



**MEETING OF THE  
TEMPLE CITY COUNCIL  
MUNICIPAL BUILDING  
2 NORTH MAIN STREET  
3<sup>rd</sup> FLOOR – CONFERENCE ROOM  
THURSDAY, DECEMBER 7, 2017  
3:30 P.M.  
AGENDA**

1. Discuss, as may be needed, Regular Meeting agenda items for the meeting posted for Thursday, December 7, 2017.
2. Receive an update regarding Parks Bond Projects.
3. Receive an update on the sale of the General Obligation Refunding Bonds, Series 2017.
4. Discussion about proposed Temple Medical and Educational District (TMED) Code Amendments and TMED South rezoning.

**5:00 P.M.**

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

**TEMPLE CITY COUNCIL  
REGULAR MEETING AGENDA**

**I. CALL TO ORDER**

1. Invocation
2. Pledge of Allegiance

**II. PUBLIC COMMENTS**

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

**III. PROCLAMATIONS & SPECIAL RECOGNITIONS**

3. Recognition of the Corporate Challenge Division winners.

**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) [November 16, 2017 Special and Regular Meeting](#)

**Contracts, Leases, & Bids**

- (B) [2017-8957-R](#): Consider adopting a resolution authorizing the purchase of portable radios for the Police, Public Works and Parks Department from Dailey Wells Communications Inc. of San Antonio, in the amount of \$455,891.
- (C) [2017-8958-R](#): Consider adopting a resolution authorizing the purchase of the WebRMS Warrants Interface with Intergraph Corporation, dba Hexagon Safety & Infrastructure of Madison, AL, in the amount of \$33,820.



- (D) [2017-8959-R](#): Consider adopting a resolution authorizing the purchase of computer hardware during FY 2018 from GovConnection, Inc., of Merrimack, NH, in the estimated annual amount of \$211,000.
- (E) [2017-8960-R](#): Consider adopting a resolution authorizing the purchase of storage area network, implementation and disaster recovery services from SPS VAR, LLC of Atlanta, GA in the amount of \$51,439.
- (F) [2017-8961-R](#): Consider adopting a resolution authorizing a contract with Grande Communications Networks LLC, of Dallas, in the amount of \$75,000 for high-speed data services to eight City Facilities.
- (G) [2017-8962-R](#): Consider adopting a resolution authorizing a construction contract with The Levy Company, Inc. of Selma, in the amount of \$386,891.26 for the construction of traffic signals at Airport Road (SH36) & Kegley Road and West Adams Avenue & Greenview Drive.
- (H) [2017-8963-R](#): Consider adopting a resolution authorizing a contract with Choice Builders, LLC, of Temple, in an amount not to exceed \$705,687.90 to construct the Conner Park drainage channel improvements.
- (I) [2017-8964-R](#): Consider adopting a resolution authorizing a demolition contract with Sierra Contracting Corporation of Round Rock in the amount of \$48,400 for the demolition of 11 residential structures funded through the Community Development Block Grant.
- (J) [2017-8965-R](#): Consider adopting a resolution authorizing change order #2 to a contract with Skyblue Utilities, Inc. of Gatesville, in an amount not to exceed \$24,393.86 for construction of the North 5<sup>th</sup> Street to Jackson Creek Utility Replacement Project.
- (K) [2017-8966-R](#): Consider adopting a resolution authorizing deductive change order #8 to the contract with TTG Utilities, LP, of Gatesville in the amount of \$173,617.34 for construction of Avenue U & the 13<sup>th</sup> Street Connector.
- (L) [2017-8967-R](#): Consider adopting a resolution authorizing change order #1 to the construction contract with S.J. Louis Construction of Texas, Ltd., of San Antonio in the amount of \$81,719.88 for the Leon River Sewer project.
- (M) [2017-8968-R](#): Consider adopting a resolution authorizing a one-year renewal to a construction contract for the street overlay program for FY2018 with Oldcastle Materials Texas, Inc. of Cedar Park, in an estimated annual amount of \$2,817,797.
- (N) [2017-8969-R](#): Consider adopting a resolution authorizing a construction contract with R.T. Schneider Construction Company, LLC of Belton, in the amount of \$806,872.75 for the construction of Martin Luther King Jr. Festival Fields.
- (O) [2017-8970-R](#): Consider adopting a resolution authorizing a construction contract with Wright Builders, of Temple, in the amount of \$2,099,564 for the construction of four buildings at Crossroads Park.
- (P) [2017-8971-R](#): Consider adopting a resolution authorizing a construction contract with Sports Field Holdings, dba Sports Field Solutions, of Dallas, in the amount of \$2,300,058.84 for the construction of the landscaping component of Crossroads Park.

- (Q) [2017-8972-R](#): Consider adopting a resolution authorizing a contract amendment to the professional services agreement with Langerman Foster Engineering Company, LLC of Waco in the amount of \$88,533 for construction material testing services at Crossroads Park.
- (R) [2017-8973-R](#): Consider adopting a resolution authorizing a contract amendment to the professional services agreement with Kasberg, Patrick & Associates, LP of Temple, in the amount of \$43,700 to provide bidding and construction phase services on the Martin Luther King Jr. Festival Field project.
- (S) [2017-8974-R](#): Consider adopting a resolution authorizing a one-year renewal to a facility user's agreement with Justice Enterprise of Belton for the operation of the Lions Park Softball Complex concession stand with a usage fee paid to the City in the amount of \$150 per month.
- (T) [2017-8975-R](#): Consider adopting a resolution authorizing a discretionary service agreement with Oncor Electric Delivery Company, LLC of Temple in the amount of \$50,912.15 for the relocation of electrical services for the Santa Fe Plaza project.
- (U) [2017-8976-R](#): Consider adopting a resolution ratifying an agreement for yearly service through AT&T Corporation, of Dallas, in the amount of \$105,000 for voice, data and internet services.
- (V) [2017-8977-R](#): Consider adopting a resolution authorizing a two-year professional services agreement with McGriff, Seibels & Williams, Inc. of Addison, in the annual amount of \$75,000 for employee benefits consulting services.
- (W) [2017-8978-R](#): Consider adopting a resolution authorizing a professional services agreement with Perkins Engineering Consultants, Inc. of Arlington, in an amount not to exceed \$165,954 for the redevelopment of Technically Based Local Limits for Doshier Farm Wastewater Treatment Facility.
- (X) [2017-8979-R](#): Consider adopting a resolution authorizing a dedicated access services agreement with Spectrum in the amount of \$51,000.
- (Y) [2017-8980-R](#): Consider adopting a resolution authorizing an agreement with MRB Group of Temple, in the amount of \$503,100 for professional services required to design and bid improvements to North Pea Ridge Road from West Adams Avenue to Prairie View Road.
- (Z) [2017-8981-R](#): Consider adopting a resolution authorizing a development agreement through the Infill Redevelopment Incentive Program with Patco Construction for fee waivers and release of liens for five properties.
- (AA) [2017-8982-R](#): Consider adopting a resolution authorizing 8 lease agreements for the lease of City-owned property for agricultural use.
- (BB) [2017-8983-R](#): Consider adopting a resolution authorizing an airport hangar lease agreement with Temple Aero Club, LLC in the amount of \$600 per month for the use of Building #24 at the Draughon-Miller Central Texas Regional Airport.

- (CC) [2017-8984-R](#): Consider adopting a resolution authorizing the renewal of the Emergency Management Performance Grant for FY2017, in the amount of \$36,713.79 which funds a portion of the administration cost for Emergency Management for the City of Temple.
- (DD) [2017-8985-R](#): Consider adopting a resolution authorizing the acceptance of grant funds in the amount of \$6,803.02 from the Bureau of Justice Assistance Bulletproof Vest Partnership Program of 2017 for the purchase of ballistic vests and replacements for the Police Department, with \$6,803.02 of required City matching funds.

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

- (EE) [2017-4882](#): SECOND READING – Z-FY-17-45: Consider adopting an ordinance authorizing a rezoning from Light Industrial to Heavy Industrial zoning district and a Conditional Use Permit to allow a chemical manufacturing plant on Lot 1, Block 1, Temple Industrial Park, Section 26 addressed as 2114 Trino Road.

### **Misc.**

- (FF) [2017-8986-R](#): Consider adopting a resolution authorizing submission of a Sanitary Sewer Overflow Outreach Program to the Texas Commission on Environmental Quality.
- (GG) [2017-8987-R](#): Consider adopting a resolution authorizing payment of the TCEQ Water System Fee to the Texas Commission on Environmental Quality for operations of Temple's water treatment plant in the amount of \$83,349.
- (HH) [2017-8988-R](#): Consider adopting a resolution authorizing the acceptance of grant funding through the Anice Read Fund of Communities Foundation of Texas in the amount of \$4,200 for the Downtown Art Train project.
- (II) [2017-8989-R](#): Consider adopting a resolution granting two easements to Oncor Electric Delivery Company, LLC for Electric Utilities necessary for the construction of Crossroads Park.
- (JJ) [2017-8990-R](#): A-FY-18-03: Consider adopting a resolution authorizing release of a 15-foot wide public utility easement encompassing a 0.222 +/- acre tract of land within the 32.02 +/- acre tract described in a Warranty Deed to RTC Construction, Ltd., recorded as Document No. 2013-00028522, located generally at 2566 Old Waco Road.
- (KK) [2017-8991-R](#): Consider adopting a resolution authorizing the rejection of the bid received for the LoanSTAR Facility Lighting Replacement project on November 21, 2017.
- (LL) [2017-8992-R](#): Consider adopting a resolution authorizing the rejection of the bid received for the LoanSTAR Facility HVAC Replacement project on November 21, 2017.
- (MM) [2017-8993-R](#): Consider adopting a resolution approving the annual report of the Tax Increment Financing Reinvestment Zone No. 1 for fiscal year 2016-2017.
- (NN) [2017-8994-R](#): Consider adopting a resolution authorizing budget amendments for fiscal year 2017-2018.

## **V. REGULAR AGENDA**

### **RESOLUTIONS**

5. **2017-8995-R:** P-FY-17-64 & A-FY-17-13: Consider adopting resolutions:
  - (a) Approving the Final Plat of Santa Fe Plaza West, Phase II, a 0.701 +/- acre, 1 lot, 1 block, non-residential subdivision, being a replat of the Santa Fe Plaza West subdivision, situated between West Avenue A, West Avenue B, South 9th Street & South 7th Street, Temple, Texas;
  - (b) Authorizing abandonment of portions of a service alleyway originally dedicated within the Original Town of Temple subdivision plat; and
  - (c) Authorizing abandonment of portions of public rights-of way dedicated as West Avenue A and West Avenue B, within the Original Town of Temple subdivision plat.
6. **2017-8996-R:** Consider adopting a resolution authorizing a Chapter 380 Development Agreement with Caelum Altus IV, LLC in an amount not to exceed \$115,000 for improvements to property located at 17 East Central Avenue within the Downtown Strategic Investment Zone corridor.

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

7. **2017-4883:** Consider adopting an ordinance amending ordinance 2017-4842 to authorize City Manager approval of a number of economic development incentives for neighborhood revitalization in the East Temple area.
8. **2017-4884:** FIRST READING – PUBLIC HEARING: Consider adopting an ordinance to include a Special Operations Team certification pay for qualified Firefighters in the Fire Department.
9. **2017-4885:** 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 appropriate additional funding for TMED South 1<sup>st</sup> Street in FY 2018.
10. **2017-4886:** FIRST READING – PUBLIC HEARING: Consider adopting an ordinance designating a tract of land consisting of approximately 21.193 acres and located at 2114 Trino Road in Temple, as City of Temple Tax Abatement Reinvestment Zone Number 36 for commercial/industrial tax abatement.

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

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I hereby certify that a true and correct copy of this Notice of Meeting was posted in a public place at 4:30 pm, on Friday, December 1, 2017.



City Secretary, TRMC

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

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

\_\_\_\_\_ Title \_\_\_\_\_



## COUNCIL AGENDA ITEM MEMORANDUM

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12/07/17  
Item #4(A)  
Consent Agenda  
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**DEPT./DIVISION SUBMISSION & REVIEW:**

Lacy Borgeson, City Secretary

**ITEM DESCRIPTION:** Approve Minutes:

(A) November 16, 2017 Special and Regular Meetings

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

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

**FISCAL IMPACT:** N/A

**ATTACHMENTS:**

[November 16, 2017 Special and Regular Meetings  
Video](#)

## TEMPLE CITY COUNCIL

**NOVEMBER 16, 2017**

The City of Temple Employee Benefits Trust, conducted a Meeting on Thursday, November 16, 2017 at 4:00 PM, at the Municipal Building, 2 North Main Street, in the 3rd Floor Conference Room.

### **PRESENT:**

Ms. Susan Long  
Mr. Timothy Davis  
Mr. Michael Pilkington  
Ms. Judy Morales  
Mr. Daniel A. Dunn

- 1. Conduct a meeting of the City of Temple Employee Benefits Trust to adopt a resolution:**

**(A) 2017-8940-R: Consider adopting a resolution authorizing a one year renewal term to the City's agreement with Scott and White Health Plan for the provision of substitute Medicare supplement insurance for over age 65 City of Temple retirees and establishing the rates for this type of insurance.**

Sandra Esqueda, Human Resources Director provided a presentation to Council.

She stated that previously the Trustees of the City of Temple Employee Benefits Trust authorized an agreement with Scott and White Health Plan for the provision of substitute Medicare supplement insurance for over age 65 City of Temple retirees. City policy requires that when retirees turn 65 ,if they are eligible, they must enroll in the substitute Medicare supplement plan(s) offered through the City in order to receive the City's contribution. These rates are unavailable until the late Fall of each year, so at this time the Trust is beings asked to authorize a one year renewal to the agreement with SWHP and to adopt substitute Medicare supplement rates for retirees for 2018. The rates for substitute Medicare supplement insurance run from January 1<sup>st</sup> through December 31<sup>st</sup> of each year.

The Personnel Policies and Procedures Manual states that the City will pay an amount established during the budget process for substitute Medicare Supplement insurance for Medicare eligible retirees who have at least 25 years of continuous service with the City of Temple. On November 3, 2016, the City received proposals for Group Medicare Supplement and Prescription Drug Benefits. The

Request for Proposals indicated that the contract would be for a one year term with the option for four one-year renewals. SWHP was the only respondent to the Request For Proposal in 2016.

SWHP offers Senior Care as its substitute Medicare supplement. SeniorCare offers 11 Medicare supplement plans to over age 65 retirees through the City. SeniorCare will also continue to offer a dental plan through Delta. The additional dental plan cost will be paid by the retiree only. In FY2010-2011, the City Policy regarding contributions was amended to state that the City will pay an amount toward retiree insurance to be determined each fiscal year. The FY2018 budget included funding in the amount of \$102 to contribute towards the cost of substitute Medicare Supplemental insurance. She stated that staff is recommending to Council that it authorize a contribution of 50% toward all plans up to a maximum contribution of \$102.

Motion by Mr. Timothy Davis to adopt resolution as presented, seconded by Mrs. Judy Morales.

The City Council of the City of Temple, Texas conducted a Special Meeting on Thursday, November 2, 2017 at 4:00 PM, at the Municipal Building, 2 North Main Street, in the 3rd Floor Conference Room.

**PRESENT:**

Councilmember Susan Long  
Mayor Pro Tem Timothy Davis  
Councilmember Michael Pilkington  
Councilmember Judy Morales  
Mayor Daniel A. Dunn

1. **Discuss, as may be needed, Regular Meeting agenda items for the meeting posted for Thursday, November 16, 2017.**
2. **Discuss appointments to the Neighborhood Revitalization Coordinating Committee.**

Council reviewed and discussed the possible appointments.

3. **Discuss FY17 Fourth Quarter Financial results for the fiscal year ended September 30, 2017.**

Ms. Barnard, Director of Finance provided a brief presentation to the Council, to include hotel/motel tax funds and expenditures, water/wastewater revenue bonds, general fund revenues and expenditures.

4. **Discuss possible regulations to assist with the City's efforts to create safe neighborhoods.**



Brynn Myers, Acting City Manager and Kayla Landeros, City Attorney provided a brief presentation to the Council. At this time Staff recommends working with community partners, verses establishing more regulations to address this concern.

The City Council of the City of Temple, Texas conducted a Regular Meeting on Thursday, November 16, 2017 at 5:00 PM in the Council Chambers, Municipal Building, 2nd Floor, 2 North Main Street.

**Present:**

Councilmember Susan Long  
Mayor Pro Tem Timothy Davis  
Councilmember Mike Pilkington  
Councilmember Judy Morales  
Mayor Daniel A. Dunn

**I. CALL TO ORDER**

**1. Invocation**

Pastor Billy Koinm, Heights Baptist Church voiced the Invocation.

**2. Pledge of Allegiance**

Gloria Elder lead the Pledge of Allegiance.

**II. PUBLIC COMMENTS**

Bill Hertzog, Director of Safety for PFG located at 4141 Lucius McCelvey Drive. He addressed the Council with regards to the negative impact this proposed development (item 5 on the Regular Agenda) could have on the PFG manufacturing.

**III. CONSENT AGENDA**

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

**(A) November 2, 2017 Special and Regular Meeting**

**(B) 2017-8941-R: Consider adopting a resolution authorizing the purchase of an easement necessary for the construction of the Little Elm Wastewater project, cost of a sewer tap, and authorizing closing costs associated with the purchase, in an estimated amount of \$20,000.**

**(C) 2017-8942-R: Consider adopting a resolution authorizing a four year conditional sale agreement for 65 electric golf cars, one gas beverage car, and one gas utility car in the annual payment amount of \$55,218 with Yamaha Motor Corporation of Cypress, CA.**

**(D) 2017-8943-R: Consider adopting a resolution authorizing a Service Pole Collocation Attachment License Agreement between the City of Temple and Mobilitie, LLC.**

**(E) 2017-8944-R: Consider adopting a resolution authorizing an agreement with the Texas Lobby Group for legislative lobbying services through September 30, 2018.**

**(F) 2017-8945-R: Consider adopting a resolution authorizing an amendment to the professional services agreement with Kasberg, Patrick & Associates, LP, in the amount of \$7,938.40 for engineering services required for the West Temple Water Distribution System Investigation.**

**(G) 2017-8946-R: Consider adopting a resolution authorizing Contract Amendment #1 to a professional services agreement with Kasberg, Patrick and Associates, LP, for a lump sum total of \$38,876 for construction administration and on-site representation required to construct the Water Treatment Plant Chlorine Storage Safety Improvements project.**

**(H) 2017-8947-R: Consider adopting a resolution authorizing a one year lease extension to Kachemak Bay Flying Service, a wholly owned subsidiary of System Studies and Simulation, Inc., to continue to provide rotary and fixed wing flight services; aircraft maintenance and storage; and other related aviation services through January 31, 2019 at the Draughon-Miller Central Texas Regional Airport.**

**(I) 2017-8948-R: Consider adopting a resolution authorizing the following agreements for procurement of natural gas for the compressed natural gas fueling station:**

- 1. A renewal to the memorandum of agreement with Choice! Energy Services of Houston for consulting services related to the procurement of natural gas and ongoing energy consulting services at a cost of \$.125 per MMBtu; and**
- 2. Execution of an agreement with Constellation for the supply of natural gas from December 2017 through November 2018 for the City's CNG fueling station at a**

rate of the monthly WAHA:FERC published rate minus 8.14¢ per MMBtu.

**(J) 2017-4881: SECOND READING: 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.**

**(K) 2017-8949-R: Consider adopting a resolution authorizing a professional services agreement with Kasberg, Patrick & Associates, LP, in the amount of \$231,600 for the Corporate Hangar Phase IV Project at the Draughon-Miller Central Texas Regional Airport, as well as, declare an official intent to reimburse the expenditures with the issuance of the 2018 Tax Increment Financing Reinvestment Zone Bonds.**

**(L) 2017-8950-R: Consider adopting a resolution establishing rates for substitute Medicare supplement insurance for over age 65 City of Temple retirees and authorizing the City's contribution for calendar year 2018.**

**(M) 2017-8951-R: Consider authorizing payment of the Consolidated Water Quality Assessment Fee to the Texas Commission on Environmental Quality for operations of Temple's wastewater treatment plants, in the cumulative amount of \$104,988.54.**

**(N) 2017-8952-R: Consider adopting a resolution authorizing the carry forward of FY 2016-2017 funds to the FY 2017-2018 budget.**

**(O) 2017-8953-R: Consider adopting a resolution approving fourth quarter financial results for the fiscal year ended September 30, 2017.**

**(P) 2017-8954-R: Consider adopting a resolution authorizing budget amendments for fiscal year 2017-2018.**

Motion by Councilmember Judy Morales to approve the Consent Agenda as presented, with the exception of item 3(I), seconded by Councilmember Susan Long.

Motion passed unanimously.

**(I) 2017-8948-R: Consider adopting a resolution authorizing the following agreements for procurement of natural gas for the compressed natural gas fueling station:**

- 1. A renewal to the memorandum of agreement with Choice! Energy Services of Houston for consulting services related to the procurement of natural gas and ongoing energy consulting services at a cost of \$.125 per MMBtu; and**
- 2. Execution of an agreement with Constellation for the supply of natural gas from December 2017 through November 2018 for the City's CNG fueling station at a rate of the monthly WAHA:FERC published rate minus 8.14¢ per MMBtu.**

Belinda Mattke, Director of purchasing, addressed the council and asked to make a correction to the item description on agenda item 3(1) #2. She asked that "through November 2018" be changed to "through October 2018" and also asked that the "WAHA:FERC" index be corrected to state "NYMEX" index, with everything else on this item staying the same. She stated that this is for natural gas procurement for the CNG fueling station, which the city has several solid waste trucks that use CNG.

Motion by Councilmember Susan Long adopt resolution as presented with the recommended changes, seconded by Councilmember Mike Pilkington.

Motion passed unanimously.

## **V. REGULAR AGENDA**

### **RESOLUTIONS**

- 4. 2017-8955-R: Consider adopting a resolution pursuant to Chapter 2206, Government Code § 2206.053 finding that a property situated in the Baldwin Robertson Survey, Abstract 17, located along Prairie View Road in Temple, Texas, necessary for the construction of the proposed expansion and realignment of Prairie View Road and authorizing the use of eminent domain to condemn the property.**

Christina Demirs, Deputy City Attorney presented this item to the Council.

Ms. Demirs stated that the City is currently in the design phase for the proposed Prairie View Road expansion and re-alignment. The design requires fee simple title or an easement to all or a portion of 17 properties for the construction of the street improvements and their necessary appurtenances, under Chapter 251, Local Government Code § 251.001. The City has acquired 15 of the properties and easement. Council authorized the use of eminent domain for one property at its December 15, 2016. That lawsuit is ongoing and the owner has signed a possession and use agreement with the City to allow

construction to proceed. However, the design still requires the acquisition of fee simple title to a portion of one property, legally described as being 0.195-acre, situated in the BALDWIN ROBERTSON SURVEY, ABSTRACT 17, Bell County, Texas, being a portion of a called 0.56-acre tract of land conveyed to Bradley Brantley and Kristi Brantley in Document No. 2007-00032679, Official Public Records of Real Property, Bell County, Texas.

An appraisal was performed on the property and the City made an offer to purchase, based on the appraisal, to the owners of record on April 20, 2016 via H.W. Lochner, Inc., the right-of-way acquisition company assisting the City with this project. After negotiations were unsuccessful, a final offer letter was sent to the owners of record on December 16, 2016. After the final offer letter was sent, an agreement was reached with the owners and the owners have signed a possession and use agreement. However, despite repeated attempts by the owners and Lochner to seek cooperation, the lienholder on the property has refused to sign a partial release. Therefore, the City cannot complete closing on the property. In the event the lienholder continues to be uncooperative, Staff is asking Council to authorize the use of eminent domain to acquire the property.

Motion by Councilmember Susan Long move that the City of Temple approve Resolution No. 2017-8955-R and authorize the use of the power of eminent domain to acquire fee simple title to a portion of a property located along Prairie View Road in Temple, Texas, and more particularly described as approximately 0.195-acre, situated in the BALDWIN ROBERTSON SURVEY, ABSTRACT 17, Bell County, Texas, being a portion of a called 0.56-acre tract of land conveyed to Bradley Brantley and Kristi Brantley in Document No. 2007-00032679, Official Public Records of Real Property, Bell County, Texas for the construction, expansion, and realignment of Prairie View Road, Phase 2, seconded by Councilmember Mike Pilkington.

Motion passed unanimously.

## ORDINANCES

5. **2017-4882: FIRST READING – PUBLIC HEARING - Z-FY-17-45: Consider adopting an ordinance authorizing a rezoning from Light Industrial to Heavy Industrial zoning district and a Conditional Use Permit to allow a chemical manufacturing plant on Lot 1, Block 1, Temple Industrial Park, Section 26 addressed as 2114 Trino Road.**

Lynn Barrett, Assistant Planning Director presented this case to the Council.

She stated that this case was previously tabled by Planning and Zoning twice, on September 18<sup>th</sup> and October 2<sup>nd</sup>. Palladio has submitted a response letter to a number of concerns previously expressed and an additional response was received on November 1<sup>st</sup>.

The applicant, Temple Economic Development Corporation, owner of the 21+ acre property at 2114 Trino Road, is requesting a Conditional Use Permit to allow a chemical manufacturing plant within the Temple Industrial Park at the request of their client, Palladio, Corporation. The property is currently zoned Light Industrial which does not allow a chemical manufacturing plant. Heavy Industrial zoning allows that use with a Conditional Use Permit.

The applicant's client is proposing to manufacture chemicals, polyacrylamides, which have end uses in water treatment and the petroleum industries. Hazardous chemicals proposed to be utilized include Acrylonitrile and Glacial Acrylic Acid. The applicant has provided Material Safety Data Sheets for these chemicals. A site plan has been submitted with proposed plant buildings, warehouse and offices, flammable and not flammable tank farms and a spill containment pond.

There are complex protocols and best practices within the industry relating to the site design for chemical facilities. Ms. Barrett stated that it is staff's recommendation that some incorporation of industry standards be documented as part of the site design process, in view of Palladio's not having any other facilities or operational standards available for review for safety and environmental compliance. A condition was added that requires verifiable industry standards to be utilized in the design/operational standards of the plant and these to be referenced in the design documents. Additionally, the city's HazMat Coordinator is requesting a foam fire suppression system be included and that the spill containment pond be constructed, labeled as "optional" on the site plan.

In order to build and operate the chemical plant, permit applications will be required and reviewed by the Texas Commission on Environmental Quality which has federal Environmental Protection Act oversight, and the Occupational Safety and Health Administration.

The applicant has provided a proposed site plan for the property

as well as a Polyacrylamide Emulsion Handbook that outlines the processes generally. Although no specific standards have been identified in the UDC related to this use, Section 7.1 Performance standards will generally apply. Further, staff has researched siting guidelines for chemical manufacturing plants and discovered that a number of state and federal agencies oversee environmental and safety requirements.

Currently UDC Sec. 7.8.4 exempts buildings located in the Light Industrial or Heavy Industrial zoning districts from the UDC's exterior building materials standards and buffering oversight, if the buildings are more than 500 linear feet away from residentially zoned property (measured starting from the closest edge of the residentially zoned property to the nearest part of nonresidential structure) and are not located in a Strategic Corridor as designated in subsection D of the aforementioned section of code. The subject property is more than 500 feet from the closest residential property and does not front on any of the Strategic Corridor Streets including HK Dodgen Loop or General Bruce Drive.

As indicated earlier, compliance will be checked with the review of the required building permits. Staff has reviewed the Conditional Use Permit and the site plan which were considered by the Development Review Committee during their September 7th, 2017 meeting. No issues were identified during the meeting, pending state oversight and review of final site plans by city fire, building and engineering staff which will occur prior to any building permit issuance. The site plan will be included in the Ordinance, if the Conditional Use Permit is approved by City Council. Lastly, Ms. Barrett stated that the proposed Conditional Use Permit has demonstrated compliance to the Conditional Use Permit Review Criteria as set forth in UDC Section 3.5.4 (A-G).

Four notices of the public hearing were sent out to property owners within 200-feet of the subject property as required by State law and City Ordinance. As of Monday September 17, 2017 at 12:00 pm, no notices have been received in favor or in opposition.

Councilmember Susan Long asked Ms. Barrett about the distance between the railroad and the flammable tank at the site, and if the nonflammable and flammable tanks could be reversed, so the flammable tank would be further from the railroad.

Ms. Barrett stated that Mr. Blackburn or a representative for the

company was present and could address her concerns and questions.

Mayor Dunn declared the public hearing open with regards to agenda item 5, and asked if anyone wished to speak on the matter.

David Blackburn, CEO/President of TEDC, 1 South 1st Street, addressed the Council and stated that a representative from the engineering firm was present and could address Councilmember Long's questions. However, he stated to council that TEDC is in a contract with Palladio, with a TEDC agreement for the construction of a nonhazardous chemical manufacturing plant and that hazardous chemicals may be use in the production of the nonhazardous chemicals, the end products are nonhazardous chemicals. Mr. Blackburn stated that the agreements for the construction of this plant are conditioned on the zoning of this property and when working with Palladio's, they believed this was an appropriate sight for the plant. Palladio's will have to follow federal, state, and local regulations in order to begin production, and all have been met. Mr. Blackburn expects them to continue to be met in the future.

Councilmember Susan Long stated that her question was addressed by TCEQ in the approval for the site plan.

Steve Broad, Regional President for the Performance Food Group, 4141 Lucius McCelvey Drive, addressed the Council with his concerns about rezoning from a Light Industrial to a Heavy Industrial zoning district, and how it can affect their business. He stated that fresh food is a huge part of Performance Food Group and if their competition or their largest customer, that serves over 2,000 locations in Texas, learned that their facility was located next to a chemical plant, it could be detrimental to their business. He stated that they are opposed to the rezoning of Light Industrial to Heavy Industrial because it is incompatible to their business, and will have a negative impact to the property value.

Bill Hertzog, Director of Safety for PFG, located at 4141 Lucius McCelvey Drive, addressed the Council with regards to the negative impact the proposed development could have on the PFG Manufacturing.

Bruce Lindheart, Director of Fleet and Facility, Performance Food Group, 4141 Lucius McCelvey Drive, addressed the Council concerning safety issues with regards to the types of chemicals that will be at the plant and how they may affect PFG items. He also stated that he would like the names of the



facilities that Palladio's operates in the United States.

David Blackburn stated that Palladio had no other facilities in North America, however the owners have owned and operated two plants, one in Mississippi and one in North Carolina. He also stated that this information was provided to Council in their packets.

Steve Broad, readdressed the Council concerning procedural issues with this item, stating that four notices were sent out regarding this agenda item but that it is hard to determine if the other business owners even received their notices. He also stated his concerns regarding the evacuation area for 14 businesses but only four being notified of this change.

Mayor Dunn asked if anyone else wished to speak on the matter. There being no further comments, Mayor Dunn declared the public hearing closed.

Mayor Dunn addressed Mr. Broad's concerns and stated that the City is required by law to send out notices within a certain radius and those individuals had the same opportunity to comment on this item. He also stated that other businesses and PFG are very important to the City and the City appreciate their history with the city. He also stated that in an Industrial Park, there is a risk of hazardous material, and he appreciates the concerns, but as a community we appreciate our industrial park and businesses in that area.

Councilmember Davis asked what emissions would come from the Palladio plant and if any would be dangerous.

David Kirby, 116 Hidden Hill Road, Spartanburg, South Carolina, 29301 addressed Councilmember Davis's question stating that the facility has an air permit from TCEQ and that there are no uncontrolled emissions at the facility. He also stated that all the emissions would be controlled.

Councilmember Long asked Mr. Kirby about the flammable or nonflammable tanks, in regards to the flammable tank being closest to the railroad, and if anyone viewed this as an issue. Mr. Kirby responded by saying that it is not an issue with its location.

Motion by Councilmember Mike Pilkington to adopt ordinance as presented on first reading, with second and final reading set for December 7, 2017; seconded by Mayor Pro Tem Timothy Davis.

Motion passed unanimously.

## **BOARD APPOINTMENTS**

- 6. 2017-8956-R: Consider adopting a resolution creating the Neighborhood Revitalization Coordinating Committee and appointing its members.**

Mayor Dunn and Council discussed potential appointments:

Patrick Guillen  
Paulino Castillo  
Pastor Robert Beamon  
Manuel Alaniz  
Pastor Brandon Baker  
DJ Fuller  
Susan Luck  
Vince Mundy  
Stephen King

Motion by Mayor Pro Tem Timothy Davis to adopt resolution with recommendations. seconded by Councilmember Susan Long.

Motion passed unanimously.

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Daniel A. Dunn, Mayor

ATTEST:

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Lacy Borgeson  
City Secretary



## COUNCIL AGENDA ITEM MEMORANDUM

---

12/07/17  
Item #4(B)  
Consent Agenda  
Page 1 of 2

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

Alan DeLoera, Information Technology Director

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing the purchase of portable radios for the Police, Public Works and Parks Department from Dailey Wells Communications Inc. of San Antonio, in the amount of \$455,891.

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

**ITEM SUMMARY:** Bell County Communications has made the transition this year from the traditional analog radio system to a wholly digital radio system based on P25 interoperability standards. P25 is a suite of standards for digital radio communications for use by federal, state and local public safety agencies. Bell County Communications still supports the analog radio system but this support will stop in 2020 for member agencies.

The City Police, Fire and Public Works Departments use approximately 260 portable radios. On October 19, 2017, Council authorized the purchase of 80 Motorola P25-compliant radios for the Fire Department. Staff is proposing the purchase of 182 additional radios for the Police and Public Works from Daily Wells Communications as follows:

Police Dept – 152 Harris Portable XL-200P with accessories @ \$2,737.61 each	\$416,117
Public Works – 30 Harris Portable XG-25P with accessories @ \$1,325.80 each	39,774
<b>TOTAL</b>	<b><u>\$455,891</u></b>

Dailey Wells Communications has been awarded Contract #RA05-15 through the Houston-Galveston Area Council Cooperative (HGAC). Contracts awarded through HGAC have been competitively procured and meet the statutory procurement requirements for Texas municipalities. Staff is recommending the use of this HGAC contract for the proposed purchase of the 182 radios.

**FISCAL IMPACT:** The purchase of the 182 P25 radios for the Police and Public Works Departments are being funded with the issuance of the 2017 Certificate of Obligation Bonds sold in October 2017. Funding is appropriated for the purchase of the radios in the amount of \$455,891, project 101671, as shown below:

	<u>365-2000-521-6803</u>	<u>365-5000-535-6803</u>	<u>Total</u>
Project Budget	\$ 600,000	\$ 125,000	\$ 725,000
Encumbered/Committed to Date	-	-	-
<b>Daily Wells Communications, Inc.</b>	<b>(416,117)</b>	<b>(39,774)</b>	<b>(455,891)</b>
Remaining Project Funds	<u>\$ 183,883</u>	<u>\$ 85,226</u>	<u>\$ 269,109</u>

**ATTACHMENTS:**

[Resolution](#)

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE PURCHASE OF PORTABLE RADIOS IN THE AMOUNT OF \$455,891, FROM DAILEYWELLS COMMUNICATIONS, INC. OF SAN ANTONIO, TEXAS FOR THE POLICE, AND PUBLIC WORKS DEPARTMENTS; AND PROVIDING AN OPEN MEETINGS CLAUSE.

---

**Whereas**, the Bell County Communications recently made the transition from the traditional analog radio system to a wholly digital radio system based on P25 interoperability standards, which is a suite of standards for digital radio communications for use by Federal, State and local public safety agencies;

**Whereas**, Bell County Communications still supports the analog radio system but this support will stop in 2020 for member agencies;

**Whereas**, the Police, Fire, and Public Works Departments use approximately 260 portable radios combined;

**Whereas**, on October 19, 2017, Council authorized the purchase of 80 Motorola P25-compliant radios for the Fire Department and Staff recommends Council authorize the purchase of 182 additional radios for the Police and Public Works Departments from Daily Wells Communications in the amount of \$482,407, as follows:

- Police: 152 Harris Portable XL-200P with accessories;
- Public Works: 30 Harris Portable XG-25P with accessories;

**Whereas**, Dailey Wells Communications has been awarded Contract No. #RA05-15 through the Houston-Galveston Area Council Cooperative (HGAC) - contracts awarded through HGAC have been competitively procured and meet the statutory procurement requirements for Texas municipalities and Staff recommends the use of this HGAC contract for the purchase of the 182 radios;

**Whereas**, the purchase of the 182 P25 Radios for the Police and Public Works Departments are being funded with the issuance of the 2017 Certificate of Obligation Bonds sold in October, 2017;

**Whereas**, funding is appropriated for the purchase of the radios in the following accounts, Project No. 101671:

Account No. 365-2000-521-6803;  
Account No. 365-5000-535-6803; 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 182 portable radios in the amount of \$482,407, from Dailey Wells Communications, Inc. of San Antonio, Texas, for the Police and Public Works Departments.

**Part 3:** The City Council authorizes the Interim City Manager, or her designee, after approval as to form by the City Attorney, to execute any documents necessary to complete 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 7<sup>th</sup> day of **December**, 2017.

THE CITY OF TEMPLE, TEXAS

\_\_\_\_\_  
DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Lacy Borgeson  
City Secretary

\_\_\_\_\_  
Kayla Landeros  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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12/07/17  
Item #4(C)  
Consent Agenda  
Page 1 of 1

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

Alan DeLoera, Information Technology Director

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing the purchase of the WebRMS Warrants Interface with Intergraph Corporation, dba Hexagon Safety & Infrastructure of Madison, AL, in the amount of \$33,820.

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

**ITEM SUMMARY:** The Police and Fire Departments currently use Records Management Software (I-Leads RMS) from Intergraph Public Safety in helping the City to conduct management of Public Safety records and analysis. This software has been in use by the City since 1999 when we became part of Bell County Communications. The Police Department went live with the new WebRMS product in May of 2017 and now in the stage where we will need to interface our Warrant System in Courts to the WebRMS product. Intergraph Public Safety is the owner and sole provider of software for the Intergraph WebRMS Software.

Intergraph is a proprietary software, and as such, only Intergraph, dba Hexagon Safety & Infrastructure, can provide maintenance and support services for their products. Accordingly, and as allowed by LGC §252.022, this procurement is exempt from the competitive procurement rules.

**FISCAL IMPACT:** A budget adjustment is being presented to Council for approval appropriating Court Technology Fees for the purchase of the WebRMS Warrants Interface. Funding will be available in account 110-1800-525-6221, project 101810, in the amount of \$33,820 for the purchase of the WebRMS Warrants Interface.

### **ATTACHMENTS:**

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

**FIRST AMENDMENT TO THE MASTER SERVICES AGREEMENT  
BETWEEN THE CITY OF TEMPLE, TEXAS AND INTERGRAPH CORPORATION**

This amendment ("Amendment") modifies that certain Master Services Agreement between City of Temple, Texas ("City") and Intergraph Corporation ("Intergraph" or "Hexagon") (the "Master Agreement") and is effective as of October 1, 2017 ("Effective Date").

WHEREAS, Intergraph and the City previously executed the Master Agreement;

WHEREAS, the term for the Master Agreement is through September 30, 2017 (the "Term");

WHEREAS, the parties amended the Master Agreement to incorporate Maintenance Services;

WHEREAS, the parties desire to extend the term of the Master Agreement and address additional modifications thereto;

NOW THEREFORE, in consideration of the premises hereof, and the mutual obligations in the Master Agreement as amended herein, the City and Intergraph agree to the following:

1. Since formation of the Master Agreement, Intergraph has started doing business under its trade name, Hexagon Safety & Infrastructure. Accordingly, all references to Intergraph Corporation shall be read as Intergraph Corporation doing business as Hexagon Safety & Infrastructure. Similarly, all references to Intergraph shall also be considered as references to "Hexagon," and vice versa.
2. Section 5.1 is deleted and replaced with the following:

The Term of this Agreement shall begin on the Effective Date and remain in effect until September 30, 2022 or until the Agreement is earlier terminated pursuant to a section below.

3. The following is added to the end of section 5 of Exhibit C (End User License Agreement):

In addition to the foregoing provisions related to general auditing, Hexagon shall have a right to obtain certain documentation from you, as follows. If the Software Product includes logging mechanisms intended to track usage volume or quantity, you shall not intentionally interfere with such mechanisms, and you shall transmit log files associated therewith to Hexagon upon Hexagon's demand and in accordance with Hexagon's



reasonable transmission instructions. Hexagon shall not demand the transmission of usage tracking log files more frequently than four (4) times in any calendar year. If log files establish an underpayment of fees to Hexagon, such underpayment will be addressed on the same basis as an underpayment discovered as a result of a general audit.

4. The "Crimea Region of Ukraine" is added to the list of countries identified in section 10.2.1 of Exhibit C (End User License Agreement) and "Sudan" is deleted in the same section.
5. The City and Hexagon each ratify and confirm the terms, conditions, obligations and undertakings set forth in the Master Agreement, and except as modified hereby, all other terms and conditions of the Master Agreement, including the specifically incorporated elements of the Contract, shall remain in full force and legal effect.

In Witness Whereof, the Parties have entered into the Agreement as of the date stated herein:

**CITY OF TEMPLE, TEXAS**

**INTERGRAPH CORPORATION d/b/a  
Hexagon Safety & Infrastructure**

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

BY: Debra T. Huser

**Debra T. Huser**

Title: Americas Finance Director

DATE: 11.27.17

FY 2017

## BUDGET ADJUSTMENT FORM

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

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

+

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[illegible]

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

To allocate funding for the purchase of a Warrant Interface between WebRMS and Municipal Court

DOES THIS REQUEST REQUIRE COUNCIL APPROVAL?

**X**

Yes

1

No

DATE OF COUNCIL MEETING

12/7/2017

WITH AGENDA ITEM?

☐ Yes

1

No

Alan DeLoera

11/27/2017

Date \_\_\_\_\_

--	--

Approved

--	--

Disapproved

Department Head/Division Director

Finance

Date \_\_\_\_\_

9

Approved

[illegible]

Disapproved

City Manager

Date \_\_\_\_\_

7

Approved

[illegible]

Disapproved

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE PURCHASE OF THE WEBRMS WARRANTS INTERFACE IN THE AMOUNT OF \$33,820, FROM INTERGRAPH CORPORATION, DBA HEXAGON SAFETY & INFRASTRUCTURE OF MADISON, ALABAMA; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, the Police and Fire Departments currently use Records Management Software (RMS) from Intergraph Corporation, dba Hexagon Safety & Infrastructure of Madison, Alabama, for multiple public safety applications which assist the City in conducting management of public safety records and analysis;

**Whereas**, this software has been in use by the City since 1999 when the City became part of Bell County Communications;

**Whereas**, the Police Department went live with the new WebRMS product in May of 2017 and the City is now at the stage where it needs to interface our Warrant System in Courts to the WebRMS product;

**Whereas**, Intergraph Public Safety, dba Hexagon Safety & Infrastructure is the owner and sole provider of the software for Intergraph WebRMS Software - Intergraph is a proprietary software, and as such, only Intergraph, dba Hexagon Safety & Infrastructure, can provide maintenance and support services for their products, therefore as allowed by LGC §252.022, this procurement is exempt from the competitive procurement rules;

**Whereas**, funding is available for this purchase, but an amendment to the fiscal year 2018 budget needs to be approved to appropriate the funds into Account No. 110-1800-525-6221, Project No. 101810; 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 the WebRMS Warrants Interface in the amount of \$33,820, from Intergraph Corporation, dba Hexagon Safety & Infrastructure of Madison, Alabama.

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

**Part 4:** The City Council authorizes an amendment to the fiscal year 2018 budget, substantially in the form of the copy attached hereto as Exhibit 'A.'

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

PASSED AND APPROVED this the 7<sup>th</sup> day of **December**, 2017.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Kayla Landeros  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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12/07/17  
Item #4(D)  
Consent Agenda  
Page 1 of 2

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

Alan DeLoera, Information Technology Director

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing the purchase of computer hardware during FY 2018 from GovConnection, Inc., of Merrimack, NH, in the estimated annual amount of \$211,000.

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

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

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

It is anticipated in FY 2018 that 87 desktop computers, 15 laptops, one server and a storage area network will be purchased. The desktops and laptops to be replaced are currently four to five years old as well as the servers. GovConnection, Inc. has been awarded the State of Texas DIR Contract DIR-SDD-1951. Staff is recommending the use of this contract for the purchases.

**FISCAL IMPACT:** A budget amendment is presented to Council for approval to appropriate Technology funds for the purchase of computer hardware from GovConnection in the amount of \$131,000. Funding in the amount of \$80,000 was included in the FY 2018 Operating Budget. Total funding available for the purchase of computer hardware during FY 2018 is \$211,000.

Funding will be available as follows:

	Dell Storage/Server 110-5919-519-6218 101672	Dell PC's/Laptops 351-1900-519-2221	Dell Server 351-1900-519-6218 101808	Total
Project Budget	\$ 80,000	\$ -	\$ -	\$ 80,000
Budget Adjustment	-	111,000	20,000	131,000
Encumbered/Committed to Date	-	-	-	-
<b>GovConnection, Inc.</b>	<b>(80,000)</b>	<b>(111,000)</b>	<b>(20,000)</b>	<b>(211,000)</b>
<b>Remaining Project Funds</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>

**ATTACHMENTS:**

[Budget Adjustment  
Resolution](#)

FY **2018****BUDGET ADJUSTMENT FORM**

Use this form to make adjustments to your budget. All adjustments must balance within a Department.  
Adjustments should be rounded to the nearest \$1.

			+		-	
ACCOUNT NUMBER	PROJECT #	ACCOUNT DESCRIPTION	INCREASE		DECREASE	
351-1900-519-62-18	101808	Capital Equipment/Computer Hardware	\$ 20,000			
351-1900-519-22-21		Capital < \$5,000 Computer Equipment	\$ 111,000			
351-0000-490-25-82		Transfer In- Desg Capital Proj Fund	\$ 131,000			
110-0000-351-09-43		Desg Capital Unallocated Tech Funds			131,000	
110-9100-591-81-51		Transfer Out- Desg Capital Proj Funds	131,000			
		<b>Do Not Post</b>				
<b>TOTAL.....</b>			<b>\$ 393,000</b>		<b>\$ 131,000</b>	

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

Replacement Servers, PC's, Laptops, Storage Program for Fiscal Year 2018

DOES THIS REQUEST REQUIRE COUNCIL APPROVAL?

☒

Yes

☐

No

DATE OF COUNCIL MEETING

12/7/2017

WITH AGENDA ITEM?

☒

Yes

☐

No

*Alan DeLeera*

Department Head/Division Director

11/16/2017

Date

☒

Approved

☐

Disapproved

Finance

Date

☐

Approved

☐

Disapproved

City Manager

Date

☐

Approved

☐

Disapproved

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE PURCHASE OF COMPUTER HARDWARE FOR FISCAL YEAR 2018, IN THE ESTIMATED ANNUAL AMOUNT OF \$211,000 FROM GOVCONNECTION, INC. OF MERRIMACK, NEW HAMPSHIRE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, the Information Technology Department currently has a PC, laptop, and server replacement program that is funded through the Information Technology Capital Improvement Plan to replace obsolete computer systems - computers are on a 4 to 5-year replacement cycle and based on the type of use (computing power needed) and overall age of the system;

**Whereas**, the replacement program was started in 2002 to ensure that the City was running applications efficiently and effectively while also ensuring desktop and software applications were being supported under maintenance contracts;

**Whereas**, the Desktop PC Replacement Program will only cover current in-service PC's - if a new position is added or a program calls for an additional PC, software license, or printer, this must be a newly budgeted item;

**Whereas**, the City has chosen to standardize all hardware purchases with Dell PCs, laptops, storage and servers and our relationship with Dell has been very beneficial to the City;

**Whereas**, Dell equipment has proven to be reliable, supportable and cost competitive and Dell support offerings and serviced are unmatched by their competitors – standardization is a key for any efficient support organization;

**Whereas**, it is anticipated in fiscal year 2018, that 87 desktop computers, 15 laptops, 1 server and a storage area network will be purchased - the desktops, laptops and server to be replaced are currently 4 to 5 years old;

**Whereas**, GovConnection, Inc. has been awarded the State of Texas DIR Contract DIR-SDD-1951 and Staff recommends utilizing this contract for these purchases;

**Whereas**, funds are available for this purchase, but an amendment to the fiscal year 2018 budget needs to be approved to appropriate the funds to the following accounts:

Dell Storage/Server: Account No. 110-5919-519-6218;  
Dell PC's/Laptops: Account No. 351-1900-519-2221;  
Dell Server: Account No. 351-1900-519-6218; 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 computer hardware in the estimated annual amount of \$211,000, from GovConnection, Inc. of Merrimack, New Hampshire during fiscal year 2018.

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

**Part 4:** The City Council authorizes an amendment to the fiscal year 2018 budget, substantially in the form of the copy attached hereto as Exhibit 'A.'

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

PASSED AND APPROVED this the 7<sup>th</sup> day of **December**, 2017.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Kayla Landeros  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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12/07/17  
Item #4(E)  
Consent Agenda  
Page 1 of 2

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

Alan DeLoera, Information Technology Director

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing the purchase of storage area network, implementation and disaster recovery services from SPS VAR, LLC of Atlanta, GA in the amount of \$51,439.

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

**ITEM SUMMARY:** The Information Technology Department currently uses an IBM I-Series system to run our enterprise financial systems from Superion HTE for the following business applications in helping the City to conduct financial transactions:

General Ledger	Accounts Payable	Accounts Receivables
Fixed Assets	Inventory	Purchasing
Cash Receipts	Budgeting	Fleet Management
Work Orders	Payroll	Human Resources
Utility Billing	Permitting	Code Enforcement
Inspections	Zoning	Business Licenses
Municipal Court	Project Accounting	

This system is currently a critical piece of hardware that runs the City's financial systems and transactions and is paramount to running our financial system successfully. We currently have a very limited disaster recovery plan in place for this hardware and would like to provide a fully reliable, scalable and high-performance disaster recovery solution. We are proposing purchasing and migrating to the IBM V5010 Storage Area Network that would provide flash copy, global data mirroring and disaster recovery services for this critical hardware. IBM HyperSwap allows high-availability configurations for resilient virtualized environments. Encryption for virtualized storage helps improve security for data without requiring upgrades to existing storage systems and helps to minimize the impact of backups, provides near-instant restore, shortens backup and recovery times and automates routine tasks. SPS VAR is the sole source provider for the type of hardware, software and services we are purchasing in support of the Superion applications. Staff is recommending the sole source for the purchases.

**FISCAL IMPACT:** A budget adjustment is being presented to Council for approval to appropriate Technology funds for the purchase of storage area network, implementation and disaster recovery services from SPS VAR in the amount of \$51,439. Funding will be available in account 351-1900-519-6218, project 101809, as follows:

Project Budget	\$	-
Budget Adjustment		51,439
Encumbered/Committed to Date		-
SPS VAR-Storage Area Network & Services		(51,439)
Remaining Project Funds Available	\$	-

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

FY 2018**BUDGET ADJUSTMENT FORM**

Use this form to make adjustments to your budget. All adjustments must balance within a Department.  
Adjustments should be rounded to the nearest \$1.

			+		-	
ACCOUNT NUMBER	PROJECT #	ACCOUNT DESCRIPTION	INCREASE		DECREASE	
351-1900-519-62-18	101809	Capital Equipment/Computer Hardware	\$ 51,439			
351-0000-490-25-82		Transfer In- Desg Capital Proj Fund	\$ 51,439			
110-0000-351-09-43		Desg Capital Unallocated Tech Funds			\$ 51,439	
110-9100-591-81-51		Transfer Out- Desg Capital Proj Funds	\$ 51,439			
		<b>Do Not Post</b>				
<b>TOTAL.....</b>			\$ 154,317		\$ 51,439	

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

Purchase of a Storage Area Network and Services for the I-Series System

DOES THIS REQUEST REQUIRE COUNCIL APPROVAL?

☒

Yes

☐

No

DATE OF COUNCIL MEETING

12/7/2017

WITH AGENDA ITEM?

☒

Yes

☐

No

*Alan DeLoera*

Department Head/Division Director

11/16/2017

Date

☒

Approved

Disapproved

Finance

Date

☐

Approved

Disapproved

City Manager

Date

☐

Approved

Disapproved

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE PURCHASE OF STORAGE AREA NETWORK, IMPLEMENTATION AND DISASTER RECOVERY SERVICES IN THE ESTIMATED AMOUNT OF \$51,439, FROM SPS VAR OF ATLANTA, GEORGIA; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas,** the Information Technology Department currently uses an IBM I-Series system to run our enterprise financial systems from Superion HTE for multiple business applications across the City to conduct financial transactions;

**Whereas,** this system is a critical piece of hardware that runs the City's financial systems and transactions and is paramount to running our financial system successfully;

**Whereas,** the City currently has a very limited disaster recovery plan in place for this hardware and desires to provide a fully reliable, scalable and high-performance disaster recovery solution;

**Whereas,** Staff proposes purchasing and migrating to the IBM V5010 Storage Area Network that would provide flash copy, global data mirroring and disaster recovery services for this critical hardware;

**Whereas,** IBM HyperSwap allows high-availability configurations for resilient virtualized environments and encryption for virtualized storage helps improve security for data without requiring upgrades to existing storage systems and helps to minimize the impact of backups, provides near-instant restore, shortens backup and recovery times and automates routine tasks;

**Whereas,** SPS VAR is the Sole Source Provider provider for this type of hardware, software, and services for the City's Superion applications, and Staff recommends Council authorize the purchase of storage area network, implementation and disaster recovery services in the estimated amount of \$51,439, from SPS VAR of Atlanta, Georgia.

**Whereas,** funding is available for this purchase, but an amendment to the fiscal year 2018 budget needs to be approved to appropriate the funds into Account No. 351-1900-519-6218, Project No. 101809; 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 storage area network, implementation and disaster recovery services as a sole source purchase, in the estimated amount of \$51,439, from SPS VAR of Atlanta, Georgia.

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

**Part 4:** The City Council authorizes an amendment to the fiscal year 2018 budget, substantially in the form of the copy attached hereto as Exhibit ‘A.’

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

PASSED AND APPROVED this the 7<sup>th</sup> day of **December**, 2017.

THE CITY OF TEMPLE, TEXAS

\_\_\_\_\_  
DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Lacy Borgeson  
City Secretary

\_\_\_\_\_  
Kayla Landeros  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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12/07/17  
Item #4(F)  
Consent Agenda  
Page 1 of 1

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

Alan DeLoera, Information Technology Director

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a contract with Grande Communications Networks LLC, of Dallas, in the amount of \$75,000 for high-speed data services to eight City Facilities.

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

**ITEM SUMMARY:** Grande Communications (formerly Centrovision) currently provides us with high-speed data services to multiple City departments which include the Municipal Court, Utility Business Office, Fire Station 8/EOC, Public Works, Fleet Services, Purchasing, and Airport. This year we added the Mayborn Center, Animal Services, Fire Station 7 and Wilson Park to this contract. They have provided us with a service at these facilities where no one else could provide service or much less expensive than ATT.

We currently use services through Grande Communications, Time Warner and ATT in an effort to avoid a catastrophic outage at all City facilities if we were only to use one company. We also use this plan successfully by having internet service provided by all three companies for backup due to the critical nature of providing access to Police, Fire, email services and other critical city applications

As part of our plan to diversify services we recommend to continue this contract with Grande as they already have the equipment and services at these locations.

**FISCAL IMPACT:** Funding is available in the FY 2018 Operating Budget in account 110-1900-519-2610 in the amount of \$75,000 for continued high-speed data services through Grande Communications.

### **ATTACHMENTS:**

[Resolution](#)

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING HIGH-SPEED DATA SERVICES IN THE AMOUNT OF \$75,000, THROUGH GRANDE COMMUNICATIONS NETWORKS, LLC, OF DALLAS, TEXAS; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas,** Grande Communications (formerly Centrovision) currently provides the City with high-speed data services to multiple City departments which include the Municipal Court, Utility Business Office, Fire Station 8/EOC, Public Works, Fleet Services, Purchasing, Mayborn Center, Animal Services, Wilson Park, Fire Station 7 and the Airport;

**Whereas,** in an effort to avoid a catastrophic outage to all City facilities, the City currently uses the services of three providers - Grande Communications, Spectrum (previously Time Warner), and ATT - by having internet service provided by all three providers, the City can successfully have backup internet service which is necessary due to the critical nature of providing access to Police, Fire, email services and other critical City applications;

**Whereas,** as part of the City's plan to diversify services, Staff recommends Council authorize continued high-speed data services through Grande Communications Networks, LLC in the amount of \$75,000, for services to multiple City facilities;

**Whereas,** funding is available in the fiscal year 2018 budget in Account No. 110-1900-519-2610; and

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

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

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

**Part 2:** The City Council authorizes the Interim City Manager, or her designee, after approval as to form by the City Attorney, to enter into an agreement for high-speed data services in the amount of \$75,000, with Grande Communications Networks, LLC of Dallas, Texas.

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



PASSED AND APPROVED this the 7<sup>th</sup> day of **December**, 2017.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Kayla Landeros  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

12/07/17  
Item #4(G)  
Consent Agenda  
Page 1 of 2

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

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

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a construction contract with The Levy Company, Inc. of Selma, in the amount of \$386,891.26 for the construction of traffic signals at Airport Road (SH36) & Kegley Road and West Adams Avenue & Greenview Drive.

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

**ITEM SUMMARY:** The City of Temple has adopted a Transportation Capital Improvement Program (TCIP) in which two intersections are being recommended for signalization: (1) Airport Road (SH36) & Kegley Road and (2) West Adams Avenue & Greenview Drive (see attached maps). Both of these intersections have met safety warrant studies indicating that signalization is needed.

As shown on the attached bid tabulation, on November 14, 2017, the City received two bids for the construction of the two traffic signal projects. The low bidder is The Levy Company, Inc. out of Selma. The Levy Company has not previously completed projects for the City, but they have completed several projects in the area for TxDOT, and TxDOT has provided a good reference for their services.

The proposed contract for the signalization projects has 150 days allotted for construction. As such, it is anticipated that the construction of these two signal projects will be completed by the end of May 2018.

**FISCAL IMPACT:** Funding is appropriated for the construction contract with The Levy Company for the traffic signal construction at the intersections of Airport Road and Kegley Road and West Adams Avenue and Greenview Drive in the amount of \$386,891.26 in account 365-2800-532-6810 as follows:

	North Kegley Road @ Airport Road Project 101611		West Adams Avenue @ Greenview Drive Project 101612		Total
Project Budget	\$	224,650	\$	324,650	\$ 549,300
Encumbered/Committed to Date		(24,719)		(24,720)	(49,439)
<b>Construction Award - The Levy Company</b>		<b>(177,865)</b>		<b>(209,026)</b>	<b>(386,891)</b>
Remaining Project Funds	\$	<b>22,066</b>	\$	<b>90,904</b>	\$ <b>112,970</b>

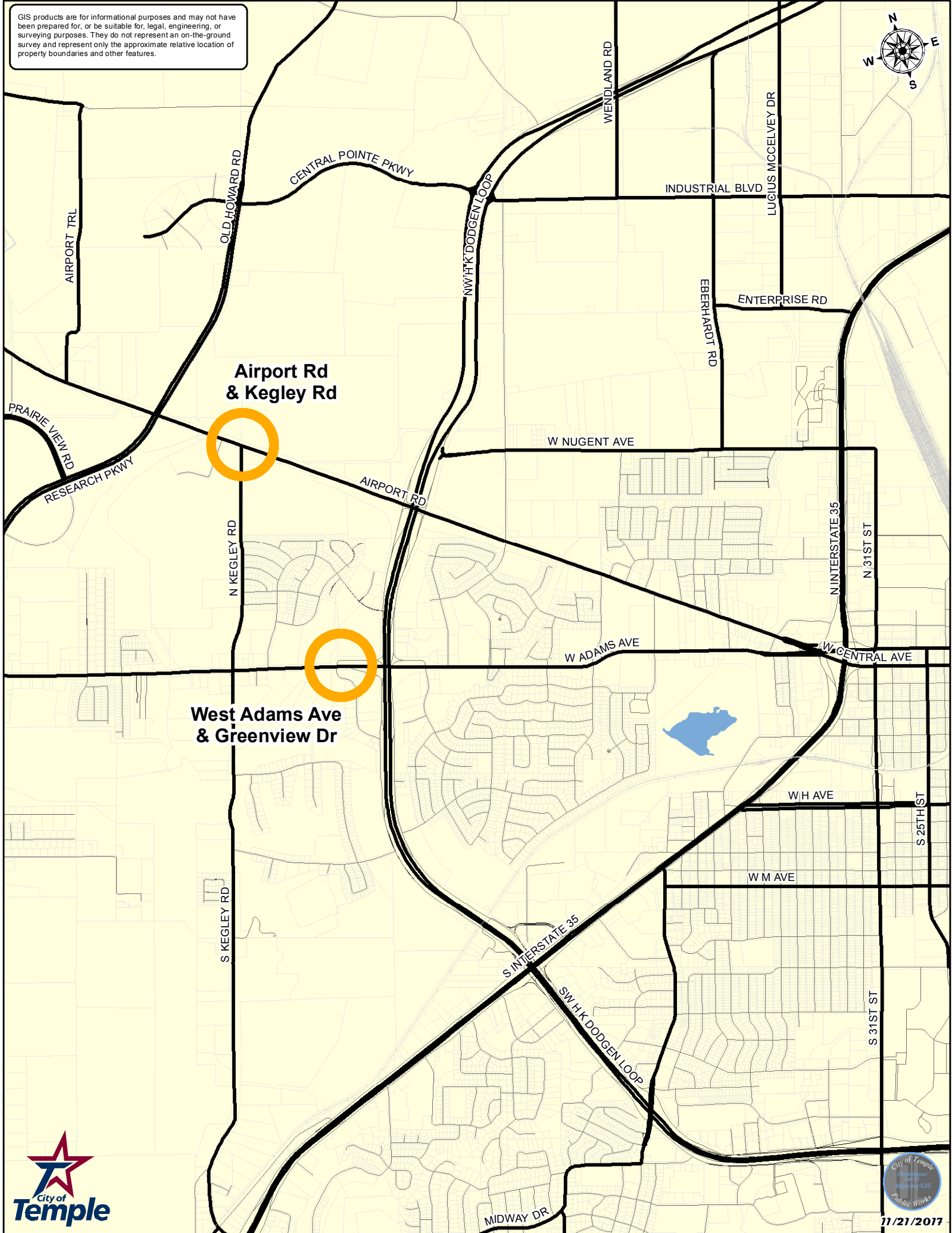
**ATTACHMENTS:**

[Project Area Map](#)

[Bid Tabulation](#)

[Resolution](#)

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.



11/21/2017

# Traffic Signals for Airport Rd Kegley Rd and W Adams Ave Greenview Dr

Bid # 28-01-18

November 14, 2017

ITEM NO.	EST. QTY	UOM	DESCRIPTION	Austin Traffic Signal Construction Co, Inc.		The Levy Company, Inc.	
SECTION A: Traffic Signal at Airport Rd & Kegley Rd				Unit Cost	Total Cost	Unit Cost	Total Cost
1	1	LS	Per lump sum, MOBILIZATION, Bonds and Insurance, not to exceed 5% of the base Bid Amount [TxDOT Item 0500.6001]	\$23,000.00	\$23,000.00	\$9,672.28	\$9,672.28
2	23	LF	Purchase and Install per linear foot, DRILL SHAFT (TRF SIG POLE) (30") [TxDOT Item 416.6031]	\$300.00	\$6,900.00	\$370.00	\$8,510.00
3	14	LF	Purchase and Install per linear foot, DRILL SHAFT (TRF SIG POLE) (36") [TxDOT Item 416.6032]	\$400.00	\$5,600.00	\$410.00	\$5,740.00
4	330	LF	Purchase and Install per linear foot, CONDT (PVC) (SCHD 80) (2") [TxDOT Item 618.6046]	\$14.00	\$4,620.00	\$11.00	\$3,630.00
5	225	LF	Purchase and Install per linear foot, CONDT (PVC) (SCHD 80) (2") (BORE) [TxDOT Item 618.6047]	\$37.00	\$8,325.00	\$32.00	\$7,200.00
6	335	LF	Purchase and Install per linear foot, CONDT (PVC) (SCHD 80) (3") [TxDOT Item 618.6053]	\$21.00	\$7,035.00	\$13.00	\$4,355.00
7	450	LF	Purchase and Install per linear foot, CONDT (PVC) (SCHD 80) (3") (BORE) [TxDOT Item 618.6054]	\$45.00	\$20,250.00	\$38.00	\$17,100.00
8	70	LF	Purchase and Install per linear foot, ELEC CONDUCTOR (NO. 6) BARE [TxDOT Item 620.6009]	\$2.00	\$140.00	\$1.60	\$112.00
9	140	LF	Purchase and Install per linear foot, ELEC CONDUCTOR (NO. 6) INSULATED [TxDOT Item 620.6010]	\$4.00	\$560.00	\$1.50	\$210.00
10	1,260	LF	Purchase and Install per linear foot, ELEC CONDUCTOR (NO. 8) BARE, [TxDOT Item 620.6007]	\$1.40	\$1,764.00	\$1.25	\$1,575.00
11	1,250	LF	Purchase and Install per linear foot, ELEC CONDUCTOR (NO. 8) INSULATED, [TxDOT Item 620.6008]	\$1.50	\$1,875.00	\$1.20	\$1,500.00
12	6	EA	Purchase and Install per each, GROUND BOX TY D (162922) W/APRON [TxDOT Item 624.6010]	\$2,300.00	\$13,800.00	\$880.00	\$5,280.00
13	1	EA	Purchase and Install per each, GROUND BOX TY A (122311) W/APRON [TxDOT Item 624.6002]	\$1,300.00	\$1,300.00	\$710.00	\$710.00
14	1	EA	Purchase and Install per each, ELEC SERV TY D (120/240) 070 (NS) SS (E) PS (U) [TxDOT Item 628.6187]	\$7,000.00	\$7,000.00	\$8,200.00	\$8,200.00
15	1	EA	Purchase and Install per each, IN SM RD SN SUP&AM TY10BWG(1)SA(P-BM) [TxDOT Item 644.6002]	\$1,800.00	\$1,800.00	\$760.00	\$760.00
16	16	LF	Purchase and Install per linear foot, REFL PAV MRK TY I (W) (4") (SLD) (100 MIL) [TxDOT Item 666.6012]	\$4.50	\$72.00	\$1.00	\$16.00
17	100	LF	Purchase and Install per linear foot, REFL PAV MRK TY I (W) (8") (SLD) (100 MIL) [TxDOT Item 666.6036]	\$7.00	\$700.00	\$2.00	\$200.00
18	128	LF	Purchase and Install per linear foot, REFL PAV MRK TY I (W) (24") (SLD) (100 MIL) [TxDOT Item 666.6048]	\$13.00	\$1,664.00	\$8.50	\$1,088.00
19	1	EA	Purchase and Install per each, REFL PAV MRK TY I (W) (ARROW) (100MIL) [TxDOT Item 666.6054]	\$382.00	\$382.00	\$250.00	\$250.00
20	1	EA	Purchase and Install per each, REFL PAV MRK TY I (W) (WORD) (100MIL) [TxDOT Item 666.6078]	\$422.00	\$422.00	\$310.00	\$310.00
21	352	LF	Purchase and Install per linear foot, REFL PAV MRK TY I (Y) 4" (SLD) (100MIL) [TxDOT Item 666.6126]	\$5.00	\$1,760.00	\$1.00	\$352.00
22	368	LF	Purchase and Install per linear foot, PAVEMENT SEALER 4" [TxDOT Item 666.6224]	\$0.70	\$257.60	\$0.50	\$184.00
23	100	LF	Purchase and Install per linear foot, PAVEMENT SEALER 8" [TxDOT Item 666.6226]	\$1.40	\$140.00	\$1.00	\$100.00
24	128	LF	Purchase and Install per linear foot, PAVEMENT SEALER 24" [TxDOT Item 666.6230]	\$3.00	\$384.00	\$4.25	\$544.00
25	1	EA	Purchase and Install per each, PAVEMENT SEALER ARROW [TxDOT Item 666.6231]	\$27.00	\$27.00	\$130.00	\$130.00
26	1	EA	Purchase and Install per each, PAVEMENT SEALER WORD [TxDOT Item 666.6232]	\$27.00	\$27.00	\$160.00	\$160.00
27	261	LF	Purchase and Install per linear foot, ELIM EXT PAV MRK & MRKS (4") [TxDOT Item 677.6001]	\$9.00	\$2,349.00	\$2.50	\$652.50
28	21	LF	Purchase and Install per linear foot, ELIM EXT PAV MRK & MRKS (24") [TxDOT Item 677.6007]	\$27.00	\$567.00	\$15.00	\$315.00
29	368	LF	Purchase and Install per linear foot, PAV SURF PREP FOR MRK (4") [TxDOT Item 678.6001]	\$0.01	\$3.68	\$0.25	\$92.00
30	100	LF	Purchase and Install per linear foot, PAV SURF PREP FOR MRK (8") [TxDOT Item 678.6004]	\$0.03	\$3.00	\$0.50	\$50.00
31	128	LF	Purchase and Install per linear foot, PAV SURF PREP FOR MRK (24") [TxDOT Item 678.6008]	\$0.15	\$19.20	\$2.25	\$288.00

# Traffic Signals for Airport Rd Kegley Rd and W Adams Ave Greenview Dr

Bid # 28-01-18

November 14, 2017

ITEM NO.	EST. QTY	UOM	DESCRIPTION	Austin Traffic Signal Construction Co, Inc.		The Levy Company, Inc.	
SECTION A: Traffic Signal at Airport Rd & Kegley Rd				Unit Cost	Total Cost	Unit Cost	Total Cost
32	1	EA	Purchase and Install per each, PAV SURF PREP FOR MRK (ARROW) [TxDOT Item 678.6009]	\$1.40	\$1.40	\$30.00	\$30.00
33	1	EA	Purchase and Install per each, PAV SURF PREP FOR MRK (WORD) [TxDOT Item 678.6016]	\$1.40	\$1.40	\$50.00	\$50.00
34	1	EA	Purchase and Install per each, INSTALL HWY TRF SIG (ISOLATED), [TxDOT Item 680.6002]	\$28,000.00	\$28,000.00	\$13,600.00	\$13,600.00
35	1	EA	Purchase and Install per each, VEH SIG SEC (12") LED (GRN ARW) [TxDOT Item 682.6002]	\$275.00	\$275.00	\$250.00	\$250.00
36	7	EA	Purchase and Install per each, VEH SIG SEC (12") LED (GRN) [TxDOT Item 682.6001]	\$275.00	\$1,925.00	\$250.00	\$1,750.00
37	2	EA	Purchase and Install per each, VEH SIG SEC (12") LED (YEL ARW) [TxDOT Item 682.6004]	\$275.00	\$550.00	\$250.00	\$500.00
38	7	EA	Purchase and Install per each, VEH SIG SEC (12") LED (YEL) [TxDOT Item 682.6003]	\$275.00	\$1,925.00	\$250.00	\$1,750.00
39	1	EA	Purchase and Install per each, VEH SIG SEC (12") LED (RED ARW) [TxDOT Item 682.6006]	\$275.00	\$275.00	\$250.00	\$250.00
40	7	EA	Purchase and Install per each, VEH SIG SEC (12") LED (RED) [TxDOT Item 682.6005]	\$275.00	\$1,925.00	\$250.00	\$1,750.00
41	7	EA	Purchase and Install per each, BACK PLATE (12") (3 SEC) [TxDOT Item 682.6023]	\$61.00	\$427.00	\$57.00	\$399.00
42	1	EA	Purchase and Install per each, BACK PLATE (12") (4 SEC) [TxDOT Item 682.6024]	\$76.00	\$76.00	\$63.00	\$63.00
43	780	LF	Purchase and Install per linear foot, TRF SIG CBL (TY A) (14 AWG) (2 CONDR) [TxDOT Item 684.6028]	\$1.40	\$1,092.00	\$1.00	\$780.00
44	149	LF	Purchase and Install per linear foot, TRF SIG CBL (TY A) (14 AWG) (5 CONDR) [TxDOT Item 684.6031]	\$1.90	\$283.10	\$1.45	\$216.05
45	848	LF	Purchase and Install per linear foot, TRF SIG CBL (TY A) (14 AWG) (7 CONDR) [TxDOT Item 684.6033]	\$2.20	\$1,865.60	\$1.70	\$1,441.60
46	320	LF	Purchase and Install per linear foot, TRF SIG CBL (TY A) (14 AWG) (16 CONDR) [TxDOT Item 684.6042]	\$5.00	\$1,600.00	\$2.90	\$928.00
47	535	LF	Purchase and Install per linear foot, TRF SIG CBL (TY A) (16 AWG) (3 CONDR) [TxDOT Item 684.6049]	\$1.00	\$535.00	\$0.60	\$321.00
48	2	EA	Purchase and Install per each, INS TRF SIG PL AM (S) 1 ARM (32') LUM [TxDOT Item 686.6035]	\$7,500.00	\$15,000.00	\$5,700.00	\$11,400.00
49	1	EA	Purchase and Install per each, INS TRF SIG PL AM (S) 1 ARM (48') LUM [TxDOT Item 686.6051]	\$8,900.00	\$8,900.00	\$7,500.00	\$7,500.00
50	535	LF	Purchase and Install per linear foot, VIVDS COMMUNICATION CABLE (COAXIAL) [TxDOT Item 6002.6005]	\$5.00	\$2,675.00	\$2.30	\$1,230.50
51	1	EA	Purchase and Install per each, VIVDS PROCESSOR SYSTEM [TxDOT Item 6002.6001]	\$6,500.00	\$6,500.00	\$5,300.00	\$5,300.00
52	3	EA	Purchase and Install per each, VIVDS CAMERA ASSEMBLY [TxDOT Item 6002.6002]	\$2,000.00	\$6,000.00	\$1,700.00	\$5,100.00
53	1	EA	Purchase and Install per each, VIVDS SET-UP SYSTEM [TxDOT Item 6002.6003]	\$500.00	\$500.00	\$450.00	\$450.00
54	1	EA	Purchase and Install per each, VIVDS CENTRAL CONTROL [TxDOT Item 6002.6004]	\$3,600.00	\$3,600.00	\$3,000.00	\$3,000.00
55	3	MO	Purchase and Install per month, BARRICADES, SIGNS AND TRAFFIC HANDLING [TxDOT Item 0502.6001]	\$3,100.00	\$9,300.00	\$4,600.00	\$13,800.00
56	2	EA	Purchase and Install per each, PORTABLE CHANGEABLE MESSAGE SIGN [TxDOT Item 6001.6002]	\$2,500.00	\$5,000.00	\$1,300.00	\$2,600.00
57	65	LF	Purchase and Install per linear foot, ETHERNET CABLE AND CONNECTORS [TxDOT Item 6089.6001]	\$10.00	\$650.00	\$3.10	\$201.50
58	2	EA	Purchase and Install per each, WAVETRONICS ADVANCED RADAR DETECTION.	\$7,400.00	\$14,800.00	\$7,900.00	\$15,800.00
59	260	LF	Purchase and Install per linear foot, WAVETRONICS ADVANCED DETECTION CABLE.	\$10.00	\$2,600.00	\$3.15	\$819.00
60	1	EA	Purchase and Install per each, RADWIN RADIO.	\$1,110.00	\$1,110.00	\$7,300.00	\$7,300.00
<b>SECTION A TOTAL for Traffic Signal Construction at the Intersection of Airport Rd &amp; Kegley Rd</b>				<b>\$230,137.98</b>		<b>\$177,865.43</b>	



# Traffic Signals for Airport Rd Kegley Rd and W Adams Ave Greenview Dr

Bid # 28-01-18

November 14, 2017

ITEM NO.	EST. QTY	UOM	DESCRIPTION	Austin Traffic Signal Construction Co, Inc.		The Levy Company, Inc.	
SECTION A: Traffic Signal at Airport Rd & Kegley Rd				Unit Cost	Total Cost	Unit Cost	Total Cost
1	1	LS	Per lump sum, MOBILIZATION, Bonds and Insurance, not to exceed 5% of the base Bid Amount [TxDOT Item 0500.6001]	\$25,000.00	\$25,000.00	\$9,672.28	\$9,672.28
2	53	LF	Purchase and Install per linear foot, DRILL SHAFT (TRF SIG POLE) (36") [TxDOT Item 416.6032]	\$400.00	\$21,200.00	\$440.00	\$23,320.00
3	315	LF	Purchase and Install per linear foot, CONDT (PVC) (SCHD 80) (2") [TxDOT Item 618.6046]	\$14.00	\$4,410.00	\$15.00	\$4,725.00
4	200	LF	Purchase and Install per linear foot, CONDT (PVC) (SCHD 80) (2") (BORE) [TxDOT Item 618.6047]	\$37.00	\$7,400.00	\$33.00	\$6,600.00
5	245	LF	Purchase and Install per linear foot, CONDT (PVC) (SCHD 80) (3") [TxDOT Item 618.6053]	\$21.00	\$5,145.00	\$16.00	\$3,920.00
6	540	LF	Purchase and Install per linear foot, CONDT (PVC) (SCHD 80) (3") (BORE) [TxDOT Item 618.6054]	\$45.00	\$24,300.00	\$39.00	\$21,060.00
7	50	LF	Purchase and Install per linear foot, ELEC CONDUCTOR (NO. 6) BARE [TxDOT Item 620.6009]	\$2.00	\$100.00	\$1.45	\$72.50
8	100	LF	Purchase and Install per linear foot, ELEC CONDUCTOR (NO. 6) INSULATED [TxDOT Item 620.6010]	\$4.00	\$400.00	\$1.45	\$145.00
9	1220	LF	Purchase and Install per linear foot, ELEC CONDUCTOR (NO. 8) BARE, [TxDOT Item 620.6007]	\$1.40	\$1,708.00	\$1.15	\$1,403.00
10	1860	LF	Purchase and Install per linear foot, ELEC CONDUCTOR (NO. 8) INSULATED, [TxDOT Item 620.6008]	\$1.50	\$2,790.00	\$1.10	\$2,046.00
11	6	EA	Purchase and Install per each, GROUND BOX TY D (162922) W/APRON [TxDOT Item 624.6010]	\$2,300.00	\$13,800.00	\$880.00	\$5,280.00
12	1	EA	Purchase and Install per each, GROUND BOX TY A (122311) W/APRON [TxDOT Item 624.6002]	\$1,300.00	\$1,300.00	\$710.00	\$710.00
13	1	EA	Purchase and Install per each, ELEC SERV TY D (120/240) 070 (NS) SS (E) PS (U) [TxDOT Item 628.6187]	\$7,000.00	\$7,000.00	\$8,200.00	\$8,200.00
14	100	LF	Purchase and Install per linear foot, REFL PAV MRK TY I (W) (8") (BRK) (100 MIL) [TxDOT Item 666.6027]	\$7.00	\$700.00	\$2.00	\$200.00
15	106	LF	Purchase and Install per linear foot, REFL PAV MRK TY I (W) (24") (SLD) (100 MIL) [TxDOT Item 666.6048]	\$14.00	\$1,484.00	\$8.50	\$901.00
16	1	EA	Purchase and Install per each, REFL PAV MRK TY I (W) (ARROW) (100MIL) [TxDOT Item 666.6054]	\$382.00	\$382.00	\$250.00	\$250.00
17	1	EA	Purchase and Install per each, REFL PAV MRK TY I (W) (WORD) (100MIL) [TxDOT Item 666.6078]	\$422.00	\$422.00	\$310.00	\$310.00
18	300	LF	Purchase and Install per linear foot, REFL PAV MRK TY I (Y) 4" (SLD) (100MIL) [TxDOT Item 666.6126]	\$4.50	\$1,350.00	\$1.00	\$300.00
19	300	LF	Purchase and Install per linear foot, PAVEMENT SEALER 4" [TxDOT Item 666.6224]	\$0.70	\$210.00	\$0.50	\$150.00
20	100	LF	Purchase and Install per linear foot, PAVEMENT SEALER 8" [TxDOT Item 666.6226]	\$1.40	\$140.00	\$1.00	\$100.00
21	106	LF	Purchase and Install per linear foot, PAVEMENT SEALER 24" [TxDOT Item 666.6230]	\$3.00	\$318.00	\$4.25	\$450.50
22	1	EA	Purchase and Install per each, PAVEMENT SEALER ARROW [TxDOT Item 666.6231]	\$27.00	\$27.00	\$130.00	\$130.00
23	1	EA	Purchase and Install per each, PAVEMENT SEALER WORD [TxDOT Item 666.6232]	\$27.00	\$27.00	\$160.00	\$160.00
24	230	LF	Purchase and Install per linear foot, ELIM EXT PAV MRK & MRKS (4") [TxDOT Item 677.6001]	\$9.00	\$2,070.00	\$2.50	\$575.00
25	300	LF	Purchase and Install per linear foot, PAV SURF PREP FOR MRK (4") [TxDOT Item 678.6001]	\$0.01	\$3.00	\$0.25	\$75.00
26	100	LF	Purchase and Install per linear foot, PAV SURF PREP FOR MRK (8") [TxDOT Item 678.6004]	\$0.03	\$3.00	\$0.50	\$50.00
27	106	LF	Purchase and Install per linear foot, PAV SURF PREP FOR MRK (24") [TxDOT Item 678.6008]	\$0.14	\$14.84	\$2.25	\$238.50
28	1	EA	Purchase and Install per each, PAV SURF PREP FOR MRK (ARROW) [TxDOT Item 678.6009]	\$1.40	\$1.40	\$30.00	\$30.00
29	1	EA	Purchase and Install per each, PAV SURF PREP FOR MRK (WORD) [TxDOT Item 678.6016]	\$1.40	\$1.40	\$50.00	\$50.00
30	1	EA	Purchase and Install per each, INSTALL HWY TRF SIG (ISOLATED), [TxDOT Item 680.6002]	\$29,000.00	\$29,000.00	\$17,800.00	\$17,800.00
31	2	EA	Purchase and Install per each, VEH SIG SEC (12") LED (GRN ARW) [TxDOT Item 682.6002]	\$275.00	\$550.00	\$250.00	\$500.00

# Traffic Signals for Airport Rd Kegley Rd and W Adams Ave Greenview Dr

Bid # 28-01-18

November 14, 2017

ITEM NO.	EST. QTY	UOM	DESCRIPTION	Austin Traffic Signal Construction Co, Inc.		The Levy Company, Inc.	
SECTION A: Traffic Signal at Airport Rd & Kegley Rd				Unit Cost	Total Cost	Unit Cost	Total Cost
32	8	EA	Purchase and Install per each, VEH SIG SEC (12") LED (GRN) [TxDOT Item 682.6001]	\$275.00	\$2,200.00	\$250.00	\$2,000.00
33	4	EA	Purchase and Install per each, VEH SIG SEC (12") LED (YEL ARW) [TxDOT Item 682.6004]	\$275.00	\$1,100.00	\$250.00	\$1,000.00
34	8	EA	Purchase and Install per each, VEH SIG SEC (12") LED (YEL) [TxDOT Item 682.6003]	\$275.00	\$2,200.00	\$250.00	\$2,000.00
35	2	EA	Purchase and Install per each, VEH SIG SEC (12") LED (RED ARW) [TxDOT Item 682.6006]	\$275.00	\$550.00	\$250.00	\$500.00
36	8	EA	Purchase and Install per each, VEH SIG SEC (12") LED (RED) [TxDOT Item 682.6005]	\$275.00	\$2,200.00	\$240.00	\$1,920.00
37	8	EA	Purchase and Install per each, BACK PLATE (12") (3 SEC) [TxDOT Item 682.6023]	\$61.00	\$488.00	\$57.00	\$456.00
38	2	EA	Purchase and Install per each, BACK PLATE (12") (4 SEC) [TxDOT Item 682.6024]	\$76.00	\$152.00	\$63.00	\$126.00
39	980	LF	Purchase and Install per linear foot, TRF SIG CBL (TY A) (14 AWG) (2 CONDR) [TxDOT Item 684.6028]	\$1.40	\$1,372.00	\$0.95	\$931.00
40	219	LF	Purchase and Install per linear foot, TRF SIG CBL (TY A) (14 AWG) (5 CONDR) [TxDOT Item 684.6031]	\$1.90	\$416.10	\$1.35	\$295.65
41	1104	LF	Purchase and Install per linear foot, TRF SIG CBL (TY A) (14 AWG) (7 CONDR) [TxDOT Item 684.6033]	\$2.20	\$2,428.80	\$1.60	\$1,766.40
42	690	LF	Purchase and Install per linear foot, TRF SIG CBL (TY A) (14 AWG) (16 CONDR) [TxDOT Item 684.6042]	\$5.00	\$3,450.00	\$2.85	\$1,966.50
43	890	LF	Purchase and Install per linear foot, TRF SIG CBL (TY A) (16 AWG) (3 CONDR) [TxDOT Item 684.6049]	\$1.00	\$890.00	\$0.60	\$534.00
44	2	EA	Purchase and Install per each, INS TRF SIG PL AM (S) 1 ARM (36') LUM [TxDOT Item 686.6039]	\$8,000.00	\$16,000.00	\$6,500.00	\$13,000.00
45	1	EA	Purchase and Install per each, INS TRF SIG PL AM (S) 1 ARM (44') LUM [TxDOT Item 686.6047]	\$8,500.00	\$8,500.00	\$7,000.00	\$7,000.00
46	1	EA	Purchase and Install per each, INS TRF SIG PL AM (S) 1 ARM (48') LUM [TxDOT Item 686.6051]	\$9,000.00	\$9,000.00	\$7,500.00	\$7,500.00
47	890	LF	Purchase and Install per linear foot, VIVDS COMMUNICATION CABLE (COAXIAL) [TxDOT Item 6002.6005]	\$5.00	\$4,450.00	\$2.20	\$1,958.00
48	1	EA	Purchase and Install per each, VIVDS PROCESSOR SYSTEM [TxDOT Item 6002.6001]	\$6,500.00	\$6,500.00	\$5,300.00	\$5,300.00
49	4	EA	Purchase and Install per each, VIVDS CAMERA ASSEMBLY [TxDOT Item 6002.6002]	\$2,000.00	\$8,000.00	\$1,700.00	\$6,800.00
50	1	EA	Purchase and Install per each, VIVDS SET-UP SYSTEM [TxDOT Item 6002.6003]	\$500.00	\$500.00	\$450.00	\$450.00
51	1	EA	Purchase and Install per each, VIVDS CENTRAL CONTROL [TxDOT Item 6002.6004]	\$3,600.00	\$3,600.00	\$3,000.00	\$3,000.00
52	3	MO	Purchase and Install per month, BARRICADES, SIGNS AND TRAFFIC HANDLING [TxDOT Item 0502.6001]	\$3,100.00	\$9,300.00	\$4,600.00	\$13,800.00
53	2	EA	Purchase and Install per each, PORTABLE CHANGEABLE MESSAGE SIGN [TxDOT Item 6001.6002]	\$2,500.00	\$5,000.00	\$1,300.00	\$2,600.00
54	145	LF	Purchase and Install per linear foot, ETHERNET CABLE AND CONNECTORS [TxDOT Item 6089.6001]	\$10.00	\$1,450.00	\$2.90	\$420.50
55	2	EA	Purchase and Install per each, WAVETRONICS ADVANCED RADAR DETECTION.	\$7,400.00	\$14,800.00	\$7,900.00	\$15,800.00
56	380	LF	Purchase and Install per linear foot, WAVETRONICS ADVANCED DETECTION CABLE.	\$10.00	\$3,800.00	\$3.10	\$1,178.00
57	1	EA	Purchase and Install per each, RADWIN RADIO.	\$1,110.00	\$1,110.00	\$7,300.00	\$7,300.00
<b>SECTION B TOTAL for Traffic Signal Construction at the Intersection of W. Adams Ave &amp; Greenview Dr</b>				<b>\$260,713.54</b>		<b>\$209,025.83</b>	
<b>TOTAL BID (SECTION A + B) FOR TRAFFIC SIGNAL CONTSTRUCTION AT THE INTERSECTIONS OF AIRPORT RD &amp; KEGLEY RD AND W. ADAMS</b>				<b>\$490,851.52</b>		<b>\$386,891.26</b>	

Recommended for Council Award



RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A CONSTRUCTION CONTRACT WITH THE LEVY COMPANY, INC. OF SELMA, ALABAMA IN THE AMOUNT OF \$386,891.26, FOR THE CONSTRUCTION OF TRAFFIC SIGNALS AT AIRPORT ROAD AND KEGLEY ROAD, AND WEST ADAMS AVENUE AND GREENVIEW DRIVE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, the City of Temple has adopted a Transportation Capital Improvement Program (TCIP) in which two intersections are being recommended for signalization: (1) Airport Road (SH36) & Kegley Road, and (2) West Adams Avenue & Greenview Drive - both of these intersections have met safety warrant studies indicating that signalization is needed;

**Whereas**, on November 14, 2017, the City received two bids for the construction of the two traffic signal projects with the low bid submitted by The Levy Company, Inc. of Selma, Alabama in the amount of \$386,891.26;

**Whereas**, The Levy Company has not previously completed projects for the City, but they have completed several projects in the area for TxDOT and TxDOT has provided good references for The Levy Company;

**Whereas**, funding is available for this construction contract in Account No. 365-2800-532-6810, Project No. 101611 (Kegley Road), and Project No. 101612 (West Adams Avenue); and

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

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

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

**Part 2:** The City Council authorizes the Interim City Manager, or her designee, after approval as to form by the City Attorney, to execute a construction contract with The Levy Company, Inc. of Selma, Alabama in the amount of \$386,891.26, for the construction of traffic signals at Airport Road (SH36) & Kegley Road and West Adams Avenue & Greenview Drive.

**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 7<sup>th</sup> day of **December**, 2017.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Kayla Landeros  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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12/07/17  
Item #4(H)  
Consent Agenda  
Page 1 of 2

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

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

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a contract with Choice Builders, LLC, of Temple, in an amount not to exceed \$705,687.90 to construct the Conner Park drainage channel improvements.

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

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

Recommended improvements include widening the upstream grass channel, replacing the box culverts with a concrete channel, and lining the downstream channel with concrete. Council authorized Turley Associates to design and construction-phase services last fall. A temporary relief ditch was constructed by City crews as "Phase 1". City crews also will construct the grass-lined portions of the improved channel. A Map is attached.

Four construction bids were received on November 16. Per the attached Recommendation Letter & Bid Tab, bids ranged from \$705,687.90 to \$1,057,952. The Opinion of Probable Construction Cost was \$800,000. Turley Associates recommended award to the low bidder, Choice Builders. Construction will include drainage channel, concrete riprap, various drainage appurtenances, fencing, adjustments to pedestrian facilities within the park, and new pedestrian connections to Tanglehead Drive & Brazos Bend.

Time allotted for construction is 180 calendar days.

**FISCAL IMPACT:** Funding for the construction contract with Choice Builders, LLC to construct the Conner Park drainage channel improvements in an amount not to exceed \$705,687.90 is available in project 101592 as follows:

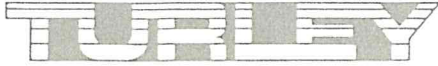
	<u>292-2900-534-6312</u>	<u>353-2900-534-6714</u>	<u>Total</u>
Project Budget	\$ 1,007,095	\$ 800,000	\$ 1,807,095
Encumbered/Committed to Date	(949,234)	(9,892)	(959,126)
<b>Construction Award - Choice Builders, LLC</b>	<b>-</b>	<b>(705,688)</b>	<b>(705,688)</b>
<b>Remaining Project Funds</b>	<b>\$ 57,861</b>	<b>\$ 84,420</b>	<b>\$ 142,281</b>

**ATTACHMENTS:**

[Recommendation Letter & Bid Tab](#)

[Map](#)

[Resolution](#)



## TURLEY ASSOCIATES, INC.

301 NORTH THIRD STREET • TEMPLE, TEXAS 76501 • (254) 773-2400  
F-1658 FAX • (254) 773-3998

November 20, 2017

City of Temple  
Attn: Don Bond  
Engineering Division  
3210 East Avenue H, Building A  
Temple, TX 76501

**RE: Conner Park Drainage Channel Improvements  
Bid #29-01-18**

Dear Mr. Bond:

On Thursday, November 16, at 2:30 p.m., the City opened bids on the above referenced project, and received four (4) bids from very reputable Contractors. Please refer to the attached "Bid Tabulation" for a detailed accounting of the bids for these Contractors. No mathematical errors were found on the original bids.

The low, successful bidder is Choice Builders, LLC of Temple, Texas, with a total base of \$705,687.90. Our final opinion of probable construction (OPC) cost was \$800,000.00.

Choice Builders, LLC has excellent qualifications for doing this type of work and are widely known. Choice Builders, LLC. has completed several projects for the City of Temple in the past, therefore, we recommend that a contract be awarded to Choice Builders, LLC. for the total Base Bid in the amount of \$705,657.90.

Should you have any comments or questions regarding this project or related matters, please do not hesitate to call.

Sincerely,  
**TURLEY ASSOCIATES, INC.**

  
Jennifer Ryken, P.E., CFM  
Senior Project Engineer





BID TABULATION FOR:  
CONNER PARK DRAINAGE CHANNEL IMPROVEMENTS

PERFORMED BY TURLEY ASSOCIATES, INC. JOB NO. 16-057 NOVEMBER 16, 2017  
CITY OF TEMPLE PROJECT NO. 29-01-18

ITEM DESCRIPTION				QUANTITY	UNIT	CHOICE BUILDERS, LLC		DIXON PAVING, INC.		TTG UTILITIES, LP		TCB CONSTRUCTION, INC.	
						UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
DRAINAGE													
1.	24" RCP	701	LF	\$59.00	\$41,359.00	\$54.00	\$37,854.00	\$72.00	\$50,472.00	\$55.00	\$38,555.00		
2.	30" RCP	33	LF	\$103.00	\$3,399.00	\$82.00	\$2,706.00	\$115.00	\$3,795.00	\$65.00	\$2,145.00		
3.	5' concrete walkway	504	LF	\$20.00	\$10,080.00	\$20.00	\$10,080.00	\$31.00	\$15,624.00	\$30.00	\$15,120.00		
4.	6' concrete walkway	488	LF	\$23.00	\$11,224.00	\$24.00	\$11,712.00	\$34.00	\$16,592.00	\$36.00	\$17,568.00		
5.	24" headwall for double 24" pipe	1	EA	\$1,400.00	\$1,400.00	\$1,600.00	\$1,600.00	\$2,400.00	\$2,400.00	\$5,500.00	\$5,500.00		
6.	7' x 7' interior junction box	1	EA	\$3,800.00	\$3,800.00	\$3,200.00	\$3,200.00	\$5,100.00	\$5,100.00	\$6,500.00	\$6,500.00		
7.	30" sloped end treatment	1	EA	\$700.00	\$700.00	\$1,800.00	\$1,800.00	\$2,000.00	\$2,000.00	\$4,500.00	\$4,500.00		
8.	Temporary 6' wide crushed granite trail to meet ADA specifications	258	SY	\$18.00	\$4,644.00	\$24.00	\$6,192.00	\$18.00	\$4,644.00	\$40.50	\$10,449.00		
9.	Unclassified site excavation	3649	CY	\$11.00	\$40,139.00	\$12.00	\$43,788.00	\$7.20	\$26,272.80	\$19.50	\$71,155.50		
10.	Removal and haul off of material	3649	CY	\$10.00	\$36,490.00	\$8.00	\$29,192.00	\$8.00	\$29,192.00	\$10.00	\$36,490.00		
11.	Remove & dispose of crushed granite trail	258	SY	\$5.00	\$1,290.00	\$10.00	\$2,580.00	\$7.75	\$1,999.50	\$13.50	\$3,483.00		
12.	TxDOT type 1 ADA ramp	1	EA	\$1,000.00	\$1,000.00	\$800.00	\$800.00	\$988.00	\$988.00	\$2,400.00	\$2,400.00		
13.	TxDOT type 7 ADA ramp	1	EA	\$950.00	\$950.00	\$900.00	\$900.00	\$988.00	\$988.00	\$2,700.00	\$2,700.00		
14.	Remove & dispose of existing concrete apron	1	LS	\$970.00	\$970.00	\$3,200.00	\$3,200.00	\$1,810.00	\$1,810.00	\$5,001.00	\$5,001.00		
15.	Demo, removal of existing headwall, extend 18" RCP and tie into concrete channel	1	LS	\$800.00	\$800.00	\$3,800.00	\$3,800.00	\$2,700.00	\$2,700.00	\$5,001.00	\$5,001.00		
16.	Demo, remove, dispose of 3' grate inlet and 12" pipe and dowel in & extend concrete flume to top of channel	1	LS	\$1,300.00	\$1,300.00	\$3,600.00	\$3,600.00	\$3,500.00	\$3,500.00	\$5,001.00	\$5,001.00		
17.	Dowel in and extend concrete flumes to top of channel as per Sheet #17	1	LS	\$540.00	\$540.00	\$3,800.00	\$3,800.00	\$750.00	\$750.00	\$4,500.00	\$4,500.00		
18.	Dowel in existing 6" concrete curb into concrete flume and extend to grass channel as per Sheet #8	1	LS	\$940.00	\$940.00	\$1,800.00	\$1,800.00	\$1,500.00	\$1,500.00	\$7,500.00	\$7,500.00		
19.	Furnish & install concrete rip-rap with dissipators and dowel into TxDOT headwall. 6" thick 6x6x6 W.W.M. class "A" 3000 P.S.I. concrete as per Sheet #14	2263	SF	\$7.00	\$15,841.00	\$5.00	\$11,315.00	\$7.50	\$16,972.50	\$9.00	\$20,367.00		
20.	Seed & irrigate all disturbed areas until grass is established	1	LS	\$18,000.00	\$18,000.00	\$4,600.00	\$4,600.00	\$9,500.00	\$9,500.00	\$9,001.00	\$9,001.00		
21.	Furnish & install erosion control mat	15903	SY	\$0.90	\$14,312.70	\$2.00	\$31,806.00	\$0.80	\$12,722.40	\$3.50	\$55,660.50		
22.	SWPPP including erosion control devices	1	LS	\$8,400.00	\$8,400.00	\$2,500.00	\$2,500.00	\$8,400.00	\$8,400.00	\$14,950.00	\$14,950.00		
23.	Mobilization	1	LS	\$35,000.00	\$35,000.00	\$18,000.00	\$18,000.00	\$50,000.00	\$50,000.00	\$50,000.00	\$50,000.00		
24.	Bonds & insurance	1	LS	\$14,600.00	\$14,600.00	\$12,400.00	\$12,400.00	\$11,000.00	\$11,000.00	\$36,000.00	\$36,000.00		
25.	4' concrete pilot channel	1940	LF	\$22.70	\$44,038.00	\$22.00	\$42,680.00	\$19.00	\$36,860.00	\$24.00	\$46,560.00		
26.	Concrete channel, 25' bottom, 4.2'-4.8' deep; 3:1 side slopes as per Sheet #12/12	1368	SY	\$46.40	\$63,475.20	\$57.00	\$77,976.00	\$65.50	\$89,604.00	\$72.00	\$98,496.00		
27.	Concrete channel, 27'-82.5' bottom, 6.75'-8.25' deep; 4:1-1:1 side slopes as per Sheet #9/10	1550	SY	\$43.60	\$67,580.00	\$58.00	\$89,900.00	\$65.00	\$100,750.00	\$76.50	\$118,575.00		
28.	Concrete channel, 27'-32' bottom, 7'-4' deep; 1:1 side slopes as per Sheet #8/9	3802	SY	\$46.00	\$174,892.00	\$60.00	\$228,120.00	\$65.00	\$247,130.00	\$71.00	\$269,942.00		
29.	Furnish & install top soil within channel	1	LS	\$6,200.00	\$6,200.00	\$16,000.00	\$16,000.00	\$26,200.00	\$26,200.00	\$5,001.00	\$5,001.00		
30.	Contractor to complete finish grading within limits of construction to maintain positive drainage	1	LS	\$3,200.00	\$3,200.00	\$6,000.00	\$6,000.00	\$5,000.00	\$5,000.00	\$8,001.00	\$8,001.00		
31.	Tie concrete channel into parallel headwalls as per Sheet #11	1	LS	\$19,890.00	\$19,890.00	\$2,500.00	\$2,500.00	\$4,500.00	\$4,500.00	\$5,001.00	\$5,001.00		
32.	Concrete channel, 30' bottom, 4.8' deep, 4:1 sides	425	SY	\$46.80	\$19,890.00	\$47.00	\$19,975.00	\$45.00	\$19,125.00	\$72.00	\$30,600.00		
33.	Construct earthen berm as per Sheet #14 to direct water to channel	1	LS	\$1,600.00	\$1,600.00	\$2,000.00	\$2,000.00	\$7,700.00	\$7,700.00	\$10,001.00	\$10,001.00		
SUB-TOTAL DRAINAGE					\$667,943.90	\$734,376.00		\$815,791.20		\$1,021,724.00			

FENCE											
1.	Furnish & install five-stranded barbed wire fence	884	LF	\$6.00	\$5,304.00	\$6.00	\$5,304.00	\$12.00	\$10,608.00	\$5.00	\$4,420.00
2.	Furnish & install wood privacy fence	477	LF	\$36.00	\$17,172.00	\$30.00	\$14,310.00	\$38.00	\$18,126.00	\$24.00	\$11,448.00
3.	Furnish & install 6' vinyl coated steel chain link fence	384	LF	\$36.00	\$13,824.00	\$32.00	\$12,288.00	\$36.00	\$13,824.00	\$40.00	\$15,360.00
4.	Furnish & install 6' vinyl coated steel chain link gate	2	EA	\$722.00	\$1,444.00	\$1,200.00	\$2,400.00	\$1,350.00	\$2,700.00	\$2,500.00	\$5,000.00
		SUB-TOTAL FENCE			\$37,744.00		\$34,302.00		\$45,258.00		\$36,228.00

TOTAL BASE BID \$705,687.90 \$768,678.00 \$861,049.20 \$1,057,952.00

11/20/17  
STATE OF TEXAS  
JENNIFER RYKEN  
106277  
LICENSED PROFESSIONAL ENGINEER  
Jennifer Ryken





# Conner Park Drainage Improvements Phase II

City of  
**Temple**

THE MEADOWS

THE MEADOWS

WESTFIELD  
MARKET

Concrete Channel  
40' Wide  
7' Deep  
1:1 Sides

MEADOWBROOK DR

WACO ROAD  
WEST SUBDIVISION

Concrete Channel  
40' Wide  
3.2' Deep  
1:1 Sides

BRAZOS  
BEND

CONNER PARK

TANGLEHEAD DR

Grass Channel  
Proposed  
Grass Channel  
Upgrades

F.M. 2305

OLD WACO RD



This project is for informational purposes only and does not constitute a contract. The information herein is for informational purposes only and does not constitute a contract. The information herein is for informational purposes only and does not constitute a contract. The information herein is for informational purposes only and does not constitute a contract.



RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A CONSTRUCTION CONTRACT WITH CHOICE BUILDERS, LLC OF TEMPLE, TEXAS IN THE AMOUNT OF \$705,687.90, TO CONSTRUCT THE CONNER PARK DRAINAGE CHANNEL IMPROVEMENTS; AND PROVIDING AN OPEN MEETINGS CLAUSE.

---

**Whereas**, a Pepper Creek tributary drains from Adams Avenue into a grass channel where it repeatedly escapes its banks and floods property and structures in the vicinity of Conner Park in west Temple;

**Whereas**, smaller drainage swales that contribute to this tributary also repeatedly flood adjacent properties - this tributary continues through a detention pond and goes underground into box culverts at the west end of the Brazos Bend subdivision and reemerges through a grass channel before joining the Thompson drainage channel at Old Waco Road;

**Whereas**, recommended improvements include widening the upstream grass channel, replacing the box culverts with a concrete channel, and lining the downstream channel with concrete;

**Whereas**, last fall Council authorized Turley Associates, Inc. to design and prepare construction-phase services – a temporary relief ditch was constructed by City crews as “Phase 1,” and City crews also will construct the grass-lined portions of the improved channel;

**Whereas**, on November 16, 2017, Staff received four construction bids for this project with bids ranging from \$705,687.90 to \$1,057,952.00 – Choice Builders was the low bidder in the amount of \$705,687.90;

**Whereas**, Staff and Turley Associates recommend Council award a construction contract to Choice Builders, LLC of Temple, Texas in the amount of \$705,687.90 for the construction of the Conner Park drainage channel improvements which will include a drainage channel, concrete riprap, various drainage appurtenances, fencing, adjustments to pedestrian facilities within the park, and new pedestrian connections to Tanglehead Drive & Brazos Bend;

**Whereas**, funds are available for this contract in Account Nos. 292-2900-534-6312 and 353-2900-534-6714, Project No. 101592; and

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

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



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

**Part 2:** The City Council authorizes the Interim City Manager, or her designee, after approval as to form by the City Attorney, to execute a construction contract with Choice Builders, LLC of Temple, Texas in the amount of \$705,687.90, to construct the Conner Park drainage channel improvements.

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

PASSED AND APPROVED this the 7<sup>th</sup> day of **December**, 2017.

THE CITY OF TEMPLE, TEXAS

---

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

---

Kayla Landeros  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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12/07/17  
Item #4(I)  
Consent Agenda  
Page 1 of 1

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

Buford Craig, Director of Transform Temple  
Belinda Mattke, Director of Purchasing

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a demolition contract with Sierra Contracting Corporation of Round Rock in the amount of \$48,400 for the demolition of 11 residential structures funded through the Community Development Block Grant.

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

**ITEM SUMMARY:** Included in the City's Community Development Block Grant (CDBG) Action Plan is funding for demolition of structures, with the focus on eliminating spot blight.

As shown on the attached bid tabulation, on November 28, 2017, nine bids were received for the demolition of the following residential structures:

709 South 30 <sup>th</sup> Street	815 East Avenue N	308 South 10 <sup>th</sup> Street	1202 South 10 <sup>th</sup> Street
1401 South 2 <sup>nd</sup> Street	1406 South 3 <sup>rd</sup> Street	717 South 9 <sup>th</sup> Street	610 South 23 <sup>rd</sup> Street
311 North 14 <sup>th</sup> Street	907 North 12 <sup>th</sup> Street	2401 South Pea Ridge Road	

The Invitation to Bid specified that the demolition contract would be awarded to the contractor with the lowest responsive bid for the total compiled cost of all properties. As shown on the attached bid tabulation, the low bidder for this project is Sierra Contracting Corporation (Sierra). Sierra has previously performed demolitions for the City, and staff found them to be a responsive and responsible vendor. Accordingly, staff recommends award of the demolition contract to Sierra.

Per the bid specifications, Sierra will have 28 calendar days to complete the work, per the notice to proceed that will be executed after execution of the demolition contract.

**FISCAL IMPACT:** Funding in the amount of \$101,176 is available in the Community Development Block Grant Demolition/Special Project, account 260-6100-571-2698, to fund the demolition contract with Sierra Demolition Corporation in the amount of \$48,400.

**ATTACHMENTS:**

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

**Tabulation of Bids Received  
on November 28, 2017 at 2:00 p.m.  
Demolition of 11 Residential Structures (CDBG Funded)  
Bid # 61-01-18**

	<b>Bidders</b>				
	<b>Sierra Contracting Corp Round Rock, TX</b>	JR Ramon & Sons Inc San Antonio, TX	Yoko Excavating, LLC Belton, TX	Lloyd D Nabors Demolition, LLC Hutchins, TX	AAR, Inc Liberty Hill, TX
<b>Description</b>					
Total Bid for demolition of 11 residential structures	<b>\$48,400.00</b>	\$87,143.00	\$72,966.00	\$87,600.00	\$67,775.00
Acknowledge Addenda (3)	<b>Yes</b>	Yes	Yes	Yes	Yes
Exceptions	<b>None</b>	None	None	None	None
Bid Bond	<b>Yes</b>	Yes	Yes	Yes	Yes
Bond Requirement Affidavit	<b>Yes</b>	Yes	Yes	Yes	Yes
Credit Check Authorization	<b>Yes</b>	Yes	Yes	Yes	Yes
CDBG Statement of Bidder's Qualifications	<b>Yes</b>	Yes	Yes	Yes	Yes
CDBG Contractor Certifications	<b>Yes</b>	Yes	Yes	Yes	Yes
CDBG Noncollusion Affidavit of Prime Bidder	<b>Yes</b>	Yes	Yes	Yes	Yes

	<b>Bidders</b>			
	Louie Minor Construction, LLC Belton, TX	TCB Construction, Inc Austin, TX	Bynum General Construction Services, Inc Temple, TX	Peerless Enterprises Temple, TX
<b>Description</b>				
Total Bid for demolition of 11 residential structures	\$76,776.00	\$105,506.00	\$100,000.00	\$63,005.00
Acknowledge Addenda (3)	Partial (1)	Yes	Yes	Yes
Exceptions	None	Yes	None	None
Bid Bond	Yes	Yes	Yes	Not on City form
Bond Requirement Affidavit	Yes	Yes	Yes	Yes
Credit Check Authorization	Yes	Yes	Yes	Yes
CDBG Statement of Bidder's Qualifications	Yes	Yes	Yes	Yes
CDBG Contractor Certifications	Yes	Yes	Yes	Yes
CDBG Noncollusion Affidavit of Prime Bidder	Yes	Yes	Yes	Yes

**Recommended for Council Award**

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A DEMOLITIONS CONTRACT WITH SIERRA CONTRACTING CORPORATION OF ROUND ROCK, TEXAS IN THE AMOUNT OF \$848,400, FOR THE DEMOLITION OF ELEVEN RESIDENTIAL STRUCTURES FUNDED THROUGH THE COMMUNITY DEVELOPMENT BLOCK GRANT; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, on November 28, 2017, the City received nine bids for the demolition of the following residential structures in order to eliminate spot blight in accordance with the City's Community Development Block Grant (CDBG) Action Plan:

709 South 30 <sup>th</sup> Street	815 East Avenue N	308 South 10 <sup>th</sup> Street
1202 South 10 <sup>th</sup> Street	1401 South 2 <sup>nd</sup> Street	1406 South 3 <sup>rd</sup> Street
717 South 9 <sup>th</sup> Street	610 South 23 <sup>rd</sup> Street	311 North 14 <sup>th</sup> Street
907 North 12 <sup>th</sup> Street	2401 South Pea Ridge Road	

**Whereas**, the bid specified that the demolition contract would be awarded to the contractor with the lowest responsive bid for the total compiled cost of all properties;

**Whereas**, Sierra Contracting Corporation of Round Rock, Texas submitted the lowest bid in the amount of \$848,400;

**Whereas**, Sierra has previously performed demolitions for the City, and Staff found them to be a responsive and responsible vendor;

**Whereas**, Staff recommends Council authorize a demolition contract to Sierra Contracting Corporation in the amount of \$848,400, for the demolition of eleven residential structures which will be funded through the Community Development Block Grant;

**Whereas**, funding for the eleven demolitions is available in the Community Development Block Grant Demolition/Special Project Account No. 260-6100-571-2698;

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

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

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

**Part 2:** The City Council authorizes the Interim City Manager, or her designee, after approval as to form by the City Attorney, to execute a construction contract with Sierra Contracting Corporation of Round Rock, Texas in the amount of \$848,400, for the demolition of eleven residential structures funded through the Community Development Block Grant.

**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 7<sup>th</sup> day of **December**, 2017.

THE CITY OF TEMPLE, TEXAS

---

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

---

Lacy Borgeson  
City Secretary

---

Kayla Landeros  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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12/07/17  
Item #4(J)  
Consent Agenda  
Page 1 of 2

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

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

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing change order #2 to a contract with Skyblue Utilities, Inc., of Gatesville, in an amount of \$24,393.86 for construction of the North 5<sup>th</sup> Street to Jackson Creek Utility Replacement Project.

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

**ITEM SUMMARY:** In October 2015, Council authorized a professional services agreement with BSP Engineers, Inc. (BSP), for \$73,710 to replace wastewater lines in the alley east of North 5<sup>th</sup> Street from Elm Street to King Street and the alley east of North 3<sup>rd</sup> Street from Elm Avenue to Jackson Creek. In June 2016, Council authorized a contract amendment with BSP to add the replacement of an undersized waterline to the scope of the project. In January 2017, Council authorized a construction contract with Skyblue for \$671,258.87 for the improvements listed above. In May 2017, change order 1 was approved in the amount of \$5,095.68.

The attached change order #2 finalizes quantities for the project. It increases the contract price from \$676,354.55 to \$700,748.41, a net 4.4% increase of the original contract amount. BSP recommends the change order in their attached letter.

**FISCAL IMPACT:** A budget adjustment is being presented to Council to appropriate funding for change order #2 to the construction contract with Skyblue Utilities, Inc., necessary for the construction of the North 5<sup>th</sup> Street to Jackson Creek Utility Replacement Project in an amount not to exceed \$24,393.86. Funding will be available in account 520-5900-535-6361, project 101193, as follows:

Project Budget	\$	789,096
Budget Adjustment		24,394
Encumbered/Committed to Date		(789,096)
Skyblue Utilities, Inc. - Change Order #2		(24,394)
Remaining Project Funds Available	\$	-

**ATTACHMENTS:**

Engineer's Recommendation Letter  
Project Map  
Change Order Form  
Budget adjustment  
Resolution

**Temple**  
15 West Central Avenue  
Temple, Texas 76501  
V: (254) 774.9611

**Waco**  
7215 Bosque Blvd. Ste 137  
Waco, Texas 76710  
V: (254) 756.1610  
[www.bspengineers.com](http://www.bspengineers.com)

**Hillsboro**  
861 HCR 1313  
Hillsboro, Texas 76645  
(254) 774-9611



November 22, 2017

City of Temple, Engineering  
Attn.: Ms. Sharon Carlos  
3210 East Ave. H, Bldg. A  
Temple, Texas 76501

Re: North 5<sup>th</sup> to Jackson Creek Utility Replacement Project - Change Order No. 2

Dear Ms. Carlos,

This letter is in support of Change Order No. 2 and explains the requested amounts.

Item 1: This work was done to permanently abandon two old galvanized service lines in the alley when new services were provided on the street side of two residences.

Item 2: This work was done to permanently isolate and abandon in-place a remaining segment of 2" water main no longer in service.

Item 3: These additional wastewater services were installed as each one was encountered during installation of the new sewer main. While replacing the old sewer main, it was discovered that many of the commercial properties had multiple services that were not identifiable above ground.

Items 4 and 5: These are credits back to the City for unused items.

Item 6: After trenching through a couple of areas paved with asphalt, it was determined that the remaining adjacent pavement was in poor condition and not suitable to be left in-place. The contractor removed the unsuitable asphalt and replaced it with new 2" HMA.

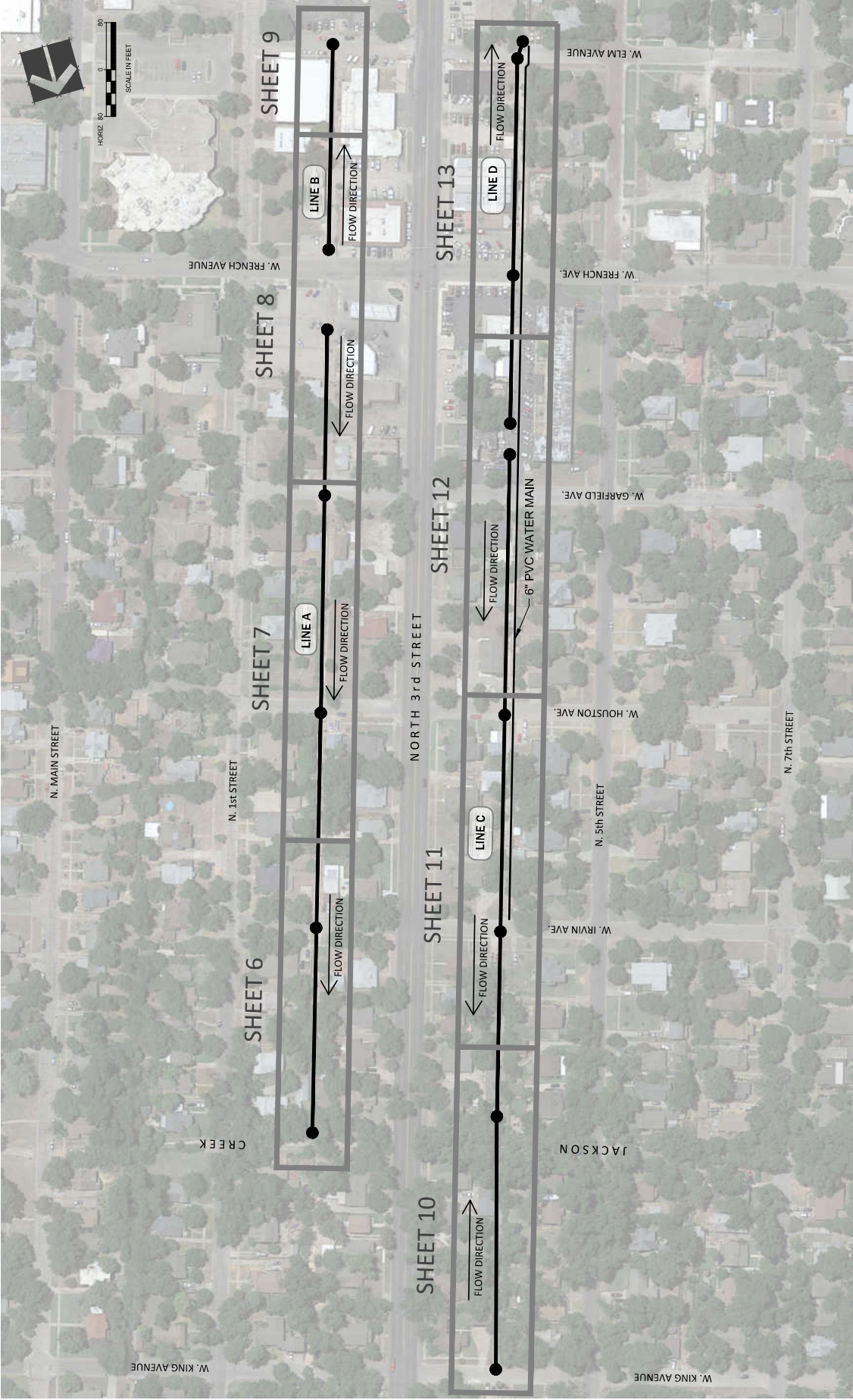
Please let me know if you have any further questions regarding these items.

Sincerely,

A handwritten signature in black ink that reads 'Anthony D. Beach'. The signature is written in a cursive, flowing style.

Anthony D. Beach, P.E.





OVERALL SITE PLAN & PLAN INDEX

Revisions
Date
Remarks

Project No:  
152278.00

5

CITY OF TEMPLE, TEXAS  
NORTH 5th TO JACKSON CREEK  
UTILITY REPLACEMENT PROJECT



*John P. Smith*  
Engineer



## CHANGE ORDER

**PROJECT:** North 5<sup>th</sup> to Jackson Creek Utility Replacement Project (Bid No. 54-01-17)  
**OWNER:** City of Temple  
**CONTRACTOR:** Skyblue Utilities, Inc.  
**ENGINEER:** BSP Engineers, Inc.  
**CHANGE ORDER #:** Two (2)

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

ITEM #:	AMOUNT:
1. ADD - 2 EA. abandon water services in place north of W. Irvin	\$1,800.00
2. ADD - 1 EA. abandon 2" water main in place south of W. French	\$1,800.00
3. ADD - 27 EA. 4" wastewater service w/ cleanout	\$24,627.51
4. DEDUCT - 8 EA. 1" short-side water service	(\$8,834.56)
5. DEDUCT - 2 EA. 1" long-side water service	(\$3,005.34)
6. ADD - 305 SY extra HMA at Jacquelyn Arms Apts. & EMS bldg.	\$8,006.25

<b>NET TOTAL</b>	<b>\$24,393.86</b>
------------------	--------------------

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

Original Contract Amount:	\$ 671,258.87
Previous Change in Contract Amount:	\$ 5,095.68
Change in Contract Amount:	\$ 24,393.86
Revised Contract Amount:	\$ 700,748.41
Original Contract Time:	Calendar Days 210
Previous Change in Contract Time:	Days 10
Change in Contract Time:	Calendar Days NONE
Revised Contract Time:	Calendar Days 220
Original Final Completion Date:	10-02-2017
Revised Final Completion Date:	10-12-2017

Recommended by:

\_\_\_\_\_  
Project Manager (City Staff)      Date

Agreed to:

Jose Guadalupe Rubio      11-9-17  
\_\_\_\_\_  
Contractor      Date

Approved as to form:

\_\_\_\_\_  
City Attorney's Office      Date

Recommended by:

Anthony D. Buel      11/09/17  
\_\_\_\_\_  
Architect/Engineer      Date

Approved by City of Temple:

\_\_\_\_\_  
Jonathan Graham, City Manager      Date

Approved by Finance Department:

\_\_\_\_\_  
Finance      Date

FY **2018****BUDGET ADJUSTMENT FORM**

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

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

			+		-	
ACCOUNT NUMBER	PROJECT #	ACCOUNT DESCRIPTION	INCREASE		DECREASE	
520-5900-535-63-61	101193	Capital Buildings & Grounds	\$ 24,394			
520-0000-373-04-11		Unreserved - Retained Earnings			\$ 24,394	
		<b>DO NOT POST</b>				
<b>TOTAL.....</b>			\$ 24,394		\$ 24,394	

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

To appropriate additional funding needed in the amount of \$24,393.86 for Change Order #2 for Skyblue Utilities, Inc. related to N 5th to Jackson Utility Replacement project, #101193.

DOES THIS REQUEST REQUIRE COUNCIL APPROVAL?

☒

Yes

☐

No

DATE OF COUNCIL MEETING

12/7/2017

WITH AGENDA ITEM?

☒

Yes

☐

No

Department Head/Division Director

Date

☐

Approved

☐

Disapproved

Finance

Date

☐

Approved

☐

Disapproved

City Manager

Date

☐

Approved

☐

Disapproved

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING CHANGE ORDER NO. 2 TO THE CONSTRUCTION CONTRACT WITH SKYBLUE UTILITIES, INC. OF KINGSLAND, TEXAS, IN AN AMOUNT NOT TO EXCEED \$24,393.86, FOR CONSTRUCTION OF THE NORTH 5<sup>TH</sup> STREET TO JACKSON CREEK UTILITY REPLACEMENT PROJECT; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, in October 2015, Council authorized a professional services agreement with BSP Engineers, Inc. (BSP) to replace wastewater lines in the alley east of North 5<sup>th</sup> Street from Elm Street to King Street, and the alley east of North 3<sup>rd</sup> Street from Elm Avenue to Jackson Creek;

**Whereas**, in June 2016, Council authorized a contract amendment with BSP to add the replacement of an undersized waterline to the scope of the project;

**Whereas**, in January 2017, Council authorized a construction contract with Skyblue Utilities, Inc. for construction of the North 5<sup>th</sup> Street to Jackson Creek Utility Replacement Project for \$671,258.87 - in May 2017, Change Order No. 1 was approved in the amount of \$5,095.68;

**Whereas**, Change Order No. 2 finalizes quantities for the project and increases the contract price from \$676,354.55 to \$700,748.41, a net 4.4% increase of the original contract amount;

**Whereas**, Staff and the City's contracted project engineer, BSP, recommend Council authorize Change Order No. 2 to the construction contract with Skyblue Utilities, Inc. of Gatesville, Texas in an amount not to exceed \$24,393.86, for construction of the North 5<sup>th</sup> Street to Jackson Creek Utility Replacement Project;

**Whereas**, funds are available for this change order, but an amendment to the fiscal year 2018 budget needs to be approved to transfer the funds to Account No. 520-5900-535-6361, Project No. 101193; and

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

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

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

**Part 2:** The City Council authorizes the Interim City Manager, or her designee, after approval as to form by the City Attorney, to execute Change Order No. 2 to the construction contract with Skyblue Utilities, Inc. of Kingsland, Texas in an amount not to exceed \$24,393.86, for construction of the North 5<sup>th</sup> Street to Jackson Creek Utility Replacement project.

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

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

PASSED AND APPROVED this the 7<sup>th</sup> day of **December**, 2017.

THE CITY OF TEMPLE, TEXAS

---

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

---

Kayla Landeros  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

12/07/17  
Item #4(K)  
Consent Agenda  
Page 1 of 2

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

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

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing deductive change order #8 to the contract with TTG Utilities, LP, of Gatesville in the amount of \$173,617.34 for construction of Avenue U & the 13<sup>th</sup> Street Connector.

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

**ITEM SUMMARY:** The Avenue U & 13<sup>th</sup> Street Connector project widens and extends Avenue U from 1<sup>st</sup> Street to Scott & White Boulevard, improves 13<sup>th</sup> Street from Loop 363 to Avenue U, enhances the Avenue U & 5<sup>th</sup> Street intersection, and provides storm sewer, pedestrian facilities, landscaping, and irrigation.

On May 5, 2016, Council authorized a contract with TTG for \$5,437,983.59 to construct the project. Previous change orders totaling \$262,607.43 have revised the contract amount to \$5,700,591.02.

As indicated in the attached Change Order and Engineer's Recommendation Letter, the most significant component of this change order is adjustments to the final quantities installed on this project. It also extends the sidewalk north of Avenue U and 5<sup>th</sup> Street and replaces sod and irrigation damaged by the traveling public. This change order includes deleted items totaling \$205,613.19 and additional items totaling \$31,995.85, a net deduction of \$173,617.34. Previous change orders and this proposed deduction revise the final contract amount to \$5,526,973.68, a net increase of 1.64%. City Staff agrees with the changes and recommends approval.

**FISCAL IMPACT:** Funding for this deductive Change Order #8 with TTG Utilities in the amount of \$179,617.34 will be recognized as follows:

	365-3400-531-6874	561-5200-535-6969	795-9500-531-6874 795-9800-531-6874	Total
	101581 / 100718	100718	101012	
Project Budget	\$ 2,958,508	\$ 16,150	\$ 5,505,000	\$ 8,479,658
Encumbered/Committed to Date	(2,950,044)	(16,150)	(5,316,704)	(8,282,898)
<b>TTG Utilities Change Order #8</b>	<b>83,371</b>	<b>-</b>	<b>90,246</b>	<b>173,617</b>
<b>Remaining Project Funds</b>	<b>\$ 91,835</b>	<b>\$ -</b>	<b>\$ 278,542</b>	<b>\$ 370,377</b>

**FISCAL IMPACT:** Funding for this deductive change order #8 with TTG Utilities in the amount of \$179,617.34 will be recognized as follows:

	365-3400-531-6874	561-5200-535-6969	795-9500-531-6874	
	101581 / 100718	100718	795-9800-531-6874	Total
	101012			
Project Budget	\$ 2,958,508	\$ 16,150	\$ 5,505,000	\$ 8,479,658
Encumbered/Committed to Date	(2,950,044)	(16,150)	(5,316,704)	(8,282,898)
<b>TTG Utilities Change Order #8</b>	<b>83,371</b>	<b>-</b>	<b>90,246</b>	<b>173,617</b>
<b>Remaining Project Funds</b>	<b>\$ 91,835</b>	<b>\$ -</b>	<b>\$ 278,542</b>	<b>\$ 370,377</b>

**ATTACHMENTS:**

[Recommendation Letter](#)  
[Change Order Form](#)  
[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

November 28, 2017

Mr. James Billeck, P.E.  
3210 E. Avenue H  
Building A  
Temple, Texas 76501

Re: City of Temple, Texas  
Avenue U and 13<sup>th</sup> Street Connector  
Change Order #8 (Project Final Change Order)

Dear Mr. Billeck:

Attached is Change Order #8 for the Avenue U and 13<sup>th</sup> Street Connector Project. This change order is developed for replacing sod and a portion of the irrigation system damaged by the traveling public after the Avenue U and 13<sup>th</sup> Street were opened, installation of sidewalk north of the intersection of Avenue U and 5<sup>th</sup> Street and adjusting quantities to the final quantities installed on the project. We have prepared an overall Change Order as well as a breakout for the TCIP and TRZ portions of the project. The TCIP portion of the project is -\$83,370.89 and the TRZ portion is -\$90,246.45 for a total of -\$173,617.34.

We have reviewed Change Order #8 and recommend it be processed and executed with respect to the TTG Utilities LP construction contract for the above referenced project.

Sincerely,

A blue ink signature of R. David Patrick, P.E., CFM, written in a cursive style.

R. David Patrick, P.E., CFM

RDP/rdp

xc: Mr. Rusty Tatum, TTG Utilities  
KPA Project File: 2011-120-40



## CHANGE ORDER

PROJECT: **PROPOSED AVE. U AND 13TH STREET CONNECTOR**

OWNER: **City of Temple**

CONTRACTOR: **TTG UTILITIES LP**

ENGINEER: **Kasberg, Patrick & Associates**

CHANGE ORDER #: **8 TCIP Portion**

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

**Add: Final Change Order for the Project (TCIP Portion)**

Item	Description	Quantity	Unit	Unit Price	Extended Amount
CO3-1	Furnish & Install Celebration Bermuda Sod	30	SY	\$ 6.32	\$ 189.60
CO8-1	Irrigation Repair	1	LS	\$ 875.00	\$ 875.00
AA1-7	Concrete Sloped End Treatment for 24" RCP	1	EA	\$ 1,560.00	\$ 1,560.00
AA1-12	TxDOT Curb Ramp, Type 21	1	EA	\$ 890.00	\$ 890.00
AA2-3	DEDUCT Remove & Replace Concrete Curb (Price for Base Bid Item 33)	530	LF	\$ 18.50	\$ 9,805.00
AA2-4	DEDUCT Remove, Decomposed Granite with Filter Fabric, (Price For Base Bid Item 81)	65	SY	\$ 8.25	\$ 536.25
<b>Add Total TCIP</b>				<b>\$</b>	<b>13,855.85</b>

**Add: Final Change Order for the Project (TRZ Portion)**

Item	Description	Quantity	Unit	Unit Price	Extended Amount
B-39	5' x 5' Junction Box	1	EA	\$ 3,890.00	\$ 3,890.00
B-41	10' x 5" Curb Inlet	1	EA	\$ 7,190.00	\$ 7,190.00
B-59	Concrete Sidewalk	108	SY	\$ 42.50	\$ 4,590.00
B-61	Handrail, Including all apputenances	26	LF	\$ 95.00	\$ 2,470.00
<b>Add Total TRZ</b>				<b>\$</b>	<b>18,140.00</b>
<b>Add Total</b>				<b>\$</b>	<b>31,995.85</b>

**Delete: Final Change Order for the Project (TCIP Portion)**

A-10	Furnish, Install, Maintain & Remove Silt Fence as required in the Stormwater Pollution Prevention Plan	-1100	LF	\$ 2.45	\$ (2,695.00)
A-11	Furnish, Install, Maintain & Remove Rock Berm as required in the Stormwater Pollution Prevention Plan	-100	LF	\$ 30.00	\$ (3,000.00)
A-19	3'x3' Grate Inlet	-1	EA	\$ 2,505.00	\$ (2,505.00)
A-21	4'x4' Junction Box	-1	EA	\$ 2,600.00	\$ (2,600.00)
A-22	10'x3' Curb Inlet	-1	EA	\$ 6,000.00	\$ (6,000.00)
A-26	18" Class III RCP	-96	LF	\$ 47.00	\$ (4,512.00)
A-36	Stone Retaining Wall per Detail, Including Leveling Pad, Pipe Underdrain, Select Fill & All Other Appurtenances	-400	SF	\$ 20.00	\$ (8,000.00)
A-37	6" Rock Riprap	-75	SY	\$ 23.50	\$ (1,762.50)
A-47	4" Single White Solid Thermo Plastic Striping	-348	LF	\$ 0.80	\$ (278.40)
A-50	4" Yellow Skip (Dash) Thermo Plastic Striping Including Traffic Buttons, Running Length of Roadway at Spacing per Plans & Details	-73	LF	\$ 0.58	\$ (42.34)
A-63	Brick Paver Cross Walk with 2-foot Colored Concrete Bands, Including All Amenities Per Detail	-415	SY	\$ 124.00	\$ (51,460.00)
A-64	Type 7 Handicap Ramp at Enhanced Intersection, Including Red Truncated Brick Pavers, Concrete & All Amenities	-6	EA	\$ 860.00	\$ (5,160.00)
A-65	Class A Concrete	-5.75	CY	\$ 270.00	\$ (1,552.50)
A-72	6" Moisture Conditioned Subgrade (Roadway)	-460	SY	\$ 1.65	\$ (759.00)
A-73	14" CLBM	-460	SY	\$ 15.00	\$ (6,900.00)
<b>Delete Total TCIP</b>				<b>\$</b>	<b>(97,226.74)</b>

Delete:	Final Change Order for the Project (TRZ Portion)					
B-10	Furnish, Install, Maintain & Remove Silt Fence as required in the Stormwater Pollution Prevention Plan	-2440	LF	\$	2.45	\$ (5,978.00)
B-11	Furnish, Install, Maintain & Remove Rock Berm as required in the Stormwater Pollution Prevention Plan	-60	LF	\$	30.00	\$ (1,800.00)
B-12	Stabilized Construction Entrance	-2	EA	\$	1,600.00	\$ (3,200.00)
B-14	Water Service Connections, Including Meter Box & Lid	-4	EA	\$	915.00	\$ (3,660.00)
B-19	8" 45 Degree Bend	-2	EA	\$	310.00	\$ (620.00)
B-20	8" 22.5 Degree Bend	-7	EA	\$	310.00	\$ (2,170.00)
B-21	8" 11.25 Degree Bend	-10	EA	\$	300.00	\$ (3,000.00)
B-26	8" Plug	-4	EA	\$	190.00	\$ (760.00)
B-29	6" Plug	-3	EA	\$	185.00	\$ (555.00)
B-32	2" Plug	-3	EA	\$	65.00	\$ (195.00)
B-53	Concrete Flume including Reinforcement	-45	LF	\$	43.00	\$ (1,935.00)
B-60	TxDOT Curb Ramp, Type 7	-4	EA	\$	860.00	\$ (3,440.00)
B-63	Directional Arrow Emblem Thermo Plastic Striping	-1	EA	\$	110.00	\$ (110.00)
B-68	4" Yellow Skip (Dash) Thermo Plastic Striping	-840	LF	\$	0.60	\$ (504.00)
B-80	Brick Paver Cross Walk with 2-foot Colored Concrete Bands, Including All Amenities Per Detail	-40	SY	\$	124.00	\$ (4,960.00)
B-82	Class A Concrete	-107.75	CY	\$	270.00	\$ (29,092.50)
B-83	Concrete Riprap	-200	SY	\$	55.00	\$ (11,000.00)
B-86	Sawcut Existing Concrete	-48	LF	\$	3.00	\$ (144.00)
B-87	Sawcut Existing Asphalt	-227	LF	\$	1.15	\$ (261.05)
B-89	6" Moisture Conditioned Subgrade (Roadway)	-825	SY	\$	1.70	\$ (1,402.50)
B-90	14" CLBM	-815	SY	\$	15.00	\$ (12,225.00)
B-95	Lighting Fixtures, Bases & Foundations	-3.66	EA	\$	5,840.00	\$ (21,374.40)
					<b>Delete Total TRZ</b>	<b>\$ (108,386.45)</b>
					<b>Delete Total</b>	<b>\$ (205,613.19)</b>
					<b>Change Order Total</b>	<b>\$ (173,617.34)</b>

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

Original Contract Amount	\$ 5,437,983.59
Previous Net Change in Contract Amount	\$ 262,607.43
Net Change in Contract Amount	\$ (173,617.34)
Revised Contract Amount	\$ 5,526,973.68
Original Contract Time	330 days
Previous Net Change in Contract Time	185 days
Net Change in Contract Time	0 days
Revised Contract Time	515 days
Original Final Completion Date	April 27, 2017
Revised Final Completion Date	October 29, 2017

Recommended By:

\_\_\_\_\_  
Project Manager (City Staff) Date

Agreed to:

Dawna L. Jamer 11/28/17  
Contractor TTE Utilities, LP Date

Approved as to form:

\_\_\_\_\_  
City Attorney's Office Date

Recommended by:

[Signature] 11/28/17  
Architect/Engineer Date

Approved by City of Temple:

\_\_\_\_\_  
Brynn Myers Date  
Interim City Manager  
Approved by Finance Department

\_\_\_\_\_  
Finance Date





**PROPOSED  
AVENUE U &  
TMED WAY(13TH ST.)  
LAYOUT**



0 125 250  
HORIZONTAL SCALE IN FEET





RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING DEDUCTIVE CHANGE ORDER NO. 8 IN THE AMOUNT OF \$173,617.34, TO THE CONSTRUCTION CONTRACT WITH TTG UTILITIES, LP OF GATESVILLE, TEXAS, FOR CONSTRUCTION OF THE AVENUE U AND 13<sup>TH</sup> STREET CONNECTOR PROJECT; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas,** the Avenue U & 13<sup>th</sup> Street Connector Project widens and extends Avenue U from 1<sup>st</sup> Street to Scott & White Boulevard, improves 13<sup>th</sup> Street from Loop 363 to Avenue U, enhances the Avenue U & 5<sup>th</sup> Street intersection, and provides storm sewer, pedestrian facilities, landscaping, and irrigation;

**Whereas,** on May 5, 2016, Council authorized a contract with TTG Utilities, LP of Gatesville, Texas in the amount of \$5,437,983.59 to construct the project - previous change orders totaling \$262,607.43 have revised the contract amount to \$5,700,591.02- this deduction will revise the final contract amount to \$5,526,973.68, a net increase of 1.64%;

**Whereas,** this Change Order allows for adjustments to the final quantities installed on this project, extends the sidewalk north of Avenue U and 5<sup>th</sup> Street and replaces sod and irrigation damaged by the traveling public, and includes deleted items totaling \$205,613.19 and additional items totaling \$31, 995.85, resulting in a net deduction of \$173,617.34;

**Whereas,** Staff and the City's contracted engineer for this project recommend Council approve deductive Change Order No. 8 in the amount of \$173,617.34, to the construction contract with TTG Utilities, LP, for construction of Avenue U & the 13th Street Connector Project;

**Whereas,** funding for this deductive change order will be recognized in the following accounts:

Account No. 365-3400-531-6874, Project No. 101581 & 100718;  
Account No. 561-5200-535-6969, Project No. 100718;  
Account No. 795-9500-531-6874, Project No. 101012;  
Account No. 795-9800-531-6874, Project No. 101012; and

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

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

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

**Part 2:** The City Council authorizes the Interim City Manager, or her designee, after approval as to form by the City Attorney, to execute deductive Change Order No. 8 in the amount of \$173,617.34, to the construction contract with TTG Utilities, LP of Gatesville, Texas for construction of Avenue U & the 13<sup>th</sup> Street Connector Project.

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

PASSED AND APPROVED this the 7<sup>th</sup> day of **December**, 2017.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

---

Kayla Landeros  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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12/07/17  
Item #4(L)  
Consent Agenda  
Page 1 of 2

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

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

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing change order #1 to the construction contract with S.J. Louis Construction of Texas, Ltd., of San Antonio in the amount of \$81,719.88 for the Leon River Sewer project.

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

**ITEM SUMMARY:** On March 1, 2012, Council authorized an agreement with KPA for engineering design services required to provide a new trunk sewer. On May 18, 2016, Council authorized a construction contract with S.J. Louis.

This change order is to provide a stabilized construction entrance, stabilize the soil near the Leon River behind Johnson Ford Brothers, and extend the I35 bore. During construction the general contractor had encountered unstable soil in the trench section. The bore extension is required to avoid excavation of boring and receiving pits under existing water mains.

The original construction contract amount is \$4,092,036.59. This change order represents a contract increase of \$81,719.88, or 2% of the original contract amount. The engineering consultant has reviewed the change order and recommends approval. There is no proposed added time for the change order.

The following is the breakdown of the change order:

Stabilized Construction Entrance	\$ 1,897.50
Soil Stabilization	\$41,770.00
Bore Extension	<u>\$38,052.38</u>
Total	<u><b>\$81,719.88</b></u>

Original Contract Amount	\$ 4,092,036.59
Previous Net Change in Contract Amount	\$ 0.00
Net Change in Contract Amount	\$ 81,719.88
Revised Contract Amount	\$ 4,173,756.47
Original Contract Time	365 Days
Net Change in Contract Time	0 Days
Revised Contract Time	365 Days
Original Final Completion Date	July 10, 2018
Revised Final Completion Date	July 10, 2018

**FISCAL IMPACT:** A budget adjustment is being presented to Council to appropriate funding for Change Order #1 to the construction contract with S.J. Louis Construction of Texas, Ltd. for the Leon River Sewer project in the amount of \$81,719.88. Funding will be available in account 561-5400-535-6941, project 100851, as follows:

Project Budget	\$ 5,365,530
Budget Adjustment	63,096
Encumbered/Committed to Date	(5,346,906)
<b>S.J. Louis Construction of Texas, Ltd – Change Order #1</b>	<b>(81,720)</b>
<b>Remaining Project Funds Available</b>	<b>\$ -</b>

**ATTACHMENTS:**

[Recommendation Letter](#)  
[Project Map](#)  
[Change Order Form](#)  
[Budget Adjustment](#)  
[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

November 22, 2017

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

Re: City of Temple, Texas  
Leon River Trunk Sewer

Dear Mr. Wilson:

Enclosed are four (4) copies of Change Order No. 1 in the amount of \$81,719.88 for the above referenced project. This change order is for construction activities associated with additional scope of work items added to the project and adjustments to avoid existing utilities. These items include a stabilized construction entrance, additional embedment for unstable trench conditions and extension of IH-35 bore to avoid existing waterlines.

We recommend approval of Change Order No. 1 in the amount of \$81,719.88 for a Revised Contract Amount of \$4,173,756.47.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Rick N. Kasberg'.

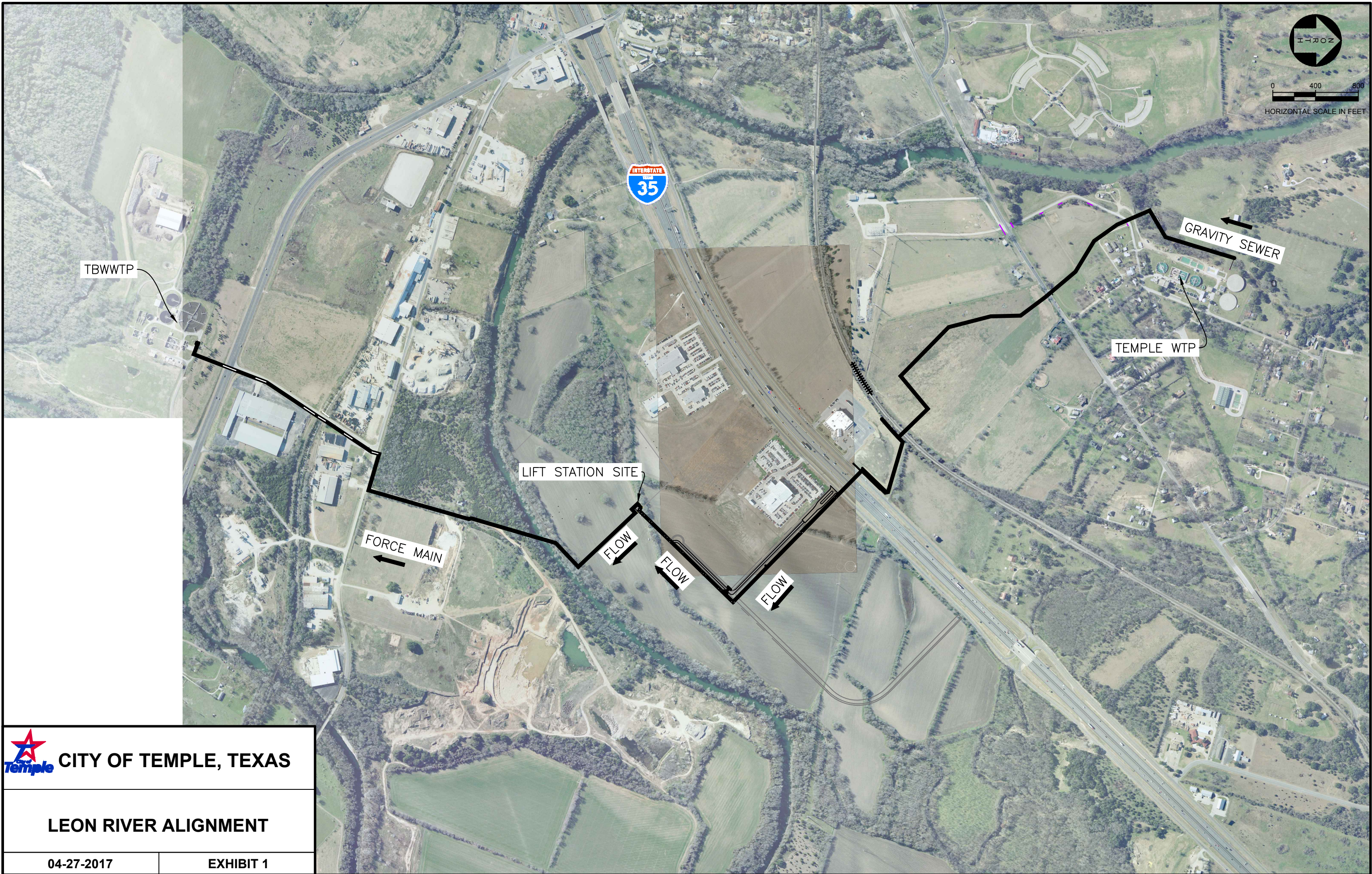
Rick N. Kasberg, P.E.


RNK/

xc: Mr. Curtis Ostrander, S.J. Louis Construction of Texas Ltd.  
2013-127-40



FILE: P:\Temple\2013\2013-12\CAD\WORKING\PBS.dwg LAST SAVED: 4/27/2017 4:31:23 PM LAYOUT: NO OWNERS



 <b>CITY OF TEMPLE, TEXAS</b>	
<b>LEON RIVER ALIGNMENT</b>	
<b>04-27-2017</b>	<b>EXHIBIT 1</b>



# CHANGE ORDER

PROJECT: **Leon River Trunk Sewer**  
 OWNER: **City of Temple**  
 CONTRACTOR: **SJ Louis Construction of Texas, Ltd**  
 ENGINEER: **Kasberg, Patrick & Associates, LP**  
 CHANGE ORDER #: **1**

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

1. Stabilized Construction Entrance and Excavation/Embedment to address unstable trench bottom, extend bore:

Item	Description	Quantity	Unit	Cost	Total
CO1-1	Stabilized Construction Entrance	1	LS	\$ 1,897.50	\$ 1,897.50
CO1-2	Removal of 12" Spoil (Extra)	3,000	LF	\$ 4.03	\$ 12,090.00
CO1-3	12" Additional Embedment	3,000	LF	\$ 2.05	\$ 6,150.00
CO1-4	Removal of 4' of Spoil (Extra)	1,000	LF	\$ 15.34	\$ 15,340.00
CO1-5	4' of 3"x5" Rock at Trench Bottom	1,000	LF	\$ 8.19	\$ 8,190.00
CO1-6	36" CCFRPM Pipe	3	LF	\$ 207.46	\$ 622.38
CO1-7	54" Steel Encasement by Bore	38	LF	\$ 985.00	\$ 37,430.00
<b>Total</b>				<b>\$</b>	<b>\$ 81,719.88</b>

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

Original Contract Amount	\$ 4,092,036.59
Previous Net Change in Contract Amount	\$ -
Net Change in Contract Amount	\$ 81,719.88
Revised Contract Amount	\$ 4,173,756.47
Original Contract Time	365 Days
Previous Net Change in Contract Time	N/A
Net Change in Contract Time	0 days
Revised Contract Time	365 days
Original Final Completion Date	July 10, 2018
Revised Final Completion Date	July 10, 2018

Recommended By:

Recommended By:

Project Manager (City Staff) Date

Architect/Engineer Date

Agreed To:

Approved by City of Temple:

Contractor Date

Brynn Myers, Iterim City Manager Date

Approved as to Form:

Approved by Finance Department:

City Attorney's Office Date

Finance Date

FY **2018****BUDGET ADJUSTMENT FORM**

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

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

			+		-	
ACCOUNT NUMBER	PROJECT #	ACCOUNT DESCRIPTION	INCREASE		DECREASE	
561-5400-535-69-41	100851	Capital - Bonds / Leon River Interceptor	\$ 63,096			
561-5000-535-65-32		Contingency Fund Balance			\$ 63,096	
<b>TOTAL.....</b>			<b>\$ 63,096</b>		<b>\$ 63,096</b>	

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

The budget adjustment presented for approval reallocates funds from utility revenue bond contingency to fund change order #1 with SS.J. Louis Construction of Texas for the Leon River Trunk Sewer project, #100851.

DOES THIS REQUEST REQUIRE COUNCIL APPROVAL?

☒

Yes

☐

No

DATE OF COUNCIL MEETING

12/7/2017

WITH AGENDA ITEM?

☒

Yes

☐

No

Department Head/Division Director

Date

☐

Approved

☐

Disapproved

Finance

Date

☐

Approved

☐

Disapproved

City Manager

Date

☐

Approved

☐

Disapproved

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING CHANGE ORDER NO. 1 TO THE CONSTRUCTION CONTRACT WITH S.J. LOUIS CONSTRUCTION OF TEXAS, LTD, OF SAN ANTONIO, TEXAS, IN THE AMOUNT OF \$81,719.88, FOR THE LEON RIVER SEWER PROJECT; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, on March 1, 2012, Council authorized an agreement with Kasberg, Patrick & Associates, LP for engineering design services required to provide a new trunk sewer - on May 18, 2016, Council then authorized a construction contract with S.J. Louis Construction of Texas, Ltd for construction of the Leon River Sewer Project;

**Whereas**, Change Order No. 1 is necessary to provide a stabilized construction entrance, stabilize the soil near the Leon River behind Johnson Ford Brothers, and extend the I-35 bore;

**Whereas**, during construction the general contractor has encountered unstable soil in the trench section and the bore extension is required to avoid excavation of boring and receiving pits under existing water mains;

**Whereas**, this Change Order represents a contract increase of \$81,719.88, or 2% of the original contract amount and Staff and the City's engineering consultant have reviewed the change order and recommends Council authorize Change Order No. 1 to the construction contract with S.J. Louis Construction of Texas, Ltd. For the Leon River Sewer Project;

**Whereas**, funds are available for this change order, but an amendment to the fiscal year 2018 budget needs to be approved to transfer the funds to Account No. 561-5400-535-6941, Project No. 100851; and

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

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

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

**Part 2:** The City Council authorizes the Interim City Manager, or her designee, after approval as to form by the City Attorney, to execute change order 1 to the construction contract with S.J. Louis Construction of Texas, Ltd. Of San Antonio, Texas in the amount of \$81,719.88, for the Leon River Sewer project.

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

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

PASSED AND APPROVED this the 7<sup>th</sup> day of **December**, 2017.

THE CITY OF TEMPLE, TEXAS

---

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

---

Kayla Landeros  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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12/07/17  
Item #4(M)  
Consent Agenda  
Page 1 of 2

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

Nicole Torralva, PE, Director of Public Works  
Kenny Henderson, Transportation Director

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a one-year renewal to a construction contract for the street overlay program for FY2018 with Oldcastle Materials Texas, Inc. of Cedar Park, in an estimated annual amount of \$2,817,797.

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

**ITEM SUMMARY:** Authorization of this one-year contract extension will provide continued street overlay improvements during FY2018 under the City's Street Legacy Program at the following costs:

Installation of hot mix asphalt	\$100.60 per ton
Milling	\$3.10 per square yard
4" yellow striping	\$1.05 per linear foot
4" white striping	\$2.50 per linear foot
8" white striping	\$3.30 per linear foot
24" white striping	\$11.50 per linear foot
Directional arrows	\$160-\$200 each
Traffic buttons	\$3.85 per linear foot

On March 3, 2016, Council authorized a construction contract with APAC-Texas (now known as Oldcastle Materials Texas, Inc.) for the 2016 Overlay Program. On October 6, 2016, Council authorized a one-year extension to the contract for the 2017 Overlay Program. The current contract expired on September 30, 2017. The original bid allowed for four additional one-year extensions. In order to renew the contract, the vendor must agree to hold their prices firm for an additional year, which they are willing to do.

Staff is pleased with the services provided by Oldcastle Materials Texas and believe the pricing is still a good value. This will be the second one-year renewal authorized under this contract, with two years remaining.

Pavement assessment and evaluation criteria have been established to identify the roadways which will receive the maintenance work. Attached is the FY2018 Legacy Pavement Preservation Program Plan which outlines the anticipated roadways that will have overlay improvements installed during FY2018. It is important to note this list is subject to change based on other capital project needs that may arise during the fiscal year.

**FISCAL IMPACT:** The street overlay project was funded with the issuance of CO Bonds sold in October 2017. Funding is appropriated in account 365-3400-531-6527, project #101712, as follows:

Project Budget	\$ 3,110,000
Encumbered/Committed to Date	-
FY 2018 Construction Contract Award – Oldcastle Materials Texas, Inc.	(2,817,797)
<b>Remaining Project Funds Available</b>	<b>\$ 292,203</b>

**ATTACHMENTS:**

[FY2018 Legacy Pavement Preservation Program Plan Resolution](#)



## FY2018 Legacy Pavement Preservation Program Plan

Address	To/From	Length	Width	Sq. Yards	Tons	Cost of Asphalt	Cost of Milling	Cost of Striping	Total Cost
S 5th st	Ave H to Dead end	1,500	30	5000	454.5455	\$36,364	\$15,000	\$0	\$51,364
S 7th st	Ave H to Dead end	1900	30	6333.333	575.7576	\$46,061	\$19,000	\$0	\$65,061
S 9th st	Ave H to Ave D	1500	30	5000	454.5455	\$36,364	\$15,000	\$0	\$51,364
S 11th st	Ave H to Ave D	1500	30	5000	454.5455	\$36,364	\$15,000	\$0	\$51,364
S 13th st	Ave H to Ave D	1500	30	5000	454.5455	\$36,364	\$15,000	\$0	\$51,364
S 15th st	Ave H to Dead end	1400	30	4666.667	424.2424	\$33,939	\$14,000	\$0	\$47,939
S 17th st	Ave H to Ave E	1100	30	3666.667	333.3333	\$26,667	\$11,000	\$0	\$37,667
S 19th st	Ave H to Ave E	1100	30	3666.667	333.3333	\$26,667	\$11,000	\$0	\$37,667
E Ave F	S 25th to S 1st	4000	30	13333.33	1212.121	\$96,970	\$40,000	\$0	\$136,970
E Ave D	S 13th to S 3rd	1600	30	5333.333	484.8485	\$38,788	\$16,000	\$0	\$54,788
E Ave E	S 19th to S 3rd	2600	30	8666.667	787.8788	\$63,030	\$26,000	\$0	\$89,030
Magnolia	Hickory to Dove	2000	30	6666.667	606.0606	\$48,485	\$20,000	\$0	\$68,485
Hemlock Ct	Hickory to Hemlock Blvd	3000	32	10666.67	969.697	\$77,576	\$32,000	\$0	\$109,576
White Oak	Hickory to Dove	1600	30	5333.333	484.8485	\$38,788	\$16,000	\$0	\$54,788
Walnut	Magnolia to Aspen	800	30	2666.667	242.4242	\$19,394	\$8,000	\$0	\$27,394
Spanish Oak	Magnolia to Aspen	800	30	2666.667	242.4242	\$19,394	\$8,000	\$0	\$27,394
Dove	Magnolia to White Oak	1900	30	6333.333	575.7576	\$46,061	\$19,000	\$0	\$65,061
Thornton Ln	Oakdale to Hickory Rd	2600	45	13000	1181.818	\$94,545	\$39,000	\$2,600	\$136,145
Blackland Rd	Canton Creek to Little River	11,600	44	56711.11	5155.556	\$412,444	\$170,133	\$11,342	\$593,920
S 29th st	W Ave H to W Ave M	1750	28	5444.444	494.9495	\$39,596	\$16,333	\$1,089	\$57,018
S 27th	W Ave H to W Ave M	1750	28	5444.444	494.9495	\$39,596	\$16,333	\$0	\$55,929
S 23rd	W Ave H to W Ave M	1750	28	5444.444	494.9495	\$39,596	\$16,333	\$0	\$55,929
S 21st	W Ave H to W Ave M	1750	28	5444.444	494.9495	\$39,596	\$16,333	\$0	\$55,929
S 17th st	W Ave H to W Ave M	1750	28	5444.444	494.9495	\$39,596	\$16,333	\$0	\$55,929
S 18th st	E Ave H to Dead End	1300	28	4044.444	367.6768	\$29,414	\$12,133	\$0	\$41,547
S 20th st	E Ave H to Dead End	1500	28	4666.667	424.2424	\$33,939	\$14,000	\$0	\$47,939
S 22nd st	E Ave H to Dead End	2100	28	6533.333	593.9394	\$47,515	\$19,600	\$0	\$67,115
High Point	Waters Dairy to Stone Point	825	30	2750	250	\$20,000	\$8,250	\$0	\$28,250
Calle Secoya	Paseo Del Oro to Del Plata	760	28	2364.444	214.9495	\$17,196	\$7,093	\$0	\$24,289
Calle Nogal	Paseo Del Oro to Calle Secoya	700	28	2177.778	197.9798	\$15,838	\$6,533	\$0	\$22,372
Paseo Del Cobre	Calle Nogal to Calle Roble	720	28	2240	203.6364	\$16,291	\$6,720	\$448	\$23,459
Marlandwood Rd	S 31st st to Lilac Ln	6400	30	21333.33	1939.394	\$155,152	\$64,000	\$4,267	\$223,418
French Ave	N 3rd to RxR	2200	30	7333.333	666.6667	\$53,333	\$22,000	\$0	\$75,333
Garfield Ave	N 3rd to RxR	2200	30	7333.333	666.6667	\$53,333	\$22,000	\$0	\$75,333
Irvin Ave	N 3rd to RxR	2200	30	7333.333	666.6667	\$53,333	\$22,000	\$0	\$75,333
Houston Ave	N 3rd to RxR	2200	30	7333.333	666.6667	\$53,333	\$22,000	\$0	\$75,333

\$2,817,797

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A ONE-YEAR RENEWAL TO A CONSTRUCTION CONTRACT WITH OLDCASTLE MATERIALS TEXAS, INC. (FORMERLY APAC-TEXAS, INC.) OF CEDAR PARK, TEXAS IN THE ESTIMATED ANNUAL AMOUNT OF \$2,817,797, FOR THE STREET OVERLAY PROGRAM FOR FISCAL YEAR 2018; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, on March 3, 2016, Council authorized a construction contract with APAC-Texas (now known as Oldcastle Materials Texas, Inc.) for the 2016 Overlay Program - on October 6, 2016, Council authorized a one-year extension to the contract for the 2017 Overlay Program which expired September 30, 2017;

**Whereas**, the original bid allowed for four additional one-year renewals and in order to renew the contract, the vendor must agree to hold their prices firm for an additional year, which they are willing to do;

**Whereas**, Staff is pleased with the services provided by Oldcastle Materials Texas and believes the pricing is still a good value for the City - this will be the second one-year renewal authorized under this contract, with two renewals remaining;

**Whereas**, pavement assessment and evaluation criteria have been established to identify the roadways which will receive the maintenance work - the fiscal year 2018 Legacy Pavement Preservation Program Plan outlines the anticipated roadways that will receive overlay based on other capital project needs that may arise during the fiscal year;

**Whereas**, the street overlay project was funded with the issuance of CO Bonds sold in October 2017 - funding is appropriated in Account No. 365-3400-531-6527, Project No. 101712; and

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

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

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

**Part 2:** The City Council authorizes the Interim City Manager, or her designee, after approval as to form by the City Attorney, to execute a one-year renewal to the construction contract with Oldcastle Materials Texas, Inc. (formerly known as APAC-Texas, Inc) of Cedar Park, Texas in the estimated annual amount of \$2,817,797, for the street overlay program for fiscal year 2018.

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

PASSED AND APPROVED this the **7<sup>th</sup>** day of **December**, 2017.

THE CITY OF TEMPLE, TEXAS

---

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

---

Kayla Landeros  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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12/07/17  
Item #4(N)  
Consent Agenda  
Page 1 of 2

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

Kevin Beavers, CPRP, Parks & Recreation Director

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a construction contract with R.T. Schneider Construction Company, LLC of Belton, in the amount of \$806,872.75 for the construction of Martin Luther King Jr. Festival Fields.

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

**ITEM SUMMARY:** This project consists of the construction of Martin Luther King Jr. Festival fields in an area bound by 4<sup>th</sup> Street, Avenue B, 8<sup>th</sup> Street (MLK Jr Drive), and Avenue E. The project consists of construction of a parking lot, fencing, grading, irrigation and grass establishment. (See attached drawing of project.)

As shown on the attached bid tabulation and engineer's letter of recommendation, on November 14, 2017, four bids were received for the project ranging from a low base bid of \$744,722.75 to \$1,189,695.50. The Base Bid includes a parking facility equipped to handle 37 vehicles, perimeter 6' iron fencing, grading, irrigation, and Bermuda seeding within the confines of the festival fields. The Add Alternate bid includes 2" of sand and compost mix for a quicker establishment of grass.

Staff is recommending award of the construction contract for the project to the low bidder, R.T. Schneider Construction Company, LLC in the amount of \$806,872.75, which includes the Add Alternate bid for \$62,150. The final opinion of probable cost was \$1,300,000. It is anticipated that the Reinvestment Zone Board will make a recommendation to Council to award this contract at its December 6, 2017, Board Meeting.

Per the contract terms in the bid documents, the project will be complete by April 8, 2018, to enable use of the grounds at the end of April for the City's Bloomin' Fest.

**FISCAL IMPACT:** Funding for the construction contract with R.T. Schneider Construction Company, LLC in the amount of \$806,872.75 is available in Reinvestment Zone account 795-9500-531-6566, project 101262, as follows:

Project Budget	\$	5,285,000
Encumbered/Committed to Date		(1,685,278)
R.T. Schneider Construction Co, LLC		( 806,873)
KPA Contract Amendment		(43,700)
<b>Remaining Project Funds</b>	<b>\$</b>	<b><u>2,749,149</u></b>

The Martin Luther King Jr. Festival Fields project and the Santa Fe Market Trail project were combined into one project on the Financing/Project Plans as the Santa Fe Market, Line 404. The remaining project funds are for the construction of the Santa Fe Market Trail.

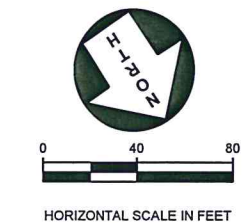
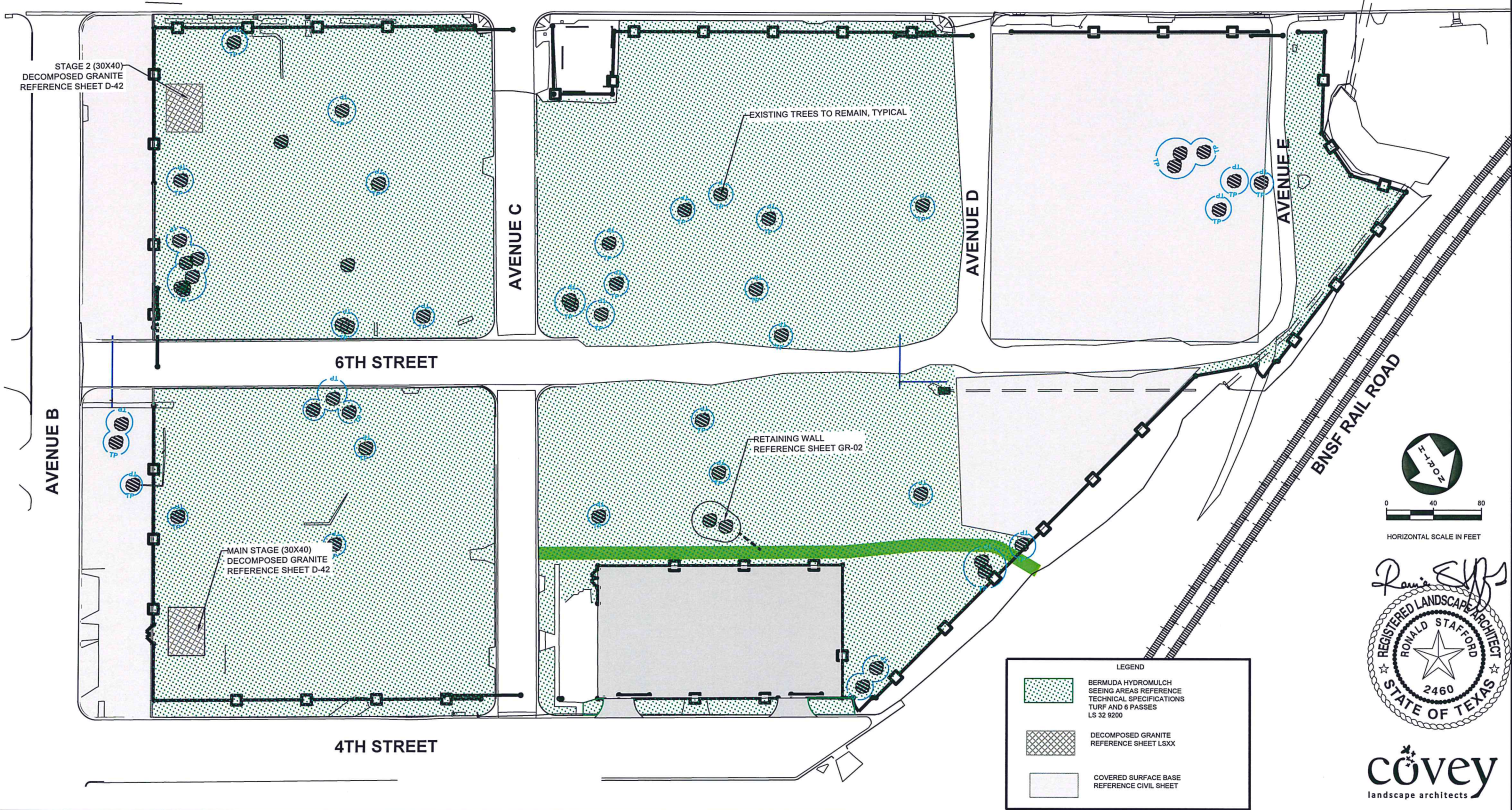
**ATTACHMENTS:**

[Project Overview Drawing](#)  
[Engineer's Letter of Recommendation with Bid Tabulation](#)  
[Resolution](#)



FILE: P:\Temple Reinvestment\2016\16-104 Santa Fe Market Trail\MLK Fields\LANDSCAPE\MLK BASE.dwg LAST SAVED: 10/11/2017 4:41:37 PM LAYOUT: LS-01 LANDSCAPING

MARTIN LUTHER KING, JR. DRIVE



**covey**  
landscape architects

NO.	DATE	REVISION	BY
© 2017 Kasberg, Patrick & Associates, LP		Plot Date: Oct 18, 2017 - 2:57pm	
KPA Firm Registration Number F-510		Plotted By: CHANDLER DOSKOCIL	

PROJECT NO.	2014-126
DRAWN BY	RONNIE STAFFORD
DESIGNED BY	RONNIE STAFFORD
APPROVED BY	RONNIE STAFFORD
DATE	



**KASBERG, PATRICK & ASSOCIATES, LP**  
CONSULTING ENGINEERS  
TEMPLE, TEXAS 76501

<b>CITY OF TEMPLE, TEXAS</b> MARTIN LUTHER KING FESTIVAL FIELDS
LANDSCAPING

SHEET NO.	LS-01 OF
01 SHEETS	





**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

November 20, 2017

Mr. Val Roming  
City of Temple Parks & Leisure  
2 North Main Street Ste. 201  
Temple, Texas 76501

Re: City of Temple, Texas  
Martin Luther King Festival Fields

Dear Mr. Roming:

On November 14, 2017 the City of Temple received competitive bids from four (4) contractors for the Martin Luther King Festival Fields Project. A Bid Tabulation is provided for your reference.

The attached Bid Tabulation shows R.T. Schneider Construction Company, LTD. of Belton, Texas as the low bidder with a base bid of \$744,722.75 and an add alternate Bid of \$62,150 for a total of \$806,872.75. The bids ranged from this low bid to \$1,271,095.50. Our final opinion of probable construction (OPC) cost was \$1,300,000.

R.T. Schneider Construction Company has completed multiple projects for both KPA and the City of Temple and has the experience necessary to successfully complete this project. Therefore, we recommend that a contract be awarded to R.T. Schneider Construction Company, LTD for the base bid and add alternate bid in the amount of \$806,872.75.

Sincerely,

A blue ink signature of R. David Patrick, P.E., CFM, written in a cursive style.

R. David Patrick, P.E., CFM

2016-141-40

xc: Kevin Beavers



BID TABULATION  
CITY OF TEMPLE  
MARTIN LUTHER KING FESTIVAL FIELDS

November 14, 2017; 2:30 PM  
3210 E Avenue H, Bldg C; Temple, Texas 76501

BIDDER INFORMATION											
				RT Schneider Construction PO Box 876 Belton TX 76513		TTG Utilities, LP PO Box 299 Gatesville TX 76528		Smith Contracting CO., Inc 15308 Ginger Street Austin TX 78728		DIXON PAVING, INC. PO Box 664 Belton TX 76513	
Item No.	Estimated Quantity	Unit	Bid Data Description	Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Extended Amount
BASE BID											
1	100%	LS	Mobilization, Bonds & Insurance, not-to-exceed 5% of the Base Bid Amount	\$ 24,300.00	\$ 24,300.00	\$ 35,000.00	\$ 35,000.00	\$ 48,000.00	\$ 48,000.00	\$ 48,000.00	\$ 48,000.00
2	13	ACR	Provide Labor, Equipment, Tools & Supervision to Complete Preparation of ROW, Including Demolition per Sheet G-05	4,412.00	57,356.00	1,260.00	16,380.00	3,200.00	41,600.00	5,600.00	72,800.00
3	100%	LS	Prepare Stormwater Pollution Prevention Plan, Including Submission to & Receiving Permits from TCEQ	1,760.00	1,760.00	960.00	960.00	4,000.00	4,000.00	4,800.00	4,800.00
4	100%	LS	Implement & Administer Barricade, Signing & Traffic Safety Plan (Vehicular & Pedestrian)	1,050.00	1,050.00	1,850.00	1,850.00	5,000.00	5,000.00	34,000.00	34,000.00
5	100%	LS	Provide DVD of right-of-way pre-construction & post construction site conditions for the total project	350.00	350.00	520.00	520.00	1,000.00	1,000.00	1,800.00	1,800.00
6	46	EA	Furnish, Install, Maintain & Remove Tree Protection	50.00	2,300.00	150.00	6,900.00	60.00	2,760.00	200.00	9,200.00
7	2,700	LF	Furnish, Install, Maintain & Remove Silt Fence as required in the Stormwater Pollution Prevention Plan	2.15	5,805.00	2.50	6,750.00	2.40	6,480.00	2.50	6,750.00
8	40	LF	Furnish, Install, Maintain, & Remove Rock Berm as required in the Stormwater Pollution Prevention Plan	14.50	580.00	32.00	1,280.00	30.00	1,200.00	50.00	2,000.00
9	7,200	CY	Unclassified Excavation	5.35	38,520.00	6.75	48,600.00	14.00	100,800.00	10.00	72,000.00
10	3,750	CY	Unclassified Fill	1.00	3,750.00	3.30	12,375.00	9.00	33,750.00	8.00	30,000.00
11	14,900	SY	6" Moisture Conditioned Subgrade for all Paved Areas, Including Any Required Excavation/Fill	0.55	8,195.00	1.35	20,115.00	3.00	44,700.00	2.00	29,800.00
12	8,700	SY	8" Crushed Limestone Base for Vendor Area	7.30	63,510.00	7.40	64,380.00	10.00	87,000.00	10.00	87,000.00
13	3,525	SY	6" Crushed Limestone Base between curbs for Avenue B Area	5.65	19,916.25	6.50	22,912.50	8.00	28,200.00	7.50	26,437.50
14	3,750	SY	4" Crushed Limestone Base under curb for Avenue B Area	3.90	14,625.00	5.00	18,750.00	6.00	22,500.00	6.00	22,500.00
15	13,550	SY	Two Course Surface Treatment for Vendor & Avenue B Area	4.00	54,200.00	4.10	55,555.00	6.75	91,462.50	7.00	94,850.00
16	2,725	SY	4" Crushed Limestone Base under the Curb for the Parking Lot	4.20	11,445.00	5.50	14,987.50	6.00	16,350.00	6.00	16,350.00
17	2,400	SY	4" Crushed Limestone Base between the Curb for the Parking Lot	4.20	10,080.00	5.50	13,200.00	6.00	14,400.00	6.00	14,400.00
18	2,400	SY	2" Type D HMAC for the Parking Lot	11.70	28,080.00	12.00	28,800.00	12.50	30,000.00	14.00	33,600.00
19	180	SY	Concrete Driveway Including Reinforcing, Bedding, & Any Required Excavation/Fill	43.00	7,740.00	62.00	11,160.00	80.00	14,400.00	38.00	6,840.00
20	1,180	LF	Ribbon Curb	7.50	8,850.00	12.90	15,222.00	12.00	14,160.00	14.00	16,520.00
21	50	CY	Class A Concrete	200.00	10,000.00	500.00	25,000.00	140.00	7,000.00	285.00	14,250.00
22	50	SY	4" Concrete Rip Rap	50.00	2,500.00	48.00	2,400.00	100.00	5,000.00	80.00	4,000.00
23	1	EA	Sawcut 6' of 18" RCP & 18" RCP Set	750.00	750.00	1,050.00	1,050.00	3,500.00	3,500.00	3,800.00	3,800.00
24	2	EA	Handicap Parking Emblem Thermo Plastic Striping	220.00	440.00	525.00	1,050.00	300.00	600.00	800.00	1,600.00
25	2	EA	Handicap Parking Sign	386.00	772.00	450.00	900.00	400.00	800.00	800.00	1,600.00
26	1,700	LF	4" Single White Solid Thermo Plastic Striping	2.65	4,505.00	1.70	2,890.00	2.25	3,825.00	2.40	4,080.00
27	40	EA	Curb Stops	72.00	2,880.00	74.00	2,960.00	72.00	2,880.00	80.00	3,200.00
28	20	LF	Remove & Replace Existing Standard Curb & Gutter	20.00	400.00	90.00	1,800.00	40.00	800.00	40.00	800.00
29	40	LF	Asphalt Roadway Repair	15.00	600.00	91.50	3,660.00	50.00	2,000.00	200.00	8,000.00
30	1	EA	2" Wet Tap & Gate Valve on Existing 6" Water Line	2,590.00	2,590.00	2,350.00	2,350.00	2,500.00	2,500.00	2,400.00	2,400.00
31	1	EA	2" Wet Tap & Gate Valve on Existing 8" Water Line	2,650.00	2,650.00	2,400.00	2,400.00	2,600.00	2,600.00	2,500.00	2,500.00
32	200	LF	2" PVC Water Line	30.35	6,070.00	27.50	5,500.00	30.00	6,000.00	42.00	8,400.00
33	2	EA	2" x 2" Tee	138.00	276.00	125.00	250.00	50.00	100.00	800.00	1,600.00
34	4	EA	2" Gate Valve with Valve Box	1,050.00	4,200.00	950.00	3,800.00	1,000.00	4,000.00	800.00	3,200.00
35	2	EA	RPZ	2,480.00	4,960.00	2,250.00	4,500.00	2,400.00	4,800.00	4,400.00	8,800.00
36	4	EA	2" Cap	130.00	520.00	115.00	460.00	100.00	400.00	300.00	1,200.00
37	275	SY	Crushed Granite per the Detail Shown in the Plans	23.00	6,325.00	10.00	2,750.00	35.00	9,625.00	90.00	24,750.00



BID TABULATION  
CITY OF TEMPLE  
MARTIN LUTHER KING FESTIVAL FIELDS

November 14, 2017; 2:30 PM  
3210 E Avenue H, Bldg C; Temple, Texas 76501

				BIDDER INFORMATION							
				RT Schneider Construction PO Box 876 Belton TX 76513		TTG Utilities, LP PO Box 299 Gatesville TX 76528		Smith Contracting CO., Inc 15308 Ginger Street Austin TX 78728		DIXON PAVING, INC. PO Box 664 Belton TX 76513	
Item No.	Estimated Quantity	Unit	Bid Data Description	Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Extended Amount
BASE BID (continued)											
38	120	LF	2'x2'x4' Limestone Landscape Boulders Wall per the Detail Shown in the Plans	65.50	7,860.00	36.00	4,320.00	110.00	13,200.00	120.00	14,400.00
39	25	LF	4" PVC Drain Line	15.00	375.00	11.00	275.00	18.00	450.00	75.00	1,875.00
40	3,265	LF	6-foot Black Iron Fencing, Including All Posts, Bases, Etc.	38.50	125,702.50	48.50	158,352.50	42.00	137,130.00	57.00	186,105.00
41	1	EA	35' Iron Slide Gate	10,500.00	10,500.00	14,900.00	14,900.00	19,000.00	19,000.00	14,140.00	14,140.00
42	3	EA	25' Iron Slide Gate	9,600.00	28,800.00	13,925.00	41,775.00	15,000.00	45,000.00	12,036.00	36,108.00
43	1	EA	22' Double Iron Swing Gate including 2 Latch/Hold Back Posts	4,135.00	4,135.00	6,100.00	6,100.00	4,500.00	4,500.00	16,605.00	16,605.00
44	2	EA	20' Double Iron Swing Gate including 2 Latch/Hold Back Posts	3,475.00	6,950.00	5,900.00	11,800.00	3,800.00	7,600.00	14,000.00	28,000.00
45	2	EA	16' Iron Swing Gate	1,900.00	3,800.00	3,050.00	6,100.00	2,000.00	4,000.00	5,935.00	11,870.00
46	2	EA	8' Double Iron Swing Gate including 2 Latch/Hold Back Posts	1,380.00	2,760.00	2,600.00	5,200.00	1,500.00	3,000.00	3,382.50	6,765.00
47	100%	LS	For Designing, Providing, & Installing an Irrigation Plan & System Signed & Sealed by a Texas Licensed Irrigation Designer the Project. Installation to Include all Elements of Irrigation Plans, Including but not limited to, Irrigation Pipe, Irrigation Controller(s), Irrigation Meter(s), Irrigation Valves, Irrigation Valve Boxes, Wiring, Pipe Sleeves & all applicable Components of the Irrigation System	59,090.00	59,090.00	59,310.00	59,310.00	80,000.00	80,000.00	72,000.00	72,000.00
48	39,000	SY	Bermuda / Rye Mix Seeding with Fertilizer & Flexible Growth Medium Including Watering & Mowing to Promote, Establish & Sustain Growth Throughout the Project	2.10	81,900.00	1.30	50,700.00	1.00	39,000.00	2.00	78,000.00
TOTAL BASE BID (ITEMS 1 - 48)					\$ 744,722.75		\$ 818,249.50		\$ 1,017,072.50		\$ 1,189,695.50

ADD ALTERNATE 1											
1	2,200	CY	Furnish & Install 2" Sand & Compost Mix	\$ 28.25	\$ 62,150.00	\$ 64.00	\$ 140,800.00	\$ 78.00	\$ 171,600.00	\$ 37.00	\$ 81,400.00
TOTAL ADD ALTERNATE					\$ 62,150.00		\$ 140,800.00		\$ 171,600.00		\$ 81,400.00

BID SUMMARY	BIDDER INFORMATION				
	RT Schneider Construction PO Box 876 Belton TX 76513	TTG Utilities, LP PO Box 299 Gatesville TX 76528	Smith Contracting CO., Inc 15308 Ginger Street Austin TX 78728	DIXON PAVING, INC. PO Box 664 Belton TX 76513	
BASE BID	\$ 744,722.75	\$ 818,249.50	\$ 1,017,072.50	\$ 1,189,695.50	
ADD ALTERNATE 1	\$ 62,150.00	\$ 140,800.00	\$ 171,600.00	\$ 81,400.00	
Base Bid + Add Alternate Total	\$ 806,872.75	\$ 959,049.50	\$ 1,188,672.50	\$ 1,271,095.50	

Did Bidder Acknowledge Addenda No. 1?	YES	YES	YES	YES
Did Bidder Acknowledge Addenda No. 2?	YES	YES	YES	YES
Did Bidder provide Bid Security?	YES	YES	YES	YES

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

  
R. David Patrick, P.E., CFM  
Kasberg, Patrick & Associates, LP

  
Date



RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A CONSTRUCTION CONTRACT WITH R.T. SCHNEIDER CONSTRUCTION COMPANY, LLC OF BELTON, TEXAS IN THE AMOUNT OF \$806,872.75, FOR THE CONSTRUCTION OF MARTIN LUTHER KING JR. FESTIVAL FIELDS; AND PROVIDING AN OPEN MEETINGS CLAUSE.

---

**Whereas**, the Martin Luther King Jr. Festival Fields project is situated in an area bound by 4<sup>th</sup> Street, Avenue B, 8<sup>th</sup> Street (MLK Jr Drive), and Avenue E - the project consists of the construction of a parking lot, fencing, grading, irrigation and grass establishment;

**Whereas**, on November 14, 2017, Staff received four bids for the project ranging from a low base bid of \$744,722.75 to \$1,189,695.50 - the Base Bid included a parking facility equipped to handle 37 vehicles, 6-foot tall iron fencing perimeter, grading, irrigation, and Bermuda seeding within the confines of the festival fields, while the Add Alternate bid included 2-inches of sand and compost mix for a quicker establishment of grass;

**Whereas**, Staff recommends Council authorize a construction contract to the low bidder, R.T. Schneider Construction Company, LLC in the amount of \$806,872.75, which includes the Add Alternate bid for \$62,150;

**Whereas**, funds are available for this contract in the Reinvestment Zone No. 1 Financing and Project Plans, Line 404, Account No. 795-9500-531-65665, Project No. 101262; and

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

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

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

**Part 2:** The City Council authorizes the Interim City Manager, or her designee, after approval as to form by the City Attorney, to execute a construction contract with R.T. Schneider Construction Company, LLC of Belton, Texas in the amount of \$806,872.75, for the construction of Martin Luther King Jr. Festival Fields.

**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 7<sup>th</sup> day of **December**, 2017.

THE CITY OF TEMPLE, TEXAS

---

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

---

Lacy Borgeson  
City Secretary

---

Kayla Landeros  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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12/07/17  
Item #4(O)  
Consent Agenda  
Page 1 of 2

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

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

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a construction contract with Wright Builders, of Temple, in the amount of \$2,099,564 for the construction of four buildings at Crossroads Park.

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

**ITEM SUMMARY:** As communicated to Council on September 21, 2017, with the rejection of bids associated with the initial bidding of Crossroads Park Phase II, staff recommended the project be broken down into smaller components. One of these components is the construction of three identical 1,800-sf concession/restroom buildings to service the baseball, softball, and soccer complexes, as well as a 4,000-sf maintenance building.

Per Council authorization on October 5, 2017, this project was procured utilizing the Competitive Sealed Proposal (CSP) project delivery method as allowed by Texas Government Code Chapter 2269. As shown on the attached bid tabulation, on November 9, 2017, the City received seven competitive sealed proposals for the construction of the project ranging from a low of \$1,918,788 to a high of \$3,116,655.

Based on the CSP method being used, a Staff evaluation committee was formed to score the proposals using the following pre-defined criteria: 60%, price to construct; 15%, contractor's experience in constructing like-kind projects (including the experience of assigned project team); 15%, contractor's reputation in successfully completing like-kind projects on-time and on-budget; and 10%, proposed timeline. The following City departments were represented on the evaluation committee: Permitting & Inspections, City Attorney, Finance, Parks & Recreation, and Purchasing.

Based on the committee's scoring of the evaluation criteria, it is the committee's unanimous recommendation to award the construction contract to Wright Builders. Wright Builders' has a good resume of constructing like-kind projects on-time & on-budget, is assigning experienced leadership staff to the project, and will commit to completing the project within 180 calendar days.

**FISCAL IMPACT:** This project is funded primarily by the Parks GO Bonds that were approved by the voters on May 9, 2015, and sold on September 24, 2015. Funding is appropriated for a construction contract with Wright Builders for the construction of four buildings at Crossroads Park in the amount of \$2,099,564 in account 362-3500-552-6402, project 101311, as follows:

Project Budget	\$ 11,900,000
Encumbered/Committed to Date	(5,018,831)
Langerman Foster Engineering, LLC	(88,533)
Wright Builders	(2,099,564)
Sports Field Solutions	(2,300,059)
<b>Remaining Project Funds Available</b>	<b><u>\$ 2,393,013</u></b>

In addition to the remaining funds reflected above, the Reinvestment Zone No. 1 currently has \$3,110,958 of funding available for this project. The total remaining project funds of \$5,503,971 are available for the additional phases of construction for Crossroads Park.

**ATTACHMENTS:**

[Tabulation of Proposals Received](#)  
[Resolution](#)

**Tabulation of Proposals Received  
on November 9, 2017 at 2:00 p.m.  
Crossroads Park Phase II - Construction of Four Buildings  
RFP # 35-02-18**

	<b>FCO Construction Services, LLC</b>  Killeen, TX	<b>Unity Contractor Services, Inc</b>  Austin, TX	<b>Wright Builders</b>  Temple, TX	<b>Barsh Company</b>  Waco, TX	<b>Lyness Construction, LP</b>  Cleburne, TX	<b>Mitchell Construction Company, Inc.</b>  Lorena, TX	<b>Allbrite Construction</b>  San Antonio, TX
<b>Description</b>							
Mobilization & Bonding	\$85,000.00	\$75,000.00	\$62,988.00	\$83,094.00	\$125,867.00	\$99,850.00	\$75,616.00
Construction of Maintenance Building	\$508,532.00	\$445,000.00	\$397,008.00	\$523,639.00	\$562,517.00	\$805,000.00	\$786,599.00
Construction of 3 Concession Stand/Restroom Buildings	\$1,325,256.00	\$1,479,999.00	\$1,639,568.00	\$1,788,714.00	\$1,854,385.00	\$2,160,000.00	\$2,254,440.00
<b>Base Proposal Price</b>	<b>\$1,918,788.00</b>	<b>\$1,999,999.00</b>	<b>\$2,099,564.00</b>	<b>\$2,395,447.00</b>	<b>\$2,542,769.00</b>	<b>\$3,064,850.00</b>	<b>\$3,116,655.00</b>

**Recommended for Council Award**



RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A CONSTRUCTION CONTRACT WITH WRIGHT BUILDERS OF TEMPLE, TEXAS IN THE AMOUNT OF \$2,099,564, FOR THE CONSTRUCTION OF FOUR BUILDINGS AT CROSSROADS PARK; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, on September 21, 2017, Staff recommended and Council approved the rejection of bids associated with the initial bidding of Crossroads Park Phase II, and at that time, Staff recommended the project be broken down into smaller components;

**Whereas**, one of the components is the construction of four buildings, which is comprised of three identical 1,800-square foot concession/restroom buildings to service the baseball, softball, and soccer complexes, as well as a 4,000-square foot maintenance building;

**Whereas**, per Council authorization on October 5, 2017, this project was procured utilizing the Competitive Sealed Proposal (CSP) project delivery method as allowed by Texas Government Code Chapter 2269;

**Whereas**, on November 9, 2017, the City received seven competitive sealed proposals for the construction of the project ranging from a low of \$1,918,788 to a high of \$3,116,655;

**Whereas**, based on the CSP method being used, a Staff evaluation committee was formed to score the proposals using pre-defined criteria - based on the committee's scoring of the evaluation criteria, Staff recommends Council authorize a construction contract with Wright Builders of Temple Texas in the amount of \$2,099,564;

**Whereas**, Wright Builders' has a solid resume of constructing like-kind projects on-time and on-budget, is assigning experienced leadership staff to the project, and has offered a 5-month construction timeline;

**Whereas**, this project is funded primarily by the Parks GO Bonds that were approved by the voters on May 9, 2015, and sold on September 24, 2015 - funding is appropriated for this construction contract in Account No. 362-3500-552-6402, Project No. 101311; and

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

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

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

**Part 2:** The City Council authorizes the Interim City Manager, or her designee, after approval as to form by the City Attorney, to execute a construction contract with Wright Builders of Temple Texas in the amount of \$2,099,564, for the construction of four buildings at Crossroads Park.

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

PASSED AND APPROVED this the 7<sup>th</sup> day of **December**, 2017.

THE CITY OF TEMPLE, TEXAS

---

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

---

Lacy Borgeson  
City Secretary

---

Kayla Landeros  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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12/07/17  
Item #4(P)  
Consent Agenda  
Page 1 of 2

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

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

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a construction contract with Sports Field Holdings, dba Sports Field Solutions, of Dallas, in the amount of \$2,300,058.84 for the construction of the landscaping component of Crossroads Park.

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

**ITEM SUMMARY:** On September 21, 2017, Staff recommended and council approved the rejection of bids associated with the initial bidding of Crossroads Park Phase II, and at that time staff recommended the project be broken down into smaller components. Authorization of this construction contract with Sports Field Solutions (SFS) will allow for the construction of the landscaping component of the project, which consists of the following: (1) the construction and finish-out of four baseball fields, four softball fields, seven soccer fields, and one multi-purpose field, (2) the design and construction of the irrigation system for the entire park, and (3) the planting of trees, grass, and other plants.

This component of the Crossroads Park Phase II project was procured through a cooperative purchasing program as authorized by the Local Government Code. SFS has been awarded two BuyBoard contracts related to this type of work:

Contract #476-15, for Sports Surfaces, and

Contract #529-17, for Grounds Maintenance, Equipment, Irrigation Supplies and Installation.

Based on the specialty nature of this work, Staff consulted with Kasberg, Patrick & Associates (KPA), the design consultants for this project, and is recommending the use of these two BuyBoard contracts for the landscaping component of the project. Staff's recommendation is based on the reputation that SFS has in performing quality work of the type needed for this component of the project, SFS's ability to assist KPA in value-engineering the project based on proven materials & methods, and the anticipation that using this approach will potentially expedite the opening of Crossroads Park from the fall of 2019 to the spring of 2019.

Construction work under this contract will include the following: (1) laser grading of all of the athletic playing surfaces, (2) installation of subgrade material, topsoil, and Bermuda hydro-sprig for grass establishment, (3) installation of specialty infield soil for the softball and baseball infields, (4)

installation of the batter's boxes, anchors, and stanchions needed for the mounting of all bases and pitching mounds, (5) design and construction of an irrigation system that will service the entire park, and (6) installation of numerous plants and trees throughout the park.

It is anticipated that the construction of the landscaping component under this proposed contract will be completed in the summer of 2018. It is expected that bids will be received for the Civil component of the project in January 2018, and Staff will be coming back to Council in February 2018 with a recommendation for award of this final construction contract for the completion of Crossroads Park.

**FISCAL IMPACT:** This project is funded primarily by the Parks GO Bonds that were approved by the voters on May 9, 2015, and sold on September 24, 2015. Funding is appropriated for a construction contract with Sports Field Solutions for the construction of the landscaping component of Crossroads Park in the amount of \$2,300,058.84 in account 362-3500-552-6402, project 101311, as follows:

Project Budget	\$ 11,900,000
Encumbered/Committed to Date	(5,018,831)
Langerman Foster Engineering, LLC	(88,533)
Wright Builders	(2,099,564)
Sports Field Solutions	(2,300,059)
<b>Remaining Project Funds Available</b>	<b><u>\$ 2,393,013</u></b>

In addition to the remaining funds reflected above, the Reinvestment Zone No. 1 currently has \$3,110,958 of funding available for this project. The total remaining project funds of \$5,503,971 are available for the additional phases of construction for Crossroads Park.

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

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A CONSTRUCTION CONTRACT WITH SPORTS FIELD HOLDINGS, DBA SPORTS FIELD SOLUTIONS, OF DALLAS, TEXAS IN THE AMOUNT OF \$2,300,058.84, FOR THE CONSTRUCTION OF THE LANDSCAPING COMPONENT OF CROSSROADS PARK; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, on September 21, 2017, Staff recommended and Council approved the rejection of the received for the initial bidding of Crossroads Park Phase II, and at that time Staff recommended the project be broken down into smaller components;

**Whereas**, based on the specialty nature of this work, Staff consulted with Kasberg, Patrick & Associates (KPA), the design consultants for this project, and recommends Council authorize a construction contract with Sports Field Holdings, dba Sports Field Solutions (SFS) of Dallas, Texas in the amount of \$2,300,058.84, for the landscaping component of Crossroads Park;

**Whereas**, this component of the project was procured through a cooperative purchasing program as authorized by the Texas Local Government Code - SFS has been awarded two BuyBoard contracts related to this work – one for Sports Surfaces and the other for Grounds Maintenance, Equipment, Irrigation Supplies and Installation;

**Whereas**, Staff recommends the use of these two BuyBoard contracts for the landscaping component of the project based on the reputation that SPS has in performing quality work of the type needed for this component of the project, SFS's ability to assist KPA in value-engineering the project based on proven materials and methods, and the anticipation that using this approach will potentially expedite the opening of Crossroads Park;

**Whereas**, this construction contract with SFS will allow for the construction of the landscaping component of the project, which consists of the construction and finish-out of 4 baseball fields, 4 softball fields, 7 soccer fields, and 1 multi-purpose field, as well as the design and construction of the irrigation system for the entire park, and the planting of trees, grass, and other plants;

**Whereas**, construction work under this contract will include the following:

- laser grading of all of the athletic playing surfaces;
- installation of subgrade material, topsoil, and Bermuda hydro-sprig for grass establishment;
- installation of specialty infield soil for the softball and baseball infields;
- installation of the batter's boxes, anchors, and stanchions needed for the mounting of all bases and pitching mounds;
- design and construction of an irrigation system that will service the entire park; and
- installation of numerous plants and trees throughout the park.

**Whereas**, this project is funded primarily by the Parks GO Bonds that were approved by the voters on May 9, 2015, and sold on September 24, 2015 - funding is appropriated for this construction contract in Account No. 362-3500-552-6402, Project No. 101311; and

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

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

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

**Part 2:** The City Council authorizes the Interim City Manager, or her designee, after approval as to form by the City Attorney, to execute a construction contract with Sports Field Holdings, dba Sports Field Solutions, of Dallas, Texas in the amount of \$2,300,058.84, for the construction of the landscaping component of Crossroads Park.

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

PASSED AND APPROVED this the 7<sup>th</sup> day of **December**, 2017.

THE CITY OF TEMPLE, TEXAS

\_\_\_\_\_  
DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Lacy Borgeson  
City Secretary

\_\_\_\_\_  
Kayla Landeros  
City Attorney





## COUNCIL AGENDA ITEM MEMORANDUM

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12/07/17  
Item #4(Q)  
Consent Agenda  
Page 1 of 2

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

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

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a contract amendment to the professional services agreement with Langerman Foster Engineering Company, LLC of Waco in the amount of \$88,533 for construction material testing services at Crossroads Park.

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

**ITEM SUMMARY:** Authorization of this contract amendment will provide for all construction material testing needed for the construction of Crossroads Park.

On December 1, 2016, Council authorized a professional services agreement with Langerman Foster Engineering Company (LFE) in the amount of \$104,928 for construction material testing anticipated to be needed in the construction of Crossroads Park Phase I, which consisted of overall grading of the site, the construction of a regional detention pond, and the installation of the primary utility lines. The construction of Phase 1 is complete, and the actual construction material testing performed totaled \$5,837 based on the postponement of subgrade testing until Phase 2.

With the initiation of Phase 2 of the project, which consists of construction of four buildings, installation of sports field lighting, roadway & parking construction, and the construction of the sports fields, it is anticipated that \$187,624 of construction material testing will be needed. Accordingly, an additional \$88,533 needs to be added to the professional services agreement with LFE for this testing.

The construction material testing will be performed on an as-needed basis and will focus primarily on concrete, soil and compaction testing. LFE will invoice their services based on actual testing work performed at rates consistent with the City's annual contract with LFE for infrastructure construction material testing.

**FISCAL IMPACT:** This project is funded primarily by the Parks GO Bonds that were approved by the voters on May 9, 2015, and sold on September 24, 2015. Funding is appropriated for the contract amendment with Langerman Foster Engineering, LLC for construction material testing services at Crossroads Park in the amount of \$88,533 in account 362-3500-552-6402, project 101311, as follows:

Project Budget	\$ 11,900,000
Encumbered/Committed to Date	(5,018,831)
Langerman Foster Engineering, LLC	(88,533)
Wright Builders	(2,099,564)
Sports Field Solutions	(2,300,059)
<b>Remaining Project Funds Available</b>	<b><u>\$ 2,393,013</u></b>

In addition to the remaining funds reflected above, the Reinvestment Zone No. 1 currently has \$3,110,958 of funding available for this project. The total remaining project funds of \$5,503,971 are available for the additional phases of construction for Crossroads Park.

**ATTACHMENTS:**

[Resolution](#)

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A CONTRACT AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH LANGERMAN FOSTER ENGINEERING COMPANY, LLC OF WACO, TEXAS IN THE AMOUNT OF \$88,533, FOR CONSTRUCTION MATERIAL TESTING SERVICES AT CROSSROADS PARK; AND PROVIDING AN OPEN MEETINGS CLAUSE.

---

**Whereas**, on December 1, 2016, Council authorized a professional services agreement with Langerman Foster Engineering Company (LFE) in the amount of \$104,928 for construction material testing anticipated to be needed in the construction of Phase 1 of Crossroads Park;

**Whereas**, the anticipated construction material testing services for Phase 1 consisted of overall grading of the site, the construction of a regional detention pond, and the installation of the primary utility lines;

**Whereas**, the construction of Phase 1 is complete, and the actual construction material testing performed in conjunction with Phase 1 totaled only \$5,837 based on the postponement of subgrade testing until Phase 2;

**Whereas**, with the initiation of Phase 2 of the project, which consists of construction of four buildings, installation of sports field lighting, roadway & parking construction, and the construction of the sports fields, it is anticipated that \$187,624 of construction material testing will be needed, which requires \$88,533 to be added to the professional services agreement with LFE for this testing;

**Whereas**, the construction material testing will be performed on an as-needed basis and will focus primarily on concrete, soil and compaction testing;

**Whereas**, Staff recommends Council authorize a contract amendment to the professional services agreement with LFE in the amount of \$88,533, for construction material testing services at Crossroads Park needed for Phase II of the Project;

**Whereas**, this project is funded primarily by the Parks GO Bonds that were approved by the voters on May 9, 2015, and sold on September 24, 2015 and funding is appropriated for this contract amendment in Account No. 362-3500-552-6402, Project No. 101311; and

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

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

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

**Part 2:** The City Council authorizes the Interim City Manager, or her designee, after approval as to form by the City Attorney, to execute a contract amendment to the professional services agreement with Langerman Foster Engineering Company, LLC in the amount of \$88,533, for construction material testing services for Crossroads Park, Phase II.

**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 7<sup>th</sup> day of **December**, 2017.

THE CITY OF TEMPLE, TEXAS

\_\_\_\_\_  
DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Lacy Borgeson  
City Secretary

\_\_\_\_\_  
Kayla Landeros  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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12/07/17  
Item #4(R)  
Consent Agenda  
Page 1 of 2

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

Kevin Beavers, CPRP, Parks & Recreation Director

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a contract amendment to the professional services agreement with Kasberg, Patrick & Associates, LP of Temple, in the amount of \$43,700 to provide bidding and construction phase services on the Martin Luther King Jr. Festival Field project.

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

**ITEM SUMMARY:** On October 20, 2016, the City Council authorized a professional services agreement with Kasberg, Patrick & Associates, LP (KPA) for the design of the Martin Luther King Jr. Festival Fields. Contract Amendments #1 and #2 have been executed in the amount of \$4,000 and \$40,300, respectively, for scope changes in the project. As indicated in the attached proposal letter from KPA, the proposed Contract Amendment #3 will provide for bidding and construction phase services for the project.

This was presented to the Reinvestment Zone Board No. 1 at its December 6, 2017, board meeting. Per the contract terms in the bid documents, the project will be complete by April 8, 2018, to enable use of the grounds at the end of April for the City's Bloomin' Fest.

**FISCAL IMPACT:** Funding for contract amendment with Kasberg, Patrick, and Associates, LP in the amount of \$43,700 is available in Reinvestment Zone account 795-9500-531-6566, project 101262, as follows:

Project Budget	\$ 5,285,000
Encumbered/Committed to Date	(1,685,278)
R.T. Schneider Construction Co, LLC	( 806,873)
KPA Contract Amendment	(43,700)
<b>Remaining Project Funds</b>	<b>\$ 2,749,149</b>

The Martin Luther King Jr. Festival Fields project and the Santa Fe Market Trail project were combined into one project on the Financing/Project Plans as the Santa Fe Market, Line 404. The remaining project funds are for the construction of the Santa Fe Market Trail.

**ATTACHMENTS:**

[Kasberg, Patrick & Associates Proposal Letter  
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

November 2, 2017

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

Re: City of Temple  
MLK Fields  
Bidding and Construction Phase Services

Dear Mr. Beavers:

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 perform bidding and construction phase services for the MLK Fields Project.

The work to be performed by KPA under this contract consists of providing engineering services for bidding services and construction phase services for the project.

The following services will be performed:

**I. BIDDING**

- A. Provide an Opinion of Probable Cost to the City of Temple Project Manager.
- B. After the project publically advertises, solicit contractors to bid the project.
- C. Chair the Pre-Bid Conference and develop notes for the project based on questions asked by potential bidders.
- D. Develop the addenda for the project. The addenda will be sent to the City of Temple Project Manager for distribution to the City of Temple Purchasing Department.
- E. Attend the bid opening for the project. Tabulate all bids received and certify the bids. After a low bidder is determined, research of the apparent low bidder will be conducted to make a recommendation of award.
- F. Attend the City Council for award of the project.

II. CONSTRUCTION ADMINISTRATION

- A. Chair the Pre-Construction Conference.
- B. Review and approve all submittals for the project.
- C. Perform construction administration to include site visits, meeting with the contractor and answer questions and holding progress meetings as required.
- D. Perform a monthly evaluation of the contractor's performance on the City of Temple form and submit to the City of Temple Project Manager.
- E. Coordinate and conduct the final walk through for the project. After the final walk through is complete a punch list will be generated and monitored.
- F. Submit a recommendation for acceptance of infrastructure to the City of Temple Project Manager.
- G. Develop record drawings based on information supplied by the contractor.

III. ON-SITE REPRESENTATION

- A. Perform daily on-site representation an average of 2 hours per day.
- B. Prepare and submit weekly logs of construction activities.

The following scope of work for bidding and construction phase services for the MLK Fields Project can be completed for the lump sum price of \$43,700. Attached is a breakdown of project costs. We are pleased to submit this proposal and look forward to the benefit it will bring the City of Temple.

**Santa Fe Plaza**

Bidding (Phase I)	\$	5,000
Construction Administration (Phase I)	\$	23,500
On-Site Representation (Phase I)	\$	15,200
	\$	43,700

Exhibit A outlines the rates which would be used to charge for special or additional services authorized beyond the scope.

Mr. Kevin Beavers, CPRP  
November 2, 2017  
Page 3

We will invoice monthly for our services based on a percent completion basis. We appreciate the opportunity and look forward to working with you on this project.

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

RDP/crc

xc: File

ATTACHMENT "A"

**Charges for Additional Services**

**City of Temple  
MLK Fields  
Construction Phase Services**

<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



RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING CONTRACT AMENDMENT NO. 3 TO THE PROFESSIONAL SERVICES AGREEMENT WITH KASBERG, PATRICK & ASSOCIATES, LP OF TEMPLE, TEXAS IN THE AMOUNT OF \$43,700, TO PROVIDE BIDDING AND CONSTRUCTION PHASE SERVICES ON THE MARTIN LUTHER KING JR. FESTIVAL FIELD PROJECT; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, on October 20, 2016, Council authorized a professional services agreement with Kasberg, Patrick & Associates, LP (KPA) for the design of the Martin Luther King Jr. Festival Fields;

**Whereas**, Contract Amendments Nos. 1 and 2 have been executed in the amount of \$4,000 and \$40,300, respectively, for scope changes in the project;

**Whereas**, Staff recommends Council authorize Contract Amendment No. 3 to the professional services agreement with KPA in the amount of \$43,700, for bidding and construction phase services on the Martin Luther King Jr. Festival Field project;

**Whereas**, funds are available for this amendment in Account No. 795-9500-531-6566, Project No. 101262; and

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

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

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

**Part 2:** The City Council authorizes the Interim City Manager, or her designee, after approval as to form by the City Attorney, to execute Contract Amendment No. 3 to the professional services agreement with Kasberg, Patrick & Associates, LP of Temple, Texas in the amount of \$43,000, to provide bidding and construction phase services on the Martin Luther King Jr. Festival Field project.

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

PASSED AND APPROVED this the 7<sup>th</sup> day of **December**, 2017.

THE CITY OF TEMPLE, TEXAS

---

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

---

Lacy Borgeson  
City Secretary

---

Kayla Landeros  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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12/07/17  
Item #4(S)  
Consent Agenda  
Page 1 of 1

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

Kevin Beavers, CPRP, Parks & Recreation Director

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

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

**ITEM SUMMARY:** The extension of this agreement will allow for continued concessionaire services at Lions Park Softball Complex (also commonly referred to as Mercer Softball Complex) by Justice Enterprise from January 1, 2018, through December 31, 2018.

On December 15, 2016, Council authorized a facility user's agreement with Justice Enterprise for the operation of the concession stand at Lions Park Softball Complex. These services have been outsourced for several years, with concessionaire services being provided by Justice Enterprise for the last 11 years. The proposed concessionaire agreement allows for the contracted concessionaire to have the exclusive right to operate the concession stand at the Lions Park Complex during all events at the Complex and to pay the City \$150 per month for this right. In addition to supervising the concession stand and operating it in accordance with all laws and ordinances, the concessionaire also has the responsibility of turning on and off lights and raising and lowering the flags.

The current agreement expires on December 31, 2017. The original bid allowed for four additional one-year renewals. In order to renew the contract, the vendors must agree to hold their pricing structure firm for an additional year, which they are willing to do

Staff has been very pleased with the quality of service and product provided by Justice Enterprise over the last 11 years and recommends Council authorize an extension to the contract. This will be the first renewal available under this contract, with three years remaining.

**FISCAL IMPACT:** The facility user's agreement for the operation of the Lions Park Softball Concession Stand will provide for revenue in the amount of \$1,800 per year and will be deposited into account 110-0000-445-1584, Facility Rental – Parks.

### **ATTACHMENTS:**

[Resolution](#)

RESOLUTION NO. \_\_\_\_\_

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

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**Whereas**, on December 15, 2016, Council authorized a facility user's agreement with Justice Enterprise of Belton, Texas for the operation of the concession stand at Lions Park Softball Complex - these services have been outsourced for several years, with concessionaire services being provided by Justice Enterprise for the last eleven years;

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

**Whereas**, in addition to supervising the concession stand and operating it in accordance with all laws and Ordinances, the concessionaire also has the responsibility of turning the lights on and off, and raising and lowering the flags;

**Whereas**, the current agreement expires December 31, 2017 – the original bid allowed for four additional one-year renewals and in order to renew the agreement, the vendor must agree to hold their pricing structure firm for an additional year, which they are willing to do;

**Whereas**, Staff has been very pleased with the quality of service and product provided by Justice Enterprise and recommends Council authorize a one-year renewal to the Facility User's Agreement – this will be the first renewal authorized under this agreement, with three renewals remaining;

**Whereas**, this Agreement will provide for revenue in the amount of \$1,800 per year for the operation of the Lions Park Softball Complex concession stand and will be deposited into Account No. 110-0000-445-1584; and

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

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

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



**Part 2:** The City Council authorizes the Interim City Manager, or her designee, after approval as to form by the City Attorney, to execute a one-year renewal to the Facility User's Agreement with Justice Enterprise of Belton, Texas, for operation of the Lions Park Softball Complex concession stand with a monthly usage fee paid to the City in the amount of \$150 per month.

**Part 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 7<sup>th</sup> day of **December**, 2017.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Kayla Landeros  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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

Kevin Beavers, CPRP, Parks and Recreation Director

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a discretionary service agreement with Oncor Electric Delivery Company, LLC of Temple in the amount of \$50,912.15 for the relocation of electrical services for the Santa Fe Plaza project.

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

**ITEM SUMMARY:** Approval of this item will allow the execution of the attached discretionary service agreement with Oncor Electric Delivery Company, LLC for the relocation of overhead electrical lines to underground electrical lines in the alley area of the block bordered by Central Avenue, 7<sup>th</sup> Street, Avenue A, and 9<sup>th</sup> Street.

On November 17, 2016, Council authorized a discretionary service agreement with Oncor for the relocation of electric services for the Santa Fe Plaza project in the amount of \$309,952.24. The initial agreement did not include the relocation of the overhead electrical service in the block bordered by Central Avenue, 7<sup>th</sup> Street, Avenue A, and 9<sup>th</sup> Street. Demolition of all properties in this respective block were recently completed, and as such, staff is recommending the relocation of the electrical lines to underground in this block also.

This was presented to the Reinvestment Zone Board No. 1 at the December 6, 2017, board meeting.

**FISCAL IMPACT:** Funding for the discretionary service agreement with Oncor Electric Delivery Company, LLC in the amount of \$50,912.15 is available in Reinvestment Zone No. 1 Financing and Project Plans, Line 402, Santa Fe Plaza, account 795-9500-531-6870, project 101008.

### **ATTACHMENTS:**

[Oncor Discretionary Service Agreement](#)  
[Map](#)  
[Resolution](#)

**Tariff for Retail Delivery Service  
Oncor Electric Delivery Company LLC**

**6.3 Agreements and Forms**

Applicable: Entire Certified Service Area

Effective Date: September 21, 2009

Page 1 of 2

**6.3.5 Discretionary Service Agreement**

WR #: 3384599  
Transaction ID: 11090

This Discretionary Service Agreement ("Agreement") is made and entered into this 14 th day of November, 2017, by Oncor Electric Delivery Company LLC ("Oncor Electric Delivery Company" or "Company"), a Delaware limited liability company and distribution utility, and City of Temple ("Customer"), a customer, each hereinafter sometimes referred to individually as "Party" or both referred to collectively as the "Parties". In consideration of the mutual covenants set forth herein, the Parties agree as follows:

1. **Discretionary Services to be Provided** -- Company agrees to provide, and Customer agrees to pay for, the following discretionary services in accordance with this Agreement.  
Remove overhead Oncor facilities from alley apx 250'. Install overhead apx 130', 1 pole, 1 pullbox and 500' of underground. (pull box and conduits to be installed by customer). This work being performed is located in the alley between W Ave A. and Central Ave just West of S. 7th. Total charges to customer for C.I.A.C (Contribution In Aid of Construction) is \$50,912.15

2. **Nature of Service and Company's Retail Delivery Service Tariff** -- Any discretionary services covered by this Agreement will be provided by Company, and accepted by Customer, in accordance with applicable Public Utility Commission of Texas ("PUCT") Substantive Rules and Company's Tariff for Retail Delivery Service (including the Service Regulations contained therein), as it may from time to time be fixed and approved by the PUCT ("Company's Retail Delivery Tariff"). During the term of this Agreement, Company is entitled to discontinue service, interrupt service, or refuse service initiation requests under this Agreement in accordance with applicable PUCT Substantive Rules and Company's Retail Delivery Tariff. Company's Retail Delivery Tariff is part of this Agreement to the same extent as if fully set out herein. Unless otherwise expressly stated in this Agreement, the terms used herein have the meanings ascribed thereto in Company's Retail Delivery Tariff.

3. **Discretionary Service Charges** -- Charges for any discretionary services covered by this Agreement are determined in accordance with Company's Retail Delivery Tariff. Company and Customer agree to comply with PUCT or court orders concerning discretionary service charges.

4. **Term and Termination** -- This Agreement becomes effective upon acceptance by Customer and continues in effect until 30 days.  
Termination of this Agreement does not relieve Company or Customer of any obligation accrued or accruing prior to termination.

5. **No Other Obligations** -- This Agreement does not obligate Company to provide, or entitle Customer to receive, any service not expressly provided for herein. Customer is responsible for making the arrangements necessary for it to receive any further services that it may desire from Company or any third party.

6. **Governing Law and Regulatory Authority** -- This Agreement was executed in the State of Texas and must in all respects be governed by, interpreted, construed, and enforced in accordance with the laws thereof. This Agreement is subject to all valid, applicable federal, state, and local laws, ordinances, and rules and regulations of duly constituted regulatory authorities having jurisdiction.

7. **Amendment** -- This Agreement may be amended only upon mutual agreement of the Parties, which amendment will not be effective until reduced to writing and executed by the Parties. But changes to applicable PUCT Substantive Rules and Company's Retail Delivery Tariff are applicable to this Agreement upon their effective date and do not require an amendment of this Agreement.

8. **Entirety of Agreement and Prior Agreements Superseded** -- This Agreement, including all attached Exhibits, which are expressly made a part hereof for all purposes, constitutes the entire agreement and understanding between the Parties with regard to the service(s) expressly provided for in this Agreement. The Parties are not bound by or liable for any statement, representation, promise, inducement, understanding, or undertaking of any kind or nature (whether written or oral) with regard to the subject matter hereof not set forth or provided for herein. This Agreement replaces all prior agreements and undertakings, oral or written, between the Parties with regard to the subject matter hereof, including without limitation N/A, and all such agreements and undertakings are agreed by the Parties to no longer be of any force or effect. It is expressly acknowledged that the Parties may have other agreements covering other services not expressly provided for herein, which agreements are unaffected by this Agreement.

9. **Notices** -- Notices given under this Agreement are deemed to have been duly delivered if hand delivered or sent by United States certified mail, return receipt requested, postage prepaid, to:

(a) If to Company:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



**Tariff for Retail Delivery Service  
Oncor Electric Delivery Company LLC**

**6.3 Agreements and Forms**

Applicable: Entire Certified Service Area

Effective Date: September 21, 2009

Page 2 of 2

- (b) If to Customer:  
City of Temple

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The above-listed names, titles, and addresses of either Party may be changed by written notification to the other.

10. **Invoicing and Payment** – Invoices for any discretionary services covered by this Agreement will be mailed by Company to the following address (or such other address directed in writing by Customer), unless Customer is capable of receiving electronic invoicing from Company, in which case Company is entitled to transmit electronic invoices to Customer.

City of Temple

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

If Company transmits electronic invoices to Customer, Customer must make payment to Company by electronic funds transfer. Electronic invoicing and payment by electronic funds transfer will be conducted in accordance with Company's standard procedures. Company must receive payment by the due date specified on the invoice. If payment is not received by the Company by the due date shown on the invoice, a late fee will be calculated and added to the unpaid balance until the entire invoice is paid. The late fee will be 5% of the unpaid balance per invoice period.

11. **No Waiver** -- The failure of a Party to this Agreement to insist, on any occasion, upon strict performance of any provision of this Agreement will not be considered to waive the obligations, rights, or duties imposed upon the Parties.

12. **Taxes** -- All present or future federal, state, municipal, or other lawful taxes (other than federal income taxes) applicable by reason of any service performed by Company, or any compensation paid to Company, hereunder must be paid by Customer.

13. **Headings** -- The descriptive headings of the various articles and sections of this Agreement have been inserted for convenience of reference only and are to be afforded no significance in the interpretation or construction of this Agreement.

14. **Multiple Counterparts** -- This Agreement may be executed in two or more counterparts, each of which is deemed an original but all constitute one and the same instrument.


15. **Other Terms and Conditions** –

(i) Customer has disclosed to Company all underground facilities owned by Customer or any other party that is not a public utility or governmental entity, that are located within real property owned by Customer. In the event that Customer has failed to do so, or in the event of the existence of such facilities of which Customer has no knowledge, Company, its agents and contractors, shall have no liability, of any nature whatsoever, to Customer, or Customer's agents or assignees, for any actual or consequential damages resulting from damage to such undisclosed or unknown facilities.

(ii)

IN WITNESS WHEREOF, the Parties have caused this Agreement to be signed by their respective duly authorized representatives.

Oncor Electric Delivery Company LLC

  
Signature

Donna McGinnis

Printed Name

New Construction Manager

Title

11-14-17

Date

City of Temple

Customer / Company Name

Signature

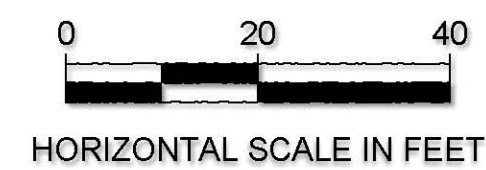
Printed Name

Title

Date







- ABANDONED OVERHEAD
- PHASE 1 UNDERGROUND
- PHASE 2 UNDERGROUND



KASBERG, PATRICK & ASSOCIATES, LP  
CONSULTING ENGINEERS  
GEORGETOWN, TEXAS 78626  
Firm Registration No. F-510

SANTA FE PROJECTS

DRY UTILITIES



RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A DISCRETIONARY SERVICE AGREEMENT, IN THE AMOUNT OF \$50,912.15, WITH ONCOR ELECTRIC DELIVERY COMPANY, LLC OF TEMPLE, TEXAS FOR THE RELOCATION OF ELECTRICAL SERVICES FOR THE SANTA FE PLAZA PROJECT; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, on November 17, 2016, Council authorized a discretionary service agreement with Oncor for the relocation of electric services for the Santa Fe Plaza project in the amount of \$309,952.24 - the initial agreement did not include the relocation of the overhead electrical service in the block bordered by Central Avenue, 7<sup>th</sup> Street, Avenue A, and 9<sup>th</sup> Street;

**Whereas**, demolition of all properties in this respective block were recently completed, and as such, Staff is recommending the relocation of the electrical lines underground in this block of the Project as well- relocation of electrical services for this block will require an additional discretionary services agreement with Oncor in the amount of \$50, 912;

**Whereas**, funding for this agreement is available in Reinvestment Zone No. 1 Financing and Project Plans, Line 402, Santa Fe Plaza, Account No. 795-9500-531-6870, Project No. 101008; and

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

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

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

**Part 2:** The City Council authorizes the Interim City Manager, or her designee, after approval as to form by the City Attorney, to execute a discretionary service agreement, in the amount of \$50,912.15, with Oncor Electric Delivery Company, LLC of Temple, Texas for the relocation of electrical services for the Santa Fe Plaza project.

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

PASSED AND APPROVED this the 7<sup>th</sup> day of **December**, 2017.

THE CITY OF TEMPLE, TEXAS

---

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Kayla Landeros  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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Item #4(U)  
Consent Agenda  
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### **DEPT./DIVISION SUBMISSION & REVIEW:**

Alan DeLoera, Information Technology Director

**ITEM DESCRIPTION:** Consider adopting a resolution ratifying an agreement for yearly service through AT&T Corporation, of Dallas, in the amount of \$105,000 for voice, data and internet services.

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

**ITEM SUMMARY:** The Information Technology department currently has many locations throughout the City that require multiple contracts with companies that provide telephone, internet and data services. One of these services that is provided is what are called “PRI” Circuits or Primary Rate Interfaces that provide 24 channels of voice lines. We also have data circuits that are provided through various companies. We currently use multiple vendors such as AT&T, Grande and Spectrum (previously Time Warner) because we need redundancy among different city locations so that we do not lose services at all locations.

AT&T Corporation currently provides us with voice and high-speed data services to multiple city departments which include the City Hall, Police Department, Service Center and other city facilities. We currently use services through Grande Communications, Spectrum (previously Time Warner) and ATT in an effort to avoid a catastrophic outage at all City facilities if we were only to use one company. We also use this plan successfully by having internet service provided by all three companies for backup due to the critical nature of providing access to Police, Fire, email services and other critical city applications.

Now more than ever, the city requires redundant reliable network connectivity and access to city resources. Connections to and from city departments, government agencies, vendors and citizens are all equally important to keep the continuity when needed. The city runs all day, every day and even in off hours. We run operations around the clock, seven days a week so it’s important to realize that to keep a solid business continuity strategy, redundancy technologies should be considered and implemented.

As part of our plan to diversify services we recommend to continue this contract with AT&T as they already have the equipment and services at these locations. Also, based on regulatory restrictions on who can provide these services, and as allowed by LGC §252.022, this procurement is exempt from the competitive procurement rules.



**FISCAL IMPACT:** Funding is available in the FY 2018 Operating Budget in account 110-1900-519-2610 in the amount of \$105,000 for continued voice, data and internet services through AT&T Corporation.

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

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS RATIFYING AN AGREEMENT FOR YEARLY SERVICES THROUGH AT&T CORPORATION, OF DALLAS, TEXAS IN THE AMOUNT OF \$105,000, FOR VOICE, DATA AND INTERNET SERVICES; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, the Information Technology department currently has many locations throughout the City that require multiple contracts with companies that provide telephone, internet and data services;

**Whereas**, the City currently uses multiple vendors such as AT&T, Grande and Spectrum (previously Time Warner) in an effort to avoid a catastrophic outage at all City facilities at the same time - it is important to have redundancy among different City locations so that the City doesn't lose services at all locations and to provide backup due to the critical nature of providing access to Police, Fire, email services and other critical City applications;

**Whereas**, AT&T Corporation currently provides the City with voice and high-speed data services to multiple departments including City Hall, Police Department, Service Center and other facilities;

**Whereas**, now more than ever, the City requires redundant reliable network connectivity and access to City resources as connections to and from City departments, government agencies, vendors and citizens are all equally important to ensure around-the-clock continuity of service;

**Whereas**, as part of the City's plan to diversify services, Staff recommends Council ratify an agreement for yearly service through AT&T Corporation, as they already have their equipment and services at multiple City facilities;

**Whereas**, based on regulatory restrictions on who can provide these services, and as allowed by Texas Local Government Code §252.022, this procurement is exempt from the competitive procurement rules;

**Whereas**, funding for these services is available in in the fiscal year 2018 Operating Budget in Account No. 110-1900-519-2610 for continued voice, data, and internet services through AT&T Corporation; 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 ratification of an agreement for yearly service through AT&T Corporation of Dallas, Texas in the amount of \$105,000, for voice, data and internet services.

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

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

PASSED AND APPROVED this the 7<sup>th</sup> day of **December**, 2017.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Kayla Landeros  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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

Brynn Myers, Interim City Manager  
Sandra Esqueda, Director of Human Resources

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a two-year professional services agreement with McGriff, Seibels & Williams, Inc. of Addison, in the annual amount of \$75,000 for employee benefits consulting services.

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

**ITEM SUMMARY:** Approval of this item will provide for a two-year employee benefits consulting services agreement with McGriff, Seibels & Williams, Inc. (MSW) commencing January 1, 2018. The proposed agreement will have the option to renew annually for three additional one-year periods.

On November 9, 2017, the City received four proposals to provide employee benefits consulting services to the City: McGriff, Seibels & Williams, Inc. of Addison; IPS Advisors, LLP of Dallas; Gallagher Benefit Services, Inc. of Sugar Land; and Texas Benefit Consultants of Brownwood. The Request for Proposals (RFP) stated that the proposals would be evaluated based on the following evaluation criteria: 25%, extent to which the firm's proposed methodology, timeline, and documents meet the needs of the City; 25%, proposed fees; 20%, experience of firm and assigned staff; 20%, reputation of firm and assigned staff; and 10%, responsiveness and clarity of submitted proposal. An evaluation committee consisting of representatives from the following departments reviewed and scored the proposals: City Manager Office, City Attorney Office, Finance, Human Resources, and Parks & Recreation.

Based on the pre-defined evaluation criteria, it is the evaluation committee's unanimous recommendation to award the employee benefits consulting agreement to MSW. The committee was impressed with MSW's reporting capabilities, their bench-marking and data analysis experience, their regulatory resources, their employee wellness program resources, and their pricing structure which will allow the City to consider offsetting typical insurance broker commissions against the City's annual \$75,000 fee. The evaluation committee met with the lead consultants of MSW on November 21, 2017, to validate its initial scoring of the MSW's written proposal.

Under the proposed agreement, MSW will immediately start working with City Staff to evaluate the City's current employee benefits programs with the anticipation of assisting the City in procuring employee insurance needs in the spring of 2018 for FY2019.



**FISCAL IMPACT:** Funding for the employee benefits consulting agreement with McGriff, Seibels & Williams in the amount of \$56,250, which is representative of the first nine months of the proposed agreement that falls in FY 2018, is available in the following accounts:

	110-2700-515-2616	240-4400-551-2616	292-2900-534-2616	520-5000-535-2616	Total
Consultant Budget	\$ 51,000	\$ 1,151	\$ 1,090	\$ 7,329	\$ 60,570
Encumbered/Committed to Date	(3,637)	(82)	(78)	(523)	(4,320)
<b>McGriff, Seibels &amp; Williams, Inc.</b>	<b>(47,363)</b>	<b>(1,069)</b>	<b>(1,012)</b>	<b>(6,806)</b>	<b>(56,250)</b>
<b>Remaining Consultant Funds</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>

Funding will be proposed in future year budgets to account for the employee benefits consulting services agreement.

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

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A TWO-YEAR PROFESSIONAL SERVICES AGREEMENT WITH MCGRUFF, SEIBELS & WILLIAMS, INC. OF ADDISON, TEXAS IN THE AMOUNT OF \$75,000, FOR EMPLOYEE BENEFITS CONSULTING SERVICES; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, on November 9, 2017, the City received four proposals to provide employee benefits consulting services to the City and the Request for Proposals (RFP) stated that the proposals would be evaluated based on certain evaluation criteria;

**Whereas**, an evaluation Staff committee consisting of representatives from multiple departments reviewed and scored the proposals and based on the pre-defined evaluation criteria, unanimously recommendation to award the employee benefits consulting agreement to McGriff, Seibels & Williams, Inc. (MSW) of Addison, Texas;

**Whereas**, the committee was impressed with MSW's reporting capabilities, their benchmarking and data analysis experience, their regulatory resources, their employee wellness program resources, and their pricing structure which will allow the City to consider offsetting typical insurance broker commissions against the City's annual \$75,000 fee;

**Whereas**, under the two-year professional services agreement, MSW will immediately start working with Staff to evaluate the City's current employee benefits programs with the anticipation of assisting the City in procuring employee insurance needs in the spring of 2018 for fiscal year 2019;

**Whereas**, Staff recommends Council authorize a two-year professional services agreement with McGriff, Seibels & Williams, Inc. of Addison, Texas in the annual amount of \$75,000, for employee benefits consulting services, with three one-year optional renewals;

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

Account No. 110-2700-515-2616;

Account No. 240-4400-551-2616;

Account No. 292-2900-534-2616;

Account No. 520-5000-535-2616; and

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

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

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

**Part 2:** The City Council authorizes the Interim City Manager, or her designee, after approval as to form by the City Attorney, to execute a professional services agreement with McGriff, Seibels & Williams, Inc. of Addison, Texas in the annual amount of \$75,000, for employee benefits consulting services.

**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 7<sup>th</sup> day of **December**, 2017.

THE CITY OF TEMPLE, TEXAS

---

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Kayla Landeros  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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

Nicole Torralva, P.E., Public Works Director  
Damon Boniface, Utility Director

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a professional services agreement with Perkins Engineering Consultants, Inc. of Arlington, in an amount not to exceed \$165,954 for the redevelopment of Technically Based Local Limits for Doshier Farm Wastewater Treatment Facility.

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

**ITEM SUMMARY:** The General Pretreatment Regulations (40 CFR 403) require that each publicly owned treatment works (POTW) is required to develop an approved pretreatment program and must develop and enforce local pollutant limits to protect against pass through and interference impacting plant operations which may be caused by industrial discharges to treatment facilities. Pollutant limits are developed by POTWs as a prerequisite to pretreatment program approval. Conditions at POTWs change with time, requiring POTW's to reevaluate local limits periodically and during the state permit renewal process to ensure a firm technical basis for current conditions exist. Technically Based Local Limits for Doshier Farm Wastewater Treatment Plant currently in place were developed in 1991 for the 5.0 MGD capacity trickling filter wastewater process, prior to plant expansion at the facility to a 7.5 MGD activated sludge process completed in 1994. Based upon current system conditions and plant processes, staff recommends full redevelopment of the local pollutant limits at this time.

Staff reviewed qualifications from multiple firms with experience developing pollutant limits in accordance with state and federal regulations. Based upon evaluation of qualifications and experience, Perkins Engineering Consultant, Inc., is recommended to complete the work.

**FISCAL IMPACT:** Funding for the professional services agreement with Perkins Engineering Consultants, Inc. for the redevelopment of Technically Based Local Limits for Doshier Farm Wastewater Treatment Facility in the amount of \$165,954 is available in account 520-5500-535-2616.

**ATTACHMENTS:**

[Proposal](#)  
[Resolution](#)





PERKINS  
ENGINEERING  
CONSULTANTS, INC.

6001 Interstate 20 West  
Suite 219  
Arlington, TX 76017  
Office: 817-719-0372  
Fax: 817-719-0122  
[www.perkinsconsultants.com](http://www.perkinsconsultants.com)

November 30, 2017

Ms. Nicole Torralva, P.E., Director  
Department of Public Works  
City of Temple  
3210 East Avenue H, Suite 130  
Temple, Texas 76501

RE: Proposal to Assist City with the Development of Technically Based Local Limits  
for Doshier Farm Wastewater Treatment Facility

Dear Ms. Torralva:

We appreciate the opportunity to submit the enclosed proposal to assist the City of Temple with development of technically based local limits for the Doshier Farm Wastewater Treatment Facility. Perkins Engineering Consultants, Inc. proposes to provide the Basic Services that are described in Attachment A, under the terms of the City's standard *Contract Agreement for Professional Services*.

Compensation will be on a lump sum basis, with total compensation not to exceed \$165,954 without prior written authorization from the City. Billing will be submitted monthly based on the percentage of work completed. A detailed breakdown of the proposed budget is attached to this letter as Table A.1.

We appreciate this opportunity to further serve the City. Please call if you any questions.

Sincerely,

Mark A. Perkins, P.E.  
President

Janet Sims  
Senior Project Manager

**ATTACHMENT A**  
**DEVELOPMENT OF TECHNICALLY BASED LOCAL LIMITS**  
**FOR CITY OF TEMPLE DOSHIER FARM WASTEWATER TREATMENT FACILITY**  
**SCOPE OF WORK**

Following is a Scope of Work for the development of technically based local limits (TBLLs) for the Doshier Farm Wastewater Treatment Facility, which is owned by the City of Temple (City) and operated by the Brazos River Authority (Authority). The objective of the proposed study is to develop TBLLs that meet the requirements of the Texas Commission on Environmental Quality (TCEQ) and are protective of the wastewater treatment facility and environment. This Scope of Work identifies basic services to achieve the objectives of the study and a budget.

**BASIC SERVICES**

There are seven basic activities for the study.

Activity I	Review Background Information
Activity II	Prepare Monitoring Plans
Activity III	Implement the Intensive Monitoring Plan
Activity IV	Compile and Validate Data
Activity V	Calculate Technically Based Local Limits
Activity VI	Prepare Draft TBLL Calculation Report
Activity VII	Prepare for and Attend Meetings

The description of the activities and tasks associated with each activity are described below.

**Activity I. Review of Background Information**

The first activity in this project is a review of information already available on the Client's wastewater treatment plant and pretreatment program. The criteria for the TBLLs (water quality standards, process inhibition threshold, sludge quality limits) will be determined.

To accomplish these objectives the following information will be gathered and reviewed:

- The calculation report for the existing TBLLs
- Influent and Effluent data – conventional and toxic materials (3 years)
- Industrial monitoring data - discharge quality and flows (3 years)
- Process flow schematic of wastewater treatment plant
- Design calculations and engineering report for the existing treatment processes

## **Activity II. Prepare Monitoring Plans**

Monitoring plans will be prepared with the objective of identifying pollutants of concern (POC) and determining the fate of these pollutants as they pass through the treatment plant. Two monitoring plans will be prepared. The first monitoring will be a pollutant scan of the WWTP influent. The second monitoring will involve intensive monitoring at the WWTP and within the collection system.

### **Task A. Prepare Initial Monitoring Plan**

The purpose of the initial monitoring is to assist with the identification of pollutants of concern (POC) that may warrant further evaluation. A pollutant scan of the priority pollutants identified by EPA and the non-priority toxic pollutants regulated under Title 30 Texas Administrative Code Chapter 307 will be described in the Initial Monitoring Plan. The pollutants, sampling location, sampling collection and handling techniques, analytical methods, and data quality objectives will be described.

The results of previous influent pollutant scans can be used for this task. The pollutant scan, however, will need to be reviewed to verify that the procedures and data quality objectives meet TCEQ requirements.

### **Task B. Identify Pollutants of Concern**

POCs are the pollutants that will be evaluated further for potential TBLL development. EPA has identified 15 POCs that need to be evaluated. Other considerations for potential POCs are as follows:

- Pollutant measured at concentrations greater than 0.1 milligram per liter in the initial pollutant scan (Task A)
- Nonconventional pollutant with limits in the TPDES permit
- Pollutants that consistently measure at quantitative levels in the routine influent and effluent analyses
- Pollutants with established TBLLs
- Pollutants discharged by industrial users

The potential POCs will be evaluated to determine if further evaluation for TBLL development is warranted. The anticipated POCs for the Doshier Farm WWTP are as follows:

- |            |              |                                   |
|------------|--------------|-----------------------------------|
| • Arsenic  | • Lead       | • Silver                          |
| • Cadmium  | • Mercury    | • Zinc                            |
| • Chromium | • Molybdenum | • 5-day Biochemical Oxygen Demand |
| • Copper   | • Nickel     | • Phenols                         |
| • Cyanide  | • Selenium   | • Hexavalent Chromium             |

The evaluation to determine if TBLLs for 5-day Biochemical Oxygen Demand (BOD<sub>5</sub>) and Ammonia-nitrogen are appropriate will be based on an evaluation of the WWTP data, process calculations, and historical treatment performance.

### **Task C. Prepare Intensive Monitoring Plan**

An Intensive Monitoring Plan will be prepared. The monitoring data will be used to determine the impact of each POCs on and fate through the WWTP. The contribution of each POC from non-industrial sources will also be estimated. The TCEQ Sampling Plan Checklist will used to prepare the plan.

Specific sampling locations and times for the collection of seven consecutive days of 24-hour composite of the influent and effluent will be identified. Plans for sampling at locations for non-industrial source in the collection and of the sludge will be developed. The POCs, sample collection and handling techniques, analytical methods, data quality objectives, quality control measures, and required documentation will be described in the plan.

A draft Intensive Monitoring Plan will be submitted to the Client for review. Appropriate revisions based on the Client's comments will be incorporated into the plan.

The TCEQ requires the Intensive Monitoring Plan to be submitted for review prior to implementing the plan. This task includes the work necessary to obtain TCEQ approval of the monitoring plan.

### **Activity III. Implement the Intensive Monitoring Plan**

This activity involves the implementation of the Intensive Monitoring Plan that was prepared in Activity IIC. Samples will be collected and analyzed.

### **Activity IV. Compile and Review Data**

The data obtained in the prior activities will be compiled and reviewed. The chain of custody forms and laboratory reports will be reviewed for completeness and verify that the data quality objectives are achieved. The analytical data will be tabulated.

### **Activity V. Calculate Technically Based Local Limits**

TBLLs will be calculated using the maximum allowable headworks loading (MAHL) method, which is described in the EPA guidance document *Development of Local Limits*, July 2004. This activity has two tasks. The calculation of MAHLs and determination of TBLLs.

### **Task A. Calculate Maximum Allowable Headworks Loading**

A MAHL is an estimate of the upper limit of pollutant loading that the can be received and treated adequately at the WWTP without adverse impacting the biological treatment process, receiving water, or



sludge quality. A MAHL for each POC will be calculated. The steps for calculating an MAHL are as follows:

- Calculate removal efficiency for the POC
- Calculate allowable headworks loadings (AHL) for each environmental criterion
- Identify the MAHL, which is the most stringent AHL for the POC

#### **Task B. Determine Technically Based Local Limit**

TBLLs are determined in this task. Results of the MAHL calculations are allocated to non-controllable sources, a safety factor, and industrial sources.

#### **Activity VI. Prepare Draft Technically Based Local Limit Calculation Report**

A draft report will be prepared that documents the procedures and data used to develop the TBLLs. The report will include the results of the sampling and analyses, rationale for all decisions, and the recommended TBLLs.

A copy of the draft report will be submitted to the Client for review. A final draft report will be prepared that incorporates revisions based on comments received from the Client. The final draft report will be suitable for submission to TCEQ.

#### **Activity VII. Prepare for and Attend Meetings**

This activity involves preparing for and attending up to four meetings in Temple and one meeting in Austin. An initial meeting may be held to serve as a project kick-off meeting. The purpose of the first meeting is to obtain available background information, and to present to the City and Authority the objectives, activities, and anticipated schedule for the study. Meetings to discuss the monitoring plans, draft TBLLs, TBLL calculation report may be requested by the City. A meeting with TCEQ may be necessary to discuss the proposed Intensive Monitoring Plan after TCEQ comments are received.

#### **BUDGET**

The Budget for Basic Services are presented in Table A.1. The budget is based on the following assumptions.

- An influent pollutant scan that meets the TCEQ requirements and quality objectives (parameters, sampling locations, approved analytical methods, and minimum analytical levels) has been conducted in accordance with the permit and can be used to identify POCs for the study. If services for conducting the initial pollutant scan are necessary to meet TCEQ requirements, Additional Services and compensation may be warranted.
- The sampling of raw influent without recycle flows can be conducted at one site within the Doshier Farm facility boundary.

- Pollutant of Concern are limited to the constituents identified in Activity II, Task B.
- The analyses for mercury will be conducted by Abion Environmental using the EPA 1631e method.
- With the exception of mercury, the laboratory analyses will be conducted by DHL Analytical, Inc.



Table A.1

# City of Temple

## Pretreatment Program Assistance Development of Technically Based Local Limits

### Task 1 Development of Technically Based Local Limits

Labor Summary		Labor Category & Projected Hours					Labor Subtotal
Subtask	Description	Principal	Sr. Manager	Grad. Engineer	Sr. Project Engineer	Admin	
I	Gather and review background information		16	8	2		\$ 4,410
IIA	Prepare monitoring plan for initial pollutant scan		16	4		4	\$ 3,860
IIB & C	Identify pollutants of concern and prepare intensive monitoring plan	4	56	12		4	\$ 13,360
III	Implementation of intensive monitoring		90	475			\$ 72,175
IV	Compile data and confirm data meet quality objectives		8	8			\$ 2,480
V	Calculate technically based local limits (metals and cyanide)	4	16	16			\$ 5,740
	Calculate technically based local limits for BOD and NH3	2	4	8	24		\$ 6,530
VI	Prepare calculation report (metals and cyanide)	2	40	16		4	\$ 10,310
	Prepare TM for BOD and NH3 evaluation	2	4		12		\$ 3,390
VII	Prepare for and Attend Meetings (Four with Client, one with TCEQ)	12	40	6	10	8	\$ 13,240
							\$ -
							\$ -
							\$ -
							\$ -
							\$ -
	<b>Total Hours</b>	<b>26</b>	<b>290</b>	<b>553</b>	<b>48</b>	<b>20</b>	<b>937</b>
	Hourly Rate	\$ 195	\$ 195	\$ 115	\$ 185	\$ 70	
	Labor Subtotal	\$5,070	\$56,550	\$63,595	\$8,880	\$1,400	\$135,495
Expense Summary							
	Estimated Direct Expenses:						
	Travel (Mileage, food, and hotel)	\$ 5,260					
	Printing & Reproduction	\$ 250					
	Postage, Delivery, & Courier Charges	\$ 1,200					
	Sampling Equipment	\$ 1,000					
	Misc.	\$ 1,500					
	Subconsultant Fees:						
	Surveyor	\$ -					
	Geotechnical	\$ -					
	Electrical	\$ -					
	Structural	\$ -					
	Laboratory	\$ 18,480					
	Other	\$ -					
			Labor Fee				\$ 135,495
	Subtotal Direct Expenses	\$ 27,690	Direct Expense Fee				\$ 30,459
	Service Charge for Outside Direct Expenses	\$ 2,769	<b>Total Professional Services Fee</b>				<b>\$ 165,954</b>

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH PERKINS ENGINEERING CONSULTANTS, INC. OF ARLINGTON, TEXAS, IN AN AMOUNT NOT TO EXCEED \$165,954, FOR THE REDEVELOPMENT OF TECHNICALLY BASED LOCAL LIMITS FOR DOSHIER FARM WASTEWATER TREATMENT FACILITY; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, the General Pretreatment Regulations (40 CFR 403) require that each publicly owned treatment works (POTW) develop an approved pretreatment program and must develop and enforce local pollutant limits to protect against pass through and interference impacting plant operations which may be caused by industrial discharges to treatment facilities;

**Whereas**, pollutant limits are developed by POTWs as a prerequisite to pretreatment program approval - conditions at POTWs change with time, requiring POTW's to reevaluate local limits periodically and during the state permit renewal process to ensure a firm technical basis for current conditions exist;

**Whereas**, the Technically Based Local Limits for Doshier Farm Wastewater Treatment Plant currently in place were developed in 1991 for the 5.0 MGD capacity trickling filter wastewater process, prior to plant expansion at the facility to a 7.5 MGD activated sludge process completed in 1994 - based upon current system conditions and plant processes, Staff recommends full redevelopment of the local pollutant limits;

**Whereas**, Staff reviewed qualifications from multiple firms with experience developing pollutant limits in accordance with state and federal regulations and based upon evaluation of the qualifications and experience, Staff recommends Council authorize a professional services agreement to Perkins Engineering Consultant, Inc. of Arlington, Texas in an amount not to exceed \$165,985;

**Whereas**, funding for this professional services agreement is available in Account No. 520-5500-535-2616; and

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

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

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



**Part 2:** The City Council authorizes the Interim City Manager, or her designee, after approval as to form by the City Attorney, to execute a professional services agreement with Perkins Engineering Consultants, Inc. of Arlington, Texas in an amount not to exceed \$165,954, for the redevelopment of Technically Based Local Limits for Doshier Farm Wastewater Treatment Facility.

**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 7<sup>th</sup> day of **December**, 2017.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Kayla Landeros  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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12/07/17  
Item #4(X)  
Consent Agenda  
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### **DEPT./DIVISION SUBMISSION & REVIEW:**

Alan DeLoera, Information Technology Director

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a dedicated access services agreement with Spectrum in the amount of \$51,000.

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

**ITEM SUMMARY:** The Information Technology department currently has many locations throughout the City that require multiple contracts with companies that provide telephone, internet and data services. One of these services that is provided is what are called "PRI" circuits or Primary Rate Interfaces that provide 24 channels of voice lines. We also have data circuits that are provided through various companies. We currently use multiple vendors such as AT&T and Spectrum (previously Time Warner) because we like redundancy among different city locations so that we do not lose services at all locations.

PRI circuits are currently located at City Hall, Service Center, City Hall, Police Department, Central Fire Station, Fire Training Center, Service Center, Municipal Court/Utility Business Office, and the Summit Recreation Center.

We also use AT&T and Grande at other locations around the City to have redundancy among providers.

This is the fourth year of a five-year dedicated access services agreement with Spectrum. Based on regulatory restrictions on who can provide these services, and as allowed by LGC §252.022, this procurement is exempt from the competitive procurement rules.

**FISCAL IMPACT:** Funding is available in the FY 2018 Operating Budget in account 110-1900-519-2610 in the amount of \$51,000 for continued telephone and data services through Time Warner Cable.

### **ATTACHMENTS:**

[Resolution](#)

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A DEDICATED ACCESS SERVICE AGREEMENT WITH SPECTRUM IN THE AMOUNT OF \$51,000; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, the Information Technology department has many locations throughout the City that require multiple contracts with companies that provide telephone, internet and data services – one of these services is the Primary Rate Interfaces (PRI) that provides 24 channels of voice lines;

**Whereas**, the City also has data circuits that are provided through various companies – the current vendors the City uses are AT&T and Spectrum (previously Time Warner) to allow for redundancy among different City locations so there is no loss of services at all locations;

**Whereas**, PRI circuits are currently located at City Hall, Service Center, Police Department, Central Fire Station, Fire Training Center, Municipal Court/Utility Business Office, and the Summit Recreation Center;

**Whereas**, the City also uses the services of AT&T and Grande at other locations to have redundancy among providers;

**Whereas**, this is the fourth year of a five-year dedicated access services agreement with Spectrum - based on regulatory restrictions on who can provide these services, and as allowed by Texas Local Government Code §252.022, this procurement is exempt from the competitive procurement rules;

**Whereas**, funding is available for this dedicated access services agreement in the fiscal year 2018 budget, Account No. 110-1900-519-2610; and

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

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

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

**Part 2:** The City Council authorizes the fourth year of a five-year Dedicated Access Service Agreement with Spectrum, in the amount of \$51,000, for telephone, internet, and data services.

**Part 3:** The City Council authorizes the Interim City Manager or her designee, after approval as to form by the City Attorney, to execute any documents associated with this Agreement.

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

PASSED AND APPROVED this the 7<sup>th</sup> day of **December**, 2017.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Kayla Landeros  
City Attorney





## COUNCIL AGENDA ITEM MEMORANDUM

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12/07/17  
Item #4(Y)  
Consent Agenda  
Page 1 of 2

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

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

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing an agreement with MRB Group of Temple, in the amount of \$503,100 for professional services required to design and bid improvements to North Pea Ridge Road from West Adams Avenue to Prairie View Road.

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

**ITEM SUMMARY:** This project consists of roadway improvements to North Pea Ridge Road from West Adams Avenue to Prairie View Road. Improvements include an expanded pavement section with a continuous left-turn lane, pedestrian facilities, drainage conveyance, and water utilities. See the attached Project Map for more details and project limits.

Consultant services recommended under this professional services agreement include:

Road/Drainage Engineering Services	\$ 305,900
Water Main Engineering Services	\$ 54,900
Rights-Of-Entry	\$ 19,500
Surveying	\$ 78,000
Environmental	\$ 3,500
Geotechnical	\$ 19,200
Landscape/Irrigation Design	\$ 13,000
Bidding Services	\$ 9,100
<b>Total</b>	<b><u>\$ 503,100</u></b>

Time required for design is 300 calendar days after rights-of-entry have been obtained. The Engineer's preliminary opinion of probable cost for construction is \$5,498,400. Funding for construction is currently programmed in FY 2019.

**FISCAL IMPACT:** A budget adjustment is being presented to Council to appropriate funding for the utility portion of the professional services agreement with MRB Group for the design for North Pea Ridge Road Improvements. Funding in the amount of \$503,100 will be available in project 101713 as follows:

	<u>365-3400-531-6985</u>	<u>520-5900-535-6985</u>	<u>Total</u>
Project Budget	\$ 2,185,000	\$ -	\$ 2,185,000
Budget Adjustment	-	54,900	54,900
Encumbered/Committed to Date	-	-	-
<b>MRB Professional Services Agreement</b>	<b>(448,200)</b>	<b>(54,900)</b>	<b>(503,100)</b>
<b>Remaining Project Funds</b>	<b>\$ 1,736,800</b>	<b>\$ -</b>	<b>\$ 1,736,800</b>

The remaining project funds are available for necessary easements related to the project

**ATTACHMENTS:**

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

November 21, 2017

Sharon Carlos, EIT, Project Manager  
City of Temple – Engineering  
3210 E. Avenue H  
Building A, Suite 107  
Temple, Texas 76501

**RE: PROPOSAL FOR PROFESSIONAL SERVICES – DESIGN PHASE  
NORTH PEA RIDGE ROAD – STREET IMPROVEMENTS AND UTILITY IMPROVEMENTS**

Dear Sharon:

We appreciate the opportunity to offer this proposal for professional engineering design services for the upcoming road and utility improvement project for North Pea Ridge Road in Temple, Texas.

**I. Project Overview**

The City of Temple (City) has requested MRB Group (MRB) prepare a proposal for engineering services for widening North Pea Ridge Road from FM 2305 (West Adams) to Prairie View Road. In addition to the street improvements, the requested scope of services will also include the design of utilities in these areas and drainage improvements along and adjacent to North Pea Ridge Road.

The project is anticipated to upgrade approximately 6,200-lf of an existing 2-lane rural section of roadway to a 3-lane City Collector roadway with a joint use trail and designated landscape areas. The new roadway section will utilize a full curb and gutter section. In lieu of the current bar ditches, storm water drainage will be collected via curb inlets and directed south towards the existing storm water drainage channel at the south end of West Temple Park. Additionally, the existing 2" waterline north of Alabama Avenue to Prairie View Road will be replaced with an upsized water main. The new water main could extend the full length of the project if the City desires. Currently, there are no plans to replace/construct a sanitary sewer main. Additionally, design surveying, construction staking and coordination for the purposes of right of way (ROW) acquisition are included in this proposal.

In your email dated October 10, 2017, and in our phone conversation(s) with you and Don Bond, P.E., City Engineer, during the weeks of October 9<sup>th</sup> and October 16<sup>th</sup>, the following specific services were requested:

- Obtaining Rights of Entry from Landowners.
- Conduct surveying for design and construction staking.
- Design Phase:
  - Prepare construction contract documents, updated Opinion of Probable Construction Costs, and anticipated construction duration for review at 30%, 60%, and 90% design completion.
  - Deliver final contract documents to City to be signed and sealed by engineer in responsible charge.
  - Provide Landscape/Irrigation design.
  - Utilities – Upgrade existing 2" waterlines to 6" minimum.
  - Attend monthly meetings with City Staff as needed (prepare agenda).
- Provide Environmental/Geotechnical/Archeological as needed.
- Right-of-Way (ROW):
  - Conduct surveys (metes and bounds) as needed to define ROW.
  - Prepare enhanced survey exhibits depending on proximity of future ROW to existing structures.
  - Coordinate with City Legal Department.
- Dry Utility Coordination.
- TxDOT Coordination.
- Bidding:
  - Deliver construction plans, bid schedule, specifications, and anticipated construction duration to City prior to advertisement.
  - Advertising and bid opening to be conducted by City Staff.
  - Direct pre-bid meeting, answer bidder's questions, prepare Addenda, and attend bid opening.
  - Prepare signed and sealed bid tabulation and recommendation letter of award for Council, as well as attending Council meeting for Construction award.

MRB Group proposes to utilize the following sub-consultants on this project:

- MRB Gray Engineering (Roadway and Utility Design)
- Langerman Foster Engineering Company (Geo-Technical Engineering)
- Ronald Carroll Surveyors, Inc. (Surveying)
- Horizon Environmental Services, Inc. (Environmental Assessment)
- Luck Design Team (Landscape/Irrigation Design)



MRB Group has prepared the following scope of services to include the specific services requested by the City.

## **II. Scope of Services and Compensation**

The scope of services and compensation for the project are summarized and outlined in the paragraphs below:

### **A. PHASE I - Preliminary Design Services:**

1. MRB Group will facilitate:
  - a) A Kickoff Meeting with the City of Temple to:
    - 1) Establish project goals.
    - 2) Discuss relevant design parameters and requirements.
    - 3) Discuss schedules, milestones, and types of deliverables.
    - 4) Discuss conceptual horizontal and vertical alignment.
  - b) Survey work to include:
    - 1) Research TxDOT ROW for FM 2305 Intersection at North Pea Ridge.
    - 2) Prepare a list of properties and corresponding owners to secure Right of Entry.
    - 3) Research City of Temple Controls.
    - 4) Research Court Records.
    - 5) Request Easements from City of Temple GIS Department.
    - 6) Establish control every 1500 ft. (5 Points) GPS Fast Static.
    - 7) Run levels through control.
    - 8) Locate boundary lines (29 parcels, 3 subdivisions).
    - 9) Locate TxDOT boundary (FM 2305).
    - 10) Obtain roadway corridor topography for 6,200 lf ±.
    - 11) Calculate boundaries and tract lines.
    - 12) Prepare Draft Topographic Survey.
  - c) Geotechnical work to include:
    - 1) Conduct twelve (12) soil borings to a depth of 10-feet approximately every 500 lf. along North Pea Ridge Road sufficient to provide adequate design criteria and make pavement recommendations.
    - 2) Prepare Geotechnical Report and design recommendations.
    - 3) Provide traffic control while borings are being conducted.
    - 4) Coordinate with the Texas 811 System.

d) Environmental work to include:

- 1) Wetland/Floodplain delineation and Jurisdictional Determination (if applicable):
    - a. Review National Wetland Inventory maps, U.S. Geological Survey topographic maps, historic and current aerial photography, and the Soil Conservation Service's soil survey and hydric soils list.
  - 2) Environmental/Historical Site Investigation:
    - a. Conduct an archival records review and archeological probability assessment for cultural resources within the proposed project right-of-way.
  - 3) Threatened & Endangered Species Habitat Assessment:
    - a. Perform a literature review of all known occurrences of federally-listed T&E species in the project vicinity.
    - b. Determine through field investigation whether any potentially suitable habitat for those species occurs in or adjacent to the project area.
2. MRB Group will prepare a preliminary project design based upon a completed topographic and right-of-way survey. The preliminary design will include recommended typical road section(s), drainage improvements, water improvements and other items critical to understanding the project. Additionally, MRB Group will provide a preliminary assessment of road right-of-ways that will need to be acquired to implement the project.
  3. MRB Group will present the preliminary design at a working meeting with the City of Temple. Following review comments from this meeting, MRB Group will update these plans and resubmit to the City of Temple for approval of the preliminary road geometry and alignment.

**Subtotal of Phase I (Preliminary Design Services).....\$131,880.00**

**B. PHASE II 30% Design Services:**

1. Prepare proposed roadway profiles.
2. Delineate roadway/intersection layout with turn lanes denoted.
3. Design typical roadway sections.
4. Design preliminary roadway layout and grading.
5. Prepare storm drain layout with preliminary inlet and pipe sizes.

6. Determine location and type of storm water conveyances with preliminary downstream investigations, if required.
7. Investigate underground utility locations.
8. Delineate floodplain.
9. Prepare Preliminary culvert design (if applicable).
10. Determine location of existing septic areas/wells in the area of the project.
11. Prepare preliminary opinion of probable construction costs.

**Subtotal of Phase II (30% Design Services).....\$92,930.00**

**C. PHASE III - 60% Design Services:**

1. Complete revisions to 30% plans as requested by the City.
2. Substantially complete grading plans showing both contours and spot elevations.
3. Prepare draft metes and bounds description for additional ROW acquisitions (30 Tracts assumed).
4. Finalize storm water conveyance sizing, design and layout as required.
5. Landscaping and Irrigation Plans:
  - a) Prepare Planting Plans and Planting Details - Including plant names (common and botanical), location, size, quantity, general appearance, and overall condition.
  - b) Prepare Irrigation Plans - Including location of pvc pipes, irrigation heads, controllers, valves, and quick couplers. The system will be designed to conserve water and limit maintenance costs.
6. Design pavement cross section.
7. Determine necessary utility relocations and coordinate with affected utilities.
8. Dry Utility coordination consists of a meeting with electric, gas, and cable utilities to deliver 30% set of roadway plans for their use in designing their relocated utilities.
9. Size storm drains and determine inlet locations (with potential utility conflicts addressed).
10. Prepare storm drain/utility profiles.
11. Determine limits of new paving/overlay.
12. Design grading tie-ins and limits of disturbance.
13. Prepare preliminary line striping and signage plans.
14. Design culverts (if applicable).
15. Prepare preliminary traffic control plans for construction.
16. Prepare preliminary Erosion and Sedimentation Control (ES&C) plans.

17. Update preliminary opinion of probable construction costs.
18. Determine preliminary cut/fill quantities.
19. Submit completed 60% design to City.

**Subtotal of Phase III (60% Design Services).....\$83,910.00**

**D. PHASE IV - 90% Design Services:**

1. Complete revisions to 60% plans and all comments from all applicable agencies shall be addressed. Resubmit plans to regulatory agencies.
2. Prepare technical specifications, incorporating City of Temple design standards and specs where applicable.
3. Complete and bind computations as required.
4. Submit substantially completed ES&C Plans.
5. Submit substantially completed and striping and signage plans.
6. Update Engineer's opinion of probable construction cost.
7. Complete any remaining Environmental/Historical issues.
8. Substantially complete right-of-way/descriptions.
9. Submit completed 90% design to City.

**Subtotal of Phase IV (90% Design Services).....\$80,870.00**

**E. PHASE V Final Package:**

1. Complete revisions to 90% submission plans as requested by the City.
2. Complete ES&C plans.
3. Complete contract documents.
4. Complete approved striping and signage plans.
5. Complete right-of-way/easement plats.
6. Submit final design plan set to City.
7. Finalize engineer's opinion of probable construction cost.

**Subtotal of Phase V (Final Package) .....\$84,910.00**

**F. PHASE VI Miscellaneous Services:**

1. Public Meeting Support:
  - a) Attend one (1) public information meeting and provide support by providing exhibits and/or illustrative plans to clearly present the project to the public with the project manager and lead designer in attendance.



- b) Attend one (1) meeting with elected officials, civic groups, or homeowners associations, etc. with the project manager and lead designer in attendance.
  - c) Attend six (6) monthly project team meetings to discuss project status, scheduling and upcoming project needs.
2. Construction Staking (as requested by the City):
- a) Calculate and provide initial stakeout for Curb & Gutter locations.
  - b) Calculate and provide initial stakeout for Storm Drain and Inlets.
  - c) Calculate and provide initial stakeout for Water & Sewer alignments.
3. Prepare Right of Entry (ROE) letters and deliver, either in person or by US Mail to individual property owners along Pea Ridge to gain access to private property for the purposes of geotechnical investigation and/or surveying. We have estimated not to exceed 30 properties will require ROE, our fee to provide these services is \$650 per tract.  
30 @ \$650 = \$19,500

\*Items 1 and 2 above are included in the total fee.

**Subtotal of Phase VI (Miscellaneous Services) .....\$19,500.00**

**G. PHASE VII Bidding Services:**

- 1. Prepare electronic copies of bid documents and specifications on CD or for on-line distribution by the City.
- 2. Attend one (1) pre-bid meeting and be available to answer bidder's questions.
- 3. Respond to contractors' questions and issue addendum as necessary.
- 4. Attend bid opening.
- 5. Review bids with City and prepare an itemized bid tabulation.
- 6. Prepare an engineer's bid review letter if requested.

**Subtotal of Phase VII (Bidding Services).....\$9,100.00**

**Total Fee for Services.....\$503,100.00**

*The cost figures shown above represent our lump sum amount. Any additional work beyond this fee and outside the scope of this proposal would be reviewed with the Client. MRB Group shall submit monthly statements for services rendered during each invoicing period based on the efforts performed during that period.*

The breakdown of services and list of sub-contractors for this project are as follows:

<b>Engineering Services</b>	<b>\$369,900 Total</b>
	(315,000) (Roads and Stormwater)
	(54,900) (Potable Water Main)
Prepare/deliver ROE letters	\$19,500
<b>Environmental Services</b>	
Horizon Environmental	\$3,500
<b>Surveying</b>	
Ron Carroll Surveyors	\$78,000
<b>Geotechnical Services</b>	
Langerman Foster	\$19,200
<b>Landscaping/Irrigation</b>	
Brent Luck Designs	\$13,000

### III. **Exceptions and Exclusions:**

The following items are not anticipated to be required for this project and are specifically excluded from this scope of work.

1. Preparation of property, easement, or vacation descriptions. Note that we have included metes and bounds descriptions of additional ROW for 30 tracts.
2. Modeling of regional or sub-regional water network or wastewater facilities.
3. Special investigations, flood studies, CLOMR, LOMR applications.
4. Design or extension of existing/proposed wastewater facilities under North Pea Ridge Road.
5. Revisions to plans and studies after the Phase 1 scope of work has been approved by the City other than to address routine comments by reviewing agencies.
6. Design surveys of areas and/or improvements located outside the boundaries of the Project.
7. Design surveys, engineering design and any special studies associated with Hog Pen Creek.
8. Construction Phase Services.
9. Construction stakeout services beyond those noted above.

10. Storm water (SWPPP) NOI and inspections (to be included in the Contractors scope of work).
11. Dry utility relocation design.

#### **IV. Additional Services**

We believe that the scope of services described above will be sufficient to develop a complete set of plan documents for regulatory submission. However, as the design and approval process advances, additional professional or specialty services may be required to meet the City of Temple's needs or to obtain agency approvals.

The following tasks and items are not included in the above services, but can be provided on a personnel time-charge basis upon receipt of your authorization:

1. Furnish easement maps and easement legal descriptions based on tax map data (can be provided at \$1500 per each).
2. Prepare or submit construction permit applications.
3. Develop design approaches or alternative alignments that are significantly different from the plan outlined in the Phase 1 Preliminary Design.
4. Services provided in this proposal will be conducted inside limits to be 50' from the existing centerline, each direction, for the project length. Services outside this width can be provided as an additional service.
5. Enhanced Survey Drawing can be provided at \$1,600.00 for each parcel.
6. Easement review by surveyor for enhanced survey parcels can be provided at \$200.00 for each parcel.
7. Traffic Signalization Design Services.
8. Printing for construction bid sets.
9. Street Lighting Design Services.
10. Storm water management facilities or Water Quality Design features.

#### **V. Conceptual Opinion of Probable Construction Cost**

Please find below our Engineer's Conceptual Opinion of Probable Cost. This estimate was prepared by compiling historical unit costs and data from similar projects in the immediate and surrounding area of Pea Ridge. The conceptual cost estimate below is preliminary in nature, as it does not reflect project specific data related to surveying, geotechnical investigations, drainage design calculations, or ultimate ROW availability. The estimate is based on a total roadway length of 6,200 lf, with the assumption that there is no signalization, relocation of sanitary sewer lines or street lighting required. As a part of

determining the final estimated cost, we have included a 20% contingency to anticipate items that have not yet been identified as well as appurtenances that are assumed to be included in the current scope.

Item	Description	Amount
1	General/Misc.	\$11,000
2	Drainage	\$1,600,000
3	Pedestrian Walk/Landscaping	\$372,000
4	Roadway	\$1,860,000
5	Water main Utilities	\$527,000
6	Mobilization/Demobilization (5%)	\$212,000
Estimated Construction Cost		\$4,582,000
Contingencies (20%)		\$916,400
<b>Total Estimated Project Cost</b>		<b>\$5,498,400</b>

#### VI. Commencement of Work

MRB Group is committed to providing the City of Temple prompt and responsive services and will commence work upon receipt of the signed contract for this project.

#### VII. Standard Terms and Conditions

MRB Group understands that the City of Temple will furnish its Standard Contract for review and execution, with this proposal as an attachment to that contract service to define the scope of work and fee.

Thank you for your consideration of our firm. We look forward to working with you on this project.

Sincerely,

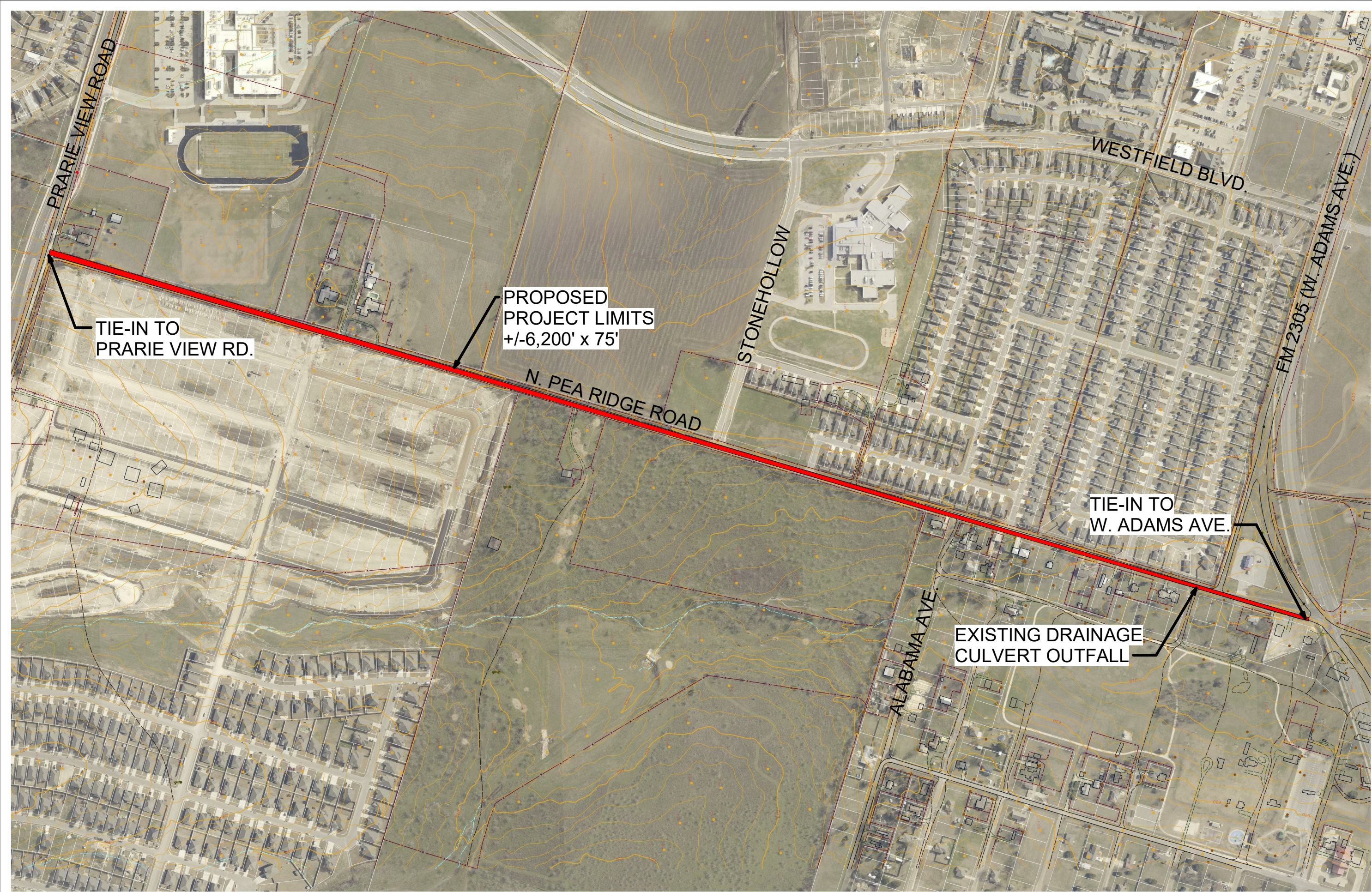


James J. Oberst, P.E.  
Executive Vice President / C.O.O.



Tanya Mikeska-Reed, A.I.A.  
Project Manager





0000.00000	NORTH PEA RIDGE ROAD				MRB ★ GRAY	
SHEET NO.	CITY OF TEMPLE, TEXAS				Engineers, LLC.	8834 N. Capital of Texas HWY, Suite 145 Austin, Texas 78759 TBPE Firm No. F-16745 www.MRBGray.com
1 of 1	FIELD MAP - OVERVIEW				Drawn By:	TJV
				Scale:	1" = 200' @ 22" x 34"	
				Date:	OCT 2017	



FY **2018****BUDGET ADJUSTMENT FORM**

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

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

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ACCOUNT NUMBER	PROJECT #	ACCOUNT DESCRIPTION	INCREASE	DECREASE
520-5900-535-69-85	101713	Capital Projects / N Pea Ridge Imprv	\$ 54,900	
520-0000-373-04-11		Unreserved - Retained Earnings		\$ 54,900
		<b>DO NOT POST</b>		
<b>TOTAL.....</b>			<b>\$ 54,900</b>	<b>\$ 54,900</b>

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

To appropriate funding needed in the amount of \$54,900 for the Professional Services Agreement with MRB Group related to the utility portion of N Pea Ridge Improvements project, #101713.

DOES THIS REQUEST REQUIRE COUNCIL APPROVAL?

☒

Yes

☐

No

DATE OF COUNCIL MEETING

12/7/2017

WITH AGENDA ITEM?

☒

Yes

☐

No

Department Head/Division Director

Date

☐

Approved

☐

Disapproved

Finance

Date

☐

Approved

☐

Disapproved

City Manager

Date

☐

Approved

☐

Disapproved

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH MRB GROUP, PC OF TEMPLE, TEXAS IN THE AMOUNT OF \$503,100, FOR PROFESSIONAL SERVICES REQUIRED TO DESIGN AND BID IMPROVEMENTS TO THE NORTH PEA RIDGE ROAD FROM WEST ADAMS AVENUE TO PRAIRIE VIEW ROAD; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, this project consists of roadway improvements to North Pea Ridge Road from West Adams Avenue to Prairie View Road which include an expanded pavement section with a continuous left-turn lane, pedestrian facilities, drainage conveyance, and water utilities;

**Whereas**, Staff has found MRB Group to be qualified to provide these services and recommends Council award a professional services agreement in the amount of \$503,100 for professional services required to design and bid improvements to North Pea Ridge Road from West Adams Avenue to Prairie View Road;

**Whereas**, consultant services under this professional services agreement will include road/drainage engineering services, water main engineering services, rights-of-entry, surveying, environmental, geotechnical, landscape/irrigation design, and bidding services;

**Whereas**, funds are available for this project, but an amendment to the fiscal year 2018 budget needs to be approved to transfer the funds to Account Nos. 365-3400-531-6985 and 520-5900-535-6985, Project No. 101713; and

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

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

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

**Part 2:** The City Council authorizes the Interim City Manager, or her designee, after approval as to form by the City Attorney, to execute a professional services agreement with MRB Group, PC of Temple, Texas in the amount of \$503,100, for professional services required to design and bid improvements to North Pea Ridge Road from West Adams Avenue to Prairie View Road.

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

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

PASSED AND APPROVED this the 7<sup>th</sup> day of **December**, 2017.

THE CITY OF TEMPLE, TEXAS

---

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Kayla Landeros  
City Attorney





## COUNCIL AGENDA ITEM MEMORANDUM

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12/07/17  
Item #4(Z)  
Consent Agenda  
Page 1 of 2

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

Brynn Myers, Interim City Manager

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a development agreement through the Infill Redevelopment Incentive Program with Patco Construction for fee waivers and release of liens for five properties located at:

- 510 South 18<sup>th</sup> Street
- 707 East D Avenue
- 501 South 16<sup>th</sup> Street
- 715 South 16<sup>th</sup> Street
- 8 North 10<sup>th</sup> Street

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

**ITEM SUMMARY:** The proposed resolution would allow the City Manager to enter into a Development Agreement with Patco Construction, through which the City would provide fee waivers, and release of liens for infill development located at the above addresses.

The applicant requested fee waivers through Infill Redevelopment Incentive Program. The applicant will build five one-bedroom duplexes. While the property located at 8 North 10<sup>th</sup> is outside the boundaries of the targeted infill redevelopment area, the Infill Redevelopment Incentive Program guidelines adopted by City Council allow the City to consider offering similar economic incentives for development within other areas of the City, when deemed appropriate.

In order to receive assistance, the applicant must enter into a development agreement with the City prior to commencing work. The agreement shall provide that the applicant agrees to:

- complete the work and total capital investment described in the agreement in a timely fashion;
- give the City the right to inspect the work described in the development agreement and the financial records associated with the same during reasonable business hours;
- perform all of the work described in the agreement in accordance with all applicable City codes and regulations; and
- maintain those improvements in the future.

**FISCAL IMPACT:** Charges for mowing and demolition by the City on the above properties total \$10,549.14. The breakdown by location is as follows:

- 510 South 18<sup>th</sup> Street - \$1,700 for mowing charges;
- 707 East D Avenue - \$400 for mowing charges;
- 501 South 16<sup>th</sup> Street - \$3,849.14 (\$1,500 for mowing charges and \$2,349.14 for demolition charges);
- 715 South 16<sup>th</sup> Street - \$2,400 for mowing charges; and
- 8 North 10<sup>th</sup> Street - \$2,200 for mowing charges.

Through the Infill Redevelopment Program, and adherence to the Development Agreement, the City will release the liens, forgive the mowing and demolition charges, and waive future fees, as allowed, related to construction on these properties.

**ATTACHMENTS:**

[Resolution](#)

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A DEVELOPMENT AGREEMENT WITH PATCO CONSTRUCTION FOR FEE WAIVERS AND RELEASE OF LIENS FOR FIVE PROPERTIES THROUGH THE INFILL REDEVELOPMENT INCENTIVE PROGRAM; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, the applicant, Patco Construction, has requested fee waivers and release of liens through the Infill Redevelopment Incentive Program associated with properties located at the following addresses:

- 510 South 18<sup>th</sup> Street;
- 707 East D Avenue;
- 501 South 16<sup>th</sup> Street;
- 715 South 16<sup>th</sup> Street;
- 8 North 10<sup>th</sup> Street;

**Whereas**, the applicant plans to build five one-bedroom duplexes on the properties - while the property located at 8 North 10<sup>th</sup> Street is outside the boundaries of the targeted infill redevelopment area, the Infill Redevelopment Incentive Program guidelines adopted by City Council allow the City to consider offering similar economic incentives for development within other areas of the City, when deemed appropriate;

**Whereas**, in order to receive assistance, the applicant must enter into a development agreement with the City prior to commencing work and the agreement shall provide that the applicant agrees to:

- complete the work and total capital investment described in the agreement in a timely fashion;
- give the City the right to inspect the work described in the development agreement and the financial records associated with the same during reasonable business hours;
- perform all of the work described in the agreement in accordance with all applicable City codes and regulations; and
- maintain those improvements in the future;

**Whereas**, charges for mowing and demolition by the City on the above properties total \$10,549.14 - through the Infill Redevelopment Program, and adherence to the Development Agreement, the City will release the liens, forgive the mowing and demolition charges as permitted by the Infill Redevelopment Program, and waive future fees, as allowed, related to construction on these properties; and

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

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

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

**Part 2:** The City Council authorizes the Interim City Manager, or her designee, after approval as to form by the City Attorney, to execute a Development Agreement with Patco Construction for fee waivers and release of liens for five properties through the Infill Redevelopment Incentive Program located at:

- 510 South 18<sup>th</sup> Street;
- 707 East D Avenue;
- 501 South 16<sup>th</sup> Street;
- 715 South 16<sup>th</sup> Street; and
- 8 North 10<sup>th</sup> Street.

**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 7<sup>th</sup> day of **December**, 2017.

THE CITY OF TEMPLE, TEXAS

---

DANIEL A. DUNN MAYOR

ATTEST:

APPROVED AS TO FORM:

---

Lacy Borgeson  
City Secretary

---

Kayla Landeros  
City Attorney





## COUNCIL AGENDA ITEM MEMORANDUM

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12/07/17  
Item #4(AA)  
Consent Agenda  
Page 1 of 2

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

Kayla Landeros, City Attorney

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing eight lease agreements for the lease of City-owned property for agricultural use.

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

**ITEM SUMMARY:** The City currently owns and leases multiple properties for agricultural use. On November 8, 2017, the City received bids for the lease of eight City-owned properties for one-year lease agreements with the following individuals:

1. Lease with Edward Brenek, Jr. of approximately 39 acres of City-owned land located on Little Flock Road for \$51 per acre, per year. Total annual lease payment of \$1,989. (See attached Exhibit 'A.');
2. Lease with Edward Brenek, Jr. of approximately 8.164 acres of City-owned land located east of Wilson Park for \$30 per acre, per year. Total annual lease payment of \$244.92. (See attached Exhibit 'B.');
3. Lease with Edward Brenek, Jr. of approximately 18.76 acres of City-owned land located at 1440 Bob White Road for \$51 per acre, per year. Total annual lease payment of \$956.76. (See attached Exhibit 'C.');
4. Lease with Marvin Brenek of approximately 113 acres of City-owned land located at the intersection of Panda Drive and Lorraine Avenue for \$40 per acre, per year. Total annual lease payment of \$4,520. (See attached Exhibit 'D.');
5. Lease with Carl Grisham of approximately 164 acres of City-owned land located on Old Howard Road for \$25 per acre, per year. Total annual lease payment of \$4,100. (See attached Exhibit 'E.');
6. Lease with Carl Grisham of approximately 46.201 acres of City-owned land located at the intersection of Old Howard Road and Corporate Way for \$6.50 per acre, per year. Total annual lease payment of \$300.31 (See attached Exhibit 'F.');
7. Lease with Monique Rincones of approximately 3.7 acres of City-owned land located at the southeast corner of the Service Center property on East Avenue H for \$50 per acre, per year. Total annual lease payment of \$185. (See attached Exhibit 'G.');
8. Lease with Irlene Schneider of City-owned land located at 1120 Bob White Road for \$45 per acre, per year. Total annual lease payment of \$1,350. (See attached Exhibit 'H.');

The City has previously leased property to all individuals listed above and finds them to be responsible lessees.

The initial terms of the leases will be one year, beginning January 1, 2018 through December 31, 2018. The leases will also include the option to renew for four additional one-year periods if agreed to by the City and the lessee. The lease agreements allow for a 30-day termination clause should the lessee or the City desire to terminate the lease.

**FISCAL IMPACT:** Annual lease revenues above totaling \$13,645.99 will be deposited as shown below.

Property located within the Reinvestment Zone will be deposited into account 795-0000-461-0253 in the amount of \$9,165.23. These properties include the lease with:

- Edward Brenek, Jr. of approximately 8.164 acres of City-owned land located east of Wilson Park and the lease
- Marvin Brenek of approximately 113 acres of City-owned land located at the intersection of Panda Drive and Lorraine Avenue
- Carl Grisham of approximately 164 acres of City-owned land located on Old Howard Road
- Carl Grisham of approximately 46.201 acres of City-owned land located at the intersection of Old Howard Road and Corporate Way

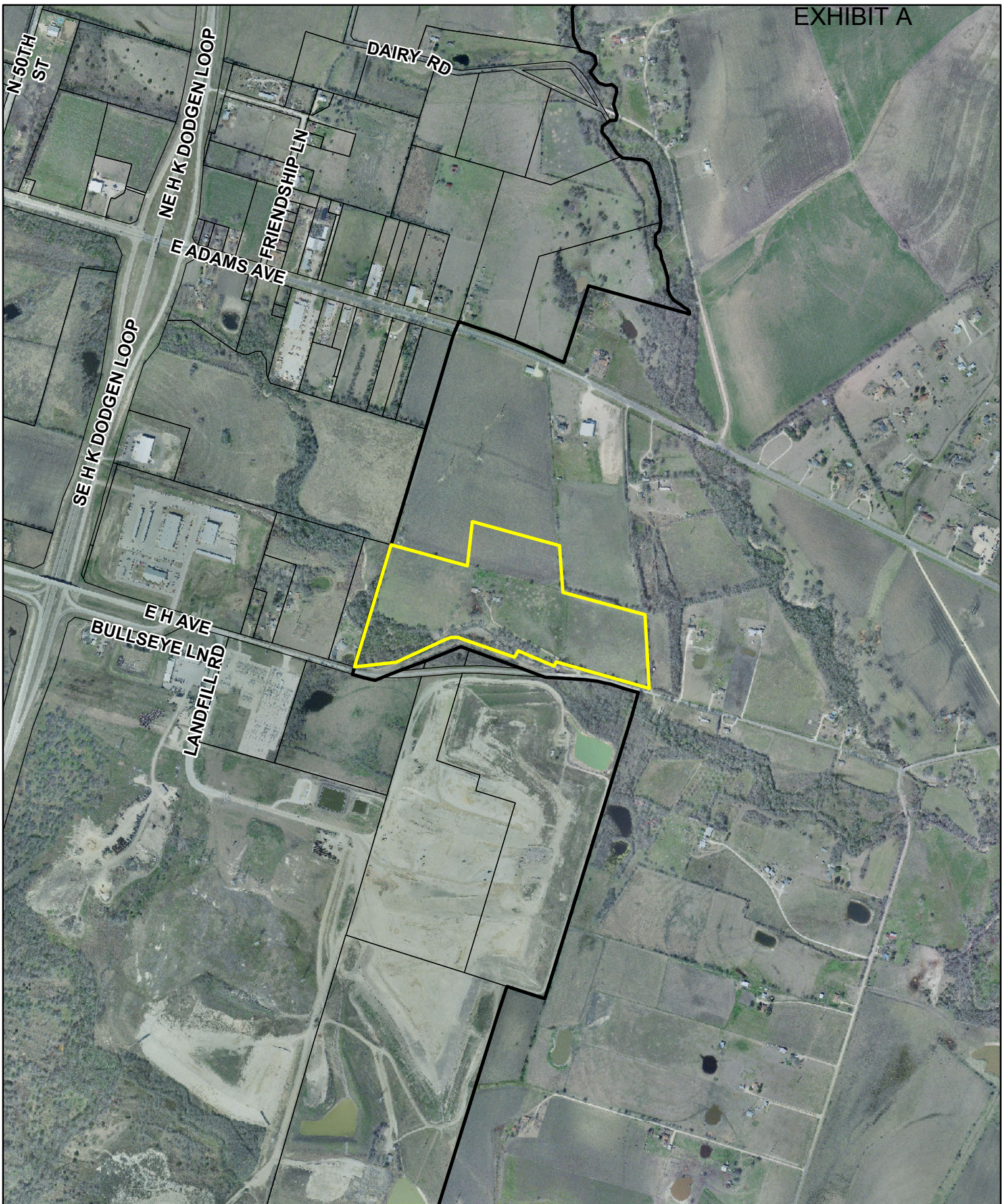
Property located in the City will be deposited into account 110-0000-461-0253 in the amount of \$4,480.76. These properties include the lease with:

- Edward Brenek, Jr. of approximately 39 acres of City-owned land located on Little Flock Road
- Edward Brenek, Jr. of approximately 18.76 acres of City-owned land located at 1440 Bob White Road
- Monique Rincones of approximately 3.7 acres of City-owned land located at the southeast corner of the Service Center property on East Avenue H
- Irlene Schneider of City-owned land located at 1120 Bob White Road

**ATTACHMENTS:**

[Exhibit A-H of Leased Properties](#)  
[Resolution](#)





**39 Acres of City-owned land located  
on E Ave H (formerly Little Flock Rd)**

County Property ID: 55861



1 inch = 1,000 feet

**DISCLAIMER:**

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





EXHIBIT B



**8.164 Acres of City-owned land  
located East of Wilson Park**

County Property ID: 21367

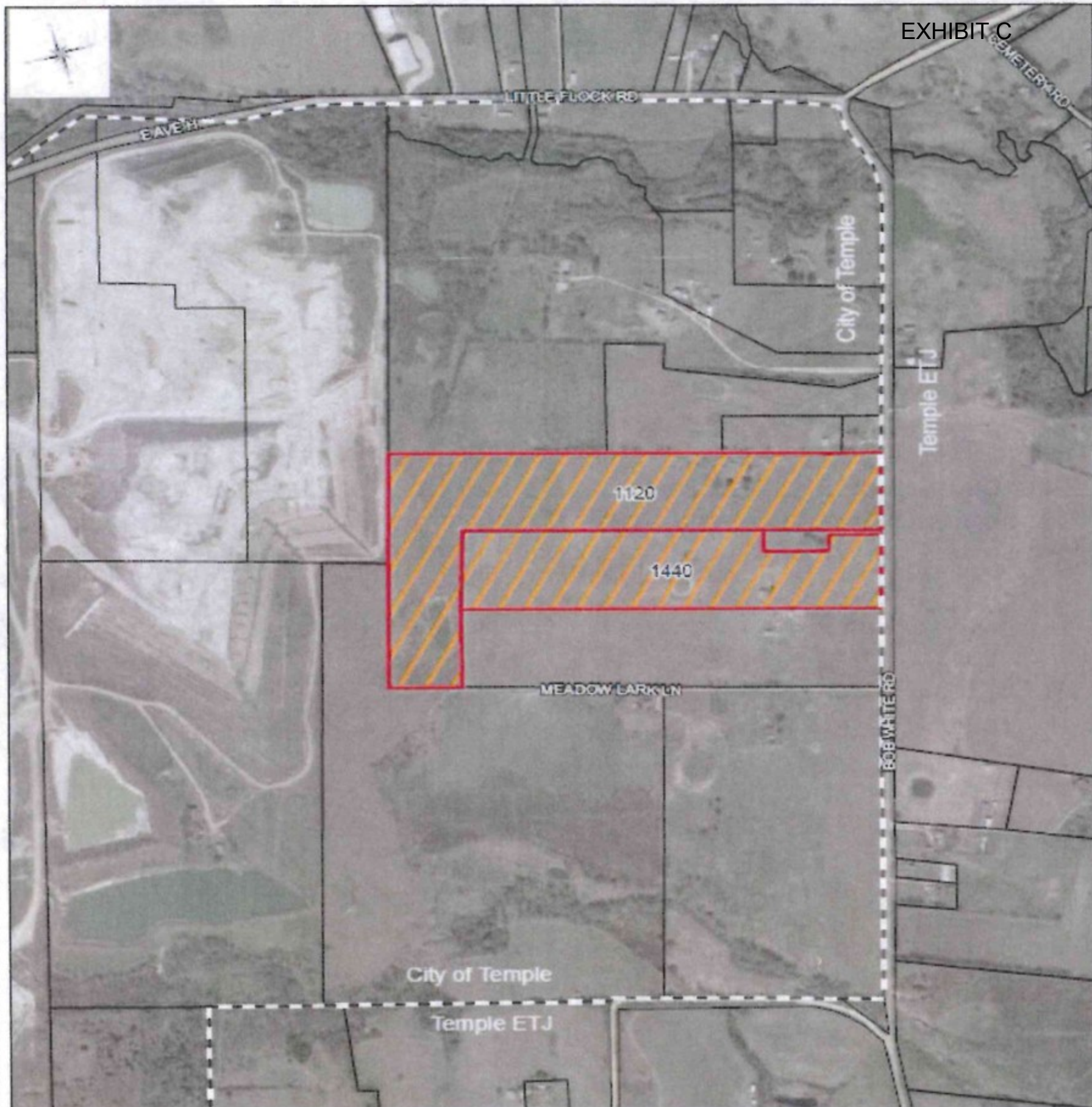


1 inch = 500 feet

**DISCLAIMER:**

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





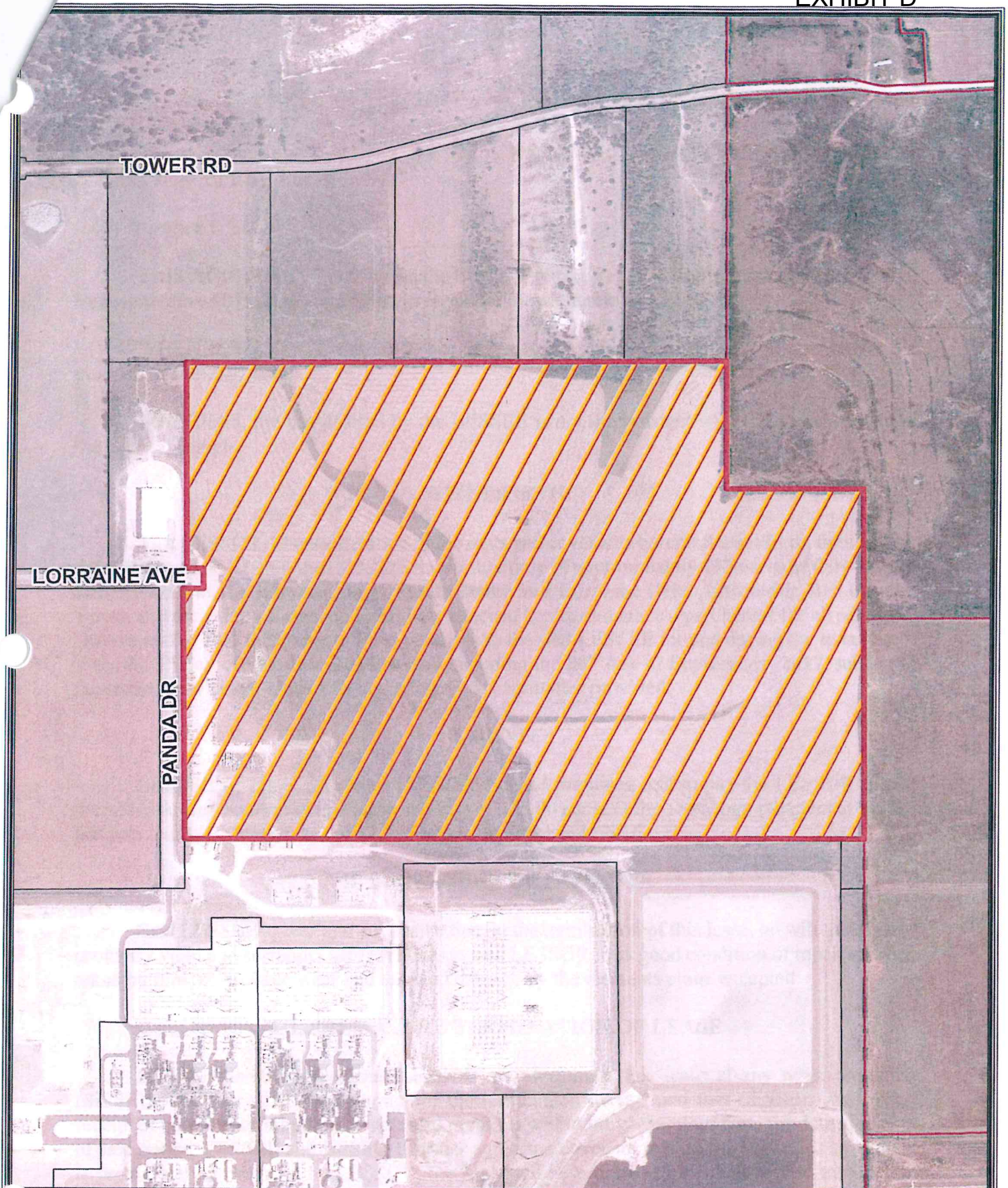
# 1120 & 1140 Bob White Rd

Property ID: 40493 & 19961

0 250 500 1,000 Feet

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





**Approx. 113 Acres of City-owned land located  
at Intersection of Panda Dr. & Lorraine Ave.**

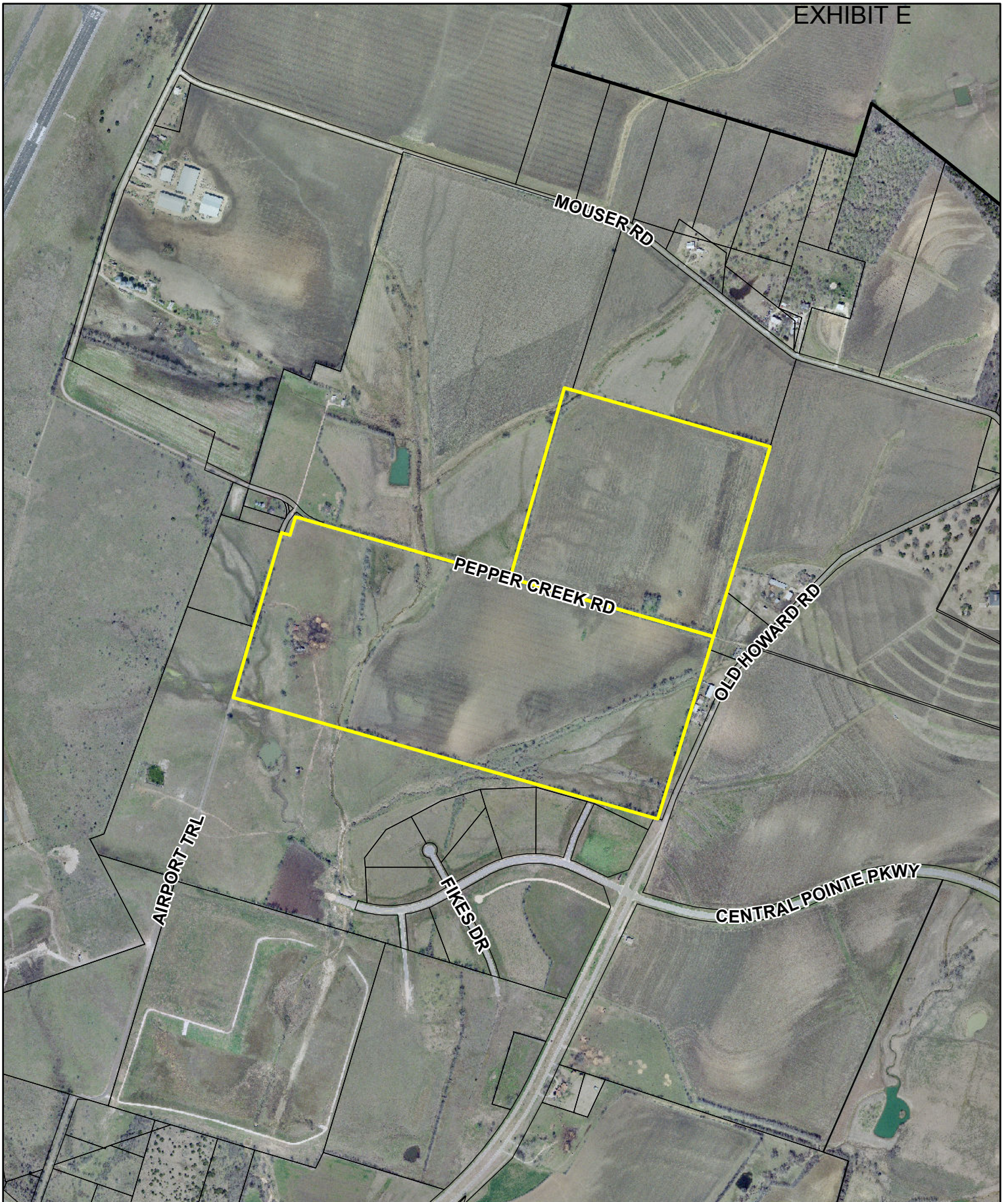
County Property ID: 207346



0 150 300 600 Feet

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





**164 Acres of City-owned land  
located on Old Howard Road**

County Property ID: 46568, 354521



1 inch = 1,000 feet

**DISCLAIMER:**

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





EXHIBIT I  
CEDAR CREEK RD

OLD HOWARD RD

Approx. 46.201 acres

CORPORATE WAY

MCLANE PKWY



**Property ID: 126439**  
Approx. 46.201 acres along Old Howard Rd.

0 250 500 1,000 Feet

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





Approx location of 3.7 Acres of City-owned  
land located at the SE corner of the Service  
Center property on East Avenue H  
County Property ID: Part of 2204



1 inch = 500 feet

**DISCLAIMER:**

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



**1120 Bob White Rd**

County Property ID: 40493



1 inch = 1,000 feet

**DISCLAIMER:**

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



RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE,  
TEXAS, AUTHORIZING EIGHT LEASE AGREEMENTS OF CITY-OWNED  
PROPERTY FOR AGRICULTURAL PURPOSES; AND PROVIDING AN  
OPEN MEETINGS CLAUSE.

---

**Whereas**, the City currently owns and leases multiple properties for agricultural use;

**Whereas**, on November 8, 2017, the City received bids for the lease of eight City-owned properties with the following individuals;

- Edward Brenek, Jr. - lease of approximately 39 acres of City-owned land located on Little Flock Road for \$51 per acre, per year, (Exhibit 'A');
- Edward Brenek, Jr. – lease of approximately 8.164 acres of City-owned land located east of Wilson Park for \$30 per acre, per year (Exhibit 'B');
- Lease with Edward Brenek, Jr. of approximately 18.76 acres of City-owned land located at 1440 Bob White Road for \$51 per acre, per year (Exhibit 'C');
- Lease with Marvin Brenek of approximately 113 acres of City-owned land located at the intersection of Panda Drive and Lorraine Avenue for \$40 per acre, per year (Exhibit 'D');
- Lease with Carl Grisham of approximately 164 acres of City-owned land located on Old Howard Road for \$25 per acre, per year (Exhibit 'E');
- Lease with Carl Grisham of approximately 46.201 acres of City-owned land located at the intersection of Old Howard Road and Corporate Way for \$6.50 per acre, per year (Exhibit 'F');
- Lease with Monique Rincones of approximately 3.7 acres of City-owned land located at the southeast corner of the Service Center property on East Avenue H for \$50 per acre, per year (Exhibit 'G'); and
- Lease with Irlene Schneider of City-owned land located at 1120 Bob White Road for \$45 per acre, per year (Exhibit 'H');

**Whereas**, the City has previously leased property to all individuals and finds them to be responsible lessees;

**Whereas**, all lease agreements will allow for a 30-day termination clause should the lessee or the City desire to terminate the lease;

**Whereas**, the initial terms of the leases will be one year, beginning January 1, 2018 through December 31, 2018 - all leases will include the option to renew for four additional one-year periods if agreed to by the City and the lessee;

**Whereas**, the lease revenues for properties located within the Tax Increment Financing Reinvestment Zone No. 1 (Edward Brenek, Jr. - approximately 8.164 acres, Marvin Brenek – approximately 113 acres, Carl Grisham - approximately 164 acres, and Carl Grisham – approximately 46.201 acres) will be deposited into Account No. 795-0000-461-0253;

**Whereas**, the lease revenues for the remaining properties located within the City (Edward Brenek, Jr. - approximately 39 acres, Edward Brenek, Jr. – approximately 18.76 acres, Monique Rincones - approximately 3.7 acres, and Irlene Schneider – land located at 1120 Bob White Road) will be deposited into Account 110-0000-461-0253; and

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

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

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

**Part 2:** The City Council authorizes the Interim City Manager, or her designee, after approval as to form by the City Attorney, to execute one-year lease agreements for agricultural purposes with the following individuals:

- Edward Brenek, Jr. - lease of approximately 39 acres of City-owned land located on Little Flock Road for \$51 per acre, per year (Exhibit 'A');
- Edward Brenek, Jr. – lease of approximately 8.164 acres of City-owned land located east of Wilson Park for \$30 per acre, per year (Exhibit 'B');
- Lease with Edward Brenek, Jr. of approximately 18.76 acres of City-owned land located at 1440 Bob White Road for \$51 per acre, per year (Exhibit 'C');
- Lease with Marvin Brenek of approximately 113 acres of City-owned land located at the intersection of Panda Drive and Lorraine Avenue for \$40 per acre, per year (Exhibit 'D');
- Lease with Carl Grisham of approximately 164 acres of City-owned land located on Old Howard Road for \$25 per acre, per year (Exhibit 'E');
- Lease with Carl Grisham of approximately 46.201 acres of City-owned land located at the intersection of Old Howard Road and Corporate Way for \$6.50 per acre, per year (Exhibit 'F');
- Lease with Monique Rincones of approximately 3.7 acres of City-owned land located at the southeast corner of the Service Center property on East Avenue H for \$50 per acre, per year (Exhibit 'G'); and
- Lease with Irlene Schneider of City-owned land located at 1120 Bob White Road for \$45 per acre, per year (Exhibit 'H').

**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 7<sup>th</sup> day of **December**, 2017.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Kayla Landeros  
City Attorney





## COUNCIL AGENDA ITEM MEMORANDUM

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Item #4(BB)  
Consent Agenda  
Page 1 of 2

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

Sharon Rostovich, Airport Director

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing an airport hangar lease agreement with Temple Aero Club, LLC in the amount of \$600 per month for the use of Building #24 at the Draughton-Miller Central Texas Regional Airport.

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

**ITEM SUMMARY:** The current airport hangar lease agreement for Building #24, a 3,640-sf aviation hangar, at the Draughton-Miller Central Texas Regional Airport will expire on December 31, 2017. Authorization of this lease agreement will provide for a new five-year lease with Temple Aero Club, LLC.

On October 31, 2017, the City received three proposals for the lease of the hangar: Morgan Military Aviation Museum, Brady; Central Texas Flight Training, Belton; and Temple Aero Club, Temple. As stated in the RFP, the scoring criteria for the proposals was as follows: 35%, projected lease compensation to the City, including any in-kind services and/or proposed capital leasehold improvements that will enhance the City's value of the facility; 30%, expected overall benefit to the enhancement of general aviation to the City; 15%, qualifications and experience of key individuals responsible for the operation of the hangar; 10%, viability to the City of proposed lease terms and commencement date; and 10%, financial viability and insurance coverage of offeror.

An evaluation committee was formed to evaluate the three proposals with representation from the City Attorney Office, Purchasing, Finance, Airport Advisory Board, and Airport. Based on the defined scoring criteria, the committee is unanimously recommending award of the lease to Temple Aero Club, LLC. Temple Aero Club currently has three general aviation aircraft, and their plan is to use Hangar #24 as a base to offer aircraft to local pilots at an affordable cost with the intent of drawing non-pilots and prospective pilots to the field. In addition, Temple Aero Club is proposing to make the following leasehold improvements to the facility by December 31, 2020: exterior painting, air conditioner installation, and interior updates.

Staff is recommending a five-year lease at the rental rate of \$600 per month with five additional one year renewal options be approved with an effective start date of January 1, 2018. If Temple Aero Club fails to make the leasehold improvements during its first three years occupancy, the City will have the right to terminate the lease. Upon completion of the initial five-year lease term, the City will have the ability to adjust the rent annually based on changes in the Consumer Price Index. The square footage rate is comparable to other similar hangar facilities on the field.

**FISCAL IMPACT:** Annual lease revenue of \$7,200 for rental of the 3,640 square foot hangar will be deposited into account 110-0000-446-3528. In addition to the rental revenue, the Airport will benefit from exterior and interior improvements to the 45+ year old hangar totaling over \$20,000 along with increased aircraft traffic and fuel sales.

**ATTACHMENTS:**

[Resolution](#)

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING AN AIRPORT HANGAR LEASE AGREEMENT WITH TEMPLE AERO CLUB, LLC, IN THE AMOUNT OF \$600 PER MONTH, FOR THE USE OF HANGAR NO. 24 AT THE DRAUGHON-MILLER CENTRAL TEXAS REGIONAL AIRPORT; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, the current airport hangar lease agreement for Hangar No. 24, an approximately 3,640-square foot aviation hangar at the Draughon-Miller Central Texas Regional Airport, expires December 31, 2017;

**Whereas**, on October 31, 2017, the City received three proposals for lease of the hangar and the request for proposals outlined the scoring criteria for the proposals – an evaluation committee was formed to evaluate the three proposals and based on the defined scoring criteria, the committee unanimously recommends award of the lease to Temple Aero Club, LLC in the amount of \$600 per month;

**Whereas**, Temple Aero Club currently has three general aviation aircraft, and plans to use Hangar No. 24 as a base to offer aircraft to local pilots at an affordable cost with the intent of drawing non-pilots and prospective pilots to the field;

**Whereas**, Temple Aero Club also proposes to make leasehold improvements to the facility by December 31, 2020, which include exterior painting, air conditioner installation, and interior updates;

**Whereas**, Staff recommends Council authorize a five-year airport hangar lease agreement with Temple Aero Club, LLC at the rental rate of \$600 per month, to commence January 1, 2018, with five additional one-year renewal options;

**Whereas**, Temple Aero Club also agrees to make certain leasehold improvements to the hangar during its first three years of occupancy- if Temple Aero Club fails to complete the proposed improvements under the timeline given, the City will have the right to terminate the lease;

**Whereas**, upon completion of the initial five-year lease term, the City will have the ability to adjust the rent annually based on changes in the Consumer Price Index;

**Whereas**, the City will receive annual lease revenue of \$7,200 for rental which will be deposited into Account No. 110-0000-446-3528 - in addition to the rental revenue, the Airport will benefit from exterior and interior improvements to the 45-year-old hangar totaling over \$20,000, increased aircraft traffic and fuel sales, and an overall enhancement of general aviation to the City; and

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



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

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

**Part 2:** The City Council authorizes the Interim City Manager, or her designee, after approval as to form by the City Attorney, to execute an airport hangar lease agreement with Temple Aero club, LLC in the amount of \$600 per month for the use of Hangar No. 24 at the Draughton-Miller Central Texas Regional Airport beginning January 1, 2018.

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

PASSED AND APPROVED this the 7<sup>th</sup> day of **December**, 2017.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Kayla Landeros  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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Item #4(CC)  
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### **DEPT./DIVISION SUBMISSION & REVIEW:**

Mitch Randles, Fire Chief

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing the renewal of the Emergency Management Performance Grant for FY 2017, in the amount of \$36,713.79 which funds a portion of the administration cost for Emergency Management for the City of Temple.

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

**ITEM SUMMARY:** The request is for approval of the renewal of the Emergency Management Performance Grant for FY2017. This grant is funded by the Governor's Department of Emergency Management (GDEM) to pay for a portion of the administration cost for Emergency Management for the City of Temple. The grant will reimburse the City for a maximum of 50% of the salary and benefit expenditures related to emergency management.

Temple Fire & Rescue recommends approval of the renewal of this grant by City Council.

**FISCAL IMPACT:** The grant application estimated that the total expenditures related to the administration costs for Emergency Management would be \$166,137.24 for fiscal year 2017 with a 50% grant amount of \$83,068.62. The full amount of salary and benefit expenditures were included in the fiscal year 2017 Fire Department operating budget.

The EMPG program has awarded the City of Temple \$36,713.79 for FY 2017.

### **ATTACHMENTS:**

[Resolution](#)

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE RENEWAL OF THE EMERGENCY MANAGEMENT PERFORMANCE GRANT FOR FISCAL YEAR 2017 IN THE AMOUNT OF \$36,713.79, WHICH FUNDS A PORTION OF THE ADMINISTRATION COSTS FOR EMERGENCY MANAGEMENT FOR THE CITY OF TEMPLE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, the Emergency Management Performance Grant (EMPG) is funded through the Governor's Department of Emergency Management and pays a portion of the administration costs for Emergency Management for the City;

**Whereas**, the grant will reimburse the City for a maximum of 50% of the salary and benefit expenditures related to emergency management - the grant application estimated the total expenditures related to administration costs for Emergency management would be \$166,137.24 for fiscal year 2017, with a 50% grant amount of \$83,068.62;

**Whereas**, the EMPG program has awarded the City of Temple \$36,713.79 for FY 2017;

**Whereas**, Temple Fire & Rescue recommends Council authorize the renewal of the Emergency Management Performance Grant for fiscal year 2017; and

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

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

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

**Part 2:** The City Council authorizes the renewal of the Emergency Management Performance Grant (EMPG) for fiscal year 2017 in the amount of \$36,713.79, which funds a portion of the administration costs for Emergency Management for the City of Temple.

**Part 3:** The City Council accepts any funds that may be received for this grant, and authorizes the Interim City Manager to execute any documents which may be necessary 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 7<sup>th</sup> day of **December**, 2017.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Kayla Landeros  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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Item #4(DD)  
Consent Agenda  
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### **DEPT./DIVISION SUBMISSION & REVIEW:**

Floyd Mitchell, Chief of Police

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing the acceptance of grant funds in the amount of \$6,803.02 from the Bureau of Justice Assistance Bulletproof Vest Partnership Program of 2017 for the purchase of ballistic vests and replacements for the Police Department, with \$6,803.02 of required City matching funds.

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

**ITEM SUMMARY:** The Temple Police Department desires approval to accept grant funds available through the Department of Justice, Bureau of Justice Assistance Bulletproof Vest Partnership Program. This will be the 16<sup>th</sup> grant received from this program. The grant requires a City match of 50% of the cost associated with the purchase of new ballistic vests. The Police Department buys vests on a yearly basis and budgets for the matching funds required by the grant.

**FISCAL IMPACT:** If the grant awarded is accepted, the City will receive \$6,803.02 in grant funds with the City's match being \$6,803.02. Total funding for the purchase of 16 vests is estimated at \$13,606.04. The grant funds are reimbursed to the City after the purchase is completed.

A budget adjustment is being presented for Council's approval appropriating the grant revenue to be received in the amount of \$6,803.02. Funds are appropriated in the Police Department's FY 2018 operating budget, account 110-2011-521-2113, Clothing and Uniforms for the City's required match.

### **ATTACHMENTS:**

[Budget Adjustment  
Resolution](#)

FY **2018****BUDGET ADJUSTMENT FORM**

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

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

+

-

ACCOUNT NUMBER	PROJECT #	ACCOUNT DESCRIPTION	INCREASE	DECREASE	
260-2000-521-21-13		Clothing & Uniforms	\$ 13,606		
260-0000-431-01-63		Federal Grants	6,803		
260-0000-490-25-89		Transfer In - General Fund	6,803		
110-9100-591-81-60		Transfer Out - Grant Fund	6,803		
110-2011-521-21-13		Clothing & Uniforms		6,803	
<b>TOTAL.....</b>			<b>\$ 34,015</b>	<b>\$ 6,803</b>	

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

Allocate funding to purchase ballistic vests. Grant funds of \$6,803.02 were awarded through the Bureau of Justice Assistance Bulletproof Vest Partnership Program of 2017 for the purchase of ballistic vests for the Police Department. The required 50% minimum match is budgeted in the FY 18 Operating budget in account 110-2011-521-2113.

DOES THIS REQUEST REQUIRE COUNCIL APPROVAL?

☒

Yes

☐

No

DATE OF COUNCIL MEETING

12/7/2017

WITH AGENDA ITEM?

☒

Yes

☐

No

Department Head/Division Director

Date

☐

Approved

☐

Disapproved

Finance

Date

☐

Approved

☐

Disapproved

City Manager

Date

☐

Approved

☐

Disapproved

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE ACCEPTANCE OF GRANT FUNDS FROM THE BUREAU OF JUSTICE ASSISTANCE BULLETPROOF VEST PARTNERSHIP PROGRAM OF 2017, IN THE AMOUNT OF \$6,803.02, WITH A CITY MATCH OF \$6,803.02, FOR THE PURCHASE OF BALLISTIC VESTS AND REPLACEMENT VESTS FOR THE TEMPLE POLICE DEPARTMENT; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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

**Whereas**, this grant requires a City match of 50% of the cost (\$6,803.02) - the Police Department buys vests on a yearly basis and budgets for the matching funds required by the grant - if awarded, this will be the 16<sup>th</sup> grant received from this program;

**Whereas**, Staff recommends Council accept grant funds from The Bureau of Justice Assistance Bulletproof Vest Partnership Program of 2017 in the amount of \$6,803.02;

**Whereas**, if awarded the grant, the City will receive up to \$6,803.02 in grant funds with the City's 50% match of \$6,803.02 - the total cost for the purchase of 16 vests is approximately \$13,606.04;

**Whereas**, funds are available in the Police Department's fiscal year 2018 operating budget, but an amendment to the fiscal year 2018 budget needs to be approved to transfer the funds to Account No. 110-2011-521-2113; 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 a grant application to the Bureau of Justice Assistance Bulletproof Vest Partnership Program of 2017 for the purchase of ballistic vests for the Temple Police Department in the amount of \$13,606.04, with \$6,803.02 of required City matching funds.

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



**Part 4:** The Interim City Manager, or her designee, is authorized to execute any documents which may be necessary to apply for this grant, accept funds from this grant, implement or renew this grant, after approval as to form by the City Attorney.

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

PASSED AND APPROVED this the 7<sup>th</sup> day of **December**, 2017.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Kayla Landeros  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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Item #4(EF)  
Consent Agenda  
Page 1 of 4

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

Lynn Barrett, Assistant Planning Director

**ITEM DESCRIPTION:** SECOND READING – Z-FY-17-45: Consider adopting an ordinance authorizing a rezoning from Light Industrial to Heavy Industrial zoning district and a Conditional Use Permit to allow a chemical manufacturing plant on Lot 1, Block 1, Temple Industrial Park, Section 26 addressed as 2114 Trino Road.

**STAFF RECOMMENDATION:** Staff recommends approval of Z-FY-17-45, rezoning the subject property to Heavy Industrial (HI) and a Conditional Use Permit allowing a chemical manufacturing plant on the subject property for the following reasons:

1. Demonstrated compliance to UDC Section 3.5.4 (A-G) Conditional Use Permit Review Criteria;
2. The request complies with the Future Land Use and Character Map;
3. Public facilities are available to serve the property;
4. The rezoning and CUP is compatible with surrounding uses and zoning.

Staff recommends Approval of the rezoning to Heavy Industrial and a Conditional Use Permit subject to the following conditions:

1. The chemical plant shall be subject to the Texas Commission on Environmental Quality (TCEQ) regulations and permitting, including EPA regulations;
2. The chemical plant shall also be subject to all applicable building and fire code requirements prior to obtaining permits for construction;
3. Siting guidelines from industry standard sources must be identified and utilized in construction details;
4. A foam fire suppression system and spill containment pond will be required;
5. Chemical plant operations must occur in a safe manner and to prevent excessive noise, dirt, litter, and odors and to minimize disturbance to surrounding property owners;
6. Substantial compliance with the building footprint and lot layout depicted by site Plan attached as Exhibit A or documented by industry consultant standards/requirements;
7. The city's Planning Director, Building Official or Fire Marshal may be authorized to approve minor changes to the Development / Site / Plan which may include but are not limited to: building footprint locations and configurations, locations of containment areas, etc;
8. A CUP may be revoked or modified if the CUP was obtained or extended by fraud or deception; conditions have not been met or if the authorized use is determined detrimental to public health, safety and/or welfare.

UDC Section 3.5.6 on Revocation or Modification states:

A CUP may be revoked or modified, after notice to the property owner and a hearing before the City Council, for any of the following reasons:

- A. The CUP was obtained or extended by fraud or deception;
- B. One or more of the conditions imposed by the permit has not been met or has been violated; or
- C. The CUP previously authorized is determined to be detrimental to the public health, safety and/or welfare.

**PLANNING & ZONING COMMISSION RECOMMENDATION:** At their September 18, 2017 and October 2<sup>nd</sup> meetings, the Planning & Zoning Commission tabled this request. At their November 6<sup>th</sup>, 2017 meeting they voted six to two to recommend approval of the rezoning to HI and proposed Conditional Use Permit per staff's recommendation.

**ITEM SUMMARY:** *Note: This case was previously tabled by Planning and Zoning twice, on September 18<sup>th</sup> and October 2<sup>nd</sup>. Palladio has submitted a response letter (attached) to a number of concerns previously expressed. An additional response was received on November 1<sup>st</sup> which is included in the attachments. A map and list of area storage of hazardous chemicals is also attached.*

The applicant, Temple Economic Development Corporation, owner of the 21+ acre property at 2114 Trino Road, is requesting a Conditional Use Permit to allow a chemical manufacturing plant within the Temple Industrial Park at the request of their client, Palladio, Corporation. The property is currently zoned Light Industrial which does not allow a chemical manufacturing plant. Heavy Industrial (HI) zoning allows that use with a Conditional Use Permit.

The applicant's client is proposing to manufacture chemicals, polyacrylamides, which have end uses in water treatment and the petroleum industries. Hazardous chemicals proposed to be utilized include Acrylonitrile and Glacial Acrylic Acid. The applicant has provided Material Safety Data Sheets (MSDS) for these chemicals (attached). A site plan has been submitted with proposed plant buildings, warehouse and offices, flammable and not flammable tank farms and a spill containment pond.

There are complex protocols and best practices within the industry relating to the site design for chemical facilities. It is staff's recommendation that some incorporation of industry standards be documented as part of the site design process, in view of Palladio's not having any other facilities or operational standards available for review for safety and environmental compliance. A condition was added that requires verifiable industry standards to be utilized in the design/operational standards of the plant and these to be referenced in the design documents. Additionally, the city's HazMat Coordinator is requesting a foam fire suppression system be included and that the spill containment pond be constructed, labeled as "optional" on the site plan.

In order to build and operate the chemical plant, permit applications will be required and reviewed by the Texas Commission on Environmental Quality (TCEQ) which has federal Environmental Protection Act (EPA) oversight, and the Occupational Safety and Health Administration (OSHA).

The applicant has provided a proposed site plan for the property (attached) as well as a Polyacrylamide Emulsion Handbook that outlines the processes generally.

Although no specific standards have been identified in the UDC related to this use, Section 7.1 Performance standards will generally apply. Further, staff has researched siting guidelines for chemical manufacturing plants and discovered that a number of state and federal agencies oversee environmental and safety requirements.

Currently UDC Sec. 7.8.4 exempts buildings located in the LI or HI zoning districts from the UDC's exterior building materials standards and buffering oversight, if the buildings are more than 500 linear feet away from residentially zoned property (measured starting from the closest edge of the residentially zoned property to the nearest part of nonresidential structure) and are not located in a Strategic Corridor as designated in subsection D of the aforementioned section of code. The subject property is more than 500 feet from the closest residential property and does not front on any of the Strategic Corridor Streets including HK Dodgen Loop or General Bruce Drive.

As indicated earlier, compliance will be checked with the review of the required building permits.

Staff has reviewed the conditional use permit and the site plan which were considered by the Development Review Committee (DRC) during their September 7th, 2017 meeting. No issues were identified during the meeting, pending state oversight and review of final site plans by city fire, building and engineering staff which will occur prior to any building permit issuance. The attached site plan will be included in the Ordinance, if the Conditional Use Permit is approved by City Council.

Lastly, the proposed Conditional Use Permit has demonstrated compliance to the Conditional Use Permit Review Criteria as set forth in UDC Section 3.5.4 (A-G). A brief summary of each item is provided in the attached table.

**COMPREHENSIVE PLAN COMPLIANCE:**

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

**Future Land Use and Character Map (FLUM) (CP Map 3.1)**

The Land Use and Character Map identifies this area as Industrial, which is for the community's manufacturing, warehousing/distribution, and light industrial areas. For stand-alone industrial sites, adequate screening and buffering standards must be applied along with performance standards related to noise, vibration, odor and glare, etc. to protect nearby residential uses. Therefore, the chemical plant would be consistent with the Future Land Use Map.

**Thoroughfare Plan (CP Map 5.2)**

The Thoroughfare Plan identifies Lucius McCelvey Drive as a minor arterial, and Trino Road is designated as a local street. Necessary right-of-way (ROW) has already been addressed through the recorded Temple Industrial Park Section 26 subdivision plat (P-FY-17-19). No additional issues related to ROW or capacity have been identified or are anticipated by the use of the property. The site is also served by rail lines along the northern property boundary.



Availability of Public Facilities (CP Goal 4.1)

An eight inch water line and an eight inch wastewater line are adjacent to the subject property. A 100 foot wide drainage easement abuts the property on the east side. No other impacts to public facilities are anticipated.

Temple Trails Master Plan Map and Sidewalks Ordinance

The Temple Trails Master Plan map does not identify any existing or proposed trails along Lucius McCelvey Drive or Trino Road. The property is served by Lucius McCelvey Drive but has no frontage on it as that roadway dead ends into Trino Road.

**DEVELOPMENT REGULATIONS:** The attached table reflects the current dimensional standards for non-residential uses in the Industrial district. It is noteworthy that additional buffering and screening, as provided for by UDC Sec. 7.7, is not required since there are no residences or residentially-zoned property in the vicinity of the subject property.

**PUBLIC NOTICE:** Four notices of the public hearing were sent out to property owners within 200-feet of the subject property as required by State law and City Ordinance. As of Monday September 17, 2017 at 12:00 pm, no notices have been received in favor or in opposition. 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:** Not Applicable

**ATTACHMENTS:**

[Response letter November 1](#)  
[Area Hazardous Chemical Information](#)  
[Response Letter from Palladio](#)  
[Location Map](#)  
[Zoning Map](#)  
[Future Land Use Map](#)  
[Thoroughfare and Trails Map](#)  
[Site and Surrounding Property Photos](#)  
[Development Site Plan](#)  
[Utility Map](#)  
[Notification Map](#)  
[Conditional Use Permit Review Criteria Table \(UDC Section 3.5.4 A-G\)](#)  
[Property Survey](#)  
[Response Letter from PFG](#)  
[Ordinance](#)



November 1, 2017

Mr. David Blackburn  
Temple Economic Development Corporation  
One South First Street  
Temple, Texas 76501

Subject: Rezoning of Lot 1, Block 1, Temple Industrial Park, Section 26 (Application Number: Z-FY-17-45)

Reference: Follow up to Palladio Industries, Inc. Letter dated September 22, 2017

Dear Mr. Blackburn:

Please accept this letter on behalf of Palladio Industries, Inc. (Palladio) in follow-up to questions and responses contained in the Palladio letter dated September 22, 2017. Specifically, the following:

6) Question: This is a Start-Up Company. They have no Safety record, this is concerning.

Answer: The ownership has 35 years' experience in the field and has designed, built and operated diverse chemical manufacturing plants throughout the years, in the US and Europe. While Palladio owners managed and operated these two plants there were no reportable chemical safety incidents or accidents. Please find in Attachment A two documents pertaining to the former chemical manufacturing operations in Mississippi. These documents are OSHA 300 Logs for 2008-2012 and a letter from the facility's insurance carrier stating that no claims had been filed under the company's insurance policy.

8) Question: Impacted Zone; Has a study been conducted to determine who will be affected in the event of a release?

Answer: Palladio has completed the process to obtain an air permit from TCEQ and is continuing to work on the studies and reports necessary for federal approval for the plant. The federal process requires a Risk Management Plan and Off-site Consequence Analysis (the impact zone) to be completed and filed prior to operational start up for the plant and Palladio will comply with those requirements. This said, Palladio does not anticipate, nor does Temple Fire & Rescue, that the impact zone area will be substantially different than the impact zones that are already in existence for multiple locations in the Industrial Park.

9) Question: What quantities of bulk chemicals will be stored on the property?

Answer: Palladio has prepared a chemical storage inventory. Please reference Attachment B.

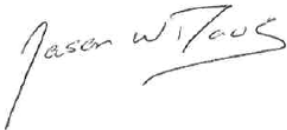
Mr. Blackburn  
Temple Economic Development Corporation  
November 1, 2017

Additionally, you have requested 3D models of the proposed facility for presentation to the Zoning Commission. Please see Attachment C for plan view and orthogonal representations of the facility in its current state of design.

We appreciate your attention to this matter and invite you to contact us for any additional information.

Sincerely,

Project Integration, Inc.

A handwritten signature in black ink, appearing to read "Jason W. Davis". The signature is fluid and cursive, with the first name "Jason" written in a larger, more prominent script than the last name "Davis".

Jason W. Davis  
Project Manager

cc: Central Files, PI

## **Attachment A – Safety & Environmental Documents for Previous Operations**





August 23, 2013

Ms. Leigh Guin  
3F Chimica Americas  
10930 Darracott Rd,  
Aberdeen, MS 39730

Telephone: 212 915 8719  
Website: [www.willis.com](http://www.willis.com)

Direct Line: 646 315 3311  
E-mail: [Ron.Burton@willis.com](mailto:Ron.Burton@willis.com)

Dear Leigh,

**Re: 3F Chimica, Inc. Environmental Insurance. Ace / Westchester Policy number  
G24219549003.**

This is the requested confirmation that no claims have been submitted under your environmental insurance policy above.

Sincerely,

Ron Burton  
Senior Vice President  
Willis Group  
1 World Financial Center  
200 Liberty Street - 6th Floor  
New York, NY 10281

# OSHA's Form 300A (Rev. 01/2004)

## Summary of Work-Related Injuries and Illnesses

All establishments covered by Part 1904 must complete this Summary page, even if no work-related injuries or illnesses occurred during the year. Remember to review the Log to verify that the entries are complete and accurate before completing this summary.

Using the Log, count the individual entries you made for each category. Then write the totals below, making sure you've added the entries from every page of the Log. If you had no cases, write "0."

Employees, former employees, and their representatives have the right to review the OSHA Form 300 in its entirety. They also have limited access to the OSHA Form 301 or its equivalent. See 29 CFR Part 1904.35, in OSHA's recordkeeping rule, for further details on the access provisions for these forms.

### Number of Cases

Total number of deaths	Total number of cases with days away from work	Total number of cases with job transfer or restriction	Total number of other recordable cases
0	0	0	0
(G)	(H)	(I)	(J)

### Number of Days

Total number of days away from work

(K) \_\_\_\_\_ (L) \_\_\_\_\_

### Injury and Illness Types

Total number of . . .	(1) Injuries	(2) Skin disorders	(3) Respiratory conditions	(4) Poisonings	(5) Hearing loss	(6) All other illnesses
(M)	0	0	0	0	0	0

Post this Summary page from February 1 to April 30 of the year following the year covered by the form.

Public reporting burden for this collection of information is estimated to average 30 minutes per response, including time to review the instructions, search and gather the data needed, and complete and review the collection of information. Persons are not required to respond to the collection of information unless it displays a currently valid OMB control number. If you have any comments about these estimates or any other aspects of this data collection, contact: US Department of Labor, OSHA Office of Statistical Analysis, Room N-5644, 200 Constitution Avenue, NW, Washington, DC 20210. Do not send the completed forms to this office.



Year 2008

U.S. Department of Labor  
Occupational Safety and Health Administration

Form approved OMB no. 1218-0176

**Note: You can type input into this form and save it.**  
Because the forms in this recordkeeping package are "fillable/writable" PDF documents, you can type into the input form fields and then save your inputs using the free Adobe PDF Reader.

### Establishment information

Your establishment name US Polymers Inc.

Street 10930 Darracott RD

City Aberdeen State MS Zip 39730

Industry description (e.g., *Manufacture of motor truck trailers*)

**Manufacture of Polymers**

Standard Industrial Classification (SIC), if known (e.g., 3713)

2899

OR \_\_\_\_\_

North American Industrial Classification (NAICS), if known (e.g., 336212)

325998

**Employment information** (If you don't have these figures, see the Worksheet on the next page to estimate.)

Annual average number of employees

15

Total hours worked by all employees last year

32542

**Sign here**

Knowingly falsifying this document may result in a fine.

I certify that I have examined this document and that to the best of my knowledge the entries are true, accurate, and complete.

Keith Green

Company executive

Title

Phone 662-369-2843

Date

02/01/2009

**Save Input**

# OSHA's Form 300A (Rev. 01/2004)

## Summary of Work-Related Injuries and Illnesses

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### Number of Cases

Total number of deaths	Total number of cases with days away from work	Total number of cases with job transfer or restriction	Total number of other recordable cases
0	1	0	0
(G)	(H)	(I)	(J)

### Number of Days

Total number of days away from work	Total number of days of job transfer or restriction
1	4
(K)	(L)

### Injury and Illness Types

Total number of . . .	(1) Injuries	(2) Skin disorders	(3) Respiratory conditions	(4) Poisonings	(5) Hearing loss	(6) All other illnesses
(M)	1	0	0	0	0	0

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Year 2008

U.S. Department of Labor  
Occupational Safety and Health Administration

Form approved OMB no. 1218-0176

### Establishment information

Your establishment name US Polymers Inc.

Street 4330 Chesapeake DR

City Charlotte State NC Zip 28216

Industry description (e.g., *Manufacture of motor truck trailers*)

**Manufacture of Polymers**

Standard Industrial Classification (SIC), if known (e.g., 3715)

2899

OR

North American Industrial Classification (NAICS), if known (e.g., 336212)

325998

**Employment information** (If you don't have these figures, see the Worksheet on the next page to estimate.)

Annual average number of employees

15

Total hours worked by all employees last year

31515

**Sign here**

Knowingly falsifying this document may result in a fine.

I certify that I have examined this document and that to the best of my knowledge the entries are true, accurate, and complete.

Eligius Gue Title Owner

Company executive

Phone 662-364-2843

Date 02/01/2009

**Save Input**



# OSHA's Form 300A (Rev. 01/2004)

## Summary of Work-Related Injuries and Illnesses

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### Number of Cases

Total number of deaths	Total number of cases with days away from work	Total number of cases with job transfer or restriction	Total number of other recordable cases
0	0	3	0
(G)	(H)	(I)	(J)

### Number of Days

Total number of days away from work	Total number of days of job transfer or restriction
	54
(K)	(L)

### Injury and Illness Types

Total number of injuries (M)	(1) Injuries	(2) Skin disorders	(3) Respiratory conditions	(4) Poisonings	(5) Hearing loss	(6) All other illnesses
3	0	0	0	0	0	0

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Year 2009

U.S. Department of Labor  
Occupational Safety and Health Administration

Form approved OMB no. 1218-0176

### Establishment information

Your establishment name US Polymers Inc.

Street 10930 Darracott RD

City Aberdeen State MS Zip 39730

Industry description (e.g., *Manufacture of motor truck trailers*)

Manufacture of Polymers

Standard Industrial Classification (SIC), if known (e.g., 3715)

2899

OR

North American Industrial Classification (NAICS), if known (e.g., 356212)

325998

**Employment information** (If you don't have these figures, see the Worksheet on the next page to estimate.)

Annual average number of employees 17

Total hours worked by all employees last year 33245

**Sign here**

Knowingly falsifying this document may result in a fine.

I certify that I have examined this document and that to the best of my knowledge the entries are true, accurate, and complete.

David G. Grew

Company executive

Title

Phone 662-369-2843

Date

01/30/2010

**Save Input**



OSHA's Form 300A (Rev. 01/2004)

Summary of Work-Related Injuries and Illnesses

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Number of Cases

Total number of deaths	Total number of cases with days away from work	Total number of cases with job transfer or restriction	Total number of other recordable cases
0	1	0	0
(G)	(H)	(I)	(J)

Number of Days

Total number of days away from work	Total number of days of job transfer or restriction
20	8
(K)	(L)

Injury and Illness Types

Total number of ... (M)	(1) Injuries	(2) Skin disorders	(3) Respiratory conditions	(4) Poisonings	(5) Hearing loss	(6) All other illnesses
	1	0	0	0	0	0

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Year 2009

U.S. Department of Labor  
Occupational Safety and Health Administration

Form approved OMB no. 1218-0176

Establishment information

Your establishment name US Polymers Inc.

Street 4330 Chesapeake DR

City Charlotte State NC Zip 28216

Industry description (e.g., Manufacture of motor truck trailers)

Manufacture of Polymers

Standard Industrial Classification (SIC), if known (e.g., 3715)

2899

OR

North American Industrial Classification (NAICS), if known (e.g., 336212)

325998

Employment information (If you don't have these figures, see the Worksheet on the next page to estimate.)

Annual average number of employees 15

Total hours worked by all employees last year 31497

Sign here

Knowingly falsifying this document may result in a fine.

I certify that I have examined this document and that to the best of my knowledge the entries are true, accurate, and complete.

Company executive

Title

Phone 667-349-2843 Date 01/30/2010

Save Input

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Summary of Work-Related Injuries and Illnesses

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Number of Cases

Total number of deaths	Total number of cases with days away from work	Total number of cases with job transfer or restriction	Total number of other recordable cases
0	1	1	1
(G)	(H)	(I)	(J)

Number of Days

Total number of days away from work	Total number of days of job transfer or restriction
5	8
(K)	(L)

Injury and Illness Types

Total number of (M)	(1) Injuries	(2) Skin disorders	(3) Respiratory conditions	(4) Poisonings	(5) Hearing loss	(6) All other illnesses
3	0	0	0	0	0	0

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Year 20 10

U.S. Department of Labor  
Occupational Safety and Health Administration

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Establishment information

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Street 10930 Darracott RD

City Aberdeen State MS Zip 39730

Industry description (e.g., Manufacture of motor truck trailers)

Manufacture of Polymers

Standard Industrial Classification (SIC), if known (e.g., 3715)

2899

OR

North American Industrial Classification (NAICS), if known (e.g., 336212)

325998

Employment information (If you don't have these figures, see the Worksheet on the next page to estimate.)

Annual average number of employees

19

Total hours worked by all employees last year

51309

Sign here

Knowingly falsifying this document may result in a fine.

I certify that I have examined this document and that to the best of my knowledge the entries are true, accurate, and complete.

Deirdre Gabe Company Executive Title

Phone 662-369-2843 Date 02/04/2011

Save Input



# Summary of Work-Related Injuries and Illnesses

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## Number of Cases

Total number of deaths	Total number of cases with days away from work	Total number of cases with job transfer or restriction	Total number of other recordable cases
0	1	0	0
(G)	(H)	(I)	(J)

## Number of Days

Total number of days away from work	Total number of days of job transfer or restriction
1	
(K)	(L)

## Injury and Illness Types

Total number of...	(1) Injuries	(2) Skin disorders	(3) Respiratory conditions	(4) Poisonings	(5) Hearing loss	(6) All other illnesses
(M)	1	0	0	0	0	0

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Year 20 10

U.S. Department of Labor  
Occupational Safety and Health Administration

Form approved OMB no. 1218-0176

## Establishment information

Your establishment name US Polymers Inc.

Street 4330 Chesapeake DR

City Charlotte State NC Zip 28216

Industry description (e.g., *Manufacture of motor truck trailers*)

**Manufacture of Polymers**

Standard Industrial Classification (SIC), if known (e.g., 3715)

2899

OR

North American Industrial Classification (NAICS), if known (e.g., 336212)

325998

**Employment information** (If you don't have these figures, see the Worksheet on the next page to estimate.)

Annual average number of employees 15

Total hours worked by all employees last year 30814

## Sign here

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I certify that I have examined this document and that to the best of my knowledge the entries are true, accurate, and complete.

Leigh Green

Company executive

Title

Phone 662-369-2843

Date

02/04/2011

Save Input

OSHA's Form 300A (Rev. 01/2004)

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Number of Cases

Total number of deaths	Total number of cases with days away from work	Total number of cases with job transfer or restriction	Total number of other recordable cases
0	1	0	0
(G)	(H)	(I)	(J)

Number of Days

Total number of days away from work	Total number of days of job transfer or restriction
9	2
(K)	(L)

Injury and Illness Types

Total number of ... (M)	(1) Injuries	(2) Skin disorders	(3) Respiratory conditions	(4) Poisonings	(5) Hearing loss	(6) All other illnesses
	1	0	0	0	0	0

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Year 20 11

U.S. Department of Labor  
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Form approved OMB no. 1218-0176

Establishment information

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City Aberdeen State MS Zip 39730

Industry description (e.g., Manufacture of motor truck trailers)

Manufacture of Polymers

Standard Industrial Classification (SIC), if known (e.g., 3715)

2899

OR

North American Industrial Classification (NAICS), if known (e.g., 356212)

325998

Employment information (If you don't have these figures, see the Worksheet on the next page to estimate.)

Annual average number of employees 19

Total hours worked by all employees last year 40406

Sign here

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I certify that I have examined this document and that to the best of my knowledge the entries are true, accurate, and complete.

Deirdre Green Title Gen Mgr.

Company executive

Phone 662-369-2843 Date 02/02/2012

Save Input



OSHA's Form 300A (Rev. 01/2004)

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Number of Cases

Total number of deaths	Total number of cases with days away from work	Total number of cases with job transfer or restriction	Total number of other recordable cases
0	1	0	0
(G)	(H)	(I)	(J)

Number of Days

Total number of days away from work	Total number of days of job transfer or restriction
1	
(K)	(L)

Injury and Illness Types

Total number of ... (M)	(1) Injuries	(2) Skin disorders	(3) Respiratory conditions	(4) Poisonings	(5) Hearing loss	(6) All other illnesses
	1	0	0	0	0	0

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Year 20 11

U.S. Department of Labor  
Occupational Safety and Health Administration

Form approved OMB no. 1218-0176

Establishment information

Your establishment name 3F Chimica Americas

Street 4330 Chesapeake DR

City Charlotte State NC Zip 28216

Industry description (e.g., Manufacture of motor truck trailers)

Manufacture of Polymers

Standard Industrial Classification (SIC), if known (e.g., 3715)

2899

OR

North American Industrial Classification (NAICS), if known (e.g., 336212)

325998

**Employment information** (If you don't have these figures, see the Worksheet on the next page to estimate.)

Annual average number of employees

15

Total hours worked by all employees last year

34165

**Sign here**

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I certify that I have examined this document and that to the best of my knowledge the entries are true, accurate, and complete.

Heidi Gue

Company executive

Title

Phone 462-369-2843

Date 02/02/2012

Save Input

OSHA's Form 300A (Rev. 01/2004)

Summary of Work-Related Injuries and Illnesses

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Number of Cases

Total number of deaths	Total number of cases with days away from work	Total number of cases with job transfer or restriction	Total number of other recordable cases
0	0	0	0
(G)	(H)	(I)	(J)

Number of Days

Total number of days away from work

(K) \_\_\_\_\_ (L) \_\_\_\_\_

Injury and Illness Types

Total number of (M)	(1) Injuries	(2) Skin disorders	(3) Respiratory conditions	(4) Poisonings	(5) Hearing loss	(6) All other illnesses
0	0	0	0	0	0	0

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Year 20 12

U.S. Department of Labor  
Occupational Safety and Health Administration

Form approved OMB no. 1218-0176

Establishment information

Your establishment name 3F Chimica Americas

Street 10930 Darracott RD

City Aberdeen State MS Zip 39730

Industry description (e.g., Manufacture of motor truck trailers)

Manufacture of Polymers

Standard Industrial Classification (SIC), if known (e.g., 3715)

2899

OR

North American Industrial Classification (NAICS), if known (e.g., 336212)

325998

Employment information (If you don't have these figures, see the Worksheet on the next page to estimate.)

Annual average number of employees 21

Total hours worked by all employees last year 40702

Sign here

Knowingly falsifying this document may result in a fine.

I certify that I have examined this document and that to the best of my knowledge the entries are true, accurate, and complete.

Signature Date 02/04/2013

Company executive

Phone 662-364-2843

Save Input



# OSHA's Form 300A (Rev. 01/2004)

## Summary of Work-Related Injuries and Illnesses

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### Number of Cases

Total number of deaths	Total number of cases with days away from work	Total number of cases with job transfer or restriction	Total number of other recordable cases
0	0	0	0
(G)	(H)	(I)	(J)

### Number of Days

Total number of days away from work

(K) \_\_\_\_\_ (L) \_\_\_\_\_

### Injury and Illness Types

Total number of (M)	(1) Injuries	(2) Skin disorders	(3) Respiratory conditions	(4) Poisonings	(5) Hearing loss	(6) All other illnesses
0	0	0	0	0	0	0

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Year 20 12

U.S. Department of Labor  
Occupational Safety and Health Administration

Form approved OMB no. 1218-0176

**Note: You can type input into this form and save it.**  
Because the forms in this recordkeeping package are "fillable/writable" PDF documents, you can type into the input form fields and then save your inputs using the free Adobe PDF Reader.

### Establishment information

Your establishment name 3F Chimica Americas

Street 4330 Chesapeake DR

City Charlotte State NC Zip 28216

Industry description (e.g., Manufacture of motor truck trailers)

Manufacture of Polymers

Standard Industrial Classification (SIC), if known (e.g., 3715)

2899

OR

North American Industrial Classification (NAICS), if known (e.g., 356212)

325998

**Employment information** (If you don't have these figures, see the Worksheet on the next page to estimate.)

Annual average number of employees 20

Total hours worked by all employees last year 42302

**Sign here**

Knowingly falsifying this document may result in a fine.

I certify that I have examined this document and that to the best of my knowledge the entries are true, accurate, and complete.

Signature Date Title

Company executive

Phone 462-369-2843

Date 02/04/2013

Save Input

Mr. Blackburn  
Temple Economic Development Corporation  
November 1, 2017

## **Attachment B – Chemical Storage Inventory**



## Palladio Industries, Inc. - Chemical Storage Inventory

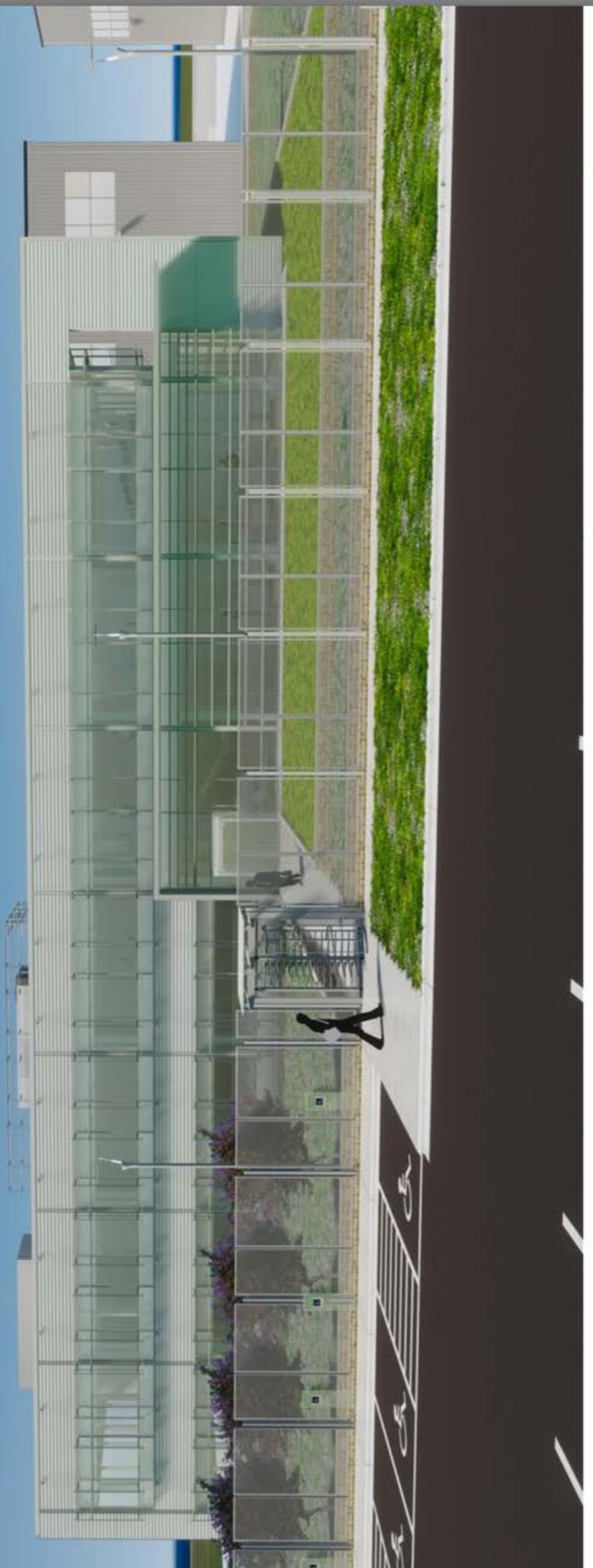
Chemical	CAS No.	Inventory
50% Sodium Hydroxide	1310-73-2	0-26,000 Gallons
Acrylic Acid	79-10-7	0-120,000 Gallons
50% Acrylamide	79-06-1	0-120,000 Gallons
Aliphatic Hydrocarbon	64742-47-8	0-120,000 Gallons
Acrylonitrile	107-13-1	0-110,000 Gallons
Fatty Alcohol Ester	68551-12-2	0-26,000 Gallons
Epichlorohydrin	160-89-8	0-16,000 Gallons
Dimethylamine	124-40-3	0-50,000 Gallons
Sorbitan Monooleate	1338-43-8	0-32,000 Gallons
Product (Emulsion Polmer)		0-320,000 Gallons
Ethylenediamine	107-15-3	0-330 Gallons
Hydrochloric Acid	7647-01-0	0-330 Gallons
Sodium Metabisulfite	7681-57-4	0-300 ft <sup>3</sup>
Sulfur Dioxide	7446-09-5	0-300 ft <sup>3</sup>

Mr. Blackburn  
Temple Economic Development Corporation  
November 1, 2017

## **Attachment C – Proposed Facility Model**













## **Hazardous Chemical Information**

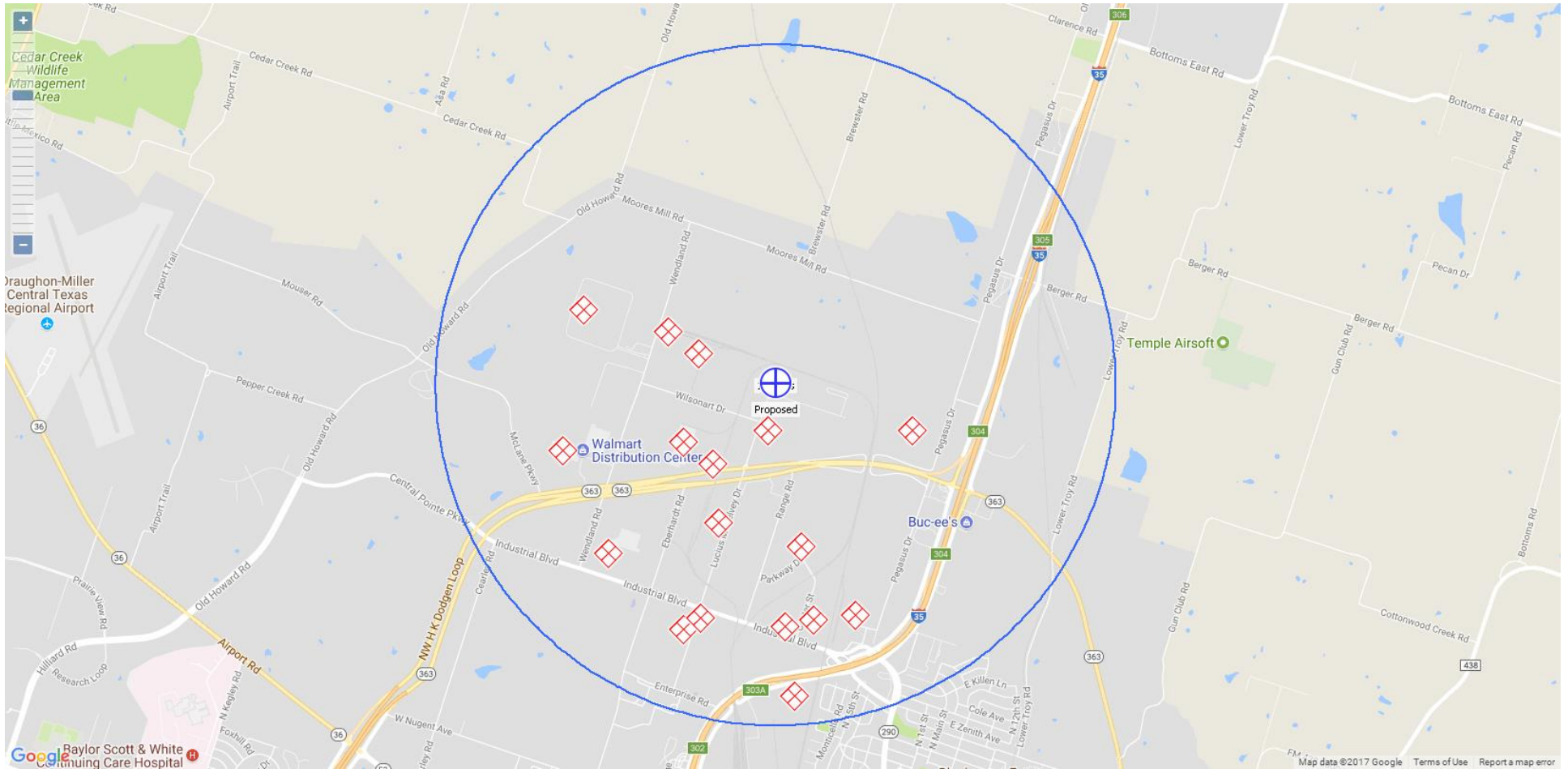
### **City of Temple Industrial Park**

### **Temple Fire & Rescue**

Michael Hanewich 10/30/2017



The Map below shows all facilities within a two mile area of the proposed development site at Trino Road that have, and store Reportable Quantities of toxic chemicals under the EPCRA (Emergency Planning and Community Right-to-Know Act) of 1986.



Below is a list summarizing the chemicals reported in this area.

 Indicates Higher Volatility

CAS Number	Chemical Name
7664-93-9	Sulfuric Acid
	Lead Acid Battery
	Oils, Misc: Lubricating
7439-92-1	Lead
68476-34-6	Diesel
7664-41-7	Anhydrous Ammonia
2702-72-9	2,4-D Tornado
	Petroleum Base Oils
	Petroleum Additives
	Petroleum Finished Oils
107-21-1	Ethylene Glycol
	Cationic Product
	Anionic Product
	Hydrolene H90T
	Asphalt Binder
	Latex
1310-73-2	Sodium Hydroxide 1%-50%
7647-01-0	Hydrochloric Acid 3%-35%
	Redicote E7000
	MQ3
64742-65-0	Motor Oil
110-54-3	Hexane
108-88-3	Toluene
67-54-1	Acetone
	Adhesives Flammable
78-93-3	Methyl Ethyl Keytone
85-68-7	Benzyl Butyl Phthalate
	Magnesium Oxide
	Neoprene Solids
50-00-0	Formaldehyde
108-95-2	Phenol
67-56-1	Methanol
111-46-6	Diethylene Glycol



CAS Number	Chemical Name
1310-73-2	Caustic Soda
7722-81-1	High Strength Hydrogen Peroxide
105-60-2	Caprolactam
100-41-4	Ethylbenzene
110-81-7	Cyclohexane
1317-65-3	Calcium Carbonate
1330-20-7	Xylenes
1332-58-7	Hydrated Aluminum Silicate
64741-65-7	Naphtha, Heavy Alkylate
13463-67-7	Titanium Dioxide
8042-47-5	White Mineral Oil
85-68-7	Benzyl Butyl Phthalate
69430-35-9	Hydrocarbon Polymer
9003-29-6	Polybutene
	Heef KRT Chromic Acid Solution
7727-37-9	Nitrogen, Refrigerated Liquid
7782-44-7	Oxygen, Refrigerated Liquid
7440-37-1	Argon
124-38-9	Carbon Dioxide
7440-02-0	Nickel
	Polypropylene Impact Copolymer
78-78-4	Isopentane
14807-96-6	Talcum
74-98-6	Propane
26471-62-5	TDI-80 Toluene Diisocyanate
101-68-8	Diphenylmethane-4,4'-Diisocyanate
108-01-0	DMEA
109-66-0	Pentane



Temple Economic Development Corporation  
Attn. David Blackburn  
One South First Street  
Temple, Texas 76501

September 22, 2017

**Subject: Rezoning of Lot 1, Block 1, Temple Industrial Park, Section 26 (application number: Z-FY-17-45)**

Dear Mr. Blackburn,

Please see below our responses to the questions that were raised by the Commission and Performance Food Group during the Planning and Zoning meeting that took place on September 18th, 2017.

- 1) Question: How many Truck loads per day are they shipping out of this Facility?

Answer: Since our company operates in the fine chemical industry the volume of shipments will be considerably low. We expect to have maximum 15/20 full trucks per day shipping from our facility.

- 2) Question: Why did they choose this Site instead of moving it further to the West on the other side of Pac-Tiv where there are already Chemicals stored?

Answer: The selection of the site was made after a series of evaluations. We worked with the City of Temple and the Temple Economic Development Corporation to determine a location most suitable for our operation. This site was attractive due to its central location and proximity to rail and immediate road infrastructure. Palladio will produce fine chemicals, low volumes products of high value and therefore it is independent from other chemical industries. We would like to clarify that our chemicals are used in the food industry and for drinking water applications; therefore, the production and process standards are very similar to the food industry or pharmaceutical industry.

- 3) Question: Are these Chemicals explosive and what gases do they release during production?

Answer: The final products are non-explosive or flammable and not classified as hazardous chemicals. Some raw materials are flammable but the plant is going to be following all the most stringent safety norms. All flammable storage is being designed above and beyond nationally recognized codes and standards (NFPA 30, OSHA PSM, etc).

In particular, it will have the following safety/security measures:

- Added vapor recovery systems and cooling to flammable storage tanks in addition to scrubbers to ensure almost no vapor is released
- Increased NFPA required setbacks for flammable tanks and positioned them well away from existing property lines
- The site is governed by OSHA PSM with all requirements being implemented in the design and construction of the facility.

Safety is our main priority and these additional measures go above and beyond what federal and state requirements are relative to the storage of the chemicals.

Regarding gases and emissions, we will follow all federal, state and local laws and regulations associated with gases and emissions. There will be no odors associated with our chemical processing that will be released into the atmosphere. We are in line with air permitting safety norms and any gas is treated by scrubbers before being released in the atmosphere.

- 4) Question : Do the Chemicals have to be refrigerated and why?

Answer: Palladio does not utilize oxidizing components that require constant refrigeration to ensure safe storage. Some raw materials require temperature control to prevent freezing. This is a very ordinary procedure in a chemical industry.

- 5) Question: Projected truck traffic and congestion on Lucius McCelvey. Trino Rd. is not a through street so all traffic in and out would be through Lucius McCelvey.

Answer: There will not be much traffic due to our operations. Since we operate in specialty chemicals the volumes are much lower than a typical commodity chemical manufacturer. We estimate maximum 15 to 20 trucks per day being shipped per day. We move low volumes of high value material.

- 6) Question: This is a Start-Up Company. They have no Safety record, this is concerning.

Answer: The ownership has 35 years' experience in the field and has designed, built and operated diverse chemical manufacturing plants throughout the years, in the US as well throughout Europe. While Palladio owners managed and operated these two plants there were no reportable chemical safety incidents or accidents. The chemical plants built throughout the years have always been admired by many due to their safety automation/interlocks, attention to detail, safety measures and innovation implemented.



- 7) Question: Financial backing.... Do they have the operating funds to recover from a release and exposure if one should occur?

Answer: Yes, our company is realizing the investment with its own financial resources. In any case, we are covered by many layers of insurance as it is commonly done for production focused industries, to include liability insurance.

- 8) Question: Impacted Zone; Has a study been conducted to determine who will be affected in the event of a release?

Answer: The control and prevention of anything concerning emissions, fire has been delegated to a third party American company that is studying and implementing very strict security measures. We will be glad to furnish their direct contact to discuss any of these matters directly.

- 9) Question: What quantities of bulk chemicals will be stored on the property?

Answer: All this info are still being determined by a third party company but the quantities will be low because we operate in the specialty chemical industry and not the commodity industry. Therefore the volumes are much lower as we produce a high value product. We will be glad to furnish the third party company direct contact to discuss this matter if desired.

- 10) Question: How many pounds will be shipped by rail daily?

Answer: The rail connection is not available to this site as of yet. We anticipate that, at the opening of the facility, both inbound raw product as well as out bound finished product will be trucked. At some point, when the rail is completed, there will be some utilization of the rail for inbound raw product but we don't anticipate volumes will be very high.

- 11) Question: How many pounds or gallons will the Plant produce daily?

Answer: We consider the production / quantity numbers associated with our finished product from this facility to be proprietary information and public disclosure could have an adverse impact on our ability to compete in the marketplace.

- 12) Question: What are the Health hazards associated with the raw products and the finished products?

Answer: All the health hazards are determined in the Safety Data Sheets of the products. In addition, we have hired a third party American company that is studying and implementing very



strict security measures. We would be glad to furnish the third party company direct contact information if further information or clarification is desired.

- 13) Question: How will our business be impacted by having this Facility so close to ours? Will we have to monitor Air Quality to ensure that our Inventory and Employees are not being exposed to these Chemicals?

Answer: There will be no impact on neighboring properties. Anything that is emitted in the atmosphere will be controlled and treated first. Additionally, the facility has submitted for an air permit application from the state to assure that it meets all state requirements. We always ensure everything is done in the maximum respect of people and the environment as part of our company values.

- 14) Question: We have concerns about the chemical Acrylonitrile and the risk involved should there be a spill or release.

Answer: The Acrylonitrile tank is designed to follow the nationally recognized industry practice. In addition, the acrylonitrile tank has a secondary containment dikes designed to hold the entire contents of the tank. Furthermore, a flammable gas detector and foam suppression systems are also planned for this area. All of these processes and protocols will meet and/or exceed federal and state regulations associated with the storage and handling of acrylonitrile.

- 15) Question: What is the containment pond (shown on the site plan) for? when and how will it be used? will it emit any odors? will it have hazardous chemicals in it ?

Answer: The mentioned containment pond (or 'detention/retention' pond) is used to contain the first 15-20 min of rainfall (coming from roads, equipment etc.). The water collected is then analyzed. If the water analysis shows no contamination the water is sent to the industrial park storm water pond; if, instead, the water analysis shows that the water is contaminated, it is sent to the water treatment plant. This is a safety measure that allows us to contain any accidental spill, leak etc.; also in case of fire. The containment pond will normally be empty; therefore, no odors will be generated from the pond. For additional clarity, the pond is not a wastewater treatment pond that would potentially emit odors, only a storm water pond as you would see at any construction site, including commercial building areas.

For any further clarification, please reach out to David Kirby at [dlk@pintegration.com](mailto:dlk@pintegration.com).

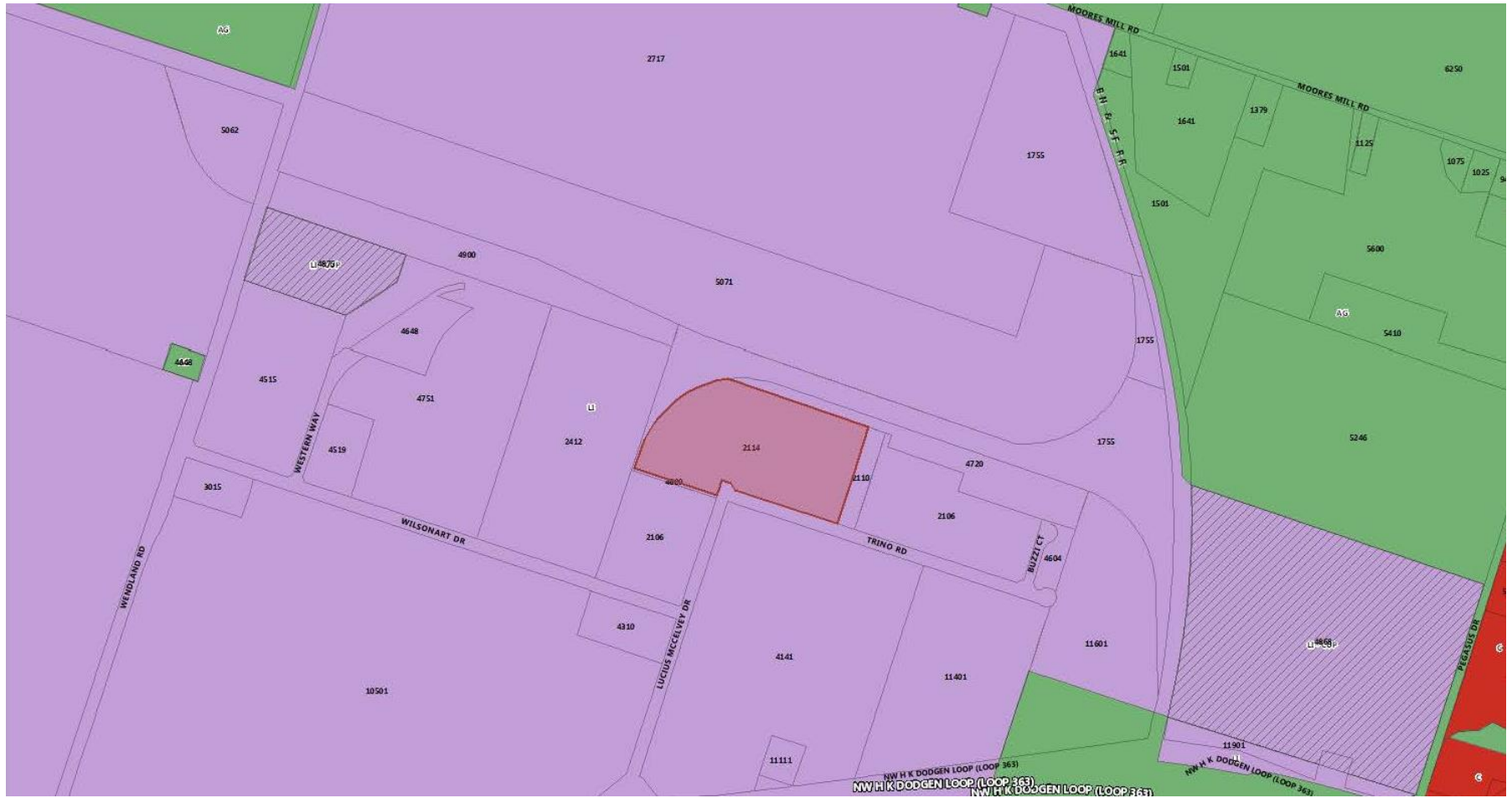
Thank you and best regards,

Palladio Industries, Inc

# Aerial Location Map



# Zoning Location Map





# LI to HI and CUP FUTURE LAND USE MAP

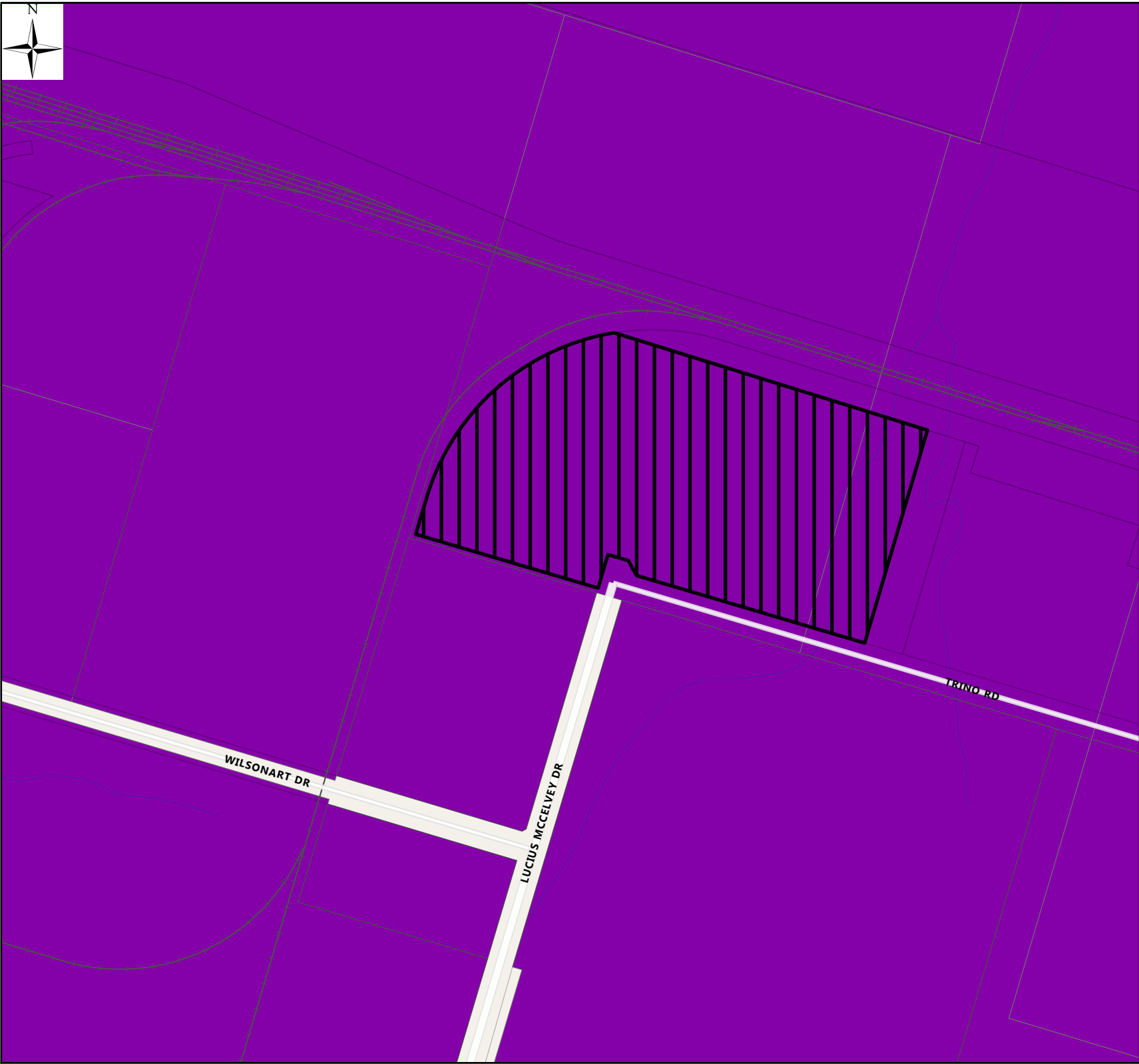
Zoning Case :  
Z-FY-17-45

Address :  
2114 Trino Rd

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

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

Irbarrett  
Date: 8/24/2017


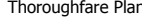



















# LI to HI and CUP THOROUGHFARE AND TRAILS MAP

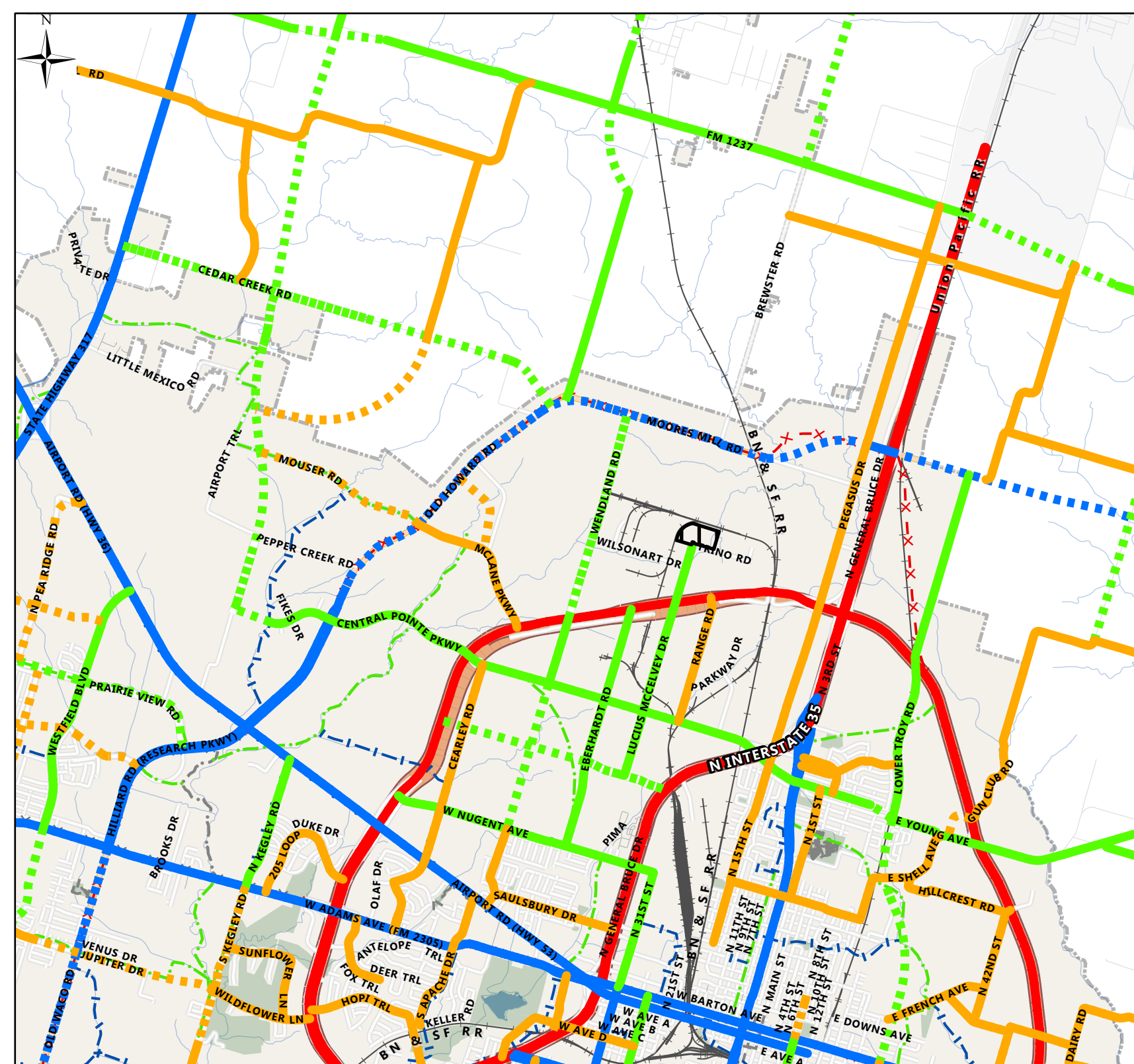
Zoning Case :  
Z-FY-17-45

Address :  
2114 Trino Rd

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

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Irbarrett  
Date: 8/24/2017





## Site Photos







Adjacent Industrial Uses



Intersection of Trino and Lucius MCELvey



Drainage Area on East Side of Property Boundary



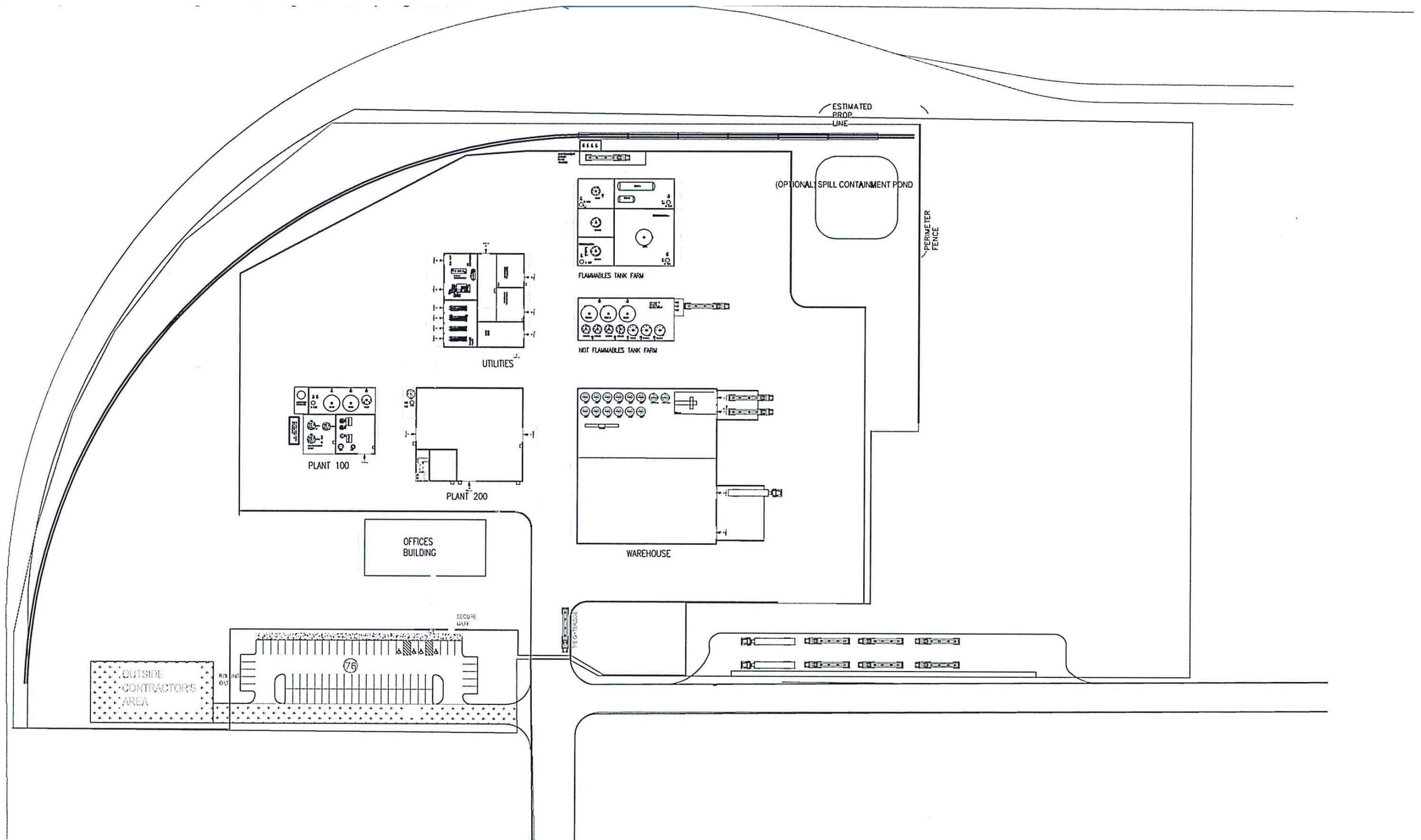


Across Trino to East



To West from Lucius McCelvey















LI TO HI and CUP

## UTILITY MAP

Zoning Case :  
Z-FY-17-45

Address :  
2114 TRINO RD

-  Manhole
-  Gravity Main
-  Hydrant
-  Main
-  Parcels
-  CaseArea

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Irbarrett  
Date: 8/24/2017







LI to HI and CUP

## 200' NOTIFICATION MAP

Zoning Case :

Z-FY-17-45

Address :

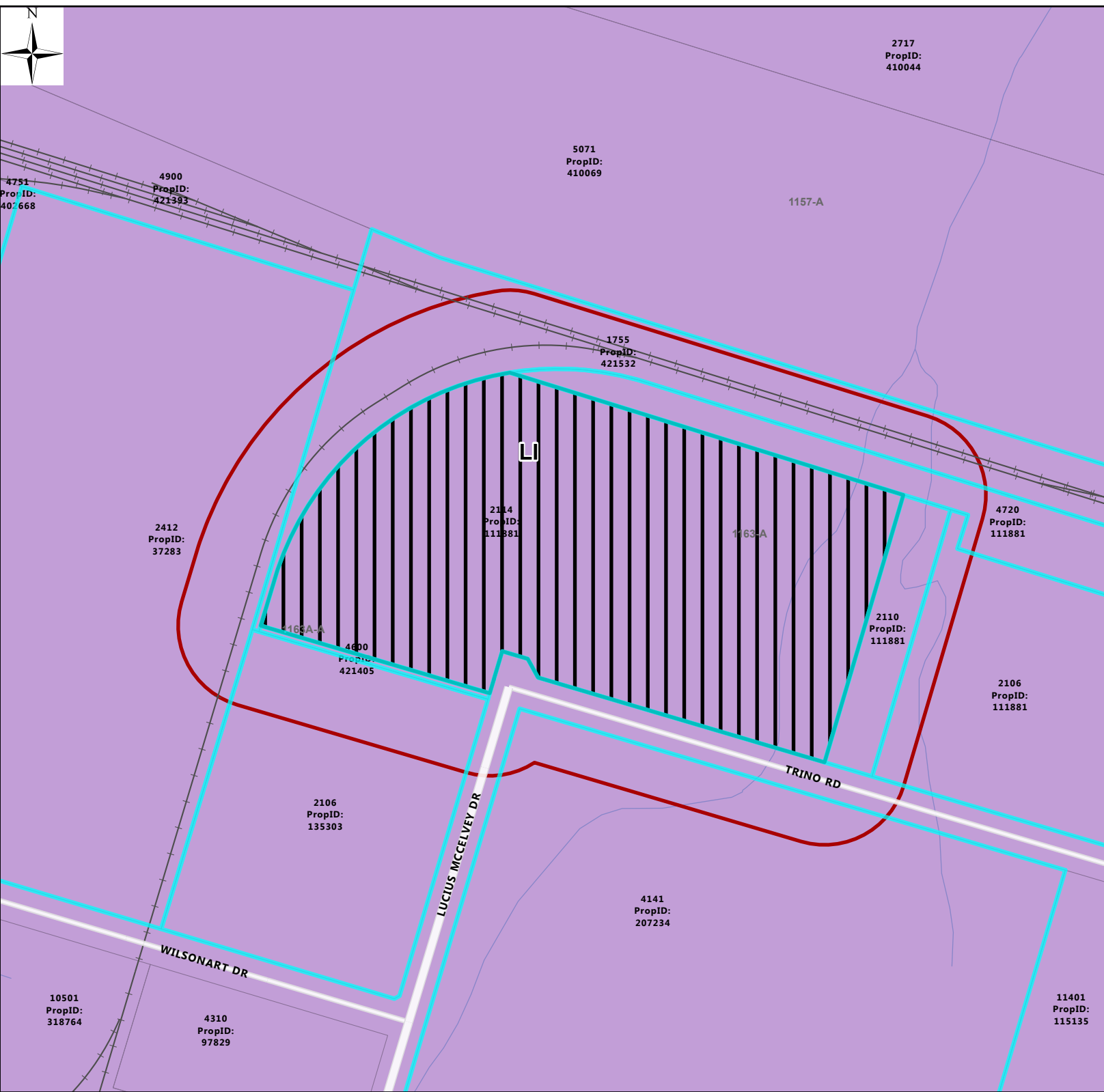
2114 Trino Rd

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: 8/24/2017





## Conditional Use Permit Review Criteria

UDC Code Section 3.5.4 (A-G)	Yes/No	Discussion / Synopsis
<b>A. The conditional use is compatible with and not injurious to the use and enjoyment of the property, and does not significantly diminish or impair property values within the immediate area.</b>	<b>YES</b>	It is fully anticipated that the site plan will conform to the UDC as well as to dimensional, developmental and design standards adopted by the City for any new building construction. The surrounding area land uses are industrial in character.
<b>B. The establishment of the conditional use does not impede normal and orderly development and improvement of surrounding vacant property.</b>	<b>YES</b>	It is not anticipated that development of this property with a chemical plant will impede the normal and orderly development of the surrounding property due to the nature of surrounding land uses.
<b>C. Adequate utilities, access roads, drainage, and other necessary to support facilities have been or will be provided.</b>	<b>YES</b>	Adequacies of support facilities will be further reviewed during submittal of the building plans. While utilities to serve the subject 21 + acres have been addressed by the recent plat (Temple Industrial Park, Section 26) final plat in 2017, any additional facilities as well as drainage will be reviewed with the building plans.
<b>D. The design, location and arrangement of all driveways and parking spaces provide for the safe and convenient movement of vehicular and pedestrian traffic without adversely affecting the general public or adjacent development.</b>	<b>YES</b>	The attached site / development plan, which will be included with the Ordinance for the rezoning and Conditional Use Permit shows parking, circulation and access. No issues related to design, location or arrangement of circulation have been identified with the review of the conditional use permit. A more detailed review will be conducted with the review of the building plans.
<b>E. Adequate nuisance prevention measures have been or will be taken to prevent or control offensive odors, fumes, dust, noise and vibration.</b>	<b>YES</b>	It is anticipated the project will fully comply with UDC Section 7.1 with regard to Performance Standards. In addition, Texas Commission of Environmental Quality (TCEQ), will issue a permit when the project has demonstrated compliance to the relevant environmental considerations.
<b>F. Directional lighting is provided so as not to disturb or adversely affect neighboring properties.</b>	<b>YES</b>	Any exterior lighting proposed by the development as a chemical manufacturing facility will be required to meet the provisions of UDC 7.1 and specifically Section 7.1.8 with regard to glare. Compliance for exterior lighting will be addressed with the review of the building plans.
<b>G. There is sufficient landscaping and screening to insure harmony and compatibility with adjacent property.</b>	<b>YES</b>	Compliance with UDC Section 7.4 (Landscaping) will be confirmed at time of the review of the building plans. Due to its location on a local street and removed from residential properties, the building is not required to adhere to architectural/masonry standards or be screened/buffered.

2017  
40

# FINAL PLAT of TEMPLE INDUSTRIAL PARK, SECTION 26 WITHIN THE CITY OF TEMPLE, BELL COUNTY, TEXAS

Being 37.083 ACRES, situated in the ELIZABETH BERRY SURVEY, ABSTRACT 57, the J. M. ARNEST SURVEY, ABSTRACT 473, and the H. H. HADDEN SURVEY, ABSTRACT 342, City of Temple, Bell County, Texas.

STATE OF TEXAS  
COUNTY OF BELL

THAT, THE TEMPLE ECONOMIC DEVELOPMENT CORPORATION, A TEXAS NON-PROFIT CORPORATION BEING THE OWNER OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS TEMPLE INDUSTRIAL PARK, SECTION 26, WITHIN THE CITY OF TEMPLE, BELL COUNTY, TEXAS, AND MORE HAVE TO DISBURSED HEREIN, DOES HEREBY DEDICATE TO THE USE OF THE PUBLIC FORTHWITH ALL STREETS, ALLEYS, PARKS, WATERWAYS, DRAINAGE, EASEMENTS, AND OTHER PLACES SHOWN HEREIN WITHIN THE PLAT ENCOMPASSED BY THIS SUBDIVISION.

By *[Signature]*  
CHANCELY C. LUCKO, PRESIDENT  
TEMPLE ECONOMIC DEVELOPMENT CORPORATION, a Texas non-profit corporation  
One South First Street  
Temple, Texas 76788

STATE OF TEXAS  
COUNTY OF BELL

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 10th DAY OF March, 2017.

*[Signature]*  
Jimmie Arvey  
NOTARY PUBLIC, STATE OF TEXAS



I, THE UNDERSIGNED, CLERK OF PLANNING OF THE CITY OF TEMPLE, HEREBY CERTIFY THAT THIS SUBDIVISION PLAT CONFORMS TO ALL REQUIREMENTS OF THE CITY OF TEMPLE, IT QUALIFIES FOR ADMINISTRATIVE PLAT APPROVAL AS PROVIDED IN THIS ORDINANCE, AND IT IS HEREBY APPROVED.

*[Signature]* 3-29-17  
CLERK OF PLANNING

AFFIDAVIT:

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

Dated this 3rd day of April, 2017 A.D.

*[Signature]*  
Maggie Bowen  
TAX APPRAISER

LINE	BEARING	DISTANCE
1-1	S 56°0'42" E	50.65'
1-2	N 28°53'12" E	54.64'
1-3	N 13°52'46" E	64.30'
1-4	S 67°31'34" E	506.40'

STATE OF TEXAS

COUNTY OF BELL

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

*[Signature]*  
CHARLES C. LUCKO, P.L.S.  
REGISTRATION NO. 4636  
DATE SURVEYED: DECEMBER 28, 2008



RECORDATION INFORMATION:

FILED FOR RECORD THIS 9th DAY OF April, 2017.

IN YEAR 2017, PLAT # 40, PLAT RECORDS OF BELL COUNTY, TEXAS.

DEDICATION INSTRUMENT # 13006, OFFICIAL RECORDS OF BELL COUNTY, TEXAS.

This project is referenced to the City of Temple Coordinate System, NAD 83, Texas Central Zone. All distances are horizontal surface distances unless noted and all bearings are grid bearings. All coordinates are referenced to City Monument No. 20. The datum origin at City Monument No. 20 is 20°0'0" N. The combined correction factor (CCF) is 0.00000. Grid distance = surface distance x CCF. Double north = Grid north = Double origin. Reference to City Monument No. 20 is the northwest corner of said 21003 acre tract in N 66°47'00" E. 1380.00 feet. Published City coordinates for City Monument No. 20 are N = 533024.80, E = 522250.51.

Based upon what can be ascertained from the graphics shown on Federal Geographic Data (FGD) Community Plan No. 40022 (2008), dated September 20, 2008, the above shown property does not appear within the "Temple Flood Hazard Area", and appears to be situated in Zone A. The flood statement does not imply that the tract will never flood, nor does it create city liability in such event on the part of this surveyor or company.



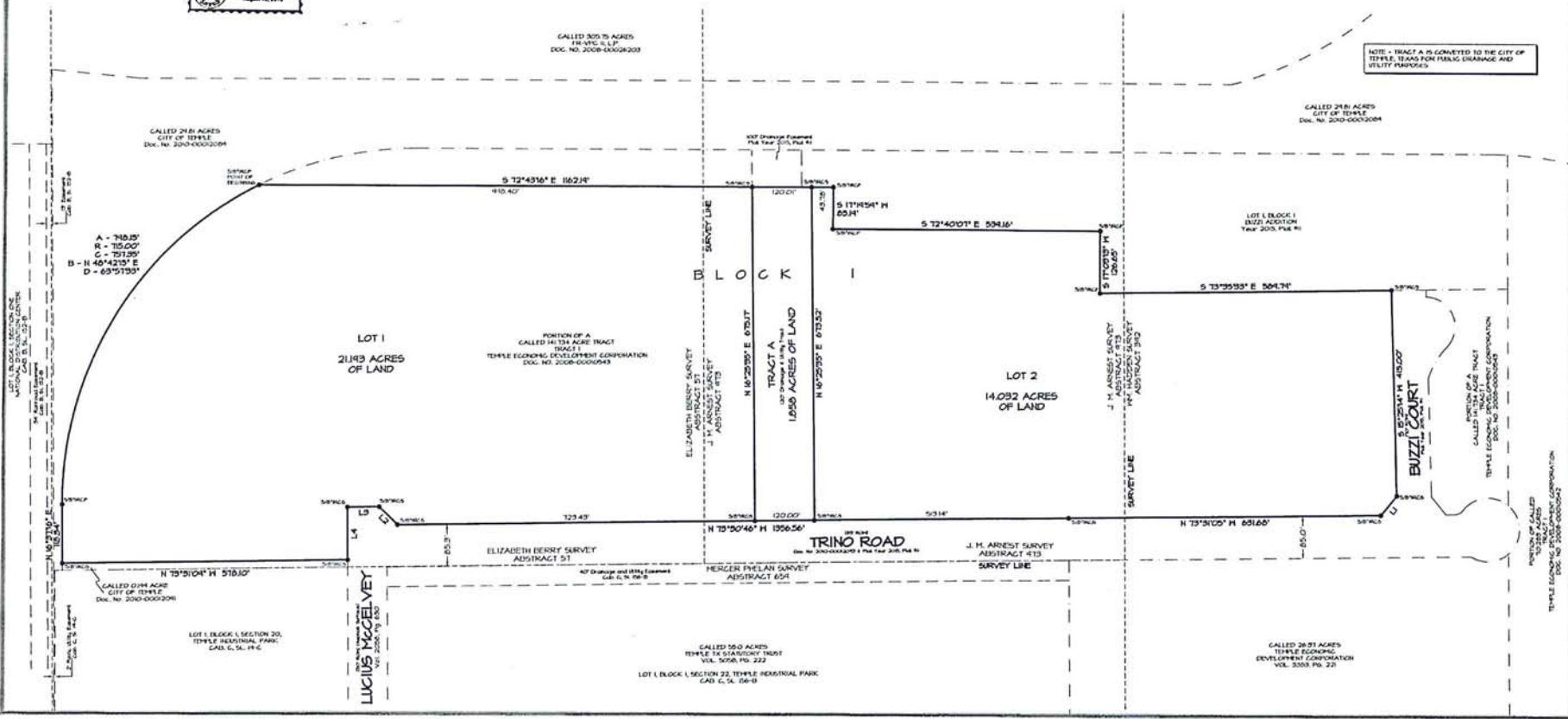
VICINITY MAP - N.T.S.



BCFP - Iron Road with cap stamped "ACS" found  
BCFS - Iron Road with cap stamped "ACS" set

LOTS - TWO (2)  
TRACTS - ONE (1)  
BLOCKS - ONE (1)  
AREA - 37.083 ACRES

NOTE - TRACT A IS CONVEYED TO THE CITY OF TEMPLE, TEXAS FOR PUBLIC DRAINAGE AND UTILITY PURPOSES.



FINAL PLAT of  
TEMPLE INDUSTRIAL  
PARK, SECTION 26  
WITHIN THE CITY OF TEMPLE, BELL COUNTY, TEXAS

1903 South 21st Street  
Temple, Texas 76788  
254-771-5151  
Fax 254-774-7609  
Te. Fax Lic. No. 00226400

**ACS**

ALL COUNTY SURVEYING, INC.

Plot Date: 03-09-2017  
Survey completed: 03-28-2017  
Scale: 1" = 500'  
Job No.: 160301  
Dwg No.: 160301  
Drawn by: JML  
Surveyor: CCL, 55626  
Copyright 2017 All County Surveying, Inc.

Instrument # 2017-13006



RESPONSE TO PROPOSED  
REZONING REQUEST  
CITY OF TEMPLE

TEMPLE TX STATUTORY TRUST  
PO BOX 6104  
TEMPLE, TX 76503-6104

Zoning Application Number: Z-FY-17-45

Case Manager: Lynn Barrett

Location: Lot 1, Block 1, Temple Industrial Park, Section 26

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:**

Hazardous chemicals being produced next to a food  
sensitive facility.  
Traffic is a huge concern on Lucius McCelvey  
Affected area in the event of a chemical release - study  
needed.

  
Signature

Bruce Leonhardt  
Print Name

If you would like to submit a response, please email a scanned version of this completed form to the Case Manager referenced above, [lbarrett@templetx.gov](mailto:lbarrett@templetx.gov) or mail or hand-deliver this comment form to the address below, no later than **September 18, 2017**.

**RECEIVED**

SEP 19 2017

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

City of Temple  
Planning & Development

Number of Notices Mailed: 4

Date Mailed: September 7, 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-17-45)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A REZONING FROM LIGHT INDUSTRIAL ZONING DISTRICT TO HEAVY INDUSTRIAL ZONING DISTRICT WITH A CONDITIONAL USE PERMIT TO ALLOW A CHEMICAL MANUFACTURING PLANT ON LOT 1, BLOCK 1, TEMPLE INDUSTRIAL PARK, SECTION 26 AND ADDRESSED AS 2114 TRINO ROAD, BELL COUNTY, TEMPLE, TEXAS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, the applicant, Temple Economic Development Corporation, owner of the approximately 21 acre property located at 2114 Trino Road, is requesting a Conditional Use Permit to allow a chemical manufacturing plant within the Temple Industrial Park at the request of their client, Paladio Corporation;

**Whereas**, the property is currently zoned Light Industrial which does not allow a chemical manufacturing plant - the zoning Heavy Industrial zoning allows the use with a Conditional Use Permit;

**Whereas**, the applicant's client is proposing to manufacture polyacrylamides, which have end uses in water treatment and the petroleum industries – the hazardous chemicals proposed to be utilized include Acrylonitrile and Glacial Acrylic Acid;

**Whereas**, the applicant has provided Material Safety Data Sheets (MSDS) for these chemicals and a site plan has been submitted with proposed plant buildings, warehouse and offices, flammable and non-flammable tank farms and a spill containment pond;

**Whereas**, the Comprehensive Zoning Ordinance of the City of Temple, Texas, provides for the issuance of Conditional Use Permits under certain conditions and authorizes the City Council to impose such developmental standards and safeguards as the conditions and locations indicate to be important to the welfare or protection of adjacent property and for the protection of adjacent property from excessive noise, vibration, dust, dirt, smoke, fumes, gas, odor, explosion, glare, offensive view or other undesirable or hazardous conditions, and for the establishment of conditions of operation, time limits, location, arrangement and construction for any use for which a permit is authorized;

**Whereas**, the Planning and Zoning Commission of the City of Temple, Texas, after due consideration of the conditions, operation and location of the property in question, recommends that the City Council approve the rezoning of the property from Light Industrial Zoning to Heavy Industrial Zoning and approve the application for the Conditional Use Permit to allow a chemical manufacturing plant within the Temple Industrial Park; and

**Whereas**, the City Council of the City of Temple, Texas, after public notice as required by law, has at a public hearing, carefully considered all the evidence submitted by the applicant concerning the proposed plans for this tract of land, and has heard the comments and evidence presented by all persons supporting or opposing this application at said public hearing, and after examining the conditions, operation and the location of said property, finds that the proposed use of the property substantially complies with the comprehensive plan and the area plan adopted by the City Council.



**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 approves a rezoning from Light Industrial (LI) to Heavy Industrial (HI) zoning district and a Conditional Use Permit (CUP) to allow a chemical manufacturing plant on Lot 1, Block 1, Temple Industrial Park, Section 26 addressed as 2114 Trino Road, with a site plan attached hereto as Exhibit 'A,' and made a part hereof for all purposes along with the following conditions:

1. The chemical plant shall be subject to the Texas Commission on Environmental Quality (TCEQ) regulations and permitting, including EPA regulations;
2. The chemical plant shall also be subject to all applicable building and fire code requirements prior to obtaining permits for construction;
3. Siting guidelines from industry standard sources must be identified and utilized in construction details;
4. A foam fire suppression system and spill containment pond will be required;
5. Chemical plant operations must occur in a safe manner and to prevent excessive noise, dirt, litter, and odors and to minimize disturbance to surrounding property owners;
6. Substantial compliance with the building footprint and lot layout depicted by the Site Plan attached as Exhibit A or documented by industry consultant standards/requirements;
7. The City's Planning Director, Building Official or Fire Marshal may be authorized to approve minor changes to the Site Plan which may include but are not limited to: building footprint locations and configurations, locations of containment areas, etc;
8. A CUP may be revoked or modified if the CUP was obtained or extended by fraud or deception; conditions have not been met or if the authorized use is determined detrimental to public health, safety and/or welfare.

**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 **16<sup>th</sup>** day of **November**, 2017.

PASSED AND APPROVED on Second Reading on the **7<sup>th</sup>** day of **December**, 2017.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Kayla Landeros  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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12/07/17  
Item #4(FF)  
Consent Agenda  
Page 1 of 2

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

Nicole Torralva, P.E., Public Works Director  
Damon B. Boniface, Utility Director

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing submission of a Sanitary Sewer Overflow Outreach Program to the Texas Commission on Environmental Quality.

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

**ITEM SUMMARY:** An original Summary Investigation Finding prepared by the TCEQ on August 3, 2004, required development of a plan and schedule for mitigating the effects of storm water and groundwater Inflow and Infiltration (I&I) on the wastewater collection system. To take proactive steps toward working with the TCEQ to avoid potential violations and fines resulting from sanitary sewer overflows, the City of Temple entered into a Sanitary Sewer Overflow Initiative agreement with the TCEQ through City Council approval on July 17, 2008. Under the voluntary Sanitary Sewer Overflow Initiative program established by the TCEQ, the City of Temple submitted a detailed program to the state establishing specific projects, timelines, and resources needed to reduce overflows and reduce the threat to human health and safety.

The current agreement will expire on December 30, 2017. Staff is requesting to renew the agreement with the TCEQ in an effort to continue with plans for improvement of our existing wastewater infrastructure and system. The City has experienced positive effects concerning unauthorized discharges as the result of the current agreement. The activities identified are coordinated over a ten year period, resulting in decreases of unauthorized discharges and improving the overall quality of the natural and urbanized environments.

Specific projects identified in the program include the completion of current sanitary sewer projects under design and identified capital improvement projects currently funded under the bond program. Additionally, new rehabilitation projects are also included to be identified in the upcoming Wastewater Master Plan and programmed into future revenue bond sales. Continued participation in the voluntary TCEQ program will allow the City of Temple to avoid potential fines and exhibit our desire to meet state and federal regulations regarding protecting the public health and welfare.

**FISCAL IMPACT:** The City of Temple will fund proposed projects through current and future Utility Revenue Bonds and the operational budget. The operational budget will continue to pay for preventative maintenance programs already established by the City of Temple. The pending Water and Wastewater Master Plan Update will further identify future proposed system improvements.

The City is currently in the process of updating the Water and Sewer Rate study. The Water and Wastewater Master Plan Update is an integral part of the information needed to complete the study. Once the Water and Sewer Rate study is completed, Staff will present to Council the results of the study. It is anticipated the rate study will be completed in late spring of 2018.

**ATTACHMENTS:**

[City of Temple Sanitary Sewer Overflow Outreach Program, dated December 2017 Resolution](#)





**CITY OF TEMPLE**

**SANITARY SEWER OVERFLOW**

**OUTREACH PROGRAM**

December 2017

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#### Attachments

- Attachment 1 – City of Temple’s Notice of Intent to Participate in the Sanitary Sewer Overflow Initiative, dated June 23, 2017 & TCEQ Confirmation of Participation, dated July 7, 2017
- Attachment 2 - TCEQ Sanitary Sewer Overflow (SSO) Outreach Initiative Letter, dated June 20, 2008
- Attachment 3 - Basins, Wastewater Treatment Plants and Lift Stations Map
- Attachment 4 - Documentation of Overflows (Lift Stations and Wastewater Treatment Plants)
- Attachment 5 - Sample City of Temple Documentation for SSO’s within Collection System
- Attachment 6 - City of Temple FY 2017 SSO Initiative Maps (Overflows Oct. 1, 2016 - Sept. 30, 2017)
- Attachment 7 - City of Temple Spreadsheet for Ongoing Operations & Maintenance Activities
- Attachment 8 - Bird Creek Phasing Map
- Attachment 9 – 2000 (Updated 4-20-06) & 2008 Wastewater Master Plan Maps
- Attachment 10 - Future Projects Map





## **I. Executive Summary**

The City of Temple entered into a Sanitary Sewer Overflow Initiative agreement with the Texas Commission on Environmental Quality (TCEQ) through City Council approval on July 17, 2008. The current agreement will expire on December 30, 2017. The City requests to renew the agreement in an effort to continue with plans for improvement of our existing infrastructure and system (*Refer to Attachment 1*). The City has experienced positive effects concerning unauthorized discharges as the result of the current agreement. Included in this renewal application of the Sanitary Sewer Initiative Program for the City of Temple's Wastewater Collection System is information that will provide a description of the historical practices and projects that led to the success of the initial agreement. These activities coordinated over a 10-year period resulted in decreases of unauthorized discharges and an elevated protection of both the public health and safety and enhancement of the overall quality of the natural and urbanized environment. This application will also address causes of the Sanitary Sewer Overflows (SSO's), a description of the continued corrective measures to be taken to address the cause of the SSO's, projected time lines and completion dates for the corrective measures, a description of the funding sources for the corrective measures, a description of interim measures taken to mitigate the effect of the SSO's, and a description of a plan to monitor the collection system and receiving waters during and after rainfall events to identify unauthorized discharges and evaluate the threat to human health and safety or the environment.

## **II. Background**

Based on a TCEQ Notice of Violation Letter dated August 12, 2004 for the Wastewater Reconnaissance Investigation at the Doshier Farm Wastewater Treatment Facility that was performed on June 10, 2004 by Mr. Michael H. Willingham of the TCEQ Waco Regional Office, the City of Temple began the process of examining programs to improve the reliability and adequacy of the wastewater collection system.

Subsequent to numerous correspondence between the City of Temple and TCEQ, and in an effort to address the needs of the wastewater system, in 2006 under new management, the

City of Temple took proactive steps toward rebuilding the Public Works Department and established an Engineering Division to adequately address the needs of both the water distribution system and wastewater collection system. This Capital Improvement Program for the City of Temple Wastewater Collection System established firm timelines and completion dates for corrective measures for repair and rehabilitation of the system and includes a comprehensive plan for funding sources to accomplish the task. Additionally, specific measures and a plan of action to mitigate the effect of SSO's in the interim was presented in an effort to minimize any threat to human health and safety and that of the environment.

On June 20, 2008, the TCEQ approved the City's participation in the Sanitary Sewer Overflow (SSO) Outreach Initiative (*Refer to Attachment 2*) The City has remained active in the program over the 10-year period and has continued to make progress under the program. Annual reports have been submitted to the TCEQ updating progress within our system.

In 2014, the Utility Department was restructured by restoring the positions of the Utility Director and Deputy Utility Director positions. The reorganization of the department allowed greater focus on operations, maintenance and Capital Improvement Programs related to the Utility.

### **III. Wastewater System Summary**

#### **a. Treatment Facilities**

The City of Temple wastewater system consists of six drainage basins served by two wastewater plants, the Temple-Belton Wastewater Treatment Plant (TBWWTP) in the west and the Doshier Farm Wastewater Treatment Plant (DFWWTP) in the east. Four basins serving the southern and western portions of the City drain to the TBWWTP, while two basins serving the northern and eastern portions of the City drain to the DFWWTP. Both wastewater treatment facilities are operated and maintained through a contract services agreement with the Brazos River Authority (BRA). A map of the system is attached, showing all basins and the two treatment facilities (*Refer to Attachment 3*).

The TBWWTP began operations in 1975 and expanded in 1990 with a permitted annual average flow of 10 MGD (Million Gallons per Day) and a peak flow of 30 MGD (Million Gallons per Day). The TBWWTP is jointly owned by the Cities of Temple and Belton and provides wastewater treatment services for the urban areas in and around both cities. Temple and Belton share in both ownership and capital improvement costs at 75% and 25%, respectively. Detailed analysis of projected flow rates and design criteria for this facility are included in the 2000 City of Temple Wastewater Master Plan Report and 1996 TBWWTP engineering report, both prepared by Roming, Parker & Kasberg, L.L.P (predecessors to the current Kasberg, Patrick and Associates). Subsequent reports for the TBWWTP have also been prepared by Kasberg, Patrick, and Associates, L.L.P. with recommendations for plant expansion to address both current and projected flows into the TBWWTP. Current permitting and regulatory rules require initiation of engineering and financial planning for expansion and/or upgrading when treatment flows reach 75% of the permitted daily average or annual average flow for three consecutive months. This regulatory trigger was reached during the months of July 2010 through September 2010. In 2011, the Cities of Temple and Belton jointly retained professional services to provide Preliminary and Final Engineering Services to conduct an overall evaluation of the TBWWTP and make recommendations to modify and upgrade the plant in order to meet the TBWWTP short-term and long-term increased flow and associated loading, including the possibility of more stringent effluent requirements. Project phase sequencing was developed with Phase I, replacement of existing headworks and construction of an equalization basin, identified as most critical. These capital improvement activities are currently under construction, while future expansion projects continue to be routinely evaluated based on system demands and requirements.

The Doshier Farm Wastewater Treatment Plant (DFWWTP) began operations in 1969 and expanded in 1994 with a permitted annual average flow of 7.5 MGD and a peak flow of 22.5 MGD. Recently, the City completed an upgrade of the existing SCADA system and both chlorine and sulfur dioxide buildings with the latest technology for chemical injection and safety at DFWWTP.

b. Lift Stations

There are 31 lift stations in the City of Temple. There are 7 lift stations in the Leon River Basin, 4 lift stations in the Pepper Creek Basin, 6 lift stations in the Bird Creek Basin, 3 lift station in the Friar's Creek Basin, 8 lift stations in the Knob Creek Basin, and 3 lift stations in the Little Elm Basin. The City of Temple contracts with the BRA for operations and maintenance of all the lift stations in the City of Temple.

c. Collection System

The City of Temple's collection system is comprised of approximately 401 miles (2,116,754 linear ft.) of gravity pipeline, 75 miles (395,476 linear ft.) of service lines, 19 miles (99,820 linear ft.) of force main, and approximately 6,284 manholes. A substantial portion of the system contains vitrified clay pipe, susceptible to high rates of inflow and infiltration. Twenty-six percent of the collection system was installed prior to the 1930's. The City of Temple has an ongoing preventative maintenance program in the effort to reduce I&I rates.

The City of Temple has experience considerable growth over the last 10 years. During the time period from 2007 through 2017, the collection system has expanded by 207,003 linear feet.

#### **IV. Causes of Sanitary Sewer Overflows**

The City of Temple documents and reports sanitary sewer overflows (SSO's) in accordance with the requirements of the Texas Commission on Environmental Quality (TCEQ). SSO's occurring at the wastewater treatment facilities and lift stations are documented and reported by the BRA. Causes of overflows at the lift stations primarily involve power outages and inflow and infiltration due to significant rainfall events. Documented overflows reported by proceeding operator, CH2MHill and BRA since 2007 are attached to this report (*Refer to Attachment 4*).

Sanitary sewer overflows occurring within the City of Temple's collection system are primarily a result of grease, roots, and aging of the system. As stated above, a substantial percentage of pipes within the collection system are clay pipes which are susceptible to ground movement, cracking, and deterioration. In many cases, pipes have been installed



with improper bedding, resulting in numerous pipe failures and root infiltration into the system, contributing to inflow and infiltration. The City of Temple tracks each overflow as it occurs and logs it into the city tracking system. Sample documentation tracked for each SSO is attached for reference (*Refer to Attachment 5*).

The City of Temple also has a tracking system to log each SSO location on a map geographically. The tracking system also includes date, time, and overflow estimates per TCEQ requirements. A map showing overflows occurring within the City of Temple from October 1, 2016 through September 30, 2017 is attached for reference (*Refer to Attachment 6*).

#### **V. Description of Corrective Measures**

In the short term, the City of Temple has an effective ongoing Operations and Maintenance Program previously submitted to TCEQ. The O&M program includes annual root treatment, line cleaning, closed circuit television inspection and smoke testing. In association with these activities, wastewater lines are replaced, cleaned, and repaired where needed on an ongoing basis. Sample documentation has been provided showing totals for the last 4 years of these activities throughout the city (*Refer to Attachment 7*). Annual goals for preventative maintenance include the following:

- Clean approximately 270,000 linear feet of wastewater mains
- Inspect approximately 70,000 linear feet of mains and laterals using closed circuit television inspection
- Replace approximately 10,000 linear feet of deteriorated wastewater mains

The City has reduced the overall percentage of clay pipe through combined system renewal and expansion. The City will continue with a schedule of line replacement projects to tackle rehabilitation of the system. Maintenance and repairs of designated areas found through evaluations of the system are funded through the annual budget process. Larger line rehabilitation projects have been identified through recent engineering studies and will be refined using the updated Wastewater Master Plan Project (see section VII). Mapping and

frequency of documented system overflows provide a basis for identifying these system needs.

## **VI. Current Capital Improvement**

The City of Temple completes wastewater rehabilitation projects through utility rates, which support issuance of Utility Revenue Bonds and operating budgets. The Capital Improvement Program, funded through the issuance of utility revenue bonds, are sold from time to time as needed to fund major infrastructure improvements identified through the Wastewater Master Plan. The annual operating budget generally funds minor rehabilitation improvements.

### **a. Capital Improvement Program**

The City of Temple has recently completed several FY 2016-2017 sanitary sewer rehabilitation projects. In total, four projects were completed replacing approximately 12,066 linear feet of old, deteriorated clay lines at a combined construction cost of approximately \$3.5 million.

The largest historical and current Capital Improvement Project related to wastewater system rehabilitation is the Bird Creek Interceptor Project at a cost of approximately \$20 Million. This interceptor is approximately 50 years old and is primarily comprised of vitrified clay pipe and brick manholes. It is one of the primary wastewater collection lines through the City, traversing pastureland, park areas, well established neighborhoods, and a golf course. The project is approximately 5.2 miles in length and serves a drainage basin of approximately 6,200 acres, terminating south of Lion's Park at the Shallow Ford lift station. Over time, this particular basin has experienced substantial growth since it was first developed and now experiences overflows on a regular basis, as the existing infrastructure is now undersized to accommodate ultimate design flows and increased inflow and infiltration. A preliminary engineering report was completed by the City's consultant and presented for comment to the City Council in December 2008. The preliminary report fully identifies the problem and proposes solutions to the issues caused by the Bird Creek Interceptor related to sanitary sewer overflows and unauthorized discharges. In March 2009, the City authorized an engineering contract with the consultant for full design services

to upsize and replace the deteriorating line currently in place through a multi-year, multi-phase project.

Funding for construction of this project was secured in five phases, three of which are now complete. The remaining two phases are scheduled to begin soon with completion by 2020. *(Refer to Attachment 8 for a map of Bird Creek Rehab Phases 1-5).*

Two additional projects within the Bird Creek Basin include the replacement and relocation of the Shallowford Lift Station and force main to the TBWWTP. These facilities directly convey wastewater to the headworks of the TBWWTP which is currently under construction. Also, under contract and design at this time, are the Knob Creek and Williamson Creek Basins Interceptor Replacement projects. More information on these projects can be found in Section IX.

Complementing significant capital replacements, the City also assigned a short term Utility Crew to address smaller wastewater rehabilitation projects. From 2007 through 2017, this crew completed 38,812 feet of line repairs *(Refer to Attachment 8.1).*

## **VII. Wastewater Master Plan**

The 2000 and 2008 Water and Wastewater Master Plan maps are included as a reference depicting historical system growth and expansion *(Refer to Attachment 9).*

On April 20, 2017, the City of Temple began the process for updating the 2008 Water and Wastewater Master Plan by executing a contract agreement with KPA. The document is scheduled to be complete in the Summer of 2018. The City is also in the process of reviewing associated water and wastewater rates as is customarily done periodically.

## **VIII. Future Capital Improvement Projects**

The City of Temple funds projects through Utility Revenue Bonds and the annual budgeting process. At this time, over forty (40) million dollars has been programmed in capital outlay over the next ten years to continue with our gain toward collection system improvements. In addition, the Wastewater Master Plan will propose project funding and timing for

additional projects in both the water and wastewater areas. Specific projects, timelines, and funding necessary for rehabilitation identified in the system will be further described in the Master Plan. A map of future projects is attached with areas targeted for improvements over the next ten years (*Refer to Attachment 10*).

## **IX. Milestones and Timelines for System Improvements**

### **a. Phase I – Complete Current Capital Improvement Projects Under Design and Construction**

Phase I of the Sanitary Sewer Overflow Initiative Program for the City of Temple Wastewater Collection System consists of completing current wastewater Capital Improvement Program rehabilitation projects currently under design and construction.

#### **FY 2017-2018 Projects**

- **Jackson Park Wastewater Line Replacement**

**Total: 6,900 Ft. (\$1.2M)**

The wastewater system near Jackson Park, located north of downtown, is several decades old and is showing signs of aging and failure. The project will replace approximately 5,300 linear feet of 8" HDPE sewer main via pipe bursting and 1,600 linear feet of 8" PVC sewer main via open trenching on the south side of the park.

- **Old Town Utility Improvements**

**Total: 18,000 Ft. (\$3.2M)**

The wastewater mains between South 1<sup>st</sup> Street and South 11<sup>th</sup> Street from West Avenue D to West Avenue N are failing and need to be replace. The project will result in the replacement of an estimated 18,000 linear feet of wastewater main and new 6" to 15" diameter PVC wastewater main, manholes and services.



- **South 55<sup>th</sup> to South 43<sup>rd</sup>, Avenue R to Avenue T**

**Total: 6,200 Ft. (\$1.5M)**

This project is in the initial design phase to replace failing infrastructure with 6" PVC pipe through open cut trenching.

#### **Phased Projects**

- **Leon River Trunk Wastewater Project**

**Total: 22,400 Ft. (\$8.6M)**

The IH35 corridor near the Leon River is an area of growing interest for new development. Current growth in south and west Temple is placing heavy demand on existing sanitary sewer collection infrastructure. A new trunk main is required to provide capacity for current and projected growth and to relieve existing infrastructure that is currently operating at or above its intended capacity and beyond its original design life.

- FY 2017-2018 - 4400 Ft. FM From Temple-Belton WWTP to lift station
- FY 2017-2018 - 8500 Ft. Gravity Trunk from the LS to the WTP
- FY 2020-2021 - 9500 Ft. Gravity WW line from WTP to S Pea Ridge LS

- **Knob Creek Basin Wastewater Line Replacement**

**Total: 44,000 Ft. (\$22.4M)**

The Knob Creek Tributary Basin includes wastewater service to much of the older central portions of Temple. The basin's trunk sewer consists of 44,000 linear feet of 12", 15" and 18" clay pipe that is aged, brittle, and cracked. The oldest wastewater lines were constructed from 1941 to 1967. Replacement of the wastewater lines in this area is necessary to avoid environmental impacts from surcharge.

- FY 2018-2019 - Phase I: Doshier Farm Wastewater Treatment Plant to Houston Avenue (\$7.2 M)
- FY 2019-2020 - Phase II: Houston Avenue to I-35 (\$4.2 M)
- FY 2020-2021 - Phase III: Hamilton Park to 23rd Street (\$3.6 M)
- FY 2022-2023 - Phase IV: Doshier Farm Wastewater Treatment Plant to 14th Street (\$5.8 M)

- **Williamson Creek Basin Wastewater Line Replacement**

**Total: 29,000 Ft. (\$9.6M)**

The Williamson Creek Basin includes wastewater service to much of the northern and eastern portions of the City of Temple. The primary trunk sewer is several decades old and is about 5.5 miles in length. With recent and upcoming growth and development along the northern reaches of the basin, adequate and properly sized infrastructure is needed to support the system.

- FY 2018-2019 - Phase I: Northside Church of Christ to Shell Avenue (\$3.7M)
- FY 2020-2021 - Phase II: Shell Avenue to French Avenue (\$2.4 M)
- FY 2021-2022 - Phase III: French Avenue to Williamson Creek Lift Station (\$2.4 M)

b. Phase II – Begin New Capital Improvement Program Rehabilitation Projects

Phase II of the Sanitary Sewer Overflow Initiative Program for the City of Temple Wastewater Collection System includes additional study and design of new rehabilitation projects through the Capital Improvement Program. The Basin Focus Area, as depicted in *Attachment 10*, will be evaluated to prioritize phasing of replacement projects. Activities may include smoke testing, CCTV, line evaluations, flow monitoring, and asset inspections. Projects will also be identified in the Wastewater Master Plan and will be programmed into future revenue bond sales.

## **X. Funding Sources**

Short term funding sources identified to pay for the proposed improvements include Utility Revenue Bonds and the operational budget. The operational budget will continue to pay for preventative maintenance programs already established by the City of Temple Utility Department. Staff evaluation along with the Water and Wastewater Master Plan Report will further identify proposed system improvements and propose the basis for funding long term projects identified in the plan.

## **XI. Interim Measures to Mitigate Effects of SSO's**

In the interim, several measures will be taken by the City of Temple to minimize the impact of unauthorized discharges. Initially, City staff will engage in active monitoring of known problem areas. The City has developed a quick response plan of action as overflows are found to include the goal of a thirty minute response time from when an overflow is reported.

In 2016, the City developed a Utility Environmental Programs to include focus on development of a Liquid Waste Ordinance to address fats, oils and grease (F.O.G) issues within the system. Through City Council approval, a new Liquid Waste Ordinance was put in place as of October 2017. Through the Ordinance, staff has also increased public education and is currently working with F.O.G. generators within the community to inform them of the new ordinance and regulations in place.

Finally, in response to the Clean Water Act, the City Utility Department requests the following milestones for the preventative maintenance program.

- Clean approximately 270,000 linear feet of wastewater mains
- Inspect approximately 70,000 linear feet of mains and laterals using closed circuit television inspection
- Replace approximately 10,000 linear feet of deteriorated wastewater mains
- Root treat approximately 20,000 linear feet of wastewater mains

- Inspect approximately 250 manholes

## **XII. Provisions for Evaluating the Effectiveness of the Improvements**

The program set forth by the City of Temple Capital Improvement Program for the Wastewater Collection System is a continuous plan to rehabilitate an aging system which until 2008, had been neglected for many years. As outlined in Section IX, the two phase approach will improve the system with the continued reduction of sanitary sewer overflows, thereby protecting the public health and safety and enhancing the overall quality of the natural and urbanized environment.

The City of Temple Utility Department has implemented a reporting and tracking system to document each sanitary sewer overflow as it occurs. All complaints, confirmed SSO's, and associated repairs are recorded along with supporting decisions for directing the correction of overflows and prioritization of maintenance activities. This information is mapped and geographically analyzed, updated and routinely reviewed by the Utility Department for determining the effectiveness of ongoing preventative maintenance tasks and wastewater rehabilitation projects. As preventative maintenance is performed and projects are completed, the impact of improvements should become apparent with the reduction in unauthorized discharges city wide. This information will assist in identification of future rehabilitation projects in basins where sanitary sewer overflows are most frequent.

Over the last two years, the City of Temple has installed Omni monitoring systems at seven of the lift stations with an additional four to be installed in 2018. This system will allow easy flow monitoring of these locations during and after significant rainfall events. Williamson Creek and Shallowford lift stations are connected to SCADA for monitoring.

Flowmeters at both treatment plants are monitored during and after significant rainfall events. Additionally, Utility crews will be dispatched during significant storm events to address any issues such as open manhole lids on trunk mains and to evaluate the completed repairs and effectiveness of the projects. Historical rainfall and flow data are maintained at both treatment plants and will be used to compare flows before and after repair and rehabilitation of wastewater collection lines.



### **XIII. Conclusion**

The effectiveness of the City's previous SSOI agreement in conjunction with the planned system improvements will continue to reflect a reduction of sanitary sewer overflows city-wide. It is our objective to meet the goals of the TCEQ for the protection of both the public health and the environment.

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE SUBMISSION OF A SANITARY SEWER OVERFLOW OUTREACH PROGRAM TO THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, an original Summary Investigation Finding prepared by the Texas Commission on Environmental Quality (TCEQ) on August 3, 2004, required the development of a plan and schedule for mitigating the effects of storm water and groundwater Inflow and Infiltration (I&I) on the City's wastewater collection system;

**Whereas**, to take proactive steps toward working with the TCEQ and to avoid potential violations and fines resulting from sanitary sewer overflows, the City entered into a Sanitary Sewer Overflow Initiative (SSOI) agreement with the TCEQ through City Council approval on July 17, 2008;

**Whereas**, under the voluntary SSIO program established by the TCEQ, the City submitted a detailed program to the State establishing specific projects, timelines, and resources needed to reduce overflows and reduce the threat to human health and safety;

**Whereas**, the current agreement expires December 30, 2017 and Staff recommends Council authorize the submission of a program to TCEQ in order to renew the Sanitary Sewer Overflow Agreement in an effort to continue with plans for improvement of our existing wastewater infrastructure and system;

**Whereas**, the City has experienced positive effects concerning unauthorized discharges as the result of the current agreement - the activities identified are coordinated over a 10-year period, resulting in decreases of unauthorized discharges and improving the overall quality of the natural and urbanized environments;

**Whereas**, specific projects identified in the program include the completion of current sanitary sewer projects under design and identified capital improvement projects currently funded under the bond program, as well as new rehabilitation projects which are included to be identified in the upcoming Wastewater Master Plan and programmed into future revenue bond sales;

**Whereas**, continued participation in the voluntary TCEQ program will allow the City to avoid potential fines and exhibit our desire to meet State and Federal regulations regarding protecting the public health and welfare;

**Whereas**, the City will fund proposed projects through current and future Utility Revenue Bonds and the operational budget - the operational budget will continue to pay for preventative maintenance programs already established by the City of Temple;

**Whereas**, the City is currently in the process of updating the Water and Sewer Rate study and the Water and Wastewater Master Plan Update and the Update will further identify future proposed system improvements; and

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

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

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

**Part 2:** The City Council authorizes the submission of a Sanitary Sewer Overflow Outreach Program to the Texas Commission on Environmental Quality.

**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 7<sup>th</sup> day of **December**, 2017.

THE CITY OF TEMPLE, TEXAS

\_\_\_\_\_  
DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Lacy Borgeson  
City Secretary

\_\_\_\_\_  
Kayla Landeros  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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12/07/17  
Item #4(GG)  
Consent Agenda  
Page 1 of 1

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

Nicole Torralva, P. E., Public Works Director  
Damon B. Boniface, Utility Director

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing payment of the TCEQ Water System Fee to the Texas Commission on Environmental Quality for operations of Temple's water treatment plant in the amount of \$83,349.

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

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

This year, the TCEQ Water System Fee associated with permitted operations of the City's water treatment plant operation is \$83,349. Payment of this fee is due within 30 days of receipt of the invoice, and must be paid promptly.

**FISCAL IMPACT:** Funding is available in the FY 2018 Operating Budget in account 520-5100-535-2616 in the amount of \$83,349 to pay the TCEQ Water System Fee.

**ATTACHMENTS:**

[TCEQ Water System Fee Invoice](#)  
[Resolution](#)





TEXAS COMMISSION ON  
ENVIRONMENTAL QUALITY

# INVOICE

COMPANY: CITY OF TEMPLE  
ACCOUNT: 90140005

DETACH BOTTOM PORTION AND RETURN ORIGINAL COUPON WITH PAYMENT

PAGE 1

ACCOUNT NO.	INCLUDES PAYMENTS THROUGH:	COLL COST RECOVERY	LATE FEES	BALANCE DUE
90140005	NOV02,17	0.00	0.00	83,349.00
INVOICE DATE	INVOICE NO.	DESCRIPTION	AMOUNT	BALANCE
NOV30,17	PHS0171191	REG_NUMBER 0140005 FY18 WATER SYSTEM FEE	83,349.00	83,349.00

RECEIVED/PURCHASING  
NOV 17 2017  
CITY OF TEMPLE, TEXAS

This fee is based on data reported from the last inspection. Please call 512-239-4691 for assistance with the calculation of your fee.

83,349.00

See REVERSE SIDE for Explanation of Charges and TCEQ Contact Telephone Numbers.

PLEASE PAY THIS AMOUNT   
INCLUDE ACCOUNT NUMBER ON CHECK

TCEQ VIPP Form AR41A 02-17-2011

NOV02,17

DETACH THIS PORTION AND RETURN WITH  
CHECK OR MONEY ORDER PAYABLE TO:



TEXAS COMMISSION ON  
ENVIRONMENTAL QUALITY

ACCOUNT NO.	BALANCE DUE
90140005	83,349.00

☐ CHECK HERE IF YOUR ADDRESS HAS CHANGED.  
PLEASE INDICATE ADDRESS CHANGE ON BACK

**INVOICES NOT PAID WITHIN  
30 DAYS OF INVOICE DATE WILL  
ACCRUE PENALTIES**

CITY OF TEMPLE

3210 E AVENUE H BLDG C  
TEMPLE TX 76501-8402

0090140005 1533367 00083349001231172

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING PAYMENT OF THE TCEQ WATER SYSTEM FEE, IN THE AMOUNT OF \$83,349, TO THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY, FOR OPERATIONS OF TEMPLE'S WATER TREATMENT PLANT; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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

**Whereas,** this year, the TCEQ Water System Fee associated with permitted operations of the City's water treatment plant is \$83,349 and is due within 30 days of receipt of the invoice;

**Whereas,** funds for this payment are available in the fiscal year 2018 operating budget in Account No. 520-5100-535-2616; and

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

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

**Part 1: 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 payment of the TCEQ Water System fee in the amount of \$83,359, to the Texas Commission on Environmental Quality for operations of Temple's water treatment plant.

**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 7<sup>th</sup> day of **December**, 2017.

THE CITY OF TEMPLE, TEXAS

---

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Kayla Landeros  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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12/07/17  
Item #4(HH)  
Consent Agenda  
Page 1 of 1

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

Kevin Beavers, Director of Parks and Recreation  
Ashley Williams, Director of General Services

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing the acceptance of grant funding through the Anice Read Fund of Communities Foundation of Texas in the amount of \$4,200 for the Downtown Art Train project.

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

**ITEM SUMMARY:** The Anice Read Fund of Communities Foundation of Texas announced a grant program through the Texas Downtown Association, which the City applied for in August 2017. The application was for a reimbursement grant of \$4,200 to assist in the implementation of the Downtown Art Train project. In November 2017 at the Texas Downtown Association conference, staff was notified of the approval of the award in the amount of \$4,200.

The Downtown Art Train project will assist the City in purchasing four of ten proposed resin train engines to be painted or decorated by local artists and placed strategically within the downtown area. The engines will reflect Downtown Temple's commitment to creating and displaying meaningful public art downtown and will honor the city's heritage as a railroad community. In addition to the Anice Read Grant funds, this project will be funded in part by the artists and the City.

Staff recommends acceptance of grant funds, in the amount of \$4,200, to complete the Downtown Art Train project.

**FISCAL IMPACT:** The City has been awarded \$4,200 in program funding with no matching funds required. A budget adjustment is being presented to Council for approval to allocate the revenue and the expenditure for the Downtown Art Train project. Each resin train engine is estimated at \$1,050, for a total cost of \$4,200 for four train engines.

**ATTACHMENTS:**

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

# 2018

## BUDGET ADJUSTMENT FORM

Use this form to make adjustments to your budget. All adjustments must balance within a Department.  
**Adjustments should be rounded to the nearest \$1.**

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—

ACCOUNT NUMBER	PROJECT #	ACCOUNT DESCRIPTION	INCREASE		DECREASE	
240-0000-461-08-41		Other / Donations / Gifts	\$ 4,200			
240-4600-551-21-29		Supplies / Advertising/Marketing	4,200			
TOTAL.....			\$ 8,400		\$ -	

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

To appropriate grant revenue and expenditures related to grant funding from the Anice Read Fund. Funds will be used for the purchase of four resin trains as part of the downtown art train project.

DOES THIS REQUEST REQUIRE COUNCIL APPROVAL?

**X**

DATE OF COUNCIL MEETING

12/7/2017

WITH AGENDA ITEM?

x

Department Head/Division Director

Date \_\_\_\_\_

Approved

Disapproved

Finance

Date \_\_\_\_\_

Approved

Disapproved

City Manager

Date \_\_\_\_\_

Approved

Disapproved



RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, APPROVING THE ACCEPTANCE OF GRANT FUNDING THROUGH THE ANICE READ FUND OF COMMUNITIES FOUNDATION OF TEXAS IN THE AMOUNT OF \$4,200, FOR THE DOWNTOWN ART TRAIN PROJECT; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, in August 2017, the City applied for a grant from the Anice Read Fund of Communities Foundation of Texas, through the Texas Downtown Association;

**Whereas**, the application was for a reimbursement grant of \$4,200 to assist in the implementation of the Downtown Art Train project and in November 2017, Staff was notified of approval of the award in the amount of \$4,200;

**Whereas**, the Downtown Art Train project will assist the City in purchasing four of ten proposed resin train engines to be painted or decorated by local artists and placed strategically within the downtown area - these engines will reflect Downtown Temple's commitment to creating and displaying meaningful public art downtown and will honor the City's heritage as a railroad community;

**Whereas**, in addition to the Anice Read Grant funds, this project will be funded in part by the artists and the City;

**Whereas**, Staff recommends Council accept grant funds in the amount of \$4,200 from the Anice Read of Communities Foundation of Texas to complete the Downtown Art Train project;

**Whereas**, the City has been awarded \$4,200 in program funding with no matching funds required; however, an amendment to the fiscal year 2017 budget needs to be approved to allocate the revenue and the expenditure for the Downtown Art Train project - each resin train engine is estimated at \$1,050, for a total cost of \$4,200 for four train engines; 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 accepts grant funds in the amount of \$4,200 from the Anice Read of Communities Foundation of Texas to complete the Downtown Art Train project.

**Part 3:** The Interim City Manager, or her designee, after approval as to form by the City Attorney, is authorized to execute any documents which may be necessary for the acceptance of this grant, and to accept any and all funds that may be received for this grant.

**Part 4:** The City Council authorizes an amendment to the fiscal year 2017 budget, substantially in the form of the copy attached hereto as Exhibit 'A.'

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

PASSED AND APPROVED this the 7<sup>th</sup> day of **December**, 2017.

THE CITY OF TEMPLE, TEXAS

---

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

---

Kayla Landeros  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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12/07/17  
Item #4(II)  
Consent Agenda  
Page 1 of 1

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

Kayla Landeros, City Attorney  
Christina Demirs, Deputy City Attorney

**ITEM DESCRIPTION:** Consider adopting a resolution granting two easements to Oncor Electric Delivery Company, LLC for Electric Utilities necessary for the construction of Crossroads Park.

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

**ITEM SUMMARY:** The City of Temple is currently in the construction phase of Crossroads Park. The park includes amenities such as soccer, baseball, and softball fields, disc golf, tennis courts, and concession and restroom facilities. Almost all the amenities require electricity to operate. Oncor Electric Delivery Company, LLC (Oncor) is the local electric delivery provider. In order to deliver the needed electricity to Crossroads Park, Oncor is seeking two easements from the City to install, construct, operate, maintain, replace, repair, upgrade, and remove electrical facilities (the Facilities). Improvement and maintenance of the Facilities will be at the sole expense of Oncor.

At this time, Staff recommends granting two easements to Oncor Electric Delivery Company, LLC for Electric Utilities necessary for the construction of Crossroads Park.

**FISCAL IMPACT:** There is no request for reimbursement related to these easements since the sole purpose of the facilities installation by Oncor is to provide needed service to Crossroads Park.

**ATTACHMENTS:**

[Proposed Easement Agreement](#)  
[Easement Surveys](#)  
[Resolution](#)

PT# 2017-4522  
District—Temple  
WR# 3357036  
ER# \_\_\_\_\_

## Easement Agreement for Electric Utilities

**Notice of confidentiality rights: If you are a natural person, you may remove or strike any or all of the following information from any instrument that transfers an interest in real property before it is filed for record in the public records: your Social Security number or your driver's license number.**

Date: \_\_\_\_\_, 2017

Grantor: City of Temple, Texas  
a municipal corporation

Grantor's Mailing Address: 2 N MAIN ST  
TEMPLE TX 76501 (Bell County)

Grantee: ONCOR ELECTRIC DELIVERY COMPANY LLC  
a Delaware limited liability company

Grantee's Mailing Address: 1616 WOODALL RODGERS FWY  
DALLAS TX 75202-1234 (Dallas County)

Easement Property: Tract 1: Being 0.155-acre (6,766.5 sq. ft.), out of and a portion of Lot 1, Block 1, Crossroads East, an addition in the City of Temple, Bell County, Texas, according to the plat of record in Year 2017, Plat No. 21, Plat Records of Bell County, Texas, and being more particularly described in Exhibit A attached to this agreement and by this reference incorporated in it.

Tract 2: Being 0.216-acre (9,422.4 sq. ft.), situated in the NANCY CHANCE SURVEY, ABSTRACT 5 and the P.M. MERCER SURVEY, ABSTRACT 553, Bell County, Texas, embracing a portion of the remainder of a called 466.603-acre tract conveyed as Tract 1 to the City of Temple in Volume 4624, Page 124, Official Public Records of Real Property, Bell County, Texas, and being more particularly described in Exhibit B attached to this agreement and by this reference incorporated in it.



Easement Purpose: For the installation, construction, operation, maintenance, replacement, repair, upgrade, and removal of electrical facilities (collectively, the “Facilities”). Maintenance of the Facilities shall include the removal and trimming of trees and shrubbery and the removal and prevention of construction of buildings, structures and obstructions as may be necessary to preserve the safety and reliability of the Facilities.

Consideration: Good and valuable consideration, the receipt and sufficiency of which are acknowledged by Grantor.

Reservations from Conveyance: None

Exceptions to Warranty: None

Grant of Easement:

Grantor, for the Consideration and subject to the Reservations from Conveyance and Exceptions to Warranty, grants, sells, and conveys to Grantee and Grantee’s heirs, successors, and assigns an easement over, on, and across the Easement Property for the Easement Purpose, together with all and singular the rights and appurtenances thereto in any way belonging (collectively, the “Easement”), to have and to hold the Easement to Grantee and Grantee’s heirs, successors, and assigns forever. Grantor binds Grantor and Grantor’s heirs, successors, and assigns to warrant and forever defend the title to the Easement in Grantee and Grantee’s heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the Easement or any part of the Easement, except as to the Reservations from Conveyance and Exceptions to Warranty, when the claim is by, through, or under Grantor but not otherwise.

Terms and Conditions:

The following terms and conditions apply to the Easement granted by this agreement:

1. *Character of Easement.* The Easement is nonexclusive and irrevocable. The Easement is for the benefit of Grantee and Grantee’s successors and assigns.

2. *Duration of Easement.* The duration of the Easement is perpetual.

3. *Reservation of Rights.* Grantee’s right to use the Easement Property is nonexclusive, and Grantor reserves for Grantor and Grantor’s heirs, successors, and assigns the right to use all or part of the Easement Property in conjunction with Grantee as long as such use by Grantor and Grantor’s heirs, successors, and assigns does not interfere with the use of the Easement Property by Grantee for the Easement Purpose, and the right to convey to others the right to use all or part of the Easement Property in conjunction with Grantor, as long as such further conveyance is subject to the terms of this agreement.

4. *Improvement and Maintenance of Easement Property.* Improvement and maintenance of the Facilities will be at the sole expense of Grantee.

5. *Equitable Rights of Enforcement.* This Easement may be enforced by restraining orders and injunctions (temporary or permanent) prohibiting interference and commanding compliance. Restraining orders and injunctions will be obtainable on proof of the existence of interference or threatened interference, without the necessity of proof of inadequacy of legal remedies or irreparable harm, and will be obtainable only by the parties to or those benefited by this agreement; provided, however, that the act of obtaining an injunction or restraining order will not be deemed to be an election of remedies or a waiver of any other rights or remedies available at law or in equity.

6. *Attorney's Fees.* If either party retains an attorney to enforce this agreement, the party prevailing in litigation is entitled to recover reasonable attorney's fees and court and other costs.

7. *Binding Effect.* This agreement binds and inures to the benefit of the parties and their respective heirs, successors, and permitted assigns.

8. *Choice of Law.* This agreement will be construed under the laws of the state of Texas, without regard to choice-of-law rules of any jurisdiction. Venue is in the county or counties in which the Easement Property is located.

9. *Counterparts.* This agreement may be executed in any number of counterparts with the same effect as if all signatory parties had signed the same document. All counterparts will be construed together and will constitute one and the same instrument.

10. *Waiver of Default.* It is not a waiver of or consent to default if the nondefaulting party fails to declare immediately a default or delays in taking any action. Pursuit of any remedies set forth in this agreement does not preclude pursuit of other remedies in this agreement or provided by law.

11. *Further Assurances.* Each signatory party agrees to execute and deliver any additional documents and instruments and to perform any additional acts necessary or appropriate to perform the terms, provisions, and conditions of this agreement and all transactions contemplated by this agreement.

12. *Entire Agreement.* This agreement and any exhibits are the entire agreement of the parties concerning the Easement Property and the grant of the Easement by Grantor to Grantee. There are no representations, agreements, warranties, or promises, and neither party is relying on any statements or representations of any agent of the other party, that are not expressly set forth in this agreement and any exhibits.

13. *Legal Construction.* If any provision in this agreement is for any reason unenforceable, to the extent the unenforceability does not destroy the basis of the bargain among

the parties, the unenforceability will not affect any other provision hereof, and this agreement will be construed as if the unenforceable provision had never been a part of the agreement. Whenever context requires, the singular will include the plural and neuter include the masculine or feminine gender, and vice versa. Article and section headings in this agreement are for reference only and are not intended to restrict or define the text of any section. This agreement will not be construed more or less favorably between the parties by reason of authorship or origin of language.

14. *Notices.* Any notice required or permitted under this agreement must be in writing. Any notice required by this agreement will be deemed to be delivered (whether actually received or not) when deposited with the United States Postal Service, postage prepaid, certified mail, return receipt requested, and addressed to the intended recipient at the address shown in this agreement. Notice may also be given by regular mail, personal delivery, courier delivery, facsimile transmission, or other commercially reasonable means and will be effective when actually received. Any address for notice may be changed by written notice delivered as provided herein.

15. *Recitals.* Any recitals in this agreement are represented by the parties to be accurate, and constitute a part of the substantive agreement.

16. *Time.* Time is of the essence. Unless otherwise specified, all references to “days” mean calendar days. Business days exclude Saturdays, Sundays, and legal public holidays. If the date for performance of any obligation falls on a Saturday, Sunday, or legal public holiday, the date for performance will be the next following regular business day.

CITY OF TEMPLE, TEXAS

ONCOR ELECTRIC DELIVERY COMPANY LLC

\_\_\_\_\_  
Daniel A. Dunn, Mayor

By:

\_\_\_\_\_  
Roger Lindsey, Attorney-in-Fact

ATTEST:

\_\_\_\_\_  
Lacy Borgeson, City Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney's Office

STATE OF TEXAS       §  
COUNTY OF BELL       §

Notary Public, State of Texas

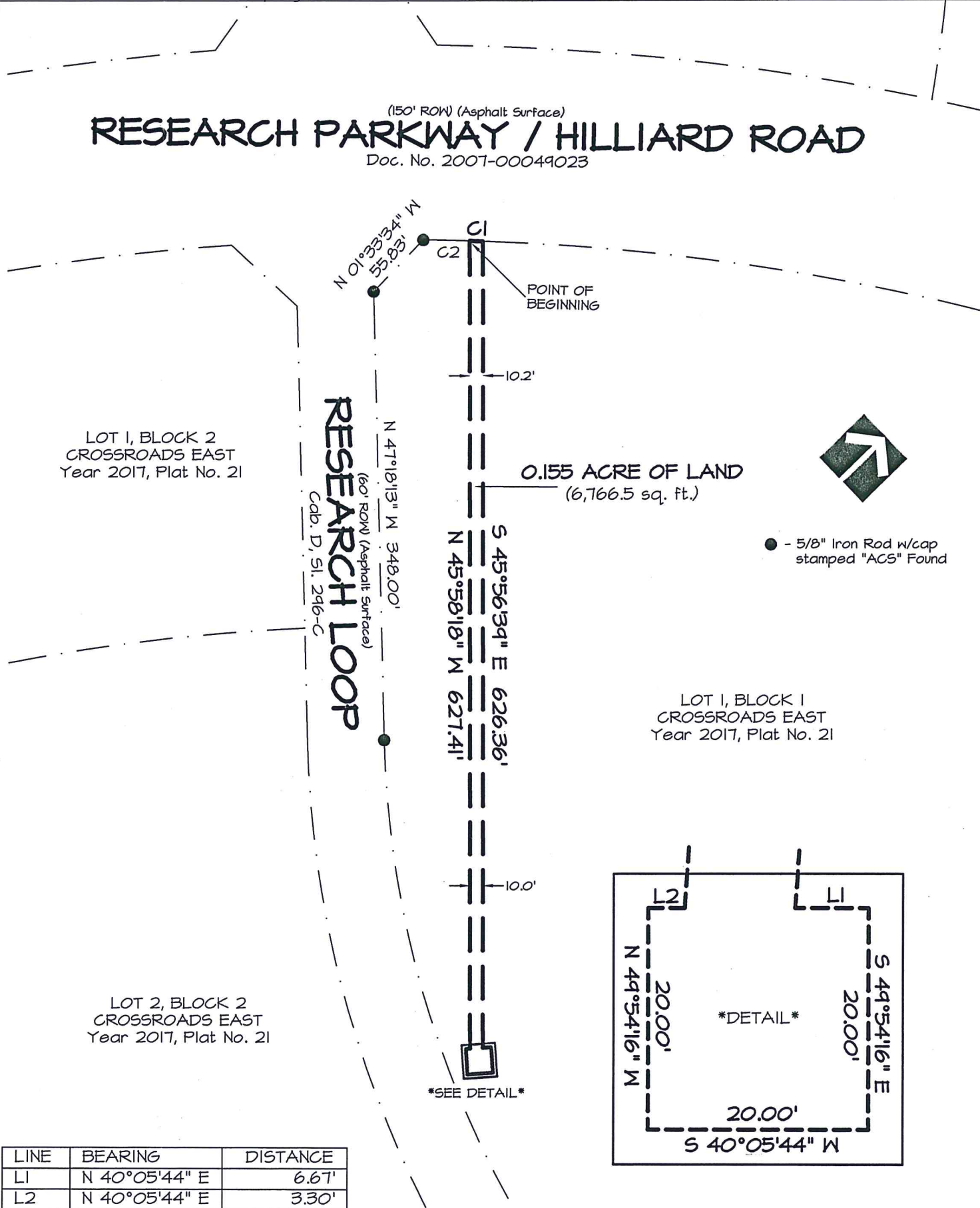
[illegible]

Notary Public, State of Texas

5



Survey showing 0.155 ACRE (6,766.5 sq. ft.) OF LAND, being out of and a portion of LOT 1, BLOCK 1, CROSSROADS EAST, an addition in the City of Temple, Bell County, Texas, according to the plat of record in Year 2017, Plat No. 21, Plat Records of Bell County, Texas.  
This sketch to accompany a metes and bounds description of the hereon shown 0.155 Acre tract.

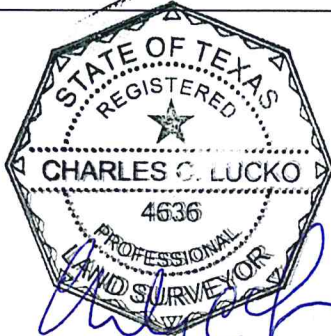


LINE	BEARING	DISTANCE
L1	N 40°05'44" E	6.67'
L2	N 40°05'44" E	3.30'

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	1925.00'	10.31'	10.31'	N 46°00'45" E	0°18'25"
C2	1925.00'	36.25'	36.25'	N 45°19'10" E	1°04'44"

This project is referenced to the City of Temple Coordinate System, NAD 83, Texas Central Zone. All distances are horizontal surface distances unless noted and all bearings are grid bearings. All coordinates are referenced to City Monument No. 205. The theta angle at City Monument No. 205 is 01°30'24". The combined correction factor (CCF) is 0.999853. Grid distance = Surface distance X CCF. Geodetic north = Grid north + theta angle. Reference tie from City monument No. 205 to the southwest corner of this 0.155 Acre tract is S 19°22'04" W 3713.49 feet. Published City coordinates for project reference point 205 are N. = 10,388,617.28 E. = 3,211,706.19

**ALL COUNTY SURVEYING, INC.**  
1303 South 21st Street  
Temple, Texas 76504  
254-778-2272 Killeen 254-634-4636  
Fax 254-774-7608  
Tx. Firm Lic. No. 10023600



Survey completed: 07-05-2012  
Scale: 1" = 20'  
Job No.: 170211  
Dwg No.: 170211-1  
Drawn by: SLW  
Surveyor: CCL # 4636  
Copyright 2017 All County Surveying, Inc.

Plot Date: 02-27-2017



# FIELD NOTES PREPARED BY ALL COUNTY SURVEYING, INC.

February 27, 2017

Surveyor's Field Notes for:

**0.155 ACRE** (6766.5 sq. ft.), being out of and a portion of Lot 1, Block 1, Crossroads East, an addition in the City of Temple, Bell County, Texas, according to the plat of record in Year 2017, Plat No. 21, Plat Records of Bell County, Texas, and being more particularly described as follows:

**BEGINNING** at a calculated point, which bears (long chord) N 45° 19' 10" E – 36.25' from a 5/8" iron rod with cap stamped "ACS" found at the northwest corner of said Lot 1, being on the southern line of Research Parkway, also known as Hilliard Road, for the westernmost southwest corner of the herein described tract;

**THENCE**, in a northeasterly direction, with the eastern line of said Research Parkway, with a curve to the right; having a radius of **1925.00'**, a delta angle of **00° 18' 25"**, and a long chord which bears **N 46° 00' 45" E – 10.31'**; an arc length of **10.31'**, to a calculated point, for the westernmost northwest corner of the herein described tract;

**THENCE**, in a southeasterly direction, severing aid Lot 1, **S 45° 56' 39" E – 626.36'**, to a calculated point, for an interior corner of the herein described tract;

**THENCE**, in a northeasterly direction, **N 40° 05' 44" E – 6.67'**, to a calculated point;

**THENCE**, in a southeasterly direction, **S 49° 54' 16" E – 20.00'**, to a calculated point, for the easternmost northeast corner of the herein described tract;

**THENCE**, in a southwesterly direction, **S 40° 05' 44" W – 20.00'**, to a calculated point, for the easternmost southeast corner of the herein described tract;

**THENCE**, in a northwesterly direction, **N 49° 54' 16" W – 20.00'**, to a calculated point;

**THENCE**, in a northeasterly direction, **N 40° 05' 44" E – 3.30'**, to a calculated point, for an interior corner of the herein described tract;

**THENCE**, in a northwesterly direction, **N 45° 58' 18" W – 627.41'**, to the **POINT OF BEGINNING** and containing 0.155 Acre (6,766.5 sq. ft.) of Land.

This project is referenced to the City of Temple Coordinate System, NAD 83, Texas Central Zone. All distances are horizontal surface distances unless noted and all bearings are grid bearings. All coordinates are referenced to City Monument No. 205. The theta angle at City Monument No. 205 is 01°30'24". The combined correction factor (CCF) is 0.999853. Grid distance = Surface distance X CCF. Geodetic north = Grid north + theta angle. Reference tie from City monument No. 205 to the southwest corner of this 0.155 Acre tract is S 19°22'04" W 3713.49 feet. Published City coordinates for project reference point 205 are N. = 10,388,617.28 E. = 3,211,706.19

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

This metes and bounds description to accompany a Surveyor's Sketch of the herein described 0.155 Acre tract.

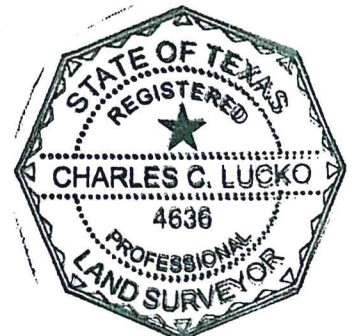
Surveyed July 5, 2012

**ALL COUNTY SURVEYING, INC.**

**1-800-749-PLAT**

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

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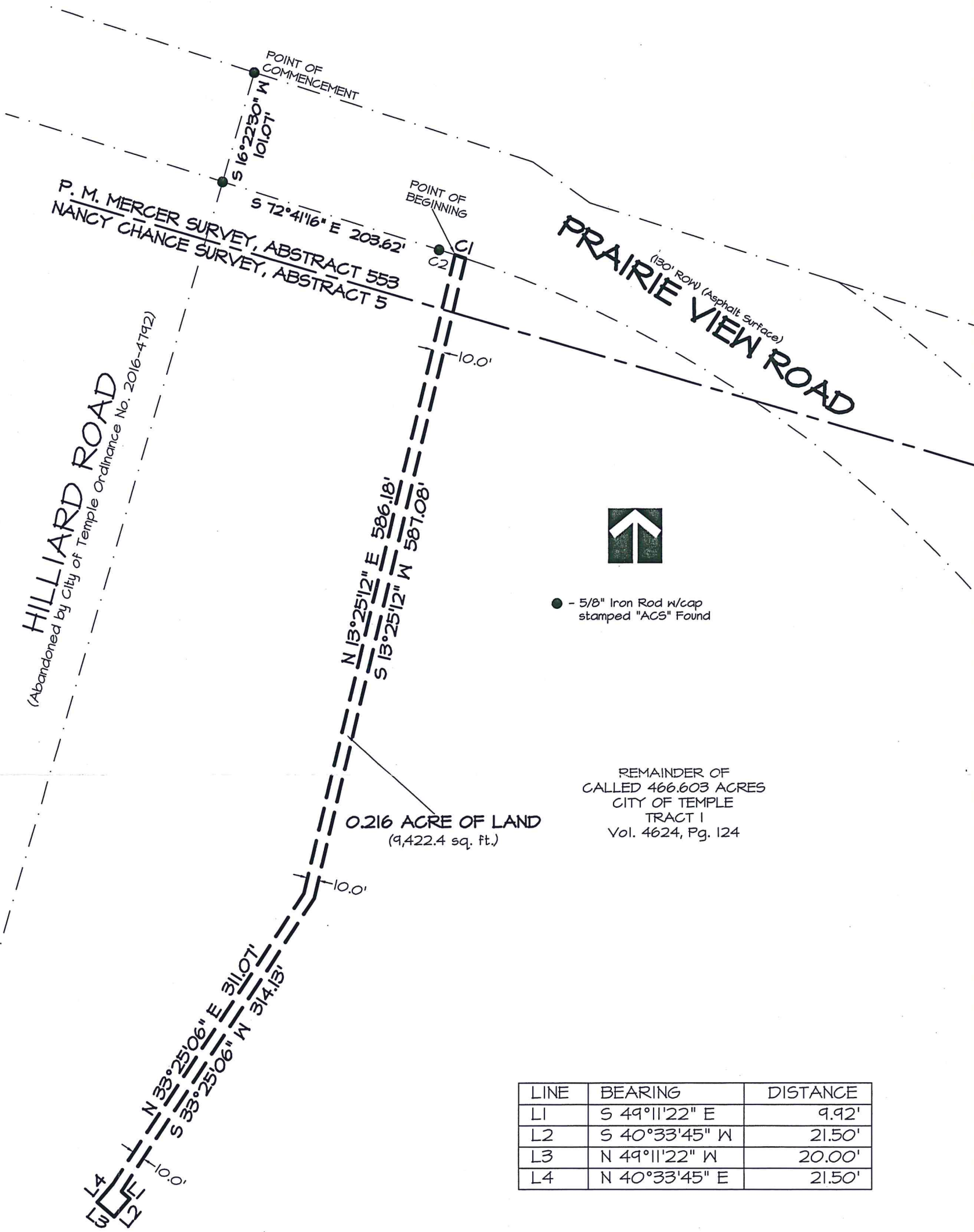


Charles C. Lucko  
Registered Professional Land Surveyor  
Registration No. 4636



Surveyor's Sketch showing 0.216 ACRE, situated in the NANCY CHANCE SURVEY, ABSTRACT 5 and the P. M. MERCER SURVEY, ABSTRACT 553, Bell County, Texas.

This sketch to accompany a metes and bounds description of the hereon shown 0.216 Acre tract.



LINE	BEARING	DISTANCE
L1	S 49°11'22" E	9.92'
L2	S 40°33'45" W	21.50'
L3	N 49°11'22" W	20.00'
L4	N 40°33'45" E	21.50'

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	1091.00'	10.04'	10.04'	S 71°38'30" E	0°31'38"
C2	1091.00'	14.90'	14.90'	S 72°17'47" E	0°46'57"

This project is referenced to the City of Temple Coordinate System, NAD 83, Texas Central Zone. All distances are horizontal surface distances unless noted and all bearings are grid bearings. All coordinates are referenced to City Monument No. 205. The theta angle at City Monument No. 205 is 01°30'24". The combined correction factor (CCF) is 0.999853. Grid distance = Surface distance X CCF. Geodetic north = Grid north + theta angle. Reference tie from City monument No. 205 to the northwest corner of this 0.216 Acre tract is S 25°05'07" W 1346.47 feet. Published City coordinates for project reference point 205 are N. = 10388.617.28 E. = 3,211,706.19

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ALL COUNTY SURVEYING, INC.  
1303 South 21st Street  
Temple, Texas 76504  
254-778-2272 Killeen 254-634-4636  
Fax 254-774-7608  
Tx. Firm Lic. No. 10023600

STATE OF TEXAS  
REGISTERED  
CHARLES C. LUCKO  
4336  
PROFESSIONAL  
LAND SURVEYOR

Charles C. Lucko

Survey completed: 07-05-2012  
Scale: 1" = 100'  
Job No.: 170211  
Dwg No.: 170211-2  
Drawn by: SLW  
Surveyor: CCL #4636  
Copyright 2017 All County Surveying, Inc.

Plot Date: 02-27-2017

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

February 28, 2017

Surveyor's Field Notes for:

**0.216 ACRE** (9,422.4 sq. ft.), situated in the **NANCY CHANCE SURVEY, ABSTRACT 5** and the **P. M. MERCER SURVEY, ABSTRACT 553**, Bell County, Texas, embracing a portion of the remainder of a called 466.603 Acre tract conveyed as Tract 1 to the City of Temple in Volume 4624, Page 124, Official Public Records of Real Property, Bell County, Texas, and being more particularly described as follows:

COMMENCING at a 5/8" iron rod with cap stamped "ACS" found at the northwest corner of said 466.603 Acre tract;

THENCE, in a southerly direction, crossing over Prairie View Road, S 16° 22' 30" W – 101.07', to a 5/8" iron rod with cap stamped "ACS" found, being on the east line of an abandoned roadway known as Hilliard Road, being abandoned by City of Temple Ordinance No. 2016-4792;

THENCE, in an easterly direction, with the south line of said Prairie View Road, S 72° 41' 16" E – 203.62', to a 5/8" iron rod with cap stamped "ACS" found at the beginning of a curve to the right;

THENCE, continuing in said easterly direction, with the south line of said Prairie View Road, with said curve to the right; having a radius of 1091.00', a delta angle of 00° 46' 57", and a long chord which bears S 72° 17' 47" E – 14.90'; an arc length of 14.90', to a calculated point, for the northwest corner and **POINT OF BEGINNING** of the herein described tract;

THENCE, in an easterly direction, continuing with the south line of said Prairie View Road and with said curve to the right; having a radius of **1091.00'**, a delta angle of **00° 31' 38"**, and a long chord which bears **S 71° 38' 30" E – 10.04'**; an arc length of **10.04'**, to a calculated point, for the northeast corner of the herein described tract;

THENCE, in a southerly direction, severing said 466.603 Acre tract, **S 13° 25' 12" W – 587.08'**, a calculated point, and **S 33° 25' 06" W – 314.13'**, to a calculated point, for an interior corner of the herein described tract;

THENCE, in a southeasterly direction, **S 49° 11' 22" E – 9.92'**, to a calculated point;

THENCE, in a southerly direction, **S 40° 33' 45" W – 21.50'**, to a calculated point, for the southeast corner of the herein described tract;



Surveyor's Field Notes for **0.216 ACRE** (continued):

**THENCE**, in a northwesterly direction, **N 49° 11' 22" W – 20.00'**, to a calculated point, for the southwest corner of the herein described tract;

**THENCE**, in a northerly direction, **N 40° 33' 45" E – 21.50'**, a calculated point, **N 33° 25' 06" E – 311.07'**, a calculated point, and **N 13° 25' 12" E – 586.18'**, to the **POINT OF BEGINNING** and containing 0.216 Acre (9,422.4 sq. ft.) of Land.

This project is referenced to the City of Temple Coordinate System, NAD 83, Texas Central Zone. All distances are horizontal surface distances unless noted and all bearings are grid bearings. All coordinates are referenced to City Monument No. 205. The theta angle at City Monument No. 205 is 01°30'24". The combined correction factor (CCF) is 0.999853. Grid distance = Surface distance X CCF. Geodetic north = Grid north + theta angle. Reference tie from City monument No. 205 to the northwest corner of this 0.216 Acre tract is S 25°05'07" W 1346.47 feet. Published City coordinates for project reference point 205 are N. = 10,388,617.28 E. = 3,211,706.19

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

This metes and bounds description to accompany a Surveyor's Sketch of the herein described 0.216 Acre tract.

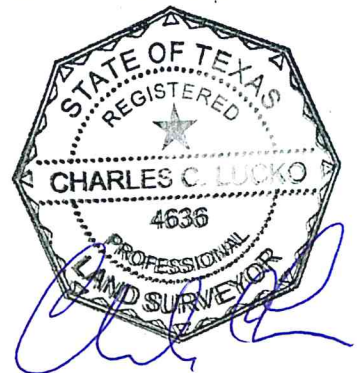
Surveyed July 5, 2012

**ALL COUNTY SURVEYING, INC.**

**1-800-749-PLAT**

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

server/projects/pro170000/170200/170211/170211-2.doc



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

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, GRANTING TWO EASEMENTS TO ONCOR ELECTRIC DELIVERY COMPANY, LLC FOR ELECTRIC UTILITIES NECESSARY FOR THE CONSTRUCTION OF CROSSROADS PARK; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas,** the City is currently in the construction phase of Crossroads Park which includes amenities such as soccer, baseball, and softball fields, disc golf, tennis courts, and concession and restroom facilities;

**Whereas,** almost all of the amenities require electricity to operate and Oncor Electric Delivery Company, LLC (Oncor) is the local electric delivery provider;

**Whereas,** in order to deliver the needed electricity to Crossroads Park, Oncor is seeking two easements from the City to install, construct, operate, maintain, replace, repair, upgrade, and remove electrical facilities (the Facilities) - improvement and maintenance of the Facilities will be at the sole expense of Oncor;

**Whereas,** Staff recommends Council grant two easements to Oncor Electric Delivery Company, LLC for electric utilities necessary for the construction of Crossroads Park; and

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

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

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

**Part 2:** The City Council hereby grants two easements to Oncor Electric Delivery Company, LLC for electric utilities necessary for the construction of Crossroads Park.

**Part 3:** The City Council authorizes the Interim City Manager, or her designee, after approval as to form by the City Attorney, to execute any documents necessary for the granting of these easements to Oncor Electric Delivery Company, LLC.

**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 7<sup>th</sup> day of **December**, 2017.

THE CITY OF TEMPLE, TEXAS

---

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

---

Lacy Borgeson  
City Secretary

---

Kayla Landeros  
City Attorney



## CITY COUNCIL AGENDA ITEM MEMORANDUM

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12/07/17  
Item #4(JJ)  
Consent Agenda  
Page 1 of 1

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

Mark Baker, Senior Planner

**ITEM DESCRIPTION:** A-FY-18-03: Consider adopting a resolution authorizing release of a 15-foot wide public utility easement encompassing a 0.222 +/- acre tract of land within the 32.02 +/- acre tract described in a Warranty Deed to RTC Construction, Ltd., recorded as Document No. 2013-00028522, located generally at 2566 Old Waco Road.

**STAFF RECOMMENDATION:** Staff recommends approval for the release of a 15-foot public utility easement, as presented in the item description and more particularly described in Exhibit A and respective field notes. This is a recommendation for approval since the easement contains no existing public facility or utilities and are not used for other public services or access.

**ITEM SUMMARY:** The applicant, Turley Associates, submitted a request on behalf of the developer, 3 Nex-Gen Development request release of the public utility easement (PUE) in order to proceed with the platting of Plains at Riverside, Phase IV. The final plat of Plains at Riverside, Phase IV is anticipated to be reviewed by the Planning & Zoning Commission on December 18, 2017 as final plat authority.

The 0.222 +/- acre tract is currently unplatted and is within the 32.02 +/- acre tract that is currently platted by Dove Meadows, Phase I subdivision. The platting of the Plains at Riverside, Phase IV, will replat Dove Meadows without vacating the underlying Dove Meadows, Phase I subdivision plat. The 15-foot PUE easement is redundant and not needed, since there are other utility easements currently in place.

Planning staff has contacted all public and private service providers, including the Public Works Department, and confirmed that the easement may be released, as the providers' responses indicate there are no existing public facilities or utilities in the easement and there are no objections to releasing the easement because they are not needed for other public services.

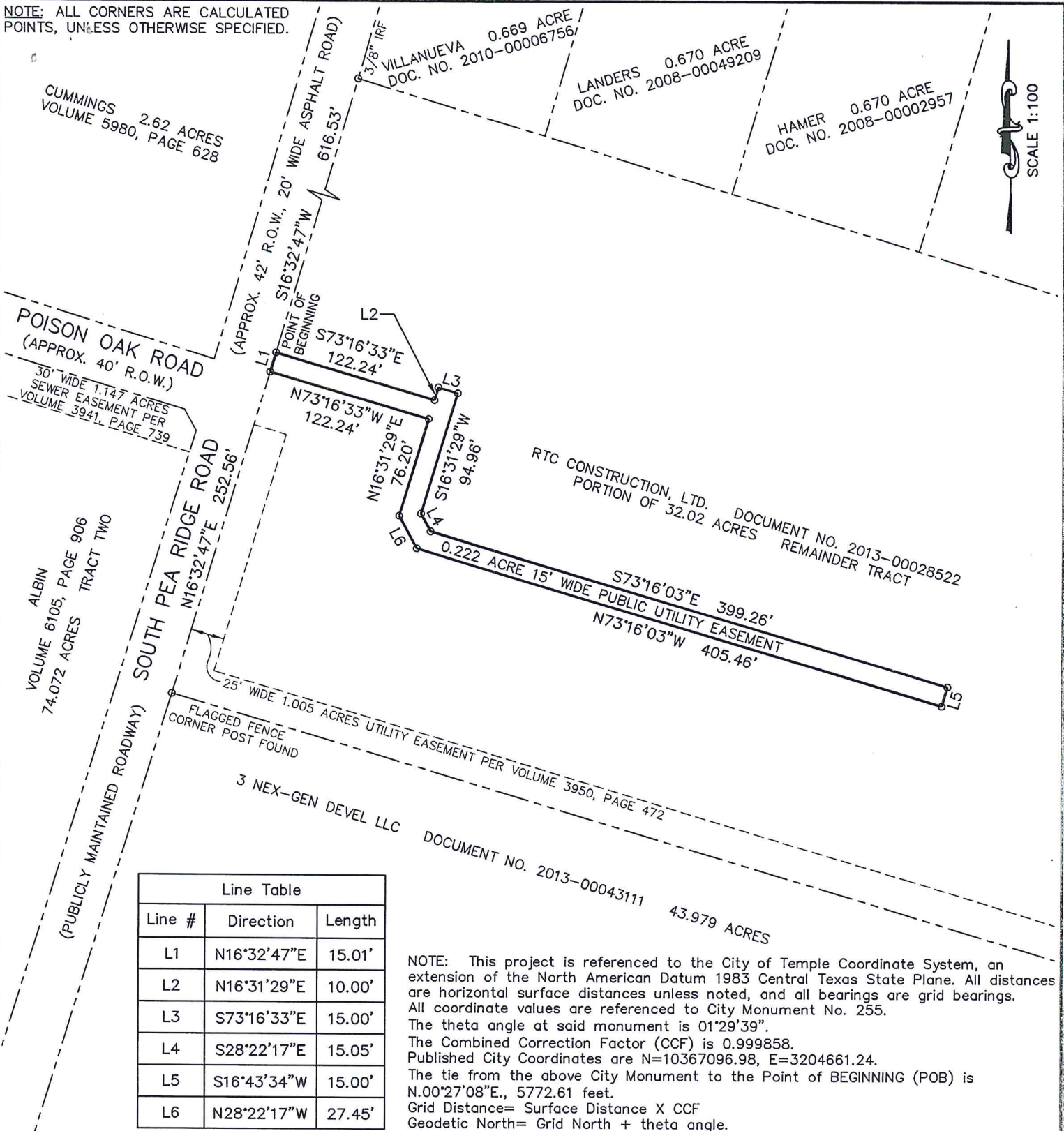
**FISCAL IMPACT:** None

### **ATTACHMENTS:**

[Surveyor Sketches and Field Notes \(Exhibit A\)](#)  
[Dove Meadows Final Plat \(showing area to be released\)](#)  
[Plains at Riverside, Phase IV \(proposed Final Plat / Replat Resolution](#)



NOTE: ALL CORNERS ARE CALCULATED POINTS, UNLESS OTHERWISE SPECIFIED.



Line Table		
Line #	Direction	Length
L1	N16°32'47"E	15.01'
L2	N16°31'29"E	10.00'
L3	S73°16'33"E	15.00'
L4	S28°22'17"E	15.05'
L5	S16°43'34"W	15.00'
L6	N28°22'17"W	27.45'

NOTE: This project is referenced to the City of Temple Coordinate System, an extension of the North American Datum 1983 Central Texas State Plane. All distances are horizontal surface distances unless noted, and all bearings are grid bearings. All coordinate values are referenced to City Monument No. 255. The theta angle at said monument is 01°29'39". The Combined Correction Factor (CCF) is 0.999858. Published City Coordinates are N=10367096.98, E=3204661.24. The tie from the above City Monument to the Point of BEGINNING (POB) is N.00°27'08"E., 5772.61 feet. Grid Distance= Surface Distance X CCF. Geodetic North= Grid North + theta angle.

**15' WIDE PUBLIC UTILITY EASEMENT**

BEING a 0.222 acre tract of land situated in the NANCY CHANCE SURVEY, ABSTRACT No. 5, Bell County, Texas and being a part or portion of that certain called 32.02 acre tract of land described in a Warranty Deed dated June 20, 2013 from Stephen Bruce Easley, Individually and as Independent Executor of The Estate of Charlene L. Easley, Deceased, and as Trustee of The 2007 Charlene Easley Irrevocable Trust; James Michael Easley, Individually; and Gary Lynn Easley, Individually to RTC Construction, Ltd., a Texas limited partnership and being of record in Document No. 2013-00028522, Official Public Records of Bell County, Texas.

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

IN WITNESS THEREOF, my hand and seal, this the 10th day of September, 2014.

  
Michael E. Alvis, R.P.L.S. #5402



JOB NO: 14625

15' WIDE PUBLIC UTILITY EASEMENT NANCY CHANCE SURVEY, ABS. NO. 5 CITY OF TEMPLE, BELL COUNTY, TEXAS  RTC CONSTRUCTION, LTD.	DATE: 09/10/14	SCALE: 1:100	DWN. BY: JRG
	REFERENCE: 12774-D	F.B. & L.B.: 633/6	
	SHEET 1 OF 1	FILE NO: 12774-A	

**TURLEY ASSOCIATES, INC.**  
ENGINEERING • PLANNING • SURVEYING  
CONSTRUCTION MANAGEMENT  
FIRM REGISTRATION NO. F-1658  
301 N. 3rd ST. TEMPLE, TEXAS (254) 773-2400



BEING a 0.222 acre tract of land situated in the NANCY CHANCE SURVEY, ABSTRACT No. 5, Bell County, Texas and being a part or portion of that certain called 32.02 acre tract of land described in a Warranty Deed dated June 20, 2013 from Stephen Bruce Easley, Individually and as Independent Executor of The Estate of Charlene L. Easley, Deceased, and as Trustee of The 2007 Charlene Easley Irrevocable Trust; James Michael Easley, Individually; and Gary Lynn Easley, Individually to RTC Construction, Ltd., a Texas limited partnership and being of record in Document No. 2013-00028522, Official Public Records of Bell County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a point being in the west boundary line of the said 32.02 acre tract and being in the east right-of-way line of South Pea Ridge Road ( a publicly maintained roadway ) as monumented, fenced and evidenced on the ground ( no recordation for the right-of-way of South Pea Ridge Road was found by this surveyor ) and which bears S. 16° 32' 47" W., 616.53 feet from a 3/8" iron rod found at a fence corner post at the northwest corner of the said 32.02 acre tract for corner;

THENCE departing the said west boundary line and the said east right-of-way line of South Pea Ridge Road and over and across the said 32.02 acre tract the following eleven ( 11 ) calls:

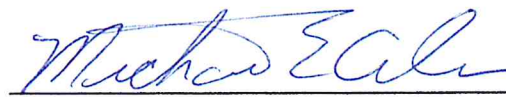
- 1) S. 73° 16' 33" E., 122.24 feet to a point for corner;
- 2) N. 16° 31' 29" E., 10.00 feet to a point for corner;
- 3) S. 73° 16' 33" E., 15.00 feet to a point for corner;
- 4) S. 16° 31' 29" W., 94.96 feet to a point for corner;
- 5) S. 28° 22' 17" E., 15.05 feet to a point for corner;
- 6) S. 73° 16' 03" E., 399.26 feet to a point for corner;
- 7) S. 16° 43' 34" W., 15.00 feet to a point for corner;
- 8) N. 73° 16' 03" W., 405.46 feet to a point for corner;
- 9) N. 28° 22' 17" W., 27.45 feet to a point for corner;
- 10) N. 16° 31' 29" E., 76.20 feet to a point for corner;
- 11) N. 73° 16' 33" W., 122.24 feet to a point being in the west boundary line of the said 32.02 acre tract and being in the aforementioned east right-of-way line of South Pea Ridge Road for corner;



THENCE N. 16° 32' 47" E., 15.01 feet with the said east right-of-way line of South Pea Ridge Road and with the said west boundary line ( calls N. 18° 51' E., 885 feet ) to the Point of BEGINNING and containing 0.222 acres of land.

\*\*\*\*\*

I, Michael E. Alvis, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that these field notes are a correct representation of a survey made on the ground.



Michael E. Alvis, R.P.L.S. #5402  
September 10, 2014



THIS PROJECT IS REFERENCED TO THE CITY OF TEMPLE COORDINATE SYSTEM, AN EXTENSION OF THE TEXAS COORDINATE SYSTEM OF 1983, CENTRAL ZONE. ALL DISTANCES ARE HORIZONTAL SURFACE DISTANCES UNLESS NOTED AND ALL BEARINGS ARE GRID BEARINGS.

ALL COORDINATE VALUES ARE REFERENCED TO CITY MONUMENT NUMBER 255  
THE THETA ANGLE AT SAID CITY MONUMENT IS 01° 29' 39"  
THE COMBINED CORRECTION FACTOR (CCF) IS 0.999858  
PUBLISHED CITY COORDINATES ARE X = 3,204,661.24 Y = 10,367,096.98  
THE TIE FROM THE ABOVE CITY MONUMENT TO THE POINT OF BEGINNING (POB) IS  
N. 00° 27' 08" E., 5772.61 FEET.  
GRID DISTANCE = SURFACE DISTANCE X CCF  
GEODETIC NORTH = GRID NORTH + THETA ANGLE

Page 2 of 2



F-1658

ENGINEERING • SURVEYING • PLANNING  
301 NORTH 3RD STREET • TEMPLE, TEXAS 76501 • (254) 773-2400



NOTE: This project is referenced to the City of Temple Coordinate System, an extension of the North American Datum 1983 Central Texas State Plane. All distances are horizontal surface distances unless noted, and all bearings are grid bearings.  
All coordinate values are referenced to City Monument No. 255.  
The theta angle at said monument is 01°29'39".  
The Combined Correction Factor (CCF) is 0.999858.  
Published City Coordinates are N=10367096.98, E=3204661.24.  
The tie from the above City Monument to the Point of BEGINNING (POB) is N16°16'37"E, 5273.74 feet.  
Grid Distance= Surface Distance X CCF  
Geodetic North= Grid North + theta angle.

LU CHANG, LLC, 74.35 ACRES TRACT ONE  
DOCUMENT NO. 2009-00043224

NOTES:

1. ALL CORNERS ARE 1/2" IRON ROD WITH CAP STAMPED "RPLS 2475" SET, UNLESS OTHERWISE SPECIFIED.
2. 2.105 ACRE TRACT AND 2.013 ACRE TRACT ARE ZONED AGRICULTURAL. ALL REMAINING LOTS ARE ZONED SF-2.
3. ZONING SF-2 REQUIRES MINIMUM 25' FRONT BUILDING SETBACK, 5' INTERIOR SIDE BUILDING SETBACK, 15' STREET SIDE BUILDING SETBACK, AND 10' REAR BUILDING SETBACK.
4. UTILITY EASEMENTS ARE 10' WIDE ALONG ALL STREET RIGHT-OF-WAYS, UNLESS OTHERWISE SPECIFIED. ALL UTILITY EASEMENTS ARE PUBLIC EASEMENTS, UNLESS OTHERWISE SPECIFIED.
5. 6' WIDE SIDEWALK IS REQUIRED ALONG OLD WACO ROAD.
6. 4' WIDE SIDEWALK IS REQUIRED ALONG SOUTH PEA RIDGE ROAD.
7. 6' WIDE SIDEWALK IS REQUIRED ALONG POISON OAK ROAD.
8. THIS TRACT IS NOT WITHIN THE SPECIAL FLOOD HAZARD AREA AS PER THE FEDERAL EMERGENCY MANAGEMENT AGENCY FEDERAL INSURANCE ADMINISTRATION MAP NO. 48027C0335E, DATED SEPTEMBER 26, 2008.
9. THE DEVELOPER DEDICATES 10' OF RIGHT-OF-WAY ALONG OLD WACO ROAD AS SHOWN TO THE CITY OF TEMPLE WITH FINAL PLAT. FURTHER, THE DEVELOPER WILL RESERVE AN ADDITIONAL 31.5' OF LAND ALONG OLD WACO ROAD FOR FUTURE RIGHT-OF-WAY NEGOTIATIONS. UTILITY EASEMENTS ON 2.105 ACRE TRACT AND 2.013 ACRE TRACT WILL BE PLATTED AT A LATER TIME.



VICINITY MAP

STATE OF TEXAS  
COUNTY OF BELL

RTC CONSTRUCTION, LTD., OWNER OF THE LAND SHOWN ON THIS PLAT, AND DESIGNATED HEREIN AS DOVE MEADOWS, PHASE I, A SUBDIVISION IN THE CITY OF TEMPLE, TEXAS AND WHOSE NAME IS SUBSCRIBED HERETO, HEREBY DEDICATE TO THE USE OF THE PUBLIC FOREVER ALL STREETS, ALLEYS, WATERCOURSES, DRAINS, EASEMENTS AND PUBLIC PLACES AS SHOWN HEREON.

RTC CONSTRUCTION, LTD., A TEXAS LIMITED PARTNERSHIP  
RTC VENTURES, INC., A TEXAS CORPORATION, GENERAL PARTNER

GLYNN CUMMINGS, AUTHORIZED AGENT

STATE OF TEXAS  
COUNTY OF BELL

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 2014 BY GLYNN CUMMINGS, AUTHORIZED AGENT OF RTC VENTURES, INC., A TEXAS CORPORATION AND GENERAL PARTNER OF RTC CONSTRUCTION, LTD., A TEXAS LIMITED PARTNERSHIP.

NOTARY PUBLIC

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 \_\_\_\_, 2014.

CHAIRPERSON

SECRETARY TO PLANNING AND ZONING COMMISSION

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.

*Jennifer Ryken*  
JENNIFER RYKEN, P.E.  
NO. 106277

STATE OF TEXAS  
COUNTY OF BELL

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

*Michael E. Alvis*  
MICHAEL E. ALVIS, R.P.L.S.  
NO. 5402

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 DELINQUENT TAXES DUE OR OWING ON THE PROPERTY DESCRIBED BY THIS PLAT.

DATED THIS \_\_\_\_, DAY OF \_\_\_\_, 2014.

BELL COUNTY TAX APPRAISAL DISTRICT

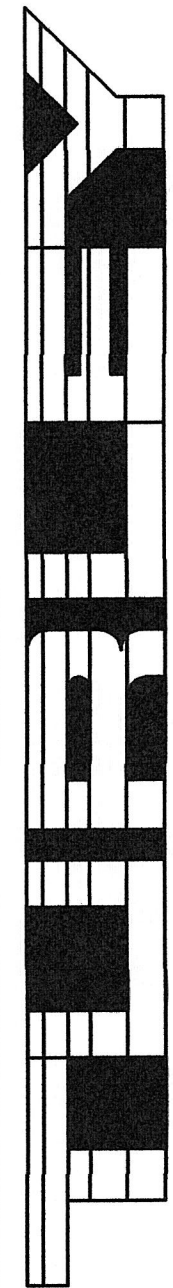
FILED FOR RECORD THIS \_\_\_\_ DAY OF \_\_\_\_\_, IN YEAR \_\_\_\_\_, PLAT NO. \_\_\_\_\_, PLAT RECORDS OF BELL COUNTY, TEXAS.

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

FINAL PLAT OF: DOVE MEADOWS, PHASE I

21.568 TOTAL ACRES 60 LOTS, 4 BLOCKS AND 2 PARCELS INCLUDING A 2.013 ACRE TRACT (LOT A, BLOCK 1) AND A 2.105 ACRE TRACT (LOT A, BLOCK 2) TRACT A - 0.542 ACRE (PARKLAND) TRACT B - 0.737 ACRE (DETENTION POND) TRACTS A AND B TO BE OWNED AND MAINTAINED BY HOMEOWNER'S ASSOCIATION 5.950 ACRES DEDICATED STREET RIGHT-OF-WAY TO CITY OF TEMPLE

NANCY CHANCE SURVEY, ABSTRACT NO. 5  
A SUBDIVISION IN THE CITY OF TEMPLE, BELL COUNTY, TEXAS  
21.568 ACRES MORE FULLY DESCRIBED BY METES AND BOUNDS BY SEPARATE FIELD NOTES PREPARED AND ATTACHED TO DEDICATION INSTRUMENT.



TURLEY ASSOCIATES, INC.  
301 N. 3rd ST.  
E-MAIL: VDTURLEY@AOL.COM  
TEMPLE, TEXAS  
FAX NO. (254) 773-3998  
(254) 773-2400

FINAL PLAT OF:  
DOVE MEADOWS, PHASE I  
A SUBDIVISION IN THE  
NANCY CHANCE SURVEY, ABSTRACT NO. 5  
CITY OF TEMPLE, BELL COUNTY, TEXAS

PREPARED FOR:  
GLYNN CUMMINGS  
2624 BUTTERFLY DRIVE  
TEMPLE, TEXAS 76502-7918

REVISIONS

DATE	REVISIONS	BY
11/07/14	CITY COMMENTS	JRG
11/11/14	CITY COMMENTS	JRG

DATE: 08/08/14

DRN. BY: JRG

REF.: 12735-D

FIELD BOOK 633/6

JOB NO.: 14625

SHEET 1 OF 1

COMPUTER DWG. NO. 14625

12774-D  
DRAWING NUMBER

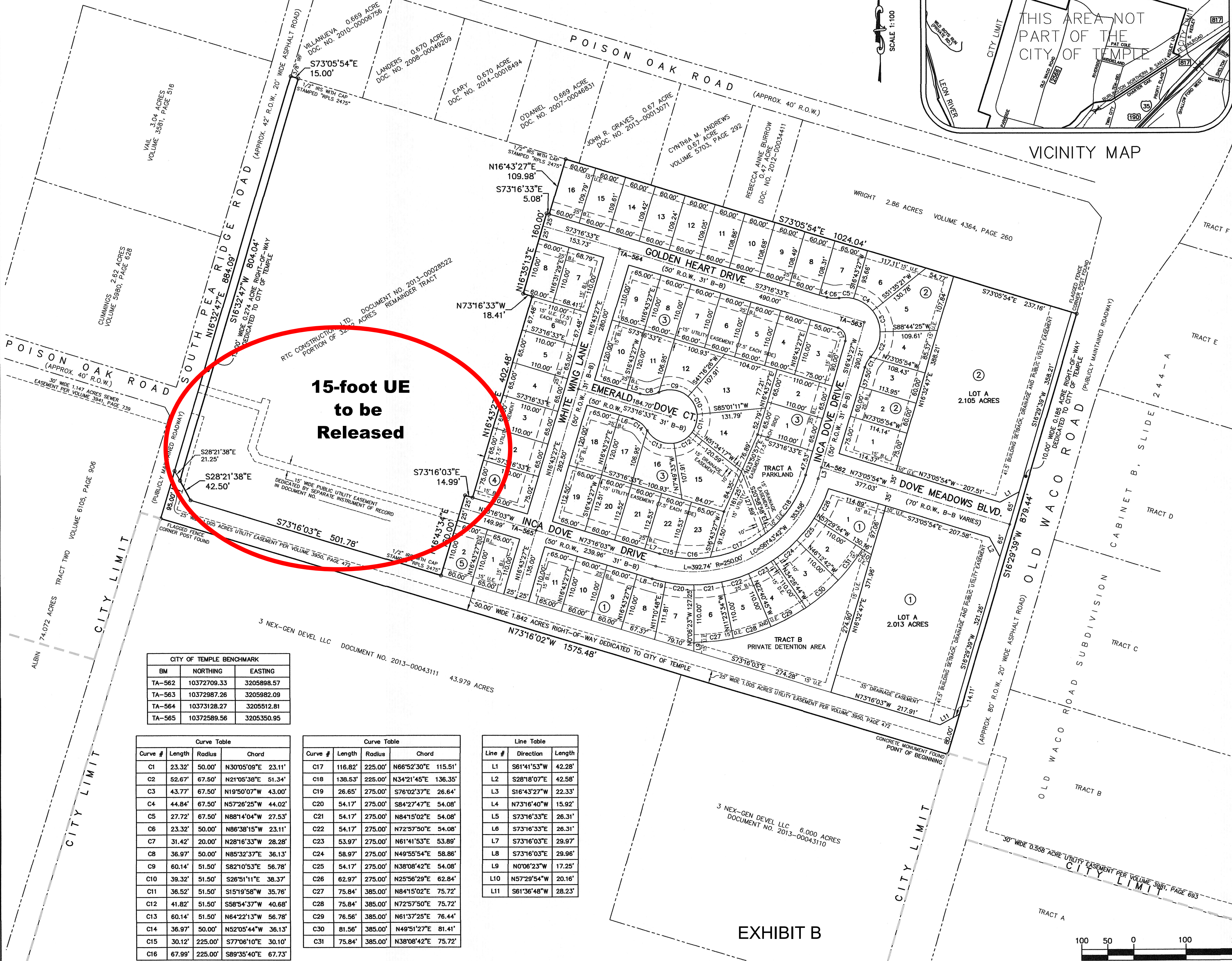


EXHIBIT B

CITY OF TEMPLE BENCHMARK			
BM	NORTHING	EASTING	
TA-562	10372709.33	3205898.57	
TA-563	10372987.26	3205982.09	
TA-564	10373128.27	3205512.81	
TA-565	10372589.56	3205350.95	

Curve Table			
Curve #	Length	Radius	Chord
C1	23.32'	50.00'	N30°05'09"E 23.11'
C2	52.67'	67.50'	N21°05'38"E 51.34'
C3	43.77'	67.50'	N19°50'07"W 43.00'
C4	44.84'	67.50'	N57°26'25"W 44.02'
C5	27.72'	67.50'	N88°14'04"W 27.53'
C6	23.32'	50.00'	N86°38'15"W 23.11'
C7	31.42'	20.00'	N28°16'33"W 28.28'
C8	36.97'	50.00'	N85°32'37"E 36.13'
C9	60.14'	51.50'	S82°10'53"E 56.78'
C10	39.32'	51.50'	S26°51'11"E 38.37'
C11	36.52'	51.50'	S15°19'58"W 35.76'
C12	41.82'	51.50'	S58°54'37"W 40.68'
C13	60.14'	51.50'	N64°22'13"W 56.78'
C14	36.97'	50.00'	N52°05'44"W 36.13'
C15	30.12'	225.00'	S77°06'10"E 30.10'
C16	67.99'	225.00'	S89°35'40"E 67.73'

Curve Table			
Curve #	Length	Radius	Chord
C17	116.82'	225.00'	N66°52'30"E 115.51'
C18	138.53'	225.00'	N34°21'45"E 136.35'
C19	26.65'	275.00'	S76°02'37"E 26.64'
C20	54.17'	275.00'	S84°27'47"E 54.08'
C21	54.17'	275.00'	N84°15'02"E 54.08'
C22	54.17'	275.00'	N72°37'50"E 54.08'
C23	53.97'	275.00'	N61°41'53"E 53.89'
C24	58.97'	275.00'	N49°55'54"E 58.86'
C25	54.17'	275.00'	N38°08'42"E 54.08'
C26	62.97'	275.00'	N25°56'29"E 62.84'
C27	75.84'	385.00'	N84°15'02"E 75.72'
C28	75.84'	385.00'	N72°37'50"E 75.72'
C29	76.56'	385.00'	N61°37'25"E 76.44'
C30	81.56'	385.00'	N49°51'27"E 81.41'
C31	75.84'	385.00'	N38°08'42"E 75.72'

Line Table		
Line #	Direction	Length
L1	S61°41'53"W	42.28'
L2	S28°18'07"E	42.58'
L3	S16°43'27"W	22.33'
L4	N73°16'40"W	15.92'
L5	S73°16'33"E	26.31'
L6	S73°16'33"E	26.31'
L7	S73°16'03"E	29.97'
L8	S73°16'03"E	29.96'
L9	N0°06'23"W	17.25'
L10	N57°29'54"W	20.16'
L11	S61°36'48"W	28.23'



STATE OF TEXAS

COUNTY OF BELL

3 NEX-GEN DEVEL LLC., OWNER OF THE LAND SHOWN ON THIS PLAT, AND DESIGNATED HEREIN AS THE PLAINS AT RIVERSIDE, PHASE IV, BEING A REPLAT OF ALL OF LOTS 1 THRU 11 AND TRACT B, BLOCK 1, LOTS 1 THRU 16, AND LOTS 42 THRU 43 BLOCK 2 AND LOTS 1 THRU 23, AND TRACT A, BLOCK 3 AND LOTS 1 THRU 8, BLOCK 4 DOVE MEADOWS, PHASE I, A SUBDIVISION IN THE CITY OF TEMPLE, TEXAS AND WHOSE NAME IS SUBSCRIBED HERETO, HEREBY DEDICATE TO THE USE OF THE PUBLIC FOREVER ALL STREETS, ALLEYS, WATERCOURSES, DRAINS, EASEMENTS AND PUBLIC PLACES AS SHOWN HEREON.

3 NEX-GEN DEVEL LLC  
A TEXAS LIMITED LIABILITY COMPANY

CORY HERRING, MANAGING MEMBER

STATE OF TEXAS

COUNTY OF BELL

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017 BY CORY HERRING.

NOTARY PUBLIC

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

DATED THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017.

SECRETARY TO PLANNING & ZONING COMMISSION

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

DATED THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017.

CHAIRPERSON

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.

JENNIFER RYKEN, P.E., C.F.E., 106277

STATE OF TEXAS

COUNTY OF BELL

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

MICHAEL E. ALVIS, R.P.L.S., NO. 5402

AFFIDAVIT

THE TAX APPRAISAL DISTRICT OF BELL COUNTY DOES HEREBY CERTIFY THERE ARE CURRENTLY NO DELINQUENT TAXES DUE TO THE TAX APPRAISAL DISTRICT OF BELL COUNTY ON THE PROPERTY DESCRIBED BY THIS PLAT.

DATED THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017 A. D.

BELL COUNTY TAX APPRAISAL DISTRICT

RECORDATION

FILED FOR RECORD THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017.

IN YEAR \_\_\_\_\_ PLAT # \_\_\_\_\_, PLAT RECORDS OF BELL COUNTY, TEXAS.

DEDICATION INSTRUMENT # \_\_\_\_\_, OFFICIAL RECORDS OF BELL COUNTY, TEXAS.

Monument Table		
Point #	Northing	Easting
600	10372460.40	3205817.36
601	10372710.88	3205893.47
602	10372977.07	3205974.35
603	10372544.71	3205539.89
604	10373061.38	3205696.88
607	10373145.69	3205419.41
606	10372629.02	3205262.41
605	10372600.84	3205355.13
608	10372713.33	3204984.94
609	10373230.01	3205141.93

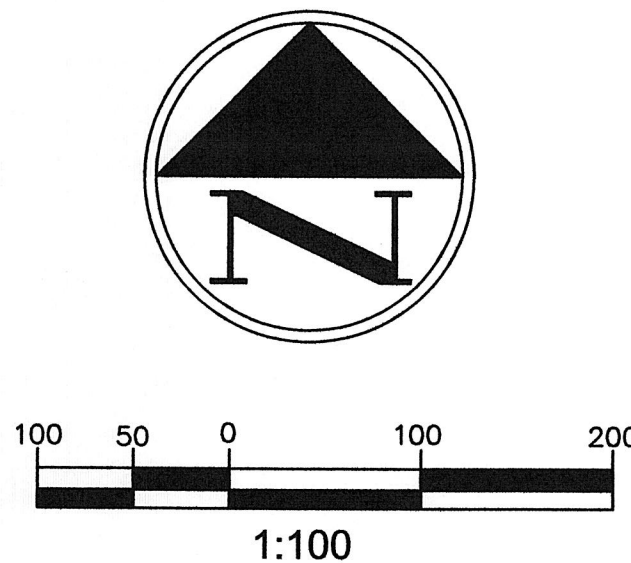
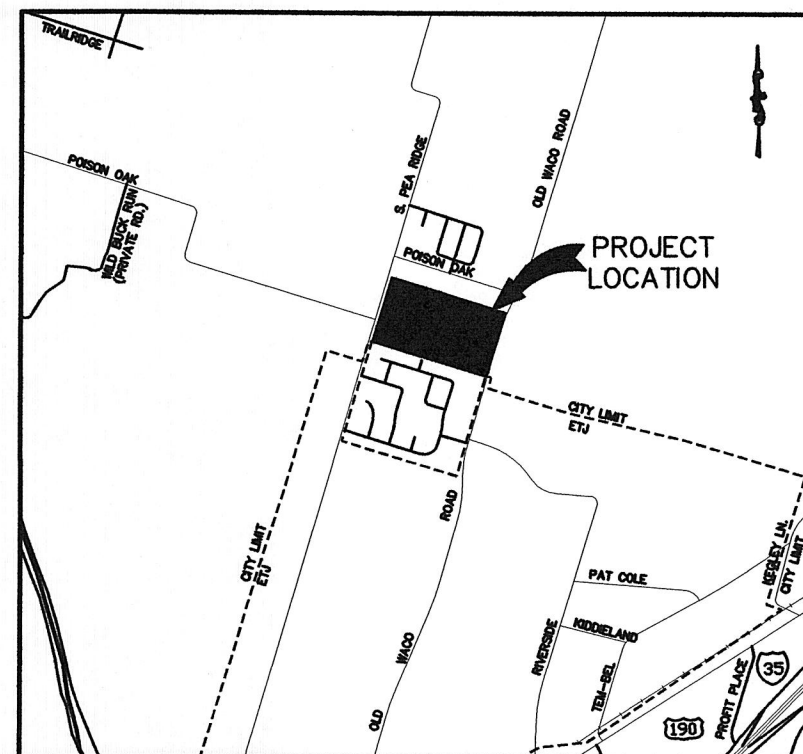
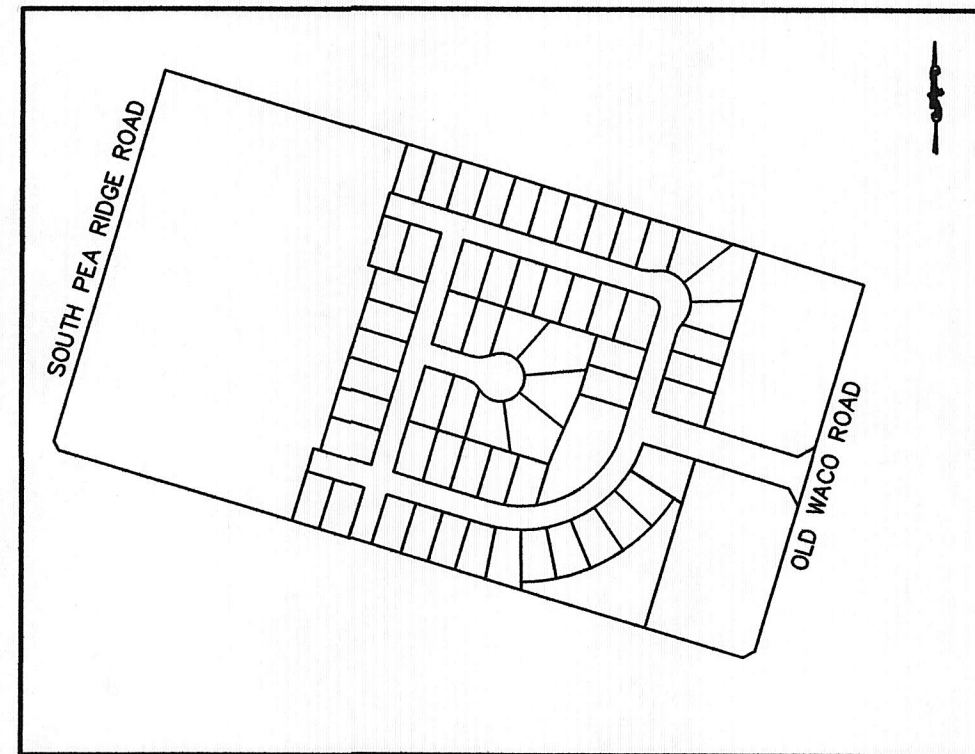
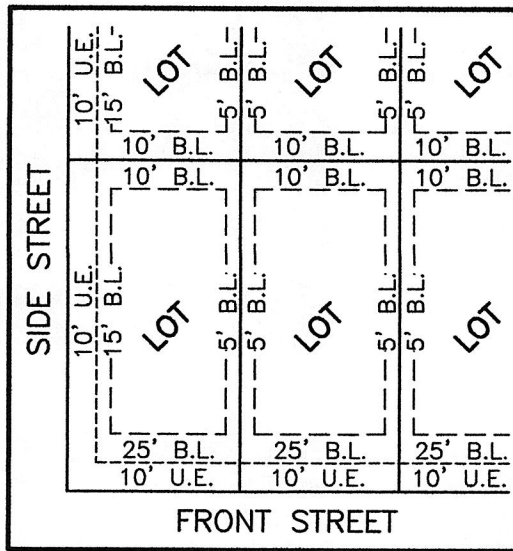
Parcel Line Table		
Line #	Length	Direction
L1	28.22'	S61°37'23"W
L2	21.25'	N28°21'38"W
L3	49.32'	S61°41'53"W
L4	50.01'	N27°55'26"W

Curve Table			
Curve #	Length	Radius	Chord
C1	71.47'	45.50'	N28°05'54"W 64.35'
C2	71.47'	45.50'	N61°54'06"E 64.35'
C5	23.32'	50.00'	N59°44'18"W 23.11'
C6	168.99'	67.50'	N61°54'06"E 128.19'
C7	23.32'	50.00'	S30°15'42"W 23.11'
C8	18.14'	67.50'	S35°55'22"W 18.09'
C9	44.94'	67.50'	S09°08'56"W 44.12'
C10	45.46'	67.50'	S29°13'18"E 44.61'
C11	54.22'	67.50'	S71°31'51"E 52.78'
C12	6.21'	67.50'	N82°49'07"E 6.21'
C13	23.32'	50.00'	S86°27'30"E 23.11'
C14	31.42'	20.00'	N61°54'06"E 28.28'
C15	31.42'	20.00'	N28°05'54"W 28.28'
C16	23.32'	50.00'	S03°32'30"W 23.11'

NOTES:

- BL - Building Line
- UE - Utility Easement
- DE - Drainage Easement
- POB - Point of Beginning
- Ⓢ - Block Designation

- Owner: 3 Nex-Gen Devel., LLC, Cory Herring, Managing Member  
Total 29.590 Acres
- Residential lots shall have a 25 feet front building setback line unless otherwise shown hereon and a 10 feet rear building setback line. Side building setback lines shall be 5 feet for interior lot lines and 15 feet abutting a side street.



NOTES:

- ALL BOUNDARY CORNERS ARE 1/2" IRON ROD WITH CAP MARKED "RPLS 2475" FOUND UNLESS NOTED OTHERWISE.
- THIS PROJECT IS REFERENCED IN NAD 1983, CENTRAL TEXAS STATE PLANE. ALL DISTANCES ARE HORIZONTAL SURFACE DISTANCES UNLESS NOTED AND ALL BEARINGS ARE GRID BEARINGS.
- ALL COORDINATE VALUES ARE REFERENCED TO CITY MONUMENT NUMBER 255.
- THE THETA ANGLE AT SAID CITY MONUMENT IS 01° 29' 39".
- THE COMBINED CORRECTION FACTOR (CCF) IS 0.999858.
- PUBLISHED CITY COORDINATES ARE X = 3,204,661.24 Y = 10,367,096.98.
- THE TIE FROM THE ABOVE CITY MONUMENT TO THE POINT OF BEGINNING (POB) IS N. 02° 07' 15" E. 6363.43 FEET.
- GRID DISTANCE = SURFACE DISTANCE X CCF.
- GEODETIC NORTH = GRID NORTH + THETA ANGLE.
- THIS PROPERTY IS NOT WITHIN THE SPECIAL FLOOD HAZARD AREA AS PER THE FEDERAL EMERGENCY MANAGEMENT AGENCY FEDERAL INSURANCE ADMINISTRATION MAP NO. 48027C0335E, DATED SEPTEMBER 26, 2008.
- DEVELOPER INTENDS TO PAY FEES IN LIEU OF PARK LAND DEDICATION AT THE TIME OF FINAL PLATTING.

FINAL PLAT:  
THE PLAINS

AT RIVERSIDE, PHASE IV  
BEING A REPLAT OF ALL OF LOTS 1 THRU 11 AND TRACT B, BLOCK 1, LOTS 1 THRU 16, AND LOTS 42 THRU 43 BLOCK 2 AND LOTS 1 THRU 23, AND TRACT A BLOCK 3, BLOCK 4 DOVE MEADOWS, PHASE I, 29.590 ACRES, A SUBDIVISION IN THE CITY OF TEMPLE, BELL COUNTY, TEXAS.

- 7 BLOCKS - 97 LOTS - 1 TRACT
- LOTS 1 - 8 - BLOCK 1
- LOTS 1 - 10 - BLOCK 2
- LOTS 1 - 24 - BLOCK 3
- LOTS 1 - 14 - BLOCK 4
- LOTS 1 - 14 - BLOCK 5
- LOTS 1 - 14 - BLOCK 6
- LOTS 1 - 13 - BLOCK 7

TRACT 1 - 1.032 ACRES  
OWNED & MAINTAINED BY THE CITY OF TEMPLE

29.590 ACRES  
OUT OF AND PART OF THE NANCY CHANCE SURVEY, ABSTRACT NO. 5  
A SUBDIVISION IN THE CITY OF TEMPLE, BELL COUNTY, TEXAS  
29.590 ACRES MORE FULLY DESCRIBED BY METES & BOUNDS BY SEPARATE FIELD NOTES.

**TURLEY ASSOCIATES, INC.**  
ENGINEERING • PLANNING • SURVEYING  
301 N. 3rd St. Temple, Texas 76501  
254.773.2400  
254.773.3998  
www.turley-inc.com  
FAX 254.773.3998  
SURVEY FIRM NO. 10056000 • ENGINEERING FIRM NO. 1658

© TURLEY ASSOCIATES, INC.

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FINAL PLAT:  
THE PLAINS  
AT RIVERSIDE, PHASE IV  
BEING A REPLAT OF ALL OF LOTS 1 THRU 11 AND TRACT B, BLOCK 1, LOTS 1 THRU 16, AND LOTS 42 THRU 43 BLOCK 2 AND LOTS 1 THRU 23, AND TRACT A BLOCK 3, BLOCK 4 DOVE MEADOWS, PHASE I, 29.590 ACRES, A SUBDIVISION IN THE CITY OF TEMPLE, BELL COUNTY, TEXAS.

DEVELOPED BY:  
3 NEX-GEN DEVEL., LLC.  
7446 HONEYUCKLE  
TEMPLE, TX 76502

REVISIONS

DATE	DESCRIPTION	DFTR

DRAFTSMAN:  
T. JAHOS  
DATE:  
APRIL 22, 2016  
COMPUTER FILE NAME:  
16466.ps.00.dwg  
REFERENCE DRAWING NUMBERS:  
12774-D, 13-642, 16-465, 14-625  
JOB NUMBER:  
16-466  
DRAWING NUMBER:  
12735-D  
PAGE#  
01



RESOLUTION NO. \_\_\_\_\_  
(A-FY-18-03)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE RELEASE OF AN APPROXIMATELY 15-FOOT WIDE PUBLIC UTILITY EASEMENT ENCOMPASSING AN APPROXIMATELY 0.222 ACRE TRACT OF LAND WITHIN THE APPROXIMATELY 32.02 ACRE TRACT DESCRIBED IN A WARRANTY DEED TO RTC CONSTRUCTION, LTD, AND LOCATED GENERALLY AT 2566 OLD WACO ROAD; AND PROVIDING AN OPEN MEETINGS CLAUSE.

---

**Whereas**, the applicant, Turley Associates, submitted a request on behalf of the developer, 3 Nex-Gen Development, for the release of an approximately 15-foot wide public utility easement (PUE) in order to proceed with the platting of Plains at Riverside, Phase IV;

**Whereas**, the final plat of Plains at Riverside, Phase IV is anticipated to be reviewed by the Planning & Zoning Commission on December 18, 2017 as final plat authority;

**Whereas**, the approximately 0.222-acre tract of land is currently unplatted and is within the approximately 32.02-acre tract that is currently platted by Dove Meadows, Phase I subdivision;

**Whereas**, the platting of Plains at Riverside, Phase IV, will replat Dove Meadows without vacating the underlying Dove Meadows, Phase I subdivision plat and the 15-foot PUE easement is redundant and not needed, since there are other utility easements currently in place;

**Whereas**, Staff has contacted all public and private service providers, including the Public Works Department, and confirmed that the easement may be released, as the providers' responses indicate there are no existing public facilities or utilities in the easement and there are no objections to releasing the easement because they are not needed for other public services; and

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

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

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

**Part 2:** The City of Temple, Texas releases an approximately 15-foot wide public utility easement encompassing an approximately 0.222-acre tract of land within the approximately 32.02 acre tract described in a Warranty Deed to RTC Construction, Ltd.,

recorded as Document No. 2013-00028522, located generally at 2566 Old Waco Road, and more particularly described in Exhibit A.

**Part 3:** The release of the existing approximately 15-foot wide public utility easement shall become effective upon the approval of this Resolution.

**Part 4:** Upon request, the City of Temple will provide a copy of this Resolution and any other evidence of release of the utility easement, which may be reasonably required.

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

PASSED AND APPROVED on the 7<sup>th</sup> day of **December**, 2017.

THE CITY OF TEMPLE, TEXAS

\_\_\_\_\_  
DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Lacy Borgeson  
City Secretary

\_\_\_\_\_  
Kayla Landeros  
City Attorney

STATE OF TEXAS §

COUNTY OF BELL §

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

\_\_\_\_\_  
Notary Public, State of Texas

**Return Recorded Document to:**

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



## COUNCIL AGENDA ITEM MEMORANDUM

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12/07/17  
Item #4(KK)  
Consent Agenda  
Page 1 of 1

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

Ashley Williams, Director of General Services  
Belinda Mattke, Director of Purchasing

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing the rejection of the bid received for the LoanSTAR Facility Lighting Replacement project on November 21, 2017.

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

**ITEM SUMMARY:** On November 21, 2017, the City received one proposal from Sylvania Lighting Solutions of Wilmington, MA, for the LoanSTAR Facility Lighting Replacement project at select buildings in the amount of \$821,214.34. The one bid received exceeded the allowed budget of \$400,000 approved under the SECO LoanSTAR program. Therefore, staff would like to take time to reevaluate the project and rebid to encourage more competition.

Per the Local Government Code §252.043(f), the governing body is the designated authority to reject any and all bids.

If Council authorizes the rejection of bids, staff will rebid the project.

**FISCAL IMPACT:** There is no fiscal impact related to this item. As stated above, the one bid received exceeded the allowed budget, approved under the SECO LoanSTAR program.

**ATTACHMENTS:**

[Resolution](#)



RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE,  
TEXAS, REJECTING THE BID RECEIVED ON NOVEMBER 21, 2017  
FOR THE LOANSTAR FACILITY LIGHTING REPLACEMENT  
PROJECT; AND PROVIDING AN OPEN MEETINGS CLAUSE.

---

**Whereas**, on November 21, 2017, the City received one proposal from Sylvania Lighting Solutions of Wilmington, Massachusetts, for the LoanSTAR Facility Lighting Replacement project;

**Whereas**, the bid received exceeded the allowed budget approved under the SECO LoanSTAR program, and therefore Staff would like to reevaluate the project and rebid the project to encourage more competition;

**Whereas**, per Local Government Code §252.043(f), the governing body is the designated authority to reject any and all bids; and

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

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

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

**Part 2:** The City Council rejects the bid received from Sylvania Lighting Solutions of Wilmington, Massachusetts, for the LoanSTAR Facility Lighting Replacement project on November 21, 2017.

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

PASSED AND APPROVED this the 7<sup>th</sup> day of **December**, 2017.

THE CITY OF TEMPLE, TEXAS

\_\_\_\_\_  
DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Lacy Borgeson  
City Secretary

\_\_\_\_\_  
Kayla Landeros  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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12/07/17  
Item #4(LL)  
Consent Agenda  
Page 1 of 1

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

Ashley Williams, Director of General Services  
Belinda Mattke, Director of Purchasing

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing the rejection of the bid received for the LoanSTAR Facility HVAC Replacement project on November 21, 2017.

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

**ITEM SUMMARY:** On November 21, 2017, the City received one proposal from Lochridge-Priest, Inc. of Waco for the LoanSTAR Facility HVAC Replacement project at select buildings in the amount of \$2,185,400. The one bid received exceeded the allowed budget of \$1,500,000 approved under the SECO LoanStar program. Therefore, staff would like to take time to reevaluate the project and rebid to encourage more competition.

Per the Local Government Code §252.043(f), the governing body is the designated authority to reject any and all bids.

If Council authorizes the rejection of bids, staff will rebid the project.

**FISCAL IMPACT:** There is no fiscal impact related to this item. As stated above, the one bid received exceeded the allowed budget, approved under the SECO LoanStar program.

**ATTACHMENTS:**

[Resolution](#)

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE,  
TEXAS, REJECTING THE BID RECEIVED ON NOVEMBER 21, 2017  
FOR THE LOANSTAR FACILITY HVAC REPLACEMENT PROJECT;  
AND PROVIDING AN OPEN MEETINGS CLAUSE.

---

**Whereas**, on November 21, 2017, the City received one proposal from Lockridge-Priest, Inc. for the LoanSTAR Facility HVAC Replacement project;

**Whereas**, the bid received exceeded the allowed budget approved under the SECO LoanSTAR program, and therefore Staff would like to reevaluate and rebid the project to encourage more competition;

**Whereas**, per Local Government Code §252.043(f), the governing body is the designated authority to reject any and all bids; and

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

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

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

**Part 2:** The City Council rejects the bid received from Lockridge-Priest, Inc. for the LoanSTAR Facility HVAC Replacement project on November 21, 2017.

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

PASSED AND APPROVED this the 7<sup>th</sup> day of **December**, 2017.

THE CITY OF TEMPLE, TEXAS

\_\_\_\_\_  
DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Lacy Borgeson  
City Secretary

\_\_\_\_\_  
Kayla Landeros  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

---

12/07/17  
Item #4(MM)  
Consent Agenda  
Page 1 of 2

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

Traci L. Barnard, Director of Finance

**ITEM DESCRIPTION:** Consider adopting a resolution approving the annual report of the Tax Increment Financing Reinvestment Zone No. 1 for fiscal year 2016-2017.

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

**BACKGROUND:** This item is to comply with the State law requiring submission of an annual report to the taxing units within the Reinvestment Zone No. 1 (Zone).

The attached report discloses the financial condition of the Zone as of 9/30/2017, as well as the tax collections by taxing entity.

The financial information contained in this report was presented to the Reinvestment Zone No. 1 Board at the December 6, 2017 board meeting. The annual report will be mailed to the chief executive officer of each taxing unit that levies property taxes on real property in the Reinvestment Zone and to the State Comptroller as required by state law.

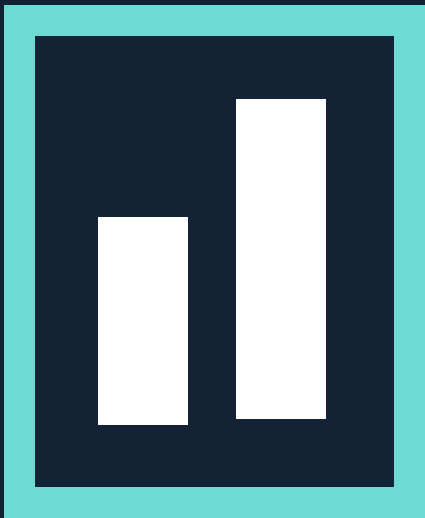
**FISCAL IMPACT:** Attached is the annual report of the Tax Increment Financing Reinvestment Zone No. 1 for fiscal year 2016-2017.

### **ATTACHMENTS:**

[Annual Report](#)  
[Resolution](#)

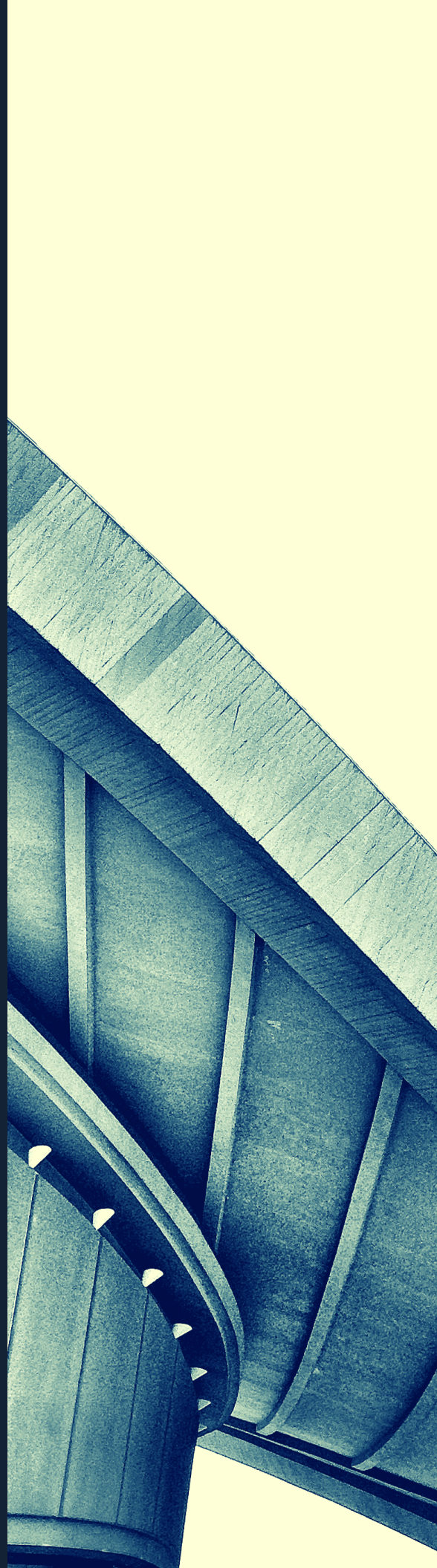


# REINVESTMENT ZONE NO. 1



# ANNUAL REPORT

FOR THE YEAR ENDED  
SEPTEMBER 30, 2017





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Boundary Map

**CITY OF TEMPLE, TEXAS**  
**REINVESTMENT ZONE NO. 1**  
**COMPARATIVE BALANCE SHEET**  
**September 30, 2017 and 2016**

	<u>2017</u>	<u>2016</u>	<u>Increase (Decrease)</u>
<b>ASSETS</b>			
Current assets:			
Investments	\$ 17,749,389	\$ 20,329,562	\$ (2,580,173)
Receivables (net of allowance for estimated uncollectible):			
Ad valorem taxes	210,110	74,178	135,932
Accounts receivable	4,167	55,722	(51,555)
Total current assets	<u>17,963,666</u>	<u>20,459,462</u>	<u>(2,495,796)</u>
Restricted assets:			
Bond proceeds	<u>4,274,886</u>	<u>8,620,941</u>	<u>(4,346,055)</u>
Total restricted assets	<u>4,274,886</u>	<u>8,620,941</u>	<u>(4,346,055)</u>
Total assets	<u>\$ 22,238,552</u>	<u>\$ 29,080,403</u>	<u>\$ (6,841,851)</u>
<b>LIABILITIES AND FUND BALANCES</b>			
Current liabilities:			
Vouchers and contracts payable	\$ 1,044,148	\$ 494,983	\$ 549,165
Retainage payable	348,520	112,661	235,859
Unearned revenues	210,110	74,178	135,932
Total current liabilities	<u>1,602,778</u>	<u>681,822</u>	<u>920,956</u>
Liabilities from restricted assets:			
Vouchers and contracts payable	73,938	539,693	(465,755)
Retainage payable	21,943	20,238	1,705
Total liabilities from restricted assets	<u>95,881</u>	<u>559,931</u>	<u>(464,050)</u>
Total liabilities	<u>1,698,659</u>	<u>1,241,753</u>	<u>456,906</u>
Fund Balance:			
Restricted for:			
Construction	4,179,005	8,061,010	(3,882,005)
Committed to:			
Reinvestment Zone No. 1 Projects	<u>16,360,888</u>	<u>19,777,640</u>	<u>(3,416,752)</u>
Total fund balance	<u>20,539,893</u>	<u>27,838,650</u>	<u>(7,298,757)</u>
Total liabilities and fund balances	<u>\$ 22,238,552</u>	<u>\$ 29,080,403</u>	<u>\$ (6,841,851)</u>



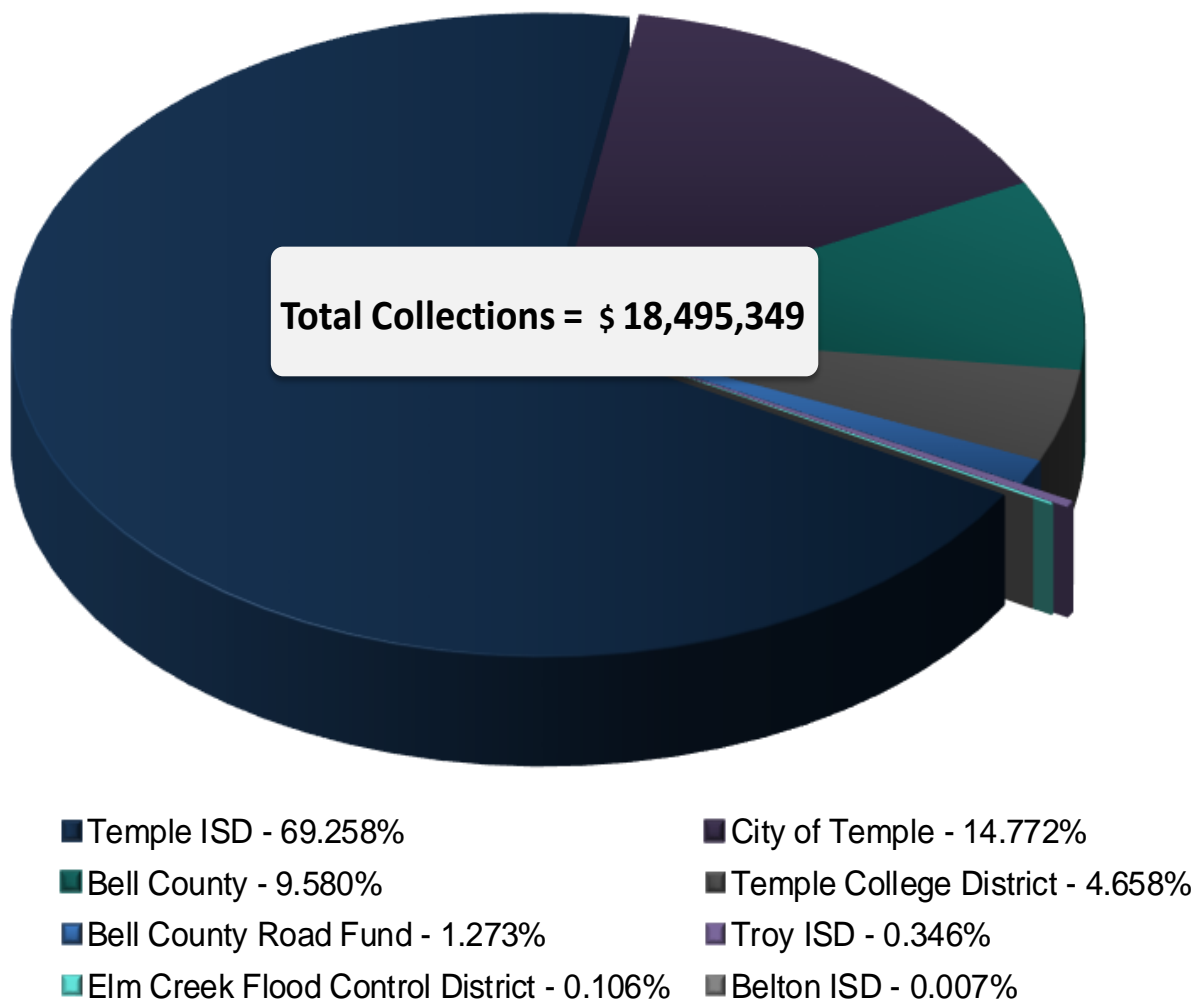
CITY OF TEMPLE, TEXAS  
 REINVESTMENT ZONE #1  
 SCHEDULE OF REVENUES, EXPENDITURES, AND CHANGES  
 IN FUND BALANCE - ACTUAL AND BUDGET  
 For the year ended September 30, 2017  
 (With comparative amounts for the year ended September 30, 2016)

	2017			2016	Analytical
			Variance		Increase
	Actual	Budget	Favorable	Actual	(Decrease)
			(Unfavorable)		Prior yr.
<b>REVENUES:</b>					
Taxes	\$ 18,495,349	\$ 19,080,878	\$ (585,529)	\$ 23,432,039	\$ (4,936,690)
Interest	228,316	50,000	178,316	113,767	114,549
Leases	17,951	-	17,951	8,452	9,499
Miscellaneous reimbursements	2,221	-	2,221	735,004	(732,783)
License and permits	83,482	36,000	47,482	78,277	5,205
Grants	50,000	1,170,000	(1,120,000)	-	50,000
<b>Total revenues</b>	<b>18,877,319</b>	<b>20,336,878</b>	<b>(1,459,559)</b>	<b>24,367,539</b>	<b>(5,490,220)</b>
<b>EXPENDITURES:</b>					
<b>Administrative</b>					
Professional	89,337	176,300	86,963	2,506	86,831
Other contracted services	316,093	330,000	13,907	255,000	61,093
Downtown non-capital improvements	307,888	681,100	373,212	133,036	174,852
Contractual obligation - TEDC	200,000	200,000	-	200,000	-
Reimbursement to TISD	5,000,000	5,026,250	26,250	-	5,000,000
Total administrative expenditures	5,913,318	6,413,650	500,332	590,542	5,322,776
<b>Capital Improvements</b>					
General Rail Spur Improvements	11,475	214,390	202,915	17,255	(5,780)
General Roadway Improvements	-	238,243	238,243	25,670	(25,670)
Temple Industrial Park	102,652	336,509	233,857	1,853,480	(1,750,828)
Corporate Campus Park	1,423,580	1,651,520	227,940	2,761,406	(1,337,826)
Bioscience Park/Crossroads Park	2,373,141	5,564,692	3,191,551	153,279	2,219,862
Research Parkway/Outer Loop	937,393	5,639,812	4,702,419	1,029,117	(91,724)
Synergy Park	2,980	76,701	73,721	12,274	(9,294)
Downtown Improvements	5,555,735	8,805,794	3,250,059	2,054,827	3,500,908
TMED	3,629,089	6,104,095	2,475,006	2,572,498	1,056,591
Airport Improvements	451,500	1,796,924	1,345,424	2,293,860	(1,842,360)
Total capital improvements	14,487,545	30,428,680	15,941,135	12,773,666	1,713,879
<b>Debt Service</b>					
Bond principal	4,020,000	4,020,000	-	2,820,000	1,200,000
Bond interest	1,753,740	1,753,740	-	1,850,773	(97,033)
Fiscal agent fees	1,473	1,700	227	1,489	(16)
Total debt service	5,775,213	5,775,440	227	4,672,262	1,102,951
<b>Total expenditures</b>	<b>26,176,076</b>	<b>42,617,770</b>	<b>16,441,694</b>	<b>18,036,470</b>	<b>8,139,606</b>
Excess (deficiency) of revenues over expenditures	(7,298,757)	(22,280,892)	14,982,135	6,331,069	(13,629,826)
Fund balance, beginning of period	27,838,650	27,838,650	-	21,507,581	6,331,069
Fund balance, end of period	\$ 20,539,893	\$ 5,557,758	\$ 14,982,135	\$ 27,838,650	\$ (7,298,757)

**CITY OF TEMPLE, TEXAS**  
**REINVESTMENT ZONE NO. 1**  
**SCHEDULE OF APPRAISED TAXABLE VALUE, TAX LEVY & TAX COLLECTIONS BY TAXING ENTITY**  
**For the Tax Year 2016/Fiscal Year Ending September 30, 2017**

<b>Taxing Jurisdiction</b>	<b>Appraised Taxable Value</b>	<b>Tax Collections <sup>(1)</sup></b>	<b>% of Total Collected</b>
Temple ISD	\$ 805,960,951	\$12,809,433	69.258%
City of Temple	436,256,703	2,732,138	14.772%
Bell County	441,107,374	1,771,823	9.580%
Temple College District	439,192,607	861,515	4.658%
Bell County Road Fund	807,772,025	235,437	1.273%
Troy ISD	4,072,758	63,929	0.346%
Elm Creek Flood Control District	66,307,727	19,695	0.106%
Belton ISD	83,178	1,379	0.007%
		<b>\$ 18,495,349</b>	<b>100.000%</b>

<sup>(1)</sup> Tax collections include the amount collected from the current year levy and any amount collected from prior years.



**CITY OF TEMPLE, TEXAS**  
**REINVESTMENT ZONE NO. 1**  
**SCHEDULE OF CAPITAL ASSETS**  
**For the year ending September 30, 2017 and 2016**

	<b>2017</b>	<b>2016</b>	<b>Increase (Decrease)</b>
<b>Capital assets not being depreciated</b>			
Land	\$ 14,805,675	\$ 12,001,956	\$ 2,803,719
Construction in Progress	21,619,595	12,962,025	8,657,570
Total capital assets not being depreciated	36,425,270	24,963,981	11,461,289
<b>Capital assets being depreciated</b>			
Buildings	763,035	763,035	-
Machinery & Equipment	42,559	42,559	-
Infrastructure {Streets/Rail/Downtown/Trails}	73,293,977	70,692,627	2,601,350
Less accumulated depreciation	(25,447,688)	(22,228,241)	(3,219,447)
Total capital assets being depreciated, net	48,651,883	49,269,980	(618,097)
<b>Total Reinvestment Zone No. 1 Capital Assets</b>	<b>\$ 85,077,153</b>	<b>\$ 74,233,961</b>	<b>\$ 10,843,192</b>

CITY OF TEMPLE, TEXAS  
REINVESTMENT ZONE NO. 1

SCHEDULE OF OUTSTANDING BONDS (PRINCIPAL & INTEREST) - AS OF OCTOBER 1, 2017

Fiscal Year	Percent of Debt Retired		TIRZ Revenue Bonds, Taxable Series 2008	General Obligation Bonds Series 2009 {2003 CO}	General Obligation Bonds Series 2011A {2008 CO}	General Obligation Bonds Series 2012 {2003 CO}	Combo Tax & Revenue Bonds Series 2013	Total
	Annual %	Cumulative %						
2018	11.14%	11.14%	\$ 1,241,957	\$ 1,488,750	\$ 908,350	\$ 79,600	\$ 2,047,694	\$ 5,766,351
2019	11.14%	22.29%	1,241,173	1,485,000	915,950	77,650	2,048,344	5,768,117
2020	11.33%	33.61%	1,237,744	-	2,497,800	80,050	2,047,944	5,863,538
2021	11.33%	44.94%	1,241,670	-	2,497,550	77,250	2,046,494	5,862,964
2022	11.30%	56.24%	1,242,422	-	2,494,950	78,750	2,031,494	5,847,616
2023	3.92%	60.16%	-	-	-	-	2,030,094	2,030,094
2024	3.92%	64.08%	-	-	-	-	2,026,694	2,026,694
2025	3.94%	68.02%	-	-	-	-	2,038,412	2,038,412
2026	3.96%	71.98%	-	-	-	-	2,051,612	2,051,612
2027	3.98%	75.96%	-	-	-	-	2,059,112	2,059,112
2028	3.98%	79.94%	-	-	-	-	2,061,712	2,061,712
2029	3.98%	83.92%	-	-	-	-	2,061,712	2,061,712
2030	4.00%	87.92%	-	-	-	-	2,069,112	2,069,112
2031	4.01%	91.93%	-	-	-	-	2,073,512	2,073,512
2032	4.03%	95.96%	-	-	-	-	2,084,912	2,084,912
2033	4.04%	100.00%	-	-	-	-	2,092,913	2,092,913
2034	0.00%	100.00%	-	-	-	-	-	-
2035	0.00%	100.00%	-	-	-	-	-	-
2036	0.00%	100.00%	-	-	-	-	-	-
2037	0.00%	100.00%	-	-	-	-	-	-
2038	0.00%	100.00%	-	-	-	-	-	-
Total:			\$ 6,204,966	\$ 2,973,750	\$ 9,314,600	\$ 393,300	\$ 32,871,767	\$ 51,758,383

Principal Outstanding                      \$ 5,330,000    \$ 2,840,000    \$ 8,110,000    \$ 345,000    \$ 24,150,000    \$ 40,775,000



CITY OF TEMPLE, TEXAS

REINVESTMENT ZONE NO. 1 - VALUES FOR BASE AND INCREMENT (CAPTURED APPRAISED VALUE)

For the Tax Year 2016/FY 2017 As of 10/1/2016

Taxing Jurisdiction	ORIGINAL ZONE			EXPANDED ZONE			TOTAL			Levy
	Tax Increment Base	Captured Appraised Value <sup>(1)</sup>	TOTAL	Tax Increment Base	Captured Appraised Value	TOTAL	Tax Increment Base	Captured Appraised Value	TOTAL	
Temple ISD	\$ 97,186,149	\$ 805,960,951	\$ 903,147,100				\$ 97,186,149	\$ 805,960,951	\$ 903,147,100	\$ 13,137,164
City of Temple	97,765,552	420,891,413	518,656,965	267,979,786	15,365,290	283,345,076	365,745,338	436,256,703	802,002,041	2,867,079
Bell County	97,765,552	425,602,735	523,368,287	267,979,786	15,504,639	283,484,425	365,745,338	441,107,374	806,852,712	1,857,944
Temple College District	97,765,552	423,827,317	521,592,869	267,979,786	15,365,290	283,345,076	365,745,338	439,192,607	804,937,945	922,304
Bell County Road Fund	97,765,552	807,772,025	905,537,577				97,765,552	807,772,025	905,537,577	241,524
Troy ISD	8,146,123	4,072,758	12,218,881				8,146,123	4,072,758	12,218,881	68,117
Elm Creek Flood Control District	28,984,337	66,307,727	95,292,064				28,984,337	66,307,727	95,292,064	21,683
Belton ISD	18,028	83,178	101,206				18,028	83,178	101,206	1,429

<sup>(1)</sup> Note: Captured Appraised Value for each taxing entity will vary based on exemptions allowed, participation in tax abatements and varying geographical boundaries.

**DEFINITIONS:**

**Original Zone** - Includes Zone Boundaries as originally created in 1982 and expanded in 1999.

**Expanded Zone** - TMED area as expanded in 2010. City of Temple - 11/04/10; Temple College - 01/24/11; Bell County - 12/03/12.

**Tax Increment Base** - Total taxable value of all real property taxable by the unit and located in a reinvestment zone for the year in which the zone was designated.

**Captured Appraised Value** - The captured appraised value of real property taxable by a taxing unit for a year is the total taxable value of all real property taxable by the unit and located in a reinvestment zone for that year less the tax increment base of the unit.

		{A}	{B}	{C}	{D}	{E}				
DESCRIPTION		Y/E 9/30/17 Year 35	9/30/2017 Actual	FY 2017 Open Encumbrances & Carry Forwards	As Currently Adopted FY 2018 Year 36	Revised Y/E 9/30/18 Year 36	Y/E 9/30/19 Year 37	Y/E 9/30/20 Year 38	Y/E 9/30/21 Year 39	Y/E 9/30/22 Year 40
1	"Taxable Increment"	\$ 435,256,703	\$ 435,256,703	\$ -	\$ 426,069,294	\$ 426,069,294	\$ 415,287,167	\$ 409,874,095	\$ 397,412,766	\$ 426,871,090
1	FUND BALANCE, Begin	\$ 27,838,650	\$ 27,838,650	\$ -	\$ 5,557,757	\$ 20,539,893	\$ 2,108,195	\$ 7,790,064	\$ 4,542,317	\$ 6,144,385
2	Adjustments to Debt Service Reserve	-	-	-	-	-	-	-	-	-
3	Fund Balance Available for Appropriation	\$ 27,838,650	\$ 27,838,650	\$ -	\$ 5,557,757	\$ 20,539,893	\$ 2,108,195	\$ 7,790,064	\$ 4,542,317	\$ 6,144,385
SOURCES OF FUNDS:										
4	Tax Revenues	19,371,450	18,495,349	-	17,793,995	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)	(266,910)	(257,578)	(248,832)	(239,417)	(237,732)
8	Interest Income-Other	50,000	228,316	-	50,000	50,000	40,000	40,000	30,000	10,000
10	Grant Funds	1,170,000	50,000	1,120,000	50,000	1,170,000	-	-	-	-
12	License Fee - Central Texas Railway	36,000	83,482	-	36,000	36,000	36,000	36,000	36,000	36,000
14	Other Revenues	-	20,172	-	106,600	106,600	-	-	-	-
15	Sale of land	-	-	-	600,000	600,000	-	-	-	-
17	Bond Proceeds	-	-	-	22,000,000	22,000,000	-	-	-	-
20	Total Sources of Funds	\$ 20,336,878	\$ 18,877,319	\$ 1,120,000	\$ 40,369,685	\$ 41,489,685	\$ 16,990,273	\$ 16,415,960	\$ 15,787,729	\$ 15,657,049
25	TOTAL AVAILABLE FOR APPROPRIATION	\$ 48,175,528	\$ 46,715,969	\$ 1,120,000	\$ 45,927,442	\$ 62,029,578	\$ 19,098,468	\$ 24,206,024	\$ 20,330,046	\$ 21,801,434
USE OF FUNDS:										
DEBT SERVICE										
27	2009 Bond Refunding	1,510,150	1,510,150	-	1,488,750	1,488,750	1,485,000	-	-	-
28	2008 Bond Issue-Taxable {\$10.365 mil}	1,240,096	1,240,096	-	1,241,957	1,241,957	1,241,173	1,237,744	1,241,670	1,242,422
29	Debt Service - 2011A Issue {Refunding}	912,200	912,200	-	908,350	908,350	915,950	2,497,800	2,497,550	2,494,950
30	Debt Service - 2012 Issue {Refunding}	76,400	76,400	-	79,600	79,600	77,650	80,050	77,250	78,750
31	Debt Service - 2013 Issue {\$25.260 mil}	2,034,894	2,034,894	-	2,047,694	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	1,473	-	1,700	1,700	1,700	1,700	1,700	1,700
40	Subtotal-Debt Service	5,775,440	5,775,213	-	5,768,051	5,768,051	7,436,541	7,529,844	7,300,420	7,232,372
OPERATING EXPENDITURES										
50	Prof Svcs/Proj Mgmt	175,000	88,037	77,454	175,000	252,454	175,000	175,000	175,000	175,000
52	Legal/Audit	1,300	1,300	-	1,300	1,300	1,300	1,300	1,300	1,400
54	Zone Park Maintenance [mowing, utilities, botanical supplies]	330,000	316,093	-	330,000	330,000	330,000	330,000	330,000	330,000
56	Rail Maintenance	214,390	11,475	202,915	100,000	302,915	100,000	100,000	100,000	100,000
58	Road/Signage Maintenance	238,243	-	238,243	100,000	338,243	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
62	TISD-Reimbursement [per contract]	26,250	-	-	27,563	27,563	27,563	27,563	28,941	28,941
65	Subtotal-Operating Expenditures	1,185,183	616,905	518,612	933,863	1,452,475	933,863	933,863	935,241	935,341
70	TOTAL DEBT & OPERATING EXPENDITURES	\$ 6,960,623	\$ 6,392,118	\$ 518,612	\$ 6,701,914	\$ 7,220,526	\$ 8,370,404	\$ 8,463,707	\$ 8,235,661	\$ 8,167,713
80	Funds Available for Projects	\$ 41,214,905	\$ 40,323,851	\$ 601,388	\$ 39,225,529	\$ 54,809,053	\$ 10,728,064	\$ 15,742,317	\$ 12,094,385	\$ 13,633,721
PROJECTS										
150	Temple Industrial Park	336,509	102,652	21,920	400,000	421,920	-	-	-	-
200	Corporate Campus Park	1,651,520	1,423,580	227,940	-	227,940	-	-	-	-
250	Bioscience Park/Crossroads Park	5,564,692	2,373,141	3,191,551	-	3,191,551	-	-	-	-
350	Research Parkway/Outer Loop	5,639,812	937,393	4,702,419	19,181,600	23,884,019	-	10,750,000	-	-
400	Synergy Park	76,701	2,980	46,846	-	46,846	-	-	-	-
450	Downtown	14,486,895	10,863,623	3,297,112	14,003,000	17,300,112	450,000	450,000	450,000	450,000
500	TMED	6,104,095	3,629,089	2,475,007	755,000	3,230,007	2,488,000	-	-	-
550	Airport Park	1,796,924	451,500	1,344,463	692,600	2,037,063	-	-	-	-
610	Public Improvements	-	-	-	2,361,400	2,361,400	-	-	5,500,000	7,000,000
	Subtotal-Projects	35,657,148	19,783,958	15,307,258	37,393,600	52,700,858	2,938,000	11,200,000	5,950,000	7,450,000
TOTAL USE OF FUNDS		\$ 42,617,771	\$ 26,176,076	\$ 15,825,870	\$ 44,095,514	\$ 59,921,384	\$ 11,308,404	\$ 19,663,707	\$ 14,185,661	\$ 15,617,713
700	FUND BALANCE, End	\$ 5,557,757	\$ 20,539,893	\$ (14,705,870)	\$ 1,831,929	\$ 2,108,195	\$ 7,790,064	\$ 4,542,317	\$ 6,144,385	\$ 6,183,721

DESCRIPTION		2023 41	2024 42	2025 43	2026 44	2027 45	2028 46	2029 47	2030 48	2031 49	2032 50
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	\$ 6,183,721	\$ 3,310,567	\$ 2,583,400	\$ 2,926,759	\$ 2,790,276	\$ 2,847,862	\$ 2,584,098	\$ 2,499,993	\$ 2,595,184	\$ 2,869,120
2	Adjustments to Debt Service Reserve	-	-	-	-	-	-	-	-	-	-
3	Fund Balance Available for Appropriation	\$ 6,183,721	\$ 3,310,567	\$ 2,583,400	\$ 2,926,759	\$ 2,790,276	\$ 2,847,862	\$ 2,584,098	\$ 2,499,993	\$ 2,595,184	\$ 2,869,120
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	\$ 21,393,608	\$ 19,165,288	\$ 19,019,766	\$ 20,649,483	\$ 20,962,489	\$ 21,201,324	\$ 21,120,619	\$ 21,221,405	\$ 21,503,335	\$ 21,965,878
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	\$ 16,760,567	\$ 14,533,400	\$ 14,376,759	\$ 15,990,276	\$ 16,297,862	\$ 16,534,098	\$ 16,449,993	\$ 16,545,184	\$ 16,819,120	\$ 17,275,200
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	\$ 3,310,567	\$ 2,583,400	\$ 2,926,759	\$ 2,790,276	\$ 2,847,862	\$ 2,584,098	\$ 2,499,993	\$ 2,595,184	\$ 2,869,120	\$ 2,825,200

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	\$ 2,825,200	\$ 2,461,998	\$ 2,881,482	\$ 2,995,364	\$ 2,551,527	\$ 3,312,817	\$ 3,024,618	\$ 3,600,322	\$ 3,380,261	\$ 2,866,477
2	Adjustments to Debt Service Reserve	-	-	-	-	-	-	-	-	-	-
3	Fund Balance Available for Appropriation	\$ 2,825,200	\$ 2,461,998	\$ 2,881,482	\$ 2,995,364	\$ 2,551,527	\$ 3,312,817	\$ 3,024,618	\$ 3,600,322	\$ 3,380,261	\$ 2,866,477
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	\$ 22,112,451	\$ 21,941,647	\$ 22,555,454	\$ 22,865,601	\$ 22,619,991	\$ 23,581,492	\$ 23,495,505	\$ 24,275,444	\$ 24,261,660	\$ 23,956,215
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	\$ 17,411,998	\$ 19,331,482	\$ 19,945,364	\$ 20,251,527	\$ 20,012,817	\$ 20,974,618	\$ 22,550,322	\$ 23,330,261	\$ 23,316,477	\$ 23,009,092
PROJECTS											
150	Temple Industrial Park	-	-	-	-	-	-	-	-	-	-
200	Corporate Campus Park	-	-	-	-	-	-	-	-	-	-
250	Bioscience Park/Crossroads Park	-	-	-	-	-	-	-	-	-	-
350	Research Parkway/Outer Loop	-	-	-	-	-	-	-	-	-	-
400	Synergy Park	-	-	-	-	-	-	-	-	-	-
450	Downtown	450,000	450,000	450,000	450,000	450,000	450,000	450,000	450,000	450,000	450,000
500	TMED	-	-	-	-	-	-	-	-	-	-
550	Airport Park	-	-	-	-	-	-	-	-	-	-
610	Public Improvements	14,500,000	16,000,000	16,500,000	17,250,000	16,250,000	17,500,000	18,500,000	19,500,000	20,000,000	20,000,000
	Subtotal-Projects	14,950,000	16,450,000	16,950,000	17,700,000	16,700,000	17,950,000	18,950,000	19,950,000	20,450,000	20,450,000
	TOTAL USE OF FUNDS	\$ 19,650,453	\$ 19,060,165	\$ 19,560,090	\$ 20,314,074	\$ 19,307,174	\$ 20,556,874	\$ 19,895,183	\$ 20,895,183	\$ 21,395,183	\$ 21,397,122
700	FUND BALANCE, End	\$ 2,461,998	\$ 2,881,482	\$ 2,995,364	\$ 2,551,527	\$ 3,312,817	\$ 3,024,618	\$ 3,600,322	\$ 3,380,261	\$ 2,866,477	\$ 2,559,092



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	\$ 2,559,092	\$ 2,816,372	\$ 2,753,271	\$ 2,869,451	\$ 2,668,759	\$ 2,653,027	\$ 2,821,967	\$ 2,679,585	\$ 2,727,768	\$ 2,966,176
2	Adjustments to Debt Service Reserve	-	-	-	-	-	-	-	-	-	-
3	Fund Balance Available for Appropriation	\$ 2,559,092	\$ 2,816,372	\$ 2,753,271	\$ 2,869,451	\$ 2,668,759	\$ 2,653,027	\$ 2,821,967	\$ 2,679,585	\$ 2,727,768	\$ 2,966,176
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	\$ 20,558,594	\$ 20,995,393	\$ 21,113,609	\$ 21,412,917	\$ 21,397,185	\$ 21,568,263	\$ 21,925,881	\$ 21,974,064	\$ 22,214,717	\$ 22,647,520
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	\$ 19,766,372	\$ 20,203,271	\$ 20,319,451	\$ 20,618,759	\$ 20,603,027	\$ 20,771,967	\$ 21,129,585	\$ 21,177,768	\$ 21,416,176	\$ 21,848,979
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	\$ 2,816,372	\$ 2,753,271	\$ 2,869,451	\$ 2,668,759	\$ 2,653,027	\$ 2,821,967	\$ 2,679,585	\$ 2,727,768	\$ 2,966,176	\$ 2,898,979

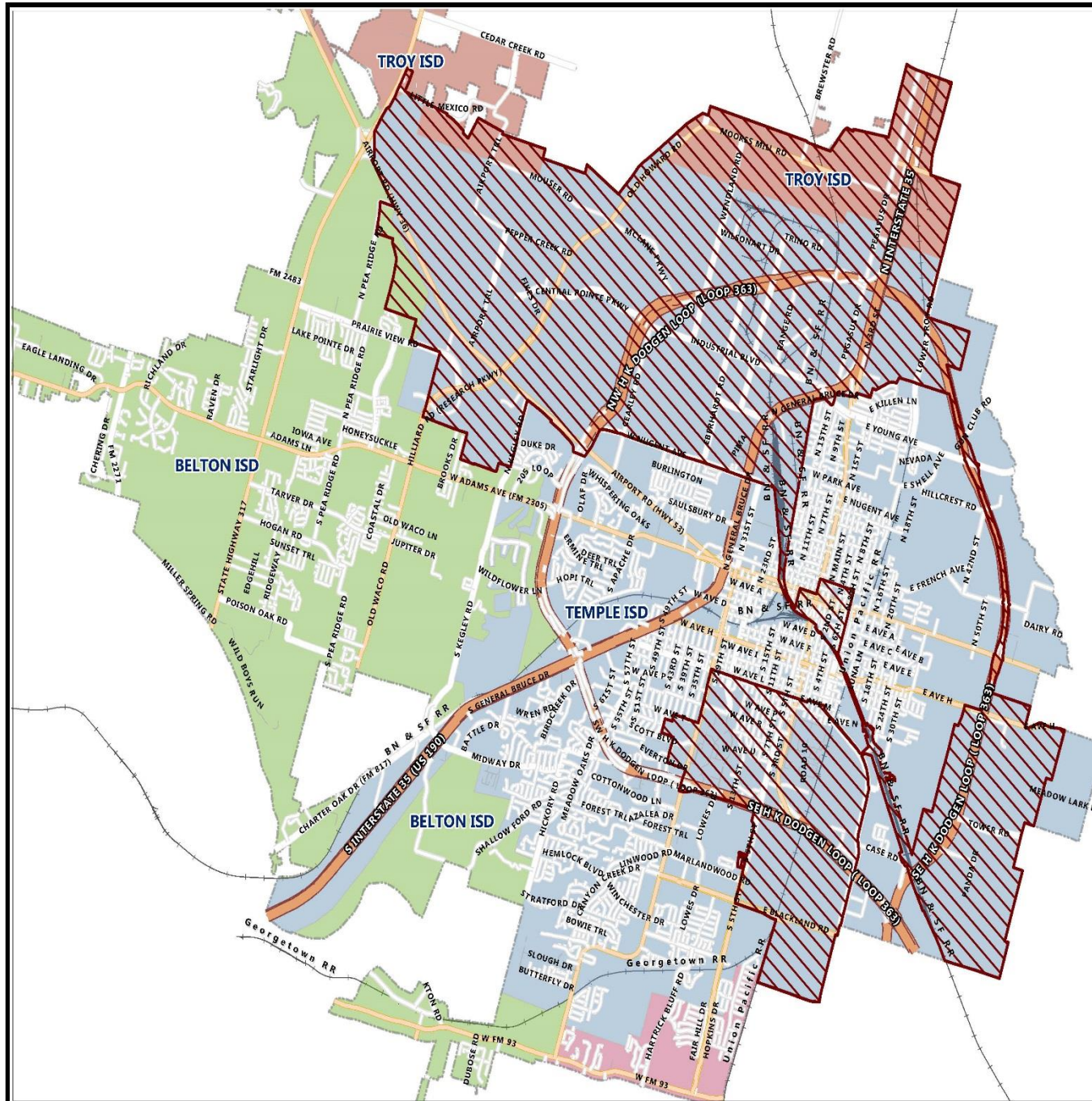
	2053	2054	2055	2056	2057	2058	2059	2060	2061	2062
DESCRIPTION	71	72	73	74	75	76	77	78	79	80
1 "Taxable Increment"	\$ 818,783,466	\$ 826,971,300	\$ 835,241,013	\$ 843,593,423	\$ 852,029,358	\$ 860,549,651	\$ 869,155,148	\$ 877,846,699	\$ 886,625,166	\$ 895,491,418
1 FUND BALANCE, Begin	\$ 2,898,979	\$ 2,528,120	\$ 2,853,207	\$ 2,878,580	\$ 3,106,241	\$ 2,535,738	\$ 2,671,590	\$ 3,015,858	\$ 3,068,031	\$ 2,832,810
2 Adjustments to Debt Service Reserve	-	-	-	-	-	-	-	-	-	-
3 Fund Balance Available for Appropriation	\$ 2,898,979	\$ 2,528,120	\$ 2,853,207	\$ 2,878,580	\$ 3,106,241	\$ 2,535,738	\$ 2,671,590	\$ 3,015,858	\$ 3,068,031	\$ 2,832,810
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	\$ 22,776,661	\$ 22,604,105	\$ 23,129,478	\$ 23,357,139	\$ 23,789,111	\$ 23,424,963	\$ 23,769,231	\$ 24,324,002	\$ 24,588,782	\$ 24,568,294
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	\$ 21,978,120	\$ 21,803,207	\$ 22,328,580	\$ 22,556,241	\$ 22,985,738	\$ 22,621,590	\$ 22,965,858	\$ 23,518,031	\$ 23,782,810	\$ 23,762,322
PROJECTS										
150 Temple Industrial Park	-	-	-	-	-	-	-	-	-	-
200 Corporate Campus Park	-	-	-	-	-	-	-	-	-	-
250 Bioscience Park/Crossroads Park	-	-	-	-	-	-	-	-	-	-
350 Research Parkway/Outer Loop	-	-	-	-	-	-	-	-	-	-
400 Synergy Park	-	-	-	-	-	-	-	-	-	-
450 Downtown	450,000	450,000	450,000	450,000	450,000	450,000	450,000	450,000	450,000	450,000
500 TMED	-	-	-	-	-	-	-	-	-	-
550 Airport Park	-	-	-	-	-	-	-	-	-	-
610 Public Improvements	19,000,000	18,500,000	19,000,000	19,000,000	20,000,000	19,500,000	19,500,000	20,000,000	20,500,000	23,036,057
Subtotal-Projects	19,450,000	18,950,000	19,450,000	19,450,000	20,450,000	19,950,000	19,950,000	20,450,000	20,950,000	23,486,057
TOTAL USE OF FUNDS	\$ 20,248,541	\$ 19,750,898	\$ 20,250,898	\$ 20,250,898	\$ 21,253,373	\$ 20,753,373	\$ 20,753,373	\$ 21,255,972	\$ 21,755,972	\$ 24,292,029



SUMMARY FINANCING PLAN						
		2019	2020	2021	2022	2023
1	Beginning Available Fund Balance, Oct 1	\$ 2,108,195	\$ 7,790,064	\$ 4,542,317	\$ 6,144,385	\$ 6,183,721
20	Total Sources of Funds	16,990,273	16,415,960	15,787,729	15,657,049	15,209,887
2	Adjustments to Debt Service Reserve	-	-	-	-	-
25	Net Available for Appropriation	19,098,468	24,206,024	20,330,046	21,801,434	21,393,608
50/52	General Administrative Expenditures	176,300	176,300	176,300	176,400	176,400
54	Zone Park Maintenance [mowing, utilities, botanical supplies]	330,000	330,000	330,000	330,000	330,000
56	Rail Maintenance	100,000	100,000	100,000	100,000	100,000
58	Road/Signage Maintenance	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
62	TISD-Reimbursement [per contract]	27,563	27,563	28,941	28,941	28,941
27	Debt Service - 2009 Issue {Refunding}	1,485,000	-	-	-	-
28	Debt Service - 2008 Taxable Issue {\$10.365 mil}	1,241,173	1,237,744	1,241,670	1,242,422	-
29	Debt Service - 2011A Issue {Refunding}	915,950	2,497,800	2,497,550	2,494,950	-
30	Debt Service - 2012 Issue {Refunding}	77,650	80,050	77,250	78,750	-
31	Debt Service - 2013 Issue {\$25.260 mil}	2,048,344	2,047,944	2,046,494	2,031,494	2,030,094
32	Debt Service - 2018 Issue {\$22 mil}	1,666,724	1,664,606	1,435,756	1,383,056	1,666,406
33	Paying Agent Services	1,700	1,700	1,700	1,700	1,200
70	Total Debt & Operating Expenditures	8,370,404	8,463,707	8,235,661	8,167,713	4,633,041
80	Funds Available for Projects	\$ 10,728,064	\$ 15,742,317	\$ 12,094,385	\$ 13,633,721	\$ 16,760,567

PROJECT PLAN		2019	2020	2021	2022	2023
<b>TEMPLE INDUSTRIAL PARK:</b>						
101	Receiving & Delivery {R&D} Tracks	-	-	-	-	-
101	Receiving & Delivery {R&D} Tracks {bond funded}	-	-	-	-	-
102	North Lucius McCelvey Extension	-	-	-	-	-
108	31st Street Sidewalks Grant Match	-	-	-	-	-
150	Total North Zone/Rail Park (including Enterprise Park)	-	-	-	-	-
<b>CORPORATE CAMPUS PARK:</b>						
155	Pepper Creek Trail Hwy 36 to McLane Parkway	-	-	-	-	-
200	Total Corporate Campus Park	-	-	-	-	-
<b>BIOSCIENCE PARK/CROSSROADS PARK:</b>						
207	Cross Roads Park @ Pepper Creek Trail	-	-	-	-	-
250	Total Bio-Science Park	-	-	-	-	-
<b>RESEARCH PARKWAY/OUTER LOOP</b>						
305	Research Pkwy (IH 35 to Wendland Ultimate) STAG grant {Little Elm Sewer}	-	-	-	-	-
305	Research Pkwy (IH 35 to Wendland Ultimate)	-	-	-	-	-
305	Research Pkwy (IH 35 to Wendland Ultimate) {bond funded}	-	-	-	-	-
310	Research Pkwy (Wendland to McLane Pkwy)	-	-	-	-	-
315	Research Pkwy (McLane Pkwy to Central Point Pkwy)	-	-	-	-	-
320	Outer Loop (I35 South)	-	10,750,000	-	-	-
320	Outer Loop (I35 South) {bond funded}	-	-	-	-	-
321	East Outer Loop	-	-	-	-	-
350	Total Research Parkway	-	10,750,000	-	-	-
<b>SYNERGY PARK:</b>						
351	Lorraine Drive (Southeast Industrial Park) - <b>[\$1.5M total project cost]</b>	-	-	-	-	-
352	Entry Enhancement	-	-	-	-	-
400	Total Synergy Park	-	-	-	-	-
<b>DOWNTOWN:</b>						
401	Downtown Improvements {Transformation Team}	450,000	450,000	450,000	450,000	450,000
402	Santa Fe Plaza	-	-	-	-	-
404	Santa Fe Market	-	-	-	-	-
405	TISD-Obligation per Contract	-	-	-	-	-
406	1st Street (Avenue B to Central Avenue) and Avenue A (North 3rd to South 2nd)	-	-	-	-	-
407	North 31st Street (Nugent to Central) Concept Design	-	-	-	-	-
408	Strategic Investment Zone - Grants	-	-	-	-	-
450	Total Downtown	450,000	450,000	450,000	450,000	450,000
<b>TMED:</b>						
458	Loop 363 Frontage Rd (UPRR to 5th TIRZ portion)	-	-	-	-	-
459	31st Street/Loop 363 Improvements	-	-	-	-	-
460	31st Street (Loop 363 to Avenue M) and Avenue R (31st to 25th Street) Concept Design	-	-	-	-	-
461	31st Street Monumentation {bond funded}	-	-	-	-	-
462	Ave U TMED Ave. to 1st Street	-	-	-	-	-
466	Veteran's Memorial Blvd. Phase II	2,488,000	-	-	-	-
468	TMED South 1st Street	-	-	-	-	-
500	Total TMED	2,488,000	-	-	-	-
<b>AIRPORT PARK:</b>						
507	Taxiway for Airport	-	-	-	-	-
508	Corporate Hangar Phase II	-	-	-	-	-
510	Corporate Hangar Phase III	-	-	-	-	-
511	Draughon-Miller Regional Airport FBO Center & Parking Visioning	-	-	-	-	-
512	Corporate Hangar Phase IV {RAMP grant funded}	-	-	-	-	-
512	Corporate Hangar Phase IV {bond funded}	-	-	-	-	-
550	Total Airport Park	-	-	-	-	-
610	Public Improvements	-	-	5,500,000	7,000,000	13,000,000
611	Public Improvements	-	-	-	-	-
612	Contingency {bond funded}	-	-	-	-	-
	Total Public Improvements	-	-	5,500,000	7,000,000	13,000,000
	Total Planned Project Expenditures	2,938,000	11,200,000	5,950,000	7,450,000	13,450,000
700	Available Fund Balance at Year End	\$ 7,790,064	\$ 4,542,317	\$ 6,144,385	\$ 6,183,721	\$ 3,310,567





## Tax Increment Reinvestment Zone & School District Boundaries

Temple City Limits = 75.15 sq miles

TIRZ Area = 23.46 sq miles

31.2%

- Temple Municipal Boundary
- Tax Increment Reinvestment Zone

### School Districts

- TEMPLE ISD
- BELTON ISD
- ACADEMY ISD
- TROY ISD



Date: 12/6/2016



# **REINVESTMENT ZONE NO. 1**

**CITY OF TEMPLE**

**2 NORTH MAIN STREET**

**TEMPLE, TEXAS 76501**

**254-298-5631**

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, APPROVING THE SUBMISSION OF THE CITY OF TEMPLE TAX INCREMENT FINANCING REINVESTMENT ZONE NUMBER ONE ANNUAL REPORT FOR FISCAL YEAR 2016-2017; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, Section 311.016 of the Tax Increment Financing Act requires that on or before the 150<sup>th</sup> day following the end of the fiscal year of the municipality, the governing body of a municipality submit to the chief executive officer of each taxing unit that levies property tax on real property in a reinvestment zone created by the municipality, an annual report on the status of the zone;

**Whereas**, State law requires a copy of the report must also be sent to the Texas Attorney General and State Comptroller;

**Whereas**, the financial information contained in the report was presented to the City of Temple Tax Increment Financing Reinvestment Zone Number One Board at the December 6, 2017 board meeting;

**Whereas**, Staff recommends approval of the City of Temple Tax Increment Financing Reinvestment Zone Number One Annual Report for 2016-2017, which meets all the mandated requirements for submission, including a balance sheet and income statement as of September 30, 2017; and

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

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

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

**Part 2:** The City Council approves the City of Temple Tax Increment Financing Reinvestment Zone Number One Annual Report for the fiscal year 2016-2017, a copy of which is attached hereto and made a part of this Resolution for all purposes as Exhibit "A," and the Director of Finance is hereby directed to submit the report to the chief executive officer of each taxing unit that levies property tax on real property in City of Temple Tax Increment Financing Reinvestment Zone Number One. A copy of the report shall also be sent to the Attorney General and State Comptroller.

**Part 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 7<sup>th</sup> day of **December**, 2017.

THE CITY OF TEMPLE, TEXAS

---

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

---

Lacy Borgeson  
City Secretary

---

Kayla Landeros  
City Attorney





## COUNCIL AGENDA ITEM MEMORANDUM

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12/07/17  
Item #4(NN)  
Consent Agenda  
Page 1 of 1

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

Traci Barnard, Director of Finance

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing budget amendments for fiscal year 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 \$472,046.

**ATTACHMENTS:**

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

**CITY OF TEMPLE**  
**BUDGET AMENDMENTS FOR FY 2018 BUDGET**  
**December 7, 2017**

ACCOUNT #	PROJECT #	DESCRIPTION	APPROPRIATIONS	
			Debit	Credit
110-5921-529-6211	101650	Capital Equipment / Instruments/Special Equipment	\$ 3,975	
110-0000-461-0841		Other / Donations/Gifts		\$ 3,975
To appropriate additional match from the Greater Temple Foundation for the purchase of a walk in cooler at the Animal Shelter.				
<b>364-1500-515-6532</b>		<b>Capital - Special Projects / Contingency</b>	<b>\$ 10,797</b>	
<b>364-1500-515-6536</b>		<b>Capital - Special Projects / Contingency - Compensation</b>		<b>\$ 1,292</b>
364-3800-519-6310	101405	Capital - Building & Grounds / Gate at Service Center		\$ 7,705
364-2011-521-6310	101568	Capital - Building & Grounds / Upgrade Lights @ PD		\$ 1,800
<b>365-3400-531-6532</b>		<b>Capital - Bonds / Contingency</b>	<b>\$ 12,283</b>	
365-3400-531-6885	100392	Capital - Bonds / Tarver Road Extension		\$ 12,127
365-3400-531-6527	101631	Capital - Bonds / Street/Road Improvements - Restripe Midway Drive and Tarver Road		\$ 156
<b>561-5000-535-6532</b>		<b>Capital - Bonds / Contingency</b>	<b>\$ 216,754</b>	
561-5200-535-6909	100333	Capital - Bonds / South Temple Water System Improvements		\$ 210,000
561-5200-535-6936	100391	Capital - Bonds / Tarver to Old Waco Road Utilities Relocations		\$ 6,754
To appropriate project savings into contingency accounts for future use.				
110-4000-555-2128		Supplies / Postage	\$ 2,247	
110-4000-555-2110		Supplies / Office Supplies	\$ 2,246	
110-0000-431-0163		Federal Grants / Federal Grants		\$ 4,493
To appropriate revenue and expenditures related to the Texas State Library and Archives Commissions grant through the Inter-Library Loan Program. Funds will be used for expenditures related to lending library materials to other libraries.				
110-3700-524-2110		Supplies / Office Supplies	\$ 600	
110-3700-524-2111		Supplies / Computer Supplies	\$ 500	
110-3700-524-2113		Supplies / Clothing & Uniforms	\$ 600	
110-3700-524-2116		Supplies / Supplies & Tools	\$ 650	
110-3700-524-2128		Supplies / Postage	\$ 2,000	
110-3700-524-2129		Supplies / Marketing	\$ 500	
110-3700-524-2210		Capital < \$5,000 / Furniture & Fixtures	\$ 250	
110-3700-524-2212		Capital < \$5,000 / Office Machines	\$ 650	
110-3700-524-2224		Capital < \$5,000 / Communication Equipment	\$ 300	
110-3700-524-2511		Other Services / Printing & Publications	\$ 500	
110-3700-524-2514		Other Services / Travel & Training	\$ 1,625	
110-3700-524-2515		Other Services / Dues & Subscriptions	\$ 225	
110-3700-524-2616		Other Services / Professional	\$ 10,000	
110-3700-524-2625		Other Services / Advertising/Legals	\$ 9,300	
110-6000-513-2111		Supplies / Computer Supplies		\$ 500
110-6000-513-2113		Supplies / Clothing & Uniforms		\$ 600
110-6000-513-2116		Supplies / Supplies & Tools		\$ 650
110-6000-513-2128		Supplies / Postage		\$ 2,000
110-6000-513-2129		Supplies / Marketing		\$ 500
110-6000-513-2210		Capital < \$5,000 / Furniture & Fixtures		\$ 250
110-6000-513-2212		Capital < \$5,000 / Office Machines		\$ 650
110-6000-513-2224		Capital < \$5,000 / Communication Equipment		\$ 300
110-6000-513-2511		Other Services / Printing & Publications		\$ 500
110-6000-513-2514		Other Services / Travel & Training		\$ 1,625
110-6000-513-2515		Other Services / Dues & Subscriptions		\$ 225
110-6000-513-2616		Other Services / Professional		\$ 10,000
110-6000-513-2625		Other Services / Advertising/Legals		\$ 9,300
110-6000-513-2110		Supplies / Office Supplies		\$ 600
To reallocate budgeted funds for operating accounts in General Services to Code Compliance based on structure changes to Neighborhood Revitalization Program authorized by Interim City Manager on 10/05/2017.				

**CITY OF TEMPLE**  
**BUDGET AMENDMENTS FOR FY 2018 BUDGET**  
**December 7, 2017**

ACCOUNT #	PROJECT #	DESCRIPTION	APPROPRIATIONS	
			Debit	Credit
110-3700-524-1111		Salaries / Supervisory	\$ 4,194	
110-3700-524-1112		Salaries / Professional	\$ 48,277	
110-3700-524-1113		Salaries / Technical	\$ 41,475	
110-3700-524-1115		Salaries / Skilled	\$ 15,375	
110-3700-524-1117		Salaries / Labor	\$ 2,692	
110-3700-524-1126		Salaries / Longevity	\$ 3,189	
110-3700-524-1220		Personnel Benefits / Retirement/Pension	\$ 24,268	
110-3700-524-1221		Personnel Benefits / Social Security	\$ 1,937	
110-3700-524-1222		Personnel Benefits / Health Insurance	\$ 13,725	
110-3700-524-1223		Personnel Benefits / Worker Compensation	\$ 409	
110-3700-524-1225		Personnel Benefits / Dental Insurance	\$ 319	
110-3700-524-1226		Personnel Benefits / Life Insurance	\$ 209	
110-3700-524-1227		Personnel Benefits / AD&D Insurance	\$ 44	
110-3700-524-1228		Personnel Benefits / Long Term Disability	\$ 467	
110-3700-524-1233		Personnel Benefits / In Lieu of Insurance - \$125	\$ 1,500	
110-6000-513-1112		Salaries / Professional		\$ 70,000
110-6000-513-1113		Salaries / Technical		\$ 20,738
110-6000-513-1115		Salaries / Skilled		\$ 34,000
110-6000-513-1220		Personnel Benefits / Retirement/Pension		\$ 21,000
110-6000-513-1221		Personnel Benefits / Social Security		\$ 1,000
110-6000-513-1222		Personnel Benefits / Health Insurance		\$ 10,267
110-6000-513-1223		Personnel Benefits / Worker Compensation		\$ 200
110-6000-513-1225		Personnel Benefits / Dental Insurance		\$ 200
110-6000-513-1233		Personnel Benefits / In Lieu of Insurance - \$125		\$ 675
To reallocate budgeted funds for personnel and benefit accounts in General Services to Code Compliance based on structure changes to Neighborhood Revitalization Program authorized by Interim City Manager on 10/05/2017.				
260-6100-571-2698		Contracted Services / Demolitions/Special Projects	\$ 32,344	
260-6100-571-6315	101711	Capital Buildings & Grounds / Sidewalk/Curb/Gutter	\$ 5,000	
260-6000-515-6532		Capital - Special Projects / Contingency		\$ 1,955
260-6100-571-6532		Capital - Special Projects / Contingency		\$ 35,388
260-0000-431-0131		Federal Grants / CDBG Federal Grant		\$ 1
To reallocate and adjust amounts carried forward for CDBG due to completion of projects.				
110-3500-552-2214		Capital < \$5,000 / Buildings & Grounds	\$ 620	
110-0000-461-0554		Insurance Claims / Insurance Claims		\$ 620
To appropriate final insurance proceeds for the replacement of stolen art piece (bronze big) in Oak Creek Park. Initial proceeds were received from TML in August 2017 in the amount of \$2,630.				
<b>TOTAL AMENDMENTS</b>			<b>\$ 472,046</b>	<b>\$ 472,046</b>

**CITY OF TEMPLE**  
**BUDGET AMENDMENTS FOR FY 2018 BUDGET**  
**December 7, 2017**

ACCOUNT #	PROJECT #	DESCRIPTION	APPROPRIATIONS	
			Debit	Credit
		GENERAL FUND		
		Beginning <b>Contingency</b> Balance	\$	-
		Added to Contingency Sweep Account		-
		Carry forward from Prior Year		-
		Taken From Contingency		-
		Net Balance of Contingency Account	\$	-
		Beginning <b>Judgments &amp; Damages</b> Contingency	\$	25,182
		Added to Contingency Judgments & Damages from Council Contingency		-
		Taken From Judgments & Damages		-
		Net Balance of Judgments & Damages Contingency Account	\$	25,182
		Beginning <b>Compensation</b> Contingency	\$	343,000
		Added to Compensation Contingency		-
		Taken From Compensation Contingency		-
		Net Balance of Compensation Contingency Account	\$	343,000
		<b>Net Balance Council Contingency</b>	<b>\$</b>	<b>368,182</b>
		Beginning Balance <b>Budget Sweep</b> Contingency	\$	-
		Added to Budget Sweep Contingency		-
		Taken From Budget Sweep		-
		Net Balance of Budget Sweep Contingency Account	\$	-
		WATER & SEWER FUND		
		Beginning <b>Contingency</b> Balance	\$	65,000
		Added to Contingency Sweep Account		-
		Taken From Contingency		-
		Net Balance of Contingency Account	\$	65,000
		Beginning <b>Compensation</b> Contingency	\$	63,000
		Added to Compensation Contingency		-
		Taken From Compensation Contingency		-
		Net Balance of Compensation Contingency Account	\$	63,000
		<b>Net Balance Water &amp; Sewer Fund Contingency</b>	<b>\$</b>	<b>128,000</b>
		HOTEL/MOTEL TAX FUND		
		Beginning <b>Contingency</b> Balance	\$	-
		Added to Contingency Sweep Account		-
		Carry forward from Prior Year		-
		Taken From Contingency		-
		Net Balance of Contingency Account	\$	-
		Beginning <b>Compensation</b> Contingency	\$	19,000
		Added to Compensation Contingency		-
		Taken From Compensation Contingency		-
		Net Balance of Compensation Contingency Account	\$	19,000
		<b>Net Balance Hotel/Motel Tax Fund Contingency</b>	<b>\$</b>	<b>19,000</b>
		DRAINAGE FUND		
		Beginning <b>Contingency</b> Balance	\$	807,065
		Added to Contingency Sweep Account		-
		Carry forward from Prior Year		-
		Taken From Contingency		(305,900)
		Net Balance of Contingency Account	\$	501,165
		Beginning <b>Compensation</b> Contingency	\$	12,500
		Added to Compensation Contingency		-
		Taken From Compensation Contingency		-
		Net Balance of Compensation Contingency Account	\$	12,500
		<b>Net Balance Drainage Fund Contingency</b>	<b>\$</b>	<b>513,665</b>



CITY OF TEMPLE  
BUDGET AMENDMENTS FOR FY 2018 BUDGET  
December 7, 2017

ACCOUNT #	PROJECT #	DESCRIPTION	APPROPRIATIONS	
			Debit	Credit
		<b>FED/STATE GRANT FUND</b>		
		Beginning <b>Contingency</b> Balance		\$ -
		Carry forward from Prior Year		39,299
		Added to Contingency Sweep Account		(37,343)
		Taken From Contingency		-
		<b>Net Balance Fed/State Grant Fund Contingency</b>		<b>\$ 1,956</b>

RESOLUTION NO. \_\_\_\_\_

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 25<sup>th</sup> 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 7<sup>th</sup> day of **December**, 2017.

THE CITY OF TEMPLE, TEXAS

\_\_\_\_\_  
DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Lacy Borgeson  
City Secretary

\_\_\_\_\_  
Kayla Landeros  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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12/07/17  
Item #5  
Regular Agenda  
Page 1 of 2

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

Mark Baker, Senior Planner

### **ITEM DESCRIPTION:** P-FY-17-64 & A-FY-17-13: Consider adopting resolutions:

- (a) Approving the Final Plat of Santa Fe Plaza West, Phase II, a 0.701 +/- acre, 1 lot, 1 block, non-residential subdivision, being a replat of the Santa Fe Plaza West subdivision, situated between West Avenue A, West Avenue B, South 9th Street & South 7th Street, Temple, Texas;
- (b) Authorizing abandonment of portions of a service alleyway originally dedicated within the Original Town of Temple subdivision plat; and
- (c) Authorizing abandonment of portions of public rights-of way dedicated as West Avenue A and West Avenue B, within the Original Town of Temple subdivision plat.

**STAFF RECOMMENDATION:** Staff recommends approval of the Final Plat of Santa Fe Plaza West, Phase II and the companion abandonment of public rights-of-way and alleyway as described in the Item Description.

**PLANNING & ZONING COMMISSION RECOMMENDATION:** At their November 6, 2017 meeting, the Planning & Zoning Commission voted eight to zero to recommend approval of the final plat of Santa Fe Plaza West, Phase II. While it was discussed during the meeting, no separate action was required or taken regarding the companion case for the abandonment of street rights-of-way or alleyway.

**ITEM SUMMARY:** The Final Plat of Santa Fe Plaza West, Phase II is a replat of the Santa Fe Plaza West non-residential subdivision plat. The replat is comprised of one block with one lot approximately 0.074 +/- acre (3,250 square feet). The one lot is being incorporated into the original 9 lot subdivision. This replat was anticipated at the time the initial Santa Fe Plaza West subdivision was approved by City Council by Resolution in January 2017.

The original Santa Fe Plaza West subdivision was key to the implementation of the Santa Fe Plaza Master Plan as well as for the redevelopment of this City-owned property. The original plat was also the first step for the relocation of several key organizations and their administrative offices, which include the Temple Chamber of Commerce, Temple Economic Development Corporation (TEDC) and the Temple Independent School District (TISD).

The City Council-approved Master Plan for the Santa Fe Plaza contains sidewalk and other pedestrian amenities. Accommodations for the sidewalk and pedestrian amenities will be shown on the building plans in conformance to the approved Master Plan.

The Development Review Committee reviewed the replat for Phase II on September 7, 2017. It was deemed administratively complete on October 23, 2017.

The property is currently zoned Central Area (CA) district. The CA district principally addresses development in the Central Business District of the City, allowing most commercial, retail and office uses. Maximum building height may be any legal limit that other laws and ordinances do not prohibit.

Sewer is available to the entire Santa Fe Plaza West subdivision by 18-inch wastewater lines in both West Avenue A & West Avenue B. Additional availability is from several existing utility easements located within public alleyways. Water is available through either an existing 12-inch waterline in West Avenue A or an eight inch waterline in West Avenue B. Additional availability is from a 12-inch waterline in South 11<sup>th</sup> Street, a six inch waterline in South 9<sup>th</sup> Street or an eight inch waterline in South 5<sup>th</sup> Street as well as waterlines within several utility easements.

**ALLEYWAY & RIGHT-OF-WAY ABANDONMENT:** The replat, as proposed, requires abandonment of approximately 0.157 +/- acres (6838.92 square feet) of right-of-way (ROW) and alleyway of the following:

- a) Portions of West Avenue A,
- b) Portions of West Avenue B, and
- c) Alleyway in Block 25, Original Town of Temple

Outside utility providers as well as the City of Temple Public Works Department have been notified of the proposed abandonment. No issues have been identified. Public Works is in agreement with the abandonments as proposed.

As the case with the initial Santa Fe Plaza West subdivision, abandonment of alleyway and ROW accompanied the final plat and was approved by City Council by Resolution 2017-8524 in January 2017.

**PUBLIC NOTICE:** Since this is a replat which does not vacate the underlying subdivision plat, per UDC Section 3.7, a public hearing is required. However, since this a non-residential plat and property owner notification is not required, out of an abundance of caution, a 15-day notice of the public hearing was provided on November 19, 2017 in accordance with local ordinance and state statute.

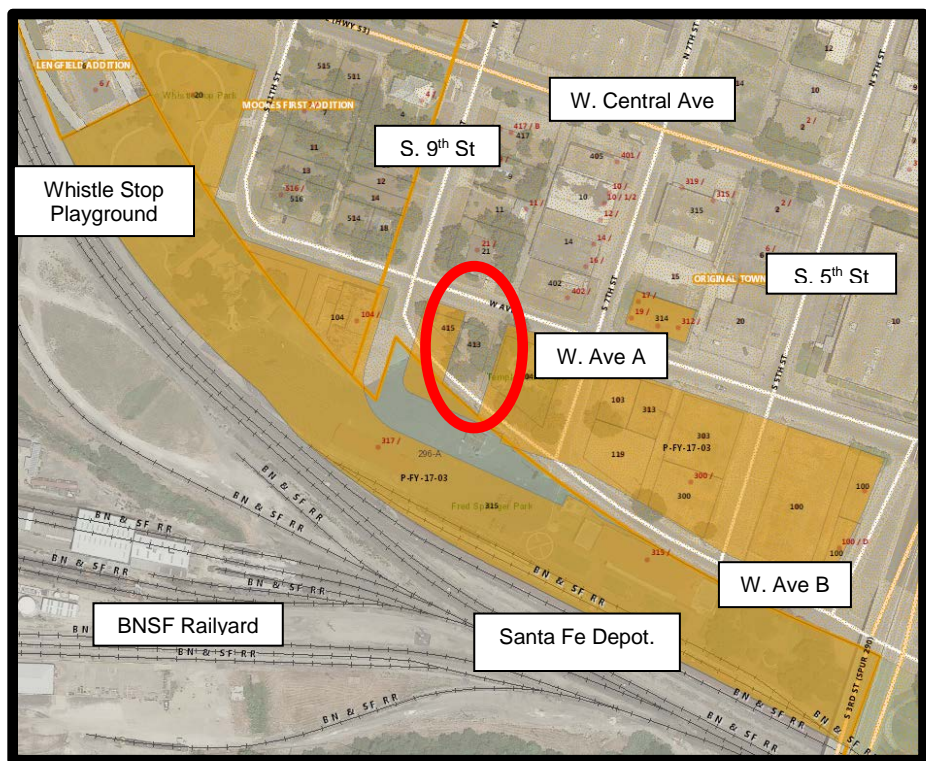
**FISCAL IMPACT:** Not Applicable

**ATTACHMENTS:**

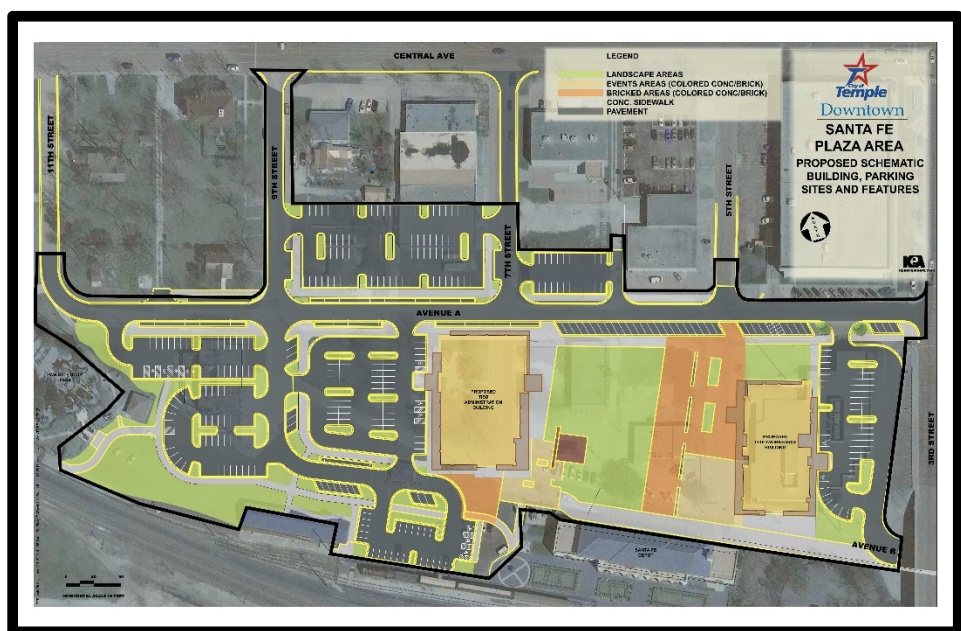
[Aerial, Site Plan & Property Photos](#)  
[Final Plat & Field Notes \(Exhibit A\)](#)  
[Topo / Utility Plan](#)  
[Abandonment Survey & Field Notes \(Exhibit B\)](#)  
[P&Z Excerpts for Final Plat \(November 6, 2017\)](#)  
[Resolutions](#)



# Aerial, Site Plan & Property Photos



Aerial Image: Whistle Stop Playground, Santa Fe Depot & Vicinity (CA)  
**Area of Replat in RED**



Site Plan: Santa Fe Plaza Master Plan





**Architectural Rendering of Santa Fe Plaza West**  
**Courtesy of Covey Landscape Architects**



**Architectural Rendering of Santa Fe Plaza West**  
**Courtesy of Covey Landscape Architects**





**Architectural Rendering of Santa Fe Plaza West**  
**Courtesy of Covey Landscape Architects**



**Architectural Rendering of Santa Fe Plaza West**  
**Courtesy of Covey Landscape Architects**



**Architectural Rendering of Santa Fe Plaza West  
Courtesy of Covey Landscape Architects**



**Site: Looking East – Intersection of S. 11<sup>th</sup> Street & W. Ave A (CA)  
Prior to area redevelopment as Santa Fe Plaza (December 2016)**





**Site: Looking East – Intersection of S. 11th Street & W. Ave A (CA)  
(As of October 2017)**



**Site: Looking South along W. Ave A at 0.074 +/- Acre Property (CA)  
Prior to area redevelopment as Santa Fe Plaza (December 2016)**



**Site: Looking South along W. Ave A at 0.074 +/- Acre Property (CA)  
(As of October 2017)**



FINAL PLAT for  
SANTA FE PLAZA WEST,  
PHASE II

WITHIN THE CITY OF TEMPLE, BELL COUNTY, TEXAS.

Situated in the NANCY CHANCE SURVEY, ABSTRACT 5, City of Temple, Bell County, Texas, being a REPLAT of Lot 1, Block 2, Santa Fe Plaza West, an addition in the City of Temple, Bell County, Texas, according to the plat of record in Plat Year 2017, Plat No. 27 A & B, Plat Records of Bell County, Texas, together with all of a tract known as the East 1/2 of Lot 1, Block 25, Original Town of Temple, according to the plat of record in Volume 36, Page 640, Deed Records of Bell County, Texas, a portion of the right-of-ways of West Avenue A and West Avenue B, and a portion of an alley situated in said Block 25, Original Town of Temple.

STATE OF TEXAS  
COUNTY OF BELL

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

BY: \_\_\_\_\_  
DANIEL A. DUNN, Mayor  
City of Temple

STATE OF TEXAS  
COUNTY OF BELL

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017.

NOTARY PUBLIC, STATE OF TEXAS

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, PLANNING & ZONING \_\_\_\_\_

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

WITNESS MY HAND THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017.

CITY SECRETARY \_\_\_\_\_

AFFIDAVIT:

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

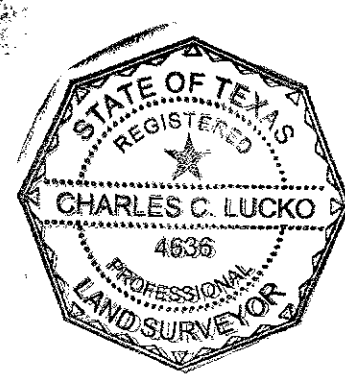
Dated this the \_\_\_\_\_ day of \_\_\_\_\_, 2017 A. D.

By: \_\_\_\_\_  
Bell County Tax Appraisal District

STATE OF TEXAS  
COUNTY OF BELL

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

*Charles C. Lucko*  
CHARLES C. LUCKO  
REGISTRATION NO. 4636  
DATE SURVEYED: OCTOBER 18, 2014



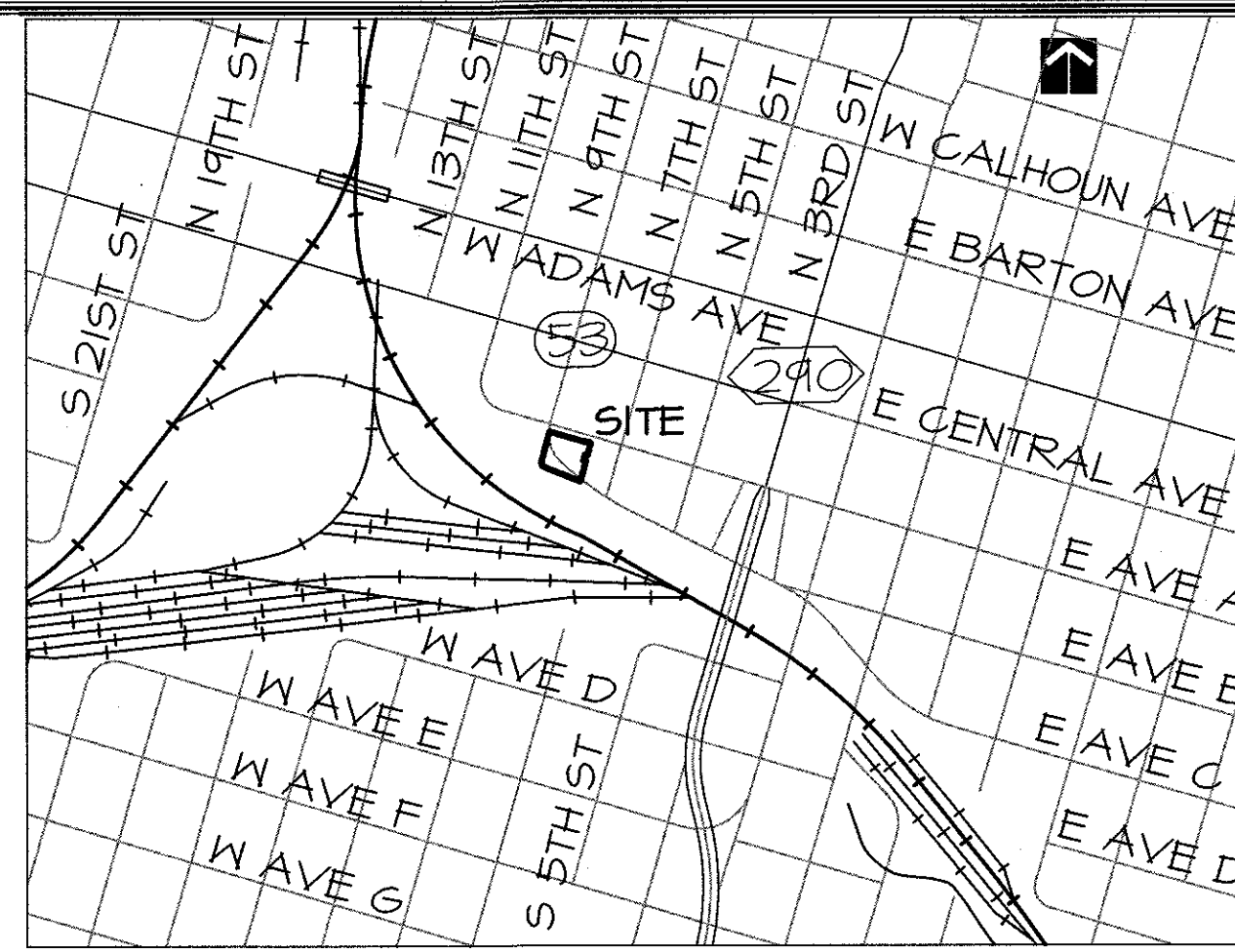
PURPOSE STATEMENT:

The purpose of this REPLAT is to incorporate newly acquired property into the development known as Santa Fe Plaza.

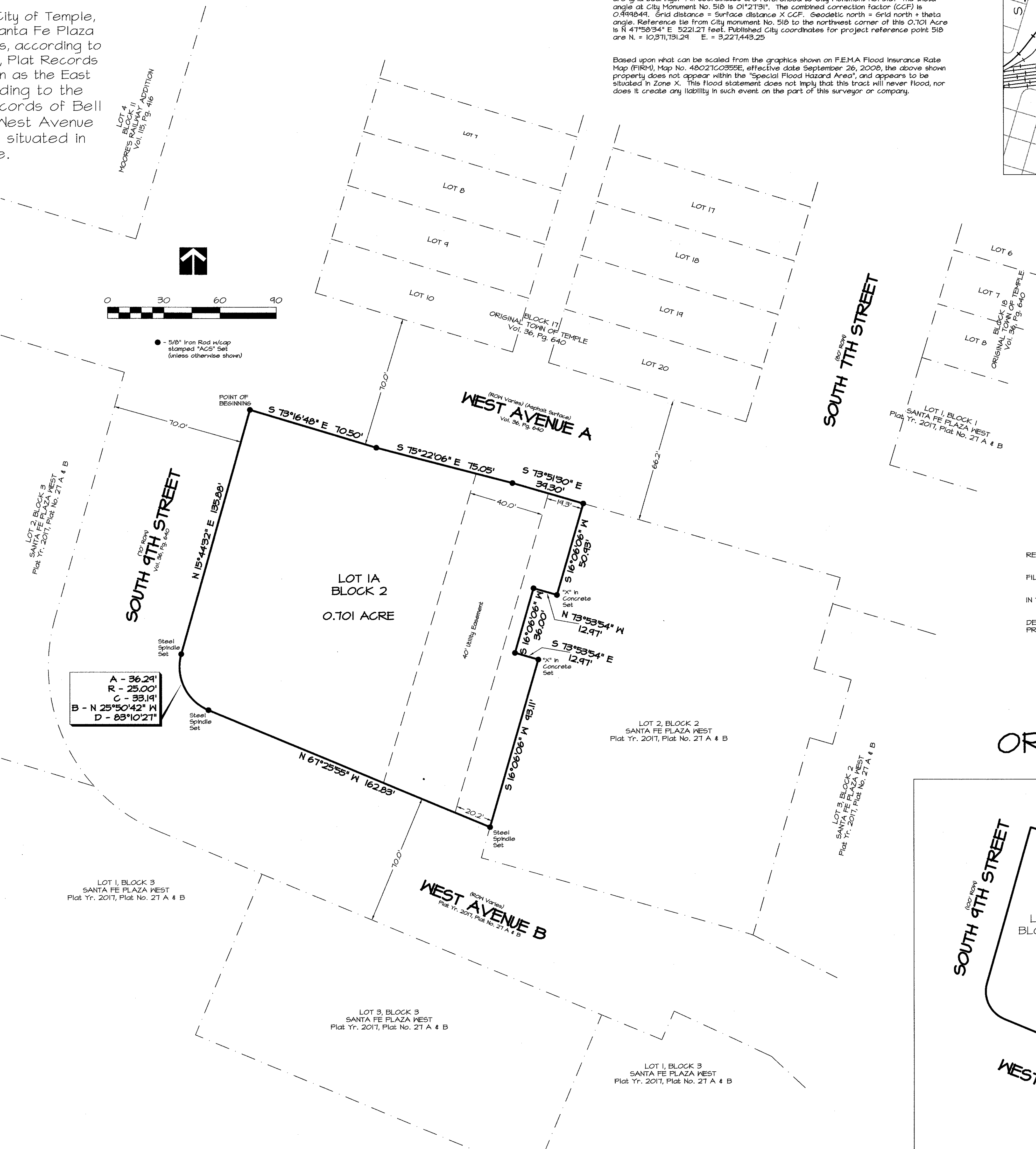
LOTS - ONE (1)  
BLOCKS - ONE (1)  
AREA - 0.701 ACRES

This project is referenced to the City of Temple Coordinate System, NAD 83, Texas Central Zone. All distances are horizontal surface distances unless noted and all bearings are grid bearings. All coordinates are referenced to City Monument No. 518. The theta angle at City Monument No. 518 is 01°21'31". The combined correction factor (CCF) is 0.444849. Grid distance = Surface distance X CCF. Geodetic north = Grid north + theta angle. Reference tie from City monument No. 518 to the northwest corner of this 0.701 Acre is N 47°59'34" E 522.21 feet. Published City coordinates for project reference point 518 are N = 10,371,731.24 E = 3,227,443.25

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



VICINITY MAP



NOTE:

THE ALLEY LOCATED IN BLOCK 25, ORIGINAL TOWN OF TEMPLE, ALONG WITH PORTIONS OF THE RIGHT-OF-WAYS OF SOUTH WEST AVENUE A AND WEST AVENUE B HAVE BEEN ABANDONED AS PER CITY OF TEMPLE RESOLUTION NO. \_\_\_\_\_ RECORDED IN DOCUMENT NO. \_\_\_\_\_ OFFICIAL PUBLIC RECORDS OF REAL PROPERTY, BELL COUNTY, TEXAS.

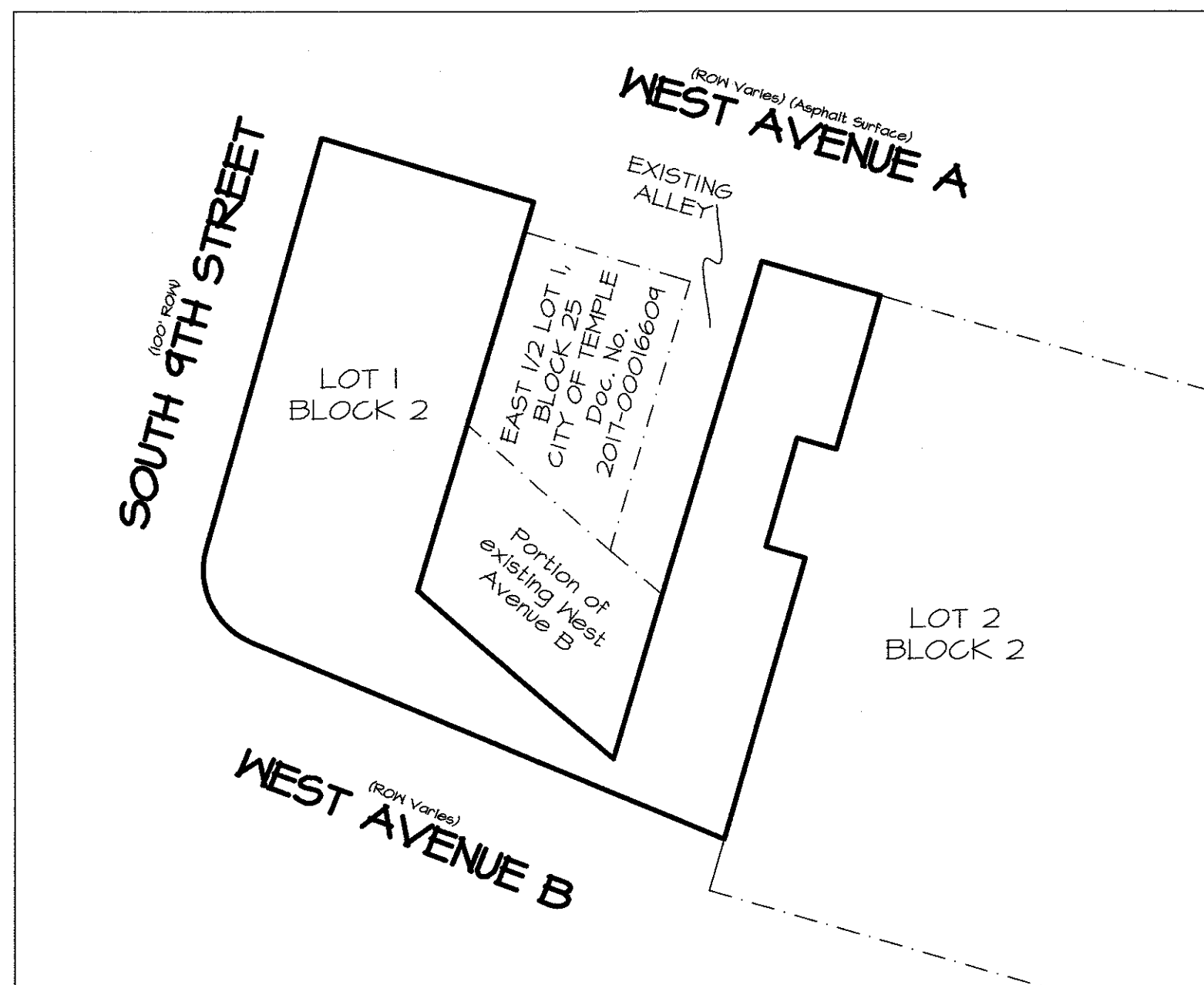
RECORDATION INFORMATION:

FILED FOR RECORD THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017.

IN YEAR \_\_\_\_\_, PLAT # \_\_\_\_\_, PLAT RECORDS OF BELL COUNTY, TEXAS.

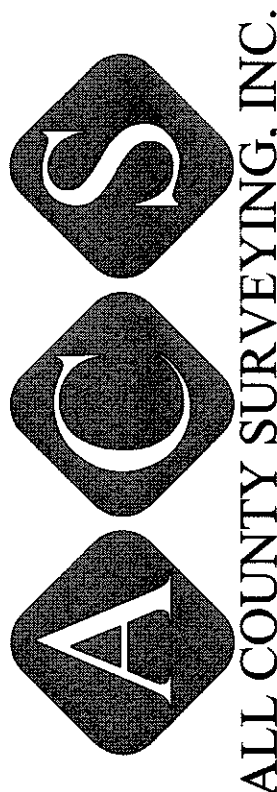
DEDICATION INSTRUMENT # \_\_\_\_\_, OFFICIAL PUBLIC RECORDS OF REAL PROPERTY, BELL COUNTY, TEXAS.

ORIGINAL LAYOUT



FINAL PLAT for  
**SANTA FE PLAZA WEST,  
PHASE II**  
WITHIN THE CITY OF TEMPLE, BELL COUNTY, TEXAS.

1303 South 21st Street  
Temple, Texas 76504  
254-718-2212 Killeen 254-634-4636  
Fax 254-714-7608  
Tx. Firm Lic. No. 10023600



ALL COUNTY SURVEYING, INC.

Plat Date: 08-17-2017  
Survey completed: 10-18-2014  
Scale: 1" = 30'  
Job No. 160324  
Dwg No. 160324.4P  
Drawn by SLN  
Surveyor CCL #4636  
Copyright 2017 All County Surveying, Inc.



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

August 17, 2017

Surveyor's Field Notes for **SANTA FE PLAZA WEST, PHASE II**, being:

**0.701 ACRE**, situated in the **MAXIMO MORENO SURVEY, ABSTRACT 14**, Bell County, Texas, embracing all of Lot 1, Block 2, Santa Fe Plaza West, an addition in the City of Temple, Bell County, Texas, according to the plat of record in Plat Year 2017, Plat No. 27 A & B, Plat Records of Bell County, Texas, a portion of Lot 1 (East ½), Block 25, a portion of the alley situated in said Block 25, and portions of public roadways known as West Avenue A and West Avenue B, all in the Original Town of Temple, according to the plat of record in Volume 36, Page 640, Deed Records of Bell County, Texas, and being more particularly described as follows:

**BEGINNING** at a 5/8" iron rod with cap stamped "ACS" set at the northwest corner of said Lot 1, Block 2, Santa Fe Plaza West, being on the south line of said West Avenue A and the east line of South 9<sup>th</sup> Street, for the northwest corner of the herein described tract;

**THENCE**, in an easterly direction, **S 73° 16' 48" E – 70.50'**, a 5/8" iron rod with cap stamped "ACS" set, **S 75° 22' 06" E – 75.05'**, a 5/8" iron rod with cap stamped "ACS" set, and **S 73° 51' 30" E – 39.30'**, to a 5/8" iron rod with cap stamped "ACS" set at the northwest corner of Lot 2, Block 2, said Santa Fe Plaza West, for the northeast corner of the herein described tract;

**THENCE**, in a southerly direction, with the west line of said Lot 2, Block 2, the following calls:

1. **S 16° 06' 06" W – 50.93'**, an "X" set in concrete,
2. **N 73° 53' 54" W – 12.97'**, a 5/8" iron rod with cap stamped "ACS" set,
3. **S 16° 06' 06" W – 36.00'**, a 5/8" iron rod with cap stamped "ACS" set,
4. **S 73° 53' 54" E – 12.97'**, an "X" set in concrete, and
5. **S 16° 06' 06" W – 93.11'**, to a 5/8" iron rod with cap stamped "ACS" set on the north line of West Avenue B, for the southeast corner of the herein described tract;

**THENCE**, in a westerly direction, with the north line of said West Avenue B, **N 67° 25' 55" W – 162.83'**, to a steel spindle set at the beginning of a curve to the right;

**THENCE**, in a northwesterly direction, with said curve to the right; having a radius of **25.00'**, a delta angle of **83° 10' 27"**, and a long chord which bears **N 25° 50' 42" W – 33.19'**; an arc length of **36.29'**, to a steel spindle set on the east line of South 9<sup>th</sup> Street;

**THENCE**, in a northerly direction, with the east line of said 9<sup>th</sup> Street, **N 15° 44' 32" E – 135.88'**, to the **POINT OF BEGINNING** and containing 0.701 Acre of Land.

This project is referenced to the City of Temple Coordinate System, NAD 83, Texas Central Zone. All distances are horizontal surface distances unless noted and all bearings are grid bearings. All coordinates are referenced to City Monument No. 518. The theta angle at City Monument No. 518 is 01°27'31". The combined correction factor (CCF) is 0.999849. Grid distance = Surface distance X CCF. Geodetic north = Grid north + theta angle. Reference tie from City monument No. 518 to the northwest corner of this 0.701 Acre is N 47°58'34" E 5221.27 feet. Published City coordinates for project reference point 518 are N. = 10,371,731.29 E. = 3,227,443.25

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

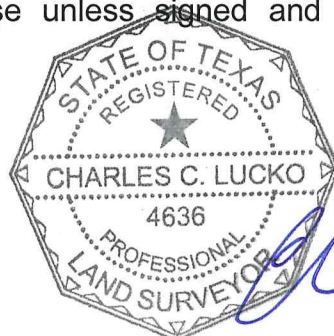
Surveyed October 18, 2014

**ALL COUNTY SURVEYING, INC.**

**1-800-749-PLAT**

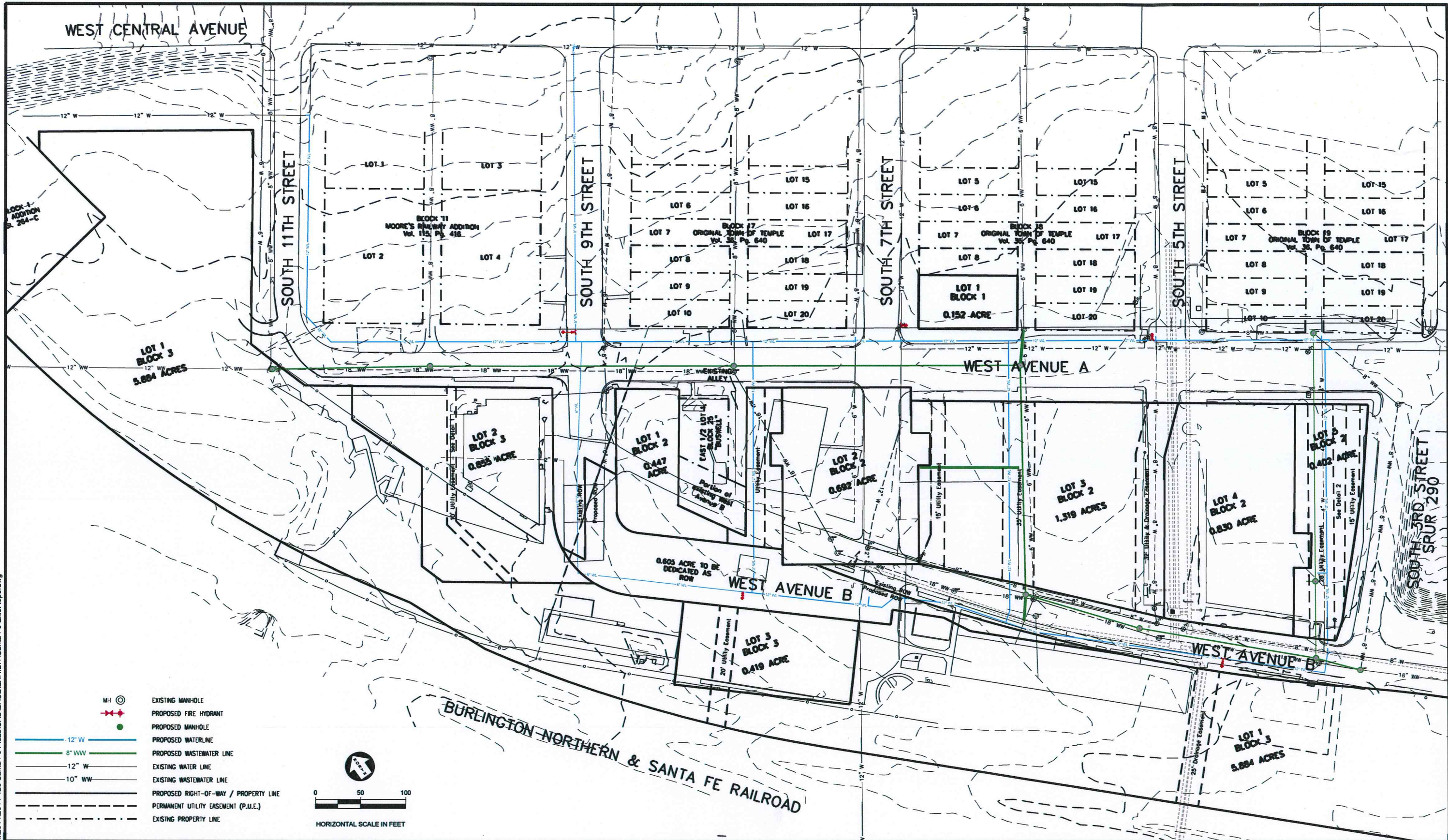
**Tx. Firm Lic. No. 10023600**

server/projects/pro160000/160300/160324/160324.4P.doc



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





<div><div><div>NO.</div><div>DATE</div><div>REVISION</div><div>BY</div></div><div><div>Plot Date: Dec 15, 2016 - 2:16pm</div><div>Plotted By: FTG</div></div></div> <div><div>PROJECT NO. 2014-126</div><div>DRAWN BY Fabian T. Gomez</div><div>DESIGNED BY R. David Patrick, P.E.</div><div>APPROVED BY</div><div>DATE</div></div> <div><div><div><div>KPA</div><div>KASBERG, PATRICK &amp; ASSOCIATES, LP</div><div>CONSULTING ENGINEERS</div><div>TEMPLE, TEXAS 76501</div></div></div></div> <div><div>CITY OF TEMPLE, TEXAS</div><div>SANTA FE PLAZA</div><div>TOPOGRAPHY / EXISTING AND PROPOSED UTILITY LAYOUT</div></div> <div><div>SHEET NO. P-01</div><div>OF 01</div></div>			
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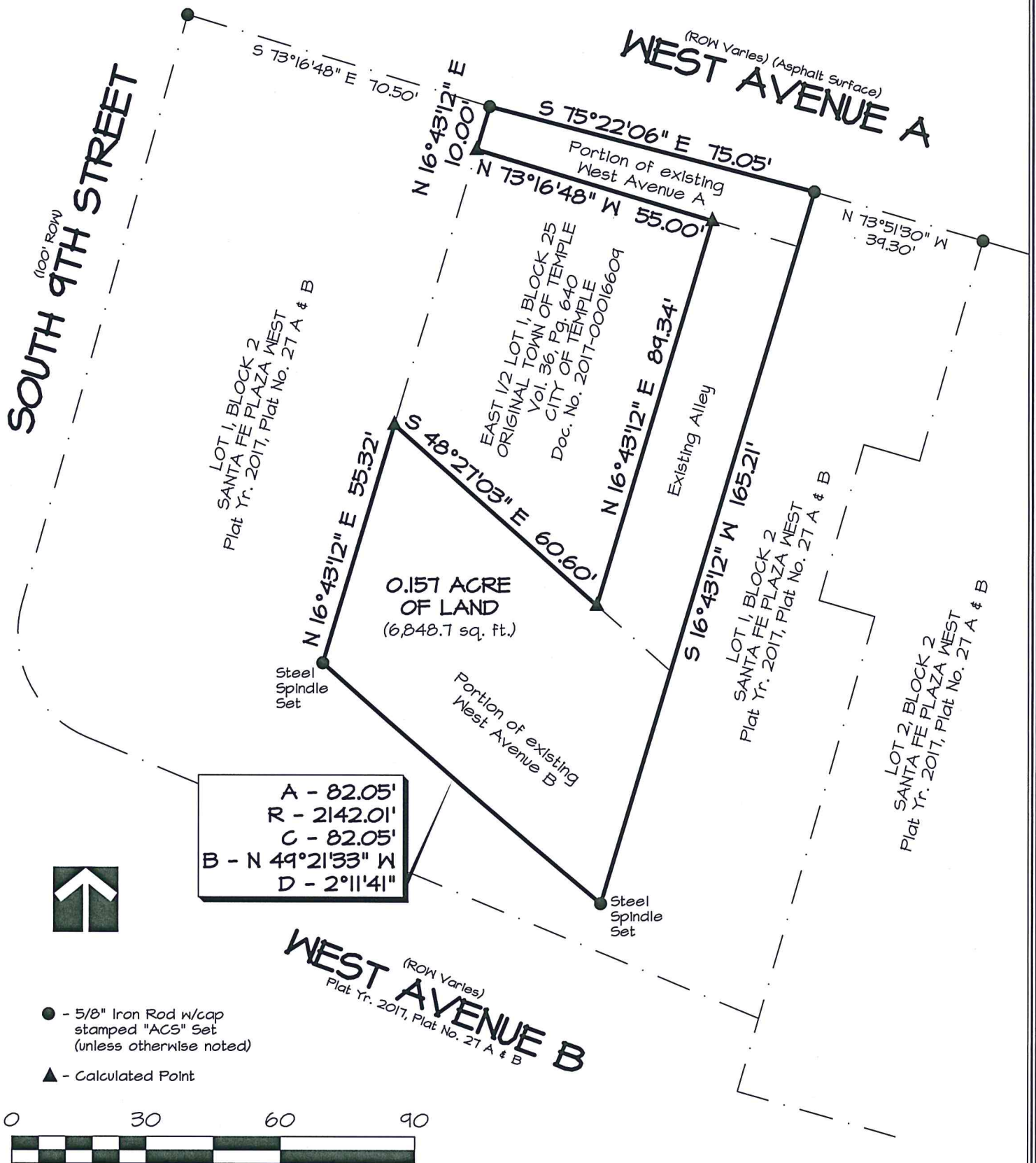
P:\Temple Reinvestment\2014\2014-126 Santa Fe Plaza\CAD\BASE\EXHIBIT\Santa Fe Exist topo.dwg



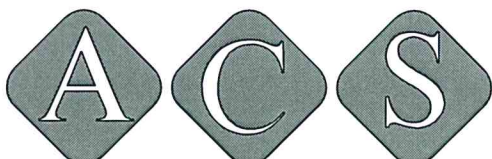
# SANTA FE PLAZA ABANDONMENTS TRACT 8

Survey showing 0.157 ACRE, situated in the MAXIMO MORENO SURVEY, ABSTRACT 14, City of Temple, Bell County, Texas.

This sketch to accompany a metes and bounds description of the hereon shown 0.157 Acre tract.



This project is referenced to the City of Temple Coordinate System, NAD 83, Texas Central Zone. All distances are horizontal surface distances unless noted and all bearings are grid bearings. All coordinates are referenced to City Monument No. 518. The theta angle at City Monument No. 518 is 01°27'31". The combined correction factor (CCF) is 0.999849. Grid distance = Surface distance X CCF. Geodetic north = Grid north + theta angle. Reference tie from City monument No. 518 to the most northwest corner of this 0.157 Acre tract is N 48°37'58" E 5258.20 feet. Published City coordinates for project reference point 518 are N. = 10,371,731.29 E. = 3,227,443.25



## EXHIBIT B

ALL COUNTY SURVEYING, INC.  
1303 South 21st Street  
Temple, Texas 76504  
254-778-2272 Killeen 254-634-4636  
Fax 254-774-7608  
Tx. Firm Lic. No. 10023600

Survey completed: 10-18-2014  
Scale: 1" = 30'  
Job No.: 160324  
Dwg No.: 160324-ROW EXH-TR 8  
Drawn by: SLW  
Surveyor: CCL # 4636  
Copyright 2017 All County Surveying, Inc.

Plot Date: 08-17-2017

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

August 17, 2017

Surveyor's Field Notes for:

**0.157 ACRE**, situated in the **MAXIMO MORENO SURVEY, ABSTRACT 14**, Bell County, Texas, being a portion of West Avenue A, and a portion of West Avenue B, and a portion of an alley situated in Block 25, Original Town of Temple according to the plat of record in Volume 36, Page 640, Deed Records of Bell County, Texas, and being more particularly described as follows:

**BEGINNING** at a 5/8" iron rod with cap stamped "ACS" set at the western northeast corner of Lot 1, Block 2, Santa Fe Plaza West, an addition in the City of Temple, Bell County, Texas, according to the plat of record in Plat Year 2017, Plat No. 27 A & B, Plat Records of Bell County, Texas, being on the southern line of said West Avenue A, for the northwest corner of the herein described tract;

**THENCE**, in an easterly direction, severing said West Avenue A, **S 75° 22' 06" E – 75.05'**, to a 5/8" iron rod with cap stamped "ACS" set at the eastern northwest corner of said Lot 1, for the northeast corner of the herein described tract;

**THENCE**, in a southerly direction, with an interior line of said Lot 1, **S 16° 43' 12" W – 165.21'**, to a steel spindle set at an interior corner of said Lot 1, for the southeast corner of the herein described tract;

**THENCE**, in a westerly direction, with an interior line of said Lot 1, with a curve to the right; having a radius of **2142.01'**, a delta angle of **02° 11' 41"**, and a long chord which bears **N 49° 21' 33" W – 82.05'**; an arc length of **82.05'**, to a steel spindle set at an interior corner of said Lot 1, for the southwest corner of the herein described tract;

**THENCE**, in a northerly direction, continuing with an interior line of said Lot 1, **N 16° 43' 12" E – 55.32'**, to a calculated point at the southwest corner of a tract of land known as the East ½ of Lot 1, Block 25, said Original Town of Temple, being in the name of the City of Temple as per Document No. 2017-00016609, Official Public Records of Real Property, Bell County, Texas, for an interior corner of the herein described tract;

**THENCE**, in an easterly direction, with the south line of said City of Temple tract, **S 48° 27' 03" E – 60.60'**, to a calculated point at the southeast corner of said City of Temple tract, for an interior corner of the herein described tract;

**THENCE**, in a northerly direction, with the east line of said City of Temple tract, **N 16° 43' 12" E – 89.34'**, to a calculated point at the northeast corner of said City of Temple tract;

**Exhibit B**



*SANTA FE PLAZA ABANDONMENTS*  
*TRACT 8*

2

Surveyor's Field Notes for **0.157 ACRE** (continued):

**THENCE**, in a westerly direction, with the north line of said City of Temple tract, **N 73° 16' 48" W – 55.00'**, to a calculated point at the northwest corner of said City of Temple tract, being on an interior line of said Lot 1;

**THENCE**, in a northerly direction, with the interior line of said Lot 1, **N 16° 43' 12" E – 10.00'**, to the **POINT OF BEGINNING** and containing 0.157 Acre of Land.

This project is referenced to the City of Temple Coordinate System, NAD 83, Texas Central Zone. All distances are horizontal surface distances unless noted and all bearings are grid bearings. All coordinates are referenced to City Monument No. 518. The theta angle at City Monument No. 518 is 01°27'31". The combined correction factor (CCF) is 0.999849. Grid distance = Surface distance X CCF. Geodetic north = Grid north + theta angle. Reference tie from City monument No. 518 to the most northwest corner of this 0.157 Acre tract is N 48°37'58" E 5258.20 feet. Published City coordinates for project reference point 518 are N. = 10,371,731.29 E. = 3,227,443.25

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

This metes and bounds description to accompany a Surveyor's Sketch of the herein described 0.157 Acre tract.

Surveyed October 18, 2016

**ALL COUNTY SURVEYING, INC.**

**1-800-749-PLAT**

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

server/projects/pro160000/160300/160324/160324-ROW EXH-TR 8.doc



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

**Exhibit B**



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

**ACTION ITEMS**

**Item 7: P-FY-17-64** - Consider and recommend action on the final plat of Santa Fe Plaza West, Phase II, a 0.701 +/- acres, 1-lot, 1-block, non-residential subdivision, being a replat of the Santa Fe Plaza West subdivision situated between West Avenue A, West Avenue B, South 9th Street, and South 7th Streets, Temple, Texas.

Mr. Baker stated the property is owned by the City and there is an abandonment involved. This item is scheduled to go forward to City Council on December 7, 2017.

This is a replat of the original nine-lot Santa Fe Plaza West, non-residential subdivision. The plat was approved with right-of-way and alleyway abandonments by City Council in January 2017.

The Final Plat was reviewed by the DRC on September 7, 2017 and deemed administratively complete on October 23, 2017.

The zoning is Central Area (CA).

This is Phase II and is the second stage to implementation of the City Council approved Santa Fe Plaza Master Plan which is the future administrative office sites for:

Temple Chamber of Commerce

Temple Economic Development Corporation (TEDC),

Temple Independent School District (TISD)

The plat as proposed does require right-of-way and alleyway abandonment and is currently being processed by separate application.

The plat and abandonment application is scheduled to go to December 7, 2017 City Council meeting.

Sidewalk and other pedestrian amenities are proposed and will be shown on building plans (consistent with City Council approved Master Plan).

Both wastewater and water are available through existing lines to serve the property. Additional sewer and water lines are available throughout the subdivision.

Final plat replat authority will be City Council since the City is the property owner. No exceptions to the UDC are necessary.

Site photos are shown.

Proposed schematics for building, parking sites and features are shown.

Current configuration, proposed replat, and utility plan shown.

Staff recommends approval of the Final Plat of Santa Fe Plaza West, Phase II.

This item does not require a public hearing.

Vice-Chair Langley made a motion to approve Item 7, P-FY-17-64, as presented by Staff and  
Commissioner Walker made a second.

Motion passed: (8:0)

Commissioner Crisp absent

RESOLUTION NO. \_\_\_\_\_  
(P-FY-17-64 & A-FY-17-13)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, APPROVING THE FINAL PLAT OF SANTA FE PLAZA WEST, PHASE II, AN APPROXIMATELY 0.701 ACRE, 1 LOT, 1 BLOCK, NON-RESIDENTIAL SUBDIVISION, BEING A REPLAT OF THE SANTA FE PLAZA WEST SUBDIVISION, SITUATED BETWEEN WEST AVENUE A, WEST AVENUE B, SOUTH 9<sup>TH</sup> STREET AND SOUTH 7<sup>TH</sup> STREET, TEMPLE, TEXAS; AUTHORIZING THE ABANDONMENT OF PORTIONS OF A SERVICE ALLEYWAY ORIGINALLY DEDICATED WITHIN THE ORIGINAL TOWN OF TEMPLE SUBDIVISION PLAT; AUTHORIZING THE ABANDONMENT OF PORTIONS OF PUBLIC RIGHTS-OF-WAY DEDICATED AS WEST AVENUE A AND WEST AVENUE B, WITHIN THE ORIGINAL TOWN OF TEMPLE SUBDIVISION PLAT; AND PROVIDING AN OPEN MEETINGS CLAUSE.

---

**Whereas**, the final plat of Santa Fe Plaza West, Phase II is a replat of the Santa Fe Plaza West non-residential subdivision plat and is comprised of 1 block with 1 lot approximately 0.074 acres (3,250 square feet) – and this one lot is being incorporated into the original 9 lot subdivision;

**Whereas**, this replat as depicted by map and field notes in Exhibit A, was anticipated at the time the initial Santa Fe Plaza West subdivision was approved by City Council in January 2017 by Resolution 2017- 8524-R;

**Whereas**, the original Santa Fe Plaza West subdivision was key to the implementation of the Santa Fe Plaza Master Plan as well as for the redevelopment of this City-owned property - the original plat was also the first step for the relocation of several key organizations and their administrative offices, which includes the Temple Chamber of Commerce, Temple Economic Development Corporation (TEDC) and the Temple Independent School District (TISD);

**Whereas**, the City Council-approved Master Plan for the Santa Fe Plaza contains sidewalk and other pedestrian amenities, and accommodations for the sidewalk and pedestrian amenities will be shown on the building plans in conformance to the approved Master Plan;

**Whereas**, the property is currently zoned Central Area district which principally addresses development in the Central Business District of the City, allowing most commercial, retail and office uses - maximum building height may be any legal limit that other laws and Ordinances do not prohibit;

**Whereas**, the replat requires the abandonment of approximately 0.157 acres (6838.92 square feet) of right-of-way and alleyway of the following locations and as further described by Exhibit B:

- a) Portions of West Avenue A;
- b) Portions of West Avenue B;
- c) Alleyway in Block 25, Original Town of Temple;

**Whereas**, Staff has contacted outside utility providers as well as the Public Works Department and notified them of the proposed abandonment - no issues have been identified and the Public Works Department agrees with the abandonments; and

**Whereas**, the City Council has considered the matter and deems it in the public interest to approve the final plat of Santa Fe Plaza West, abandon portions of a service alleyway, and abandon portions of public rights-of-way within the Original Town of Temple subdivision.

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

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

**Part 2:** The City Council approves the final plat of Santa Fe Plaza West, Phase II, an approximately 0.701 acre, 1 lot, 1 block, non-residential subdivision, being a replat of the Santa Fe Plaza West subdivision, situated between West Avenue A, West Avenue B, South 9th Street & South 7th Street, Temple, Texas, abandons portions of a service alleyway originally dedicated within the Original Town of Temple subdivision plat, and abandons portions of public rights-of way dedicated as West Avenue A and West Avenue B, within the Original Town of Temple subdivision plat, as outlined in Exhibit 'A' attached hereto and made a part hereof for all purposes.

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

PASSED AND APPROVED this the 7<sup>th</sup> day of **December**, 2017.

THE CITY OF TEMPLE, TEXAS

---

DANIEL A. DUNN, MAYOR

ATTEST:

APPROVED AS TO FORM:

---

Lacy Borgeson  
City Secretary

---

Kayla Landeros  
City Attorney



STATE OF TEXAS §

COUNTY OF BELL §

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

---

Notary Public, State of Texas

**Return Recorded Document to:**

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



## COUNCIL AGENDA ITEM MEMORANDUM

---

12/07/17  
Item #6  
Regular Agenda  
Page 1 of 2

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

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

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing a Chapter 380 Development Agreement with Caelum Altus IV, LLC in an amount not to exceed \$115,000 for improvements to property located at 17 East Central Avenue within the Downtown Strategic Investment Zone corridor.

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

**ITEM SUMMARY:** The proposed resolution would allow the City Manager to enter into a Chapter 380 Development Agreement with Caelum Altus IV, LLC, through which the City would provide a SIZ 1:1 matching grant of up to a total of \$115,000 for program allowable building improvements. This overall project has a total capital investment of \$1,176,509.

The applicant requested funding under Tier III of the SIZ program, based on a total project investment of over \$500,000. Grant eligible activities related to façade, sidewalk, life safety and elevator improvements, and asbestos abatement total \$642,785. Therefore, the project is eligible for the maximum amount of City match of \$115,000. The City will also waive permitting fees, upon contract execution.

In order to receive grant funding, the applicant must enter into a development agreement with the City prior to commencing work and receiving any grant funds. The agreement shall provide that the applicant agrees to:

- complete the work and total capital investment described in the agreement within a year of contract execution;
- give the City the right to inspect the work described in the development agreement and the financial records associated with the same during reasonable business hours;
- perform all of the work described in the agreement in accordance with all applicable City codes and regulations; and
- maintain those improvements in the future.

**FISCAL IMPACT:** The total maximum grant match by the City is \$115,000. Payment of the grant matching funds will not be made until work and inspections are completed, and receipts are received by the City. Funding is available in account 110-1500-515-2695 for Strategic Investment Zone grants as follows:

Available Funding	\$	\$149,813
Caelum Altus IV, LLC		(115,000)
<b>Remaining Funds Available</b>	<b>\$</b>	<b>34,813</b>

**ATTACHMENTS:**

[Proposed building elevation  
Resolution](#)

NEAL

ARCHITECTURAL GROUP

REVISIONS: DATE NO. DESCRIPTION



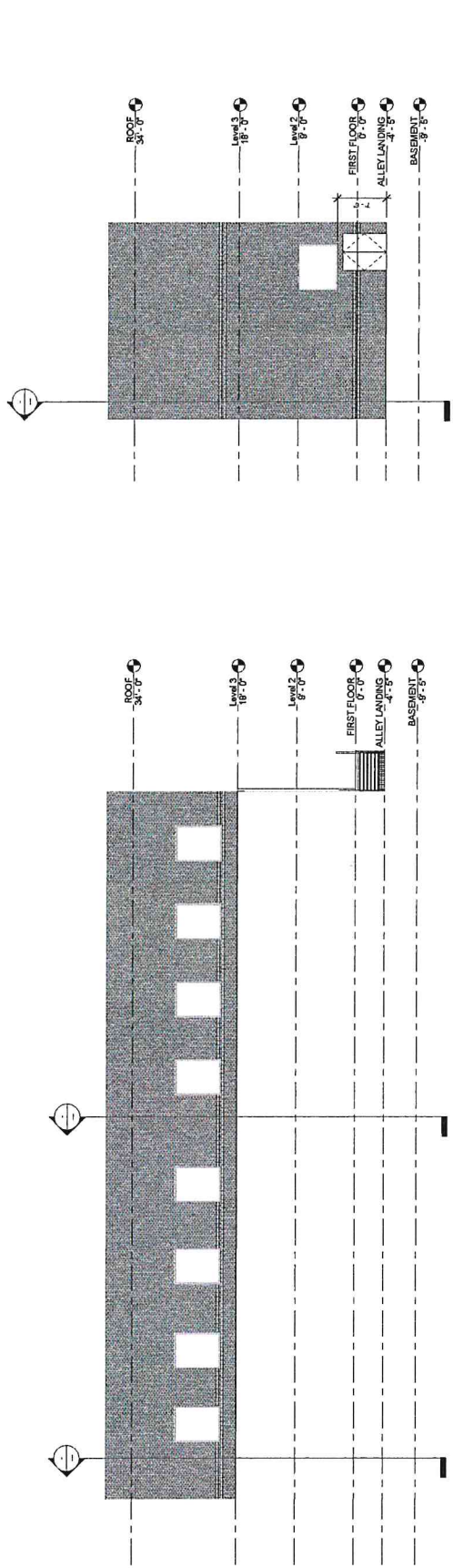
ARCHITECT  
NEAL ARCHITECTURAL GROUP  
1023 CANYON CREEK DRIVE  
TEMPLE, TEXAS 76602  
SITE 125

TEMPLE, TEXAS

17 EAST CENTRAL

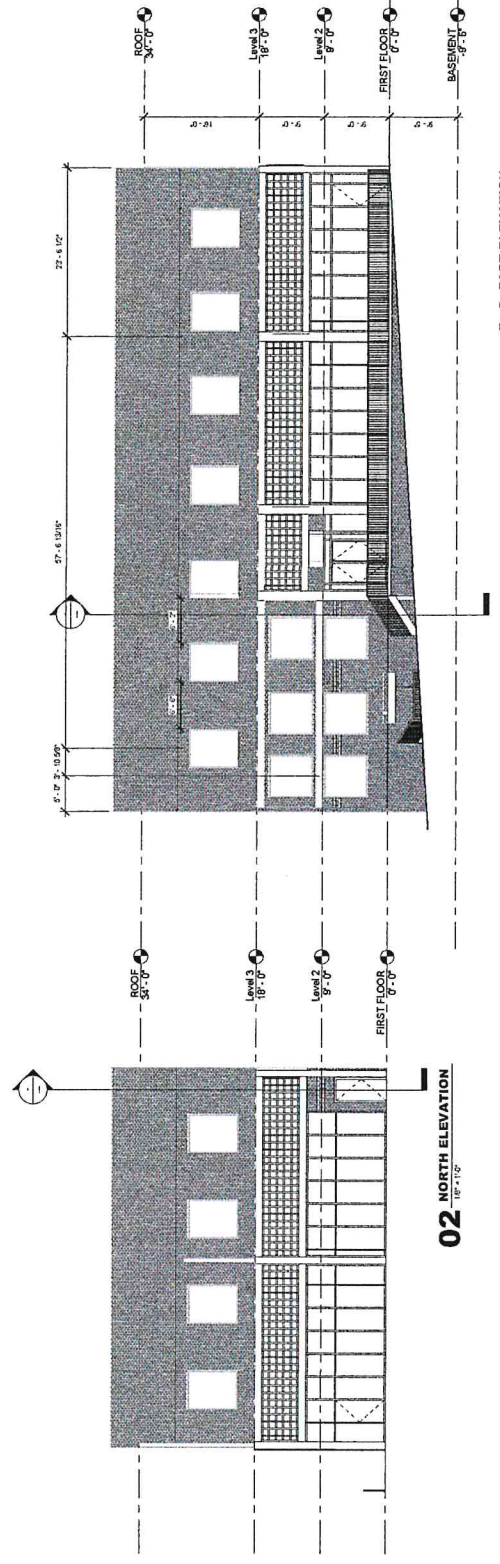
ISSUE: SCHEMATIC  
DESIGN  
PROJECT NUMBER:  
17-01-01  
DATE:  
05/30/17  
SHEET TITLE:  
EXTERIOR  
ELEVATIONS

SHEET NO.:  
A4.01



03 WEST ELEVATION  
16' x 12'

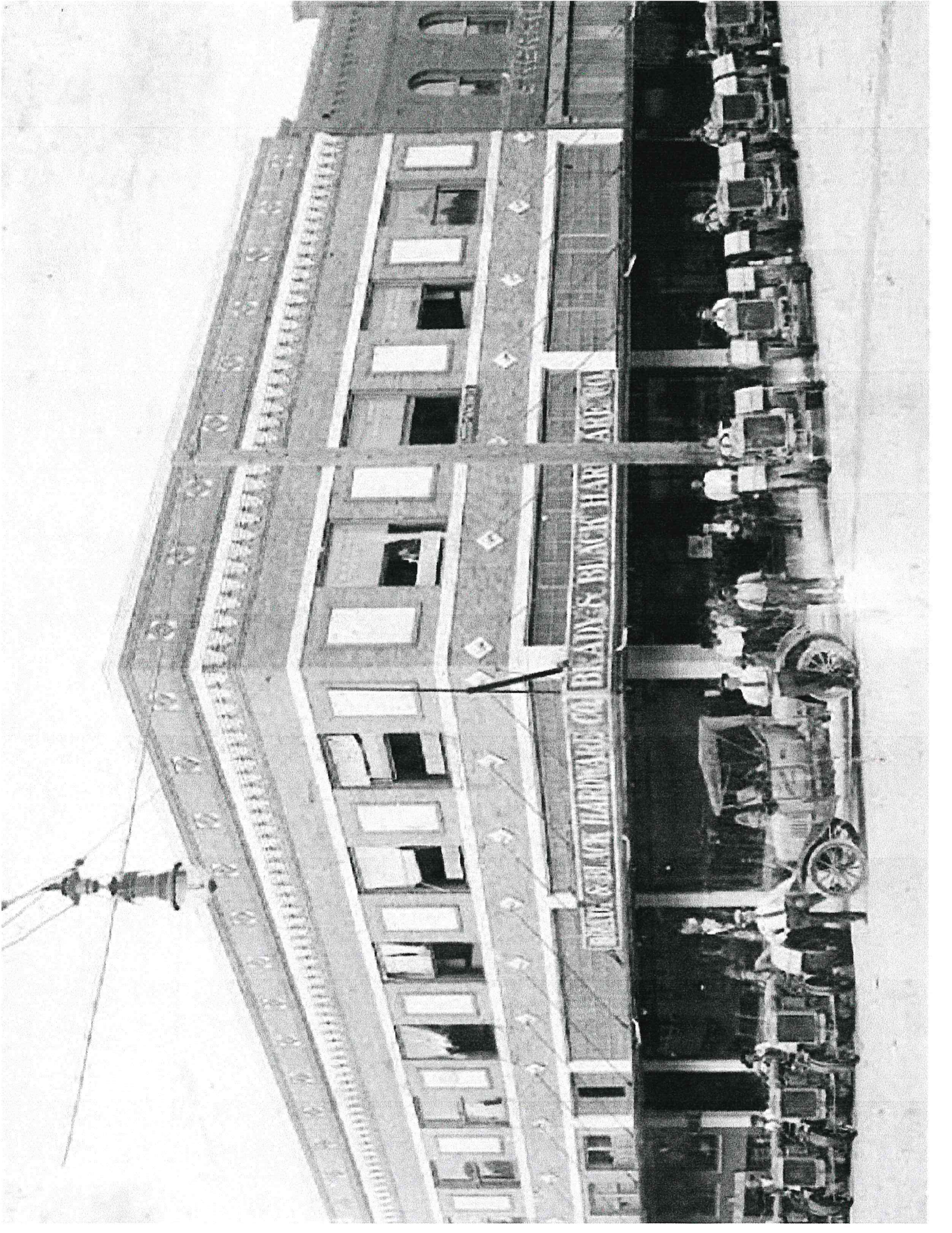
04 SOUTH ELEVATION  
16' x 12'



02 NORTH ELEVATION  
16' x 12'

01 EAST ELEVATION  
16' x 12'







RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A CHAPTER 380 DEVELOPMENT AGREEMENT WITH CAELUM ALTUS IV, LLC IN AN AMOUNT NOT TO EXCEED \$115,000, FOR IMPROVEMENTS TO PROPERTY LOCATED AT 17 EAST CENTRAL AVENUE WITHIN THE DOWNTOWN STRATEGIC INVESTMENT ZONE CORRIDOR; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, the applicant has requested grant funding under Tier III of the Strategic Investment Zone (SIZ) program, based on a total project investment that exceeds \$500,000- this overall project has a total capital investment of \$1,176,509;

**Whereas**, grant eligible activities related to façade, sidewalk, life safety and elevator improvements, and asbestos abatement total \$642,785, and the project is eligible for the maximum amount of City match in the amount of \$115,000 for program allowable building improvements- the City will also waive permitting fees, upon contract execution;

**Whereas**, in order to receive grant funding, the applicant must enter into a development agreement with the City prior to commencing work and receiving any grant funds - the agreement shall provide that the applicant agrees to:

- complete the work and total capital investment described in the agreement within one year of contract execution;
- give the City the right to inspect the work described in the development agreement and the financial records associated with the same during reasonable business hours;
- perform all work described in the agreement in accordance with all applicable City codes and regulations; and
- maintain those improvements in the future;

**Whereas**, funding for this Chapter 380 Development Agreement is available in Account No. 110-1500-515-2695; and

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

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

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

**Part 2:** The City Council authorizes the Interim City Manager, or her designee, after approval as to form by the City Attorney, to execute a Chapter 380 Development Agreement with with Caelum Altus IV, LLC, in an amount not to exceed \$115,000, for SIZ program allowable building improvements to property located at 17 East Central Avenue within the Downtown Strategic Investment Zone corridor.

**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 7<sup>th</sup> day of **December**, 2017.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN MAYOR

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

---

Kayla Landeros  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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12/07/17  
Item #7  
Regular Agenda  
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### **DEPT. /DIVISION SUBMISSION & REVIEW:**

Brynn Myers, Acting City Manager

**ITEM DESCRIPTION:** Consider adopting an ordinance amending ordinance 2017-4842 to authorize City Manager approval of a number of economic development incentives for neighborhood revitalization in the East Temple area.

**STAFF RECOMMENDATION:** Adopt ordinance on first reading, as presented in item description with second and final reading set for January 18, 2018.

**ITEM SUMMARY:** On May 18, 2017, the City Council adopted ordinance 2017-4842. The purpose of the ordinance is to promote neighborhood revitalization in East Temple through infill redevelopment. This program includes incentives for residential and commercial structures' rehabilitation, expansion, and/or new construction. The ordinance created an infill redevelopment incentive zone in the East Temple infill redevelopment target area designed to encourage infill redevelopment that might otherwise not occur in the absence of incentives.

The language in the original ordinance requires that each individual incentive agreements be presented to the City Council for approval.

Staff is requesting that authority be granted to the City Manager to approve incentive agreements that meet the requirements of the program.

**FISCAL IMPACT:** Incentives proposed under this program would be in the form of in-kind services or through forgoing potential revenue.

### **ATTACHMENTS:**

[Ordinance](#)



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

AN ORDINANCE OF THE CITY OF TEMPLE, TEXAS, AMENDING ORDINANCE NO. 2017-4842 TO AUTHORIZE THE CITY MANAGER TO APPROVE A NUMBER OF ECONOMIC DEVELOPMENT INCENTIVES FOR NEIGHBORHOOD REVITALIZATION IN THE EAST TEMPLE AREA; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, on May 18, 2017, Council adopted Ordinance 2017-4842 to promote neighborhood revitalization in East Temple through infill redevelopment;

**Whereas**, this program includes incentives for residential and commercial structures' rehabilitation, expansion, and/or new construction;

**Whereas**, the Ordinance created an Infill Redevelopment Incentive Zone in the East Temple infill redevelopment target area designed to encourage infill redevelopment that might otherwise not occur in the absence of incentives;

**Whereas**, the language in the original Ordinance requires that each individual incentive agreement be presented to the City Council for approval;

**Whereas**, Staff recommends Council authorize City Manager approval of incentive agreements that meet the requirements of the program;

**Whereas**, incentives proposed under this program will be in the form of in-kind services or through forgoing potential revenue; and

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

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

**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 authorizes the City Manager to approve a number of economic development incentives for neighborhood revitalization in the East Temple area.

**Part 3:** If any provision of this Ordinance or the application of any provision to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

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

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

PASSED AND APPROVED on First Reading and Public Hearing on the 7<sup>th</sup> day of **December**, 2017.

PASSED AND APPROVED on Second and Final Reading on the 18<sup>th</sup> day of **January**, 2018.

THE CITY OF TEMPLE, TEXAS

\_\_\_\_\_  
DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Lacy Borgeson  
City Secretary

\_\_\_\_\_  
Kayla Landeros  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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Regular Agenda  
Page 1 of 1

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

Mitch Randles, Fire Chief

Sandra Esqueda, Director of Human Resources

**ITEM DESCRIPTION:** FIRST READING – PUBLIC HEARING: Consider adopting an ordinance to include a Special Operations Team certification pay for qualified Firefighters in the Fire Department.

**STAFF RECOMMENDATION:** Conduct a public hearing and adopt ordinance as presented in item description on first reading, with second and final reading on January 18, 2017.

**ITEM SUMMARY:** Chapter 143.44(b) of the Local Government Code requires that Council establish certification pay by ordinance. Section 44 of the Rules and Regulations of the Temple Fire Fighters' and Police Officers' Civil Service Commission, "Certification and Education Incentive Pay", provides for granting of certification pay to qualified Firefighters upon completion of their probationary period.

During the 2017-2018 budgetary process, Fire Department staff recommended, and Council approved, including a Special Operations certification pay of \$600 per year for qualified Firefighters. To qualify, Firefighters must obtain and maintain the certifications required to operate during Special Operations call outs. This training and certification is critical to maintaining the Department's ability to respond in an all-hazards role, and to maintain the high level of readiness needed by our city. Additionally, the Fire Department has been operating as a Special Operations and Haz-mat provider by agreement with the CTCOG for a number of years.

**FISCAL IMPACT:** Funding in the amount of \$28,800 was appropriated to the FY2018 Operating Budget to fund up to 48 Fire Department personnel with the Special Operations Team certification pay.

**ATTACHMENTS:**

[Fire Department Operational Guideline Ordinance](#)



## OPERATING GUIDELINES

TITLE: TFR Special Operation Pay  
NUMBER: 1.19.0-18  
EFFECTIVE: January 26, 2018  
REFERENCE:  
SUPERCEDES: All previous

Mitchell D. Randles  
Fire Chief

### I. PURPOSE

To specify the circumstances in which Special Operations pay will be awarded and maintained to Fire Department personnel.

### II. GUIDELINE

Temple Fire and Rescue supports six types of Specialized Operations training to ensure that we are ready, able, and trained to respond to the wide variety of emergency incidents which are likely to occur. This specialized level of response is significant because of the level of expertise required to perform a successful rescue during these highly technical events.

#### Recognized Training

Haz-mat Technician  
Confined Space Rescue Technician  
Rope Rescue Technician  
Collapse Rescue Technician  
Swift Water Rescue Technician  
Trench Rescue Technician

#### Training hours required

80 with State certification  
40 with certification  
40 with certification  
40 with certification  
40 with certification  
40 with certification

#### Eligibility Requirements:

1. Be currently certified in the following.
  - a. Haz-mat Technician plus at least one other certification, or
  - b. 4 certifications other than Haz-mat Technician
2. Attend at least 9 of 12 Special Operations training sessions per year, regardless of vacations and holidays;
3. Actively participate in Special Operation callouts, and
4. Actively participate in training other Department members and regional partners in assistance to the Special Operation Team.



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

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING SPECIAL OPERATIONS TEAM CERTIFICATION PAY FOR QUALIFIED FIREFIGHTERS IN THE FIRE DEPARTMENT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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

**Whereas**, Section 44 of the Rules and Regulations of the Temple Fire Fighters' and Police Officers' Civil Service Commission, "Certification and Education Incentive Pay", provides for granting of certification pay to qualified Firefighters upon completion of their probationary period;

**Whereas**, during the 2017-2018 budgetary process, Fire Department Staff recommended, and Council approved, including a Special Operations certification pay of \$600 per year for qualified Firefighters;

**Whereas**, to qualify for the Special Operations Team Certification pay, Firefighters must obtain and maintain the certifications required to operate during Special Operations call outs - this training and certification is critical to maintaining the Department's ability to respond in an all-hazards role, and to maintain the high level of readiness needed by our City;

**Whereas**, the Fire Department has been operating as a Special Operations and Hazmat provider by agreement with the Central Texas Councils of Governments for a number of years;

**Whereas**, funding for this certification pay was appropriated in the fiscal year 2018 budget to fund up to 48 Fire Department personnel with the Special Operations Team certification pay; 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 authorizes Special Operations Team Certification pay for qualified Firefighters in the Fire Department at the rate of \$600 per year.

**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 7<sup>th</sup> day of **December**, 2017.

**PASSED AND APPROVED** on Second Reading on the 18<sup>th</sup> day of **January**, 2018.

THE CITY OF TEMPLE, TEXAS

\_\_\_\_\_  
DANIEL A. DUNN, Mayor

APPROVED AS TO FORM:

ATTEST:

\_\_\_\_\_  
Lacy Borgeson  
City Secretary

\_\_\_\_\_  
Kayla Landeros  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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12/07/17

Item #9

Regular Agenda

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### **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 appropriate additional funding for TMED South 1<sup>st</sup> Street 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 adoption on January 18, 2018.


**ITEM SUMMARY:** The Reinvestment Zone No. 1 Finance Committee met on November 28<sup>th</sup> to recommend a change to the Financing and Project Plans based on discussions related to the Advanced Funding Agreement with TxDOT related to a change order for the construction of TMED South 1<sup>st</sup> Street. The proposed amendment allocates funding for the following project:

- Additional funding of \$425,000 for construction of TMED South 1st Street

The construction budget for this project is currently \$1,320,000. The current proposed change order is approximately \$1,745,000. Staff and KPA are reviewing the change order to identify savings to reduce the cost. Based on those savings, the amount could be reduced. We are recommending funding \$425,000 at this time.

The additional funding is available from projects that are in the final stages of completion and from funds allocated for rail maintenance and road/signage maintenance. Detail of the allocation is shown below.

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

Line #	Description	FY 2018
468	TMED South 1st Street	\$ 425,000
56	Rail Maintenance	\$ (190,815)
58	Road/Signage Maintenance	\$ (138,243)
155	Pepper Creek Trail Hwy 36 to McLane Parkway	\$ (70,127)
462	Avenue U	\$ (25,815)
		
	<b>Net change in projects</b>	<b>\$ -</b>

**ATTACHMENTS:**

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



FINANCING PLAN  
Page 1 of 5

	DESCRIPTION	Y/E 9/30/18 Year 36	Y/E 9/30/19 Year 37	Y/E 9/30/20 Year 38	Y/E 9/30/21 Year 39	Y/E 9/30/22 Year 40
1	"Taxable Increment"	\$ 426,069,294	\$ 415,287,167	\$ 409,874,095	\$ 397,412,766	\$ 426,871,090
1	FUND BALANCE, Begin	\$ 20,539,893	\$ 2,108,195	\$ 7,790,064	\$ 4,542,317	\$ 6,144,385
2	Adjustments to Debt Service Reserve	-	-	-	-	-
3	Fund Balance Available for Appropriation	\$ 20,539,893	\$ 2,108,195	\$ 7,790,064	\$ 4,542,317	\$ 6,144,385
	SOURCES OF FUNDS:					
4	Tax Revenues	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]	(266,910)	(257,578)	(248,832)	(239,417)	(237,732)
8	Interest Income-Other	50,000	40,000	40,000	30,000	10,000
10	Grant Funds	1,170,000	-	-	-	-
12	License Fee - Central Texas Railway	36,000	36,000	36,000	36,000	36,000
14	Other Revenues	106,600	-	-	-	-
15	Sale of land	600,000	-	-	-	-
17	Bond Proceeds	22,000,000	-	-	-	-
20	Total Sources of Funds	\$ 41,489,685	\$ 16,990,273	\$ 16,415,960	\$ 15,787,729	\$ 15,657,049
25	TOTAL AVAILABLE FOR APPROPRIATION	\$ 62,029,578	\$ 19,098,468	\$ 24,206,024	\$ 20,330,046	\$ 21,801,434
	USE OF FUNDS:					
	DEBT SERVICE					
27	2009 Bond Refunding	1,488,750	1,485,000	-	-	-
28	2008 Bond Issue-Taxable {\$10.365 mil}	1,241,957	1,241,173	1,237,744	1,241,670	1,242,422
29	Debt Service - 2011A Issue {Refunding}	908,350	915,950	2,497,800	2,497,550	2,494,950
30	Debt Service - 2012 Issue {Refunding}	79,600	77,650	80,050	77,250	78,750
31	Debt Service - 2013 Issue {\$25.260 mil}	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
40	Subtotal-Debt Service	5,768,051	7,436,541	7,529,844	7,300,420	7,232,372
	OPERATING EXPENDITURES					
50	Prof Svcs/Proj Mgmt	252,454	175,000	175,000	175,000	175,000
52	Legal/Audit	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
56	Rail Maintenance	112,100	100,000	100,000	100,000	100,000
58	Road/Signage Maintenance	200,000	100,000	100,000	100,000	100,000
60	Contractual Payments [TEDC - Marketing]	200,000	200,000	200,000	200,000	200,000
62	TISD-Reimbursement [per contract]	27,563	27,563	27,563	28,941	28,941
65	Subtotal-Operating Expenditures	1,123,417	933,863	933,863	935,241	935,341
70	TOTAL DEBT & OPERATING EXPENDITURES	\$ 6,891,468	\$ 8,370,404	\$ 8,463,707	\$ 8,235,661	\$ 8,167,713
80	Funds Available for Projects	\$ 55,138,111	\$ 10,728,064	\$ 15,742,317	\$ 12,094,385	\$ 13,633,721
	PROJECTS					
150	Temple Industrial Park	421,920	-	-	-	-
200	Corporate Campus Park	157,813	-	-	-	-
250	Bioscience Park/Crossroads Park	3,191,551	-	-	-	-
350	Research Parkway/Outer Loop	23,884,019	-	10,750,000	-	-
400	Synergy Park	46,846	-	-	-	-
450	Downtown	17,300,112	450,000	450,000	450,000	450,000
500	TMED	3,629,192	2,488,000	-	-	-
550	Airport Park	2,037,063	-	-	-	-
610	Public Improvements	2,361,400	-	-	5,500,000	7,000,000
	Subtotal-Projects	53,029,916	2,938,000	11,200,000	5,950,000	7,450,000
	TOTAL USE OF FUNDS	\$ 59,921,384	\$ 11,308,404	\$ 19,663,707	\$ 14,185,661	\$ 15,617,713
700	FUND BALANCE, End	\$ 2,108,195	\$ 7,790,064	\$ 4,542,317	\$ 6,144,385	\$ 6,183,721

	DESCRIPTION	2023 41	2024 42	2025 43	2026 44	2027 45	2028 46	2029 47	2030 48	2031 49	2032 50
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	\$ 6,183,721	\$ 3,310,567	\$ 2,583,400	\$ 2,926,759	\$ 2,790,276	\$ 2,847,862	\$ 2,584,098	\$ 2,499,993	\$ 2,595,184	\$ 2,869,120
2	Adjustments to Debt Service Reserve	-	-	-	-	-	-	-	-	-	-
3	Fund Balance Available for Appropriation	\$ 6,183,721	\$ 3,310,567	\$ 2,583,400	\$ 2,926,759	\$ 2,790,276	\$ 2,847,862	\$ 2,584,098	\$ 2,499,993	\$ 2,595,184	\$ 2,869,120
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	\$ 21,393,608	\$ 19,165,288	\$ 19,019,766	\$ 20,649,483	\$ 20,962,489	\$ 21,201,324	\$ 21,120,619	\$ 21,221,405	\$ 21,503,335	\$ 21,965,878
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	\$ 16,760,567	\$ 14,533,400	\$ 14,376,759	\$ 15,990,276	\$ 16,297,862	\$ 16,534,098	\$ 16,449,993	\$ 16,545,184	\$ 16,819,120	\$ 17,275,200
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											
700	FUND BALANCE, End	\$ 3,310,567	\$ 2,583,400	\$ 2,926,759	\$ 2,790,276	\$ 2,847,862	\$ 2,584,098	\$ 2,499,993	\$ 2,595,184	\$ 2,869,120	\$ 2,825,200

	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	\$ 2,825,200	\$ 2,461,998	\$ 2,881,482	\$ 2,995,364	\$ 2,551,527	\$ 3,312,817	\$ 3,024,618	\$ 3,600,322	\$ 3,380,261	\$ 2,866,477
2	Adjustments to Debt Service Reserve	-	-	-	-	-	-	-	-	-	-
3	Fund Balance Available for Appropriation	\$ 2,825,200	\$ 2,461,998	\$ 2,881,482	\$ 2,995,364	\$ 2,551,527	\$ 3,312,817	\$ 3,024,618	\$ 3,600,322	\$ 3,380,261	\$ 2,866,477
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	\$ 22,112,451	\$ 21,941,647	\$ 22,555,454	\$ 22,865,601	\$ 22,619,991	\$ 23,581,492	\$ 23,495,505	\$ 24,275,444	\$ 24,261,660	\$ 23,956,215
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	\$ 17,411,998	\$ 19,331,482	\$ 19,945,364	\$ 20,251,527	\$ 20,012,817	\$ 20,974,618	\$ 22,550,322	\$ 23,330,261	\$ 23,316,477	\$ 23,009,092
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	\$ 2,461,998	\$ 2,881,482	\$ 2,995,364	\$ 2,551,527	\$ 3,312,817	\$ 3,024,618	\$ 3,600,322	\$ 3,380,261	\$ 2,866,477	\$ 2,559,092

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	\$ 2,559,092	\$ 2,816,372	\$ 2,753,271	\$ 2,869,451	\$ 2,668,759	\$ 2,653,027	\$ 2,821,967	\$ 2,679,585	\$ 2,727,768	\$ 2,966,176
2	Adjustments to Debt Service Reserve	-	-	-	-	-	-	-	-	-	-
3	Fund Balance Available for Appropriation	\$ 2,559,092	\$ 2,816,372	\$ 2,753,271	\$ 2,869,451	\$ 2,668,759	\$ 2,653,027	\$ 2,821,967	\$ 2,679,585	\$ 2,727,768	\$ 2,966,176
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	\$ 20,558,594	\$ 20,995,393	\$ 21,113,609	\$ 21,412,917	\$ 21,397,185	\$ 21,568,263	\$ 21,925,881	\$ 21,974,064	\$ 22,214,717	\$ 22,647,520
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	\$ 19,766,372	\$ 20,203,271	\$ 20,319,451	\$ 20,618,759	\$ 20,603,027	\$ 20,771,967	\$ 21,129,585	\$ 21,177,768	\$ 21,416,176	\$ 21,848,979
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	\$ 2,816,372	\$ 2,753,271	\$ 2,869,451	\$ 2,668,759	\$ 2,653,027	\$ 2,821,967	\$ 2,679,585	\$ 2,727,768	\$ 2,966,176	\$ 2,898,979



	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	\$ 2,898,979	\$ 2,528,120	\$ 2,853,207	\$ 2,878,580	\$ 3,106,241	\$ 2,535,738	\$ 2,671,590	\$ 3,015,858	\$ 3,068,031	\$ 2,832,810
2	Adjustments to Debt Service Reserve	-	-	-	-	-	-	-	-	-	-
3	Fund Balance Available for Appropriation	\$ 2,898,979	\$ 2,528,120	\$ 2,853,207	\$ 2,878,580	\$ 3,106,241	\$ 2,535,738	\$ 2,671,590	\$ 3,015,858	\$ 3,068,031	\$ 2,832,810
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	\$ 22,776,661	\$ 22,604,105	\$ 23,129,478	\$ 23,357,139	\$ 23,789,111	\$ 23,424,963	\$ 23,769,231	\$ 24,324,002	\$ 24,588,782	\$ 24,568,294
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	\$ 21,978,120	\$ 21,803,207	\$ 22,328,580	\$ 22,556,241	\$ 22,985,738	\$ 22,621,590	\$ 22,965,858	\$ 23,518,031	\$ 23,782,810	\$ 23,762,322
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	\$ 2,528,120	\$ 2,853,207	\$ 2,878,580	\$ 3,106,241	\$ 2,535,738	\$ 2,671,590	\$ 3,015,858	\$ 3,068,031	\$ 2,832,810	\$ 276,265

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

Project Plan - 12/06/17 - to Zone Board

\$ 22,000,000  
Bond Proceeds

SUMMARY FINANCING PLAN					
	2018	2019	2020	2021	2022
1 Beginning Available Fund Balance, Oct 1	\$ 20,539,893	\$ 2,108,195	\$ 7,790,064	\$ 4,542,317	\$ 6,144,385
20 Total Sources of Funds	41,489,685	16,990,273	16,415,960	15,787,729	15,657,049
2 Adjustments to Debt Service Reserve		-	-	-	-
25 Net Available for Appropriation	62,029,578	19,098,468	24,206,024	20,330,046	21,801,434
50/52 General Administrative Expenditures	253,754	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
56 Rail Maintenance	112,100	100,000	100,000	100,000	100,000
58 Road/Signage Maintenance	200,000	100,000	100,000	100,000	100,000
60 Contractual Payments (TEDC - Marketing)	200,000	200,000	200,000	200,000	200,000
62 TISD-Reimbursement [per contract]	27,563	27,563	27,563	28,941	28,941
27 Debt Service - 2009 Issue {Refunding}	1,488,750	1,485,000	-	-	-
28 Debt Service - 2008 Taxable Issue {\$10.365 mil}	1,241,957	1,241,173	1,237,744	1,241,670	1,242,422
29 Debt Service - 2011A Issue {Refunding}	908,350	915,950	2,497,800	2,497,550	2,494,950
30 Debt Service - 2012 Issue {Refunding}	79,600	77,650	80,050	77,250	78,750
31 Debt Service - 2013 Issue {\$25.260 mil}	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
70 Total Debt & Operating Expenditures	6,891,468	8,370,404	8,463,707	8,235,661	8,167,713
80 Funds Available for Projects	\$ 55,138,111	\$ 10,728,064	\$ 15,742,317	\$ 12,094,385	\$ 13,633,721

PROJECT PLAN					
	2018	2019	2020	2021	2022
<b>TEMPLE INDUSTRIAL PARK:</b>					
101 Receiving & Delivery {R&D} Tracks	21,920	-	-	-	-
101 Receiving & Delivery {R&D} Tracks {bond funded}	400,000	-	-	-	-
102 North Lucius McCelvey Extension	-	-	-	-	-
108 31st Street Sidewalks Grant Match	-	-	-	-	-
150 Total North Zone/Rail Park (including Enterprise Park)	421,920	-	-	-	-
<b>CORPORATE CAMPUS PARK:</b>					
155 Pepper Creek Trail Hwy 36 to McLane Parkway	157,813	-	-	-	-
200 Total Corporate Campus Park	157,813	-	-	-	-
<b>BIOSCIENCE PARK/CROSSROADS PARK:</b>					
207 Cross Roads Park @ Pepper Creek Trail	3,191,551	-	-	-	-
250 Total Bio-Science Park	3,191,551	-	-	-	-
<b>RESEARCH PARKWAY/OUTER LOOP</b>					
305 Research Pkwy (IH 35 to Wendland Ultimate) STAG grant {Little Elm Sewer}	2,200,000	-	-	-	-
305 Research Pkwy (IH 35 to Wendland Ultimate)	1,224,909	-	-	-	-
305 Research Pkwy (IH 35 to Wendland Ultimate) {bond funded}	14,650,000	-	-	-	-
310 Research Pkwy (Wendland to McLane Pkwy)	1,010,016	-	-	-	-
315 Research Pkwy (McLane Pkwy to Central Point Pkwy)	398,344	-	-	-	-
320 Outer Loop (I35 South)	394,150	-	10,750,000	-	-
320 Outer Loop (I35 South) {bond funded}	3,100,000	-	-	-	-
321 East Outer Loop	906,600	-	-	-	-
350 Total Research Parkway	23,884,019	-	10,750,000	-	-
<b>SYNERGY PARK:</b>					
351 Lorraine Drive (Southeast Industrial Park) - [\$1.5M total project cost]	-	-	-	-	-
352 Entry Enhancement	46,846	-	-	-	-
400 Total Synergy Park	46,846	-	-	-	-
<b>DOWNTOWN:</b>					
401 Downtown Improvements {Transformation Team}	497,051	450,000	450,000	450,000	450,000
402 Santa Fe Plaza	7,105,977	-	-	-	-
403 Intersection Improvements at Central & North 4th Street	-	-	-	-	-
404 Santa Fe Market	3,764,084	-	-	-	-
405 TISD-Obligation per Contract	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	17,300,112	450,000	450,000	450,000	450,000
<b>TMED:</b>					
458 Loop 363 Frontage Rd (UPRR to 5th TIRZ portion)	182,935	-	-	-	-
459 31st Street/Loop 363 Improvements	74,800	-	-	-	-
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	462,305	-	-	-	-
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	569,602	2,488,000	-	-	-
467 1st Street @ Temple College Pedestrian Bridge	-	-	-	-	-
468 TMED South 1st Street	1,759,550	-	-	-	-
500 Total TMED	3,629,192	2,488,000	-	-	-
<b>AIRPORT PARK:</b>					
507 Taxiway for Airport	-	-	-	-	-
508 Corporate Hangar Phase II	-	-	-	-	-
510 Corporate Hangar Phase III	1,686,063	-	-	-	-
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	2,037,063	-	-	-	-
<b>Public Improvements</b>					
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	53,029,916	2,938,000	11,200,000	5,950,000	7,450,000
700 Available Fund Balance at Year End	\$ 2,108,195	\$ 7,790,064	\$ 4,542,317	\$ 6,144,385	\$ 6,183,721

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

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 APPROPRIATE ADDITIONAL FUNDING FOR TMED SOUTH 1<sup>ST</sup> STREET IN FISCAL YEAR 2018; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; DECLARING FINDINGS OF FACT; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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

**Whereas**, the Council adopted a Project Plan and Reinvestment Zone Financing Plan for the Zone by Ordinance No. 1525 adopted on December 22, 1983, and thereafter amended such plans by Ordinance No. 1664 adopted on June 20, 1985, Ordinance No. 1719 adopted on November 21, 1985, Ordinance No. 1888 adopted on December 21, 1987, Ordinance No. 1945 adopted on October 20, 1988; Ordinance No. 1961 adopted on December 1, 1988; Ordinance No. 2039 adopted on April 19, 1990; Ordinance No. 91-2119 adopted on December 5, 1991; Ordinance No. 92-2138 adopted on April 7, 1992; Ordinance No. 94-2260 adopted on March 3, 1994; Ordinance No. 95-2351 adopted on June 15, 1995; Ordinance No. 98-2542 adopted on February 5, 1998; Ordinance No. 98-2582 adopted on November 19, 1998; Ordinance No. 99-2619 adopted on March 18, 1999; Ordinance No. 99-2629 adopted on May 6, 1999; Ordinance No. 99-2631 adopted on May 20, 1999; Ordinance No. 99-2647 adopted on August 19, 1999; Ordinance No. 99-2678 adopted on December 16, 1999; Ordinance No. 2000-2682 adopted on January 6, 2000; Ordinance No. 2000-2729 adopted on October 19, 2000; Ordinance No. 2001-2772 adopted on June 7, 2001; Ordinance No. 2001-2782 adopted on July 19, 2001; Ordinance No. 2001-2793 adopted on September 20, 2001; Ordinance No. 2001-2807 on November 15, 2001; Ordinance No. 2001-2813 on December 20, 2001; Ordinance No. 2002-2833 on March 21, 2002; Ordinance No. 2002-2838 on April 18, 2002; Ordinance No. 2002-3847 on June 20, 2002; Ordinance No. 2002-3848 on June 20, 2002; Ordinance No. 2002-3868 on October 17, 2002; Ordinance No. 2003- 3888 on February 20, 2003; Ordinance No. 2003-3894 on April 17, 2003; Ordinance No 2003-3926 on September 18, 2003; Ordinance No. 2004-3695 on July 1, 2004; Ordinance No. 2004-3975 on August 19, 2004; Ordinance No. 2004-3981 on September 16, 2004; Ordinance No. 2005-4001 on May 5, 2005; Ordinance No. 2005-4038 on September 15, 2005; Ordinance No. 2006-4051 on January 5, 2006; Ordinance No. 2006-4076 on the 18<sup>th</sup> day of May, 2006; Ordinance No. 2006-4118; Ordinance No. 2007-4141 on the 19<sup>th</sup> day of April, 2007; Ordinance No. 2007-4155 on July 19, 2007; Ordinance No. 2007-4172 on the 20<sup>th</sup> day of September, 2007; Ordinance No. 2007-4173 on October 25, 2007; Ordinance No. 2008-4201 on the 21<sup>st</sup> day of February, 2008; and Ordinance No. 2008-4217 the 15<sup>th</sup> day of May, 2008; Ordinance No. 2008-4242 the 21<sup>st</sup> day of August, 2008; Ordinance No. 2009-4290 on the 16<sup>th</sup> day of April, 2009; Ordinance No. 2009-4294 on the 21<sup>st</sup> day of May, 2009; Ordinance No. 2009-4316 on the 17<sup>th</sup> day of September, 2009; Ordinance No. 2009-4320 on the 15<sup>th</sup> day of October, 2009; Ordinance No. 2010-4338 on the 18<sup>th</sup> day of February, 2010; Ordinance No. 2010-4373 on the 19<sup>th</sup> day of August, 2010; Ordinance No. 2010-4405 on November 4, 2010; Ordinance No. 2011-4429 on March 17, 2011; Ordinance No. 2011-4455 on July 21, 2011;

Ordinance No. 2011-4477 on October 20, 2011; Ordinance No. 2012-4540 on June 21, 2012; and Ordinance No. 2012-4546 on July 19, 2012; Ordinance No. 2012-4554 on September 20, 2012; Ordinance No. 2012-4566 on November 15, 2012; Ordinance No. 2013-4595 on June 20, 2013; Ordinance No. 2014-4665 on May 15, 2014; Ordinance No. 2014-4676 on July 17, 2014; Ordinance No. 2014-4683 on September 18, 2014; Ordinance No. 2014-4695 on December 18, 2014; Ordinance No. 2015-4705 on April 16, 2015; Ordinance No. 2015-4734 on October 17, 2015; Ordinance No. 2016-4789 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; Ordinance No. 2018-XXXX on January 18, 2018;

**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 7<sup>th</sup> day of **December**, 2017.

PASSED AND APPROVED on Second Reading on the 18<sup>th</sup> day of **January**, 2018.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Kayla Landeros  
City Attorney



## COUNCIL AGENDA ITEM MEMORANDUM

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12/07/17  
Item #10  
Regular Agenda  
Page 1 of 1

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

Kayla Landeros, City Attorney

**ITEM DESCRIPTION:** FIRST READING – PUBLIC HEARING: Consider adopting an ordinance designating a tract of land consisting of approximately 21.193 acres and located at 2114 Trino Road in Temple, as City of Temple Tax Abatement Reinvestment Zone Number 36 for commercial/industrial tax abatement.

**STAFF RECOMMENDATION:** Adopt ordinance as presented in item description on first reading and conduct a public hearing. Second reading will be scheduled for the January 18, 2018 City Council meeting.

**ITEM SUMMARY:** The proposed ordinance designates a tract of land consisting of approximately 21.193 acres and described as Lot 1, Block 1, Temple Industrial Park, Section 26, as Tax Abatement Reinvestment Zone Number 36 for commercial/industrial tax abatement. The property is located at 2114 Trino Road in Temple. The property tax identification number for the property is 111881.

The designation of a tax abatement reinvestment zone lasts for five years and is a prerequisite for entering into a tax abatement agreement with a future economic development prospect. We anticipate bringing a tax abatement agreement for proposed improvements to the property for Council's consideration at the January 18, 2017 meeting.

**FISCAL IMPACT:** None at this time.

### **ATTACHMENTS:**

[Map](#)  
[Ordinance](#)



**Address: 2114 Trino Rd**

**Property ID: 111881**



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



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

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, DESIGNATING A TRACT OF LAND CONSISTING OF APPROXIMATELY 21.193 ACRES AND LOCATED AT 2114 TRINO ROAD, TEMPLE, TEXAS, AS CITY OF TEMPLE TAX ABATEMENT REINVESTMENT ZONE NUMBER THIRTY-SIX FOR COMMERCIAL/INDUSTRIAL TAX ABATEMENT; ESTABLISHING THE BOUNDARIES THEREOF AND OTHER MATTERS RELATING THERETO; DECLARING FINDINGS OF FACT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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

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

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

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

**Whereas**, Staff recommends designating a tract of land consisting of approximately 21.193 acres, and described as Lot 1, Block 1, Temple Industrial Park, Section 26, otherwise identified generally as 2114 Trino Road and identified in the property tax rolls by Property Identification number 111881, as Tax Abatement Reinvestment Zone Number 36 for commercial/industrial tax abatement in order to promote economic development in the City.

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

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



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

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

**B.** That the boundaries of the reinvestment zone (hereinafter "REINVESTMENT ZONE NUMBER THIRTY-SIX") should be approximately 21.193 acres and located at 2114 Trino Road, Temple, Bell County, Texas, as described in the drawing attached as Exhibit "A."

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

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

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

**Part 3:** Pursuant to Section 312.201 of the Code, the City hereby creates a reinvestment zone for commercial/industrial tax abatement encompassing approximately 21.193 acres and located at 2114 Trino Road, Temple, Texas, described by the drawing in Exhibit "A," attached hereto and such REINVESTMENT ZONE is hereby designated and shall hereafter be officially designated as TAX ABATEMENT REINVESTMENT ZONE NUMBER THIRTY-SIX, City of Temple, Texas.

**Part 4:** The REINVESTMENT ZONE shall take effect on **January 18, 2018.**

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

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

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

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

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

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

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

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

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

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

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

**Part 8: Severance clause.** If any provision of this Ordinance or the application of any provision to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

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

**Part 10: Sunset provision.** The designation of TAX ABATEMENT REINVESTMENT ZONE NUMBER THIRTY-SIX shall expire five years from the effective date of this Ordinance. The designation of a tax abatement reinvestment zone may be renewed for periods not exceeding five years. The expiration of a reinvestment zone designation does not affect an existing tax abatement agreement authorized by the City Council.

**Part 11: Open Meeting Act.** It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meeting Act.

PASSED AND APPROVED on First Reading on the **7<sup>th</sup>** day of **December**, 2017.

PASSED AND APPROVED on Second and Final Reading and Public Hearing on the **18<sup>th</sup>** day of **January**, 2018.

THE CITY OF TEMPLE, TEXAS

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DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

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Lacy Borgeson  
City Secretary

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Kayla Landeros  
City Attorney