



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

1. Discuss, as may be needed, Regular Meeting agenda items for the meeting posted for Thursday, November 2, 2017.
2. Receive an update on the Neighborhood Revitalization Initiative.
3. Receive a briefing on Miller Springs Nature Center.

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

4. (a) Recognition of the City of the Temple Employee of the Quarter for the fourth quarter of 2017.
(b) Recognize November 15th as Arbor Day.

IV. CONSENT AGENDA

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

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

Minutes

- (A) [October 19, 2017 Special and Regular Meeting](#)

Contracts, Leases, & Bids

- (B) [2017-8928-R](#): Consider adopting a resolution authorizing a professional services agreement with Kasberg, Patrick & Associates, LP, in the amount of \$122,210, for a schematic design of the East Outer Loop from IH-35 to IH-14, as well as, declare an official intent to reimburse the expenditures with the issuance of the 2018 Tax Increment Financing Reinvestment Zone (TIRZ) Bonds.

- (C) [2017-8929-R](#): Consider adopting a resolution authorizing a professional services agreement with Finger Dye Spann, Inc. of Katy in the amount of \$48,010 for the design, bidding phase, and construction phase services related to a greens resurfacing project at Sammons Golf Links.
- (D) [2017-8930-R](#): Consider adopting a resolution authorizing the expenditure of funds for 12 multiyear agreements in an estimated amount of \$10,887,292 for fiscal year 2017-2018.
- (E) [2017-8931-R](#): Consider adopting a resolution authorizing a construction contract with Dixon Paving, Inc. of Belton in the amount of \$129,137.10 for the construction of a parking lot at the northern end of Pepper Creek Trail.
- (F) [2017-8932-R](#): Consider adopting a resolution authorizing the purchase of 59 metal refuse containers and 20 metal recycling containers in the amount of \$63,897 from Wastequip, LLC, Beeville.
- (G) [2017-8933-R](#): Consider adopting a resolution authorizing the purchase of jail services from Bell County Law Enforcement Center in the estimated amount of \$65,000 for FY 2018.
- (H) [2017-8934-R](#): Consider adopting a resolution authorizing the purchase of one 2017 Toro Grounds Master 4700-D sports field mower from Professional Turf Products, L.P. of Selma, in the amount of \$75,327.21.
- (I) [2017-8935-R](#): Consider adopting a resolution authorizing the Solid Waste & Recycling Services Division of the Department of Public Works to apply for a grant in the amount of \$30,000 through an interlocal agreement with the Central Texas Council of Governments to perform a household hazardous waste collection event in Temple.
- (J) [2017-8936-R](#): Consider adopting a resolution authorizing the purchase of 0.074 acres and 0.166 acres located on Hogan Road for the expansion of Hogan Road and authorizing closing costs associated with the purchase in an estimated amount of \$35,000.

Ordinances – Second & Final Reading

- (K) [2017-4877](#): SECOND READING: Consider adopting an ordinance to include a language certification pay for officers in the Police Department.
- (L) [2017-4878](#): SECOND READING – Z-FY-17-39: Consider adopting an ordinance authorizing amendments to Article 3, Unified Development Code, to remove the requirement to include construction plans in final plat applications for single family subdivisions; to extend the time limit for recordation of plats from 120 days to 12 months; and to modify media used for filing of subdivision construction plans (eliminating Mylars).

Misc.

- (M) [2017-8937-R](#): Consider adopting a resolution authorizing budget amendments for fiscal year 2016-2017.

- (N) [2017-8938-R](#): Consider adopting a resolution authorizing budget amendments for fiscal year 2017-2018.

V. REGULAR AGENDA

RESOLUTIONS

5. [2017-8939-R](#): P-FY-17-65: Consider adopting a resolution authorizing the final plat of Bella Terra Master Preliminary Plat, a 158.018 +/- acres, 170-lot, 9-block, residential and non-residential subdivision, situated in the Redding Roberts Survey, Abstract No. 692, Bell County, Texas, located at 5900 South 31st Street, Temple, Texas.

ORDINANCES – SECOND & FINAL READING

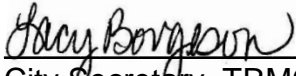
6. [2017-4879](#): SECOND READING – Z-FY-17-46: Consider adopting an ordinance authorizing rezoning of five tracts of land totaling approximately 168 ± acres:
- (A) 114.5 ± acres located at the southwest corner of NE H.K. Dodgen Loop and MKT railroad—from PD-C, C, MF-2, and 2F zoning districts to LI zoning district;
 - (B) The following properties within the Industrial sub-district of the I-35 Corridor Overlay:
 - 1. 7.9 ± acres located west of I-35, east of Pegasus Drive, and north of Industrial Boulevard—from 2F and GR zoning districts to LI zoning district;
 - 2. 7 ± acres located west of I-35, east of Pegasus Drive, and north of Industrial Boulevard—from 2F and GR zoning districts to LI zoning district;
 - 3. 1 ± acre tract abutting the southeast corner of the 29.6 ± acre tract owned by Buc-ee's—from PD-C zoning district to LI zoning district;
 - (C) The following properties within the Gateway sub-district of the I-35 Corridor Overlay
 - 1. 11.3 ± acres located at the northeast corner of NE H.K. Dodgen Loop and North General Bruce Drive—from AG zoning district to C zoning district; and
 - 2. 27.1 ± acres located at the northwest corner of NE H.K. Dodgen Loop and MKT railroad—from AG zoning district to LI zoning district.
7. [2017-4880](#): SECOND READING – Z-FY-17-47: Consider adopting an ordinance authorizing an amendment to Ordinance No. 2016-4812 to allow utility trailer sales/rentals on Lot 2, Block 1, Trantum Subdivision Phase VIII, addressed as 5806 South General Bruce Drive and zoned I-35-Retail-PD-C.

ORDINANCES – FIRST READING/PUBLIC HEARING

8. [2017-4881](#): 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 allocate funding for the design of the Corporate Hangar Phase IV infrastructure and realigning bond projects in FY 2018.

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 12:30 pm, on Monday, October 30, 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

11/02/17
Item #4(A)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Lacy Borgeson, City Secretary

ITEM DESCRIPTION: Approve Minutes:

(A) October 19, 2017 Special and Regular Meeting

STAFF RECOMMENDATION: Approve minutes as presented in item description.

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

FISCAL IMPACT: N/A

ATTACHMENTS:

October 19, 2017 Special and Regular Meeting – to be provided



COUNCIL AGENDA ITEM MEMORANDUM

11/02/17
Item #4(B)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

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

ITEM DESCRIPTION: Consider adopting a resolution authorizing a professional services agreement with Kasberg, Patrick & Associates, LP, in the amount of \$122,210, for a schematic design of the East Outer Loop from IH-35 to IH-14, as well as, declare an official intent to reimburse the expenditures with the issuance of the 2018 Tax Increment Financing Reinvestment Zone (TIRZ) Bonds.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: This project will provide a schematic design from IH-35 to IH-14 (US 190). The connection to IH-35 will be at the current intersection of Berger Road (see Project Map). Per the attached Proposal, the consultant services recommended in this item consists of a schematic design of approximately 12.1 miles of major arterial roadway including a Union-Pacific Railroad crossing and associated drainage, water and wastewater utilities.

City Staff recommends approval of the agreement with KPA in the amount of \$122,210. Time required for design is 120 calendar days from the notice to proceed.

On October 25, 2017, the Temple Redevelopment Zone #1 Board approved to recommend that Council authorize the professional services agreement.

Please see project Map for an illustration of the project.

FISCAL IMPACT: The professional services agreement with Kasberg, Patrick & Associates, LP for a schematic design of the East Outer Loop from IH-35 to IH-14 in the amount of \$122,210 is being funded with the issuance of the 2018 Tax Increment Financing Reinvestment Zone (TIRZ) Bonds. The bonds will be sold in the spring of 2018. We are declaring an official intent to reimburse for this agreement.

Funding will be available in Reinvestment Zone No. 1 Financing and Project Plans, line 321, in account 795-9600-531-6890, project 101796, as follows:

Project Budget Funded with 2018 TIRZ Bonds	\$	906,600
Encumbered/Committed to Date		(500,000)
KPA Professional Services Agreement		(122,210)
Remaining Project Funds Available	\$	<u>284,390</u>

ATTACHMENTS:

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



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

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

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

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

October 17, 2017

Mr. Don Bond, P.E., CFM
3210 E. Avenue H
Building A
Temple, Texas 76501

Re: City of Temple
Outer Loop East (IH35 to I-14)

Dear Mr. Bond:

At the request of the City of Temple Reinvestment Zone #1 (TRZ), we are submitting this proposal for the above referenced project. This project will develop schematic design for the East Outer Loop from IH35 to I-14. The connection to IH-35 will be at the current intersection of Berger Road and IH-35. This intersection has already been coordinated with the IH-35 development projects currently in construction with the Texas Department of Transportation (TxDOT). The schematic design plans for the East Outer Loop from IH35 to Lower Troy Road will be designed to allow for determination of roadway section for this project to coincide with a development opportunity for the TRZ and the Temple Economic Development Corporation. The alignment is in coordination with the efforts from the Killeen – Temple Metropolitan Planning Organization. Based on the conceptual alignment for this roadway, we believe the order of magnitude of preliminary opinion of probable construction cost is \$73,000,000 for the portion from IH35 to I-14. We have included an exhibit with this proposal for your reference purposes.

The work to be performed by KPA under this contract consists of providing engineering services for design of the project as described above to include Schematic Design from IH35 to I-14. The project consists of schematic design of approximately 12.1 miles of major arterial roadway with associated drainage, water utilities, assessment of the Little Elm Water Supply Corporation Plant 1 located at the intersection of Lower Troy Road and Berger Road, associated wastewater and Union-Pacific Railroad crossing. The timeframe for design of the project is four months from the notice to proceed.

KPA will perform all work and prepare all deliverables in accordance with the latest version of AASHTO and City of Temple specifications, standards and manuals.

KPA will perform quality control and quality assurance (QA/QC) on all deliverables associated with the project. All traffic control will be in accordance with the Texas Manual on Uniform Traffic Control Devices (TMUTCD).

The following services will be performed:

I. SCHEMATIC DESIGN (IH35 TO I-14)

- a. Roadway Alignment – Roadway alignment will be developed for the schematic design utilizing a 60 mile per hour design speed. For schematic design, only horizontal alignment will be developed. The alignment will be in coordination with the general alignment established in the Killeen – Temple Metropolitan Planning Organization Thoroughfare Plan.
- b. Property Owner Research – After the centerline alignment has been established, property owner research will be conducted along the route. Information will be derived from Bell County Property records via Bell CAD. All information from Bell Cad will be inventoried and illustrated on the final schematic design plans and in spreadsheet format.
- c. Utilities – Based on the centerline alignment, the City of Temple Utility Master Plans and the City’s current CCNs, general utility alignments will be developed with sizes based on the current Master Plan that is in progress. Utilities will be illustrated in plan view only and in a general location.
- d. Roadway Section and Rights of Way – Roadway sections will be developed for the project as well as rights-of-way requirements. The roadway section will be based off of soil information readily available through the National Resources Conservation Service. Right-of-way requirements will be established based on the roadway sections and general topography.
- e. Drainage – Schematic drainage design will include a general assessment of drainage requirements and major drainage conveyance. Detailed modeling will not be included in schematic design.
- f. Connections – Connection will be established based on aerial data. Connections will be schematically designed for:
 1. IH35
 2. Lower Troy Road
 3. Gun Club Road
 4. Pecan Drive
 5. Bottoms Road
 6. FM 438
 7. FM 2086

8. Middle Road
9. Little Flock Road
10. Highway 53
11. Bob White Road
12. Tower Road
13. Quail Trail
14. Lorraine Avenue
15. FM 3117
16. Business 190
17. I-14

- g. Union Pacific Railroad - Schematic design for crossing of the Union Pacific Railroad near IH-35 will be completed. All elements of design requirements will be considered in the schematic design.
- h. BNSF Railroad - Schematic design for crossing of the BNSF Railroad near I-14 will be completed. All elements of design requirements will be considered in the schematic design.
- i. Schematic Plans - Based on the criteria listed above, Schematic Design Plans will be developed for the section from IH35 to I-14. Plans will be on 11x17 at 1":40' scale.
- j. OPCs - Based on the Schematic Design Plans, OPCs for the project will be created. Review of potential phasing will be concluded and the OPCs will be broken down into phases.

The following scope of work for Outer Loop East (IH35 to I-14) can be completed for the lump sum price of \$122,210. We appreciate the opportunity to submit this proposal and look forward to the benefit it will bring the City of Temple.

Sincerely,

A handwritten signature in blue ink, appearing to read "R. David Patrick", with a stylized flourish at the end.

R. David Patrick, P.E., CFM

xc: File

ATTACHMENT "C"

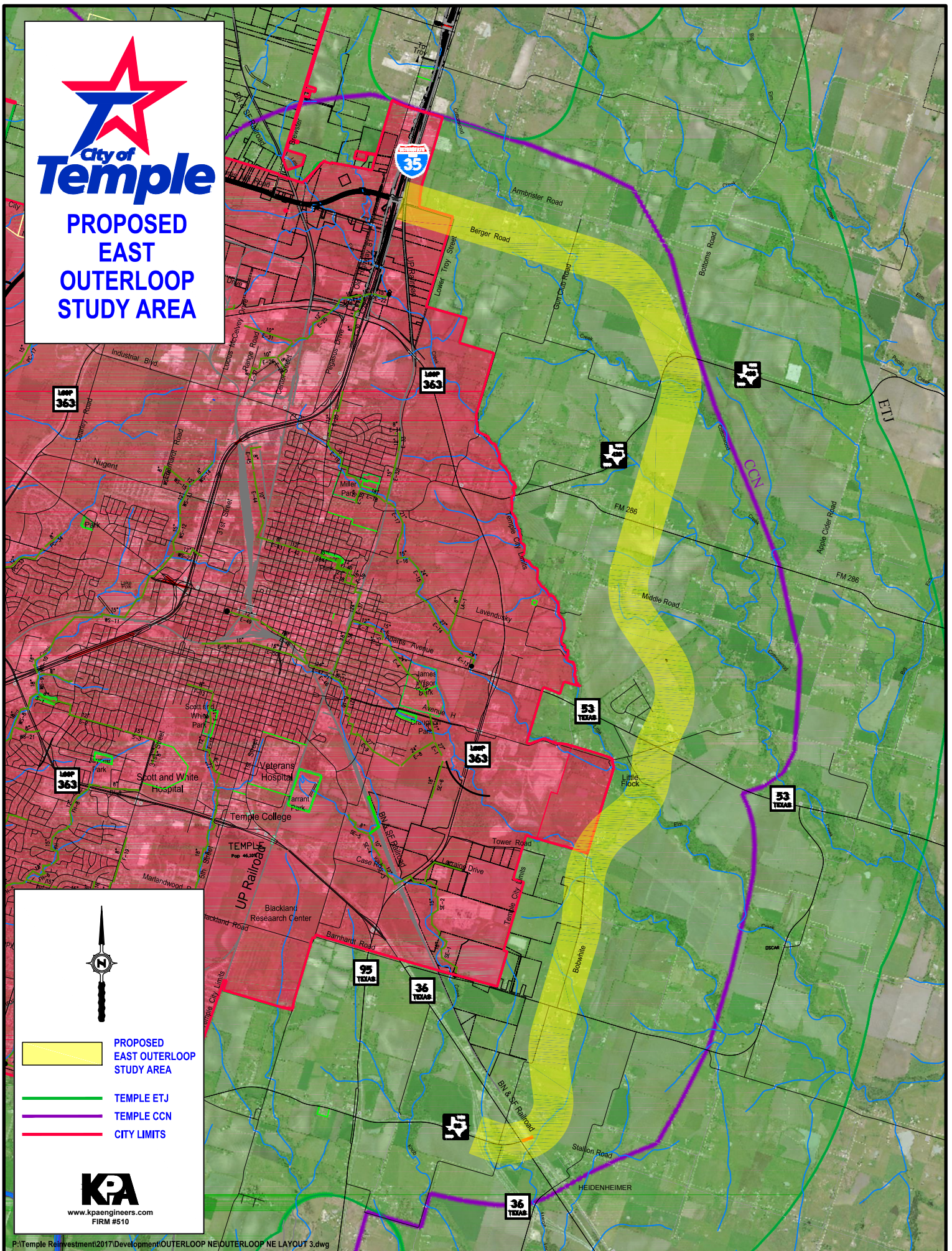
Charges for Additional Services

**City of Temple
Outer Loop East (IH35 to I-14) Schematic Design**

<u>POSITION</u>	<u>MULTIPLIER</u>	<u>SALARY COST/RATES</u>
Principal	2.4	\$ 75.00 – 95.00/hour
Project Manager	2.4	60.00 – 75.00/hour
Project Engineer	2.4	50.00 – 60.00/hour
Engineer-in-Training	2.4	40.00 – 50.00/hour
Engineering Technician	2.4	35.00 – 50.00/hour
CAD Technician	2.4	30.00 – 50.00/hour
Clerical	2.4	15.00 – 30.00/hour
Expenses	1.1	actual cost
Computer	1.0	15.00/hour
Survey Crew	1.1	125.00 – 160.00/hour
Registered Public Surveyor	1.0	130.00/hour
On-Site Representative	2.1	30.00 – 40.00/hour



**PROPOSED
EAST
OUTERLOOP
STUDY AREA**



www.kpaengineers.com
FIRM #510

RESOLUTION NO. 2017-8928-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH KASBERG, PATRICK & ASSOCIATES, LP OF TEMPLE, TEXAS, IN THE AMOUNT OF \$122,210, FOR A SCHEMATIC DESIGN OF THE EAST OUTER LOOP FROM IH-35 TO IH-14, AS WELL AS DECLARE AN OFFICIAL INTENT TO REIMBURSE THE EXPENDITURES WITH THE ISSUANCE OF THE 2018 TAX INCREMENT FINANCING REINVESTMENT ZONE BONDS; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, Staff has asked Kasberg, Patrick & Associates, LP (KPA) to provide a schematic design of the East Outer Loop, from IH-35 to IH-14 (US 190) - the connection to IH-35 will be at the current intersection of Berger Road;

Whereas, the services consists of a schematic design of approximately 12.1 miles of major arterial roadway including a Union-Pacific Railroad crossing and associated drainage, water and wastewater utilities;

Whereas, on October 25, 2017, the Reinvestment Zone No. 1 Board approved this project and recommends Council award a professional services agreement to Kasberg, Patrick & Associates, LP in the amount of \$122,210, for the schematic design of the East Outer Loop from IH-35 to IH-14;

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;

Whereas, this agreement will be funded with the issuance of the 2018 Tax Increment Financing Reinvestment Zone Bonds which will be sold in the spring of 2018 and funding will be available in Reinvestment Zone No. 1 Financing and Project Plans, Line 321, Account No. 795-9600-531-6890, Project No. 101796; 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 Acting City Manager, or her designee, after approval as to form by the City Attorney, to execute a professional services agreement with Kasberg, Patrick & Associates, LP of Temple, Texas, in the amount of \$122,210, for a schematic design of the East Outer Loop from IH-35 to IH-14, as well as, declares an official intent to reimburse the expenditures with the issuance of the 2018 Tax Increment Financing Reinvestment Zone (TIRZ) Bonds.

Part 3: 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 2 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 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 2nd day of **November**, 2017.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Charla Thomas
Deputy City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

11/02/17
Item #4(C)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Kevin Beavers, Director of Parks & Recreation

Jeff Ward, Director of Golf

ITEM DESCRIPTION: Consider adopting a resolution authorizing a professional services agreement with Finger Dye Spann, Inc. of Katy in the amount of \$48,010 for the design, bidding phase, and construction phase services related to a greens resurfacing project at Sammons Golf Links.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: Authorization of this professional services agreement will provide for the design services needed to construct the greens resurfacing project at Sammons Golf Links.

Per Staff's consultation with other golf courses, Finger Dye Spann, Inc. was identified as a firm with an experience base and reputation to assist the City in successfully constructing a greens resurfacing project. Finger Dye Spann submitted their qualifications to the City, and they are included in the City's Pre-Approved List of Pre-Qualified Design Consultants. As stated in the attached proposal from Finger Dye Spann, the following design phase services are being proposed:

Schematic Design	\$10,300
Design Development	\$ 7,790
Construction Phase Documents	\$ 5,610
Bidding Phase	\$ 4,210
Construction Phase Services	<u>\$20,100</u>
Total Proposed Fees	<u>\$48,010</u>

It is expected that the project design will be complete in January 2018, with the bidding phase being completed from February-March 2018, construction commencement in May 2018, and the greens being ready for play in mid-September 2018.

FISCAL IMPACT: Funding for the professional services agreement with Finger Dye Spann, Inc. for services related to the greens resurfacing project at Sammons Golf Links in the amount of \$48,010 is available in account 365-3100-551-6984, project 101771, as follows:

Project Budget	\$	550,000
Encumbered/Committed to Date		-
Finger Dye Spann, Inc. Professional Services		(48,010)
Remaining Project Funds Available	\$	<u>501,990</u>

ATTACHMENTS:

Finger Dye Spann, Inc. Proposal
Resolution

Finger Dye Spann, Inc.
Golf Course Architects

October 24, 2017

Ms. Belinda Mattke, CPA
Director of Purchasing
City of Temple, Texas

RE: Golf Architecture Services

Dear Ms. Mattke:

Finger Dye Spann, Inc. a Texas Corporation, is pleased to submit this proposal for Golf Course Architectural services for the Greens Resurfacing and Renovation at Sammons Park Golf Course in Temple, Texas.

This Agreement is by and between Finger Dye Spann, Inc. (to be referred to as “FDS”) and The City of Temple, Texas (to be referred to as “Owner”).

FDS shall provide professional services on the project referenced above. The scope of work may be generally described as the design and preparation of construction plans and specifications, and on-site construction monitoring for the Sammons Park Golf Course Greens Renovation Project (to be referred to as “Project”).

SCOPE OF SERVICES:

SCHEMATIC DESIGN

The Schematic Design Phase shall include:

1. Site visit(s) to evaluate current conditions & issues
2. Assist the Owner in procuring topographic survey and/ or aerial photography services
3. Preliminary Base Map Development from existing aerial photography and other data provided by Owner (and/or survey data to be determined).
4. Preliminary Schematic Plan of Proposed Improvements
5. Preliminary data gathering and preliminary design information by Irrigation Consultant
6. Review Meeting Onsite
7. Schematic Plan Revisions based on review comments
8. Preliminary Construction Quantities/ Probable Cost based on Schematic Plan

DESIGN DEVELOPMENT

The Design Development Phase shall include:

1. Preliminary Plan for Limits of Resurfaced Greens
2. Preliminary Grading Plan for New Greens Complexes on Holes 5 & 7 (Prelim. non-balanced earthwork, includes clearing requirements if any)
3. Preliminary Drainage Plan (Shows inlet locations, pipe routing, and preliminary pipe sizing)
4. Preliminary Grassing Plan (General grass types, limits, installation methods,.)

5. Preliminary Irrigation Plan (for new greens complexes by subconsultant Bowlin Consulting)
6. Preliminary Technical Specifications and Construction Details
7. Update and refine Quantity Estimate and Statements of Probable Cost
8. Design Development Review Meeting Onsite
9. Design Development Plan Revisions based on review comments

CONSTRUCTION DOCUMENTS

The Construction Documents shall include:

1. Title Sheet (Includes overall project location, general site plan, drawing list, key sheet for plans)
2. Clearing and Demolition Plan (tree removal/ relocation, underbrush removal, existing pavement removal, tree protection)
3. Plan for Limits of Resurfaced Greens (revised square footage of putting surfaces)
4. Grading Plan (Final balanced earthwork, cart path routing, feature locations & shapes)
5. Drainage Plan (Inlet locations, pipe sizing, and grate, invert, and outfall elevations)
6. Grassing Plan (Final specific grass types, limits, and installation methods)
7. Irrigation Plans (Including Mechanical Plan, Electrical Plan, Communications Cable Plan (if hardwired), Construction Specifications, & Irrigation Construction Details) (by Bowlin Consulting)
8. Construction Details (Typical construction details for greens, bunkers, cart paths, & other items)
9. Final Construction Quantities/ Probable Costs
10. Final Technical Specifications & Contract Documents
11. Review Meeting
12. Final Construction Documents Package

BIDDING SERVICES

The Bidding Services shall include:

1. Bid Document Preparation and Distribution (For Competitive Bids or Negotiated Proposals)
2. Attend Pre-Bid Conference or Negotiated Proposal Meeting (both FDS & Bowlin)
3. Assist with Evaluation Bids for Construction of the Work & Contractor Recommendations
4. Assist Owner with execution of Contract for Construction

CONSTRUCTION SERVICES

The Construction Services shall include:

1. FDS Site Visits: Basic Services – Up to Ten (10) Days Onsite Construction Observation by FDS Principal – Additional Time on Hourly Basis if Required and Approved by Owner
2. Irrigation (Bowlin Consulting) Services (Sprinkler and Irrigation System Component Staking, As-Staked Plans, As-Built Base Sheets, Submittal Reviews, Observation of Installation, Final Installation Review, GPS Mapping for Final As-Built Drawings of New Construction)
3. Communications, Coordination, Submittal & Pay Request Reviews

OPTIONAL ADDITIONAL SERVICES

Optional Additional Services (if approved by Owner) shall include:

N/A

PROCEDURE:
SCHEMATIC DESIGN

1. FDS shall review and assist Owner with programming of Project elements and shall prepare Schematic Design drawings and documents describing the general planning concepts, locations and configurations of golf course features, and locations within the site of related golf course support facilities as appropriate.
2. FDS shall submit to the Owner a Statement of Probable Construction Cost. This cost shall represent FDS's best judgment of the probable Construction Cost as a design professional, consistent with the accuracy of project information provided by Owner.
3. FDS shall obtain the written approval of the Owner of the Schematic Design drawings and documents before commencing work on the Construction Documents Phase.

DESIGN DEVELOPMENT PHASE

1. From the approved Schematic Design drawings and documents, FDS shall prepare the Design Development Documents consisting of drawings, outline specifications, and other documents to refine the design for the Project, better establishing golf course design elements with respect to location, size, character, and cost. Additionally, these documents shall identify any program modifications, the probable Project Schedule, and any need for additional data, surveys, or tests.
2. FDS shall submit to the Owner for review and written approval a refined statement of Probable Construction Cost at the completion of the Design Development Phase. If this estimate exceeds the Owner's initial budget for the Work, FDS and Owner shall cooperate to adjust the Project's scope of work, quality, or budget in further developing the design for the Project.
3. FDS shall acquire the approval of the Owner, in writing, of all documents associated with the Design Development Phase before commencing work on the Construction Document Phase.

CONSTRUCTION DOCUMENTS PHASE

1. Upon approval by the Owner of the Schematic Design Phase, FDS shall prepare for Owner's approval, Construction Documents consisting of the Working Drawings and Specifications necessary for construction of the Project. The content, format, and graphic character of the Construction Documents shall be sufficient for a contractor experienced and knowledgeable in golf course construction to provide a qualified bid and complete the work.
2. The Construction Documents shall be based on information contained in the Schematic Design Drawings and other documents previously approved by the Owner.
3. FDS shall advise the Owner of any adjustments to previous Statements of Probable Construction Cost indicated by design refinements or by changes in requirements or general market conditions.

BIDDING PHASE

1. FDS, following the Owner's approval of the Construction Documents, shall assist the Owner in obtaining bids or negotiated proposals, evaluating the bids and bidders, and in awarding a contract or contracts for the construction of the project.
2. FDS shall assist with criteria for pre-qualification or post-qualification of Bidders and with evaluation of Bidder Qualifications.
3. FDS shall distribute Bidding Documents to the Owner, Reviewing Agencies and interested Bidders.
4. FDS shall attend a Pre-bid Conference and shall clarify and answer any questions about the Bidding Documents during the bidding process and shall issue Addenda as required.

CONSTRUCTION PHASE

1. FDS Construction Phase services shall consist of periodic site visits, written and verbal communications, to monitor and evaluate construction of the Work.
2. FDS and Subconsultants (if any) shall make periodic visits to the site as appropriate to the stage of construction, to familiarize themselves generally with the progress and quality of the Work and to determine in general if the Project is proceeding in accordance with the Contract Documents. However, FDS shall not be required to make exhaustive or continuous on-site inspections to check the quality or quantity of the Work. On the basis of on-site observations, FDS shall keep the Owner informed of the progress and quality of the Work, and shall endeavor to guard the Owner against defects and deficiencies in the Work. FDS shall have no responsibility for construction means, methods, sequences, or safety precautions of the Contractor or any other persons performing work on the Project, nor for the acts or omissions of those parties.
3. FDS shall assist Owner in review and authorization of Contractor's payment applications. Authorization of payment application by FDS shall constitute only a representation that the Work has progressed approximately to the point indicated in such application for payment, subject to any qualifications expressed by FDS.
4. FDS shall have authority to order minor changes in the Work that are consistent with the intent of the Contract Documents, and which do not involve a change in the Contract Sum or an extension of the Contract Time. FDS shall assist the Owner in reviewing requests by the Contractor for Change Orders providing that an evaluation can be made without extensive investigation or preparation of additional drawings or specifications.
5. At Project Completion, FDS shall assist Owner in preparing a Substantial Completion "punch list" of items to be completed or corrected. FDS shall participate in a Final Completion inspection with Owner to assist in verifying completion of "punch list" items.

EXCLUSIONS TO SCOPE OF SERVICES

Owner shall provide the following information or services if necessary for performance of the work. FDS assumes no responsibility for the accuracy of such information or services and shall not be liable for errors or omissions therein:

1. Topography and boundary surveys.
2. Existing and/or proposed easements/utilities on or near site.
3. Site engineering (Utilities, drainage, wells, entry roads, parking lots, retaining walls, storm water pollution prevention plans, etc.).
4. Legal descriptions of property.
5. Soils and water testing and/or engineering.
6. Overhead aerial photographs at controlled scale.
7. Necessary approvals and permits, and related consultants.
8. Site structures design (clubhouse, maintenance building, pump house, rest shelters, etc.).

ANTICIPATED OVERALL PROJECT COST

It is anticipated that the Construction Cost of the Project will be in the range of Five Hundred Thousand Dollars (\$500,000). This will be influenced by final scope and market conditions at the time of bidding. Professional Fees and Survey Costs may add another \$60,000 - \$75,000 for an anticipated Total Overall Project Cost of \$560,000 to \$575,000.

ANTICIPATED PROJECT TIMELINE

Anticipated Project Timeline is as Follows:

- | | |
|--|--------------------------------|
| 1. Notice to Proceed with Design Phase: | November 1, 2017 |
| 2. Topography Survey for New Green sites complete: | November 30, 2017 |
| 3. Completion of Schematic Design Phase: | December 15, 2017 |
| 4. Completion of Design Development Phase: | January 15, 2017 |
| 5. Completion of Construction Documents Phase: | January 31, 2018 |
| 6. Bidding Phase: | February 1 - February 22, 2018 |
| 7. Contractor Selection & Construction Agreement: | February 23 - March 16, 2018 |
| 8. Construction Commencement: | April 1, 2018 |
| 9. Construction Completion: | July 1, 2018 |

BASIC SERVICES COMPENSATION

Basic Services for the Scope described above shall be provided for the amount as set forth in the attached Exhibit A. All fees are payable in U.S. Dollars. All fees are payable in U.S. Dollars. Subsequent payments shall be made monthly upon presentation of invoices which shall be in proportion to services performed. All amounts due under this Agreement unpaid after thirty (30) days from the invoice date shall be subject to Interest Charges at a rate of 1.0% per month.

Services beyond the above scope, if authorized in writing by Owner, shall be provided on a time basis computed at an hourly rate as follows:

- | | |
|---|-----------------------------|
| 1. Principal's Time at the fixed rate of: | Dollars (\$160.00) per hour |
| 2. Staff's time at the fixed rate of: | Dollars (\$ 50.00) per hour |

REIMBURSABLE EXPENSES

Reimbursable Expenses are included in the quoted fee amounts for each item

GENERAL

1. If the Owner fails to make payment when due FDS for services and expenses, FDS may, upon seven days' written notice to the Owner, suspend performance of services under this Agreement. Unless payment in full is received by FDS within seven days of the date of the notice, the suspension shall take effect without further notice. In the event of a suspension of services, FDS shall have no liability to the Owner for delay or damage caused the Owner because of such suspension of services.
2. FDS shall have the right to include representations of the design of the Project, including photographs of the work, among FDS's promotional and professional materials. FDS's materials shall not include the Owner's confidential or proprietary information if the Owner has previously advised FDS in writing of the specific information considered by the Owner to be confidential or proprietary. The Owner shall provide professional credit to FDS on the construction sign and in the promotional materials for the Project.

We look forward to working with you on this project. We would be pleased to answer any questions you may have regarding this proposal. If the above meets with your approval, please sign below and return one copy for our files. Again we appreciate the opportunity of submitting this proposal.

Respectfully submitted:

FINGER DYE SPANN, INC.

A handwritten signature in dark ink, appearing to read "Baxter Spann", with a long horizontal flourish extending to the right.

Baxter Spann
Principal

Exhibit A Attached

Exhibit A

Sammons Park Golf Course Greens Renovation Project

Resurfacing 18 greens (inc. Practice & Chipping Greens), relocation of 2 greens (Nos. 5 & 7)

Finger Dye Spann, Inc. ~ Golf Course Architects

10/24/2017

Bowlin Consulting ~ Irrigation Design Services

I. Schematic Design Phase

Proposed Line Item/ Phase Cost

1	Site Visits to Gather Data, Develop Scope and Initial Approach	\$	3,920
2	Prepare Base Map from Survey Data (survey by others)	\$	480
3	Prepare Initial Schematic Plan with Quantities & Probable Costs	\$	2,200
4	Irrigation Consultant - gather data and prelim design info	\$	900
5	Review Meeting with Owner	\$	1,960
6	Revise and Refine Schematic Plan per Review comments	\$	840
	Schematic Design Total	\$	10,300

II. Design Development Phase

1	Preliminary Plan for Limits of Resurfaced Greens	\$	840
2	Preliminary Grading Plan for New Green Complexes	\$	1,680
3	Preliminary Drainage Plan for New Green Complexes	\$	210
4	Preliminary Grassing Plan	\$	130
5	Preliminary Irrigation Plan for New Green Complexes	\$	660
6	Preliminary Specifications and Construction Details	\$	840
7	Updated Probable Cost	\$	630
8	Design Development Review Meeting/ Site Visit	\$	1,960
9	Revise and Refine Design Development Plans per Review comments	\$	840
	Design Development Total	\$	7,790

III. Construction Documents Phase

1	90% Plan for Limits of Resurfaced Greens	\$	310
2	90% Grading Plan for New Green Complexes	\$	360
3	90% Drainage Plan for New Green Complexes	\$	130
4	90% Grassing Plan	\$	130
5	90% Irrigation Plan/ Specs for New Green Complexes	\$	580
6	90% Specifications and Construction Details	\$	420
7	90% Probable Cost (Architect's Bid Estimate)	\$	480
8	90% Bid Proposal Documents	\$	400
9	90% Construction Documents Review Meeting/ Site Visit	\$	1,960
10	Revise and Finalize Construction Documents per Review comments	\$	840
	Construction Documents Total	\$	5,610

IV. Bidding Phase

1	Distribute Construction Documents Packages to Bidders (electronic)	\$	370
2	Attend Pre-Bid Conference	\$	1,960
3	Irrigation Consultant Bidding Services	\$	600
4	Assist with Tabulation and Analysis of Bids/ Review	\$	640
5	Make Contractor Recommendations	\$	320
6	Assist Owner with Execution of Contract for Construction	\$	320
	Bidding Phase Total		\$4,210

V. Construction Phase

1	Construction Site Visits (Ten visits)	\$	15,600
2	Communications, Coordination, Review	\$	1,280
3	Pre-Construction Mtg./ Irrigation System Staking/ Inspections	\$	1,800
4	Final Installation Review/ GPS & Final As-Built of New Irrigation & Drainage	\$	1,420
	Construction Phase Total	\$	20,100

Proposed Fee Total (Includes Reimbursable Expenses)

\$

48,010

RESOLUTION NO. 2017-8929-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH FINGER DYE SPANN, INC. OF KATY, TEXAS, IN THE AMOUNT OF \$48,010, FOR THE DESIGN, BIDDING AND CONSTRUCTION PHASE SERVICES RELATED TO A GREENS RESURFACING PROJECT AT SAMMONS GOLF LINKS; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, Staff has determined the need to resurface the greens at Sammons Golf links;

Whereas, Staff has consulted with various other golf courses and those courses recommended Finger Dye Spann, Inc. of Katy, Texas as a firm with an experience base and reputation to assist the City in successfully constructing a greens resurfacing project;

Whereas, Finger Dye Spann submitted their qualifications to the City, and Staff recommends Council authorize a professional services agreement with Finger Dye Spann in the amount of \$48,010 for the design, bidding phase, and construction phase services related to a greens resurfacing project at Sammons Golf Links;

Whereas, funds are available for this agreement in Account No. 365-3100-551-6984, Project No. 101771; 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 Acting City Manager, or her designee, after approval as to form by the City Attorney, to execute a professional services agreement with Finger Dye Spann, Inc. of Katy, Texas in the amount of \$48,010, for the design, bidding phase, and construction phase services related to a greens resurfacing project at Sammons Golf Links.

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 2nd day of **November**, 2017.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Charla Thomas
Deputy City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

11/02/17
Item #4(D)
Consent Agenda
Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

Traci Barnard, Director of Finance
Belinda Mattke, Director of Purchasing

ITEM DESCRIPTION: Consider adopting a resolution authorizing the expenditure of funds for 12 multiyear agreements in an estimated amount of \$10,887,292 for fiscal year 2017-2018.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: Over the past few years, Council has separately authorized 12 different multiyear agreements for various services and products. A Texas municipality may enter into multiyear agreements, but funds must be specifically allocated for those agreements each year and the expenditure of those funds approved by the City Council. Council previously allocated funds for each agreement in the adopted FY2017-2018 budget. This agenda item seeks authorization to expend those allocated funds. The list below provides the vendor for each agreement, the service or product offered, and the estimated annual expenditure.

Vendor	Estimated Annual Expenditure	Service or Product
Hudson Energy Services, LLC	\$3,500,000	Electricity
Waste Management of Texas	\$2,100,000	Operation & Maintenance of Landfill
Brazos River Authority	\$1,504,350	Operation & Maintenance of Doshier Farm Wastewater Treatment Plant and all Lift Stations
Brazos River Authority	\$1,352,635	Operation & Maintenance of the Temple-Belton Wastewater Treatment Plant
Bell County Auditor's Office (Bell County Communications)	\$994,258	911 Service
Texas Fleet Fuel	\$800,000	Fuel Management Services
McCreary, Veselka, Bragg & Allen	\$190,000	Delinquent Account Collection Services
Bell County Health District	\$171,189	Food Protection & Environmental Services
Crossroads Holdings, Inc.	\$105,360	Lease of Recycling Facility
Cintas Corporation	\$70,000	Uniform Rental Service
Valley View Consulting	\$57,000	Investment Consultant Services
Triple S Fuels	\$42,500	On-Site Fuel Services

FISCAL IMPACT: Funding for the multiyear agreements in the estimated amount of \$10,887,292 has been appropriated in the FY 2018 Operating Budget.

ATTACHMENTS:
[Resolution](#)

RESOLUTION NO. 2017-8930-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE EXPENDITURE OF FUNDS FOR TWELVE MULTIYEAR AGREEMENTS IN AN ESTIMATED AMOUNT OF \$10,887,292, FOR FISCAL YEAR 2018; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, over the past few years, Council has separately authorized 12 different multiyear agreements for various services and products;

Whereas, a Texas municipality may enter into multiyear agreements, but funds must be specifically allocated for those agreements each year and the expenditure of those funds approved by the City Council;

Whereas, Council previously allocated funds for each agreement in the adopted fiscal year 2017-2018 budget and Staff requests Council authorize the expenditure of those allocated funds as outlined below:

Vendor	Estimated Annual Expenditure	Service or Product
Hudson Energy Services, LLC	\$3,500,000	Electricity
Waste Management of Texas	\$2,100,000	Operation & Maintenance of Landfill
Brazos River Authority	\$1,504,350	Operation & Maintenance of Doshier Farm Wastewater Treatment Plant and all Lift Stations
Brazos River Authority	\$1,352,635	Operation & Maintenance of the Temple-Belton Wastewater Treatment Plant
Bell County Auditor's Office (Bell County Communications)	\$994,258	911 Service
Texas Fleet Fuel	\$800,000	Fuel Management Services
McCreary, Veselka, Bragg & Allen	\$190,000	Delinquent Account Collection Services
Bell County Health District	\$171,189	Food Protection & Environmental Services
Crossroads Holdings, Inc.	\$105,360	Lease of Recycling Facility
Cintas Corporation	\$70,000	Uniform Rental Service
Valley View Consulting	\$57,000	Investment Consultant Services
Triple S Fuels	\$42,500	On-Site Fuel Services

Whereas, funding for the multiyear agreements has been appropriated in the fiscal year 2018 Operating Budget; and

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

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

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

Part 2: The City Council authorizes the expenditure of funds for twelve multiyear agreements in an estimated amount of \$10,887,292 for fiscal year 2017-2018 as outlined below:

Vendor	Estimated Annual Expenditure	Service or Product
Hudson Energy Services, LLC	\$3,500,000	Electricity
Waste Management of Texas	\$2,100,000	Operation & Maintenance of Landfill
Brazos River Authority	\$1,504,350	Operation & Maintenance of Doshier Farm Wastewater Treatment Plant and all Lift Stations
Brazos River Authority	\$1,352,635	Operation & Maintenance of the Temple-Belton Wastewater Treatment Plant
Bell County Auditor's Office (Bell County Communications)	\$994,258	911 Service
Texas Fleet Fuel	\$800,000	Fuel Management Services
McCreary, Veselka, Bragg & Allen	\$190,000	Delinquent Account Collection Services
Bell County Health District	\$171,189	Food Protection & Environmental Services
Crossroads Holdings, Inc.	\$105,360	Lease of Recycling Facility
Cintas Corporation	\$70,000	Uniform Rental Service
Valley View Consulting	\$57,000	Investment Consultant Services
Triple S Fuels	\$42,500	On-Site Fuel Services

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

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 **2nd** day of **November**, 2017.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Charla Thomas
Deputy City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

11/02/17
Item #4(E)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Kevin Beavers, Director of Parks & Recreation

ITEM DESCRIPTION: Consider adopting a resolution authorizing a construction contract with Dixon Paving, Inc. of Belton in the amount of \$129,137.10 for the construction of a parking lot at the northern end of Pepper Creek Trail.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: This project consists of the construction of a 25-space parking lot along Pepper Creek Trail on McLane Parkway. Construction of this parking lot will provide for parking and access to the newly constructed north end of Pepper Creek Trail.

As stated in the attached engineer's letter of recommendation and bid tabulation, on October 19, 2017, nine bids ranging from \$129,137.10 to \$243,212.00 were received for the project. Staff is recommending award of the contract for the project to the low bidder, Dixon Paving, Inc., in the amount of \$129,137.10.

It is expected that construction of the project will commence in December with completion in February 2018.

During the October 25, 2017 meeting, the Reinvestment Zone No. 1 Board recommended the City Council approve the construction contract with Dixon Paving, Inc in the amount of \$129,137.10 for the construction of the parking lot.

FISCAL IMPACT: Funding for the construction contract with Dixon Paving, Inc. for the construction of a parking lot at the northern end of Pepper Creek Trail in the amount of \$129,137.10 is available in Reinvestment Zone No. 1 Financing and Project Plans, line 155, project 101002, as follows:

	795-9500-531-6865	795-9800-531-6865	Total
Project Budget	\$ 1,850,000	\$ 454,900	\$ 2,304,900
Encumbered/Committed to Date	(1,635,737)	(454,900)	(2,090,637)
Construction Award - Dixon Paving, Inc.	(129,137)	-	(129,137)
Remaining Project Funds	\$ 85,126	\$ -	\$ 85,126

ATTACHMENTS:

[Engineer's Letter of Recommendation](#)
[Bid Tabulation](#)
[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

October 20, 2017

Mr. Kevin Beavers, CPRP
City of Temple
2 North Main Street, Suite 201
Temple, Texas 76501

Re: City of Temple, Texas
Proposed Pepper Creek Parking Lot Project

Dear Mr. Beavers:

On October 19, 2017, the City of Temple received bids from nine (9) contractors for the Proposed Pepper Creek Parking Lot Project.

The attached Bid Tabulation shows Dixon Paving, Inc. of Belton, Texas as the low bidder with a combined Part A, Part B, and Add Alternate A bid of \$129,137.10. The bids ranged from \$129,137.10 to \$243,212.00. Our final opinion of probable construction cost was \$150,000.00.

Dixon Paving, Inc. has successfully completed numerous projects of this type and are well qualified to perform the work. Therefore, we recommend that a contract be awarded to Dixon Paving, Inc. for the Proposed Pepper Creek Parking Lot Project in the amount of \$129,137.10.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Alvin R. Sutton III'.

Alvin R. (Trae) Sutton III, P.E., CFM

ARS/

xc: Don Bond, PE, City of Temple
Jeff Dixon, Dixon Paving, Inc.

BID TABULATION
CITY OF TEMPLE
PROPOSED PEPPER CREEK PARKING LOT PROJECT
OCTOBER 19, 2017; 2:00 PM



				BIDDER INFORMATION																	
				Dixon Paving, Inc. PO Box 664 Belton, TX 76513		R.T. Schneider Construction Co., LTD PO Box 876 Belton, TX 76513		TTG Utilities LP PO Box 299 Gatesville, TX 76528		Patin Construction, LLC 3800 West 2nd Street Taylor, TX 76574		Holy Contractors, LLC 712 E. Pnather Way Hewitt, TX 76643		Quality W Contractors, LLC 8575 Gholson Road Waco, TX 76705		Wilson Construction Services, LLC PO Box 782 Belton, TX 76513		Westar Construction, Inc. 4500 Williams Dr. Ste 212-PMB 411 Georgetown, TX 78633		Meyers Concrete Construction, LP 2301 FM 3237 Wimberley, TX 78676	
Bid No.	Estimated Quantity	Unit	Bid Data Description	Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Extended Amount
BASE BID- PART A - CIVIL ITEMS																					
1	100%	LS	Mobilization, Bonds and Insurance, not-to-exceed 5%, Complete For	\$ 6,200.00	\$ 6,200.00	\$ 4,350.00	\$ 4,350.00	\$ 5,501.48	\$ 5,501.48	\$ 7,000.00	\$ 7,000.00	\$ 4,568.00	\$ 4,568.00	\$ 5,847.00	\$ 5,847.00	\$ 6,000.00	\$ 6,000.00	\$ 7,000.00	\$ 7,000.00	\$ 9,562.00	\$ 9,562.00
2	100%	LS	Provide Labor, Equipment, Tools & Supervision to Complete Preparation of Right-of-Way, Complete For	5,400.00	5,400.00	13,100.00	13,100.00	5,669.70	5,669.70	1,000.00	1,000.00	1,500.00	1,500.00	1,642.00	1,642.00	3,000.00	3,000.00	10,000.00	10,000.00	18,653.00	18,653.00
3	100%	LS	Prepare Stormwater Pollution Prevention Plan for the Project, Including Submission to and Receiving Permits from Texas Commission on Environmental Quality (TCEQ), Complete For	400.00	400.00	1,515.00	1,515.00	433.40	433.40	1,500.00	1,500.00	650.00	650.00	1,312.00	1,312.00	1,000.00	1,000.00	1,500.00	1,500.00	2,736.00	2,736.00
4	100%	LS	Implement and Administer Barricade, Signing and Traffic Safety Plan (Vehicular and Pedestrian), Complete For	500.00	500.00	1,200.00	1,200.00	238.40	238.40	1,500.00	1,500.00	500.00	500.00	2,621.00	2,621.00	2,000.00	2,000.00	2,000.00	2,000.00	912.00	912.00
5	175	LF	Furnish, Install, Maintain and Remove Silt Fence as required in the Stormwater Pollution Prevention Plan, Complete For	3.00	525.00	2.15	376.25	10.87	1,902.25	3.00	525.00	1.75	306.25	5.10	892.50	3.00	525.00	3.50	612.50	4.00	700.00
6	10	LF	Furnish, Install, Maintain, and Remove Rock Berm as required in the Stormwater Pollution Prevention Plan, Complete For	40.00	400.00	35.00	350.00	88.40	884.00	125.00	1,250.00	50.00	500.00	70.00	700.00	150.00	1,500.00	33.00	330.00	64.00	640.00
7	1	EA	Furnish, Install, Maintain, and Remove Stabilized Construction Entrance as required in the Stormwater Pollution Prevention Plan, Complete For	1,200.00	1,200.00	1,500.00	1,500.00	1,720.65	1,720.65	1,800.00	1,800.00	600.00	600.00	1,247.00	1,247.00	3,000.00	3,000.00	1,200.00	1,200.00	2,919.00	2,919.00
8	1	EA	Furnish & Install 2" Wet Tap with Gate Valve, Complete For	2,300.00	2,300.00	6,370.00	6,370.00	2,570.30	2,570.30	1,000.00	1,000.00	1,500.00	1,500.00	1,592.00	1,592.00	1,200.00	1,200.00	2,500.00	2,500.00	2,372.00	2,372.00
9	1	EA	Furnish & Install Single Service Meter Connection For Irrigation, Complete For	2,500.00	2,500.00	1,795.00	1,795.00	1,296.80	1,296.80	1,500.00	1,500.00	1,500.00	1,500.00	1,554.00	1,554.00	4,000.00	4,000.00	1,500.00	1,500.00	1,095.00	1,095.00
10	1	EA	Furnish & Install RPZ Device, Complete For	3,300.00	3,300.00	3,745.00	3,745.00	2,709.00	2,709.00	3,000.00	3,000.00	3,500.00	3,500.00	4,086.00	4,086.00	3,500.00	3,500.00	4,200.00	4,200.00	8,209.00	8,209.00
11	40	LF	Furnish and Install 2" Waterline, Complete For	33.70	1,348.00	51.00	2,040.00	36.83	1,473.20	40.00	1,600.00	10.00	400.00	16.00	640.00	25.00	1,000.00	75.00	3,000.00	18.00	720.00
12	1	EA	Furnish & Install 2" Cap, Complete For	270.00	270.00	385.00	385.00	279.40	279.40	200.00	200.00	100.00	100.00	105.00	105.00	300.00	300.00	750.00	750.00	91.00	91.00
13	80	LF	Sawcut & Remove Existing Curb and Gutter, Complete For	5.00	400.00	11.00	880.00	8.34	667.20	5.00	400.00	3.50	280.00	26.60	2,128.00	12.00	960.00	10.00	800.00	16.00	1,280.00
14	50	SY	Furnish & Install Concrete Sidewalk Including Reinforcing, Bedding, and Any Required Excavation/Fill, Complete For	40.00	2,000.00	46.80	2,340.00	50.05	2,502.50	55.00	2,750.00	4.00	200.00	72.00	3,600.00	54.00	2,700.00	54.00	2,700.00	75.00	3,750.00
15	2	EA	Furnish & Install Bollards, Including Base and Other Appurtenances, Complete For	300.00	600.00	1,385.00	2,770.00	711.11	1,422.22	750.00	1,500.00	3,000.00	6,000.00	945.00	1,890.00	250.00	500.00	1,300.00	2,600.00	553.00	1,106.00
16	1	EA	Furnish & Install Litter Bin and Foundation per Detail, Including Base and Other Appurtenances, Complete For	2,100.00	2,100.00	2,780.00	2,780.00	2,616.40	2,616.40	750.00	750.00	500.00	500.00	2,562.00	2,562.00	600.00	600.00	1,000.00	1,000.00	1,711.00	1,711.00
17	150	SY	Furnish & Install Concrete Driveway Including Reinforcing, Bedding, and Any Required Excavation/Fill, Complete	40.00	6,000.00	46.80	7,020.00	56.00	8,400.00	60.00	9,000.00	45.00	6,750.00	32.70	4,905.00	72.00	10,800.00	63.00	9,450.00	84.00	12,600.00
18	600	LF	Furnish & Install 2-Foot Wide Ribbon Curb, Complete For	9.00	5,400.00	13.85	8,310.00	17.88	10,728.00	12.00	7,200.00	12.00	7,200.00	18.60	11,160.00	10.00	6,000.00	27.00	16,200.00	23.00	13,800.00
19	1,300	SY	Furnish & Install 2" Type D HMA, Including Any Required Excavation/Fill, Complete For	17.00	22,100.00	19.40	25,220.00	19.10	24,830.00	17.00	22,100.00	12.28	15,964.00	20.10	26,130.00	19.22	24,986.00	21.00	27,300.00	22.00	28,600.00
20	1,600	SY	Furnish & Install 4" Flexbase under the Curb, Including Any Required Excavation/Fill, Complete For	6.50	10,400.00	5.70	9,120.00	8.95	14,320.00	14.00	22,400.00	7.60	12,160.00	6.70	10,720.00	16.70	26,720.00	7.00	11,200.00	13.00	20,800.00
21	1,300	SY	Furnish & Install 4" Flexbase between the Curb, Including Any Required Excavation/Fill, Complete For	6.50	8,450.00	5.70	7,410.00	7.87	10,231.00	14.00	18,200.00	8.18	10,634.00	6.80	8,840.00	16.70	21,710.00	7.00	9,100.00	14.00	18,200.00
22	1,600	SY	Furnish & Install 6" Moisture Conditioned Subgrade, Including Any Required Excavation/Fill, Complete For	1.50	2,400.00	0.85	1,360.00	4.31	6,896.00	8.00	12,800.00	3.50	5,600.00	3.10	4,960.00	6.50	10,400.00	2.50	4,000.00	3.00	4,800.00
23	1	EA	Furnish and Install Handicap Parking Emblem Thermo Plastic Striping, Complete For	900.00	900.00	490.00	490.00	482.60	482.60	500.00	500.00	500.00	500.00	654.00	654.00	800.00	800.00	1,000.00	1,000.00	274.00	274.00
24	1	EA	Furnish and Install Handicap Parking Sign, Complete For	500.00	500.00	545.00	545.00	385.40	385.40	650.00	650.00	500.00	500.00	293.00	293.00	450.00	450.00	1,000.00	1,000.00	593.00	593.00
25	1,400	LF	Furnish and Install 4" Single White Solid Thermo Plastic Striping, Complete For	2.70	3,780.00	2.45	3,430.00	4.09	5,726.00	1.00	1,400.00	3.30	4,620.00	4.70	6,580.00	3.30	4,620.00	6.00	8,400.00	3.00	4,200.00
26	2	EA	Furnish and Install White "NO PARKING" Thermo Plastic Striping, Complete For	1,100.00	2,200.00	617.00	1,234.00	607.80	1,215.60	200.00	400.00	550.00	1,100.00	696.00	1,392.00	1,000.00	2,000.00	500.00	1,000.00	219.00	438.00
27	1	EA	Furnish & Install Trail Sign per Detail, Including All Signage, Bases, and Other Appurtenances, Complete For	1,250.00	1,250.00	4,350.00	4,350.00	5,372.00	5,372.00	5,000.00	5,000.00	7,000.00	7,000.00	5,713.00	5,713.00	9,000.00	9,000.00	12,500.00	12,500.00	8,898.00	8,898.00
28	1,630	SY	Furnish & Install Hydromulch with Flexible Growth Medium, Including Fertilizing & Watering to Promote and Establish Growth, Complete For	2.50	4,075.00	2.50	4,075.00	2.25	3,667.50	1.00	1,630.00	3.20	5,216.00	2.80	4,564.00	2.00	3,260.00	4.00	6,520.00	4.00	6,520.00
TOTAL PART A AMOUNT (ITEMS 1 - 28)					\$ 96,898.00		\$ 118,060.25	**	\$ 124,141.00		\$ 128,555.00	**	\$ 99,848.25		\$ 118,329.50		\$ 152,531.00		\$ 149,362.50		\$ 176,179.00
BASE BID- PART B - LANDSCAPING																					
1	100%	LS	Mobilization, Bonds and Insurance for Part B, not-to-exceed 5%, Complete For	\$ 3,000.00	\$ 3,000.00	\$ 675.00	\$ 675.00	\$ 1,200.13	\$ 1,200.13	\$ 2,500.00	\$ 2,500.00	\$ 2,568.17	\$ 2,568.17	\$ 1,959.00	\$ 1,959.00	\$ 1,800.00	\$ 1,800.00	\$ 1,800.00	\$ 1,800.00	\$ 2,750.00	\$ 2,750.00
2	4	EA	Furnish & Install Live Oak (4" Caliper), Complete For	1,020.00	4,080.00	1,000.00	4,000.00	1,042.80	4,171.20	1,000.00	4,000.00	1,485.00	5,940.00	1,516.00	6,064.00	1,500.00	6,000.00	950.00	3,800.00	1,595.00	6,380.00
3	2	EA	Furnish & Install Cedar Elm (4" Caliper), Complete For	1,020.00	2,040.00	1,000.00	2,000.00	1,042.80	2,085.60	1,000.00	2,000.00	1,760.00	3,520.00	1,583.00	3,166.00	1,500.00	3,000.00	950.00	1,900.00	1,641.00	3,282.00
4	14	EA	Furnish & Install Compact Texas Sage (3 Gallon), Complete For	35.00	490.00	19.50	273.00	20.26	283.64	15.00	210.00	88.02	1,232.28	29.00	406.00	30.00	420.00	100.00	1,400.00	98.00	1,372.00
5	22	EA	Furnish & Install Gulf Muhly (3 Gallon), Complete For	30.00	660.00	19.50	429.00	20.26	445.72	10.00	220.00	60.75	1,336.50	27.00	594.00	28.00	616.00	100.00	2,200.00	103.00	2,266.00
6	27	EA	Furnish & Install Cotoneaster (3 Gallon), Complete For	34.00	918.00	19.50	526.50	20.26	547.02	15.00	405.00	35.75	965.25	29.00	783.00	30.00	810				

BID TABULATION
CITY OF TEMPLE
PROPOSED PEPPER CREEK PARKING LOT PROJECT
OCTOBER 19, 2017; 2:00 PM

Bid No.	Estimated Quantity	Unit	Bid Data Description	Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Extended Amount
ADD ALTERNATE A - SIGNAGE																					
1	6	EA	Remove and Replace Existing Sign Renderings at 3 Existing Sign Locations (2 Renderings per Side) along the Pepper Creek Trail, Complete For	\$ 400.00	\$ 2,400.00	\$ 330.00	\$ 1,980.00	\$ 312.00	\$ 1,872.00	\$ 250.00	\$ 1,500.00	\$ 500.00	\$ 3,000.00	\$ 650.00	\$ 3,900.00	\$ 700.00	\$ 4,200.00	\$ 1,500.00	\$ 9,000.00	\$ 456.00	\$ 2,736.00
TOTAL ADD ALTERNATE AMOUNT (ITEM AA1)					\$ 2,400.00		\$ 1,980.00		\$ 1,872.00		\$ 1,500.00		\$ 3,000.00		\$ 3,900.00		\$ 4,200.00		\$ 9,000.00		\$ 2,736.00

BID SUMMARY	BIDDER INFORMATION																			
	Dixon Paving, Inc. PO Box 664 Belton, TX 76513	R.T. Schneider Construction Co., LTD PO Box 876 Belton, TX 76513	TTG Utilities LP PO Box 299 Gatesville, TX 76528	Patin Construction, LLC 3800 West 2nd Street Taylor, TX 76574	Holy Contractors, LLC 712 E. Pnather Way Hewitt, TX 76643	Quality W Contractors, LLC 8575 Gholson Road Waco, TX 76705	Wilson Construction Services, LLC PO Box 782 Belton, TX 76513	Westar Construction, Inc. 4500 Williams Dr. Ste 212-PMB 411 Georgetown, TX 78633	Meyers Concrete Construction, LP 2301 FM 3237 Wimberley, TX 78676											
BASE BID: PART A - CIVIL ITEMS	\$ 96,898.00	\$ 118,060.25	\$ 124,141.00	\$ 128,555.00	\$ 99,848.25	\$ 118,329.50	\$ 152,531.00	\$ 149,362.50	\$ 176,179.00											
BASE BID: PART B - LANDSCAPING	\$ 29,839.10	\$ 23,825.65	\$ 25,523.00	\$ 27,717.00	\$ 57,404.55	\$ 39,597.10	\$ 37,997.98	\$ 39,875.00	\$ 64,297.00											
ADD ALTERNATE A - SIGNAGE	\$ 2,400.00	\$ 1,980.00	\$ 1,872.00	\$ 1,500.00	\$ 3,000.00	\$ 3,900.00	\$ 4,200.00	\$ 9,000.00	\$ 2,736.00											
TOTAL BID - ALL PARTS + ADD ALTERNATE	\$ 129,137.10	\$ 143,865.90	\$ 151,536.00	\$ 157,772.00	\$ 160,252.80	\$ 161,826.60	\$ 194,728.98	\$ 198,237.50	\$ 243,212.00											
Did Bidder Acknowledge Addendum No. 1?	YES	YES	YES	YES	YES	YES	YES	YES	YES											
Did Bidder provide Bid Security?	YES	YES	YES	YES	YES	YES	YES	YES	YES											
Did Bidder provide required documents?	YES	YES	YES	YES	YES	YES	YES	YES	YES											

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



Alvin R. Sutton, III, PE, CFM
Kasberg, Patrick & Associates, LP

10-20-17

Date

RESOLUTION NO. 2017-8931-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A CONSTRUCTION CONTRACT WITH DIXON PAVING, INC. OF BELTON, TEXAS IN THE AMOUNT OF \$129,137.10, FOR THE CONSTRUCTION OF A PARKING LOT AT THE NORTHERN END OF PEPPER CREEK TRAIL; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, this project will consist of the construction of a 25-space parking lot along Pepper Creek Trail on McLane Parkway and will provide for parking and access to the newly constructed north end of Pepper Creek Trail;

Whereas, on October 19, 2017, Staff received nine bids for the project with Dixon Paving, Inc. of Belton, Texas being the low bidder in the amount of \$129,137.10;

Whereas, Staff recommends Council authorize a construction contract with Dixon Paving in the amount of \$129,137, for the construction of a parking lot at the northern end of Pepper Creek Trail;

Whereas, funds are available for this contract in the Reinvestment Zone No. 1 Financing and Project Plans, Line 155, Account Nos. 795-9500-531-6865 and 795-9800-531-6865, Project No. 101002; 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 Acting City Manager, or her designee, after approval as to form by the City Attorney, to execute a construction contract with Dixon Paving, Inc. of Belton, Texas in the amount of \$129,137, for the construction of a parking lot at the northern end of Pepper Creek Trail.

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 2nd day of **November**, 2017.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Charla Thomas
Deputy City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

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Consent Agenda
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DEPT./DIVISION SUBMISSION & REVIEW:

Nicole Torralva, Public Works Director
Lisa Sebek, Solid Waste Services Director

ITEM DESCRIPTION: Consider adopting a resolution authorizing the purchase of 59 metal refuse containers and 20 metal recycling containers in the amount of \$63,897 from Wastequip, LLC, Beeville.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: Replacement containers are needed in the side load, front load and commercial cardboard recycling systems. This purchase provides for ten – 2cyd side load containers, six – 3cyd front load containers, ten – 4cyd front load containers, thirty-three – 8cyd front load containers, four – 2cyd recycling containers, four – 3cyd recycling containers, four – 4cyd recycling containers and eight – 8cyd recycling containers.

Wastequip, LLC has been awarded contract #RH08-16 through Houston-Galveston Area Cooperative (H-GAC), which covers the purchase of these containers. Current pricing on the H-GAC bid contract has been confirmed by Purchasing. The city has done business with Wastequip and finds them to be a responsible vendor. Utilizing this contract through the H-GAC satisfies the requirement for competitive bids.

FISCAL IMPACT: Funding has been appropriated in the FY 2018 Operating Budget as follows:

Description	Account #	Budget	Proposed Expenditure
Sideload Metal Containers	110-2360-540-22-11	\$5,929	\$5,929
Frontload Metal Containers	110-2350-540-22-11	41,974	41,974
Recycle Metal Containers	110-2380-540-22-11	15,994	15,994
	TOTAL	\$63,897	\$63,897

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. 2017-8932-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE PURCHASE OF 59 METAL REFUSE CONTAINERS AND 20 METAL RECYCLING CONTAINERS, IN THE AMOUNT OF \$63,897, FROM WASTEQUIP, LLC OF BEEVILLE, TEXAS; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, replacement containers are needed in the side load, front load and commercial cardboard recycling systems;

Whereas, Wastequip, LLC has been awarded a contract through Houston-Galveston Area Cooperative (H-GAC), which covers the purchase of these containers - contracts awarded through H-GAC have been competitively procured and meet the statutory procurement requirements for Texas municipalities;

Whereas, Staff recommends Council authorize the purchase of 10 – 2cyd side load containers, 6 – 3cyd front load metal containers, 10 – 4cyd front load containers, 16 – 8cyd front load containers, 4 – 2cyd recycling containers, 4 – 3cyd recycling containers, 4 – 4cyd recycling containers and 8 – 8cyd recycling containers from Wastequip, LLC of Beeville, Texas in the amount of \$63,897;

Whereas, funding for this purchase is available in the following accounts:

Side load Metal Containers: Account No. 110-2360-540-2211;
Front load Metal Containers: Account No. 110-2350-540-2211;
Recycle Metal Containers: Account No. 110-2380-540-2211; 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 59 metal refuse containers and 20 metal recycling containers, in the amount of \$63,897 from Wastequip, LLC, of Beeville, Texas.

Part 3: The City Council authorizes the Acting 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 **2nd** of **November**, 2017.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Charla Thomas
Deputy City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

11/02/17
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DEPT./DIVISION SUBMISSION & REVIEW:

Floyd Mitchell, Chief of Police

ITEM DESCRIPTION: Consider adopting a resolution authorizing the purchase of jail services from Bell County Law Enforcement Center in the estimated amount of \$65,000 for FY 2018.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

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

FISCAL IMPACT: Funding in the amount of \$65,000 is appropriated in the FY 2018 Operating Budget in account 110-2011-521-2623 for jail housing services to be provided by the Bell County Law Enforcement Center.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. 2017-8933-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE PURCHASE OF JAIL SERVICES IN THE ESTIMATED AMOUNT OF \$65,000, PROVIDED BY THE BELL COUNTY LAW ENFORCEMENT CENTER FOR FISCAL YEAR 2018; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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

Whereas, Staff has been pleased with the services provided by Bell County and Staff recommends the continued purchase of jail services from Bell County Law Enforcement Center, for fiscal year 2018, in the estimated annual amount of \$65,000;

Whereas, funding for jail services is appropriated in the fiscal year 2018 budget in Account No. 110-2011-521-2623; and

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

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

Part 1: 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 continued purchase of jail services from Bell County Law Enforcement Center for fiscal year 2018, in the annual amount of \$65,000.

Part 3: The City Council authorizes the Acting City Manager, or her designee, to execute any documents, after approval as to form by the City Attorney, 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 **2nd** day of **November**, 2017.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Charla Thomas
Deputy City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

11/02/17
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DEPT./DIVISION SUBMISSION & REVIEW:

Kevin Beavers, Parks and Recreation Director
Kirk Scopac, Fleet Services Director

ITEM DESCRIPTION: Consider adopting a resolution authorizing the purchase of one 2017 Toro Grounds Master 4700-D sports field mower from Professional Turf Products, L.P. of Selma, in the amount of \$75,327.21.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: Currently Parks & Leisure Services has a sports field mower that has been identified for routine replacement by the Fleet Services Director in the annual vehicle replacement review. The purchase will replace an existing ten year old mower that is used in the daily mowing of sports fields throughout the community.

The proposed purchase will use a contract procured by National IPA, Contract #2017025. The contract awarded by National IPA has been competitively procured and meets the statutory procurement requirements for Texas municipalities.

FISCAL IMPACT: Funding for the purchase of a 2017 Toro Grounds Master 4700-D mower from Professional Turf Products, L.P., in the amount of \$75,327.21, is available in account 110-5935-552-6222, project 101682, as follows:

Project Budget	\$	77,362
Encumbered/Committed to Date		-
Professional Turf Products, LP		(75,327)
Remaining Project Funds Available	\$	<u>2,035</u>

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. 2017-8934-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE PURCHASE OF ONE TORO GROUNDS MASTER 4700-D SPORTS FIELD MOWER, IN THE AMOUNT OF \$75,327.21 FROM PROFESSIONAL TURF PRODUCTS, L.P. OF SELMA, TEXAS; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the Parks and Recreation Department currently has a sports field mower that has been identified for routine replacement by the Fleet Services Department in the annual vehicle replacement review program;

Whereas, this purchase will replace an existing 10-year old mower that is used in the daily mowing of sports fields throughout the community;

Whereas, this purchase will be made utilizing a National IPA contract - the contract awarded by National IPA has been competitively procured and meets the statutory procurement requirements for Texas municipalities;

Whereas, Staff has used Professional Turf Products in the past and finds them to be a responsive and responsible vendor;

Whereas, funding is available for this purchase in Account No. 110-5935-552-6222, Project No. 101682; 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 Toro Grounds Master 4700-D sports field mower in the amount of \$75,327.21, from Professional Turf Products, L.P. of Euless, Texas utilizing a National IPA contract.

Part 3: The City Council authorizes the Acting 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 **2nd** day of **November**, 2017.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Charla Thomas
Deputy City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

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DEPT./DIVISION SUBMISSION & REVIEW:

Nicole Torralva, Director of Public Works

Lisa Sebek, Director of Solid Waste Services

ITEM DESCRIPTION: Consider adopting a resolution authorizing the Solid Waste & Recycling Services Division of the Department of Public Works to apply for a grant in the amount of \$30,000 through an interlocal agreement with the Central Texas Council of Governments to perform a household hazardous waste collection event in Temple.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: Once again, grant monies have been made available to the Central Texas Council of Governments (CTCOG) from the Texas Commission on Environmental Quality. The Solid Waste Advisory Committee (SWAC) of the CTCOG will be accepting applications from eligible applicants within our 7-county region. The focus of the SWAC is once again to support Household Hazardous Waste events. The City of Temple's application is a grant request for \$30,000 which will be split for two separate events in the COG's biennium period.

The SWAC will meet in November to review applications and vote on eligible applicants to host these HHW events.

In cooperation with the City's lease agreement with Waste Management (WM), WM has agreed to provide an HHW event (up to \$50,000) for the city on an annual basis. WM's understanding of this agreement is to provide the event for citizens residing in Temple city limits only. The City has hosted these events several times in the past with COG funds which included the COG 7-County region. The grant funds requested through the SWAC with this item is for funds to assist, cover the expense and allow for customers residing outside the City limits, but within our 7-county COG region, to utilize the event.

The City will be coordinating workers for the events and will host the events at the Temple Public Works Service Center as in years past. With WM providing waste collection service in most of the COG area and most of the trash disposal coming in to the Temple Landfill from these areas, it is important to include our surrounding area through the grant funding, if awarded.

FISCAL IMPACT: If awarded, the City will receive a grant in the amount of \$30,000 through an interlocal agreement with the Central Texas Council of Governments to perform a household hazardous waste collection event in Temple will be received. The City of Temple's application request will be split for two separate events in the COG's biennium period.

The City's fiscal impact is minimal and will be absorbed within the Solid Waste's operating budget. Major funding would be provided by Waste Management through the City's Temple Landfill Lease Agreement with some funding from the COG, if awarded, for residents outside the city limits of Temple. If grant funding is not awarded to the City of Temple, it is possible that Waste Management will not provide the service to anyone residing outside the city limits and the event will be for Temple residents only.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. 2017-8935-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR GRANT FUNDING THROUGH THE CENTRAL TEXAS COUNCIL OF GOVERNMENTS IN THE AMOUNT OF \$30,000, TO PERFORM A HOUSEHOLD HAZARDOUS WASTE COLLECTION EVENT IN TEMPLE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, grant monies are made available each year to the Central Texas Council of Governments (CTCOG) from the Texas Commission on Environmental Quality to support regional efforts to fund solid waste management activities and various local and regional projects that help implement solid waste management plans;

Whereas, the Solid Waste Advisory Committee (SWAC) of the CTCOG will be accepting applications from eligible applicants within our 7-county region with the focus being to support Household Hazardous Waste (HHW) events;

Whereas, the City of Temple's application is a grant request for \$30,000 which will be received through an interlocal agreement with CTCOG to perform a household hazardous waste collection event in Temple and split for two separate events in the CTCOG's biennium period;

Whereas, in cooperation with the City's lease agreement with Waste Management (WM), WM has agreed to provide a HHW event for the City on an annual basis for citizens residing in Temple city limits only – these grant funds through the CTCOG will include the CTCOG 7-county region and will assist and cover the expense for residents outside the City limits, and within the 7-county CTCOG region;

Whereas, the SWAC will meet in November, 2017 to review applications and vote on eligible applicants to host these HHW events;

Whereas, the City will be coordinating the events and will host the events at the Temple Public Works Service Center - with WM providing waste collection service in most of the COG area and most of the trash disposal coming in to the Temple Landfill from these areas, it is important to include our surrounding area through grant funding;

Whereas, there will be minimal financial impact to the City which will be absorbed in Solid Wastes' operating budget - major funding would be provided by Waste Management through the City's Landfill Lease Agreement with some funding from the CTCOG, if awarded, for residents outside of the city limits of Temple; and

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

NOW, THEREFORE, BE IT 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 for grant funding through the Central Texas Council of Governments in the amount of \$30,000, to perform a household hazardous waste collection event in Temple;

Part 3: The City Council authorizes the Acting 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 2nd day of **November**, 2017.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Charla Thomas
Deputy 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 0.074 acres and 0.166 acres located on Hogan Road for the expansion of Hogan Road and authorizing closing costs associated with the purchase in an estimated amount of \$35,000.

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

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The City is currently in the design phase for the proposed expansion of Hogan Road from South Pea Ridge Road to State Highway 317. The design requires the acquisition of seven rights-of-way and one easement from six property owners. Appraisals have been performed and offers made to all property owners based upon the appraisals.

With the assistance of H.W. Lochner, Inc. (Lochner), the City has reached an agreement with one of the property owners. The property is located at 9218 Hogan Road and is owned by the Hogan Series of Howumean, LLC. Through dedication and purchase, the City will be acquiring 0.074 acres from one parcel and 0.166 acres from a second parcel. At this time, Staff is asking for authorization to purchase the property and pay closing costs in an estimated amount of \$35,000.

The Bell County Appraisal District Identification Numbers for the property are 91379 and 96711.

FISCAL IMPACT: Funding for the purchase of the rights of way necessary for the expansion of Hogan Road and authorizing closing costs associated with the purchase in an estimated amount of \$35,000 is available in account 365-3400-531-6857, project 100952.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. 2017-8936-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE PURCHASE OF APPROXIMATELY 0.074 ACRES AND APPROXIMATELY 0.166 ACRES LOCATED ON HOGAN ROAD FOR THE EXPANSION OF HOGAN ROAD; AUTHORIZING CLOSING COSTS ASSOCIATED WITH THE PURCHASES IN AN ESTIMATED AMOUNT OF \$35,000; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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

Whereas, appraisals have been performed and offers have been made to all property owners based upon the appraisals;

Whereas, with the assistance of H.W. Lochner, Inc., the City has reached an agreement with one of the property owners which is located at 9218 Hogan Road and owned by the Hogan Series of Howumean, LLC;

Whereas, through dedication and purchase, the City requests to acquire approximately 0.074 acres from one parcel and approximately 0.166 acres from a second parcel;

Whereas, Staff recommends Council authorize the purchase of approximately 0.074 acres and approximately 0.166 acres from a second parcel located on Hogan Road for the expansion of Hogan Road and authorize closing costs associated with the purchase in an estimated amount of \$35,000;

Whereas, the BellCAD IDs associated with these two parcels are 91379 (0.074 ac) and 96711 (0.166 ac);

Whereas, funding is available for the purchase of this property in Account No. 365-3400-531-6857, Project No. 100952; and

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

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

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

Part 2: The City Council authorizes the purchase of approximately 0.074 acres and approximately 0.166 acres located on Hogan Road for the expansion of Hogan Road and authorizes closing costs associated with the purchase, in an estimated amount of \$35,000.

Part 3: The City Council authorizes the Acting 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 2nd day of **November**, 2017.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Charla Thomas
Deputy City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

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DEPT./DIVISION SUBMISSION & REVIEW:

Sandra Esqueda, Director of Human Resources

ITEM DESCRIPTION: SECOND READING: Consider adopting an ordinance to include a language certification pay for qualified officers in the Police Department.

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

ITEM SUMMARY: Chapter 143.44(b) of the Local Government Code requires Council to establish certification pay by ordinance. On September 13, 2017, the Rules and Regulations of the Temple Fire Fighters' and Police Officers' Civil Service Commission were amended to include Section 44 "Certification and Education Incentive Pay", providing for certification pay to qualified officers upon completion of their probationary period. Pursuant to the FY 18 Meet and Confer Agreement, staff recommends including a language certification pay of \$720 per year for qualified police officers.

Currently, the City does not provide language certification pay. The City is in discussion with Language Testing International regarding their dial-in and website testing. At this time, TPD is testing the application for functionality and ease of use. If successful, the City will negotiate to acquire their services.

FISCAL IMPACT: Funding in the amount of \$8,640 has been appropriated in the FY 2018 Operating Budget to fund language certification pay for officers in the Police Department.

ATTACHMENTS:

[Ordinance](#)

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, ESTABLISHING CERTIFICATION PAY FOR OFFICERS IN THE POLICE DEPARTMENT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, Chapter 143.044(b) of the Local Government Code requires that City Council establish educational pay by Ordinance;

Whereas, as part of the 2018 Meet and Confer Agreement, certification pay of \$720 per year was negotiated and Staff recommends Council authorize this certification pay for officers in the Police Department;

Whereas, funding for this certification pay has been appropriated in the fiscal year 2018 adopted budget; 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 establishes certification pay in the amount of \$720 per year for officers in the Police Department effective November 2, 2017.

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 **19th** day of **October**, 2017.

PASSED AND APPROVED on Second Reading on the **2nd** day of **November**, 2017.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

APPROVED AS TO FORM:

ATTEST:

Lacy Borgeson
City Secretary

Charla Thomas
Deputy City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

11/02/17
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Consent Agenda
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DEPT. /DIVISION SUBMISSION & REVIEW:

Brian Chandler, Planning Director
Kayla Landeros, City Attorney

ITEM DESCRIPTION: SECOND READING – Z-FY-17-39: Consider adopting an ordinance authorizing amendments to Article 3, Unified Development Code, to remove the requirement to include construction plans in final plat applications for single family subdivisions; to extend the time limit for recordation of plats from 120 days to 12 months; and to modify media used for filing of subdivision construction plans (eliminating Mylars).

PLANNING AND ZONING COMMISSION RECOMMENDATION: At their September 18, 2017 meeting, P&Z recommended approval as presented by staff.

STAFF RECOMMENDATION: Staff recommends approval of the proposed amendments.

BACKGROUND: City staff, including representatives from Legal, Engineering and Planning, met with Jim Howe on behalf of TABA (Temple Area Builders Association) to discuss UDC code amendments related to:

1. The timing and media related to the submittal of construction plans; and
2. Extending the expiration period related to final plats

Staff and TABA agreed on language to address both items, which includes the following:

3. The timing and media related to the submittal of construction plans
 - a. Construction plans for public improvements related to single-family subdivisions no longer are required to be submitted at the platting stage
 - i. The City Engineer must approve before construction can begin and before the Chief Building Official approves building permits
 - b. Paper, rather than Mylar construction plans, is acceptable
4. Extending the expiration period related to final plats
 - a. Rather than requiring plat recordation within 120 days, the period would be extended to 1 year
 - b. Provides flexibility for developers to obtain private easements from utility companies, etc.

PUBLIC NOTICE: The newspaper printed notice of the Planning and Zoning Commission public hearing on September 7, 2017, in accordance with state law and local ordinance.

FISCAL IMPACT: N/A

ATTACHMENTS:

[UDC Draft Code Amendments
Ordinance](#)

Construction Plans and Extension of Time to Record Plat

Sec. 3.6. Subdivision Plat Review

* * *

3.6.3 Application Process

A subdivision of land must generally proceed in accordance with the following steps:

- A. Pre-Application Conference;
- B. Preliminary Plat (where applicable per 3.6.5);
- C. Final Plat and Construction Plans;
- D. Construction Plans;
- E. Construction Permit;
- ~~D~~F. ~~Acceptance of subdivision as complete~~Recordation; and
- ~~E~~G. Acceptance of public improvements for ownership and maintenance.

* * *

3.6.3 Final Plat

* * *

C. Construction Plans

~~A Final Plat application for a subdivision that is not zoned or restricted for single-family dwellings may be submitted and approved without construction plans. The Final Plat application for a single-family subdivision must include the construction plans. The City Engineer must approve~~ Construction plans, regardless of when filed, for public improvements must be approved or conditionally approved by the City Engineer before construction of the subdivision may begin and before the Chief Building Official approves Building Permits.

D. Expiration

~~An approved Final Plat must be recorded within 120 days~~ months after final approval. All approved Final Plats must be recorded in the deed records of Bell County before the City accepts the completed public improvements for the subdivision or issues Building Permits for construction of homes, unless the following conditions are satisfied: . . .

* * *

3.6.9 Procedures Following Final Plat Approval

* * *

D. Acceptance of Improvements

Before the City accepts the subdivision improvements the applicant must submit the following:

1. ~~One Mylar reproducible print~~ paper copy of the subdivision construction plans, marked “drawings of work as built,” and ~~one copy of the as-built drawings in the same digital format required in subsection C above for the approved Final Plat~~ “As-Built Drawings” or “Record Drawings.”
2. One copy of the as-built drawings in pdf format.
3. One copy of the base CAD file.

Sec. 3.7. Replat Without Plat Vacation

* * *

3.7.5. Expiration

An approved Replat Without Plat Vacation must be recorded within ~~120 days~~ months after final approval. All approved Replats Without Vacation must be recorded in the deed records of Bell County before the City accepts the completed public improvements for the subdivision or issues Building Permits for construction of homes, unless the following conditions are satisfied: . . .

Sec. 3.8. Minor or Amending Plat

* * *

An approved Minor or Amending Plat must be recorded within ~~120 days~~ months after final approval. All approved Minor or Amending Plats must be recorded in the deed records of Bell County before the City accepts the completed public improvements for the subdivision or issues Building Permits.

* * *

Sec. 3.13. Building Permit

3.13.1 Applicability

A Building Permit may not be issued for any property until one of the following events has occurred.

A. Approved Plat

The lot appears on an approved plat of record filed in the plat records of Bell County.

* * *

3.13.15 Construction Plans

~~The City Engineer must approve or conditionally approve c~~Construction plans for a subdivision, regardless of when filed, public improvements must be approved or conditionally approved by the City Engineer before construction of the subdivision may begin or before the Chief Building Official may approve a Building Permit.

ORDINANCE NO. _____

(PLANNING NO. Z-FY-17-39)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AMENDING TEMPLE UNIFIED DEVELOPMENT CODE ARTICLE 3, TO REMOVE THE REQUIREMENT TO INCLUDE CONSTRUCTION PLANS IN FINAL PLAT APPLICATIONS FOR SINGLE FAMILY SUBDIVISIONS; TO EXTEND THE TIME LIMIT FOR RECORDATION OF PLATS; TO MODIFY MEDIA USAGE FOR FILING OF SUBDIVISION CONSTRUCTION PLANS; PROVIDING A REPEALER; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, Staff, along with representatives from the Legal, Engineering and Planning Departments, met with Jim Howe on behalf of the Temple Area Builders Association (TABA) to discuss amendments to the Unified Development Code related to the following:

1. The timing and media related to the submittal of construction plans;
2. Extending the expiration period related to final plats;

Whereas, Staff and TABA agreed on language to address both items, which includes the following:

1. The timing and media related to the submittal of construction plans:
 - a. Construction plans for public improvements related to single-family subdivisions no longer are required to be submitted at the platting stage.
 - i. The City Engineer must approve before construction can begin and before the Chief Building Official approves building permits.
 - b. Paper, rather than Mylar construction plans, are acceptable.
2. Extending the expiration period related to final plats:
 - a. Rather than requiring plat recordation within 120 days, the period would be extended to 1 year.
 - b. Provides flexibility for developers to obtain private easements from utility companies, etc.; 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 Article 3, Unified Development Code, to remove the requirement to include construction plans in final plat applications for single family subdivisions; to extend the time limit for recordation of plats from 120 days to 12 months; and to modify media used for filing of subdivision construction plans (eliminating Mylars), as set forth more fully in Exhibit A, attached hereto and incorporated herein for all purposes.

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

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

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

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

PASSED AND APPROVED on First Reading and Public Hearing on the **19th** day of **October**, 2017.

PASSED AND APPROVED on Second Reading on the **2nd** day of **November**, 2017.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, MAYOR

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Charla Thomas
Deputy City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

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DEPT./DIVISION SUBMISSION & REVIEW:

Traci Barnard, Director of Finance

ITEM DESCRIPTION: Consider adopting a resolution authorizing budget amendments for fiscal year 2016-2017.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: This item is to recommend various budget amendments, based on the adopted FY 2016-2017 budget. The amendments will involve transfers of funds between contingency accounts, department and fund levels.

FISCAL IMPACT: The total amount of budget amendments is \$62,731.

ATTACHMENTS:

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

CITY OF TEMPLE
BUDGET AMENDMENTS FOR FY 2017 BUDGET
November 2, 2017

ACCOUNT #	PROJECT #	DESCRIPTION	APPROPRIATIONS	
			Debit	Credit
110-2222-522-1111		Salaries / Supervisory	\$ 532	
110-2223-522-1111		Salaries / Supervisory	\$ 1,775	
110-2230-522-1111		Salaries / Supervisory	\$ 15,443	
110-0000-431-0163		Federal Grants / Federal Grants		\$ 17,750
To appropriate TEEX reimbursements for personnel deployments during pay periods 10, 18, and 19.				
240-XXXX-551-1XXX		Hotel/Motel Fund - Salaries	\$ 2,231	
240-0000-431-0261		State Grants / State Grants		\$ 2,231
110-XXXX-5XX-1XXX		General Fund - Salaries	\$ 40,454	
110-2240-522-2191		Supplies / Supplies - Shelter	\$ 311	
110-0000-431-0261		State Grants / State Grants		\$ 40,765
To appropriate state reimbursement of personnel costs (regular time) incurred during the City's response to Hurricane Harvey.				
110-2230-522-2516		Other Services / Judgments & Damages	\$ 1,985	
110-0000-461-0554		Insurance Claims / Insurance Claims		\$ 1,985
To appropriate anticipated insurance proceeds from TML for additional pump repairs to Engine # 7.				
TOTAL AMENDMENTS			\$ 62,731	\$ 62,731
GENERAL FUND				
Beginning Contingency Balance			\$ -	
Added to Contingency Sweep Account			-	
Carry forward from Prior Year			-	
Taken From Contingency			-	
Net Balance of Contingency Account			\$ -	
Beginning Judgments & Damages Contingency			\$ 5,257	
Added to Contingency Judgments & Damages from Council Contingency			-	
Taken From Judgments & Damages			(5,257)	
Net Balance of Judgments & Damages Contingency Account			\$ -	
Beginning Compensation Contingency			\$ 560,000	
Added to Compensation Contingency			-	
Taken From Compensation Contingency			(559,972)	
Net Balance of Compensation Contingency Account			\$ 28	
Net Balance Council Contingency			\$ 28	
Beginning Balance Budget Sweep Contingency			\$ -	
Added to Budget Sweep Contingency			-	
Taken From Budget Sweep			-	
Net Balance of Budget Sweep Contingency Account			\$ -	
WATER & SEWER FUND				
Beginning Contingency Balance			\$ 50,000	
Added to Contingency Sweep Account			-	
Taken From Contingency			(41,558)	
Net Balance of Contingency Account			\$ 8,442	
Beginning Compensation Contingency			\$ 112,500	
Added to Compensation Contingency			-	
Taken From Compensation Contingency			(37,430)	
Net Balance of Compensation Contingency Account			\$ 75,070	
Net Balance Water & Sewer Fund Contingency			\$ 83,512	

CITY OF TEMPLE
BUDGET AMENDMENTS FOR FY 2017 BUDGET
November 2, 2017

ACCOUNT #	PROJECT #	DESCRIPTION	APPROPRIATIONS	
			Debit	Credit
		HOTEL/MOTEL TAX FUND		
		Beginning Contingency Balance		\$ -
		Added to Contingency Sweep Account		-
		Carry forward from Prior Year		-
		Taken From Contingency		-
		Net Balance of Contingency Account		\$ -
		Beginning Compensation Contingency	\$	28,300
		Added to Compensation Contingency		-
		Taken From Compensation Contingency		(28,280)
		Net Balance of Compensation Contingency Account	\$	20
		Net Balance Hotel/Motel Tax Fund Contingency	\$	20
		DRAINAGE FUND		
		Beginning Contingency Balance	\$	-
		Added to Contingency Sweep Account		-
		Carry forward from Prior Year		-
		Taken From Contingency		-
		Net Balance of Contingency Account	\$	-
		Beginning Compensation Contingency	\$	24,300
		Added to Compensation Contingency		-
		Taken From Compensation Contingency		(7,841)
		Net Balance of Compensation Contingency Account	\$	16,459
		Net Balance Drainage Fund Contingency	\$	16,459
		FED/STATE GRANT FUND		
		Beginning Contingency Balance	\$	-
		Carry forward from Prior Year		14,947
		Added to Contingency Sweep Account		22,397
		Taken From Contingency		-
		Net Balance Fed/State Grant Fund Contingency	\$	37,344

RESOLUTION NO. 2017-8937-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, APPROVING BUDGET AMENDMENTS TO THE 2016-2017 CITY BUDGET; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on the 26th day of August, 2016, the City Council approved a budget for the 2016-2017 fiscal year; and

Whereas, the City Council deems it in the public interest to make certain amendments to the 2016-2017 City Budget.

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

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

Part 2: The City Council approves amending the 2016-2017 City Budget by adopting the budget amendments which are more fully described in Exhibit 'A,' attached hereto and made a part hereof for all purposes.

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

PASSED AND APPROVED this the 2nd day of **November**, 2017.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Charla Thomas
Deputy City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

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DEPT./DIVISION SUBMISSION & REVIEW:

Traci Barnard, Director of Finance

ITEM DESCRIPTION: Consider adopting a resolution authorizing budget amendments for fiscal year 2017-2018.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: This item is to recommend various budget amendments, based on the adopted FY 2017-2018 budget. The amendments will involve transfers of funds between contingency accounts, department and fund levels.

FISCAL IMPACT: The total amount of budget amendments is \$44,324,659.

ATTACHMENTS:

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

CITY OF TEMPLE
BUDGET AMENDMENTS FOR FY 2018 BUDGET
November 2, 2017

ACCOUNT #	PROJECT #	DESCRIPTION	APPROPRIATIONS	
			Debit	Credit
365-1500-515-1112		Salaries / Professional	\$ 36,982	
365-1500-515-1220		Personnel Benefits / Retirement/Pension	\$ 6,158	
365-1500-515-1221		Personnel Benefits / Social Security	\$ 530	
365-1500-515-1222		Personnel Benefits / Health Insurance	\$ 3,067	
365-1500-515-1223		Personnel Benefits / Worker Compensation	\$ 88	
365-1500-515-1224		Personnel Benefits / Unemployment Insurance	\$ 135	
365-1500-515-1228		Personnel Benefits / Long Term Disability	\$ 123	
365-1500-515-1226		Personnel Benefits / Life Insurance	\$ 55	
365-1500-515-1227		Personnel Benefits / AD&D Insurance	\$ 12	
365-1500-515-1225		Personnel Benefits / Dental Insurance	\$ 49	
561-5000-535-1112		Salaries / Professional	\$ 36,983	
561-5000-535-1220		Personnel Benefits / Retirement/Pension	\$ 6,158	
561-5000-535-1221		Personnel Benefits / Social Security	\$ 530	
561-5000-535-1222		Personnel Benefits / Health Insurance	\$ 3,067	
561-5000-535-1223		Personnel Benefits / Worker Compensation	\$ 87	
561-5000-535-1224		Personnel Benefits / Unemployment Insurance	\$ 135	
561-5000-535-1228		Personnel Benefits / Long Term Disability	\$ 124	
561-5000-535-1226		Personnel Benefits / Life Insurance	\$ 55	
561-5000-535-1227		Personnel Benefits / AD&D Insurance	\$ 12	
561-5000-535-1225		Personnel Benefits / Dental Insurance	\$ 48	
365-1500-515-6532		Capital - Special Projects / Contingency		\$ 47,199
561-5000-535-6532		Capital - Special Projects / Contingency		\$ 47,199
To allocate bond proceeds for the Deputy City Attorney position for FY 2018. This position is being funded 50% with Certificate of Obligation (TCIP) bond proceeds and 50% with Utility Revenue bond proceeds.				
362-1300-515-1115		Salaries / Skilled	\$ 49,920	
362-1300-515-1220		Personnel Benefits / Retirement/Pension	\$ 8,312	
362-1300-515-1221		Personnel Benefits / Social Security	\$ 560	
362-1300-515-1222		Personnel Benefits / Health Insurance	\$ 6,134	
362-1300-515-1223		Personnel Benefits / Worker Compensation	\$ 108	
362-1300-515-1224		Personnel Benefits / Unemployment Insurance	\$ 270	
362-1300-515-1225		Personnel Benefits / Dental Insurance	\$ 97	
362-1300-515-1226		Personnel Benefits / Life Insurance	\$ 74	
362-1300-515-1227		Personnel Benefits / AD&D Insurance	\$ 16	
362-1300-515-1228		Personnel Benefits / Long Term Disability	\$ 167	
362-1300-515-6536		Capital - Special Projects / Contingency-Compensation		\$ 58,783
362-3500-552-6532		Capital - Special Projects / Contingency		\$ 6,875
To allocate bond proceeds for the Contract Manager position for FY 2018. This position is being funded 100% with General Obligation Parks bonds.				
365-1500-515-1112		Salaries / Skilled	\$ 59,010	
365-1500-515-1220		Personnel Benefits / Retirement/Pension	\$ 10,075	
365-1500-515-1221		Personnel Benefits / Social Security	\$ 882	
365-1500-515-1233		Personnel Benefits / \$125 To ICMA in Lieu of Insurance	\$ 1,500	
365-1500-515-1223		Personnel Benefits / Worker Compensation	\$ 268	
365-1500-515-1224		Personnel Benefits / Unemployment Insurance	\$ 270	
365-1500-515-1228		Personnel Benefits / Long Term Disability	\$ 197	
365-1500-515-1226		Personnel Benefits / Life Insurance	\$ 89	
365-1500-515-1227		Personnel Benefits / AD&D Insurance	\$ 19	
365-3400-531-6532		Capital - Special Projects / Contingency		\$ 72,310
To allocate bond proceeds for the Project Manager position for FY 2018. This position is being funded 100% with Certificate of Obligation (TCIP) bond proceeds.				

CITY OF TEMPLE
BUDGET AMENDMENTS FOR FY 2018 BUDGET
November 2, 2017

ACCOUNT #	PROJECT #	DESCRIPTION	APPROPRIATIONS	
			Debit	Credit
240-7000-551-2516		Other Services / Judgments & Damages	\$ 25,137	
240-0000-461-0554		Insurance Claims / Insurance Claims		\$ 25,137
110-2210-522-2516		Other Services / Judgments & Damages	\$ 47,589	
110-2600-519-2516		Other Services / Judgments & Damages	\$ 80,269	
110-0000-461-0554		Insurance Claims / Insurance Claims		\$ 127,858
To appropriate additional insurance proceeds received from TML related to May 5, 2013 weather event that went through the City. Additional damages were found by TML for Railroad Heritage Museum, Central Fire Station, and the Social Security Building.				
260-2000-521-2110		Supplies / Office Supplies	\$ 750	
260-2000-521-2136		Supplies / Public Safety Expenditure	\$ 600	
260-2000-521-2514		Other Services / Travel & Training	\$ 3,000	
260-2000-521-2616		Contracted Services / Professional	\$ 30,000	
260-0000-431-0261		State Grants / State Grants		\$ 34,350
To appropriate grant funding received through the Criminal Justice Division of the Governor's office for the Victims of Crime Assistant Grant (VOCA).				
110-3300-519-2584		EDC - Matrix Component	\$ 16,601	
110-3300-519-2584		EDC - O&M Funding Component		\$ 2,797
110-0000-352-1345		Designated Capital Projects - Unallocated		\$ 13,804
Per the 2017 Funding and Operating Agreement between the City of Temple and the Temple Economic Development Corporation (TEDC), the City shall contribute a portion of its annual revenue from sales tax to TEDC. The City's contribution shall include a "Base Contribution" which is comprised of two components: (1) an "Operating Expense Component" and (2) an "Incentive Matrix Component". This budget adjustment decreases the appropriation for the FY 2018 "Operating Expense Component" by \$2,797 and increases the appropriation for the "Incentive Matrix Component" by \$16,601 for a total net effect of \$13,804. The result of this adjustment is due to the amount of economic development incentives paid by TEDC and a change in the sales tax growth % estimate. Funds are available in Designated Capital Projects - Unallocated.				
110-2031-521-2516		Judgments & Damages - Patrol	\$ 7,402	
110-2032-521-2516		Judgments & Damages - Traffic	\$ 2,865	
110-0000-461-0554		Insurance Claims / Insurance Claims		\$ 10,267
To appropriate insurance proceeds from Texas Farm Bureau Casualty Insurance for damages to asset # 13854 and from TML for damages to asset # 14043.				
520-5000-535-2644		Contracted Services / Emergency Notification	\$ 10,320	
520-5000-535-2611		Contracted Services / Insurance & Bonds		\$ 4,200
520-5100-535-2611		Contracted Services / Insurance & Bonds		\$ 4,700
520-5200-535-2611		Contracted Services / Insurance & Bonds		\$ 1,420
To reallocate funding for Water/Wastewater Fund portion of year one of three for the CodeRed contract with Bell County. Total contract is \$39,187.50 (\$13,062.50 per year).				
353-2900-534-6712	101636	Capital - Bonds / Azalea Drive Drainage Improvements	\$ 1,100,000	
353-2900-534-6713	101637	Capital - Bonds / 57th Street & Ave T; 49th Street & Ave R Drainage Improvements	\$ 1,100,000	
353-2900-534-6714	101592	Capital - Bonds / Conner Park Drainage Improvements	\$ 800,000	
353-2900-534-6710	101716	Capital - Bonds / Drainage Master Plan Modeling	\$ 596,000	
353-2900-534-6532		Capital - Bonds / Contingency	\$ 402,343	
353-5700-580-7314		Amortization & Bond Issue / Bond Discount	\$ 36,863	
353-5700-580-7312		Amortization & Bond Issue / Bond Issuance Cost	\$ 14,216	
353-0000-490-1516		Bond Proceeds / Bond Proceeds		\$ 3,735,000
353-0000-490-1518		Bond Proceeds / Original Issue Premium		\$ 314,422
To appropriate the certificate of obligation (CO) bond proceeds for Drainage CIP projects as authorized by Council on October 19, 2017.				

CITY OF TEMPLE
BUDGET AMENDMENTS FOR FY 2018 BUDGET
November 2, 2017

ACCOUNT #	PROJECT #	DESCRIPTION	APPROPRIATIONS	
			Debit	Credit
365-3400-531-6813	101121	Capital - Bonds / Outer Loop, Phase IIIB	\$ 5,800,000	
365-3400-531-6888	101606	Capital - Bonds / Kegley Road Improvements, Phase II	\$ 4,550,000	
365-3400-531-6862	101257	Capital - Bonds / Prairie View (N Pea Ridge to FM 2483)	\$ 3,700,000	
365-3400-531-6886	101715	Capital - Bonds / Poison Oak Improvements, Phase I & II	\$ 3,400,000	
365-3400-531-6527	101712	Capital - Bonds / Legacy Pavement Preservation Program	\$ 3,110,000	
365-3400-531-6857	100952	Capital - Bonds / Hogan Road Improvements	\$ 2,600,000	
365-3400-531-6985	101713	Capital - Bonds / N Pea Ridge, Phase 1 (ROW - Adams to Prairie View)	\$ 1,800,000	
365-3400-531-6813	101714	Capital - Bonds / Outer Loop, Phase IV (Design - Jupiter to Poison Oak)	\$ 1,600,000	
365-3400-531-6888	101607	Capital - Bonds / Kegley Road Improvements, Phase III & IV (Design)	\$ 720,000	
365-3100-551-6984	101771	Capital - Bonds / Sammons Golf Course - Greens Improvement	\$ 550,000	
365-3400-531-6315	101804	Capital - Bonds / Sidewalk/Trail Connections - Grant Match	\$ 500,000	
365-3400-531-6532		Capital - Bonds / Contingency	\$ 807,863	
365-1500-515-6536		Capital - Bonds / Contingency - Compensation	\$ 125,000	
365-2200-552-6803	101671	Capital - Bonds / P25 Radio Migration - Fire	\$ 350,000	
365-2000-521-6803	101671	Capital - Bonds / P25 Radio Migration - Police	\$ 600,000	
365-3500-552-6803	101671	Capital - Bonds / P25 Radio Migration - PARD	\$ 125,000	
365-5000-535-6803	101671	Capital - Bonds / P25 Radio Migration - Public Works	\$ 125,000	
365-2300-540-6987	101693	Capital - Bonds / Rplc 2012 Freightliner/Heil Garbage Vehicle	\$ 324,792	
365-2300-540-6987	101694	Capital - Bonds / Rplc 2012 Freightliner/Heil Garbage Vehicle	\$ 324,792	
365-2300-540-6987	101697	Capital - Bonds / Rplc 2008 International/Hood Brush Truck	\$ 233,264	
365-2300-540-6987	101698	Capital - Bonds / Rplc 2009 Sterling/Hood Brush Truck	\$ 233,264	
365-2300-540-6987	101700	Capital - Bonds / Rplc 2010 Freightliner/Hood Brush Truck	\$ 233,264	
365-2300-540-6987	101695	Capital - Bonds / Rplc 2007 Freightliner/G&H Roll-Off Truck	\$ 183,000	
365-5700-580-7314		Amortization & Bond Issue / Bond Discount	\$ 308,289	
365-5700-580-7312		Amortization & Bond Issue / Bond Issuance Cost	\$ 114,810	
365-0000-490-1516		Bond Proceeds / Bond Proceeds		\$ 30,165,000
365-0000-490-1518		Bond Proceeds / Original Issue Premium		\$ 2,253,338
To appropriate the certificate of obligation (CO) bond proceeds for TCIP projects and Public Safety & Sanitation equipment as authorized by Council on October 19, 2017.				
260-3400-531-6862	101257	Capital - Bonds / Prairie View Rd Improvements	\$ 3,700,000	
260-0000-490-2582		Transfer In / Transfer In		\$ 3,700,000
365-9100-591-8160		Operating Transfer Out / Transfer Out - Grant Fund	\$ 3,700,000	
365-3400-531-6862	101257	Capital - Bonds / Prairie View Rd Improvements		\$ 3,700,000
To reallocate the City's matching funds of \$3,700,000 for the Killeen Metropolitan Planning Organization (KTMPO) grant for the construction of Prairie View Road and associated enhancements.				
TOTAL AMENDMENTS			\$ 44,324,659	\$ 44,324,659

CITY OF TEMPLE
BUDGET AMENDMENTS FOR FY 2018 BUDGET
November 2, 2017

ACCOUNT #	PROJECT #	DESCRIPTION	APPROPRIATIONS	
			Debit	Credit
		GENERAL FUND		
		Beginning Contingency Balance	\$	-
		Added to Contingency Sweep Account		-
		Carry forward from Prior Year		-
		Taken From Contingency		-
		Net Balance of Contingency Account	\$	-
		Beginning Judgments & Damages Contingency	\$	25,182
		Added to Contingency Judgments & Damages from Council Contingency		-
		Taken From Judgments & Damages		-
		Net Balance of Judgments & Damages Contingency Account	\$	25,182
		Beginning Compensation Contingency	\$	343,000
		Added to Compensation Contingency		-
		Taken From Compensation Contingency		-
		Net Balance of Compensation Contingency Account	\$	343,000
		Net Balance Council Contingency	\$	368,182
		Beginning Balance Budget Sweep Contingency	\$	-
		Added to Budget Sweep Contingency		-
		Taken From Budget Sweep		-
		Net Balance of Budget Sweep Contingency Account	\$	-
		WATER & SEWER FUND		
		Beginning Contingency Balance	\$	65,000
		Added to Contingency Sweep Account		-
		Taken From Contingency		-
		Net Balance of Contingency Account	\$	65,000
		Beginning Compensation Contingency	\$	63,000
		Added to Compensation Contingency		-
		Taken From Compensation Contingency		-
		Net Balance of Compensation Contingency Account	\$	63,000
		Net Balance Water & Sewer Fund Contingency	\$	128,000
		HOTEL/MOTEL TAX FUND		
		Beginning Contingency Balance	\$	-
		Added to Contingency Sweep Account		-
		Carry forward from Prior Year		-
		Taken From Contingency		-
		Net Balance of Contingency Account	\$	-
		Beginning Compensation Contingency	\$	19,000
		Added to Compensation Contingency		-
		Taken From Compensation Contingency		-
		Net Balance of Compensation Contingency Account	\$	19,000
		Net Balance Hotel/Motel Tax Fund Contingency	\$	19,000
		DRAINAGE FUND		
		Beginning Contingency Balance	\$	807,065
		Added to Contingency Sweep Account		-
		Carry forward from Prior Year		-
		Taken From Contingency		-
		Net Balance of Contingency Account	\$	807,065
		Beginning Compensation Contingency	\$	12,500
		Added to Compensation Contingency		-
		Taken From Compensation Contingency		-
		Net Balance of Compensation Contingency Account	\$	12,500
		Net Balance Drainage Fund Contingency	\$	819,565

CITY OF TEMPLE
BUDGET AMENDMENTS FOR FY 2018 BUDGET
November 2, 2017

ACCOUNT #	PROJECT #	DESCRIPTION	APPROPRIATIONS	
			Debit	Credit
		FED/STATE GRANT FUND		
		Beginning Contingency Balance		\$ -
		Carry forward from Prior Year		-
		Added to Contingency Sweep Account		-
		Taken From Contingency		-
		Net Balance Fed/State Grant Fund Contingency		\$ -

RESOLUTION NO. 2017-8938-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, APPROVING BUDGET AMENDMENTS TO THE 2017-2018 CITY BUDGET; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on the 25th day of August, 2017, the City Council approved a budget for the 2017-2018 fiscal year; and

Whereas, the City Council deems it in the public interest to make certain amendments to the 2017-2018 City Budget.

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

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

Part 2: The City Council approves amending the 2017-2018 City Budget by adopting the budget amendments which are more fully described in Exhibit 'A,' attached hereto and made a part hereof for all purposes.

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

PASSED AND APPROVED this the 2nd day of **November**, 2017.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Charla Thomas
Deputy City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

11/02/17
Item #5
Regular Agenda
Page 1 of 2

DEPARTMENT / DIVISION SUBMISSION & REVIEW:

Dessie Redmond, Planner

ITEM DESCRIPTION: P-FY-17-65: Consider adopting a resolution authorizing the final plat of Bella Terra Master Preliminary Plat, a 158.018 +/- acres, 170-lot, 9-block, residential and non-residential subdivision, situated in the Redding Roberts Survey, Abstract No. 692, Bell County, Texas, located at 5900 South 31st Street, Temple, Texas.

PLANNING & ZONING COMMISSION RECOMMENDATION: At their October 2, 2017 meeting, the Planning & Zoning Commission voted 9 to 0 to recommend approval of the proposed rezoning as presented by staff.

STAFF RECOMMENDATION: Staff recommends approval of the Preliminary Plat of Bella Terra, subject to City Council's approval of the applicant's requested exception (attachment: Applicant's Letter of Requested Exceptions) to UDC, Section 8.2.1.D.4.b: Projection of Streets, regarding street openings every 1000 feet and a requested exception to the private park land dedication with the following two conditions:

1. The developer shall provide a combination of land and recreational amenities equal to \$46,000 which exceeds the required public park fee of \$37,800 (see attached Park Layout Exhibit and Estimated Cost of Park Amenities).
2. The owner hereby commits that all on-site recreational amenities, designated for the private park, depicted on the preliminary plat as Parcel A, 0.63 acres, shall be constructed and accessible before any building permits are applied for within the subject plat.

ITEM SUMMARY: This plat proposes 168 residential lots, two non-residential lots and three access points: 1) an entry point into the property off of South 31st Street, which was approved by the Texas Department of Transportation (TxDOT); 2) through the Bentwood subdivision via Highland Meadow Drive and 3) Legacy Oaks Drive. This plat also proposes four foot wide interior sidewalks along the proposed Bolzano Trail and Pistoia Trail streets. A six foot wide sidewalk is required along South 31st

Street (sidewalk requirements are stated on the plat). The Development Review Committee (DRC) reviewed the Preliminary Plat of Bella Terra on September 18 and 21, 2017. It was considered administratively complete on September 27, 2017.

There are associated cases as described in the following. Earlier this year in June, the City Council approved a rezoning from the Agricultural (AG) zoning district to the Single Family-Two (SF-2) zoning district on approximately 46.8 acres, and from the Neighborhood Services (NS) zoning district on approximately 3.5 acres out of approximately 50.3 acres on a part of an overall 158 acre tract (attachment: Ordinance No. 2017-4848). On June 13, 2017 the applicant submitted a request for a rezoning on the remainder of the 158 acre tract from the AG zoning district to SF-2 zoning district. However, at their August 17, 2017 City Council meeting, the Council denied this request. On August 31, 2017 the applicant submitted this Preliminary Plat of Bella Terra including a request for an exception to the UDC, Section 8.2.1.D.4.b: Projection of Streets and an exception to the private park land dedication, as described above.

FISCAL IMPACT: Not Applicable

ATTACHMENTS:

[Site Photos](#)

[Location Map/Aerial](#)

[Bella Terra Preliminary Plat \(5 pages\)](#)

[Bella Terra Utility Plan \(3 pages\)](#)

[Park Layout Exhibit](#)

[Estimated Cost of Park Amenities](#)

[Applicant's Letter of Requested Exceptions](#)

[Ordinance No. 2017-4848](#)

[Excerpts from the October 2, 2017 Planning & Zoning Commission meeting
Resolution](#)

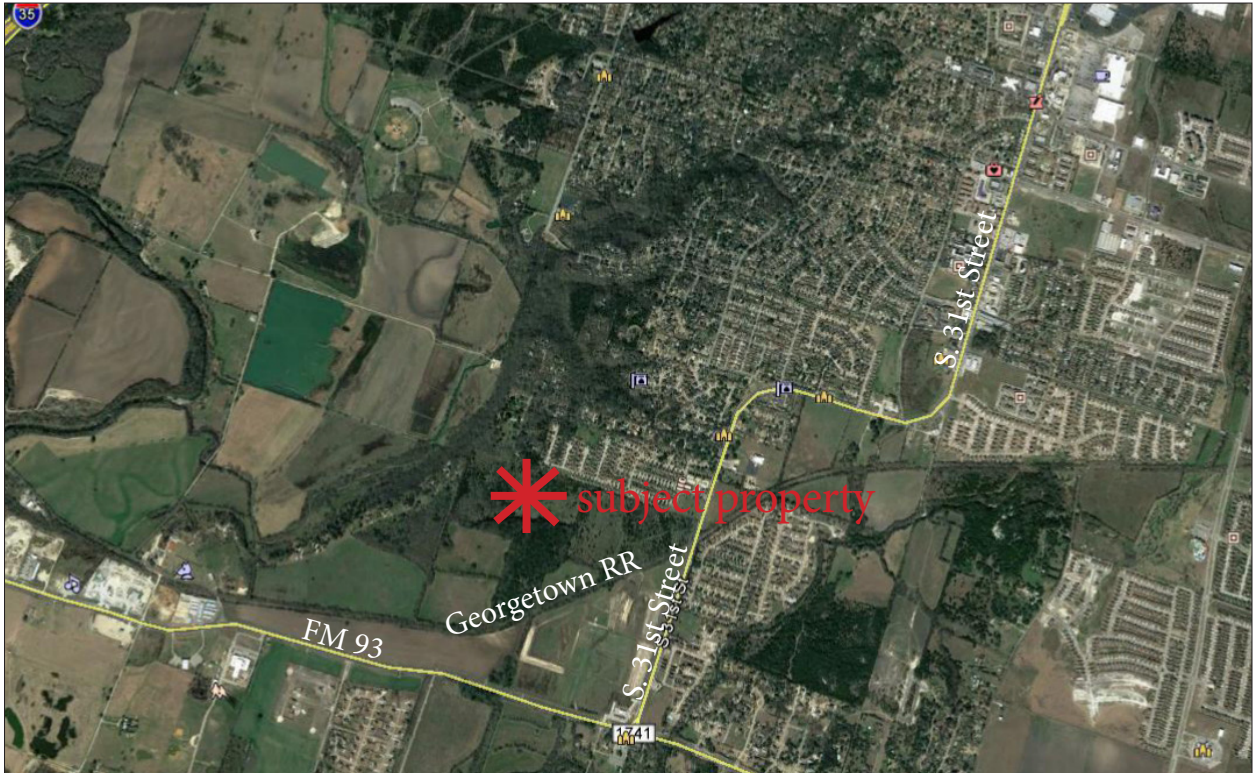
Site Photos



Aerial view of the Temple Mall.



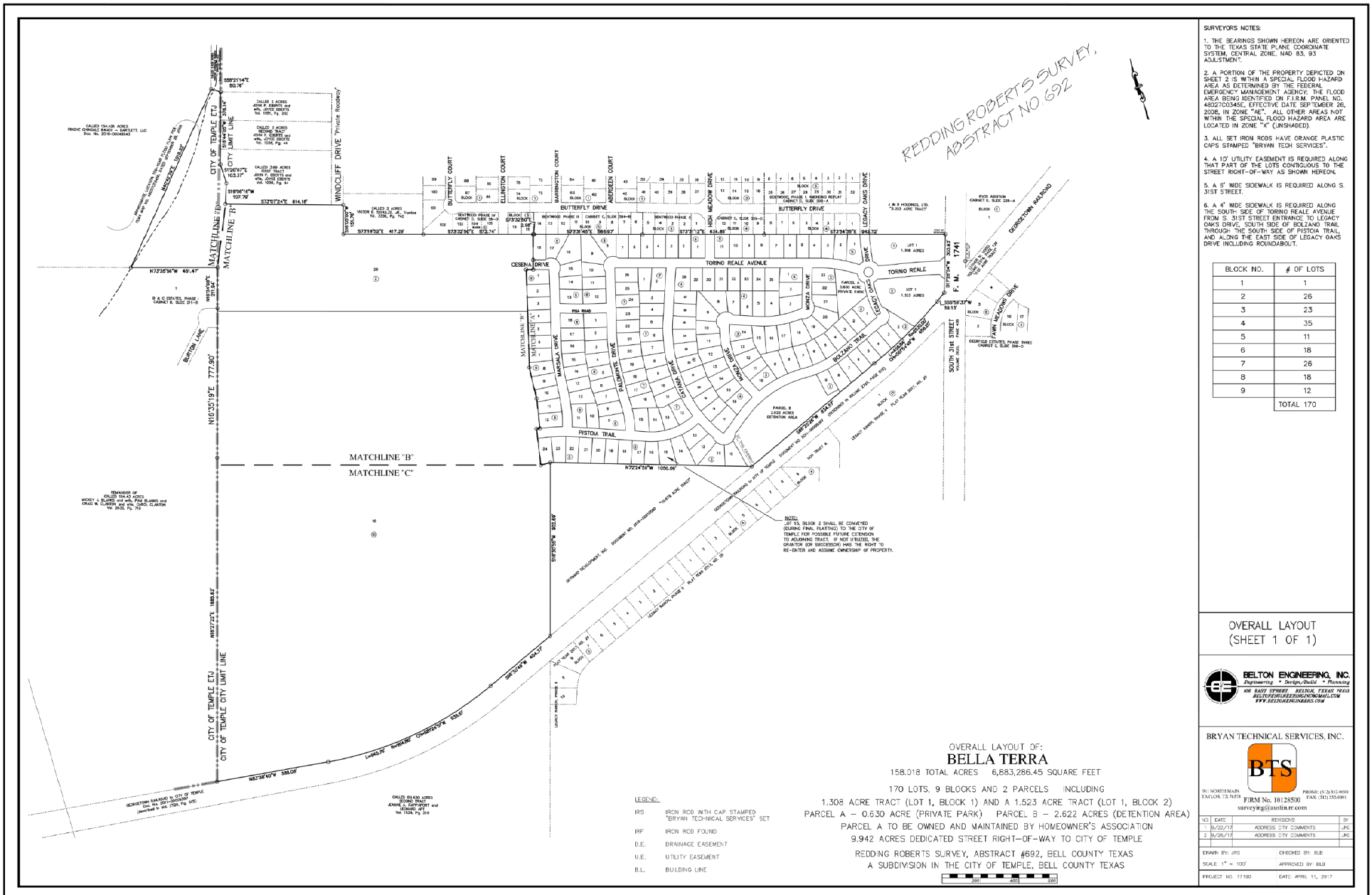
On S.W. H.K. Dodge Loop looking south into site.

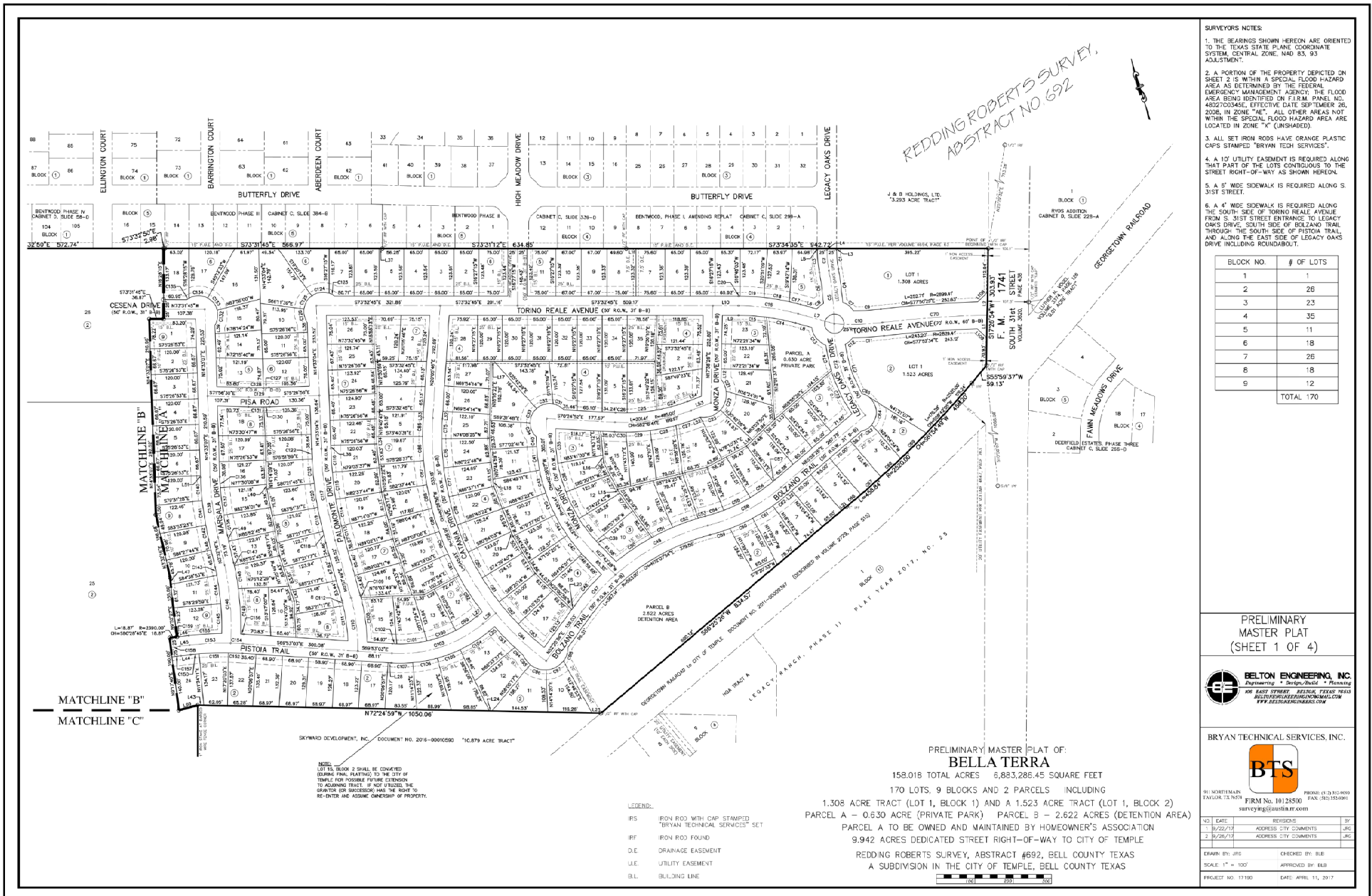


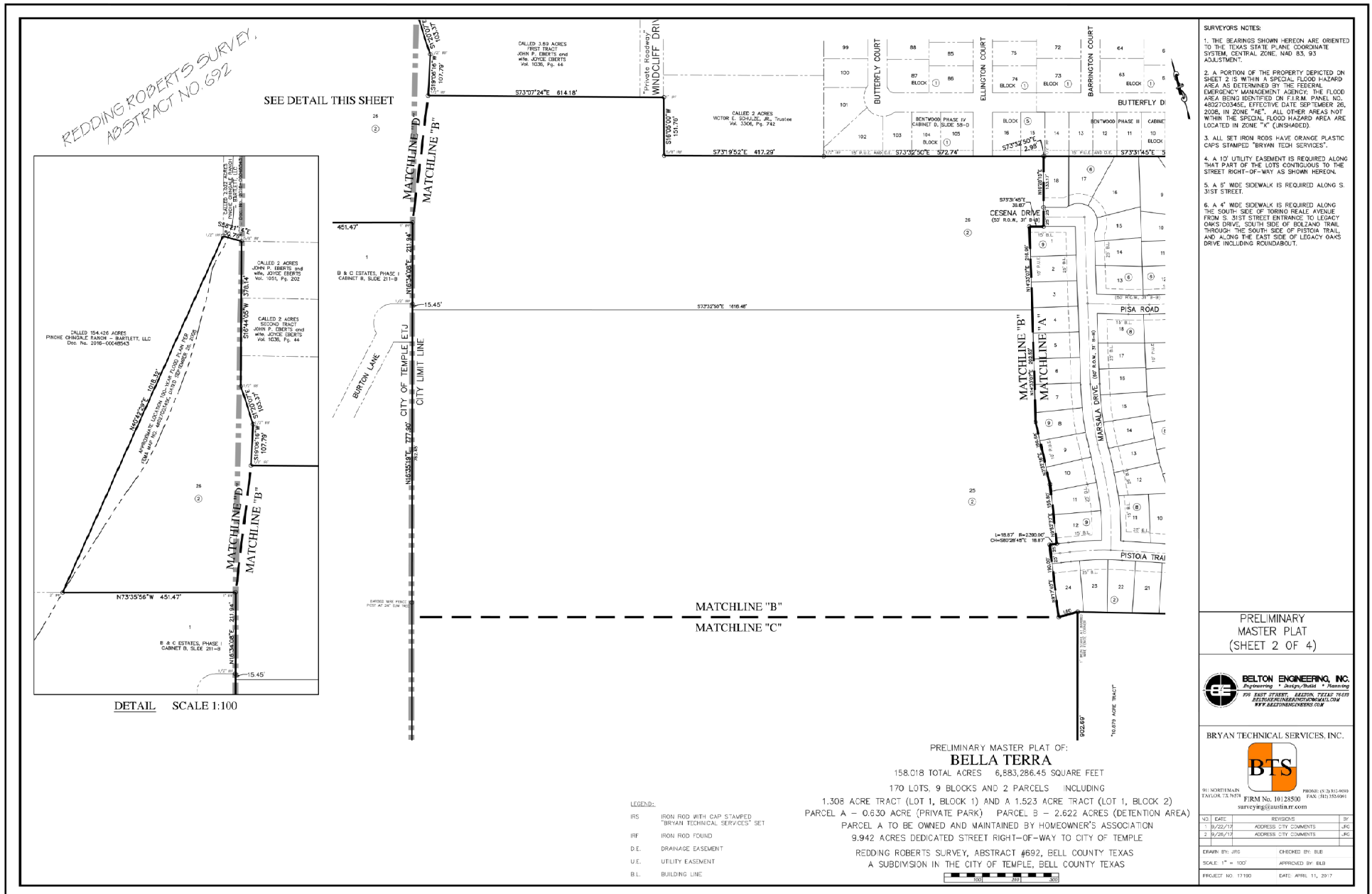
Location Map

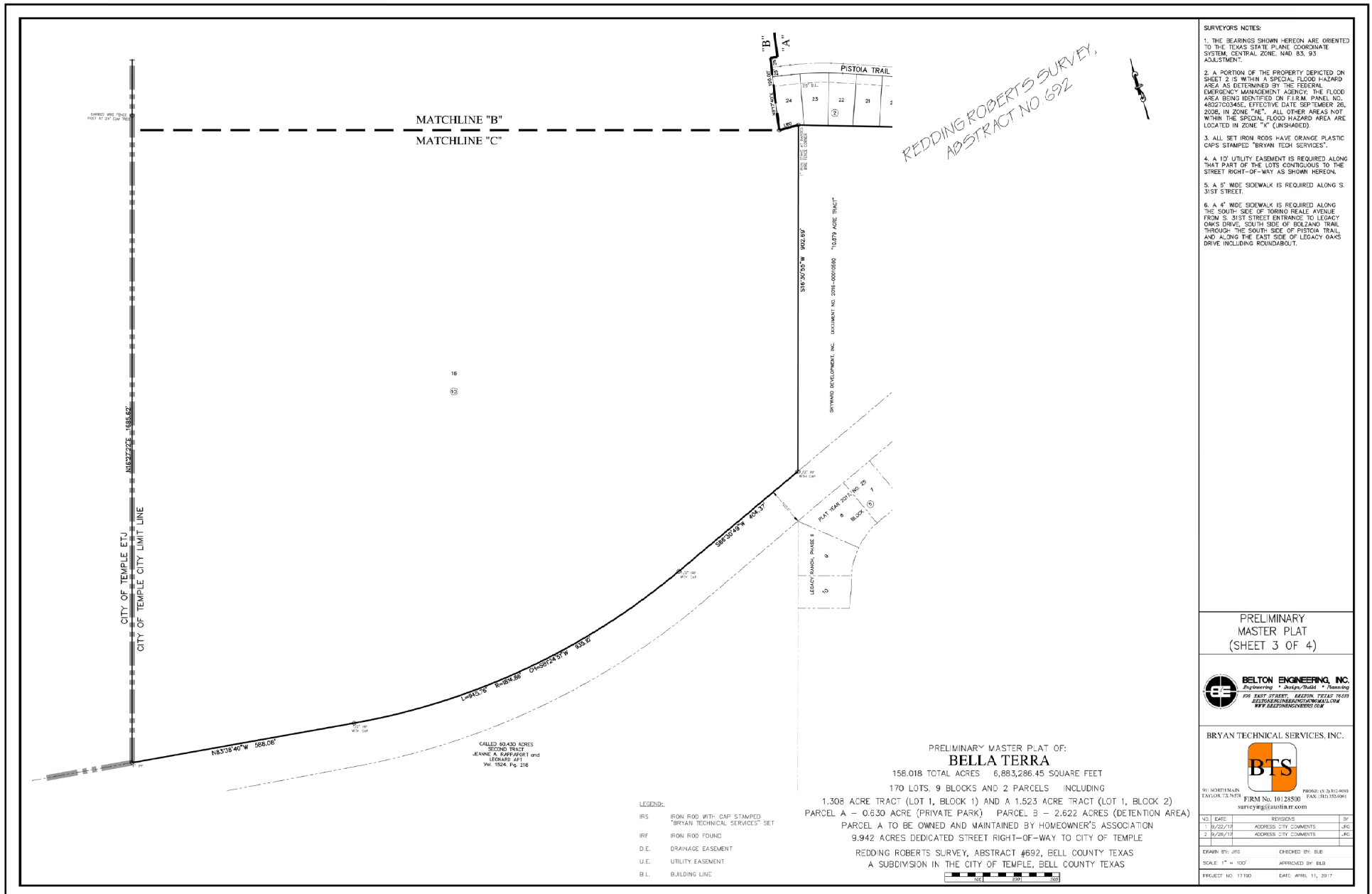


Aerial









10/2/17

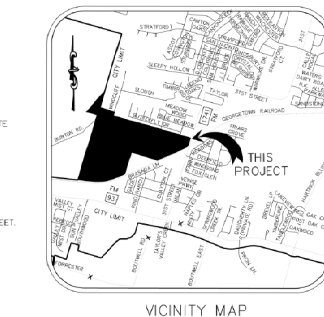
Bella Terra Preliminary Plat - Attachments

Curve Table			
Curve #	Length	Radius	Chord
C1	50.16'	275.00'	S111°42'W 50.12'
C2	54.75'	300.00'	S111°42'W 54.68'
C3	59.32'	325.00'	S111°42'W 59.24'
C4	67.49'	925.00'	S84°03'W 87.46'
C5	138.94'	900.00'	S102°32'W 138.80'
C6	81.29'	875.00'	S83°07'W 81.29'
C7	36.31'	80.00'	S34°57'W 35.75'
C8	23.08'	80.00'	N67°24'59"E 22.94'
C9	71.72'	653.00'	S77°13'W 71.68'
C10	125.60'	688.00'	S75°06'31"E 125.42'
C11	82.02'	725.00'	S77°05'18"E 81.98'
C12	25.59'	80.00'	S66°12'46"W 25.79'
C13	61.92'	80.00'	N22°25'18"W 56.21'
C14	76.17'	583.00'	S22°08'20"E 76.11'
C15	74.33'	583.00'	S69°45'49"E 74.22'
C16	157.18'	588.00'	S65°53'16"E 156.71'
C17	30.04'	613.00'	S59°38'02"E 30.04'
C18	66.84'	613.00'	S46°09'42"E 66.81'
C19	63.27'	613.00'	S70°14'32"E 63.25'
C20	3.71'	613.00'	S73°22'19"E 3.71'
C21	34.22'	80.00'	N74°44'47"W 33.75'
C22	53.14'	80.00'	N33°57'40"E 51.42'
C23	57.50'	80.00'	N86°47'05"E 55.32'
C24	81.97'	460.00'	S89°06'11"E 81.86'
C25	78.23'	460.00'	S79°07'33"E 78.14'
C26	30.82'	460.00'	S72°20'03"E 30.82'
C27	49.64'	510.00'	N88°34'49"E 49.52'
C28	68.12'	510.00'	S84°48'16"E 68.07'
C29	63.54'	510.00'	S77°24'30"E 63.50'
C30	30.48'	510.00'	S72°07'37"E 30.48'
C31	31.78'	50.00'	S44°10'32"E 31.25'
C32	46.54'	50.00'	S89°02'42"E 44.87'
C33	42.58'	50.00'	S39°53'52"E 41.32'
C34	39.48'	50.00'	N70°56'36"W 38.46'
C35	80.42'	405.41'	N12°42'23"E 80.24'
C36	77.61'	405.41'	N04°49'55"E 77.50'
C37	77.61'	405.41'	N10°08'14"W 77.50'
C38	73.26'	405.41'	N20°47'56"W 73.16'
C39	12.37'	405.41'	N26°51'01"W 12.37'
C40	25.61'	455.41'	N14°33'56"E 25.61'
C41	61.80'	455.41'	N90°40'44"E 61.75'
C42	61.74'	455.41'	N17°48'46"E 61.70'
C43	61.85'	455.41'	N62°48'43"W 61.80'
C44	61.80'	455.41'	N14°15'25"W 61.75'
C45	61.80'	455.41'	N22°01'55"W 61.75'
C46	14.35'	455.41'	N26°49'16"W 14.35'
C47	129.25'	588.00'	S58°43'45"E 128.99'
C48	108.53'	613.00'	N57°30'16"E 108.39'
C49	275.28'	588.00'	N78°25'43"E 272.58'
C50	112.94'	613.00'	N72°32'04"E 112.78'
C51	59.51'	613.00'	N80°35'36"E 58.48'
C52	71.30'	613.00'	N86°42'24"E 71.25'
C53	19.17'	613.00'	S89°03'55"E 19.17'
C54	49.87'	455.00'	N88°41'26"E 49.84'
C55	76.64'	455.00'	N80°43'33"E 76.55'
C56	73.07'	455.00'	N71°18'01"E 72.99'
C57	5.16'	455.00'	N66°16'43"E 6.16'
C58	217.04'	480.00'	N78°52'39"E 215.19'
C59	53.71'	505.00'	N88°47'30"E 53.68'
C60	65.18'	505.00'	N82°02'24"E 65.14'
C61	61.86'	505.00'	N74°50'09"E 61.82'
C62	47.60'	505.00'	N68°37'27"E 47.58'
C63	32.17'	50.00'	N75°12'08"E 31.82'
C64	85.63'	50.00'	N74°32'33"E 75.54'
C65	15.21'	50.00'	N50°03'52"W 15.15'
C66	48.89'	250.00'	N66°34'35"E 48.88'
C67	70.01'	250.00'	N65°13'37"E 70.01'

Curve Table			
Curve #	Length	Radius	Chord
C58	70.03'	250.00'	N63°28'06"E 70.03'
C59	93.84'	250.00'	N61°46'20"E 93.84'
C60	272.95'	288.44'	S77°36'30"E 272.85'
C61	136.80'	348.71'	N22°35'57"W 135.93'
C62	255.76'	373.71'	N25°06'04"W 255.80'
C63	124.61'	398.71'	N9°19'02"W 124.10'
C64	57.84'	398.71'	N4°31'40"E 67.78'
C65	51.83'	700.91'	N17°58'40"E 51.81'
C66	76.33'	700.91'	N12°44'23"E 76.29'
C67	76.33'	700.91'	N6°30'00"E 76.29'
C68	76.18'	700.91'	N0°16'50"E 76.14'
C69	76.49'	700.91'	N5°58'23"W 76.45'
C70	76.33'	700.91'	N12°13'08"W 76.29'
C71	76.33'	700.91'	N18°27'31"W 76.29'
C72	76.33'	700.91'	N24°41'54"W 75.22'
C73	80.62'	700.91'	N31°31'19"W 90.56'
C74	181.01'	725.91'	N30°08'14"W 180.54'
C75	46.43'	750.91'	N18°12'37"E 49.42'
C76	82.93'	750.91'	N15°58'28"E 82.91'
C77	63.21'	750.91'	N6°56'41"E 63.16'
C78	82.85'	750.91'	N4°19'35"E 82.83'
C79	82.93'	750.91'	N0°28'51"W 82.91'
C80	82.93'	750.91'	N5°18'57"W 82.91'
C81	82.93'	750.91'	N10°05'03"W 82.91'
C82	112.72'	750.91'	N16°47'08"W 112.62'
C83	75.10'	750.91'	N27°46'00"W 75.06'
C84	31.11'	750.91'	N31°48'07"W 31.11'
C85	30.06'	80.00'	N15°33'35"W 29.75'
C86	43.82'	60.00'	N54°50'12"W 42.85'
C87	52.21'	60.00'	S79°18'31"W 50.58'
C88	36.96'	60.00'	S25°45'37"W 36.31'
C89	66.67'	315.00'	N73°04'10"E 66.54'
C90	76.38'	315.00'	N68°21'07"E 79.17'
C91	76.38'	315.00'	S79°17'53"E 79.48'
C92	11.27'	315.00'	S70°34'33"E 11.27'
C93	255.82'	340.00'	N68°33'40"E 249.83'
C94	86.56'	365.00'	N74°02'07"E 89.33'
C95	64.26'	365.00'	N60°06'28"E 64.18'
C96	64.26'	365.00'	S83°48'15"E 64.18'
C97	56.55'	365.00'	S74°19'20"E 56.49'
C98	117.54'	525.00'	N6°00'28"E 117.29'
C99	5.78'	525.00'	N1°16'44"E 5.78'
C100	140.13'	500.00'	N8°59'12"E 139.57'
C101	92.31'	475.00'	N8°15'10"E 92.15'
C102	14.28'	475.00'	N1°49'28"E 14.28'
C103	31.15'	990.91'	N1°51'51"E 31.15'
C104	70.87'	990.91'	N4°48'40"E 70.85'
C105	70.52'	990.91'	N8°54'04"E 70.50'
C106	62.46'	990.91'	N12°44'35"E 62.45'
C107	240.92'	1015.91'	N7°45'26"E 240.35'
C108	30.55'	1040.91'	N1°49'16"E 30.55'
C109	63.51'	1040.91'	N4°23'36"E 63.51'
C110	63.51'	1040.91'	N7°53'22"E 63.51'
C111	25.72'	1040.91'	N11°23'08"E 25.75'
C112	16.30'	50.00'	S45°58'42"E 16.13'
C113	47.19'	50.00'	S82°17'51"E 45.46'
C114	40.86'	50.00'	N47°14'04"E 39.76'
C115	37.08'	50.00'	N23°33'30"E 36.24'
C116	14.64'	550.00'	S74°57'20"E 14.64'
C117	37.39'	550.00'	S73°12'07"E 37.39'
C118	53.56'	675.00'	S73°41'37"E 53.55'
C119	15.14'	600.00'	S74°58'02"E 15.14'
C120	31.36'	600.00'	S73°12'49"E 30.95'
C121	40.89'	50.00'	N25°19'22"E 39.48'
C122	40.89'	50.00'	N21°21'43"W 39.76'
C123	51.75'	50.00'	N74°26'19"W 49.47'

Curve Table			
Curve #	Length	Radius	Chord
C135	61.07'	500.00'	S72°25'08"W 61.07'
C136	28.68'	800.00'	N1°33'10"E 28.68'
C137	71.65'	800.00'	N9°55'56"E 71.53'
C138	53.46'	800.00'	N57°27'07"E 53.45'
C139	158.59'	825.00'	N9°02'42"E 158.35'
C140	60.48'	850.00'	N1°30'49"E 60.46'
C141	64.76'	850.00'	N8°17'34"E 64.75'
C142	38.16'	850.00'	N44°49'26"E 38.16'
C143	21.98'	894.00'	N47°26'42"E 21.97'
C144	74.47'	894.00'	N8°25'34"E 74.44'
C145	77.67'	894.00'	N14°42'23"E 77.63'
C146	204.56'	716.00'	N11°42'16"E 204.22'
C147	7.57'	744.00'	N34°49'45"E 7.57'
C148	60.79'	744.00'	N8°27'42"E 60.76'
C149	118.18'	744.00'	N1°52'11"E 118.06'
C150	22.25'	752.00'	N78°16'41"W 22.25'
C151	75.66'	752.00'	S75°32'53"E 75.63'
C152	35.51'	752.00'	S71°16'30"E 35.50'
C153	107.27'	777.00'	S78°01'15"E 107.18'
C154	31.62'	777.00'	S71°03'00"E 31.62'
C155	88.19'	802.00'	S77°02'49"E 86.15'
C156	7.16'	826.40'	S89°53'03"E 7.16'
C157	23.67'	2340.00'	S80°24'56"E 23.67'
C158	23.93'	2365.00'	S80°24'56"E 23.93'
C159	5.31'	2390.00'	S80°11'22"E 5.31'

NOTE: THIS PROJECT IS REFERENCED TO THE NORTH AMERICAN DATUM 1983 (NAD83). CENTRAL TEXAS STATE PLANE. ALL DISTANCES ARE HORIZONTAL SURFACE DISTANCES UNLESS NOTED OTHERWISE, AND ALL BEARINGS ARE GRID BEARINGS. COORDINATE VALUES ARE REFERENCED TO CITY MONUMENT NUMBER 149. THE ANGLE AT MONUMENT IS 0°13'21". COMBINED CORRECTION FACTOR (CCF) IS 0.00055. PUBLISHED CITY COORDINATES ARE N=1033 784.24, E=322070.68. THE 16 FROM CITY MONUMENT NUMBER 149 TO THE POINT OF BEGINNING (POB) IS S88°15'15"W, 3960.86 FEET. GRID DISTANCE = SURFACE DISTANCE X COS GEODETIC NORTH = GRID NORTH + THETA ANGLE.



STATE OF TEXAS COUNTY OF BELL

I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN TO THIS PLAT.

FURTHERMORE, THE DRAINAGE SHALL NOT BE VIOLATED.

LINA CHART, P.E., NO. 197211



STATE OF TEXAS COUNTY OF BELL

KNOW ALL MEN BY THESE PRESENTS:

I, BRUCE LANE BRYAN, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE ONE-TO-THE-GROUND SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN THEREON WERE PROPERLY PLACED UNDER MY PERSONAL SUPERVISION IN ACCORDANCE WITH THE SURVEYOR AND PROPERTY DEVELOPMENT REGULATIONS OF THE CITY OF TEMPLE, TEXAS.

BRUCE LANE BRYAN
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4249
BRYAN TECHNICAL SERVICES, INC.
911 NORTH MAIN
TAKECOP, TX 76784



TRACED SURVEYED MARCH 13, 2017

158.018 ACRES MORE FULLY DESCRIBED BY METES & BOUNDS BY SEPARATE FIELD NOTES PREPARED AND ATTACHED TO DEDICATION INSTRUMENT

STATE OF TEXAS COUNTY OF BELL

WGR DEVELOPMENT, LLC, A TEXAS LIMITED LIABILITY COMPANY, OWNER OF THE LAND SHOWN ON THIS PLAT, AND DESIGNATED HEREIN AS BELLA TERRA, A SUBDIVISION IN THE CITY OF TEMPLE, TEXAS, AND WHOSE NAME IS SUBMITTED HERETO, HEREBY INDICATE TO THE USE OF THE PUBLIC FOREVER, ALL STREETS, ALLEYS, WATERCOURSES, DRAINS, RIGHT-OF-WAYS, EASEMENTS AND PUBLIC PLACES AS SHOWN HEREON.

WGR DEVELOPMENT, LLC

MICHAEL R. EMMONS, REGISTERED AGENT

STATE OF TEXAS COUNTY OF BELL

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE _____ DAY OF _____, 2017 BY MICHAEL R. EMMONS, REGISTERED AGENT OF WGR DEVELOPMENT, LLC, A TEXAS LIMITED LIABILITY COMPANY.

NOTARY PUBLIC, STATE OF TEXAS

STATE OF TEXAS COUNTY OF BELL

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

DATED THIS _____ DAY OF _____, 2017

CHAIRPERSON

SECRETARY TO PLANNING AND ZONING COMMISSION

STATE OF TEXAS COUNTY OF BELL

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

MAJOR

TAX CERTIFICATE

THE BELL COUNTY TAX APPRAISAL DISTRICT, THE TAXING AUTHORITY FOR ALL TAXING ENTITIES IN BELL COUNTY, TEXAS, DOES HEREBY CERTIFY THAT THERE ARE CURRENTLY NO EXISTING TAXES DUE OR OWING ON THE PROPERTY DESCRIBED BY THIS PLAT.

DATED THIS _____ DAY OF _____, 2017.

BELL COUNTY TAX APPRAISAL DISTRICT

BY: _____

FILED FOR RECORD THIS _____ DAY OF _____, 2017, IN YEAR _____, PLAT NO. _____, PLAT RECORDS OF BELL COUNTY, TEXAS.

DEDICATION INSTRUMENT NO. _____, OFFICIAL PUBLIC RECORDS OF BELL COUNTY, TEXAS.

STATE OF TEXAS COUNTY OF BELL

I HEREBY CERTIFY THIS PLAT WAS APPROVED THIS _____ DAY OF _____, 2017, BY THE BELL COUNTY COMMISSIONERS' COURT, AND MAY BE FILED FOR RECORD IN THE DEED RECORDS OF BELL COUNTY BY THE COUNTY CLERK.

COUNTY JUDGE

WITNESS MY HAND THIS _____ DAY OF _____, 2017.

NOTARY PUBLIC

PRELIMINARY MASTER PLAT OF:
BELLA TERRA
158.018 TOTAL ACRES 6,883,286.45 SQUARE FEET
170 LOTS, 9 BLOCKS AND 2 PARCELS INCLUDING
1.308 ACRE TRACT (LOT 1, BLOCK 1) AND A 1.523 ACRE TRACT (LOT 1, BLOCK 2)
PARCEL A - 0.630 ACRE (PRIVATE PARK) PARCEL B - 2.622 ACRES (DETENTION AREA)
PARCEL A TO BE OWNED AND MAINTAINED BY HOMEOWNER'S ASSOCIATION
9.942 ACRES DEDICATED STREET RIGHT-OF-WAY TO CITY OF TEMPLE
REDDING ROBERTS SURVEY, ABSTRACT #692, BELL COUNTY TEXAS
A SUBDIVISION IN THE CITY OF TEMPLE, BELL COUNTY TEXAS

SURVEYOR'S NOTES:

1. THE BEARINGS SHOWN HEREON ARE ORIENTED TO THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD 83, ADJUSTMENT.
2. A PORTION OF THE PROPERTY DEPICTED ON SHEET 2 IS WITHIN A SPECIAL FLOOD HAZARD AREA AS DETERMINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY. THE FLOOD AREA BEING IDENTIFIED ON F.I.R.M. PANEL NO. 4802/0345E, EFFECTIVE DATE SEPTEMBER 26, 2006, IN ZONE "XET". ALL OTHER AREAS NOT WITHIN THE SPECIAL FLOOD HAZARD AREA ARE LOCATED IN ZONE "X" (UNSHOWN).
3. ALL SET BACK ROADS HAVE ORANGE PLASTIC CAPS STAMPED "BRYAN TECH SERVICES".
4. A 10' UTILITY EASEMENT IS REQUIRED ALONG THAT PART OF THE LOTS CONTIGUOUS TO THE STREET RIGHT-OF-WAY AS SHOWN

WATER LAYOUT STANDARD NOTES:

1. ALL WORK DETAILED ON THESE PLANS SHALL BE CONSTRUCTED TO THE SATISFACTION OF THE DIRECTOR OF PUBLIC WORKS IN ACCORDANCE WITH THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION (LATEST EDITION), INCLUDING ALL AMENDMENTS ADOPTED THERETO BEFORE THE DATE OF APPROVAL OF THESE PLANS, AND IN ACCORDANCE WITH THE STANDARD DRAWINGS OF THE CITY OF TEMPLE, UNLESS OTHERWISE NOTED.
2. CONTRACTOR SHALL COMPLY WITH ALL CURRENT OSHA REQUIREMENTS REGARDING TRENCH SAFETY AND SHORING.
3. CONTRACTOR SHALL COMPLY WITH ALL TCEQ RULES FOR UTILITY DESIGN AND CONSTRUCTION IN ACCORDANCE WITH 30 TAC 290.
4. ALL WATER MAINS SHALL BE C-900 PVC PIPE UNLESS OTHERWISE NOTED.
5. CONTRACTOR SHALL INSTALL SLEEVES FOR ALL WATER SERVICE LONG TAPS. SLEEVES SHALL BE 4-INCH DIAMETER PVC AND SHALL EXTEND TO A DISTANCE 2- FEET BEHIND THE BACK OF CURB.
6. UTILITIES HAVE BEEN LOCATED BY RECORD DRAWINGS AND VISIBLE APPURTENANCES. CONTRACTOR SHALL VERIFY ALL UTILITY LOCATIONS BEFORE CONSTRUCTION BEGINS.
7. ALL WATER MAINS SHALL HAVE A MINIMUM OF 42 INCHES OF COVER MATERIAL BELOW FINISH GRADE.
8. FIRE HYDRANT SYMBOLS ARE FOR REPRESENTATION ONLY. FIRE HYDRANT ORIENTATION SHALL BE PRESENTED ON A SEPARATE DETAIL.

SANITARY SEWER LAYOUT STANDARD NOTES:

1. ALL WORK DETAILED ON THESE PLANS SHALL BE CONSTRUCTED TO THE SATISFACTION OF THE DIRECTOR OF PUBLIC WORKS IN ACCORDANCE WITH THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION (LATEST EDITION), INCLUDING ALL AMENDMENTS ADOPTED THERETO BEFORE THE DATE OF APPROVAL OF THESE PLANS, AND IN ACCORDANCE WITH THE STANDARD DRAWINGS OF THE CITY OF TEMPLE, UNLESS OTHERWISE NOTED.
2. CONTRACTOR SHALL COMPLY WITH ALL CURRENT OSHA REQUIREMENTS REGARDING TRENCH SAFETY AND SHORING.
3. CONTRACTOR SHALL COMPLY WITH ALL TCEQ RULES FOR UTILITY LINE LOCATIONS IN ACCORDANCE WITH 30 TAC 217.
4. ALL SANITARY SEWER MAINS SHALL BE SDR-26 PVC PIPE UNLESS OTHERWISE NOTED.
5. DOUBLE SEWER SERVICES SHALL CONSIST OF TWO SEPARATE 4-INCH DIAMETER PVC TAPS LOCATED IN THE SAME TRENCH.
6. UTILITIES HAVE BEEN LOCATED BY RECORD DRAWINGS AND VISIBLE APPURTENANCES. CONTRACTOR SHALL VERIFY ALL UTILITY LOCATIONS BEFORE CONSTRUCTION BEGINS.

STANDARD NOTES:

1. THE DEVELOPER, THROUGH HIS ENGINEER OR AUTHORIZED REPRESENTATIVE, SHALL ACQUIRE ALL REQUIRED NATIONWIDE PERMITS, SUCH AS CWA 401, 402 AND/OR 404 PERMITS, AS APPROPRIATE, FROM THE USEPA, TCEQ, AND/OR USACE.
2. TOPOGRAPHICAL INFORMATION IS PRESENTED FOR DRAINAGE ANALYSIS PURPOSES ONLY AND IS NOT TO BE USED FOR CONSTRUCTION.
3. TOPOGRAPHICAL INFORMATION PRESENTED HEREIN IS DERIVED FROM CITY STACKHOUSE TOPOGRAPHY MAPS.

UTILITY CONTRACTOR SHALL VERIFY LOCATION OF WATER AND SEWER SERVICES BEFORE TAPPING ANY LINES.

LEGEND:

- IRS IRON ROD WITH CAP STAMPED
"BRYAN TECHNICAL SERVICES" SET
IRF IRON ROD FOUND
D.E. DRAINAGE EASEMENT
P.U.E. PUBLIC UTILITY EASEMENT



REVISIONS
CITY COMMENTS
09/22/17
CITY COMMENTS
09/26/17



FIRM # F-13392
BELTON ENGINEERING INC.
106 NO. EAST STREET
BELTON, TEXAS 76513
OFFICE (254)731-5600
MOBILE (254)280-7275
BELTONENGINEERS.COM

Engineering
Design/Build
Planning

WATER UTILITY PLAN OF:
BELLA TERRA
SOUTH 31st STREET
CITY OF TEMPLE, BELL COUNTY, TEXAS
WGR DEVELOPMENT, LLC
4003 W. STAN SCHLUETER LOOP
KILLEEN, TX 76540



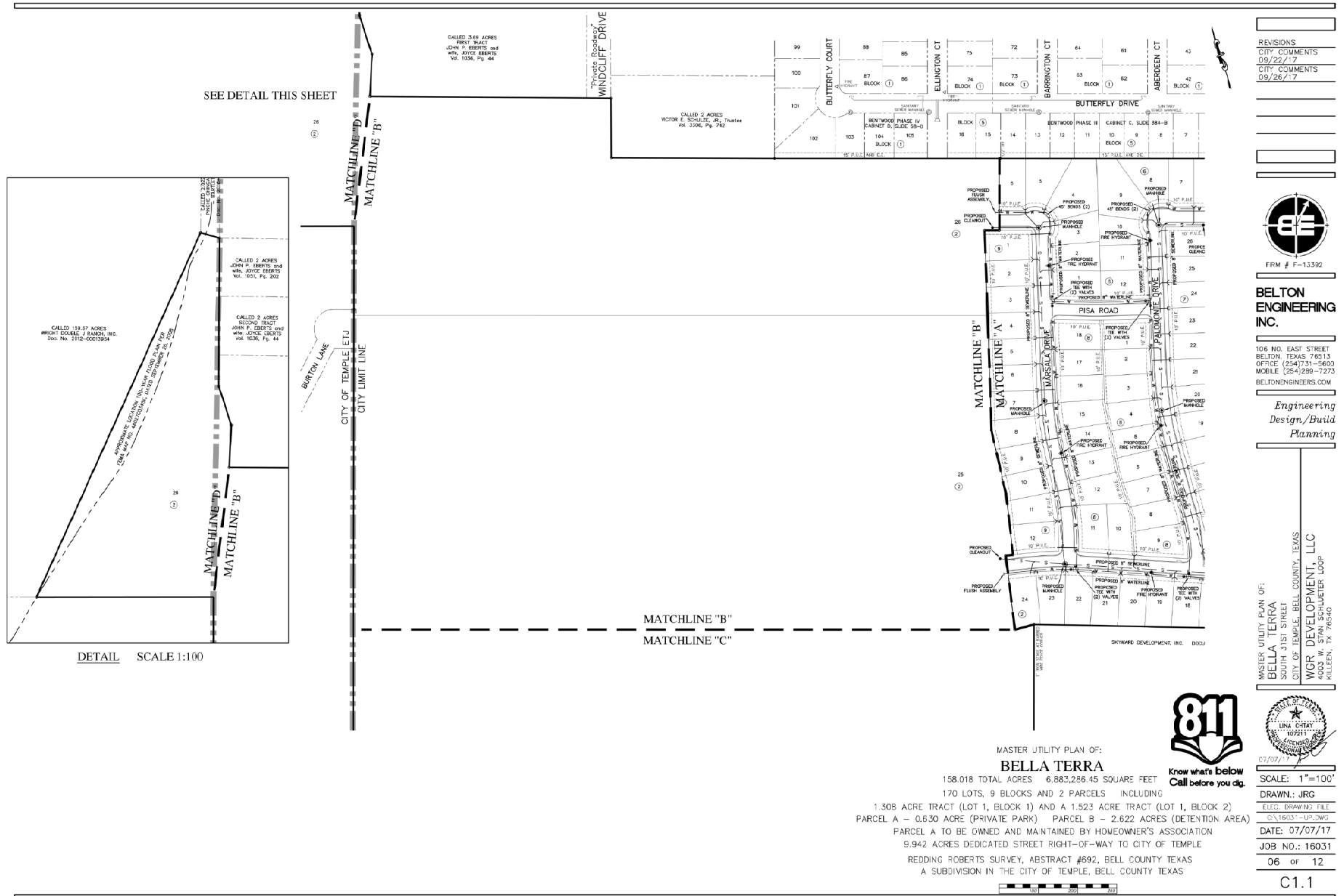
Know what's below
Call before you dig.



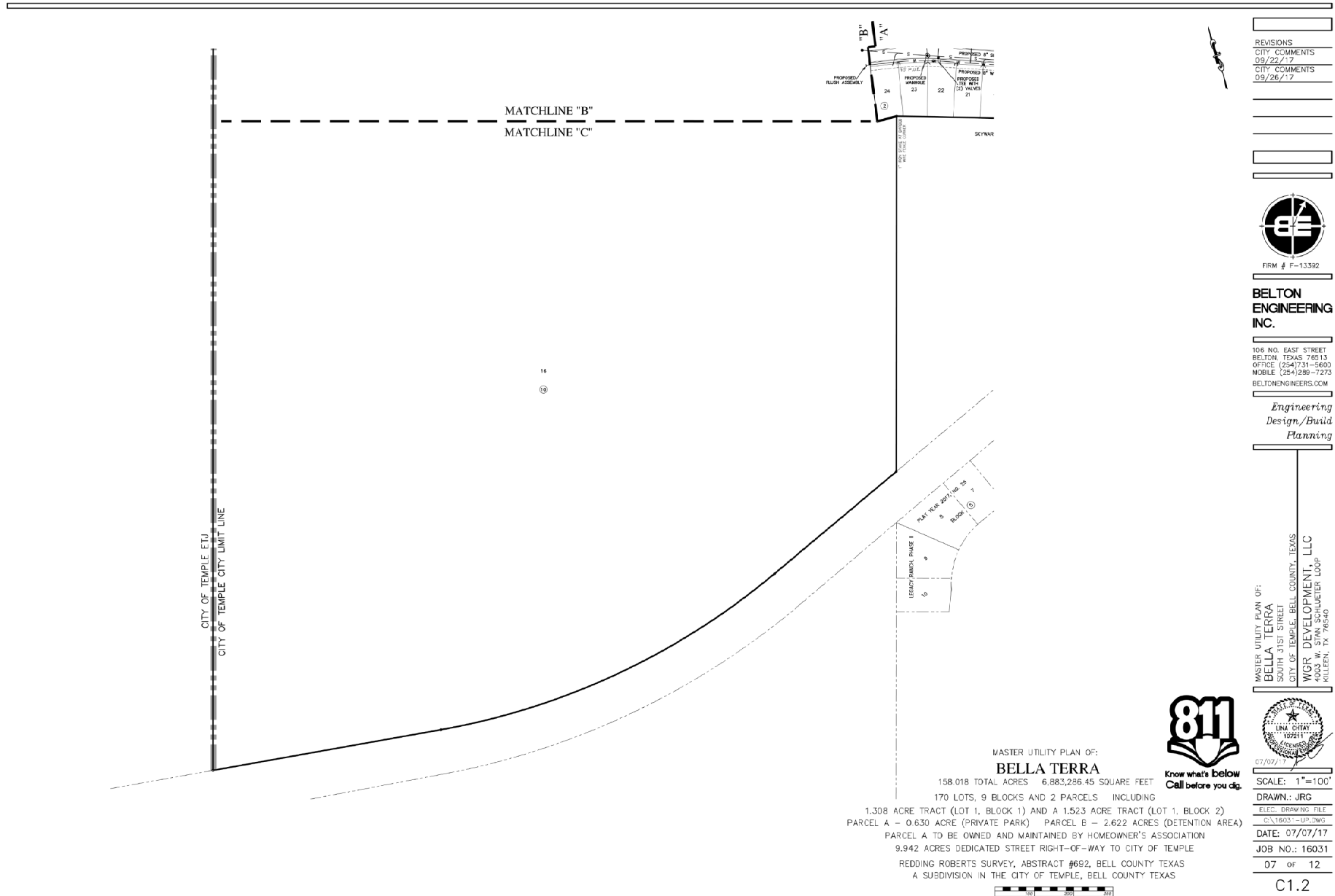
07/07/17
SCALE: 1"=100'
DRAWN: JRG
ELEC. DRAWING FILE
2016031-UP.2WG
DATE: 07/07/17
JOB NO.: 16031
05 of 12

C1

10/2/17
Bella Terra Preliminary Plat - Attachments



10/2/17
Bella Terra Preliminary Plat - Attachments





Park Layout Exhibit



P.O. Box 1236
Belton, Texas 76513-1236

Phone: 254-939-6795

Fax: 254-939-2629

chris@hotlandscape.com

BA Emmons
Bella Terra park

Irrigation system installed-

- Drip irrigation in beds
- Rotors or sprays in turf areas
- Backflow device insulated with pipe wrap and tested insulated bag
- Tutorial of system with owner to be scheduled
- 12 month warranty on parts and labor
- As built, permit and components package

8,800.00

Sidewalks

13,025.00

Concrete curb bed edge approx 200 ft

2,550.00

7 live oaks 65g

4,500.00

Plants and ornamental trees

1,160.00

Granite, pea gravel hard wood mulch and bed liner

2,800.00

Quarry block seats

1,750.00

Cut rock play scape structure

3,100.00

Rail road retaining walls

1,125.00

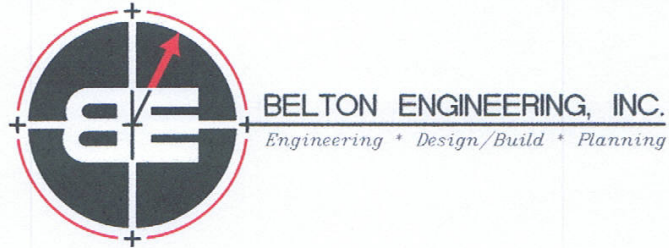
34 pallets Bermuda sod

4,760.00

Front bed

2,430.00

46,000.00



September 25th, 2017

Brian Chandler
Planning Director, City of Temple
2 North Main Street
Temple, Texas 76501

Applicant: Lina Chtay, Belton Engineering
Date Submitted: May 25th, 2017
Project: Bella Terra, Preliminary Plat
Location: portion of 5900 S. 31st Street, Temple, TX 76501

Belton Engineering Inc., states the following for the record, in reference to the plat submittal of Bella Terra Preliminary Plat Subdivision:

A. The owner is requesting a partial exception from UDC, sect.8.2.1 (4) (b.) Subdivisions must provide for the location of a reasonable number of street openings to adjoining properties. Such an opening must occur a minimum of every 1,000 feet or in alignment with existing or proposed subdivision streets along each boundary of the subdivision.

1. Strict application of the above provision within article 8, shall create a financial burden, thereby, penalizing the developer, since the roadways which lead into the adjacent BENTWOOD were not constructed as part of said previous development. Furthermore, passages at these extensions were blocked by installation of detention ponds.
2. Granting of this exception will not be detrimental to public health, safety or welfare, or injurious to any of the property adjacent to this subject tract. Since the developer plans to upgrade the existing conditions at the entrances in question, and will construct 2 of the 3 existing deficient accesses from Bentwood (north) at his own cost. Furthermore the current runoff within the conflicting ponds shall be routed to bypass this development into a semi-regional detention area.
3. This exception shall not affect any future orderly subdividing of any properties in the immediate area.

This exception applies to the existing right-of-way labeled Ellington Court, within Bentwood Subdivision Phase 3.

B. The owner is requesting a private park land exception.

1. The developer shall provide a combination of land and recreational amenities equal to \$46,000 which exceeds the required public park fee of \$37,800.00, (please refer to park layout exhibit, and estimated cost of amenities, to support this statement)
2. The owner hereby commits that all on-site recreational amenities, designated for the private park, depicted on the preliminary plat as PARCEL "A", 0.63 AC. tract, shall be constructed and accessible before any building permits are applied for within this subject plat.

Feel free to contact us at any time, in reference to this project, Office #254-731-5600, Mobile #254-289-7273.

Submitted,



BELTON ENGINEERING, INC.



ORDINANCE NO. 2017-4848
(Z-FY-17-28)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A REZONING FROM AGRICULTURAL ZONING DISTRICT TO SINGLE FAMILY TWO ZONING DISTRICT ON APPROXIMATELY 46.766 ACRES, AND NEIGHBORHOOD SERVICES ZONING DISTRICT ON APPROXIMATELY 3.497 ACRES OUT OF APPROXIMATELY 50.263 ACRES, SITUATED IN THE REDDING ROBERTS SURVEY, ABSTRACT NO. 692, AND PART OF THAT CERTAIN APPROXIMATELY 157.93 ACRE TRACT, BELL COUNTY, TEXAS, LOCATED AT 5900 SOUTH 31ST STREET; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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

Part 1: The City Council approves a rezoning from Agricultural zoning district to Single Family Two zoning district on approximately 46.766 acres and Neighborhood Services zoning district on approximately 3.497 acres out of approximately 50.263 acres, situated in the Redding Roberts Survey, Abstract No. 692 and part of that certain approximately 157.93 acre tract, Bell County, Texas, located at 5900 South 31st Street., as outlined in the map attached hereto as Exhibit 'A,' and made a part hereof for all purposes.

Part 2: Staff recommends approval of a rezoning from Agricultural zoning district to Single Family Two zoning district and Neighborhood Services zoning District.

Part 3: The City Council directs the Director of Planning to make the necessary changes to the City Zoning Map.

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

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

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

PASSED AND APPROVED on First Reading and Public Hearing on the 1st day of June, 2017.

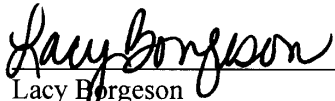
PASSED AND APPROVED on Second Reading on the 15th day of June, 2017.

THE CITY OF TEMPLE, TEXAS



DANIEL A. DUNN, Mayor

ATTEST:

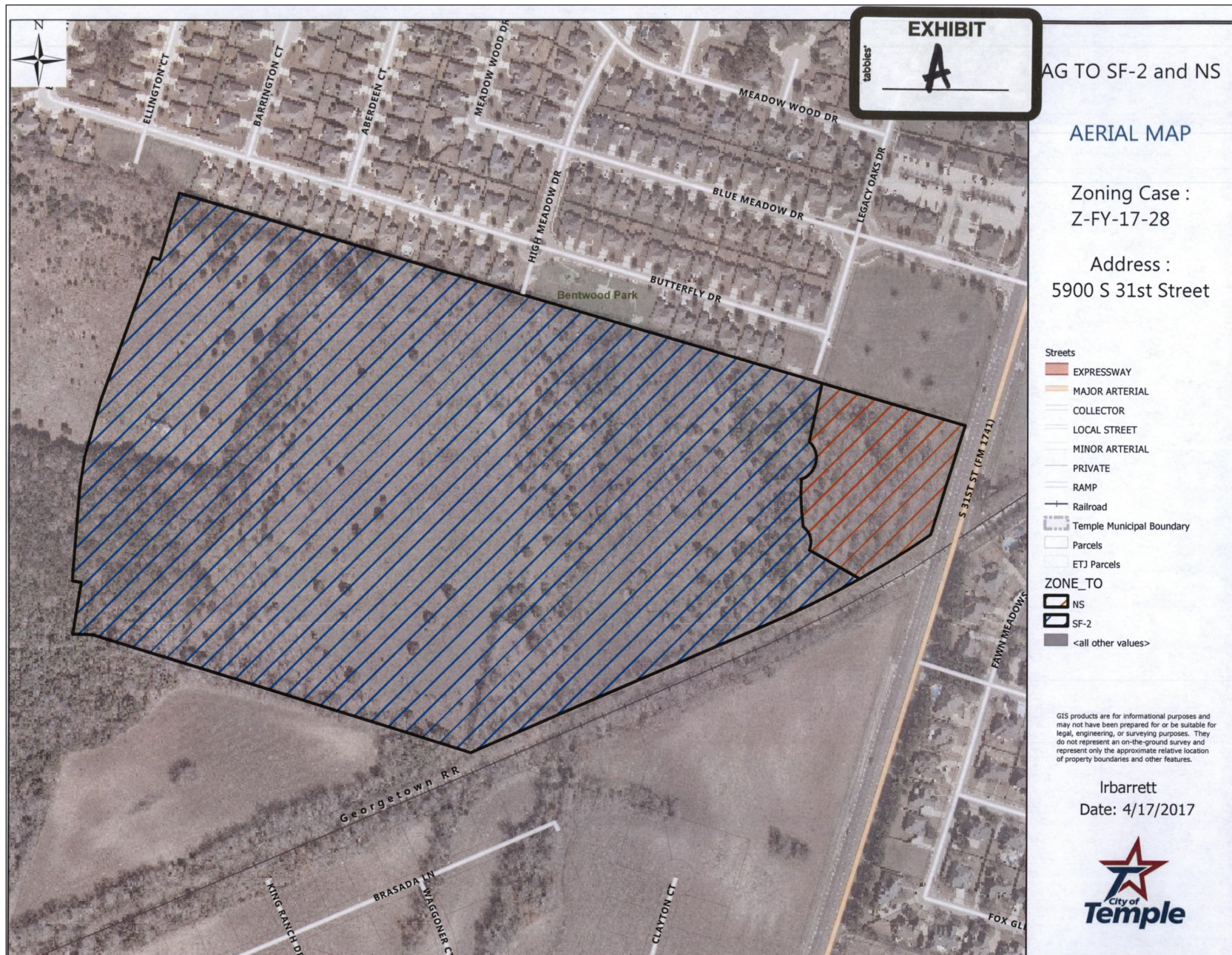


Lacy Borgeson
City Secretary

APPROVED AS TO FORM:



Kayla Landeros
City Attorney



**EXCERPTS FROM THE
PLANNING & ZONING COMMISSION MEETING
MONDAY, OCTOBER 2, 2017**

ACTION ITEMS

Item 5: P-FY-17-65 - Consider and take action on the final plat of Bella Terra Master Preliminary Plat, a 158.018 +/- acres, 170-lot, 9-block, residential and non-residential subdivision, situated in the Redding Roberts Survey, Abstract No. 692, Bell County, Texas, located at 5900 South 31st Street, Temple, Texas.

Ms. Dessie Redmond, Planner, stated this item was scheduled to go to City Council on November 2, 2017.

The applicant is Belton Engineering.

Location map shown.

The current zoning is Single Family-2 (SF-2), Neighborhood Services (NS), and Agricultural (AG).

In June 2017, City Council approved a rezoning request from AG to SF-2 (46.8 acres) and NS (3.5 acres) as a portion of the overall 158 acres. In August 2017, the applicant applied for a rezoning request for the remainder of the 158 acres from AG to SF-2 and was denied by City Council.

Surrounding properties include Bentwood Subdivision to the north, vacant land (platted and unplatted) to the west, South 31st Street, Deerfield Estates, and RVOS Addition to the east, and the Georgetown railroad and Legacy Ranch Subdivision to the south.

The Thoroughfare Plan designates South 31st Street as a Major Arterial which does require a six-foot wide sidewalk.

There are some proposed interior streets designated as Local.

Although it is not required on a Local street, a four-foot wide sidewalk along Pistoria and Bolzano Trail (note on plat though not required with Local designation) is proposed to provide inner connectivity.

There are three existing access point:

1. Entry point on South 31st Street (TxDOT) through the Bentwood Subdivision
2. Highland Meadow Drive
3. Legacy Oaks Drive

Three future proposed development access points:

1. Pistoria Trail

2. Censena Drive
3. Block 2, Lot 15, possible future connection to southern property.

Adequate water and sewer available to serve the property

The Development Review Committee (DRC) reviewed the plat on September 18 and 21, 2017 and identified two exceptions:

UDC, Section 8.2.1.D.4.b: Projection of Streets states:

An exception may be granted to this requirement if a natural or manmade barrier, such as a thoroughfare or railroad prevents its implementation.

Georgetown Railroad abuts the property to the south

Staff supports the requested exception because of this barrier.

Access points meet the intent of the UDC (existing and future development)

Lot 15, block 2 future connection

Private park land dedication with the two following conditions:

Condition 1: The developer shall provide a combination of land and recreational amenities equal to \$46,000, which exceeds the required public park fee of \$37,800

Condition 2: Owner commits that all recreational amenities be constructed and accessible before any building permits are applied for within the subject plat.

City Council is the final authority since the applicant has requested exceptions to the UDC.

Final plat and Topo/Utility map are shown.

Park Plan shown.

Staff recommends approval of the Preliminary Plat of Bella Terra, subject to City Council's approval of the applicant's requested exception to UDC: Projection of Streets and the exception to the private park land dedication with the two conditions as stated earlier.

The item does not require a public hearing.

Commissioner Marshall made a motion to approve **Item 5, P-FY-17-65**, as presented, and Commissioner Armstrong made a second.

Motion passed: (9:0)

Chair Fettig explained this did not require a public hearing; it was for plat approval. The zoning took place at a previous meeting.

Mr. Chandler explained the process to the audience that this plat is a ministerial plat and as long as the plat meets all technical requirements, Texas Local Government Code requires

Planning and Zoning to approve it. Staff has determined it meets all the standards and recommended approval of the plat.

The zoning process for notification within 200 feet is a more subjective part of the process and allows for a public hearing.

Mr. Chandler offered to meet with anyone after the meeting or call at a later time to discuss this matter and/or answer questions.

DRAFT



COUNCIL AGENDA ITEM MEMORANDUM

11/02/17
Item #6
Regular Agenda
Page 1 of 5

DEPT.: / DIVISION SUBMISSION & REVIEW:

Mark Baker, Senior Planner

ITEM DESCRIPTION: SECOND READING - Z-FY-17-46: Consider adopting an ordinance authorizing rezoning of five tracts of land totaling approximately 168 ± acres:

- (A) 114.5 ± acres located at the southwest corner of NE H.K. Dodgen Loop and MKT railroad—from PD-C, C, MF-2, and 2F zoning districts to LI zoning district;
- (B) The following properties within the Industrial sub-district of the I-35 Corridor Overlay:
 - a. 7.9 ± acres located west of I-35, east of Pegasus Drive, and north of Industrial Boulevard—from 2F and GR zoning districts to LI zoning district;
 - b. 7 ± acres located west of I-35, east of Pegasus Drive, and north of Industrial Boulevard—from 2F and GR zoning districts to LI zoning district;
 - c. 1 ± acre tract abutting the southeast corner of the 29.6 ± acre tract owned by Buc-ee's—from PD-C zoning district to LI zoning district;
- (C) The following properties within the Gateway sub-district of the I-35 Corridor Overlay:
 - a. 11.3 ± acres located at the northeast corner of NE H.K. Dodgen Loop and North General Bruce Drive—from AG zoning district to C zoning district; and
 - b. 27.1 ± acres located at the northwest corner of NE H.K. Dodgen Loop and MKT railroad—from AG zoning district to LI zoning district.

STAFF RECOMMENDATION: Staff recommends approval of the following:

- Commercial (C) for 53.5 ± acres as described by #2 & #3 in the Item Description; and
- Planned Development-Commercial (PD-C) on 114.537 ± acres to allow a distribution center with the condition that a binding site plan would require future Planning & Zoning Commission & City Council approval for that use only.

PLANNING & ZONING COMMISSION RECOMMENDATION: At their October 2, 2017 meeting, the Planning & Zoning Commission voted nine to zero to recommend approval of the proposed rezoning for Light Industrial (LI) zoning on the 114.537 ± acres as requested by the applicant and as depicted by Exhibit A with the remaining 53.5 ± acres to Commercial (C) zoning district.

During the Planning & Zoning Commission meeting, the following was discussed:

- Applicant's desire to clean-up and simplify existing zoning for future marketability;
- Land use differences between the Commercial & Industrial zoning districts;
- Future marketability for retail/ service & industrial uses, including accommodations for a distribution center on the 114.537 \pm acre tract;
- Consideration for Planned Development-Commercial allowing a distribution center

ITEM SUMMARY: Aldrich-Thomas Group, on behalf of the property owner, Frank Mayborn Enterprises, is requesting rezoning of 168.041 \pm acres, comprised of five separately zoned tracts per the above Item Description. Initially requested for 229.056 \pm acres, which included a 61.015 \pm acre portion proposed for Single Family Three (SF-3) zoning. The SF-3 portion was withdrawn by the applicant (email attached), prior to consideration by the Planning & Zoning Commission. While the 61.015 \pm acres was no longer part of the request, residents of the Bellaire North subdivision attended and spoke at the Planning & Zoning Commission meeting with concerns about why the 61 acres was withdrawn from consideration.

Moving forward, this requested rezoning is partially within Industrial and Gateway sub-districts of the I-35 Corridor Overlay. Per UDC Section 4.3.28, the purpose of the I-35 Corridor Overlay zoning district is to exercise greater control over the aesthetic, functional and safety characteristics of development and redevelopment along Interstate 35 with the City where higher development standards can effectively enhance the City's image as a desirable place to live, work and shop. This overlay zoning district is limited to specified areas encompassing land that has already been assigned conventional base zoning district classifications. It supplements the standards of the base zoning districts with new or different standards that are more restrictive.

114.537 \pm ACRE TRACT: Opportunities for additional commercial and retail development along the Loop 363 frontage, next to Buc-ee's could benefit the existing and any future single family uses to the south of the 114.537 \pm acre tract, which Light Industrial (LI) zoning would preclude. Noteworthy with similar circumstances is the area surrounding the Buc-ee's in New Braunfels, Texas, see attachment for aerial of the area. However, C would also allow office warehouse at this location, among other similar uses, as well as single family and two family uses for the interior of that tract, which LI would otherwise prohibit.

Since a distribution center is considered within the 114.537 \pm acres that is not permitted in the C district, the Planned Development concept may be used to allow the distribution center without rezoning the entire tract to LI.

I-35 CORRIDOR OVERLAY: Approximately 54.584 \pm acres of the total 168.041 \pm acres of the requested rezoning within the I-35 Corridor Overlay. Additional acreage from that within the Overlay may be included but is dependent upon how it is used and managed. (If developed, used, managed or marketed with the 11.3 \pm acre tract referenced in Item 3.a.). A generalized acreage breakdown by sub-district with the current and proposed zoning is as follows:

Gateway Sub-District

- 11.332 \pm Acres from Agricultural (AG) to Commercial (C)
- 27.158 \pm Acres from AG to Light Industrial (LI) (If developed, used, managed or marketed with the 11.3 \pm acre tract listed above).

Industrial Sub-District

- 7.035 \pm Acres from Two Family (2F) & General Retail (GR) to LI
- 7.979 \pm Acres from 2F & GR to LI
- 1.080 \pm Acres from C to LI (out of the 114.537 \pm acres)

Both the Industrial and Gateway sub-district, UDC Sections 6.7.10 7 6.7.12 respectively, place additional restrictions on land use as well as enhanced site design, building and architectural standards that apply to new and existing development within the corridor.

It should be noted that the Industrial sub-district of the I-35 Corridor Overlay either prohibits industrial uses or requires a conditional use permit for industrial uses. These conditional uses are more closely commercial in nature than industrial. At this time, the Industrial sub-district lends itself better to a sub-district that allows retail and service as well as commercial uses. Due to stakeholder concerns about allowing more intense uses within the corridor, the land use discussion was deferred to a future phase of the I-35 Corridor Overlay code amendments.

Expansion of the Northwest Industrial Park: Proposed for rezoning of approximately 15.014 \pm acres, on two separate tracts, west of I-35 along Pegasus Drive, expands the current boundaries of the Northwest Industrial Park. Currently, both LI and C zoning have been established east of Pegasus Drive. Per UDC Section 8.2.3D, Pegasus Drive, a collector street, is recognized as the eastern boundary of the Northwest Industrial Park. Industrial zoning, as proposed, would effectively result in expansion of the park boundaries to abut I-35. A suitable alternative for LI is C zoning, which provides opportunity for many of the same uses, particularly since all Industrial uses are either prohibited or require the review of the conditional use permit.

The Temple Economic Development Corporation (TEDC) confirmed in an email that that approximately 670 acres of the park is either owned by TEDC or available for economic development projects partnered with City of Temple ownership. This does not take into account private ownership within the park that is still available for industrial development. There is still significant opportunity for future development within the industrial park.

SUBDIVISION PLAT: Subdivision platting would be required, which would address lot layout, circulation, parkland, needed ROW as well as other subdivision-related infrastructure requirements. The Development Review Committee (DRC) would be responsible for review of the future plat(s) and will be forwarded to the Planning & Zoning Commission or City Council for final approval as needed.

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, as a whole, is within the Suburban Commercial Future Land Use Map (FLUM) designation. The Suburban Commercial designation is appropriate for office, retail and service uses adjacent to and abutting residential neighborhoods and in other areas where the community's image and aesthetic value are to be promoted, such as in "gateways" and high-profile corridor locations. The Suburban Commercial designation is generally supported by office (O-1 & O-2) and Neighborhood Service (NS) zoning, while General Retail (GR) and Commercial (C) would be considered on a case by case basis. LI zoning is not supported by the FLUM. Therefore, the request to industrial **is not** consistent with the Future Land Use Map.

Thoroughfare Plan (CP Map 5.2)

Access for the two tracts comprised of approximately 15.014 ± acre of land, proposed for industrial zoning, front along Pegasus Drive, a collector and N. General Bruce Drive. On the other hand, access to the remainder of the subject property is from Loop 363, an Expressway and the 114.537 ± acre-portion may be from both Loop 363 and/or Lower Troy Road, a minor arterial. Any connection to Lower Troy Road would require crossing the existing railroad lines.

Internal circulation and any needed right-of-way overall would be addressed with the anticipated subdivision plat. Impacts to TxDOT interests are on-going but will be addressed during the subdivision plat review.

Availability of Public Facilities (CP Goal 4.1)

Sewer is available through an eight inch sewer line in Pegasus Drive, a 12-inch sewer line that crosses NE H.K. Dodgen Loop and a six inch available in Burns Ave within the existing Bellaire North subdivision. Water is available through a 14-inch waterline in Pegasus Drive, a 12-inch waterline in NE H.K. Dodgen Loop and a six inch waterline in Burns Ave. Any needed utility line extensions will be addressed during the review of the future subdivision plat. It should be noted that existing sewer is comprised of clay pipe and likely need upgrading. This will be addressed at the time the property is developed.

Temple Trails Master Plan Map and Sidewalks Ordinance

No trails have been identified within the subject property. No sidewalks are required along expressways or within the industrial parks. Any other sidewalk requirements would be addressed during the review of the subdivision plat.

DEVELOPMENT REGULATIONS: The attached tables provide, the proposed development standards as provided for in UDC Sections 4.2, 4.5 and 4.5.1

PUBLIC NOTICE: Eighty 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 October 10, 2017 at 9:00 AM, 22 notices in disagreement, one notice in agreement and one notice with no response, representing 10 properties, owned by Mayborn Enterprises, have been received. It should be noted that notices received were distributed based on the original boundaries of the request. Since the 61.015 ± acre-portion for SF-3 zoning has been withdrawn, all of the ownership in opposition are outside of the revised 200-foot notification boundary by a distance of approximately 1,114 feet.

The newspaper printed notice of the public hearing on September 21, 2017, in accordance with state law and local ordinance.

SCHOOL DISTRICT: Temple Independent School District (TISD)

FISCAL IMPACT: Not Applicable

ATTACHMENTS:

Applicant Email to withdraw SF-3-portion from consideration (Sept 28, 2017)

Boundary Map (Exhibit A)

Photos

Tables

Maps

Buc-ee's & Vicinity Aerial Map (New Braunfels, Texas)

Returned Property Notices

Draft P&Z Excerpts (Oct 2, 2017)

Ordinance

Request to Withdraw SF-3 Portion

From: [A. Lloyd Thomas](#)
To: [Brian Chandler](#)
Cc: [Mark Baker](#)
Subject: Re: Mayborn Rezoning
Date: Friday, September 29, 2017 2:02:57 PM

Please pull it from the request.

Lloyd Thomas, ALC, SIOR, CCIM, CRE
18 North 3rd Street
Temple, TX 76501

From: Brian Chandler <bchandler@templetx.gov>
Sent: Friday, September 29, 2017 1:52:02 PM
To: A. Lloyd Thomas
Cc: Mark Baker
Subject: RE: Mayborn Rezoning

Hi Lloyd,

I wanted to follow up with you about this request and see how Ms. Mayborn would like to proceed. Keep in mind that a request to withdraw that portion of the rezoning request would still need to be heard by P&Z since the notice was posted and sent to neighbors with that information. With that in mind, we do continue to receive neighbor opposition responses and I would expect based on what Mark has heard that many of those folks are likely to attend the Monday meeting, regardless of whether you request withdrawal of the SF-3 part of the request.

Please let us know at your earliest opportunity how you want to proceed. Thanks.

Brian

From: Brian Chandler
Sent: Thursday, September 28, 2017 10:14 AM
To: 'A. Lloyd Thomas' <althomas@aldrich-thomas.com>; Mark Baker <mbaker@templetx.gov>
Subject: RE: Mayborn Rezoning

Lloyd,

I just left a message with Courtney at your office. I would like to discuss this aspect of the case with you. Thanks.

Brian

From: A. Lloyd Thomas [<mailto:althomas@aldrich-thomas.com>]
Sent: Thursday, September 28, 2017 10:08 AM
To: Mark Baker <mbaker@templetx.gov>

Cc: Brian Chandler <bchandler@templetx.gov>

Subject: RE: Mayborn Rezoning

That is correct. We were willing to restrict the 61.015 acres to SF-3 or higher. But, there is no point in doing so, if the neighborhood cannot understand the intent. Besides, the 2F zoning allows a residential developer to provide wide range of housing product, including SF-3.

A. Lloyd Thomas, ALC, SIOR, CCIM, CRE
althomas@aldrich-thomas.com

NAI Aldrich Thomas Group
Office +1 254 773 4901

From: Mark Baker [<mailto:mbaker@templetx.gov>]
Sent: Thursday, September 28, 2017 9:44 AM
To: A. Lloyd Thomas <althomas@aldrich-thomas.com>
Cc: Brian Chandler <bchandler@templetx.gov>
Subject: RE: Mayborn Rezoning

Lloyd:

Thank you for your email response. Just so I am clear and can proceed accordingly with our analysis and response to the neighbors, the entire 61.015 +/- acres being considered for the SF-3 zoning would be taken off the table and the request would proceed with the remaining 168.041 +/- acres.

Please confirm.

Thanks again,
Mark

From: A. Lloyd Thomas [<mailto:althomas@aldrich-thomas.com>]
Sent: Wednesday, September 27, 2017 3:04 PM
To: Mark Baker <mbaker@templetx.gov>
Cc: Brian Chandler <bchandler@templetx.gov>
Subject: Re: Mayborn Rezoning

The tract having identified as Property ID 25187 is the property which will be removed from the rezoning application.

A. Lloyd Thomas, ALC, SIOR, CCIM, CRE
Aldrich-Thomas Group, Realtors®
18 North 3rd Street
Temple, TX 76501
254-773-4901

From: A. Lloyd Thomas
Sent: Wednesday, September 27, 2017 2:59:11 PM
To: Mark Baker
Cc: Brian Chandler
Subject: Re: Mayborn Rezoning

Thank you, Mark, for contacting me about this matter. Under the circumstance, we will agree to remove from re-zoning consideration that portion of the 2F zoned acreage south of the ONCOR transmission line easement as is; thus, leaving it with its current classification. However, all other zoning requests will remain as stated in the application.

A. Lloyd Thomas, ALC, SIOR, CCIM, CRE
Aldrich-Thomas Group, Realtors®
18 North 3rd Street
Temple, TX 76501
254-773-4901

From: Mark Baker <mbaker@templetx.gov>
Sent: Wednesday, September 27, 2017 12:08 PM
Subject: Mayborn Rezoning
To: A. Lloyd Thomas <althomas@aldrich-thomas.com>
Cc: Brian Chandler <bchandler@templetx.gov>

Lloyd:

Good afternoon - Just a update, we will be finalizing our staff report and forwarding a copy of the draft staff report to you in the next day or two for your review.

In the meantime, I had a question, we have been inundated with residents within the Bellaire North subdivision with concerns over single family uses including the requested SF-3 designation with a minimum 4,000 square foot lot size. If it were to come up during discussion, would you client be open to considering SF-2 or SF-1 as an alternative.

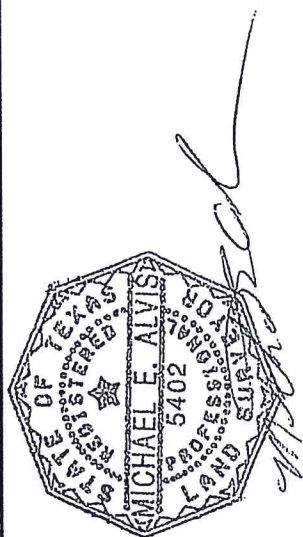
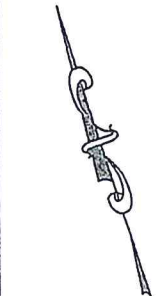
I have been mentioning to the residents that the property is currently 2F which allows duplexes and attached SF homes by right and the SF-3 is more restrictive but I am gathering they are opposed to any residential development.

Anyway, just a wanted to pass that by you.

Thanks,
Mark

Mark Baker, Senior Planner

City of Temple – Planning Department



SAM K. HENDLER, JR.
PROBATE DATED
MARCH 24, 1989
6.045 ACRES

**LIGHT INDUSTRIAL
7.979 ACRES**

VOLUME 984, PAGE 411
PART OF PARCEL TWO

VOLUME 961, PAGE 418
THIRD TRACT (8.53 ACRES)

VOLUME 1836, PAGE 499

**LIGHT
INDUSTRIAL
7.035 ACRES**

VOLUME 984, PAGE 411
PART OF PARCEL TWO

VOLUME 1836, PAGE 499

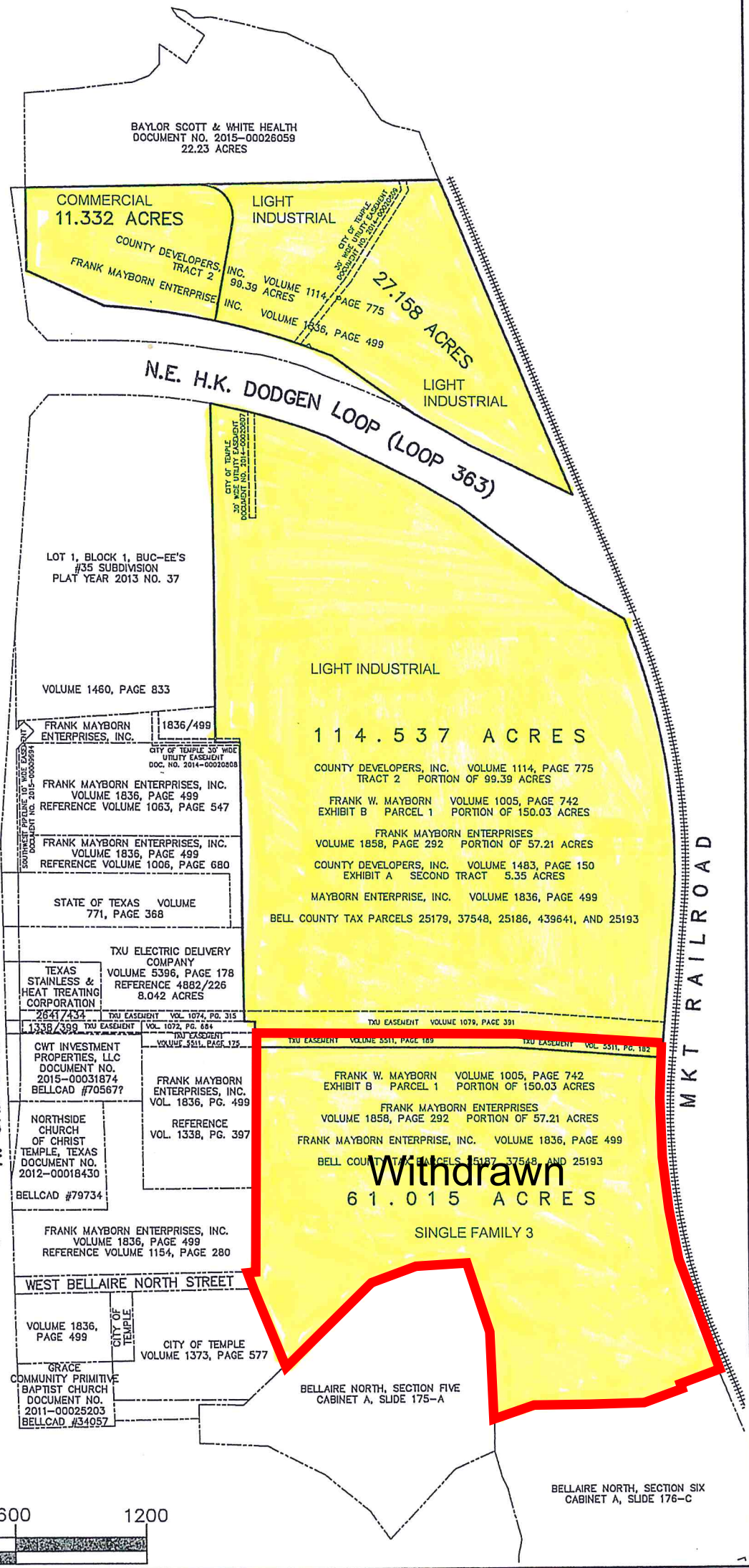
STATE OF TEXAS PARCEL 32, PART 2
DOCUMENT NO. 2013-00022719 0.089 ACRE

STATE OF TEXAS PARCEL 32, PART 1
DOCUMENT NO. 2013-00022719 0.001 ACRE

INTERSTATE HIGHWAY 35

N. 3RD STREET

N. GENERAL BRUCE DRIVE




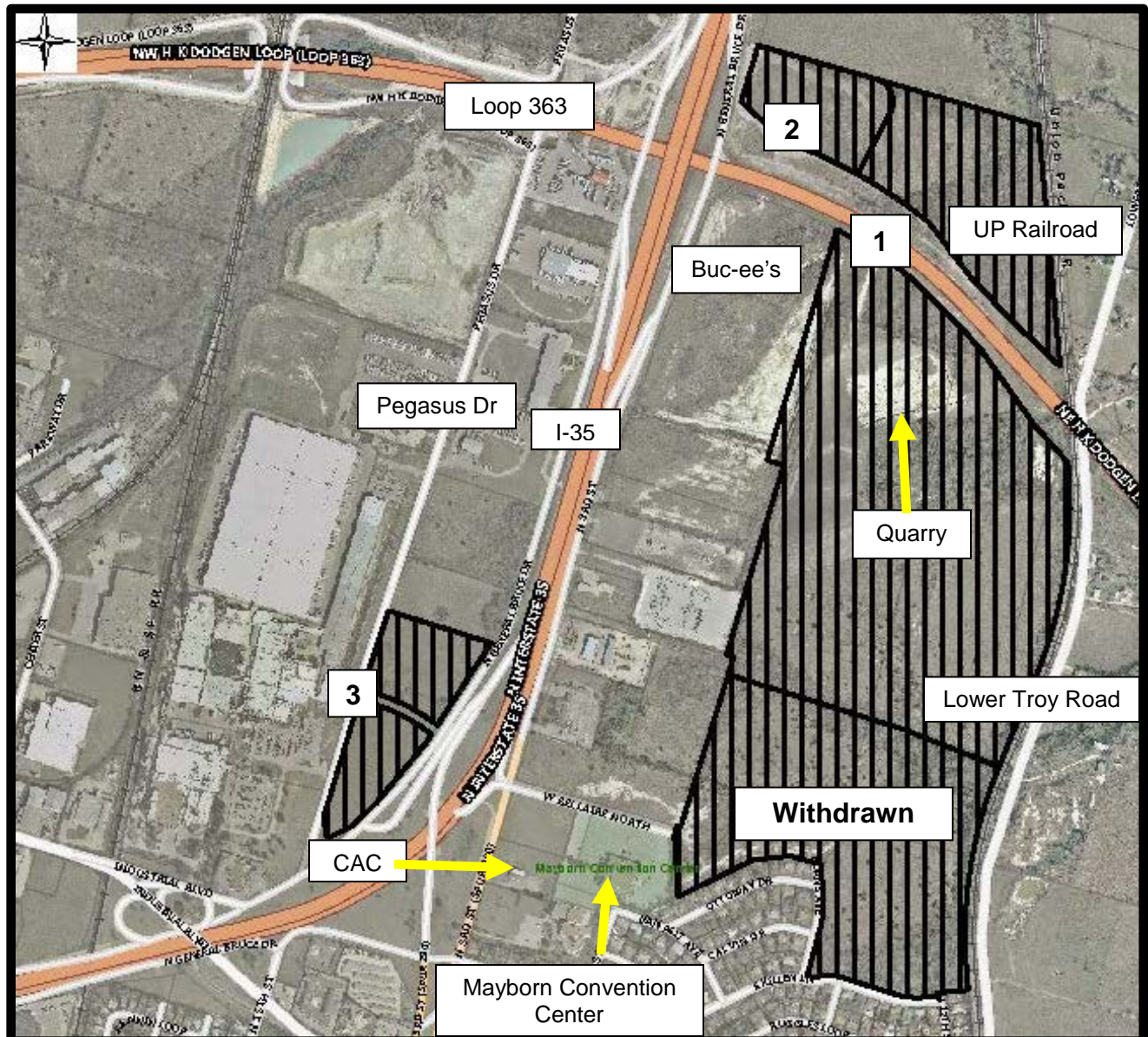
 ENGINEERING • PLANNING • SURVEYING CONSTRUCTION MANAGEMENT TURLEY ASSOCIATES, INC. FIRM REGISTRATION NO. 10056000 301 N. 3rd ST. TEMPLE, TEXAS (254) 773-2400	ZONING EXHIBIT OF: MULTIPLE TRACTS		DATE: 03/14/16	SCALE: 1:600	DWN. BY: JRG
	CITY OF TEMPLE, BELL COUNTY, TEXAS		REFERENCE: 16172	F.B. & L.B.:	
	THE ALDRICH-THOMAS GROUP		SHEET 1 OF 1	FILE NO: 13172-A	

EXHIBIT A

Site & Surrounding Property Photos



Aerial Site Map
(Numbered Legend for Photo Viewpoint Locations)



**Site Location #1: Looking south from Loop 363
Undeveloped but contains existing quarry activities (not visible in photo)
(PD-C, c, MF-2 & 2F)**



**Looking West from Site Location #1 (Buc-ee's Travel Center)
(PD-C, C, MF-2 & 2F)**



**Site Location #2: Looking West across LP 363 (Undeveloped)
(AG)**



**Site Location #2: Looking East across Loop 363 (Undeveloped)
(AG)**



**Site Location #2: Looking North from within the property (Undeveloped)
(AG)**



**Site Location #3: Looking South-East from Pegasus Drive (Undeveloped)
(2F & GR)**



**Site Location #3: Looking West across Pegasus Drive
(Existing Industrial Uses) Northwest Industrial Park
(LI)**



**Site Location #3: Looking West across Pegasus Drive
(Existing Industrial Uses) Northwest Industrial Park
(LI)**

Industrial, Commercial Zoning District - I-35 Corridor Overlay: Compiled Land Use Table

	Applicant Request	Staff Recommendation		
Use	Light Industrial Zoning District	Commercial Zoning District	I-35 Overlay Industrial Sub District	I-35 Overlay Gateway Sub District
All Residential Uses listed in the use table in Sec. 5.1 except as follows:	Prohibited	YES	CUP	Prohibited
Multiple-family dwelling (apartment)	Prohibited	Prohibited	CUP	CUP
Recreational vehicle park	CUP	Prohibited	Prohibited	Prohibited
Nonresidential				
Animal feed lot	Prohibited	Prohibited	Prohibited	Prohibited
Animal shelter (public or private)	YES	CUP	CUP	Prohibited
Auto storage or auto auction	YES	CUP	Prohibited	Prohibited
Boat sales or repair	YES	YES	CUP	Prohibited
Body Piercing Studio	YES	YES	Prohibited	Prohibited
Bottling works	YES	Prohibited	CUP	Prohibited
Building material sales (indoor or to the rear with screening)	YES	YES	CUP	Prohibited
Car wash	YES	YES	CUP	CUP
Child care facility	YES	YES	Prohibited	CUP
Contractor storage and equipment yard	YES	YES	CUP	Prohibited
Correctional facility	CUP	Prohibited	Prohibited	Prohibited
Day camp for children	CUP	CUP	Prohibited	Prohibited
Drag strip or commercial racing	CUP	CUP	Prohibited	Prohibited
Flea market (outdoors)	YES	Prohibited	Prohibited	Prohibited
Greenhouse or nursery (retail)	YES	YES	CUP	CUP
Hatchery, fish or shrimp, fish farm	CUP	CUP	Prohibited	Prohibited
Hatchery, poultry	YES	CUP	Prohibited	Prohibited
Heavy machinery sales, storage and repair	YES	YES	CUP	Prohibited
Hotel or Motel	YES	YES	YES	YES
Kennel	YES	YES	CUP	Prohibited
Light Manufacturing	YES	Prohibited	CUP	Prohibited
Livestock auction	CUP	YES	Prohibited	Prohibited
Major vehicle repair	YES	YES	CUP	Prohibited
Milk depot, dairy or ice cream plant	YES	YES	CUP	Prohibited
Minor vehicle servicing	YES	YES	CUP	CUP
Motorcycle or scooter sales and repair	YES	YES	CUP	CUP
Office Uses (As listed in UDC Sec. 5.1)	YES	YES	YES	YES
Open/outdoor storage of lawn/garden furniture, appliances or machinery	YES	YES	Prohibited	Prohibited
Paint shop	YES	YES	CUP	CUP
Restaurant Uses (As listed in UDC Sec. 5.1)	YES	YES	YES	YES
Retail & Service Uses (As listed in UDC Sec. 5.1)	YES	YES	YES	YES
Sexually oriented business	Prohibited	Prohibited	Prohibited	Prohibited
Shooting range (outdoor)	CUP	Prohibited	Prohibited	Prohibited
Stable, residential or noncommercial	YES	YES	Prohibited	Prohibited
Tattoo Studio	YES	YES	Prohibited	Prohibited
Trailer, RV, portable bldg. or HUD code manufactured home sales or rental	YES	YES	CUP	Prohibited
Transitional or emergency shelter	CUP	CUP	Prohibited	Prohibited
Upholstery shop	YES	YES	CUP	Prohibited
Veterinarian hospital (kennels)	YES	YES	CUP	Prohibited
Wrecking or salvage yard	CUP	Prohibited	Prohibited	Prohibited

Comparison Table: Commercial vs. Industrial		
Use	C (Commercial)	LI (Light Industrial)
Heavy machinery sales, storage and repair	Yes	Yes
Building material sales	Yes	Yes
Mini-storage warehouse	Yes	Yes
Office Warehouse	Yes	Yes
Open storage of furniture, appliances or machinery	Yes	Yes
Laboratory Manufacturing	Yes	Yes
Wholesale Storage and Sales	Yes	Yes
Parking lot, trucks, trailers and moving vans or trucks	Yes	Yes
Vehicle repair, major	Yes	Yes
Truck stop	Yes	Yes
Trailer, recreational vehicle, portable building or manufactured home sales or rentals	Yes	Yes
Hotel or motel	Yes	Yes
Light manufacturing	No	Yes
Single Family Residential (Detached & Attached)	Yes	No
Multi-Family Residential (Apartments)	No	No
Duplex	Yes	No

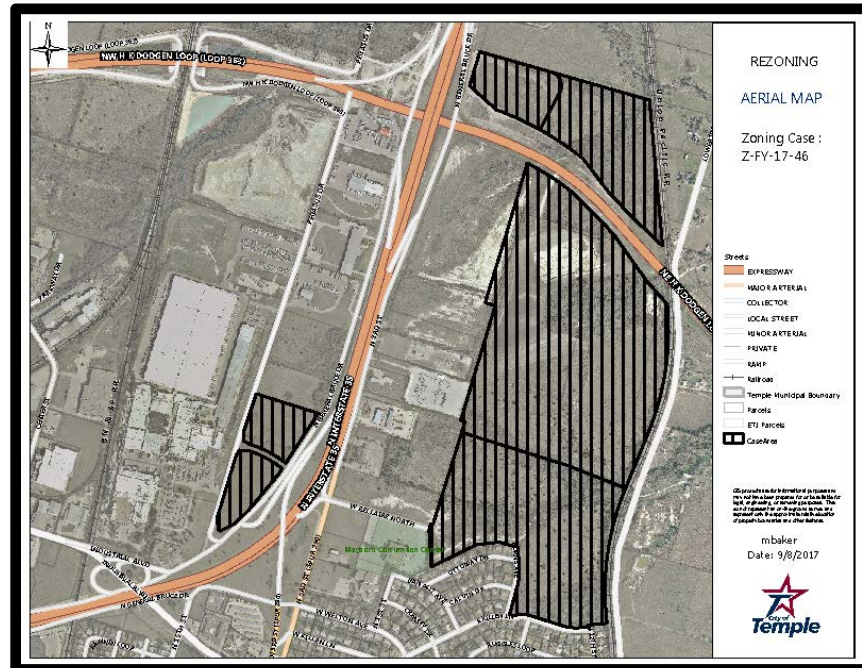
Surrounding Property Uses

	<u>Generalized Surrounding Property & Uses</u>		
<u>Direction</u>	<u>FLUP</u>	<u>Zoning</u>	<u>Current Land Use</u>
Site <i>229.056 +/- Acres</i>	Suburban Commercial & Suburban Residential	AG, PD-C, C, MF-2, 2F & GR	Undeveloped
North	Suburban Commercial	LI & AG	Undeveloped
South	Suburban Residential & Neighborhood Conservation	2F & SF-1	Scattered Non- Residential & SF Uses (<i>Bellaire North Subd.</i>)
East	Suburban Commercial & Industrial	AG	Undeveloped
West	Industrial (<i>Northwest Industrial Park</i>)	LI	Non Residential Uses

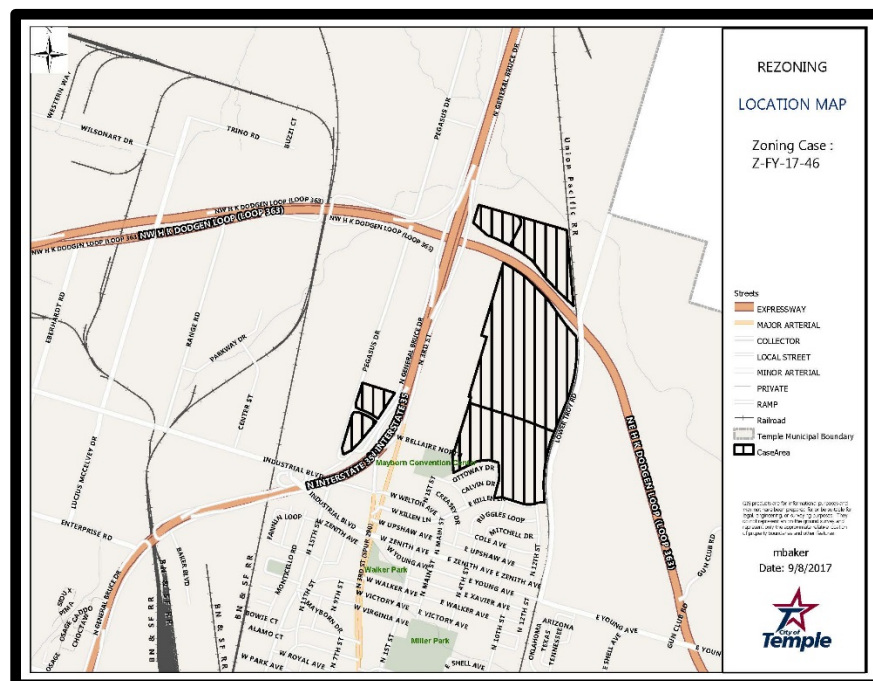
Comprehensive Plan Compliance

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

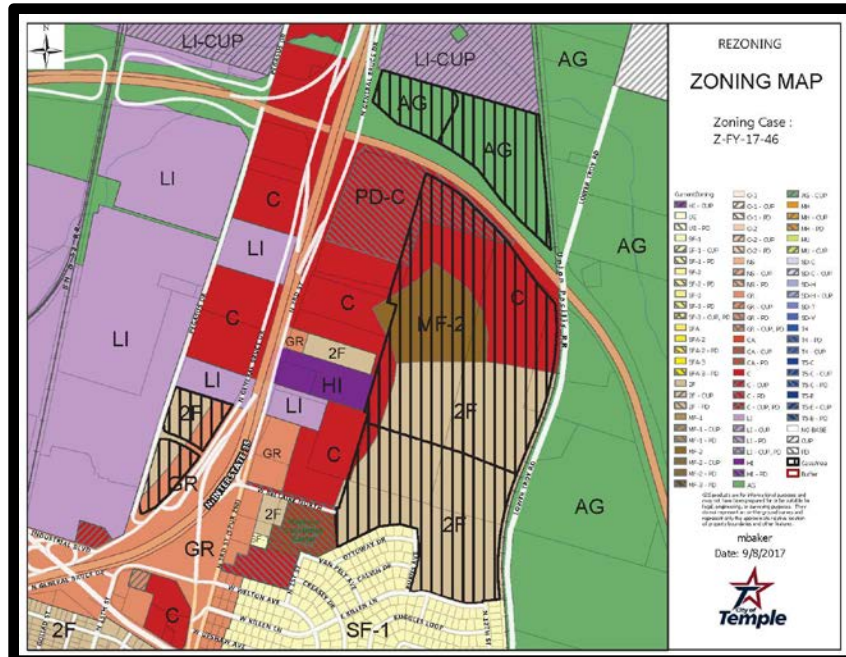
Maps



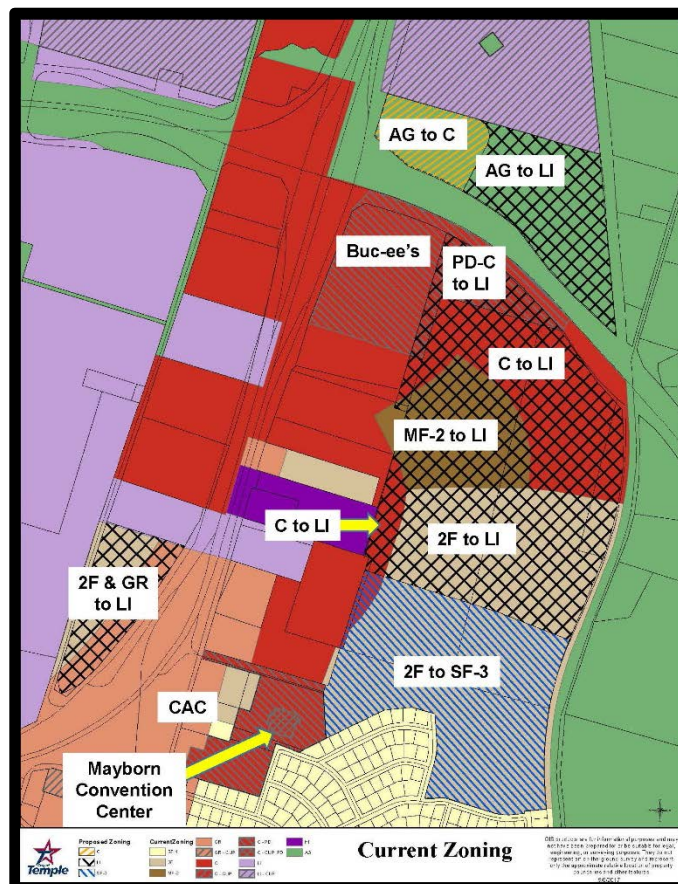
Aerial Map

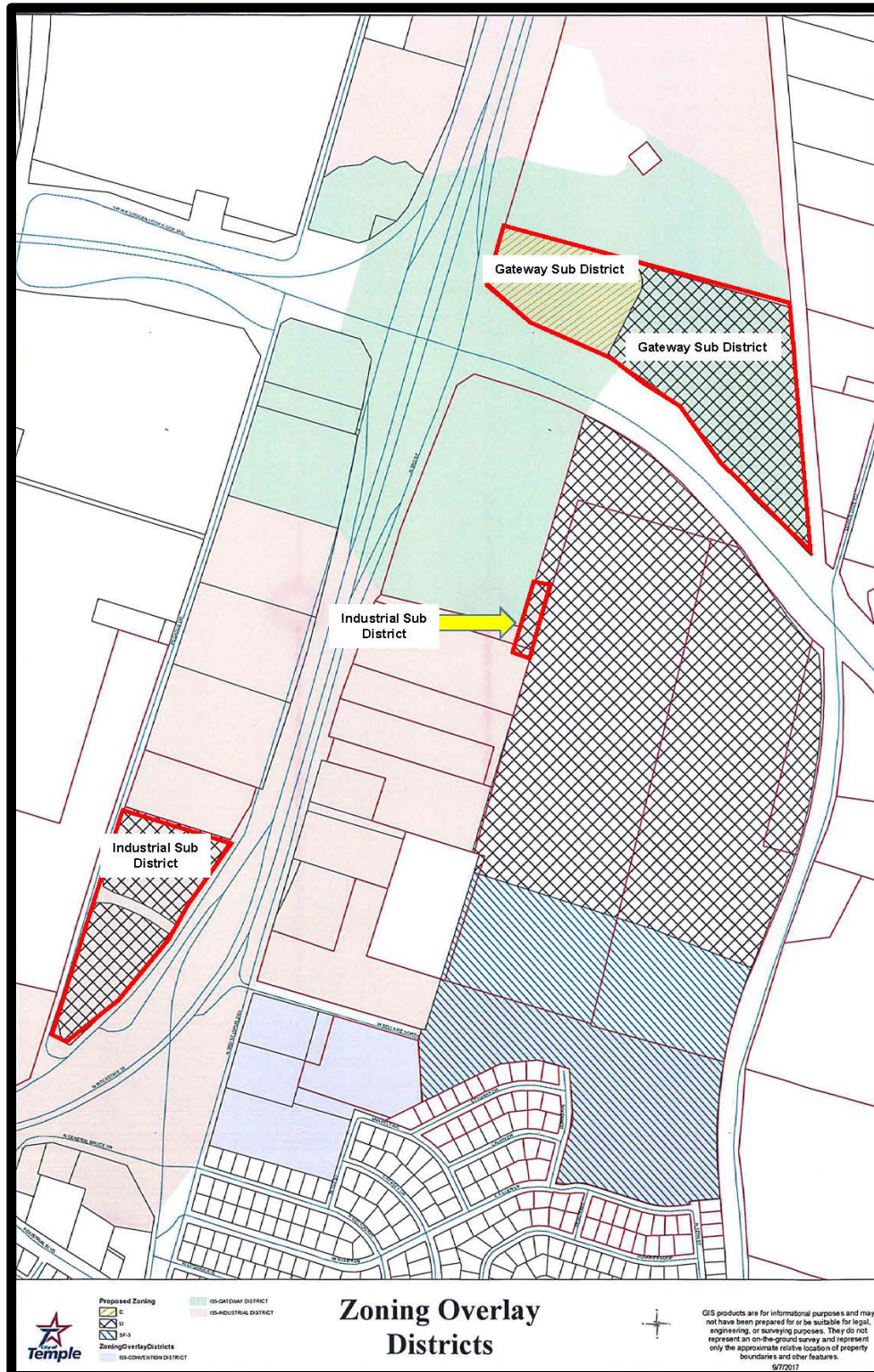


Location Map

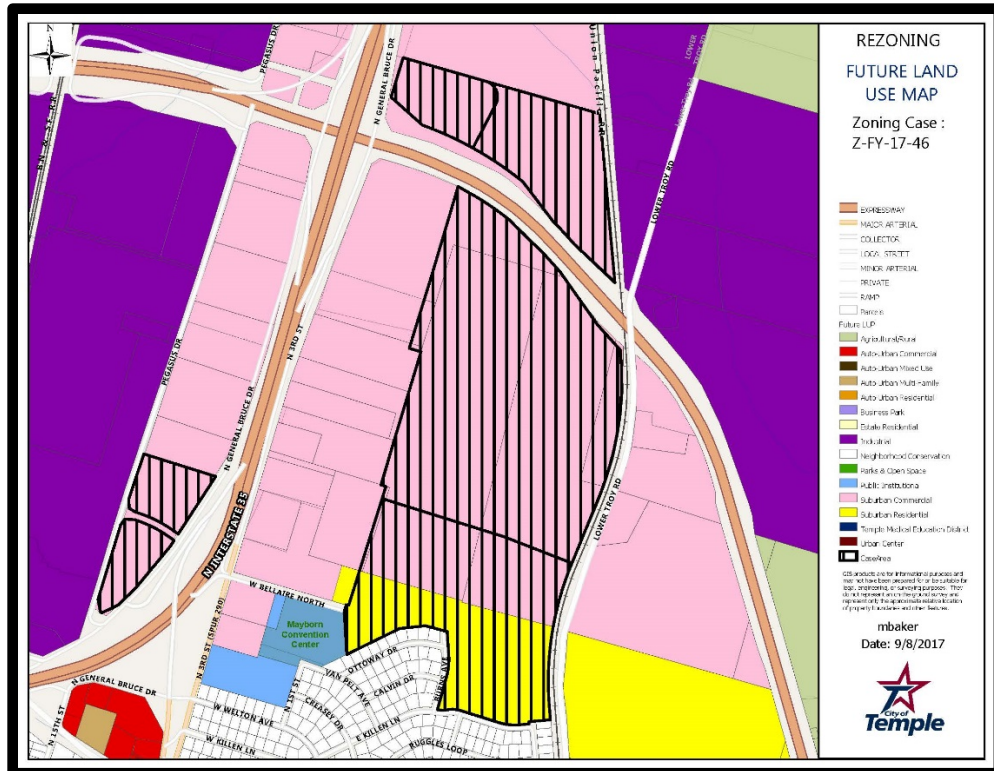


Vicinity Zoning Map

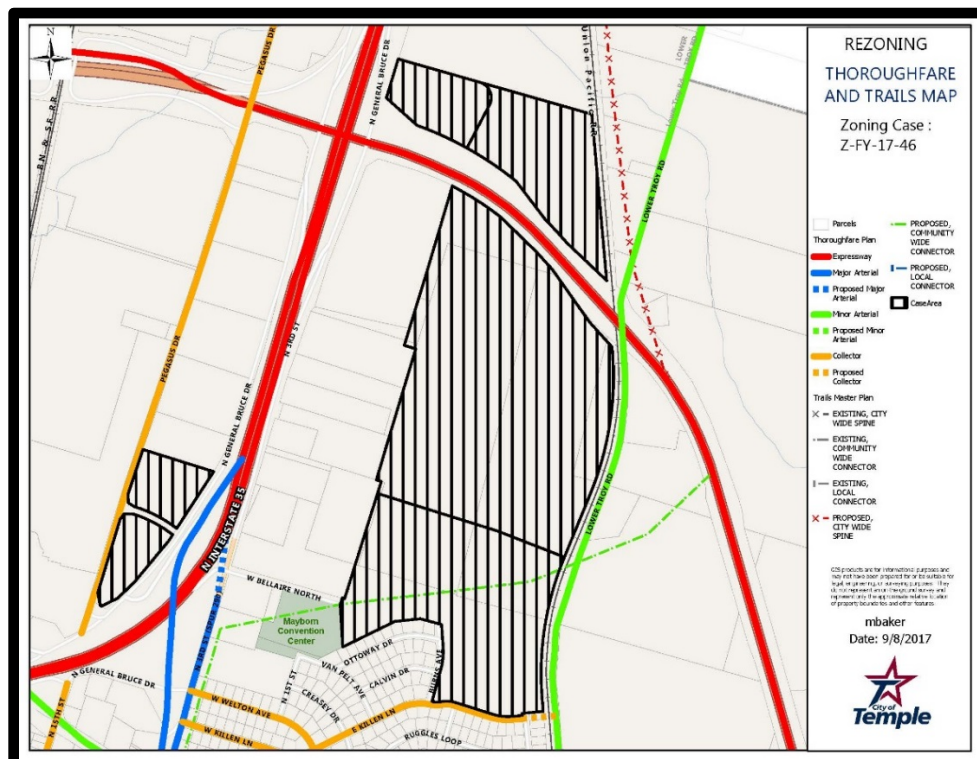




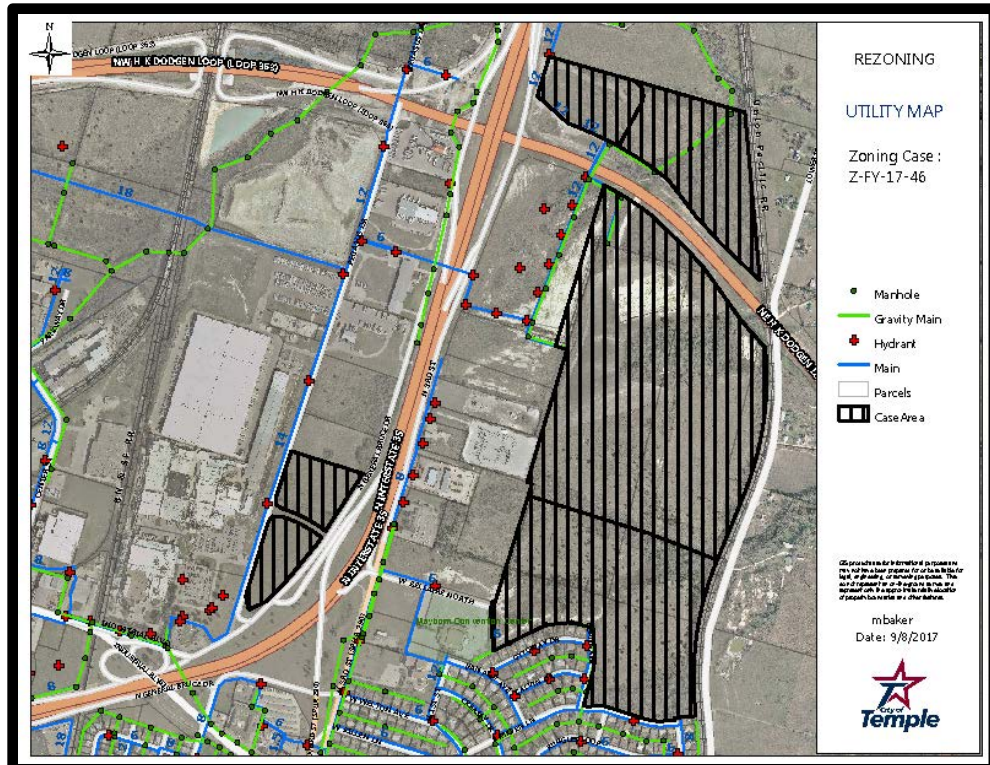
I-35 Corridor Overlay Map (Showing Applicable Sub-districts)



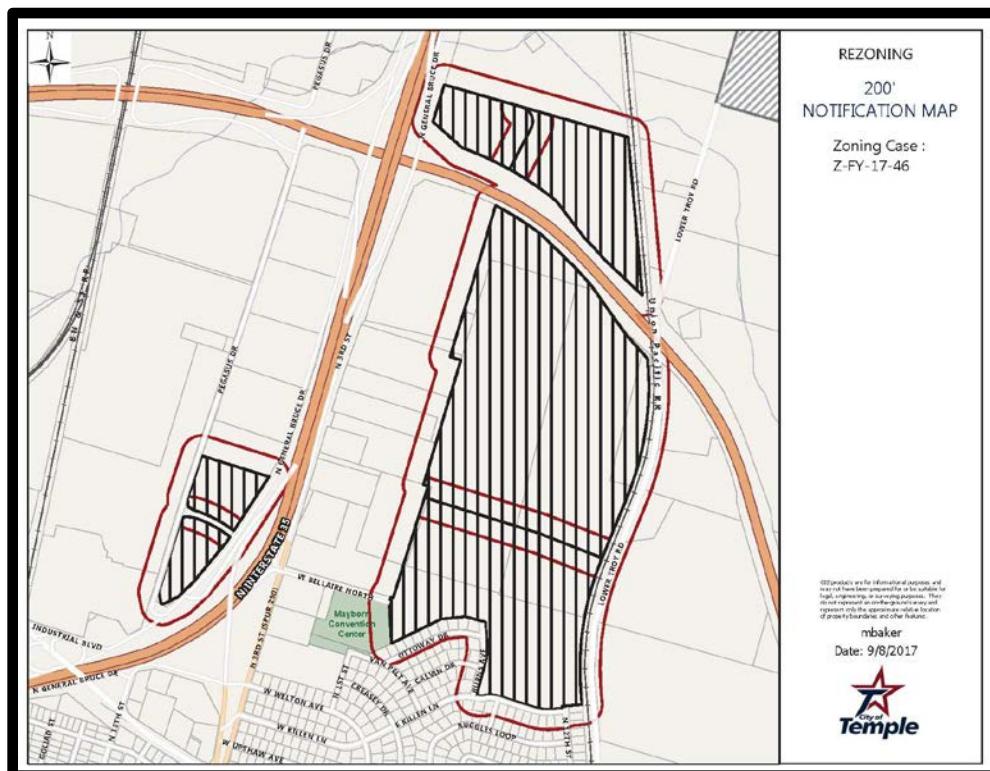
Future Land Use Map



Thoroughfare & Trails Map

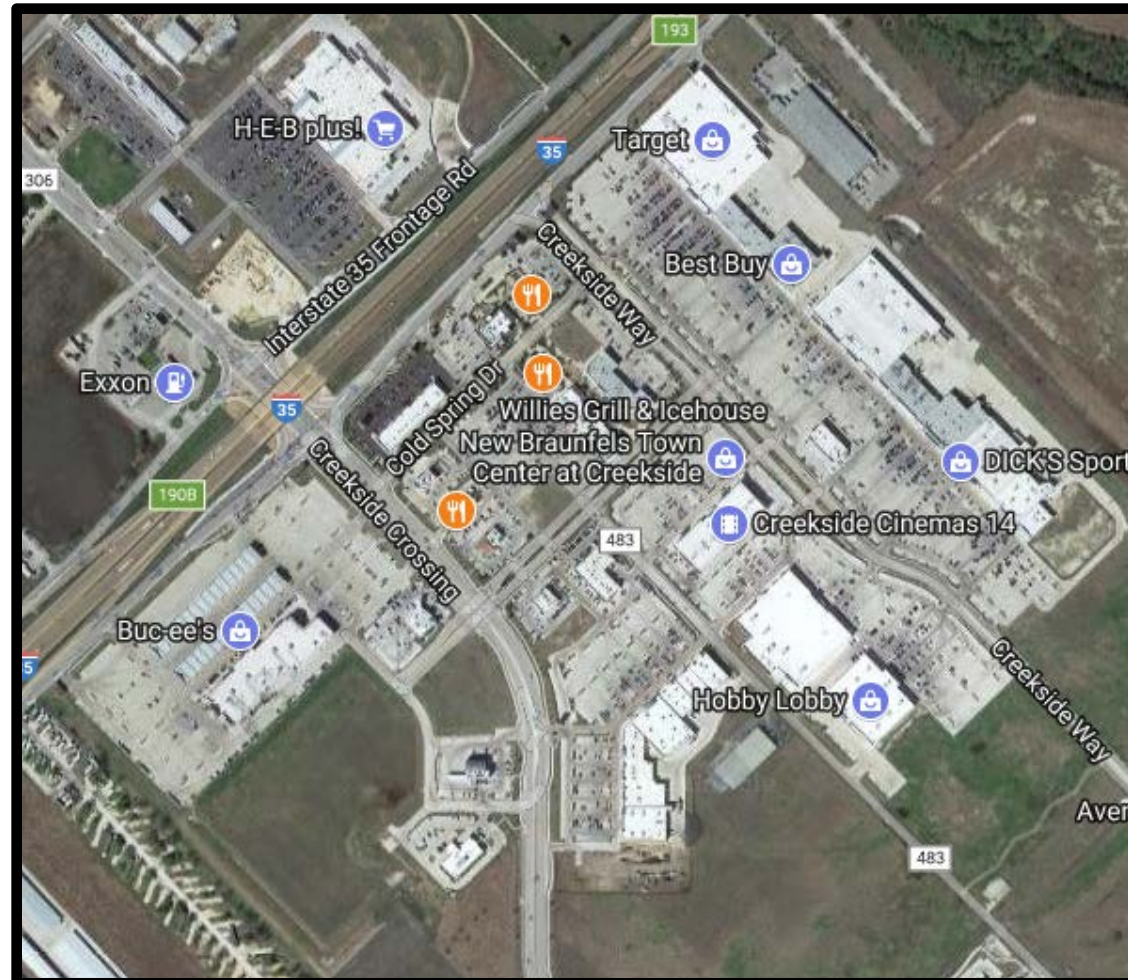


Utility Map



Notification Map

Buc-ee's & Vicinity New Braunfels Aerial Map



Aerial Map (Google Maps)



RESPONSE TO PROPOSED
REZONING REQUEST
CITY OF TEMPLE

BLACKWELL, PEGGY LANDERS
109 OTTOWAY DR
TEMPLE, TX 76501-1433

Zoning Application Number: Z-FY-17-46

Case Manager: Mark Baker

Location: See previous page with legal description

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: *If our comments value, consider:
looking at smaller homes which w/devalue our homes, more traffic,
more noise, more crime, more noise, more families living
in single family homes, more trash*

*take these types of homes on other side of town where all
the progress is taking place in Temple*

Peggy Landers Blackwell
Signature

Peggy Landers Blackwell
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 **October 2, 2017**.

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

Number of Notices Mailed: 80

Date Mailed: September 21, 2017

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

RECEIVED

SEP 27 2017

City of Temple
Planning & Development



RESPONSE TO PROPOSED
REZONING REQUEST
CITY OF TEMPLE

ROLSTON, LOIS RUTH
106 OTTOWAY DR
TEMPLE, TX 76501-1434

Zoning Application Number: Z-FY-17-46

Case Manager: Mark Baker

Location: See previous page with legal description

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

I () agree

☒ disagree with this request

Comments:

This property is not a good location for single family homes of the size explained to me. It will devalue my property to have so many built. The possibility of increase in noise levels, lack of privacy and increase in crime due to more people bothers me a great deal with opening of new streets the traffic level will increase. I can only see negative results of such rezoning.

Lois Ruth Rolston

Signature

Lois Ruth Rolston

Print Name

(Thomas N. Rolston - Will inherit the property)

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 **October 2, 2017**.

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

Number of Notices Mailed: 80

Date Mailed: September 21, 2017

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

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SEP 27 2017

City of Temple
Planning & Development



RESPONSE TO PROPOSED
REZONING REQUEST
CITY OF TEMPLE

HATTEMER, JOHN D ETUX ROBERTA A
126 OTTOWAY DR
TEMPLE, TX 76501-1434

Zoning Application Number: Z-FY-17-46 **Case Manager:** Mark Baker

Location: See previous page with legal description


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 like to see parcel F (61.015 acres)
noted on separately. How many lots
will be in this parcel?


Signature

JOHN D. HATTEMER
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 **October 2, 2017**.

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

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City of Temple
Planning & Development



RESPONSE TO PROPOSED
REZONING REQUEST
CITY OF TEMPLE

TREVINO, ELEAZAR JR ETUX MARIA MARTA
205 E KILLEN LN
TEMPLE, TX 76501-1422

Zoning Application Number: Z-FY-17-46

Case Manager: Mark Baker

Location: See previous page with legal description

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:

Unacceptable! Property value
would be decreased with low income housing
in our beautiful neighborhood.

Maria M Trevino
Signature

Maria M Trevino
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 **October 2, 2017**.

City of Temple
Planning Department
2 North Main Street, Suite 102
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Planning & Development

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Date Mailed: September 21, 2017

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

FRANK MAYBORN ENTERPRISES
10 S 3RD ST
TEMPLE, TX 76501-7619

Zoning Application Number: Z-FY-17-46

Case Manager: Mark Baker

Location: See previous page with legal description

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:

Anyse Sue Mayborn
Signature

Anyse Sue Mayborn, President
Print Name

If you would like to submit a response, please email a scanned version of this completed form to the Case Manager referenced above, mbaker@templetx.gov or mail or hand-deliver this comment form to the address below, no later than **October 2, 2017**.

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

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*City of Temple
Planning & Development*

Number of Notices Mailed: 80

Date Mailed: September 21, 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

BRIDGES, PAUL RODNEY
209 E KILLEN LN
TEMPLE, TX 76501-1422

Zoning Application Number: Z-FY-17-46

Case Manager: Mark Baker

Location: See previous page with legal description

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:

BAD IDEA! WHY RUIN A QUIET
NEIGHBORHOOD FULL OF WILDLIFE FOR
THE SAKE OF GREEDY DEVELOPERS?
I REALIZE THE CITY OF TEMPLE WANTS "MORE
MONEY IN PROPERTY TAXES, BUT I HATE THIS REQUEST
Y'ALL ARE GOING TO APPROVE THIS ANYWAY! WHY ASK ME

Rodney Bridges
Signature

RODNEY BRIDGES
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 **October 2, 2017**.

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RESPONSE TO PROPOSED
REZONING REQUEST
CITY OF TEMPLE

WILSON, JUDY KAY
309 E KILLEN LN
TEMPLE, TX 76501-1423

Zoning Application Number: Z-FY-17-46

Case Manager: Mark Baker

Location: See previous page with legal description

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

I ☐ agree

☒ disagree with this request

Comments:

This would bring down our property value and make the crime rate go up even more on the North side. Since the houses & duplexes that have been built by the railroad tracks on Zeneth our crime and property destruction has gone up. More people are wondering up & down our streets late at night & things are going missing.

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 **October 2, 2017**.

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RESPONSE TO PROPOSED
REZONING REQUEST
CITY OF TEMPLE

STREHLER, SAM
110 OTTOWAY DR
TEMPLE, TX 76501-1434

Zoning Application Number: Z-FY-17-46

Case Manager: Mark Baker

Location: See previous page with legal description

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~~ **VEHEMENTLY**
disagree with this request

Comments:

Sam Strehler
Melva Lou Strehler
Signature

SAM STREHLER
MELVA LOU STREHLER
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 **October 2, 2017**.

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

ELWELL, STEPHANIE D ET VIR JEFF J
125 OTTOWAY DR
TEMPLE, TX 76501-1433

Zoning Application Number: Z-FY-17-46

Case Manager: Mark Baker

Location: See previous page with legal description

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:

Developer wants to build low income housing. This will change the character of our neighborhood, lead to more people, traffic, noise and safety issues. This will cause our property values to decrease. I request that if you must build, bring houses comparable to the neighborhood only newer. Not more low income like what is on Lower Troy Rd.

Stephanie Elwell
Signature

Stephanie Elwell Jeff Elwell
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 **October 2, 2017**.

City of Temple
Planning Department
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**RESPONSE TO PROPOSED
REZONING REQUEST
CITY OF TEMPLE**

BRAVENEC, LYDIA
122 OTTOWAY DR
TEMPLE, TX 76501-1434

Zoning Application Number: Z-FY-17-46

Case Manager: Mark Baker

Location: See previous page with legal description

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:

Please do not put this kind of trash in our neighborhood. This is so far below the kind of homes on our street it would really lower the value of my home.

Lydia Bravenec
Signature

Lydia Bravenec
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 **October 2, 2017**.

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RESPONSE TO PROPOSED
REZONING REQUEST
CITY OF TEMPLE

GALLOWAY, RICHARD SEAN
130 OTTOWAY DR
TEMPLE, TX 76501-1434

Zoning Application Number: Z-FY-17-46

Case Manager: Mark Baker

Location: See previous page with legal description

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:

RS Galloway
Signature

Richard Sean Galloway
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 **October 2, 2017**.

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

BENDURE, DALE ALLEN ETUX EDINA RUTH
134 OTTOWAY DR
TEMPLE, TX 76501-1434

Zoning Application Number: Z-FY-17-46

Case Manager: Mark Baker

Location: See previous page with legal description

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

I () agree

☒ disagree with this request

Comments:

*We need housing like the ones in our neighbor FS1
my wife and I moved in to our house in 1978. ITS QUIET, LOW VOLUME
OF TRAFFIC, LOW CRIME RATE, ITS CLEAN, YOU CAN WORK OUTSIDE
WALK THE STREETS, RIDE A BICYCLE AND FEEL SAFE. BUILDING DUPLEXS OR
APARTMENTS WILL CHANGE ALL THAT TRAFFIC WILL DOUBLE, CRIME RATE WILL GO U
VALUE OF OUR PROPERTY + HOUSE WILL DROP WE ARE AGAINST REZONING*

Edina Bendure

EDINA BENDURE

Dale A. Bendure

DALE A. BENDURE

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 **October 2, 2017**.

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WE HAVE WILDLIFE AND ^{BIRDS} ~~BEES~~ THAT WE ENJOY
WE HAVE NO AMENITIES ON THIS SIDE
OF TOWN, NO RESTURATS, NO GROCERY STORE
NO SERVICE STATION, NO PHARMACY
THIS NEEDS TO BE LOOKED AT.

Sign was placed on a dead end
street (Burns) where nobody could see
it -



RESPONSE TO PROPOSED
REZONING REQUEST
CITY OF TEMPLE

RUBINO, ALLAN P
301 E KILLEN LN
TEMPLE, TX 76501-1423

Zoning Application Number: Z-FY-17-46

Case Manager: Mark Baker

Location: See previous page with legal description

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I () agree

(i/) disagree with this request

Comments:

Allan P Rubino
Signature

ALLAN P. Rubino
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 **October 2, 2017**.

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RESPONSE TO PROPOSED
REZONING REQUEST
CITY OF TEMPLE

PACHA, DON R ETUX MELINDA L
113 E KILLEN LN
TEMPLE, TX 76501-1420

Zoning Application Number: Z-FY-17-46

Case Manager: Mark Baker

Location: See previous page with legal description

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

I () agree

☒ disagree with this request

Comments:

Lots would be too small to match existing lots
increased traffic on a busy street already
Building smaller homes would decrease property value

Signature

DON PACHA

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 **October 2, 2017**.

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

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RESPONSE TO PROPOSED
REZONING REQUEST
CITY OF TEMPLE

BURKEY, CECIL A SR ETUX ROSE M FERGUSON BURKEY
117 OTTOWAY DR
TEMPLE, TX 76501

Zoning Application Number: Z-FY-17-46

Case Manager: Mark Baker

Location: See previous page with legal description

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:

Low income housing and apartments will decrease the value of the homes, increase traffic and invite more crime. We would like our homes to increase in value. What is light industry? What type of apartments or housing are proposed? Need high end units, not low income.

Cecil Burkey
Signature

Rose Burkey

Cecil Burkey / Rose Burkey
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 **October 2, 2017**.

City of Temple
Planning Department
2 North Main Street, Suite 102
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City of Temple
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Number of Notices Mailed: 80

Date Mailed: September 21, 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

HOLKINS, WALTER A
3010 RUGGLES LOOP
TEMPLE, TX 76501-1452

Zoning Application Number: Z-FY-17-46

Case Manager: Mark Baker

Location: See previous page with legal description

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I () agree

☒ disagree with this request

Comments:

SF 3 TO SMALL OR LOTS III
DO SF1 LIKE WE HAVE NOW
TAX

WA Holkins

Signature

WA HOLKINS

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 **October 2, 2017**.

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

SEP 29 2017

City of Temple
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RESPONSE TO PROPOSED
REZONING REQUEST
CITY OF TEMPLE

PARKS, CLEVE ETUX TOMMIANN
114 OTTOWAY DR
TEMPLE, TX 76501-1434

Zoning Application Number: Z-FY-17-46 **Case Manager:** Mark Baker

Location: See previous page with legal description

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I () agree

☒ disagree with this request

Comments:

Tommiann Parks
Signature

TOMMIANN PARKS
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 **October 2, 2017**.

City of Temple
Planning Department
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RESPONSE TO PROPOSED
REZONING REQUEST
CITY OF TEMPLE

PARKS, CLEVE ETUX TOMMIANN
114 OTTOWAY DR
TEMPLE, TX 76501-1434

Zoning Application Number: Z-FY-17-46 **Case Manager:** Mark Baker

Location: See previous page with legal description

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:

Tommiann Parks
Signature

TOMMIANN PARKS
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 **October 2, 2017**.

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RESPONSE TO PROPOSED
REZONING REQUEST
CITY OF TEMPLE

CHILDRES, JAMES HOYT
314 RUGGLES LOOP
TEMPLE, TX 76501-1439

Zoning Application Number: Z-FY-17-46

Case Manager: Mark Baker

Location: See previous page with legal description

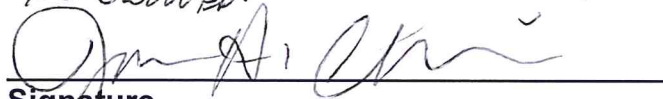
The proposed rezoning is the area shown in hatched marking on the attached map. Because you own property within 200 feet of the requested change, your opinions are welcomed. Please use this form to indicate whether you are in favor of the possible rezoning of the property described on the attached notice,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

I () agree

☒ disagree with this request

Comments:

I DISAGREE WITH HAVING DUPLEXES OR
MOBILE HOMES THIS CLOSE TO MY PROPERTY.
THERE IS PLENTY OF OTHER PROPERLY AVAILABLE ZONING
OF THIS AREA SHOULD BE EQUAL TO NORTH BLAIRE. THERE MAY HAVE BEEN
A LANDFILL ON THIS PROPERTY. CURRENT RULES & REGULATIONS SHOULD BE
FOLLOWED.


Signature

JAMES HOYT CHILDRES
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 **October 2, 2017**.

City of Temple
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Date Mailed: September 21, 2017

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

FIELDS, RICHARD DALE
306 RUGGLES LP
TEMPLE, TX 76501

Zoning Application Number: Z-FY-17-46

Case Manager: Mark Baker

Location: See previous page with legal description

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

I () agree

☒ disagree with this request

Comments:

I do not want to see mobile homes
or duplexes near Killen Street. An extension of North
Belvair should be equal to existing North Belvair.
We have heard there may have been an old landfill on
this property. If so current rules & regulations should be followed

RLZ

Signature

Rick Fields

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 **October 2, 2017**.

City of Temple
Planning Department
2 North Main Street, Suite 102
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**RESPONSE TO PROPOSED
REZONING REQUEST
CITY OF TEMPLE**

SCHOPPE, AL & DIANNE MCCLURE
PO BOX 593
TEMPLE, TX 76503-0593

Zoning Application Number: Z-FY-17-46

Case Manager: Mark Baker

Location: See previous page with legal description

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

☒ ^{Strongly} disagree with this request

Comments:

Zoning for this area needs to match the adjoining residential area. As proof, drive down Young Ave and view the Lantana addition with its overcrowded parking and other undesirable neighborhood issues. None of the proposed rezoning area should be used for industrial purposes. The area is already periodically subjected to unpleasant odors from the current Industrial Park and the city sewer system which may or may not be hazardous to health. There is no doubt that rezoning will degrade the character and value of this neighborhood.

Dianne McClure Al Schoppe
Signature

Dianne McClure AL SCHOPPE
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 **October 2, 2017**.

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

WIGGINS, CLAIBORNE M JR
104 OTTOWAY DR
TEMPLE, TX 76501-1434

Zoning Application Number: Z-FY-17-46

Case Manager: Mark Baker

Location: See previous page with legal description

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

I ☐ agree

☒ disagree with this request

Comments:

We do not want the traffic, crime, or noise

Claiborne Wiggins / Karen Evans
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 **October 2, 2017**.

RECEIVED

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

OCT - 2 2017
City of Temple
Planning & Development

Number of Notices Mailed: 80

Date Mailed: September 21, 2017

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

**EXCERPTS FROM THE
PLANNING & ZONING COMMISSION MEETING
MONDAY, OCTOBER 2, 2017**

ACTION ITEMS

Item 3: Item 3: Z-FY-17-46 – Hold a public hearing to discuss and recommend action on rezoning of six tracts of land totaling approximately 229.056 acres:

1. 61.015 ± acres located west of MKT railroad and north of Ottoway Drive and Killen Lane (Bellaire North)—from C & 2F zoning district to SF-3 zoning district;
2. The following properties within the Industrial sub-district of the I-35 Corridor Overlay:
 - a. 7.797 ± acres located west of I 35, east of Pegasus Drive, and north of Industrial Boulevard—from 2F and GR zoning districts to LI zoning district;
 - b. 7.035 ± acres located west of I 35, east of Pegasus Drive, and north of Industrial Boulevard—from 2F and GR zoning districts to LI zoning district;
 - c. 114.537 ± acres located at the southwest corner of NE H.K. Dodgen Loop and MKT railroad—from PD C, MF-2, and 2F zoning districts to LI zoning district;
3. The following properties within the Gateway sub-district of the I-35 Corridor Overlay:
 - a. 11.332 ± acres located at the northeast corner of NE H.K. Dodgen Loop and North 3rd Street—from AG zoning district to C zoning district; and
 - b. 27.158 ± acres located at the northwest corner of NE H.K. Dodgen Loop and MKT railroad—from AG zoning district to C zoning district.

Mr. Mark Baker, Senior Planner, stated this item is scheduled to go to City Council for first reading on October 19, 2017 and second reading on November 2, 2017.

Mr. Baker explains the item description above is for the entire 229 acres and that has been has been reduced to the 168 acres and the applicant has formerly withdrawn the SF-3 portion (61 +/- acres). The remaining portions are still included in the request.

Of the 168.041 +/- acres, approximately 11.332 +/- acres are being requested for Commercial (C) and 156.709 +/- acres are being requested for Light Industrial (LI). No specific use(s) or development(s) have been identified.

On the north side of the Loop, one tract (LI) for 27.158 +/- acres and the other parcel is 11.332 +/- acres is proposed for C. The largest piece on the south side of the Loop, bordered by the Railroad, and bordered by Buc-ee's on the back side (along the Convention Center) is the largest portion of approximately 114.537 +/- acres of proposed LI. Approximately 14-15 +/- acres are located the east side of Pegasus Drive, north of Industrial Boulevard, and west of I-35.

Approximately 54 of the 168 +/- acres are within the I-35 Corridor Overlay. Within the Gateway Sub-District approximately 11.3 +/- acres is proposed from AG to C and approximately 27 +/- acres proposed from AG to LI.

Within the Industrial Sub-District, approximately 7 +/- acres are proposed from 2F and GR to LI, approximately 7.9 +/- acres proposed from 2F and GR to LI, and approximately 1.080 +/- acres from C to LI which is a sliver out of the 114 +/- acres portion.

Per the Unified Development Code (UDC) Sec. 4.3.28:

Overlay Zoning district is limited to specific areas encompassing land that has already been assigned conventional base zoning district classifications. Supplements the standards of the base zoning districts with new or different standards that are more restrictive

Both Industrial and Gateway sub-districts place additional restrictions on land use and design for new and existing uses. The Industrial sub-district either prohibits industrial uses or requires a conditional use permit (CUP).

Despite a number of existing industrial uses, the intent of the Overlay encourages retail/service and commercial uses rather than industrial including those within the Industrial sub-district.

Commercial zoning outside of the I-35 Corridor allows a number of industrial uses by-right and without a CUP.

Pegasus Drive is typically recognized as the eastern boundary of the Northwest Industrial Park.

A significant percentage of the approximately 670 +/- acres is either owned by the TEDC or the City of Temple and largely undeveloped and this provides availability of industrially-zoned land without having to provide additional land industrially-zoned to the east.

Table of I-35 uses are compared in the LI zoning, C zoning, Industrial Sub-District, and Gateway Sub-District.

Overall C versus LI uses comparison table shown.

The existing Buc-ee's (not part of this request) does provide a presence for future growth of both retail and service uses as well as commercial development. It does support the existing Bellaire North subdivision and any future proposed residential development.

As a similar situation, the Buc-ee's in New Braunfels provided opportunity for commercial and retail development. Aerial shown.

Current and proposed zoning map shown.

Non-residential (commercial and industrial) presents challenges posed by I-35 Corridor restrictions and C is the recommended substitute for the Industrial zoning and compliance would be met.

The Future Land Use and Character Map designates the subject property as Suburban Commercial which is intended for retail/ service uses and supports office (O-1, O-2) and Neighborhood Service (NS) zoning. GR and C zoning is considered on a case by case basis and does not support Industrial zoning.

The Industrial designation is intended for the community's manufacturing, warehousing/distribution, and light industrial uses and supports LI and HI zoning. Even with C zoning the request would only be in partial compliance.

Both water and sewer are available to serve the property. The sewer lines are older clay pipe and would need to be upgraded which is addressed during the development stage.

The Thoroughfare Plan designates Loop 363 and I-35 as Expressways, Lower Troy Road as an Arterial, and Pegasus Drive as a Collector. Any future right-of-way and required sidewalks would be discussed during the platting stage.

Surrounding properties and on-site photos shown.

Surrounding properties include Buc-ee's Travel Center and Northwest Industrial Park to the west, undeveloped property and Loop 363 to the north, and a quarry to the south.

Eighty notices were mailed in accordance with all state and local regulations with one notice returned in agreement and 22 notices returned in disagreement.

This request is in compliance with the Thoroughfare Plan, is compatible with I-35 Corridor overlay and surrounding uses and zoning, and public facilities are available to serve the property.

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

Staff recommends approval of the rezoning from PD-C, C, 2F, MF-2, GR and AG districts to C district for 168.041 +/- acres. The 61.015 +/- acres from C and 2F zoning to SF-3 zoning has been withdrawn.

Chair Fettig explains the hearing process and three minute rule then confirms that the 61.015 +/- acres has been withdrawn and will remain as 2F. Chair Fettig then opened the public hearing.

Ms. Lois Rolston, 106 Ottoway Drive, Temple, Texas, stated she understood the 61 +/- acres for SF-3 zoning had been withdrawn; however, she was concerned that with the withdrawal of the SF-3 portion, would duplexes, triplexes, and mobile homes be placed in that 61 +/- acre portion.

Mr. Baker could not confirm when the 2F zoning of the 61 +/- acre portion was put in place, but did clarify that mobile homes are prohibited in 2F zoning.

Ms. Rolston stated the Bellaire residents was never made aware of this information.

Mr. Lloyd Thomas, Aldrich-Thomas Group Realtors, 18 North 3rd Street, Temple, Texas, explains he represents the owner of the property which developed the Bellaire North area down to Zenith.

Mr. Thomas stated the zoning of the 61 +/- acre portion for 2F was done back in the early 1970s. The applicant is trying to clean up the zoning and put it into zoning classifications that work for the type of property located there.

The idea of SF-3 zoning for the 61 +/- acre portion was to make it more restrictive than 2F; however, with the opposition to SF-3 zoning expressed from the returned notices, the applicant has chosen to withdraw the 61 +/- acres from being rezoned and it will remain as 2F.

Mr. Baker clarified that triplexes were permitted through a Conditional Use Permit (CUP) process which is a separate application and goes through P&Z and City Council.

Mr. Thomas stated the Staff recommendation of substituting C for LI is not something that fits for the property. There is no connectivity with the current zoning request and the Buc-ee's property/development. A drainage ditch surrounds Buc-ee's and no right of ingress/egress with Buc-ee's exists.

The two smaller tracts on the east side of Pegasus and west of I-35 has had more activity for the industrial use as well as the larger tract of 114 +/- acres. It is not well suited for C uses. The only portion suitable for C is the 11 +/- acres that fronts I-35 and Loop 363 at the northeast corner.

Mr. Thomas does not see the subject area being developed as a retail type of development since the land is not well suited for C. There are not enough rooftops to support retail/commercial development at this intersection other than the 11 +/- acres.

The 114 +/- acres is best suited for LI and distribution.

Mr. Thomas stated the property owner wishes to maintain his position for industrial zoning request for the 114 +/- acres as well as the 27 +/- acres and the two smaller tracts between I-35 and Pegasus.

Chair Fettig asked Mr. Thomas if there was a specific use in mind for the property and Mr. Thomas responded the owner's intent for the zoning request was to clean up the area/zoning and get a zoning classification that would work.

As far as a difference in utilities between C and LI, LI would have a lighter use and not as much demand as a C development. However, water and sewer are now available on the east side of the interstate.

Mr. Thomas explained the two parcels on the east side of I-35 are only visible from the frontage road, not the interstate, which hinders C viability.

Mr. Thomas commented that distribution centers are currently the primary request for this property which also provides accessibility to railroad and I-35.

Mr. Brian Chandler, Planning Director, followed up with clarification on uses. Buc-ee's reference, allowed under C and LI, was not to suggest that is what the area would be. If additional manufacturing were located there it may limit the possibility of having additional retail if the market allows for it.

The additional uses that are not traditional retail that are allowed in C, essentially everything other than light manufacturing, includes office warehouse; a distribution center does require LI. But office warehouse, storage, heavy machinery sales, etc., are appropriate for those locations and would be allowed there as C.

Light industrial also allows barbed wire, razor wire and is not allowed in C.

If the market allowed and supported duplexes or additional residential on the larger tract (114 +/- acres) except right along the Loop, LI would not allow that use.

Mr. Chandler explained some of the subject property lies within the Overlay and is protected by additional standards and some does not.

Mr. Thomas stated he has been doing real estate for 40 years and has been involved with several large development projects located in Temple and Waco and knows retail and how to do a retail development. This property does not fit the criteria for C even if more homes were added on the 61 +/- acres.

Mr. Allan Rubino, 301 East Killen, Temple, Texas, asked about possible development of the 61 +/- acres and if proper infrastructure would be put in, where would the traffic go?

Chair Fettig explained the buildings need to be in place first before addressing streets. Planning and Zoning is unable to address this question and deferred Mr. Rubino to Staff for a possible response.

Mr. Chandler explained the interior roads within a subdivision are built prior to the housing; it is the perimeter streets surrounding the area that are more challenging and often require a Capital Improvement Program (CIP) and takes more time. Some of the developments Mr. Rubino is referring to may predate the current standards for the City.

Mr. Rubino stated all improvements seem to be going west and/or north

Ms. Marie Pavelka, 115 Ottoway Drive, Temple, Texas, asked when the ditch would be cleaned out and what is being done about the Zika virus.

Commissioner Ward suggested Ms. Pavelka contact Code Enforcement about these issues.

Mr. Chandler asked Ms. Pavelka to give Staff her contact information so he can research and confirm the information with Public Works and attempt to provide answers for her.

Mr. Chandler explained which properties were located in the I-35 Overlay and the standards that would apply.

Unless the applicant came forward with a Planned Development District for a distribution center use, they could come in and request that zoning and bring in a site plan and then everyone would know exactly what it would look like. For a base zoning request, it is wide open and the standards related to that zoning district are the only limitations and no conditions could be added. Thus, the Staff recommendation for C.

Buc-ee's was a PD since it required several exceptions to the overlay.

Brief discussion regarding possible PD and options available.

Mr. Lloyd Thomas returned and responded that the reason for the zoning request is to clean up the existing zoning and simplify the zoning. There is a need for office warehouse but not a 114 +/- acre warehouse.

The site is best suited for a distribution facility which requires LI classification. The property is outside of the Gateway Sub-District so the overlay would not apply.

Mr. Thomas would like to get the zoning in place so they do not have to come back and would like to have the site zoned and ready to go. This has been the biggest hindrance in bringing businesses into town; Temple is not prepared. Not every industrial business wants to be located in the Industrial Parks.

Mr. Chandler suggested if the use is for a distribution center, with the 114 +/- acres perhaps P&Z could add a PD to that portion only with future site plan approval just for that use, pulling that use down from LI. Anything else under C can move forward by right. Ultimately the applicant gets what they need to market the property.

Mr. Thomas responded if they go with a PD it will involve more time to go through Staff, P&Z and City Council all over again and the zoning might as well stay the same. Mr. Thomas will like to make it where the applicant does not have to come back multiple times for a lengthy process.

If the conditions suggested by Mr. Chandler were put on it, then the applicant is back to square one; they could need to come back through the process. All the applicant is asking for is the zoning to be in place and LI is not an unreasonable request.

Mr. Chandler explained the P&Z Commission have no authority to make conditions unless it is tied to a CUP, which it is not. A PD-C may be added with conditions which is Staff's amended recommendation for a distribution center and a site plan for that use.

Ms. Marie Pavelka returned and asked why the Commission why they worried about industrial uses when the streets were more important and needed to be fixed.

Mr. Allan Rubino returned and asked if the 114 +/- acres was sold to a distribution center, would there be 1,000 trucks parked there within walking distance from residential areas.

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

Vice-Chair Langley made a motion to remove/withdraw No. 1. for 61.015 +/- acres, recommended Light Industrial (LI) zoning district on No. 2.c. for 114.537 +/- acres, and recommended Commercial (C) zoning on the remainder of Nos. 2. a. and b. and 3. a. and b. (listed in the item description) for **Item 3, Z-FY-17-46**, and Commissioner Armstrong made a second.

Motion passed: (9:0)

ORDINANCE NO. _____
(Z-FY-17-46)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE,
TEXAS, AUTHORIZING A REZONING OF FIVE TRACTS OF LAND
TOTALING APPROXIMATELY 168 ACRES LOCATED WITHIN THE
CITY OF TEMPLE, TEXAS; PROVIDING A SEVERABILITY CLAUSE;
PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN
MEETINGS CLAUSE.

Whereas, Aldrich-Thomas Group, on behalf of the property owner, Frank Mayborn Enterprises, is requesting a rezoning of approximately 168.041 acres which is comprised of the following five separately zoned tracts:

1. Approximately 114.5 acres located generally at the southeast corner of Northeast H.K. Dodgen Loop and MKT railroad from Planned Development-Commercial, Commercial, Multi-Family Two, and Two-Family zoning districts to Light Industrial zoning district;
2. Approximately 11.3 acres located north of Northeast H.K. Dodgen Loop and east of North General Bruce Drive from Agricultural zoning district to Commercial zoning district;
3. Approximately 27.1 acres located north of Northeast H.K. Dodgen Loop and west of the MKT railroad from Agricultural zoning district to Light Industrial district; and
4. Approximately 7.9 acres and 7.0 acres respectively, located west of I-35, east of Pegasus Drive and generally north of Industrial Boulevard from Two-Family and General Retail zoning districts to Light Industrial zoning district;

Whereas, the Planning and Zoning Commission of the City of Temple, Texas, after due consideration of the conditions, recommends approval of the rezoning of five tracts of land totaling approximately 168 acres, as outlined above and further shown by the Surveyor Sketch and field notes attached as Exhibit A, located within the City of 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 the rezoning of the following five tracts of land totaling approximately 168 acres, and located within the City of Temple, Texas, as outlined in the Surveyor Sketch and Field Notes attached hereto as Exhibit 'A,' and made a part hereof for all purposes.

Part 3: The City Council approves the Surveyor Sketch and field notes 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 **19th** day of **October**, 2017.

PASSED AND APPROVED on Second Reading on the **2nd** day of **November**, 2017.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Charla Thomas
Deputy City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

11/02/17
Item #7
Regular Agenda
Page 1 of 3

DEPT. / DIVISION SUBMISSION & REVIEW:

Lynn Barrett, Assistant Planning

ITEM DESCRIPTION: SECOND READING – Z-FY-17-47: Consider adopting an ordinance authorizing an amendment to Ordinance No. 2016-4812 to allow utility trailer sales/rentals on Lot 2, Block 1, Tranum Subdivision Phase VIII, addressed as 5806 South General Bruce Drive and zoned I-35-Retail-PD-C.

STAFF RECOMMENDATION: Staff recommends approval with conditions for amending the current PD for the following reasons:

1. That the amendment adds an additional similar use for utility trailer sales/rental to the current PD on the property permitting RV rentals and sales, and which continues to demonstrate compliance with the provisions of the Planned Development Criteria as required by UDC Section 3.4.5;
2. The Planned Development-Commercial (PD-C) zoning remains compatible with the Future Land Use Map;
3. The PD-C zoning remains compatible with surrounding zoning, and existing and anticipated uses;
4. The zoning complies with the Thoroughfare Plan;
5. Public and on-site facilities are available to serve the subject property; and
6. The required previous condition of a decorative metal fence has been installed on site.

PD Conditions:

1. A binding site development plan, attached as Exhibit A will govern the amendment
2. Previous PD condition requiring inventory vehicles to be stored only on a paved surface behind the landscape and fence will be followed with no storage outside of the project area
3. The utility trailer rentals and/or sales use is planned and will be in addition to the RV rentals/sales allowed under the current zoning PD district
4. Drought tolerant shrubs will be planted in front of the decorative metal fence. Installation of drought tolerant red yucca, agave, fountain grass, rosemary or similar species is required prior to display of trailers on site
5. The current sign columns will be re-rocked to a professional appearance in matching stone as per the previous PD requirement prior to occupancy, with an approved sign permit
6. Portable buildings or HUD-Code manufactured home sales or rentals shall continue to be prohibited on this site due to its location within the I-35 Overlay
7. 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

PLANNING & ZONING COMMISSION RECOMMENDATION: At their October 2, 2017 meeting, the Planning & Zoning Commission voted nine to zero to recommend approval of PD Amendment allowing utility trailer sales with conditions at the subject property.

ITEM SUMMARY: This request is to amend an existing PD which was approved last year for RV sales and rentals at an existing business in the overlay district. That tenant only partially complied with the PD conditions before vacating the property. Mr. Muehler is seeking to sell and possibly rent utility trailers at the subject property. He has already installed the decorative metal fence in the front required of the current PD in place of the dilapidated chain link that was previously on-site.

Per UDC, Section 3.4.3 & 3.4.4, a Planned Development requires approval of a Development/Site plan that is binding. On September 18, 2017, the DRC discussed the proposal and 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:

Surrounding Property & Uses			
<u>Direction</u>	<u>FLUP</u>	<u>Zoning</u>	<u>Current Land Use</u>
Site	Auto-Urban Commercial	C	Commercial
North	Auto-Urban Commercial	C	Commercial
South	Auto-Urban Commercial	C	Commercial
East	Auto-Urban Commercial	LI and GR	Commercial
West	Auto-Urban Commercial	C	Vacant

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

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

CP = Comprehensive Plan STP = Sidewalk and Trails Plan

Future Land Use Map (CP Map 3.1)

The entire area is shown as Auto-Urban Commercial. According to the Comprehensive Plan, Auto-Urban Commercial is for the majority of the areas identified for commercial use, generally concentrated at intersections versus strip development along the major roads.

Thoroughfare and Trails Master Plan (CP Map 5.2)

The site is located along an Expressway (IH-35) and does not front any trails.

Availability of Public Facilities (CP Goal 4.1)

An 8" water line and 8" sewer line are available at the front of the property along the Access Road and along Profit Place at the rear of the 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."

PUBLIC NOTICE: Nine notices of the public hearing were sent out to property owners within 200-feet of the subject property. As of Thursday October 6, 2017, two notices had been returned, in favor of the proposal, both from the property owner. Zero notices had been returned in opposition. The newspaper printed notice of the Planning and Zoning Commission public hearing on September 21, 2017, in accordance with state law and local ordinance.

FISCAL IMPACT: Not Applicable

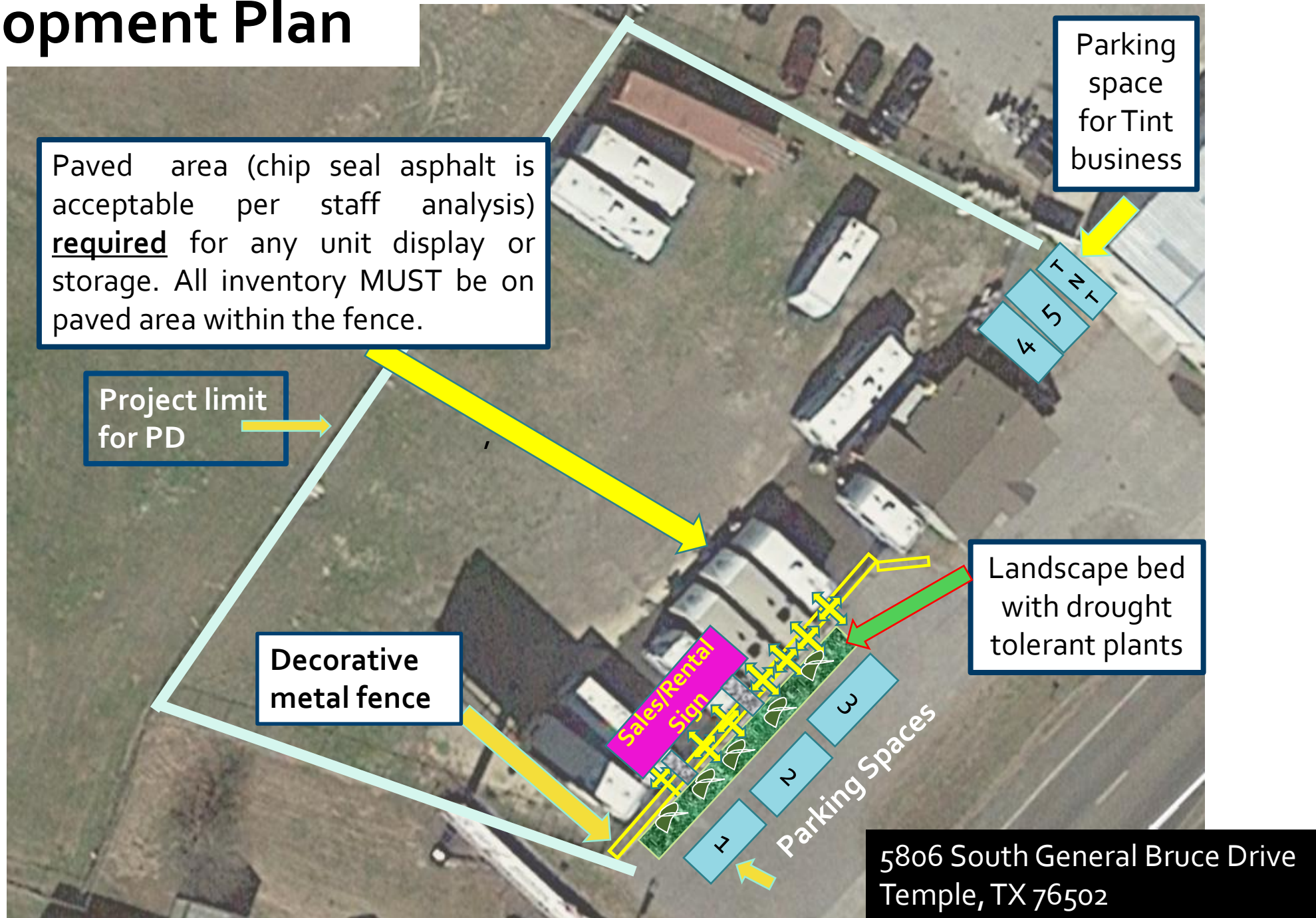
ATTACHMENTS:

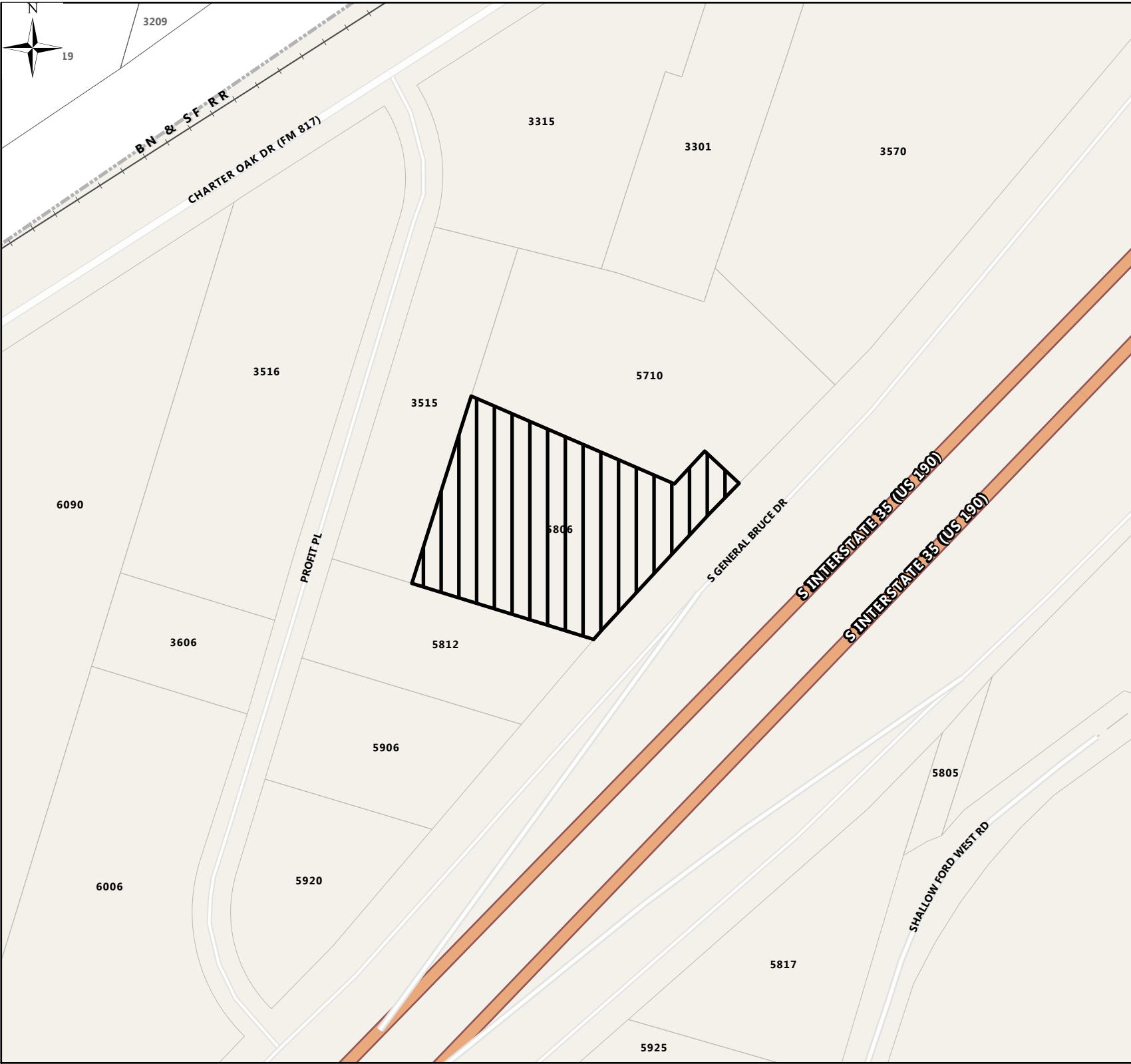
[Site Development Plan](#)
[Location Map](#)
[Zoning Map](#)
[Future Land Use Map](#)
[Thoroughfare and Trails Map](#)
[Site and Surrounding Property Photos](#)
[Examples of Utility Trailers](#)
[Utility Map](#)
[Notification Map](#)
[Returned Notices](#)
[Ordinance](#)

Site Development Plan

SITE IMPROVEMENTS

1. Decorative metal fence with gate across front of inventory storage area
2. Drought tolerant landscape bed in front of fence
3. Inventory placed **only** on paved surface behind fence (paved area determines number)
4. Sign with masonry columns along fence after permitting





AMEND PD-C

LOCATION MAP

Zoning Case :
Z-FY-17-47

Address :
5806 S General Bruce

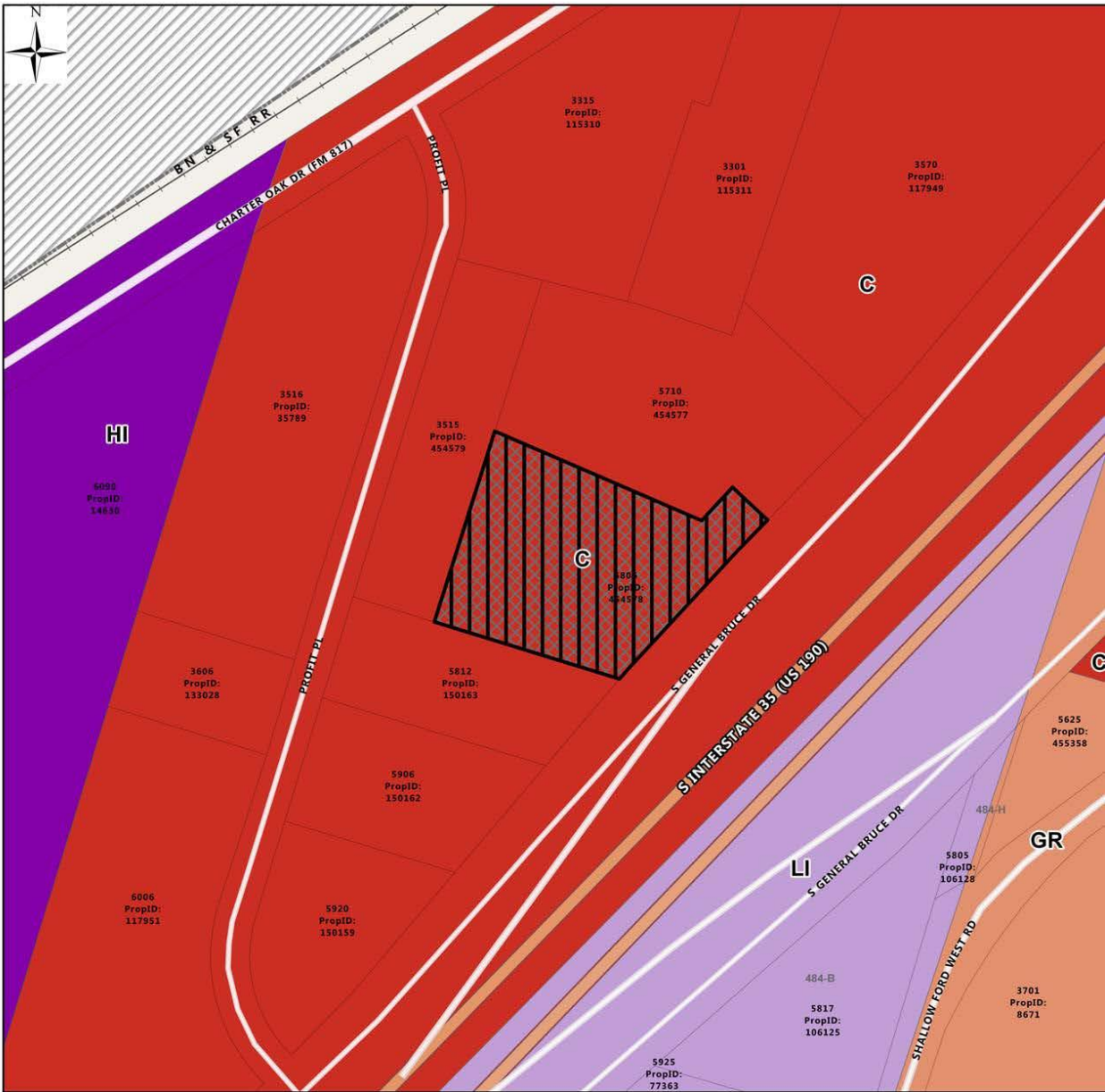
- Streets
- EXPRESSWAY
 - MAJOR ARTERIAL
 - COLLECTOR
 - LOCAL STREET
 - MINOR ARTERIAL
 - PRIVATE
 - RAMP
 - Railroad
- Temple Municipal Boundary
- Parcels
- ETJ Parcels
- CaseArea

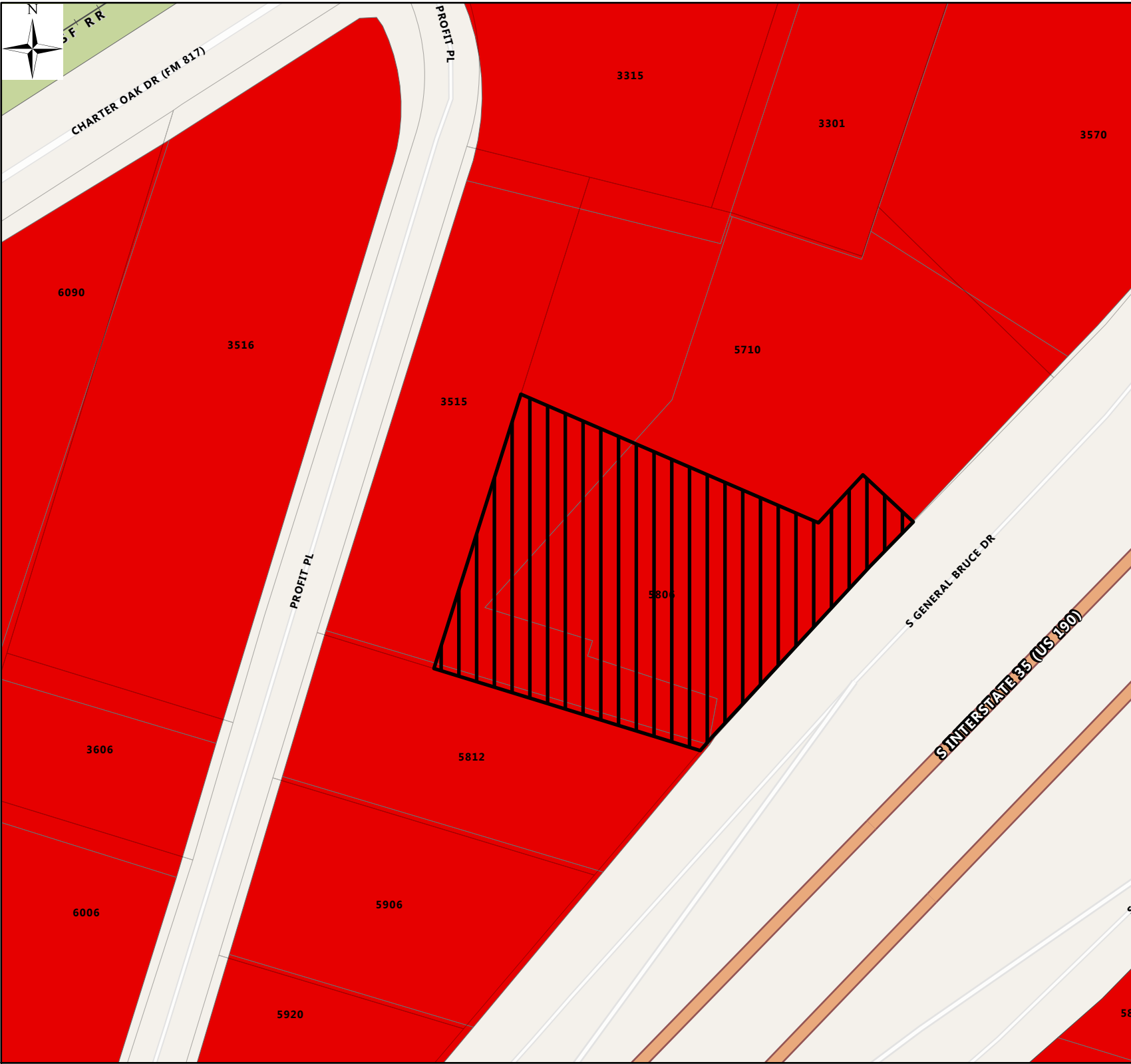
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Irbarrett
Date: 9/15/2017



ZONING MAP





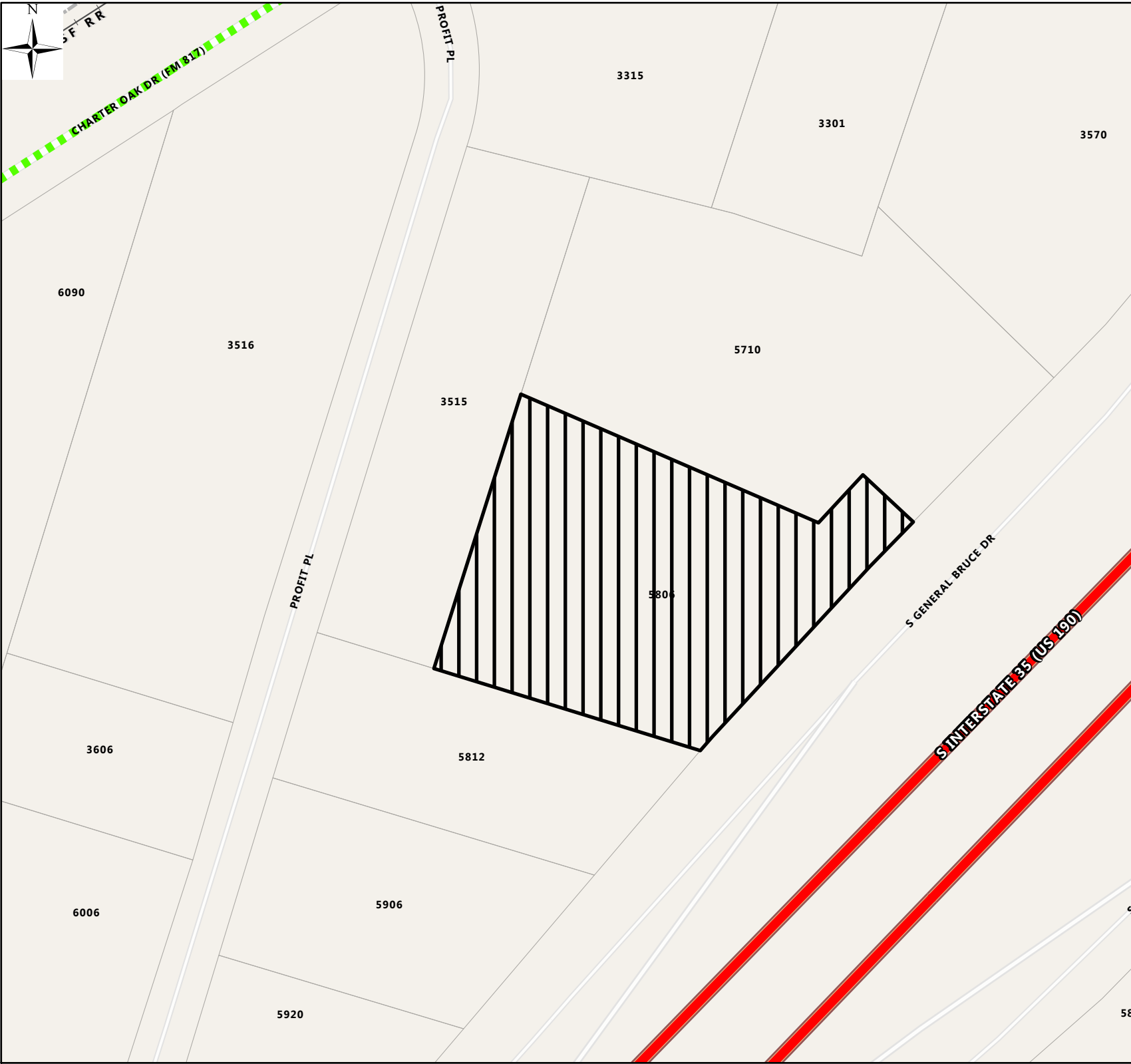
AMEND PD-C
FUTURE LAND
USE MAP
Zoning Case :
Z-FY-17-47
Address :
5806 S General Bruce Dr

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

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Irbarrett
Date: 9/15/2017





AMEND PD-C
THOROUGHFARE
AND TRAILS MAP

Zoning Case :
Z-FY-17-47

Address :
5806 S General Bruce Dr

- 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: 9/15/2017



Site Photos



View to South



View to East



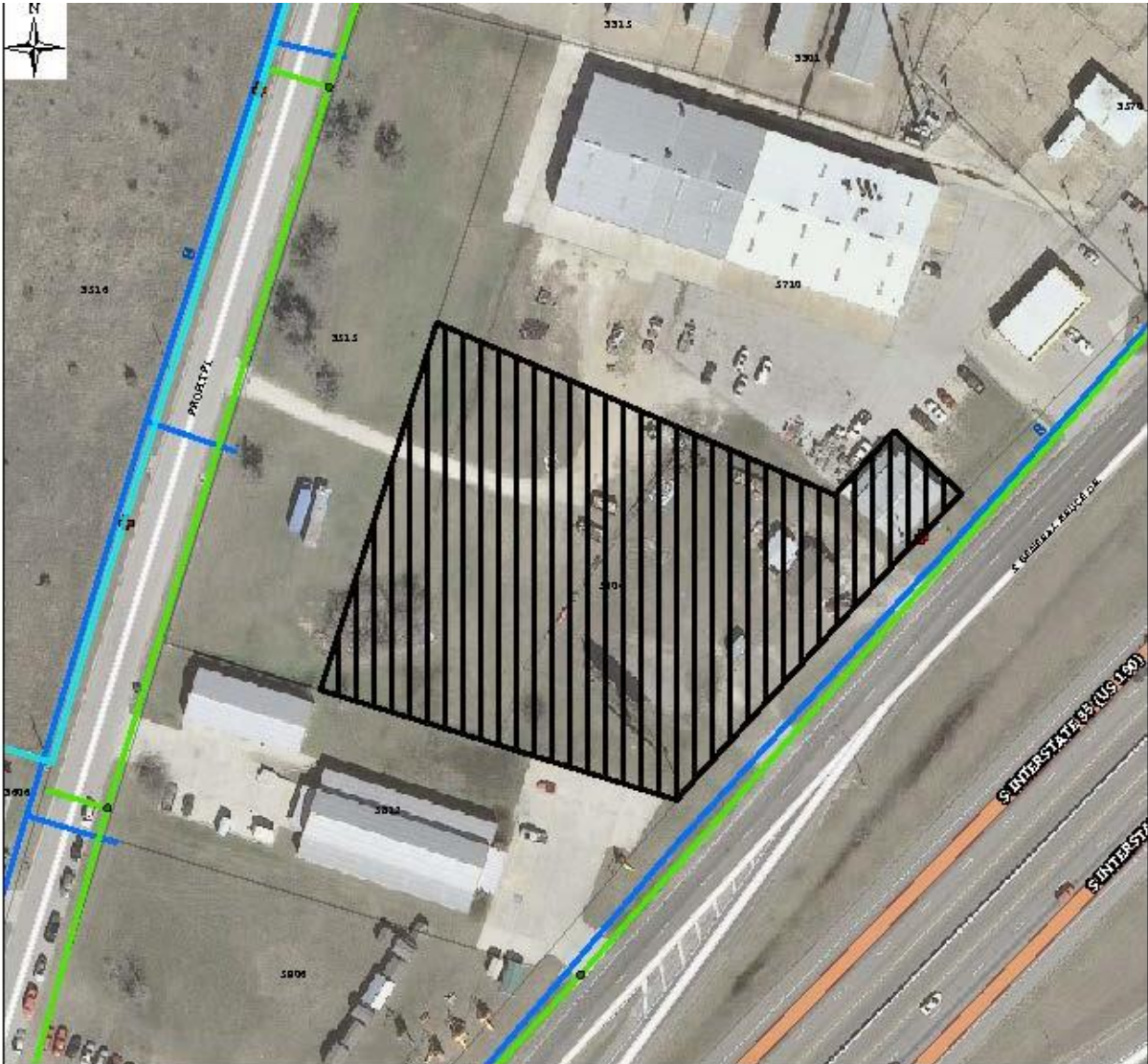
View to North

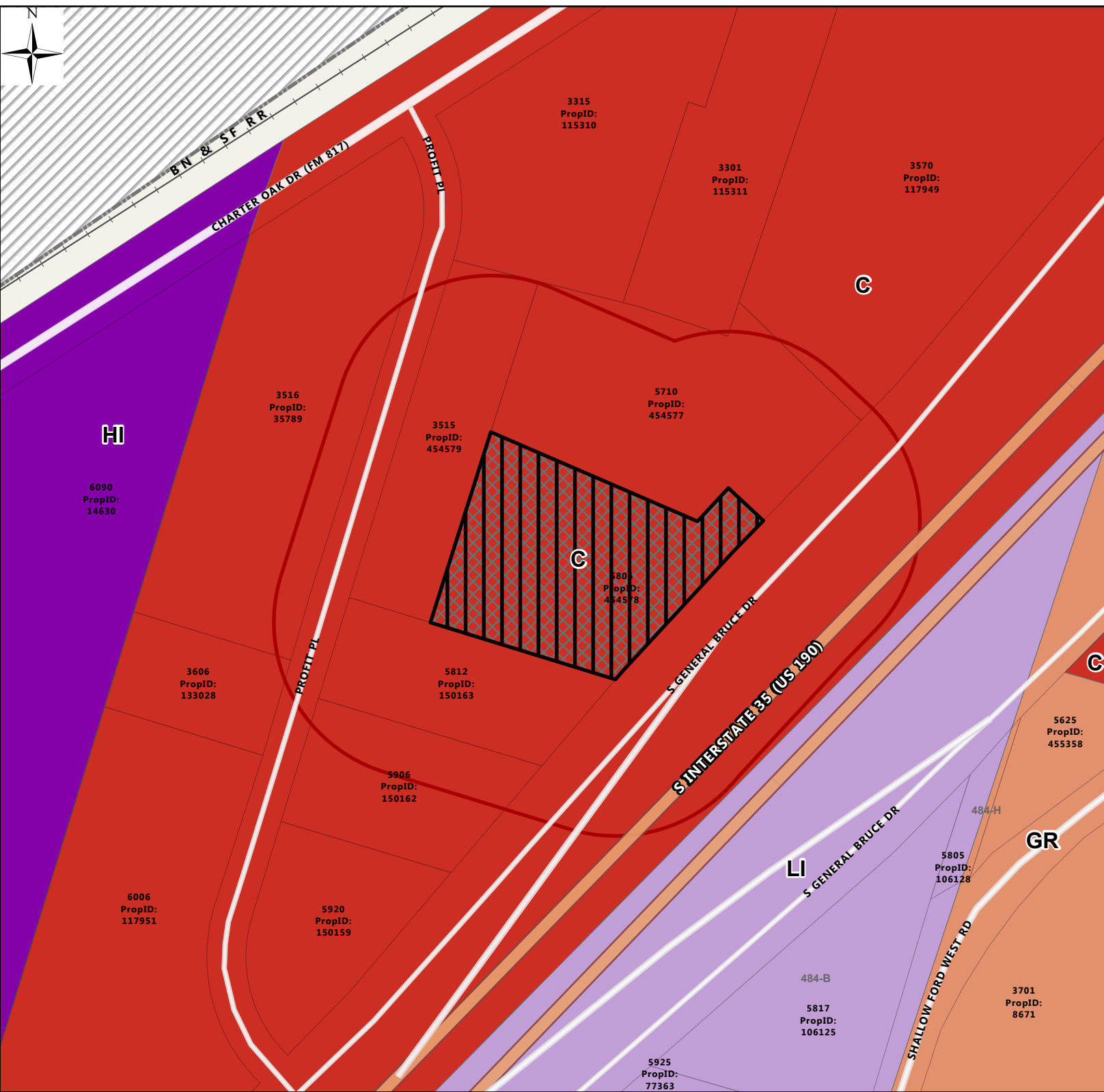


Utility Trailer Examples



Utility Map





AMEND PD-C

200' NOTIFICATION MAP

Zoning Case :
Z-FY-17-47

Address :
5806 S General Bruce

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

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

Irbarrett

Date: 9/15/2017





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

MCGREGOR, CHRIS A ETUX KAREN L
2806 WICKERSHAM DR
TEMPLE, TX 76502-3064

Zoning Application Number: Z-FY-17-47

Case Manager: Lynn Barrett

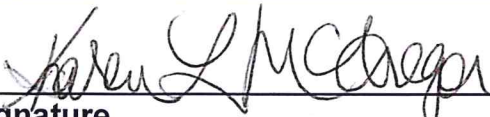
Location: 5806 South General Bruce Drive


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

I ☒ agree

() disagree with this request

Comments:


Signature


Print Name

If you would like to submit a response, please email a scanned version of this completed form to the Case Manager referenced above, lrbarratt@templetx.gov or mail or hand-deliver this comment form to the address below, no later than **October 2, 2017**.

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

RECEIVED

SEP 27 2017

City of Temple
Planning & Development

Number of Notices Mailed: 9

Date Mailed: September 21, 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**

MCGREGOR, CHRIS A ETUX KAREN L
2806 WICKERSHAM DR
TEMPLE, TX 76502-3064

Zoning Application Number: Z-FY-17-47

Case Manager: Lynn Barrett

Location: 5806 South General Bruce Drive

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

Chris McGregor

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 **October 2, 2017**.

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

RECEIVED

SEP 27 2017

City of Temple
Planning & Development

Number of Notices Mailed: 9

Date Mailed: September 21, 2017

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

ORDINANCE NO. _____
(Z-FY-17-47)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING AN AMENDMENT TO ORDINANCE NO. 2016-4812 TO ALLOW UTILITY TRAILER SALES/RENTALS ON LOT 2, BLOCK 1, TRANUM SUBDIVISION PHASE VIII, ADDRESSED AS 5806 SOUTH GENERAL BRUCE DRIVE AND ZONED I-35 RETAIL PLANNED DEVELOPMENT COMMERCIAL; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, an existing planned development for this site was approved last year for RV sales and rentals at an existing business in the overlay district - the tenant at that time, only partially complied with the required conditions before vacating the property;

Whereas, the current lessee, Mr. Muehler, would like to sell and possibly rent utility trailers at the subject property and has already installed a decorative metal fence in the front required of the current Planned Development zoning;

Whereas, the Planning and Zoning Commission of the City of Temple, Texas, after due consideration of the conditions, recommends approval of the requested amendment to Ordinance No. 2016-4812, to allow utility trailer sales/rentals on lot 2, block 1, Trnum Subdivision Phase VIII, addressed as 5806 South General Bruce Drive and currently zoned as I-35-Retail-Planned Development-Commercial; 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 amends Ordinance No. 2016-4812, to allow utility trailer sales/rentals on lot 2, block 1, Trnum Subdivision Phase VIII, addressed as 5806 South General Bruce Drive and currently zoned as I-35-Retail-Planned Development-Commercial, depicted by 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 (Exhibit A) will govern the amendment;
2. Previous PD conditions requiring inventory vehicles to be stored only on a paved surface behind the landscape and fence will be followed with no storage outside of the project area;
3. The utility trailer rentals and/or sales use will be in addition to the RV rentals/sales allowed under the current zoning PD district;

4. Drought tolerant shrubs will be planted in front of the decorative metal fence. Installation of drought tolerant red yucca, agave, fountain grass, rosemary or similar species is required prior to display of trailers on site;
5. The current sign columns will be re-rocked to a professional appearance in matching stone as per the previous PD requirement prior to occupancy, with an approved sign permit;
6. Portable buildings or HUD-Code manufactured home sales or rentals shall continue to be prohibited on this site due to its location within the I-35 Overlay;
7. 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.

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 **19th** day of **October**, 2017.

PASSED AND APPROVED on Second Reading on the **2nd** day of **November**, 2017.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Charla Thomas
Deputy City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

11/02/17
Item #8
Regular Agenda
Page 1 of 2

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 allocate funding for the design of the Corporate Hangar Phase IV infrastructure and realigning bond projects in FY 2018.

STAFF RECOMMENDATION: Conduct a public hearing and adopt ordinance as presented in item description on first reading, with second reading and final reading on November 16, 2017.

ITEM SUMMARY: The Reinvestment Zone No. 1 Project Committee met on October 18th to recommend a change to the Financing and Project Plans. The proposed amendment reallocates funding for projects as follows:

- Allocation of \$232,000 for design of the Corporate Hangar Phase IV infrastructure from RAMP grant funding of \$100,000 and bond contingency of \$132,000;
- Transfer of \$750,000 from Intersection Improvements at Central & North 4th Street to bond contingency.

The Reinvestment Zone No. 1 Board approved these amendments at its October 25, 2017 board meeting.

FISCAL IMPACT: The proposed amendment allocates funding within the FY 2018 Financing and Project Plans as shown below:

Line #	Description	FY 2018	Bond Issue
			FY 2018
403	Intersection Improvements at Central & North 4th Street	\$ -	\$ (750,000)
509	Airport RAMP Grant	\$ (100,000)	\$ -
512	Corporate Hangar Phase IV {RAMP grant funded}	\$ 100,000	\$ -
512	Corporate Hangar Phase IV {bond funded}	\$ -	\$ 132,000
612	Bond Contingency	\$ -	\$ 618,000
	Net change in projects	\$ -	\$ -

ATTACHMENTS:

[Financing Plan](#)

[Summary Financing Plan with Detailed Project Plan
Ordinance](#)

FINANCING PLAN
Page 1 of 5

Financing Plan - 10/25/17 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	14,003,000	450,000	450,000	450,000	450,000
500	TMED	6,104,095	755,000	2,488,000	-	-	-
550	Airport Park	1,796,924	692,600	-	-	-	-
610	Public Improvements	-	2,361,400	-	-	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											
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

	DESCRIPTION	2053 71	2054 72	2055 73	2056 74	2057 75	2058 76	2059 77	2060 78	2061 79	2062 80
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											
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 - 10/25/17 - 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)	1,552,056	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)	671,580	-	-	-	-	-
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		-	-	-	-	-
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	14,003,000	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	-	-	-	-
500 Total TMED	6,104,095	755,000	2,488,000	-	-	-
AIRPORT PARK:						
507 Taxiway for Airport	63,700	-	-	-	-	-
508 Corporate Hangar Phase II	263,224	-	-	-	-	-
510 Corporate Hangar Phase III	1,470,000	341,600	-	-	-	-
511 Draughon-Miller Regional Airport FBO Center & Parking Visioning	-	119,000	-	-	-	-
512 Corporate Hangar Phase IV {RAMP grant funded}		100,000	-	-	-	-
512 Corporate Hangar Phase IV {bond funded}	-	132,000	-	-	-	-
550 Total Airport Park	1,796,924	692,600	-	-	-	-
Public Improvements						
610 Public Improvements	-	-	-	-	5,500,000	7,000,000
612 Contingency {bond funded}	-	2,361,400	-	-	-	-
Total Public Improvements	-	2,361,400	-	-	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

ORDINANCE NO. 2017-4881

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 ALLOCATE FUNDING FOR THE DESIGN OF THE CORPORATE HANGAR PHASE IV INFRASTRUCTURE AND REALIGNING BOND PROJECTS IN FISCAL YEAR 2018; 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; Ordinance No. 2017-4881 on November 2, 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 **2nd** day of **November**, 2017.

PASSED AND APPROVED on Second Reading on the **16th** day of **November**, 2017.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Charla Thomas
Deputy City Attorney