertson Survey, Abstract No. 17, Blocks 2717-A and 2812-A Bell County, located at 9218 and 9260 Hogan Road, Temple, Texas.

STAFF RECOMMENDATION: Staff recommends approval of the rezoning from AG to PD-2F for an 11-lot duplex development with the following conditions:

PD Conditions:

1. Substantial compliance with the attached development/site plan
2. 20 foot front setbacks on lots
3. Two lots less than 60 foot widths
4. Wood fence six feet high along Hogan with an entrance monument sign, HOA owned/maintained
5. Two trees and landscaping on each lot
6. Existing tree buffer along the north property line to be retained
7. HOA maintained drainage tract; access tract to be HOA owned/ maintained
8. Elevations as shown on Site Plan (B is very close to C in appearance); minimum masonry of brick/stone/rock of 75% on four sides of each structure; balance to be cementitious siding
9. Offsite utility connections will be required; details to come at platting

PLANNING & ZONING COMMISSION RECOMMENDATION: At their June 19, 2017 meeting, the Planning & Zoning Commission voted seven to zero for approval of the proposed rezoning to PD 2F.

ITEM SUMMARY: John Kiella, on behalf of owner Bret Turner, requests a rezoning of the subject property from the AG zoning district to the PD-2F zoning district to allow for an 11-lot duplex development. The subject property is located along Hogan Road approximately 500 feet east of SH317 and is on two lots, totaling 3.4 +/- acres. The property is currently vacant containing an abandoned home and undeveloped field.

The applicant proposes to build 11 duplexes (22 housing units--see attached Development/Site Plan) with proposed lot width dimensions ranging from 50 to 80 feet and approximately 100 to 150 feet in depth to be accessed from a new cul-de-sac. The proposal includes an entry way monument sign with landscaping and a Homeowner's Association (HOA) owned and maintained access tract to a bordering

Oncor easement for overhead power lines. A drainage tract is also proposed at the entrance, also to be maintained by the HOA. A six foot high fence along Hogan Road is proposed as part of the development. Additionally, lots will be fenced so that each housing unit will have its own fenced yard.

Per UDC, Section 3.4.3 & 3.4.4, a Planned Development requires approval of a Development/Site plan that is binding.

On June 12, 2017, the DRC met with the applicant to discuss the proposal. Discussion included maintenance of the drainage tract, access to sewer lines and offsite utility extensions, and important infrastructure requirements which will be addressed during the platting process and that will be required prior to any development of the property.

SURROUNDING PROPERTY AND USES: The following table provides the direction from the property, Future Land Use Plan (FLUP) designation, existing zoning and current land uses:

Direction	FLUP	Zoning	Current Land Use
Subject Property	Agricultural Rural	AG	Abandoned home Undeveloped
North	Suburban Residential	SF-3	Residential
South	Suburban Residential ;	AG	Undeveloped
East	Suburban Residential	SF-3	Residential
West	Suburban Commercial	AG and PD GR	Residential, Commercial

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

Document	Policy, Goal, Objective or Map	Compliant?
CP	Map 3.1 - Future Land Use and Character (FLUP)	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 Sidewalks Ordinance	Yes

CP = Comprehensive Plan STP = Sidewalk and Trails Plan

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

Suburban Residential is the dominant future land use, other than Agricultural, identified for this area. The *Choices '08* City of Temple Comprehensive Plan states that the Suburban Residential character district is suited for mid-sized single family lots, allowing for greater separation between dwellings and more emphasis on green spaces versus streets and driveways. Since duplexes are two-family rather than single family residential, the proposed development is partially compliant, however the overall density remains compatible with the suburban residential classification.

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

The subject property is bounded by Hogan Road which is identified as a future collector on the Thoroughfare Plan and is on the TCIP for acquisition, design and construction. The city is in the process of acquiring ROW along this portion of Hogan Road, and the Westside Village Site Development Plan does reflect this additional right of way. A sidewalk will be part of the Hogan Road widening project. This property is not in the area of any proposed trails.

Availability of Public Facilities (CP Goal 4.1)

Water is available to the subject property along Hogan Road, while sewer will be available through several potential future offsite connections from north of the subject property. Details of public facilities and extensions will be addressed during the platting process.

UDC, Section 3.4 Planned Development

A Planned Development is defined as:

“A flexible overlay zoning district designed to respond to unique development proposals, special design considerations and land use transitions by allowing evaluation of land use relationships to surrounding areas through development plan approval.”

DEVELOPMENT REGULATIONS: The development site plan will provide the development and dimensional standards for this development. Applicant is requesting 20 foot front setbacks for the lots instead of the 25 foot setbacks for 2F in the UDC.

PUBLIC NOTICE: 37 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 Friday July 7, 2017, one notices have been returned in favor of the proposed rezoning and eight notices have been returned in opposition to the proposed rezoning (from neighbors in Sage Meadows to the north and east).

The newspaper printed the notice of the public hearing on June 8, 2017, in accordance with state law and local ordinance.

FISCAL IMPACT: Not Applicable

ATTACHMENTS:

[Location Map](#)

[Zoning Map](#)

[Site and Surrounding Property Photos](#)

[Development Site Plan](#)

[Thoroughfare & Trails Map](#)

[Utility Map](#)

[Notification Map](#)













[Returned Property Owner Notices](#)

[Ordinance](#)



Address :
9218 & 9260 Hogan

Streets

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

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

Irbarrett
Date: 6/1/2017



View North into Subject Property



View To East



View to South



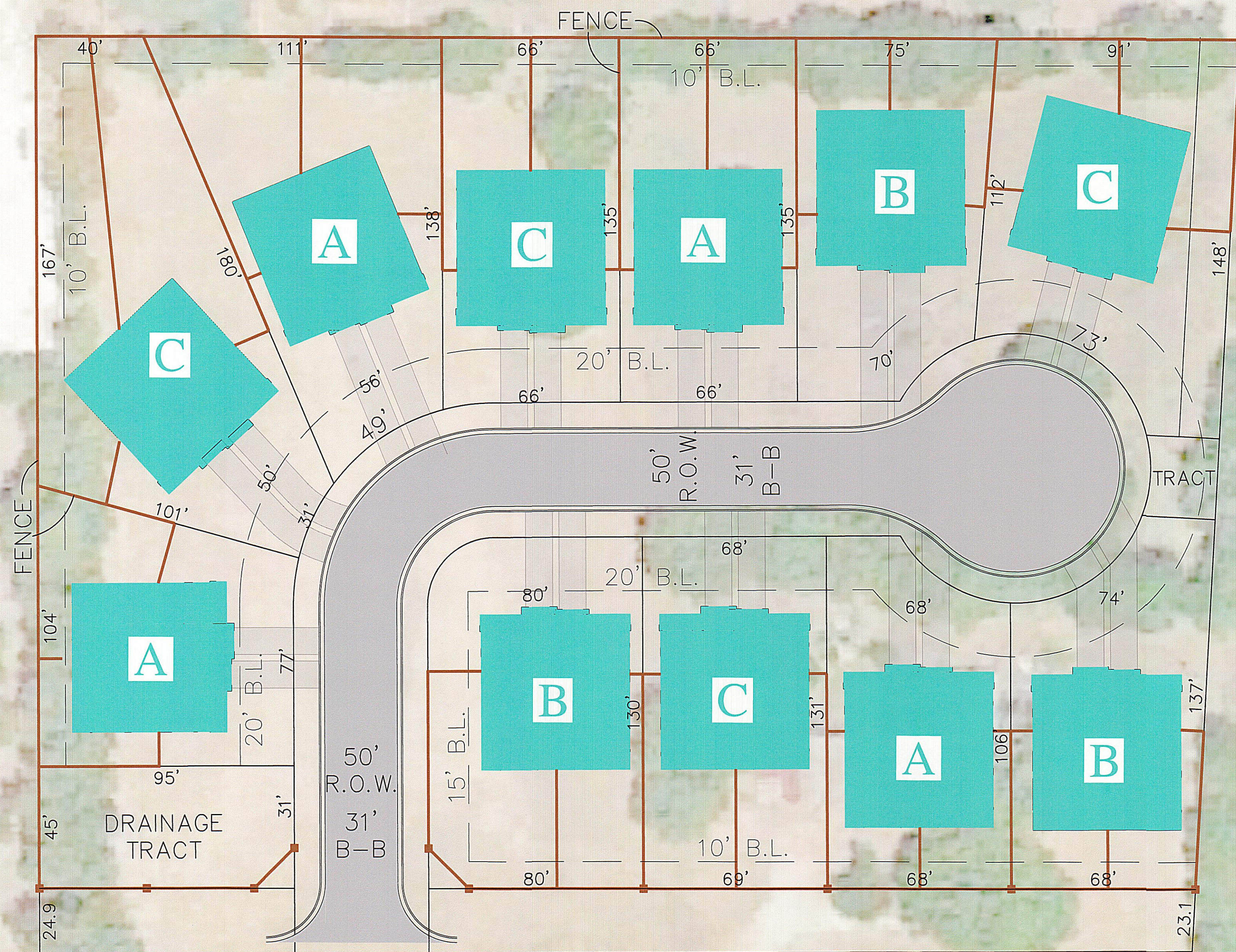
View To West



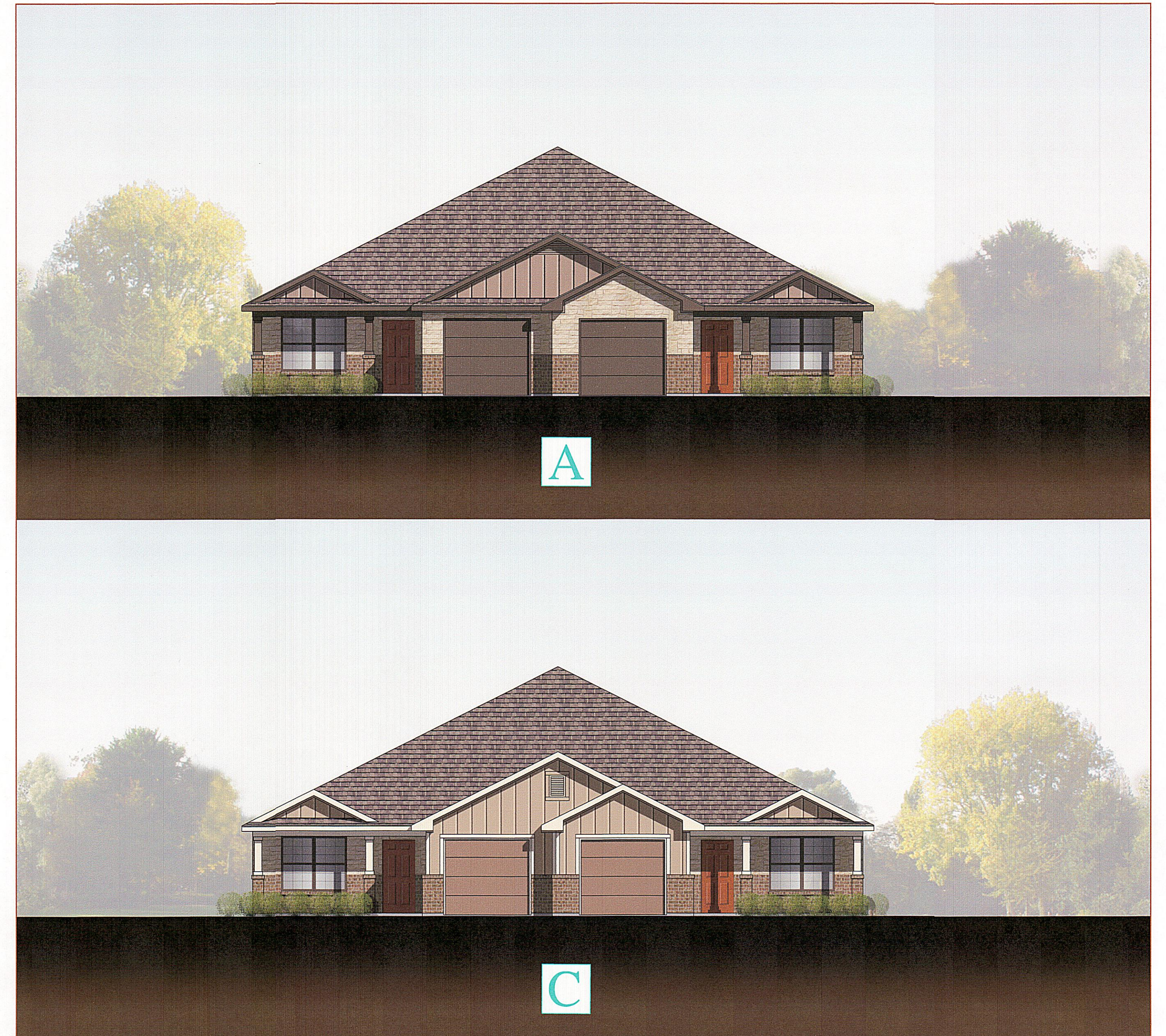


SAGE VALLEY DRIVE

WESTSIDE VILLAGE



HOGAN ROAD



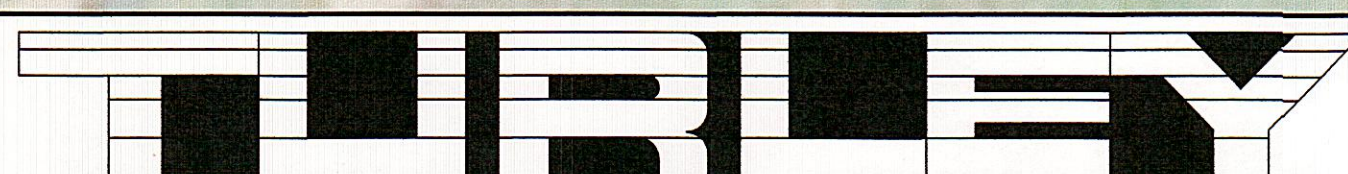
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REVISIONS	DATE	DESCRIPTION	DFTR.

AUTHORS

301 N. 3rd St.
TEMPLE, TEXAS 76501



TURLEY ASSOCIATES, INC.

ENGINEERING • PLANNING • SURVEYING

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254.773.2400
fax 254.773.3998

DRAFTSMAN:
DESIGNER:
ENGINEER:

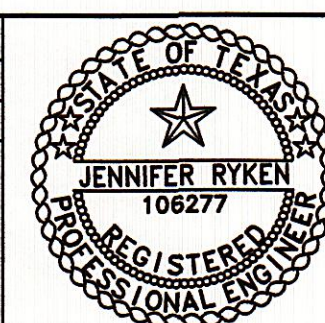
JFBII

JFBII

DATE:

Jennifer Ryken

5/31/17



PROJECT

FILE NAME:
REF. DWG(s):

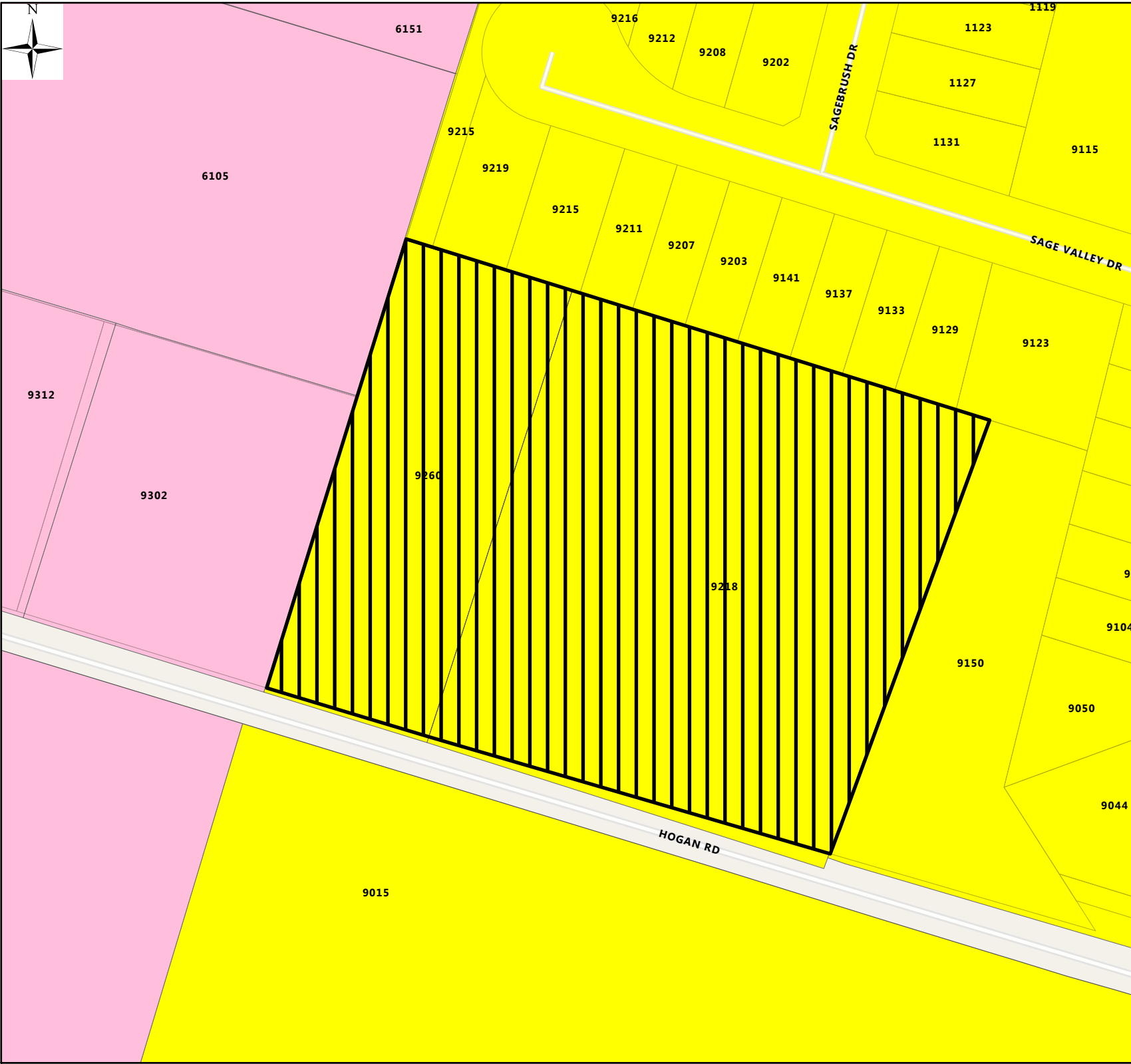
TITLE:

HOGAN ROAD
SITE PLAN

JOB#

PAGE#

01



AG TO PD 2F FUTURE LAND USE MAP

Zoning Case :
Z-FY-17-31

Address :
9218 & 9260 Hogan

- 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.

Irbarrett
Date: 6/1/2017





AG TO PD 2F THOROUGHFARE AND TRAILS MAP

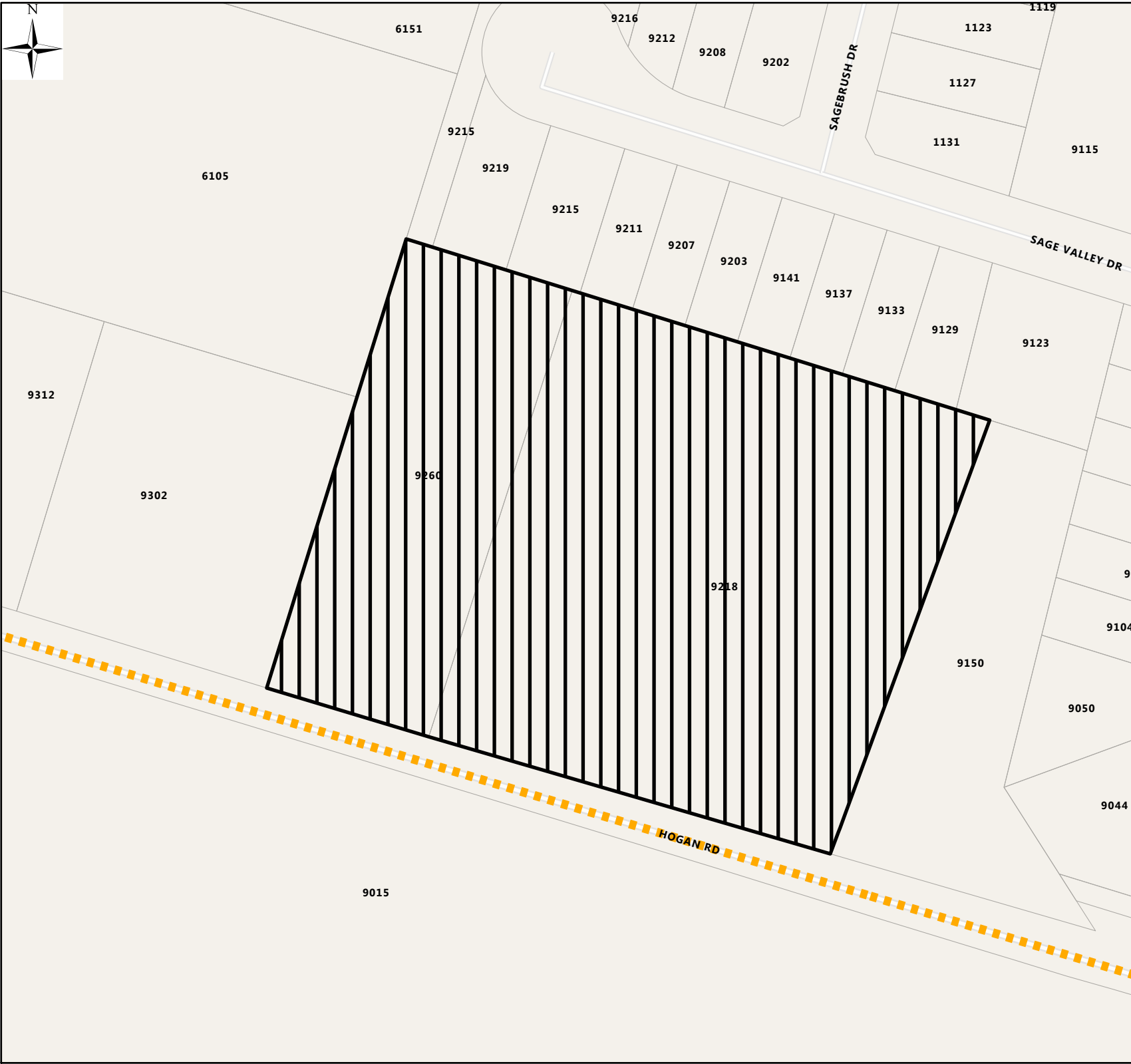
Zoning Case :
Z-FY-17-31

Address :
9218 & 9260 Hogan

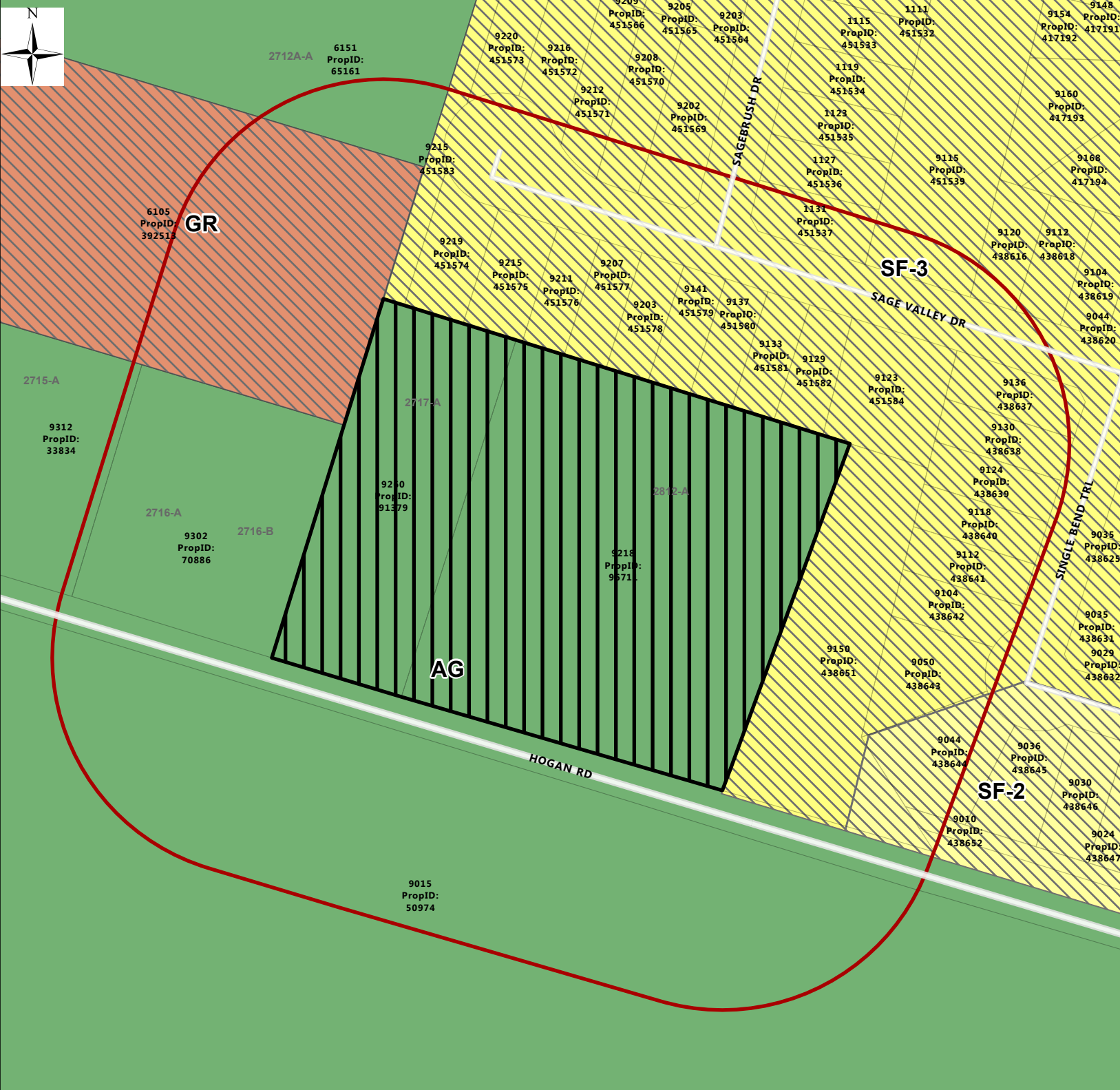
- Parcels
- Thoroughfare Plan
 - Expressway
 - Major Arterial
 - Proposed Major Arterial
 - Minor Arterial
 - Proposed Minor Arterial
 - Collector
 - Proposed Collector
- Trails Master Plan
 - EXISTING, CITY WIDE SPINE
 - EXISTING, COMMUNITY WIDE CONNECTOR
 - EXISTING, LOCAL CONNECTOR
 - PROPOSED, CITY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

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Irbarrett
Date: 6/1/2017







AG TO 2F

200'

NOTIFICATION MAP

Zoning Case :
Z-FY-17-31

Address :
9218 & 9260 Hogan Road

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

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

Irbarrett
Date: 6/1/2017





RESPONSE TO PROPOSED
REZONING REQUEST
CITY OF TEMPLE

RIVERA, JAIME HERNANDEZ
9129 SAGE VALLEY DR
TEMPLE, TX 76502

Zoning Application Number: Z-FY-17-31

Case Manager: Lynn Barrett

Location: 9218 and 9260 Hogan Road, 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

(X) disagree with this request

Comments:

This project affects our privacy, threatens to diminish the value of our property, including the environment surrounding our back yard and affect main reason why we bought this property. We bought this house by the place strategic and privacy be corner and not have property behind. We don't want to lose these attributes and privacy.

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, lrbarrrett@templetx.gov, mail or hand-deliver this comment form to the address below, no later than **June 19, 2017**.

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

Number of Notices Mailed: 37

Date Mailed: June 8, 2017

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

RECEIVED

JUN 14 2017

CITY OF TEMPLE
PLANNING & DEVELOPMENT



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

ORTIZ-LUCENA, JOHNNY ETUX NYDIA RIERA FIGUEROA
9211 SAGE VALLEY DR
TEMPLE, TX 76502

Zoning Application Number: Z-FY-17-31

Case Manager: Lynn Barrett

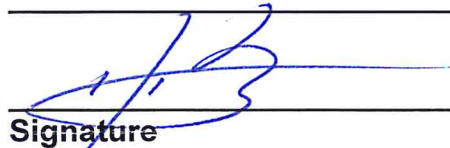
Location: 9218 and 9260 Hogan Road, Temple, Texas

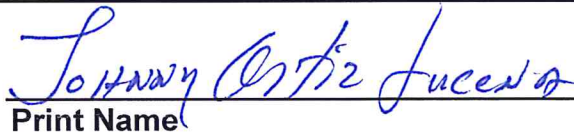
The proposed rezoning is the area shown in hatched marking on the attached map. Because you own property within 200 feet of the requested change, your opinions are welcomed. Please use this form to indicate whether you are in favor of the possible rezoning of the property described on the attached notice,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

I ☐ agree

☒ disagree with this request

Comments:


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, lrbarrrett@templetx.gov, mail or hand-deliver this comment form to the address below, no later than **June 19, 2017**.

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

Number of Notices Mailed: 37

Date Mailed: June 8, 2017

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

RECEIVED
JUN 15 2017
City of Temple
Planning & Development



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

MOLL, DANIEL ETUX AMANDA
9137 SAGE VALLEY DR
TEMPLE, TX 76502

Zoning Application Number: Z-FY-17-31

Case Manager: Lynn Barrett

Location: 9218 and 9260 Hogan Road, 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:

This could hurt our property value, as rental tenants do not take care of their properties. We picked this spot to have privacy behind us, not to have a viewing of others yards. The looming construction can bring rattlesnakes out and be an endangerment to our children.

Amanda Moll

Signature

Amanda & Daniel Moll

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, lrbartlett@templetx.gov, mail or hand-deliver this comment form to the address below, no later than **June 19, 2017**.

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

Number of Notices Mailed: 37

Date Mailed: June 8, 2017

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

RECEIVED

JUN 15 2017

City of Temple
Planning & Development



RESPONSE TO PROPOSED
REZONING REQUEST
CITY OF TEMPLE

DALTON, TERRI & AL MILLER
9133 SAGE VALLEY DR.
TEMPLE, TX 76502

Zoning Application Number: Z-FY-17-31

Case Manager: Lynn Barrett

Location: 9218 and 9260 Hogan Road, 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:

We are concerned with losing the tree line directly
behind our back yard as well as traffic conditions
on Hogan Road with the addition of an entrance to
these proposed Duplexes

Al Miller
Signature

Alan Miller
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, lbarrett@templetx.gov, mail or hand-deliver this comment form to the address below, no later than **June 19, 2017**.

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

Number of Notices Mailed: 37

Date Mailed: June 8, 2017

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

RECEIVED

JUN 15 2017

City of Temple
Planning & Development



RESPONSE TO PROPOSED
REZONING REQUEST
CITY OF TEMPLE

LINDER, ASHLEY C
9118 SINGLE BEND TRAIL
TEMPLE, TX 76502

Zoning Application Number: Z-FY-17-31

Case Manager: Lynn Barrett

Location: 9218 and 9260 Hogan Road, Temple, Texas

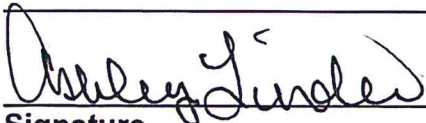
The proposed rezoning is the area shown in hatched marking on the attached map. Because you own property within 200 feet of the requested change, your opinions are welcomed. Please use this form to indicate whether you are in favor of the possible rezoning of the property described on the attached notice,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

I () agree

☒ disagree with this request

Comments:

I strongly disagree with this request, as we were assured no property would be built behind us and paid a large fee for the lot due to this.



Signature

Ashley Linder

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, lrbarrett@templetx.gov, mail or hand-deliver this comment form to the address below, no later than **June 19, 2017**.

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

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JUN 19 2017

City of Temple
Planning & Development

Number of Notices Mailed: 37

Date Mailed: June 8, 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**

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JUN 19 2017

City of Temple
Planning & Development

ESQUIVEL, CHRISTIAN L ETUX YANETT
9215 SAGE VALLEY DR
TEMPLE, TX 76502

Zoning Application Number: Z-FY-17-31

Case Manager: Lynn Barrett

Location: 9218 and 9260 Hogan Road, Temple, Texas

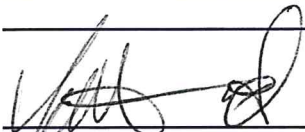
The proposed rezoning is the area shown in hatched marking on the attached map. Because you own property within 200 feet of the requested change, your opinions are welcomed. Please use this form to indicate whether you are in favor of the possible rezoning of the property described on the attached notice,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

I ☐ agree

☒ disagree with this request

Comments:

Do not want to decrease property value. And the trees that are
in the area.


Signature

Yanett Esquivel
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, lrbarrrett@templetx.gov, mail or hand-deliver this comment form to the address below, no later than **June 19, 2017**.

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

Number of Notices Mailed: 37

Date Mailed: June 8, 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**

JONES, RYAN TAYLOR ETUX MICHELLE DC
9112 SINGLE BEND TRL
TEMPLE, TX 76502

Zoning Application Number: Z-FY-17-31

Case Manager: Lynn Barrett

Location: 9218 and 9260 Hogan Road, Temple, Texas

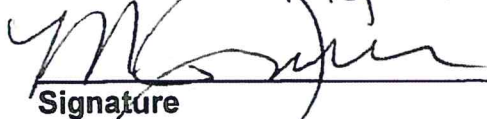
The proposed rezoning is the area shown in hatched marking on the attached map. Because you own property within 200 feet of the requested change, your opinions are welcomed. Please use this form to indicate whether you are in favor of the possible rezoning of the property described on the attached notice,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

I () agree

☒ disagree with this request

Comments:

I don't agree with this because this is residential area. It would make more noise, more traffic, more crime. I paid more money to not have housing behind me! Is John Kiehl going to reimburse my money I paid extra???


Signature

Michelle Jones
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, lrbartlett@templetx.gov, mail or hand-deliver this comment form to the address below, no later than **June 19, 2017**.

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

Number of Notices Mailed: 37

Date Mailed: June 8, 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**

BENNEBY, RENNICK ETUX SANDRAC
9104 SINGLE BEND TRL
TEMPLE, TX 76502

Zoning Application Number: Z-FY-17-31

Case Manager: Lynn Barrett

Location: 9218 and 9260 Hogan Road, Temple, Texas

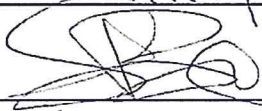
The proposed rezoning is the area shown in hatched marking on the attached map. Because you own property within 200 feet of the requested change, your opinions are welcomed. Please use this form to indicate whether you are in favor of the possible rezoning of the property described on the attached notice,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

I () agree

(X) disagree with this request

Comments:

We paid to not have homes behind our property and were told by Village of Sage Meadows salesman and construction manager that there would not be any property built due to utility lines. Construction would cause noise. (see attached)


Signature

Sandra Beneby,
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, lrbarrrett@templetx.gov, mail or hand-deliver this comment form to the address below, no later than **June 19, 2017**.

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

Number of Notices Mailed: 37

Date Mailed: June 8, 2017

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

RECEIVED

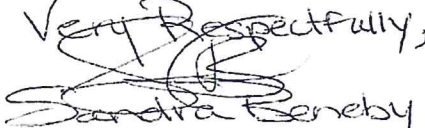
JUN 19 2017

**CITY OF TEMPLE
PLANNING & DEVELOPMENT**

June 19, 2017

Zoning Application Number: Z-FY-17-31
Case Manager: Lynn Barrett

I am submitting formal comments in strong opposition to the proposed rezoning on Hogan Road. I strongly urge the county to deny the application of the structure. The proposed rezoning will compromise the flow of traffic to an already heavily populated area, not to mention the influx of crime, and noise disturbances will be multiplied exponentially. As I previously mentioned, we were assured by KB Homes representatives upon purchase of our lot that we paid more for that there would not be any construction behind our home, and given extra assurances that our property is positioned in front of utility poles and lines. That peace of mind was a strong selling feature for us as buyers. We object to this proposed rezoning that will wreak havoc on our day to day lives moving forward, and can quite possibly reduce the value of our home.

Very Respectfully,

Sandra Benesby

RECEIVED

JUN 19 2017

**CITY OF TEMPLE
PLANNING & DEVELOPMENT**



RESPONSE TO PROPOSED
REZONING REQUEST
CITY OF TEMPLE

PITTS, AUBREY ETUX JENNIFER
2430 COTTONWOOD CREEK RD
TEMPLE, TX 76501-6724

Zoning Application Number: Z-FY-17-31

Case Manager: Lynn Barrett

Location: 9218 and 9260 Hogan Road, 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

RECEIVED

Comments:

JUN 28 2017

City of Temple
Planning & Development

Aubrey Pitts
Signature

Aubrey Pitts
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, lbarrett@templetx.gov, mail or hand-deliver this comment form to the address below, no later than **June 19, 2017**.

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

Number of Notices Mailed: 37

Date Mailed: June 8, 2017

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

ORDINANCE NO. 2017-4854
(Z-FY-17-31)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A REZONING AND SITE DEVELOPMENT PLAN FROM AGRICULTURAL ZONING DISTRICT TO PLANNED DEVELOPMENT-TWO FAMILY ZONING DISTRICT ON APPROXIMATELY 3.420 ACRES SITUATED IN THE BALDWIN ROBERTSON SURVEY, ABSTRACT NO. 17, BLOCKS 2717-A AND 2812-1, BELL COUNTY, TEXAS; LOCATED AT 9218 AND 9260 HOGAN ROAD, TEMPLE, TEXAS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, John Kiella, on behalf of the owner Bret Turner, has requested a rezoning of property located at 9218 and 9260 Hogan Road, from Agricultural zoning district to Planned Development-Two Family zoning district to allow for an 11-lot duplex development;

Whereas, the property is located along Hogan Road approximately 500 feet east of State Highway 317, and is on two lots totaling approximately 3.4 acres - the property is currently vacant and contains an abandoned home and an undeveloped field;

Whereas, the applicant proposes to build 11 duplexes (22 housing units) with proposed lot width dimensions ranging from 50 to 80 feet and approximately 100 to 150 feet in depth to be accessed from a new cul-de-sac - the proposal also includes an entry way monument sign with landscaping and a Homeowner's Association (HOA);

Whereas, per UDC, Section 3.4.3 & 3.4.4, a Planned Development requires approval of a Development/Site plan that is binding;

Whereas, on June 12, 2017, the DRC met with the applicant to discuss the proposal. Discussion included maintenance of the drainage tract, access to sewer lines and offsite utility extensions, and important infrastructure requirements which will be addressed during the platting process and that will be required prior to any development of the property.

Whereas, the Planning and Zoning Commission of the City of Temple, Texas, after due consideration of the conditions, recommends approval of the rezoning and Site Development Plan from Agricultural zoning district to Planned Development-Two Family district, on approximately 3.420 acres, situated in the Baldwin Robertson Survey, Abstract No. 17, Blocks 2717-A and 2812-A Bell County, located at 9218 and 9260 Hogan Road, Temple, Texas; and

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 approves a rezoning from Agricultural zoning district to Planned Development-Two Family district, on approximately 3.420 acres, situated in the Baldwin Robertson Survey, Abstract No. 17, Blocks 2717-A and 2812-A Bell County, located at 9218 and 9260 Hogan Road, Temple, Texas, as outlined in the site plan attached hereto as Exhibit 'A,' and made a part hereof for all purposes along with the following conditions:

1. Substantial compliance with the attached development/site plan;
2. 20 foot front setbacks on lots;
3. Two lots less than 60 foot widths;
4. Wood fence 6 feet high along Hogan with an entrance monument sign, HOA owned/maintained;
5. 2 trees and landscaping on each lot;
6. Existing tree buffer along the north property line to be retained;
7. HOA maintained drainage tract; access tract to be HOA owned/ maintained;
8. Elevations as shown on Site Plan (B is very close to C in appearance); minimum masonry of brick/stone/rock of 75% on 4 sides of each structure; balance to be cementitious siding;
9. Offsite utility connections will be required; details to come at platting.

Part 3: The City Council approves the Site Development Plan attached hereto as Exhibit 'B,' and made a part hereof for all purposes.

Part 4: The City Council directs the Director of Planning to make the necessary changes to the City Zoning Map.

Part 5: It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable and, if any phrase, clause, sentence, paragraph or section of this ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such phrase, clause, sentence, paragraph or section.

Part 6: This Ordinance shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Temple, Texas, and it is accordingly so ordained.

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

PASSED AND APPROVED on First Reading and Public Hearing on the **20th** day of **July**, 2017.

PASSED AND APPROVED on Second Reading on the **3rd** day of **August**, 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

08/03/17
Item #5(K)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Damon B. Boniface, Utility Director
Belinda Mattke, Purchasing Director

ITEM DESCRIPTION: Consider adopting a resolution authorizing an increase in the estimated expenses in FY 2017 from \$160,000 to \$212,000 for the hauling and disposal of sludge by S&M Vacuum & Waste, Ltd of Killeen.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: On September 1, 2016, Council authorized a services agreement for the hauling and disposal of sludge with S&M Vacuum & Waste of Killeen for FY 2017 at a rate of \$0.030 per gallon for an estimated annual purchase of \$160,000.

This fiscal year, the City's water treatment plant continues to experience various changes in source water characteristics from Lake Belton Dam into the Leon River. Water quality diverted from the Leon River has severely decreased, and resulted in an unanticipated larger volume of sludge.

S&M has hauled and disposed of 5,053,000 gallons of sludge through June, at a cost of \$151,590. Staff is estimating the need to haul and dispose of an additional 2,000,000 gallons of sludge through the remainder of FY 2017, for a total estimated annual expenditure of approximately \$212,000, an increase of \$52,000 over the original appropriated FY 2017 budget.

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

FISCAL IMPACT: Funding for the increased expenditure is available in the Water Treatment Plant operations and maintenance budget, account 520-5100-535-2338.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. 2017-8739-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING AN INCREASE IN THE ESTIMATED EXPENSES FOR THE HAULING AND DISPOSAL OF SLUDGE FROM \$160,000 TO \$212,000, BY S&M VACUUM & WASTE, LTD OF KILLEEN, TEXAS, FOR FISCAL YEAR 2017; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on September 1, 2016, Council authorized a services agreement for the hauling and disposal of sludge with S&M Vacuum & Waste, Ltd. (S&M) of Killeen, Texas for fiscal year 2017 at a rate of \$0.030 per gallon for an estimated annual purchase of \$160,000;

Whereas, this fiscal year, the City's water treatment plant continues to experience various changes in source water characteristics from Lake Belton Dam into the Leon River and water quality diverted from the Leon River has severely decreased, resulting in an unanticipated larger volume of sludge;

Whereas, S&M has hauled and disposed of 5,053,000 gallons of sludge through June, 2017, at a cost of \$151,590 and Staff is estimating the need to haul and dispose of an additional 2,000,000 gallons of sludge through the remainder of fiscal year 2017, for a total estimated annual expenditure of approximately \$212,000, an increase of \$52,000 over the original appropriated fiscal year 2017 budget;

Whereas, this annual contract is structured as a 'unit price' contract to allow for flexibility in the contract based on the needs of the City during the fiscal year;

Whereas, no change order is required to the executed services agreement, however, Staff advises Council that expenditures have exceeded the estimated annual expenditures which were previously disclosed;

Whereas, Staff recommends Council authorize an increase in the estimated expenses for the hauling and disposal of sludge from \$160,000 to \$212,000, by S&M Vacuum & Waste, Ltd., of Killeen, Texas, for fiscal year 2017;

Whereas, funding for this increased expenditure is available in the Water Treatment Plant Operations and Maintenance Budget, Account No. 520-5100-535-2338; and

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

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

Part 1: 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 an increase in the estimated expenses for the hauling and disposal of sludge from \$160,000 to \$212,000, by S&M Vacuum & Waste, Ltd., of Killeen, Texas, for fiscal year 2017.

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

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 3rd day of **August**, 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

08/03/17
Item #5(L)
Consent Agenda
Page 1 of 3

DEPT./DIVISION SUBMISSION & REVIEW:

Brynn Myers, Interim City Manager

ITEM DESCRIPTION: Consider adopting a resolution ratifying an update to the City of Temple General Government Compensation Plan.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The FY 2017 Budget includes an allocation for the implementation of updated General Government Compensation Plan based on a compensation and classification study conducted in 2016-2017. As a result of the study, Staff is recommending a new pay plan for general government employees that:

- adjusts minimum starting salaries based on market salary survey, and
- updates grade placements for each position based on the job classification analysis performed as part of study.

Information on the implementation process for the new pay plan is below. The adjustments are effective beginning with paychecks dated August 2, 2017.

1. FY 17 Performance Pay Adjustment

Employees who are eligible to be considered for performance pay include general government employees with a full-time or part-time with benefits status as of September 30, 2016 who have successfully completed their initial introductory period as of September 30, 2016.

- Performance pay is awarded to an equal percentage of employees within each department or division based on employee's performance evaluation scores. The top scoring one-third of employees in each department or division qualify for Tier 1 performance pay. The middle scoring one-third of employees in each department or division qualify for Tier 2 performance pay. The fiscal year 2017 Tier 1 performance pay percentage is 3.0% and the Tier 2 performance pay percentage is 1.5%

- Employees who qualify for performance pay but whose performance pay adjustment to base pay would place them above the range maximum for their position's assigned grade will receive the portion of their performance pay that would place them above the range maximum as a lump sum payment based on the difference in their current hourly rate. The calculation of the number of employees who qualify for each performance pay tier is based on the total number of employees in each department or division who are eligible to be considered for performance pay divided by one-third and rounded to the nearest whole number.

2. Minimum Market Adjustment

After the FY 17 performance pay adjustment is applied, all eligible general government employees will receive a minimum market adjustment of 2% or to the range maximum of their position's assigned grade, whichever is less. Employees who are eligible to be considered for the market adjustment include general government employees who have successfully completed their initial introductory period as of July 13, 2017.

3. Range Placement Adjustment

After the FY 17 performance pay adjustment and the minimum market adjustment is applied, employees who fall below the 1st Quartile of their position's new grade range will be placed within the new grade range based on their class tenure and past performance history. This adjustment will be based on the following methodology:

- Employees will initially be placed within their position's assigned grade range based on their tenure within their current position. Tenure placement will occur between range minimum and 95% of range 1st quartile through 25 equally distributed increments. Employees will be placed in the increment associated with their class tenure as of October 1, 2017, rounded to the nearest whole number.
- Each employee's initial tenure placement will then be adjusted upward by a percentage equal to one-half of the sum of the actual performance pay percentage an employee has received in each of the past three fiscal years (FY 15, FY 16, and FY 17).
- Finally, each employee's tenure placement will be adjusted downward by a percent equal to one-half of the sum of the lowest amount of performance pay percentage an employee was eligible to be considered for but did not qualify for in each of the past three fiscal years (FY 15, FY 16, and FY 17). No employee will be placed below the range minimum for their position's assigned grade.

FISCAL IMPACT: The total cost to implement the General Government Compensation Plan in FY 2017 is \$251,000. \$731,000 was appropriated in the compensation contingency accounts in the FY 2017 Operating Budget to fund the recommended pay plan adjustment and performance pay increases for all General Government employees.

Due to the delay of the implementation of the General Government Compensation Plan, the remaining amount available of \$480,000 in FY 2017 will be designated and re-appropriated in the FY 2018 Operating Budget.

A breakdown of funding by fund is shown below:

	General Fund	Hotel/Motel Fund	Drainage Fund	Water & Wastewater Fund	Bond Funds	Totals
FY 2017 Operating Budget	\$ 560,000	\$ 28,300	\$ 24,300	\$ 112,500	\$ 5,900	\$ 731,000
FY 2017 Partial Year Implementation	(193,335)	(7,969)	(7,849)	(35,947)	(5,900)	(251,000)
Remaining Amount Available	\$ 366,665	\$ 20,331	\$ 16,451	\$ 76,553	-	\$ 480,000

ATTACHMENTS:

[General Government Compensation Plan Resolution](#)

City of Temple
General Government Compensation Plan
As of July 14, 2017

Pay Grade	Pay Basis	Minimum	1st Quartile	Midpoint	3rd Quartile	Maximum	Position Title
200	Annual	\$ 89,211.20	\$ 103,708.80	\$ 118,206.40	\$ 132,704.00	\$ 147,201.60	DIRECTOR OF HUMAN RESOURCES
	Hourly	\$ 42.89	\$ 49.86	\$ 56.83	\$ 63.80	\$ 70.77	DIRECTOR OF INFORMATION TECHNOLOGY DIRECTOR OF PARKS & RECREATION DIRECTOR OF PLANNING
201	Annual	\$ 93,683.20	\$ 108,908.80	\$ 124,113.60	\$ 139,339.20	\$ 154,564.80	DIRECTOR OF PUBLIC WORKS
	Hourly	\$ 45.04	\$ 52.36	\$ 59.67	\$ 66.99	\$ 74.31	FIRE CHIEF POLICE CHIEF
202	Annual	\$ 98,363.20	\$ 114,337.60	\$ 130,332.80	\$ 146,307.20	\$ 162,302.40	ASSISTANT CITY MANAGER
	Hourly	\$ 47.29	\$ 54.97	\$ 62.66	\$ 70.34	\$ 78.03	
300	Annual	\$ 37,668.80	\$ 42,868.80	\$ 48,048.00	\$ 53,227.20	\$ 58,406.40	MUSEUM CURATOR
	Hourly	\$ 18.11	\$ 20.61	\$ 23.10	\$ 25.59	\$ 28.08	
301	Annual	\$ 39,166.40	\$ 45,510.40	\$ 51,875.20	\$ 58,240.00	\$ 64,604.80	ASSISTANT GOLF COURSE SUPERINTENDENT
	Hourly	\$ 18.83	\$ 21.88	\$ 24.94	\$ 28.00	\$ 31.06	CRIME ANALYST MUSEUM ARCHIVIST
302	Annual	\$ 42,286.40	\$ 49,171.20	\$ 56,035.20	\$ 62,899.20	\$ 69,784.00	ASSISTANT DIRECTOR OF UTILITY BILLING
	Hourly	\$ 20.33	\$ 23.64	\$ 26.94	\$ 30.24	\$ 33.55	DOWNTOWN DEVELOPMENT COORDINATOR PARK PLANNER PLANNER PROGRAM COORDINATOR PROJECT MANAGER- PUBLIC WORKS SYSTEMS ANALYST I TRANSFORM TEMPLE COORDINATOR WELLNESS COORDINATOR
303	Annual	\$ 45,676.80	\$ 53,102.40	\$ 60,507.20	\$ 67,932.80	\$ 75,358.40	ACCOUNTANT
	Hourly	\$ 21.96	\$ 25.53	\$ 29.09	\$ 32.66	\$ 36.23	ADULT SERVICES LIBRARIAN ASSISTANT DIRECTOR OF GOLF DEPUTY CITY SECRETARY ENVIRONMENTAL PROGRAMS MANAGER GOLF COURSE SUPERINTENDENT MUSEUM MANAGER OPERATIONS MANAGER- AIRPORT OPERATIONS MANAGER- CONVENTION CENTER OPERATIONS MANAGER- SOLID WASTE PERMIT SUPERVISOR STRATEGIC INITIATIVES MANAGER TECHNICAL SERVICES SUPERVISOR- LIBRARY TELECOM & NETWORK SPECIALIST YOUTH SERVICES LIBRARIAN WELLNESS CENTER MANAGER
304	Annual	\$ 49,337.60	\$ 57,345.60	\$ 65,353.60	\$ 73,382.40	\$ 81,390.40	ASSISTANT DIRECTOR OF PURCHASING
	Hourly	\$ 23.72	\$ 27.57	\$ 31.42	\$ 35.28	\$ 39.13	COMMUNITY DEVELOPMENT MANAGER HUMAN RESOURCES GENERALIST LEGAL ADMINISTRATIVE SUPERVISOR NETWORK ANALYST PROJECT ENGINEER SENIOR ACCOUNTANT SENIOR PLANNER SPECIAL ASSISTANT TO THE CITY MANAGER SYSTEM ANALYST II SYSTEM/DATABASE ADMINISTRATOR TRAFFIC SIGNAL MANAGER

City of Temple
General Government Compensation Plan
As of July 14, 2017

Pay Grade	Pay Basis	Minimum	1st Quartile	Midpoint	3rd Quartile	Maximum	Position Title
305	Annual	\$ 53,268.80	\$ 61,921.60	\$ 70,595.20	\$ 79,248.00	\$ 87,900.80	ANIMAL CONTROL MANAGER
	Hourly	\$ 25.61	\$ 29.77	\$ 33.94	\$ 38.10	\$ 42.26	GIS MANAGER SENIOR PROJECT MANAGER- IT STREET & DRAINAGE SERVICES MANAGER TREATMENT CHIEF OF OPERATIONS UTILITY SERVICES MANAGER
306	Annual	\$ 57,532.80	\$ 66,892.80	\$ 76,232.00	\$ 85,592.00	\$ 94,931.20	DIRECTOR OF COMMUNICATIONS
	Hourly	\$ 27.66	\$ 32.16	\$ 36.65	\$ 41.15	\$ 45.64	FINANCIAL ANALYST PARKS SUPERINTENDENT RECREATIONAL SERVICES SUPERINTENDENT SENIOR PROJECT ENGINEER
307	Annual	\$ 62,129.60	\$ 72,238.40	\$ 82,326.40	\$ 92,435.20	\$ 102,523.20	BUDGET MANAGER
	Hourly	\$ 29.87	\$ 34.73	\$ 39.58	\$ 44.44	\$ 49.29	CHIEF BUILDING OFFICIAL CONVENTION & VISITOR BUREAU MANAGER COURT ADMINISTRATOR DIRECTOR OF AIRPORT DIRECTOR OF FLEET SERVICES DIRECTOR OF GENERAL SERVICES DIRECTOR OF GOLF DIRECTOR OF LIBRARY DIRECTOR OF SOLID WASTE SERVICES DIRECTOR OF TRANSFORM TEMPLE DIRECTOR OF UTILITY BILLING DEPUTY UTILITY DIRECTOR TREASURY & GRANTS MANAGER
308	Annual	\$ 67,100.80	\$ 78,020.80	\$ 88,920.00	\$ 99,819.20	\$ 110,739.20	ASSISTANT DIRECTOR OF INFORMATION TECHNOLOGY
	Hourly	\$ 32.26	\$ 37.51	\$ 42.75	\$ 47.99	\$ 53.24	ASSISTANT DIRECTOR OF PARKS & RECREATION ASSISTANT DIRECTOR OF PLANNING DEPUTY CITY ATTORNEY DEPUTY CITY ENGINEER DIRECTOR OF PURCHASING
309	Annual	\$ 72,488.00	\$ 84,260.80	\$ 96,033.60	\$ 107,806.40	\$ 119,579.20	DIRECTOR OF TRANSPORTATION
	Hourly	\$ 34.85	\$ 40.51	\$ 46.17	\$ 51.83	\$ 57.49	DIRECTOR OF UTILITIES
310	Annual	\$ 78,270.40	\$ 91,000.00	\$ 103,708.80	\$ 116,438.40	\$ 129,147.20	ASSISTANT DIRECTOR OF FINANCE
	Hourly	\$ 37.63	\$ 43.75	\$ 49.86	\$ 55.98	\$ 62.09	CITY ENGINEER
400	Annual	\$ 4,430.40	\$ 4,992.00	\$ 5,553.60	\$ 6,094.40	\$ 6,656.00	CART ATTENDANT
	Hourly	\$ 2.13	\$ 2.40	\$ 2.67	\$ 2.93	\$ 3.20	
401	Annual	\$ 15,080.00	\$ 16,972.80	\$ 18,865.60	\$ 20,737.60	\$ 22,630.40	GOLF SHOP ATTENDANT
	Hourly	\$ 7.25	\$ 8.16	\$ 9.07	\$ 9.97	\$ 10.88	PLAYER ATTENDANT PLAYER ATTENDANT POOL CASHIER- SEASONAL
402	Annual	\$ 16,286.40	\$ 18,324.80	\$ 20,363.20	\$ 22,401.60	\$ 24,440.00	BARTENDER
	Hourly	\$ 7.83	\$ 8.81	\$ 9.79	\$ 10.77	\$ 11.75	
403	Annual	\$ 17,596.80	\$ 19,780.80	\$ 21,985.60	\$ 24,190.40	\$ 26,395.20	CREW WORKER
	Hourly	\$ 8.46	\$ 9.51	\$ 10.57	\$ 11.63	\$ 12.69	
404	Annual	\$ 18,990.40	\$ 21,382.40	\$ 23,753.60	\$ 26,124.80	\$ 28,516.80	CIRCULATION TECHNICIAN
	Hourly	\$ 9.13	\$ 10.28	\$ 11.42	\$ 12.56	\$ 13.71	ELECTION WORKER FOOD & BEVERAGE ATTENDANT FOOD & BEVERAGE ATTENDANT LIFEGUARD- NON-EXEMPT FACILITY LIFEGUARD- NON-EXEMPT FACILITY LIFEGUARD- SEASONAL RECREATION LEADER I RECREATION LEADER I
			w/WSI				
		\$ 9.13	\$ 9.38	1st Year Lifeguard			
		\$ 9.40	\$ 9.65	2nd Year Lifeguard			
		\$ 9.68	\$ 9.93	3rd Year Lifeguard			

City of Temple
General Government Compensation Plan
As of July 14, 2017

Pay Grade	Pay Basis	Minimum	1st Quartile	Midpoint	3rd Quartile	Maximum	Position Title
405	Annual	\$ 20,508.80	\$ 23,088.00	\$ 25,646.40	\$ 28,225.60	\$ 30,784.00	ASSISTANT POOL MANAGER- SEASONAL
	Hourly	\$ 9.86	\$ 11.10	\$ 12.33	\$ 13.57	\$ 14.80	ASSISTANT POOL MANAGER-NON-EXEMPT FACIL
							ASSISTANT POOL MANAGER-NON-EXEMPT FACIL
							CONCESSION SUPERVISOR- SEASONAL
							CUSTODIAN & MAINTENANCE TECHNICIAN I
							CUSTODIAN & MAINTENANCE TECHNICIAN I- PT
							FACILITY ATTENDANT/ CUSTODIAN
							SENIOR CONVENTION CENTER STAFF
						SENIOR CONVENTION CENTER STAFF	
</							

City of Temple
General Government Compensation Plan
As of July 14, 2017

Pay Grade	Pay Basis	Minimum	1st Quartile	Midpoint	3rd Quartile	Maximum	Position Title
409	Annual	\$ 27,913.60	\$ 31,408.00	\$ 34,902.40	\$ 38,396.80	\$ 41,891.20	ADMINISTRATIVE ASSISTANT I
	Hourly	\$ 13.42	\$ 15.10	\$ 16.78	\$ 18.46	\$ 20.14	ADMINISTRATIVE ASSISTANT I- PT ASSET MANAGEMENT TECHNICIAN AUTOMOTIVE TECHNICIAN I BUILDING MAINTENANCE WORKER CHEMICAL TECHNICIAN CREW LEADER - FACILITIES SERVICES CUSTODIAN & MAINTENANCE TECHNICIAN II CUSTOMER SERVICE REPRESENTATIVE I CUSTOMER SERVICE REPRESENTATIVE I - PT EQUIPMENT OPERATOR I- DRAINAGE EQUIPMENT OPERATOR I- GOLF COURSE EQUIPMENT OPERATOR I- PARKS EQUIPMENT OPERATOR I- STREET FORESTRY TECHNICIAN INVENTORY SPECIALIST INVENTORY SPECIALIST- PT METER TECHNICIAN II RECORDS SPECIALIST TRANSFORM TEMPLE AGENT- ABATEMENT UTILITY LOCATE TECHNICIAN UTILITY TECHNICIAN II WATER OPERATOR I
410	Annual	\$ 30,139.20	\$ 33,924.80	\$ 37,689.60	\$ 41,475.20	\$ 45,240.00	ACCOUNTS PAYABLE SPECIALIST
	Hourly	\$ 14.49	\$ 16.31	\$ 18.12	\$ 19.94	\$ 21.75	AIRPORT OPERATIONS SUPERVISOR ANIMAL CONTROL OFFICER ANIMAL CONTROL OFFICER- PT ASSISTANT YOUTH SERVICES LIBRARIAN ASSISTANT YOUTH SERVICES LIBRARIAN - PT AUTOMATED ROUTE OPERATOR AUTOMOTIVE TECHNICIAN II COMMUNITY SERVICE RECORDS TECHNICIAN II CREW LEADER- ATHLETICS CREW LEADER- HORTICULTURE CREW LEADER- PARKS DEPUTY COURT CLERK EQUIPMENT OPERATOR II- CLEANER EQUIPMENT OPERATOR II- SOLID WASTE EQUIPMENT OPERATOR II- STREETS/DRAINAGE INFORMATION TECHNOLOGY SPECIALIST IRRIGATION TECHNICIAN JUVENILE CASE MANAGER PROCUREMENT SPECIALIST RECREATION SPECIALIST RECYCLING ASSISTANT REFERENCE LIBRARIAN REFERENCE LIBRARIAN- PT SALES & MARKETING SPECIALIST SIGNAL MAINTENANCE TECHNICIAN TECHNOLOGY SUPPORT SPECIALIST I TRANSFORM TEMPLE AGENT- PROJECTS UTILITY TECHNICIAN III WELLNESS CENTER SPECIALIST

City of Temple
General Government Compensation Plan
As of July 14, 2017

Pay Grade	Pay Basis	Minimum	1st Quartile	Midpoint	3rd Quartile	Maximum	Position Title
411	Annual	\$ 32,552.00	\$ 36,628.80	\$ 40,705.60	\$ 44,782.40	\$ 48,859.20	ACCOUNTING TECHNICIAN
	Hourly	\$ 15.65	\$ 17.61	\$ 19.57	\$ 21.53	\$ 23.49	ADMINISTRATIVE ASSISTANT II ASSET MANAGEMENT SPECIALIST ASSISTANT AQUATICS COORDINATOR AUTOMOTIVE TECHNICIAN III CITIZEN REQUEST COORDINATOR CODE COMPLIANCE OFFICER COLLECTIONS COORDINATOR COMMUNICATIONS SPECIALIST COURT COORDINATOR CREW LEADER- CONSTRUCTION CREW LEADER- DRAINAGE CREW LEADER- STREETS CREW LEADER- UTILITY SERVICES CRIME VICTIM LIASON CUSTOMER SERVICE COORDINATOR CUSTOMER SERVICE REPRESENTATIVE II DEVELOPMENT COORDINATOR EVIDENCE & PROPERTY TECHNICIAN FOOD AND BEVERAGE COORDINATOR GIS SPECIALIST PLANNING TECHNICIAN PROGRAM SPECIALIST PROJECT INSPECTOR PUBLIC RECORDS ADMINISTRATOR SENIOR DEPUTY COURT CLERK STORMWATER PROGRAM SPECIALIST TRANSFORM TEMPLE AGENT LEAD
412	Annual	\$ 35,152.00	\$ 39,561.60	\$ 43,971.20	\$ 48,360.00	\$ 52,769.60	ASSISTANT GOLF PROFESSIONAL
	Hourly	\$ 16.90	\$ 19.02	\$ 21.14	\$ 23.25	\$ 25.37	COLLECTION DEVELOPMENT LIBRARIAN DEPUTY COURT ADMINISTRATOR ENVIRONMENTAL PROGRAMS TECHNICIAN EVENTS COORDINATOR EXECUTIVE ASSISTANT- CITY ATTORNEY EXECUTIVE ASSISTANT- CITY MANAGER EXECUTIVE ASSISTANT- CITY SECRETARY EXECUTIVE ASSISTANT- FINANCE MAINTENANCE COORDINATOR OPERATIONS COORDINATOR RECYCLING COORDINATOR SENIOR ANIMAL CONTROL OFFICER SENIOR BUYER I TRAFFIC SIGNAL COMMUNICATIONS TECHNICIAN TROUBLESHOOTER- FACILITY SERVICES WATER OPERATOR II
413	Annual	\$ 37,980.80	\$ 42,723.20	\$ 47,486.40	\$ 52,228.80	\$ 56,992.00	ACCOUNTING SPECIALIST
	Hourly	\$ 18.26	\$ 20.54	\$ 22.83	\$ 25.11	\$ 27.40	AIRCRAFT RESCUE & FUELING SPECIALIST AIRCRAFT RESCUE & FUELING SPECIALIST- PT AIRPORT SERVICES COORDINATOR CIRCULATION SUPERVISOR CITY ELECTRICIAN FOREMAN- CUSTODIAL HOUSING INSPECTOR HUMAN RESOURCES TECHNICIAN LEAD AUTOMOTIVE TECHNICIAN LIBRARY OUTREACH COORDINATOR MANAGEMENT ANALYST METER MAINTENANCE SUPERVISOR RESOURCES COORDINATOR SENIOR BUYER II

City of Temple
General Government Compensation Plan
As of July 14, 2017

Pay Grade	Pay Basis	Minimum	1st Quartile	Midpoint	3rd Quartile	Maximum	Position Title
414	Annual	\$ 41,017.60	\$ 46,155.20	\$ 51,272.00	\$ 56,409.60	\$ 61,547.20	ASSET MANAGEMENT COORDINATOR
	Hourly	\$ 19.72	\$ 22.19	\$ 24.65	\$ 27.12	\$ 29.59	COMBINATION BUILDING INSPECTOR
		FLEET SERVICES INVENTORY SUPERVISOR					
		PAYROLL COORDINATOR					
		POLICE RECORDS SUPERVISOR					
		MEDIA RELATIONS SPECIALIST					
		TECHNOLOGY SUPPORT SPECIALIST II					
		WATER OPERATOR III					
415	Annual	\$ 44,283.20	\$ 49,836.80	\$ 55,390.40	\$ 60,923.20	\$ 66,476.80	AIRCRAFT RESCUE & FUELING SUPERVISOR
	Hourly	\$ 21.29	\$ 23.96	\$ 26.63	\$ 29.29	\$ 31.96	FOREMAN- DRAINAGE
		FOREMAN- FACILITY MAINTENANCE					
		FOREMAN- FLEET SERVICES					
		FOREMAN- METERS					
		FOREMAN- PARKS					
		FOREMAN- SOLID WASTE					
		FOREMAN - STREET RECONSTRUCT					
		FOREMAN- STREET SERVICES					
		FOREMAN- UTILITY SERVICES					
		LEAD WATER OPERATOR					

RESOLUTION NO. 2017-8740-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, RATIFYING AN UPDATE TO THE CITY OF TEMPLE GENERAL GOVERNMENT COMPENSATION PLAN; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the fiscal year 2017 budget includes an allocation for the implementation of an updated General Government Compensation Plan based on a compensation and classification study conducted in 2016-2017;

Whereas, as a result of the study, Staff recommends Council authorize a new pay plan for general government employees that adjusts the minimum starting salaries based on market study surveys and updates grade placements for each position based on the job classification analysis preformed as part of the study;

Whereas, the adjustments are effective beginning with paychecks dated August 2, 2017;

Whereas, Staff recommends Council ratify an update to the City of Temple General Government Compensation Plan;

Whereas, the total cost to implement the General Government Compensation Plan in fiscal year 2017 is \$251,000 - \$731,000 which was appropriated in the compensation contingency accounts in the fiscal year 2017 Operating Budget to fund the recommended pay plan adjustment and performance pay increases for all General Government employees;

Whereas, due to the delay of the implementation of the General Government Compensation Plan, the remaining amount of \$480,000 in fiscal year 2017 will be designated and re-appropriated in the fiscal year 2018 Operating Budget; and

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

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

Part 1: 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 ratifies an update to the City of Temple General Government Compensation Plan with adjustments effective on paychecks dated August 2, 2017.

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 **3rd** day of **August**, 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

08/03/17
Item #5(M)
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 \$5,416.

ATTACHMENTS:

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

CITY OF TEMPLE
BUDGET AMENDMENTS FOR FY 2017 BUDGET
August 3, 2017

ACCOUNT #	PROJECT #	DESCRIPTION	APPROPRIATIONS	
			Debit	Credit
110-1800-525-2221		Capital < \$5,000 / Computer Equipment	\$ 670	
110-0000-452-0455		Administrative Fees / Technology Fee		\$ 670
To appropriate Technology Fees for the purchase of a replacement receipt printer.				
110-2100-529-2112		Supplies / Food Items/Supplies	\$ 250	
110-0000-461-0841		Other / Donations/Gifts		\$ 250
To appropriate donations for volunteer appreciation luncheon.				
260-0000-431-0131		Federal Grants / CDBG Federal Grant	\$ 4,496	
260-6100-571-6516	101124	Capital - Special Projects / Park Improvements - Wilson Park		\$ 4,496
To unappropriate CDBG funds for the amount of funds that will not be returned to CDBG because insurance proceeds will not be received for the ground cover portions damaged by the Wilson Park playground fire.				
TOTAL AMENDMENTS			\$ 5,416	\$ 5,416
GENERAL FUND				
Beginning Contingency Balance			\$ -	
Added to Contingency Sweep Account			-	
Carry forward from Prior Year			-	
Taken From Contingency			-	
Net Balance of Contingency Account			\$ -	
Beginning Judgments & Damages Contingency			\$ 5,257	
Added to Contingency Judgments & Damages from Council Contingency			-	
Taken From Judgments & Damages			-	
Net Balance of Judgments & Damages Contingency Account			\$ 5,257	
Beginning Compensation Contingency			\$ 560,000	
Added to Compensation Contingency			-	
Taken From Compensation Contingency			-	
Net Balance of Compensation Contingency Account			\$ 560,000	
Net Balance Council Contingency			\$ 565,257	
Beginning Balance Budget Sweep Contingency			\$ -	
Added to Budget Sweep Contingency			-	
Taken From Budget Sweep			-	
Net Balance of Budget Sweep Contingency Account			\$ -	
WATER & SEWER FUND				
Beginning Contingency Balance			\$ 50,000	
Added to Contingency Sweep Account			-	
Taken From Contingency			(41,558)	
Net Balance of Contingency Account			\$ 8,442	
Beginning Compensation Contingency			\$ 112,500	
Added to Compensation Contingency			-	
Taken From Compensation Contingency			-	
Net Balance of Compensation Contingency Account			\$ 112,500	
Net Balance Water & Sewer Fund Contingency			\$ 120,942	

CITY OF TEMPLE
BUDGET AMENDMENTS FOR FY 2017 BUDGET
August 3, 2017

ACCOUNT #	PROJECT #	DESCRIPTION	APPROPRIATIONS	
			Debit	Credit
		HOTEL/MOTEL TAX FUND		
		Beginning Contingency Balance		\$ -
		Added to Contingency Sweep Account		-
		Carry forward from Prior Year		-
		Taken From Contingency		-
		Net Balance of Contingency Account		\$ -
		Beginning Compensation Contingency	\$	28,300
		Added to Compensation Contingency		-
		Taken From Compensation Contingency		-
		Net Balance of Compensation Contingency Account	\$	28,300
		Net Balance Hotel/Motel Tax Fund Contingency		\$ 28,300
		DRAINAGE FUND		
		Beginning Contingency Balance	\$	-
		Added to Contingency Sweep Account		-
		Carry forward from Prior Year		-
		Taken From Contingency		-
		Net Balance of Contingency Account	\$	-
		Beginning Compensation Contingency	\$	24,300
		Added to Compensation Contingency		-
		Taken From Compensation Contingency		-
		Net Balance of Compensation Contingency Account	\$	24,300
		Net Balance Drainage Fund Contingency		\$ 24,300
		FED/STATE GRANT FUND		
		Beginning Contingency Balance	\$	-
		Carry forward from Prior Year		14,947
		Added to Contingency Sweep Account		22,397
		Taken From Contingency		-
		Net Balance Fed/State Grant Fund Contingency		\$ 37,344

RESOLUTION NO. 2017-8741-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.

Whereas, on the 26th 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 3rd day of **August**, 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

08/03/17
Item #6
Regular Agenda
Page 1 of 4

DEPT./DIVISION SUBMISSION & REVIEW:

Tammy Lyerly, Senior Planner

ITEM DESCRIPTION: SECOND READING – PUBLIC HEARING - Z-FY-17-32: Consider an ordinance adopting a rezoning from Agricultural zoning to Planned Development-Urban Estates zoning district and its Planned Development Site Plan, on 86.91 +/- acres, situated in the Redding Roberts Survey, Abstract 692, Bell County, Texas, located southeast of FM 93 and Southwood Drive, 3093 West FM 93.

PLANNING AND ZONING COMMISSION RECOMMENDATION: At its June 19, 2017, meeting the Planning and Zoning Commission voted six to one to recommend approval of the requested rezoning from Agricultural (AG) zoning to Planned Development-Urban Estates (PD-UE) zoning district and its Planned Development Site Plan, per Staff's recommendation. Chair Rhoads voted nay. Vice-Chair Fettig and Commissioner Armstrong were absent.

STAFF RECOMMENDATION: Staff recommends approval of the requested rezoning from Agricultural (AG) zoning to Planned Development-Urban Estates (PD-UE) zoning district and its Planned Development Site Plan for the following reasons:

1. Compliance with the Future Land Use Plan;
2. Compliance with surrounding zoning and land uses; and
3. Compliance with the Thoroughfare Plan

With the following conditions:

1. Development will be subject to the Planned Development Site Plan;
2. Development will also be subject to all Unified Development Code (UDC) platting requirements during the platting process;
3. Minimum lot size is 22,500 square feet;
4. Minimum lot width is 80 feet;
5. Minimum lot depth is 110 feet;
6. Minimum front yard setback is 25 feet;
7. Sewer will be provided by on-site sewage facilities;
8. Implementation of the Citywide Trails Masterplan and UDC's parks requirements will be discussed with the applicant during the platting process;

9. The developer will keep property owners along Friar's Creek updated with any proposed trails or parks along Friar's Creek;
10. One two inch caliper (Diameter at Breast Height) canopy tree to be planted in the front yard of every lot. Species shall conform to the approved City of Temple Tree list, per the Unified Development Code (UDC);
11. Preservation of live oak trees (estimated 16-inches or greater) that are not in conflict with proposed structures or infrastructure;
12. The developer will limit homes to one-story along the west property line abutting the Valley Ranch properties; and
13. A fence along FM 93 shall be a wood fence with masonry columns

ITEM SUMMARY: The applicant, J.C. Wall III, requests this rezoning from Agricultural District (AG) to Planned Development Urban Estates District (PD-UE) for property located along the south side of FM 93 and along Southwood Drive. He proposes a 103-lot single family residential development with Urban Estate lot sizes with a minimum lot area of 22,500 square feet.

The applicant withdrew his previous rezoning request (Z-FY-17-24) for this property for a rezoning to Planned Development Single Family-One (PD-SF-1) to allow 280 single family homes with a minimum lot size of approximately 7,800 square feet. His proposal also included a trail along his east property boundary along Friar's Creek, as shown in the attached "Previous Planned Development Site Plan".

The applicant's **current rezoning request for a Planned Development Urban Estates District (PD-UE) proposes 103 single family lots**, as shown in the accompanying **"Current Planned Development Site Plan"**. The development site plan reflects the creation of new local streets, as well as a Homeowners Association (H.O.A.) park, and four detention tracts for drainage.

The property to the west in Valley Ranch along Sun Valley Drive is subdivided into half-acre lots, and zoned PD Urban Estates. And to the east on Boutwell Drive, in the ETJ, homes are located on larger lots. A creek and a vegetation buffer separates the subject property from the homes along Boutwell Drive. An existing home to the south along Forrester Road, and south of the electrical sub-station is also on a large property.

During the Planning and Zoning Commission meeting on June 19, 2017, many surrounding property owners spoke out in opposition to the applicant's requested Planned Development-Urban Estate proposal. Those opposed expressed concerns of increased drainage into Friar's Creek; dwelling density of the 103 residential homes proposed; maintaining a tree buffer along the west property boundary abutting Valley Ranch properties; and opposition to a trail along Friar's Creek. Please see the attached opposition map showing 43.74% opposition of the surrounding property owners within 200 feet of the subject property.

Planned Development: UDC Section 3.4.1 defines a Planned Development as:

"A flexible overlay zoning district designed to respond to unique development proposals, special design considerations and land use transitions by allowing evaluation of land use relationships to surrounding areas through development plan approval."

As a Planned Development, a Development Plan is subject to review and approval as part of the rezoning. As opposed to a standard rezoning, conditions of approval can be included into the rezoning Ordinance. The applicant has provided a Site Development Plan in this rezoning request.

The dedicated park land along the creek as well as the larger lot sizes are elements of the proposed Planned Development which take into account the unique character of the property.

Per UDC Section 3.4.2C, the City Council may include additional conditions of approval into the rezoning ordinance.

In approving a Planned Development, the City Council may require additional standards deemed necessary to create a reasonable transition to, and protection of, adjacent property and public areas, including but not limited to, access and circulations, signs, parking, building design, location and height, light and air, orientation, building coverage, outdoor lighting, landscaping, homeowners or property owners associations, open space, topography and screening.

The proposed Planned Development's "base" UE zoning district permits single-family detached residences and related accessory uses and accommodates large lot single-family residential developments.

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 **north portion** of the subject property along FM 93 is within the **Suburban Residential character district** of the *Choices '08* City of Temple Comprehensive Plan. The Suburban Residential land use classification is characterized by mid-size single family lots, allowing for greater separation between dwellings and more emphasis on green space versus streets and driveways than more dense subdivisions of urban character. The applicant's requested Planned Development Urban Estate District (PD-UE) complies with the Suburban Residential character district.

The **south portion** of the subject property, recently annexed, is within the **Agricultural / Rural character district** of the *Choices '08* City of Temple Comprehensive Plan. **The applicant's requested Planned Development Urban Estates District (PD-UE) is compatible with the existing residential developments adjacent to the subject property.** The **Agricultural / Rural character district designation** applies to all areas outside city limits, which this property was prior to its recent annexation.

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

The subject property fronts FM 93, a major arterial. Southwood Drive bisects the subject property at FM 93 and runs south to a cul-de-sac for the existing electrical substation at the south property line.

FM 93 is only appropriate as a subdivision entrance. **Future homes will be prohibited from backing into FM 93 or accessing it directly. Southwood Drive and the proposed local streets within the subject property, shown on the attached Planned Development Site Plan, are ideal for residential dwellings.** The proposed Planned Development Site Plan reflects two ingress/egress points into the development along FM 93.

The Temple Trails Master Plan recommends a trail along the subject property's eastern boundary along the creek. Implementation of the Citywide Trails Masterplan will be discussed with the applicant during the platting process.

Availability of Public Facilities (CP Goal 4.1)

Existing water lines are located along the property's frontage along the south right-of-way of FM and within the Valley Ranch subdivision to the west. Existing sewer facilities are located to the west, within the adjacent Valley Ranch subdivision.

Proposed water and on-site sewerage facilities, as well as proposed drainage will be addressed during the platting process.

PUBLIC NOTICE: Thirty-six notices of the Planning and Zoning Commission public hearing were sent out to all property owners (including the extra-territorial jurisdiction) within 200-feet of the subject property as required by State law and City Ordinance. As of Thursday, July 10, 2017, one notice was returned in favor of the proposed rezoning and ten notices were received in opposition to the proposed rezoning.

The newspaper printed notice of the public hearing on June 8, 2017, in accordance with state law and local ordinance.




FISCAL IMPACT: Not Applicable

ATTACHMENTS:




[Site and Surrounding Property Photos](#)
[Maps](#)
[Development Regulations](#)
[Surrounding Property and Uses Chart](#)
[Comprehensive Plan Compliance](#)
[Notification Response Letters](#)
[Opposition Map](#)
[Current Planned Development Site Plan](#)
[Previous Planned Development Site Plan](#)
[Ordinance](#)

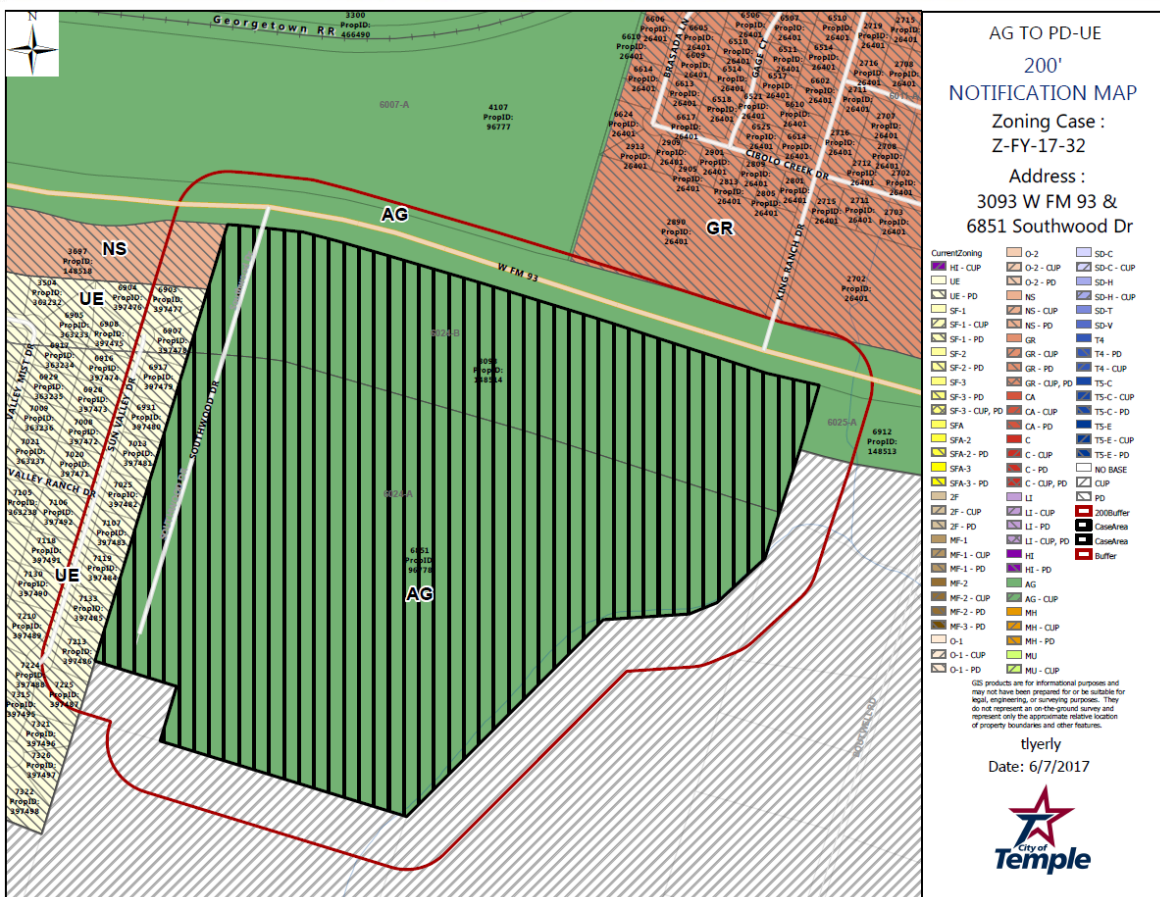
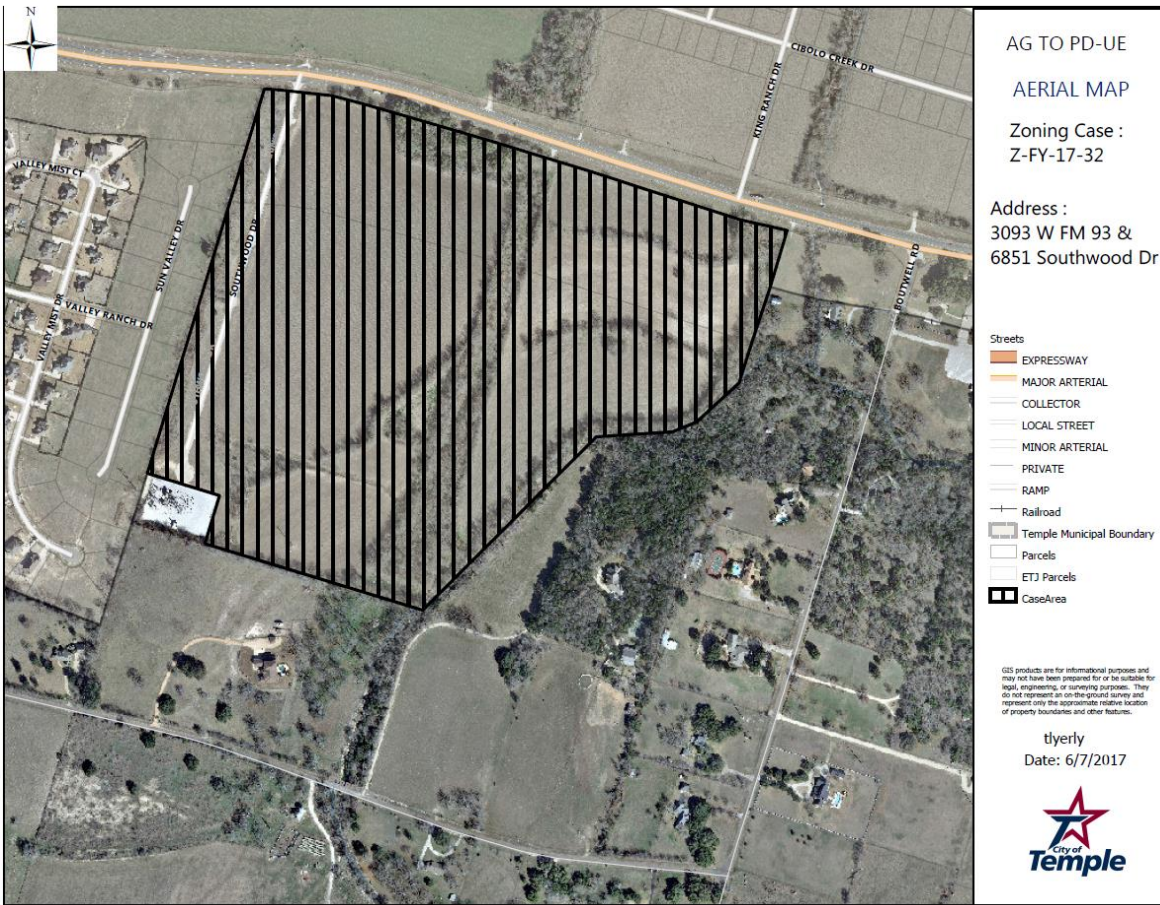
SURROUNDING PROPERTY AND USES:

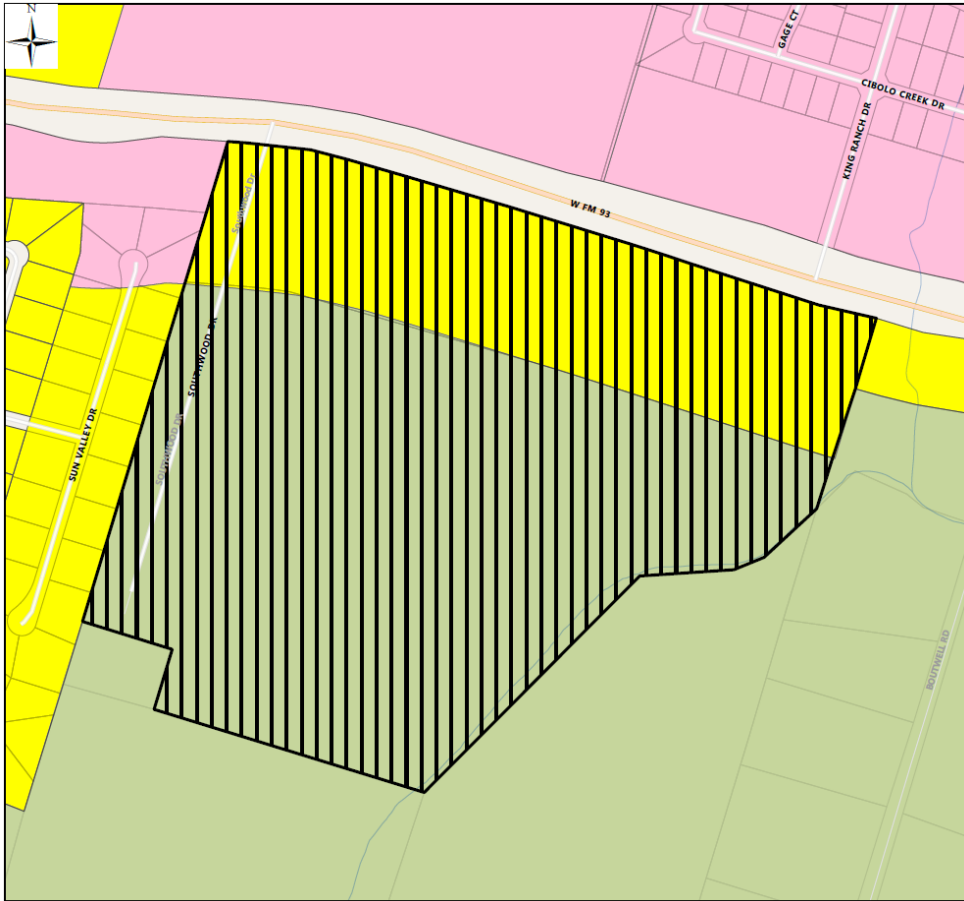
The following table shows the subject property, existing zoning and current land uses:

Direction	Zoning	Current Land Use	Photo
Subject Property	AG	Undeveloped Property	
East	No Zoning (ETJ)	Agricultural / Rural Residential/ Estate Homes	
			 <p>Creek – Boutwell Road View</p>

Direction	Zoning	Current Land Use	Photo
			 <p>Boutwell Road</p>
West	PD_UE	Single Family Residential	 <p>FM 93</p>
			

Direction	Zoning	Current Land Use	Photo
South	No Zoning (ETJ)	Agricultural/ Rural Residential	 <p>Southwood Drive Cul-De-Sac</p>
			
North	AG & PD-GR	Agricultural and Undeveloped Land (future apartments)	 <p>FM 93</p>





AG TO PD-UE FUTURE LAND USE MAP

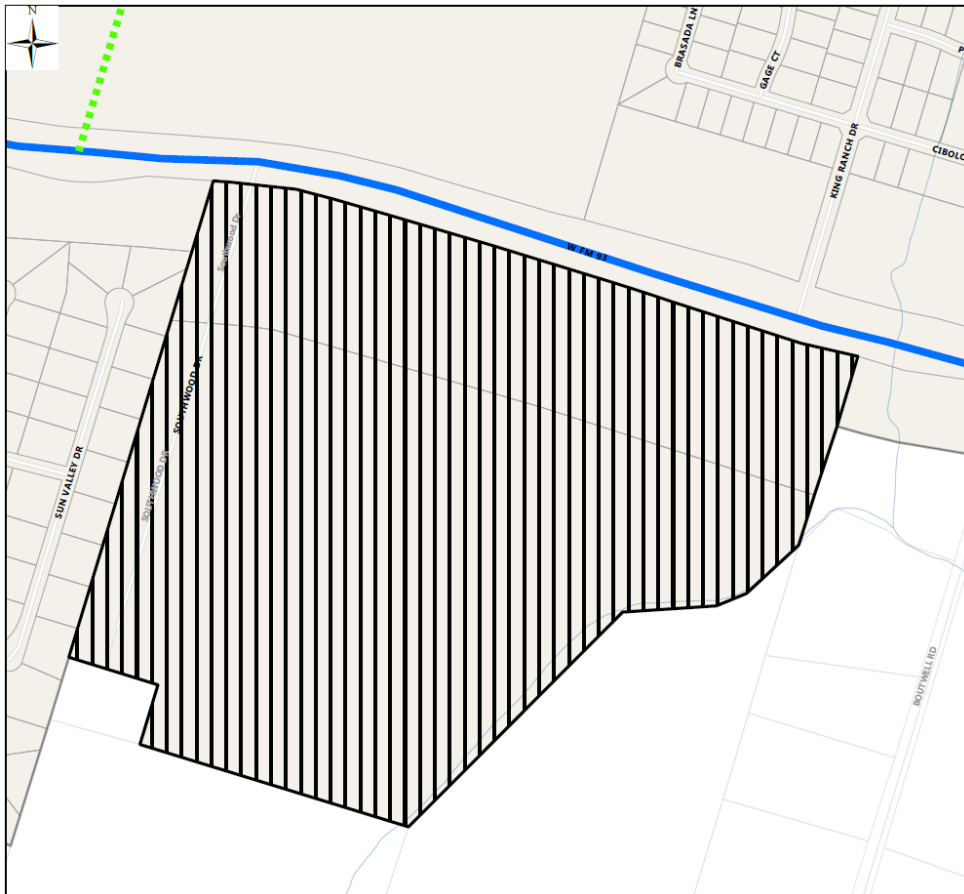
Zoning Case :
Z-FY-17-32
Address :
3093 W FM 93 &
6851 Southwood Dr

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

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: 6/7/2017



AG TO PD-UE THOROUGHFARE AND TRAILS MAP

Zoning Case :
Z-FY-17-32
Address :
3093 W FM 93 &
6851 Southwood Dr

- 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: 6/7/2017



Although the property is anticipated for development of detached single family residential dwellings, there are a number of other uses allowed in the UE district which, include but are not limited to:

Permitted & Conditional Use Table – Urban Estates (UE)	
Agricultural Uses	* Farm, Ranch or Orchard
Residential Uses	* Single Family Residence (Detached Only) * Industrialized Housing * Family or Group Home
Retail & Service Uses	* None
Commercial Uses	* None
Industrial Uses	* Temporary Asphalt & Concrete Batching Plat (CUP)
Recreational Uses	* Park or Playground
Educational & Institutional Uses	* Cemetery, Crematorium or Mausoleum (CUP) * Place of Worship * Child Care: Group Day Care (CUP) * Social Service Center (CUP)
Restaurant Uses	* None
Overnight Accommodations	* None
Transportation Uses	* Railroad Track Right-of-Way

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

Surrounding Property & Uses			
<u>Direction</u>	<u>Future Land Use Map</u>	<u>Zoning</u>	<u>Current Land Use</u>
Site	Suburban Residential And Agricultural/Rural Residential	AG	Undeveloped Land
North	Suburban Commercial	PD-GR	Planned Development for Convenience Store, Single Family Residential, and Apartments
South	Agricultural/Rural Residential (ETJ)	No Zoning (ETJ)	Agricultural / Rural Residential / Estate Homes
East	Agricultural/Rural Residential (ETJ)	No Zoning (ETJ)	Agricultural / Rural Residential / Estate Homes
West	Suburban Residential	PD-UE	Single-Family Residential

	be consistent with the City's infrastructure and public service capacities	
STP	Temple Trails Master Plan Map and Sidewalks Ordinance	No

CP = Comprehensive Plan STP = Sidewalk and Trails Plan



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

HUBBARD, WILLARD LEE JR
6920 BOUTWELL DR
TEMPLE, TX 76502-4200

Zoning Application Number: Z-FY-17-32

Case Manager: Tammy Lyerly

Location: 3093 West 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:

RECEIVED

JUN 12 2017

City of Temple
Planning & Development

Lee Hubbard
Signature

LEE HUBBARD
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, or mail or hand-deliver this comment form to the address below, no later than **June 20, 2017**.

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

Number of Notices Mailed: 36

Date Mailed: June 8, 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**

EARGLE, JOHN ETUX SANDRA
6916 SUN VALLEY DR
TEMPLE, TX 76502

Zoning Application Number: Z-FY-17-32

Case Manager: Tammy Lyerly

Location: 3093 West FM 93, Temple, Texas

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☒ **agree**

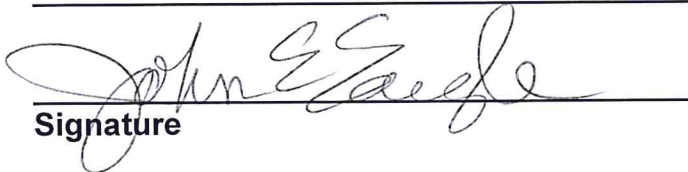
☒ **disagree with this request**

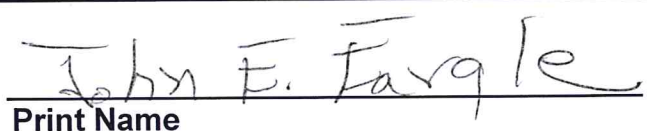
Comments:

RECEIVED

JUN 15 2017

City of Temple
Planning & Development


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, tylerly@templetx.gov, or mail or hand-deliver this comment form to the address below, no later than **June 20, 2017**.

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

Number of Notices Mailed: 36

Date Mailed: June 8, 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

WILLIFORD, RAY E ETUX CATHERINE A
7008 SUN VALLEY DR
TEMPLE, TX 76502

Zoning Application Number: Z-FY-17-32

Case Manager: Tammy Lyeriy

Location: 3093 West FM 93, Temple, Texas

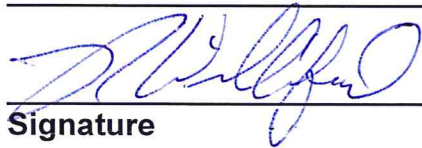
The proposed rezoning is the area shown in hatched marking on the attached map. Because you own property within 200 feet of the requested change, your opinions are welcomed. Please use this form to indicate whether you are in favor of the possible rezoning of the property described on the attached notice,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

I () agree

☒ disagree with this request

Comments:

LOTS 1-8 ARE SHOULD BE LEFT
AS A NATURAL BUFFER BETWEEN NEIGHBORHOODS.


Signature

RAY WILLIFORD
Print Name

If you would like to submit a response, please email a scanned version of this completed form to the Case Manager referenced above, tlyerly@templetx.gov, or mail or hand-deliver this comment form to the address below, no later than **June 20, 2017**.

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

RECEIVED
JUN 14 2017
City of Temple
Planning & Development

Number of Notices Mailed: 36

Date Mailed: June 8, 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**

THOMAS, JIMMY SCOTT
3352 FORRESTER ROAD
TEMPLE, TX 76502

RECEIVED

JUN 15 2017

City of Temple
Planning & Development

Zoning Application Number: Z-FY-17-32

Case Manager: Tammy Lyerly

Location: 3093 West 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:

Comments sent previously still apply, while less people improved housing layout with some consideration of runoff/flooding, I would still favor delay with increasing construction on corner of FM 93 + 31st impact unclear. Downstream effects on Fryers Creek is still concerning.

Signature

Print Name

J. SCOTT THOMAS

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, or mail or hand-deliver this comment form to the address below, no later than **June 20, 2017**.

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

Number of Notices Mailed: 36

Date Mailed: June 8, 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**

SHINE, HUGH
3018 FORRESTER ROAD
TEMPLE, TX 76502

Zoning Application Number: Z-FY-17-32

Case Manager: Tammy Lyerly

Location: 3093 West 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:

- (1) FLOODING ISSUES ASSOCIATED WITH FRYER'S CREEK
(2) CONCERNS OF ENVIRONMENTAL ISSUES WITH WATER RELATED
TO LEGACY DEVELOPMENT AND SEPTIC TANKS.
(3) ENDANGERED SPECIES.



Signature

HUGH D. SHINE

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, or mail or hand-deliver this comment form to the address below, no later than **June 20, 2017**.

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

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JUN 19 2017

City of Temple
Planning & Development

Number of Notices Mailed: 36

Date Mailed: June 8, 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

BELLENS, EDWARD
7108 BOUTWELL DR
TEMPLE, TX 76502

Zoning Application Number: Z-FY-17-32

Case Manager: Tammy Lyerly

Location: 3093 West 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:

Traffic on 93 is already overloaded. If I want to go on 93 to Boutwell Rd at a time such as rush hour I have to wait 15-20 mins before I can cross either right or left on rush hour it is nearly impossible. We don't need more traffic on 93.

Ed Belles

Signature

M. BELLENS

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, or mail or hand-deliver this comment form to the address below, no later than **June 20, 2017**.

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

JUN 19 2017

City of Temple
Planning & Development

Number of Notices Mailed: 36

Date Mailed: June 8, 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

PAVLISKA, STEVEN E ETUX AVERY D
6931 SUN VALLEY DR
TEMPLE, TX 76502

Zoning Application Number: Z-FY-17-32

Case Manager: Tammy Lyerly

Location: 3093 West FM 93, Temple, Texas

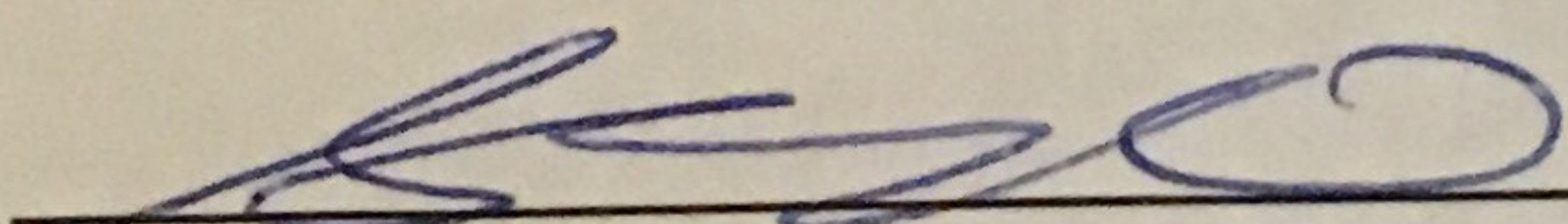
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I ☐ agree

☒ disagree with this request

Comments:

1. Concerned about flooding near Valley Ranch
2. Property Appraisal devaluation


Signature

Steven Pavliska
Print Name

If you would like to submit a response, please email a scanned version of this completed form to the Case Manager referenced above, tlyerly@templetx.gov, or mail or hand-deliver this comment form to the address below, no later than **June 20, 2017**.

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

Number of Notices Mailed: 36

Date Mailed: June 8, 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

SCHRANK, LANCE BYRON ETUX MELISSA ANN
7130 SUN VALLEY DR
TEMPLE, TX 76502

Zoning Application Number: Z-FY-17-32

Case Manager: Tammy Lyerly

Location: 3093 West 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:

Absolutely Not in favor! 288 low income housing; approximately 600 children by FM 93 safety & Risk, overwhelmed schools, traffic, not to mention flooding creek & safety risk with unattended children.

Melissa Schrank
Signature Lance Schrank

Melissa Schrank
Print Name Lance Schrank

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, or mail or hand-deliver this comment form to the address below, no later than **June 20, 2017**.

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

Number of Notices Mailed: 36

Date Mailed: June 8, 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

SANT, MIKE
7013 SUN VALLEY DR
TEMPLE, TX 76502

Zoning Application Number: Z-FY-17-32

Case Manager: Tammy Lyerly

Location: 3093 West 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:

I agree if Lots 1-8 ARE single
story homes.

I want to put in a pool and I am holding off
because of uncertainty

Mike Sant
Signature

Mike Sant
Print Name

If you would like to submit a response, please email a scanned version of this completed form to the Case Manager referenced above, tlyerly@templetx.gov, or mail or hand-deliver this comment form to the address below, no later than **June 20, 2017**.

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

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JUN 22 2017

City of Temple
Planning & Development

Number of Notices Mailed: 36

Date Mailed: June 8, 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

HAMM, JAMES R ETUX KELLEY L
6907 SUN VALLEY DR
TEMPLE, TX 76502

Zoning Application Number: Z-FY-17-32

Case Manager: Tammy Lyerly

Location: 3093 West FM 93, Temple, Texas

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I () agree

(☒) disagree with this request

Comments:

There are utility poles on the property line off the "new" Keifer Marshall Drive. Will there be an easement set aside for utility workers to be able to get to the poles. This is a much better rezoning request. However, I would still like to see a few less houses.

Kelley L Hamm
Signature

Kelley L Hamm
Print Name

If you would like to submit a response, please email a scanned version of this completed form to the Case Manager referenced above, tlyerly@templetx.gov, or mail or hand-deliver this comment form to the address below, no later than **June 20, 2017**.

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

Number of Notices Mailed: 36

Date Mailed: June 8, 2017

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



mailed
6/20/17

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

WGG LAND LLC
515 COTTINGHAM DR
TEMPLE, TX 76504

Zoning Application Number: Z-FY-17-32

Case Manager: Tammy Lyerly

Location: 3093 West 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:

RECEIVED

JUN 23 2017

City of Temple
Planning & Development


Signature

J.C. Wall
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, or mail or hand-deliver this comment form to the address below, no later than **June 20, 2017**.

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

Number of Notices Mailed: 36

Date Mailed: June 8, 2017

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



NOTICE OF PUBLIC HEARINGS

CONSIDERATION OF A REZONING PLANNING AND ZONING COMMISSION MEETING

The Temple Planning and Zoning Commission will hold a public hearing in the City Council Chambers on the 2nd floor of the Municipal Building, 2 North Main Street, Temple, Texas 76501, on Monday, the 19th day of June, 2017 at 5:30 p.m., for the purpose of considering the following change to the City of Temple's Official Zoning District Map:

Hold a public hearing to discuss and recommend action on a rezoning from Agricultural (AG) zoning to Planned Development-Urban Estates (PD-UE) zoning district and its Planned Development Site Plan.

Zoning Application No. **Z-FY-17-32**

Applicant: J.C.Wall / WGG Land, LLC

86.91 +/- acres, situated in the Redding Roberts Survey, Abstract 692, Bell County, Texas
(legal description)

3093 West FM 93, Temple, Texas
(address or physical location)

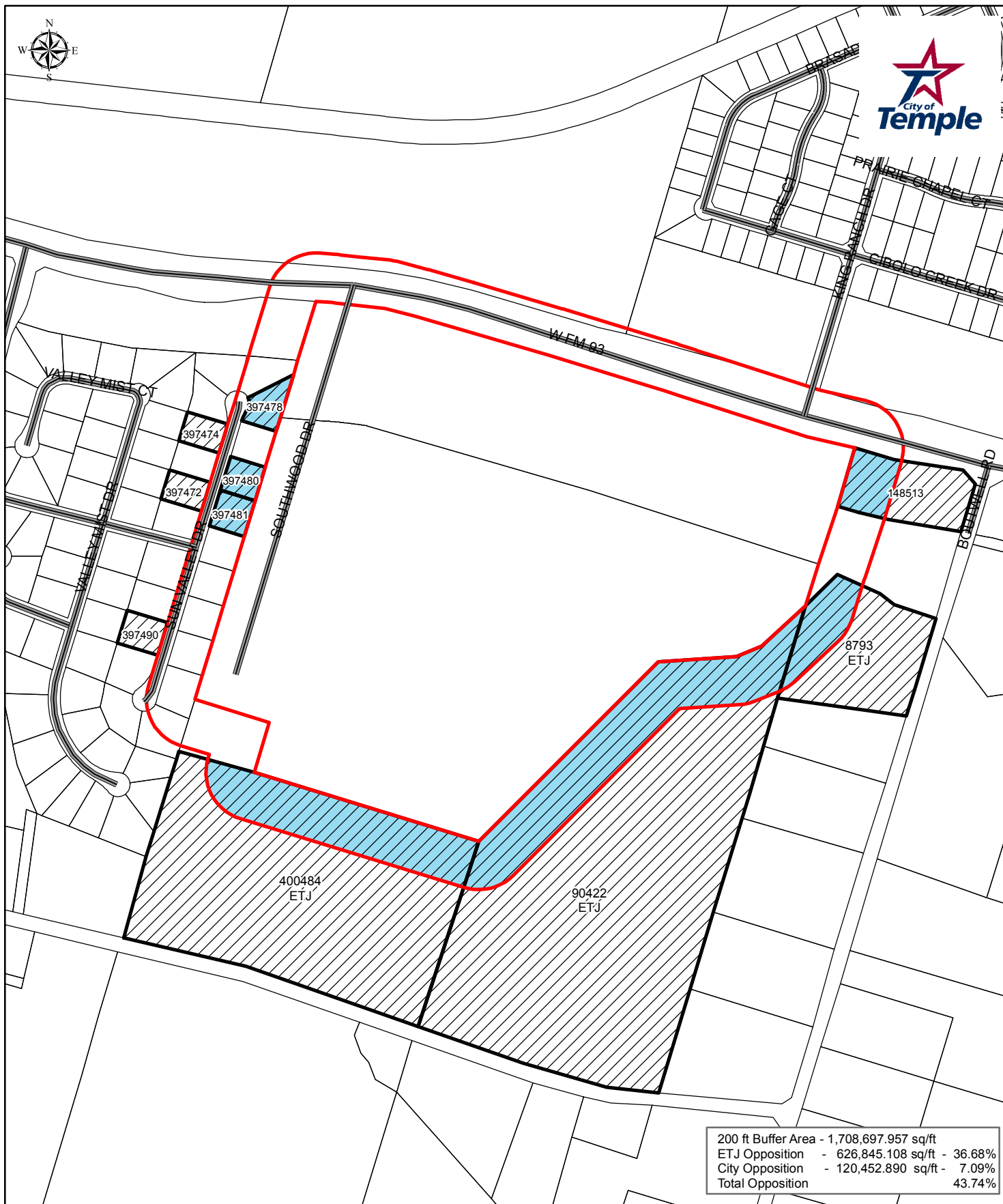
This item is tentatively scheduled for a City Council public hearing (first reading) on July 20, 2017, in the Council Chambers on the 2nd floor of the Municipal Building at 5:00 p.m. The City Council will make its decision on the second reading of this request. The second reading of City Council is tentatively scheduled for August 3, 2017. If you plan to attend the public hearings, please call (254) 298-5668 to verify meeting dates.

The Planning and Zoning Commission and City Council welcome your comments on this matter and will consider them in their deliberations. If you cannot be present at the public hearings, but desire to comment on this matter, or desire information on the proposed zoning change, please contact the City Planning Department, Suite 102, 1st Floor, Municipal Building, or by calling (254) 298-5668. When calling, please refer to the zoning application number shown above.

In accordance with the Unified Development Code (UDC), Section 3.3.4, twenty percent (20%) or more of property ownership opposition by area within the 200-foot notification buffer would trigger a 4/5^{ths} super majority approval vote at City Council.

Special Accommodations: Persons with disabilities who have special communication or accommodation needs and desire to attend the meetings should notify City Staff by mail or telephone 48 hours prior to the meetings.

For more detailed information on this case, please go to www.templetx.gov/planning, on the left side of the page select Boards, then select Planning and Zoning Commission Packet. The packet is updated on the website the Thursday afternoon prior to the next scheduled P&Z meeting. P&Z Commission meets on the first and third Monday of each month.



- 200 ft Buffer
- etj_opp
- city_opp

Z-FY-17-32

Opposition to rezoning

0 250 500 1,000 Feet

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.



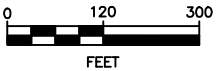
DEVELOPMENT STATISTICS

TOTAL NUMBER OF LOTS	=	103
MINIMUM LOT SIZE	=	22,500 S.F.
MINIMUM LOT WIDTH	=	80 FEET
MINIMUM LOT DEPTH	=	110 FEET
MINIMUM FRONT SETBACK	=	25 FEET

SEWER WILL BE PROVIDED BY ON-SITE SEWAGE FACILITIES.

ADDITIONAL REQUIREMENTS:

- ONE 2" CALIPER (AT BREAST HEIGHT) CANOPY TREE TO BE PLANTED IN THE FRONT YARD OF EVERY LOT. SPECIES SHALL CONFORM TO THE APPROVED CITY OF TEMPLE TREE LIST.
- FENCE ALONG FM 93 SHALL BE A WOOD FENCE WITH MASONRY COLUMNS.



Revisions
Remarks:

Date:

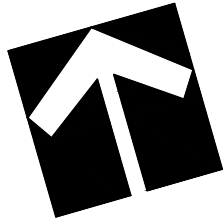
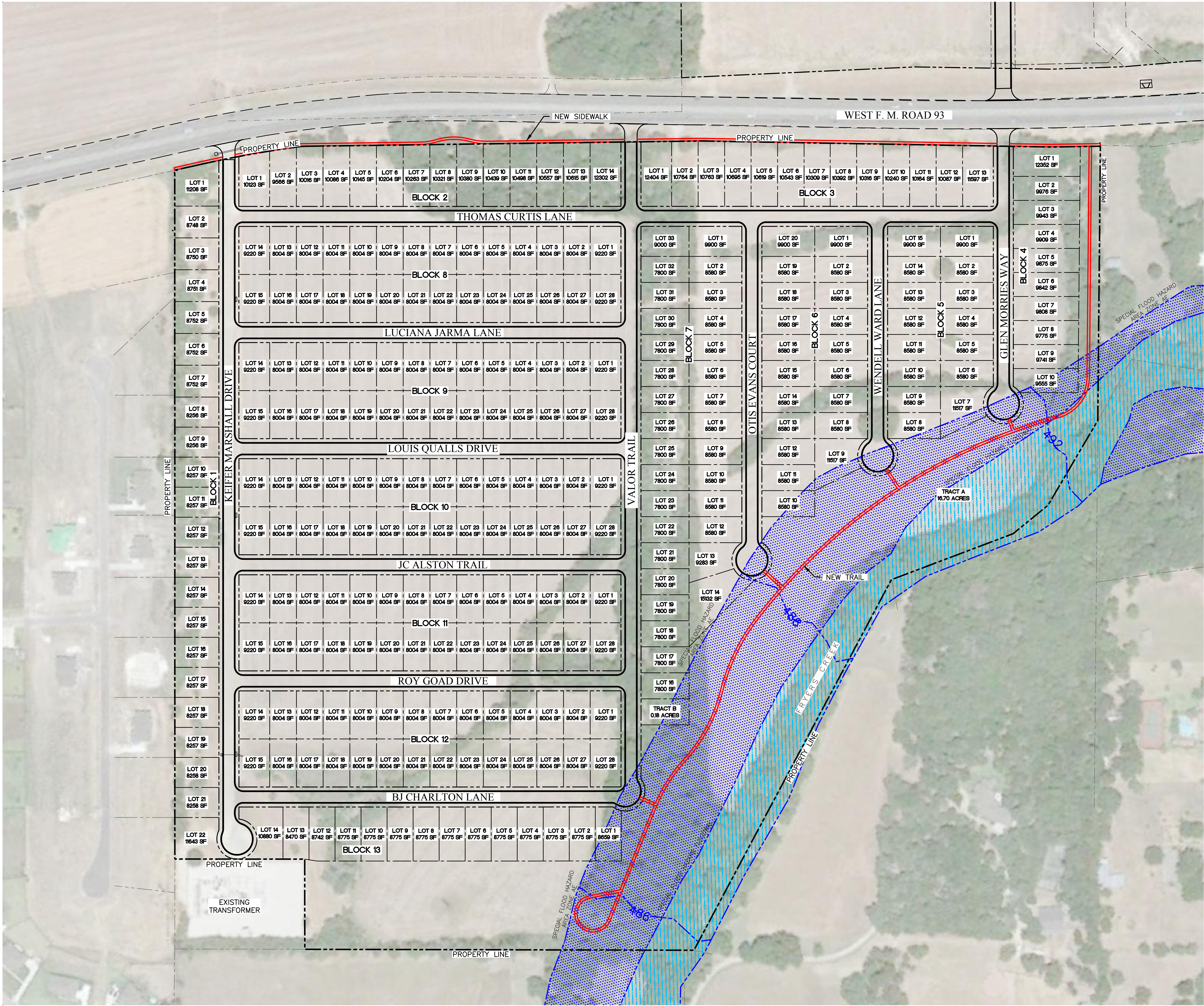
SITE PLAN

DRAWING STATUS
THESE DRAWINGS WERE PREPARED UNDER THE AUTHORITY OF JUSTIN B. FULLER, P.E. 100183, 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 OF ANY STRUCTURE OR FOR ANY OTHER PURPOSES. ANY CHANGES OR MODIFICATIONS TO THESE DRAWINGS MUST BE ISSUED FOR CONSTRUCTION CAN BE CONSIDERED COMPLETE.
☐ FOR CONSTRUCTION
☐ FINAL DRAWINGS

VALOR TRAILS
NEW RESIDENTIAL DEVELOPMENT
TEMPLE, TEXAS



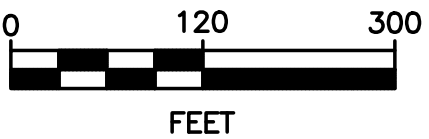
Project No:	161724.00
Plot Date:	6-13-17
Drawn By:	ECB
Designed By:	JBF



DEVELOPMENT STATISTICS	
TOTAL NUMBER OF LOTS	= 280
MINIMUM LOT SIZE	= 7,800 S.F.
TRACT A - PARK	= 16.86 ACRES
TRACT B - LIFT STATION	= 0.18 ACRES

ADDITIONAL REQUIREMENTS:

- ONE 2" CALIPER (AT BREAST HEIGHT) CANOPY TREE TO BE PLANTED PER ADDRESS. SPECIES SHALL CONFORM TO THE APPROVED CITY OF TEMPLE TREE LIST.



Revisions	Remarks:

Date:

SITE PLAN

DRAWING STATUS

THESE DRAWINGS WERE PREPARED UNDER THE AUTHORITY OF CLARK & FULLER, P.E. 100163, CLARK & FULLER, PLLC. FIRM NO. F-10384.

☒ FOR REVIEW

FOR REVIEW: THIS DRAWING IS RELEASED FOR THE PURPOSES OF INTERIM REVIEW ONLY AS PER DATE ON DRAWING. IT IS NOT TO BE USED FOR BIDDING OR CONSTRUCTION PURPOSES. ONLY DRAWINGS ISSUED FOR CONSTRUCTION CAN BE CONSIDERED COMPLETE.

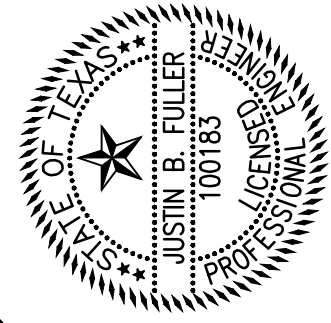
☐ FOR CONSTRUCTION

FINAL DRAWING

VALOR TRAILS

NEW RESIDENTIAL DEVELOPMENT

TEMPLE, TEXAS



 **CLARK & FULLER**
CIVIL ENGINEERING • DESIGN • PLANNING

215 North Main Street, Temple, TX 76701
254.899.0899 www.clarkfuller.com F-10384

Project No:	161724-00	Designed By:	JBF
Plot Date:	4-12-17	Drawn By:	ECB

ORDINANCE NO. 2017-4855
(Z-FY-17-32)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A REZONING FROM AGRICULTURAL ZONING DISTRICT TO PLANNED DEVELOPMENT-URBAN ESTATES ZONING DISTRICT AND A PLANNED DEVELOPMENT SITE PLAN ON APPROXIMATELY 86.91 ACRES SITUATED IN THE REDDING ROBERTS SURVEY, ABSTRACT NO. 692, BELL COUNTY, TEXAS, LOCATED SOUTHEAST OF FM93 AND SOUTHWOOD DRIVE AND ADDRESSED AS 3093 WEST FM 93, TEMPLE, TEXAS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the applicant, J.C. Wall, III requests rezoning of property located along the south side of FM 93 and along Southwood Drive, from the current zoning of Agricultural zoning district to Planned Development-Urban Estates zoning district to allow for a 103 lot single family residential development with Urban Estate lot sizes;

Whereas, the Planning and Zoning Commission of the City of Temple, Texas, after due consideration of the conditions, recommends approval of the rezoning from Agricultural zoning district to Planned Development-Urban Estates zoning district, on approximately 86.91 acres, situated in the Redding Roberts Survey, Abstract 692, Bell County, Texas, located southeast of FM 93 and Southwood Drive, 3093 West FM 93, Temple, Texas, with the following conditions:

1. Development will be subject to the Planned Development Site Plan;
2. Development will also be subject to all Unified Development Code (UDC) platting requirements during the platting process;
3. Minimum lot size will be 22,500 square feet;
4. Minimum lot width will be 80 feet;
5. Minimum lot depth will be 110 feet;
6. Minimum front yard setback will be 25 feet;
7. Sewer will be provided by on-site sewage facilities;
8. Implementation of the Citywide Trails Masterplan and UDC's Parks requirements will be discussed with the applicant during the platting process;
9. The developer will keep property owners along Friar's Creek updated with any proposed trails or parks along Friar's Creek;
10. One 2-inch caliper (Diameter at Breast Height) canopy tree to be planted in the front yard of every lot. Species shall conform to the approved City of Temple Tree list, per the Unified Development Code (UDC);
11. Preservation of live oak trees (estimated 16-inches or greater) that are not in conflict with proposed structures or infrastructure;
12. The developer will limit homes to 1-story along the west property line abutting the Valley Ranch properties;
13. A fence along FM 93 shall be a wood fence with masonry columns; and

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

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

Part 1: 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 approves a rezoning from Agricultural zoning district to Planned Development-Urban Estates zoning district, on approximately 86.91 acres, situated in the Redding Roberts Survey, Abstract 692, Bell County, Texas, located southeast of FM 93 and Southwood Drive, 3093 West FM 93, Temple, Texas, as outlined in the map attached hereto as Exhibit 'A,' and made a part hereof for all purposes.

Part 3: The City Council approves the Site Development Plan attached hereto as Exhibit 'B,' and made a part hereof for all purposes.

Part 4: The City Council directs the Director of Planning to make the necessary changes to the City Zoning Map.

Part 5: It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable and, if any phrase, clause, sentence, paragraph or section of this ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such phrase, clause, sentence, paragraph or section.

Part 6: This Ordinance shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Temple, Texas, and it is accordingly so ordained.

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

PASSED AND APPROVED on First Reading and Public Hearing on the **20th** day of **July**, 2017.

PASSED AND APPROVED on Second Reading on the **3rd** day of **August**, 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

08/03/17
Item #7
Regular Agenda
Page 1 of 3

DEPT. / DIVISION SUBMISSION & REVIEW:

Lynn Barrett, Assistant Planning Director

ITEM DESCRIPTION: FIRST READING – PUBLIC HEARING Z-FY-17-34: Consider adopting an ordinance and accompanying Site Development Plan for rezoning from Agricultural zoning to Planned Development Single Family One zoning district on 12.48 +/- acres, situated in the S.P. Terry Survey, Abstract No. 812, Bell County, Texas, located west of the cul-de-sac of Lago Del Norte Drive.

STAFF RECOMMENDATION: Staff recommends approval of the rezoning from AG to PD-SF-1 for Lago Terra, Phase III, a proposed 15-lot residential subdivision with the following conditions:

PD Conditions:

1. Except as modified by the binding site development plan, attached as Exhibit A, the use and development standards of the property must conform to the requirements of the Single Family One Zoning District.
2. In the event of a conflict between the site development plan and the text of the Planned Development ordinance, the stricter standard applies
3. The minimum lot size for the property is 15,500 square feet
4. The maximum number of lots that may be platted on the property is 15
5. Street dimensions will match the previous phases of Lago Terra
6. Gated entry through a Click to Enter access with a secondary Knox Box pad lock to release the gate when the power is out
7. On-street parking limitations will be required through covenants; administered by the Homeowner's Association

PLANNING & ZONING COMMISSION RECOMMENDATION: At their July 3, 2017 meeting, the Planning & Zoning Commission voted six to zero for approval of the proposed rezoning to PD 2F.

ITEM SUMMARY: Steve Shepherd on behalf of JCM Eagle requests a rezoning of the subject property from the AG zoning district to the PD-SF-1 zoning district to allow for a third phase of the existing Lago Terra subdivision to match the previous phases. The subject property is located west of the existing Lago del Norte Drive.

Per UDC, Section 3.4.3 & 3.4.4, a Planned Development requires approval of a Development/Site plan that is binding. On June 19, 2017, the DRC discussed the proposal and PD conditions.

SURROUNDING PROPERTY AND USES: The following table provides the direction from the property, Future Land Use Plan (FLUP) designation, existing zoning and current land uses:

Direction	FLUP	7 ac Zoning	Current Land Use
Subject Property	Estate Residential	AG	Vacant
North	Agricultural/Rural	ETJ	Residential
South	Estate Residential ;	SF-1	Residential
East	Estate Residential	PD SF-1	Residential
West	Estate Residential	AG	Vacant

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

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

CP = Comprehensive Plan STP = Sidewalk and Trails Plan

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

Estate Residential is the dominant future land use, other than Agricultural, identified for this area. The *Choices '08* City of Temple Comprehensive Plan states that the Estate Residential character district is suited for large lot rural development generally on the fringes but should also be available within the City so this character and lifestyle setting is not limited only to the ETJ. The minimum lot size should be larger than the City's current Urban Estate standard of one-half acre.

Proposed lot sizes according to the site plan range from about one half to three quarters of an acre, with the smallest at .49 and the largest at .97 acre, well in excess of the 15,500 square feet minimum.

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

The subject property is not near any trails and all streets are local within the development.

Availability of Public Facilities (CP Goal 4.1)

Water and wastewater are available to the subject property. Details of public facilities and extensions will be addressed during the platting process.

UDC, Section 3.4 Planned Development

A Planned Development is defined as:

“A flexible overlay zoning district designed to respond to unique development proposals, special design considerations and land use transitions by allowing evaluation of land use relationships to surrounding areas through development plan approval.”

DEVELOPMENT REGULATIONS: The development site plan will provide the development and dimensional standards for this development.

PUBLIC NOTICE: 23 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 Wednesday June 28, 2017, one notice has been returned in favor of the proposed rezoning (property owners) and two notices have been returned in opposition to the proposed rezoning. The newspaper printed the notice of the public hearing on June 22, 2017, in accordance with state law and local ordinance.

FISCAL IMPACT: Not Applicable

ATTACHMENTS:

[Location Map](#)

[Zoning Map](#)

[Site and Surrounding Property Photos](#)

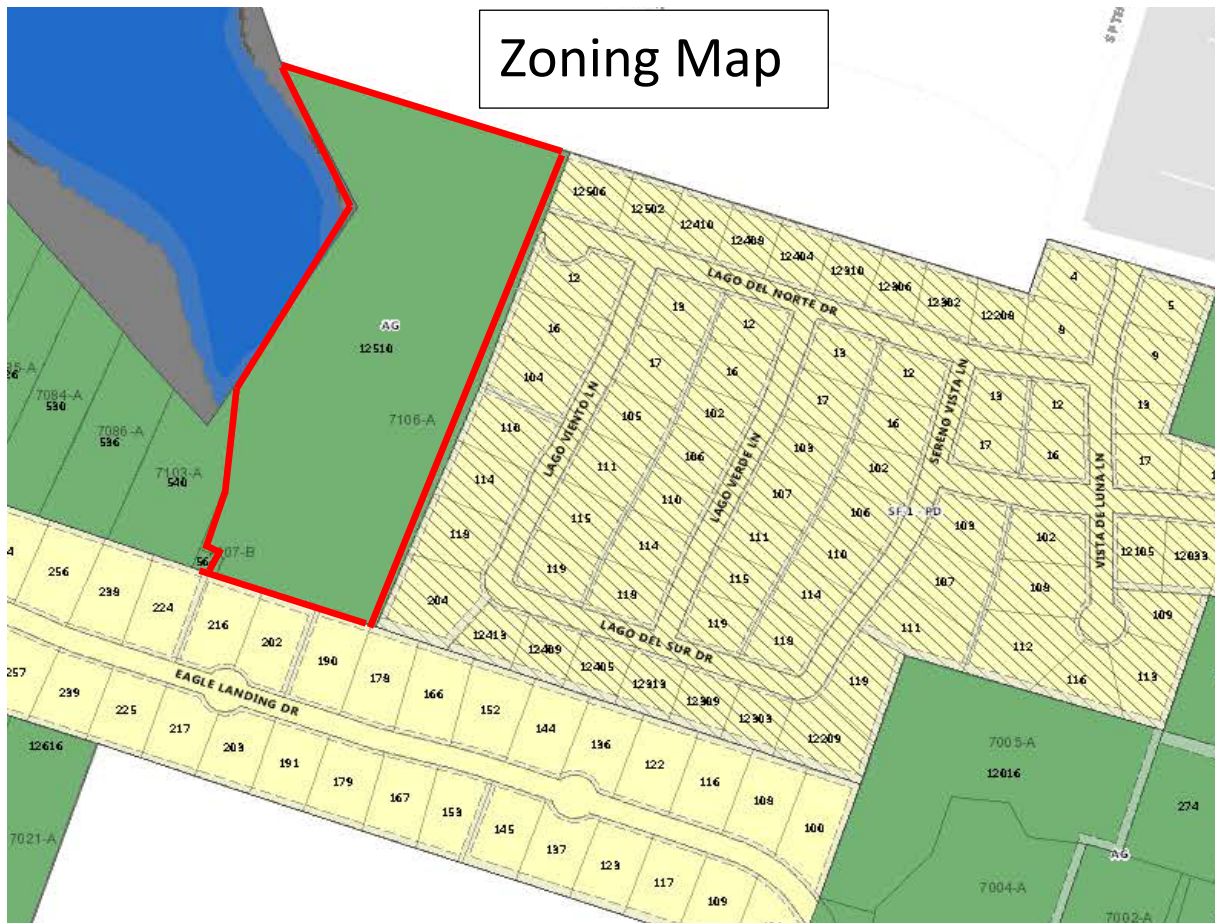
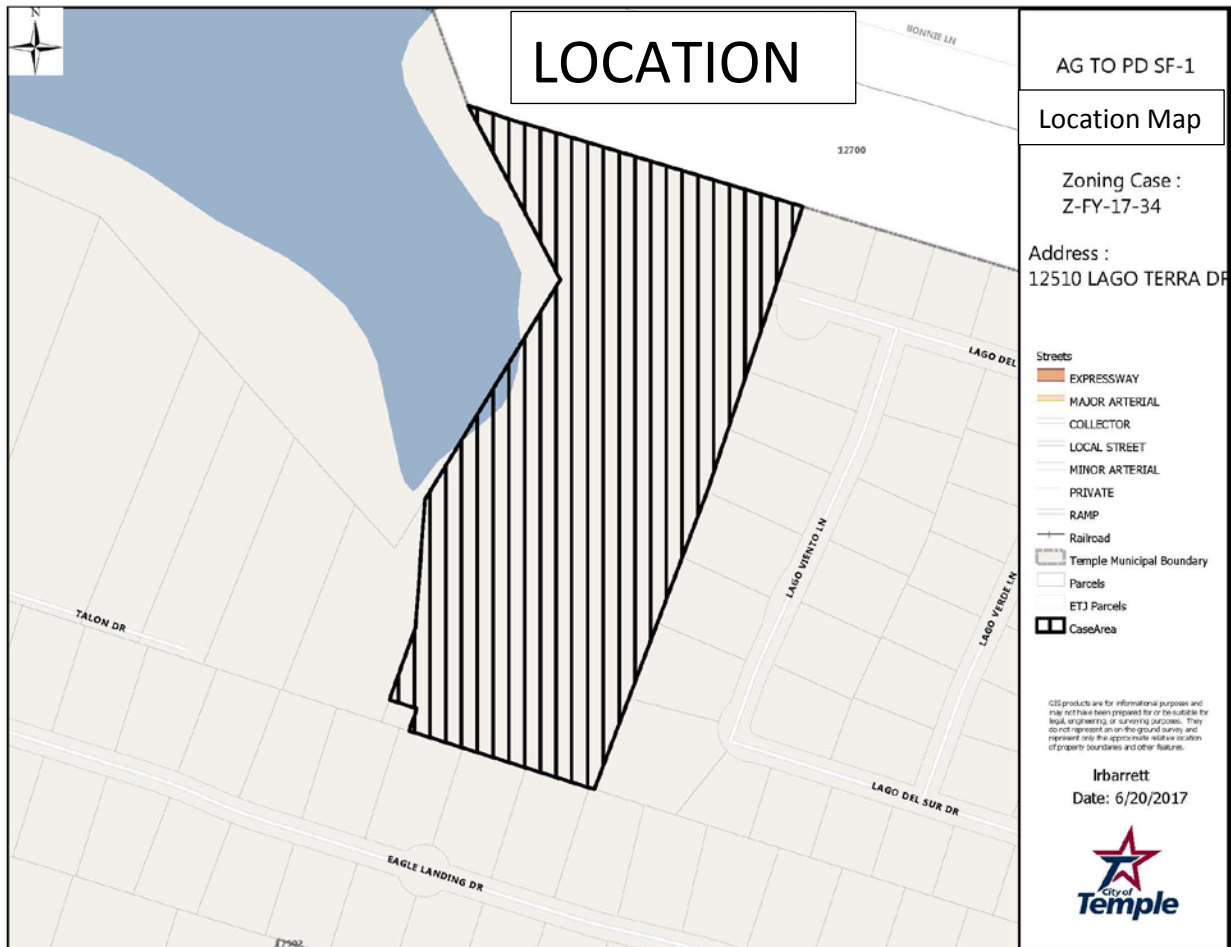
[Development Site Plan](#)

[Utility Map](#)

[Notification Map](#)

[Returned Property Owner Notices](#)

[Ordinance](#)



Photos



Site View



Street Photos



[illegible][illegible]



RESPONSE TO PROPOSED
REZONING REQUEST
CITY OF TEMPLE

HUNT, JOHN D ETUX SHERIL
178 EAGLE LANDING DR
BELTON, TX 76513

Zoning Application Number: Z-FY-17-34

Case Manager: Lynn Barrett

Location: 12510 Lago Del Norte Drive, 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:

lots adjacent to this subdivision need access to the existing lift station. Make 25' BL a utility easement and allow property owners to connect to City Sewer. We are paying the fee anyway. Connection should be at property owners expense.

[Signature]
Signature

Derrick Hunt
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, lrbarrrett@templetx.gov, or mail or hand-deliver this comment form to the address below, no later than **July 3, 2017**.

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

RECEIVED

JUN 23 2017

City of Temple
Planning & Development

Number of Notices Mailed: 23

Date Mailed: June 22, 2017

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

RECEIVED

JUN 26 2017

City of Temple
Planning & Development



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

CAMPBELL, JOHN D ETUX HELEN
238 EAGLE LANDING DR
BELTON, TX 76513-5609

Zoning Application Number: Z-FY-17-34

Case Manager: Lynn Barrett

Location: 12510 Lago Del Norte Drive, 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:

I would like to understand why these plans weire not provided during the initial development of the property surrounding this are by the same owner

Signature

Print Name

Helen Campbell

If you would like to submit a response, please email a scanned version of this completed form to the Case Manager referenced above, lrbarrrett@templetx.gov, or mail or hand-deliver this comment form to the address below, no later than **July 3, 2017**.

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

Number of Notices Mailed: 23

Date Mailed: June 22, 2017

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

RECEIVED

JUL - 3 2017

City of Temple
Planning & Development

I will attend 8/3 meeting



RESPONSE TO PROPOSED
REZONING REQUEST
CITY OF TEMPLE

JCM EAGLE LTD
4101 TRIMMIER RD
KILLEEN, TX 76542

JUN 26 2017

11:11:00 AM

Zoning Application Number: Z-FY-17-34

Case Manager: Lynn Barrett

Location: 12510 Lago Del Norte Drive, 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:

J.C.M. Eagle.
James D. McLean Jr.
Signature

J.C.M. Eagle.
James D. McLean Jr.
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, lrbartett@templetx.gov, or mail or hand-deliver this comment form to the address below, no later than **July 3, 2017**.

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

Number of Notices Mailed: 23

Date Mailed: June 22, 2017

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

RECEIVED

JUN 27 2017

CITY OF TEMPLE
PLANNING & DEVELOPMENT

ORDINANCE NO. 2017-4856
(Z-FY-17-34)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A REZONING AND SITE DEVELOPMENT PLAN FROM AGRICULTURAL ZONING DISTRICT TO PLANNED DEVELOPMENT SINGLE FAMILY ONE ZONING DISTRICT ON APPROXIMATELY 12.48 ACRES, SITUATED IN THE S.P. TERRY SURVEY, ABSTRACT NO. 812, BELL COUNTY, TEXAS; LOCATED WEST OF THE CUL-DE-SAC OF LAGO DEL NORTE DRIVE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, Steve Shepherd, on behalf of JCM Eagle, has requested a rezoning of property located west of the cul-de-sac of Lago Del Norte Drive, from Agricultural zoning district to Planned Development Single Family One zoning district to allow for a third phase of the existing Lago Terra subdivision to match the previous phases;

Whereas, the Planning and Zoning Commission of the City of Temple, Texas, after due consideration of the conditions, recommends approval of the rezoning and Site Development Plan from Agricultural zoning district to Planned Development Single Family One district, on approximately 12.48 acres, situated in the S.P. Terry Survey, Abstract No. 812, Bell County, Texas, located west of the cul-de-sac of Lago Del Norte Drive; and

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 approves a rezoning from Agricultural zoning district to Planned Development Single Family One district, on approximately 12.48 acres, situated in the S.P. Terry Survey, Abstract No. 812, Bell County, Texas, located west of the cul-de-sac of Lago Del Norte Drive, as outlined in the site plan attached hereto as Exhibit 'A,' and made a part hereof for all purposes along with the following conditions:

1. Except as modified by the binding site development plan, attached as Exhibit A, the use and development standards of the property must conform to the requirements of the Single Family One Zoning District;
2. In the event of a conflict between the site development plan and the text of the Planned Development ordinance, the stricter standard applies;
3. The minimum lot size for the property is 15,500 square feet;
4. The maximum number of lots that may be platted on the property is 15;
5. Street dimensions will match the previous phases of Lago Terra;
6. Gated entry through a Click to Enter access with a secondary Knox Box pad lock to release the gate when the power is out;
7. On-street parking limitations will be required through covenants; administered by the Homeowner's Association;

Part 3: The City Council approves the Site Development Plan attached hereto as Exhibit ‘A,’ and made a part hereof for all purposes.

Part 4: The City Council directs the Director of Planning to make the necessary changes to the City Zoning Map.

Part 5: It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable and, if any phrase, clause, sentence, paragraph or section of this ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such phrase, clause, sentence, paragraph or section.

Part 6: This Ordinance shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Temple, Texas, and it is accordingly so ordained.

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

PASSED AND APPROVED on First Reading and Public Hearing on the **3rd** day of **August**, 2017.

PASSED AND APPROVED on Second Reading on the **17th** day of **August**, 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

08/03/17
Item #8
Regular Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Kayla Landeros, City Attorney

ITEM DESCRIPTION: FIRST READING – PUBLIC HEARING: Consider adopting an ordinance authorizing the closure of a section of West Avenue B, a public street, beginning at the western boundary of Lot 1, Block 2 and extending to the eastern boundary of Lot 5, Block 2, Final Plat of Santa Fe Plaza West.

STAFF RECOMMENDATION: Conduct a public hearing, and adopt ordinance as presented in the item description on first reading, with second and final reading set for August 17, 2017.

ITEM SUMMARY: The City of Temple Parks and Recreation Department has submitted a request to close a section of West Avenue B, beginning at the western boundary of Lot 1, Block 2 and extending to the eastern boundary of Lot 5, Block 2, Final Plat of Santa Fe Plaza West. The request is for the planned construction of Santa Fe Plaza. Pursuant to Texas Transportation Code, Section 311.007, a home-rule municipality may vacate, abandon, or close a street or alley. Since this is a closure, not an abandonment, and does not require private acquisition of the street, no conveyance is required and the land area encompassing the closed street will be retained by the City of Temple and will be accessible to pedestrians.

FISCAL IMPACT: Not applicable.

ATTACHMENTS:

[Final Plat of Santa Fe Plaza West
Ordinance](#)

2017
27th

FINAL PLAT of
SANTA FE PLAZA WEST
WITHIN THE CITY OF TEMPLE, BELL COUNTY, TEXAS

Being a **REPLAT** of LOTS 1, 2, 3, & 4, BLOCK 23, LOTS 1, 11, 12, & 13, BLOCK 12 of MOORE'S RAILWAY ADDITION, an addition on the City of Temple according to the plat of record in Volume 115, Page 416, Deed Records of Bell County, Texas, LOTS 1, 2, 3, 11, 12, 13, 14, & 15, BLOCK 25, LOTS 1, 2, 3, 4, 5, 6, 7, 11, 12, 13, 14, 15, 16, 17, & 18, BLOCK 26, LOTS 1, 2, 3, 4, 5, 6, 7, 8, & 9, BLOCK 27, and the remainder of LOTS 11, 12, 13, 14, 15, 16, 17, 18, & 19, BLOCK 27, LOTS 1 & 10, BLOCK 18, ORIGINAL TOWN OF TEMPLE, according to the plat of record in Volume 36, Page 640, Deed Records of Bell County, Texas, along with the alleyways located in BLOCK 12 and 23, MOORE'S RAILWAY ADDITION, and BLOCKS 25, 26, 27, & 18, ORIGINAL TOWN OF TEMPLE, along with portions of the Right-of-Ways of SOUTH 5th STREET, SOUTH 7th STREET, SOUTH 9th STREET, SOUTH 11th STREET, WEST AVENUE A, and WEST AVENUE B, and a portion of the remainder of a called 8.7821 Acre tract conveyed to the City of Temple in Volume 3371, Page 669, Official Public Records of Real Property, Bell County, Texas.

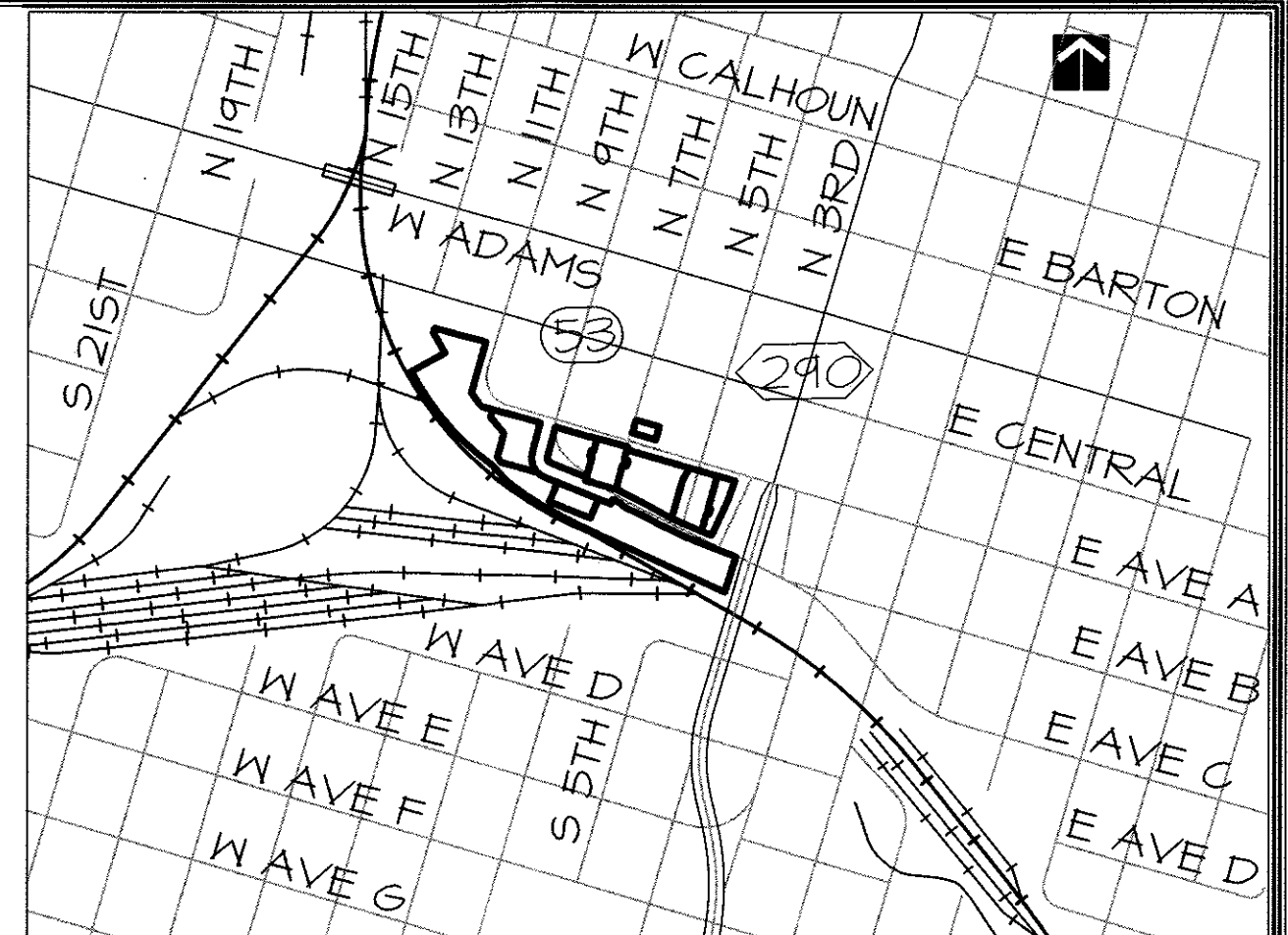
PURPOSE STATEMENT:
The purpose of this development is to facilitate new development of the "Downtown" area of the City of Temple.

LOTS - NINE (9)
BLOCKS - THREE (3)
AREA - 11.546 ACRES
AREA IN ROADWAY - 0.605 ACRE

RECORDATION INFORMATION:
FILED FOR RECORD THIS 6th DAY OF March, 2017.
IN YEAR 2017 PLAT # 87A48 AT RECORDS OF BELL COUNTY, TEXAS.
DEDICATION INSTRUMENT # 8523 OFFICIAL PUBLIC RECORDS OF REAL PROPERTY, BELL COUNTY, TEXAS.

This project is referenced to the City of Temple Coordinate System, NAD 83, Texas Central Zone. All distances are horizontal surface distances unless noted and all bearings are grid bearings. All coordinates are referenced to City Monument No. 518. The theta angle at City Monument No. 518 is 01°27'31". The combined correction factor (CCF) is 0.999844. Grid distance = Surface distance X CCF. Geodetic north = grid north + theta angle. Reference tie from City monument No. 518 to the northeast corner of Lot 5, Block 2, SANTA FE PLAZA WEST is N 55°14'15" E 5641.84 feet. Reference tie from City monument No. 518 to the southwest corner of Lot 1, Block 1, SANTA FE PLAZA WEST is N 50°36'18" E 5460.94 feet. Published City coordinates for project reference point 518 are N = 103711731.24 E = 3227449.25

Based upon what can be scaled from the graphics shown on FEMA Flood Insurance Rate Map (FIRM), Map No. 48027C0355E, effective date September 26, 2008, the above shown property does not appear within the "Special Flood Hazard Area", and appears to be situated in Zone X. This flood statement does not imply that this tract will never flood, nor does it create any liability in such event on the part of this surveyor or company.



VICINITY MAP

NOTES:
THE ALLEYS LOCATED IN BLOCK 26 AND BLOCK 27, ORIGINAL TOWN OF TEMPLE ALONG WITH THE ALLEY LOCATED IN BLOCK 12, MOORE'S RAILWAY ADDITION HAVE BEEN ABANDONED AS PER CITY OF TEMPLE RESOLUTION NO. 2017-8525-R, RECORDED IN DOCUMENT NO. 2017-000038861, OFFICIAL PUBLIC RECORDS OF REAL PROPERTY, BELL COUNTY, TEXAS.
PORTIONS OF THE RIGHT-OF-WAYS OF SOUTH 5th STREET, SOUTH 7th STREET, SOUTH 9th STREET, WEST AVENUE A, AND WEST AVENUE B HAVE BEEN ABANDONED AS PER CITY OF TEMPLE RESOLUTION NO. 2017-8526-R, RECORDED IN DOCUMENT NO. 2017-000038868, OFFICIAL PUBLIC RECORDS OF REAL PROPERTY, BELL COUNTY, TEXAS.
THE ALLEY LOCATED IN BLOCK 12, MOORE'S RAILWAY ADDITION, ALONG WITH PORTIONS OF THE RIGHT-OF-WAYS OF SOUTH 9th STREET, SOUTH 11th STREET, AND WEST AVENUE A HAVE BEEN ABANDONED AS PER CITY OF TEMPLE RESOLUTION NO. 2017-8527-R, RECORDED IN DOCUMENT NO. 2017-000038894, OFFICIAL PUBLIC RECORDS OF REAL PROPERTY, BELL COUNTY, TEXAS.

ORIGINAL LAYOUT

STATE OF TEXAS
COUNTY OF BELL
THE CITY OF TEMPLE, OWNER OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS **SANTA FE PLAZA WEST**, WITHIN THE CITY OF TEMPLE, BELL COUNTY, TEXAS, AND WHOSE NAME IS SUBSCRIBED HERETO, HEREBY DEDICATES THE USE OF THE PUBLIC FOREVER ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS, AND PUBLIC PLACES SHOWN HEREON WITHIN THE PLAT BOUNDARIES OF THIS SUBDIVISION.

BY: [Signature]
DANIEL A. DUNN, Mayor
City of Temple

STATE OF TEXAS
COUNTY OF BELL
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED DANIEL A. DUNN, 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 28th DAY OF February, 2017.
[Signature]
NOTARY PUBLIC, STATE OF TEXAS
LACY BORRISON
Commission # 13069700-4
By Commission Expires July 13, 2020

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 February, 2017.

[Signature] CHAIRPERSON
[Signature] SECRETARY, PLANNING & ZONING

I HEREBY CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF **SANTA FE PLAZA WEST**, WITHIN THE CITY OF TEMPLE, BELL COUNTY, TEXAS, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF TEMPLE ON THE 19 DAY OF January, 2017. SAID SUBDIVISION SHALL BE SUBJECT TO ALL REQUIREMENTS OF THE SUBDIVISION ORDINANCE OF THE CITY OF TEMPLE, TEXAS.

WITNESS MY HAND THIS 2 DAY OF March, 2017.

[Signature]
CITY SECRETARY

AFFIDAVIT:
The Tax Appraisal District of Bell County does hereby certify there are currently no delinquent taxes due to the Tax Appraisal District of Bell County on the property described by this plat.

Dated this the 3rd day of March, 2017 A. D.
By: [Signature]
Bell County Tax Appraisal District

STATE OF TEXAS
COUNTY OF BELL

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

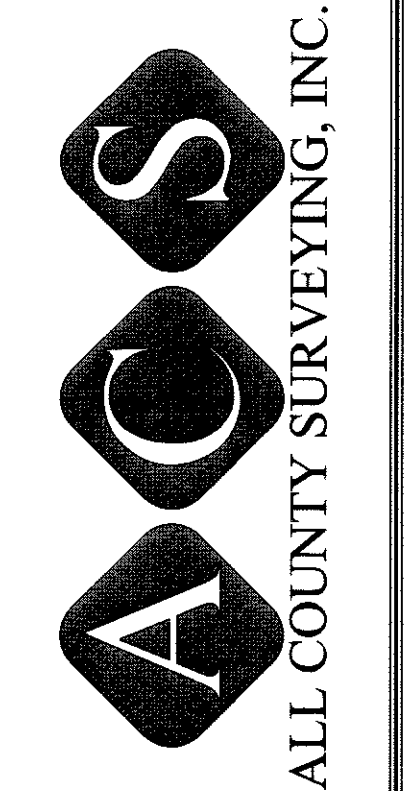
[Signature]
CHARLES C. LUCKO
REGISTRATION NO. 4636
DATE SURVEYED: OCTOBER 18, 2014



Inst# 8523

FINAL PLAT OF
SANTA FE PLAZA WEST
WITHIN THE CITY OF TEMPLE, BELL COUNTY, TEXAS

1303 South 21st Street
Temple, Texas 76780
254-778-2212 Killeen 254-634-4636
Fax 254-774-1606
Tx. Firm Lic. No. 10025600

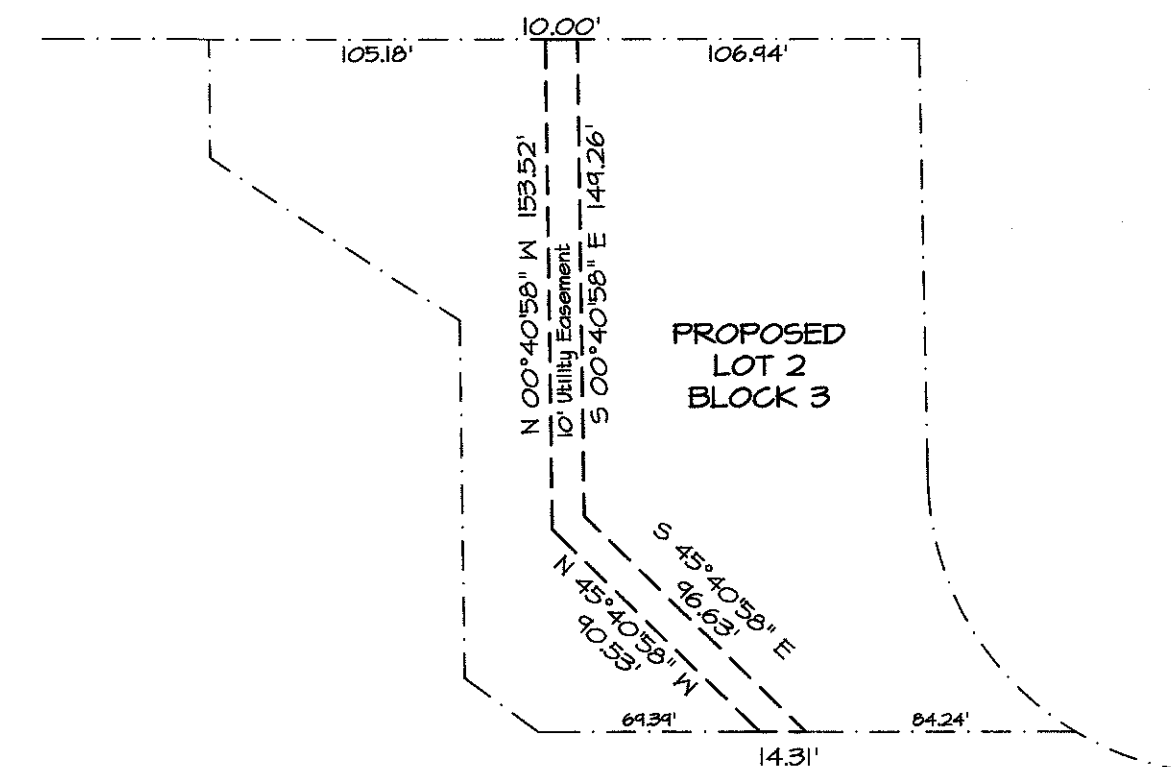


Plot Date: 02-27-2017
Survey completed: 10-18-2014
Scale: 1" = 60'
Job No.: 160324
Dwg No.: 160324P
Drawn by: SLN
Surveyor: CCL #4636
Copyright 2006 All County Surveying, Inc.

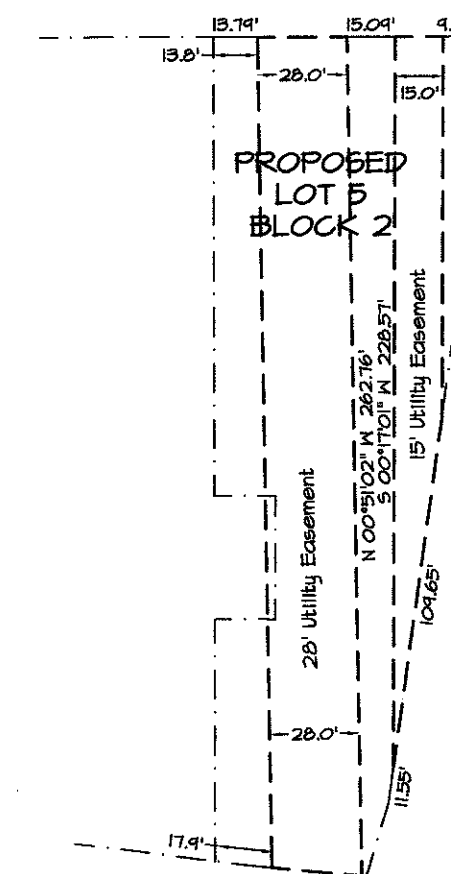
FINAL PLAT OF
SANTA FE PLAZA WEST
WITHIN THE CITY OF TEMPLE, BELL COUNTY, TEXAS

Being a REPLAT of LOTS 1, 2, 3, & 4, BLOCK 23, LOTS 1, 11, 12, & 13, BLOCK 12 of MOORE'S RAILWAY ADDITION, an addition on the City of Temple according to the plat of record in Volume 115, Page 416, Deed Records of Bell County, Texas, LOTS 1, 2, 3, 11, 12, 13, 14, & 15, BLOCK 25, LOTS 1, 2, 3, 4, 5, 6, 7, 11, 12, 13, 14, 15, 16, 17, & 18, BLOCK 26, LOTS 1, 2, 3, 4, 5, 6, 7, 8, & 9, BLOCK 27, and the remainder of LOTS 11, 12, 13, 14, 15, 16, 17, 18, & 19, BLOCK 27, LOTS 1 & 10, BLOCK 18, ORIGINAL TOWN OF TEMPLE, according to the plat of record in Volume 36, Page 640, Deed Records of Bell County, Texas, along with the alleyways located in BLOCK 12 and 23, MOORE'S RAILWAY ADDITION, and BLOCKS 25, 26, 27, & 18, ORIGINAL TOWN OF TEMPLE, along with portions of the Right-of-Ways of SOUTH 5th STREET, SOUTH 7th STREET, SOUTH 9th STREET, SOUTH 11th STREET, WEST AVENUE A, and WEST AVENUE B, and a portion of the remainder of a called 8.7821 Acre tract conveyed to the City of Temple in Volume 3371, Page 669, Official Public Records of Real Property, Bell County, Texas.

DETAIL 1

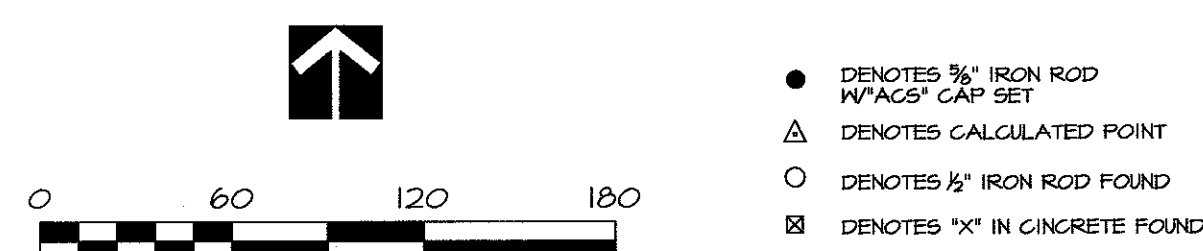


DETAIL 2



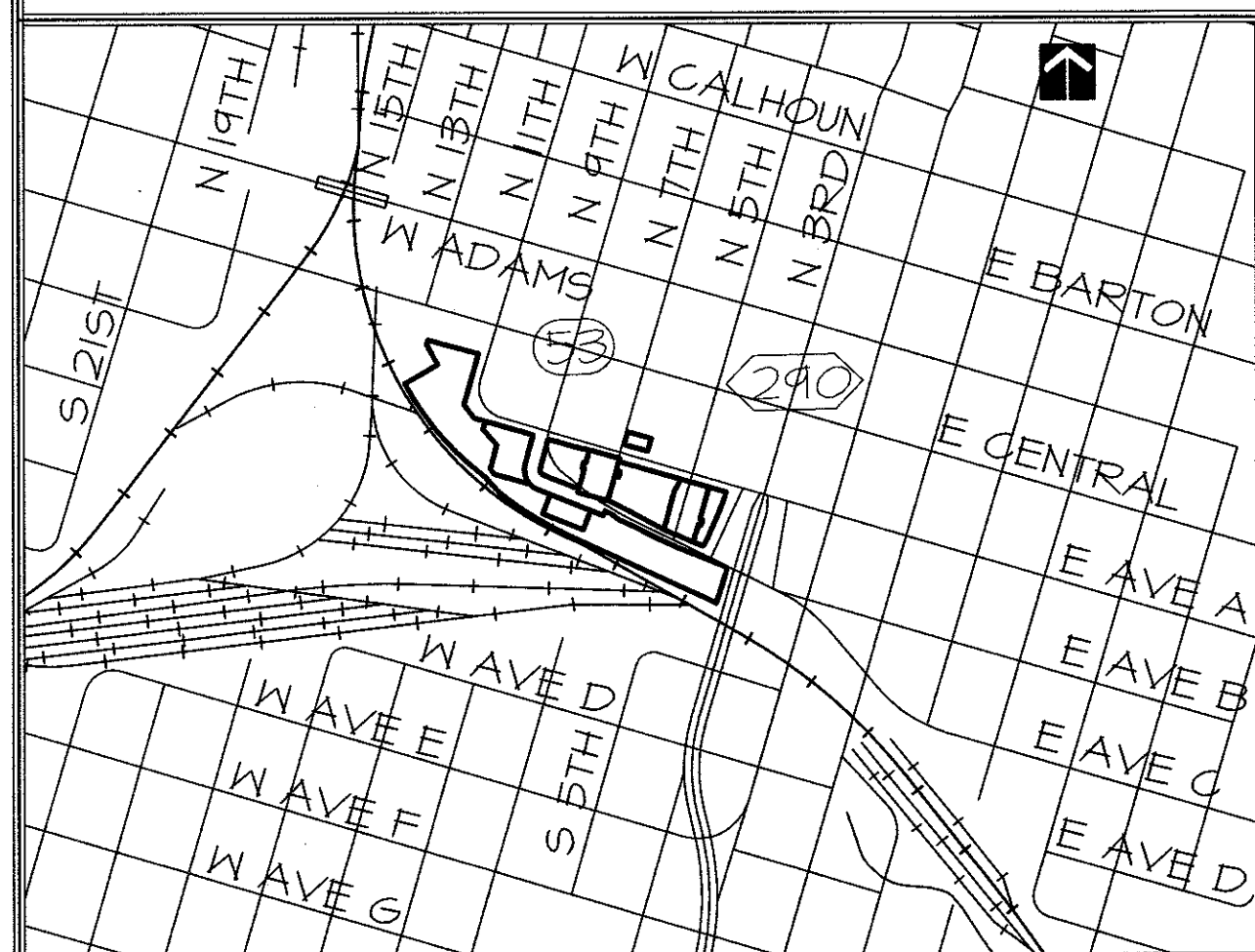
LINE	BEARING	DISTANCE
L1	N 16°16'24" E	2.45'
L2	S 16°06'06" W	50.43'
L3	N 73°53'54" W	12.47'
L4	S 16°06'06" W	36.00'
L5	S 73°53'54" E	12.47'
L6	S 16°06'06" W	50.83'
L7	S 73°53'54" E	20.61'
L8	S 16°06'06" W	36.00'
L9	N 73°53'54" W	12.47'
L10	S 30°43'50" W	16.85'
L11	S 72°58'54" E	14.21'
L12	S 11°01'06" W	38.50'
L13	N 72°58'54" W	13.00'
L14	S 16°45'30" W	75.82'
L15	S 24°47'00" W	30.30'
L16	N 67°54'24" W	55.61'
L17	S 33°43'36" W	23.81'
L18	N 15°42'20" E	20.64'
L19	S 16°14'11" W	37.01'
L20	S 36°50'58" E	28.48'
L21	N 23°21'40" E	33.46'
L22	S 65°36'18" E	55.61'
L23	S 47°02'26" E	33.46'

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	25.00'	36.24'	33.18'	N 25°50'42\"/>	83°10'21\"/>
C2	2242.01'	15.55'	15.55'	S 36°13'40\"/>	1°55'51\"/>
C3	2242.01'	43.26'	43.26'	S 40°01'22\"/>	2°22'54\"/>
C4	45.00'	131.81'	126.11'	S 25°50'42\"/>	83°10'21\"/>
C5	2142.01'	266.04'	265.81'	S 65°45'21\"/>	1°06'58\"/>
C6	1582.64'	106.34'	106.31'	S 67°23'18\"/>	3°51'05\"/>
C7	1600.52'	61.22'	61.21'	N 63°31'01\"/>	2°11'24\"/>
C8	1610.32'	342.46'	341.44'	N 57°43'14\"/>	13°58'54\"/>
C9	1304.45'	557.63'	553.42'	N 34°54'50\"/>	24°23'24\"/>
C10	2242.01'	104.46'	104.46'	N 28°26'51\"/>	2°40'11\"/>
C11	2142.01'	82.05'	82.05'	S 44°21'53\"/>	2°11'41\"/>
C12	2242.01'	24.21'	24.21'	S 46°10'44\"/>	0°44'48\"/>
C13	2142.01'	355.35'	354.44'	S 57°26'43\"/>	4°30'14\"/>
C14	45.00'	41.74'	41.45'	S 03°08'25\"/>	25°12'14\"/>



LOTS - NINE (9)
BLOCKS - THREE (3)
AREA - 11.596 ACRES
AREA IN ROADWAY - 0.605 ACRE

VICINITY MAP



PURPOSE STATEMENT:

The purpose of this development is to facilitate new development of the "Downtown" area of the City of Temple.

This project is referenced to the City of Temple Coordinate System, NAD 83, Texas Central Zone. All distances are horizontal surface distances unless noted and all bearings are grid bearings. All coordinates are referenced to City Monument No. 518. The theta angle at City Monument No. 518 is 01°27'51". The combined correction factor (CCF) is 0.494844. Grid distance = Surface distance x CCF. Geodetic north = Grid north + theta angle. Reference tie from City monument No. 518 to the northeast corner of Lot 5, Block 2, SANTA FE PLAZA WEST is N 53°14'15" E 5641.84 feet. Reference tie from City monument No. 518 to the southwest corner of Lot 1, Block 1, SANTA FE PLAZA WEST is N 50°36'18" E 5460.44 feet. Published City coordinates for project reference point 518 are N = 10371.13124 E = 32271.44323

Based upon what can be scaled from the graphics shown on FEMA Flood Insurance Rate Map (FIRM), Map No. 48021C0355E, effective date September 26, 2008, the above shown property does not appear within the "Special Flood Hazard Area", and appears to be situated in Zone X. This flood statement does not imply that this tract will never flood, nor does it create any liability in such event on the part of this surveyor or company.

NOTES:

THE ALLEYS LOCATED IN BLOCK 26 AND BLOCK 27, ORIGINAL TOWN OF TEMPLE ALONG WITH THE ALLEY LOCATED IN BLOCK 12, MOORE'S RAILWAY ADDITION HAVE BEEN ABANDONED AS PER CITY OF TEMPLE RESOLUTION NO. 2017-8525-R, RECORDED IN DOCUMENT NO. 2017-00003888, OFFICIAL PUBLIC RECORDS OF REAL PROPERTY, BELL COUNTY, TEXAS.

PORTIONS OF THE RIGHT-OF-WAYS OF SOUTH 5th STREET, SOUTH 7th STREET, SOUTH 9th STREET, WEST AVENUE A, AND WEST AVENUE B HAVE BEEN ABANDONED AS PER CITY OF TEMPLE RESOLUTION NO. 2017-8525-R, RECORDED IN DOCUMENT NO. 2017-00003888, OFFICIAL PUBLIC RECORDS OF REAL PROPERTY, BELL COUNTY, TEXAS.

THE ALLEY LOCATED IN BLOCK 12, MOORE'S RAILWAY ADDITION, ALONG WITH PORTIONS OF THE RIGHT-OF-WAYS OF SOUTH 9th STREET, SOUTH 11th STREET, AND WEST AVENUE A HAVE BEEN ABANDONED AS PER CITY OF TEMPLE RESOLUTION NO. 2017-8527-R, RECORDED IN DOCUMENT NO. 2017-00003889, OFFICIAL PUBLIC RECORDS OF REAL PROPERTY, BELL COUNTY, TEXAS.



Charles C. Lucko
2.24.2017

ORDINANCE NO. 2017-4857

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE CLOSURE OF A SECTION OF WEST AVENUE B, A PUBLIC STREET, BEGINNING AT THE WESTERN BOUNDARY OF LOT 1, BLOCK 2 AND EXTENDING TO THE EASTERN BOUNDARY OF LOT 5, BLOCK 2, FINAL PLAT OF SANTA FE PLAZA WEST; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the City of Temple, Parks and Recreation Department has submitted a request to close the section of West Avenue B, beginning at the western boundary of Lot 1, Block 2 and extending to the eastern boundary of Lot 5, Block 2, Final Plat of Santa Fe Plaza West - this request is for the planned construction of Santa Fe Plaza;

Whereas, pursuant to Texas Transportation Code, Section 311.007, a home-rule municipality may vacate, abandon, or close a street or alley - since this is a closure, not an abandonment, and does not require private acquisition of the street, no conveyance is required and the land area encompassing the closed street will be retained by the City of Temple and will be accessible to pedestrians; and

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

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

Part 1: 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 of Temple, Texas, hereby closes a section of West Avenue B, a public street, beginning at the western boundary of Lot 1, Block 2 and extending to the eastern boundary of Lot 5, Block 2, Final Plat of Santa Fe Plaza West, as outlined in the plat attached hereto as Exhibit 'A,' and made a part hereof for all purposes.

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

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

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

PASSED AND APPROVED on First Reading and Public Hearing on the **3rd** day of **August**, 2017.

PASSED AND APPROVED on Second Reading on the **17th** day of **August**, 2017.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney