



**MEETING OF THE
TEMPLE CITY COUNCIL
MUNICIPAL BUILDING
2 NORTH MAIN STREET
3rd FLOOR – CONFERENCE ROOM
THURSDAY, OCTOBER 5, 2017
4:00 P.M.
AGENDA**

1. Discuss, as may be needed, Regular Meeting agenda items for the meeting posted for Thursday, October 5, 2017.
2. Discuss proposed amendments to the Tax Increment Financing Reinvestment Zone No. 1 Financing and Project Plans.

5:00 P.M.

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

**TEMPLE CITY COUNCIL
REGULAR MEETING AGENDA**

I. CALL TO ORDER

1. Invocation
2. Pledge of Allegiance

II. PUBLIC COMMENTS

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

III. PROCLAMATIONS & SPECIAL RECOGNITIONS

3. Recognize the volunteers and staff that assisted in the Hurricane Harvey sheltering activities.

IV. PUBLIC HEARING

4. [2017-8881-R](#): PUBLIC HEARING - Consider adopting a resolution authorizing the submission of an application for funding through the U.S. Department of Transportation, Transportation Investment Generating Economic Recovery in the amount of \$15,000,000, with \$10,500,000 reimbursed to the City through federal funding, to execute the construction of the Veterans Memorial Boulevard project.

V. CONSENT AGENDA

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

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

Minutes

- (A) [September 21, 2017 Special and Regular Meeting](#)

Contracts, Leases, & Bids

- (B) [2017-8882-R](#): Consider adopting a resolution authorizing the purchase of right-of-way necessary for the construction of the Bird Creek Interceptor project and conversion of the private road Daniels Drive into a public street and authorizing closing costs associated with the purchase in an estimated amount of \$7,500.
- (C) [2017-8883-R](#): Consider adopting a resolution authorizing the purchase of one property necessary for the expansion of Old Waco Road and authorizing closing costs associated with the purchase in an estimated amount of \$28,000.
- (D) [2017-8884-R](#): Consider adopting a resolution authorizing the purchase of an easement and temporary construction easement necessary for the construction of the Leon River Trunk Sewer Project and authorizing closing costs associated with the purchase, in an estimated amount of \$28,000.
- (E) [2017-8885-R](#): Consider adopting a resolution authorizing the purchase of easements and temporary construction easements necessary for the construction of the Bird Creek Interceptor Phase 5 and Shallowford Force Main Projects and right of way necessary for the construction of the Shallowford Lift Station and authorizing closing costs associated with the purchase in an estimated amount of \$58,000.
- (F) [2017-8886-R](#): Consider adopting a resolution authorizing the purchase of two 2018 Autocar compressed natural gas engine with automated side load body refuse trucks from Chatang Enterprises, Inc., dba Chatang Ford, of Houston in the amount of \$637,472, as well as, declare an official intent to reimburse the expenditures with the issuance of the 2017 Certificate of Obligation Bonds.
- (G) [2017-8887-R](#): Consider adopting a resolution authorizing annual purchase agreements with various vendors, in the estimated annual amount of \$51,760.25 for herbicide and insecticide for FY2018.
- (H) [2017-8888-R](#): Consider adopting a resolution authorizing a purchase agreement with GT Distributors Inc. of Austin, in the estimated annual amount of \$25,000 for the purchase of fire uniforms for FY2018.
- (I) [2017-8889-R](#): Consider adopting a resolution authorizing a services agreement with Staff Link, Inc. dba Link Staffing Services of Houston, in the estimated annual amount of \$40,000 for non-clerical temporary employment services for FY2018.
- (J) [2017-8890-R](#): Consider adopting a resolution authorizing a Developer Participation Agreement with Kiella Development, Inc., in the not to exceed amount of \$1,275,426 for construction of a portion of Hogan Road as a part of the Hills of Westwood subdivision.
- (K) [2017-8891-R](#): Consider adopting a resolution authorizing a Possession and Use Agreement for right of way necessary for the expansion of Old Howard Road and Moores Mill Road and authorizing the payment of the consideration for the Possession and Use Agreement and credit towards acquisition of the right of way in an amount not to exceed \$347,754.

- (L) [2017-8892-R](#): Consider adopting a resolution authorizing a Possession and Use Agreement for right of way necessary for the expansion of Old Howard Road and Moores Mill Road and authorizing the payment of the consideration for the Possession and Use Agreement and credit towards acquisition of the right of way in an amount not to exceed \$647,917.
- (M) [2017-8893-R](#): Consider adopting a resolution authorizing a construction contract with Musco Sports Lighting, LLC of Oskaloosa, Iowa, in the amount of \$1,054,900 for the design and construction of athletic field lighting systems for Crossroads Park.
- (N) [2017-8894-R](#): Consider adopting a resolution authorizing a construction contract with Wilson Construction Services, LLC of Belton, in the amount of \$42,450 for construction of flatwork and façade improvements to the north side of 13 South Main Street.
- (O) [2017-8895-R](#): Consider adopting a resolution authorizing a contract with Matous Construction, Ltd of Belton, in the amount of \$933,000, and a deductive change order in the amount of \$144,842.10, for a net contract value of \$788,157.90 for the construction of Water Treatment Plant Chlorine Storage Safety Improvements.
- (P) [2017-8896-R](#): Consider adopting a resolution authorizing the repayment of Texas Commission on Environmental Quality grant funds, in the amount of \$30,000 for the purchase of compressed natural gas refuse truck.

Ordinances – Second & Final Reading

- (Q) [2017-4867](#): SECOND READING – Consider adopting an ordinance amending the number of positions in the firefighter classification.
- (R) [2017-4868](#): SECOND READING – Consider adopting an ordinance amending Ordinance No. 2016-4783 to implement changes to the City’s strategic investment zone incentive policies.
- (S) [2017-4869](#): SECOND READING – Z-FY-17-33: Consider adopting an ordinance authorizing a rezoning of several lots in Cedar Ridge Crossing Phase II located at 10684 West State Highway 36, Temple, Texas, as follows:
 - 1) Agricultural to General Retail Lots 1, Block 1;
 - 2) Agricultural and Neighborhood Services to General Retail, on Lots 2 and 3, Block 1;
 - 3) Agricultural to Commercial on Lot 5, Block 1;
 - 4) Agricultural to General Retail on Lot 4, Block 1; and
 - 5) Agricultural to Commercial on Lot 4, Block 1.
- (T) [2017-4870](#): SECOND READING – Z-FY-17-41: Consider adopting an ordinance authorizing a rezoning from Agricultural zoning district to Planned Development - Neighborhood Service zoning district, on 1.012 +/- acres, located in the George W. Lindsey Survey, Abstract No. 513, Bell County, Texas, located at 830 and 850 FM 2271.

Misc.

- (U) [2017-8897-R](#): Consider adopting a resolution ratifying the acceptance of a donation of a 0.350-acre permanent easement and 0.422-acre temporary construction easement located at the intersection Loop 363 and South 31st Street in Temple, Bell County, Texas, necessary for the construction of the Temple Medical Education District Monument planned at this intersection.
- (V) [2017-8898-R](#): Consider adopting a resolution authorizing the use of the Competitive Sealed Proposal project delivery method for the acquisition of services needed for the construction of the buildings and shade structures needed in the development of Crossroads Park.
- (W) [2017-8899-R](#): Consider adopting a resolution setting the fees associated with a Liquid Waste Transport Truck Discharge Permit.
- (X) [2017-8900-R](#): Consider adopting a resolution authorizing the City of Temple to join in an amicus curiae brief to be filed by the Texas Municipal League in the appellate case of *City of Waco v. Citizens to Save Lake Waco*.
- (Y) [2017-8901-R](#): Consider adopting a resolution designating the *Temple Daily Telegram* as the official newspaper for the City for fiscal year 2017-2018, in accordance with Section 4.18 of the Charter of the City of Temple.

VI. REGULAR AGENDA

RESOLUTIONS

- 6. [2017-8902-R](#): P-FY-17-49: Consider adopting a resolution authorizing the final plat of Temple Mall Addition, Replat No. One, a 46.398 +/- acres, 6-lot, 1-block, non-residential subdivision, situated in part of the B. Hughes Survey, Abstract No. 376, Bell County, Texas, being part of Lot 1 and part of Lot 3 of the Temple Mall Subdivision, addressed as 3111 South 31st Street, Temple.

ORDINANCES – FIRST READING/PUBLIC HEARING

- 7. [2017-4871](#): FIRST READING – PUBLIC HEARING: Consider adopting an ordinance authorizing an amendment to the Tax Increment Financing Reinvestment Zone No. 1 Financing and Project Plans to align with the 2022 Master Plan which includes appropriating bond proceeds, adjusting tax revenues and allocating expenditures for public improvements for years FY 2017-2062.
- 8. [2017-4872](#): FIRST READING – PUBLIC HEARING: Consider adopting an ordinance designating a tract of land consisting of approximately 143.21 acres and located at 251 Berger Road, Temple, Texas, as City of Temple Tax Abatement Reinvestment Zone Number 35 for commercial/industrial tax abatement.
- 9. [2017-4873](#): FIRST READING - PUBLIC HEARING - Z-FY-17-42: Consider adopting an ordinance authorizing a rezoning from Agricultural zoning district to Planned Development - General Retail zoning district with Development/ Site Plan approval, on 5.058 +/- acres, located on the north side of FM 2305, approximately 290 feet west of its intersection with Morgan's Point Road (FM 2271), addressed 12000 and 11934 FM 2305.


10. [2017-4874](#): FIRST READING – PUBLIC HEARING – Z-FY-17-43: Consider adopting an ordinance authorizing a rezoning from Two Family zoning district to Planned Development Temple Medical Educational District T5-E, with a Development/Site Plan for two parking lots, located on the north 50 feet of Lot 7 and the south 50 feet of Lot 8, HP Robertson Addition, addressed as 1214 and 1218 South Main Street, Temple.

BOARD APPOINTMENTS

11. [2017-8903-R](#): Consider adopting a resolution appointing one member to the Airport Advisory Board to fill an unexpired term through September 1, 2019.

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 10:30 am, on Friday, September 29, 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

10/05/17
Item #4
Regular Agenda
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DEPT. / DIVISION SUBMISSION & REVIEW:

Ashley Williams, Director of General Services

ITEM DESCRIPTION: PUBLIC HEARING – Consider adopting a resolution authorizing the submission of an application for funding through the U.S. Department of Transportation, Transportation Investment Generating Economic Recovery in the amount of \$15,000,000, with \$10,500,000 reimbursed to the City through federal funding, to execute the construction of the Veterans Memorial Boulevard project.

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

ITEM SUMMARY: The U.S. Department of Transportation has announced a matching discretionary grant program entitled “Transportation Investment Generating Economic Recovery” (TIGER 2017). TIGER 2017 is intended to provide funding for capital investments in surface transportation infrastructure for projects that have significant impact on a metropolitan area or region.

Distribution of funding will be allocated to public transportation/infrastructure and multi-modal facility projects.

The application deadline is October 16, 2017. Applications will be evaluated by an established DOT application team, with award notification late spring, early summer 2018.

The project scope involves the following elements:

- Construction of “Complete Streets” roadway and sidewalk from Avenue M to the entrance to Temple College.
- Drainage improvements to address on-site/off-site issues.
- Installation of three bus shelters along Veterans Memorial Boulevard.

Staff is requesting that RZ fund \$4,500,000 as a grant match. This match is thirty percent (30%) of the project total of \$15,000,000, with \$10,500,000 being requested from the DOT. The Reinvestment Zone No. 1 Board approved this at its September 27, 2017 board meeting.

These overall efforts will create a more-inclusive and integrated community development, which centers on improved and increased transportation options that encourage livability, connects housing to jobs, builds a clean energy economy, reduces transportation costs, and provides safer conditions for pedestrians, bicyclists and motorists.

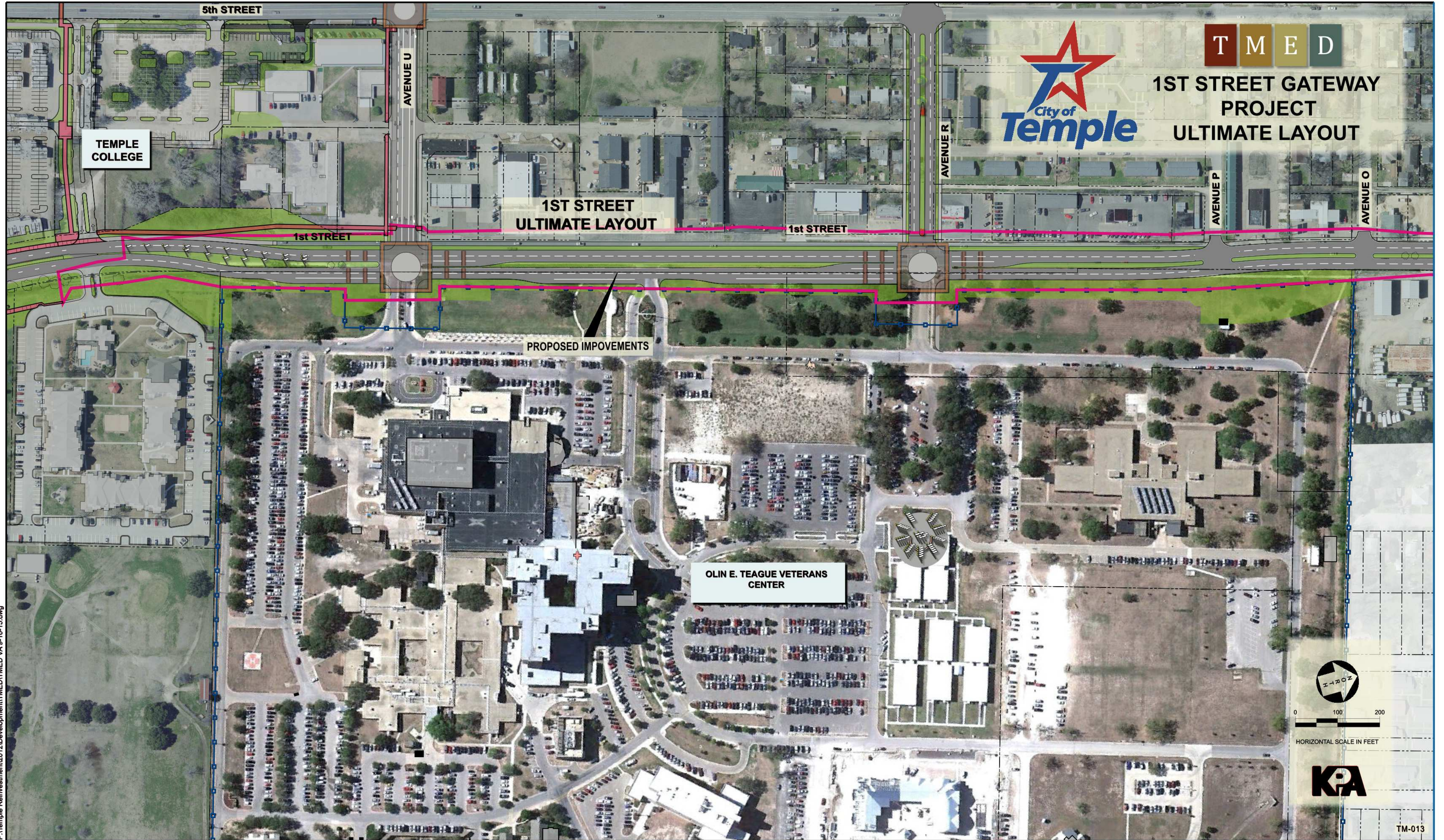
FISCAL IMPACT: The Veterans Memorial Boulevard project is included in the Reinvestment Zone No. 1 Master Plan. If awarded the grant, the Reinvestment Zone No. 1 is committed to fund \$4,500,000 as a grant match. This match is thirty percent (30%) of the project total of \$15,000,000, with \$10,500,000 being requested from the Department of Transportation.

ATTACHMENTS:

[Project Map](#)

[Resolution](#)

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RESOLUTION NO. 2017-8881-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR FUNDING THROUGH THE U.S. DEPARTMENT OF TRANSPORTATION, TRANSPORTATION INVESTMENT GENERATING ECONOMIC RECOVERY (TIGER 2017) IN THE AMOUNT OF \$15,000,000, WITH \$10,500,000 REIMBURSED TO THE CITY THROUGH FEDERAL FUNDING, TO EXECUTE THE CONSTRUCTION OF THE VETERANS MEMORIAL BOULEVARD PROJECT.; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the U.S. Department of Transportation has announced a matching discretionary grant program entitled “Transportation Investment Generating Economic Recovery” (TIGER 2017) which is intended to provide funding for capital investments in surface transportation infrastructure for projects that have a significant impact on a metropolitan area or region;

Whereas, distribution of funding will be allocated to public transportation and infrastructure as well as multi-modal facility projects;

Whereas, the application deadline is October 16, 2017 and all applications will be evaluated by an established Department of Transportation application team, with award notification late spring, early summer 2018;

Whereas, the project scope involves the following elements:

- construction of “Complete Streets” roadway and sidewalk from Avenue M to the entrance of Temple College;
- drainage improvements to address on-site and off-site issues;
- installation of three bus shelters along Veterans Memorial Boulevard;

Whereas, Staff requests the Reinvestment Zone fund \$4,500,000 as a grant match which is thirty-percent of the project total of \$15,000,000, with \$10,500,000 being requested from the Department of Transportation;

Whereas, the overall elements will create a more-inclusive and integrated community development, which centers on improved and increased transportation options that encourage livability, connects housing to jobs, builds a clean energy economy, reduces transportation costs, and provides safer conditions for pedestrians, bicyclists and motorists;

Whereas, this project is included in the Reinvestment Zone No. 1 Master Plan and if awarded, the Reinvestment Zone No. 1 is committed to fund \$4,500,000 as a grant match which is thirty-percent of the project total of \$15,000,000, with \$10,500,000 being requested from the Department of Transportation; 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 submission of an application and accepts funding for the U.S. Department of Transportation “Transportation Investment Generating Economic Recovery” (TIGER 2017) grant program.

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 which may be necessary for the submission of this grant, and to accept any funds that may be received for this grant.

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 5th day of **October**, 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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Item #5(A)
Consent Agenda
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DEPT./DIVISION SUBMISSION & REVIEW:

Lacy Borgeson, City Secretary

ITEM DESCRIPTION: Approve Minutes:

(A) September 21, 2017 Special and Regular Meetings

STAFF RECOMMENDATION: Approve minutes as presented in item description.

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

FISCAL IMPACT: N/A

ATTACHMENTS:

[September 21, 2017 Special and Regular Meetings](#)



COUNCIL AGENDA ITEM MEMORANDUM

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Consent Agenda
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DEPT./DIVISION SUBMISSION & REVIEW:

Kayla Landeros, City Attorney
Christina Demirs, Deputy City Attorney

ITEM DESCRIPTION: Consider adopting a resolution authorizing the purchase of right-of-way necessary for the construction of the Bird Creek Interceptor project and conversion of the private road Daniels Drive into a public street and authorizing closing costs associated with the purchase in an estimated amount of \$7,500.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: In 2007, Council authorized a professional services agreement with Carter Burgess, Inc., now Jacobs Engineering Group, Inc., for engineering services related to the Bird Creek Interceptor. This project, targeted toward reducing sanitary sewer overflows, will rehabilitate existing deteriorated infrastructure through the heart of the city. To date, the City has constructed three phases of the Bird Creek Interceptor project. Design of Phases 4 and 5 is underway and acquisition of the necessary easements is partially complete.

The design of Phase 4 includes a realignment of the interceptor beneath Daniels Drive, currently a private street in South Temple that runs parallel to Bird Creek, with a steep slope in between. Erosion from the creek may require significant repairs to Daniels Drive in the future in order to ensure its integrity and protect the welfare of residents in the neighborhood. Accordingly, Staff believes that in order to conduct repairs needed on Daniels Drive, to take necessary steps to prevent the erosion of the slope between Daniels Drive and Bird Creek, and to realign the Bird Creek interceptor beneath the roadway, it would be in the public interest to acquire the right-of-way necessary to convert the private road into a public street.

The design requires the acquisition of right-of-way and easements for wastewater utilities and the new public street from five property owners, including the property situated at 2625 Daniels Drive. Appraisals were performed on the parcels and an offer was presented to the property owners in December 2016. Staff has acquired two right-of-ways and is in the process of coordinating closing with one property owner. Staff, through Stateside Right of Way Services, continues to negotiate with the remaining property owner.

Staff is seeking authorization to purchase the necessary right-of-way and pay closing costs in an estimated amount of \$7,500.

The address and Bell County Appraisal District ID Number of the property is 2625 Daniels Drive, Temple—Bell CAD ID #111850.

FISCAL IMPACT: Funding is appropriated for the purchase of the right of way necessary for the construction of the Bird Creek Interceptor project, conversion of the private road Daniels Drive into a public street and authorizing closing costs associated with the purchase in an estimated amount of \$7,500 in account 520-5900-535-6110, project #101213.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. 2017-8882-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE PURCHASE OF RIGHT-OF-WAY NECESSARY FOR THE CONSTRUCTION OF THE BIRD CREEK INTERCEPTOR PROJECT AND CONVERTING A PRIVATE ROAD LOCATED ON DANIELS DRIVE INTO A PUBLIC STREET AND AUTHORIZING CLOSING COSTS ASSOCIATED WITH THE PURCHASE IN AN ESTIMATED AMOUNT OF \$7,500; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, in 2007, Council authorized a professional services agreement with Carter Burgess, Inc., now Jacobs Engineering Group, Inc., for engineering services related to the Bird Creek Interceptor;

Whereas, this project, targeted toward reducing sanitary sewer overflow, will rehabilitate existing deteriorated infrastructure through the heart of the City - to date, the City has constructed three phases of the Bird Creek Interceptor project and the design of Phases 4 and 5 are underway with acquisition of the necessary easements being partially complete;

Whereas, the design of Phase 4 includes a realignment of the interceptor beneath Daniels Drive which is currently a private street in South Temple that runs parallel to Bird Creek, with a steep slope in between;

Whereas, erosion from Bird Creek may require significant repairs to Daniels Drive in the future in order to ensure its integrity and protect the welfare of residents in the neighborhood - Staff believes that in order to conduct repairs needed on Daniels Drive, take necessary steps to prevent the erosion of the slope between Daniels Drive and Bird Creek, and realign the Bird Creek interceptor beneath the roadway, it would be in the public's best interest to acquire the right-of-way necessary to convert the private road into a public street;

Whereas, the design requires the acquisition of right-of-way and easements for wastewater utilities and the new public street from five property owners, including the property situated at 2625 Daniels Drive - appraisals were performed on the parcels and an offer was presented to the property owners in December 2016;

Whereas, Staff has acquired two rights-of-ways and is in the process of coordinating the closing with one property owner - Staff, through Stateside Right of Way Services, continues to negotiate with the remaining property owner;

Whereas, Staff recommends Council authorize the purchase of right-of-way necessary for the construction of the Bird Creek Interceptor Project, authorize the conversion of a private road located at 2625 Daniels Drive into a public street, and authorize closing costs associated with the purchase in an estimated amount of \$7,500;

Whereas, funding for the purchase of this right-of-way is appropriated in Account No. 520-5900-535-6110, Project No. 101213; and

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

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

Part 1: 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 right-of way necessary for the construction of the Bird Creek Interceptor Project, authorizes the conversion of a private road located at 2625 Daniels Drive into a public street, and authorizes closing costs associated with the purchase in an estimated amount of \$7,500.

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 the purchase of this right-of-way.

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 5th day of **October**, 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:

Kayla Landeros, City Attorney
Christina Demirs, Deputy City Attorney

ITEM DESCRIPTION: Consider adopting a resolution authorizing the purchase of one property necessary for the expansion of Old Waco Road and authorizing closing costs associated with the purchase in an estimated amount of \$28,000.

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

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The City has completed the design phase for the proposed expansion of Old Waco Road from the drainage channel just north of Brandon Drive to a point 300 feet south of the drainage channel just south of Jupiter Drive, otherwise known as Phase 3B of the future Outer Loop. The design required the acquisition of right-of-way from ten different property owners. At this time, the City has acquired nine of the necessary right of ways.

The City made an offer to purchase the necessary right-of-way, based on the appraisal conducted by the City, on March 4, 2016 via Lockwood, Andrews & Newman, Inc. The property owner made a counter offer to the City in an amount equal to 800% of the appraised value and 325% of the City's offer. In response, the City made a bona fide final offer to the property owner on April 8, 2016.

Since the City and the property owner were unable to reach an agreement, Council authorized the use of eminent domain to acquire the necessary right of way at its May 5, 2016 meeting. The City continued to negotiate with the property owner and was able to reach a settlement agreement. Once closing is complete, the City will dismiss its pending eminent domain lawsuit.

At this time, Staff is seeking authorization to purchase one property necessary for the expansion of Old Waco Road and authorizing closing costs associated with the purchase in an estimated amount of \$28,000.

The property is on Old Waco Road, Temple, Texas, Bell County Appraisal District ID Number 124124.

FISCAL IMPACT: Funding for the purchase of the right of way necessary for the expansion of Old Waco Road and authorizing closing costs associated with the purchase in an estimated amount of \$28,000 are available in account 365-3400-531-6813, project #101121.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. 2017-8883-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE PURCHASE OF ONE PROPERTY NECESSARY FOR THE EXPANSION OF OLD WACO ROAD; AUTHORIZING CLOSING COSTS ASSOCIATED WITH THE PURCHASE IN AN ESTIMATED AMOUNT OF \$28,000; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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

Whereas, the design required the acquisition of right-of-way from ten different property owners and presently, the City has acquired nine of the needed rights-of-way;

Whereas, the City made an offer to purchase the necessary right-of-way, based on the appraisal conducted by the City on March 4, 2016 via Lockwood, Andrews & Newman, Inc.;

Whereas, the City and the property owner were unable to reach an agreement, and Council authorized the use of eminent domain to acquire the necessary right of way at its May 5, 2016 meeting;

Whereas, since that approval, the City continued to negotiate with the property owner and was able to reach a settlement agreement - once closing is complete, the City will dismiss its pending eminent domain lawsuit;

Whereas, Staff recommends Council authorize the purchase of one property located on Old Waco Road with BellCAD ID 124124, which is necessary for the expansion of Old Waco Road and authorize closing costs associated with the purchase in an estimated amount of \$28,000;

Whereas, funding is available for the purchase of this property in Account No. 365-3400-531-6813, Project No. 11121; and

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

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

Part 1: Findings. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Temple, Texas, and they are hereby approved and incorporated into the body of this Resolution as if copied in their entirety.

Part 2: The City Council authorizes the purchase of one property located on Old Waco Road with BellCAD ID 124124, which is necessary for the expansion of Old Waco Road and authorizes closing costs associated with the purchase in an estimated amount of \$28,000.

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 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 5th day of **October**, 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:

Kayla Landeros, City Attorney
Christina Demirs, Deputy City Attorney

ITEM DESCRIPTION: Consider adopting a resolution authorizing the purchase of an easement and temporary construction easement necessary for the construction of the Leon River Trunk Sewer Project and authorizing closing costs associated with the purchase, in an estimated amount of \$28,000.

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

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The City has completed the design phase for the proposed construction of the Leon River Trunk Sewer project in southwest Temple, roughly parallel to the Leon River. The project is necessary to provide sewer service to properties along the route. The design required the acquisition of easements for wastewater utilities and temporary construction easements from five property owners.

At this time, the City has acquired easements from four of the five property owners. The City made an offer to purchase the necessary easement, based on the appraisal conducted by the City, on June 9, 2016, via Lone Star Right of Way Services, Inc. The property owner made a counter offer to the City in an amount of approximately 100% of the appraised value. In response, the City made a bona fide final offer to the property owner on November 28, 2016.

Since the City and the property owner were unable to reach an agreement, Council authorized the use of eminent domain to acquire the necessary easement at its December 15, 2016 meeting. The City continued to negotiate with the property owner through their attorney and were able to reach a settlement agreement. Once closing is complete, the City will dismiss its eminent domain lawsuit pending against the owner.

At this time, Staff is asking for authorization to purchase an easement and temporary construction easement necessary for the construction of the Leon River Trunk Sewer Project and authorizing closing costs associated with the purchase, in an estimated amount of \$28,000.

The property is located at the intersection of Taylor's Valley Road and Rockwool Lane near FM 93, Belton, Texas, Bell County Appraisal District ID Number 3375.

FISCAL IMPACT: Funding is available for the purchase of an easement and temporary construction easement necessary for the construction of the Leon River Trunk Sewer Project and authorizing closing costs associated with the purchase, in an estimated amount of \$28,000 in account 561-5400-535-6941, project 100851.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. 2017-8884-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE PURCHASE OF ONE EASEMENT AND ONE TEMPORARY CONSTRUCTION EASEMENT NECESSARY FOR THE CONSTRUCTION OF THE LEON RIVER TRUNK SEWER PROJECT; AUTHORIZING CLOSING COSTS ASSOCIATED WITH THE PURCHASES IN AN AMOUNT NOT TO EXCEED \$28,000; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the City is currently in the design phase for the proposed construction of the Leon River Trunk Sewer project in southwest Temple, roughly parallel to the Leon River - this project is necessary to provide sewer service to properties along this route and the design requires the acquisition of easements for wastewater utilities and temporary construction easements from five property owners;

Whereas, at this time, the City has acquired easements from four of five property owners and the City has made an offer to purchase the necessary easement, based on the appraisal conducted by the City on June 9, 2016, via Lone Star Right of Way Services, Inc.;

Whereas, the property owner made a counter offer to the City in an amount of approximately 100% of the appraised value and in response, the City made a bona fide final offer to the property owner on November 28, 2016;

Whereas, since the City and the property owner were unable to reach an agreement, Council authorized the use of eminent domain to acquire the necessary easement at its December 15, 2016 meeting;

Whereas, the City continued to negotiate with the property owner through their attorney and were able to reach a settlement agreement - once closing is complete, the City will dismiss its eminent domain lawsuit pending against the owner;

Whereas, Staff recommends Council authorize the purchase of one easement and one temporary construction easement located at the intersection of Taylor's Valley Road and Rockwool Lane near FM93, Belton, Texas, which is necessary for the construction of the Leon River Trunk Sewer Project and authorizing closing costs associated with the purchase, in an estimated amount of \$28,000;

Whereas, funding for the purchase of this easement and temporary construction easement necessary for the construction of the Leon River trunk sewer project is appropriated in Account No. 561-5400-535-6941, Project No. 100851; and

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

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

Part 1: Findings. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Temple, Texas, and they are hereby approved and incorporated into the body of this Resolution as if copied in their entirety.

Part 2: The City Council authorizes the purchase of one easement and one temporary construction easement located at the intersection of Taylor's Valley Road and Rockwool Lane near FM93, Belton, Texas, which is necessary for the construction of the Leon River Trunk Sewer Project and authorizing closing costs associated with the purchase, in an estimated amount of \$28,000.

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 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 5th day of **October**, 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

10/05/17
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DEPT./DIVISION SUBMISSION & REVIEW:

Kayla Landeros, City Attorney
Christina Demirs, Deputy City Attorney

ITEM DESCRIPTION: Consider adopting a resolution authorizing the purchase of easements and temporary construction easements necessary for the construction of the Bird Creek Interceptor Phase 5 and Shallowford Force Main Projects and right of way necessary for the construction of the Shallowford Lift Station and authorizing closing costs associated with the purchase in an estimated amount of \$58,000.

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

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The City is currently in the design phase for the Bird Creek Interceptor Phase 5, Shallowford Lift Station, and Shallowford Force Main Projects. The designs require the acquisition of right of way, easements for wastewater utilities, and temporary construction easements from a property owner situated along Shallow Ford Road. An appraisal was performed on the property and the City made an offer to purchase the necessary easements and right of way, based on the appraisal, in March 2017, via Lone Star Right of Way Services, Inc. The property owner made a counter offer to the City more than double the appraised value. In response, the City made a bona fide final offer to the property owner on May 16, 2017.

Since the City and the property owner were unable to reach an agreement, Council authorized the use of eminent domain to acquire the necessary easements and right of way at its June 1, 2017 meeting. The City continued to negotiate with the property owner through their attorney and were able to reach a settlement agreement.

At this time, Staff is asking for authorization to purchase easements and temporary construction easements necessary for the construction of the Bird Creek Interceptor Phase 5 and Shallowford Force Main Projects and right of way necessary for the construction of the Shallowford Lift Station and authorizing closing costs associated with the purchase in an estimated amount of \$58,000.

The property is located along Shallow Ford Road, Temple, Texas, Bell County Appraisal District ID Number 24787.

FISCAL IMPACT: Funding for the purchase of easements and temporary construction easements necessary for the construction of the Bird Creek Interceptor Phase 5 and Shallowford Force Main projects and right of way necessary for the construction of the Shallowford Lift Station and authorizing closing costs associated with the purchase in an estimated amount of \$58,000 as follows:

<u>Project Description</u>	<u>Account #</u>	<u>Project #</u>	<u>Amount</u>
Bird Creek Phase 5	520-5900-535-6110	101213	\$ 23,780
Shallowford Lift Station	561-5400-535-6905	101475	13,340
Shallowford Force Main	561-5400-535-6973	101512	20,880
			<u>\$ 58,000</u>

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. 2017-8885-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE PURCHASE OF EASEMENTS AND TEMPORARY CONSTRUCTION EASEMENTS NECESSARY FOR THE CONSTRUCTION OF THE BIRD CREEK INTERCEPTOR PHASE 5 AND SHALLOWFORD FORCE MAIN PROJECTS; AUTHORIZING THE PURCHASE OF ONE RIGHT OF WAY NECESSARY FOR THE CONSTRUCTION OF THE SHALLOWFORD LIFT STATION; AUTHORIZING CLOSING COSTS ASSOCIATED WITH THESE PURCHASES IN AN ESTIMATED AMOUNT OF \$58,000; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the City is currently in the design phase for the Bird Creek Interceptor Phase 5, Shallowford Lift Station, and Shallowford Force Main Projects which require the acquisition of rights-of-way, easements for wastewater utilities, and temporary construction easements from one property owner situated along Shallow Ford Road;

Whereas, an appraisal was performed on the property and the City made an offer to purchase the necessary easements and right-of-way based on the appraisal in March 2017, via Lone Star Right of Way Services, Inc.;

Whereas, the property owner made a counter offer to the City of more than double the appraised value and in response, the City made a bona fide final offer to the property owner on May 16, 2017;

Whereas, since the City and the property owner were unable to reach an agreement, Council authorized the use of eminent domain to acquire the necessary easements and right-of-way at its June 1, 2017 meeting - the City continued to negotiate with the property owner through their attorney and was able to reach a settlement agreement;

Whereas, Staff recommends Council authorize the purchase of easements and temporary construction easements necessary for the construction of the Bird Creek Interceptor Phase 5 and Shallowford Force Main Projects, authorize the purchase of right-of-way necessary for the construction of the Shallowford Lift Station located along Shallow Ford Road (BellCAD ID 24787), and authorize closing costs associated with the purchase in an estimated amount of \$58,000;

Whereas, funding for the purchase necessary for the construction of the Bird Creek Interceptor Phase 5 and Shallowford Force Main projects, right-of-way necessary for the construction of the Shallowford Lift Station and closing costs associated with these purchases is appropriated in the following accounts:

Project Description	Account No.	Project No.
Bird Creek Phase 5	520-5900-535-6110	101213
Shallowford Lift Station	561-5400-535-6905	101475
Shallowford Force Main	561-5400-535-6973	101512
Bird Creek Phase 5	520-5900-535-6110	101213

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 easements and temporary construction easements necessary for the construction of the Bird Creek Interceptor Phase 5 and Shallowford Force Main Projects, authorizes the purchase of right-of-way necessary for the construction of the Shallowford Lift Station located along Shallow Ford Road (BellCAD ID 24787), and authorizes closing costs associated with the purchase in an estimated amount of \$58,000.

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 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 5th day of **October**, 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
Kirk Scopac, Fleet Services Director

ITEM DESCRIPTION: Consider adopting a resolution authorizing the purchase of two 2018 Autocar compressed natural gas engine with automated side load body refuse trucks from Chastang Enterprises, Inc., dba Chastang Ford, of Houston in the amount of \$637,472, as well as, declare an official intent to reimburse the expenditures with the issuance of the 2017 Certificate of Obligation Bonds.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The Public Works Solid Waste Services Division has two automated residential trucks that have been identified for routine replacement during FY2018 by the Fleet Services Director in the annual vehicle replacement review. These trucks are used daily in the pickup and disposal of refuse on a routine basis throughout the City. The residential trucks that will be purchased will replace two existing six year old front line trucks that will be moved to backup status for two additional years.

Staff is recommending the use Houston-Galveston Area Cooperative (H-GAC) contract #HT06-16 for this purchase. Contracts awarded through H-GAC have been competitively procured and meet the statutory procurement requirements for Texas municipalities.

SUSTAINABILITY IMPACT: Each vehicle scheduled for replacement has been evaluated to ensure the most sustainable and fuel efficient vehicle that will meet the needs of the department is being purchased. The evaluation for these vehicles focused on fuel type. The incremental cost of purchasing a CNG powered vehicle as opposed to diesel for the automated side load refuse truck is \$54,247. If current operations continue, the anticipated payback period is between five to six years for each refuse truck, well within their expected operational life.

SUSTAINABILITY IMPACT: Each vehicle scheduled for replacement has been evaluated to ensure the most sustainable and fuel efficient vehicle that will meet the needs of the department is being purchased. The evaluation for these vehicles focused on fuel type. The incremental cost of purchasing a CNG powered vehicle as opposed to diesel for the automated side load refuse truck is \$54,247. If current operations continue, the anticipated payback period is between five to six years for each refuse truck, well within their expected operational life.

FISCAL IMPACT: The two automated residential trucks are being funded with the issuance of the 2017 Certificate of Obligation Bonds. The bonds will be sold on Thursday, October 19, 2017. We are declaring an official intent to reimburse for this purchase. A budget adjustment will be prepared at the time of the bond sale to reimburse expenditures incurred prior to the sale of the bonds.

Once the budget adjustment is approved, funding will be available in account 365-2300-540-6987 for the purchase of two 2018 Autocar compressed natural gas engine with automated side load body refuse trucks as shown below:

	<u>Project # 101693</u>	<u>Project # 101694</u>	<u>Total</u>
Project Budget Funded with 2017 CO Bonds	\$ 324,792	\$ 324,792	\$ 649,584
Encumbered/Committed to Date	-	-	-
Chatang Enterprises, Inc.	(318,736)	(318,736)	(637,472)
Remaining Project Funds	\$ 6,056	\$ 6,056	\$ 12,112

ATTACHMENTS:
[Resolution](#)

RESOLUTION NO. 2017-8886-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE PURCHASE OF TWO 2018 AUTOCAR COMPRESSED NATURAL GAS ENGINE WITH AUTOMATED SIDE LOAD BODY REFUSE TRUCKS IN THE AMOUNT OF \$637,472, FROM CHASTANG ENTERPRISES, INC., DBA CHASTANG FORD, OF HOUSTON, TEXAS; AS WELL AS DECLARE AN OFFICIAL INTENT TO REIMBURSE THE EXPENDITURES WITH THE ISSUANCE OF THE 2017 CERTIFICATE OF OBLIGATION BONDS; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the Public Works Solid Waste Services Division has two automated residential trucks that have been identified for routine replacement during fiscal year 2018 by the Fleet Services Director in the annual vehicle replacement review;

Whereas, these trucks are used daily in the pickup and disposal of refuse on a routine basis throughout the City and the residential trucks that will be purchased will replace two existing 6-year-old front line trucks that will be moved to backup status for two additional years;

Whereas, Staff recommends utilizing a Houston-Galveston Area Cooperative contract for this purchase – all contracts awarded through H-GAC have been competitively procured and meet the statutory procurement requirements for Texas municipalities;

Whereas, each vehicle scheduled for replacement has been evaluated to ensure that the most sustainable and fuel efficient vehicle will meet the needs of the department - the evaluation for these vehicles focused on fuel type;

Whereas, the City of Temple anticipates the issuance of one or more series of obligations, the interest on which will be excludable from gross income under Section 103 of the Internal Revenue Code of 1986, as amended, in order to finance all or a portion of this project;

Whereas, certain expenditures relating to the Project will be paid prior to the issuance of the Obligations and the City hereby certifies that such expenditures have not been made prior to the date of passage of this Resolution - upon issuance of the Obligations, the City desires to reimburse these prior expenditures with proceeds of the Obligations;

Whereas, Section 1.150.2 of the Treasury Regulations provides that an expenditure on the Project may not be reimbursed from Obligation proceeds unless, along with other requirements, the City declares official intent to reimburse the expenditure prior to the date that the expenditure to be reimbursed was paid; and

Whereas, this project is being funded with the issuance of 2017 Certificate of Obligation Bonds which will make funding available for this purchase in Account No. 365-2300-540-6987, Project Nos. 101693 and 101694; and

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

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

Part 1: Findings. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Temple, Texas, and they are hereby approved and incorporated into the body of this Resolution as if copied in their entirety.

Part 2: The City Council authorizes the purchase of two 2018 Autocar compressed natural gas engine with automated side load body refuse trucks in the amount of \$637,472, from Chastang Enterprises, Inc., dba Chastang Ford, of Houston, as well as, declares an official intent to reimburse the expenditures with the issuance of the 2017 Certificate of Obligation Bonds.

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: The findings, determinations and certifications contained in the preamble hereof are incorporated herein for all purposes.

Part 5: This Resolution is a declaration of official intent by the City under Section 1.150.2 of the Treasury Regulations that it reasonably expects to reimburse the expenditures described in Part 1 with proceeds of debt to be incurred by the City, such debt to be issued on or before eighteen (18) months after (i) the date the first expenditure is paid; or (ii) the date on which the property is placed in service, but in no event three years after the first expenditure is paid.

Part 6: It is hereby officially found and determined that the meeting at which this Resolution was passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED this the 5th day of **October**, 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 annual purchase agreements with various vendors, in the estimated annual amount of \$51,760.25 for herbicide and insecticide for FY2018.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: Authorization of these annual purchase agreements will provide for the purchase of herbicides and insecticides needed by the Parks and Recreation Department, as well as other City departments, during FY2018:

BWI Companies of Schulenburg	\$16,162.72
Winfield Solutions, LLC of Waco	\$15,531.68
SiteOne Landscape Supply of Austin	\$13,308.80
Virkim, Inc of Hewitt	\$ 2,287.80
Target Specialty Products of Coppell	\$ 2,080.00
Red River Specialties, LLC of Shreveport, LA	\$ 2,025.90
Temple Feed & Supply, Inc of Temple	\$ 363.35

On September 12, 2017, the City received seven bids for the annual purchase of various herbicides and insecticides. The solicitation asked for pricing on several possible herbicide and insecticide items that may be needed throughout the year and will be ordered on an as-needed basis. The bid was stated to be awarded by line item as highlighted in yellow on the attached bid tabulation.

The City has done business with these bidders in the past and finds them to be responsive and responsible vendors. The proposed purchase agreements are for a one-year period commencing immediately through September 30, 2018, with the option to extend the agreements for four additional one-year periods if so agreed to between the City and each vendor.

FISCAL IMPACT: Herbicides and insecticides are ordered on an as-needed basis. Departments have budgeted for these chemicals in the FY 2018 Operating Budget. The estimated annual expenditure for herbicides and insecticides based on estimated quantities that will be needed is \$51,760.25.

ATTACHMENTS:

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

**Tabulation of Bids Received
on Tuesday, September 12, 2017 at 2:30 p.m.
Herbicides and Insecticides
Bid # 13-08-18**

		Bidders													
		Red River Specialties LLC Shreveport, LA (903)596-7728		BWI Companies Schulenburg, TX (210)382-4079		Virkim Inc. Hewitt, TX (254)420-2456		Temple Feed & Supply, Inc. Temple, TX (254)778-7975		SiteOne Landscape Supply Cleveland, OH (800)321-5325 x 2550		Winfield Solutions, LLC Waco, TX (800)234-9756		Target Specialty Products Coppell, TX (469)993-3647	
Description	Qty	Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost
1. Trimec 992 (2.5 gal)	60	\$24.00/gal \$60.00/2.5 gal	\$3,600.00	\$60.50	\$3,630.00	\$58.00	\$3,480.00	\$84.62	\$5,077.20	\$51.36	\$3,081.60	\$53.75	\$3,225.00	\$68.00	\$4,080.00
		3-D Herbicide (Quali-Pro)		Vessel Herbicide 2.5 gal 2,4-D		Triad Select				Lesco Three Way 2.5 gal		Strike 3 Winfield			
2. MSMA-Bueno 6 (2.5 gal)	60	\$27.65/gal \$69.13/2.5 gal	\$4,147.80	\$61.75	\$3,705.00	\$76.25	\$4,575.00	\$82.56	\$4,953.60	\$70.13	\$4,207.80	\$64.73	\$3,883.80	\$78.30	\$4,698.00
		Target 6 Plus (Luxembourg)				Target 6 Plus				Drexel MSMA 6.6 2.5 gal				Target 6 Plus MSMA	
3. Image (11.43 oz bottle) No Substitutions	15	No Bid		No Bid		\$43.75	\$656.25	\$17.97 / 24 oz	\$125.79	No Bid		\$105.00	\$1,575.00	No Bid	
				Discontinued Size				Image 24 oz (7 bottles)							
4. Barricade 65 WG Pre-Emerge Herbicide (10 lb bag)	60	\$10.20/lb \$51.00/5 lbs \$102.00/10 lbs	\$6,120.00	\$68.49/5 lbs \$136.98/10 lbs	\$8,218.80	\$50.80 / 5 lbs \$101.60 / 10 lbs	\$6,096.00	\$112.75/5 lbs \$225.50/10 lbs	\$13,530.00	\$89.34	\$5,360.40	\$85.00	\$5,100.00	\$103.72/5 lbs \$207.44/10 lbs	\$12,446.40
		Prodiamine 65 WDG (Quali-Pro) 5 lb Jugs		Resolute 65 WG 5 lb bag Prodiamine 65%		Prodiamine 65 WDG 5lbs		5 lb bags		Lesco Stonewall 65 WDG 10 lb		Quali Pro Prodiamine 65WG		Barricade 65WG 5 lb	
5. Pendulum 3.3 EC (2.5 gal)	4	\$29.95/gal \$74.88/2.5 gal	\$299.52	\$66.00	\$264.00	\$81.50	\$326.00	\$84.61	\$338.44	\$66.69	\$266.76	\$86.00	\$344.00	\$71.00	\$284.00
		Pin Dee 3.3 (Drexel)								#59015210 Lesco Pre-M 3.3 EC 2.5 gal					
6. Award Fire Ant Bait (25 lb bag) No Substitutions	16	\$289.35	\$4,629.60	\$248.00	\$3,968.00	\$257.00	\$4,112.00	\$282.70	\$4,523.20	\$282.99	\$4,527.84	\$255.13	\$4,082.08	\$290.00	\$4,640.00
										#47127		Award II			
7. Blue Spray Pattern Indicator Dye Concentrated Liquid (quart)	50	\$10.10	\$505.00	\$12.95	\$647.50	\$20.50	\$1,025.00	\$16.67	\$833.50	\$15.81	\$790.50	\$13.75	\$687.50	\$20.25/qt \$81.00/gal	\$1,012.50
		Elite Splendor (RRSI)				Elite Splendor				#069399 Lesco Tracker Max 1 qt				Turf Fuel / Pacific Blue Gallon	
8. Sim-Trol 4L (2.5 gal)	5	\$17.05/gal \$42.63/2.5 gal	\$213.15	\$39.75	\$198.75	\$49.45	\$247.25	\$43.08	\$215.40	\$45.49	\$227.45	\$41.25	\$206.25	\$49.50	\$247.50
				Princep 4L 2.5 gal Simazine		Princep 4L		Princep 4L 2.5 gal		#59200 Princep Simazine 2.5 gal					
9. Heritage (1 lb container) No Substitutions	6	No Bid		\$317.00	\$1,902.00	No Bid		\$363.00	\$2,178.00	\$317.00	\$1,902.00	\$317.00	\$1,902.00	No Bid	
				Agency						#74240 Heritage Agency					
10. 26 GT Fungicide (2.5 gal) No Substitutions	8	No Bid		\$293.25	\$2,346.00	No Bid		\$337.00	\$2,696.00	\$348.90	\$2,791.20	\$295.43	\$2,363.44	\$260.00	\$2,080.00
										#4250930					

**Tabulation of Bids Received
on Tuesday, September 12, 2017 at 2:30 p.m.
Herbicides and Insecticides
Bid # 13-08-18**

Bidders															
		Red River Specialties LLC Shreveport, LA (903)596-7728		BWI Companies Schulenburg, TX (210)382-4079		Virkim Inc. Hewitt, TX (254)420-2456		Temple Feed & Supply, Inc. Temple, TX (254)778-7975		SiteOne Landscape Supply Cleveland, OH (800)321-5325 x 2550		Winfield Solutions, LLC Waco, TX (800)234-9756		Target Specialty Products Coppell, TX (469)993-3647	
Description	Qty	Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost
11. Manicure 6 Flowable Fungicide (2.5 gal)	8	\$40.30/gal \$100.75/2.5 gal	\$806.00	\$152.50	\$1,220.00	\$99.35	\$794.80	\$110.00	\$880.00	\$102.28	\$818.24	\$104.80	\$838.40	No Bid	
		Chlorothalonil 720 (Quali-Pro)		Daconil Weatherstik 2.5 gal Chlorothalonil		Chlorothalonil 720 Select		Chlorothalonil 720 SFT		#084901		Docket WS			
12. Cleary 3336F (2.5 gal) No Substitutions	8	No Bid		\$218.20	\$1,745.60	No Bid		\$239.86	\$1,918.88	No Bid		\$219.63	\$1,757.04	\$225.00	\$1,800.00
13. Bifen Insecticide (.75 gal)	120	\$22.95/jug	\$2,754.00	\$23.00	\$2,760.00	\$24.00	\$2,880.00	\$24.46	\$2,935.20	\$21.33	\$2,559.60	\$26.25	\$3,150.00	\$22.00	\$2,640.00
		Bifen I/T (Control Solutions)				Bifen I/T				#10062151 Crosscheck Plus 96 oz				Control Solutions	
14. AquaNeat (2.5 gal) <u>Must be</u> Aquatic Labeled	30	\$17.50/gal \$43.75/2.5 gal	\$1,312.50	\$42.75	\$1,282.50	\$43.00	\$1,290.00	\$59.59	\$1,787.70	\$49.53	\$1,485.90	\$42.95	\$1,288.50	\$48.95	\$1,468.50
		Roundup Custom (Monsanto)				Aqua Star				#10021225		Roundup Custom		Round-up Custom	
15. Allegare 4 Plus (2.5 gal)	50	\$12.05/gal \$30.13/2.5 gal	\$1,506.50	\$27.74	\$1,387.00	\$26.45	\$1,322.50	\$32.18	\$1,609.00	\$32.33	\$1,616.50	\$29.10	\$1,455.00	\$31.00	\$1,550.00
		Ranger Pro (Monsanto)		Ranger Pro 2.5 gal Glyphosate 41%		Sunphosate 41%		Eraser A/P 2.5 gal		#069289 Lesco Prosecutor Pro 2.5 gal		Cornerstone Plus		Ranger Pro	
16. Methylated Seed Oil (2.5 gal), <u>Not</u> Nonionic	8	\$11.45/gal \$28.63/2.5 gal	\$229.04	\$25.90	\$207.20	\$40.50	\$324.00	\$44.00	\$352.00	\$39.21	\$313.68	\$85.00	\$680.00	No Bid	
		RRSI Sunset (Red River Specialties)				Sun Set		Sunset		#702297		Atmos			
17. Revolver (87 oz bottle) No Substitutions	8	No Bid		\$571.20	\$4,569.60	No Bid		\$628.32	\$5,026.56	\$571.20	\$4,569.60	\$571.20	\$4,569.60	\$759.20	\$6,073.60
				Agency						#79545312 Agency				Agency Price	
18. Prosedge (1.33 oz bottle)	20	\$79.90	\$1,598.00	\$63.00	\$1,260.00	\$75.60	\$1,512.00	\$81.40	\$1,628.00	\$59.80	\$1,196.00	\$59.85	\$1,197.00	No Bid	
		Sedgehammer (Gowan)		Sedge Hammer 1.33 oz		Sedge Hammer 1.33		Sedge Hammer		#1045313					
19. Hyvar (4 lb bag)	1	\$23.10/lb \$92.40/4 lbs	\$92.40	\$60.50	\$60.50	No Bid		\$96.86 / gal	\$193.71	No Bid		\$76.00	\$76.00	\$93.78	\$93.78
				Krovar 6 lb bag Bromacil (UOM Difference)				Hyvar X-L 1 gal (gal not lb, UOM Difference)							

**Tabulation of Bids Received
on Tuesday, September 12, 2017 at 2:30 p.m.
Herbicides and Insecticides
Bid # 13-08-18**

Bidders															
		Red River Specialties LLC Shreveport, LA (903)596-7728		BWI Companies Schulenburg, TX (210)382-4079		Virkim Inc. Hewitt, TX (254)420-2456		Temple Feed & Supply, Inc. Temple, TX (254)778-7975		SiteOne Landscape Supply Cleveland, OH (800)321-5325 x 2550		Winfield Solutions, LLC Waco, TX (800)234-9756		Target Specialty Products Coppell, TX (469)993-3647	
Description	Qty	Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost
20. Pramitol (2.5 gal)	4	\$37.05/gal \$92.63/2.5 gal	\$370.52	\$81.00	\$324.00	No Bid		\$97.23	\$388.92	\$107.26	\$429.04	\$83.00	\$332.00	\$94.65	\$378.60
										#82000030					
21. Tordon 22K (1 gal)	2	\$60.15	\$120.30	\$58.50	\$117.00	\$54.50	\$109.00	\$65.50	\$131.20	\$57.15/gal \$142.88/2.5 gal	\$142.88	\$65.00	\$130.00	\$262.00	\$524.00
						Picloram 22K				#10366225 Trooper 22K 2.5 gal (UOM Difference)					
22. TVC (1 quart)	48	\$29.95	\$1,437.60	\$47.25	\$2,268.00	\$62.75	\$3,012.00	\$49.98	\$2,399.04	No Bid		No Bid		No Bid	
		Arsenal AC 53.1% Active (BASF)													
23. Procane (1 gal)	2	\$85.65/qt \$342.60/gal	\$685.20	No Bid		\$30.75	\$61.50	\$88.00	\$176.00	No Bid		No Bid		No Bid	
		Bifen XTS 25% bifenthrin (Control Solution)				Bifen 7.9		Bifen XTS 1 gal							
24. Termidor SC (1 pint)	2	\$41.60/20 oz	\$83.20	\$62.50 / 20 oz	\$125.00	\$42.25	\$84.50	\$71.89	\$143.78	No Bid		\$57.69/20 oz	\$115.38	\$68.00/20 oz	\$136.00
		Taurus SC 20 oz. (Control Solution)				Taurus SC						Termidor SC 20 oz		Termidor 20 oz	
25. Sahara (10 lb bag)	4	\$8.85/lb \$44.25/5 lbs \$88.50/10 lbs	\$354.00	No Bid		\$51.60/5 lbs \$103.20/10 lbs	\$412.80	\$59.39	\$237.56	\$94.10/5 lbs \$188.20/10 lbs	\$752.80	\$115.00	\$460.00	No Bid	
		Mojave 5 lb bags (alligare)				Mojave 70 EG 5 lbs		Mojave 70EG		#83080035 Mojave 70 EG 5 lb					
27. Banol (1 gal)	8	No Bid		\$430.00	\$3,440.00	\$524.95	\$4,199.60	\$488.27	\$3,906.16	\$492.28	\$3,938.24	\$415.81	\$3,326.48	\$945.99	\$7,567.92
										#4192957				Agency Price	
28. Pro Star 70 WG (3 lb container)	20	No Bid		\$169.75	\$3,395.00	\$193.20	\$3,864.00	\$189.05	\$3,781.00	\$167.92	\$3,358.40	\$158.43	\$3,168.60	No Bid	
										#800007809					
29. Mefenoxam (1 gal)	4	\$395.00	\$1,580.00	\$370.00	\$1,480.00	\$376.85	\$1,507.40	\$410.66	\$1,642.64	\$395.85	\$1,583.40	\$402.60	\$1,610.40	No Bid	
		Mefenoxam (Quali-Pro)								#83013852					
30. Sevin (2.5 gal)	20	\$39.05/gal \$97.63/2.5 gal	\$1,952.60	\$89.99	\$1,799.80	\$101.35	\$2,027.00	\$101.29	\$2,025.80	\$102.28	\$2,045.60	\$86.83	\$1,736.60	\$98.60	\$1,972.00
		Sevin SL (Bayer)								#79721501					

**Tabulation of Bids Received
on Tuesday, September 12, 2017 at 2:30 p.m.
Herbicides and Insecticides
Bid # 13-08-18**

		Bidders													
		Red River Specialties LLC Shreveport, LA (903)596-7728		BWI Companies Schulenburg, TX (210)382-4079		Virkim Inc. Hewitt, TX (254)420-2456		Temple Feed & Supply, Inc. Temple, TX (254)778-7975		SiteOne Landscape Supply Cleveland, OH (800)321-5325 x 2550		Winfield Solutions, LLC Waco, TX (800)234-9756		Target Specialty Products Coppell, TX (469)993-3647	
Description	Qty	Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost
31. Top Choice (50 lb bag)	10	\$52.30/30 lbs \$87.17/50 lbs	\$871.70	\$43.75/30 lbs \$72.92/50 lbs	\$729.17	\$137.50	\$1,375.00	\$151.25	\$1,512.50	\$137.50	\$1,375.00	\$137.50	\$1,375.00	\$137.50	\$1,375.00
		Fipronil .01423 g (Quali-Pro) 30 lb bag		Fipronil .0143 g 30 lb Broadcast		Fipronil .1G (2 acres per bag)				#79982844 Agency				Agency Price	
32. Dominion (2.5 gal)	20	\$115.65/jug \$134.48/2.5 gal	\$2,689.53	\$109.90	\$2,198.00	\$119.95	\$2,399.00	\$122.27	\$2,445.40	\$109.14/2.15 gal \$126.91/2.5 gal	\$2,538.14	\$143.85/2.15 gal \$167.27/2.5 gal	\$3,345.35	\$116.00/2.15 gal \$134.88/2.5 gal	\$2,697.67
		Imacloprid 2F 2.15 gal Jugs (Select Source) (UOM Difference)								#82002507 Dominion 2L 2.15 gal (UOM Difference)		Dominion 2.15 gal (UOM Difference)		Dominion 2.15 gal (UOM Difference)	
33. Monument (1 box; 5x5 gram packs)	10	\$282.35/5 gms	\$2,823.50	\$245.00	\$2,450.00	No Bid		\$269.50	\$2,695.00	\$220.00	\$2,200.00	\$220.00	\$2,200.00	\$327.82	\$3,278.20
				Agency						#19560 Monument 75 WG 25 gram box - Agency *Must purchase 10 units or more to receive quoted price				Agency Price	
Total Price		\$2,025.80		\$16,162.72		\$2,287.80		\$363.35		\$13,308.80		\$15,531.68		\$2,080.00	
Comply to Delivery?		Yes		Yes		Yes		Yes		Yes		Yes		Yes	
Exceptions		None		None		Yes		None		None		None		None	
Credit Check Authorization		Yes		Yes		Yes		Yes		Yes		Yes		Yes	
Local Preference Declaration		No		No		No		Yes		No		No		No	

Recommended for Award

Tied Bids Awarded by Drawing Lots

Exception not Accepted by City

RESOLUTION NO. 2017-8887-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING ANNUAL PURCHASE AGREEMENTS WITH VARIOUS HERBICIDE AND INSECTICIDE VENDORS, IN THE ESTIMATED AMOUNT OF \$51,760.25 FOR FISCAL YEAR 2018; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on September 12, 2017, the City received seven bids for the annual purchase of various herbicides and insecticides from the following vendors:

- BWI Companies of Schulenburg, Texas (\$16,162.72);
- Winfield Solutions, LLC of Waco, Texas (\$15,531.68);
- SiteOne Landscape Supply of Austin, Texas (\$13,308.80);
- Virkim, Inc. of Hewitt, Texas (\$2,287.80);
- Target Specialty Products of Coppell, Texas (\$2,080.00);
- Red River Specialties, LLC of Shreveport, Louisiana (\$2,025.90); and
- Temple Feed & Supply, Inc. of Temple, Texas (\$363.35);

Whereas, the invitation to bid stated that the award would be to the vendor providing the lowest price per line item – Staff recommends award of the bids to all of the above vendors;

Whereas, the City has done business with all of the vendors in the past and finds them to be responsive and responsible vendors;

Whereas, the purchase agreements will be effective October 1, 2017 through September 30, 2018, with the option for four additional one-year renewals, if so agreed to by all parties;

Whereas, herbicides and insecticides are ordered on an as-needed basis and departments have budgeted for these chemicals in their fiscal year 2018 annual 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 annual purchase agreements with the following vendors, for herbicide and insecticide, in the estimated annual amount of \$51,760.25:

- BWI Companies of Schulenburg, Texas (\$16,162.72);
- Winfield Solutions, LLC of Waco, Texas (\$15,531.68);
- SiteOne Landscape Supply of Austin, Texas (\$13,308.80);
- Virkim, Inc. of Hewitt, Texas (\$2,287.80);
- Target Specialty Products of Coppel, Texas (\$2,080.00);
- Red River Specialties, LLC of Shreveport, Louisiana (\$2,025.90); and
- Temple Feed & Supply, Inc. of Temple, Texas (\$363.35).

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 5th day of **October**, 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

10/05/17
Item #5(H)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Mitch Randles, Fire Chief
Justin Brantley, Assistant Director of Purchasing

ITEM DESCRIPTION: Consider adopting a resolution authorizing a purchase agreement with GT Distributors Inc. of Austin, in the estimated annual amount of \$25,000 for the purchase of fire uniforms for FY2018.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: Authorization of this purchase agreement allows for the purchase of fire uniforms for the City of Temple Fire Department uniformed officers during FY 2018.

As shown on the attached bid tabulation, on August 15, 2017, the City received three bids for the purchase of fire uniforms. As allowed by Chapter 252 of the Local Government Code, the bid was advertised to be awarded to the bidder that provided the best value to the City, taking into consideration price, quality of product, availability of product and delivery, service reputation and experience of bidder. A three-member bid evaluation committee was formed to evaluate the bids. Based on the pre-defined bid evaluation criteria, it is the committee's recommendation to award the purchase of fire uniforms to GT Distributors, Inc.

The City has done business with GT Distributors, Inc. in the past and finds them to be a responsible vendor.

The proposed purchase agreement will commence immediately and will run through September 30, 2018. The purchase agreement will be renewable for four additional one-year periods, if agreed to by both parties.

FISCAL IMPACT: The FY 2018 Operating Budget includes funding for fire uniforms in multiple Fire Department accounts. The estimated annual expenditure of \$25,000 is based on historical expenditures.

ATTACHMENTS:

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

Tabulation of Bids Received
on August 15, 2017, at 2:00 p.m.
Purchase of Fire Uniforms
Bid #22-01-18

		Bidders					
		Miller Uniforms & Austin, TX 512-302-5541		GT Distribution Inc. Austin, TX 512-451-8298		Nafeco Inc. Decatur, AL 800-322-6233	
Description	Qty	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
Firefighter Station Wear Pants (Navy) - A Cut	40	\$100.75	\$4,030.00	\$98.98	\$3,959.20	\$105.25	\$4,210.00
Firefighter Station Wear Pants (Navy) - B Cut	40	\$104.26	\$4,170.40	\$102.44	\$4,097.60	\$108.75	\$4,350.00
Firefighter Station Wear Pants (Black) - A Cut	16	\$125.93	\$2,014.88	\$123.72	\$1,979.52	\$131.00	\$2,096.00
Firefighter Station Wear Pants (Black) - B Cut	4	\$104.26	\$417.04	\$102.44	\$409.76	\$108.75	\$435.00
Fire Station Wear Short Sleeve Shirts (Light Blue)	50	\$43.75	\$2,187.50	\$29.62	\$1,481.00	\$32.00	\$1,600.00
Fire Station Wear Short Sleeve Shirts (White)	15	\$43.75	\$656.25	\$29.62	\$444.30	\$32.00	\$480.00
Fire Station Wear Long Sleeve Shirts (Light Blue)	25	\$49.25	\$1,231.25	\$34.44	\$861.00	\$36.50	\$912.50
Fire Station Wear Long Sleeve Shirts (White)	10	\$49.25	\$492.50	\$34.44	\$344.40	\$36.50	\$365.00
Tactical Jersey Polo with Temple Fire & Rescue logo, Firefighter first initial with last name and rank	200	\$52.69	\$10,538.00	\$38.76	\$7,752.00	\$20.75	\$4,150.00
TOTAL BID PRICE		\$25,737.82		\$21,328.78		\$18,598.50	
Fire Station Wear Pants (Oversize)		Sizes 44 thru 50; 400 Navy: \$125.94; 402 Navy: \$157.42; 400 Black: \$130.33; 402 Black: \$130.33.		Sizes, Mens 4-50; Sizes, Womens 22-24; 25% Increase.		Sizes, 44 thru 50; Navy A Cut: \$131.00; Navy B Cut: \$135.50; Black A Cut: \$163.25; Black B Cut: \$135.50	
Fire Station Wear Shirts (Oversize)		Sizes 4 XL thru N/A; 8421: \$55.30; 8431: \$62.45.		Sizes 3 XL: Tactical Polo, \$43.47		Sizes 2 XL thru 3XL; P868: \$38.00; P867: \$38.00; P878: \$43.25; P877: \$43.25; Jersey Polo, sizes 4XL - 5XL: \$30.00.	
Acknowledge Addendum (1)		Yes		Yes		No	
Exceptions		YES. 511 Polos 71182, Size 3XL: \$61.49		None		Yes	
Credit Check Authorization		Yes		Yes		Yes	

Recommended for Council Award

RESOLUTION NO. 2017-8888-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A PURCHASE AGREEMENT WITH GT DISTRIBUTORS, INC. OF AUSTIN, TEXAS, IN THE ESTIMATED ANNUAL AMOUNT OF \$25,000, FOR THE PURCHASE OF FIRE UNIFORMS; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on August 15, 2017, the City received three bids for the purchase of fire uniforms - as allowed by Chapter 252 of the Local Government Code, the bid was advertised to be awarded to the bidder that provided the best value to the City, taking into consideration price, quality of product, availability of product and delivery, service reputation and experience of bidder;

Whereas, a Staff evaluation committee evaluated the bids and determined, based on the pre-defined bid evaluation criteria, that GT Distributors, Inc. of Austin, Texas would provide the best value to the City;

Whereas, the City has done business with GT Distributors, Inc. in the past and finds them to be a responsible vendor;

Whereas, the purchase agreement will be effective October 1, 2017 through September 30, 2018, with the option for four additional one-year renewals, if so agreed to by both parties;

Whereas, the fiscal year 2018 operating budget includes funding for fire uniforms in multiple Fire Department accounts; and

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

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

Part 1: 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 purchase agreement with GT Distributors Inc. of Austin, in the estimated annual amount of \$25,000, for the purchase of fire uniforms for fiscal year 2018.

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 **5th** day of **October**, 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

10/05/17
Item #5(I)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Justin Brantley, Assistant Director of Purchasing

ITEM DESCRIPTION: Consider adopting a resolution authorizing a services agreement with Staff Link, Inc. dba Link Staffing Services of Houston, in the estimated annual amount of \$40,000 for non-clerical temporary employment services for FY2018.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: Authorization of this service agreement will provide for non-clerical temporary employment services during FY2018 that are routinely needed by the Parks & Recreation and Public Works Departments.

As shown on the attached bid tabulation, on August 24, 2017, the City received five bids for non-clerical temporary employment services and four bids for clerical temporary employment services. As allowed by Chapter 252 of the Local Government Code, the bid was advertised to be awarded to the bidder that provided the best value to the City for each of the two categories, taking into consideration price, service terms, and reputation. A five-member bid evaluation committee was formed to evaluate the bids. Based on the pre-defined bid evaluation criteria, it is the committee's recommendation to award the service contract for non-clerical temporary employment services to Staff Link, Inc. dba Link Staffing Services. Link Staffing Services will service the City's account out of their Temple office.

Staff is still evaluating a recommendation related to clerical temporary employment services. Based on the limited use of the clerical services contract, it is not anticipated that the contract will require Council approval.

The proposed services agreement will commence immediately, and the contract will run through September 30, 2018. The services agreement will be renewable for four additional one-year periods, if agreed to by both parties.

FISCAL IMPACT: Departments have budgeted for temporary services in their departmental accounts. This contract will be used on an as-needed basis. Estimated annual expenditure: \$40,000.

ATTACHMENTS:

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

**Tabulation of Bids Received
on August 24, 2017 at 3:00 p.m.
Temporary Employment Services
Bid # 13-07-18**

	BIDDERS				
	Beatty's Services Inc. Oakland, CA (800)878-9658 Ext. 3	People Ready Tocoma, WA (254)245-2622	Stafflink, Inc. dba Link Staffing Services Houston, TX (254)778-9476	LC Personnel Inc. dba Labor Finders Temple, TX (254)771-2188	Express Employment Professionals Temple, TX (254)771-5595
Description					
Section A: Non-Clerical Light Labor	\$10.53	\$13.89	\$14.50	\$15.86	\$14.79
Section A: Non-Clerical Heavy Labor	\$30.13	\$14.89	No Bid	\$16.75	\$17.43
Section A: Non-Clerical Food Service	\$13.76	\$13.89	\$13.05	\$15.24	\$14.06
Section A: Non-Clerical Equipment Operator	\$30.13	No Bid	\$22.79	\$22.75	No Bid
Section A: Non-Clerical Other Categories	\$13.76 (Janitorial)	No Bid	No Bid	No Bid	No Bid
Section A: Non-Clerical Payroll Services (% above hourly rate)	2.08%	No Bid	30%	No Bid	No Bid
Section B: Clerical	\$11.21	No Bid	\$16.80	\$14.78	\$13.93
Section B: Advanced Clerical	\$13.70	No Bid	\$21.42	\$16.43	\$16.26
Section B: Other Categories	\$16.19	No Bid	No Bid	No Bid	No Bid
Section B: Payroll Services (% above hourly rate)	2.08%	47%	25%	N/A	34.25%
Vendor Questionnaire	Yes	Yes	Yes	Yes	Yes
Exceptions	None	None	Yes	None	Yes
Credit Check Authorization	Yes	Yes	Yes	Yes	Yes
Local Preference Declaration	No	No	Yes	Yes	Yes
Addendum Acknowledgement	Yes	No	No	No	Yes

Recommended for Council Award

RESOLUTION NO. 2017-8889-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A SERVICES AGREEMENT FOR NON-CLERICAL TEMPORARY EMPLOYMENT SERVICES IN THE ESTIMATED ANNUAL AMOUNT OF \$40,000, WITH STAFF LINK, INC. dba LINK STAFFING SERVICES OF HOUSTON, TEXAS FOR FISCAL YEAR 2018; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on August 24, 2017, the City received five bids for non-clerical temporary employment services and four bids for clerical temporary employment services - as allowed by Chapter 252 of the Local Government Code, the bid was advertised to be awarded to the bidder that provided the best value to the City for each of the two categories, taking into consideration price, service terms, and reputation;

Whereas, a Staff committee reviewed and evaluated the bids and based on the pre-defined bid evaluation criteria, Staff recommends Council authorize a services agreement for non-clerical temporary employment services to Staff Link, Inc. dba Link Staffing Services of Houston, Texas, in the estimated annual amount of \$40,000 - Link Staffing Services will service the City's account out of their Temple office;

Whereas, Staff is still evaluating a recommendation related to clerical temporary employment services;

Whereas, the proposed services agreement is for a one-year period commencing October 1, 2017, and is renewable for four additional one-year periods if agreed to by both parties;

Whereas, temporary employment services are used on an as needed basis and departments have budgeted for these services in their departmental accounts; and

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

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

Part 1: 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 services agreement for non-clerical temporary employment services in the estimated annual amount of \$40,000, with Staff Link, Inc. dba Link Staffing Services of Houston, Texas for fiscal year 2018.

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 **5th** day of **October**, 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

10/05/17
Item #5(J)
Consent Agenda
Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

Brynn Myers, Interim City Manager
Kayla Landeros, City Attorney

ITEM DESCRIPTION: Consider adopting a resolution authorizing a Developer Participation Agreement with Kiella Development, Inc., in the not to exceed amount of \$1,275,426 for construction of a portion of Hogan Road as a part of the Hills of Westwood subdivision.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: West Temple is rapidly growing along the West Adams corridor and development of additional capacity and connectivity for east-west corridors in the area is an important component of the City's Transportation Capital Improvement Program (TCIP). The extension of Hogan Road from State Highway 317 to the northern section of South Pea Ridge Road is currently funded through TCIP and is in the right-of-way acquisition phase with construction scheduled to begin once all right of way has been acquired. The proposed extension of Hogan Road as a Collector from the southern section of South Pea Ridge Road to the Outer Loop would provide for an additional connection between State Highway 317 and the Outer Loop, thereby facilitating increased east west traffic connections for residents and commuters within this quadrant of the City.

While this section of roadway is not shown on the City's current Thoroughfare Plan, Staff has identified this as a desirable connection to provide additional capacity and connectivity in West Temple and approached the developer of Hills of Westwood subdivision regarding their willingness to accommodate this connection in their development plans for the subdivision.

Texas Local Government Code § 212.071 and § 212.072 authorize the City to enter into an agreement with a developer for the construction of public improvements, but caps the City's level of participation at 30% of the total contract price for the construction. The requested participation of \$1,275,426 for Hogan Road extension equals 27% of the estimated contract price for public improvements in Hills of Westwood.

FISCAL IMPACT: A budget adjustment is being presented to Council for approval to appropriate funding for the Developer Participation Agreement with Kiella Development, Inc., for construction of a portion of Hogan Road as part of the Hills of Westwood subdivision. Funding in an amount not to exceed \$1,275,426 will be available for project #101802 as follows:

	<u>292-2900-534-6312</u>	<u>365-3400-531-6857</u>	<u>520-5900-535-6368</u>	<u>Total</u>
Project Budget	\$ -	\$ -	\$ -	\$ -
Budget Adjustment	305,900	800,240	169,286	1,275,426
Encumbered/Committed to Date	-	-	-	-
Kiella Development, Inc.	(305,900)	(800,240)	(169,286)	(1,275,426)
Remaining Project Funds	\$ -	\$ -	\$ -	\$ -

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.

			+		-	
ACCOUNT NUMBER	PROJECT #	ACCOUNT DESCRIPTION	INCREASE		DECREASE	
292-2900-534-63-12	101802	Capital Buildings & Grounds / Drainage	\$ 305,900			
292-2900-534-65-32		Drainage - Contingency Fund			305,900	
365-3400-531-68-57	101802	Capital - Bonds / Hogan Road Improvements	800,240			
365-3400-531-65-32		TCIP - Contingency Fund			800,240	
520-5900-535-63-68	101802	Sewer Line Extension	169,286			
520-0000-373-04-12		W&S Unreserved Retained Earnings			169,286	
		DO NO POST				
TOTAL.....			\$ 1,275,426		\$ 1,275,426	

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

To appropriate funds for the Developer Participation Agreement with Kiella Development, Inc. for the construction of a portion of Hogan Road as a part of the Hills of Westwood.

DOES THIS REQUEST REQUIRE COUNCIL APPROVAL?

☒ Yes

☐ No

DATE OF COUNCIL MEETING

10/5/2017

WITH AGENDA ITEM?

☒ Yes

☐ No

Department Head/Division Director

Date _____

☐ Approved

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

Finance

Date _____

☐ Approved

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

City Manager

Date _____

☐ Approved

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

RESOLUTION NO. 2017-8890-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A DEVELOPER PARTICIPATION AGREEMENT WITH KIELLA DEVELOPMENT, INC., IN AN AMOUNT NOT TO EXCEED \$1,275,426, FOR CONSTRUCTION OF A PORTION OF HOGAN ROAD AS PART OF THE HILLS OF WESTWOOD SUBDIVISION; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, West Temple is rapidly growing along the West Adams corridor and development of additional capacity and connectivity for east-west corridors in the area is an important component of the City's Transportation Capital Improvement Program (TCIP);

Whereas, the extension of Hogan Road from State Highway 317 to the northern section of South Pea Ridge Road is currently funded through TCIP and is in the right-of-way acquisition phase with construction scheduled to begin once all right of way has been acquired;

Whereas, the proposed extension of Hogan Road as a collector from the southern section of South Pea Ridge Road to the Outer Loop, would provide for an additional connection between State Highway 317 and the Outer Loop, thereby facilitating increased east west traffic connections for residents and commuters within this quadrant of the City;

Whereas, while this section of roadway is not shown on the City's current Thoroughfare Plan, Staff has identified this as a desirable connection to provide additional capacity and connectivity in West Temple – Staff approached the developer of the Hills of Westwood subdivision regarding their willingness to accommodate this connection in their development plans for the subdivision;

Whereas, Texas Local Government Code § 212.071 and § 212.072 authorizes the City to enter into an agreement with a developer for the construction of public improvements, but caps the City's level of participation at 30% of the total contract price for the construction - the requested participation of \$1,275,426 for Hogan Road extension equals 27% of the estimated contract price for public improvements in Hills of Westwood;

Whereas, funds are available for this agreement, but an amendment to the fiscal year 2018 budget needs to be approved to appropriate funding into the following Account Nos. 292-2900-534-6312, Account No. 365-3400-531-6857, and Account No. 520-5900-535-6368, Project No. 101802; 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 Developer Participation Agreement with Kiella Development, Inc. in an amount not to exceed \$1,275,426, for construction of a portion of Hogan Road as a part of the Hills of Westwood subdivision.

Part 3: The City Council authorizes an amendment to the fiscal year 2018 budget, substantially in the form of the copy attached hereto as Exhibit 'A.'

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

PASSED AND APPROVED this the 5th day of **October**, 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:

Kayla Landeros, City Attorney
Christina Demirs, Deputy City Attorney

ITEM DESCRIPTION: Consider adopting a resolution authorizing a Possession and Use Agreement for right of way necessary for the expansion of Old Howard Road and Moores Mill Road and authorizing the payment of the consideration for the Possession and Use Agreement and credit towards acquisition of the right of way in an amount not to exceed \$347,754.

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

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The City is currently in the design phase for the proposed expansion of Old Howard Road from Central Pointe Parkway to Moores Mill Road, as well as an expansion of Moores Mill Road from Old Howard Road to IH-35, including a realigned intersection at Pegasus Drive.

An appraisal was conducted on the property. The City and the owner were unable to reach an agreement and Council authorized the use of eminent domain at its March 2, 2017 meeting. Negotiations have continued while the eminent domain lawsuit is pending. However, to meet the construction schedule, the City and the Owner have agreed to enter into a Possession and Use Agreement so that utility relocation and construction can begin. As consideration for the Possession and Use Agreement, the City will pay the property owner the appraised amount of \$347,754 and this amount will be credited towards the final acquisition price for the needed right of way. Staff does not anticipate that the recommended just compensation will be below this amount due to the age of the appraisal and pending litigation.

Staff is asking for the authorization of the Possession and Use Agreement and authorization of the payment of consideration for the Possession and Use Agreement and credit towards acquisition in an amount not to exceed \$347,754.

The address for the property is 5200 Old Howard Road, Temple and Bell County Tax ID Number 15887.

FISCAL IMPACT: Funding is appropriated for the Possession and Use Agreement for right of way necessary for the expansion of Old Howard Road and Moores Mill Road in an amount not to exceed \$347,754 in account 795-9800-531-6864, project #101001.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. 2017-8891-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A POSSESSION AND USE AGREEMENT FOR RIGHT OF WAY NECESSARY FOR THE EXPANSION OF OLD HOWARD ROAD AND MOORES MILL ROAD; AUTHORIZING THE PAYMENT OF CONSIDERATION FOR THE POSSESSION AND USE AGREEMENT, IN AN AMOUNT NOT TO EXCEED \$347,754, WHICH WILL BECOME A CREDIT TOWARDS ACQUISITION OF THE RIGHT OF WAY; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the City is currently in the design phase for the proposed expansion of Old Howard Road from Central Pointe Parkway to Moores Mill Road, as well as an expansion of Moores Mill Road from Old Howard Road to IH-35, including a realigned intersection at Pegasus Drive;

Whereas, an appraisal was conducted on the property, however the City and the owner were unable to reach an agreement and Council authorized the use of eminent domain at its March 2, 2017 meeting;

Whereas, negotiations have continued while the eminent domain lawsuit is pending and in order to meet the construction schedule, the City has approached the property owner about entering into a Possession and Use Agreement so that utility relocation and construction can begin;

Whereas, as consideration for the Possession and Use Agreement, the City will pay the property owner the appraised amount of \$347,754 and this amount will be credited towards the final acquisition price for the needed right of way;

Whereas, Staff recommends Council authorize a Possession and Use Agreement for right of way necessary for the expansion of Old Howard Road and Moores Mill Road located at 5200 Old Howard Road, and authorize the payment of consideration for the Possession and Use Agreement, in an amount not to exceed \$347,754, which will become a credit towards acquisition of the right of way;

Whereas, funding for this Possession and Use Agreement is available in Account No. 795-9800-531-6864, Project No. 101001; 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 a Possession and Use Agreement for right of way necessary for the expansion of Old Howard Road and Moores Mill Road located at 5200 Old Howard Road, and authorizes the payment of consideration for the Possession and Use Agreement, in an amount not to exceed \$347,754, which will become a credit towards acquisition of the right of way.

Part 3: The City Council authorizes the Interim City Manager, or her designee, after approval as to form by the City Attorney, to execute Possession and Use Agreement.

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 5th day of **October**, 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:

Kayla Landeros, City Attorney
Christina Demirs, Deputy City Attorney

ITEM DESCRIPTION: Consider adopting a resolution authorizing a Possession and Use Agreement for right of way necessary for the expansion of Old Howard Road and Moores Mill Road and authorizing the payment of the consideration for the Possession and Use Agreement and credit towards acquisition of the right of way in an amount not to exceed \$647,917.

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

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The City is currently in the design phase for the proposed expansion of Old Howard Road from Central Pointe Parkway to Moores Mill Road, as well as an expansion of Moores Mill Road from Old Howard Road to IH-35, including a realigned intersection at Pegasus Drive.

An appraisal was conducted on the property. The City and the owner were unable to reach an agreement and Council authorized the use of eminent domain at its June 1, 2017 meeting. Negotiations have continued while the eminent domain lawsuit is pending. However, to meet the construction schedule, the City and the Owner have agreed to enter into a Possession and Use Agreement so that utility relocation and construction can begin. As consideration for the Possession and Use Agreement, the City will pay the property owner the appraised amount of \$647,917 and this amount will be credited towards the final acquisition price for the needed right of way. Staff does not anticipate that the recommended just compensation will be below this amount due to the age of the appraisal and pending litigation.

Staff is asking for the authorization of the Possession and Use Agreement and authorization of the payment of consideration for the Possession and Use Agreement and credit towards acquisition in an amount not to exceed \$647,917.

The address for the property is 111 Hart Road, Temple and Bell County Tax ID Number 384047.

FISCAL IMPACT: Funding is appropriated for the Possession and Use Agreement for right of way necessary for the expansion of Old Howard Road and Moores Mill Road in an amount not to exceed \$647,917 in account 795-9800-531-6863, project #101000.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. 2017-8892-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A POSSESSION AND USE AGREEMENT FOR RIGHT OF WAY NECESSARY FOR THE EXPANSION OF OLD HOWARD ROAD AND MOORES MILL ROAD; AUTHORIZING THE PAYMENT OF CONSIDERATION FOR THE POSSESSION AND USE AGREEMENT, IN AN AMOUNT NOT TO EXCEED \$647,917, WHICH WILL BECOME A CREDIT TOWARDS ACQUISITION OF THE RIGHT OF WAY; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the City is currently in the design phase for the proposed expansion of Old Howard Road from Central Pointe Parkway to Moores Mill Road, as well as an expansion of Moores Mill Road from Old Howard Road to IH-35, including a realigned intersection at Pegasus Drive;

Whereas, an appraisal was conducted on the property, however the City and the owner were unable to reach an agreement and Council authorized the use of eminent domain at its June 1, 2017 meeting;

Whereas, negotiations have continued while the eminent domain lawsuit is pending and in order to meet the construction schedule, the City has approached the property owner about entering into a Possession and Use Agreement so that utility relocation and construction can begin;

Whereas, as consideration for the Possession and Use Agreement, the City will pay the property owner the appraised amount of \$647,917 and this amount will be credited towards the final acquisition price for the needed right of way;

Whereas, Staff recommends Council authorize a Possession and Use Agreement for right of way necessary for the expansion of Old Howard Road and Moores Mill Road located at 111 Hard Road, and authorize the payment of consideration for the Possession and Use Agreement, in an amount not to exceed \$647,917, which will become a credit towards acquisition of the right of way;

Whereas, funding for this Possession and Use Agreement is available in Account No. 795-9800-531-6863, Project No. 101000; and

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

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

Part 1: 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 a Possession and Use Agreement for right of way necessary for the expansion of Old Howard Road and Moores Mill Road located at 111 Hart Road, and authorizes the payment of consideration for the Possession and Use Agreement, in an amount not to exceed \$647,917, which will become a credit towards acquisition of the right of way.

Part 3: The City Council authorizes the Interim City Manager, or her designee, after approval as to form by the City Attorney, to execute the Possession and Use Agreement.

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 5th day of **October**, 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:

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

ITEM DESCRIPTION: Consider adopting a resolution authorizing a construction contract with Musco Sports Lighting, LLC of Oskaloosa, Iowa, in the amount of \$1,054,900 for the design and construction of athletic field lighting systems for Crossroads Park.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: As communicated to Council on September 21, 2017, with the rejection of bids associated with the initial bidding of Crossroads Park Phase II, staff is recommending that the project be broken down into smaller components. One of the initial components of the project is the installation of the athletic field lighting. Council's authorization of this construction contract will provide for the design and construction of athletic field lighting systems that will service four baseball fields, four softball fields, and two tennis courts.

This project will consist of installing galvanized steel poles with LED lighting fixtures that will light the baseball and softball complexes and the tennis two courts. Security lighting will also be installed between the baseball and softball fields. The installation of the electrical conduit and lighting control boxes will be handled separately as part of the base bid under the civil construction contract, which is expected to let in November 2017.

Musco Sports Lighting, LLC has been awarded contract #512-16 by BuyBoard, which the City will use for this purchase. Contracts awarded through BuyBoard have been competitively procured and meet the statutory procurement requirements for Texas municipalities. Various City baseball and softball complexes currently use Musco sports lighting and the Staff finds Musco to be a responsive and responsible vendor.

It is anticipated that the athletic field lighting systems will be installed in January 2018. Installation of the athletic field lights at the early onset of the Crossroads Park construction project will allow the necessary construction equipment onsite without hindrance to newly constructed buildings or flatwork.

FISCAL IMPACT: Funding is appropriated for award of a design and construction contract with Musco Sports Lighting, LLC in the amount of \$1,054,900 as follows:

	<u>362-3500-552-6402</u>	<u>795-9500-531-6867</u>	<u>Total</u>
	<u>101311</u>	<u>101005</u>	
Project Budget	\$ 11,900,000	\$ 5,925,000	\$ 17,825,000
Encumbered/Committed to Date	(3,937,750)	(2,814,042)	(6,751,792)
Musco Sports Lighting, LLC	(1,054,900)	-	(1,054,900)
Remaining Project Funds	\$ 6,907,350	\$ 3,110,958	\$ 10,018,308

The remaining project funds will be used to construct Phase II of the project.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. 2017-8893-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A CONSTRUCTION CONTRACT WITH MUSCO SPORTS LIGHTING, LLC OF OSKALOOSA, IOWA IN THE AMOUNT OF 1,054,900, FOR THE DESIGN AND CONSTRUCTION OF ATHLETIC FIELD LIGHTING SYSTEMS FOR CROSSROADS PARK; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, with the rejection of bids associated with the initial bidding of Crossroads Park Phase II on September 21, 2017, Staff recommended this project be broken down into smaller components with one of the initial components of the project being the installation of the athletic field lighting;

Whereas, this project will provide for the design and construction of athletic field lighting systems that will service 4 baseball fields, 4 softball fields, and 2 tennis courts at Crossroad Park;

Whereas, the details of this project will consist of installing galvanized steel poles with LED lighting fixtures that will light the baseball and softball complexes and the tennis two courts and security lighting will also be installed between the baseball and softball fields;

Whereas, the installation of the electrical conduit and lighting control boxes will be handled separately as part of the base bid under the civil construction contract, which is expected to let in November 2017;

Whereas, Musco Sports Lighting, LLC has been awarded BuyBoard contract no. 512-16, which the City will use for this purchase – all contracts awarded through BuyBoard have been competitively procured and meet the statutory procurement requirements for Texas municipalities;

Whereas, various City baseball and softball complexes currently use Musco sports lighting and the Staff finds Musco to be a responsive and responsible vendor;

Whereas, Staff recommends Council authorize a construction contract with Musco Sports Lighting, LLC of Oskaloosa, Iowa in the amount of \$1,054,900, for the design and construction of athletic field lighting systems for Crossroads Park;

Whereas, funds are available for this contract in Account No. 362-3500-552-6402, Project No. 101311, and Account No. 795-9500-531-6867, Project No. 101005; and

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

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

Part 1: 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 construction contract with Musco Sports Lighting, LLC of Oskaloosa, Iowa in the amount of \$1,054,900, for the design and construction of athletic field lighting systems for Crossroads Park.

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

PASSED AND APPROVED this the 5th day of **October**, 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
Buford Craig, Transform Temple Director

ITEM DESCRIPTION: Consider adopting a resolution authorizing a construction contract with Wilson Construction Services, LLC of Belton, in the amount of \$42,450 for construction of flatwork and façade improvements to the north side of 13 South Main Street.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: Per a Wall Agreement administratively executed on June 22, 2017, with Karen Keith, owner of property located at 13 South Main Street (aka "In the Mood Ballroom"), the City is obligated to make flatwork and façade improvements to the north side of 13 South Main Street (subject property). Water infiltration issues arose on the north wall of the subject property following the demolition of the property immediately north of the subject property, which is owned by the City.

The City had a structural investigation of the subject project completed in 2009 by Popelka Structural Engineering. The report concluded that the subject project is structural stable; however, with the removal of property to the north of the subject property, some improvements were recommended to mitigate water infiltration issues. Accordingly, Architectural Edge, now known as MRB Group, was engaged to design the recommended repairs to the wall and storm drainage system.

As shown on the attached bid tabulation, on September 12, 2017, two bids were received for the flatwork/drainage and façade improvements. The low bidder is Wilson Construction Services, LLC in the amount of \$42,450. Staff has been pleased with the work performed by Wilson Construction Services over the past several years for the City, and accordingly, Staff is recommending them for award of this construction contract.

The construction contract will allow for 45 days to complete the construction of this project. As such, the project should be fully completed in December 2017. Upon completion of the work, and per the executed Wall Agreement, the City and Ms. Keith will execute a Deed conveying any and all interest in the subject wall to Ms. Keith.

FISCAL IMPACT: This project is funded with Reinvestment Zone funds that have been designated for the Transform Temple improvements. Funding for the construction contract with Wilson Construction Services, LLC of Belton in the amount of \$42,450 for construction of flatwork and façade improvements to the north side of 13 South Main Street is available in account 110-3795-524-6310, project 101144, as identified below:

Project Budget	\$	46,500
Encumbered/Committed to Date	(3,889)
Construction Award - Wilson Construction Services, LLC		(42,450)
Remaining Project Funds	\$	161

ATTACHMENTS:

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

Tabulation of Bids Received
on Tuesday, September 12, 2017 at 2:00 p.m.
for Flatwork & Façade Improvements to North Side of 13 S. Main Street
(In the Mood Ballroom)
Bid # 11-01-17

	Bidders	
	Wilson Construction Services,LLC Belton, TX	Wright Builders Temple, TX
Description		
Total Bid: Provide all labor, equipment, materials, tools and supervision required to seal and paint the north exterior wall and infill the existing planter bed with concrete ensuring the wall is flashed to drain over the new pour. In addition, if the bid is greater than \$25,000, provide performance and payment bonds for the full value of the contract.	\$42,450.00	\$55,433.00
Exceptions	Yes	Yes
Acknowledge Addendum (1)	Yes	Yes
Bid Bond (only required if greater than \$25,000)	5%	5%
Bond Requirement Affidavit (only required if greater than \$25,000)	Yes	Yes
Credit Check Authorization	Yes	Yes

Recommended for Council Award

RESOLUTION NO. 2017-8894-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A CONSTRUCTION CONTRACT WITH WILSON CONSTRUCTION SERVICES, LLC OF BELTON, TEXAS IN THE AMOUNT OF 42,450, FOR CONSTRUCTION OF FLATWORK AND FAÇADE IMPROVEMENTS TO THE NORTH SIDE OF 13 SOUTH MAIN STREET, TEMPLE, TEXAS; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, per a Wall Agreement administratively executed on June 22, 2017, with Karen Keith, owner of property located at 13 South Main Street (aka “In the Mood Ballroom”), the City is obligated to make flatwork and façade improvements to the north side of 13 South Main Street;

Whereas, water infiltration issues arose on the north wall of the property following the demolition of the property immediately north of 13 South Main Street, which is owned by the City;

Whereas, the City had a structural investigation of the subject project completed in 2009 by Popelka Structural Engineering and the report concluded that the property located at 13 South Main Street is structurally stable, however, with the removal of property to the north, some improvements were recommended to mitigate water infiltration issues;

Whereas, on September 12, 2017, two bids were received for the flatwork/drainage and façade improvements with the low bidder being Wilson Construction Services, LLC of Belton, Texas in the amount of \$42,450;

Whereas, Staff has been pleased with the work performed by Wilson Construction Services over the past several years, and recommends Council authorize a construction contract with Wilson Construction Services, LLC of Belton, Texas in the amount of 42,450, for construction of flatwork and façade improvements to the north side of 13 South Main Street, Temple, Texas;

Whereas, this construction contract is funded with Reinvestment Zone funds that have been designated for this Transform Temple improvement and is available in Account No. 110-3795-524-6310, Project No. 101144; and

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

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

Part 1: 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 construction contract with Wilson Construction Services, LLC of Belton, Texas in the amount of 42,450, for construction of flatwork and façade improvements to the north side of 13 South Main Street, 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 5th day of **October**, 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
Damon B. Boniface, Utility Director

ITEM DESCRIPTION: Consider adopting a resolution authorizing a contract with Matous Construction, Ltd of Belton, in the amount of \$933,000, and a deductive change order in the amount of \$144,842.10, for a net contract value of \$788,157.90 for the construction of Water Treatment Plant Chlorine Storage Safety Improvements.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The City of Temple owns and operates the Temple Water Treatment Plant (WTP) located in the southwest portion of town, adjacent to the Leon River. The WTP utilizes chlorine gas and liquid ammonium sulfate to form chloramines in the treated water process for proper disinfection. The chlorine building was constructed in 1977 with the last expansion in 2003 to accommodate adequate storage space for the required number of supply of one-ton chlorine cylinders as required by the Texas Commission on Environmental Quality. A chlorine scrubber system is currently used to extract the chlorine gas from the air inside the building in the event of a chlorine leak.

Due to the corrosive environment caused by chlorine, existing safety and operational equipment are in need of upgrade to provide adequate protection for employees and the public. Furthermore, identified improvements address safety precautions, operations and monitoring components outlined in the U.S. EPA Risk Management Plan Regulations, in which the City is required to participate according to Section 112(r) of the Clean Air Act Amendments.

Kasberg, Patrick & Associates, LP (KPA) designed improvements to the chlorine storage facility and provided an original opinion of probable cost (OPC) for the project of \$800,000. As outlined in the attached letter of recommendation from KPA, on August 16, 2017, the City received one bid in the amount of \$933,000 for construction of the project from Matous Construction, Ltd (Matous). Due to the significance of the bid over the OPC, staff worked with Matous to find ways to value-engineer the project. As agreed to by Matous, staff is recommending award of the contract to Matous in the amount of \$933,000 with an accompanying deductive change order in the amount of \$144,842.10, which reflects a reduction in the number of scales from 14 to 4, the removal of the crane hoist replacement, and other miscellaneous items from the contract. Staff does not feel that any of the proposed adjustments will impact the ultimate safety goals, which were the emphasis of the project.

Matous has performed many projects for the City, and staff recognizes Matous as a responsive and responsible contractor. If authorized, the contact provides 180 days to construct the project.

FISCAL IMPACT: Funding for the award of the construction contract and deductive change order #1 with Matous Construction, Ltd., is appropriated in account 520-5100-535-6310, project #101591 as follows:

Project Budget	\$	800,000
Encumbered/Committed to Date		-
Construction Award - Matous Construction, Ltd.		(933,000)
Matous Construction, Ltd.-Deductive Change Order		144,842
Remaining Project Funds Available	\$	<u>11,842</u>

ATTACHMENTS:

[KPA Letter of Recommendation](#)
[Bid Tabulation](#)
[Change Order #1](#)
[Resolution](#)



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

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

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

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

September 27, 2017

Mr. Damon Boniface
Utility Director
3210 E. Avenue H
Building A
Temple, Texas 76501

Re: City of Temple Water Treatment Plant
Chlorine Storage Safety Improvements

Dear Mr. Boniface:

On August 16, 2017, the City of Temple received a single competitive bid for the Chlorine Storage Safety Improvements Project at the Water Treatment Plant. The attached Bid Tabulation shows Matous Construction, Ltd. of Belton, Texas, as the low bidder at \$933,000.00 for the Total Bid. Two (2) contractors attended the non-mandatory pre-bid meeting and nine (9) held construction documents. We anticipated up to four (4) bids from discussions with plan holders during the bidding process and even extended the bid phase by approximately two (2) weeks to accommodate contractor's schedules. We spoke with several of the plan holders to determine why they did not bid and were given the following reasons: 1) not their specialty, 2) current workload and 3) beyond current bonding capacity.

A preliminary report was prepared in August 2016 detailing the recommended improvements required to update the existing Chlorine Storage Building and address safety concerns. The preliminary report detailed improvements such as emergency shutoff valves, chlorine scrubber, HVAC, building modifications, crane modifications and additional chlorine sensors. The August 2016 Opinion of Probable Construction Cost was \$650,000. During the final design phase, several additions were made to the project to address operational issues. These included replacement of trunnion rollers and the addition of scales to each ton cylinder on the active headers. Historically, a single scale was installed on the first ton cylinder of each active header (2 total). Since the chlorine cylinders are connected in a "pressure" header, the discharge from each cylinder should be similar or reach equilibrium over a short period of time. That is, each cylinder should have the same amount remaining in them. This allows a single scale to be utilized and the total available chlorine gas remaining to be calculated by multiplying the weight of the first cylinder by the total number of cylinders. This method does not account for a malfunctioning valve or other potential obstruction. The OPC was revised to \$800,000 in early May 2017 to account for the added components and updated equipment quotations.

In preparation of bidding the Temple-Belton Wastewater Treatment Plant project in early Summer, we noted that many local treatment plant projects were coming in over budget and with fewer bidders than expected. We discussed the current bid climate with local treatment plant contractors, engineers and suppliers. The general consensus was that majority of the treatment plant contractors had substantial work backlogs and were being very selective in which additional projects they would bid. Treatment

plant construction and rehabilitation is a fairly specialized field with a relatively small number of companies that perform these services. Based on the current bid climate and conditions and at the request of City Staff, we reviewed the OPC and increased it from \$800,000 to \$940,000 in late July. This increase was based on the additional labor cost experienced in recent projects along with an increase in the contingency.

While the bid was within the revised OPC, it was substantially higher than the budgeted value. As such, we met with both the City of Temple Staff and Matous Construction to determine items within the contract that could be removed or reduced to lower the total cost of the project. It was determined that the following items could be removed from the project without impacting the safety considerations associated with the project:

1. Bid Item 1 – Mobilization, Bonds & Insurance.
 - a. Deduct = \$7,592.10
 - b. Reduce the MB&I to 5% of the total, revised project cost.
2. Bid Items 5 & 6 – Remove cradles & Install trunnions
 - a. Deduct = \$30,150
 - b. Delete both items (remove cylinder blocks and install trunnions) from the contract. The existing spare cylinder cradles will remain in service.
3. Bid Item 8 – New Chlorine Scales
 - a. Deduct = \$57,500
 - b. Reduce the number of chlorine scales from 14 to 4 (delete 10 scales from the contract). This setup will allow a scale on the first and last ton cylinder on the active headers, allowing the operators to determine if the first and last cylinders are withdrawing at similar rates.
4. Bid Item 10 – Crane Modifications
 - a. Deduct = \$33,000
 - b. Delete the crane modifications from the contract.
5. Bid Item 16 – Electrical, Controls and SCADA
 - a. Deduct = \$15,100
 - b. Reduction in cost for electrical, controls and SCADA improvements associated with reduction in scope of Items 1-4 above.
6. Bid Item 17 – Record Drawings
 - a. Deduct = \$1,500
 - b. Contractor will note changes made during construction in plans to allow development of Record Drawings (as-builts) at no charge.

The items listed above are further detailed in the attached Change Order No. 1 and total \$144,842.10 that can be removed from the project without adversely impacting the intended safety improvements.

Mr. Damon Boniface

September 27, 2017

Page Three

Matous Construction has completed multiple projects for the City of Temple at both its Water and Wastewater Treatment Plants. They have also successfully completed many projects for KPA and within the Central Texas area. Therefore, we recommend that a contract be awarded to Matous Construction, Ltd., for the Chlorine Storage Safety Improvements in the amount of \$933,000.00 while concurrently authorizing deductive Change Order No. 1 in the amount of \$144,842.10. The total construction contract, after the change order, will be in the amount of \$788,157.90.

Sincerely,



Thomas D. Valle, P.E.

TDV/

xc:

2016-148-30

BID TABULATION
CITY OF TEMPLE
WATER TREATMENT PLANT - CHLORINE STORAGE SAFETY IMPROVEMENTS
August 16, 2017; 2:00 PM

BIDDER INFORMATION
Matous Construction Ltd
8602 North Hwy 317
Belton TX 76513

Bid No.	Estimated Quantity	Unit	Bid Data Description	Unit Price	Extended Amount
BASE BID					
1	100%	LS	Mobilization, Bonds & Insurance, not-to-exceed 5% of the Base Bid Amount	\$ 47,000.00	\$ 47,000.00
2	100%	LS	Removal & Salvage to City of Existing Chlorine Shutoff Valves	10,000.00	10,000.00
3	14	EA	Furnish & Install Emergency Valve Shutoff System at EA of the 14 ton cylinders, including modification of existing pigtail connection	5,750.00	80,500.00
4	3	EA	Furnish & Install Controller for Emergency Valve Shutoff System, including electrical & controls to Controllers & from Controller to EA Shutoff Valve	18,400.00	55,200.00
5	100%	LS	Remove & dispose of existing Spare Cylinder Cradle Blocks	10,000.00	10,000.00
6	26	EA	Furnish & Install new Trunnion Rollers for Spare Cylinder Storage (2 rollers per cylinder)	775.00	20,150.00
7	100%	LS	Remove & dispose of existing Chlorine Weigh Scales (2), including weigh indicators	9,000.00	9,000.00
8	14	EA	Furnish & Install Chlorine Weigh Scales (1 for EA cylinder of the active headers) including weigh indicator & electrical/SCADA components to allow integration of scales to existing computer system	5,750.00	80,500.00
9	100%	LS	Building Modifications on East & West Faces of Building to allow better "sealing" of structure during a potential chlorine leak, as shown on the Plans	13,000.00	13,000.00
10	100%	LS	Enlisting the services of a qualified Crane installer/service company to modify and/or replace existing Crane & Hoist with Variable Speed Units as detailed in the Plans	33,000.00	33,000.00
11	100%	LS	HVAC Modifications as shown on the plans & detailed in the specifications consisting of removing & replacing existing Louvers & Supply Fans	33,000.00	33,000.00
12	100%	LS	Removal & disposal of Existing Chlorine Scrubber System, including FRP Ductwork & Modifications to Caustic Fill Line	20,000.00	20,000.00
13	100%	LS	Furnishing & Installing Dry Chemical Scrubber including Concrete Modifications, FRP Ductwork Modifications & applicable electrical, controls & SCADA (integration into Emergency Valve Shutoff System) improvements necessary for full operation	234,150.00	234,150.00
14	100%	LS	Furnish & Install Lighting Modifications within Chlorine Storage Building as detailed on the Plans & in the Specifications	8,000.00	8,000.00
15	100%	LS	Furnish & Install new Chlorine Sensors in Chlorine Storage Building, Pipe Gallery & Chlorine Dioxide area & audible/visual alarms, including necessary electrical, controls & SCADA modifications to allow monitoring & shutdown of Emergency Shutoff Valves	48,000.00	48,000.00
16	100%	LS	Electrical, Controls & SCADA Improvements required to facilitate a fully functioning system complete with automatic shutoffs, remote monitoring & integration into City's existing SCADA system	230,000.00	230,000.00
17	100%	LS	Provide Project Record Drawings (As Builts)	1,500.00	1,500.00
BASE BID AMOUNT - (Items 1 - 17)				\$	933,000.00

Did Bidder Acknowledge Addendum No. 1?	YES
Did Bidder Acknowledge Addendum No. 2?	YES
Did Bidder provide Bid Security?	YES
Did Bidder provide required documents?	YES

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

Thomas D. Valle
 Thomas D. Valle, PE
 Kasberg, Patrick & Associates, LP

August 17, 2017
 Date



CHANGE ORDER

PROJECT: Chlorine Storage Safety Improvements
 OWNER: City of Temple
 CONTRACTOR: Matous Construction, Ltd
 ENGINEER: Kasberg, Patrick & Associates, LP
 CHANGE ORDER #: 1

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

1. For removal of non-essential components from the project:

Item	Description	Quantity	Unit	Cost	Total
1	Decrease MB&I to 5% of Total	-100%	LS	\$ 7,592.10	\$ (7,592.10)
5	Delete Cylinder Blocks from Contract	-100%	LS	\$ 10,000.00	\$ (10,000.00)
6	Delete Trunnions from Contract	-26	EA	\$ 775.00	\$ (20,150.00)
8	Reduce Quantity of Weigh Scales	-10	EA	\$ 5,750.00	\$ (57,500.00)
10	Delete Crane Mods from Contract	-100%	LS	\$ 33,000.00	\$ (33,000.00)
16	Reduce Electrical Scope associated with Items in Change Order No. 1	-100%	LS	\$ 15,100.00	\$ (15,100.00)
17	Remove Record Drawings from Contract	-100%	LS	\$ 1,500.00	\$ (1,500.00)
Total Deduct					\$ (144,842.10)

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

Original Contract Amount	\$ 933,000.00
Previous Net Change in Contract Amount	\$ -
Net Change in Contract Amount	\$ (144,842.10)
Revised Contract Amount	\$ 788,157.90
Original Contract Time	180 Days
Previous Net Change in Contract Time	N/A
Net Change in Contract Time	0 days
Revised Contract Time	180 days
Original Final Completion Date	TBD
Revised Final Completion Date	TBD

Recommended By:

Recommended By:

Project Manager (City Staff)

Date

Architect/Engineer

Date

Agreed To:

Approved by City of Temple:

Contractor

Date

Brynn Myers, Iterim City Manager

Date

Approved as to Form:

Approved by Finance Department:

City Attorney's Office

Date

Finance

Date

RESOLUTION NO. 2017-8895-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A CONSTRUCTION CONTRACT WITH MATOUS CONSTRUCTION, LTD OF BELTON, TEXAS IN THE AMOUNT OF \$933,000; AUTHORIZING A DEDUCTIVE CHANGE ORDER TO THE CONTRACT IN THE AMOUNT OF \$144,842.10, FOR A NET CONTRACT VALUE OF \$788,157.90, FOR THE CONSTRUCTION OF WATER TREATMENT PLANT CHLORINE STORAGE SAFETY IMPROVEMENTS; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the City of Temple owns and operates the Temple Water Treatment Plant (WTP) located in the southwest portion of town, adjacent to the Leon River - the WTP utilizes chlorine gas and liquid ammonium sulfate to form chloramines in the treated water process for proper disinfection;

Whereas, the chlorine building was constructed in 1977 with the last expansion in 2003 to accommodate adequate storage space for the required number of supply of one-ton chlorine cylinders as required by the Texas Commission on Environmental Quality - a chlorine scrubber system is currently used to extract the chlorine gas from the air inside the building in the event of a chlorine leak;

Whereas, due to the corrosive environment caused by chlorine, existing safety and operational equipment are in need of upgrade to provide adequate protection for employees and the public - identified improvements will address safety precautions, operations and monitoring components as outlined in the U.S. EPA Risk Management Plan Regulations, in which the City is required to participate according to Section 112(r) of the Clean Air Act Amendments;

Whereas, on August 16, 2017, the City received one bid for construction of the project from Matous Construction, Ltd (Matous) of Belton, Texas in the amount of \$933,000 - due to the significance of the bid over the opinion of probably cost, Staff worked with Matous to find ways to value-engineer the project;

Whereas, as agreed to by Matous, Staff is recommending award of the contract to Matous in the amount of \$933,000 with an accompanying deductive change order in the amount of \$144,842.10, which reflects a reduction in the number of scales from 14 to 4, the removal of the crane hoist replacement, and other miscellaneous items from the contract - Staff does not feel that any of the proposed adjustments will impact the ultimate safety goals, which were the emphasis of the project;

Whereas, Matous has performed many projects for the City, and Staff recognizes Matous Construction, LLC as a responsive and responsible contractor;

Whereas, funding for this construction contract and deductive change order is appropriated in Account No. 520-5100-535-6310, Project No. 101591; 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 construction contract with Matous Construction, Ltd of Belton, Texas in the amount of \$933,000, authorizes a deductive change order to the contract in the amount of \$144,842.10, for a net contract value of \$788,157.90, for the construction of Water Treatment Plant Chlorine Storage Safety Improvements.

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 5th day of **October**, 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

10/05/17
Item #5(P)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

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

ITEM DESCRIPTION: Consider adopting a resolution authorizing the repayment of Texas Commission on Environmental Quality grant funds, in the amount of \$30,000 for the purchase of compressed natural gas refuse truck.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: In 2014, Texas Commission on Environmental Quality (TCEQ), Texas Natural Gas Vehicle Grant Program (TNGVGP) funds were used to purchase a compressed natural gas (CNG) refuse truck, in the amount of \$30,000. Under the use of the TCEQ TNGVGP funds the City requested and was approved to alternatively dispose of the equipment being replaced, by means of selling the old vehicle. The alternative disposition required that the old equipment was to be permanently removed from operation in the State of Texas.

City staff ensured that language was included in the Bill of Sale regarding the TCEQ requirement that the sold vehicle “may not be operated in the State of Texas for the remainder of its useful life.” However, a leasing agency in Texas purchased the vehicle, and although it is now operated in Louisiana, the sold vehicle is still registered in Texas. Per the requirements of TCEQ the sold vehicle must be registered outside the State of Texas. City staff has worked closely with TCEQ to resolve this issue, however, we have not been able to acquire adequate information for TCEQ from the leasing company that purchased the old vehicle. Therefore, TCEQ is not approving the method of alternative disposition, as it is perceived to still be operating in the State of Texas, because that is where it is registered.

FISCAL IMPACT: A budget adjustment is being presented to Council for approval to appropriate funding from General Fund Unallocated Fund Balance for the reimbursement to TCEQ for the TNGVGP program. According to program guidelines for the purchase of the CNG refuse truck in 2014, TCEQ did not approve the alternative disposal method of the equipment being replaced. Funding for the reimbursement in the amount of \$30,000 will be appropriated in account 351-2300-540-2623.

ATTACHMENTS:

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

2017

BUDGET ADJUSTMENT FORM

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

Adjustments should be rounded to the nearest \$1.

		+		-	
ACCOUNT NUMBER	PROJECT #	ACCOUNT DESCRIPTION	INCREASE		DECREASE
351-2300-540-26-23		Other Contracted Services	\$ 30,000		
351-0000-490-25-82		Transfer In - General Fund	30,000		
110-9100-591-81-51		Transfer Out - Desg Cap Proj	30,000		
110-0000-352-13-45		Desg Cap Proj - Unallocated			30,000
		DO NOT POST			
TOTAL.....			\$ 90,000		\$ 30,000

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

This Budget Adjustment is reallocating funding for the repayment to TCEQ for the unsuccessful disposal of a diesel truck in 2014 tied to a TCEQ grant.

DOES THIS REQUEST REQUIRE COUNCIL APPROVAL?

☒ Yes

☐ No

DATE OF COUNCIL MEETING

10/5/2017

WITH AGENDA ITEM?

☒ Yes

☐ No

Department Head/Division Director

Date _____

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

Finance

Date _____

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

City Manager

Date _____

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

RESOLUTION NO. 2017-8896-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING REPAYMENT OF TEXAS COMMISSION ON ENVIRONMENTAL QUALITY GRANT FUNDS FOR THE PURCHASE OF A COMPRESSED NATURAL GAS REFUSE TRUCK, IN THE AMOUNT OF \$30,000; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, in 2014, Texas Commission on Environmental Quality (TCEQ), Texas Natural Gas Vehicle Grant Program (TNGVGP) funds were used to purchase a compressed natural gas (CNG) refuse truck, in the amount of \$30,000;

Whereas, under the use of the TCEQ TNGVGP funds, the City requested and was approved to alternatively dispose of the equipment being replaced by means of selling the old vehicle - the alternative disposition required that the old equipment was to be permanently removed from operation in the State of Texas;

Whereas, Staff ensured that language was included in the Bill of Sale regarding the TCEQ requirement that the sold vehicle “may not be operated in the State of Texas for the remainder of its useful life,” however, a leasing agency in Texas purchased the vehicle, and although it is now operated in Louisiana, the sold vehicle is still registered in the State of Texas - per the requirements of TCEQ the sold vehicle must be registered outside the State of Texas;

Whereas, Staff has worked closely with TCEQ to resolve this issue, however, Staff has not been able to acquire adequate information for TCEQ from the leasing company that purchased the old vehicle;

Whereas, therefore, TCEQ does not approve the method of alternative disposition since it is perceived to still be operating in the State of Texas, because that is where the vehicle is registered;

Whereas, funds are available for the repayment of TCEQ grant funds for the TNGVGP program, but an amendment to the fiscal year 2018 budget needs to be approved to transfer the funds to Account No. 351-2300-540-2623; and

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

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

Part 1: 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 repayment of Texas Commission on Environmental Quality grant funds for the purchase of a compressed natural gas (CNG) refuse truck, in the amount of \$30,000.

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 this grant fund repayment to TCEQ.

Part 4: The City Council authorizes an amendment to the fiscal year 2018 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 5th day of **October**, 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

10/05/17
Item #5(Q)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Sandra Esqueda, Director of Human Resources

ITEM DESCRIPTION: SECOND READING: Consider adopting an ordinance amending the number of positions in the firefighter classification.

STAFF RECOMMENDATION: Adopt ordinance as presented in item description on second and final reading.

ITEM SUMMARY: Chapter 143 of the Local Government Code requires that the Council establish by ordinance the classifications in the Police and Fire Departments, and prescribe by ordinance the number of positions in each classification. In September 2016, the Fire Department added three additional positions in the rank of Driver which eliminated three positions in the rank of Firefighter. This allowed the department to assign a Driver to Rescue truck #3 on a consistent basis. Rescue truck #3 contains highly technical and specialized equipment which requires personnel who stay current with accepted uses and practices. Increase demand for public safety services requires increased staffing in the Fire Department to maintain efficient, effective public safety services.

At this time, the Fire Chief requests the addition of three firefighter positions. These positions will increase the number of positions in the firefighter classification from fifty-three to fifty-six. The other classifications will maintain the current number of personnel as follows:

Fire Chief – 1 position
Assistant Fire Chief – 1 position
Deputy Chief – 5 positions
Captain – 25 positions
Driver – 33 positions

FISCAL IMPACT: Additional funding in a net amount of \$54,678 is included in the FY 2018 Operating Budget of the Fire Department for the addition of three firefighter positions.

ATTACHMENTS:

[Ordinance](#)

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AMENDING THE NUMBER OF POSITIONS IN THE FIREFIGHTER CLASSIFICATION; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, Chapter 143 of the Local Government Code requires that the City Council establish, by Ordinance, the classifications for the Police and Fire Departments;

Whereas, in September, 2016, the Fire Department added three additional positions in the rank of Driver and eliminated three positions in the rank of Firefighter - this change allowed the department to assign a Driver to Rescue truck number 3 on a consistent basis which carries highly technical and specialized equipment and requires personnel to stay current with accepted uses and practices;

Whereas, increased demand for public safety services requires increased staffing in the Fire Department to maintain efficient, effective public safety services;

Whereas, Staff recommends Council authorize three additional positions in the Firefighter classification be added to the Fire Department;

Whereas, this addition will increase the number of positions in the Firefighter classification from 53 to 56 – all other classifications will remain the same;

Whereas, funding for the addition of three Firefighter classifications is included in the fiscal year 2018 budget; and

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

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

Part 1: Findings. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Temple, Texas, and they are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

Part 2: The City Council amends the number of positions of Firefighter classifications from 53 to 56.

Part 3: Council establishes the following Classifications and the number of positions of Firefighters in the Fire Department:

CLASSIFICATIONS AND POSITIONS OF CERTIFIED FIREFIGHTERS

I. UNCLASSIFIED POSITIONS

A. *FIRE CHIEF* – 1 Position

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

II. CLASSIFIED POSITIONS

A. *ASSISTANT CHIEF* – 1 Position

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

B. *DEPUTY CHIEF* – 5 Positions

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

C. *CAPTAIN* – 25 Positions

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

D. *DRIVER* – 33 Positions

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

E. *FIREFIGHTER* – 56 Positions

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

Part 4: If any provision of this Ordinance or the application of any provision to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

Part 5: This Ordinance shall take effect **October 5, 2017.**

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 **21st** day of **September, 2017.**

PASSED AND APPROVED on Second Reading on the **5th** day of **October, 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

10/05/17
Item #5(R)
Consent Agenda
Page 1 of 2

DEPT. / DIVISION SUBMISSION & REVIEW:

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

ITEM DESCRIPTION: SECOND READING – Consider adopting an ordinance amending Ordinance No. 2016-4783 to implement changes to the City's strategic investment zone incentive policies.

STAFF RECOMMENDATION: Adopt ordinance as presented in item description on second and final reading.

ITEM SUMMARY: The proposed ordinance amends portions of the City's comprehensive economic development ordinance (Ordinance No. 2016-4783) related to our Strategic Investments Zone (SIZ) incentive program. The proposed substantive changes to the ordinance include:

- Collapse existing grant reimbursement activities into tiers, based on total project investment;
- Define "Project" as the construction, renovation, or remodeling of a building. Simultaneous construction, renovation, or remodeling work on two or more attached buildings will be considered one Project if the buildings are under common ownership;
- Include language to allow the City to promote the project as part of the SIZ program;
- Clarification of application process and contract length; and
- General clean-up of ordinance.

As with our previously adopted ordinance, this proposed ordinance is designed to encourage redevelopment of strategically important neighborhoods and corridors that might otherwise not occur in the absence of incentives. The proposed ordinance encourages redevelopment in the SIZ incentive area primarily through: (1) the availability of agreements that provide tax abatement for commercial and industrial property on the increased value of eligible real and personal property; and (2) the availability of matching grant incentives (Chapter 380) where the City participates with dollars or in-kind services to encourage redevelopment. The proposed ordinance creates enabling authority, but is subject to the availability of funds that may be appropriated from year to year by the City Council as part of the annual budget process.

The proposed Chapter 380 matching grants for economic development and in-kind services are very similar to those employed in our current program, however they are combined into tiers based on total project investment. The grant matrix below includes funds or services related to overall exterior improvements, and some interior improvements, pending on the overall project investment tier an applicant is qualified under.

The tiers consist of Tier I, II and III. Tier I enables property owners to make smaller investments in their property focused on exterior improvements, excluding deferred maintenance. The existing ordinance does not allow for this grant category and by including it in the ordinance smaller projects can be accomplished. Tier II and III are similar to the existing ordinance, adding Life Safety as an eligible improvement type. The introduction of the consideration of total project investment allows for more grant opportunities in larger projects, pending on the scope of the proposed project. In addition, a Housing and Urban Development – Community Development Block Grant (CDBG) component is proposed to encourage residential/mix-use redevelopment in the downtown core, through the inclusion of CDBG funds for code/property maintenance compliance, accessibility enhancements and other improvements as proposed and approved.

The proposed grant matrix is as follows:

TIER	TOTAL PROJECT INVESTMENT		MAXIMUM AMOUNT OF CITY MATCH			IMPROVEMENT TYPES
			COMMERCIAL	DOWNTOWN (SINGLE)	DOWNTOWN (DOUBLE)	
I	\$0	\$19,999	\$5,000	\$5,000	\$5,000	Exterior Improvements, excluding deferred maintenance
II	\$20,000	\$499,999	\$40,000	\$55,000	\$70,000	Façade, sign, landscaping, asbestos, demo, sidewalk, design, fee waiver + LIFE SAFETY
III	\$500,000	AND UP	\$85,000	\$100,000	\$115,000	Façade, sign, landscaping, asbestos, demo, sidewalk, design, fee waiver + LIFE SAFETY
CDBG	In conjunction with Tier II or III SIZ project – Residential Component		N/A	\$10,000 (per unit, up to 3 units)		Improvements that enable residential mixed-use areas downtown, to include code/property maintenance compliance, accessibility enhancements and others as proposed and approved

A map of the SIZ incentive zone boundaries is attached showing the Downtown and Commercial zones.

Finally, in our proposed amendments to the City's Comprehensive Economic Development Ordinance, changes were made to clarify the application process and for non-substantive general clean-up of the ordinance.

FISCAL IMPACT: The FY 2018 Operating Budget includes funding in the amount of \$162,000 for the Strategic Investment Zone grants. Since February 2009, the City has awarded approximately \$900,000 in SIZ grants. Tax abatement agreements, if entered into in the future on property in this corridor, would rebate taxes on the increase value of eligible real and personal property in the area and would not require a financial outlay by the City.

ATTACHMENTS:
[Ordinance](#)

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AMENDING ORDINANCE NO. 2016-4783 TO IMPLEMENT CHANGES TO THE CITY'S STRATEGIC INVESTMENT ZONE INCENTIVE POLICIES; PROVIDING A REPEALER; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, amendments to portions of the City's comprehensive economic development ordinance (Ordinance No. 2016-4783) related to our Strategic Investment Zone ("SIZ") incentive program are needed - the proposed substantive changes include:

- Collapse existing grant reimbursement activities into tiers, based on total project investment;
- Define "Project" as the construction, renovation, or remodeling of a building. Simultaneous construction, renovation, or remodeling work on two or more attached buildings will be considered one Project if the buildings are under common ownership.
- Include language to allow the City to promote the project as part of the SIZ program;
- Clarification of application process and contract length; and
- General clean-up of ordinance;

Whereas, as with our previously adopted Ordinance, this Ordinance is designed to encourage redevelopment of strategically important neighborhoods and corridors that might otherwise not occur in the absence of incentives as well as encourage redevelopment in the SIZ incentive area primarily through: (1) the availability of agreements that provide tax abatement for commercial and industrial property on the increased value of eligible real and personal property; and (2) the availability of matching grant incentives (Chapter 380) where the City participates with dollars or in-kind services to encourage redevelopment;

Whereas, this Ordinance will create enabling authority, but is subject to the availability of funds that may be appropriated from year to year by the City Council as part of the annual budget process;

Whereas, proposed amendments to the City's Comprehensive Economic Development Ordinance are being made to clarify the application process and for non-substantive general clean-up of the Ordinance;

Whereas, the fiscal year 2018 budget includes funding for the Strategic Investment Zone grants - since February 2009, the City has awarded approximately \$900,000 in SIZ grants;

Whereas, tax abatement agreements, if entered into in the future on property in this corridor, would rebate taxes on the increased value of eligible real and personal property in the area and would not require a financial outlay by the City; and

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

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

Part 1: Findings. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Temple, Texas, and they are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

Part 2: The City Council amends Ordinance No. 2016-4783 to implement changes to the City's Strategic Investment Zone Incentive Policies as set forth in Exhibit 'A' attached hereto and incorporated herein for all purposes.

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

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

Part 5: This Ordinance shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Temple, Texas, and it is accordingly so ordained.

Part 6: It is hereby officially found and determined that the meeting at which this ordinance was passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED on First Reading and Public Hearing on the **21st** day of **September**, 2017.

PASSED AND APPROVED on Second Reading on the **5th** day of **October**, 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

10/05/17
Item #5(S)
Consent Agenda
Page 1 of 3

DEPARTMENT / DIVISION SUBMISSION & REVIEW:

Dessie Redmond, Planner

ITEM DESCRIPTION: SECOND READING – Z-FY-17-33: Consider adopting an ordinance authorizing a rezoning of several lots in Cedar Ridge Crossing Phase II located at 10684 West State Highway 36, Temple, Texas, as follows:

- (A) Agricultural to General Retail Lots 1, Block 1;
- (B) Agricultural and Neighborhood Services to General Retail, on Lots 2 and 3, Block 1;
- (C) Agricultural to Commercial on Lot 5, Block 1;
- (D) Agricultural to General Retail on Lot 4, Block 1; and
- (E) Agricultural to Commercial on Lot 4, Block 1.

PLANNING & ZONING COMMISSION RECOMMENDATION: At their August 21, 2017 meeting, the Planning & Zoning Commission voted seven to zero to recommend approval of the plat as presented by staff.

STAFF RECOMMENDATION: Based on the following compliance factors, staff recommends approval for a rezoning:

1. Compatibility with surrounding zoning, existing and anticipated uses;
2. Compliance with the Future Land Use Map Suburban Commercial and Agricultural character district designations;
3. The Thoroughfare Plan; and
4. Availability of private facilities.

PROTEST TRIGGERED: Per Unified Development Code (UDC), Section 3.3.4, a protest has been triggered because the 20 percent threshold is exceeded with 32 percent in opposition to the request (attachment: Opposition Area). Therefore, this request requires a super-majority vote to pass for approval. This is explained in detail in the below section **PUBLIC NOTICE**.

ITEM SUMMARY: The subject property total acreage is 28.02 +/- (attachment: Surveyor's Sketch). The majority of the property is vacant and undeveloped. There is some existing flatwork on the property including a driveway off of Highway 36 that runs east and turns north approximately 415 feet into the property. It leads to existing commercial metal buildings that abut the property at the north boundary. There is an existing drainage feature in the center of the property and portions of the property are within the Special Flood Hazard Area. There are also existing drainage and access easements (attachment: Plat). Currently, the property is mostly in the AG zoning district with a small portion of the property within the NS zoning district.

The subject property was annexed into the city limits in 2016 and abuts the extraterritorial jurisdiction (ETJ) to the north and west. It was platted in May of 2017. To the north are more commercial metal buildings and manufactured homes. To the south is an existing manufactured home and a commercial use (Ice & Water Quick Stop). To the west is an existing CEFCO Convenience Store and to the east is vacant, undeveloped land (attachment: Surrounding Properties & Uses Table). A variety of both residential and non-residential uses are permitted in the GR and C zoning districts (attachment: Use Comparison Summary Table).

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

Future Land Use Map (CP Map 3.1)

A portion of the subject property is within the Suburban Commercial character district and a portion is within the Agricultural/Rural district. According to the Future Land Use Map (FLUM), the Suburban Commercial character district is appropriate for office, retail and service uses. It is anticipated the subject property will be developed with these types of uses in the future. The Agricultural/Rural district is intended for areas within the City limits that do not yet have adequate public facilities and services and may, therefore, have on-site utilities. The subject property does not have public facilities but does have on-site utilities as explained in Section Availability of Public Facilities (CP Goal 4.1) below. Therefore, this request is in compliance with the FLUM.

Thoroughfare Plan (CP Map 5.2)

The plat takes direct access from State Highway 36, which is designated as a major arterial, and therefore, requires a six foot wide sidewalk per UDC, Section 7.3.1. However, on January 18, 2017, Brian Chandler (Director of Planning) approved a sidewalk waiver per UDC, Section 3.10 due to the relatively remote location of the property (attachment: Sidewalk Waiver). Access off of State Highway 36 will require obtaining a Texas Department of Transportation (TxDOT) permit. This request does comply with City's Thoroughfare Plan.

Trails Master Plan

There are no proposed or existing trails in the vicinity of the subject property. Therefore, the Trails Master Plan does not apply.

Availability of Public Facilities (CP Goal 4.1)

Currently, there are no existing public facilities to the property or around the property. Moffat Water Supply Corporation has submitted a letter confirming the property is within their service area and they have sufficient capacity to service the property with a standard size ¾ inch water meter (attachment: Moffat Water Supply Corporation Letter). The Bell County Public Health Sanitarian signed the recorded plat that certifies the subdivision meets or exceeds the minimum standards established by the Bell County Board of Health. Approval from the Sanitarian will be required for any on-site sewer facilities (OSSF) per state law. Therefore, private facilities are available to the site.

DEVELOPMENT REGULATIONS: A comparison summary table between non-residential dimensional standards in the AG & NS zoning districts to the GR & C zoning districts is located in the attachments: Non-Residential Dimensional Standards Comparison Table.

PUBLIC NOTICE: Nineteen property owners within 200 feet of the subject property (including property owners within the ETJ) were sent notice of the public hearing. As of Thursday, August 17, one notice was returned in disagreement and none returned in agreement. The ETJ property owner in disagreement owns approximately 32 percent of the land inside the 200 foot buffer area. UDC, Section 3.3.4 Protest states that a Zoning district map amendment application requires a three-fourths vote of the City Council in order to be approved if a written protest has been signed and submitted by the owners of a minimum of 20 percent of the area of the properties immediately adjoining the area covered by the proposed changed and extending 200 feet from that area. Therefore, a protest is triggered because the 20 percent threshold is exceeded with 32 percent in opposition to the request (attachment: Opposition Area) and requires a super-majority vote to pass for approval.

The newspaper printed notice of the public hearing on August 10, 2017, in accordance with state law and local ordinance.

CITY COUNCIL MEETING SCHEDULE: The City Council's first reading is September 21, 2017 and is scheduled for a second reading on October 5, 2017.

FISCAL IMPACT: Not Applicable

ATTACHMENTS:

[Site and Surrounding Property Photos](#)

[Surveyor's Sketch](#)

[Plat](#)

[Location Map / Aerial](#)

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

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

[Notification Map](#)

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

[Compliance Summary Table](#)

[Sidewalk Waiver](#)

[Moffat Water Supply Corporation Letter](#)

[Non-Residential Dimensional Standards Comparison Table](#)

[Returned Property Owner Notice](#)

[Protest Map](#)

[Planning & Zoning Commission Excerpts – August 21, 2017 Meeting Ordinance](#)

Cedar Ridge Crossing Phase II Rezoning Attachments

Site Photos



On Highway 36 looking north into site.



Looking northwest into property. Commercial metal buildings along northern property line.

Cedar Ridge Crossing Phase II Rezoning Attachments

Site Photos



North: more commercial buildings and manufactured homes.



South: existing manufactured home and Ice & Water Quick Stop.

**Cedar Ridge Crossing Phase II Rezoning
Attachments**

Site Photos



East: looking northeast over the subject property to vacant property.

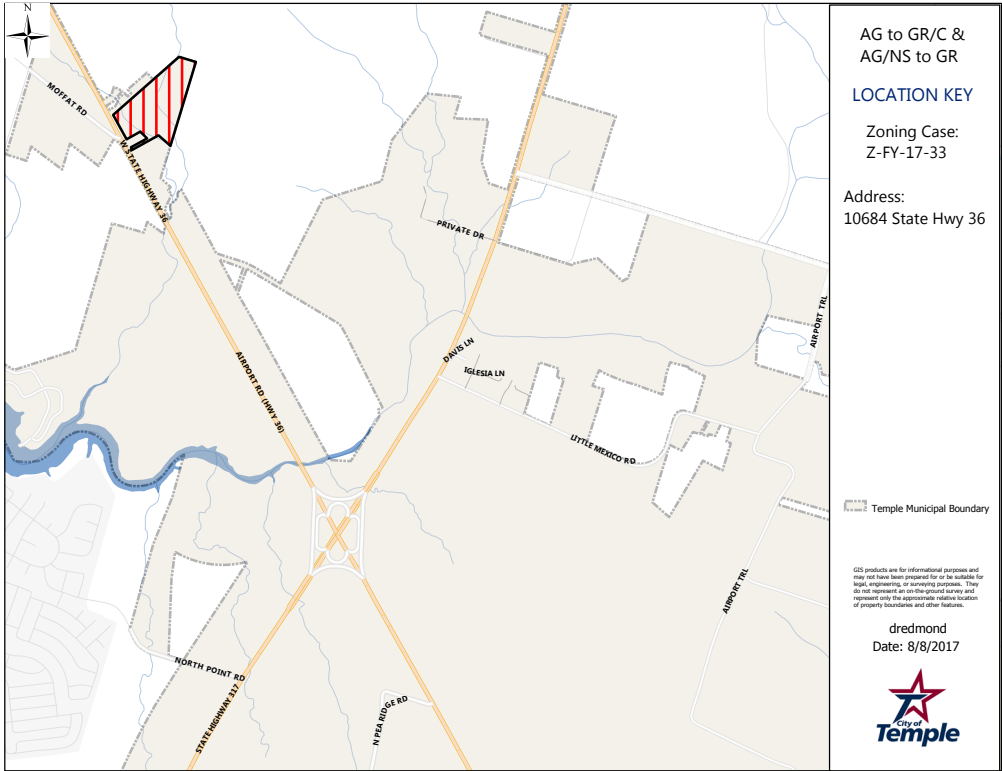


West: CEFCO



Plat

Cedar Ridge Crossing Phase II Rezoning Attachments

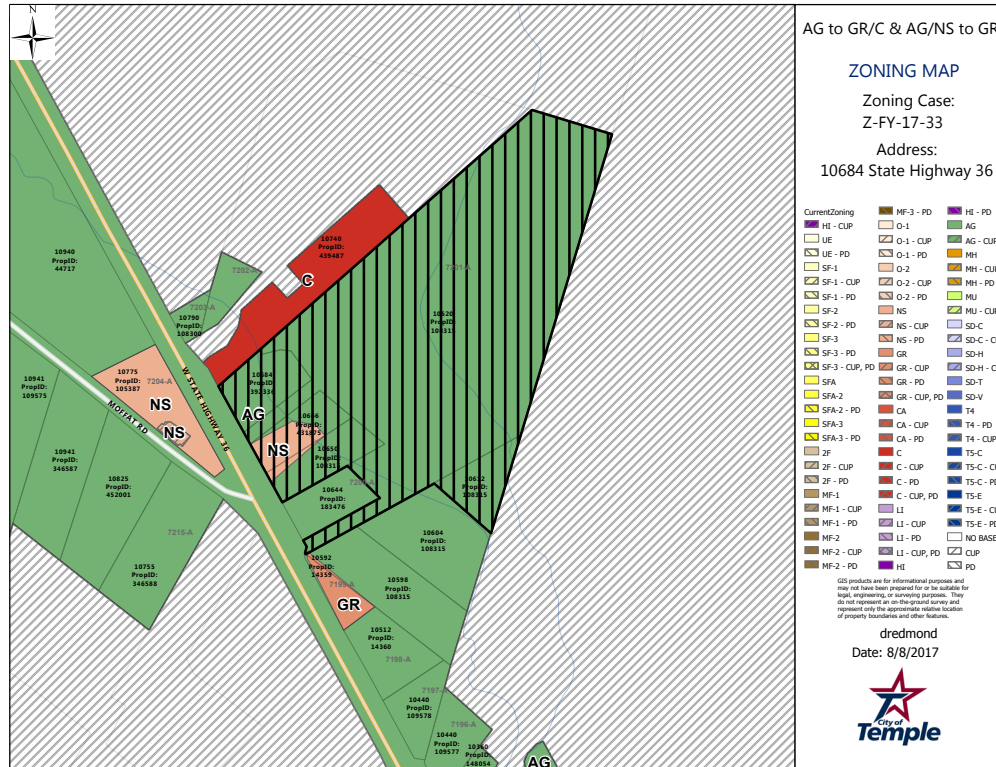


Location Map

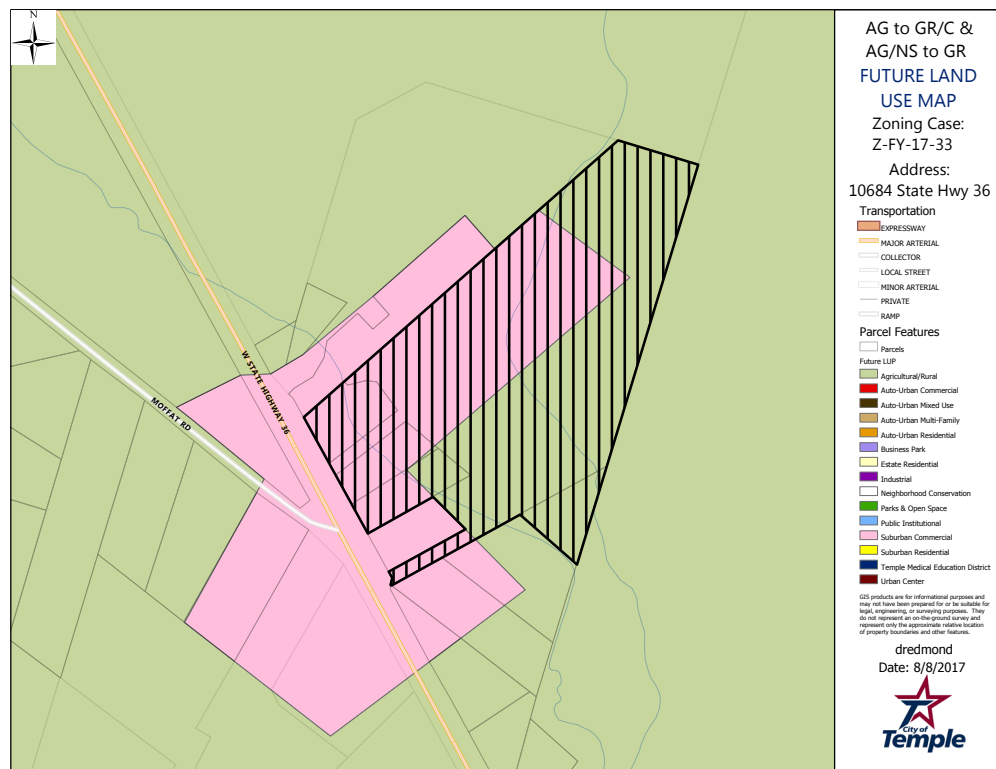


Aerial

Cedar Ridge Crossing Phase II Rezoning Attachments

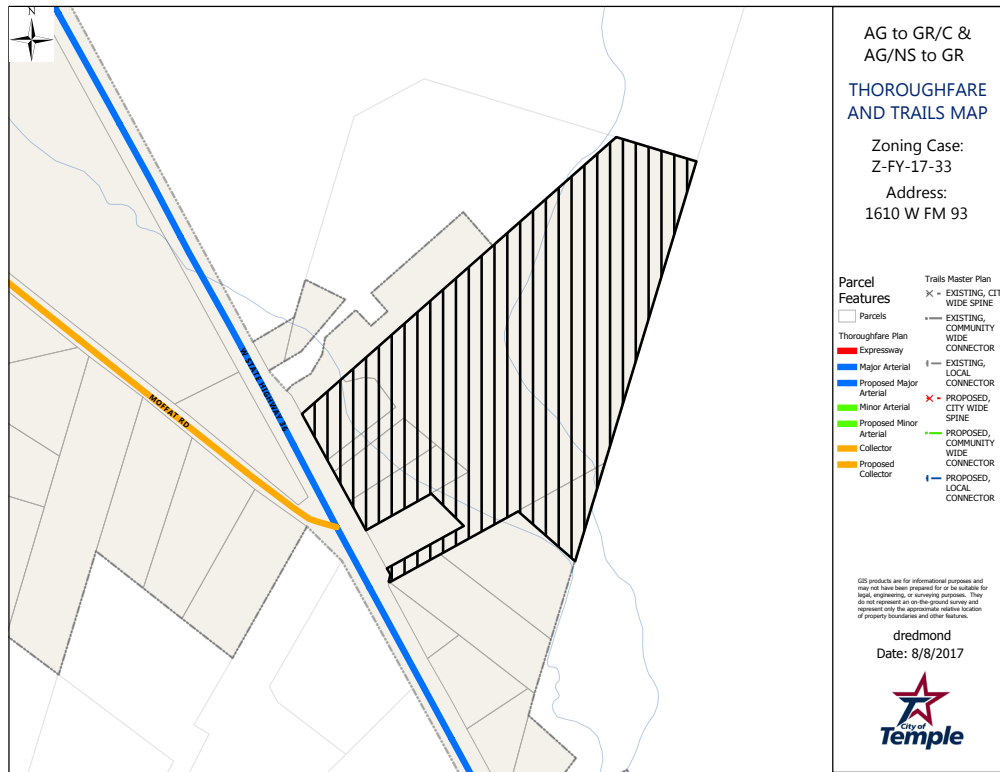


Existing Zoning Map

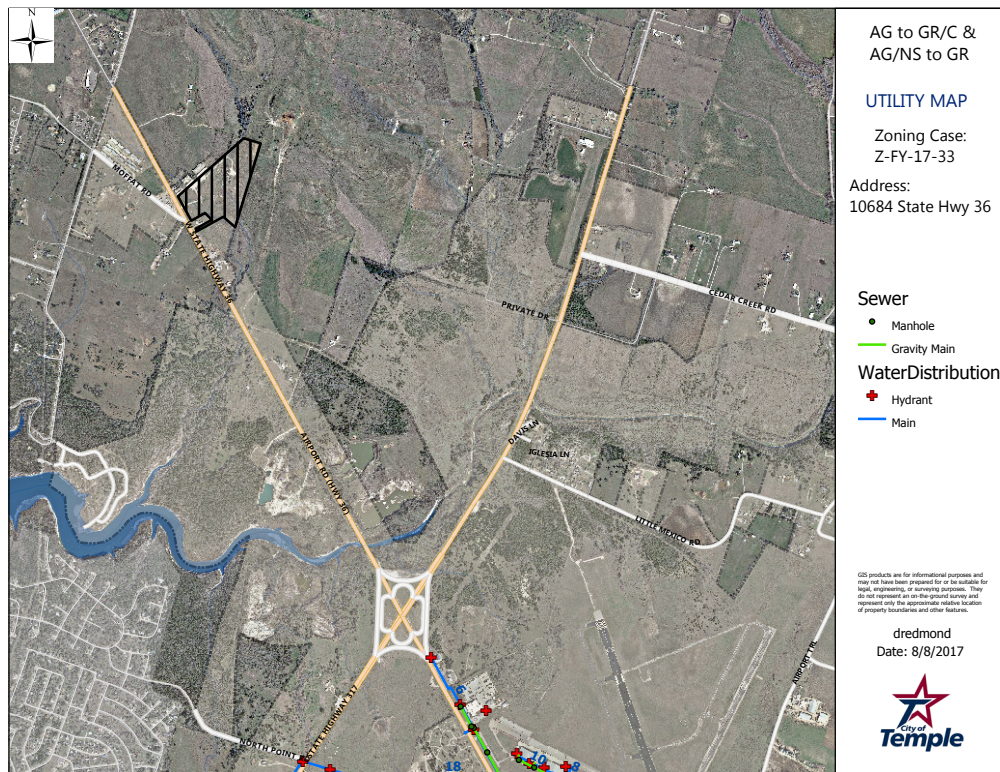


Future Land Use Map

Cedar Ridge Crossing Phase II Rezoning Attachments

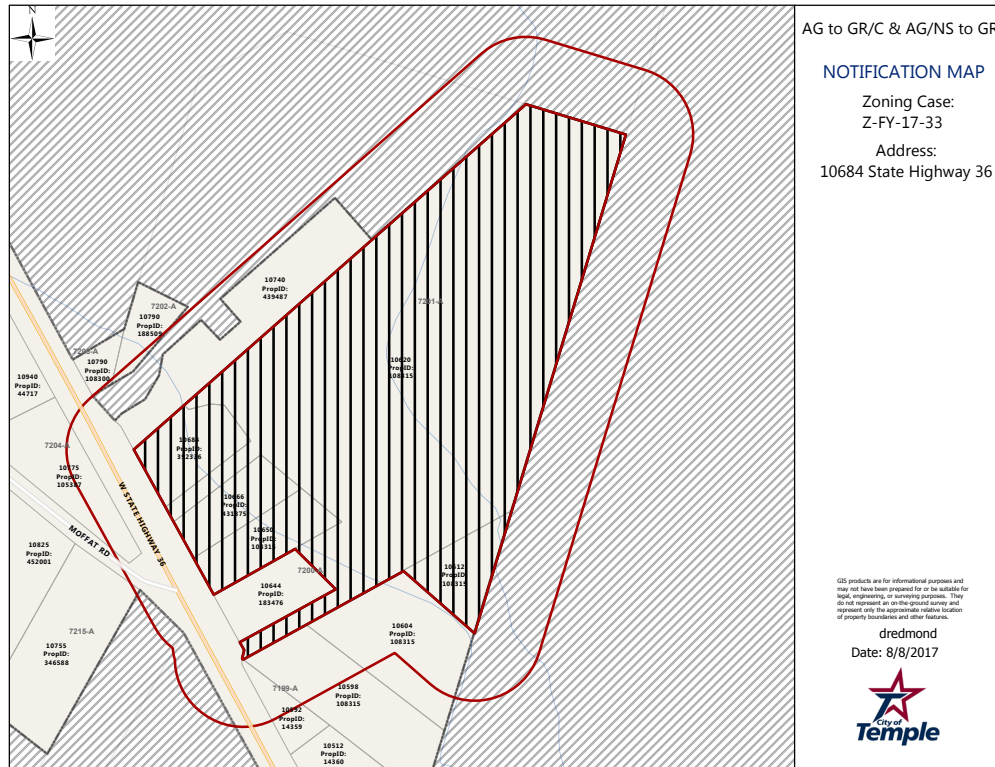


Thoroughfare & Trails Master Plans



Utility Map

Cedar Ridge Crossing Phase II Rezoning Attachments



Notification Map

Cedar Ridge Crossing Phase II Rezoning Attachments

Use Comparison Summary Table

	Existing		Proposed	
	Agriculture	Neighborhood Services	General Retail	Commercial
Residential Uses	Single-family dwelling *Home for the aged	Single-family dwelling	Boarding or rooming house Single-family dwelling Home for the aged	Boarding or rooming house Single-family dwelling Home for the aged Duplex
Agricultural Uses	Farm, Ranch or Orchard	Farm, Ranch or Orchard	Farm, Ranch or Orchard	Farm, Ranch or Orchard
Commercial Uses	None	None	Kennel without vet hospital Flea market Upholstery shop	Cabinet shop Maintenance & repair service for building Paint shop College
Education & Institutional	Place of worship *Pre-school	Art gallery or museum	Art gallery or museum College Fairgrounds	Art gallery or museum College Fairgrounds
Industrial Uses	Animal feedlot Recycling collection location *Laboratory Medical	*Laboratory Medical	Laboratory Medical Recycling collection (L)	Laboratory Medical Laboratory Manufacturing Recycling collection (L)
Overnight Accommodations	*Recreational vehicle park	None	Hotel or motel *RV Park	Hotel or motel
Recreational Uses	Park or Playground Zoo	*Alcoholic beverage sales for on-premise consumption: beer and wine only less than 75% revenue from alcohol Theater or playhouse (indoor)	Alcoholic beverage sales for on-premise consumption: beer and wine only less than 75% revenue from alcohol *Swimming pool, commercial Theater or playhouse (indoor)	Alcoholic beverage sales for on-premise consumption: beer and wine only less than 75% revenue from alcohol Swimming pool, commercial Theater or playhouse (indoor)
Restaurant Uses	None	Restaurant (not drive-in)	Restaurant (not drive-in) Restaurant (drive-in)	Restaurant (not drive-in) Restaurant (drive-in)
Retail & Service Uses	*Exercise gym	*Alcohol beverage sales, off-premise consumption, beer and wine store	Alcohol beverage sales, off-premise consumption, beer and wine store Discount or department store	Alcohol beverage sales, off-premise consumption, beer and wine store Discount or department store Exercise gym
Transportation Uses	*Airport or landing field	*Helistop	*Airport or landing field Emergency vehicle service *Parking lot or structure	*Airport or landing field Emergency vehicle service Parking lot or structure
Utility & Service Uses	Fire station Sewage treatment plant	Fire station	Fire station	Fire station Utility shop, storage yard or building
Vehicle Service Uses	None	*Fuel sales	Fuel sales (L) Auto leasing, rental	Fuel sales (L) Auto leasing, rental *Auto storage or auto auction Truck sales

*Conditional Use Permit required

(L) Permitted by Right Subject to Limitations

Cedar Ridge Crossing Phase II Rezoning Attachments

Surrounding Properties & Uses Table

Direction	FLUM	Zoning	Current Land Use
Site	Suburban Commercial & Agricultural/Rural	AG/NS	mostly vacant & C metal buildings
North	Suburban Commercial & Agricultural/Rural	C/ETJ	C metal buildings & manufactured homes
South	Suburban Commercial & Agricultural/Rural	GR/AG	manufactured home & Ice and Water Quick Stop
West	Suburban Commercial	NS/AG	CEFCO
East	Agricultural/Rural	ETJ	vacant

Comprehensive Plan Compliance Summary Table

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

CP = Comprehensive Plan STP = Sidewalk and Trails Plan

Non-Residential Dimensional Standards Comparison

	Existing		Proposed	
	AG	NS	GR	C
Minimum Lot Size	N/A	N/A	N/A	N/A
Minimum Lot Width	N/A	N/A	N/A	N/A
Minimum Lot Depth	N/A	N/A	N/A	N/A
Front Setback	50 ft	15 ft*	15 ft*	*
Side Setback	20 ft	10 ft*	10 ft*	0*
Side Setback (corner)	15 ft	10 ft*	10 ft*	10 ft
Rear Setback	10 ft	0 ft*	0 ft*	0*
Max Building Height	3 stories	2.5 stores	3 stories	ALH

N/A = use permitted but standard does not apply

ALH = any legal height not prohibited by other laws

* = See Section 4.4 Measurements & Special Cases

Cedar Ridge Crossing Phase II Rezoning Attachments



Date: Jan 10, 2017

Project: Cedar Ridge Crossing II

Applicant: All County Surveying

Address: 10648 Hwy 36
Temple, TX

Re: Sidewalk Waiver Request

The Planning Department is in receipt of your request for a Sidewalk Waiver Request. As part of the platting procedures described in Section 3.6 through Section 3.8 of the Unified Development Code (UDC) or the Building Permit procedure in Section 3.13, an applicant may request a waiver of the sidewalk requirements in Section 8.2.3.

The Director of Planning must approve, approve with conditions or deny a written request for waiver of the sidewalk requirements in Section 8.2.3 or the Director of Planning may refer a request for waiver to the Planning and Zoning Commission and City Council.

In determining whether to approve, approve with conditions or deny a Sidewalk Waiver application, the Director of Planning must consider the following criteria. The Director of Planning has determined the following:

- ☐ A. Special topographical or other conditions exist on the property being platted, developed or redeveloped, such that a literal enforcement of this section would result in unnecessary hardship.
- ☐ B. The purpose of this UDC is observed and substantial justice is done.
- ☐ C. The waiver is in the public interest.
- ☒ D. The anticipated volume of vehicular and pedestrian traffic in the area based on the proposed development and the current or future uses of surrounding property as set forth in the Comprehensive Plan, Zoning District Map and Citywide Trails Master Plan.
- ☒ E. The likelihood that a proposed new sidewalk will connect to other sidewalks in the adjoining areas within five years.
- ☒ F. The likelihood of the area for which a waiver is being requested to serve as a pedestrian link between public or private facilities in adjoining areas.
- ☐ G. Whether due to the width or the anticipated reconstruction of adjoining roadways, construction of a sidewalk on the property under consideration makes economic sense.
- ☐ None of the Above.

Therefore, the Director of Planning has determined that your Sidewalk Waiver is:

☒ Approved ☐ Approved with Conditions ☐ Denied ☐ Referred to P&Z Commission and City Council

If you have any questions, please feel free to contact me at 254-298-5668 or bchandler@templetx.gov.

Sincerely,

Brian Chandler, AICP
Director of Planning

Brian Chandler, Director of Planning ★ City Hall ★ 2 North Main St. Ste.102 ★ Temple, Texas 76501

Sidewalk Waiver



MOFFAT WATER SUPPLY CORPORATION

5460 LAKEAIRE BLVD. TEMPLE, TEXAS 76502

PHONE (254) 986-2457 FAX (254) 986-2530

www.moffatwatersupply.com

March 29, 2016

Texas JB Investments, LLC
10648 St Hwy 36
Temple, TX 76502

To whom it may concern:

A recent request has been made to determine service availability for property located at 10648 State Hwy 36 or more properly described as 20.85 acres out of the S Fitzhenry Survey, Abstract #312, Bell County, Texas. This letter is confirming if the property is within the service area of Moffat Water Supply Corporation. Sufficient capacity by Moffat Water Supply Corporation to service this parcel with a standard size $\frac{3}{4}$ inch water meter has been determined at this time.

All availability and acceptance of applications are subject to the Moffat Water Supply Corporation Tariff, on file with the Texas Public Utility Commission.

If there are any further questions or concerns regarding this matter please feel free to contact me.

Sincerely,

Mark Truelove
General Manager

Cedar Ridge Crossing Phase II Rezoning
Attachments



RESPONSE TO PROPOSED
REZONING REQUEST
CITY OF TEMPLE

BOOP FAMILY TRUST
10990 WEST STATE HIGHWAY 36
TEMPLE, TX 76502-6989

Zoning Application Number: Z-FY-17-33

Case Manager: Dessie Redmond

10684 West State Highway 36, 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

(x) disagree with this request

Comments:

See attached

Velma I Boop
Signature

Velma I Boop
Print Name

If you would like to submit a response, please email a scanned version of this completed form to the Case Manager referenced above, dredmond@templetx.gov, or mail or hand-deliver this comment form to the address below, no later than **August 21, 2017**.

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

Number of Notices Mailed: 19

Date Mailed: August 10, 2017

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

RECEIVED

AUG 18 2017

City of Temple
Planning & Development

Returned Property Owner Notice - Boop

Cedar Ridge Crossing Phase II Rezoning Attachments

City of Temple

Planning Department

2 North Main Street, Suite 102

Temple, TX 76501

RE: Zoning Application No Z-FY-17-33

I am opposed to the rezoning of above property and express these concerns:

1 – There is a creek that runs on the backside of this property and discharges directly into Lake Belton. When there is a change in the natural flow of runoff that occurs with any new construction, the contamination of our current water source could be impacted by the pollutants that accumulate and runoff during storm events. The said Lake is the only source of water for several municipalities and rural water systems in Central Texas area. What type or level of protection will be implemented from the City to monitor the storm water runoff for pollutants?

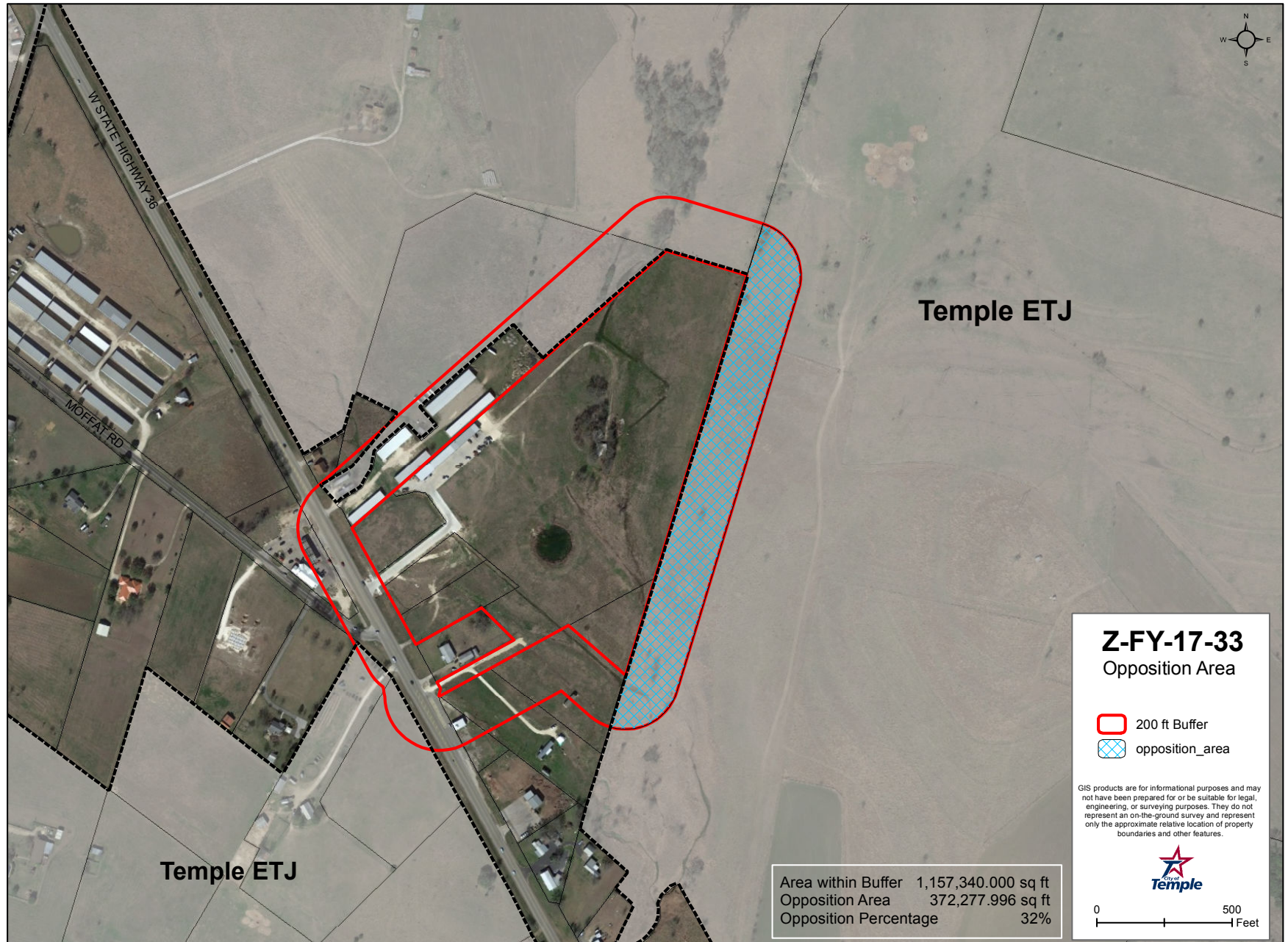
2 – While annexation occurred years ago, the City of Temple has yet to provide any utilities (water and wastewater collection) to the area along the HWY 36 corridor, west of the intersection of HWYs 317 and 36. So, with any new businesses coming into this area, the current community serving rural water supply (Moffat WSC) can or will be impacted financially to support growth and development for the proposed rezone area. The rate payers for MWSC will be responsible for supporting the system improvements by a very likely rate increase. It appears the City of Temple is not providing any financial support for the said cost to support growth, while benefiting from the new tax revenue. In addition, it is not a good practice to develop a business location without connecting to a current wastewater collection system for treatment at a wastewater plant.

3 – The proposed area sits on the backside of a hill on Highway 36 just West of the Moffat Road turnoff. The speed limit is 65 MPH coming over this hill, which will see an increase in traffic concerns for an already congested highway. What provisions will be put in place to best manage the already high volume traffic area? Was a traffic study done to see how the rezoning will impact the area?

Boop Family Trust

Velma J Boop
8-17-17

Cedar Ridge Crossing Phase II Rezoning Attachments



Protest Map

**EXCERPTS FROM THE
PLANNING & ZONING COMMISSION MEETING
MONDAY, AUGUST 21, 2017**

ACTION ITEMS

Item 2: Z-FY-17-33 – Hold a public hearing to discuss and recommend action on a rezoning request from the Agricultural (AG) zoning district to the General Retail (GR) zoning district, on 1.34 +/- acres, Lots 1, Block 1; and from AG and Neighborhood Services (NS) to GR, on 2.37 +/- acres, Lots 2 & 3, Block 1; and from AG to Commercial (C), on 1.11 +/- acres, Lot 5, Block 1; and from AG to GR, on 1.01 +/- acres, Lot 4, Block 1; and from AG to C, on 21.18 +/- acres, Lot 4, Block 1 in Cedar Ridge Crossing Phase II, Bell County, located at 10684 West State Highway 36, Temple, Texas.

Ms. Dessie Redmond, Planner, stated this item was scheduled to go forward to City Council for first reading on September 21, 2017 and second reading on October 5, 2017.

Location map shown.

The applicant is Jennifer Ryken with Turley Associates, on behalf of the property owner, Texas JB Investments, LLC & CBB Properties, LLC.

The majority of the site is currently vacant, with some flatwork and existing commercial metal buildings. Access is off of State Highway 36.

Site photos shown.

The rezoning request is from Agricultural (AG) and Neighborhood Services (NS) to General Retail (GR) and Commercial (C).

Surrounding properties include commercial buildings and manufactured homes to the north, existing manufactured home and Ice & Water Quick Stop to the south, vacant property to the east, and CEFCO Convenience Store to the west.

The subject property is located within city limits and annexed a few years ago. The Extraterritorial Jurisdiction (ETJ) abuts to the north and west (which is not subject to city zoning regulations).

The subject property was platted in May 2017.

An existing drainage feature is located in the center of property and portions of the property are within the Special Flood Hazard Area. There are some existing drainage and access easements.

Current and proposed zoning maps shown.

Cedar Ridge Crossing Phase II Rezoning Attachments

The Future Land Use and Character Map designates the subject property as Suburban Commercial and Agricultural/Rural districts. Suburban Commercial is intended to support office, retail, and service uses. It is anticipated to be developed with these types of uses.

The subject property has existing on-site utilities.

The Thoroughfare Plan designates State Highway 36 as a major arterial which requires a six-foot wide sidewalk. Due to the location, the applicant requested a sidewalk waiver which has already been approved administratively by the Director of Planning.

During the platting process, Texas Department of Transportation (TxDOT) required a one-foot non-access agreement along the property line that abuts State Highway 36.

Public Facilities map shown. There are no existing public facilities in the area currently.

Moffat Water Supply Corporation confirmed sufficient capacity to service the subject property.

Bell County Public Health Sanitarian confirmed the subdivision meets the minimum standards established by the Bell County Board of Health.

This request is in compliance with the Future Land Use and Character Map, the Thoroughfare Plan, and private facilities are available to serve the subject property.

City facilities will not be utilized and no trails are anticipated for the area.

Nineteen notices were mailed in accordance with all state and local regulations with zero notices returned in agreement and one notice returned in disagreement. The property owner who disagreed owns a large portion of surrounding land and the possibility of a protest may be triggered. This calculation will be provided at a later date by the GIS Department.

Staff recommends approval of the request based on the following compliance factors:

- Compatibility with surrounding zoning, existing and anticipated uses;
- Compliance with the Future Land Use Map Suburban Commercial and Agricultural/Rural character district designations;
- Thoroughfare Plan; and
- Availability of private facilities.

Chair Rhoads opened the public hearing.

Ms. Cathy Boniface, 5038 Lakeaire, Temple, Texas, stated she is speaking on behalf of the Boop Family Trust. Ms. Boniface stated they were opposed to the request. There is a creek that runs behind the subject property which separates the Boop property from the subject property. It discharges directly into Lake Belton. Ms. Boniface was concerned with possible impact of and contamination to the only source of water (Lake Belton) for many municipalities due to new construction and land changes.

Ms. Boniface wanted to know what type of protection would be implemented from the City to monitor the stormwater runoff.

When the area was annexed years ago, the City of Temple has yet to provide any utilities as far as water or wastewater collection along State Highway 36 corridor and west of Highway

Cedar Ridge Crossing Phase II Rezoning Attachments

317. For any new businesses coming into the area, the current water supply system (Moffat Water) will be impacted financially which impacts the consumers. However, the City will benefit from the tax revenue.

The traffic congestion and accidents are a big concern. Will the City make any provisions to manage the high traffic area and was a traffic study done to review the impact to the area?

Ms. Redmond responded Moffat Water Supply submitted a letter stating they had sufficient capacity.

State Highway 36 is a TxDOT road and when the plat went through the platting process, TxDOT did require a one-foot non-access agreement along the property line that abuts 36.

Mr. Brian Chandler, Director of Planning, added that the City does not require traffic impact studies or analyses (TIA). However, because it is a TxDOT roadway and depending on what the applicant proposes within the zoning, TxDOT may require a TIA depending on the uses proposed in order to determine turning movements and the volume of traffic coming in and out of the site.

Regarding the protest majority, Mr. Chandler stated just looking at the map it probably does exceed the 20 percent threshold which would trigger a protest; however, that calculation would need to be confirmed by GIS/IT.

Ms. Jennifer Ryken, Turley Associates, 301 North 3rd Street, Temple, Texas, stated as far as the stormwater runoff, they still have to submit full site plans for anything done in the future on the subject property. Part of that would be doing mitigation due to the increase of impervious cover.

Ms. Ryken stated currently they do not hit the Texas Commission of Environmental Quality (TCEQ) volumes for stormwater quality runoff but would try to minimize it. The plat is reviewed by the City Staff departments to meet City of Temple standards.

Ms. Redmond confirmed the subject property is platted.

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

Ms. Redmond pointed out the creek which is a dry (runoff) creek.

Commissioner Crisp made a motion to approve Item 2, **Z-FY-17-33**, as presented, and Commissioner Alaniz made a second.

Motion passed: (7:0)

Commissioners Armstrong and Marshall absent

ORDINANCE NO. _____
(Z-FY-17-33)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE REZONING OF SEVERAL LOTS IN CEDAR RIDGE CROSSING PHASE II, LOCATED AT 10684 WEST STATE HIGHWAY 36, TEMPLE, TEXAS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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

Part 1: The City Council approves a rezoning of several lots in Cedar Ridge Crossing Phase II, located at 10684 West State Highway 36, Temple, Texas, as follows:

- a) Agricultural to General Retail on Lot 1, Block 1;
- b) Agricultural and Neighborhood Services to General Retail on Lots 2 and 3, Block 1;
- c) Agricultural to Commercial on Lot 5, Block 1;
- d) Agricultural to General Retail on Lot 4, Block 1; and
- e) Agricultural to Commercial on Lot 4, Block 1.

Part 2: Staff recommends approval of the rezonings stated above and as outlined in the map attached hereto as Exhibit 'A,' and made a part hereof for all purposes.

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 **21st** day of **September**, 2017.

PASSED AND APPROVED on Second Reading on the **5th** day of **October**, 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

10/05/17
Item #5(T)
Consent Agenda
Page 1 of 5

DEPT. / DIVISION SUBMISSION & REVIEW:

Mark Baker, Senior Planner

ITEM DESCRIPTION: SECOND READING - Z-FY-17-41: Consider adopting an ordinance authorizing a rezoning from Agricultural zoning district to Planned Development - Neighborhood Service zoning district, on 1.012 +/- acres, located in the George W. Lindsey Survey, Abstract No. 513, Bell County, Texas, located at 830 and 850 FM 2271.

PLANNING & ZONING COMMISSION RECCOMENDATION: At their August 21, 2017 meeting, the Planning & Zoning Commission voted seven to zero to recommend approval of the proposed rezoning per staff's recommended conditions. During the meeting the following were discussed:

1. Non-residential uses of the subject property;
2. Buffering and screening;
3. Exterior building materials; and
4. Residential character of the neighborhood

As a result of the Planning & Zoning Commission meeting, a condition has been added in which the applicant has agreed to stone or brick on the west, east and south-facing building elevations. Along with the Development/ Site Plan, building elevations will be submitted for public review by the Planning & Zoning Commission and City Council. Notification of property owners within 200 feet will occur with the public review.

STAFF RECOMMENDATION: Staff recommends approval for a rezoning from Agricultural (AG) district to Planned Development – Neighborhood Service (PD-NS) district for the following reasons:

1. The request **is** in compliance with UDC Section 3.4.5A-J Planned Development Criteria;
2. The request, conditioned as a Planned Development is **partially** consistent with Future Land Use Map designation of the Suburban Residential land use designation;
3. The request, conditioned as a Planned Development is **partially** consistent with the FM2271 Corridor Plan's recommended zoning and land use designations;
4. Public facilities **are** available to serve the property; and
5. The request, conditioned as a Planned Development would help ensure compatibility with surrounding uses and the anticipated and potential growth of the corridor.

As a Planned Development with Neighborhood Service base zoning, (PD-NS), staff recommends the following conditions:

1. Submittal of a Development/ Site Plan & exterior building elevations for consideration and review by the Planning & Zoning Commission and City Council;
2. Development of the property shall be limited to detached single-family residences, beauty salon, barber shop or other similar types of personal services and general office uses;
3. A 15-foot perimeter buffer and screening strip consisting of a combination of existing trees, solid fencing ranging between 6-8-foot high and new plantings reviewed at the time of public Development/ Site Plan review;
4. Maximum building height of two stories (25 feet);
5. Residential appearance to buildings with pitched roofs, windows, foundation plantings and brick / masonry facades;
6. Use of stone or brick, no less than eight feet in height from grade on the east, west and south-facing building elevations;
7. Freestanding signs with a maximum 10 feet in height and limited to external illumination; and
8. Lighting shall be shielded using full-cutoff fixtures to prevent light trespass to neighboring properties.

ITEM SUMMARY: The applicant, A.C. Boston, on behalf of Boston Properties, requests the rezoning of two tracts of land, combined for 1.012 +/- acres, proposed for rezoning from Agricultural (AG) zoning district to Planned Development - Neighborhood Service (PD-NS) zoning district. Development is proposed for a barber shop on the tract addressed as 830 FM 2271. The tract of land addressed as 850 FM 2271 has potential for an office or other similar use. The applicant has agreed to restrict and condition these uses through a Planned Development concept.

The subject property has been graded and trees and other vegetation have been cleared within the interior and portions of the perimeter boundary of the two lots. Per Stormwater Code Section 27-6, a Storm Water Pollution Protection Plan (SWPPP) and site notice are required to have been submitted to Public Works Engineering for consideration. According to Engineering, records, no application has been filed. Therefore, compliance to drainage issues will need to be addressed during the review of the development/ site plan.

PLANNED DEVELOPMENT (UDC SEC. 3.4): A Planned Development is a flexible overlay zoning district designed to respond to unique development proposals, special design considerations and land use transitions by allowing evaluation of land use relationships to surrounding areas through Development / Site Plan approval.

Per UDC Sec.3.4, the Development / Site Plan is binding and subject to review and approval by City Council. As opposed to a standard rezoning, conditions of approval can be included into the rezoning Ordinance.

Further, although this PD will have a base zoning of Neighborhood Service (NS), only two uses will be identified as permitted uses. Dimensional standards of the base-NS are applicable however, building height will be restricted to two-stories rather than three allowed in NS. At the same time, the PD concept codifies the intent of the FM 2271 Corridor Plan and utilizes the natural resources to add buffer and screening of the existing residential uses from the development of the subject property. As a PD, a Development / Site Plan is required and reviewed by the Planning & Zoning Commission and City Council in the future.

In determining whether to approve, approve with conditions or deny a Planned Development application, the Planning & Zoning Commission and City Council must consider criteria as set forth in UDC Section 3.4.5 A-J. The Planned Development Criteria and Compliance Summary is attached.

FM 2271 CORRIDOR PLAN: The City of Temple City Council adopted the FM 2271 Corridor Plan per Ordinance 98-2589. The Corridor Plan was intended to be a general guide for development within the study area over the course of 10 to 20 years. While it was adopted in 1998, it is still a relevant guideline for the defined corridor. It is noteworthy however, that this is the third rezoning request for non-residential uses within the corridor in the last three months and the area may be experiencing a transition to other types of uses.

The study area for the Corridor Plan spans one-quarter mile on either side of FM 2271 / Morgan's Point Road, within the corporate boundaries of the City of Temple, bounded by Belton Dam on the south and Bonnie Lane on the north, consisting of approximately 438 acres of land. The subject property is within those boundaries and is subject to the guidelines of the Corridor Plan. The subject property, being equally-distant between two nodes of general-retail, is identified for low-density residential uses which are more typical of the Single-Family One (SF-1) or Urban Estate (UE) zoning districts.

While staff is supportive of SF-1 or UE zoning, UDC Section 7.2.4, prohibits new residential driveways onto an arterial. In addition, the inherent way the corridor has developed, additional residential uses may pose their own unique set of challenges.

Although this may be remedied by plat design or shared driveway, the overall size and orientation of the existing lots add to the challenges of developing the remaining lots for residential uses, particularly on the west side of FM 2271.

According to the applicant, the subject property has been previously used for non-residential uses. Since there are no vesting rights after a non-conforming use has been abandoned, as provided for by UDC Sec. 9.2.4, it is noteworthy that non-residential uses have been established along residential-sections of FM 2271 in the past.

In order to accommodate development, a formal subdivision plat is required. The plat will also address access consideration to the western-most property (850 FM 2271).

In addition, there are some existing mature trees on the subject property, particularly on the western-most tract, addressed as 850 FM 2271. Per UDC Section 7.4.4, a minimum 5% of the subject property is to be landscaped. It is further noted that per UDC sections 7.4.7 and 7.4.11, existing landscaping requirements may be adjusted using interior trees that exist prior to development. This is an opportunity to use the existing trees to meet code requirements.

Further, since there are existing residential uses which need to be screened and buffered from a potential non-residential use, a 15-foot perimeter buffer, which incorporates the existing trees and supplemented by a solid six to eight foot high fence and additional landscape materials is warranted. Compliance to the use of existing trees and the effectiveness for screening and buffering would be confirmed with the public review of the formal development / site plan at the time of site development.

Staff has met with the applicant, identified and agreed upon on two types of users that are compatible: (1) a beauty salon, barber shop or other similar service use and/or (2) an office use. These two use types have similar land use impacts, such as traffic, to a single-family residential use. Further, staff has identified that the subject property could accommodate up to four single family lots.

According to the Institute of Transportation Engineers (9th Edition), four single family residences would generate four peak hour trips. In comparison, the more intensive, barber shop / beauty shop would generate approximately 3.86 peak hour trips for a 2,000 square foot building. A table comparing peak hour traffic volumes for the proposed uses are provided in the attached table.

TxDOT has confirmed that the southern-most driveway will be permitted as a 30-foot wide driveway access point to accommodate future development. Upon permit issuance, the northern driveway will be removed by TxDOT. Construction of the southern driveway will follow upon permit by the property owner of 830 FM 2271.

Therefore, in an effort to accommodate the applicant's desire to market the property for non-residential uses as well as address the unique challenges that this location present, a Planned Development provides **partial consistency** with the goals and intent of the FM 2271 Corridor Plan. As a Planned Development, specifically identified non-residential uses having similar traffic impacts to single family uses, combined with adequate buffering, screening and implementation of the FM 2271 Corridor Plan's non-residential guidelines, will be necessary.

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 entirely within the Suburban Residential land use district. The Suburban Residential district is for mid-size single family lots, allowing for greater separation between dwellings and more emphasis on green spaces versus the streets and driveways that predominate in an Auto-Urban setting. While staff supports this specific non-residential zoning within the Suburban Residential designation, it is reviewed on a case by case basis and its' compatibility with existing and anticipated uses of the surrounding area. Buffering and screening through a Planned Development concept is recommended in order to gain compatibility. Additional discussion regarding land use compatibility can be found in the FM2271 Corridor Plan section. Therefore as a proposed Planned Development with screening, buffering and restrictions to uses within the proposed Neighborhood Service base-zoning is **partially** consistent with the Suburban Residential Future Land Use Map designation.

Thoroughfare Plan (CP Map 5.2)

The subject property takes access from FM 2271, is shown on the Thoroughfare Plan as a minor arterial. A minor arterial requires a minimum 70 feet of right-of-way (ROW) and 49 feet of pavement. The anticipated subdivision plat will address any needed ROW dedication. To date, no dedication issues have been identified. No Transportation Capital Improvement Program (TCIP) improvements scheduled through FY 2024 have been identified.

Availability of Public Facilities (CP Goal 4.1)

Sewer is available from an 8-inch sewer line within FM 2271. Water is available through a 2-inch water line in FM 2271. Public Works has indicated that a two inch water line is sufficient for the uses proposed by the Planned Development.

Temple Trails Master Plan Map and Sidewalks Ordinance

On FM 2271, a proposed City-wide Spine Trail is shown on the Trails Master Plan. In addition, as a major arterial, a six foot sidewalk is required along FM 2271. The City may agree to upsize the six foot sidewalk. Provisions for the sidewalk will be addressed during the plat review stage.

DEVELOPMENT REGULATIONS: The attached table compare and contrast, the current Agricultural development standards with the proposed Neighborhood Service district standards.

PUBLIC NOTICE: Twenty Two notices to property owners within 200-feet of the subject property were sent notice of the public hearing as required by State law and City Ordinance. As of Tuesday September 12, 2017 at 9:00 AM, no notices in agreement and three notices (representing four properties) in disagreement have been received. To date, the percentage of land in protest is 25.38%. **Per UDC Section 3.3.4, a 4/5^{ths} vote by City Council is required.**

The newspaper printed notice of the public hearing on August 10, 2017, in accordance with state law and local ordinance.

SCHOOL DISTRICT: Belton ISD

FISCAL IMPACT: Not Applicable

ATTACHMENTS:

[Surveyor Sketch & Field Notes \(Exhibit A\)](#)

[Photos](#)

[Maps](#)

[Tables](#)

[Planned Development Criteria Table \(UDC Section 3.4.5A-J\)](#)

[Returned Property Notices](#)

[P&Z Excerpts \(August 21, 2017\)](#)

[Ordinance](#)

LEGEND

- P.O.B.

POINT OF BEGINNING
- ()

RECORD CALL PER DOCUMENT NO. 201000027800
- { }

RECORD CALL PER DOCUMENT NO. 201100010417
- FOUND 1/2" IRON PIPE
- ⊙

FOUND 1/2" IRON PIPE
- SET 1/2" IRON ROD WITH A BLUE "QUICK INC. RPLS 6447" PLASTIC CAP
- ⊘

UTILITY POLE
- Ⓜ

WATER METER
- Ⓣ

TELEPHONE PEDESTAL
- // ——— //

WOOD FENCE
- • — • — • — • —

CHAIN-LINK FENCE
- OELx —

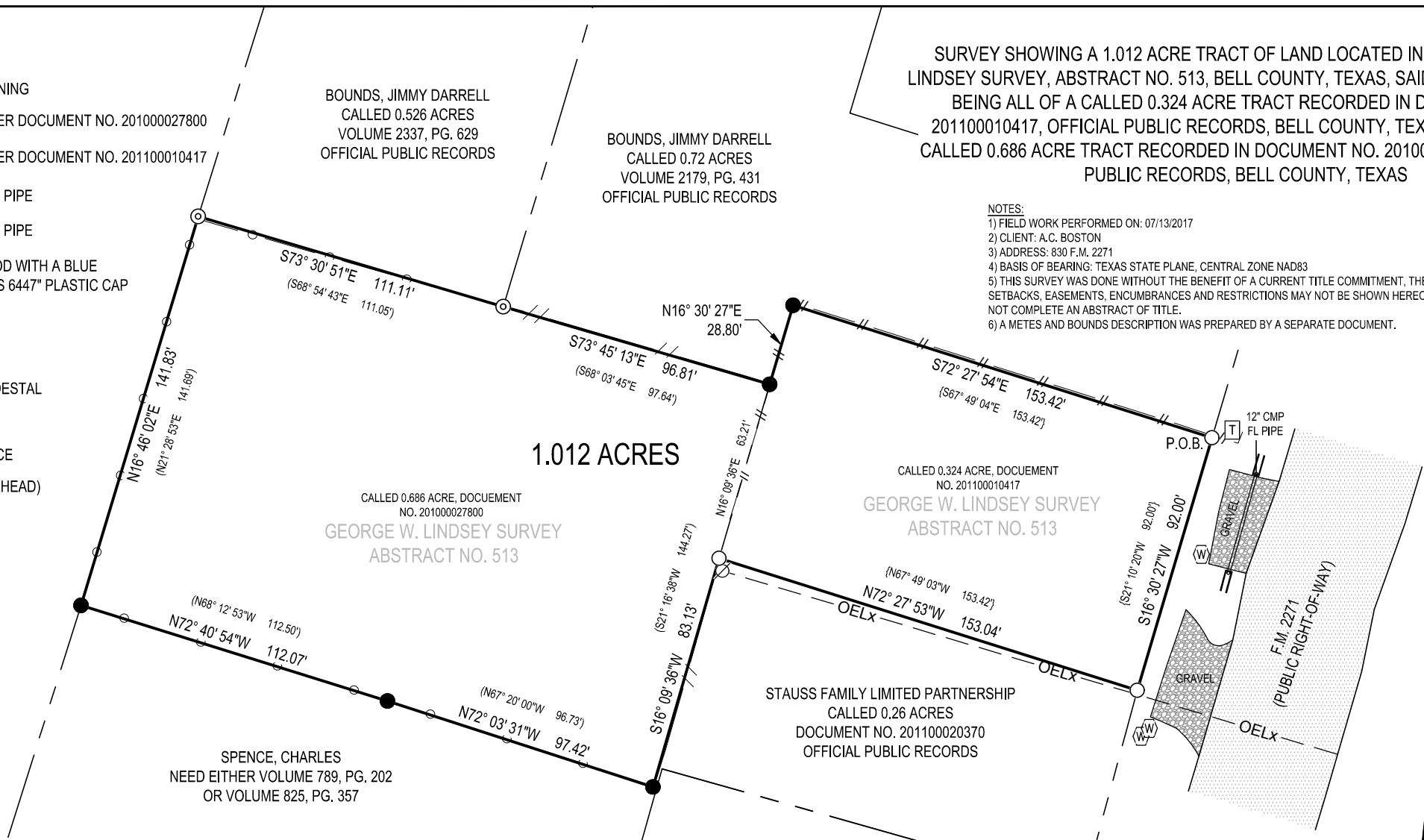
ELECTRIC (OVERHEAD)

BOUNDS, JIMMY DARRELL
CALLED 0.526 ACRES
VOLUME 2337, PG. 629
OFFICIAL PUBLIC RECORDS

BOUNDS, JIMMY DARRELL
CALLED 0.72 ACRES
VOLUME 2179, PG. 431
OFFICIAL PUBLIC RECORDS

SURVEY SHOWING A 1.012 ACRE TRACT OF LAND LOCATED IN THE GEORGE W. LINDSEY SURVEY, ABSTRACT NO. 513, BELL COUNTY, TEXAS, SAID 1.012 ACRE TRACT BEING ALL OF A CALLED 0.324 ACRE TRACT RECORDED IN DOCUMENT NO. 201100010417, OFFICIAL PUBLIC RECORDS, BELL COUNTY, TEXAS AND ALL OF A CALLED 0.686 ACRE TRACT RECORDED IN DOCUMENT NO. 201000027800, OFFICIAL PUBLIC RECORDS, BELL COUNTY, TEXAS

- NOTES:
- 1) FIELD WORK PERFORMED ON: 07/13/2017
- 2) CLIENT: A.C. BOSTON
- 3) ADDRESS: 830 F.M. 2271
- 4) BASIS OF BEARING: TEXAS STATE PLANE, CENTRAL ZONE NAD83
- 5) THIS SURVEY WAS DONE WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT, THEREFORE ALL SETBACKS, EASEMENTS, ENCUMBRANCES AND RESTRICTIONS MAY NOT BE SHOWN HEREON. THE SURVEYOR DID NOT COMPLETE AN ABSTRACT OF TITLE.
- 6) A METES AND BOUNDS DESCRIPTION WAS PREPARED BY A SEPARATE DOCUMENT.





QUICK INC.

LAND SURVEYING

FIRM NUMBER: 10194104

OFFICE: 3305 SHELL ROAD, SUITE 100, GEORGETOWN, TX, 78628 PHONE: 512-915-4950

MAILING ADDRESS: 4500 WILLIAMS DR, SUITE 212, BOX 228, GEORGETOWN, TX 78633



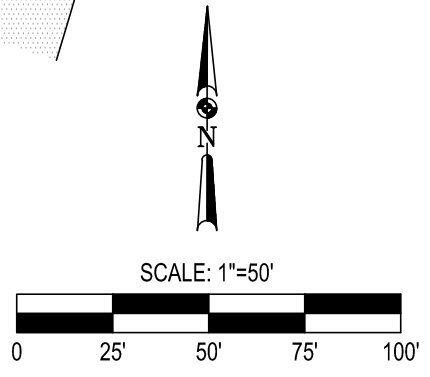
I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND, AND THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THIS PLAT CORRECTLY REPRESENTS THE FACTS FOUND AT THE TIME OF THIS SURVEY.

Travis L. Quicksall

TRAVIS L. QUICKSALL DATE: JULY 19, 2017
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 6447
JOB NO. 17-2180

SPENCE, CHARLES
CALLED 0.52 ACRES
VOLUME 1390, PG 100
OFFICIAL PUBLIC RECORDS

EXHIBIT A



QUICK INC.

LAND SURVEYING

Office Address: 3305 Shell Rd. Suite 100, Georgetown, Texas 78628

Mailing Address: 4500 Williams Dr. , Suite 212, Box 228, Georgetown, Texas 78633

Phone: 512-915-4950

FIELD NOTES FOR A 1.012 ACRE TRACT OF LAND:

BEING A 1.012 ACRE TRACT OF LAND LOCATED IN THE GEORGE W. LINDSEY SURVEY, ABSTRACT NO. 513, BELL COUNTY, TEXAS, SAID 1.012 ACRE TRACT BEING ALL OF A CALLED 0.324 ACRE TRACT RECORDED IN DOCUMENT NO. 201100010417, OFFICIAL PUBLIC RECORDS, BELL COUNTY, TEXAS AND ALL OF A CALLED 0.686 ACRE TRACT RECORDED IN DOCUMENT NO. 201000027800, OFFICIAL PUBLIC RECORDS, BELL COUNTY, TEXAS; SAID 1.012 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" iron rod set in the west line of FM 2271, said point being the northeast corner of said 0.324 acre tract, the southeast corner of a called 0.72 acre tract recorded in Volume 2179, Page 431, Official Public Records, Bell County, Texas and being the northeast corner of the herein described tract;

1. **Thence**, with the west line of F.M. 2271, the east line of said 0.324 acre tract, **N 16° 30' 27" W**, a distance of **92.00'** (RECORD, S 21° 10' 20" W, 92.00') to a 1/2" iron rod set at the southeast corner of said 0.324 acre tract, said point being the southeast corner of the herein described tract;
2. **Thence**, with the southwest line of said 0.324 acre tract, **N 72° 27' 53" W**, a distance of **153.04'** (RECORD, N 67° 49' 03" W, 153.42') to a 1/2" iron rod set at the southwest corner of said 0.324 acre tract, said point being in the east line of said 0.686 acre tract and being an interior corner of the herein described tract;

Thence, following the outer perimeter of said 0.686 acre tract the following six (6) courses and distances:

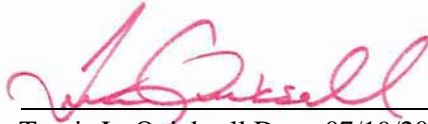
3. **S 16° 09' 36" W**, a distance of **83.13'** to a 1/2" iron rod found at the southeast corner of said 0.686 acre tract, said point being an exterior corner of the herein described tract;
4. **N 72° 03' 31" W**, a distance of **97.42'** (RECORD, N 67° 20' 00" W, 96.73') to a 1/2" iron rod found at the southeast corner of said 0.686 acre tract, said point being an exterior corner of the herein described tract;
5. **N 72° 40' 54" W**, a distance of **112.07'** (RECORD, N 68° 12' 53" W, 112.50') to a 1/2" iron rod found at the southwest corner of said 0.686 acre tract, said point being the southwest corner of the herein described tract;
6. **N 16° 46' 02" E**, a distance of **141.83'** (RECORD, N 21° 28' 53" E, 141.69') to a 1/2" iron pipe found at the northwest corner of said 0.686 acre tract, said point being the northwest corner of the herein described tract;

7. **S 73° 30' 51" E**, a distance of **111.11'** (RECORD, S 68° 54' 43" E, 111.05') to a 1/2" iron pipe found at an angle point of said 0.686 acre tract, said point being an angle point of the herein described tract;
8. **S 73° 45' 13" E**, a distance of **96.81'** (RECORD, S 68° 03' 45" E, 97.64') to a 1/2" iron rod found at the northeast corner of said 0.686 acre tract, said point being in the northwest line of said 0.324 acre tract and being an interior corner of the herein described tract;

Thence, around the outer perimeter of said 0.324 acre tract the following two (2) courses and distances:

9. **N 16° 30' 27" E**, a distance of **28.80'** to a 1/2" iron rod found at the northwest corner of said 0.324 acre tract, said point being an exterior corner of the herein described tract;
10. **S 72° 27' 54" E**, a distance of **153.42'** (RECORD, S 67° 49' 04" E, 153.42') to the **POINT OF BEGINNING** containing 1.012 acres of land.




Travis L. Quicksall Date: 07/19/2017
RPLS #6447
Job #17-2180

Site & Surrounding Property Photos



**Site (830 FM 2271): Undeveloped (As seen from FM 2271)
(AG)**



**Site (830 FM 2271): Undeveloped (Looking toward North Property Line)
(AG)**



**Site (850 FM 2271): Undeveloped (Note Vegetation - Western Property Boundary)
(AG)**



**Site (850 FM 2271): Looking North toward Fence & Residence
(AG)**



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



**East (Google Earth Image): Existing Residential Uses
Lakewood West at Lakewood Ranch subdivision
(Looking North along FM 2271)
(UE)**



**West: Undeveloped
(AG)**

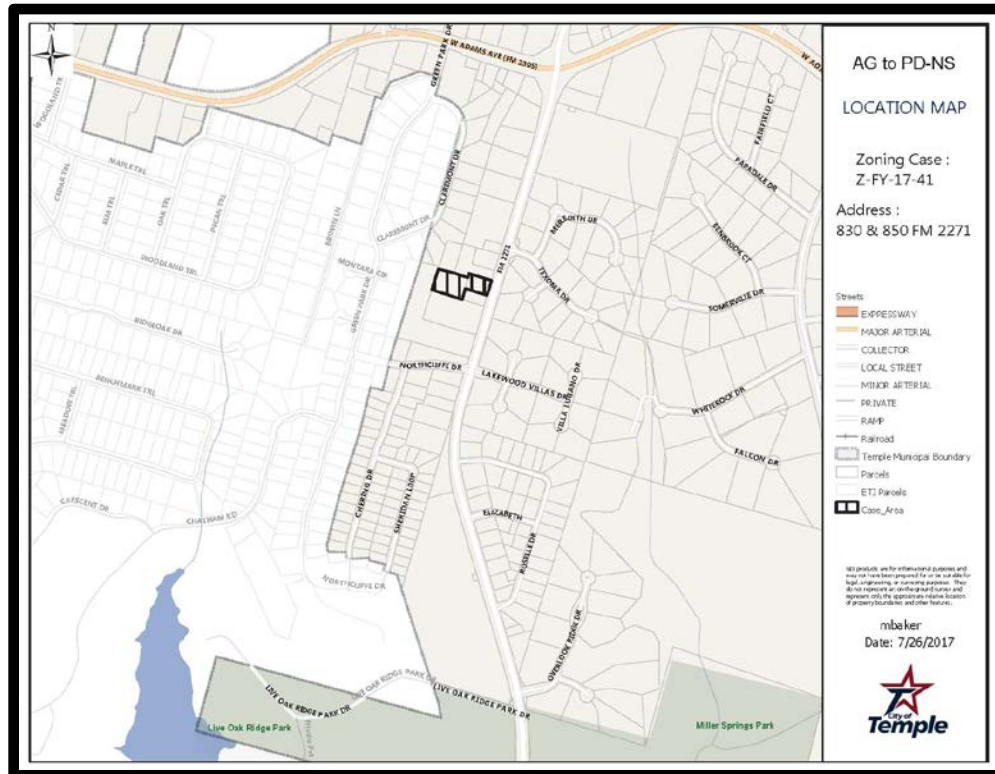


**South: Single Family Use on Acreage (Adjacent to 830 FM 2271)
(AG)**



**South: Undeveloped (As seen from 850 FM 2271)
(AG)**

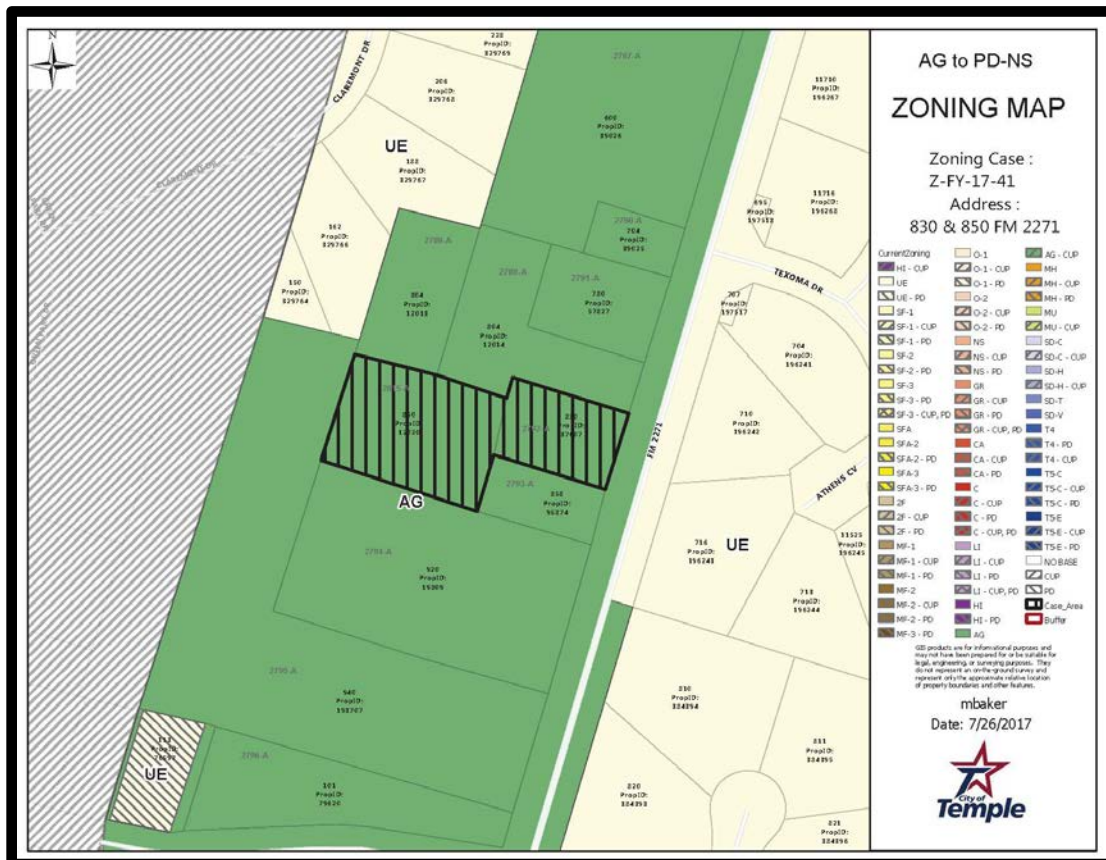
Maps



Location Map



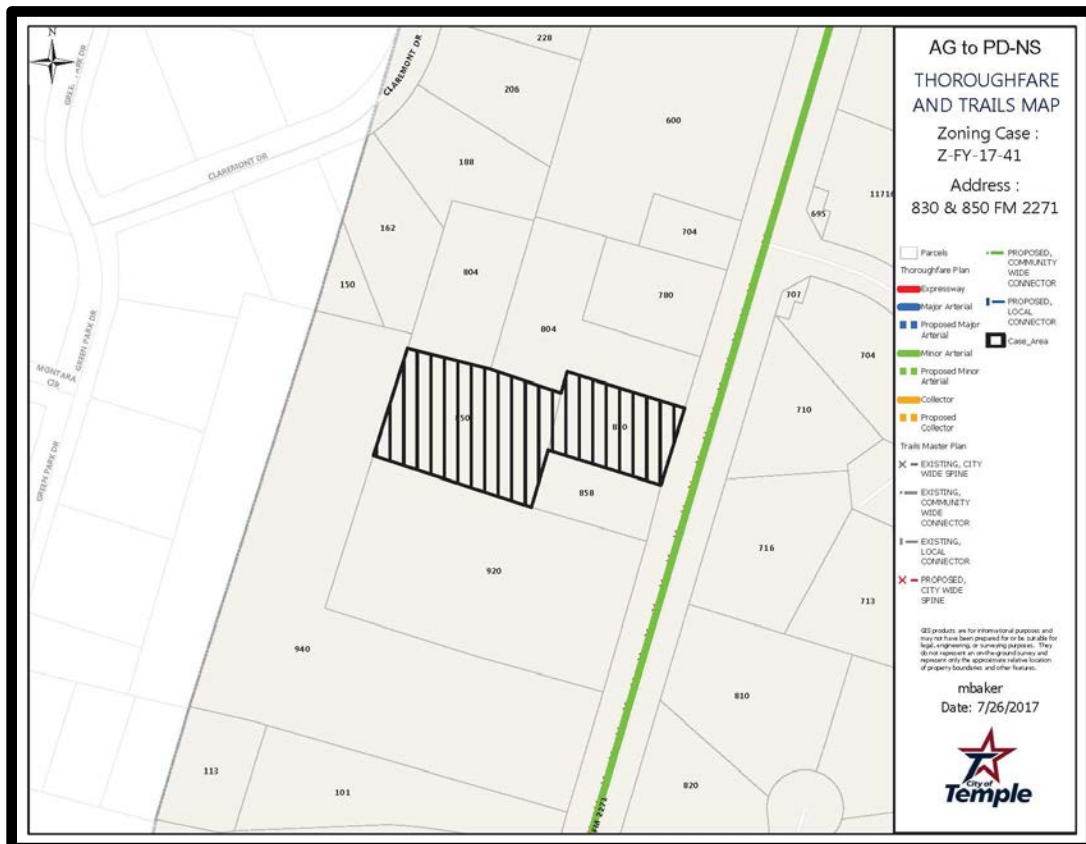
Aerial Map



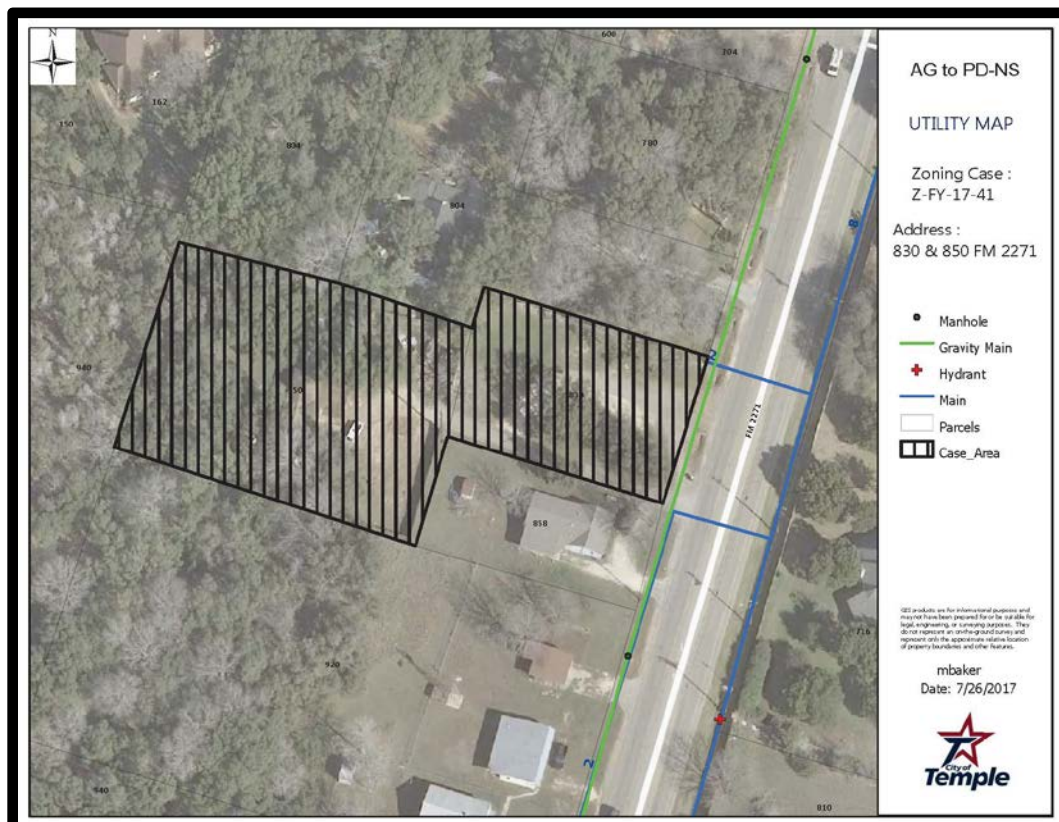
Zoning Map



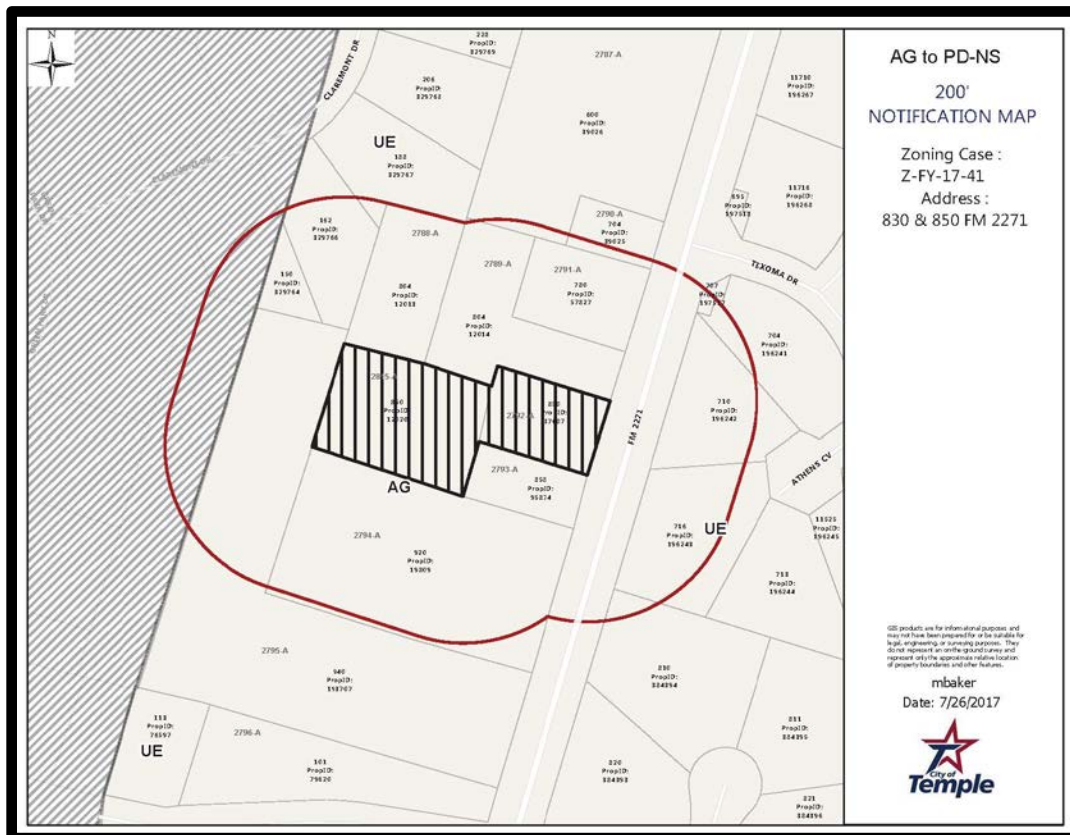
Future Land Use Map



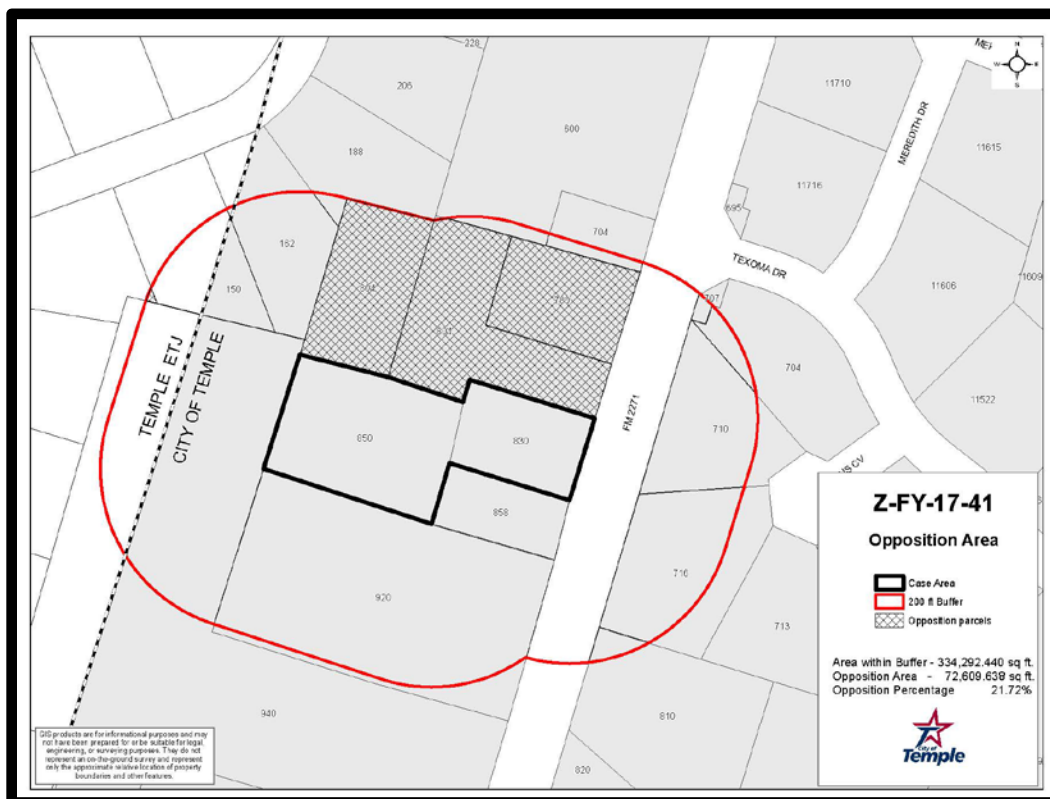
Thoroughfare & Trails Map



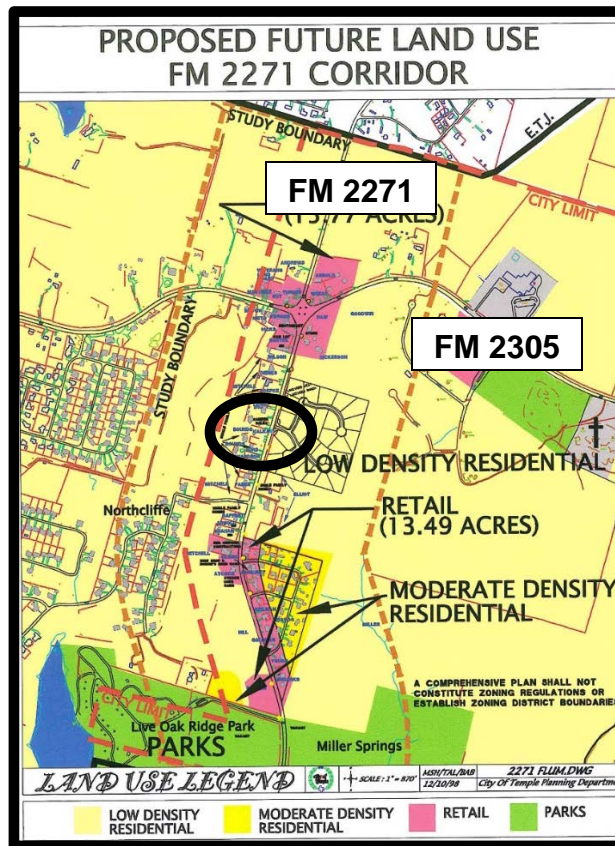
Utility Map



Notification Map



Opposition Map



**FM 2271 Corridor Plan – Future Land Use Map
Subject Property Area encircled in BLACK**



**FM 2271 Corridor Plan – Zoning Map
Subject Property Area encircled in BLACK**

Tables

Surrounding Property Uses

<u>Surrounding Property & Uses</u>			
Direction	FLUP	Zoning	Current Land Use
Site	Suburban Residential	AG	Undeveloped
North	Suburban Residential	AG	SF Residences on Acreage
South	Suburban Residential	AG	SF Residences on Acreage
East	Suburban Residential	UE	SF Residences
West	Suburban Residential	AG / UE	Undeveloped & Scattered SF Uses

Comprehensive Plan Compliance

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

Development Standards

	<u>Current (AG)</u> <u>Residential</u>	<u>Proposed</u> <u>(PD-NS)</u> <u>Non-Res</u>
Minimum Lot Size	1 Acre	N/A
Minimum Lot Width	100 Feet	N/A
Minimum Lot Depth	150 Feet	N/A
Front Setback	50 Feet	15 Feet
Side Setback	15 Feet	10 Feet
Side Setback (corner)	15 Feet	10 Feet
Rear Setback	10 Feet	❖ 10 Feet
Max Building Height	3 Stories	2 Stories

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

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

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

**NOTE: A 15-FOOT PERIMETER LANDSCAPE STRIP IS PROPOSED
AS DEPICTED BY EXHIBIT A**

<u>Peak Hour Trip Rates Table (9th Ed. ITE Manual)</u>	
<u>Use</u>	<u>Peak Hour Trip Rate</u>
Single Family (Detached) Residence	1.00 per DU
General Office Building	1.49 (Per 1,000 S.F.)
Hair Salon	1.93 (Per 1,000 S.F.)

Planned Development Criteria and Compliance Summary

UDC Code Section 3.4.5 (A-J)	Yes/No	Discussion / Synopsis
A. The Plan Complies with all provisions of the Design and Development Standards Manual, this UDC and other Ordinances of the City.	YES	It is fully anticipated that the future development / site plan attached with the rezoning ordinance will conform to all applicable provisions of the UDC as well as to dimensional, developmental and design standards adopted by the City for any new non-residential development.
B. The environmental impact of the development relating to the preservation of existing natural resources on the site and the impact on natural resources of the surrounding impacts and neighborhood is mitigated.	YES	Drainage and other related engineering will be addressed at the platting stage. No issues have been identified related to the preservation of existing natural resources on the property.
C. The development is in harmony with the character, use and design of the surrounding area.	YES	The project site is located at the west side of FM2271 approximately 1500 feet south of its intersection with FM 2305. While the FM 2271 Corridor Plan identifies this area as low-density residential, a restricted Planned Development will implement the intent of the Corridor Plan as well as allow non-residential uses to support the existing residential development along this section of the corridor. Restricted uses will compliment and integrate with residential development as opposed to all the uses that are potentially permitted in the Neighborhood Service base zoning.
D. Safe and efficient vehicular and pedestrian circulation systems are provided.	YES	Vehicular circulation will be formally addressed during the platting stage. While there are a number of existing residential driveways, TxDOT input will be required to determine the number of allowed driveways. During this review period, TxDOT has provided a preliminary response being that while the southern driveway will be permitted, the northern driveway will be closed by TxDOT upon permit issuance and the developer of the property will develop the southern driveway.
E. Off-street parking and loading facilities are designed to ensure that all such spaces are usable and are safely and conveniently arranged.	YES	Once the use has been determined, parking will be provided and shown on the future development / site plan which will be reviewed by the DRC as well as the Planning & Zoning Commission and City Council prior to the issuance of any building permit.
F. Streets are designed with sufficient width and suitable grade and location to accommodate prospective traffic and to provide access for firefighting and emergency equipment to buildings.	YES	No new streets are anticipated but compliance to UDC Section 8.2 would be addressed through any future platting process.
G. Streets are coordinated so as to compose a convenient system consistent with the Thoroughfare Plan of the City.	YES	Compliance and consistency with the Thoroughfare Plan will be addressed during the subdivision plat stage. No compliance issues have been identified.
H. Landscaping and screening are integrated into the overall site design: 1. To provide adequate buffers to shield lights, noise, movement or activities from adjacent properties when necessary. 2. To complement the design and location of buildings.	YES	Landscaping requirements will be addressed with the public review of the development / site plan by the Planning & Zoning Commission and City Council. Review of the building plans will confirm compliance of the adopted Development/ Site Plan. A perimeter buffer strip adjacent to the existing residential uses will ensure adequate buffering and screening from the use of existing trees and other landscape material as well as the existing solid fence. Additional solid fencing may be identified and required during the public review of the Development / Site Plan.
I. Open space areas are designed to ensure that such areas are suitable for intended recreation and conservation uses.	YES	Parkland dedication in accordance with UDC Section 8.3 is not required for non-residential development.
J. Water, drainage, wastewater facilities, garbage disposal and other utilities necessary for essential services to residents and occupants are provided.	YES	Water will be provided by the City of Temple through an existing 2" water line. Public Works staff has indicated that a 2" water line is sufficient for office, beauty salons, barber shops or other similar uses. An 8-inch sewer line is available in FM 2271. No other issues have been identified.



RESPONSE TO PROPOSED
REZONING REQUEST
CITY OF TEMPLE

KELLAM, LARRY D ETUX CELESTE
128 CLAREMENT DR
BELTON, TX 76513

Zoning Application Number: Z-FY-17-41

Case Manager: Mark Baker

Location: 830 and 850 FM 2271, 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:

* Concerns ON the ^{potential} impact to property values
* Could set A precedent for the other property owners fronting 2271 to do the same.
* Concerns about visual impact from our homes
* Our homes were purchased knowing this was zoned Agricultural Use.

L.D. Kellam 8/14/17

Signature

LARRY D. Kellam

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 **August 21, 2017**.

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

RECEIVED

AUG 14 2017

City of Temple
Planning & Development

Number of Notices Mailed: 22

Date Mailed: August 10, 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

KALKA, LARRY J ETUX JANET K
780 FM 2271
BELTON, TX 76513-6578

Zoning Application Number: Z-FY-17-41

Case Manager: Mark Baker

Location: 830 and 850 FM 2271, 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:

It looks to me that it has already been approved. Because the new owner has already started spreading lots and lots of base material, so that the entire property looks like a parking lot. I definitely disagree with this request.

Larry J. Kalka
Signature *Janet K. Kalka*

Larry J. Kalka
Print Name Janet K Kalka

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 **August 21, 2017**.

RECEIVED

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

AUG 15 2017

City of Temple
Planning & Development

Number of Notices Mailed: 22

Date Mailed: August 10, 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

BOUNDS, JIMMY D ETUX PATRICIA
804 FM 2271
BELTON, TX 76513-6523

Zoning Application Number: Z-FY-17-41

Case Manager: Mark Baker

Location: 830 and 850 FM 2271, 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:

THE CRIME RATE WILL GO UP, MORE UNKNOWN PEOPLE ON
OUR STREET AND WALKING AROUND OUR PROPERTY, NO MORE
QUIET FOR US + OUR GRANDCHILDREN; OUR PROPERTY TAXES
WILL GO UP, NO MORE WILDLIFE WALKING THROUGH OUR
PROPERTY. MR. BOSTON'S CONSTRUCTION IS SPRAYING DUST EVERYWHERE
AND CAUSING HEAD ACES AND COUGHING; TOO MUCH NOISE!
Patricia A. Bounds Jimmy D. Bounds AND PATRICIA BOUNDS

Signature

Print Name

If you would like to submit a response, please email a scanned version of this completed form to the Case Manager referenced above, mbaker@templetx.gov or mail or hand-deliver this comment form to the address below, no later than **August 21, 2017**.

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

RECEIVED
AUGUST 16, 2017

Number of Notices Mailed: 22

Date Mailed: August 10, 2017

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

→ MR. BOSTON'S ^{RENTIERS} ~~RENTIERS~~ AT THE ABOVE LISTED PROPERTIES
HAD THE POLICE AND MR. BOSTON CALLED MULTIPLE
TIMES!

From: [Richard Dayhoff](#)
To: [Mark Baker](#)
Subject: Re-Zoning Northcliffe
Date: Thursday, August 17, 2017 9:10:14 PM

Mr. Baker - how can I make sure that my opposing viewpoint is considered in the upcoming hearing regarding the goat farm rezoning adjacent to Northcliffe subdivision in Belton/Temple? I am in Seoul, South Korea for a few years and have a house that backs to the goat farm.

Thanks, VR, --Richard

--

Richard Dayhoff
dayhoffrp@gmail.com

Property is Outside of
200-foot notification Boundary

**EXCERPTS FROM THE
PLANNING & ZONING COMMISSION MEETING
MONDAY, AUGUST 21, 2017**

ACTION ITEMS

Item 4: Z-FY-17-41 – Hold a public hearing to discuss and recommend action on a rezoning from Agricultural (AG) zoning district to Planned Development - Neighborhood Service (PD-NS) zoning district, on 1.012 +/- acres, located in the George W. Lindsey Survey, Abstract No. 513, Bell County, Texas, located at 830 and 850 FM 2271.

Mr. Mark Baker, Senior Planner, stated this item was scheduled to go forward to City Council for first reading on September 21, 2017 and second reading on October 5, 2017.

The applicant is requesting a Planned Development–Neighborhood Service (PD-NS) zoning for a potential use of a barber shop/beauty salon or office uses.

A subdivision plat would be required prior to development and may require Planning & Zoning Commission review.

The property is within the boundaries of the FM 2271 Corridor Plan and located in the Belton Independent School District.

On-site photos shown.

Surrounding properties include existing single family residence on acreage, zoned AG, to the north, existing single family residential uses (Lakewood West at Lakewood Ranch subdivision), zoned UE, to the east, existing single family residence, zoned AG, and undeveloped land to the south, and undeveloped land to the west.

FM 2271 Corridor Plan was adopted in 1998 by Ordinance No. 98-2589 and was intended as a general development guide.

The boundaries on both sides of FM 2271 is bordered by Bonnie Lane on the North and by Belton Dam to the South and encompasses approximately 438 acres of land.

The guidelines are to provide for the use of trees and other landscaping materials for corridor enhancement with flexibility for existing materials, promotes residential appearance for non-residential buildings such as pitched roofs and foundation plantings, brick / masonry façades, building / sign height limitations, and places limits on distances between driveways.

Both FM 2271 Corridor Future Land Use and Character and current zoning maps shown.

UDC, Sec. 3.4. defines Planned Development as:

A Planned Development is a Flexible Overlay Zoning District designed to respond to unique development proposals, special design considerations and land use

transitions by allowing evaluation of land use relationships to surrounding areas through Development / Site Plan approval.

Binding nature of Approved Development /Site Plan

Zoning map shown. Currently zoned AG with a proposed Planned Development (PD-NS) and base zoning of Neighborhood Service. This request is in partial compliance with the FM 2271 Corridor Plan. It is compatible with surrounding zoning conditioned with buffering, screening and restrictions to uses.

The Future Land Use and Character Map designates the subject property as Suburban Residential intended for mid-sized single family lots.

Both water and sewer are available to the subject property.

The Thoroughfare Plan designates FM 2271 as a Minor Arterial and any needed right-of-way will be addressed with the plat, as well as sidewalks. FM 2271 does require a six-foot wide sidewalk.

Any trails would be addressed with the plat.

Traffic Impact information:

Staff looked at a base use of a single family detached residence triggering approximately a one peak hour trip, and the traffic impacts to both general office uses and a hair salon. The Ninth Edition of the Traffic Impact Manual called out hair salon which Staff interprets to include a barber shop or beauty salon or other similar type of uses. The peak trip number would be comparable.

Staff has determined that the two lots would yield a potential of up to four (4) single family residences so 4 peak hour trips would be generated. Using the example of a hair salon/barber shop or beauty salon, based on approximately 2,000 square feet of building area, approximately 3.8 peak hour trips would be generated and with a general office of approximately 2,000 square feet, 2.9 peak hour trips. The traffic generated would be comparable to that of the 4 single family uses, which the AG zoning district currently allows by right with one acre minimum.

Current and Proposed Development Standards for AG and PD-NS. The FM 2271 Corridor Plan limits a building to two stories maximum height.

Twenty-two notices were mailed in accordance with all state and local regulations with zero notices returned in agreement and three notices returned in disagreement.

With the land area within the buffer, it has been calculated to 25.38 percent which triggers a super majority (a 4/5ths vote) by City Council to approve the request. UDC Sec. 2.4.5.

This rezoning request does present several development challenges. The low-density residential that the FM 2271 Corridor Plan identifies supports the UE zoning but does not support the non-residential development that the applicant is requesting.

The Suburban Residential designation of the Future Land Use and Character Map is supportive of both SF-1 and UE but does not support non-residential development. One of the challenges for residential development per UDC Sec. 7.2.4, is a prohibition for a residential drive on to an Arterial (FM 2271).

Staff's goal has been to identify a compromise between maintaining existing residential character and low-impact non-residential uses that could serve the neighborhood.

This request is in compliance with the Thoroughfare Plan, UDC Sec. 3.4.5 A-J (PD Criteria), compatible with surrounding uses and zoning, and public facilities are available to serve the property.

This request is in partial compliance with the FM 2271 Corridor Plan and the Future Land Use and Character Map.

Staff recommends approval of the request for a rezoning from AG district to PD-NS district, subject to the following conditions:

1. Development/ Site Plan Review by Planning & Zoning Commission and City Council;
2. Development limited to single family residences, barber shop/beauty salon (or other similar/comparable personal service use), and offices;
3. 15-foot perimeter buffer (existing trees, six-feet to eight-feet high fence and new plantings);
4. Building height - maximum of two stories (25-feet);
5. Residential appearance to buildings;
6. Monument signage 10-feet high; and
7. Fully shielded lighting to prevent any light trespass.

Mr. Baker confirmed if this rezoning is approved, a plat would be required along with the site plan.

Discussion regarding similar uses allowed on this property.

Mr. Chandler clarified the applicant specifically requested the barber shop use.

Chair Rhoads opened the public hearing.

Mr. A. C. Boston, 12435 FM 2305, Temple, Texas, stated he was the applicant and clarified he has been working with a buyer for two separate properties. The potential buyer/tenant specifically requested a barber and beauty shop and counseling.

Mr. Boston is very supportive of this request.

Ms. Patricia Bounds, 804 FM 2271, Belton, Texas, stated she lives on the north side at 804 FM 2271 and has done so for over 30 years.

Ms. Bounds is opposed to having any business located next to them.

Ms. Bounds stated all the trees on both properties have been cleared out and there have been problems in the past with the renters. Both Mr. Boston and the Police were called on several occasions because of the renters.

Ms. Bounds has concerns if the property is going to be leased out again, crime will go up, a two story building will be seen, there are no trees, and was told the frontage would be paved.

Ms. Bounds is opposed to this request; the area has been nice and quiet and will not be safe with more crime and traffic.

Ms. Celeste Kellan, 128 Claremont Drive, Belton, Texas, stated she is opposed to the request for several reasons. Northcliffe has always been zoned AG and any type of business could have a negative impact on property values for owners who back up to FM 2271.

Ms. Kellan asked about the previous and similar case located on FM 2271 and requested more details on what happened since Ms. Kellan feels something like this could set a precedent for more owners to do the same thing. The area is concerned about the visual impact as well as more traffic congestion and noise.

Ms. Kellan stated the presentation mentioned there would be 70 percent masonry and wanted to know what the 30 percent would be and what type of barrier would be installed.

Mr. Baker responded that Condition No. 3 would include a 15-foot perimeter buffer as part of the Development/Site Plan that would come back for review, existing trees, six-foot to eight-foot high fence, and new plantings proposed within the perimeter of the property boundary.

Uses would need to be of a similar and personal service and/or office use only.

In terms of materials, 70 percent would be masonry, and the remaining 30 percent could have materials of something like a metal type or wood.

Mr. Baker explained there was a previous application request located off of 2305 and 2271 which was adopted in June 2017. Another request to allow an office warehouse was done approximately one and a half years ago which was approved, and coming up in the near future is an application for AG to GR to the west of the mentioned cases, all located north of the intersection.

This is the first case located directly on 2271.

Ms. Kellan stated she was still opposed to the request and a six- to eight-foot tall fence is not a good barrier for a two-story building.

Mr. Jim Bounds, 804 FM 2271, Belton, Texas, stated he and his family have lived in the area since the 1940s.

Mr. Bounds is opposed to the request and does not want the building put there. If it fails, the City will turn it into Commercial, and then it will be a car lot and be a real mess. Mr. Bounds believes it will become a car lot eventually and so do his neighbors and are opposed to this request.

Mr. Baker stated the 20 percent threshold has been triggered for a super majority from City Council.

Mr. Chandler addressed the car dealership/car lot matter and stated another zoning request would need to come in and be approved by P&Z and City Council to allow a car lot and what is on the table does not allow that use. If that were to happen, the public would be notified and have the same opportunity to comment.

Mr. Michael Cox, 927 Benchmark Trail, Belton, Texas, stated he has been a barber for 15 years and understands the safety issues. Mr. Cox currently has a barber shop in Belton.

Mr. Cox does not tolerate riff raff or criminal activity and has a good clientele base which include several law enforcement officers. A lot of his customers live in the subject area and feels this would be a great opportunity all around.

Mr. Cox's wife is an LPC and would also like to do some part-time counseling and the work hours would probably not extend beyond 6:00 p.m.

Mr. Cox lives in the area and wants the neighbors to rest assured he will not tolerate the negative issues mentioned.

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

Mr. Baker clarified that the Development Plan would include the conceptual layout of the parking area, landscaping, setbacks, etc., and the building would need to meet current Code standards.

Commissioner Jones made a motion to approve Item 4, **Z-FY-17-41**, as presented and including stated Conditions 1 through 7, and Commissioner Ward made a second.

Motion passed: (7:0)

Commissioners Armstrong and Marshall absent

ORDINANCE NO. _____
(Z-FY-17-41)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A REZONING FROM AGRICULTURAL ZONING DISTRICT TO PLANNED DEVELOPMENT – NEIGHBORHOOD SERVICE ZONING DISTRICT ON APPROXIMATELY 1.012 ACRES, LOCATED IN THE GEORGE W. LINDSEY SURVEY, ABSTRACT NO. 513, BELL COUNTY, TEXAS, ADDRESSED AS 830 AND 850 FM 2271; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the applicant, A.C. Boston, on behalf of Boston Properties, requests the rezoning of two tracts of land, combined for approximately 1.012 acres, from Agricultural zoning district to Planned Development – Neighborhood Service zoning district for a proposed barber shop;

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 – Neighborhood Service zoning district, on approximately 1.012 acres, located in the George W. Lindsey Survey, Abstract No. 513, Bell County, Texas, addressed as 830 and 850 FM 2271, Temple, Texas, with the following conditions:

1. Submittal of a Development/Site Plan & exterior building elevations for consideration and review by the Planning & Zoning Commission and City Council;
2. Development of the property shall be limited to detached single-family residences, beauty salon, barber shop or other similar types of personal services and general office uses;
3. A 15-foot perimeter buffer and screening strip consisting of a combination of existing trees, solid fencing ranging between 6-8-feet high, and new plantings reviewed at the time of public Development/Site Plan review;
4. Maximum building height of two stories (25 feet);
5. Residential appearance to buildings with pitched roofs, windows, foundation plantings and brick/masonry facades;
6. Use of stone or brick, no less than 8-feet in height from grade on the east, west and south-facing building elevations;
7. Freestanding signs with a maximum height of 10 feet and limited to external illumination;
8. Lighting must be shielded using full-cutoff fixtures to prevent light trespass to neighboring properties; 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 – Neighborhood Service zoning district, on approximately 1.012 acres, located in the George W. Lindsey Survey, Abstract No. 513, Bell County, Texas, addressed as 830 and 850 FM 2271, Temple, Texas, as outlined in the survey and field notes attached hereto as Exhibit ‘A,’ and made a part hereof for all purposes and subject to the following conditions:

1. Submittal of a Development/Site Plan & exterior building elevations for consideration and review by the Planning & Zoning Commission and City Council;
2. Development of the property shall be limited to detached single-family residences, beauty salon, barber shop or other similar types of personal services and general office uses;
3. A 15-foot perimeter buffer and screening strip consisting of a combination of existing trees, solid fencing ranging between 6-8-feet high and new plantings reviewed at the time of public Development/Site Plan review;
4. Maximum building height of two stories (25 feet);
5. Residential appearance to buildings with pitched roofs, windows, foundation plantings and brick/masonry facades;
6. Use of stone or brick, no less than 8-feet in height from grade on the east, west and south-facing building elevations;
7. Freestanding signs with a maximum height of 10 feet and limited to external illumination;
8. Lighting must be shielded using full-cutoff fixtures to prevent light trespass to neighboring properties; and

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 **21st** day of **September**, 2017.

PASSED AND APPROVED on Second Reading on the **5th** day of **October**, 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

10/05/17
Item #5(U)
Consent Agenda
Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

Kayla Landeros, City Attorney
Christina Demirs, Deputy City Attorney

ITEM DESCRIPTION: Consider adopting a resolution ratifying the acceptance of a donation of a 0.350-acre permanent easement and 0.422-acre temporary construction easement located at the intersection Loop 363 and South 31st Street in Temple, Bell County, Texas, necessary for the construction of the Temple Medical Education District Monument planned at this intersection.

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

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The City of Temple joined in partnership with key public and private entities to jointly promote education and medical activities of Scott & White, the VA, Temple College, the Bioscience District, and Texas A&M Health Science Center and to advance the redevelopment of both residential and commercial neighborhoods surrounding the campuses. This community-wide redevelopment effort is entitled Temple Medical Education District, or TMED.

An extensive design concept has been developed for the TMED area. Monumentation and signage at important gateways is included to identify and brand the TMED area. One such gateway is located at the intersection of Loop 363 and South 31st Street. To construct this gateway monument, the City expressed its interest in acquiring a 0.350-acre permanent easement and 0.422 acre temporary construction easement from Scott & White Memorial Hospital (Scott & White), as depicted in the survey attached to the enclosed Resolution. Scott & White has agreed to donate the necessary permanent and temporary construction easement.

At this time, Staff is seeking authorization for the acceptance of the donation of a 0.350-acre permanent easement and 0.422-acre temporary construction easement located at the intersection Loop 363 and South 31st Street in Temple, Bell County, Texas, necessary for the construction of the Temple Medical Education District (TMED) Monument planned at this intersection.

FISCAL IMPACT: The Reinvestment Zone No. 1 will construct the gateway monument to be located within the donated permanent easement. The project will include irrigation, landscaping, and lighting. Scott and White will then maintain the improvements. The City will be responsible for any costs associated with the closing transaction on the land which are expected to be nominal.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. 2017-8897-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, RATIFYING THE ACCEPTANCE OF A DONATION OF AN APPROXIMATELY 0.350 ACRE PERMANENT EASEMENT AND AN APPROXIMATELY 0.422 ACRE TEMPORARY CONSTRUCTION EASEMENT, LOCATED AT THE INTERSECTION OF LOOP 363 AND SOUTH 31ST STREET IN TEMPLE, BELL COUNTY, TEXAS, WHICH IS NECESSARY FOR THE CONSTRUCTION OF THE TEMPLE MEDICAL EDUCATION DISTRICT MONUMENT PLANNED FOR THIS INTERSECTION; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the City joined in partnership with key public and private entities to jointly promote education and medical activities of Baylor Scott & White, the Veterans Administration, Temple College, the Bioscience District, and Texas A&M Health Science Center to advance the redevelopment of both residential and commercial neighborhoods surrounding the campuses - this community-wide redevelopment effort is titled Temple Medical Education District, or TMED;

Whereas, an extensive design concept has been developed for the TMED area where monuments and signage at important gateways are included to identify and brand the TMED area;

Whereas, one gateway is located at the intersection of Loop 363 and South 31st Street and in order to construct this gateway monument, the City expressed its interest in acquiring an approximately 0.350 acre permanent easement and an approximately 0.422 acre temporary construction easement from Baylor Scott & White Memorial Hospital (Scott & White) - Scott & White has agreed to donate the necessary permanent and temporary construction easements to the City;

Whereas, Staff recommends Council ratify the acceptance of the donation of an approximately 0.350 acre permanent easement and an approximately 0.422 acre temporary construction easement located at the intersection Loop 363 and South 31st Street in Temple, Bell County, Texas, necessary for the construction of the Temple Medical Education District Monument planned at this intersection;

Whereas, the Reinvestment Zone No. 1 will construct the gateway monument to be located within the donated permanent easement and the project will include irrigation, landscaping, and lighting - Scott and White will then maintain the improvements and the City will be responsible for any costs associated with the closing transaction on the land which are expected to be nominal; 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 acceptance of the donation of an approximately 0.350 acre permanent easement and an approximately 0.422 acre temporary construction easement located at the intersection Loop 363 and South 31st Street in Temple, Bell County, Texas, necessary for the construction of the Temple Medical Education District Monument planned at this intersection.

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 to accept this donation.

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 5th day of **October**, 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

10/05/17
Item #5(V)
Consent Agenda
Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

Belinda Mattke, Director of Purchasing

ITEM DESCRIPTION: Consider adopting a resolution authorizing the use of the Competitive Sealed Proposal project delivery method for the acquisition of services needed for the construction of the buildings and shade structures needed in the development of Crossroads Park.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The finish-out of Crossroads Park includes the construction of three concession/restrooms buildings (approximately 1,800 square feet each), one maintenance building (approximately 4,000 square feet), and the erection of eight spectator shade structures within the baseball and softball complexes. As communicated to Council on September 21, 2017, with the rejection of bids associated with the initial bidding of Crossroads Park Phase II, staff is recommending the project be broken down into smaller components, with one of the components being an architectural/building package.

Kasberg, Patrick & Associates, LP (KPA), the design consultant for the project, and City Staff believe that the best value for the construction of the architectural component of the project can be obtained if contractor offers to construct this project can be evaluated against several factors, including price. Accordingly, Staff is recommending that the Competitive Sealed Proposal (CSP) method, per Texas Government Code Chapter 2269, Subchapter D, be used for the procurement of the construction of the buildings for Crossroads Park.

In accordance with the Texas Government Code Chapter 2269 and the Local Government Code §252.021, before a municipality enters into a contract that requires competitive sealed bidding, the governing body may consider using a method other than competitive sealed bidding in order to achieve the best value for the municipality.

The proposed evaluation criteria related to the Request for Competitive Sealed Proposals (RCSP) are as follows: 60%, price to construct; 15%, contractor's experience in constructing like-kind projects (including the experience of assigned project team); 15%, contractor's reputation in successfully completing like-kind projects on-time and on-budget; and 10%, proposed timeline. Another benefit associated with using the CSP method is the ability to negotiate with the highest ranked contractor.

If authorized by the Council, Staff anticipates with releasing a RCSP on October 9, 2017, related to the architectural package. Staff anticipates coming back to Council On December 7, 2017, with a recommendation for a contract related to the project.

FISCAL IMPACT: There are no funding requirements associated with authorizing the use of the Competitive Sealed Proposal project delivery method. Assuming Council authorizes the construction contract for sports field lighting with Musco Sports lighting, LLC that is on this City Council Agenda, funding in the amount of \$10,018,308 will remain for the construction of the Crossroads Park buildings, roadways, parking lot, sidewalks, landscaping, athletic field finish-out, playgrounds, and other park amenities in the following accounts:

Parks GO Bond, account 362-3500-552-6402, project 101311	\$6,907,350
Reinvestment Zone, account 795-9500-531-6867, project 101005	1,985,958
Reinvestment Zone, account 795-9800-531-6867, project 101005	<u>1,125,000</u>
Total Project Funds Available	<u>\$10,018,308</u>

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. 2017-8898-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE USE OF THE COMPETITIVE SEALED PROPOSAL PROJECT DELIVERY METHOD FOR THE ACQUISITION OF CONSTRUCTION SERVICES NEEDED FOR THE CONSTRUCTION OF THE BUILDINGS AND SHADE STRUCTURES IN THE DEVELOPMENT OF CROSSROADS PARK; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the finish-out of Crossroads Park includes the construction of three concession/restrooms buildings, one maintenance building, and the erection of eight spectator shade structures within the baseball and softball complexes;

Whereas, on September 21, 2017, Council authorized the rejection of bids associated with the initial bidding of Crossroads Park Phase II, and Staff is now recommending the project be broken down into smaller components, with one of the components being an architectural/building package;

Whereas, Staff and Kasberg, Patrick & Associates, LP (KPA), the design consultant for the project, believe that the best value for the construction of the architectural component of the project can be obtained if the contractor who offers to construct this project can be evaluated against several factors, including price and therefore, Staff recommends that the Competitive Sealed Proposal method, per Texas Government Code Chapter 2269, Subchapter D, be used for the procurement of the construction of the buildings for Crossroads Park;

Whereas, in accordance with the Texas Government Code Chapter 2269 and the Local Government Code §252.021, before a municipality enters into a contract that requires competitive sealed bidding, the governing body may consider using a method other than competitive sealed bidding in order to achieve the best value for the municipality;

Whereas, Staff is recommending Council authorize the use of the Competitive Sealed Proposal method, per Texas Government Code Chapter 2269, Subchapter D, for the acquisition of services needed for the construction of the buildings and shade structures in the development of Crossroads Park;

Whereas, there are no funding requirements associated with authorizing the use of the Competitive Sealed Proposal project delivery method; 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 use of the Competitive Sealed Proposal method, per Texas Government Code Chapter 2269, Subchapter D, for the acquisition of services needed for the construction of the buildings and shade structures needed in the development of Crossroads Park.

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

PASSED AND APPROVED this the 5th day of **October**, 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

10/05/17
Item #5(W)
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DEPT./DIVISION SUBMISSION & REVIEW:

Kayla Landeros, City Attorney
Nicole Torralva, Public Works Director

ITEM DESCRIPTION: Consider adopting a resolution setting the fees associated with a Liquid Waste Transport Truck Discharge Permit.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The City Council has approved amendments to City Code Chapter 38 which created Article VII titled "Liquid Waste." The amendments require that companies transporting liquid waste must first obtain a transport truck discharge permit from the City. One requirement to obtain the permit is the payment of a permit fee that is to be set by separate resolution of the City Council. An additional requirement of the amendments is that transporting companies obtain numerical waste manifests from the City of Temple.

At this time, staff is requesting that Council set the permit fee and the fee for a waste manifest pad which must be paid by the permittee. Permit fees will be paid on an annual basis and manifest pads will be paid for as needed by the transporter. Staff is proposing a \$100 permit fee and \$15 fee per manifest pad. Each pad will have approximately 20 waste manifest documents.

FISCAL IMPACT: The permit fee for a transport truck discharge (TTD) permit is \$100. The permit fee will be paid by a transporting company for each vehicle that is required to obtain a transport truck discharge permit from the City. The fee for a pad of numerical manifest documents is \$15. The manifest fee will be paid as additional documents are needed by a transporter to record the collection and disposal of liquid waste.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. 2017-8899-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, SETTING FEES ASSOCIATED WITH A LIQUID WASTE TRANSPORT TRUCK DISCHARGE PERMIT; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the City Council has approved amendments to City Code Chapter 38 which created Article VII titled “Liquid Waste” and requires that companies transporting liquid waste first obtain a transport truck discharge (TTD) permit from the City;

Whereas, one requirement to obtain the permit is the payment of a permit fee that is to be set by separate Resolution of the City Council and an additional requirement of the amendment is that transporting companies obtain numerical waste manifests from the City of Temple;

Whereas, Staff recommends Council set a permit fee and a fee for a waste manifest pad which must be paid by the permittee - permit fees will be paid on an annual basis and manifest pads will be paid for as needed by the transporter;

Whereas, Staff recommends Council authorize a \$100 permit fee and \$15 fee per manifest pad - each pad will have approximately 20 waste manifest documents;

Whereas, the permit fee will be paid by the transporting companies for each vehicle which is required in order to obtain a transport truck discharge permit from the City - the manifest fee will be paid as additional documents are needed by the transporter to record the collection and disposal of liquid waste; 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 sets the fees associated with a Liquid Waste Transport Truck Discharge Permit as follows:

- \$100 permit fee; and
- \$15 fee per manifest pad.

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 **5th** day of **October**, 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:

Kayla Landeros, City Attorney

ITEM DESCRIPTION: Consider adopting a resolution authorizing the City of Temple to join in an amicus curiae brief to be filed by the Texas Municipal League in the appellate case of *City of Waco v. Citizens to Save Lake Waco*.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The City of Waco is currently involved in a breach of contract case with a group called Citizens to Save Lake Waco ("CSLW"). CSLW sued Waco for breach of contract alleging that Waco has breached a 1992 settlement agreement between the city and the owner of property near Waco's landfill. At the trial court level, Waco filed a Plea to the Jurisdiction on the basis that it is immune from suit under the doctrine of governmental immunity. The district court denied Waco's Plea and the City timely appealed to the Court of Appeals for the Tenth District of Texas.

The case addresses important legal issues related to cities including questions of governmental immunity and subject matter jurisdiction. The Texas Municipal League plans to file an amicus curiae brief with the Court of Appeals on behalf of the League and other cities wishing to express support for the issues raised by Waco in the case. The City Attorney's office is asking Council to adopt a resolution authorizing the City to join in the amicus brief to be filed by the League.

FISCAL IMPACT: None.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. 2017-8900-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE CITY OF TEMPLE TO JOIN IN AN AMICUS CURIAE BRIEF TO BE FILED BY THE TEXAS MUNICIPAL LEAGUE IN THE APPELLATE CASE OF *CITY OF WACO V. CITIZENS TO SAVE LAKE WACO*; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the City of Waco is currently involved in a breach of contract case with a group called Citizens to Save Lake Waco (“CSLW”) in which CSLW sued Waco for breach of contract alleging that Waco breached a 1992 settlement agreement between the City and the owner of property near Waco’s landfill;

Whereas, at the trial court level, Waco filed a Plea to the Jurisdiction on the basis that it is immune from suit under the doctrine of governmental immunity - the district court denied Waco’s Plea and the City timely appealed to the Court of Appeals for the Tenth District of Texas;

Whereas, the case addresses important legal issues related to cities including questions of governmental immunity and subject matter jurisdiction;

Whereas, the Texas Municipal League plans to file an amicus curiae brief with the Court of Appeals on behalf of the League and other cities wishing to express support for the issues raised by Waco in this case;

Whereas, Staff recommends Council adopt a Resolution authorizing the City to join in the amicus brief to be filed by the League; and

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

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

Part 1: Findings. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Temple, Texas, and they are hereby approved and incorporated into the body of this Resolution as if copied in their entirety.

Part 2: The City Council authorizes the City of Temple to join in an amicus curiae brief to be filed by the Texas Municipal League in the appellate case of *City of Waco v. Citizens to Save Lake Waco*.

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 **5th** day of **October**, 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

10/05/17
Item #5(Y)
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DEPT./DIVISION SUBMISSION & REVIEW:

Lacy Borgeson, City Secretary

ITEM DESCRIPTION: Consider adopting a resolution designating the *Temple Daily Telegram* as the official newspaper for the City for fiscal year 2017-2018, in accordance with Section 4.18 of the Charter of the City of Temple.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: Section 4.18 of the City Charter requires the City to designate an official newspaper for the publication of City ordinances, legal descriptions, and notices for each fiscal year, and enter into a contract with the designated paper. The proposed resolution will accomplish this Charter requirement.

Reference: City Charter

Section 4.18 OFFICIAL NEWSPAPER: The City Council must declare annually an official newspaper of general circulation in the City. All captions of ordinances, notices and other matters required by Charter, City ordinance, or State law must be published in the official newspaper and on the City's official website.

FISCAL IMPACT: N/A

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. 2017-8901-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, DESIGNATING THE TEMPLE DAILY TELEGRAM AS THE OFFICIAL NEWSPAPER FOR THE CITY OF TEMPLE FOR FISCAL YEAR 2017-2018, IN ACCORDANCE WITH SECTION 4.18 OF THE CHARTER OF THE CITY OF TEMPLE, AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH THE DESIGNATED PAPER; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, Section 4.18 of the City Charter requires the City to designate an official newspaper for the publication of City ordinances, legal descriptions, and notices for each fiscal year, as well as enter into a contract with the designated paper; and

Whereas, the City Council has considered the matter and deems the Temple Daily Telegram as the newspaper of most general circulation in Temple.

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 designates the Temple Daily Telegram as the official newspaper for the City of Temple for fiscal year 2017-2018.

Part 3: The Interim City Manager, or her designee, after approval as to form by the City Attorney, is authorized to execute documentation, as needed, with the Temple Daily Telegram affirming the designation of the Temple Daily Telegram as the City's official newspaper.

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 **5th** day of **October**, 2017.

THE CITY OF TEMPLE, TEXAS

ANYSE SUE MAYBORN

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

10/05/17
Item #6
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DEPARTMENT / DIVISION SUBMISSION & REVIEW:

Dessie Redmond, Planner

ITEM DESCRIPTION: P-FY-17-49: Consider adopting a resolution authorizing the final plat of Temple Mall Addition, Replat No. One, a 46.398 +/- acres, 6-lot, 1-block, non-residential subdivision, situated in part of the B. Hughes Survey, Abstract No. 376, Bell County, Texas, being part of Lot 1 and part of Lot 3 of the Temple Mall Subdivision, addressed as 3111 South 31st Street, Temple.

PLANNING & ZONING COMMISSION RECOMMENDATION: At their September 18, 2017 meeting, the Planning & Zoning Commission voted seven to zero to recommend approval of the plat as presented by staff.

STAFF RECOMMENDATION: Staff recommends approval for the final plat of Temple Mall Addition, Replat No. One, subject to City Council's approval for partial abandonment of an existing 10 foot wide water easement and partial abandonment of an existing 10 foot wide sewer easement.

ITEM SUMMARY: The Temple Mall Addition, Replat No. One is a final plat for approximately 46.398 acres, which requires City Council approval due to the partial abandonment of existing water and sewer easements. The applicant proposes to subdivide the subject property into six lots and one block for a non-residential subdivision. The Development Review Committee (DRC) reviewed the final plat on August 7 & 10, 2017. Several items were discussed including required Council action for the partial abandonments request for an existing water and sewer easements (both 10 feet wide), as shown in hatching on the plat.

The subject property is in the Planned Development-General Retail (PD-GR) zoning district and is currently developed with the Temple Mall with space for additional development. This zoning district was approved by City Council in June 1974. The property is bounded by existing streets: to the north is S.W. H.K. Dodgen Loop (Loop 363), to the west is South 31st Street, to the east is Lowes Drive and to the south is Azalea Drive.

The project is accessed off the S.W. H.K. Dodgen Loop (expressway) frontage road, off of South 31st Street (major aerial), off of Lowes Drive (collector) and off of Azalea Drive (local). Our Thoroughfare Plan states that collector streets are required to have a sidewalk on one side of the roadway, which is stated on the plat. The sidewalks required along South 31st Street are existing.

There are existing internal access ways within the property. No additional external access points will be permitted as stated on the plat. Adequate water and sewer are available to serve the property.

FISCAL IMPACT: Not Applicable

ATTACHMENTS:

Site Photos

Location Map / Aerial

Temple Mall Addition, Replat No. 1 final plat

Topo / Utility Plan

Planning & Zoning Commission Excerpts – September 18, 2017 Meeting
Resolution

Temple Mall Addition, Replat No. One - Attachments

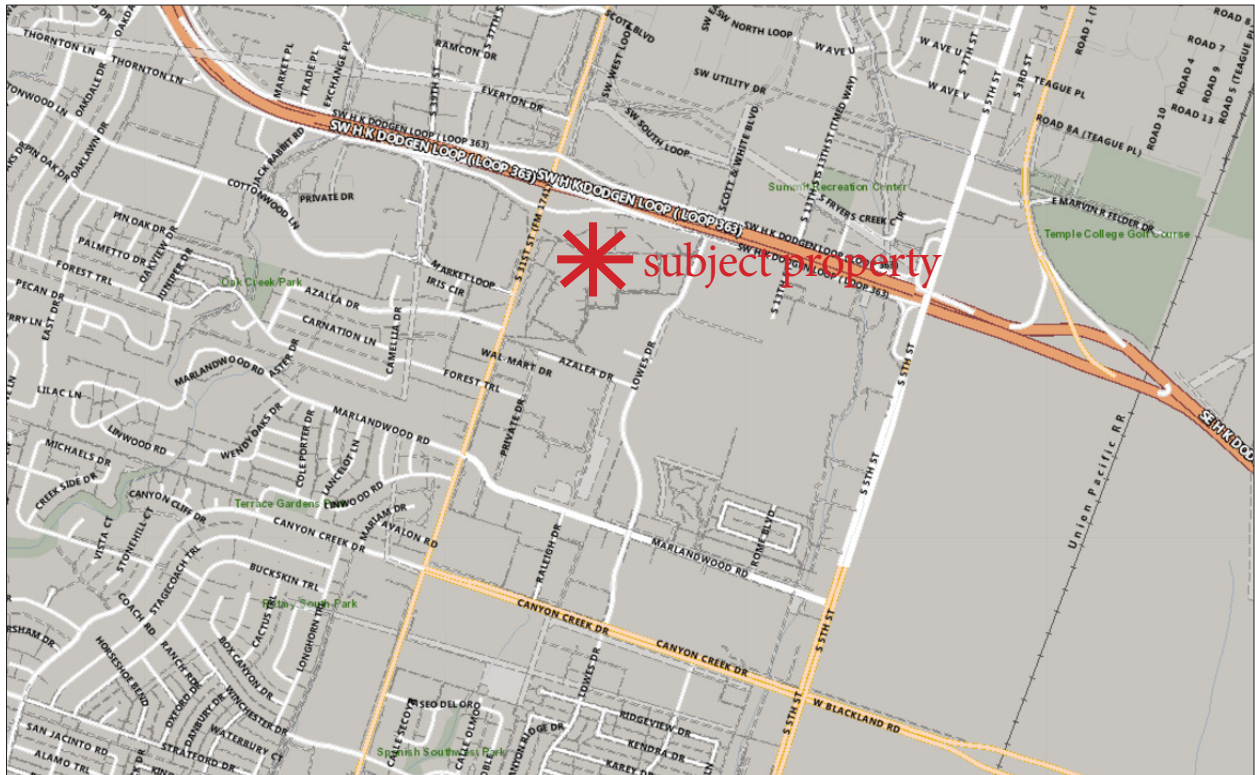
Site Photos



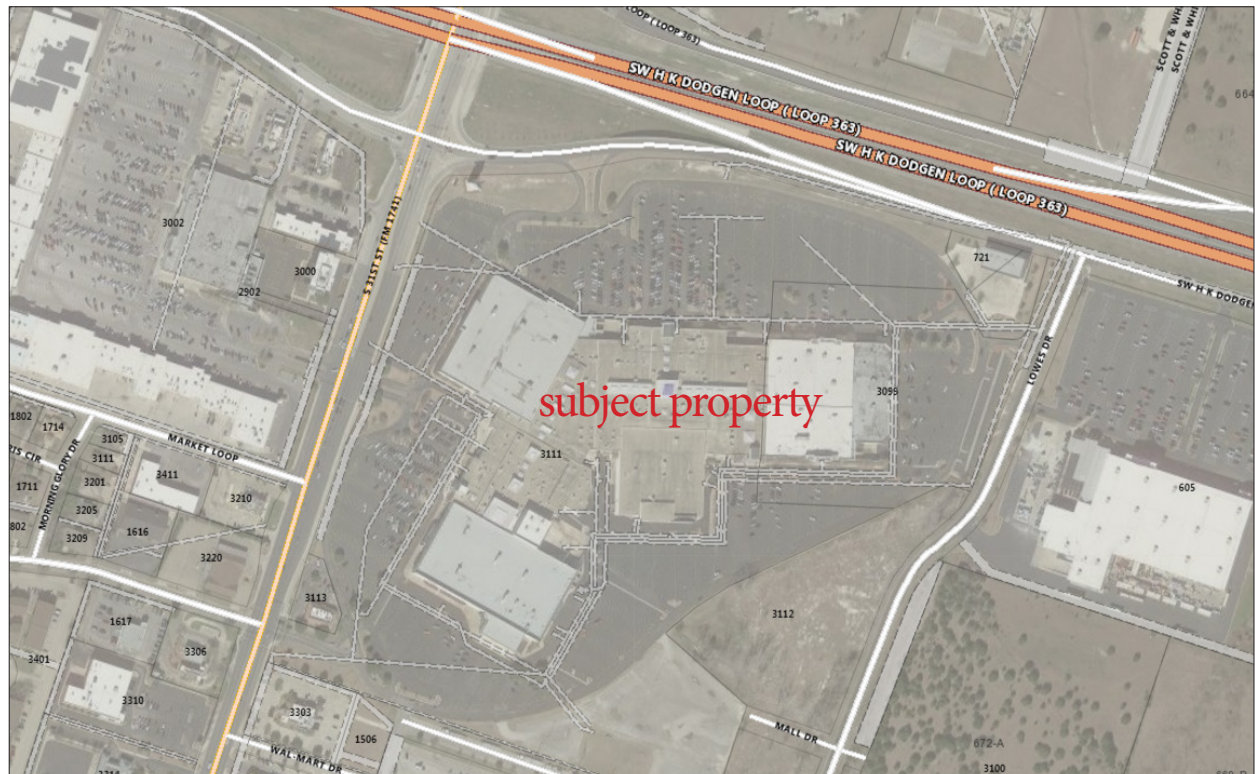
Aerial view of the Temple Mall.



On S.W. H.K. Dodge Loop looking south into site.



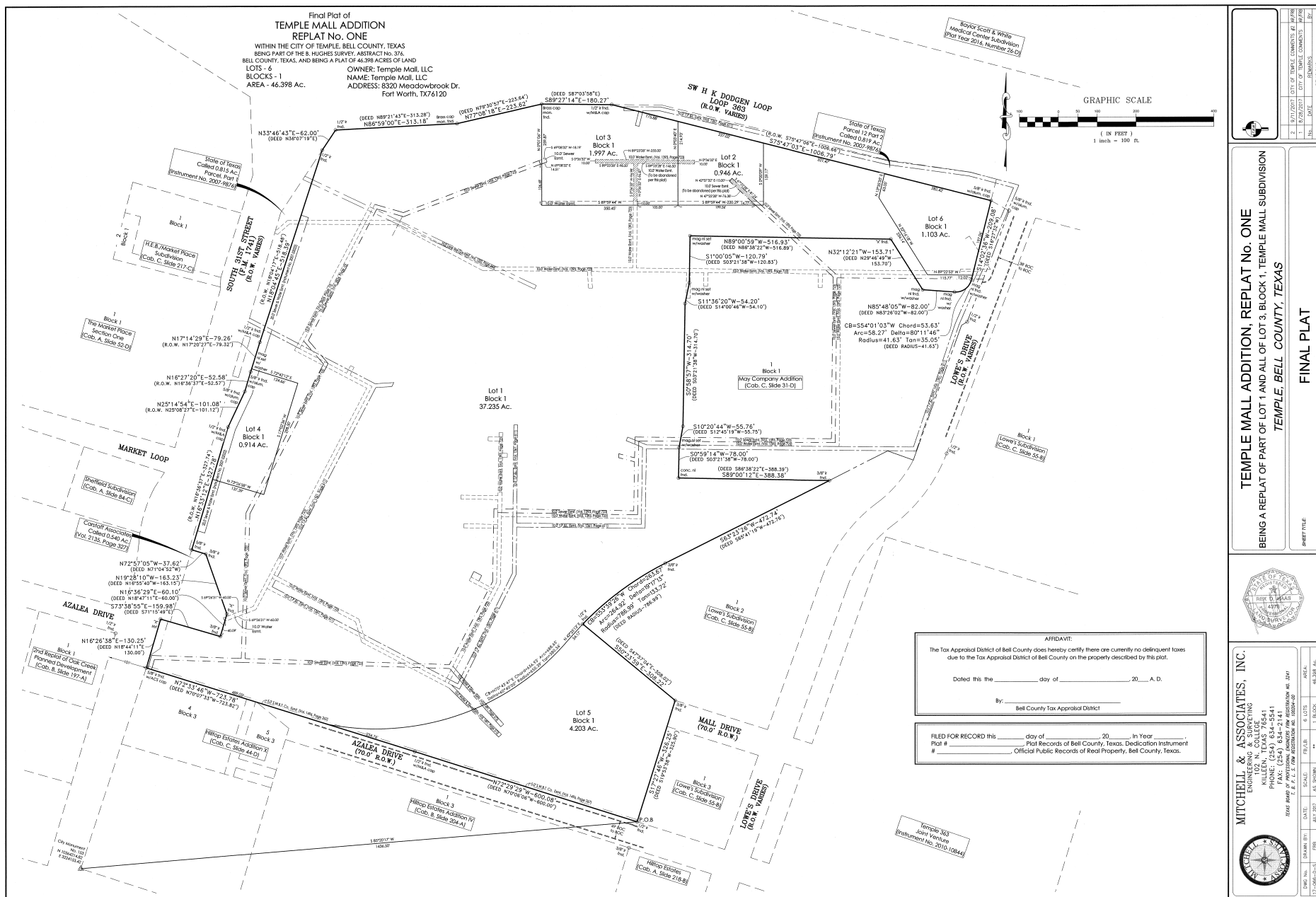
Location Map



Aerial

Item 5

Temple Mall Addition, Replat No. One - Attachments



Item 5

Temple Mall Addition, Replat No. One - Attachments



EXCERPTS FROM THE
PLANNING & ZONING COMMISSION MEETING
MONDAY, SEPTEMBER 18, 2017

ACTION ITEMS

Item 3: P-FY-17-49 - Consider and take action on the Final Plat of Temple Mall Addition, Replat No. One, a 46.398 +/- acres, 6-lot, 1-block, non-residential subdivision, in Bell County, Texas, being part of Lot 1 and part of Lot 3 of the Temple Mall Subdivision, located at the southeast corner of Loop 363 and South 31st Street, Temple, Texas.

Ms. Dessie Redmond, Planner, stated the applicant is Mr. Ace Reneau with Mitchell & Associates, Inc. and scheduled to go forward to City Council on October 5, 2017.

The subject property was zoned and approved by City Council in June 1974 as PD-GR and is the site for the Temple Mall.

Surrounding properties include Southwest H.K. Dodgen Loop (Loop 363) to the north, HEB store to the west, Lowe's to the east, and Walmart to the south.

With the replat the applicant is also requesting a partial abandonments of existing 10-foot wide water and sewer easements which is why the plat continues on to City Council.

Location map shown.

The Thoroughfare Plan designates Southwest H.K. Dodgen Loop as an Expressway, South 31st Street as a Major Arterial, Lowes Drive as a Collector, and Azalea Drive as a Local Street.

According to the UDC, four-foot wide sidewalks are required along one side of Lowes Drive (stated on plat) when that is developed. There are existing sidewalks along South 31st Street.

There will be no additional external access points permitted (stated on plat); Texas Department of Transportation (TxDOT) is not allowing any more than what is already existing.

Adequate water and sewer available to serve the property.

On August 4, 2017, all utility providers were contacted, including TxDOT, and they are in agreement with the plat or had no comments.

The Development Review Committee (DRC) reviewed the plat on August 7 and 10, 2017 and deemed complete on September 12, 2017.

City Council is the final authority for plat approval because the applicant requests to abandon existing water and sewer easements

Final Plat shown.

Temple Mall Addition, Replat No. One - Attachments

Staff recommends approval for the final plat of Temple Mall Addition, Replat No. One, subject to City Council's approval for partial abandonment of an existing 10-foot wide water easement and partial abandonment of an existing 10-foot wide sewer easement.

Ms. Redmond explained the applicant is subdividing the subject property in order to develop them and Ms. Redmond deferred to the applicant for further response.

Mr. Ace Reneau, 102 North College Street, Killeen, Texas, responded Discount Tire occupies the corner lot and the intention is the new lot will encompass their total footprint including parking lot and building. Discount Tire intends to purchase the lot from Temple Mall, the current owner. Discount Tire is currently leasing the property and would like to own it.

No public hearing is required for this item.

Commissioner Marshall made a motion to approve Item 3, P-FY-17-49, as presented, and Commissioner Crisp made a second.

Motion passed: (8:0)

Commissioners Armstrong absent

RESOLUTION NO. 2017-8902-R
(P-FY-17-49)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, APPROVING THE FINAL PLAT OF TEMPLE MALL ADDITION, REPLAT NO. ONE, AN APPROXIMATELY 46.398 ACRE, 6 LOT, 1 BLOCK, NON-RESIDENTIAL SUBDIVISION, SITUATED IN PART OF THE B. HUGHES SURVEY, ABSTRACT NO. 376, BELL COUNTY, TEXAS, BEING PART OF LOT 1 AND PART OF LOT 3 OF THE TEMPLE MALL SUBDIVISION, ADDRESSED AS 3111 S. 31ST STREET, TEMPLE, TEXAS; AND AUTHORIZING THE PARTIAL ABANDONMENT OF EXISTING 10-FOOT WIDE WATER AND WASTEWATER EASEMENTS; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, at its September 18, 2017 meeting, the Planning and Zoning Commission recommended approval of the Final Plat of Temple Mall Addition, Replat No. One, an approximately 46.398 acre, 6 lot, 1 block, non-residential subdivision, situated in part of the B. Hughes Survey, Abstract No. 376, Bell County, Texas, being part of Lot 1 and part of Lot 3 of the Temple Mall Subdivision, addressed as 3111 S. 31st Street, Temple, Texas;

Whereas, the applicant proposes to subdivide the subject property into six lots and one block for a non-residential subdivision - the Development Review Committee reviewed the final plat at their August 7th and August 10th meetings and discussed the partial abandonment of existing 10-foot water and sewer easements, which requires Council approval;

Whereas, this project may be accessed off the Southwest H.K. Dodgen Loop frontage road, off of South 31st Street, off Lowes Drive, and off of Azalea Drive; and

Whereas, the City Council has considered the matter and deems it in the public interest to approve the Final Plat of Temple Mall Addition, Replat No. One.

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 the Final Plat of Temple Mall Addition, Replat No. One, an approximately 46.398 acre, 6 lot, 1 block, non-residential subdivision, situated in part of the B. Hughes Survey, Abstract No. 376, Bell County, Texas, being part of Lot 1 and part of Lot 3 of the Temple Mall Subdivision, addressed as 3111 S. 31st Street, Temple, Texas, and authorizes the partial abandonment of existing 10-foot wide water and sewer easements as outlined 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 5th day of **October**, 2017.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, MAYOR

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney

STATE OF TEXAS §

COUNTY OF BELL §

This instrument was acknowledged before me on the _____ day of _____, 2017, by Daniel A. Dunn, Mayor of the City of Temple, Texas.

Notary Public, State of Texas

Return Recorded Document to:

*City Attorney's Office
2 North Main Street, Suite 308
Temple, TX 76501*



COUNCIL AGENDA ITEM MEMORANDUM

10/05/17
Item #7
Regular Agenda
Page 1 of 3

DEPT./DIVISION SUBMISSION & REVIEW:

Traci L. Barnard, Director of Finance

ITEM DESCRIPTION: FIRST READING – PUBLIC HEARING: Consider adopting an ordinance authorizing an amendment to the Tax Increment Financing Reinvestment Zone No. 1 Financing and Project Plans to align with the 2022 Master Plan which includes appropriating bond proceeds, adjusting tax revenues and allocating expenditures for public improvements for years FY 2017-2062.

STAFF RECOMMENDATION: Conduct a public hearing and adopt ordinance as presented in item description on first reading with second and final reading on October 19, 2017.

ITEM SUMMARY: On August 09, 2017 and September 13, 2017 the Reinvestment Zone No. 1 (RZ#1) Finance and Project Committees held joint meetings. The meetings consisted of reviewing available funding sources and aligning funding with project needs. All projects were reviewed for updated cost estimates, project scope, and project readiness/delivery. The available funding sources identified were from the combination of revised tax increment revenues estimates based on the receipt of certified values from the Bell County Appraisal District, reallocation of funding from existing projects, and the issuance of TIRZ Revenue Bonds.

The focus of the proposed amendment is for the fiscal years 2017-2019, however, state law requires a financing and project plan to span the life of the Zone. The result of the meetings is recommended changes to the Financing and Project Plans to continue with the execution of the 2022 Master Plan.

The Reinvestment Zone No. 1 Board approved these amendments at its September 27, 2017 board meeting.

Below are highlights of **selected line items**:

Tax Increment Revenues: FY 2018 - Taxable values were revised to reflect the certified tax roll received from the Bell County Appraisal District. Total anticipated revenues are \$17,793,995 from all participating taxing entities which is an increase of \$1,528,874 from the current Financing Plan. Future revenues were adjusted using FY 2018 revenues as a base. Assumptions for forecasting future revenues included decreasing the value of Panda I and II valuations to reflect current operational factors associated with Panda I and II and market trends for power generation plants. The future annual valuations were adjusted equally to reach approximately 40% of replacement cost in FY 2023. In addition, revenue forecast were adjusted for expiring tax abatements and future real property expansions, a growth factor was applied to the adjusted projected values and adjustments were made for changes to existing future real property improvements/expansions to the applicable years. Assumptions are reviewed annually upon receipt of certified tax rolls and will be adjusted as necessary.

TIRZ Revenue Bonds In FY 2017, \$19,000,000 of bond proceeds were removed from the Financing Plan to reflect a revised issue date based on timing of the projects. In FY 2018, \$22,000,000 of bond proceeds were added to fund projects shown in the 2022 Master Plan Project Funding Schedule. The increase in the bond issue amount was based on project needs and is within the parameters for maintaining a two times coverage for future debt service. The projects to be funded with the bond proceeds are as follows:

Research Pkwy (IH35 to Wendland At Grade) Construction	\$ 14,100,000
Research Pkwy (IH35 to Wendland At Grade) Design	550,000
Outer Loop (I35 South) ROW	2,300,000
Outer Loop (I35 South) Design	800,000
Intersection improvements at Central and N. 4th Street	750,000
East Outer Loop Construction	500,000
East Outer Loop Design	406,600
31st Street Monumentation Construction	450,000
Receiving & Delivery Tracks ROW	400,000
Contingency	1,743,400
Total Bond Projects	\$ 22,000,000

The amendment also includes an allocation for annual debt service for the TIRZ Revenue bonds beginning in FY 2019 through FY 2038 (20 year amortization). The average annual debt service on the proposed issue is approximately \$1,640,900.

Corporate Hangar: The proposed amendment includes an adjustment to reflect funding the administrative office space for the Wilsonart corporate hangar of \$341,600. Of this amount, \$235,000 of cost will be recovered over the next 10 years through a monthly lease payment. The remaining amount of \$106,600 will be reimbursed in lump sum amount by Wilsonart.

The amendment for FY 2018 also allocates funding new projects as shown below:

Strategic Investment Zones - Grants	\$ 425,000
1st Street (Ave B to Central Ave) Final Design/Ave A (N 3rd to S 2nd) Concept Design	296,000
North 31st Street (Nugent to Central) Concept Design	212,000
31st Street (Loop 363 to Ave R)/Ave R (31st Street to 25th St) Concept Design	130,000
Draughon-Miller Regional Airport FBO Center & Parking Visioning	119,000
Avenue U Public Art	75,000
RAMP Grant Match	50,000
Total New Projects	\$ 1,307,000

Public Improvements: Beginning in FY 2021 through 2062, the balance of funding for general “non-project specific” improvements is allocated to this line item. The amount was determined based on the remaining funds available after amounts were allocated for operating expenditures, debt service, projects and maintaining an amount of fund balance of no less than \$2,000,000.

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

	Bond Issue							
	2017	2018	2018	2019	2020	2021	2022	TOTAL
Temple Industrial Park	\$ 336,509	\$ 400,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 736,509
Corporate Campus Park	1,651,520	-	-	-	-	-	-	1,651,520
Bioscience Park/Crossroads Park	5,564,692	-	-	-	-	-	-	5,564,692
Research Parkway/Outer Loop	5,639,812	18,656,600	525,000	-	10,750,000	-	-	35,571,412
Synergy Park	76,701	-	-	-	-	-	-	76,701
Downtown	14,486,895	750,000	14,003,000	450,000	450,000	450,000	450,000	31,039,895
TMED	6,104,095	2,193,400	305,000	2,488,000	-	-	-	11,090,495
Airport Park	1,796,924	-	560,600	-	-	-	-	2,357,524
Public Improvements	-	-	-	-	-	5,500,000	7,000,000	12,500,000
MASTER PLAN PROJECT FUNDING	\$ 35,657,148	\$22,000,000	\$15,393,600	\$ 2,938,000	\$11,200,000	\$ 5,950,000	\$ 7,450,000	\$ 100,588,748

See the attached “TRZ Master Plan Project Funding (2017-2025)” schedule for more detail on the projects.

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

Description	2017	2018	2019	2020	2021	2022	Future Years
Available FB @ October 1 ⁽¹⁾	\$ 27,838,651	\$ 5,557,758	\$ 1,831,930	\$ 7,513,799	\$ 4,266,052	\$ 5,868,120	\$ 5,907,456
Total Source of Funds	20,336,878	40,369,686	16,990,273	16,415,960	15,787,729	15,657,049	775,012,895
Total Debt & Operating Exp.	6,960,623	6,701,914	8,370,404	8,463,707	8,235,661	8,167,713	84,134,294
Total Planned Project Exp.	35,657,148	37,393,600	2,938,000	11,200,000	5,950,000	7,450,000	696,786,057
Available FB ⁽¹⁾ @ September 30 ⁽²⁾	\$ 5,557,758	\$ 1,831,930	\$ 7,513,799	\$ 4,266,052	\$ 5,868,120	\$ 5,907,456	\$ -

⁽¹⁾ - Beginning of Year

⁽²⁾ - End of Year

ATTACHMENTS:

[Financing Plan](#)

[Summary Financing Plan with Detailed Project Plan](#)

[Summary - TRZ Master Plan Project Funding \(2017 - 2025\)](#)

[TRZ Master Plan Project Funding \(2017 - 2025\)](#)

[TRZ Schedule of Outstanding Bonds with Proposed Issue](#)

[Ordinance](#)

FINANCING PLAN
Page 1 of 5

Financing Plan - 09/27/17 to Zone Board

		Revised					
		Y/E 9/30/17	Y/E 9/30/18	Y/E 9/30/19	Y/E 9/30/20	Y/E 9/30/21	Y/E 9/30/22
DESCRIPTION		Year 35	Year 36	Year 37	Year 38	Year 39	Year 40
1	"Taxable Increment"	\$ 435,256,703	\$ 426,069,294	\$ 415,287,167	\$ 409,874,095	\$ 397,412,766	\$ 426,871,090
1	FUND BALANCE, Begin	\$ 27,838,651	\$ 5,557,758	\$ 1,831,930	\$ 7,513,799	\$ 4,266,052	\$ 5,868,120
2	Adjustments to Debt Service Reserve	-	-	-	-	-	-
3	Fund Balance Available for Appropriation	\$ 27,838,651	\$ 5,557,758	\$ 1,831,930	\$ 7,513,799	\$ 4,266,052	\$ 5,868,120
SOURCES OF FUNDS:							
4	Tax Revenues	19,371,450	17,793,995	17,171,851	16,588,792	15,961,146	15,848,781
6	Allowance for Uncollected Taxes [1.5% of Tax Revenues]	(290,572)	(266,910)	(257,578)	(248,832)	(239,417)	(237,732)
8	Interest Income-Other	50,000	50,000	40,000	40,000	30,000	10,000
10	Grant Funds	1,170,000	50,000	-	-	-	-
12	License Fee - Central Texas Railway	36,000	36,000	36,000	36,000	36,000	36,000
14	Other Revenues	-	106,600	-	-	-	-
15	Sale of land	-	600,000	-	-	-	-
17	Bond Proceeds	-	22,000,000	-	-	-	-
20	Total Sources of Funds	\$ 20,336,878	\$ 40,369,685	\$ 16,990,273	\$ 16,415,960	\$ 15,787,729	\$ 15,657,049
25	TOTAL AVAILABLE FOR APPROPRIATION	\$ 48,175,529	\$ 45,927,443	\$ 18,822,203	\$ 23,929,759	\$ 20,053,781	\$ 21,525,169
USE OF FUNDS:							
DEBT SERVICE							
27	2009 Bond Refunding	1,510,150	1,488,750	1,485,000	-	-	-
28	2008 Bond Issue-Taxable {\$10.365 mil}	1,240,096	1,241,957	1,241,173	1,237,744	1,241,670	1,242,422
29	Debt Service - 2011A Issue {Refunding}	912,200	908,350	915,950	2,497,800	2,497,550	2,494,950
30	Debt Service - 2012 Issue {Refunding}	76,400	79,600	77,650	80,050	77,250	78,750
31	Debt Service - 2013 Issue {\$25.260 mil}	2,034,894	2,047,694	2,048,344	2,047,944	2,046,494	2,031,494
32	Debt Service - 2018 Issue {\$22 mil}	-	-	1,666,724	1,664,606	1,435,756	1,383,056
35	Paying Agent Services	1,700	1,700	1,700	1,700	1,700	1,700
40	Subtotal-Debt Service	5,775,440	5,768,051	7,436,541	7,529,844	7,300,420	7,232,372
OPERATING EXPENDITURES							
50	Prof Svcs/Proj Mgmt	175,000	175,000	175,000	175,000	175,000	175,000
52	Legal/Audit	1,300	1,300	1,300	1,300	1,300	1,400
54	Zone Park Maintenance [mowing, utilities, botanical supplies]	330,000	330,000	330,000	330,000	330,000	330,000
56	Rail Maintenance	214,390	100,000	100,000	100,000	100,000	100,000
58	Road/Signage Maintenance	238,243	100,000	100,000	100,000	100,000	100,000
60	Contractual Payments [TEDC - Marketing]	200,000	200,000	200,000	200,000	200,000	200,000
62	TISD-Reimbursement [per contract]	26,250	27,563	27,563	27,563	28,941	28,941
65	Subtotal-Operating Expenditures	1,185,183	933,863	933,863	933,863	935,241	935,341
70	TOTAL DEBT & OPERATING EXPENDITURES	\$ 6,960,623	\$ 6,701,914	\$ 8,370,404	\$ 8,463,707	\$ 8,235,661	\$ 8,167,713
80	Funds Available for Projects	\$ 41,214,906	\$ 39,225,530	\$ 10,451,799	\$ 15,466,052	\$ 11,818,120	\$ 13,357,456
PROJECTS							
150	Temple Industrial Park	336,509	400,000	-	-	-	-
200	Corporate Campus Park	1,651,520	-	-	-	-	-
250	Bioscience Park/Crossroads Park	5,564,692	-	-	-	-	-
350	Research Parkway/Outer Loop	5,639,812	19,181,600	-	10,750,000	-	-
400	Synergy Park	76,701	-	-	-	-	-
450	Downtown	14,486,895	14,753,000	450,000	450,000	450,000	450,000
500	TMED	6,104,095	2,498,400	2,488,000	-	-	-
550	Airport Park	1,796,924	560,600	-	-	-	-
610	Public Improvements	-	-	-	-	5,500,000	7,000,000
	Subtotal-Projects	35,657,148	37,393,600	2,938,000	11,200,000	5,950,000	7,450,000
TOTAL USE OF FUNDS		\$ 42,617,771	\$ 44,095,514	\$ 11,308,404	\$ 19,663,707	\$ 14,185,661	\$ 15,617,713
700	FUND BALANCE, End	\$ 5,557,758	\$ 1,831,930	\$ 7,513,799	\$ 4,266,052	\$ 5,868,120	\$ 5,907,456

	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032
	41	42	43	44	45	46	47	48	49	50
DESCRIPTION										
1 "Taxable Increment"	\$ 430,495,341	\$ 473,225,671	\$ 510,957,928	\$ 603,517,507	\$ 632,140,107	\$ 638,461,508	\$ 644,846,123	\$ 651,294,584	\$ 657,807,530	\$ 664,385,606
1 FUND BALANCE, Begin	\$ 5,907,456	\$ 3,034,302	\$ 2,307,135	\$ 2,650,494	\$ 2,514,011	\$ 2,571,597	\$ 2,307,833	\$ 2,223,728	\$ 2,318,919	\$ 2,592,855
2 Adjustments to Debt Service Reserve	-	-	-	-	-	-	-	-	-	-
3 Fund Balance Available for Appropriation	\$ 5,907,456	\$ 3,034,302	\$ 2,307,135	\$ 2,650,494	\$ 2,514,011	\$ 2,571,597	\$ 2,307,833	\$ 2,223,728	\$ 2,318,919	\$ 2,592,855
SOURCES OF FUNDS:										
4 Tax Revenues	15,394,809	16,049,463	16,639,966	17,945,912	18,402,247	18,586,255	18,772,103	18,959,809	19,149,392	19,340,871
6 Allowance for Uncollected Taxes [1.5% of Tax Revenues]	(230,922)	(240,742)	(249,599)	(269,189)	(276,034)	(278,794)	(281,582)	(284,397)	(287,241)	(290,113)
8 Interest Income-Other	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000
10 Grant Funds	-	-	-	-	-	-	-	-	-	-
12 License Fee - Central Texas Railway	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,000
14 Other Revenues	-	-	-	-	-	-	-	-	-	-
15 Sale of land	-	-	-	-	-	-	-	-	-	-
17 Bond Proceeds	-	-	-	-	-	-	-	-	-	-
20 Total Sources of Funds	\$ 15,209,887	\$ 15,854,721	\$ 16,436,367	\$ 17,722,723	\$ 18,172,213	\$ 18,353,461	\$ 18,536,521	\$ 18,721,412	\$ 18,908,151	\$ 19,096,758
25 TOTAL AVAILABLE FOR APPROPRIATION	\$ 21,117,343	\$ 18,889,023	\$ 18,743,501	\$ 20,373,218	\$ 20,686,224	\$ 20,925,059	\$ 20,844,354	\$ 20,945,140	\$ 21,227,070	\$ 21,689,613
USE OF FUNDS:										
DEBT SERVICE										
27 2009 Bond Refunding	-	-	-	-	-	-	-	-	-	-
28 2008 Bond Issue-Taxable {\$10.365 mil}	-	-	-	-	-	-	-	-	-	-
29 Debt Service - 2011A Issue {Refunding}	-	-	-	-	-	-	-	-	-	-
30 Debt Service - 2012 Issue {Refunding}	-	-	-	-	-	-	-	-	-	-
31 Debt Service - 2013 Issue {\$25.260 mil}	2,030,094	2,026,694	2,038,413	2,051,613	2,059,113	2,061,713	2,061,713	2,069,113	2,073,513	2,084,913
32 Debt Service - 2018 Issue {\$22 mil}	1,666,406	1,667,206	1,666,606	1,669,606	1,666,006	1,666,006	1,669,406	1,666,006	1,669,600	1,664,663
35 Paying Agent Services	1,200	1,200	1,200	1,200	1,200	1,200	1,200	1,200	1,200	1,200
40 Subtotal-Debt Service	3,697,700	3,695,100	3,706,219	3,722,419	3,726,319	3,728,919	3,732,319	3,736,319	3,744,313	3,750,776
OPERATING EXPENDITURES										
50 Prof Svcs/Proj Mgmt	175,000	175,000	175,000	175,000	175,000	175,000	175,000	175,000	175,000	175,000
52 Legal/Audit	1,400	1,400	1,400	1,400	1,400	1,400	1,400	1,400	1,400	1,400
54 Zone Park Maintenance [mowing, utilities, botanical supplies]	330,000	330,000	330,000	330,000	330,000	330,000	330,000	330,000	330,000	330,000
56 Rail Maintenance	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000
58 Road/Signage Maintenance	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000
60 Contractual Payments [TEDC - Marketing]	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000
62 TISD-Reimbursement [per contract]	28,941	30,388	30,388	30,388	31,907	31,907	31,907	33,502	33,502	33,502
65 Subtotal-Operating Expenditures	935,341	936,788	936,788	936,788	938,307	938,307	938,307	939,902	939,902	939,902
70 TOTAL DEBT & OPERATING EXPENDITURES	\$ 4,633,041	\$ 4,631,888	\$ 4,643,007	\$ 4,659,207	\$ 4,664,626	\$ 4,667,226	\$ 4,670,626	\$ 4,676,221	\$ 4,684,215	\$ 4,690,678
80 Funds Available for Projects	\$ 16,484,302	\$ 14,257,135	\$ 14,100,494	\$ 15,714,011	\$ 16,021,597	\$ 16,257,833	\$ 16,173,728	\$ 16,268,919	\$ 16,542,855	\$ 16,998,935
PROJECTS										
150 Temple Industrial Park	-	-	-	-	-	-	-	-	-	-
200 Corporate Campus Park	-	-	-	-	-	-	-	-	-	-
250 Bioscience Park/Crossroads Park	-	-	-	-	-	-	-	-	-	-
350 Research Parkway/Outer Loop	-	-	-	-	-	-	-	-	-	-
400 Synergy Park	-	-	-	-	-	-	-	-	-	-
450 Downtown	450,000	450,000	450,000	450,000	450,000	450,000	450,000	450,000	450,000	450,000
500 TMED	-	-	-	-	-	-	-	-	-	-
550 Airport Park	-	-	-	-	-	-	-	-	-	-
610 Public Improvements	13,000,000	11,500,000	11,000,000	12,750,000	13,000,000	13,500,000	13,500,000	13,500,000	13,500,000	14,000,000
Subtotal-Projects	13,450,000	11,950,000	11,450,000	13,200,000	13,450,000	13,950,000	13,950,000	13,950,000	13,950,000	14,450,000
TOTAL USE OF FUNDS	\$ 18,083,041	\$ 16,581,888	\$ 16,093,007	\$ 17,859,207	\$ 18,114,626	\$ 18,617,226	\$ 18,620,626	\$ 18,626,221	\$ 18,634,215	\$ 19,140,678
700 FUND BALANCE, End	\$ 3,034,302	\$ 2,307,135	\$ 2,650,494	\$ 2,514,011	\$ 2,571,597	\$ 2,307,833	\$ 2,223,728	\$ 2,318,919	\$ 2,592,855	\$ 2,548,935

	DESCRIPTION	2033 51	2034 52	2035 53	2036 54	2037 55	2038 56	2039 57	2040 58	2041 59	2042 60
1	"Taxable Increment"	\$ 671,029,462	\$ 677,739,756	\$ 684,517,154	\$ 691,362,325	\$ 698,275,949	\$ 705,258,708	\$ 712,311,295	\$ 719,434,408	\$ 726,628,752	\$ 733,895,040
1	FUND BALANCE, Begin	\$ 2,548,935	\$ 2,185,733	\$ 2,605,217	\$ 2,719,099	\$ 2,275,262	\$ 3,036,552	\$ 2,748,353	\$ 3,324,057	\$ 3,103,996	\$ 2,590,212
2	Adjustments to Debt Service Reserve	-	-	-	-	-	-	-	-	-	-
3	Fund Balance Available for Appropriation	\$ 2,548,935	\$ 2,185,733	\$ 2,605,217	\$ 2,719,099	\$ 2,275,262	\$ 3,036,552	\$ 2,748,353	\$ 3,324,057	\$ 3,103,996	\$ 2,590,212
SOURCES OF FUNDS:											
4	Tax Revenues	19,534,265	19,729,593	19,926,875	20,126,129	20,327,375	20,530,634	20,735,926	20,943,271	21,152,689	21,364,201
6	Allowance for Uncollected Taxes [1.5% of Tax Revenues]	(293,014)	(295,944)	(298,903)	(301,892)	(304,911)	(307,960)	(311,039)	(314,149)	(317,290)	(320,463)
8	Interest Income-Other	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000
10	Grant Funds	-	-	-	-	-	-	-	-	-	-
12	License Fee - Central Texas Railway	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,000
14	Other Revenues	-	-	-	-	-	-	-	-	-	-
15	Sale of land	-	-	-	-	-	-	-	-	-	-
17	Bond Proceeds	-	-	-	-	-	-	-	-	-	-
20	Total Sources of Funds	\$ 19,287,251	\$ 19,479,649	\$ 19,673,972	\$ 19,870,237	\$ 20,068,464	\$ 20,268,674	\$ 20,470,887	\$ 20,675,122	\$ 20,881,399	\$ 21,089,738
25	TOTAL AVAILABLE FOR APPROPRIATION	\$ 21,836,186	\$ 21,665,382	\$ 22,279,189	\$ 22,589,336	\$ 22,343,726	\$ 23,305,227	\$ 23,219,240	\$ 23,999,179	\$ 23,985,395	\$ 23,679,950
USE OF FUNDS:											
DEBT SERVICE											
27	2009 Bond Refunding	-	-	-	-	-	-	-	-	-	-
28	2008 Bond Issue-Taxable {\$10.365 mil}	-	-	-	-	-	-	-	-	-	-
29	Debt Service - 2011A Issue {Refunding}	-	-	-	-	-	-	-	-	-	-
30	Debt Service - 2012 Issue {Refunding}	-	-	-	-	-	-	-	-	-	-
31	Debt Service - 2013 Issue {\$25.260 mil}	2,092,913	-	-	-	-	-	-	-	-	-
32	Debt Service - 2018 Issue {\$22 mil}	1,664,763	1,667,388	1,667,313	1,669,538	1,663,838	1,663,538	-	-	-	-
35	Paying Agent Services	1,200	1,200	1,200	1,200	-	-	-	-	-	-
40	Subtotal-Debt Service	3,758,876	1,668,588	1,668,513	1,670,738	1,663,838	1,663,538	-	-	-	-
OPERATING EXPENDITURES											
50	Prof Svcs/Proj Mgmt	175,000	175,000	175,000	175,000	175,000	175,000	175,000	175,000	175,000	175,000
52	Legal/Audit	1,400	1,400	1,400	1,400	1,400	1,400	1,400	1,400	1,400	1,400
54	Zone Park Maintenance [mowing, utilities, botanical supplies]	330,000	330,000	330,000	330,000	330,000	330,000	330,000	330,000	330,000	330,000
56	Rail Maintenance	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000
58	Road/Signage Maintenance	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000
60	Contractual Payments [TEDC - Marketing]	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000
62	TISD-Reimbursement [per contract]	35,177	35,177	35,177	36,936	36,936	36,936	38,783	38,783	38,783	40,722
65	Subtotal-Operating Expenditures	941,577	941,577	941,577	943,336	943,336	943,336	945,183	945,183	945,183	947,122
70	TOTAL DEBT & OPERATING EXPENDITURES	\$ 4,700,453	\$ 2,610,165	\$ 2,610,090	\$ 2,614,074	\$ 2,607,174	\$ 2,606,874	\$ 945,183	\$ 945,183	\$ 945,183	\$ 947,122
80	Funds Available for Projects	\$ 17,135,733	\$ 19,055,217	\$ 19,669,099	\$ 19,975,262	\$ 19,736,552	\$ 20,698,353	\$ 22,274,057	\$ 23,053,996	\$ 23,040,212	\$ 22,732,827
PROJECTS											
150	Temple Industrial Park	-	-	-	-	-	-	-	-	-	-
200	Corporate Campus Park	-	-	-	-	-	-	-	-	-	-
250	Bioscience Park/Crossroads Park	-	-	-	-	-	-	-	-	-	-
350	Research Parkway/Outer Loop	-	-	-	-	-	-	-	-	-	-
400	Synergy Park	-	-	-	-	-	-	-	-	-	-
450	Downtown	450,000	450,000	450,000	450,000	450,000	450,000	450,000	450,000	450,000	450,000
500	TMED	-	-	-	-	-	-	-	-	-	-
550	Airport Park	-	-	-	-	-	-	-	-	-	-
610	Public Improvements	14,500,000	16,000,000	16,500,000	17,250,000	16,250,000	17,500,000	18,500,000	19,500,000	20,000,000	20,000,000
	Subtotal-Projects	14,950,000	16,450,000	16,950,000	17,700,000	16,700,000	17,950,000	18,950,000	19,950,000	20,450,000	20,450,000
	TOTAL USE OF FUNDS	\$ 19,650,453	\$ 19,060,165	\$ 19,560,090	\$ 20,314,074	\$ 19,307,174	\$ 20,556,874	\$ 19,895,183	\$ 20,895,183	\$ 21,395,183	\$ 21,397,122
700	FUND BALANCE, End	\$ 2,185,733	\$ 2,605,217	\$ 2,719,099	\$ 2,275,262	\$ 3,036,552	\$ 2,748,353	\$ 3,324,057	\$ 3,103,996	\$ 2,590,212	\$ 2,282,827

DESCRIPTION		2043 61	2044 62	2045 63	2046 64	2047 65	2048 66	2049 67	2050 68	2051 69	2052 70
1	"Taxable Increment"	\$ 741,233,990	\$ 748,646,330	\$ 756,132,793	\$ 763,694,121	\$ 771,331,062	\$ 779,044,373	\$ 786,834,817	\$ 794,703,165	\$ 802,650,197	\$ 810,676,699
1	FUND BALANCE, Begin	\$ 2,282,827	\$ 2,540,107	\$ 2,477,006	\$ 2,593,186	\$ 2,392,494	\$ 2,376,762	\$ 2,545,702	\$ 2,403,320	\$ 2,451,503	\$ 2,689,911
2	Adjustments to Debt Service Reserve	-	-	-	-	-	-	-	-	-	-
3	Fund Balance Available for Appropriation	\$ 2,282,827	\$ 2,540,107	\$ 2,477,006	\$ 2,593,186	\$ 2,392,494	\$ 2,376,762	\$ 2,545,702	\$ 2,403,320	\$ 2,451,503	\$ 2,689,911
SOURCES OF FUNDS:											
4	Tax Revenues	18,226,905	18,409,159	18,593,236	18,779,153	18,966,930	19,156,585	19,348,136	19,541,603	19,737,004	19,934,359
6	Allowance for Uncollected Taxes [1.5% of Tax Revenues]	(273,404)	(276,137)	(278,899)	(281,687)	(284,504)	(287,349)	(290,222)	(293,124)	(296,055)	(299,015)
8	Interest Income-Other	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000
10	Grant Funds	-	-	-	-	-	-	-	-	-	-
12	License Fee - Central Texas Railway	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,000
14	Other Revenues	-	-	-	-	-	-	-	-	-	-
15	Sale of land	-	-	-	-	-	-	-	-	-	-
17	Bond Proceeds	-	-	-	-	-	-	-	-	-	-
20	Total Sources of Funds	\$ 17,999,501	\$ 18,179,022	\$ 18,360,337	\$ 18,543,466	\$ 18,728,426	\$ 18,915,236	\$ 19,103,914	\$ 19,294,479	\$ 19,486,949	\$ 19,681,344
25	TOTAL AVAILABLE FOR APPROPRIATION	\$ 20,282,329	\$ 20,719,128	\$ 20,837,344	\$ 21,136,652	\$ 21,120,920	\$ 21,291,998	\$ 21,649,616	\$ 21,697,799	\$ 21,938,452	\$ 22,371,255
USE OF FUNDS:											
DEBT SERVICE											
27	2009 Bond Refunding	-	-	-	-	-	-	-	-	-	-
28	2008 Bond Issue-Taxable {\$10.365 mil}	-	-	-	-	-	-	-	-	-	-
29	Debt Service - 2011A Issue {Refunding}	-	-	-	-	-	-	-	-	-	-
30	Debt Service - 2012 Issue {Refunding}	-	-	-	-	-	-	-	-	-	-
31	Debt Service - 2013 Issue {\$25.260 mil}	-	-	-	-	-	-	-	-	-	-
32	Debt Service - 2018 Issue {\$22 mil}	-	-	-	-	-	-	-	-	-	-
35	Paying Agent Services	-	-	-	-	-	-	-	-	-	-
40	Subtotal-Debt Service	-	-	-	-	-	-	-	-	-	-
OPERATING EXPENDITURES											
50	Prof Svcs/Proj Mgmt	175,100	175,000	175,000	175,000	175,000	175,000	175,000	175,000	175,000	175,000
52	Legal/Audit	1,400	1,400	1,400	1,400	1,400	1,400	1,400	1,400	1,400	1,400
54	Zone Park Maintenance [mowing, utilities, botanical supplies]	150,000	150,000	150,000	150,000	150,000	150,000	150,000	150,000	150,000	150,000
56	Rail Maintenance	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000
58	Road/Signage Maintenance	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000
60	Contractual Payments [TEDC - Marketing]	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000
62	TISD-Reimbursement [per contract]	40,722	40,722	42,758	42,758	42,758	44,896	44,896	44,896	47,141	47,141
65	Subtotal-Operating Expenditures	792,222	792,122	794,158	794,158	794,158	796,296	796,296	796,296	798,541	798,541
70	TOTAL DEBT & OPERATING EXPENDITURES	\$ 792,222	\$ 792,122	\$ 794,158	\$ 794,158	\$ 794,158	\$ 796,296	\$ 796,296	\$ 796,296	\$ 798,541	\$ 798,541
80	Funds Available for Projects	\$ 19,490,107	\$ 19,927,006	\$ 20,043,186	\$ 20,342,494	\$ 20,326,762	\$ 20,495,702	\$ 20,853,320	\$ 20,901,503	\$ 21,139,911	\$ 21,572,714
PROJECTS											
150	Temple Industrial Park	-	-	-	-	-	-	-	-	-	-
200	Corporate Campus Park	-	-	-	-	-	-	-	-	-	-
250	Bioscience Park/Crossroads Park	-	-	-	-	-	-	-	-	-	-
350	Research Parkway/Outer Loop	-	-	-	-	-	-	-	-	-	-
400	Synergy Park	-	-	-	-	-	-	-	-	-	-
450	Downtown	450,000	450,000	450,000	450,000	450,000	450,000	450,000	450,000	450,000	450,000
500	TMED	-	-	-	-	-	-	-	-	-	-
550	Airport Park	-	-	-	-	-	-	-	-	-	-
610	Public Improvements	16,500,000	17,000,000	17,000,000	17,500,000	17,500,000	17,500,000	18,000,000	18,000,000	18,000,000	18,500,000
	Subtotal-Projects	16,950,000	17,450,000	17,450,000	17,950,000	17,950,000	17,950,000	18,450,000	18,450,000	18,450,000	18,950,000
TOTAL USE OF FUNDS		\$ 17,742,222	\$ 18,242,122	\$ 18,244,158	\$ 18,744,158	\$ 18,744,158	\$ 18,746,296	\$ 19,246,296	\$ 19,246,296	\$ 19,248,541	\$ 19,748,541
700	FUND BALANCE, End	\$ 2,540,107	\$ 2,477,006	\$ 2,593,186	\$ 2,392,494	\$ 2,376,762	\$ 2,545,702	\$ 2,403,320	\$ 2,451,503	\$ 2,689,911	\$ 2,622,714

	2053	2054	2055	2056	2057	2058	2059	2060	2061	2062
	71	72	73	74	75	76	77	78	79	80
DESCRIPTION										
1 "Taxable Increment"	\$ 818,783,466	\$ 826,971,300	\$ 835,241,013	\$ 843,593,423	\$ 852,029,358	\$ 860,549,651	\$ 869,155,148	\$ 877,846,699	\$ 886,625,166	\$ 895,491,418
1 FUND BALANCE, Begin	\$ 2,622,714	\$ 2,251,855	\$ 2,576,942	\$ 2,602,315	\$ 2,829,976	\$ 2,259,473	\$ 2,395,325	\$ 2,739,593	\$ 2,791,766	\$ 2,556,545
2 Adjustments to Debt Service Reserve	-	-	-	-	-	-	-	-	-	-
3 Fund Balance Available for Appropriation	\$ 2,622,714	\$ 2,251,855	\$ 2,576,942	\$ 2,602,315	\$ 2,829,976	\$ 2,259,473	\$ 2,395,325	\$ 2,739,593	\$ 2,791,766	\$ 2,556,545
SOURCES OF FUNDS:										
4 Tax Revenues	20,133,688	20,335,010	20,538,346	20,743,715	20,951,137	21,160,634	21,372,225	21,585,933	21,801,778	22,019,781
6 Allowance for Uncollected Taxes [1.5% of Tax Revenues]	(302,005)	(305,025)	(308,075)	(311,156)	(314,267)	(317,410)	(320,583)	(323,789)	(327,027)	(330,297)
8 Interest Income-Other	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000
10 Grant Funds	-	-	-	-	-	-	-	-	-	-
12 License Fee - Central Texas Railway	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,000
14 Other Revenues	-	-	-	-	-	-	-	-	-	-
15 Sale of land	-	-	-	-	-	-	-	-	-	-
17 Bond Proceeds	-	-	-	-	-	-	-	-	-	-
20 Total Sources of Funds	\$ 19,877,683	\$ 20,075,985	\$ 20,276,271	\$ 20,478,559	\$ 20,682,870	\$ 20,889,224	\$ 21,097,642	\$ 21,308,144	\$ 21,520,751	\$ 21,735,484
25 TOTAL AVAILABLE FOR APPROPRIATION	\$ 22,500,396	\$ 22,327,840	\$ 22,853,213	\$ 23,080,874	\$ 23,512,846	\$ 23,148,698	\$ 23,492,966	\$ 24,047,737	\$ 24,312,517	\$ 24,292,029
USE OF FUNDS:										
DEBT SERVICE										
27 2009 Bond Refunding	-	-	-	-	-	-	-	-	-	-
28 2008 Bond Issue-Taxable {\$10.365 mil}	-	-	-	-	-	-	-	-	-	-
29 Debt Service - 2011A Issue {Refunding}	-	-	-	-	-	-	-	-	-	-
30 Debt Service - 2012 Issue {Refunding}	-	-	-	-	-	-	-	-	-	-
31 Debt Service - 2013 Issue {\$25.260 mil}	-	-	-	-	-	-	-	-	-	-
32 Debt Service - 2018 Issue {\$22 mil}	-	-	-	-	-	-	-	-	-	-
35 Paying Agent Services	-	-	-	-	-	-	-	-	-	-
40 Subtotal-Debt Service	-	-	-	-	-	-	-	-	-	-
OPERATING EXPENDITURES										
50 Prof Svcs/Proj Mgmt	175,000	175,000	175,000	175,000	175,000	175,000	175,000	175,000	175,000	175,000
52 Legal/Audit	1,400	1,400	1,400	1,400	1,400	1,400	1,400	1,400	1,400	1,400
54 Zone Park Maintenance [mowing, utilities, botanical supplies]	150,000	150,000	150,000	150,000	150,000	150,000	150,000	150,000	150,000	150,000
56 Rail Maintenance	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000
58 Road/Signage Maintenance	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000
60 Contractual Payments [TEDC - Marketing]	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000
62 TISD-Reimbursement [per contract]	47,141	49,498	49,498	49,498	51,973	51,973	51,973	54,572	54,572	54,572
65 Subtotal-Operating Expenditures	798,541	800,898	800,898	800,898	803,373	803,373	803,373	805,972	805,972	805,972
70 TOTAL DEBT & OPERATING EXPENDITURES	\$ 798,541	\$ 800,898	\$ 800,898	\$ 800,898	\$ 803,373	\$ 803,373	\$ 803,373	\$ 805,972	\$ 805,972	\$ 805,972
80 Funds Available for Projects	\$ 21,701,855	\$ 21,526,942	\$ 22,052,315	\$ 22,279,976	\$ 22,709,473	\$ 22,345,325	\$ 22,689,593	\$ 23,241,766	\$ 23,506,545	\$ 23,486,057
PROJECTS										
150 Temple Industrial Park	-	-	-	-	-	-	-	-	-	-
200 Corporate Campus Park	-	-	-	-	-	-	-	-	-	-
250 Bioscience Park/Crossroads Park	-	-	-	-	-	-	-	-	-	-
350 Research Parkway/Outer Loop	-	-	-	-	-	-	-	-	-	-
400 Synergy Park	-	-	-	-	-	-	-	-	-	-
450 Downtown	450,000	450,000	450,000	450,000	450,000	450,000	450,000	450,000	450,000	450,000
500 TMED	-	-	-	-	-	-	-	-	-	-
550 Airport Park	-	-	-	-	-	-	-	-	-	-
610 Public Improvements	19,000,000	18,500,000	19,000,000	19,000,000	20,000,000	19,500,000	19,500,000	20,000,000	20,500,000	23,036,057
Subtotal-Projects	19,450,000	18,950,000	19,450,000	19,450,000	20,450,000	19,950,000	19,950,000	20,450,000	20,950,000	23,486,057
TOTAL USE OF FUNDS	\$ 20,248,541	\$ 19,750,898	\$ 20,250,898	\$ 20,250,898	\$ 21,253,373	\$ 20,753,373	\$ 20,753,373	\$ 21,255,972	\$ 21,755,972	\$ 24,292,029
700 FUND BALANCE, End	\$ 2,251,855	\$ 2,576,942	\$ 2,602,315	\$ 2,829,976	\$ 2,259,473	\$ 2,395,325	\$ 2,739,593	\$ 2,791,766	\$ 2,556,545	\$ 0

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

Project Plan - 09/27/17 - to Zone Board

\$ 22,000,000
Bond Proceeds

SUMMARY FINANCING PLAN						
	Revised 2017	2018	2019	2020	2021	2022
1 Beginning Available Fund Balance, Oct 1	\$ 27,838,651	\$ 5,557,758	\$ 1,831,930	\$ 7,513,799	\$ 4,266,052	\$ 5,868,120
20 Total Sources of Funds	20,336,878	40,369,685	16,990,273	16,415,960	15,787,729	15,657,049
2 Adjustments to Debt Service Reserve		-	-	-	-	-
25 Net Available for Appropriation	48,175,529	45,927,443	18,822,203	23,929,759	20,053,781	21,525,169
50/52 General Administrative Expenditures	176,300	176,300	176,300	176,300	176,300	176,400
54 Zone Park Maintenance [mowing, utilities, botanical supplies]	330,000	330,000	330,000	330,000	330,000	330,000
56 Rail Maintenance	214,390	100,000	100,000	100,000	100,000	100,000
58 Road/Signage Maintenance	238,243	100,000	100,000	100,000	100,000	100,000
60 Contractual Payments (TEDC - Marketing)	200,000	200,000	200,000	200,000	200,000	200,000
62 TISD-Reimbursement [per contract]	26,250	27,563	27,563	27,563	28,941	28,941
27 Debt Service - 2009 Issue {Refunding}	1,510,150	1,488,750	1,485,000	-	-	-
28 Debt Service - 2008 Taxable Issue {\$10.365 mil}	1,240,096	1,241,957	1,241,173	1,237,744	1,241,670	1,242,422
29 Debt Service - 2011A Issue {Refunding}	912,200	908,350	915,950	2,497,800	2,497,550	2,494,950
30 Debt Service - 2012 Issue {Refunding}	76,400	79,600	77,650	80,050	77,250	78,750
31 Debt Service - 2013 Issue {\$25.260 mil}	2,034,894	2,047,694	2,048,344	2,047,944	2,046,494	2,031,494
32 Debt Service - 2018 Issue {\$22 mil}	-	-	1,666,724	1,664,606	1,435,756	1,383,056
33 Paying Agent Services	1,700	1,700	1,700	1,700	1,700	1,700
70 Total Debt & Operating Expenditures	6,960,623	6,701,914	8,370,404	8,463,707	8,235,661	8,167,713
80 Funds Available for Projects	\$ 41,214,906	\$ 39,225,530	\$ 10,451,799	\$ 15,466,052	\$ 11,818,120	\$ 13,357,456

PROJECT PLAN						
	Revised 2017	2018	2019	2020	2021	2022
TEMPLE INDUSTRIAL PARK:						
101 Receiving & Delivery (R&D) Tracks	107,500	-	-	-	-	-
101 Receiving & Delivery (R&D) Tracks {bond funded}		400,000	-	-	-	-
102 North Lucius McCelvey Extension	176,655	-	-	-	-	-
108 31st Street Sidewalks Grant Match	52,354	-	-	-	-	-
150 Total North Zone/Rail Park (including Enterprise Park)	336,509	400,000	-	-	-	-
CORPORATE CAMPUS PARK:						
155 Pepper Creek Trail Hwy 36 to McLane Parkway	1,651,520	-	-	-	-	-
200 Total Corporate Campus Park	1,651,520	-	-	-	-	-
BIOSCIENCE PARK/CROSSROADS PARK:						
207 Cross Roads Park @ Pepper Creek Trail	5,564,692	-	-	-	-	-
250 Total Bio-Science Park	5,564,692	-	-	-	-	-
RESEARCH PARKWAY/OUTER LOOP						
305 Research Pkwy (IH 35 to Wendland Ultimate) STAG grant {Little Elm Sewer}	1,925,000	275,000	-	-	-	-
305 Research Pkwy (IH 35 to Wendland Ultimate)	1,202,056	250,000	-	-	-	-
305 Research Pkwy (IH 35 to Wendland Ultimate) {bond funded}	-	14,650,000	-	-	-	-
310 Research Pkwy (Wendland to McLane Pkwy)	1,081,176	-	-	-	-	-
315 Research Pkwy (McLane Pkwy to Central Point Pkwy)	1,021,580	-	-	-	-	-
320 Outer Loop (I35 South)	410,000	-	-	10,750,000	-	-
320 Outer Loop (I35 South) {bond funded}	-	3,100,000	-	-	-	-
321 East Outer Loop	-	906,600	-	-	-	-
350 Total Research Parkway	5,639,812	19,181,600	-	10,750,000	-	-
SYNERGY PARK:						
351 Lorraine Drive (Southeast Industrial Park) - [\$1.5M total project cost]	13,975	-	-	-	-	-
352 Entry Enhancement	62,726	-	-	-	-	-
400 Total Synergy Park	76,701	-	-	-	-	-
DOWNTOWN:						
401 Downtown Improvements {Transformation Team}	681,100	450,000	450,000	450,000	450,000	450,000
402 Santa Fe Plaza	8,039,332	4,075,000	-	-	-	-
403 Intersection Improvements at Central & North 4th Street {bond funded}		750,000	-	-	-	-
404 Santa Fe Market	766,463	3,545,000	-	-	-	-
405 TISD-Obligation per Contract	5,000,000	5,000,000	-	-	-	-
406 1st Street (Avenue B to Central Avenue) and Avenue A (North 3rd to South 2nd)	-	296,000	-	-	-	-
407 North 31st Street (Nugent to Central) Concept Design	-	212,000	-	-	-	-
408 Strategic Investment Zone - Grants	-	425,000	-	-	-	-
450 Total Downtown	14,486,895	14,753,000	450,000	450,000	450,000	450,000
TMED:						
458 Loop 363 Frontage Rd (UPRR to 5th TIRZ portion)	182,935	-	-	-	-	-
459 31st Street/Loop 363 Improvements	912,205	-	-	-	-	-
460 31st Street (Loop 363 to Avenue M) and Avenue R (31st to 25th Street) Concept Design	-	130,000	-	-	-	-
461 31st Street Monumentation {bond funded}	-	450,000	-	-	-	-
462 Ave U TMED Ave. to 1st Street	2,884,670	75,000	-	-	-	-
463 TMED Master Plan (Health Care Campus)	-	-	-	-	-	-
464 TMED Master Plan & Thoroughfare Plan	-	-	-	-	-	-
465 Friars Creek Trail Amphitheater	-	-	-	-	-	-
466 Veteran's Memorial Blvd. Phase II	804,285	-	2,488,000	-	-	-
467 1st Street @ Temple College Pedestrian Bridge	-	-	-	-	-	-
468 TMED South 1st Street	1,320,000	100,000	-	-	-	-
469 Contingency {bond funded}	-	1,743,400	-	-	-	-
500 Total TMED	6,104,095	2,498,400	2,488,000	-	-	-
AIRPORT PARK:						
507 Taxiway for Airport	63,700	-	-	-	-	-
508 Corporate Hangar Phase II	263,224	-	-	-	-	-
509 Airport RAMP Grant	-	100,000	-	-	-	-
510 Corporate Hangar	1,470,000	341,600	-	-	-	-
511 Draughon-Miller Regional Airport FBO Center & Parking Visioning	-	119,000	-	-	-	-
550 Total Airport Park	1,796,924	560,600	-	-	-	-
610 Public Improvements	-	-	-	-	5,500,000	7,000,000
Total Planned Project Expenditures	35,657,148	37,393,600	2,938,000	11,200,000	5,950,000	7,450,000
700 Available Fund Balance at Year End	\$ 5,557,758	\$ 1,831,930	\$ 7,513,799	\$ 4,266,052	\$ 5,868,120	\$ 5,907,456

SUMMARY TRZ MASTER PLAN PROJECT FUNDING (2017 - 2025)

Available for allocation	\$ 41,214,906	\$ 22,000,000	\$ 11,667,772	\$ 8,619,869	\$ 7,952,253	\$ 7,552,068	\$ 7,489,336	\$ 10,576,846	\$ 11,222,833	\$ 11,793,359	\$ 140,089,242
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	Bond Issue										
	2017	2018	2018	2019	2020	2021	2022	2023	2024	2025	TOTAL
Temple Industrial Park	\$ 336,509	\$ 400,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 736,509
Corporate Campus Park	1,651,520	-	-	-	-	-	-	-	-	-	1,651,520
Bioscience Park/Crossroads Park	5,564,692	-	-	-	-	-	-	-	-	-	5,564,692
Research Parkway/Outer Loop	5,639,812	18,656,600	525,000	-	10,750,000	-	-	-	-	-	35,571,412
Synergy Park	76,701	-	-	-	-	-	-	-	-	-	76,701
Downtown	14,486,895	750,000	14,003,000	450,000	450,000	450,000	450,000	450,000	450,000	450,000	32,389,895
TMED	6,104,095	2,193,400	305,000	2,488,000	-	-	-	-	-	-	11,090,495
Airport Park	1,796,924	-	560,600	-	-	-	-	-	-	-	2,357,524
Public Improvements	-	-	-	-	-	5,500,000	7,000,000	13,000,000	11,500,000	11,000,000	48,000,000
MASTER PLAN PROJECT FUNDING	\$ 35,657,148	\$ 22,000,000	\$ 15,393,600	\$ 2,938,000	\$ 11,200,000	\$ 5,950,000	\$ 7,450,000	\$ 13,450,000	\$ 11,950,000	\$ 11,450,000	\$ 137,438,748

	Bond Issue										
	2017	2018	2018	2019	2020	2021	2022	2023	2024	2025	TOTAL
Favorable (Unfavorable) Balance	\$ 5,557,758	\$ -	\$ (3,725,828)	\$ 5,681,869	\$ (3,247,747)	\$ 1,602,068	\$ 39,336	\$ (2,873,154)	\$ (727,167)	\$ 343,359	\$ 2,650,494
Cumulative Favorable (Unfavorable)	\$ 5,557,758	\$ 5,557,758	\$ 1,831,930	\$ 7,513,799	\$ 4,266,052	\$ 5,868,120	\$ 5,907,456	\$ 3,034,302	\$ 2,307,135	\$ 2,650,494	

TRZ MASTER PLAN PROJECT FUNDING (2017 - 2025)

Available for allocation	\$ 41,214,906	\$ 22,000,000	\$ 11,667,772	\$ 8,619,869	\$ 7,952,253	\$ 7,552,068	\$ 7,489,336	\$ 10,576,846	\$ 11,222,833	\$ 11,793,359	\$ 140,089,242
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Temple Industrial Park			Bond Issue									
Line #	Project Description	2017	2018	2018	2019	2020	2021	2022	2023	2024	2025	TOTAL
1	North Lucius McCelvey Ext. (1/2) Construction	176,655	-	-	-	-	-	-	-	-	-	176,655
2	Northern Y Design	-	-	-	-	-	-	-	-	-	-	-
3	Northern Y Construction	-	-	-	-	-	-	-	-	-	-	-
4	Receiving & Delivery Tracks Preliminary Design	107,500	-	-	-	-	-	-	-	-	-	107,500
5	Receiving & Delivery Tracks ROW	-	400,000	-	-	-	-	-	-	-	-	400,000
6	N 31st Street Sidewalks Grant Match	52,354	-	-	-	-	-	-	-	-	-	52,354
7	N 31st Street Sidewalks Construction	-	-	-	-	-	-	-	-	-	-	-
	SUBTOTAL	336,509	400,000	-	-	-	-	-	-	-	-	736,509

Corporate Campus Park			Bond Issue									
Line #	Project Description	2017	2018	2018	2019	2020	2021	2022	2023	2024	2025	TOTAL
8	Pepper Creek Trail Hwy 36 to McLane Prkwy Design	115,500	-	-	-	-	-	-	-	-	-	115,500
9	Pepper Creek Trail Hwy 36 to McLane Prkwy Construction	1,536,020	-	-	-	-	-	-	-	-	-	1,536,020
SUBTOTAL		1,651,520	-	-	-	-	-	-	-	-	-	1,651,520

Bioscience Park/Crossroads Park			Bond Issue									
Line #	Project Description	2017	2018	2018	2019	2020	2021	2022	2023	2024	2025	TOTAL
10	Crossroads Park @ Pepper Creek Trail Design	100,602	-	-	-	-	-	-	-	-	-	100,602
11	Crossroads Park @ Pepper Creek Trail Construction	5,464,090	-	-	-	-	-	-	-	-	-	5,464,090
SUBTOTAL		5,564,692	-	-	-	-	-	-	-	-	-	5,564,692

Research Parkway/Outer Loop			Bond Issue									
Line #	Project Description	2017	2018	2018	2019	2020	2021	2022	2023	2024	2025	TOTAL
12	Research Pkwy (IH35 to Wendland At Grade) Design	131,247	550,000	-	-	-	-	-	-	-	-	681,247
13	Research Pkwy (IH35 to Wendland Ultimate) ROW	1,070,809	-	250,000	-	-	-	-	-	-	-	1,320,809
14	Research Pkwy (IH35 to Wendland At Grade) Grant {Little Elm Sewer}	1,925,000	-	275,000	-	-	-	-	-	-	-	2,200,000
15	Research Pkwy (IH35 to Wendland At Grade) Construction	-	14,100,000	-	-	-	-	-	-	-	-	14,100,000
16	Research Pkwy (Wendland to Central Pt Pkwy) Design	-	-	-	-	-	-	-	-	-	-	-
17	Research Pkwy (Wendland to Central Pt Pkwy) ROW	2,102,756	-	-	-	-	-	-	-	-	-	2,102,756
18	Research Pkwy (Wendland to Central Pt Pkwy) Construction	-	-	-	-	-	-	-	-	-	-	-
19	Outer Loop (I35 South) Design	410,000	800,000	-	-	750,000	-	-	-	-	-	1,960,000
20	Outer Loop (I35 South) ROW	-	2,300,000	-	-	-	-	-	-	-	-	2,300,000
21	Outer Loop (I35 South) Construction	-	-	-	-	10,000,000	-	-	-	-	-	10,000,000
22	East Outer Loop Design	-	406,600	-	-	-	-	-	-	-	-	406,600
23	East Outer Loop Construction	-	500,000	-	-	-	-	-	-	-	-	500,000
SUBTOTAL		5,639,812	18,656,600	525,000	-	10,750,000	-	-	-	-	-	35,571,412

Synergy Park			Bond Issue									
Line #	Project Description	2017	2018	2018	2019	2020	2021	2022	2023	2024	2025	TOTAL
24	Entry Enhancement Design	62,726	-	-	-	-	-	-	-	-	-	62,726
25	Entry Enhancement Constr	-	-	-	-	-	-	-	-	-	-	-
26	Lorraine Drive/Panda Drive Service Road Construction	13,975	-	-	-	-	-	-	-	-	-	13,975
SUBTOTAL		76,701	-	-	-	-	-	-	-	-	-	76,701

TRZ MASTER PLAN PROJECT FUNDING (2017 - 2025)

Downtown			Bond Issue									
Line #	Project Description	2017	2018	2018	2019	2020	2021	2022	2023	2024	2025	TOTAL
27	Santa Fe Plaza Design	641,969	-	-	-	-	-	-	-	-	-	641,969
28	Santa Fe Plaza ROW	2,697,363	-	-	-	-	-	-	-	-	-	2,697,363
29	Santa Fe Plaza Construction	4,700,000	-	4,075,000	-	-	-	-	-	-	-	8,775,000
30	TISD-Obligation per Contract	5,000,000	-	5,000,000	-	-	-	-	-	-	-	10,000,000
31	Intersection Improvements at Central and N. 4th Street	-	750,000	-	-	-	-	-	-	-	-	750,000
32	Santa Fe Market Design	303,400	-	-	-	-	-	-	-	-	-	303,400
33	Santa Fe Market ROW	463,063	-	45,000	-	-	-	-	-	-	-	508,063
34	Santa Fe Market Construction	-	-	3,500,000	-	-	-	-	-	-	-	3,500,000
35	Downtown Transformation Team	681,100	-	450,000	450,000	450,000	450,000	450,000	450,000	450,000	450,000	4,281,100
36	1st Street (Ave B to Central Ave) and Ave A (North 3rd to South 2nd) Design	-	-	296,000	-	-	-	-	-	-	-	296,000
37	1st Street from Avenue B to Central Avenue ROW	-	-	-	-	-	-	-	-	-	-	-
38	1st Street from Avenue B to Central Avenue Construction	-	-	-	-	-	-	-	-	-	-	-
39	Strategic Investment Zone - Grants	-	-	425,000	-	-	-	-	-	-	-	425,000
40	North 31st Street (Nugent to Central) Concept Design	-	-	212,000	-	-	-	-	-	-	-	212,000
SUBTOTAL		14,486,895	750,000	14,003,000	450,000	450,000	450,000	450,000	450,000	450,000	450,000	32,389,895

TMED			Bond Issue									
Line #	Project Description	2017	2018	2018	2019	2020	2021	2022	2023	2024	2025	TOTAL
41	Loop 363 FR (UPRR to 5th TRZ Portion) Construction	182,935	-	-	-	-	-	-	-	-	-	182,935
42	31st Street (Loop 363 to Ave M) and Ave R (31st to 25th Street) Concept Design	-	-	130,000	-	-	-	-	-	-	-	130,000
43	31 Street Improvements Design	120,267	-	-	-	-	-	-	-	-	-	120,267
44	31 Street Improvements Construction	791,938	-	-	-	-	-	-	-	-	-	791,938
45	31st Street Monumentation Construction	-	450,000	-	-	-	-	-	-	-	-	450,000
46	Ave U TMED Ave. to 1st Construction	2,884,670	-	75,000	-	-	-	-	-	-	-	2,959,670
47	TMED Master Plan (Health Care Campus) Design	-	-	-	-	-	-	-	-	-	-	-
48	TMED Master Plan &Thoroughfare Plan * Design	-	-	-	-	-	-	-	-	-	-	-
49	Friars Creek Trail Amphitheater	-	-	-	-	-	-	-	-	-	-	-
50	Veteran's Memorial Blvd. Phase II Design	554,285	-	-	-	-	-	-	-	-	-	554,285
51	Veteran's Memorial Blvd. Phase II ROW	250,000	-	-	-	-	-	-	-	-	-	250,000
52	Veteran's Memorial Blvd. Phase II Construction	-	-	-	2,488,000	-	-	-	-	-	-	2,488,000
53	TMED South 1st Street Design	120,000	-	-	-	-	-	-	-	-	-	120,000
54	TMED South 1st Street Construction	1,200,000	-	100,000	-	-	-	-	-	-	-	1,300,000
55	Bond Contingency	-	1,743,400	-	-	-	-	-	-	-	-	1,743,400
SUBTOTAL		6,104,095	2,193,400	305,000	2,488,000	-	-	-	-	-	-	11,090,495

Airport Park			Bond Issue									
Line #	Project Description	2017	2018	2018	2019	2020	2021	2022	2023	2024	2025	TOTAL
56	Taxiway for Airport {60 ft. width}	63,700	-	-	-	-	-	-	-	-	-	63,700
57	Corporate Hangar Phase II	263,224	-	-	-	-	-	-	-	-	-	263,224
58	Corporate Hangar	1,470,000	-	341,600	-	-	-	-	-	-	-	1,811,600
59	Airport RAMP Grant	-	-	100,000	-	-	-	-	-	-	-	100,000
60	Draughon-Miller Regional Airport FBO Center & Parking Visioning	-	-	119,000	-	-	-	-	-	-	-	119,000
SUBTOTAL		1,796,924	-	560,600	-	-	-	-	-	-	-	2,357,524

Public Improvements			Bond Issue									
Line #	Project Description	2017	2018	2018	2019	2020	2021	2022	2023	2024	2025	TOTAL
61	Public Improvements	-	-	-	-	-	5,500,000	7,000,000	13,000,000	11,500,000	11,000,000	48,000,000

MASTER PLAN PROJECT FUNDING	\$ 35,657,148	\$ 22,000,000	\$ 15,393,600	\$ 2,938,000	\$ 11,200,000	\$ 5,950,000	\$ 7,450,000	\$ 13,450,000	\$ 11,950,000	\$ 11,450,000	\$ 137,438,748
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		Bond Issue										
		2017	2018	2018	2019	2020	2021	2022	2023	2024	2025	TOTAL
Favorable (Unfavorable) Balance		5,557,758	-	(3,725,828)	5,681,869	(3,247,747)	1,602,068	39,336	(2,873,154)	(727,167)	343,359	2,650,494
Cumulative Favorable (Unfavorable)		5,557,758	5,557,758	1,831,930	7,513,799	4,266,052	5,868,120	5,907,456	3,034,302	2,307,135	2,650,494	

CITY OF TEMPLE, TEXAS

REINVESTMENT ZONE NO. 1

SCHEDULE OF OUTSTANDING BONDS (PRINCIPAL & INTEREST) - AS OF OCTOBER 1, 2017 WITH PROPOSED ISSUE

Fiscal Year	Percent of Debt Retired		TIRZ Revenue Bonds, Taxable Series 2008	General Obligation Bonds Series 2009 {2003 CO}	General Obligation Bonds Series 2011A {2008 CO}	General Obligation Bonds Series 2012 {2003 CO}	Combo Tax & Revenue Bonds Series 2013	TIRZ Revenue Bonds Series 2018	Total
	Annual %	Cumulative %							
2018	6.82%	6.82%	\$ 1,241,957	\$ 1,488,750	\$ 908,350	\$ 79,600	\$ 2,047,694	\$ -	\$ 5,766,351
2019	8.79%	15.61%	1,241,173	1,485,000	915,950	77,650	2,048,344	1,666,724	7,434,841
2020	8.90%	24.51%	1,237,744	-	2,497,800	80,050	2,047,944	1,664,606	7,528,144
2021	8.63%	33.14%	1,241,670	-	2,497,550	77,250	2,046,494	1,435,756	7,298,720
2022	8.55%	41.69%	1,242,422	-	2,494,950	78,750	2,031,494	1,383,056	7,230,672
2023	4.37%	46.06%	-	-	-	-	2,030,094	1,666,406	3,696,500
2024	4.37%	50.43%	-	-	-	-	2,026,694	1,667,206	3,693,900
2025	4.38%	54.81%	-	-	-	-	2,038,412	1,666,606	3,705,018
2026	4.40%	59.21%	-	-	-	-	2,051,612	1,669,606	3,721,218
2027	4.40%	63.61%	-	-	-	-	2,059,112	1,666,006	3,725,118
2028	4.41%	68.02%	-	-	-	-	2,061,712	1,666,006	3,727,718
2029	4.41%	72.43%	-	-	-	-	2,061,712	1,669,406	3,731,118
2030	4.42%	76.85%	-	-	-	-	2,069,112	1,666,006	3,735,118
2031	4.43%	81.27%	-	-	-	-	2,073,512	1,669,600	3,743,112
2032	4.43%	85.71%	-	-	-	-	2,084,912	1,664,663	3,749,575
2033	4.44%	90.15%	-	-	-	-	2,092,913	1,664,763	3,757,676
2034	1.97%	92.12%	-	-	-	-	-	1,667,388	1,667,388
2035	1.97%	94.09%	-	-	-	-	-	1,667,313	1,667,313
2036	1.97%	96.07%	-	-	-	-	-	1,669,538	1,669,538
2037	1.97%	98.03%	-	-	-	-	-	1,663,838	1,663,838
2038	1.97%	100.00%	-	-	-	-	-	1,663,538	1,663,538
Total:			\$ 6,204,966	\$ 2,973,750	\$ 9,314,600	\$ 393,300	\$ 32,871,767	\$ 32,818,031	\$ 84,576,414

Principal Outstanding	\$ 7,105,000	\$ 5,565,000	\$ 9,215,000	\$ 470,000	\$ 25,260,000	\$ 21,245,000	\$ 68,860,000
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ORDINANCE NO. 2017-4871

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING AN AMENDMENT TO THE TAX INCREMENT FINANCING REINVESTMENT ZONE NO. 1 FINANCING AND PROJECT PLANS TO ALIGN WITH THE 2022 MASTER PLAN WHICH INCLUDES APPROPRIATING BOND PROCEEDS, ADJUSTING TAX REVENUES AND ALLOCATING EXPENDITURES FOR PUBLIC IMPROVEMENTS FOR FISCAL YEARS 2017-2062; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; DECLARING FINDINGS OF FACT; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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

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

October, 2009; Ordinance No. 2010-4338 on the 18th day of February, 2010; Ordinance No. 2010-4373 on the 19th day of August, 2010; Ordinance No. 2010-4405 on November 4, 2010; Ordinance No. 2011-4429 on March 17, 2011; Ordinance No. 2011-4455 on July 21, 2011; Ordinance No. 2011-4477 on October 20, 2011; Ordinance No. 2012-4540 on June 21, 2012; and Ordinance No. 2012-4546 on July 19, 2012; Ordinance No. 2012-4554 on September 20, 2012; Ordinance No. 2012-4566 on November 15, 2012; Ordinance No. 2013-4595 on June 20, 2013; Ordinance No. 2014-4665 on May 15, 2014; Ordinance No. 2014-4676 on July 17, 2014; Ordinance No. 2014-4683 on September 18, 2014; Ordinance No. 2014-4695 on December 18, 2014; Ordinance No. 2015-4705 on April 16, 2015; Ordinance No. 2015-4734 on October 17, 2015; Ordinance No. 2016-4789 on July 21, 2016; Ordinance No. 2016-4809 on October 20, 2016; Ordinance No. 2017-4838 on April 20, 2017; Ordinance No. 2017-4851 on July 20, 2017; Ordinance No. 2017-4871 on October 19, 2017;

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

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

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

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

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

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

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

Part 4: Severability. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this ordinance are severable and, if any phrase, clause, sentence, paragraph or section of this ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect

any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such invalid phrase, clause, sentence, paragraph or section.

Part 5: Effective Date. This ordinance shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Temple, Texas, and it is accordingly so ordained.

Part 6: Open Meetings. It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meeting Act.

PASSED AND APPROVED on First Reading and Public Hearing on the **5th** day of **October**, 2017.

PASSED AND APPROVED on Second Reading on the **19th** day of **October**, 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

10/05/17
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 designating a tract of land consisting of approximately 143.21 acres and located at 251 Berger Road, Temple, Texas, as City of Temple Tax Abatement Reinvestment Zone Number 35 for commercial/industrial tax abatement.

STAFF RECOMMENDATION: Conduct a public hearing and adopt ordinance as presented in item description on first reading, with second and final reading on October 19, 2017.

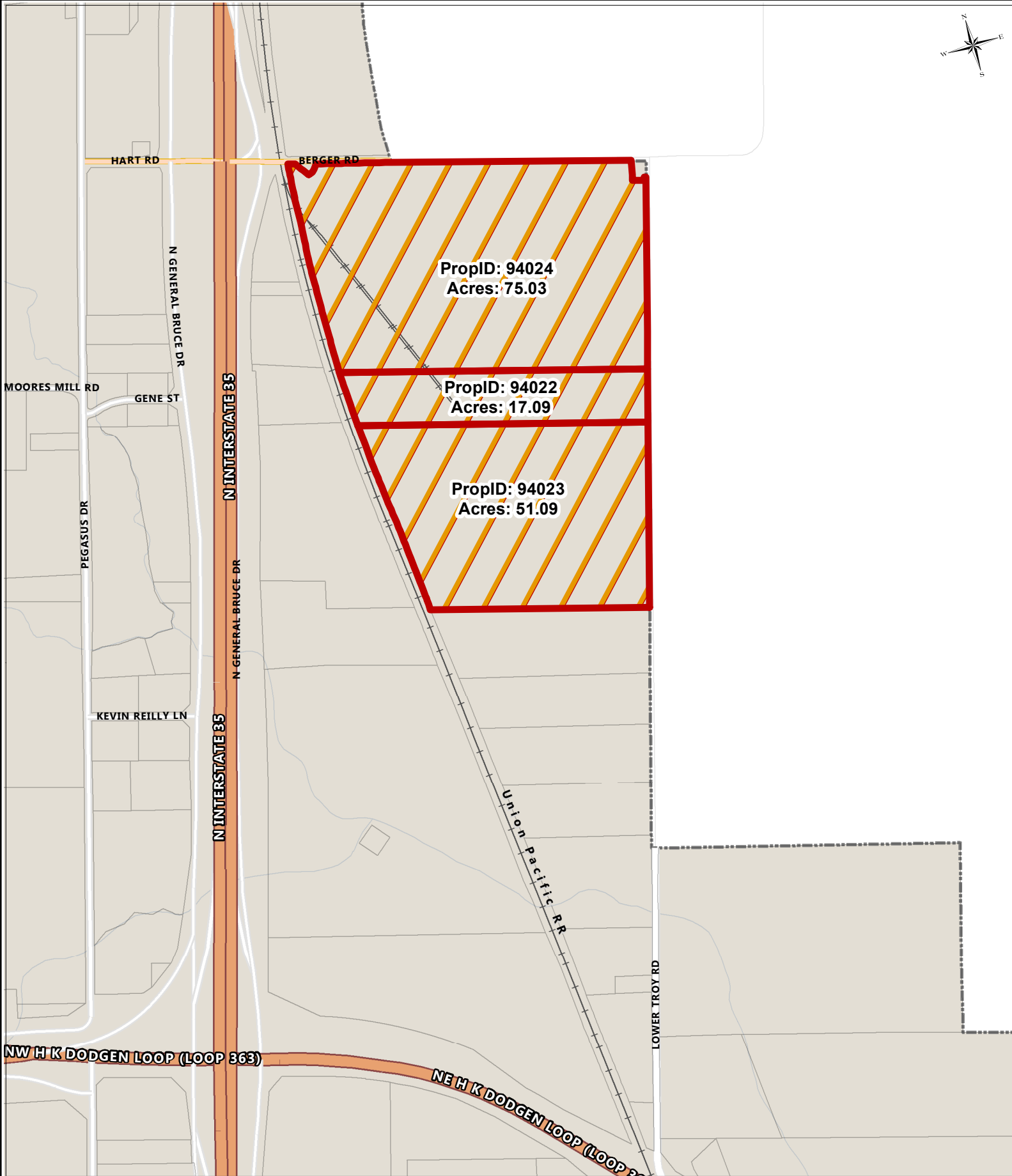
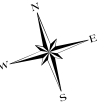
ITEM SUMMARY: The proposed ordinance designates a tract of land consisting of approximately 143.21 acres and located at 251 Berger Road, south of Berger Road and west of Lower Troy Road, as Tax Abatement Reinvestment Zone Number 35 for commercial/industrial tax abatement.

The designation of a tax abatement reinvestment zone lasts for five years and is a prerequisite for entering into a tax abatement agreement with a future economic development prospect. We anticipate bringing a tax abatement agreement for proposed improvements to the property for Council's consideration at the October 19, 2017 meeting.

FISCAL IMPACT: The designation of a tax abatement reinvestment zone lasts for five years and is a prerequisite for entering into a tax abatement agreement with a future economic development prospect. We anticipate bringing a tax abatement agreement for proposed improvements to the property for Council's consideration at the October 19, 2017 meeting.

ATTACHMENTS:

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



Tax Abatement Reinvestment Zone No 35

0 500 1,000 2,000 Feet

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

ORDINANCE NO. 2017-4872

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, DESIGNATING A TRACT OF LAND CONSISTING OF APPROXIMATELY 143.21 ACRES LOCATED AT 251 BERGER ROAD, TEMPLE, TEXAS, AS CITY OF TEMPLE TAX ABATEMENT REINVESTMENT ZONE NUMBER THIRTY-FIVE FOR COMMERCIAL/INDUSTRIAL TAX ABATEMENT; ESTABLISHING THE BOUNDARIES THEREOF AND OTHER MATTERS RELATING THERETO; DECLARING FINDINGS OF FACT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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

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

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

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

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

Part 1: 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, after conducting such hearings and having heard such evidence and testimony has made the following findings and determinations based on the testimony presented to it:

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

B. That the boundaries of the reinvestment zone (hereinafter "REINVESTMENT ZONE NUMBER THIRTY-FIVE") should be approximately 143.21 acres located at 251 Berger Road. Temple, Texas, Bell County, Texas, as described in the drawing attached as Exhibit "A."

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

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

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

Part 3: Pursuant to Section 312.201 of the Code, the City hereby creates a reinvestment zone for commercial/industrial tax abatement encompassing approximately 143.21 acres located at 251 Berger Road. Temple, Texas, Bell County, Texas, described by the drawing in Exhibit "A," attached hereto and such REINVESTMENT ZONE is hereby designated and shall hereafter be officially designated as TAX ABATEMENT REINVESTMENT ZONE NUMBER THIRTY-FIVE, City of Temple, Texas.

Part 4: The REINVESTMENT ZONE shall take effect on **October 19, 2017.**

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

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

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

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

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

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

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

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

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

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

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

Part 8: Severance clause. If any provision of this Ordinance or the application of any provision to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

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

Part 10: Sunset provision. The designation of TAX ABATEMENT REINVESTMENT ZONE NUMBER THIRTY-FIVE shall expire five years from the effective date of this Ordinance. The designation of a tax abatement reinvestment zone may be renewed for periods not exceeding five years. The expiration of a reinvestment zone designation does not affect an existing tax abatement agreement authorized by the City Council.

Part 11: Open Meeting Act. It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meeting Act.

PASSED AND APPROVED on First Reading on the 5th day of **October**, 2017.

PASSED AND APPROVED on Second and Final Reading and Public Hearing on the
19th day of **October**, 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

10/05/17

Item #9

Regular Agenda

Page 1 of 4

DEPT. / DIVISION SUBMISSION & REVIEW:

Mark Baker, Senior Planner

ITEM DESCRIPTION: FIRST READING - PUBLIC HEARING - Z-FY-17-42: Consider adopting an ordinance authorizing a rezoning from Agricultural zoning district to Planned Development - General Retail zoning district with Development/ Site Plan approval, on 5.058 +/- acres, located on the north side of FM 2305, approximately 290 feet west of its intersection with Morgan's Point Road (FM 2271), addressed 12000 and 11934 FM 2305.

STAFF RECOMMENDATION: Staff recommends approval for a rezoning from Agricultural (AG) district to Planned Development-General Retail (PD-GR) district subject to the following conditions:

1. Substantial compliance with the Site/ Development Plan (Exhibit A), including a 15-foot tree landscape buffer be provided along the perimeter boundary;
2. That existing trees and other landscape material shall be counted as credit toward meeting the overall landscape requirements of UDC Section 7.4.4, subject to review of a Landscape Plan at the building review stage of development;
3. Maximum building height of 25 feet;
4. Residential appearance to buildings with pitched roofs, windows, foundation plantings and brick / masonry facades; and
5. Freestanding signage: Maximum 30 feet in height.

Staff recommends approval of Planned Development – General Retail (PD-GR) zoning district, for the following reasons:

1. That the proposed Planned Development demonstrates compliance with the provisions of the Planned Development Criteria as required by UDC Section 3.4.5;
2. The Planned Development-General Retail (PD-GR) zoning meets the intent of the FM 2271 Corridor Plan and is consistent with Planned Developments approved within the FM 2271 Corridor;
3. The Planned Development-General Retail (PD-GR) zoning is compatible with surrounding zoning, existing and anticipated uses;
4. The Planned Development-General Retail (PD-GR) complies with the Thoroughfare Plan; and
5. Public and on-site facilities are available to serve the subject property.

PLANNING & ZONING COMMISSION RECOMMENDATION: At their September 5, 2017 meeting, the Planning & Zoning Commission voted eight to zero to recommend approval of the proposed Planned Development as recommended by staff.

ITEM SUMMARY: The subject property is a 5.058 +/- acre tract, which is being proposed for rezoning from Agricultural (AG) zoning district to General Retail (GR) zoning district. Although the rezoning is not being driven by a specific user, the owner intends to market the property for retail and service uses.

The subject property borders 40 Morgan's Point Road on the east side, which is a 2.485 +/- acre property recently rezoned to PD-GR per Ordinance 2017-4847. The subject property is similar in terms of existing trees and vegetation availability for use into a perimeter landscape buffer for screening. A condition is proposed with this Planned Development for the same type of perimeter landscape buffer.

FM 2271 CORRIDOR PLAN: The City of Temple City Council adopted the FM 2271 Corridor Plan per Ordinance 98-2589. The Corridor Plan was intended to be a general guide for development within the study area over the course of 10 to 20 years. While it was adopted in 1998, it is still a relevant guideline for the defined corridor.

The study area for the Corridor Plan spans one-quarter mile on either side of FM 2271 (Morgan's Point Road), within the corporate boundaries of the City of Temple, bounded by Belton Dam on the south and Bonnie Lane on the north, consisting of approximately 438 acres of land. The subject property is within those boundaries and is subject to the guidelines of the Corridor Plan. Further, the plan identifies General Retail (GR) as the appropriate zoning district to provide the retail and service uses. The Plan also identifies the Planned Development concept to codify the guidelines of the Corridor Plan.

It is noteworthy that this request is the third rezoning within the Corridor boundaries within the last three months. Two of the three requests are from the same applicant. The third was approved by Ord. 2017-4847 in June and is east of the subject property, fronting along FM 2271.

Both the FM 2271 Corridor Plan's Future Land Use Map and Zoning Map (attached with Maps) identify the subject property as within the target area for not only a Planned Development Concept but with an underlying zoning district of General Retail. While part of the subject property is not entirely within the targeted area for Planned Development or retail uses, proceeding as a Planned Development with a base zoning of General Retail, is consistent with the intent of the FM 2271 Corridor Plan.

PLANNED DEVELOPMENT (UDC SEC. 3.4): A Planned Development is a flexible overlay zoning district designed to respond to unique development proposals, special design considerations and land use transitions by allowing evaluation of land use relationships to surrounding areas through development / site plan approval.

As a Planned Development, per UDC Sec.3.4, a Development / Site Plan is binding and subject to review and approval by City Council as part of the rezoning. As opposed to a standard rezoning, conditions of approval can be included into the rezoning Ordinance.

Further, this Planned Development (PD) concept, will have a base zoning of General Retail (GR) with no changes to the allowed uses of the GR district. Building height however, will be restricted to two-stories rather than three allowed in GR. At the same time, the PD concept codifies the intent of the FM 2271 Corridor Plan and utilizes the natural resources to add buffer and screening for the subject property. As such, the Development / Site Plan is included as the Exhibit with the Rezoning Ordinance and identifies the location and size of the landscape buffers.

In determining whether to approve, approve with conditions or deny a Planned Development application, the Planning & Zoning Commission and City Council must consider criteria as set forth in UDC Section 3.4.5 A-J. The Planned Development Criteria and Compliance Summary is attached.

The uses allowed in GR include but are not limited to those shown in the attached 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 land use district. The Estate Residential district is for large lot rural development generally on the fringes. The subject property is also with the Suburban Commercial land use designation, which is appropriate for office, retail and services uses adjacent to and abutting residential neighborhoods and in other areas where the community's image and aesthetic value is to be promoted, such as "Gateways" and high-profile corridor locations. Since the project is within both the Estate Residential and the Suburban Commercial land use designations, the requested base-zoning of General Retail (GR) is **partially** consistent with the Future Land Use Map.

Thoroughfare Plan (CP Map 5.2)

The subject property takes access from FM 2305, shown on the Thoroughfare Plan as a minor arterial. A minor arterial requires a minimum 70 feet of right-of-way (ROW) and 49 feet of pavement. The anticipated subdivision plat will address any needed ROW dedication. To date, no dedication issues have been identified. No Transportation Capital Improvement Program (TCIP) improvements scheduled through FY 2024 have been identified.

Availability of Public Facilities (CP Goal 4.1)

Sewer is available from a 12-inch sewer line within FM 2305 (W. Adams Ave) and an eight inch sewer line on the west side of the project site. Water is available through a 12-inch water line in FM 2305.

Temple Trails Master Plan Map and Sidewalks Ordinance

On FM 2305, a proposed City-Wide Spine Trail is shown on the Trails Master Plan. In addition, as a major arterial, a six foot sidewalk is required along FM 2305. The City may agree to upsize the six foot sidewalk. Provisions for the sidewalk will be addressed during the plat review stage.

DEVELOPMENT REGULATIONS: The attached table compare and contrast, the current Agricultural development standards with the proposed General Retail standards.

PUBLIC NOTICE: Eighteen notices to property owners within 200-feet of the subject property were sent notice of the public hearing as required by State law and City Ordinance. As of Tuesday September 26, 2017 at 9:00 AM, five notices in agreement have been received. One notice has been returned as undeliverable.

The newspaper printed notice of the public hearing on August 24, 2017, in accordance with state law and local ordinance.

SCHOOL DISTRICT: Belton Independent School District (BISD)

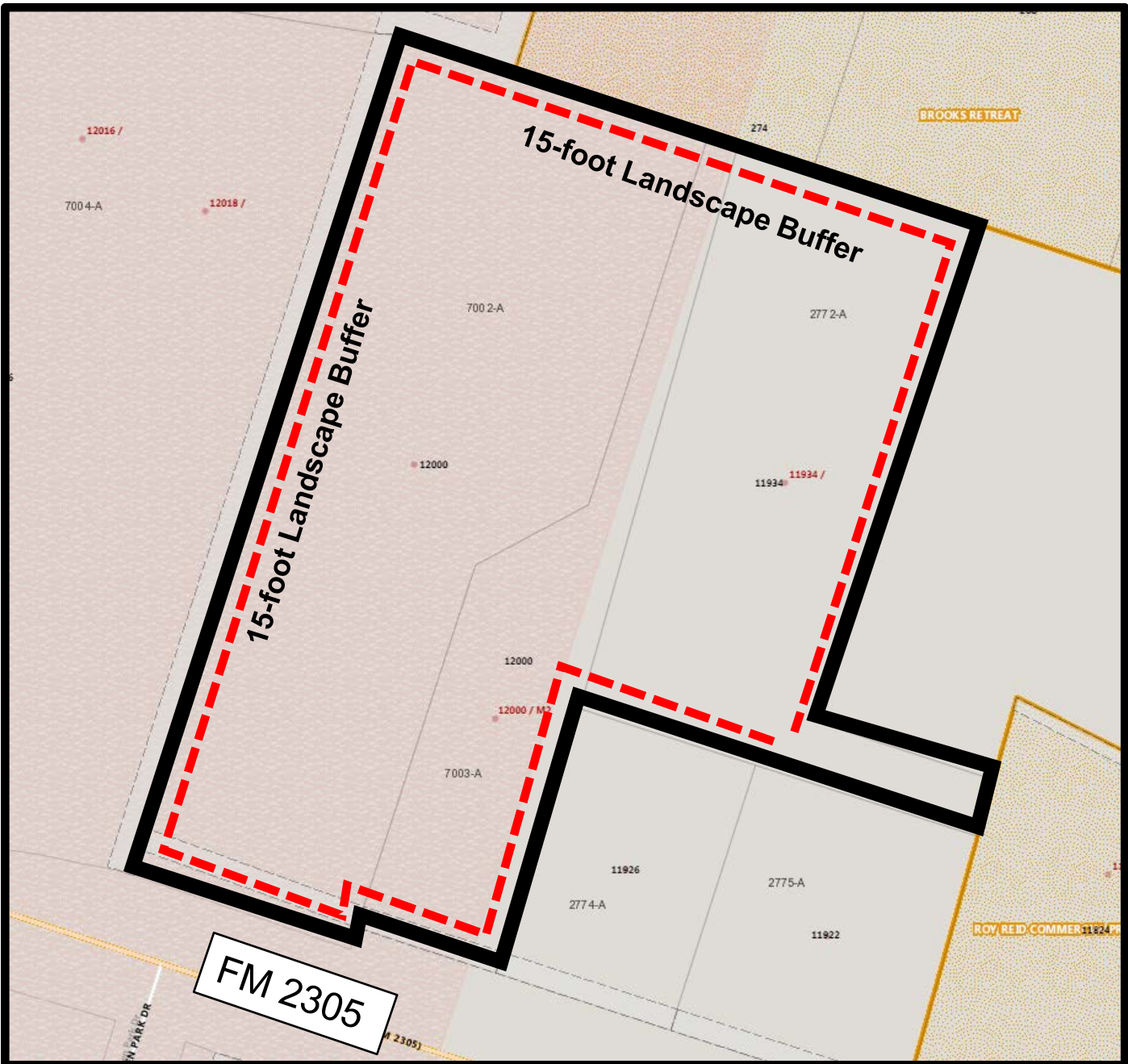
FISCAL IMPACT: Not Applicable

ATTACHMENTS:

Development / Site Plan (Exhibit A)
Surveyor Sketch & Field Notes (Exhibit B)
Planned Development Criteria Compliance Summary (UDC Sec. 3.4.5)
Photos
Maps
Tables
Returned Property Notices
P&Z Excerpts (September 5, 2017)
Ordinance

Exhibit A

*Buffer for Illustrative Purposes Only
Not to Scale*



1. Substantial compliance with the Site/ Development Plan (Exhibit A), including a 15-foot tree landscape buffer be provided along the perimeter boundary;
2. That existing trees and other landscape material shall be counted as credit toward meeting the overall landscape requirements of UDC Section 7.4.4, subject to review of a Landscape Plan at the building review stage of development;
3. Maximum building height of 25 feet;
4. Residential appearance to buildings with pitched roofs, windows, foundation plantings and brick/ masonry facades; and
5. Freestanding signage: Maximum 30 feet in height.

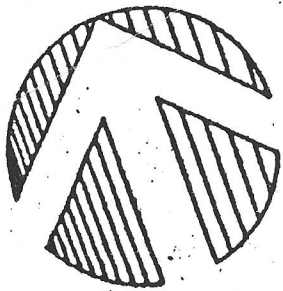
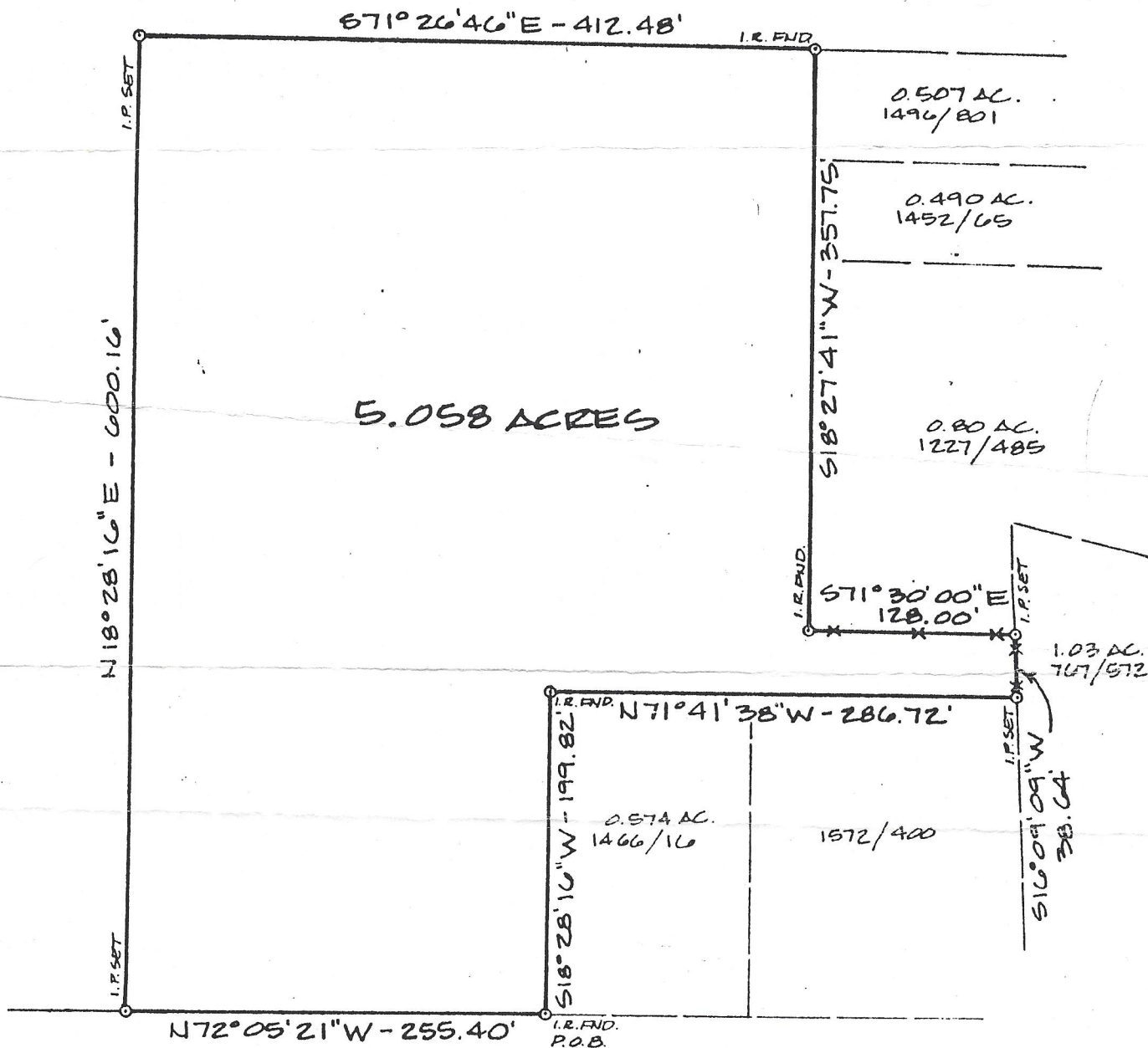


EXHIBIT B

33



F. M. 2305

STATE OF TEXAS I

COUNTY OF BELL I

I, Victor D. Turley, Registered Public Surveyor, do hereby certify to the best of my knowledge and belief, that this plat is true and correct, that it was prepared from an actual survey of the property made under my supervision on the ground, and that all necessary survey monuments are correctly shown thereon.

BEGINNING at an iron rod found in the north right-of-way line of F.M. Road #2305 and being the southwest corner of a 0.574 acre tract recorded in Volume 1466, Page 16, Deed Records of Bell County, Texas, for the most southerly southeast corner of this;

THENCE N. 18° 28' 16" E., departing from the said north right-of-way line 600.16 feet to an iron pipe set for the northwest corner of this;

THENCE S. 18° 27' 41" W., along the west line of said 0.507 acre tract part way and at 67.45 feet passing an iron rod found at the northwest corner of a 0.490 acre tract, recorded in Volume 1452, Page 65 and a total distance of 357.75 feet to an iron rod found at the southwest corner of a tract recorded in Volume 1227, Page 485, Deed Records for an ell corner of this;

THENCE S. 16° 09' 09" W., along the west line of said 1.03 acre tract and along a fence line 38.64 feet to an iron pipe set at the northeast corner of a 170 foot X 200 foot tract, recorded in Volume 1572, Page 400, Deed Records for the most easterly southeast corner of this;

THENCE S. 18° 28' 16" W., along the west line of said 0.574 acre tract, 199.82 feet to the PLACE OF BEGINNING and containing 5.058 acres of land.

* * * * *

IN WITNESS THEREOF, my hand and seal, this the 2nd day of September, A.D., 1986.



Planned Development Criteria and Compliance Summary

UDC Code Section 3.4.5 (A-J)	Yes/No	Discussion / Synopsis
A. The Plan Complies with all provisions of the Design and Development Standards Manual, this UDC and other Ordinances of the City.	YES	It is fully anticipated that the development / site plan attached with the rezoning ordinance will conform to all applicable provisions of the UDC as well as to dimensional, developmental and design standards adopted by the City for all new development.
B. The environmental impact of the development relating to the preservation of existing natural resources on the site and the impact on natural resources of the surrounding impacts and neighborhood is mitigated.	YES	Drainage and other related engineering will be addressed at the platting stage. No issues have been identified related to the preservation of existing natural resources on the property. See Item #H for additional discussion related to preservation of existing trees and other landscaping.
C. The development is in harmony with the character, use and design of the surrounding area.	YES	The project site is located within the FM2271 Corridor, addressed as 12000 FM 2305. Corridor Plan standards which have been adopted by ordinance for surrounding Planned Developments and require conditions that promote development standards that are in harmony with the surrounding area and emphasis a residential character.
D. Safe and efficient vehicular and pedestrian circulation systems are provided.	YES	Vehicular circulation will be formally addressed during the review of a more detailed development site plan to be reviewed prior to the building plan review stage. Since no building envelope has been identified with this preliminary development plan, no circulation issues have been identified.
E. Off-street parking and loading facilities are designed to ensure that all such spaces are usable and are safely and conveniently arranged.	YES	Parking will be provided for each use in accordance with UDC Section 7.5.
F. Streets are designed with sufficient width and suitable grade and location to accommodate prospective traffic and to provide access for firefighting and emergency equipment to buildings.	YES	Streets will be developed in accordance with the design standards in accordance with UDC Section 8.2 requirements and reviewed during the platting stage of development.
G. Streets are coordinated so as to compose a convenient system consistent with the Thoroughfare Plan of the City.	YES	Compliance and consistency with the Thoroughfare Plan will be addressed during the subdivision plat stage. No compliance issues have been identified.
H. Landscaping and screening are integrated into the overall site design: 1. To provide adequate buffers to shield lights, noise, movement or activities from adjacent properties when necessary. 2. To complement the design and location of buildings.	YES	The recommendation of Planned Development, codifies the preservation of the existing trees, primarily Oak, which provide additional screening and buffering beyond what is required by UDC Section 7.7. A screening & buffer strip of 15 feet along the perimeter boundary is proposed as a condition. Other landscaping requirements in compliance with UDC Section 7.7 will be addressed during the more detailed development plan review stage when a user has been identified. Additional compliance will be determined with the review at the building permit stage as the lot develops. Compliance to buffering and screening in compliance to UDC Section 7.7 as well as Planned Development conditions of approval will be confirmed during the review of the subdivision plat and building permit.
I. Open space areas are designed to ensure that such areas are suitable for intended recreation and conservation uses.	YES	Parkland dedication is not required for non-residential development.
J. Water, drainage, wastewater facilities, garbage disposal and other utilities necessary for essential services to residents and occupants are provided.	YES	Water is available from existing City water lines in FM 2305. Wastewater is available through existing sewer lines in FM 2305. To date, no issues other have been identified.

Site & Surrounding Property Photos



**Site: Undeveloped (As seen from FM 2305)
(AG)**



**East: SF Residential Uses & Retail Service Uses (Looking East along FM 2305)
(PD-GR)**



**East: SF Residential Uses
(PD-GR)**



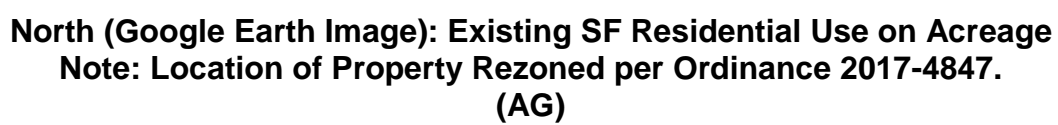
**East: Existing Retail Service Uses
(PD-GR)**



**West: SF Residential Uses
(PD-GR)**

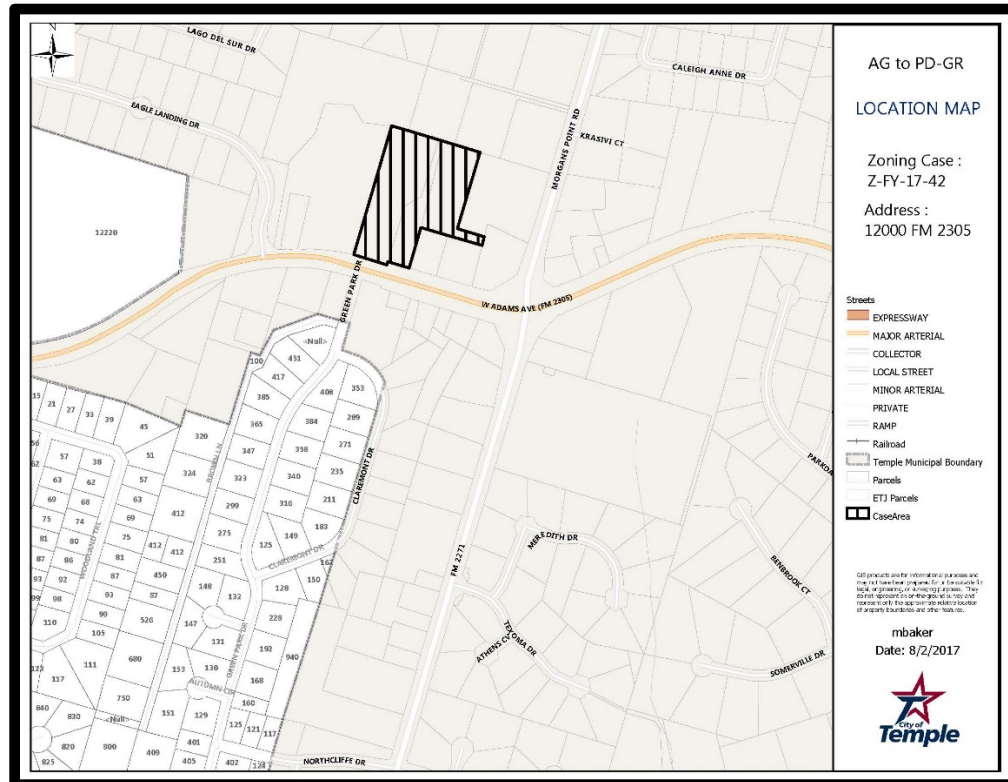


**South: Mixed SF Uses and Non-Residential Uses
(AG)**

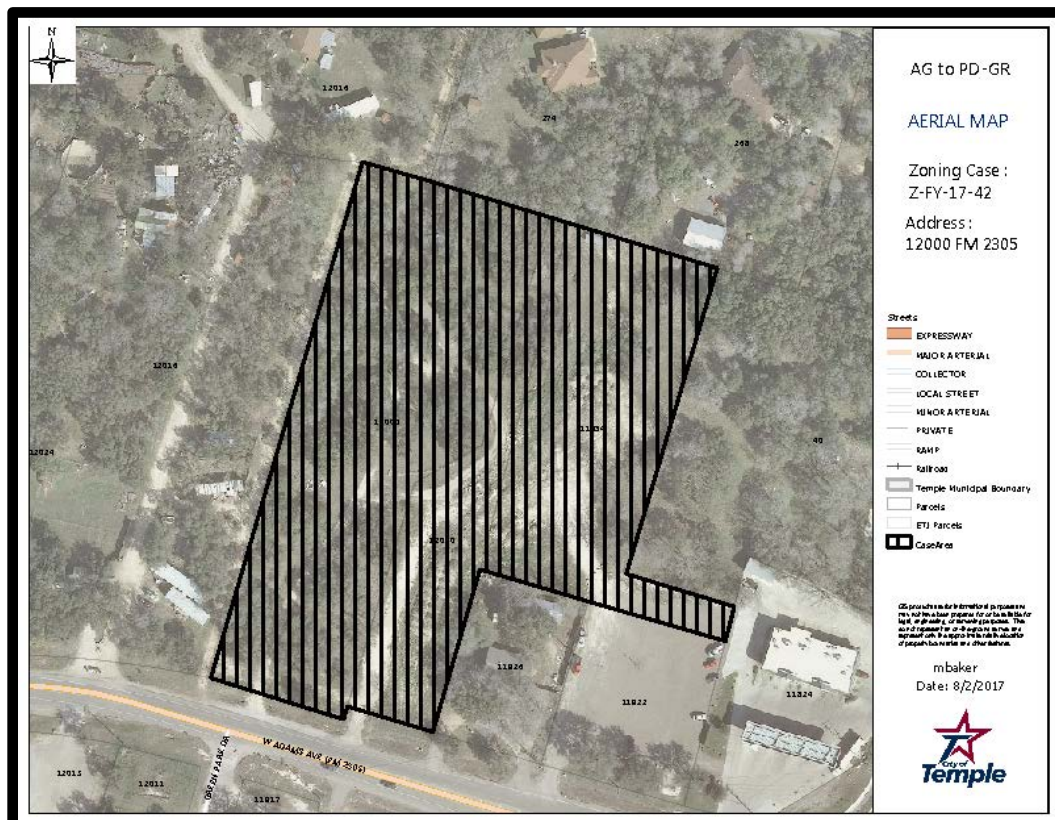


North (Google Earth Image): Existing SF Residential Use on Acreage
Note: Location of Property Rezoned per Ordinance 2017-4847.
(AG)

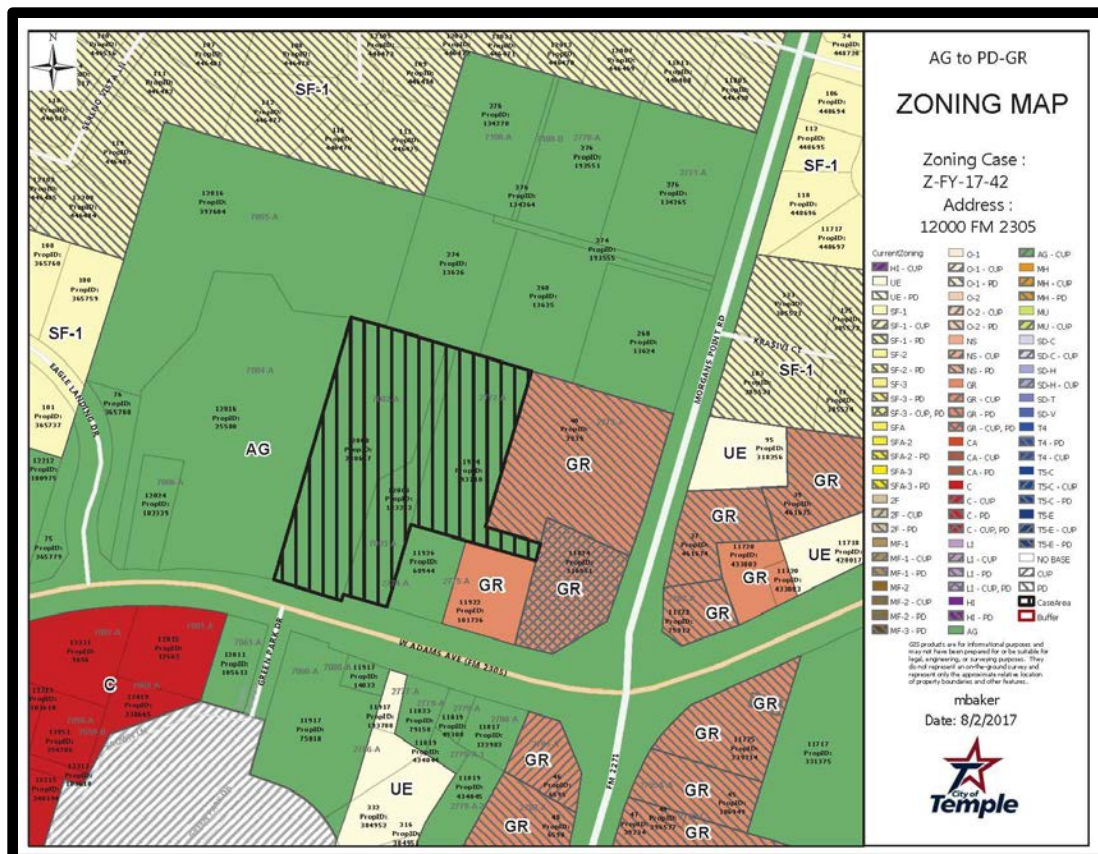
Maps



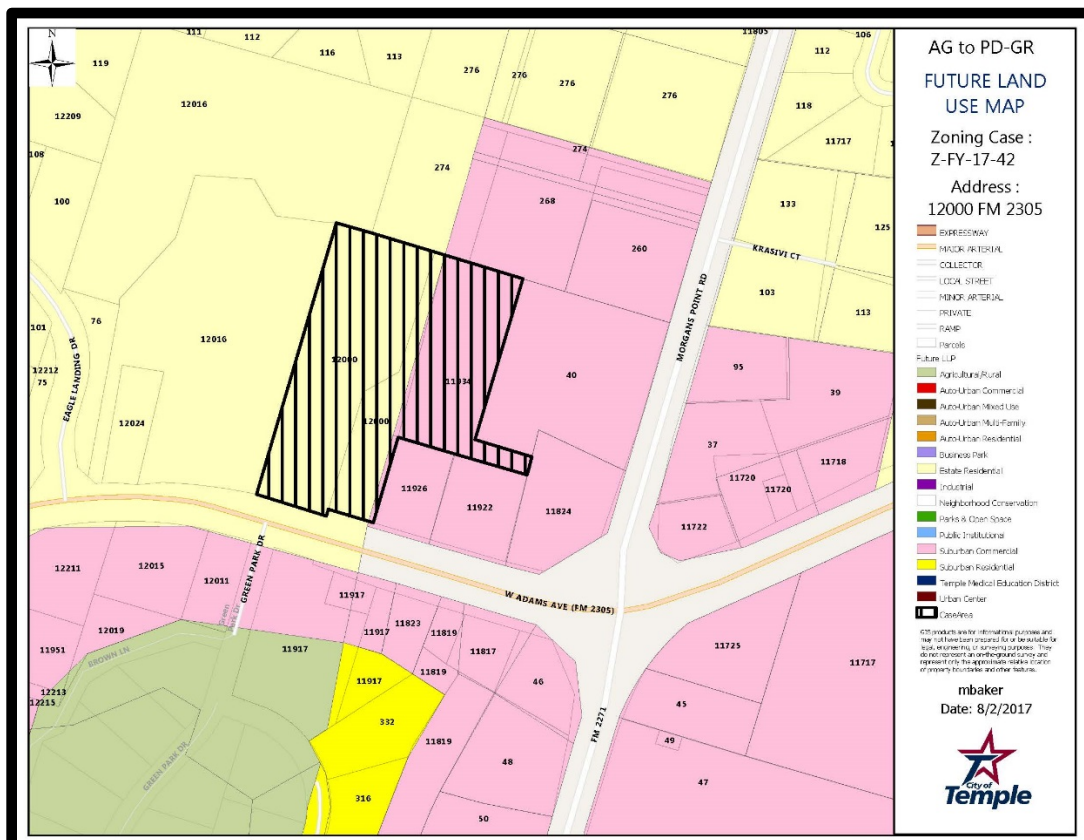
Location Map



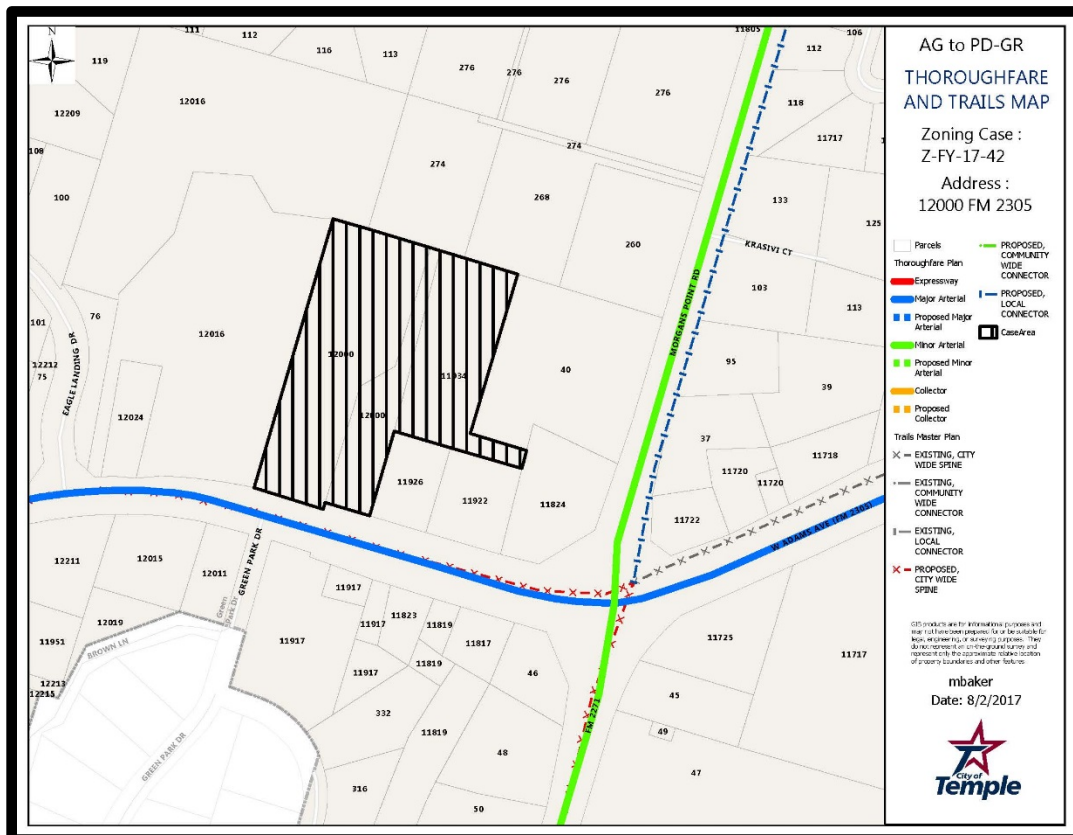
Aerial Map



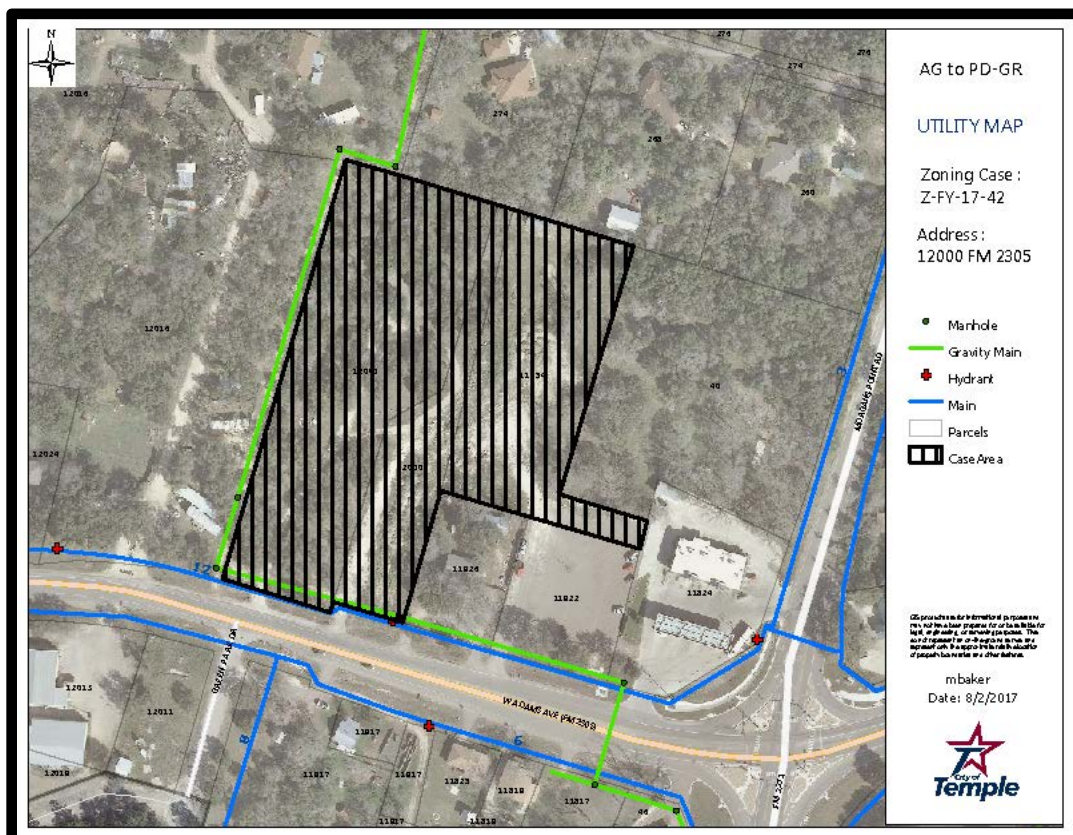
Zoning Map



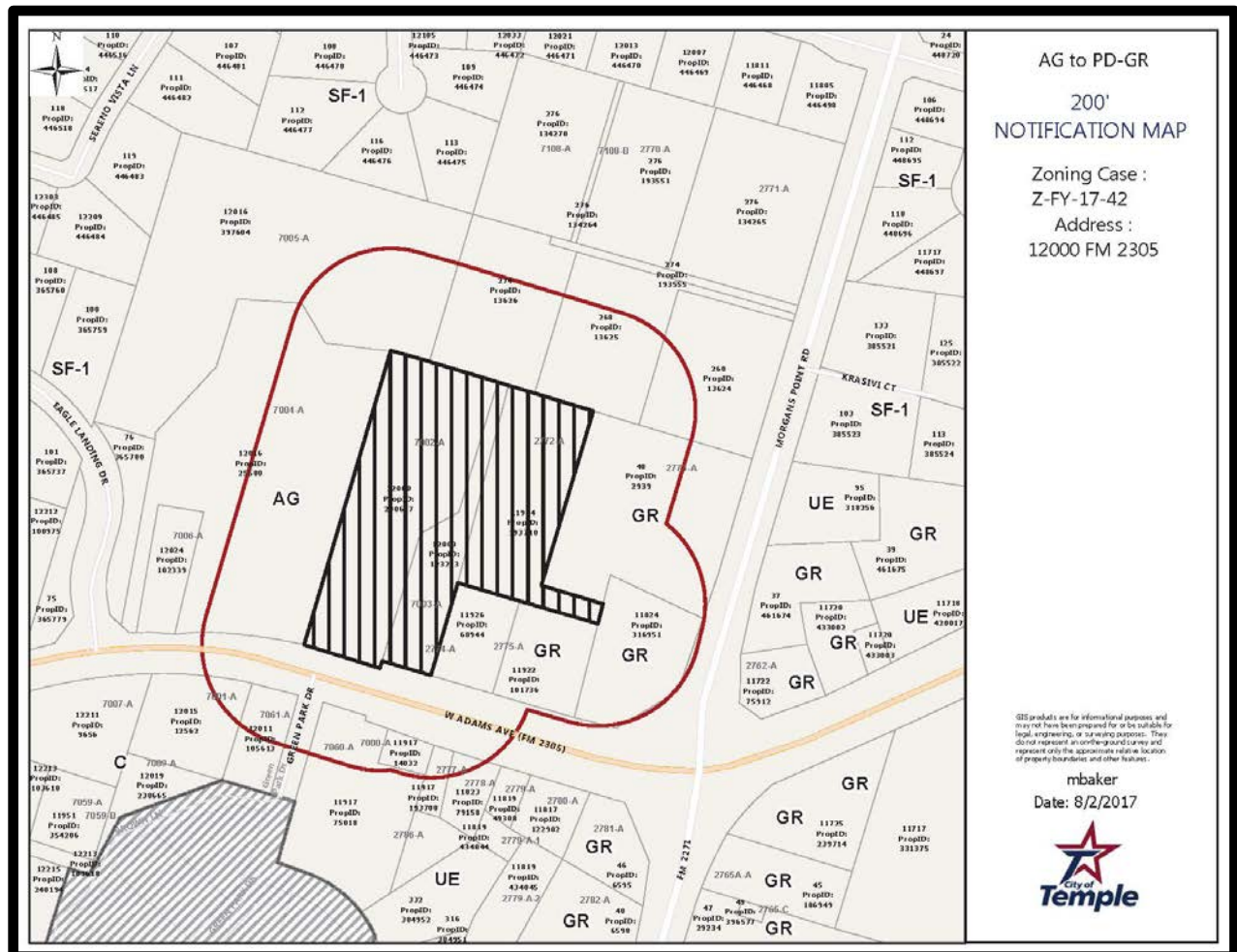
Future Land Use Map



Thoroughfare & Trails Map



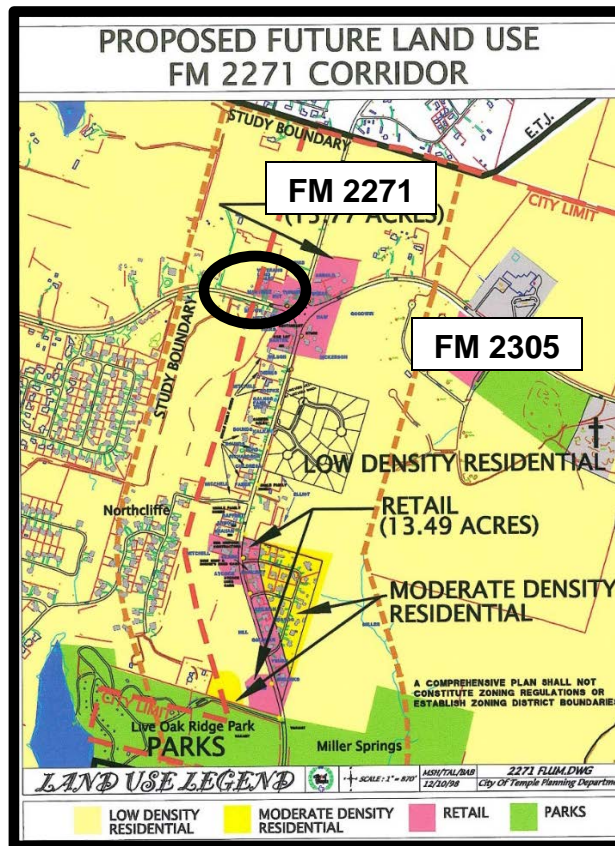
Utility Map



Notification Map

FM 2271 Corridor Plan **Future Land Use Map** **&** **Zoning Map**

SEE NEXT PAGE



**FM 2271 Corridor Plan – Future Land Use Map
Subject Property Area encircled in BLACK**



**FM 2271 Corridor Plan – Zoning Map
Subject Property Area encircled in BLACK**

Tables

Permitted & Conditional Uses Table (PD-GR)

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

Surrounding Property Uses

<u>Surrounding Property & Uses</u>			
Direction	FLUP	Zoning	Current Land Use
Site	Suburban Commercial	AG	Undeveloped
North	Suburban Commercial	AG	SF Residence on Acreage
South	Suburban Commercial	PD-GR	Existing Retail & Service Uses
East	Suburban Commercial	PD-GR & UE	Undeveloped, SF Residence on Acreage & Existing Retail & Service Uses (Office Warehouse)
West	Suburban Commercial	AG	Undeveloped & Scattered SF Uses

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		

Development Standards

	<u>Current (AG)</u> <u>Residential</u>	<u>Proposed</u> <u>(PD-GR)</u> <u>Non-Res</u>
Minimum Lot Size	1 Acre	N/A
Minimum Lot Width	100 Feet	N/A
Minimum Lot Depth	150 Feet	N/A
Front Setback	50 Feet	15 Feet
Side Setback	15 Feet	10 Feet
Side Setback (corner)	15 Feet	10 Feet
Rear Setback	10 Feet	❖ 10 Feet
Max Building Height	3 Stories	2 Stories

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

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

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



RESPONSE TO PROPOSED
REZONING REQUEST
CITY OF TEMPLE

CRAFT, WYSONDA ANN
12016 FM 2305
BELTON, TX 76513-5435

Zoning Application Number: Z-FY-17-42

Case Manager: Mark Baker

Location: 12000 & 11934 FM 2305, 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:

AUG 31 2017

City of Temple
Planning & Development

Improvements welcome

Wysonda A. Craft
Signature

Wysonda Ann Craft
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 **September 5, 2017**.

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

Number of Notices Mailed: 18

Date Mailed: August 24, 2017

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



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

STEWART, MICHAEL TODD
12018 FM 2305
BELTON, TX 76513-5435

Zoning Application Number: Z-FY-17-42

Case Manager: Mark Baker

Location: 12000 & 11934 FM 2305, 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:

Would be good for the community.

Michael T. Stewart
Signature

Michael T. Stewart
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 **September 5, 2017**.

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

RECEIVED

AUG 31 2017

City of Temple
Planning & Development

Number of Notices Mailed: 18

Date Mailed: August 24, 2017

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



RESPONSE TO PROPOSED
REZONING REQUEST
CITY OF TEMPLE

REID, ROY COMMERCIAL PROPERTIES LLC
12435 FM 2305 UNIT B
BELTON, TX 76513-5488

Zoning Application Number: Z-FY-17-42

Case Manager: Mark Baker

Location: 12000 & 11934 FM 2305, 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:

Will be a good thing for this area

Roy Reid
Signature

Roy Reid
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 **September 5, 2017**.

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Planning Department
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Temple, Texas 76501

Number of Notices Mailed: 18

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RECEIVED

AUG 31 2017

City of Temple
Planning & Development



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

BROWN, GEORGE V
11917 FM 2305
BELTON, TX 76513-6740

Zoning Application Number: Z-FY-17-42

Case Manager: Mark Baker

Location: 12000 & 11934 FM 2305, 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

SEP - 1 2017

City of Temple
Planning & Development

George Brown
Signature

George Brown
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 **September 5, 2017**.

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

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

BUECHLER, DAVID R
274 MORGANS POINT RD
BELTON, TX 76513-6821

Zoning Application Number: Z-FY-17-42

Case Manager: Mark Baker

Location: 12000 & 11934 FM 2305, 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

DAVID O Buechler
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 **September 5, 2017**.

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

RECEIVED
BY PLANNING DEPT.
SEPT 5, 2017

Number of Notices Mailed: 18

Date Mailed: August 24, 2017

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



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

YT-BOOST INC
308 ST ANDREWS PL
BELTON, TX 76513

Zoning Application Number: Z-FY-17-42

Case Manager: Mark Baker

Location: 12000 & 11934 FM 2305, 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:

Highest and best use!

Courtney L. Peshkov

Signature

COURTNEY L. PESHKOV

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 **September 5, 2017**.

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

RECEIVED

SEP 11 2017

City of Temple
Planning & Development

Number of Notices Mailed: 18

Date Mailed: August 24, 2017

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

**EXCERPTS FROM THE
PLANNING & ZONING COMMISSION MEETING
TUESDAY, SEPTEMBER 5, 2017**

ACTION ITEMS

Item 2: Z-FY-17-42 – Hold a public hearing to discuss and recommend action on a rezoning from Agricultural (AG) zoning district to Planned Development - General Retail (PD-GR) zoning district with Development/ Site Plan approval, on 5.058 +/- acres, located on the north side of FM 2305, approximately 290 feet west of its intersection with Morgan's Point Road (FM 2271), addressed 12000 and 11934 FM 2305.

Mr. Mark Baker, Senior Planner, stated this item was scheduled to go forward to City Council for first reading on October 5, 2017 and second reading on October 15, 2017 (*correct date is actually October 19, 2017*).

The applicant is requesting General Retail (GR) as a base zoning under a Planned Development concept (PD-GR).

No specific use/user has been identified.

A subdivision plat will be required prior to the development of the property which would include the Development Review Committee (DRC) process and may require P&Z Commission review.

The property is located within the boundaries of the FM 2271 Corridor Plan. This is the third rezoning request within the Corridor in three months.

On site photos shown.

Surrounding properties include single family residential uses on acreage, zoned AG, to the north, mixed single family and non-residential uses, zoned AG, to the south, single family residential uses, zoned AG, to the west, and existing single family residential use and existing retail and service uses, zoned AG and PD-GR, respectively, to the east.

The FM 2271 Corridor Plan was adopted in 1998 by Ord. No. 98-2589. It is intended as a general development guide for both sides of FM 2271. Bonnie Lane lies to the north and Belton Dam lies to the south as the boundaries. It identifies GR as the base-zoning to deliver retail and service uses and identifies Planned Development Concept as an implementation mechanism.

The 2271 FM Corridor Plan provides guidelines for:

- Use of trees and other landscaping materials for corridor enhancement (flexibility for existing material);

- Promotes residential appearance of buildings;

- Pitched roofs;

Foundation plantings;
Brick / masonry façades;
Building / Sign height limitations; and
Limits on distances between driveways (where applicable).

The Future Land Use and Character Map for FM 2271 Corridor Plan and the current zoning map are shown for comparison.

A Planned Development per the Unified Development Code (UDC), Sec. 3.4 is defined as follows:

A Planned Development is a flexible overlay zoning district designed to respond to unique development proposals, special design considerations and land use transitions by allowing evaluation of land use relationships to surrounding areas through Development / Site Plan approval.

Has a binding nature of an Approved Development /Site Plan (Exhibit A shown).

The current zoning is AG which are areas containing rural land uses or undeveloped acreage, and also used as a holding-zone after annexation.

PD-GR rezoning request is consistent with FM 2271 Corridor Plan and the surrounding zoning retail and service uses.

The Future Land Use and Character Map designates the subject property as both Suburban Commercial and Estates Residential. Suburban Commercial is intended for office, retail, and services uses adjacent to abutting residential neighborhoods and areas where community image and aesthetic value are to be promoted, such as “Gateways” or “Corridors”. Estate Residential is for larger rural lot development intended for ½ acre lots (Urban Estates – UE) and supports Single Family-One (SF-1). The request is in partial compliance with the Future Land Use and Character Map.

Water and sewer are available to serve the property.

The Thoroughfare Plan designates FM 2305 (West Adams Avenue) as a Major Arterial and any needed right-of-way will be addressed with the forthcoming platting stage.

A six-foot wide sidewalk along FM 2305 would be required during the platting process.

A proposed City-Wide Spine Trail will be addressed with the plat.

Some of the PD-GR Allowed Uses are shown (not an all-inclusive list).

Proposed Development Standards are given.

Eighteen notices were mailed in accordance with all state and local regulations with four notices returned in agreement and one notice returned in disagreement.

This request is in compliance with UDC Sec. 3.4.5 (PD Criteria), the FM 2271 Corridor Plan, the Thoroughfare Plan, is compatible with surrounding uses and zoning, and has public facilities available to serve the property.

The request is in partial compliance with the Future Land Use and Character Map due to the split zoning.

Staff recommends approval of the request for a rezoning from AG district to PD-GR district, subject to the following conditions:

1. That a 15-foot tree preservation buffer be provided along the perimeter boundary as further illustrated by Exhibit A;
2. That existing trees and other landscape material shall be counted as credit toward meeting the overall landscape requirements of UDC Section 7.4.4, subject to review of a Landscape Plan at the building permit review stage of development;
3. Maximum building height of 25 feet;
4. Residential appearance to buildings with pitched roofs, windows, foundation plantings and brick / masonry façades; and
5. Freestanding signage: maximum 30-feet height.

Compliance to the Exhibit would be required and will be confirmed during review of the building plans and no future public plan review would be required. The Exhibit would be attached to the Ordinance and confirmed at Staff level for compliance.

Chair Fettig opened the public hearing.

There being no speakers, the public hearing was closed.

Mr. Baker explained the plat has not been filed yet and it is currently unknown if the plat would come before P&Z Commission. Tonight is for the rezoning and the Development/Site Plan as presented.

The P&Z Commissioners may recommend changes to the Development/Site Plan if desired.

Commissioner Crisp made a motion to approve Item 2, **Z-FY-17-42**, as presented, and Commissioner Alaniz made a second.

Motion passed: (8:0)

Commissioner Marshall absent

ORDINANCE NO. 2017-4873
(Z-FY-17-42)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A REZONING FROM AGRICULTURAL ZONING DISTRICT TO PLANNED DEVELOPMENT - GENERAL RETAIL ZONING DISTRICT WITH DEVELOPMENT/SITE PLAN APPROVAL, ON APPROXIMATELY 5.058 ACRES, LOCATED ON THE NORTH SIDE OF FM 2305, APPROXIMATELY 290 FEET WEST OF ITS INTERSECTION WITH MORGAN'S POINT ROAD (FM 2271), ADDRESSED AS 12000 AND 11934 FM 2305; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the subject property is an approximately 5.058 acre tract of land, which is being proposed for rezoning from Agricultural zoning district to Planned Development - General Retail zoning district, although the rezoning is not being driven by a specific user, the owner intends to market the property for retail and service uses;

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 - General Retail zoning district, on approximately 5.058 acres, located on the north side of FM 2305, approximately 290 feet west of its intersection with Morgan's Point Road (FM 2271), addressed as 12000 and 11934 FM 2305; 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 - General Retail zoning district, on approximately 5.058 acres, located on the north side of FM 2305, approximately 290 feet west of its intersection with Morgan's Point Road (FM 2271), addressed as 12000 and 11934 FM 2305, as more thoroughly described by the surveyor sketch and field notes attached hereto as Exhibit 'B', and depicted by the development/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 Site/Development Plan (Exhibit A), including a 15-foot tree landscape buffer be provided along the perimeter boundary;
2. Existing trees and other landscape material shall be counted as credit toward meeting the overall landscape requirements of UDC Section 7.4.4, subject to review of a Landscape Plan at the building review stage of development;
3. Maximum building height of 25 feet;
4. Residential appearance to buildings with pitched roofs, windows, foundation plantings and brick/masonry facades; and
5. Freestanding signage: Maximum 30 feet in height.

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 as defined by the attached Exhibit ‘B.’

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 **5th** day of **October**, 2017.

PASSED AND APPROVED on Second Reading on the **19th** day of **October**, 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

10/05/17
Item #10
Regular Agenda
Page 1 of 3

DEPT. / DIVISION SUBMISSION & REVIEW:

Lynn Barrett, Assistant Planning Director

ITEM DESCRIPTION: FIRST READING – PUBLIC HEARING – Z-FY-17-43: Consider adopting an ordinance authorizing a rezoning from Two Family zoning district to Planned Development Temple Medical Educational District T5-E, with a Development/Site Plan for two parking lots, located on the north 50 feet of Lot 7 and the south 50 feet of Lot 8, HP Robertson Addition, addressed as 1214 and 1218 South Main Street, Temple.

STAFF RECOMMENDATION: Staff recommends approval of the rezoning from 2F to PD-TMED T5-E to add two small parking lots for an adjacent restaurant with the following conditions:

PD Conditions:

1. A binding site development plan, which includes landscaping and is attached as Exhibit A, will govern the development
2. Parking lots for the adjacent business will be paved and striped per the development site plans
3. In the event of a conflict between the site development plan and the text of the Planned Development ordinance, the stricter, more specific standard applies
4. If the lot lying between the two lots is purchased and rezoned by the applicant to match T-5E for non-residential use, the site plan can be amended administratively by the Planning Director to reflect the buffer fence removal

PLANNING & ZONING COMMISSION RECOMMENDATION: At their September 5, 2017 meeting, the Planning & Zoning Commission voted eight to zero to recommend approval of the rezoning to PD-TMED T5-E per staff's recommendation.

ITEM SUMMARY: The Old Jody's restaurant owner, Joey Franks, is requesting a rezoning from the 2F zoning district to the PD-TMED T-5E zoning district on both lots to allow a new parking lot at 1218 South Main Street. The request is also to improve an existing and non-conforming unpaved lot at 1214 South Main Street owned by the applicant who also owns and manages a restaurant fronting on Avenue M across the alley which is zoned TMED T-5E. The parking lots are for patron parking as well as employee parking and are located across the alley behind the Old Jody's Restaurant at 1219 South First Street. A lot that is not under Mr. Franks' ownership is between the two subject properties; however, he is attempting to purchase this one in the future, for non-residential use. A subsequent rezoning would be required in that event. Landscaping and buffering would be required as part of the project along the Avenue M and South Main Street frontages. In the UDC Sec 6.3.3 the TMED transect zone T-5E is characterized as a Neighborhood Edge Zone consisting "of a mid-density mixed use but

primarily commercial, retail and office urban fabric” with parking to the rear and “vehicular cross-connection among adjacent properties.”

Per UDC, Section 3.4.3 & 3.4.4, a Planned Development requires approval of a Development/Site plan that is binding. On August 21, 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	Neighborhood Conservation	2F	Vacant
North	Neighborhood Conservation	2F	Residential
South	TMED	PD SF-1	Parking Lot
East	Neighborhood Conservation	2F	Vacant Residential
West	Neighborhood Commercial	TMED	Restaurant

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)	Partially
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)

Neighborhood Conservation is the future land use for the subject properties, which are separated from Auto Urban Commercial by the alley. The *Choices '08* City of Temple Comprehensive Plan shows TMED as the FLUP directly across Avenue M, as well. The proposed rezoning minimizes the impact on the surrounding residential properties to contain parking adjacent to the business.

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

The subject property does not front on any trails. Avenue M is a Collector and South Main Street is a local street.

Availability of Public Facilities (CP Goal 4.1)

Water and wastewater are available to the subject property.

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 the parking lot development.

PUBLIC NOTICE: 17 notices of the Planning and Zoning Commission public hearing along with the PD site plans were sent out to property owners within 200-feet of the subject property as required by State law and City Ordinance. As of September 24, 2017, two notices have been returned in favor of the proposed rezoning (property owners) and zero notices have been returned in opposition to the proposed rezoning. The newspaper printed the notice of the Planning and Zoning Commission public hearing on August 24, 2017, in accordance with state law and local ordinance.

FISCAL IMPACT: Not Applicable

ATTACHMENTS:

[Location Map](#)
[Zoning Map](#)
[Future Land Use Map](#)
[Thoroughfare and Trails Map](#)
[Site and Surrounding Property Photos](#)
[Development Site Plans](#)
[Utility Map](#)
[Notification Map](#)
[Returned Property Notices](#)
[P&Z Excerpts \(September 5, 2017\)](#)
[Ordinance](#)



1203

1204

1208

1219

1214

1216

1218

S MAIN ST

W AVE M

E AVE M

1301

1302













2F TO PD TMED 5-E

LOCATION MAP

Zoning Case :
Z-FY-17-43

Address :
1218 & 1214 S MAIN ST

Streets

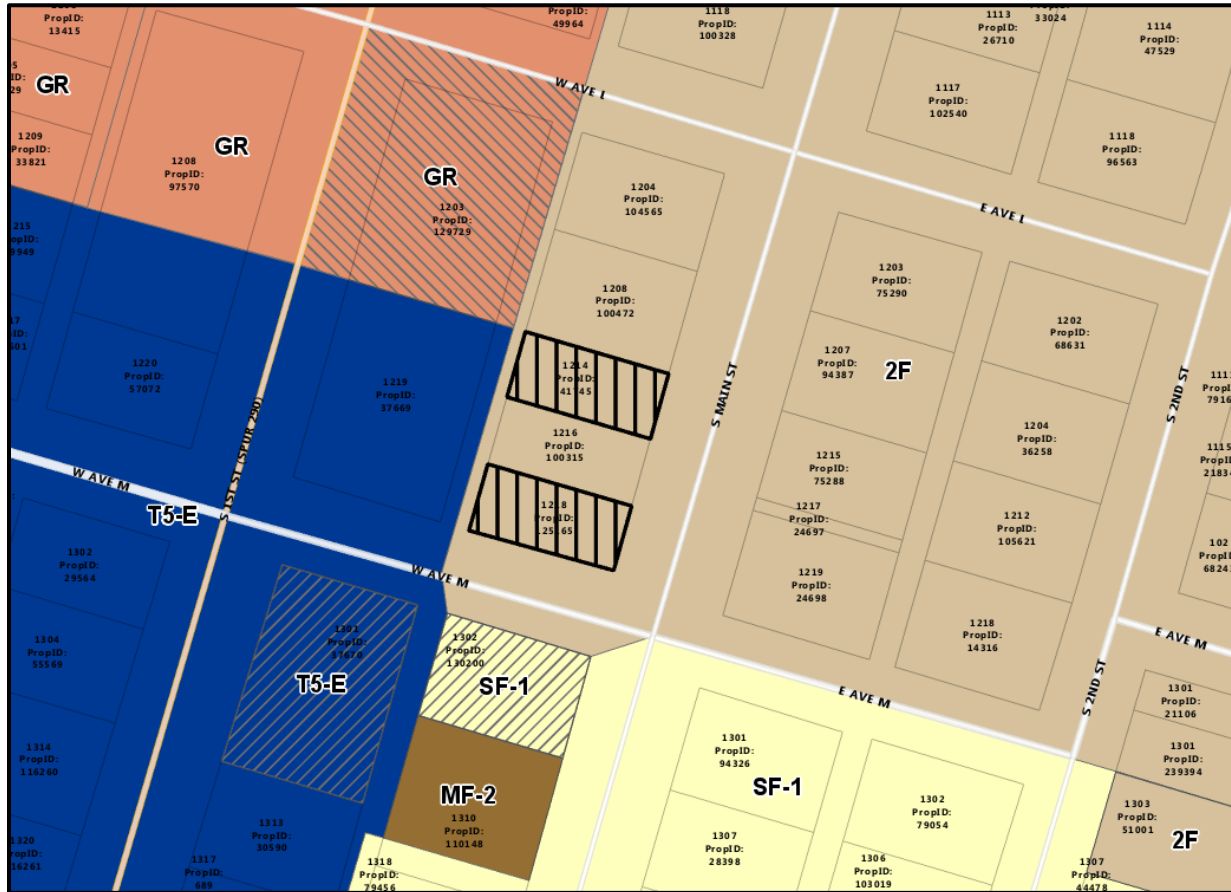
-  EXPRESSWAY
-  MAJOR ARTERIAL
-  COLLECTOR
-  LOCAL STREET
-  MINOR ARTERIAL
-  PRIVATE
-  RAMP
-  Railroad
-  Temple Municipal Boundary
-  Parcels
-  ETJ Parcels
-  CaseArea

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: 8/16/2017



Zoning Map





2F TO PD-TMED T5-E

FUTURE LAND USE MAP

Zoning Case :
Z-FY-17-43

Address :
1218 & 1214 S Main St

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

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Irbarrett
Date: 8/16/2017





2F TO PD-TMED T5-E

THOROUGHFARE AND TRAILS MAP

Zoning Case :
Z-FY-17-43

Address :
1218 & 1214 S Main St

- 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: 8/16/2017



SITE PHOTOS

1218 S Main Site



1214 S Main Site



Adjacent lot



Old Jody's Restaurant on S First Street and Ave M



View North down S Main Street



1214 S Main PD TMED T5e Site Development Plan

REZONING REQUEST
OLD JODY'S PARKING LOT

PLAN NORTH



EXISTING SHRUBBERY BARRIER TO REMAIN

EXISTING
LIGHTING
TO REMAIN

PAVED ALLEY

ONE
WAY

Paved Parking lot

SIDEWALK

CONCRETE
APPROACH

S. MAIN STREET

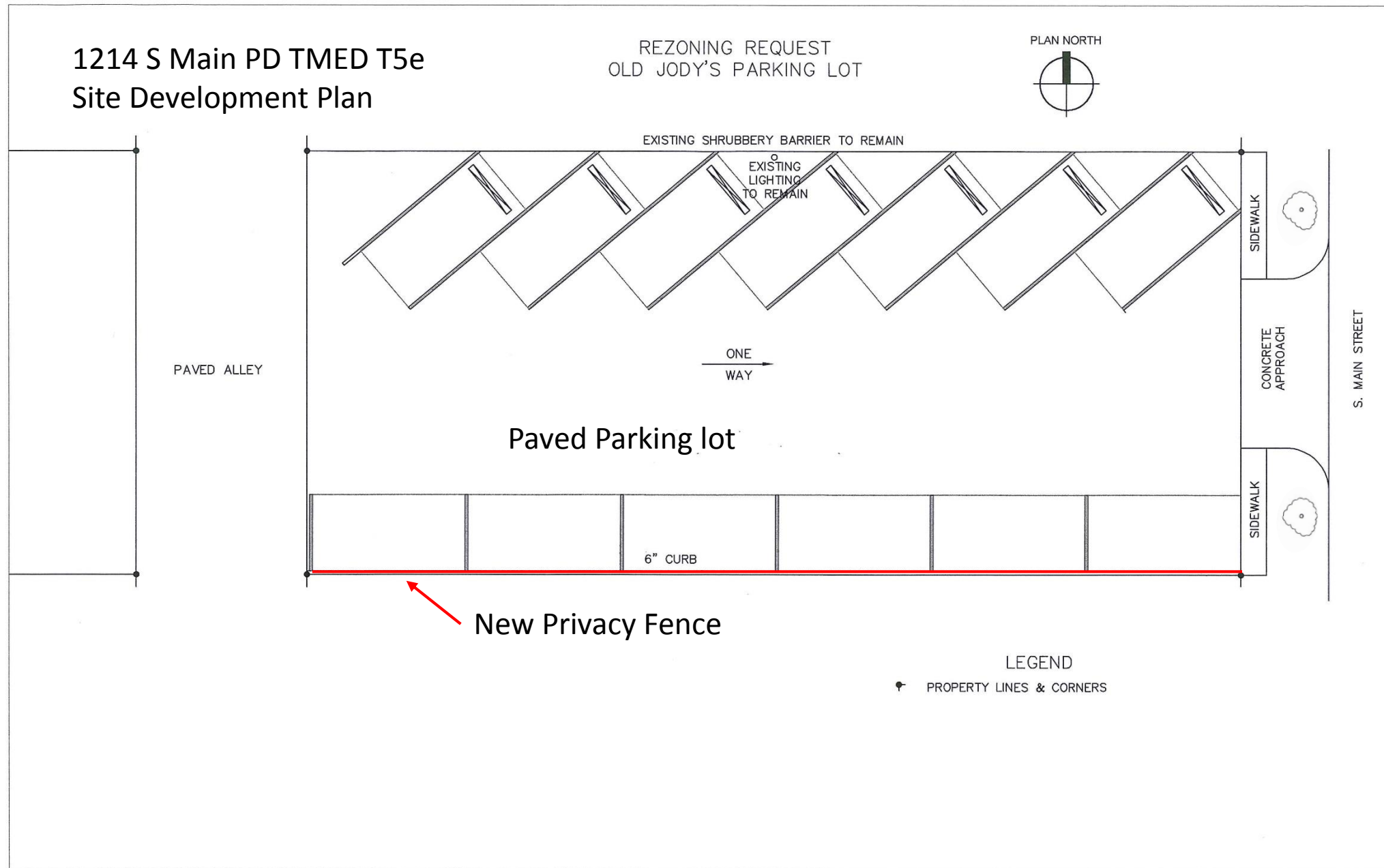
SIDEWALK

6" CURB

New Privacy Fence

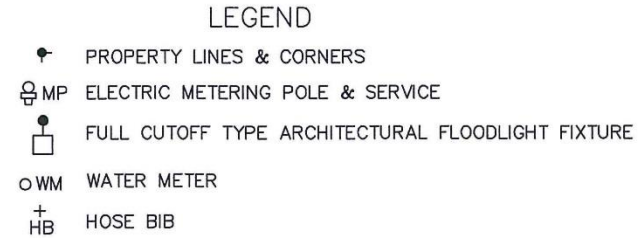
LEGEND

PROPERTY LINES & CORNERS



EXIST
OLD JODY'S
RESTAURANT

PLAN NORTH





2F TO PD TMED T5-E

UTILITY MAP

Zoning Case :
Z-FY-17-43

Address :
1218 & 1214 S Main St

- Manhole
- Gravity Main
- ✚ Hydrant
- Main
- Parcels
- ▨ CaseArea

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Irbarrett
Date: 8/16/2017





2F TO PD-TMED T5-E

200' NOTIFICATION MAP

Zoning Case :

Z-FY-17-43

Address :

1218 & 1214 S Main St

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

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Irbarrett

Date: 8/16/2017





RESPONSE TO PROPOSED
REZONING REQUEST
CITY OF TEMPLE

MOJICA, JOSE ETUX CATARINA
1215 S MAIN ST
TEMPLE, TX 76504-5770

Zoning Application Number: Z-FY-17-43

Case Manager: Lynn Barrett

Location: 1214 & 1218 South Main 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:

Catarina Mojica
Signature

Catarina Mojica
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 **September 5, 2017**.

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

Number of Notices Mailed: 17

Date Mailed: August 24, 2017

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



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

SANCHEZ, MARY M
1203 S MAIN ST
TEMPLE, TX 76504-5770

Zoning Application Number: Z-FY-17-43

Case Manager: Lynn Barrett

Location: 1214 & 1218 South Main 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:

RECEIVED

SEP - 1 2017

City of Temple
Planning & Development

Mary Sanchez
Signature

MARY SANCHEZ
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 or mail or hand-deliver this comment form to the address below, no later than **September 5, 2017**.

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

Number of Notices Mailed: 17

Date Mailed: August 24, 2017

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

**EXCERPTS FROM THE
PLANNING & ZONING COMMISSION MEETING
TUESDAY, SEPTEMBER 5, 2017**

ACTION ITEMS

Item 3: Z-FY-17-43 – Hold a public hearing to discuss and recommend action on a rezoning from Two Family (2F) zoning district to Planned Development Temple Medical Educational District T5-E (PD-TMED T5-E), with a Development/Site Plan for two parking lots, located on the north 50 feet of Lot 7 and the south 50 feet of Lot 8, HP Robertson Addition, addressed as 1214 and 1218 S Main Street, Temple, TX.

Ms. Lynn Barrett, Assistant Director of Planning, stated this request is a PD for two lots currently zoned 2F that face South Main Street but back up to Commercial (C) property that runs along West Avenue M. The lot in between the two lots is not owned by the applicant.

This item is scheduled to go forward to City Council for first reading on October 5, 2017 and second reading on October 19, 2017.

The applicant has expressed interest in adding the lot between the two subject lots; however, that one lot is not included in this request. The two lots would be used for customer (south lot) and employee (north lot) parking. There are no structures on either lot.

The lots are adjacent to TMED and across West Avenue M from existing parking lot.

DRC reviewed this item on August 22, 2017.

The Future Land Use and Character Map designate both subject properties as Neighborhood Conservation. There were dilapidated structures that have been demolished. Surrounding areas include Auto Urban Commercial and TMED. The request is in partial compliance.

Water and sewer is available to serve the property.

Site plans are shown for both lots (1218 and 1214 South Main) for the proposed parking lots. These site plans are binding to the request and Ordinance. 1214 South Main lot would have a new privacy fence buffering the use to the south.

Photos of both sites are shown.

Seventeen notices were mailed in accordance with all state and local regulations with two notices returned in agreement and zero notices returned in disagreement.

In accordance with UDC, Section 3.4, 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.

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

There are four recommended PD Conditions:

1. A binding site development plan, attached as Exhibit A will govern the development;
2. Parking lots for the adjacent business will be paved and striped per the development site plans;
3. In the event of a conflict between the site development plan and the text of the Planned Development ordinance, the stricter, more specific standard applies; and
4. If the lot lying between the two lots is purchased and rezoned by the applicant to match T-5E for non-residential use, the site plan can be amended administratively by the Planning Director to reflect the buffer fence removal.

Staff recommends approval of the Old Jody's parking lot PD request to rezone the subject properties to PD-TMED T-5E in accordance with the conditions as presented and with the Site Development Plan.

Ms. Barrett explained the alley is not part of the PD request; only the two subject lots.

Chair Fettig opened the public hearing.

There being no speakers, the public hearing was closed.

Commissioner Crisp made a motion to approve Item 3, **Z-FY-17-43**, as presented, and Commissioner Ward made a second.

Motion passed: (8:0)

Commissioner Marshall absent

ORDINANCE NO. 2017-4874
(Z-FY-17-43)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A REZONING FROM TWO FAMILY ZONING DISTRICT TO PLANNED DEVELOPMENT TEMPLE MEDICAL EDUCATIONAL DISTRICT T5-E, WITH A DEVELOPMENT/SITE PLAN FOR TWO PARKING LOTS, LOCATED ON THE NORTH 50 FEET OF LOT 7, AND THE SOUTH 50 FEET OF LOT 8, HP ROBERTSON ADDITION, ADDRESSED AS 1214 AND 1218 S MAIN STREET, TEMPLE, TEXAS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the Old Jody's restaurant owner, Joey Franks, is requesting a rezoning from the Two Family zoning district to the Planned Development-Temple Medical Educational District T-5E zoning district on both lots to allow new parking lots at 1214 and 1218 South Main Street;

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 Two Family zoning district to the Planned Development-Temple Medical Educational District T-5E zoning district for two parking lots located on the north 50 feet of Lot 7 and the south 50 feet of Lot 8, HP Robertson Addition, addressed as 1214 and 1218 S Main Street, 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 Two Family zoning district to the Planned Development-Temple Medical Educational District T-5E zoning district for two parking lots located on the north 50 feet of Lot 7 and the south 50 feet of Lot 8, HP Robertson Addition, addressed as 1214 and 1218 S Main Street, Temple, 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. A binding site development plan for each lot, which includes landscaping and is attached as Exhibit A, will govern the development;
2. Parking lots for the adjacent business will be paved and striped per the development site plans;
3. In the event of a conflict between the site development plan and the text of the Planned Development Ordinance, the stricter, more specific standard applies; and
4. If the lot lying between the two lots is purchased and rezoned by the applicant to match T-5E for non-residential use, the site plan can be amended administratively by the Planning Director to reflect the buffer fence removal.

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 **5th** day of **October**, 2017.

PASSED AND APPROVED on Second Reading on the **19th** day of **October**, 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

10/05/17
Item #11
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DEPT./DIVISION SUBMISSION & REVIEW:

Daniel A. Dunn, Mayor

ITEM DESCRIPTION: Consider adopting a resolution appointing one member to the Airport Advisory Board to fill an unexpired term through September 1, 2019.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: Mr. Kent was appointed to represent the Tax Increment Financing Reinvestment Zone Number 1 Board of Directors, and has since submitted his resignation and can no longer fulfill this appointment. At this time Staff is requesting the Council appoint a member from the RZ No. 1 Board of Directors to serve on the Airport Advisory Board as the At-Large/RZ No 1 Representative.

The City Council adopted a resolution in June, 2003, establishing policies governing the appointment and training of citizens to City boards. In accordance with that resolution, appointments to the above stated boards are to be made by the council, with an effective date of September 1st.

Please see the attached summary listing which has been updated to include all applications received for board appointments.

FISCAL IMPACT: N/A

ATTACHMENTS:

Board Application Summary
Resolution