



JOINT MEETING OF THE
TEMPLE CITY COUNCIL
&
PLANNING & ZONING COMMISSION

TEMPLE PUBLIC LIBRARY
100 W. ADAMS AVENUE
3rd FLOOR – McLANE ROOM

THURSDAY, OCTOBER 3, 2019

2:30 P.M.

AGENDA

CITY COUNCIL & THE PLANNING & ZONING COMMISSION MEETING AGENDA:

1. Receive an update from Halff Associates with regards to the Comprehensive Plan.

ADJOURN THE JOINT MEETING OF THE CITY COUNCIL AND PLANNING & ZONING COMMISSION AND CONVENE THE WORKSHOP OF THE TEMPLE CITY COUNCIL. THIS MEETING WILL TAKE PLACE ON THE 3RD FLOOR OF THE MUNICIPAL BUILDING; 2 NORTH MAIN STREET.

CITY COUNCIL WORKSHOP AGENDA:

I. PUBLIC COMMENTS

Citizens who desire to address the Council on any matter listed on the Workshop Agenda 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.

II. WORK SESSION

1. Discuss, as may be needed, Regular Meeting agenda items for the meeting posted for Thursday, October 3, 2019.
2. Discuss potential board appointments to include but not limited to the Airport Advisory Board.

3. Receive a presentation regarding possible amendments to the Tax Increment Financing Reinvestment Zone No. 1 Financing and Project Plans to align with the 2030 Master Plan which includes appropriating bond proceeds, adjusting tax revenues, allocating funding for future debt service, operating expenditures and public improvements for years FY 2019-2062.

5:00 P.M.
MUNICIPAL BUILDING
2 NORTH MAIN STREET
CITY COUNCIL CHAMBERS – 2ND FLOOR
TEMPLE, TX
TEMPLE CITY COUNCIL
REGULAR MEETING AGENDA

I. CALL TO ORDER

1. Invocation
2. Pledge of Allegiance

II. PUBLIC COMMENTS

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

III. SPECIAL REGOGNITIONS

3. Receive a presentation from House Representative, District 55, Hugh Shine recognizing Thomas Pechal for his years of service with the City of Temple Fire & Rescue.
4. Recognition of Fire Prevention Week October 6-12
5. (A) Recognize October as Colonial Heritage Month
(B) Recognize October as Czech Heritage Month

IV. BOND ITEMS

6. [2019-9834-R](#): Consider adopting a resolution authorizing the defeasance and redemption of certain of the City's outstanding obligations.

V. CONSENT AGENDA

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

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

Minutes

- (A) [September 5, 2019 Special & Regular Called Meeting](#)
- (B) [September 9, 2019 Special Called Meeting](#)
- (C) [September 19, 2019 Special & Regular Called Meeting](#)

Contracts, Leases, & Bids

- (D) [2019-9835-R](#): Consider adopting a resolution approving an interlocal agreement with the Bell/Lampasas Counties Community Supervision and Corrections Department to utilize probationers for community service projects within the City.
- (E) [2019-9836-R](#): Consider adopting a resolution authorizing an interlocal agreement with Bell County Juvenile Services for police-escorted home visits to monitor juveniles placed on court-ordered supervision.
- (F) [2019-9837-R](#): Consider adopting a resolution authorizing a developer participation agreement with Kiella Development, Inc. and Howumean, LLC—Hogan Series in a not to exceed amount of \$279,045.04, to construct a sanitary sewer line extension from the Westside Village subdivision along Hogan Road to State Highway 317.
- (G) [2019-9838-R](#): Consider adopting a resolution authorizing an agreement with Half Associates, Inc., for professional services required for the Friars Creek Railroad Berm project in the amount of \$109,710.
- (H) [2019-9839-R](#): Consider adopting a resolution authorizing a one-year renewal to a professional services agreement for delinquent account collection services in the estimated annual amount of \$180,000 with McCreary, Veselka, Bragg & Allen of Round Rock.
- (I) [2019-9840-R](#): Consider adopting a resolution authorizing an amendment to the professional services agreement with Kasberg, Patrick & Associates, LP, for the Avenue C (Main Street to 24th Street) Project in the amount of \$89,250.
- (J) [2019-9841-R](#): Consider adopting a resolution authorizing the following related to traffic signal equipment and supplies for FY2020:
 - 1. Award purchase agreement to Trafficware Group, Inc of Sugarland, in the estimated amount of \$50,000; and
 - 2. Reject all bids received for signal cabinets without controllers and school flashing beacons.
- (K) [2019-9842-R](#): Consider adopting a resolution authorizing the single source purchase of Spartan repair parts and service during FY2020 from Metro Fire Apparatus Specialists, Inc. of Houston, in the estimated annual amount of \$50,000.
- (L) [2019-9843-R](#): Consider adopting a resolution authorizing the single source purchase of Toro repair parts and service during FY2020 from Professional Turf Products, LP of Euless, in the estimated annual amount of \$70,000.
- (M) [2019-9844-R](#): Consider adopting a resolution authorizing the annual renewal of budgeting, performance, strategic planning and citizen engagement software subscription with Carahsoft Technology Corporation of Reston, Virginia, in the amount of \$79,207.
- (N) [2019-9845-R](#): Consider adopting a resolution authorizing approval of a street use license to allow for the encroachment of a sidewalk café in the City's the right-of-way at the southwest corner of East Central Avenue and South 2nd Street.

- (O) [2019-9846-R](#): Consider adopting a resolution authorizing acceptance of the FY20 Texas Department of Transportation, Aviation Division, Routine Airport Maintenance Program Grant, in the amount of \$100,000 (City match of \$50,000), to assist with funding of airport maintenance at the Draughon-Miller Central Texas Regional Airport.

Ordinances – Second & Final Reading

- (P) [2019-4995](#): SECOND & FINAL READING: Consider adopting an ordinance establishing the City's Relocation Assistance Program.

Misc.

- (Q) [2019-9847-R](#): Consider adopting a resolution authorizing the City Manager to execute certain documents required by the Texas Commission on Environmental Quality for the voluntary cleanup of the Bend of the River property.
- (R) [2019-9848-R](#): Consider adopting a resolution approving the continued receipt of bingo prize funds as required by the Texas Legislature in House Bill 914.
- (S) [2019-9849-R](#): Consider adopting a resolution authorizing budget amendments for fiscal year 2019-2020.

VI. REGULAR AGENDA

ORDINANCES

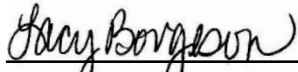
- 8. [2019-4996](#): FIRST READING - PUBLIC HEARING – FY-19-25-ZC: Consider adopting an ordinance authorizing an amendment to Ordinance 2001-2750, related to an existing Planned Development-Single Family Three condition to allow single family development or redevelopment by right without site plan approval subject to existing Single Family Three setbacks and building permit requirements.
- 9. [2019-4997](#): FIRST READING – PUBLIC HEARING – FY-19-26-ZC: Consider adopting an ordinance authorizing a rezoning on 137.028 acres of land with a site/development plan from Agricultural zoning district to Planned Development-Single Family Two on 114 +/- acres; Planned Development-General Retail on 2 +/- acres, and General Retail on 21 +/- acres, located southeast of the intersection of Barnhardt Road and Old State Highway 95 (Little River Road) and west of South State Highway 95.
- 10. [2019-4998](#): FIRST READING – PUBLIC HEARING: Consider adopting an ordinance authoring an amendment and adopting the Tax Increment Financing Reinvestment Zone No. 1 Financing and Project Plans to align with the 2030 Master Plan which includes appropriating bond proceeds, adjusting tax revenues, allocating funding for future debt service, operating expenditures and public improvements for years FY 2019-2062.

RESOLUTIONS

- 11. [2019-9850-R](#): Consider adopting a resolution amending the current utility system fees to be effective October 4, 2019 by:
 - (A) Increasing the current water volumetric rate;
 - (B) Increasing the current wastewater rate monthly minimum service charge and increasing the volumetric rate; and
 - (C) Adding an additional class for water and wastewater.

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 published to the City of Temple's website at 9:10 AM, September 30, 2019. This notice was posted in a public place at 9:20 AM, this same day.



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 _____ 2019.

Title _____



COUNCIL AGENDA ITEM MEMORANDUM

10/03/19
Item #6
Regular Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Traci L. Barnard, Director of Finance

ITEM DESCRIPTION: Consider adopting a resolution authorizing the defeasance and redemption of certain of the City's outstanding obligations.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: This item will authorize the Director of Finance to transfer City funds in an amount not to exceed \$1,100,000 of available funds to defease and redeem a portion of the City of Temple, Texas Pass-Through Agreement Revenue and Limited Tax Bonds Series 2012 on the first available redemption date.

The implementation and financing plan for the Transportation and Capital Improvement Plan (TCIP) is a phased approach which groups projects in packages with design and right-of-way acquisition funded first and, in most cases, construction funded in the following package. The phased approach allows for the allocation of construction funds only when projects are ready, minimizes and stabilize the tax rate impact, maximizes opportunity for tax base growth; and allows for the balancing of debt amortization. In FY 2019, the bond funding was deferred for projects that were not ready for the construction phase. Deferring the issuance of the additional bonds allowed for the accumulation of funds to 'paydown' other outstanding bonds.

FISCAL IMPACT: Funding is available in the Debt Service Fund of \$1,100,000 to transfer for the defeasance and redemption. Funds that are deposited to this fund are restricted to be used for payment of principal and interest on bonds.

ATTACHMENTS:

[Escrow Agreement
Resolution](#)

ESCROW AGREEMENT

Defeasance and Redemption of Certain City of Temple, Texas Pass-Through Agreement Revenue & Limited Tax Bonds, Series 2012

THIS ESCROW AGREEMENT, dated as of September 26, 2019 (herein, together with any amendments or supplements hereto, called the "Agreement"), entered into by and between the City of Temple, Texas (the "Issuer") and The Bank of New York Mellon Trust Company, N.A., as escrow agent (together with any successor in such capacity, the "Escrow Agent"). The addresses of the Issuer and the Escrow Agent are shown on Exhibit "A" attached hereto and made a part hereof.

W I T N E S S E T H:

WHEREAS, the Issuer heretofore issued and there presently remain outstanding the obligations described in the Verification Report of Public Finance Partners LLC (the "Report") relating to the Defeased Obligations, attached hereto as Exhibit "B" and made a part hereof; and

WHEREAS, the Defeased Obligations are scheduled to mature in such years, bear interest at such rates, and be payable at such times and in such amounts as are set forth in the Report; and

WHEREAS, when firm banking arrangements have been made for the payment of principal and interest to the maturity or redemption dates of the Defeased Obligations, then the Defeased Obligations shall no longer be regarded as outstanding except for the purposes of receiving payment from the funds provided for such purpose and Issuer's right to call such Defeased Obligations for redemption in accordance with the provisions of the resolution, order or ordinance authorizing their issuance upon compliance with the provisions of Texas law; and

WHEREAS, Chapter 1207, Texas Government Code, as amended ("Chapter 1207"), authorizes the Issuer to issue refunding bonds and to deposit the proceeds from the sale thereof, and any other available funds or resources, directly with an eligible institution, including any place of payment (paying agent) for any of the Defeased Obligations, and such deposit, if made before such payment dates and in sufficient amounts, shall constitute the making of firm banking and financial arrangements for the discharge and final payment of the Defeased Obligations; and

WHEREAS, Chapter 1207 further authorizes the Issuer to enter into an escrow agreement with any such eligible institution for any of the Defeased Obligations with respect to the safekeeping, investment, administration and disposition of any such deposit, upon such terms and conditions as the Issuer and such institution may agree, provided that such deposits may be invested only in obligations authorized by Chapter 1207, and which shall mature and/or bear interest payable at such times and in such amounts as will be sufficient to provide for the scheduled payment of principal and interest on the Defeased Obligations when due; and

WHEREAS, this Agreement constitutes an escrow agreement of the kind authorized and required by said Chapter 1207; and

WHEREAS, The Bank of New York Mellon Trust Company, N.A. is the paying agent for the Defeased Obligations; and

WHEREAS, Chapter 1207 makes it the duty of the Escrow Agent to comply with the terms of this Agreement and timely make available to the other places of payment (paying agents) for the Defeased Obligations the amounts required to provide for the payment of the principal of and interest on such obligations when due, and in accordance with their terms, but solely from the funds, in the manner, and to the extent provided in this Agreement; and

WHEREAS, the Issuer's is making a cash deposit to provide for the payment of the principal of the Defeased Obligations at their respective maturity dates or dates of redemption and the interest thereon to such dates as set forth in the Report; and

WHEREAS, the Issuer desires that certain available funds of the Issuer shall be applied to purchase certain direct obligations of the United States of America hereinafter defined as the "Escrowed Securities" for deposit to the credit of the Escrow Fund created pursuant to the terms of this Agreement and to establish a beginning cash balance (if needed) in such Escrow Fund; and

WHEREAS, the Escrowed Securities shall mature and the interest thereon shall be payable at such times and in such amounts so as to provide moneys which, together with cash balances from time to time on deposit in the Escrow Fund, will be sufficient to pay interest on the Defeased Obligations as it accrues and becomes payable and the principal of the Defeased Obligations on their respective maturity dates or dates of redemption; and

WHEREAS, to facilitate the receipt and transfer of proceeds of the Escrowed Securities, particularly those in book entry form, the Issuer desires to establish the Escrow Fund at the principal corporate trust office of the Escrow Agent; and

WHEREAS, the Escrow Agent and any paying agent for the Defeased Obligations, acting through the Escrow Agent, is also a party to this Agreement, as a paying agent for the Defeased Obligations to acknowledge their acceptance of the terms and provisions of this Agreement in such capacity.

NOW, THEREFORE, in consideration of the mutual undertakings, promises and agreements herein contained, the sufficiency of which are hereby acknowledged, and in order to secure the full and timely payment of principal of and the interest on the Defeased Obligations, the Issuer and the Escrow Agent mutually undertake, promise, and agree for themselves and their respective representatives and successors, as follows:

ARTICLE I

DEFINITIONS AND INTERPRETATIONS

Section 1.01. Recitals. The recitals set forth in the preamble hereof are incorporated herein and shall have the same force and effect as if set forth in the Section.

Section 1.02. Definitions. Unless the context clearly indicates otherwise, the following terms shall have the meanings assigned to them below when they are used in this Agreement:

"Code" means the Internal Revenue Code of 1986, as amended, or to the extent applicable the Internal Revenue Code of 1954, together with any other applicable provisions of any successor federal income tax laws.

"Escrow Fund" means the fund created by this Agreement to be administered by the Escrow Agent pursuant to the provisions of this Agreement.

"Escrowed Securities" means the direct noncallable, not pre-payable United States Treasury obligations and obligations the due timely payment of which is unconditionally guaranteed by the United States of America described in the Report or cash or other direct obligations of the United States of America substituted therefor pursuant to Article IV of this Agreement.

"Paying Agent" means The Bank of New York Mellon Trust Company, N.A. acting in its capacity as paying agent for the Defeased Obligations.

Section 1.03. Other Definitions. The terms "Agreement," "Issuer," "Escrow Agent," "Paying Agent," "Defeased Obligations" and "Report" when they are used in this Agreement, shall have the meanings assigned to them in the preamble to this Agreement.

Section 1.04. Interpretations. The titles and headings of the articles and sections of this Agreement have been inserted for convenience and reference only and are not to be considered a part hereof and shall not in any way modify or restrict the terms hereof. This Agreement and all of the terms and provisions hereof shall be liberally construed to effectuate the purposes set forth herein and to achieve the intended purpose of providing for the refunding of the Defeased Obligations in accordance with applicable law.

ARTICLE II

DEPOSIT OF FUNDS

Section 2.01. Deposits in the Escrow Fund. The Issuer shall deposit, or cause to be deposited, with the Escrow Agent, for deposit in the Escrow Fund, the funds described in the Report, and the Escrow Agent shall, upon the receipt thereof, acknowledge such receipt to the Issuer in writing.

ARTICLE III

CREATION AND OPERATION OF ESCROW FUND

Section 3.01. Escrow Fund. **Section 3.01. Escrow Fund.** The Escrow Agent has created on its books a special trust fund and irrevocable escrow to be known as City of Temple, Texas Pass-Through Agreement Revenue & Limited Tax Bonds, Series 2012 (the "Escrow Fund"). The Escrow Agent hereby agrees that upon receipt thereof it will irrevocably deposit to the credit of

the Escrow Fund the funds and the Escrowed Securities described in the Report. Such deposit, all proceeds therefrom, and all cash balances from time to time on deposit therein (a) shall be the property of the Escrow Fund, (b) shall be applied only in strict conformity with the terms and conditions of this Agreement, and (c) are hereby irrevocably pledged to the payment of the principal of and interest on the Defeased Obligations, which payment shall be made by timely transfers of such amounts at such times as are provided for in Section 3.02 hereof. When the final transfers have been made for the payment of such principal of and interest on the Defeased Obligations, any balance then remaining in the Escrow Fund shall be transferred to the Issuer, and the Escrow Agent shall thereupon be discharged from any further duties hereunder.

Section 3.02. Payment of Principal and Interest. The Escrow Agent is hereby irrevocably instructed to transfer from the cash balances from time to time on deposit in the Escrow Fund, the amounts required to pay the principal of the Defeased Obligations at their respective maturity dates and interest thereon to such maturity dates in the amounts and at the times shown in the Report.

Section 3.03. Sufficiency of Escrow Fund. The Issuer represents (based solely on the Report) that the successive receipts of the principal of and interest on the Escrowed Securities will assure that the cash balance on deposit from time to time in the Escrow Fund will be at all times sufficient to provide moneys for transfer to the Paying Agent at the times and in the amounts required to pay the interest on the Defeased Obligations as such interest comes due and the principal of the Defeased Obligations as the Defeased Obligations mature, all as more fully set forth in the Report. If, for any reason, at any time, the cash balances on deposit or scheduled to be on deposit in the Escrow Fund shall be insufficient to transfer the amounts required by the Paying Agent for the Defeased Obligations to make the payments set forth in Section 3.02 hereof, the Issuer shall timely deposit in the Escrow Fund, from any funds that are lawfully available therefor, additional funds in the amounts required to make such payments. Notice of any such insufficiency shall be given as promptly as practicable as hereinafter provided, but the Escrow Agent shall not in any manner be responsible for any insufficiency of funds in the Escrow Fund or the Issuer's failure to make additional deposits thereto.

Section 3.04. Trust Fund. The Escrow Agent shall hold at all times the Escrow Fund, the Escrowed Securities and all other assets of the Escrow Fund, wholly segregated from all other funds and securities on deposit with the Escrow Agent; it shall never allow the Escrowed Securities or any other assets of the Escrow Fund to be commingled with any other funds or securities of the Escrow Agent; and it shall hold and dispose of the assets of the Escrow Fund only as set forth herein. The Escrowed Securities and other assets of the Escrow Fund shall always be maintained by the Escrow Agent as trust funds for the benefit of the owners of the Defeased Obligations; and a special account thereof shall at all times be maintained on the books of the Escrow Agent. The owners of the Defeased Obligations shall be entitled to the same preferred claim and first lien upon the Escrowed Securities, the proceeds thereof, and all other assets of the Escrow Fund to which they are entitled as owners of the Defeased Obligations. The amounts received by the Escrow Agent under this Agreement shall not be considered as a banking deposit by the Issuer, and the Escrow Agent shall have no right to title with respect thereto except as a constructive trustee and Escrow Agent under the terms of this Agreement. The amounts received by the Escrow Agent under this Agreement shall not be subject to warrants, drafts or checks drawn by the Issuer or, except to the extent expressly herein provided, by the Paying Agent.

Section 3.05. Security for Cash Balances. Cash balances from time to time on deposit in the Escrow Fund shall, to the extent not insured by the Federal Deposit Insurance Corporation or its successor, be continuously secured by a pledge of direct obligations of, or obligations unconditionally guaranteed by, the United States of America, having a market value at least equal to such cash balances.

ARTICLE IV

LIMITATION ON INVESTMENTS

Section 4.01. Limitation on Investments. Except as provided in Sections 3.02, 4.02, 4.03 and 4.04 hereof, the Escrow Agent shall not have any power or duty to invest or reinvest any money held hereunder, or to make substitutions of the Escrowed Securities, or to sell, transfer or otherwise dispose of the Escrowed Securities.

Section 4.02. Reinvestment of Certain Cash Balances in Escrow by Escrow Agent. In addition to the Escrowed Securities listed in the Report, the Escrow Agent shall reinvest cash balances shown in the Report in United States Treasury Obligations - State and Local Government Series with an interest rate equal to zero percent (0%) to the extent such Obligations are available from the Department of the Treasury. All such re-investments shall be made only from the portion of cash balances derived from the maturing principal of and interest on Escrowed Securities that are United States Treasury Certificates of Indebtedness, Notes or Bonds - State and Local Government Series. All such re-investments shall be acquired on and shall mature on the dates shown on the Report.

Section 4.03. Substitutions and Reinvestments. At the written direction of the Issuer, the Escrow Agent shall reinvest cash balances representing receipts from the Escrowed Securities, make substitutions of the Escrowed Securities or redeem the Escrowed Securities and reinvest the proceeds thereof or hold such proceeds as cash, together with other moneys or securities held in the Escrow Fund provided that the Issuer delivers to the Escrow Agent the following:

(1) an opinion by an independent certified public accountant that after such substitution or reinvestment the principal amount of the securities in the Escrow Fund (which shall be noncallable, not pre-payable direct obligations of the United States of America), together with the interest thereon and other available moneys, will be sufficient to pay, without further investment or reinvestment, as the same become due in accordance with the Report, the principal of, interest on and premium, if any, on the Defeased Obligations which have not previously been paid, and

(2) an unqualified opinion of nationally recognized municipal bond counsel to the effect that (a) such substitution or reinvestment will not cause the Defeased Obligations to be "arbitrage bonds" within the meaning of Section 103 of the Code or the regulations thereunder in effect on the date of such substitution or reinvestment, or otherwise make the interest on the Defeased Obligations subject to federal income taxation, and (b) such

substitution or reinvestment complies with the Constitution and laws of the State of Texas and with all relevant documents relating to the issuance of the Defeased Obligations.

The Escrow Agent shall have no responsibility or liability for loss or otherwise with respect to investments made at the direction of the Issuer.

Section 4.04. Substitution for Escrowed Securities. Concurrently with the initial deposit by the Issuer with the Escrow Agent, but not thereafter, the Issuer, at its option, may substitute cash or direct noncallable and not pre-payable obligations of the United States Treasury (the "Substitute Obligations"), but only if such Substitute Obligations

- (a) are in an amount, and/or mature in an amount, which is equal to or greater than the amount payable on the maturity date of the obligation listed in the Report for which such Substitute Obligation is substituted,
- (b) mature on or before the maturity date of the obligation listed in the Report for which such Substitute Obligation is substituted, and
- (c) produce the amount necessary to pay the interest on and principal of the Defeased Obligations, as set forth in the Report, as verified by a certified public accountant or a firm of certified public accountants.

If, concurrently with the initial deposit by the Issuer with the Escrow Agent, any such Substitute Obligations are so substituted for any Escrowed Securities, the Issuer may, at any time thereafter, substitute for such Substitute Obligations the same Escrowed Securities for which such Substitute Obligations originally were substituted.

Section 4.05. Arbitrage. The Issuer hereby covenants and agrees that it shall never request the Escrow Agent to exercise any power hereunder or permit any part of the money in the Escrow Fund or proceeds from the sale of Escrowed Securities to be used directly or indirectly to acquire any securities or obligations if the exercise of such power or the acquisition of such securities or obligations would cause any Refunding Obligations or Defeased Obligations to be an "arbitrage bond" within the meaning of the Code.

ARTICLE V

APPLICATION OF CASH BALANCES

Section 5.01. In General. Except as provided in Sections 3.02, 4.02, 4.03 and 4.04 hereof, no withdrawals, transfers, or reinvestment shall be made of cash balances in the Escrow Fund.

ARTICLE VI

RECORDS AND REPORTS

Section 6.01. Records. The Escrow Agent will keep books of record and account in which complete and correct entries shall be made of all transactions relating to the receipts,

disbursements, allocations and application of the money and Escrowed Securities deposited to the Escrow Fund and all proceeds thereof, and such books shall be available for inspection at reasonable hours and under reasonable conditions by the Issuer and the owners of the Defeased Obligations.

Section 6.02. Reports. While this Agreement remains in effect, the Escrow Agent annually shall prepare and send to the Issuer a written report summarizing all transactions relating to the Escrow Fund during the preceding year, including, without limitation, credits to the Escrow Fund as a result of interest payments on or maturities of the Escrowed Securities and transfers from the Escrow Fund for payments on the Defeased Obligations or otherwise, together with a detailed statement of all Escrowed Securities and the cash balance on deposit in the Escrow Fund as of the end of such period.

ARTICLE VII

CONCERNING THE PAYING AGENT AND ESCROW AGENT

Section 7.01. Representations. The Escrow Agent hereby represents that it has all necessary power and authority to enter into this Agreement and undertake the obligations and responsibilities imposed upon it herein, and that it will carry out all of its obligations hereunder.

Section 7.02. Limitation on Liability. The liability of the Escrow Agent to transfer funds for the payment of the principal of and interest on the Defeased Obligations shall be limited to the cash balances from time to time on deposit in the Escrow Fund. Notwithstanding any provision contained herein to the contrary, neither the Escrow Agent nor the Paying Agent shall have any liability whatsoever for the insufficiency of funds from time to time in the Escrow Fund, except for the obligation to notify the Issuer as promptly as practicable of any such occurrence.

The recitals herein and in the proceedings authorizing the Refunding Obligations shall be taken as the statements of the Issuer and shall not be considered as made by, or imposing any obligation or liability upon, the Escrow Agent. The Escrow Agent is not a party to the proceedings authorizing the Defeased Obligations and is not responsible for nor bound by any of the provisions thereof (except as a place of payment and paying agent and/or a Paying Agent/Registrar therefor). In its capacity as Escrow Agent, it is agreed that the Escrow Agent need look only to the terms and provisions of this Agreement.

The Escrow Agent makes no representations as to the value, conditions or sufficiency of the Escrow Fund, or any part thereof, or as to the title of the Issuer thereto, or as to the security afforded thereby or hereby, and the Escrow Agent shall not incur any liability or responsibility in respect to any of such matters.

It is the intention of the parties hereto that the Escrow Agent shall never be required to use or advance its own funds or otherwise incur personal financial liability in the performance of any of its duties or the exercise of any of its rights and powers hereunder.

The Escrow Agent shall not be liable for any action taken or neglected to be taken by it in good faith in any exercise of reasonable care and believed by it to be within the discretion or power conferred upon it by this Agreement, nor shall the Escrow Agent be responsible for the consequences of any error of judgment; and the Escrow Agent shall not be answerable except for its own action, neglect or default, nor for any loss unless the same shall have been through its negligence or willful misconduct.

Unless it is specifically otherwise provided herein, the Escrow Agent has no duty to determine or inquire into the happening or occurrence of any event or contingency or the performance or failure of performance of the Issuer with respect to arrangements or contracts with others, with the Escrow Agent's sole duty hereunder being to safeguard the Escrow Fund, to dispose of and deliver the same in accordance with this Agreement. If, however, the Escrow Agent is called upon by the terms of this Agreement to determine the occurrence of any event or contingency, the Escrow Agent shall be obligated, in making such determination, only to exercise reasonable care and diligence, and in event of error in making such determination the Escrow Agent shall be liable only for its own willful misconduct or its negligence. In determining the occurrence of any such event or contingency the Escrow Agent may request from the Issuer or any other person such reasonable additional evidence as the Escrow Agent in its discretion may deem necessary to determine any fact relating to the occurrence of such event or contingency, and in this connection may make inquiries of, and consult with, among others, the Issuer at any time.

The Escrow Agent may conclusively rely and shall be protected in acting or refraining from acting upon any resolution, certificate, statement, instrument, opinion, report, notice, request, direction, consent, order, or other paper or document believed by it to be genuine and to have been signed or presented by the proper party or parties. The Escrow Agent may consult with counsel, and the opinion of such counsel shall be full and complete authorization and protection in respect of any action taken or suffered by it in good faith and in accordance therewith. The Escrow Agent may execute any of the trusts or powers hereunder or perform any duties hereunder either directly or by or through agents, attorneys, custodians or nominees appointed with due care, and shall not be responsible for any willful misconduct or negligence on the part of any agent, attorney, custodian or nominee so appointed.

To the extent allowed by law, the Issuer agrees to indemnify, defend and hold the Escrow Agent and its officers, directors, agents, and employees harmless from and against any and all loss, damage, claim, liability and expense that may be incurred by the Escrow Agent arising out of or in connection with its acceptance or appointment as Escrow Agent hereunder, including the costs and expenses of defending itself against any claim or liability in connection with the exercise or performance of any of its powers or duties hereunder except that the Escrow Agent shall not be indemnified for any loss, damage, claim, liability, or expense resulting from its own negligence or willful misconduct. The foregoing indemnification shall survive the termination of this Agreement or the resignation or removal of the Escrow Agent for any reason.

Section 7.03. Compensation. Concurrently with the sale and delivery of the Refunding Obligations, the Issuer shall pay to the Escrow Agent, as a fee for performing the services hereunder and for all expenses incurred or to be incurred by the Escrow Agent in the administration of this Agreement, the amount set forth in Exhibit C attached hereto, the sufficiency of which is hereby acknowledged by the Escrow Agent. In the event that the Escrow Agent is requested to

perform any extraordinary services hereunder, the Issuer hereby agrees to pay reasonable fees to the Escrow Agent for such extraordinary services and to reimburse the Escrow Agent for all expenses incurred by the Escrow Agent in performing such extraordinary services, and the Escrow Agent hereby agrees to look only to the Issuer for the payment of such fees and reimbursement of such expenses. The Escrow Agent hereby agrees that in no event shall it ever assert any claim or lien against the Escrow Fund for any fees for its services, whether regular or extraordinary, as Escrow Agent, or in any other capacity, or for reimbursement for any of its expenses.

Section 7.04. Successor Escrow Agents. If at any time the Escrow Agent or its legal successor or successors should become unable, through operation or law or otherwise, to act as escrow agent hereunder, or if its property and affairs shall be taken under the control of any state or federal court or administrative body because of insolvency or bankruptcy or for any other reason, a vacancy shall forthwith exist in the office of Escrow Agent hereunder. In such event the Issuer, by appropriate action, promptly shall appoint an Escrow Agent to fill such vacancy. If no successor Escrow Agent shall have been appointed by the Issuer within 60 calendar days, a successor may be appointed by the owners of a majority in principal amount of the Defeased Obligations then outstanding by an instrument or instruments in writing filed with the Issuer, signed by such owners or by their duly authorized attorneys-in-fact. If, in a proper case, no appointment of a successor Escrow Agent shall be made pursuant to the foregoing provisions of this section within three months after a vacancy shall have occurred, the owner of any Defeased Obligation may apply to any court of competent jurisdiction to appoint a successor Escrow Agent. Such court may thereupon, after such notice, if any, as it may deem proper, prescribe and appoint a successor Escrow Agent.

Any successor Escrow Agent shall be a corporation organized and doing business under the laws of the United States or the State of Texas, authorized under such laws to exercise corporate trust powers, authorized under Texas law to act as an escrow agent, having its principal office and place of business in the State of Texas, having a combined capital and surplus of at least \$5,000,000 and subject to the supervision or examination by Federal or State authority.

Any successor Escrow Agent shall execute, acknowledge and deliver to the Issuer and the Escrow Agent an instrument accepting such appointment hereunder, and the Escrow Agent shall execute and deliver an instrument transferring to such successor Escrow Agent, subject to the terms of this Agreement, all the rights, powers and trusts of the Escrow Agent hereunder. Upon the request of any such successor Escrow Agent, the Issuer shall execute any and all instruments in writing for more fully and certainly vesting in and confirming to such successor Escrow Agent all such rights, powers and duties.

The Escrow Agent at the time acting hereunder may at any time resign and be discharged from the trust hereby created by giving not less than sixty (60) days' written notice to the Issuer and publishing notice thereof, specifying the date when such resignation will take effect, in a newspaper printed in the English language and with general circulation in New York, New York, such publication to be made once at least three (3) weeks prior to the date when the resignation is to take effect. No such resignation shall take effect unless a successor Escrow Agent shall have been appointed by the owners of the Defeased Obligations or by the Issuer as herein provided and such successor Escrow Agent shall be a paying agent for the Defeased Obligations and shall have

accepted such appointment, in which event such resignation shall take effect immediately upon the appointment and acceptance of a successor Escrow Agent.

If within 60 days following the resignation of the Escrow Agent, no successor Escrow Agent shall have been appointed, the Escrow Agent may apply to any court of competent jurisdiction to appoint a successor Escrow Agent.

Any corporation or association into which the Escrow Agent in its individual capacity may be merged or converted or with which it may be consolidated, or any corporation or association resulting from any merger, conversion or consolidation to which the Escrow Agent in its individual capacity shall be a party, or any corporation or association to which all or substantially all the corporate trust business of the Escrow Agent in its individual capacity may be sold or otherwise transferred, shall be the Escrow Agent under this Escrow Agreement without further act.

Under any circumstances, the Escrow Agent shall pay over to its successor Escrow Agent proportional parts of the Escrow Agent's fee and, if applicable, its Paying Agent's fee hereunder. Any expenses incurred in connection with the appointment of a successor Escrow Agent will not be paid from the Escrow Fund.

ARTICLE VIII

MISCELLANEOUS

Section 8.01. Notice. Any notice, authorization, request, or demand required or permitted to be given hereunder shall be in writing and shall be deemed to have been duly given when mailed by registered or certified mail, postage prepaid addressed to the Issuer or the Escrow Agent at the address shown on Exhibit "A" attached hereto. The United States Post Office registered or certified mail receipt showing delivery of the aforesaid shall be conclusive evidence of the date and fact of delivery. Any party hereto may change the address to which notices are to be delivered by giving to the other parties not less than ten (10) calendar days prior notice thereof. Prior written notice of any amendment to this Agreement contemplated pursuant to Section 8.08 and immediate written notice of any incidence of a severance pursuant to Section 8.04 shall be sent to Standard & Poor's Corporation, Attn: Municipal Bond Department, 25 Broadway, New York, New York 10004 and Fitch, Inc., One State Street Plaza, New York, New York 10004.

Section 8.02. Termination of Responsibilities. Upon the taking of all the actions as described herein by the Escrow Agent, the Escrow Agent shall have no further obligations or responsibilities hereunder to the Issuer, the owners of the Defeased Obligations or to any other person or persons in connection with this Agreement.

Section 8.03. Binding Agreement. This Agreement shall be binding upon the Issuer and the Escrow Agent and their respective successors and legal representatives, and shall inure solely to the benefit of the owners of the Defeased Obligations, the Issuer, the Escrow Agent and their respective successors and legal representatives.

Section 8.04. Severability. In case any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal or unenforceable in any respect, such

invalidity, illegality or unenforceability shall not affect any other provisions of this Agreement, but this Agreement shall be construed as if such invalid or illegal or unenforceable provision had never been contained herein.

Section 8.05. Texas Law Governs. This Agreement shall be governed exclusively by the provisions hereof and by the applicable laws of the State of Texas.

Section 8.06. Time of the Essence. Time shall be of the essence in the performance of obligations from time to time imposed upon the Escrow Agent by this Agreement.

Section 8.07. Effective date of Agreement. This Agreement shall be effective upon receipt by the Escrow Agent of the funds described in the Report, together with the specific sums stated in subsections (a) and (b) of Section 7.03 for Escrow Agent and paying agency fees, expenses, and services.

Section 8.08. Amendments. This Agreement shall not be amended except to cure any ambiguity or formal defect or omission in this Agreement. No amendment shall be effective unless the same shall be in writing and signed by the parties thereto. No such amendment shall adversely affect the rights of the holders of the Defeased Obligations.

Section 8.09. Counterparts. This Agreement may be executed in one or more counterparts, each and all of which shall constitute one and the same instrument.

Section 8.09. Anti-Boycott. The Escrow Agent represents and warrants, for purposes of Chapter 2270 of the Texas Government Code, that at the time of execution and delivery of this Agreement, neither the Escrow Agent, nor any parent company, wholly- or majority-owned subsidiaries or affiliates of the same, if any, boycotts Israel or will boycott Israel during the term of this Agreement. The foregoing verification is made solely to comply with Section 2270.002, Texas Government Code, and to the extent such Section does not contravene applicable Federal law. As used in the foregoing verification, "boycotts Israel" and "boycott Israel" means refusing to deal with, terminating business activities with, or otherwise taking any action that is intended to penalize, inflict economic harm on, or limit commercial relations specifically with Israel, or with a person or entity doing business in Israel or in an Israeli-controlled territory, but does not include an action made for ordinary business purposes. The Escrow Agent understands "affiliate" to mean an entity that controls, is controlled by, or is under common control with the Escrow Agent and exists to make a profit.

Section 8.10. Terrorist Organizations. The Escrow Agent represents that, neither the Escrow Agent, nor any parent company, wholly- or majority-owned subsidiaries or affiliates of the same, if any, are companies identified on a list prepared and maintained by the Texas Comptroller of Public Accounts under Section 2252.153 or Section 2270.0201, Texas Government Code, and posted on any of the following pages of such officer's internet website:
<https://comptroller.texas.gov/purchasing/docs/sudanlist.pdf>,
<https://comptroller.texas.gov/purchasing/docs/iran-list.pdf>, or
<https://comptroller.texas.gov/purchasing/docs/ftolist.pdf>.

The foregoing representation is made solely to comply with Section 2252.152, Texas Government Code, and to the extent such Section does not contravene applicable Federal law and excludes the

Escrow Agent and each parent company, wholly- or majority-owned subsidiaries, and other affiliates of the same, if any, that the United States government has affirmatively declared to be excluded from its federal sanctions regime relating to Sudan or Iran or any federal sanctions regime relating to a foreign terrorist organization. The Escrow Agent understands "affiliate" to mean any entity that controls, is controlled by, or is under common control with the Escrow Agent and exists to make a profit.

[The Remainder of This Page is Intentionally Left Blank]

EXECUTED as of the date first written above.

CITY OF TEMPLE, TEXAS

By: _____

Name: _____

Title: _____

**THE BANK OF NEW YORK MELON TRUST
COMPANY, N.A., as Escrow Agent**

By _____
Authorized Signatory

EXHIBIT "A"

ADDRESSES OF THE ISSUER AND THE ESCROW AGENT

Issuer

City of Temple
#2 North Main
Temple, Texas 76501

Escrow Agent

The Bank of New York Mellon
Trust Company, N.A., Dallas
2001 Bryan Street, 10th Floor
Dallas, Texas 75201

EXHIBIT "B"

VERIFICATION REPORT

EXHIBIT "C"

ESCROW AGENT FEE SCHEDULE

[See Attached]

**RESOLUTION AUTHORIZING THE DEFEASANCE AND
REDEMPTION OF CERTAIN OF THE CITY'S
OUTSTANDING OBLIGATIONS**

WHEREAS, the City of Temple, Texas (the "City") has duly issued and there is now outstanding the following obligations:

City of Temple, Texas Pass-Through Agreement Revenue & Limited Tax Bonds, Series 2012, outstanding in the aggregate principal amount of \$3,715,000 (the "Series 2012 Obligations"); and

WHEREAS, the City Council of the City deems it to be in the best interest of the City to use lawfully available funds to defease and redeem a portion of the Series 2012 Obligations on the first available redemption date after the giving of notice and compliance with the provisions of the ordinance authorizing the issuance of the Series 2012 Obligations (the "Defeased Obligations"). The amount of the Series 2012 Obligations defeased and redeemed may be adjusted as approved by the Director of Finance based on available funds and final rates for escrow securities, if any; and

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

Section 1. The City hereby calls for redemption the Defeased Obligations. Attached to this Resolution as Exhibit "A" and made a part hereof for all purposes, is a copy of the notice of defeasance and redemption for the Defeased Obligations in substantially final form with such changes approved by the Director of Finance of the City. The Director of Finance, Bond Counsel and the paying agent for the Defeased Obligations are hereby authorized to take all actions necessary to effectuate the redemption of such obligations, including sending all notices of such redemption required by the ordinance authorizing the Defeased Obligations and executing any necessary escrow or other agreement.

Section 2. The Director of Finance is hereby authorized to transfer City funds in an amount not to exceed \$1,100,000 as necessary to defease and redeem the Defeased Obligations.

Section 3. The Mayor, the City Manager and the Director of Finance and all other officers, employees and agents of the City, and each of them, shall be and they are hereby expressly authorized, empowered and directed from time to time and at any time to do and perform all such acts and things, including giving any notices as may be required by the City's continuing disclosure obligations, if any, with respect to the Defeased Obligations and all other instruments, whether or not herein mentioned, as may be necessary or desirable in order to carry out the terms and provisions of this Resolution or the ordinance authorizing the Defeased Obligations.

Section 4. If any provision of this Resolution or the application thereof to any circumstance shall be held to be invalid, the remainder of this Resolution and the application thereof to other circumstances shall nevertheless be valid, and this governing body hereby declares that this Resolution would have been enacted without such invalid provision.

Section 5. This Resolution shall be in full force and effect immediately upon its passage and approval.

CITY OF TEMPLE, TEXAS

By: Mayor

ATTEST:

City Secretary

APPROVED AS TO FORM:

City Attorney

EXHIBIT "A"

NOTICE OF DEFEASANCE AND REDEMPTION

NOTICE IS HEREBY GIVEN that the City of Temple, Texas (the "City") has defeased and called for redemption the outstanding obligations of the City described below at a price of par plus accrued interest to such date of redemption, to-wit:

City of Temple, Texas Pass-Through Agreement Revenue & Limited Tax Bonds, Series 2012, dated June 1, 2012, maturing on August 1, 2031 as further described below (the "Defeased Obligations")

CUSIP Number*	Maturity Date (August 1)	Principal Amount**	Interest Rate	Redemption Date
880064F62	2031	\$1,040,000	3.500%	August 1, 2021

* The CUSIP Numbers are provided for the convenience of the holders of the Defeased Obligations. The City and the Paying Agent do not warrant the accuracy of the CUSIP Numbers, and neither shall be responsible for any error of any nature relating to CUSIP Numbers.

** Preliminary, subject to change.

The Defeased Obligations shall be redeemed upon presentation at a principal corporate offices of The Bank of New York, as paying agent/registrar for the Defeased Obligations, at the addresses set forth below. Interest on the Defeased Obligations shall cease to accrue from and after the Redemption Date.

First Class/Registered/Certified Mail

The Bank of New York Mellon
Global Corporate Trust
P.O. Box 396
East Syracuse, New York 13057

Express Delivery Only

The Bank of New York Mellon
Global Corporate Trust
111 Sanders Creek Parkway
East Syracuse, New York 13057

By Hand Only

The Bank of New York Mellon
Global Corporate Trust
Corporate Trust Window
101 Barclay Street 1st Floor East
New York, New York 10286

In compliance with section 3406 of the Internal Revenue Code of 1986, as amended, payors making certain payments due on debt securities may be obligated to deduct and withhold a portion of such payment from the remittance to any payee who has failed to provide such payor with a valid taxpayer identification number. To avoid the imposition of this withholding tax, such payees should submit a certified taxpayer identification number when surrendering certificates for redemption.

CITY OF TEMPLE, TEXAS



COUNCIL AGENDA ITEM MEMORANDUM

10/03/19
Item #7(A-C)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Lacy Borgeson, City Secretary

ITEM DESCRIPTION: Approve Minutes:

- (A) September 5, 2019 Special & Regular Called Meeting
- (B) September 9, 2019 Special Called Meeting
- (C) September 19, 2019 Special & Regular Called Meeting

STAFF RECOMMENDATION: Approve minutes as presented in item description.

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

FISCAL IMPACT: N/A

ATTACHMENTS:

[September 5, 2019 Special & Regular Called Meeting Minutes / Video](#)
[September 9, 2019 Special Called Meeting Minutes](#)
[September 19, 2019 Special & Regular Called Meeting Minutes / Video](#)



COUNCIL AGENDA ITEM MEMORANDUM

10/03/19
Item #7(D)
Consent Agenda
Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

Kevin Beavers, CPRP, Parks and Recreation Director

ITEM DESCRIPTION: Consider adopting a resolution approving an interlocal agreement with the Bell/Lampasas Counties Community Supervision and Corrections Department to utilize probationers for community service projects within the City.

STAFF RECOMMENDATION: Approve resolution as presented in item description.

ITEM SUMMARY: The City and Bell/Lampasas Community Supervision and Corrections Department (the "CSCD") jointly operate a community service program wherein CSCD probationers perform community service hours as a term of their probation by cleaning up, enhancing, and maintaining City parks and other City right-of-way. The CSCD provides 18 to 20 probationers to perform community service projects on Saturdays and Sundays for 50 weekends per year. CSCD will provide at least one CSCD employee to supervise the probationers, and provide a van, gasoline, simple tools, trash bags and water during these projects.

The supervisor(s) furnished under this agreement will be compensated at a rate of \$15 per hour; however no more than 10 hours will be billed per week. At the end of each month, the CSCD will forward a report to the City indicated the number of hours that the supervisor(s) worked under this agreement; the report will serve as an invoice for payment.

Historically, the Parks and Recreation Department has utilized this service for many different projects ranging from litter removal along roads and streets within Temple, replacing mulch in playground areas, weeding planter areas, beautification projects and minor park maintenance projects. This agreement has been expanded to allow CSCD probationers to be utilized by the Temple Police Department and the Transform Temple Department to assist with clean-up or abatement of public nuisances, including graffiti, and surveillance sites.

This has been a very successful and beneficial relationship for everyone involved and Staff recommends renewal of this agreement and authorizing the City Manager to execute an interlocal agreement with Bell/Lampasas CSCD. The term of this interlocal agreement will be for one year but will automatically renew for three successive one-year periods unless earlier terminated by the parties. At the end of the term, the agreement could be extended but any extensions or amendments must be evidenced in writing.

FISCAL IMPACT: Funding is available in the adopted FY 2020 Budget in the amount of \$7,500 in account 110-3500-552-2623 for the Interlocal Agreement with the Bell/Lampasas Counties Community Supervision and Corrections Department (CSCD).

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. 2019-9835-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING AN INTERLOCAL AGREEMENT WITH BELL AND LAMPASSAS COUNTIES COMMUNITY SUPERVISION AND CORRECTIONS DEPARTMENT IN THE AMOUNT OF \$7,500, FOR THE SUPERVISION OF COMMUNITY SERVICE WORKERS; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the Temple Parks and Recreation Department and Bell/Lampasas Community Supervision and Corrections Department (CSCD) jointly administer a community service program wherein CSCD probationers perform community service hours as a term of their probation ranging from litter removal along roads and streets within Temple, replacing mulch in playground areas, weeding planter areas, beautification projects and minor park maintenance projects;

Whereas, CSCD provides 18-20 probationers to perform community service projects on Saturdays and Sundays for fifty weekends per year - CSCD also provides a van, gasoline, simple tools, trash bags and water during these projects;

Whereas, Staff has been very pleased with the community service program and believes it to be a very successful and beneficial relationship for everyone involved;

Whereas, Staff recommends Council authorize the renewal of this Interlocal Agreement with the Bell/Lampasas CSCD for the supervision of community service workers in the amount of \$7,500

Whereas, funding for this agreement is available in the adopted fiscal year 2020 budget in Account No. 110-3500-552-2623; and

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

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

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

Part 2: The City Council authorizes the City Manager, or her designee, after approval as to form by the Interim City Attorney, to execute an Interlocal Agreement with the City and Bell/Lampasas Community Supervision and Corrections Department in the amount of \$7,500, for the supervision of community service workers.

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

PASSED AND APPROVED this the **3rd** day of **October**, 2019.

THE CITY OF TEMPLE, TEXAS

TIMOTHY A. DAVIS, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
Interim City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

10/03/19
Item #7(E)
Consent Agenda
Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

Floyd Mitchell, Chief of Police

ITEM DESCRIPTION: Consider adopting a resolution authorizing an interlocal agreement with Bell County Juvenile Services for police-escorted home visits to monitor juveniles placed on court-ordered supervision.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: Bell County Juvenile Services (BCJS) is a local agency that provides crime prevention, juvenile supervision, intervention, and rehabilitation opportunities to juvenile offenders and the community by emphasizing juvenile and parental accountability. This interlocal agreement allows Temple Police Department (TPD) officers and detectives who focus on juvenile offenses the opportunity to accompany Bell County juvenile probation officers on probationary home visits. Participating TPD juvenile officers and detectives gain valuable one-on-one contact and communication with local juvenile probationers and their families, insight into a probationers' home lives and support systems, an understanding of how to provide or recommend services, and enhanced relationships with probationers outside the law enforcement context. TPD officers also provide security for BCJS officers during home visits.

BCJS will reimburse the City at a rate not to exceed \$75 per hour for officers and detectives participating in the program.

TPD has coordinated efforts with BCJS to provide police-escorted home visits for juvenile probationers since 2003. The City's agreement with BCJS expired on September 30, 2019. The proposed interlocal agreement will extend participation with BCJS for police-escorted home visits for the term of October 1, 2019 through September 30, 2020. The agreement is proposed to allow automatic one-year renewals unless terminated by either party.

FISCAL IMPACT: There is no requirement for the City of Temple to provide any funding to this program. All expenditures related to overtime pay incurred by the Temple Police Officers will be reimbursed by Bell County.

The revenue and associated expenditures for the FY 2020 portion of this agreement are included in the FY 2020 Operating Budget in the amount of \$8,954.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. 2019-9836-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING AN INTERLOCAL AGREEMENT WITH BELL COUNTY JUVENILE SERVICES FOR POLICE-ESCORTED HOME VISITS TO MONITOR JUVENILES PLACED ON COURT-ORDERED SUPERVISION; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, Bell County Juvenile Services (BCJS) is a local agency that provides crime prevention, juvenile supervision, intervention, and rehabilitation opportunities to juvenile offenders and the community by emphasizing juvenile and parental accountability;

Whereas, this agreement allows Temple Police Department (TPD) officers and detectives who focus on juvenile offenses the opportunity to accompany Bell County juvenile probation officers on probationary home visits - participating TPD juvenile officers and detectives gain valuable one-on-one contact and communication with local juvenile probationers and their families, insight into a probationers' home lives and support systems, an understanding of how to provide or recommend services, and enhanced relationships with probationers outside the law enforcement context;

Whereas, TPD officers also provide security for BCJS officers during home visits;

Whereas, BCJS will reimburse the City at a rate not to exceed \$75.00 per hour for officers and detectives participating in the program - TPD has coordinated efforts with BCJS to provide police-escorted home visits for juvenile probationers since 2003;

Whereas, the City's agreement with BCJS expired September 30, 2019 - this Interlocal Agreement will extend participation with BCJS for police-escorted home visits from October 1, 2019 through September 30, 2020 and is proposed to allow automatic one-year renewals unless terminated by either party;

Whereas, there is no requirement for the City of Temple to provide any funding to this program as all expenditures related to overtime pay incurred by the Temple Police Officers will be reimbursed by Bell County - the revenue and associated expenditures for the fiscal year 2020 portion of this agreement are included in the fiscal year 2020 Operating budget in the amount of \$8,954; 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 Interim City Attorney, to execute an Interlocal Agreement with Bell County Juvenile Services for police-escorted home visits to monitor juveniles placed on court-ordered supervision.

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

PASSED AND APPROVED this the 3rd day of **October**, 2019.

THE CITY OF TEMPLE, TEXAS

TIMOTHY A. DAVIS, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
Interim City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

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DEPT./DIVISION SUBMISSION & REVIEW:

Brynn Myers, City Manager
David Olson, Assistant City Manager

ITEM DESCRIPTION: Consider adopting a resolution authorizing a developer participation agreement with Kiella Development, Inc. and Howumean, LLC—Hogan Series in a not to exceed amount of \$279,045.04, to construct a sanitary sewer line extension from the Westside Village subdivision along Hogan Road to State Highway 317.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: Westside Village is a currently platted residential subdivision with 11 duplex lots owned by Howumean, LLC – Hogan Series (“Howumean”) and located on Hogan Road. The City is in the process of constructing improvements to Hogan Road, which includes installation of sidewalks. Kiella Development, Inc. is performing infrastructure work for Howumean in the Westside Village subdivision and has agreed, at the City’s request, to extend the planned sewer line infrastructure and install an 8-inch sewer line along Hogan Road from the subdivision to SH 317. Construction of the sewer line extension will provide increased capacity to the City’s wastewater infrastructure for anticipated future growth in the area. Extension of the sanitary sewer prior to the sidewalk installation is preferable so that newly installed infrastructure work will not be disrupted, and construction through a developer participation agreement will allow for needed infrastructure improvements much sooner that would be available through the City’s Utility Capital Improvement Program.

Construction of the proposed sanitary sewer line extension will provide a desirable connection of the City’s sanitary sewer system from the Westside Village subdivision along Hogan Road to State Highway 317, allowing for further future development. The City would participate with the developer in the cost of design and construction of the sewer line improvements, at 100% of the oversizing costs, at a not to exceed amount of \$279,045.04. This amount is reimbursable to the developer upon presentation of paid invoices to the City.

The estimated cost for public improvements in the Westside Village development is \$356,143.50, which includes all public utilities and roadways. The costs for the City’s requested sewer line improvements are approximately 78% of the overall cost of public improvements for the subdivision development; however, Texas Local Government Code, Section 212.072(c) allows participation by a municipality at a level not to exceed 100% of the total costs of any oversizing of improvements required by a municipality, including but not limited to increased capacity of improvements to anticipate other future development in the area. City staff has reviewed the engineer’s opinion of probable cost for construction (OPC) and deemed that the estimate provided represents a reasonable cost when compared to similar projects.

City staff recommends participation in the wastewater improvements at a not to exceed amount of \$279,045.04, or 100% of the oversizing costs for the wastewater line extension. The City's participation is authorized under Texas Local Government Code, Chapter 212, Subchapter C titled "Developer Participation in Contract for Public Improvements."

FISCAL IMPACT: Funding for a Developer Participation Agreement with Kiella Development, Inc. and Howumean, LLC – Hogan Series, to construct a sanitary sewer line extension from the Westside Village subdivision along Hogan Road to State Highway 317 in the amount of \$279,045.04 is available in account 520-5900-535-6368, project #102172 as follows:

Project Budget	\$	279,046
Encumbered/Committed to Date		-
Kiella Development, Inc and Howumean, LLC		(279,046)
Remaining Funds Available	\$	-

ATTACHMENTS:

[Attachment A- Engineer's Opinion of Probable Costs for Construction of Sewer line Extension](#)

[Attachment B- Drawing of Westside Village Sewer line Extension](#)

[Resolution](#)

June 13, 2019

Engineer's Opinion of Probable Construction Cost for:

**WESTSIDE VILLAGES
SEWERLINE-OFFSITE TO 317**

Item Description	Quantity	Units	Unit Cost	Item Cost
A. SEWER LINE IMPROVEMENTS				
(1) Sewerline*8" SDR26	602	L.F.	\$177.25	\$106,704.50
(2) Manhole	2	EA	\$5,968.68	\$11,937.36
(3) Seed & Disturbed Area for Off-site	1	LS	\$45,792.03	\$45,792.03
(4) R&R driveways along Hogan Road	1	LS	\$22,461.05	\$22,461.05
(5) Repair/Replace/Relocate any and all utilities that are in conflict with sewer line installation	1	LS	\$17,376.00	\$17,376.00
(6) Traffic Control	1	LS	\$24,860.91	\$24,860.91
Total-Sewerline-Offsite To 317				\$229,131.85
SUBTOTAL CONSTRUCTION				\$229,131.85
CONSTRUCTION CONTINGENCY, CONSTRUCTION MANAGEMENT, OVERAGES, GNA & INSURANCE (10%)				\$22,913.19
ENGINEERING				\$27,000.00
TOTAL CONSTRUCTION				\$279,045.04



LEGEND

WESTSIDE VILLAGE SEWERLINE



SEWERLINE OFFSITE TO 317



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REVISIONS	DATE	DESCRIPTION	DFTR.

AUTHORS



TURLEY ASSOCIATES, INC.

ENGINEERING • PLANNING • SURVEYING

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DRAFTSMAN:	JFBH
DESIGNER:	JFBH
ENGINEER:	
DATE:	

FOR
REVIEW
ONLY

PROJECT	WESTSIDE VILLAGE	TITLE	SEWER LINE OFFSITE TO 317
FILE NAME:	17-054 PP	JOB#	17-054
REF. DWG(s):		PAGE#	02

RESOLUTION NO. 2019-9837-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A DEVELOPER PARTICIPATION AGREEMENT WITH KIELLA DEVELOPMENT, INC. AND HOWUMEAN, LLC – HOGAN SERIES, TO CONSTRUCT A SANITARY SEWER LINE EXTENSION FROM THE WESTSIDE VILLAGE SUBDIVISION ALONG HOGAN ROAD TO STATE HIGHWAY 317 AT A NOT TO EXCEED AMOUNT OF \$279,045.04; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, Westside Village is currently platted as a residential subdivision with 11 duplex lots owned by Howumean, LLC – Hogan Series (“Howumean”), and located on Hogan Road - the City is in the process of constructing improvements to Hogan Road, which includes installation of sidewalks;

Whereas, Kiella Development, Inc. is performing infrastructure work for Howumean in the Westside Village subdivision and has agreed, at the City’s request, to extend the planned sewer line infrastructure and install an 8-inch sewer line along Hogan Road from the subdivision to SH 317 - construction of the sewer line extension will provide increased capacity to the City’s wastewater infrastructure for anticipated future growth in the area;

Whereas, extension of the sanitary sewer prior to the sidewalk installation is preferable so that newly installed infrastructure work will not be disrupted, and construction through a Developer Participation Agreement will allow for needed infrastructure improvements much sooner than would be available through the City’s Utility Capital Improvement Program;

Whereas, construction of the proposed sanitary sewer line extension will provide a desirable connection of the City’s sanitary sewer system from the Westside Village subdivision along Hogan Road to State Highway 317, allowing for further future development - the City would participate with the developer in the cost of design and construction of the sewer line improvements, at 100% of the oversizing costs, at a not to exceed amount of \$279,045.04, which is reimbursable to the developer upon presentation of paid invoices to the City;

Whereas, the estimated cost for public improvements in the Westside Village development is \$356,143.50, which includes all public utilities and roadways - the costs for the City’s requested sewer line improvements are approximately 78% of the overall cost of public improvements for the subdivision development;

Whereas, Texas Local Government Code, Section 212.072(c) allows participation by a municipality at a level not to exceed 100% of the total costs of any oversizing of improvements required by a municipality, including but not limited to increased capacity of improvements to anticipate other future development in the area;

Whereas, Staff recommends Council authorize a Developer Participation Agreement with Kiella Development, Inc. and Howumean, LLC – Hogan Series, to construct a sanitary sewer line extension from the Westside Village subdivision along Hogan Road to State Highway 317, at a not to exceed amount of \$279,045.04, or 100% of the oversizing costs for the wastewater line extension;

Whereas, funding for this Developer Participation Agreement is available in Account No. 520-5900-535-6368, Project No. 102172; 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 Interim City Attorney, to execute a Developer Participation Agreement with Kiella Development, Inc. and Howumean, LLC – Hogan Series, to construct a sanitary sewer line extension from the Westside Village subdivision along Hogan Road to State Highway 317, at a not to exceed amount of \$279,045.04.

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

PASSED AND APPROVED this the 3rd day of **October**, 2019.

THE CITY OF TEMPLE, TEXAS

TIMOTHY A. DAVIS, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
Interim City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

10/03/19
Item #7(G)
Consent Agenda
Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

Don Bond, P.E., CFM, Public Works Director
Richard Wilson, P.E., CFM, City Engineer

ITEM DESCRIPTION: Consider adopting a resolution authorizing an agreement with Half Associates, Inc., for professional services required for the Friars Creek Railroad Berm project in the amount of \$109,710.

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 the Friars Creek railroad berm near South 5th Street. Staff also identified this project as a current priority in response to a history of flooding, drainage issues and impending growth in the area. Half's scope of work includes a preliminary engineering report, final design, and permitting. See the attached engineer's proposal and project map for more details and project limits.

Consultant services recommended under this professional services agreement include:

Project Management	\$12,955.00
Data Collection	\$31,525.00
Hydrology & Hydraulic Analysis	\$14,950.00
Design Services	\$44,580.00
QA/QC	<u>\$ 5,700.00</u>
Total Engineering Services	\$109,710.00

The time required for the design is 240 calendar days from the Notice to Proceed.

The engineer's preliminary opinion of probable construction cost is \$802,012.53.

FISCAL IMPACT: A budget adjustment is being presented to Council for approval to appropriate funding for the Friars Creek Railroad Berm Project. After approval of the budget adjustment, funding for the professional services agreement with Halff Associates, Inc. in the amount of \$109,710 will be available in account 292-2900-534-6312, project 102171, as follows:

Project Budget	\$	-
Budget Adjustment		960,000
Encumbered/Committed to Date		-
Professional Services Agreement – Halff Associates		(109,710)
Remaining Project Funds Available	\$	<u>850,290</u>

ATTACHMENTS:

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



September 19, 2019
P37149

Mr. Richard Wilson, P.E., CFM
3210 E. Avenue H, Bldg. A, Suite 107
Temple, Texas 76501
RE: Engineering Consulting Services for Friars Creek Railroad Berm at South Temple Park

Dear Mr. Wilson,

Halff is pleased to submit this proposal for consulting services per your request. The work effort is anticipated to be broken into the following general tasks.

PROJECT SUMMARY

The City of Temple, Texas plans to improve an existing rail line crossing of Friars Creek to reduce flooding and remove homes from the Zone AE floodplain. The railroad ROW passes through the north end of the South Temple Park and crosses Friars Creek. The existing stream crossing is three corrugated metal pipe arches with concrete embankment protection. The creek banks in the park downstream of the culverts are showing signs of instability likely related to vegetation removal. Upstream of the culverts, the creek appears to be building up sediment and overbank vegetation that is higher than the elevation of the culverts. The bankfull width of the stream is likely widened up stream and narrowed downstream because of the constriction of the culverts. In addition, the shape of the FEMA floodplain indicates the culverts do not pass the 1% annual chance (100-year) floodplain and should be upgraded or replaced to mitigate flood risk. Halff has prepared this scope of work to provide a preliminary engineering report, permitting and design to assess the options for removing and replacing the rail, upgrading the stream crossing, and stabilizing the stream in the vicinity of the culverts.

1.0 Project Management

This task includes the effort by Halff's project manager, principal, and QA/QC leads to run the project and execute Halff's project management program. Halff's project management activities will include task leadership and direction, in-person, telephone and written communication, project status reports, project invoicing, and personnel and data management among other general project management activities. Specific meetings beyond staff management coordination and regular communication include the following:

1.1 Project Coordination Meetings

Halff will attend meetings to discuss the specific interim results and direction of the project. Meetings are anticipated to occur every two months from October 2019 to June 2020. Meetings with City staff include one (1) kickoff meeting and one (1) meeting to discuss recommendations, and at least monthly phone conferences will occur over the duration of the project. The meetings will be attended by Halff's Project Manager and team members as necessary.

1.2 Administration and Invoicing

Monthly project status reports shall be provided to the Client with the monthly invoice. Progress shall include notes regarding work completed in the preceding billing cycle, work expected to be completed in the next cycle, and any outstanding questions or issues for discussion.

The Halff Team, led by Paul Morales and Troy Dorman, has extensive experience managing similar projects on schedule and within budget. Paul and Troy will be responsible for overall project management and will work closely with the City of Temple to ensure that all project objectives and milestones are met. Troy will ensure that Paul and his team have the necessary resources to complete the project.

2.0 Data Collection

2.1 Design Survey

The surveyor shall collect data for a typical design and topographic survey. Process data for DTM & Triangle Irregular Network (TIN) (2D & 3D), including but not limited to chains and points; planimetric maps (2D) & topographic maps, cross sections and/or drainage analysis and other needs as detailed below.

- Typical DTM & topographic data includes but is not limited to: natural ground (NG), trail surfaces, edge of trail, centerline, grade breaks, trees greater than 8 inches in caliper, rails, driveways, ditches, culverts, headwalls, drainage structures, channel(s), riprap, power poles, signs, delineators, luminaries, fences, manholes, sewer lines, telephone boxes, junctions, water valves, fire hydrants, pipeline crossings, gas meters, gas valves, etc., and any other utility.
- Crossing structures data (includes culverts and bridge class structures), collect type, size, end treatment, etc., and profile for crossroad structure.
- Identify and photograph features (culverts, trail, utilities, rails, signs, etc.).
- Contact utility companies (using Texas Excavation Safety System, DIGTESS, 1-800-DIG-TESS) with any ownership of utilities and field collect all visible utilities, as marked, within the project limits and provide ownership information as a PD tag, if applicable. Utilities alignments, as determined from on the ground marks or overhead lines, shall be included in CAD files.

2.2 Site Visit

Halff will conduct a field reconnaissance within the project area to obtain existing channel and culvert information that will include the existing culvert dimensions, stream profile, thalweg, degradation/aggradation along the channel, channel cross section at key locations, terrace locations, etc. Overbank ground elevations will be obtained from TNIRIS. The data will also include photos, channel sketches, notes and other detail information to define the existing channel. Field survey will be taken on the Texas State Plane coordinate system (US foot), NAD 83 horizontal and NAVD 88 vertical datum.

2.3 Geotechnical Investigation

A geotechnical investigation will be conducted by our subconsultant to obtain up to two (2) soil borings and three (3) channel bed samples to conduct a sieve analysis. The geotechnical evaluation will provide rail crossing foundation recommendations and the sieve analysis will be used to assess stream stability through the rail crossing.

2.4 Environmental Services

Halff will perform an assessment of the project area to identify potential Section 404 permitting requirements, including an on-site delineation of potentially jurisdictional waters of the U.S., including wetlands, for coordination with the U.S. Army Corps of Engineers (USACE). Project activities are anticipated to utilize a Nationwide Permit (NWP) 14 with preconstruction notification (PCN). Halff would prepare a Section 404 permitting application and supporting documentation for coordination with the USACE – Fort Worth District. Required compensatory mitigation is not anticipated. If USACE requires an Individual Permit, then additional environmental services will be requested at that time.

Deliverables:

- Design Survey
- Geotechnical Investigation Report
- Environmental 404 Permitting Application

3.0 Hydrology & Hydraulic Analysis

3.1 Friars Creek H&H Analysis

Halff will conduct a hydrologic and hydraulic analysis of Friars Creek to determine baseline conditions and proposed rail crossing improvements. The H&H analysis will be prepared to determine site improvements to safely convey the level of service as defined by the City drainage criteria or by staff. If high water marks are available, the analysis will attempt to calibrate the model to the extent possible.

- Develop or update existing hydrologic analysis at the creek crossing utilizing available LiDAR data to determine existing basin parameters.
- Determine/confirm peak flows at the project road crossing for the 100%, 50%, 20%, 10%, 4%, 2%, 1%, and 0.4% annual chance exceedance.
- Develop a hydraulic model of the road crossing to determine proposed improvements using field survey.
- Evaluate downstream impacts on flows from improving the rail crossing.
- Evaluate up to two proposed schematic site improvement options.
- Prepare Preliminary Hydrologic and Hydraulic Analysis Memo.

3.2 Bankfull Determination

Halff will work with the City of Temple staff to determine bankfull sizing of Friars Creek. At the time of writing, we are not aware of a regional assessment of bankfull size in the Temple area. The determination of bankfull will guide the proposed culvert/bridge crossing. Halff proposes to investigate three potential sources of information to determine proper bankfull sizing.

1. Rosgen approaches used throughout the State of Texas that have been adapted for urbanized areas. This will require identification of a nearby reference reach on Friars Creek.
2. Contact the TWRI/NRCS/Texas A&M Agrilife Research and Extension Service to find out if they have performed regional studies that are applicable to Temple area.
3. Evaluate USGS Regional Regression equations as a method to establish bank full flow.

Deliverables:

- Detailed H&H modeling of proposed conditions
- Hydrologic & Hydraulic Analysis Memo

4.0 Design Services

The consultant shall develop plans, specifications, and estimate (PS&E) to be incorporated into construction documents for use in bidding and constructing the project by City staff.

4.1 Preliminary Engineering Design (30%)

A preliminary engineering design will develop two (2) design options for the rail crossing that may consist of culvert or bridge improvements. The preliminary engineering design will be based on input and recommendations from the geotechnical investigations and hydrologic and hydraulic evaluation discussed above. Probable cost estimates will be prepared for each of the options. Halff will provide a probable construction cost estimate of both options for City review. The plans may include the following:

1. Cover Sheet
2. Park Access Plan
3. Site Access Plan
4. Dimensional Control
5. Grading Plan
6. Crossing Plan and Profile
7. Typical Cross Sections

4.2 75% Design Submittal

Upon City's formal approval of the Preliminary Engineering Design, Halff will proceed with 75% Design Submittal. A list of specifications and an updated probable construction cost estimate of the 75% design submittal will be provided along with the plans which may include:

1. Cover Sheet
2. Park Access Plan
3. Site Access Plan
4. Dimensional Control
5. Demolition Plan
6. Tree Survey
7. Grading Plan
8. Crossing Plan and Profile
9. Typical Cross Sections
10. Details

4.3 100% Design Submittal

Upon City's formal approval of the Preliminary Engineering Design, Halff will proceed with 100% Design Submittal. The final specifications and a finalized probable construction cost estimate of the 100% design submittal will be provided along with the plans which may include:

1. Cover Sheet
2. Park Access Plan
3. Site Access Plan
4. Dimensional Control
5. Erosion & Sedimentation Control
6. Demolition Plan
7. Tree Survey
8. Grading Plan
9. Crossing Plan and Profile
10. Typical Cross Sections
11. Details

Deliverables

- 30%, 75%, 100% plans, specification, and probable construction cost estimate
- Electronic version of the drawings will be submitted in AutoCAD or Microstation format and the engineering cost estimate in Microsoft Excel format. Electronic submittal will be delivered on a CD.

5.0 QA/QC

To ensure that the final product satisfies the City, Engineer shall implement its company prescribed procedures for quality assurance and quality control. At the completion of each Task and prior to the submittal to the City, Halff will have the site assessment and exhibits reviewed by a designated Quality Assurance Manager (QAM). For this project, the QAM will be a professional engineer licensed in the state of Texas with a minimum of 15 years of experience applicable to stream design and construction

ITEMS EXCLUDED FROM THE SCOPE OF SERVICES

1. Design of water quality or detention ponds
2. Design of roadway illumination and electrical
3. Design of landscaping, irrigation, or hardscape (enhanced flatwork) facilities
4. Environmental services or permitting other than provided in the scope of services
5. Bridge Scour Analysis
6. FEMA CLOMR/LOMR development, permitting or coordination services
7. Design of noise abatement facilities
8. Utility Coordination and formal Subsurface Utility Explorations
9. Design of public and franchised utility relocations
10. Preparing/submitting a Stormwater Pollution Prevention Plan (SWPPP)
11. Preparing property parcels or boundary survey for acquisition
12. Property acquisition or negotiations
13. Filing fees, permit fees
14. Bidding Phase Services
15. Construction Phase Services

Fee Estimate

The fee estimate for the scope of work outlined above will be based on a **lump sum** and is shown below. Our services will be invoiced monthly based on the percentage of work completed. Costs incurred will be carefully monitored during the progress of this project and the fees will not be exceeded without prior approval from the City.

Task 1: Project Management	\$ 12,955.00
Task 2: Data Collection	\$ 31,525.00
Task 3: Hydrology & Hydraulic Analysis	\$ 14,950.00
Task 4: Design Services.....	\$ 44,580.00
Task 5: Quality Assurance / Quality Control.....	\$ 5,700.00

TOTAL ENGINEERING SERVICES	\$ 109,710.00
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Schedule of Deliverables

Halff can commence work on this project within 2 weeks after notice-to-proceed (NTP) is received from the City of Temple. Halff will complete the effort and submittal of deliverables within 8 months of NTP. A detailed project schedule outlining task effort and milestones will be developed when the project begins.

Sincerely,

HALFF ASSOCIATES, INC.



Troy Dorman, PE

CC: Paul Morales, PE

FY 2020

BUDGET ADJUSTMENT FORM

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

Adjustments should be rounded to the nearest \$1.

+

—

ACCOUNT NUMBER	PROJECT #	ACCOUNT DESCRIPTION	INCREASE		DECREASE	
292-2900-534-63-12	102171	Capital Special Projects / Drainage	\$ 960,000			
292-0000-358-11-10		Drainage Fund Undesignated Fund Balance			\$ 960,000	
		DO NOT POST				
TOTAL.....			\$ 960,000		\$ 960,000	

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

To appropriate Drainage Fund Unallocated Fund Balance to fund the drainage improvements for the Hidden Villages (RR Berm) project, #102171, OPC provided in the amount of \$960,000 to cover design, construction, construction admin and materials testing.

DOES THIS REQUEST REQUIRE COUNCIL APPROVAL?

☒ Yes

☐ No

DATE OF COUNCIL MEETING

10/3/2019

WITH AGENDA ITEM?

☒ Yes

☐ No

Department Head/Division Director

Date

	Approved
	Disapproved

Finance

Date

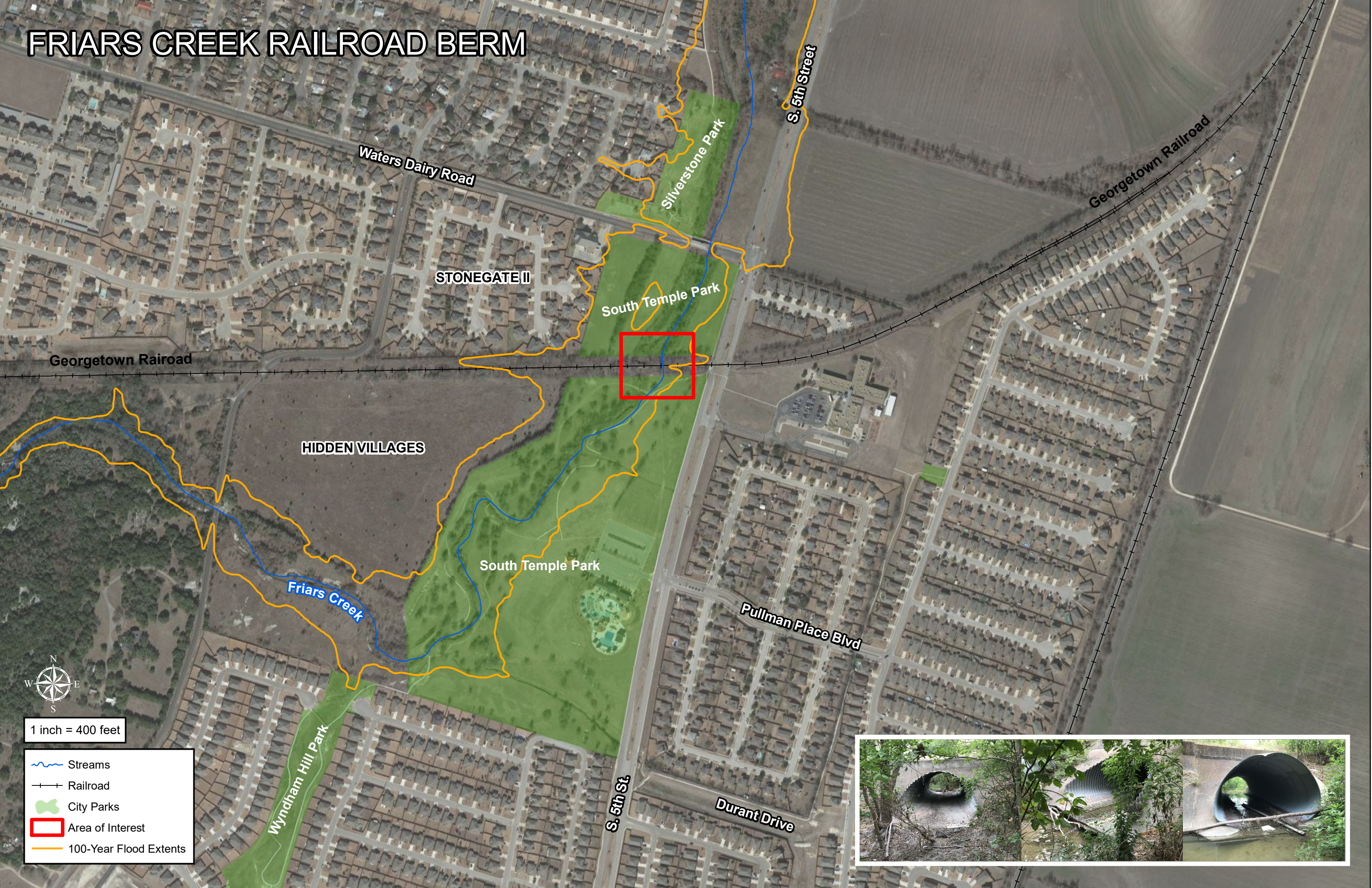
	Approved
	Disapproved

City Manager

Date

	Approved
	Disapproved

FRIARS CREEK RAILROAD BERM



1 inch = 400 feet

- Streams
- Railroad
- City Parks
- Area of Interest
- 100-Year Flood Extents



RESOLUTION NO. 2019-9838-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH HALFF ASSOCIATES, INC. OF AUSTIN, TEXAS IN THE AMOUNT OF \$109,710, FOR THE FRIARS CREEK RAILROAD BERM PROJECT; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the 2008-2009 Drainage Master Plan identified improvements to mitigate flooding in the vicinity of the Friars Creek railroad berm near South 5th Street - Staff also identified this project as a current priority in response to a history of flooding, drainage issues and impending growth in the area;

Whereas, Staff recommends Council authorize a professional services agreement with Halff Associates, Inc. of Austin, Texas in the amount of \$109,710, for the Friars Creek Railroad Berm project - Halff's scope of work includes a preliminary engineering report, final design, and permitting;

Whereas, funds are available for this project, but an amendment to the fiscal year 2020 budget needs to be approved to transfer the funds to Account No. 292-2900-534-6312, Project No. 102171; 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 Interim City Attorney, to execute a professional services agreement with Halff Associates, Inc. of Austin, Texas in the amount of \$109,710, for the Friars Creek Railroad Berm project.

Part 3: The City Council authorizes an amendment to the fiscal year 2020 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 3rd day of **October**, 2019.

THE CITY OF TEMPLE, TEXAS

TIMOTHY A. DAVIS, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
Interim City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

10/03/19
Item #7(H)
Consent Agenda
Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

Traci Barnard, Director of Finance
Belinda Mattke, Director of Purchasing & Facility Services

ITEM DESCRIPTION: Consider adopting a resolution authorizing a one-year renewal to a professional services agreement for delinquent account collection services in the estimated annual amount of \$180,000 with McCreary, Veselka, Bragg & Allen of Round Rock.

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

ITEM SUMMARY: Approval of this item will provide for continued collection services through MVBA through September 30, 2020. These collection services are primarily used by the Municipal Court and Utility Business Office; however, these services are also used by the Parks & Recreation Department, Finance Department, Airport, and Convention Center.

On August 20, 2015, the City awarded a two-year contract with MVBA for delinquent account collection services. The awarded contract included provisions for the award of three one-year renewals. On September 7, 2017, and on September 20, 2018, Council authorized one-year renewals to the agreement.

Under the contract, MVBA charges the following collection fees:

- 30% for Municipal Court collections, which is consistent with the statutory rate and paid by the defendant;
- 12% for collections from other departments; and
- \$10 per violation for the collection of parking violations.

Staff is pleased with the services provided by MVBA and believe the cost of MVBA's services are fair and reasonable. This will be the third and final one-year renewal authorized under the agreement.

FISCAL IMPACT: Delinquent payments received by Municipal Court or by the collection agency are posted as an amount due to the collection agency based on the contracted rate of 30%. These fees are initially collected from the defendants and submitted to MVBA as reimbursement for their collection services.

In FY2018, \$177,010 was paid to the collection agency for Municipal Court collections and \$4,020 was paid by other departments for delinquent collections. To date in FY2019, \$153,021 has been paid to the collection agency for Municipal Court collections and \$3,420 has been paid by other departments for delinquent collections.

For all other delinquent payments collected either by the City or collection agency, other than Municipal Court collection fees, \$11,000 has been included in the adopted FY 2020 Budget for these services.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. 2019-9839-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A ONE-YEAR RENEWAL TO THE PROFESSIONAL SERVICES AGREEMENT IN THE ESTIMATED ANNUAL AMOUNT OF \$180,000, WITH MCCREARY, VESELKA, BRAGG & ALLEN OF ROUND ROCK, TEXAS FOR DELINQUENT ACCOUNT COLLECTION SERVICES; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, collection services are primarily used by the Municipal Court and Utility Business Office, however, these services are also used by the Parks & Recreation Department, Finance Department, Airport, and Convention Center;

Whereas, on August 20, 2015, the City awarded a two-year contract with McCreary, Veselka, Bragg & Allen (MVBA) of Round Rock, Texas for delinquent account collection;

Whereas, the contract is renewable for three one-year renewal periods, if agreed to by both parties – on September 7, 2017 and September 20, 2018, Council authorized one-year renewals to the professional services agreement which expires September 30, 2019;

Whereas, under the contract, MVBA charges the City a collection fee of 30% for Municipal Court collections, which is consistent with the statutory rate, and 12% for collections for other departments;

Whereas, with the addition of the collection of delinquent parking violations and Warrant Round-Up services, MVBA proposes a fee of \$10 per violation for the collection of parking violations, which Staff deems to be reasonable;

Whereas, Staff has been pleased with the services provided by MVBA, believes that the cost of MVBA's services are fair and reasonable, and recommends Council authorize a one-year renewal to the professional services agreement with MVBA;

Whereas, this will be the third and final renewal authorized under this agreement;

Whereas, delinquent payments received by Municipal Court or by the collection agency are posted as an amount due to the collection agency based on the contracted rate of 30%;

Whereas, for all other delinquent payments collected either by the City or collection agency other than Municipal Court collection fees, funding has been included in the adopted fiscal year 2020 annual budget for these services; 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 Interim City Attorney, to execute a one-year renewal to the professional services agreement with McCreary, Veselka, Bragg & Allen of Round Rock, Texas for delinquent account collection services in the estimated amount of \$180,000.

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

PASSED AND APPROVED this the 3rd day of **October**, 2019.

THE CITY OF TEMPLE, TEXAS

TIMOTHY A. DAVIS, Mayor

APPROVED AS TO FORM:

ATTEST:

Lacy Borgeson
City Secretary

Kayla Landeros
Interim City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

10/03/19
Item #7(I)
Consent Agenda
Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

Don Bond, P.E., CFM, Public Works Director
Richard Wilson, P.E., CFM, City Engineer

ITEM DESCRIPTION: Consider adopting a resolution authorizing an amendment to the professional services agreement with Kasberg, Patrick & Associates, LP, for the Avenue C (Main Street to 24th Street) Project in the amount of \$89,250.

STAFF RECOMMENDATION: Adopt resolution as presented in Item Description.

ITEM SUMMARY: This project will follow the concepts of the Downtown Masterplan created in 2013 to explore options for development of a revised corridor street section to include elements such as landscaping, signage, monuments, and pedestrian and bike amenities. On September 26, 2018, Council authorized an agreement with KPA in the amount of \$612,580 for professional services to develop the concept, schematic, and final design for Avenue C from Main Street to 24th Street.

The attached proposal is required to develop metes and bounds, including enhanced surveys and exhibits, necessary for right-of-way and easement acquisition for this project. It includes 35 parcels at \$2,550 each, for a total amount of \$89,250. Please see the project map and engineer's proposal for further details.

On September 25, 2019, the Temple Reinvestment Zone #1 Board approved to recommend that Council authorize this amendment to the professional services agreement.

FISCAL IMPACT: Funding for contract amendment #1 to the professional services agreement with Kasberg, Patrick & Associates, LP for the Avenue C (Main Street to 24th Street) Project in the amount of \$89,250 is available in Reinvestment Zone No. 1 Financing and Project Plans, Line 413, account 795-9600-531-6892, project 101841, as follows:

	795-9500-531-6892
	<u>795-9600-531-6892</u>
Project Budget	\$ 2,740,000
Encumbered/Committed to Date	(944,730)
Contract Amendment # 1 - KPA	<u>(89,250)</u>
Remaining Project Funds	<u>\$ 1,706,020</u>

ATTACHMENTS:

Engineer's Proposal
Contract Amendment
Project Map
Resolution



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

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

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

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

September 5, 2019

Mr. Ed Kolacki
3210 E. Avenue H
Building A
Temple, Texas 76501

Re: City of Temple
Avenue C (MLK to 24th Street)
Metes and Bounds with Enhanced Surveys

Dear Mr. Kolacki:

At the request of the City of Temple and the City of Temple Reinvestment Zone #1 (TRZ), we are submitting this proposal for the above referenced project. This project will develop metes and bounds for rights-of-way and easements, including enhanced surveys.

The work to be performed by KPA under this contract consists of providing survey metes and bounds, management and enhanced surveys for thirty-three (35) properties. The cost for development of the metes and bounds, enhanced survey and enhanced exhibit is \$2,550 each. The total cost for development of the described metes and bounds, enhanced survey and enhanced exhibit is \$89,250.00.

We are pleased to submit this proposal and look forward to the benefit it will bring the City of Temple.

Sincerely,

A handwritten signature in blue ink, appearing to read 'R. David Patrick', written in a cursive style.

R. David Patrick, P.E., CFM

CONTRACT AMENDMENT (Professional Service Agreements)

PROJECT: TRZ#1 - Concept, Schematic & Final Design to Ave C (Main St to 24th St)

OWNER: City of Temple

ENGINEER: Kasberg, Patrick & Associates, LP

AMENDMENT #: 1

Make the following additions, modifications or deletions to the work described in the Contract Documents:

Development of metes and bounds for rights-of-way and easements including enhanced surveys and enhanced exhibit.

Surveying \$ 89,250.00

Total \$ 89,250.00

The Compensation agreed upon in this Contract Amendment is the full, complete and final payment for all costs the Architect or Engineer may incur as a result of or relating to this amendment 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 Contract Amendment.

Original Contract Amount: \$ 612,580.00

Previous Net Change in Contract Amount: \$ 0.00

Amount This Amendment: \$ 89,250.00

Revised Contract Amount: \$ 701,830.00

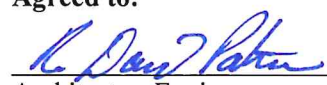
Original Contract Completion Date: October 8, 2018

Revised Contract Completion Date: December 31, 2019

Recommended by:

Project Manager Date

Agreed to:

 9/13/19
Architect or Engineer Date

Approved by City of Temple:

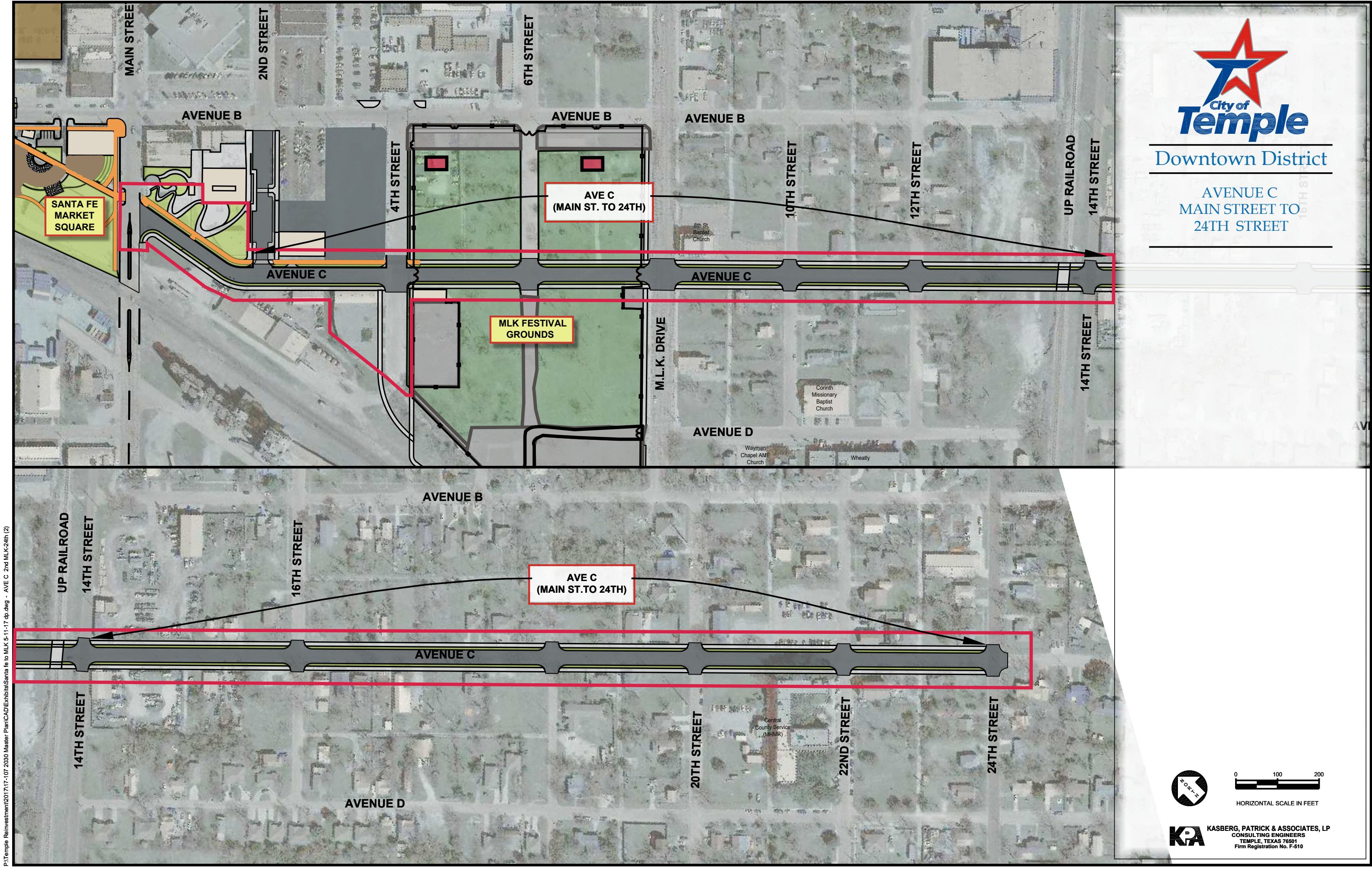
City Manager Date

Approved as to form:

City Attorney's Office Date

Approved by Finance Department:

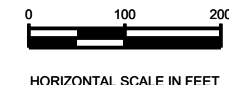
Date



Downtown District

AVENUE C
MAIN STREET TO
24TH STREET

P:\Temple Relivestment\2017\17-107 2030 Master Plan\CAD\Exhibits\Santa Fe to MLK 5-11-17 dp.dwg - AVE C 2nd MLK-24th (2)



KASBERG, PATRICK & ASSOCIATES, LP
CONSULTING ENGINEERS
TEMPLE, TEXAS 76801
Firm Registration No. F-510

RESOLUTION NO. 2019-9840-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH KASBERG, PATRICK AND ASSOCIATES, LP OF TEMPLE, TEXAS IN THE AMOUNT OF \$89,250, FOR THE AVENUE C (MAIN STREET TO 24TH STREET) PROJECT; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, this project will follow the concepts of the Downtown Masterplan created in 2013 to explore options for development of a revised corridor street section to include elements such as landscaping, signage, monuments, and pedestrian and bike amenities;

Whereas, on September 26, 2018, Council authorized an agreement with Kasberg, Patrick and Associates, LP (KPA) in the amount of \$612,580 for professional services to develop the concept, schematic, and final design for Ave C from Main Street to 24th Street;

Whereas, KPA has submitted a proposal to develop metes and bounds, including enhanced surveys and exhibits necessary for right of way and easement acquisition of 35 parcels at \$2550 each for this project;

Whereas, on September 25, 2019, the Reinvestment Zone No. 1 Board recommended approval of the amendment to this professional services agreement, and Staff recommends Council amend the professional services agreement with Kasberg, Patrick & Associates, LP in the amount of \$89,250, for the Avenue C (Main Street to 24th Street) Project;

Whereas, funding for this amendment is available in the Reinvestment Zone No. 1 Financing and Project Plans, Line 413, Account No. 795-9600-531-6892, Project No. 101841; 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 Interim City Attorney, to amend the professional services agreement with Kasberg, Patrick and Associates, LP in the amount of \$89,250, for the Avenue C (Main Street to 24th Street) 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 **3rd** day of **October**, 2019.

THE CITY OF TEMPLE, TEXAS

TIMOTHY A. DAVIS, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
Interim City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

10/03/19
Item #7(J)
Consent Agenda
Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

Kenny Henderson, Transportation Director
Belinda Mattke, Director of Purchasing & Facility Services

ITEM DESCRIPTION: Consider adopting a resolution authorizing the following related to traffic signal equipment and supplies for FY2020:

1. Award a purchase agreement to Trafficware Group, Inc of Sugarland, in the estimated amount of \$50,000; and
2. Reject all bids received for signal cabinets without controllers and school flashing beacons.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: Authorization of the purchase agreement with Trafficware Group, Inc. will provide for the purchase of signal cabinets and conflict monitors for the City's Traffic Signal Division during FY2020. Authorization for the rejection of the bids received for signal cabinets without controllers and school flashing beacons will enable Traffic Signal Staff to evaluate needs throughout the year and procure these items as needed during the year utilizing a cooperative contract

As shown on the attached bid tabulation, on July 25, 2019, the City received five bids for the purchase of traffic signal equipment and supplies. The solicitation asked for pricing on several possible traffic signal equipment and supply items that may be needed on an as-needed basis throughout the year. The bid was stated to be awarded by section, except for Sections 7 and 9, which were stated to be awarded by line item.

Only one of the bidders, Trafficware Group, Inc. (Trafficware) has a recommended award that Staff anticipates could exceed \$50,000. Per the attached bid tabulation, the recommended award to Trafficware totals \$47,614.20, but since the bid was based on estimated quantities only, Staff is requesting Council's authorization of this purchase agreement in the estimated amount of \$50,000. The proposed purchase agreements with Trafficware will commence immediately upon award and will go through September 30, 2020, with the option to extend the agreements for four additional one-year periods if so agreed to between the City and Trafficware.

Per the Local Government Code §252.043(f), the governing body is the designated authority to reject any and all bids. As such, Staff is requesting Council authorization to reject all bids received for signal cabinets without controllers and school flashing beacons, Sections 2 and 9 within the attached bid tabulation.

FISCAL IMPACT: Funding in the amount of \$36,550 is included in the adopted FY2020 budget in account 110-2800-532-2334 for traffic signal repairs & maintenance. In addition, it is anticipated that many of these supplies will be used in capital projects that will be funded with project-specific funds.

ATTACHMENTS:

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

Tabulation of Bids Received
on July 25, 2019 at 3:30 p.m.
Traffic Signal Equipment & Supplies
Bid # 28-01-20

BIDDERS											
Consolidated Traffic Controls, Inc Arlington, TX				Trafficware Group, Inc Sugarland, TX				MoboTrex, Inc Austin, TX			
								Paradigm Traffic Systems, Inc Arlington, TX			
								Traffic Parts, Inc Spring, TX			

BID SECTION #1 - SIGNAL CABINETS WITH CONTROLLERS (AWARDED BY SECTION)

DESCRIPTION	QTY	UNIT	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
Type "P" TS2 Base Cabinet	1	each	No Bid		\$13,750.00	\$13,750.00	No Bid		No Bid		No Bid	
Type "M" TS2 Base Cabinet	1	each	No Bid		\$12,500.00	\$12,500.00	No Bid		No Bid		No Bid	
BID SECTION #1 TOTAL			No Bid		\$26,250.00		No Bid		No Bid		No Bid	

BID SECTION #2 - SIGNAL CABINETS WITHOUT CONTROLLERS (AWARDED BY SECTION)

DESCRIPTION	QTY	UNIT	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
Type "P" TS2 Base Cabinet	1	each	No Bid		\$10,900.00	\$10,900.00	\$9,350.00	\$9,350.00	No Bid		No Bid	
Type "M" TS2 Base Cabinet	1	each	No Bid		\$9,650.00	\$9,650.00	\$8,990.00	\$8,990.00	No Bid		No Bid	
BID SECTION #2 TOTAL			No Bid		\$20,550.00		\$18,340.00		No Bid		No Bid	

BID SECTION #3 - MISCELLANEOUS COMPONENTS (AWARDED BY SECTION)

DESCRIPTION	QTY	UNIT	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
Solid State Dual Circuit Flasher	12	each	No Bid		\$19.30	\$231.60	\$22.00	\$264.00	\$23.00	\$276.00	\$19.00	\$228.00
Solid State Load Switch	12	each	No Bid		\$19.30	\$231.60	\$22.00	\$264.00	\$23.00	\$276.00	\$20.31	\$243.72
Flash Transfer Relay	12	each	No Bid		\$21.90	\$262.80	\$20.00	\$240.00	\$25.00	\$300.00	\$23.19	\$278.28
Loop Detector - Dual Channel, Rack Mount, TS2	8	each	No Bid		\$107.00	\$856.00	\$80.00	\$640.00	\$96.00	\$768.00	\$116.50	\$932.00
BID SECTION #3 TOTAL			No Bid		\$1,582.00		\$1,408.00		\$1,620.00		\$1,682.00	

BID SECTION #4 - CONFLICT MONITOR WITHOUT RED LIGHT INHIBITOR (AWARDED BY SECTION)

DESCRIPTION	QTY	UNIT	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
Conflict Monitor - NEMA 12 Standard	6	each	No Bid		\$535.70	\$3,214.20	No Bid		\$781.00	\$4,686.00	\$595.00	\$3,570.00
BID SECTION #4 TOTAL			No Bid		\$3,214.20		No Bid		\$4,686.00		\$3,570.00	

BID SECTION #5 - CONFLICT MONITOR WITH RED LIGHT INHIBITOR (AWARDED BY SECTION)

DESCRIPTION	QTY	UNIT	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
Conflict Monitor - NEMA 12 Enhanced	6	each	No Bid		\$825.00	\$4,950.00	No Bid		No Bid		No Bid	
TS2 Malfunction Management Unit	10	each	No Bid		\$650.00	\$6,500.00	No Bid		No Bid		No Bid	
TS2 Malfunction Management Unit, Flashing Arrow Compatible	2	each	No Bid		\$875.00	\$1,750.00	No Bid		No Bid		No Bid	
Conflict Monitor - Naztec NM512-E123 LCD	6	each	No Bid		\$825.00	\$4,950.00	No Bid		No Bid		No Bid	
BID SECTION #5 TOTAL			No Bid		\$18,150.00		No Bid		No Bid		No Bid	

BID SECTION #6 - VIDEO DETECTION EQUIPMENT (AWARDED BY SECTION)

DESCRIPTION	QTY	UNIT	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
Iteris Vantage Video Detection Camera	4	each	No Bid		No Bid		No Bid		No Bid		No Bid	
Iteris Edge Dual Channel Processor	2	each	No Bid		No Bid		No Bid		No Bid		No Bid	
Iteris Edge Single Channel Processor	2	each	No Bid		No Bid		No Bid		No Bid		No Bid	
Mounting Hardware for Iteris Vantage Video Detection Camera	4	each	No Bid		No Bid		No Bid		No Bid		No Bid	
9-Inch Monitor, KM0900MN	1	each	No Bid		No Bid		No Bid		No Bid		No Bid	
Iteris Lens Adjustment Module	1	each	No Bid		No Bid		No Bid		No Bid		No Bid	
1,000 Foot roll of Belden Cable, 8281	1	each	No Bid		No Bid		No Bid		No Bid		No Bid	
BID SECTION #6 TOTAL			No Bid		No Bid		No Bid		No Bid		No Bid	

BID SECTION #7 - SIGNAL HEADS, BRACKETS, LENSES, AND ACCESSORIES (AWARDED BY LINE ITEM)

DESCRIPTION	QTY	UNIT	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
Signal Head with LED's - 3 section horizontal, black polycarbonate, 12-inch LED with visors, back plate, arms (AB-4001) and tube	8	each	\$302.00	\$2,416.00	No Bid		\$395.00	\$3,160.00	\$437.00	\$3,496.00	\$286.94	\$2,295.52
Signal Head with LED's - 4 section horizontal, black polycarbonate, 12-inch LED with visors, back plate, arms (AB-4001) and tube	4	each	\$385.00	\$1,540.00	No Bid		\$528.00	\$2,112.00	\$577.00	\$2,308.00	\$380.50	\$1,522.00
Signal Head with LED's - 5 section horizontal, black polycarbonate, 12-inch LED with visors, back plate, arms (AB-4001) and tube	4	each	\$477.00	\$1,908.00	No Bid		\$660.00	\$2,640.00	\$698.00	\$2,792.00	\$481.55	\$1,926.20
16" Pedestrian Signal - 2 in 1, black, LED, hand/man	8	each	\$244.00	\$1,952.00	No Bid		\$285.00	\$2,280.00	\$251.00	\$2,008.00	\$162.90	\$1,303.20
16" Pedestrian Signal - 2 in 1, black, incandescent	8	each	\$244.00	\$1,952.00	No Bid		No Bid		\$139.00	\$1,112.00	\$153.99	\$1,231.92
12" Pedestrian Signal Lens - Plastic, WALK	8	each	\$93.00	\$744.00	No Bid		No Bid		No Bid		No Bid	
12" Pedestrian Signal Lens - Plastic, DON'T WALK	8	each	\$93.00	\$744.00	No Bid		No Bid		No Bid		No Bid	
Pedestrian Push Button - Black, ADA	8	each	\$164.00	\$1,312.00	No Bid		No Bid		\$49.00	\$392.00	\$29.00	\$232.00

**Tabulation of Bids Received
on July 25, 2019 at 3:30 p.m.
Traffic Signal Equipment & Supplies
Bid # 28-01-20**

			BIDDERS									
			Consolidated Traffic Controls, Inc Arlington, TX		Trafficware Group, Inc Sugarland, TX	MoboTrex, Inc Austin, TX		Paradigm Traffic Systems, Inc Arlington, TX		Traffic Parts, Inc Spring, TX		
Pedestal Base - Pelco PB-5335 or Approved Equal	10	each	\$237.00	\$2,370.00	No Bid	\$190.00	\$1,900.00	\$250.00	\$2,500.00	\$189.60	\$1,896.00	
Pole Cap - Pelco PB-5401 or Approved Equal	1	each	\$14.00	\$14.00	No Bid	\$12.00	\$12.00	\$15.00	\$15.00	\$14.52	\$14.52	
4-1/2" OD x 16" Aluminum Pole for Ped Base - Pelco PB-5100 or Approved Equal	1	each	\$292.00	\$292.00	No Bid	\$225.00	\$225.00	\$315.00	\$315.00	\$469.00	\$469.00	
U-Bolt Sign Clamp - 4" Pole (4-1/2" ID) - Pelco SH-0206 or Approved Equal	10	each	\$21.00	\$210.00	No Bid	\$24.00	\$240.00	\$23.00	\$230.00	\$20.34	\$203.40	
Astro Bracket – AS-3009; 62-Inch Cable	12	each	\$72.00	\$864.00	No Bid	\$62.00	\$744.00	\$78.00	\$936.00	\$66.98	\$803.76	
Astro Bracket – AS-3009; 84-Inch Cable	12	each	\$77.00	\$924.00	No Bid	\$70.00	\$840.00	\$84.00	\$1,008.00	\$69.26	\$831.12	
Astro Bracket – AS-3009; 96-Inch Cable	12	each	\$80.00	\$960.00	No Bid	\$78.00	\$936.00	\$87.00	\$1,044.00	\$71.42	\$857.04	
Astro Arm Kit – AB-4001	12	each	\$29.00	\$348.00	No Bid	\$34.00	\$408.00	\$35.00	\$420.00	\$21.09	\$253.08	
12" LED – Red	12	each	\$26.00	\$312.00	No Bid	\$26.00	\$312.00	\$43.00	\$516.00	\$36.00	\$432.00	
12" LED – Yellow	12	each	\$26.00	\$312.00	No Bid	\$26.00	\$312.00	\$46.00	\$552.00	\$39.13	\$469.56	
12" LED – Green	12	each	\$26.00	\$312.00	No Bid	\$26.00	\$312.00	\$43.00	\$516.00	\$36.00	\$432.00	
12" LED – Yellow Arrow	12	each	\$29.00	\$348.00	No Bid	\$36.00	\$432.00	\$49.00	\$588.00	\$41.63	\$499.56	
12" LED – Green Arrow	12	each	\$29.00	\$348.00	No Bid	\$36.00	\$432.00	\$59.00	\$708.00	\$49.13	\$589.56	
8" LED – Red	12	each	\$42.00	\$504.00	No Bid	\$46.00	\$552.00	\$42.00	\$504.00	\$36.00	\$432.00	
8" LED – Yellow	12	each	\$42.00	\$504.00	No Bid	\$46.00	\$552.00	\$44.00	\$528.00	\$37.25	\$447.00	
8" LED – Green	12	each	\$42.00	\$504.00	No Bid	\$46.00	\$552.00	\$42.00	\$504.00	\$36.00	\$432.00	
8" LED – Yellow Arrow	12	each	\$44.00	\$528.00	No Bid	\$64.00	\$768.00	No Bid		No Bid		
8" LED – Green Arrow	12	each	\$44.00	\$528.00	No Bid	\$64.00	\$768.00	No Bid		No Bid		
12" Visor – Universal Black Plastic Tunnel	50	each	\$28.00	\$1,400.00	No Bid	\$14.00	\$700.00	\$14.00	\$700.00	\$8.91	\$445.50	
12" Visor – Universal Yellow Metal Tunnel	50	each	\$28.00	\$1,400.00	No Bid	\$14.00	\$700.00	\$12.00	\$600.00	\$17.85	\$892.50	
8" Visor – Universal Yellow Metal Tunnel	50	each	\$28.00	\$1,400.00	No Bid	\$10.00	\$500.00	\$22.00	\$1,100.00	\$12.47	\$623.50	
12" Pedestrian Visor – Black Plastic	12	each	\$31.00	\$372.00	No Bid	\$12.00	\$144.00	\$20.00	\$240.00	\$7.83	\$93.96	
17" x 34" x 12" Service Box	8	each	\$231.00	\$1,848.00	No Bid	\$820.00	\$6,560.00	\$469.00	\$3,752.00	\$241.25	\$1,930.00	
BID SECTION #7 TOTAL			\$29,170.00		No Bid	\$29,093.00		\$29,384.00		\$21,557.90		
BID SECTION #8 - BATTERIES (AWARDED BY SECTION)												
DESCRIPTION	QTY	UNIT	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
12-Volt Gell Cell Batteries for Solar Flashers	6	each	\$416.00	\$2,496.00	\$325.00	\$1,950.00	No Bid		No Bid		\$285.00	\$1,710.00
BID SECTION #8 TOTAL			\$2,496.00		\$1,950.00		No Bid		No Bid		\$1,710.00	
BID SECTION #9 - SOLAR SCHOOL FLASHING BEACON (AWARDED BY LINE ITEM)												
DESCRIPTION	QTY	UNIT	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
Solar School Flashing Beacon with Pager	2	each	No Bid		\$5,319.00	\$10,638.00	No Bid		No Bid		No Bid	
Solar School Flashing Beacon with RTC M2M Cellular Communications Modem	2	each	No Bid		No Bid		No Bid		No Bid		No Bid	
BID SECTION #9 TOTAL			No Bid		\$10,638.00		No Bid		No Bid		No Bid	
TOTAL BID AMOUNT			\$31,666.00		\$82,334.20		\$48,841.00		\$35,690.00		\$28,519.90	
TOTAL AWARDED BID AMOUNT			\$6,996.00		\$47,614.20		\$3,825.00		\$1,712.00		\$12,953.82	
Acknowledgement of Addendums (2)			Yes		Yes		No		Yes		Yes	
Comply with 45 Delivery			Yes		Yes		Yes		No		No	
Execeptions			No		Yes		No		Yes		Yes	
Credit Check Authorization			Yes		Yes		Yes		Yes		Yes	
Local Preference			No		No		No		No		No	

Recommended for Council Award
Tie Bid; Draw Determined Recommended Low Bidder
Rejection of Bid - Reevaluation of Needs by Department
Rejection of Bid - Lack of Competitiveness

RESOLUTION NO. 2019-9841-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A PURCHASE AGREEMENT IN THE ESTIMATED AMOUNT OF \$50,000 WITH TRAFFICWARE GROUP, INC OF SUGARLAND, TEXAS FOR TRAFFIC SIGNAL EQUIPMENT AND SUPPLIES FOR FISCAL YEAR 2020; REJECTING BIDS RECEIVED FOR SIGNAL CABINETS WITHOUT CONTROLLERS AND SCHOOL FLASHING BEACONS; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the City's Traffic Signal Division evaluates traffic signal needs throughout the year and procures these items as needed during the year utilizing a cooperative contract;

Whereas, on July 25, 2019, Staff received five bids for the annual purchase of traffic signal equipment and supplies - the solicitation asked for pricing on several possible traffic signal equipment and supply items that may be needed on an as-needed basis throughout the year;

Whereas, the bid was stated to be awarded by section, except for Sections 7 and 9, which were stated to be awarded by line item;

Whereas, only one of the bidders, Trafficware Group, Inc. (Trafficware) has a recommended award that Staff anticipates could exceed \$50,000;

Whereas, Staff recommends Council authorize a purchase agreement in the estimated amount of \$50,000 with Trafficware Group, Inc. of Sugarland, Texas for traffic signal equipment and supplies for fiscal year 2020 – this agreement will commence immediately upon award and will be effective through September 30, 2020, with the option to extend the agreement for four additional one-year periods if so agreed to between the City and Trafficware;

Whereas, per the Local Government Code §252.043(f), the governing body is the designated authority to reject any and all bids and as such, Staff recommends Council reject all bids received for signal cabinets without controllers and school flashing beacons, Sections 2 and 9;

Whereas, funding is included in the adopted fiscal year 2020 budget in Account No. 110-2800-532-2334 - it is anticipated that many of these supplies will be used in capital projects that will be funded with project-specific funds; 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 Interim City Attorney, to execute a purchase agreement for traffic signal equipment and supplies for fiscal year 2020 with Trafficware Group, Inc of Sugarland, Texas in the estimated annual amount of \$50,000:

Part 3: The City Council rejects the bids received for signal cabinets without controllers and school flashing beacons as set forth in Sections 2 and 9 of the bid documents.

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

PASSED AND APPROVED this the 3rd day of **October**, 2019.

THE CITY OF TEMPLE, TEXAS

TIMOTHY A. DAVIS, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
Interim City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

10/03/19
Item #7(K)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

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

ITEM DESCRIPTION: Consider adopting a resolution authorizing the single source purchase of Spartan repair parts and service during FY2020 from Metro Fire Apparatus Specialists, Inc. of Houston, in the estimated annual amount of \$50,000.

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

ITEM SUMMARY: Approval of this single source purchase will provide for the purchase of certified Spartan parts and service for several Fire Department rescue trucks on an as-needed basis during FY2020.

The Fire Department currently utilizes 10 Spartan cabs and chassis in its fleet of rescue trucks. These trucks have multiple components that wear out, and the units must be maintained with new parts to work properly.

Spartan only distributes its parts through its full-service dealers, and as such, the procurement of Spartan parts from Metro Fire Apparatus Specialists, Inc. is a single source purchase as defined within the Local Government Code §252.022(7)(D), captive replacement parts or components for equipment.

FISCAL IMPACT: Repair parts and services for Spartan rescue trucks are purchased on an as-needed basis by the Fleet Services department on behalf of the Fire Department. The adopted FY2020 Budget includes funding for Fire Department fleet repairs. Based on historical expenditures, the estimated Spartan parts and services needed for FY2020 will total approximately \$50,000.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. 2019-9842-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A SINGLE SOURCE PURCHASE AGREEMENT WITH METRO FIRE APPARATUS SPECIALISTS, INC. OF HOUSTON, TEXAS IN THE ESTIMATED ANNUAL AMOUNT OF \$50,000, FOR SPARTAN SERVICE AND REPAIR PARTS FOR FISCAL YEAR 2020; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the Fire Department currently utilizes 10 Spartan cabs & chassis in its fleet of rescue trucks – these trucks have multiple components that wear out, and the units must be maintained with new parts to work properly;

Whereas, Spartan only distributes its parts through its full-service dealers, and as such, the procurement of Spartan parts from Metro Fire Apparatus Specialists, Inc. is a single source purchase as defined within the Local Government Code §252.022(7)(D), captive replacement parts or components for equipment;

Whereas, repair parts and services for Spartan rescue trucks are purchased on an as-needed basis by Fleet Services on behalf of the Fire Department which has budgeted for these purchases in their fiscal year 2020 annual budget; and

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

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

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

Part 2: The City Council authorizes the City Manager, or her designee, after approval as to form by the Interim City Attorney, to execute a single source purchase agreement with Metro Fire Apparatus Specialists, Inc. of Houston, Texas, in the estimated annual amount of \$50,000, for Spartan service and repair parts for fiscal year 2020.

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

PASSED AND APPROVED this the **3rd** day of **October**, 2019.

THE CITY OF TEMPLE, TEXAS

TIMOTHY A. DAVIS, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
Interim City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

10/03/19
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Consent Agenda
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DEPT./DIVISION SUBMISSION & REVIEW:

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

ITEM DESCRIPTION: Consider adopting a resolution authorizing the single source purchase of Toro repair parts and service during FY2020 from Professional Turf Products, LP of Euless, in the estimated annual amount of \$70,000.

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

ITEM SUMMARY: Authorization of this single source purchase will allow for the purchase of certified Toro repair parts, and when needed, the service of Toro equipment during FY2020.

The City currently owns and maintains 19 pieces of Toro mowing and turf equipment. Toro has designated Professional Turf Products, LP as the only authorized service and parts supplier for our geographical area. To maintain warranties on equipment and to alleviate equipment downtime, Fleet staff deems it important to use only certified Toro parts.

The single source bidding exemption is stated within the Texas Local Government Code §252.022(7)(D), captive replacement parts or components for equipment.

FISCAL IMPACT: Repair parts and service for Toro equipment are purchased on an as needed basis by Fleet Services on behalf of several departments. Each respective department has budgeted for repairs in the adopted FY 2020 Budget. Based on historical expenditures, the estimated spend for Toro parts and services during FY 2020 is \$70,000.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. 2019-9843-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A SINGLE SOURCE PURCHASE AGREEMENT WITH PROFESSIONAL TURF PRODUCTS, LP OF EULESS, TEXAS IN THE ESTIMATED ANNUAL AMOUNT OF \$70,000, FOR TORO SERVICE AND REPAIR PARTS FOR FISCAL YEAR 2020; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the City owns and maintains 19 pieces of Toro mowing and turf equipment and Toro has designated Professional Turf Products, LP of Euless, Texas as the only authorized service and parts supplier in our geographical area;

Whereas, in order to maintain warranties on equipment and to alleviate equipment downtime, Staff deems it important to use only certified Toro parts;

Whereas, for this reason, Staff believes that the single source purchasing exemption as defined within the Texas Local Government Code §252.022 applies;

Whereas, repair parts and services for Toro equipment are purchased on an as-needed basis and each department which utilizes Toro parts or services has budgeted for these purchases in their fiscal year 2020 annual budgets; 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 Interim City Attorney, to execute a single source purchase agreement with Professional Turf Products, LP of Euless, Texas, in the estimated annual amount of \$70,000, for Toro service and repair parts for fiscal year 2020.

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

PASSED AND APPROVED this the **3rd** day of **October**, 2019.

THE CITY OF TEMPLE, TEXAS

TIMOTHY A. DAVIS, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
Interim City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

10/03/19
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Consent Agenda
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DEPT./DIVISION SUBMISSION & REVIEW:

Alan DeLoera, Information Technology Director

ITEM DESCRIPTION: Consider adopting a resolution authorizing the annual renewal of budgeting, performance, strategic planning and citizen engagement software subscription with Carahsoft Technology Corporation of Reston, Virginia, in the amount of \$79,207.

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

ITEM SUMMARY: The City purchased a budgeting, performance, strategic planning and citizen engagement solution with OpenGov, Inc. that will allow departments to budget, plan, report, and communicate based on that strategic plan which will drive departmental objectives and efficiency. OpenGov software enables this full cycle of internal planning, budgeting, reporting in a single platform, eliminating challenges involved in working with silo tools for different functions. In addition, anything the City is using OpenGov for internally, can be used, and easily re-purposed if desired, for citizen engagement/communications. The reporting, dashboards, and other information in OpenGov can be easily published for internal management reports with narrative, graphics, and other assets. If desired, it is simple to make this content available (modified or not) on your website for citizens and stakeholders.

OpenGov allows for creation of yearly budget by user departments, outside of Naviline, to be imported back into Naviline when done as well as eases the creation of a Budget book. It will display our city Budget online with easy to use graphs and data, has access to open data sources from other data sources and can be easily manipulated to create different graphs and comparisons. The software has a CIP module that be used to track CIP projects and budget online that allows visibility to our citizens.

The OpenGov platform will enable City Staff the ability to track our strategic plan internally in easy to use dashboards, while providing administration and department heads the ability to see executive views of city performance. OpenGov uniquely ties together our financial and non-financial data from across the City's current systems and ties it together in a single source of truth. OpenGov will provide internal efficiencies and streamline information sharing tied to our new strategic plan, which will increase data-driven decision making.

OpenGov's modern user interface, intuitive tools for key processes and reporting can extend the life and utility of our Naviline financial software, defraying/delaying significant cost, risk, and disruption of an ERP replacement project until it is convenient and desirable for the City. Our ongoing yearly cost of the subscription will be \$79,207 beginning in October of 2019.

The OpenGov platform will be purchased through Carahsoft Technology Corporation which has been awarded a Texas Department of Information Resources (DIR) contract #DIR-TSO-3926, which this purchase is recommended for awarded under. Contracts awarded by DIR have been competitively procured and meet the statutory procurement requirements for Texas municipalities.

FISCAL IMPACT: Funding for the annual renewal of the OpenGov software subscription with Carahsoft Technology Corporation in the amount of \$79,207 is appropriated in account 110-1900-519-2515.

ATTACHMENTS:
[Resolution](#)

RESOLUTION NO. 2019-9844-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE ANNUAL RENEWAL OF A BUDGETING, PERFORMANCE, STRATEGIC PLANNING AND CITIZEN ENGAGEMENT SOFTWARE SUBSCRIPTION IN THE AMOUNT OF \$79,207, WITH CARAHSOFT TECHNOLOGY CORPORATION OF RESTON, VIRGINIA; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the City purchased a budgeting, performance, strategic planning and citizen engagement solution with OpenGov, Inc. that will allow departments to budget, plan, report, and communicate based on that strategic plan which will drive departmental objectives and efficiency;

Whereas, OpenGov software enables this full cycle of internal planning, budgeting, reporting in a single platform, eliminating challenges involved in working with silo tools for different functions - in addition, anything the City is using OpenGov for internally, can be used, and easily repurposed if desired, for citizen engagement/communications;

Whereas, the reporting, dashboards, and other information in OpenGov can be easily published for internal management reports with narratives, graphics, and other assets and it is simple to make this content available (modified or not) on your website for citizens and stakeholders;

Whereas, OpenGov allows for creation of yearly budgets by user departments, outside of Naviline, to be imported back into Naviline when done, as well as eases the creation of a Budget book which will display the City's budget online with easy to use graphs and data, has access to open data sources from other data sources, and can be easily manipulated to create different graphs and comparisons;

Whereas, the software has a CIP module that can be used to track CIP projects and budget online that allows visibility to our citizens - the OpenGov platform will enable Staff the ability to track our strategic plan internally in easy to use dashboards, while providing administration and department heads the ability to see executive views of city performance;

Whereas, OpenGov uniquely ties together the City's financial and non-financial data from across the current systems- OpenGov will provide internal efficiencies and streamline information sharing tied to the City's new strategic plan, which will increase data-driven decision making;

Whereas, OpenGov's modern user interface, intuitive tools for key processes, and reporting, can extend the life and utility of our Naviline financial software, defraying/delaying significant cost, risk, and disruption of an ERP replacement project until it is convenient and desirable for the City;

Whereas, Carahsoft Technology Corporation has been awarded a Texas Department of Information Resources (DIR) contract No. DIR-TSO-3926 - contracts awarded by DIR have been competitively procured and meet the statutory procurement requirements for Texas municipalities;

Whereas, Staff recommends Council authorize an annual renewal of a budgeting, performance, strategic planning and citizen engagement software subscription in the amount of \$79,207, from Carahsoft Technology Corporation of Reston, Virginia;

Whereas, funding is available in Account No. 110-1900-519-2515 for the renewal of this software subscription for fiscal year 2020; 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 annual renewal of a budgeting, performance, strategic planning and citizen engagement software subscription in the amount of \$79,207, from Carahsoft Technology Corporation of Reston, Virginia, and authorizes the City Manager, or her designee, after approval as to form by the Interim City Attorney, to execute any documents necessary for this purchase.

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

PASSED AND APPROVED this the 3rd day of **October**, 2019.

THE CITY OF TEMPLE, TEXAS

TIMOTHY A. DAVIS, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
Interim City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

10/03/19
Item #7(N)
Consent Agenda
Page 1 of 2

DEPT. / DIVISION SUBMISSION & REVIEW:

Kayla Landeros, Interim City Attorney
Christina Demirs, Deputy City Attorney

ITEM DESCRIPTION: Consider adopting a resolution authorizing approval of a street use license to allow for the encroachment of a sidewalk café in the City's the right-of-way at the southwest corner of East Central Avenue and South 2nd Street.

STAFF RECOMMENDATION: Approve a SUL as presented in the Item Description.

ITEM SUMMARY: The applicant, Caelum Altus IV, LLC, a Texas limited liability company, has submitted this request for a street use license. Applicant owns the real property legally described as the East One-Half (E.1/2) of Lots 11 and 12 less nine inches off East end of the East ½ of said Lots and Lot 13, Block 22, of Original Town of Temple, an addition in Bell County, Texas, according to the plat of record in Volume 36, Page 640, Deed Records of Bell County, Texas and commonly known as 17 East Central Avenue, Temple, Texas (Property). Exhibit A.

The Applicant proposes to construct the following facilities at the southwest corner of East Central Avenue and South 2nd Street in City right-of-way:

- 1) To install a handrail to section off an approximately 808 square foot area of the sidewalk in the sidewalk right-of-way of East Central Avenue and the sidewalk right-of-way of South 2nd Street, abutting the Property;
- 2) To occupy the area within the railing with tables and chairs for covered outdoor restaurant seating and install a canopy over the seating area. The canopy over will extend approximately 10 feet from the north and east sides of the Property;
- 3) To construct an approximately 77-foot by 9.5-foot elevated patio in the sidewalk right-of-way of South 2nd Street to allow ADA compliant access to the east entrance of the Property. Exhibit B.

Staff has contacted all public and private utility service providers and no objections to the street use license were received.

Per City Charter Section 10.8: Street Use License, City Council approval is required for an encroachment on public property for a term not to exceed 15 years so long as the use is not inconsistent with the rights of the public.

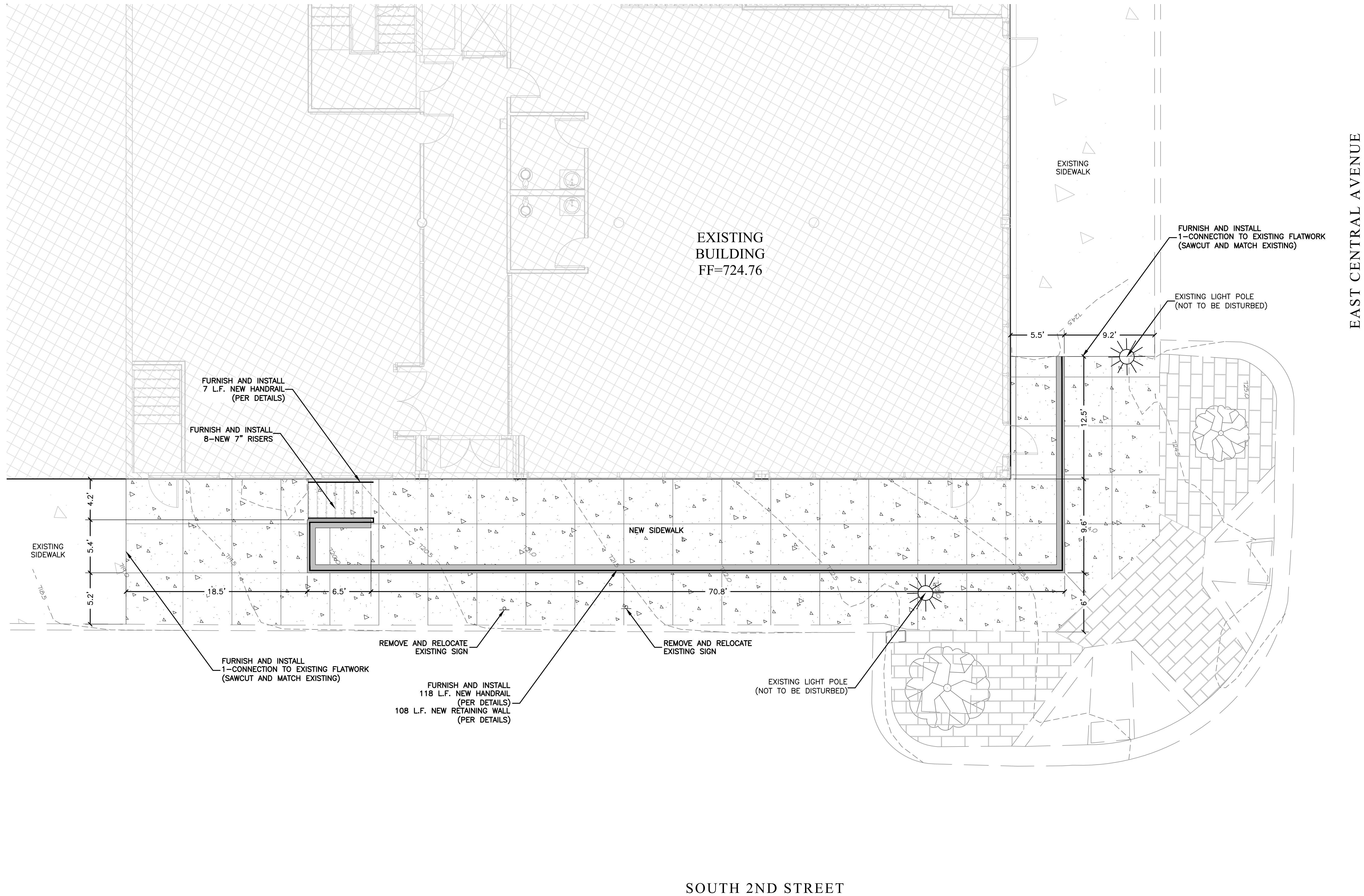
Additionally, Texas Transportation Code Chapter 316 and City Ordinance require certain findings be made by City Council in order for the requested facility to be established. After review of the application, it is Staff's recommendation the required findings are met:

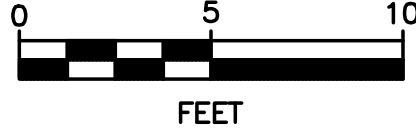
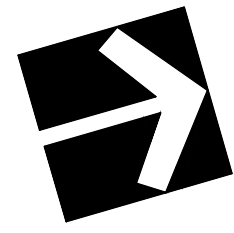
1. The encroachment will not intrude on a part of the sidewalk needed for pedestrian use;
2. The encroachment will not create a hazardous condition or obstruction of pedestrian travel on the municipal street;
3. The design and location of the encroachment includes all reasonable planning to minimize potential injury or interference to the public in the use of the municipal street;
4. The encroachment does not interfere does not interfere with the public use of a sidewalk or create a dangerous condition on the sidewalk;
5. The encroachment will not create private parking within the public right-of-way;
6. Access by the City or utility companies will not be substantially impaired by the proposed encroachment;
7. The encroachment does not conflict with the ADA; and
8. The encroachment does not obstruct public passage or utility facilities.

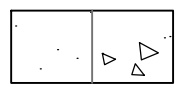
FISCAL IMPACT: Not applicable


ATTACHMENTS:

[Exhibit A and B](#)
[Resolution](#)





LEGEND
 NEW CONCRETE SIDEWALK
(PER PROJECT DETAILS)



CLARK & FULLER
CIVIL ENGINEERING • DESIGN • PLANNING

17 EAST CENTRAL
NEW PATIO AND SIDEWALK
IMPROVEMENTS
TEMPLE, TEXAS

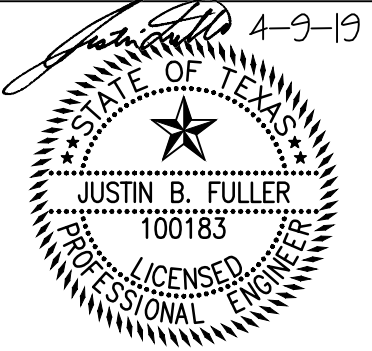
SITE DIMENSION PLAN

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

☐ FOR CONSTRUCTION
FINAL DRAWINGS

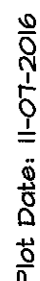


4-9-19

Designed	JBF
Drafted	ECB
Project No	191954.00
Plot Date	4-9-19

C4.1

(Asphalt Surface)
17 E. CENTRAL AVENUE



RESOLUTION NO. 2019-9845-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING APPROVAL OF A STREET USE LICENSE TO ALLOW FOR THE ENCROACHMENT OF A SIDEWALK CAFÉ IN THE CITY'S RIGHT OF WAY AT THE SOUTHWEST CORNER OF EAST CENTRAL AVENUE AND SOUTH 2ND STREET; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the applicant Caelum Altus IV, LLC, a Texas limited liability company, submitted a request for a street use license - applicant owns the real property legally described as the East One-Half (E.1/2) of Lots Eleven (11) and Twelve (12) less 9 inches off East end of the East ½ of said Lots and Lot Thirteen (13), Block Twenty-two (22), of Original Town of Temple, an addition in Bell County, Texas, according to the plat of record in Volume 36, Page 640, Deed Records of Bell County, Texas and commonly known as 17 East Central Avenue, Temple, Texas, more fully described in Exhibit 'A,' attached hereto and made a part hereof for all purposes;

Whereas, the applicant proposes to construct the following facilities at the southwest corner of East Central Avenue and South 2nd Street, in the City's right of way:

- Installation of a handrail to section off an approximately 808 square foot area of the sidewalk in the sidewalk right of way of East Central Avenue and the sidewalk right of way of South 2nd Street, abutting the Property;
- Occupy the area within the railing with tables and chairs for covered outdoor restaurant seating and install a canopy over the seating area - the canopy over the seating area will extend approximately 10 feet from the north and east sides of the Property; and
- Construct an approximately 77-foot by 9.5-foot elevated patio in the sidewalk right of way of South 2nd Street to allow for ADA compliant access to the east entrance of the Property, more fully described in Exhibit 'B,' attached hereto and made a part hereof for all purposes;

Whereas, Staff has contacted all public and private utility service providers and no objections to the street use license were received;

Whereas, per City Charter Section 10.8: Street Use License, City Council approval is required for an encroachment on public property for a term not to exceed 15 years so long as the use is not inconsistent with the rights of the public;

Whereas, additionally, Texas Transportation Code Chapter 316 and City Ordinance require certain findings be made by City Council in order for the requested facility to be established - after review of the application, it is Staff's recommendation the required findings are met:

- The encroachment will not intrude on a part of the sidewalk needed for pedestrian use;

- The encroachment will not create a hazardous condition or obstruction of pedestrian travel on the municipal street;
- The design and location of the encroachment includes all reasonable planning to minimize potential injury or interference to the public in the use of the municipal street; The encroachment does not interfere with the public use of a sidewalk or create a dangerous condition on the sidewalk;
- The encroachment will not create private parking within the public right of way;
- Access by the City or utility companies will not be substantially impaired by the proposed encroachment;
- The encroachment does not conflict with the ADA;
- The encroachment does not obstruct public passage or utility facilities; and

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

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

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

Part 2: The City Council approves a Street Use License to allow for the encroachment of a sidewalk café in the City's right of way at the southwest corner of East Central Avenue and South 2nd Street.

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

PASSED AND APPROVED this the 3rd day of **October**, 2019.

THE CITY OF TEMPLE, TEXAS

TIMOTHY A. DAVIS, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
Interim City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

10/03/19
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DEPT./DIVISION SUBMISSION & REVIEW:

Erin Smith, Assistant City Manager

ITEM DESCRIPTION: Consider adopting a resolution authorizing acceptance of the FY20 Texas Department of Transportation, Aviation Division, Routine Airport Maintenance Program Grant, in the amount of \$100,000 (City match of \$50,000), to assist with funding of airport maintenance at the Draughon-Miller Central Texas Regional Airport.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The City of Temple has participated in the annual RAMP grant program through the Texas Department of Transportation, Aviation Division for many years. The RAMP grant is a pro-active, flexible grant program that allows the City to fund airport maintenance projects as needed upon execution of the grant.

TxDOT has approved Temple's participation for inclusion in the FY20 RAMP Program at the maximum level of \$100,000 (50/50 share). The City's matching funds are incorporated into the Reinvestment Zone No. 1 Financing Plan.

FISCAL IMPACT: The expenditure of \$100,000 (which includes the City's \$50,000 match) was approved in the Reinvestment Zone No. 1 Financing and Project Plans, line 514, in account 795-9500-531-6341, project 101983. TxDOT Aviation will reimburse the City 50% of the total project cost not to exceed \$50,000.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. 2019-9846-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING ACCEPTANCE OF A TEXAS DEPARTMENT OF TRANSPORTATION, AVIATION DIVISION, ROUTINE AIRPORT MAINTENANCE GRANT IN THE AMOUNT OF \$100,000 (CITY MATCH OF \$50,000) FOR FISCAL YEAR 2020, TO ASSIST WITH FUNDING OF AIRPORT MAINTENANCE AT THE DRAUGHON-MILLER CENTRAL TEXAS REGIONAL AIRPORT; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the City of Temple has participated in the annual Routine Airport Maintenance Grant (RAMP) program through the Texas Department of Transportation, Aviation Division for several years;

Whereas, the RAMP grant is a pro-active, flexible grant program that allows the City to fund airport maintenance projects as-needed upon execution of the grant;

Whereas, the Texas Department of Transportation has approved Temple's participation for inclusion in the fiscal year 2020 RAMP Program at the maximum level of \$100,000 (50/50 share);

Whereas, the expenditure of \$100,000 (which includes the City's \$50,000 match) was approved in the Reinvestment Zone No. 1 Financing Plan, Line 514, in Account No. 795-9500-531-6341, Project No. 101983 - Texas Department of Transportation Aviation will reimburse the City 50% of the total project cost not to exceed \$50,000; and

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

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

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

Part 2: The City Council accepts a Texas Department of Transportation, Aviation Division, Routine Airport Maintenance Grant, in the amount of \$100,000 (City match of \$50,000) for fiscal year 2020 to assist with funding of airport maintenance at the Draughon-Miller Central Texas Regional Airport.

Part 3: The Council authorizes the City Manager, or her designee, after approval as to form by the Interim City Attorney, to execute any documents which may be necessary for the acceptance of this grant, and to accept any and all funds that may be received for this grant.

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

PASSED AND APPROVED this the **3rd** day of **October**, 2019.

THE CITY OF TEMPLE, TEXAS

TIMOTHY A. DAVIS, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
Interim City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

10/03/19
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DEPT./DIVISION SUBMISSION & REVIEW:

Kayla Landeros, Interim City Attorney
Christina Demirs, Deputy City Attorney

ITEM DESCRIPTION: SECOND & FINAL READING: Consider adopting an ordinance establishing the City's Relocation Assistance Program.

STAFF RECOMMENDATION: Adopt ordinance on second and final reading.

ITEM SUMMARY: Texas Property Code § 21.046 requires a political subdivision of this state to provide a relocation advisory service to displaced individuals, families, businesses, farming and ranching operations, or nonprofit organizations as part of that political subdivision's cost of acquiring real property. The services provided must be compatible with the Federal Uniform Relocation Assistance and Real Property Acquisitions Policies Act of 1970, 42 U.S.C.A 4601, et seq, commonly referred to as the "Act" or "Uniform Act."

Though the City has not formally adopted the provisions the Uniform Act, the City has adhered to the requirements of the Uniform Act in instances where citizens are displaced due to the City's acquisition of real property. The City is seeking to formally adopt the Uniform Act and any future amendments as its Relocation Assistance Program.

FISCAL IMPACT: The cost associated with the relocation assistance program is determined on a case by case basis. As stated above, the City has adhered to the requirements of the Uniform Act in instances where citizens are displaced due to the City's acquisition of real property.

ATTACHMENTS:

[Proposed Relocation Assistance Program Ordinance](#)
[Ordinance](#)

Relocation Assistance Program

The City of Temple adopts, as its Relocation Assistance Program, the provisions of the *Federal Uniform Relocation Assistance and Real Property Policies Act of 1970, 42 U.S.C.A 4601, et seq.*, as it now exists and as it may be revised from time to time, including appendices. A copy of the *Federal Uniform Relocation Assistance and Real Property Policies Act of 1970* is maintained in the office of the City Attorney and available on the City's website.

ORDINANCE NO. 2019-4995

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE,
TEXAS, ESTABLISHING THE CITY'S RELOCATION ASSISTANCE
PROGRAM; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, Texas Property Code § 21.046 requires a political subdivision of the State of Texas to provide a relocation advisory service to displaced individuals, families, businesses, farming and ranching operations, or nonprofit organizations as part of that political subdivision's cost of acquiring real property - the services provided must be compatible with the Federal Uniform Relocation Assistance and Real Property Acquisitions Policies Act of 1970, 42 U.S.C.A 4601, et seq, commonly referred to as the "Act" or "Uniform Act;"

Whereas, though the City has not formally adopted the provisions the Uniform Act, the City has adhered to the requirements of the Uniform Act in instances where citizens are displaced due to the City's acquisition of real property - the City is seeking to formally adopt the Uniform Act and any future amendments as its Relocation Assistance Program;

Whereas, the cost associated with the Relocation Assistance Program is determined on a case by case basis and as stated above and the City has adhered to the requirements of the Uniform Act in instances where citizens are displaced due to the City's acquisition of real property; 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, 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 adopts the Federal Uniform Relocation Assistance and Real Property Acquisitions Policies Act of 1970, 42 U.S.C.A 4601, et seq, as the City of Temple's Relocation Assistance Program.

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

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

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

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

PASSED AND APPROVED on First Reading and Public Hearing on the **19th** day of **September**, 2019.

PASSED AND APPROVED on Second Reading on the **3rd** day of **October**, 2019.

THE CITY OF TEMPLE, TEXAS

TIMOTHY A. DAVIS, MAYOR

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
Interim City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

10/03/19
Item #7(Q)
Consent Agenda
Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

Brynn Myers, City Manager
Kevin Beavers, CPRP, Parks and Recreation Director

ITEM DESCRIPTION: Consider adopting a resolution authorizing the City Manager to execute certain documents required by the Texas Commission on Environmental Quality for the voluntary cleanup of the Bend of the River property.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: In August 2011, the City of Temple accepted the donation of approximately 30 acres of land off of Interstate 35 near the Temple/Belton city limits. The property was donated by the Reuben D. Talasek family and is commonly referred to as Bend of the River. Before the donation, certain pollutants had been discovered on the property which resulted from the previous operations of Rockwool Industries located across the Leon River.

After acquiring the property, the City worked with the Texas Commission on Environmental Quality ("TCEQ") to gain entry into TCEQ's Voluntary Cleanup Program. The Voluntary Cleanup Program provides administrative, technical, and legal incentives to encourage the cleanup of contaminated sites. The City has been working with TCEQ and a hired consultant to satisfy the requirements of the Program so that further redevelopment of the site could occur.

TCEQ is prepared to issue a "Certificate of Completion" to the City for the Bend of the River Property. This is the final step of the Voluntary Cleanup Program. It requires that the City executed an Affidavit of Completion of Response Actions and a Restrictive Covenant for the property. The Affidavit states that the City has completed all required response actions and that those actions substantially eliminated present or future risk to public health and safety and to the environment. The Restrictive Covenant covers the entire 30-acre site and will prohibit the future use of groundwater. The Restrictive Covenant will be filed in the County Deed Records and will run with the land. It prohibits the use of and exposure of groundwater without the prior written approval from the TCEQ.

Staff is recommending Council authorize the City Manager to execute the Affidavit of Completion of Response Actions and the Restrictive Covenant.

FISCAL IMPACT: The City received a grant from the Centers for Disease Control and Prevention, Community Health Projects Related to Contamination at Brownfield/Land Reuse Sites program in the amount of \$150,000 for the development of a clean-up plan for the Bend of the River Property. There were no funds spent on actual clean-up of the property based on the outcome of the plan. There are no additional costs associated with the execution of the Affidavit of Completion of Response Actions or the Restrictive Covenant for the property.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. 2019-9847-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE CERTAIN DOCUMENTS REQUIRED BY THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY FOR THE VOLUNTARY CLEANUP OF THE BEND OF THE RIVER PROPERTY; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, in August 2011, the City of Temple accepted the donation of approximately 30 acres of land off of Interstate 35 near the Temple/Belton city limits which was donated by the Reuben D. Talasek family and is commonly referred to as Bend of the River - before the donation, certain pollutants had been discovered on the property which resulted from the previous operations of Rockwool Industries located across the Leon River;

Whereas, after acquiring the property, the City worked with the Texas Commission on Environmental Quality ("TCEQ") to gain entry into TCEQ's Voluntary Cleanup Program that provides administrative, technical, and legal incentives to encourage the cleanup of contaminated sites - the City has been working with TCEQ and a consultant to satisfy the requirements of the Program so that further redevelopment of the site could occur;

Whereas, TCEQ is prepared to issue a "Certificate of Completion" to the City for the Bend of the River Property - this is the final step of the Voluntary Cleanup Program which requires that the City execute an Affidavit of Completion of Response Actions and a Restrictive Covenant for the property;

Whereas, the Affidavit states that the City has completed all required response actions and that those actions substantially eliminated present or future risk to public health and safety and to the environment - the Restrictive Covenant will be filed in the County Deed Records, will run with the land which covers the entire 30-acre site, and will prohibit the future use of and exposure of groundwater without the prior written approval from the TCEQ;

Whereas, Staff recommends Council authorize the City Manager to execute the Affidavit of Completion of Response Actions and the Restrictive Covenant;

Whereas, the City received a grant from the Centers for Disease Control and Prevention, Community Health Projects Related to Contamination at Brownfield/Land Reuse Sites program in the amount of \$150,000 for the development of a clean-up plan for the Bend of the River Property - there were no funds spent on actual clean-up of the property based on the outcome of the plan and there are no additional costs associated with the execution of the Affidavit of Completion of Response Actions or the Restrictive Covenant for the property; 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 to execute the Affidavit of Completion of Response Actions and the Restrictive Covenant, after approval as to form by the Interim City Attorney.

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

PASSED AND APPROVED this the **3rd** day of **October**, 2019.

THE CITY OF TEMPLE, TEXAS

TIMOTHY A. DAVIS, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
Interim City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

10/03/19
Item #7(R)
Consent Agenda
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DEPT./DIVISION SUBMISSION & REVIEW:

Traci Barnard, Director of Finance
Kayla Landeros, Interim City Attorney

ITEM DESCRIPTION: Consider adopting a resolution approving the continued receipt of bingo prize funds as required by the Texas Legislature in House Bill 914.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: Under previous law, the City was entitled to receive a portion of the bingo prize fees collected by licensed and authorized bingo organizations in the city limits. Bingo organizations must collect on any prize of more than \$5 a fee in the amount of 5% of the amount of the prize. This past legislative session, the Texas Legislature passed House Bill 914 which requires that the City take action to approve the continued receipt of bingo prize funds. Pursuant to the legislation, the City must approve the continued receipt of its share of bingo prize fee funds, notify the Texas Lottery Commission of the City's decision before November 1, 2019, and notify each licensed authorized bingo organization in the City's jurisdiction of the continued imposition of the fee.

Staff recommends Council approve the continued receipt of bingo prize fee funds as required by House Bill 914.

FISCAL IMPACT: In FY 2018, the City received \$17,946 in revenue in account 110-0000-412-0825 related to the receipt of bingo prize fees.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. 2019-9848-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, APPROVING THE CONTINUED RECEIPT OF BINGO PRIZE FUNDS AS REQUIRED BY THE TEXAS LEGISLATURE IN HOUSE BILL 914; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, under previous law, the City was entitled to receive a portion of the bingo prize fees collected by licensed and authorized bingo organizations in the city limits - bingo organizations must collect on any prize of more than \$5, a fee in the amount of 5% of the amount of the prize;

Whereas, this past legislative session, the Texas Legislature passed House Bill 914 which requires that the City take action to approve the continued receipt of bingo prize funds - pursuant to the legislation, the City must approve the continued receipt of its share of bingo prize fee funds, notify the Texas Lottery Commission of the City's decision before November 1, 2019, and notify each licensed authorized bingo organization in the City's jurisdiction of the continued imposition of the fee;

Whereas, Staff recommends Council approve the continued receipt of bingo prize fee funds as required by House Bill 914;

Whereas, in fiscal year 2018, the City received \$17,946 in revenue in Account No. 110-0000-412-0825 related to the receipt of bingo prize fees; and

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

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

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

Part 2: The City Council approves the continued receipt of bingo prize fee funds as required by House Bill 914.

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

PASSED AND APPROVED this the **3rd** day of **October**, 2019.

THE CITY OF TEMPLE, TEXAS

TIMOTHY A. DAVIS, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
Interim City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

10/03/19
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DEPT./DIVISION SUBMISSION & REVIEW:

Traci Barnard, Director of Finance

ITEM DESCRIPTION: Consider adopting a resolution authorizing budget amendments for fiscal year 2019-2020.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: This item is to recommend various budget amendments, based on the adopted FY 2019-2020 budget. The amendments will involve transfers of funds between contingency accounts, department and fund levels.

FISCAL IMPACT: The total amount of budget amendments is \$242,679.

ATTACHMENTS:

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

CITY OF TEMPLE
BUDGET AMENDMENTS FOR FY 2020 BUDGET
October 03, 2019

ACCOUNT #	PROJECT #	DESCRIPTION	APPROPRIATIONS	
			Debit	Credit
365-1500-515-1112		Salaries / Professional	\$ 25,156	
365-1500-515-1220		Personnel Benefits / Retirement/Pension	\$ 4,303	
365-1500-515-1221		Personnel Benefits / Social Security	\$ 373	
365-1500-515-1232		Personnel Benefits / \$100 in Lieu of Insurance	\$ 611	
365-1500-515-1223		Personnel Benefits / Worker Compensation	\$ 91	
365-1500-515-1224		Personnel Benefits / Unemployment Insurance	\$ 81	
365-1500-515-1228		Personnel Benefits / Long Term Disability	\$ 93	
365-1500-515-1226		Personnel Benefits / Life Insurance	\$ 38	
365-1500-515-1227		Personnel Benefits / AD&D Insurance	\$ 8	
561-5000-535-1112		Salaries / Professional	\$ 25,155	
561-5000-535-1220		Personnel Benefits / Retirement/Pension	\$ 4,303	
561-5000-535-1221		Personnel Benefits / Social Security	\$ 374	
561-5000-535-1232		Personnel Benefits / \$100 in Lieu of Insurance	\$ 611	
561-5000-535-1223		Personnel Benefits / Worker Compensation	\$ 92	
561-5000-535-1224		Personnel Benefits / Unemployment Insurance	\$ 81	
561-5000-535-1228		Personnel Benefits / Long Term Disability	\$ 94	
561-5000-535-1226		Personnel Benefits / Life Insurance	\$ 38	
561-5000-535-1227		Personnel Benefits / AD&D Insurance	\$ 8	
365-1500-515-6536		Capital - Special Projects / Contingency		\$ 30,754
561-5000-535-6532		Capital - Special Projects / Contingency		\$ 30,756
<p>To allocate bond proceeds for the Project Manager (Engineering) position for FY 2020. This position is being funded 50% with Certificate of Obligation (TCIP) bond proceeds and 50% with Utility Revenue bond proceeds.</p>				
365-1500-515-1112		Salaries / Professional	\$ 46,379	
365-1500-515-1220		Personnel Benefits / Retirement/Pension	\$ 7,746	
365-1500-515-1221		Personnel Benefits / Social Security	\$ 670	
365-1500-515-1222		Personnel Benefits / Health Insurance	\$ 3,278	
365-1500-515-1223		Personnel Benefits / Worker Compensation	\$ 88	
365-1500-515-1224		Personnel Benefits / Unemployment Insurance	\$ 81	
365-1500-515-1228		Personnel Benefits / Long Term Disability	\$ 168	
365-1500-515-1226		Personnel Benefits / Life Insurance	\$ 67	
365-1500-515-1227		Personnel Benefits / AD&D Insurance	\$ 15	
365-1500-515-1225		Personnel Benefits / Dental Insurance	\$ 62	
365-1500-515-1236		Personnel Benefits / H.S.A. - City Contribution	\$ 593	
561-5000-535-1112		Salaries / Professional	\$ 46,378	
561-5000-535-1220		Personnel Benefits / Retirement/Pension	\$ 7,745	
561-5000-535-1221		Personnel Benefits / Social Security	\$ 670	
561-5000-535-1222		Personnel Benefits / Health Insurance	\$ 3,277	
561-5000-535-1223		Personnel Benefits / Worker Compensation	\$ 88	
561-5000-535-1224		Personnel Benefits / Unemployment Insurance	\$ 81	
561-5000-535-1228		Personnel Benefits / Long Term Disability	\$ 167	
561-5000-535-1226		Personnel Benefits / Life Insurance	\$ 67	
561-5000-535-1227		Personnel Benefits / AD&D Insurance	\$ 14	
561-5000-535-1225		Personnel Benefits / Dental Insurance	\$ 61	
561-5000-535-1236		Personnel Benefits / H.S.A. - City Contribution	\$ 592	
365-1500-515-6536		Capital - Special Projects / Contingency		\$ 59,147
561-5000-535-6532		Capital - Special Projects / Contingency		\$ 59,140
<p>To allocate bond proceeds for the Deputy City Attorney (Legal) position for FY 2020. This position is being funded 50% with Certificate of Obligation (TCIP) bond proceeds and 50% with Utility Revenue bond proceeds.</p>				

CITY OF TEMPLE
BUDGET AMENDMENTS FOR FY 2020 BUDGET
October 03, 2019

ACCOUNT #	PROJECT #	DESCRIPTION	APPROPRIATIONS	
			Debit	Credit
365-1500-515-1112		Salaries / Professional	\$ 14,690	
365-1500-515-1126		Salaries / Longevity	\$ 218	
365-1500-515-1220		Personnel Benefits / Retirement/Pension	\$ 2,533	
365-1500-515-1221		Personnel Benefits / Social Security	\$ 195	
365-1500-515-1222		Personnel Benefits / Health Insurance	\$ 2,555	
365-1500-515-1223		Personnel Benefits / Worker Compensation	\$ 42	
365-1500-515-1224		Personnel Benefits / Unemployment Insurance	\$ 90	
365-1500-515-1228		Personnel Benefits / Long Term Disability	\$ 46	
365-1500-515-1226		Personnel Benefits / Life Insurance	\$ 16	
365-1500-515-1227		Personnel Benefits / AD&D Insurance	\$ 4	
365-1500-515-1225		Personnel Benefits / Dental Insurance	\$ 61	
365-1500-515-1236		Personnel Benefits / HSA - City Contribution	\$ 739	
561-5000-535-1112		Salaries / Professional	\$ 14,691	
561-5000-535-1126		Salaries / Longevity	\$ 218	
561-5000-535-1220		Personnel Benefits / Retirement/Pension	\$ 2,533	
561-5000-535-1221		Personnel Benefits / Social Security	\$ 195	
561-5000-535-1222		Personnel Benefits / Health Insurance	\$ 2,555	
561-5000-535-1223		Personnel Benefits / Worker Compensation	\$ 43	
561-5000-535-1224		Personnel Benefits / Unemployment Insurance	\$ 90	
561-5000-535-1228		Personnel Benefits / Long Term Disability	\$ 46	
561-5000-535-1226		Personnel Benefits / Life Insurance	\$ 17	
561-5000-535-1227		Personnel Benefits / AD&D Insurance	\$ 4	
561-5000-535-1225		Personnel Benefits / Dental Insurance	\$ 62	
561-5000-535-1236		Personnel Benefits / HSA - City Contribution	\$ 739	
365-1500-515-6536		Capital - Special Projects / Contingency		\$ 21,189
561-5000-535-6532		Capital - Special Projects / Contingency		\$ 21,193
<p>To allocate bond proceeds for the Senior Project Engineer (Engineering) position for FY 2020. This position is being funded 25% with Certificate of Obligation (TCIP) bond proceeds, 25% with Utility Revenue bond proceeds and 50% operating budget.</p>				
110-2031-521-6229	102170	Capital Equipment / OCU State Seized Expenditure - K9	\$ 20,500	
110-0000-313-0330		Reserved for Drug Enforcement / Reserve for Seized Funds		\$ 20,500
<p>To appropriate state seized funds for the purchase of a new K9.</p>				
TOTAL AMENDMENTS			\$ 242,679	\$ 242,679
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			\$ -	
Added to Contingency Judgments & Damages from Council Contingency			-	
Taken From Judgments & Damages			-	
Net Balance of Judgments & Damages Contingency Account			\$ -	
Beginning Compensation Contingency			\$ 506,197	
Added to Compensation Contingency			-	
Taken From Compensation Contingency			-	
Net Balance of Compensation Contingency Account			\$ 506,197	
Net Balance Council Contingency			\$ 506,197	
Beginning Balance Budget Sweep Contingency			\$ -	
Added to Budget Sweep Contingency			-	
Taken From Budget Sweep			-	
Net Balance of Budget Sweep Contingency Account			\$ -	

CITY OF TEMPLE
BUDGET AMENDMENTS FOR FY 2020 BUDGET
October 03, 2019

ACCOUNT #	PROJECT #	DESCRIPTION	APPROPRIATIONS	
			Debit	Credit
		WATER & WASTEWATER FUND		
		Beginning Contingency Balance	\$	100,000
		Added to Contingency Sweep Account		-
		Taken From Contingency		-
		Net Balance of Contingency Account	\$	100,000
		Beginning Compensation Contingency	\$	93,500
		Added to Compensation Contingency		-
		Taken From Compensation Contingency		-
		Net Balance of Compensation Contingency Account	\$	93,500
		Net Balance Water & Wastewater Fund Contingency	\$	193,500
		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	\$	19,500
		Added to Compensation Contingency		-
		Taken From Compensation Contingency		-
		Net Balance of Compensation Contingency Account	\$	19,500
		Net Balance Hotel/Motel Tax Fund Contingency	\$	19,500
		DRAINAGE FUND		
		Beginning Contingency Balance	\$	488,446
		Added to Contingency Sweep Account		-
		Carry forward from Prior Year		-
		Taken From Contingency		-
		Net Balance of Contingency Account	\$	488,446
		Beginning Compensation Contingency	\$	10,500
		Added to Compensation Contingency		-
		Taken From Compensation Contingency		-
		Net Balance of Compensation Contingency Account	\$	10,500
		Net Balance Drainage Fund Contingency	\$	498,946
		FED/STATE GRANT FUND		
		Beginning Contingency Balance	\$	-
		Carry forward from Prior Year		-
		Added to Contingency Sweep Account		-
		Taken From Contingency		-
		Net Balance Fed/State Grant Fund Contingency	\$	-

RESOLUTION NO. 2019-9849-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, APPROVING BUDGET AMENDMENTS TO THE 2019-2020 CITY BUDGET; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on the 19th day of September, 2019, the City Council approved a budget for the 2019-2020 fiscal year; and

Whereas, the City Council deems it in the public interest to make certain amendments to the 2019-2020 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 hereby amends the 2019-2020 City Budget by adopting the budget amendments which are more fully described in Exhibit 'A,' attached hereto and made a part hereof for all purposes.

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

PASSED AND APPROVED this the 3rd day of **October**, 2019.

THE CITY OF TEMPLE, TEXAS

TIMOTHY A. DAVIS, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
Interim City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

10/03/19
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Regular Agenda
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DEPT. / DIVISION SUBMISSION & REVIEW:

Lynn Barrett, Assistant Director of Planning

ITEM DESCRIPTION: FIRST READING - PUBLIC HEARING – FY-19-25-ZC: Consider adopting an ordinance authorizing an amendment to Ordinance 2001-2750, related to an existing Planned Development-Single Family Three condition to allow single family development or redevelopment by right without site plan approval subject to existing Single Family Three setbacks and building permit requirements.

PLANNING & ZONING COMMISSION RECOMMENDATION: At its September 3, 2019 meeting, the Planning & Zoning Commission voted 7 to 0 to recommend approval of the PD amendment allowing single family detached construction for structures meeting Single Family Three setbacks and building permit standards.

STAFF RECOMMENDATION: Staff recommends approval of allowing single family development and redevelopment on the 62 subject properties without site plan approval for structures meeting SF-3 setbacks and building permit requirements.

PD Condition Part 2 (c) currently states:

Development or redevelopment of the property shall require site plan approval by both the Planning Commission and the City Council with the same requirements as for a zone change application;

Proposal is to add the following to above section Part 2 (c):

except for single family development or redevelopment, which shall be allowed by right without site plan approval subject to existing SF-3 setbacks and building permit requirements and exempting minimum SF-3 lot widths and minimum lot areas on existing lots.

ITEM SUMMARY: Recently, it came to staff's attention that in this area, the current PD zoning ordinance requires site plan approval by both the Planning Commission and City Council for all development or redevelopment in the PD district, even single family development. As this area has been identified as an ideal candidate for infill single family housing development near downtown, this PD condition, in retrospect appeared to dis-incentivize development there. A potential buyer of one of the properties owned by the Appraisal District inquired whether the zoning in that area would allow him to develop a home there. Due to the PD condition that states "development or redevelopment" has to earn site plan approval, the city's Legal Department rendered their opinion that any new housing was included in this condition, also. Planning staff then determined that given the city's emphasis on increasing housing opportunities, a city-initiated PD amendment to relax the site plan requirements would be a good step to promote development of single family detached housing in the area.

All development standards for Single Family-Three base zoning will be required to obtain a building permit for a new home. Any other development, single family or otherwise, would still be required to meet the ordinance conditions (see attached), including those on-site plan approvals.

DEVELOPMENT REGULATIONS: The attached diagram shows the setbacks for the base SF-3 zoning. Front, side and rear setbacks of 15, 5 and 10 feet respectively, would be enforced at the building permit approval stage, just as in other single family detached permit submittals.

The Development Review Committee reviewed the case on August 19, 2019 and found no significant issues. Water and wastewater lines are present to serve the subject properties.

PUBLIC NOTICE: One hundred seventeen (117) 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 Thursday August 29, 2019, at 12:00 PM, five notices were received in agreement and zero notices in disagreement have been received. Staff will provide an update regarding late notices, if necessary.

The newspaper printed notice of the public hearing on August 22, 2019, in accordance with state law and local ordinance.

FISCAL IMPACT: Not Applicable

ATTACHMENTS:

[Photos](#)

[SF-3 Setback Illustration](#)

[Old Ordinance 2001-2750](#)

[Maps](#)

[Notification Map](#)

[Returned Property Notices](#)

[Excerpts from Planning meeting](#)

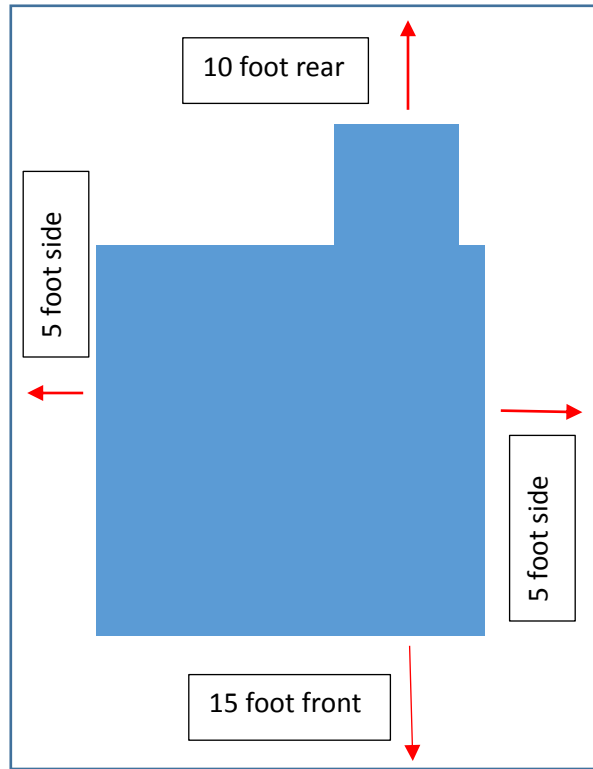
[Ordinance](#)

Photos









Street

Minimum Setbacks for SF-3 zoning

ORDINANCE NO. 2001-2750

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, APPROVING A ZONING CHANGE FROM LIGHT INDUSTRIAL DISTRICT (LI) AND TWO FAMILY DISTRICT (2F) TO PLANNED DEVELOPMENT (SINGLE FAMILY THREE) DISTRICT (PD-SF3) FOR A NEIGHBORHOOD COMPRISED OF SOUTH 10TH AND 12TH STREETS, PORTIONS OF BLOCKS 5 AND 6, CHAS. ROACH ADDITION, AND BLOCKS A, B, D, E, AND PORTIONS OF BLOCKS C AND F, CRAWFORD ADDITION, ALL BEING BETWEEN EAST AVENUE A AND EAST AVENUE D, IN ACCORDANCE WITH SECTIONS 7-500 THROUGH 7-509 OF THE COMPREHENSIVE ZONING ORDINANCE; PROVIDING CONDITIONS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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

Part 1: The zoning classification of the property described as South 10th and 12th Streets, portions of Blocks 5 and 6, Chas. Roach Addition, and Blocks A, B, D, E, and portions of Blocks C and F, Crawford Addition, all being between East Avenue A and East Avenue D, more fully described in Exhibit "A," attached hereto and made a part hereof for all purposes, is changed from Light Industrial District (LI) and Two Family District (2F) to Planned Development (Single Family Three) District (PD-SF3). A list of addresses which are included in the rezoning is attached as Exhibit "B."

Part 2: In accordance with Sections 7-500 through 7-509 of the Comprehensive Zoning Ordinance of the City of Temple, Texas, Ordinance No. 91-2101, is amended by changing the zoning classification of the property described in Part 1 above, to Planned Development Single Family Three District (PD-SF3), and shall comply with all applicable sections of the Code of Ordinances of the City of Temple, Texas, and all local, State and Federal laws and regulations as they may now read or hereafter be amended, including but not limited to the following conditions:

- (a) The use of the property shall conform to all requirements of the Single Family Three District (SF3). The existing beauty shop is allowed as an additional use to the Single Family Three District. Future beauty and barber shops are additional permitted uses;
- (b) The development of the property shall conform to all requirements of the Single Family Three District (SF3), except where there are existing buildings. These shall be allowed to follow the setbacks established by the existing buildings as shown on the site plan of the area (Exhibit "C"). If the existing building crosses over the property line, a zero foot setback will be used in the future; and
- (c) Development or redevelopment of the property shall require site plan approval by both the Planning Commission and the City Council with the same requirements as for a zone change application.

These conditions shall be expressed conditions of any building permit issued for construction on the property which may be enforced by the City of Temple by an action either at law or in equity, including the right to specifically enforce the requirements of the ordinance, and these requirements shall run with the land.

Part 3: The Director of Planning is hereby directed to make the necessary changes to the City Zoning Map accordingly.

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

Part 5: This ordinance shall take effect 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.

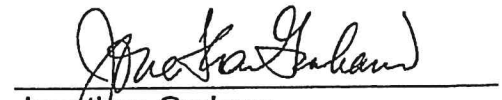
PASSED AND APPROVED on First Reading on the 1st day of March, 2001.

PASSED AND APPROVED on Second and Final Reading on the 15th day of March, 2001.

THE CITY OF TEMPLE, TEXAS


KEIFER MARSHALL, JR., Mayor

APPROVED AS TO FORM:

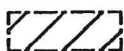

Jonathan Graham
City Attorney

ATTEST:




Clydette Entzminger
City Secretary

'10TH STREET REZONE' AREA LI & 2F TO SF-3



Proposed area to be
rezoned to SF-3.



**CITY OF TEMPLE
PLANNING DEPARTMENT**

10THSTREET.DWG
J.STONE 2/05/01
SCALE: 1"=200'

EXHIBIT 'A'

EXHIBIT B

LIST OF ADDRESSES IN AREA BEING CONSIDERED FOR REZONING

111, 112, 116, 117, 120, 201, 202, 205, 206, 208, 209, 211, 212, 213, 214, 302, 303, 305, 308, 309, 310, 312, 314, 315, 317, 319, and 320 South 10th Street

108, 110, 112, 114, 202, 203, 205, 206, 207, 209, 210, 211, 212, 213, 214, 215, 219, 305, 306, 308, 309, 311, 312, 314, and 321 South 12th Street

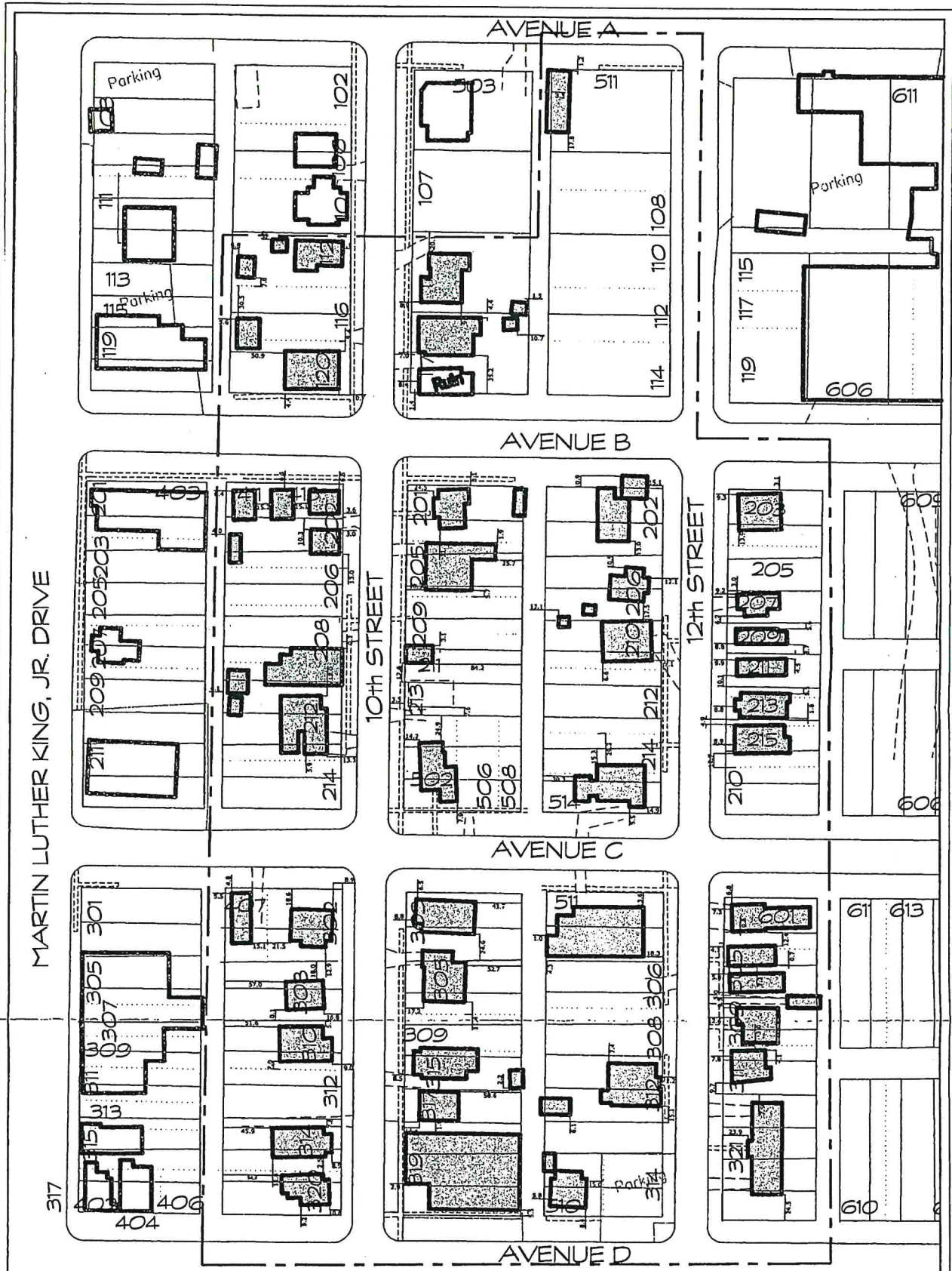
511 East Avenue A

411 and 413 East Avenue B

407, 502, 506, 508, 511, 514 and 601 East Avenue C

510 East Avenue D

MARTIN LUTHER KING, JR. DRIVE



10th St. Rezone: Property/House Relativity.
Existing Structures in Yellow.
Distances taken by address.



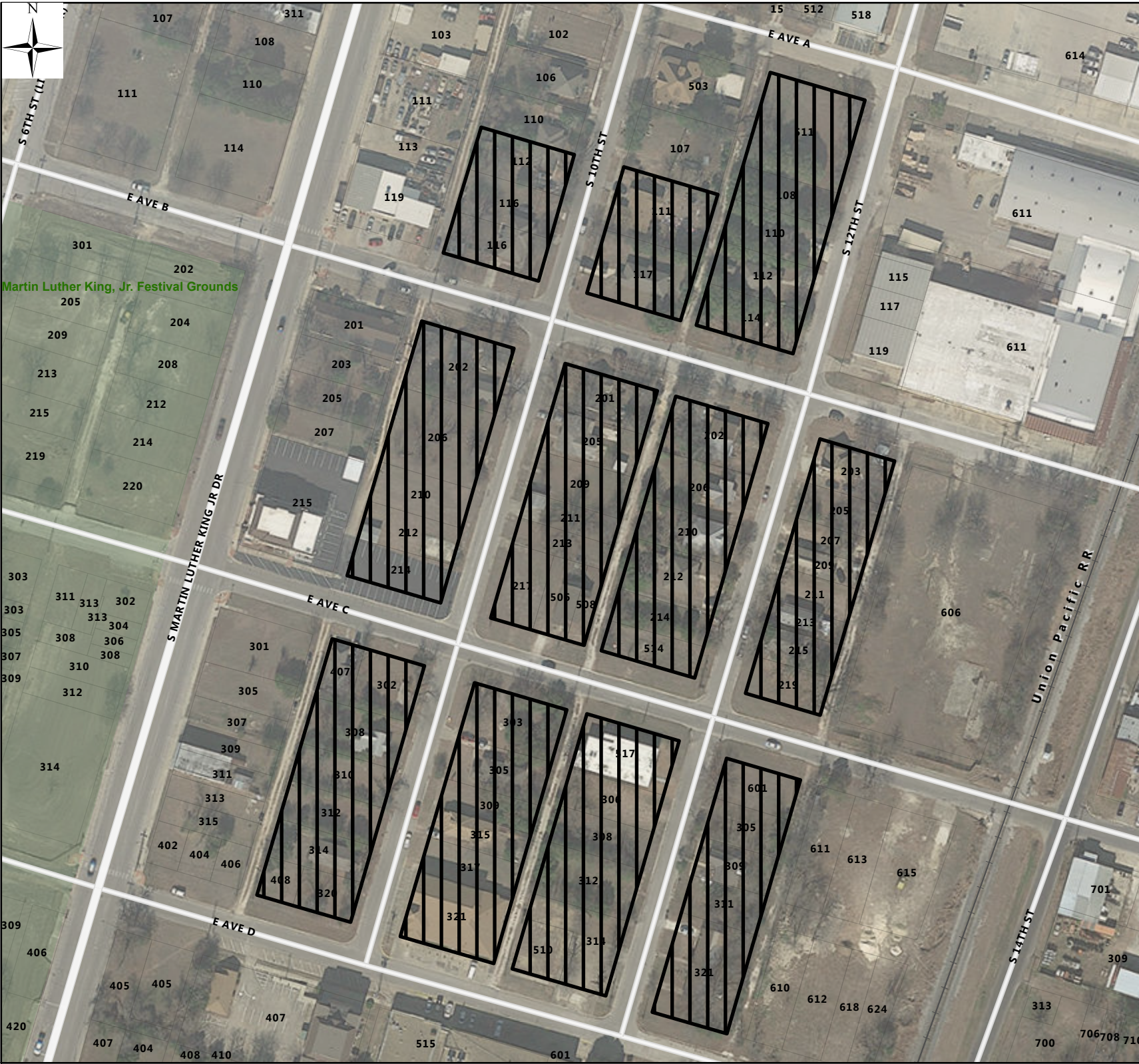
**CITY OF TEMPLE
PLANNING DEPT.**

10THSTREETSP.E.DWG
J.STONE 2/02/01
SCALE:1"/40'



UPDATES

10TH STREET REZONING



PD-SF3 Amendment

AERIAL MAP

Zoning Case :
FY-19-25-ZC

CITY INITIATED

Transportation

- Streets
- LOCAL STREET
 - MINOR ARTERIAL
 - Railroad
 - Temple Municipal Boundary

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: 8/16/2019





FUTURE LAND USE MAP

Zoning Case :
FY-19-25-ZC

CITY INITIATED

Transportation

- EXPRESSWAY
- MAJOR ARTERIAL
- COLLECTOR
- LOCAL STREET
- MINOR ARTERIAL
- PRIVATE
- RAMP

Parcel Features

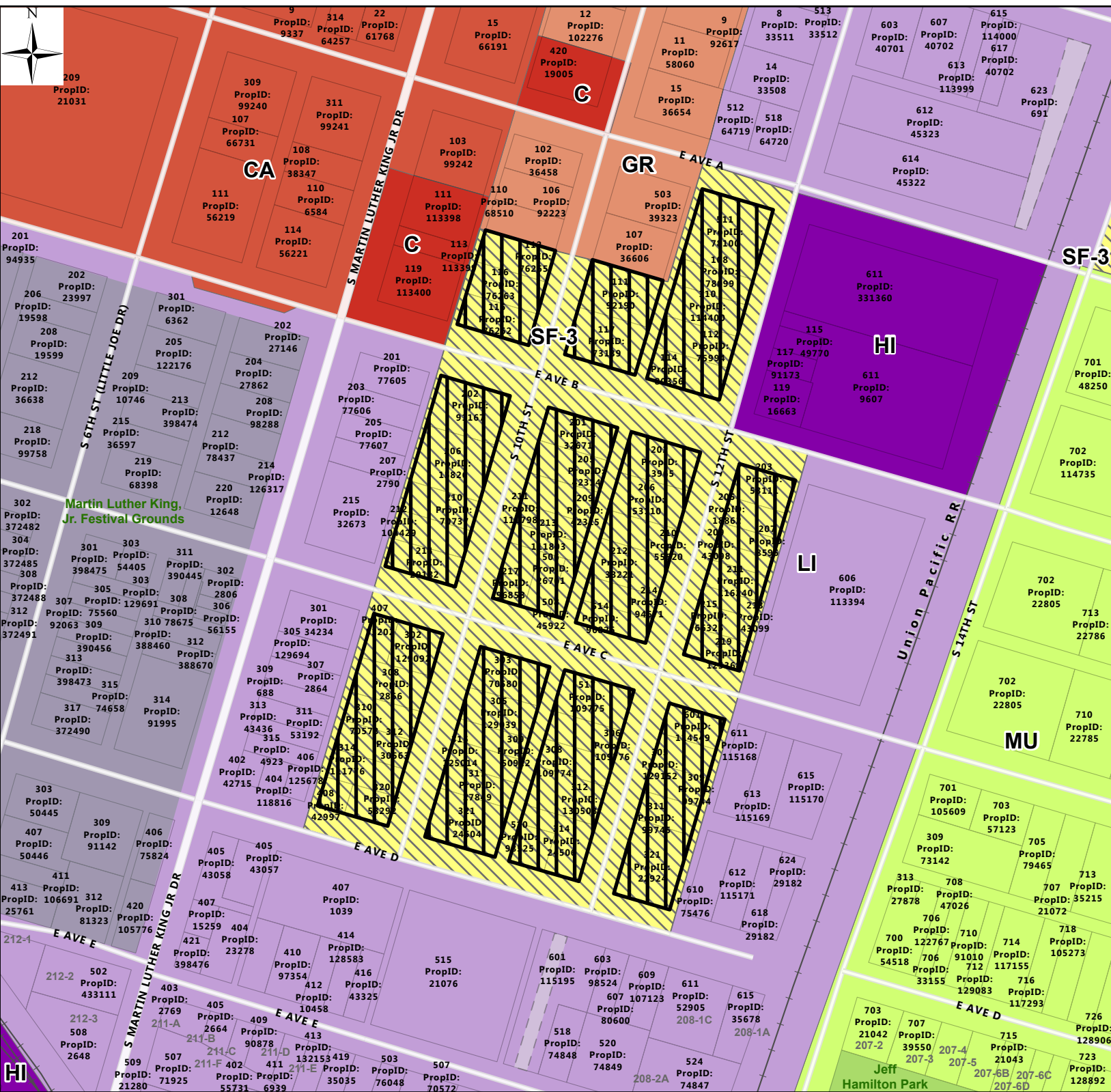
- Parcels
- Future LUP
 - Agricultural/Rural
 - Auto-Urban Commercial
 - Auto-Urban Mixed Use
 - Auto-Urban Multi-Family
 - Auto-Urban Residential
 - Business Park
 - Estate Residential
 - Industrial
 - Neighborhood Conservation
 - Parks & Open Space
 - Public Institutional
 - Suburban Commercial
 - Suburban Residential
 - Temple Medical Education District
 - Urban Center
- Production.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: 8/16/2019





PD-SF3

200' NOTIFICATION MAP

Zoning Case :
FY-19-25-ZC

Neighborhood PD
Amendment

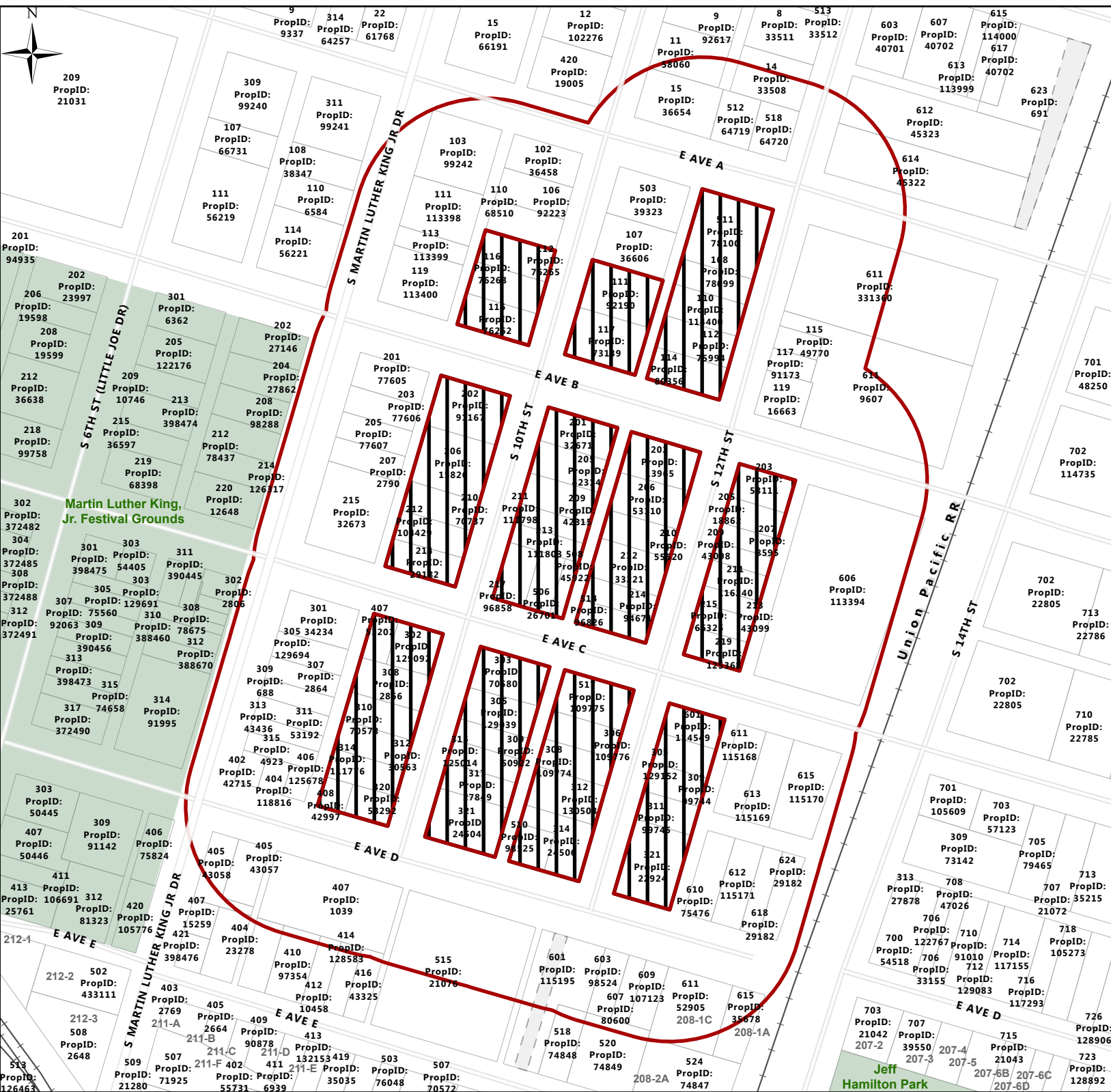
CurrentZoning	
HI - CUP	CA
UE	CA - PD
UE - PD	C
SF-1	C - CUP
SF-1 - CUP	C - PD
SF-1 - PD	C - CUP, PD
SF-2	LI
SF-2 - PD	LI - CUP
SF-3	LI - PD
SF-3 - PD	LI - CUP, PD
SF-3 - CUP, PD	HI
SFA	HI - PD
SFA-2	AG
SFA-2 - PD	AG - CUP
SFA-3	MH
SFA-3 - PD	MH - CUP
2F	MH - PD
2F - CUP	MU - CUP
2F - PD	SD-C
MF-1	SD-C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

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

Irbarrett

Date: 8/16/2019





PD-SF3

200' NOTIFICATION MAP

Zoning Case :
FY-19-25-ZC

Neighborhood PD
Amendment

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: 8/16/2019





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

99242
BOB RITCHIE'S TEXAS TOYS LLC
DBA TEXAS TOYS
103 S MLK JR DR
TEMPLE, TX 76501

RECEIVED
AUG 27 2019
CITY OF TEMPLE
PLANNING & DEVELOPMENT

Zoning Application Number: FY-19-25-ZC

Case Manager: Lynn Barrett

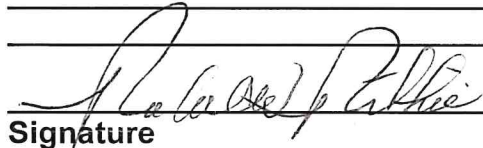
Location: Neighborhood comprised of South 10th and 12th Streets, Portions of Blocks 5 and 6, Chas. Roach Addition, and Blocks A, B, D, E and Portions of Blocks C and F, Crawford Addition, all being between East Avenue A and East Avenue D

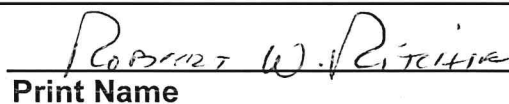
The proposed rezoning is the area shown in hatched marking on the attached map. Because you own property within 200 feet of the requested change, your opinions are welcomed. Please use this form to indicate whether you are in favor of the possible rezoning of the property described on the attached notice,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

I ☒ agree

() disagree with this request

Comments:


Signature


Print Name

Provide email and/or phone number if you want Staff to contact you (Optional)

If you would like to submit a response, please email a scanned version of this completed form to the Case Manager referenced above, lrbartlett@templetx.gov, or mail or hand-deliver this comment form to the address below, no later than **September 3, 2019**.

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

Number of Notices Mailed: 117

Date Mailed: August 20, 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**

109775
ST JAMES MASONIC LODGE #71
C/O BILL E MOORE, SR
PO BOX 215
TEMPLE, TX 76503-0215

RECEIVED
SEP 03 2019
CITY OF TEMPLE
PLANNING & DEVELOPMENT

Zoning Application Number: FY-19-25-ZC

Case Manager: Lynn Barrett

Location: Neighborhood comprised of South 10th and 12th Streets, Portions of Blocks 5 and 6, Chas. Roach Addition, and Blocks A, B, D, E and Portions of Blocks C and F, Crawford Addition, all being between East Avenue A and East Avenue D

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

(Optional)

Provide email and/or phone number if you want Staff to contact you

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 **September 3, 2019**.

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

Number of Notices Mailed: 117

Date Mailed: August 20, 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**

109776
ST JAMES MASONIC LODGE #71
WILBERT CURTIS/PRESIDING OFF
PO BOX 215
TEMPLE, TX 76503-0215



Zoning Application Number: FY-19-25-ZC

Case Manager: Lynn Barrett

Location: Neighborhood comprised of South 10th and 12th Streets, Portions of Blocks 5 and 6, Chas. Roach Addition, and Blocks A, B, D, E and Portions of Blocks C and F, Crawford Addition, all being between East Avenue A and East Avenue D

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

(Optional)

Provide email and/or phone number if you want Staff to contact you

If you would like to submit a response, please email a scanned version of this completed form to the Case Manager referenced above, lrbartlett@templetx.gov, or mail or hand-deliver this comment form to the address below, no later than **September 3, 2019**.

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

Number of Notices Mailed: 117

Date Mailed: August 20, 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**

109774
ST JAMES LODGE NO 71
C/O MR GEORGE CARTER
PO BOX 215
TEMPLE, TX 76503-0215

RECEIVED
SEP 11 2019
CITY OF TEMPLE
PLANNING & DEVELOPMENT

Zoning Application Number: FY-19-25-ZC

Case Manager: Lynn Barrett

Location: Neighborhood comprised of South 10th and 12th Streets, Portions of Blocks 5 and 6, Chas. Roach Addition, and Blocks A, B, D, E and Portions of Blocks C and F, Crawford Addition, all being between East Avenue A and East Avenue D

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

(Optional)

Provide email and/or phone number if you want Staff to contact you

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 **September 3, 2019**.

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

Number of Notices Mailed: 117

Date Mailed: August 20, 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**

35678
FIRST CHURCH OF GOD IN CHRIST
PO BOX 1885
TEMPLE, TX 76503-1885

Zoning Application Number: FY-19-25-ZC

Case Manager: Lynn Barrett

Location: Neighborhood comprised of South 10th and 12th Streets, Portions of Blocks 5 and 6, Chas. Roach Addition, and Blocks A, B, D, E and Portions of Blocks C and F, Crawford Addition, all being between East Avenue A and East Avenue D

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:

Adrien L. Crossley, Pastor
Signature

Adrien L. Crossley
Print Name

(Optional)

Provide email and/or phone number if you want Staff to contact you

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 **September 3, 2019**.

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

RECEIVED
AUG 30 2019
City of Temple
Planning & Development

Number of Notices Mailed: 117

Date Mailed: August 20, 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**

TUESDAY, SEPTEMBER 3, 2019

ACTION ITEMS

Item 5: FY-19-25-ZC – Amend existing PD-SF3 condition (Ordinance 2001-2750) for Neighborhood comprised of South 10th and 12th Streets, Portions of Blocks 5 and 6, Chas. Roach Addition, and Blocks A, B, D, E and Portions of Blocks C and F, Crawford Addition, all being between East Avenue A and East Avenue D to allow single family development or redevelopment by right without site plan approval subject to existing SF-3 setbacks and building permit requirements.

Ms. Lynn Barrett, Assistant Planning Director, stated this item is a City initiated amendment to an existing Planned Development zoning that has been in effect for approximately 18 years. This item is scheduled to go forward to City Council for first reading on October 3, 2019 and second reading on October 17, 2019.

Map and location of property shown.

This area consists of 62 lots zoned Planned Development Single Family Three (PD-SF-3) in 2001.

The PD required ALL development or redevelopment to go through site plan approval process which included going before P&Z and City Council.

This area is bordered by the MLK Festival Grounds and located near Ferguson Park Neighborhood Planning District.

The PD amendment would allow single family development to SF-3 standards without having to go back through the site development plan process before P&Z and City Council. There are no other requirements or changes. The properties in this area have been identified as ideal for housing infill development and redevelopment.

Ferguson Park Area Diagram shown to give proximity to subject property.

Site and area photos shown.

Zoning map and Future Land Use and Character Map shown.

The 2001 PD Conditions Change noted:

- a. The use of the property shall conform to all requirements of the Single Family Three District (SF3). The existing beauty shop is allowed as an additional use to the Single Family Three District. Future beauty and barber shops are additional permitted uses;

- b. The development of the property shall conform to all requirements of the Single Family Three District (SF3), except where there are existing buildings. These shall be allowed to follow the setbacks established by the existing buildings as shown on the site plan of the area (Exhibit "C"). If the existing building crosses over the property line, a zero-foot setback will be used in the future; and
- c. Development or redevelopment of the property shall require site plan approval by both the Planning Commission and the City Council with the same requirements as for a zone change application; **except for single family development or redevelopment shall be allowed by right without site plan approval subject to existing SF-3 setbacks and building permit requirements and exempting minimum SF-3 lot widths and minimum lot areas.**

One hundred and seventeen notices were mailed in accordance with all state and local regulations with five responses returned in agreement and zero responses returned in disagreement.

Staff recommends approval of amending the PD-SF-3 Condition to allow single family development or redevelopment by right without site plan approval subject to existing SF-3 setbacks and building permit requirements.

Vice-Chair Ward made a motion to approve Item 5, **FY-19-25-ZC**, per staff recommendation, and Commissioner Alaniz made a second.

Motion passed: (7:0)

Commissioners Jeanes and Fettig absent.

ORDINANCE NO. 2019-4996
(FY-19-25-ZC)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE AMENDMENT OF AN EXISTING PLANNED DEVELOPMENT SINGLE FAMILY-THREE CONDITION (ORDINANCE 2001-2750) FOR THE NEIGHBORHOOD COMPRISED OF SOUTH 10TH AND 12TH STREETS, PORTIONS OF BLOCKS 5 AND 6, CHAS. ROACH ADDITION, AND BLOCKS A, B, D, E, AND PORTIONS OF BLOCKS C AND F, CRAWFORD ADDITION, ALL BEING BETWEEN EAST AVENUE A AND EAST AVENUE D, TO ALLOW SINGLE FAMILY DEVELOPMENT OR REDEVELOPMENT BY RIGHT WITHOUT SITE PLAN APPROVAL, SUBJECT TO EXISTING SINGLE FAMILY-THREE SETBACKS AND BUILDING PERMIT REQUIREMENTS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, it recently came to Staff's attention that in this area, the current Planned Development zoning Ordinance requires site plan approval by both the Planning Commission and City Council for all development or redevelopment in the Planned Development district, as well as Single Family development;

Whereas, as this area has been identified as an ideal candidate for infill single family housing development near downtown, this Planned Development condition appears to disincentivize development;

Whereas, due to the Planned Development condition that states "development or redevelopment" has to earn site plan approval, the City's Legal Department rendered their opinion that any new housing was included in this condition - Planning Staff determined that given the City's emphasis on increasing housing opportunities, a City-initiated Planned Development amendment to relax the site plan requirements would be a good step to promote development of single family detached housing in the area;

Whereas, all development standards for Single Family-Three base zoning will be required to obtain a building permit for a new home - any other development, single family or otherwise, would still be required to meet the Ordinance conditions, including those of on-site plan approval;

Whereas, the Planning and Zoning Commission of the City of Temple, Texas, recommends approval of the Planned Development amendment allowing single family detached construction for structures meeting Single Family Three setbacks and building permit standards; and

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

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

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

Part 2: The City Council amends Ordinance 2001-2750 for the neighborhood comprised of South 10th and 12th Streets, Portions of Blocks 5 and 6, Chas. Roach Addition, and Blocks A, B, D, E and Portions of Blocks C and F, Crawford Addition, all being between East Avenue A and East Avenue D, to allow Single-Family development or redevelopment by right without site plan approval subject to existing Single-Family Three setbacks and building permit requirements.

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 **3rd** day of **October**, 2019.

PASSED AND APPROVED on Second Reading on the **17th** day of **October**, 2019.

THE CITY OF TEMPLE, TEXAS

TIMOTHY A. DAVIS, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
Interim City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

10/03/19

Item #9

Regular Agenda

Page 1 of 3

DEPT./DIVISION SUBMISSION & REVIEW:

Tammy Lyerly, Senior Planner

ITEM DESCRIPTION: FIRST READING – PUBLIC HEARING – FY-19-26-ZC: Consider adopting an ordinance authorizing a rezoning on 137.028 acres of land with a site/development plan from Agricultural zoning district to Planned Development-Single Family Two on 114 +/- acres; Planned Development-General Retail on 2 +/- acres, and General Retail on 21 +/- acres, located southeast of the intersection of Barnhardt Road and Old State Highway 95 (Little River Road) and west of South State Highway 95.

PLANNING AND ZONING COMMISSION RECOMMENDATION: At its September 3, 2019, meeting the Planning and Zoning Commission voted 7/0 to recommend approval of the site/development plan and requested rezoning from Agricultural (AG) zoning district to Planned Development-Single Family Two (PD-SF-2) on 114 +/- acres; Planned Development-General Retail (PD-GR) on 2 +/- acres, and General Retail (GR) on 21 +/- acres, per staff recommendation.

STAFF RECOMMENDATION: Staff recommends approval of the requested rezoning from Agricultural (AG) District to Planned Development-Single Family Two (PD-SF-2), Planned Development-General Retail (PD-GR), and General Retail (GR) District with the following conditions:

1. Development will require compliance with the development/site plan;
2. At least two evergreen bushes per single family residence;
3. At least one 1.5-inch DBH (Diameter at Breast Height) tree per single family residence from the approved City of Temple Tree list, per the Unified Development Code (UDC);
4. Development will also be subject to all UDC platting requirements during the platting process;
5. Minimum sod turf grass on all front yards;
6. 20-foot front yard setback;
7. 10-foot corner lot side setback (street side);
8. Residential lot dimensions to follow SF-2 except 40-foot minimum lot width on cul-de-sac and knuckles;
9. Bicycle and pedestrian access between the neighborhood and to the school sites; and
10. 15-foot wide (minimum) landscape buffer between the mini storage use and adjacent residential uses or zoning districts, consisting of a preservation buffer of existing qualifying trees (per UDC Section 7.4) with a minimum estimated diameter of 8-inch DBH trees for the purpose of buffering and screening the PD-GR district from adjacent residential uses and/or zoning districts

ITEM SUMMARY: The subject properties were recently voluntarily annexed into the City of Temple in July 2019 (FY-19-3-ANX and FY-19-4-ANX). The applicants request this rezoning from Agricultural (AG) District to Planned Development-Single Family Two (PD-SF-2), Planned Development-General Retail (PD-GR), and General Retail (GR) District to allow development of a single-family residential neighborhood with a middle school and elementary school (TISD) to the north, and general retail uses fronting Barnhardt Road, Old Highway 95 (Little River Road), and South Highway 95.

Development will be according to the proposed accompanying development/site plan. The development/site plan reflects the creation of new local streets within the single-family portion of this request. The development/site proposes general retail buffering residential uses from Old Highway 95 (Little River Road) and Barnhardt Road. The requested GR areas are compatible with the existing Dirty Dogs Spaw at the southeast corner of Barnhardt Road and Old Highway 95 (Little River Road) and the ATMOS Energy property along Old Highway 95 (Little River Road). However, staff recommends buffering the PD-SF-2 area from the ATMOS Energy property.

Mini storage warehouses are proposed for the PD-GR portion of the subject property fronting State Highway 95. A flood plain with existing trees separates the PD-GR portion of the proposed PD from the requested PD-SF-2 area.

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.”

A development plan is subject to review and approval as part of the Planned Development rezoning. As opposed to a standard rezoning, conditions of approval can be included into the rezoning ordinance of a Planned Development. The applicants have provided a development/site plan with this rezoning request.

Per UDC Section 3.4.2C, the City Council may include additional conditions of approval into the rezoning ordinance. In approving a Planned Development, the City Council may require additional standards deemed necessary to create a reasonable transition to, and protection of, adjacent property and public areas, including but not limited to, access and circulations, signs, parking, building design, location and height, light and air, orientation, building coverage, outdoor lighting, landscaping, homeowners or property owners associations, open space, topography and screening.

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

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

The subject property, annexed in July 2019, is within the Agricultural / Rural character district of the *Choices '08* City of Temple Comprehensive Plan. Although this requested PD is compatible with some of the adjacent properties, it is not compatible with the Agricultural / Rural designation, which applies to all areas outside city limits.

Thoroughfare (CP Map 5.2) and Temple Trails Master Plans

The subject property fronts Old Highway 95 (Little River Road), a minor arterial; Barnhardt Road, a designated major arterial on Temple's Thoroughfare Plan; and State Highway 95, a major arterial. The general retail uses proposed for this planned development are appropriate along major and minor arterials. Only the southern corner of the proposed Planned Development-Single Family Two (PD-SF-2) fronts Old Highway 95 (Little River Road). Minor arterials are only appropriate for subdivision entrances into a single-family residential neighborhood. Future housing development traffic will be prohibited from backing into Old Highway 95 (Little River Road) or accessing it directly from residential lots. The proposed local streets shown within the residential area of the development/site plan are appropriate for residential dwellings.

Availability of Public Facilities (CP Goal 4.1)

Existing 1 ½ -inch and 12-inch water lines are located within the right-of-way of Old Highway 95 (Little River Road). There is an existing 3-inch water line along the south right-of-way of Barnhardt Road and an existing 4-inch water line along the east right-of-way State Highway 95.

City maps do not show any sewer lines in the area. Proposed water and on-site sewerage facilities, as well as proposed drainage will be addressed during the platting process.

DEVELOPMENT REVIEW COMMITTEE (DRC): DRC reviewed the case on August 22, 2019 and identified no issues with the proposal.

PUBLIC NOTICE: Twelve notices of the Planning and Zoning Commission public hearing were sent out to all City of Temple property owners within 200-feet of the subject property as required by State law and City Ordinance. As of Friday, September 20, 2019, two notices have been returned in favor of the proposed rezoning. One notice has been returned in opposition to the proposed rezoning. Several property owners along Barnhardt Road expressed opposition to General Retail uses along Barnhardt Road during the public hearing.

Eleven courtesy notices of the Planning and Zoning Commission public hearing were sent to property owners in the extra-territorial jurisdiction (ETJ) within 200-feet of the subject property. Several property owners in the ETJ called and expressed opposition to the proposed PD-GR for the mini storage warehouse. Several property owners within the ETJ attended the Planning and Zoning Commission meeting, as noted in the attached minutes from the meeting on September 3, 2019.

The newspaper printed notice of the public hearing on August 22, 2019, in accordance with state law and local ordinance.

FISCAL IMPACT: Not Applicable

ATTACHMENTS:

[Site and Surrounding Property Photos](#)

[Maps](#)

[Development Regulation Tables](#)

[Development/Site Plan Exhibits](#)

[Notification Response Letters](#)




[P&Z Excerpts \(September 3, 2019\)](#)




[Ordinance](#)




SURROUNDING PROPERTY AND USES:

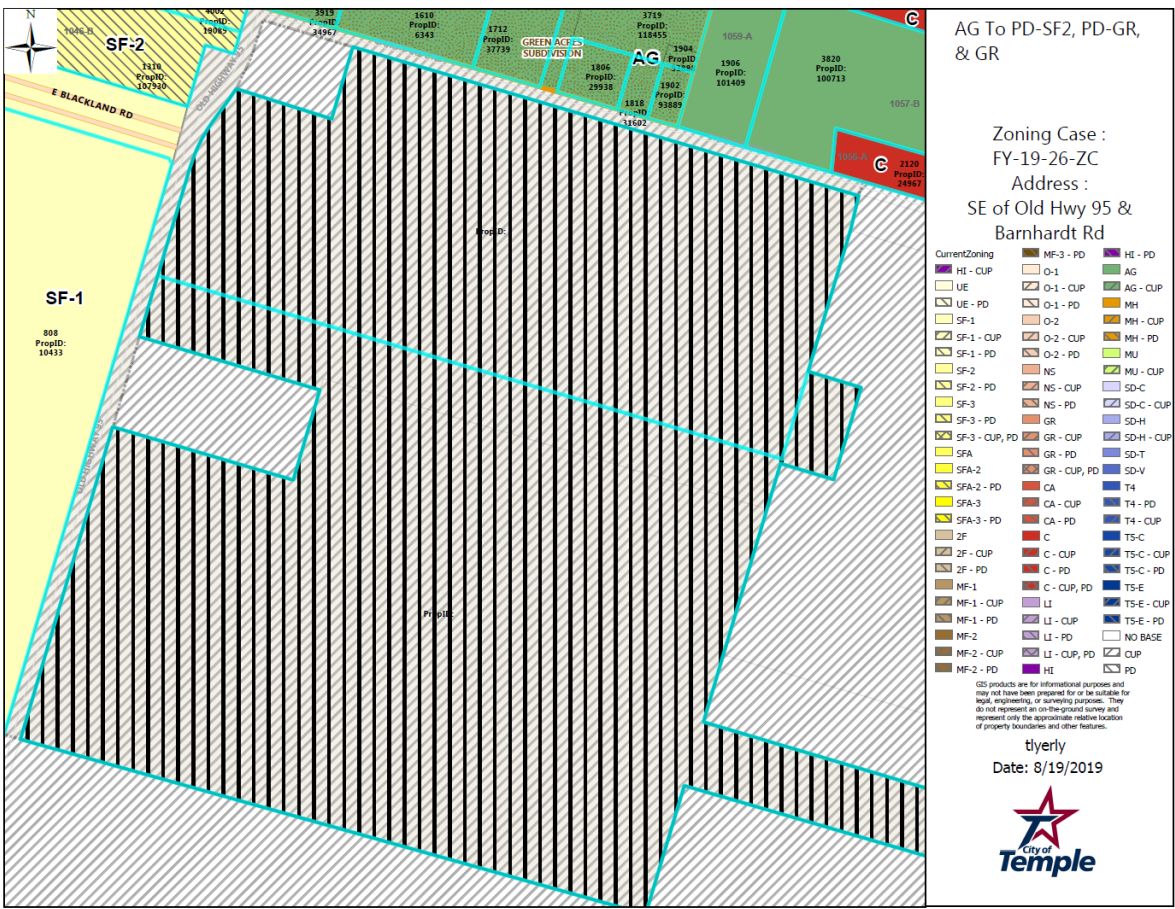
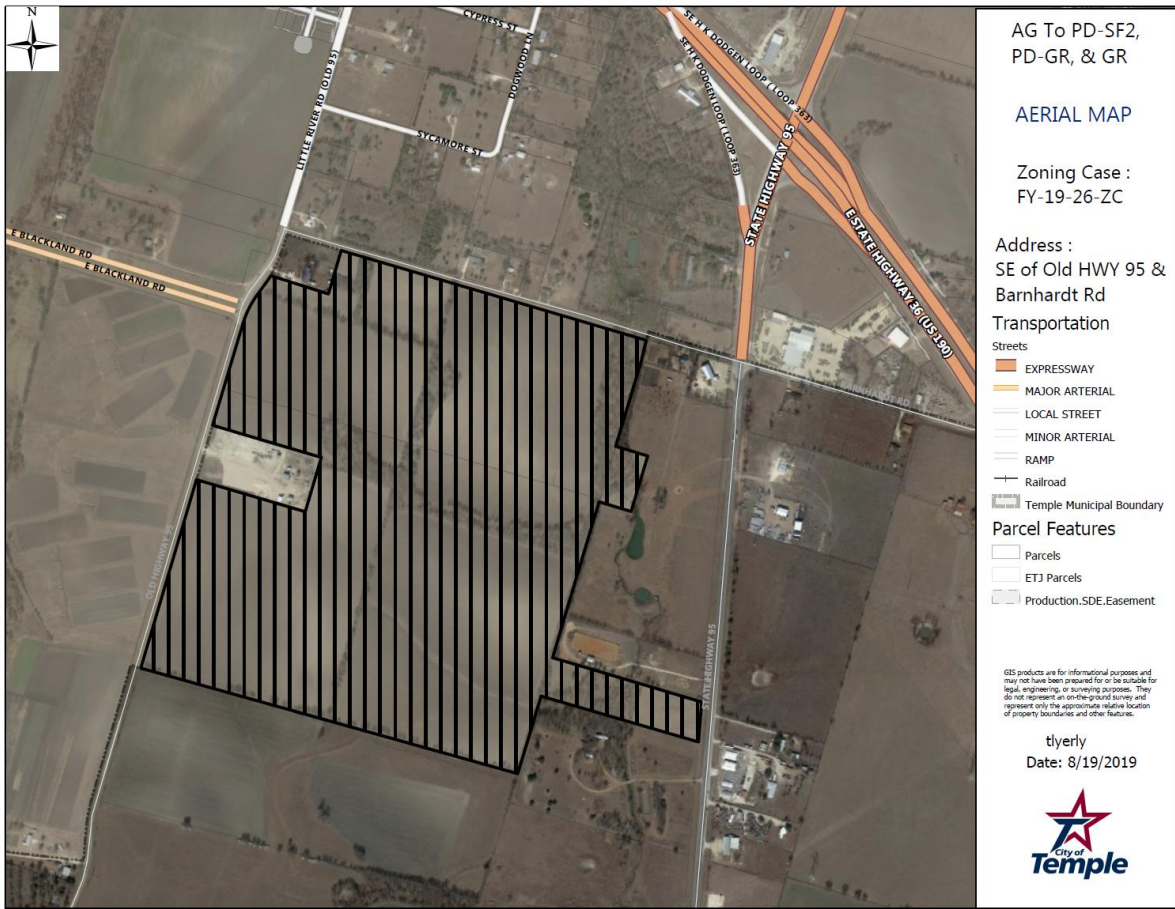
The following table shows the subject property, existing zoning and current land uses:

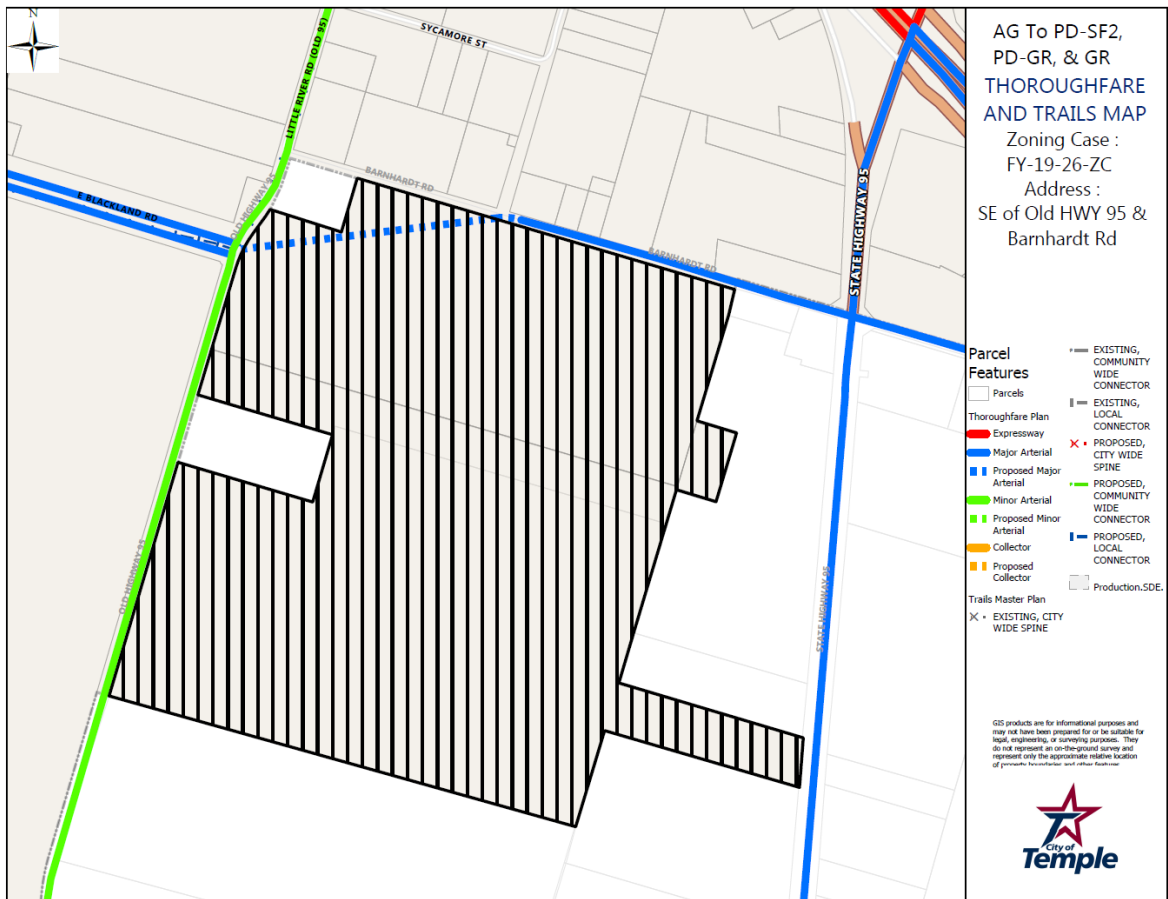
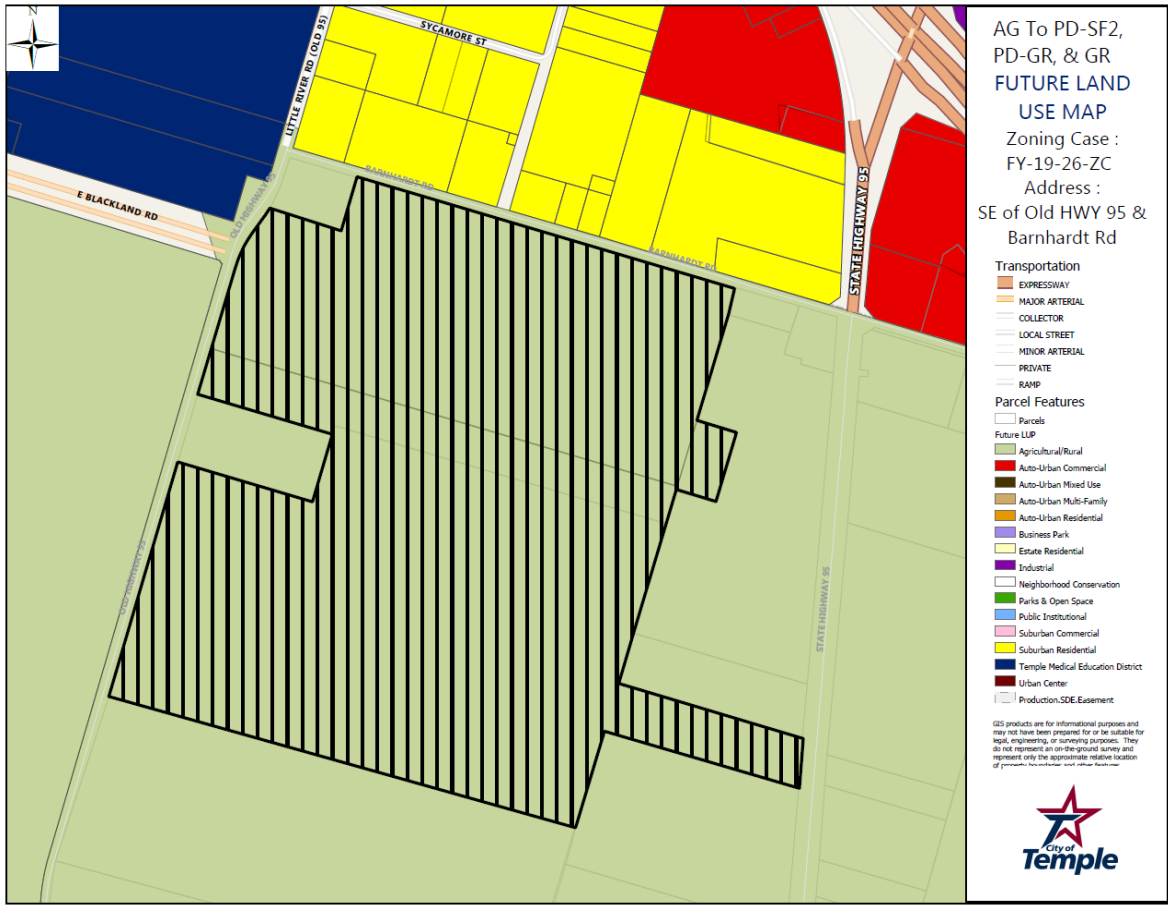
Direction	Zoning	Current Land Use	Photo
Subject Property	AG	Undeveloped Agricultural Land	 <p>Barnhardt Road View</p>
			 <p>Old Highway 95 (Little River Road)</p>
			 <p>South State Highway 95 View</p>

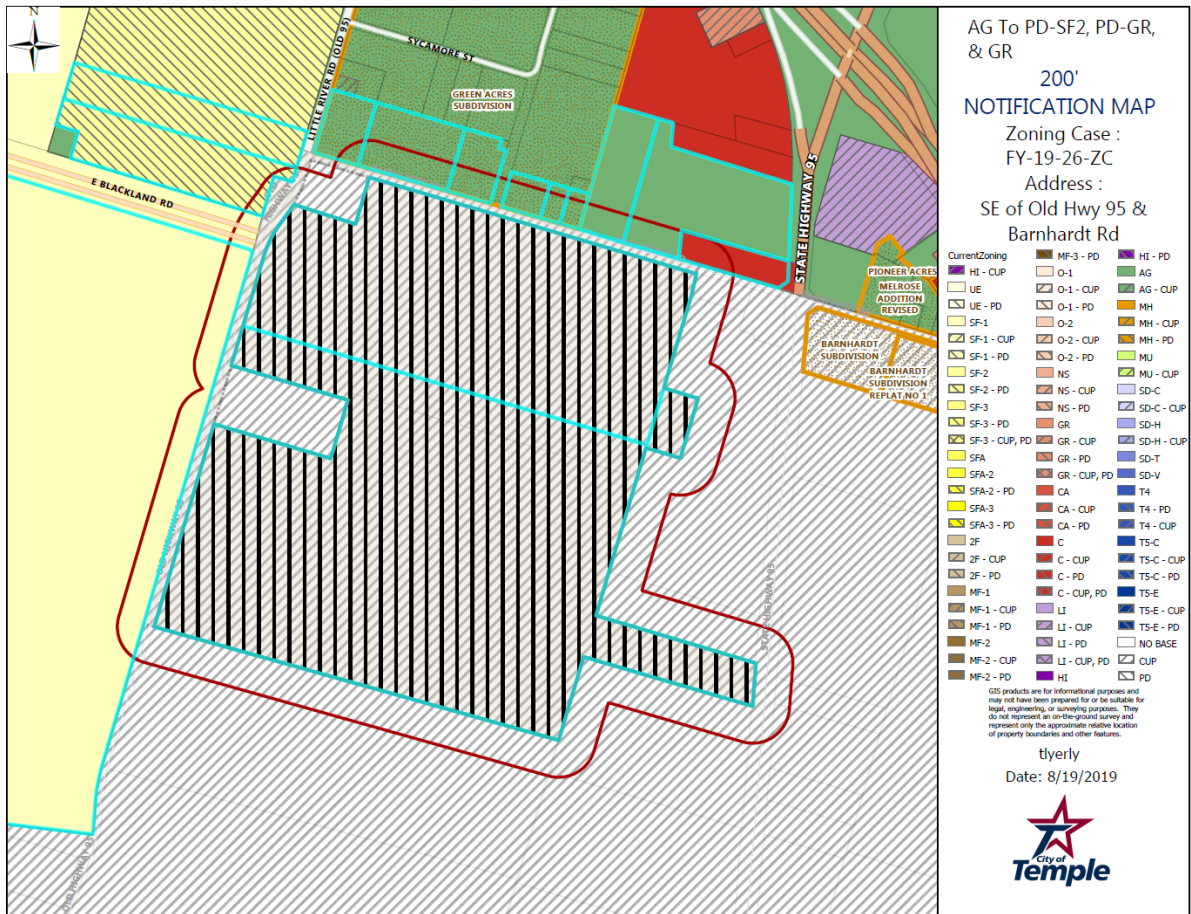
Direction	Zoning	Current Land Use	Photo
East	ETJ	Commercial	 <p>South State Highway 95</p>
West	AG	Agricultural Land / Rural Residential	 <p>Old Highway 95 (Little River Road)</p>
			 <p>NW Corner of Old Highway 95 (Little River Road) & Blackland Road</p>

Direction	Zoning	Current Land Use	Photo
South	ETJ	Agricultural Land, ATMOS Energy Site, & Rural Residential	 <p>ATMOS Energy Site</p> <p>Subject Property</p> <p>Old Highway 95 (Little River Road)</p>
			 <p>South State Highway 95 View</p>
			 <p>South State Highway 95</p>

Direction	Zoning	Current Land Use	Photo
North	AG & ETJ	Agricultural, Rural Residential, & Personal Services	 <p>Old Highway 95 (Little River Road)</p>
			 <p>Barnhardt Road</p>
			 <p>Barnhardt Road</p>







DEVELOPMENT REGULATIONS:

	SF-2 (Base Zoning)	GR (Base Zoning)
Minimum Lot Size	5,000 Square Feet	N/A
Minimum Lot Width	50 Feet (40 Feet -cul-de-sacs & knuckles for PD)	N/A
Minimum Lot Depth	100 Feet	N/A
Front Setback	25 Feet (20 Feet for PD)	15 Feet
Side Setback	5 Feet	10 Feet
Side Setback (corner)	15 Feet (10 Feet for PD)	10 Feet
Rear Setback	10 Feet	10 Feet
Max Building Height	2 ½ Stories	3 Stories

Although the property is anticipated for development of detached single family residential dwellings, there are a number of other uses allowed in the SF-2 district which, include but are not limited to:

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
Retail & Service Uses	* None
Commercial Uses	* None
Industrial Uses	* Temporary Asphalt & Concrete Batching Plat (CUP)
Recreational Uses	* Park or Playground
Educational & Institutional Uses	* Cemetery, Crematorium or Mausoleum (CUP) * Place of Worship * Child Care: Group Day Care (CUP) * Social Service Center (CUP)
Restaurant Uses	* None
Overnight Accommodations	* None
Transportation Uses	* Railroad Track Right-of-Way

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

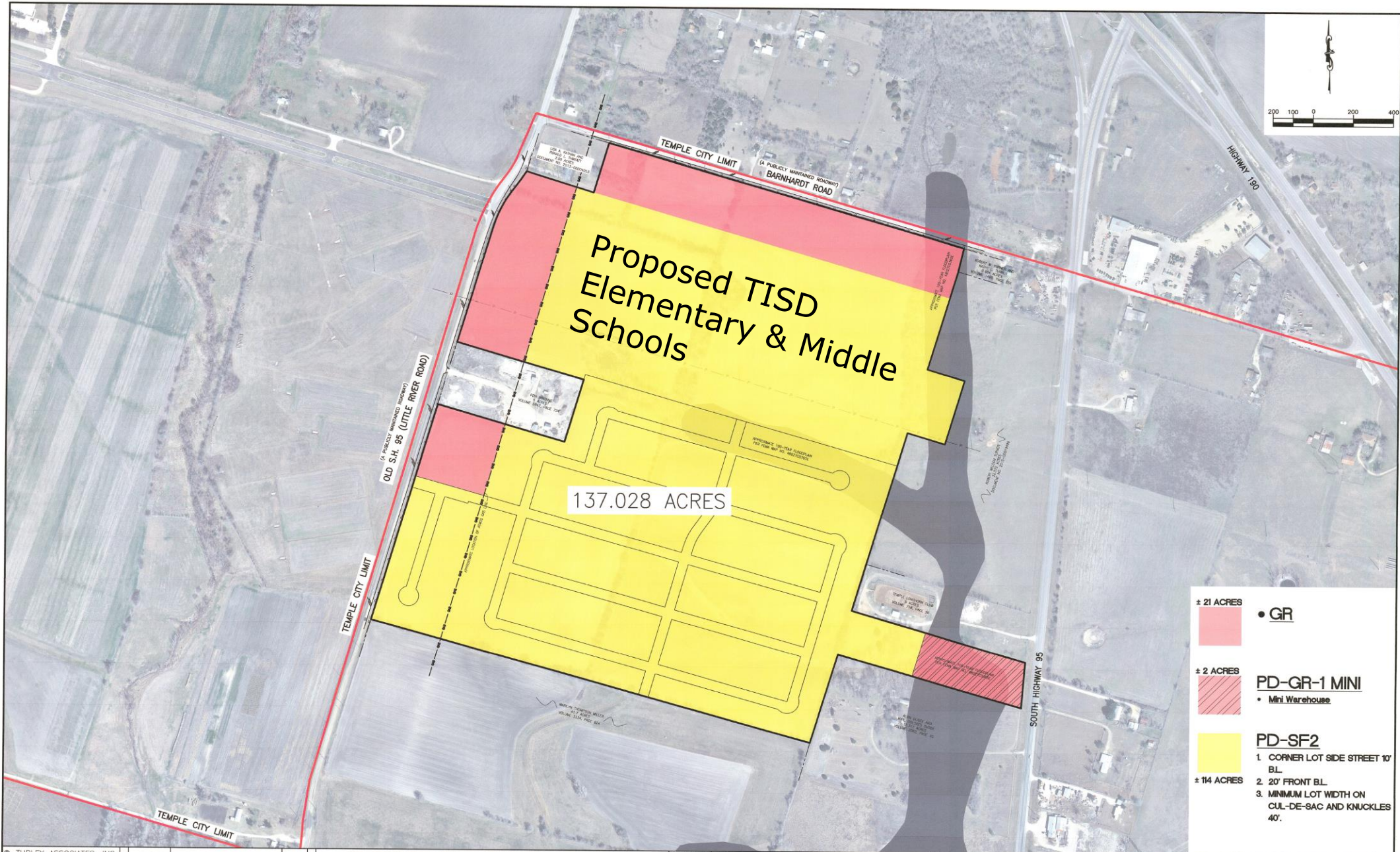
Permitted & Conditional Use Table - General Retail (GR)	
Agricultural Uses	* Farm, Ranch or Orchard
Residential Uses	* Single Family Residence (Detached & Attached) * Duplex * Townhouse * Industrialized Housing * Family or Group Home * Home for the Aged
Retail & Service Uses	* Most Retail & Service Uses * Alcoholic Beverage Sales, off-premise consumption, package Store (CUP)
Commercial Uses	* Plumbing Shop * Upholstery Shop * Kennel without Veterinary Hospital (CUP) * Indoor Flea Market
Industrial Uses	* Temporary Asphalt & Concrete Batching Plat (CUP) * Laboratory, medical, dental, scientific or research * Recycling collection location
Recreational Uses	* Park or Playground * Beer & Wine (On Premise Consumption) < 75%
Vehicle Service Uses	* Auto Leasing, Rental * Auto Sales - New & Used (outside Lot) * Car Wash * Vehicle Servicing (Minor)
Restaurant Uses	* With & Without Drive-In
Overnight Accommodations	* Hotel or Motel
Transportation Uses	* Emergency Vehicle Service * Helistop

Surrounding Property & Uses			
<u>Direction</u>	<u>Future Land Use Map</u>	<u>Zoning</u>	<u>Current Land Use</u>
Site	Agricultural/Rural	AG	Undeveloped Land
North	Suburban Residential	AG	Agricultural & Rural Residential
South	Agricultural/Rural	ETJ	Agricultural, Rural Residential, & Personal Services
East	Agricultural/Rural	ETJ	Commercial
West	Agricultural/Rural & Temple Medical Education District	SF-1 & PD-SF-2	Agricultural & Rural Residential

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

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

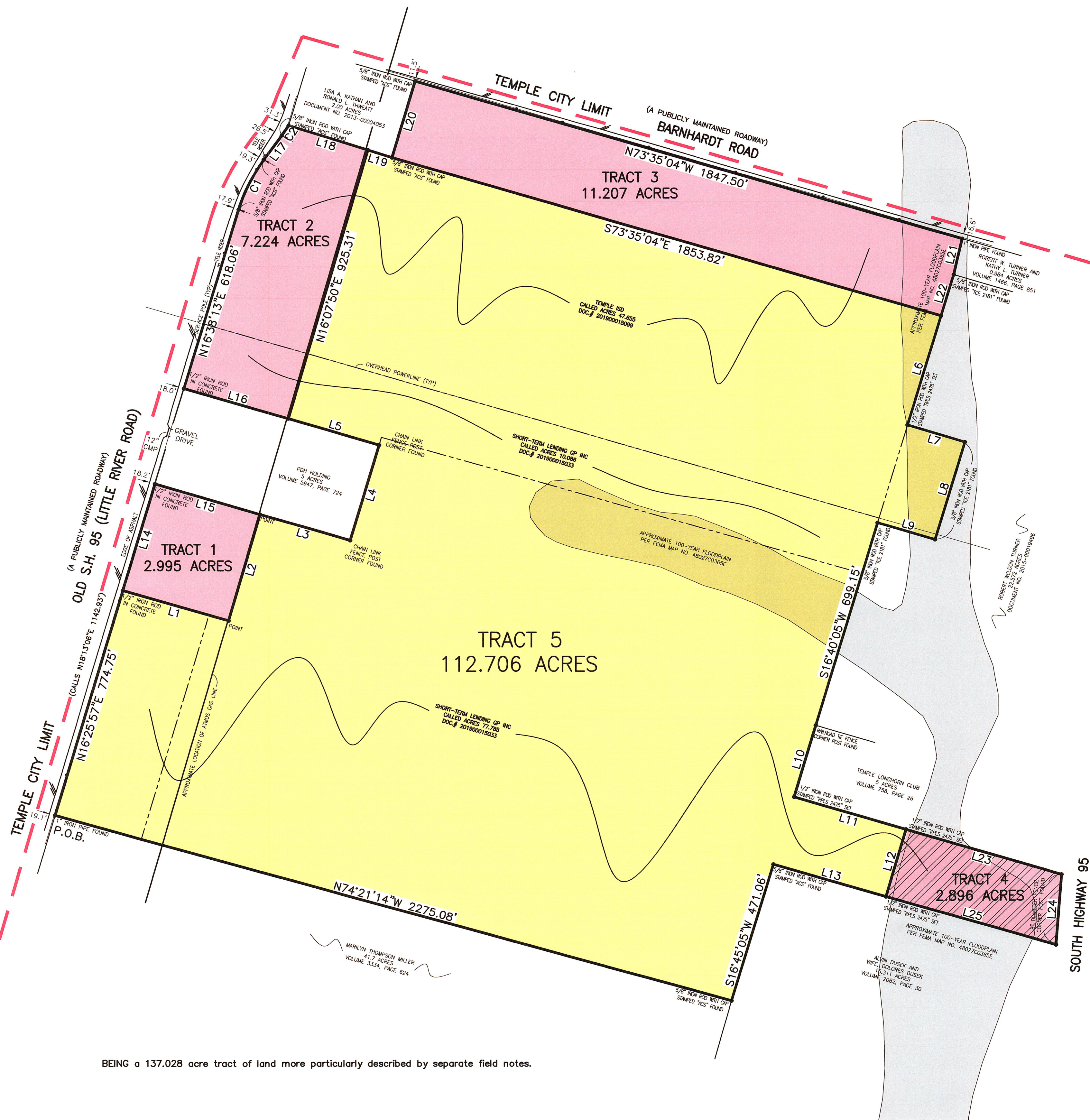
CP = Comprehensive Plan STP = Sidewalk and Trails Plan



± 21 ACRES
 • GR

± 2 ACRES
 PD-GR-1 MINI
 • Mini Warehouse

± 114 ACRES
 PD-SF2
 1. CORNER LOT SIDE STREET 10' BL.
 2. 20' FRONT BL.
 3. MINIMUM LOT WIDTH ON CUL-DE-SAC AND KNUCKLES 40'.



BEING a 137.028 acre tract of land more particularly described by separate field notes.

This project is referenced to the city of temple coordinate system, an extension of the texas coordinate system of 1983, central zone. All distances are horizontal surface distances unless noted and all bearings are grid bearings. All coordinate values are referenced to city monument number 535
The theta angle at said city monument is 01° 32' 22"
The combined correction factor (ccf) is 0.999836
Published city coordinates are X = 3,232,625.47 Y = 10,351,575.12
The tie from the above city monument to the POINT OF BEGINNING (POB) IS N. 03° 09' 53" E., 5481.83 feet.
GRID DISTANCE = SURFACE DISTANCE X CCF
GEODETIC NORTH = GRID NORTH + THETA ANGLE

Line Table		
Line #	Direction	Length
L1	N74°01'31"W	356.65'
L2	S16°07'51"W	365.39'
L3	N73°34'14"W	304.84'
L4	S16°26'19"W	329.32'
L5	S73°31'00"E	306.61'
L6	S16°40'44"W	377.72'
L7	S73°02'56"E	194.50'
L8	N16°39'43"E	336.83'
L9	S73°12'43"E	194.22'
L10	N16°25'10"E	246.87'
L11	N73°25'34"W	378.11'
L12	N16°14'59"E	231.24'
L13	S73°45'01"E	379.97'
L14	S16°25'57"W	368.22'
L15	N73°34'14"W	354.71'
L16	S73°31'00"E	352.62'
L17	S36°13'40"W	98.44'
L18	N72°24'25"W	268.78'
L19	N72°24'25"W	82.21'
L20	S16°25'40"W	263.50'
L21	N13°08'49"E	121.34'
L22	N16°40'44"E	142.36'
L23	N73°25'34"W	525.41'
L24	N04°24'25"E	233.23'
L25	S73°45'01"E	573.26'

Curve Table			
Curve #	Length	Radius	Chord
C1	185.24'	540.50'	S26°19'19"W 184.33'
C2	39.95'	605.50'	N33°38'37"E 39.95'

Calls			
Curve #	Length	Radius	Chord
C1			N26°05'33"E 184.37'

- ± 21 ACRES • GR
- ± 8 ACRES PD-GR-1 MINI • Mini Warehouse
- ± 12 ACRES PD-SF2
1. CORNER LOT SIDE STREET 17' BL.
2. 20' FRONT BL.
3. MINIMUM LOT WIDTH ON CUL-DE-SAC AND KNUCKLES 40'.

The following documents affect this lot:
Volume 493, Page 5
The following documents do not affect this lot:
Volume 529, Page 138
Volume 568, Page 387
Volume 568, Page 582
Volume 600, Page 485
Volume 684, Page 589
The following are a blanket easement and are non-locatable by description.
Volume 683, Page 205
Volume 957, Page 482
Volume 957, Page 483

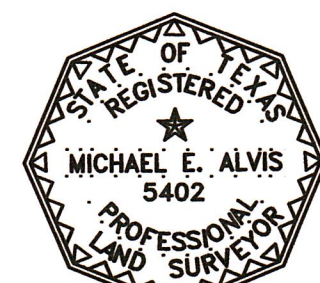
TRACT 1
BEING a 2.995 acre tract situated in the MAXIMO MORENO SURVEY, ABSTRACT No. 14, Bell County, Texas and being a part or portion of that certain 77.785 acre tract of land described as TRACT 4 in a Special Warranty Deed with Vendor's Lien dated April 15, 2019 from Alice B. Hoelscher and Clifford E. Hoelscher, a married couple to Short-Term Lending Gp, Inc., a Texas corporation and being of record in Document No. 2019-00015033, Official Public Records of Bell County, Texas.

TRACT 2
BEING a 7.224 acre tract situated in the MAXIMO MORENO SURVEY, ABSTRACT No. 14, Bell County, Texas and being a part or portion of that certain 47.655 acre tract of land described in a Warranty Deed dated April 15, 2019 from Short-Term Lending Gp Inc. to Temple Independent School District and being of record in Document No. 2019-00015099, Official Public Records of Bell County, Texas and being a part or portion of that certain 10.086 acre tract of land described as TRACT 2 in a Special Warranty Deed with Vendor's Lien dated April 15, 2019 from Alice B. Hoelscher and Clifford E. Hoelscher, a married couple to Short-Term Lending Gp, Inc., a Texas corporation and being of record in Document No. 2019-00015033, Official Public Records of Bell County, Texas.

TRACT 3
BEING a 11.207 acre tract situated in the MAXIMO MORENO SURVEY, ABSTRACT No. 14, Bell County, Texas and being a part or portion of that certain 47.655 acre tract of land described in a Warranty Deed dated April 15, 2019 from Short-Term Lending Gp Inc. to Temple Independent School District and being of record in Document No. 2019-00015099, Official Public Records of Bell County, Texas.

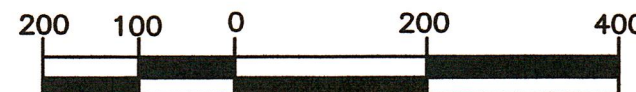
TRACT 4
BEING a 2.896 acre tract situated in the MAXIMO MORENO SURVEY, ABSTRACT No. 14, Bell County, Texas and being a part or portion of that certain 77.785 acre tract of land described as TRACT 4 in a Special Warranty Deed with Vendor's Lien dated April 15, 2019 from Alice B. Hoelscher and Clifford E. Hoelscher, a married couple to Short-Term Lending Gp, Inc., a Texas corporation and being of record in Document No. 2019-00015033, Official Public Records of Bell County, Texas.

TRACT 5
BEING a 112.706 acre tract situated in the MAXIMO MORENO SURVEY, ABSTRACT No. 14, Bell County, Texas and being a part or portion of that certain 47.655 acre tract of land described in a Warranty Deed dated April 15, 2019 from Short-Term Lending Gp Inc. to Temple Independent School District and being of record in Document No. 2019-00015099, Official Public Records of Bell County, Texas and being a part or portion of that certain 10.086 acre tract of land described as TRACT 2 and being a part or portion of that certain 77.785 acre tract of land described as TRACT 4 and being all of that certain 1.504 acre tract of land described as TRACT 3 in a Special Warranty Deed with Vendor's Lien dated April 15, 2019 from Alice B. Hoelscher and Clifford E. Hoelscher, a married couple to Short-Term Lending Gp, Inc., a Texas corporation and being of record in Document No. 2019-00015033, Official Public Records of Bell County, Texas.



STATE OF TEXAS I KNOW ALL MEN BY THESE PRESENTS, that I Michael E. Alvis, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that this survey was this day made on the ground of the property described herein and is correct and that there are no discrepancies, conflicts, shortages in the area, easements, and right-of-ways except as shown hereon, that this tract of land has access to and from a public road, and I have marked all corners with monuments.
This Property is within the Special Flood Hazard Area as per the Federal Emergency Management Agency Federal Insurance Administration Map No. 48027C0365E, dated September 26, 2008.
IN WITNESS THEREOF, my hand and seal, this the 21st day of August 2019.

Michael E. Alvis, R.P.L.S., No. 5402



TURLEY ASSOCIATES, INC.
ENGINEERING • PLANNING • SURVEYING
301 N. 3rd St.
TEMPLE, TEXAS 76501
TBE No. F-1658 • TPLS No. 10056000
254.773.2400
www.turley-inc.com

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SURVEY OF:
5 TRACTS
MAXIMO MORENO SURVEY, ABSTRACT No. 14
OLD SOUTH HIGHWAY 95 PROPERTY
BELL COUNTY, TX, BELL CAD # 6349

PREPARED FOR:
SHORT TERM LENDING
OLD HIGHWAY 95 PROPERTY

REVISIONS		
DATE	DESCRIPTION	DFT

DRAFTSMAN:
MGM
DATE:
8/21/2019
COMPUTER FILE NAME:
19-715 Boundaries.dwg
REFERENCE DRAWING NUMBERS:
19-132CERT.dwg

19-715
DRAWING NUMBER:
19-715D

PAGE #
01



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

6343
HOELSCHER, ALICE B & CLIFFORD
4906 FIRESTONE DR
COLLEGE STA, TX 77845-8926

RECEIVED
AUG 29 2019
CITY OF TEMPLE
PLANNING & DEVELOPMENT

Zoning Application Number: FY-19-26-ZC

Case Manager: Tammy Lyerly

Location: Southeast of the intersection of the intersection of Barnhardt Road and Old SH 95
(Little River Road) and west of South Highway 95

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 object to 21[±] acres being zoned General Retail. We were asked to sell the property for ~~Single~~ Planned Development Single Family for all the land. The buyers designation was totally false. Our property adjacent to Barnhardt Road will be harmed by the area zoned General Retail.

Alice B. Hoelscher Alice B. Hoelscher
Signature Clifford E. Hoelscher Print Name Clifford E. Hoelscher

(Optional)

Provide email and/or phone number if you want Staff to contact you

If you would like to submit a response, please email a scanned version of this completed form to the Case Manager referenced above, tylerly@templetx.gov, or mail or hand-deliver this comment form to the address below, no later than **September 3, 2019**.

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

Number of Notices Mailed: 12
Number of ETJ Notices: 11

Date Mailed: August 21, 2019

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**

19089
LITTLE RIVER PARTNERS LP
2182 RIVER RANCH RD
TEMPLE, TX 76502

RECEIVED
SEP 03 2019

Zoning Application Number: FY-19-26-ZC

Case Manager: Tammy Lyerly

Location: Southeast of the intersection of the intersection of Barnhardt Road and Old SH 95
(Little River Road) and west of South Highway 95

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

DAN VOLNEY

Print Name

(Optional)

Provide email and/or phone number if you want Staff to contact you

If you would like to submit a response, please email a scanned version of this completed form to the Case Manager referenced above, tllyerly@templetx.gov, or mail or hand-deliver this comment form to the address below, no later than **September 3, 2019**.

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

Number of Notices Mailed: 12
Number of ETJ Notices: 11

Date Mailed: August 21, 2019

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**

107930
LITTLE RIVER PARTNERS LP
2182 RIVER RANCH RD
TEMPLE, TX 76502

RECEIVED

SEP 03 2019

CITY OF TEMPLE
PLANNING & DEVELOPMENT

Zoning Application Number: FY-19-26-ZC

Case Manager: Tammy Lyerly

Location: Southeast of the intersection of the intersection of Barnhardt Road and Old SH 95
(Little River Road) and west of South Highway 95

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

DAN VOLNEY

(Optional)

Provide email and/or phone number if you want Staff to contact you

If you would like to submit a response, please email a scanned version of this completed form to the Case Manager referenced above, tyerly@templetx.gov, or mail or hand-deliver this comment form to the address below, no later than **September 3, 2019**.

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

Number of Notices Mailed: 12
Number of ETJ Notices: 11

Date Mailed: August 21, 2019

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, SEPTEMBER 3, 2019**

ACTION ITEMS

Item 6: FY-19-26-ZC – Hold a public hearing to discuss and recommend action on 137.028 acres of land for a rezoning with a development/site plan from Agricultural (AG) zoning district to Planned Development Single Family Two (PD-SF-2) on 114 +/- acres; Planned Development General Retail (PD-GR) on 2 +/- acres, and General Retail (GR) on 21 +/- acres, located southeast of the intersection of Barnhardt Road and Old SH 95 (Little River Road) and west of South State Highway 95.

Ms. Lyerly stated this item was scheduled to go forward to City Council for first reading on October 3, 2019 and second reading on October 17, 2019.

Aerial map shown.

DRC reviewed this case on August 22, 2019.

These two properties were part of Voluntary Annexations (approved by City Council July 2019):

- FY-19-3-ANX
- FY-19-4-ANX

Zoning map and Future Land Use and Character Map shown.

Ms. Lyerly mentioned that the corner piece is within the ETJ and not in city limits and is not part of this request.

Development/Site plan for proposed Temple Independent School District (TISD) elementary and middle schools shown.

The Thoroughfare Plan designates Blackland Road, Barnhardt Road, and State Highway 95 as Major Arterials, and Old Highway 95 (Little River Road) as a Minor Arterial. These arterials are appropriate for general retail uses and entryways into subdivisions.

Water is available through one and one-half-inch and 12-inch lines within the rights-of-way.

There is no sewer in the area.

Proposed water, wastewater, and drainage will be addressed during the platting process.

On-site photos shown.

Surrounding properties include Old Highway 95 and Barnhardt Road to the north, South State Highway 95, Old Highway 95 and ATMOS Energy site to the south, South State Highway 95 to the east, and Old Highway 95 and Blackland Road to the west.

Development Regulations for given.

Permitted and Conditional Use Table for SF-2 and GR shown.

Twelve notices were mailed in accordance with all state and local regulations with two responses returned in agreement and one response returned in disagreement. Eleven courtesy notices were mailed to ETJ properties within 200-feet of the subject property.

Staff recommends approval of a rezoning from AG to PD-SF-2, PD-GR, and GR and the site/development plan with the following conditions:

- Development will require compliance with the development/site plan;
- At least two evergreen bushes per single family residence;
- At least one 1.5-inch DBH (Diameter at Breast Height) tree per single family residence from the approved City of Temple Tree list, per the UDC;
- Development will also be subject to all UDC platting requirements during the platting process;
- Minimum sod turf grass on all front yards;
- 20-foot front yard setback;
- 10-foot corner lot side setback (street side);
- Residential lot dimensions to follow SF-2 except a 40-foot minimum lot width on cul-de-sac and knuckles;
- Bicycle and pedestrian access between the neighborhood and to the school sites; and
- 15-foot wide (minimum) landscape buffer between the mini storage use and adjacent residential uses or zoning districts, consisting of a preservation buffer of existing qualifying trees (per UDC Section 7.4) with a minimum estimated diameter of 8-inch DBH trees for the purpose of buffering and screening the PD-GR district from adjacent residential uses and/or zoning districts.

Chair Langley opened the public hearing.

Mr. Cliff Hoelscher, 4906 Firestone Drive, College Station, Texas, stated he and his wife were the sellers of the subject property for single family development. Mr. Hoelscher stated three days after the finalization of the sale, a school was announced to be there. Mr. Hoelscher added that if his wife had known there was going to be a school there, she would have donated the property.

Mr. Hoelscher objects to the general commercial which is directly across from the property they still own.

Barnhardt Lane is very narrow and will need to be widened.

The Hoelschers would like to know more about the general business portion and do not feel it is compatible with the neighborhood.

Ms. Lyerly confirmed that if this request is approved, the applicant would still need to go through the platting process. This is only the zoning portion and if it is approved, a plat would need to be submitted.

Mr. Hoelscher felt this was a 'done deal.' Vice-Chair Ward responded this is definitely not a done deal even if this request is approved since there are other requirements.

Mr. Brian Chandler, Director of Planning, stated plats would have to come back before P&Z; however, the question of use is tied to the zoning. This is the opportunity for P&Z to consider the strip of general retail to the north along Barnhardt that the Hoelschers are questioning. P&Z has the ability to approve as presented or amend that piece and take action on that section. Because if the plat comes in, it is a ministerial process which basically means it is a technical review that gets to P&Z, and if it checks all the boxes then it has to be approved. This is actually the stage that P&Z would consider whether the retail along that section is appropriate.

Mr. Chandler commented the property is owned by the school district and a school is proposed. The flexibility of a PD allows P&Z to add conditions.

Ms. Lyerly confirmed the applicant does not know what general retail use would go in.

Mr. Chandler stated what is proposed is any use allowed under GR.

Mr. Bubba Moore, 3820 Highway 95, Temple, Texas, stated he owns the 'undevelopment' part across Barnhart and disagrees with this request. Mr. Moore would like more information since he does not know what is going on.

Mr. Moore felt if retail were going to be put in there, the road would need to be widened and it was likely part of his property would be taken to do that.

Mr. Hoelscher returned to the podium and gave some background history on the property and surrounding area.

Mr. Al Dusek, 3406 Buffalo Trail, Temple, Texas, stated he was opposed to any type of a structure on the outbreak. There is a waterway going through the area and any type of a structure would divert the water which would probably go to his property.

Mr. Dusek asked about a buffer zone. Mr. Dusek's family hunts and fishes on the property which they have owned for approximately 30 years. If a house is stuck there, Mr. Dusek stated "you've ruined our whole property."

Ms. Karen Wynn, 4518 Stagecoach Trail, Temple, Texas, agreed with Mr. Moore's comment that she does not really know what is going on.

Ms. Wynn asked what the contents of the letters that were sent out consisted of and was it understandable for laymen. What type of options are they given?

Ms. Lyerly described what the contents of the letters were. Ms. Lyerly added the newspaper ad ran and signs are posted on the subject property for notification within the City of Temple's city limits.

Mr. David Dusek, 2200 Windswept Drive, Austin, Texas, commented the letter was received; however, there was nowhere to indicate approval or rejection. Ms. Lyerly explained they received a courtesy notice for the ETJ which does not include that option.

A good portion of the subject property is in the flood zone and there would need to be a lot of planning and preparation for water diversion since Mr. Dusek does not want the water to come onto his property.

Mr. Dusek commented they have been hunting and fishing there for years and would not like to see that disrupted for his family.

Discussion regarding the buffer and existing vegetation.

Ms. Lyerly explained a drainage report with calculations would need to be submitted which is reviewed by the Engineering Department, per state law.

Discussion about the proposed school.

Mr. Moore returned and stated there was a spring fed stock tank there that flows out of the area.

Mr. B.J. Little, 301 N. 3rd Street, Temple, Texas, represents Turley Associates, explained there was a lot of development happening in the area. Mr. Little's understanding is there is a 100 percent chance the schools are going to be there. Preliminary concept work has already begun and they want to centralize a school around many existing developments.

The GR around Barnhardt fits in with the surrounding developments.

Mr. Little explained there was a large flood plain and with the school, Barnhardt Road, additional utilities, etc., a lot of work will need to be done on the flood plain to ensure no further impact on landowners. Whether projects are commercial or residential, the City of Temple's Drainage Criteria must be met.

The mini-storage will only go to the flood plain, not beyond. The back half will be a park that will have small detention ponds and they will maintain the trees. The landowner to the south will be buffered with all of the trees.

The developer wants to build a nice community and work with the neighbors.

Ms. Zoe Grant, 209 Ruggles Loop, Temple, Texas, asked the Commission to consider taking out the part where there are the wetlands, and the retail strip for further review or discussion. Keep the proposed TISD and housing.

Ms. Kathryn Kyle, 2808 Gettysburg Drive, Austin, Texas, stated the outcropping was an odd place to put any type of GR. The whole site line from Barnhardt Road all the way to 93 is all agricultural. Ms. Kyle agrees further deliberation is needed on the proposed GR area.

Ms. Lyerly explained the properties within the City of Temple received a letter because we use those letters to calculate opposition. The ETJ property owners received a courtesy notice. Ms. Kyle's and the other speakers' comments will be included in the minutes.

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

Commissioner Marshall asked if the developer would be willing to do Neighborhood Services in lieu of a PD-GR. Mr. Little responded the developer has put in a lot of time and effort with the Staff over the last few months and without him being present, Mr. Little's assumption would be that the developer would want to move forward as presented.

Ms. Lyerly restated with this being a PD, the P&Z Commission has the ability to add conditions going forward with your recommendation to City Council.

Commissioner Wright made a motion to approve Item 6, **FY-19-26-ZC**, per staff recommendation, and Commissioner Castillo made a second.

Motion passed: (7:0)

Commissioners Jeanes and Fettig absent.

ORDINANCE NO. 2019-4997
(FY-19-26-ZC)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A REZONING ON APPROXIMATELY 137.028 ACRES OF LAND WITH A SITE/DEVELOPMENT PLAN FROM AGRICULTURAL ZONING DISTRICT TO PLANNED DEVELOPMENT SINGLE FAMILY TWO ON APPROXIMATELY 114 ACRES; PLANNED DEVELOPMENT GENERAL RETAIL ON APPROXIMATELY 2 ACRES, AND GENERAL RETAIL ON APPROXIMATELY 21 ACRES, LOCATED SOUTHEAST OF THE INTERSECTION OF BARNHARDT ROAD AND OLD STATE HIGHWAY 95 (LITTLE RIVER ROAD) AND WEST OF SOUTH STATE HIGHWAY 95; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the subject properties were recently voluntarily annexed into the City of Temple in July 2019 (FY-19-3-ANX and FY-19-4-ANX) and the applicants have requested a rezoning from Agricultural zoning district to Planned Development Single Family Two zoning district, Planned Development General Retail zoning district, and General Retail zoning district to allow for the development of a single-family residential neighborhood with a middle school and elementary school (Temple Independent School District) to the north, and general retail uses fronting Barnhardt Road, Old Highway 95 (Little River Road), and South Highway 95;

Whereas, development will be according to the proposed accompanying development/site plan which reflects the creation of new local streets within the Planned Development Single Family Two portion of this request and a General Retail portion buffering residential uses from Old Highway 95 (Little River Road) and Barnhardt Road;

Whereas, the requested General Retail areas are compatible with the existing Dirty Dogs Spaw at the southeast corner of Barnhardt Road and Old Highway 95 (Little River Road) and the ATMOS Energy property along Old Highway 95 (Little River Road) - Staff recommends buffering the Planned Development Single Family Two area from the ATMOS Energy property;

Whereas, mini storage warehouses are proposed for the Planned Development General Retail portion of the subject property fronting State Highway 95 and a flood plain with existing trees separates the Planned Development General Retail portion of the proposed Planned Development from the requested Planned Development Single Family Two area;

Whereas, the Planning and Zoning Commission of the City of Temple, Texas, recommends approval of the rezoning on approximately 137.028 acres of land with a site/development plan from Agricultural zoning district to Planned Development Single Family Two zoning district on approximately 114 acres; Planned Development General Retail zoning district on approximately 2 acres, and General Retail zoning district on approximately 21 acres, located southeast of the intersection of Barnhardt Road and Old State Highway 95 (Little River Road) and west of South State Highway 95, as outlined in the map attached hereto as Exhibit 'A,' and made a part hereof for all purposes, and subject to the following conditions:

- Development will require compliance with the development/site plan;
- At least 2 evergreen bushes per single family residence;
- At least one 1.5-inch DBH (Diameter at Breast Height) tree per single family residence from the approved City of Temple Tree list, per the Unified Development Code (UDC);
- Development will also be subject to all UDC platting requirements during the platting process;
- Minimum sod turf grass on all front yards;
- 20-foot front yard setback;
- 10-foot corner lot side setback (street side);
- Residential lot dimensions to follow Single Family Two except 40-foot minimum lot width on cul-de-sac and knuckles;
- Bicycle and pedestrian access between the neighborhood and to the school sites;
- 15-foot wide (minimum) landscape buffer between the mini storage use and adjacent residential uses or zoning districts, consisting of a preservation buffer of existing qualifying trees (per UDC Section 7.4) with a minimum estimated diameter of 8-inch DBH trees for the purpose of buffering and screening the PD-GR district from adjacent residential uses and/or zoning districts; and

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

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

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

Part 2: The City Council approves of the rezoning of approximately 137.028 acres of land with a site/development plan from Agricultural zoning district to Planned Development Single Family Two zoning district on approximately 114 acres; Planned Development General Retail zoning district on approximately 2 acres, and General Retail zoning district on approximately 21 acres, located southeast of the intersection of Barnhardt Road and Old State Highway 95 (Little River Road) and west of South State Highway 95, as outlined in the map attached hereto as Exhibit 'A,' and made a part hereof for all purposes, and subject to the following conditions:

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- 20-foot front yard setback;
- 10-foot corner lot side setback (street side);

- Residential lot dimensions to follow Single Family Two except 40-foot minimum lot width on cul-de-sac and knuckles;
- Bicycle and pedestrian access between the neighborhood and to the school sites; and
- 15-foot wide (minimum) landscape buffer between the mini storage use and adjacent residential uses or zoning districts, consisting of a preservation buffer of existing qualifying trees (per UDC Section 7.4) with a minimum estimated diameter of 8-inch DBH trees for the purpose of buffering and screening the PD-GR district from adjacent residential uses and/or zoning districts.

Part 3: The City Council approves the Site Development Plan made a part hereof for all purposes.

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

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

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

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

PASSED AND APPROVED on First Reading and Public Hearing on the **3rd** day of **October**, 2019.

PASSED AND APPROVED on Second Reading on the **17th** day of **October**, 2019.

THE CITY OF TEMPLE, TEXAS

TIMOTHY A. DAVIS, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
Interim City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

10/03/19
Item #10
Regular Agenda
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DEPT./DIVISION SUBMISSION & REVIEW:

Traci L. Barnard, Director of Finance

ITEM DESCRIPTION: FIRST READING – PUBLIC HEARING: Consider adopting an ordinance authoring an amendment and adopting the Tax Increment Financing Reinvestment Zone No. 1 Financing and Project Plans to align with the 2030 Master Plan which includes appropriating bond proceeds, adjusting tax revenues, allocating funding for future debt service, operating expenditures and public improvements for years FY 2019-2062.

STAFF RECOMMENDATION: Conduct a public hearing and adopt ordinance as presented in item description on first reading with second reading and final adoption on October 17, 2019.

ITEM SUMMARY: On August 21, 2019, the Reinvestment Zone No. 1 (RZ#1) Finance and Project Committees held a joint meeting. On September 18, 2019, the Reinvestment Zone No. 1 (RZ#1) Project Committee held its meeting. The meetings consisted of reviewing available funding sources and aligning funding with project needs. All projects were reviewed for updated cost estimates, project scope, and project readiness/delivery. The available funding sources identified were from the combination of revised tax increment revenues estimates based on the receipt of certified values from the Bell County Appraisal District, reallocation of funding from existing projects, and the issuance of TIRZ Revenue Bonds in fiscal years 2020 and 2022.

The focus of the proposed amendment is for the fiscal years 2020-2025, however, state law requires a financing and project plan to span the life of the Zone. The result of the meetings is recommended changes to the Financing and Project Plans to continue with the execution of the 2030 Master Plan.

The Reinvestment Zone No. Board recommended approval of this amendment at their September 25, 2019 Board meeting. Below are highlights of **selected line items**:

Tax Increment Revenues: FY 2020 – Taxable values were revised to reflect the certified tax roll received from the Bell County Appraisal District. Total anticipated revenues are \$18,361,300 from all participating taxing entities which is a decrease of \$305,080 from the current Financing Plan. Future revenues were adjusted using FY 2020 revenues as a base. Assumptions for forecasting future revenues included decreasing the value of Panda I and II valuations to reflect current operational factors associated with Panda I and II and market trends for power generation plants. The future

annual valuations were adjusted equally to reach approximately 40% of replacement cost in FY 2024. In addition, the revenue forecast was adjusted for expiring tax abatements and adjustments were made for changes to existing future real property improvements/expansions to the applicable years. A growth factor was applied to the adjusted projected values beginning in FY 2031. Assumptions are reviewed annually upon receipt of certified tax rolls and will be adjusted as necessary.

TIRZ Revenue Bonds: In FY 2019, \$5,000,000 of bond proceeds was removed from the Financing Plan to reflect a revised issue date based on timing of the projects. In FY 2020, \$14,868,450 of bond proceeds were added to fund a parking garage on 1st Street and a parking garage at Central Avenue and 4th Street.

In FY 2022, \$40,000,000 of bond proceeds were added to fund projects shown in the 2030 Master Plan Project Funding Schedule. The bond issue amount was based on project needs and is within the parameters for maintaining a two times coverage for future debt service. The projects to be funded with the bond proceeds include the Outer Loop I-35 to Wendland, Outer Loop Wendland to McLane Parkway, Avenue C from MLK to 24th Street, 24th Street, and the East/West Gateway.

The amendment includes an allocation for annual debt service for the 2020 TIRZ Revenue bonds beginning in FY 2021 through FY 2040. The average annual debt service on this proposed issue is approximately \$1,333,100. The amendment also includes an allocation for annual debt service for the 2022 TIRZ Revenue bonds beginning in FY 2023 through FY 2042. The average annual debt service on this proposed issue is approximately \$3,989,134. Both bond issues have an amortization of 20 years.

Operating Expenditures: The proposed amendment includes adjustments to the operating expenditures in FY 2020 through FY 2062. These amendments include adjustments to Zone park maintenance for new projects coming online, adjustments to Transformation Team that includes new crews to focus on downtown, adding Strategic Investment Zone grant funding, and the addition of operating funding to the Temple Economic Development Corporation.

The following is a summary of funding for the 2030 Master Plan projects:

Project Description	2018	2019	2020	2021	2022	2023	2024	2025	TOTAL
Temple Industrial Park	\$ -	\$ 1,500,000	\$ 365,000	\$ -	\$ 1,500,000	\$ 1,500,000	\$ -	\$ 3,825,000	\$ 8,690,000
Corporate Campus Park	2,331,393	250,000	-	-	-	-	-	-	2,581,393
Bioscience Park/Crossroads Park	5,564,692	-	900,000	-	-	-	-	-	6,464,692
Outer Loop	20,422,812	450,000	-	-	28,625,000	-	-	-	49,497,812
Downtown	37,076,794	1,698,000	22,895,550	1,900,000	7,298,900	1,500,000	2,000,000	5,000,000	79,369,244
TMED	6,327,387	-	-	-	3,000,000	-	-	-	9,327,387
Airport Park	2,929,513	1,712,200	213,000	4,740,000	-	1,500,000	-	-	11,094,713
Gateway	1,772,000	990,150	5,480,000	-	3,430,000	1,500,000	-	10,000,000	23,172,150
Public Improvements	-	-	-	-	3,750,000	1,000,000	1,000,000	-	5,750,000
MASTER PLAN PROJECT FUNDING	\$ 76,424,591	\$ 6,600,350	\$ 29,853,550	\$ 6,640,000	\$ 47,603,900	\$ 7,000,000	\$ 3,000,000	\$ 18,825,000	\$ 195,947,391

See the attached "TRZ Master Plan Project Funding (2018-2025)" schedule for more detail on the projects.

Public Improvements: Beginning in FY 2026 through 2062, the balance of funding for general “non-project specific” improvements are allocated to this line item. The amount was determined based on the remaining funds available after amounts were allocated for operating expenditures, debt service, projects and maintaining an amount of fund balance of no less than \$2,000,000.

FISCAL IMPACT: Below is a table summarizing the Source and Use of funds included in the Financing and Project Plans.

Description	2019	2020	2021	2022	2023	2024	2025	Future Years
Available FB ⁽¹⁾ @ October 1	\$ 42,051,937	\$ 8,337,646	\$ 1,681,273	\$ 1,732,870	\$ 2,699,645	\$ 4,455,769	\$ 10,797,858	\$ 2,494,408
Total Source of Funds	19,395,011	33,905,331	18,715,913	60,313,900	21,451,033	22,609,406	23,966,490	1,042,967,253
Total Debt & Operating Exp.	9,989,237	10,708,154	12,024,316	11,743,225	12,694,909	13,267,317	13,444,940	358,986,003
Total Planned Project Exp.	43,120,065	29,853,550	6,640,000	47,603,900	7,000,000	3,000,000	18,825,000	686,475,658
Available FB ⁽¹⁾ @ September 30	\$ 8,337,646	\$ 1,681,273	\$ 1,732,870	\$ 2,699,645	\$ 4,455,769	\$ 10,797,858	\$ 2,494,408	\$ -

⁽¹⁾ - Fund Balance

ATTACHMENTS:

Financing Plan
Summary Financing Plan with Detailed Project Plan
Summary - TRZ Master Plan Project Funding (2018 - 2025)
TRZ Master Plan Project Funding (2018 - 2025)
Ordinance

FINANCING PLAN

		Revised												
		Y/E 9/30/19	Y/E 9/30/20	Y/E 9/30/21	Y/E 9/30/22	2023	2024	2025	2026	2027	2028	2029	2030	
		Year 37	Year 38	Year 39	Year 40	41	42	43	44	45	46	47	48	
DESCRIPTION														
1	"Taxable Increment"	\$ 440,490,768	\$ 489,919,085	\$ 498,516,208	\$ 568,662,049	\$ 624,568,564	\$ 694,628,664	\$ 779,395,271	\$ 909,059,564	\$ 976,914,779	\$ 995,713,886	\$ 1,009,520,136	\$ 1,025,968,886	
1	FUND BALANCE, Begin	\$ 42,051,937	\$ 8,337,646	\$ 1,681,273	\$ 1,732,870	\$ 2,699,645	\$ 4,455,769	\$ 10,797,858	\$ 2,494,408	\$ 2,569,340	\$ 2,347,475	\$ 2,288,728	\$ 2,324,560	
2A	Adjustments to Debt Service Reserve - Tax Increment Revenue Bonds, Series 2018	-	-	-	-	-	-	-	-	-	-	-	-	
2B	Adjustments to Debt Service Reserve - Tax Increment Taxable Revenue Bonds, Series 2019	-	-	-	-	-	-	-	-	-	-	-	-	
3	Fund Balance Available for Appropriation	\$ 42,051,937	\$ 8,337,646	\$ 1,681,273	\$ 1,732,870	\$ 2,699,645	\$ 4,455,769	\$ 10,797,858	\$ 2,494,408	\$ 2,569,340	\$ 2,347,475	\$ 2,288,728	\$ 2,324,560	
SOURCES OF FUNDS:														
4	Tax Revenues	18,049,958	18,361,300	18,933,922	20,576,548	21,730,998	22,907,011	24,284,761	25,938,736	26,739,308	26,972,655	27,142,025	27,389,982	
6	Allowance for Uncollected Taxes [1.5% of Tax Revenues]	(270,749)	(275,420)	(284,009)	(308,648)	(325,965)	(343,605)	(364,271)	(389,081)	(401,090)	(404,590)	(407,130)	(410,850)	
8	Interest Income	240,000	240,000	30,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	
9	Interest Income-Bonds	300,000	-	-	-	-	-	-	-	-	-	-	-	
10	Grant Funds	414,802	50,000	-	-	-	-	-	-	-	-	-	-	
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	36,000	36,000	
14	Other Revenues	625,000	625,000	-	-	-	-	-	-	-	-	-	-	
15	Sale of land	-	-	-	-	-	-	-	-	-	-	-	-	
17	Bond Proceeds	-	14,868,450	-	40,000,000	-	-	-	-	-	-	-	-	
18	Bond Reoffering Premium, Underwriter's Discount & Cost of Issuance	-	-	-	-	-	-	-	-	-	-	-	-	
20	Total Sources of Funds	\$ 19,395,011	\$ 33,905,331	\$ 18,715,913	\$ 60,313,900	\$ 21,451,033	\$ 22,609,406	\$ 23,966,490	\$ 25,595,655	\$ 26,384,218	\$ 26,614,065	\$ 26,780,895	\$ 27,025,132	
25	TOTAL AVAILABLE FOR APPROPRIATION	\$ 61,446,948	\$ 42,242,976	\$ 20,397,186	\$ 62,046,770	\$ 24,150,678	\$ 27,065,175	\$ 34,764,347	\$ 28,090,063	\$ 28,953,558	\$ 28,961,540	\$ 29,069,623	\$ 29,349,692	
USE OF FUNDS:														
DEBT SERVICE														
27	2009 Bond Refunding	1,485,000	-	-	-	-	-	-	-	-	-	-	-	
28	2008 Bond Issue-Taxable {\$10.365 mil}	1,241,173	1,237,744	1,241,670	1,242,422	-	-	-	-	-	-	-	-	
29	Debt Service - 2011A Issue {Refunding}	915,950	2,497,800	2,497,550	2,494,950	-	-	-	-	-	-	-	-	
30	Debt Service - 2012 Issue {Refunding}	77,650	80,050	77,250	78,750	-	-	-	-	-	-	-	-	
31	Debt Service - 2013 Issue {\$25.260 mil}	2,048,344	2,047,944	2,046,494	2,031,494	2,030,094	2,026,694	2,038,413	2,051,613	2,059,113	2,061,713	2,061,713	2,069,113	
32	Debt Service - 2018 Issue {\$24 mil}	1,439,967	1,336,000	1,287,000	1,305,000	2,086,750	2,089,000	2,088,750	2,086,000	2,090,750	2,087,500	2,086,500	2,087,500	
33	Debt Service - 2019 Issue {\$14.868 mil}	-	-	1,323,900	882,600	1,357,600	1,359,100	1,358,800	1,356,700	1,357,800	1,356,800	1,358,700	1,358,200	
34	Debt Service - 2022 Issue {\$40 mil}	-	-	-	-	3,437,188	3,911,250	4,022,000	4,023,500	4,025,750	4,023,500	4,021,750	4,025,250	
35	Paying Agent Services	3,200	3,200	3,200	3,200	2,000	2,000	2,000	2,000	2,000	2,000	2,000	2,000	
40	Subtotal-Debt Service	7,211,284	7,202,738	8,477,064	8,038,416	8,913,632	9,388,044	9,509,963	9,519,813	9,535,413	9,531,513	9,530,663	9,542,063	
OPERATING EXPENDITURES														
50	Prof Svcs/Proj Mgmt	179,265	146,400	175,000	175,000	175,000	175,000	175,000	175,000	175,000	175,000	175,000	175,000	
52	Legal/Audit	1,300	1,300	1,300	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]	720,000	528,600	560,600	660,600	677,600	704,600	704,600	704,600	704,600	704,600	704,600	704,600	
56	Rail Maintenance	185,324	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	
58	Road/Signage Maintenance	440,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	
59	Transformation Team	499,501	715,439	639,784	639,784	639,784	647,784	639,784	639,784	639,784	639,784	639,784	639,784	
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	200,000	200,000	
61	TEDC-Operating	-	1,586,113	1,641,627	1,699,084	1,758,552	1,820,101	1,883,805	1,949,738	2,017,979	2,088,608	2,161,709	2,237,369	
62	Strategic Investment Zone - Grants	525,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	
63	TISD-Reimbursement [per contract]	27,563	27,563	28,941	28,941	28,941	30,388	30,388	30,388	31,907	31,907	31,907	33,502	
65	Subtotal-Operating Expenditures	2,777,953	3,505,415	3,547,252	3,704,809	3,781,277	3,879,273	3,934,977	4,000,910	4,070,670	4,141,299	4,214,400	4,291,655	
70	TOTAL DEBT & OPERATING EXPENDITURES	\$ 9,989,237	\$ 10,708,153	\$ 12,024,316	\$ 11,743,225	\$ 12,694,909	\$ 13,267,317	\$ 13,444,940	\$ 13,520,723	\$ 13,606,083	\$ 13,672,812	\$ 13,745,063	\$ 13,833,718	
80	Funds Available for Projects	\$ 51,457,711	\$ 31,534,823	\$ 8,372,870	\$ 50,303,545	\$ 11,455,769	\$ 13,797,858	\$ 21,319,408	\$ 14,569,340	\$ 15,347,475	\$ 15,288,728	\$ 15,324,560	\$ 15,515,974	
PROJECTS														
150	Temple Industrial Park	1,500,000	365,000	-	1,500,000	1,500,000	-	3,825,000	-	-	-	-	-	
200	Corporate Campus Park	432,422	-	-	-	-	-	-	-	-	-	-	-	
250	Bioscience Park/Crossroads Park	1,156,208	900,000	-	-	-	-	-	-	-	-	-	-	
350	Outer Loop	16,202,026	-	-	28,625,000	-	-	-	-	-	-	-	-	
400	Synergy Park	-	-	-	-	-	-	-	-	-	-	-	-	
450	Downtown	18,235,792	22,895,550	1,900,000	7,298,900	1,500,000	2,000,000	5,000,000	-	-	-	-	-	
500	TMED	886,997	-	-	3,000,000	-	-	-	-	-	-	-	-	
550	Airport Park	2,174,900	213,000	4,740,000	-	1,500,000	-	-	-	-	-	-	-	
650	Gateway Projects	2,531,720	5,480,000	-	3,430,000	1,500,000	-	10,000,000	-	-	-	-	-	
750	Public Improvements	-	-	-	3,750,000	1,000,000	1,000,000	-	12,000,000	13,000,000	13,000,000	13,000,000	13,000,000	
	Subtotal-Projects	43,120,065	29,853,550	6,640,000	47,603,900	7,000,000	3,000,000	18,825,000	12,000,000	13,000,000	13,000,000	13,000,000	13,000,000	
TOTAL USE OF FUNDS		\$ 53,109,302	\$ 40,561,703	\$ 18,664,316	\$ 59,347,125	\$ 19,694,909	\$ 16,267,317	\$ 32,269,940	\$ 25,520,723	\$ 26,606,083	\$ 26,672,812	\$ 26,745,063	\$ 26,833,718	
800	FUND BALANCE, End {Available for Appropriation}	\$ 8,337,646	\$ 1,681,273	\$ 1,732,870	\$ 2,699,645	\$ 4,455,769	\$ 10,797,858	\$ 2,494,408	\$ 2,569,340	\$ 2,347,475	\$ 2,288,728	\$ 2,324,560	\$ 2,515,974	

FINANCING PLAN

DESCRIPTION		2031 49	2032 50	2033 51	2034 52	2035 53	2036 54	2037 55	2038 56	2039 57	2040 58
1	"Taxable Increment"	\$ 1,060,563,761	\$ 1,071,169,399	\$ 1,081,881,092	\$ 1,092,699,903	\$ 1,103,626,902	\$ 1,114,663,171	\$ 1,125,809,802	\$ 1,137,067,900	\$ 1,148,438,579	\$ 1,159,922,965
1	FUND BALANCE, Begin	\$ 2,515,974	\$ 2,445,380	\$ 2,539,728	\$ 2,302,444	\$ 2,338,298	\$ 2,546,981	\$ 2,435,307	\$ 2,498,775	\$ 2,827,839	\$ 2,331,566
2A	Adjustments to Debt Service Reserve - Tax Increment Revenue Bonds, Series 2018	-	-	-	-	-	-	-	2,090,750	-	-
2B	Adjustments to Debt Service Reserve - Tax Increment Taxable Revenue Bonds, Series 2019	-	-	-	-	-	-	-	-	-	-
3	Fund Balance Available for Appropriation	\$ 2,515,974	\$ 2,445,380	\$ 2,539,728	\$ 2,302,444	\$ 2,338,298	\$ 2,546,981	\$ 2,435,307	\$ 4,589,525	\$ 2,827,839	\$ 2,331,566
SOURCES OF FUNDS:											
4	Tax Revenues	27,921,759	28,184,743	28,450,357	28,718,627	28,989,580	29,263,242	29,539,641	29,818,804	30,100,759	30,385,533
6	Allowance for Uncollected Taxes [1.5% of Tax Revenues]	(418,826)	(422,771)	(426,755)	(430,779)	(434,844)	(438,949)	(443,095)	(447,282)	(451,511)	(455,783)
8	Interest Income	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000
9	Interest Income-Bonds	-	-	-	-	-	-	-	-	-	-
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	-	-	-	-	-	-	-	-	-	-
18	Bond Reoffering Premium, Underwriter's Discount & Cost of Issuance	-	-	-	-	-	-	-	-	-	-
20	Total Sources of Funds	\$ 27,548,933	\$ 27,807,972	\$ 28,069,602	\$ 28,333,848	\$ 28,600,736	\$ 28,870,293	\$ 29,142,546	\$ 29,417,522	\$ 29,695,248	\$ 29,975,750
25	TOTAL AVAILABLE FOR APPROPRIATION	\$ 30,064,906	\$ 30,253,352	\$ 30,609,329	\$ 30,636,292	\$ 30,939,035	\$ 31,417,274	\$ 31,577,853	\$ 34,007,047	\$ 32,523,087	\$ 32,307,316
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}	2,073,513	2,084,913	2,092,913	-	-	-	-	-	-	-
32	Debt Service - 2018 Issue {\$24 mil}	2,090,250	2,089,500	2,090,250	2,087,250	2,090,500	2,089,500	2,089,250	2,089,500	-	-
33	Debt Service - 2019 Issue {\$14.868 mil}	1,360,300	1,359,700	1,361,400	1,360,100	1,360,800	1,358,200	1,357,300	1,357,800	1,359,400	1,356,800
34	Debt Service - 2022 Issue {\$40 mil}	4,023,500	4,026,500	4,023,750	4,025,250	4,025,500	4,024,250	4,026,250	4,026,000	4,023,250	4,022,750
35	Paying Agent Services	2,000	2,000	2,000	2,000	2,000	2,000	2,000	2,000	-	-
40	Subtotal-Debt Service	9,549,563	9,562,613	9,570,313	7,474,600	7,478,800	7,473,950	7,474,800	7,475,300	5,382,650	5,379,550
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]	704,600	704,600	704,600	704,600	704,600	704,600	704,600	704,600	704,600	704,600
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
59	Transformation Team	839,784	839,784	839,784	839,784	839,784	839,784	839,784	839,784	839,784	839,784
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
61	TEDC-Operating	2,315,677	2,396,726	2,480,611	2,567,432	2,657,293	2,750,298	2,846,558	2,946,188	3,049,304	3,156,030
62	Strategic Investment Zone - Grants	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000
63	TISD-Reimbursement [per contract]	33,502	33,502	35,177	35,177	35,177	36,936	36,936	36,936	38,783	38,783
65	Subtotal-Operating Expenditures	4,569,963	4,651,012	4,736,572	4,823,393	4,913,254	5,008,018	5,104,278	5,203,908	5,308,871	5,415,597
70	TOTAL DEBT & OPERATING EXPENDITURES	\$ 14,119,526	\$ 14,213,625	\$ 14,306,885	\$ 12,297,993	\$ 12,392,054	\$ 12,481,968	\$ 12,579,078	\$ 12,679,208	\$ 10,691,521	\$ 10,795,147
80	Funds Available for Projects	\$ 15,945,380	\$ 16,039,728	\$ 16,302,444	\$ 18,338,298	\$ 18,546,981	\$ 18,935,307	\$ 18,998,775	\$ 21,327,839	\$ 21,831,566	\$ 21,512,169
PROJECTS											
150	Temple Industrial Park	-	-	-	-	-	-	-	-	-	-
200	Corporate Campus Park	-	-	-	-	-	-	-	-	-	-
250	Bioscience Park/Crossroads Park	-	-	-	-	-	-	-	-	-	-
350	Outer Loop	-	-	-	-	-	-	-	-	-	-
400	Synergy Park	-	-	-	-	-	-	-	-	-	-
450	Downtown	-	-	-	-	-	-	-	-	-	-
500	TMED	-	-	-	-	-	-	-	-	-	-
550	Airport Park	-	-	-	-	-	-	-	-	-	-
650	Gateway Projects	-	-	-	-	-	-	-	-	-	-
750	Public Improvements	13,500,000	13,500,000	14,000,000	16,000,000	16,000,000	16,500,000	16,500,000	18,500,000	19,500,000	19,000,000
	Subtotal-Projects	13,500,000	13,500,000	14,000,000	16,000,000	16,000,000	16,500,000	16,500,000	18,500,000	19,500,000	19,000,000
TOTAL USE OF FUNDS		\$ 27,619,526	\$ 27,713,625	\$ 28,306,885	\$ 28,297,993	\$ 28,392,054	\$ 28,981,968	\$ 29,079,078	\$ 31,179,208	\$ 30,191,521	\$ 29,795,147
800	FUND BALANCE, End {Available for Appropriation}	\$ 2,445,380	\$ 2,539,728	\$ 2,302,444	\$ 2,338,298	\$ 2,546,981	\$ 2,435,307	\$ 2,498,775	\$ 2,827,839	\$ 2,331,566	\$ 2,512,169

FINANCING PLAN

	2041	2042	2043	2044	2045	2046	2047	2048	2049	2050
	59	60	61	62	63	64	65	66	67	68
DESCRIPTION										
1 "Taxable Increment"	\$ 1,171,522,195	\$ 1,183,237,417	\$ 1,195,069,791	\$ 1,207,020,489	\$ 1,219,090,694	\$ 1,231,281,601	\$ 1,243,594,417	\$ 1,256,030,361	\$ 1,268,590,664	\$ 1,281,276,571
1 FUND BALANCE, Begin	\$ 2,512,169	\$ 2,221,167	\$ 2,602,540	\$ 2,409,214	\$ 2,332,897	\$ 2,369,661	\$ 2,519,525	\$ 2,280,340	\$ 2,147,684	\$ 2,621,267
2A Adjustments to Debt Service Reserve - Tax Increment Revenue Bonds, Series 2018	-	-	-	-	-	-	-	-	-	-
2B Adjustments to Debt Service Reserve - Tax Increment Taxable Revenue Bonds, Series 2019	-	-	-	-	-	-	-	-	-	-
3 Fund Balance Available for Appropriation	\$ 2,512,169	\$ 2,221,167	\$ 2,602,540	\$ 2,409,214	\$ 2,332,897	\$ 2,369,661	\$ 2,519,525	\$ 2,280,340	\$ 2,147,684	\$ 2,621,267
SOURCES OF FUNDS:										
4 Tax Revenues	30,673,154	30,963,652	25,935,982	26,179,109	26,424,666	26,672,679	26,923,172	27,176,171	27,431,699	27,689,782
6 Allowance for Uncollected Taxes [1.5% of Tax Revenues]	(460,097)	(464,455)	(389,040)	(392,687)	(396,370)	(400,090)	(403,848)	(407,643)	(411,475)	(415,347)
8 Interest Income	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000
9 Interest Income-Bonds	-	-	-	-	-	-	-	-	-	-
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	-	-	-	-	-	-	-	-	-	-
18 Bond Reoffering Premium, Underwriter's Discount & Cost of Issuance	-	-	-	-	-	-	-	-	-	-
20 Total Sources of Funds	\$ 30,259,057	\$ 30,545,197	\$ 25,592,942	\$ 25,832,422	\$ 26,074,296	\$ 26,318,589	\$ 26,565,324	\$ 26,814,528	\$ 27,066,224	\$ 27,320,435
25 TOTAL AVAILABLE FOR APPROPRIATION	\$ 32,771,225	\$ 32,766,364	\$ 28,195,482	\$ 28,241,636	\$ 28,407,193	\$ 28,688,250	\$ 29,084,850	\$ 29,094,869	\$ 29,213,908	\$ 29,941,702
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 {\$24 mil}	-	-	-	-	-	-	-	-	-	-
33 Debt Service - 2019 Issue {\$14.868 mil}	-	-	-	-	-	-	-	-	-	-
34 Debt Service - 2022 Issue {\$40 mil}	4,024,000	4,021,500	-	-	-	-	-	-	-	-
35 Paying Agent Services	-	-	-	-	-	-	-	-	-	-
40 Subtotal-Debt Service	4,024,000	4,021,500	-	-	-	-	-	-	-	-
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]	704,600	704,600	705,000	705,000	705,000	705,000	705,000	705,000	705,000	705,000
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
59 Transformation Team	839,784	839,784	840,000	840,000	840,000	840,000	840,000	840,000	840,000	840,000
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
61 TEDC-Operating	3,266,491	3,380,818	3,499,147	3,621,617	3,748,374	3,879,567	4,015,352	4,155,889	4,301,345	4,451,892
62 Strategic Investment Zone - Grants	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000
63 TISD-Reimbursement [per contract]	38,783	40,722	40,722	40,722	42,758	42,758	42,758	44,896	44,896	44,896
65 Subtotal-Operating Expenditures	5,526,058	5,642,324	5,786,269	5,908,739	6,037,532	6,168,725	6,304,510	6,447,185	6,592,641	6,743,188
70 TOTAL DEBT & OPERATING EXPENDITURES	\$ 9,550,058	\$ 9,663,824	\$ 5,786,269	\$ 5,908,739	\$ 6,037,532	\$ 6,168,725	\$ 6,304,510	\$ 6,447,185	\$ 6,592,641	\$ 6,743,188
80 Funds Available for Projects	\$ 23,221,167	\$ 23,102,540	\$ 22,409,214	\$ 22,332,897	\$ 22,369,661	\$ 22,519,525	\$ 22,780,340	\$ 22,647,684	\$ 22,621,267	\$ 23,198,514
PROJECTS										
150 Temple Industrial Park	-	-	-	-	-	-	-	-	-	-
200 Corporate Campus Park	-	-	-	-	-	-	-	-	-	-
250 Bioscience Park/Crossroads Park	-	-	-	-	-	-	-	-	-	-
350 Outer Loop	-	-	-	-	-	-	-	-	-	-
400 Synergy Park	-	-	-	-	-	-	-	-	-	-
450 Downtown	-	-	-	-	-	-	-	-	-	-
500 TMED	-	-	-	-	-	-	-	-	-	-
550 Airport Park	-	-	-	-	-	-	-	-	-	-
650 Gateway Projects	-	-	-	-	-	-	-	-	-	-
750 Public Improvements	21,000,000	20,500,000	20,000,000	20,000,000	20,000,000	20,000,000	20,500,000	20,500,000	20,000,000	21,000,000
Subtotal-Projects	21,000,000	20,500,000	20,000,000	20,000,000	20,000,000	20,000,000	20,500,000	20,500,000	20,000,000	21,000,000
TOTAL USE OF FUNDS	\$ 30,550,058	\$ 30,163,824	\$ 25,786,269	\$ 25,908,739	\$ 26,037,532	\$ 26,168,725	\$ 26,804,510	\$ 26,947,185	\$ 26,592,641	\$ 27,743,188
800 FUND BALANCE, End {Available for Appropriation}	\$ 2,221,167	\$ 2,602,540	\$ 2,409,214	\$ 2,332,897	\$ 2,369,661	\$ 2,519,525	\$ 2,280,340	\$ 2,147,684	\$ 2,621,267	\$ 2,198,514

	DESCRIPTION	2051 69	2052 70	2053 71	2054 72	2055 73	2056 74	2057 75	2058 76	2059 77	2060 78	2061 79	2062 80
1	"Taxable Increment"	\$ 1,294,089,337	\$ 1,307,030,230	\$ 1,320,100,532	\$ 1,333,301,538	\$ 1,346,634,553	\$ 1,360,100,899	\$ 1,373,701,908	\$ 1,387,438,927	\$ 1,401,313,316	\$ 1,415,326,449	\$ 1,429,479,714	\$ 1,443,774,511
1	FUND BALANCE, Begin	\$ 2,198,514	\$ 2,874,455	\$ 2,648,447	\$ 2,517,441	\$ 2,475,856	\$ 2,522,647	\$ 2,154,229	\$ 2,364,348	\$ 2,151,501	\$ 2,511,502	\$ 2,437,350	\$ 2,427,021
2A	Adjustments to Debt Service Reserve - Tax Increment Revenue Bonds, Series 2018	-	-	-	-	-	-	-	-	-	-	-	-
2B	Adjustments to Debt Service Reserve - Tax Increment Taxable Revenue Bonds, Series 2019	-	-	-	-	-	-	-	-	-	-	-	-
3	Fund Balance Available for Appropriation	\$ 2,198,514	\$ 2,874,455	\$ 2,648,447	\$ 2,517,441	\$ 2,475,856	\$ 2,522,647	\$ 2,154,229	\$ 2,364,348	\$ 2,151,501	\$ 2,511,502	\$ 2,437,350	\$ 2,427,021
SOURCES OF FUNDS:													
4	Tax Revenues	27,950,447	28,213,717	28,479,621	28,748,184	29,019,432	29,293,393	29,570,093	29,849,561	30,131,823	30,416,907	30,704,843	30,995,658
6	Allowance for Uncollected Taxes [1.5% of Tax Revenues]	(419,257)	(423,206)	(427,194)	(431,223)	(435,291)	(439,401)	(443,551)	(447,743)	(451,977)	(456,254)	(460,573)	(464,935)
8	Interest Income	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000
9	Interest Income-Bonds	-	-	-	-	-	-	-	-	-	-	-	-
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	36,000	36,000
14	Other Revenues	-	-	-	-	-	-	-	-	-	-	-	-
15	Sale of land	-	-	-	-	-	-	-	-	-	-	-	-
17	Bond Proceeds	-	-	-	-	-	-	-	-	-	-	-	-
18	Bond Reoffering Premium, Underwriter's Discount & Cost of Issuance	-	-	-	-	-	-	-	-	-	-	-	-
20	Total Sources of Funds	\$ 27,577,190	\$ 27,836,511	\$ 28,098,427	\$ 28,362,961	\$ 28,630,141	\$ 28,899,992	\$ 29,172,542	\$ 29,447,818	\$ 29,725,846	\$ 30,006,653	\$ 30,290,270	\$ 30,576,723
25	TOTAL AVAILABLE FOR APPROPRIATION	\$ 29,775,704	\$ 30,710,966	\$ 30,746,874	\$ 30,880,402	\$ 31,105,996	\$ 31,422,639	\$ 31,326,771	\$ 31,812,166	\$ 31,877,347	\$ 32,518,155	\$ 32,727,621	\$ 33,003,744
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 {\$24 mil}	-	-	-	-	-	-	-	-	-	-	-	-
33	Debt Service - 2019 Issue {\$14.868 mil}	-	-	-	-	-	-	-	-	-	-	-	-
34	Debt Service - 2022 Issue {\$40 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	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	1,400	1,400
54	Zone Park Maintenance [mowing, utilities, botanical supplies]	705,000	705,000	705,000	705,000	705,000	705,000	705,000	705,000	705,000	705,000	705,000	705,000
56	Rail Maintenance	100,000	100,000	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	100,000	100,000
59	Transformation Team	840,000	840,000	840,000	840,000	840,000	840,000	840,000	840,000	840,000	840,000	840,000	840,000
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	200,000	200,000
61	TEDC-Operating	4,607,708	4,768,978	4,935,892	5,108,648	5,287,451	5,472,512	5,664,050	5,862,292	6,067,472	6,279,833	6,499,627	6,727,114
62	Strategic Investment Zone - Grants	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000
63	TISD-Reimbursement [per contract]	47,141	47,141	47,141	49,498	49,498	49,498	51,973	51,973	51,973	54,572	54,572	54,572
65	Subtotal-Operating Expenditures	6,901,249	7,062,519	7,229,433	7,404,546	7,583,349	7,768,410	7,962,423	8,160,665	8,365,845	8,580,805	8,800,599	9,028,086
70	TOTAL DEBT & OPERATING EXPENDITURES	\$ 6,901,249	\$ 7,062,519	\$ 7,229,433	\$ 7,404,546	\$ 7,583,349	\$ 7,768,410	\$ 7,962,423	\$ 8,160,665	\$ 8,365,845	\$ 8,580,805	\$ 8,800,599	\$ 9,028,086
80	Funds Available for Projects	\$ 22,874,455	\$ 23,648,447	\$ 23,517,441	\$ 23,475,856	\$ 23,522,647	\$ 23,654,229	\$ 23,364,348	\$ 23,651,501	\$ 23,511,502	\$ 23,937,350	\$ 23,927,021	\$ 23,975,658
PROJECTS													
150	Temple Industrial Park	-	-	-	-	-	-	-	-	-	-	-	-
200	Corporate Campus Park	-	-	-	-	-	-	-	-	-	-	-	-
250	Bioscience Park/Crossroads Park	-	-	-	-	-	-	-	-	-	-	-	-
350	Outer Loop	-	-	-	-	-	-	-	-	-	-	-	-
400	Synergy Park	-	-	-	-	-	-	-	-	-	-	-	-
450	Downtown	-	-	-	-	-	-	-	-	-	-	-	-
500	TMED	-	-	-	-	-	-	-	-	-	-	-	-
550	Airport Park	-	-	-	-	-	-	-	-	-	-	-	-
650	Gateway Projects	-	-	-	-	-	-	-	-	-	-	-	-
750	Public Improvements	20,000,000	21,000,000	21,000,000	21,000,000	21,000,000	21,500,000	21,000,000	21,500,000	21,000,000	21,500,000	21,500,000	23,975,658
	Subtotal-Projects	20,000,000	21,000,000	21,000,000	21,000,000	21,000,000	21,500,000	21,000,000	21,500,000	21,000,000	21,500,000	21,500,000	23,975,658
TOTAL USE OF FUNDS													
		\$ 26,901,249	\$ 28,062,519	\$ 28,229,433	\$ 28,404,546	\$ 28,583,349	\$ 29,268,410	\$ 28,962,423	\$ 29,660,665	\$ 29,365,845	\$ 30,080,805	\$ 30,300,599	\$ 33,003,744
800	FUND BALANCE, End {Available for Appropriation}	\$ 2,874,455	\$ 2,648,447	\$ 2,517,441	\$ 2,475,856	\$ 2,522,647	\$ 2,154,229	\$ 2,364,348	\$ 2,151,501	\$ 2,511,502	\$ 2,437,350	\$ 2,427,021	\$ (0)

TIF Reinvestment Zone #1
Summary Financing Plan with Detailed Project Plan

Project Plan - 09/25/19 - to Zone Board

SUMMARY FINANCING PLAN												
	Revised 2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030
1Beginning Available Fund Balance, Oct 1	\$ 42,051,937	\$ 8,337,646	\$ 1,681,273	\$ 1,732,870	\$ 2,699,645	\$ 4,455,769	\$ 10,797,858	\$ 2,494,408	\$ 2,569,340	\$ 2,347,475	\$ 2,288,728	\$ 2,324,560
20Total Sources of Funds	19,395,011	33,905,331	18,715,913	60,313,900	21,451,033	22,609,406	23,966,490	25,595,655	26,384,218	26,614,065	26,780,895	27,025,132
25Net Available for Appropriation	61,446,948	42,242,976	20,397,186	62,046,770	24,150,678	27,065,175	34,764,347	28,090,063	28,953,558	28,961,540	29,069,623	29,349,692
50Professional	179,265	146,400	175,000	175,000	175,000	175,000	175,000	175,000	175,000	175,000	175,000	175,000
52General Administrative Expenditures	1,300	1,300	1,300	1,400	1,400	1,400	1,400	1,400	1,400	1,400	1,400	1,400
54Zone Park Maintenance [mowing, utilities, botanical supplies]	720,000	528,600	560,600	660,600	677,600	704,600	704,600	704,600	704,600	704,600	704,600	704,600
56Rail Maintenance	185,324	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000
58Road/Signage Maintenance	440,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000
59Downtown Improvements {Transformation Team}	499,501	715,439	639,784	639,784	639,784	647,784	639,784	639,784	639,784	639,784	639,784	639,784
60Contractual Payments (TEDC - Marketing)	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000
61TEDC-Operating	-	1,586,113	1,641,627	1,699,084	1,758,552	1,820,101	1,883,805	1,949,738	2,017,979	2,088,608	2,161,709	2,237,369
62Strategic Investment Zone - Grants	525,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000
63TISD-Reimbursement [per contract]	27,563	27,563	28,941	28,941	28,941	30,388	30,388	30,388	31,907	31,907	31,907	33,502
27Debt Service - 2009 Issue {Refunding}	1,485,000	-	-	-	-	-	-	-	-	-	-	-
28Debt Service - 2008 Taxable Issue {\$10.365 mil}	1,241,173	1,237,744	1,241,670	1,242,422	-	-	-	-	-	-	-	-
29Debt Service - 2011A Issue {Refunding}	915,950	2,497,800	2,497,550	2,494,950	-	-	-	-	-	-	-	-
30Debt Service - 2012 Issue {Refunding}	77,650	80,050	77,250	78,750	-	-	-	-	-	-	-	-
31Debt Service - 2013 Issue {\$25.260 mil}	2,048,344	2,047,944	2,046,494	2,031,494	2,030,094	2,026,694	2,038,413	2,051,613	2,059,113	2,061,713	2,061,713	2,069,113
32Debt Service - 2018 Issue {\$24 mil}	1,439,967	1,336,000	1,287,000	1,305,000	2,086,750	2,089,000	2,088,750	2,086,000	2,090,750	2,087,500	2,086,500	2,087,500
33Debt Service - 2019 Issue {\$14.868 mil}	-	-	1,323,900	882,600	1,357,600	1,359,100	1,358,800	1,356,700	1,357,800	1,356,800	1,358,700	1,358,200
34Debt Service - 2022 Issue {\$40 mil}	-	-	-	-	3,437,188	3,911,250	4,022,000	4,023,500	4,025,750	4,023,500	4,021,750	4,025,250
35Paying Agent Services	3,200	3,200	3,200	3,200	2,000	2,000	2,000	2,000	2,000	2,000	2,000	2,000
75Total Debt & Operating Expenditures	9,989,237	10,708,153	12,024,316	11,743,225	12,694,909	13,267,317	13,444,940	13,520,723	13,606,083	13,672,812	13,745,063	13,833,718
80Funds Available for Projects	\$ 51,457,711	\$ 31,534,823	\$ 8,372,870	\$ 50,303,545	\$ 11,455,769	\$ 13,797,858	\$ 21,319,408	\$ 14,569,340	\$ 15,347,475	\$ 15,288,728	\$ 15,324,560	\$ 15,515,974

PROJECT PLAN												
	Revised 2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030
TEMPLE INDUSTRIAL PARK:												
102Rail Backage Road & Rail Improvements (E-W) GST Tract	1,500,000	-	-	-	-	-	-	-	-	-	-	-
103Rail Backage Road (N-S) GST Tract	-	-	-	-	-	-	2,325,000	-	-	-	-	-
104Industrial Park Grading	-	100,000	-	1,500,000	1,500,000	-	1,500,000	-	-	-	-	-
105Rail Park Receiving and Delivery Tract ROW	-	265,000	-	-	-	-	-	-	-	-	-	-
106Overlay Industrial Blvd	-	-	-	-	-	-	-	-	-	-	-	-
150Total Industrial Park	1,500,000	365,000	-	1,500,000	1,500,000	-	3,825,000	-	-	-	-	-
CORPORATE CAMPUS PARK:												
156Corporate Campus Land	182,422	-	-	-	-	-	-	-	-	-	-	-
157Mixed Use Master Plan	250,000	-	-	-	-	-	-	-	-	-	-	-
200Total Corporate Campus Park	432,422	-	-	-	-	-	-	-	-	-	-	-
BIOSCIENCE PARK/CROSSROADS PARK:												
207Cross Roads Park @ Pepper Creek Trail	1,156,208	900,000	-	-	-	-	-	-	-	-	-	-
250Total Bio-Science Park	1,156,208	900,000	-	-	-	-	-	-	-	-	-	-
OUTER LOOP												
305Outer Loop (IH 35 to Wendland) STAG grant {Little Elm Sewer}	793,072	-	-	-	-	-	-	-	-	-	-	-
305Outer Loop (IH 35 to Wendland)	216,980	-	-	-	-	-	-	-	-	-	-	-
305Outer Loop (IH 35 to Wendland) {bond funded}	500,000	-	-	15,825,000	-	-	-	-	-	-	-	-
310Outer Loop (Wendland to McLane Pkwy)	412,059	-	-	-	-	-	-	-	-	-	-	-
310Outer Loop (Wendland to McLane Pkwy) {bond funded}	-	-	-	12,800,000	-	-	-	-	-	-	-	-
315Outer Loop (McLane Pkwy to Central Point Pkwy)	77,291	-	-	-	-	-	-	-	-	-	-	-
315Outer Loop (McLane Pkwy to Central Point Pkwy) {bond funded}	8,198,918	-	-	-	-	-	-	-	-	-	-	-
316Outer Loop Phase V (Poison Oak to Old Waco Road) {bond funded}	2,651,985	-	-	-	-	-	-	-	-	-	-	-
320Outer Loop Phase VI (Old Waco Road to I35 South)	41,121	-	-	-	-	-	-	-	-	-	-	-
320Outer Loop Phase VI (Old Waco Road to I35 South) {bond funded}	3,297,500	-	-	-	-	-	-	-	-	-	-	-
321East Outer Loop {bond funded}	13,100	-	-	-	-	-	-	-	-	-	-	-
350Total Research Parkway	16,202,026	-	-	28,625,000	-	-	-	-	-	-	-	-
SYNERGY PARK:												
352Entry Enhancement	-	-	-	-	-	-	-	-	-	-	-	-
400Total Synergy Park	-	-	-	-	-	-	-	-	-	-	-	-

TIF Reinvestment Zone #1
Summary Financing Plan with Detailed Project Plan

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SUMMARY FINANCING PLAN												
	Revised 2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030
<u>DOWNTOWN:</u>												
401 Downtown Electric Master Plan	62,740	-	-	-	-	-	-	-	-	-	-	-
402 Downtown Lighting Master Plan	-	28,600	-	-	-	-	-	-	-	-	-	-
403 MLK Festival Fields Electric Design	-	750,000	-	-	-	-	-	-	-	-	-	-
404 Downtown Lighting	60,000	500,000	-	-	-	-	-	-	-	-	-	-
405 Santa Fe Plaza	3,973,119	-	-	-	-	-	-	-	-	-	-	-
405 Santa Fe Plaza (bond funded)	1,214,545	-	-	-	-	-	-	-	-	-	-	-
406 Downtown City Center/Hawn (bond funded)	2,050,000	-	-	-	-	-	-	-	-	-	-	-
406 Downtown City Center/Hawn	91,030	4,250,000	-	-	-	-	-	-	-	-	-	-
407 Santa Fe Market	2,503,251	-	-	-	-	-	-	-	-	-	-	-
408 1st Street (Avenue B to Central Avenue) and Avenue A (North 3rd to South 2nd)	38,107	-	-	-	-	-	-	-	-	-	-	-
409 1st Street from Avenue A to Avenue B	1,275,000	-	-	-	-	-	-	-	-	-	-	-
410 1st Street from Avenue A to Central Avenue (bond funded)	1,438,000	-	-	-	-	-	-	-	-	-	-	-
411 1st Street Parking Garage (bond funded)	-	6,068,450	-	-	-	-	-	-	-	-	-	-
411 1st Street Parking Garage	1,071,550	-	-	-	-	-	-	-	-	-	-	-
412 Central Ave/4th Street Parking Garage (bond funded)	-	8,800,000	-	-	-	-	-	-	-	-	-	-
412 Central Ave/4th Street Parking Garage	568,450	-	-	-	-	-	-	-	-	-	-	-
413 Avenue C from Main Street to 24th Street (bond funded)	2,641,593	-	-	-	-	-	-	-	-	-	-	-
413 Avenue C from Main Street to 24th Street	98,407	2,000,000	-	5,500,000	-	-	-	-	-	-	-	-
414 24th Street - Avenue C to Central Street Design	-	148,500	1,000,000	1,798,900	-	-	-	-	-	-	-	-
415 Central/Adams Corridor Concept Design (bond funded)	325,000	-	-	-	-	-	-	-	-	-	-	-
415 Central/Adams Corridor	-	-	-	-	1,500,000	2,000,000	-	-	-	-	-	-
416 3rd Street Corridor Enhancement	125,000	-	-	-	-	-	-	-	-	-	-	-
417 Downtown Corridor Enhancements	700,000	-	-	-	-	-	-	-	-	-	-	-
418 Festival Fields Buildings	-	-	750,000	-	-	-	-	-	-	-	-	-
419 Festival Fields Parking Lot	-	350,000	-	-	-	-	-	-	-	-	-	-
420 Library/City Hall Campus	-	-	150,000	-	-	-	5,000,000	-	-	-	-	-
450 Total Downtown	18,235,792	22,895,550	1,900,000	7,298,900	1,500,000	2,000,000	5,000,000	-	-	-	-	-
<u>TMED:</u>												
458 Loop 363 Frontage Rd (UPRR to 5th TIRZ portion)	182,935	-	-	-	-	-	-	-	-	-	-	-
459 31st Street/Loop 363 Improvements	62,773	-	-	-	-	-	-	-	-	-	-	-
460 31st Street Monumentation (bond funded)	450,000	-	-	-	-	-	-	-	-	-	-	-
461 Veteran's Memorial Blvd. Phase II	118,500	-	-	3,000,000	-	-	-	-	-	-	-	-
462 TMED South 1st Street	72,789	-	-	-	-	-	-	-	-	-	-	-
500 Total TMED	886,997	-	-	3,000,000	-	-	-	-	-	-	-	-
<u>AIRPORT PARK:</u>												
507 Taxiway for Hangars	1,075,000	-	-	-	-	-	-	-	-	-	-	-
510 Draughon-Miller Regional Airport FBO Center & Parking	2,340	-	4,740,000	-	-	-	-	-	-	-	-	-
510 Draughon-Miller Regional Airport FBO Center & Parking (bond funded)	440,000	-	-	-	-	-	-	-	-	-	-	-
511 Corporate Hangar Phase IV	16,740	-	-	-	1,500,000	-	-	-	-	-	-	-
510 Corporate Hangar Phase IV (bond funded)	5,820	-	-	-	-	-	-	-	-	-	-	-
511 Clear Area Near Fire Station	172,500	-	-	-	-	-	-	-	-	-	-	-
512 Tower Refurbishment	172,500	-	-	-	-	-	-	-	-	-	-	-
513 Demolition of Old Terminal Building	115,000	-	-	-	-	-	-	-	-	-	-	-
514 Fence Realignment & Gate	175,000	-	-	-	-	-	-	-	-	-	-	-
515 Airfield Lighting Grant Match	-	213,000	-	-	-	-	-	-	-	-	-	-
550 Total Airport Park	2,174,900	213,000	4,740,000	-	1,500,000	-	-	-	-	-	-	-
<u>GATEWAY PROJECTS:</u>												
601 North 31st Street (Nugent to Central) Concept Design	400	-	-	-	-	-	-	-	-	-	-	-
602 North 31st Street (Nugent to Central)	2,216,170	5,010,000	-	-	-	-	-	-	-	-	-	-
603 East/West IH 35 Gateway	60,000	320,000	-	3,430,000	-	-	-	-	-	-	-	-
604 Downtown Neighborhoods Overlay	100,000	-	-	-	-	-	-	-	-	-	-	-
605 Adams & Central Avenue Bicycle & Pedestrian Improvements Design	155,150	-	-	-	-	-	-	-	-	-	-	-
606 Art District	-	150,000	-	-	1,500,000	-	10,000,000	-	-	-	-	-
650 Total Gateway Projects	2,531,720	5,480,000	-	3,430,000	1,500,000	-	10,000,000	-	-	-	-	-
Public Improvements												
701 Public Improvements	-	-	-	-	1,000,000	1,000,000	-	12,000,000	13,000,000	13,000,000	13,000,000	13,000,000
702 Land Acquisition	-	-	-	3,750,000	-	-	-	-	-	-	-	-
750 Total Public Improvements	-	-	-	3,750,000	1,000,000	1,000,000	-	12,000,000	13,000,000	13,000,000	13,000,000	13,000,000
Total Planned Project Expenditures	43,120,065	29,853,550	6,640,000	47,603,900	7,000,000	3,000,000	18,825,000	12,000,000	13,000,000	13,000,000	13,000,000	13,000,000
800 Available Fund Balance at Year End	\$ 8,337,646	\$ 1,681,273	\$ 1,732,870	\$ 2,699,645	\$ 4,455,769	\$ 10,797,858	\$ 2,494,408	\$ 2,569,340	\$ 2,347,475	\$ 2,288,728	\$ 2,324,560	\$ 2,515,974
Reserve for Debt Service - Tax Increment Rev Bonds, Series 2018	2,090,750	2,090,750	2,090,750	2,090,750	2,090,750	2,090,750	2,090,750	2,090,750	2,090,750	2,090,750	2,090,750	2,090,750
Total Fund Balance at Year End	\$ 10,428,396	\$ 3,772,023	\$ 3,823,620	\$ 4,790,395	\$ 6,546,519	\$ 12,888,608	\$ 4,585,158	\$ 4,660,090	\$ 4,438,225	\$ 4,379,478	\$ 4,415,310	\$ 4,606,724

SUMMARY TRZ MASTER PLAN PROJECT FUNDING (2018 - 2025)

Available for allocation	\$ 82,206,256	\$ 9,156,331	\$ 23,197,178	\$ 6,691,597	\$ 48,570,675	\$ 8,756,124	\$ 9,342,089	\$ 10,521,550	\$ 198,441,799
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	2018	2019	2020	2021	2022	2023	2024	2025	TOTAL
Temple Industrial Park	\$ -	\$ 1,500,000	\$ 365,000	\$ -	\$ 1,500,000	\$ 1,500,000	\$ -	\$ 3,825,000	\$ 8,690,000
Corporate Campus Park	2,331,393	250,000	-	-	-	-	-	-	2,581,393
Bioscience Park/Crossroads Park	5,564,692	-	900,000	-	-	-	-	-	6,464,692
Outer Loop	20,422,812	450,000	-	-	28,625,000	-	-	-	49,497,812
Downtown	37,076,794	1,698,000	22,895,550	1,900,000	7,298,900	1,500,000	2,000,000	5,000,000	79,369,244
TMED	6,327,387	-	-	-	3,000,000	-	-	-	9,327,387
Airport Park	2,929,513	1,712,200	213,000	4,740,000	-	1,500,000	-	-	11,094,713
Gateway	1,772,000	990,150	5,480,000	-	3,430,000	1,500,000	-	10,000,000	23,172,150
Public Improvements	-	-	-	-	3,750,000	1,000,000	1,000,000	-	5,750,000
MASTER PLAN PROJECT FUNDING	\$ 76,424,591	\$ 6,600,350	\$ 29,853,550	\$ 6,640,000	\$ 47,603,900	\$ 7,000,000	\$ 3,000,000	\$ 18,825,000	\$ 195,947,391

	2018	2019	2020	2021	2022	2023	2024	2025	TOTAL
Favorable (Unfavorable) Balance	\$ 5,781,665	\$ 2,555,981	\$ (6,656,373)	\$ 51,597	\$ 966,775	\$ 1,756,124	\$ 6,342,089	\$ (8,303,450)	\$ 2,494,408
Cumulative Favorable (Unfavorable)	\$ 5,781,665	\$ 8,337,646	\$ 1,681,274	\$ 1,732,871	\$ 2,699,645	\$ 4,455,770	\$ 10,797,858	\$ 2,494,408	

SUMMARY TRZ MASTER PLAN PROJECT FUNDING (2018 - 2025)

Available for allocation	\$ 82,206,256	\$ 9,156,331	\$ 23,197,178	\$ 6,691,597	\$ 48,570,675	\$ 8,756,124	\$ 9,342,089	\$ 10,521,550	\$ 198,441,799
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	2018	2019	2020	2021	2022	2023	2024	2025	TOTAL
Temple Industrial Park	\$ -	\$ 1,500,000	\$ 365,000	\$ -	\$ 1,500,000	\$ 1,500,000	\$ -	\$ 3,825,000	\$ 8,690,000
Corporate Campus Park	2,331,393	250,000	-	-	-	-	-	-	2,581,393
Bioscience Park/Crossroads Park	5,564,692	-	900,000	-	-	-	-	-	6,464,692
Outer Loop	20,422,812	450,000	-	-	28,625,000	-	-	-	49,497,812
Downtown	37,076,794	1,698,000	22,895,550	1,900,000	7,298,900	1,500,000	2,000,000	5,000,000	79,369,244
TMED	6,327,387	-	-	-	3,000,000	-	-	-	9,327,387
Airport Park	2,929,513	1,712,200	213,000	4,740,000	-	1,500,000	-	-	11,094,713
Gateway	1,772,000	990,150	5,480,000	-	3,430,000	1,500,000	-	10,000,000	23,172,150
Public Improvements	-	-	-	-	3,750,000	1,000,000	1,000,000	-	5,750,000
MASTER PLAN PROJECT FUNDING	\$ 76,424,591	\$ 6,600,350	\$ 29,853,550	\$ 6,640,000	\$ 47,603,900	\$ 7,000,000	\$ 3,000,000	\$ 18,825,000	\$ 195,947,391

	2018	2019	2020	2021	2022	2023	2024	2025	TOTAL
Favorable (Unfavorable) Balance	\$ 5,781,665	\$ 2,555,981	\$ (6,656,373)	\$ 51,597	\$ 966,775	\$ 1,756,124	\$ 6,342,089	\$ (8,303,450)	\$ 2,494,408
Cumulative Favorable (Unfavorable)	\$ 5,781,665	\$ 8,337,646	\$ 1,681,274	\$ 1,732,871	\$ 2,699,645	\$ 4,455,770	\$ 10,797,858	\$ 2,494,408	

ORDINANCE NO. 2019-4998

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING AN AMENDMENT TO AND THE ADOPTION OF THE TAX INCREMENT FINANCING REINVESTMENT ZONE NO. 1 FINANCING AND PROJECT PLANS TO ALIGN WITH THE 2030 MASTER PLAN WHICH INCLUDES APPROPRIATING BOND PROCEEDS, ADJUSTING TAX REVENUES, ALLOCATING FUNDING FOR FUTURE DEBT SERVICE, OPERATING EXPENDITURES AND PUBLIC IMPROVEMENTS FOR FISCAL YEARS 2019-2062; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; DECLARING FINDINGS OF FACT; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the City Council (the "Council") of the City of Temple, Texas, (the "City") created Reinvestment Zone Number One, City of Temple, Texas (the "Zone") by Ordinance No. 1457 adopted on September 16, 1982;

Whereas, the Council adopted a Project Plan and Reinvestment Zone Financing Plan for the Zone by Ordinance No. 1525 adopted on December 22, 1983, and thereafter amended such plans by Ordinance No. 1664 adopted on June 20, 1985, Ordinance No. 1719 adopted on November 21, 1985, Ordinance No. 1888 adopted on December 21, 1987, Ordinance No. 1945 adopted on October 20, 1988; Ordinance No. 1961 adopted on December 1, 1988; Ordinance No. 2039 adopted on April 19, 1990; Ordinance No. 91-2119 adopted on December 5, 1991; Ordinance No. 92-2138 adopted on April 7, 1992; Ordinance No. 94-2260 adopted on March 3, 1994; Ordinance No. 95-2351 adopted on June 15, 1995; Ordinance No. 98-2542 adopted on February 5, 1998; Ordinance No. 98-2582 adopted on November 19, 1998; Ordinance No. 99-2619 adopted on March 18, 1999; Ordinance No. 99-2629 adopted on May 6, 1999; Ordinance No. 99-2631 adopted on May 20, 1999; Ordinance No. 99-2647 adopted on August 19, 1999; Ordinance No. 99-2678 adopted on December 16, 1999; Ordinance No. 2000-2682 adopted on January 6, 2000; Ordinance No. 2000-2729 adopted on October 19, 2000; Ordinance No. 2001-2772 adopted on June 7, 2001; Ordinance No. 2001-2782 adopted on July 19, 2001; Ordinance No. 2001-2793 adopted on September 20, 2001; Ordinance No. 2001-2807 on November 15, 2001; Ordinance No. 2001-2813 on December 20, 2001; Ordinance No. 2002-2833 on March 21, 2002; Ordinance No. 2002-2838 on April 18, 2002; Ordinance No. 2002-3847 on June 20, 2002; Ordinance No. 2002-3848 on June 20, 2002; Ordinance No. 2002-3868 on October 17, 2002; Ordinance No. 2003- 3888 on February 20, 2003; Ordinance No. 2003-3894 on April 17, 2003; Ordinance No. 2003-3926 on September 18, 2003; Ordinance No. 2004-3695 on July 1, 2004; Ordinance No. 2004-3975 on August 19, 2004; Ordinance No. 2004-3981 on September 16, 2004; Ordinance No. 2005-4001 on May 5, 2005; Ordinance No. 2005-4038 on September 15, 2005; Ordinance No. 2006-4051 on January 5, 2006; Ordinance No. 2006-4076 on the 18th day of May, 2006; Ordinance No. 2006-4118; Ordinance No. 2007-4141 on the 19th day of April, 2007; Ordinance No. 2007-4155 on July 19, 2007; Ordinance No. 2007-4172 on the 20th day of September, 2007; Ordinance No. 2007-4173 on October 25, 2007; Ordinance No. 2008-4201 on the 21st day of February, 2008; and Ordinance No. 2008-4217 the 15th day of May, 2008; Ordinance No. 2008-4242 the 21st day of August, 2008; Ordinance No. 2009-4290 on the 16th day of April, 2009; Ordinance No. 2009-4294 on the 21st day of May, 2009; Ordinance No. 2009-4316 on the 17th day of September, 2009; Ordinance No. 2009-

4320 on the 15th day of October, 2009; Ordinance No. 2010-4338 on the 18th day of February, 2010; Ordinance No. 2010-4373 on the 19th day of August, 2010; Ordinance No. 2010-4405 on November 4, 2010; Ordinance No. 2011-4429 on March 17, 2011; Ordinance No. 2011-4455 on July 21, 2011; Ordinance No. 2011-4477 on October 20, 2011; Ordinance No. 2012-4540 on June 21, 2012; and Ordinance No. 2012-4546 on July 19, 2012; Ordinance No. 2012-4554 on September 20, 2012; Ordinance No. 2012-4566 on November 15, 2012; Ordinance No. 2013-4595 on June 20, 2013; Ordinance No. 2014-4665 on May 15, 2014; Ordinance No. 2014-4676 on July 17, 2014; Ordinance No. 2014-4683 on September 18, 2014; Ordinance No. 2014-4695 on December 18, 2014; Ordinance No. 2015-4705 on April 16, 2015; Ordinance No. 2015-4734 on October 17, 2015; Ordinance No. 2016-4789 on July 21, 2016; Ordinance No. 2016-4809 on October 20, 2016; Ordinance No. 2017-4838 on April 20, 2017; Ordinance No. 2017-4851 on July 20, 2017; Ordinance No. 2017-4871 on October 19, 2017; Ordinance No. 2017-4881 on November 16, 2017; Ordinance No. 2018-4885 on January 18, 2018; Ordinance No. 2018-4908 on May 3, 2018; Ordinance No. 2018-4918 on June 21, 2018; Ordinance No. 2018-4931 on September 20, 2018; Ordinance No. 2018-4935 on October 18, 2018; Ordinance No. _____ October 17, 2019;

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 City Council authorizes and adopts the amendment to the Tax Increment Financing Reinvestment Zone No. 1 Financing and Project Plans to align with the 2030 Master Plan which includes appropriating bond proceeds, adjusting tax revenues, allocating funding for future debt service, operating expenditures and public improvements for fiscal years 2019-2062, 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 **3rd** day of **October**, 2019.

PASSED AND APPROVED on Second Reading on the **17th** day of **October**, 2019.

THE CITY OF TEMPLE, TEXAS

TIMOTHY A. DAVIS, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
Interim City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

10/03/19
Item #11
Regular Agenda
Page 1 of 4

DEPT./DIVISION SUBMISSION & REVIEW:

Traci L. Barnard, Director of Finance

ITEM DESCRIPTION: Consider adopting a resolution amending the current utility system fees to be effective October 4, 2019 by:

- (A) Increasing the current water volumetric rate;
- (B) Increasing the current wastewater rate monthly minimum service charge and increasing the volumetric rate; and
- (C) Adding an additional class for water and wastewater.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The City engaged the services of NewGen Strategies & Solutions to develop a six-year cost of service study (FY 2020 – FY 2025). As part of the analysis and development of the six-year revenue requirement, NewGen reviewed and analyzed the following:

- Historical and projected trends with regards to operations and maintenance costs, debt service, capital improvements, water usage, and wastewater flows
- Fixed versus variable costs of the system
- Consumption and rainfall data in order to 'normalize' the revenue requirement for 'wet' and 'dry' years
- Inflation adjustments for labor, benefits, chemicals, electricity and all other operating costs

One of the key elements of the study was to develop the revenue requirement for a six-year capital improvement program to construct, replace or rehabilitate numerous components in the City of Temple distribution and collection systems, address additional staffing needs for the operations and maintenance of the system, and other operations and maintenance cost of the system.

Cost Drivers impacting the FY 20-25 revenue requirement include the following:

- Debt service payments to support capital funding of \$180,286,000 to implement water and wastewater improvement projects including an expansion of our water treatment plant, an expansion of the Temple-Belton wastewater treatment plant, Neighborhood Revitalization improvements, and a systematic approach to reducing sanitary sewer overflows.
- Personnel and operational cost associated with the following additional staffing:
 - An additional Project Manager (FY 22) position and Project Engineer (FY 24) position to provide project management support for our extensive capital improvement programs.
 - A new Lead Maintenance Operator (FY 20) at the water treatment plant to focus on plant maintenance activities as well as the addition of a Water Quality Control crew (FY 20) who would be responsible for flushing the distribution system and collecting water quality and compliance data.
 - Three additional water maintenance crews to provide the staffing resources necessary to maintain our water distribution system and to provide an enhanced response time for non-emergency water leaks. The additional crews include two additional Water Maintenance crews (FY 20, FY 23) and a Water Leak crew (FY 20). The addition of a Water Crew Leader (FY 20) position and the reassignment of two existing Utility Technician positions to form a fourth additional water maintenance crew. The reassignment of the Utility Technician positions is made possible by adding a Water Quality Control crew at the Water Treatment Plant to assume responsibility for system flushing for water quality control purposes.
 - Four additional wastewater maintenance crews to provide the staffing resources necessary to maintain our wastewater collection system and to provide a systematic approach to eliminating sanitary sewer overflows. The additional crews include one Wastewater Maintenance crew in fiscal year 2020, two additional crews in fiscal year 2021, and one additional crew in fiscal year 2022.
 - An Assistant Director of Public Works (FY 20) position, a Utility Foreman (FY 20) position, a Utility Compliance Coordinator (FY 20) position, and a Utility Manager (21) position added to provide additional management resources to the Public Works Department.
 - The addition of a Meter Technician (FY 23) position and two Environmental Program Technician (FY 21, FY 24) positions.

This amendment to the rate structure includes the addition of a Large Volume User class for proposed water rates, and two tiers of Industrial Class for wastewater rates. A Large Volume User is defined as a customer that maintains a use of 50 MG or greater of water per month. Industrial Class wastewater customers are defined in Chapter 38 of the City's Code of Ordinance. A Tier I Industrial Class customer produces less than 10 MG of wastewater per month. Industrial customers who produce 10 MG or greater of wastewater per month will be considered Tier II Industrial Class customers. The following water and wastewater rates were designed to support the revenue requirement:

Proposed Water Rates:

Meter Size (inches)	Current Meter Rates (FY 2013)	Proposed Meter Rates (FY 2020)
5/8" x 3/4"	\$ 10.00	\$ 10.00
1"	\$ 16.00	\$ 16.00
1 1/2"	\$ 20.00	\$ 20.00
2"	\$ 64.00	\$ 64.00
3"	\$ 128.00	\$ 128.00
4"	\$ 200.00	\$ 200.00
6"	\$ 640.00	\$ 640.00
8"	\$ 1,120.00	\$ 1,120.00

Volumetric	Current Rates (FY 2013)	Proposed Rates (FY 2020)
Large Volume User	N/A	\$ 3.20
All Other Classes	\$ 3.20	\$ 3.70

Proposed Wastewater Rates:

Minimum Bill	Current Rates (FY 2013)	Proposed Rates (FY 2020)
Industrial Class – Tier I	N/A	\$ 16.00
Industrial Class – Tier II	N/A	\$ 16.00
All Other Classes	\$ 13.00	\$ 16.00

Volumetric	Current Rates (FY 2013)	Proposed Rates (FY 2020)
Industrial Class – Tier I	N/A	\$ 5.50
Industrial Class – Tier II	N/A	\$ 4.50
All Other Classes	\$ 4.50	\$ 5.50

The following table lists the projected average monthly bills for water and wastewater service under the proposed rates.

Average Monthly Bills

	Current	Proposed	Change (%)
Residential 5/8" x 3/4" Meter			
Water (8,000 gal)	\$ 29.20	\$ 32.20	10.27%
Wastewater (5,000 gal)	\$ 26.50	\$ 32.50	22.64%
Combined Bill	\$ 55.70	\$ 64.70	16.16%
Commercial 2" Meter:			
Water (55,000 gal)	\$ 233.60	\$ 260.10	11.34%
Wastewater (45,000 gal)	\$ 206.50	\$ 252.50	22.28%
Combined Bill	\$ 440.10	\$ 512.60	16.48%

FISCAL IMPACT: The proposed rate structure meets the estimated revenue requirement for FY 2020 of \$42,110,469. The current rate model and revenue requirement for FY2021 – FY2025 includes rate adjustments. The rate model will be updated annually to determine if future rate adjustments will be required to support the revenue requirement.

ATTACHMENTS:
[Resolution](#)

RESOLUTION NO. 2019-9850-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AMENDING THE CURRENT UTILITY SYSTEM FEES TO BE EFFECTIVE OCTOBER 4, 2019 BY INCREASING THE CURRENT WATER VOLUMETRIC RATE, INCREASING THE CURRENT WASTEWATER RATE MONTHLY MINIMUM SERVICE CHARGE, INCREASING THE VOLUMETRIC RATE, AND ADDING AN ADDITIONAL CLASS FOR WATER AND WASTEWATER; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the City engaged the services of NewGen Strategies & Solutions to develop a six-year cost of service study (fiscal year 2020 – fiscal year 2025) - as part of the analysis and development of the six-year revenue requirement, NewGen reviewed and analyzed the following:

- Historical and projected trends with regards to operations and maintenance costs, debt service, capital improvements, water usage, and wastewater flows;
- Fixed versus variable costs of the system;
- Consumption and rainfall data in order to ‘normalize’ the revenue requirement for ‘wet’ and ‘dry’ years;
- Inflation adjustments for labor, benefits, chemicals, electricity and all other operating costs;

Whereas, one of the key elements of the study was to develop the revenue requirement for a six-year Capital Improvement Program to construct, replace or rehabilitate numerous components in the City of Temple distribution and collection systems, address additional staffing needs for the operations and maintenance of the system, and other operations and maintenance costs of the system;

Whereas, cost drivers impacting the fiscal year 2020-2025 revenue requirement include the following:

- Debt service payments to support capital funding of \$180,286,000 to implement water and wastewater improvement projects including an expansion of the City’s water treatment plant, an expansion of the Temple-Belton Wastewater Treatment Plant, Neighborhood Revitalization improvements, and a systematic approach to reducing sanitary sewer overflows;
- Personnel and operational costs associated with the following additional staffing:
 - An additional Project Manager (fiscal year 2022) position and Project Engineer (fiscal year 2024) position to provide project management support for our extensive capital improvement programs;

- A new Lead Maintenance Operator (fiscal year 2020) at the water treatment plant to focus on plant maintenance activities as well as the addition of a Water Quality Control crew (fiscal year 2020) who would be responsible for flushing the distribution system and collecting water quality and compliance data;
- Three additional water maintenance crews to provide the staffing resources necessary to maintain our water distribution system and to provide an enhanced response time for non-emergency water leaks. The additional crews include two additional Water Maintenance crews (fiscal year 2020, fiscal year 2023) and a Water Leak crew (fiscal year 2020). The addition of a Water Crew Leader (fiscal year 2020) position and the reassignment of two existing Utility Technician positions to form a fourth additional water maintenance crew. The reassignment of the Utility Technician positions is made possible by adding a Water Quality Control crew at the Water Treatment Plant to assume responsibility for system flushing for water quality control purposes;
- Four additional wastewater maintenance crews to provide the staffing resources necessary to maintain our wastewater collection system and to provide a systematic approach to eliminating sanitary sewer overflows. The additional crews include one Wastewater Maintenance crew in fiscal year 2020, two additional crews in fiscal year 2021, and one additional crew in fiscal year 2022;
- An Assistant Director of Public Works (fiscal year 2020) position, a Utility Foreman (fiscal year 2020) position, a Utility Compliance Coordinator (fiscal year 2020) position, and a Utility Manager (2021) position added to provide additional management resources to the Public Works Department;
- The addition of a Meter Technician (fiscal year 2023) position and two Environmental Program Technician (fiscal year 2021, fiscal year 2024) positions;

Whereas, this amendment to the rate structure includes the addition of a Large Volume User class for proposed water rates, and two tiers of Industrial Class for wastewater rates;

Whereas, a Large Volume User is defined as a customer that maintains a use of 50 MG or greater of water per month and Industrial Class wastewater customers are defined in Chapter 38 of the City's Code of Ordinance - a Tier I Industrial Class customer produces less than 10 MG of wastewater per month while Industrial customers who produce 10 MG or greater of wastewater per month will be considered Tier II Industrial Class customers;

Whereas, the following water and wastewater rates were designed to support the revenue requirement:

Proposed Water Rates:

Meter Size (inches)	Current Meter Rates (FY 2013)	Proposed Meter Rates (FY 2020)
5/8" x 3/4"	\$ 10.00	\$ 10.00
1"	\$ 16.00	\$ 16.00
1 1/2"	\$ 20.00	\$ 20.00
2"	\$ 64.00	\$ 64.00
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Volumetric	Current Rates (FY 2013)	Proposed Rates (FY 2020)
Large Volume User	N/A	\$ 3.20
All Other Classes	\$ 3.20	\$ 3.70

Proposed Wastewater Rates:

Minimum Bill	Current Rates (FY 2013)	Proposed Rates (FY 2020)
Industrial Class – Tier I	N/A	\$ 16.00
Industrial Class – Tier II	N/A	\$ 16.00
All Other Classes	\$ 13.00	\$ 16.00

Volumetric	Current Rates (FY 2013)	Proposed Rates (FY 2020)
Industrial Class – Tier I	N/A	\$ 5.50
Industrial Class – Tier II	N/A	\$ 4.50
All Other Classes	\$ 4.50	\$ 5.50

Whereas, the following table lists the projected average monthly bills for water and wastewater service under the proposed rates:

Average Monthly Bills

	Current	Proposed	Change (%)
Residential 5/8" x 3/4" Meter			
Water (8,000 gal)	\$ 29.20	\$ 32.20	10.27%
Wastewater (5,000 gal)	\$ 26.50	\$ 32.50	22.64%
Combined Bill	\$ 55.70	\$ 64.70	16.16%
Commercial 2" Meter:			
Water (55,000 gal)	\$ 233.60	\$ 260.10	11.34%
Wastewater (45,000 gal)	\$ 206.50	\$ 252.50	22.28%
Combined Bill	\$ 440.10	\$ 512.60	16.48%

Whereas, the proposed rate structure meets the estimated revenue requirement for fiscal year 2020 of \$42,110,469 – the current rate model and revenue requirement for fiscal year 2021 – fiscal year 2025 includes rate adjustments;

Whereas, the rate model will be updated annually to determine if future rate adjustments will be required to support the revenue requirement; 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 amends the current utility system fees, as outlined above, to be effective October 4, 2019.

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

PASSED AND APPROVED this the **3rd** day of **October**, 2019.

THE CITY OF TEMPLE, TEXAS

TIMOTHY A. DAVIS, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
Interim City Attorney