



**MEETING OF THE
TEMPLE CITY COUNCIL**

**MUNICIPAL BUILDING
2 NORTH MAIN STREET
3rd FLOOR – CONFERENCE ROOM**

THURSDAY, OCTOBER 17, 2019

4:00 P.M.

AGENDA

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 17, 2019.

2. Discuss various Economic Development Agreements.

Executive Session – Texas Government Code Section 551.087, Deliberation Regarding Economic Development Negotiations – The City Council may meet in executive session to discuss or deliberate regarding commercial or financial information that the Committee has received from a business prospect that the Committee seeks to have locate, stay or expand in or near the City and with which the City is conducting economic development negotiations or to deliberate the offer of a financial or other incentive to a business prospect who seeks to locate, stay, or expand in or near the City.

3. Discuss the status of various right-of-way acquisitions.

Pursuant to Texas Government Code Section 551.072, the City Council may meet in closed session to deliberate the purchase, exchange, lease or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.

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

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

I. CALL TO ORDER

1. Invocation
2. Pledge of Allegiance

II. PUBLIC COMMENTS

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

III. PROCLAMATIONS & SPECIAL RECOGNITIONS

3. Recognize October 24th as World Polio Day.

IV. CONSENT AGENDA

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

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

Minutes

- (A) [September 5, 2019 Special & Regular Called Meeting](#)
- (B) [September 9, 2019 Special Called Meeting](#)
- (C) [September 19, 2019 Special & Regular Called Meeting](#)
- (D) [October 3, 2019 Special & Regular Called Meeting](#)

Contracts, Leases, & Bids

- (E) [2019-9851-R](#): Consider adopting a resolution authorizing the acquisition of a drainage easement and a temporary construction easement necessary for the construction of the Azalea Drainage project in an estimated amount of \$12,342.

- (F) [2019-9852-R](#): Consider adopting a resolution authorizing a Developer Participation Agreement with Short Term Lending GP, Inc. to construct a sanitary sewer line extension and wastewater collection system improvements as part of the development of the Hillside Village subdivision, Prairie Ridge subdivision, and future Temple Independent School District school site in the not to exceed amount of \$1,482,289.63.
- (G) [2019-9853-R](#): Consider adopting a resolution authorizing a contract with PrimeSpec Construction LLC, of Liberty Hill, for construction services required to rehabilitate Water Treatment Plant Clarifier #4 in the amount of \$433,480.
- (H) [2019-9854-R](#): Consider Adopting a resolution authorizing a contract with Kasberg, Patrick, & Associates, LP for professional services required to design the Little River Basin Wastewater Improvements and Hartrick Bluff Waterline in the amount of \$420,410, as well as, declare an official intent to reimburse the expenditures with the issuance of 2020 Utility Revenue Bonds.
- (I) [2019-9855-R](#): Consider adopting a resolution authorizing the following related to utility supplies needed for FY2020:
1. Award a purchase agreement for five bid sections to Core and Main of Belton, in the estimated annual amount of \$25,329.39; and
 2. Reject the bids received for ten of the independent bid sections.
- (J) [2019-9856-R](#): Consider adopting a resolution authorizing the following agreements for the procurement of natural gas for the compressed natural gas fueling station:
1. A memorandum of agreement with The Energy Market Exchange of Waco for consulting services related to the procurement of natural gas and ongoing energy consulting services at a cost of \$.05 per MMBtu; and
 2. Execution of an agreement with Constellation NewEnergy – Gas Division, LLC for the supply of natural gas from November 2019 through October 2020 for the City's CNG fueling station at a rate of the monthly Houston Ship Channel published rate plus 16.5¢ per MMBtu.
- (K) [2019-9857-R](#): Consider adopting a resolution authorizing an agreement for a cloud-based human capital management platform with the purchase of timeclocks from Ceridian HCM, Inc. of Chicago, Illinois, in the amount of \$375,982.
- (L) [2019-9858-R](#): Consider adopting a resolution authorizing the purchase of equipment to upgrade 56 existing school flasher systems from Consolidated Traffic Controls, Inc of Arlington, in the amount of \$122,192.
- (M) [2019-9859-R](#): Consider adopting a resolution approving change order #6 with Choice Builders, LLC of Temple to provide enhancements at the Crossroads Park detention pond in the amount of \$398,810.
- (N) [2019-9860-R](#): Consider adopting a resolution authorizing an amendment to the Economic Development Agreement with Turner Behringer Temple One, LLC for the redevelopment of the Hawn Hotel, Arcadia Theater, and Public Services Building.
- (O) [2019-9861-R](#): Consider adopting a resolution granting an easement to Atmos Energy Corporation to construct aboveground gas pipeline facilities as part of the replacement of an existing gas pipeline.

Ordinances – Second & Final Reading

- (P) [2019-4997](#): SECOND & FINAL READING – 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.
- (Q) [2019-4998](#): SECOND & FINAL READING – 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.

Misc.

- (R) [2019-9862-R](#): Consider adopting a resolution authorizing the cancellation of the January 2, 2020 City Council meeting.
- (S) [2019-9863-R](#): Consider adopting a resolution authorizing budget amendments for fiscal year 2019-2020.

V. REGULAR AGENDA

ORDINANCES – FIRST READING / PUBLIC HEARING

- 5. [2019-4999](#): FIRST READING – PUBLIC HEARING – FY-19-23-ZC: Consider adopting an ordinance authorizing a Conditional Use Permit and its site plan to allow a recreational vehicle (RV) park within Lot 10 of the Bellaire Commercial subdivision, addressed as 4425 North General Bruce Drive.
- 6. [2019-5000](#): FIRST READING – PUBLIC HEARING – FY-19-27-ZC: Consider adopting an ordinance authorizing a Planned Development-General Retail with a Development/ Site Plan for a self-storage facility on 5.204 +/- acres, addressed as 9335 State Highway 317.
- 7. [2019-5001](#): FIRST READING – PUBLIC HEARING – FY-19-28-ZC: Consider adopting an ordinance authorizing a Conditional Use Permit to allow for an office warehouse, with a Site Plan, in the Temple Winnelson Subdivision, addressed as 1801 North 3rd Street and 1605 North 3rd Street.
- 8. [2019-5002](#): FIRST READING – PUBLIC HEARING – Consider adopting an ordinance designating 102 East Central Avenue, Temple 76501, legally described as Lot 2 and part of Lot 1, Block 15 Original Town of Temple, Bell County, Texas as City of Temple Tax Abatement Reinvestment Zone Number 40 for commercial/industrial tax abatement.

SECOND READING

- 9. [2019-4996](#): SECOND & FINAL READING – 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.

RESOLUTIONS

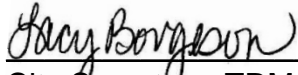
10. **2019-9864-R:** FY-19-66-PLT: Consider adopting a resolution approving the Final Plat of Westward LTD Subdivision Replat No. One, a 4.426 +/- acre, residential subdivision with a developer-requested exception to Unified Development Code Section 8.2.1.E, regarding minimum curve radius of a local street, addressed as 4305 South 31st Street.

BOARDS

11. **2019-9865-R:** Consider adopting a resolution appointing one member representing the RZ No. 1 Board of Directors to the Airport Advisory Board to fill an unexpired term through September 1, 2021.

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 12:45 PM, October 11, 2019. This notice was posted in a public place at 1:00 PM, 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.*



COUNCIL AGENDA ITEM MEMORANDUM

10/17/19
Item #4(A-D)
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
- (D) October 3, 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](#)
[October 3, 2019 Special & Regular Called Meeting Minutes / Video](#)

TEMPLE CITY COUNCIL

SEPTEMBER 5, 2019

The City Council of the City of Temple, Texas conducted a meeting on Thursday, September 5, 2019 a 2:30 PM, at the Municipal Building, 2 North Main Street, in the 3rd Floor Conference Room.

PRESENT:

Councilmember Susan Long
Councilmember Jessica Walker
Councilmember Wendell Williams
Mayor Pro Tem Morales
Mayor Timothy A. Davis

I. PUBLIC COMMENTS

No one was signed up to speak.

II. WORK SESSION

1. Discuss, as may be needed, Regular Meeting agenda items for the meeting posted for Thursday, September 5, 2019.

Ms. Myers noted that Items 4, 5, & 6; Items 8 & 9; and Items 13 & 14 would have single presentations and public hearing but would require separate motions.

Ms. Borgeson reminded Council that in August, Mr. Normand who was serving on the Building and Standards Commission as an Alternate, was appointed as a regular member. The appointment to be considered on the agenda is to fill the Alternate Seat.

Ms. Landeros reminded Council that on 1st reading of the proposed amendments to Chapter 38, the vote and discussion was that for commercial properties, that only annual testing on devices that presented a TCEQ designated health hazard, and required testing every five-years for non-health hazard devices.

With that change, it did away with the need to make a distinction between commercial and residential properties. The language drafted would apply to all properties, and would require testing on backflow devices annually if those assemblies are installed at cross-connections where a health hazard exists (on-site septic, chemical injections, carbonated soda machines); and every five-years for backflow assemblies that are installed at connections where a health

hazard is non-existent.

Ms. Landeros noted that if the amendments are approved for Chapter 7, then double check backflow protection assemblies will be allowed on irrigation systems. Under the current regulations they are not allowed. Double check assemblies will not be allowed on connections that are deemed a health hazard by TCEQ.

2. Discuss the extension of the Second Hand Rose SIZ Agreement.

Ms. Myers provided a brief overview of this to the Council. Typically the time line for a SIZ Agreement is one-year for project completion. In December 2017, Council approved a \$115,000 incentive for this property located 17 East Central Avenue (former Second Hand Rose building). The original agreement expired on December 15, 2018. There was an initial 90-day administrative extension granted by the City Manager, extending the expiration date to March 15, 2019. A second extension was granted by the Council, extending the expiration date to July 31, 2019. At this time the applicant is requesting additional time to complete the project.

This property is located within the Downtown SIZ grant corridor and qualifies for the double façade category. At the time of application, the investment was \$1,176,509; and the cost of grant eligible improvements was \$642,785. With this type of investment, the applicant qualified for the Tier III Investment which provides for a grant up to \$115,000.

The SIZ Program is a reimbursement based program. In order for an applicant/property owner to receive any funds, they have to have completed the projected, received an Certificate of Occupancy, and provide the City with receipts of work. At this time the \$115,000 has been incumbered, but no reimbursement has been made to the applicant.

The improvements within the original application included the following on the North and East public facing facades, as well as some interior improvement, (1) façade; (2) sidewalk; (3) asbestos abatement; (4) elevator; and (5) life safety. The exterior improvements will restore the façade to historic likeness. While the interior will provide spaces for two restaurants and office space. The ghost signage on the south side will remain, and sidewalk issues will be repaired to address the drainage.

Another extension would require future council action.

Kelly Garcia, representing the applicant was available. She noted that demo work started about a year ago, as well as the asbestos survey. During that time, they discovered more issues that testing didn't

reveal. At that time only a demo permit had been acquired, not a building permit. Ms. Garcia advised that now a building permit has been pulled and are working through some changes to the projects to make it budget friendly, but are ready to move forward once those changes are finalized.

Mayor Davis asked how long they anticipated the completion date once they get started.

Mr. Lee Armstrong replied six-months, but the elevator is the most complicated piece.

Mayor Davis asked Ms. Myers if there are any other projects waiting on funding that this could be moved to.

Ms. Myers explained there was a balance of \$12,000 for FY19, but no formal applications had been received as of today. With the proposed FY20 budget there is \$100,000 allocated from the General Fund and then \$100,000 from RZ.

Ms. Garcia, if the numbers don't come in as we need them to, then we will not move forward with the project. A decision is anticipated for next week.

Mr. Thomas noted there are no borrowed funds, it has been with cash, and he is 100% committed to making this project work.

3. Receive a presentation regarding the Ferguson Park Neighborhood Plan.

Erin Smith, Assistant City Manager presented this to the Council. There were several opportunities for community engagement for both residential and business owners. An engagement event was held at Ferguson Park with an overwhelming turnout with more than 115 families in attendance. Written surveys were also conducted as well as a series of focus groups that included builders, non-profits, and area religious leaders. A discussion point amongst the focus groups was barriers for building and redeveloping in this area.

Several rental properties are identified in this area. This area is in great proximity to the Downtown Area, the area has three established parks (Ferguson Park, Wilson Park, and Jeff Hamilton Park). We will also look at the neglected structures and determine what needs to be demolished. As part of this plan we will look at safety, park improvements, as well as drainage and infrastructure improvements.

Some of the recommendations included, streetscape improvements with pedestrian facilities, lighting, sidewalks, walkability to downtown (being addressed with the Avenue C project), and having shovel

ready sites.

There were four areas of focus to include, connectivity, open spaces, housing, and safety.

Tavis Crow, with Covey provided an overview. He noted that a site study to include a inventory for opportunities and constraints was done for both the District as well as the perimeters of the District. The District has many cultural things to include Churches, historic buildings, and housing that needs uplifting.

Two of the larger issues include the ingress and digress east and west in to the neighborhood. There are two access points on Central and Avenue C, which are inhibited by the rail line that goes north and south on the east side of the District. There are dividers between the Downtown area and the Ferguson Park Neighborhood.

There are a lot of opportunities for more development. Mr. Crow noted that 24th Street bisects Ferguson Park, and we need to reconnect it as one park by curving 24th Street into Central to create a loop into the Downtown area that would include bike lanes, trailways, and new roads.

The southwestern are of the District is pretty vacant with regards to housing stock at this time. Connecting Henderson back up into the rest of the neighborhood would be a great boost to that corner. The area has great bones, and development opportunities to make it more efficient.

The southeast lot is City-owned and offers a pocket of opportunity. Also noted was that the northeast section of the District is TISD-owned land, and could serve as a connector to James Wilson Park. It is key to identify these key development areas of opportunity.

Avenue C and Central are two of the largest spines into the Downtown area. We need to maintain the rights-of-way along Central, and 24th Street. There is a need to widen some of the streets to allow of curbs and movement. Avenue C has the opportunity to add parallel parking, which could enhance the flow and connectivity. Mr. Crow stressed that controlling the gateways are critical to this plan.

14th Street is important too. The plan calls for lighting, and street trees to serve as a buffer to the rail line. This could be viewed as a gateway in to the neighborhood with more a rural feel.

Mr. Crow discussed creating a sense of place and character with signage and creating a standard to keep everything in-line with the plan.

David Patrick, KPA discussed the infrastructure needed to support this effort. This was all part of the Downtown Master Plan created in 2013 and adopted in 2014. It was possible to integrate this into the Water Master Plan as well. Cost estimates for all elements of the Ferguson Park Plan have been done to allow for budgeting as the project moves forward.

Mayor Davis asked how the order of Districts would be decided?

Ms. Myers explained that staff is still prioritizing.

Mayor Pro Tem Morales expressed her excitement. This is a great opportunity and will allow homeowners a choice.

Mayor Davis, this is a very rewarding process.

Ms. Myers noted the next step in the process is to work with strategic partners to identify different means on how to make this an affordable project.

Ms. Barnard noted there is a specific line items sprinkled throughout the Business Plan to support the District.

4. Receive a presentation on a talent and investment attraction brand and marketing study conducted in conjunction with the Temple Economic Development Corporation.

Heather Bates, Director of Marketing and Communications, and Bridget Weber, Director of Marketing and Communications for TEDC offered a brief report to the Council.

Ms. Bates noted that DCI has ten different focus group meetings with community leaders; and conducted two on-line surveys were sent out to targeted audiences within our regional market. In doing so we reached over 100 individuals and received their feedback. Also as part of DCI's review, they did a City-wide driving tour; two website reviews; and three different band reviews.

DCI took all the data and turned into a SWOT Analysis for us.

Strengths include, I-35 and planned I-14; Central Texas location and proximity to major cities; competitive operating costs and low cost of living; availability of land and shovel-ready sites; presence of world-class medical facilities; parks system; diversity of housing and school options; and family-friendly environment and caring culture.

Weaknesses include, lack of diversity in dining and entertainment; lack of clear branding around gateways; lack of balanced

development (emphasis on growth in West Temple); and lack of support for existing small businesses and start-ups.

Opportunities include, planned growth of corporate park/corridor; planned and current infrastructure improvements; new developments in parks, schools, and housing; generally pro-growth sentiment among residents/businesses; new, dynamic leadership throughout Temple (City, EDC, TISD, Temple College, and others); and engaged citizens and businesses.

Threats include, internal tension and negative perceptions surrounding K-12 school districts; uniformed partners spreading negative perceptions (local realtors); traffic and congestions surround I-35 improvements; declining mall; lack of awareness of current developments among residents.

Of all the data gathered the five important key themes from the focus groups was (1) confusion, negative perceptions overshadow school options; (2) residents crave more diverse retail and dining options; (3) small businesses don't feel supported; (4) residents aren't aware of key developments; and Temple isn't promoting its success.

Ms. Weber discussed the external survey findings, and the value propositions and key messaging. DCI conducted a corporate survey with our corporate executives in Dallas, Fort Worth, and Austin. The data gathered shows Temple's business climate rating and likelihood to consider Temple for future projects to be lower than our competitors (Katy, Waco, Conroe, San Marcos, New Braunfels, and McAllen). DCI believes this is due to a lack of knowledge and awareness of our area, and not due to a negative perception.

The rating for Temple's select locations was favorable. This is attributed to interstate accessibility; low overall operating costs; and cost of living. DCI's study shows that Temple's is best know for its distribution and logistics; advanced manufacturing; and health and life sciences. Companies that are most associated with Temple, when asked are Walmart; Baylor Scott and White; H-E-B retail distribution center; and Wilsonart International.

Based on all this research, DCI developed key messages for us to help communicate our unique selling points for Temple as a great place to do business, live, and work. The messages were divided into Corporate Investment and Talent Attraction. The emphasis for the corporate investments is on Temple as the next Frontier for Central Texas; and best health care in Texas. The talent attraction messaging is low cost of living, high possibility, balance, and job opportunities with the diverse base.

Ms. Bates then discussed the Internal Marketing for Temple. DCI put

together a marketing blueprint and recommending the following (1) Invest in photography, by building a library of high resolution images; (2) Evolve City Branding, a branded house vs a house of brands; (3) Streamline downtown branding, pause branding efforts and set a strategy; (4) Create a new citizen welcome packet, develop an attractive info-packed utility; (5) Arm realtors with information, set the record straight for new residents; (6) Revamp the City's website, a new "front door" for Temple residents; and (7) Standardize social media communication, a consistent and useful social presence.

Ms. Weber provided the Investment Attraction blueprint, which includes, (1) Investing in Photography, build a library of high resolution images and videos; (2) Website tweaks and updates, optimize your "front door" for investment; (3) Spread the word about new developments, promote Temple's success; (4) Refine organic social media strategy, enhance investment attraction content; (5) Be selective about traditional advertising, spend for digital marketing; (6) Focus on paid digital, hyper-target executives online; (7) Site selection consultant outreach, influences 40% of projects with 100+ jobs; (8) Trade shows and conferences, enhance investment attraction content; (9) Collateral, create high-impact utilities; and (10) Media relations, a steady stream of good news from Temple.

With regards to talent attraction the recommendation is to (1) Launch a talent attraction brand and website, help employers attract talent and increase the funnel of potential residents; (2) A new place brand to attract talent to Temple; (3) Additional Mock-ups; and (4) Alternate taglines. Also using these six tactics to take Temple's talent attraction market to the next level, (1) build community support with a launch event; (2) launch with a brochure and swag; (3) launch a Digital Advocates Program; (4) create dedicated social profiles for talent brand; (5) advertise on Google, GMail; Social Promotion on Instagram, and Facebook; and (6) submit for website awards.

Ms. Myers added that all of the recommendations are supported in the Business Plan.

At approximately, 4:21 p.m. Mayor Davis adjourned the workshop of the Temple City Council and announced that they would enter into an executive session with no final action.

- 5. The City Council will meet in executive session to seek the advice of its attorney on pending or contemplated litigation or a settlement offer pursuant to Texas Government Code Section 551.071 and will conduct a private consultation with the City Attorney on a matter in which the duty of the attorney to the Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Texas Local Government Code Chapter 551.**

Those present for the executive session portion were:

Mayor and Council

Brynn Myers, City Manager

Traci Barnard, Director of Finance

Kayla Landeros, Interim City Attorney

Charla Thomas, Deputy City Attorney

Police Chief Floyd Mitchell

Mayor Davis adjourned the executive session at approximately 4:55 p.m.

The City Council of the City of Temple, Texas conducted a Regular Meeting on Thursday, September 5, 2019 at 5:00 PM in the Council Chambers, Municipal Building, 2nd Floor, 2 North Main Street.

Present:

Councilmember Susan Long

Councilmember Jessica Walker

Mayor Pro Tem Judy Morales

Councilmember Wendell Williams

Mayor Timothy A. Davis

I. CALL TO ORDER

1. Invocation

Reverend Roscoe Harrison, with Eighth Street Baptist Church, voiced the Invocation.

2. Pledge of Allegiance

Jason Deckman, City of Temple Planner led the Pledge of Allegiance.

II. PUBLIC COMMENTS

David Barrows, 7317 Tanglehead Drive addressed the Council with regards to zoning case FY-19-22-ZC and the proposed extension. There were 32 dwelling owners on Tanglehead Drive aware of the City's intent to extend the street on the West end, facilitating development of single family dwellings, multi-family dwellings and commercial business interests.

As specified in Appendix 5A, Thoroughfare Planning and approved by City Ordinance 2008-4230, Plan Considerations, Paragraph A are, "Local street alignment should be determined by the City in conjunction with land owners as part of the subdivision development process."

III. PUBLIC APPEARANCE

3. **Receive comments from Keith Gaines and Shirley Gaines regarding utility construction in alley between Wickersham and Canyon Oaks Court.**

Ms. Gaines addressed the Council.

IV. BUDGET ITEMS

Mayor Davis read items 4, 5, & 6 into the record for a single presentation, and public hearing.

4. **PUBLIC HEARING – PUBLIC HEARING – Conduct the first of two public hearings to receive comments on the proposed tax rate of 67.27 cents per \$100 valuation for fiscal year 2020 (2019 tax year) and announce meeting to adopt the proposed tax rate on September 19, 2019.**

Mayor Davis announced.....

5. **2019-4981: FIRST READING – PUBLIC HEARING – Consider adopting an ordinance approving the tax roll and authorizing calculation of the amount of tax that can be determined for all real and personal property in the City for the tax year 2019 (fiscal year 2020).**

Motion by Councilmember Susan Long adopt ordinance on first reading as presented by staff, with the second reading set for September 19, 2019, seconded by Councilmember Jessica Walker.

Motion passed unanimously.

6. **2019-4982: FIRST READING – PUBLIC HEARING – Consider adopting an ordinance setting a tax rate \$0.6727 per \$100 valuation, comprised of \$0.3097 for maintenance and operations and \$0.3630 for debt service, for Fiscal Year 2020 (Tax Year 2019), making the appropriation for the regular operation of the City.**

Ms. Barnard noted that the City's total taxable value for FY2020 is \$5,363,305,586; which is comprised of City of Temple \$4,354,611,733; Frozen Taxable \$527,445,141; Tax Increment District \$481,248,712. The average annual increase over the past ten years in the assessed value of taxable property is 4.31%. The values grew at 11.26%.

The average annual increase over the past ten years in the assessed value of taxable property in the Tax Increment Reinvestment Zone is 22.64%. The values increased at 9.25%.

The total taxable value of \$5,363,305,586 is comprised of 45% single-

family; 36% commercial/industrial/utilities; 8.27% totally exempt; 5.49 multi-family; and 4.3% land lots.

The new market value added to the City of Temple over the past year is \$155,211,841; with 66% (2/3) of that being single-family; 21% land lots; and 10% commercial/industrial/utilities.

The proposed property tax rate for FY 2020 is 67.27 cents; comprised of 30.97 cents for Maintenance and Operation (General) and 36.30 cents Interest and Sinking (Debt Service). This is an increase of 1.15 cents per \$100 valuation. There is zero increase on the property tax rate for senior citizens (65+ and have a homestead exemption). The impact for the average homeowner (\$100,000 home) is \$0.96 cents month/\$11.50 annually.

Ms. Barnard noted that the final public hearing on the tax rate is scheduled for September 9th; with the final public hearing on the budget, final reading setting the tax rate, and adoption of the budget is set for September 19th.

Mayor Davis declared the public hearing open with regards to items 4, 5, & 6 and asked if anyone wished to address these items.

There being no further comments, Mayor Davis declared the public hearing closed for items 4, 5, & 6.

Motion by Councilmember Wendell Williams that the property tax rate be increased by the adoption of a tax rate of \$0.6727, which is effectively a 13.06 percent increase in the tax rate." seconded by Mayor Pro Tem Judy Morales.

Motion passed unanimously.

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) July 11, 2019 Special & Regular Called Meeting

(B) July 18, 2019 Special & Regular Called Meeting

(C) July 25, 2019 Special Meeting

(D) August 1, 2019 Special & Regular Called Meeting

(E) August 9, 2019 Special Meeting

(F) August 15, 2019 Special & Regular Called Meeting

(G) August 26, 2019 Special Meeting

(H) 2019-9762-R: Consider adopting a resolution authorizing an interlocal agreement between the City of Temple and the Texas Department of Motor Vehicles for participation in the Department's "Scofflaw Program" which provides for the marking of motor vehicle registration records in an effort to resolve delinquent court fines and fees.

(I) 2019-9763-R: Consider adopting a resolution authorizing an agreement with Turley Associates, Inc., of Temple, for professional services required for preliminary design of the North Pea Ridge Road Phase 2 Improvements from Prairie View Road to Airport Road in the amount of \$198,610.47.

(J) 2019-9764-R: Consider adopting a resolution authorizing a Memorandum of Understanding with the City of Killeen and Bell County to establish the rights, duties, administration and division of funds received under the 2019 Edward Byrne Memorial Justice Assistance Grant program Award.

(K) 2019-9765-R: Consider adopting a resolution approving the Ferguson Park Neighborhood Plan.

(L) 2019-9766-R: Consider adopting a resolution ratifying an interlocal agreement with the Temple Independent School District to provide standby medical services at Varsity home football games for the 2019 football season.

(M) 2019-9767-R: Consider adopting a resolution authorizing approval of a Street Use License to allow for the encroachment of two new subdivision entry signs and landscaping and irrigation improvements, located in South Pointe Subdivision, Phase I, Temple, Bell County, Texas, addressed as 3100 Alton Road, 1600 Lummus Drive, and 1950 Lummus Drive.

(N) 2019-9768-R: Consider adopting a resolution approving a negotiated settlement between the Atmos Cities Steering Committee and Atmos Energy Corp., Mid-Tex Division regarding the Company's 2019 Rate Review Mechanism Filings.

(O) 2019-9769-R: Consider adopting a resolution authorizing the payments of an annual invoice from Brazos River Authority for operation and maintenance costs associated with the City's portion of raw water storage in Lake Belton in the amount of \$106,436.78.

(P) 2019-4986: SECOND & FINAL READING – FY-19-17-ZC: Consider adopting an ordinance approving a Conditional Use Permit with a Site Plan to allow a motorcycle sales and repair facility (Indian Motorcycles) on Lot 1, Block 1, Luby's Subdivision, addressed as 3925 South General Bruce Drive, and located within the I-35 Corridor Overlay Gateway sub-district.

(Q) 2019-9770-R: Consider adopting a resolution designating the Temple Daily Telegram as the official newspaper for the City for fiscal year 2019-2020, in accordance with Section 4.18 of the Charter of the City of Temple.

(R) 2019-9771-R: Consider adopting a resolution authorizing budget amendments for fiscal year 2018-2019.

Motion by Mayor Pro Tem Judy Morales approve Consent Agenda as presented, seconded by Councilmember Jessica Walker.

Motion passed unanimously.

VI. REGULAR AGENDA

ORDINANCES

Mayor Davis read items 8 & 9 into the record for a single presentation, and public hearing.

8. 2019-4988: FIRST READING – PUBLIC HEARING – FY-19-21-ZC: Consider adopting an ordinance authorizing a rezoning from Neighborhood Services zoning district to Planned Development-General Retail zoning district, with a Site Development Plan, to allow a microbrewery with outdoor seating and play areas, on 2.239 +/- acres, located at 3508 South 5th Street.

Motion by Councilmember Susan Long adopt ordinance on first reading, with second and final reading set for September 19, 2019, seconded by Councilmember Jessica Walker.

Motion passed unanimously.

9. **2019-4989: FIRST READING – PUBLIC HEARING – FY-19-20-ZC: Consider adopting an ordinance authorizing a Conditional Use Permit with a Site Plan to allow a microbrewery for alcohol sales, with a waiver for distance to residential property, on 2.239 +/- acres, situated in the Maximo Moreno Survey, Abstract No. 14, Bell County, Texas, located at 3508 South 5th Street.**

Jason Deckman, City Planner presented cases FY-19-21-ZC (rezoning) and FY-19-20-ZC (Conditional Use Permit). The applicant being Jesse Stelzer for (Friars Creek Brewhouse) property located at 3508 South 5th Street. The Brewhouse is a proposed microbrewery with outdoor seating, fenced play area, and food truck space. Currently Neighborhood Services zoning does not allow for an establishment that generates greater than 75% of total revenue from the sale of all alcoholic beverages with on-premises consumption. Alcohol sales are permitted within the General Retail zoning with a Conditional User Permit. The applicant is located near some residential property and is requesting a waiver for the distance to residential properties. Approval of the Conditional Use Permit is dependent of approval of the proposed Planned Development rezoning.

The subject property is on west side of 5th Street, south of the Loop and north of Canyon Creek. Bell Tower Apartments is planned for construction to the west / north west with an entrance north of the Brewhouse property. Friars Creek trail runs along the back of the subject property.

The Brewhouse will have a single drive access off of South 5th Street. There will be connectivity for pedestrian traffic from the Friars Creek Trail. Staff has asked Mr. Stelzer to install an 8-foot privacy fence around the outdoor area to buffer surrounding neighbors.

Brewery is not a clearly defined use in the Unified Development Code Section 5.1; the use table lists sales of alcohol but not production. Production is estimated at approximately 1,000 barrels per year, this is compare to commercial production of 15,000 barrels per year. Public Works has confirmed that adequate water and sewer services are available. The proximity to residentially zoned and developed property will require additional conditions to include (1) a privacy fence to screen residential developed properties; and (2) increased buffering and screening via tree preservation, planting, and landscaping.

Next Mr. Deckman discussed the Conditional Use Permit. The selected performance standards for alcohol sales is from Unified Development Code Section 5.3.15. The one that relates to this case reads that the property must not be located within 300-feet of residentially zoned or developed property. However, TABC laws allow for a variance from the distance requirements if, (1) local determination is made by the City Council; (2) approve separate resolution to waive 300-foot distance; and (3) the Conditional Use Permit ordinance and waiver resolution approved together. The other condition of the is that it adhere to Section 7.1.2 "Noise Performance Standards" and established closing times.

This is located within a commercial corridor; and South 5th Street is designated as suburban commercial which is appropriate for office, retail and service uses adjacent to residential neighborhoods; and promotes greater aesthetic value, emphasizes landscaping and residential style building designs. As part of the Future Land Use Map, this works well with the Parks and Open Space.

Currently there is a 8-inch sewer line running through the property that is deemed adequate by the Public Works Staff; and a 3-inch water line on South 5th Street. In conjunction with construction of Bell Tower Apartment there is a proposed 12-inch water main to be extended that the Brewhouse will be able to tie into.

There were 14 public notices mailed to surrounding property owners within 200-feet. One notice was returned in agreement of the Planned Development; and one in opposition of the Conditional Use Permit.

The conditions for the Planned Development are, (1) compliant with the site plan (exhibit A to ordinance); (2) allow brewing; (3) 15-foot landscape buffer and an 8-foot privacy fence; (4) preservation of existing trees with estimated 8-inch diameter (dbh).

The conditions for the Conditional Use Permit are, (1) compliant with the site plan (exhibit A to the ordinance); (2) 300-foot waiver; (3) Chapter 4 City code of Ordinances; (4) Unified Development Code Section 5.3.15; (5) Entertainment ends by 10:00 p.m., closed by 11:00 p.m.

Staff recommends approval of the request (FY-19-21-ZC) for rezoning from Neighborhood Services zoning district to Planned Development-General Retail zoning district to allow for a microbrewery subject to the conditions stated above.

Staff also recommends approval of the request (FY-19-20-ZC) for a Conditional Use Permit to allow a microbrewery for alcohol sales with a waiver for distance to residential property subject to the conditions stated above.

At its August 5, 2019, meeting, the Planning and Zoning Commission voted 6/0 to recommend both cases as presented with the Staff's conditions.

Mayor Davis declared the public hearing open with regards to items 8 & 9 and asked if anyone wished to address either item.

Robyn Dadig, 5420 Southern Crossing Drive addressed the Council. Ms. Dadig is wildly enthusiastic about having a microbrewery, but very concerned with the additional development and the drainage issues around the Friars Creek area.

There being no further comments, Mayor Davis declared the public hearing closed for items 8 & 9.

Councilmember Long expressed her thanks to the Planned Developer.

Motion by Mayor Pro Tem Judy Morales adopt ordinance on first reading, with second and final reading set for September 19, 2019, seconded by Councilmember Susan Long.

Motion passed unanimously.

10. 2019-4990: FIRST READING – PUBLIC HEARING – FY-19-18-ZC: Consider adopting an ordinance authorizing a rezoning from Agricultural zoning to Light Industrial zoning for 146.852 +/- acres, addressed as 5200 Old Howard Road.

Mark Baker, Senior Planner presented this case. The applicant is Aldrich-Thomas Group, representing the Byrne Family Trust. The subject property is located at the intersection of Moores Mill Road and Old Howard Road; and is located along the proposed outer loop phase III. At this time no specific use has been identified by the applicant; but we could anticipate it to range from retail service use to commercial or light manufacturing/distribution. A subdivision plat would be required prior to any construction.

The zoning is Light Industrial and is bordered by existing agricultural zoning with surrounding industrial uses to the south.

This area is an increased industrial development; and is adjacent to Northwest Industrial Park.

This is partially compliant with the Future Land Use Map. It sets within two different designations, one being Industrial and the other being Suburban Commercial.

This is compliant with regards to water and sewer. There is a 12-inch water line and 8-inch sewer line both in Wendland Road.

The case is also in compliance with the Thoroughfare Plan and Trials. Moores Mill Road and Old Howard Road are proposed as major arterials as part of the Outer Loop alignment, Phase III starting in 2023. The proposed City-wide Spine Trail will be addressed with the Outer Loop improvements.

There were 16 notice mailed to surrounding property owners within 200-feet. Two notices were returned in agreement, and one in disagreement.

Staff recommends approval of the request for rezoning from Agricultural District to Light Industrial District. At their August 5, 2019, the Planning and Zoning Commission voted 6/0 to recommend approval per staff's recommendation.

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

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

Motion by Councilmember Wendell Williams adopt ordinance on first reading, with second and final reading set for September 19, 2019, seconded by Mayor Pro Tem Judy Morales.

Motion passed unanimously.

- 11. 2019-4991: FIRST READING – PUBLIC HEARING – FY-19-19-ZC: Consider adopting an ordinance authorizing a rezoning from Single Family One zoning district to Commercial zoning district on 5.92 +/- acres, addressed as 3308 and 3310 South 5th Street, Temple, Texas.**

Jason Deckman, City Planner presented case FY-19-19-ZC. The applicant is Jeremy Jirasek on behalf of Florine Hillyard. This is just north of the microbrewery case presented earlier.

The property is undeveloped, no buyer or specific has been identified. The initial request was to rezone to Commercial, but staff recommended General Retail. Retail uses are more compatible with existing and planned development than more intense commercial uses. The applicant agrees that General Retail is more appropriate. A subdivision plat will be required prior to building permits at this site. Buffering and screening standards will apply.

This case is complaint with the proposed zoning of General Retail. It is bordered by Commercial, Multi-Family, and Single-Family. It will create a transition of uses; with offices to the north and residential to the south. The property located east and west is undeveloped at this time.

The request is compliant with the Future Land Use Map as well. It is designated at Suburban Commercial, and is appropriate for office, retail and service uses adjacent to residential neighborhoods; and promotes great aesthetic value, emphasizing landscape and residential-style building designs. With regards to the parks and open space, there has been land designated to be available for the public use and enjoyment.

It is compliant with the Thoroughfare Map. South 5th Street is classified as a minor arterial and is appropriate for retail uses that are permitted in the General Retail District. There is a planned city-wide spine extending the existing Friars Creek Trail north to increase the pedestrian connectivity. There is also planned street connectivity. Although the alignment has not been determined, Azalea Drive is proposed to extend to South 5th Street. Azalea is included in the KTMPO project list.

Utilities are provided for both water and sewer.

There were 11 notices mailed to those within 200-feet. Two notices were returned in agreement; and zero in opposition.

Staff recommends approval of the request for rezoning from Single-Family One zoning district to General Retail zoning district. At their August 5, 2019, meeting the Planning and Zoning Commission voted 6/0 to recommend approval to the rezoning as staff presented.

Councilmember Long asked why the applicant wants to rezone while not knowing the use?

Mr. Deckman noted the intent it to make it marketable for a buyer.

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

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

Motion by Councilmember Jessica Walker adopt ordinance on first reading as P&Z and Staff recommends with rezoning from Single-Family-One District to General Retail, with second and final reading set for September 19, 2019, seconded by Councilmember Susan Long.

Motion passed unanimously.

- 12. 2019-4992: FIRST READING – PUBLIC HEARING – FY-19-22-ZC: Consider adopting an ordinance amending Ordinance 2016-4810 to add 35 +/- acres to the existing 42.066 +/- acres and rezoning all 77.066 acres, located at 8015 West Adams Avenue, to Planned Development General Retail, Multi-Family Two, and Single Family Two districts.**

Mark Baker, Senior Planner presented case FY-19-22-ZC. The applicant is Turley Associates, representing First Baptist Church of Temple. The current zoning consists of the General Retail, Neighborhood Services, Single-Family Attached/Detached-Three, and Multi-Family Two. The request is to rezone approximately 77.45 +/- acres. comprised of the original 42.066 +/- acres (Ordinance 2016-4810) which is the current planned development. In addition to that is 35 +/- acres currently zoned as Agricultural land. With this new planned development there are three zoning district proposed, (1) General Retail; (2) Multi-Family Two (restricted to senior housing, and assisted living); and (3) Single-Family detached Residential Two. The General Retail component will front Adams Avenue.

A Planned Development is a Flexible Overlay District that includes a bidding Development/Site Plan. The Development/Site Plan was submitted with the rezoning request.

The request in partial compliance with the Future Land Use Map. There are two different designations, one being Suburban Residential which supports the Single-Family Residential uses and partially supports the General Retail, and Multi-Family zoning. The other being Auto-Urban Residential which supports the Multi-Family Two zoning district.

Both water and sewer available for the entire project area, with

a 6-inch water line on the east side of the property, and an 8-inch sewer line on Tanglehead Drive.

In terms of the Thoroughfare Plan & Trails, there is a proposed extension to Westfield Boulevard to Iron Gate Drive tapering to a collector; with right-of-way width being 92-feet to 60-feet; and 6-foot sidewalks on both sides of Westfield Boulevard. The extension of Westfield is required under the Thoroughfare Plan. Tanglehead Drive will function as a collector with 55-foot right-of-way and 36-foot pavement; and 6-foot sidewalk on one side. Tanglehead extension will complete connection to Old Waco Road. The extensions for Tanglehead are required under the Unified Development Code for connectivity.

The landscaping, buffering, and screening considerations include, the landscape standards for single-family residential lots; street landscaping; walls and privacy/decorative fencing; a 25-foot landscape buffer including preservation of a minimum 8-inch diameter (dbh) or larger trees along the eastern boundary of the Multi-Family Two portion (senior housing); and land use and building height restrictions on Multi-family Two portion (senior housing).

Mr. Baker noted some of the allowed uses in General Retail are beer and wine on premise consumption (<75%); restaurants with and without drive-in; and hotel/motel. Some of the typical allowed uses in Single-Family-Two and Multi-Family Two (senior housing) are single-family residences (detached) and age restricted (> 55 years), single-family (detached and attached), and assisted living.

With regards to the proposed Planned Development Standards, the general provisions for screening and buffering (per UDC Section 7.7) apply. The Planned Development Multi-Family Two is restricted to senior housing and assisted living; and a height maximum of two-stories, and a single-story within 50-feet of the eastern boundary. There will be a requirement of a 25-foot drainage and landscape easement along common boundaries with single-family homes in Meadows Subdivision; preservation of minimum 8-inch diameter or larger trees within the easement; limit 20 units per acre; and the Planned Development Standards.

There were 101 notices mailed to those within 200-feet. Twelve notices were returned in agreement, and four in opposition.

Is it Staff's recommendation to approve the combined requested rezoning from Agricultural district and amend Ordinance 2016-4810 to Planned Development General Retail, Multi-family Two

and Single Family-Two with the following conditions: (1) consistent with Site/Development Plan; (2) substantial compliance to Westfield and Tanglehead alignment and design plan; (3) compliance to Planned Development Standards (General Retail, Multi-Family-Two, and Single Family-Two); (4) Site/Development Plan review of Multi-Family-Two (senior housing) portion by Planning and Zoning Commission and City Council; (5) 25-Foot wide landscape buffer along eastern boundary (drainage and landscaping easement); and (6) preservation of existing trees minimum of 8-inch dbh, or larger per the City's approved tree list.

Applicable Planned Development Standards (summarized) include, (1) Percentages of land development devoted to GR, MF-2 & SF-2; (2) Extension of Westfield Blvd to Iron Gate (tapering after the GR-portion but prior to Tanglehead) & the Extension of Tanglehead Dr to Westfield Blvd (Both include ROW, sidewalk & timing of improvements); (3) Individual single family lot landscaping; (4) Buffering & screening (25-foot drainage & landscape easement); (5) Privacy or decorative fencing for SF-2 portion; (6) ROW landscaping - plant numbers and spacing; (7) MF-2 portion with land use for age restricted senior housing & assisted living facilities; and (8) Building height limits on the MF-2 senior housing portion (2 story & 1 story within 50 feet of eastern boundary of MF-2).

At its August 5, 2019, meeting, the Planning and Zoning Commission voted 6/0 to recommend approval per Staff's recommendation.

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

Gail Peek, 3409 Whispering Oaks address the Council on this matter. What is the source for the water Lake Belton? Ms. Peek noted that she is a resident of the older part of West Adams and on occasion experience low water pressure. Is this being address with all the proposed development occurring in this particular area? Traffic safety is another area of concern, specifically between Airport Road and West Adams we've seen a significant increase in traffic and congestion.

David Barrows, 7317 Tanglehead Drive addressed the Council. Safety remains the biggest area of concern. He encouraged the Council to visit the area Tanglehead (west end) where the extension is being proposed. There is a definite gradient where the west end is much higher than the east end, promoting higher speeds.

Mr. Baker noted that the preliminary plat is being reviewed, and the utility and infrastructure concerns will be addressed during that review.

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

Motion by Councilmember Wendell Williams adopt ordinance on first reading, with second and final reading set for September 19, 2019, seconded by Mayor Pro Tem Judy Morales.

Motion passed unanimously.

Mayor Davis read items 13 & 14 into the record for a single presentation, and public hearing.

13. 2019-4993: FIRST READING – PUBLIC HEARING: Consider adopting an ordinance repealing the City’s Code of Ordinances, Chapter 34, "Swimming Pools."

Motion by Councilmember Jessica Walker adopt ordinance as presented in item 13, on first reading as presented by Staff, with second and final reading set for September 19, 2019, seconded by Councilmember Susan Long.

Motion passed unanimously.

14. 2019-4994: FIRST READING – PUBLIC HEARING: Consider adopting an ordinance amending the City’s Code of Ordinances, Chapter 7, "Buildings," to adopt updated model codes, specify amendments to the adopted model codes, and simplify and clarify language and terms contained therein.

David Olson, Assistant City Manager presented these possible amendments to the Council regarding Chapter 7 and the repeal of Chapter 34. Building codes date back almost 4,000 years and have evolved over time into what are currently known as model codes. Model codes establish a baseline to ensure safe, sustainable construction methods to protect the public and property. We adopt local amendments, which are the minor changes to fit the intricacies of our practice.

The City currently has adopted the 2009 version of the Building Code; Mechanical Code; Residential Code; Plumbing Code; Fuel Gas Code; and Energy Conservation Code, as well as the

2008 National Electrical Code. Staff recommends adopting the 2015 version of Building Code; Mechanical Code; Residential Code; Plumbing Code; Fuel Gas Code; and Energy Conservation Code; Existing Building Code; and Swimming Pool & Spa Code, as well as the 2017 National Electrical Code.

Most within our region has adopted the 2015 Codes, with the exception of few that have adopted the 2018 Codes. The updates are intended to make the use easier, clarify definitions, and to regulate new materials and methods. Many local contractors are using all or a portion of the newer codes as required by trade licenses. Meetings with stakeholders (TABAs) were conducted to gather input; this was a positive process.

Article I, establishes the adoption and authority.

Article II, establishes the appeal authority which is the Building Board of Appeals.

Article III Building Code, adopting the 2015 International Building Code and amending it to align with local standards, and replace the ICC Electrical Code references with the 2017 National Electrical Code and the City of Temple Electrical Code, Chapter 10; and removing certain permit exemptions.

Article IV Existing Building Code, this was previously contained as a chapter within the Building Code, but is now a standalone code. This will adopt the 2015 International Building Code.

Article V Mechanical Code, adopts the 2015 International Mechanical Code (IMC); and amends the IMC to align with local standards.

Article VI International Residential Code, adopts the 2015 IRC; and amending to align with local standards to include (1) Replacing ICC Electrical Code references with the 2017 National Electrical Code and City of Temple Electrical Code, Chapter 10; (2) Deleting certain exemptions from permitting; (3) Removing the requirement for masonry inspections; (4) Clarifying handrail and window fall protection requirements; (5) Removing mandatory requirement for residential fire sprinkler systems; (6) Amending foundation anchorage requirements; (7) Modifying the acceptable material insulation values; (8) Modifying air leakage requirements; and (9) Modifying energy efficiency requirements.

Article VII Plumbing Code, adopts the 2015 International Plumbing Code (IPC); and amending it to align with local standards to include (1) Requiring the installation of a sewer yard line cleanout; (2) Referring landscape irrigation requirements to Article XI, "Landscape Irrigation Standards," of this Chapter; (3) Clarifying sewer venting requirements; and (4) Specifying persons eligible to apply for plumbing permits.

Article VIII Swimming Pool Code, which has historically been regulated in Chapter 34. This was amended by HB2858. After September 1, 2020, Chapter 34 will be preempted by state law so staff is proactive in adding this section in Chapter VIII that adopts the 2015 International Swimming Pool and Spa Code (ISPSC), and align it with local standards to include, (1) Specifying allowable swimming pool locations; (2) Specifying appropriate barrier heights; (3) Specifying maximum depth for an onground residential pool.

Article IX Gas Code, adopting 2015 International Fuel Gas Code (IFGC); and amending it to incorporate minor administrative changes, and to clarify testing requirements for gas lines.

Article X Energy Code, adopting the 2015 International Energy Conservation Code (IECC), and amending it to align with local standards to include clarifying residential energy efficiency items, installation, and testing requirements.

Article XI Landscape Irrigation Standards, modifying certain sections to allow for the used of double-check valve backflow prevention assemblies.

Article XII Enforcement, revising the enforcement section article number.

Mayor Davis declared the public hearing open with regards to items 13 & 14 and asked if anyone wished to address either item.

There being no comments, Mayor Davis declared the public hearing closed for items 13 & 14.

Motion by Councilmember Susan Long adopt ordinance as presented in item 14, on first reading as presented by Staff, with second and final reading set for September 19, 2019, seconded by Mayor Pro Tem Judy Morales.

Motion passed unanimously.

15. **2019-4987: SECOND & FINAL READING: Consider adopting an ordinance amending the City's Code of Ordinances, Chapter 38, "Water, Sewers, and Sewage Disposal," to bring this Chapter into compliance with state regulations and current City regulations, policies, and practices, simplify and clarify language and terms, provide more effective enforcement tools, and make non-substantial modifications to the City's Pretreatment Ordinance and Program.**

Kayla Landeros, Interim City Attorney presented. The amendments include a general clean-up of the language and changes to formatting. For example, Staff suggests changing the spacing and general formatting of the Chapter to conform with other City Code chapters and correcting minor spelling errors. Other proposed amendments to Chapter 38, broken down by article, include:

Article I, Definitions: Moving all Chapter 38 article definitions to the top of the Chapter, with the exception of the definitions in Article V, Industrial Wastes Standards, and two definitions in Article IV, Billing and Customer Service.

Article II, Pollution of Water Sources: Establishing restricted zones within a 200-foot radius of raw water intake and prohibiting recreational activities and trespassing within these zones as required by state law.

Article III, Water and Sanitary Sewer Connection Regulations: (1) Adding City of Temple Public Works Department's (PW) required permit and inspection process for connection to the City's water and wastewater services; (2) Prohibiting private water or sewer systems from being connected to the City's publicly owned treatment works (POTW) without authorization from the City; and (3) Codifying the City's policy for imposing water fees for commercial and residential construction.

Article IV, Billing and Customer Service: (1) Aligning Article with the Utility Business Office's (UBO) current practices and procedures, including UBO's current billing structure; (2) Requiring notice and an opportunity to dispute charges prior to disconnection, except in certain circumstances, such as an imminent or actual threat to the public's health, safety, or welfare; (3) Imposing a fee for missed water reconnection appointments; and (4) Creating offenses for unlawful use of water and utility service diversion and allowing the City to collect payment for water unlawfully used or diverted and the costs of any City equipment damaged by a person.

Article V, Industrial Wastes Standards: (1) Incorporating TCEQ approved Non-Substantial Modifications into Article V and City's Pretreatment Program

Article V Amendments: Reallocation - (1) Increasing the current allowable limit of bio-chemical oxygen demand (BOD) to contributing industrial users discharging to the

Doshier Farm Wastewater Treatment Plant.

Takes "unused" BOD of non-contributing users and enables contributing users to discharge higher limits of

these constituents without permit violations; (2)

Incorporating chemical oxygen demand (COD) limit as outlined in local limit study from 1991 for industrial users discharging to the Doshier Farm Wastewater Treatment Plant.

Pretreatment Program Amendments: (1) Updating industrial user permit templates to incorporate reallocation of BOD and increased COD limit; and (2) Updating SOP for assessing local limit for BOD using Contributory Flow Method.

Article VI, Cross Connection Control: (1) Adding a reference to Chapter 7, Plumbing Code, which would allow double-check assemblies to be used on non-health hazard irrigation systems if proposed Chapter 7 amendments are passed. Double-check assemblies are not permitted on irrigation systems where a health hazard exists; this includes properties serviced by on-site septic systems and those that use chemical injection; (2) Specifying frequency of required backflow assembly testing as follows: (a) Annually for backflow assemblies that are installed at cross connections where a health hazard exists; (b) Every five years for backflow assemblies that are installed at cross connections where a health hazard does not exist; (c) Immediately after installation; (d) Whenever the backflow assembly is moved; (e) When the City deems it necessary to protect the health and safety of the public; (f) When an irrigation system is installed; and (g) Immediately after any backflow assembly repair; (3) Clarifying when the City is authorized to perform a customer service inspection in response to changes in occupancy or construction or renovation of a premises. Authorizing the City to perform a customer service inspection: (a) Prior to the certificate of occupancy being issued for a premises; and (b) After a City permit is issued for the premises; and (4) Updating civil remedies for violations from a maximum amount a person could be found liable to the City from \$2000 to \$5000 in accordance with Sec. 54.017, Texas Local Gov't Code.

Article VII, Liquid Waste: (1) Updating civil remedies for violations from a maximum amount a person could be found liable to the City from \$2000 to \$5000 in accordance with Sec. 54.017, Texas Local Gov't Code.

Article VIII, Water Wells: (1) Removing an outdated permit process for the drilling of water wells located within the City; (2) Establishing a City approval process for the drilling of water wells that works in conjunction with the Clearwater Underground Water Conservation District's permitting and registration standards for the drilling of water wells; and (3) Allowing the City to create a policy related to drilling, maintenance, and abandonment of water wells.

Article IX, Enforcement: (1) Adding a general enforcement article to provide civil remedies and criminal penalties for violations of sections or articles in Chapter 38 that do not provide for specific enforcement tools; and (2) Adding a severability clause to the chapter.

Comments

Motion by Councilmember Jessica Walker adopt ordinance as presented on second and final reading, seconded by Councilmember Susan Long.

Motion passed unanimously.

BOARD APPOINTMENTS

- 16. 2019-9772-R: Consider adopting a resolution appointing one alternate member to fill an unexpired term through March 1, 2021 to the Building & Standards Commission.**

Mayor Davis noted that Council discussed this at that the workshop to appoint Brenda Warrick to the serve as the alternate member on the Building and Standards Commission to fill an unexpired term through March 1, 2021.

Motion by Councilmember Wendell Williams appoint Brenda Warrick as an Alternate Member of the Building and Standards Commission to fill an unexpired term through March 1, 2021, seconded by Mayor Pro Tem Judy Morales.

Motion passed unanimously.

Timothy A. Davis, Mayor

ATTEST:

Lacy Borgeson
City Secretary

TEMPLE CITY COUNCIL

SEPTEMBER 19, 2019

The City Council of the City of Temple, Texas conducted a meeting on Thursday, September 19, 2019 a 1:30 PM, at the Municipal Building, 2 North Main Street, in the 3rd Floor Conference Room.

PRESENT:

Councilmember Susan Long
Councilmember Jessica Walker
Councilmember Wendell Williams
Mayor Pro Tem Judy Morales
Mayor Timothy A. Davis

I. PUBLIC COMMENTS

No one signed up to speak.

II. WORK SESSION

1. Discuss, as may be needed, Regular Meeting agenda items for the meeting posted for Thursday, September 19, 2019.

Ms. Borgeson briefly reviewed the applications on file to fill the vacancy on the Parks and Recreation Services Advisory Board (item 13).

2. Receive a presentation regarding the Temple Independent School District 2025 Plan.

Dr. Bobby Ott, TISD Superintendent provided a brief presentation to the Council; and noted that this was part of his superintendent's Entry Plan and has been incorporated into the District's long-term planning process. The goal is to have on-going collaboration with stakeholders, the City, Economic Development Corporation, Chamber of Commerce, and Temple College to align goals and planning efforts to be synergistic and aligned.

Five District priorities were identified to be (1) Strategic Marketing; (2) Innovation; (3) Safety; (4) Growth; and (5) Compensation.

As part of Strategic Marketing, a vision, mission and believe statement was created to tell the story of the organization. TISD is really pushing the message. Social media, bus wraps, and printed ads are being used to help with this initiative.

As part of the Innovation priority, the District is looking to find other ways to reach further in educating the students. Each of the campuses met standards. The District will be implementing joint marketing opportunities with Temple College.

Safety is a key priority. Both students and faculty are unable to respond and produce if they don't feel safe. Working on creating a Student Intervention Specialist; completed a Secret Service Threat Assessment Protocol, and technology upgrades. The District is also looking at hardening some of its facilities.

With regards to Growth, we conducted a demographic study for the District in 2018. That information lead us purchasing 47.5 acres of land in southeast Temple at Barnhardt and Old Highway 95. This would be enough land for both a new elementary and middle school. The District continues to work with the local builders on Master Plan communities. The City continues to grow in population, but the District has not. We anticipate an upward spike in the next couple of years due to the residential growth and development that's happening.

What's next in terms of he growth priority? The District will commission a Facilities Master Plan. The last Plan was in 2014, a year before the Bond. The goal is update the Demographic Study each year. The District will continue its collaboration with the City with regards to infrastructure needs. Dr. Ott also noted there are future bond considerations for a new elementary; replace all EL portable buildings with permanent structures; and middle school athletic facilities.

Compensation was a big priority for the District. The 86th Legislature passed HB3 which required 30% increase for salaries. The District was able to provide for 59% increase; while other ISDs in the area provided 30%-43%. The average teacher salary increased by 9.2%. New to profession teacher starting salary is \$50,225; experienced teachers, RNs, and Librarians salaries increased 6.7% - 10.4%; counselor and diagnosticians4 4%-5% increase; and hourly employees a 4%-5% increase. The District will continue to study and analyze peer group compensations; and add sustainability measures during its budgeting process.

3. Discuss the City's purchasing procedures relating to annual contract bidding and renewals.

Belinda Mattke, Director of Purchasing provided a brief presentation. There are a total of 39 annual contract agenda items for consideration, 16 new, 16 renewal, six COOP purchase requests, and one single source six-month contract extension. Council amended the

City's monetary and purchasing guidelines on August 26, 2019 (resolution 2019-9761-R) to reflect the following:

\$1,000 - \$2,999 will require a minimum of two verbal or phone quotes;
\$3,000 - \$50,000 will require a minimum of three written quotes; plus compliance with historically underutilized business law; and

Over \$50,000 is subject to competitive bidding requirements as outlined in Chapter 252 and Chapter 271 of the Texas Local Government Code, and Council's approval.

There are currently 99 different annual (82) and term (17) contracts that assist in our compliance efforts. There are many benefits to annual and term contracts to include, (1) departments know where to procure items; (2) saves time in getting multiple bids throughout the year; (3) helps departments budget; (4) better pricing; and (5) awarded vendors know what we need available to us.

Each Spring the Purchasing Staff begins evaluating each of the contracts to ensure satisfaction from departments. For FY2020, it is recommended that we renew 16 contracts in the amount of \$2,319,590; and re-bid 16 contracts in the amount of \$6,134,812.

Ms. Mattke explained there are a few exceptions to the bidding process to include, cooperative purchases, and single-source purchases.

4. Receive a presentation regarding the Temple Police Association Meet and Confer agreement.

Erin Smith, Assistant City Manager presented this to Council. The Meet & Confer process is governed by Chapter 412 of the Local Government Code; and allows a police officers association to file a petition with the City requesting that the City recognize the association as the sole and exclusive bargaining agent for all officers and adopt the Meet & Confer process. Adopting the process then allows the City to meet and confer with the police officers association over matters to include wages, salaries, rates of pay, hours of work, or other terms and conditions of employment. Deliberations must occur in open meetings.

The City and Association are not required to reach an agreement on any particular topic, but if an agreement is made on any issue it must be in writing and then ratified by the Council and a majority of the police officers. The written Meet & Confer agreement preempts all contrary state statutes, local ordinances, executive orders, civil service provisions, or rules.

In December 2018, ground rules were executed and negotiations began. March 2019, an agreement ratification was considered by the police officers and City Council to allow time to complete an

compensation study. May 2019, a joint meeting was had with both the Police Department and the Fire Department to discuss the civil service pay scale recommendations. A tentative agreement was reached by the parties and a new Article was proposed in August 2019, and in September a ratification was considered by the Police officers and then on the Council's regular agenda, item 7(DD) for consideration.

The Meet and Confer process provides a venue for open communication and collaboration between City Administration and the Police Officers regarding employment issues. Administration and TPA focused its efforts for FY20 on compensation and both non-substantive and substantive issues. The current agreement covers 11 different issues; while the draft agreement proposes substantive changes to three issues (Article 5 Overtime; Article 7 Promotional Process; and Article 8 Lateral Entry Program), non-substantive changes to two issues (Article 4 Compensation; and Article 14 Duration of Agreement), and the addition of a new article, Article 10 Physical Fitness.

Article 5 Overtime amendments were proposed by the City, establishing definitions for:

Call Out - time the Department requires an officer to return to duty status 15 minutes or more after the officer's shift ends.

Extension of Duty - time the Department requires an officer to remain on duty, or to return to duty less than 15 minutes after the end of their prior regular shift, or during their unpaid lunch hour.

Prior to Duty - time the Department requires an officer to report to duty less than one hour prior to the officer's regular shift.

Article 7 Promotional Process amendments were proposed by TPA to include changing the name to Promotional Process, and adding a new section for "Eligibility for Police Department Promotional Examination"; "Promotional Examination Grades"; "Seniority Points"; and "Calculation of Final Eligibility List Score"; and revise section "Educational Incentive Points".

Article 8 Lateral Entry Program was proposed by TPA to revise Section 3-Guidelines.

Article 10 Physical Fitness is the a new article being proposed by TPA. This will establish a minimum physical fitness standard as a condition of employment to maintain high professional standards.

Non-substantive changes were to:

Article 14 Compensation, to include that City administration and TPA will work together to establish a compensation study to be conducted in FY21 for implementation in FY22; and to meet no later than January 15, 2021, to discuss the process of the study and begin the

process of negotiating a successor agreement.

Article 14 Duration of Agreement, was proposed to change the termination date of the agreement from September 30, 2019, to September 30, 2021.

The Meet and Confer Agreement is enforceable and binding if the governing body of the municipality ratifies the agreement by a majority vote; and the police officer association ratifies the agreement by conducting a secret ballot election at which the majority of the police officers who would be covered by the agreement favored ratifying the agreement.

The Temple Police Association conducted the secret ballot election which was held on September 5th and 6th. 108 police officers voted "yes" to the ratification; 22 voted "no"; and 19 did not cast a ballot.

5. Receive a presentation regarding the City's Water and Wastewater Master Plan.

Ginger Tolbert, KPA presented the report. Ms. Tolbert discussed the water system first. She noted that an infrastructure assessment survey was completed, and then the 50-year planning area. There are many factors to consider such as Certificate of Convenience & Necessity (CCN). The CCN is essentially the City's permit to service an area. You don't have to serve the area, but you can. Many areas are dual certificated by other providers. As Temple continues to grow, the more common dual certificated areas will become.

First and foremost, the City limits was reviewed, then the ETJ, and then the CCN area. The planning area for the next 50-years was then determined to accommodate the population in 2070.

Water rights is a huge factor in the planning process. How much raw water does the City of Temple have under contract. In a drought year the city needs 38,871 ac-feet. In 2070, it is projected that City will need 38,536 ac-feet to serve the entire study area which also includes its whole sale customers (Troy, Little River Academy, Arrowhead Point, and Morgans Point Resort).

The City's current high which was in 2018 is 31.3 MGD, which was pumped from the plant to town on a single day. The City needs to continue to think conservation, maintaining its water rights, and being prudent if any others come available.

Next Ms. Tolbert discussed the water treatment plants and the ability to provide the necessary amounts of water. The existing treatment capacity is 41.0 MGD with both the conventional and the membrane plants. By 2025 the City will need additional treatment capacity. This

need has been recognized by City staff, and is currently under design for an expansion to the membrane plant to increase its capacity to 52.6 MGD. This effort preserves a cushion so that stage 2 drought contingency efforts aren't triggered.

Three models have been done for the water system. One using the existing system, one using projected population for 2040, and one using projected population in 2070. Each model was set as the entire city and with extended period simulation. This allows run demands to be done for 24-48 hour periods to see how the system will react. The information is strategically calculated and calibrated. As part of an amendment to the contract there were 20-pressure recorders purchased and owned by the City. The recorders were deployed last summer at two week intervals during peak times. This data is significant to the planning process. With this data, we are able to look at the necessary improvements needed and roll them into the budget.

Wastewater system planning is done in a similar approach. There are not as many CCN holders for wastewater as there are for water. Ms. Tolbert reviewed the existing and proposed basins. The western basins are served by the Temple Belton Wastewater Treatment Plant, they are the Leon River, Pepper Creek, Bird Creek, Friars Creek, Little River Basin, and Boggy Creek Basin.

The Pea Ridge Lift Station pumps the Leon Basin to the Pepper Creek. This Basin transfer will be alleviated with future phases of the Leon River Trunk sewer project. There is an on-going project in the Bird Creek Basin to rebuild that trunk sewer. Little River will contain future development in the south, and will eventually be its own waste water plant, but on an interim basis be pumped to the Temple Belton Wastewater Treatment Plant, which will require pumping over the drainage divide.

To the east, you have Knob Creek Basin, Williamson Creek Basin, and Little Elm Basin, all of which are served by the Doisher Farm Treatment Plant. The Knob Creek planning area has moved further south to accommodate the growth in that area. Little Elm Basin, just recently completed a large sewer trunk project that extends service up into the Industrial Park area. As part of this, several lift stations were abandoned.

Cedar Creek Basin is the newest area of study. It is comprised of an area over the natural drainage divide. Anything built in that basin will be pumped into one of the existing basins, the wastewater would then travel all the way down (north to south) through the basin to the Temple Belton Plant. This is important because it is not in a natural basin. Any trunk sewer built in that basin did not anticipate that wastewater flow.

The study considers many factors to include, high density that will generate more wastewater flow, as well as inflow / infiltrations (cracked pipes, and root intrusion). When a trunk sewer line is built, it is built to serve a fully developed basin.

RJN has been contracted directly with the City to test the flow from basin to basin. Once this study is complete the City will be able to determine what type of inflow / infiltration impacts, and peak demands the system can handle.

Lift stations are a necessary evil as you grow the water system. As you extend trunk sewers upstream, you can intercept some of the lift stations and eliminate them.

If all of the area west move from septic to sewer, the current infrastructure would not be able to support it, and would need to be significantly upsized.

The existing Temple-Belton Wastewater Treatment Plant was designed to for 10 MGD flow, and 30 MGD peak flow. Phase I of the expansion increase peak flow to 38 MGD. Phase II (projected for 2040) design is well underway, and will increase the design flow to 14 MGD, and peak flow to 43.45 MGD, and then a future phase will increase flow to 18 MGD, and peak flow to 57 MGD.

Ms. Myers noted Phase II for the Temple-Belton Wastewater Treatment Plant expansion, to increase from 10 MGD to 14 MGD is proposed in the six year business plan.

Doisher Farm Wastewater Treatment Plant's design flow is 7.5 MGD, and peak flow of 22.5 MGD. It is not anticipated for any expansion within the next 10 years. This will continue to be monitored as we grow in the Industrial Park area.

Councilmember Williams asked if there was room for growth at the Doisher Farm Plant.

Ms. Tolbert noted yes, but there is also vacant land.

6. Receive an update on the City's transportation-related capital improvement programs.

David Olson, Assistant City Manager presented this to the Council. The City has \$20.7M in road projects under constructions, including Prairie View Road Phase II; Westfield Boulevard Phase II, Section II; the Outer Loop 3B; Backage Road; Hogan Road Widening; and 1st Street (Avenue B to Avenue A) Santa Fe Phase 2.

Prairie View Road, Phase II - cost \$7,652,676; ten total change

orders; project on schedule to be complete October 2019.

Westfield Boulevard, Phase II - cost \$2,281,033; six total change orders; substantially completed August 2019.

Outer Loop 3B - cost \$5,495,387; six total change orders; project is behind schedule, contract completion was originally set for August 2019, but is not estimated for January 2020.

Backage Road - cost \$1,973,986; two change orders; and project was substantially completed before September 2019.

Hogan Road Widening - cost \$3,143,660 with two change orders; project is on schedule to be completed May 2020; phase I & II estimated to be complete in January 2020, and Phase III by May 2020.

1st Street - Avenue B to Avenue A (Part C of Santa Fe Phase II) - cost \$1,059,653; on schedule to be complete November 2019.

Transportation Capital Improvement Program Projects cost share is \$2.8M. This includes the extension of Azalea Drive, South Pea Ridge Road, and the extension of Hogan Road.

Transportation Capital Improvement Program projects under design total \$51.6M and include the following:

Azalea Drive, estimated to start Fall 2019; OPC \$1.3M;
Poison Oak, estimated to start Summer/Fall 2020; OPC \$10.8M;
Kegley Phase II, estimated to start Summer 2020; OPC \$5.6M;
North Pea Ridge Road Phase I, estimated to start Fall 2020/Winter 2021; OPC \$5.0M;
Kegley Phases 3 & 4, estimated to start Spring 2021; OPC \$9.3M;
South Pea Ridge Road, estimated to start Spring 2021; OPC \$4.7M;
Hartick Bluff Road (30% Design Only), estimated to start Summer 2021; OPC \$6.1M;
North Pea Ridge Road Phase 2 (30% Design Only), estimate start is still to be determined; OPC is \$5.2M; and
Canyon Creek / Blackland Extension (TISD), estimate design in FY202, \$470K; and construction in FY2021 \$3.1M.

Reinvestment Zone / Grant Road projects under design total \$78.5M, and include the following:

1st Street Avenue A to Central, estimated to start in Fall/Winter 2019, OPC \$1.4M;
Downtown City Center, estimated to start Fall/Winter 2019, OPC \$5.1M;
Outer Loop North Phase I, estimated to start Winter 2020, OPC \$7.8M;
Adams / Central Sidewalk (TxDOT Funded), estimated to start in

Spring 2020, OPC \$1.92M;
South 31st Street Sidewalk Connectivity (TxDOT Funded), estimated to start Summer 2020, OPC \$3.5M;
Avenue C (Main Street to MLK), estimated to start FY 2020, OPC \$1.7M;
Outer Loop, Jupiter to Riverside (KTMPO Funded), estimated to start in FY2021, OPC \$8.7M;
Avenue C (MLK to 24th Street), estimated to start in FY 2022, OPC \$5.3M;
Outer Loop North Phase 2, estimated to start FY 2022, OPC \$15.2M;
Outer Loop North Phase 3, estimated to start FY 2023, OPC \$10.9M;
and
Outer Loop, Riverside to IH-35, estimated to start FY 2025, OPC \$17M.

At approximately 3:55 p.m., the Council entered into an executive session.

- 7. Discuss the employment, duties, and work plans of the City Attorney, Finance Director, City Judge, City Secretary, and the City Manager. Texas Government Code § 551.074 – The City Council will meet in executive session to discuss the hiring process, appointment, employment, and duties of the City Attorney, Finance Director, City Judge, City Secretary, and the City Manager. No final action will be taken.**

Those present for the executive session (item 7) were:

Councilmember Long
Councilmember Walker
Councilmember Williams
Mayor Pro Tem Morales
Mayor Davis
Ms. Myers
Ms. Landeros
Ms. Barnard
Ms. Borgeson

The executive session related to item 7 was adjourned at approximately 4:08 pm with no final action.

At approximately 4:26 p.m., the Council entered into an executive session.

- 8. Enter into closed session under Texas Government Code Section 551.071(2) to consult with the City Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551.**

Those present for the executive session (item 8) were:

Councilmember Long
Councilmember Walker
Councilmember Williams
Mayor Pro Tem Morales
Mayor Davis
Ms. Myers
Ms. Landeros
Ms. Barnard

The executive session related to item 7 was adjourned at approximately 4:55 p.m.

I. CALL TO ORDER

1. Invocation

Reverend Roscoe Harrison, with Eighth Street Baptist Church voiced the invocation.

2. Pledge of Allegiance

Lacy Borgeson, City Secretary, led the Pledge of Allegiance.

II. PUBLIC COMMENTS

David Barrows, 7317 Tanglehead Drive. Expressed his opposition to extension of Tanglehead Drive, item 7(JJ) on the regular agenda. Mr. Barrows noted he continues to have traffic concerns.

Bob Brown, 718 South 53rd Street, regarding an accident that occurred at East Calhoun and North Main Street. This is a dangerous intersection, with blind spots, and the angle parking needs to be changed. Mr. Brown also noted that the parallel parking along South 4th and West Avenue is also dangerous.

Larry Wilkey, President, TPA Rep, things have improved over 25 years, but we've lost our competitive edge with regards to recruiting good/qualified officers. Respectfully requested favorable consideration with regards to the Meet and Confer agreement.

Gail Peek, 3409 Whispering Oak, addressed the Council regarding balance with the budget, as well as compensation. Competitive compensation is correct and appropriate. This council is doing a great job trying to balance. Ms. Peek believes the City is not using the most accurate peer groups, and requested that they consider the negative impact this has in the older areas, with growth. Are we improving the community or not? Older parts of Temple the water pressure is poor, and this should have been addressed

before now. Ms. Peek noted the City is moving earth before a plan is in place. Need to restore the citizen groups for a more direct input.

III. BUDGET ITEMS

Mayor Davis read items 3, 4, and 5 into the record for one presentation and public hearing.

3. PUBLIC HEARING – Conduct a public hearing regarding the City’s budget for fiscal year beginning October 1, 2019 and ending September 30, 2020 and consider adopting a resolution:

(A) Adopting the City’s budget for fiscal year beginning October 1, 2019 and ending September 30, 2020, including the Operating Budget for 2019-2020, Business Plan, Capital Improvement Plan, General Government Pay Plan, Fiscal & Budgetary Policy, and Investment Policy.

Motion by Councilmember Jessica Walker I move that the budget for fiscal year beginning October 1, 2019 and ending September 30, 2020, including the Operating Budget for 2019-2020, Business Plan, Capital Improvement Plan, General Government Pay Plan, Fiscal & Budgetary Policy, and Investment Policy be adopted, seconded by Councilmember Susan Long.

Motion passed unanimously.

(B) Ratifying the property tax increase reflected in the budget – “This budget will raise more total property taxes than last year’s budget by \$3,703,167, a 13.11% increase, and of that amount, \$878,355 is tax revenue to be raised from new property added to the tax roll this year.”

Motion by Councilmember Wendell Williams I move that the property tax increase reflected in the budget be approved - This budget will raise more total property taxes than last year's budget by \$3,703,167, a 13.11% increase, and of that amount, \$878,355 is tax revenue to be raised from new property added to the tax roll this year, seconded by Mayor Pro Tem Judy Morales.

Motion passed unanimously.

Ms. Myers provided an presentation for items 3(A & B) and item 4. She noted the process started in the fall of 2018 with many strategic meetings. The planning work for the budget was approached

differently this year, planning for the next six years, and providing a 2020 Business Plan that includes (1) a Strategic Plan, (2) a Financial Plan, (3) an Annual Budget, (4) a Capital Improvement Program, and (5) Annual Work Plans.

This year the City committed to being future focused, by challenging ourselves to look into the future and approach our planning from a long-term view and to set an intentional direction for the organization for the next six years. To plan for those things that are critical to maintain and enhance the Temple we love, and to consider the need for growth, change, and innovation so that the City of Temple will be a city where the next generations will love to call home.

The Council has set a simple but powerful vision for the organization, "Temple, a place you'll love to call home." With the Mission being exceptional service, without exception. The values that have been identified are commitment, innovation, integrity, accountability, collaboration. With the focus areas being a high-performing organization, places and spaces, public safety, and infrastructure and utilities.

There have been nine strategic goals that align with the focus areas, and each goal has commitments identifying what the City will do to accomplish the goal, as well as specific initiatives stating how it'll be done.

The goals are: (1) to be an organization committed to performance excellence; (2) to be community leaders with a bold vision and intentional direction; (3) to have talented and dedicated employees who have a heart for service; (4) to be an on open, responsive, and accountable government; (5) to be a city that supports well-managed growth and development to promote a thriving economy; (6) to have beautiful spaces and unique experiences; (7) to have neighborhoods where people love to live; (8) to have infrastructure and systems that support exceptional services and community growth; and (9) to be a safe and healthy community.

Ms. Myers highlighted some of the key initiatives within in the plan. She began with Public Safety. Throughout the six year planning window there are some significant recommendations to include increased patrol districts; a Criminal Investigation Unit to address property crimes; finish staffing of the Violent Crime Enforcement Squad; and enhance the Neighborhood District and Community Policing Program; increase Fire Squad units and staffing; replace some critical fire apparatus to continue the exceptional level of service; allocate resources for a public safety bond that would enhance the training facilities, and add additional resources to the Animal Services program, as well as the Code Compliance Program.

As it relates to Places and Spaces, there are initiatives related to (1) a Neighborhood Planning Program; (2) a Housing Reinvestment Strategy; (3) a Community Events Team; (4) a \$33M Parks Bond; (5) additional Transform Temple Crews; (6) a Library Master Plan and Concept Design; (7) an updated to the Marketing Strategies; and (8) Downtown Branding and Wayfinding effort.

Utilities and Infrastructure, this too is very comprehensive plan of work to include the (1) the development of a Mobility Master Plan; (2) funding identified to help implement the Master Plan through a Mobility CIP, \$50M; (3) three additional Street Maintenance Crews; (4) addition of a Concrete Crew; (5) a program to aggressively reduce the sewer overflows throughout the community; (6) a water line repair crew; (7) the expansion of the Water Treatment Plan; (8) the expansion of one of the wastewater treatment plants; and (9) develop a Solid Waste Master Plan and resources to add routes.

As for a High Performing Organization, the plan calls for (1) a comprehensive Performance Excellence Program; (2) a Customer Service Excellence Program; (3) consolidation of Marketing and Communications efforts; (4) additional resources to the Development Services Team; (5) a Business Navigator position; (6) significant investments in technology; (7) professional staffing at the FBO Terminal; (8) addition of an executive terminal at the Airport; and (9) continue to be an Employer of Choice.

The City of Temple provides a full range of services to our citizens. Ms. Myers noted the value of the services provided for the cost that the citizens pay through property taxes are incredible. The average household income with pay \$70 per month in property taxes, and for that they get a wide range of services from the City. The proposed plan before the Council is a sound plan. The total FY 2020 proposed budget is just over \$175M, including all funds.

The proposed ordinance will adopt the ad valorem property tax roll certified by the Tax Appraisal District of Bell County, in the amount of \$5,363,305,586. The taxable value for Temple is \$4,354,611,733; Frozen Taxable value is \$527,445,141; and the Tax Increment District taxable value is \$481,248,712.

The program of work proposes a tax rate of 67.27 cents, an increase of 1.15 cents to support the plan. FY 2020 General M&O at 35.58 cents; and Debt (I&S) 36.30 cents. In FY2019, the property tax rate was reduced by 1.6 cents. The impact of this increase to the average homeowner is .96 cents per month; and zero impact to those senior citizens (65+).

Mayor Davis declared the public hearing open with regards to items 3 (A & B) and asked if anyone wished to address this item.

Gail Peek 3409 Whispering Oaks, questioned the underlying assumptions shown for the average household.

Ms. Myers noted the data is from the Consumer Expenditure Survey of the US Bureau of Labor and Statistics; but the property tax rate is actual data for Temple.

Ms. Peek, inquired if an analysis had been completed on the exemptions and how they are growing in the community.

Ms. Myers noted this information is detailed and would be provided to Ms. Peek.

Ms. Peek explained that 1.15 cents sounds small, but that on top of the appreciation in valuation from the other taxing authorities makes this number much more impactful to the average homeowner. Ms. Peek was also concerned with number of additional positions being created throughout the six year plan. She also believes the City is undercounting the infrastructure needs, she specifically called out Woodbridge Park subdivision.

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

4. **2019-4981: SECOND & FINAL READING – Consider adopting an ordinance approving the tax roll and authorizing calculation of the amount of tax that can be determined for all real and personal property in the City for the tax year 2019 (fiscal year 2020).**

Motion by Mayor Pro Tem Judy Morales adopt ordinance on second and final reading as presented, seconded by Councilmember Susan Long.

5. **2019-4982: SECOND & FINAL READING – Consider adopting an ordinance setting a tax rate \$0.6727 per \$100 valuation, comprised of \$0.3097 for maintenance and operations and \$0.3630 for debt service, for Fiscal Year 2020 (Tax Year 2019), making the appropriation for the regular operation of the City.**

Motion by Councilmember Susan Long I move that the property tax rate be increased by the adoption of a tax rate of \$0.6727, which is effectively a 13.06 percent increase in the tax rate, seconded by Councilmember Wendell Williams.

IV. AWARDS AND SPECIAL RECOGNITIONS

- 6.

(A) Recognize the City of Temple Finance Department and Budget Team for outstanding Performance.

Brynn Myers, City Manager expressed her gratitude to the Budget Team for their hard work and dedication throughout the process. She thanked the Council for their support, and the future promises extraordinary things for the City. Ms. Myers noted she recently came across the City's Master Plan from 1944, of which a portion was adopted on September 19, 1944. Ms. Myers noted that was true 75 years ago is still true today.

(B) Recognize Constitution Week September 17th – 23rd

Becky Vajdak with the Betty Martin Chapter accepted the proclamation from Mayor Davis.

V. CONSENT AGENDA

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

(A) 2019-9773-R: Consider adopting a resolution authorizing a purchase agreement for liquid copper sulfate for FY2020 with Brenntag Southwest, Inc of Lancaster, in the estimated annual amount of \$90,762.50.

(B) 2019-9774-R: Consider adopting a resolution authorizing a purchase agreement for liquid chlorine for FY2020 with Brenntag Southwest, Inc. of Lancaster, in the estimated annual amount of \$180,000.

(C) 2019-9775-R: Consider adopting a resolution authorizing a purchase agreement for liquid ammonium sulfate for FY2020 with Chameleon Industries, Inc of Mesquite, in the estimated annual amount of \$50,270.

(D) 2019-9776-R: Consider adopting a resolution authorizing a purchase agreement for liquid polyaluminum chloride for the Conventional Water Treatment Plant for FY2020 with GEO Specialty Chemicals, Inc. of Little Rock, Arizona, in the estimated annual amount of \$292,600.

(E) 2019-9777-R: Consider adopting a resolution authorizing annual purchase agreements with the following lawn chemical vendors for FY2020 in the estimated annual amount of \$77,554.35:

1. **BWI Companies of Schulenburg \$44,910.35**
2. **Rentokil, dba Target Specialty Products of Coppell \$32,644.00**

(F) 2019-9778-R: Consider adopting a resolution authorizing the following related to utility supplies needed for FY2020:

1. **Award a purchase agreement to Fortiline Waterworks, Inc. of Hewitt, in the estimated annual amount of \$186,213.10;**
2. **Award a purchase agreement to Core and Main of Belton, in the estimated annual amount of \$99,168.14; and**
3. **Reject the bids received for ten of the independent bid sections.**

(G) 2019-9779-R: Consider adopting a resolution authorizing the purchase of the annual CityWorks AMS asset management and work order software subscription from Azteca Systems LLC, in the amount of \$60,000.

(H) 2019-9780-R: Consider adopting a resolution authorizing the purchase of FY2020 police records management software maintenance contract with Intergraph Corporation, dba Hexagon Safety & Infrastructure, in the amount of \$93,218.58.

(I) 2019-9781-R: Consider adopting a resolution authorizing the purchase of a FY2020 financial systems software maintenance contract with Superior, LLC of Chicago, Illinois, in the estimated amount of \$124,828.

(J) 2019-9782-R: Adopt a resolution authorizing the purchase of municipal courts software with LT Systems, Inc. of The Woodlands, in the amount of \$94,650.

(K) 2019-9783-R: Consider adopting a resolution authorizing the purchase of jail services from Bell County, in the estimated amount of \$65,000 for FY 2020.

(L) 2019-9784-R: Consider adopting a resolution authorizing the purchase of 156 membrane replacement modules and accessories from Pall Advanced Separations Systems of Cortland, New York, in the amount of \$189,404.52.

(M) 2019-9785-R: Consider adopting a resolution authorizing the purchase of properties situated at 606 and 610 Luna Lane and authorizing closing costs associated with the purchase, in an estimated amount of \$16,000.

(N) 2019-9786-R: Consider adopting a resolution authorizing the purchase of properties situated at 807, 820, 903, 904, 908, 911 and 919 East Avenue A, authorizing closing costs associated with the purchase in an estimated amount of \$78,000, releasing City liens totaling \$4,406.19.

(O) 2019-9787-R: Consider adopting a resolution authorizing the purchase and exchange of City-owned property pursuant to Local Government Code § 272.001(b)(3) for two rights-of-way and two temporary construction easements necessary for the Poison Oak Road Expansion Project and authorizing closing costs associated with the purchase, in an estimated amount of \$7,700.

(P) Consider adopting resolutions authorizing the following cooperative contract purchases during FY2020:

- 1. 2019-9788-R: Cellular services – Cellco Partnership, dba Verizon Wireless, utilizing a State of Texas DIR contract, in the total estimated annual amount of \$360,000.**
- 2. 2019-9789-R: Office supplies – Perry Office Plus, Inc., utilizing a BuyBoard contract, in the estimated annual amount of \$125,000.**
- 3. 2019-9790-R: Janitorial supplies – Gulf Coast Paper Company, utilizing a BuyBoard contract, in the estimated annual amount of \$100,000.**
- 4. 2019-9791-R: Tire retreading services – Southern Tire Mart, LLC, utilizing a BuyBoard contract, in the estimated annual amount of \$95,000.**
- 5. 2019-9792-R: Automotive repair parts – O'Reilly Auto Parts, utilizing a BuyBoard contract, in the estimated annual amount of \$80,000.**
- 6. 2019-9793-R: Online auction services – GovDeals, Inc., utilizing a BuyBoard contract, with an estimated annual revenue amount of \$150,000.**

(Q) 2019-9794-R: Consider adopting a resolution authorizing a professional services agreement with Haley & Olson, P.C., for

fiscal year 2020, for the provision of legal services associated with various condemnation proceedings, in the estimated annual amount of \$160,000.

(R) 2019-9795-R: Consider adopting a resolution authorizing a professional services agreement with Clark & Fuller, PLLC, of Temple, for the design services needed to construct a new equipment parking area and equipment storage bays at the new Parks Department offices, in the amount of \$57,733.

(S) 2019-9796-R: Consider adopting a resolution authorizing a professional services agreement with Stateside Right of Way Services, Inc., for acquisition and relocation services for the Avenue C Improvement and Expansion Project, in an amount not to exceed \$296,400.

(T) 2019-9797-R: Consider adopting a resolution authorizing a services agreement to maintain Hillcrest Cemetery during FY2020 with Heart of Texas Landscape & Irrigation Co. Inc. of Belton, in the estimated annual amount of \$131,250.

(U) 2019-9798-R: Consider adopting a resolution authorizing a services agreement for heating, ventilation, and cooling maintenance and repair services for FY2020 with Temple Heat & Air of Temple in the estimated annual amount of \$70,000.

(V) 2019-9799-R: Consider adopting a resolution authorizing service through Grande Communications Networks LLC, of Dallas, for high-speed data services to ten city facilities, in the amount of \$90,000.

(W) 2019-9800-R: Consider adopting a resolution authorizing a six-month extension to an agreement with Evoqua Water Technologies, LLC of Sarasota, Florida, for the service/supplier of chlorine dioxide/sodium chlorite at a cost of 64.7¢ per liquid pound in the estimated amount of \$90,000.

(X) 2019-9801-R: Consider adopting a resolution authorizing an agreement for yearly service through AT&T Corporation, of Dallas, for voice, data and internet services, in the amount of \$215,000.

(Y) 2019-9802-R: Consider adopting a resolution authorizing a settlement agreement in the amount of \$83,728.40.

(Z) 2019-9803-R: Consider adopting a resolution authorizing an interlocal agreement with the Belton Independent School District to utilize the tennis facilities at Crossroads Park.

(AA) 2019-9804-R: Consider adopting a resolution authorizing two CDBG-funded demolition contracts for ten residential structures with Sierra Contracting Corporation of Round Rock in the amount of \$62,100.

(BB) 2019-9805-R: Consider adopting a resolution authorizing release of a 4,612 square foot portion of a 20-foot public utility easement shown in the Aubrey Subdivision, an addition to the City of Temple, Bell County, Texas, as recorded in Cabinet D, Slide 3-C, of the Plat Records of Bell County, Texas, located generally at 3805 South General Bruce Drive.

(CC) Consider adopting resolutions authorizing FY 2020 contract renewals for the following:

- 1. 2019-9806-R: Hauling and Disposal of Sludge – S&M Vacuum & Waste, Ltd, in the estimated annual amount of \$247,500.**
- 2. 2019-9807-R: Concrete Repair and Construction Services – Wilson Construction Services, LLC, in the estimated annual amount of \$240,000.**
- 3. 2019-9808-R: Aggregate Base – Heartland Quarries, LLC, in the estimated annual amount of \$225,000.**
- 4. 2019-9809-R: Construction Material Testing – Langerman Foster Engineering Company, LLC, in the estimated annual amount of \$200,000.**
- 5. 2019-9810-R: Mowing and Maintenance Services – Heart of Texas Landscape & Irrigation Company, Inc, in the estimated annual amount of \$196,090.**
- 6. 2019-9811-R: Statement Printing and Mailing Services – DataProse, LLC, in the estimated annual amount of \$186,000.**
- 7. 2019-9812-R: Water Meters – Fortiline Waterworks, in the estimated annual amount of \$180,000.**
- 8. 2019-9813-R: Vehicle and Equipment Tires – Southern Tire Mart, LLC, in the estimated annual amount of \$160,000.**
- 9.**

2019-9814-R: Electric Motor Pump and Repair Services – Austin Armature Works, in the estimated annual amount of \$125,000.

- 10. 2019-9815-R: Books, CDs, DVDs, and MP3s – various vendors, in the estimated annual amount of \$115,000.**
- 11. 2019-9816-R: Oil and Lubricants – Arnold Oil Company, in the estimated annual amount of \$90,000.**
- 12. 2019-9817-R: Hot Mix Asphalt – Texas Material Group, Inc., in the estimated annual amount of \$90,000.**
- 13. 2019-9818-R: Various Forms of Rock and Top Soil – Heartland Aggregates, in the estimated annual amount of \$85,000.**
- 14. 2019-9819-R: Non-Clerical Temporary Employment Services – Link Staffing Services, in the estimated annual amount of \$75,000.**
- 15. 2019-9820-R: Protective Footwear – Cochran, Blair & Potts, in the estimated annual amount of \$55,000.**
- 16. 2019-9821-R: Industrial & High Voltage Electrical Services – T. Morales Company Electric & Controls, Ltd, in the estimated annual amount of \$50,000.**

(DD) 2019-9822-R: Consider adopting a resolution ratifying a meet and confer agreement with the Temple Police Association.

(EE) 2019-9823-R: Consider adopting a resolution authorizing the repair of a solid waste brush truck by Texas Pack + Load of San Antonio in the estimated amount of \$81,383.86.

(FF) 2019-9824-R: Consider adopting a resolution authorizing the funding of employee insurance policies from the following vendors for FY 2020:

- 1. Medical and Pharmacy Insurance Plans from Scott and White Health Plan of Temple;**
- 2. Dental Insurance Plans from United Concordia Companies, Inc. of Harrisburg, Pennsylvania;**
- 3. Vision Fully Insured Policy from Standard Insurance Company of Portland, Oregon;**
- 4.**

Flexible Spending Account, Dependent Spending Account, Cafeteria 125 Plan, and Health Savings Account administrative services from Discovery Benefits, LLC of Fargo, North Dakota;

- 5. Consolidated Omnibus Budget Reconciliation Act administrative services from Discovery Benefits, LLC of Fargo, North Dakota;**
- 6. Basic Life, Voluntary Life and Accidental Death and Dismemberment policies from Standard Insurance Company of Portland, Oregon;**
- 7. Short-Term and Long-Term Disability insurance from Standard Insurance Company of Portland, Oregon; and**
- 8. Accident, Critical Illness, Hospital Indemnity and Cancer insurance plans from The Guardian Life Insurance Company of America of New York, New York.**

(GG) 2019-4988: SECOND & FINAL READING – FY-19-21-ZC: Consider adopting an ordinance authorizing a rezoning from Neighborhood Services zoning district to Planned Development-General Retail zoning district, with a Site Development Plan, to allow a microbrewery with outdoor seating and play areas, on 2.239 +/- acres, located at 3508 South 5th Street.

(HH) 2019-4989: SECOND & FINAL READING – FY-19-20-ZC: Consider adopting an ordinance authorizing a Conditional Use Permit with a Site Plan to allow a microbrewery for alcohol sales, with a waiver for distance to residential property, on 2.239 +/- acres, situated in the Maximo Moreno Survey, Abstract No. 14, Bell County, Texas, located at 3508 South 5th Street.

(II) 2019-4990: SECOND & FINAL READING – FY-19-18-ZC: Consider adopting an ordinance authorizing a rezoning from Agricultural zoning to Light Industrial zoning for 146.852 +/- acres, addressed as 5200 Old Howard Road.

(JJ) 2019-4992: SECOND & FINAL READING – FY-19-22-ZC: Consider adopting an ordinance amending Ordinance 2016-4810 to add 35 +/- acres to the existing 42.066 +/- acres and rezoning all 77.066 acres, located at 8015 West Adams Avenue, to Planned Development General Retail, Multi-Family Two, and Single Family Two districts.

(KK) 2019-4993:SECOND & FINAL READING: Consider adopting an ordinance repealing the City's Code of Ordinances, Chapter 34, "Swimming Pools."

(LL) 2019-4994:SECOND & FINAL READING: Consider adopting an ordinance amending the City's Code of Ordinances, Chapter 7, "Buildings," to adopt updated model codes, specify amendments to the adopted model codes, and simplify and clarify language and terms contained therein.

(MM) 2019-9825-R:Consider adopting a resolution authorizing participation in the Texas Municipal League, Intergovernmental Risk Pool to provide property, liability, and workers' compensation insurance coverage for the City.

(NN) 2019-9826-R: Consider adopting a resolution authorizing payment of an annual invoice from Brazos River Authority in the amount of \$197,500 to secure the availability of 2,500 acre-feet of water per year to the City for FY 2020.

(OO) 2019-9827-R: Consider adopting a resolution amending the City of Temple Civil Service pay charts for Fire and Police, to be effective September 20, 2019.

(PP) 2019-9828-R: Consider adopting a resolution authorizing budget amendments for fiscal year 2018-2019.

Motion by Councilmember Susan Long approve the Consent Agenda as presented, seconded by Mayor Pro Tem Judy Morales.

Motion passed unanimously.

VI. REGULAR AGENDA

ORDINANCES

- 8. 2019-4995: FIRST READING – PUBLIC HEARING: Consider adopting an ordinance establishing the City's Relocation Assistance Program.**

Christina Demirs, Deputy City Attorney presented this item to Council. The Relocation Assistance Program is created and governed by the Texas Property Code Chapter 21, which codifies the requirements the City must follow when exercising its eminent domain authority.

The Texas Property Code Section 21.046 requires that the City

provide a relocation advisory service to displaced individuals, families, businesses, farming and ranching operations, or non-profit organizations as part of the City's cost of acquiring real property. This section requires that the services provided by the City be compatible with the Federal Uniform Relocation Assistance and Real Property Acquisitions Policies Act of 1970. This is commonly referred to as the "Act" or "Uniform Act."

Ms. Demirs continued by noting the City has not formally adopted the Provisions of the Act, it has adhered to its requirements in instances where citizens are displaced due to the City's acquisition of real property. At this time the City is seeking to formally adopt those provisions in the Uniform Act and any future amendments as its Relocation Assistance Program.

Mayor Davis noted the city has recognized the disruption this causes and has been fair over the years with relocation efforts.

Mayor Davis declared the public hearing open with regards to agenda item 8, and asked if anyone wished to address this item. There being none, Mayor Davis declared the public hearing closed.

Motion by Councilmember Jessica Walker adopt ordinance as presented on first reading, and set the second and final reading for October 3, 2019, seconded by Councilmember Wendell Williams.

Motion passed unanimously.

9. 2019-4991: SECOND & FINAL READING – FY-19-19-ZC: Consider adopting an ordinance authorizing a rezoning from Single Family One zoning district to Commercial zoning district on 5.92 +/- acres, addressed as 3308 and 3310 South 5th Street, Temple, Texas.

Ms. Myers noted this item was on the regular agenda for voting purposes only. The case was originally submitted as Single-Family One to Commercial zoning district, and Council approved on first reading P&Z and Staff's recommendation for Single-Family One to General Retail.

Motion by Councilmember Susan Long adopt ordinance on second and final reading as presented by staff, SF1 to General Retail seconded by Councilmember Jessica Walker.

Motion passed unanimously.

RESOLUTIONS

- 10. 2019-9829-R: FY-19-67-PLT: Consider adopting a resolution authorizing approval of the Final Plat of The Enclave at Lake Belton Phase I, a 43.237 +/- acre, 14-lot, 2-block, residential subdivision with a developer-requested exception to UDC Section 8.2J, related to maximum street grade, located south of Hwy 36 approximately 1,000 feet west of the Lake Belton Bridge in Temple's northwest Extraterritorial Jurisdiction.**

Mark Baker, Senior City Planner, presented this case. The applicant is Clark & Fuller Engineering for Rancho Lago Development. The subject property is located approximately 1,000 feet west of Lake Belton Bridge, Temple's northwest extraterritorial jurisdiction. The property consists of 43 +/- acres, and is the first of two phases. The lot sizes will range from 0.927 acres to 18.60 acres. Since it is in the ETJ, zoning is not required.

Mr. Baker noted the Development Review Committee reviewed this case on July 25, 2019, and on August 29th deemed it complete.

Water is provided by the Grove Water Supply Corporation; and wastewater is provided by on-site septic.

Mr. Baker explained the exception requested is to the Unified Development Code, Section 8.2J, Maximum Street Grade. Local Streets have a maximum street grade of 7.5%. The plat is located in an area that portions of the road grades will exceed 7.5%, some up to 12% grade which is the maximum allowed by Bell County. Staff is supportive of the requested exception, have not identified any issues. The Planning and Zoning Commission heard this case on September 3, 2019, and voted 7/0 to approved the developer-requested exception per Staff's recommendation.

The Council is the final plat authority since an exception is being requested.

Motion by Councilmember Wendell Williams adopt resolution as presented by Staff, seconded by Mayor Pro Tem Judy Morales.

Motion passed unanimously.

11. 2019-9830-R: Consider adopting a resolution authorizing a Developer Participation Agreement with Kiella Development, Inc. to construct a sanitary sewer line extension and wastewater collection system improvements as part of the Hartrick Ranch subdivision.

David Olson, Assistant City Manager presented this item to the Council. The developer is Kiella Development, Inc. Hartrick Ranch Subdivision is a 952 lot single family residential subdivision located south of FM-93. There will be two separate phases of the subdivision.

The two tracts of land for the preliminary plat were annexed into the City on May 16th. Tracts were then rezoned at the June 6th Council meeting to primarily PD-SF2 with 1.661 acres rezoned as PD-GR.

The developer has agreed to construct the wastewater system improvements as part of the subdivision development, which include a force main extension, lift station, and gravity line extension. Construction of the infrastructure will allow the extension of City wastewater services to newly annexed areas of the City.

The City will participate with the Developer in the cost of the construction of the wastewater improvements and contract directly with a consultant for design.

Mr. Olson noted the Opinion of Probable Cost for public improvements, including all public utilities and roadway in Hartrick Ranch is \$15,763,260. The Opinion of Probable Cost for construction of the proposed wastewater improvements is \$3,505,150 which is 22.2% of the overall cost of public improvements for the development.

Chapter 212 governs Developer Participation Agreements, and authorizes the City to contract with a developer to construct public improvements related to the development. Under the contract the developer shall construct and the municipality shall participate in the cost at a level not to exceed 30% of the total contract price.

At this time, Staff is recommending the City participate in the construction of the improvements at a not to exceed amount of \$3,505,150, which is 22.2% over the overall cost.

This Developer Participation Agreement would be contingent upon the successful annexation of adjacent property which is currently located in the City's EJTB and in the proposed trajectory

of the improvements.

The City will contract directly with the consultant for the design, and funds for design are allocated in the FY20 budget. Construction funds are allocated in FY21, and the City will participate in those costs with the developer.

Motion by Councilmember Susan Long adopt resolution as presented by Staff, seconded by Mayor Pro Tem Judy Morales.

Motion passed unanimously.

12. 2019-9831-R: Consider adopting a resolution setting various fees established in Chapter 7 of the Code of Ordinances related to the regulation of building permits.

David Olson, Assistant City Manager presented this item to the Council. House Bill 852 prohibits certain value-based building permits and inspection fees. In determining the amount of building permit or inspection fee a municipality may not consider, (1) the value of the dwelling; or (2) the cost of constructing or improving the dwelling. A municipality may not require the value of or cost of constructing or improving a residential dwelling except as required by FEMA for participations in the NFIP.

This restructuring is primarily to the residential remodeling permits. The purpose is to maintain a fair fee; to ensure structure is easy to follow and estimate; and to maintain approximate annual revenue.

We are proposing a flat fee (not based on any value) for the residential remodeling, alterations, additions, repairs, and finish-out. For multi-family remodeling, alterations, additions, repairs, and finish-outs we are proposing a tiered structure as follows: one to eight units \$70/unit; nine to 16 units \$50/unit; 17 and up \$35/unit and Trade Permits \$55/trade/unit.

Motion by Mayor Pro Tem Judy Morales adopt resolution as presented by staff, seconded by Councilmember Wendell Williams.

Motion passed unanimously.

13. 2019-9832-R: Consider adopting a resolution appointing one member to the Park and Recreation Advisory Board to fill an unexpired term through March 1, 2022.

Motion by Councilmember Jessica Walker adopt resolution appointing Michael Pilkington the Park and Recreation Advisory Board to fill an unexpired term through March 1, 2022. seconded by Councilmember Wendell Williams.

Motion passed unanimously.

Timothy A. Davis, Mayor

ATTEST:

Lacy Borgeson
City Secretary



COUNCIL AGENDA ITEM MEMORANDUM

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Consent Agenda
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DEPT./DIVISION SUBMISSION & REVIEW:

Kayla Landeros, City Attorney
Christina Demirs, Deputy City Attorney

ITEM DESCRIPTION: Consider adopting a resolution authorizing the acquisition of a drainage easement and a temporary construction easement necessary for the construction of the Azalea Drainage project in an estimated amount of \$12,342.

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 Azalea Drive. The design requires two drainage easements and two temporary construction easements from two property owners. Staff anticipates one drainage easement and one temporary construction easement will be donated. An appraisal was performed on the remaining drainage easement and temporary construction easement. An offer was made to the property owner based on the appraisal and the owner as accepted the City's offer.

Staff is seeking authorization to purchase the drainage easement and temporary construction easement necessary for the construction of the Azalea Drainage project in an estimated amount of \$12,342.

The address of this property is 2110 Azalea Drive, Temple, Texas; Bell CAD ID 111480.

FISCAL IMPACT: Funding for the acquisition of a drainage easement and a temporary construction easement necessary for the construction of the Azalea Drainage project in an estimated amount of \$12,342 is available in account 292-2900-534-6312, project 101636.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. 2019-9851-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE ACQUISITION OF A DRAINAGE EASEMENT AND A TEMPORARY CONSTRUCTION EASEMENT NECESSARY FOR THE CONSTRUCTION OF THE AZALEA DRAINAGE PROJECT IN AN ESTIMATED AMOUNT OF \$12,342; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the 2008-2009 Drainage Master Plan identified improvements to mitigate flooding in the vicinity of Azalea Drive - the design requires two drainage easements and two temporary construction easements from two property owners;

Whereas, Staff anticipates one drainage easement and one temporary construction easement will be donated - an appraisal was performed on the remaining drainage easement and temporary construction easement, an offer was made to the property owner based on the appraisal, and the owner has accepted the City's offer;

Whereas, Staff recommends Council approve the acquisition of a drainage easement and a temporary construction easement for the construction of the Azalea Drainage project, in the estimated amount of \$12,342;

Whereas, the address of the drainage easement and temporary construction easement is 2110 Azalea Drive, Temple, Texas (Bell CAD ID No. 111480);

Whereas, funding for the purchase of these two easements is available in Account No. 292-2900-534-6312, Project No. 101636; 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 acquisition of a drainage easement and a temporary construction easement for the construction of the Azalea Drainage project, in the estimated amount of \$12,342, and authorizes the City Manager, or her designee, after approval as to form by the Interim City Attorney, to execute any documents that may be necessary for this acquisition.

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 **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

10/17/19
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Consent Agenda
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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 Short Term Lending GP, Inc. to construct a sanitary sewer line extension and wastewater collection system improvements as part of the development of the Hillside Village subdivision, Prairie Ridge subdivision, and future Temple Independent School District school site in the not to exceed amount of \$1,482,289.63.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: Hillside Village and Prairie Ridge are new residential subdivisions located on the East side of Temple within the Temple Independent School District. Hillside Village is a 312-lot subdivision owned by Short Term Lending GP, Inc. Prairie Ridge is a 332-lot subdivision owned by Little River Development Inc. Combined, the two subdivisions are proposed to include 642 new single-family residential lots and two general retail lots, with a combined total of \$10,596,000 in public infrastructure improvements. Temple Independent School District ("TISD") owns property adjacent to the two subdivision and would be serviced by the proposed wastewater improvements.

Construction of the proposed wastewater infrastructure will allow the City to extend wastewater services to the new subdivisions in a growing area of the City and provide service to the future TISD school site. Wastewater infrastructure improvements include a new lift station, force main, and gravity sewer line. The City would participate with the developer in the cost of construction of the wastewater improvements and contract directly with a consultant for the design of the improvements.

The estimated cost for public improvements in the Hillside Village development is \$5,124,000. The estimated cost of public improvements in the Prairie Ridge development is \$5,472,000. The total estimated cost for public improvements in the two developments is \$10,596,000. The estimated cost for construction of the offsite wastewater improvements to service both developments and the TISD site is \$1,482,289.63. The wastewater improvements are approximately 28.9% of the overall cost of public improvements for the Hillside Village development, 27.1% of the overall cost of public improvements for the Prairie Ridge development, or 14% of the overall cost of public improvements for both developments.

The City would participate in the wastewater improvements at a not to exceed amount of \$1,482,289.63. This amount is reimbursable to the developer upon presentation of paid invoices to the City. The City's participation is authorized under Texas Local Government Code, Chapter 212, Subchapter C titled

“Developer Participation in Contract for Public Improvements.” In accordance with Chapter 212, the City’s participation would not exceed 30% of the total cost of public improvements in the proposed developments.

FISCAL IMPACT: FY 2020 Business Plan includes scheduled funding for the construction of a sanitary sewer line extension and wastewater collection system improvements per this agreement in the amount of \$1,482,290 in FY 2021 with Utility Revenue Bonds.

The City will contract directly with a consultant for the design of these improvements during FY 2020.

ATTACHMENTS:

[Attachment A- Preliminary Site Plan/Wastewater Map](#)

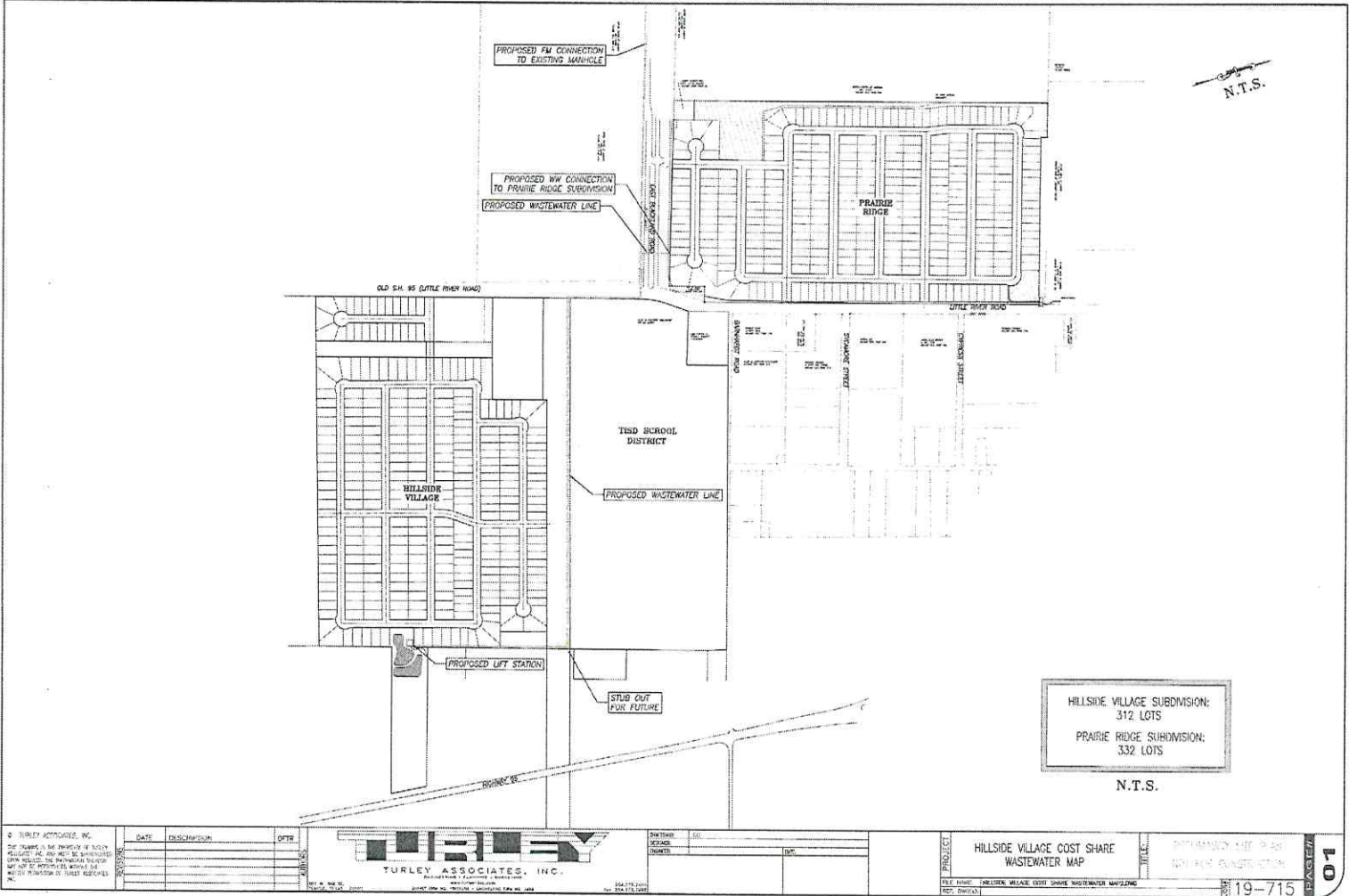
[Attachment B- Engineer’s Opinion of Probable Costs for Overall Public Infrastructure in Hillside Village and Prairie Ridge](#)

[Attachment C- Engineer’s Opinion of Probable Costs for Construction of Wastewater Improvements Resolution](#)

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EXHIBIT

A



June 4, 2019

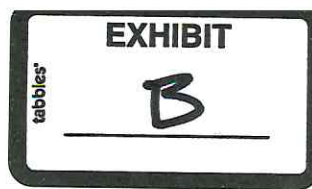


EXHIBIT I
HILLSIDE VILLAGE WASTEWATER COST SHARE
PRELIMINARY OPINION OF PROBABLE CONSTRUCTION COST FOR:
WASTEWATER

Item	Description	Quantity	Units	Unit Cost	Item Cost
(1)	Right-of-Way Preparation	46	STA	\$750.00	\$34,500.00
(2)	Traffic Control Plan for Vehicular and Pedestrian Traffic	1	LUMP SUM	\$1,500.00	\$1,500.00
(3)	Traffic Control Plan Implementation	1	LUMP SUM	\$10,000.00	\$10,000.00
(4)	Mobilization, Bonds and Insurance	1	LUMP SUM	\$60,000.00	\$60,000.00
(5)	Trench Safety Plan in Conformance with State Law and OSHA	1	LUMP SUM	\$2,500.00	\$2,500.00
(6)	Trench Safety Implementation	9,605	L.F.	\$1.50	\$14,407.50
(7)	Barbed Wire Fencing	100	L.F.	\$12.00	\$1,200.00
(8)	Installation, Maintenance and Removal of Silt Fence	5,800	L.F.	\$2.50	\$14,500.00
(9)	Installation, Maintenance and Removal of Rock Berm	100	L.F.	\$35.00	\$3,500.00
(10)	Loaming, Seeding and Erosion Control	25,800	S.Y.	\$2.30	\$59,340.00
(11)	8" Wastewater Line	1,200	L.F.	\$50.00	\$60,000.00
(12)	10" Wastewater Line	3,400	L.F.	\$55.00	\$187,000.00
(13)	Wastewater Manhole	7	EACH	\$7,500.00	\$52,500.00
(14)	Wastewater Testing	1	LUMP SUM	\$8,000.00	\$8,000.00
(15)	Lift Station (Complete)	1	LUMP SUM	\$400,000.00	\$400,000.00
(16)	Lift Station Access Road	2,200	S.Y.	\$35.00	\$77,000.00
(17)	Forcemain	5800	L.F.	\$45.00	\$261,000.00
(18)	Forcemain Fittings	1	LUMP SUM	\$12,000.00	\$12,000.00
(19)	Concrete Riprap	200	S.Y.	\$75.00	\$15,000.00
(20)	Class A Concrete	100	C.Y.	\$150.00	\$15,000.00

	SUBTOTAL CONSTRUCTION	\$1,288,947.50
	CONSTRUCTION CONTINGENCY, CONSTRUCTION MANAGEMENT, OVERAGES, GNA & INSURANCE (15%)	\$193,342.13
	TOTAL CONSTRUCTION	\$1,482,289.63

May 15, 2019

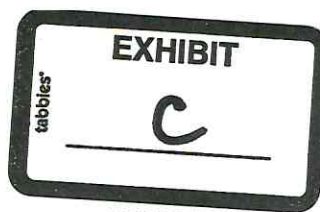


EXHIBIT III
Engineer's Opinion of Probable Cost for:
Hillside Village
312 Lots

Item	Description	Quantity	Units	Unit Cost	Item Cost
A.	PROJECTED COST				
(1)	Total Length of Local Roadway, including waterline and storm drain	12200	L.F.	\$350.00	\$4,270,000.00
	PROJECTED COST				\$4,270,000.00
	20% CONTINGENCY				\$854,000.00
				TOTAL	\$5,124,000.00

Prairie Ridge, 332 Lots

Item	Description	Quantity	Units	Unit Cost	Item Cost
A.	PROJECTED COST				
(1)	Total Length of Local Roadway, including waterline and storm drain	12000	L.F.	\$380.00	\$4,560,000.00
	PROJECTED COST				\$4,560,000.00
	20% CONTINGENCY				\$912,000.00
				TOTAL	\$5,472,000.00
				PROJECT TOTAL	\$10,596,000.00

RESOLUTION NO. 2019-9852-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A DEVELOPER PARTICIPATION AGREEMENT WITH SHORT TERM LENDING GP, INC. IN AN AMOUNT NOT TO EXCEED \$1,482,289.63 TO CONSTRUCT A SANITARY SEWER LINE EXTENSION AND WASTEWATER COLLECTION SYSTEM IMPROVEMENTS AS PART OF THE HILLSIDE VILLAGE SUBDIVISION, PRAIRIE RIDGE SUBDIVISION, AND FUTURE TEMPLE INDEPENDENT SCHOOL DISTRICT SCHOOL SITE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, Hillside Village and Prairie Ridge are new residential subdivisions located on the east side of Temple within the Temple Independent School District - Hillside Village is a 312-lot subdivision owned by Short Term Lending GP, Inc. and Prairie Ridge is a 332-lot subdivision owned by Little River Development, Inc.;

Whereas, combined, the two subdivisions are proposed to include 642 new single-family residential lots and two general retail lots, with a combined total of \$10,596,000 in public infrastructure improvements - Temple Independent School District ("TISD") owns property adjacent to the two subdivisions which will be serviced by the proposed wastewater improvements;

Whereas, construction of the proposed wastewater infrastructure will allow the City to extend wastewater services into the new subdivisions in a growing area of the City and provide services to the future TISD school site - wastewater infrastructure improvements include a new lift station, force main, and gravity sewer line;

Whereas, the City will participate with the developer in the cost of construction of the wastewater improvements and contract directly with a consultant for the design - the wastewater improvements are approximately 14% of the overall cost of public improvements for both developments - the City will participate in the wastewater improvements at a not to exceed amount of \$1,482,289.63;

Whereas, the City's participation is authorized under Texas Local Government Code, Chapter 212, Subchapter C titled "Developer Participation in Contract for Public Improvements" - in accordance with Chapter 212, the City's participation would not exceed 30% of the total cost of public improvements in the proposed developments;

Whereas, Staff recommends Council authorize a Developer Participation Agreement with Short Term Lending GP, Inc. to construct a sanitary sewer line extension and wastewater collection system improvements as part of the development of the Hillside Village subdivision, Prairie Ridge subdivision, and future TISD school site;

Whereas, the fiscal year 2020 Business Plan includes scheduled funding for the construction of a sanitary sewer line extension and wastewater collection system improvements per this agreement in the amount of \$1,482,290 in fiscal year 2021 with Utility Revenue Bonds; 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 Short Term Lending GP, Inc. in an amount not to exceed \$1,482,289.63 to construct a sanitary sewer line extension and wastewater collection system improvements as part of the Hillside Village subdivision, Prairie Ridge subdivision, and future Temple Independent School District school site.

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 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

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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 a contract with PrimeSpec Construction LLC, of Liberty Hill, for construction services required to rehabilitate Water Treatment Plant Clarifier #4 in the amount of \$433,480.

STAFF RECOMMENDATION: Adopt resolution as presented in Item Description.

ITEM SUMMARY: The City of Temple Water Treatment Plant (WTP) comprises both conventional and membrane treatment facilities located on the north side of the Leon River just off Charter Oak Drive. This WTP provides potable water to over 70,000 residents, including several wholesale customers. The 29.4-MGD rated conventional treatment facility is an aging facility that has been renovated and expanded several times since its construction in 1957. Clarifier #4 at the conventional treatment facility is currently experiencing some operational deficiencies that is reducing the overall treatment capacity. Preliminary investigations into the deficiencies have noted several potential issues that need to be addressed via a rehabilitation project. On July 24th, 2019, the City has authorized a professional services contract with Kasberg, Patrick & Associates (Engineer) in the total amount of \$23,845 to design and bid the rehabilitation of Clarifier #4.

On October 1st, two bids were received for the rehabilitation. Per the attached bid tabulation, PrimeSpec submitted the low bid in the amount of \$433,480. The Engineer's opinion of probable construction cost (OPC) was \$400,000. The low bid is 8.4% higher than the Engineer's OPC but is reasonable given the current bid climate and small pool of bidders. Accordingly, and given the necessity of the project, the project team recommends awarding the construction contract to the low bidder. The attached recommendation letter and project map provide further details.

City Staff and the Engineer agree that PrimeSpec is qualified to complete this project and recommend award of a construction contract for the low bid of \$433,480. Construction time allotted for this project is 165 calendar days.

FISCAL IMPACT: Funding for the contract with PrimeSpec Construction LLC, for construction services required to rehabilitate Water Treatment Plant Clarifier #4 in the amount of \$433,480 is available in account 561-5100-535-6990, project 101999, as follows:

Project Budget	\$	530,470
Encumbered/Committed to Date		(30,669)
Construction Award - PrimeSpec Construction LLC		(433,480)
Remaining Project Funds Available	\$	66,321

ATTACHMENTS:

[Recommendation Letter](#)
[Bid Tabulation](#)
[Project Map](#)
[Resolution](#)



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

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

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

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

October 2, 2019

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

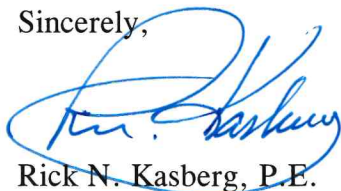
Re: City of Temple, Texas
Conventional Water Treatment Plant Rehabilitation of Clarifier 4

Dear Mr. Billeck:

On October 1, 2019, the City of Temple received competitive bids from two (2) contractors for the Rehabilitation of Clarifier 4 at the Conventional Water Treatment Plant. The attached Bid Tabulation shows PrimSpec Construction, LLC of Liberty Hill, Texas as the low bidder at \$433,480.00. The bids ranged from this low bid to \$461,000.00. Our opinion of probable construction cost for this project was \$400,000.00 which was derived from the median bids received for Rehabilitation of Clarifier No. 3 in 2018. We believe the current bid climate contributed to slightly higher bids as evidenced by receiving only two bids.

PrimSpec Construction, LLC has successfully completed similar projects for the City of Temple and most recently completed rehabilitation to piping at the City's Membrane Treatment Plant. They have also completed numerous projects in Central Texas over the past five (5) years which were similar in scope to the work proposed for Rehabilitation to Clarifier No. 4.

Sincerely,



Rick N. Kasberg, P.E.

RNK/crc

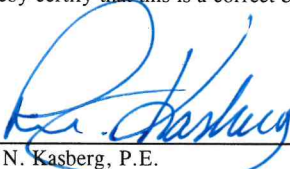
xc: Ms. Belinda Mattke, City of Temple
2019-139-30

BID TABULATION
CITY OF TEMPLE
CONVENTIONAL WATER TREATMENT PLANT - REHABILITATION OF CLARIFIER 4
October 1, 2019; 2:00 PM

Bid No.	Estimated Quantity	Unit	Bid Data Description	BIDDER INFORMATION			
				Unit Price	Extended Amount	Unit Price	Extended Amount
				PrimSpec Construction LLC 4750 Ranch Road 1869 Liberty Hill TX 78642		Matous Construction Ltd 8602 North Highway 317 Belton TX 76513	
1	100%	LS	Mobilization, Bonds and Insurance, not-to-exceed 5% of the Base Bid Amount	\$ 20,500.00	\$ 20,500.00	\$ 23,000.00	\$ 23,000.00
2	100%	LS	For furnishing all materials, equipment, labor and superintendence and incidental work to field verify dimensions of the existing Radial and Effluent Launder Troughs including coordination with manufacturer/fabricator for all metal troughs and miscellaneous steel as shown on the plans	1,500.00	1,500.00	8,000.00	8,000.00
3	100%	LS	For furnishing all materials, equipment, labor and superintendence and incidental work to remove Radial Launder Troughs (RLT 1 thru 15) and fabrication and installing new replacement Radial Launder Troughs as shown on the plans, as detailed in the specifications	220,000.00	220,000.00	223,000.00	223,000.00
4	100%	LS	For furnishing all materials, equipment, labor and superintendence and incidental work to modify the existing Effluent Launder Trough as shown on the plans, as detailed in the specifications	9,800.00	9,800.00	25,000.00	25,000.00
5	100%	LS	For furnishing all materials, equipment, labor and superintendence and incidental work to abrasive blast, prime and paint the replacement Radial Launder Troughs and Modified Effluent Launder Troughs, as shown on the plans. Test and disposal of blast media as required to provide a service-able facility that is structurally sound and safe, as detailed in the specifications	72,000.00	72,000.00	78,000.00	78,000.00
6	100%	LS	For furnishing all materials, equipment, labor an superintendence and incidental work to contain blast debris, from entering adjacent clarifiers and other treatment basins	5,300.00	5,300.00	10,000.00	10,000.00
7	100%	LS	For Furnishing all materials, equipment, labor and superintendence and incidental work to remove manual handwheel operator and gear reducer on existing 18" Plug Drain Valve and replace with new electrical actuator including all electrical conduits and wiring and SCADA controls and wiring as shown on the plans, as detailed in the specifications	87,000.00	87,000.00	81,000.00	81,000.00
8	100	MH	For furnishing all materials, equipment, labor and superintendence and incidental work to perform welding repairs, surface repairs and general repair work as deemed necessary, including plate material	170.00	17,000.00	100.00	10,000.00
9	20	TUBE	For furnishing all materials, equipment, labor and superintendence and incidental work to perform caulking (Sika-flex 1A) work as deemed necessary	19.00	380.00	150.00	3,000.00
TOTAL BASE BID AMOUNT - (Items 1 - 9)				\$ 433,480.00		\$ 461,000.00	

Did Bidder Acknowledge Addendum No. 1, 2, 3 & 4?	YES	YES
Did Bidder provide Bid Security?	YES	YES
Did Bidder provide required documents?	YES	YES

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


Rick N. Kasberg, P.E.
Kasberg, Patrick & Associates, LP

Date

10-2-19



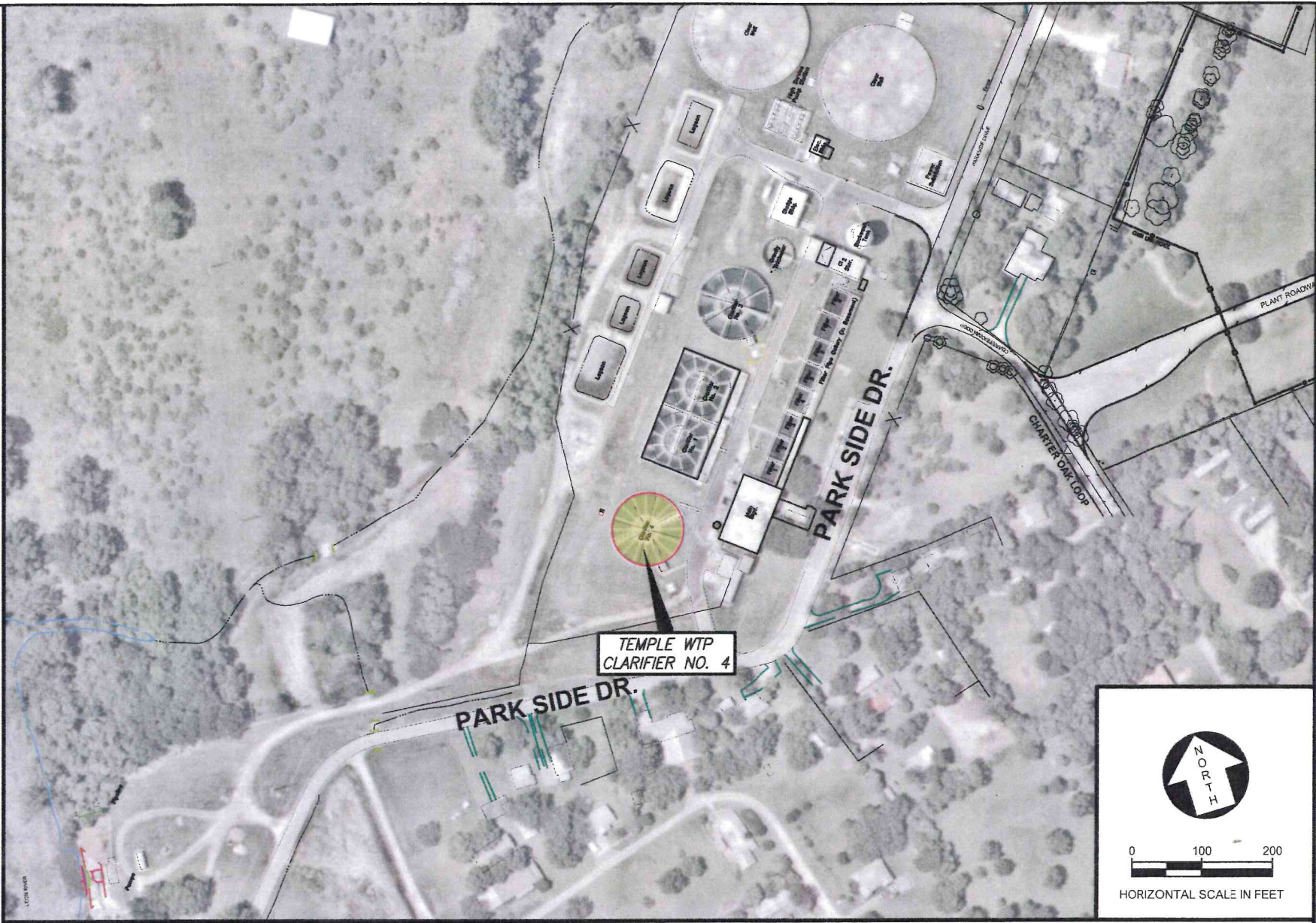
TABLE OF CONTENTS

GENERAL SHEETS

Sheet Number	Sheet Title
G-00	COVER
G-01	INDEX AND LOCATION MAP
G-02	GENERAL NOTES
G-03	SITE MAP
G-04	CLARIFIER NO. 4 - PLAN VIEW
G-05	CLARIFIER NO. 4 - SECTION VIEW
G-06	RADIAL LAUNDER TROUGH PICTURES
G-07	RADIAL LAUNDER TROUGH DETAIL 01
G-08	RADIAL LAUNDER TROUGH DETAIL 02
G-09	EFFLUENT LAUNDER TROUGH DETAIL
G-10	DRAIN VALVE VAULT DETAILS
G-11	DRAIN VALVE VAULT PICTURES

ELECTRICAL SHEETS

Sheet Number	Sheet Title
E-1	LEGENDS & ABBREVIATIONS
E-2	ELECTRICAL SITE PLAN - OVERALL
E-3	ELECTRICAL SITE PLAN - EXPANDED VIEW
E-4	ELECTRICAL SCHEMATICS
E-5	ELECTRICAL DETAILS I
E-6	ELECTRICAL DETAILS II
E-7	SCADA DIAGRAM



LOCATION MAP

PROJECT PHYSICAL ADDRESS:
4820 PARK SIDE DR.
TEMPLE, TX 76502

NO.		DATE		REVISION		BY	
© 2019 Kasberg, Patrick & Associates, LP		Plot Date: Aug 23, 2019 - 1:30pm		Plotted By: ZCOOPER		PROJECT NO. 19-139	
KPA Firm Registration Number F-510						DRAWN BY ZANE G. COOPER	
						DESIGNED BY RICK N. KASBERG	
						APPROVED BY <i>[Signature]</i>	
						DATE 8-21-19	
						KASBERG, PATRICK & ASSOCIATES, LP CONSULTING ENGINEERS TEMPLE, TEXAS 76501	
						CITY OF TEMPLE, TEXAS CONVENTIONAL WATER TEATMENT PLANT REHABILITATION OF CLARIFIER NO. 4	
						INDEX AND LOCATION MAP	
						SHEET NO. G-01 OF 11 SHEETS	

RESOLUTION NO. 2019-9853-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A CONSTRUCTION CONTRACT WITH PRIMESPEC CONSTRUCTION, LLC OF LIBERTY HILL, TEXAS, IN THE AMOUNT OF \$433,480, FOR SERVICES REQUIRED TO REHABILITATE WATER TREATMENT PLANT CLARIFIER NO. 4; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the City of Temple Water Treatment Plant (WTP) comprises both conventional and membrane treatment facilities located on the north side of the Leon River, just off Charter Oak Drive - this WTP provides potable water to over 70,000 residents, including several wholesale customers;

Whereas, the 29.4-MGD rated conventional treatment facility is an aging facility that has been renovated and expanded several times since its construction in 1957;

Whereas, Clarifier No. 4 at the conventional treatment facility is currently experiencing some operational deficiencies that is reducing the overall treatment capacity - preliminary investigations into the deficiencies have noted several potential issues that need to be addressed via a rehabilitation project;

Whereas, on July 24th, 2019, Council authorized a professional services contract with Kasberg, Patrick & Associates in the total amount of \$23,845 to design and bid the rehabilitation of Clarifier No. 4;

Whereas, on October 1, 2019, the City received two bids for the rehabilitation with the low bid being received from PrimeSpec Construction, LLC (PrimeSpec) of Liberty Hill, Texas, in the amount of \$433,480, which is 8.4% higher than the Engineer's Opinion of Probable Cost but is reasonable given the current bid climate and small pool of bidders;

Whereas, Staff recommends Council authorize a construction contract with PrimeSpec Construction, LLC of Liberty Hill, Texas in the amount of \$433,480 for the rehabilitation of Water Treatment Plant Clarifier No. 4 - Staff and the City's Engineer agree that PrimeSpec is qualified to complete this project;

Whereas, funding for this construction contract is available in Account No. 561-5100-535-6990, Project No. 101999; 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 construction contract with PrimeSpec Construction, LLC of Liberty Hill, Texas in the amount of \$433,480, for services required to rehabilitate Water Treatment Plant Clarifier No. 4.

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 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

10/17/19
Item #4(H)
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 a contract with Kasberg, Patrick, & Associates, LP for professional services required to design the Little River Basin Wastewater Improvements and Hartrick Bluff Waterline in the amount of \$420,410, as well as, declare an official intent to reimburse the expenditures with the issuance of 2020 Utility Revenue Bonds.

STAFF RECOMMENDATION: Adopt resolution as presented in Item Description.

ITEM SUMMARY: On September 19, 2019, Council authorized a Developer Participation Agreement with Kiella Development, Inc. to construct wastewater collection system improvements in the Little River Basin to serve the Hartrick Ranch subdivision and surrounding areas. The City agreed to contract directly with a consultant for the design. The proposed wastewater infrastructure will allow the City to extend wastewater services into the newly annexed areas of the City. Wastewater infrastructure improvements include trunk mains, a lift station, and a force main. A proposed 12-Inch water main extension to provide domestic service and fire protection from 5th Street south to Hartrick Bluff Road is also included in this design contract. See the attached project map.

Consultant services recommended under this professional services agreement that includes final design and easement document generation are broken down as follows:

Little River Basin Wastewater Improvements	\$315,995
Hartrick Bluff Water Line	<u>\$104,415</u>
Total	\$420,410

Please refer to the attached proposal for further details. Time required for design is 300 calendar days from the notice to proceed and receipt of all necessary rights-of-entry. The engineer's preliminary opinion of probable cost for construction of the Little River Basin Wastewater Improvements is \$3,505,150 and \$1,200,000 for the Hartrick Bluff Water Line Improvements.

FISCAL IMPACT: The design of the Little River Basin Wastewater Improvements and the Hartrick Bluff Water Line are being funded with the issuance of the 2020 Utility Revenue Bonds. We are declaring an official intent to reimburse for this agreement. A budget adjustment will be prepared at the time of the bond sale to reimburse expenditures incurred prior to the issuance of the bonds.

Once the budget adjustment is approved, funding will be available for the professional services agreement with KPA in the amount of \$420,410 as follows:

	<u>561-5400-535-6918</u>	<u>561-5200-535-6716</u>	<u>Total</u>
	<u>102178</u>	<u>102179</u>	
Budget	\$ 325,000	\$ 110,000	\$ 435,000
Kasberg, Patrick & Associates	(315,995)	(104,415)	(420,410)
Remaining Project Funds	<u><u>\$ 9,005</u></u>	<u><u>\$ 5,585</u></u>	<u><u>\$ 14,590</u></u>

The FY 2020 business plan includes funding for construction of the Little River Basin Wastewater Improvements (also known as the Hartrick Ranch Wastewater Improvements Developer Participation Agreement) in the amount of \$3,505,150 in FY 2021 with Utility Revenue Bonds.

The FY 2020 business plan also includes funding for the Hartrick Bluff Water Line in the amount of \$1,200,000 in FY 2020 with Utility Revenue Bonds.

ATTACHMENTS:

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



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

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

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

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

October 4, 2019

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

Re: City of Temple, Texas
Little River Wastewater Improvements
and 12" Hartrick Bluff Waterline

Dear Mr. Wilson:

This letter proposal is for topographic survey, geotechnical investigation, archeological and environmental investigations, final design, and easement descriptions for the Little River Wastewater Improvements and Hartrick Bluff Waterline. The Little River Wastewater Improvements include approximately 11,500 linear feet of 24" to 12" gravity sewer, 14,000 linear feet of force main and a lift station. Approximately 11,000 linear feet of 12" Waterline along FM 93 from South 5th Street to Hartrick Bluff Road and continuing south along Hartrick Bluff Road is also included and shown on the attached Exhibit A.

Our preliminary opinion of probable construction cost for the Little River Wastewater Improvements is \$3,500,000 and \$1,200,000 for the 12" Waterline.

In order for us to provide the services required for completion of the final design and easement documents, the following not-to-exceed lump sum amounts will be applicable:

Little River Wastewater Improvements

A. Design Surveys	\$ 16,500.00
B. Final Design - Gravity Wastewater and Force Main	198,800.00
C. Final Design - Lift Station	27,000.00
D. Electrical Design - Lift Station	16,500.00
E. Geotechnical Bores for Lift Station	6,380.00
F. Environmental/Archeological/Waters of US	32,315.00
G. Rights-of-Way / Easement Documents	18,500.00
Total	\$ 315,995.00

Mr. Richard Wilson, P.E.
October 4, 2019
Page Two

12" Hartrick Bluff Waterline

A. Design Surveys	\$	13,250.00
B. Final Design		73,100.00
C. Environmental/Archeological/Waters of US		9,315.00
D. Easement Documents		8,750.00
Total	\$	104,415.00

TOTAL \$ 420,410.00

Exhibit B provides a more detailed breakdown and description of the tasks included in our Scope of Services.

KPA will begin work once a written notice to proceed is received in our office and right of entry has been obtained by the City. The Contract Documents and Specifications will be completed within a 300 calendar day period. We are available to address any questions or comments that you may have about this proposal.

Sincerely,



Ginger R. Tolbert, P.E.

GRT/

Exhibit B – Scope of Services

City of Temple Little River Wastewater Improvements and 12” Hartrick Bluff Waterline Kasberg, Patrick & Associates, LP October 4, 2019

I. BASIC SERVICES

The basic services for the preparation of plans and specifications for the Project will include:

A. Design Surveys

1. Field Surveys for design purposes including horizontal and vertical control and any other field surveying services during final design.

B. Final Design

1. Prepare construction drawings and specifications showing the character and extent of the project. The construction plans will be drawn on 11-inch by 17-inch sheets (half-scale). The 11x17 prints will be used for bidding purposes and for field copies. The 11x17 prints will also be used for record drawings. This proposal includes thirty (10) sets of 11x17 prints for bidding purposes;
2. Prepare plan and profile drawings of gravity wastewater, force main and waterline;
3. Prepare plans and specifications for the lift station, including coordination with Oncor, instrumentation and SCADA, path study and provisions for generator or portable;
4. Prepare and submit documents to TCEQ for Approval;
5. Basic documents related to construction contracts will be provided by the City. These will include contract agreement forms, general conditions and supplementary conditions, invitations to bid, instructions to bidders, insurance and bonding requirements and other contract-related documents. KPA will provide the technical specifications and bid schedule for the project documents;
6. Progress meetings with City Staff for status reports and plan reviews;
7. Prepare a revised opinion of probable total project costs based on the final drawings and specifications.

II. SPECIAL SERVICES

A. Environmental/Archeological Services/Waters of US

1. KPA will utilize Terracon Consulting Engineers & Scientists to perform the Phase I Environmental Investigation including a report to explain the findings and recommendations for further action, if any;

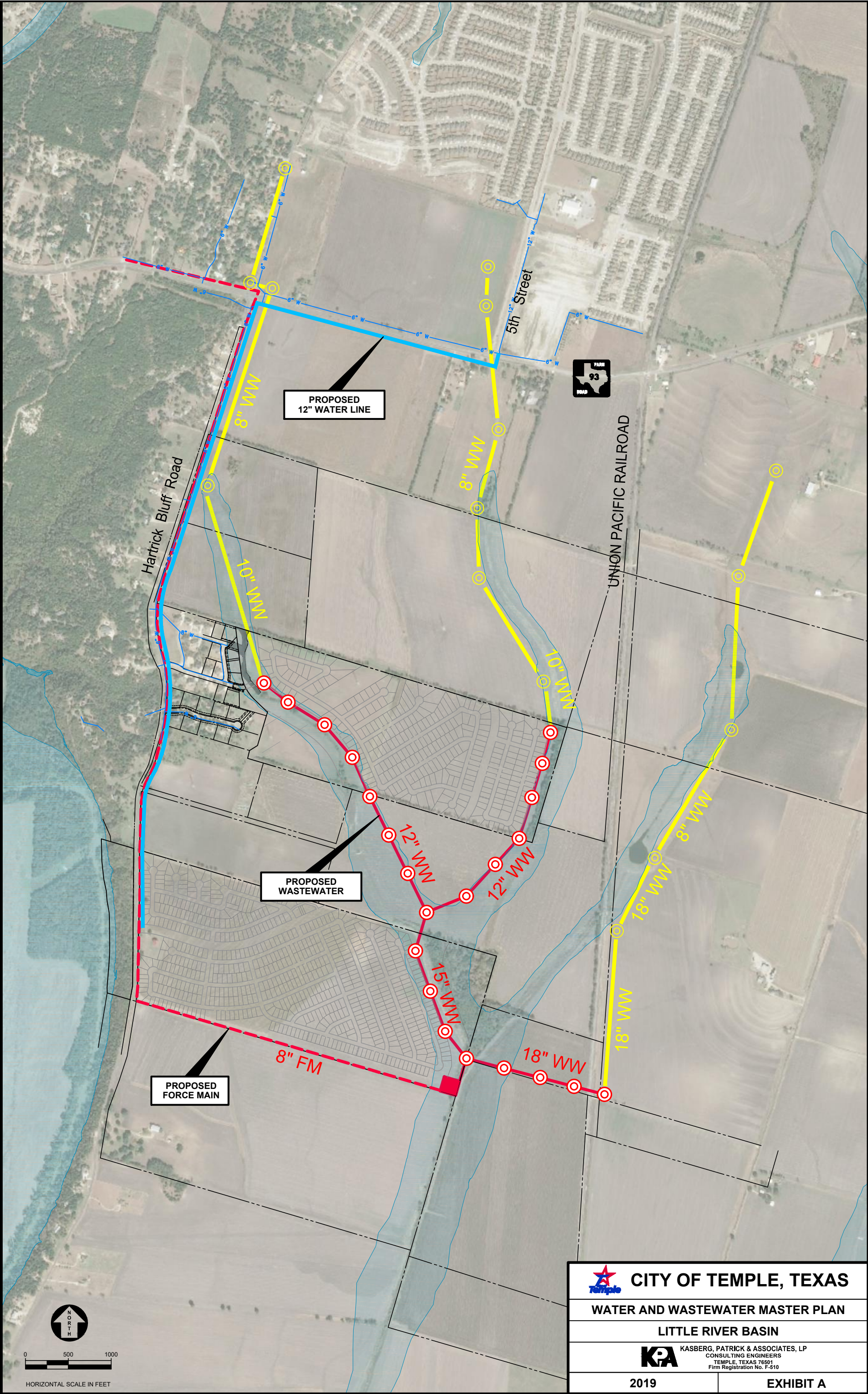
2. Terracon will also provide Archeological Services. Archival research shall be performed in the electronic and mapping files of the Texas Historical Commission (THC) Atlas Sites database, the Texas Archeological Research Laboratory (TARL) and/or any other relevant archives for information on previous cultural resource investigations conducted and previously recorded sites and historic properties recorded in the vicinity of the project's Area of Potential Effect (APE). The results of this research shall be presented in a final report.
3. Terracon will assess on-site water bodies, drainage ways and wetlands to determine jurisdiction from the USACE.
4. Terracon will perform investigations for endangered species.

B. Easement Documents

1. KPA will utilize Turley Associates to perform surveys and prepare easement documents for each parcel.
2. Easement Documents will include field note descriptions and sketches for each property;
3. Our services do not include obtaining right of entry and acquisition of easements from impacted property owners, therefore, the cost for these services are not included in our proposal.

C. Geotechnical Investigation

1. KPA will utilize Langerman Foster Engineering Company (LFE) to perform the investigation to include two bores at the lift station site;



P:\Temple\2019\2019-xx-Little River WWCAD\Exhibits\Little River Exhibit.dwg - LRB

RESOLUTION NO. 2019-9854-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH KASBERG, PATRICK AND ASSOCIATES, LP OF TEMPLE, TEXAS IN THE AMOUNT OF \$420,410, FOR SERVICES REQUIRED TO DESIGN THE LITTLE RIVER BASIN WASTEWATER IMPROVEMENTS AND HARTRICK BLUFF WATERLINE, AS WELL AS, DECLARE AN OFFICIAL INTENT TO REIMBURSE THE EXPENDITURES WITH THE ISSUANCE OF 2020 UTILITY REVENUE BONDS; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on September 19, 2019, Council authorized a Developer Participation Agreement with Kiella Development, Inc. to construct wastewater collection system improvements in the Little River Basin to serve the Hartrick Ranch subdivision and surrounding areas - the City agreed to contract directly with a consultant for the design;

Whereas, the proposed wastewater infrastructure will allow the City to extend wastewater services into the newly annexed areas of the City – the wastewater infrastructure improvements include trunk mains, a lift station, and a force main;

Whereas, a proposed 12-inch water main extension to provide domestic service and fire protection from 5th Street south to Hartrick Bluff Road is also included in this design contract;

Whereas, Staff recommends Council authorize a professional services agreement with Kasberg, Patrick and Associates, LP of Temple, Texas in the amount of \$420,410, for services required to design the Little River Basin Wastewater Improvements and Hartrick Bluff Waterline;

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

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

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

Whereas, the construction of this project is being funded with the issuance of 2020 Utility Revenue Bonds and the City is declaring an official intent to reimburse for this contract - a budget adjustment will be prepared at the time of the bond sale to reimburse expenditures incurred prior to the issuance of the bonds;

Whereas, once the budget adjustment is approved, funding will be available in Account No. 561-5400-535-6918, Project No. 102178 and Account No. 561-5200-535-6716, Project No. 102179; 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 Kasberg, Patrick and Associates, LP of Temple, Texas, in the amount of \$420,410, for services required to design the Little River Basin Wastewater Improvements and Hartrick Bluff Waterline.

Part 3: This Resolution is a declaration of official intent by the City under Section 1.150-2 of the Treasury Regulations that it reasonably expects to reimburse the expenditures described in Part 1 with proceeds of debt to be incurred by the City, such debt to be issued on or before eighteen (18) months after the date of (i) the date the first expenditure is paid; or (ii) the date on which the property is placed in service, but in no event three years after the first expenditure is paid.

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

PASSED AND APPROVED this the **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

10/17/19
Item #4(I)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Belinda Mattke, Director of Purchasing & Facility Services

ITEM DESCRIPTION: Consider adopting a resolution authorizing the following related to utility supplies needed for FY2020:

1. Award a purchase agreement for five bid sections to Core and Main of Belton, in the estimated annual amount of \$25,329.39; and
2. Reject the bids received for ten of the independent bid sections.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: On July 18, 2019, the City received two bids for utility supplies, which consisted of 66 independent bid sections, five sections of which no bids were received. On September 19, 2019, Council authorized the rejection of ten of the bid sections in which Staff believed they could obtain a better value by re-bidding due to the lack of competition.

As shown on the attached bid tabulation, on October 2, 2019, bids were received for the re-bid of the five bid sections with no bids and the ten sections in which Staff believed a better value could be obtained by re-bidding. Regretfully, even with Staff's persistence in contacting vendors, only one bid was received from Core and Main. Based on Staff's comparison of the one bid received to historical pricing, Staff is recommending the following related to the bids received on October 2, 2019:

- Award of five bid sections to Core and Main in the estimated annual amount of \$25,329.39 (highlighted in yellow on the attached bid tabulation); and
- Rejection of the bids received for ten of the bid sections in which Staff believes a better value can be obtained by getting competitive quotes on an as-needed basis during the fiscal year (highlighted in blue on the attached bid tabulation).

Per the Local Government Code §252.043(f), the governing body is the designated authority to reject any and all bids.

FISCAL IMPACT: Utility supplies are purchased on an as needed basis and are accounted for in the Utility Warehouse's inventory account. The supplies are charged to departmental expenditure accounts as they are issued to departments.

ATTACHMENTS:

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

**Tabulation of Bids Received
on October 2, 2019 at 2:30 p.m.
Re-Bid of Utility Supplies (15 Sections)
Bid # 13-11-20**

				BIDDERS	
				Core & Main Belton, TX 254-939-8998	
BID SECTION #13 - TAPPING SADDLES (CI OR DI WITH CC THREADS)					
ONLY SMITH-BLAIR OR FORD WILL BE ACCEPTED					
DESCRIPTION		QTY	UNIT	UNIT PRICE	TOTAL PRICE
1. 8-inch x 1-inch; 8.54-10.10		4	each	\$68.86	\$275.44
2. 2-inch x 1-inch; 2.35-2.56		20	each	\$28.88	\$577.60
3. 3-inch x 1-inch; 2.97-3.54		2	each	\$30.59	\$61.18
4. 3-4 inch x 2-inch; 3.74-4.13		2	each	\$54.55	\$109.10
5. 4-inch x 1-inch; 4.40-4.80		2	each	\$51.71	\$103.42
6. 4-inch x 1-inch; 4.74-5.14		2	each	\$51.72	\$103.44
7. 4 inch x 2-inch; 4.74-5.14		2	each	\$56.96	\$113.92
8. 6-inch x 1-inch; 5.94-6.90		2	each	\$60.06	\$120.12
9. 6-inch x 1-inch; 6.84-7.60		32	each	\$60.07	\$1,922.24
10. 6-inch x 2-inch; 5.94-6.90		2	each	\$64.82	\$129.64
11. 8-inch x 1-inch; 7.69-9.05		16	each	\$68.86	\$1,101.76
12. 8-inch x 2-inch; 8.54-10.10		2	each	\$74.08	\$148.16
13. 10-12 inch x 1-inch; 10.64-12.12		2	each	\$83.17	\$166.34
14. 10-12 inch x 2-inch; 10.64-12.12		2	each	\$90.55	\$181.10
15. 12-inch x 1-inch; 12.75-13.20		8	each	\$86.52	\$692.16
16. 2.25-2.5 inch x 1-inch; 2.44-2.91		2	each	\$29.38	\$58.76
17. 3-4 inch x 1-inch; 3.74-4.13		2	each	\$30.59	\$61.18
18. 4-inch x 1.5-inch; 4.74-5.63		2	each	\$56.96	\$113.92
19. 6-inch x 1.5-inch; 6.84-7.60		2	each	\$64.82	\$129.64
20. 8-inch x 1.5-inch; 8.54-10.10		2	each	\$74.08	\$148.16
21. 10-inch x 1.5-inch; 10.64-12.12		1	each	\$90.55	\$90.55
22. 12-inch x 1.5-inch; 12.75-13.20		2	each	\$97.39	\$194.78
BID SECTION #13 TOTAL				\$6,602.61	

BID SECTION #34 - STAINLESS STEEL ALL THREAD RODS AND COUPLINGS					
DESCRIPTION		QTY	UNIT	UNIT PRICE	TOTAL PRICE
1. 3/4-inch x 10 feet		1	each	\$84.00	\$84.00
2. 5/8-inch x 10 feet		1	each	\$71.00	\$71.00
3. 3/4-inch all thread coupling		1	each	\$12.00	\$12.00
4. 5/8-inch all thread coupling		1	each	\$9.00	\$9.00
BID SECTION #34 TOTAL				\$176.00	

**Tabulation of Bids Received
on October 2, 2019 at 2:30 p.m.
Re-Bid of Utility Supplies (15 Sections)
Bid # 13-11-20**

BIDDERS
Core & Main Belton, TX 254-939-8998

BID SECTION #41 - BRASS THREADED BUSHING (LF)				
DESCRIPTION	QTY	UNIT	UNIT PRICE	TOTAL PRICE
1. 3/4-inch x 1-inch FIP x MIP (C18-34 or equal)	120	each	\$3.79	\$454.80
2. 3/4 inch x 1-inch FIP x MIP (A-34 NL or equal)	120	each	\$7.85	\$942.00
3. 3/4 inch x 1-1/4 inch FIP x MIP (C18-35 or equal)	220	each	\$9.17	\$2,017.40
4. 1-inch x 1-1/4 inch FIP x MIP (C18-45 or equal)	12	each	\$7.37	\$88.44
5. 1-1/2 inch x 2-inch FIP x MIP (C18-67 or equal)	4	each	\$14.98	\$59.92
6. 1-inch x 3/4-inch (BBAA-43 or equal)	15	each	\$10.40	\$156.00
7. 2-inch x 1-1/2 inch (BBAA-76 or equal)	2	each	\$34.40	\$68.80
BID SECTION #41 TOTAL			\$3,787.36	

BID SECTION #47 - CONCRETE METER BOX (BOX ONLY)				
DESCRIPTION	QTY	UNIT	UNIT PRICE	TOTAL PRICE
1. 36H	200	each	\$26.96	\$5,392.00
2. 65H	10	each	\$51.61	\$516.10
BID SECTION #47 TOTAL			\$5,908.10	

BID SECTION #48 - CI READER LID ONLY (FOR CONCRETE METER BOX)				
DESCRIPTION	QTY	UNIT	UNIT PRICE	TOTAL PRICE
1. 36H	75	each	\$33.42	\$2,506.50
2. 65H	12	each	\$54.48	\$653.76
BID SECTION #48 TOTAL			\$3,160.26	

BID SECTION #49 - METER BOX WITH OVERLAPPING LID AND CI READER				
DESCRIPTION	QTY	UNIT	UNIT PRICE	TOTAL PRICE
1. DFW 1730-12-BD-CIRSM or equal	17	each	\$245.50	\$4,173.50
2. East Jordan Iron Works BC1015-12 (32413701 and 32131001) Meter Box with CI Flip-Top Lid with Reader or equal	400	each	\$121.00	\$48,400.00
3. East Jordan Iron Works MSBCF1730-12 Meter Box with MSBCF11730 CI Flip-Top Lid with Reader or equal	6	each	\$245.51	\$1,473.06
BID SECTION #49 TOTAL			\$54,046.56	

BID SECTION #51 - SEWER SUPPLIES - SDR 26 DEEP BELL				
DESCRIPTION	QTY	UNIT	UNIT PRICE	TOTAL PRICE
1. 4-inch spigot plug	5	each	\$8.12	\$40.60
2. 4-inch cap SW	20	each	\$15.24	\$304.80
3. 6-inch spigot plug	3	each	\$18.90	\$56.70
4. 6-inch cap SW	6	each	\$17.45	\$104.70
5. 8-inch spigot plug	5	each	\$33.51	\$167.55
6. 8-inch cap SW	3	each	\$29.94	\$89.82
7. 8x6 Reducers SXG SDR 26	1	each	\$39.76	\$39.76
BID SECTION #51 TOTAL			\$803.93	

**Tabulation of Bids Received
on October 2, 2019 at 2:30 p.m.
Re-Bid of Utility Supplies (15 Sections)
Bid # 13-11-20**

BIDDERS
Core & Main Belton, TX 254-939-8998

BID SECTION #52 - NON-SHEAR FLEX BOOT COUPLING				
DESCRIPTION	QTY	UNIT	UNIT PRICE	TOTAL PRICE
1. 4-inch; non-shear; PVC x PVC (Fernco or Mission F1056-44SR or equal)	150	each	\$13.61	\$2,041.50
2. 6-inch; non-shear; PVC x PVC (Fernco or Mission F1056-66SR or equal)	20	each	\$26.00	\$520.00
3. 8-inch; non-shear; PVC x PVC (Fernco or Mission F1056-88SR or equal)	10	each	\$38.60	\$386.00
4. 10-inch; non-shear; PVC x PVC (Fernco or Mission F1056-1010SR or equal)	3	each	\$50.26	\$150.78
5. 12-inch; non-shear; PVC x PVC (Fernco or Mission F1056-1212SR or equal)	1	each	\$61.51	\$61.51
6. 4-inch; non-shear; Clay x PVC (Fernco or Mission F1002-44SR or equal)	170	each	\$20.00	\$3,400.00
7. 6-inch; non-shear; Clay x PVC (Fernco or Mission F1002-66SR or equal)	170	each	\$33.93	\$5,768.10
8. 8-inch; non-shear; Clay x PVC (Fernco or Mission F1002-88SR or equal)	10	each	\$38.60	\$386.00
9. 10-inch; non-shear; Clay x PVC (Fernco or Mission F1002-1010SR or equal)	4	each	\$50.23	\$200.92
10. 12-inch; non-shear; Clay x PVC (Fernco or Mission F1002-1212SR or equal)	2	each	\$61.52	\$123.04
11. 4x3-inch, PVCX x PVC (Fernco 1056-43SR)	30	each	\$19.42	\$582.60
12. 4-inch x 3-inch, non-shear; PVC x PVC (Fernco 1056-43SR or equal)	30	each	\$19.42	\$582.60
BID SECTION #52 TOTAL			\$14,203.05	

BID SECTION #53 - SEWER CAPS THREADED PVC WITH SLEEVE - SDR35				
DESCRIPTION	QTY	UNIT	UNIT PRICE	TOTAL PRICE
1. 4-inch cleanout adaptor H x FIPT with raised nut	295	each	\$6.52	\$1,923.40
BID SECTION #53 TOTAL			\$1,923.40	

BID SECTION #57 - TYPE M2 ADJUSTABLE STEEL MANHOLE RING RISERS *FOREIGN OK*				
DESCRIPTION	QTY	UNIT	UNIT PRICE	TOTAL PRICE
1. 1-inch x 24-inch	2	each	\$244.40	\$488.80
2. 2-inch x 24-inch	8	each	\$245.00	\$1,960.00
3. 3-inch x 24-inch	1	each	\$280.50	\$280.50
4. 4-inch x 24-inch	2	each	\$315.33	\$630.66
5. 1-inch x 32-inch	2	each	\$331.10	\$662.20
6. 2-inch x 32-inch	2	each	\$332.00	\$664.00
7. 3-inch x 32-inch	2	each	\$365.80	\$731.60
8. 4-inch x 32-inch	2	each	\$414.67	\$829.34
BID SECTION #57 TOTAL			\$6,247.10	

BID SECTION #60 - CONCRETE MANHOLE CONES				
DESCRIPTION	QTY	UNIT	UNIT PRICE	TOTAL PRICE
1. Center-holed (Concentric); 24-inch	2	each	\$378.00	\$756.00
2. Side-holed (Eccentric); 24-inch	2	each	\$378.00	\$756.00
3. Center-holed (Concentric); 32-inch	2	each	\$380.00	\$760.00

Tabulation of Bids Received
on October 2, 2019 at 2:30 p.m.
Re-Bid of Utility Supplies (15 Sections)
Bid # 13-11-20

			BIDDERS	
			Core & Main Belton, TX 254-939-8998	
4. Side-holed (Eccentric); 32-inch	36	each	\$380.00	\$13,680.00
BID SECTION #60 TOTAL			\$15,952.00	
BID SECTION #61 - CONCRETE MANHOLE RISERS 48-INCH				
DESCRIPTION	QTY	UNIT	UNIT PRICE	TOTAL PRICE
1. 1-foot	2	each	\$150.00	\$300.00
2. 2-feet	2	each	\$300.00	\$600.00
3. 3-feet	2	each	\$450.00	\$900.00
4. 4-feet	4	each	\$600.00	\$2,400.00
BID SECTION #61 TOTAL			\$4,200.00	
BID SECTION #62 - SEWER SDR26 GASKETED PVC BENDS				
DESCRIPTION	QTY	UNIT	UNIT PRICE	TOTAL PRICE
1. 4-inch; 22 degrees	90	each	\$13.83	\$1,244.70
2. 4-inch; 45 degrees	350	each	\$10.40	\$3,640.00
3. 6-inch; 22 degrees	2	each	\$26.14	\$52.28
4. 6-inch; 45 degrees	19	each	\$19.16	\$364.04
5. 8-inch; 22 degrees	2	each	\$46.52	\$93.04
6. 8-inch; 45 degrees	10	each	\$47.70	\$477.00
BID SECTION #62 TOTAL			\$5,871.06	
BID SECTION #63 - PVC SEWER SDR26 TAPPING SADDLE WYES (GASKETED WITH BANDS)				
DESCRIPTION	QTY	UNIT	UNIT PRICE	TOTAL PRICE
1. 6-inch x 4-inch	6	each	\$37.14	\$222.84
2. 8-inch x 4-inch	6	each	\$46.68	\$280.08
BID SECTION #63 TOTAL			\$502.92	
BID SECTION #66 - EYE BOLTS WITH WASHERS AND NUTS (STEEL)				
DESCRIPTION	QTY	UNIT	UNIT PRICE	TOTAL PRICE
1. 3/4-inch x 4.5-inch	10	each	\$12.00	\$120.00
2. 5/8-inch x 4.5-inch	10	each	\$10.00	\$100.00
BID SECTION #66 TOTAL			\$220.00	
TOTAL BID AMOUNT			\$123,604.35	
TOTAL AWARDED AMOUNT			\$25,329.39	
Emergency/After Hours Fee			\$100.00	
Comply with Delivery			Yes	
Execeptions			No	
Credit Check Authorization			Yes	
Local Preference			No	

Recommended for Council Award

Rejection of Section-Price Deemed Not Competitive

RESOLUTION NO. 2019-9855-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING AN ANNUAL PURCHASE AGREEMENT WITH CORE AND MAIN OF BELTON, TEXAS IN THE ESTIMATED ANNUAL AMOUNT OF \$25,329.39, FOR UTILITY SUPPLIES FOR FISCAL YEAR 2020; REJECTING BIDS RECEIVED FOR TEN OF THE INDEPENDENT BID SECTIONS; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on July 18, 2019, Staff received two bids for the annual purchase of utility supplies, which consisted of 66 independent bid sections and five sections of which no bids were received;

Whereas, on September 19, 2019, Council authorized the rejection of 10 of the bid sections in which Staff believed they could obtain a better value by re-bidding due to the lack of competition;

Whereas, on October 2, 2019, bids were received for the re-bid of the five bid sections with no bids and the 10 sections in which Staff believed a better value could be obtained by re-bidding - only one bid was received from Core and Main of Belton, Texas ("Core and Main");

Whereas, based on the comparison of the one bid to historical pricing, Staff recommends the following related to the bids received on October 2, 2019:

- Award of 5 bid sections to Core and Main in the estimated annual amount of \$25,329.39; and
- Rejection of the bids received for 10 of the bid sections in which Staff believes a better value can be obtained by getting competitive quotes on an as-needed basis during the fiscal year;

Whereas, per the Local Government Code §252.043(f), the governing body is the designated authority to reject any and all bids;

Whereas, utility supplies are purchased on an as needed basis and are accounted for in the Utility Warehouse's inventory account – utility supplies are charged to departmental expenditure accounts as supplies are issued to departments; 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 annual purchase agreement with Core and Main of Belton, Texas in the annual amount of \$25,329.39 for utility supplies for fiscal year 2020.

Part 3: The City Council rejects the bids received in ten of the independent bid sections as listed in Exhibit A, attached hereto and incorporated herein for all purposes.

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 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

10/17/19
Item #4(J)
Consent Agenda
Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

Belinda Mattke, Director of Purchasing & Facility Services

ITEM DESCRIPTION: Consider adopting a resolution authorizing the following agreements for the procurement of natural gas for the compressed natural gas fueling station:

1. A memorandum of agreement with The Energy Market Exchange of Waco for consulting services related to the procurement of natural gas and ongoing energy consulting services at a cost of \$.05 per MMBtu; and
2. Execution of an agreement with Constellation NewEnergy – Gas Division, LLC for the supply of natural gas from November 2019 through October 2020 for the City's CNG fueling station at a rate of the monthly Houston Ship Channel published rate plus 16.5¢ per MMBtu.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The City currently has 32 Solid Waste trucks that are fueled with Compressed Nature Gas (CNG). The CNG trucks are fueled using the CNG fueling center constructed by the City during 2013 at 2625 East Avenue H. In addition, the City sells CNG to the public at a rate that is evaluated and updated monthly by City Staff.

Natural gas is provided from an existing Atmos Distribution line near the station, of which the City pays a monthly line distribution fee for; however, the natural gas commodity is procured through the open market.

Staff desires to use The Energy Market Exchange (EMEX) of Waco to assist in the procurement of natural gas service to the CNG fueling station. EMEX also assists the City with the procurement of electricity. Under the agreement EMEX would complete the following tasks:

1. Collect data, analyze and distribute to third party natural gas suppliers;
2. Review prices and contracts / negotiate contract terms and conditions;
3. Provide results of pricing effort and make recommendations to the City; and
4. Assist in contract execution and contract management.

EMEX's proposed fee is \$0.05 per MMBtu. This fee is paid by the retail provider to EMEX.

The City is currently under contract with Constellation New Energy-Gas Division, LLC for the purchase of a fixed quantity of 2,100 MMBtu's per month at a rate of market plus 18.15¢ per MMBtu. Quantities needed above the 2,100 MMBtu's are purchased at the then-current spot market price.

EMEX recently received pricing from six natural gas providers. With guidance from EMEX, Staff is requesting that Council authorize a new agreement with Constellation at a rate of 16.5¢ per MMBtu over the Houston Ship Channel (HSC) published rate for a fixed monthly quantity of 2,100 MMBtu's. This rate is representative of the current regional market rate. Quantities needed above or below the 2,100 MMBtu's per month are purchased or sold at the then-current spot market rate. The expected annual spending for natural gas for the vehicle fueling center based on current pricing for 25,200 MMBtu's is approximately \$60,000 per year.

FISCAL IMPACT: The Energy Market Exchange consulting fee will be paid by the contracted retail provider directly to EMEX. Based on an expected annual natural gas usage 25,200 MMBtu's (183,960 gallons), this calculates out to an annual embedded fee of approximately \$1,260.

The consulting fee and the commodity of natural gas are considered part of the cost components that are factored into Solid Waste's FY2020 fuel budget, account 110-2320-540-2115, account 110-2330-540-2115, account 110-2350-540-2115, account 110-2360-540-2115, account 110-2370-540-2115, and account 110-2380-540-2115.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. 2019-9856-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE,
TEXAS, AUTHORIZING AGREEMENTS FOR THE PROCUREMENT OF
NATURAL GAS FOR THE COMPRESSED NATURAL GAS FUELING
STATION; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the City currently has 32 Solid Waste trucks that are fueled with Compressed Natural Gas (CNG) - the CNG trucks are fueled using the CNG fueling center constructed by the City in 2013 and located at 2625 East Avenue H, Temple, Texas;

Whereas, in addition, the City sells CNG to the public at a rate that is evaluated and updated monthly by City Staff;

Whereas, natural gas is provided from an existing Atmos Distribution line near the station, of which the City pays a monthly line distribution fee, however the natural gas commodity is procured through the open market;

Whereas, Staff recommends Council authorize a memorandum of agreement to use the Energy Market Exchange (EMEX) of Waco to assist in the procurement of natural gas service to the CNG fueling station as well as assist the City with the procurement of electricity - under the agreement EMEX will complete the following tasks:

1. collect data, analyze and distribute to third party natural gas suppliers;
2. review prices and contracts / negotiate contract terms and conditions;
3. provide results of pricing efforts and make recommendations to the City; and
4. assist in contract execution and contract management;

Whereas, EMEX's proposed fee is \$0.05 per MMBtu which is paid by the retail provider to EMEX;

Whereas, the City is currently under contract with Constellation New Energy-Gas Division, LLC for the purchase of a fixed quantity of 2,100 MMBtu's per month at a rate of market plus 18.15¢ per MMBtu - quantities needed above the 2,100 MMBtu's are purchased at the then-current spot market price;

Whereas, EMEX recently received pricing from six natural gas providers and with guidance from EMEX, Staff recommends Council authorize a new agreement with Constellation at a rate of 16.5¢ per MMBtu over the Houston Ship Channel published rate for a fixed monthly quantity of 2,100 MMBtu's - this rate is representative of the current regional market rate;

Whereas, quantities needed above or below the 2,100 MMBtu's per month are purchased or sold at the then-current spot market rate - the expected annual spend for natural gas for the vehicle fueling center based on current pricing for 25,200 MMBtu's is approximately \$60,000 per year;

Whereas, the EMEX consulting fee will be paid by the contracted retail provider directly to EMEX and based on an expected annual natural gas usage of 25,200 MMBtu's (183,960 gallons), this calculates out to an annual embedded fee of approximately \$1,260;

Whereas, consulting fees and the commodity of natural gas are considered part of the cost components that are factored into Solid Waste's fiscal year 2020 fuel budget, Account No. 110-2320-540-2115, Account No. 110-2330-540-2115, Account No. 110-2350-540-2115, Account No. 110-2360-540-2115, Account No. 110-2370-540-2115, and Account No. 110-2380-540-2115; 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 Memorandum of Agreement with the Energy Market Exchange of Waco, Texas for consulting services related to the procurement of natural gas and ongoing energy consulting services at a cost of \$.05 per MMBtu, and to execute an agreement for the supply of natural gas from November 2019 through October 2020 for the City's CNG fueling station with Constellation New Energy – Gas Division, LLC at a rate of the monthly Houston Ship Channel published rate, plus 16.5¢ per MMBtu.

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 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

10/17/19
Item #4(K)
Consent Agenda
Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

Kellie Brown, Assistant Information Technology Director

ITEM DESCRIPTION: Consider adopting a resolution authorizing an agreement for a cloud-based human capital management platform with the purchase of timeclocks from Ceridian HCM, Inc. of Chicago, Illinois, in the amount of \$375,982.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: Authorization of this agreement with Ceridian HCM, Inc. will provide for the implementation of a comprehensive cloud-based human capital management platform, Dayforce, which will consolidate the following employee lifecycle functions into a single application: recruiting, hiring, benefits, compensation, time and attendance, payroll, learning/education, and performance. In addition to human capital management platform, Staff is requesting the purchase of 15 timeclocks that will interface with the Dayforce solution.

The City has been using multiple solutions that do not share data or communicate with each other. Dayforce brings all these modules together in one single platform helping Human Resources, Finance, and the employee to be more efficient. It offers flexible workflows that can be customized to our business needs, eliminates redundant information with one employee record and increases productivity.

A team with representation from Human Resources, IT, Performance Excellence, Assistant City Manager, and Finance was assembled to evaluate solution options. Several options were researched and the four best options for the City's specific needs were identified. Usability, support, cost and functionality/features were all factors considered when identifying these as our best options.

Dayforce by Ceridian and Tyler Technologies were chosen as our top two options after the four demonstrations. These two providers were both invited back for second demonstrations with more in-depth presentations and pointed questions. Dayforce by Ceridian was chosen because Staff deemed the program to be easier to use and learn, it includes content with the Learning Management System, it includes DocuSign for electronic document processing, and it is more of an all in one solution. The implementation of Dayforce will start in FY 2020 with an anticipated go-live date of January 2021.

FISCAL IMPACT: The FY 2020 adopted budget includes funding in the amount of \$95,020 for the implementation. The FY 2021-2025 business plan included a \$300,000 yearly budget for the subscription services for a complete human resources and payroll solution.

Funding for the timeclocks in the amount of \$33,705 and 50% of the implementation fee in the amount of \$42,888.50, for a total of \$76,593.50, are budget for in FY 2020. The remaining 50% of the implementation fee in the amount of \$42,888.50 and the full yearly software subscription of \$256,500, for a total of \$299,388.50, are budget for in FY 2021. The chart below details the accounts and amounts by fiscal year.

Description	Account #	Project	FY 2020	FY 2021	Amount
Time Clocks (82.90%)	110-1900-519-62-12	102181	\$ 27,941	\$ -	\$ 27,941
Time Clocks (2.92%)	240-4400-551-62-12		984	-	984
Time Clocks (2.18%)	292-2900-534-62-12		735	-	735
Time Clocks (12.00%)	520-5000-535-62-12		4,045	-	4,045
Implementation (82.90%)	110-1900-519-62-21		35,555	35,555	71,110
Implementation (2.92%)	240-4400-551-62-21		1,252	1,252	2,504
Implementation (2.18%)	292-2900-534-62-21		935	935	1,870
Implementation (12.00%)	520-5000-535-62-21		5,147	5,147	10,294
Software Subscription (82.90%)	110-1900-519-2515		-	212,638	212,638
Software Subscription (2.92%)	240-4400-551-2515		-	7,490	7,490
Software Subscription (2.18%)	292-2900-534-2515		-	5,592	5,592
Software Subscription (12.00%)	520-5000-535-2515		-	30,780	30,780

\$ 76,594	\$ 299,389	\$ 375,983
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ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. 2019-9857-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING AN AGREEMENT FOR A CLOUD-BASED HUMAN CAPITAL MANAGEMENT PLATFORM WITH THE PURCHASE OF TIMECLOCKS IN THE AMOUNT OF \$375,982, FROM CERIDIAN HCM, INC. OF CHICAGO, ILLINOIS; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, this agreement with Ceridian HCM, Inc. will provide for the implementation of a comprehensive cloud-based human capital management platform, Dayforce, which will consolidate the following employee lifecycle functions into a single application: recruiting, hiring, benefits, compensation, time and attendance, payroll, learning/education, and performance - in addition to the human capital management platform, Staff is requesting the purchase of 15 timeclocks that will interface with the Dayforce solution;

Whereas, the City has been using multiple solutions that do not share data or communicate with each other - Dayforce brings all these modules together in one single platform helping Human Resources, Finance, and the employee to be more efficient;

Whereas, Dayforce offers flexible workflows that can be customized to the City's needs, eliminates redundant information with one employee record and increases productivity;

Whereas, a team with representation from Human Resources, Information Technology, Performance Excellence, City Manager's Office, and Finance was assembled to evaluate solution options - several options were researched and the four best options for the City's specific needs were identified;

Whereas, Dayforce by Ceridian was chosen because Staff deemed the program to be easier to use and learn, it includes content with the Learning Management System, it includes DocuSign for electronic PAF processing, and it is more of an all in one solution;

Whereas, the implementation of Dayforce will start in fiscal year 2020 with an anticipated go-live date of January 2021;

Whereas, Staff recommends Council authorize an agreement for a cloud-based human capital management platform with the purchase of timeclocks in the amount of \$375,982, from Ceridian HCM, Inc. of Chicago, Illinois;

Whereas, the fiscal year 2020 budget includes funding implementation and the fiscal year 2021-2025 Business Plan includes a \$300,000 yearly budget for the subscription services for a complete human resources and payroll solution;

Whereas, funding is available in the following accounts:

<u>Description</u>	<u>Account #</u>	<u>FY</u>	<u>Amount</u>
Software Subscription (82.90%)	110-1900-519-2515	2020	\$35,554.57
Software Subscription (2.92%)	240-4400-551-2515	2020	\$1,252.34
Software Subscription (2.18%)	292-2900-534-2515	2020	\$934.97
Software Subscription (12.00%)	520-5000-535-2515	2020	\$5,146.62
Time Clocks (82.90%)	110-1900-519-2221	2020	\$27,941.44
Time Clocks (2.92%)	240-4400-551-2221	2020	\$984.19
Time Clocks (2.18%)	292-2900-534-2221	2020	\$734.77
Time Clocks (12.00%)	520-5000-535-2221	2020	\$4,044.60
Software Subscription (82.90%)	110-2310-540-2515	2021	\$248,193.07
Software Subscription (2.92%)	240-4400-551-2515	2021	\$8,742.14
Software Subscription (2.18%)	292-2900-534-2515	2021	\$6,526.67
Software Subscription (12.00%)	520-5000-535-2515	2021	\$35,926.62
<u>Total Funds Available</u>			<u>\$375,982</u>

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 a cloud-based human capital management platform with the purchase of timeclocks in the amount of \$375,982, from Ceridian HCM, Inc. of Chicago, Illinois.

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 **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

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DEPT./DIVISION SUBMISSION & REVIEW:

Don Bond, P.E., Public Works Director
Kenny Henderson, Transportation Director

ITEM DESCRIPTION: Consider adopting a resolution authorizing the purchase of equipment to upgrade 56 existing school flasher systems from Consolidated Traffic Controls, Inc of Arlington, in the amount of \$122,192.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: Authorization of the purchase of equipment from Consolidated Traffic Controls, Inc. will allow City Signal Maintenance Staff to upgrade and standardize all 56 school flashers throughout the City with new time switches and communication technology that will assist with troubleshooting and detecting problems.

The purchase of the school flasher equipment is being made utilizing Houston-Galveston Area Cooperative (HGAC) contract #PE-05-19, awarded to Consolidated Traffic Controls, Inc. All contracts available through HGAC have been competitively procured and meet the statutory procurement requirements for Texas municipalities.

FISCAL IMPACT: A budget adjustment is being presented to Council for approval to appropriate funding for the purchase of the flasher equipment from Consolidated Traffic Control, Inc. Funding is available from TCIP bond interest earnings. After approval of the budget adjustment, funding in the amount of \$122,192 will be available in account 365-2800-532-6810, project 102175, as follows:

Project Budget	\$	140,000
Encumbered/Committed to Date		-
School Flasher Equipment - Consolidated Traffic Control, Inc.		(122,192)
Remaining Project Funds Available	\$	17,808

ATTACHMENTS:

Budget Adjustment
Resolution

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
365-2800-532-68-10	102175	Signal Upgrade - School Flasher Clocks	140,000	
365-0000-315-1116		TCIP CO Bonds Fund Balance - Reserved for Future Expenditures		140,000
		DO NOT POST		
TOTAL.....			\$ 140,000	\$ 140,000

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

Appropriate funding for the FY 2020 Budget Request related to signal upgrades of school flasher clocks using TCIP interest earnings.


DOES THIS REQUEST REQUIRE COUNCIL APPROVAL?

☒ Yes☐ No

DATE OF COUNCIL MEETING

10/17/19

WITH AGENDA ITEM?

☒ Yes☐ No

 Department Head/Division Director


 Date

☒ Approved
☐ Disapproved

Finance

Date

☐ Approved
☐ Disapproved

City Manager

Date

☐ Approved
☐ Disapproved

RESOLUTION NO. 2019-9858-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A PURCHASE AGREEMENT IN THE ESTIMATED AMOUNT OF \$122,192 WITH CONSOLIDATED TRAFFIC CONTROLS, INC OF ARLINGTON, TEXAS FOR EQUIPMENT TO UPGRADE 56 EXISTING SCHOOL FLASHER SYSTEMS; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the purchase of equipment from Consolidated Traffic Controls, Inc. will allow City Signal Maintenance Staff to upgrade and standardize all 56 school flashers throughout the City with new time switches and communication technology that will assist with troubleshooting and detecting problems;

Whereas, Consolidated Traffic Controls, Inc. has been awarded Contract No. PE-05-19 through the Houston-Galveston Area Council Cooperative (HGAC) - contracts awarded through HGAC have been competitively procured and meet the statutory procurement requirements for Texas municipalities, and Staff recommends the use of this HGAC contract for the purchase of 56 school flasher systems in the amount of \$122,192, from Consolidated Traffic Controls, Inc., of Arlington, Texas;

Whereas, funds are available for this purchase, but an amendment to the fiscal year 2020 budget needs to be approved to transfer the funds to Account No. 365-2800-532-6810, Project No. 102175; 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 in the amount of \$122,192 with Consolidated Traffic Controls, Inc. of Arlington, Texas for equipment to upgrade 56 school flasher systems.

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 **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

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DEPT./DIVISION SUBMISSION & REVIEW:

Kevin Beavers, Director of Parks & Recreation

ITEM DESCRIPTION: Consider adopting a resolution approving change order #6 with Choice Builders, LLC of Temple to provide enhancements at the Crossroads Park detention pond in the amount of \$398,810.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: This change order will provide fill material, topsoil, and seeding of grass on the downstream side of the detention pond dam. These improvements will not only allow this area to be easily maintained but provide a more aesthetically attractive view for the general public.

Our contracted engineer on the project, Kasberg, Patrick, and Associates, LP of Temple, along with City staff have reviewed this change order and is in support.

FISCAL IMPACT: Funding for change order #6 with Choice Builders, LLC to provide enhancements at the Crossroads Park detention pond in the amount of \$398,810 is available in Reinvestment Zone No. 1 Financing and Project Plans, line 207 as shown below:

	City Funding 101311	RZ #1 Funding 101005	Total Funding
		795-9500-531-6867	
	362-3500-552-6402	795-9800-531-6867	
Project Budget	\$ 14,313,691	\$ 6,325,000	\$ 20,638,691
Encumbered/Committed to Date	(14,049,827)	(5,925,000)	(19,974,827)
Choice Builders, LLC Change Order #6	-	(398,810)	(398,810)
Remaining Project Funds	\$ 263,864	\$ 1,190	\$ 265,054

ATTACHMENTS:

KPA Recommendation Letter
Change Order #6
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 20, 2019

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

Re: City of Temple, Texas
Crossroads Park Phase II – Civil Package
Change Order #6

Dear Mr. Beavers:

Attached is Change Order #6 for the Crossroads Park Phase II – Civil Package Project. This change order is developed at the request of the City of Temple in order to fill the large rock riprap area on the backside of the dam structure for the Crossroads Park Regional Detention Pond. The total increase to the project for Change Order #6 is \$398,810.00.

This change order will provide for fill material over the armored rock riprap located on the downstream side of the Crossroads Park Regional Detention Pond. As required by the Texas Commission on Environmental Quality (TCEQ), the Crossroads Park Regional Detention Pond was reviewed and approved by the Dam Safety Division. After construction, the TCEQ inspected and approved the detention facility and dam structure. KPA inquired with the Dam Safety Division of TCEQ if they would accept construction of fill, topsoil and seeding of the downstream armored slope of the facility. Julian Romo, Engineering Specialist with the Dam Safety Section, Critical Infrastructure Division responded that it was acceptable to perform the construction operations. KPA highly recommends the City of Temple take advantage of this ruling and perform the construction operations of installation of fill material, topsoil and revegetation of this area. By performing this operation, the downstream area of the Crossroads Regional Detention Pond will be much more aesthetically attractive, easier to maintain and provide a safer environment along the trail system. We have reviewed Change Order #6 and recommend it be processed and executed with respect to the Choice Builders, LLC construction contract for the above referenced project.

Sincerely,

R. David Patrick, P.E., CFM

RDP/rdp

xc: Mr. Charlie O'Daniel Choice Builders / KPA Project File: 2015-121-40 Phase II – Civil Package

CHANGE ORDER

PROJECT: **CROSSROADS PARK PHASE II - CIVIL PACKAGE**
 OWNER: **City of Temple**
 CONTRACTOR: **Choice Builders, LLC**
 ENGINEER: **Kasberg, Patrick & Associates**
 CHANGE ORDER #: **6**

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

Add: Site Work Adjustments					
Item	Description	Quantity	Unit	Unit Price	Extended Amount
CO6-1	Regional Dam Rock Riprap Fill	17900	CY	\$ 11.20	\$ 200,480.00
CO6-2	Regional Dam Topsoil	60100	SF	\$ 2.25	\$ 135,225.00
CO6-3	Regional Dam Revegetation with FGM	60100	SF	\$ 1.05	\$ 63,105.00
				Add Total	\$ 398,810.00
Change Order Total					\$ 398,810.00

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

Original Contract Amount	\$ 7,091,236.60
Previous Net Change in Contract Amount	\$ 95,708.59
Net Change in Contract Amount	\$ 398,810.00
Revised Contract Amount	\$ 7,585,755.19
Original Contract Time	360 days
Previous Net Change in Contract Time	175 days
Net Change in Contract Time	90 days
Revised Contract Time	625 days
Original Final Completion Date	April 10, 2019
Revised Final Completion Date	December 31, 2019

Recommended By:

 Project Manager (City Staff) Date

Agreed to:

 Contractor Date

Approved as to form:

 City Attorney's Office Date

Recommended by:

 7/20/19

 Engineer Date

Approved by City of Temple:

 Brynn Myers Date
 City Manager

Approved by Finance Department

 Finance Date

RESOLUTION NO. 2019-9859-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, APPROVING CHANGE ORDER NO. 6 TO THE CONSTRUCTION CONTRACT WITH CHOICE BUILDERS, LLC OF TEMPLE, TEXAS IN THE AMOUNT OF \$398,810, TO PROVIDE ENHANCEMENTS AT THE CROSSROADS PARK DETENTION POND; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, this change order will provide fill material, topsoil, and seeding of grass on the downstream side of the detention pond dam which will not only allow this area to be easily maintained but provide a more aesthetically attractive view for the general public;

Whereas, Staff and Kasberg, Patrick, and Associates, LP of Temple, Texas recommend Council authorize Change Order No. 6 to the contract with Choice Builders, LLC of Temple, Texas in the amount of \$398,810, to provide enhancements at the Crossroads Park detention pond;

Whereas, funding is available in Reinvestment Zone No. 1 Financing and Project Plans, Line 207, Account No. 795-9500-531-6867 and Account No. 795-9800-531-6767, Project No. 101005; and

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

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

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

Part 2: The City Council authorizes the City Manager, or her designee, after approval as to form by the Interim City Attorney, to execute Change Order No. 6 to the construction contract with Choice Builders, LLC of Temple, Texas in the amount of \$398,810, to provide enhancements at the Crossroads Park detention pond.

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 **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

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DEPT./DIVISION SUBMISSION & REVIEW:

Brynn Myers, City Manager
Kayla Landeros, Interim City Attorney

ITEM DESCRIPTION: Consider adopting a resolution authorizing an amendment to the Economic Development Agreement with Turner Behringer Temple One, LLC for the redevelopment of the Hawn Hotel, Arcadia Theater, and Public Services Building.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: In the fall of 2017, the City of Temple issued a Request for Proposal (“RFP”) for the redevelopment of the Hawn Hotel and Arcadia Theater properties. In November 2017, Turner Behringer submitted its response to the RFP proposing a mixed-use redevelopment of the Hawn Hotel, Arcadia Theater, and Public Services Building. Turner Behringer’s proposal included a mixture of residential, retail, and entertainment uses.

For the past several months, the City and Turner Behringer have been performing due diligence on the proposed redevelopment and related public improvements. In December 2018, the RZ Board and City Council authorized an Economic Development Agreement (“EDA”) between the City, Temple Historic Arcadia Theatre, Inc., and Turner Behringer. The EDA includes the following commitments on each party.

City of Temple Commitments:

- The City will agree to convey to Turner Behringer the Hawn Hotel, the Public Services Building, and the City-owned parking lot located at 119 East Adams Avenue;
- The City will provide reimbursement funding in an estimated amount of \$300,000 for eligible expenses related to the abatement of all asbestos and lead in the Hawn Hotel, Arcadia Theater, and the Public Services Building;
- The City will provide reimbursement funding, in an amount not to exceed \$250,000, for costs incurred for façade improvements, signage, demolition, and design work;
- The City will lease to Turner Behringer a portion of the City-owned parking lot east of North 4th Street and North of East Central Avenue for a term of 50 years at a lease rate of \$1 per year;
- The City will ensure that adequate wastewater service is available for the uses of the three properties contemplated by the EDA;
- The City will design and construct certain public improvements, such as, but not limited to, intersection enhancements, landscaping, signage, monuments, and dry utility relocations around the properties and such cost will not exceed \$1,600,000.

Arcadia Theatre, Inc. Commitments:

- Arcadia Theatre, Inc. will convey to Turner Behringer the Arcadia Theater property.

Turner Behringer Commitments:

- Turner Behringer will accept the properties;
- Turner Behringer will complete at least \$6,000,000 worth of improvements to the properties which will consist of mixed-use development, to include, but not limited to, residential, retail, and entertainment uses;
- Turner Behringer will agree to renovate the Arcadia Theater to be utilized as a multi-purpose events center and performance hall;
- Turner Behringer will complete the improvements to the Hawn Hotel and Arcadia Theater no later than three years from the date each property is conveyed to TRE; and
- Turner Behringer will complete the improvements to the Public Services Building no later than four years from the date the property is conveyed to TRE.

The EDA includes remedies for the City and Arcadia Theatre, Inc. if the improvements are not completed as agreed to by Turner Behringer.

Turner Behringer recently informed City Staff that the estimated cost of the improvements has increased from \$6,000,000 to \$12,000,000. Due to the significant increase in the cost of improvements, Turner Behringer has requested an additional \$450,000 in potential reimbursement funding from the City. If this change is approved, Turner Behringer would be eligible for up to \$1,000,000 in reimbursement funding from the City for expenses related to the abatement of asbestos and lead and for costs incurred for façade improvements, signage, demolition, and design work. An amendment to the EDA is required to effectuate this proposed change. City Council approval is also required.

FISCAL IMPACT: The City and the Reinvestment Zone No. 1 will provide reimbursement funding in an estimated amount of \$1,000,000 for expenses related to the abatement of asbestos and lead and for costs incurred for façade improvements, signage, demolition, and design work for eligible expenses related to the abatement of all asbestos and lead in the Hawn Hotel, Arcadia Theater, and the Public Services Building. Funding of the Reinvestment Zone No. 1's share of the \$700,000 will be available after the approval of the proposed Financing and Project Plan amendments, Line 417, as shown below:

City Funding	RZ #1 Funding	Total Funding
351-1100-513-2623	795-9500-531-2695	
\$ 300,000	\$ 700,000	\$ 1,000,000

The City's commitment includes design and construction of certain public improvements, such as, but not limited to, intersection enhancements, landscaping, signage, monuments, and dry utility relocations around the properties and such cost will not exceed \$1,600,000. Funding for the public improvements is available in the Reinvestment Zone No. 1 Financing and Project Plans, Line 406, Downtown City Center, account 795-9600-531-6565, project 101029. The Downtown City Center

Project has expanded beyond the commitment in the Agreement and currently has an estimated construction budget of \$5,850,000.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. 2019-9860-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING AN AMENDMENT TO THE ECONOMIC DEVELOPMENT AGREEMENT WITH TURNER BEHRINGER TEMPLE ONE, LLC FOR THE REDEVELOPMENT OF THE HAWN HOTEL, ARCADIA THEATER, AND PUBLIC SERVICES BUILDING; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, in the fall of 2017, the City of Temple issued a Request for Proposal (“RFP”) for the redevelopment of the Hawn Hotel and Arcadia Theater properties;

Whereas, in November 2017, Turner Behringer submitted its response to the RFP proposing a mixed-used redevelopment of the Hawn Hotel, Arcadia Theatre, Inc., and the Public Services Building – Turner Behringer’s proposal included a mixture of residential, retail, and entertainment uses;

Whereas, in December 2018, the Reinvestment Zone Board and Council authorized an Economic Development Agreement (“EDA”) between the City, Temple Historic Arcadia Theatre, Inc., and Turner Behringer;

Whereas, the EDA includes the following commitments on each party.

City of Temple Commitments:

- The City will agree to convey to Turner Behringer the Hawn Hotel, the Public Services Building, and the City-owned parking lot located at 119 East Adams Avenue;
- The City will provide reimbursement funding in an estimated amount of \$300,000 for eligible expenses related to the abatement of all asbestos and lead in the Hawn Hotel, Arcadia Theater, and the Public Services Building;
- The City will provide reimbursement funding, in an amount not to exceed \$250,000, for costs incurred for façade improvements, signage, demolition, and design work;
- The City will lease to Turner Behringer a portion of the City-owned parking lot east of North 4th Street and North of East Central Avenue for a term of 50 years at a lease rate of \$1 per year;
- The City will ensure that adequate wastewater service is available for the uses of the three properties contemplated by the EDA;
- The City will design and construct certain public improvements, such as, but not limited to, intersection enhancements, landscaping, signage, monuments, and dry utility relocations around the properties, and such cost will not exceed \$1,600,000;

Arcadia Theatre, Inc. Commitments:

- Arcadia Theatre, Inc. will convey to Turner Behringer the Arcadia Theater property;

Turner Behringer Commitments:

- Turner Behringer will accept the properties;
- Turner Behringer will complete at least \$6,000,000 worth of improvements to the properties which will consist of mixed-use development, to include, but not limited to, residential, retail, and entertainment uses;
- Turner Behringer will agree to renovate the Arcadia Theater to be utilized as a multi-purpose events center and performance hall;
- Turner Behringer will complete the improvements to the Hawn Hotel and Arcadia Theater no later than 3 years from the date each property is conveyed to Turner Behringer; and
- Turner Behringer will complete the improvements to the Public Services Building no later than 4 years from the date the property is conveyed to Turner Behringer;

Whereas, the EDA includes remedies for the City and Arcadia Theatre, Inc. if the improvements are not completed as agreed to by Turner Behringer;

Whereas, Turner Behringer recently informed Staff that the estimated cost of the improvements has increased from \$6,000,000 to \$12,000,000 - due to the significant increase in the cost of improvements, Turner Behringer has requested an additional \$450,000 in potential reimbursement funding from the City;

Whereas, upon approval, Turner Behringer will be eligible for up to \$1,000,000 in reimbursement funding from the City for expenses related to the abatement of asbestos and lead, and for costs incurred for façade improvements, signage, demolition, and design work – an amendment to the EDA is required to effectuate this proposed change;

Whereas, the City will provide reimbursement funding, in an estimated amount of \$1,000,000, for expenses related to the abatement of asbestos and lead, and for costs incurred for façade improvements, signage, demolition, and design work;

Whereas, funding will be available after the approval of the proposed Financing and Project Plan amendments, in the Reinvestment Zone No. 1 Financing and project Plans, Line 417, Account No. 795-9500-531-2695;

Whereas, the City will design and construct certain public improvements, such as, but not limited to, intersection enhancements, landscaping, signage, monuments, and dry utility relocations around the properties and such cost will not exceed \$1,600,000;

Whereas, funding for the public improvements is available in the Reinvestment Zone No. 1 Financing and Project Plans, Line 406, Downtown City Center, Account No. 795-9600-531-6565, Project No. 101029; 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 amendment to the Economic Development Agreement with Turner Behringer Temple One, LLC for the redevelopment of the Hawn Hotel, Arcadia Theater, and Public Services Building.

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 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

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DEPT./DIVISION SUBMISSION & REVIEW:

Kayla Landeros, City Attorney
Christina Demirs, Deputy City Attorney

ITEM DESCRIPTION: Consider adopting a resolution granting an easement to Atmos Energy Corporation to construct aboveground gas pipeline facilities as part of the replacement of an existing gas pipeline.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: Atmos Energy Corporation (Atmos) is the local natural gas delivery provider and currently has natural gas facilities (facilities) in existing easements throughout the City. Atmos recently began a project to upgrade and replace one their existing pipeline facilities. A portion of this pipeline is located in an easement on City of Temple property near Charter Oak Drive and Cryer Lane. As part of the replacement project, Atmos is seeking an Aboveground Facilities Easement Agreement with the City. The above ground facilities area is also called a surface site area. The easement is 50-feet x 50-feet, or 0.057-acre and will replace a smaller existing surface site on the same City property. Atmos will compensate the City \$5,000 for the easement.

The Public Works Department has reviewed the proposed location of Atmos's replacement gas pipeline and has indicated it will not interfere with existing City infrastructure.

At this time, Staff is asking for authorization to grant an easement to Atmos Energy Corporation to construct aboveground gas pipeline facilities as part of the replacement of an existing gas pipeline.

FISCAL IMPACT: Atmos Energy Corporation has offered to compensate the City \$5,000 for the easement. Proceeds received will be deposited into account 110-0000-461-0423, Sale of Land.

ATTACHMENTS:

[Proposed Easement Agreement](#)
[Survey and Field Notes for Easement Property](#)
[Exhibit showing location of new 50'x50' surface site and existing site to be abandoned](#)
[Resolution](#)

Aboveground Facilities Easement Agreement

Notice of confidentiality rights: If you are a natural person, you may remove or strike any or all of the following information from any instrument that transfers an interest in real property before it is filed for record in the public records: your Social Security number or your driver's license number.

Date: _____, 2019

Grantor: The City of Temple, Texas

Grantor's Mailing Address: 2 N Main Street
Temple TX 76501 (Bell County)

Grantee: Atmos Energy Corporation

Grantor's Mailing Address: 5420 LBJ Freeway, Suite 1800
Dallas TX 75240 (Dallas County)

Easement Property: Being 0.057-acre of land situated in the Nancy Chance Survey, Abstract No. 6, Bell County, and being a part of that certain Lot 5, Block 6, of Riverside Park Addition, as shown on a Plat recorded in Cabinet A, Slide 150-D, of the Plat Records of Bell County, Texas and being more particularly described by metes and bounds in Exhibit A attached to this agreement and by this reference incorporated within it.

Easement Purpose: For the purpose of laying, constructing, operating, maintaining, inspecting, repairing, replacing, changing the size of, relocating and changing the route or routes of, abandoning in place and removing at will, in whole or in part, aboveground and underground pipeline or pipelines and the appurtenances thereto, including, without limitation, valves, fittings, metering facilities, pigging facilities, pressure regulating facilities, cathodic protection equipment, communication facilities, barricades and fencing, the right to construct and install gravel, asphalt or concrete upon the surface of the Facilities Easement Area (as defined herein), aerial markers, and other appurtenances as may be necessary or convenient in the operation of said facilities (collectively, the "Facilities"), over, across, under and upon the lands more particularly described on, and depicted as the "Surface Site" in Exhibit A (the "Facilities Easement Area") and to provide Grantee, its employees, representatives, and contractors, pedestrian and vehicular ingress and egress across the easement property to perform construction and maintenance activities related to the Facilities.

Consideration: Good and valuable consideration, the receipt and sufficiency of which are acknowledged by Grantor.

Reservations from Conveyance: None

Exceptions to Warranty: None

Grant of Easement: Grantor, for the Consideration and subject to the Reservations from Conveyance and Exceptions to Warranty, grants, sells, and conveys to Grantee and Grantee's heirs, successors, and assigns an easement over, on, under, and across the Easement Property for the Easement Purpose, together with all and singular the rights and appurtenances thereto in any way belonging (collectively, the "Easement"), to have and to hold the Easement to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs, successors, and assigns to warrant and forever defend the title to the Easement in Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the Easement or any part of the Easement, except as to the Reservations from Conveyance and Exceptions to Warranty.

Terms and Conditions:

The following terms and conditions apply to the Easement granted by this agreement:

1. *Character of Easement.* The Easement is irrevocable and for the benefit of Grantee and Grantee's successors and assigns.
2. *Duration of Easement.* The duration of the Easement is perpetual.
3. *Reservation of Rights.* Grantee's right to use the Easement Property is exclusive, and Grantor shall have no access rights on, under, or over the Facilities Easement Area. Grantor retains all of Grantor's rights, title, and interest in and to all oil, gas, and other minerals (whether by law classified as part of the mineral estate or the surface estate) in, on, and under the Facilities Easement Area; provided, however, that Grantor shall not drill or prospect for oil, gas, and other minerals from the surface of the Facilities Easement Area, but Grantor will be permitted to extract oil, gas, and other minerals from and under the Facilities Easement Area by directional drilling, mining, or other means, so long as Grantee's use of the Facilities Easement Area is not disturbed, which shall include the right of Grantee to physical and/or lateral support for the Facilities, as well as the right that the Facilities shall not be endangered, obstructed, or interfered with by such operations.
4. *Secondary Easement.* Grantee has the right (the "Secondary Easement") to use as much of the surface of the property that is adjacent to the Easement Property ("Adjacent Property") as may be reasonably necessary to install and maintain the Facilities within the Easement Property that are reasonably suited for the Easement Purpose. However, Grantee must promptly restore the Adjacent Property to its previous physical condition if changed by use of the rights granted by this Secondary Easement.

5. *Improvement and Maintenance of Easement Property.* Improvement and maintenance of the Easement Property and Facilities will be at the sole expense of Grantee. The Grantee has the right to eliminate any encroachments into the Easement Property. Grantee has the right to construct, install, maintain, replace, and remove the Facilities under or across any portion of the Easement Property. All matters concerning the Facilities and their configuration, construction, installation maintenance, replacement, and removal are at Grantee's sole discretion, subject to performance of Grantee's obligations under this agreement. Grantee has the right to remove or relocate any improvements (including but not limited to fencing, pavement, drainage features, retaining walls, landscaping, sprinkler systems, private utilities, and other such features) within the Easement Property or along or near its boundary lines if reasonably necessary to construct, install, maintain, replace, or remove the Facilities, subject to replacement of the improvements to their original condition on the completion of the work.

6. *Equitable Rights of Enforcement.* This Easement may be enforced by restraining orders and injunctions (temporary or permanent) prohibiting interference and commanding compliance. Restraining orders and injunctions will be obtainable on proof of the existence of interference or threatened interference, without the necessity of proof of inadequacy of legal remedies or irreparable harm, and will be obtainable only by the parties to or those benefited by this agreement; provided, however, that the act of obtaining an injunction or restraining order will not be deemed to be an election of remedies or a waiver of any other rights or remedies available at law or in equity.

7. *Attorney's Fees.* If either party retains an attorney to enforce this agreement, the party prevailing in litigation is entitled to recover reasonable attorney's fees and court and other costs.

8. *Binding Effect.* This agreement binds and inures to the benefit of the parties and their respective heirs, successors, and permitted assigns.

9. *Choice of Law.* This agreement will be construed under the laws of the state of Texas, without regard to choice-of-law rules of any jurisdiction. Venue is in the county or counties in which the Easement Property is located.

10. *Counterparts.* This agreement may be executed in any number of counterparts with the same effect as if all signatory parties had signed the same document. All counterparts will be construed together and will constitute one and the same instrument.

11. *Waiver of Default.* It is not a waiver of or consent to default if the non-defaulting party fails to declare immediately a default or delays in taking any action. Pursuit of any remedies set forth in this agreement does not preclude pursuit of other remedies in this agreement or provided by law.

12. *Further Assurances.* Each signatory party agrees to execute and deliver any additional documents and instruments and to perform any additional acts necessary or appropriate to perform the terms, provisions, and conditions of this agreement and all transactions

contemplated by this agreement.

13. *Entire Agreement.* This agreement and any exhibits are the entire agreement of the parties concerning the Easement Property, and the grant of the Easement by Grantor to Grantee. There are no representations, agreements, warranties, or promises, and neither party is relying on any statements or representations of any agent of the other party, that are not expressly set forth in this agreement and any exhibits.

14. *Legal Construction.* If any provision in this agreement is for any reason unenforceable, to the extent the unenforceability does not destroy the basis of the bargain among the parties, the unenforceability will not affect any other provision hereof, and this agreement will be construed as if the unenforceable provision had never been a part of the agreement. Whenever context requires, the singular will include the plural and neuter include the masculine or feminine gender, and vice versa. Article and section headings in this agreement are for reference only and are not intended to restrict or define the text of any section. This agreement will not be construed more or less favorably between the parties by reason of authorship or origin of language.

15. *Notices.* Any notice required or permitted under this agreement must be in writing. Any notice required by this agreement will be deemed to be delivered (whether actually received or not) when deposited with the United States Postal Service, postage prepaid, certified mail, return receipt requested, and addressed to the intended recipient at the address shown in this agreement. Notice may also be given by regular mail, personal delivery, courier delivery, facsimile transmission, or other commercially reasonable means and will be effective when actually received. Any address for notice may be changed by written notice delivered as provided herein.

16. *Recitals.* Any recitals in this agreement are represented by the parties to be accurate, and constitute a part of the substantive agreement.

17. *Time.* Time is of the essence. Unless otherwise specified, all references to “days” mean calendar days. Business days exclude Saturdays, Sundays, and legal public holidays. If the date for performance of any obligation falls on a Saturday, Sunday, or legal public holiday, the date for performance will be the next following regular business day.

[Signatures to Follow]

BY GRANTOR:

THE CITY OF TEMPLE, TEXAS

Timothy A. Davis, Mayor

ATTEST:

Lacy Borgeson, City Secretary

APPROVED AS TO FORM:

City Attorney's Office

STATE OF TEXAS §

COUNTY OF BELL §

This instrument was acknowledged before me on the ____ day of _____, 20____,
by **Timothy A. Davis**, as Mayor of the City of Temple, Texas.

Notary Public, State of Texas

BY GRANTEE:

ATMOS ENERGY CORPORATION

By: _____
Title: VP Operations

STATE OF TEXAS §

COUNTY OF §

This instrument was acknowledged before me, the undersigned Notary Public, on the ____ day of _____, 20____, by _____.

Notary Public, State of Texas

Return recorded document to:

City of Temple
City Attorney's Office
2 N. Main, Suite 308
Temple, TX 76501



13621 HWY. 110 S.
TYLER, TX 75707
(903) 939-8860
FIRM ID 10122800

EXHIBIT "A"
PAGE 1 OF 2

**ATMOS ENERGY CORPORATION
50' X 50' SURFACE SITE
CITY OF TEMPLE
PROJECT TRACT
BELL COUNTY, TEXAS**

**METES AND BOUNDS DESCRIPTION FOR
0.057 OF AN ACRE SURFACE SITE
N. CHANCE SURVEY, ABSTRACT No. 6
BELL COUNTY, TEXAS**

BEING 0.057 of an acre of land situated in the N. Chance Survey, Abstract 6, of Bell County, Texas and being a part of that certain Lot 5, Block 6, of Riverside Park Addition, as shown on a Plat recorded in Cabinet A, Slide 150-D, of the Plat Records of Bell County, Texas, said 0.057 of an acre tract to be more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod (set), with plastic cap marked "RMC 5384", for the northeast corner of the herein described 0.057 of an acre tract of land, being located on the east boundary line of the above referenced Lot 5, and located in the west right-of-way of Cryer Lane, from which a 1/2 inch iron rod (found) for the southwest corner of Lot 1, Block 7 of the above referenced Riverside Park Addition, and being located in the east right-of-way of the above mentioned Cryer Lane bears South 87°26'10" East, a distance of 92.41 feet;

THENCE South 00°07'53" East, for a distance of 50.00 feet, to a 1/2 inch iron rod (set), with plastic cap marked "RMC 5384", for the southeast corner of the herein described 0.057 of an acre tract of land, being located at the southeast corner of said Lot 5, same being the northeast corner of Lot 4, Block 6, of said Riverside Park Addition, and located in the west right-of-way of said Cryer Lane;

THENCE South 87°22'37" West, for a distance of 50.00 feet, to a 1/2 inch iron rod (set), with plastic cap marked "RMC 5384", for the southwest corner of there herein described 0.057 of an acre tract of land, being located on the south boundary line of said Lot 5, same being the north boundary line of the above mentioned Lot 4;

THENCE North 00°07'53" West, for a distance of 50.00 feet, to a 1/2 inch iron rod (set) for the northwest corner of the herein described 0.057 of an acre tract of land;

THENCE North 87°22'37" East, for a distance of 50.00 feet, back to the place of beginning and containing 0.057 of an acre of land.

Bearings, distances, and coordinates are based on the Texas Coordinate System, Central Zone, North American Datum of 1983 and were derived from GPS observations using the Leica GNSS Network and OPUS solutions. The values were collected in the North America Datum of 1983 (2011) using Geoid 12-B.

See plat, prepared even date.

I, R. L. McCrary, Registered Professional Land Surveyor, do hereby certify that the above description was prepared from a survey made on the ground under my supervision during the month of June, 2019.

GIVEN UNDER MY HAND AND SEAL, this the 2nd day of July, 2019.

R. L. McCrary
Registered Professional
Land Surveyor No. 5384



New 50' x50' Surface Site (Approx. Loc.)

Existing Line

Revised Route Location

Abandoning Existing Site Location



RESOLUTION NO. 2019-9861-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, GRANTING AN EASEMENT TO ATMOS ENERGY CORPORATION TO CONSTRUCT ABOVEGROUND GAS PIPELINE FACILITIES AS PART OF THE REPLACEMENT OF AN EXISTING GAS PIPELINE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, Atmos Energy Corporation (Atmos) is the local natural gas delivery provider and currently has natural gas facilities in existing easements throughout the City - Atmos recently began a project to upgrade and replace one of their existing pipeline facilities located in an easement on City of Temple property near Charter Oak Drive and Cryer Lane;

Whereas, as part of the replacement project, Atmos is seeking an Aboveground Facilities Easement Agreement with the City - the aboveground facilities area is also called a surface site area;

Whereas, the easement is 50-feet by 50-feet, or approximately 0.057 acres and will replace a smaller existing surface site on the same City property - Atmos will compensate the City \$5,000.00 for the easement;

Whereas, the Public Works Department has reviewed the proposed location of Atmos's replacement gas pipeline and has indicated it will not interfere with existing City infrastructure;

Whereas, Staff recommends Council grant an easement to Atmos Energy Corporation to construct aboveground gas pipeline facilities as part of the replacement of an existing gas pipeline;

Whereas, proceeds received will be deposited into Account No. 110-0000-461-0423, Sale of Land; 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 grants an easement to Atmos Energy Corporation to construct aboveground gas pipeline facilities as part of the replacement of an existing gas pipeline, 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 easement.

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 **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

10/17/19
Item #4(P)
Consent Agenda
Page 1 of 3

DEPT./DIVISION SUBMISSION & REVIEW:

Tammy Lyerly, Senior Planner

ITEM DESCRIPTION: SECOND & FINAL READING – 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> <p>PROPOSED LAND USE CASE</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>



AG To PD-SF2,
PD-GR, & GR

AERIAL MAP

Zoning Case :
FY-19-26-ZC

Address :
SE of Old HWY 95 &
Barnhardt Rd

Transportation

Streets

- EXPRESSWAY
- MAJOR ARTERIAL
- LOCAL STREET
- MINOR ARTERIAL
- RAMP
- Railroad
- Temple Municipal Boundary

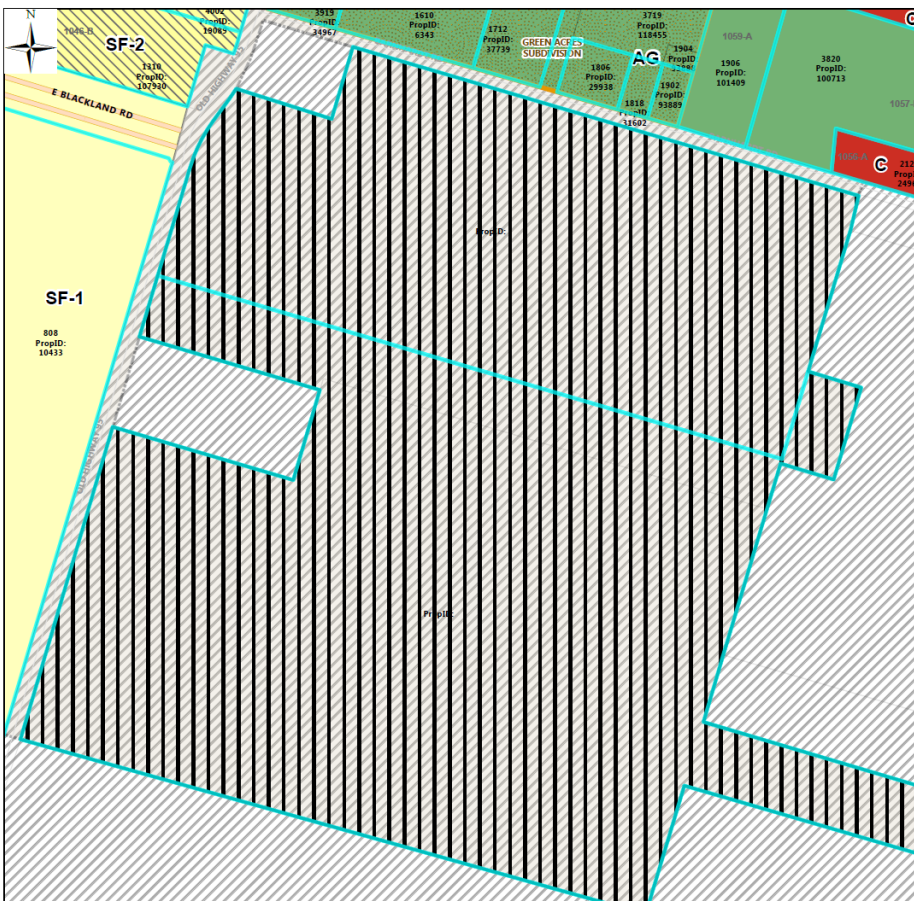
Parcel Features

- Parcels
- ETJ Parcels
- Production,SDE,Easement

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

tlyerly

Date: 8/19/2019



AG To PD-SF2, PD-GR,
& GR

Zoning Case :
FY-19-26-ZC

Address :
SE of Old Hwy 95 &
Barnhardt Rd

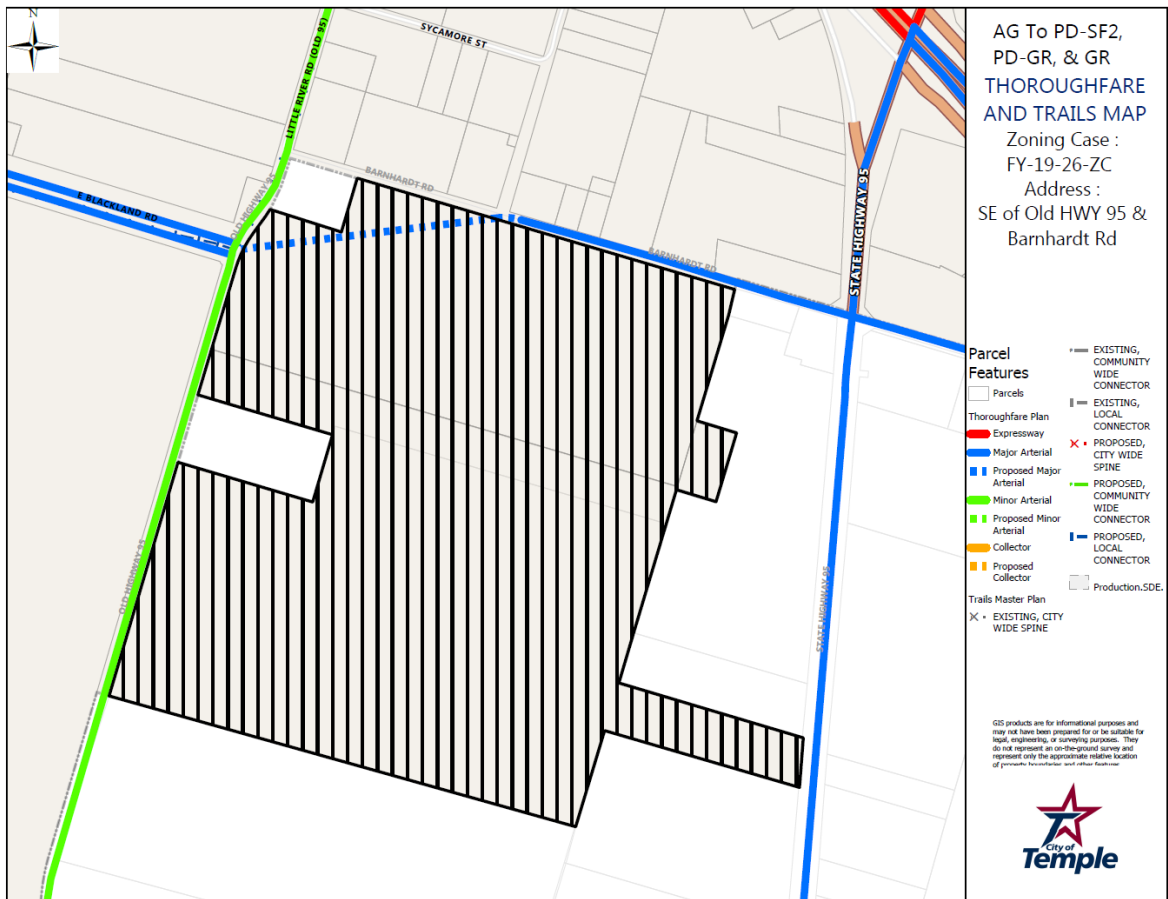
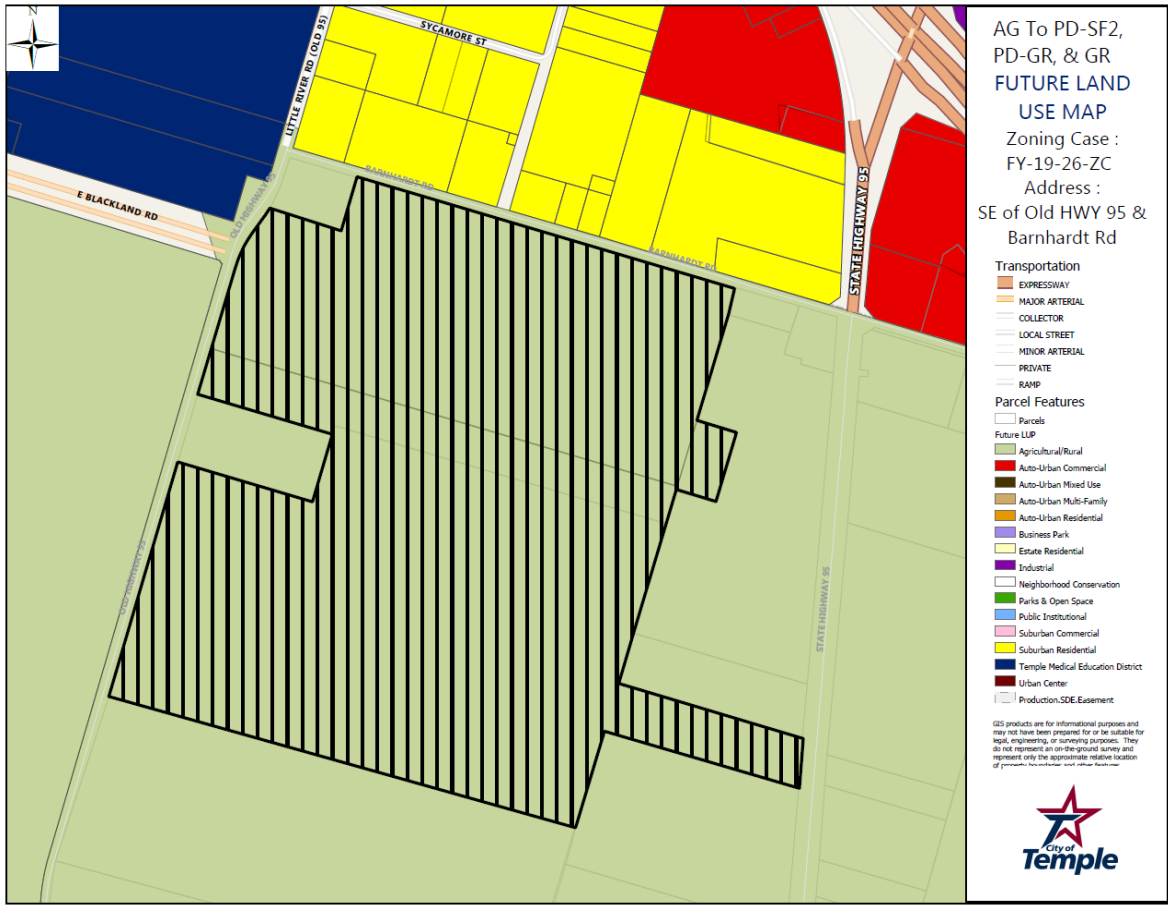
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|----------------|--------------|------------|
| CurrentZoning | MF-3 - PD | HE - PD |
| HI - CUP | O-1 | AG |
| UE | O-1 - CUP | AG - CUP |
| UE - PD | O-1 - PD | MH |
| SF-1 | O-2 | MH - CUP |
| SF-1 - CUP | O-2 - CUP | MH - PD |
| SF-1 - PD | O-2 - PD | MU |
| SF-2 | NS | MU - CUP |
| SF-2 - PD | NS - CUP | SD-C |
| SF-3 | NS - PD | SD-C - CUP |
| SF-3 - PD | GR | SD-H |
| SF-3 - CUP, PD | GR - CUP | SD-H - CUP |
| GFA | GR - PD | SD-T |
| GFA-2 | GR - CUP, PD | SD-V |
| GFA-3 | CA | T4 |
| GFA-3 - PD | CA - CUP | T4 - PD |
| 2F | CA - PD | T4 - CUP |
| 2F - CUP | C | TS-C |
| 2F - PD | C - CUP | TS-C - CUP |
| MF-1 | C - PD | TS-C - PD |
| MF-1 - CUP | C - CUP, PD | TS-E |
| MF-1 - PD | LI | TS-E - CUP |
| MF-2 | LI - CUP | TS-E - PD |
| MF-2 - CUP | LI - PD | NO BASE |
| MF-2 - PD | LI - CUP, PD | CUP |
| | HE | PD |

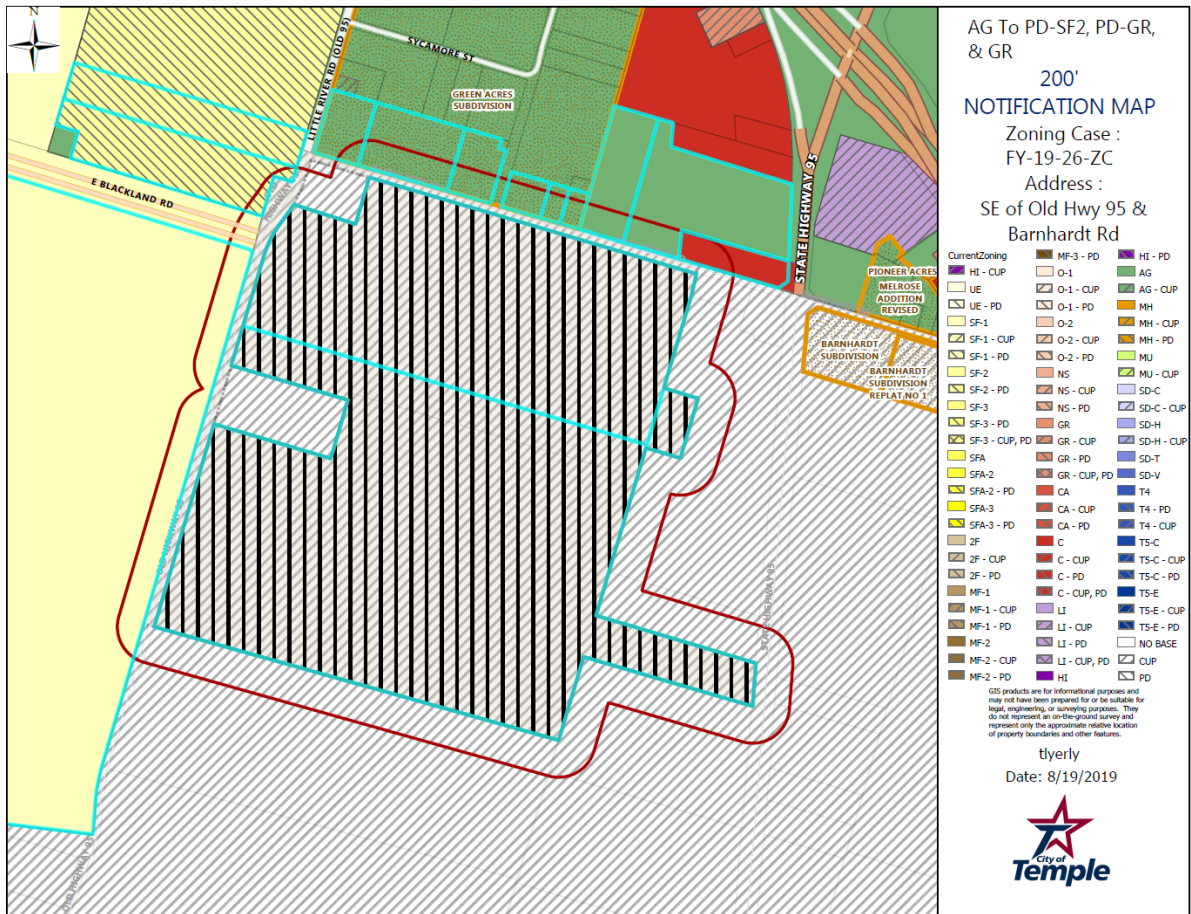
GIS products are for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. They do not represent an on-the-ground survey and represent only the approximate relative location of property boundaries and other features.

tlyerly

Date: 8/19/2019







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.

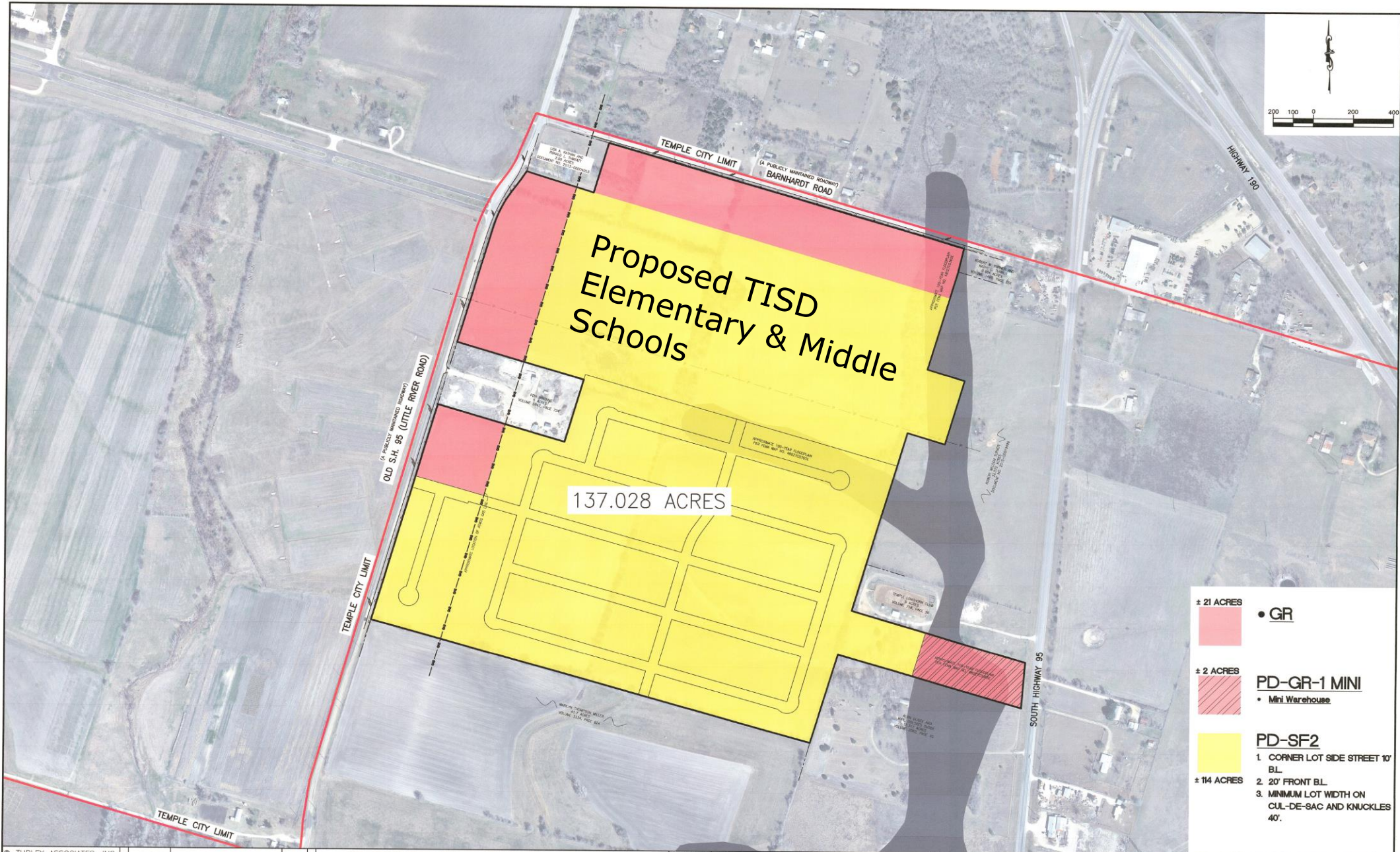
Permitted & Conditional Use Table - General Retail (GR)	
Agricultural Uses	* Farm, Ranch or Orchard
Residential Uses	* Single Family Residence (Detached & Attached) * Duplex * Townhouse * Industrialized Housing * Family or Group Home * Home for the Aged
Retail & Service Uses	* Most Retail & Service Uses * 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



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WRITTEN PERMISSION OF TURLEY
ASSOCIATES, INC.

REV	DATE	DESCRIPTION	DFTR.
01	4/17/19	REVISED GR	JFBII
02			
03			
04			
05			

AUTHORS
301 N. 3rd St.
Temple, Texas 76781



DRAFTSMAN: JFBII
DESIGNER: JFBII
ENGINEER: JFBII
DATE: 4/18/19
Jennifer Ryker



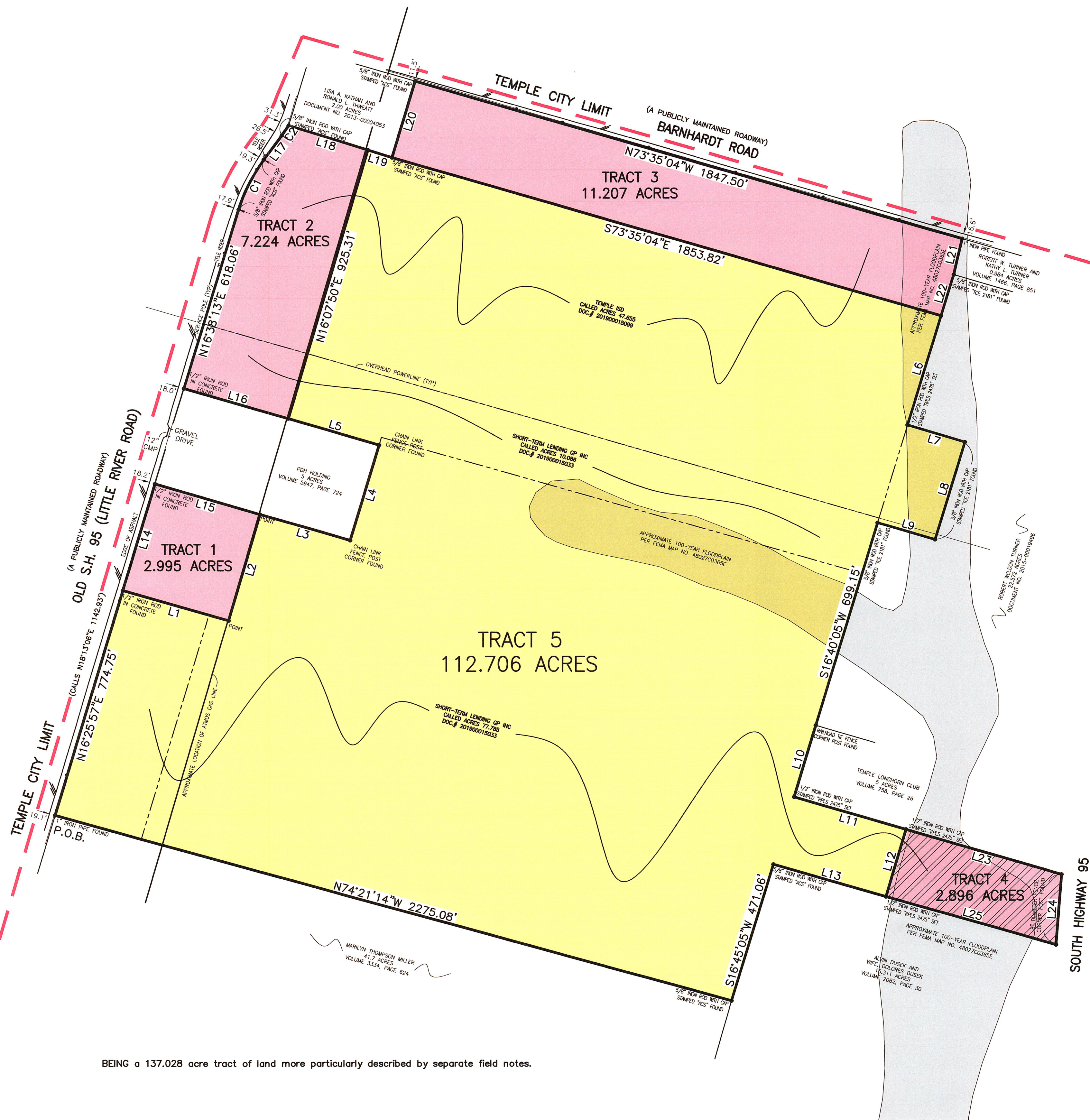
PROJECT
FILE NAME: 19-132
REF. DWG(s):

HILLSIDE VILLAGE

TITLE: ANNEXATION & ZONING
SITE PLAN

PAGE# 01

- ± 21 ACRES • GR
- ± 2 ACRES PD-GR-1 MINI • Mini Warehouse
- ± 114 ACRES PD-SF2
 - CORNER LOT SIDE STREET 10' BL.
 - 20' FRONT BL.
 - MINIMUM LOT WIDTH ON CUL-DE-SAC AND KNUCKLES 40'.



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

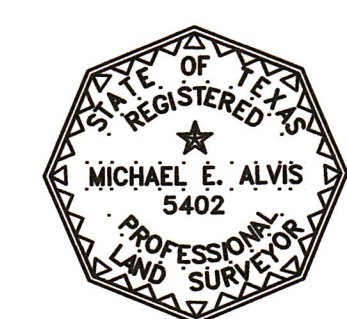
TRACT 1
BEING a 2.995 acre tract situated in the MAXIMO MORENO SURVEY, ABSTRACT No. 14, Bell County, Texas and being a part or portion of that certain 77.785 acre tract of land described as TRACT 4 in a Special Warranty Deed with Vendor's Lien dated April 15, 2019 from Alice B. Hoelscher and Clifford 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.

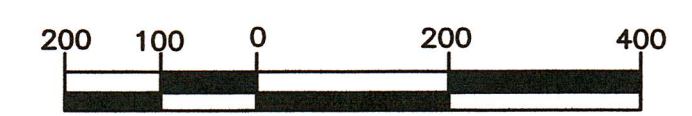


STATE OF TEXAS I KNOW ALL MEN BY THESE PRESENTS, that I Michael E. Alvis, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that this survey was this day made on the ground of the property described herein and is correct and that there are no discrepancies, conflicts, shortages 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

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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

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**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**.

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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:

- 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; 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

10/17/19
Item #4(Q)
Consent Agenda
Page 1 of 3

DEPT./DIVISION SUBMISSION & REVIEW:

Traci L. Barnard, Director of Finance

ITEM DESCRIPTION: SECOND & FINAL READING – 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: Adopt ordinance as presented in item description on second and final reading.

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 \(2018 - 2025\)](#)

[Budget Adjustment](#)

[Ordinance](#)

		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										
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

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

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	

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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Temple Industrial Park

Line #	Project Description	2018	2019	2020	2021	2022	2023	2024	2025	TOTAL
1	Rail Backage Road (E-W) GST Tract w/road connection to Wendland Design	-	378,600	-	-	-	-	-	-	378,600
2	Rail Backage Road (E-W) GST Tract w/road connection to Wendland Construction	-	1,121,400	-	-	-	-	-	-	1,121,400
3	Rail Backage Road (N-S) GST Tract Design	-	-	-	-	-	-	-	138,000	138,000
4	Rail Backage Road (N-S) GST Tract Construction	-	-	-	-	-	-	-	2,187,000	2,187,000
5	Industrial Park Grading Design	-	-	100,000	-	-	-	-	-	100,000
6	Industrial Park Grading Construction	-	-	-	-	1,500,000	1,500,000	-	1,500,000	4,500,000
7	Rail Park Receiving and Delivery Tract ROW	-	-	265,000	-	-	-	-	-	265,000
8	Overlay Industrial Blvd	-	-	-	-	-	-	-	-	-
	SUBTOTAL	-	1,500,000	365,000	-	1,500,000	1,500,000	-	3,825,000	8,690,000

Corporate Campus Park

Line #	Project Description	2018	2019	2020	2021	2022	2023	2024	2025	TOTAL
9	Pepper Creek Trail Hwy 36 to McLane Parkway Design	115,500	-	-	-	-	-	-	-	115,500
10	Pepper Creek Trail Hwy 36 to McLane Parkway Construction	1,465,893	-	-	-	-	-	-	-	1,465,893
11	Corporate Campus Land Acquisition	750,000	-	-	-	-	-	-	-	750,000
12	Mixed Use Master Plan	-	250,000	-	-	-	-	-	-	250,000
	SUBTOTAL	2,331,393	250,000	-	-	-	-	-	-	2,581,393

Bioscience Park/Crossroads Park

Line #	Project Description	2018	2019	2020	2021	2022	2023	2024	2025	TOTAL
13	Crossroads Park @ Pepper Creek Trail Design	100,602	-	-	-	-	-	-	-	100,602
14	Crossroads Park @ Pepper Creek Trail Construction	5,464,090	-	400,000	-	-	-	-	-	5,864,090
15	Crossroads Park Soccer Lights Design	-	-	50,000	-	-	-	-	-	50,000
16	Crossroads Park Soccer Lights Construction	-	-	450,000	-	-	-	-	-	450,000
	SUBTOTAL	5,564,692	-	900,000	-	-	-	-	-	6,464,692

Outer Loop

Line #	Project Description	2018	2019	2020	2021	2022	2023	2024	2025	TOTAL
15	Outer Loop (IH35 to Wendland) Design	131,247	-	-	-	700,000	-	-	-	831,247
16	Outer Loop (IH35 to Wendland Ultimate) ROW	2,311,809	-	-	-	-	-	-	-	2,311,809
17	Outer Loop (IH35 to Wendland) Grant {Little Elm Sewer}	1,925,000	-	-	-	-	-	-	-	1,925,000
18	Outer Loop (IH35 to Wendland) Construction	-	-	-	-	15,125,000	-	-	-	15,125,000
19	Outer Loop (Wendland to McLane Pkwy) Design	-	-	-	-	800,000	-	-	-	800,000
20	Outer Loop (Wendland to Central Pt Pkwy) ROW	1,611,756	-	-	-	-	-	-	-	1,611,756
21	Outer Loop (Wendland to McLane Pkwy) Construction	-	-	-	-	12,000,000	-	-	-	12,000,000
22	Outer Loop (McLane to Central Pt Pkwy) Design	350,000	-	-	-	-	-	-	-	350,000
23	Outer Loop (McLane to Central Pt Pkwy) Construction	7,400,000	450,000	-	-	-	-	-	-	7,850,000
24	Outer Loop Phase V (Poison Oak to Old Waco Road) Design	600,000	-	-	-	-	-	-	-	600,000
25	Outer Loop Phase V (Poison Oak to Old Waco Road) ROW	2,220,000	-	-	-	-	-	-	-	2,220,000
26	Outer Loop Phase V (Poison Oak to Old Waco Road) Construction	-	-	-	-	-	-	-	-	-
27	Outer Loop Phase VI (Old Waco Road to I35 South) Design	1,250,000	-	-	-	-	-	-	-	1,250,000
28	Outer Loop Phase VI (Old Waco Road to I35 South) ROW	2,500,000	-	-	-	-	-	-	-	2,500,000
29	Outer Loop Phase VI (Old Waco Road to I35 South) Construction	-	-	-	-	-	-	-	-	-
30	East Outer Loop Schematic Design	123,000	-	-	-	-	-	-	-	123,000
31	East Outer Loop Construction	-	-	-	-	-	-	-	-	-
	SUBTOTAL	20,422,812	450,000	-	-	28,625,000	-	-	-	49,497,812

Synergy Park

Line #	Project Description	2018	2019	2020	2021	2022	2023	2024	2025	TOTAL
32	Entry Enhancement Design	-	-	-	-	-	-	-	-	-
33	Entry Enhancement Construction	-	-	-	-	-	-	-	-	-
34	Land Acquisition	-	-	-	-	-	-	-	-	-
	SUBTOTAL	-	-	-	-	-	-	-	-	-

TRZ MASTER PLAN PROJECT FUNDING (2018 - 2025)

Downtown

Line #	Project Description	2018	2019	2020	2021	2022	2023	2024	2025	TOTAL
35	Santa Fe Plaza Design	641,969	-	-	-	-	-	-	-	641,969
36	Santa Fe Plaza ROW	2,697,363	-	-	-	-	-	-	-	2,697,363
37	Santa Fe Plaza Construction	10,420,000	-	-	-	-	-	-	-	10,420,000
38	TISD-Obligation per Contract	10,000,000	-	-	-	-	-	-	-	10,000,000
39	Downtown City Center/Hawn Design	600,000	-	-	-	-	-	-	-	600,000
40	Downtown City Center/Hawn Construction	1,600,000	-	4,250,000	-	-	-	-	-	5,850,000
41	Santa Fe Market Design	303,400	-	-	-	-	-	-	-	303,400
42	Santa Fe Market ROW	508,062	-	-	-	-	-	-	-	508,062
43	Santa Fe Market Construction	3,330,000	-	-	-	-	-	-	-	3,330,000
44	Downtown Electric Master Plan	75,000	-	-	-	-	-	-	-	75,000
45	Downtown Lighting Master Plan	-	-	28,600	-	-	-	-	-	28,600
46	MLK Festival Fields Electric Design	-	-	100,000	-	-	-	-	-	100,000
47	MLK Festival Fields Electric Construction	-	-	650,000	-	-	-	-	-	650,000
48	Downtown Lighting	60,000	-	-	-	-	-	-	-	60,000
49	Downtown Lighting Design	-	-	50,000	-	-	-	-	-	50,000
50	Downtown Lighting Construction	-	-	450,000	-	-	-	-	-	450,000
51	1st Street (Ave B to Central Ave) and Ave A (North 3rd to South 2nd) Design	296,000	-	-	-	-	-	-	-	296,000
52	1st Street from Avenue A to Avenue B Design	50,000	-	-	-	-	-	-	-	50,000
53	1st Street from Avenue A to Avenue B Construction	1,225,000	-	-	-	-	-	-	-	1,225,000
54	1st Street from Avenue A to Central Avenue Design	-	58,000	-	-	-	-	-	-	58,000
55	1st Street from Avenue A to Central Avenue Construction	1,380,000	-	-	-	-	-	-	-	1,380,000
56	1st Street Parking Garage Design	-	890,000	-	-	-	-	-	-	890,000
57	1st Street Parking Garage Construction Utility relocation	-	181,550	568,450	-	-	-	-	-	750,000
58	1st Street Parking Garage Construction (bond funded)	-	-	5,500,000	-	-	-	-	-	5,500,000
59	Central Ave/ 4th Street Parking Garage Design	-	568,450	300,000	-	-	-	-	-	868,450
60	Central Ave/ 4th Street Parking Garage Utility relocation	-	-	-	-	-	-	-	-	-
61	Central Ave/ 4th Street Parking Garage Construction	-	-	8,500,000	-	-	-	-	-	8,500,000
62	Avenue C from Main to MLK to 24th Street Design	640,000	-	300,000	-	200,000	-	-	-	1,140,000
63	Avenue C from Main to MLK to 24th Street ROW	2,100,000	-	-	-	-	-	-	-	2,100,000
64	Avenue C from Main to MLK to 24th Street Construction	-	-	1,700,000	-	5,300,000	-	-	-	7,000,000
65	24th Street - Avenue C to Central Street Design	-	-	148,500	-	98,900	-	-	-	247,400
66	24th Street - Avenue C to Central ROW	-	-	-	1,000,000	-	-	-	-	1,000,000
67	24th Street - Avenue C to Central Construction	-	-	-	-	1,700,000	-	-	-	1,700,000
68	Central/Adams Ave Corridor Concept Design	250,000	-	-	-	-	-	-	-	250,000
69	Central/Adams Ave Corridor ROW	75,000	-	-	-	-	-	-	-	75,000
70	Central/Adams Ave Corridor Construction	-	-	-	-	-	1,500,000	2,000,000	-	3,500,000
71	3rd Street Corridor Enhancement - United Way	125,000	-	-	-	-	-	-	-	125,000
72	Downtown Corridor Enhancement - Hawn Hotel	700,000	-	-	-	-	-	-	-	700,000
73	Festival Fields Parking Lot Design	-	-	40,000	-	-	-	-	-	40,000
74	Festival Fields Parking Lot Construction	-	-	310,000	-	-	-	-	-	310,000
75	Festival Fields Building Design	-	-	-	50,000	-	-	-	-	50,000
76	Festival Fields Buildings Construction	-	-	-	700,000	-	-	-	-	700,000
77	Library/City Hall Campus Visioning	-	-	-	150,000	-	-	-	-	150,000
78	Library/City Hall Campus Construction	-	-	-	-	-	-	-	5,000,000	5,000,000
	SUBTOTAL	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

Line #	Project Description	2018	2019	2020	2021	2022	2023	2024	2025	TOTAL
79	Loop 363 FR (UPRR to 5th TRZ Portion) Construction	182,935	-	-	-	-	-	-	-	182,935
80	31st Street (Loop 363 to Ave M) and Ave R (31st to 25th Street) Concept Design	130,000	-	-	-	-	-	-	-	130,000
81	31 Street Improvements Design	120,267	-	-	-	-	-	-	-	120,267
82	31 Street Improvements Construction	791,938	-	-	-	-	-	-	-	791,938
83	31st Street Monumentation Construction	450,000	-	-	-	-	-	-	-	450,000
84	Ave U TMED Ave. to 1st Construction	2,688,747	-	-	-	-	-	-	-	2,688,747
85	Veteran's Memorial Blvd. Phase II Design	118,500	-	-	-	550,000	-	-	-	668,500
86	Veteran's Memorial Blvd. Phase II ROW	-	-	-	-	1,000,000	-	-	-	1,000,000
87	Veteran's Memorial Blvd. Phase II Construction	-	-	-	-	1,450,000	-	-	-	1,450,000
88	TMED South 1st Street Design	120,000	-	-	-	-	-	-	-	120,000
89	TMED South 1st Street Construction	1,725,000	-	-	-	-	-	-	-	1,725,000
	SUBTOTAL	6,327,387	-	-	-	3,000,000	-	-	-	9,327,387

TRZ MASTER PLAN PROJECT FUNDING (2018 - 2025)

Airport Park

Line #	Project Description	2018	2019	2020	2021	2022	2023	2024	2025	TOTAL
90	Taxiway for Hangars {75 ft. width} Design	63,700	65,000	-	-	-	-	-	-	128,700
91	Taxiway for Hangars {75 ft. width} Construction	-	1,010,000	-	-	-	-	-	-	1,010,000
92	Corporate Hangar Phase II	262,263	-	-	-	-	-	-	-	262,263
93	Corporate Hangar Phase III	1,812,550	-	-	-	-	-	-	-	1,812,550
94	Draughon-Miller Regional Airport FBO Center & Parking Visioning	119,000	-	-	-	-	-	-	-	119,000
95	Draughon-Miller Regional Airport FBO Center & Parking Design	440,000	2,200	-	260,000	-	-	-	-	702,200
96	Draughon-Miller Regional Airport FBO Center & Parking Construction	-	-	-	4,480,000	-	-	-	-	4,480,000
97	Corporate Hangar Phase IV Design	100,000	-	-	-	-	130,000	-	-	230,000
98	Corporate Hangar Phase IV Design {bond funded}	132,000	-	-	-	-	-	-	-	132,000
99	Corporate Hangar Phase IV Construction	-	-	-	-	-	1,370,000	-	-	1,370,000
100	Clear Area Near Fire Station Design	-	22,500	-	-	-	-	-	-	22,500
101	Clear Area Near Fire Station Construction	-	150,000	-	-	-	-	-	-	150,000
102	Tower Refurbishment Design	-	22,500	-	-	-	-	-	-	22,500
103	Tower Refurbishment Construction	-	150,000	-	-	-	-	-	-	150,000
104	Demolition of Old Terminal Building Design	-	15,000	-	-	-	-	-	-	15,000
105	Demolition of Old Terminal Building Construction	-	100,000	-	-	-	-	-	-	100,000
106	Fence Realignment Design	-	24,000	-	-	-	-	-	-	24,000
107	Fence Realignment & Gate Construction	-	151,000	-	-	-	-	-	-	151,000
108	Airport Lighting Grant Match	-	-	213,000	-	-	-	-	-	213,000
	SUBTOTAL	2,929,513	1,712,200	213,000	4,740,000	-	1,500,000	-	-	11,094,713

Gateway Projects

Line #	Project Description	2018	2019	2020	2021	2022	2023	2024	2025	TOTAL
109	North 31st Street (Nugent to Central) Concept Design	212,000	-	-	-	-	-	-	-	212,000
110	North 31st Street (Nugent to Central) Land Acquisition	1,500,000	40,000	-	-	-	-	-	-	1,540,000
111	North 31st Street (Nugent to Central) Design	-	695,000	-	-	-	-	-	-	695,000
112	North 31st Street (Nugent to Central) Construction	-	-	5,010,000	-	-	-	-	-	5,010,000
113	East/West Gateway Design	60,000	-	320,000	-	245,000	-	-	-	625,000
114	East/West Gateway Construction	-	-	-	-	3,185,000	-	-	-	3,185,000
115	Downtown Neighborhoods Overlay	-	100,000	-	-	-	-	-	-	100,000
116	Adams & Central Avenue Bicycle & Pedestrian Improvements Design	-	155,150	-	-	-	-	-	-	155,150
117	Art District Concept Design	-	-	150,000	-	-	-	-	-	150,000
118	Art District Design	-	-	-	-	-	1,500,000	-	-	1,500,000
119	Art District Construction	-	-	-	-	-	-	-	10,000,000	10,000,000
	SUBTOTAL	1,772,000	990,150	5,480,000	-	3,430,000	1,500,000	-	10,000,000	23,172,150

Public Improvements

Line #	Project Description	2018	2019	2020	2021	2022	2023	2024	2025	TOTAL
120	Public Improvements - UNALLOCATED	-	-	-	-	-	1,000,000	1,000,000	-	2,000,000
121	Land Acquisition	-	-	-	-	3,750,000	-	-	-	3,750,000
	SUBTOTAL	-	-	-	-	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
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	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	

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	
795-9500-531-71-10		Bond Principal		\$ 396,584	
795-9500-531-65-27	101844	Rail Backage Road		\$ 1,000,000	
795-9500-531-65-67	101263	Veteran's Memorial Blvd		\$ 451,102	
795-9500-531-65-58	101563	Taxiway for Hangars	\$ 125,000		
795-9500-531-63-15	101987	Adams/Central Avenue Bicycle & Pedestrian Impr Design	\$ 150		
795-9500-531-65-71	101798	North 31st Street Improvements		\$ 105,000	
795-9500-531-68-68	101006	Synergy Park Entry Enhancements		\$ 46,846	
795-9500-531-65-18	101988	Public Improvements		\$ 2,000,000	
795-9500-531-65-73	101801	Draughon-Miller Regional Airport FBO	\$ 2,200		
795-9500-531-61-10	101979	Land Acquisition		\$ 750,000	
795-0000-461-08-65		Miscellaneous Reimbursements-TISD		\$ 625,000	
795-9500-531-68-91	101840	1st Street Parking Garage	\$ 190,000		
795-9500-531-68-70	101008	Santa Fe Plaza		\$ 650,000	
795-9500-531-26-95		SIZ Grants	\$ 700,000		
795-0000-358-11-10		Unallocated Fund Balance	\$ 3,757,182		
795-9600-531-68-81	101004	Outer Loop - McLane Parkway to Central Pointe Parkway	\$ 950,000		
795-9600-531-68-90	101796	East Outer Loop		\$ 500,000	
795-9600-531-65-61	101797	1st Street - Avenue A to Avenue B	\$ 58,000		
795-9600-531-65-12	101845	Industrial Overlay		\$ 650,000	
795-9600-531-68-70	101008	Santa Fe Plaza	\$ 650,000		
795-0000-358-11-10		Unallocated Fund Balance		\$ 508,000	
795-9600-531-68-91		Parking Garage		\$ 5,000,000	
795-0000-490-15-75		Bond Proceeds		\$ 5,000,000	
795-0000-431-02-61		State Grants		\$ 500,000	
795-9500-531-63-19	101978	East/West Gateway		\$ 500,000	
		DO NOT POST			
TOTAL.....			\$ 6,432,532	\$ 18,682,532	

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

To reallocate funds as recommended by the Reinvestment Zone No. 1 Board at its 09.25.19 meeting and as approved on second reading by Council on 10.17.19.

DOES THIS REQUEST REQUIRE COUNCIL APPROVAL?

☒ Yes☐ No

DATE OF COUNCIL MEETING

10/17/2019

WITH AGENDA ITEM?

☒ Yes☐ No

Department Head/Division Director

Date

☐ Approved
☐ Disapproved

Finance

Date

☐ Approved
☐ Disapproved

Revised for City Manager

Date

☐ Approved
☐ Disapproved

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

10/17/19
Item #4(R)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Lacy Borgeson, City Secretary

ITEM DESCRIPTION: Consider adopting a resolution authorizing the cancelation of the January 2, 2020 City Council meeting.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The first regular City Council Meeting for 2020 is scheduled for January 2, 2020. Due to this being during the holidays, Staff recommends canceling this meeting. If approved, the first City Council meeting for 2020 will be held on January 16, 2020.

FISCAL IMPACT: Not applicable.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. 2019-9862-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE,
TEXAS, CANCELING THE JANUARY 2, 2020 CITY COUNCIL MEETING;
AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the first regular City Council meeting for 2020 is scheduled for January 2, 2020 and due to the holidays, Staff recommends canceling this meeting;

Whereas, the second regular City Council meeting scheduled for January 16, 2020, will be held as scheduled; 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 canceling the January 2, 2020 City Council meeting – the second regular City Council meeting scheduled for January 16, 2020 will be held as scheduled.

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 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

10/17/19
Item #4(S)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Traci Barnard, Director of Finance

ITEM DESCRIPTION: Consider adopting a resolution authorizing budget amendments for fiscal year 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 \$3,071,253.

ATTACHMENTS:

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

CITY OF TEMPLE
BUDGET AMENDMENTS FOR FY 2020 BUDGET
October 17, 2019

ACCOUNT #	PROJECT #	DESCRIPTION	APPROPRIATIONS	
			Debit	Credit
260-2000-521-2113		Supplies / Clothing & Uniforms	\$ 22,921	
260-0000-431-0163		Federal Grants Federal Grants		\$ 11,460
260-0000-490-2589		Transfer In / Law Enforcement Grant		\$ 11,461
110-9100-591-8160		Operating Transfers Out / Transfer Out - Federal Grant	\$ 11,461	
110-2011-521-2113		Supplies / Clothing & Uniforms		\$ 11,461
To appropriate funding received by the Bureau of Justice Assistance Bulletproof Vest Partnership Program, as well as the City's match for the purchase of ballistic vests for the Police Department. Council authorized the application and acceptance of funding on 07/11/19.				
110-3224-551-2110		Supplies / Office Supplies	\$ 750	
110-3260-551-2110		Supplies / Office Supplies	\$ 1,650	
110-3270-551-2110		Supplies / Office Supplies	\$ 2,300	
110-3500-552-2110		Supplies / Office Supplies	\$ 3,000	
110-4100-551-2110		Supplies / Office Supplies		\$ 7,700
110-3500-552-2511		Other Services / Printing/Publications	\$ 787	
110-4100-551-2511		Other Services / Printing/Publications		\$ 787
During the budget process the thought was to reallocate all office supplies to PARD Administration account (to help streamline the purchase & use of office supplies for PARD due to their relocation). Three of the departments within Recreation should not have been moved - Sammons Indoor Pool, Wilson Recreation Center, Sammons Community Center. This BA will reallocate the original funds designated to them for office supplies. This BA will also reallocate the funding for office supplies and printing/publications for Parks back into Parks' corresponding operating accounts. Parks will not be moving into the PARD Centralized Administration Bldg until March/April of 2020.				
110-4000-551-2128		Supplies / Postage	\$ 2,000	
110-4000-555-2110		Supplies / Office Supplies	\$ 3,076	
110-0000-431-0163		Federal Grants / Federal Grants		\$ 5,076
To appropriate revenue and expenditures related to a grant the City received from the Texas State Library and Archives Commission through the Inter-Library Loan Program.				
110-3800-519-2516		Other Services / Judgments & Damages	\$ 1,195	
110-0000-461-0554		Insurance Claims / Insurance Claims		\$ 1,195
To appropriate insurance proceeds received from Foremost County Mutual Insurance Company for damages sustained to asset 13128 that occurred on 09/09/19.				
110-0000-445-1995		Other / Reinvestment Zone # 1 Reimbursement	\$ 1,586,113	
110-3300-519-2584		Other Services / TEDC - Operating Component		\$ 1,586,113
To unappropriate original budgeted funding related to TEDC - Operating Component. The operating component will be paid for directly by Reinvestment Zone No. 1 Fund's operating accounts.				
365-2200-522-6776	102174	Capital - Bonds / Fire Engines - Replace 1997 E-One Hurricane	\$ 1,300,000	
365-3400-535-6532		Capital - Bonds / Contingency		\$ 1,300,000
365-2800-532-6810	102176	Capital - Bonds / Traffic Signals - Video Detection (5)	\$ 86,000	
365-2800-532-6810	102177	Capital - Bonds / Traffic Signals - Pedestrian Actuation Upgrade (10)	\$ 50,000	
365-0000-315-1116		TCIP CO Bonds Fund Balance - Reserved for Future Expnditures		\$ 136,000
To appropriate certificate of obligation bonds' contingency funds for the replacement of Fire Truck 6. This replacement was part of the FY 2020 Adopted Budget and Business Plan. This budget adjustment will also appropriate certificate of obligation bonds' interest earnings for video detection at 5 traffic signals, as well as 10 traffic signal upgrades with pedestrian actuation.				
TOTAL AMENDMENTS			\$ 3,071,253	\$ 3,071,253

CITY OF TEMPLE
BUDGET AMENDMENTS FOR FY 2020 BUDGET
October 17, 2019

ACCOUNT #	PROJECT #	DESCRIPTION	APPROPRIATIONS	
			Debit	Credit
		GENERAL FUND		
		Beginning Contingency Balance	\$	-
		Added to Contingency Sweep Account		-
		Carry forward from Prior Year		-
		Taken From Contingency		-
		Net Balance of Contingency Account	\$	-
		Beginning Judgments & Damages Contingency	\$	-
		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	\$	-
		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

CITY OF TEMPLE
BUDGET AMENDMENTS FOR FY 2020 BUDGET
October 17, 2019

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

RESOLUTION NO. 2019-9863-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 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

10/17/19
Item #5
Regular Agenda
Page 1 of 3

DEPT./ DIVISION SUBMISSION REVIEW:

Mark Baker, Principal Planner

ITEM DESCRIPTION: FIRST READING – PUBLIC HEARING – FY-19-23-ZC: Consider adopting an ordinance authorizing a Conditional Use Permit and its site plan to allow a recreational vehicle (RV) park within Lot 10 of the Bellaire Commercial subdivision, addressed as 4425 North General Bruce Drive.

PLANNING & ZONING COMMISSION RECOMMENDATION: At its September 16, 2019, meeting, the Planning & Zoning Commission voted 7 to 0 to recommend approval of the conditional use permit per staff's recommendation.

STAFF RECOMMENDATION: Staff recommends approval of the requested Conditional Use Permit and its site plan with the following conditions:

1. Substantial compliance to the site plan attached as Exhibit A and building renderings attached as Exhibit B;
2. Compliance to Chapter 31, Code of Ordinances;
3. A minimum of one tree per RV stand (2-inch diameter at breast height / dbh) placed at a minimum 25-foot spacing; and
4. Director of Planning & Development, with consultation by the DRC, authorization to approve minor changes to the site plan and civil plan set including but not limited to: overall site layout, landscaping, water, sewer layout and or changes of proposed amenities.

ITEM SUMMARY: The applicant, Temple Bellaire North LLC is pursuing a Conditional Use Permit (CUP) to allow a recreational vehicle park (RV) with 117 RV stands (RV camping space or stall) on Lot 10, Bellaire Commercial subdivision which consists of approximately 16.812 +/- acres. This proposed Bellaire Junction RV park is the 2nd proposed RV park under the revised Chapter 31 – Code of Ordinances which was updated per Ord. 2018-4915. The 1st park is the Briar Flat RV park at 14220 State Highway 317 which was approved for 72 RV stands in June 2018.

A summary of the Bellaire Junction RV park, to be built in a single phase is as follows:

- Provisions for 117 individual concrete RV/ trailer stands (88 back-in & 29 pull through)
- Site plan detail for each stand site provides parking for two separate individually parked vehicles (three total including RV)
- Direct connect sewer for all RV stands (no park dump station proposed)

- Vehicle circulation by 20-foot wide one-way direction private internal roads
- Three separate dumpster container enclosures
- Park and picnic areas with crushed limestone trails
- Playground area with a splash-pad water feature
- Separate bathrooms and shower facilities
- Laundry facility
- Two separate dog park areas
- Shade structures
- Two-story administrative office building w/ front desk, store and coffee bar (1st floor) and host residence (2nd floor) – building footprint approximately 1,500 square feet
- Landscaping providing one (2-inch diameter at breast height / dbh) tree per RV stand, spaced at 25-foot intervals
- 41-foot wide primary access entry from Loop 363 providing for one inbound lane and two outbound lanes
- 6-foot tall concrete wall along Loop 363 frontage and adjacent to railroad tracks to provide noise reduction

CHAPTER 31 – CODE OF ORDINANCES (RECREATIONAL VEHICLE PARKS):

The development of recreational vehicle (RV) parks is provided for by Chapter 31 – Code of Ordinances. Provisions allow for their development with a density not to exceed seven units per acre, as well as circulation standards, landscaping, setbacks, facilities for water and sewage as well as other amenities. According to Section 31-15, the length of stay at an RV park is not to exceed six months in any 12-month period. Any length of stay beyond the maximum of six months is considered permanent and is prohibited. The proposed RV park appears to be in compliance with Chapter 31 – Code of Ordinances, however confirmation will be made with the review of the building plans.

CONDITIONAL USE PERMIT REVIEW CRITERIA (UDC Section 3.5.4 (A-G):

The proposed RV park through the conditional use permit review process is in compliance with conditional use permit review criteria as provided for in UDC Section 3.5.4 (A-G). A table summarizing compliance criteria has been attached.

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 Map (FLUM) (CP Map 3.1)

The subject property is within the Suburban Commercial Future Land Use Map (FLUM) designation. The suburban Commercial designation is appropriate for office and retail service uses and would support underlying office and retail service use zoning (O-1, NS & GR). The existing light industrial (LI) zoning is not consistent. However, since a Conditional Use Permit is required for an RV park both within the GR & LI district, if approved, compliance should be considered. Therefore, if the conditional use permit is approved, the request is considered to be in **compliance** with the Future Land Use Map.

Thoroughfare Plan (CP Map 5.2)

The subject property fronts and will take direct access from Loop 363, a TxDOT maintained expressway on the Thoroughfare Plan. Physical entry into the park will be made from an access gate setback approximately 144.5 feet back from the edge of TxDOT ROW. TxDOT is supportive of the proposed RV park but is requiring the preparation of a traffic impact analysis (TIA).

Availability of Public Facilities (CP Goal 4.1)

Water is available from an 8-inch water line within Loop 363. A 12-inch sewer line within an existing 30-foot wide wastewater easement is available on the western boundary of the property.

Temple Trails Master Plan Map and Sidewalks Ordinance

No trails have been identified on Trails Master Plan. Since Loop 363 is an expressway, no sidewalks are required.

The Development Review Committee reviewed the site plan for the RV park on August 22, 2019. No issues were identified.

PUBLIC NOTICE: Nine notices of the Planning and Zoning Commission public hearing were sent out to property owners within 200-feet of the subject property, as required by State law and City Ordinance. As of Tuesday, October 8, 2019, at 9:00 AM, three notices, from the same property owner in agreement have been returned.

The newspaper printed notice of the public hearing on September 5, 2019, in accordance with state law and local ordinance.

FISCAL IMPACT: Not applicable.

ATTACHMENTS:

[Narrative Letter](#)

[Site plan, water, sewer and electrical service plans & drainage civil set \(Exhibit A\)](#)

[Facility amenities, building elevations, floor plans & wall details \(Exhibit B\)](#)

[Conditional Use Permit Review Criteria Table \(UDC 3.5.4 \(A-G\)\)](#)

[Photos](#)

[Maps](#)

[Returned Property Notices](#)

[P&Z Excerpts \(September 16, 2019\)](#)

[Ordinance](#)

“Bellaire Junction **RV Park**”

Idea Page

Step back in time to a slower pace, and simpler lifestyle.

Enjoy the vibrant, colorful and vintage styled RV Resort that embraces iconic structures and sense of space from the 1960s.

This resort will be reminiscent of many of our childhoods, and a familiar trend of retro design to the younger generation.

Will exude fun and playground, and inviting for all to visit.





"Bellaire Junction" RV Park

Playground Idea Page

- The owners of the new RV Park have decided to implement a 1960's/Route 66 theme throughout the park. The 1964 Route 66 movie followed two young men traversing the United States and all of the events and consequences surrounding their journey.
- Since most RV owners embraced a simpler life and lifestyle, as well as travel from one end of the continent to the other, it seemed appropriate to celebrate this era in our new park.
- Playground will consist of vintage style equipment:
 - Teeter Totters
 - Rocket ships
 - Slides
 - Classic swings
 - Monkey bars
 - Meeri-go-round

Bright colors and shiny objects with a shade structure.



"Bellaire Junction RV Park"

Splash pad Idea Page

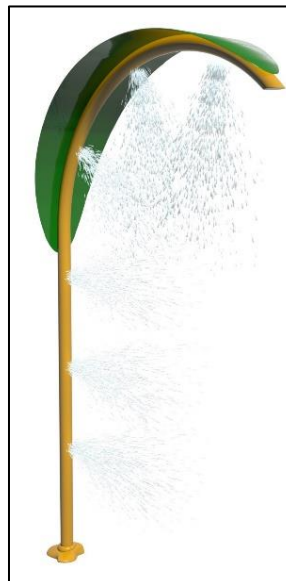
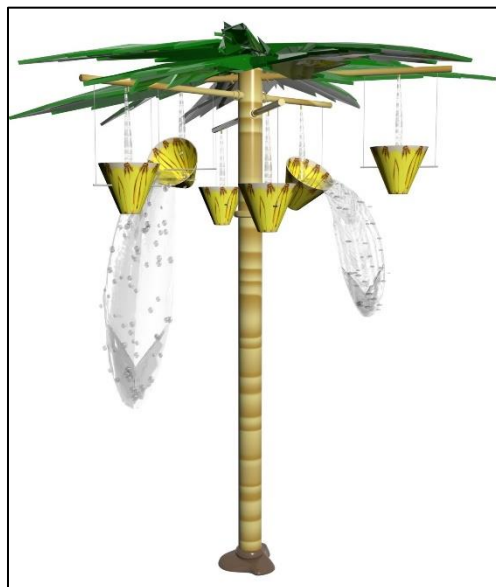
The owners of the new RV Park have decided to implement a 1960's/Route 66 theme throughout the park. The 1964 Route 66 movie followed two young men traversing the United States and all of the events and consequences surrounding their journey.

Keeping with the whimsical and carefree theme, and creating a family play area for the residences of the RV Park, a Splash Pad will be a part of the overall complex.

Splash Pad will consist of retro styled organic objects such as:

- Tot Mushroom Dome
- Misting Palm
- Cactus Water Shower
- Banana Bucket
- Bubblers
- Sprays

Bright colors and shiny objects with minimal shade structure.



“Bellaire **Junction RV Park**”

Shade Structures Idea Page

Although there are areas of the park that are naturally covered with shade, the park owners have chosen to construct additional shade structures in strategic areas for the safety and comfort of their users.

Due to the eclectic style of the playground, the design may require multiple shade structures, but the majority of the playground area will be covered in some fashion, to be determined. Sporadic picnic tables and park benches will be scattered within the public recreational spaces, and there will be covered seating areas in the dog parks. The Splash Pad will remained uncovered for the most part.

There will be two Dog Parks on the premises with shaded seated areas, agility work out areas, doggy drinking fountains and other park necessities.



“Bellaire **Junction RV Park**”

Dog Parks Idea Page

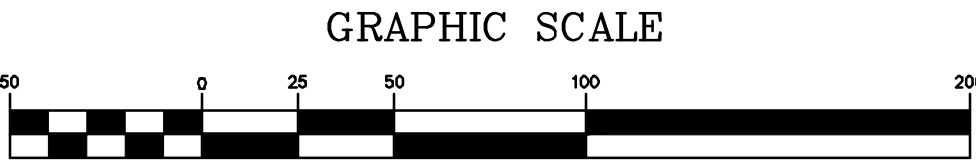
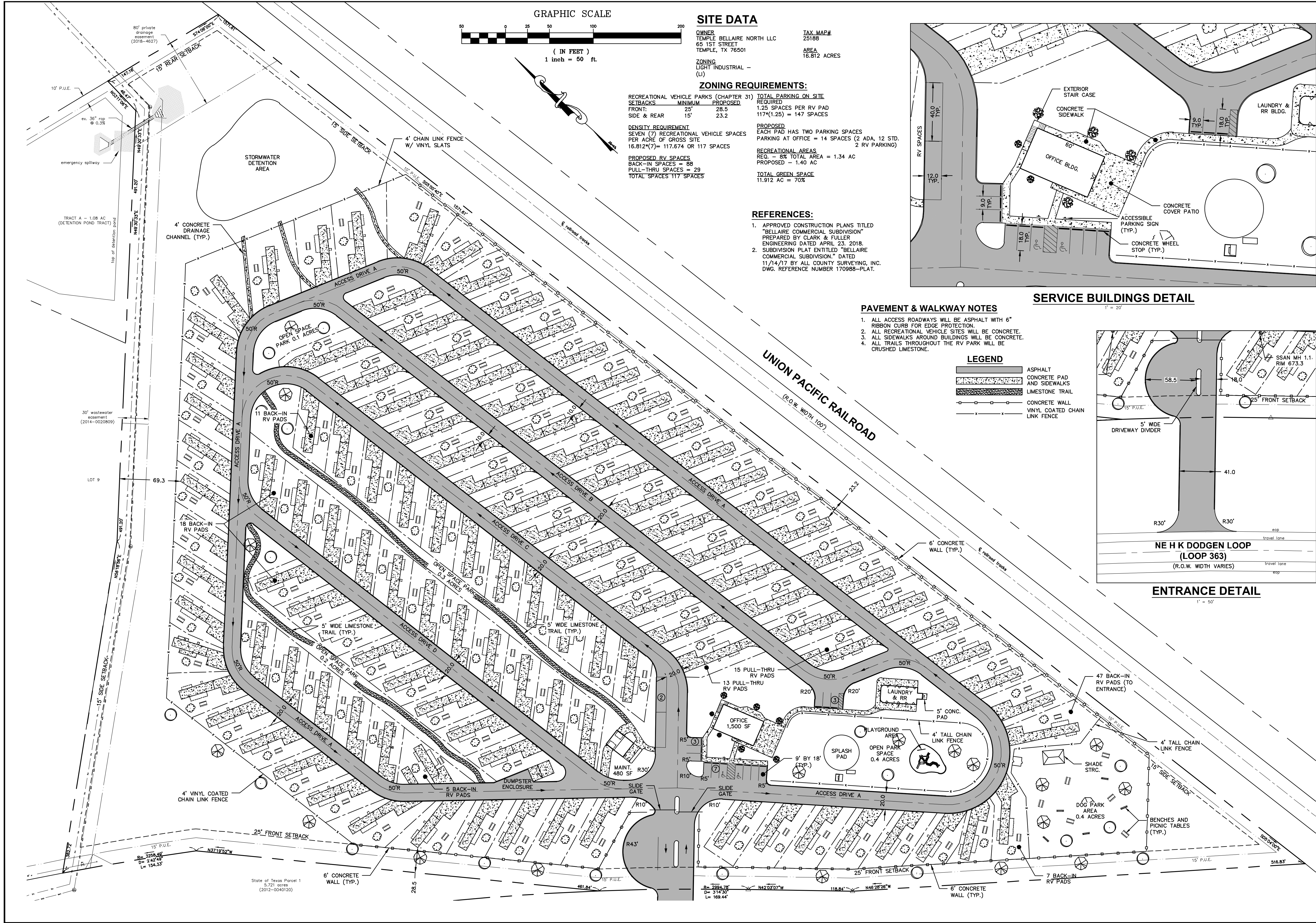
Astro Junction will be a pet friendly resort, and the owners welcome travelers and residents to bring their dogs out for exercise in one of the dog parks on site.

There will be two Dog Parks on the premises with shaded seated areas, agility work out areas, doggy drinking fountains and other park necessities. The parks will be fenced for a lease-free experience for you and your dog to get outside, enjoy some fresh air together and let your dog cut loose.

There will also be crushed granite walking trails throughout the park allowing for additional exercise and outdoor recreation.



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SITE DATA

OWNER: TEMPLE BELLAIRE NORTH LLC
65 1ST STREET
TEMPLE, TX 76501

TAX MAP#: 26188
AREA: 16.812 ACRES

ZONING: LIGHT INDUSTRIAL - (LI)

ZONING REQUIREMENTS:

RECREATIONAL VEHICLE PARKS (CHAPTER 31)
SETBACKS: MINIMUM PROPOSED
FRONT: 25' 28.5'
SIDE & REAR: 15' 23.2'

DENSITY REQUIREMENT
SEVEN (7) RECREATIONAL VEHICLE SPACES
PER ACRE OF GROSS SITE
16.812*(7) = 117.674 OR 117 SPACES

PROPOSED RV SPACES
BACK-IN SPACES = 88
PULL-THRU SPACES = 29
TOTAL SPACES 117 SPACES

TOTAL PARKING ON SITE
REQUIRED
1.25 SPACES PER RV PAD
117*(1.25) = 147 SPACES

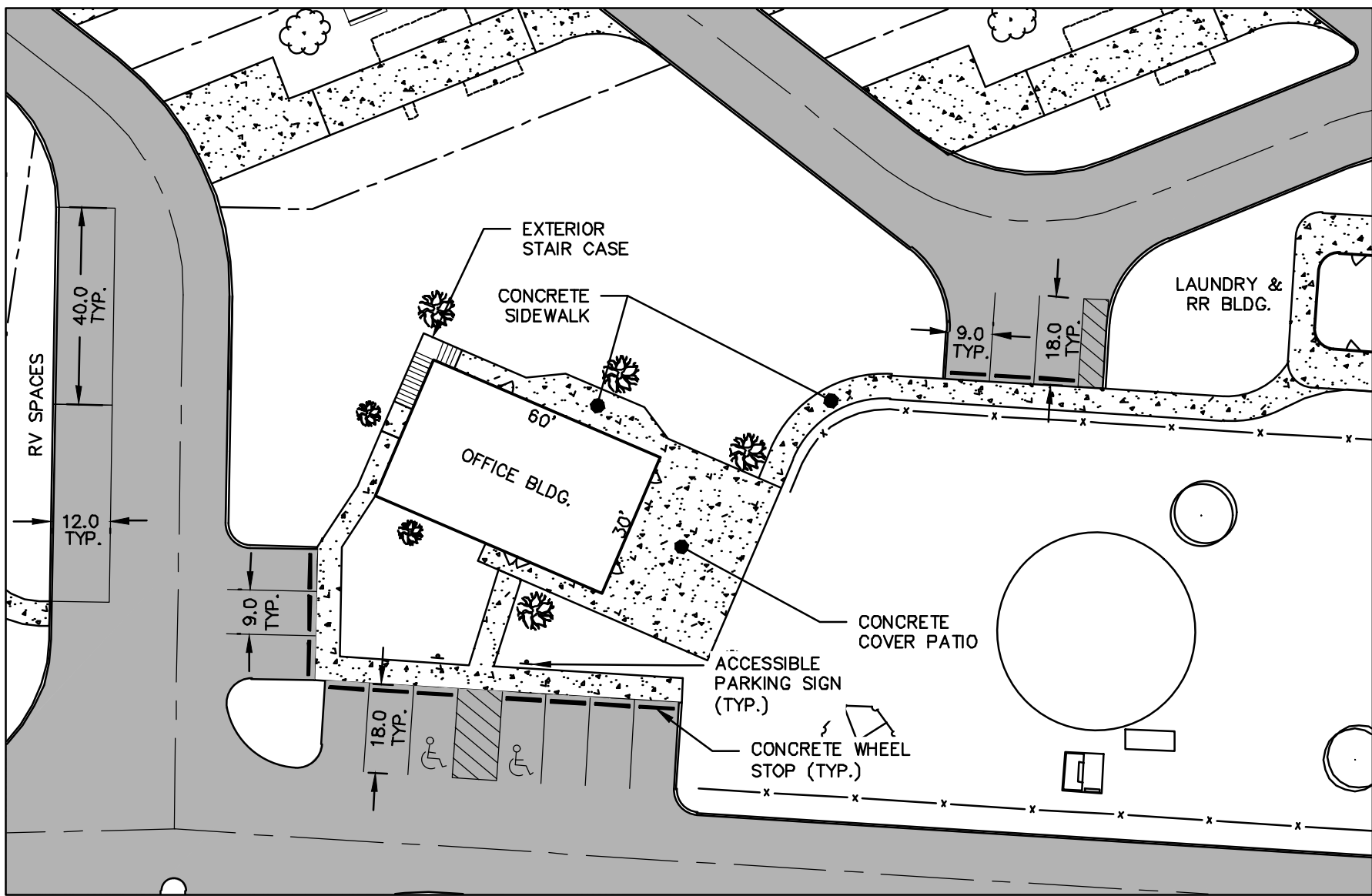
PROPOSED
EACH PAD HAS TWO PARKING SPACES
PARKING AT OFFICE = 14 SPACES (2 ADA, 12 STD, 2 RV PARKING)

RECREATIONAL AREAS
REQ. - 8% TOTAL AREA = 1.34 AC
PROPOSED - 1.40 AC

TOTAL GREEN SPACE
11.912 AC = 70%

REFERENCES:

- APPROVED CONSTRUCTION PLANS TITLED "BELLAIRE COMMERCIAL SUBDIVISION" PREPARED BY CLARK & FULLER ENGINEERING DATED APRIL 23, 2018.
- SUBDIVISION PLAT ENTITLED "BELLAIRE COMMERCIAL SUBDIVISION," DATED 11/14/17 BY ALL COUNTY SURVEYING, INC. DWG. REFERENCE NUMBER 170968-PLAT.



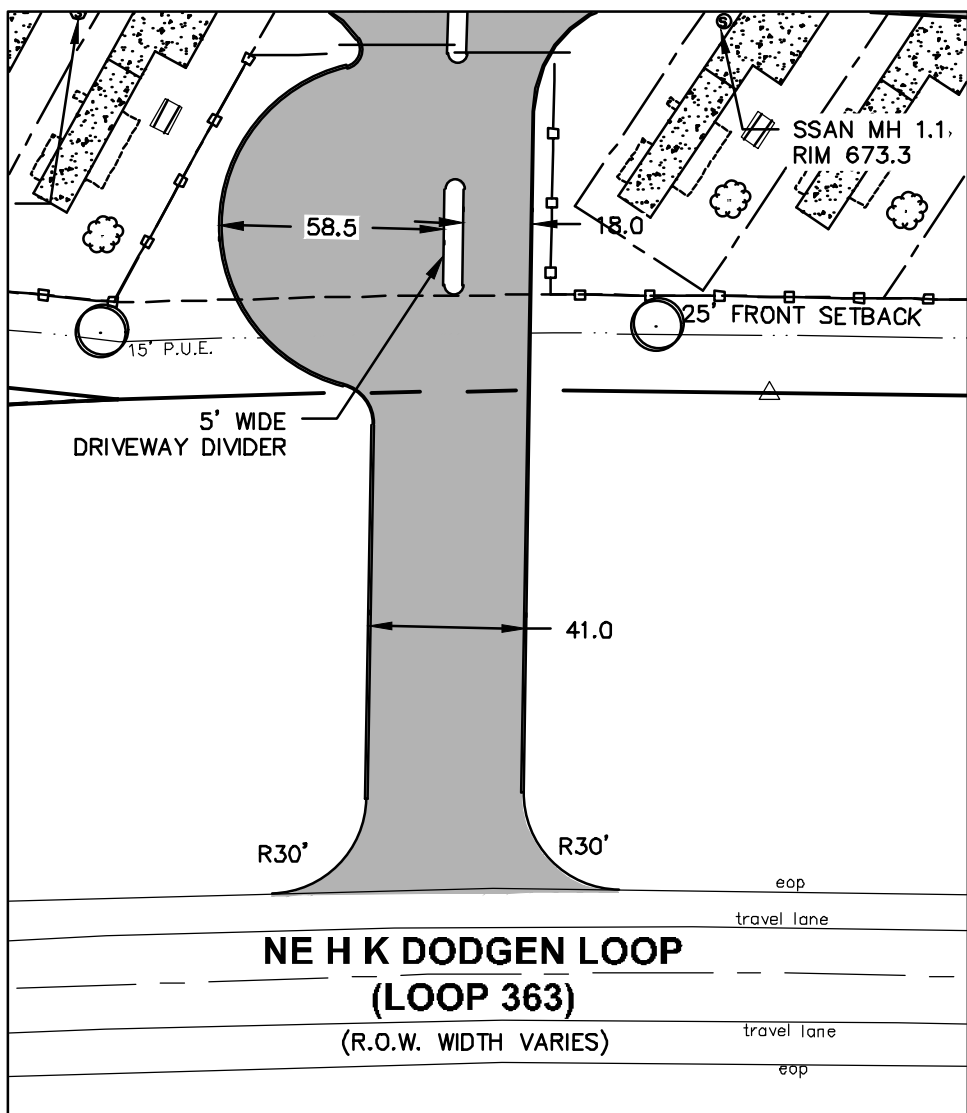
SERVICE BUILDINGS DETAIL

PAVEMENT & WALKWAY NOTES

- ALL ACCESS ROADWAYS WILL BE ASPHALT WITH 6" RIBBON CURB FOR EDGE PROTECTION.
- ALL RECREATIONAL VEHICLE SITES WILL BE CONCRETE.
- ALL SIDEWALKS AROUND BUILDINGS WILL BE CONCRETE.
- ALL TRAILS THROUGHOUT THE RV PARK WILL BE CRUSHED LIMESTONE.

LEGEND

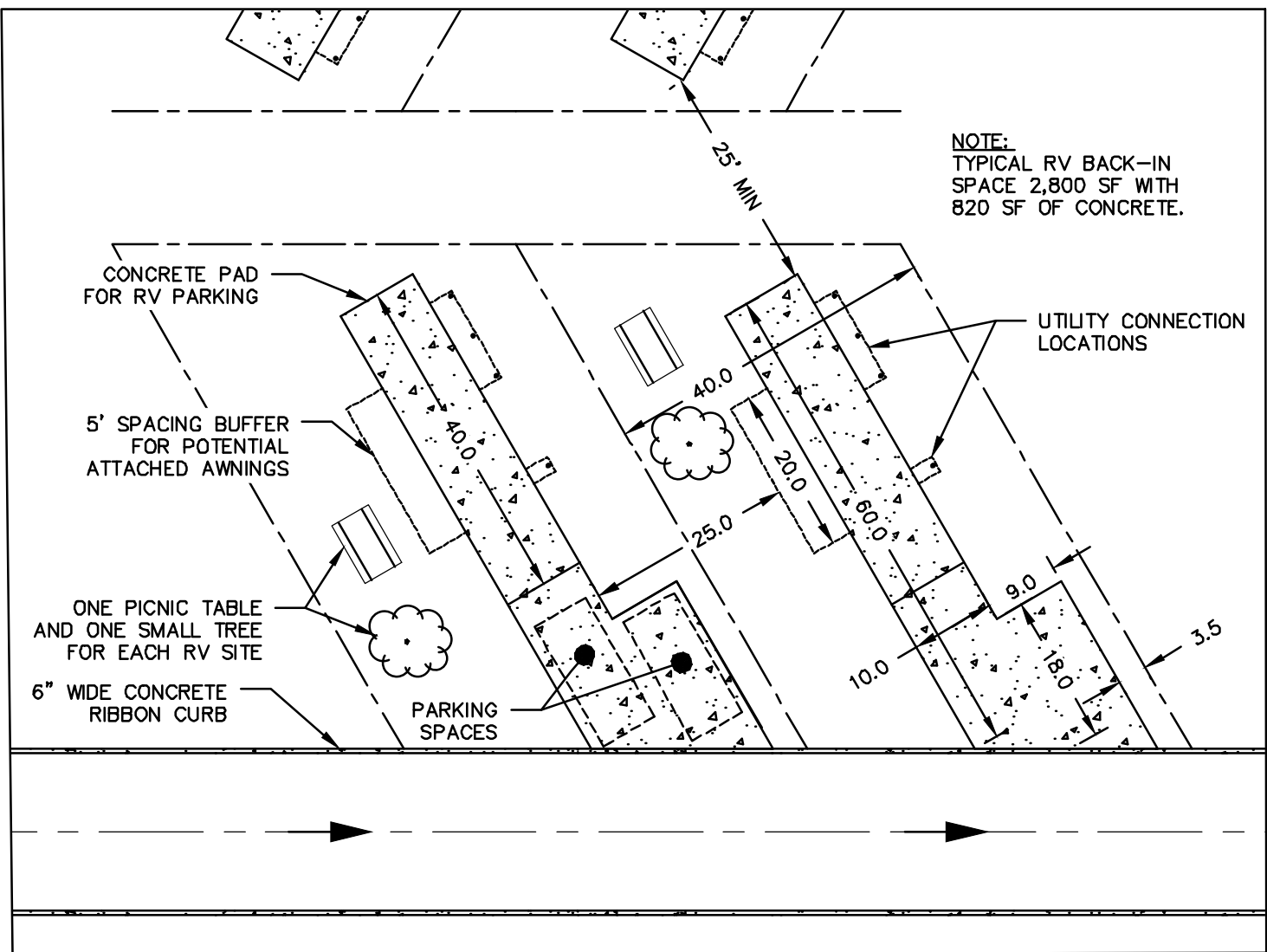
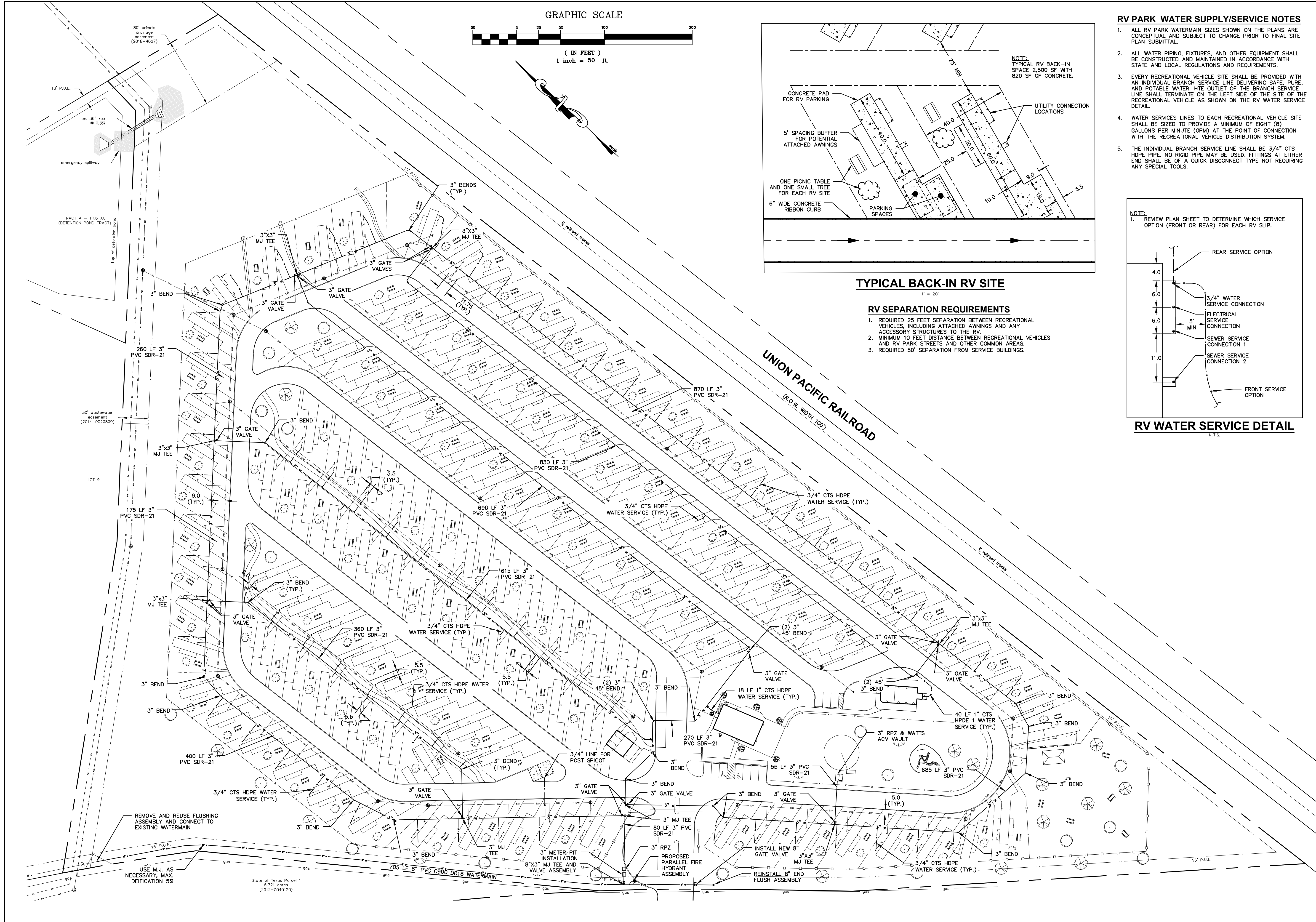
- ASPHALT
- CONCRETE PAD AND SIDEWALKS
- LIMESTONE TRAIL
- CONCRETE WALL
- VINYL COATED CHAIN LINK FENCE



ENTRANCE DETAIL

Project Title: RV PARK - LOT 10 BELLAIRE COMMERCIAL SUBDIVISION CITY OF TEMPLE, BELL COUNTY		Drawn By:	JPJ																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																									
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TYPICAL BACK-IN RV SITE
1" = 20'

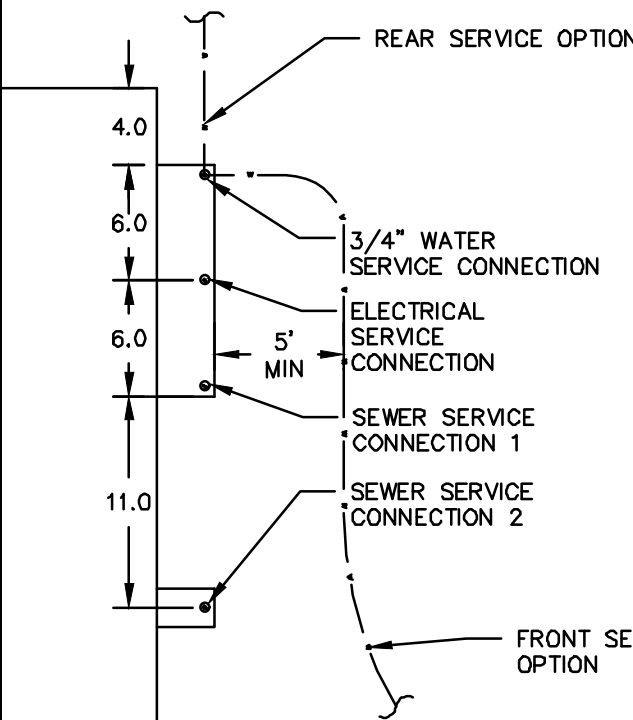
RV SEPARATION REQUIREMENTS

1. REQUIRED 25 FEET SEPARATION BETWEEN RECREATIONAL VEHICLES, INCLUDING ATTACHED AWNINGS AND ANY ACCESSORY STRUCTURES TO THE RV.
2. MINIMUM 10 FEET DISTANCE BETWEEN RECREATIONAL VEHICLES AND RV PARK STREETS AND OTHER COMMON AREAS.
3. REQUIRED 50' SEPARATION FROM SERVICE BUILDINGS.

RV PARK WATER SUPPLY/SERVICE NOTES

1. ALL RV PARK WATERMAIN SIZES SHOWN ON THE PLANS ARE CONCEPTUAL AND SUBJECT TO CHANGE PRIOR TO FINAL SITE PLAN SUBMITTAL.
2. ALL WATER PIPING, FIXTURES, AND OTHER EQUIPMENT SHALL BE CONSTRUCTED AND MAINTAINED IN ACCORDANCE WITH STATE AND LOCAL REGULATIONS AND REQUIREMENTS.
3. EVERY RECREATIONAL VEHICLE SITE SHALL BE PROVIDED WITH AN INDIVIDUAL BRANCH SERVICE LINE DELIVERING SAFE, PURE, AND POTABLE WATER. THE OUTLET OF THE BRANCH SERVICE LINE SHALL TERMINATE ON THE LEFT SIDE OF THE SITE OF THE RECREATIONAL VEHICLE AS SHOWN ON THE RV WATER SERVICE DETAIL.
4. WATER SERVICES LINES TO EACH RECREATIONAL VEHICLE SITE SHALL BE SIZED TO PROVIDE A MINIMUM OF EIGHT (8) GALLONS PER MINUTE (GPM) AT THE POINT OF CONNECTION WITH THE RECREATIONAL VEHICLE DISTRIBUTION SYSTEM.
5. THE INDIVIDUAL BRANCH SERVICE LINE SHALL BE 3/4\"/>

- NOTE:**
1. REVIEW PLAN SHEET TO DETERMINE WHICH SERVICE OPTION (FRONT OR REAR) FOR EACH RV SLIP.



RV WATER SERVICE DETAIL
N.T.S.

Project Title:
**RV PARK - LOT 10
BELLAIRE COMMERCIAL SUBDIVISION
CITY OF TEMPLE, BELL COUNTY**

Drawing Title:
WATER SERVICE PLAN

Drawn By:
JPJ

Checked By:
TJF

Scale:
1" = 50'

Date:
6/2019

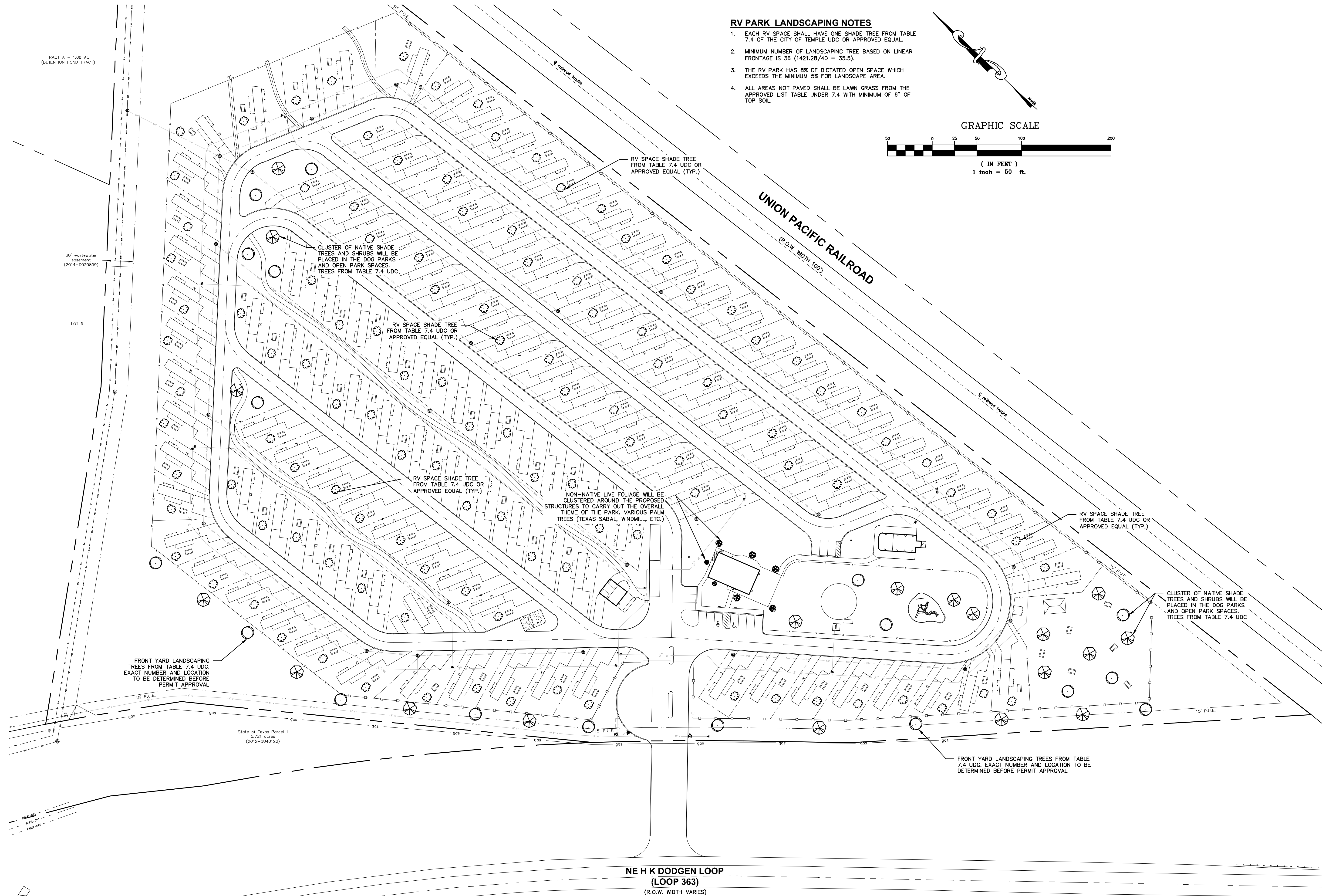
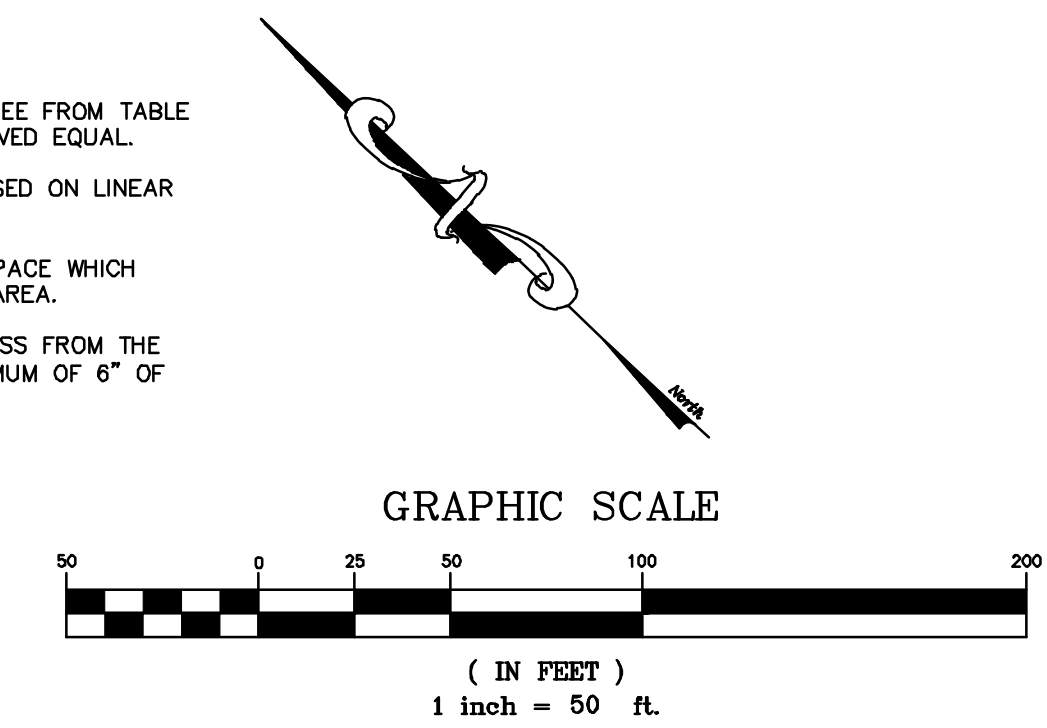
THIS DOCUMENT IS RELEASED FOR THE PURPOSES OF INTERIM REVIEW UNDER THE AUTHORITY OF THOMAS J. FROMBERGER TEXAS LICENSE #105564 9/16/2019 THIS DOCUMENT IS NOT INTENDED FOR BIDDING, PERMITTING AND/OR CONSTRUCTION PURPOSES

MRB group
Engineering, Architecture, Surveying, P.C.
5250 S 31st St, Temple, Texas 76702-2547-2054
Corporate Office: The Calver Road Armory, 145 Calver Road, Suite 100, Rochester, New York 14620 585-381-9250
TBDPE Firm Number E-10615
www.mrbgroup.com

Sheet No. **G-2**
2 of **6**
Project No. **4613.19001**



1. EACH RV SPACE SHALL HAVE ONE SHADE TREE FROM TABLE 7.4 OF THE CITY OF TEMPE UDC OR APPROVED EQUAL.
2. MINIMUM NUMBER OF LANDSCAPING TREE BASED ON LINEAR FRONTAGE IS 36 ($1421.28/40 = 35.5$).
3. THE RV PARK HAS 8% OF DICTATED OPEN SPACE WHICH EXCEEDS THE MINIMUM 5% FOR LANDSCAPE AREA.
4. ALL AREAS NOT PAVED SHALL BE LAWN GRASS FROM THE APPROVED LIST TABLE UNDER 7.4 WITH MINIMUM OF 6" OF TOP SOIL.



Project Title: **RV PARK - LOT 10**
BELLAIRE COMMERCIAL SUBDIVISION
CITY OF TEMPLE, BELL COUNTY

Project Title: **CONCEPT LANDSCAPING PLAN**

Drawn By: JPJ	Checked By: TJF	Scale: 1" = 50'	Date: 6/2019
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THIS DOCUMENT IS
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REVIEW UNDER THE
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TEXAS LICENSE #105564
9/16/2019
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MRB *group*

Engineering, Architecture, Surveying, P.C.
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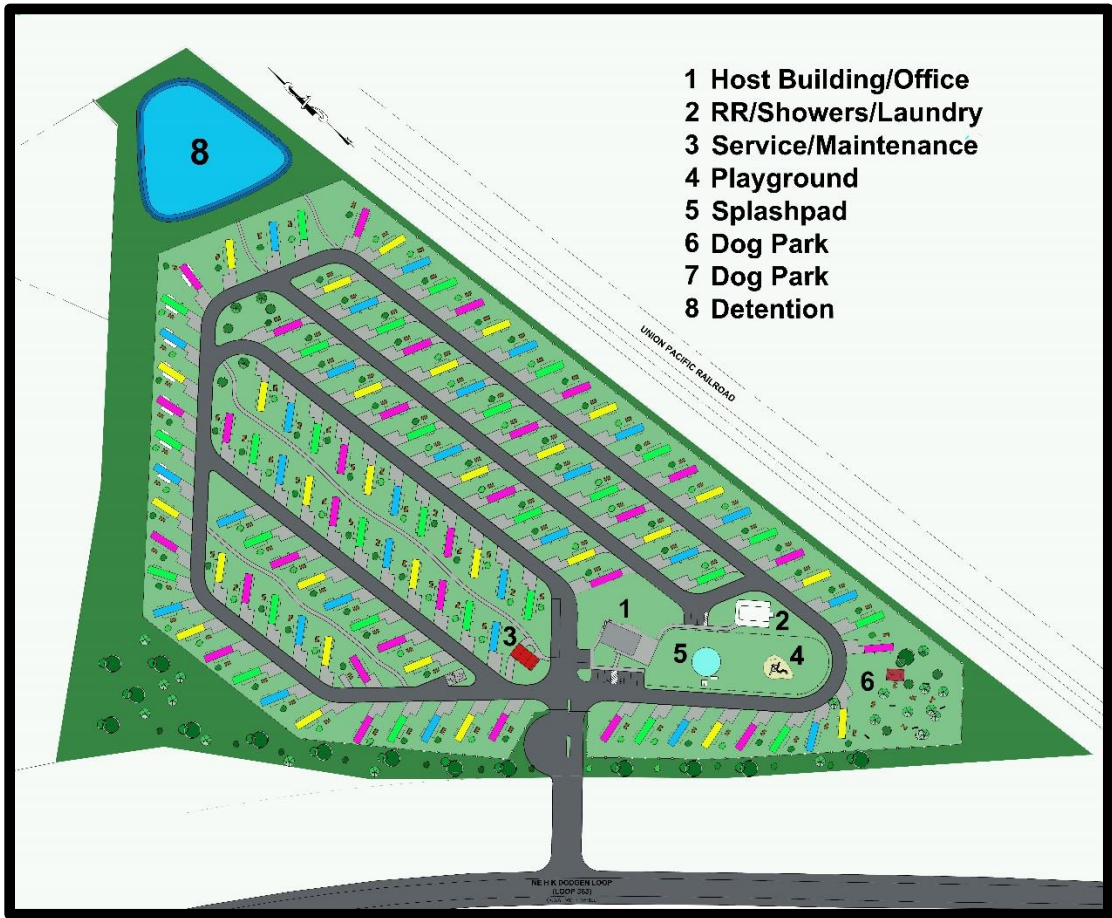
Sheet No. **G-4**

6 of **6**

Project No. **4613.19001**

N:\4613.19001.000\dwg\Site\RV Park Base (Final).dwg, 9/16/2019 9:19:36 AM, jjanulis

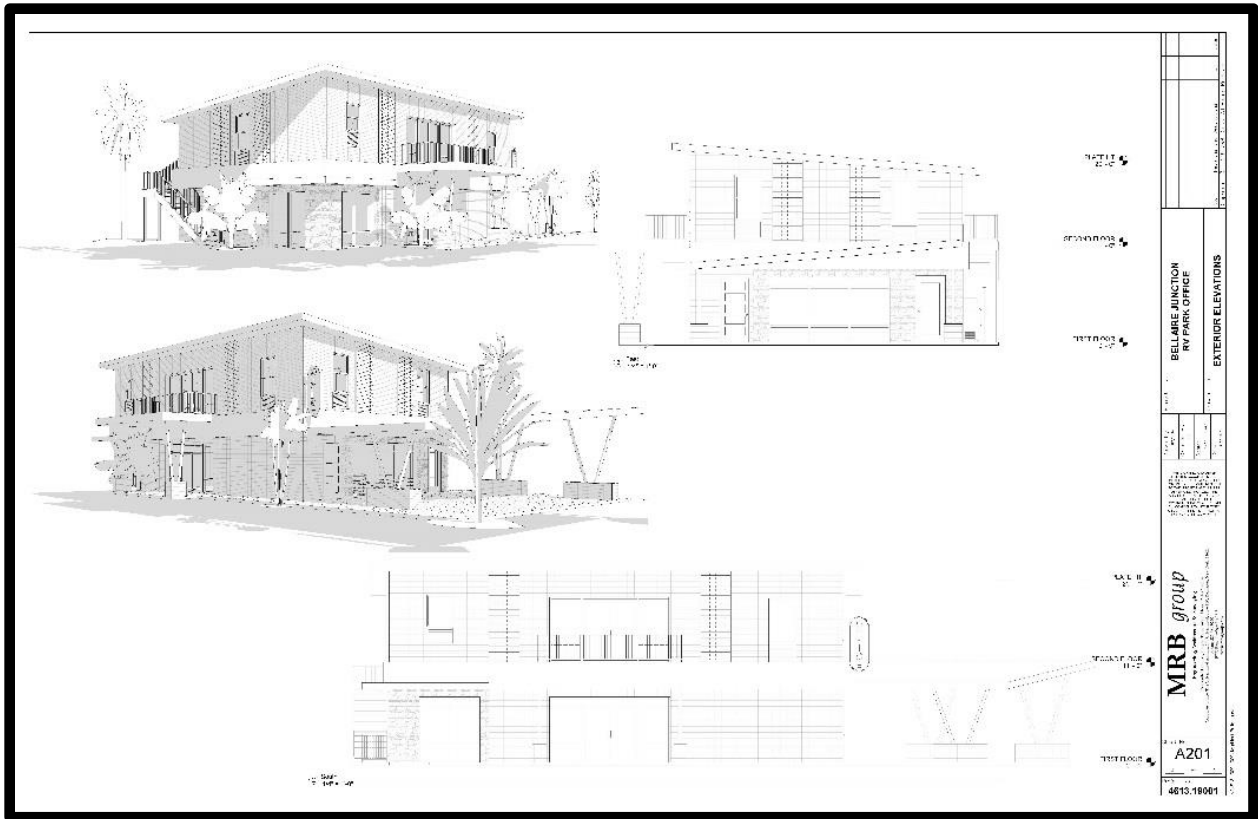
RV Park Site Renderings, Building Elevations, Floorplan & Wall Details



Site Plan Rendering



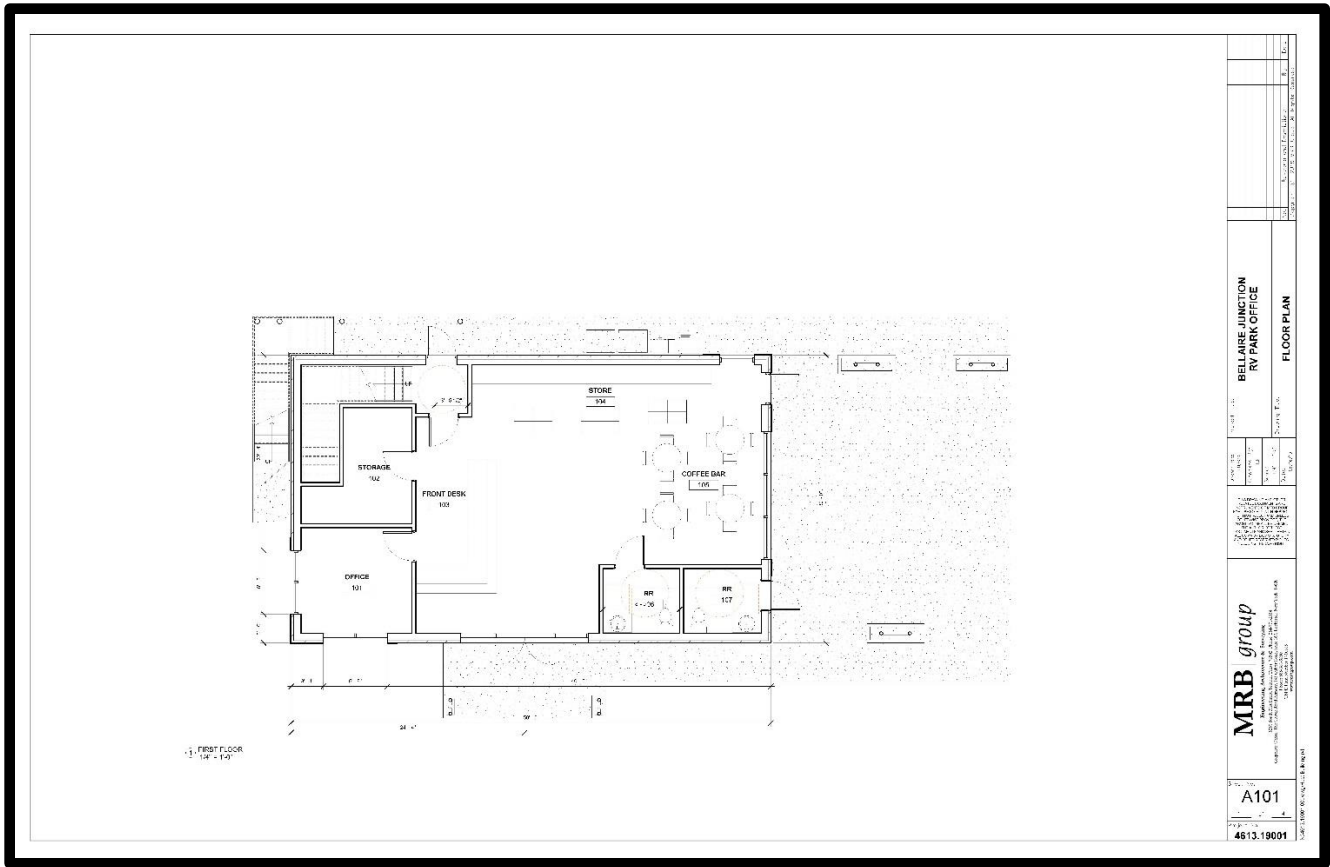
Host Building Color Elevation



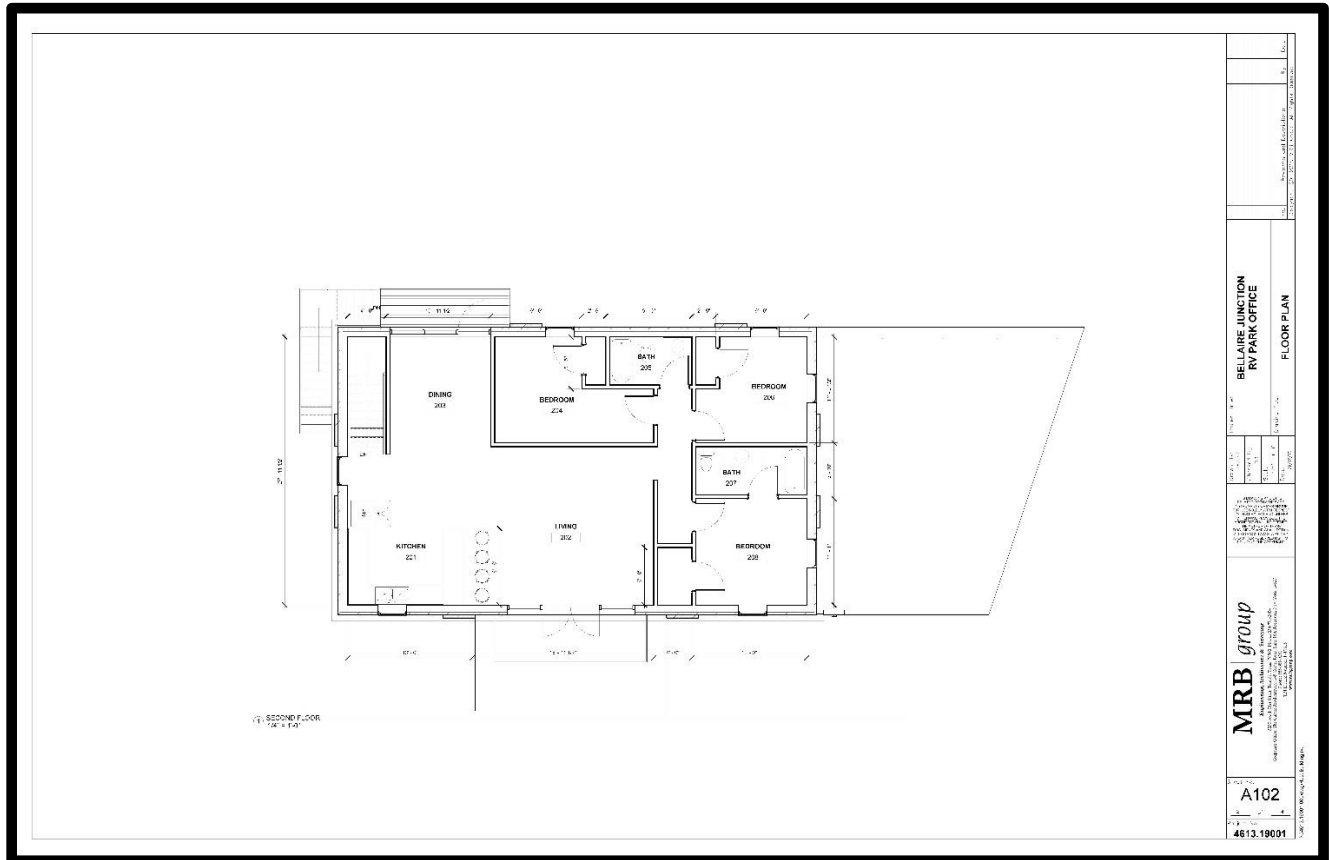
Host Building Elevation (1 of 2)



Host Building Elevation (2 of 2)



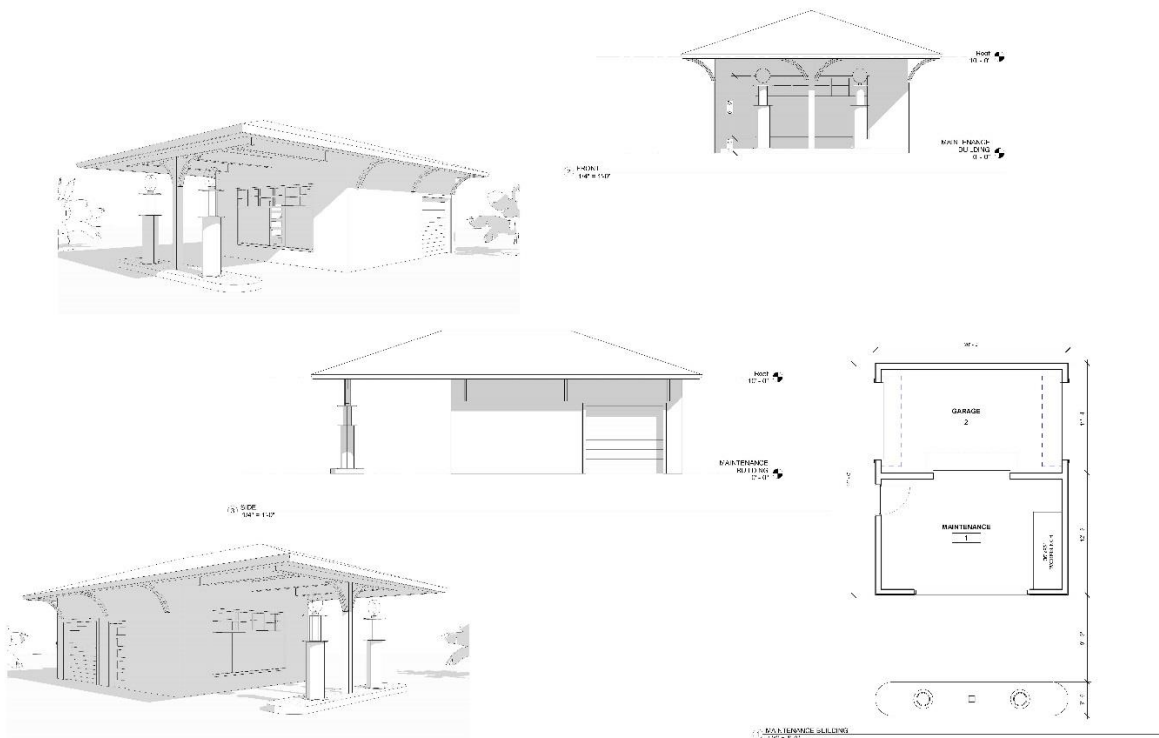
Host Building Floor Plan (1 of 2)



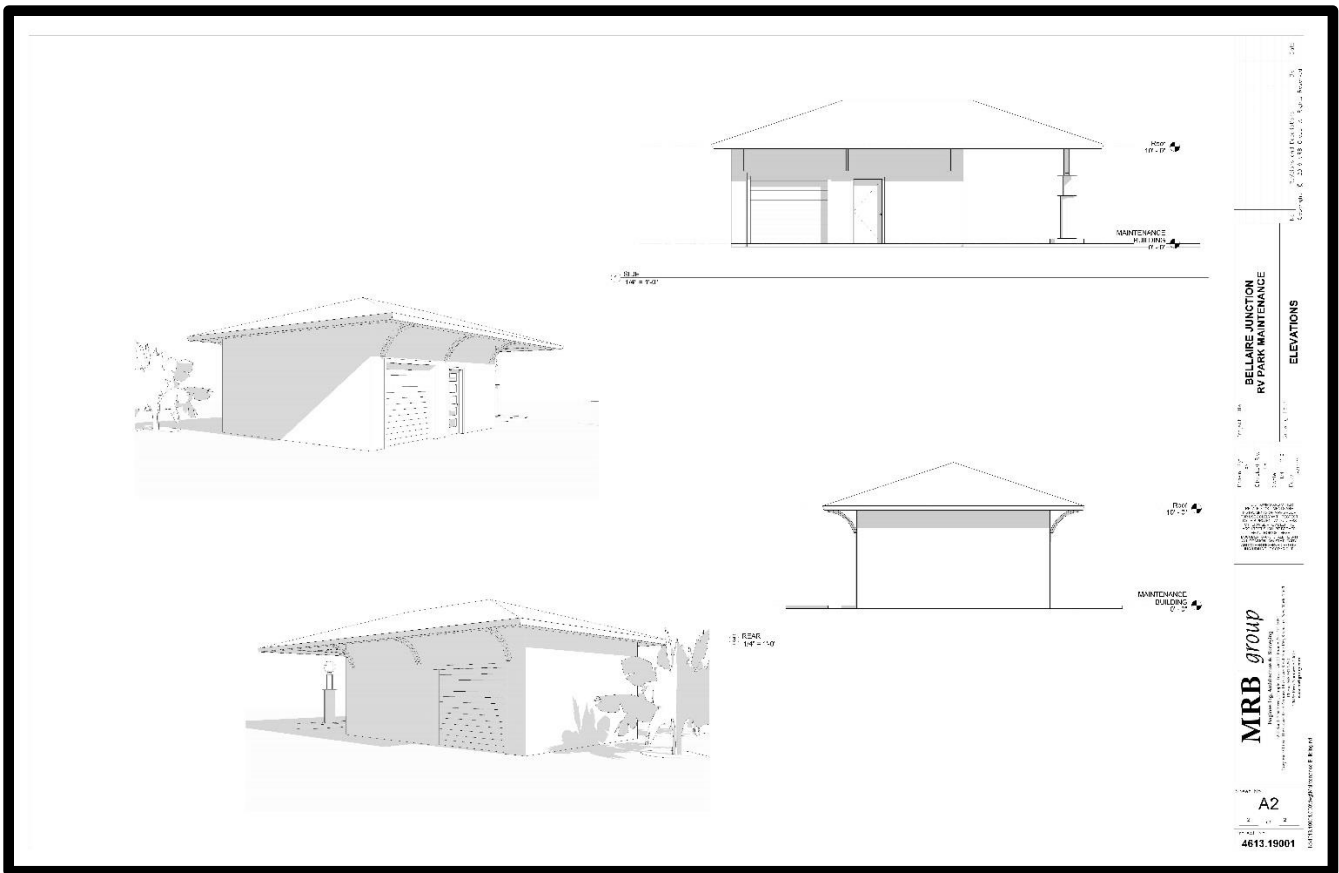
Host Building Floor Plan (2 of 2)

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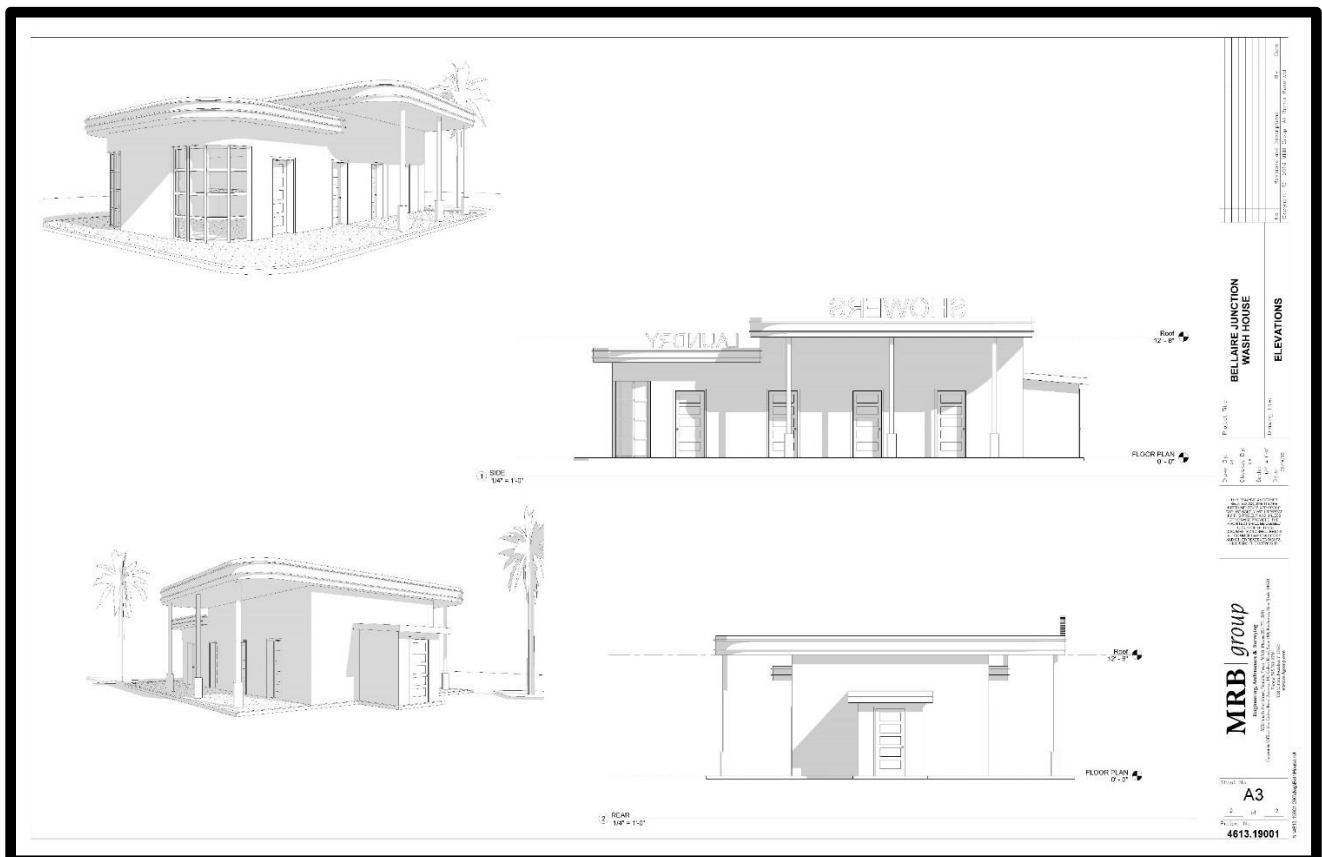
Maintenance Building Color Elevations

[illegible]

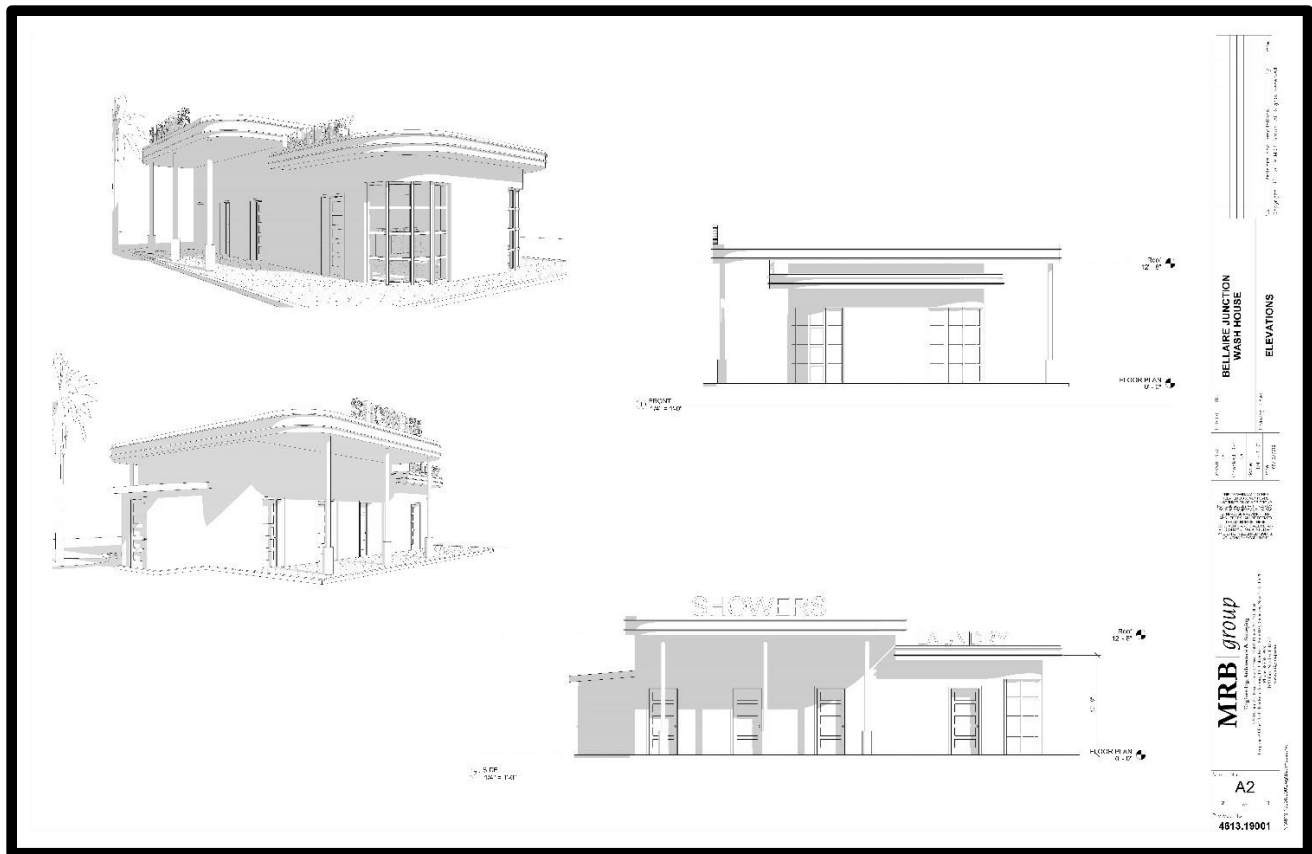
Maintenance Building Elevations (1 of 2)



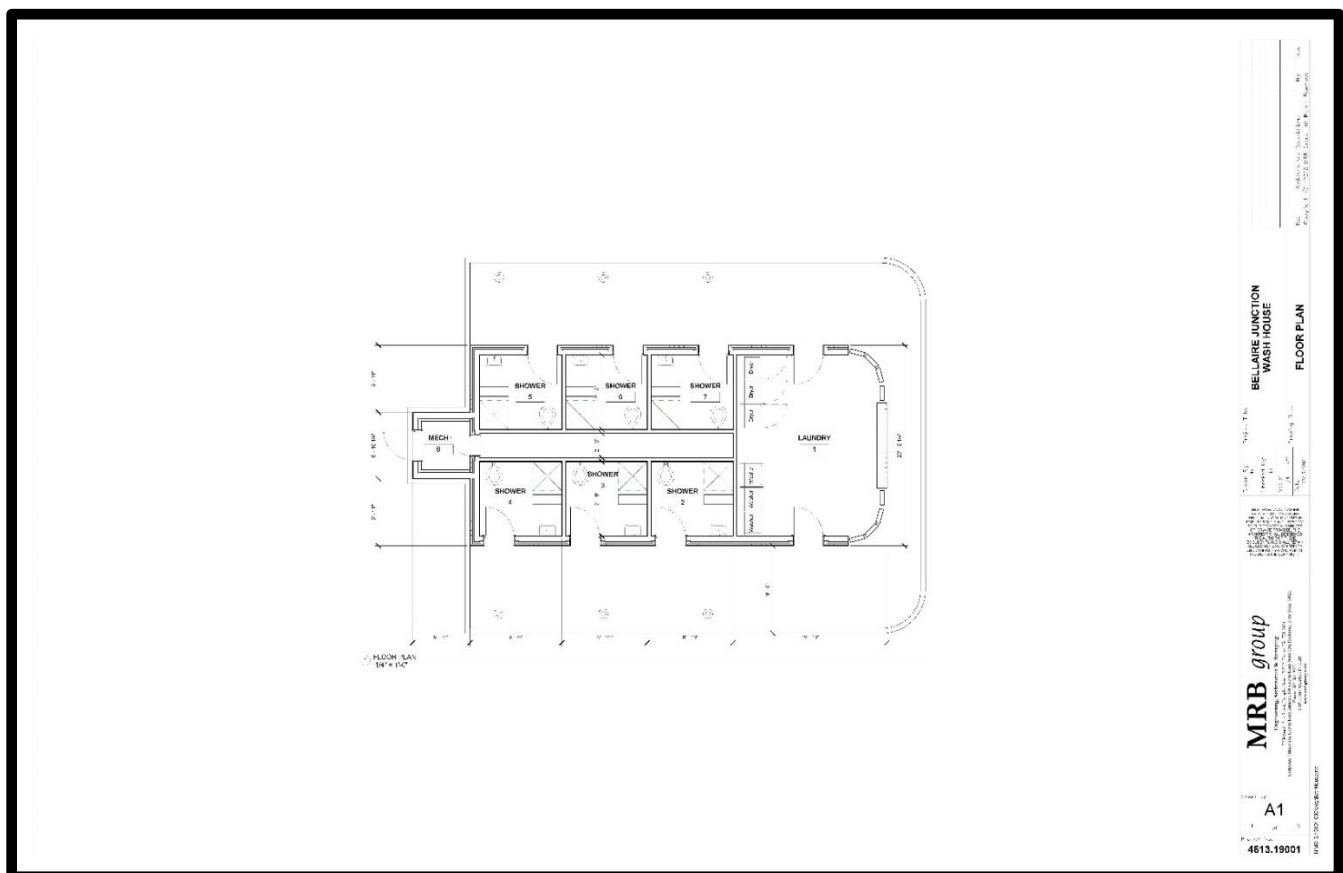
Maintenance Building Elevations (2 of 2)



Laundry & Shower Facility Elevations (1 of 2)



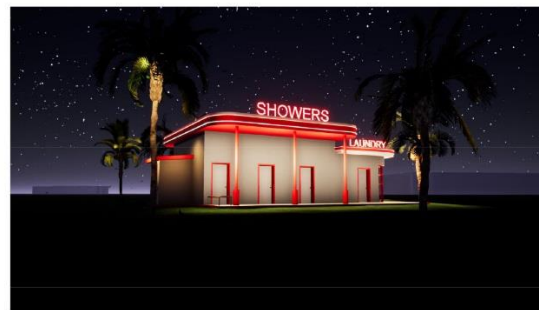
Laundry & Shower Facility Elevations (2 of 2)



Laundry & Shower Facility Floor Plan

[illegible]

Laundry & Shower Facility (Day)

[illegible]

Laundry & Shower Facility (Night)



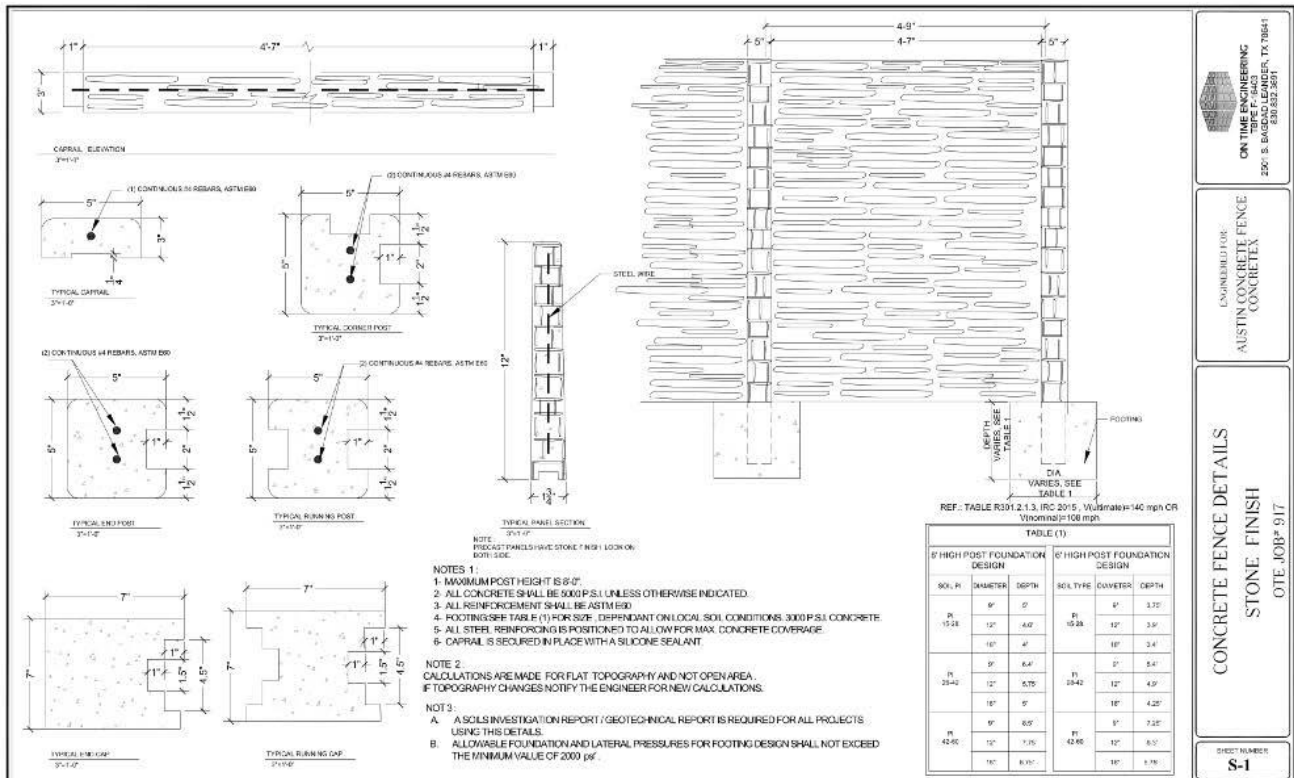
Signage (Day)



Signage (Night)



Chain-Link Fence Detail



6-Foot High Concrete Wall Detail

Planned Development Criteria and Compliance Summary

UDC Code Section 3.5.4 (A-G)	Yes/No	Discussion / Synopsis
A. The conditional use is compatible with and not injurious to the use and enjoyment of the property , and does not significantly diminish or impair property values within the immediate area.	YES	It is fully anticipated that the site plan will conform to the requirements of Chapter 31 - Recreational Vehicle Parks as well as all other UDC and City code requirements. The development of the site will provide a needed use in the immediate area and is not anticipated to diminish or impair property values in the immediate area.
B. The establishment of the conditional use does not impede normal and orderly development and improvement of surrounding vacant property.	YES	It is not anticipated that development of this property will impede the normal and orderly development of the surrounding property.
C. Adequate utilities, access roads, drainage, and other necessary to support facilities have been or will be provided.	YES	Adequacies of support facilities will be further reviewed during submittal of the subdivision plat. Facilities for water, sewer and electrical are concurrently being reviewed with the Conditional Use Permit application and Building Permit.
D. The design, location and arrangement of all driveways and parking spaces provide for the safe and convenient movement of vehicular and pedestrian traffic without adversely affecting the general public or adjacent development.	YES	The site plan, which will be attached to the Ordinance for the Conditional Use Permit, provides for RV/trailer stand location as well as individual vehicle parking, one-way and two-way traffic circulation, an office, playground areas, dumpster locations, bathroom facilities and access from Loop 363. Additional provisions for stormwater detention are also provided for within the north portion of the tract. No issues related to design, location or arrangement of the aforementioned have been identified with the review of the Conditional Use Permit as it relates to Chapter 31 of the Code of Ordinances (Recreational Vehicle Parks). A more detailed review will be conducted with the review of the building plans.
E. Adequate nuisance prevention measures have been or will be taken to prevent or control offensive odors, fumes, dust, noise and vibration.	YES	The proposed site plan has demonstrated that adequate nuisance measures have been taken into account. A 6-foot concrete wall is proposed along the boundary adjacent to the railroad tracks to provide for noise reduction.
F. Directional lighting is provided so as not to disturb or adversely affect neighboring properties.	YES	All exterior and directional lighting is required to meet the provisions of UDC 7.1 and specifically 7.1.8 with regard to glare. Compliance for exterior lighting will be addressed with the review of the building plans.
G. There is sufficient landscaping and screening to insure harmony and compatibility with adjacent property.	YES	The site plan provides for 1 (2" diameter at breast height - dbh) tree per RV stand (stall). Trees will be spaced a minimum of 25 feet to reduce overcrowding of tree species. Compliance to landscape standards and plant specie selection will be confirmed by the review of the building plans.

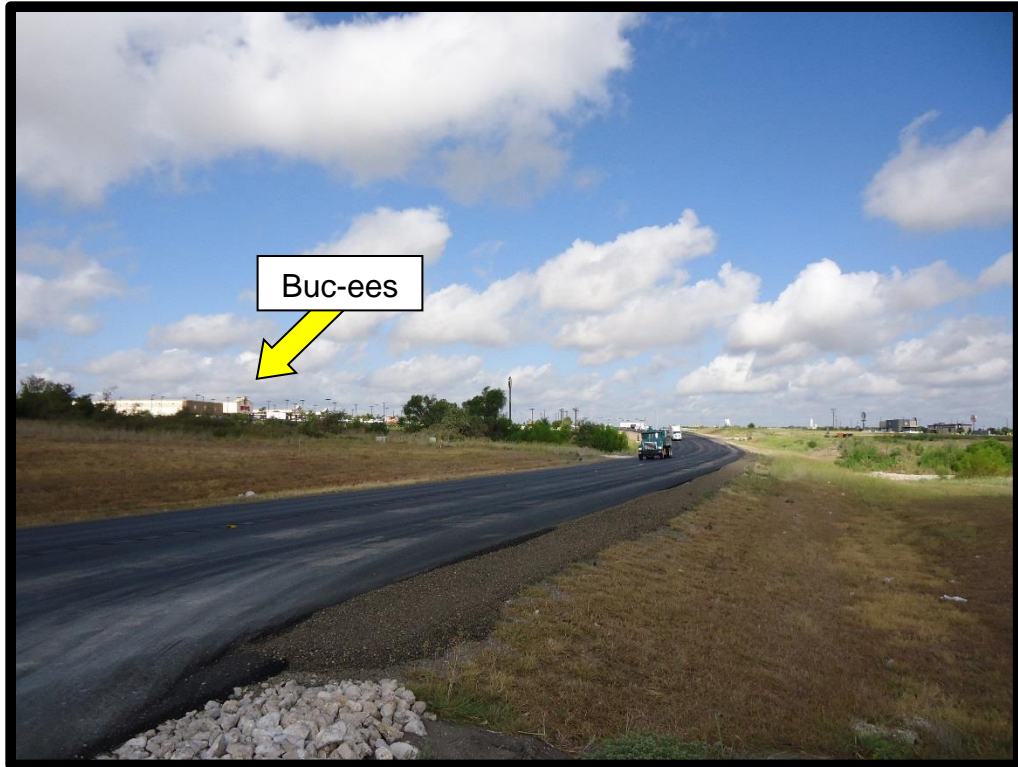
Site & Surrounding Property Photos



Site: Undeveloped (LI)



South: Undeveloped – Looking across Loop 363 (C & LI)



West: Scattered Retail & Service Uses (C & PD-C)



West: Scattered Retail & Service Uses (C & PD-C)

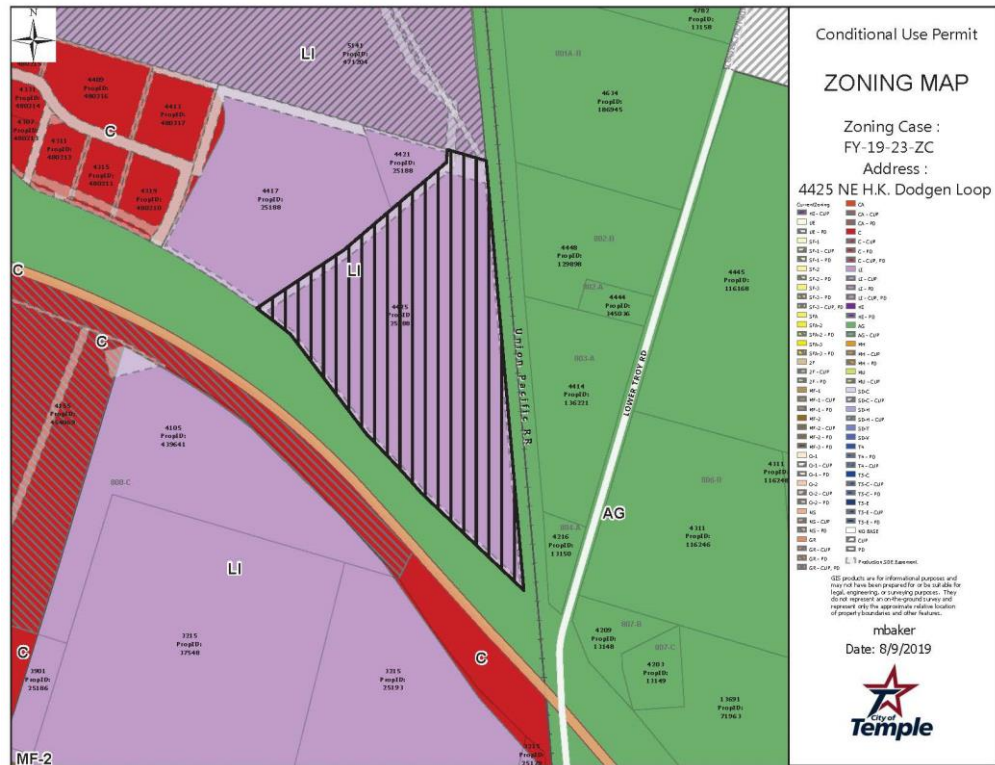
Maps



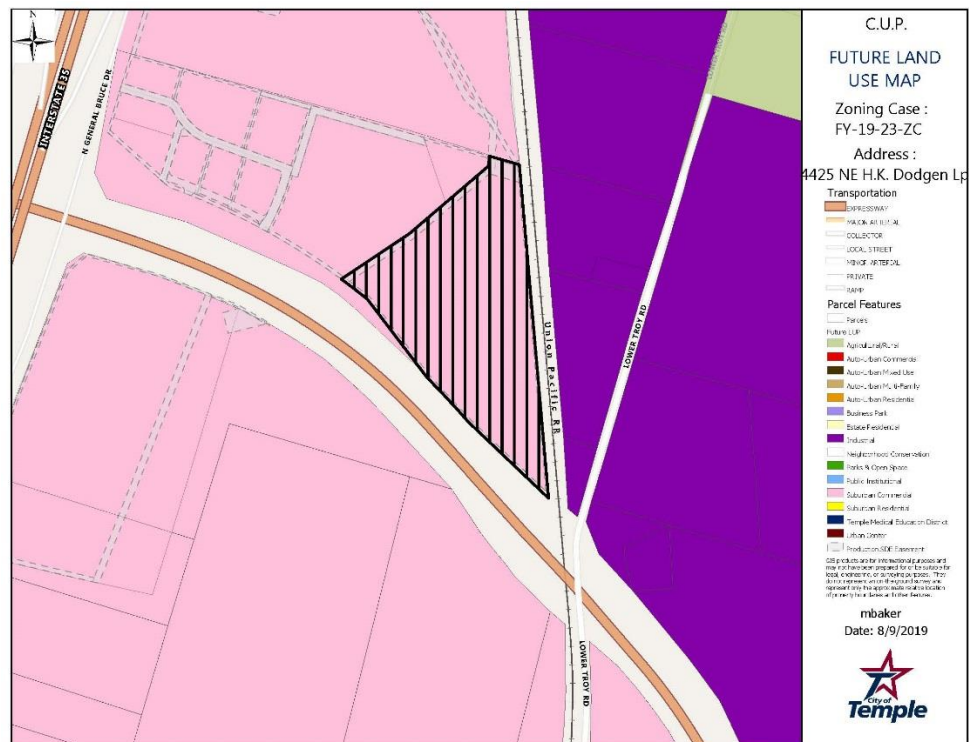
Location Map



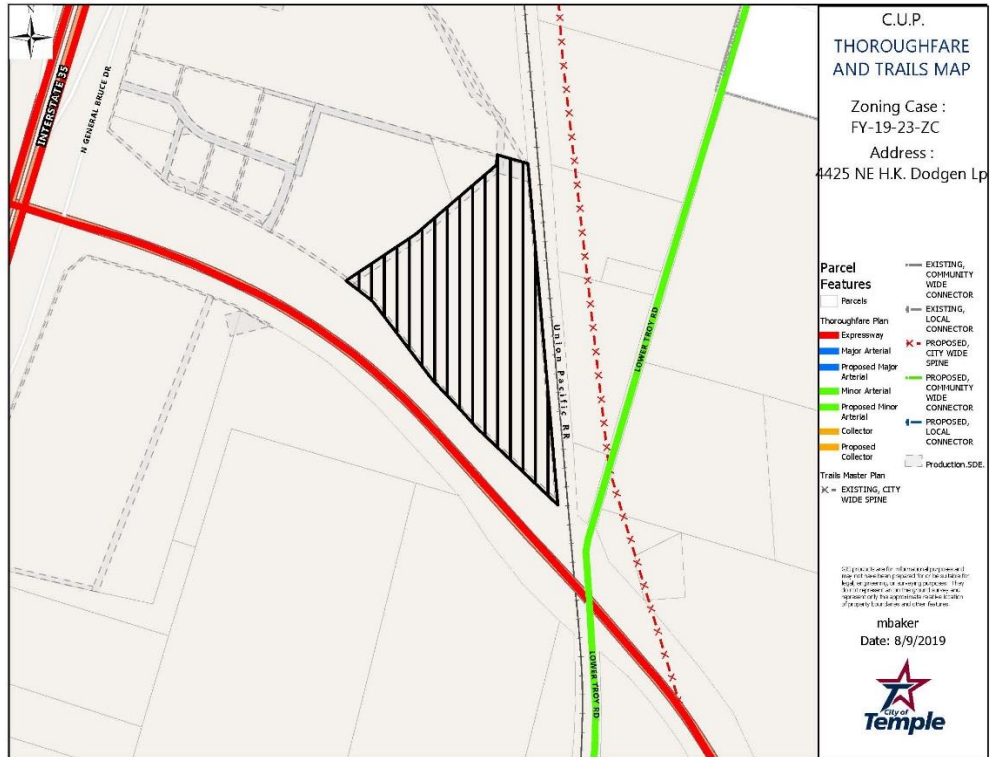
Aerial Map



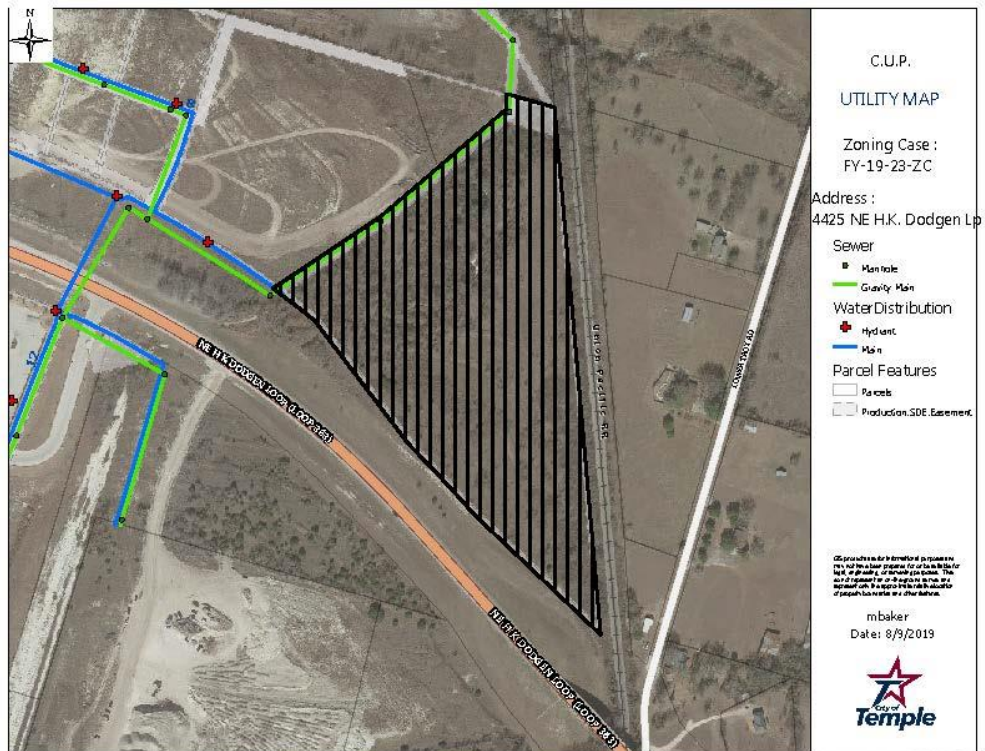
Zoning Map



Future Land Use Map



Thoroughfare & Trails Map



Utility Map

Represents 3 Separate Properties



RESPONSE TO PROPOSED REZONING REQUEST CITY OF TEMPLE

25188
MAYBORN, FRANK ENTERPRISES INC
PO BOX 6114
TEMPLE, TX 76503-6114

RECEIVED
SEP 15 2019
CITY OF TEMPLE
PLANNING & DEVELOPMENT

Zoning Application Number: FY-19-23-ZC

Case Manager: Mark Baker


Location: 4425 N General Bruce Drive

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

I ☒ agree

() disagree with this request

Comments:


Signature

Anyse Sue Mayborn, President
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, mbaker@templetx.gov, or mail or hand-deliver this comment form to the address below, no later than **September 16, 2019**.

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

Number of Notices Mailed: 9

Date Mailed: September 4, 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 16, 2019**

ACTION ITEMS

Item 2: **FY-19-23-ZC** – Hold a public hearing to discuss and recommend action on a Conditional Use Permit (LI-CUP) and its site plan to allow a recreational vehicle (RV) park within Lot 10 of the Bellaire Commercial subdivision, addressed as 4425 N General Bruce Drive.

Mr. Mark Baker, Principal Planner, stated this item is scheduled to go forward to City Council for first reading on October 17, 2019 and second reading on November 7, 2019.

Location and Aerial Map shown.

The Bellaire Junction Recreational Vehicle (RV) Park incorporates a 1950's motor-lodge theme design with the following provisions:

- Picnic table at each stand
- Two additional parking spaces per stand for separate vehicles (three spaces total)
- Park and picnic areas with crushed granite trails within the park
- Playground with splash-pad water feature
- Dog park area
- Separate showers/bathroom/laundry facility
- Two-story combination administration building/host residence—1500 square feet
- Landscaping—One (2-inch diameter at breast height (dbh) tree per stand (twenty-five foot spacing between trees)
- Fencing—combination of four inch chain-link and masonry wall

Proposed facilities rendering, map, and signage shown.

Site plan revisions and service building with entry/return lane details shown.

Conditional Use Permit (CUP)

1. Subject to Chapter 31-Code of Ordinances-Recreational Vehicle Parks
 - a. Second RV Park reviewed under the 2018 Chapter Revisions
 - b. Specific development and infrastructure standards for RV parks

- c. Prohibits permanent occupancy—No more than six months in any twelve-month period—found in Compliance

2. Unified Development Code (UDC) Section 3.5.4 (AG)—found in Compliance

a. Planned Development Criteria for:

1. Compatible, non-injurious or diminished value in area:

2. Does not impede orderly development of the area;
3. Adequacy of utilities and other needed facilities;
4. Nuisance prevention
5. Adequacy of Lighting
6. Adequacy of landscaping

Zoning Map shown and found to be compatible with uses allowed in both the surrounding zoning districts.

Future Land Use Map shown and found to be in compliance.

Existing Water and sewer map shown and found to be in compliance.

Water is available through an eight-inch line through Loop 363 and sewer will be supplied with a twelve-inch line through the North side of the property.

Site and area photos shown.

Nine notices were mailed in accordance with all state and local regulations with three responses returned in agreement and zero notices returned in disagreement.

Compliance Summary is shown and found to be in compliance in all three areas.

Staff recommends approval of the request for a Conditional Use Permit (CUP) to allow a recreational vehicle park, subject to four conditions:

1. Substantial compliance to Development/Site Plan (Exhibit A)
2. Compliance to Chapter 31—Code of Ordinances
3. Landscaping one (two-inch dbh) tree per RV stand at twenty-five-foot intervals
4. Director of Planning and Development authorization to minor changes to Development/Site Plan

Commissioner Fettig discussed the details regarding available sewer on this property.

Speaker, Mike Beavers, 5101 FM 439, Belton, Texas explained that all buildings will have direct connect sewer features throughout the property similar to a city residential subdivision. He stated that there will not be a dump station, it is not needed. He also stated that this facility will not be built in phases, but totally completed before opening.

Vice-Chair Ward opened the public hearing.

There being no speakers, the public hearing was closed.

Commissioner Wright made a motion to approve Item 2, **FY-19-23-ZC**, per staff recommendation, and Commissioner Castillo made a second.

Motion passed: (7:0)

Chair Langley and Commissioner Marshall absent

ORDINANCE NO. 2019-4999
(FY-19-23-ZC)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A CONDITIONAL USE PERMIT WITH A SITE PLAN TO ALLOW A RECREATIONAL VEHICLE PARK WITHIN LOT 10 OF THE BELLAIRE COMMERCIAL SUBDIVISION, ADDRESSED AS 4425 NORTH GENERAL BRUCE DRIVE, TEMPLE, TEXAS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the applicant, Temple Belaire North LLC is pursuing a Conditional Use Permit (CUP) to allow a Recreational Vehicle (RV) park with 117 RV stands on lot 10, Bellaire Commercial subdivision which consists of approximately 16.812 acres;

Whereas, the Planning and Zoning Commission of the City of Temple, Texas, after due consideration to the planned development conditions, recommends approval of the requested Conditional Use Permit, subject to the following conditions:

1. Substantial compliance with the site plan attached as Exhibit A and building renderings attached as Exhibit B;
2. Compliance to Chapter 31, Code of Ordinances;
3. A minimum of 1 tree per RV stand (2-inch diameter at breast height) placed at a minimum 25-foot spacing;
4. Director of Planning & Development, with consultation by the Development Review Committee, has the authorization to approve minor changes to the site plan and civil plan set including but not limited to the overall site layout, landscaping, water, sewer layout or changes of proposed amenities; and

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

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

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

Part 2: The City Council approves a Conditional Use Permit with a Site Plan to allow a Recreational Vehicle Park within lot 10 of the Bellaire Commercial subdivision, addressed as 4425 N. General Bruce Drive.

Part 3: The City Council approves the Site Development Plan which is attached hereto as Exhibit A and made a part hereof for all purposes.

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

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

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

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

PASSED AND APPROVED on First Reading and Public Hearing on the **17th** day of **October**, 2019.

PASSED AND APPROVED on Second Reading on the **7th** day of **November**, 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

10/17/19
Item #6
Regular Agenda
Page 1 of 5

DEPT./DIVISION SUBMISSION REVIEW:

Mark Baker, Principal Planner

ITEM DESCRIPTION: FIRST READING – PUBLIC HEARING – FY-19-27-ZC: Consider adopting an ordinance authorizing a Planned Development-General Retail with a Development/ Site Plan for a self-storage facility on 5.204 +/- acres, addressed as 9335 State Highway 317.

PLANNING & ZONING COMMISSION RECOMMENDATION: At its September 16, 2019, meeting, the Planning & Zoning Commission voted 7 to 0 to recommend approval per staff's recommendation.

STAFF RECOMMENDATION: Based on the following analysis and reasons that:

1. The proposed Development/ Site Plan has demonstrated compliance with the provisions of the Planned Development Criteria as required by UDC Section 3.4.5;
2. The self-storage facility is compatible with the anticipated development of this section of State Highway 317; and
3. The proposed self-storage facility will provide adequate buffering and screening with consideration to future uses.

Staff recommends approval of the requested Planned Development, subject to the following conditions:

1. That the 5.204 +/- acre site may be developed with a self-storage facility as shown and further described by Exhibits A & B of the rezoning Ordinance or any permitted use within the General Retail (GR) district;
2. That a subdivision plat is recorded prior to issuance of a building permit;
3. That eight provided parking spaces is acceptable to accommodate the proposed use;
4. That the Director of Planning & Development may be authorized discretion to approve minor modifications to the City Council-approved development plan for the 5.204 +/- acre tract, including but not limited to, screening, buffering, landscaping and minor modifications to the overall site layout;
5. Significant changes to the Development/ Site Plan require review by the Planning & Zoning Commission and City Council; and
6. That the State Highway 317-facing facades of the six (or exterior) buildings include at least three of the following architectural elements:
 - a. Combination of two different materials (one as a base material at least 3-feet in height)
 - b. Windows (real or faux)
 - c. A parapet at least 3-feet tall

- d. Structural awnings
- e. Front roof gables

ITEM SUMMARY: The applicant, Clark and Fuller, on behalf of Bryan Burke, requests a rezoning from General Retail to Planned Development-General Retail (PD-GR) to allow for a self-storage facility on 5.204 +/- acres. The facility will include a combination of indoor climate controlled and ambient (outdoor) temperature storage units along with uncovered boat and RV storage within the overhead electrical easement on the eastern side of the 5.204 +/- acres. Brazos Electric has been advised of the proposed uncovered boat and RV storage within the easement and no response has been received. The self-storage facility is proposed to provide for approximately 83,350 square feet of storage space.

Self-storage building layout for the 5.204 +/- acres is proposed with ten buildings providing for a total 83,350 square feet of storage space. Square footages and footprint sizes described as follows:

- One (1) 20' x 190' buildings (3,800 SF)
- Two (2) 20' x 200' buildings (4,000 SF each)
- One (1) 30' x 170' building (5,100 SF)
- One (1) 30' x 200' building (6,000 SF)
- One (1) 60' x 130' building (7,800 SF)
- One (1) 70' x 165' building (11,550 SF)
- Two (2) 70' X 200' buildings (14,000 SF)
- One (1) 70' X 200' building (13,100 SF of storage space & 900 SF of office space)

Planned Development: UDC Section 3.4.1 defines a Planned Development as:

“A flexible overlay zoning district designed to respond to unique development proposals, special design considerations and land use transitions by allowing evaluation of land use relationships to surrounding areas through development plan approval.”

As a Planned Development, per UDC Sec.3.4.3A, a Development Plan (Exhibit A) is subject to review and approval by City Council as part of the rezoning. As opposed to a standard rezoning, conditions of approval can be included into the rezoning Ordinance with a binding Development/ Site Plan. The submitted Development/ Site Plan provides the boundaries of the tract, the layout for the proposed building footprints, parking and traffic circulation areas within the 5.204 +/- acre tract.

Individual storage unit sizes have not been finalized and will require a market study undertaken by the applicant. Therefore, it is reasonable to expect that final building location and size may require adjustment. The applicant understands that substantial changes to the site plan require the Development/ Site Plan to be reviewed by the Planning & Zoning Commission and City Council and agrees with the proposed conditions.

Screening / Buffering: Screening and buffering will be incorporated into the design by the combined use of fencing, landscaping and building location. A 6-foot wrought-iron fence will be provided along the State Highway 317 frontage and a 6-foot high solid wood fence is proposed along the other three boundaries.

Landscaping: The Development/ Site Plan shows landscaping provided behind the existing sidewalk. Landscape Plan reflects the addition of ten trees with a 2-inch diameter at breast height (dbh), specifically Lacy Oak and Arizona Cypress. The use of native turf will be provided in perimeter locations as well as for the detention basin. Compliance with landscape requirements will be made with the review of the building permit.

Exterior Building Materials: Exterior building facades that are adjacent to and face State Highway 317 will use stone materials for the bottom 4-feet with the rest to stucco. Materials will be in compliance with building code and State requirements and will be confirmed during the building plan review process.

Circulation: Due to site distance, access to the self-storage facility is proposed by a restricted right-in right-out turning median. While supportive, discussion and final design is on-going with TxDOT.

The self-storage facility by itself is not expected to generate significant traffic impacts. According to the Institute of Traffic Engineers Peak Generation Rates (9th Edition), a peak-hour trip rate of 0.26 per 1,000 square feet of storage is generated. Therefore, 83,350 square feet of storage is anticipated to generate a total 21.67 peak-hour trips. In comparison, the adjacent shell gasoline station generates 13.87 peak hour trips per fueling station alone. Further, a convenience market and gasoline station combined generate 50.92 peak hour trips per 1,000 SF of floor area.

Parking: Per UDC Section 7.5.4B, parking for self-storage (mini storage) is provided at the rate of one space per two employees or one space 5,000 square feet of gross floor area, whichever is greater. Based on 83,350 square feet of total storage floor area, 17 parking spaces are required. There are eight parking spaces provided. However, it is anticipated that the proposed maximum of two employees at any one time will be sufficient with the proposed eight parking spaces. The reduced number of parking spaces is acceptable and is proposed as a condition of the Planned Development.

In accordance with UDC Section 3.4.5, in determining whether to approve, approve with conditions or deny a Planned Development application, the Planning & Zoning Commission and City Council must consider specific criteria. While more detailed discussion can be found throughout this report, a synopsis entitled "Planned Development Criteria and Compliance Summary" is attached.

The proposed Planned Development with a base-zoning of General Retail (GR) allows for a wide range of uses, both permitted by right and with an approved conditional use permit (CUP). Uses which include, but are not limited to, are provided in an attached table.

SURROUNDING PROPERTY AND USES: An attached table provides Zoning, Future Land Use Plan (FLUP) designations, and current land uses surrounding the subject property.

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 Map (FLUM) (CP Map 3.1)

According to the 2008 - City of Temple Comprehensive Plan, the subject property, is within both the Agricultural/ Rural and Suburban Commercial designations of the Future Land Use Map (FLUM). The Agricultural/ Rural designation is intended for those areas within the City that do not have adequate

facilities or to protect active farm or ranch uses. Reconsideration of the Map classification may be warranted with the Comprehensive Plan update.

The Suburban Commercial designation is appropriate for office and retail service uses such as those found in the office (O-1 & O-2) and Neighborhood Service (NS) districts. While a self-storage facility requires a minimum Commercial (C) zoning, the individual use within the General Retail (GR) zoning can be evaluated on a “case by case” basis.

As a Planned Development however, the project can be conditioned to be more compatible. Therefore, with adequate buffering, screening and FLUM reconsideration, the proposed self-storage facility is in **partial compliance** with the Future Land Use Plan.

Thoroughfare Plan (CP Map 5.2)

The property has frontage along State Highway 317 which is identified by the Thoroughfare Plan as a major arterial. Primary access to the facility is proposed by a restricted right-in / right-out driveway entrance which has not been finalized with TxDOT.

Availability of Public Facilities (CP Goal 4.1)

Availability of water is from either a 16-inch waterline across State Highway 317 or from the extension of 2-inch waterline adjacent to the Shell gas station. Waste water will be from on-site septic. Utilities will be addressed during the review of the subdivision plat.

Temple Trails Master Plan Map and Sidewalks Ordinance

According to the Trails Master Plan Map, a proposed Community-Wide Connector Trail is located in State Highway 317. Since State Highway 317 is a major arterial, a minimum 6-foot sidewalk is required. However, according to TxDOT there are some slope constraints along this section of State Highway 317 that may make sidewalk placement problematic. The trail and sidewalk will be further addressed during the platting stage.

SUBDIVISION PLAT: A subdivision plat will be required prior to any development. The plat will evaluate the drainage, detention and septic considerations for the site.

DEVELOPMENT REVIEW COMMITTEE (DRC): As required by UDC Section 3.4.2B, the Development/ Site plan for the proposed self-storage was reviewed by the DRC on August 15, 2019. Drainage was not reviewed by Public Works but will be reviewed during the subdivision plat process.

DEVELOPMENT REGULATIONS: The following table shows the current dimensional standards and the proposed standards. Both current and proposed standards are reflective of the underlying base-General Retail zoning district. Setbacks would be applicable to non-residential buildings.

PUBLIC NOTICE: Owners of four properties within 200-feet of the subject property, were sent notice of the public hearing as required by State law and City Ordinance. As of Tuesday October 8, 2019, at 9:00 AM, no notices have been received.

The newspaper printed notice of the public hearing on September 5, 2019, in accordance with state law and local ordinance.

FISCAL IMPACT: Not applicable.

ATTACHMENTS:

Development/ Site Plan (Exhibit A)

Landscape Plan (exhibit B)

Topographic/ Utility Plan

Planned Development Criteria and Compliance Summary Table (UDC Section 3.4.5)

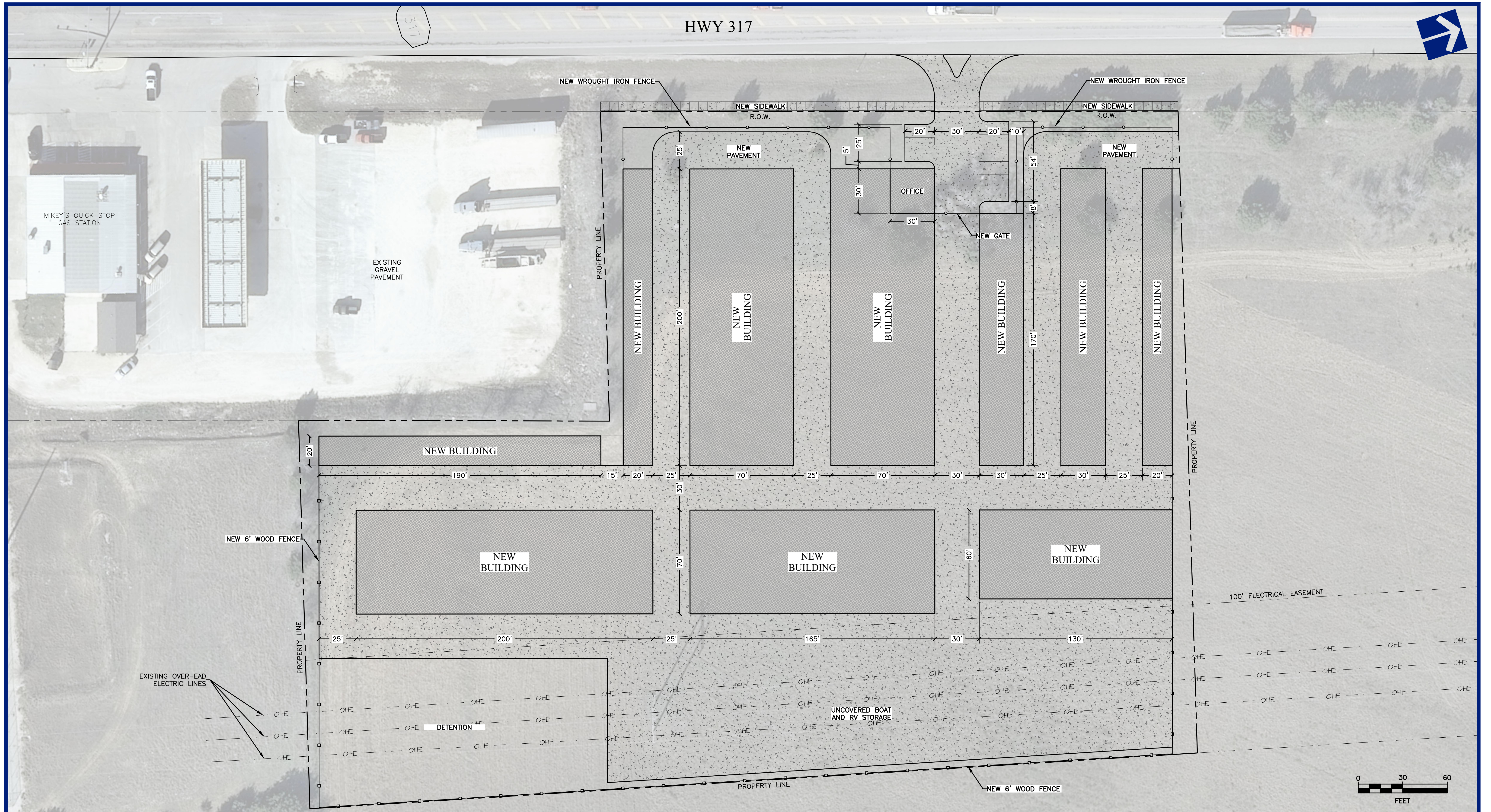
Photos

Tables

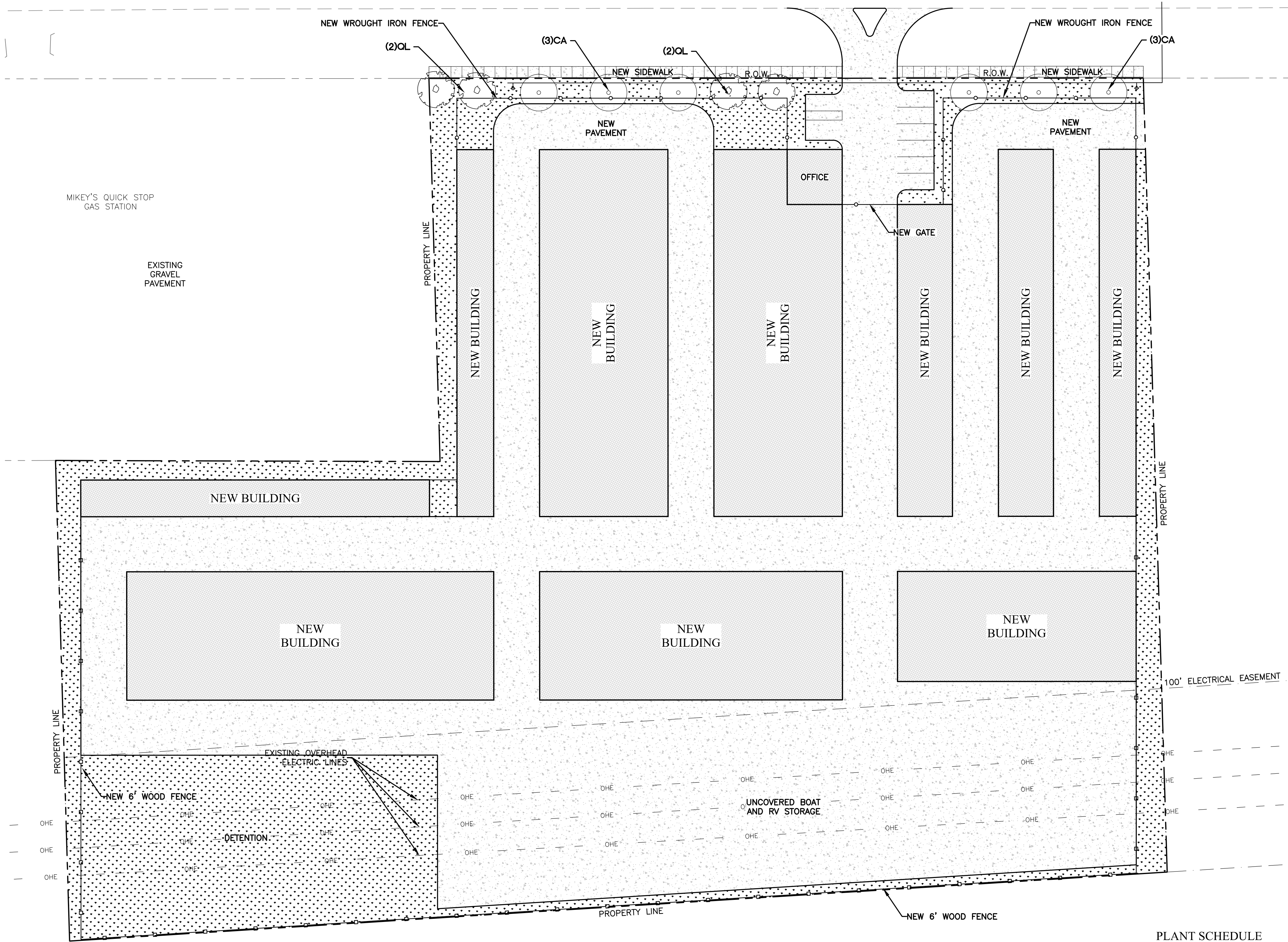
Maps

P&Z Excerpts (September 16, 2019)

Ordinance



HWY 317



OVERALL LANDSCAPE TOTALS

TOTAL LANDSCAPE MITIGATION & REQUIRED AREA:	
LANDSCAPE AREA	39,449.88 SF
OVERALL SITE	226,691.10 SF
TOTAL LANDSCAPE	17.4%

GENERAL LANDSCAPE REQUIREMENTS:

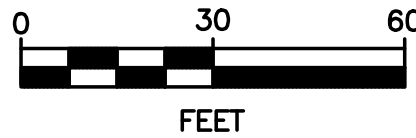
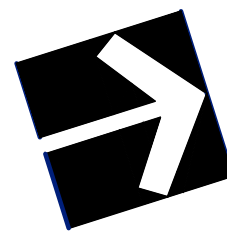
- MINIMUM OF 60% OF ALL REQUIRED TREES SHALL EVERGREEN
- 1 TREE (OR 3 SHRUBS) PER 40' LF PUBLIC FRONTAGE
- 389 LF = 10 TREES / COMBO LARGE & SMALL TREES
- PROVIDED CANOPY TREES 10

LANDSCAPE NOTES

- COORDINATE LOCATION OF TREES WITH OWNER PRIOR TO INSTALLATION.
- NO REQUIRED LANDSCAPING SHALL BE PLANTED IN SUCH A MANNER AS TO ADVERSELY AFFECT DRAINAGE OR UTILITY EASEMENTS. TREES WITH A MAXIMUM MATURE HEIGHT GREAT ENOUGH TO INTERFERE WITH OVERHEAD POWER LINES SHALL NOT BE PLANTED BELOW OVERHEAD POWER LINES. NO TREE SHALL BE PLANTED WITHIN FIVE (5) FEET OF ANY EXISTING UTILITY POLE, GUY WIRE OR PAD MOUNTED TRANSFORMER.
- ALL LANDSCAPED AREAS SHALL BE IRRIGATED BY AN AUTOMATIC SPRINKLER SYSTEM THAT IS DESIGNED AND INSTALLED BY A LICENSED IRRIGATION PROFESSIONAL.
- ALL AREAS NOT COVERED BY IMPERVIOUS SURFACES SHALL HAVE NEW GRASS SOD, GRASS SEEDING, MULCH, WASHED GRAVEL, ROCK, SAND OR OTHER DECORATIVE COVERS.
- PRIOR TO BEGINNING CONSTRUCTION, LANDSCAPE CONTRACTOR SHALL COORDINATE THE TYPE OF NEW GRASS, TREES, AND SHRUBBERY WITH OWNER.
- ALL PLANT MATERIAL SHALL BE MAINTAINED IN A HEALTHY AND GROWING CONDITION AS IS APPROPRIATE FOR THE SEASON.
- ALL LANDSCAPE MATERIALS SHALL BE INSTALLED ACCORDING TO AMERICAN NURSERY AND LANDSCAPE ASSOCIATION (AN&LA) STANDARDS.
- ALL IRRIGATION SYSTEMS SHALL BE DESIGNED AND SEALED IN ACCORDANCE WITH THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ) AND SHALL BE PROFESSIONALLY INSTALLED. NO IRRIGATION SHALL BE REQUIRED FOR UNDISTURBED NATURAL AREAS OR UNDISTURBED EXISTING TREES.
- ALL TREES SHALL BE THE CALIPER SIZE NOTED IN THE PLANT SCHEDULE.

PLANT SCHEDULE

SYM	QTY	BOTANICAL NAME	COMMON NAME	SIZE	NOTES
CANOPY TREES					
OL	4	QUERCUS LACEYI	LACEY OAK	2" CAL.	SPECIMEN QUALITY
CA	6	CUPRESSUS ARIZONICA	ARIZONA CYPRESS	2" CAL.	SPECIMEN QUALITY



LEGEND

- LACEY OAK
- ARIZONA CYPRESS
- NEW NATIVE TURF WITH 4" SANDY LOAM TOPSOIL



317 SELF STORAGE
NEW SITE DEVELOPMENT

TEMPLE, TEXAS

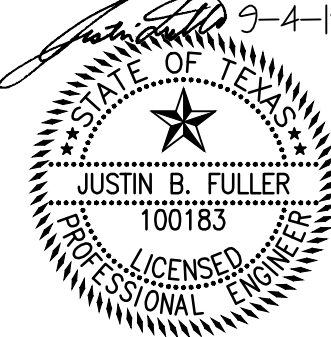
SITE LANDSCAPING
PLAN

DRAWING STATUS

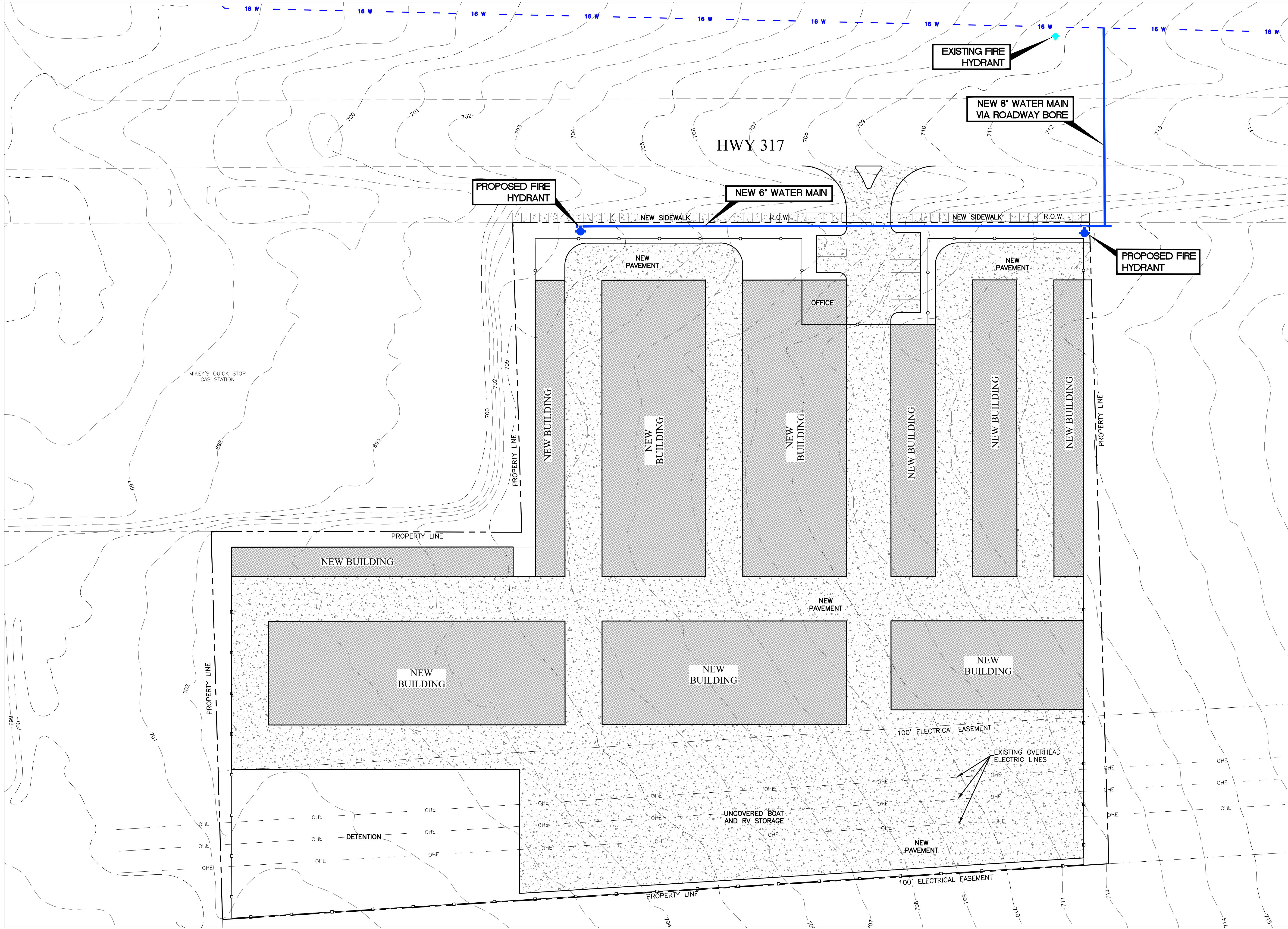
THESE DRAWINGS WERE PREPARED UNDER THE AUTHORITY OF JUSTIN B. FULLER P.E. 100183, CLARK & FULLER, PLLC FIRM NO: F-10384.

☒ 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



Designed	JBF
Drafted	ECB
Project No	191998.00
Plot Date	9-4-19



03060

FEET

- LEGEND:
- -
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317 SELF STORAGE
NEW SITE DEVELOPMENT

TEMPLE, TEXAS

TOPOGRAPHIC
AND UTILITY MAP

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

9-4-19

Designed	JBF
Drafted	ECB
Project No	191998.00
Plot Date	9-4-19

2

Planned Development Criteria and Compliance Summary

UDC Code Section 3.4.5 (A-J)	Yes/No	Discussion / Synopsis
A. The Plan Complies with all provisions of the Design and Development Standards Manual, this UDC and other Ordinances of the City.	YES	It is fully anticipated that the development / site plan attached with the rezoning ordinance will conform to all applicable provisions of the UDC as well as to dimensional, developmental and design standards adopted by the City for non-residential development.
B. The environmental impact of the development relating to the preservation of existing natural resources on the site and the impact on natural resources of the surrounding impacts and neighborhood is mitigated.	YES	Drainage and other related engineering will be addressed through the platting process. No impacts to existing natural resources on the property have been identified.
C. The development is in harmony with the character, use and design of the surrounding area.	YES	The project site is proposed as a self storage facility with uncovered boat and RV storage on the eastern portion of the property. As a Planned Development it is proposed with landscaping and a wrought iron fence along the SH 317 frontage as well as a 6-foot high wood fence on the remaining three property boundaries. With the exception of the Shell fueling station and convenience store to the south, the surrounding area is undeveloped. However, the property to the east is zoned SF-2 but undeveloped. The 6-foot wood fence will reduce visual impacts of the self storage if the SF-2 property is developed in the future.
D. Safe and efficient vehicular and pedestrian circulation systems are provided.	YES	Vehicular access was addressed by the review of the subdivision plat which will require TxDOT review. The development/ site plan shows a new sidewalk with the TxDOT ROW of SH 317. No circulation issues have been identified.
E. Off-street parking and loading facilities are designed to ensure that all such spaces are usable and are safely and conveniently arranged.	YES	There are 8 parking spaces proposed which exceeds the 1 space per 2 employee required per UDC 7.5 and is acceptable. A condition of the Planned Development provides for the adequacy of 8 spaces.
F. Streets are designed with sufficient width and suitable grade and location to accommodate prospective traffic and to provide access for firefighting and emergency equipment to buildings.	YES	No streets are proposed by this planned development. Access to the site will be provided by a proposed driveway which requires TxDOT approval. Access will be reviewed during the review of the final plat.
G. Streets are coordinated so as to compose a convenient system consistent with the Thoroughfare Plan of the City.	YES	Compliance and consistency with the Thoroughfare Plan has been reviewed with the Planned Development and will be confirmed with the review of the final plat. No issues are anticipated.
H. Landscaping and screening are integrated into the overall site design: 1. To provide adequate buffers to shield lights, noise, movement or activities from adjacent properties when necessary. 2. To complement the design and location of buildings.	YES	Landscaping requirements will be finalized during the building permit stage. A Landscape Plan (Exhibit) will be attached to the Planned Development Ordinance. The Landscape Plan reflects the use of ten (10) trees of 2" diameter at breast height (dbh) along the SH 317 frontage as well as turf in other areas along the property perimeter and detention basin. Compliance will be made with the review of the building plans. A condition of approval provides flexibility to the Director of Planning & Development to make minor adjustment for landscaping, buffering and screening as warranted to address buffering and screening requirements.
I. Open space areas are designed to ensure that such areas are suitable for intended recreation and conservation uses.	YES	No Parkland dedication fees are required for this Planned Development. No parkland dedication fees are required with the subdivision plat since the plat is non-residential.
J. Water, drainage, wastewater facilities, garbage disposal and other utilities necessary for essential services to residents and occupants are provided.	YES	Water will be provided by the City of Temple. Wastewater will be provided by on-site septic. Drainage facilities as well as other utilities will be addressed with the review of the plat and will be finalized by the review of Construction documents. To date, no issues have been identified. Detention is proposed in the south eastern corner of the property.

Site & Surrounding Property Photos



Site: Undeveloped (GR)



Site: Undeveloped (GR)



South: Adjacent Shell Fueling Station & Convenience Store (GR)



South: Shell Fueling Station & Convenience Store (Closeup)(GR)



West: Undeveloped (AG)

Tables

Permitted & Conditional Uses Table for General Retail District

Use Type	General Retail (GR)
Agricultural Uses	Farm, Ranch or Orchard
Residential Uses	Single Family Residence (Detached & Attached) Family or Group Home Duplex Townhouse 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%
Educational & Institutional Uses	Cemetery (CUP) Place of Worship Social Svc. Shelter (CUP) Child Care Hospital
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

	Surrounding Property & Uses		
<u>Direction</u>	<u>FLUP</u>	<u>Zoning</u>	<u>Current Land Use</u>
Site	Agricultural/Rural & Suburban Commercial	GR	Undeveloped
North	Agricultural/Rural	GR	Undeveloped
South	Suburban Commercial	PD-GR & AG	Shell Gas Station & Retail Uses
East	Agricultural/Rural & Suburban Commercial	SF-2	Undeveloped
West	Suburban Commercial	AG	Undeveloped

Comprehensive Plan Compliance

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

Dimensional Standards (UDC Section 4.5)

	<u>(GR)</u> <u>Non-Residential</u>
Minimum Lot Size	N/A
Minimum Lot Width	N/A
Minimum Lot Depth	N/A
Front Setback	15 Feet
Side Setback	10 Feet
Side Setback (Corner)	10 Feet
Rear Setback	0 Feet
Max Building Height	3 Stories

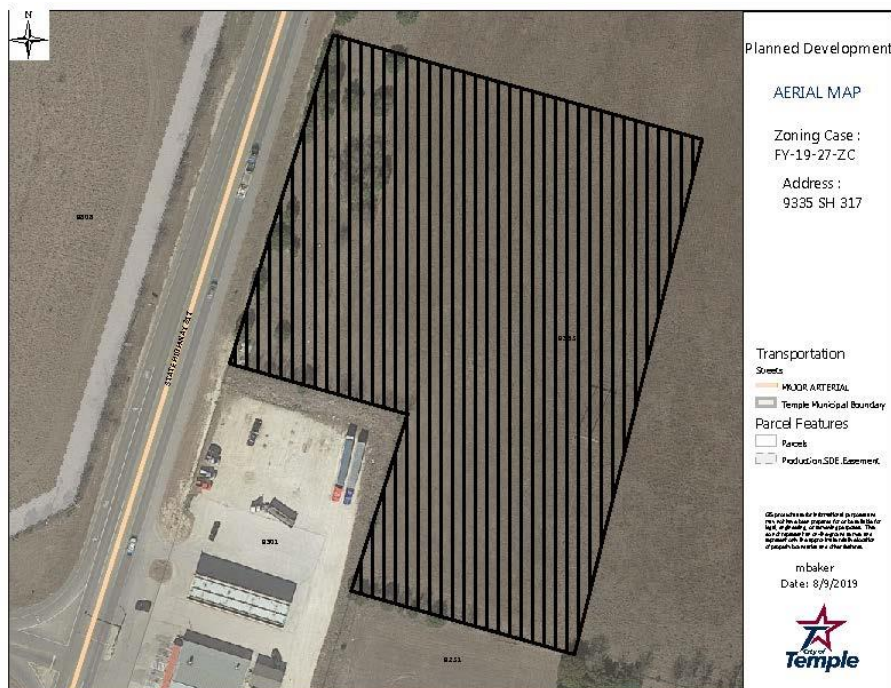
Hour Trip Rates Table (8th Ed. ITE Manual)

Use	Trip Rate Calc. Factor	<u>Calculated Peak Hour Trip Rate</u>
Mini Warehousing	0.26 (Per 1,000 S.F.) @ 83,350	21.67 Trips
Convenience Market with Gasoline Pumps	50.92 (Per 1,000 S.F)	N/A
Gasoline Station	13.87 (Per Fueling Station)	N/A
Single Family Detached Residence	1.00 (Per DU)	N/A

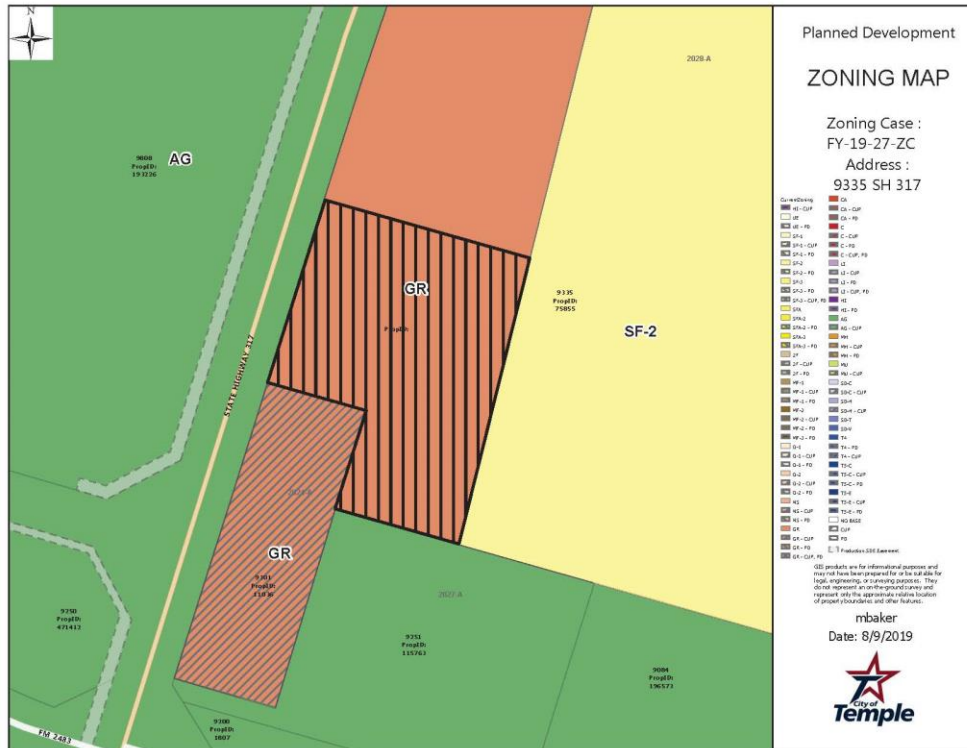
Maps



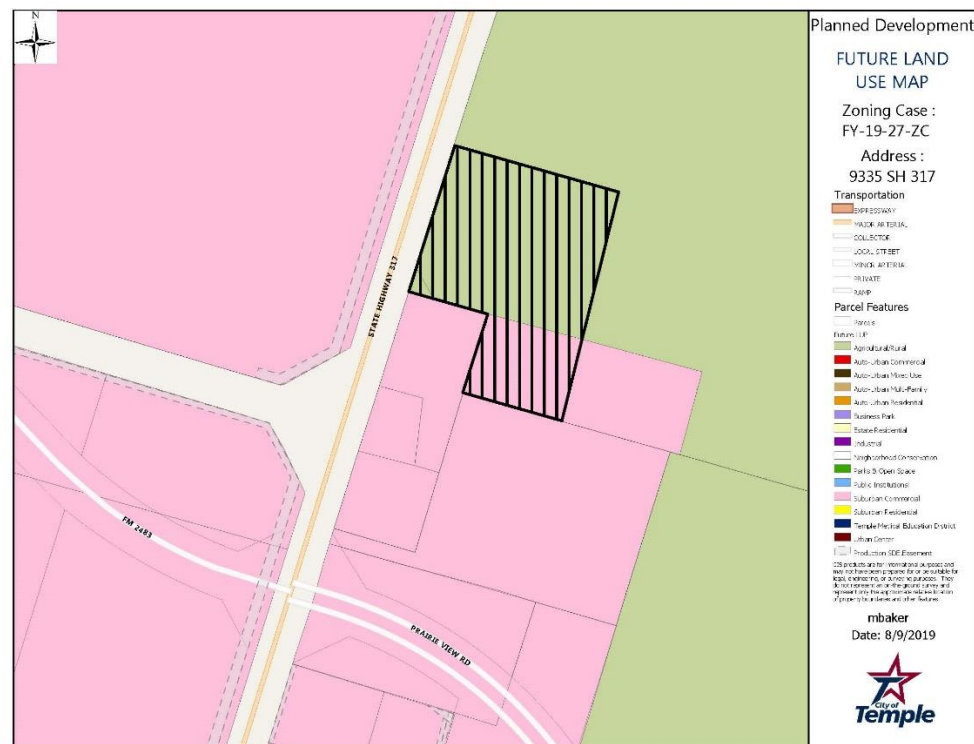
Location Map



Aerial Map



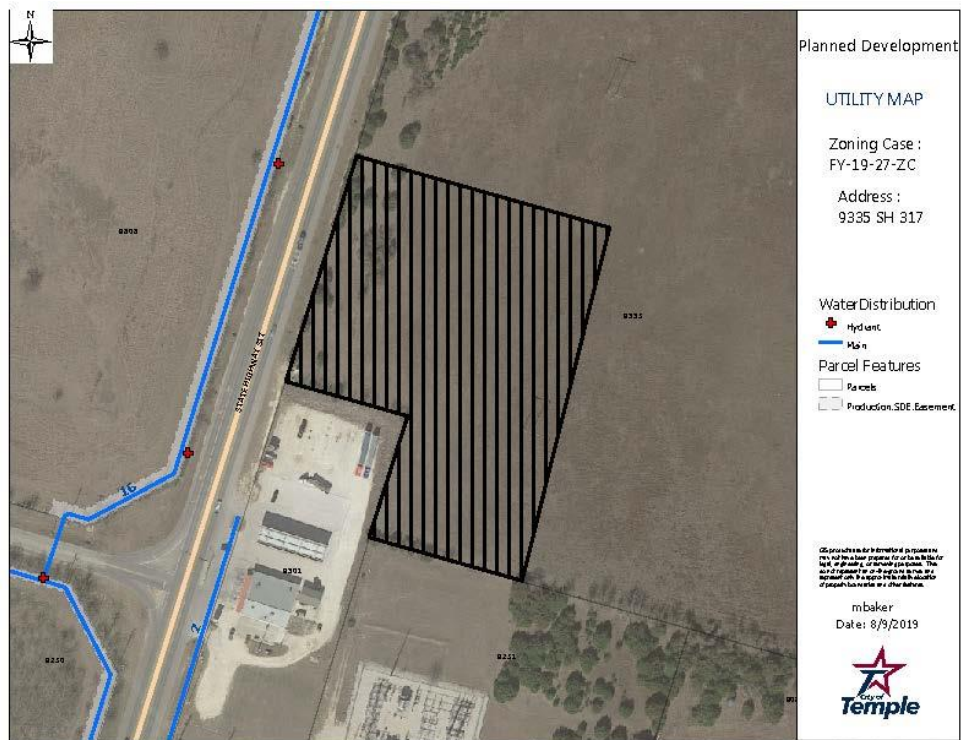
Zoning Map



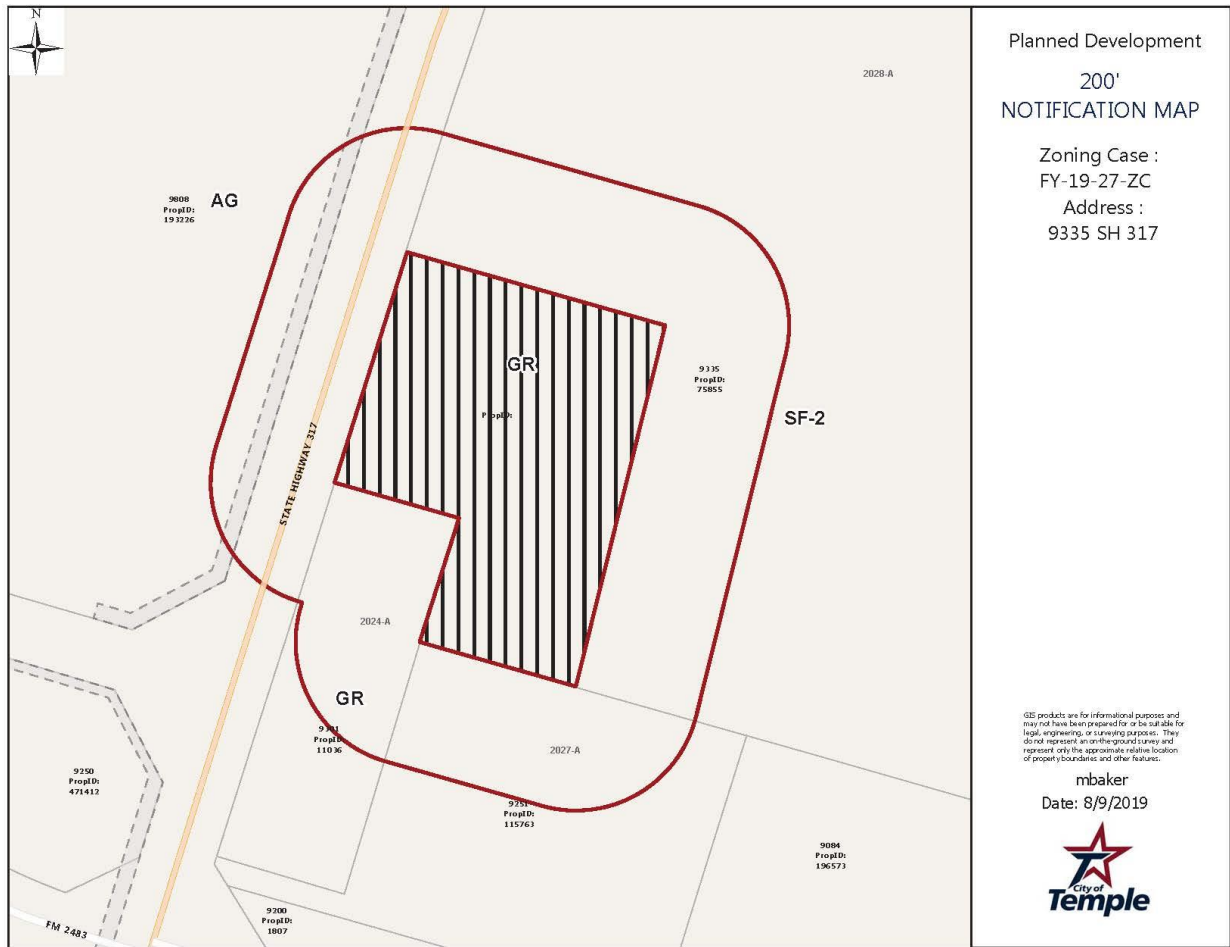
Future Land Use Map



Thoroughfare & Trails Map



Utility Map



Notification Map

**EXCERPTS FROM THE
PLANNING & ZONING COMMISSION MEETING
MONDAY, SEPTEMBER 16, 2019**

ACTION ITEMS

Item 3: FY-19-27-ZC – Hold a public hearing to discuss and recommend action for a rezoning from General Retail (GR) to Planned Development-General Retail (PDGR) with a development/site plan for a self-storage facility with uncovered boat and RV storage on 5.204 +/- acres, addressed as 9335 State Highway 317.

Mr. Baker stated this item is scheduled to go forward to City Council for first reading on October 17, 2019 and second reading on November 7, 2019.

This rezoning is to allow a combination climate-controlled and outside temperature self-storage facility with ten separate buildings for uncovered RV and boat storage within overhead electrical easement.

A subdivision plat will be required prior to development of property.

The Development Review Committee (DRC) reviewed this case on August 15, 2019.

Planned Development (PD) UDC Section 3.4:

- A Planned Development is a Flexible Overlay Zoning District designed to respond to unique development proposals, special design considerations and land use transitions by allowing evaluation of land use relationships to surrounding areas through Development/Site Plan approval.

This item is found to be in compliance with the Planned Development, UDC, Section 3.4 Criteria Table.

Zoning Map is shown and found in compliance.

Future Land Use Map is shown and found in partial compliance.

Existing water and sewer map is shown and found in compliance.

Thoroughfare Plan and Trails Map shown and found in compliance.

Site and area photos are shown.

Charts of typical General Retail (GR) uses and PD standards are shown.

Site Plan with details is shown.

Landscape plan with details is shown.

Public Access and Parking Plan is shown.

Four notices were mailed in accordance with all state and local regulations with zero notices returned in agreement and zero notices returned in disagreement.

Compliance Summary is shown.

Staff recommends approval of the request for a rezoning from GR district to PD-GR district allowing for a self-storage facility subject to the following six conditions:

1. That the 5.204 +/- acre site may be developed with a self-storage facility as shown and further described by Exhibits A & B of the rezoning Ordinance or any permitted use within the General Retail (GR) district;
2. That a subdivision plat is recorded prior to issuance of a building permit;
3. That eight (8) provided parking spaces is acceptable to accommodate the proposed use;
4. That the Director of Planning & Development may be authorized discretion to approve minor modifications to the City Council-approved development plan for the 5.204 +/- acre tract, including but not limited to, screening, buffering, landscaping and minor modifications to the overall site layout;
5. Significant changes to the Development/ Site Plan require review by the Planning & Zoning Commission and City Council
6. That the SH 317-facing facades of the six (6) (or exterior) buildings include at least 3 of the following architectural elements:
 - a. Combination of 2 different materials (one as a base material at least 3-feet in height)
 - b. Windows (real or faux)
 - c. A parapet at least 3-feet tall
 - d. Structural awnings
 - e. Front roof gables

Vice-Chair Ward opened the public hearing.

There being no speakers, the public hearing was closed.

Commissioner Alaniz made a motion to approve Item 3, **FY-19-27-ZC**, per staff recommendation, and Commissioner Armstrong made a second.

Motion passed: (7:0)

Chair Langley and Commissioner Marshall absent

ORDINANCE NO. 2019-5000
(FY-19-27-ZC)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A REZONING FROM GENERAL RETAIL ZONING DISTRICT TO PLANNED DEVELOPMENT GENERAL RETAIL ZONING DISTRICT WITH A DEVELOPMENT/SITE PLAN FOR A SELF-STORAGE FACILITY ON APPROXIMATELY 5.204 ACRES; ADDRESSED AS 9335 STATE HIGHWAY 317; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the applicant, Clark & Fuller, on behalf of Bryan Burke, requests a rezoning from General Retail zoning district to Planned Development General Retail zoning district to allow for a self-storage facility on approximately 5.204 acres located at 9335 State Highway 317;

Whereas, the facility will include a combination of indoor climate controlled and ambient (outdoor) temperature storage units along with uncovered boat and RV storage within the overhead electrical easement on the eastern side of the approximately 5.204 acres - the self-storage facility is proposed to provide for approximately 83,350 square feet of storage space;

Whereas, the Planning and Zoning Commission of the City of Temple, Texas, recommends approval of the rezoning from General Retail zoning district to Planned Development General Retail with a Development/Site Plan for a self-storage facility on approximately 5.204 acres, addressed as 9335 State Highway 317, as outlined on the Development/Site Plan attached hereto as Exhibit 'A,' and made a part hereof for all purposes, and subject to the following conditions:

1. the approximately 5.204-acre site may be developed with a self-storage facility as shown and further described by Exhibits A & B of the rezoning Ordinance or any permitted use within the General Retail district;
2. a subdivision plat is recorded prior to issuance of a building permit;
3. eight parking spaces will be provided to accommodate the proposed use;
4. the Director of Planning & Development may be authorized discretion to approve minor modifications to the Council approved development plan for the approximately 5.204-acre tract, including but not limited to, screening, buffering, landscaping and minor modifications to the overall site layout;
5. significant changes to the Development/Site Plan will require review by the Planning & Zoning Commission and City Council;
6. the State Highway 317-facing facades of the six (or exterior) buildings include at least 3 of the following architectural elements:
 - a. combination of 2 different materials (one as a base material at least 3-feet in height);
 - b. windows (real or faux);
 - c. a parapet at least 3-feet tall;
 - d. structural awnings; and
 - e. front roof gables;

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 from General Retail to Planned Development General Retail with a Development/Site Plan for a self-storage facility on approximately 5.204 acres, addressed as 9335 State Highway 317, and outlined on the Development/Site Plan attached hereto as Exhibit 'A,' and made a part hereof for all purposes.

Part 3: The City Council approves the Development/Site 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 **17th** day of **October**, 2019.

PASSED AND APPROVED on Second Reading on the **7th** day of **November**, 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

10/17/19
Item #7
Regular Agenda
Page 1 of 2

DEPT./DIVISION SUBMISSION REVIEW:

Jason Deckman, Planner

ITEM DESCRIPTION: FIRST READING – PUBLIC HEARING – FY-19-28-ZC: Consider adopting an ordinance authorizing a Conditional Use Permit to allow for an office warehouse, with a Site Plan, in the Temple Winnelson Subdivision, addressed as 1801 North 3rd Street and 1605 North 3rd Street.

PLANNING & ZONING COMMISSION RECOMMENDATION: During its September 16, 2019, meeting, the Planning & Zoning Commission voted 6 to 0 (with 1 abstaining) to recommend approval per staff's recommendation.

STAFF RECOMMENDATION: Based on the following analysis that:

1. The request is compatible with surrounding uses;
2. The request complies with the Future Land Use Map and Thoroughfare Map;
3. Public facilities are available to serve the property; and
4. Demonstrated compliance with the CUP review criteria in UDC Section 3.5.4.

Staff recommends approval of the Conditional Use Permit subject to the following conditions:

1. Substantial compliance with the building footprint and lot layout depicted by Site Plan attached as Exhibit A;
2. That paved and striped parking spaces will be accessible from both lots via a connecting driveway as shown on the Site Plan; and
3. That the Director of Planning may be authorized to approve minor changes to the Site Plan, which may include but are not limited to: building footprint configuration, exterior building materials, and landscaping.

ITEM SUMMARY: Temple Winnelson Company currently operates a plumbing supply business at 1801 North 3rd Street. The company acquired the adjacent lot at 1605 North 3rd and is developing that property in order to expand the existing business. The UDC does not describe any specific performance standards for approval and the review criteria in UDC Sec. 3.5.4 will be applied.

BACKGROUND: An office warehouse is permitted in the General Retail zoning district with a Conditional Use Permit. The proposed building measures 24,096 square feet. It will contain 5,242 square feet of offices, conference rooms, and showroom area, with the remaining 18,854 square feet dedicated to warehouse space.

Parking is shown on the attached Site Plan. Eighteen spaces are shown on each lot, for a total of 36. A minimum of 29 spaces would be required, with 21 of them on the southern lot. Staff identified that the parking layout shown on the south lot does not meet a strict reading of the required parking ratios for office and warehouse uses. However, a connecting driveway links the two lots, and taken as a whole, the site plan exceeds the minimum required parking spaces. In consideration of the overall plan, staff has determined that this meets the parking standards in UDC Section 7.5. A condition of approval will be that all parking areas must be paved, and all spaces must be striped.

The proposed Conditional Use Permit has demonstrated compliance to the seven Review Criteria as set forth in UDC Section 3.5.4 (A-G). The site plan as submitted is substantially the same as was presented during the 1st and 3rd Overlay appeal to standards. The proposed landscaping and sidewalks to be constructed as part of this project will enhance the streetscape and will not diminish property values in the surrounding area. The site plan addresses access to public streets as well as internal circulation. A brief summary of each item is provided in the attached table. If the Conditional Use Permit is approved by City Council, the attached site plan will be included as Exhibit A with the ordinance.

DEVELOPMENT REGULATIONS: The property is located in the 1st and 3rd Overlay Zoning District and is subject to additional requirements for landscaping, public frontage, and screening. These requirements were addressed in a previous appeal to standards that was approved by City Council on June 21, 2018. That resolution is attached to this report.

DEVELOPMENT REVIEW COMMITTEE (DRC): Members of the DRC reviewed the proposed conditional use permit and site plan. No major issues were identified during the review. The Fire Marshal has stated that fire protection requirements will be addressed in the construction permit.

PUBLIC NOTICE: Twenty-two notices of the public hearing were sent out to property owners within 200-feet of the subject property as required by State law and City Ordinance. One property notice was returned in agreement; a copy of the response letter is attached to this report.

The newspaper printed notice of the public hearing on September 5, 2019, in accordance with state law and local ordinance.

FISCAL IMPACT: Not applicable.

ATTACHMENTS:

[Site Plan \(Exhibit A\)](#)

[Maps](#)

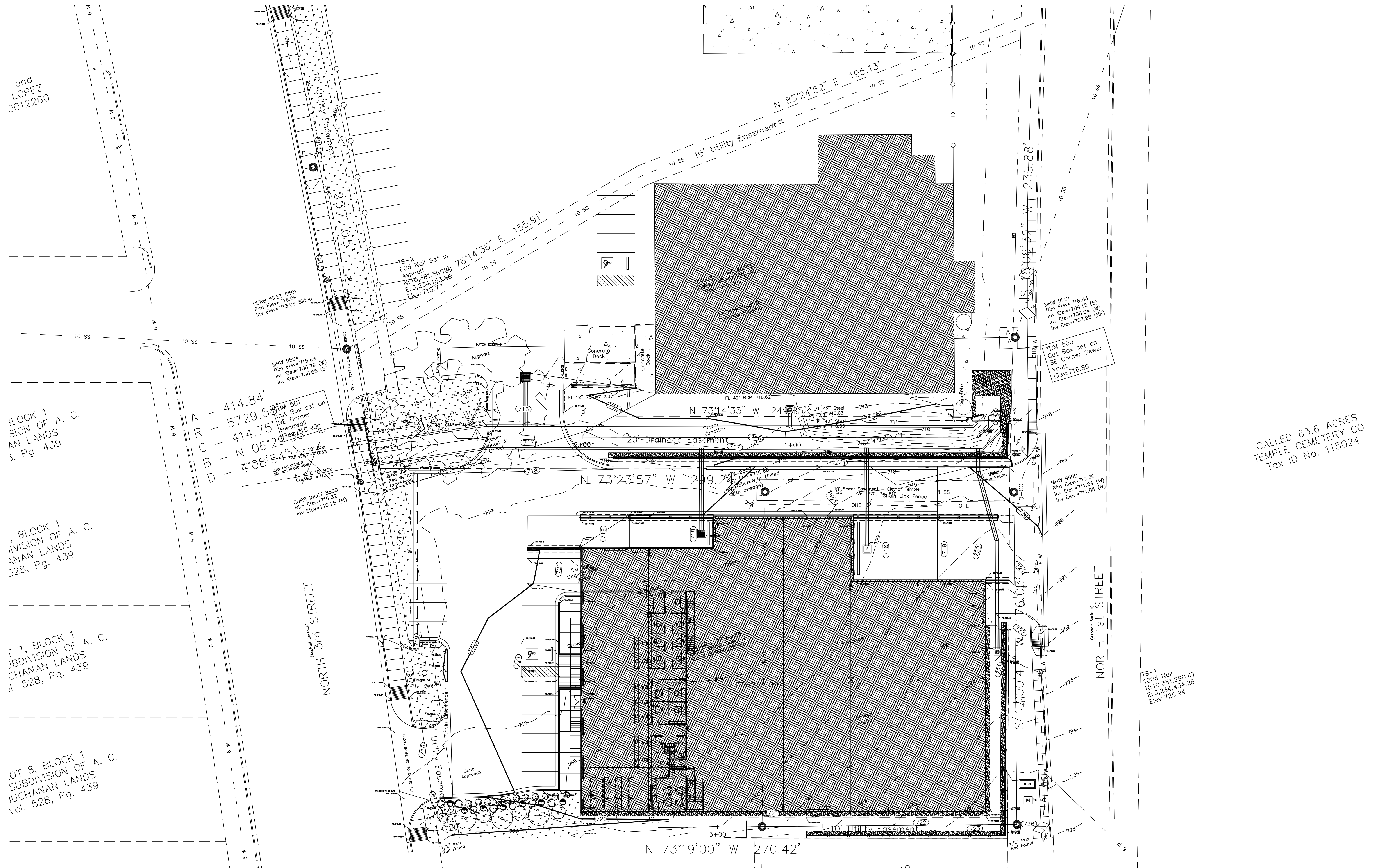
[Conditional Use Permit Review Criteria Table \(UDC Section 3.5.4 \(A-G\)\)](#)

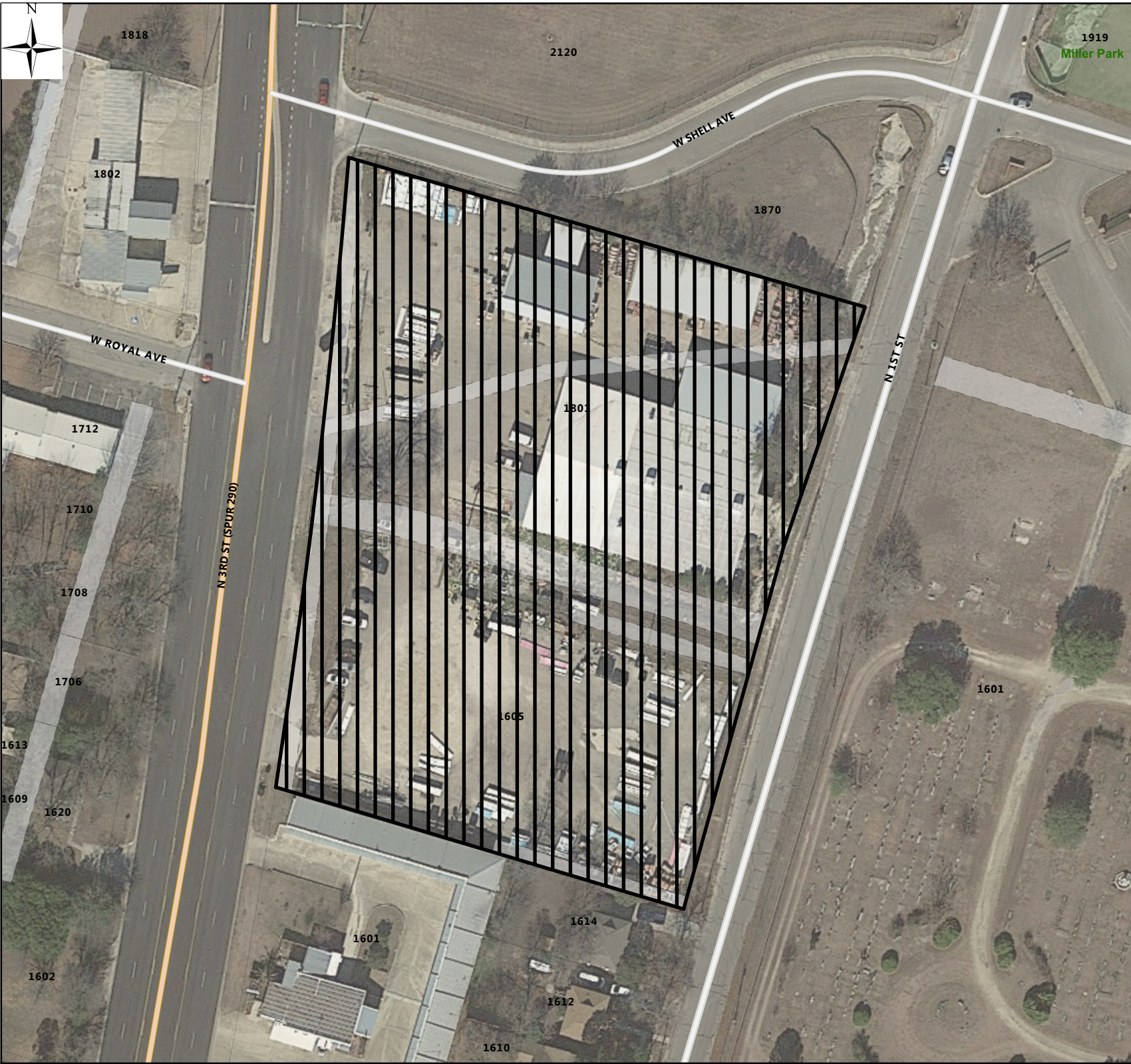
[Site Photos](#)

[Appeal to Standards of 1st and 3rd Overlay District \(Res. 2018-9180\)](#)

[Returned Property Notice](#)

[Ordinance](#)





CUP for
Office Warehouse

AERIAL MAP

Zoning Case :
FY-19-28-ZC

Address :
1605 & 1801 N 3RD ST

Transportation

Streets

MAJOR ARTERIAL

COLLECTOR

LOCAL STREET

Temple Municipal Boundary

Parcel Features

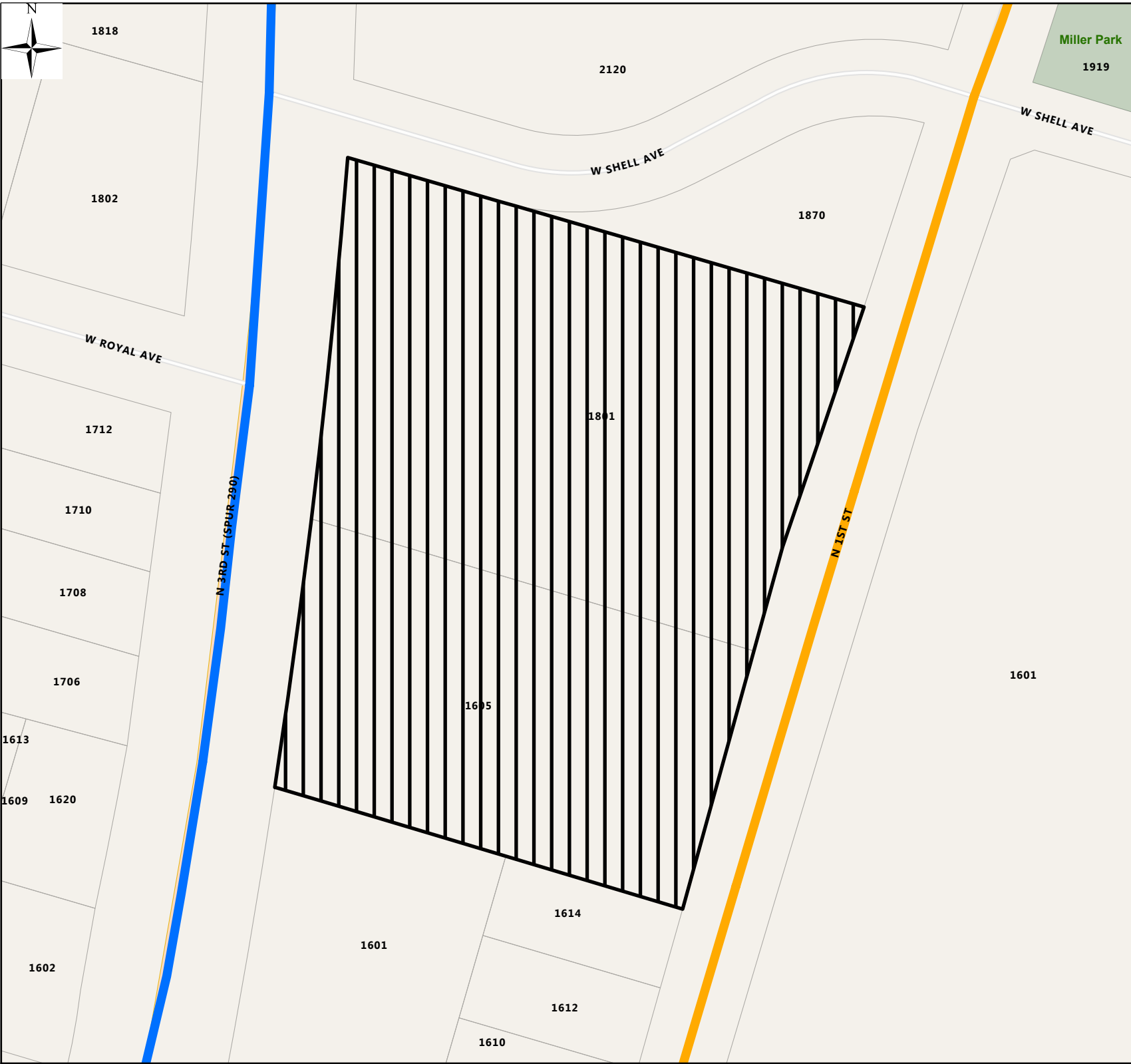
Parcels

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.

jdeckman
Date: 9/11/2019





CUP for
Office Warehouse
**THOROUGHFARE
AND TRAILS MAP**

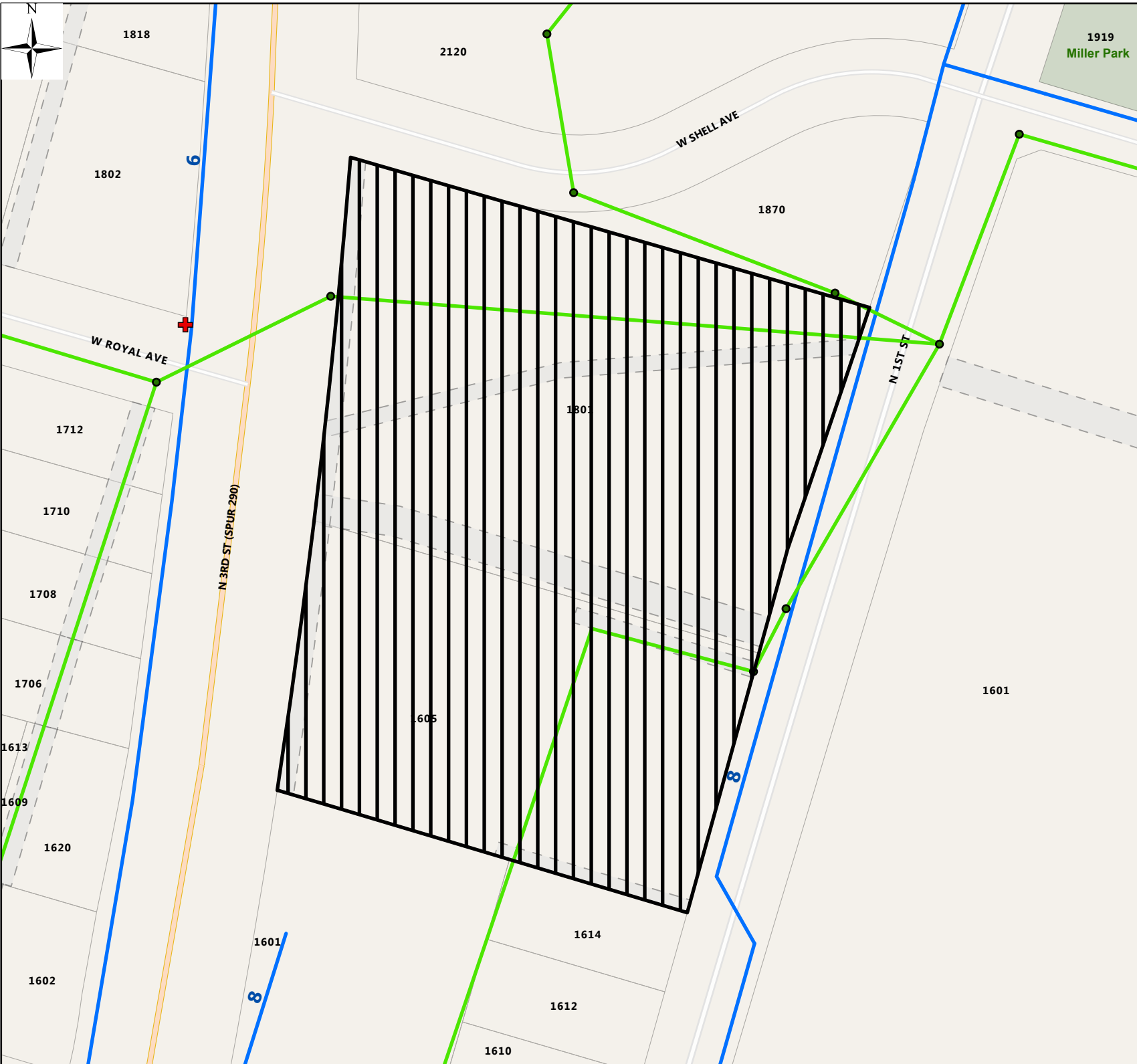
Zoning Case :
FY-19-28-ZC
Address :
1605 & 1801 N 3RD ST

- | Parcel Features | | Trails Master Plan | |
|-------------------------|--|------------------------------------|--|
| Parcels | | EXISTING, CITY WIDE SPINE | |
| Expressway | | EXISTING, COMMUNITY WIDE CONNECTOR | |
| Major Arterial | | EXISTING, LOCAL CONNECTOR | |
| Proposed Major Arterial | | PROPOSED, CITY WIDE SPINE | |
| Minor Arterial | | PROPOSED, COMMUNITY WIDE CONNECTOR | |
| Proposed Minor Arterial | | PROPOSED, LOCAL CONNECTOR | |
| Collector | | | |
| Proposed Collector | | | |

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jdeckman
Date: 9/11/2019





CUP for Office Warehouse

UTILITY MAP

Zoning Case :
FY-19-28-ZC

Address :
1605 & 1801 N 3RD ST

Sewer

- Manhole
- Gravity Main

WaterDistribution

- ✚ Hydrant
- Main

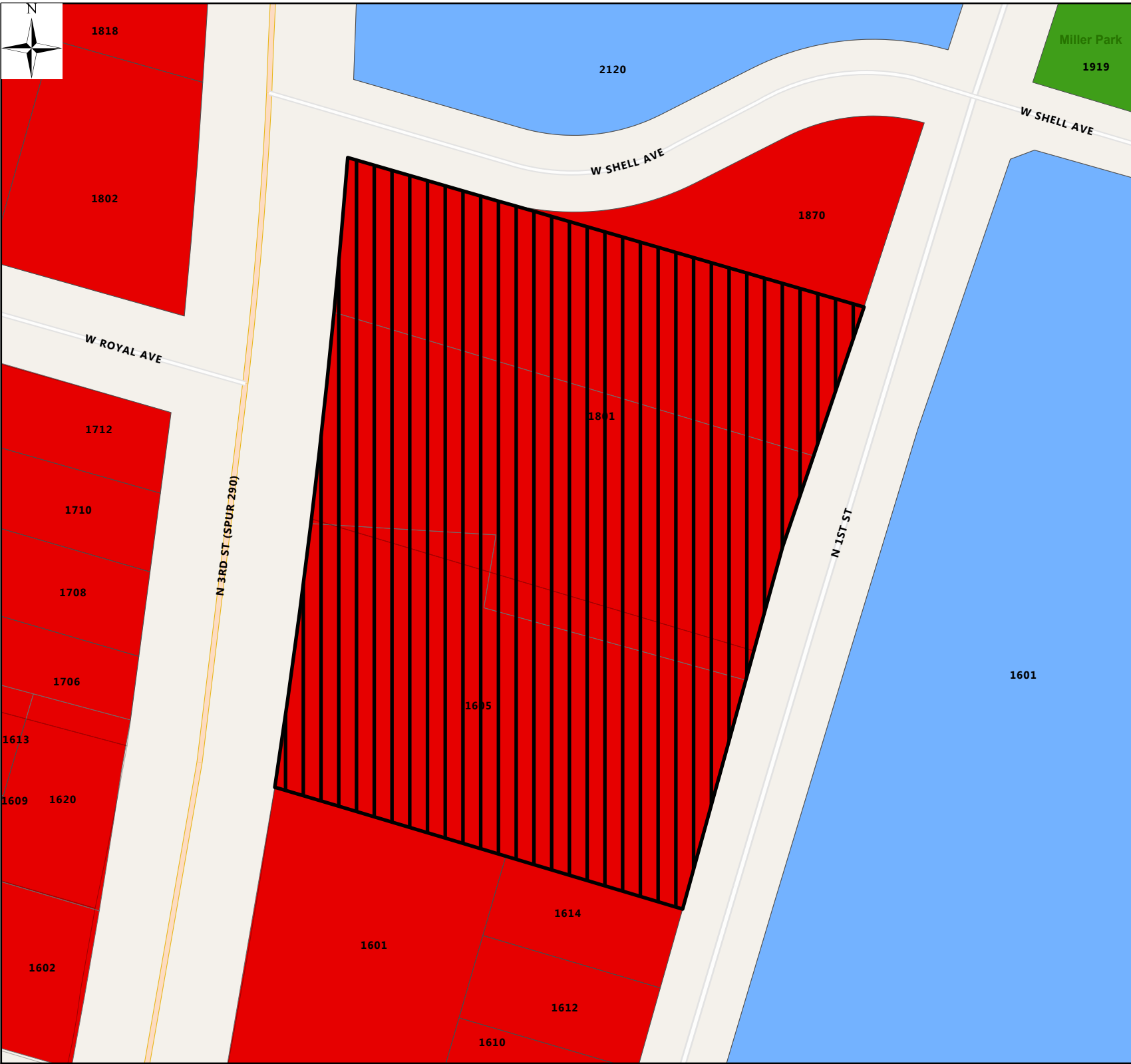
Parcel Features

- Parcels
- Easement

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jdeckman
Date: 9/11/2019





CUP for
Office Warehouse
FUTURE LAND
USE MAP

Zoning Case :
FY-19-28-ZC

Address :
1605 & 1801 N 3RD ST

Transportation

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

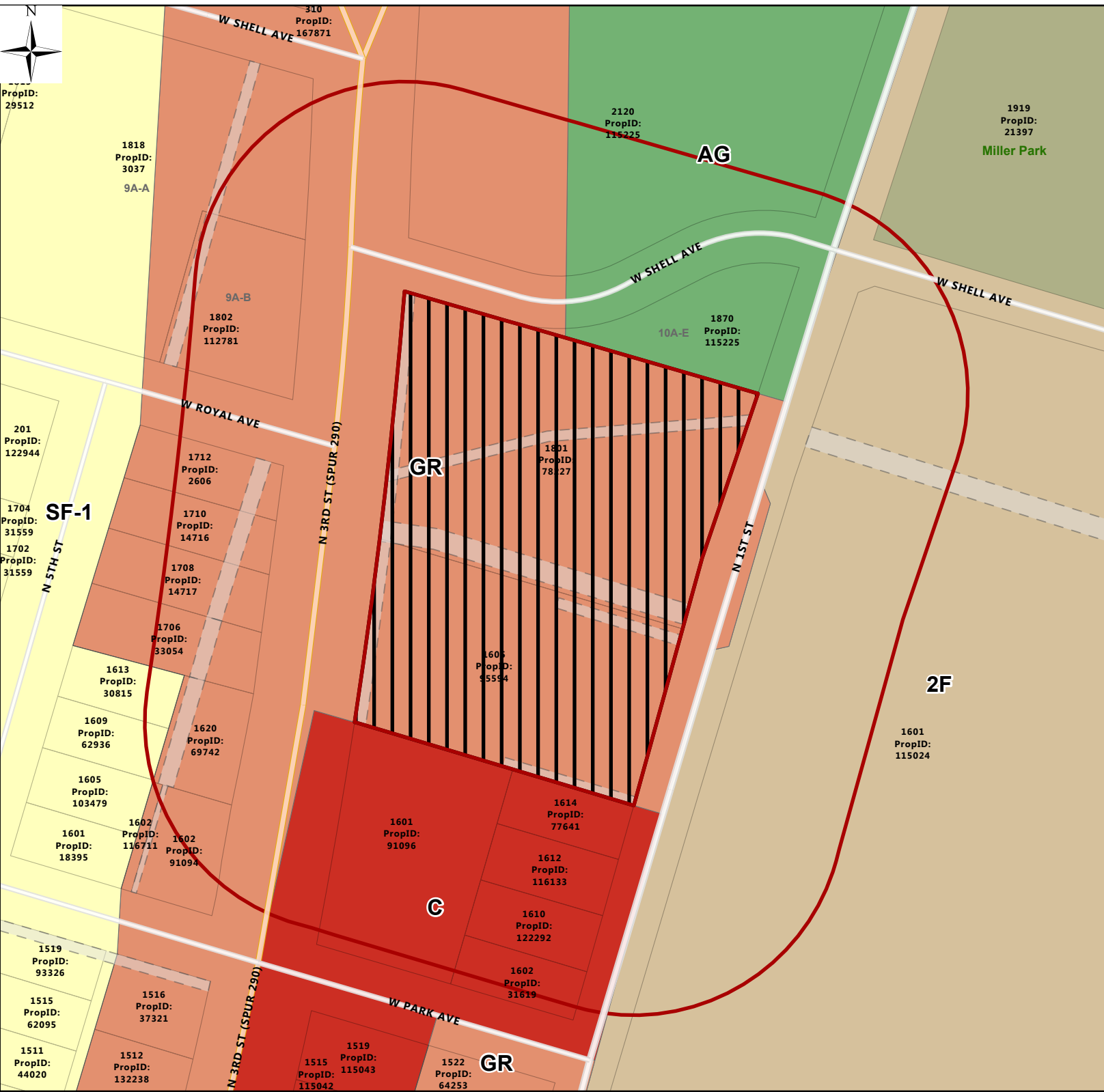
Parcel Features

- 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

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jdeckman
Date: 9/11/2019





CUP for Office Warehouse
200'
NOTIFICATION MAP
Zoning Case :
FY-19-28-ZC
Address :
1605 & 1801 N 3RD ST

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

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

jdeckman
Date: 9/12/2019



UDC Code Section 3.5.4	Criteria met?	Discussion
A. The conditional use is compatible with and not injurious to the use and enjoyment of the property and does not significantly diminish or impair property values within the immediate area.	Yes	The proposed site development plan and new building will enhance the aesthetics of this property, particularly the frontage landscaping along N. 3 rd Street.
B. The establishment of the conditional use does not impede normal and orderly development and improvement of surrounding vacant property.	Yes	Operation of an office warehouse will not impede development or improvements on the surrounding properties.
C. Adequate utilities, access roads, drainage, and other necessary support facilities have been or will be provided.	Yes	Public Works has determined that water and wastewater service to the property will be adequate and won't be negatively impacted. The property fronts onto a major arterial street.
D. The design, location and arrangement of all driveways and parking spaces provide for the safe and convenient movement of vehicular and pedestrian traffic without adversely affecting the general public or adjacent development.	Yes	The property will have two entrances onto N. 3 rd and an additional delivery entrance on N. 1 st . These connections will ensure adequate access and traffic circulation. Adequate parking is shown on the site plan with opportunity for circulation between both lots.
E. Adequate nuisance prevention measures have been or will be taken to prevent or control offensive odors, fumes, dust, noise, and vibration.	Yes	Staff does not anticipate that the proposed warehouse will create offensive odors, fumes, dust, noise, or vibration.
F. Directional lighting is provided so as not to disturb or adversely affect neighboring properties.	Yes	Any exterior lighting proposed will be required to meet the provisions of UDC 7.1.8 with regard to glare. Compliance for exterior lighting will be addressed during review of the building plans.
G. There is sufficient landscaping and screening to insure harmony and compatibility with adjacent property.	Yes	Landscaping has been addressed through standards of the 1 st and 3 rd Overlay District, to preserve existing trees and add landscape buffers. Compliance will be confirmed during review of the building permit.



Existing warehouse, facing east from N 3rd St



View along N. 3rd St frontage, facing north



Site of new office warehouse, facing northwest from N. 1st St



Drainage channel between lots, facing west from N. 1st St,

RESOLUTION NO. 2018-9180-R

(PLANNING NO. FY-18-2-APL)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING AN APPEAL OF STANDARDS TO SECTION 6.8 OF THE UNIFIED DEVELOPMENT CODE IN THE 1ST AND 3RD OVERLAY DISTRICT RELATED TO LANDSCAPING AND PUBLIC FRONTAGE STANDARDS FOR A NEW CONSTRUCTION WAREHOUSE AND SALES BUILDING LOCATED AT 1605 NORTH 3RD STREET; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the applicant operates a plumbing supply business located at 1801 North 3rd Street and is expanding onto the lot to the south, located at 1605 North 3rd Street - the lot lacks landscaping and has other non-conforming features;

Whereas, the 1st and 3rd Overlay District was adopted in 2012 to primarily improve the streetscape, fencing and landscaping within these commercial corridors and the proposed improvements would address the intent of the code by creating an aesthetically pleasing streetscape while maximizing commercial use of the property;

Whereas, at its May 21, 2018 meeting, the Planning and Zoning Commission recommended unanimous approval - Staff recommends approval of the appeal as shown on Exhibit 'A' showing landscaping and public frontage standards for a new construction warehouse and sales building located at 1605 North 3rd Street; and

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

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

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

Part 1: The City Council authorizes an appeal of the following standards of Section 6.8 of the Unified Development Code related to landscaping and public frontage standards for a new construction warehouse and sales building located at 1605 North 3rd Street:

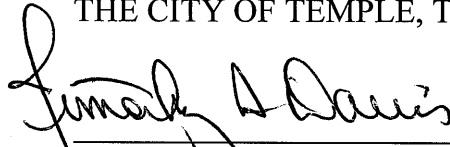
1. **Landscaping**
 - Applicant proposes to landscape approximately 10% of the area of the subject property. Proposed improvements significantly increase the amount of landscaping where none currently exists. Additionally, the applicant proposes to add landscaping at 1801 N. 3rd.
 - **6.8.4:** Maximum impervious lot coverage for non-residential uses is 70%.
 - **6.8.8:** Minimum of 30% landscape area at 1 tree and 4 shrubs per 600 sq. ft.

2. Frontage depth
 - Applicant proposes to landscape area as shown on site plan. The subject property forms an angle to 3rd St. that conflicts with depth requirements.
 - Use the average depth along the frontage to calculate buffer width.
 - **6.8.6 B.4** establishes depth and sidewalk requirements for each public frontage type.
3. Sidewalk width on 1st Street
 - Applicant proposes to extend the existing 4' sidewalk along 1st Street. The proposed sidewalk matches the existing width and increases connectivity between Shell Avenue and residential property to the south. An existing drainage channel limits the width of the sidewalk. As illustrated on the site plan, the sidewalk will be constructed to the back of curb except where it is routed behind the existing overhead utility pole to connect with the existing sidewalk.
 - **6.8.6 B.4:** Code requires an 8' sidewalk, but Sec. 6.8.15 allows for consideration of an administrative exception for sidewalk width by the Planning Director, which was included in this application.
4. Street Tree spacing
 - Applicant proposes to match the 35' spacing in TMED and plant trees where space permits, per Staff recommendation. Trees are placed within frontage along both streets, and clustered on both sides of the entrance on 3rd Street. Applicant also proposes to preserve an existing large tree on their adjacent property at 1801 N. 3rd St.
 - Sixteen trees will be planted.
 - **6.8.6 C.1.a:** One tree per 25' linear street frontage is required. Trees must be planted in a regularly spaced pattern. Spacing of trees may be offset to allow a view corridor into the primary entry of a nonresidential use.
5. Sidewalk to primary entrance
 - Applicant does not show a sidewalk connection to the primary entrance on the site plan.
 - Pedestrians would have easy access along the entrance drive to the front door.
 - **6.8.6 E.6:** Sidewalks must connect to parking within the lot and to primary entrances of each nonresidential building.
6. Foundation Planting
 - Applicant proposes adding landscaping in other areas of the property where none currently exist.
 - **6.8.8 D.1:** Foundation plantings are required within a planting area a minimum of four feet in depth along 50% of the length of any façade visible to the public.
7. Loading areas requiring screening
 - Applicant proposes that a loading area will not have a wall or other screening device.
 - **6.8.12 D.4:** Loading areas must be enclosed on three sides by a wall or other screening device a minimum of eight feet in height.

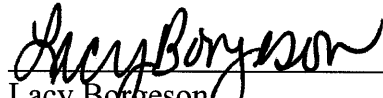
Part 2: It is hereby officially found and determined that the meeting at which this Resolution was passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED this the 21st day of **June**, 2018.

THE CITY OF TEMPLE, TEXAS



TIMOTHY A. DAVIS, MAYOR

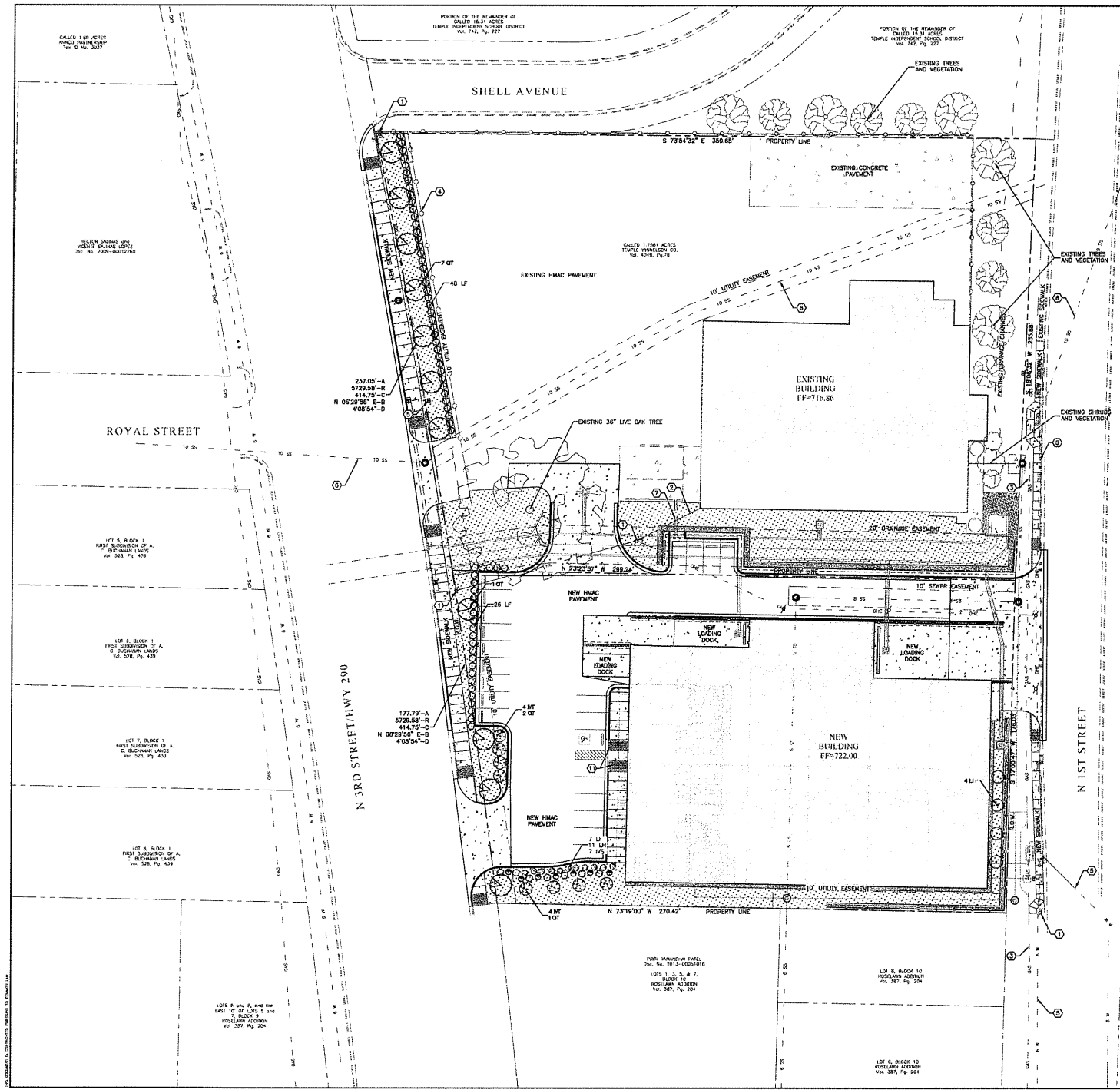
ATTEST:


Lacy Borgeson
City Secretary



APPROVED AS TO FORM:


Kayla Landeros
City Attorney



- KEYED NOTES**
- CAUTION: EXISTING POWER POLE/LIGHT POLE
 - CAUTION: OVERHEAD ELECTRIC
 - CAUTION: EXISTING GAS MAIN/METER
 - EXISTING FENCING
 - EXISTING WATER MAIN/METER
 - EXISTING SANITARY SEWER
 - EXISTING STORM SEWER
 - NEW SANITARY SEWER SERVICE (REFER TO UTILITY SHEET FOR CONSTRUCTION)
 - NEW DOMESTIC WATER/TYPE SERVICE (REFER TO UTILITY SHEET FOR CONSTRUCTION)
 - NEW STORM SEWER (REFER TO UTILITY SHEET FOR CONSTRUCTION)
 - FURNISH AND INSTALL 1-HANDICAP SIDEWALK RAMP (PER T&E STANDARDS)
 - FURNISH AND INSTALL 1-TRUCK TRIP TO HANDICAP RAMP (PER DETAILS)
 - FURNISH AND INSTALL 1-DOWLED CONNECTION TO EXISTING CURB AND GUTTER
- PLANT LEGEND**
- RED OAK
 - CREPE MYRTLE
 - YAUPOH HOLLY
 - DWARF YAUPOH HOLLY
 - TEXAS LANTANA
 - TEXAS SAGE
 - BERNARDIA GRASS 500 GROUNDCOVER

PLANT SCHEDULE

SYM	CITY BOTANICAL NAME	COMMON NAME	SIZE	NOTES
CT 11	QUERCUS TEXANA	RED OAK	1" CAL.	SPECIMEN QUALITY
CT 4	LAGERSTROEMIA INDICA	CREPE MYRTLE	2" CAL.	SPECIMEN QUALITY
CT 8	ILEX YAUPOHIANA	YAUPOH HOLLY	2" CAL.	SPECIMEN QUALITY
CT 7	ILEX YAUPOHIANA	DWARF YAUPOH HOLLY	3" CAL.	SPECIMEN QUALITY
LH 11	LANTANA HORRIDA	TEXAS LANTANA	3" CAL.	SPECIMEN QUALITY
LF 74	LEUCOPHYLLUM FRUTESCENS	TEXAS SAGE	3" CAL.	SPECIMEN QUALITY

REQUIRED LANDSCAPING

1ST AND 3RD OVERLAY DISTRICT LANDSCAPING REQUIREMENTS (FRONTAGE TYPE C):

PUBLIC STREET FRONTAGE:

8' SIDEWALK-BACK OF CURB WITH 4" (OR GREATER) PLANTING STRIP AND BUFFER ZONE.

STREET TREES:

ONE TREE PER 25 LINEAR FEET OF STREET FRONTAGE. TREES MUST BE A SINGLE SPECIES. TREES MUST BE PLANTED A MINIMUM 12 FEET FROM BACK-OF-CURB IN THE REQUIRED PLANTING STRIP.

415 LF. = 17 TREES REQUIRED - 1 EXISTING 36" LIVE OAK = 16 TREES REQUIRED = 16 TREES PROVIDED

PLANTING AREA:

PUBLIC FRONTAGE PLANTING STRIP TYPE C - MUST BE PLANTED IN 500 OR EVERGREEN GROUNDCOVER.

PARKING LOT SCREENING:

ALL PARKING MUST BE SCREENED FROM PUBLIC RIGHT-OF-WAY A MINIMUM 38" IN HEIGHT.

PRIVATE PROPERTY LANDSCAPING:

A MINIMUM PERCENTAGE OF THE TOTAL AREA OF THE PRIVATE PROPERTY ON WHICH DEVELOPMENT, CONSTRUCTION, OR RECONSTRUCTION IS PROPOSED MUST BE DESIGNATED TO LANDSCAPE AREA INCLUDING TREES, SHRUBS, GROUNDCOVER, 500, OR OTHER LIVING PLANT MATERIAL.

MINIMUM REQUIRED LANDSCAPE AREA = 305

1 TREE AND 4 SHRUBS PER 600 SQ. FT. LANDSCAPE AREA

TOTAL SITE AREA = 49,998.62

REQUIRED LANDSCAPE AREA

49,998.62 X 0.3 = 11,335.34 SQ. FT.

REQUIRED PLANTING

16 TREES

75 SHRUBS

LANDSCAPING AREA PROVIDED = 14,981 SQ. FT.

24 TREES PROVIDED

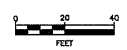
92 SHRUBS PROVIDED

FOUNDATION PLANTING:

ARE REQUIRED WITHIN A PLANTING AREA A MINIMUM OF 4 FEET IN DEPTH ALONG SIDE OF ANY FACED VISIBLE TO THE PUBLIC.

A MINIMUM OF 50% OF REQUIRED TREES MUST BE SELECTED FROM THE MEDIUM OR LARGE SIZE TREE LIST.

A MINIMUM OF 40% OF REQUIRED TREES MUST BE EVERGREEN SPECIES.



DATE: _____

REVISION: _____

CLARK & FULLER

CIVIL ENGINEERING, ARCHITECTURE, PLANNING

111 North Main Street, Suite 1100
Dallas, Texas 75202-3202

Winsupply

3110 KETTERING BOULEVARD (SUITE 100) DALLAS, TEXAS 75244

PROJECT NO:

55744

PROJECT NAME:

WINNELLSON BUILDING TEMPLE, TEXAS

DWG TITLE:

LANDSCAPE PLAN

DWG NO:

LS1.1



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

91096
PATEL, PRITI RAMANBHAI
4316 PATUXET DR
LAFAYETTE, IN 47909



Zoning Application Number: FY-19-28-ZC

Case Manager: Jason Deckman

Location: 1801 North 3rd Street, and 1605 North 3rd Street

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

I ☒ agree

() disagree with this request

Comments:

as long it does not cause any property
damage on my property

Signature

Print Name

PRITI PATEL

(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, jdeckman@templetx.gov, or mail or hand-deliver this comment form to the address below, no later than **September 16, 2019**.

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

Number of Notices Mailed: 22

Date Mailed: September 4, 2019

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

ORDINANCE NO. 2019-5001
(FY-19-28-ZC)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A CONDITIONAL USE PERMIT WITH A SITE PLAN TO ALLOW FOR AN OFFICE WAREHOUSE IN THE TEMPLE WINNELSON SUBDIVISION, ADDRESSED AS 1801 NORTH 3RD STREET AND 1605 NORTH 3RD STREET; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, Temple Winnelson Company currently operates a plumbing supply business at 1801 North 3rd Street - the company acquired the adjacent lot at 1605 North 3rd and is developing that property in order to expand the existing business;

Whereas, the Planning and Zoning Commission of the City of Temple, Texas, after due consideration to the planned development conditions, recommends approval of the requested Conditional Use Permit, subject to the following conditions:

1. Substantial compliance with the building footprint and lot layout depicted by Site Plan attached as Exhibit A;
2. That paved and striped parking spaces will be accessible from both lots via a connecting driveway as shown on the Site Plan; and
3. That the Director of Planning may be authorized to approve minor changes to the Site Plan, which may include but are not limited to: building footprint configuration, exterior building materials, and landscaping.

Whereas, the Unified Development Code (UDC) does not describe any specific performance standards for approval and the review criteria in UDC Sec. 3.5.4 will be applied; 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 approves a Conditional Use Permit with a Site Plan to allow for an office warehouse in the Temple Winnelson Subdivision, addressed as 1801 North 3rd Street and 1605 North 3rd Street, subject to the following conditions:

1. Substantial compliance with the building footprint and lot layout depicted by the Site Plan attached as Exhibit A;
2. That paved and striped parking spaces will be accessible from both lots via a connecting driveway as shown on the Site Plan; and

3. That the Director of Planning may be authorized to approve minor changes to the Site Plan, which may include but are not limited to building footprint configuration, exterior building materials, and landscaping;

Part 3: The City Council approves the Site Development Plan which is 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 **17th** day of **October**, 2019.

PASSED AND APPROVED on Second Reading on the **7th** day of **November**, 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

10/17/19
Item #8
Regular Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Kayla Landeros, Interim City Attorney

ITEM DESCRIPTION: FIRST READING – PUBLIC HEARING – Consider adopting an ordinance designating 102 East Central Avenue, Temple 76501, legally described as Lot 2 and part of Lot 1, Block 15 Original Town of Temple, Bell County, Texas as City of Temple Tax Abatement Reinvestment Zone Number 40 for commercial/industrial tax abatement.

STAFF RECOMMENDATION: Conduct a public hearing and consider adopting an ordinance on first reading as presented in item description, and set the second and final reading for November 7, 2019, City Council meeting.

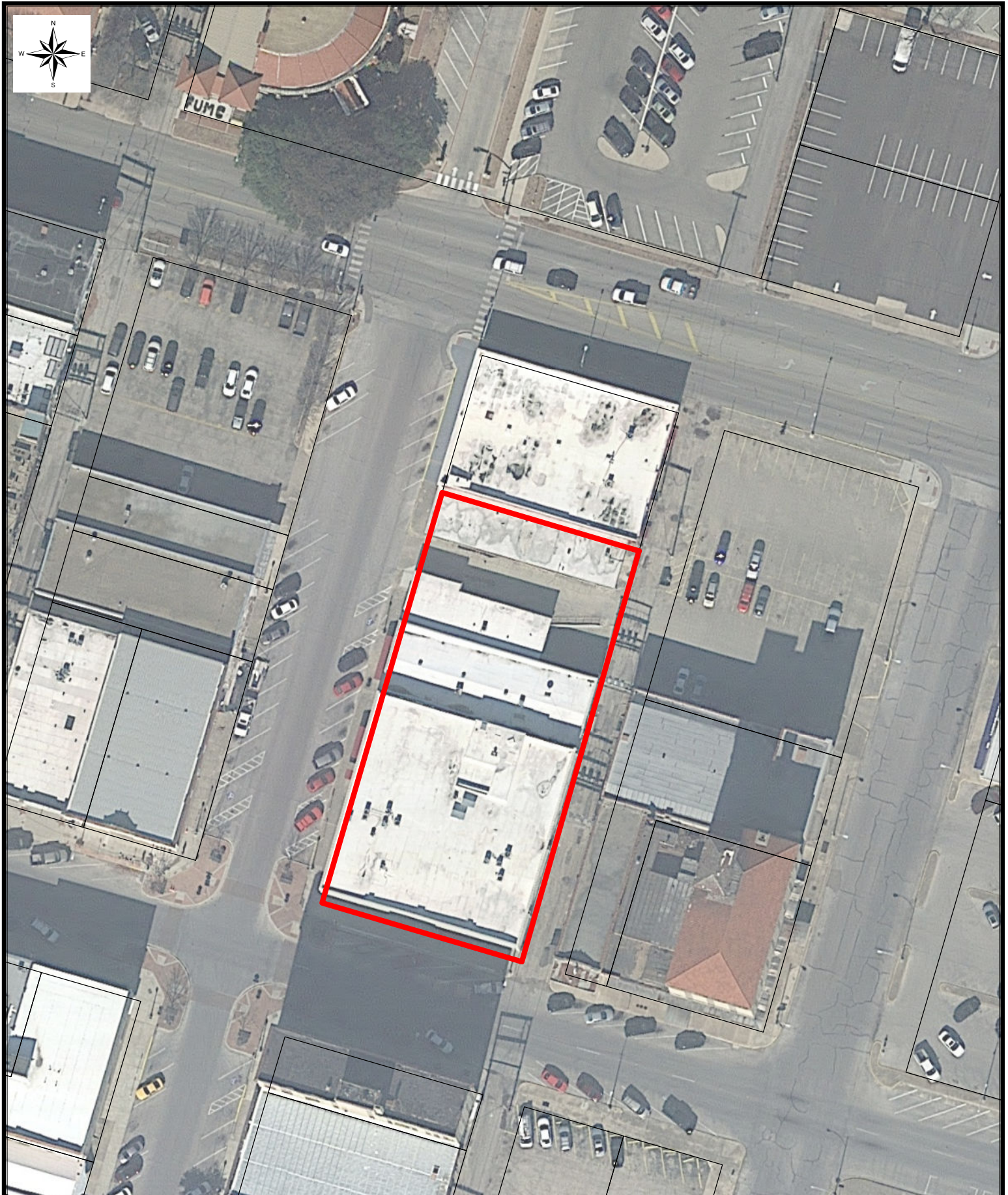
ITEM SUMMARY: The proposed ordinance designates 102 East Central Avenue, Temple 76501 as Tax Abatement Reinvestment Zone Number 40 for commercial/industrial tax abatement. The property tax identification number for the subject property is 21020.

The designation of a tax abatement reinvestment zone lasts for five years and is a prerequisite for entering into a tax abatement agreement with a future economic development prospect. We anticipate bringing a tax abatement agreement for proposed improvements to the property for Council's consideration at the November 7, 2019 meeting.

FISCAL IMPACT: None at this time.

ATTACHMENTS:

[Map](#)
[Ordinance](#)



Tax Abatement Zone #40

BellCAD ID: 21020
102 E Central Ave

Temple Original, Blk 15, Lot 2 & S 1/2 of 1 (Approx. 0.577ac)

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

ORDINANCE NO. 2019-5002

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, DESIGNATING 102 EAST CENTRAL AVENUE, TEMPLE 76501, LEGALLY DESCRIBED AS LOT 2 AND PART OF LOT 1, BLOCK 15 ORIGINAL TOWN OF TEMPLE, BELL COUNTY, TEXAS AS CITY OF TEMPLE TAX ABATEMENT REINVESTMENT ZONE NUMBER 40 FOR COMMERCIAL/INDUSTRIAL TAX ABATEMENT; ESTABLISHING THE BOUNDARIES THEREOF AND OTHER MATTERS RELATING THERETO; DECLARING FINDINGS OF FACT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the City Council of the City of Temple, Texas (“City”), desires to promote the development or redevelopment of a certain geographic area within its jurisdiction by creation of a reinvestment zone for commercial/industrial tax abatement, as authorized by Chapter 312 of the Texas Tax Code;

Whereas, the City held a public hearing as required, after publishing notice of such public hearing, and giving written notice to all taxing units overlapping the territory inside the proposed reinvestment zone;

Whereas, the City at such hearing invited any interested person, or his attorney, to appear and contend for or against the creation of the reinvestment zone, the boundaries of the proposed reinvestment zone, whether all or part of the territory described in the Ordinance calling such public hearing should be included in such proposed reinvestment zone, and the concept of tax abatement;

Whereas, the proponents of the reinvestment zone offered evidence, both oral and documentary, in favor of all of the foregoing matters relating to the creation of the reinvestment zone, and opponents of the reinvestment zone appeared to contest creation of the reinvestment zone; and

Whereas, Staff recommends designating 102 East Central Avenue, Temple 76501, legally described as Lot 2 and part of Lot 1, Block 15 Original Town of Temple, Bell County, Texas as City of Temple Tax Abatement Reinvestment Zone Number 40 for commercial/industrial tax abatement in order to promote economic development in the City.

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

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

Part 2: The City, after conducting such hearings and having heard such evidence and testimony has made the following findings and determinations based on the testimony presented to it:

A. That a public hearing on the adoption of the reinvestment zone has been properly called, held and conducted and that notices of such hearings have been published as required by law and mailed to all taxing units overlapping the territory inside the proposed reinvestment zone;

B. That the boundaries of the reinvestment zone (hereinafter "REINVESTMENT ZONE NUMBER FORTY") should be addressed as 102 East Central Avenue, Temple 76501, legally described as Lot 2 and part of Lot 1, Block 15 Original Town of Temple, Bell County, Texas, as described in the drawing attached as Exhibit "A."

C. That creation of REINVESTMENT ZONE NUMBER FORTY will result in benefits to the City and to the land included in the zone after the term of any agreement executed hereunder, and the improvements sought are feasible and practical.

D. That REINVESTMENT ZONE NUMBER FORTY meets the criteria for the creation of a reinvestment zone as set forth in Section 312.202 of the Code in that it is "reasonably likely as a result of the designation to contribute to the retention or expansion of primary employment or to attract major investment in the zone that would be a benefit to the property and that would contribute to the economic development of the City."

E. That REINVESTMENT ZONE NUMBER FORTY meets the criteria for the creation of a reinvestment zone as set forth in the City of Temple Guidelines and Criteria for granting tax abatement in reinvestment zones.

Part 3: Pursuant to Section 312.201 of the Code, the City hereby creates a reinvestment zone for commercial/industrial tax abatement at 102 East Central Avenue, Temple 76501, legally described as Lot 2 and part of Lot 1, Block 15 Original Town of Temple, Bell County, Texas, described by the drawing in Exhibit "A," attached hereto and such REINVESTMENT ZONE is hereby designated and shall hereafter be officially designated as TAX ABATEMENT REINVESTMENT ZONE NUMBER FORTY, City of Temple, Texas.

Part 4: The REINVESTMENT ZONE shall take effect on **November 7, 2019.**

Part 5: To be considered for execution of an agreement for tax abatement the commercial/industrial project shall:

A. Be located wholly within the Zone as established herein;

B. Not include property that is owned or leased by a member of the City Council of the City of Temple, Texas, or by a member of the Planning and Zoning Commission;

C. Conform to the requirements of the City's Zoning Ordinance, the criteria governing tax abatement previously adopted by the City, and all other applicable laws and regulations; and

D. Have and maintain all land located within the designated zone, appraised at market value for tax purposes.

Part 6: Written agreements with property owners located within the zone shall provide identical terms regarding duration of exemption and share of taxable real property value exempted from taxation.

Part 7: Written agreements for tax abatement as provided for by Section 312.205 of the Code shall include provisions for:

A. Listing the kind, number and location of all proposed improvements of the property;

B. Access to and inspection of property by municipal employees to ensure that the improvements or repairs are made according to the specification and conditions of the agreements;

C. Limiting the use of the property consistent with the general purpose of encouraging development or redevelopment of the zone during the period that property tax exemptions are in effect; and

D. Recapturing property tax revenue lost as a result of the agreement if the owner of the property fails to make the improvements as provided by the agreement.

Part 8: Severance clause. If any provision of this Ordinance or the application of any provision to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

Part 9: Effective date. This Ordinance shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Temple, Texas, and it is accordingly so ordained.

Part 10: Sunset provision. The designation of TAX ABATEMENT REINVESTMENT ZONE NUMBER FORTY shall expire five years from the effective date of this Ordinance. The designation of a tax abatement reinvestment zone may be renewed for periods not exceeding five years. The expiration of a reinvestment zone designation does not affect an existing tax abatement agreement authorized by the City Council.

Part 11: Open Meeting Act. It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meeting Act.

PASSED AND APPROVED on First Reading and Public Hearing on the **17th** day of **October**, 2019.

PASSED AND APPROVED on Second and Final Reading on the **7th** day of **November**, 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

10/17/19

Item #9

Regular Agenda

Page 1 of 3

DEPT./DIVISION SUBMISSION & REVIEW:

Lynn Barrett, Assistant Director of Planning

ITEM DESCRIPTION: SECOND & FINAL READING - 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 and meeting the following requirements on existing lots:

- Must choose at least two of the following architectural standards:
 1. Double front gabled roofs or combination front gable and hipped roof
 2. Front porch or a 4-foot minimum front building wall offset to provide additional articulation
 3. Minimum of 30% windows on front elevation (measured from floor to roof eave)
 4. Exposed rafter tails or decorative roof brackets
 5. Contrasting paint colors between body and trim
 6. Front wainscot (wrapped around side for minimum of 3-feet in length, minimum height of 3-feet, with different building material from primary exterior building material or with a different texture/pattern)
 7. Parking in a garage, to the side or rear
- Must choose at least two of the following landscaping standards:
 1. Front yard sod
 2. Front yard tree (minimum 2-inch diameter-at-breast-height)
 3. Front landscape foundation bed (minimum of 3-feet in depth and a minimum of 50% of width of front façade)

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 with requirement to choose at least two each of the following architectural standards and landscape standards from the following list:

Architectural standards (choose at least two):

- Double front gabled roofs or combination front gable and hipped roof
- Front porch or a 4-foot minimum front building wall offset to provide additional articulation
- Minimum of 30% windows on front elevation (measured from floor to roof eave)
- Exposed rafter tails or decorative roof brackets
- Contrasting paint colors between body and trim
- Front wainscot (wrapped around side for minimum of 3-feet in length, minimum height of 3-feet, with different building material from primary exterior building material or with a different texture/pattern)
- Parking in a garage, to the side or rear

Landscaping standards (choose at least two):

- Front yard sod
- Front yard tree (minimum 2-inch diameter-at-breast-height)
- Front landscape foundation bed (minimum of 3-feet in depth and a minimum of 50% of width of front façade)

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.

At first reading on October 3rd, City Council expressed concern there was a need for enhanced standards for the area since Council would not be approving the single-family site plans individually, so staff has added choice requirements for both architectural standards and landscape standards from an approved list for second reading.

Additionally, 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 prior 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 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 0 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:

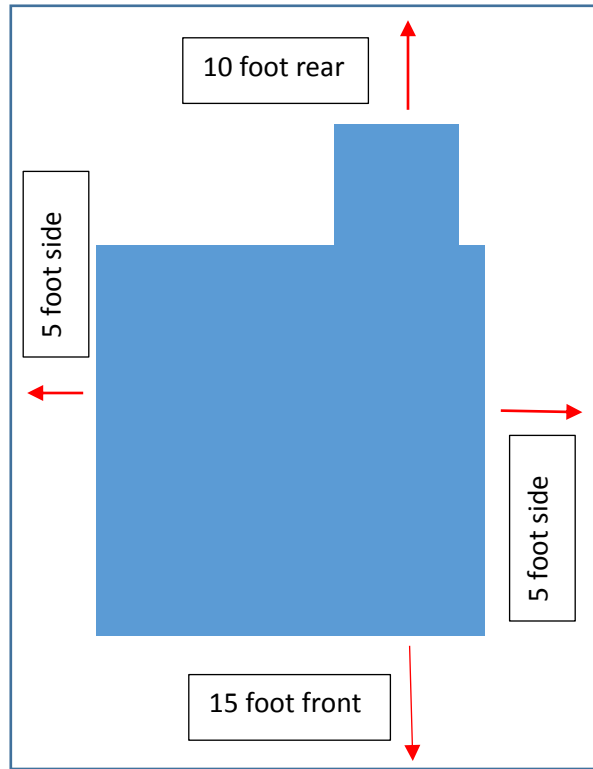
[Photos](#)
[SF-3 Setback Illustration](#)
[Old Ordinance 2001-2750](#)
[Maps](#)
[Notification Map](#)
[Returned Property Notices](#)
[Excerpts from Planning meeting](#)
[Ordinance](#)

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.

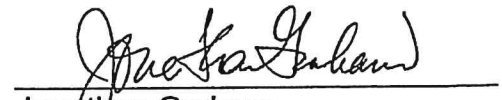
PASSED AND APPROVED on First Reading on the 1st day of March, 2001.

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

ADAMS AVENUE

4TH STREET

6TH STREET

MARTIN LUTHER KING, JR. DRIVE

12TH STREET

14TH STREET

16TH STREET

UNION PACIFIC RAILROAD

KNOB CREEK

PARK

M.K.T.

PD-24

PD-34

ROW ABANDONMENT

209-A

208-1A

208-2A

208-1C

208-1D

208-1E

208-1F

208-1G

208-1H

208-1I

208-1J

208-1K

208-1L

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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

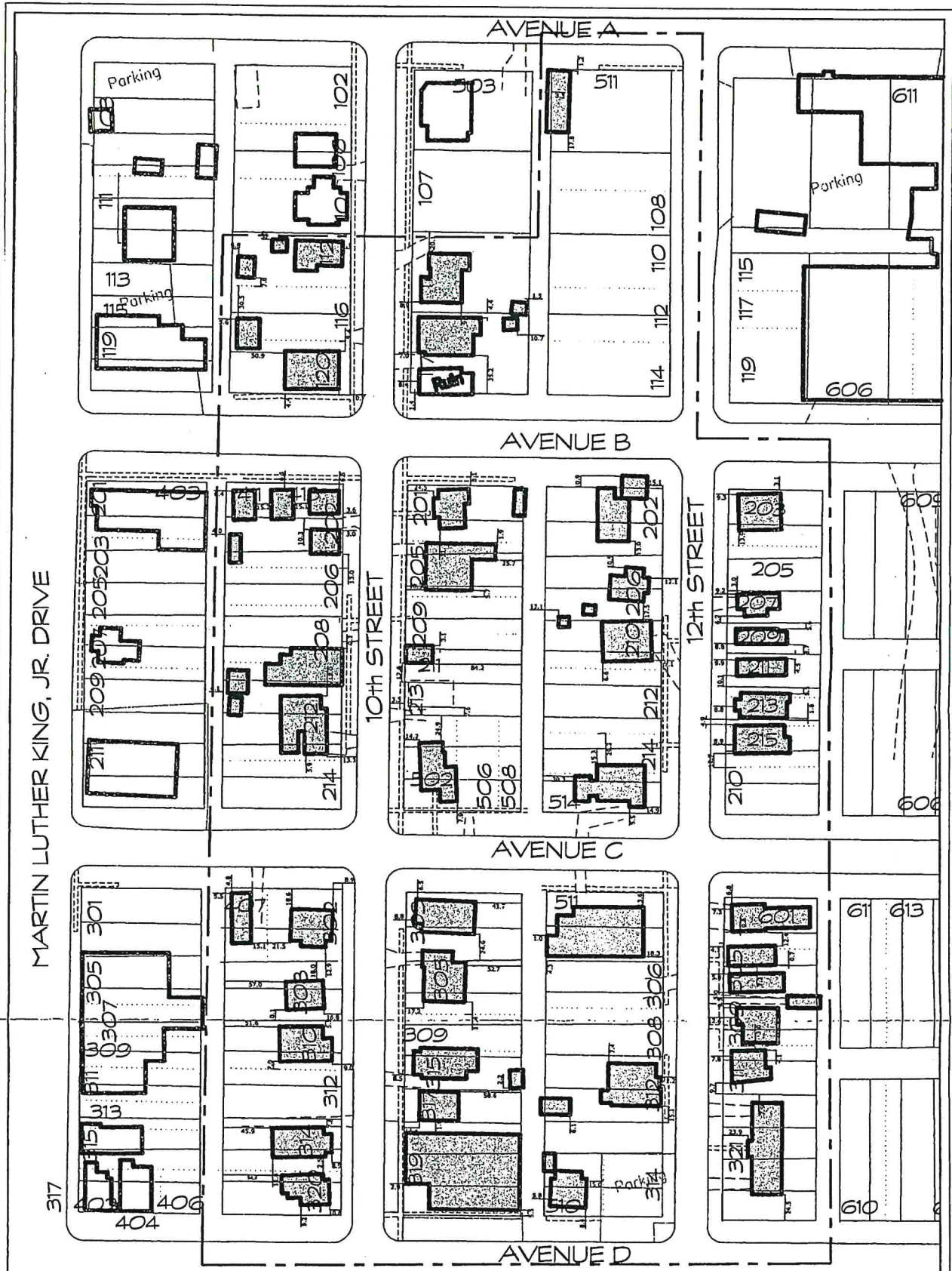
511 East Avenue A

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.



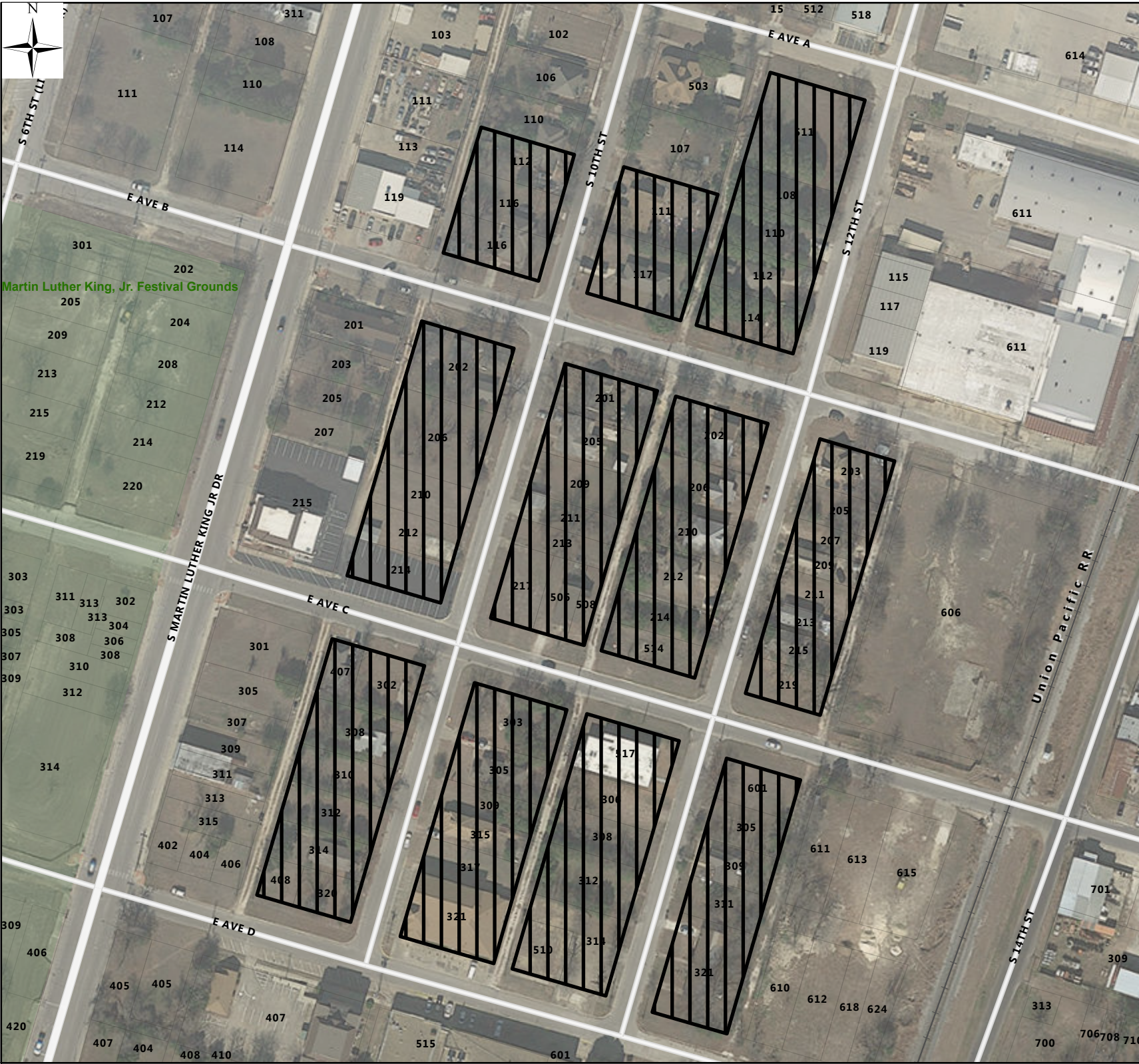
**CITY OF TEMPLE
PLANNING DEPT.**

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

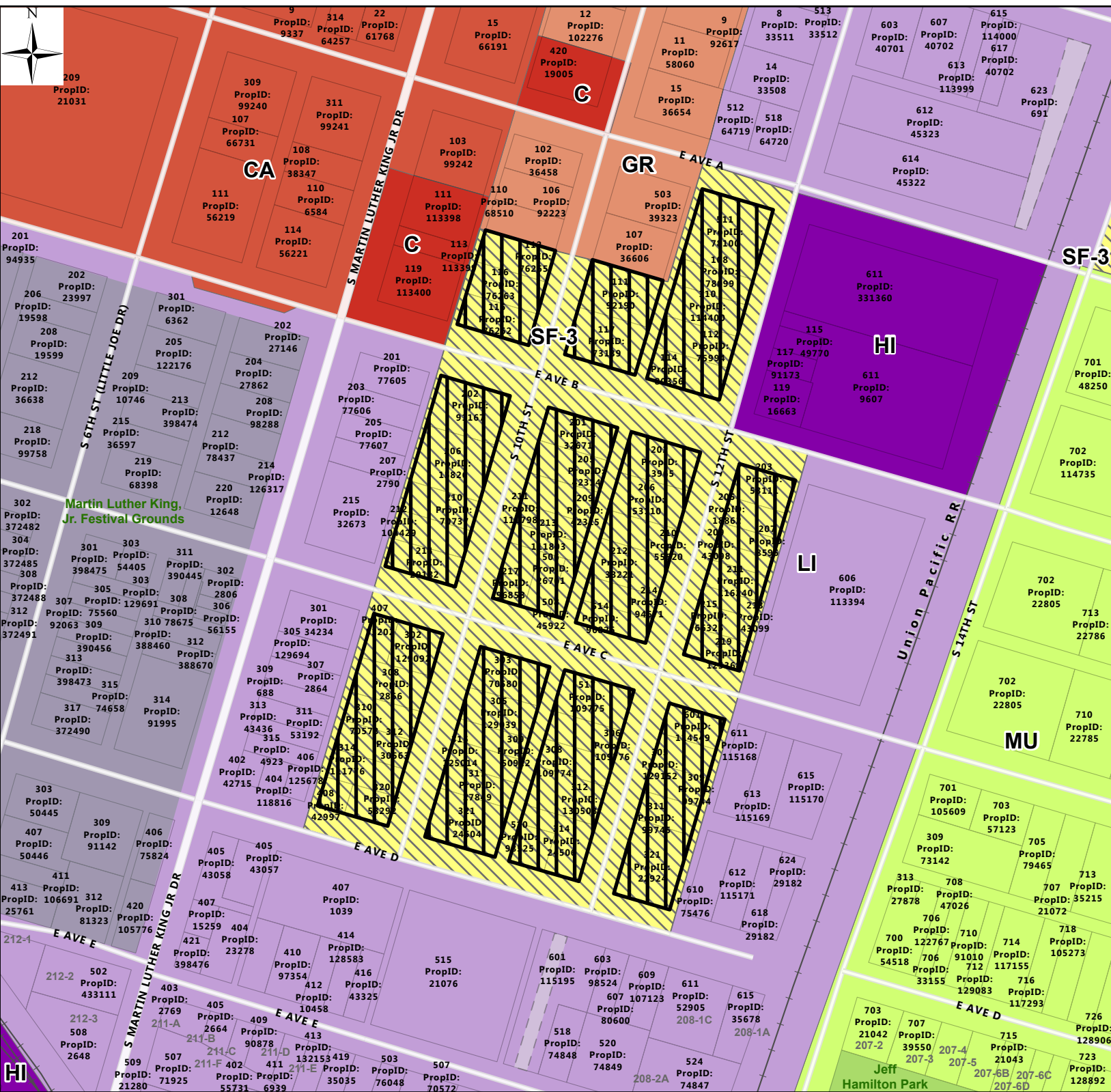
- Parcels
- Future LUP
 - Agricultural/Rural
 - Auto-Urban Commercial
 - Auto-Urban Mixed Use
 - Auto-Urban Multi-Family
 - Auto-Urban Residential
 - Business Park
 - Estate Residential
 - Industrial
 - Neighborhood Conservation
 - Parks & Open Space
 - Public Institutional
 - Suburban Commercial
 -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

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Irbarrett

Date: 8/16/2019





PD-SF3

200' NOTIFICATION MAP

Zoning Case :
FY-19-25-ZC

Neighborhood PD
Amendment

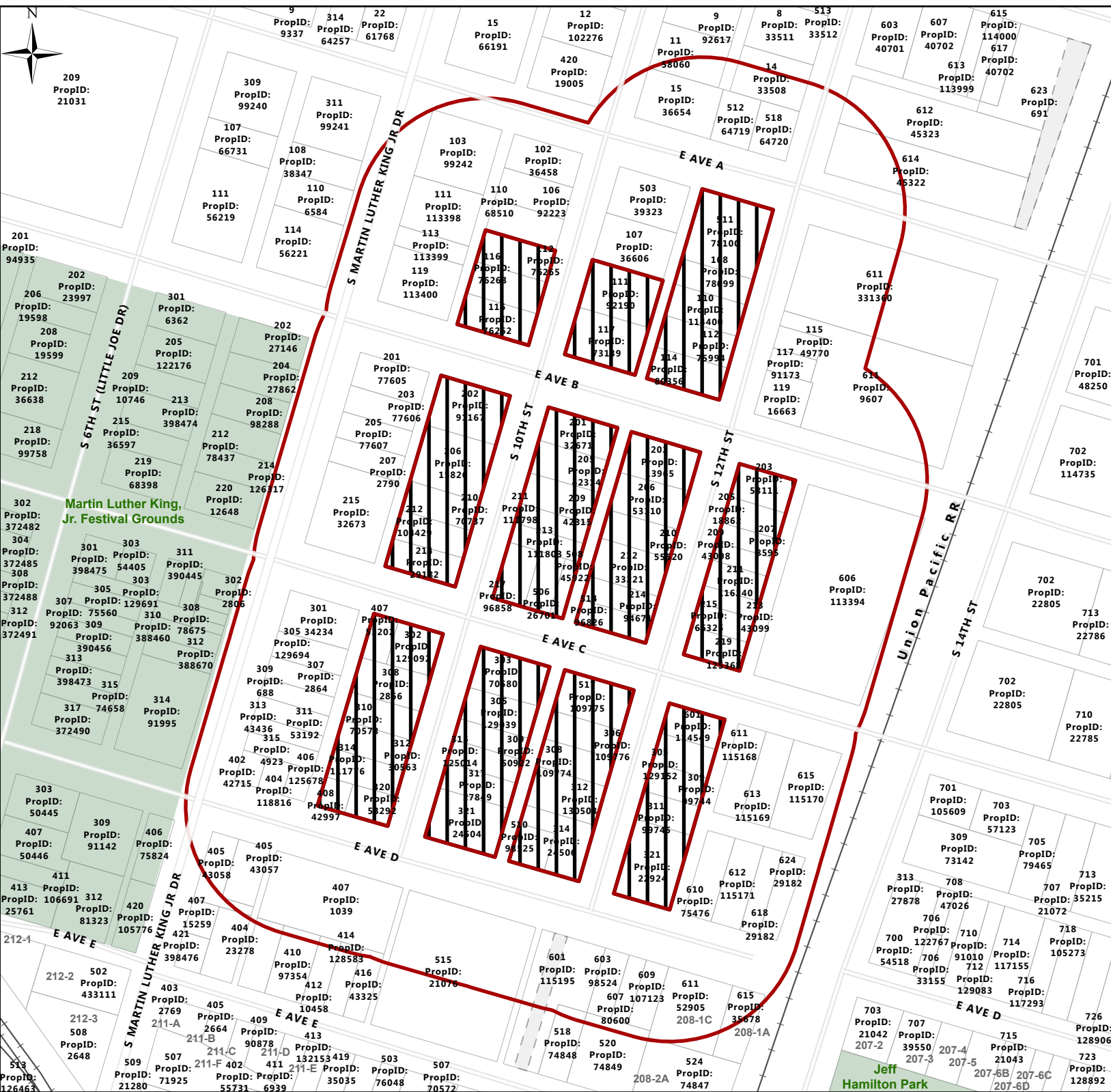
CurrentZoning	
HI - CUP	CA
UE	CA - PD
UE - PD	C
SF-1	C - CUP
SF-1 - CUP	C - PD
SF-1 - PD	C - CUP, PD
SF-2	LI
SF-2 - PD	LI - CUP
SF-3	LI - PD
SF-3 - PD	LI - CUP, PD
SF-3 - CUP, PD	HI
SFA	HI - PD
SFA-2	AG
SFA-2 - PD	AG - CUP
SFA-3	MH
SFA-3 - PD	MH - CUP
2F	MH - PD
2F - CUP	MU - CUP
2F - PD	SD-C
MF-1	SD-C - 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	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

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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

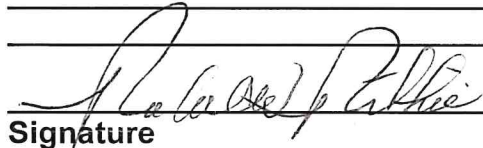
Location: Neighborhood comprised of South 10th and 12th Streets, Portions of Blocks 5 and 6, Chas. Roach Addition, and Blocks A, B, D, E and Portions of Blocks C and F, Crawford Addition, all being between East Avenue A and East Avenue D

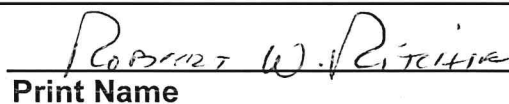
The proposed rezoning is the area shown in hatched marking on the attached map. Because you own property within 200 feet of the requested change, your opinions are welcomed. Please use this form to indicate whether you are in favor of the possible rezoning of the property described on the attached notice,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

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 zoning 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;

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 and meeting the following requirements on existing lots:

- Must choose at least 2 of the following architectural standards:
 1. Double front gabled roofs or combination front gable and hipped roof;
 2. Front porch or a 4' minimum front building wall offset to provide additional articulation;
 3. Minimum of 30% windows on front elevation (measured from floor to roof eave)
 4. Exposed rafter tails or decorative roof brackets
 5. Contrasting paint colors between body and trim
 6. Front wainscot (wrapped around side for minimum of 3' in length, minimum height of 3', with different building material from primary exterior building material or with a different texture/pattern)
 7. Parking in a garage, to the side or rear
- Must choose at least 2 of the following landscaping standards:
 1. Front yard sod
 2. Front yard tree (minimum 2" diameter-at-breast-height)
 3. Front landscape foundation bed (minimum of 3' in depth and a minimum of 50% of width of front façade)

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

10/17/19
Item #10
Regular Agenda
Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

Tammy Lyerly, Senior Planner

ITEM DESCRIPTION: FY-19-66-PLT: Consider adopting a resolution approving the Final Plat of Westward LTD Subdivision Replat No. One, a 4.426 +/- acre, residential subdivision with a developer-requested exception to Unified Development Code Section 8.2.1.E, regarding minimum curve radius of a local street, addressed as 4305 South 31st Street.

PLANNING AND ZONING COMMISSION RECOMMENDATION: At its September 16, 2019, meeting, the Planning and Zoning Commission voted 7/0 to recommend approval of the Final Plat of Westward LTD Subdivision Replat No. One with the developer requested exception to UDC Section 8.2.1.E: Design Standards/Curvilinear Streets regarding minimum curve radius of a local street, per staff recommendation.

STAFF RECOMMENDATION: Staff recommends approval of the Final Plat of Westward LTD Subdivision Replat No. One with a developer-requested exception to Unified Development Code (UDC) Section 8.2.1.E: Design Standards/Curvilinear Streets regarding minimum curve radius of a local street.

ITEM SUMMARY: The Development Review Committee reviewed the Final Plat of Westward LTD Subdivision Replat No. One (FY-19-66-PLT) on July 25, 2019. It was deemed administratively complete on September 12, 2019.

Texas Local Government Code 212.014 (replatting without vacating preceding plat) requires a public hearing for this proposed plat.

The Final Plat of Westward LTD Subdivision Replat No. One, a 4.426 +/- acre, 15-lot, 2-block, residential subdivision is located on the eastern portion of the retail center parking lot addressed as 4305 South 31st Street. Entrance into the proposed property will be from the north end of Calle Olmo within the Spanish Southwest subdivision. Calle De Bronce is a proposed local street that will connect to Calle Olmo. Calle De Bronce's proposed cul-de-sac at the west boundary of the proposed plat will allow pedestrian traffic to the adjacent retail center parking area, but vehicular traffic will be limited to Calle Olmo.

The developer requests an exception to Unified Development Code (UDC) Section 8.2.1.E: Design Standards/Curvilinear Streets regarding minimum curve radius of a local street. Curves C3 and C*

along Calle De Bronce have a radius of 30 feet. The minimum allowed curve radius to the centerline of a local street is 200 feet (UDC Section 8.2.1). Staff supports this developer-requested exception since there were no objections noted during the DRC process.

Water will be provided to the subdivision through proposed 6-inch water lines. Sewer will be provided to the subdivision through 6-inch sanitary sewer lines.

City Council is the final plat authority since the developer requests an exception to the Unified Development Code for this development. Drainage will be to Tract A.

FISCAL IMPACT: Not applicable.

ATTACHMENTS:

[Letter of Exception Request](#)

[Plat Exhibits](#)

[P&Z Excerpts \(September 16, 2019\)](#)

[Resolution](#)

Mitchell & Associates, Inc.

Engineering & Surveying

August 13, 2019

Brian Chandler
Director of Planning
City of Temple
2 North Main St, Suite 102
Temple, TX 76501

Dear Brian Chandler:

Westward LTD, Replat No. One: Curvilinear Street Waiver Request

On behalf of our client, in accordance with Unified Development Code Section 3.6.7 and 8.2.1.E.2, we request a waiver to the curvilinear requirement of Section 8.2.1.E.1. It is our conclusion that the limited area available for this development, combined with the fixed points of ingress/egress, make the 200-ft centerline requirement prohibitively constrictive to the reasonable use of the land.

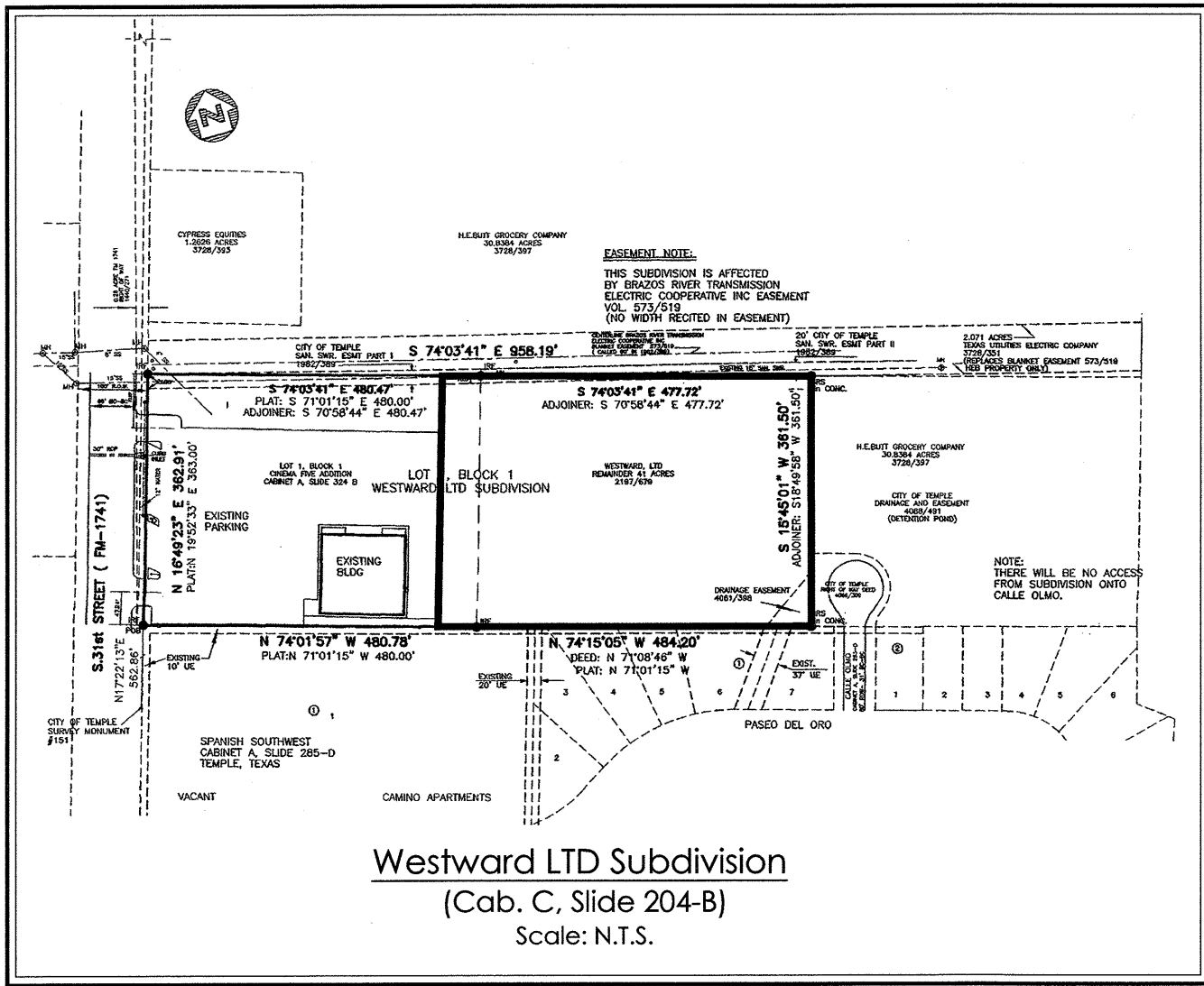
Our design has designated an area of no parking within, and between, the two curves. This will ensure ample maneuvering space for vehicular traffic, provide for clear sightlines, and clear passage of emergency vehicles, thus protecting the health, safety, and welfare of the public.

Thank you for your consideration in this matter.

Sincerely,

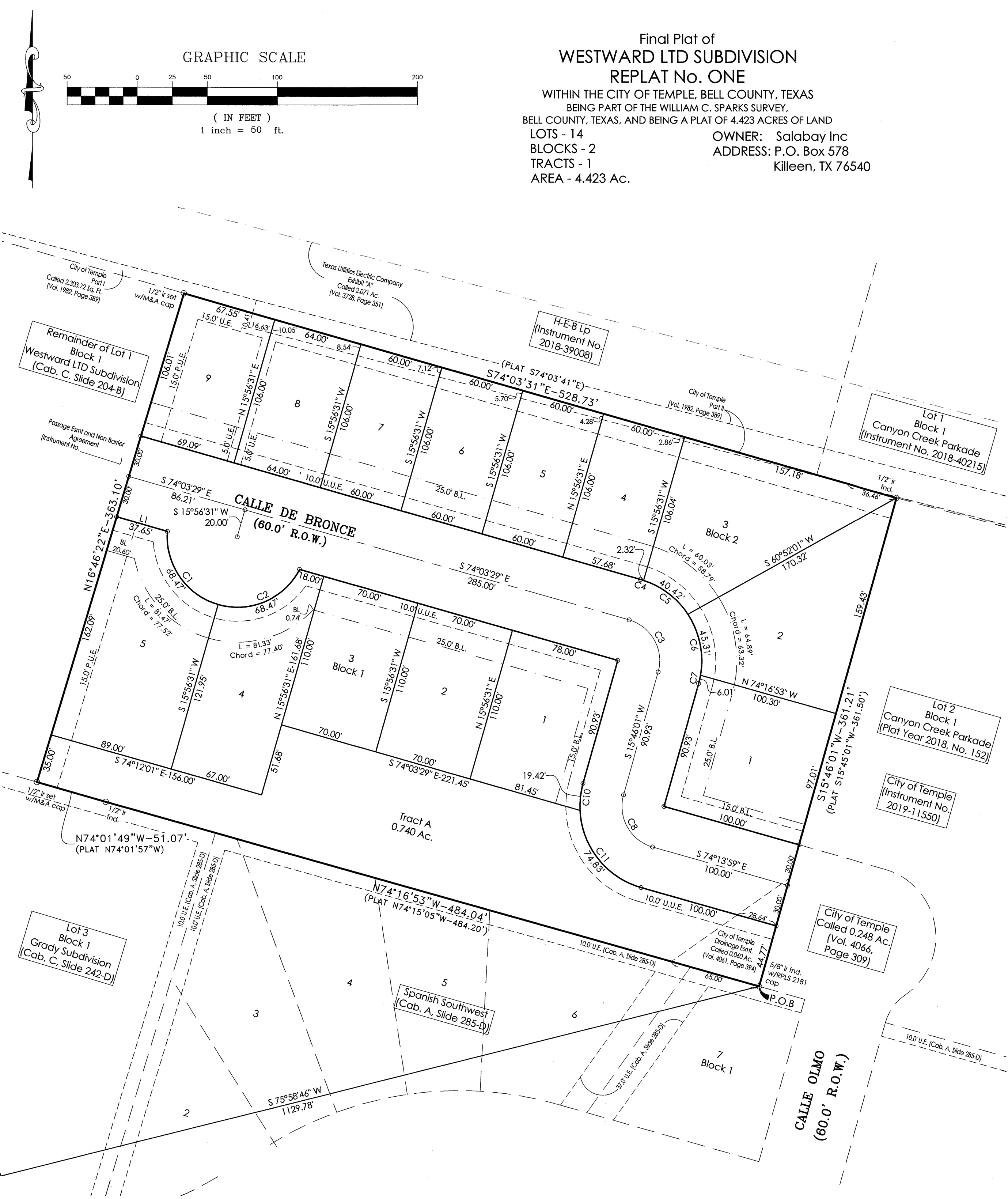
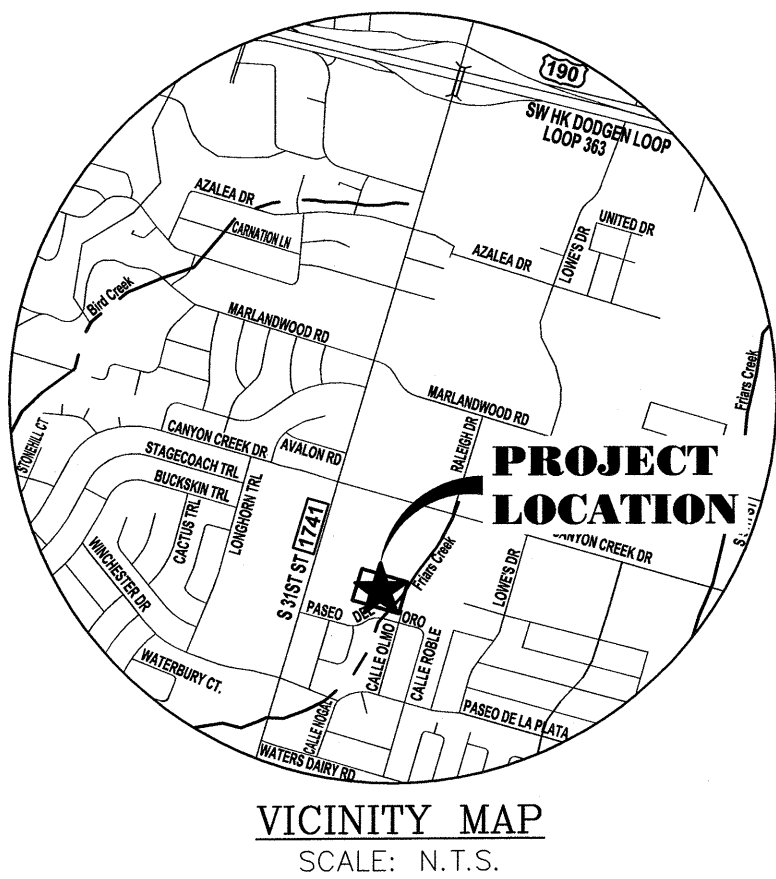


Ace Reneau



CURVE TABLE						
CURVE	BEARING	CHORD	LENGTH	RADIUS	DELTA	TANGENT
C1	S34°49'36"E	63.25'	68.47'	50.00'	78°27'47"	40.82'
C2	N66°42'37"E	63.25'	68.47'	50.00'	78°27'47"	40.82'
C3	N29°08'44"W	42.36'	47.03'	30.00'	89°49'31"	29.91'
C4	N72°57'03"W	2.32'	2.32'	60.00'	2°12'54"	1.16'
C5	N52°32'33"W	39.66'	40.42'	60.00'	38°36'05"	21.01'
C6	N11°36'25"W	44.24'	45.31'	60.00'	43°16'12"	23.80'
C7	N12°53'51"E	6.01'	6.01'	60.00'	5°44'20"	3.01'
C8	S29°13'59"E	42.43'	47.12'	30.00'	90°00'00"	30.00'
C10	S6°29'44"W	19.33'	19.42'	60.00'	18°32'36"	9.79'
C11	S38°30'16"E	70.07'	74.83'	60.00'	71°27'24"	43.16'

LINE TABLE		
LINE	LENGTH	BEARING
L1	37.65'	N74°03'29"W



1. All bearings are based upon the Texas State Plane Coordinate System, referenced in NAD 1983 Central Texas State Plane as per Leica Texas Smartnet GPS observations. All distances are surface distance. Combined scale factor=1.0001168.
2. All interior lot corners marked with mag nail with washer set after construction completed, unless otherwise specified.
3. This subdivision is located in zone X, areas determined to be outside the 0.2% annual chance floodplain, as indicated on the U.S. FEMA Agency Boundary Map, (Flood Insurance Rate Map), Map No. 48027C0365E, effective date September 26, 2008 for Bell County, Texas.
4. All bearings are grid bearings referenced in NAD 1983 Central Texas State Plane.
5. All coordinate values are referenced to City Monument No. 151.
6. The theta angle at City Monument number 153 is +1°31'27".
7. Combined Correction Factor (CCF) is 0.999854.
8. Published City Coordinates for City Monument number 151 are X = 3,223,026.41 and Y = 10,360,421.12.
9. The tie from City Monument number 151 to the southeast corner of this 4.423 acres tract is S75°48'46"W, 1,129.78 feet.
10. Grid Distance = surface distance times CCF.
11. Geodetic North = grid north + theta angle.
12. The reason for this replat is to divide part of Lot 1 into 14 lots.
13. ir = iron rod
fnd = found
P.U.E. = public utility easement
U.U.E. = underground utility easement
D.E.= drainage easement
B.L. = building setback line
TBM = temporary bench mark
P.O.B. = point of beginning
MON = monument
14. Tract A will be owned and maintained by the City of Temple for drainage purposes.

AFFIDAVIT:

The Tax Appraisal District of Bell County does hereby certify there are currently no delinquent taxes due to the Tax Appraisal District of Bell County on the property described by this plat.

Dated this the ____ day of _____, 20__ A.D.

By: _____
Bell County Tax Appraisal District

FILED FOR RECORD this ____ day of _____, 20____. In Year ____.
Plat # _____, Plat Records of Bell County, Texas. Dedication Instrument # _____, Official Public Records of Real Property, Bell County, Texas.

MITCHELL & ASSOCIATES, INC.
ENGINEERING & SURVEYING
102 N. COLLEGE
KILLEEN, TEXAS 76541
PHONE: (254) 634-5541
FAX: (254) 634-2141
T. E. L. S. FIRM REGISTRATION NO. 102094-00
TEXAS BOARD OF PROFESSIONAL ENGINEERS FIRM REGISTRATION NO. 3241

DWG No. 19-033-D-S
DRAWN BY: FRB
DATE: JULY 2019
SCALE: AS SHOWN
FB/LB: **
14. LOT
2. BLOCKS
AREA:
4.423 AC.

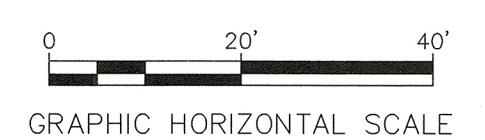
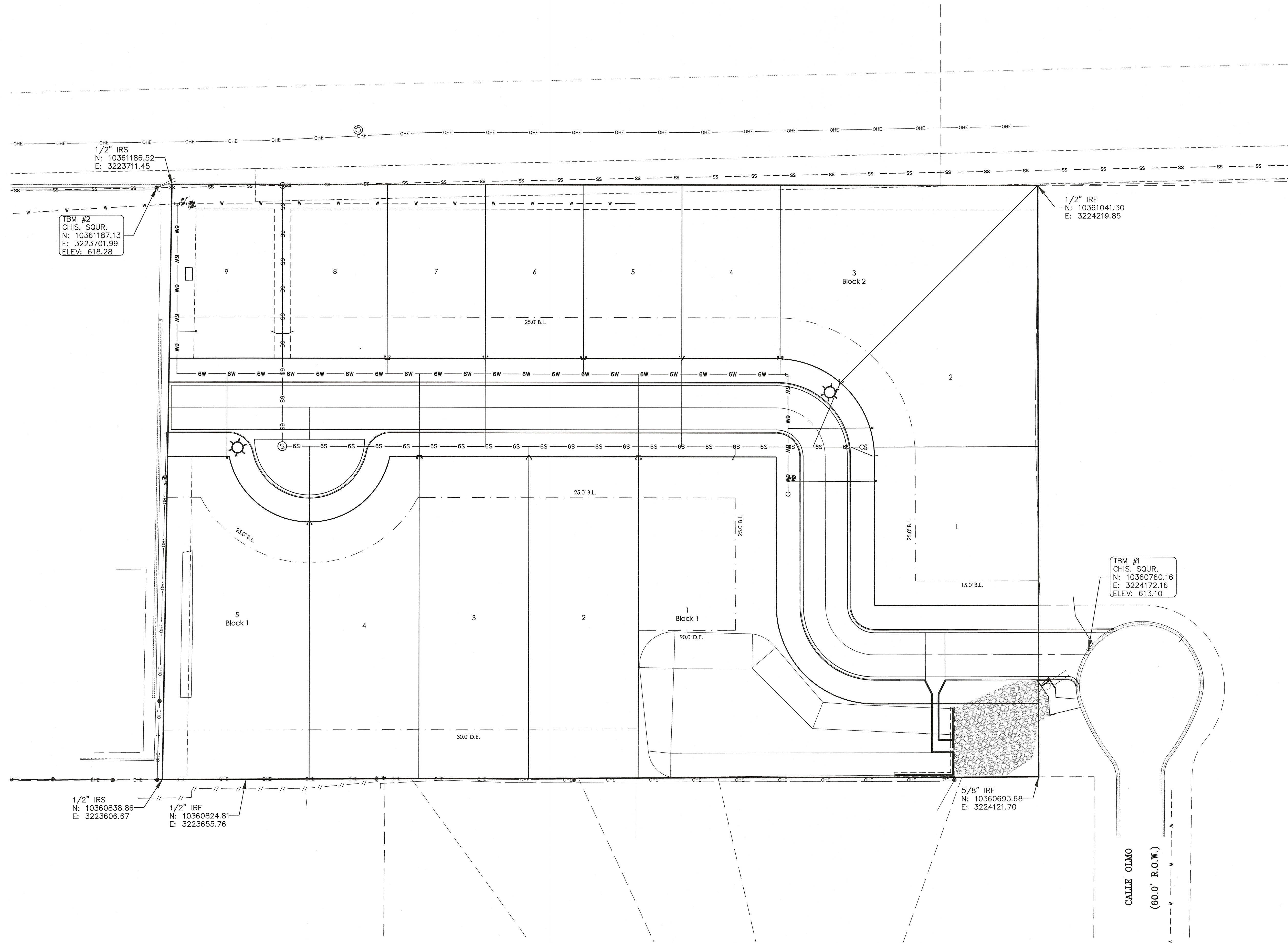
PROJECT LOCATION

WESTWARD LTD SUBDIVISION, REPLAT No. ONE
BEING A REPLAT OF PART OF LOT 1, BLOCK 1,
WESTWARD LTD SUBDIVISION
TEMPLE, BELL COUNTY, TEXAS

FINAL PLAT

SHEET TITLE:

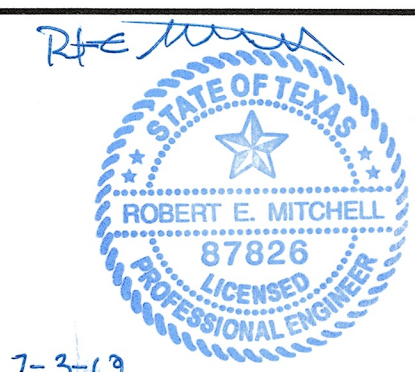
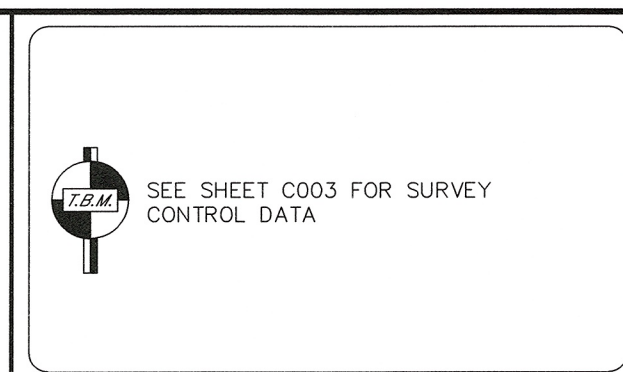
No.	DATE	REMARKS	BY	REVISIONS
2	9/6/2019	POST DRC CITY COMMENTS	FRB	
1	8/17/2019	CITY COMMENTS	FRB	



Released for Construction
for a period of 12 months
from the date below.

City Representative Date

No.	DATE	REMARKS	BY



WESTWARD LTD SUBDIVISION, REPLAT No. ONE
BEING A REPLAT OF PART OF LOT 1, BLK 1, WESTWARD LTD SUBDIVISION
TEMPLE, BELL COUNTY, TEXAS

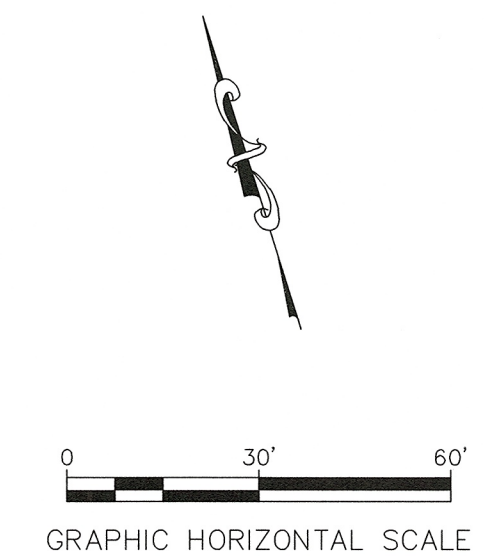
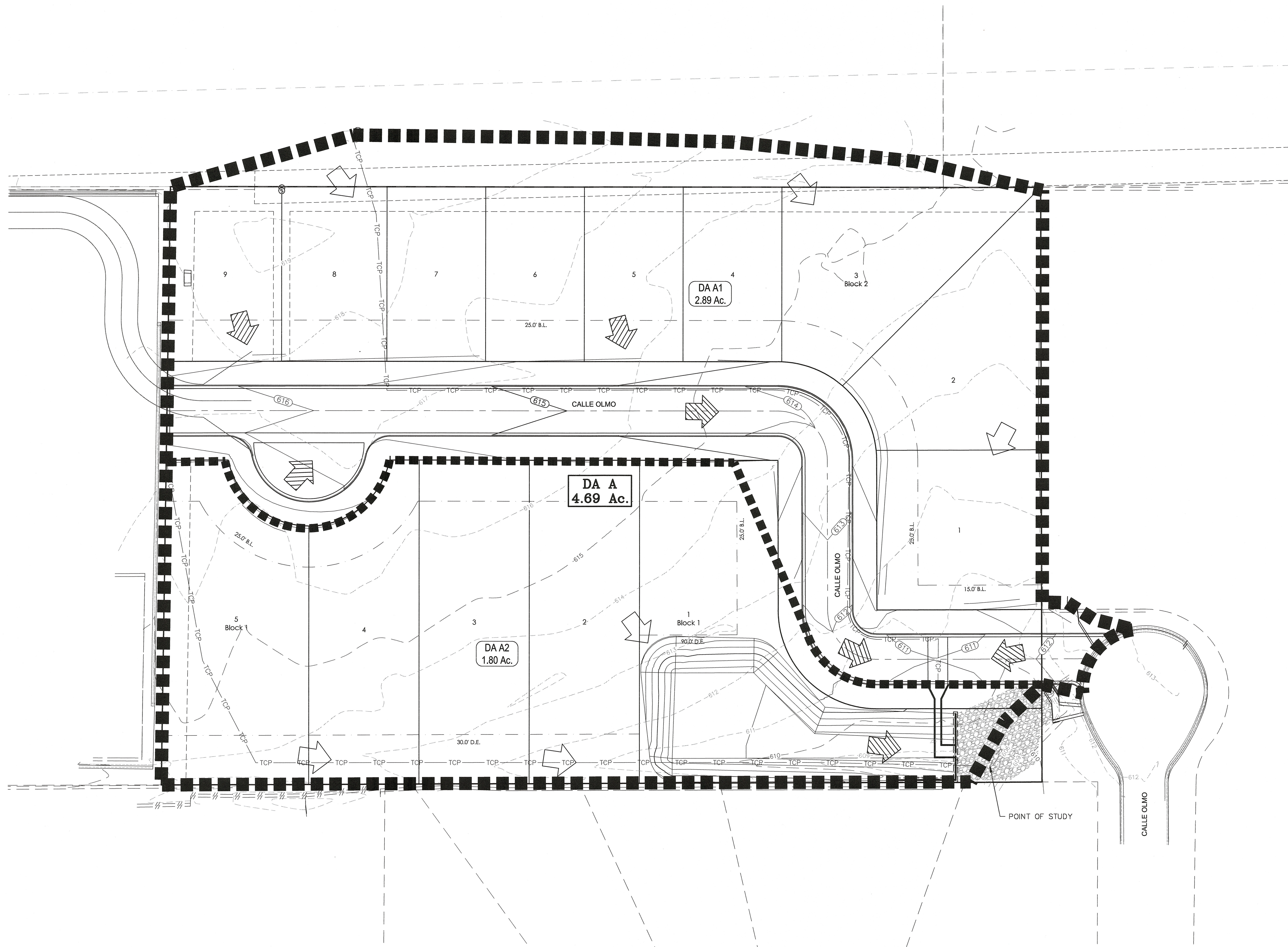
SHEET TITLE: **OVERALL LAYOUT & SURVEY CONTROL**

MITCHELL & ASSOCIATES, INC.
ENGINEERING & SURVEYING
102 N. COLLEGE STREET
KILLEEN, TEXAS 76541
PHONE: (254) 634-5541 FAX: (254) 634-2141
TEXAS BOARD OF PROFESSIONAL ENGINEERS FIRM REGISTRATION NO. 3241
T. B. P. L. S. FIRM REGISTRATION NO. 100204-00



DATE July 2019	AREA: 6.283 Ac.	REF: ***
SCALE AS SHOWN	LOTS: 14	DWG# 19-033-D-S
DWN BY: AR	BLK: 2	SHEET C002

\\cvs2k1272\cadd\subdivisions\19-033-D-S\Westward LTD - PLAN - OVERALL.dwg 7/3/2019 10:15 AM

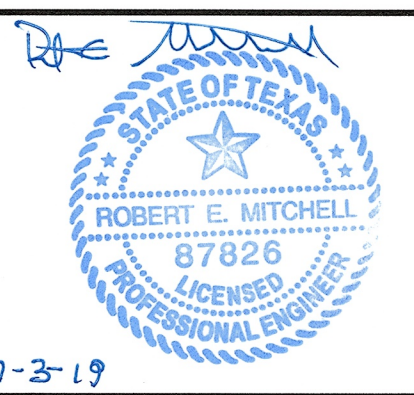


Released for Construction
for a period of 12 months
from the date below.

City Representative Date

No.	DATE	REMARKS	BY

SEE SHEET C003 FOR SURVEY CONTROL DATA



WESTWARD LTD SUBDIVISION, REPLAT No. ONE
BEING A REPLAT OF PART OF LOT 1, BLK 1, WESTWARD LTD SUBDIVISION
TEMPLE, BELL COUNTY, TEXAS

SHEET TITLE: **DRAINAGE AREA - DESIGN**

MITCHELL & ASSOCIATES, INC.
ENGINEERING & SURVEYING
102 N. COLLEGE STREET
KILLEEN, TEXAS 76541
PHONE: (254) 634-5541 FAX: (254) 634-2141
TEXAS BOARD OF PROFESSIONAL ENGINEERS FIRM REGISTRATION NO. 3241
T. B. P. L. S. FIRM REGISTRATION NO. 100204-00

DATE July 2019	AREA: 6.293 Ac.	REF: ***
SCALE AS SHOWN	LOTS: 14	DWG # 19-033-D-S
DWN BY: AR	BLK: 2	SHEET C005

\\cs-202\202\cadd\delivered\subdivisions\19-033-d-s\westward ltd - replat - drainage - design.dwg 7/3/2019 10:12 AM

**EXCERPTS FROM THE
PLANNING & ZONING COMMISSION MEETING
MONDAY, SEPTEMBER 16, 2019**

ACTION ITEMS

Item 7: FY-19-66-PLT – Hold a public hearing to consider and recommend action on the Final Plat of Westward LTD Subdivision Replat No. One, a 4.426 +/- acre, 15-lot, 2-block, 1-tract residential subdivision with a developer-requested exception to Unified Development Code (UDC) Section 8.2.1.E: Design Standards/Curvilinear Streets regarding minimum curve radius of a local street, described as being part of Lot 1, Block 1, Westward LTD Subdivision, an addition to the City of Temple, Bell County, Texas, addressed as 4305 South 31st Street.

Ms. Lyerly stated this item was scheduled to go forward to City Council on October 17, 2019.

Aerial location map is shown.

Development Review Committee reviewed plat on July 25, 2019, and it was deemed administratively complete on September 12, 2019.

City Council is the final plat authority since the applicant requests an exception to the UDC Section 8.2.1.E regarding minimum curve radius of a local street for Calle De Bronce.

Minimum allowed curve radius to the centerline of a local street is 200 feet (UDC Section 8.2.1.E: Design Standards/Curvilinear Streets)

Calle De Bronce proposes radius of 30 feet for curves C3 and C8.

Staff supports the requested exception.

Water will be provided through six-inch water lines.

Sewer will be provided through six-inch sanitary sewer lines.

Drainage will be to Tract A.

Final plat is shown with revisions.

Subdivision layout is shown with pedestrian easement location.

Site plan details are shown.

Topo/Utility plan is shown with drainage.

Staff recommends approval of the Final Plat of Westward Ltd. Subdivision Replat No. One (FY-19-66-PLT) with developer-requested exception to UDC Section 8.2.1.E regarding minimum curve radius of a local street.

Vice-Chair Ward asked if a buffer was proposed for this location. Ms. Lyerly deferred this question to the project engineer.

Project engineer, Ace Renaeu, 102 North College Street, Killeen, Texas, stated he is not aware of any fencing proposed by the developer at this time. Mr. Renaeu also addressed the no street parking restriction to allow emergency vehicle access. He also stated the no street parking will be posted and enforced by the City of Temple.

Vice-Chair Ward opened the public hearing.

There being no speakers, the public hearing was closed.

Commissioner Armstrong made a motion to approve Item 7, **FY-19-66-PLT**, per staff recommendation, and Commissioner Alaniz made a second.

Motion passed: (7:0)

Chair Langley and Commissioner Marshall absent.

RESOLUTION NO. 2019-9864-R
(FY-19-66-PLT)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, APPROVING THE FINAL PLAT OF WESTWARD LTD SUBDIVISION REPLAT NO. ONE, AN APPROXIMATELY 4.426-ACRE, 15-LOT, 2-BLOCK, 1-TRACT RESIDENTIAL SUBDIVISION WITH A DEVELOPER-REQUESTED EXCEPTION TO THE UNIFIED DEVELOPMENT CODE SECTION 8.2.1.E: DESIGN STANDARDS/CURVILINEAR STREETS REGARDING MINIMUM CURVE RADIUS OF A LOCAL STREET, DESCRIBED AS BEING PART OF LOT 1, BLOCK 1, WESTWARD LTD SUBDIVISION, AN ADDITION TO THE CITY OF TEMPLE, BELL COUNTY, TEXAS; ADDRESSED AS 4305 SOUTH 31ST STREET; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the final plat of Westward LTD Subdivision Replat No. One, an approximately 4.426 acre, 15-lot, 2-block, residential subdivision is located on the eastern portion of the retail center parking lot addressed as 4305 South 31st Street – the entrance into the proposed property will be from the north end of Calle Olmo within the Spanish Southwest subdivision which is a proposed local street that will connect to Calle Olmo;

Whereas, Calle De Bronce’s proposed cul-de-sac at the west boundary of the proposed plat will allow pedestrian traffic to the adjacent retail center parking area, but vehicular traffic will be limited to Calle Olmo;

Whereas, the developer is requesting an exception to Unified Development Code (UDC) Section 8.2.1.E: Design Standards/Curvilinear Streets regarding minimum curve radius of a local street – the minimum allowed curve radius to the centerline of a local street is 200 feet and curves C3 and C8 along Calle De Bronce have curve radiuses of 30 feet;

Whereas, the Development Review Committee reviewed the final plat of Westward LTD Subdivision Replat No. One and deemed it administratively complete on September 12, 2019 - at its September 16, 2019 meeting, the Planning & Zoning Commission voted 7 to 0 to recommend approval of the final plat of Westward LTD Subdivision Replat No. One with the developer requested exception to UDC Section 8.2.1.E: Design Standards/Curvilinear Streets regarding minimum curve radius of a local street;

Whereas, Staff recommends Council approve the final plat of Westward LTD Subdivision Replat No. One with the developer requested exception to UDC Section 8.2.1.E: Design Standards/Curvilinear Streets regarding minimum curve radius of a local street; and

Whereas, the City Council has considered the matter and deems it in the public interest to approve the final plat of Westward LTD Subdivision Replat No. One, with the above requested exception.

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

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

Part 2: The City Council approves the final plat of Westward LTD Subdivision Replat No. One, an approximately 4.426 acre, 15-lot, 2-block, 1-tract residential subdivision with a developer-requested exception to Unified Development Code Section 8.2.1.E: Design Standards/Curvilinear Streets regarding minimum curve radius of a local street, described as being part of lot 1, block 1, Westward LTD Subdivision, an addition to the City of Temple, Bell County, Texas, addressed as 4305 South 31st 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 **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

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DEPT./DIVISION SUBMISSION & REVIEW:

Lacy Borgeson, City Secretary

ITEM DESCRIPTION: Consider adopting a resolution appointing one member representing the RZ No. 1 Board of Directors to the Airport Advisory Board to fill an unexpired term through September 1, 2021.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: In April 2018, Council approved a resolution (2018-5437-R) re-establishing the membership composition of the Board to allow representation from the Reinvestment Zone Board, and the Temple Economic Development Board. Tyler Johnson has served as the RZ No. 1 Representative on the Airport Advisory Board but is unable to complete the current term through September 1, 2021.

Staff is asking Council to appoint one member from the RZ No. Board of Directors to serve on the Airport Advisory board for an unexpired term through September 1, 2021.

Airport Advisory Board Members

William Maedgen	At-Large
Phillip Davis	Temple Resident
Tyler Johnson	At-Large/RZ No 1
Brad Phillips	Temple Resident
Perry Cloud	Temple Resident
Dr. Edward McCaffrey	Temple Resident
Tate Seideman	Temple Resident
Steve Wright	At-Large/TEDC
Marty Janczak	Temple Resident

Reinvestment Zone No. 1 Board of Directors

Michelle DiGaetano	
Harry Adams	
Tanya Mikeska-Reed	
Tyler Johnson, Chair	
Bob Browder	Temple College
Sonjanette Crossley	
Raymond Smith	
John Mayo	
Steve Wright	TISD Rep
Bryan Daniel, V-Chair	
Bill Schumann	Bell County
Blake Pitts	
John Kiella	BISD Rep
Gary Schmidt	Troy ISD
Calvin Sanders	Elm Creek Water District

FISCAL IMPACT: Not applicable.

ATTACHMENTS:

[Resolution](#)