



**MEETING OF THE
TEMPLE CITY COUNCIL**

MUNICIPAL BUILDING

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

THURSDAY, JUNE 21, 2018

5:00 P.M.

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. PUBLIC HEARING

3. **PUBLIC HEARING** – Presentation of the proposed amendment to the adopted Community Development Block Grant, 2015-2019 Citizen Participation Plan and notice of 30-day public comment period June 21-July 21, 2018.
4. **PUBLIC HEARING** – Presentation of the proposed substantial amendment to the adopted Community Development Block Grant, 2015-2019 Consolidated Plan and notice of 30-day public comment period June 21-July 21, 2018.
5. **PUBLIC HEARING** – Presentation of the proposed Community Development Block Grant 2018/19 Annual Action Plan and Budget, including the funding recommendations and notice of 30-day public comment period June 21 – July 21, 2018.

IV. CONSENT AGENDA

All items listed under this section, Consent Agenda, are considered 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.

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

Minutes

(A) [June 7, 2018 Special and Regular Meeting](#)

Contracts, Leases, & Bids

- (B) [2018-9161-R](#): Consider adopting a resolution authorizing the purchase of 15 vehicles from the following vendors in the total amount of \$440,874:
- Nine vehicles from Randall Reed's Prestige Ford of Garland in the amount of \$232,265;
 - One vehicle from Four Stars Chevrolet of Fort Worth in the amount of \$43,525; and
 - Five vehicles from Four Stars Ford of Jacksboro in the amount of \$165,084.
- (C) [2018-9162-R](#): Consider adopting a resolution authorizing the purchase of a forklift in the amount of \$32,106.09 and a skid steer in the amount of \$47,675.67 from Associated Supply Company, Inc. of Lubbock.
- (D) [2018-9163-R](#): Consider adopting a resolution authorizing the purchase of a temporary construction easement necessary for the construction of Phase 4 of the Bird Creek Interceptor project in an amount not to exceed \$2,753.
- (E) [2018-9164-R](#): Consider adopting a resolution authorizing the purchase of right-of-way and a permanent easement necessary for the construction of Phase 4 of the Bird Creek Interceptor Project, conversion of the private road Daniels Drive into a public street and authorizing closing costs associated with the purchase in an estimated amount of \$12,500.
- (F) [2018-9165-R](#): Consider adopting a resolution authorizing the purchase of property which is necessary for the construction of the Avenue D and 14th Street Drainage project in an estimated amount of \$1,000 and authorizing the release of six City liens against the property in an amount of \$1,100.
- (G) [2018-9166-R](#): Consider adopting a resolution authorizing a net deductive change order to the construction contract with Skyblue Utilities, Inc., of Kingsland in an amount not to exceed \$20,553.68 for construction of the Western Hills Water Main Improvements.
- (H) [2018-9167-R](#): Consider authorizing a contract with the Greater Temple-Belton Foundation for Animal Care to administer a spay and neuter voucher program for the City of Temple Animal Shelter.

- (I) [2018-9168-R](#): Consider adopting a resolution establishing adoption fees for animals adopted from the City of Temple Animal Shelter.
- (J) [2018-9169-R](#): Consider adopting a resolution authorizing a contract with Brockway, Gersbach, Franklin and Niemeier, P.C. to perform the annual City of Temple audit for an amount not to exceed \$76,400.
- (K) [2018-9170-R](#): Consider adopting a resolution authorizing a change order to a construction contract with Clark Roofing and Construction, Inc. of Waco, in the net deductive amount of \$58,985.42 for modifications to the scope of work related to the re-roofing of the Mayborn Convention Center and Central Fire Station.
- (L) [2018-9171-R](#): Consider adopting a resolution authorizing a construction contract with Lochridge-Priest, Inc. of Waco in the amount of \$664,674, and a deductive change order in the amount of \$93,389, for heating, ventilation, and cooling improvements at the Santa Fe Depot, City Hall, and the Airport.
- (M) [2018-9172-R](#): Consider adopting a resolution authorizing the execution of a Consent Agreement with Panda Temple Power II, LLC ("Panda II") and CLMG, Corp. ("CLMG") consenting to the collateral assignment of Panda II's rights and obligations under the 2013 Effluent and Water Purchase Agreement and a Consent Agreement with Panda II and CLMG consenting to the collateral assignment of Panda II's rights and obligations under the 2013 Tax Abatement Agreement.
- (N) [2018-9173-R](#): Consider adopting a resolution authorizing a one-year renewal to the depository services agreement with BBVA Compass Bank.
- (O) [2018-9174-R](#): Consider adopting a resolution ratifying renewal of a Memorandum of Understanding with the United States Department of Veterans Affairs Central Texas Veterans Health Care System.
- (P) [2018-9175-R](#): Consider adopting a resolution authorizing a professional services agreement with Stateside Right of Way Services, Inc., in an amount not to exceed \$214,400 for land acquisition services for Phase 4 of the Outer Loop Project.
- (Q) [2018-9176-R](#): Consider adopting a resolution authorizing a lease agreement with Hill Country Community Action Association, Inc. for lease of space in the Public Services Building located at 102 East Central Avenue, Temple.
- (R) [2018-9177-R](#): Consider adopting a resolution authorizing a one-year lease agreement with NeighborWorks Waco, for lease of space in the Historic Post Office, located at 101 North Main Street.

Ordinances – Second & Final Reading

- (S) [2018-4918](#): SECOND READING: 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 Santa Fe Phase 2 and Strategic Investment Zone Grants in FY 2018.

- (T) [2018-4920](#): SECOND READING – FY-18-3-ZC: Consider adopting an ordinance authorizing a rezoning for 91.15 +/- acres, from Agricultural to Single Family Two, situated in the Maximo Moreno Survey, Abstract No. 14, Bell County, Texas, addressed as 401 North 42nd Street.
- (U) [2018-4921](#): SECOND READING – FY-18-3-SITE: Consider adopting an ordinance amending Ordinance No. 2011-4422 to attach a site plan showing a three suite retail building consisting of 3,708 square feet of retail space on Lot 1, Block 1, Stonegate, Phase III subdivision, addressed as 5075 South 31st Street.

Misc.

- (V) [2018-9178-R](#): Consider adopting a resolution authorizing budget amendments for fiscal year 2017-2018.

V. REGULAR AGENDA

RESOLUTIONS

- 7. [2018-9179-R](#): Consider adopting a resolution authorizing change order #2 with Bell Contractors, Inc., of Belton, in an amount not to exceed \$194,532.14 for construction of the Jackson Park Wastewater Line Improvements.
- 8. [2018-9180-R](#): FY-18-2-APL: Consider adopting a resolution for an appeal of standards to Section 6.8 of the Unified Development Code related to the 1st and 3rd Overlay District requirements for landscaping and public frontage standards for a new construction warehouse and sales building at 1605 North 3rd Street.
- 9. [2018-9181-R](#): P-FY-18-30: Consider adopting a resolution approving the Final Plat of High Crest Phase III, a 38.984 +/- acres, 61-lot, 4-block, residential subdivision, situated in the John M. Porter Survey, Abstract No. 648, Bell County, Texas and located north of Mountain Rose Road and east of Bowles Ranch Road in Temple's western extraterritorial jurisdiction with developer requested exceptions to the Unified Development Code.

ORDINANCES – FIRST READING/PUBLIC HEARING

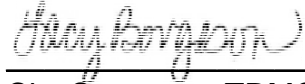
- 10. [2018-4922](#): FIRST READING – PUBLIC HEARING: Consider adopting an ordinance amending the City of Temple's Comprehensive Economic Development Ordinance (Ord. No. 2016-4783) to readopt the City's guidelines and criteria governing property tax abatement.

ORDINANCES – SECOND READING

- 11. [2018-4919](#): SECOND READING – FY-18-2-ZC: Consider adopting an ordinance authorizing a rezoning from Agricultural zoning to Planned Development Single-Family One zoning district and a binding development/site plan on 86.91 +/- acres, situated in the Redding Roberts Survey, Abstract 692, Bell County, Texas, located southeast of FM 93 and Southwood Drive, 3093 West FM 93.

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

I hereby certify that a true and correct copy of this Notice of Meeting was posted in a public place at 1:30 pm, on Monday, June 18, 2018.



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 _____ 2018. _____ Title _____



COUNCIL AGENDA ITEM MEMORANDUM

06/21/18
Item #3
Regular Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Brynn Myers, City Manager

ITEM DESCRIPTION: PUBLIC HEARING – Presentation of the proposed amendment to the adopted Community Development Block Grant, 2015-2019 Citizen Participation Plan and notice of 30-day public comment period June 21-July 21, 2018.

STAFF RECOMMENDATION: Receive presentation as indicated in item description and conduct public hearing. No action is required.

ITEM SUMMARY: *2015–2019 Citizen Participation Plan*

The City of Temple annually receives Community Development Block Grant (CDBG) Entitlement funds from the U.S. Department of Housing and Urban Development. As a recipient of these entitlement program funds the City is required to produce a Citizen Participation Plan, which outlines how and when, changes to the Consolidated Plan and Annual Action Plan are required.

The Citizen Participation Plan, as currently adopted, contains conflicting language as to what allocation percentage is the benchmark for when a substantial amendment is required and is not required. Staff proposes to set the threshold percentage to 25% of the annual allocation uniformly throughout the plan.

These proposed changes will align the criteria in the Planning Process with the criteria in the Amendments, creating a cohesive process. Setting the allocation percentage of change to 25% of the annual allocation will allow the adopted plans to move forward uninterrupted from seeking amendments that may be of a minimal amount.

This presentation and public hearing for the proposed amendments to the 2015-2019 Citizen Participation Plan will be followed by a 30-day public comment period. A final public hearing and action on the amendments to the 2015-2019 Citizen Participation Plan will occur at the August 2, 2018 Council meeting.

FISCAL IMPACT: None

ATTACHMENTS:

[2015-2019 Citizen Participation Plan](#)



2015 – 2019 CITIZEN PARTICIPATION PLAN

Community Development Block Grant Program

Division of General Services

Adopted Date: August 18, 2016



CITIZEN PARTICIPATION PLAN

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INTRODUCTION

The Community Development Block Grant (CDBG) Program has operated since 1974 to provide local governments and communities with the resources necessary to meet the needs of low- to moderate-income residents. Annually, the Department of Housing and Urban Development (HUD) issues entitlement funds to local governments, including states, counties and cities, allowing those units of government flexibility to develop programs that meet the unique needs of their community. Citizen participation is necessary in order for the needs of Temple's residents to be determined, priorities that address those needs to be set, and the community to be enhanced through cooperation and teamwork in the development and implementation of the CDBG plans. The City of Temple (City) receives an annual CDBG entitlement from HUD and created this Citizen Participation Plan (CPP) to work as an integral part of the planning and implementation process for the CDBG Program.

Though HUD sets forth that the document should be a Citizen Participation Plan, it should be noted that neither HUD nor the City of Temple limits participation to U.S. Citizens, but encourages participation by any resident of the city or any party interested in how the City spends its CDBG funds.

The CPP must ensure that all residents, businesses, non-profits and other interested parties have clear direction on how they can become involved in how federal funds are spent at the local level. According to Part 24 of the Code of Federal Regulation, section 91.100, participation by residents in the CDBG Program is a requirement of HUD as is the development of a Citizen Participation Plan. Part 24 CFR 91.105 states the requirements of the Plan. The Plan must set forth the City's policies and procedures for involving residents and stakeholders in the CDBG planning and implementation process. The CPP must provide for and encourage residents, particularly low- to moderate-income residents, those living in low- to moderate-income neighborhoods or blighted neighborhoods, racial/ethnic minorities and the disabled, to participate in the development of the plans and evaluation reports. The main reports that are based on public input are the 5-Year Consolidated Plan, 5-Year Fair Housing Plan (Assessment of Fair Housing – AFH), and Annual Action Plans. Additionally, the annual Environmental Review Records and Consolidated Annual Performance and Evaluation Report (CAPER) are also open for public review and comment.

Often times during the implementation period, the City must alter its originally stated plans. The Citizen Participation Plan will specify the City's criteria for determining what changes in activities or funding constitute a substantial amendment to the Consolidated Plan and/or Annual Action Plan and how these actions must comply with federal regulations in involving residents in the amendment process.

In order to remain attuned to the needs of the community, this Citizen Participation Plan is updated at least every five years in conjunction with the CDBG Consolidated Plan; or as deemed necessary.

ENCOURAGING CITIZEN PARTICIPATION

The City of Temple recognizes that building a community requires involvement from a number of invested partners. The City is committed to involving residents and stakeholders in the planning, implementation and evaluation processes of the CDBG Program to the greatest extent possible. The City is especially committed to involving low- to moderate-income, minority, and disabled persons as well as those living in areas with blighted conditions or without equal amenities to the rest of Temple. In addition to participation by residents, local businesses, non-profit agencies, advocacy groups, and the local Housing Authority, everyone who wants to invest in the sustainable future of the Temple community is strongly encouraged to participate.

The Citizen Participation process is an on-going element of the CDBG program and encourages public participation during every phase of the program. Community Development staff is available throughout the year to discuss programs and receive public comments. Reasonable advance notice is afforded through the City's website (www.templetx.gov) and the Temple newspaper of general circulation, when public comments are actively being solicited for specific purposes such as:

- During the development of local funding priorities found in the five year Consolidated Plan;
- During the development of the annual Action Plan and budget;
- During requests for substantial amendments to the Consolidated Plan and/or Annual Action Plan; and
- During the formulation of the Consolidated Annual Performance Evaluation Report (CAPER).

The City welcomes recommendations regarding additional or better methods to encourage involvement and participation.

PLANNING PROCESS

Plan Development Process: Public participation in the plan development process involves 2 phases: (1) identification of priorities, issues and concerns; and (2) proposal of activities and allocation of funds. The City incorporates any and all public input and comments into each planning document.

Identification of Priorities, Issues and Concerns: Early in the Consolidated Planning process as well as the Annual Action Plan process, the City of Temple will inform residents and interested parties of the process and provide a public hearing for residents and stakeholders to voice their views on priority needs and allocation of funds.

Specifically during the Consolidated Planning process, which occurs every 5 years, the City will make available a survey for residents and stakeholders to complete, rating the level of need for each of the CDBG-eligible activities. Additionally, open-ended questions will be asked to solicit free-form comments about the levels of need and methods for addressing the needs. A sample of the most recent survey in English and Spanish are located in Exhibit A.

During the Consolidated Planning process, the City will also inform residents and interested parties about fair housing choice and the Fair Housing Plan with its Assessment of Fair Housing (formerly Analysis of Impediments). A portion of the Consolidated Plan public hearing will be devoted to fair housing issues and City staff will solicit comments regarding any incidences where the Fair Housing Act may have been violated directly or indirectly. Part of the Consolidated Plan survey will also be devoted to questions regarding fair housing violations and perceptions of unequal treatment for protected classes.

During the Consolidated Planning process and Fair Housing Plan development, City staff or its consultants will interview key stakeholders regarding fair housing and equal rights issues. The stakeholders may include

advocacy groups, social service agencies, foundations, researchers, developers, realtors, lending institutions, homeowner associations, and other groups or individuals responsible for complying with, enforcing, or advocating for fair housing.

During the Annual Action Plan process, the City will host a public hearing to review the priorities set in the Consolidated Plan, past funding allocations, activities conducted, and current available funding. The attendees will be asked to comment on potential activities for the up-coming year. In conjunction with the first Annual Action Plan public hearing, the City will conduct a pre-application workshop for potential subrecipients who are interested in applying for funding.

As with the Consolidated Planning process, a public hearing during the Annual Action Plan process will include information on fair housing and City staff will solicit comments regarding any incidences where the Fair Housing Act may have been violated directly or indirectly.

Proposal of Activities and Allocation of Funds: Approximately 2 to 3 months after the initial public hearings and release of surveys during the Consolidated Planning process, the City will conduct a second public hearing to detail resulting funding priorities and actual proposed activities for the upcoming year.

As part of the Consolidated Planning process conducted every 5 years, this second public hearing will also involve discussion about the Fair Housing Plan and its Analysis of Impediments. The impediments will be discussed as well as the City's plans during the coming 5 years to address the impediments and to affirmatively further fair housing choice in Temple.

A draft of the proposed plan(s) will be made available and attendees will be encouraged to voice their opinions and concerns. During this second public hearing for the Annual Action Plan, there will again be a time to discuss fair housing issues and City staff will solicit comments from attendees.

The second public hearing may serve to launch the 30-day public comment period for the draft plan(s). As an option the City may choose to hold the second public hearing at any time during the public comment period.

The City staff will present the plan(s) to City Council each year in 2 stages. The proposed activities and funding allocations will be presented to City Council for approval. During the public comment period of the Council meeting, residents will have the opportunity to voice their opinion. The final plan(s) will be presented during a second City Council meeting. At that time, residents will have another opportunity to voice their opinion. The City will cease accepting public comments for the plan(s) prior to the City Council adopting the final document(s).

Amendments: During the program year, the City may opt to amend either the Consolidated Plan or the Annual Action Plan. A substantial amendment will occur when:

- An activity is proposed that was not listed or given a high priority in the Consolidated Plan;
- An activity is proposed that was not listed in the Annual Action Plan;
- An activity that was listed in the Annual Action Plan is to be cancelled;
- CDBG Target Areas have changed that requires mid-year corrections/changes of activities;
- The location of a public facility or infrastructure project detailed in the Annual Action Plan has changed; or
- 2025% or more of the City's annual allocation is to be ~~re-allocated~~ re-distributed among existing or new activities.

Minor amendments that do not require public notice, a public hearing or public comment period include, but not limited to:

- Less than ~~20~~25% of the City's annual allocation is to be re-distributed among existing or new activities;
- The number of persons to be served by an activity has changed;
- Activities have been delayed and are to be initiated or completed at a later date; or
- The approved activity will be carried out by a different organization.

Public Notification: The public notices for public hearings will be posted at least 72 hours prior to the opening of the hearing. The public notice for the public comment period will be posted in conjunction with the notice for the second public hearing. Notification will be in the main news section of the local general circulation newspaper, on the public notice board at City Hall, on the City's website and on the City's social media site. Samples of the public notices are in the Exhibits in the Appendix.

Term of Participation/Comment: Public comments may be submitted at any time, and are generally received for incorporation in the decision-making process and in the final documents from approximately early winter to mid-summer of each year for the Consolidated and Annual Action Plans. However, the official HUD-mandated public comment period will be at least 30 days, not including the day of publication, and will generally occur from early June through early July of each year for the Consolidated and Annual Action Plans. The public comment period for amendments to the plans will also be 30 days. The public comment period will end prior to the City's submission of the plan(s) to HUD for review and approval, thus giving staff time to incorporate any comments.

Environmental Review Process: The City will solicit comments and responses from agencies and entities responsible for the evaluating and maintaining the health and environment of the region. City staff will review documentation available from county, state and federal agencies to insure that no negative environmental or social impact results from projects to be undertaken during the year which are categorically excluded but not converting to exempt or require an Environmental Assessment. When required, the City will notify the agencies responsible for overseeing the element of the environment that might be impacted by the project. The agencies will be given at least 30 days to respond to the request for comment.

After sufficient time for the internal review and for any contacted agencies to respond to the notification of projects to be undertaken, the City will notify the public of its intent to conduct the non-exempt projects, its finding of no significant impact, and its intent to request a release of funds from HUD.

Public Notification: The public notice for public comment on the Environmental Review Records will combine the Finding of No Significant Impact (FONSI) and Notice of Intent (NOI) to request release of funds and will be posted in the legal notices section of the local general circulation newspaper, the Temple Daily Telegram, and on the City's website, www.templetx.gov. A sample of the public notice is included as Exhibit E.

Term of Participation/Comment: The public will be given 18 days, not counting the day of public notice, to comment. The public comment period will end at least 1 day prior to the City's submission of the Request for Release of Funds (RROF) to HUD for review and approval.

Additional Components

Fair Housing

With each Annual Action Plan the City must certify that it has taken and will continue to take steps to affirmatively further fair housing choice. Positive actions toward reducing or eliminating barriers to fair and affordable housing must occur each year for the City to continue to receive HUD funds. During the Consolidated Planning Process every 5 years, the City will also develop a Fair Housing Plan with an Assessment of Fair Housing (formerly Analysis of Impediments). This plan will outline the actions to be

taken during the ensuing 5 years to reduce or eliminate impediments to fair and affordable housing choice. Each year the City must report its progress in implementing the action steps.

The public participation for the development of this plan will coincide with the participation for the Consolidated Plan and be conducted simultaneously, though at least one housing forum will be held in conjunction with a public hearing to have an open discussion with landlords, realtors, housing developers, subsidized housing providers, public service agencies and advocacy groups regarding fair housing issues. The forum will be open to the public and the comments will be included in the Consolidated Plan and the Fair Housing Plan.

Most of the actions to reduce housing discrimination are the responsibility of the private sector, public service and advocacy agencies and the residents themselves. Throughout the year, the City will have information posted on its website and social media about fair housing choice and the rights of residents. At least one public hearing for the Consolidated Planning process will include a section on fair housing choice and the Fair Housing Act.

Each April a special activity will be planned during Fair Housing Month. The City will post fair housing posters in public locations of public building(s) and will make posters available to public service subrecipients. Information will be provided on the City website and with public service agencies about what constitutes a fair housing violation and processes for filing a fair housing complaint. Outreach will encourage landlords, realtors, housing developers, subsidized housing providers, public service agencies and advocacy groups and residents to understand Fair Housing, laws, what constitutes a violation and the process for filing a complaint.

Public Notification: The public notices for the Fair Housing Plan development will be an element of the public notices for the Consolidated Plan and will be placed in the news section of the local newspaper, as well as on the City's website.

Term of Participation/Comment: Public comments may be submitted at any time, and are generally received for incorporation in the decision-making process and in the final documents from February through approximately mid-summer every five (5) years for the Fair Housing Plan in conjunction with the Consolidated Plan. However, the official HUD-mandated public comment period will be at least 30 days, not including the day of publication, in conjunction with the preparation of the Consolidated Plan. In addition, the City maintains a log of all those who inquire about fair housing or wish to file a fair housing complaint. These contacts occur throughout the year.

Assisting the Public with Fair Housing Issues: Any resident, or resident-advocate, who is the victim of or observes possible fair housing violations may contact the Division of General Services, Office of Community Development, to obtain assistance in determining if the issue is a violation. If the issue is a potential violation City staff will explain the complaint process and will assist the complainant in filing a fair housing complaint with HUD. If the alleged violation could be a violation to the City's Code of Ordinances, the appropriate City staff will be alerted to investigate the issue and take whatever legal action is indicated.

Fair Housing at the City of Temple
Division of General Services
Office of Community Development
101 N Main St.
Temple, TX 76501
cdbg@templetx.gov
www.templetx.gov/fairhousing

Fair Housing Complaints: Complaints may be taken through the HUD online complaint form. The complainant may complete the form directly or with the assistance of City staff. The complainant may file directly with HUD at:

http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/online-complaint

Or contact the Fort Worth Regional Office of HUD at:

FHEO Office

U.S. Dept of HUD

801 Cherry Street, Unit #45

Suite 2500

Fort Worth, TX 76102

(888) 560-8913

Evaluation Process

Each year the City of Temple conducts an evaluation of the past year's performance. As part of the evaluation, and as required by HUD, the City develops a Consolidated Annual Performance and Evaluation Report (CAPER). The City notifies the public of the availability the CAPER for review and public comment. The City receives and incorporates any and all pertinent public comments into the document.

Public Notification: The public notice of the availability of the CAPER for public review/comment will be posted in the local newspaper. A sample of the public notice is included as Exhibit F.

Term of Participation/Comment: The public will be given 15 days, not counting the day of public notice, to comment. The public comment period will end prior to the City's submission of the CAPER to HUD for review and approval; so that City staff has adequate time to incorporate comments into the CAPER.

Every fifth year, the City prepares a 5-year Consolidated Plan to take effect the following year. The Consolidated Plan describes the housing and community development needs and priorities as well as a 5-year strategy for addressing those needs. The City must submit this 5-Year Consolidated Plan to HUD in order to receive the annual CDBG entitlement grant. This document is specifically designed to:

- Promote citizen participation in the development of local priority needs and objectives by providing comprehensive information on the jurisdiction that is easy to understand;
- Summarize statutory requirements in such a manner as to achieve the purpose of these requirements in a comprehensive way;
- Promote the development of Annual Action Plans that coincide with the Consolidated Plans' priorities and provide a basis for assessing performance; and
- Encourage consultation with public and private agencies, including those outside the jurisdiction, to identify shared needs and solutions.

Beginning with the 2015-2019 Consolidated Plan, the City of Temple must complete an on-line plan in HUD's Integrated Disbursement and Information System (IDIS) as well as have online and paper copies available for the public to review. The Community Development staff, using the guidance of this Citizen Participation Plan, establishes the goals set forth in the Consolidated Plan. Exhibit B shows a list of the 2015-19 funding priorities derived from a combination of resident responses to a comprehensive survey in English and Spanish, Community Development staff priorities, input from stakeholders and from other City departments. In order to solicit a broad range of information from the community, the City conducts:

- A survey of residents through on-line access and paper copy in English and Spanish;
- Group meetings and/or individual meetings and phone interviews with various housing, social service, economic development, advocacy, and community-based organizations; and

- At least 2 public hearings open to all interested parties.
- The City encourages all interested citizens or groups to present opinions or proposals to the City for consideration under the CDBG program. Citizens may become involved by:
 - Attending CDBG public hearings and presenting ideas, suggestions, and proposals;
 - Submitting comments, concerns, and recommendations through email or in writing to City staff;
 - Contacting the Community Development office for discussion, or assistance with preparation of complaints, suggestions, or proposals;
- Pursuing other means of participation that are not mentioned but may be available.

The City may also seek public comments, advertise for specific events or solicit public participation for certain programs. At that time, information will be distributed to local organizations and businesses for posting. For example, postings asking for comments or participation regarding housing programs may be distributed to the Temple Housing Authority, placed at neighborhood parks, schools and churches. Additionally, these types of postings may be sent to businesses serving the area that may be affected by the activity. When seeking public comments from a specific segment of the population or area, the City will make every effort to distribute postings, announcements and flyers to areas that will directly reach the intended audience.

Annually, the City solicits citizen participation in the preparation of various documents. Invitations to submit comments will be included with all public hearing notices. The public hearing notice will also specify how to submit a comment and the deadline for submitting such comments. Written comments relating to CDBG may be submitted to the Community Development office at any time during normal business hours. Additionally, public comments may be submitted in person to the Office of Community Development located at 101 N. Main ST., Temple, TX 76501, or via email at CDBG@Templetx.gov. The public may also choose to attend any CDBG related public meeting or hearing in order to submit public comments.

The City may also seek public comments through other emerging avenues such as social media.

BUILDING COMMUNITY AWARENESS

The City will continue to use the expertise of the Public Information Office in the development and distribution of information about the CDBG program. The Public Information Office is tasked with keeping residents informed about city policies, programs, services and neighborhoods. Its services to the community currently includes:

- News Releases;
- Public service announcements;
- CH10, the municipal access channel broadcast on cable TV and streamed online with original programming and a rotating informational bulletin board;
- City website that provides information, applications, forms and interactive features such as maps;
- Social media, including Facebook, Twitter, Instagram, and YouTube; and
- The Bridge, a printed newsletter that is available to Temple residents.

PUBLIC NOTICE OF PROJECTS – PUBLIC HEARINGS AND MEETINGS

Notice of Funding Source: All of the displacement/relocation projects undertaken with CDBG funds will have posted an on-site public notice indicating that Federal HUD funds are being used wholly or in part to carry out the activities. This allows the public the opportunity to contact the City or HUD to comment on the project/activity itself or the manner in which the activity is being carried out.

Public Notification: The public notice for a public hearing regarding displacement will be posted at least 72 hours prior to the opening of the hearing. The notice will be posted in the Temple Sun and at the site of the pending displacement. The public notice of the funding source will remain on-site during the term of the activity. The notice will be posted during the construction of or improvements to facilities or infrastructure that required the displacement. For major improvements or new facilities, the inclusion of HUD as the funder will be posted in a place visible to the public – either through signage or a notice in the main area of the facility. For housing rehabilitation, a sign in the front yard will be posted during renovations. For public services, a notice may be posted in a public area of the building in which the public service is being conducted. An example of the public notice can be found as Exhibit G.

The City may elect, and is encouraged, to hold some public meetings in other neighborhoods that may be affected by the activities of the CDBG program. Occasionally, public meetings will be held at other venues where at least 51% of the residents in the area are low- to moderate-income (CDBG Target Areas). Examples of other venues include recreation buildings, churches and public schools in the area.

Public meetings (for the purposes of the CDBG program) are defined as informal, but documented, meetings between City staff (and relevant contractors) and City residents. These meetings are designed to promote the open and honest exchange of ideas, to enhance the impact of CDBG funds for the communities of Temple. Public meetings will be held to collect information (formal and informal comments), to review performance and to generally encourage understanding of, and participation in, CDBG project development and implementation. City staff and relevant contractors, may host public meetings at various locations throughout the City, in a location that meets ADA accessibility standards; to solicit input on any aspect of the CDBG Program.

Public hearings (for the purposes of the CDBG program) are defined as City Council meetings at which a CDBG agenda item is to be presented to Council, and attendees. During the development of the Annual Action Plan (once per year), the City will host two public hearings. The two public hearings are:

- Proposed Annual Action Plan public hearing (generally held in June)
- Adoption of AP (generally held in July)

During the development of the Consolidated Plan (once every five years), an additional four public hearings will be held. The four public hearings are:

- Proposed Citizen Participation Plan & Fair Housing Plan public hearing (generally held in October)
- Needs assessment public hearing for the Consolidated Plan (generally held in the Spring)
- Proposed Consolidated Plan public hearing (may, or may not, be at same Council meeting as proposed AP public hearing; generally held in June)
- Adoption of Consolidated Plan public hearing (may, or may not, be at same Council meeting as adoption of AP public hearing; generally held in July)

All residents of Temple will be affected, directly or indirectly, by Community Development activities and are encouraged to participate in the planning and implementation of the activities to be undertaken with CDBG funds. Persons interested in participating, or learning more about the CDBG Program, are urged to attend the public hearings.

Purpose Of Public Hearings/Meetings

HUD requires the City to hold public hearings so that the public can express its views and so that the City can respond to questions and proposals for the use of CDBG funds. According to HUD, public hearings are to be held at all stages of the planning process, including the needs assessment, identification of priorities, allocation for funds to meet the needs, review of proposed activities and review of program performance. The City holds at least two – six public hearings during the CDBG Consolidated Planning and Annual Action Planning process, and during times of amendments to programs, activities or funding allocations. If comments are received during these public hearings, a summary of all pertinent public comments are submitted to HUD along with the appropriate document.

Notification Of Public Hearings/Meetings

Notices of all public hearings held in regards to the CDBG program shall be placed in the local newspaper and by the City Secretary at City Hall at least 72 hours prior to each hearing. In addition, the notice posted by the City Clerk will include an agenda that lists all items to be considered.

Approximately two weeks prior to the first public hearing for the Consolidated Plan and all Annual Action Plans, a notice will be published in the local newspaper and placed on the City's website. This notice will advise citizens that planning for the use of CDBG funds is underway for the next program year. The notice will include the amount of funds expected to be available, the types of activities that are eligible for funding and other important program requirements.

All notices for public hearings will state that Spanish translation and interpretive services for the deaf will be made available if requested within 48 hours of the hearing. Occasionally, public hearing notices will be posted at gathering places throughout the CDBG Target Areas. Exhibit C is an example of a Community Development public hearing notice.

Time And Location Of Public Hearings/Meetings

Public hearings are held at Temple City Hall in a location that meets ADA accessibility standards (generally in Council Chambers). Reasonable accommodations will be made for people with disabilities, upon advance request. Language interpreters will be provided for non-English speaking participants, upon advance request. Citizens wishing to speak on this matter may do so by either signing up for Public Comments at the beginning of the meeting (there will not be any dialogue with the Council); or during the Public Hearing of the item. The City will consider the views of citizens, organizations and agencies, and other interested groups in preparing all plans and reports as part of the CDBG process. Additionally, these locations are on the transit bus route, which makes it further accessible to low- to moderate-income and/or disabled residents interested in attending the meetings.

Citizen Participation At Public Hearings/Meetings

During the CDBG public hearings and public meetings, the public is encouraged to communicate their needs, express preferences in regard to proposed activities, or present comments to be considered by Community Development staff. Residents may elect to participate at the public hearing/meeting or submit a written comment outlining their concerns and/or support of a specific project. Citizen input from public hearings and meetings, as well as written comments and suggestions will be incorporated into the applicable document(s) and submitted to HUD for review.

When services for the disabled, ASL interpretation, and/or Spanish translation are requested at least 48 hours prior to the meeting, such services will be provided.

The City is committed to providing technical assistance to the community to make all knowledgeable about the CDBG program. As awareness of the CDBG Program increases, it is the hope of the City that citizens will contribute ideas to solving some of the community's needs. The Community Development staff is available, by appointment, weekdays from 8:30 a.m. to 4:40 p.m. excluding holidays to:

- Provide technical assistance in preparing proposals to benefit low and moderate-income groups;
- Explain CDBG program requirements;
- Explain the requirements/benefits of all funded activities;
- Discuss proposed and ongoing community development activities; and
- Receive and investigate complaints relating to the CDBG Program.

PUBLIC WORKSHOPS

Annually, in conjunction with the Action Plan, the City of Temple sponsors a Technical Assistance Workshop that is free of charge and open to the public. At the workshops, attendees are given a brief overview of the CDBG Program and the City's Request for Proposal and budget process. Occasionally, special topics such as "grant writing" are presented. During the workshops, Community Development staff is available to provide one-on-one assistance in the development of proposals and ideas for funding.

Technical assistance in understanding the various program requirements or any other substantive matter relating to the program is available from staff during normal business hours. Spanish summaries of basic information will be made available upon request.

Agency Training And Coaching

During the year, the Community Development staff will provide technical assistance to any current or prospective subrecipient of HUD funding or agency seeking to secure and allocate resources in the CDBG Target Areas or for low- to moderate-income residents. The assistance may be in open workshops/trainings or thorough one-on-one sessions with the particular entity. The assistance is aimed at advising, supporting and assisting the agencies to better serve the low- to moderate-income households and CDBG target areas. Also, during monitoring of subrecipients, the staff will provide technical assistance regarding program management, beneficiary eligibility, financial management or any other topics related to the provision of services and management of funds.

Additionally, any subrecipient receiving CDBG funding for the first time receives an on-site monitoring/technical assistance visit by Community Development staff to ensure compliance and successful project completion.

Every effort is taken to provide the public with information regarding the CDBG Program as well as addressing each citizen's questions and comments. A written reply to a citizen's written questions, comments, or complaints is prepared as soon as the matter is given careful consideration by City staff and discussed with all involved parties.

REQUESTING INFORMATION

Interested parties requesting written information from the Office of Community Development must make a written request to the City Secretary's Office through the Public Information Act. Requests to the City

Secretary's Office may be made in person or via the City's website at www.templetx.gov. Special arrangements may be made for individuals who are not able to visit the City Secretary's Office or the Office of Community Development during regular office hours. If applicable, a fee may be assessed for copies of the requested information. Charges for copies will be based on current City of Temple policies and in accordance with the Public Information Act.

The City will provide a written response to all comments received within fifteen (15) working days of receipt. If a final response is not possible within this period of time, an interim response specifying the reason for the delay and any deliverable information providing that information is currently available. All comments or written ideas which are submitted to the City, will receive a final notice of disposition as soon as possible. Citizens may request access to any non- confidential records regarding the Consolidated Plan activities.

General program information such as guidelines, applications and the like will be made available on the City's website and in the Community Development Office at no charge to the public.

Access To Information

All technical and explanatory information concerning the CDBG program provided to the Office of Community Development or City Council is available for viewing in the Community Development Office. Other locations where CDBG documents may be made available for citizen review may include: City Hall, Temple Public Library, recreation centers, Temple Housing Authority and other public facilities. All locations will be in areas where at least 51% of the residents are low to moderate income. When required, there will be at least three copies available in various areas of the City for document review. Most documents may also be available for review on the City's website.

Copies of the most recent Action Plans, Consolidated Plans, CAPER, Citizen Participation Plan, and other pertinent documents are available for public inspection during normal operating hours in the Community Development Office located at 101 N Main ST. Temple, TX 76501; as well as online at www.templetx.gov/cdbg.

HUD allows the City of Temple the ability to amend the 5-year Consolidated Plan, the Annual Action Plan and the Citizen Participation Plan. When the City elects not to carry out an activity that was previously described and approved by HUD; to substantially change the purpose, scope, location or beneficiaries of an activity; or add a new activity an amendment must be submitted to HUD. In those instances, the City will use the following guidelines in determining when an amendment is substantial or minor. All amendments, substantial or minor, will be included in the CAPER.

AMENDMENTS

Amendments are sometimes needed throughout the implementation of the Consolidated Plan pending funding allocations and continued assessment of community needs.

Substantial Amendments

If more than 25% of ~~an individual activity changes~~ the City's annual allocation changes from its original purpose, then the amendment is considered a substantial amendment. If the activity is being carried out by a subrecipient or contractor, there must be an amendment to the subrecipient agreement as well as to the Annual Action Plan.

Substantial changes to the Consolidated Plan and/or Annual Action Plan may include, but are not limited to the following:

- Any transfer of funds over 2025% of the City's ~~total grant annual~~ allocation ~~for the fiscal year in which the activity was funded;~~
- Cancellation of a planned activity;
- Addition of a new activity not previously proposed for public review; or
- Change in the primary purpose or scope of an activity, such as a change in intended beneficiaries or organizational support.

The City will provide the public with a period of not less than thirty (30) days to comment on any substantial amendment before the amendment is implemented. Notices are provided to the public through the local newspaper and through the City's website. Exhibit D is an example of a CDBG substantial amendment public notice.

The substantial amendment is presented to City Council for approval. Once the City Council approves, the substantial amendment is submitted to HUD. As with the other plans, HUD has 45 days to review and approve the amendment. Once HUD has sent formal written approval or the 45 day review period has expired, the funds are transferred to the approved program.

Minor Amendments

Other changes to the Consolidated Plan or Annual Action Plan that do not meet the level of a substantial amendment are considered a minor amendment. For example, an amendment to ~~re-allocate re-distribute~~ less than 2025% of the City's annual allocation will be considered a minor amendment.

Notice of minor amendments are given in the local newspaper and on the City's website; and open for public comment for at least fifteen (15) days. Minor amendments are reviewed, considered and approved by the Division of General Services Manager and Community Development staff, but do not require City Council action. Minor amendments are submitted to HUD as part of the year-end CAPER.

Emergency Amendments

Occasionally, as in the case of natural disasters, such as a hurricane, it becomes necessary for the City of Temple to request a substantial amendment to the Action Plan or Consolidated Plan. During times of disaster, the City may request, and HUD may approve a waiver or reduction in the amount of days required for public notice and/or public comment. If approved by HUD, the City will follow HUD's direction with no further notice to the public. Emergency amendments require the signature of the City Manager or his/her designee. If approved, activities undertaken as a result of emergency amendments will comply with the City's purchasing and contract procurement procedures during the course of the disaster.

Re-Allocating Funds

If a funded program is not utilizing or will not utilize all of the awarded CDBG dollars, the unused funds can be re-allocated to a new or existing project.

Amending The Citizen Participation Plan

If at any time, it becomes necessary to amend this Citizen Participation Plan, the City will provide public notice in the local newspaper and on the City's website. The City will provide the public with a period of not less than fifteen (15) days to review and comment on the changes. Changes to this Citizen Participation Plan will be approved by the Temple City Council prior to submission to HUD.

Changes to the Citizen Participation plan will follow this process regardless of the scope of the change; substantial changes and minor changes will follow the same process.

UNIFORM RELOCATION ACT

Whenever federal funds, such as CDBG are used for projects involving acquisition, rehabilitation or demolition of real property, a federal law known as the Uniform Relocation Act (URA) may apply. The purpose of the URA is to provide uniform, fair and equitable treatment of persons whose real property is acquired or persons displaced as a result of a CDBG-funded project or activity. During the preparation of the Citizen Participation Plan, HUD requires entitlement communities to review all CDBG funded programs to ensure no person is involuntarily removed or displaced from their residential dwelling without providing proper remedies to the household.

Displacement

Displaced persons are those individuals, households, or businesses who move from their home or place of business as a direct result of acquisition, demolition or rehabilitation of the property using federal funds. Displaced persons may be eligible for relocation assistance under the URA. However, persons displaced temporarily from their dwelling for less than 12 months while it is being rehabilitated are not considered to be displaced and are not eligible for relocation assistance. All displacement activities will be discussed with the HUD Relocation Specialist to ensure that HUD concurs with the City on whether or not the person is displaced, and meets the criteria for assistance under the URA.

In the event that the City opts to use CDBG funds for an activity that would result in the displacement of renters of residences or commercial property, or other activities that would result in the taking of property through eminent domain, the City will conduct a public hearing for the plan(s), whether or not an amendment to the current Consolidated or Annual Action Plans is required. The City will explain the activity, solicit comments and concerns from the public and outline the displacement process. The activities will be such as to minimize displacement in all ways possible. Should displacement be necessary, the City will provide details concerning its implementation plan, timeline and assurance that there will be no undue burden placed on those affected.

Whenever possible, the City will give minority persons reasonable opportunities to be relocated to decent, safe and sanitary housing not located in an area of minority concentration providing that the dwelling units are within their financial means.

According to 49 CFR 24.2(a)(2)) and 8 CFR 103.12 the City of Temple legally cannot provide displacement/relocation assistance to aliens no in the United States legally.

Prior to engaging in activities that will cause displacement, the City will provide to HUD a certification that it will comply with the Uniform Relocation Act and applicable program regulations.

The public notice both for displacement and non-displacement will describe the relocation assistance to be provided, and contain the name, address and phone number of the City official responsible for providing the assistance or determining that no assistance is required. Exhibit H is an example of a public notice for displacement and non-displacement.

Relocation

In the event that the City initiates an activity that requires displacement, that uses CDBG funds, the City must have a plan for temporary or permanent relocation. HUD requires that relocation assistance be provided to

persons displaced in connection with federally funded projects and that decent, safe and sanitary housing be available within the displaced person's financial means. Relocation payments may be for actual, reasonable moving costs and related expenses or based on a reasonable fixed schedule. In the cases where the displaced person's move is performed by the City or subrecipient at no cost to the displaced person, the person shall receive a \$100 relocation allowance.

Displaced occupants who have lived in the unit to be vacated for 90 days or more shall receive a rental assistance payment of the difference between the monthly rent and utilities of the vacated dwelling and that of a comparable decent, safe and sanitary replacement dwelling up to a total payment of \$5,250 or a period of 42 months, whichever occurs first.

Displaced owner occupants who have lived in the vacated unit for 180 days or more and whose dwelling has been acquired shall receive an assistance payment of the difference between the acquisition price of the acquired unit and the purchase price of a comparable decent, safe and sanitary replacement unit up to a total payment of \$22,500. Owner occupants who have lived in the acquired unit for 90 to 180 days may be eligible for similar assistance as tenant occupants.

In the case of temporary rental relocation (less than 1 year), all reasonable out-of-pocket expenses incurred in connection with the temporary relocation will be paid, including the cost of moving to and from the temporary housing and any increase in monthly rent and utility costs.

Owners who are being temporarily displaced for demolition/reconstruction or housing rehabilitation through the use of CDBG funds may or may not be eligible for assistance. If applicable, the City will contact the Relocation Specialist with the Fort Worth HUD Office for clarification.

Any displaced person may file a complaint with the HUD Relocation Specialist in the HUD Region 6 Office in Fort Worth, Texas. Currently, Sara M. Neira is the specialist for Region 6 and can be reached at:

801 Cherry St. Unit #45, Suite 2500
Fort Worth, TX 76102
(817) 978-5937
Sara.M.Neira@hud.gov

Notice of Funding Source: All of the displacement/relocation projects undertaken with CDBG funds will have posted an on-site public notice indicating that CDBG funds are being used wholly or in part to carry out the activities. This allows the public the opportunity to contact the City or HUD to comment on the project/activity itself or the manner in which the activity is being carried out.

Public Notification: The public notice for a public hearing regarding displacement will be posted at least 72 hours prior to the opening of the hearing. The notice will be posted in the Temple Sun and at the site of the pending displacement.

The public notice indicating the funding source being used to carry out the project will remain on-site during the term of the activity. The notice will be posted during the construction of or improvements to facilities or infrastructure that required the displacement. For major improvements or new facilities, the inclusion of HUD as the funder will be posted in a place visible to the public – either through signage or a notice in the main area of the facility. For housing rehabilitation, a sign in the front yard will be posted during renovations.

SECTION 3

Section 3 is a provision of HUD that helps foster local economic development, neighborhood economic improvement, and individual self-sufficiency. The Section 3 program requires that recipients of certain HUD financial assistance, to the greatest extent feasible, provide job training, employment and contracting

opportunities to low- to moderate-income residents. Section 3 is a starting point to obtain job training, employment or contracting opportunities leading to self-sufficiency for those who are currently low- to moderate-income.

Section 3 residents are:

- Public housing residents; or
- Those living in Temple or the immediate area and have a household income that is at or below 80% of the area's median income.
- In addition, companies may be a Section 3 business concern if:
 - 51% or more is owned by Section 3 residents;
 - It employs Section 3 residents for at least 30% of its full-time permanent staff; or
 - It provides evidence of a commitment to subcontract to Section 3 business concerns 25% or more of the dollar amount of the awarded contract.

The City of Temple is committed to providing business opportunities to Section 3 firms, encouraging firms to hire Section 3 employees and to hiring Section 3 employees within the City whenever possible. In conjunction with the annual fair housing event, the City will provide certification forms for firms and individuals to complete to become Section 3 certified. In addition, the City will ensure that social service agencies that serve low-income individuals will distribute information about Section 3 and the Section 3 certifications. The City will coordinate with the Temple Housing Authority to ensure that the same certifications for the housing authority are being used by the City. The City may provide information to Temple Housing Authority residents for Section 3 applications for certification. Applications for certification/registration as a Section 3 resident or business concern can be obtained at the City of Temple's Office of Community Development. A copy of the applications are included as Exhibit J.

Priority for training and employment under Section 3 is given to:

- Persons in public or other assisted housing;
- Persons in the area of Temple where the project for which HUD funds are spent, or secondarily residents of other areas of Temple;
- Participants in HUD Youth build programs; and
- Homeless persons.

Priority for contracting is given to businesses that meet the definition of a Section 3 business concern and are otherwise qualified for and suited for the contract.

More information about Section 3 can be found in Exhibit J and on the HUD website at:

http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/section3/section3

COMPLAINTS

The City of Temple strives to create and maintain an exemplary CDBG program. Its quality strategy involves internal quality assurance, but also the incorporation of resident comments and complaints into a process of continuous improvement.

Complaints about the CDBG program may be made verbally or in writing. Any written complaint made to the City of Temple about the CDBG program that deals with preparation of the any plans, selection of projects, citizen participation opportunities or the effectiveness/appropriateness of on-going programs or projects shall be answered with a written response within fifteen (15) working days of the date upon which the complaint was received.

Complaints received verbally may receive a verbal response over the telephone or a meeting between the parties may be arranged to discuss the complaint and the response. Documentation of the call or the meeting will be placed in the appropriate project or general file. Some verbal complaints may receive written responses. These and any other written responses to written complaints will be completed and mailed within fifteen (15) working days of the receipt of the written complaint.

If a question or comment has not received a response or was not adequately answered, citizens can object to the approval of the City's Consolidated Plan and/or Annual Action Plan by contacting HUD directly. If objecting to the approval of any one of the aforementioned plans, citizens are urged to contact HUD within thirty (30) days of publication of the Plan. However, complaints must reach HUD before or during HUD's forty-five (45) day review process, if applicable. Specific grounds for objection are that the City (a) did not comply with regulations or that (b) the City misrepresented facts on the preparation of these applicable document(s).

HUD contact:

U.S. Department of Housing and Urban Development – Fort Worth Field Office
Office of Community Planning and Development
801 Cherry Street, Unit #45
Suite 2500
Fort Worth, TX 76102
(888) 560-8913

For more information regarding the City of Temple Citizen Participation Plan for the CDBG Program or any other elements of the CDBG Program, please contact the City at:

City of Temple
Division of General Services
Community Development
101 N Main ST
Temple, Texas 76501
cdbg@templetx.gov

EXHIBITS

Exhibit A: Consolidated Planning Surveys (example)

Exhibit B: 2015-19 Consolidated Plan Funding Priorities

Exhibit C: Public Hearing Notice (example)

Exhibit D: Substantial Amendment Public Notice (example)

Exhibit E: Public Notice for Environmental Review's (example)

Exhibit F: Public Notice for CAPER (example)

Exhibit G: Public Notice for Projects (example)

Exhibit H: Public Notice for Displacement (example)

Exhibit J: Section 3 Information



COUNCIL AGENDA ITEM MEMORANDUM

06/21/18
Item #4
Regular Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Brynn Myers, City Manager

ITEM DESCRIPTION: PUBLIC HEARING – Presentation of the proposed substantial amendment to the adopted Community Development Block Grant, 2015-2019 Consolidated Plan and notice of 30-day public comment period June 21-July 21, 2018.

STAFF RECOMMENDATION: Receive presentation as indicated in item description and conduct public hearing. No action is required.

ITEM SUMMARY: *2015–2019 Consolidated Plan – Substantial Amendment*

The Consolidated Plan outlines how the City of Temple will meet the National Objectives of the Community Development Block Grant (CDBG) requirements from 2015-2019. The Consolidated Plan provides a five-year framework of the program, detailing objectives and expected outcomes.

HUD understands that priorities may shift during the five-year period, and communities may need to leverage their dollars in other areas. When activities need to be added or deleted from the Consolidated Plan it is considered to be a substantial amendment, and it is required that the City seek the changes in accordance with the Citizen Participation Plan. At this time, staff desires to amend the 2015-2019 Consolidated Plan with the removal of funding for the Public Service Agencies (PSA) and the Main Street Program; and the addition of a new Public Service Crime Prevention Program.

This presentation and public hearing for the proposed amendments to the 2015-2019 Consolidated Plan will be followed by a 30-day public comment period. A final public hearing and action on the amendments to the 2015-2019 Consolidated Plan will occur at the August 2, 2018 Council meeting.

FISCAL IMPACT: The grant funds used to fund the PSA's and the Main Street Program will now fund the new Crime Prevention Program and the other programs in the consolidated plan.

ATTACHMENTS:

[2015-2019 Consolidated Plan](#)

Executive Summary

ES-05 Executive Summary - 24 CFR 91.200(c), 91.220(b)

1. Introduction

The Consolidated plan was developed, the City has determined that the CDBG program and the low- to moderate-income residents would be better served by restructuring the allocations for PY 2018 and PY2019 within two elements, requiring an amendment to the Consolidated Plan.

Public Service Agencies.

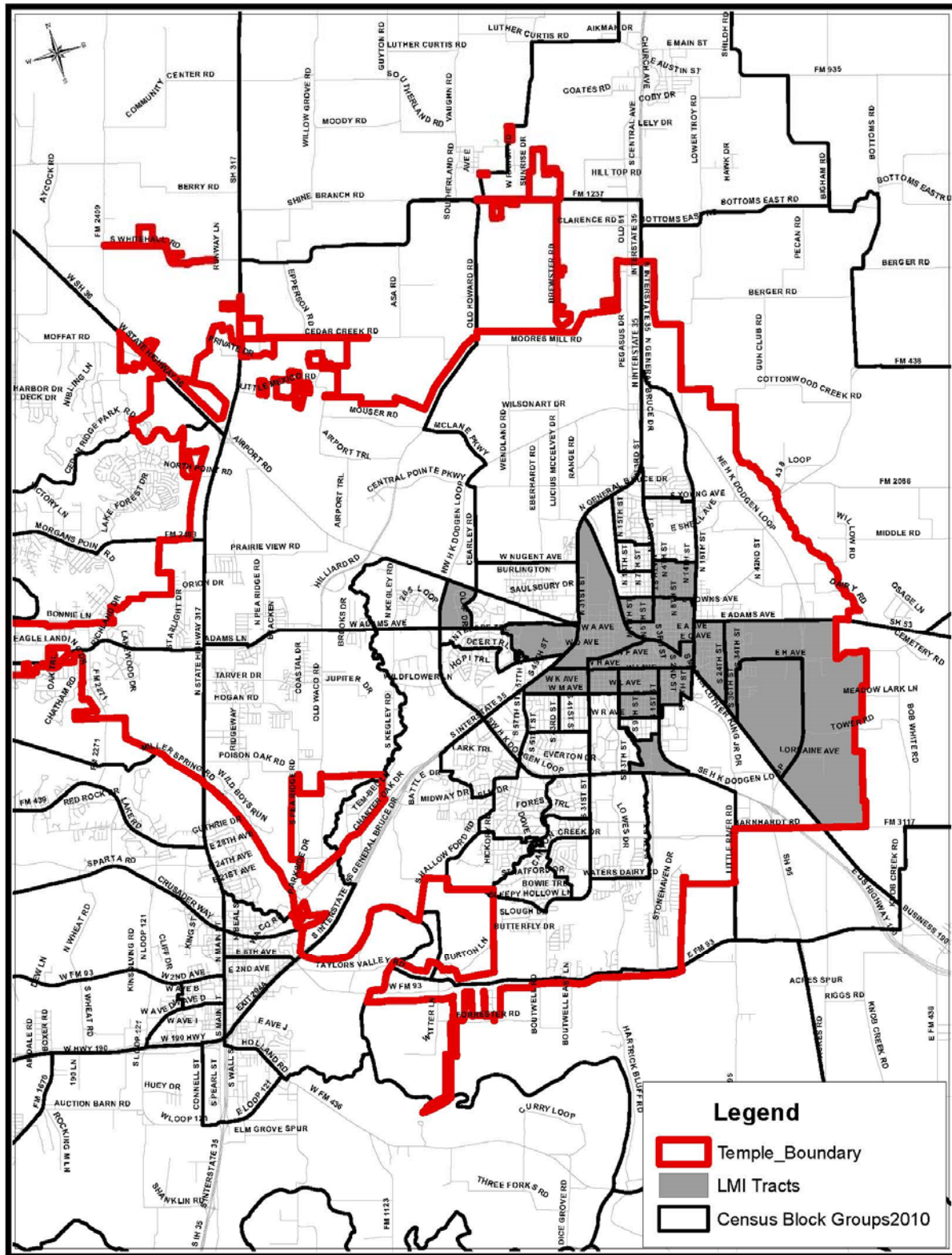
For many years, the City has funded various public service agencies that work to meet one of the national objectives, as defined by the CDBG, for residents of the City of Temple. Staff recognizes the contribution and the impact that these organizations bring to the citizens and to the community. The City will continue to fund those agencies through alternate funding.

Crime Prevention Program

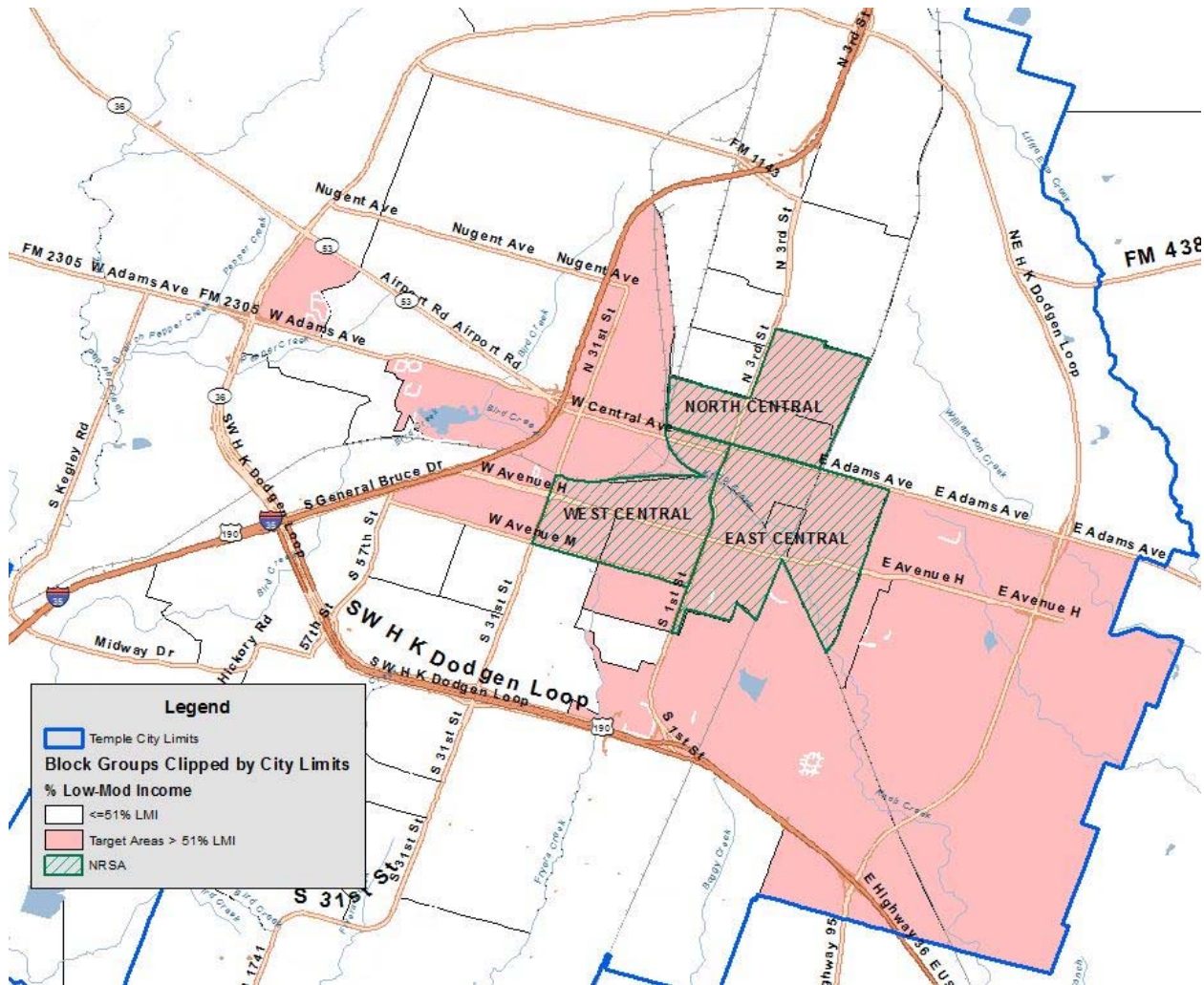
The City Staff and the community stakeholders have determined that the code enforcement, spot blight removal and infrastructure improvements cannot sustain positive improvement to quality of life in the CDBG Target Areas without additional dedicated crime prevention activities.

The Crime Prevention Program will include a dedicated and consistent law enforcement presence to work within the low-to-moderate income area with objectives and benchmarks to engage the community for the purpose of eliminating and reducing crime.





LMI Block Group Demographics



Proposed Neighborhood Revitalization Strategy Area

2. Summary of the objectives and outcomes identified in the Plan Needs Assessment Overview

Overview - please see the overview goals below

Housing: The most common housing problem in Temple is a housing cost burden of greater than 30% of the household income. This is especially true for renters, particularly low- to moderate-income renters. There are 3,635 low- to moderate-income renter households with a housing cost burden greater than 30%, and 1,565 of those have a cost burden of greater than 50%. Of the 1,815 extremely low-income renter households (incomes $\leq 30\%$ AMI), 1,215 have a housing cost burden of greater than 30%, and nearly three-fourths have severe housing problems – cost burden greater than 50% and/or overcrowding of more than 1.5 persons per room, with some households in substandard structures. These households are at an eminent risk of homelessness. Couple the lack of sufficient income with other characteristics linked to instability and homelessness is almost inevitable.

While there is some level of disproportion by race/ethnicity for those with housing problems in Temple, the differences are significantly less than 10%. White households comprise 64.3% of the households in Temple, and 60.4% of the low- to moderate-income households with one or more housing problems. African American, comprising 15.8% of the total households, have a slightly higher proportion of low- to moderate-income households with housing problems at 18.1% of total low- to moderate-income households. Hispanics comprise 16.7% of total households and 19% of low- to moderate-income households with problems. There is definitely a higher housing burden on minorities in Temple, but it isn't extreme and doesn't meet HUD's 10% threshold for designating disproportion.

To address the housing needs that have been determined based on data, the results of community input, and the realities of funding limitations, the City will use CDBG and general funds through the Community Enhancement Grant (CEG) Program to focus on owner-occupied rehabilitation, including emergency repair, weatherization, improved accessibility, and first-time homebuyer's assistance and financial literacy/homeownership education. The City will support applications by other entities for state, federal, and private funding for the construction of new affordable housing units.

The Central Texas Housing Consortium is responsible for managing public housing funds. The Central Texas Council of Governments is responsible for managing the HUD Section 8 Program and other programs funded by federal, state, and local entities.

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
1	Housing Rehabilitation/Reconstruction	2015	2019	Affordable Housing		Owner Occupied Housing Improvements	CDBG	Homeowner Housing Rehabilitated: 20 Household Housing Unit
2	Down-payment/Closing Cost Assistance	2015	2019	Affordable Housing		Down payment assistance	CDBG	Direct Financial Assistance to Homebuyers: 5 Households Assisted
3	New Affordable Housing	2015	2019	Affordable Housing		New construction of affordable owner occupied homes	CDBG	Homeowner Housing Added: 2 Household Housing Unit
4	Fair Housing Activities	2015	2019	Fair Housing		Fair Housing Activities	CDBG	
5	Infrastructure Improvements	2015	2019	Non-Housing Community Development		Infrastructure Improvements	CDBG	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit: 2000 Persons Assisted
6	Public Facility Improvements	2015	2019	Non-Housing Community Development		Facility Improvements	CDBG	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit: 500 Persons Assisted
7	Spot Blight Reduction	2015	2019	Non-Housing Community Development		Demolition and Clearance	CDBG	Buildings Demolished: 25 Buildings
8	Homeless Shelter & Transitional Housing	2015	2019	Homeless		Facility Improvements	CDBG	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit: 0 Persons Assisted
9	Public Services	2015	2019	Non-Housing Community Development		Public Services	CDBG	Public service activities other than Low/Moderate Income Housing Benefit: 1115 Persons Assisted
10	Employment Training/Placement	2015	2019	Non-Housing Community Development		Employment training/placement	CDBG	Public service activities other than Low/Moderate Income Housing Benefit: 25 Persons Assisted
11	Economic Development	2015	2019	Economic Development		Assistance to businesses	CDBG	Businesses assisted: 5 Businesses Assisted
12	CDBG Administration	2015	2019	Administration			CDBG	

Overview Goals

Homeless

Homeless: There are limited emergency shelters, transitional housing or permanent supportive housing programs within the city limits of Temple, TX and therefore, it is difficult to predict the number of people entering and exiting homelessness each year by population type. Local service providers are active in the Central Texas Homeless Alliance and participated in the Point-in-Time count for Bell-Coryell County conducted on January 23, 2014. The “known location” methodology was used to survey persons found at the sites identified by the community to be where those experiencing homelessness are known to congregate. The total number of survey responses does not represent the total populations experiencing homelessness, so estimates have been formulated by the Texas Homeless Network data team. Overall for Bell and Coryell counties, it is estimated that 495 adults and 65 children experience homelessness annually. The largest population was single adults at 63.9% and families with children being 10.6% of those counted. Individuals meeting the definition of chronically homeless made up 30.4% of the total counted and 35.7% reported they were veterans. On the night of the PIT count, there were six (1.3%) unaccompanied minors.

The City of Temple works with the Central Texas Homeless Alliance and the Texas Homeless Network to identify and plan for the needs of homeless families and individuals in Temple. The City collaborates with the local Alliance, which is a member of the Texas Balance of State CoC. The Texas Homeless Network is the lead agency and provides trainings and technical assistance in developing and managing programs funded by the Continuum of Care and Emergency Solutions Grant programs.

The City of Temple is working with a consultant provided through a Technical Assistance Grant by the Texas Homeless Network to develop a comprehensive action plan to end homelessness in Bell County, including Temple, Belton, Killeen and the rural areas of the county.

Non-homeless Special Need

Non-homeless Special Needs: It is difficult to estimate the exact number of special needs individuals in Temple, and more difficult to estimate the number of LMI special needs populations or those needing housing and supportive services. Special needs populations include the elderly, frail elderly, disabled, those with severe mental illness and/or substance use disorder, and people living with HIV/AIDS (PLWH). Though not a specifically identified “special needs population” group, veterans are a high-need population in Temple.

Based on the American Community Survey (ACS), there are approximately 9,500 elderly in Temple, with 47.2% living alone and 42.8%, many of whom are living alone, who are disabled. Approximately 10.7% of Temple’s elderly are living below the national poverty level.

Also based on the ACS, there are approximately 8,800 noninstitutionalized disabled individuals in Temple, and many are living alone. Many of the individuals have multiple disabilities. Approximately half of the disabled are working age, and comprise 11.2% of the total working age population. According to the ACS, only 20.7% of the working age disabled are employed, and earn \$10,000 below the median earnings of total workers in Temple. One-fifth of the disabled persons are living below the poverty level. Nearly one-third of the veterans in Temple are disabled.

Based on the Texas Department of State Health Services, there are currently 563 individuals in Bell County living with HIV/AIDS. It is estimated that 120 of the Bell County PLWH are residents of Temple.

The City of Temple will assist owner households with disabled or PLWH household members to repair and/or improve accessibility into and through their homes. Additionally, based on funding applications by area non-profits, the City may fund education and job training programs that are specific to the disabled. The City will also identify local and regional agencies that would qualify for and be willing to apply for Department of Labor and Veterans Affairs grants to serve the veteran population.

Non-housing Community Development

Non-housing Community Development: The City's needs for public improvements are centered around park improvements and infrastructure improvements/expansions. Infrastructure improvement needs include new and improved sidewalks and lighting along the sidewalks and streets, to improve pedestrian mobility; street improvements for vehicular and public transit mobility improvements; and water and wastewater line improvements. The need is greatest in the older areas with the highest concentration of low- to moderate-income residents. Centers for the disabled, low-cost health clinics, and facilities for the homeless and victims of domestic violence also have a high priority need.

While CDBG funds will be used to address the needs, most improvements will be funded through general funds and bond funds. The City has recently passed a \$27.6 million bond fund for park improvements and expansions, which includes a wide variety of projects spanning across the entire city, including in the CDBG Target Area. Projects will include upgrades to select neighborhood parks, three new community parks, upgrades to athletic facilities and recreational centers, a deep water pool constructed at Lions Junction Family Water Park, as well as working towards connecting the trail system. All projects are to be scheduled to be completed within four years.

The City is currently developing a Neighborhood Revitalization Strategy Area Plan and will be presenting the plan to HUD for approval. Once approved, non-housing community development projects using CDBG funds will be concentrated in the NRSA.

3. Evaluation of past performance

The City has been focused on a variety of activities that helps us support the national CDBG objectives and improve our community. By implementing activities that primarily impact lower income residents we remove barriers to increased economic opportunity and create healthier communities.

Streets: A section of Avenue H was resurfaced using CDBG funding in an area with a high percentage of residential LMI households. Used primarily by neighborhood residents; via this roadway, motorists and pedestrians can access public parks, City services and public transportation. This section passes through a residential area and links two main transportation corridors within the City: S 1st Street (TX 290) and S 31st Street (FM1741). These ten blocks link LMI neighborhoods to potential employment, shopping, and other services. With pre-2010 conditions tending towards disrepair (potholes, cracks, drainage issues, etc.), the project improved the quality of the living environment for the LMI neighborhood.

The section of 1st Street having sidewalk updates provided by CDBG funding is also in an area with a high percentage of residential LMI households. The section of street is used as a thoroughfare for residents and non-residents alike; with businesses providing much needed services. Pedestrians can access retail, food, car repair, and public transportation along this section of 1st Street. These seven

blocks link LMI neighborhoods to potential employment, shopping and other services. With pre-2010 conditions tending towards the unsightly (older building stock, high rates of disrepair, etc.), the project improved the quality of the living environment for the LMI neighborhood.

Together, these two street/sidewalk projects affirm that municipal investment can help lead a renewal of pride-in-place; and promote additional reinvestment by private parties, businesses, homeowners and renters in the area.

Parks: The City of Temple had planned to complete four infrastructure improvement projects in public parks, during this past Consolidated Plan cycle. Currently, one park improvement project is underway (as outlined by the 2013 annual action plan amendment), and one park improvement project was completed. The completed project has subsequently been deemed ineligible by HUD and funds were repaid into the City's CDBG account with non-federal funds. It is clear at this time if the City will be unable to meet the goal of four park projects during the 2010-2014 Consolidated Plan period. This is due to a number of factors outlined throughout this 2014/15 annual action plan; including but not limited to: decreased annual allocations from HUD, work stoppages in 2012 for capacity building within City operations, and undertaking ineligible activities. Moving forward, the City will carefully identify qualified activities, respond in a timely fashion to community needs, and address appropriate activities with CDBG funds.

PSA's

Public Service Agencies:

Temple HELP Center. The Temple HELP Center offers basic social services, intervention services, prevention services, and other programs to those in need. The HELP center provides emergency and non-emergency financial assistance to residents who are experiencing unexpected struggles and staff provide referrals that connect and enable individuals to address and resolve the issues they are facing. Life-skills classes are offered at the Temple HELP Center that offer a path to self-sufficiency; these classes are often required for those that receive aid and help reduce recidivism. The Temple HELP Center coordinates resources and collaborates with other agencies to prevent duplication of services across Bell County; working to ensure the most effective and efficient use of available limited funding. Through 2015, Bell County Health & Human Services (Temple HELP Center) has received \$67,200 from the City of Temple CDBG funds, providing services to over 500 LMI clients.

Hill Country Community Action Association. Hill Country Community Action Association (Meals on Wheels) provides nutritious, hot meals once per day, five days a week; through congregate and home delivered meal programs to eligible participants in the Temple area. Congregate meals are served each

weekday by volunteers and paid center staff. Home delivered meals are delivered each weekday by paid meal delivery staff and volunteers. The Site Managers and In-Home Services Coordinator coordinate outreach efforts in the community to identify potential clients and assist clients in obtaining increased services when available. HCCAA provides opportunities and resources to improve the lives of Central Texans by providing accessible, quality, and cost effective services to promote the reduction of poverty, the revitalization of low income communities, and the empowerment of low-income families and individuals to become self-sufficient. Through 2015, HCCAA has received \$74,000 from the City of Temple CDBG funds, providing services to over 1,400 LMI clients.

Families in Crisis. Families in Crisis supports and empowers individuals affected by family violence and sexual assault by providing safe shelter while providing advocacy, education and resources to create a safe, supportive community. The agency provides information, referral and access to services that assist in safe management of emergency situations, aids in the recovery process for victims of all ages, guides them through the criminal justice system, educates them to prevent re-victimization and provides safe shelter and support services to victims and at-risk populations. Through 2015, FIC has received \$86,400 from the City of Temple CDBG funds, providing services to over 900 LMI clients.

Family Promise. Family Promise of East Bell County shelters homeless families and connects them with the needed services to obtain employment and permanent housing. Clients are empowered to become independent, self-sufficient and productive members of society. Family Promise develops and provides comprehensive services that include, but are not limited to, providing food, clothing, shelter, and low-cost housing. The organization provides intensive case management to homeless families to help them avoid future homelessness through the acquisition of planning, parenting, and job interview skills. Through 2015, FP has received \$42,900 from the City of Temple CDBG funds, providing services to over 75 LMI clients.

Spot Blight

Spot Blight Demolition:

Demolition of vacant and dilapidated structures is conducted to address blighted conditions on a spot basis; in locations to be determined based on code violations. By eliminating these specific conditions of blight and physical decay, we improve public safety and health, while creating conditions more favorable to economic turn-around, reinvestment, neighborhood pride-of-place, and community beautification. Through 2015, more than 30 structures have been demolished with CDBG funds, improving health, safety and appearances in multiple neighborhoods.

4. Summary of citizen participation process and consultation process

The City of Temple has made a concerted effort to involve as many residents and stakeholders in the planning process as possible. The Consolidated Planning process was kicked off by a roundtable meeting of housing providers in Temple, including the public housing agency, Section 8 provider, TBRA providers,

and ancillary social service providers. From there, the City conducted a meeting of stakeholders and residents, inviting more than 300 to discuss needs and program ideas. There were over 50 attendees discussing housing, public infrastructure, and social service needs. The evening also launched the public survey in English and Spanish. The survey was provided for on-line completion or in paper copies for manual entry. There were 273 surveys completed. The City held 5 public hearings regarding the Consolidated Plan and the Fair Housing Plan with Assessment of Fair Housing, formerly the Analysis of Impediments.

Many community organizations and stakeholders were involved in the consultation process, including state agencies, the Central Texas Council of Governments, The Temple Housing Authority, Bell County, Temple Chamber of Commerce, Central Texas Homeless Alliance, elected officials, various advocacy groups, many local faith-based institutions, churches, civic organizations and fraternal organizations. A list of those involved in the consultation process can be found in section PR-10: Consultation.

5. Summary of public comments

The overwhelming majority of the responses to open-ended questions was to bring more higher-paying jobs into the city and to educate and train the labor force to fill those jobs. Other comments centered around improving the infrastructure, particularly sidewalks and sidewalk/street lighting in the older areas of the city, and improving the housing stock and housing options. The need for more emergency shelters and permanent housing for the homeless was another recurring theme.

A detailed list of responses can be found in the Attachments to the Consolidated Plan; and the priority ratings as a result of the public input along with a sample of public comments can be found in the Citizen Participation chapter

6. Summary of comments or views not accepted and the reasons for not accepting them

All comments were accepted, though some were not included in the priorities as they were out of the scope of both HUD-eligibility and City policies.

7. Summary

The City of Temple has developed this 5-Year Consolidated Plan with a substantial level of community involvement and input. The results of the public participation, analysis of secondary data from the Census Bureau, HUD and other agencies, the knowledge of stakeholders and City staff, and the realization of the lack of funds to address all needs have resulted in a plan that maximizes CDBG funds and the City's Community Enhancement Grant program funds to address the greatest needs in the most cost effective and collaborative method possible. Partnering with public service and housing agencies, the City will maximize services to low- to moderate-income residents throughout the city. Partnering with a number of agencies and City departments, the City will concentrate area-based activities in the proposed NRSA to effect greater comprehensive change in the area of greatest need.

Strategic Plan

SP-05 Overview

Strategic Plan Overview

The Strategic Plan is aimed at addressing as many high priority needs outlined in the Needs Assessment chapters as possible within the available CDBG resources. The high priority needs have been determined through resident and stakeholder input, identified housing, service and facility/infrastructure gaps, input from the Community Development Advisory Committee, funding realities, and availability/capacity of partners.

The plan addresses the housing, infrastructure, public facilities, and public service needs that will be addressed during the next 5 years. Public services will serve low- to moderate-income residents of Temple. Housing and public services are allocated based on the income of the individual household seeking assistance regardless of the neighborhood within the incorporated area in which the individual or family lives. CDBG funds for infrastructure and public facility improvements can only be allocated to projects in CDBG Target Area – areas with more than 51% low- to moderate-income residents. In order to concentrate area-based improvements for greater effectiveness, the City is proposing to HUD a Neighborhood Revitalization Strategy Area (NRSA) within the existing CDBG Target Area. Area-based funding will be focused in this NRSA for the next 5 years. A map of the CDBG Target Area with the NRSA is in the next section SP-10 Geographic Priorities.

The community needs far outweigh the funds available through the CDBG program. In order to meet as many of the priority needs as possible, the City will augment CDBG funds with its own funds and will work in partnership with other entities, including public service and housing programs. The City has developed the Community Enhancement Grant (CEG) Program, allocating general fund dollars and revenues from the hotel/motel tax to better support the work of City departments and community service agencies.

The priority programs to be supported through CDBG and CEG funds include affordable housing, NRSA improvements, shelter for the homeless, and social services for children, youth, disabled, seniors and low- to moderate-income individuals or families.

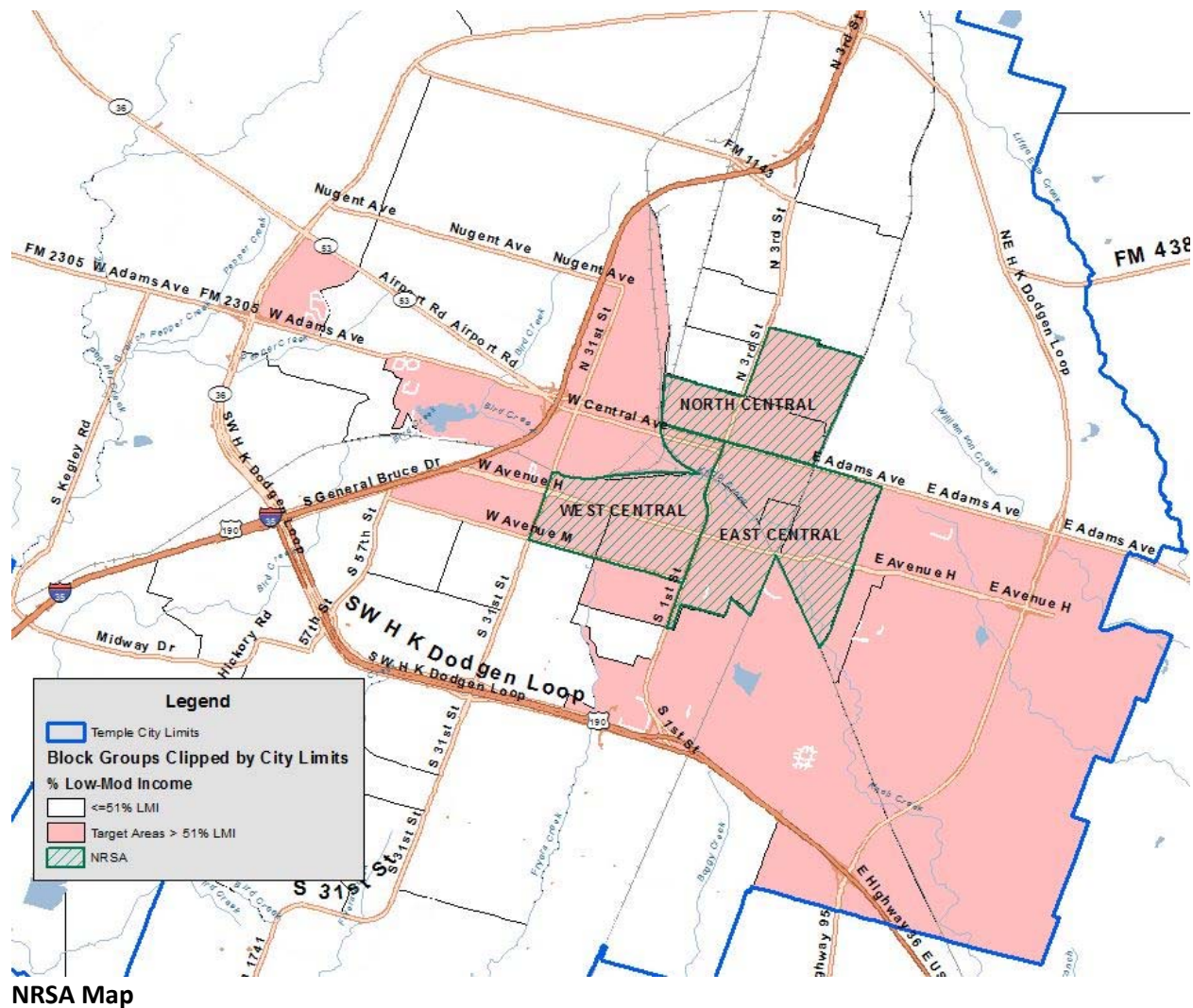
SP-10 Geographic Priorities – 91.215 (a)(1)

Geographic Area

Table 1 - Geographic Priority Areas

General Allocation Priorities

Describe the basis for allocating investments geographically within the jurisdiction (or within the EMSA for HOPWA)



SP-25 Priority Needs - 91.215(a)(2)

Priority Needs

Table 2 – Priority Needs Summary

1	Priority Need Name	Owner Occupied Housing Improvements
	Priority Level	High
	Population	Extremely Low Low Moderate Large Families Families with Children Elderly Persons with Physical Disabilities
	Geographic Areas Affected	
	Associated Goals	Minor Home Repair (owner-occupied)
	Description	Provision of housing rehabilitation for low- to moderate-income homeowners in Temple, with an emphasis on elderly and disabled.
	Basis for Relative Priority	The priority is based on the results of resident surveys, public and housing forums, stakeholder interviews, code enforcement results, and City staff knowledge of the housing conditions in Temple.
2	Priority Need Name	New construction of affordable owner occupied homes
	Priority Level	High
	Population	Low Moderate Large Families Families with Children Public Housing Residents
	Geographic Areas Affected	
	Associated Goals	New Affordable Housing

	Description	There is a high priority need for new single family housing that is affordable for purchase by low- to moderate-income renters, including public housing residents.
	Basis for Relative Priority	The priority is based on the results of resident surveys, public and housing forums, stakeholder interviews, code enforcement results, and City staff knowledge of the housing conditions in Temple.
3	Priority Need Name	Energy efficiency improvements in housing
	Priority Level	High
	Population	Extremely Low Low Moderate Large Families Families with Children Elderly
	Geographic Areas Affected	
	Associated Goals	Minor Home Repair (owner-occupied)
	Description	Older owner occupied housing units are often inefficient and high users of energy costing the owners more than average for utilities and wasting resources. Low- to moderate-income homeowners need energy efficient housing to reduce their housing costs and to provide an adequate year-round temperature without drafts or cooling escaping.
	Basis for Relative Priority	The priority is based on the results of resident surveys, public and housing forums, stakeholder interviews, code enforcement results, and City staff knowledge of the housing conditions in Temple.
4	Priority Need Name	Accessibility improvements in housing
	Priority Level	High
	Population	Extremely Low Low Moderate Elderly Persons with Physical Disabilities

	Geographic Areas Affected	
	Associated Goals	Minor Home Repair (owner-occupied)
	Description	Homeowners who are elderly and/or disabled are often in need of exterior and interior improvements to allow for accessibility. Low-income households are unable to afford the cost, especially of safely constructed improvements.
	Basis for Relative Priority	The priority is based on the results of resident surveys, public and housing forums, stakeholder interviews, code enforcement results, and City staff knowledge of the housing conditions in Temple.
5	Priority Need Name	Down payment assistance
	Priority Level	High
	Population	Low Moderate Large Families Families with Children Public Housing Residents
	Geographic Areas Affected	
	Associated Goals	Down-payment/Closing Cost Assistance
	Description	In order to assist renters to become first time homebuyers without a housing cost burden, down payment and closing cost assistance is often needed for the low- to moderate-income. Associated with the down payment and closing cost assistance is credit counseling and housing counseling as a pre-requisite for assistance.
	Basis for Relative Priority	The priority is based on the results of resident surveys, public and housing forums, stakeholder interviews, code enforcement results, and City staff knowledge of the housing conditions in Temple.
6	Priority Need Name	Tenant-based rental assistance
	Priority Level	High

	Population	Extremely Low Low Moderate Large Families Families with Children Elderly
	Geographic Areas Affected	
	Associated Goals	
	Description	There is a need to provide rental assistance to homeless or those at risk of homelessness due to eviction. With the waiting list for Section 8 HCVs and the urgency of needing to house or keep housed those who are homeless or at risk of homelessness, this activity is a high priority. While the City does not anticipate funding TBRA with CDBG or other funds, it will assist non-profit agencies in applying for federal, state or private funding.
	Basis for Relative Priority	This activity is given a high priority based on the results of the resident surveys and stakeholder interviews and the results of information from the homeless coalition and agencies providing TBRA assistance.
7	Priority Need Name	New construction of affordable rental units
	Priority Level	High
	Population	Extremely Low Low Moderate Large Families Families with Children Elderly Persons with Mental Disabilities Persons with Physical Disabilities Persons with Developmental Disabilities
	Geographic Areas Affected	
	Associated Goals	New Affordable Housing

	Description	There is a shortage of sound rental units for all family types that will not pose a housing cost burden on the renters. New construction by private for-profit and non-profit developers through the use of Low Income Housing Tax Credits, Housing Trust Fund grants, and other local, state, and federal grants will make more units available to the low- to moderate-income, especially the extremely low- and low-income, including the elderly and disabled.
	Basis for Relative Priority	This priority is based on the results of resident surveys and stakeholder interviews, Census data regarding renters with housing cost burdens, and input from developers.
8	Priority Need Name	Fair Housing Activities
	Priority Level	High
	Population	Extremely Low Low Moderate Middle Large Families Families with Children Elderly Public Housing Residents Rural Chronic Homelessness Individuals Families with Children Mentally Ill Chronic Substance Abuse veterans Persons with HIV/AIDS Victims of Domestic Violence Unaccompanied Youth Elderly Frail Elderly Persons with Mental Disabilities Persons with Physical Disabilities Persons with Developmental Disabilities Persons with Alcohol or Other Addictions Persons with HIV/AIDS and their Families Victims of Domestic Violence Non-housing Community Development

	Geographic Areas Affected	
	Associated Goals	Fair Housing Activities
	Description	The housing forums and public meetings have shown that additional fair housing education is required. The City will conduct fair housing public forums, fairs, and meetings as well as support the Section 8 and other TBRA providers in educating landlords about fair housing, particularly regarding accessibility, and encouraging landlords to accept rental vouchers.
	Basis for Relative Priority	This priority is based on the results of resident surveys and stakeholder interviews, responses during housing forums and public meetings, and input from the Section 8 provider.
9	Priority Need Name	Public parks
	Priority Level	High
	Population	Extremely Low Low Moderate Large Families Families with Children Elderly Public Housing Residents Non-housing Community Development
	Geographic Areas Affected	
	Associated Goals	Public Facility Improvements
	Description	The voters recently passed a \$27.6 million bond program for the enhancement, expansion, and addition of public parks, especially neighborhood parks, to serve Temple, including low- to moderate-income residents. The parks provide important neighborhood amenities for the under-resourced.
	Basis for Relative Priority	The high priority is based on the City's current Comprehensive Plan, neighborhood master plans, the results of resident surveys and stakeholder interviews, and input from the Parks & Recreation Department.

10	Priority Need Name	Infrastructure Improvements
	Priority Level	High
	Population	Extremely Low Low Moderate Non-housing Community Development
	Geographic Areas Affected	
	Associated Goals	Infrastructure Improvements
	Description	Infrastructure enhancements in qualified LMI neighborhoods to enhance transportation, lighting and mobility's to improve place making through increased opportunities in low income neighborhoods (sidewalks, drinking fountains, street and sidewalk lighting, bus stop shelters).
	Basis for Relative Priority	The high priority is based on the City's current Comprehensive Plan, neighborhood master plans, the results of resident surveys and stakeholder interviews, and input from the of the City staff members' knowledge of deteriorating sidewalks and those not ADA compliant, and the Parks & Recreation Department.
11	Priority Need Name	Code enforcement
	Priority Level	High
	Population	Extremely Low Low Moderate Middle Non-housing Community Development
	Geographic Areas Affected	
	Associated Goals	Spot Blight Reduction

	Description	Code enforcement is an integral part of maintaining the desirability and values in residential neighborhoods. Code enforcement officers who conduct windshield surveys to identify violations, receive/investigate complaints, cite violators, and pursue the citation through to completion help to make the neighborhoods safer and more desirable.
	Basis for Relative Priority	The priority is rated as high based on the results of the resident surveys and stakeholder interviews, and input from code enforcement officers and HOAs.
12	Priority Need Name	Demolition and Clearance
	Priority Level	High
	Population	Extremely Low Low Moderate Middle Non-housing Community Development
	Geographic Areas Affected	
	Associated Goals	Spot Blight Reduction
	Description	Neighborhood revitalization includes eliminating abandoned unsafe structures through demolition and clearance as well as clearance of vacant lots and illegal dumping grounds. The City will support the demolition/clearance of abandoned structures and the clearance of debris in vacant lots and illegal dumping grounds.
	Basis for Relative Priority	The priority is rated as high based on the results of the resident surveys and stakeholder interviews, and input from code enforcement officers and HOAs.
13	Priority Need Name	Facility Improvements
	Priority Level	High

	Population	Extremely Low Low Moderate Large Families Families with Children Elderly Public Housing Residents Rural Chronic Homelessness Individuals Families with Children Mentally Ill Chronic Substance Abuse veterans Persons with HIV/AIDS Victims of Domestic Violence Unaccompanied Youth Elderly Frail Elderly Persons with Mental Disabilities Persons with Physical Disabilities Persons with Developmental Disabilities Persons with Alcohol or Other Addictions Persons with HIV/AIDS and their Families Victims of Domestic Violence Non-housing Community Development
	Geographic Areas Affected	
	Associated Goals	Homeless Services Public Facility Improvements
	Description	Facility enhancements, upgrades and modifications to community facilities in LMI areas and limited clientele service agencies community-wide.
	Basis for Relative Priority	The high priority is based on the growing elderly population, increased needs of special needs populations and the results of the resident surveys and stakeholder interviews as well as input from public service agencies, Texas homeless Network, and MHMR.
14	Priority Need Name	Public Services

	Priority Level	High
	Population	Extremely Low Low Moderate Large Families Families with Children Elderly Public Housing Residents Chronic Homelessness Individuals Families with Children Mentally Ill Chronic Substance Abuse veterans Persons with HIV/AIDS Victims of Domestic Violence Unaccompanied Youth Elderly Frail Elderly Persons with Mental Disabilities Persons with Physical Disabilities Persons with Developmental Disabilities Persons with Alcohol or Other Addictions Persons with HIV/AIDS and their Families Victims of Domestic Violence Non-housing Community Development
	Geographic Areas Affected	
	Associated Goals	Public Services
	Description	Funding to PSA's for seniors, victims of domestic violence, homeless, youth, children, unaccompanied minors, veterans, special needs populations, and general LMI individuals and families.
	Basis for Relative Priority	High priority is given to these special needs residents based on community surveys, stakeholder interviews, City staff input and state and federal data.
15	Priority Need Name	Employment training/placement

	Priority Level	High
	Population	Extremely Low Low Moderate Non-housing Community Development
	Geographic Areas Affected	
	Associated Goals	Employment Training/Placement
	Description	Employment at a livable wage is required for individuals to be self-sufficient. In order to prepare for adequate employment, many adults require literacy education, GED preparation, job readiness assistance, and job training. Agencies to provide such services are a high priority for Temple.
	Basis for Relative Priority	Based on Census data, the number of adults with limited English proficiency and the number without a high school diploma indicate a high need for services to prepare them for employment. Additionally, specific job readiness and training is a high priority to move many from being working poor into self-sufficiency. Resident surveys indicated that the general population rates adult education as a high priority.
16	Priority Need Name	Assistance to businesses
	Priority Level	High
	Population	Non-housing Community Development
	Geographic Areas Affected	
	Associated Goals	Economic Development
	Description	Micro-enterprise programs, facade improvements and other assistance to businesses, particularly small businesses and Section 3 businesses can stabilize and enhance mixed use neighborhoods and create jobs.
	Basis for Relative Priority	Temple's Economic Development Corporation, Choose Temple, resident surveys and stakeholder interviews indicate that the community places a high priority on assisting businesses in the area to thrive and grow.

16	<u>Priority Need Name</u>	Crime Prevention Program
	<u>Priority Level</u>	High
	<u>Population</u>	Extremely Low Low Moderate Large Families Families with Children Elderly Public Housing Residents Chronic Homelessness Individuals Families with Children Mentally Ill Chronic Substance Abuse Veterans Persons with HIV/AIDS Victims of Domestic Violence Unaccompanied Youth Elderly Frail Elderly Persons with Mental Disabilities Persons with Physical Disabilities Persons with Developmental Disabilities Persons with Alcohol or Other Addictions Persons with HIV/AIDS and their Families Victims of Domestic Violence Non-housing Community Development
	<u>Geographic Areas Affected</u>	
	<u>Associated Goals</u>	Public Service
	<u>Description</u>	The Crime Prevention Program will provide a dedicated and consistent law enforcement presence to work within the low-to-moderate income area with objectives and benchmarks to engage the community for the purpose of eliminating and reducing crime.

	<u>Basis for Relative Priority</u>	<u>The priority is based on the results of resident surveys, public forums, stakeholder interviews, police statistics, and City staff.</u>
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Narrative (Optional)

The high priorities identified in the 2015-2019 Consolidated Plan are:

- Affordable Housing
- Public Facilities / Infrastructure / Transportation
- Clearance
- Public Services
- Program Administration

The high priority needs were determined in compliance with the City's Citizen Participation Plan following a series of public meetings, stakeholder meetings, and Public Hearings. Each meeting/hearing included a presentation on the City's funding history, eligible activities, national objectives, and fair housing. Participants and the public were encouraged to complete the City's needs assessment surveys – either paper or online. Paper surveys were provided at each of the workshop and small group meetings, and provided in bulk to local organizations, churches, and community groups. The online surveys were advertised at the public library, public housing computer labs, and other community centers where internet access and computers were available to the community. Survey results were presented to the City Council and interested community groups and organizations (as requested), along with any comments that had been received. Additionally reports and presentations were posted to the City's website.

SP-30 Influence of Market Conditions – 91.215 (b)

Influence of Market Conditions

Affordable Housing Type	Market Characteristics that will influence the use of funds available for housing type
Tenant Based Rental Assistance (TBRA)	Due to shortage of CDBG funding and the lack of HOME designation, the City does not anticipate funding TBRA programs but recognizes the need for non-profits seeking other federal, state or private funds to be consistent with the Consolidated Plan. The City will support applications for state HOME and ESG funds for TBRA/Rapid Re-housing.
TBRA for Non-Homeless Special Needs	Due to shortage of CDBG funding and the lack of HOME designation, the City does not anticipate funding TBRA programs but recognizes the need for non-profits seeking other federal, state or private funds to be consistent with the Consolidated Plan. The City will support applications for state HOME and ESG funds for TBRA.
New Unit Production	While there is a documented shortage of affordable housing for sale, due to shortage of CDBG funding and the lack of HOME designation, the City does not anticipate funding new unit production but will support the efforts of non-profits to become state CHDOs or use other funds to develop new affordable housing for homeownership. The Central Texas Housing Consortium, which manages the Temple Housing Authority and develops private housing does anticipates developing affordable single family housing for homeownership.
Rehabilitation	Nearly 2,000 homeowners are low- to moderate-income with a housing cost burden of greater than 30% of their income and are not able to afford routine home maintenance much less major improvements. Most cannot afford their insurance deductible when insured damage occurs. As a result, the housing deteriorates rapidly when there is a small repair issue that cannot be managed. Therefore, the City will expend CDBG funds for owner-occupied rehabilitation, including energy improvements and accessibility installations/improvements.
Acquisition, including preservation	There are more than 1,000 moderate-income renters with a housing cost burden of greater than 30% of their income. With proper financial and credit counseling many would be able to become homeowners with housing costs less than they are currently expending for rent. However, most require initial down payment and closing cost assistance to compensate for a shortage of savings. The City will expend CDBG and Community Enhancement Grant funds for first-time homebuyer's assistance.

Table 3 – Influence of Market Conditions

SP-35 Anticipated Resources - 91.215(a)(4), 91.220(c)(1,2)

Introduction

The City of Temple partners with a number of service providers, public service agencies and homeless shelter/housing providers to maximize CDBG resources and other public and private resources. The costs to address the needs of the under-resourced that reside in Temple, cannot be covered through a single source, but must be supported through a number of layered and pooled funding streams. While there is no match requirement for CDBG, the City supplements community development and provision of services to the under-resourced with over \$500,000 in general funds via the Community Enhancement Grants annually. The City also employs a staff of grant writers to identify and secure external funding to bring much needed financial resources into the community from other philanthropic, local, state and federal sources, thus ensuring we can leverage our investments and maximize the impact of CDBG activities.

Anticipated Resources

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Reminder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
CDBG	public - federal	Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services	357,357	0	60,031	417,388	1,429,428	Remaining 4 years calculated assuming a 9% reduction in HUD allocations each year

Table 4 - Anticipated Resources

Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied

The federal funds and additional resources work together to provide the highest level of product/service possible. The CDBG and other funds from other sources are used in conjunction with CDBG, but are not necessarily used as leverage or match, rather as supplemental and augmentation. Most of the housing programs within Temple are offered through partner organizations. Temple Housing Authority brings other federal grants to the table. Some public service agencies use local federal funds to leverage Texas Department of Housing and Community Affairs funds for City of Temple programs. Temple's City Lot program, and the Jeff Hamilton Park Pilot Project provides incentives and easy (low-cost) access to land for the development of new homes in the inner city. The City uses significant general fund dollars in conjunction with CDBG funds to improve parks, facilities and infrastructure as well as to support code enforcement activities. Other public service programs receive funds from Texas Workforce Commission, other public agencies specific to the type of service, foundation grants, and private donations.

If appropriate, describe publically owned land or property located within the jurisdiction that may be used to address the needs identified in the plan

Not Applicable

Discussion

The City of Temple uses Federal, State and local resources to address the needs identified by residents for improved services and infrastructure modernization. The City uses CDBG funding to achieve the goals outlined in the five year consolidated plan. The City will receive \$357,357 in 2015 CDBG funds to be addressed in this annual action plan. This is an 8.5% reduction in funds from last year. Additional local, State and Federal funding is used to make needed improvements to streets, parks, water/sewer infrastructure, and facilities that serve to promote economic attainment as well as social and environmental justice for all the residents of the City of Temple. Of the hundred-plus current Capital Improvement Projects, roughly 46.8% of the projects have direct impact on LMI neighborhoods and residents. Additional General Fund monies are allocated every year for projects that range from funding non-profit agencies to blight demolition. The City of Temple has grant writing staff that work to leverage local, state, federal and private funds in order to maximize the potential impact of programmatic funding on City services. The Office of Sustainability and Grants works within the City Manager's Office, to support programs and projects at the City of Temple and to increase the impact of taxpayer funded work for the community. The staff works with all departments within the City to increase efficiency and alleviate waste, helping to ensure wise-use of public resources and supporting a more resilient City for future generations.

The City will use CDBG funds, along with leveraged and general funds to address the needs outlined in the Needs Assessment chapter. It will require additional assistance from non-funded entities to address all of the needs of the community. The City will strive to work with the Central Texas COG, Temple Economic Development Corporation, Temple Independent School District, Bell County, and other public entities as well as private housing developers and lending institutions, and social service organizations to coordinate programs and services to meet the objectives of the office of Community Development and the CDBG program.

SP-40 Institutional Delivery Structure – 91.215(k)

Explain the institutional structure through which the jurisdiction will carry out its consolidated plan including private industry, non-profit organizations, and public institutions.

Responsible Entity	Responsible Entity Type	Role	Geographic Area Served
TEMPLE	Government	Economic Development Homelessness Non-homeless special needs Ownership Planning Rental neighborhood improvements public facilities public services	Other
United Way of Central Texas	Non-profit organizations	Economic Development Non-homeless special needs Ownership Planning neighborhood improvements public services	Region
NEIGHBORWORKS OF WACO, INC	Non-profit organizations	Economic Development Ownership Planning	Region
FAMILIES IN CRISIS, INC	Non-profit organizations	Homelessness	Region
FAMILY PROMISE OF EAST BELL COUNTY	Non-profit organizations	Homelessness	Region
Central Texas Housing Consortium - THA	Non-profit organizations	Ownership Public Housing Rental public services	Region

Responsible Entity	Responsible Entity Type	Role	Geographic Area Served
HILL COUNTRY COMMUNITY ACTION ASSOCIATION, INC	Non-profit organizations	Homelessness Non-homeless special needs Ownership public services	Region
Heart of Central Texas Independent Living	Non-profit organizations	Non-homeless special needs	Region
Texas Homeless Network	Non-profit organizations	Homelessness	Region
Hill Country Transit District (The HOP)	Non-profit organizations	public services	Region
Texas Health Institute	Non-profit organizations	Non-homeless special needs Planning public services	Region
Helping Hands Ministry	Non-profit organizations	Homelessness Non-homeless special needs Ownership Planning Rental neighborhood improvements public services	Region
Heart of Texas Goodwill Industries, Inc.	Non-profit organizations	Homelessness Non-homeless special needs Ownership Planning Rental public services	Region
Workforce Solutions of Central Texas	Government	Economic Development public services	State

Table 5 - Institutional Delivery Structure

Assess of Strengths and Gaps in the Institutional Delivery System

The Consolidated Plan is implemented through the structure created by the City of Temple which is the lead agency and a CDBG Entitlement entity. The City's strength is that it has a history of coordination and collaboration with other governmental entities and agencies in the implementation of HUD and non-HUD funded programs and services. The City's Community Development staff is responsible for managing all HUD funds received by the City. The Central Texas Housing Consortium is responsible for managing public housing funds. The Central Texas Council of Governments is responsible for managing the HUD Section 8 Program and other programs funded by federal, state and local entities.

The Central Texas Homeless Alliance works with the Texas Homeless Network to identify and plan for the needs of homeless families and individuals in Bell County. The Alliance is a member of the Texas Balance of State CoC. The Texas Homeless Network is the lead agency that provides trainings and technical assistance in developing and managing programs funded by the Continuum of Care and Emergency Solutions Grant programs.

The City of Temple is working with a consultant provided by the Texas Homeless Network to develop a comprehensive plan to end homelessness in the Central Texas area including Temple, Belton, Killeen and the rural areas of Bell County.

Availability of services targeted to homeless persons and persons with HIV and mainstream services

Homelessness Prevention Services	Available in the Community	Targeted to Homeless	Targeted to People with HIV
Homelessness Prevention Services			
Counseling/Advocacy	X	X	
Legal Assistance	X	X	
Mortgage Assistance	X	X	
Rental Assistance	X	X	
Utilities Assistance	X	X	
Street Outreach Services			
Law Enforcement			
Mobile Clinics			
Other Street Outreach Services		X	
Supportive Services			
Alcohol & Drug Abuse	X	X	X
Child Care	X		
Education	X		
Employment and Employment Training	X	X	X
Healthcare	X		
HIV/AIDS	X		
Life Skills	X	X	X

Supportive Services			
Mental Health Counseling	X		
Transportation	X		
Other			

Table 6 - Homeless Prevention Services Summary

Describe how the service delivery system including, but not limited to, the services listed above meet the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth)

All services in the system are available to people experiencing homelessness. While very few programs are targeted specifically to the homeless population, efforts are made by housing and service providers to work collaboratively with the agencies providing needed supportive services and affordable housing. The Central Texas VA Health Care System provides targeted outreach, services, housing assistance to veterans and their families. The Central Texas Homeless Alliance holds regular meetings with time set aside for discussion of needs, gaps in services, and available services, allowing for information sharing and collaboration between agencies.

Describe the strengths and gaps of the service delivery system for special needs population and persons experiencing homelessness, including, but not limited to, the services listed above

The strength of the service delivery system is that there is already a network of collaboration and cooperation between agencies. Often agencies are the sole source of a service which requires that agencies work together to meet the needs of their clients. The City is interested in working with agencies and the Balance of State CoC in order to address the needs of people experiencing homelessness, specifically focusing on housing needs. Agencies participating in HMIS are able to provide referrals and information through this database, thus reducing the time it takes to apply for and access programs.

The largest gap in the service system is financial. Agencies do not have the financial resources to expand and/or develop programs specifically to meet the needs of special populations including those experiencing homelessness. There are limited emergency shelters, Rapid Re-Housing programs and permanent supportive housing programs in the City of Temple. Affordable housing subsidies are limited to the Section 8 program and public housing units. The Section 8 waiting was February 1, 2015 closed. The public housing waiting list is open with a wait time of three to six months. The Central Texas Housing Consortium has developed a number of properties with rents below the market rate which are affordable to some low-income households. Agencies need funding to hire new staff and train existing staff in order to have the capacity to develop and manage new programs.

Provide a summary of the strategy for overcoming gaps in the institutional structure and service delivery system for carrying out a strategy to address priority needs

The strategies for overcoming gaps and capacity issues in the service delivery system require additional funding. The City of Temple will continue to work with the Central Texas Homeless Alliance and the Texas Homeless Network to identify a strategy for developing new programs, identifying funding and building the capacity of local agencies. Additionally the City will work with agencies located in other cities that are interested in developing satellite programs or would be willing to set-aside vouchers and service slots for Temple residents in their current programs. The City will continue to participate in the Texas Balance of State CoC in conducting PIT counts, needs assessments, gaps analysis, and refining the CoC plan to develop a pro-active approach to changing needs of people experiencing homelessness in the community.

SP-45 Goals Summary – 91.215(a)(4)

Goals Summary Information

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
1	Minor Home Repair (owner-occupied)	2015	2019	Affordable Housing		Accessibility improvements in housing Energy efficiency improvements in housing Owner Occupied Housing Improvements	CDBG: \$0	Homeowner Housing Rehabilitated: 15 Household Housing Unit
2	Down-payment/Closing Cost Assistance	2015	2019	Affordable Housing		Down payment assistance		Direct Financial Assistance to Homebuyers: 5 Households Assisted
3	New Affordable Housing	2015	2019	Affordable Housing		New construction of affordable owner occupied homes New construction of affordable rental units		Homeowner Housing Added: 2 Household Housing Unit
4	Fair Housing Activities	2015	2019	Fair Housing		Fair Housing Activities		
5	Infrastructure Improvements	2015	2019	Non-Housing Community Development		Infrastructure Improvements		Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit: 2000 Persons Assisted

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
6	Public Facility Improvements	2015	2019	Non-Housing Community Development		Facility Improvements Public parks		Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit: 500 Persons Assisted
7	Spot Blight Reduction	2015	2019	Non-Housing Community Development		Code enforcement Demolition and Clearance		Buildings Demolished: 25 Buildings
8	Homeless Services	2015	2019	Homeless		Facility Improvements		Other: 500 Other
9	Public Services	2015	2019	Non-Housing Community Development		Public Services		Public service activities other than Low/Moderate Income Housing Benefit: 1115 Persons Assisted
10	Employment Training/Placement	2015	2019	Non-Housing Community Development		Employment training/placement		Public service activities other than Low/Moderate Income Housing Benefit: 25 Persons Assisted
11	Economic Development	2015	2019	Economic Development		Assistance to businesses		Businesses assisted: 5 Businesses Assisted
12	CDBG Administration	2015	2019	Administration				

Table 7 – Goals Summary

Goal Descriptions

1	Goal Name	Minor Home Repair (owner-occupied)
	Goal Description	Owner occupied rehabilitation; energy efficiency improvements; accessibility
2	Goal Name	Down-payment/Closing Cost Assistance
	Goal Description	Provide homeownership opportunities for low-mod income renters
3	Goal Name	New Affordable Housing
	Goal Description	New housing for purchase
4	Goal Name	Fair Housing Activities
	Goal Description	Affirmatively Furthering Fair Housing
5	Goal Name	Infrastructure Improvements
	Goal Description	Improvements to sidewalks, lighting, streets, bus stop shelters.
6	Goal Name	Public Facility Improvements
	Goal Description	Improvements to facilities other than parks
7	Goal Name	Spot Blight Reduction
	Goal Description	Demolition & clearance of abandoned properties
8	Goal Name	Homeless Services
	Goal Description	Services to address issues related to homelessness

9	Goal Name	Public Services
	Goal Description	Assistance to victims of domestic violence and/or sexual assault. Assistance to unsheltered homeless or those within shelters or housing. Assistance to underserved children. Assistance to underserved youth. Assistance to under-resourced elderly. Emergency rent/utility and prescription assistance. Assistance to non-profits distributing food to those in need.
10	Goal Name	Employment Training/Placement
	Goal Description	Assistance to agencies providing ESL/literacy/GED education or job training
11	Goal Name	Economic Development
	Goal Description	Assistance to agencies and businesses increasing employment opportunities
12	Goal Name	CDBG Administration
	Goal Description	N/A
13	Goal Name	Crime Prevention Program
	Goal Description	Community engagement to eliminate and/or reduce crime

Estimate the number of extremely low-income, low-income, and moderate-income families to whom the jurisdiction will provide affordable housing as defined by HOME 91.315(b)(2)

During the 5 years of this Consolidated Plan (PY 2015 – PY 2019), the City, or its partners with other funding, will provide assistance to 27 households for first-time homebuyer's assistance, home improvements, and the construction of new housing units.

SP-50 Public Housing Accessibility and Involvement – 91.215(c)

Need to Increase the Number of Accessible Units (if Required by a Section 504 Voluntary Compliance Agreement)

Currently, 15% of the public housing units are accessible. The Public Housing Authority has sufficient accessible units and meets the requirements of the Section 504 Voluntary Compliance Agreement.

Activities to Increase Resident Involvements

While the City of Temple will have no direct actions to encourage public housing residents to be more involved in management, the Central Texas Housing Consortium is proactive in both resident participation and residents' move to homeownership:

- The HA operates community centers at the properties with service coordinators to facilitate access to social service and to encourage participation in the management of the program;
- Social activities such as pot luck dinners, cook outs, and holiday parties are conducted at all properties to encourage interactions among residents and with the staff and management, opening the door for more involvement by residents;
- Homeownership opportunities are provided through funding from Texas Department of Housing and Community Affairs for first-time homebuyers; and
- Central Texas Housing Consortium is the developer of single family affordable homes for purchase by housing authority residents.

Is the public housing agency designated as troubled under 24 CFR part 902?

No

Plan to remove the 'troubled' designation

Not Applicable

SP-55 Barriers to affordable housing – 91.215(h)

Barriers to Affordable Housing

Strategy to Remove or Ameliorate the Barriers to Affordable Housing

The City will address the barriers to affordable housing through these activities:

- Homebuyer assistance: In years 2 through 5, Temple intends to support agencies in their provision of first-time homebuyer's assistance.
- Owner-occupied housing improvements: During the 5 years of this Consolidated Plan, the City will fund improvements to homes owned and occupied by low- to moderate-income households. The improvements will include repairs/rehabilitation, energy efficiency improvements that will reduce the homeowners' utility costs, and accessibility improvements for the disabled.
- Owner-conducted or volunteer-conducted housing improvements: The City provides a Tool Trailer Program that provides a neighborhood association or a group of homeowners a trailer filled with tools to maintain yards. The trailer is provided on a first-come/first-served basis and can be reserved in advance. The trailer is made available for specific lengths of time, agreed upon in advance by both the City and the group doing the service work. The trailer may be requested multiple times by one group if needed.
- The City may fund the addition of Carpentry tools to the above referenced Tool Trailer, which will expand the opportunities for service and home maintenance projects to include interior home repair activities.
- The City grants funding to a subrecipient to provide maintenance education to owners and those intending to purchase a home. This education accomplishes two goals: (1) it trains owners in do-it-yourself and cost-saving maintenance; and (2) it educates prospective buyers in the true cost of homeownership beyond the monthly mortgage and utility payments.
- Rental Non-financial Support: The City will work closely with the Section 8 program and other TBRA programs to identify potential affordable properties and to address fair housing issues.

SP-60 Homelessness Strategy – 91.215(d)

Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

Currently some agencies provide limited outreach services for the specific population that they serve including the Central Texas Veterans Health Care System. The City will work with local agencies to identify agencies that could provide outreach services especially to the encampments in the area. Information regarding services and housing will be distributed by the local churches that operate soup kitchens and/or food pantries, at nonprofit agencies and governmental entities. In Temple, there are resource centers where people may access information and referral to services on a walk-in or by appointment or the 211 system.

Addressing the emergency and transitional housing needs of homeless persons

There are a limited number of emergency shelters and transitional housing programs in Temple and the only permanent supportive housing program is limited to veterans. The City will continue to work with the Central Texas Homeless Alliance and the Texas Homeless Network to identify agencies that could provide emergency shelter, rapid re-housing, and permanent supportive housing programs within the city limits.

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again.

The City and the Central Texas Homeless Alliance will continue to work the Texas Balance of State Continuum of Care to identify strategies to develop additional affordable and supportive housing in an effort to make homelessness rare, short-lived, and non-reoccurring. Members from the Alliance currently serve on several committees for the Texas BoS CoC which is working on strategies for “closing the front door” to prevent homelessness and “opening the back door” to ensure that time in an emergency shelter is not long-term and people move quickly into more stable housing. The City will continue to work with local agencies and Workforce Solutions to assist people in securing permanent employment with a living wage by expanding methods that are already successful and identifying innovative activities. Staff at service agencies will make referrals for their clients that are eligible for entitlement benefits. Agencies will be encouraged to send staff to the SOAR training offered by the Texas Homeless Network.

Help low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families who are likely to become homeless after being

discharged from a publicly funded institution or system of care, or who are receiving assistance from public and private agencies that address housing, health, social services, employment, education or youth needs

The Texas Homeless Network, the Texas Interagency Council on Homelessness, Mental Health Authorities and the Department of State Health Services are working together to develop a statewide discharge plan so that no person is discharged into homelessness. Similar efforts are being made with the Texas Department of Criminal Justice and the Texas Department of Child and Protective Services. All publically funded institutions will be asked to adopt this plan and work with local governments and providers to ensure that people are housed when they are discharged and that discharge planning begins when the person enters the facility. Local agencies will continue to refer to agencies that provide housing even if they are outside the city limits of Temple, TX.

Organization	Responsible Entity Type	Services Provided	Geographic Area Served
Area Agency on Aging of Central Texas	Government	Senior services: Nutrition, transportation, care coordination, in-home assistance, benefits counseling, information and referral, nursing	Bell, Coryell, Milam, Lampasas, San Saba, Mills and Hamilton Counties
Central Texas Council of Governments	Government	Section 8 program; regional planning; Area Agency on Aging, Workforce Solutions; economic development (CEDs)	Bell, Coryell, Milam, Lampasas, San Saba, Mills and Hamilton Counties
Central Texas Housing Consortium	Government	Public Housing and affordable housing	Temple, TX and Belton, TX
Salvation Army	Non-Profit	Food pantry, utility assistance, clothing, back-to-school supplies and Christmas assistance	Temple, TX
Family Promise of Central Texas	Non-Profit	Emergency shelter, meals, transportation to school and work, and referrals to other service	Temple, TX
Families in Crisis, Inc.	Non-Profit	Services, emergency shelter, transitional housing for victims of domestic violence	Temple, TX and Killeen, TX

SP-60

SP-65 Lead based paint Hazards – 91.215(i)

Actions to address LBP hazards and increase access to housing without LBP hazards

During the process of installing housing improvements in owner-occupied units, the City will assess LBP hazards. Housing constructed before 1979 will be assessed for lead-based paint and if present, will be mitigated as per HUD regulations.

For Years 2-5 of the Consolidated Plan, the City will be funding first-time homebuyer's assistance and will require the subrecipient that manages the program to conduct Housing Quality Standards (HQS), including lead-based paint hazards on all prospective units to be purchased.

How are the actions listed above related to the extent of lead poisoning and hazards?

HUD-provided information from the ACS indicates that there are 245 low-mod income renters and 85 low-mod income owners with children present and living in housing built before 1980. The housing programs will address the LBP hazard issues for the owners and buyers. The City does not provide assistance to renters and must rely on the Section 8 and other TBRA providers to conduct HQS inspections on rental properties and not allow program participants to rent units with LBP hazards.

How are the actions listed above integrated into housing policies and procedures?

The City's CDBG policies and procedures include housing sections that discuss not only the eligibility of households, but also the eligibility of the properties to be improved or purchased. In the property eligibility the City outlines the procedures for LBP assessment and remediation for owner-occupied units and the procedures for inspection/LBP assessment by the subrecipient of houses to be purchased with the assistance of CDBG funds.

The Central Texas Council of Governments (COG) manages the Section 8 HCV program and the policies and procedures for the management of the program includes sections on HQS inspections and LBP assessments.

SP-70 Anti-Poverty Strategy – 91.215(j)

Jurisdiction Goals, Programs and Policies for reducing the number of Poverty-Level Families

The City of Temple uses CDBG and the in-house Community Enhancement Grant funds to support a number of activities that are aimed at reducing the number of poverty-level families. The programs can be aggregated within a few main goals:

Adult Basic Education: Depending on the agencies applying for CDBG or CEG funds, the City funds ESL/literacy education, GED preparation or other Adult Basic Education for both homeless and non-homeless individuals.

Post-secondary Education and Employment Assistance: Depending on the agencies applying for CDBG or CEG funds, the City supports post-secondary classes and scholarships through Temple College and job training/mentorships/job readiness programs for those seeking immediate employment. Additionally, if agencies apply for such funds, the City may support the purchase of job uniforms and tools for those enrolled in job training and job placement programs.

Youth Programs: One of the City's policies is to ensure that the next generation of workers are well prepared for the labor market. As a result, the City will fund agencies applying to assist in programs for youth such as drop-out prevention, college or trade school preparation, and other programs that will enhance the youth's desire and opportunity for developing a successful career after graduation.

Economic Development: One of the City's major policies for reducing poverty is its commitment to hiring Section 3 businesses and individuals. The City is committed to providing, to the extent feasible, contracts and job opportunities to very low-income businesses and individuals in the area. All City bids for Section 3-covered projects include language about preference given for new employment, training and contracting opportunities for low-income individuals and subcontracting companies. Businesses and individuals qualifying as Section 3 entities may apply through the City to become certified and placed on a list to be accessed by contractors and City staff.

How are the Jurisdiction poverty reducing goals, programs, and policies coordinated with this affordable housing plan?

In situations where the City either contracts housing improvements or grants funds to non-profits for housing improvements, preference will be given to Section 3-certified businesses or individuals.

For non-housing related construction contracts that use CDBG funds, or are for activities in the proposed NRSA, the City will also give preference to Section 3-certified businesses or individuals and will monitor Section 3 participation.

SP-80 Monitoring – 91.230

Describe the standards and procedures that the jurisdiction will use to monitor activities carried out in furtherance of the plan and will use to ensure long-term compliance with requirements of the programs involved, including minority business outreach and the comprehensive planning requirements

The City of Temple, completes annual reviews of the Consolidated Plan and Annual Plans to compare progress toward objectives and deliverables. This is accomplished primarily through the development of the Consolidated Annual Performance and Evaluation Review; but also through internal processes as established by City Policy.

The City of Temple employs a program specialist in the Department of General Services (formerly the Office of Sustainability and Grants) to oversee and manage the CDBG program. General Service's staff monitor CDBG activities on a day to day basis with additional standardized monthly processes. Several systems are in place in multiple departments to ensure accuracy and efficiency. A monthly meeting is held with the General Services staff, City of Temple Finance Department staff, and all project managers overseeing CDBG funded projects in order to encourage communication, accuracy, and timeliness in all CDBG activities and payments. During these monthly meetings, City staff discuss and resolve any potential issues that could impair the City's ability to meet established deadlines. In addition to self-monitoring, the City's program specialist monitors all public service agencies receiving HUD funds; and reviewing files for documentation of program requirements.

Internally, the City of Temple uses several tools to monitor the CDBG program. Spreadsheets developed to maintain the 2005 Workout Plan are still in use though not required by HUD. These tools along with the annual CAPER assist the City in evaluating the performance and timeliness of the City's CDBG projects.

The City will continue its sub-recipient monitoring policy for all CDBG funded activities. Monitoring will occur in accordance with existing executed contracts between the City and each sub-recipient. The City exercises a high degree of control over the activities of designated sub-recipients (CDBG). Therefore, minimum monitoring procedures consist of regular contact by telephone, email, and in person; maintaining copies of all project documents in City files; obtaining written documentation of expenditures for reimbursement, and submission of quarterly progress reports. The City's monitoring standards and procedures ensure that statutory and regulatory requirements are met and that the information submitted to HUD is correct and complete.



COUNCIL AGENDA ITEM MEMORANDUM

06/21/18
Item #5
Regular Agenda
Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

Brynn Myers, City Manager

ITEM DESCRIPTION: PUBLIC HEARING – Presentation of the proposed Community Development Block Grant 2018/19 Annual Action Plan and Budget, including the funding recommendations and notice of 30-day public comment period June 21 – July 21, 2018.

STAFF RECOMMENDATION: Receive presentation as indicated in item description and conduct public hearing. No action is required.

ITEM SUMMARY: *2018–2019 Annual Action Plan and Budget*

The Annual Action Plan reflects the City of Temple's funding priorities and identifies the projects proposed to receive Federal funds under the CDBG program. The City of Temple was notified by HUD on May 1, 2018, that we will receive \$536,232 for our 2018/19 CDBG allocation. These funds reflect a 24.24% increase from prior year and will further enhance the City's community development programs, supporting safe, well-planned residential and business districts. Over 70% of the funding allocated to CDBG activities must benefit low to moderate income persons.

The City of Temple also plans to reallocate \$85,825 from the 2017 Action Plan in order to assist us with meeting the goals identified in the 2015/2019 Consolidated Plan.

<i>2018-19 CDBG Funding</i>	<i>Program Income Received</i>	<i>Prior Funding Reallocation</i>	<i>Total</i>
\$536,232	\$0	\$85,825	\$622,057

The proposed allocation of funds is as follows:

Infrastructure Improvements	\$50,000
Housing Improvements	\$284,377
Crime Prevention Program	\$80,434
Demolition	\$100,000
Administration	\$107,246
Total	\$622,057

Infrastructure Improvements - \$50,000

Infrastructure improvements will focus on sidewalk/transportation enhancements. Projects will address objectives outlined in the five-year Consolidated Plan.

Housing Improvements - \$284,377

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

Crime Prevention Program - \$80,434

Crime prevention is a new program to engage the community and develop pro-active responses to reduce and eliminate crime in the identified low- moderate income area.

Demolition - \$100,000

Demolition of vacant and dilapidated structures will be conducted to address blighted conditions on a spot basis in locations to be determined based on code violations. This is an on-going program that will address objectives outlined in the five-year Consolidate Plan.

Administration - \$107,246

It is recommended that \$107,246 be allocated for the City's administration of the CDBG Program.

This presentation and public hearing for the proposed 2018/19 Annual Action Plan and Budget will be followed by a 30-day public comment period. A final public hearing and action on the 2018/19 Annual Action Plan and Budget will occur at the August 2, 2018 Council Meeting.

FISCAL IMPACT: The allocation amount of \$536,232 in FY 2018/19 CDBG funds along with the reprogramming of \$85,825 in additional funds available for a total of \$622,057 are to be allocated as recommended.

ATTACHMENTS:

[2018-2019 Annual Action Plan](#)



Collaborate . Participate . Engage



2018-2019

Annual Action Plan

Executive Summary

AP-05 Executive Summary - 24 CFR 91.200(c), 91.220(b)

1. Introduction

The City of Temple is an entitlement community recipient of the Community Development Block Grant (CDBG), defined by Title 1 of the Housing and Community Development Act of 1974. Annually, Temple receives Federal funding that is used to address unmet community needs that primarily benefit low- to moderate-income persons. Grants are allocated by the U.S. Department of Housing and Urban Development (HUD) on a formula basis. The Consolidated Plan is a planning document that CDBG community recipients are required to submit every five years. The Five-Year Consolidated Plan is designed to help communities work to access homeless and non-homeless community development needs; affordable housing and market conditions, set goals and objectives and develop funding priorities for CDBG. The most recent Consolidated Plan covers program years 2015-2019. Each year, CDBG grant recipients must submit an Annual Plan to identify proposed activities and projects that will be carried out during the particular year. This Annual Action Plan covers the program year 2018, beginning October 1, 2017 through September, 30, 2018, which is the third year of the current Five-Year Consolidated Plan. At least one of the three national objectives listed below must be met before CDBG funds can be expended.

1. Benefiting low- to moderate-income persons;
2. Preventing, reducing, or eliminating slum and blight; or
3. Meeting an urgent community development need.

Temple's current CDBG allocation for PY 2018-19 is **\$536,232**. During the next few years of this current Consolidated Plan period, the City expects to focus its HUD entitlement funds primarily on the first two national objectives by improving the quality of life for those low- to moderate-income individuals and households throughout the City of Temple, and in neighborhoods with more than 51% of low- to moderate-income residents. Selection of the neighborhood is dependent upon the quality of the housing stock, public facilities/infrastructure and the economic opportunities. Temple is unique in that it augments its CDBG allocation with general funds and hotel/motel tax revenue dollars leveraged to ensure that the public service agencies, housing providers, and homeless shelter/service providers have adequate funds to meet the area needs. Should the actual allocation amount increases or decreases from the anticipated funding level, the City will ensure to adjust funding allocation appropriately in the 2018-2019 Annual Action Plan.

The following is a summary of City objectives and outcomes for the 2018-2019 Action Plan, **1. Decent Housing:** provide housing rehabilitation (Minor Repair) for up to 20 housing units; and homeownership counseling services to 40 families. **2. Suitable Living Environment:** Fund a new program to engage the

community and develop pro-active responses to reduce and eliminate crime in the identified low-moderate income area **3.** . Slum and Blight: removal of 12 substandard buildings. 4. Infrastructure: installation of a sidewalk benefitting 525 households in a neighborhood.

2. Summarize the objectives and outcomes identified in the Plan

This could be a restatement of items or a table listed elsewhere in the plan or a reference to another location. It may also contain any essential items from the housing and homeless needs assessment, the housing market analysis or the strategic plan.

During this particular fiscal year, the fourth year of the 2015-2019 Consolidated Plan, all objectives and outcomes are based on data collected through multiple processes throughout the development of the Consolidated Plan, the one-year annual action plan, the fair housing plan and community engagement activities held throughout the year.

Overview - The Action Plan incorporates outcome measures identified in the Consolidated Plan. Performance measures objectives/outcomes have been associated with each activity funded:

General Objective Categories - Activities will meet one of the following:

- Decent Housing (DH)
- A Suitable Living Environment (SL)
- Economic Opportunity (EO)

General Outcome Categories - Activities will meet one of the following:

- Availability/Accessibility (1)
- Affordability (2)
- Sustainability (3)

Housing: To address the housing needs that have been determined based on data, the results of community input, and the realities of funding limitations, the City will use CDBG funds along with general funds through the Community Enhancement Grant (CEG) Program to focus on owner-occupied rehabilitation. This includes emergency or minor repair, weatherization, improved accessibility, first-time homebuyer's assistance and financial literacy/homeownership education. The City will support applications by other entities for state, federal, and private funding for the future construction of new affordable housing units.

The Central Texas Housing Consortium is responsible for managing public housing funds. The Central Texas Council of Governments is responsible for managing the HUD Section 8 Program and other programs funded by federal, state, and local entities.

Public Service: Additional funds, not to exceed the 15% cap, will be used to support a Crime Prevention Program to provide a dedicated law enforcement presence to work within the low-to-moderate income area with objectives and benchmarks to engage the community for the purpose of eliminating and reducing crime^{[MP1][RF2][RF3]}. In the past the City has used CDBG funds to support public service agencies with the PS funds. This year the City is continuing with its support, but is using other funding sources.

Infrastructure: The City will complete the installation of sidewalks in the low-mod areas to assist citizens with better accessibility and safety who reside in those areas.

There are common indicators reported on all program activities that will have an impact on performance. These indicators are: 1. Amount of money allocated and/or leveraged from other funding sources per activity; 2. Number of persons, households, businesses, units or beds assisted; 3. Income levels of persons or household by 30, 50, 60, or 80 percent of the area median income; and 4. Race, ethnicity, and disability rate for activities that currently report these data elements.

3. Evaluation of past performance^[MP4]

This is an evaluation of past performance that helped lead the grantee to choose its goals or projects.

2017 saw a turnover in staffing of the Community Development and a restructuring the Department. The Finance Department is now overseeing the CDBG program.

In plan year 2017, the City exceeded its goal of Spot Blight Demolition by demolishing 15 buildings instead of 12. One of the structures included asbestos remediation and clean up and one building was a burned out structure.

It was determined that the proposed sidewalk installation would exceed the \$25,000 funding allocation. This sidewalk will be completed in two phases with the first phase of the engineering of the sidewalk being completed in Plan Year 2017. The second phase, construction of the sidewalk, will be completed in Plan Year 2018.

This plan year saw the roll out of the Housing Improvement Program (HIP). We received 54 applications requesting assistance; 14 of those did not meet the defined criteria for participation. As we began our inspections, we quickly realized that the original stated goal of \$5,000 per house would not be sufficient to make any meaningful impact. Staff re-evaluated the program needs and the desired outcomes and determined that the CDBG dollars would be better used to rehabilitate a few houses to a livable standard than do very minor work of no discernable benefit on many houses.

The City of Temple will continue to focus on a variety of activities that help to support the National CDBG objectives, and improve the local community. By implementing activities that primarily impact

lower-income residents, barriers are removed to increase opportunities as well as create healthier communities. Even though Plan Year 2017 was slow to start, the City is poised and prepared to continue to implement the goals and programs as described.

4. Summary of Citizen Participation Process and consultation process

Summary from citizen participation section of plan.

The public participation process that ultimately led to the development and completion of the City's 2018 –2019 Annual Plan provided valuable input and citizen comments regarding the lack of affordable housing and minor repair needs of the low-income owner occupied homeowners, as well as critical public service needs of the homeless.

A series of community forums and technical workshops (a total of two public meetings) were held during the initial development phase. Two were held during the regular City Council Meetings on June 21, 2018; and the second public meeting was held on August 2, 2018. It was also advertised that citizens who were unable to attend these meetings could download comment forms from the City's website and send to the Finance Department. Citizens also could obtain access to the draft version of the Annual Plan, which was posted to the City of Temple's website, and a copy accessible in the Public Library.

5. Summary of public comments

This could be a brief narrative summary or reference an attached document from the Citizen Participation section of the Con Plan.

The City received no public or written comments for the PY 2018 Annual Action Plan during the citizen participation period. However, during the public comment period for the development of the 2015-2019 Five-Year Consolidated Plan, many citizens' comments stressed the importance and extreme need for housing repair and maintenance services to stabilize and improve the existing housing stock. The concerned focused on the need to sustain overall growth, while not losing sight of issues that come with growth and possibly cost burden for low-income families, such as high housing costs, low wage and other basic needs. The 2018 Annual Action Plan will continue to carry out and address the extreme need for housing minor repairs that were stressed through public input. The City believes that these needs and issues will continue to be addressed in subsequent years through the Housing Improvement Program (HIP) in order to adequately assist its citizens.

6. Summary of comments or views not accepted and the reasons for not accepting them

All comments are taken into consideration. No written comments were received during the Annual Plan's public comment period.

7. Summary

A draft of the document during the PY 2018 -2019 Annual Participation Plan was made available to the general public at the following locations: The Temple Public Library, and City of Temple website for viewing and perusing electronically. The review period was from June 21, 2018 to July 21, 2018. No written comments were received during this required 30-day period.

PR-05 Lead & Responsible Agencies – 91.200(b)

1. Agency/entity responsible for preparing/administering the Consolidated Plan

Describe the agency/entity responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source.

Agency Role	Name	Department/Agency
CDBG Administrator	Temple	Finance Department

Table 1 – Responsible Agencies

Narrative (optional)

The City of Temple's Finance Department is the lead agency for the preparation of the Annual Action Plan and the administration of the CDBG program. The Annual Plan's 30-day Public Comment Period was held June 21, 2018 through July 21, 2018, and adoption of the 2018-19 Annual Action Plan was done during the official City Council Meeting on August 2, 2018.

Consolidated Plan Public Contact Information

Finance Department, 2 North Main Street, Ste 302, Temple, TX 76501

Denny Hainley, City of Temple, 245.298.5631, dhainley@templetx.gov

AP-10 Consultation – 91.100, 91.200(b), 91.215(l)

1. Introduction

The Finance Department consults with a number of agencies throughout the year and is expanding its role in area-wide coalitions and collaborations. The City of Temple consults with the Central Texas Housing Consortium, which manages the Temple Housing Authority; the Central Texas Council of Governments, which manages the Section 8 Housing Choice Voucher (HCV) program, Area Agency on Aging, Temple Chamber of Commerce, area business leaders, public health departments, Central Texas Workforce Solutions, regional transportation activities, and other regional programs; Central Texas Homeless Alliance; Texas Homeless Network; and a number of public service agencies and advocacy groups. For the Consolidated Plan, the City hosted 2 housing forums, and a community development meeting, as well as two public hearings. Prior to this, during the development of the Consolidated Plan a public survey was done, the stakeholders were interviewed concerning issues specific to their programs and expertise. Each year, a minimum of two public meetings are held during the public participation period for the development of the Annual Action Plan. Various entities; local, regional, state and federal agencies are consulted as part of the development of the annual action plan.

Provide a concise summary of the jurisdiction's activities to enhance coordination between public and assisted housing providers and private and governmental health, mental health and service agencies (91.215(l))

The Finance Department not only attends area-wide meetings and forums on housing, fair housing, public services, economic development, and other area issues, but the department hosts a number of meetings, forums, neighborhood engagement and workshops throughout the year. During the past year, the division has worked diligently to identify and involve more stakeholders and to be integral members of area coalitions. Additionally Neighborhood Associations are developed and the Finance Department partners with these associations to establish continual relationships within these participating neighborhoods to better identify these types of service needs within the community.

The City works closely with the Central Texas Housing Consortium and is increasing its coordination with the Section 8 HCV provider. Recently, the City has received Technical Assistance from the Texas Homeless Network who has hosted meetings with shelter and service providers for the homeless.

Describe coordination with the Continuum of Care and efforts to address the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans, and unaccompanied youth) and persons at risk of homelessness.

The Central Texas Homeless Alliance is a group of local and regional non-profit organizations, governmental entities, and faith-based entities serving the Temple-Killeen-Belton and Bell County areas by providing support services, emergency shelter, and housing. The Central Texas Homeless Alliance

joined the Texas Balance of State (BoS) Continuum of Care (CoC) in 2010. The Texas Homeless Network (THN) is a non-profit membership organization that serves as the lead agency for Continuum of Care, planning and management of the Homeless Management Information System for the 213 Texas counties in the Texas Balance of State Continuum of Care. THN assists in developing awareness and formulating strategies concerning statewide issues in the prevention and elimination of homelessness that require a comprehensive approach using a community-based planning structure.

The City of Temple coordinates with the Central Texas Homeless Alliance and Texas Homeless Network, as well as funds Alliance member agencies.

Describe consultation with the Continuum(s) of Care that serves the jurisdiction's area in determining how to allocate ESG funds, develop performance standards for and evaluate outcomes of projects and activities assisted by ESG funds, and develop funding, policies and procedures for the operation and administration of HMIS

Temple is part of the Central Texas Homeless Alliance, which is part of the Texas Homeless Network's Balance of State. The City consulted with THN and recently requested/received technical assistance for the City and Central Texas Homeless Alliance.

Texas Homeless Network – Balance of State CoC administers HMIS. The City does not receive ESG funds nor do any of the Alliance members receive ESG through CoC or Texas Department of Housing and Community Affairs.

2. Describe Agencies, groups, organizations and others who participated in the process and describe the jurisdiction's consultations with housing, social service agencies and other entities

Table 2 – Agencies, groups, organizations who participated

1	Agency/Group/Organization	Central Texas Housing Consortium - THA
	Agency/Group/Organization Type	Housing Regional organization Planning organization
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Public Housing Needs Homeless Needs - Chronically homeless Homelessness Needs - Veterans Homelessness Strategy Economic Development
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Ongoing communications with the Central Texas Housing Consortium is essentials because this organization is charged with supplying housing units and managing the public housing developments in the City. This coordination helps the Community Development Office know and identify if and where units are available for citizens eligible for public housing.
2	Agency/Group/Organization	United Way of Central Texas
	Agency/Group/Organization Type	Services-Education Services-Employment
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Homeless Needs - Families with children
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Regular meetings about the array services offered to citizens, and partnering with the City, particularly with the SOAR program and homebuyer education.

4	Agency/Group/Organization	FAMILIES IN CRISIS
	Agency/Group/Organization Type	Services-Victims of Domestic Violence Services-homeless Services - Victims
	What section of the Plan was addressed by Consultation?	Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Communications with the Families In Crisis director as consultation with City with the anticipated outcome of determining the level of need of homeless families, victims of domestic violence and veteran families along with the funding received and services provided by the agency. Also information on availability of temporary shelter.
5	Agency/Group/Organization	TEMPLE HOUSING AUTHORITY
	Agency/Group/Organization Type	PHA
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Public Housing Needs Market Analysis
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The Division of General Services frequently meets and collaborates with the Temple Housing Authority leadership and staff. Particularly in regard to fair housing. The housing authority and public housing programs will continue to partner with several local agencies, faith-based organizations, the City of Temple, and the school district to bring necessary resources to residents.

6	Agency/Group/Organization	Central Texas Council of Government
	Agency/Group/Organization Type	Services - Housing Services-homeless Services-Employment Regional organization Planning organization
	What section of the Plan was addressed by Consultation?	Public Housing Needs Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy Market Analysis Economic Development Anti-poverty Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Continual contact with the CTCOG team in regard to the status and availability of Housing Choice Vouchers for Temple.
7	Agency/Group/Organization	Hill Country Transit District (The HOP)
	Agency/Group/Organization Type	Services-Elderly Persons Services-homeless Services-Employment Public Transportation

	What section of the Plan was addressed by Consultation?	Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy Non-Homeless Special Needs Anti-poverty Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Consultation about transportation issues and needs for the citizens of Temple. Work together on establishing strategic bus stop locations and routes that would be most beneficial for citizens who primarily use the service.
8	Agency/Group/Organization	TEMPLE HELP CENTER
	Agency/Group/Organization Type	Services-Elderly Persons Services-Persons with Disabilities Services-homeless Services-Education Services-Employment
	What section of the Plan was addressed by Consultation?	Non-Homeless Special Needs
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Available reference for resources for employment related assistance, or help for those seeking employment. Also provides Information and Referral services to connect families with the appropriate resources to meet immediate and long term crisis, educational classes, short term emergency financial assistance as circumstances warrant and funds are available, Notary services and assistance in completion of various public assistance forms.

9	Agency/Group/Organization	Bell County Indigent Health Services
	Agency/Group/Organization Type	Services - Housing Services-homeless Service-Fair Housing Other government - County
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Through the sub-group of participants for the Central Texas Supportive Housing Coalition, the entities in Bell County work together to address Homelessness and seek ways to prevent duplication with the homeless population going from city to city in Bell County seeking services.
10	Agency/Group/Organization	HILL COUNTRY COMMUNITY ACTION ASSOCIATION
	Agency/Group/Organization Type	Services - Housing Services-Children Services-Elderly Persons Regional organization
	What section of the Plan was addressed by Consultation?	Non-Homeless Special Needs
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Agency staff are contacted in order to determine the perceived need for utility/rental assistance, child care/Head Start, weatherization programs, senior services and other public service needs. Their services are important in working with the Community Development staff for partnering and improved coordination.

11	Agency/Group/Organization	Central Texas Veterans Health Care System
	Agency/Group/Organization Type	Other government - Federal
	What section of the Plan was addressed by Consultation?	Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Strategy Market Analysis
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	A representative from the agency provides information regarding the services available through the medical center and other related Veteran services. Outcome was to establish a contact as a place where necessary services can be provided to citizens needing specialized assistance.
12	Agency/Group/Organization	CENTRAL COUNTY CENTER FOR MHMR
	Agency/Group/Organization Type	Services-Persons with Disabilities Other government - State
	What section of the Plan was addressed by Consultation?	Non-Homeless Special Needs
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	An available reference and resource for those persons with disabilities who are seeking assistance. Also reference and services for persons with mental illness or intellectual and developmental disabilities needing support on their road to recovery and enhancement of their lives in the community.

Identify any Agency Types not consulted and provide rationale for not consulting

All relevant agency types were consulted during the drafting of this annual action plan, meetings, forums, workshops, and other events were used to connect with agencies and their staff. The City attempted to contact several attendees and those not attending the public meetings or forums. For those who could not be reached, the agencies' websites were accessed to determine available services and programs.

Other local/regional/state/federal planning efforts considered when preparing the Plan

Name of Plan	Lead Organization	How do the goals of your Strategic Plan overlap with the goals of each plan?
Continuum of Care	Texas Homeless Network	Coordinating homelessness services with Continuum of Care priorities.

Table 3 – Other local / regional / federal planning efforts

Narrative (optional)

AP-12 Participation – 91.105, 91.200(c)

1. Summary of citizen participation process/Efforts made to broaden citizen participation Summarize citizen participation process and how it impacted goal-setting

The City made an extensive effort to broaden citizen awareness of, and participation in the CDBG planning process. Events and comment periods were advertised in television, online, newspaper, social media, and directly through public service agencies. Various staff members have participated in several community outreach events, and neighborhood association gatherings having provided announcements to a broader audience. Through these efforts, staff members encouraged citizen participation in the Action Plan process through their varied interactions with residents.

Citizen Participation Outreach

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
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1	Public Hearing	<p>Minorities</p> <p>Non-English Speaking - Specify other language: Spanish</p> <p>Non-targeted/broad community</p> <p>Residents of Public and Assisted Housing</p> <p>Low-Mod distressed areas</p>	<p>Notice of public hearings and public meetings was published in the daily newspaper of general circulation in advance of each hearing/meeting, published May 31, 2018.</p> <p>Two public hearings were held in conjunction with City Council Meeting. One on June 21, 2018 at regular City Council meeting to announce the opening of the Public Comment Period, and the</p>	No comments received	All comments are accepted	
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			<p>availability of the draft versions of the Annual Action Plan with request for comments. A second public hearing was held on August 2, 2018, at a City Council Meeting to allow for citizens to provide additional comments about the Annual Action Plan during the 30-day comment period. The adoption of the final Annual Plan was made by City Council</p>			
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Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
			on August 2, 2018.			
2	Newspaper Ad	Non-targeted/broad community	Notice of the public hearing and public meeting was published in the local daily newspaper of general circulation on June 18, 2018 in advance of each hearing and meeting.	No comments received	All comments are accepted	

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
3	Internet Outreach	Non-targeted/broad community	Information about the meetings, the draft of the Annual Plan, and public comment forms were made available on the City of Temple's website. This information was posted throughout the thirty-day period.	No comments received	All comments are accepted	http://www.templetx.gov/DocumentCenter/View/24881

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
4	Community Meetings/Information Sessions	Non-targeted/broad community public service support groups	Open information sessions was held at the Historic Post Office. Through these efforts, staff encouraged citizens to participate in the Annual Plan process and provide comments. A home visit was made at the request of the elderly home owner.	No written comments received	All comments are accepted.	

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
5	Local TV Access Channel	<p>Non-English Speaking - Specify other language: Spanish</p> <p>Non-targeted/broad community</p>	Information about the draft plans, the public comment period, and the CDBG program were posted on the public access television channel throughout the public comment period.	No comments received	All comments are accepted	

Table 4 – Citizen Participation Outreach

Expected Resources

AP-15 Expected Resources – 91.220(c)(1,2)

Introduction

The City of Temple partners with a number of service providers, public service agencies and homeless shelter/housing providers to maximize CDBG resources and other public and private resources. The costs to address the needs of the under-resourced that reside in Temple cannot be covered through a single source, but must be supported through a number of layered and pooled funding streams. While there is no match requirement for CDBG, the City supplements community development and provision of services to the under-resourced with over \$500,000 in general funds via the Community Enhancement Grants annually. The City also employs a staff of grant writers to identify and secure external funding to bring much needed financial resources into the community from other philanthropic, local, state and federal sources, thus ensuring we can leverage our investments and maximize the impact of CDBG activities.

The City anticipates receiving \$536,232 in CDBG funds for PY 2018, and anticipates carryover funds not committed from previous year(s) to be used toward housing rehabilitation, neighborhood revitalization, code enforcement, public services, demolition, infrastructure improvements, and other community development activities. These activities will be addressed and completed only if sufficient CDBG funds are allocated. Due to the uncertainty of the Federal Budget, the City's assumption for preparation of this financial section that funding in this Consolidated Plan will remain at the current level. If there is an increase or decrease in funding allocations from HUD, then the financials will be adjusted accordingly. Administrative expenses are estimated at 20 percent and public service agency funding at 14 percent.

Anticipated Resources

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
CDBG	public - federal	Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services	536,232	0	85,825	622,057	550,000[MP5]	CDBG funds will be used for administration and planning, housing rehabilitation (minor repairs, public services, code enforcement, spot blight reduction, main street improvements and public facilities improvements.

Table 5 - Expected Resources – Priority Table

Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied

The federal funds and additional resources work together to provide the highest level of product/service possible. The CDBG and additional funds from other sources are used in conjunction with CDBG, but are not necessarily used as a match, rather as leverage to supplement and augment projects. Most of the housing programs within Temple are offered through partner organizations. Temple Housing Authority brings other federal grants to the table. Some public service agencies use local federal funds to leverage Texas Department of Housing and Community Affairs funds for City of Temple programs. Temple's City Lot program, the Empowerment Zones and Strategic Investment Zones provide

incentives for low-cost access to land, and waiving of fees for the development of new homes in substandard or non-developing areas. The City uses significant general fund dollars in conjunction with CDBG funds to improve parks, facilities and infrastructure as well as to support code enforcement and code compliance activities. Other public service programs receive funds from local funds, foundation grants, and private donations.

If appropriate, describe publically owned land or property located within the jurisdiction that may be used to address the needs identified in the plan

The City offers building incentives in Empowerment Zones and Strategic Investment Zones to encourage redevelopment. The City is committed to establishing long-term economic vitality in designated Empowerment Zones, encouraging redevelopment, diversification, rehabilitation and improved housing stock. Through implementation of this incentives program, developers who meet certain eligibility criteria may facilitate new housing construction for single family and/or rental investments in order to meet the following goals:

- Enhance the neighborhood and improve the quality of life through community partnerships;
- Empower neighborhoods by engaging citizens in the neighborhood improvement process;
- Encourage enhancements that support long-term viability and prevent/address deferred maintenance and property deterioration; and
- While preserving the character of the neighborhood.

The City of Temple has proposed to implement a coordinated program for vacant lots whereby working with the Bell County Appraisal District to identify and utilize abandoned and/or tax foreclosed properties (specifically vacant lots) to address affordable housing and neighborhood revitalization efforts with participating area contractors.

Discussion

Annual Goals and Objectives

AP-20 Annual Goals and Objectives

Goals Summary Information

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
1	Housing Rehabilitation	2018	2019	Affordable Housing		Accessibility Improvements in Housing Owner-Occupied Housing Improvements	CDBG: \$284,377	Homeowner Housing Rehabilitated: 4 Household Housing Unit
2	Public Facility and Infrastructure Improvements	2018	2019	Non-Housing Community Development		Sidewalk Improvements	CDBG: \$50,000	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit: 525 Persons Assisted
3	Spot Blight Demolition	2018	2019	Demolition and Clearance		Demolition and Clearance Neighborhood Revitalization	CDBG: \$100,000	Buildings Demolished: 12 Buildings
4	CDBG Program Administration	2018	2019	Administration			CDBG: \$107,246	
5	Crime Prevention Program	2018	2019	Public Service		Reduce and eliminate crime	CDBG: \$80,434	

Table 6 – Goals Summary

Goal Descriptions

1	Goal Name	Housing Rehabilitation
	Goal Description	Provide minor repairs to owner-occupied homes to address necessary repairs, prevent deferred maintenance and property deterioration. Minor rehab/repair will provide housing improvements, energy efficiency, improved accessibility, and enhance the neighborhoods.
2	Goal Name	Public Facility and Infrastructure Improvements
	Goal Description	Installation of sidewalk in neighborhood along Adams Avenue between Woodbridge Blvd. and Olaf Drive to improve pedestrian mobility and safety, particularly among children and the disabled, as well as those without vehicles.
3	Goal Name	Spot Blight Demolition
	Goal Description	Clearance and Demolition of 12 structures to address spot blight conditions.
4	Goal Name	CDBG Program Administration
	Goal Description	General Administration to carry out all CDBG activities.
5	Goal Name	Crime Prevention Program
	Goal Description	The Crime Prevention Program will provide a dedicated and consistent law enforcement presence to work within the low-to-moderate income area with objectives and benchmarks to engage the community for the purpose of eliminating and reducing crime.

Projects

AP-35 Projects – 91.220(d)

Introduction

The City of Temple will use the 2018/19 CDBG allocation of \$536,232, plus \$85,825, in reprogrammed funds from prior years, for a total of \$622,057 in activity funding. These activities will include:

Spot Blight Demolition: Identify (in conjunction with community-based Building and Standards Commission and the City of Temple Code Enforcement Department) 12 structures for demolition in order to improve public health and safety while also creating a more appealing space in low income neighborhoods to encourage redevelopment and reinvestment;

Public Facilities Infrastructure Improvements: installation and repair of sidewalks in qualified low income neighborhoods to enhance mobility of pedestrian traffic, and to link neighborhoods for economic, wellness and social opportunities that enhances neighborhood quality. . Schedule sidewalk installation will be constructed along Adams Avenue between Woodbridge Blvd. and Olaf Drive connection.

Neighborhood Revitalization/Code Compliance: initiative is to build healthy, safe, and vibrant neighborhoods using approaches that foster the long-term, positive, and sustainable changes. This can include neighborhood cleanup, facilities improvements to sidewalks, parks, neighborhood beautification and landscaping, repairs to fences, homes, yards, and removal of neighborhood eye sores. Improvement with signage, lightning, establishing pocket parks, and creating community gardens. Included with be the establishment and maintaining of Neighborhood Associations throughout the City. The goal is intended to provide an integrated approach to community redevelopment by 1) building connections between our Code Compliance and Community Development programs and 2) fostering collaboration with our many community partners.

Homebuyer Assistance: Through collaborations with regional and local non-profit partners, such as NeighborWorks, United Way, and Habitat for Humanity, the city will work with these agencies to combine funding to assist qualified low and moderate income residents to be in a position to purchase a home.

Housing Improvement Program (HIP): This program provides minor repairs for eligible owner-occupied homeowners who essentially cannot afford to repair or fix-up their homes due to the high cost of living. They do not have expendable income to take care of this need. Therefore the HIP provides this service for eligible homeowners. Funding for minor repairs is capped at \$5,000 per home.

Crime Prevention Program: This new program will provide a dedicated and consistent law enforcement presence to work within the low-to-moderate income area with objectives and benchmarks to engage

the community for the purpose of eliminating and reducing crime.

Projects

#	Project Name
1	Housing Rehab - Minor Repair
2	Spot Blight Demolition
3	Infrastructure Improvements
4	CDBG Administration
5	Public Services

Table 7 - Project Information

Describe the reasons for allocation priorities and any obstacles to addressing underserved needs

The priorities were determined based on:

- Meeting a HUD National Objective;
- Addressing one or more high priority needs set in the Consolidated Plan through resident surveys, stakeholder interviews, City of Temple staff input, observable data, and secondary data;
- Available funding; and
- Subrecipient and City Staff capacity and staff availability.

Allocation priorities are also based upon the Needs Assessment undertaken as part of the development of the Five-Year Consolidated Plan.

The primary obstacle to addressing the underserved needs in Temple is lack of adequate funding. Without adequate financial resources, the City and its partners are not able to address all of the identified needs. Although the CDBG funds are leveraged at a rate exceeding 1:1; the funds are still insufficient to meet needs of the underserved in the community. Additionally, there is a shortage of high capacity subrecipients and public service agencies. The City encourages CDBG applicants to seek additional resources from other public and private entities in an effort to leverage the limited amount of available CDBG funds.

AP-38 Project Summary^[MP6]

Project Summary Information

1	Project Name	Housing Rehab - Minor Repair
	Target Area	
	Goals Supported	
	Needs Addressed	
	Funding	CDBG: \$284,377
	Description	Provide minor repairs to owner-occupied homes to address and prevent deferred maintenance and property deterioration. Minor rehab/repair will provide housing improvements, energy efficiency, improved accessibility, and enhance the neighborhoods.
	Target Date	
	Estimate the number and type of families that will benefit from the proposed activities	
	Location Description	
	Planned Activities	
2	Project Name	Spot Blight Demolition
	Target Area	
	Goals Supported	
	Needs Addressed	
	Funding	CDBG: \$100,000
	Description	Demolition and Clearance of 12 substandard structures.
	Target Date	
	Estimate the number and type of families that will benefit from the proposed activities	
	Location Description	
	Planned Activities	
3	Project Name	Infrastructure Improvements
	Target Area	
	Goals Supported	

	Needs Addressed	
	Funding	CDBG: \$50,000
	Description	Installation of sidewalks in neighborhood
	Target Date	
	Estimate the number and type of families that will benefit from the proposed activities	
	Location Description	
	Planned Activities	
4	Project Name	CDBG Administration
	Target Area	
	Goals Supported	
	Needs Addressed	
	Funding	CDBG: \$107,246
	Description	General Administration to carry out the CDBG activities
	Target Date	
	Estimate the number and type of families that will benefit from the proposed activities	
	Location Description	
	Planned Activities	
5	Project Name	Crime Prevention Program
	Target Area	
	Goals Supported	
	Needs Addressed	
	Funding	CDBG: \$80,435
	Description	Public Service
	Target Date	

	Estimate the number and type of families that will benefit from the proposed activities	
	Location Description	
	Planned Activities	

AP-50 Geographic Distribution – 91.220(f)

Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed

CDBG funds will be used citywide, with emphasis in the lowest income census tract areas. All CDBG funded projects will primarily meet the HUD national objective of benefitting low to moderate income persons.

In the City of Temple, there are 60 block groups, 17 of which are more than 51% LMI. Representing roughly 12,160 low and moderate income residents means that of the estimated 70,765 residents, more than 17% are LMI. Of the 17 LMI block groups, 13 are more than 60% LMI (so well above the 51% threshold). HUD defines an LMI income as one that is at or below 80% of the area median income. The AMI for our Metropolitan Statistical Area (MSA) is \$59,000.

- Extremely Low Income (for a family of four): \$24,600
- Very Low Income Limit (for a family of four): \$29,500
- Low Income Limit for a (for a family of four): \$47,200

The City defines a LMI Concentration Area as an area made up of 51% or more low and moderate income residents (typically a Census Tract area boundary).

The City defines a Racial/Ethnic Concentration Area as an area made up of 51% or more racial/ethnic minority residents (typically a Census Tract area boundary).

Combined Concentration is defined as: Census tracts that have family poverty rates exceeding 40% that also have more than 50% minority population.

The City of Temple will primarily offer CDBG programs City-wide; the entire City has LMI residents spread throughout most of the Census tracts. Area-benefit projects will focus resources in the qualified LMI Census tracts with the highest percent of low- to moderate-income and the greatest concentration of minority population, and decaying infrastructure.

Geographic Distribution^[MP7]

Target Area	Percentage of Funds
EAST TEMPLE REVITALIZATION STRATEGY	

Table 8 - Geographic Distribution

Rationale for the priorities for allocating investments geographically

The City of Temple estimates that 90% of the funds will be dedicated to projects in the target areas and that these funds assist a large number of low to moderate income residents.

Target Area: Low to Moderate Income (LMI) Areas

Discussion

The City of Temple strives to improve LMI residential neighborhoods, especially those with high concentrations of minorities and protected classes. The City supports public service agencies that work to help end poverty and resulting impacts felt by families and individuals. The City also funds infrastructure enhancement projects to help make public transportation and multi-modal transportation more accessible and impactful for those who need it most. Public improvements enhanced with CDBG funding help LMI neighborhoods rise up and build pride-in-place to encourage reinvestment and revitalization tract by tract. The continual development of Neighborhood Associations will help in these efforts.

Affordable Housing

AP-55 Affordable Housing – 91.220(g)

Introduction

During the 2018-2019 fiscal year, the City of Temple proposes to provide rehabilitation service, minor home repairs, to 20 LMI homeowner/occupants through the City's Housing Improvement Program (HIP). This program is designed to serve LMI residents city-wide who have clear title and proven ownership to their homes, and who desperately need repairs to their home that will improve the health and safety of their living environment. Also, this helps to improve the housing stock of substandard structures in the city.

Habitat for Humanity of the Fort Hood Area is partnering with the City of Temple Community Development to build one affordable new home in the City of Temple through its sweat equity program.

One Year Goals for the Number of Households to be Supported	
Homeless	0
Non-Homeless	5
Special-Needs	0
Total	5

Table 9 - One Year Goals for Affordable Housing by Support Requirement

One Year Goals for the Number of Households Supported Through	
Rental Assistance	0
The Production of New Units	0
Rehab of Existing Units	5
Acquisition of Existing Units	0
Total	5

Table 10 - One Year Goals for Affordable Housing by Support Type

Discussion

Because of citizen response and requests for assistance for home repair during the Consolidated Plan process, the City will continue to rehab the owner-occupied homes with minor repairs of eligible low- to moderate-income residents now and in the upcoming years on a first-come, first-served basis.

AP-60 Public Housing – 91.220(h)

Introduction

The Central Texas Housing Consortium (Members: Temple Housing Authority (THA) and Belton Housing Authority (BHA)) owns and manages 482 public housing units, 160 Project-based Section 8 units and multiple other types of affordable housing units. The Central Texas Council of Governments is responsible for managing the HUD Section 8 Voucher Program. The City works closely with both organizations to provide whatever assistance may be necessary to enhance public and affordable housing options and Section 8 HCV programs.

Actions planned during the next year to address the needs to public housing

The public housing units are not scheduled for replacement and there are no plans by the Department of Housing and Urban Affairs to expand public housing units in the foreseeable future. All public housing units are maintained in good condition through vigilant attention to preventative maintenance and capital upgrades. Capital improvements planned for public housing units include: kitchen renovation in 98 units and ADA site improvements. There is a severe shortage of Section 8 Housing Choice Vouchers and the Central Texas COG will continue to work with HUD to increase the funding for vouchers. Additionally, the COG and the City will work to educate landlords on the benefits of HCVs and to encourage more landlords to accept voucher holders as tenants.

Actions to encourage public housing residents to become more involved in management and participate in homeownership

While the City of Temple will have no direct actions to encourage public housing residents to be more involved in management and participate in homeownership, the Central Texas Housing Consortium is proactive in both resident participation and homeownership:

- The THA operates two community centers at the properties with on-site service coordinators to facilitate access to social services and to encourage participation in the management of programs;
-
- Residents are encouraged to participate in the development/planning process for the PHA Annual and 5-Year Plans and Capital Fund Plan via newspaper notices, individual resident notices, public hearings and Resident Advisory Board meetings;
- Social activities such as pot luck dinners, cook outs and holiday parties are conducted at all properties to encourage interactions among residents and with the staff and management, opening the door for more involvement by residents;
- Homeownership opportunities are provided through funding from Texas Department of Housing and Community Affairs for first-time homebuyers and the SOAR Grant in partnership with

United Way; and

- THA offers scholarships for higher education, provides childcare, completes resident needs assessments, and provides educational youth activities and many other social service programs to enhance quality of life and self-sufficiency for residents.

If the PHA is designated as troubled, describe the manner in which financial assistance will be provided or other assistance

The Temple Housing Authority is not a troubled agency. It is classified as a High Performing agency and has maintained this classification since 1999.

Discussion

The federally subsidized housing programs in Temple are split between the Central Texas Housing Consortium, a political subdivision of the State charged with supplying public housing units and managing the public housing developments and residents; multiple other owners of subsidized housing, i.e. tax credit properties, and the Central Texas COG, a Council of Governments responsible for managing the Section 8 HCV program. Though the owners and organizations work independently, they do collaborate and coordinate with each other and with the City of Temple. During PY 2018-19, no significant modifications are expected to the public housing program. The COG will work with the City and other entities to educate landlords on voucher programs and the benefits; such as the payments of rent by the 5th of every month through the COG not the tenant; and helping tenants through education and training on how to avoid eviction, understand that their behaviors not only can result in eviction but loss of vouchers. These two are the most commonly discussed misconceptions/areas of concern.

The housing authority will continue to partner with numerous local agencies, faith-based organizations, the City and the school district to bring necessary resources to residents.

AP-65 Homeless and Other Special Needs Activities – 91.220(i)

Introduction

The City is using CDBG funds for outreach, crisis intervention, and shelter for victims of domestic violence through public service grants to Families in Crisis and AWARE of Central Texas. The City's Community Enhancement Grant Program will also use general funds to provide assistance for emergency shelters.

Community Development staff collaborates with multiple agencies that work to support the needs of the homeless and special needs populations. Including public health, indigent health, mental health agencies (MHMR), the local homeless coalition, the Balance of State Continuum of Care, the Texas Homeless Network, the Central Texas Supportive Housing Coalition, Texas Health Institute, law enforcement, criminal justice, indigent defense, legal aid, shelters, public service agencies, the United Way and many more.

Describe the jurisdictions one-year goals and actions for reducing and ending homelessness including

Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

In FY 2018/19 the City will participate and support the Point in Time Count as performed by the local homeless coalition. The City will identify and work with agencies providing emergency shelter and other housing options in Bell County to determine the number of individuals and families who are in need of receiving assistance. Additionally, the City will build awareness around information in the CDBG Consolidated Plan, data from HUD, and the American Community Survey to determine numbers and types of households and individuals (veterans, elderly, disabled, youth) who may be at risk of homelessness due to being extremely low income, having housing problems, lack of employment, poor transportation options, and/or lack of benefits. This information will be used in conjunction with the Central Texas Housing Coalition to help identify those agencies who can provide assistance and resources to intervene and help their needs to prevent homelessness.

Historically, the City of Temple also provides funding to Families in Crisis for outreach and crisis intervention for around 80 victims of domestic violence annually, including unsheltered persons, and those fleeing domestic violence situations.

Addressing the emergency shelter and transitional housing needs of homeless persons

As part of the CDBG-funded activities, Families in Crisis and AWARE will also provide emergency shelter

to those to whom they have provided outreach and crisis intervention and are in desperate need of shelter. The City will work with other area agencies providing emergency shelter and other housing options in Bell County.

Using other funds, the Families in Crisis agency provides TBRA to those exiting the emergency shelter, for transitional housing.

The City of Temple does not have an official emergency shelter center, nor does the City directly fund transitional housing. The Salvation Army has recently completed construction of a shelter center in Temple. It specifically provides emergency shelter for women only. A separate shelter for men is desperately needed and the City is working with the local Salvation Army in this cause. Particularly encouraging the new Salvation Army administration to apply for the ESG grant that would provide assistance for emergency shelter operations, which will help them provide this essential service for the area.

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again

The City will continue to provide funding for programs, services, and options for housing homeless individuals as funds are eligible; through the use of public service agencies who are prepared and trained to specifically address the needs of the homeless. Preventing individuals and families, previously homeless, from returning to homelessness requires a full and comprehensive assessment and program which may include tasks and processes that many individuals perform on a daily basis and without serious thought. Simple tasks as planning and cooking a meal, budgeting expenses between pay periods, paying for obligations first opposed to recreation. These tasks coupled with any form of alcohol or drug abuse, mental illness, or physical or developmental disabilities increases the potential for the return to the homeless state, therefore continued support services with extended or longer term case management would likely be required to achieve successful integration and self-sufficiency.

The City will continue to support entities working to end homelessness in the community.

Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); or, receiving assistance from public or private agencies that address housing, health, social services,

employment, education, or youth needs.

Within the City of Temple, multiple non-profit agencies, and public offices (Temple Community Clinic, Workforce, United Way, MHMR, etc.) provide services to help prevent homelessness. The Community Development staff collaborate closely and regularly with these groups to leverage outcomes for those most at risk of homelessness.

Discussion

Though the City of Temple has a small visible homeless population, officials are aware that the loss of jobs, increase in rent, evictions, behavioral issues, or domestic violence can easily lead to homelessness for many low-income individuals and families. The Community Development staff and others will continue to work closely with those agencies specializing in priority activities that are concentrated on homeless prevention and non-homeless special needs.

With the limited CDBG funding, the City's CDBG program is only able to minimally fund the available domestic violence program and other homeless-related programs. Community Development staff provide technical assistance to area non-profits and work to generally increase community capacity to better serve the homeless, chronically homeless, homeless families, unaccompanied youth, and those with special needs.

AP-75 Barriers to affordable housing – 91.220(j)

Introduction:

During the 2018-2019 Annual Action Plan period, the City will continue to implement and support the following actions to overcome the impediments identified in the Fair Housing Plan:

- The City and multiple area non-profits will leverage local funding to provide down-payment assistance to an average of 5 families per year – this works to address the income disparity and the rising costs of homeownership.

- * The City will hold Housing Ownership Workshops, which are community wide public events coordinated by staff to engage citizens to meet with lenders, builders, non-profits, realtors, bankers and other businesses that are involved in the homebuyer process. This an opportunity for all these agencies to come together in one session and allow citizens to become educated about the processes of purchasing a home as well as establishing contact directly with specific that can help them along the way.

- The City's transit system will continue to ensure that routes and times serve the needs of LMI residents using public transportation to get to and from work, shopping and social services – this works to address the income disparity in that public transportation allows exurban and suburban homeowners to access employment centers after moving from more centrally located apartments.

- The City will continue to work with the Temple Housing Authority, Central Texas Housing Consortium, and the newly established partnership with NeighborWorks HomeOwnership Center to offer assistance to those seeking affordable housing in the area – these services work to address the rising homeownership costs.

- The City Council annually appoints the month of April as Fair Housing Month. This City of Temple's proclamation serves to highlight available resources within the City that support fair and affordable housing access.

- The City provides financial support to area non-profits that provide job-training skills, workforce development, training, and educational attainment services to low and moderate income residents – this effort supports an increase in educational attainment and a decrease in the community income disparity.

Actions it planned to remove or ameliorate the negative effects of public policies that serve

as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment

In the development of the Fair Housing Plan, it was identified that the City's zoning regulations and other land use policies did appear to create some barriers to minorities or the underprivileged moving to opportunities of choice due to shortage of areas zoned for multi-family and the fact that most duplex and multi-family zones are inside the Loop, particularly south of IH-35, where a majority of minorities and lower-income residents live. Those multi-family parcels west of the Loop are higher priced and adjacent to single-family zones, while the areas within the Loop, for the most part, are adjacent to commercial and light industrial land uses and older development. To ameliorate this, during the next five years, the City will assess its current zoning ordinance to determine remedies to the shortage of multi-family zones in areas where the land is affordable for redevelopment.

Through the Empowerment Zone program the City of Temple has taken measures to encourage the development of affordable housing by committing to establishing long-term economic vitality in designated fee waivers, fee reductions, and policy changes to encourage redevelopment, diversification and improved housing stock. Through the implementation of this incentive program, developers who meet certain eligibility criteria may facilitate new housing construction for affordable single family structures and/or rental investments in order to meet the following goals:

- Enhance the neighborhood and improve the quality of life through community partnerships;
- Empower neighborhoods by engaging citizens in the neighborhood improvement process;
- Encourage enhancements that support long-term viability and prevent/address deferred maintenance and property deterioration;
- While preserving the character of the neighborhood.

Discussion:

During PY 2018, the City plans to continually address the barriers that are impediments to affordable housing through owner-occupied housing improvements. The City will fund improvements to homes owned and occupied by low- to moderate-income households. The improvements will include repairs/rehabilitation, energy efficiency improvements that will reduce the homeowners' utility costs, and accessibility improvements for the disabled. These efforts are available through the **Housing Improvement Program (HIP)** and **Neighborhood Association** programs as well as through a partnership with the local agency funded to administer the **Weatherization Program** in Bell County.

Through non-CDBG City funds, the City provides a **Tool Trailer Program** and a Tool Lending Program that

provides a neighborhood association, a group of homeowners or individuals a trailer filled with tools to maintain yards or to access a select tools. The trailer and tools are provided on a first-come/first-served basis and can be reserved in advance. The trailer is made available for specific lengths of time, agreed upon in advance by both the City and the group doing the service work. The trailer may be requested multiple times by one group if needed. Additionally, an individual tool can be checked out through the **Temple Tool Library**. This program provides residents with the necessary tool(s) for home repairs or modification enabling them to do it themselves. This is a concept similar to that of checking out a book in the library, but instead of books, the resident can check-out a tool(s). By providing accessibility to quality and costly tools, the Tool Library gives ALL Temple residents the opportunity to repair, enhance, and beautify their homes, allowing them to maintain a sense of independence and dignity.

Transform Temple is a program dedicated to revitalization efforts in targeted areas, performing clean-up and improvement projects, while working with property owners to improve the appearance and safety of the City.

The City grants funding to a subrecipient to provide maintenance education to owners and those intending to purchase a home. This education accomplishes two goals: (1) it trains owners in do-it-yourself and cost-saving maintenance; and (2) it educates prospective buyers in the true cost of homeownership beyond the monthly mortgage and utility payments.

AP-85 Other Actions – 91.220(k)

Introduction:

The underserved face a number of obstacles to meeting their needs. One of the obstacles that is out of their control is the limited capacity of agencies that can provide assistance in breaking down the barriers and lifting up those in need. Lack of financial resources, shortage of staff and overwhelming needs of program participants limit the effectiveness of the service providers. CDBG allocations and Community Enhancement Grants (CEG) will be used to help break down the barriers the under-resourced providers face in order that they may, in turn, address the obstacles their clientele face in getting their service needs met, securing affordable safe housing, and rising out of poverty. Building agency capacity through greater resources, more staff and greater staff support and training will enhance all of the service and housing providers, as well as the City's staff, in meeting the needs of those they serve.

Despite ongoing efforts, there still remains a number of significant obstacles to meeting underserved needs. The following obstacles to meeting these needs in Temple include:

- Population growth
- Cut backs in state and federal funding for basic needs and services
- High cost of housing

Unemployment

- Need for transportation to existing services and childcare available services

Actions planned to address obstacles to meeting underserved needs

The City will continue to build collaborations in order to better identify and address the needs in the community. Informational forums regarding housing and fair housing will continue to be conducted to expand the number of landlords accepting voucher holders and discussing ways to enhance funding for public services.

The Community Enhancement Grants, funded through general funds and hotel/motel taxes, will assist a number of non-profits serving the low-income population. During PY 2018, the City will use its CEGs to fund The HOP (public transit), Hill Country Community Action Association, Families in Crisis, Temple College Foundation, Temple Housing Authority, Bell County Human Services (Temple HELP Center), MHMR, NeighborWorks, and Habitat for Humanity, all of which address the housing, employment,

education, or social service needs of the most underserved residents in the community.

Actions planned to foster and maintain affordable housing

CDBG funds will be used to maintain affordable housing through owner-occupied housing improvements for the low- to moderate-income households. The Tool Trailer program, whereby the City loans a trailer filled with landscaping and home repair tools to an agency or group of residents for do-it-yourself repairs and improvements or for volunteers to assist in improving the homes of those who are unable to do the work themselves. The Tool Library program for resident who cannot afford a tool, can check-out the tool or tools much like checking out a book in the library and return the tool when completed at no cost to the resident. The City also implement a reinvestment zone program, whereby developers and/or homeowners can receive cost waivers for building or repairing safe, decent and affordable housing in designated zones within the city.

Actions planned to reduce lead-based paint hazards

Federal regulations, effective September 2000 and updated in April 2010, put in place lead-based paint requirements for all housing activities undertaken by recipients of HUD funds. These regulations require multiple approaches to evaluate, control, and/or abate lead-based paint. Since inception of the CDBG program, all homes older than 1978 scheduled for rehabilitation and/or demolition activities receive lead-based paint testing to determine the extent of lead hazards.

A considerable portion of the housing stock in Temple has the potential of containing lead-based paint hazards, therefore, Temple takes the following actions.

- Hire certified professionals to conduct lead-based paint testing prior to remedial action
- Provide public information and education regarding lead-based paint
- Encourage local contractors to become certified as lead paint inspectors
- Continue to develop technical capacity within the City to manage lead-based paint impacted projects
- Integrate lead hazard evaluation and reduction activities into housing activities when applicable
- Ensure that staff receive proper training to understand how to handle lead-based paint projects

Actions planned to reduce the number of poverty-level families

CDBG and CEG funds will be used to provide educational and job training opportunities that will help to lift individuals out of poverty (United Way). CEG funds will support a number of educational and job training/readiness programs. CDBG funds will be used to provide nutritious meals to low income seniors and disabled residents (Meals on Wheels), and to provide homeownership and financial literacy programs that build sustainable pathways out of poverty for families and individuals in Temple

(NeighborWorks).

Actions planned to develop institutional structure

The City of Temple will continue the collaborations and technical assistance that was developed during the Consolidated Planning process. Meetings with community partners to address various programmatic areas, share knowledge, and integrate programs will continue in PY 2018 and on through the 5-Year Consolidated Planning period. City staff will continue to attend HUD-sponsored trainings, NCDA and NeighborWorks trainings. Inter-departmental collaborations will continue and expand, particularly related to the multi-faceted improvements in CDBG qualified census tract areas and programs for LMI residents.

Actions planned to enhance coordination between public and private housing and social service agencies

Community Development staff will continue to host, facilitate and attend collaborative meetings with community stakeholders, residents, and public service agencies. Including, but not limited to: Temple Housing Authority, Heart of Central Texas Center for Independent Living, Families in Crisis, Family Promise, Temple Independent School District, Central Texas Council of Governments, Workforce Development, Goodwill Training Center, Helping Hands, Central Texas Housing Coalition, and the United Way of Central Texas.

Discussion:

CDBG allocations and Community Enhancement Grants will be used to help break down many of the barriers the underserved face in getting their service needs met, securing affordable safe housing, and rising out of poverty. Money alone cannot successfully address these obstacles and the City staff is committed to enhancing existing collaborations and building new partnerships as well as enhancing the institutional structure of the City and its partnering agencies. One method in which the City staff is building institutional structure is through participation in the Central Texas Supportive Housing Coalition and Central Texas CDBG Community Network meetings to discuss programmatic ideas and action plans with peers.

Program Specific Requirements

AP-90 Program Specific Requirements – 91.220(l)(1,2,4)

Introduction:

The City of Temple does not have program income, Section 108 loan guarantees or urban renewal settlements. No grant funds were returned to the City's line of credit and there are no float-funded activities.

None of the above funding streams are applicable for the City of Temple.


Attachments

Grantee SF-424's and Certification(s)

OMB Number: 4040-0004
Expiration Date: 10/31/2019

Application for Federal Assistance SF-424		
<div> <div> * 1. Type of Submission: <input type="checkbox"/> Preapplication <input checked="" type="checkbox"/> Application <input type="checkbox"/> Changed/Corrected Application </div> <div> * 2. Type of Application: <input type="checkbox"/> New <input checked="" type="checkbox"/> Continuation <input type="checkbox"/> Revision </div> <div> * If Revision, select appropriate letter(s): <input type="text"/> * Other (Specify): <input type="text"/> </div> </div>		
* 3. Date Received: <input type="text"/>		4. Applicant Identifier: <input type="text"/> City of Temple
5a. Federal Entity Identifier: <input type="text"/>		5b. Federal Award Identifier: <input type="text"/> B-1V-MC-48-2021
State Use Only:		
6. Date Received by State: <input type="text"/>		7. State Application Identifier: <input type="text"/>
8. APPLICANT INFORMATION:		
* a. Legal Name: <input type="text"/> City of Temple		
* b. Employer/Taxpayer Identification Number (EIN/TIN): <input type="text"/> 74-600236R		* c. Organizational OUNS: <input type="text"/> 1352057560003
d. Address:		
* Street1: <input type="text"/> 2 North Main Street		
Street2: <input type="text"/>		
* City: <input type="text"/> Temple		
County/Parish: <input type="text"/>		
* State: <input type="text"/> TX: Texas		
Province: <input type="text"/>		
* Country: <input type="text"/> USA: UNITED STATES		
* Zip / Postal Code: <input type="text"/> 76501-7655		
e. Organizational Unit:		
Department Name: <input type="text"/> Community Development		Division Name: <input type="text"/> General Services
f. Name and contact information of person to be contacted on matters involving this application:		
Prefix: <input type="text"/> No. * First Name: <input type="text"/> Ashley		
Middle Name: <input type="text"/>		
* Last Name: <input type="text"/> Williams		
Suffix: <input type="text"/>		
Title: <input type="text"/> Director of General Services		
Organizational Affiliation: <input type="text"/>		
* Telephone Number: <input type="text"/> 254-296-5075		Fax Number: <input type="text"/> 254-296-5455
* Email: <input type="text"/> cwilliams@templetx.gov		

Application for Federal Assistance SF-424	
* 9. Type of Applicant 1: Select Applicant Type: <input type="text" value="C: City or Township Government"/>	
Type of Applicant 2: Select Applicant Type: <input type="text"/>	
Type of Applicant 3: Select Applicant Type: <input type="text"/>	
* Other (specify): <input type="text"/>	
* 10. Name of Federal Agency: <input type="text" value="U.S. Department of Housing and Urban Development"/>	
11. Catalog of Federal Domestic Assistance Number: <input type="text" value="14.218"/>	
CFDA Title: <input type="text" value="Community Development Block Grant program for Rebuilding Communities"/>	
* 12. Funding Opportunity Number: <input type="text"/>	
* Title: <input type="text"/>	
13. Competition Identification Number: <input type="text"/>	
Title: <input type="text"/>	
14. Areas Affected by Project (Cities, Counties, States, etc.): <input type="text"/> <div> <input type="button" value="Add Attachment"/> <input type="button" value="Delete Attachment"/> <input type="button" value="View Attachment"/> </div>	
* 15. Descriptive Title of Applicant's Project: <input type="text" value="FY 2017-2018 Annual Action Plan"/>	
Attach supporting documents as specified in agency instructions. <div> <input type="button" value="Add Attachments"/> <input type="button" value="Delete Attachments"/> <input type="button" value="View Attachments"/> </div>	

Application for Federal Assistance SF-424	
16. Congressional Districts Of:	
* a. Applicant	11
* b. Program/Project	11
Attach an additional list of Program/Project Congressional Districts if needed.	
<input type="text"/> <input type="button" value="Add Attachment"/> <input type="button" value="Delete Attachment"/> <input type="button" value="View Attachment"/>	
17. Proposed Project:	
* a. Start Date:	10/01/2017
* b. End Date:	09/30/2018
18. Estimated Funding (\$):	
* a. Federal	431,615.00
* b. Applicant	
* c. State	
* d. Local	
* e. Other	
* f. Program Income	
* g. TOTAL	431,615.00
* 19. Is Application Subject to Review By State Under Executive Order 12372 Process?	
<input type="checkbox"/> a. This application was made available to the State under the Executive Order 12372 Process for review on <input type="text"/> .	
<input type="checkbox"/> b. Program is subject to E.O. 12372 but has not been selected by the State for review.	
<input checked="" type="checkbox"/> c. Program is not covered by E.O. 12372.	
* 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If "Yes", provide explanation and attach	
<input type="text"/> <input type="button" value="Add Attachment"/> <input type="button" value="Delete Attachment"/> <input type="button" value="View Attachment"/>	
21. "By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 28, Section 1001)	
<input checked="" type="checkbox"/> ** I AGREE	
** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.	
Authorized Representative:	
Prefix:	Mrs.
* First Name:	Brynn
Middle Name:	
* Last Name:	Myers
Suffix:	
* Title:	Interim City Manager
* Telephone Number:	250-290-5500
Fax Number:	
* Email:	bmyers@templata.gov
* Signature of Authorized Representative:	
* Date Signed:	8-4-17

CERTIFICATIONS

In accordance with the applicable statutes and the regulations governing the consolidated plan regulations, the jurisdiction certifies that:

Affirmatively Further Fair Housing --The jurisdiction will affirmatively further fair housing.

Uniform Relocation Act and Anti-displacement and Relocation Plan -- It will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, (42 U.S.C. 4601-4655) and implementing regulations at 49 CFR Part 24. It has in effect and is following a residential anti-displacement and relocation assistance plan required under 24 CFR Part 42 in connection with any activity assisted with funding under the Community Development Block Grant or HOME programs.

Anti-Lobbying --To the best of the jurisdiction's knowledge and belief:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions; and
3. It will require that the language of paragraph 1 and 2 of this anti-lobbying certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

Authority of Jurisdiction --The consolidated plan is authorized under State and local law (as applicable) and the jurisdiction possesses the legal authority to carry out the programs for which it is seeking funding, in accordance with applicable HUD regulations.

Consistency with plan --The housing activities to be undertaken with Community Development Block Grant, HOME, Emergency Solutions Grant, and Housing Opportunities for Persons With AIDS funds are consistent with the strategic plan in the jurisdiction's consolidated plan.

Section 3 -- It will comply with section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) and implementing regulations at 24 CFR Part 135.



Signature of Authorized Official

8-9-17

Date

Interim City Manager

Title

Specific Community Development Block Grant Certifications

The Entitlement Community certifies that:

Citizen Participation -- It is in full compliance and following a detailed citizen participation plan that satisfies the requirements of 24 CFR 91.105.

Community Development Plan -- Its consolidated plan identifies community development and housing needs and specifies both short-term and long-term community development objectives that have been developed in accordance with the primary objective of the CDBG program (i.e., the development of viable urban communities, by providing decent housing and expanding economic opportunities, primarily for persons of low and moderate income) and requirements of 24 CFR Parts 91 and 570.

Following a Plan -- It is following a current consolidated plan that has been approved by HUD.

Use of Funds -- It has complied with the following criteria:

1. Maximum Feasible Priority. With respect to activities expected to be assisted with CDBG funds, it has developed its Action Plan so as to give maximum feasible priority to activities which benefit low- and moderate-income families or aid in the prevention or elimination of slums or blight. The Action Plan may also include CDBG-assisted activities which the grantee certifies are designed to meet other community development needs having particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community, and other financial resources are not available (see Optional CDBG Certification).

2. Overall Benefit. The aggregate use of CDBG funds, including Section 108 guaranteed loans, during program year(s) _____ [a period specified by the grantee of one, two, or three specific consecutive program years], shall principally benefit persons of low and moderate income in a manner that ensures that at least 70 percent of the amount is expended for activities that benefit such persons during the designated period.

3. Special Assessments. It will not attempt to recover any capital costs of public improvements assisted with CDBG funds, including Section 108 loan guaranteed funds, by assessing any amount against properties owned and occupied by persons of low and moderate income, including any fee charged or assessment made as a condition of obtaining access to such public improvements.

However, if CDBG funds are used to pay the proportion of a fee or assessment that relates to the capital costs of public improvements (assisted in part with CDBG funds) financed from other revenue sources, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds.

In addition, in the case of properties owned and occupied by moderate-income (not low-income) families, an assessment or charge may be made against the property for public improvements financed by a source other than CDBG funds if the jurisdiction certifies that it lacks CDBG funds to cover the assessment.

Excessive Force -- It has adopted and is enforcing:

1. A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and
2. A policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within its jurisdiction.

Compliance with Anti-discrimination laws – The grant will be conducted and administered in conformity with title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d) and the Fair Housing Act (42 U.S.C. 3601-3619) and implementing regulations.

Lead-Based Paint – Its activities concerning lead-based paint will comply with the requirements of 24 CFR Part 35, Subparts A, B, J, K and R.

Compliance with Laws – It will comply with applicable laws.


Signature of Authorized Official

8-4-17
Date

Interim City Manager
Title

OPTIONAL Community Development Block Grant Certification

Submit the following certification only when one or more of the activities in the action plan are designed to meet other community development needs having particular urgency as specified in 24 CFR 570.208(c):

The grantee hereby certifies that the Annual Plan includes one or more specifically identified CDBG-assisted activities which are designed to meet other community development needs having particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community and other financial resources are not available to meet such needs.



Signature of Authorized Official

8-9-17

Date

Interim City Manager

Title

Specific HOME Certifications

The HOME participating jurisdiction certifies that:

Tenant Based Rental Assistance -- If it plans to provide tenant-based rental assistance, the tenant-based rental assistance is an essential element of its consolidated plan.

Eligible Activities and Costs -- It is using and will use HOME funds for eligible activities and costs, as described in 24 CFR §§92.205 through 92.209 and that it is not using and will not use HOME funds for prohibited activities, as described in §92.214.

Subsidy layering -- Before committing any funds to a project, it will evaluate the project in accordance with the guidelines that it adopts for this purpose and will not invest any more HOME funds in combination with other Federal assistance than is necessary to provide affordable housing;

N/A

Signature of Authorized Official

Date

Title

Emergency Solutions Grants Certifications

The Emergency Solutions Grants Program recipient certifies that:

Major rehabilitation/conversion/renovation – If an emergency shelter's rehabilitation costs exceed 75 percent of the value of the building before rehabilitation, the recipient will maintain the building as a shelter for homeless individuals and families for a minimum of 10 years after the date the building is first occupied by a homeless individual or family after the completed rehabilitation.

If the cost to convert a building into an emergency shelter exceeds 75 percent of the value of the building after conversion, the recipient will maintain the building as a shelter for homeless individuals and families for a minimum of 10 years after the date the building is first occupied by a homeless individual or family after the completed conversion.

In all other cases where ESG funds are used for renovation, the recipient will maintain the building as a shelter for homeless individuals and families for a minimum of 3 years after the date the building is first occupied by a homeless individual or family after the completed renovation.

Essential Services and Operating Costs – In the case of assistance involving shelter operations or essential services related to street outreach or emergency shelter, the recipient will provide services or shelter to homeless individuals and families for the period during which the ESG assistance is provided, without regard to a particular site or structure, so long the recipient serves the same type of persons (e.g., families with children, unaccompanied youth, disabled individuals, or victims of domestic violence) or persons in the same geographic area.

Renovation – Any renovation carried out with ESG assistance shall be sufficient to ensure that the building involved is safe and sanitary.

Supportive Services – The recipient will assist homeless individuals in obtaining permanent housing, appropriate supportive services (including medical and mental health treatment, victim services, counseling, supervision, and other services essential for achieving independent living), and other Federal, State, local, and private assistance available for these individuals.

Matching Funds – The recipient will obtain matching amounts required under 24 CFR 576.201.

Confidentiality – The recipient has established and is implementing procedures to ensure the confidentiality of records pertaining to any individual provided family violence prevention or treatment services under any project assisted under the ESG program, including protection against the release of the address or location of any family violence shelter project, except with the written authorization of the person responsible for the operation of that shelter.

Homeless Persons Involvement – To the maximum extent practicable, the recipient will involve, through employment, volunteer services, or otherwise, homeless individuals and families in constructing, renovating, maintaining, and operating facilities assisted under the ESG program, in providing services assisted under the ESG program, and in providing services for occupants of facilities assisted under the program.

Consolidated Plan – All activities the recipient undertakes with assistance under ESG are consistent with its consolidated plan.

Discharge Policy – The recipient will establish and implement, to the maximum extent practicable and where appropriate, policies and protocols for the discharge of persons from publicly funded institutions or systems of care (such as health care facilities, mental health facilities, foster care or other youth facilities, or correction programs and institutions) in order to prevent this discharge from immediately resulting in homelessness for these persons.

N/A

Signature of Authorized Official

Date

Title

Housing Opportunities for Persons With AIDS Certifications

The HOPWA grantee certifies that:

Activities -- Activities funded under the program will meet urgent needs that are not being met by available public and private sources.

Building -- Any building or structure assisted under that program shall be operated for the purpose specified in the consolidated plan:

1. For a period of not less than 10 years in the case of assistance involving new construction, substantial rehabilitation, or acquisition of a facility,
2. For a period of not less than 3 years in the case of assistance involving non-substantial rehabilitation or repair of a building or structure.

N/A

Signature of Authorized Official

Date

Title

APPENDIX TO CERTIFICATIONS

INSTRUCTIONS CONCERNING LOBBYING CERTIFICATION:

Lobbying Certification

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.



COUNCIL AGENDA ITEM MEMORANDUM

06/21/18
Item #6(A)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Lacy Borgeson, City Secretary

ITEM DESCRIPTION: Approve Minutes:

(A) June 7, 2018 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:

[June 7, 2018 Special and Regular Meetings
Video](#)

TEMPLE CITY COUNCIL

JUNE 7, 2018

The City Council of the City of Temple, Texas conducted a Special Meeting on Thursday, June 7, 2018 at 3:00 PM, at the Municipal Building, 2 North Main Street, in the 3rd Floor Conference Room.

PRESENT:

Councilmember Susan Long
Councilmember Jessica Walker
Councilmember Michael Pilkington
Mayor Pro Tem Judy Morales
Mayor Timothy A. Davis

- 1. Discuss, as may be needed, Regular Meeting agenda items for the meeting posted for Thursday, June 7, 2018.**

Mayor Davis noted that items 4(L) and 11 on the agenda required a super majority vote; and that Councilmember Pilkington would abstain from discussions and vote related to items 6 and 7.

- 2. Discuss the Central Texas Council of Government Bell County Hazard Mitigation Plan.**

Mitch Randles, Fire Chief, provided a presentation to Council. He began by explaining the Hazard Mitigation plan is required by FEMA and must be updated every five years. Chief reminded the Council, that Bell County's last plan was adopted in 2007. The plan identifies the types of hazards and the probability of their occurrence based off past experiences; it identifies critical infrastructure; and reviews the vulnerability to those hazards, as well as develops potential corrective actions to help mitigate those hazards. Chief Randles identified several hazards in the plan to include: dam failure, drought, extreme heat, flood, hail, hurricane, lightning, thunderstorm wind, tornado, wildfire, and winter storm. Also mentioned were critical infrastructures such as: City Hall, Fire Stations, Police Station, Public Works, Water & Sewage treatment facilities, electrical plants and substations, schools, dams, highways, and railroad.

Chief Randles outlined a few projects that have been identified to include, (1) Education of the community to emergency and disaster preparedness; (2) Trimming of trees encroaching on public utilities; (3) upgrades and clearing of drainage channels; (4) upgrades to the city communication capabilities; and (5) development of a wildland fire interface awareness and improvement plan.

This plan will also allow the City to apply for Federal grant funds to address

identified projects and other mitigation projects. As well as Federal funding and programs following a disaster to help with the recovery process.

3. Discuss the City's cross-control connection and backflow prevention program.

Brynn Myers, City Manager, provided a presentation to Council. She provided several definitions and explanation of processes. Ms. Myers also explained the State Regulations regarding the public water supply (Title 30 of the Texas Administrative Code, Chapter 290): (1) adopt a plumbing ordinance, regulations, or service agreement; (2) require backflow protection using appropriate backflow prevention assemblies; (3) require customer-service inspections; (4) require backflow prevention assemblies to be tested to ensure that they are working correctly; (5) all municipalities with a population of 5,000 or greater to adopt a plumbing code; and (6) that the two plumbing codes that are authorized to be adopted in the state of Texas by the Texas State Board of Plumbing Examiners are the International Plumbing Code and the Uniform Plumbing Code.

Ms. Myers explained the differences in the plumbing ordinance and the plumbing code; and the compliance with each. The plumbing ordinance regulations require any hazard to be isolated from the drinking-water supply regardless of when the hazard was first created or the site was built. There are no grandfather clauses that apply to cross-connection control and backflow prevention in TCEQ's regulations (with one exception). Under TCEQ's regulations, irrigation systems that were installed before 2009 are grandfathered until they require "major maintenance, alteration, repair, or service."

The plumbing code generally does not require plumbing systems lawfully in existence at the time of the adoption of the code to be brought up to current code standards until additions or alterations to the plumbing system are performed (if no hazard to life, health, or property).

Ms. Myers asked the Council if it was their desire to stay the course with our operations or to modify our code.

It was expressed by each that they did not want to see more requirements to the Code, and did not want to upset the business community.

Ms. Myers reminded the council that this is a balance between safety, and regulations that can protect without having a negative impact to the local businesses, while protecting our drinking water.

4. Discuss a potential developer participation agreement for the extension of Melrose Lane.

Brynn Myers, City Manager, provided a presentation to Council. She explained that Dr. Rao with the Hindu Temple approached the

City regarding an infrastructure project for the extension of Melrose to Midway. Dr. Rao has concerns with the erosion and the drainage channel. The City of Temple does not own any of the right-of-way that would be necessary for this project to occur. The estimated cost is \$400K for the road as well as \$1,000k for the proposed drainage. This could be considered a public improvement project; but the City would need to shift priorities from another project. Ms. Myers also noted that the council could consider a Developer Participation Agreement with the Hindu Temple for construction of one or both projects, with a cap at 30% participation.

Ms. Myers explained that Dr. Rao has been very patient with the City while awaiting a response, and therefore we need to provide a response to his request.

It was discussed that at this time the request for both the road extension and drainage project not move forward. There are no current projects on the CIP list that could be reprioritized at this time.

Mayor Davis announced that the Temple City Council would enter into executive session at approximately 4:19 pm.

- 5. Discuss the status of right-of-way acquisition for the Outer Loop, Phases 1-6 and discuss the status of pending eminent domain litigation involving property required for the Outer Loop project, which includes property required for the expansion of Moore's Mill Road and Old Howard Road. Executive Session - Pursuant to Chapter 551, Government Code Section 551.071 - Consultations with Attorney - The City Council may meet in executive session to consult with its attorney on pending or contemplated litigation or settlement offers. Executive Session - Pursuant to Chapter 551, Government Code Section 551.072 - Real Property - The City Council may meet in executive session to discuss the purchase, exchange, lease or value of real property relating to City projects, the public discussion of which would have a detrimental effect on negotiations with a third party.**

At approximately 4:35 pm, Mayor Davis adjourned the executive session; and re-entered into the workshop.

Mayor Pro Tem Morales discussed the opposition with regards to agenda item 12, (zoning case FY-18-3ZC). Change, is the biggest concern for the surrounding property owners.

Mayor Davis adjourned the worksession at approximately 4:38 pm.

The City Council of the City of Temple, Texas conducted a Regular Meeting on Thursday, June 7, 2018 at 5:00 PM in the Council Chambers, Municipal Building, 2nd Floor, 2 North Main Street.

Present:

Councilmember Susan Long
Councilmember Jessica Walker
Councilmember Mike Pilkington
Councilmember Judy Morales
Mayor Timothy A. Davis

I. CALL TO ORDER**1. Invocation**

Reverend Justin Yawn, Christ Episcopal Church, voiced the invocation.

2. Pledge of Allegiance

Leigh Gardner, Library Director, lead the Pledge of Allegiance.

II. PUBLIC COMMENTS

Alan Lytle, 504B Paseo Del Plata, addressed the Council regarding Chapter 31 Ordinance. Section 31-9 needs to be expanded to provide for the current building standards the City has. He also wanted additional information regarding item 4(J), the application for grant funding.

III. PROCLAMATIONS & SPECIAL RECOGNITIONS**3. Recognize the Temple Public Library for receiving the 2018 Achievement of Excellence Award.**

Lisa Ybarra, Library Director for the City of Harker Heights, presented the 2017 Achievement of Excellence Award to Leigh Gardner, Temple Library Director.

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:**

(A) May 17, 2018 Special and Regular Meeting

(B) 2018-9143-R: Consider adopting a resolution authorizing the purchase of two Kubota M5-111 Tractors from Kubota Tractor Corporation of Grapevine, in the amount of \$103,945.

(C) 2018-9144-R: Consider adopting a resolution authorizing the purchase of right of way and a drainage easement necessary for the expansion of Kegley Road Phase IV and authorizing closing costs associated with the purchase in an estimated amount of \$32,000.

(D) 2018-9145-R: Consider adopting a resolution authorizing the purchase of an easement and temporary construction easement necessary for the construction of the Shallowford Force Main and authorizing closing costs associated with the purchase, in an estimated amount of \$9,000.

(E) 2018-9146-R: Consider adopting a resolution authorizing the purchase of 3310 Old Howard Road, a portion of which is necessary for the expansion of Old Howard Road, and authorizing closing costs, in an estimated amount of \$567,000.

(F) 2018-9147-R: Consider adopting a resolution authorizing an Interlocal Agreement with the Belton Independent School District to provide school locations for after school latchkey programming.

(G) 2018-9148-R: Consider adopting a resolution authorizing an Interlocal Agreement with the Temple Independent School District to provide school locations for after school latchkey programming.

(H) 2018-9149-R: Consider adopting a resolution ratifying a two year lease agreement with Ducharme Marketing Group, Inc., for lease of space in the E. Rhodes and Leona B. Carpenter Foundation Building (the Temple Public Library).

(I) 2018-9150-R: Consider adopting a resolution authorizing a one year lease agreement with William T. Wilson for lease of space in the E. Rhodes and Leona B. Carpenter Foundation Building (the Temple Public Library).

(J) 2018-9151-R: Consider adopting a resolution amending Resolution 2018-9042-R to authorize the application for and acceptance of grant funds from the Office of the Governor, Homeland Security Grants Division's Homeland Security Law Enforcement Terrorism Prevention Activities grant program for the replacement of Haz-mat equipment.

(K) 2018-4915: SECOND READING – FY-18-1-AMND: Consider adopting an ordinance authorizing amendments to Chapter 31 of the Code of Ordinances (Recreational Vehicle Parks) primarily related to definitions, application and permitting process, inspection and enforcement process, density, private streets and amenities.

(L) 2018-4916: SECOND READING – Z-FY-18-10: Consider adopting an ordinance authorizing a Conditional Use Permit and its development site plan to allow a recreational vehicle park on 18.58 +/- acres situated in the Sarah Fitzhenry Survey, Abstract No. 312, located at 14220 State Highway 317.

(M) 2018-4917: SECOND READING – Z-FY-18-15: Consider adopting an ordinance authorizing amending Ordinance No. 2017-4835 to attach a site plan showing a Popeye's and Arby's restaurants on Lots 2 & 3, Block 1, Heritage Square Phase II, a non-residential subdivision, located on the north side of West Adams Avenue, east of Holy Trinity Catholic High School and west of Brooks Drive, addressed as 6512 & 6490 West Adams Avenue. Ordinances – Fourth & Final Reading

(N) 2018-4911: FOURTH READING – Z-FY-18-14: Consider adopting an ordinance authorizing a rezoning with a site/development plan from General Retail zoning district to Planned Development General Retail zoning district to allow the following Commercial uses: major vehicle repair, equipment sales and rentals, auto sales, auto and truck rental, Freeman Heights, Block 30, Lot 3-6, located at 311 South 25th Street, Temple, Texas.

(O) 2018-9152-R: Consider adopting a resolution authorizing the use of the Construction Manager-at-Risk project delivery method for the acquisition of construction services needed for the renovations at the Conventional Water Treatment Plant Administrative Office and the City Manager Office Suite.

(P) 2018-9153-R: Consider adopting a resolution approving an updated Central Texas Council of Governments Bell County Hazard Mitigation plan.

(Q) 2018-9154-R: Consider adopting a resolution rescheduling the July 5, 2018 City Council meeting for June 28, 2018.

(R) 2018-9155-R: Consider adopting a resolution authorizing budget amendments for fiscal year 2017-2018.

Motion by Councilmember Susan Long to approve consent agenda, except item 4(L), seconded by Councilmember Judy Morales.

Motion passed unanimously.

(L) 2018-4916: SECOND READING – Z-FY-18-10: Consider adopting an ordinance authorizing a Conditional Use Permit and its development site plan to allow a recreational vehicle park on 18.58 +/- acres situated in the Sarah Fitzhenry Survey, Abstract No. 312, located at 14220 State Highway 317.

Mr. Chandler reminded the Council that this item required a super majority vote since it exceeded the 20% opposition.

Motion by Councilmember Mike Pilkington motion to approve item 4 (L), seconded by Councilmember Jessica Walker.

Motion passed unanimously.

V. REGULAR AGENDA

RESOLUTIONS

- 5. 2018-9156-R: Consider adopting a resolution authorizing the creation of the Temple Main Street Advisory Committee and appointing its members.**

Brynn Myers, City Manager, provided a brief presentation to Council. As a part of the Texas Main Street Program, the City of Temple is required to form an advisory group to support the program on a local level. The staff recommends creating the Temple Main Street Advisory Committee to meet this requirement. The following have been recommended as initial committee members:

Joe Shepperd – Chair
Jacob Bates, Birdcreek Burgers
Robert Hernandez, Pignetti's
David Patrick, KPA
Karen Keith, In the Mood Ballroom
Andrea Moore, Monarch
Leah McHorse, Darling Décor
Rod Henry, Temple Chamber
Charley Ayres, TEDC
Steve Wolfe, Extraco Bank
Patrick Guillen, Downtown Investor
Reinvestment Zone Board Designee
Central Texas Workforce Designee

TISD Designee
Temple College Designee

Motion by Councilmember Susan Long to adopt resolution as presented, seconded by Councilmember Judy Morales.

Motion passed unanimously.

6. **2018-9157-R: Consider adopting a resolution authorizing a Developer Participation Agreement with Patco Construction, LLC., in the not to exceed amount of \$1,351,903 for construction of a portion of Azalea Drive as a part of The Reserve at Friars Creek subdivision.**

Brynn Myers, City Manager, provided a presentation to Council. She stated that south Temple is rapidly growing along the 31st Street and 5th Street corridors and development of additional capacity and connectivity for east-west corridors is an important component of the City's Transportation Capital Improvement Program. The proposed extension of Azalea Drive from Lowes Drive to a connection with an extension of 13th Street that is planned by the developer would be the first phase in providing for an additional connection between 31st Street and the 5th Street, thereby facilitating increased east west traffic connections for residents and commuters within this quadrant of the City.

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

Texas Local Government Code § 212.071 and § 212.072 authorize the City to enter in to an agreement with a developer for the construction of public improvements and caps the City's level of participation at 30% of the total contract price but also allows the City to participate at 100% of the total cost for any oversizing of improvements.

Ms. Myers noted the cost associated with oversizing of Azalea is estimated at \$843,232, while the total cost of other public improvements is estimated at \$1,962,621.

The requested participation of \$1,351,903 for the Azalea Drive

extension equals 100% of the estimated contract price for the oversizing of improvements and 26% of the estimated contract price for remaining public improvements in The Reserve at Friars Creek.

Councilmember Pilkington abstained.

Motion by Councilmember Susan Long to adopt resolution as presented, seconded by Councilmember Jessica Walker.

Councilmember Mike Pilkington abstained. The other Councilmembers voted aye. The motion passed.

7. **2018-9158-R: Consider adopting a resolution authorizing a construction contract with Emerson Construction Company, Inc. of Temple, in the amount of \$9,629,872.59 for the construction of Santa Fe Phase 2 Roadway and Landscaping Improvements, as well as, declare an official intent to reimburse the expenditures with the issuance of the 2018 Tax Increment Financing Reinvestment Zone Bonds.**

Kevin Beavers, Director of Parks and Recreation, provided a presentation to Council. He stated that the Santa Fe Phase 2 Project will develop the remainder of Santa Fe Plaza with a connection under the 3rd Street Bridge to the Santa Fe Market Trail and a pedestrian connection to the recently completed MLK Festival Grounds. Also included in this project is the redevelopment of 1st Street from Santa Fe Market Trail at Avenue B to Avenue A. Amenities included in the project are three parking lots, approximately 4,000 LF of sidewalk, a performance stage at Santa Fe Plaza, a color enhanced interactive fountain, concrete and brick paver flatwork, pedestrian & parking lot lighting, landscaping, irrigation, and development of a food truck center at Santa Fe Market Trail.

Mr. Beavers stated that three bids were received for the project on May 30, 2018. The initial apparent low bidder, Holy Contractors, LLC, did not include a bid for three line items of Part B within the Bid.Schedule. Accordingly, Staff deemed Holy Contractors' bid non-responsive. At this time Staff recommends awarding the bid to Emerson Construction Company, Inc. of Temple in the amount of \$9,629,872.59.

The proposed contract provides for 330 calendar days to construct the project with phasing requirements that will provide for completion of the Santa Fe Plaza area improvement in synchronization with the completion of the Temple ISD and

Santa Fe Business Center buildings.

At their June 6, 2018, Board Meeting, The Reinvestment Zone No. 1 Board reviewed the bids and recommends approval.

Councilmember Pilkington abstained.

Motion by Councilmember Jessica Walker to adopt resolution as presented, seconded by Councilmember Judy Morales.

Councilmember Mike Pilkington abstained. The other Councilmembers voted aye. The motion passed.

8. **2018-9159-R: FY-18-5-PLT: Consider adopting a resolution authorizing approval of the Reserve at Pea Ridge Phase I Final Plat, a residential subdivision consisting of 48.23 +/- acres, 247 lots, and six blocks, and located west of South Pea Ridge Road approximately 2500 feet north of its intersection with Poison Oak Road, addressed as 1810 South Pea Ridge Road with requested exceptions to the Design Criteria for the number of residential subdivision entrances, to Unified Development Code Section 8.2.1D related to street layout and projection of streets, and to Section 8.2.1E1 related to street radius.**

Mark Baker, Senior City Planner, provided a presentation to Council. He stated that staff recommends approval of the final plat of The Reserve at Pea Ridge, Phase I, subdivision, and the requested exceptions to the Design Criteria related to the number of residential subdivision entrances, UDC Section 8.2.1D related to street layout and projection of streets and UDC Section 8.2.1E1 related to street radius.

At their May 7, 2018 meeting, the Planning & Zoning Commission voted seven to zero to recommend approval of the final plat and the exceptions to the Design Criteria and UDC, as recommended by staff.

The final plat of The Reserve at Pea Ridge, Phase I is the resulting subdivision plat of the Planned Development approved through City Council's adoption of Ordinance 2018-4907. This final plat proposes the development of 247 residential lots consistent with the Planned Development ordinance. In addition to the subdivision plat, the applicant, Yalgo Engineering, on behalf of WBW Land Investments, is requesting consideration of, three exceptions; (1) the Design Criteria related to the number of residential drive entrances and two separate exceptions to the Unified Development Code,

described as follows: (1) UDC Sec. 8.2.1.D.4.b: Projection of streets - Street openings every 1,000 feet along each boundary of the subdivision, and (2) UDC Sec. 8.2.1E1: Minimum curve radius of 200 feet from centerline of local curvilinear streets.

Both the Design Criteria for residential subdivision entrances and UDC Section 8.2.1.D.4.b provide for the number of access points as well as their alignment into a subdivision. While the Design Criteria requires three entrances for subdivisions containing between 151 and 300 lots, due to the location and the landlocked-nature of the property, direct access would be limited to South Pea Ridge Road at three different points. Additionally, a land swap with the City of Temple, effective with the adoption of Resolution 2018-9109-R by City Council on April 19, 2018 further perpetuates the limitation of future access points. The land swap accommodates future park land and trails accessibility as well as developable land for the property owner for a future plat phase. While the existing utility easement, part of the later phase, provides for trail accessibility, it does not lend itself for vehicular subdivision access.

Further, the northern boundary of the Reserve at Pea Ridge does not provide for connectivity, since the existing configuration of the Southern Draw subdivision is developed and no future stub was provided. Therefore the exceptions are necessary. Staff has no issues with the access points as proposed by Phase I and is supportive of the requested exception.

Due to the curvilinear configuration at (1) Hayes Street and Purvis Street and (2) Hayes Street and Lee Hall Loop, the minimum radius of 200 foot as measured from the street centerline cannot be achieved. Mr. Baker noted that Public Works staff has no issues with the configurations as proposed and is supportive of the requested exception at the two separate locations in Phase I.

The subject property is zoned Planned Development-Single-Family Dwelling Two per Ordinance 2018- 4907, which allows detached single family homes on lots with a minimum 5,000 square feet. The lots range from 5,987 square feet (Lot 9, Block 2) to 41,156 square feet (Lot 12, Block 1).

It is noteworthy, that the rezoning for the second phase of the Reserve at Pea Ridge is anticipated in the future. Platting of Phase II will follow accordingly and be forwarded to the Planning & Zoning Commission at the appropriate time. It has not been determined if additional exceptions will be necessary for Phase II.

Water is available from the extension of an existing 8-inch water line in South Pea Ridge Road. Sewer is available from the extension of an existing 24-inch sewer line west of the subject property.

The final plat takes access from South Pea Ridge Road, an existing collector. As a collector, a minimum 4-foot sidewalk is required and a note on the plat provides for this improvement.

The final plat proposes the realignment of a section of South Pea Ridge Road and the creation of six new local streets as follows:

- (1) Purvis Street,
- (2) McCulloch Road,
- (3) Hickman Street,
- (4) Lee Hall Loop,
- (5) McDonald Drive, and
- (6) Hayes Street

In addition, the developer proposes a 4-foot sidewalk on the north side of Hickman Street to be built at the time of home construction; and 6-foot sidewalks are to be constructed on both sides of the realigned section of South Pea Ridge Road at the time of subdivision improvements.

In an effort to improve public safety and traffic circulation, South Pea Ridge has been proposed to be realigned. As a result of the realignment, the two remnant sections will remain and are proposed to be renamed as Guffey Lane (East/West remnant) and Lively Lane (North/South remnant). Affected property owners have been notified by mail of the change and the public review of the plat.

The Development Review Committee reviewed the final plat of The Reserve at Pea Ridge, Phase I subdivision on April 26, 2018. The plat was deemed administratively complete on May 3, 2018.

Park fees are required at the rate of \$225 per lot and will be paid prior to plat recordation.

Mr. Baker also noted that, discussed as part of the overall Planned Development and provided on the plat are two separate trail easements for access to parkland. A 10-foot wide trail easement will be provided between Lots 32 & 33, Block 2; and a 20-foot wide trail easement will be provided between Lots 64 & 65, Block 2.

The developer has agreed to construct a concrete sidewalk within both trail easements as part of the subdivision improvements as connections to future City trails. Further the applicant has agreed that any grass within the easement will be the responsibility of the homeowner and not the City of Temple's Parks and Recreation Department. In addition, the developer will ensure the drainage conveyance across parkland area will be shallow and low sloping, which may result on some of the conveyance leaving the natural topography undisturbed as well as easier maintenance. This was preferred over detention ponds by the Parks and Recreation Department and is acceptable.

Motion by Councilmember Mike Pilkington to adopt resolution as presented, seconded by Councilmember Susan Long.

Motion passed unanimously.

9. **2018-9160-R: FY-18-7-PLT: Consider adopting a resolution authorizing approval of the Replat of Enterprise Business Park Phase VI, a 26.376 acre two lot, one block non-residential subdivision, situated in the Elizabeth Berry Survey, Abstract No. 56, Temple, Bell County, Texas, located at 2062 Enterprise Road, Temple, 76504.**

Jason Deckman, City Planner, provided a presentation to Council. He stated that the applicant, KEG1, was deeded Lot 1, Block 1 of Enterprise Business Park Phase V (23.46 acres), from Temple Economic Development Corporation in November 2017. Adjacent and surrounded on three sides by this property was Lot 5, Block 1 of Enterprise Business Park, Phase II (2.924 acres) owned by the city and purposed as a future detention pond for the business park.

KEG1 requested, and City Council approved, through a May 3rd, 2018 resolution (2018-9121-R) to swap a 1.511 acre northern portion of the city's detention pond property for two portions the applicant owned on either side (to the east and west --1.126 acres) of the southern remaining area of the pond. The result was a reconfigured detention pond area with longer frontage along Enterprise Road.

The subsequent replat of the change in the two lot configurations into Phase VI of Enterprise Business Park is under the ownership of both the city, (new Lot 2 of 2.536 acres), and KEG1, (new Lot 1 of 23.84 acres) and requires signatures from both parties to move forward.

Mr. Deckman noted the replat does not differ from the approved land swap agreement. Per guidance from the City Attorney, this case was not presented to the Planning & Zoning Commission and has moved directly to City Council for consideration. As owner of the property, the City Council is the final plat authority.

The Development Review Committee reviewed this replat on May 7th and 10th, 2018, and it was deemed administratively complete on May 17, 2018.

Both lots are zoned 'Light Industrial', and The Future Land Use Plan shows it as 'Business Park'.

Water service is available to the applicant's property through a 12" water main located along its western boundary. Sewer service is available through an 8" main along Enterprise Road to the south.

This site is located in the Northwest Industrial Park and is exempt from sidewalk requirements per UDC, Art. 8.2.3, Sec D.2.

Motion by Councilmember Judy Morales to adopt resolution as presented, seconded by Councilmember Jessica Walker.

Motion passed unanimously.

ORDINANCES

- 10. 2018-4918: 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 Santa Fe Phase 2 and Strategic Investment Zone Grants in FY 2018.**

Traci Barnard, Director of Finance, provided a presentation to Council. She stated that three bids for the construction of Santa Fe Phase 2 Roadway and Landscaping Improvements were received on May 30, 2018. This project will develop the remainder of Santa Fe Plaza with a connection under the 3rd Street Bridge to the Santa Fe Market Trail and a pedestrian connection to the recently completed MLK Festival Grounds. Also, included in this project is the redevelopment of 1st Street from Santa Fe Market Trail at Avenue B to Avenue A. Staff is recommending award of the bid to Emerson Construction Company, Inc. of Temple in the amount of \$9,629,872.59.

This recommended bid is approximately \$970,000 greater than the remaining total project budget. Staff is recommending transferring \$1,150,000 contingency funds from the upcoming 2018 TRZ Revenue Bond issue to this project budget. This will cover the funding needed to award the construction contract and allocate \$180,000 of contingency funds for any unforeseen items during the construction period.

In addition, additional funding is needed to fund an active Strategic Investment Zone Grant application in the amount of \$100,000. This will bring the total available SIZ funding to \$250,000.

There is no change to fund balance as a result of this Reinvestment Zone No. 1 Financing and Project plans after the amendment.

The Reinvestment Zone No. 1 Board is scheduled to meet on June 6, 2018 to approve the amendment.

Mayor Davis declared the public hearing open with regards to agenda item 10, and asked if anyone wished to address this item.

Mr. CJ Grisham, inquired as to whether new bonds were being issued for this amendment?

Ms. Barnard, advised no.

There being no further comments, Mayor Davis declared the public hearing closed.

Motion by Councilmember Susan Long to adopt ordinance as presented, with second and final reading on June 21, 2018, seconded by Councilmember Jessica Walker.

Councilmember Mike Pilkington abstained. The other Councilmembers voted aye. The motion passed.

- 11. 2018-4919: FIRST READING – PUBLIC HEARING – FY-18-2-ZC: Consider adopting an ordinance authorizing a rezoning from Agricultural zoning to Planned Development Single-Family One zoning district and a binding development/site plan on 86.91 +/- acres, situated in the Redding Roberts Survey, Abstract 692, Bell County, Texas, located southeast of FM 93 and Southwood Drive, 3093 West FM 93.**

Brian Chandler, Director of Planning, provided a presentation to Council. He stated that staff recommends approval of the requested rezoning from Agricultural District to Planned Development Single Family-One District with the following 12 conditions:

- (1) Development would require substantial compliance with the development/site plan;
- (2) Establishment of an HOA (homeowner's association) to maintain common areas, including the private park;
- (3) Implementation of the Citywide Trails Masterplan per the development/site plan within the HOA park;
- (4) A sidewalk will be constructed along the entry street connecting to the HOA park
- (5) Minimum lot size is 12,400 square feet and not to exceed 176 total lots;
- (6) Connection to the City's sanitary sewer system;
- (7) One 2-inch DBH canopy tree to be planted in the front yard of every lot. Species shall conform to the approved City of Temple Tree list, per the Unified Development Code;
- (8) Preservation of live oak trees (estimated 16-inches or greater) that are not in conflict with proposed structures or infrastructure; and
- (9) A fence along FM 93 shall be made of wood with masonry columns
- (10) The developer must limit homes to one
- (11) story along the west property line abutting the Valley Ranch properties; and
- (12) A new transparent metal fence along Friar's Creek (subject to approval of a floodplain development permit).

Mr. Chandler stated that at their May 7, 2018 meeting, the Planning & Zoning Commission voted seven to zero to recommend approval of the proposed rezoning per staff's recommendation.

The applicant, J.C. Wall III, requests this rezoning from Agricultural District to Planned Development Single-Family One District for property located along the south side of FM 93 and along Southwood Drive. He proposes a 176-lot single family residential development with minimum lot sizes of 12,400 square feet.

Since City Council approved the voluntary annexation of this property in January 2017, this is the third rezoning request that has gone before P&Z and the second to be reviewed by City Council. The other two requests could be summarized as follows:

A Planned Development Single-Family One zoning district

request with 280 proposed lots (7,500 sf minimum size)
P&Z recommended denial
Withdrawn by applicant

A Planned Development Urban Estates zoning district
request with 103 proposed lots (22,000 sf minimum size) with
septic systems
P&Z recommended approval
Disapproved by City Council on July 20, 2017

The main differences between this and the previous 103-lot
request are, a larger number of lots; connection to the City's
sanitary sewer system (at the developer's cost); and he fence
along Friar's Creek.

The proposed lot size of 12,400 sf is similar to the Legacy
Ranch subdivision (smallest lots of 10,500 sf) located just
across FM 93 and to the Valley Ranch Phase III subdivision
(smallest lots of 11,011 sf). The property to the immediate west
in Valley Ranch along Sun Valley Drive (Valley Ranch Phase II),
however, consists of half-acre lots and is zoned PD Urban
Estates. To the east on Boutwell Drive in the ETJ (extra-
territorial jurisdiction) homes are located on larger lots. A creek
and a vegetation buffer separates the subject property from the
homes along Boutwell Drive. An existing home to the south
along Forrester Road, and south of the electrical sub-station is
also on a large property.

Per the PD, development would be required to substantially
comply with the development site plan, including the minimum lot
size of 12,400 sf, establishment of a Homeowner's Association
park and five detention tracts for drainage.

UDC Section 3.4.1 defines a Planned Development as "A
flexible overlay zoning district designed to respond to unique
development proposals, special design considerations and land
use transitions by allowing evaluation of land use relationships
to surrounding areas through development plan approval."

As a Planned Development, a Development Plan is subject to
review and approval as part of the rezoning. As opposed to a
standard rezoning, conditions of approval can be included into
the rezoning Ordinance. The applicant has provided a Site
Development Plan in this rezoning request. The proposed trail
and 13 acres of dedicated park land along the creek as well as
the larger lot size are elements of the proposed Planned
Development which take into account the unique character of
the property.

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

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

Mr. Chandler noted the proposed rezoning relates to the following goals, objectives or maps of the Comprehensive Plan and Sidewalk and Trails Plan: The north portion of the subject property along FM 93 is within the Suburban Residential character district of the *Choices '08* City of Temple Comprehensive Plan. The Suburban Residential land use classification is characterized by mid-size single family lots, allowing for greater separation between dwellings and more emphasis on green space versus streets and driveways than more dense subdivisions of urban character. The applicant's requested Planned Development Urban Estate District complies with the Suburban Residential character district.

The south portion of the subject property, annexed in 2016, is within the Agricultural / Rural character district of the *Choices '08* City of Temple Comprehensive Plan. The applicant's requested PD SF-1 zoning is compatible with some of the existing residential developments near the subject property but is not compatible with the Agricultural / Rural designation, which does apply to all areas outside city limits and this property was annexed in 2016. The subject property fronts FM 93, a major arterial. Southwood Drive bisects the subject property at FM 93 and runs south to a cul-de-sac for the existing electrical substation at the south property line.

FM 93 is only appropriate as a subdivision entrance. Southwood Drive and the proposed local streets within the subject property, shown on the attached Planned Development Site Plan, are ideal for residential dwellings. The proposed development site plan reflects two ingress/egress points into the development along FM 93, for which TXDOT has given conceptual approval.

ITE car trip generation rate (potential traffic impact) shows this proposed development to 176 single family residences (178 PHT/Peak Hour Trips). This is equivalent of a typical fast food drive-through restaurant (49.35 PHT per 1000 sf) or, a 15,000 sf supermarket (11.85 PHT per 1000 sf).

The Temple Trails Master Plan recommends a trail along the subject property's eastern boundary along the creek. Staff has worked with the applicant to implement the Trails Master Plan while also limiting the impact on adjacent neighbors by moving the trail system further into the interior of the property.

Mr. Chandler noted that water and sewer connections will be made to the north within the Legacy Ranch subdivision. The applicant proposes a sanitary sewer lift station at the low point of the property near Friar's Creek.

To address the Drainage concerns there are five detention ponds proposed; City Engineering staff would confirm compliance at the platting and permitting stages. At this time the City is conducting a drainage study that includes the Friar's Creek drainage basin, which is projected for completion by the end of the year.

Mr. Chandler stated that the DRC reviewed the case on April 23, 2018 and identified no issues with the proposal.

Thirty-six notices of the Planning and Zoning Commission public hearing were sent out to all property owners (including in the ETJ) within 200-feet of the subject property as required by State law and City Ordinance. No notices were returned in favor of the proposed rezoning and 15 notices were received in opposition (including one outside notification area) to the proposed rezoning, which represents a calculation of 40.69% within the 200-foot notification area. Therefore, per Sec. 3.3.4 of the UDC, a protest has been triggered, which would require a supermajority vote (four out of five) by City Council to approve.

Mayor Davis declared the public hearing open with regards to agenda item 11, and asked if anyone wished to address this item.

Mr. Bill DiGaetano, 2715 Forrester Road, inquired as to the status of the drainage study. He also expressed his concern for critical decision making without the drainage study, and understanding where the flood plain is. Mr. DiGaetano also mentioned concerns with the increased traffic without ingress and digress lanes being proposed as part of this development. He noted Friar's Creek and how this development would impact the amount of water that flows in the creek. He ask for council to vote no.

Josh Parker, 7017 Sunvalley Drive, was concerned with property values, as well as the increased traffic, and drainage.

This development will further complicate the issues, and asked for council to vote no.

Larrissa Dodson, expressed her concerns with the proposed development. and placement of the lift station.

Charles VerHyden, 2271 River Ranch Road, expressed his concerns with the drainage and abundant amount of water that already flows in Friar's Creek. This development will cause more issues with drainage. We need a retention and detention plan. Traffic is also a major concern; this road is extremely dangerous and cannot handle anymore entrances, unless the traffic is changed at the intersection.

Mary Hubbard, 6920 Boutwell Drive, expressed her concerns with abundant amount of water and the safety risk it will bring.

Lee Hubbard, 6920 Boutwell Drive, described the location of his property and how it is impacted by the runoff from all the surrounding subdivisions. Does not understand how this development can be approved without having the drainage plan. He also noted the current traffic concerns, and how this will make it worse. He asked the Council to vote no.

Mayor Davis asked Ms. Myers to give a status on the drainage update.

Ms. Myers stated the City is currently working on a modeling assessment for the drainage, and expect it to be completed by the end of the year. It does include the Friar's Creek basin; but the scope of the study is to look at potential public infrastructure and improvement projects such as regional detention. The current scope does not include contemplating changing our drainage requirements on the development side.

Scott Thomas, 3352 Forrester Road, expressed his concerns with the proposed development to include, decreased property values, increased traffic, as well the drainage. Mr. Thomas stated that he understands development will occur as we continue to grow, but this is not a responsible development for this area. If the project is approved, it needs to be in line with Valley Ranch at the least.

Sandra Creech, 504B Paseo Del Plata, noted her concerns with all the concrete and development. This has a negative impact to the creek and those that are downstream. We need to assess this further before we continue to develop.

Debbie Shine, 3018 Forrester Road, spoke to the Council with

regards to the outdated flood plain maps that are used by engineers, and FEMA. We must update this information or we will continue to negatively impact our creeks. Ms. Shine noted that BRA and TCEQ both have concerns with the proposed location of the lift station for this project, as it is on the edge of the flood plains. She is also concerned with the proposed fence along the creek, and whether it will be built or not. Please vote no, or at least postpone until the drainage is reviewed.

Justin Fuller, civil engineer with Clark and Fuller. He noted that TxDOT has provided the preliminary concurrence. If a turn lane is constructed it would be in TxDOT right-of-way. The lot sizes are comparable to the other lots in the area. The smallest lots are in the middle of the subdivision. The lift station has to be placed at the lowest part of subdivision; and we can talk about the location as the project is developed. This station will be outside of the 100-year flood plan. Mr. Fuller noted there will be detention ponds to design for storm events. This proposed project is a very small piece (86 acres/ 2% of the drainage basin) that drains into the creek. Mr. Fuller noted that two connections are being proposed to FM93; and the most eastern drive has been shifted out of the transitional lanes on FM 93 for better traffic flow.

Councilmember Pilkington asked Mr. Fuller how far west the proposed lift station could be moved.

Mr. Fuller said they would need to review the area, and it could be discussed as part of the design phase.

Councilmember Long inquired as to why we continue to have these same drainage concerns/issues with each project; but are told by engineers that it's ok.

Mr. Fuller noted that we as engineers have our standard practices/requirements and that is what we use.

Mr. Bond noted that the City's drainage criteria requires the developments to addresses the larger flow rates, and not so much the frequent storms. In this case the engineers have committed to addressing the more frequent storms, which is above and beyond the minimum criteria.

Lee Hubbard 6920 Boutwell Drive, approached and asked how you could know if what is being used as the 100-year flood plain, and not a 15/20 year flood plain at this point in time. It has been a while since we've had a study, so how do we know.

Mr. Fuller noted the maps used are from FEMA.

Councilmember Long, clarified they are from 2008.

Mr. Bill DiGaetano, 2715 Forrester Road, again addressed the council with regards to the acceleration lane. This is dangerous and irresponsible. Lastly, there is no guarantee there will be a generator on the lift station should the power go out.

Mary Hubbard, 6920 Boutwell Drive, noted there is a big difference between a detention pond and retention pond.

Josh Parker, 7017 Sunvalley Drive approached the council with concerns for the pedestrian traffic and the trail system.

Mr. Chandler noted that we implement the Trails Master Plan as development progresses in an area.

Louie Parker, 7017 Sunvalley Drive, noted his major concern to be property values and feels that this will decrease the value of properties within the neighboring communities.

Albert Dodson, 6917 Sunvalley Drive, noted he too has concerns with the poor drainage and traffic that already exists. He also was not fond of how close in proximity this development will be to the existing homes. Mr. Dodson noted the proposed development will negatively impact everyone in the area.

Josh Person, 6575 FM 439; attorney working with Mr. Wall and the development addressed the council. He reminded the council that there has been give and take with regards to this development to include, (1) exceeding the requirements for drainage, (2) traffic, and (3) density of the development. Mr. Wall has committed to connecting to city sewer at his own expense. He noted this is the best possible option and plan for this development, and for a favorable consideration.

Mr. Bill DiGaetano, 2715 Forrester Road, again addressed the council and asked for the council to think about the residence in this area that will be negatively impacted by this development.

There being no further comments, Mayor Davis declared the public hearing closed.

Councilmember Pilkington made a motion to approve the rezoning as a Planned Development – Urban Estates with the conditions recommended by Staff, a minimum lot size of 22,500 sf and a maximum lot number of 108. Councilmember Walker then seconded that motion. When Ms. Borgeson asked Councilmember Long for her vote, Councilmember Long made

an amended motion to add a condition, to require the developer to keep the tree line buffer along the west side of the property.

Motion by Councilmember Susan Long approve the rezoning as a Planned Development – Urban Estates with the conditions recommended by Staff, a minimum lot size of 22,500 sf and a maximum lot number of 108, and to add a condition, to require the developer to keep the tree line buffer along the west side of the property; with second and final reading on June 21, 2018, seconded by Councilmember Jessica Walker.

Councilmember Judy Morales voted nay. The other Councilmembers voted aye. The motion passed.

12. 2018-4920: FIRST READING – PUBLIC HEARING – FY-18-3-ZC: Consider adopting an ordinance authorizing a rezoning for 91.15 +/- acres, from Agricultural to Single Family Two, situated in the Maximo Moreno Survey, Abstract No. 14, Bell County, Texas, addressed as 401 North 42nd Street.

Lynn Barrett, Assistant Director of Planning, provided a presentation to Council. She stated that staff recommends approval for a rezoning from AG to SF-2 district for the following reasons: (1) the proposed SF-2 zoning is compatible with surrounding zoning, existing and anticipated uses as well as future growth trends in the area; (2) the proposal is in compliance with the Thoroughfare Plan; and (3) Public facilities are available to serve the subject property.

At their May 7, 2018 meeting, the Planning & Zoning Commission voted seven to zero to recommend approval of the rezoning to SF-2 with development/site plan per staff's recommendation.

The applicant, WBW Land Investments, requests rezoning of 91 +/- acres from Agricultural zoning district to Single Family Two zoning district to develop the property into a single family residential subdivision. The property borders two streets designated as collectors, North 42nd Street and Lavendusky Drive, as well as having 1250 feet of frontage along the west side of the Northeast H K Dodgen Loop, designated as an Expressway. An adjacent older subdivision, across North 42nd Street to the west, is also zoned AG and consists of partially developed one-half to one acre lots.

TXDOT has not provided input relative to driveway access. Discussions may be on-going regarding future subdivision access directly to Loop 363. Details on access and street

connections will be a part of the platting process of the subdivision.

The SF-2 designation is appropriate for a medium density residential subdivision. The subject property is in the Temple Independent School District and is across Lavendusky Drive from Hector P Garcia elementary school.

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

The subject property has the Future Land Use Map designation of Suburban Commercial designation due to its proximity to the Loop. Its location in East Temple as a new green field housing development location is partially compatible with this FLUP as a suburban character to the area would be manifested through new housing activity. And this portion of the city would benefit from having new housing choices.

The subject property takes access from Loop 363, an expressway and North 42nd Street and Lavendusky Drive, both collector streets. No Transportation Capital Improvement Program improvements are identified for the area.

Sewer is available at the southwest corner of the property at the intersection of Lavendusky Drive and North 42nd Street. Water is available through an eight inch waterline on the southern boundary of Lavendusky Drive and a portion of the property frontage on North 42nd Street.

No proposed trails are shown on the Trails Master Plan and no sidewalks are required.

Mrs. Barrett stated the development regulations and that SF-2 zoning does not allow commercial, restaurant, hospitality or business uses, although there are a few other uses allowed other than single family detached homes. Prohibited uses include HUD-Code manufactured homes and land lease communities, most commercial uses and industrial uses.

There were 23 notices sent to property owners within 200-feet of the subject property containing notice of the public hearing as required by State law and City Ordinance. One notice was received in agreement; five notices were received in disagreement and one was received undeliverable.

Mayor Davis declared the public hearing open with regards to agenda item 12, and asked if anyone wished to address this item.

Mr. Kosel spoke with regards to having duplexes as part of he proposal.

Ms. Myers explained that duplexes are not part of this proposal.

There being no further comments, Mayor Davis declared the public hearing closed.

Motion by Councilmember Judy Morales to adopt ordinance as presented, with second and final reading on June 21, 2018, seconded by Councilmember Mike Pilkington.

Motion passed unanimously.

13. 2018-4921: FIRST READING – PUBLIC HEARING – FY-18-3-SITE: Consider adopting an ordinance amending Ordinance No. 2011-4422 to attach a site plan showing a three suite retail building consisting of 3,708 square feet of retail space on Lot 1, Block 1, Stonegate, Phase III subdivision, addressed as 5075 South 31st Street.

Mark Baker, Senior City Planner, provided a presentation to Council. He stated that while the above referenced conditions of Ordinance 2011-4422 are still in effect, staff recommends approval to amend Ordinance 2011-4422 with the following additional Development/ Site Plan conditions: (1) that the Director of Planning, with consultation as needed by the Design Review Committee, may be authorized to approve minor changes to the Development/ Site Plan which include but not limited to: drainage considerations, overall lot layout, outdoor seating area, landscaping, exterior building elevations/ materials, parking configuration, buffering and screening materials, in compliance with minimum UDC development standards; and (2) that the concrete parking bump-out adjacent to the donut shop is fenced and converted to outdoor seating space.

Mr. Baker stated that at their May 7, 2018 meeting, the Planning & Zoning Commission voted seven to zero to recommend approval to amend Ordinance 2011-4422 to attach the development/ site plan as proposed, per staff's recommendation.

The applicant, MRB Group, on behalf of owners Sokna San &

Khengneng Chiv, requests development site plan approval, as required by the most recent PD ordinance (Ordinance 2011-4422) approved by City Council on February 3, 2011, included the 0.57 +/- acre, Lot, 1 Block 1 of Stonegate III.

As part of a larger Planned Development-zoned property for the Stonegate III development, Ordinance 2006-4090 was initially adopted with Lot 1, Block 1 zoned as Planned-Development General Retail. This was amended by Ordinance 2007-4140 rezoning the subject property to Planned Development-Neighborhood Service. Ordinance 2011-4422, expanded the boundaries of the PD-NS portion by approximately 27.50 feet to the south. The following conditions are relevant to Lot 1, Block 1 identified by originating Ordinance as follows:

(1) Per Ordinance 2006-4090, 10 feet side and rear building setback lines are required where common boundary line meets a residential district. 10 feet side street building setback lines are required adjacent to a street. No front building setback line is required, except that no structure may be nearer than 30 feet to the centerline of any street on which such structure fronts;

(2) Per Ordinance 2007-4140, PD-NS areas shall be developed to the standards shown in the Planned Development District Site Plan, below is list of following notes on Exhibit B:

(a) Zoning of PD-NS requested;

(b) Landscaping areas to be equal 5% of the lot area utilized;

(c) Parking scheduled is based on total floor area of building. Parking area to provide one parking space per 250 Sq. ft. of total building floor area.

(d) Fencing to buffer PD-NS lots from PD-2F and PD-SF-1 zoned lots. Proposed fencing to be stone columns with wood fencing between. Allowance shall be allowed in the building permit process for detailed drive aisle and fire lane widths, drive approach standards, turning radii for emergency vehicles and landscape/ irrigation plans (inclusive of landscape areas shown on plan along east side of fence on Lot 1, Block 1); and

(3) Per Ordinance 2007-4140, TXU electric delivery requests a 15-foot rear yard setback for construction on the PD-NS area for the proposed Lot 1, Block 1 to accommodate future overhead facilities.

It should be noted that Exhibit B to Ordinance 2011-4422 is identical to that of the preceding Ordinance 2007-4140. The current request will effectively change the adopted site plan configuration with a new exhibit attached to the new rezoning ordinance if approved by City Council.

Mr. Baker summarized the project in more detail as follows:

It should be noted that while this is not the same site plan that

the Planning & Zoning Commission reviewed, this revised site plan shifted the building footprint approximately 30 feet closer to South 31st Street. No other changes or new issues have been identified by this shift.

The site plan reflects development of Lot 1, Block 1 of the Stonegate, Phase III subdivision plat. The site plan shows a 3,708 square foot, three suite building footprint on the approximately 0.57 +/- acre lot. Access will be taken from two driveways along H.K. Allen Parkway. Traffic may enter from either driveway and allowed to circulate around the building with a drive-through lane and pickup window located on the north side of the building.

The placement of the proposed building has been rotated 90 degrees clockwise, relative to the adopted site plan, (See Ordinance 2011-4422, Exhibit B), coupled with a proposed second driveway along H.K. Allen Parkway, necessitates amendment to the current ordinance. The street side of the building is setback approximately 15-feet from the property line, which exceeds the minimum 10-foot street corner side yard setback required by UDC Section 4.6 and is acceptable.

While this property is not in the I-35 Corridor Overlay, per UDC Section 6.7.9D.2g, restaurants with drive-through facilities in the overlay are required to provide a minimum 150 square feet of outdoor seating area. This is also similar in nature to the PD requirement in "The District", located at South 31st Street & Scott Boulevard. Staff believes an outdoor seating area would create a more pedestrian-friendly environment while benefitting this development and the neighborhood.

Staff has met with the applicant and has discussed this opportunity for an outdoor seating area adjacent to the drive-through lane. The concrete parking bump-out is reflected on the site plan. An example of this seating area may be observed with the Starbucks located at the southwest corner of Loop 363 and South 31st Street. Condition #2 is proposed to accommodate this opportunity.

Ideally the outdoor seating area with a fence enclosure is desirable, however if outdoor seating is not provided, at least the concrete strip adjacent to the proposed drive-through should be landscaped with a tree and shrubs, grass or groundcover.

The subject property is within a larger 142 lot, six block subdivision plat named Stonegate, Phase III (P-FY-2007-01) which was recorded by Bell County on August 21, 2007.

The DRC reviewed the Development/ Site Plan on April 23, 2018. Drainage and site plan layout was discussed. Additional discussion regarding drainage can be found later in this report.

A combination of stone and stucco is proposed for exterior elevations in the following ratios:

Front (West Elevation): Stucco (87%) / Stone (13%)

Sides (North & South): Stucco (75%) / Stone (25%)

Rear (East): Stucco (100%)

Eight-foot high cantilevered canopies will be extended away from the wall at public entrances and windows of the front of each suite as well as drive-up window on the north side of the building. Per Ordinance 2007-4140, parking is required at the rate of one space per 250 square feet of building floor area. Based on 3,708 square feet of building floor area, 14.8 parking spaces is required and 24 parking stalls are proposed. The parking area includes provisions for Americans with Disabilities Act as well as the requirements in UDC Section 7.5 for maneuvering and circulation within parking areas. Compliance to both will be determined with the review of the Building plans.

The site plan shows a single dumpster location for trash collection for the three suites on the northeast portion of the property. Landscaping and the required fence will screen and buffer the dumpster from the residential use toward the east. The dumpster enclosure will be required to comply with UDC Section 7.7.6 regarding refuse containers as well as meet the specifications of the Design and Development Standards manual.

Site landscaping consists of proposed trees, shrubs and turf and existing grass. Trees are shown to be provided along the South 31st Street and H.K. Allen Parkway street frontages as well as along the eastern property line adjacent to the proposed eight foot high solid wood privacy fence. While specific species have not been identified by the Landscape Plan, Staff will require flexibility at the time of building plan review to evaluate suitable species, locations or relocations, if necessary. A condition to address this flexibility is proposed. While per UDC Section 7.4, a minimum 5% of site landscaping is required, the site plan shows 22% landscaping is provided.

Screening and buffering will be provided by a fence with stone columns and wood slats in between as required by Ordinance 2011-4422. A 10-foot landscape strip on the eastern side of the property along with a wood fence with stone columns has been provided and collectively will provide additional buffering and screening which exceed minimum buffering and screening

standards as provided for by UDC Section 7.7 as well as is required by Ordinance 2011-4422. The shifting of the building footprint has increased the buffer distance and the building is approximately 75 feet from the eastern property line.

Signage is reviewed under a separate permit application and is not part of the site plan review.

The subject property is currently undeveloped. As discussed earlier, provisions for drainage and utilities been discussed between Public Works and the applicant's engineer and preliminary documents have been reviewed by Public Works. A building permit cannot be issued until drainage and utilities have been adequately addressed, which will be finalized with the review of the Construction drawings. Final drainage considerations may require minor changes to the site plan or overall layout.

Sewer is available from an existing eight inch sewer line within a 15-foot easement on the east side of the property. Water is available through an eight inch water line in H.K. Allen Parkway as well as an eight inch water line in South 31st Street.

Mr. Baker reminded Council that the access will be provided from two driveway cuts along H.K. Allen Parkway. No access is proposed along South 31st Street (FM 1741), which is TxDOT right-of-way.

Twelve notices to property owners within 200-feet of the subject property were sent notice of the public hearing as required by State law and City Ordinance. One notice in disagreement and two notices in agreement have been received.

Mayor Davis declared the public hearing open with regards to agenda item 13, and asked if anyone wished to address this item. There being none, Mayor Davis declared the public hearing closed.

Motion by Councilmember Jessica Walker to adopt ordinance as presented, with second and final reading on June 21, 2018, seconded by Councilmember Judy Morales.

Motion passed unanimously.

Timothy A. Davis, Mayor

ATTEST:

Lacy Borgeson
City Secretary



COUNCIL AGENDA ITEM MEMORANDUM

06/21/18
Item #6(B)
Consent Agenda
Page 1 of 4

DEPT./DIVISION SUBMISSION & REVIEW:

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

ITEM DESCRIPTION: Consider adopting a resolution authorizing the purchase of 15 vehicles from the following vendors in the total amount of \$440,874:

- Nine vehicles from Randall Reed's Prestige Ford of Garland in the amount of \$232,265;
- One vehicle from Four Stars Chevrolet of Fort Worth in the amount of \$43,525; and
- Five vehicles from Four Stars Ford of Jacksboro in the amount of \$165,084.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: Approval of these vehicle purchases will allow replacement of 14 older City vehicles as well as the addition of one vehicle to the City vehicle fleet.

On June 7, 2018, four vendors submitted pricing on nine independent vehicle bids.

Staff recommends award of the following four bids (nine vehicles) to **Randall Reed's Prestige Ford.** Randall Reed's Prestige Ford took no exception to the vehicle specifications.

Bid Tabulation #A – 5-Passenger Midsize Sedan (Ford Fusion SE):

Bid Tab #	Description	Qty	Account	Project #	Budget	Recommended Bid
A	Police (replaces asset #12783)	1	110-5900-521-6213	101690	\$23,000	\$19,400
Subtotal for 5-Passenger Midsize Sedan					\$23,000	\$19,400

Bid Tabulation #B – 1/2-Ton Light Duty 4x2 Full Size Pickup (Ford F150):

Bid Tab #	Description	Qty	Account	Project #	Budget	Recommended Bid
B	Animal Control (replaces asset #12134)	1	110-5921-529-6213	101652	\$31,000	\$25,455
B	Permitting/Construction Safety (replaces asset #12573)	1	110-5947-519-6213	101670	\$32,000	\$27,810
B	Parks (replaces asset #11625)	1	110-5935-552-6213	101678	\$30,000	\$27,810
B	Parks (replaces asset #12570)	1	110-5935-552-6213	101681	\$27,975	\$27,810
B	Metering (new fleet addition for C&D Technician)	1	520-5300-535-6213	101705	\$28,000	\$27,810
B	Water Distribution (replaces asset # 11925)	1	520-5200-535-6213	101706	\$32,000	\$27,810
Subtotal for six 1/2-Ton Light Duty 4x2 Full Size Pickups					\$180,975	\$164,505

Bid Tabulation #C – 1/2-Ton Light Duty 4x4 Full-Size Extended Cab Pickup (Ford F150):

Bid Tab #	Description	Qty	Account	Project #	Budget	Recommended Bid
C	Engineering (replaces asset #12571)	1	110-5900-533-6213	101655	\$40,000	\$30,960
Subtotal for 1/2-Ton Light Duty 4x4 Full-Size Extended Cab Pickup					\$40,000	\$30,960

Bid Tabulation #I – Economy Sedan

Bid Tab #	Description	Qty	Account	Project #	Budget	Recommended Bid
I	Transform Temple (replaces asset #12137)	1	110-5960-513-6213	101668	\$18,500	\$17,400
Subtotal for Economy Sedan					\$18,500	\$17,400

Staff recommends award of the following one bid (one vehicle) to **Four Stars Chevrolet**. The only exceptions taken by Four Stars Chevrolet relates to the engine size being 6.0L versus the specified 6.2L and the audio package configuration, of which both exceptions are deemed acceptable by Staff as they will not impact the overall efficiency of the vehicle.

Bid Tabulation #E – ¾-Ton Light Duty Extended Cab Pickup/Bed Delete with Utility Body

Bid Tab #	Description	Qty	Account	Project #	Budget	Recommended Bid
E	Parks (replaces asset #12192)	1	110-5935-552-6213	101679	\$43,525	\$43,525
Subtotal for ¾-Ton Light Duty Ext Cab Pickup/Bed Delete with Utility Body					\$43,525	\$43,525

Staff recommends award of the following four bids (five vehicles) to **Four Stars Ford**. The only exceptions taken by Four Stars Ford relate to the standard audio package configuration and the fuel economy of the 4x4 truck, both exceptions of which are acceptable to Staff.

Bid Tabulation #D – 1/2-Ton Light Duty 4x2 Full-Size Crew Cab Pickup (Ford F150):

Bid Tab #	Description	Qty	Account	Project #	Budget	Recommended Bid
D	Facility Services (replaces asset #12342,12786)	1	110-5924-519-6213	101658	\$33,000	\$27,544
Subtotal for 1/2-Ton Light Duty 4x2 Full-Size Crew Cab Pickup					\$33,000	\$27,544

Bid Tabulation #F – ½-Ton Light Duty 4x4 Full-Size Crew Cab Pickup (Ford F150):

Bid Tab #	Description	Qty	Account	Project #	Budget	Recommended Bid
F	Fire (replaces asset #12113)	1	110-5900-522-6213	101663	\$35,000	\$30,562
Subtotal for 1/2-Ton Light Duty Full-Size Economy Pickup					\$35,000	\$30,562

Bid Tabulation #G – ¾-Ton Light Duty 4x2 Full-Size Pickup (Ford F250):

Bid Tab #	Description	Qty	Account	Project #	Budget	Recommended Bid
G	Police (replaces asset #13406)	1	110-5900-521-6213	101689	\$30,000	\$25,052
Subtotal for 1/2-Ton Light Duty Full-Size Economy Pickup					\$30,000	\$25,052

Bid Tabulation #H – 1-Ton Reg Cab & Chassis 4x2, Dual Rear Wheels w/ Utility Body (Ford F350):

Bid Tab #	Description	Qty	Account	Project #	Budget	Recommended Bid
H	Water Treatment (replaces asset 12274)	1	520-5100-535-6213	101708	\$46,000	\$40,963
H	Water Treatment (replaces asset 12275)	1	520-5100-535-6213	101709	\$46,000	\$40,963
Subtotal for 1-Ton Reg Cab and Chassis 4x2, Dual Rear Wheels w/ Util Body					\$92,000	\$81,926

SUSTAINABILITY IMPACT: The vehicles scheduled for replacement have been evaluated to ensure the most sustainable and fuel efficient vehicles that meet the needs of each department are being purchased. The evaluation for the vehicles were focused on right-sizing the vehicles and fuel options. The vehicles provided have been right-sized for the intended use, have a high MPG and utilize the best fuel option for current costs and availability.

FISCAL IMPACT: Funding for the purchase of the 15 vehicles identified above in the amount of \$440,874 is included in the adopted FY 2018 Budget in the accounts as defined in the Item Summary above. Funding is appropriated for the purchase of the 15 vehicles as follows:

Description	Project #	Account #	Project Budget	Vehicle Amount	Remaining Project Funds
Chevrolet 2500 HD - Parks (Replaces Asset #12192)	101679	110-5935-552-6213	\$ 43,525	\$ (43,525)	\$ -
Four Stars Chevrolet Total			43,525	(43,525)	-
Ford F150 - Facility Services (Replaces Asset #12342,12786)	101658	110-5924-519-6213	33,000	(27,544)	5,456
Ford F150 - Fire (Replaces Asset #12113)	101663	110-5900-522-6213	35,000	(30,562)	4,438
Ford F250 - Police (Replaces Asset #13406)	101689	110-5900-521-6213	30,000	(25,052)	4,948
Ford F350 - Water Treatment (Replaces Asset #12274)	101708	520-5100-535-6213	46,000	(40,963)	5,037
Ford F350 - Water Treatment (Replaces Asset #12275)	101709	520-5100-535-6213	46,000	(40,963)	5,037
Four Stars Ford Total			190,000	(165,084)	24,916
Ford Fusion SE - Police (Replaces Asset #12783)	101690	110-5900-521-6213	23,000	(19,400)	3,600
Ford F150 - Animal Control (Replaces Asset #12134)	101652	110-5921-529-6213	31,000	(25,455)	5,545
Ford F150 - Inspections/Permits (Replaces Asset #12573)	101670	110-5947-519-6213	32,000	(27,810)	4,190
Ford F150 - Parks (Replaces Asset #11625)	101678	110-5935-552-6213	30,000	(27,810)	2,190
Ford F150 - Parks (Replaces Asset #12570)	101681	110-5935-552-6213	27,975	(27,810)	165
Ford F150 - Metering (Addition to Fleet)	101705	520-5300-535-6213	28,000	(27,810)	190
Ford F150 - Water (Replaces Asset #11925)	101706	520-5200-535-6213	32,000	(27,810)	4,190
Ford F150 - Engineering (Replaces Asset #12571)	101655	110-5900-533-6213	40,000	(30,960)	9,040
Ford Focus - Transform Temple (Replaces Asset #101668)	101668	110-5960-513-6213	18,500	(17,400)	1,100
Randall Reed's Prestige Ford Total			262,475	(232,265)	30,210
Grand Total			\$ 496,000	\$ (440,874)	\$ 55,126

ATTACHMENTS:

[Bid Tabulations A thru I \(9\)](#)
[Resolution](#)

Bid "A" Tabulation

**Tabulation of Bids Received
on June 7, 2018 at 2:00 p.m.
One (1) 5- Passenger Midsize Sedan
Bid# 13-11-18**

		John Eagle Sport City Toyota Dallas, TX	Four Stars Chevrolet Ft. Worth, TX	Four Stars Ford Jacksboro, TX	Randall Reed's Prestige Ford Garland, TX
Description	Qty	Total Price	Total Price	Total Price	Total Price
Total Bid Price	1	\$22,300.00	\$23,118.00	\$20,200.00	\$19,400.00
Base Bid Price		\$22,300.00	\$23,118.00	\$20,200.00	\$19,400.00
Make & Model		Toyota Camry LE	Chevrolet Impala LS IGX69	Ford Fusion S	Ford Fusion SE
Delivery within 90 Days		Yes	Yes	No	Yes
Exceptions		Yes	Yes	No	No
Local Preference		No	No	No	No
Credit Check Authorization		Yes	Yes	Yes	Yes

Recommended for Council Award

Bid "B" Tabulation

**Tabulation of Bids Received
on June 7, 2018 at 2:00 p.m.
Six (6) 1/2 Ton Light Duty 4x2 Full Size Pickups
Bid# 13-11-18**

		John Eagle Sports City Toyota Dallas, TX		Four Stars Chevrolet Ft. Worth, TX		Four Stars Ford Jacksboro, TX		Randall Reed's Prestige Ford Garland, TX	
Description	Qty	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
Total Bid Price	6	\$30,980.00	\$185,880.00	\$23,311.00	\$139,866.00	\$24,800.00	\$148,800.00	\$24,650.00	\$147,900.00
Light Bar	5	No Bid	No Bid	\$1,950.00	\$9,750.00	\$2,800.00	\$14,000.00	\$1,390.00	\$6,950.00
Spray-On Bed Liner	6	\$398.00	\$2,388.00	\$425.00	\$2,550.00	\$350.00	\$2,100.00	\$450.00	\$2,700.00
Back-Up Alarm	6	No Bid	No Bid	\$125.00	\$750.00	\$124.00	\$744.00	\$115.00	\$690.00
Headache Rack	5	No Bid	No Bid	\$525.00	\$2,625.00	\$300.00	\$1,500.00	\$340.00	\$1,700.00
Toolbox	5	No Bid	No Bid	\$650.00	\$3,250.00	\$600.00	\$3,000.00	\$625.00	\$3,125.00
Full Length Entry Steps - Each Side	6	No Bid	No Bid	\$485.00	\$2,910.00	\$245.00	\$1,470.00	\$240.00	\$1,440.00
CNG Propane Package		No Bid	No Bid	No Bid	No Bid	\$315.00	\$0.00	\$295.00	\$0.00
CNG Bi-Fuel System Upgrade		No Bid	No Bid	No Bid	No Bid	\$12,700.00	\$0.00	\$9,700 - \$10,600	\$0.00
Propane Bi-Fuel System Upgrade		No Bid	No Bid	No Bid	No Bid	\$9,700.00	\$0.00	\$10,900.00	\$0.00
Base Bid Price + Desired Aftermarket Add Alternate Options:		\$188,268.00		\$161,701.00		\$171,614.00		\$164,505.00	
Unsolicited Aftermarket Add Alternate Options Offered by Vendor						Class IV Hitch \$95 Trailer Tow Package \$360			
Make & Model		Toyota 5.7 Double Cab		2018 Chevrolet 1500 Silverado CC15903		Ford F150 (FIC)		2018 Ford F150	
Delivery within 90 Days		Yes		Yes		No		Yes	
Exceptions		Yes (Did not bid on all desired options)		Yes (30hp less than spec)		No		No	
Local Preference		No		No		No		No	
Credit Check Authorization		Yes		Yes		Yes		Yes	

Recommended for Council Award

Low bid, however vehicle did not meet specifications

Bid "C" Tabulation

**Tabulation of Bids Received
on June 07, 2018 at 2:00 p.m.
One (1) 1/2 - Ton Light Duty 4x4 Full-Size Extended Cab Pickup
Bid# 13-11-18**

		John Eagle Sports City Toyota Dallas, TX	Four Stars Chevrolet Ft. Worth, TX	Four Stars Ford Jacksboro, TX	Randall Reed's Prestige Ford Garland, TX
Description	Qty	Total Price	Total Price	Total Price	Total Price
Total Bid Price	1	\$32,600.00	\$26,731.00	\$27,800.00	\$27,750.00
Light Bar		No Bid	\$1,950.00	\$2,800.00	\$1,390.00
Spray-On Bed Liner		\$389.00	\$425.00	\$350.00	\$450.00
Back-Up Alarm		No Bid	\$120.00	\$124.00	\$115.00
Headache Rack		No Bid	\$525.00	\$300.00	\$340.00
Toolbox		No Bid	\$650.00	\$650.00	\$625.00
Full Length Entry Steps - Each Side		No Bid	\$440.00	\$245.00	\$290.00
CNG Propane Package		No Bid	No Bid	\$315.00	\$295.00
CNG Bi-Fuel System Upgrade		No Bid	No Bid	\$12,700.00	\$9,700 - \$10,600
Propane Bi-Fuel System Upgrade		No Bid	No Bid	\$9,700.00	\$10,900 - \$11,400
Unsolicited Aftermarket Add Alternate Options Offered by Vendor				Trailer Tow Package \$360.00	
Base Bid Price + Desired Aftermarket Add Alternate Options		\$32,989.00	\$30,841.00	\$32,269.00	\$30,960.00
Make & Model		Toyota Tundra	Chevrolet 1500 Silverado Double Cab	Ford F150 (XIE)	2018 Ford F150
Delivery within 90 Days		Yes	Yes	No	Yes
Exceptions		Yes	Yes (30hp less than spec)	Yes	No
Local Preference		No	No	No	No
Credit Check Authorization		Yes	Yes	Yes	Yes

Recommended for Council Award

Low bid, however vehicle did not meet specifications

Bid "D" Tabulation

**Tabulation of Bids Received
on June 7, 2018 at 2:00 p.m.
One (1) 1/2 Ton Light Duty 4x2 Full-Size Crew Cab Pickup
Bid# 13-11-18**

		John Eagle Sports City Toyota Dallas, TX	Four Stars Chevrolet Ft. Worth, TX	Four Stars Ford Jacksboro, TX	Randall Reed's Prestige Ford Garland, TX
Description	Qty	Total Price	Total Price	Total Price	Total Price
Total Bid Price	1	No Bid	No Bid	\$26,825.00	\$26,930.00
Light Bar		No Bid	\$1,950.00	\$2,800.00	\$1,390.00
Spray-On Bed Liner		No Bid	\$425.00	\$350.00	\$450.00
Back-Up Alarm		No Bid	\$125.00	\$124.00	\$30.00
Headache Rack		No Bid	\$525.00	\$300.00	\$340.00
Toolbox		No Bid	\$650.00	\$600.00	\$625.00
Full Length Entry Steps - Each Side		No Bid	\$485.00	\$245.00	\$290.00
CNG Propane Package		No Bid	No Bid	\$315.00	\$295.00
CNG Bi-Fuel System Upgrade		No Bid	No Bid	\$12,700.00	\$9,700 - \$10,600
Propane Bi-Fuel System Upgrade		No Bid	No Bid	\$9,700.00	\$10,900 - \$11,400
Base Bid Price + Desired Aftermarket Add Alternate Options		No Bid	No Bid (Base Bid Price left blank)	\$27,544.00	\$27,700.00
Unsolicited Aftermarket Add Alternate Options Offered by Vendor				Trailer Tow Package \$380.00	
Make & Model		Toyota Tundra	2018 Chevy Silverado CCI5743	Ford F150 (WIC)	2018 Ford F150
Delivery within 90 Days		Yes	Yes	No	Yes
Exceptions		Yes	Yes	No	No
Local Preference		No	No	No	No
Credit Check Authorization		Yes	Yes	Yes	Yes

Recommended for Council Award

Bid "E" Tabulation

Tabulation of Bids Received on June 7, 2018 at 2:00 p.m.

One (1) 3/4-Ton Light Duty Extended Cab Pickup / Bed Delete with Utility Body Bid# 13-11-18

		John Eagle Sports City Toyota Dallas, TX	Four Stars Chevrolet Ft. Worth, TX	Four Stars Ford Jacksboro, TX	Randall Reed's Prestige Ford Garland, TX
Description	Qty	Total Price	Total Price	Total Price	Total Price
Total Bid Price	1	No Bid	\$38,425.00	\$46,670.00	\$39,200.00
Light Bar		No Bid	\$1,950.00	\$2,800.00	\$2,100.00
Back-Up Alarm		No Bid	\$125.00	\$139.00	\$130.00
Full Length Entry Steps - Each Side		No Bid	\$275.00	\$440.00	\$300.00
CNG Propane Package		No Bid	No Bid	\$310.00	\$290.00
CNG Bi-Fuel System Upgrade		No Bid	No Bid	\$12,800.00	\$9,800 - \$10,900
Propane Bi-Fuel System Upgrade		No Bid	No Bid	\$10,800.00	\$9,960 - \$10,900
Hydraulic Utility Body Lift Gate		No Bid	\$2,750.00	\$2,800.00	\$2,790.00
Base Bid Price + Desired Aftermarket Add Alternate Options		No Bid	\$43,525.00	\$52,849.00	\$44,520.00
Make & Model		No Bid	2019 Chevy 2500HD CC25953	Ford F250 (X2A)	2019 Ford 250 3/4 Ton Super Cab
Delivery within 120 Days		Yes	Yes	No	Yes
Exceptions		Yes	Yes-6.0Lvs 6.2L; radio-both acceptable	Yes	No
Local Preference		No	No	No	No
Credit Check Authorization		Yes	Yes	Yes	Yes

Recommended for Council Award

Bid "F" Tabulation

**Tabulation of Bids Received
on June 7, 2018 at 2:00 p.m.
One (1) 1/2-Ton Light Duty 4x4 Full-Size Crew Cab Pickup
Bid# 13-11-18**

		John Eagle Sports City Toyota Dallas, TX	Four Stars Chevrolet Ft. Worth, TX	Four Stars Ford Jacksboro, TX	Randall Reed's Prestige Ford Garland, TX
Description	Qty	Total Price	Total Price	Total Price	Total Price
Total Bid Price	1	\$34,985.00	\$29,757.00	\$29,770.00	\$30,600.00
Back-Up Alarm		No Bid	\$125.00	\$122.00	\$115.00
Full Length Entry Steps - Each Side		No Bid	\$485.00	\$245.00	\$260.00
Base Bid Price + Desired Aftermarket Add Alternate Options		\$34,985.00	\$30,367.00	\$30,137.00	\$30,975.00
Unsolicited Aftermarket Add Alternate Options Offered by Vendor				Trailer Tow Package \$425	
Recommended Vehicle Award				\$30,562.00	
Make & Model		Toyota Tundra	2018 Chevrolet 1500 Silverado CK15743	Ford F150 (WIC)	2018 Ford F150 (1/2 Ton) Crew 4x4
Delivery within 90 Days		Yes	Yes	No	Yes
Exceptions		Yes	Yes	Yes -fuel economy by 1 mpg; acceptable due to 4x4	No
Local Preference		No	No	No	No
Credit Check Authorization		Yes	Yes	Yes	Yes

Recommended for Council Award

Bid "G" Tabulation

**Tabulation of Bids Received
on June 07, 2018 at 2:00 p.m.
One (1) 3/4 - Ton Light Duty 4x2 Full-Size Pickup
Bid# 13-11-18**

		John Eagle Sports City Toyota Dallas, TX	Four Stars Chevrolet Ft. Worth, TX	Four Stars Ford Jacksboro, TX	Randall Reed's Prestige Ford Garland, TX
Description	Qty	Total Price	Total Price	Total Price	Total Price
Total Bid Price	1	No Bid	\$26,908.00	\$23,999.00	\$26,600.00
Light Bar		No Bid	\$2,875.00	\$2,800.00	\$1,390.00
Spray-On Bed Liner		No Bid	\$425.00	No Bid	\$450.00
Back-Up Alarm		No Bid	\$125.00	\$135.00	\$130.00
Headache Rack		No Bid	\$525.00	\$300.00	\$340.00
Toolbox		No Bid	\$650.00	\$600.00	\$625.00
Full Length Entry Steps - Each Side		No Bid	\$485.00	\$318.00	\$300.00
CNG Propane Package		No Bid	No Bid	\$315.00	\$289.00
CNG Bi-Fuel System Upgrade		No Bid	No Bid	\$12,700.00	No Bid
Propane Bi-Fuel System Upgrade		No Bid	No Bid	\$9,600.00	No Bid
Base Bid Price + Desired Aftermarket Add Alternate Options		No Bid	\$28,593.00	\$25,052.00	\$28,105.00
Make & Model			2018 Chevrolet 2500HD CC15903	Ford F250 (F2A)	2019 Ford F250 (3/4 Ton) Reg Cab
Delivery within 90 Days		Yes	Yes	No	Yes
Exceptions		Yes	Yes	Yes-radio pkg	No
Local Preference		No	No	No	No
Credit Check Authorization		Yes	Yes	Yes	Yes

Recommended for Council Award

Bid "G" Tabulation

**Tabulation of Bids Received
on June 07, 2018 at 2:00 p.m.
One (1) 3/4 - Ton Light Duty 4x2 Full-Size Pickup
Bid# 13-11-18**

		John Eagle Sports City Toyota Dallas, TX	Four Stars Chevrolet Ft. Worth, TX	Four Stars Ford Jacksboro, TX	Randall Reed's Prestige Ford Garland, TX
Description	Qty	Total Price	Total Price	Total Price	Total Price
Total Bid Price	1	No Bid	\$26,908.00	\$23,999.00	\$26,600.00
Light Bar		No Bid	\$2,875.00	\$2,800.00	\$1,390.00
Spray-On Bed Liner		No Bid	\$425.00	No Bid	\$450.00
Back-Up Alarm		No Bid	\$125.00	\$135.00	\$130.00
Headache Rack		No Bid	\$525.00	\$300.00	\$340.00
Toolbox		No Bid	\$650.00	\$600.00	\$625.00
Full Length Entry Steps - Each Side		No Bid	\$485.00	\$318.00	\$300.00
CNG Propane Package		No Bid	No Bid	\$315.00	\$289.00
CNG Bi-Fuel System Upgrade		No Bid	No Bid	\$12,700.00	No Bid
Propane Bi-Fuel System Upgrade		No Bid	No Bid	\$9,600.00	No Bid
Base Bid Price + Desired Aftermarket Add Alternate Options		No Bid	\$28,593.00	\$25,052.00	\$28,105.00
Make & Model			2018 Chevrolet 2500HD CC15903	Ford F250 (F2A)	2019 Ford F250 (3/4 Ton) Reg Cab
Delivery within 90 Days		Yes	Yes	No	Yes
Exceptions		Yes	Yes	Yes-radio pkg	No
Local Preference		No	No	No	No
Credit Check Authorization		Yes	Yes	Yes	Yes

Recommended for Council Award

Bid "H" Tabulation

**Tabulation of Bids Received
on June 7, 2018 at 2:00 p.m.
Two (2) 1-Ton Regular Cab and Chassis 4x2, Dual Rear Wheels with Utility Body
Bid# 13-11-18**

		John Eagle Sports City Toyota Dallas, TX		Four Stars Chevrolet Ft. Worth, TX		Four Stars Ford Jacksboro, TX		Randall Reed's Prestige Ford Garland, TX	
Description	Qty	Total Price		Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
Total Bid Price	2	No Bid	No Bid	\$39,431.00	\$78,862.00	\$37,845.00	\$75,690.00	\$38,800.00	\$77,600.00
Light Bar	2	No Bid	No Bid	\$1,950.00	\$3,900.00	\$2,800.00	\$5,600.00	\$2,100.00	\$4,200.00
Factory CNG / Propane Package		No Bid	No Bid	No Bid	No Bid	\$315.00	\$0.00	\$289.00	\$0.00
CNG or Propane Bi-Fuel Conversion		No Bid	No Bid	No Bid	No Bid	\$12,800.00	\$0.00	No Bid	No Bid
Full Length Entry Steps - Each Side	2	No Bid	No Bid	\$485.00	\$970.00	\$318.00	\$636.00	\$300.00	\$600.00
Base Bid Price + Desired Aftermarket Add Alternate Options		No Bid		\$83,732.00		\$81,926.00		\$82,400.00	
Make & Model				2019 Chevrolet 3500 HD		Ford F350 (F3G)		2019 Ford F350 (1 Ton) Reg Cab Chassis	
Delivery within 120 Days		Yes		Yes		No		Yes	
Exceptions		Yes		Yes		Yes-radio pkg		No	
Local Preference		No		No		No		No	
Credit Check Authorization		Yes		Yes		Yes		Yes	

Recommended for Council Award

Bid "I" Tabulation

**Tabulation of Bids Received
on June 7, 2018 at 2:00 p.m.
One (1) Economy Sedan
Bid# 13-11-18**

		John Eagle Sport City Toyota Dallas, TX	Four Stars Chevrolet Ft. Worth, TX	Four Stars Ford Jacksboro, TX	Randall Reed's Prestige Ford Garland, TX
Description	Qty	Total Price	Total Price	Total Price	Total Price
Total Bid Price	1	\$16,900.00	No Bid	No Bid	\$17,400.00
Base Bid Price		\$16,900.00	No Bid	No Bid	\$17,400.00
Make & Model		Toyota Yaris			Ford Focus Hatchback
Delivery within 90 Days		Yes	Yes	No	Yes
Exceptions		Yes (106hp less than spec)	Yes	No	No
Local Preference		No	No	No	No
Credit Check Authorization		Yes	Yes	Yes	Yes

Recommended for Council Award

Low bid, however vehicle did not meet specifications

RESOLUTION NO. 2018-9161-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE,
TEXAS, AUTHORIZING THE PURCHASE OF FIFTEEN VEHICLES FROM
MULTIPLE VENDORS, IN THE AMOUNT OF \$440,874; AND PROVIDING
AN OPEN MEETINGS CLAUSE.

Whereas, Staff recommends approval of the purchase of fifteen vehicles for the replacement of fourteen older City vehicles as well as the addition of one vehicle to the City vehicle fleet;

Whereas, on June 7, 2018, four vendors submitted bids for the purchase of fifteen vehicles and Staff recommends Council authorize the purchase of these vehicles from the following vendors:

- Randall Reed's Prestige Ford of Garland, Texas:
 - Police - One 5-Passenger Midsize Sedan (Ford Fusion SE), in the amount of \$19,400;
 - Animal Control - One ½ Ton Light Duty 4X2 Full Size Pickup (Ford F150), in the amount of \$25,455;
 - Permitting/Construction Safety – One ½ Ton Light Duty 4X2 Full Size Pickup (Ford F150), in the amount of \$27,810;
 - Parks - Two ½ Ton Light Duty 4X2 Full Size Pickups (Ford F150), in the amount of \$55,620;
 - Metering - One ½ Ton Light Duty 4X2 Full Size Pickup (Ford F150), in the amount of \$27,810;
 - Water Distribution - One ½ Ton Light Duty 4X2 Full Size Pickup (Ford F150), in the amount of \$27,810;
 - Engineering - One ½ Ton Light Duty 4X4 Full Size Extended Cab Pickup (Ford F150), in the amount of \$30,960;
 - Transform Temple – One Economy Sedan, in the amount of \$17,400;
- Four Stars Chevrolet of Fort Worth, Texas:
 - Parks - One ¾ Ton Light Duty Extended Cab Pickup/Bed Delete with Utility Body, in the amount of \$43,525;
- Four Stars Ford of Jacksboro, Texas:
 - Fire – One ½ Ton Light Duty 4X4 Full-Size Crew Cab Pickup (Ford F150), in the amount of \$30,562;
 - Police - One ¾ Ton Light Duty 4X2 Full Size Pickup (Ford F150), in the amount of \$25,052;
 - Water Treatment - Two One Ton Regular Cab & Chassis 4X2 Dual Rear Wheels with Utility Body (Ford F150), in the amount of \$81,926;
 - Facility Services - One ½ Ton Light Duty 4X2 Full Size Crew Cab Pickup (Ford F150), in the amount of \$27,544;

Whereas, the vehicles scheduled for replacement have been evaluated to ensure the most sustainable and fuel efficient vehicles that meet the needs of each department are being purchased – the evaluation for the vehicles were focused on right-sizing the vehicles and fuel options;

Whereas, the vehicles being purchased have been right-sized for the intended use, have a high Miles Per Gallon and utilize the best fuel option for current costs and availability;

Whereas, Staff recommends Council authorize the purchase of the fifteen vehicles listed above from the outlined vendors, in the amount of \$440,874;

Whereas, funding for the purchase of the above-outlined fifteen vehicles is included in the fiscal year 2018 budget and in the following account numbers:

Parks:	Account No. 110-5935-552-6213, Project No. 101679;
Fire:	Account No. 110-5900-522-6213, Project No. 101663;
Police:	Account No. 110-5900-521-6213, Project No. 101689;
Water Treatment:	Account No. 520-5100-535-6213, Project No. 101709;
Fire:	Account No. 110-5900-521-6213, Project No. 101690;
Animal Control:	Account No. 110-5921-529-6213, Project No. 101652;
Inspections/Permits:	Account No. 110-5947-519-6213, Project No. 101670;
Parks:	Account No. 110-5935-552-6213, Project No. 101678;
Parks:	Account No. 110-5935-552-6213, Project No. 101681;
Metering:	Account No. 520-5300-535-6213, Project No. 101705;
Water:	Account No. 520-5200-535-6213, Project No. 101706;
Engineering:	Account No. 110-5900-533-6213, Project No. 101655;
Facility Services:	Account No. 110-5924-519-6213, Project No. 101658;
Transform Temple:	Account No. 110-5960-513-6213, Project No. 101668; 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 fifteen vehicles as outlined above, in the amount of \$440,874 from Randall Reed's Prestige Ford of Garland, Texas, Four Stars Chevrolet of Fort Worth, Texas, and Four Stars Ford of Jacksboro, Texas.

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

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

PASSED AND APPROVED this the **21st** day of **June**, 2018.

THE CITY OF TEMPLE, TEXAS

TIMOTHY A. DAVIS, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

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DEPT./DIVISION SUBMISSION & REVIEW:

Kirk Scopac, Fleet Services Director
Kenny Henderson, Transportation Director

ITEM DESCRIPTION: Consider adopting a resolution authorizing the purchase of a forklift in the amount of \$32,106.09 and a skid steer in the amount of \$47,675.67 from Associated Supply Company, Inc. of Lubbock.

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

ITEM SUMMARY: The Solid Waste Recycling Center operates two forklifts and two skid steers to sort and transport aluminum cans, plastics, paper and cardboard at the facility. This purchase will replace one 1996 forklift and one 2005 skid steer that are currently leased.

Staff is recommending the purchase of a Doosan D20S-7 Diesel Forklift with a 4,000-pound capacity for \$32,106.09 and a Case SR210 skid steer in the amount of \$47,675.67 from Associated Supply Company, Inc. The proposed purchase for each piece of equipment includes a three year/3,000 hour planned maintenance plan.

ASCO has been awarded contract #515-16 by BuyBoard, which Staff is recommending the purchase of these two pieces of equipment under. Contracts awarded through BuyBoard have been competitively procured and meet the statutory procurement requirements for Texas municipalities.

FISCAL IMPACT: Funding for the purchase of a forklift in the amount of \$32,106.09 and a skid steer in the amount of \$47,675.67 from Associated Supply Company, Inc. is available in account 110-5900-540-6222 as follows:

	Fork Lift 101858	Skid Steer 101857	Total
Project Budget	\$ 32,107	\$ 50,342	\$ 82,449
Encumbered/Committed to Date	-	-	-
Associated Supply Company, Inc.	(32,107)	(47,676)	(79,783)
Remaining Project Funds	\$ -	\$ 2,666	\$ 2,666

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. 2018-9162-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE PURCHASE OF A FORKLIFT AND SKID STEER FROM ASSOCIATED SUPPLY COMPANY IN THE COMBINED AMOUNT OF \$79,781.76; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the Solid Waste Recycling Center operates two forklifts and two skid steers to sort and transport aluminum cans, plastics, paper and cardboard at the facility - this purchase will replace one 1996 forklift and one 2005 skid steer that are currently leased by the City;

Whereas, Associated Supply Company (ASCO) has been awarded Contract No. 515-16 through the BuyBoard Local Government Online Purchasing Cooperative, which Staff is recommending the purchase of these two pieces of equipment under;

Whereas, contracts awarded through BuyBoard have been competitively procured and meet the statutory procurement requirements for Texas municipalities;

Whereas, Staff recommends Council authorize the purchase of one Doosan D20S-7 Diesel Forklift with a 4,000-pound capacity in the amount of \$32,106.09, and one Case SR210 skid steer in the amount of \$47,675.67 from ASCO - the proposed purchase for each piece of equipment includes a 3-year/3,000 hour planned maintenance plan;

Whereas, funds are available for this purchase in Account No. 110-5900-540-6222, Project No. 101858 and Project No. 101857; 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 a one Doosan D20S-7 Diesel Forklift with a 4,000-pound capacity in the amount of \$32,106.09, and one Case SR210 skid steer in the amount of \$47,675.67 from Associated Supply Company, utilizing the BuyBoard Local Government Online Purchasing Cooperative Contract No. 515-16.

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

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

PASSED AND APPROVED this the **21st** day of **June**, 2018.

THE CITY OF TEMPLE, TEXAS

TIMOTHY A. DAVIS, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

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DEPT./DIVISION SUBMISSION & REVIEW:

Kayla Landeros, City Attorney
Christina Demirs, Deputy City Attorney

ITEM DESCRIPTION: Consider adopting a resolution authorizing the purchase of a temporary construction easement necessary for the construction of Phase 4 of the Bird Creek Interceptor project in an amount not to exceed \$2,753.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The City is currently in the design phase for Phase 4 of the proposed Bird Creek Interceptor project. The design requires the acquisition of temporary construction easements and permanent easements for wastewater utilities from fourteen properties. Appraisals have been performed and offers have been made to all property owners. Easements from nine of the properties have been acquired. Staff, through Lone Star Right of Way Services, Inc., continues to negotiate with the remaining property owners.

Staff, through Lone Star, has reached an agreement with one property owner for a temporary construction easement. A permanent easement is not required on this property. Since this easement is temporary and expires upon completion of the project, the easement is not recorded. Therefore, a traditional closing is not required and no closing costs are associated with this purchase. Staff is asking for authorization to purchase the necessary easement in an amount not to exceed \$2,753.00.

The address of this property is Midway Drive, Temple, Texas; Bell CAD ID 41172.

FISCAL IMPACT: Funding for the purchase of a temporary construction easement necessary for the construction of Phase 4 of the Bird Creek Interceptor project in an amount not to exceed \$2,753 is available in account 520-5900-535-6110, project 101213.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. 2018-9163-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE PURCHASE OF A TEMPORARY CONSTRUCTION EASEMENT NECESSARY FOR THE CONSTRUCTION OF PHASE 4 OF THE BIRD CREEK INTERCEPTOR PROJECT IN AN AMOUNT NOT TO EXCEED \$2,753; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the City is currently in the design phase for Phase 4 of the proposed Bird Creek Interceptor project which requires the acquisition of temporary construction easements and permanent easements for wastewater utilities from fourteen properties;

Whereas, appraisals have been performed and offers have been made to all property owners, and easements from nine of the properties have been acquired;

Whereas, Staff, through Lone Star Right of Way Services, Inc., continues to negotiate with the remaining property owners and has reached an agreement with one property owner for a temporary construction easement;

Whereas, a permanent easement is not required on this property and since this easement is temporary and expires upon completion of the project, the easement is not recorded;

Whereas, a traditional closing is not required and no closing costs are associated with this purchase and Staff recommends Council authorize the purchase of the temporary construction easement in an amount not to exceed \$2,753;

Whereas, the address of this property is Midway Drive, Temple, Texas; Bell CAD ID 41172;

Whereas, funding is available for this temporary construction easement in Account No. 520-5900-535-6110, Project No. 101213; and

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

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

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

Part 2: The City Council authorizes the purchase of a temporary construction easement from property located on Midway Drive, Temple (Bell CAD ID No. 41172) which is necessary for the construction of Phase 4 of the Bird Creek Interceptor Project, in an amount not to exceed \$2,753.

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

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

PASSED AND APPROVED this the **21st** day of **June**, 2018.

THE CITY OF TEMPLE, TEXAS

TIMOTHY A. DAVIS, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

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DEPT./DIVISION SUBMISSION & REVIEW:

Kayla Landeros, City Attorney
Christina Demirs, Deputy City Attorney

ITEM DESCRIPTION: Consider adopting a resolution authorizing the purchase of right-of-way and a permanent easement necessary for the construction of Phase 4 of the Bird Creek Interceptor Project, conversion of the private road Daniels Drive into a public street and authorizing closing costs associated with the purchase in an estimated amount of \$12,500.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: In 2007, Council authorized a professional services agreement with Carter Burgess, Inc., now Jacobs Engineering Group, Inc., for engineering services related to the Bird Creek Interceptor. This project, targeted toward reducing sanitary sewer overflows, will rehabilitate existing deteriorated infrastructure through the heart of the City.

The design of Phase 4 includes a realignment of the interceptor beneath Daniels Drive, currently a private street in south Temple that runs parallel to Bird Creek, with a steep slope in between. Erosion from the creek requires significant repairs to Daniels Drive to ensure its integrity and protect the welfare of residents in the neighborhood. Therefore, to prevent the erosion of the slope between Daniels Drive and Bird Creek, and to realign the Bird Creek interceptor beneath the roadway, it was determined to be in the public interest to acquire the right-of-way necessary to convert the private road into a public street.

The design requires the acquisition of right-of-way and easements for wastewater utilities and the new public street from five property owners. Right of way and easements have been acquired from four property owners.

Staff, through Stateside Right of Way Services, has reached an agreement with the remaining property owner.

Staff is seeking authorization to purchase the necessary right-of-way and permanent easement and pay closing costs in an estimated amount of \$12,500.

The address and Bell County Appraisal District ID Number of the property is 2621 Daniels Drive, Temple—Bell CAD ID #3223.

FISCAL IMPACT: Funding is appropriated for the purchase of right-of-way and a permanent easement necessary for the construction of Phase 4 of the Bird Creek Interceptor Project, conversion of the private road Daniels Drive into a public street, and authorizing closing costs associated with the purchase in an estimated amount of \$12,500 in account 520-5900-535-6110, project 101213.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. 2018-9164-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE PURCHASE OF RIGHT-OF-WAY AND A PERMANENT EASEMENT NECESSARY FOR THE CONSTRUCTION OF PHASE 4 OF THE BIRD CREEK INTERCEPTOR PROJECT AND CONVERSION OF THE PRIVATE ROAD DANIELS DRIVE INTO A PUBLIC STREET; AUTHORIZING CLOSING COSTS ASSOCIATED WITH THE PURCHASE IN AN ESTIMATED AMOUNT OF \$12,500; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, in 2007, Council authorized a professional services agreement with Carter Burgess, Inc., now Jacobs Engineering Group, Inc., for engineering services related to the Bird Creek Interceptor which is targeted toward reducing sanitary sewer overflows by rehabilitating existing deteriorated infrastructure through the heart of the City;

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

Whereas, erosion from the creek requires significant repairs to Daniels Drive to ensure its integrity and protect the welfare of residents in the neighborhood - to prevent the erosion of the slope between Daniels Drive and Bird Creek, and to realign the Bird Creek interceptor beneath the roadway, it was determined to be in the public interest to acquire the right-of-way necessary to convert the private road into a public street;

Whereas, the design requires the acquisition of right-of-way and easements for wastewater utilities and the new public street from five property owners – right-of-way and easements have been acquired from four property owners;

Whereas, Staff, through Stateside Right of Way Services, has reached an agreement with the remaining property owner and recommends Council authorize the purchase of the necessary right-of-way, a permanent easement, and authorize payment of closing costs in an estimated amount of \$12,500;

Whereas, the property address is 2621 Daniels Drive, Temple—Bell CAD ID #3223;

Whereas, funding is available for the purchase of right-of-way, a permanent easement, and payment of closing costs in Account No. 520-5900-535-6110, Project No. 101213; and

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

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

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

Part 2: The City Council authorizes the purchase of right-of-way, a permanent easement, and the payment of closing costs for property located at 2621 Daniels Drive, Temple (Bell CAD ID No. 3223) which is necessary for the construction of Phase 4 of the Bird Creek Interceptor Project, in an amount not to exceed \$12,500.

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

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

PASSED AND APPROVED this the **21st** day of **June**, 2018.

THE CITY OF TEMPLE, TEXAS

TIMOTHY A. DAVIS, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

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DEPT./DIVISION SUBMISSION & REVIEW:

Kayla Landeros, City Attorney
Christina Demirs, Deputy City Attorney

ITEM DESCRIPTION: Consider adopting a resolution authorizing the purchase of property which is necessary for the construction of the Avenue D and 14th Street Drainage project in an estimated amount of \$1,000 and authorizing the release of six City liens against the property in an amount of \$1,100.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The 2008-2009 Drainage Master Plan identified improvements to mitigate flooding in the vicinity of Avenue D and 14th Street. The City is currently in the design phase for this project. The area is in a fully developed residential development comprised of single family and duplex residential structures, streets, and neighborhood parks. The existing streets do not include curb and gutter roadway sections, the anticipated improvements may include open channel improvements, surface area inlets, and storm drains. The project will connect to Knob Creek. Though most of the project can be accomplished in City-owned right of way and easements, some additional acquisitions are necessary.

The Avenue D and 14th Street Drainage project requires the acquisition of three drainage easements. Two easements have been donated to the City. The City has reached an agreement with the remaining property owner to purchase the entire vacant lot in fee simple. As part of the agreement, a portion of the purchase price is to pay the outstanding property taxes owed to the Bell County Tax Appraisal District (Bell CAD). The City will pay Bell CAD directly. Additionally, the City agreed to release six liens against the property.

At this time, Staff is seeking authorization for the purchase of property which is necessary for the construction of the Avenue D and 14th Street Drainage project in an estimated amount of \$1,000 and authorizing the release of six City liens against the property in an amount of \$1,100.

The address of the property is 805 East Avenue D, Temple, Bell CAD ID 29363.

FISCAL IMPACT: Funding is available for the costs associated with acquisition expenses of 805 East Avenue D, which is necessary for the construction of the Avenue D and 14th Street Drainage project in an estimated amount of \$2,100 in account 292-2900-534-6312, project 101638.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. 2018-9165-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE PURCHASE OF PROPERTY WHICH IS NECESSARY FOR THE CONSTRUCTION OF THE AVENUE D AND 14TH STREET DRAINAGE PROJECT IN THE ESTIMATED AMOUNT OF \$1,000; AUTHORIZING THE RELEASE OF SIX CITY LIENS AGAINST THE PROPERTY IN THE AMOUNT OF \$1,100; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the 2008-2009 Drainage Master Plan identified improvements to mitigate flooding in the vicinity of Avenue D and 14th Street;

Whereas, the City is currently in the design phase for this project and the area is in a fully developed residential neighborhood comprised of single family and duplex residential structures, streets, and neighborhood parks;

Whereas, the existing streets do not include curb and gutter roadway sections, the anticipated improvements may include open channel improvements, surface area inlets, and storm drains and the project will connect to Knob Creek;

Whereas, though most of the project can be accomplished in City-owned right of way and easements, some additional acquisitions are necessary;

Whereas, the Avenue D and 14th Street Drainage project requires the acquisition of three drainage easements - two easements have been donated to the City and the City has reached an agreement with the remaining property owner to purchase the entire vacant lot in fee simple;

Whereas, as part of the agreement, a portion of the purchase price is to pay the outstanding property taxes owed to the Bell County Tax Appraisal District, which the City will pay directly to the Appraisal District as well as the release of six City liens against the property;

Whereas, Staff recommends Council authorize the purchase of property located at 805 East Avenue D which is necessary for the construction of the Avenue D and 14th Street Drainage project in an estimated amount of \$1,000, and authorize the release of six City liens against the property in an amount of \$1,100;

Whereas, the address of the property is 805 East Avenue D, Temple, BellCAD ID 29363;

Whereas, funding is available for this acquisition in Account No. 292-2900-534-6312, Project No. 101638; 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 property located at 805 East Avenue D which is necessary for the construction of the Avenue D and 14th Street Drainage project in an estimated amount of \$1,000, and authorizes the release of six City liens against the property in an amount of \$1,100.

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

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

PASSED AND APPROVED this the **21st** day of **June**, 2018.

THE CITY OF TEMPLE, TEXAS

TIMOTHY A. DAVIS, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

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DEPT./DIVISION SUBMISSION & REVIEW:

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

ITEM DESCRIPTION: Consider adopting a resolution authorizing a net deductive change order to the construction contract with Skyblue Utilities, Inc., of Kingsland in an amount not to exceed \$20,553.68 for construction of the Western Hills Water Main Improvements.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: On April 20th, 2017, Council awarded a contract to Skyblue in an amount not to exceed \$1,689,725.73 to replace aging and failing water mains in the Western Hills subdivision (Project Map attached). The attached Change Order #1 represents items to revise final quantities used for the project and would update the final contract amount to \$1,669,172.05.

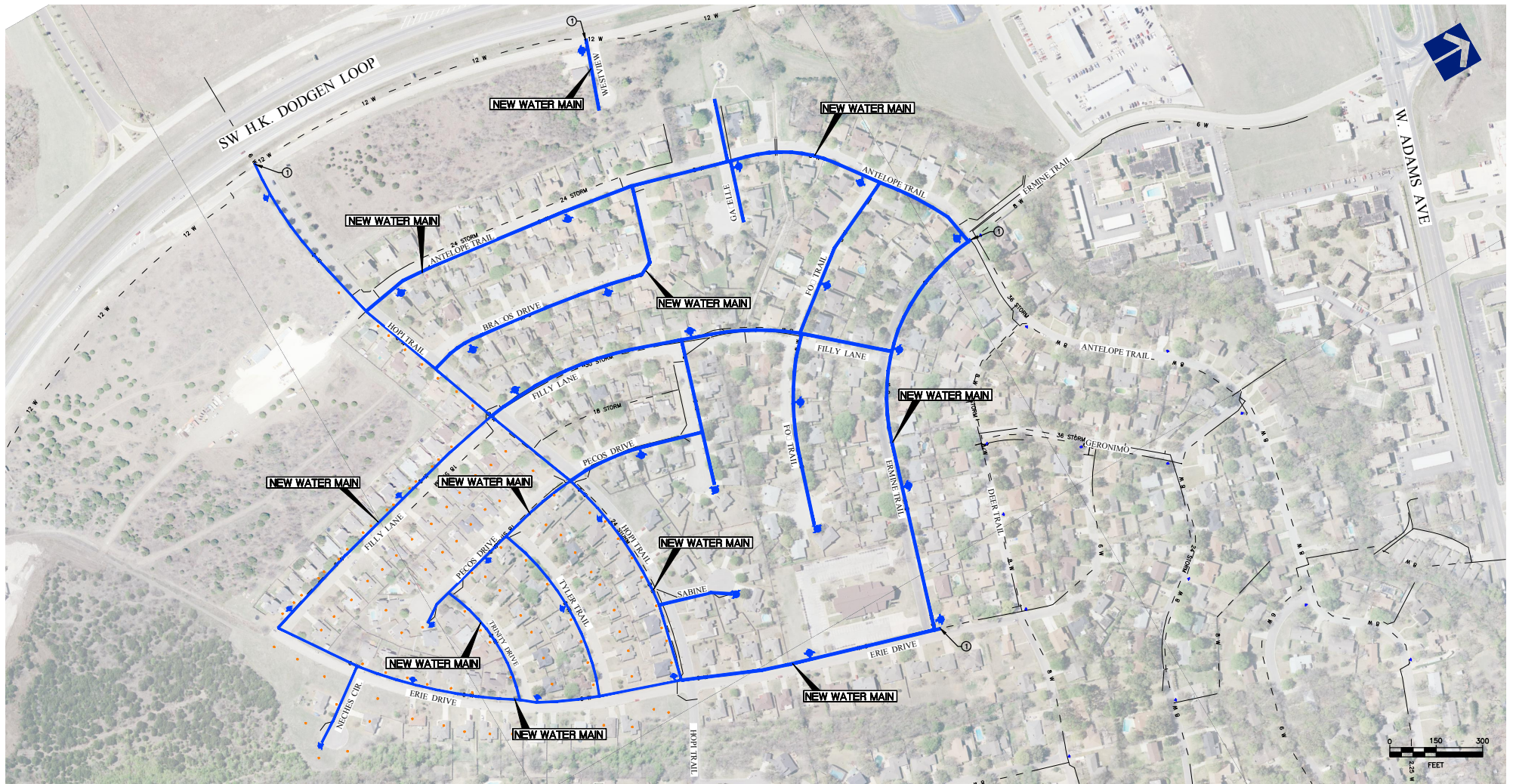
The Engineer recommends approving the change order in the attached letter.

FISCAL IMPACT: The net deductive change order #1 to the construction contract with Skyblue Utilities, Inc. in an amount not to exceed \$20,553.68 for construction of the Western Hills Water Main Improvements project will be recognized in account 520-5900-535-6357, project 101503 as follows:

Project Budget	\$ 1,692,203
Encumbered/Committed to Date	(1,691,365)
Skyblue Utilities, Inc. Change Order #1	20,554
Remaining Project Funds Available	<u>\$ 21,392</u>

ATTACHMENTS:

[Project Map](#)
[Engineer's Letter](#)
[Change Order Form](#)
[Resolution](#)



2016 WESTERN HILLS NEW WATER MAIN IMPROVEMENTS PROJECT



LEGEND	
—	NEW PVC WATER MAIN
◆	NEW STANDARD FIRE HYDRANT ASSEMBLY
KEYED NOTES	
1.	NEW CONNECTION TO EXISTING WATER MAIN



215 North Main Street
Temple, Texas 76501
(254) 899-0899
Fax (254) 899-0901
www.clark-fuller.com
Firm Registration No: F-10384

June 7, 2018

City of Temple
Sharon Carlos, P.E.
3210 E. Ave H, Bldg A
Temple, Texas 76501

Re: 2016 Western Hills New Water Main Improvements Project - Change Order 1

Dear Ms. Carlos,

On June 7th Change Order No. 1 was submitted for 2016 Western Hills New Water Main Improvements Project. The amount of Change Order No. 1 is in the amount of (\$20,553.68). This will authorize the return of these funds to the City of Temple for the following items not used during construction.

ADD

Item #1 – A newly installed fire hydrant assembly was removed and relocated to a different location at the request of the City.

Item #2 – Due to an unknown existing utility conflict, newly installed water main had to be removed and the alignment adjusted.

Item #3 – It was discovered during construction the LDS Church had 2" domestic water service connections.

Item #13 – Unknown field conditions required the installation of additional steel pipe encasement in order to meet TCEQ specifications.

DEDUCT

Item #29 - The existing fire hydrant, at the intersection of Antelope and Ermine, was installed in 2015 and removed from the project scope.

Item #30 – It was discovered in the field during construction that a number of irrigation vaults were connected to the existing water meters and not on separate connections to the existing water main. As a result these items were removed from the scope of work

It is the engineer's opinion to authorize this change order. The project has been completed and accepted by the City at this time.

Sincerely,

Monty Clark, P.E., CPESC



CHANGE ORDER

PROJECT: 2016 City of Temple Western Hills New Water Main Improvements Project
OWNER: City of Temple
CONTRACTOR: Skyblue Utilities, Inc.
ENGINEER: Clark & Fuller, PLLC
CHANGE ORDER #: One (1)

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

ITEM #:

Add: Contractor Item

#1	1 EA – Remove and Relocate New Fire Hydrant Assembly	\$ 3,897.36
#2	80 LF – Installation and Removal of New 8" water main	\$ 2,536.00
#3	2 EA – New 2" Domestic Water service and connection to existing service	\$ 5,608.28
#13	40 LF – New 16" Steel Pipe Encasement	\$ 4,855.60

Total Add: \$ 16,897.24

Deduct: Contractor Item

#29	1 EA – New Standard Fire Hydrant Assembly	(\$ 3,750.17)
#30	25 EA – New Water Service and connection to existing water service	(\$ 33,700.75)

Total Deduct: (\$ 37,450.92)

Total Add less Deduct: (\$ 20,553.68)

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:	\$ 1,689,725.73
Previous Net Change in Contract Amount:	\$ 0.00
Net Change in Contract Amount:	\$ (20,553.68)
Revised Contract Amount:	\$ 1,669,172.05
Original Contract Time:	390 Days
Previous Net Change in Contract Time:	0 Days
Net Change in Contract Time:	0 Days
Revised Contract Time:	0 Days
Original Final Completion Date:	7-1-2018
Revised Final Completion Date:	

Recommended by:

Sh - CCL June 8, 2018
 Project Manager (City Staff) Date

Agreed to:

[Signature] 6-7-2018
 Contractor Date

Approved as to form:

City Attorney's Office Date

Recommended by:

[Signature] 6-7-18
 Architect/Engineer Date

Approved by City of Temple:

Jonathan Graham, City Manager Date

Brynn Myers

Approved by Finance Department:

Finance Date

RESOLUTION NO. 2018-9166-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A NET DEDUCTIVE CHANGE ORDER TO THE CONSTRUCTION CONTRACT WITH SKYBLUE UTILITIES, INC. OF KINGSLAND, TEXAS, IN AN AMOUNT NOT TO EXCEED \$20,553.68 FOR THE CONSTRUCTION OF THE WESTERN HILLS WATER MAIN IMPROVEMENTS PROJECT; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, there have been numerous operational water main issues in the Western Hills subdivision in Temple and the proposed mains to be replaced will be a continuation of the recent utility work completed in 2015;

Whereas, on April 20, 2017, Council awarded a contract to Skyblue in an amount not to exceed \$1,689,725.73 to replace aging and failing water mains in the Western Hills subdivision;

Whereas, this net deductive change order represents items to revise final quantities used for the project and would update the final contract amount to \$1,669,172.05;

Whereas, Staff recommends Council approve this net deductive change order to the construction contract with Skyblue Utilities, Inc. in an amount not to exceed \$20,553.68, for the construction of the Western Hills Water Main Improvements Project;

Whereas, the net deductive change order funds will be recognized in Account No. 520-5900-535-6357, Project No. 101503; and

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

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

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

Part 2: The City Council authorizes the City Manager, or her designee, after approval as to form by the City Attorney, to execute a net deductive change order to the construction contract with Skyblue Utilities, Inc. of Kingsland, Texas in the amount of \$20,553.68, for the construction of the Western Hills Water Main Improvements Project.

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

PASSED AND APPROVED this the **21st** day of **June**, 2018.

THE CITY OF TEMPLE, TEXAS

TIMOTHY A. DAVIS, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

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DEPT./DIVISION SUBMISSION & REVIEW:

Brynn Myers, City Manager
Walter Hetzel, Animal Services Manager

ITEM DESCRIPTION: Consider authorizing a contract with the Greater Temple-Belton Foundation for Animal Care to administer a spay and neuter voucher program for the City of Temple Animal Shelter.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: Since 2005, the City of Temple Animal Shelter has participated in a spay and neuter program administered by the Ida Ollife Foundation. In 2014, the Ida Ollife Foundation disbanded and a new foundation was established, the Greater Temple-Belton Foundation for Animal Care ("Foundation"). The Foundation desired to continue the spay and neuter voucher program and in November of 2014, the City Council authorized an agreement with the Foundation to administer the program.

Under the agreement, the City of Temple collects a fee for each adopted animal which has either already been spayed or neutered by the Foundation or for which a spay and neuter voucher is purchased at the time of adoption and passes those funds through to the Foundation on a quarterly basis. The Foundation uses these funds for reasonable and necessary expenses for the purposes of administering the spay and neuter voucher program. The Foundation enters into a contract with one or more qualified veterinarians to perform spay and neuter services for animals adopted from the City of Temple Animal Shelter in exchange for a voucher purchased at the time of adoption.

The Foundation desires to continue the spay and neuter voucher program and Staff recommends renewing the agreement. The recommended term of the contract will begin retroactively on October 1, 2017 and continue through September 30, 2023.

FISCAL IMPACT: The City collected \$16,015 in fees during FY 2017.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. 2018-9167-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A CONTRACT WITH THE GREATER TEMPLE-BELTON FOUNDATION FOR ANIMAL CARE TO ADMINISTER A SPAY AND NEUTER VOUCHER PROGRAM FOR THE CITY OF TEMPLE ANIMAL SHELTER; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, since 2005, the City of Temple Animal Shelter has participated in a spay and neuter program administered by the Ida Ollife Foundation;

Whereas, in 2014, the Ida Ollife Foundation disbanded and a new foundation was established called the Greater Temple-Belton Foundation for Animal Care (the "Foundation") - Council authorized the continuation of this spay and neuter voucher program in November, 2014;

Whereas, under this agreement, the City of Temple collects a fee for each adopted animal which has either already been spayed or neutered by the Foundation or for which a spay and/or neuter voucher is purchased at the time of adoption;

Whereas, the Foundation uses these funds for reasonable and necessary expenses for the purposes of administering the spay and neuter voucher program - the Foundation enters into a contract with one or more qualified veterinarians to perform the services for animals adopted from the City of Temple Animal Shelter in exchange for a voucher purchased at the time of adoption;

Whereas, the Foundation desires to continue the spay and neuter voucher program and Staff recommends Council authorize a contract with the Greater Temple-Belton Foundation for Animal Care, beginning retroactively on October 1, 2017 and continuing through September 30, 2023;

Whereas, the City collected \$16,015 in fees during 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 City Manager, or her designee, after approval as to form by the City Attorney, to execute a contract with the Greater Temple-Belton Foundation for Animal Care, to administer a spay and neuter program for the City of Temple Animal Shelter.

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 **21st** day of **June**, 2018.

THE CITY OF TEMPLE, TEXAS

TIMOTHY A. DAVIS, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

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DEPT./DIVISION SUBMISSION & REVIEW:

Brynn Myers, City Manager
Walter Hetzel, Animal Services Manager

ITEM DESCRIPTION: Consider adopting a resolution establishing adoption fees for animals adopted from the City of Temple Animal Shelter.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: Since 2014, the City of Temple has contracted with the Greater Temple-Belton Foundation for Animal Care ("Foundation") for the administration of a spay and neuter program for the City of Temple Animal Shelter. Under the agreement, the City of Temple collects a voucher fee for each adopted animal which has either already been spayed or neutered by the Foundation or for which a spay and neuter voucher is purchased at the time of adoption. The City passes the funds through to the Foundation on a quarterly basis.

The current voucher fee is \$45 per both spay and neuter vouchers. On May 30, 2018, the Foundation sent a letter requesting the fee to be increased to \$55 for neuter vouchers and \$65 for spay vouchers.

At its June 11, 2018 meeting, the Animal Services Advisory Board voted to recommend approval of the fee adjustments. The fee adjustments will be effective July 1, 2018.

Current adoption fee schedule structure:

Dog Base Adoption Fee:	\$20
Cat Base Adoption Fee:	\$10
Altered Animal Fee (arrived at Shelter altered)	\$30
Altered Animal Fee (altered by Foundation)	\$45, passed through to the Foundation
Spay/Neuter Voucher Fee:	\$45, passed through to the Foundation

Proposed adoption fee schedule structure:

Dog Base Adoption Fee:	\$20
Cat Base Adoption Fee:	\$10
Altered Animal Fee (arrived at Shelter altered)	\$30
Altered Animal Fee- Neuter (altered by Foundation)	\$55, passed through to the Foundation
Altered Animal Fee- Spay (altered by Foundation)	\$65, passed through to the Foundation
Neuter Voucher Fee:	\$55, passed through to the Foundation
Spay Voucher Fee:	\$65, passed through to the Foundation

The altered animal fee and spay/neuter voucher fee is in addition to the base adoption fee.

FISCAL IMPACT: The funds collected for each adopted animal which has either already been spayed or neutered by the Foundation or for which a spay and neuter voucher is purchased at the time of adoption will be passed through to the Foundation on a quarterly basis. The City of Temple will retain the entire base adoption fee and the \$30 altered animal fee for animals which arrive at the Shelter having already been spayed or neutered.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. 2018-9168-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE,
TEXAS, ESTABLISHING ADOPTION FEES FOR ANIMALS ADOPTED
FROM THE CITY OF TEMPLE ANIMAL SHELTER; AND PROVIDING AN
OPEN MEETINGS CLAUSE.

Whereas, since 2014, the City of Temple has contracted with the Greater Temple-Belton Foundation for Animal Care (“Foundation”) for the administration of a spay and neuter program for the City of Temple Animal Shelter;

Whereas, under that agreement, the City of Temple collects a voucher fee for each adopted animal which has either already been spayed or neutered by the Foundation or for which a spay and neuter voucher is purchased at the time of adoption – the City passes these funds through to the Foundation on a quarterly basis;

Whereas, the current voucher fee is \$45 for both spay and neuter vouchers;

Whereas, on May 30, 2018, the Foundation sent a letter requesting the fee be increased to \$55 for neuter vouchers and \$65 for spay vouchers;

Whereas, at its June 11, 2018 meeting, the Animal Services Advisory Board voted to recommend approval of the fee adjustments effective July 1, 2018, as follows:

Current adoption fee schedule structure:

Dog Base Adoption Fee:	\$20
Cat Base Adoption Fee:	\$10
Altered Animal Fee (arrived at Shelter altered):	\$30
Altered Animal Fee (altered by Foundation):	\$45, passed through to the Foundation
Spay/Neuter Voucher Fee:	\$45, passed through to the Foundation

Proposed adoption fee schedule structure:

Dog Base Adoption Fee:	\$20
Cat Base Adoption Fee:	\$10
Altered Animal Fee (arrived at Shelter altered):	\$30
Altered Animal Fee- Neuter (altered by Foundation):	\$55, passed through to the Foundation
Altered Animal Fee- Spay (altered by Foundation):	\$65, passed through to the Foundation
Neuter Voucher Fee:	\$55, passed through to the Foundation
Spay Voucher Fee:	\$65, passed through to the Foundation

Whereas, the altered animal fee and spay/neuter voucher fee is in addition to the base adoption fee;

Whereas, the City of Temple retains the entire base adoption fee and the \$30 altered animal fee for animals which arrive at the Shelter having already been spayed or neutered; 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 establishes adoption fees for animals adopted from the City of Temple Animal Shelter as follows:

Adoption fee schedule structure:

Dog Base Adoption Fee:	\$20
Cat Base Adoption Fee:	\$10
Altered Animal Fee (arrived at Shelter altered):	\$30
Altered Animal Fee- Neuter (altered by Foundation):	\$55, passed through to the Foundation
Altered Animal Fee- Spay (altered by Foundation):	\$65, passed through to the Foundation
Neuter Voucher Fee:	\$55, passed through to the Foundation
Spay Voucher Fee:	\$65, passed through to the Foundation

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 **21st** day of **June**, 2018.

THE CITY OF TEMPLE, TEXAS

TIMOTHY A. DAVIS, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

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DEPT./DIVISION SUBMISSION & REVIEW:

Traci L. Barnard, Director of Finance

ITEM DESCRIPTION: Consider adopting a resolution authorizing a contract with Brockway, Gersbach, Franklin and Niemeier, P.C. to perform the annual City of Temple audit for an amount not to exceed \$76,400.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

BACKGROUND: This item is to engage the audit firm of Brockway, Gersbach, Franklin and Niemeier, P.C. to perform the annual audit of the City of Temple. This will be the fourth year of a five year contract for audit services. The contract will be renewed annually. Staff anticipates the audit for fiscal year ending September 30, 2018 will be completed and presented to Council in February 2019.

Listed below are the cost proposals related to the audit services:

	Fiscal Year Ending	Fee
First Year	2015	\$ 72,000
Second Year	2016	73,400
Third Year	2017	74,900
Fourth Year	2018	76,400
Fifth Year	2019	77,900

Per the Local Government Code Section 252.022, professional services are exempt from the competitive bidding rules.

FISCAL IMPACT: \$76,400 is proposed in the FY 2018-2019 preliminary budget that will be filed on June 22, 2018. The fee for FY 2018 audit is 2.0 % higher than the FY 2017 audit fee.

ATTACHMENTS:

[Engagement letter](#)
[Resolution](#)

May 31, 2018

Honorable Mayor and
Members of the City Council
Temple, Texas

We are pleased to confirm our understanding of the services we are to provide the City of Temple, Texas (the City) for the year ended September 30, 2018. We will audit the financial statements of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information, including the related notes to the financial statements, which collectively comprise the basic financial statements, of the City of Temple, Texas as of and for the year ended September 30, 2018. Accounting standards generally accepted in the United States of America provide for certain required supplementary information (RSI), such as management's discussion and analysis (MD&A), to supplement the City's basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedures to the City's RSI in accordance with auditing standards generally accepted in the United States of America. These limited procedures will consist of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We will not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance. The following RSI is required by U.S. generally accepted accounting principles and will be subjected to certain limited procedures, but will not be audited:

- 1) Management's Discussion and Analysis,
- 2) Budgetary Comparison Schedules and
- 3) GASB – Required Supplementary Pension and OPEB Schedules.

We have also been engaged to report on supplementary information other than RSI that accompanies the City's financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America, and we will provide an opinion on it in relation to the financial statements as a whole, in a report combined with our auditor's report on the financial statements:

- 1) Schedule of Expenditures of Federal and State Awards and
- 2) Combining and Individual Fund Statements and Schedules.

The following other information accompanying the financial statements will not be subjected to the auditing procedures applied in our audit of the financial statements, and our auditor's report will not provide an opinion or any assurance on that other information:

- 1) Introductory Section and
- 2) Statistical Data.

Audit Objectives

The objective of our audit is the expression of opinions as to whether your financial statements are fairly presented, in all material respects, in conformity with U.S. generally accepted accounting principles and to report on the fairness of the supplementary information referred to in the second paragraph when considered in relation to the financial statements as a whole. The objective also includes reporting on—

- Internal control over financial reporting and compliance with provisions of laws, regulations, contracts, and award agreements, noncompliance with which could have a material effect on the financial statements in accordance with *Government Auditing Standards*.
- Internal control over compliance related to major programs and an opinion (or disclaimer of opinion) on compliance with federal statutes, regulations, and the terms and conditions of federal awards that could have a direct and material effect on each major program in accordance with the Single Audit Act Amendments of 1996 and Title 2 U.S. *Code of Federal Regulations* (CFR) Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance).

The *Government Auditing Standards* report on internal control over financial reporting and on compliance and other matters will include a paragraph that states that (1) the purpose of the report is solely to describe the scope of testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance, and (2) the report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. The Uniform Guidance report on internal control over compliance will include a paragraph that states that the purpose of the report on internal control over compliance is solely to describe the scope of testing of internal control over compliance and the results of that testing based on the requirements of the Uniform Guidance. Both reports will state that the report is not suitable for any other purpose.

Our audit will be conducted in accordance with auditing standards generally accepted in the United States of America; the standards for financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; the Single Audit Act Amendments of 1996; and the provisions of the Uniform Guidance, and will include tests of accounting records, a determination of major program(s) in accordance with the Uniform Guidance, and other procedures we consider necessary to enable us to express such opinions. We will issue written reports upon completion of our Single Audit. Our reports will be addressed to the Honorable Mayor and Members of the City Council of the City of Temple, Texas. We cannot provide assurance that unmodified opinions will be expressed. Circumstances may arise in which it is necessary for us to modify our opinions or add emphasis-of-matter or other-matter paragraphs. If our opinions are other than unmodified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or issue reports, or we may withdraw from this engagement.

Audit Procedures—General

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; therefore, our audit will involve judgment about the number of transactions to be examined and the areas to be tested. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements. We will plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the government or to acts by management or employees acting on behalf of the government. Because the determination of abuse is subjective, *Government Auditing Standards* do not expect auditors to provide reasonable assurance of detecting abuse.

Because of the inherent limitations of an audit, combined with the inherent limitations of internal control, and because we will not perform a detailed examination of all transactions, there is a risk that material misstatements or noncompliance may exist and not be detected by us, even though the audit is properly planned and performed in accordance with U.S. generally accepted auditing standards and *Government Auditing Standards*. In addition, an audit is not designed to detect immaterial misstatements or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements or on major programs. However, we will inform the appropriate level of management of any material errors, any fraudulent financial reporting, or misappropriation of assets that come to our attention. We will also inform the appropriate level of management of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential, and of any material abuse that comes to our attention. We will include such matters in the reports required for a Single Audit. Our responsibility as auditors is limited to the period covered by our audit and does not extend to any later periods for which we are not engaged as auditors.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, and direct confirmation of receivables and certain other assets and liabilities by correspondence with selected individuals, funding sources, creditors, and financial institutions. We will request written representations from your attorneys as part of the engagement, and they may bill you for responding to this inquiry. At the conclusion of our audit, we will require certain written representations from you about your responsibilities for the financial statements; schedule of expenditures of federal awards; federal award programs; compliance with laws, regulations, contracts, and grant agreements; and other responsibilities required by generally accepted auditing standards.

Audit Procedures—Internal Control

Our audit will include obtaining an understanding of the government and its environment, including internal control, sufficient to assess the risks of material misstatement of the financial statements and to design the nature, timing, and extent of further audit procedures. Tests of controls may be performed to test the effectiveness of certain controls that we consider relevant to preventing and detecting errors and fraud that are material to the financial statements and to preventing and detecting misstatements resulting from illegal acts and other noncompliance matters that have a direct and material effect on the financial statements. Our tests, if performed, will be less in scope than would be necessary to render an opinion on internal control and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to *Government Auditing Standards*.

As required by the Uniform Guidance, we will perform tests of controls over compliance to evaluate the effectiveness of the design and operation of controls that we consider relevant to preventing or detecting material noncompliance with compliance requirements applicable to each major federal award program. However, our tests will be less in scope than would be necessary to render an opinion on those controls and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to the Uniform Guidance.

An audit is not designed to provide assurance on internal control or to identify significant deficiencies or material weaknesses. Accordingly, we will express no such opinion. However, during the audit, we will communicate to management and those charged with governance internal control related matters that are required to be communicated under AICPA professional standards, *Government Auditing Standards*, and the Uniform Guidance.

Audit Procedures—Compliance

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of the City's compliance with provisions of applicable laws, regulations, contracts, and agreements, including grant agreements. However, the objective of those procedures will not be to provide an opinion on overall compliance and we will not express such an opinion in our report on compliance issued pursuant to *Government Auditing Standards*.

The Uniform Guidance requires that we also plan and perform the audit to obtain reasonable assurance about whether the auditee has complied with federal statutes, regulations, and the terms and conditions of federal awards applicable to major programs. Our procedures will consist of tests of transactions and other applicable procedures described in the *OMB Compliance Supplement* for the types of compliance requirements that could have a direct and material effect on each of the City's major programs. The purpose of these procedures will be to express an opinion on the City's compliance with requirements applicable to each of its major programs in our report on compliance issued pursuant to the Uniform Guidance.

Other Services

We will also assist in preparing the financial statements, schedule of expenditures of federal and state awards, and related notes of the City of Temple, Texas in conformity with U.S. generally accepted accounting principles and the Uniform Guidance based on information provided by you. These nonaudit services do not constitute an audit under *Government Auditing Standards* and such services will not be conducted in accordance with *Government Auditing Standards*. We will perform the services in accordance with applicable professional standards. The other services are limited to the financial statements, schedule of expenditures of federal awards, and related notes services previously defined. We, in our sole professional judgment, reserve the right to refuse to perform any procedure or take any action that could be construed as assuming management responsibilities.

Management Responsibilities

Management is responsible for (1) designing, implementing, establishing, and maintaining effective internal controls relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error, including internal controls over federal awards, and for evaluating and monitoring ongoing activities to help ensure that appropriate goals and objectives are met; (2) following laws and regulations; (3) ensuring that there is reasonable assurance that government programs are administered in compliance with compliance requirements; and (4) ensuring that management and financial information is reliable and properly reported. Management is also responsible for implementing systems designed to achieve compliance with applicable laws, regulations, contracts, and grant agreements. You are also responsible for the selection and application of accounting principles; for the preparation and fair presentation of the financial statements, schedule of expenditures of federal awards, and all accompanying information in conformity with U.S. generally accepted accounting principles; and for compliance with applicable laws and regulations (including federal statutes) and the provisions of contracts and grant agreements (including award agreements). Your responsibilities also include identifying significant contractor relationships in which the contractor has responsibility for program compliance and for the accuracy and completeness of that information.

Management is also responsible for making all financial records and related information available to us and for the accuracy and completeness of that information. You are also responsible for providing us with (1) access to all information of which you are aware that is relevant to the preparation and fair presentation of the financial statements, (2) access to personnel, accounts, books, records, supporting documentation, and other information as needed to perform an audit under the Uniform Guidance, (3) additional information that we may request for the purpose of the audit, and (4) unrestricted access to persons within the government from whom we determine it necessary to obtain audit evidence.

Your responsibilities include adjusting the financial statements to correct material misstatements and confirming to us in the management representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements as a whole.

You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud affecting the government involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the government received in communications from employees, former employees, grantors, regulators, or others. In addition, you are responsible for identifying and ensuring that the government complies with applicable laws, regulations, contracts, agreements, and grants. Management is also responsible for taking timely and appropriate steps to remedy fraud and noncompliance with provisions of laws, regulations, contracts, and grant agreements, or abuse that we report. Additionally, as required by the Uniform Guidance, it is management's responsibility to evaluate and monitor noncompliance with federal statutes, regulations, and the terms and conditions of federal awards; take prompt action when instances of noncompliance are identified including noncompliance identified in audit findings; promptly follow up and take corrective action on reported audit findings; and prepare a summary schedule of prior audit findings and a separate corrective action plan.

You are responsible for identifying all federal awards received and understanding and complying with the compliance requirements and for the preparation of the schedule of expenditures of federal awards (including notes and noncash assistance received) in conformity with the Uniform Guidance. You agree to include our report on the schedule of expenditures of federal awards in any document that contains and indicates that we have reported on the schedule of expenditures of federal awards. You also agree to include the audited financial statements with any presentation of the schedule of expenditures of federal awards that includes our report thereon. Your responsibilities include acknowledging to us in the written representation letter that (1) you are responsible for presentation of the schedule of expenditures of federal awards in accordance with the Uniform Guidance; (2) you believe the schedule of expenditures of federal awards, including its form and content, is stated fairly in accordance with the Uniform Guidance; (3) the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the schedule of expenditures of federal awards.

You are also responsible for the preparation of the other supplementary information, which we have been engaged to report on, in conformity with U.S. generally accepted accounting principles. You agree to include our report on the supplementary information in any document that contains, and indicates that we have reported on, the supplementary information. You also agree to include the audited financial statements with any presentation of the supplementary information that includes our report thereon. Your responsibilities include acknowledging to us in the written representation letter that (1) you are responsible for presentation of the supplementary information in accordance with GAAP; (2) you believe the supplementary information, including its form and content, is fairly presented in accordance with GAAP; (3) the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the supplementary information.

Management is responsible for establishing and maintaining a process for tracking the status of audit findings and recommendations. Management is also responsible for identifying and providing report copies of previous financial audits, attestation engagements, performance audits, or other studies related to the objectives discussed in the Audit Objectives section of this letter. This responsibility includes relaying to us corrective actions taken to address significant findings and recommendations resulting from those audits, attestation engagements, performance audits, or studies. You are also responsible for providing management's views on our current findings, conclusions, and recommendations, as well as your planned corrective actions, for the report, and for the timing and format for providing that information.

You agree to assume all management responsibilities relating to the financial statements, schedule of expenditures of federal awards, and related notes, and any other nonaudit services we provide. You will be required to acknowledge in the management representation letter our assistance with preparation of the financial statements, schedule of expenditures of federal awards, and related notes and that you have reviewed and approved the financial statements, schedule of expenditures of federal awards, and related notes prior to their issuance and have accepted responsibility for them. Further, you agree to oversee the nonaudit services by designating an individual, preferably from senior management, with suitable skill, knowledge, or experience; evaluate the adequacy and results of those services; and accept responsibility for them.

Engagement Administration, Fees, and Other

We may from time to time and depending on the circumstances, use third-party service providers in serving your account. We may share confidential information about you with these service providers, but remain committed to maintaining the confidentiality and security of your information. Accordingly, we maintain internal policies, procedures, and safeguards to protect the confidentiality of your personal information. In addition, we will secure confidentiality agreements with all service providers to maintain the confidentiality of your information and we will take reasonable precautions to determine that they have appropriate procedures in place to prevent the unauthorized release of your confidential information to others. In the event that we are unable to secure an appropriate confidentiality agreement, you will be asked to provide your consent prior to the sharing of your confidential information with the third-party service provider. Furthermore, we will remain responsible for the work provided by any such third-party service providers.

We understand that your employees will prepare all cash, accounts receivable, or other confirmations we request and will locate any documents selected by us for testing.

At the conclusion of the engagement, we will complete the appropriate sections of the Data Collection Form that summarizes our audit findings. It is management's responsibility to electronically submit the reporting package (including financial statements, schedule of expenditures of federal awards, summary schedule of prior audit findings, auditor's reports, and corrective action plan) along with the Data Collection Form to the federal audit clearinghouse. We will coordinate with you the electronic submission and certification. The Data Collection Form and the reporting package must be submitted within the earlier of 30 calendar days after receipt of the auditor's reports or nine months after the end of the audit period.

We will provide copies of our reports to the City; however, management is responsible for distribution of the reports and the financial statements. Unless restricted by law or regulation, or containing privileged and confidential information, copies of our reports are to be made available for public inspection.

The audit documentation for this engagement is the property of Brockway, Gersbach, Franklin & Niemeier, P.C. and constitutes confidential information. However, subject to applicable laws and regulations, audit documentation and appropriate individuals will be made available upon request and in a timely manner to the federal agency or its designee, a federal agency providing direct or indirect funding, or the U.S. Government Accountability Office for purposes of a quality review of the audit, to resolve audit findings, or to carry out oversight responsibilities. We will notify you of any such request. If requested, access to such audit documentation will be provided under the supervision of Brockway, Gersbach, Franklin & Niemeier, P.C. personnel. Furthermore, upon request, we may provide copies of selected audit documentation to the aforementioned parties. These parties may intend, or decide, to distribute the copies or information contained therein to others, including other governmental agencies.

The audit documentation for this engagement will be retained for a minimum of seven years after the report release date or for any additional period requested by federal agency. If we are aware that a federal awarding agency, pass-through entity, or auditee is contesting an audit finding, we will contact the party(ies) contesting the audit finding for guidance prior to destroying the audit documentation.

Steve Niemeier is the engagement partner and is responsible for supervising the engagement and signing the reports or authorizing another individual to sign them.

Our fee for these services will be at our standard rates, except we agree that our gross fee, including expenses, will not exceed \$ 76,400. Our standard hourly rates vary accordingly to the degree of responsibility involved and the experience level of the personnel assigned to your audit. Our invoices for these fees will be rendered each month as work progresses and are payable on presentation. In accordance with our firm policies, work may be suspended if your account becomes 30 days or more overdue and may not be resumed until your account is paid in full. If we elect to terminate our services for nonpayment, our engagement will be deemed to have been completed upon written notification of termination, even if we have not completed our report(s). You will be obligated to compensate us for all time expended and to reimburse us for all out-of-pocket costs through the date of termination. The above fee is based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the audit. If significant additional time is necessary, we will discuss it with you and arrive at a new fee estimate before we incur the additional costs.

Government Auditing Standards require that we provide you with a copy of our most recent external peer review report and any letter of comment, and any subsequent peer review reports and letters of comment received during the period of the contract. Our 2015 peer review report accompanies this letter.

We appreciate the opportunity to be of service to City of Temple, Texas and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign the enclosed copy and return it to us.

Sincerely,



Stephen H. Niemeier, CPA
Brockway, Gersbach, Franklin & Niemeier, P. C.

RESPONSE:

This letter correctly sets forth the understanding of the City of Temple, Texas

By: _____ Title: City Manager

Date: _____

By: _____ Title: City Attorney

Date: _____



CPAs • Tax • Audit & Accounting

System Review Report

To the Owners of Brockway, Gersbach, Franklin & Niemeier, P.C.
and the Peer Review Committee of the
Texas Society of Certified Public Accountants

We have reviewed the system of quality control for the accounting and auditing practice of Brockway, Gersbach, Franklin & Niemeier, P.C. (the firm) in effect for the year ended April 30, 2015. Our peer review was conducted in accordance with the Standards for Performing and Reporting on Peer Reviews established by the Peer Review Board of the American Institute of Certified Public Accountants. As a part of our peer review, we considered reviews by regulatory entities, if applicable, in determining the nature and extent of our procedures. The firm is responsible for designing a system of quality control and complying with it to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. Our responsibility is to express an opinion on the design of the system of quality control and the firm's compliance therewith based on our review. The nature, objectives, scope, limitations of, and the procedures performed in a System Review are described in the standards at www.aicpa.org/prsummary.

As required by the standards, engagements selected for review included engagements performed under the *Government Auditing Standards* and audits of employee benefit plans.

In our opinion, the system of quality control for the accounting and auditing practice of Brockway, Gersbach, Franklin & Niemeier, P.C. in effect for the year ended April 30, 2015, has been suitably designed and complied with to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. Firms can receive a rating of *pass*, *pass with deficiency (ies)* or *fail*. Brockway, Gersbach, Franklin & Niemeier, P.C. has received a peer review rating of *pass*.

Bumgardner, Morrison & Company, LLP

BUMGARDNER, MORRISON & COMPANY, LLP

July 29, 2015

Bumgardner, Morrison & Company, LLP
Certified Public Accountants

Members: American Institute of Certified Public Accountants
Texas Society of Certified Public Accountants
AICPA Private Companies Practice Section
AICPA Employee Benefit Plan Audit Quality Center
AICPA Government Audit Quality Center

1501 E Mockingbird Lane, Suite 300
PO Box 3750
Victoria, Texas 77903-3750
Phone: 361.575.0271
Fax: 361.578.0880
Website: BMCcpa.com

RESOLUTION NO. 2018-9169-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A CONTRACT WITH BROCKWAY, GERSBACH, FRANKLIN AND NIEMEIER, P.C., IN AN AMOUNT NOT TO EXCEED \$76,400, TO PERFORM THE ANNUAL CITY OF TEMPLE AUDIT; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, Brockway, Gersbach, Franklin and Niemeier, P.C. performs the annual audit of the City of Temple - this will be the fourth year of a 5-year contract for audit services and Staff anticipates the audit for fiscal year ending September 30, 2018 will be completed and presented to Council in February, 2019;

Whereas, per Local Government Code Section 252.022, professional services are exempt from the competitive bidding rules;

Whereas, Staff recommends Council authorize the firm of Brockway, Gersbach, Franklin and Niemeier, P.C., to perform the annual audit for fiscal year 2018 for the City of Temple;

Whereas, funds have been budgeted in the fiscal year 2018-2019 preliminary budget which will be filed on June 22, 2018; and

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

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

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

Part 2: The City Council authorizes the City Manager, or her designee, after approval as to form by the City Attorney, to execute a contract with Brockway, Gersbach, Franklin and Niemeier, P.C., in an amount not to exceed \$76,400, to perform the annual audit for fiscal year 2018 for the City of Temple.

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 **21st** day of **June**, 2018.

THE CITY OF TEMPLE, TEXAS

TIMOTHY A. DAVIS, Mayor

ATTEST:

ATTEST:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

06/21/18
Item #6(K)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Belinda Mattke, Director of Purchasing & Facility Services

Justin Brantley, Assistant Director of Purchasing & Facility Services

ITEM DESCRIPTION: Consider adopting a resolution authorizing a change order to a construction contract with Clark Roofing and Construction, Inc. of Waco, in the net deductive amount of (\$58,985.42) for modifications to the scope of work related to the re-roofing of the Mayborn Convention Center and Central Fire Station.

STAFF RECOMMENDATION: Adopt resolution as described in item description.

ITEM SUMMARY: On May 17, 2018, Council authorized a construction contract with Clark Roofing and Construction, Inc. ("Clark") in the amount of \$207,212.24 for re-roofing projects at the Central Fire Station and Mayborn Convention Center. Authorization of this deductive change order in the net amount of (\$58,985.42) will provide for the following:

Mayborn Convention Center:

Retention of the asphalt roof base material	(\$ 8,796.77)
Re-purposing by the City of the gravel removed from the roof	(\$ 2,932.26)
Delete spec for tapered insulation (Add Alternate Bid 2A)	(\$28,754.09)
Eliminate installation of DensDeck Roof Board	<u>(\$13,266.35)</u>
Total Mayborn Convention Center Deductive Change	(\$53,749.47)

Central Fire Station:

Eliminate installation of DensDeck roof board	(\$ 5,235.95)
Total Deductive Change Order	<u>(\$58,985.42)</u>

Staff is pleased with the quality of work performed thus far on the Mayborn Convention Center and Central Fire Station roof projects, and Staff is pleased with the value-engineering opportunities provided to the City by Clark as reflected above. Several of the value-engineering opportunities will increase the R-value of each building, which in turn, allows for more energy-efficient buildings.

The new roofs will have a 20 year material & labor manufacturer's warranty.

FISCAL IMPACT: Funding for deductive change order #1 to the construction contract with Clark Roofing and Construction, Inc. in the net amount of \$58,985.42 for modifications to the scope of work related to the re-roofing of the Mayborn Convention Center and Central Fire Station will be recognized as follows:

	Central Fire Station 110-2210-522-2516	Mayborn Convention Center 240-4400-551-6310	Total
	N/A	101057	
Project Budget	\$ 48,063	\$ 211,910	\$ 259,973
Encumbered/Committed to Date	(44,327)	(211,910)	(256,237)
Clark Roofing & Construction, Inc. Change Order #1	5,236	53,749	58,985
Remaining Project Funds	<u>\$ 8,972</u>	<u>\$ 53,749</u>	<u>\$ 62,721</u>

ATTACHMENTS:
[Resolution](#)

RESOLUTION NO. 2018-9170-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A CHANGE ORDER TO A CONSTRUCTION CONTRACT WITH CLARK ROOFING AND CONSTRUCTION, INC. OF WACO, TEXAS IN THE NET DEDUCTIVE AMOUNT OF \$58,985.42 FOR MODIFICATIONS TO THE SCOPE OF WORK RELATED TO THE RE-ROOFING AT CENTRAL FIRE STATION AND MAYBORN CONVENTION CENTER; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on May 17, 2018, Council authorized a construction contract with Clark Roofing and Construction, Inc. ("Clark") of Waco, Texas in the amount of \$207,212.24 for re-roofing projects at the Central Fire Station and Mayborn Convention Center;

Whereas, authorization of this deductive change order will provide for the following:

Mayborn Convention Center:

▪ Retention of the asphalt roof base material	(\$ 8,796.77)
▪ Re-purposing by the City of the gravel removed from the roof	(\$ 2,932.26)
▪ Delete spec for tapered insulation (Add Alternate Bid 2A)	(\$28,754.09)
▪ Eliminate installation of DensDeck Roof Board	<u>(\$13,266.35)</u>
Total Mayborn Convention Center Deductive Change	(\$53,749.47)

Central Fire Station:

▪ <u>Eliminate installation of DensDeck roof board</u>	<u>(\$ 5,235.95)</u>
Total Deductive Change Order	(\$58,985.42)

Whereas, Staff is pleased with the quality of work performed on the Mayborn Convention Center and Central Fire Station roof projects, and Staff is pleased with the value-engineering opportunities provided to the City by Clark Roofing;

Whereas, the new roofs will have a 20-year material & labor manufacturer's warranty;

Whereas, funding for the deductive change order to the construction contract will be recognized in the following accounts:

Central Fire Station: Account No. 110-2210-522-2516;

Mayborn Convention Center: Account No. 240-4400-551-6310, Project No. 101057; and

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

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

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

Part 2: The City Council authorizes the City Manager, or her designee, after approval as to form by the City Attorney, to execute a deductive change order with Clark Roofing and Construction, Inc. of Waco in the amount of \$58,985.42 for the re-roofing at the Central Fire Station and Mayborn Convention Center.

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 **21st** day of **June**, 2018.

THE CITY OF TEMPLE, TEXAS

TIMOTHY A. DAVIS, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

06/21/18
Item #6(L)
Consent Agenda
Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

Belinda Mattke, Director of Purchasing and Facility Services

Justin Brantley, Assistant Director of Purchasing and Facility Services

ITEM DESCRIPTION: Consider adopting a resolution authorizing a construction contract with Lochridge-Priest, Inc. of Waco in the amount of \$664,674, and a deductive change order in the amount of \$93,389, for heating, ventilation, and cooling improvements at the Santa Fe Depot, City Hall, and the Airport.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: Authorization of a construction contract with Lochridge-Priest, Inc. will provide for the upgrade of HVAC systems at Santa Fe Depot, City Hall, and the Airport utilizing the SECO LoanSTAR program for funding.

On November 3, 2016, Council authorized participation in the State Energy Conservation Office (SECO) – LoanSTAR Program to implement energy related facility improvement projects in an amount not to exceed \$3 million for term not to exceed 10 years. The LoanSTAR Program finances energy related cost-reduction retrofits through low-interest rate loans to assist borrowers in financing their energy-related cost-reduction effort, at an interest rate of 2%. The actual energy pay-back period of all improvements cannot average more than 15 years.

On February 15, 2018, Council rejected all bids received for HVAC improvements at the Santa Fe Depot and City Hall due to all bids coming in significantly higher than budget. As shown on the attached bid tabulation, on May 22, 2018, two bids were received for the re-designed LoanSTAR HVAC Replacements at the Santa Fe Depot and City Hall. In addition, the bid included an additional HVAC unit at the Airport that was left out of the original bid.

Staff is recommending award of the bid to Lochridge-Priest, in the amount of \$664,674. However, as negotiated and through value-engineering ideas submitted by Lochridge-Priest, Staff is also recommending a deductive change order in the amount of \$93,389. The most significant value-engineering change order item is the elimination of the control system at City Hall for a cost reduction of \$88,131.

Lochridge-Priest is currently performing work for the City under a previously awarded LoanSTAR project, and Staff is finding them to be a responsive and responsible contractor. It is anticipated that all work under the Lochridge-Priest contract will be completed by November 30, 2018. Per the amended LoanSTAR Agreement, all work under the Agreement must be complete by January 31, 2019.

FISCAL IMPACT: A budget adjustment is being presented to Council for approval to reallocate funding for a construction contract with Lochridge-Priest, Inc. for HVAC improvements at the Santa Fe Depot, City Hall, and the Airport. Funding in the net amount of \$571,285 will be available as follows:

	City Hall 358-2400- 519-6310	Airport 358-3600- 560-6310	Santa Fe Depot		
			358-7000- 551-6310	240-7000- 551-6310	Total
	101754	101769	101751		
Project Budget	\$ 172,575	\$ 39,332	\$ 229,783	\$ -	\$ 441,690
Budget Adjustment	(57,452)	8,224	136,773	78,918	166,463
Encumbered/Committed to Date	(212)	(36,656)	-	-	(36,868)
Lochridge-Priest, Inc.	(114,911)	(10,900)	(366,556)	(78,918)	(571,285)
Remaining Project Funds	\$ -	\$ -	\$ -	\$ -	\$ -

ATTACHMENTS:

[Budget Adjustment](#)
[Bid Tabulation](#)
[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.

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ACCOUNT NUMBER	PROJECT #	ACCOUNT DESCRIPTION	INCREASE	DECREASE
358-3600-560-6310	101769	Elmer Reed General Aviation Terminal - HVAC Imprv	\$ 8,224	
358-7000-551-6310	101751	Santa Fe - HVAC Imprv	136,773	
358-2200-521-6310	101760	Fire Station - #7 HVAC Imprv	37	
358-1800-525-6310	101765	Municipal Court / Utility Office - HVAC Imprv		8,141
358-2100-529-6310	101750	Animal Shlter - HVAC Imprv		4,176
358-2200-521-6310	101757	Fire Station - #3 HVAC Imprv		2,007
358-2200-521-6310	101758	Fire Station - #4 HVAC Imprv		1,338
358-2200-521-6310	101759	Fire Station - #5 HVAC Imprv		3,345
358-2400-519-6310	101766	Clarence Martin Gym - HVAC Imprv		2,850
358-2400-519-6310	101754	City Hall - HVAC Imprv		57,452
358-2400-519-6310	101762	Patsy Luna Building - HVAC Imprv		669
358-2400-519-6310	101756	Service Centers A/B/C - HVAC Imprv		14,268
358-3100-551-6310	101768	Sammons Golf Course - Clubhouse - HVAC Imprv		1,338
358-3200-551-6310	101764	Blackmon Center - HVAC Imprv		891
358-3200-551-6310	101761	Gober Party House - HVAC Imprv		2,676
358-3200-551-6310	101767	Sammons Comm Cntr - Indoor Pool - HVAC Imprv		669
358-3200-551-6310	101755	Summit Fitness Center - HVAC Imprv		6,534
358-3500-552-6310	101770	PARD Shop - HVAC Imprv		669
358-4400-551-6310	101752	Mayborn Convention Center - HVAC Imprv		33,354
358-5800-535-6310	101765	Municipal Court / Utility Office - HVAC Imprv		4,657
240-7000-551-6310	101751	Santa Fe - HVAC Imprv	78,918	
240-0000-358-1110		Hotel/Motel Fund - Undesignated Fund Balance		78,918
		DO NOT POST		
TOTAL			\$ 223,952	\$ 223,952

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

Reallocate funding for Elmer Reed General Aviation Terminal, Santa Fe Plaza and Fire Station #7 facility HVAC improvements from various projects within the SECO Loan Agreement under the LoanSTAR Revolving Loan Program. Additional funding needed for the Santa Fe Depot HVAC improvements is being funded with Hotel / Motel Fund Balance.

DOES THIS REQUEST REQUIRE COUNCIL APPROVAL?

☒ Yes☐ No

DATE OF COUNCIL MEETING

6/21/2018

WITH AGENDA ITEM?

☒ Yes☐ No

Department Head/Division Director

Date

☐ Approved
☐ Disapproved

Finance

Date

☐ Approved
☐ Disapproved

City Manager

Date

☐ Approved
☐ Disapproved

**Tabulation of Bids Received
on May 22, 2018 at 2:30 p.m.
Re-Bid of LoanSTAR HVAC Replacement
(Santa Fe Depot, City Hall, & Reed Aviation Building)
Bid # 24-08-18**

	Bidders	
	TDIndustries Round Rock, TX	Lochridge Priest Inc Waco, TX
Description		
Santa Fe Depot Train Station HVAC and Controls	\$436,853.00	\$450,732.00
City Hall Municipal Building HVAC And Controls	\$228,305.00	\$203,042.00
Elmer Reed General Aviation Terminal HVAC	\$13,773.00	\$10,900.00
TOTAL BID PRICE	\$678,931.00	\$664,674.00
Acknowledge Addendum (1)	yes	yes
Bid Bond	yes	yes
Bond Requirement Affidavit	yes	yes
Credit Check Authorization	yes	yes

Recommended for Council Approval

RESOLUTION NO. 2018-9171-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A CONSTRUCTION CONTRACT WITH LOCKRIDGE-PRIEST, INC. OF WACO, TEXAS IN THE AMOUNT OF \$664,674, AND A DEDUCTIVE CHANGE ORDER IN THE AMOUNT OF \$93,389, FOR HEATING, VENTILATION, AND COOLING IMPROVEMENTS AT THE SANTA FE DEPOT, CITY HALL, AND THE DRAUGHON-MILLER CENTRAL TEXAS REGIONAL AIRPORT; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on November 3, 2016, Council authorized participation in the State Energy Conservation Office (SECO) – LoanSTAR Program to implement energy related facility improvement projects in an amount not to exceed \$3.0 million, for a term not to exceed 10 years;

Whereas, the LoanSTAR program finances energy related cost-reduction retrofits through low-interest rate loans to assist borrowers in financing their energy-related cost-reduction efforts at an interest rate of 2% - the actual energy pay-back period of all improvements cannot average more than 15 years;

Whereas, on February 15, 2018, Council rejected all bids received for HVAC improvements at the Santa Fe Depot and City Hall due to the bids coming in significantly higher than budgeted - in addition, the bid included an additional HVAC unit at the Airport that was left out of the original bid;

Whereas, Staff recommends Council authorize a construction contract with Lochridge-Priest, Inc. of Waco, Texas in the amount of \$664,674 - as negotiated, and through value-engineering ideas submitted by Lochridge-Priest, Staff also recommends Council approve a deductive change order in the amount of \$93,389 of which the most significant value-engineering change order item is the elimination of the control system at City Hall for a cost reduction of \$88,131;

Whereas, Lochridge-Priest is currently performing work for the City under a previously awarded LoanSTAR project, and Staff has found them to be a responsive and responsible contractor;

Whereas, it is anticipated that all work under the Lochridge-Priest contract will be completed by November 30, 2018 and per the amended LoanSTAR Agreement, all work under the Agreement must be complete by January 31, 2019;

Whereas, funds are available for this project, but an amendment to the fiscal year 2018 budget needs to be approved to reallocate funds into Account No. 358-2400-519-6310, Project No. 101754, Account No. 358-3600-560-6310, Project No. 101769, Account No. 358-7000-551-6310, Project No. 101751, and Account No. 240-7000-551-6310, Project No. 101751; and

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

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

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

Part 2: The City Council authorizes the City Manager, or her designee, after approval as to form by the City Attorney, to execute a construction contract with Lochridge-Priest, Inc. of Waco, Texas in the amount of \$664,674, and authorize a deductive change order in the amount of \$93,389 for heating, ventilation, and cooling improvements at the Santa Fe Depot, City Hall, and the Draughon-Miller Central Texas Regional Airport.

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 **21st** day of **June**, 2018.

THE CITY OF TEMPLE, TEXAS

TIMOTHY A. DAVIS, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

06/21/18
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DEPT./DIVISION SUBMISSION & REVIEW:

Kayla Landeros, City Attorney

ITEM DESCRIPTION: Consider adopting a resolution authorizing the execution of a Consent Agreement with Panda Temple Power II, LLC ("Panda II") and CLMG, Corp. ("CLMG") consenting to the collateral assignment of Panda II's rights and obligations under the 2013 Effluent and Water Purchase Agreement and a Consent Agreement with Panda II and CLMG consenting to the collateral assignment of Panda II's rights and obligations under the 2013 Tax Abatement Agreement.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: In 2013, the City entered into an Effluent and Water Purchase Agreement with Panda II in which the City agreed to sell to Panda II effluent from the Temple-Belton Wastewater Treatment Plant. In 2013, the City entered into a Tax Abatement Agreement with Panda II which allows for 10 years of declining tax abatement on the increased taxable value of real property improvements on an 11.44 acre tract of land in the Southeast Industrial Park.

Panda II is in the process of refinancing its loan for the construction of Phase II of its power plant and Panda II's lender, CLMG, has requested that Panda II secure consent from the City to collaterally assign Panda II's rights and obligations under the 2013 Effluent and Water Purchase Agreement and the 2013 Tax Abatement Agreement as security for the financing. The collateral assignment allows but does not require CLMG to step into Panda II's shoes in the event of a default for any reason and to continue operation of the power plant and receive the benefit (and obligations) of Panda II's agreements with the City.

Staff has reviewed the requested Consent Agreements and feel that the agreements adequately protect the City's interests. Any party assuming Panda II's rights under the agreements will have to comply with all the term and conditions of the agreements.

FISCAL IMPACT: None.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. 2018-9172-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE EXECUTION OF A CONSENT AGREEMENT WITH PANDA TEMPLE POWER II, LLC AND CLMG, CORP., CONSENTING TO THE COLLATERAL ASSIGNMENT OF PANDA II'S RIGHTS AND OBLIGATIONS UNDER THE 2013 EFFLUENT AND WATER PURCHASE AGREEMENT; AUTHORIZING A CONSENT AGREEMENT WITH PANDA II AND CLMG, CORP. CONSENTING TO THE COLLATERAL ASSIGNMENT OF PANDA II'S RIGHTS AND OBLIGATIONS UNDER THE 2013 TAX ABATEMENT AGREEMENT; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, in 2013, the City entered into an Effluent and Water Purchase Agreement with Panda II, LLC (Panda II) in which the City agreed to sell to Panda II, effluent from the Temple-Belton Wastewater Treatment Plant;

Whereas, in 2013, the City entered into a Tax Abatement Agreement with Panda II which allowed for 10 years of declining tax abatement on the increased taxable value of real property improvements on an 11.44 acre tract of land in the Southeast Industrial Park;

Whereas, Panda II is in the process of refinancing its loan for the construction of Phase II of its power plant and Panda II's lender, CLMG, Corp. (CLMG) has requested that Panda II secure consent from the City to collaterally assign Panda II's rights and obligations under the 2013 Effluent and Water Purchase Agreement and the 2013 Tax Abatement Agreement as security for the financing;

Whereas, the collateral assignment allows, but does not require, CLMG to step into Panda II's shoes in the event of a default for any reason and to continue operation of the power plant and receive the benefit (and obligations) of Panda II's agreements with the City;

Whereas, Staff has reviewed the requested Consent Agreements and feel that the agreements adequately protect the City's interests - any party assuming Panda II's rights under the agreements will have to comply with all the term and conditions of the agreements; and

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

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

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

Part 2: The City Council authorizes the City Manager or her designee, after approval as to form by the City Attorney, to execute a Consent Agreement with Panda Temple Power II, LLC and CLMG, Corp. consenting to the collateral assignment of Panda II's rights and obligations under the 2013 Effluent and Water Purchase Agreement and a Consent Agreement with Panda II and CLMG consenting to the collateral assignment of Panda II's rights and obligations under the 2013 Tax Abatement Agreement.

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 **21st** day of **June**, 2018.

THE CITY OF TEMPLE, TEXAS

TIMOTHY A. DAVIS, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

06/21/18
Item #6(N)
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DEPT./DIVISION SUBMISSION & REVIEW:

Traci Barnard, Director of Finance

ITEM DESCRIPTION: Consider adopting a resolution authorizing a one-year renewal to the depository services agreement with BBVA Compass Bank.

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

ITEM SUMMARY: Approval of this item will provide for continued depository services through BBVA Compass Bank through August 31, 2019.

On June 18, 2015, Council authorized a two-year depository services agreement with BBVA Compass Bank. The awarded contract included provisions for the award of three one-year renewals. Staff is pleased with the depository services being provided by BBVA Compass Bank and staff believes that the cost of BBVA Compass Bank's services are fair and reasonable. Accordingly, staff is recommending that Council authorize an execution to the depository services agreement until August 31, 2019. This will be the second one-year renewal authorized under the agreement with one year remaining.

FISCAL IMPACT: The current average cost for banking services is approximately \$4,700 per month before interest paid and earnings credit on available balances. This amount will vary from month to month depending on transaction volume and services elected. The fees for services will remain the same for the renewal of the agreement.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. 2018-9173-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS,
AUTHORIZING A ONE-YEAR RENEWAL TO THE DEPOSITORY SERVICES
AGREEMENT WITH BBVA COMPASS BANK; AND PROVIDING AN OPEN
MEETINGS CLAUSE.

Whereas, on June 18, 2015, Council authorized a two-year depository services agreement with BBVA Compass Bank - the contract included provisions for the award of three one-year renewals;

Whereas, Staff has been pleased with the depository services provided by BBVA Compass Bank and believes that the cost of BBVA Compass Bank's services are fair and reasonable to the City of Temple;

Whereas, Staff recommends Council authorize continued depository services through BBVA Compass Bank through August 31, 2019 - this will be the second one-year renewal authorized under the agreement with one renewal remaining;

Whereas, the current average cost for banking services is approximately \$4,700 per month before interest paid and earnings credit on available balances and varies from month to month depending on transaction volume and services elected - the fees for services will remain the same for the renewal of the agreement; and

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

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

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

Part 2: The City Council authorizes the City Manager, or her designee, after approval as to form by the City Attorney, to execute a one-year renewal to the depository services agreement with BBVA Compass Bank.

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 **21st** day of **June**, 2018.

THE CITY OF TEMPLE, TEXAS

TIMOTHY A. DAVIS, Mayor

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

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Item #6(O)
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Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

Floyd O. Mitchell, Police Chief

ITEM DESCRIPTION: Consider adopting a resolution ratifying renewal of a Memorandum of Understanding with the United States Department of Veterans Affairs Central Texas Veterans Health Care System.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: 38 U.S.C. § 905 authorizes the CTVHCS Temple Police Service to enter into cooperative agreements with State and local law enforcement agencies to reinforce interagency coordination and responsibility in emergency response, requests for assistance, and physical security on CTVHCS properties.

Pursuant to the terms of the agreement, the Temple Police Department will:

1. respond to CTVHCS Police Service requests for assistance in containing or responding to armed hostage situations until the appropriate Federal agency can assume control; armed robberies when the suspect leaves VA Police jurisdiction; vehicle accident investigations involving VA Police vehicles, and major incidents requiring additional officers for traffic control;
2. provide additional officers to assist with arrest of violent/disorderly individuals who pose a serious threat to VA patients, visitors, medical staff, or themselves;
3. provide assistance in transporting arrested individuals from CTVHCS property when only two VA Police officers are on duty;
4. authorize access to and use of Temple Police Department central dispatch and patrol units in the field for VA Police for official law enforcement purposes;
5. provide investigative assistance, including establishing, preserving, and controlling the crime scene, and performing as the lead investigative agency, when a VA Police officer is involved in a shooting incident and the Federal Bureau of Investigations response is delayed, or the FBI declines investigation.

TPD has been a party to the Memorandum of Understanding with CTVHCS since 2015. The proposed renewal will replace current memorandum that expires May 31, 2018, and will extend the terms from June 1, 2018 through May 31, 2021.

FISCAL IMPACT: There is no requirement for the City of Temple to provide any funding for this agreement. No additional personnel, equipment, or funding is required for the item.

ATTACHMENTS:

Memorandum of Understanding – United States Department of Veterans Affairs Central Texas
Veterans Health Care System
Resolution

Renewal request for the
MEMORANDUM OF UNDERSTANDING

WITH THE Temple Police Department

We have complied with all federal, CVSA, and state requirements, and are current in filing all reports required by the MOU. We request renewal of the MOU, and have provided any necessary corrections to the contact information provided below.

Existing Information

Updated Information:

Temple Police Department
Traffic Unit

State Tax ID Number

State Tax ID Number

Sergeant McNeil Fairey

Program Coordinator

Program Coordinator

209 E Avenue A
Temple, TX 76501

Address

Address

(254) 654-7601, (254) 913-6903 or
2542173039

Voice Phone Number

Voice Phone Number

(254) 780-3170

Fax Number

Fax Number

mfairey@templetx.gov

E-mail Address

E-mail Address

Based on the last two digits of your Taxpayer Identification, you are scheduled to renew your MOU with the department before **8/1/2019**, and on the same date every **odd** year thereafter.

TO PREVENT LOSS OF AUTHORITY TO CONDUCT CVSA INSPECTIONS, please send this request form to the department thirty to sixty days before your MOU will expire by FAX to (512) 424-5262, or by mail to the Motor Carrier Bureau, Texas Department of Public Safety, P.O. Box 4087, Austin, Texas 78773-0522.

The information reflected above is correct and current. Please send us a renewal MOU.

Signature

Title

Date

INTERLOCAL COOPERATION AGREEMENT (Agreement)
Between
THE DEPARTMENT OF PUBLIC SAFETY (The "Department")
-and-
Temple PD
(The "Allied Agency")

I. AUTHORITY

Allied Agency and the Department are contracting under the authority of Texas Government Code Chapter 791 (The Interlocal Cooperation Act).

Allied Agency and the Department certify that each have the authority to perform the services agreed upon by authority granted in Transportation Code, Chapter 621, Subchapter F.

II. GENERAL AGREEMENT

In accordance with Transportation Code § 621.402, the Department has established the following parameters for approved Allied Agencies seeking to enforce the defined State Laws within Transportation Code § 621, Subchapter F.

In order to maximize the uniform enforcement of statute, the undersigned parties enter into this Agreement regarding training, approved scale use, annual scale re-calibration standards, violation report requirements and mandated annual reporting to the Department.

III. DEPARTMENT RESPONSIBILITIES

In order to better implement and maintain the standards in this Agreement, the Department will:

1. Train, retrain (as necessary or desirable), test, and certify the officers of any qualified Allied Agency.
2. Forward any weight enforcement complaints / challenges to the issuing Allied Agency.

The Department may conduct random, in-person observation of weight enforcement

inspections conducted by an Allied Agency in order to ensure that the Allied Agency's officers are adhering to Department certification standards.

IV. ALLIED AGENCY RESPONSIBILITIES

A. Certification Training

The Allied Agency must enroll **their commissioned, full-time** officers in the 40 hour, Basic CVE course conducted at the direction of the Motor Carrier Bureau. In order to meet the "weight enforcement officer" certification standard, a minimum score of 80% must be obtained. After initial certification, mandated re-certification training will take place following each legislative session. In order to maintain certification, each weight enforcement officer must score a minimum of 80%. The Department will immediately suspend any officer who fails to re-certify. The Allied Agency must prohibit that officer from conducting or assisting with any weight enforcement activities.

The Allied Agency may discontinue agency certification at any time by notifying the Department in writing. If a certified officer separates from an Allied Agency, the Department must receive notification of separation within ten days.

B. Application of Statute

During the course of duty, an Allied Agency "Weight Enforcement Officer" will adhere to the "reasonable suspicion" requirements in weighing a commercial motor vehicle as inferred by Transportation Code § 621.402. There must be an articulable reason to detain a vehicle prior to utilizing any type of approved scale to determine actual weight. A fixed location signaling all commercial traffic to enter a weight enforcement site is in direct conflict with this mandate.

C. Approved Scales

The Allied Agency must purchase / utilize scales from the approved Scale List found at the following URL:

<http://www.dps.texas.gov/cve/Publications/approvedScaleList.pdf>

The approved scales must be re-calibrated during each calendar year by a certified scale technician or vendor. All individual scale calibration records must be retained for the current year plus the two previous years and are subject to review during contested judicial proceedings and random Department audit.

D. Violation Report Requirements

In addition to typical driver / vehicle information and infractions, the following information must be included on all weight enforcement violation reports:

- US DOT Number / TX DMV Number
- State identification / registration identification of units and company unit numbers (license plate numbers for the power units and towed vehicle)
- Registered weights and the Gross Vehicle Weight Ratings of each vehicle
- Axle configuration diagram with corresponding axle distance measurements and the recorded actual weights measured of each axle, tandem axle, and tri-axle
- Overweight permit number
- Load disposition
- Gross weight and group weight.

E. Annual Reporting Requirements

The Allied Agency must submit an annual report of its weight enforcement activities for each calendar year to the Department. The report must be directed to the Motor Carrier Bureau in Austin, Texas. The report must be received by January 31st of each year for the prior year's enforcement activities. The Annual Reporting Requirements under this Paragraph E will survive the termination date of this Agreement.

V. TERMINATION OF CERTIFICATION

***** UNLESS RENEWED, THIS AGREEMENT WILL EXPIRE ON AUGUST 1, 2019. *****

To prevent a loss of authority to conduct weight enforcement inspections, please mail or FAX your renewal request to the Department no more than 60 or less than 30 days prior to the expiration of this Agreement. If the renewal has not been executed by both parties before the Agreement expiration date, certified officers must cease performing all weight enforcement activities, until the renewal has been fully executed.

The Department may issue a warning to the Allied Agency if the Allied Agency fails to comply with Agreement requirements in such a way that the Department deems that the weight enforcement action being taken is contrary to established training and statute. Failure to immediately correct the compliance issue(s) may result in termination of the Agreement and decertification of the Allied Agency.

VI. PROGRAM COORDINATORS

The Allied Agency's weight enforcement coordinators are responsible for all communications and contacts required to manage this Agreement. The coordinators must provide any updates regarding contact information within 30 calendar days. The current program coordinators for this Agreement are:

Allied Agency:

Department:

DEPARTMENT OF PUBLIC SAFETY
Texas Highway Patrol
Motor Carrier Bureau

Program Coordinator

Captain Omar Villarreal - Manager
Program Coordinator

Address

MCB, P.O. Box 4087
Austin Texas 78773-0522
Address

Voice Phone Number

(512) 424-2053
Voice Phone Number

Fax Number

(512) 424-5712
Fax Number

E-mail Address

omar.villarreal@dps.texas.gov
E-mail Address

Evidence of Acceptance:

Signature of Authorized Official

Political Subdivision

Name

Title

Date

RESOLUTION NO. 2018-9174-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, RATIFYING RENEWAL OF A MEMORANDUM OF UNDERSTANDING WITH THE UNITED STATES DEPARTMENT OF VETERANS AFFAIRS CENTRAL TEXAS VETERANS HEALTH CARE SYSTEM; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, 38 U.S.C. § 905 authorizes the United States Department of Veterans Affairs Central Texas Veterans Health Care System (CTVHCS) Temple Police Service to enter into cooperative agreements with State and local law enforcement agencies to reinforce interagency coordination and responsibility in emergency response, requests for assistance, and physical security on CTVHCS properties;

Whereas, pursuant to the terms of the agreement, the Temple Police Department (TPD) will:

1. Respond to CTVHCS Police Service's requests for assistance in containing or responding to armed hostage situations until the appropriate Federal agency can assume control; armed robberies when the suspect leaves VA Police jurisdiction; vehicle accident investigations involving VA Police vehicles, and major incidents requiring additional officers for traffic control;
2. Provide additional officers to assist with arrest of violent/disorderly individuals who pose a serious threat to VA patients, visitors, medical staff, or themselves;
3. Provide assistance in transporting arrested individuals from CTVHCS property when only two VA Police officers are on duty;
4. Authorize access to and use of Temple Police Department central dispatch and patrol units in the field for VA Police for official law enforcement purposes;
5. Provide investigative assistance, including establishing, preserving, and controlling the crime scene, and performing as the lead investigative agency, when a VA Police officer is involved in a shooting incident and the Federal Bureau of Investigations (FBI) response is delayed, or the FBI declines investigation;

Whereas, TPD has been a party to the Memorandum of Understanding with CTVHCS since 2015 and the proposed renewal will replace a current memorandum that expired May 31, 2018, and will extend the terms from June 1, 2018 through May 31, 2021;

Whereas, there is no requirement for the City of Temple to provide any funding for this agreement and no additional personnel, equipment, or funding is required for the item; and

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

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

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

Part 2: The City Council ratifies the renewal of a Memorandum of Understanding with the United States Department of Veterans Affairs Central Texas Veterans Health Care System (CTVHCS) authorizing interagency coordination and emergency response together with the Temple Police Department.

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 **21st** day of **June**, 2018.

THE CITY OF TEMPLE, TEXAS

TIMOTHY A. DAVIS, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

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DEPT./DIVISION SUBMISSION & REVIEW:

Kayla Landeros, City Attorney
Christina Demirs, Deputy City Attorney

ITEM DESCRIPTION: Consider adopting a resolution authorizing a professional services agreement with Stateside Right of Way Services, Inc., in an amount not to exceed \$214,400 for land acquisition services for Phase 4 of the Outer Loop Project.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The Outer Loop south of FM 2305 is an important north-south arterial that will connect the Adams Avenue growth corridor to IH 35. Phase 3A at Adams Avenue has recently been constructed. Construction on phase (3B) to extend the Outer Loop just south of Jupiter Drive is expected to begin in the coming weeks. Phase 4 will consist of 6,100 linear feet of arterial roadway between Jupiter Road and just south of the future connection of Poison Oak Road.

At this time, Staff anticipates right of way will be needed from approximately 27 tracts of land. Based on the current design of the project, Staff does not believe relocation will be necessary. Staff has received a proposal for land acquisition services from Stateside Right of Way Services, Inc. (Stateside).

Stateside will offer multiple services during the acquisition process, including, but not limited to, project management, title, and appraisal services.

Staff recommends Council authorize a professional services agreement with Stateside, in an amount not to exceed \$214,400 for land acquisition services for Phase 4 of the Outer Loop Project. The not to exceed amount does not include all condemnation services that may be required. Stateside will provide such services at the request of the City.

FISCAL IMPACT: Funding for the professional services agreement with Stateside Right of Way Services, Inc., in an amount not to exceed \$214,400 for land acquisition services for Phase 4 of the Outer Loop Project is available in account 365-3400-531-6813, project 101714.

ATTACHMENTS:

[Stateside Proposal](#)
[Resolution](#)



April 24, 2018

City of Temple, Texas
Christina A. Demirs
Deputy City Attorney, Right of Way
2 North Main, Suite 308
Temple, Texas 76501

Re: Proposal for Project Management, Acquisition, Title Curative and Closings in Temple, Texas –
Outer Loop ROW Acquisition Project

RIGHT OF WAY SCOPE OF SERVICES

Acquisition / Negotiation:

Stateside will complete negotiations through Final Offer Letter and Closings for \$4,000 per parcel.

Set up Files: Stateside will set up and maintain paper files as well as electronic files on each property (may be referred to as parcel). Files will include copies of correspondence, completed notices and forms, title commitment, appraisal report, copies of informational documents such as Bell County Appraisal District print out, Secretary of State print out, and title research backup. All information will remain confidential and must be requested through City of Temple.

- Initial Offer Packet: Upon written approval by the City of Temple (City), the Stateside Right of Way Agent (Agent) will notify the property owners in writing of the City's interest in acquiring their property and the approved offer amount for that interest. This packet will be sent by certified mail, return receipt requested to the owner's current address as listed on the Bell County Appraisal District website. All individuals that may be affected by this project will be given an opportunity to meet and discuss the procedures to which they may be interested or by which they may be affected. Arrangements will be made, as required, to present information to persons who are unable to read or write English or otherwise need additional assistance.
- In negotiating with the owners of the subject land, it is assumed that the owner will in turn negotiate with any lessees or others who may own any interest in the land or improvements, and settle any lease or lease hold interests prior to closing.
- Counteroffer: During negotiations, if a property owner provides appraisal information or a counteroffer, either written or verbal, which the landowner believes is relevant to the acquisition, the Agent may forward the information to the appraisal firm for analysis. The Agent will discuss with the City a recommendation for review. The Agent will provide an appropriate response to the property owner based upon the City's decision.

- **Final Offer Letter:** If negotiations reach an impasse, the Agent will prepare a Final Offer Letter restating the terms of the offer and submit to the City for approval. Upon written approval by the City, the Agent will send the Final Offer Letter to the property owner via certified mail, return receipt requested.

Title/Closing:

Stateside will complete title / closing with Centraland Title Company as the designated closing agent.

- Stateside will order Commitments for Title Insurance with copies of all supporting documents for items listed on Schedules A, B and C of the Title Commitment for properties to be acquired.
- Copies of all Schedule A and B documents are to be provided to the survey team by the City or Stateside.
- Upon receipt of the Title Commitments and supporting documents, the Agent will:
 - Review Commitment and supporting documents
 - Vesting Deeds will be verified with ownership shown on the Commitment
 - Secretary of State information will be researched for Corporations, LLC or other entity information
 - Lien information and clouded or complicated title issues will be noted for:
 - Long lead time issues
 - Condemnation by Publication actions needed
 - Provide a copy of the Title Commitment and backup documents to the appraisal firm.
- Prior to acquiring any real property, the Agent will take all appropriate steps necessary to ensure that the area being acquired is purchased with acceptable title and clear title, if possible.
- Upon receipt of properly executed conveyance and title curative documents, all originals will be submitted to the Title Company to be held in escrow until closing.
- The Title Company will provide a check request or wire transfer with the Settlement Statement as per the U.S. Department of Housing and Urban Development (HUD-1) and their contact information for the purchase price and closing costs will be sent to the City.
- The Agent will prepare a Closing Packet for the City which will include an executed Memorandum of Agreement.
- The City will sign all closing documents and Stateside will attend closing.
- The Title Company will record all Deeds and title curative release documents and provide file marked copies to the Agent. The original recorded Deed shall be returned to the City Attorney.
- The Title Company will provide a Title Policy for the purchase price on all fee acquisitions.

Condemnation Support Services:

Stateside will provide condemnation support services for an hourly rate of \$80 per hour for Right of Way Technician tasks, and \$110 per hour for Right of Way Agent tasks.

- The Agent will provide a summary of activities related to the acquisition efforts for review and consideration by the City for Eminent Domain proceedings.
- The Agent will be available to assist the City Attorney as necessary.

Pass-Through Costs:

All invoices submitted to Stateside will be a pass through cost to the City. These costs may include: closing costs, landowner incidental costs, appraisal costs, mover estimates, interpreter fees, and relocation costs.

Reporting:

Stateside will maintain office files containing copies of completed notices and forms, contacts and discussions and project status reports, as required. The City will have access to files and will be cc'd on email correspondence. Additional exhibits will be available through the City, if needed. Stateside will notify the City if a landowner retains an attorney and makes that information available to Stateside. All information will remain confidential and must be requested through the City of Temple Project Manager.

Invoice:

Stateside accounting requires invoicing on a month end basis. Payment is expected within 30 days of the date of the invoice.

Fees:**Appraisal Services:**

Appraisals by Appraisers:

- Residential Land Only Appraisals – 18 @ \$3,500 each \$ 63,000
- Commercial Land Only Appraisals – 4 @ \$3,500 each \$ 14,000
- Residential with proximity impact Appraisals – 6 @ \$4,900 each \$ 29,400

The Appraisal total amount: \$ 106,400

Acquisition Services:

The fees will be submitted on a milestone basis:

- Negotiation Services – up to 27 acquisitions - @ \$4,000 each \$ 108,000

The Stateside total amount is not to exceed: \$ 214,400

Milestone Payments:

The fees will be submitted on a milestone basis:

- **Acquisition**
 - Set up 20% per parcel
 - Offer Packet 50%
 - Final Offer/Closing 20%
 - File Close Out/Submit for ED 10%

- **Appraisals**
 - Completion 100%

Thank you for this opportunity and we look forward to working with you and your team.

Sincerely,

STATESIDE RIGHT OF WAY SERVICES, L.L.C.



Diane Burkhardt Valek
President

RESOLUTION NO. 2018-9175-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH STATESIDE RIGHT OF WAY SERVICES, INC. OF TEMPLE, TEXAS IN AN AMOUNT NOT TO EXCEED \$214,400, FOR LAND ACQUISITION SERVICES FOR PHASE 4 OF THE OUTER LOOP PROJECT; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the Outer Loop, south of FM 2305, is an important north-south arterial that will connect the Adams Avenue growth corridor to IH 35;

Whereas, Phase 3A at Adams Avenue has recently been constructed and construction on Phase 3B to extend the Outer Loop just south of Jupiter Drive is expected to begin in the coming weeks;

Whereas, Phase 4 will consist of 6,100 linear feet of arterial roadway between Jupiter Road and just south of the future connection of Poison Oak Road;

Whereas, at this time, Staff anticipates right-of-way will be needed from approximately 27 tracts of land and based on the current design of the project, Staff does not believe relocation will be necessary;

Whereas, Staff received a proposal for the land acquisition services from Stateside Right of Way Services, Inc. ("Stateside") of Temple, Texas who will offer multiple services during the acquisition process, including, but not limited to, project management, title, and appraisal services;

Whereas, Staff recommends Council authorize a professional services agreement with Stateside, in an amount not to exceed \$214,400 for land acquisition services for Phase 4 of the Outer Loop Project;

Whereas, the not to exceed amount does not include any condemnation services that may be required - Stateside will provide such services at the request of the City;

Whereas, funding for this agreement is available in Account No. 365-3400-531-6813, Project No. 101714; and

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

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

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

Part 2: The City Council authorizes the City Manager, or her designee, after approval as to form by the City Attorney, to execute a professional services agreement with Stateside Right of Way Services, Inc. of Temple, Texas in the amount of \$214,400, for land acquisition services for Phase 4 of the Outer Loop 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 **21st** day of **June**, 2018.

THE CITY OF TEMPLE, TEXAS

TIMOTHY A. DAVIS, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

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DEPT./DIVISION SUBMISSION & REVIEW:

Kayla Landeros, City Attorney

ITEM DESCRIPTION: Consider adopting a resolution authorizing a lease agreement with Hill Country Community Action Association, Inc. for lease of space in the Public Services Building located at 102 East Central Avenue, Temple.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: On February 2, 2006, Council authorized a lease agreement with Hill Country Community Action Association, Inc. ("HCCAA") for the lease of approximately 1,046 square feet of office space and three parking spaces in the garage structure at the City's Public Services Building located at 102 East Central Avenue. HCCAA has leased the property since March, 2006.

HCCAA desires to continue its lease of space at the Public Services Building and the parties wish to execute a new lease agreement. The term of this lease will be for a one year period from July 8, 2018 to July 7, 2019 and HCCAA will pay \$1 per year.

FISCAL IMPACT: The annual rent to be received from HCCAA is \$1 and will be deposited into account 110-0000-461-0253.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. 2018-9176-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A ONE-YEAR LEASE AGREEMENT WITH HILL COUNTRY COMMUNITY ACTION ASSOCIATION, INC., FOR LEASE OF SPACE IN THE PUBLIC SERVICES BUILDING LOCATED AT 102 EAST CENTRAL AVENUE, TEMPLE, TEXAS; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on February 2, 2006, Council authorized a lease agreement with Hill Country Community Action Association, Inc. (“HCCAA”) for the lease of approximately 1,046 square feet of office space and three parking spaces in the garage structure at the City’s Public Services Building located at 102 E. Central Avenue;

Whereas, HCCAA has leased the property since March, 2006 and desires to continue its lease of space at the Public Services Building;

Whereas, the term of this lease will be for a one year period from July 8, 2018 to July 7, 2019 and HCCAA will pay \$1 per year;

Whereas, Staff recommends Council authorize a one-year lease agreement with Hill Country Community Action Association, Inc. for lease of space in the Public Services Building located at 102 East Central Avenue, Temple, Texas;

Whereas, the lease agreement allows for a 30-day termination clause for any reason should the lessee or the City desire to terminate the lease;

Whereas, the annual rent received will be deposited into Account No. 100-0000-461-0253; 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 a one-year lease agreement with Hill Country Community Action Association, Inc., for lease of space in the Public Services Building located at 102 E. Central Avenue, Temple, Texas.

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

PASSED AND APPROVED this the **21st** day of **June**, 2018.

THE CITY OF TEMPLE, TEXAS

TIMOTHY A. DAVIS, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



CITY COUNCIL AGENDA ITEM MEMORANDUM

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DEPT. / DIVISION SUBMISSION & REVIEW:

Brynn Myers, City Manager
Kayla Landeros, City Attorney

ITEM DESCRIPTION: Consider adopting a resolution authorizing a one-year lease agreement with NeighborWorks Waco, for lease of space in the Historic Post Office, located at 101 North Main Street.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: NeighborWorks Waco has expanded services to Temple and is leasing building space located at 101 North Main Street, approximately 650 square feet. The original term of the lease was for a one-year period, this item will renew the lease for one more year. If Council approves the lease the term will run from July 1, 2018 through June 30, 2019. NeighborWorks Waco will pay \$1 annually in rent. An annual flat rate of \$780 will be collected to cover utilities (electric and gas) for the leased office suite, based on \$1.20/square foot.

FISCAL IMPACT: Rental is \$1 per year. An annual flat rate of \$780 will be collected to cover utilities (electric and gas) for the leased office suite. Funds received will be deposited into account 110-0000-461-0253.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. 2018-9177-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A ONE-YEAR LEASE AGREEMENT WITH NEIGHBORWORKS WACO, FOR LEASE OF SPACE IN THE HISTORIC POST OFFICE LOCATED AT 101 NORTH MAIN STREET, TEMPLE, TEXAS; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, NeighborWorks Waco has expanded services to Temple and is leasing approximately 650 square feet of space located in the Historic Post Office at 101 North Main Street;

Whereas, NeighborWorks Waco desires to renew their lease agreement - the original term of the lease was for a one-year period and this item will renew the lease for one additional year;

Whereas, the term of this lease will be from July 1, 2018 through June 30, 2019, and NeighborWorks Waco will pay \$1 per year in rent and an annual flat rate of \$780 will be collected to cover utilities (electric and gas) for the leased office suite, based on \$1.20/square foot;

Whereas, Staff recommends Council authorize a one-year lease agreement with NeighborWorks Waco for lease of space in the Historic Post Office located at 101 North Main Street, Temple, Texas;

Whereas, the lease agreement allows for a 30-day termination clause for any reason should the lessee or the City desire to terminate the lease;

Whereas, the annual rent received will be deposited into Account No. 100-0000-461-0253; 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 a one-year lease agreement with NeighborWorks Waco for lease of space in the Historic Post Office located at 101 North Main Street, Temple, Texas.

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

PASSED AND APPROVED this the **21st** day of **June**, 2018.

THE CITY OF TEMPLE, TEXAS

TIMOTHY A. DAVIS, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

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DEPT. /DIVISION SUBMISSION & REVIEW:

Traci L. Barnard, Director of Finance

ITEM DESCRIPTION: SECOND READING: 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 Santa Fe Phase 2 and Strategic Investment Zone Grants in FY 2018.

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

ITEM SUMMARY: Three bids for the construction of Santa Fe Phase 2 Roadway and Landscaping Improvements were received on May 30, 2018. This project will develop the remainder of Santa Fe Plaza with a connection under the 3rd Street Bridge to the Santa Fe Market Trail and a pedestrian connection to the recently completed MLK Festival Grounds. Also, included in this project is the redevelopment of 1st Street from Santa Fe Market Trail at Avenue B to Avenue A. Staff is recommending award of the bid to Emerson Construction Company, Inc. of Temple in the amount of \$9,629,872.59. [Next agenda item]

This recommended bid is approximately \$970,000 greater than the remaining total project budget. Staff is recommending transferring \$1,150,000 contingency funds from the upcoming 2018 TRZ Revenue Bond issue to this project budget. This will cover the funding needed to award the construction contract and allocate \$180,000 of contingency funds for any unforeseen items during the construction period.


In addition, additional funding is needed to fund an active Strategic Investment Zone (SIZ) Grant application in the amount of \$100,000. This will bring the total available SIZ funding to \$250,000.

There is no change to fund balance as a result of this Reinvestment Zone No. 1 Financing and Project plans after the amendment.

The Reinvestment Zone No. 1 Board is scheduled to meet on June 6, 2018 to approve the amendment.

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

FY 2018 FP Amendment

Line #	Description	FY 2018
404	Santa Fe Plaza	\$ 1,150,000
702	Contingency - Bonds	\$ (1,150,000)
411	1st Street from Avenue A to Avenue B	\$ 210,000
407	Santa Fe Market	\$ (210,000)
417	Strategic Investment Zone - Grants	\$ 100,000
462	Avenue U - TMED Avenue to 1st Street	\$ (100,000)
	Net change in projects 	\$ -

ATTACHMENTS:

Financing Plan
Summary Financing Plan with Detailed Project Plan
Budget Adjustment
Ordinance

FINANCING PLAN
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	Y/E 9/30/18	Y/E 9/30/19	Y/E 9/30/20	Y/E 9/30/21	Y/E 9/30/22	2023	2024	2025
DESCRIPTION	Year 36	Year 37	Year 38	Year 39	Year 40	41	42	43
1 "Taxable Increment"	\$ 426,069,294	\$ 415,287,167	\$ 409,874,095	\$ 397,412,766	\$ 426,871,090	\$ 430,495,341	\$ 473,225,671	\$ 510,957,928
1 FUND BALANCE, Begin	\$ 20,539,894	\$ 1,358,195	\$ 6,806,192	\$ 9,726,501	\$ 16,830,025	\$ 9,066,517	\$ 2,321,069	\$ 2,420,408
2 Adjustments to Debt Service Reserve	-	-	-	-	-	-	-	-
3 Fund Balance Available for Appropriation	\$ 20,539,894	\$ 1,358,195	\$ 6,806,192	\$ 9,726,501	\$ 16,830,025	\$ 9,066,517	\$ 2,321,069	\$ 2,420,408
SOURCES OF FUNDS:								
4 Tax Revenues	17,793,995	17,171,851	16,588,792	15,961,146	15,848,781	15,394,809	16,049,463	16,639,966
6 Allowance for Uncollected Taxes [1.5% of Tax Revenues]	(266,910)	(257,578)	(248,832)	(239,417)	(237,732)	(230,922)	(240,742)	(249,599)
8 Interest Income-Other	50,000	40,000	40,000	30,000	10,000	10,000	10,000	10,000
10 Grant Funds	1,170,000	-	-	-	-	-	-	-
12 License Fee - Central Texas Railway	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,000
14 Other Revenues	106,600	-	-	-	-	-	-	-
15 Sale of land	600,000	-	-	-	-	-	-	-
17 Bond Proceeds	29,000,000	-	-	-	-	-	-	-
20 Total Sources of Funds	\$ 48,489,685	\$ 16,990,273	\$ 16,415,960	\$ 15,787,729	\$ 15,657,049	\$ 15,209,887	\$ 15,854,721	\$ 16,436,367
25 TOTAL AVAILABLE FOR APPROPRIATION	\$ 69,029,579	\$ 18,348,468	\$ 23,222,152	\$ 25,514,230	\$ 32,487,074	\$ 24,276,404	\$ 18,175,790	\$ 18,856,775
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	2,030,094	2,026,694	2,038,413
32 Debt Service - 2018 Issue {\$29 mil}	-	2,129,596	1,746,550	1,434,300	1,385,900	2,338,700	2,340,700	2,340,700
35 Paying Agent Services	1,700	1,700	1,700	1,700	1,700	1,200	1,200	1,200
40 Subtotal-Debt Service	5,768,051	7,899,413	7,611,788	7,298,964	7,235,216	4,369,994	4,368,594	4,380,313
OPERATING EXPENDITURES								
50 Prof Svcs/Proj Mgmt	102,454	175,000	175,000	175,000	175,000	175,000	175,000	175,000
52 Legal/Audit	1,300	1,300	1,300	1,300	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
56 Rail Maintenance	112,100	100,000	100,000	100,000	100,000	100,000	100,000	100,000
58 Road/Signage Maintenance	200,000	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
62 TISD-Reimbursement [per contract]	27,563	27,563	27,563	28,941	28,941	28,941	30,388	30,388
65 Subtotal-Operating Expenditures	973,417	933,863	933,863	935,241	935,341	935,341	936,788	936,788
70 TOTAL DEBT & OPERATING EXPENDITURES	\$ 6,741,468	\$ 8,833,276	\$ 8,545,651	\$ 8,234,205	\$ 8,170,557	\$ 5,305,335	\$ 5,305,382	\$ 5,317,101
80 Funds Available for Projects	\$ 62,288,111	\$ 9,515,192	\$ 14,676,501	\$ 17,280,025	\$ 24,316,517	\$ 18,971,069	\$ 12,870,408	\$ 13,539,674
PROJECTS								
150 Temple Industrial Park	1,121,920	-	-	-	-	-	-	-
200 Corporate Campus Park	907,813	250,000	-	-	-	-	-	-
250 Bioscience Park/Crossroads Park	3,191,551	-	-	-	-	-	-	-
350 Outer Loop	19,485,419	-	-	-	14,800,000	11,700,000	-	-
400 Synergy Park	46,846	750,000	-	-	-	-	-	-
450 Downtown	30,258,112	725,000	450,000	450,000	450,000	450,000	450,000	450,000
500 TMED	3,229,192	300,000	4,500,000	-	-	-	-	-
550 Airport Park	2,477,063	584,000	-	-	-	-	-	-
650 Gateway Projects	212,000	100,000	-	-	-	-	-	-
750 Public Improvements	-	-	-	-	-	4,500,000	10,000,000	10,500,000
Subtotal-Projects	60,929,916	2,709,000	4,950,000	450,000	15,250,000	16,650,000	10,450,000	10,950,000
TOTAL USE OF FUNDS	\$ 67,671,384	\$ 11,542,276	\$ 13,495,651	\$ 8,684,205	\$ 23,420,557	\$ 21,955,335	\$ 15,755,382	\$ 16,267,101
800 FUND BALANCE, End	\$ 1,358,195	\$ 6,806,192	\$ 9,726,501	\$ 16,830,025	\$ 9,066,517	\$ 2,321,069	\$ 2,420,408	\$ 2,589,674

	2026	2027	2028	2029	2030	2031	2032
	44	45	46	47	48	49	50
DESCRIPTION							
1 "Taxable Increment"	\$ 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	\$ 2,589,674	\$ 2,284,096	\$ 2,667,989	\$ 2,731,730	\$ 2,976,932	\$ 3,398,828	\$ 3,003,239
2 Adjustments to Debt Service Reserve	-	-	-	-	-	-	-
3 Fund Balance Available for Appropriation	\$ 2,589,674	\$ 2,284,096	\$ 2,667,989	\$ 2,731,730	\$ 2,976,932	\$ 3,398,828	\$ 3,003,239
SOURCES OF FUNDS:							
4 Tax Revenues	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]	(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 Grant Funds	-	-	-	-	-	-	-
12 License Fee - Central Texas Railway	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	\$ 17,722,723	\$ 18,172,213	\$ 18,353,461	\$ 18,536,521	\$ 18,721,412	\$ 18,908,151	\$ 19,096,758
25 TOTAL AVAILABLE FOR APPROPRIATION	\$ 20,312,397	\$ 20,456,309	\$ 21,021,450	\$ 21,268,252	\$ 21,698,343	\$ 22,306,979	\$ 22,099,997
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}	2,051,613	2,059,113	2,061,713	2,061,713	2,069,113	2,073,513	2,084,913
32 Debt Service - 2018 Issue {\$29 mil}	2,338,700	2,339,700	2,338,500	2,340,100	2,339,300	2,339,125	2,339,213
35 Paying Agent Services	1,200	1,200	1,200	1,200	1,200	1,200	1,200
40 Subtotal-Debt Service	4,391,513	4,400,013	4,401,413	4,403,013	4,409,613	4,413,838	4,425,326
OPERATING EXPENDITURES							
50 Prof Svcs/Proj Mgmt	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
54 Zone Park Maintenance [mowing, utilities, botanical supplies]	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
58 Road/Signage Maintenance	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
62 TISD-Reimbursement [per contract]	30,388	31,907	31,907	31,907	33,502	33,502	33,502
65 Subtotal-Operating Expenditures	936,788	938,307	938,307	938,307	939,902	939,902	939,902
70 TOTAL DEBT & OPERATING EXPENDITURES	\$ 5,328,301	\$ 5,338,320	\$ 5,339,720	\$ 5,341,320	\$ 5,349,515	\$ 5,353,740	\$ 5,365,228
80 Funds Available for Projects	\$ 14,984,096	\$ 15,117,989	\$ 15,681,730	\$ 15,926,932	\$ 16,348,828	\$ 16,953,239	\$ 16,734,769
PROJECTS							
150 Temple Industrial Park	-	-	-	-	-	-	-
200 Corporate Campus Park	-	-	-	-	-	-	-
250 Bioscience Park/Crossroads Park	-	-	-	-	-	-	-
350 Outer Loop	-	-	-	-	-	-	-
400 Synergy Park	-	-	-	-	-	-	-
450 Downtown	450,000	450,000	450,000	450,000	450,000	450,000	450,000
500 TMED	-	-	-	-	-	-	-
550 Airport Park	-	-	-	-	-	-	-
650 Gateway Projects	-	-	-	-	-	-	-
750 Public Improvements	12,250,000	12,000,000	12,500,000	12,500,000	12,500,000	13,500,000	13,500,000
Subtotal-Projects	12,700,000	12,450,000	12,950,000	12,950,000	12,950,000	13,950,000	13,950,000
TOTAL USE OF FUNDS	\$ 18,028,301	\$ 17,788,320	\$ 18,289,720	\$ 18,291,320	\$ 18,299,515	\$ 19,303,740	\$ 19,315,228
800 FUND BALANCE, End	\$ 2,284,096	\$ 2,667,989	\$ 2,731,730	\$ 2,976,932	\$ 3,398,828	\$ 3,003,239	\$ 2,784,769

	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042
DESCRIPTION	51	52	53	54	55	56	57	58	59	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	\$ 2,784,769	\$ 2,749,292	\$ 2,994,676	\$ 2,938,758	\$ 2,825,321	\$ 2,913,337	\$ 2,950,306	\$ 3,526,010	\$ 3,305,949	\$ 2,792,165
2 Adjustments to Debt Service Reserve	-	-	-	-	-	-	-	-	-	-
3 Fund Balance Available for Appropriation	\$ 2,784,769	\$ 2,749,292	\$ 2,994,676	\$ 2,938,758	\$ 2,825,321	\$ 2,913,337	\$ 2,950,306	\$ 3,526,010	\$ 3,305,949	\$ 2,792,165
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	\$ 22,072,020	\$ 22,228,941	\$ 22,668,648	\$ 22,808,995	\$ 22,893,786	\$ 23,182,011	\$ 23,421,193	\$ 24,201,132	\$ 24,187,348	\$ 23,881,903
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 {\$29 mil}	2,337,038	2,341,488	2,337,113	2,339,138	2,337,113	2,338,369	-	-	-	-
35 Paying Agent Services	1,200	1,200	1,200	1,200	-	-	-	-	-	-
40 Subtotal-Debt Service	4,431,151	2,342,688	2,338,313	2,340,338	2,337,113	2,338,369	-	-	-	-
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	\$ 5,372,728	\$ 3,284,265	\$ 3,279,890	\$ 3,283,674	\$ 3,280,449	\$ 3,281,705	\$ 945,183	\$ 945,183	\$ 945,183	\$ 947,122
80 Funds Available for Projects	\$ 16,699,292	\$ 18,944,676	\$ 19,388,758	\$ 19,525,321	\$ 19,613,337	\$ 19,900,306	\$ 22,476,010	\$ 23,255,949	\$ 23,242,165	\$ 22,934,781
PROJECTS										
150 Temple Industrial Park	-	-	-	-	-	-	-	-	-	-
200 Corporate Campus Park	-	-	-	-	-	-	-	-	-	-
250 Bioscience Park/Crossroads Park	-	-	-	-	-	-	-	-	-	-
350 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	-	-	-	-	-	-	-	-	-	-
650 Gateway Projects	-	-	-	-	-	-	-	-	-	-
750 Public Improvements	13,500,000	15,500,000	16,000,000	16,250,000	16,250,000	16,500,000	18,500,000	19,500,000	20,000,000	19,500,000
Subtotal-Projects	13,950,000	15,950,000	16,450,000	16,700,000	16,700,000	16,950,000	18,950,000	19,950,000	20,450,000	19,950,000
TOTAL USE OF FUNDS	\$ 19,322,728	\$ 19,234,265	\$ 19,729,890	\$ 19,983,674	\$ 19,980,449	\$ 20,231,705	\$ 19,895,183	\$ 20,895,183	\$ 21,395,183	\$ 20,897,122
800 FUND BALANCE, End	\$ 2,749,292	\$ 2,994,676	\$ 2,938,758	\$ 2,825,321	\$ 2,913,337	\$ 2,950,306	\$ 3,526,010	\$ 3,305,949	\$ 2,792,165	\$ 2,984,781

	2043	2044	2045	2046	2047	2048	2049	2050	2051	2052
	61	62	63	64	65	66	67	68	69	70
DESCRIPTION										
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	\$ 2,984,781	\$ 3,242,060	\$ 3,178,960	\$ 3,295,139	\$ 3,094,447	\$ 3,078,715	\$ 3,247,655	\$ 3,105,273	\$ 3,153,456	\$ 3,391,864
2 Adjustments to Debt Service Reserve	-	-	-	-	-	-	-	-	-	-
3 Fund Balance Available for Appropriation	\$ 2,984,781	\$ 3,242,060	\$ 3,178,960	\$ 3,295,139	\$ 3,094,447	\$ 3,078,715	\$ 3,247,655	\$ 3,105,273	\$ 3,153,456	\$ 3,391,864
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	\$ 20,984,282	\$ 21,421,082	\$ 21,539,297	\$ 21,838,605	\$ 21,822,873	\$ 21,993,951	\$ 22,351,569	\$ 22,399,752	\$ 22,640,405	\$ 23,073,208
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 {\$29 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	\$ 20,192,060	\$ 20,628,960	\$ 20,745,139	\$ 21,044,447	\$ 21,028,715	\$ 21,197,655	\$ 21,555,273	\$ 21,603,456	\$ 21,841,864	\$ 22,274,667
PROJECTS										
150 Temple Industrial Park	-	-	-	-	-	-	-	-	-	-
200 Corporate Campus Park	-	-	-	-	-	-	-	-	-	-
250 Bioscience Park/Crossroads Park	-	-	-	-	-	-	-	-	-	-
350 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	-	-	-	-	-	-	-	-	-	-
650 Gateway Projects	-	-	-	-	-	-	-	-	-	-
750 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
800 FUND BALANCE, End	\$ 3,242,060	\$ 3,178,960	\$ 3,295,139	\$ 3,094,447	\$ 3,078,715	\$ 3,247,655	\$ 3,105,273	\$ 3,153,456	\$ 3,391,864	\$ 3,324,667

	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	\$ 3,324,667	\$ 2,953,809	\$ 3,278,896	\$ 3,304,268	\$ 3,531,930	\$ 2,961,427	\$ 3,097,278	\$ 3,441,547	\$ 3,493,719	\$ 3,258,498
2 Adjustments to Debt Service Reserve	-	-	-	-	-	-	-	-	-	-
3 Fund Balance Available for Appropriation	\$ 3,324,667	\$ 2,953,809	\$ 3,278,896	\$ 3,304,268	\$ 3,531,930	\$ 2,961,427	\$ 3,097,278	\$ 3,441,547	\$ 3,493,719	\$ 3,258,498
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	\$ 23,202,350	\$ 23,029,794	\$ 23,555,166	\$ 23,782,828	\$ 24,214,800	\$ 23,850,651	\$ 24,194,920	\$ 24,749,691	\$ 25,014,470	\$ 24,993,983
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 {\$29 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	\$ 22,403,809	\$ 22,228,896	\$ 22,754,268	\$ 22,981,930	\$ 23,411,427	\$ 23,047,278	\$ 23,391,547	\$ 23,943,719	\$ 24,208,498	\$ 24,188,011
PROJECTS										
150 Temple Industrial Park	-	-	-	-	-	-	-	-	-	-
200 Corporate Campus Park	-	-	-	-	-	-	-	-	-	-
250 Bioscience Park/Crossroads Park	-	-	-	-	-	-	-	-	-	-
350 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	-	-	-	-	-	-	-	-	-	-
650 Gateway Projects	-	-	-	-	-	-	-	-	-	-
750 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	23,738,011
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	24,188,011
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	\$ 24,993,983
800 FUND BALANCE, End	\$ 2,953,809	\$ 3,278,896	\$ 3,304,268	\$ 3,531,930	\$ 2,961,427	\$ 3,097,278	\$ 3,441,547	\$ 3,493,719	\$ 3,258,498	\$ (0)

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

Project Plan - 06/06/18 - to Zone Board

\$ 29,000,000
Bond Proceeds

SUMMARY FINANCING PLAN								
	2018	2019	2020	2021	2022	2023	2024	2025
1 Beginning Available Fund Balance, Oct 1	\$ 20,539,894	\$ 1,358,195	\$ 6,806,192	\$ 9,726,501	\$ 16,830,025	\$ 9,066,517	\$ 2,321,069	\$ 2,420,408
20 Total Sources of Funds	48,489,685	16,990,273	16,415,960	15,787,729	15,657,049	15,209,887	15,854,721	16,436,367
2 Adjustments to Debt Service Reserve		-	-	-	-	-	-	-
25 Net Available for Appropriation	69,029,579	18,348,468	23,222,152	25,514,230	32,487,074	24,276,404	18,175,790	18,856,775
50/52 General Administrative Expenditures	103,754	176,300	176,300	176,300	176,400	176,400	176,400	176,400
54 Zone Park Maintenance [mowing, utilities, botanical supplies]	330,000	330,000	330,000	330,000	330,000	330,000	330,000	330,000
56 Rail Maintenance	112,100	100,000	100,000	100,000	100,000	100,000	100,000	100,000
58 Road/Signage Maintenance	200,000	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
62 TISD-Reimbursement [per contract]	27,563	27,563	27,563	28,941	28,941	28,941	30,388	30,388
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	2,030,094	2,026,694	2,038,413
32 Debt Service - 2018 Issue {\$29 mil}	-	2,129,596	1,746,550	1,434,300	1,385,900	2,338,700	2,340,700	2,340,700
33 Paying Agent Services	1,700	1,700	1,700	1,700	1,700	1,200	1,200	1,200
70 Total Debt & Operating Expenditures	6,741,468	8,833,276	8,545,651	8,234,205	8,170,557	5,305,335	5,305,382	5,317,101
80 Funds Available for Projects	\$ 62,288,111	\$ 9,515,192	\$ 14,676,501	\$ 17,280,025	\$ 24,316,517	\$ 18,971,069	\$ 12,870,408	\$ 13,539,674

PROJECT PLAN								
	2018	2019	2020	2021	2022	2023	2024	2025
TEMPLE INDUSTRIAL PARK:								
101 Receiving & Delivery (R&D) Tracks	21,920	-	-	-	-	-	-	-
101 Receiving & Delivery (R&D) Tracks {bond funded}	-	-	-	-	-	-	-	-
102 Rail Backage Road (E-W) GST Tract {bond funded}	450,000	-	-	-	-	-	-	-
103 Rail Backage Road (N-S) GST Tract	-	-	-	-	-	-	-	-
104 Overlay Industrial Blvd	650,000	-	-	-	-	-	-	-
108	-	-	-	-	-	-	-	-
150 Total Industrial Park	1,121,920	-	-	-	-	-	-	-
CORPORATE CAMPUS PARK:								
155 Pepper Creek Trail Hwy 36 to McLane Parkway	157,813	-	-	-	-	-	-	-
156 Corporate Campus Land	750,000	-	-	-	-	-	-	-
157 Mixed Use Master Plan	-	250,000	-	-	-	-	-	-
200 Total Corporate Campus Park	907,813	250,000	-	-	-	-	-	-
BIOSCIENCE PARK/CROSSROADS PARK:								
207 Cross Roads Park @ Pepper Creek Trail	3,191,551	-	-	-	-	-	-	-
250 Total Bio-Science Park	3,191,551	-	-	-	-	-	-	-
OUTER LOOP								
305 Outer Loop (IH 35 to Wendland) STAG grant {Little Elm Sewer}	1,925,000	-	-	-	-	-	-	-
305 Outer Loop (IH 35 to Wendland)	1,224,909	-	-	-	14,800,000	-	-	-
305 Outer Loop (IH 35 to Wendland) {bond funded}	500,000	-	-	-	-	-	-	-
310 Outer Loop (Wendland to McLane Pkwy)	1,010,016	-	-	-	-	11,700,000	-	-
315 Outer Loop (McLane Pkwy to Central Point Pkwy)	398,344	-	-	-	-	-	-	-
315 Outer Loop (McLane Pkwy to Central Point Pkwy) {bond funded}	7,250,000	-	-	-	-	-	-	-
316 Outer Loop Phase V (Poison Oak to Old Waco Road) {bond funded}	2,820,000	-	-	-	-	-	-	-
320 Outer Loop Phase VI (Old Waco Road to I35 South)	394,150	-	-	-	-	-	-	-
320 Outer Loop Phase VI (Old Waco Road to I35 South) {bond funded}	3,340,000	-	-	-	-	-	-	-
321 East Outer Loop {bond funded}	623,000	-	-	-	-	-	-	-
350 Total Research Parkway	19,485,419	-	-	-	14,800,000	11,700,000	-	-
SYNERGY PARK:								
352 Entry Enhancement	46,846	-	-	-	-	-	-	-
354 Land	-	750,000	-	-	-	-	-	-
400 Total Synergy Park	46,846	750,000	-	-	-	-	-	-
DOWNTOWN:								
401 Downtown Improvements (Transformation Team)	362,051	450,000	450,000	450,000	450,000	450,000	450,000	450,000
402 Downtown Electric Master Plan	75,000	-	-	-	-	-	-	-
403 Downtown Lighting	60,000	-	-	-	-	-	-	-
404 Santa Fe Plaza	7,105,977	-	-	-	-	-	-	-
404 Santa Fe Plaza {bond funded}	1,150,000	-	-	-	-	-	-	-
406 Downtown City Center/Hawn {bond funded}	2,050,000	-	-	-	-	-	-	-
406 Downtown City Center/Hawn	150,000	-	-	-	-	-	-	-
407 Santa Fe Market	3,554,084	-	-	-	-	-	-	-
408 MLK Festival Fields	-	-	-	-	-	-	-	-
409 TISD-Obligation per Contract	5,000,000	-	-	-	-	-	-	-
410 1st Street (Avenue B to Central Avenue) and Avenue A (North 3rd to South 2nd)	296,000	-	-	-	-	-	-	-
411 1st Street from Avenue A to Avenue B	1,060,000	-	-	-	-	-	-	-
412 1st Street from Avenue A to Central Avenue {bond funded}	1,280,000	-	-	-	-	-	-	-
413 1st Street Parking Garage {bond funded}	5,000,000	-	-	-	-	-	-	-
414 Avenue C from MLK to 24th Street {bond funded}	2,540,000	-	-	-	-	-	-	-
415 Santa Fe Plaza - Central Ave Corridor Parking and Enhancement Concept Design {bond funded}	170,000	-	-	-	-	-	-	-
416 Santa Fe Plaza - Parking Enhancement - 11th to 9th {bond funded}	155,000	-	-	-	-	-	-	-
417 Strategic Investment Zone - Grants	250,000	275,000	-	-	-	-	-	-
450 Total Downtown	30,258,112	725,000	450,000	450,000	450,000	450,000	450,000	450,000
TMED:								
458 Loop 363 Frontage Rd (UPRR to 5th TIRZ portion)	182,935	-	-	-	-	-	-	-
459 31st Street/Loop 363 Improvements	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	362,305	-	-	-	-	-	-	-
465 Friars Creek Trail Amphitheater	-	-	-	-	-	-	-	-
466 Veteran's Memorial Blvd. Phase II	269,602	300,000	4,500,000	-	-	-	-	-
467 1st Street @ Temple College Pedestrian Bridge	-	-	-	-	-	-	-	-
468 TMED South 1st Street	1,759,550	-	-	-	-	-	-	-
500 Total TMED	3,229,192	300,000	4,500,000	-	-	-	-	-
AIRPORT PARK:								
507 Taxiway for Airport	-	-	-	-	-	-	-	-
510 Corporate Hangar Phase III	1,686,063	-	-	-	-	-	-	-
511 Draughon-Miller Regional Airport FBO Center & Parking Visioning	119,000	-	-	-	-	-	-	-
512 Draughon-Miller Regional Airport FBO Center & Parking {bond funded}	440,000	-	-	-	-	-	-	-
513 Corporate Hangar Phase IV {RAMP grant funded}	100,000	-	-	-	-	-	-	-
513 Corporate Hangar Phase IV {bond funded}	132,000	-	-	-	-	-	-	-
514 Clear Area Near Fire Station	-	172,500	-	-	-	-	-	-
515 Repaint Tower	-	172,500	-	-	-	-	-	-
516 Demolition of Old Terminal Building	-	115,000	-	-	-	-	-	-
517 Fence Realignment	-	124,000	-	-	-	-	-	-
550 Total Airport Park	2,477,063	584,000	-	-	-	-	-	-
GATEWAY PROJECTS:								
601 North 31st Street (Nugent to Central) Concept Design	212,000	-	-	-	-	-	-	-
602 Downtown Neighborhoods Overlay	-	100,000	-	-	-	-	-	-
650 Total Gateway Projects	212,000	100,000	-	-	-	-	-	-
Public Improvements								
701 Public Improvements	-	-	-	-	-	4,500,000	10,000,000	10,500,000
702 Contingency {bond funded}	-	-	-	-	-	-	-	-
750 Total Public Improvements	-	-	-	-	-	4,500,000	10,000,000	10,500,000
Total Planned Project Expenditures	60,929,916	2,709,000	4,950,000	450,000	15,250,000	16,650,000	10,450,000	10,950,000
800 Available Fund Balance at Year End	\$ 1,358,195	\$ 6,806,192	\$ 9,726,501	\$ 16,830,025	\$ 9,066,517	\$ 2,321,069	\$ 2,420,408	\$ 2,589,674

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 SANTA FE PHASE 2 AND STRATEGIC INVESTMENT ZONE GRANTS IN FISCAL YEAR 2018; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; DECLARING FINDINGS OF FACT; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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

Whereas, the Council adopted a Project Plan and Reinvestment Zone Financing Plan for the Zone by Ordinance No. 1525 adopted on December 22, 1983, and thereafter amended such plans by Ordinance No. 1664 adopted on June 20, 1985, Ordinance No. 1719 adopted on November 21, 1985, Ordinance No. 1888 adopted on December 21, 1987, Ordinance No. 1945 adopted on October 20, 1988; Ordinance No. 1961 adopted on December 1, 1988; Ordinance No. 2039 adopted on April 19, 1990; Ordinance No. 91-2119 adopted on December 5, 1991; Ordinance No. 92-2138 adopted on April 7, 1992; Ordinance No. 94-2260 adopted on March 3, 1994; Ordinance No. 95-2351 adopted on June 15, 1995; Ordinance No. 98-2542 adopted on February 5, 1998; Ordinance No. 98-2582 adopted on November 19, 1998; Ordinance No. 99-2619 adopted on March 18, 1999; Ordinance No. 99-2629 adopted on May 6, 1999; Ordinance No. 99-2631 adopted on May 20, 1999; Ordinance No. 99-2647 adopted on August 19, 1999; Ordinance No. 99-2678 adopted on December 16, 1999; Ordinance No. 2000-2682 adopted on January 6, 2000; Ordinance No. 2000-2729 adopted on October 19, 2000; Ordinance No. 2001-2772 adopted on June 7, 2001; Ordinance No. 2001-2782 adopted on July 19, 2001; Ordinance No. 2001-2793 adopted on September 20, 2001; Ordinance No. 2001-2807 on November 15, 2001; Ordinance No. 2001-2813 on December 20, 2001; Ordinance No. 2002-2833 on March 21, 2002; Ordinance No. 2002-2838 on April 18, 2002; Ordinance No. 2002-3847 on June 20, 2002; Ordinance No. 2002-3848 on June 20, 2002; Ordinance No. 2002-3868 on October 17, 2002; Ordinance No. 2003- 3888 on February 20, 2003; Ordinance No. 2003-3894 on April 17, 2003; Ordinance No 2003-3926 on September 18, 2003; Ordinance No. 2004-3695 on July 1, 2004; Ordinance No. 2004-3975 on August 19, 2004; Ordinance No. 2004-3981 on September 16, 2004; Ordinance No. 2005-4001 on May 5, 2005; Ordinance No. 2005-4038 on September 15, 2005; Ordinance No. 2006-4051 on January 5, 2006; Ordinance No. 2006-4076 on the 18th day of May, 2006; Ordinance No. 2006-4118; Ordinance No. 2007-4141 on the 19th day of April, 2007; Ordinance No. 2007-4155 on July 19, 2007; Ordinance No. 2007-4172 on the 20th day of September, 2007; Ordinance No. 2007-4173 on October 25, 2007; Ordinance No. 2008-4201 on the 21st day of February, 2008; and Ordinance No. 2008-4217 the 15th day of May, 2008; Ordinance No. 2008-4242 the 21st day of August, 2008; Ordinance No. 2009-4290 on the 16th day of April, 2009; Ordinance No. 2009-4294 on the 21st day of May, 2009; Ordinance No. 2009-4316 on the 17th day of September, 2009; Ordinance No. 2009-4320 on the 15th day of October, 2009; Ordinance No. 2010-4338 on the 18th day of February, 2010; Ordinance No. 2010-4373 on the 19th day of August, 2010; Ordinance No. 2010-4405 on November 4, 2010; Ordinance No. 2011-4429 on March 17, 2011; Ordinance No. 2011-4455 on July 21, 2011;

Ordinance No. 2011-4477 on October 20, 2011; Ordinance No. 2012-4540 on June 21, 2012; and Ordinance No. 2012-4546 on July 19, 2012; Ordinance No. 2012-4554 on September 20, 2012; Ordinance No. 2012-4566 on November 15, 2012; Ordinance No. 2013-4595 on June 20, 2013; Ordinance No. 2014-4665 on May 15, 2014; Ordinance No. 2014-4676 on July 17, 2014; Ordinance No. 2014-4683 on September 18, 2014; Ordinance No. 2014-4695 on December 18, 2014; Ordinance No. 2015-4705 on April 16, 2015; Ordinance No. 2015-4734 on October 17, 2015; Ordinance No. 2016-4789 on July 21, 2016; Ordinance No. 2016-4809 on October 20, 2016; Ordinance No. 2017-4838 on April 20, 2017; Ordinance No. 2017-4851 on July 20, 2017; Ordinance No. 2017-4871 on October 19, 2017; Ordinance No. 2017-4881 on November 2, 2017; Ordinance No. 2018-4885 on January 18, 2018; Ordinance No. 2018-4908; **Ordinance No. 2018-XXXX**;

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 **7th** day of **June**, 2018.

PASSED AND APPROVED on Second Reading on the **21st** day of **June**, 2018.

THE CITY OF TEMPLE, TEXAS

TIMOTHY A. DAVIS, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

06/21/18
Item #6(T)
Consent Agenda
Page 1 of 3

DEPT. / DIVISION SUBMISSION & REVIEW:

Lynn Barrett, Assistant Planning Director

ITEM DESCRIPTION: SECOND READING – FY-18-3-ZC: Consider adopting an ordinance authorizing a rezoning for 91.15 +/- acres, from Agricultural to Single Family Two, situated in the Maximo Moreno Survey, Abstract No. 14, Bell County, Texas, addressed as 401 North 42nd Street.

STAFF RECOMMENDATION: Staff recommends approval for a rezoning from AG to SF-2 district for the following reasons:

1. The proposed SF-2 zoning is compatible with surrounding zoning, existing and anticipated uses as well as future growth trends in the area;
2. The proposal is in compliance with the Thoroughfare Plan; and
3. Public facilities are available to serve the subject property.

PLANNING & ZONING COMMISSION RECOMMENDATION: At their May 7, 2018 meeting, the Planning & Zoning Commission voted seven to zero to recommend approval of the rezoning to SF-2 with development/site plan per staff's recommendation.

ITEM SUMMARY: The applicant, WBW Land Investments, requests rezoning of 91 +/- acres from Agricultural (AG) zoning district to Single Family Two (SF-2) zoning district to develop the property into a single family residential subdivision. The property borders two streets designated as collectors, North 42nd Street and Lavendusky Drive, as well as having 1250 feet of frontage along the west side of the Northeast H K Dodgen Loop, designated as an Expressway. An adjacent older subdivision, across North 42nd Street to the west, is also zoned AG and consists of partially developed one-half to one acre lots.

TXDOT has not provided input relative to driveway access. Discussions may be on-going regarding future subdivision access directly to Loop 363. Details on access and street connections will be a part of the platting process of the subdivision.

The SF-2 designation is appropriate for a medium density residential subdivision.

The subject property is in the Temple Independent School District and is across Lavendusky Drive from Hector P Garcia elementary school.

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

Future Land Use Map (CP Map 3.1)

The subject property has the Future Land Use Map (FLUM) designation of Suburban Commercial designation due to its proximity to the Loop. Its location in East Temple as a new green field housing development location is partially compatible with this FLUP as a suburban character to the area would be manifested through new housing activity. And this portion of the city would benefit from having new housing choices.

Thoroughfare Plan (CP Map 5.2)

The subject property takes access from Loop 363, an expressway and North 42nd Street and Lavendusky Drive, both collector streets. No Transportation Capital Improvement Program (TCIP) improvements are identified for the area.

Availability of Public Facilities (CP Goal 4.1)

Sewer is available at the southwest corner of the property at the intersection of Lavendusky Drive and North 42nd Street Water is available through an eight inch waterline on the southern boundary of Lavendusky Drive and a portion of the property frontage on North 42nd Street.

Temple Trails Master Plan Map and Sidewalks Ordinance

No proposed trails are shown on the Trails Master Plan and no sidewalks are required.

DEVELOPMENT REGULATIONS: Standards for detached Single Family residential homes in the SF-2 district are:

	SF-2 (Proposed)
Minimum Lot Size	5,000 Square Feet
Minimum Lot Width	50 Feet
Minimum Lot Depth	100 Feet
Front Setback	25 Feet
Side Setback	5 Feet
Side Setback (corner)	15 Feet
Rear Setback	10 Feet
Max Building Height	2 ½ Stories

SF-2 zoning does not allow commercial, restaurant, hospitality or business uses, although there are a few other uses allowed other than single family detached homes, including the following:

Permitted & Conditional Use Table – Single Family Two (SF-2)	
Agricultural Uses	* Farm, Ranch or Orchard
Residential Uses	* Single Family Residence (Detached Only) * Industrialized Housing * Family or Group Home
Industrial Uses	* Temporary Asphalt & Concrete Batching Plat (CUP)
Recreational Uses	* Park or Playground
Educational & Institutional Uses	* Cemetery, Crematorium or Mausoleum (CUP) * Place of Worship * Child Care: Group Day Care (CUP) * Social Service Center (CUP)

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

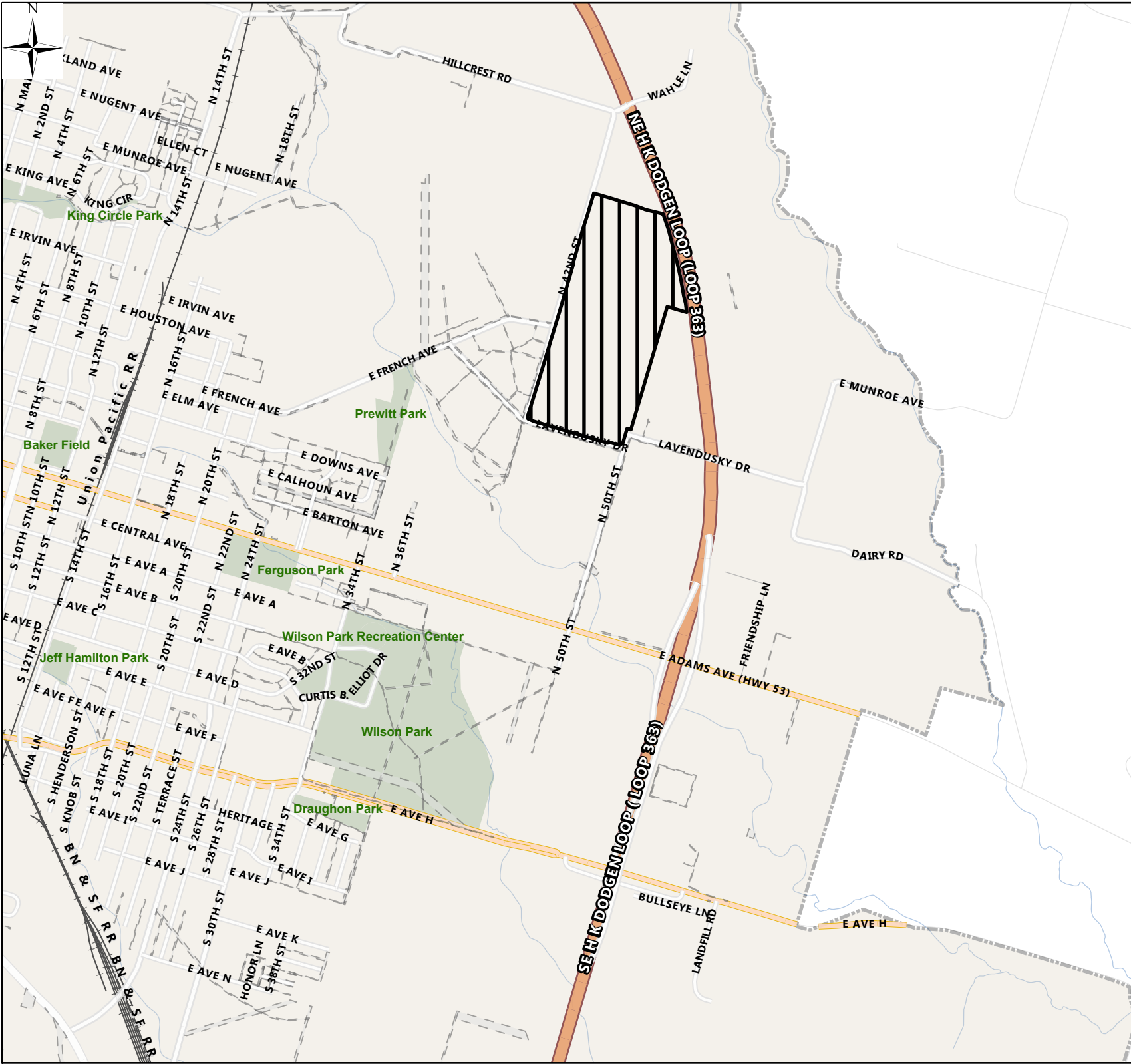
PUBLIC NOTICE: There were 23 notices sent to property owners within 200-feet of the subject property containing notice of the public hearing as required by State law and City Ordinance. As of Thursday May 24, 2018 at 3:00 PM, one notice was received in agreement; five notices were received in disagreement and one was received undeliverable.

The newspaper printed notice of the public hearing on April 26, 2018, in accordance with state law and local ordinance.

FISCAL IMPACT: Not Applicable

ATTACHMENTS:

[Maps](#)
[Site Photos](#)
[Returned Property Notices](#)
[P & Z Excerpts \(May 7, 2018\)](#)
[Ordinance](#)



AG TO PD SF-2

AERIAL MAP

Zoning Case :
FY-18-3-ZC

Address :
401 N 42nd ST

Transportation

- Streets
- EXPRESSWAY
 - MAJOR ARTERIAL
 - COLLECTOR
 - LOCAL STREET
 - MINOR ARTERIAL
 - PRIVATE
 - RAMP
 - Railroad
 - Temple Municipal Boundary
 - Production.SDE.Easement

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: 4/17/2018





AG TO PD SF-2

AERIAL MAP

Zoning Case :
FY-18-3-ZC

Address :
401 N 42nd ST


Transportation

Streets

 EXPRESSWAY

 COLLECTOR

 LOCAL STREET

 Temple Municipal Boundary

Parcel Features

 Parcels

 ETJ Parcels

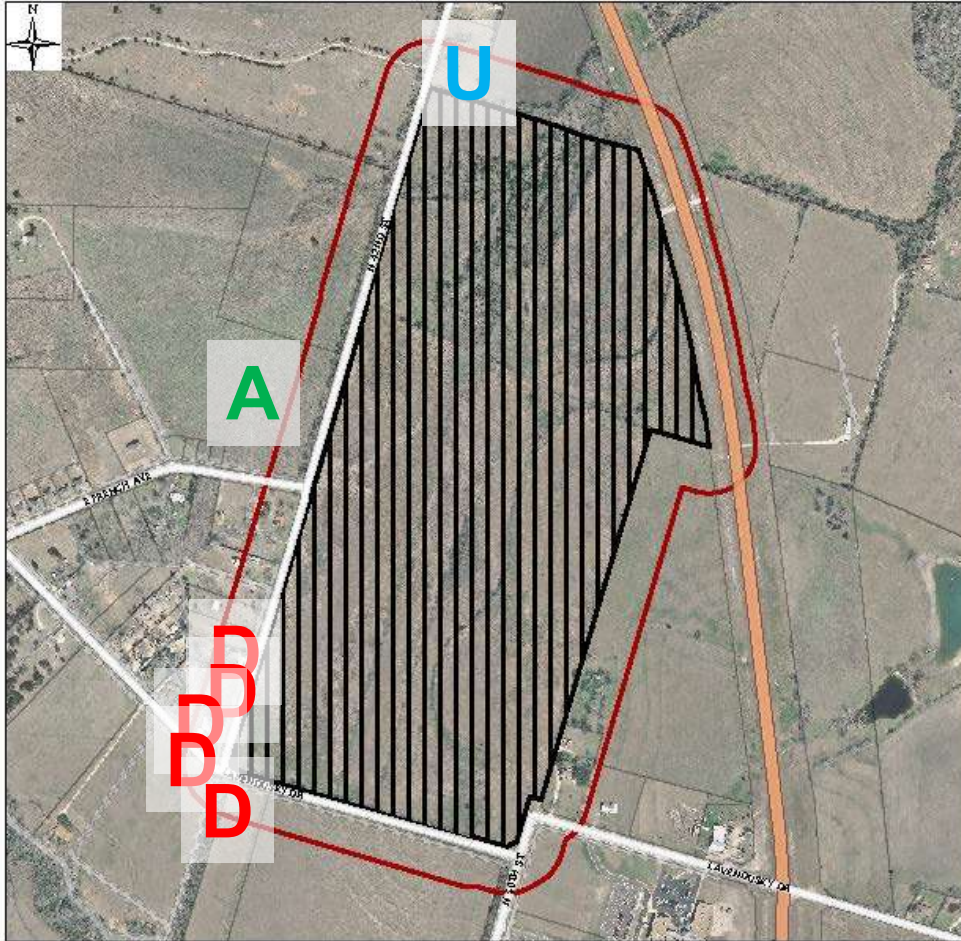
 Production.SDE.Easement

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: 4/17/2018





AG TO SF-2
200'
NOTIFICATION MAP
Zoning Case :
FY-18-3-ZC
Address :
401 N 42nd ST

☐ Production, SDE, Easement

City of Temple reserves the right to remove the map from the public domain for any reason, including but not limited to, the need to update the map to reflect changes in the community or to correct errors. The map is provided for informational purposes only and should not be used as a basis for any legal action.

Irbarrett
Date: 4/16/2018





AG TO SF-2

UTILITY MAP

Zoning Case :
FY-18-3-ZC

Address :
401 N 42ND ST

Sewer

- Manhole
- Gravity Main

WaterDistribution

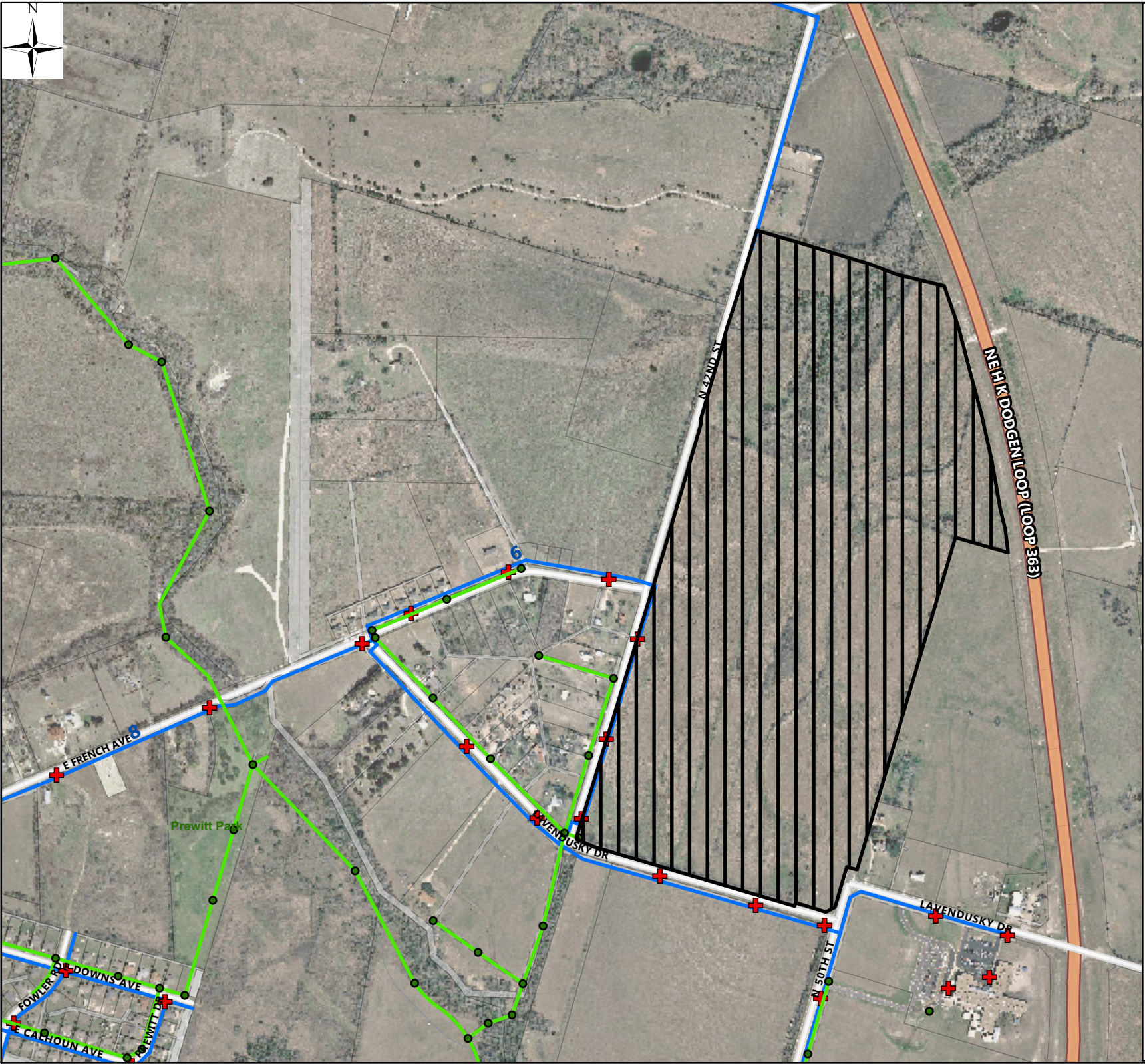
- ✚ Hydrant
- Main

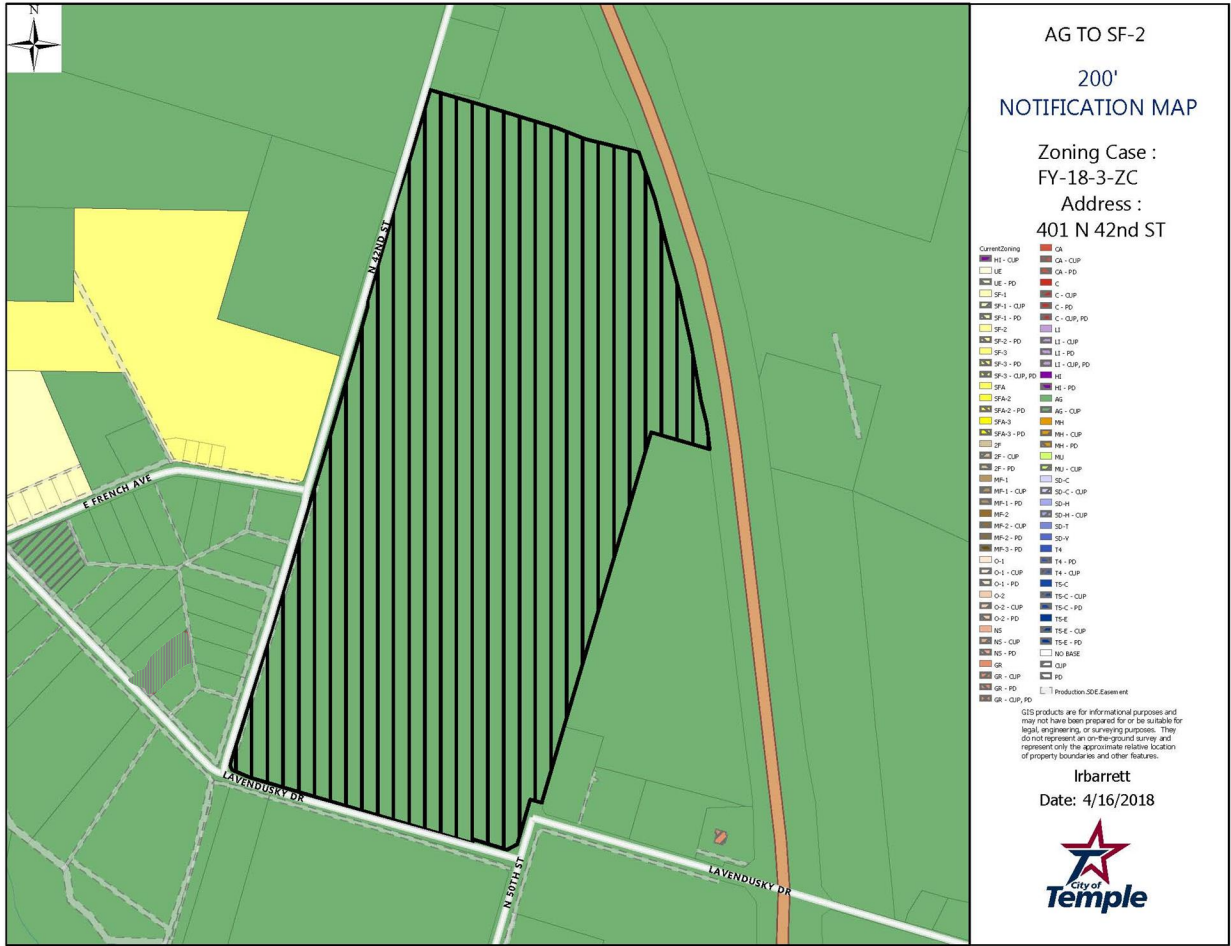
Parcel Features

- ▭ Parcels
- ▭ Production.SDE.Easement

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: 4/16/2018





Site Photos



View Down Lavendusky



50th St into subject property where intersects with Lavendusky Dr. School property is on the right.



From Lavendusky Dr into the property



View from Loop looking South along the property



View to North along the Loop





View from West into subject property



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

130204
NEW AMERICAN DREAM LTD
8702 ADAMS LN
TEMPLE, TX 76502

Zoning Application Number: FY-18-3-ZC

Case Manager: Lynn Barrett

Location: 401 North 42nd Street, Temple, TX

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

I ☒ agree

() disagree with this request

Comments:

J.C. Wall
Signature

J.C. Wall
Print Name

If you would like to submit a response, please email a scanned version of this completed form to the Case Manager referenced above, lrbarrett@templetx.gov, or mail or hand-deliver this comment form to the address below, no later than **May 7, 2018**.

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

Number of Notices Mailed: 23

Date Mailed: April 26, 2018

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



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

33635
ENTROP, CLARENCE A
41 BEACHCOMBER DR
BELTON, TX 76513-6407

Zoning Application Number: FY-18-3-ZC

Case Manager: Lynn Barrett

Location: 401 North 42nd Street, Temple, TX

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

I () agree

(☒) disagree with this request

Comments:

We have a peaceful, quiet place and do not
want that to change. This would have a very
negative impact on our lives.

Clarence Entrop
Signature

Clarence Entrop
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, or mail or hand-deliver this comment form to the address below, no later than **May 7, 2018**.

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

RECEIVED
MAY 07 2018
CITY OF TEMPLE
PLANNING & DEVELOPMENT

Number of Notices Mailed: 23

Date Mailed: April 26, 2018

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



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

90443
PALOMINO, JESSE ETUX GLORIA
904 N 42ND ST
TEMPLE, TX 76501-4833

Zoning Application Number: FY-18-3-ZC

Case Manager: Lynn Barrett

Location: 401 North 42nd Street, Temple, TX

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

I () agree

(✓) disagree with this request

Comments:

No, I do not want rezoning of said property. I live right across the street & feel that by doing this it will encourage drug activity & many problems that will be unsolvable. I am a widow for 13 years & feel safe here for the past 45 years but if you rezoned I feel I will be in danger. Please Please reconsider.

Gloria H. Palomino

Signature

Gloria H. Palomino

Print Name

If you would like to submit a response, please email a scanned version of this completed form to the Case Manager referenced above, lrbarrett@templetx.gov, or mail or hand-deliver this comment form to the address below, no later than **May 7, 2018**.

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

RECEIVED
MAY 04 2018
CITY OF TEMPLE
PLANNING & DEVELOPMENT

Number of Notices Mailed: 23

Date Mailed: April 26, 2018

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



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

RECEIVED
MAY 04 2018
CITY OF TEMPLE
PLANNING & DEVELOPMENT

61193
KOSEL, RAYMOND E
1909 LAVENDUSKY DR
TEMPLE, TX 76501-4806

Zoning Application Number: FY-18-3-ZC

Case Manager: Lynn Barrett

Location: 401 North 42nd Street, Temple, TX

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

I ☐ agree

☒ disagree with this request

Comments:

As a resident and landowner of this peaceful, rural area
for over 45 years, we disagree with this zoning change
as it would most likely cause increased traffic, crime and
drugs. We are also very concerned about the type of housing
that would be developed in this area in the future.

Angeline R. Kosel
Raymond E. Kosel
Signature

Raymond E. Angeline Kosel
Print Name

If you would like to submit a response, please email a scanned version of this completed form to the Case Manager referenced above, lrbartlett@templetx.gov, or mail or hand-deliver this comment form to the address below, no later than **May 7, 2018**.

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

Number of Notices Mailed: 23

Date Mailed: April 26, 2018

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



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

52186
HOUSTON, WANDA JEAN
908 N 42ND ST
TEMPLE, TX 76501-4833

Zoning Application Number: FY-18-3-ZC

Case Manager: Lynn Barrett

Location: 401 North 42nd Street, Temple, TX

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

I () agree

(☒) disagree with this request

Comments:

will bring in more felons. we enjoy our peaceful
and safe.

Wanda Houston
Signature

WANDA HOUSTON
Print Name

If you would like to submit a response, please email a scanned version of this completed form to the Case Manager referenced above, lrbarrrett@templetx.gov, or mail or hand-deliver this comment form to the address below, no later than **May 7, 2018**.

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

RECEIVED
MAY 07 2018
CITY OF TEMPLE
PLANNING & DEVELOPMENT

Number of Notices Mailed: 23

Date Mailed: April 26, 2018

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



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

61196
KOSEL, RAYMOND E
1909 LAVENDUSKY DR
TEMPLE, TX 76501-4806

Zoning Application Number: FY-18-3-ZC

Case Manager: Lynn Barrett

Location: 401 North 42nd Street, Temple, TX

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

I ☐ agree

☒ disagree with this request

Comments:

As a resident of this peaceful, rural agricultural area for over 45 years, we oppose this request due to concern it would bring increased traffic, crime and drugs.

Raymond E Kosel
Signature

Raymond E Kosel
Print Name

If you would like to submit a response, please email a scanned version of this completed form to the Case Manager referenced above, lrbartlett@templetx.gov, or mail or hand-deliver this comment form to the address below, no later than **May 7, 2018**.

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

RECEIVED

MAY 07 2018

CITY OF TEMPLE
PLANNING & DEVELOPMENT

Number of Notices Mailed: 23

Date Mailed: April 26, 2018

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

**EXCERPTS FROM THE
PLANNING & ZONING COMMISSION MEETING
MONDAY, MAY 7, 2018**

ACTION ITEMS

Item 4: FY-18-3-ZC – Hold a public hearing to discuss and recommend action on a rezoning for a 91.15 +/- acres, from Agricultural (AG) to Single Family Two (SF-2), situated in the Maximo Moreno Survey, Abstract No. 14, Bell County, Texas, addressed as 401 North 42nd Street.

Ms. Lynn Barrett, Assistant Director of Planning, stated the applicant is WBW Development and indicated this item is scheduled to go to City Council for first reading on June 7, 2018 and second reading on June 21, 2018.

Location and aerial maps shown. Hector P Garza School is at the southeast corner across Lavendusky.

This is a proposed residential subdivision and located within TISD.

Zoning map shown.

The Future Land Use and Character Map designates the subject property as Suburban-Commercial which supports suburban character. The adjacent Suburban-Residential is intended for single family development and supports SF-1 and SF-2 zoning.

Water and sewer are available to serve the property.

The Thoroughfare Plan designates Loop 363 as a Major Arterial and North 42nd Street and Lavendusky Drive as Collectors. There are no TCIP improvements scheduled for any of these roads.

Six-foot sidewalks are required on major arterials and will be addressed during the plat stage.

There are no trails.

Site photos shown.

UDC Development Standards table shown for existing AG and proposed SF-2.

Permitted uses (not all-inclusive) for SF-2 shown.

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

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

Twenty-three notices were mailed (*as opposed to 26 which was indicated*) in accordance with all state and local regulations with one response returned in agreement and five responses returned in disagreement.

Staff recommends approval of the request for a rezoning of the subject property from AG District to SF-2 District

Chair Fettig opened the public hearing.

Mr. Raymond Kosel, 1909 Lavendusky Drive, Temple, Texas, stated he has lived in the area for over 45 years. The area is primarily AG with small farms.

Mr. Kosel feels with an estimated five to six houses per acre there will be problems with too many people in the area, the drainage problems, the streets are not able to handle the traffic now, and the lift station will not be able to accommodate the added homes. Mr. Kosel feels it would be better for 10 acre farms instead. Three to four houses per acre would be more realistic. Mr. Kosel asked the Commission to deny the request.

Mr. John Shutz, 1110 North 42nd Street, Temple, Texas, stated he disagrees with the request and agrees with the comments stated about the roads and that adding all that traffic would make things worse.

Mr. Tyler Freese, 3000 Illinois Avenue, Killeen, Texas, stated he is the engineer working on this project.

Mr. Freese commented there are existing utilities in the area and a lift station will be not be required.

A large study will be done on the drainage to ensure there is no impact on the area.

Mr. Freese agrees that the local streets are not in good shape; however, the Loop is nearby. right-of-way would be provided during the platting process.

Mr. Raymond Kosel returned and stated drugs and crime would come into the neighborhood with this type of housing.

Ms. Juanita Hernandez, 3202 East Munroe Avenue, Temple, Texas, stated she lives across the Loop and will not be directly impacted. Ms. Hernandez lives on one acre and with this type of development and stated "those people will find us" and she does not appreciate that.

Lavendusky is a bad street and the request does not make sense. Ms. Hernandez does not want three or more houses living next to hers.

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

Vice-Chair Langley made a motion to approve Item 4, **FY-18-3-ZC**, per staff recommendation, and Commissioner Crisp made a second.

Motion passed: (7:0)

Commissioners Armstrong and Marshall absent.

ORDINANCE NO. _____
(FY-18-3-ZC)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A REZONING FROM AGRICULTURAL ZONING DISTRICT TO SINGLE-FAMILY TWO ZONING DISTRICT ON APPROXIMATELY 91.15 ACRES, SITUATED IN THE MAXIMO MORENO SURVEY, ABSTRACT NO. 14, BELL COUNTY, TEXAS, ADDRESSED AS 401 NORTH 42ND STREET, TEMPLE, TEXAS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the applicant, WBW Land Investments, requests rezoning of approximately 91.15 acres from Agricultural (AG) zoning district to Single Family Two (SF-2) zoning district, to develop the property into a single family residential subdivision;

Whereas, the property borders two streets designated as collectors, North 42nd Street and Lavendusky Drive, as well as having approximately 1250 feet of frontage along the west side of the Northeast H.K. Dodgen Loop, designated as an Expressway;

Whereas, the proposed SF-2 rezoning is compatible with surrounding zoning, existing and anticipated uses, as well as future growth trends in the area, is in compliance with the Thoroughfare Plan, Public Facilities are available to service the subject property and SF-2 designation is appropriate for a medium density residential subdivision;

Whereas, the Planning and Zoning Commission of the City of Temple, Texas, after due consideration of the conditions, recommended approval of the rezoning from Agricultural zoning district to Single-Family Two zoning district on approximately 91.15 acres, situated in the Maximo Moreno Survey, Abstract No. 14, Bell County, Texas, addressed as 401 North 42nd Street, Temple, Texas; 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 the rezoning from Agricultural zoning district to Planned Development Single-Family Two zoning district on approximately 91.15 acres, situated in the Maximo Moreno Survey, Abstract No. 14, Bell County, Texas, addressed as 401 North 42nd Street, Temple, Texas, as more thoroughly described Exhibit 'A,' attached hereto and made a part hereof for all purposes.

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

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

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

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

PASSED AND APPROVED on First Reading and Public Hearing on the **7th** day of **June**, 2018.

PASSED AND APPROVED on Second Reading on the **21st** day of **June**, 2018.

THE CITY OF TEMPLE, TEXAS

TIMOTHY A. DAVIS, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

06/21/18
Item #6(U)
Consent Agenda
Page 1 of 4

DEPT. / DIVISION SUBMISSION & REVIEW:

Mark Baker, Senior Planner

ITEM DESCRIPTION: SECOND READING – FY-18-3-SITE: Consider adopting an ordinance amending Ordinance No. 2011-4422 to attach a site plan showing a three suite retail building consisting of 3,708 square feet of retail space on Lot 1, Block 1, Stonegate, Phase III subdivision, addressed as 5075 South 31st Street.

STAFF RECOMMENDATION: While the above referenced conditions of Ordinance 2011-4422 are still in effect, staff recommends approval to amend Ordinance 2011-4422 with the following additional Development/ Site Plan conditions:

1. That the Director of Planning, with consultation as needed by the Design Review Committee, may be authorized to approve minor changes to the Development/ Site Plan which include but not limited to: drainage considerations, overall lot layout, outdoor seating area, landscaping, exterior building elevations/ materials, parking configuration, buffering and screening materials, in compliance with minimum UDC development standards; and
2. That the concrete parking bump-out adjacent to the donut shop is fenced and converted to outdoor seating space.

PLANNING & ZONING COMMISSION RECOMMENDATION: During their May 7, 2018 meeting, the Planning & Zoning Commission voted seven to zero to recommend approval to amend Ordinance 2011-4422 to attach the development/ site plan as proposed, per staff's recommendation.

ITEM SUMMARY: The applicant, MRB Group, on behalf of owners Sokna San & Khengneng Chiv, requests development site plan approval, as required by the most recent PD ordinance (Ordinance 2011-4422) approved by City Council on February 3, 2011, included the 0.57 +/- acre, Lot, 1 Block 1 of Stonegate III.

As part of a larger Planned Development-zoned property for the Stonegate III development, Ordinance 2006-4090 was initially adopted with Lot 1, Block 1 zoned as Planned-Development General Retail (PD-GR). This was amended by Ordinance 2007-4140 rezoning the subject property to Planned Development-Neighborhood Service (PD-NS). Ordinance 2011-4422, expanded the boundaries of the PD-NS portion by approximately 27.50 feet to the south. The following conditions are relevant to Lot 1, Block 1 identified by originating Ordinance as follows:

1. Per Ordinance 2006-4090, 10 feet side and rear building setback lines are required where common boundary line meets a residential district. 10 feet side street building setback lines are required adjacent to a street. No front building setback line is required, except that no structure may be nearer than 30 feet to the centerline of any street on which such structure fronts;
2. Per Ordinance 2007-4140, PD-NS areas shall be developed to the standards shown in the Planned Development District Site Plan, attached hereto as Exhibit B, with the following notes on Exhibit B:
 - a. Zoning of PD-NS requested;
 - b. Landscaping areas to be equal 5% of the lot area utilized;
 - c. Parking scheduled is based on total floor area of building. Parking area to provide one parking space per 250 Sq. ft. of total building floor area.
 - d. Fencing to buffer PD-NS lots from PD-2F and PD-SF-1 zoned lots. Proposed fencing to be stone columns with wood fencing between.

Allowance shall be allowed in the building permit process for detailed drive aisle and fire lane widths, drive approach standards, turning radii for emergency vehicles and landscape/ irrigation plans (inclusive of landscape areas shown on plan along east side of fence on Lot 1, Block 1); and

3. Per Ordinance 2007-4140, TXU electric delivery requests a 15-foot rear yard setback for construction on the PD-NS area for the proposed Lot 1, Block 1 to accommodate future overhead facilities.

It should be noted that Exhibit B to Ordinance 2011-4422 is identical to that of the preceding Ordinance 2007-4140. The current request will effectively change the adopted site plan configuration with a new exhibit attached to the new rezoning ordinance if approved by City Council.

The project is summarized in more detail as follows:

SITE PLAN: It should be noted that while this is not the same site plan that the Planning & Zoning Commission reviewed, this revised site plan shifted the building footprint approximately 30 feet closer to South 31st Street. No other changes or new issues have been identified by this shift.

The site plan reflects development of Lot 1, Block 1 of the Stonegate, Phase III subdivision plat. The site plan shows a 3,708 square foot, 3-suite building footprint on the approximately 0.57 +/- acre lot. Access will be taken from two driveways along H.K. Allen Parkway. Traffic may enter from either driveway and allowed to circulate around the building with a drive-through lane and pickup window located on the north side of the building.

The placement of the proposed building has been rotated 90 degrees clockwise, relative to the adopted site plan, (See Ordinance 2011-4422, Exhibit B), coupled with a proposed second driveway along H.K. Allen Parkway, necessitates amendment to the current ordinance. The street side of the building is setback approximately 15-feet from the property line, which exceeds the minimum 10-foot street corner side yard setback required by UDC Section 4.6 and is acceptable.

While this property is not in the I-35 Corridor Overlay, per UDC Section 6.7.9D.2g, restaurants with drive-through facilities in the overlay are required to provide a minimum 150 square feet of outdoor seating area. This is also similar in nature to the PD requirement in "The District", located at South 31st Street & Scott Boulevard. Staff believes an outdoor seating area would create a more pedestrian-friendly environment while benefitting this development and the neighborhood.

Staff has met with the applicant and has discussed this opportunity for an outdoor seating area adjacent to the drive-through lane. The concrete parking bump-out is reflected on the site plan. An example of this seating area may be observed with the Starbucks located at the southwest corner of Loop 363 and South 31st Street. Condition #2 is proposed to accommodate this opportunity.

Ideally the outdoor seating area with a fence enclosure is desirable, however if outdoor seating is not provided, at least the concrete strip adjacent to the proposed drive-through should be landscaped with a tree and shrubs, grass or groundcover.

SUBDIVISION PLAT: The subject property is within a larger 142 lot, six block subdivision plat named Stonegate, Phase III (P-FY-2007-01) which was recorded by Bell County on August 21, 2007.

DRC REVIEW: The DRC reviewed the Development/ Site Plan on April 23, 2018. Drainage and site plan layout was discussed. Additional discussion regarding drainage can be found later in this report.

BUILDING ELEVATIONS / MATERIALS: A combination of stone and stucco is proposed for exterior elevations in the following ratios:

- Front (West Elevation): Stucco (87%) / Stone (13%)
- Sides (North & South): Stucco (75%) / Stone (25%)
- Rear (East): Stucco (100%)

Eight-foot high cantilevered canopies will be extended away from the wall at public entrances and windows of the front of each suite as well as drive-up window on the north side of the building.

PARKING: Per Ordinance 2007-4140, parking is required at the rate of one space per 250 square feet of building floor area. Based on 3,708 square feet of building floor area, 14.8 parking spaces is required and 24 parking stalls are proposed. The parking area includes provisions for Americans with Disabilities Act as well as the requirements in UDC Section 7.5 for maneuvering and circulation within parking areas. Compliance to both will be determined with the review of the Building plans.

DUMPSTER LOCATION: The site plan shows a single dumpster location for trash collection for the three suites on the northeast portion of the property. Landscaping and the required fence will screen and buffer the dumpster from the residential use toward the east. The dumpster enclosure will be required to comply with UDC Section 7.7.6 regarding refuse containers as well as meet the specifications of the Design and Development Standards manual.

LANDSCAPING: Site landscaping consists of proposed trees, shrubs and turf and existing grass. Trees are shown to be provided along the South 31st Street and H.K. Allen Parkway street frontages as well as along the eastern property line adjacent to the proposed eight-foot high solid wood privacy fence. While specific species have not been identified by the Landscape Plan, Staff will require flexibility at the time of building plan review to evaluate suitable species, locations or relocations, if necessary. A condition to address this flexibility is proposed. While per UDC Section 7.4, a minimum 5% of site landscaping is required, the site plan shows 22% landscaping is provided.

SCREENING & BUFFERING: Screening and buffering will be provided by a fence with stone columns and wood slats in between as required by Ordinance 2011-4422. A 10-foot landscape strip on the eastern side of the property along with a wood fence with stone columns has been provided and collectively will provide additional buffering and screening which exceed minimum buffering and screening standards as provided for by UDC Section 7.7 as well as is required by Ordinance 2011-4422. The shifting of the building footprint has increased the buffer distance and the building is approximately 75 feet from the eastern property line.

SIGNAGE: Signage is reviewed under a separate permit application and is not part of the site plan review.

DRAINAGE: The subject property is currently undeveloped. As discussed earlier, provisions for drainage and utilities been discussed between Public Works and the applicant's engineer and preliminary documents have been reviewed by Public Works. A building permit cannot be issued until drainage and utilities have been adequately addressed, which will be finalized with the review of the Construction drawings. Final drainage considerations may require minor changes to the site plan or overall layout.

PUBLIC FACILITIES: Sewer is available from an existing eight inch sewer line within a 15-foot easement on the east side of the property. Water is available through an eight inch water line in H.K. Allen Parkway as well as an eight inch water line in South 31st Street.

ACCESS: As referenced earlier, access will be provided from two driveway cuts along H.K. Allen Parkway. No access is proposed along South 31st Street (FM 1741), which is TxDOT right-of-way.

PUBLIC NOTICE: Twelve notices to property owners within 200-feet of the subject property were sent notice of the public hearing as required by State law and City Ordinance. As of Tuesday May 29, 2018 at 9:00 AM, one notice in disagreement and two notices in agreement have been received.

The newspaper printed notice of the public hearing on April 23, 2018, in accordance with state law and local ordinance.

FISCAL IMPACT: Not Applicable

ATTACHMENTS:

[Ordinance 2011-4422](#)

[Vicinity Map & Photos](#)

[Site Plan](#)

[Building Elevations](#)

[Returned Property Notices](#)

[P&Z Excerpts \(May 7, 2018\)](#)

[Ordinance](#)

[PLANNING NO. Z-FY-11-10]

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, APPROVING AN AMENDMENT TO ORDINANCE NO. 2006-4090 FROM PLANNED DEVELOPMENT SINGLE FAMILY ONE DISTRICT (PD-SF1) TO PLANNED DEVELOPMENT GENERAL RETAIL DISTRICT (PD-GR) FOR A PORTION OF LOT 8, BLOCK 2, STONEGATE III ADDITION; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the owner of the property described as Lot 8, Block 2, Stonegate III Addition has requested an amendment to Ordinance No. 2006-4090 from Planned Development Single Family One District (PD-SF1) to Planned Development General Retail District (PD-GR) for the purpose of expanding the boundaries of an existing PD-GR property by approximately 27.50 feet to the south;

Whereas, on January 3, 2011, the Planning and Zoning Commission voted to approve the owner's request; and

Whereas, the City Council, after notice and a public hearing, finds that it is in the public interest to authorize this action.

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

Part 1: The City Council approves an amendment to Ordinance No. 2006-4090 from Planned Development Single Family One District (PF-SF1) to Planned Development General Retail District (PD-GR) for a portion of Lot 8, Block 2, Stonegate III Addition, more fully shown on Exhibit A, attached hereto and made a part hereof for all purposes.

Part 2: The City Council approves a revised binding site development plan that includes the expansion, attached hereto as Exhibit B, and made a part hereof for all purposes.

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

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 is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

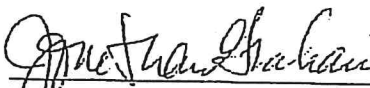
PASSED AND APPROVED on First Reading and Public Hearing on the 20th day of January, 2011.

PASSED AND APPROVED on Second Reading on the 3rd day of February, 2011.

THE CITY OF TEMPLE, TEXAS

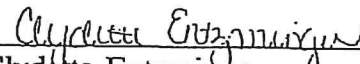

WILLIAM A. JONES, III, Mayor

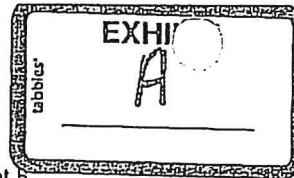
APPROVED AS TO FORM:


Jonathan Graham
City Attorney

ATTEST:



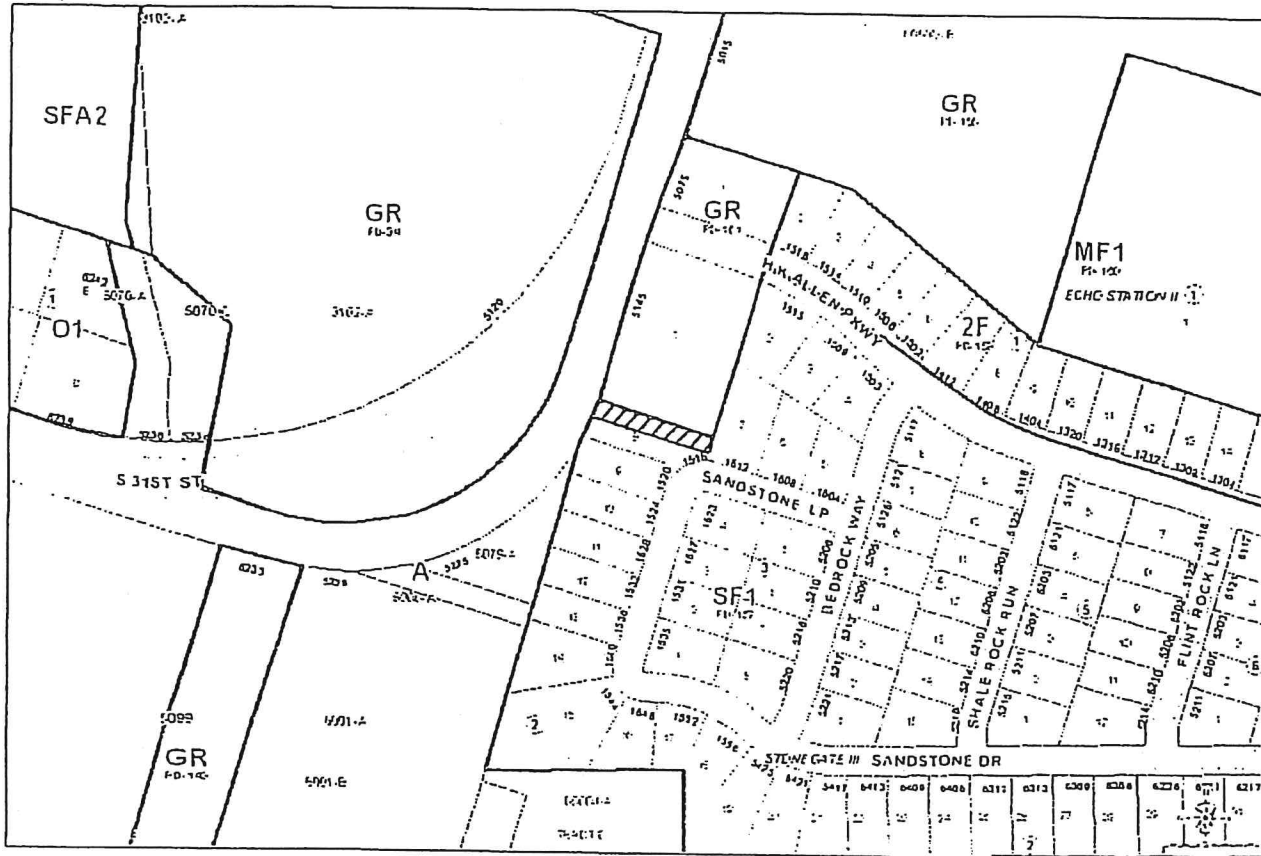

Clydette Entzminger
City Secretary



Z-FY-11-10

Stonegate III, Blk 2, Lot B

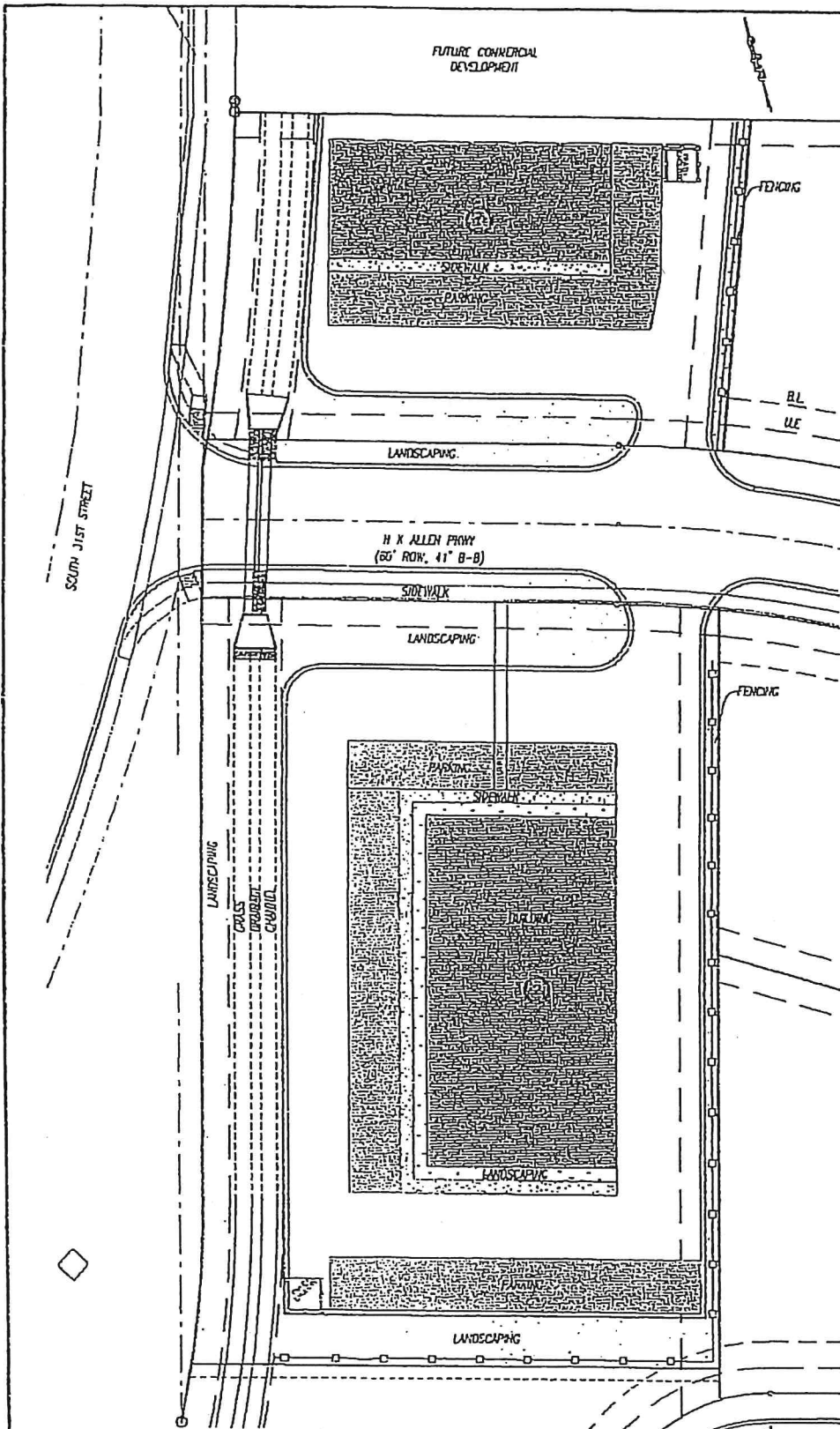
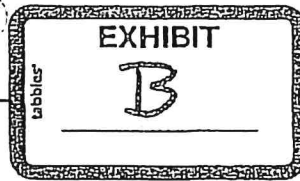
1516 Sandstone Loop



Z-FY-11-10

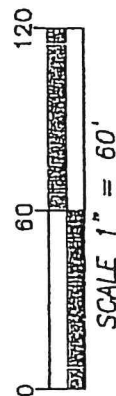
Feet 0 100 200 300

J Stone 12.01.10



NOTES

1. ZONING IS PD-GR.
2. LANDSCAPING AREAS TO EQUAL 5% OF THE LOT AREA TO BE UTILIZED AND TO COMPLY WITH APPLICABLE LANDSCAPING ORDINANCE AT TIME OF BUILDING CONSTRUCTION
3. PARKING SCHEDULE IS BASED ON TOTAL FLOOR AREA OF BUILDING. PARKING AREA TO PROVIDE ONE (1) PARKING SPACE PER 250 SQ.FT. OF TOTAL BUILDING FLOOR AREA.
4. FENCING TO BUFFER PD-GR LOTS FROM PD-2F AND PD-SF1 ZONED LOTS. PROPOSED FENCING TO BE STONE COLUMNS WITH WOOD FENCING BETWEEN.



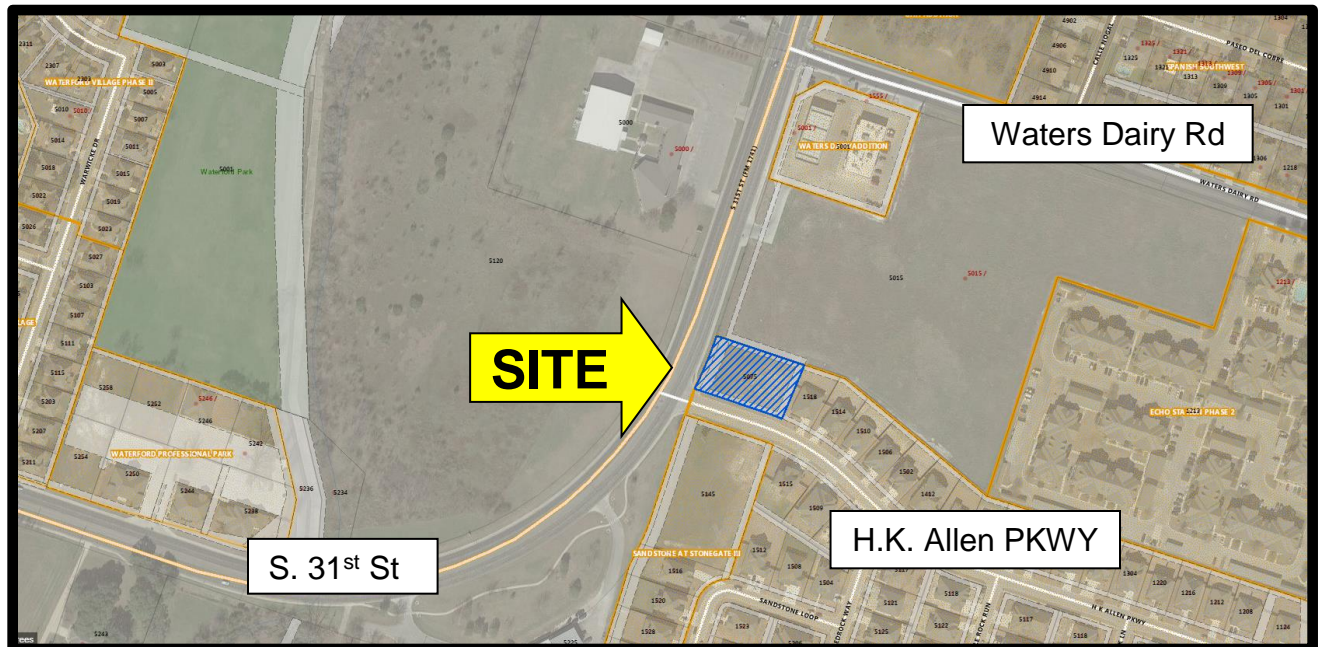
CONCEPTUAL SITE PLAN FOR STONEGATE III PD-GR LOTS

10102
Stonegate III
GR Site Plan



ENGINEERING • PLANNING • SURVEYING • CONSTRUCTION MANAGEMENT
TURLEY ASSOCIATES, INC. 301 NORTH 3RD STREET • TEMPLE, TEXAS 76501 • (254) 773-2400

Vicinity Map & Photos



Vicinity Map (City of Temple GIS Maps)



Street View:
Looking from H.K. Allen Parkway



Starbucks #1 (Outdoor Seating Area):
Starbucks located at 1313 SW H.K. Dodgen Loop



Starbucks #2 (Outdoor Seating Area):
Starbucks located at 1313 SW H.K. Dodgen Loop

ARTICLE 4 - ZONING DISTRICTS

SECTION 4.1.1 ZONING DISTRICTS ESTABLISHED

ZONING DISTRICT - GR-PD - GENERAL RETAIL-PLANNED DEVELOPMENT OVERLAY

SECTION 4.4.6 MAXIMUM FLOOR AREA RATIO

MAXIMUM FAR = 0.6:1

SECTION 4.6 NONRESIDENTIAL DIMENSIONAL STANDARDS

MINIMUM FRONT YARD = 15'

MINIMUM SIDE YARD = 10'

MINIMUM SIDE CORNER= 10'

MINIMUM REAR YARD = 10'

MAXIMUM HEIGHT = 3 STORIES

ARTICLE 7 - GENERAL DEVELOPMENT STANDARDS

SECTION 7.1.2 NOISE

MAX. dB RECEIVED = 70

SECTION 7.2.5 COMMERCIAL DRIVE APPROACHES

PROPERTY FRONTAGE UP TO 101'-200'

CURB RETURN RADII = MIN. 2.5' - MAX. 30'

MIN. ISLAND WIDTH = 15'; 9' PROVIDED PER DRC

MIN. CORNER CLEARANCE = 15'

TWO-WAY CURB CUT WIDTH = MIN. 24' - MAX 45'

MAX. NUMBER OF CURB CUTS PER FRONTAGE = 3

SECTION 7.3.1 SIDEWALKS

SIDEWALKS ARE REQUIRED

WAIVER REQUESTED: NO CONNECTION ON SOUTH SIDE OF LOT
EXISTING WALK SOUTH SIDE H.K. ALLEN PKWY.
EXISTING WALK ON WEST SIDE OF LOT ON 31ST ST.

SECTION 7.4.4 LANDSCAPING

A. MINIMUM LANDSCAPE AREA OF 5% OF LOT
24,454.4 SF./5,460.1 SF. = 22% PROVIDED

E. MIN. 1 TREE OR 3 SHRUBS (5 GALLON) FOR EACH 40' OF LINEAR STREET FRONTAGE
323.24 L.F. = 8 TREES OR 24 SHRUBS REQUIRED
1 TREE & 21 SHRUBS PROVIDED

SECTION 7.4.5 GENERAL PLANTING CRITERIA

F. CANOPY TREES MUST BE A MINIMUM OF 2" IN DIAMETER AT BREAST HEIGHT

SECTION 7.4.8 MAINTENANCE AND IRRIGATION

C. LANDSCAPING MUST BE IRRIGATED BY AUTOMATIC SPRINKLER OR HAVE
ACCESS TO HOSE CONNECTION WITHIN 100' OF ALL LANDSCAPING

SECTION 7.5.4 OFF-STREET PARKING RATIOS

RETAIL SALES & SERVICES - 1 SPACE FOR EACH 250 SF. OF TOTAL FLOOR AREA
= 15 SPACES REQUIRED 1 ACCESSIBLE REQUIRED
24 SPACES TOTAL PROVIDED INCLUDING 1 ACCESSIBLE

SECTION 7.7.4 BUFFERING - REQUIRED

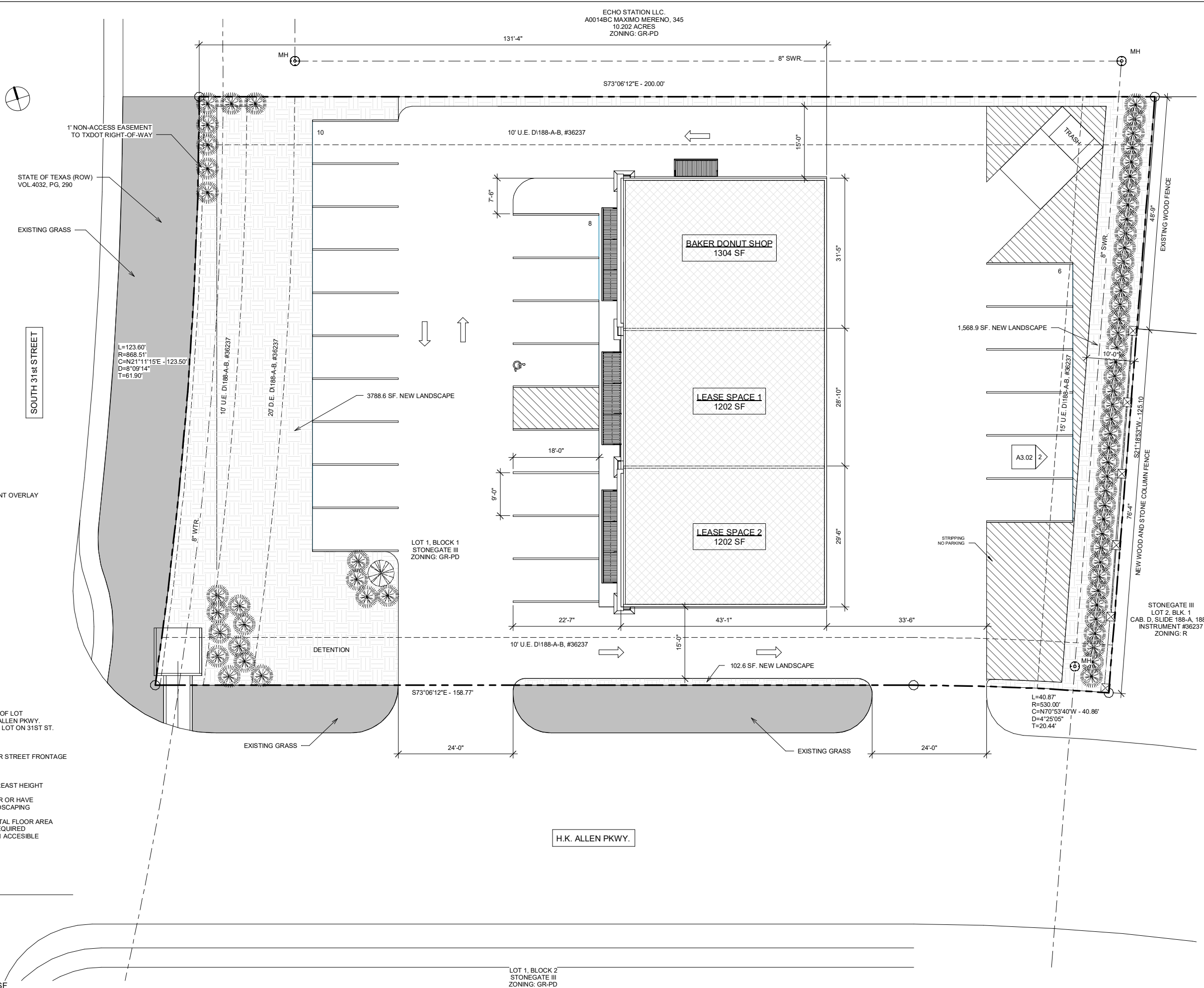
B1. MINIMUM 5 GALLON, HEIGHT 6", PLACED ON 36" CENTERS

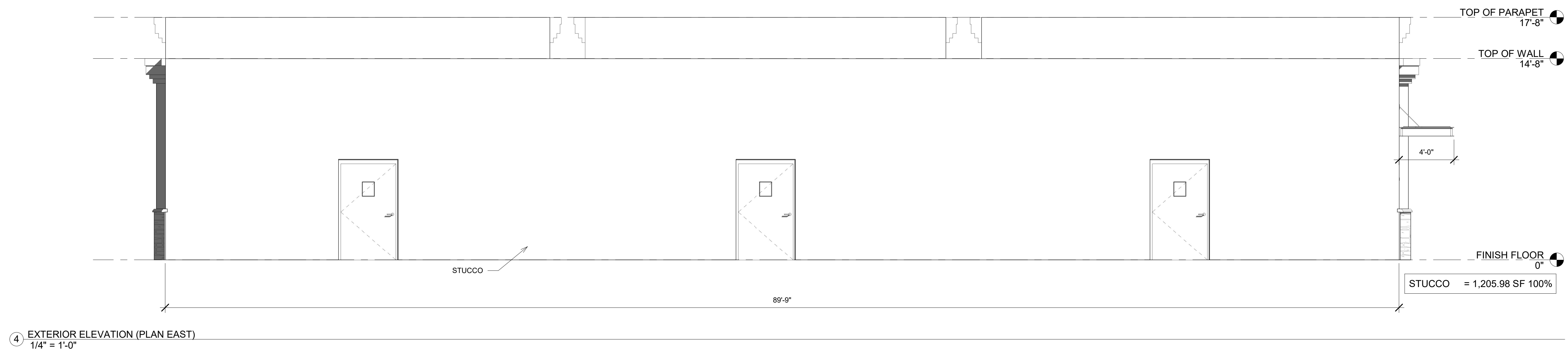
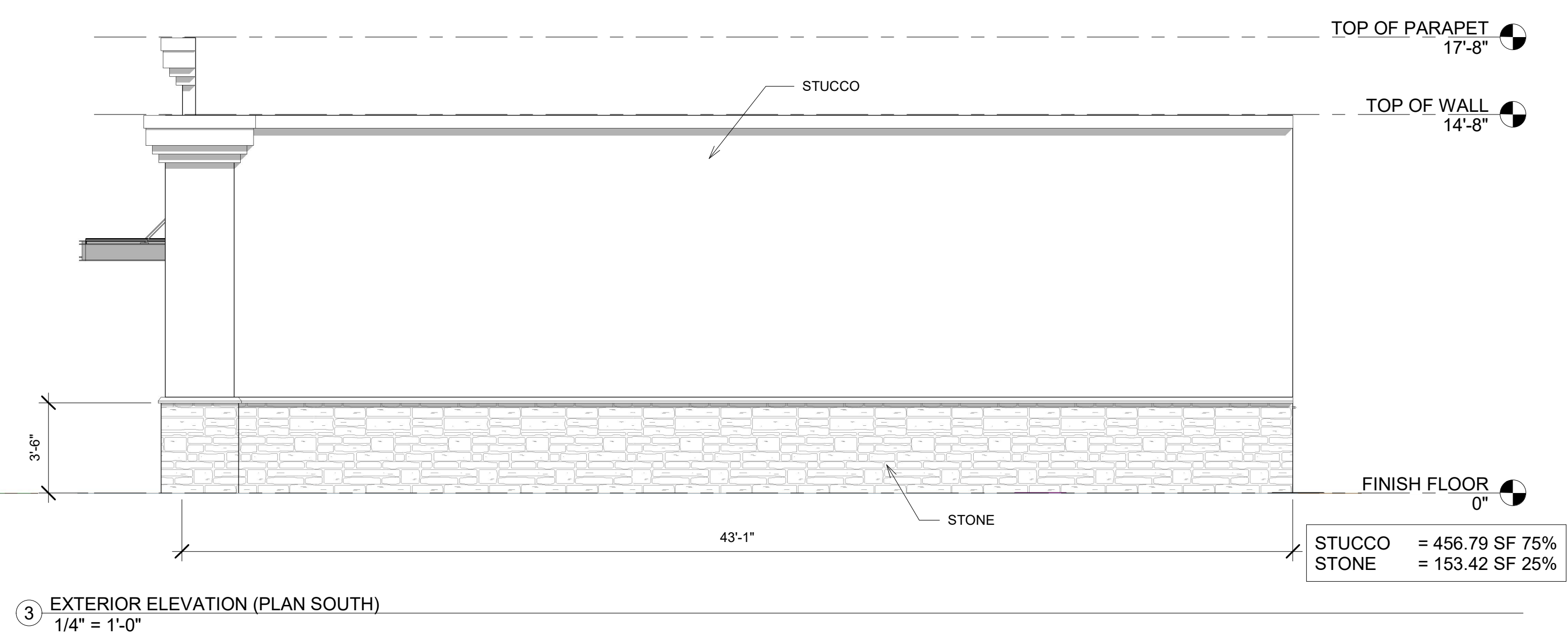
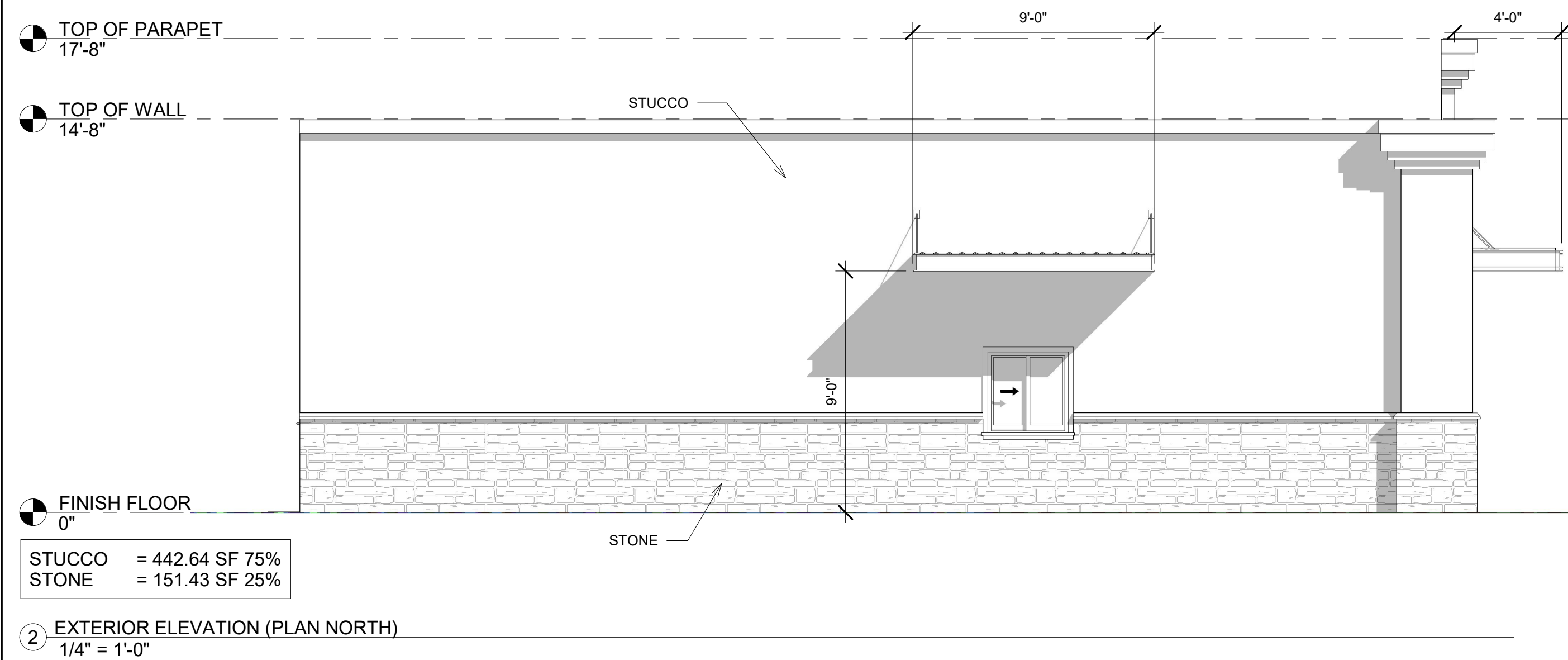
SECTION 7.7.6 REFUSE CONTAINERS - REQUIRED

SECTION 7.8.4 FACADE

F. MIN. PERCENT SURFACE AREA EACH FACADE = 70%

① SITE PLAN - 24,454.4 SF
1" = 10'-0"

[illegible]

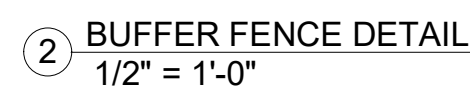
[illegible]

Project Title:	BAKER DONUT SHOP/LEASE SPACE 5075 SOUTH 31ST STREET TEMPLE TX. 76502		
Drawn By: Author	Checked By: Checker	Scale:	1/4" = 1'-0"
Date:	01/01/18		
Drawing Title:	BUILDING ELEVATIONS		

THIS DRAWING AND OTHER
RELATED DOCUMENTS ARE
INSTRUMENTS OF MRB GROUP FOR
USE SOLELY WITH RESPECT TO
THIS PROJECT AND UNLESS
OTHERWISE PROVIDED, THE
ARCHITECT SHALL BE DEEMED THE
AUTHOR OF THESE DOCUMENTS
AND SHALL RETAIN ALL COMMON
LAW STATUTORY AND OTHER
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MRB *group*
Engineering, Architecture & Surveying
5250 South 31st Street, Temple, Texas 76702 Phone: 234-771-2654
Corporate Office: The Calver Road Armory, 145 Calver Road, Suite 100, Rochester, New York 14621 Phone: 585-381-9250
TPEP Firm Number F-10615
www.mrbgroup.com

Sheet No.
A3.01
_____ of _____
Project No.
4477.18001

4/20/2018 12:38:14 PM



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

399060
MENGUITO, HANNAH ETVIR JAIME NAVARRO JR
1518 H K ALLEN PARKWAY
TEMPLE, TX 76502

Zoning Application Number: FY-18-3-SITE

Case Manager: Mark Baker

Location: Lot 1, Block 1, Stonegate, Phase III subdivision - Addressed as 5075 S. 31st Street

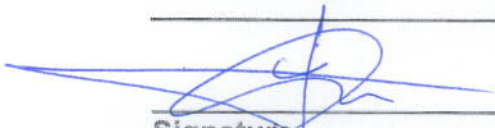
The proposed rezoning is the area shown in hatched marking on the attached map. Because you own property within 200 feet of the requested change, your opinions are welcomed. Please use this form to indicate whether you are in favor of the possible rezoning of the property described on the attached notice,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

I ☐ agree

☒ disagree with this request

Comments:

I would agree with the rezoning plan; however, I am losing property due to this build. By losing property, my home value will decrease and my resale value will be significantly lower. If a form of financial compensation would be made, then I would possibly agree with the rezoning plan.
Please feel free to contact me if further information is needed.


Signature

5/1/18

Jaime Navarro
Print Name

If you would like to submit a response, please email a scanned version of this completed form to the Case Manager referenced above, mbaker@templetx.gov or mail or hand-deliver this comment form to the address below, no later than **May 7, 2018**.

**RECEIVED
PLANNING DEPT
MAY 1. 2018**

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

Number of Notices Mailed: 12

Date Mailed: **April 26, 2018**

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



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

388067
ECHO STATION TEMPLE LLC
4102 GALACIA DR
AUSTIN, TX 78759

Zoning Application Number: FY-18-3-SITE

Case Manager: Mark Baker

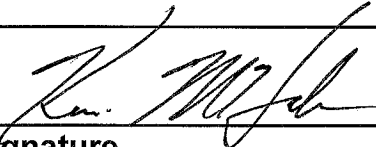
Location: Lot 1, Block 1, Stonegate, Phase III subdivision - Addressed as 5075 S. 31st Street

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

I ☒ agree

() disagree with this request

Comments:


Signature *Kevin McHale*

Kevin McHale member
Print Name *Echo Station Temple, LLC*

If you would like to submit a response, please email a scanned version of this completed form to the Case Manager referenced above, mbaker@templetx.gov or mail or hand-deliver this comment form to the address below, no later than **May 7, 2018**.

RECEIVED
PLANNING DEPT
MAY 3, 2018

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

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Date Mailed: **April 26, 2018**

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

108858
SOUTH THIRTY-FIRST LTD
2005 BIRDCREEK DR STE 211
TEMPLE, TX 76502-1002

Zoning Application Number: FY-18-3-SITE

Case Manager: Mark Baker

Location: Lot 1, Block 1, Stonegate, Phase III subdivision - Addressed as 5075 S. 31st Street

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I ☒ agree

() disagree with this request

Comments:


Signature


Print Name

If you would like to submit a response, please email a scanned version of this completed form to the Case Manager referenced above, mbaker@templetx.gov or mail or hand-deliver this comment form to the address below, no later than **May 7, 2018**.

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

RECEIVED
MAY 07 2018
CITY OF TEMPLE
PLANNING & DEVELOPMENT

Number of Notices Mailed: 12

Date Mailed: **April 26, 2018**

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

**EXCERPTS FROM THE
PLANNING & ZONING COMMISSION MEETING
MONDAY, MAY 7, 2018**

ACTION ITEMS

Item 6: FY-18-3-SITE – Hold a public hearing to consider and recommend action to amend Ordinance No. 2011-4422 to attach a site plan showing a 3-suite retail building consisting of 3,708 square feet of retail space on Lot 1, Block 1, Stonegate, Phase III subdivision, addressed as 5075 South 31st Street.

Mr. Mark Baker, Senior Planner, stated this item is scheduled to go to City Council for first reading on June 7, 2018 and second reading on June 21, 2018.

This property was originally rezoned in 2006 and has gone through a number of amendments, the most recent being February 3, 2011 which amended the Ordinance for the GR portion on this particular lot.

Ordinance 2006-4090 (NS)

Ordinance 2007-4140 (NS)

Ordinance 2011-4422 (GR)

This is Lot 1, Block 1, of the Stonegate, Phase III subdivision. The original subdivision was recorded on August 21, 2007.

The Site Plan was reviewed by DRC on April 26, 2018. The Site/ Development Plan requires public review per rezoning Ordinance 2011-4422.

On-site photos shown.

The proposed Site Plan shown is for a 3,708 square foot 3-suite building. The building footprint is being rotated and a second access is being proposed which is enough of a difference from the plan adopted by Ordinance 2011-4422, so the Ordinance would be required to be amended and the attached revised site plan is required.

Parking: One space per 250 square feet of total building floor area per Ordinance 2011-4422. Fifteen spaces are required and 24 are being provided.

An Outdoor Seating Area would be consistent with the I-35 Corridor Overlay and The District in TMED (although the subject property is not located in the I-35 Corridor Overlay or TMED).

Restaurants with a drive-through lane are required to provide 150 square feet of outdoor seating area. An opportunity exists for the concrete parking bump-out to be provided with an outdoor seating area. Staff is proposing a condition for 150 square free minimum fenced outdoor seating area.

Landscaping: A minimum of five percent of the lot is to be landscaped per UDC 7.4 and 31 percent is being proposed which exceeds the minimum.

The plant types will be confirmed during permit review. Minor relocations of shrubs may be necessary for screening and buffering and a suggested condition for minor site plan amendments is being proposed.

Public Facilities: Sewer is being provided through an eight-inch sewer line within a 15-foot Easement located on the east side of the property. Water is being provided through an eight-inch water line in H.K. Allen Parkway.

Buffering and Screening: a landscape strip varying between 10-feet and 19-feet wide is proposed for trees and shrubs, plus as required by the underlying Ordinance, is required to have a proposed eight-foot high wood fence with stone columns (on east side) for a 125-foot section.

Exterior building materials: both stone and stucco are proposed and each elevation will contain more than the minimum 70 percent of the masonry materials in compliance with UDC Sec. 7.8.4F.

Drainage: Provisions for drainage and utilities have been discussed between Public Works and the applicant's engineer. There has been review of the preliminary documents by the City's Public Works Department.

A building permit cannot be issued until drainage and utilities have been adequately addressed and the review of that will be during the Construction Documents. Review is ongoing and not finalized.

Final drainage considerations may require minor changes to the site plan or overall layout. Condition No. 1 would accommodate those changes.

Twelve notices were mailed in accordance with all state and local regulations with two responses returned in agreement and one response returned in disagreement.

Notes for Exhibit B (Ordinance 2011-4422) is shown and have been met with new site plan.

Staff recommends approval to amend Ordinance 2011-4422 to attach a site plan for a 3-suite building, subject to the following conditions:

1. That the Director of Planning, with consultation as needed by the Design Review Committee (DRC), may be authorized to approve minor changes to the Development/Site Plan which include but not limited to: drainage considerations, overall lot layout, outdoor seating area, landscaping, exterior building elevations/materials, parking configuration, buffering and screening materials, in compliance with minimum UDC development standards; and
2. That the concrete strip adjacent to the drive-through lane be provided with a minimum 150 square feet of fenced outdoor seating space

Chair Fettig opened the public hearing.

Ms. Tanya Mikeska-Reed, 5250 South 31st Street, Temple, Texas, stated she is the designer for the applicant. Ms. Reed could not respond as to why one response letter received

indicated that person would lose property since there is no encroachment to any other property. This person would be receiving a buffer zone and a privacy fence between the properties and there is no loss of property.

Mr. Baker added that when the response was received on the disagreement, he contacted the property owner to inform them there would be no loss of property as a result of this request since all improvements/modifications would be done on the applicant's property only.

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

Commissioner Ward made a motion to approve Item 6, **FY-18-3-SITE**, per staff recommendation, and Commissioner Walker made a second.

Motion passed: (7:0)

Commissioners Armstrong and Marshall absent

ORDINANCE NO. _____
(FY-18-3-SITE)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AMENDING ORDINANCE NO. 2011-4422 TO ATTACH A SITE PLAN SHOWING A 3-SUITE RETAIL BUILDING CONSISTING OF APPROXIMATELY 3,708 SQUARE FEET OF RETAIL SPACE ON LOT 1, BLOCK 1, STONEGATE PHASE III SUBDIVISION, ADDRESSED AS 5075 SOUTH 31ST STREET; PROVIDING A REPEALER; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, applicant, MRB Group, on behalf of owners Sokna San & Khengneng Chiv, requests development site plan approval for the development of approximately 0.57 acre, Lot 1, Block 1 of Stonegate Phase III subdivision, as required by the Planned Development Ordinance (Ordinance 2011-4422) approved by Council on February 3, 2011—the subject property is contained within a larger 142 lot, 6 block subdivision plat named Stonegate, Phase III, recorded by Bell County on August 21, 2007;

Whereas, per Ordinance No. 2011-4422, the proposed development must comply with the following conditions:

1. Ten-foot side and rear building setback lines are required where common boundary line meets a residential district. Ten-foot side street building setback lines are required adjacent to a street. No front building setback line is required, except that no structure may be nearer than 30 feet to the centerline of any street on which such structure fronts;
2. Areas shall be developed to the standards shown in the Planned Development District Site Plan, attached hereto as Exhibit A, with the following notes on Exhibit A:
 - a. Zoning of PD-NS requested;
 - b. Landscaping areas to be equal 5% of the lot area utilized;
 - c. Parking scheduled is based on total floor area of building. Parking area to provide one (1) parking space per 250 Sq. ft. of total building floor area.
 - d. Fencing to buffer PD-NS lots from PD-2F and PD-SF-1 zoned lots. Proposed fencing to be stone columns with wood fencing between.

Allowance shall be allowed in the building permit process for detailed drive aisle and fire lane widths, drive approach standards, turning radii for emergency vehicles and landscape/ irrigation plans (inclusive of landscape areas shown on plan along east side of fence on Lot 1, Block 1); and

3. TXU electric delivery requests a 15-foot rear yard setback for construction on the PD-NS area for the proposed Lot 1, Block 1 to accommodate future overhead facilities;

Whereas, the placement of the proposed building has been rotated 90 degrees clockwise, relative to the adopted site plan, as outlined in Ordinance 2011-4422 attached hereto as Exhibit A—rotation of the building coupled with a proposed second driveway along H.K. Allen Parkway, necessitates amendment to the current Ordinance;

Whereas, Staff recommends amending Ordinance No. 2011—4422 to attach a site plan showing the development of Lot 1, Block 1, Stonegate Phase III subdivision, as 3-suite retail building consisting of 3,708 square feet of retail space with the following additional Development/Site Plan Conditions:

- The Director of Planning, with consultation as needed by the Design Review Committee, is authorized to approve minor changes to the Development/Site Plan which include, but are not limited to drainage considerations, overall lot layout, outdoor seating area, landscaping, exterior building elevations/materials, parking configuration, buffering, and screening materials, in compliance with minimum Unified Development Code development standards;
- The concrete parking bump-out adjacent to the donut shop is fenced and converted to outdoor seating space; and

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

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

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

Part 2: The City Council amends Ordinance No. 2011-4422 to attach a site plan showing a 3-suite retail building consisting of 3,708 square feet of retail space on Lot 1, Block 1, Stonegate, Phase III subdivision, addressed as 5075 South 31st Street, as set forth more fully in Exhibit B, attached hereto and incorporated herein for all purposes and requiring the additional site plan conditions.

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 **7th** day of **June**, 2018.

PASSED AND APPROVED on Second Reading on the **21st** day of **June**, 2018.

THE CITY OF TEMPLE, TEXAS

TIMOTHY A. DAVIS, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

06/21/18
Item #6(V)
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 \$198,693.

ATTACHMENTS:

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

CITY OF TEMPLE
BUDGET AMENDMENTS FOR FY 2018 BUDGET
June 21, 2018

ACCOUNT #	PROJECT #	DESCRIPTION	APPROPRIATIONS	
			Debit	Credit
110-3610-560-2616		Contracted Services / Professional Services	\$ 117,433	
110-0000-446-3530		Other / Miscellaneous Airport Revenue		\$ 117,433
To allocate funding for the fuel tax credit to be received for Airport's fuel taxes paid in 2015, 2016 and 2017 for fuel sold to the Military.				
110-2042-521-6229	101853	Capital Equipment / OCU State Seized Funds	\$ 6,275	
110-0000-442-0725		Police Revenue / OCU State Seized Funds		\$ 6,275
To appropriate the value of a seized vehicle that will be placed in service and used by Police's Special Investigations Unit.				
110-2033-521-6229	101854	Capital Equipment / OCU State Seized Funds	\$ 900	
110-0000-442-0725		Police Revenue / OCU State Seized Funds		\$ 900
To appropriate the value of a seized trailer that will be placed in service and used by the Police Department.				
240-4400-551-2721		Cost of Goods Sold / Food Product	\$ 17,400	
240-0000-445-1033		Civic Center / Catering Food Service		\$ 17,400
To appropriate revenue and expenditure related to onsite catering services and concession stand sales at the Convention Center.				
110-2700-515-2616		Contracted Services / Professional	\$ 15,998	
110-6000-513-1233		Personnel Benefits / Pay In Lieu of Insurance		\$ 1,125
110-6000-513-1220		Personnel Benefits / Retirement/Pension		\$ 4,700
110-6000-513-1222		Personnel Benefits / Health Insurance		\$ 3,100
110-6000-513-1112		Salaries / Professional		\$ 7,073
To reallocate funding to cover WebBen Portal services.				
110-2700-515-2516		Other Services / Judgments & Damages	\$ 24,000	
110-6000-513-1112		Salaries / Professional		\$ 24,000
To reallocate funding for settlement agreement and release of claims with former employee.				
110-1800-525-6221	101861	Capital Equipment / Computer Software	\$ 12,687	
110-0000-317-0000		Reserved for Municipal Court Technology Fees		\$ 12,687
To appropriate Municipal Court Technology Funds for Velocity migration and printer upgrade.				
240-4600-551-2129		Supplies / Advertising/Marketing	\$ 4,000	
240-0000-445-1225		Visitor Center / Other Downtown		\$ 4,000
To appropriate revenue and expenditure related to sponsorships for Business After Hours for Downtown.				
TOTAL AMENDMENTS			\$ 198,693	\$ 198,693

CITY OF TEMPLE
BUDGET AMENDMENTS FOR FY 2018 BUDGET
June 21, 2018

ACCOUNT #	PROJECT #	DESCRIPTION	APPROPRIATIONS	
			Debit	Credit
		GENERAL FUND		
		Beginning Contingency Balance	\$	-
		Added to Contingency Sweep Account		-
		Carry forward from Prior Year		-
		Taken From Contingency		-
		Net Balance of Contingency Account	\$	-
		Beginning Judgments & Damages Contingency	\$	25,182
		Added to Contingency Judgments & Damages from Council Contingency		-
		Taken From Judgments & Damages		(25,000)
		Net Balance of Judgments & Damages Contingency Account	\$	182
		Beginning Compensation Contingency	\$	343,000
		Added to Compensation Contingency		-
		Taken From Compensation Contingency		(343,000)
		Net Balance of Compensation Contingency Account	\$	-
		Net Balance Council Contingency	\$	182
		Beginning Balance Budget Sweep Contingency	\$	-
		Added to Budget Sweep Contingency		-
		Taken From Budget Sweep		-
		Net Balance of Budget Sweep Contingency Account	\$	-
		WATER & SEWER FUND		
		Beginning Contingency Balance	\$	65,000
		Added to Contingency Sweep Account		-
		Taken From Contingency		(12,084)
		Net Balance of Contingency Account	\$	52,916
		Beginning Compensation Contingency	\$	63,000
		Added to Compensation Contingency		-
		Taken From Compensation Contingency		(63,000)
		Net Balance of Compensation Contingency Account	\$	-
		Net Balance Water & Sewer Fund Contingency	\$	52,916
		HOTEL/MOTEL TAX FUND		
		Beginning Contingency Balance	\$	-
		Added to Contingency Sweep Account		-
		Carry forward from Prior Year		-
		Taken From Contingency		-
		Net Balance of Contingency Account	\$	-
		Beginning Compensation Contingency	\$	19,000
		Added to Compensation Contingency		-
		Taken From Compensation Contingency		(19,000)
		Net Balance of Compensation Contingency Account	\$	-
		Net Balance Hotel/Motel Tax Fund Contingency	\$	-
		DRAINAGE FUND		
		Beginning Contingency Balance	\$	807,065
		Added to Contingency Sweep Account		-
		Carry forward from Prior Year		-
		Taken From Contingency		(694,864)
		Net Balance of Contingency Account	\$	112,201
		Beginning Compensation Contingency	\$	12,500
		Added to Compensation Contingency		-
		Taken From Compensation Contingency		(12,500)
		Net Balance of Compensation Contingency Account	\$	-
		Net Balance Drainage Fund Contingency	\$	112,201

CITY OF TEMPLE
BUDGET AMENDMENTS FOR FY 2018 BUDGET
June 21, 2018

ACCOUNT #	PROJECT #	DESCRIPTION	APPROPRIATIONS	
			Debit	Credit
		FED/STATE GRANT FUND		
		Beginning Contingency Balance		\$ -
		Carry forward from Prior Year		39,299
		Added to Contingency Sweep Account		6,926
		Taken From Contingency		(37,343)
		Net Balance Fed/State Grant Fund Contingency		\$ 8,882

RESOLUTION NO. 2018-9178-R

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

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

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

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

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

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

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

PASSED AND APPROVED this the **21st** day of **June**, 2018.

THE CITY OF TEMPLE, TEXAS

TIMOTHY A. DAVIS, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney

CITY OF TEMPLE
BUDGET AMENDMENTS FOR FY 2018 BUDGET
June 21, 2018

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To appropriate Municipal Court Technology Funds for Velocity migration and printer upgrade.				
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To appropriate revenue and expenditure related to sponsorships for Business After Hours for Downtown.				
TOTAL AMENDMENTS			\$ 198,693	\$ 198,693

CITY OF TEMPLE
BUDGET AMENDMENTS FOR FY 2018 BUDGET
June 21, 2018

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		GENERAL FUND		
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CITY OF TEMPLE
BUDGET AMENDMENTS FOR FY 2018 BUDGET
June 21, 2018

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COUNCIL AGENDA ITEM MEMORANDUM

06/21/18
Item #7
Regular Agenda
Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

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

ITEM DESCRIPTION: Consider adopting a resolution authorizing change order #2 with Bell Contractors, Inc., of Belton, in an amount not to exceed \$194,532.14 for construction of the Jackson Park Wastewater Line Improvements.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: In January 2016, Council authorized a professional services agreement with Clark & Fuller, PLLC, to develop wastewater improvements near Jackson Park, located north of downtown. The Public Works Utility Services Division identified specific aging and failing wastewater lines on the south side of the park for replacement. In May 2016, contract amendment #1 was approved in the amount of \$3,985. In November 2016, contract amendment #2 was approved in the amount of \$23,141.25 to add the replacement of undersized water lines to the scope of the project. In April 2017, Council authorized a construction contract with Bell for \$1,195,345.20 for improvements mentioned above. In April 2018, contract amendment #3 was approved in the amount of \$24,615.84 to add additional wastewater improvements to the scope of the project. In the same month, change order #1 was approved in the amount of \$8,400.

The attached change order #2 is for additional wastewater improvements in the vicinity that have been identified by Public Works Utility Services (see Project Map). The associated costs, along with change order #1, will increase the contract price to \$1,398,277.34, a net 17% increase of the original contract amount. Clark & Fuller recommends the change order in their attached letter.

FISCAL IMPACT: Funding for change order #2 with Bell Contractors, Inc. in an amount not to exceed \$194,532.14 for construction of the Jackson Park Wastewater Line Improvements project is available in project 101476 as follows:

	520-5900-535-6361	561-5400-535-6970	Total
Project Budget	\$ 1,197,296	\$ 498,747	\$ 1,696,043
Encumbered/Committed to Date	(1,197,048)	(304,215)	(1,501,263)
Bell Contractors, Inc. Change Order #2	-	(194,532)	(194,532)
Remaining Project Funds	\$ 248	\$ -	\$ 248

ATTACHMENTS:

Engineer's Recommendation Letter
Project Map
Change Order Form
Resolution



215 North Main Street
Temple, Texas 76501
(254) 899-0899
Fax (254) 899-0901
www.clark-fuller.com
Firm Registration No: F-10384

June 7, 2018

City of Temple
Sharon Carlos, P.E.
3210 E. Ave H, Bldg A
Temple, Texas 76501

Re: City of Temple Jackson Park Wastewater Line Improvements Project

Dear Ms. Carlos,

On June 7th, at the request of the City of Temple Staff, Change Order no. 2 was submitted for the City of Temple Jackson Park Wastewater Line Improvements Project. The work included within this change order is to include 846.5 new 8" Sanitary Sewer Main to replace an problematic, aging, and failing sanitary sewer main located between 1st and Main Street. (See attached map.) This sanitary sewer main construction was not included as a part of the original scope of work, but is being added to the contract due to its close proximity to the original Jackson Park Wastewater Line Improvements Project. In addition, 554 linear feet of new sanitary sewer main is being added to the contract to reconstruct sanitary sewer mains which connect directly to those being replaced in the original contract.

The total amount of Change Order No. 2 is \$194,532.14 and the contractor has requested an additional 92 calendar days to provide mobilization, construction, and final site cleanup. We have reviewed Change Order no. 2 for accuracy and completeness and it is the engineer's opinion to authorize this change order. (*Please see attached Change Order no. 2 for details.*)

We believe through experience that Bell Contractor's, Inc. will be able to provide the additional construction needed to replace the designated areas of existing sanitary sewer main.

Sincerely,

Monty Clark, P.E., CPESC



CHANGE ORDER NO. ☐
1ST AND MAIN
NEW 8" HDPE DR17
SANITARY SEWER
MAIN VIA BURSTING

CHANGE ORDER NO. ☐
1ST AND MAIN
NEW 8" PVC SDR 26
SANITARY SEWER MAIN
VIA OPEN TRENCH

NEW 8" HDPE DR17
SANITARY SEWER
MAIN VIA BURSTING

NEW 8" HDPE DR17
SANITARY SEWER
MAIN VIA BURSTING

NEW 8" PVC SDR
WATER MAIN

NEW 8" HDPE DR17
SANITARY SEWER MAIN
VIA BURSTING

NEW 8" HDPE DR17
SANITARY SEWER
MAIN VIA BURSTING

NEW 8" PVC SDR
SANITARY SEWER MAIN
VIA OPEN TRENCH

NEW 8" HDPE DR17
SANITARY SEWER
MAIN VIA BURSTING

NEW 8" HDPE DR17
SANITARY SEWER MAIN
VIA BURSTING

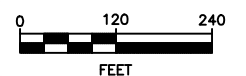
CHANGE ORDER NO. ☐
NEW 8" HDPE DR17
SANITARY SEWER
MAIN VIA BURSTING

CHANGE ORDER NO. ☐
NEW 8" HDPE DR17
SANITARY SEWER
MAIN VIA BURSTING

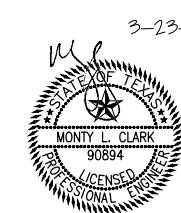
- LEGEND**
- NEW 8" HDPE DR 17 SANITARY SEWER MAIN VIA BURSTING
 - NEW 8" PVC SDR 26 SANITARY SEWER MAIN VIA OPEN TRENCH
 - NEW 4" DIAMETER ECCENTRIC CONCRETE MANHOLE
 - NEW 8" PVC C900 CLASS 150 WATER MAIN
 - NEW FIRE HYDRANT

KEYED NOTES

1. NEW AERIAL CREEK CROSSING



2016 CITY OF TEMPLE JACKSON PARK WASTEWATER LINE IMPROVEMENTS PROJECT CHANGE ORDER NO. 2



CHANGE ORDER

PROJECT: City of Temple Jackson Park Wastewater Line Improvements Project
OWNER: City of Temple
CONTRACTOR: Bell Contractors, Inc.
ENGINEER: Clark & Fuller, PLLC
CHANGE ORDER #: Two (2)

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

ITEM #:

ADD:

Additional days to be added to the contract time for additional work requested by the City of Temple.

ADD: Contractor Item

Line "A" & "B" Extensions:

#1	5.5 STA – R.O.W. Preparation and site clearing	\$	1,430.00
#2	100% LS – Mobilization, Bonds, Permits, and Insurance	\$	3,396.59
#4	100% LS – Provide and Implement Trench safety plan	\$	1,173.59
#5	100% LS – Provide and Implement SWPPP	\$	1,335.81
#13	180 SY – Remove & Replace gravel pavement	\$	2,160.00
#14	1 EA – Demolish and Remove existing manhole	\$	1,100.00
#19	2 EA – 4' Dia. Precast Concrete Manhole	\$	6,400.00
#22	2 EA – Connection to Existing Sanitary Sewer Main	\$	1,580.00
#26	554 LF – New 8" HDPE DR 17 Sanitary Sewer Main via bursting	\$	34,569.60
#33	16 EA – New 4" Sanitary Sewer Service and connection	\$	13,760.00
#34	80 LF – Miscellaneous 4" Sanitary Sewer Service pipe	\$	1,648.00

Line "A" & "B" Add: \$ 68,553.59

1st & Main Sanitary Sewer Main:

#1	8.34 STA – R.O.W. Preparation and site clearing	\$	2,168.40
#2	100% LS – Mobilization, Bonds, Permits, and Insurance	\$	4,219.17
#3	100% LS – Provide and Implement Traffic control plan	\$	3,855.76
#4	100% LS – Provide and Implement Trench safety plan	\$	2,347.17
#5	100% LS – Provide and Implement SWPPP	\$	1,707.45
#8	34.5 SY – Remove & Replace Existing HMAC	\$	1,725.00
#9	20 LF – Remove & Replace Reinforced curb and gutter	\$	228.00
#10	180 SY – Remove & Replace Reinforced concrete pavement	\$	9,720.00
#11	10 SY – Remove & Replace Reinforced concrete sidewalk	\$	540.00
#14	4 EA – Demolish and Remove existing manhole	\$	4,400.00
#19	2 EA – 4' Dia. Precast Concrete Manhole	\$	6,400.00
#20	2 EA – 4' Dia. Precast Concrete Shallow Manhole	\$	5,400.00
#21	1 EA – 5' Dia. Precast Concrete "Water tight" Manhole	\$	5,200.00
#22	3 EA – Connection to Existing Sanitary Sewer Main	\$	2,370.00
#23	1 EA – Internal Drop Connection	\$	1,100.00
#26	566.5 LF – New 8" HDPE DR 17 Sanitary Sewer Main via bursting	\$	35,349.60
#30	280 LF – New 8" PVC SDR 26 Class 160 "pressure rated" Sanitary Sewer Main	\$	24,976.00
#33	14 EA – New 4" Sanitary Sewer Service and connection	\$	12,040.00
#34	70 LF – Miscellaneous 4" Sanitary Sewer Service pipe	\$	1,442.00
#46	1 EA – Remove & Replace Existing Domestic water meter and vault	\$	790.00

1st & Main Add: \$ 125,978.55

Total Add: \$ 194,532.14

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:	\$ 1,195,345.20
Previous Net Change in Contract Amount:	\$ 8,400.00
Net Change in Contract Amount:	\$ 194,532.14
Revised Contract Amount:	\$ 1,398,277.34
Original Contract Time:	295 Days
Previous Net Change in Contract Time:	71 Days
Net Change in Contract Time:	92 Days
Revised Contract Time:	458 Days
Original Final Completion Date:	4-3-2018
Revised Final Completion Date:	9-13-2018

Recommended by:

[Signature] June 8, 2018
Project Manager (City Staff) Date

Agreed to:

[Signature] 6-8-18
Contractor Date

Approved as to form:

City Attorney's Office Date

Recommended by:

[Signature] 6-7-18
Architect/Engineer Date

Approved by City of Temple:

[Signature]
Brynn Myers, City Manager Date

Approved by Finance Department:

Finance Date

RESOLUTION NO. 2018-9179-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING CHANGE ORDER NO. 2 TO THE CONSTRUCTION CONTRACT WITH BELL CONTRACTORS, INC. OF BELTON, TEXAS, IN AN AMOUNT NOT TO EXCEED \$194,532.14, FOR CONSTRUCTION OF THE JACKSON PARK WASTEWATER LINE IMPROVEMENT PROJECT; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the wastewater system near Jackson Park, located north of downtown, is several decades old and is showing signs of aging and failure;

Whereas, in January 2016, Council authorized a professional services agreement with Clark & Fuller, PLLC, to develop wastewater improvements near Jackson Park, located north of downtown;

Whereas, the Public Works Utility Services Division identified specific aging and failing wastewater lines on the south side of the park for replacement and in May 2016, Contract Amendment No. 1 to the professional services agreement was approved in the amount of \$3,985;

Whereas, in November 2016, Contract Amendment No. 2 to the professional services agreement was approved in the amount of \$23,141.25 to add the replacement of undersized water lines to the scope of the project, and in April 2017, Council authorized a construction contract with Bell Contractors of Belton, Texas in the amount of \$1,195,345.20 for improvements mentioned above;

Whereas, Change Order No. 1 to the construction contract was authorized in April 2018 in the amount of \$8,400;

Whereas, Staff recommends Council authorize Change Order No. 2 for additional wastewater improvements in the vicinity that have been identified by Public Works Utility Services – this Change Order will increase the contract price to \$1,398,277.34, a net 17% increase of the original contract amount;

Whereas, funding for Change Order No. 2 to this construction contract is available in Account No. 520-5900-535-6361, and Account No. 561-5400-535-6970, Project No. 101476; and

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

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

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

Part 2: The City Council authorizes the City Manager, or her designee, after approval as to form by the City Attorney, to execute Change Order No. 2 to the construction contract with Bell Contractors, Inc. of Belton, Texas in an amount not to exceed \$194,532.14, for construction of the Jackson Park Wastewater Line Improvement 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 **21st** day of **June**, 2018.

THE CITY OF TEMPLE, TEXAS

TIMOTHY A. DAVIS, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

06/21/18
Item #8
Regular Agenda
Page 1 of 3

DEPT./DIVISION SUBMISSION & REVIEW:

Jason Deckman, Planner

ITEM DESCRIPTION: FY-18-2-APL – Consider adopting a resolution for an appeal of standards to Section 6.8 of the Unified Development Code related to the 1st and 3rd Overlay District requirements for landscaping and public frontage standards for a new construction warehouse and sales building at 1605 North 3rd Street.

STAFF RECOMMENDATION: Staff recommends approval of the appeal per the submitted plans and attachments.

PLANNING & ZONING COMMISSION RECOMMENDATION: At the May 21st, 2018 meeting, the Planning & Zoning Commission voted seven to zero to recommend approval of the appeal.

ITEM SUMMARY: The applicant operates a plumbing supply business located at 1801 North 3rd Street and is expanding onto the lot to the south, located at 1605 North 3rd Street. The subject lot lacks landscaping and has other non-conforming features. The 1st and 3rd Overlay District was adopted in 2012 to primarily improve the streetscape, fencing and landscaping within these commercial corridors. The proposed improvements would address the intent of the code by creating an aesthetically pleasing streetscape while maximizing commercial use of the property.

The applicant proposes the following:

1. Add an 8' wide sidewalk along 3rd Street.
2. Plant street trees and other landscaping along the 3rd Street frontage, and around the entrance to the parking lot, consisting of shrubs and large trees from the approved planting list in UDC Sec. 6.8.9.
3. Add crepe myrtle trees along 1st Street under the existing overhead utility lines.
4. Add additional landscaping to the lot the applicant owns to the north in order to create a coherent appearance along the 3rd Street frontage of the subject property
5. Add a new 4' sidewalk along 1st Street, constructed within the frontage of the subject property and adjacent property to the north owned by the applicant, in order to increase sidewalk connectivity from Shell Avenue to the residential property to the south.
6. Add a concrete retaining wall topped with a solid 6' fence where the commercial property adjoins a residential lot.

The applicant has requested an appeal to the following 1st and 3rd Overlay standards:

1. Landscaping

- Applicant proposes to landscape approximately 10% of the area of the subject property. Proposed improvements significantly increase the amount of landscaping where none currently exists. Additionally, the applicant proposes to add landscaping at 1801 North 3rd.
- **6.8.4:** *Maximum impervious lot coverage for non-residential uses is 70%.*
- **6.8.8:** *Minimum of 30% landscape area at 1 tree and 4 shrubs per 600 sq. ft.*

2. Frontage depth

- Applicant proposes to landscape area as shown on site plan. The subject property forms an angle to 3rd Street that conflicts with depth requirements.
- Use the average depth along the frontage to calculate buffer width.
- **6.8.6 B.4** *establishes depth and sidewalk requirements for each public frontage type.*

3. Sidewalk width on 1st Street

- Applicant proposes to extend the existing 4' sidewalk along 1st Street. The proposed sidewalk matches the existing width and increases connectivity between Shell Avenue and residential property to the south. An existing drainage channel limits the width of the sidewalk. As illustrated on the site plan, the sidewalk will be constructed to the back of curb except where it is routed behind the existing overhead utility pole to connect with the existing sidewalk.
- **6.8.6 B.4:** *Code requires an 8' sidewalk, but Sec. 6.8.15 allows for consideration of an administrative exception for sidewalk width by the Planning Director, which was included in this application.*
- Landscaping
- Applicant proposes to landscape 10% of the area of the subject property. Proposed improvements significantly increase the amount of landscaping where none currently exist.
- **6.8.4:** *Maximum impervious lot coverage for non-residential uses is 70%.*
- **6.8.8:** *Minimum of 30% landscape area at 1 tree and 4 shrubs per 600 sq. ft.*

4. Street Tree spacing

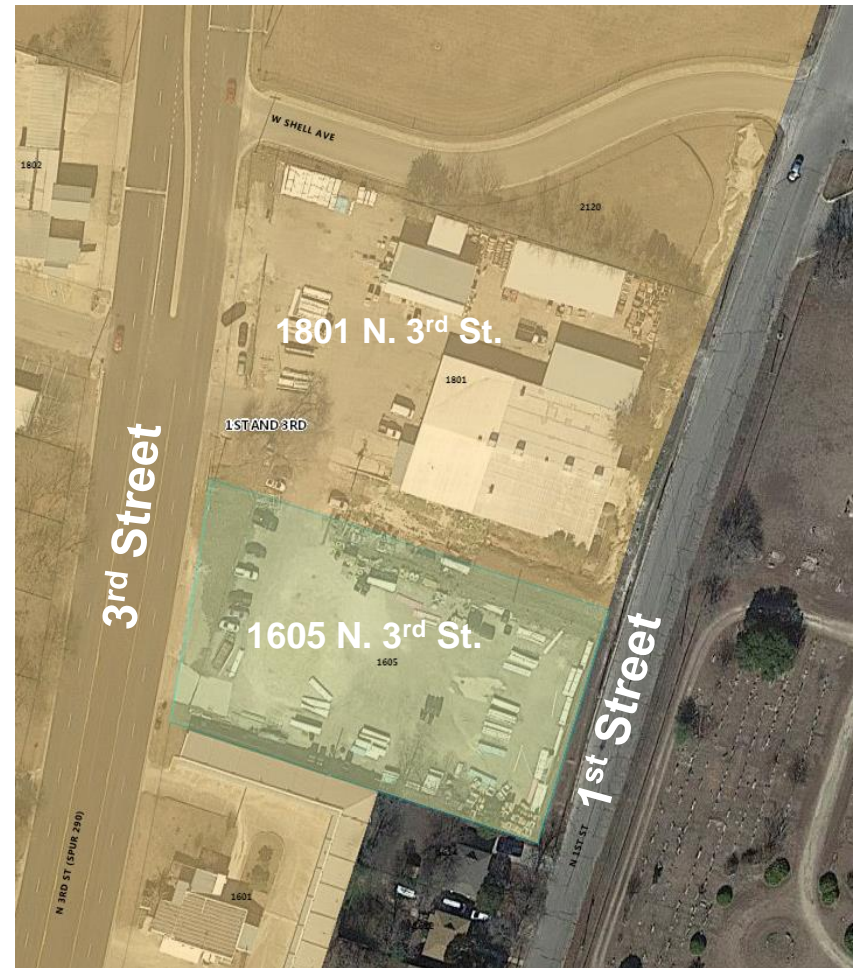
- Applicant proposes to match the 35' spacing in TMED and plant trees where space permits, per staff recommendation. Trees are placed within frontage along both streets, and clustered on both sides of the entrance on 3rd Street. Applicant also proposes to preserve an existing large tree on their adjacent property at 1801 North 3rd Street.
- Sixteen trees will be planted.
- **6.8.6 C.1.a:** *One tree per 25' linear street frontage is required. Trees must be planted in a regularly spaced pattern. Spacing of trees may be offset to allow a view corridor into the primary entry of a nonresidential use.*

5. Sidewalk to primary entrance
 - Applicant does not show a sidewalk connection to the primary entrance on the site plan.
 - Pedestrians would have easy access along the entrance drive to the front door.
 - **6.8.6 E.6:** *Sidewalks must connect to parking within the lot and to primary entrances of each nonresidential building.*
6. Foundation Planting
 - Applicant proposes adding landscaping in other areas of the property where none currently exist.
 - **6.8.8 D.1:** *Foundation plantings are required within a planting area a minimum of four feet in depth along 50% of the length of any façade visible to the public.*
7. Loading areas requiring screening
 - Applicant proposes that a loading area will not have a wall or other screening device.
 - **6.8.12 D.4:** *Loading areas must be enclosed on three sides by a wall or other screening device a minimum of eight feet in height.*

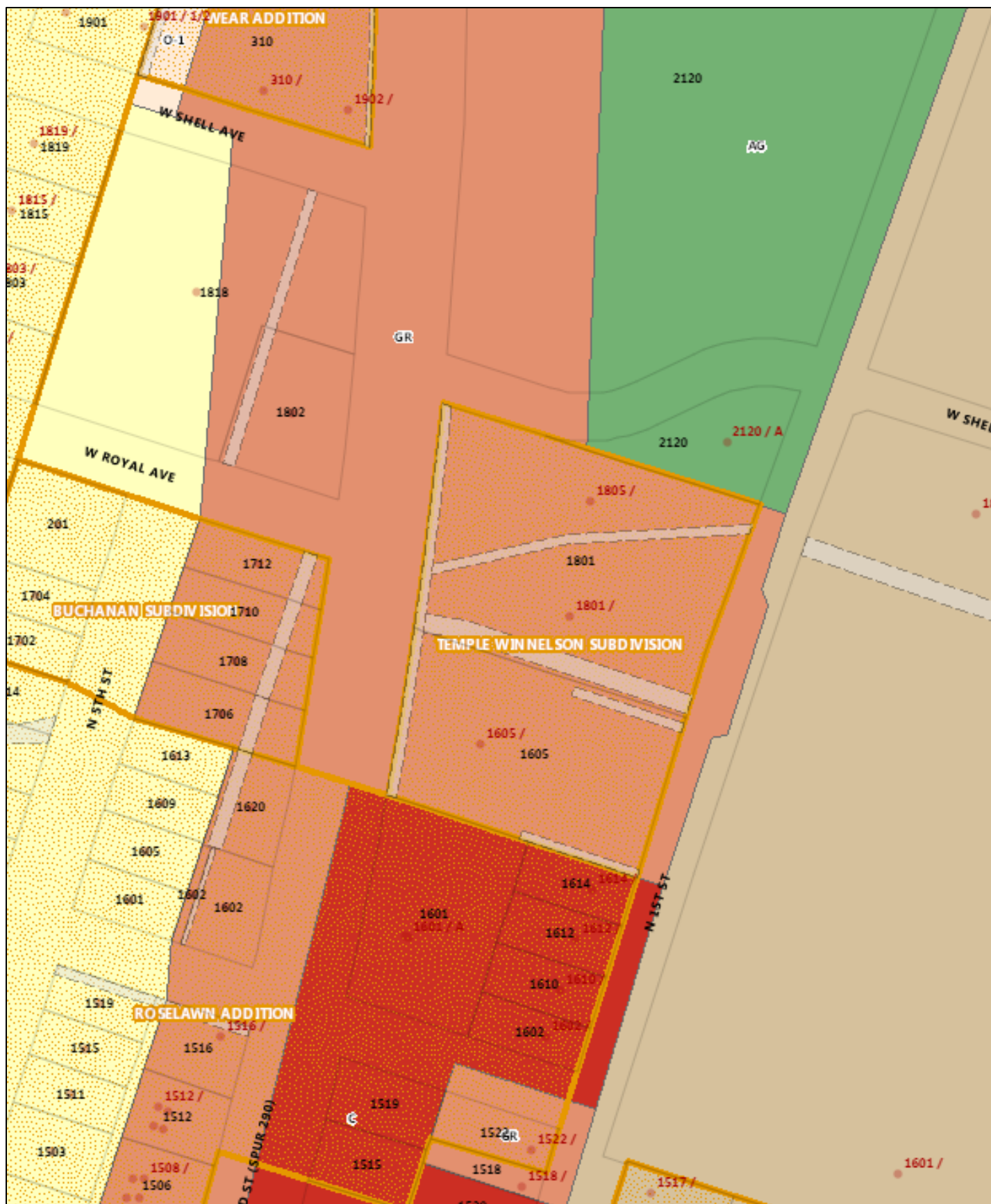
FISCAL IMPACT: N/A

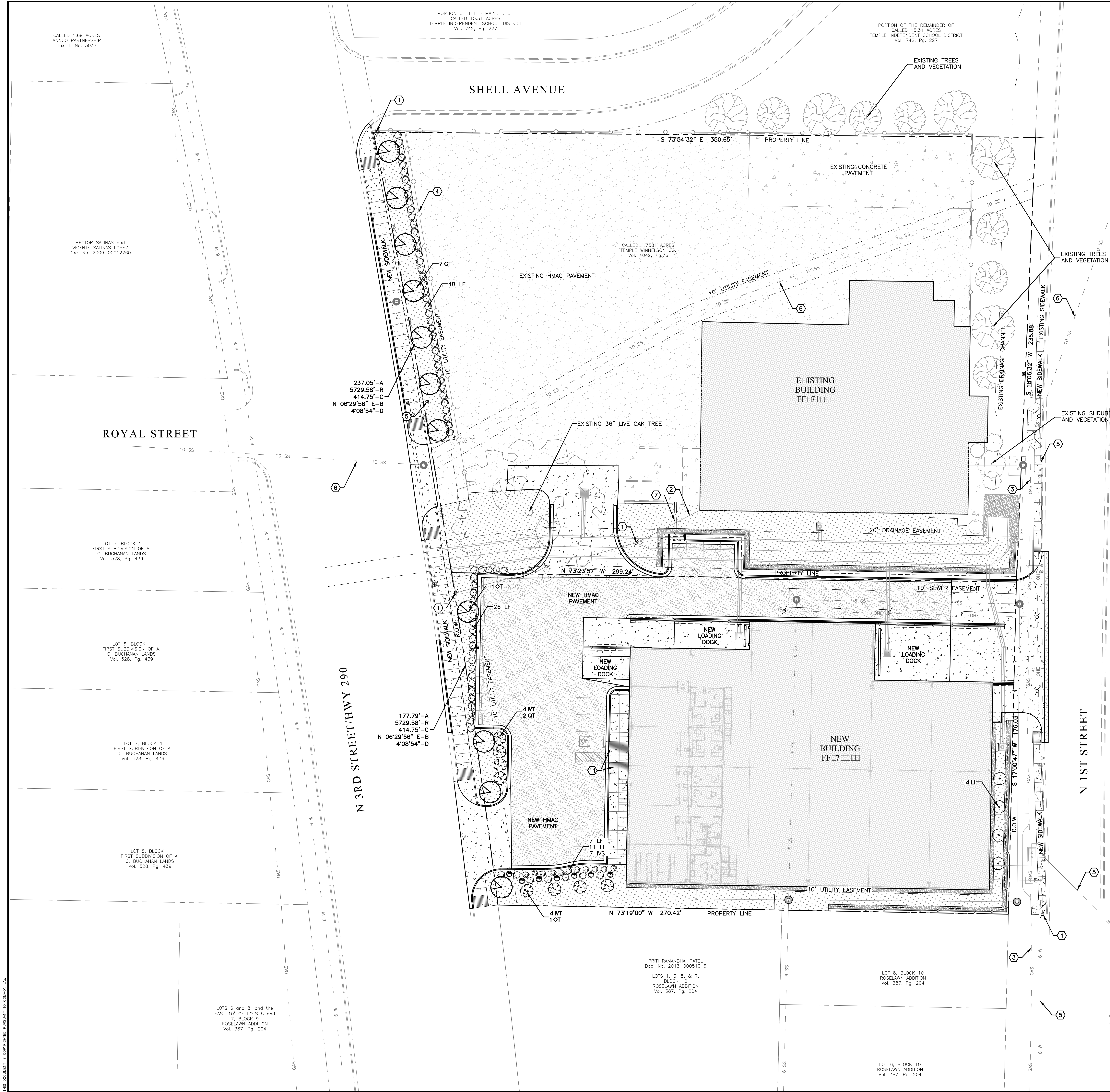
ATTACHMENTS:

[Overlay District Map](#)
[Vicinity Aerial Map](#)
[Landscape Plan](#)
[Photos](#)
[Resolution](#)



FY-18-2-APL – 1st and 3rd Overlay Appeal – Temple Winnelson – Zoning Map





KEYED NOTES

- CAUTION!!! EXISTING POWER POLE/LIGHT POLE
- CAUTION!!! OVERHEAD ELECTRIC
- CAUTION!!! EXISTING GAS MAIN/METER
- EXISTING FENCING
- EXISTING WATER MAIN/METER
- EXISTING SANITARY SEWER
- EXISTING STORM SEWER
- NEW SANITARY SEWER SERVICE (REFER TO UTILITY SHEET FOR CONSTRUCTION)
- NEW DOMESTIC WATER/FIRE SERVICE (REFER TO UTILITY SHEET FOR CONSTRUCTION)
- NEW STORM SEWER (REFER TO UTILITY SHEET FOR CONSTRUCTION)
- FURNISH AND INSTALL 1-HANDICAP SIDEWALK RAMP (PER TAS STANDARDS)
- FURNISH AND INSTALL 1-TADOT TYPE 10 HANDICAP RAMP (PER DETAILS)
- FURNISH AND INSTALL 1-DOWELED CONNECTION TO EXISTING CURB AND GUTTER

PLANT LEGEND

	RED OAK
	CREPE MYRTLE
	YAUPON HOLLY
	DWARF YAUPON HOLLY
	TEXAS LANTANA
	TEXAS SAGE
	BERMUDA GRASS SOD GROUNDCOVER

PLANT SCHEDULE

SYM	QTY	BOTANICAL NAME	COMMON NAME	SIZE	NOTES
CANOPY TREES					
QT	11	QUERCUS TEXANA	RED OAK	3" CAL.	SPECIMEN QUALITY
ORNAMENTAL TREES					
LI	4	LAGERSTROEMIA INDICA	CREPE MYRTLE	2" CAL.	SPECIMEN QUALITY
IVT	8	ILEX VOMITORIA	YAUPON HOLLY	2" CAL.	SPECIMEN QUALITY
SHRUBS					
IVS	7	ILEX VOMITORIA "NANA"	DWARF YAUPON HOLLY	3 GAL.	SPECIMEN QUALITY
LH	11	LANTANA HORRIDA	TEXAS LANTANA	3 GAL.	SPECIMEN QUALITY
LF	74	LEUCOPYLLUM FRUTESCENS	TEXAS SAGE	3 GAL.	SPECIMEN QUALITY

REQUIRED LANDSCAPING

1ST AND 3RD OVERLAY DISTRICT LANDSCAPE REQUIREMENTS (FRONTAGE TYPE C):

PUBLIC STREET FRONTAGE:

8' SIDEWALK-BACK OF CURB WITH 4' (OR GREATER) PLANTING STRIP AND BUFFER ZONE.

STREET TREES:
ONE TREE PER 25 LINEAR FEET OF STREET FRONTAGE. TREES MUST BE A SINGLE SPECIES.
TREES MUST BE PLANTED A MINIMUM 12 FEET FROM BACK-OF-CURB IN THE REQUIRED PLANTING STRIP.

415 L.F. = 17 TREES REQUIRED - 1 EXISTING 36" LIVE OAK = 16 TREES REQUIRED
= 16 TREES PROVIDED

PLANTING AREA:
PUBLIC FRONTAGE PLANTING STRIP TYPE C - MUST BE PLANTED IN SOD OR EVERGREEN GROUNDCOVER.

PARKING LOT SCREENING:
ALL PARKING MUST BE SCREENED FROM PUBLIC RIGHT-OF-WAY A MINIMUM 36" IN HEIGHT.

PRIVATE PROPERTY LANDSCAPING:

A MINIMUM PERCENTAGE OF THE TOTAL AREA OF THE PRIVATE PROPERTY ON WHICH DEVELOPMENT, CONSTRUCTION, OR RECONSTRUCTION IS PROPOSED MUST BE DEDICATED TO LANDSCAPE AREA INCLUDING TREES, SHRUBS, GROUNDCOVER, SOD, OR OTHER LIVING PLANT MATERIAL.

MINIMUM REQUIRED LANDSCAPE AREA = 30%
1 TREE AND 4 SHRUBS PER 600 SQ. FT. LANDSCAPE AREA

TOTAL SOUTH LOT SITE AREA = 49,996.62

REQUIRED LANDSCAPE AREA
49,996.62 X 0.3 = 11,335.34 SQ FT

REQUIRED PLANTING

19 TREES
76 SHRUBS

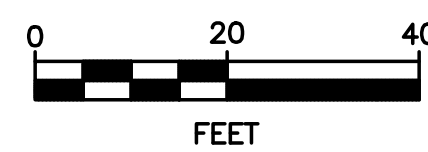
TOTAL LANDSCAPING AREA PROVIDED = 14,991 SQ FT

SOUTH LOT = 4839.32 SQ FT
NORTH LOT = 9253.11 SQ FT
R.O.W. = 898.15 SQ FT

24 TREES PROVIDED
92 SHRUBS PROVIDED

FOUNDATION PLANTING ARE REQUIRED WITHIN A PLANTING AREA A MINIMUM OF 4 FEET IN DEPTH ALONG 50% OF ANY FACADE VISIBLE TO THE PUBLIC.

A MINIMUM OF 50% OF REQUIRED TREES MUST BE SELECTED FROM THE MEDIUM OR LARGE SIZE TREE LIST.
A MINIMUM OF 40% OF REQUIRED TREES MUST BE EVERGREEN SPECIES.



DATE

DESCRIPTION

4-10-18

4-10-18

CLARK & FULLER
CIVIL ENGINEERING • DESIGN • PLANNING
215 North Main Street, Temple, TX 76781
254.999.8892 www.clarkfuller.com

Winsupply
3110 KETTERING BOULEVARD DAYTON, OHIO 45439

PROJECT NO.

55744

PROJECT TITLE

WINNELSON BUILDING TEMPLE, TEXAS

DWG. TITLE

LANDSCAPE PLAN

DWG. NO.

LS1.1





Facing North along 3rd Street



Existing Tree



Facing East from 3rd Street



RESOLUTION NO. 2018-9180-R

(PLANNING NO. FY-18-2-APL)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING AN APPEAL OF STANDARDS TO SECTION 6.8 OF THE UNIFIED DEVELOPMENT CODE IN THE 1ST AND 3RD OVERLAY DISTRICT RELATED TO LANDSCAPING AND PUBLIC FRONTAGE STANDARDS FOR A NEW CONSTRUCTION WAREHOUSE AND SALES BUILDING LOCATED AT 1605 NORTH 3RD STREET; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the applicant operates a plumbing supply business located at 1801 North 3rd Street and is expanding onto the lot to the south, located at 1605 North 3rd Street - the lot lacks landscaping and has other non-conforming features;

Whereas, the 1st and 3rd Overlay District was adopted in 2012 to primarily improve the streetscape, fencing and landscaping within these commercial corridors and the proposed improvements would address the intent of the code by creating an aesthetically pleasing streetscape while maximizing commercial use of the property;

Whereas, at its May 21, 2018 meeting, the Planning and Zoning Commission recommended unanimous approval - Staff recommends approval of the appeal as shown on Exhibit 'A' showing landscaping and public frontage standards for a new construction warehouse and sales building located at 1605 North 3rd Street; and

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

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

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

Part 1: The City Council authorizes an appeal of the following standards of Section 6.8 of the Unified Development Code related to landscaping and public frontage standards for a new construction warehouse and sales building located at 1605 North 3rd Street:

1. **Landscaping**
 - Applicant proposes to landscape approximately 10% of the area of the subject property. Proposed improvements significantly increase the amount of landscaping where none currently exists. Additionally, the applicant proposes to add landscaping at 1801 N. 3rd.
 - **6.8.4:** Maximum impervious lot coverage for non-residential uses is 70%.
 - **6.8.8:** Minimum of 30% landscape area at 1 tree and 4 shrubs per 600 sq. ft.

2. Frontage depth
 - Applicant proposes to landscape area as shown on site plan. The subject property forms an angle to 3rd St. that conflicts with depth requirements.
 - Use the average depth along the frontage to calculate buffer width.
 - **6.8.6 B.4** establishes depth and sidewalk requirements for each public frontage type.
3. Sidewalk width on 1st Street
 - Applicant proposes to extend the existing 4' sidewalk along 1st Street. The proposed sidewalk matches the existing width and increases connectivity between Shell Avenue and residential property to the south. An existing drainage channel limits the width of the sidewalk. As illustrated on the site plan, the sidewalk will be constructed to the back of curb except where it is routed behind the existing overhead utility pole to connect with the existing sidewalk.
 - **6.8.6 B.4:** Code requires an 8' sidewalk, but Sec. 6.8.15 allows for consideration of an administrative exception for sidewalk width by the Planning Director, which was included in this application.
4. Street Tree spacing
 - Applicant proposes to match the 35' spacing in TMED and plant trees where space permits, per Staff recommendation. Trees are placed within frontage along both streets, and clustered on both sides of the entrance on 3rd Street. Applicant also proposes to preserve an existing large tree on their adjacent property at 1801 N. 3rd St.
 - Sixteen trees will be planted.
 - **6.8.6 C.1.a:** One tree per 25' linear street frontage is required. Trees must be planted in a regularly spaced pattern. Spacing of trees may be offset to allow a view corridor into the primary entry of a nonresidential use.
5. Sidewalk to primary entrance
 - Applicant does not show a sidewalk connection to the primary entrance on the site plan.
 - Pedestrians would have easy access along the entrance drive to the front door.
 - **6.8.6 E.6:** Sidewalks must connect to parking within the lot and to primary entrances of each nonresidential building.
6. Foundation Planting
 - Applicant proposes adding landscaping in other areas of the property where none currently exist.
 - **6.8.8 D.1:** Foundation plantings are required within a planting area a minimum of four feet in depth along 50% of the length of any façade visible to the public.
7. Loading areas requiring screening
 - Applicant proposes that a loading area will not have a wall or other screening device.
 - **6.8.12 D.4:** Loading areas must be enclosed on three sides by a wall or other screening device a minimum of eight feet in height.

Part 2: It is hereby officially found and determined that the meeting at which this Resolution was passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED this the **21st** day of **June**, 2018.

THE CITY OF TEMPLE, TEXAS

TIMOTHY A. DAVIS, MAYOR

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

06/21/18
Item #9
Regular Agenda
Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

Tammy Lyerly, Senior Planner

ITEM DESCRIPTION: P-FY-18-30: Consider adopting a resolution approving the Final Plat of High Crest Phase III, a 38.984+/- acres, 61-lot, 4-block, residential subdivision, situated in the John M. Porter Survey, Abstract No. 648, Bell County, Texas and located north of Mountain Rose Road and east of Bowles Ranch Road in Temple's western extraterritorial jurisdiction with developer requested exceptions to the Unified Development Code.

PLANNING AND ZONING COMMISSION RECOMMENDATION: At its June 4, 2018, meeting the Planning and Zoning Commission voted seven to zero to recommend approval of Final Plat of High Crest Phase III with developer requested exceptions to Unified Development Code (UDC) Section 8.3 related to the payment of required park fees; UDC Section 8.2.1.4.B –Projection of Streets related to minimum number of street openings every 1,000 feet to adjoining properties; and UDC Section 8.2.D.3, as well as Design and Development Standards Manual –Residential Subdivision Entrance/Access Design, both related to the minimum number of residential subdivision entrances, per Staff's recommendation.

STAFF RECOMMENDATION: Staff recommends approval of the Final Plat of High Crest, Phase III, with developer requested exceptions to Unified Development Code (UDC) Section 8.3 related to the payment of required park fees; UDC Section 8.2.1.4.B –Projection of Streets related to minimum number of street openings every 1,000 feet to adjoining properties; and UDC Section 8.2.D.3, as well as Design and Development Standards Manual –Residential Subdivision Entrance/Access Design, both related to the minimum number of residential subdivision entrances.

ITEM SUMMARY: The Development Review Committee (DRC) reviewed Final Plat of High Crest, Phase III on February 22, 2018 and deemed it administratively complete on May 30, 2018. The proposed final plat is a continuation of the High Crest development with roadways meeting rural local street (22 b-b/50 row) and rural collector street (26 b-b/55 row) standards with ribbon curbing, per UDC Section 8.2-Design Standards.

The developer requests an exception to Unified Development Code Section 8.2.1.D.3: Residential Subdivision Entrance to waive the minimum required entrances for this development. A single entrance from High Crest Drive exists for High Crest, Phase I and High Crest, Phase II. High Crest, Phase I has 68 residential lots and High Crest, Phase II has 57 residential lots. City Council granted an exception to the number of subdivision entrances for High Crest, Phase II in 2013 with Resolution No. 2013-6940-R. The developer proposes 61 residential lots for High Crest, Phase III, making the proposed total of residential lots within the entire High Crest development 186 lots. The applicant's engineers have worked with TxDOT in proposed entrance improvements. An exhibit of proposed entrance improvements is attached. The Fire Department supports the applicant's requested exception regarding the number of required entrances.

The developer also requests an exception to UDC Section 8.2.1.4.B –Projection of Streets related to minimum number of street openings every 1,000 feet to adjoining properties. The applicant's engineers ask the requested exception be granted since Phase I of High Crest has provided three stub out streets and Phase II has provided one street stub out.

The developer also requests an exception to UDC Section 8.3 to waive the City's park fee requirements. UDC Section 8.3, allows for an administrative exception if; (1) the area proposed for development is more than one mile from the existing City limits; (2) the proposed subdivision will create fewer than nine lots; and (3) the City has not set forth plans to annex the area proposed for development in the City's Municipal Annexation Plan.

This development exceeds the nine lot maximum to meet the administrative exception, therefore, action from City Council is triggered. Since the subject property is within the ETJ at a distance of approximately 2.25 miles from the City limit line along Sparta Road, Parks staff is supportive of the proposed exception.

Water services will be provided by 439 Water Supply Corporation through existing and proposed 6-inch and 8-inch water lines. 439 Water Supply Corporation has provided a letter confirming the availability of water with the necessary capacity and volume to serve the proposed lots. Wastewater will be provided by on-site septic.

City Council, scheduled for June 21, 2018, is the final plat authority for the Final Plat of High Crest, Phase III, since the developer requests exceptions to the UDC.

FISCAL IMPACT: Not Applicable

ATTACHMENTS:

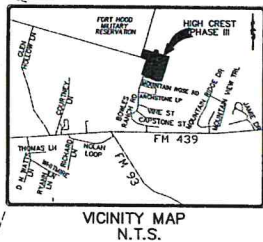
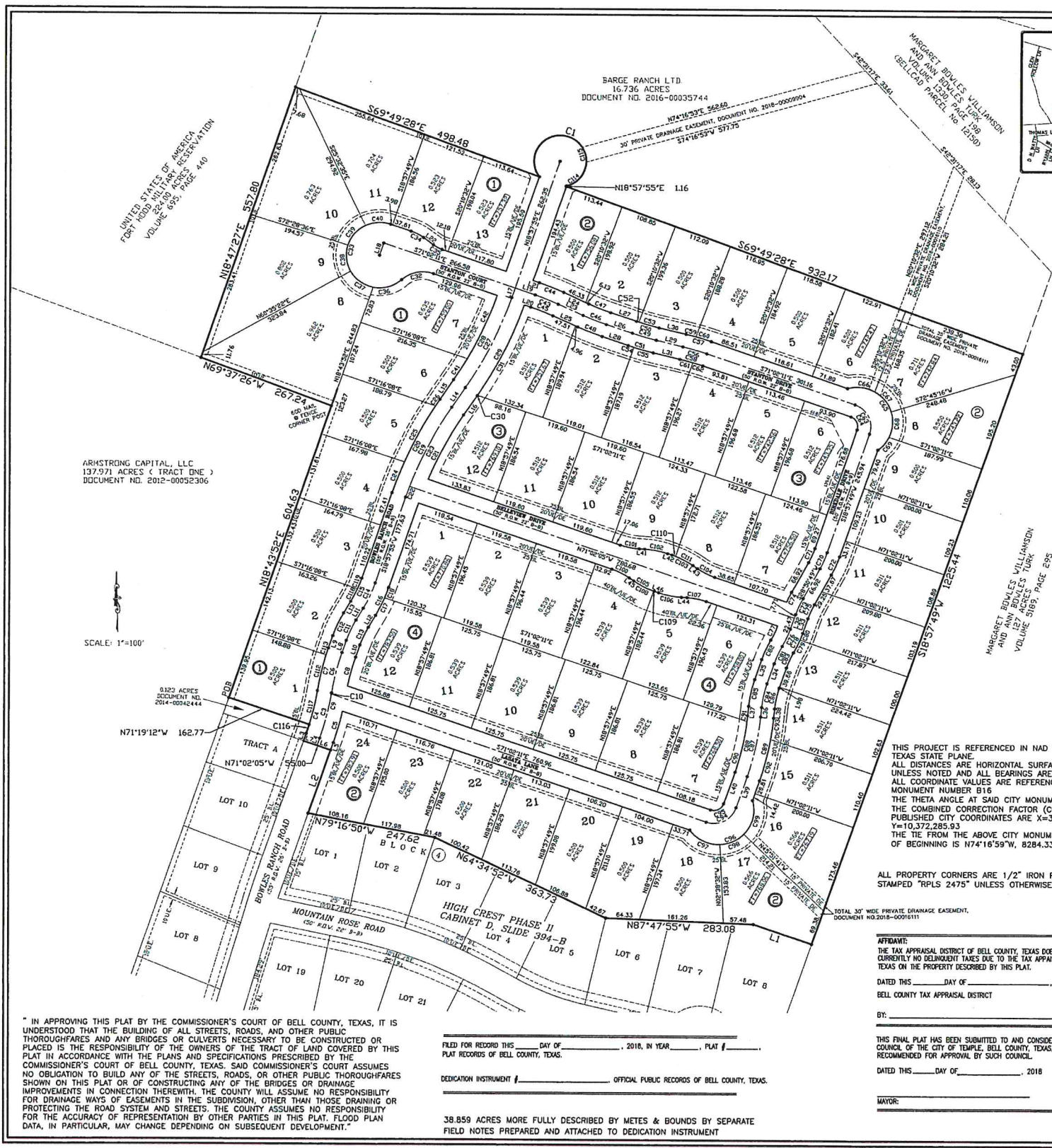
[Final Plat](#)

[Topo / Utility Plan](#)

[Proposed Entrance Layout](#)

[Developer Letter of Requested Exceptions](#)

[Resolution](#)



STATE OF TEXAS
COUNTY OF BELL
I, THE UNDERSIGNED, OWNER OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS HIGH CREST, PHASE III, AN ADDITION TO THE CITY OF TEMPLE, TEXAS, AND WHOSE NAME IS SUBSCRIBED HERETO, HEREBY DEDICATE TO THE USE OF PUBLIC FOREVER, ALL STREETS, PARKS, WATER COURSES, DRAINS, EASEMENTS, AND PUBLIC PLACES AS SHOWN HEREON.
THE OWNER ACKNOWLEDGES THAT IT IS THE RESPONSIBILITY OF THE OWNER, NOT THE COUNTY, TO ASSURE COMPLIANCE WITH THE PROVISIONS OF ALL APPLICABLE FEDERAL, STATE, AND LOCAL LAWS AND REGULATIONS RELATING TO THE ENVIRONMENT, INCLUDING (BUT NOT LIMITED TO) THE ENDANGERED SPECIES ACT, STATE AQUIFER REGULATIONS, AND MUNICIPAL WATERSHED ORDINANCES.
ALL PUBLIC ROADWAYS AND EASEMENTS AS SHOWN ON THIS PLAT ARE FREE OF LIENS.

ANSLEY CORPORATION, A TEXAS CORPORATION
V.W. (Bill) Borge III, President
STATE OF TEXAS
COUNTY OF BELL
THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE ____ DAY OF ____, 2018 BY V.W. BORGE III, PRESIDENT, ANSLEY CORPORATION, A TEXAS CORPORATION.
NOTARY PUBLIC, STATE OF TEXAS
MY COMMISSION EXPIRES: ____
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 ____ DAY OF ____, 2018.
SECRETARY TO PLANNING & ZONING COMMISSION: ____
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 ____, 2018.

CHAIRPERSON: ____
STATE OF TEXAS
COUNTY OF BELL
I HEREBY CERTIFY THAT THIS PLAT WAS APPROVED THIS ____ DAY OF ____, 2018, BY THE BELL COUNTY COMMISSIONERS COURT, AND MAY BE FILED FOR RECORD IN THE PLAT RECORDS OF BELL COUNTY, TEXAS BY THE COUNTY CLERK.
COUNTY JUDGE: ____
WITNESS MY HAND THIS ____ DAY OF ____, 2018.

NOTARY PUBLIC
STATE OF TEXAS
COUNTY OF BELL
KNOW ALL MEN BY THESE PRESENTS:
THAT I, MICHAEL E. ALVIS, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN THEREON AS "SET" WERE PROPERLY PLACED UNDER MY PERSONAL SUPERVISION IN ACCORDANCE WITH THE SUBDIVISION ORDINANCE OF THE BELL COUNTY SUBDIVISION REGULATIONS.
MICHAEL E. ALVIS, R.P.L.S. #5402
STATE OF TEXAS
COUNTY OF BELL
KNOW ALL MEN BY THESE PRESENTS:

THAT I, JENNIFER RYKEN, DO HEREBY CERTIFY THAT I PREPARED ALL DRAINAGE CALCULATIONS AND DESIGNED ALL DRAINS, STREETS/ROADS AND APURTANCES IN ACCORDANCE WITH THE SUBDIVISION ORDINANCE OF THE BELL COUNTY SUBDIVISION REGULATIONS.
JENNIFER RYKEN, R.L., C.F.M.
NO. 106277
I, THE UNDERSIGNED, A REGISTERED SANITARIAN IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS SUBDIVISION HAS BEEN REVIEWED FOR COMPLIANCE WITH APPLICABLE STATE AND COUNTY REGULATIONS GOVERNING ON-SITE SEWAGE FACILITIES AND IS HEREBY RECOMMEND FOR APPROVAL
SIGNATURE: ____ DATE: ____
TITLE: ____ BELL COUNTY PUBLIC HEALTH DISTRICT

FINAL PLAT:
HIGH CREST PHASE III
38.859 ACRES
61 LOTS, 4 BLOCKS
LOTS 1 THRU 13, BLOCK 1
LOTS 1 THRU 24, BLOCK 2
LOTS 1 THRU 12, BLOCK 3
LOTS 1 THRU 12, BLOCK 4
JOHN M. PORTER SURVEY, ABSTRACT No: 648, IN THE ETJ OF THE CITY OF TEMPLE, BELL COUNTY, TEXAS

" IN APPROVING THIS PLAT BY THE COMMISSIONER'S COURT OF BELL COUNTY, TEXAS, IT IS UNDERSTOOD THAT THE BUILDING OF ALL STREETS, ROADS, AND OTHER PUBLIC THOROUGHFARES AND ANY BRIDGES OR CULVERTS NECESSARY TO BE CONSTRUCTED OR PLACED IS THE RESPONSIBILITY OF THE OWNERS OF THE TRACT OF LAND COVERED BY THIS PLAT IN ACCORDANCE WITH THE PLANS AND SPECIFICATIONS PRESCRIBED BY THE COMMISSIONER'S COURT OF BELL COUNTY, TEXAS. SAID COMMISSIONER'S COURT ASSUMES NO OBLIGATION TO BUILD ANY OF THE STREETS, ROADS, OR OTHER PUBLIC THOROUGHFARES SHOWN ON THIS PLAT OR OF CONSTRUCTING ANY OF THE BRIDGES OR DRAINAGE IMPROVEMENTS IN CONNECTION THEREWITH. THE COUNTY WILL ASSUME NO RESPONSIBILITY FOR DRAINAGE, WAYS OF EASEMENTS IN THE SUBDIVISION, OTHER THAN THOSE DRAINING OR PROTECTING THE ROAD SYSTEM AND STREETS. THE COUNTY ASSUMES NO RESPONSIBILITY FOR THE ACCURACY OF REPRESENTATION BY OTHER PARTIES IN THIS PLAT. FLOOD PLAN DATA, IN PARTICULAR, MAY CHANGE DEPENDING ON SUBSEQUENT DEVELOPMENT."

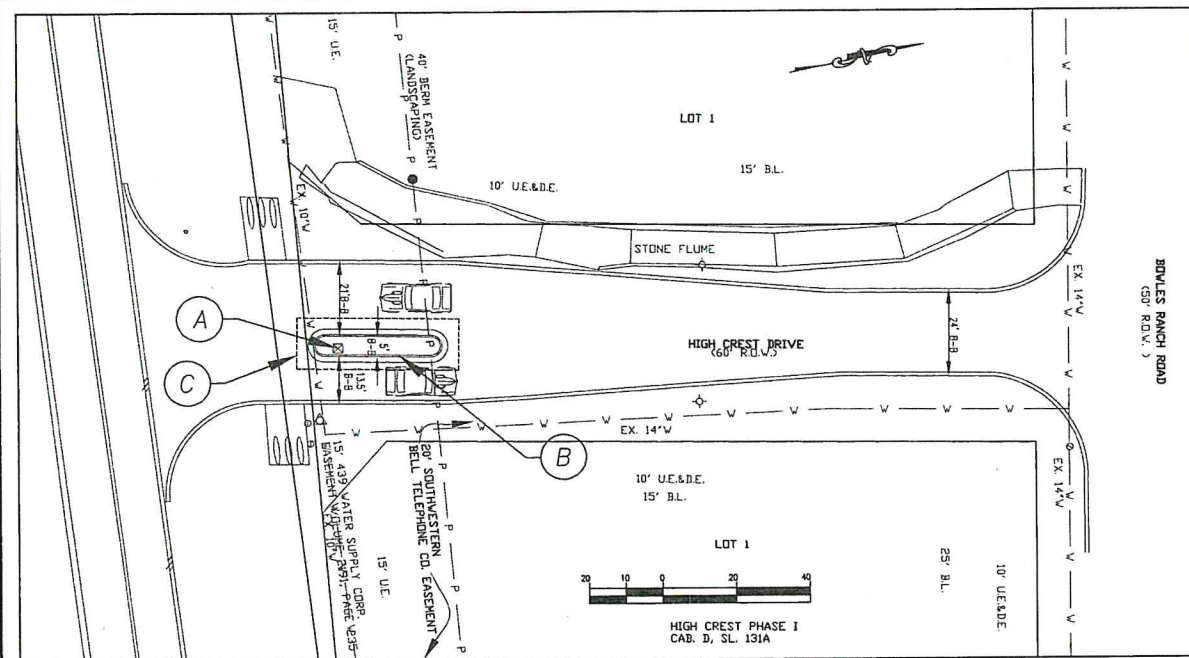
FILED FOR RECORD THIS ____ DAY OF ____, 2018, IN YEAR ____, PLAT # ____
DEDICATION INSTRUMENT # ____ OFFICIAL PUBLIC RECORDS OF BELL COUNTY, TEXAS.
38.859 ACRES MORE FULLY DESCRIBED BY METES & BOUNDS BY SEPARATE FIELD NOTES PREPARED AND ATTACHED TO DEDICATION INSTRUMENT

TURLEY ASSOCIATES, INC.
ENGINEERING • PLANNING • SURVEYING
CONSTRUCTION MANAGEMENT
301 N. 3rd St.
Temple, Texas 76705
(254) 773-2400
E-MAIL: M@TURLEY-INC.COM

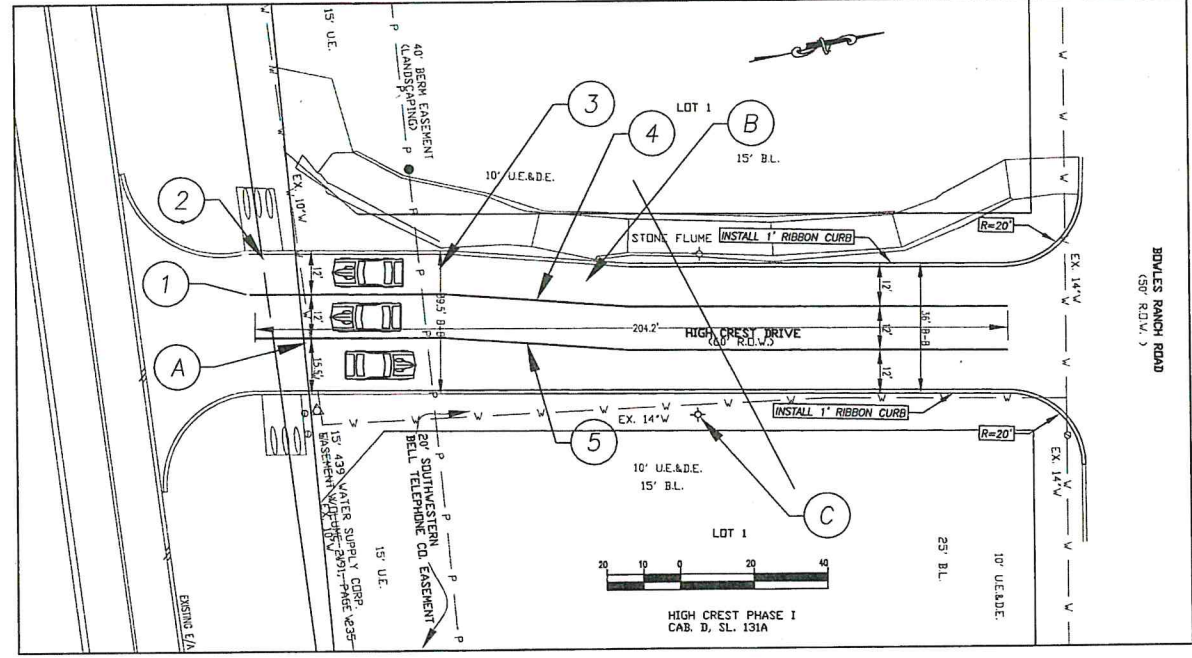
FINAL PLAT for:
HIGH CREST, PHASE III
38.859 ACRES
JOHN M. PORTER SURVEY, ABSTRACT No: 648, IN THE ETJ OF THE CITY OF TEMPLE, BELL COUNTY, TEXAS
DEVELOPED BY:
ANSLEY CORPORATION, A TEXAS CORPORATION
3602 S.W. H.K. DOUGEN LOOP
TEMPLE, TEXAS

REVISIONS		
MEA	COMMENTS	DATE

Date: 01/22/18
Drawn By: MEA
Reference: 17477
FB/LB:
Job Number: 17-477
Sheet 1 of 2
Computer: 17-477PLAT
17477-D
DRAWING NUMBER



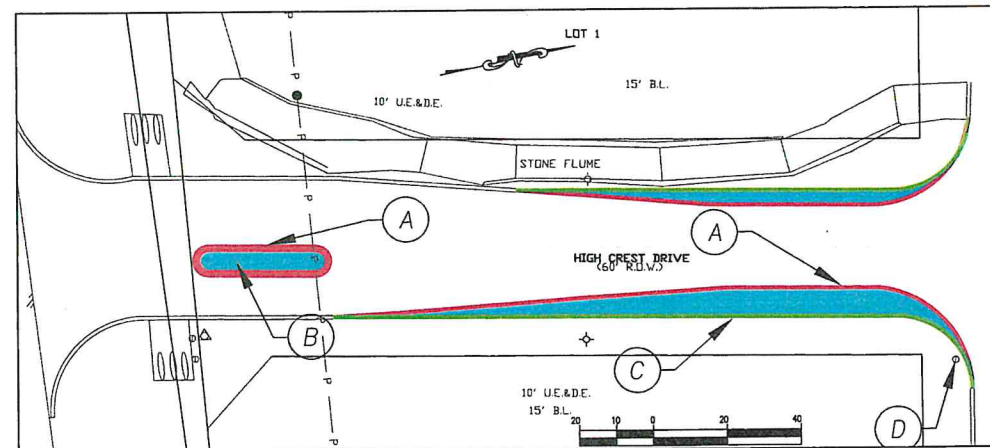
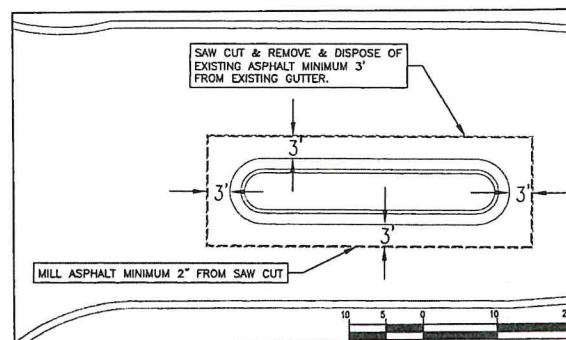
EXISTING ENTRANCE LAYOUT



PROPOSED ENTRANCE LAYOUT

- KEYED NOTES**
- (A) REMOVE EXISTING WATER METER OR RELOCATE IS NECESSARY. CONTRACTOR TO VERIFY EXISTING IRRIGATION NETWORK & MAINTAIN FUNCTIONALITY.
 - (B) DEMOLISH & REMOVE EXISTING CURB & GUTTER. DEMOLISH & REMOVE EXISTING LANDSCAPE ROCKS.
 - (C) SEE "SAW CUT DETAIL"
- * CONTRACTOR TO MAINTAIN ACCESSIBILITY TO SUBDIVISION DURING CONSTRUCTION.
- * CONTRACTOR IS RESPONSIBLE FOR VERIFYING THE LOCATION & DEPTH OF ALL EXISTING UTILITIES.
- * CONTRACTOR TO NOTIFY TXDOT 48 HOURS IN ADVANCE OF BEGINNING CONSTRUCTION.

SAW CUT DETAIL



ENTRANCE LAYOUT DETAIL

- KEYED NOTES**
- (A) REMOVE EXISTING RIBBON SHOWN IN RED. SAW CUT/MILL ASPHALT EDGE TO ENSURE SEAL WITH PROPOSED ASPHALT.
 - (B) COMPACT SUBGRADE TO GEO-TECHNICAL REPORT SPECIFICATIONS. INSTALL 8" OF BASE, OR MATCH EXISTING BASE THICKNESS, WHICH EVER IS GREATER. INSTALL 2" OF ASPHALT, OR MATCH EXISTING ASPHALT THICKNESS, WHICH EVER IS GREATER. MAINTAIN EXISTING SLOPE OF ROADWAY.
 - (C) INSTALL 1" RIBBON CURB. MINIMUM 2' OF BASE 4" THICK BEHIND CURB.
 - (D) CONTRACTOR TO PROTECT WATER VALVE & ANY EXISTING UTILITIES.

- KEYED NOTES**
- (A) COMPACT SUBGRADE TO GEO-TECHNICAL REPORT SPECIFICATIONS. INSTALL 8" OF BASE, OR MATCH EXISTING BASE THICKNESS, WHICH EVER IS GREATER. INSTALL 2" OF ASPHALT, OR MATCH EXISTING ASPHALT THICKNESS, WHICH EVER IS GREATER.
 - (B) INSTALL NEW ASPHALT SEAL COAT ON ENTIRE HIGH CREST DRIVE
 - (C) CONTRACTOR IS RESPONSIBLE FOR: RELOCATE EXISTING LIGHT POLE 5' FROM PROPOSED CURB
 - (1) STOP BAR
 - (2) TURN ARROWS
 - (3) "ONLY" STRIPING
 - (4) 4" SOLID WHITE STRIPING
 - (5) 4" SOLID YELLOW STRIPING
- * ALL PAVEMENT MARKINGS SHALL BE HOT APPLIED THERMOPLASTIC CONFORMING TO TXDOT DHS-8220
- * CONTRACTOR TO MAINTAIN ACCESSIBILITY TO SUBDIVISION DURING CONSTRUCTION
- * CONTRACTOR TO VEGETATE ANY DISTURBED AREAS, AND MAINTAIN POSITIVE SITE DRAINAGE.

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REVISIONS	DATE	DESCRIPTION	DFTR.
1	3/5/18	COMMENTS	JFBII



DRAFTSMAN: JFBII
DESIGNER: JFBII
ENGINEER: JFBII
DATE: 5/25/18
Jennifer Ryken

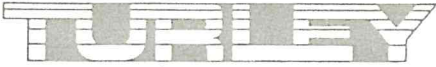


PROJECT: HIGH CREST PHASE III
FILE NAME: 17-477 PP
REF. DWG(s):

TITLE: HIGH CREST DRIVE
PAGE#: 07



Know what's below.
Call before you dig.



TURLEY ASSOCIATES, INC.

301 NORTH THIRD STREET • TEMPLE, TEXAS 76501 • (254) 773-2400
F-1658 TBPLS No. 10056000

May 31, 2018

City of Temple
Attn: Brian Chandler
Planning Director
2 North Main Street
Temple, TX 76501

RE: High Crest Phase III

Dear Brian:

On behalf of our client, Turley Associates, Inc. would like to formally request exceptions from the *Unified Development Code* for the above referenced project.

We would also like to request that the City grant an exception to the park fee requirement. This development is more than a mile outside of the City Limits (approximately 2.25 miles) and annexation of the property is not anticipated any time soon. This meets two of the three requirements set forth by the parks department to waive fees within the ETJ.

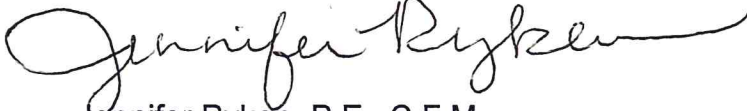
The City of Temple requires that developments with more than 75 lots have two entrances into the development. High Crest does not have two entrances. Phase I of High Crest was developed fronting FM 439 when this area was not within the ETJ of the City of Temple and was approved by Bell County with one entrance. The County only required that we provide through streets to the east for future connectivity. The entrance to the development was also approved by TxDOT. Phase II of High Crest abuts the northern boundary line of Phase I and has only one connection to Phase I. Phase II also provides a through street to the east for future connectivity. Phase III will tie into Phase II and will be the final phase of development. Seeing as Phase I was built approximately 10 years ago and met all standards at the time of platting it creates an undue hardship on the property owner to require a second entrance off of FM 439 when there is no frontage left within this property boundary. For these reasons we ask that the City of Temple grant an exception to the *Unified Development Code* requirements of a second entrance.

We would also ask that City Council grant an exception to the ordinance regarding stub out streets within this phase of development. There are three (3) stub out streets within Phase I of the development and one (1) stub out street in the second phase of development, totaling four (4) existing stub streets.

We appreciate your consideration on these matters and are available at your convenience to discuss these items or answer any questions.

Sincerely,

TURLEY ASSOCIATES, INC.

A handwritten signature in black ink, reading "Jennifer Ryken". The signature is fluid and cursive, with a large initial "J" and a long, sweeping underline.

Jennifer Ryken, P.E., C.F.M.
Senior Project Engineer

CC: Bryan Neaves, P.E.; Bell County Engineer
Tyler Bradford; Barge Properties
Juli Bryan; Baird, Crews, Schiller & Whitaker, P.C.

RESOLUTION NO. 2018-9181-R
(P-FY-18-30)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE FINAL PLAT OF HIGH CREST PHASE III, AN APPROXIMATELY 38.984 ACRE, 61 LOT, 4 BLOCK, RESIDENTIAL SUBDIVISION, SITUATED IN THE JOHN M. PORTER SURVEY, ABSTRACT NO. 648, BELL COUNTY, TEXAS, AND LOCATED NORTH OF MOUNTAIN ROSE ROAD AND EAST OF BOWLES RANCH ROAD IN TEMPLE'S WESTERN EXTRATERRITORIAL JURISDICTION, WITH DEVELOPER REQUESTED EXCEPTIONS TO THE UNIFIED DEVELOPMENT CODE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the final plat of High Crest Phase III is a continuation of the High Crest development with roadways meeting rural local street and rural collector street standards with ribbon curbing, per Unified Development Code ("UDC") Section 8.2: Design Standards;

Whereas, the developer has requested an exception to UDC Section 8.2.1.D.3: Residential Subdivision Entrance to waive the minimum required entrances for this development;

Whereas, a single entrance from High Crest Drive exists for High Crest, Phase I and High Crest, Phase II and High Crest, Phase I has 68 residential lots and High Crest, Phase II has 57 residential lots;

Whereas, Council granted an exception to the number of subdivision entrances for High Crest, Phase II in 2013 and the developer proposes 61 residential lots for High Crest, Phase III, making the proposed total of residential lots within the entire High Crest development 186 lots;

Whereas, the applicant's engineers have worked with TxDOT on proposed entrance improvements, and the Fire Department supports the applicant's requested exception regarding the number of required entrances;

Whereas, in addition to the number of subdivision entrances, the developer is requesting consideration of the following exceptions:

1. Exception to UDC Section 8.2.1.4.B: Projection of Streets related to minimum number of street openings every 1,000 feet to adjoining properties. The applicant's engineers ask the requested exception be granted since Phase I of High Crest has provided three stub outs and Phase II has provided one stub out; and
2. Exception to UDC Section 8.3 to waive the City's park fee requirements;

Whereas, water services will be provided by 439 Water Supply Corporation through existing and proposed 6-inch and 8-inch water lines - 439 Water Supply Corporation has provided a letter confirming the availability of water with the necessary capacity and volume to serve the proposed lots and wastewater will be provided by on-site septic;

Whereas, at their June 4, 2018 meeting, the Planning & Zoning Commission voted 7 to 0 to recommend approval of the final plat and the above exceptions to the UDC;

Whereas, Staff recommends Council authorize the approval of the final plat of High Crest Phase III with developer requested exceptions to UDC Section 8.3 related to the payment of park fees, UDC Section 8.2.1.4.B related to projection of streets, and UDC Section 8.2.D.3, as well as Design and Development Standards Manual – Residential Subdivision Entrance/Access Design, both related to the minimum number of residential subdivision entrances; and

Whereas, the City Council has considered the matter and deems it in the public interest to approve the Final Plat of High Crest Phase III, with the above requested exceptions.

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 High Crest Phase III, an approximately 38.984 acre, 61 lot, 4 block, residential subdivision, situated in the John M. Porter Survey, Abstract No. 648, Bell County, Texas, and located north of Mountain Rose Road and east of Bowles Ranch Road in Temple's western extraterritorial jurisdiction with developer requested exceptions to the Unified Development Code, as described further 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 **21st** day of **June**, 2018.

THE CITY OF TEMPLE, TEXAS

TIMOTHY A. DAVIS, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

06/21/18
Item #10
Regular Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Kayla Landeros, City Attorney
Christina Demirs, Deputy City Attorney

ITEM DESCRIPTION: FIRST READING – PUBLIC HEARING: Consider adopting an ordinance amending the City of Temple’s Comprehensive Economic Development Ordinance (Ord. No. 2016-4783) to readopt the City’s guidelines and criteria governing property tax abatement.

STAFF RECOMMENDATION: Adopt ordinance as presented in item description, with second and final reading on June 28th.

ITEM SUMMARY: The City has adopted a comprehensive economic development policy that includes guidelines and criteria for authorizing property tax abatement, an overview of the Strategic Investment Zone Incentive Program, and guidelines and criteria for additional City incentives which are authorized by Chapter 380 of the Texas Local Government Code.

Pursuant to Chapter 312 of the Texas Tax Code, the City must adopt guidelines and criteria for offering property tax abatement under that chapter. The guidelines and criteria are effective for two years from the date of adoption. The City’s tax abatement guidelines and criteria were last adopted in July, 2016 and therefore must be renewed at this time. No substantive changes to the policy are proposed.

FISCAL IMPACT: None.

ATTACHMENTS:

[Ordinance](#)

ORDINANCE NO. 2018-4922

AN ORDINANCE OF THE CITY OF TEMPLE, TEXAS, ESTABLISHING A COMPREHENSIVE ECONOMIC DEVELOPMENT POLICY FOR THE CITY OF TEMPLE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the City of Temple is committed to establishing long-term economic vitality, an essential key to the growth of any community, by responding and preparing for challenges and changes in an environment characterized by ongoing competition for sustained economic advantage and identity;

Whereas, in an effort to enrich an already substantial diversity of economic activity, the City of Temple established an *Economic Development Policy* consolidating the City's economic development policies into one comprehensive document;

Whereas, the City has established criteria and guidelines governing tax abatement within the City pursuant to Chapter 312 of the Tax Code;

Whereas, the City has by ordinance created a tax increment financing reinvestment zone pursuant to Chapter 311 of the Tax Code, and used the tax increments accrued in said zone to construct public improvements intended to spur economic development of the zone;

Whereas, Article 3, Section 52-a of the Texas Constitution, authorizes the Legislature to provide for the creation of programs for the making of loans and grants of public money for the public purposes of development and diversification of the economy of the State;

Whereas, the Legislature, in Chapter 380 of the Local Government Code, has authorized home rule cities to establish programs for making loans and grants of public money to promote State or local economic activity within their boundaries; 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: That a comprehensive *Economic Development Policy* is hereby adopted by the City of Temple, Texas, to read as follows:

ECONOMIC DEVELOPMENT POLICY

FOR THE CITY OF TEMPLE, TEXAS

REVISED JUNE 28, 2018

I. Criteria and Guidelines Governing Tax Abatement.

A. Definitions.

1. "**Abatement**" means the full or partial exemption from ad valorem taxes of certain real property (including fixed-in-place machinery & equipment) in a tax abatement reinvestment zone designated by the City of Temple ("City") for economic development purposes.

2. "**Agreement**" means a contractual agreement between a property owner and/or lessee and an eligible jurisdiction for the purposes of tax abatement.

3. "**Base year value**" means the assessed value of eligible property in the reinvestment zone on January 1st preceding the effective date of the tax abatement agreement, plus the agreed upon value of eligible property improvements made after January 1 but before the effective date of the agreement.

4. "**Deferred Maintenance**" means those improvements necessary for continued operation but which do not improve productivity or alter any process technology. Exterior improvements (e.g., painting, installing, repairing, removing or replacing a facade) to the exteriors of buildings in the Strategic Investment Zone Grant Corridors, which are designed to improve visual appearance of property are not deferred maintenance.

5. "**Economic Life**" means the number of years a property improvement is expected to be in service in a reinvestment zone.

6. "**Eligible Facilities**" means those new, expanded or modernized buildings and structures, including fixed machinery and equipment, which are reasonably likely as a result of granting abatement, to contribute to the retention or expansion of primary employment or to attract major investment in the reinvestment zone that would be a benefit to the property and that would contribute to the economic development within the City. Eligible Facilities in all commercial/industrial tax abatement reinvestment zones include, but are not limited to, Manufacturing Facilities, Research Facilities, Regional Distribution Center Facilities, Regional Service Facilities, Regional Entertainment Facilities, Research and Development Facilities, Other Basic Industry Facilities, retail stores, apartment buildings, and restaurants.

7. "**Eligible Jurisdiction**" means the City and any other taxing jurisdiction eligible to abate its taxes according to Texas law that levies ad valorem taxes upon and provides services to property located within a proposed or existing reinvestment zone.

8. **“Employee”** means a person whose employment is both permanent and full time, who works for and is an employee of the property owner or an employee of a contractor, who works exclusively within the reinvestment zone, who received industry-standard benefits, and whose employment is reflected in the owner’s (and contractor’s, if applicable) Internal Revenue Service Form 941.

9. **“Expansion”** means the addition of buildings, structures, machinery, equipment or payroll for purposes of increasing production capacity.

10. **“Facility”** means property improvements completed or in the process of construction which together comprise an integral whole.

11. **“Manufacturing Facility”** means buildings and structures, including fixed-in-place machinery and equipment, the primary purpose of which is or will be the manufacture of tangible goods or materials or the processing of such goods or materials by physical or chemical change.

12. **“Modernization”** means a complete or partial demolition of Facilities and the complete or partial reconstruction or installation of a Facility of similar or expanded production capacity. Modernization may result from the construction, alteration, or installation of buildings, structures, machinery or equipment, or both. Modernization in the Strategic Investment Zone Grant Corridors includes painting of exterior walls, restoring, removing or installing a facade and related exterior improvements designed to visually improve the exterior of a building or block.

13. **“New Facility”** means a property, previously undeveloped, which is placed into service by means other than or in conjunction with Expansion and Modernization.

14. **“Other Basic Industry Facility”** means buildings and structures including fixed machinery and equipment not elsewhere described, used or to be used for the production of products or services which primarily serve a market in the creation of new permanent employment and bring in new wealth.

15. **“Project”** means the construction, renovation, or remodeling of a building. Simultaneous construction, renovation, or remodeling work on two or more attached buildings will be considered one Project, if the buildings are under common ownership.

16. **“Regional Distribution Center Facility”** means buildings and structures, including fixed machinery and equipment, used or to be used primarily to receive, store, service or distribute goods or materials owned by the facility operator where a majority of the goods or services are distributed to points outside of the City.

17. **“Regional Entertainment Facility”** means buildings and structures, including fixed machinery and equipment, used or to be used to provide entertainment through the admission of the general public where the majority of users reside outside of the City.

18. **“Regional Service Facility”** means buildings and structures, including fixed machinery and equipment, used or to be used to service goods where a majority of the goods being serviced originate outside of the City.

19. **“Research Facility”** means buildings and structures, including fixed machinery and equipment, used or to be used primarily for research or experimentation to improve or develop new tangible goods or materials or to improve or develop the production processes thereto.

20. **“Research and Development Facility”** means buildings and structures, including fixed machinery and equipment, used or to be used entirely for research or experimentation to improve or develop current technology in biomedicine, electronics or pre-commercial emerging industries.

B. Statement of Purpose.

The City is committed to the promotion of high quality commercial and industrial development in all parts of the City, and an ongoing improvement of the quality of life of its citizens. These objectives may be served by the enhancement and expansion of the local economy. The City will consider, on a case-by-case basis granting property tax abatement as a stimulus for economic development in accordance with the criteria and guidelines established herein. Nothing herein shall imply or suggest that the City is under any obligation to provide tax abatement to any applicant, that any applicant has a property right or interest in tax abatement, or that the City is precluded from considering other options which may be in the best interest of the City.

C. Designation of Tax Abatement Reinvestment Zones.

The City will consider designating areas within the City limits or extraterritorial jurisdiction of the City as commercial-industrial tax abatement reinvestment zones which meet one or more of the criteria for designation of a reinvestment zone under Section 312.202 of the Tax Code, and where the property owner meets the minimum qualifications to qualify for a tax abatement under Part I.D. of this Policy. Designation of an area as a tax abatement reinvestment zone is a prerequisite to entering into a tax abatement agreement with the owner or lessee of the property in a particular area. Property located within a City created (and State-approved) Enterprise Zone is eligible for consideration for tax abatement agreements without the necessity of separate designation as a tax abatement reinvestment zone.

D. Abatement Authorized.

1. Eligible Facilities. Upon application, the City will consider granting tax abatement on Eligible Facilities as hereinafter provided.

a. Creation of New Value. The City will consider granting tax abatement only for the additional value of eligible property improvements (including fixed machinery and equipment) made subsequent to, and specified in, an abatement agreement between the City and the property owner or lessee, subject to such limitations as the City may require.

b. New and Existing Eligible Facilities. The City will consider granting abatement for new Eligible Facilities and for improvements to existing Eligible Facilities for purposes of Modernization and Expansion.

c. Eligible Property. The City will consider granting abatement to the value of real property improvements (buildings, structures, fixed machinery and equipment, site improvements, related fixed improvements necessary to the operation and administration of the Facility), and personal property (excluding inventory or supplies) with an Economic Life of fifteen (15) years or more.

d. Ineligible Property. The following types of property shall remain fully taxable and ineligible for tax abatement: land, supplies, inventory, housing, Deferred Maintenance, property to be rented or leased except as provided in subpart (5) below, and other property which has an Economic Life of less than fifteen (15) years.

e. Owned/Leased Facilities. If a leased Facility is granted tax abatement, the agreement shall be executed with the lessor and the lessee.

2. Standards for Tax Abatement.

a. Minimum Standards. The City will consider tax abatement only on Eligible Facilities which meet at least two of the following criteria.

(1) The project involves a minimum increase in property value of three hundred percent (300%) for construction of a new facility, or fifty percent (50%) for expansion of an existing facility, with an overall new investment of at least \$1 million in taxable assets. For Eligible Facilities in any reinvestment zone within the Strategic Investment Zone Grant Corridors, the project must involve either a minimum increase in property value of one hundred and fifty percent (150%) for construction of a new facility, or twenty-five percent (25%) for expansion of an existing facility, with an overall new investment of at least \$50,000 in taxable assets.

(2) The project makes a substantial contribution to redevelopment efforts, special area plans, or strategic economic development programs by enhancing either functional or visual characteristics, e.g., historical structures, traffic circulation, parking, facades, materials, signs.

(3) The project has high visibility, image impact, or is of a significantly higher level of development quality.

(4) The project is in an area which might not otherwise be developed because of constraints of topography, ownership patterns, site configuration, etc.

(5) The project can serve as a prototype and catalyst for other development of a higher standard.

(6) The project stimulates desired concentrations of employment or commercial activity.

(7) The project generates greater employment than would otherwise be achieved, e.g., commercial/industrial versus manufacturing versus warehousing.

(8) For eligible facilities in any reinvestment zone within the Strategic Investment Zone Grant Corridors, the project improves the aesthetic appearance of the neighborhood, brings new jobs to the area, increases the availability of public parking, or increases the amount of green space (landscaping).

b. Minimum Required Investment. An applicant requesting tax abatement shall agree as a condition of any tax abatement agreement ultimately approved by the City Council to expend a certain minimum amount of funds on real or personal property improvements, or to provide a certain number of jobs, as provided below:

Percentage of increased value to be abated	Minimum Required Real or Personal Property Investment or Job Creation		
	Eligible Real Property Improvements	Eligible Personal Property*	Job Creation [†]
25%	\$250,000-\$400,000	\$1,000,000-\$1,600,000	25-30 jobs
30%	400,001-550,000	1,600,001-2,200,000	31-35 jobs
35%	550,001-700,000	2,200,001-2,800,000	36-40 jobs
40%	700,001-850,000	2,800,001-3,400,000	41-45 jobs
45%	850,001-1,000,000	3,400,001-4,000,000	46-50 jobs
50%	1,000,001-1,300,000	4,000,001-5,200,000	51-55 jobs
55%	1,300,001-1,600,000	5,200,001-6,400,000	56-60 jobs
60%	1,600,001-1,900,000	6,400,001-7,600,000	61-65 jobs
65%	1,900,001-2,200,000	7,600,001-8,800,000	66-70 jobs
70%	2,200,001-2,500,000	8,800,001-10,000,000	71-75 jobs
75%	2,500,001-3,500,000	10,000,001-14,000,000	76-85 jobs

Percentage of increased value to be abated	Minimum Required Real or Personal Property Investment or Job Creation		
	Eligible Real Property Improvements	Eligible Personal Property*	Job Creation [†]
80%	3,500,001-4,500,000	14,000,001-18,000,000	86-95 jobs
85%	4,500,001-5,500,000	18,000,001-22,000,000	96-105 jobs
90%	5,500,001-6,500,000	22,000,001-26,000,000	106-115 jobs
95%	6,500,001-7,500,000	26,000,001-30,000,000	116-125 jobs
100%	7,500,001-10,000,000	30,000,001-40,000,000	126-175 jobs

Percentage of increased value To be abated	Minimum Required Real or Personal Property Investment or Job Creation inside the Strategic Investment Zone Grant Corridors		
	Eligible Real Property Improvements	Eligible Personal Property*	Job Creation
100%	\$50,000 or more	\$60,000 or more	5-25 jobs

Projects involving an investment in real property in excess of \$10,000,000 (\$250,000 in the Strategic Investment Zone Grant Corridors), or in eligible personal property of more than \$40,000,000 (\$1,000,000 in the Strategic Investment Zone Grant Corridors), or the creation of more than 175 (25 in the Strategic Investment Zone Grant Corridors) new full time jobs, or requests for tax abatement for more than 5 years, will be individually negotiated.

If a request for tax abatement is justified on the basis of the purchase and maintenance of eligible personal property or on the creation of jobs, the applicant must agree to maintain the personal property or jobs for a period of not less than twice the period for which tax abatement is granted. For example, if an applicant requests and receives 75% tax abatement for five years based on the purchase and maintenance of eligible personal property, the applicant must agree in the tax abatement agreement, subject to recapture of all abated taxes, to maintain the personal property on the property tax roll for not less than ten years.

*Personal property with an Economic Life of less than fifteen years is not eligible for tax abatement.

Personal property on site prior to the effective date of the tax abatement agreement is not eligible. Supplies and inventory are ineligible for tax abatement under this policy and State law.

[†] As used herein, the creation of jobs refers to the creation of a job paying not less than \$10 per hour, the approximate median salary for employees in Bell County. To qualify for a level of tax abatement, e.g., 25%, based on the creation of a specific number of jobs, the applicant must commit to hiring the required effective number of employees by the end of year 2 of the agreement. To calculate the effective number of jobs created: (1) calculate the total annual payroll created (based on the number of employees you will hire at various annual salaries); (2) divide this annual payroll

by \$20,640 (our calculated annual salary for a \$10/hr employee); and (3) round this figure to the nearest whole integer.

c. Additional or Enhancement Factors. In addition to the minimum investment or job creation criteria listed in (b) above, the following factors, among others, shall be considered in determining whether to grant tax abatement, and if so, in what percentage of value to be abated and duration of abatement:

- (1) value of land and existing improvements, if any;
- (2) type and value of proposed improvements;
- (3) Economic Life of proposed improvements;
- (4) number of existing jobs to be retained by proposed improvements;
- (5) number, salary, and type of new jobs to be created by proposed improvements;
- (6) amount of local payroll to be created;
- (7) whether the new jobs to be created will be filled by persons residing or projected to reside within the City;
- (8) amount of local sales taxes to be generated directly;
- (9) the costs, if any, to be incurred by the City to provide facilities or services directly resulting from the new improvements;
- (10) the amount of ad valorem taxes to be paid the City during the Abatement period considering the existing values, the percentage of new value abated, the Abatement period, and the projected property value after expiration of the Abatement period;
- (11) population growth that occurs directly as a result of new improvements;
- (12) the types and value of public improvements, if any, to be constructed and paid for by the applicant seeking abatement;
- (13) the extent to which the proposed improvements compete with existing businesses;
- (14) the positive or negative impact on the opportunities of existing businesses;
- (15) the attraction of other new businesses to the area;
- (16) the overall compatibility with the City's zoning and subdivision regulations, and overall comprehensive plan; and
- (17) whether the project is environmentally compatible with the community (no appreciable negative impact on quality-of-life perceptions).

Each Eligible Facility shall be reviewed on its merits utilizing the factors provided above. After such review, abatement may be denied entirely or may be granted to the extent deemed appropriate after full evaluation.

3. Abatement barred in certain circumstances. Neither a reinvestment zone nor an abatement agreement shall be authorized, if the City Council determines that:

a. there would be a substantial adverse effect on the provision of government service or tax base;

b. the applicant has insufficient financial capacity to meet the requirements of the proposed abatement agreement;

c. planned or potential use of the property would constitute a hazard to public safety, health, or morals;

d. approval of a reinvestment zone or abatement agreement would violate State or Federal laws or regulations; or

e. there exists any other valid reason for denial deemed appropriate by the City.

4. Property subject to Taxation. From the execution of a tax abatement agreement to the end of the effective abatement period under the agreement, taxes shall be payable as follows:

a. the value of ineligible property (Part I.D.1.d.) shall be fully taxable;

b. the base year value of existing eligible property as determined each year shall be fully taxable;

c. the additional value of new eligible property shall be taxed in the manner and for the period provided for in the tax abatement agreement; and

d. the additional value of new, eligible property shall be fully taxable at the end of the abatement period.

5. Application for Tax Abatement.

a. Any present or potential owner of taxable property in the City of Temple may request the creation of a tax abatement reinvestment zone and tax abatement by filing a complete application package with the City Manager. The application shall then be forwarded to other appropriate City departments for review. After processing the application, the City Manager shall make a recommendation to the City Council to grant or deny the application.

b. A complete application package for consideration of a tax abatement shall consist of:

- a completed application form;
- an investment budget detailing components and costs of the real property and personal property improvements for which tax abatement is requested, including type, number, and economic life;
- A map and legal description of the property;
- A time schedule for undertaking and completing the proposed improvements;
- The number of jobs to be retained and/or created as a result of the proposed project;
- Information pertaining to the reasons that the requested tax abatement is necessary to ensure that the proposed project is built in the City;
- Financial and other information, as the City deems appropriate, for evaluating the financial capacity and other factors of the applicant;
- For a leased facility, the name and address of the lessor and a copy of the proposed or existing lease, or option contract.

c. Pursuant to the requirements of the Tax Code, Chapter 312, the City shall give written notice to the presiding officer of the governing body of each taxing unit that includes in its

boundaries real property that is to be included in a proposed reinvestment zone and in which the property to be subject to the agreement is located.

d. The City shall not establish a reinvestment zone for the purpose of abatement if it finds that the request for the abatement was filed after the commencement of construction of a New Facility, or alteration, Modernization, or Expansion of an existing Facility.

6. Tax Abatement Agreements

a. After City Council approval of a resolution authorizing a tax abatement agreement, the owner (and lessee, where applicable) of the Facility and the City shall execute an agreement which shall include, but not be limited to:

- (1) The kind, number, and location of all proposed improvements on the property;
- (2) The amount of investment, increase in appraised value and number of jobs to be added and/or retained;
- (3) A provision authorizing access to and inspection of the property by municipal employees to ensure that the improvements are made according to the specifications and conditions of the agreement;
- (4) Limits for the uses of the property consistent with the general purpose of encouraging development or redevelopment of the zone during the period the property tax abatement is in effect;
- (5) A provision providing for recapture of 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;
- (6) All other contractual terms agreed to by the owner of the property;
- (7) A requirement that the owner of the property annually certify to the governing body of each taxing unit that the owner is in compliance with each applicable term of the agreement;
- (8) A provision allowing the City Council to cancel or modify the agreement if the owner fails to comply with the agreement;
- (9) The percentage of value to be abated each year; and
- (10) The commencement date and the termination date of abatement.

b. To be effective, a tax abatement agreement must be approved by the affirmative vote of a majority of the members of the City Council at a scheduled meeting of the City Council.

c. Agreements shall normally be approved or disapproved within sixty (60) days from the date the applicant files a properly completed application package with the City.

7. Recapture of Abated Taxes Upon Default.

a. In the event that the owner and/or lessee:

(1) allows its ad valorem taxes owed the City to become delinquent and fails to timely and properly follow the legal procedures for their protest or contest, or

(2) violates any of the terms and conditions of the abatement agreement, and fails to cure during the Cure Period hereinafter described,

the Agreement then may be terminated, and the owner and/or lessee whose agreement is terminated shall repay, as liquidated damages, all taxes previously abated by virtue of the agreement to the City within thirty (30) days of the termination.

b. Should the City determine that the owner and/or lessee is in default according to the terms and conditions of its agreement, the City shall notify the owner and/or lessee of such default in writing at the address stated in the agreement, and if such is not cured within thirty (30) days from the date of such notice ("Cure Period"), then the agreement may be terminated.

8. Administration.

a. The Chief Appraiser of the Bell County Appraisal District will annually determine an assessment of the real and personal property comprising the reinvestment zone. Each year, the owner and/or lessee receiving abatement shall furnish the Appraiser with such information as may be necessary for the abatement. Once value has been established, the Chief Appraiser will notify the City of the amount of the assessment.

b. A tax abatement agreement shall stipulate that employees or designated representatives of the City will have access to the reinvestment zone during the term of the abatement to inspect the Facility to determine if the terms and conditions of the agreement are being met. All inspections will be made only after the giving of twenty-four (24) hours prior notice and will only be conducted in such manner as to not unreasonably interfere with the construction or operation of the Facility. All inspections will be made with one or more representatives of the owner and/or lessee and in accordance with its safety standards.

9. Assignment of Tax Abatement Agreements.

Abatement may be transferred and assigned by the holder to a new owner or lessee of the same Facility upon the approval by resolution of the City Council, subject to the financial capacity of the

assignee and provided that all conditions and obligations in the abatement agreement are guaranteed by the execution of a new contractual agreement with the City. No assignment or transfer shall be approved if the parties to the existing agreement, the new owner or new lessee, are liable to any jurisdiction for outstanding taxes or other obligations. Approval of assignments will not be unreasonably withheld.

10. Sunset Provision.

These tax abatement criteria and guidelines are effective upon the date of their adoption and will remain in force for two years, unless amended by three-quarters vote of the City Council.

II. Availability of Tax Increment Financing of Public Improvements.

A. Existence of tax increment financing district.

The City of Temple has previously created Tax Increment Financing Reinvestment Zone Number One. To be designated as a tax increment financing reinvestment zone (TIFRZ), an area must meet the criteria established for reinvestment zones under Section 311.005 of the Tax Code. Designation of an area of the City as an Enterprise Zone under Texas Government Code, Chapter 2303, the Texas Enterprise Zone Act, qualifies an area automatically for designation as a tax increment financing reinvestment zone.

B. Development agreements.

The City will consider entering into development agreements with the owners of property within a TIFRZ where construction of a public improvement(s), e.g., a street, sewer or water line, bridge, railroad spur, or drainage project, using tax increment funds is likely to result in the significant expansion or modernization of an existing facility, the construction of a major new facility, the creation of a significant number of new jobs, or otherwise accomplishes one of the major goals of Chapter 311 of the Tax Code. The City Council may by ordinance or resolution, with the advice and recommendation of the Board of Directors of Tax Increment Financing Reinvestment Zone Number One, establish minimum criteria for consideration of development agreements.

III. Additional Economic Incentives within the City

A. Designation of Enterprise Zone.

The City will consider designating an Enterprise Zone or nominating an Enterprise Project as allowed by Texas Government Code, Chapter 2303, also known as the Texas Enterprise Zone Act.

1. Sales and use tax refunds.

a. Minimum qualifications. To encourage development of an Enterprise Zone, the City will consider granting sales and use tax rebates to businesses within the Enterprise Zone which:

- (1) meet the definition of "qualified businesses" as defined in the Texas Enterprise Zone Act;
- (2) meet the qualifications for, and receive designation by the State as an enterprise project in accordance with the Texas Enterprise Zone Act.

b. Eligible taxes. The City may agree to a refund of its sales and use taxes paid by a qualified business designated as an enterprise project on the purchase, lease, or rental of equipment or machinery for use in an enterprise zone or on the purchase of material for use in remodeling, rehabilitating, or constructing a structure in the enterprise zone.

c. Agreement required. The City will, by development agreement, consider refunding up to one-half (1/2) of the *eligible* sales and use taxes paid by a qualified business and enterprise project for a period of up to three (3) years.

d. Documentation required. A qualified business and enterprise project entitled to a refund of sales and use taxes under this section, by agreement, shall pay the entire amount of State and local sales and use taxes at the time of purchase. A qualified business and enterprise project entitled to a refund of sales and use taxes, by agreement, may request a refund once each year in writing. A qualified business and enterprise project entitled to a refund of sales and use taxes, by agreement, must provide documentation necessary to support a refund claim in a form prescribed by the City's Director of Finance.

2. Waiver of permit fees.

By resolution, the City Council may adopt a policy to waive certain building, permit, license or development fees to qualified businesses which have been designated as enterprise projects within the Enterprise Zone. The City Council is authorized to waive building, permit, license or development fees up to \$10,000 as part of a Chapter 380 agreement approved by the City Manager under Part III, B(2) of this ordinance.

B. Other economic incentives within the City.

1. Pursuant to authority delegated by the Legislature to cities under Chapter 380 of the Local Government Code, and as authorized by Article 3, Section 52-a of the Texas Constitution, the City will consider making loans or grants of public funds or property, and/or selling or leasing City property at or below the fair market value of said property, to promote State or local economic development and to stimulate business and commercial activity within the City.

2. A "qualified business" under this section means a business or project which is reasonably likely to contribute to the retention or expansion of primary employment or to attract major investment in the City that would be a benefit to the property to be developed and that would contribute to economic development within the City. The determination of whether a proposed project is a "qualified business" is at the sole discretion of the City.

3. Upon application, the City may consider one or more of the following economic tools to encourage economic development:

- (a) The City may purchase tracts of land in the City to encourage economic development if it determines that assembly of smaller tracts into larger tracts will promote the sale

or development of property over the long term. The City may also purchase land to sell or lease to a qualified business in the City.

- (b) To promote economic development within the City, the City Manager is authorized to execute Chapter 380 agreements involving grants of public funds, or the transfer of land with value, providing personnel and services of the municipality, up to \$25,000 within the Strategic Investment Zone Grant Corridors, subject to the availability of funds appropriated annually for that purpose.
- (c) To promote economic development within the City, the City Manager is authorized to execute Chapter 380 agreements involving grants of public funds, or the transfer of land with value, providing personnel and services of the municipality, up to \$10,000 within any of the City's other Strategic Investment Zones, as designated in Exhibit A, attached hereto and made a part hereof for all purposes. To promote economic development within the City, the City Manager is authorized to execute Chapter 380 agreements involving grants of public funds, or the transfer of land with value, providing personnel and services of the municipality, up to \$7,500 in any part of the City not covered by one of the City's Strategic Investment Zones.
- (d) The City may sell or lease City-owned property to private developers, if the City Council determines that the property is not needed for any other public purpose, and that sale of the property to a private developer will result in capital improvements or the creation of new jobs within the City. The City will generally sell or lease public property at its fair market value, but will consider making a one-time grant to an applicant, or selling or leasing property at less than fair market value.

C. Incentives in Certain Strategic Incentive Zones (SIZ)

1. **Authority.** Pursuant to Article 3, Section 52-a of the Texas Constitution, Chapter 380 of the Texas Local Government Code, and Section III.B of the City's Economic Development Policy ordinance, the City will consider offering additional economic incentives for development within certain of the City's Strategic Investment Zone Grant Corridors ("SIZ Grant Corridors" or "Grant Corridors"). The Strategic Investment Zone Grant Corridors consist of two zones: the Commercial Zone and the Downtown Core Zone. The zones are depicted in Exhibit B, attached hereto and made a part hereof for all purposes.

2. **Purpose.** The City is committed to establishing long-term economic vitality in Strategic Investment Zone Grant Corridors, encouraging redevelopment and diversification. Through the implementation of this incentive grant program, property owners who meet certain eligibility criteria may facilitate new public and private sector investments.

3. **Incentives.** For eligible Projects involving investment in real property, incentive grants are available on property located within a delineated Grant Corridor. The grants are provided as reimbursements, as a match to the funds disbursed by the applicant. Only the applicant's cash disbursements may be used as a grant match and in-kind contributions may not be used as part of the applicant's match.

4. **Application Process.** The funding cycle for SIZ grants shall be from October 1st to September 30th. For each funding cycle the City shall designate a specific amount of funding

available for that cycle. Upon exhaustion of those funds, the City will be under no obligation to fund additional grants. Likewise, the City is under no obligation to establish future funding cycles.

Applications shall be submitted to the General Services Office for consideration by the City Council or the City Manager, depending on the amount of the grant request.

5. **Grant Tiers.** The City will consider making grants on a 1:1 matching basis for Projects completed on property located within a delineated Grant Corridor. Grant reimbursement and/or in-kind services will be considered by which tier an applicant is qualified under, tier I, II, or III. The City will also consider making grants for the inclusion of residential units in a Project, through Housing and Urban Development (HUD) – Community Development Block Grant (CDBG) funding, as Projects qualify.

- (a) **Tier I.** The City will consider making grants on a 1:1 matching basis for Projects that focus on exterior improvements under \$19,999. Activities eligible for reimbursement include, but are not limited to, minor façade improvements, signs, and decorative wall decals, as proposed and approved, to include permit fee waivers up to \$2,000. Improvements which are primarily deferred maintenance by the property owner will not be eligible for grant funding.
- (b) **Tier II.** The City will consider making grants on a 1:1 matching basis for Projects that have an overall total Project investment between \$20,000 and \$499,999. Activities eligible for reimbursement include façade, sign, landscaping, sidewalk and life safety improvements; asbestos survey and abatement; design fees; and permit fee waivers up to \$2,000. To qualify for the grant funds, at least fifty-one percent (51%) of the improvements must be associated with exterior activities. Improvements which are primarily deferred maintenance by the property owner will not be eligible for grant funding.
- (c) **Tier III.** The City will consider making grants on a 1:1 matching basis for Projects that have an overall total Project investment over \$500,000. Activities eligible for reimbursement include façade, sign, landscaping, sidewalk and life safety improvements; asbestos survey and abatement; design fees; and permit fee waivers up to \$2,000. To qualify for grant funds, at least fifty-one percent (51%) of the improvements must be associated with exterior activities. Improvements which are primarily deferred maintenance by the property owner will not be eligible for grant funding.
- (d) **CDBG.** The City will consider making grants on a 1:1 matching basis for Tier II and III Projects that include a residential component(s) that encourages mixed-use development in the Downtown Core Zone. Activities eligible for reimbursement include code/property maintenance compliance, accessibility enhancements and others as proposed and approved by the City. Up to three (3) residential units may qualify per Project. Improvements which are primarily deferred maintenance by the property owner will not be eligible for grant funding.

6. **Types of Eligible Activities.**

- (a) **Façade Improvements.** Replacement or upgrade of an existing façade with an eligible product or removal of an existing façade to expose the original façade are activities which qualify for grant funding. Façade improvement costs eligible for reimbursement with a façade improvement grant include demolition costs (including labor), landfill costs, and material and construction (including labor) costs.

- (b) **Sign Improvements.** Installation of new signs or the replacement of a dilapidated sign are activities which qualify for grant funding. Sign improvement costs eligible for reimbursement with a sign improvement grant include demolition costs (including labor), landfill costs, and the City-approved material and construction (including labor) costs.
- (c) **Landscaping Improvements.** Installation of new or additional landscaping is an activity which qualifies for grant funding. Landscaping improvement costs eligible for reimbursement include:
- Ground preparation costs (including labor);
 - materials (trees, shrubs, soil and amendments thereto and other decorative hardscape such as arbors, art, and walls or fences);
 - material installation of a non-portable space conditioning device (heaters, fans, and misters);
 - curbed islands; and
 - material and construction (including labor) costs.

The City will also consider making grants of trees from the City's tree farm if requested by the Applicant.

- (d) **Asbestos Survey or Abatement.** Owner-initiated asbestos survey of a building and asbestos abatement for a building are activities which qualify for grant funding. Asbestos survey and abatement grant eligible costs include professional fees, labor costs, select demolition/removal costs, and replacement materials.
- (e) **Demolition.** The City will consider, when requested by the applicant, demolishing buildings, signs or parking lots, and disposing of the same at the City's cost, when the City has the capacity and equipment to do so. The City will not demolish buildings where the City, in its sole discretion, determines that there is a reasonable probability that the building contains asbestos, unless the applicant has obtained an asbestos survey and abates asbestos, where necessary, prior to demolition of the structure. In lieu of doing the demolition work with its own crews, the City will also consider a grant for the demolition of existing buildings, signs, or parking lots on eligible property. Where the applicant is performing the demolition and seeking a demolition grant, eligible costs include the labor and landfill costs, and equipment rental, but exclude any design costs.
- (f) **Sidewalk Improvements.** Construction of new sidewalks, curb and guttering or the replacement of existing sidewalks or curb and guttering are activities which qualify for grant funding. Sidewalk improvements costs eligible for reimbursement include demolition costs (where applicable and including labor), landfill costs, and material and construction (including labor) costs and equipment.
- (g) **Fee Waiver.** The City will consider waiving platting, zoning, and building permit fees for eligible projects. The City cannot waive water and wastewater tap fees.
- (h) **Design.** Provision of design services, by a certified/licensed design professional or firm, to encourage increased aesthetics is an activity which qualifies for grant funding.

- (i) **Life Safety Improvements.** Installation of fire suppression systems and/or elevator systems, to meet Code requirements are activities which qualify for grant funding. Costs eligible for reimbursement include material, construction, and installation (including labor) costs and equipment.

7. **Maximum Amount of Grants.** The chart below shows the types and dollar amounts of grants available for a qualifying Project in each of the current SIZ Grant Corridors. An applicant can request consideration for up to the maximum for each type of grant applicable to the applicant's Project and application, but the total amount that an applicant can receive for any particular application and Project is limited by the size of the applicant's actual investment. The chart below shows the minimum required investment by a property owner for consideration of a SIZ grant. The value of grants of trees from the City's tree farm and demolition work performed by City crews, as determined by the City, is applied to the grant maximum.

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

Total Project investment is measured during the grant application period and is subject to change based on verification of investment upon Project completion. Grant reimbursement related investment is measured at the time the Project is completed, and is subject to verification by the City.

8. **Eligible Property.** To be eligible for a SIZ grant, the applicant must be the owner or a lessee of property lying within the boundaries of one of the City's SIZ Grant Corridors. The current SIZ Corridors are "Commercial" and "Downtown Core." Please see Exhibit B for additional information regarding the Corridor boundaries.

9. **Application Form.** To be eligible for a SIZ grant an applicant must submit an application and receive approval from the City prior to commencing the work for which a grant or assistance by the City is sought. Applications must be submitted on an application form provided by the City, be fully and accurately completed, and signed by the owner(s) (and the lessee(s), where applicable) of the property. Forms are available in the **General Services Division, 101 North Main Street, Temple, Texas 76501**, and must be submitted to the General Services office for review and potential approval by the City. A completed application must contain a rendering of all proposed improvements and a written description of the same. Where the proposed scope of work requires professional work by an engineer or architect, the plans must be sealed by an engineer or architect prior to the issuance of building permits, as applicable.

10. **Evaluation of Applications.** In evaluating whether to recommend an application for a grant for consideration by the City Council or the City Manager, the Staff will review and evaluate all SIZ incentive applications using the following criteria:

- (a) the extent to which the property for which a grant is sought is blighted or fails to meet City codes or regulations;
- (b) whether the proposed Project is at a higher level than exists on other properties in the SIZ Grant Corridor in which the property is situated;
- (c) whether the applicant has the financial resources to complete the improvements described in the application;
- (d) whether the property is unlikely to redevelop without an incentive by the City;
- (e) whether the proposed use of the property is in keeping with the future uses of property identified in the City's Comprehensive Plan or a Master Plan adopted by the City Council;
- (f) whether the development is in an overlay that requires higher standards than in other parts of the City;
- (g) whether the development remedies deteriorated City infrastructure;
- (h) whether the development implements elements of the City Master Plan including sidewalk, trail, or parks master plan; and
- (i) whether there is a known occupant/tenant for the proposed development.

Applications that do not meet the above criteria will not be recommended by the Staff for approval by the City Council or City Manager.

11. **Approval of grants; duration of approval.** The City Council or the City Manager, depending on the amount of the grant request, may approve a request for a grant in whole or in part, or deny the same.

12. **No Vested Right to Receive a Grant.** The existence of the SIZ grant program does not create any vested rights to receive a grant or convey a property interest to any person to receive a grant. The award or denial of a grant under this ordinance shall be at the sole discretion of the City Council or the City Manager, depending on the amount of the grant request. The City Council shall annually appropriate funds for the administration of the grant program in this ordinance, and the granting of funds under the programs established by this ordinance are subject to the availability of funds appropriated for that purpose in any given fiscal year.

13. **Compliance with Terms of a Grant; payment to recipient.** A recipient of a grant from the City must enter into a Chapter 380 development agreement with the City prior to receiving any grant funds or in-kind services from the City. The agreement shall provide that the recipient agrees to: (1) complete proposed work within one-year of contract execution, unless otherwise agreed upon (2) 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; (3) perform all of the work described in the grant application in accordance with all applicable City codes and regulations; and (4) to maintain those improvements in the future. The failure by recipient to satisfy all of the terms and conditions of the agreement shall relieve the City of any obligation to provide grant funds under this ordinance or as described in the agreement. The Staff is authorized to grant one extension of up to ninety (90) days for completion of the improvements.

Payment to grantees shall be made within thirty (30) days of the work described in the agreement being completed, inspected and a certificate of occupancy issued by the City. Completion under this section means the inspection and acceptance of any public improvements by the City and the issuance of a certificate of occupancy (where applicable) by the City.

Part 2: 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 3: 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 4: It is hereby officially found and determined that the meeting at which this ordinance was passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED on First Reading and Public Hearing on the **21st** day of **June**, 2018.

PASSED AND APPROVED on Second and Final Reading on the **28th** day of **June**, 2018.

THE CITY OF TEMPLE, TEXAS

TIMOTHY A. DAVIS, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

06/21/18
Item #11
Regular Agenda
Page 1 of 4

DEPT. / DIVISION SUBMISSION & REVIEW:

Brian Chandler, Director of Planning

ITEM DESCRIPTION: SECOND READING – FY-18-2-ZC: Consider adopting an ordinance authorizing a rezoning from Agricultural zoning to Planned Development Single-Family One zoning district and a binding development/site plan on 86.91 +/- acres, situated in the Redding Roberts Survey, Abstract 692, Bell County, Texas, located southeast of FM 93 and Southwood Drive, 3093 West FM 93.

STAFF RECOMMENDATION: Staff recommends approval of the requested rezoning from Agricultural (AG) District to Planned Development Single Family-One (PD SF-1) District with the following conditions:

1. Development would require substantial compliance with the development/site plan;
2. Establishment of an HOA (homeowner's association) to maintain common areas, including the private park;
3. Implementation of the Citywide Trails Masterplan per the development/site plan within the HOA park;
4. A sidewalk will be constructed along the entry street connecting to the HOA park
5. Minimum lot size is 12,400 square feet and not to exceed 176 total lots;
6. Connection to the City's sanitary sewer system;
7. One 2-inch DBH (Diameter at Breast Height) canopy tree to be planted in the front yard of every lot. Species shall conform to the approved City of Temple Tree list, per the Unified Development Code (UDC);
8. Preservation of live oak trees (estimated 16-inches or greater) that are not in conflict with proposed structures or infrastructure; and
9. A fence along FM 93 shall be made of wood with masonry columns
10. The developer must limit homes to one
11. story along the west property line abutting the Valley Ranch properties; and
12. A new transparent metal fence along Friar's Creek (subject to approval of a floodplain development permit).

PLANNING & ZONING COMMISSION RECOMMENDATION: At their May 7, 2018 meeting, the Planning & Zoning Commission voted seven to zero to recommend approval of the proposed rezoning per staff's recommendation.

ITEM SUMMARY: The applicant, J.C. Wall III, requests this rezoning from Agricultural District to Planned Development Single-Family One District for property located along the south side of FM 93 and along Southwood Drive. He proposes a 176-lot single family residential development with minimum lot sizes of 12,400 square feet.

Since City Council approved the voluntary annexation of this property in January 2017, this is the third rezoning request that has gone before P&Z and the second to be reviewed by City Council. The other two requests could be summarized as follows:

- A Planned Development Single-Family One zoning district request with 280 proposed lots (7,500 sf minimum size)
 - P&Z recommended denial
 - Withdrawn by applicant
- A Planned Development Urban Estates zoning district request with 103 proposed lots (22,000 sf minimum size) with septic systems
 - P&Z recommended approval
 - Disapproved by City Council on July 20, 2017

The main differences between this and the previous 103-lot request are:

- A larger number of lots
- Connection to the City's sanitary sewer system (at the developer's cost)
- The fence along Friar's Creek

The proposed lot size of 12,400 sf is similar to the Legacy Ranch subdivision (smallest lots of 10,500 sf) located just across FM 93 and to the Valley Ranch Phase III subdivision (smallest lots of 11,011 sf). The property to the immediate west in Valley Ranch along Sun Valley Drive (Valley Ranch Phase II), however, consists of half-acre lots and is zoned PD Urban Estates. To the east on Boutwell Drive in the ETJ (extra-territorial jurisdiction) homes are located on larger lots. A creek and a vegetation buffer separates the subject property from the homes along Boutwell Drive. An existing home to the south along Forrester Road, and south of the electrical sub-station is also on a large property.

Per the PD, development would be required to substantially comply with the development site plan, including the minimum lot size of 12,400 sf, establishment of a Homeowner's Association park and five detention tracts for drainage.

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

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

As a Planned Development, a Development Plan is subject to review and approval as part of the rezoning. As opposed to a standard rezoning, conditions of approval can be included into the rezoning Ordinance. The applicant has provided a Site Development Plan in this rezoning request. The proposed trail and 13 acres of dedicated park land along the creek as well as the larger lot size are elements of the proposed Planned Development which take into account the unique character of the property.

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

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

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

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

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

The south portion of the subject property, annexed in 2016, is within the Agricultural / Rural character district of the *Choices '08* City of Temple Comprehensive Plan. The applicant's requested PD SF-1 zoning is compatible with some of the existing residential developments near the subject property but is not compatible with the Agricultural / Rural designation, which does apply to all areas outside city limits and this property was annexed in 2016.

Thoroughfare (CP Map 5.2) and Temple Trails Master Plans

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

FM 93 is only appropriate as a subdivision entrance. Southwood Drive and the proposed local streets within the subject property, shown on the attached Planned Development Site Plan, are ideal for residential dwellings. The proposed development site plan reflects two ingress/egress points into the development along FM 93, for which TXDOT has given conceptual approval.

ITE (Institute of Transportation Engineers) car trip generation rate (potential traffic impact):

- 176 single family residences (178 PHT/Peak Hour Trips)
- Equivalent of:
 - A typical fast food drive-through restaurant (49.35 PHT per 1000 sf) or
 - A 15,000 sf supermarket (11.85 PHT per 1000 sf)

The Temple Trails Master Plan recommends a trail along the subject property's eastern boundary along the creek. Staff has worked with the applicant to implement the Trails Master Plan while also limiting the impact on adjacent neighbors by moving the trail system further into the interior of the property.

Availability of Public Utilities (CP Goal 4.1)

- Water and sewer – connections will be made to the north within the Legacy Ranch subdivision. The applicant proposes a sanitary sewer lift station at the low point of the property near Friar's Creek.
- Drainage – five detention ponds are proposed; City Engineering staff would confirm compliance at the platting and permitting stages.
 - The City is conducting a drainage study that includes the Friar's Creek drainage basin, which is projected for completion by the end of the year.

DEVELOPMENT REVIEW COMMITTEE (DRC): DRC reviewed the case on April 23, 2018 and identified no issues with the proposal.

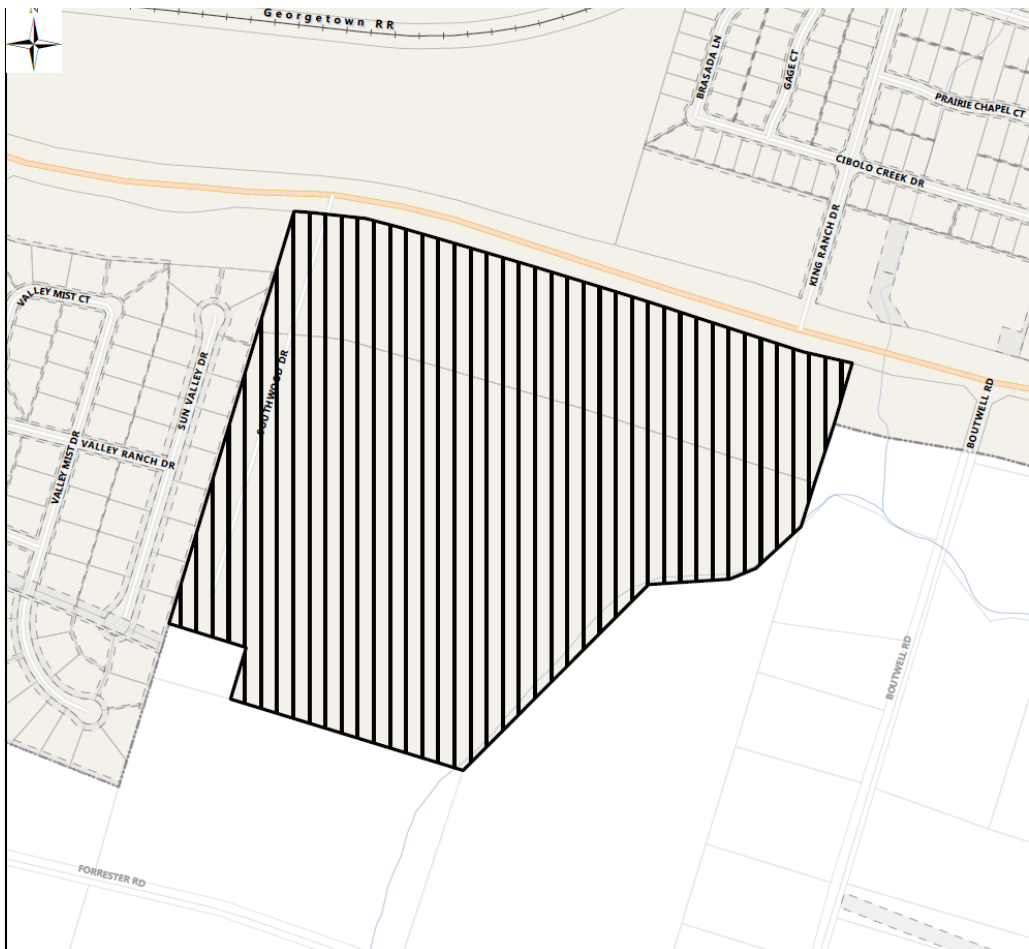
PUBLIC NOTICE: Thirty-six notices of the Planning and Zoning Commission public hearing were sent out to all property owners (including in the ETJ) within 200-feet of the subject property as required by State law and City Ordinance. As of Tue May 29, 2018 at noon, no notices were returned in favor of the proposed rezoning and 15 notices were received in opposition (including one outside notification area) to the proposed rezoning, which represents a calculation of 40.69% within the 200-foot notification area. Therefore, per Sec. 3.3.4 of the UDC, a protest has been triggered, which would require a supermajority vote (four out of five) by City Council to approve.

The newspaper printed notice of the public hearing on April 26, 2018, in accordance with state law and local ordinance.

FISCAL IMPACT: Not Applicable

ATTACHMENTS:

[Maps](#)
[Site and Surrounding Property Photos](#)
[Development Regulations](#)
[Neighbor Responses](#)
[Planned Development Site Plan](#)
[Planned Development Topo Utility Plan](#)
[P&Z Meeting Minutes \(May 7, 2018 excerpt\)](#)
[Ordinance](#)



AG TO PD SF-1

LOCATION MAP

Zoning Case :
FY-18-2-ZC

Address :
3093 W FM 93 &
6851 Southwood Dr

Transportation

Streets

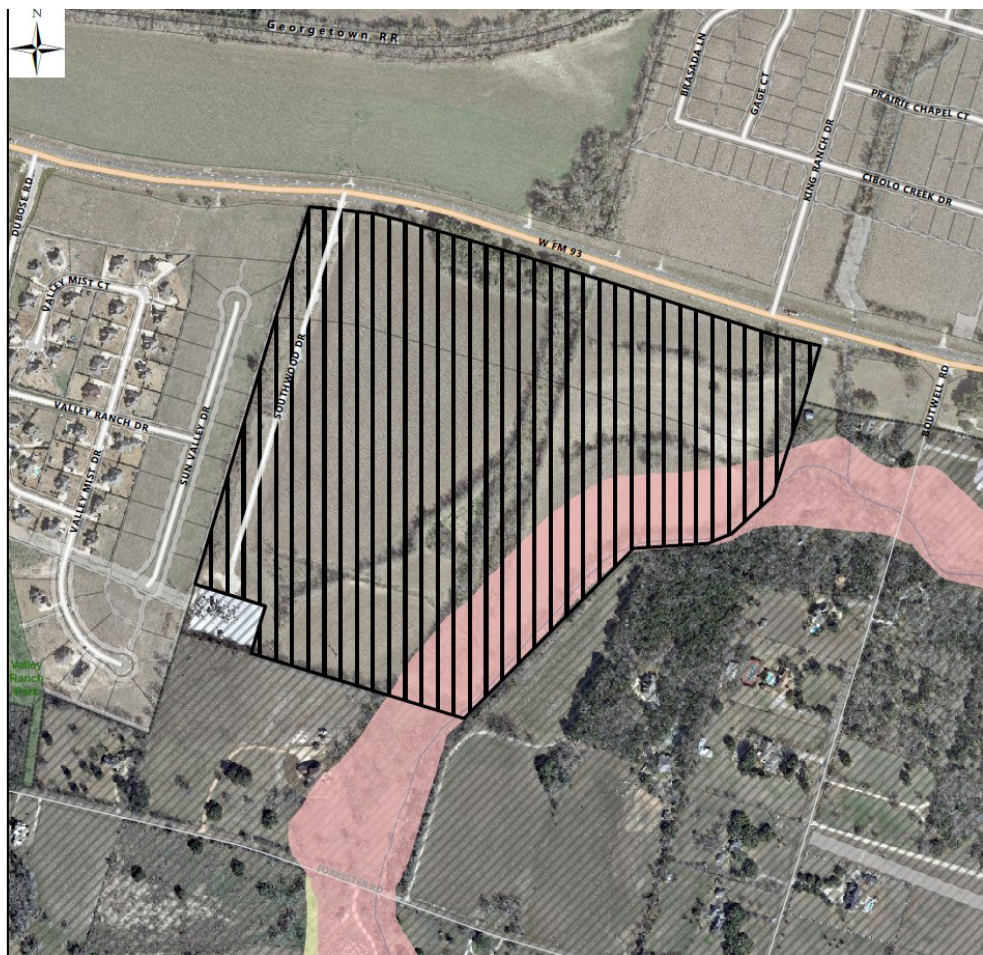
- MAJOR ARTERIAL
- LOCAL STREET
- Railroad
- Temple Municipal Boundary

Parcel Features

- Parcels
- ETJ Parcels
- Production,SDE,Easement

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: 4/18/2018



AG TO PD SF-1

LOCATION MAP

Zoning Case :
FY-18-2-ZC

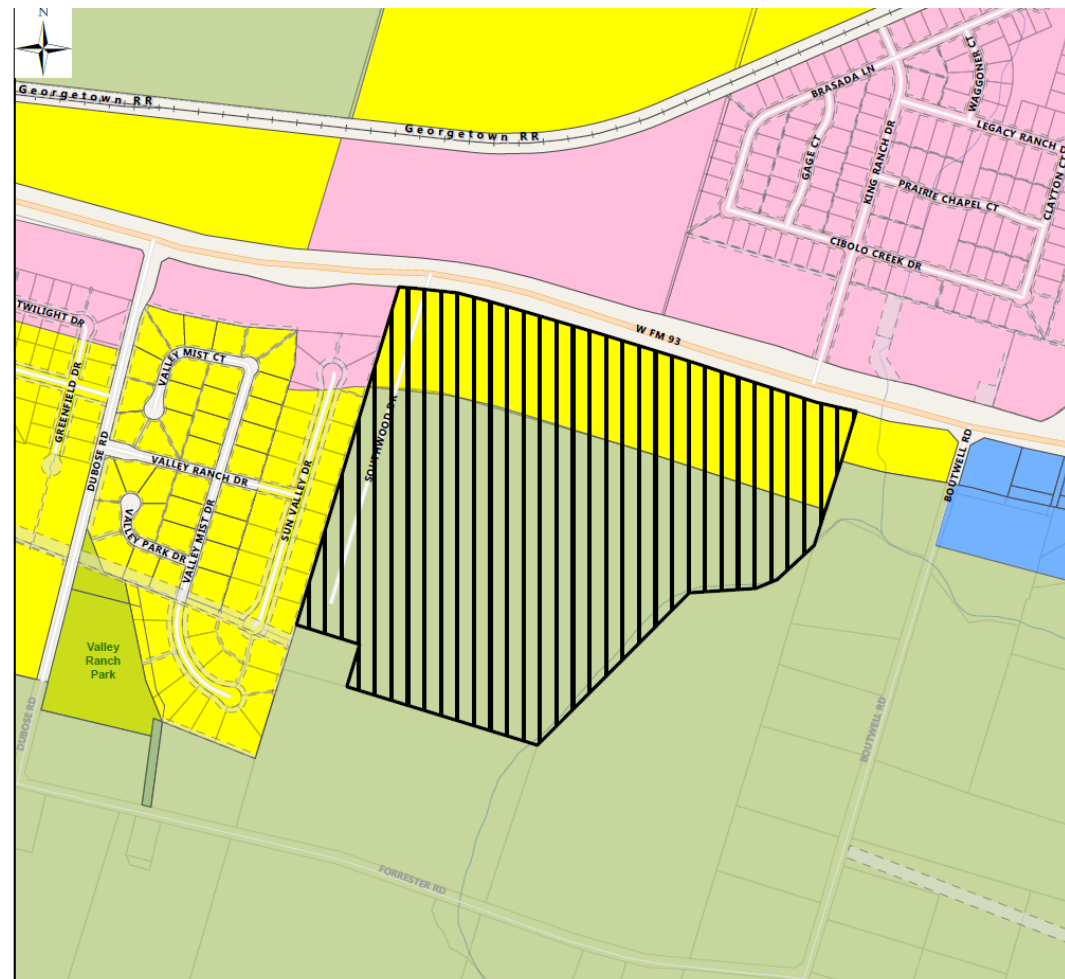
Address :
3093 W FM 93 &
6851 Southwood Dr

Production,SDE,Easement

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Irbarrett
Date: 4/18/2018





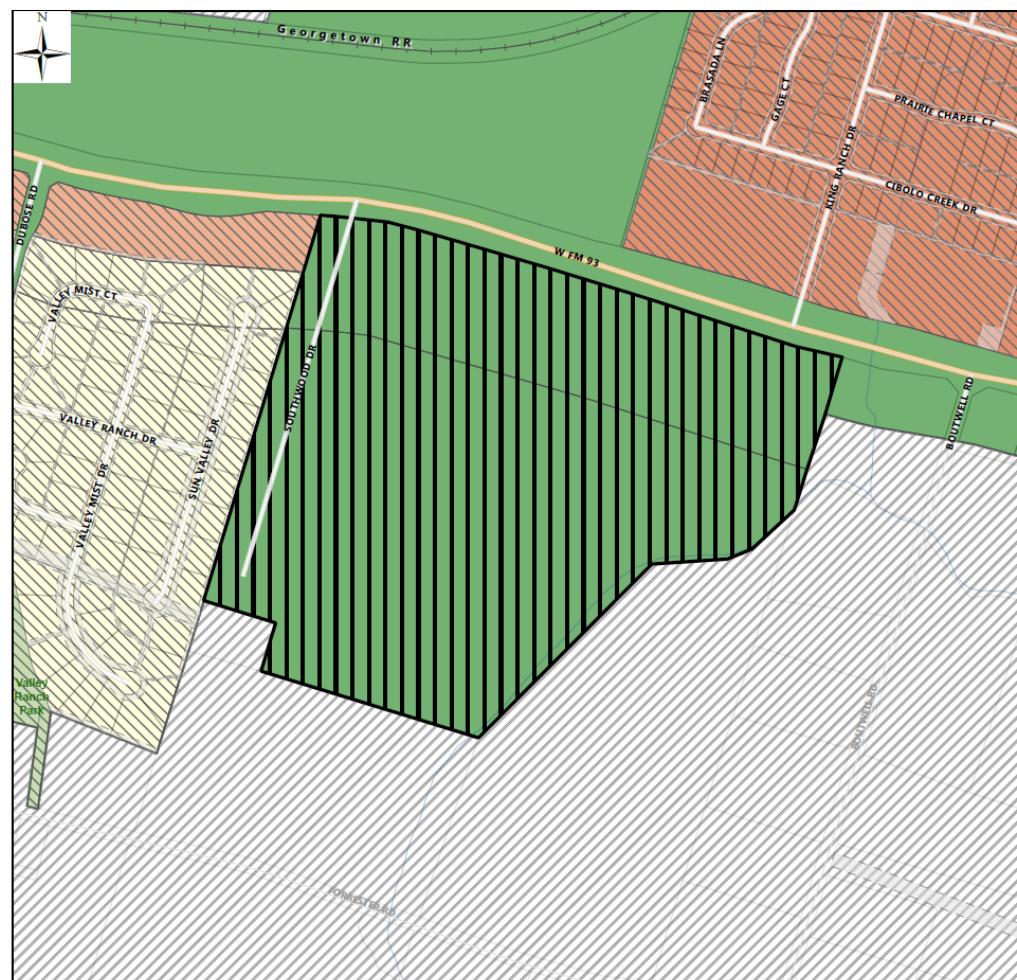
AG TO PD SF-1
**FUTURE LAND
 USE MAP**
 Zoning Case :
 FY-18-2-ZC
 Address :
 3093 W FM 93 &
 6851 Southwood Dr

Transportation
 EXPRESSWAY
 MAJOR ARTERIAL
 COLLECTOR
 LOCAL STREET
 MINOR ARTERIAL
 PRIVATE
 RAMP

Parcel Features
 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
 Production/SOE Easement

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Irbarrett
 Date: 4/18/2018



AG TO PD SF-1
ZONING MAP
 Zoning Case :
 FY-18-2-ZC
 Address :
 3093 W FM 93 &
 6851 Southwood Dr

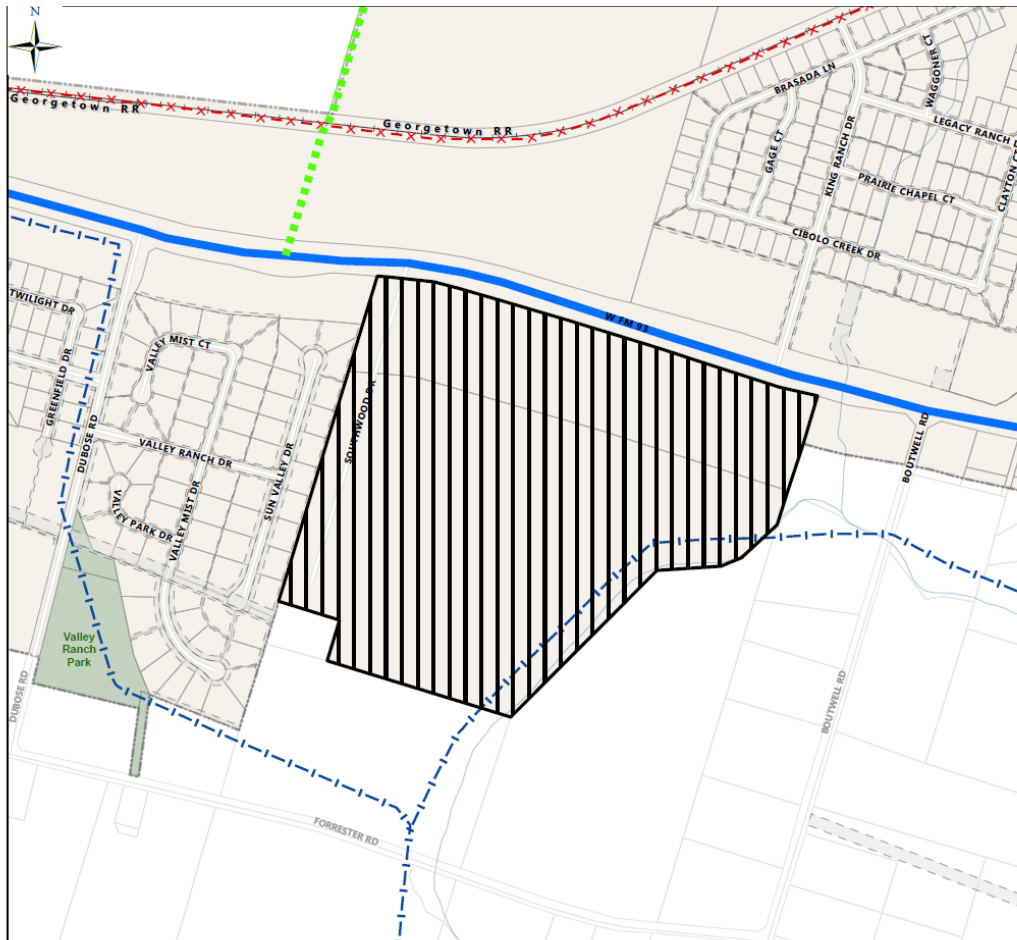
Current Zoning
 CA - CLP
 CA - CLP
 CA - PD
 C
 C - CLP
 C - PD
 C - CLP, PD
 LI
 LI - CLP
 LI - PD
 LI - CLP, PD
 HE
 HE - PD
 AC
 AC - CLP
 HH
 HH - CLP
 HH - PD
 MU
 MU - CLP
 MU - PD
 SD
 SD - CLP
 SD - PD
 SD - CLP, PD
 SD - T
 SD - V
 TV
 T4 - PD
 T4 - CLP
 TS-C
 TS-C - CLP
 TS-C - PD
 TS-E
 TS-E - CLP
 TS-E - PD
 NS
 NS - CLP
 NS - PD
 GS
 GS - CLP
 GS - PD
 GS - CLP, PD

Production/SOE Easement

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Irbarrett
 Date: 4/18/2018





AG TO PD SF-1 THOROUGHFARE AND TRAILS MAP

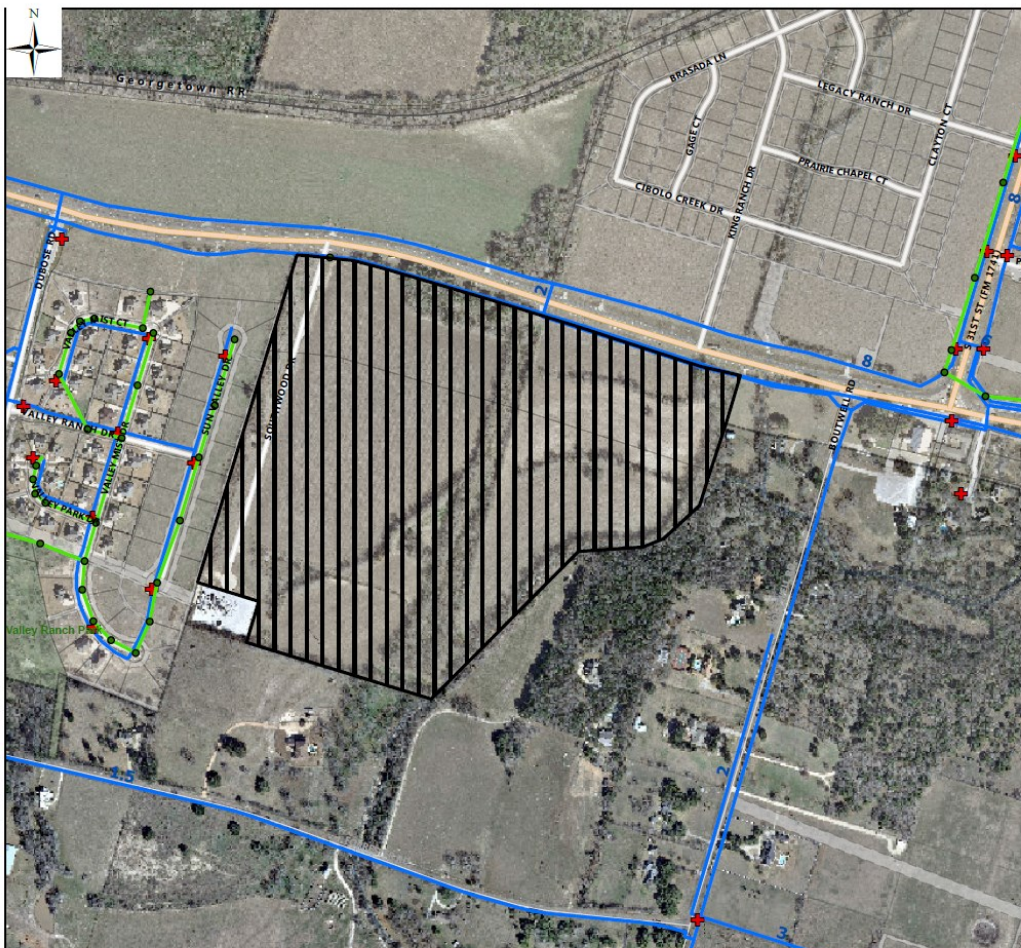
Zoning Case :
FY-18-2-ZC

Address :
3093 W FM 93 &
6851 Southwood Dr

Parcel
Features
Thoroughfare Plan
Expressway
Major Arterial
Minor Arterial
Proposed Major Arterial
Proposed Minor Arterial
Collector
Proposed Collector
Trails Master Plan
K = EXISTING, CITY
WIDE SPINE
EXISTING, COMMUNITY
WIDE CONNECTOR
EXISTING, LOCAL
CONNECTOR
PROPOSED, CITY WIDE
SPINE
PROPOSED, COMMUNITY
WIDE CONNECTOR
PROPOSED, LOCAL
CONNECTOR
Production SD

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Irbarrett
Date: 4/18/2018



AG TO PD SF-1

UTILITY MAP

Zoning Case :
FY-18-2-ZC

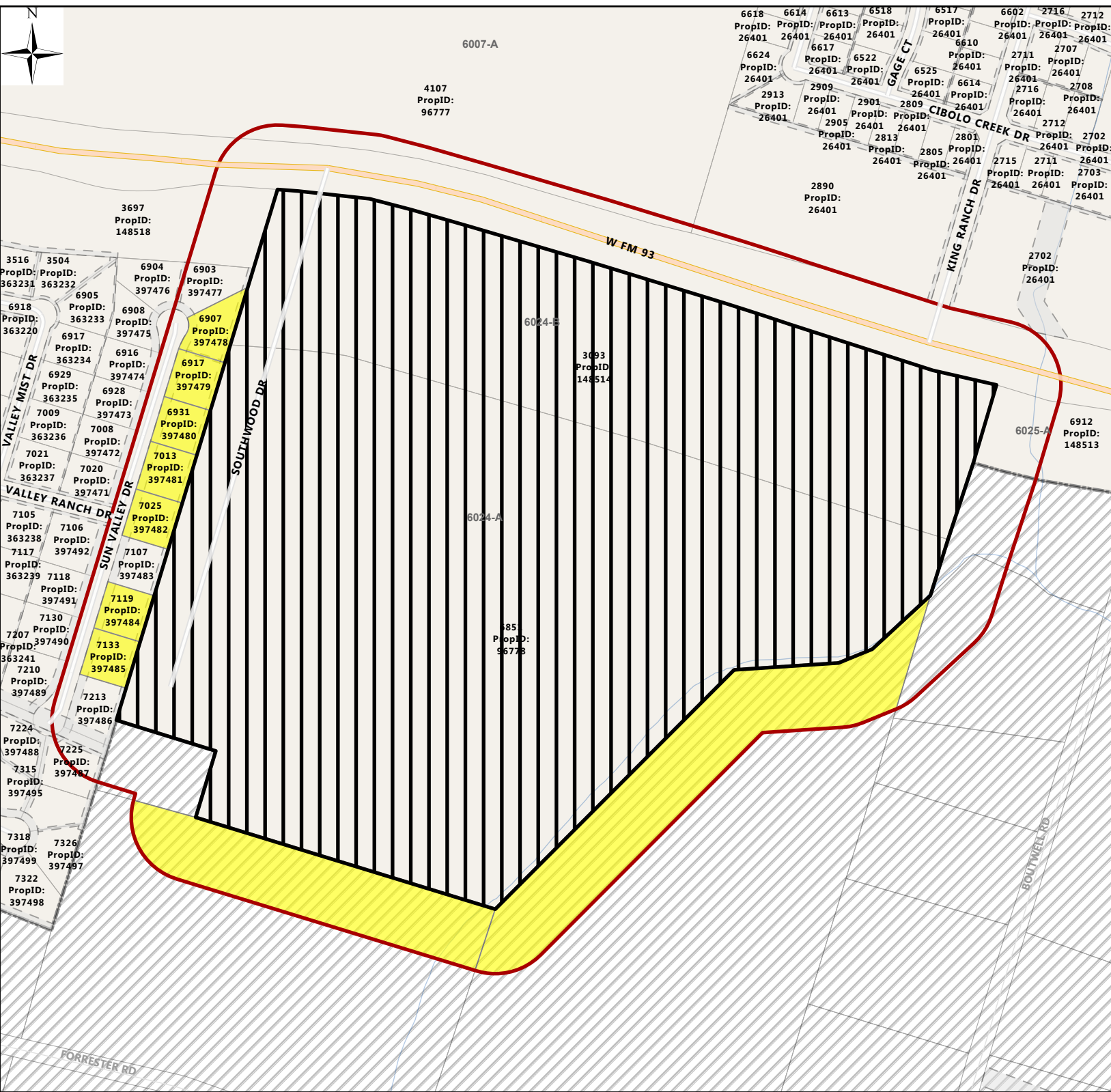
Address :
3093 W FM 93 &
6851 Southwood Dr

Sewer
Manhole
Gravity Main
Water Distribution
Hydrant
Main
Parcel Features
Parcels
Production SDE/Easement

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represent only the approximate relative location
of property boundaries and other features.

Irbarrett
Date: 4/18/2018








AG TO PD-SF-1

OPPOSITION MAP

Zoning Case :
FY-18-2-ZC

Address :
3093 W FM 93 &
6851 Southwood Dr.

-  40.69 % Opposition
-  Buffer
-  CaseArea




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mhood
Date: 5/7/2018






SURROUNDING PROPERTY AND USES:

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

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

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

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

Article 4: Zoning Districts

Sec. 4.5. Residential Dimensional Standards

4.5.1 Single-Family Detached Dwelling

Type of Use	AG	UE	SF-1	SF-2	SF-3	SFA-1	SFA-2	SFA-3	TH	2F	MF-1	MF-2	MF-3	O-1	O-2	NS	GR	CA	C	LI	HI
Min. Lot Area (sq. ft.)	1 ac.	22,500	7,500	5,000	4,000	5,000	3,000	2,300	4,000	6,000	6,000	5,000	--	6,000	6,000	6,000	5,000	5,000	5,000	--	--
Min. Lot Width (ft.)	100	80	60	50	40	50	30	20	40	50	50	50	--	50	50	50	50	50	50	--	--
Min. Lot Depth (ft.)	150	125	100	100	100	100	100	100	100	100	100	100	--	100	100	100	100	100	100	--	--
Min. Front Yard Setback (ft.)	50	30	25	25	15	25	15	15	15	25	25	25	--	25	25*	15	15	See 4.4.4F.1.d*		--	--
Min. Side Yard Setback (ft.)	15	15	10% of lot width 6 min 7.5 max	5	5	5	5	5	10% width of lot 5 min	5	10% of lot width 5 min		--	10% of lot width 5 min	10% of lot width 5 min*	10% of lot width 5 min				--	--
Min. Side (Corner) Yard Setback (ft.)	15	15	15	15	15	15	15	15	15	15	15	15	--	15	15*	15	15	15	15	--	--
Min. Rear Yard Setback (ft.)	10	10	10	10	10	10	10	10	10	10	10	10	--	10	10	10	10	10	10	--	--
Max. Building Coverage (%) for Rear Half of Lot	50	50	50	50	50	50	50	50	50	50	50	50	--	50	50	50	50	50	50	--	--
Max. Height (stories)	3	3	2	2 ½	2 ½	2 ½	2 ½	2 ½	2 ½	2 ½	3	4	--	3	ALH	2 ½	3	ALH	ALH	--	--

ALH = Any Legal Height not prohibited by other laws -- = Use not permitted NA = Use permitted but standard does not apply * = See Sec. 4.4, Measurements and Special Cases



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

397484
BROCKETTE, ALVIS ETUX LORNA
7119 SUN VALLEY DR
TEMPLE, TX 76502

RECEIVED
MAY 04 2018
CITY OF TEMPLE
PLANNING & DEVELOPMENT

Zoning Application Number: FY-18-2-ZC

Case Manager: Brian Chandler

Location: Southeast of FM 93 and Southwood Drive, Temple, Tx

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

I ☐ agree

☒ disagree with this request

Comments:

OPPOSED TO THIS REQUEST DUE TO TRAFFIC,
SAFETY & ENVIRONMENTAL ISSUES.
PLEASE SEE ATTACHMENT


Signature

ALVIS BROCKETTE 5-4-18
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, bchandler@templetx.gov or mail or hand-deliver this comment form to the address below, no later than **May 7, 2018**.

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

Number of Notices Mailed: 33

ate Mailed: April 26, 2018

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

Zoning Application Number: FY-18-2-ZC

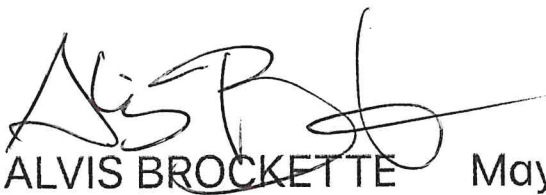
ATTACHMENT

I am opposed to the rezoning of the area southeast of FM 93 and Southwood Drive proposed to be known as the Valor Trails subdivision.

The development of an additional 178 lots in the area will lead to traffic and environmental issues for the area. With the development of 178 additional homes, it is possible to increase traffic by approximately 360 cars and would exacerbate existing traffic issues. This area already faces heavy congestion during peak hours and will increase already existing traffic hazards to existing residents and children attending the Central Texas Christian School.

As it stands, traffic will increase with the development of Legacy Ranch and the expansion of Valley Ranch. Valor Trails will only make it worse and more hazardous.

The development of Valor Trails will pose environmental issues with the additional runoff/drainage into Fryers Creek. Runoff from an additional 178 lots will increase flooding concerns and will contribute significant and adverse impacts to exiting properties and residents.



ALVIS BROCKETTE May 4, 2018

7119 Sun Valley Drive
Temple, Texas



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

397482
COX, BILL N JR & GAYLE
7025 SUN VALLEY
TEMPLE, TX 76502

Zoning Application Number: FY-18-2-ZC

Case Manager: Brian Chandler

Location: Southeast of FM 93 and Southwood Drive, Temple, Tx

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

I ☐ agree

☒ disagree with this request

Comments:

PLEASE SEE THE ATTACHED LETTER.

Bill N. Cox Jr.
Signature

Gayle Cox

Bill N. Cox Jr.
Print Name

GAYLE COX

If you would like to submit a response, please email a scanned version of this completed form to the Case Manager referenced above, bchandler@templetx.gov or mail or hand-deliver this comment form to the address below, no later than **May 7, 2018**.

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

Number of Notices Mailed: 33

ate Mailed: April 26, 2018

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

May 5, 2018

RE: Zoning Application Number: FY-18-2-ZC

Case Manager: Brian Chandler

The land abutted to the eastern edge of the Valley Ranch subdivision (Identified in the Conceptual Site Plan as the current primary entrance to the property and the land to the right as you drive south) should be designated as a "green belt area" to provide a transitional buffer between the subdivisions. As we have noted before, there are a number of trees in this specific area and these create a diverse animal habitat. From a variety of snakes to cotton-tail rabbits, possums, skunks, skinks, Spiny lizards, squirrels and multiple species of birds from Woodpeckers to Cardinals to Dove to Mockingbirds, hummingbirds, and many small, colorful species of birds. Destruction of this narrow parcel would greatly diminish the beauty of the area and create risks to family members, pets, visitors, and the wildlife itself. Temple has always encouraged the inclusion of natural areas to be enjoyed safely by all.

There is a major problem with rainwater drainage in the backyards of the homes located on Sun Valley Drive that back up to this property line. Building on this narrow parcel of land would definitely cause flooding issues to the existing homes and potentially the new homes built in this area if proper drainage is not addressed.

The proposed subdivision should have a Homeowners Association governing the residents just as Valley Ranch, Bentwood, Deerfield Estates, D'Antonis Crossing and Legacy Ranch to guarantee the proper maintenance of the homes, landscapes, and the neighborhood as a whole, to avoid issues such as animal control, loud music, improper use of the area (playgrounds, basketball courts, etc.) This would maintain the quiet, the beauty, and crime-free atmosphere residents are searching for in Temple TX.

We have concerns about the population density in this immediate area and its impact on the quality of life, crime potential, traffic and associated noise, and the potential of de-valuing our property if modifications are not implemented in this development plan.

Thank you for allowing us to voice our concerns regarding this rezoning and proposed development plan.

Sincerely,

A handwritten signature in blue ink, appearing to read "Bill & Gayle Cox".

Bill & Gayle Cox
7025 Sun Valley Dr.
Temple, TX 76502
254-231-3549

FY-18-2-ZC
City of Temple
Planning Department
2 N Main Street, Suite 102
Temple, Texas 7651

PLANNING & ZONING COMMISSION ITEM MEMORANDUM

LOCATION: SOUTHEAST OF FM93 & SOUTHWOOD DRIVE, TEMPLE, TX

Item of Concern: The proposed rezoning of 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.

() Agree

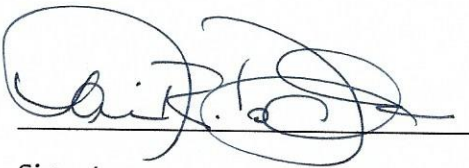
(X) Disagree

Comments:

1. **Wildlife and Fisheries that are unique and only known to Friar's Creek will be endangered;** has been determined that the fish found in Friar's creek cannot be found anywhere else in the nation
2. US Army Corps of Engineers have been brought in for evaluation of the concerns for the Friar's Creek preservation in 2017 and found there is 3 species of Fish that is only found in the Friar's Creek and the additional housing development will potentially endanger these wildlife creatures
3. **Connection to the City's sanitary sewer system:** will further cause damage / overload to the current piping system: **In the late winter / early spring of 2018 the sanitary / water piping failed and caused outage issues and flooding to the FM 93 extension from I-35 to 31st Street** with the current sanitary system piping- breakage in the water piping caused the housing of Valley Ranch and the businesses located on FM 93 to have no water / sanitary service for 18+ hours during a work week. Continuing to add additional water / sanitary pressure to this existing piping will further cause EPA damage to the current farm land, cattle land, horse farm, existing housing usage, and existing / future businesses.
4. **Planning for 176 Lots:** Should each house have minimum of 2 children per household= NOT ENOUGH SCHOOL ISDs to accommodate the single-family housing as 2 other housing developments are CURRENTLY UNDERWAY: 31st Street / FM 93 (Legacy Ranch Construction) and 5th Street / FM 93 (DR Horton Construction) sites. This number would count approximately 352 children needing a dedicated ISD for their educational needs. Belton ISD, Temple ISD, and Academy ISD are already at OVERFLOWING LIMITS. Belton ISD is having to build several additional schools to accommodate the increase housing developmental projects currently underway. How are the children to have a productive and decent educational experience when the existing schools / classrooms are overflowing as is?
5. **Legacy Ranch Construction:** Approximately 688 Homes are being constructed in this site... 2+ children per house hold equals, at minimum: 1,376 children in the Belton / Temple / Academy ISDs.
6. **Sun Valley Drive / Power Grid / Power Poles:** Each house existing on Sun Valley Drive – Valley Ranch aligned with the Southwood Drive Forestry has a **MINIMUM OF 2 POWER POLE LINES ON THE PRIVATE PROPERTIES (Backyards) OF THE EXISTING HOUSES.**

Currently, the only access to the power grid and Power Lines is via the Southwood Drive side!! Lining new, lower-valued housing on smaller lots will prevent Oncore from accessing the POWER LINES FOR POTENTIAL DAMAGES / REPAIRS should this construction be permitted!!!!

7. **Real Estate values:** in Valley Ranch and opposite adjacent to 86.91+/- acreage will be degraded tremendously due to the lower-valued housing proposed to be constructed.
8. **Size of Detention Pond:** Will not accommodate the necessary safety / EPA protections for the Sewer / Water Sanitary / Flood Plane locale.
9. **Fencing approval by the flood-plane:** This fencing idea may potentially cause harm / death to the wildlife should we have significant flooding issues with Friar's creek as it will trap the wildlife unable to escape the flood waters.
10. **PRESERVATION OF THE TREES:** Many of the Existing Trees are 100+ years old. Destroying these trees effect the environment in terms of wildlife and oxygen producing potential for the local area.
11. **Sidewalks: Safety of people / children is a grave concern;** the already high-volume traffic will be a safety hazard as FM 93 may futuristically become an extension of I-14. *Traffic volume safety is already in high demand as it is a major artery to the VA Hospital, Scott and White Hospital, Academy, Rogers, and Holland access.*
12. There is an existing Friar's Creek Trail emplaced; *there should not be an additional trail built*



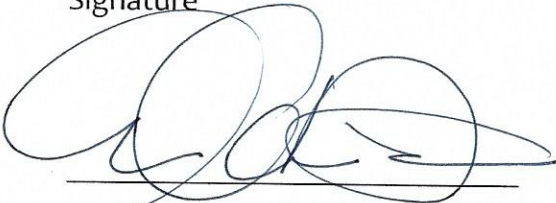
Signature

Laurissa R. Dodson

Printed Name

5/5/18

Date



Signature

Albert A. Dodson

Printed Name

5/5/18

Date



RESPONSE TO PROPOSED
REZONING REQUEST
CITY OF TEMPLE

RECEIVED
MAY 02 2018
CITY OF TEMPLE
PLANNING & DEVELOPMENT

397474
EARGLE, JOHN ETUX SANDRA
6916 SUN VALLEY DR
TEMPLE, TX 76502

Zoning Application Number: FY-18-2-ZC

Case Manager: Brian Chandler

Location: Southeast of FM 93 and Southwood Drive, Temple, Tx

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

I () agree

(☒) disagree with this request

Comments:


Signature


Print Name

If you would like to submit a response, please email a scanned version of this completed form to the Case Manager referenced above, bchandler@templetx.gov or mail or hand-deliver this comment form to the address below, no later than **May 7, 2018**.

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

Number of Notices Mailed: 33

ate Mailed: April 26, 2018

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



RESPONSE TO PROPOSED
REZONING REQUEST
CITY OF TEMPLE

397485
HALL, TRAVIS WAYNE JR ETUX KATHY ELAINE
7133 SAN VALLEY DR
TEMPLE, TX 76502

Zoning Application Number: FY-18-2-ZC

Case Manager: Brian Chandler

Location: Southeast of FM 93 and Southwood Drive, Temple, Tx

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

☐ () agree

☒ disagree with this request

Comments:

There is a big drainage concern, this area behind me is raised above my property. Also property value concerns with the lesser value houses could devalue my property.

Travis W. Hall Jr
Signature

Travis W. Hall Jr
Print Name

If you would like to submit a response, please email a scanned version of this completed form to the Case Manager referenced above, bchandler@templetx.gov or mail or hand-deliver this comment form to the address below, no later than May 7, 2018.

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

Number of Notices Mailed: 33

ate Mailed: April 26, 2018

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

397478
HAMM, JAMES R ETUX KELLEY L
6907 SUN VALLEY DR
TEMPLE, TX 76502

Zoning Application Number: FY-18-2-ZC

Case Manager: Brian Chandler

Location: Southeast of FM 93 and Southwood Drive, Temple, Tx

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

I ☐ agree

☒ disagree with this request

Comments:

There are two huge housing developments going in off 93. Highway 93 barely handles the amount of traffic without several hundred extra vehicles. We also have half acre + lots. This many houses backed up to ours will decrease the value of our homes. There is also a freeline behind our property. What will happen to that greenspace?

Kelley L Hamm
Signature

Kelley L. Hamm
Print Name

If you would like to submit a response, please email a scanned version of this completed form to the Case Manager referenced above, bchandler@templetx.gov or mail or hand-deliver this comment form to the address below, no later than **May 7, 2018**.

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

Number of Notices Mailed: 33

ate Mailed: April 26, 2018

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



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

397483
PARKER, JOSHUA
7107 SUN VALLEY DR
TEMPLE, TX 76502

RECEIVED
MAY 07 2018
CITY OF TEMPLE
PLANNING & DEVELOPMENT

Zoning Application Number: FY-18-2-ZC

Case Manager: Brian Chandler

Location: Southeast of FM 93 and Southwood Drive, Temple, Tx

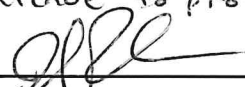
The proposed rezoning is the area shown in hatched marking on the attached map. Because you own property within 200 feet of the requested change, your opinions are welcomed. Please use this form to indicate whether you are in favor of the possible rezoning of the property described on the attached notice,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

I () agree

(✓) disagree with this request

Comments:

Very concerned about my home value being adversely affected by having multiple SFI homes directly adjacent to my home. Also very concerned with flooding on my property and surrounding properties which is already an issue in my neighborhood. I ask that you continue to protect my investment. Thank you.


Signature

Joshua Parker
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, bchandler@templetx.gov or mail or hand-deliver this comment form to the address below, no later than **May 7, 2018**.

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

Number of Notices Mailed: 33

ate Mailed: April 26, 2018

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



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

397480
PAVLISKA, STEVEN E ETUX AVERY D
6931 SUN VALLEY DR
TEMPLE, TX 76502

Zoning Application Number: FY-18-2-ZC

Case Manager: Brian Chandler

Location: Southeast of FM 93 and Southwood Drive, Temple, Tx

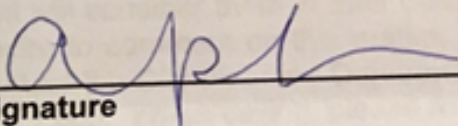
The proposed rezoning is the area shown in hatched marking on the attached map. Because you own property within 200 feet of the requested change, your opinions are welcomed. Please use this form to indicate whether you are in favor of the possible rezoning of the property described on the attached notice,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

I () agree

☒ disagree with this request

Comments:

This request has already been voted "NO" by City Council less than one year ago. Home owners have tirelessly voiced their opposition! the request should be denied as it was last year.


Signature

Avery Pavliska
Print Name

If you would like to submit a response, please email a scanned version of this completed form to the Case Manager referenced above, bchandler@templetx.gov or mail or hand-deliver this comment form to the address below, no later than **May 7, 2018**.

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



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

397490
SCHRANK, LANCE BYRON ETUX MELISSA ANN
7130 SUN VALLEY DR
TEMPLE, TX 76502

Zoning Application Number: FY-18-2-ZC

Case Manager: Brian Chandler

Location: Southeast of FM 93 and Southwood Drive, Temple, Tx

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

I () agree

☒ disagree with this request

Comments:

Melissa Schrank Melissa/Lance
Signature Print Name *Schrank*

If you would like to submit a response, please email a scanned version of this completed form to the Case Manager referenced above, bchandler@templetx.gov or mail or hand-deliver this comment form to the address below, no later than **May 7, 2018**.

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

RECEIVED
MAY 07 2018
CITY OF TEMPLE
PLANNING & DEVELOPMENT

Number of Notices Mailed: 33

ate Mailed: April 26, 2018

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



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

397491
SANDERS, SHIRLEY J ETVIR ROY K
7118 SUN VALLEY DR
TEMPLE, TX 76502

Zoning Application Number: FY-18-2-ZC

Case Manager: Brian Chandler

Location: Southeast of FM 93 and Southwood Drive, Temple, Tx

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

I () agree

☒ disagree with this request

Comments:

I am strongly against this land being rezoned to allow this many houses being built on this property for the following reasons:
1. Our houses are built on half acre lots. The proposed lot size is 12,400 S.F. There will be approximately three houses behind each house on the east side of Valley Dr.

Shirley Sanders
Signature

SHIRLEY SANDERS
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, bchandler@templetx.gov or mail or hand-deliver this comment form to the address below, no later than **May 7, 2018**.

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

RECEIVED

MAY 07 2018

CITY OF TEMPLE
PLANNING & DEVELOPMENT

Number of Notices Mailed: 33

ate Mailed: April 26, 2018

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



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

397481
SANT, MIKE
7013 SUN VALLEY DR
TEMPLE, TX 76502

Zoning Application Number: FY-18-2-ZC

Case Manager: Brian Chandler

Location: Southeast of FM 93 and Southwood Drive, Temple, Tx

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

I () agree

☒ disagree with this request

Comments:

Mike Sant

Signature

Mike Sant

Print Name

If you would like to submit a response, please email a scanned version of this completed form to the Case Manager referenced above, bchandler@templetx.gov or mail or hand-deliver this comment form to the address below, no later than **May 7, 2018**.

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

Number of Notices Mailed: 33

ate Mailed: April 26, 2018

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

From: [Thomas, Scott](#)
To: [Brian Chandler](#)
Cc: [Thomas, Scott](#); [Kohl-Thomas, Belinda M M.D.](#)
Subject: FY - 18-2-ZC rezoning request
Date: Wednesday, May 02, 2018 10:25:18 AM

Mr. Chandler

Due to being out of town at the current time, I wanted to insure my vote is counted regarding the above request. We live at 3352 Forrester Road, Temple, 76502.

My wife Belinda and I vote **NO**—we disagree with the request.

My concerns remain several and all have been detailed on two previous P&Z appearances and responses as well as City Council presentation and discussion in the past. I believe all of these are public record and I hope have been reviewed by the Committee in advance as this is not really a “new” request. In fact, the previous meetings led to an acceptable zoning decision of Urban Estates 1. While I personally would not like to have neighbors to the north, I realize development and progress can, will and probably should occur, but in an environmental, civic, and financially responsible way—the job of the P&Z committee. The lot size, population density, traffic, safety and water/environment issues I felt were reasonably addressed with urban estate sizing, and it was much more in line with surrounding home sites in the Valley Ranch subdivision. SF-1 is unacceptable with regards to all of the issues noted in my opinion, and in the opinion of the P&Z (twice) and City Council (once). Therefore, I feel revisiting the property at those lot sizes despite addition of retention ponds still poses poor planning and issues that will impact the neighborhoods immediately adjacent. Please note Bella Terra (SF-1) and Legacy Ranch subdivisions are in early stages and zoning discussions as well and impact to the area is not well defined either.

Personally, my property will devalue. I have concerns regarding future development and the prospect of FM 93 traffic and possible rebranding as I-14 in the future. The sidewalk and “trail” addition I feel is trivial and not accessible by anyone anyway to connect with a greater City of Temple trail/park system as it exists without the crossing of FM 93. Two of the proposed lots are partially drawn in the flood plain. Sewer and lift station concerns with overflow to Fryer’s Creek in power failures as well as the alternative septic system concerns remain.

Please consider this and likely other established City of Temple residents’ concerns regarding this development.

I would appreciate a reply that acknowledges my vote was received and accounted for, given implications regarding City Council votings.

Thank you.

Scott Thomas
Belinda Kohl-Thomas



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

90422
SHINE, HUGH D ETUX DEBRA H
PO BOX 793
TEMPLE, TX 76503-0793

RECEIVED
APR 30 2018
City of Temple
Planning & Development

Zoning Application Number: FY-18-2-ZC

Case Manager: Brian Chandler

Location: Southeast of FM 93 and Southwood Drive, Temple, Tx

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

I () agree

☒ disagree with this request

Comments:

Signature

Print Name

HUGH D. SHINE

If you would like to submit a response, please email a scanned version of this completed form to the Case Manager referenced above, bchandler@templetx.gov or mail or hand-deliver this comment form to the address below, no later than **May 7, 2018**.

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

Number of Notices Mailed: 33

ate Mailed: April 26, 2018

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

From: [Verheyden, Charles N M.D.](#)
To: [Brian Chandler](#)
Cc: [Susan Long](#); [Gale Verheyden \(auntgale@gmail.com\)](#); [Thomas, Scott](#)
Subject: Bella Terra, Legacy Ranch
Date: Wednesday, May 09, 2018 3:24:19 PM

Mr. Chandler,

Unfortunately, I missed the P and Z Committee meeting earlier this week. I live at 2271 River Ranch Road and Friar's Creek empties into the Leon River at the corner of my property. Over the last few years, we have lost 1-2 acres of land as the runoff from South Temple continues to carry our soil and a dozen or so large trees to the Brazos. Consequently, we have concerns about the property to be developed between Forrester Road and Highway 93.

1. Runoff: The density of the proposed development is much higher than was ultimately proposed in previous appearances at the P&Z Committee and City Council. We recognize that development must occur, but the higher the density, the more the runoff. Even a 2 inch rain can raise the level of the creek at our property as much as 8-10 FEET. I've not seen the latest diagram, but putting the sewer station in the flood plain also adds to the problem of contamination and the inability to handle sewage if power is interrupted.

The development across Highway 93—I think it is named Valley Ranch, has no provision for retention of runoff. We have looked at the areas that exist and, although the RATE of runoff may be affected by the concrete barriers on either side of the culverts, this would only delay the SAME VOLUME of runoff by a few minutes. We did not have the opportunity to comment on this, since we are more than 200 feet from the development!! The volume can only be changed by decreasing the size and/or number of the culverts or raising them to the TOP of the holding areas rather than the BOTTOM.

2. Traffic congestion: Whenever we pull out onto 93 from Boutwell Lane now, and don't have an accident, we comment, "Well, we make it one more time!" Just the addition of the corner store has increased the danger at that intersection considerably and the big development across the road is not even open yet! The long term plan for managing traffic along the intersections from 31st St. to Central Texas Christian School needs to be in place before any further development takes place. I'm not a traffic engineer and don't know what the best arrangement is, but I know that it is dangerous now and a couple of thousand more cars per day traveling around there makes the current arrangement untenable.

We understand that the areas cannot remain farmland forever, but there needs to be much more thought and planning in place before moving forward with additional development. We are firmly AGAINST the current plan for the development of that property and also feel that the water runoff situation on the north side of 93 needs to be addressed.

Again, I'm sorry for not being present at the P&Z meeting, but would greatly appreciate your forwarding this to them and to the City Council.

Charles Verheyden
2271 River Ranch Road
Temple, TX 76502
254-718-8044
cverheyden@sw.org



RESPONSE TO PROPOSED
REZONING REQUEST
CITY OF TEMPLE

RECEIVED
MAY 02 2018
CITY OF TEMPLE
PLANNING & DEVELOPMENT

397472
WILLIFORD, RAY E ETUX CATHERINE A
7008 SUN VALLEY DR
TEMPLE, TX 76502

Zoning Application Number: FY-18-2-ZC

Case Manager: Brian Chandler

Location: Southeast of FM 93 and Southwood Drive, Temple, Tx

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

I () agree

☒ disagree with this request

Comments:

TOO MANY LOTS ON 87 ACRES
MINIMUM LOT SIZE SHOULD BE 15 ACRES
TO CONSIDER WITH VALLEY RANCH LOTS IN
EVERGREEN ADDITION.


Signature

RAY WILLIFORD
Print Name

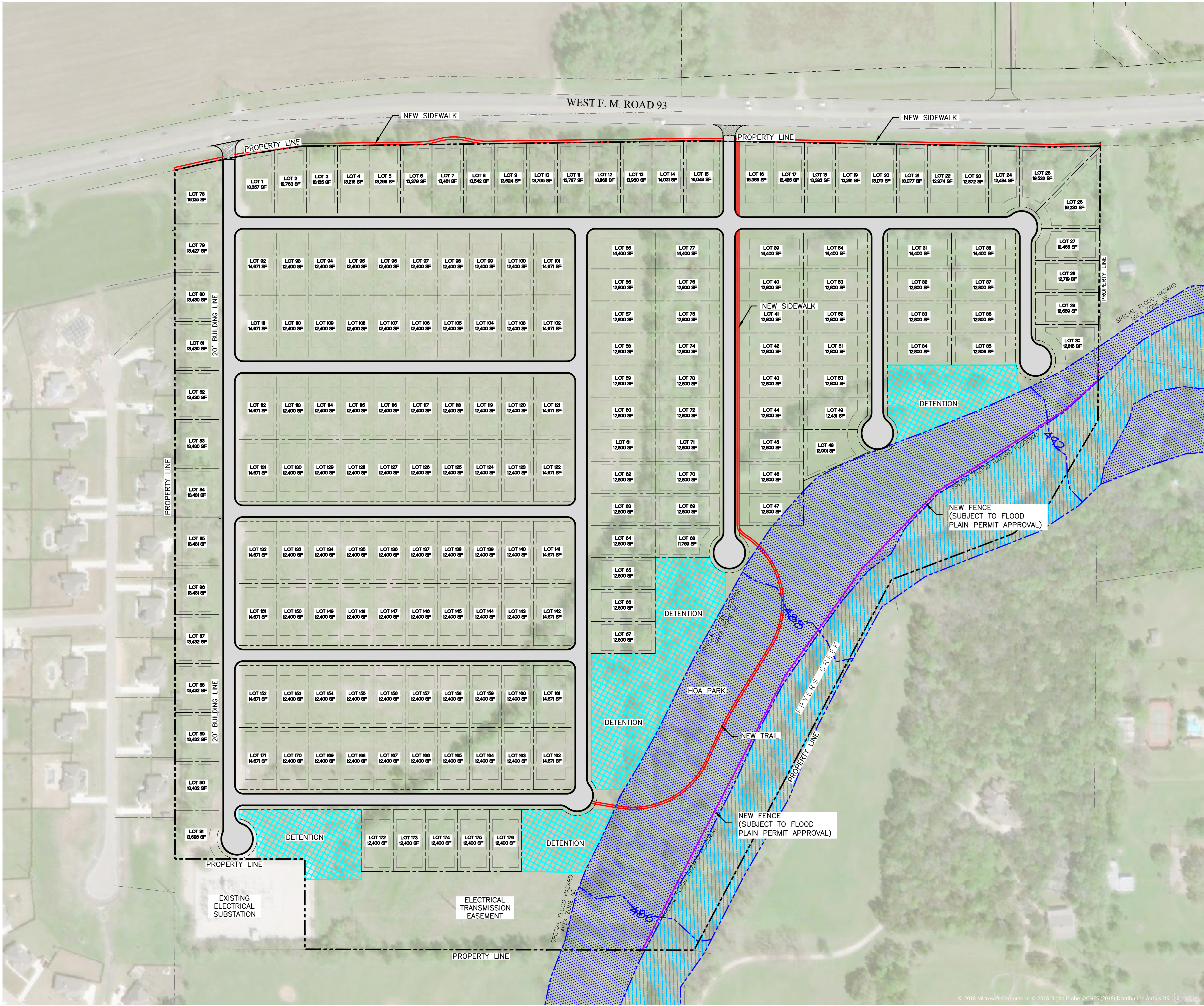
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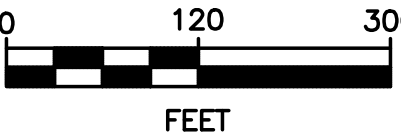
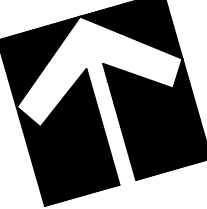
City of Temple
Planning Department
2 North Main Street, Suite 102
Temple, Texas 76501

Number of Notices Mailed: 33


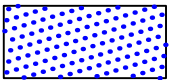
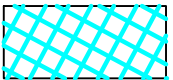
ate Mailed: April 26, 2018

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





LEGEND

-  FEMA SPECIAL FLOOD HAZARD FLOODWAY
-  FEMA SPECIAL FLOOD HAZARD ZONE AE
-  NEW DETENTION AREA

DEVELOPMENT STATISTICS

TOTAL NUMBER OF LOTS = 176

MINIMUM LOT SIZE = 12,400 S.F.

EASEMENTS AND BUILDING LINES
(UNLESS OTHERWISE NOTED)

FRONT BUILDING LINE = 25'

SIDE STREET BUILDING LINE = 15'


SIDE BUILDING LINES = 7.5'

REAR BUILDING LINE = 10'

10' UTILITY EASEMENT ALONG ALL ROAD FRONTAGE

ADDITIONAL REQUIREMENTS

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



VALOR TRAILS
NEW RESIDENTIAL DEVELOPMENT
TEMPLE, TEXAS

CONCEPTUAL SITE PLAN

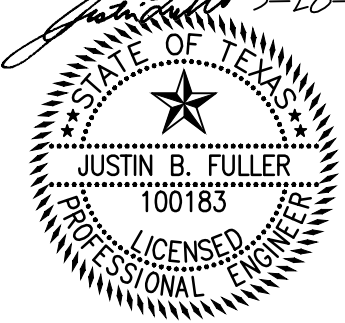
DRAWING STATUS

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

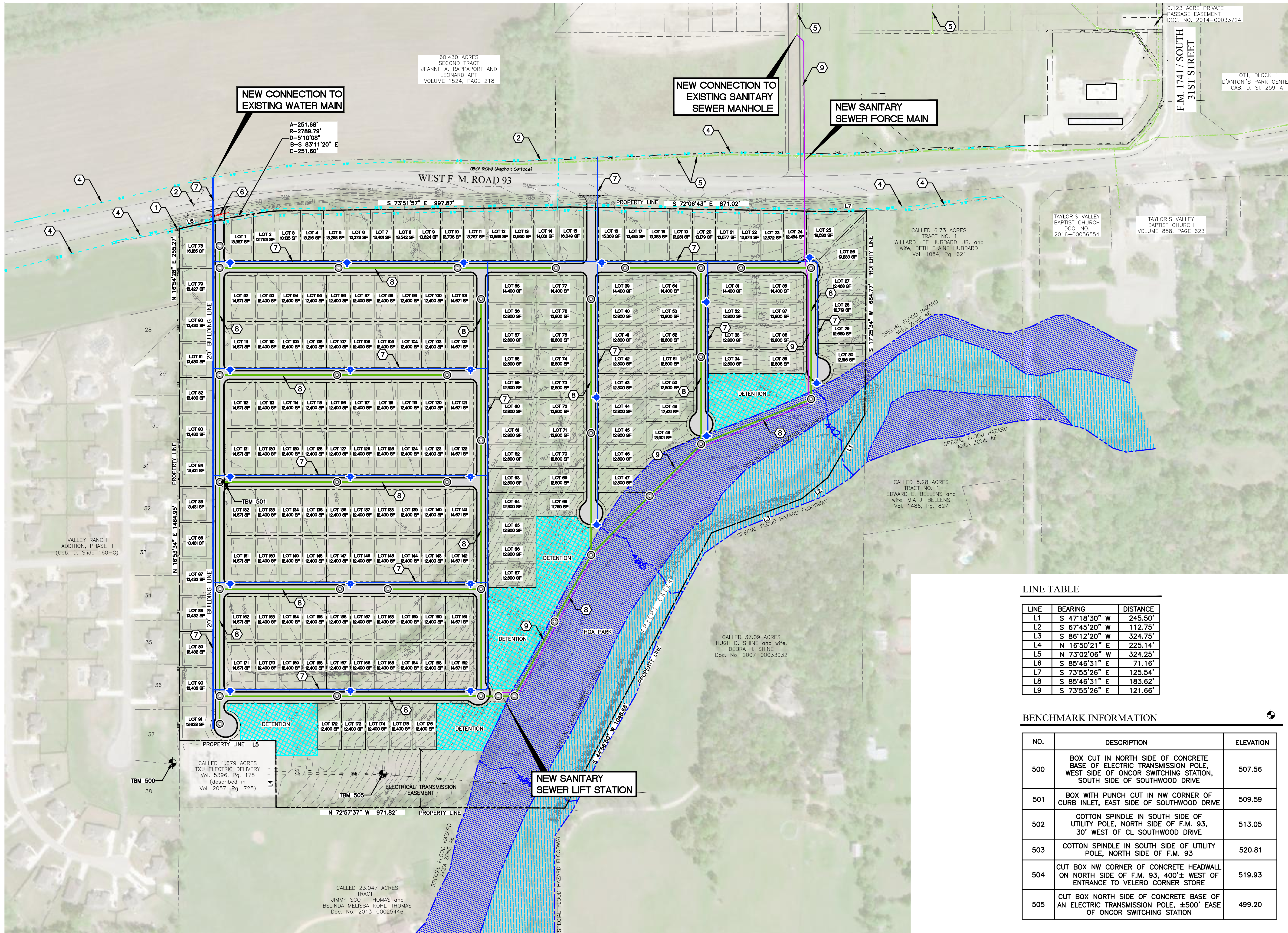
☒ FOR REVIEW
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☐ FOR CONSTRUCTION
FINAL DRAWINGS

3-28-18	Designed	JBF
	Drafted	ECB
	Project No	171724.00
	Plot Date	3-28-18



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**EXCERPTS FROM THE
PLANNING & ZONING COMMISSION MEETING
MONDAY, MAY 7, 2018**

ACTION ITEMS

Item 3: FY-18-2-ZC – Hold a public hearing to discuss and recommend action on a rezoning for 86.91 +/- acres, from Agricultural (AG) district to Planned Development Single Family-One (PD-SF-1) district and a binding development/site plan, situated in the Redding Roberts Survey, Abstract 692, Bell County, Texas, located southeast of FM 93 and Southwood Drive.

Mr. Brian Chandler, Director of Planning, indicated this item is scheduled to go to City Council for first reading on June 7, 2018 and second reading on June 21, 2018.

Location and aerial maps shown.

The south portion of the applicant's property went through a Voluntary Annexation by the developer and property owner (Case No. X-FY-17-01). City Council approved this request on February 2, 2017 per Ordinance No. 2017-4820.

Located in Belton Independent School District (BISD).

There have been two previous requests on this property that were reviewed by P&Z. The first request was a Planned Development Single-Family One (PD SF-1) zoning district with 280 proposed lots (7,500 square foot minimum size). P&Z recommended denial on April 17, 2017 and as a result the applicant withdrew his request.

The second request was for a Planned Development Urban Estates (PD-UE) zoning district request with 103 proposed lots (22,000 square foot minimum size) with septic systems. P&Z recommended approval; however, City Council disapproved on July 20, 2017.

On-site photos shown.

Surrounding properties include FM 93 to the north, lift station and Southwood Drive (private road) to the south, Boutwell Road, undeveloped property, and creek to the east, and FM 93 and Valley Ranch Subdivision to the west.

The current proposal is for 176 lots (86.91 acres) with a minimum lot size of 12,400 square feet in a PD district. Substantial compliance with the site plan would be binding, including density, lot size, general access, etc.

There are two proposed access points from FM 93. The red line indicates proposed sidewalk.

A trail through a proposed Home Owners Association (HOA) privately maintained park connecting to another street would provide connectivity and compliance with the Trails Master Plan.

To the south along Friar's Creek lies a floodway (hatched) and floodplain. Five detentions ponds are indicated by turquoise

The Future Land Use and Character Map designate the subject property (northern portion) as Suburban-Residential which is characterized by mid-size single family lots. Agricultural/Rural (southern portion) is characterized by rural properties, zoning of newly annexed tracts

Zoning map shown.

The proposed PD SF-1 District with the proposed 12,400 square foot minimum lot size is comparable to nearby subdivisions. Valley Ranch II consists of half-acre lots. The more recent Valley Ranch phases to the west of Phase II include 10,500 square foot minimum, and to the north Legacy Ranch is comparable lot size of 10,500 square feet minimum. The request complies with zoning.

Mr. Chandler added that with the current AG zoning, the developer would be allowed to have HUD-Code manufactured homes by right per Sec. 5.3.2 with:

- A one-acre minimum platted lot size;

- With screening of each home by walls, fences or landscaping.

The Thoroughfare Plan designates FM 93 as a Major Arterial. The applicant's engineer has been in communication with TxDOT and they have given preliminary approval of the proposed development and the two access points.

The proposed sidewalks and trails would implement the City's Trails Master Plan which is designed to provide general connectivity throughout the town. As with the Thoroughfare Plan Staff is responsible for ensuring that connectivity can take place through new development. The applicant is willing to provide that connectivity through the main entryway into the neighborhood and through a trail system on the HOA park but also a sidewalk along FM 93.

Institute of Transportation Engineers (ITE) trip generation rate for the impact of 176 single family residential lots on FM 93:

- 176 single family residences (178 Peak Hour Trips-PHTs)

- Equivalent of:

 - A typical fast food drive-through restaurant (49.35 PHTs per 1000 square feet) or

 - A 15,000 square foot supermarket (11.85 PHTs per 1000 square feet)

Topo/Utilities layout shown.

Land Use Table / Development Standards for SF-1 shown.

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

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

Thirty-six notices were mailed in accordance with all state and local regulations with zero responses returned in agreement and thirteen responses returned in disagreement. Due to a 40.69 percent opposition, this item triggers a supermajority vote at City Council.

Staff recommends approval of a rezoning from AG to PD-SF-1 with the following conditions:

1. Substantial compliance with the development/site plan;
2. Implementation of the Citywide Trails Masterplan per the development/site plan within the HOA park;
3. Sidewalk along the entry street connecting to the HOA park trail;
4. Development would also be subject to all City code requirements during the platting and permitting process;
5. Minimum lot size is 12,400 square feet and maximum 176 total lots;
6. Connection to the City's sanitary sewer system;
7. One two-inch Diameter at Breast Height (DBH) canopy tree in each front yard per the approved City of Temple Tree list (UDC);
8. Preservation of live oak trees (estimated 16-inches or greater) that are not in conflict with proposed structures or infrastructure;
9. A fence along FM 93 shall be wood with masonry columns;
10. Limit homes to one-story along the west property line; and
11. A new metal fence along Friar's Creek (subject to approval of a floodplain development permit).

Chair Fettig asked if there had been any discussion about going back to the half-acre lots since the two major issues are population/traffic and runoff.

Mr. Chandler deferred to the developer to respond to that question but stated Staff did encourage the half-acre lots; however, Staff does support the 12,400 square foot lots based on the various metrics.

Chair Fettig opened the public hearing.

Mr. Bill DiGaetano, 2715 Forrester Road, Temple, Texas, stated his home is approximately one point two (1.2) miles from the previously discussed item and less than one-half a mile from this item. Mr. DiGaetano enjoys approximately 300-feet of Friar's Creek.

Mr. DiGaetano stated when City Council denied this request in August of 2017, at that time a drainage study was to be conducted for South Temple. Mr. DiGaetano asked if that study was available?

Zoning approvals seem to be based on individual merits rather than considering the whole climate. Approximately 650 homes will be added in the area to the approximately 650 existing homes today. This will create congestion, environmental issues, possible deterioration of home values, safety, and drainage.

The creek varies in depth and can cause major destruction of property, animals, and people.

Mr. DiGaetano commented there are already miles of wooden fences and brick columns that are already falling down in the City and feels it is the lowest common denominator in its budget.

Development is critical to communities but must be done properly, with prudence and planning, and does not cause harm to the development or to taxpayers.

The water runoff issue continues to have developers and engineers plan work on detention based on their individual developments and not taking everything into consideration is a big concern to Mr. DiGaetano. Otherwise, home/property owners living near or on Friar's Creek and Leon River would not be having water coming into their homes and/or losing significant agricultural acreage. Photos and videos have been submitted to the City of the torrential floods that occur on the creek as well.

Mr. DiGaetano had an EPA document that talked of the advantages of lift stations and cited "they are used to reduce the capital cost of sewer system construction." The disadvantages: "compared to sewer lines where gravity drives wastewater, lift stations require electric power." What if the power goes out; is there a diesel generator?

Odor control is frequently required for lift stations. "Chemicals typically used for odor control include chlorine, hydrogen peroxide, metal salts, and potassium permanganate."

Mr. DiGaetano commented he would like to see the developers be patient and the City Leadership commit to the regional studies relating to traffic and drainage. He is concerned that any developer would purchase land that must be rezoned without a contingency or a back door that forces pressure on both citizens and the City to compromise due to what could be described as a risky practice on an investor.

According to Mr. Chandler, Mr. Richard Wilson, Deputy City Engineer, just stated that the drainage study for South Temple is underway and may be ready by the end of the year.

Mr. Scott Thomas, 3352 Forrester Road, Temple, Texas, stated he has 23 acres in the area and agrees with all of Mr. DiGaetano's comments.

Mr. Thomas took issue with the proposed Trails Master Plan since it is drawn through his property in two different directions and does not see the Trails Master Plan coming to fruition as drawn. The proposed trails plan drawn by the developer does not provide much to anyone other than the residents of the specific development.

Mr. Thomas stated that P&Z has turned this down twice and asked the Commission to consider all of the comments made and vote no on this request.

Mr. Chandler clarified that P&Z weighed in on this subject twice and ultimately did recommend approval for the Urban Estates request; City Council disapproved it.

Ms. Laurissa Dodson, 6917 Sun Valley Drive, Temple, Texas, stated the Army Corps of Engineers came out last year on request of a resident along Friar's Creek. There are three fish species known only to that creek in the entire nation. Wildlife and trees/environment may be destroyed by installing a fence.

Ms. Dodson expressed concern about the sewer lines and water mains breaking. There are a lot of cattle to the west that are sold for beef and crops to the north that are affected by flooding from broken water mains and rains. The safety of the water is a huge concern.

With the potential of all the homes currently being built and potentially developed, where will all of these children go to school? Belton is adding three new schools and Temple has no plans to build any more schools.

Ms. Dodson would like the developer to retain the woods directly behind the fence to the east of Valley Ranch for the wildlife and because Southwood is the only way to maintain the power lines located in the back yards of several Valley Ranch residents.

Ms. Dodson also requests the developer make half acre lots equivalent to Valley Ranch so their property values will not drop.

The detention ponds and the sidewalks are a big concern. Making a pedestrian crossing on FM 93 is going to get people killed.

Ms. Beth Hubbard, 6920 Boutwell Road, Temple, Texas, stated she has lived in her home for 47 years. With the little amount of rain from last week's rain, they had issues on their property from across the road because the detention ponds are not doing the job.

Ms. Hubbard is concerned about depreciated taxes.

Mr. Lee Hubbard, 6920 Boutwell Road, Temple, Texas, stated the developer is projecting to build 3.5 houses per acre. Mr. Hubbard does not feel the neighbors are being considered and how it will affect them due to the density proposed. Mr. Hubbard is opposed to this type of development.

Mr. Hubbard asked what was the least amount of square footage per house the developer could build and Mr. Chandler responded Staff does not have minimum square footage requirements for houses and would defer to the developer.

Mr. Chandler responded the minimum side yard setback is 10 percent of the lot width, and with a lot width of this size it would be 7.5 feet to the side, 15-feet between houses minimum. One of the benefits of a PD, is if this was a concern, is it can be changed and become a condition; however, it has not been previously mentioned as a concern.

Mr. Hubbard is interested in a buffer zone on either side of the development for people to the west and east; it is heavily wooded now and would prevent the development off the back of surrounding neighbors.

The privacy fence along the creek has not been determined in height (minimum is six-feet); and possibly made of metal. Mr. Hubbard commented that with the water that runs through there, sometimes 16 to 19-feet deep, would totally take a six-foot fence out.

Who will be allowed to use the concrete walking path? Mr. Hubbard understood that people from Legacy Ranch would have access yet he heard it might be private and only the residents could use it. How will enforcement be done for late night hours.

Lift stations can and do malfunction. With a 16 to 19-foot rise of water it would take it out and the sewage will flow everywhere.

Mr. J.C. Wall, 515 Cottingham Drive, Temple, Texas, responded to Mr. Hubbard's question about home size by stating they would be setting a 2,000 square foot minimum deed restriction on the property and it will be a high end, 12,000 square foot lots with 3 to 4-sided brick homes.

Mr. Wall stated it was never proposed for one-half acre with sewer; it was proposed as a half acre with septic. Mr. Wall stated he only annexed into the City because he was lead to annex into the City. Before the property was purchased they knew what they could do with the property and could have already been developed on half acre lots with septic; but the neighbors did not want this. The property was then voluntarily annexed into the City to make this project work.

When it comes to the street plans and Thoroughfare Plan, Mr. Wall has done whatever the City, Staff, and neighboring properties have asked of him.

Mr. Chandler clarified he understands the residents would like the trees adjacent to Mr. Hubbard's property (to the west) and trees adjacent to Valley Ranch properties (to the east) be left alone entirely (approximately 15 feet).

Mr. Wall was receptive to do as many conditions that would help the neighbors feel comfortable about the project.

Mr. Wall stated on February 2, 2017, the property was annexed into the City. Six months prior to that they already had the property. At that time Mr. Wall could have submitted plans to the county for a subdivision with half acre standards with septic tanks. It was not wanted. Now the neighbors do not want a lift station or sewer; they do not want anything. But now the property is annexed because Staff wanted to annex and P&Z and City Council approved it.

Mr. Chandler clarified that voluntary annexation is property owner initiated; not because Staff asked.

Mr. Lee Hubbard returned and stated that 15 feet is a very short distance with such heavy timber and brush already there and requested a 20 to 30-foot buffer zone to keep all the woods.

Mr. Justin Fuller, Clark & Fuller, 215 North Main Street, Temple, Texas, stated the smallest lots are 12,400 square feet, 80-feet wide by 155-feet deep. The ones along Valley Ranch are larger being 122-feet wide and 110-feet deep. The lots against Mr. Hubbard are deeper.

Water and sewer will be through the City of Temple. Because of the topography on the site the applicant needs a sanitary sewer lift station for this to work. There is too much elevation drop between those lots and the closest sanitary sewer which is located in Legacy Ranch.

There is a sanitary sewer force main located on the north side of FM 93 but it cannot be tied into with a gravity line. The topography prevents gravity sanitary sewer to the closest available point.

The lift station has to be designed to be in compliance with Texas Commission on Environmental Quality (TCEQ) and the City of Temple standards.

There is a lot of water that comes through this area without the development. It is an existing flood plain and Friar's Creek drains water from up to Avenue E and 19th Street, the railyard just south of Whistle Stop is the furthest point north.

The subject property of 87 acres means it takes up about two percent of the entire drainage basin of the creek. Detention ponds are planned and will meet or exceed the City's requirements on detaining the water. TxDOT has reviewed the layout and concurred with the layout.

Mr. Fuller stated there was another lift station located in Valley Ranch.

Mr. Fuller explained the power line easement is not located on the subject property but on the abutting property.

Mr. Albert Dodson, 6917 Sun Valley Drive, Temple, Texas, stated they request the developer to leave the greenery. There is an access road in front of the greenery that goes to the power lines and the developer wants to take that road out and there will be no way to access the poles. We would want the buffer to stay and leave the roadway for people to access the poles. Mr. Dodson asked the Commission to vote no.

Mr. Justin Fuller returned and clarified the road is still in the same place to the lift station. It is an existing paved road in a private access easement that is planned to be turned into a public right-of-way and leave access to the sub station.

Mr. Lee Hubbard returned and stated the buffer zone he is proposing is 20 to 30 feet from his back fence line and the developer install a privacy fence for the lots which puts a fence up and will deter children from crawling into his back yard.

Mr. Hubbard commented the water study is not complete and this should not be approved and reiterated half acre lots make sense.

Mr. Chandler confirmed the proposed number is 2.022 dwelling units per acre for the record.

Ms. Avery Pavliska, 6931 Sun Valley Drive, Temple, Texas, stated the people living along the western border of Valley Ranch all support leaving the natural vegetation that is there. After taking a poll of the residents, Ms. Pavliska gather 33 signatures that agree there needs to be a natural border.

The residents also support half acre lots.

Ms. Pavliska agrees this item should wait until the study is done since all of the surrounding area is involved.

Mr. J.C. Wall returned and asked if another condition could be added in relation the two sides having a six-foot cedar fence. The buffer could be the setback lines which are already at 25-feet. Can a deeper buffer zone be added for the Valley Ranch side and Mr. Hubbard's side? Mr. Chandler responded that the P&Z could add an additional recommendation to City Council as part of the PD and it just needs to be defined.

Ms. Laurissa Dodson returned and asked to leave the wooded area on both sides of the proposed development as the buffer which is approximately 50 feet wide.

Ms. Belinda Cole-Thomas, 3352 Forrester Road, Temple, Texas, stated this development is not for the betterment of Temple and not to enhance or improve lives or the area. Ms. Cole-Thomas would like to see the erosion issue resolved first.

A proposed metal fence will not stand up with the creek water flooding.

Ms. Cole-Thomas commented on the traffic situation along FM 93 and asked the Commission to vote no on this project since all of the information is not available.

Ms. Debbie Shine, 3018 Forrester Road, Temple, Texas, stated she is all for development but it needs to be responsible development. Approximately 650 additional homes to the north will impact the area significantly along Friar's Creek. Legacy Ranch and Bella Terra are having drainage issues which is already impacting the area south of FM 93 and the houses are not yet built.

Ms. Shine is totally against the trail idea due to personal reasons and because it is dangerous and will be difficult to keep kids away from the water.

Ms. Shine sees that sewer has been put in but does not believe the neighbors knew it would include putting a lift station right on a creek that floods with the least amount of rain and does not like the idea of the chemicals involved or having to smell the odors emitted. The chemicals will end up in the creek which will affect wildlife and people living further downstream.

Ms. Shine asked the Commission to wait on a decision until the drainage study is available along with any traffic studies for FM 93 and 31st Street and to vote no on this request.

Mr. Josh Pearson, Esq., 6575 FM 479, Belton, Texas, stated he was an attorney in Bell County and has been working with Mr. Wall and Mr. Fuller on this project.

This is the third time the project has come forward and each time there has been improvements. The developer has heard and responded to the concerns and requests brought forward and the project has improved.

Mr. Pearson commented this developer is trying to improve this tract of land and to do it in a professional way by hiring professionals who have spent a lot of time and money being professionals in their specific areas. Mr. Fuller is a top engineer and has addressed the engineering issues. There are four separate detention ponds, a huge buffer along the floodplain along the creek area, larger lots have been placed on the west and east sides, 280 homes have been reduced to 176, and the drainage concerns have been addressed.

Developments need to be near major arteries that will provide flow and the infrastructure to handle it.

The developer is willing to put his own money into sewer for the entire development.

Mr. Wall has 11 conditions he needs to meet and is willing to add another condition; he is bending over backwards to make this work and address concerns. Mr. Wall is making more concessions tonight that Mr. Pearson would rather he did not make just to please everyone.

You cannot be a neighbor to a development and then dictate exactly what will go on that development or force implications/impositions on a developer.

Mr. Pearson pointed out the improvements and progress made on this project since it first came up. Mr. Pearson would like the Commission to recommend approval on this request.

Mr. Mark Cole, 7640 Boutwell Drive, Temple, Texas, stated he has about 2,000 feet of Friar's Creek on his property and when it floods he has debris all over his pasture.

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

Vice-Chair Langley made a motion to approve Item 3, **FY-18-2-ZC**, per staff recommendation, and Commissioner Castillo made a second.

Motion passed: 7:0)

Commissioners Armstrong and Marshall absent

ORDINANCE NO. _____
(FY-18-2-ZC)

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

Whereas, the applicant, J.C. Wall III, requests a rezoning from Agricultural District to Planned Development Single-Family One District, for property located along the south side of FM 93 and along Southwood Drive where he proposes a 176-lot single family residential development with minimum lot sizes of approximately 12,400 square feet;

Whereas, on February 2, 2017, Council approved the voluntary annexation of this property;

Whereas, the Planning and Zoning Commission of the City of Temple, Texas, after due consideration of the conditions, recommended approval of the rezoning and binding development/site plan from Agricultural zoning district to Planned Development Single-Family One zoning district on approximately 86.91 acres, situated in the Redding Roberts Survey, Abstract 692, Bell County, Texas, located southeast of FM 93 and Southwood Drive, 3093 West FM 93, Temple, Texas; 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 the rezoning and binding development/site plan from Agricultural zoning district to Planned Development Single-Family One zoning district on approximately 86.91 acres, situated in the Redding Roberts Survey, Abstract 692, Bell County, Texas, located southeast of FM 93 and Southwood Drive, 3093 West FM 93, Temple, Texas, as more thoroughly described Exhibit 'A,' attached hereto and made a part hereof for all purposes along with the following conditions:

1. Substantial compliance with the development/site plan
2. Establishment of a homeowner's association (HOA) to maintain common areas, including a private park;
3. Implementation of the Citywide Trails Masterplan per the development/site plan within the HOA park;
4. A sidewalk will be constructed along the entry street connecting to the HOA park;
5. The minimum lot size will be 12,400 square feet and will not exceed 176 total lots;
6. The development will connect to the City's sanitary sewer system at the developer's cost;
7. One 2-inch Diameter-at-Breast-Height canopy tree will be planted in the front yard of every lot; species shall conformed to the City's Tree list per the Unified Development Code;
8. Preservation of live oak trees (estimated 16-inches or greater) that are not in conflict with proposed structures or infrastructure;
9. A fence along FM 93 made of wood with masonry columns;
10. Developer must limit homes to 1-story along the west property line abutting the Valley Ranch properties; and
11. A new transparent metal fence will be installed along Friar's Creek (subject to approval of a floodplain development permit)

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 7th day of **June**, 2018.

PASSED AND APPROVED on Second Reading on the **21st** day of **June**, 2018.

THE CITY OF TEMPLE, TEXAS

TIMOTHY A. DAVIS, Mayor

APPROVED AS TO FORM:

ATTEST:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney