



**MEETING OF THE
TEMPLE CITY COUNCIL
MUNICIPAL BUILDING
2 NORTH MAIN STREET
3rd FLOOR – CONFERENCE ROOM
THURSDAY, DECEMBER 17, 2015**

3:30 P.M.

AGENDA

1. Discuss, as may be needed, Regular Meeting agenda items for the meeting posted for Thursday, December 17, 2015.
2. Receive a general update with regards to the Transportation and Utility Capital Improvement Plans.
3. Discuss the status of right-of-way acquisition for the Santa Fe Plaza project and the proposed purchase of property located at 301, 302, and 303 South 4th Street in Temple.

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

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 3 minutes. No discussion or final action will be taken by the City Council.

III. PUBLIC APPEARANCE

3. Receive presentation from Lions Club with regards to the expansion of Lions Junction Water Park.

IV. SPECIAL RECOGNITIONS & PRESENTATIONS

4. Presentation of the 2015 Corporate Challenge Game Awards.

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.

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

Minutes

- (A) [December 3, 2015 Special and Regular Meeting](#)

Contracts, Leases, & Bids

- (B) [2015-7975-R](#): Consider adopting a resolution authorizing a construction contract with Cody Stanley Construction, LLC of Holland in the amount of \$33,604.48 for the construction of a concrete building pad needed at Sammons Golf Links.
- (C) [2015-7976-R](#): Consider adopting a resolution authorizing a construction contract with Cody Stanley Construction, LLC. of Holland in the amount of \$173,650.76 for the construction of the Wilson Park basketball court canopy.
- (D) [2015-7977-R](#): Consider adopting a resolution authorizing a construction contract with Fitzgerald Lawscapers, Ltd. of Woodway in the amount of \$433,292 for the construction of the “Mean Joe Greene” Community Football Field.
- (E) [2015-7978-R](#): Consider adopting a resolution authorizing a construction contract with Nelson Lewis, Inc., of Marble Falls, for a lump sum price totaling \$1,595,637 for construction of the North 3rd Street and East Adams Avenue Water Line Improvements.
- (F) [2015-7979-R](#): Consider adopting a resolution authorizing an agreement with Kasberg, Patrick, & Associates, LP, of Temple in an amount not to exceed \$242,649 for professional services required for preliminary engineering design and associated investigations at the City of Temple Water Treatment Plant.
- (G) [2015-7980-R](#): Consider adopting a resolution authorizing the City Manager or designee to execute offers and contracts for the scheduling of musical entertainment for the 2016 Bloomin Temple Festival in an amount not to exceed \$35,000 per offer or contract.
- (H) [2015-7981-R](#): Consider adopting a resolution authorizing a Chapter 380 Economic Development Agreement between the City of Temple and the Temple Housing Authority for conveyance of City owned property commonly referred to as “Casa Hispanica” and located at 801 South Main Street, Temple, Texas.
- (I) [2015-7982-R](#): Consider adopting a resolution authorizing a Chapter 380 agreement with Morris Venture Partners VI, LLC, to contribute \$100,000 towards the construction of a right turn lane off of South 31st Street into the Shoppes on the Hill development.
- (J) [2015-7983-R](#): Consider adopting a resolution authorizing the purchase of 13 mobile digital video systems for the new police vehicles in the amount of \$71,316.05 from L-3 Mobile Vision, Inc.
- (K) [2015-7984-R](#): Consider adopting a resolution authorizing the purchase of 85 body cameras systems with eight charging systems in an amount of \$37,887 from L3 Mobile-Vision, Inc.
- (L) [2015-7985-R](#); Consider adopting a resolution authorizing the purchase of 70 ballistic vests in the amount of \$57,188.60 from Miller Uniforms & Emblems, Inc. .
- (M) [2015-7986-R](#): Consider adopting a resolution authorizing the purchase of 13 marked police vehicles and one unmarked vehicle in an amount of \$579,869.26 from Caldwell Country Ford of Caldwell.

- (N) [2015-7987-R](#): Consider adopting a resolution authorizing the purchase of property located at 301, 302 and 303 South 4th Street, Temple, Texas 76501 in the amount of \$300,000 and the payment of closing costs in the estimated amount of \$6,000.
- (O) [2015-7988-R](#): Consider adopting a resolution authorizing a change order to the construction contract with James Construction Group, LLC in an amount not to exceed \$28,718.69 for construction activities on NW Loop 363.
- (P) [2015-7989-R](#): Consider adopting a resolution authorizing change order #3 to the Outer Loop Phase 3A (Adams Avenue to channel) construction contract with R.T. Schneider Construction Company, Ltd., (RTS) in the amount of \$492,672.12 for construction services to extend the proposed roadway section.
- (Q) [2015-7990-R](#): Consider adopting a resolution authorizing an amendment to the professional services agreement with Jacobs Engineering Group, Inc., in an amount not to exceed \$91,370 for design and construction-phase services related to Phase 5 of the Bird Creek Interceptor.
- (R) [2015-7991-R](#): Consider adopting a resolution authorizing a professional services agreement with Architectural Edge Inc. of Temple, in an amount not to exceed \$132,565 for design services for the renovation of Sammons Community Center.
- (S) [2015-7992-R](#): Consider adopting a resolution authorizing a professional services agreement with Kasberg, Patrick & Associates, LP, (KPA) in an amount not to exceed \$641,530 for design and bidding services related to reconstruction and relocation of the Shallowford Lift Station.
- (T) [2015-7993-R](#): Consider adopting a resolution authorizing a one year renewal to the contract with World Fuel Services Corporation of Florida to supply aviation bulk fuels and other business support to operate an exclusive fuel dealership through December 31, 2016 at the Draughton-Miller Central Texas Regional Airport.

Ordinances – Second & Final Reading

- (U) 1. [2015-4739](#): SECOND READING –Consider adopting an ordinance Creating Chapter 41, “Credit Access Businesses,” of the Code of Ordinances of the City of Temple, Texas.
- 2. [2015-4740](#): SECOND READING – Z-FY-16-04: Consider adopting an ordinance authorizing amendments to Ordinance 2010-4413, Temple Unified Development Code related to regulating Credit Access Businesses (commonly referred to as “Payday Lenders”) and the following specific Articles: Article 5-Use Standards, including specific locational standards; and Article 11-Definitions, providing a definition for Credit Access Businesses.
- (V) [2015-4741](#): SECOND READING – Z-FY-16-01 - Consider adopting an ordinance authorizing a rezoning from General Retail District (GR), Office 1 District (O-1) and Multiple-Family Dwelling 1 District (MF-1) to General Retail District (GR), on 6.414 +/- acres, being all of Lot 2, Block 1, G2K North subdivision, located on the north side of West Adams Avenue, west of Holy Trinity Catholic High School and east of Hilliard Road.

- (W) 1. [2015-4743](#): SECOND READING - Consider adopting an ordinance amending the approval process for economic development incentives for property redevelopment in the Jeff Hamilton Park area.
2. [2015-7994-R](#): Consider adopting a resolution establishing a policy for award of economic development incentives for property redevelopment in the Jeff Hamilton Park area.
- (X) [2015-4744](#): SECOND READING - Consider adopting an ordinance amending the City's strategic investment zones incentive policies.

Misc.

- (Y) [2015-7995-R](#): Consider adopting a resolution approving the annual report of the Tax Increment Financing Reinvestment Zone No. 1 for fiscal year 2014-2015.
- (Z) [2015-7996-R](#): Consider adopting a resolution authorizing the rejection of all bids received for Doshier Farm Wastewater Treatment Plant SCADA System Improvements on November 10, 2015.
- (AA) [2015-7997-R](#): Consider adopting resolutions:
1. Designating 120 West Central Avenue as the single polling place for City Council Districts 1, 2, 3, and 4; and
 2. Authorizing joint election agreements with the Temple Health & Bioscience Economic Development District, Temple College, and the Temple Independent School District for the May 7, 2016 election.
- (BB) [2015-7998-R](#): Consider adopting a resolution authorizing the cancellation of the January 7, 2016, City Council meeting.
- (CC) [2015-7999](#): Consider adopting a resolution authorizing budget amendments for fiscal year 2015-2016.

VI. REGULAR AGENDA

ORDINANCES – FIRST READING/PUBLIC HEARING

6. [2015-4745](#): FIRST READING - PUBLIC HEARING - Consider adopting an ordinance regarding the City of Temple's Youth Program Standards of Care.

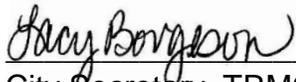
RESOLUTIONS

7. [2015-8000-R](#): Consider adopting a resolution granting a petition to institute voluntary annexation proceedings of 0.278 acres of land out of and part of the George W. Lindsey Survey, Abstract 513, directing Staff to develop a municipal services plan, and calling public hearings to consider the petition.

8. [2015-8001-R](#): Consider adopting a resolution granting a petition to institute voluntary annexation proceedings of 20.855 acres of land out of the Sarah Fitzhenry Survey, Abstract 312, directing Staff to develop a municipal services plan, and calling public hearings to consider the petition.
9. [2015-8002-R](#): P-FY-15-40: Consider adopting a resolution authorizing the Final Plat of Whitehall Road Addition, a 4.748 +/- acre, 1-lot, 1-block, residential subdivision, with an exception to UDC Section 8.1.3A.7 of the Unified Development Code related to required fire hydrants, located on the north side of Whitehall Road, approximately 2900 feet east of its intersection with FM 2409.

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

I hereby certify that a true and correct copy of this Notice of Meeting was posted in a public place at 11:30 AM, on Friday, December 11, 2015.



City Secretary, TRMC



COUNCIL AGENDA ITEM MEMORANDUM

12/17/15
Item #(A)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Lacy Borgeson, City Secretary

ITEM DESCRIPTION: Approve Minutes:

(A) December 3, 2015 Special and Regular Meeting

STAFF RECOMMENDATION: Approve minutes as presented in item description.

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

FISCAL IMPACT: N/A

ATTACHMENTS:

December 3, 2015 Special and Regular Meeting - to be provided



COUNCIL AGENDA ITEM MEMORANDUM

12/17/15
Item #5(B)
Consent Agenda
Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

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

ITEM DESCRIPTION: Consider adopting a resolution authorizing a construction contract with Cody Stanley Construction, LLC of Holland in the amount of \$33,604.48 for the construction of a concrete building pad needed at Sammons Golf Links.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: Approval of this item will allow the execution of a construction contract with Cody Stanley Construction, LLC to construct a new concrete building pad for a 70' x 30' pre-engineered metal building at Sammons Golf Links located at 2727 West Adams Avenue.

Included in the adopted FY2015 CIP budget was \$60,000 to install a new maintenance equipment storage building at Sammons Golf Links. It is the intent of City staff to erect the building with Parks staff personnel after the construction of the building pad. During FY2015, the pre-engineered metal building was procured and the necessary geo-technical, civil, and structural design services were performed.

As shown on the attached bid tabulation, on December 3, 2015, the City received seven bids for the construction of the concrete building pad. Bids ranged from a low of \$33,604.48 to a high of \$51,010 for the base bid. Based on available funding, it is staff's recommendation to award the base bid only to Cody Stanley Construction, LLC. The base bid consists of construction of the building pad only. The two add alternate bids, which staff is not recommending award of, consist of (1) construction of concrete approaches in front of the two overhead doors and entry door and (2) installing 6" of crushed limestone base in areas around the building.

FISCAL IMPACT: Funding for award of construction contract with Cody Stanley is appropriated in account 110-5931-551-6310, project 101146, is identified below:

Project Budget	\$	60,000
Encumbered/Committed to Date		(26,180)
Construction Award - Cody Stanley		<u>(33,604)</u>
Remaining Project Funds	\$	<u>215</u>

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

Tabulation of Bids Received
 on December 3, 2015 at 3:00 p.m.
 Building Pad for a New 70'X30' Pre-Engineered Metal Building at Sammons Golf Course
 Bid# 31-01-16

Bidders				
	RM Rodriguez Construction, LP Temple, TX	UFL, Inc. Gatesville, TX	R.T. Schneider Construction Co, Ltd. Belton, TX	Camden Enterprises LLC Belton, TX
Description				
12046.8	\$42,800.00	\$41,316.00	\$49,480.00	\$44,954.00
Add Alternate #1	\$2,500.00	\$1,933.25	\$4,830.00	\$1,575.00
Add Alternate #2	\$18,500.00	\$12,046.80	\$9,975.00	\$9,088.00
Acknowledge Addendums (2)	Yes	Yes	Yes	Yes
Bid Bond (if greater than \$25,000)	Yes	Yes	Yes	Yes
Bond Requirement Affidavit (if greater than \$25,000)	Yes	Yes	Yes	Yes
Credit Check Authorization (if greater than \$25,000)	Yes	Yes	Yes	Yes

Bidders			
	EG Sierra, LLC Belton, TX	Wilson Construction Services, LLC Belton, TX	Cody Stanley Construction LLC Holland, TX
Description			
Total Base Bid	\$51,010.00	\$37,273.00	\$33,604.48
Add Alternate #1	\$2,049.00	\$2,600.00	\$2,400.00
Add Alternate #2	\$14,949.00	\$9,260.00	\$11,500.00
Acknowledge Addendums (2)	Yes	Addendum #1 only	Yes
Bid Bond (if greater than \$25,000)	Yes	Yes	Yes
Bond Requirement Affidavit (if greater than \$25,000)	Yes	Yes	Yes
Credit Check Authorization (if greater than \$25,000)	Yes	Yes	Yes

Recommended for Council Award

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A CONSTRUCTION CONTRACT WITH CODY STANLEY CONSTRUCTION, LLC OF HOLLAND, TEXAS, IN THE AMOUNT OF \$33,604.48, FOR CONSTRUCTION OF A CONCRETE BUILDING PAD AT SAMMONS GOLF LINKS; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on December 3, 2015, the City received seven bids for the construction of a concrete building pad at Sammons Golf Links with Cody Stanley Construction, LLC of Holland, Texas submitting the low bid;

Whereas, Staff recommends awarding a construction contract to Cody Stanley Construction, LLC in the amount of \$33,604.48, for construction of a new concrete building pad for a 70' x 30' pre-engineered metal building at Sammons Golf Links located at 2727 West Adams Avenue;

Whereas, funding for this contract is authorized in Account No. 110-5931-551-6310, Project No. 101146; 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: The City Council authorizes the City Manager, or his designee, after approval as to form by the City Attorney, to execute a construction contract with Cody Stanley Construction, LLC of Holland, Texas, in the amount of \$33,604.48, for the construction of a concrete building pad at Sammons Golf Links.

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 17th day of **December**, 2015.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

12/17/15
Item #5(C)
Consent Agenda
Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

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

ITEM DESCRIPTION: Consider adopting a resolution authorizing a construction contract with Cody Stanley Construction, LLC. of Holland in the amount of \$173,650.76 for the construction of the Wilson Park basketball court canopy.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: Approval of this item will allow the execution of a construction contract with Cody Stanley Construction, LLC to install a pre-engineered metal canopy over the existing basketball courts located at the Wilson Recreation Center, 2205 Curtis B. Elliott Drive, as approved in the 2015 Parks Bond election.

This project includes the purchase and installation of a pre-engineered metal building canopy, pier flatwork, and electrical wiring required for lights. Add Alternates include the purchase and installation of metal shade side structures as well as the addition of brick to the canopy columns.

As shown on the attached bid tabulation, on December 8, 2015, the City received four bids for this project. Bids ranged from a low of \$173,650.76 to a high of \$268,700 for the Base Bid and Add Alternate #1.

As indicated on the attached Architect's Letter of Recommendation, Cody Stanley Construction, LLC was the low responsive bidder. It is the recommendation of Architectural Edge and the City staff to accept the following bid items from Cody Stanley Construction:

	Base Bid	\$ 156,650.76
Add Alt #1: Install Metal Shade Side Structures		<u>17,000.00</u>
	Total Bid	<u>\$ 173,650.76</u>

FISCAL IMPACT: This project is funded by the Parks GO Bonds that were approved by voters on May 9, 2015 and sold on September 24, 2015. Funding is appropriated for award of a construction contract for the Wilson Park basketball court canopy installation in account 362-3500-552-6417, project 101326, as identified below:

Project Budget	\$ 203,770.00
Encumbered/Committed to Date	(24,509.63)
Construction Contract – Cody Stanley Construction	<u>(173,650.76)</u>
<u>Remaining Project Funds</u>	<u>\$ 5,609.61</u>

- ATTACHMENTS:**
[Architect's Letter of Recommendation](#)
[Bid Tabulation](#)
[Resolution](#)



Architectural
Edge Inc.

December 8, 2015

Sarah Parker
Senior Buyer II / Purchasing
City of Temple

RE: Wilson Basketball Cover

Mrs. Parker,

This letter is to verify that the bid for the aforementioned project by Cody Stanley Construction LLC of Holland, Tx., is acceptable.

Architecture

The bid appears to be an appropriate price for the scope of work outlined in the construction documents.

Design Services

The contractor is reputable and I have no reason to believe that he will not be able to complete the project under the conditions of the contract.

Consultation

Please contact me if you have any questions about the contractor, or if I can provide any further information.

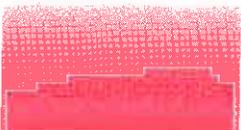
Sincerely,

Randy Stumberg AIA
Architectural Edge, Inc.
254.771.2054
rstumberg@archedge.com

3010 Scott Blvd.
Suite 102
Temple, TX 76504

P 254.771.2054
F 254.773.2144

email@
archedge.com



**Tabulation of Bids Received
on December 8, 2015 at 11:00 a.m.
Wilson Park Basketball Court Renovations (Canopy Installation)
Bid# 35-03-16**

Description	Bidders			
	Chaney Construction Services, LLC	EG Sierra, LLC	Cody Stanley Construction, LLC	RM Rodriguez Construction, LP
	Temple, TX	Belton, TX	Holland, TX	Temple, TX
Base Bid	\$250,500.00	\$191,021.60	\$156,650.76	\$199,000.00
Add Alternate #1: Purchase and Installation of Steel and "R" Panel Shade Structures	\$18,200.00	\$19,112.50	\$17,000.00	\$38,000.00
Add Alternate #2: Clad Ten (10) Columns with Brick	\$62,345.00	\$58,370.40	\$43,000.00	\$56,000.00
Total Bid	\$331,045.00	\$268,504.50	\$216,650.76	\$293,000.00
Acknowledgement of Addendums (2)	Yes	Yes	Yes	Yes
Bid Bond	Yes	Yes	Yes	Yes
Bond Requirement Affidavit	Yes	Yes	Yes	Yes
Credit Check Authorization	Yes	Yes	Yes	Yes

Recommended for Council Award

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A CONSTRUCTION CONTRACT WITH CODY STANLEY CONSTRUCTION, LLC OF HOLLAND, TEXAS, IN THE AMOUNT OF \$173,650.76, FOR THE CONSTRUCTION OF THE WILSON PARK BASKETBALL COURT CANOPY; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on December 8, 2015, the City received four bids for the construction of the Wilson Park basketball court canopy with Cody Stanley Construction, LLC of Holland, Texas submitting the low bid;

Whereas, the base bid includes the construction and installation of a pre-engineered metal building canopy, pier flatwork, and electrical wiring required for lights - add alternate bids include the purchase and installation of metal shade side structures as well as the addition of brick to the canopy columns;

Whereas, based on the bids received, staff recommends award of the construction contract to Cody Stanley Construction, LLC in the amount of \$173,650.76;

Whereas, this project is funded by the Parks GO Bonds that were approved by voters on May 9, 2015 and sold on September 24, 2015 - funding is appropriated in Account No. 362-3500-552-6417, Project No. 101326; 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: The City Council authorizes the City Manager, or his designee, after approval as to form by the City Attorney, to execute a construction contract with Cody Stanley Construction, LLC of Holland, Texas, in the amount of \$173,650.76, for the construction of the Wilson Park basketball court canopy.

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 17th day of **December**, 2015.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

12/17/15
Item #5(D)
Consent Agenda
Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

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

ITEM DESCRIPTION: Consider adopting a resolution authorizing a construction contract with Fitzgerald Lawncapers, Ltd. of Woodway in the amount of \$433,292 for the construction of the “Mean Joe Greene” Community Football Field.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: Approval of this item will allow the execution of a construction contract with Fitzgerald Lawncapers, Ltd. to construct a football field at 1802 East Avenue H as approved in the 2015 Parks Bond election.

As shown on the attached bid tabulation, on December 2, 2015, the City of Temple received four bids for this project. The base bids ranged from a low of \$281,545 to a high of \$383,567. The Base Bid includes the earthwork, football goal posts, construction of a retaining wall, installation of a reclaimed irrigation system, and construction of new sidewalks. The Add Alternates include a new football scoreboard, new field lighting, fencing alternatives along East Avenue H, and Bermuda grass sod versus hydromulch around the field perimeter.

As indicated on the attached Engineer’s Letter of Recommendation, Fitzgerald Lawncapers, Ltd. was the low responsive bidder. It is the recommendation of Clark & Fuller and the City staff to accept the following Fitzgerald Lawncapers, Ltd. bid items:

	Base Bid	\$ 281,545
	Add Alt #1: Football Scoreboard	25,900
	Add Alt #:3 Black Aluminum Fence vs Chain Link	8,687
	Add Alt #4: Field Lighting	127,700
Add Alt #5: Bermuda Grass Seeding Hydromulch vs Sodding the Field Perimeter		<u>(10,540)</u>
	Total Bid	<u>\$ 433,292</u>

FISCAL IMPACT: This project is funded by the Parks GO Bonds that were approved by voters on May 9, 2015 and sold on September 24, 2015. Funding is appropriated in account 362-3500-552-6418, project 101327, as identified below:

Project Budget	\$ 611,375
Encumbered/Committed to Date	(77,951)
Construction Contract – Fitzgerald Lawn Scapers, Ltd	<u>(433,292)</u>
Remaining Project Funds	<u><u>\$ 100,132</u></u>

ATTACHMENTS:

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



215 North Main Street
Temple, Texas 76501
(254) 899-0899
Fax (254) 899-0901
www.clark-fuller.com
Firm Registration No: F-10384

December 7, 2015

City of Temple
Belinda Mattke
3210 E. Ave H, Bldg C
Temple, Texas 76501

Re: Bid #35-02-16 Wilson Park Football Field Addition

Dear Mrs. Mattke,

On December 3rd, four (4) bids were received, for the new Wilson Park Football Field Addition. We have reviewed each of the bids for accuracy and completeness. Chaney Cox was the apparent low bidder, but stated that they voluntarily left required construction items out of their base bid. It is in our opinion, that they are not a responsive bidder and we suggest disqualification of their bid. Fitzgerald Lawnscape, Ltd submitted a base bid and bid alternates (1), (3), (4), & (5):

Base Bid Total:	\$ 281,545.00
Bid Alternate 1:	\$ 25,900.00
Bid Alternate 3:	\$ 8,687.00
Bid Alternate 4:	\$ 127,700.00
<u>Bid Alternate 5:</u>	<u>(\$ 10,540.00)</u>
Total Bid Including Alternates:	\$ 433,292.00

making them the apparent responsive low bidder. *Please see the enclosed Bid Tabulation Sheet and Bid Schedule Breakout for detailed information.*

The engineer's final estimated opinion of probable cost for this project is \$ 535,000.00.

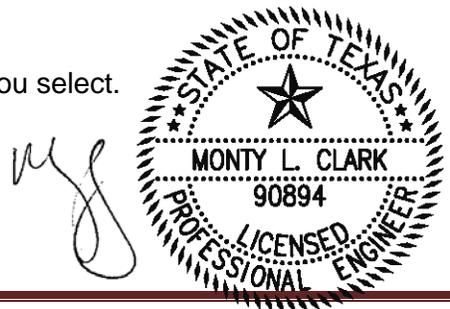
Our firm has no previous experience working with Fitzgerald Lawnscape, Ltd. Therefore we have contacted numerous entities on the list of references provided by Fitzgerald Lawnscape, Ltd. When asked if Fitzgerald Lawnscape, Ltd. were the low bidder on their next project all references would recommend using them again.

We are recommending that you award the contract to Fitzgerald Lawnscape, Ltd. We believe, through documentation and personal verbal contact with the contractor's list of provided references, that Fitzgerald Lawnscape, Ltd. is qualified and is capable of providing the new improvements as required in this project.

Please advise us as to which contractor and bid alternates you select.

Sincerely,

Monty Clark, P.E., CPESC



Bid Tabulation Sheet

Wilson Park Football Field Addition

Bid Date: December 3, 2015

No.	Base Bid Item Description	Est. Quan.	UOM	Fitzgerald Lawnscafer, Ltd		R M Rodriguez Construction		Chaney-Cox Construction, Inc.		Trinity TransCon	
				Unit Price	Total Cost	Unit Price	Total Cost	Unit Price	Total Cost	Unit Price	Total Cost
Base Bid											
1	Preparation of Right of Way and Site Clearing	100%	LS	\$ 4,815.00	\$ 4,815.00	\$ 25,000.00	\$ 25,000.00	\$ 525.00	\$ 525.00	\$ 31,000.00	\$ 31,000.00
2	Mobilization, Bonds, Permits, & Insurance	100%	LS	\$ 25,930.00	\$ 25,930.00	\$ 15,000.00	\$ 15,000.00	\$ 71,200.00	\$ 71,200.00	\$ 55,955.00	\$ 55,955.00
3	Provide New Storm Water Pollution Prevention Plan & Implementation	100%	LS	\$ 11,345.00	\$ 11,345.00	\$ 5,500.00	\$ 5,500.00	\$ 5,890.00	\$ 5,890.00	\$ 7,500.00	\$ 7,500.00
4	All Unclassified Earthwork for All Cuts, Fills, Removals, Disposals	100%	LS	\$ 40,620.00	\$ 40,620.00	\$ 111,419.00	\$ 111,419.00	\$ 55,630.00	\$ 55,630.00	\$ 96,000.00	\$ 96,000.00
5	New Segmental Retaining Wall	151	LF	\$ 110.00	\$ 16,610.00	\$ 75.00	\$ 11,325.00	\$ 50.07	\$ 7,560.57	\$ 100.00	\$ 15,100.00
6	New 4' Galvanized Chain Link Fencing	595	LF	\$ 11.20	\$ 6,664.00	\$ 11.00	\$ 6,545.00	\$ 12.34	\$ 7,342.30	\$ 12.00	\$ 7,140.00
7	Reclaimed Irrigation System	100%	LS	\$ 23,400.00	\$ 23,400.00	\$ 20,000.00	\$ 20,000.00	\$ 22,100.00	\$ 22,100.00	\$ 20,000.00	\$ 20,000.00
8	New Bermuda Grass Sod	5270	SY	\$ 6.00	\$ 31,620.00	\$ 4.00	\$ 21,080.00	\$ 5.14	\$ 27,087.80	\$ 3.60	\$ 18,972.00
9	4" Sandy Loam Topsoil and Bermuda Grass Sports Turf Seeding through Hydromulch	6400	SY	\$ 7.40	\$ 47,360.00	\$ 5.00	\$ 32,000.00	\$ 5.55	\$ 35,520.00	\$ 6.00	\$ 38,400.00
10	New Football Goal Posts (Yellow)	2	EA	\$ 7,800.00	\$ 15,600.00	\$ 6,500.00	\$ 13,000.00	\$ 7,550.00	\$ 15,100.00	\$ 9,000.00	\$ 18,000.00
11	New Reinforced Concrete Sidewalk	266	SY	\$ 62.00	\$ 16,492.00	\$ 70.00	\$ 18,620.00	\$ 62.40	\$ 16,598.40	\$ 150.00	\$ 39,900.00
12	New Handicap Curb Ramp with Detectable Warning	2	EA	\$ 882.00	\$ 1,764.00	\$ 1,500.00	\$ 3,000.00	\$ 1,260.00	\$ 2,520.00	\$ 1,800.00	\$ 3,600.00
13	New Pavement Striping	100%	LS	\$ 1,825.00	\$ 1,825.00	\$ 2,500.00	\$ 2,500.00	\$ 1,575.00	\$ 1,575.00	\$ 2,000.00	\$ 2,000.00
14	New Electrical Service, Support Rack, Panelboards, Electrical Conduit System	100%	LS	\$ 37,500.00	\$ 37,500.00	\$ 25,000.00	\$ 25,000.00	\$ 16,960.00	\$ 16,960.00	\$ 30,000.00	\$ 30,000.00
Total Base Bid				\$ 281,545.00		\$ 309,989.00		Bid Submitted \$ 285,630.00		Mathematical Bid \$ 285,609.07	
Bid Alternate (1)											
15	New Football Scoreboard	1	EA	\$ 25,900.00	\$ 25,900.00	\$ 24,000.00	\$ 24,000.00	\$ 22,300.00	\$ 22,300.00	\$ 25,036.00	\$ 25,036.00
Total Bid Add Alternate (1)				\$ 25,900.00		\$ 24,000.00		\$ 22,300.00		\$ 25,036.00	
Bid Alternate (2)											
16	ADD New 4' Vinyl (Black) Coated Chain Link Fence	595	LF	\$ 17.00	\$ 10,115.00	\$ 15.20	\$ 9,044.00	\$ 16.82	\$ 10,007.90	\$ 19.00	\$ 11,305.00
17	DEDUCT New 4' Galvanized Chain Link Fence	595	LF	\$ 11.20	\$ 6,664.00	\$ 11.00	\$ 6,545.00	\$ 12.34	\$ 7,342.30	\$ 12.00	\$ 7,140.00
Total Bid Add Alternate (2) Less Deduct				\$ 3,451.00		\$ 2,499.00		Bid Submitted \$ 2,670.00		Mathematical Bid \$ 2,665.60	
Bid Alternate (3)											
18	ADD New 4' Powder Coated (Black) Aluminum Fence	595	LF	\$ 25.80	\$ 15,351.00	\$ 30.47	\$ 18,129.65	\$ 33.18	\$ 19,742.10	\$ 37.20	\$ 22,134.00
19	DEDUCT New 4' Galvanized Chain Link Fence	595	LF	\$ 11.20	\$ 6,664.00	\$ 11.00	\$ 6,545.00	\$ 12.34	\$ 7,342.30	\$ 12.00	\$ 7,140.00
Total Bid Add Alternate (3) Less Deduct				\$ 8,687.00		\$ 11,584.65		Bid Submitted \$ 12,400.00		Mathematical Bid \$ 12,399.80	
Bid Alternate (4)											
20	New Field Lighting and Wiring	100%	LS	\$ 127,700.00	\$ 127,700.00	\$ 125,000.00	\$ 125,000.00	\$ 112,100.00	\$ 112,100.00	\$ 120,936.00	\$ 120,936.00
Total Bid Add Alternate (4)				\$ 127,700.00		\$ 125,000.00		\$ 112,100.00		\$ 120,936.00	
Bid Alternate (5)											
21	ADD New Erosion Control Blanket and Bermuda Grass Seeding via Hydromulch	5270	SY	\$ 4.00	\$ 21,080.00	\$ 2.70	\$ 14,229.00	\$ 1.75	\$ 9,222.50	\$ 1.50	\$ 7,905.00
22	DEDUCT New Bermuda Grass Sod	5270	SY	\$ 6.00	\$ 31,620.00	\$ 4.00	\$ 21,080.00	\$ 2.64	\$ 13,912.80	\$ 2.80	\$ 14,756.00
Total Bid Alternate (5) Less Deduct				\$ (10,540.00)		\$ (6,851.00)		Bid Submitted \$ (4,700.00)		Mathematical Bid \$ (4,690.30)	
Total Bid Including Alternates 1, 3, and 4				\$ 433,292.00		\$ 463,722.65		Bid Submitted \$ 427,730.00		Mathematical Bid \$ 427,718.57	

Notes:

Chaney-Cox Construction, Inc. did not include Onco fees within their submitted bid.
 Trinity Transcon's submitted unit price was adjusted to reflect their submitted total price for item number five.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A CONSTRUCTION CONTRACT WITH FITZGERALD LAWNSCAPERS, LTD OF WOODWAY, TEXAS, IN THE AMOUNT OF \$433,292, FOR CONSTRUCTION OF THE “MEAN JOE GREENE” COMMUNITY FOOTBALL FIELD; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on December 2, 2015, the City received four bids for the construction of the “Mean Joe Greene” community football field located at 1802 East Avenue H with Fitzgerald Lawncapers, Ltd of Woodway, Texas submitting the low bid;

Whereas, the base bid includes earthwork, football goal posts, construction of a retaining wall, installation of a reclaimed irrigation system, and the construction of new sidewalks – the add alternate bids include a new football scoreboard, new field lighting, fencing and Bermuda grass around the field perimeter;

Whereas, based on the bids received, Staff recommends award of the construction contract to Fitzgerald Lawncapers, Ltd., in the amount of \$433,292;

Whereas, this project is funded by the Parks GO Bonds that were approved by voters on May 9, 2015 and sold on September 24, 2015 - funding is appropriated in Account No. 362-3500-552-6418, Project No. 101327; 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: The City Council authorizes the City Manager, or his designee, after approval as to form by the City Attorney, to execute a construction contract with Fitzgerald Lawncapers, Ltd. of Woodway, Texas, in the amount of \$433,292, for the construction of the “Mean Joe Greene” Community Football Field.

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 17th day of **December**, 2015.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

12/17/15
Item #5(E)
Consent Agenda
Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

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

ITEM DESCRIPTION: Consider adopting a resolution authorizing a construction contract with Nelson Lewis, Inc., of Marble Falls, for a lump sum price totaling \$1,595,637 for construction of the North 3rd Street and East Adams Avenue Water Line Improvements.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The water lines in these areas are at least 50 years old and consist of cast-iron pipe with lead-poured joints. These lines are experiencing frequent leaks. This project will replace the 6" water main along East Adams Avenue from 16th to 36th, replace the 2" water mains along both sides of North 3rd Street from Irvin to Nugent, and replace the 2" water main between North 3rd Street and North 1st Street from Elm to Irvin. Maps of both construction are attached for reference.

On November 17, 2015, three bids were received. Per the attached letter and bid tabulation, Nelson Lewis, Inc., submitted the low bid on the project in the amount of \$1,595,637. The opinion of probable construction cost was \$1,512,000. The following is a breakdown of the low bid recommended for award:

East Adams Ave	\$	615,934.00
North 3 rd Street	\$	<u>979,703.00</u>
Total	\$	1,595,637.00

Walker Partners checked references and recommends awarding construction to the low bidder, Nelson Lewis, Inc., in their attached letter.

Construction time allotted for the project is 180 calendar days.

FISCAL IMPACT: A budget adjustment is being presented for Council’s approval. Funding for the construction contract with Nelson Lewis, Inc., in the amount of \$1,595,637, will be appropriated as shown below:

Account	Project #	Description	Amount Available
561-5200-535-6952	101200	WL Replacement 3rd Street Irvin-Nugent Project Budget	\$ 679,500
		Encumbered/Committed to Date	\$ (147,270)
		Budget Adjustment Attached for Approval	\$ 447,473
		N. 3rd Street Construction Contract - Nelson Lewis, Inc.	\$ (979,703)
		WL Rplc N. 3rd Street Irvin-Nugent Remaining Project Funds	<u>\$ -</u>
561-5200-535-6953	101205	WL Replacement Along E Adams Project Budget	\$ 510,500
		Encumbered/Committed to Date	\$ (68,390)
		Budget Adjustment Attached for Approval	\$ 173,824
		E. Adams Construction Contract - Nelson Lewis, Inc.	\$ (615,934)
		WL Rplc E. Adams Remaining Project Funds	<u>\$ -</u>

ATTACHMENTS:

- Engineer’s Letter of Recommendation & Bid Tabulation
- 3rd Street Map & Adams Project Maps
- Budget Adjustment
- Resolution

December 7, 2015

City of Temple
Department of Public Works
3210 E. Avenue H, Bldg. C
Temple, TX 76501

Attn: Diego Yorsky, Project Manager

Re: City of Temple – North 3rd Street & East Adams Avenue Water Main Replacement Project
Project No.: 2-01521

Dear Mr. Yorsky:

Bids for the above referenced project, City of Temple – North 3rd Street & East Adams Avenue Water Main Replacement, were received by the City of Temple Purchasing Department until 3:00pm, November 17, 2015. A total of three (3) bids were received. The bids were read aloud to those in attendance shortly after 3:00pm, November 17, 2015.

The apparent low bidder at the time of bid opening and the tabulated low bidder was Nelson Lewis, Inc., with a total base bid in the amount of \$1,595,637.00; with an East Adams Avenue bid subtotal of \$615,934.00, and a North 3rd Street bid subtotal of \$979,703.00. Walker Partners Engineer's Opinion of Probable Cost was \$1,502,327.40. The difference of \$93,310 is less than 6% above the Engineer's Opinion of Probable Cost. Walker Partners uses all resources available to develop the Engineer's Opinion of Probable Cost and 6% is well within the industry standard.

Nelson Lewis, Inc. has performed similar projects in the recent past that were designed and administered by Walker Partners. The projects were completed to the satisfaction of all parties. In addition, Walker Partners requested and received referenced projects from Nelson Lewis, Inc. Each reference was contacted and all references were very positive.

I therefore recommend that the City of Temple award the Contract for Construction of the North 3rd Street & East Adams Avenue Water Main Replacement project to Nelson Lewis, Inc. for the base bid amount of \$1,595,637.00.

If you have any questions or comments, please contact me.

Sincerely,



Otto E. Wiederhold, P.E.
Senior Vice President

OEW: ajb

Attachment(s): Bid Tabulation
Bid Opening Sign-In Sheet
Bid Opening Score Card
Reference Check Notes

Email & USPS

Walker Partners, LLC
Bid Tabulation

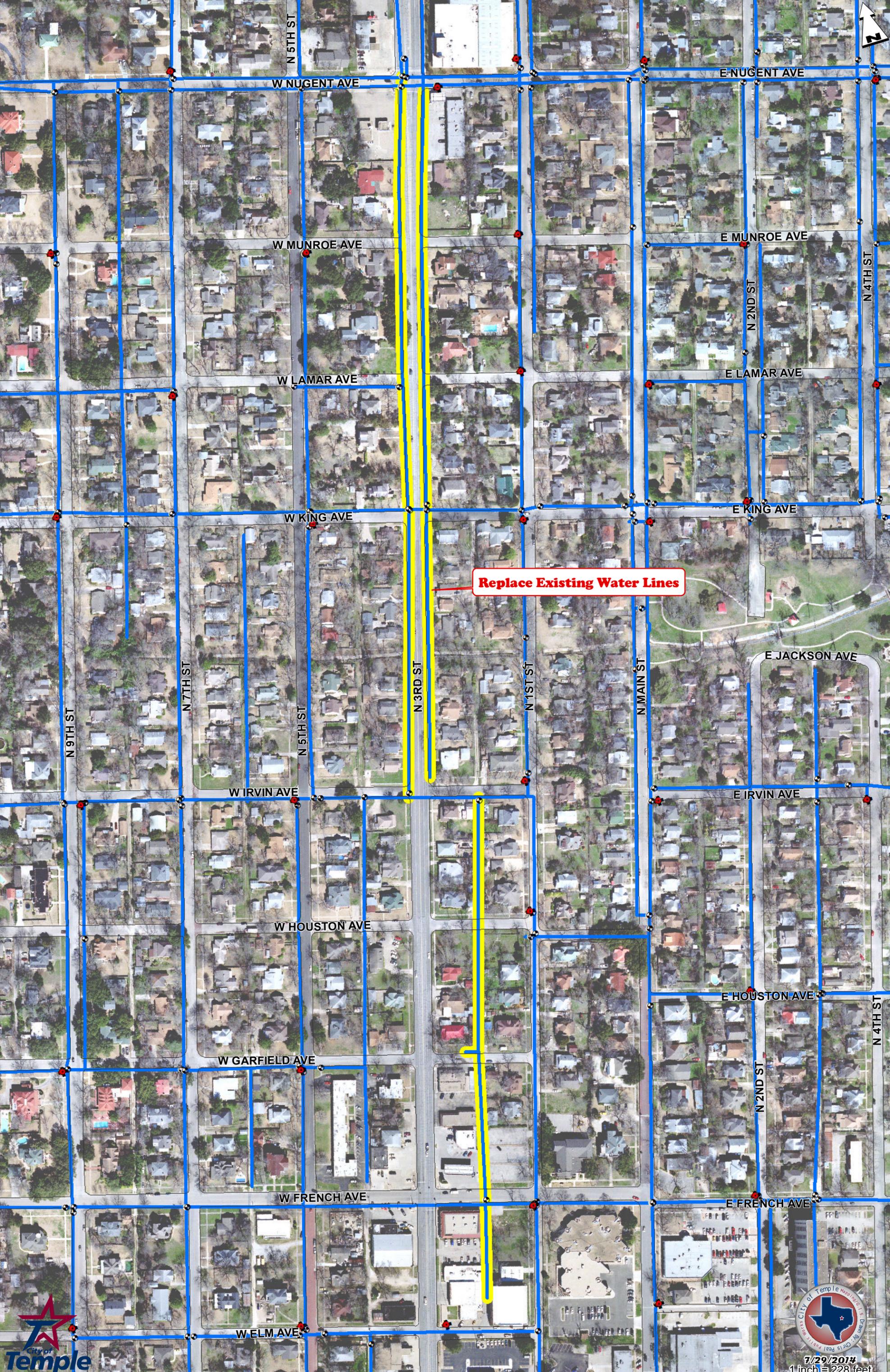
City of Temple
North 3rd Street and East Adams Avenue Water Main Replacement
Project No.: 2-01521
November 17, 2015 @ 3:00 pm

Bidders

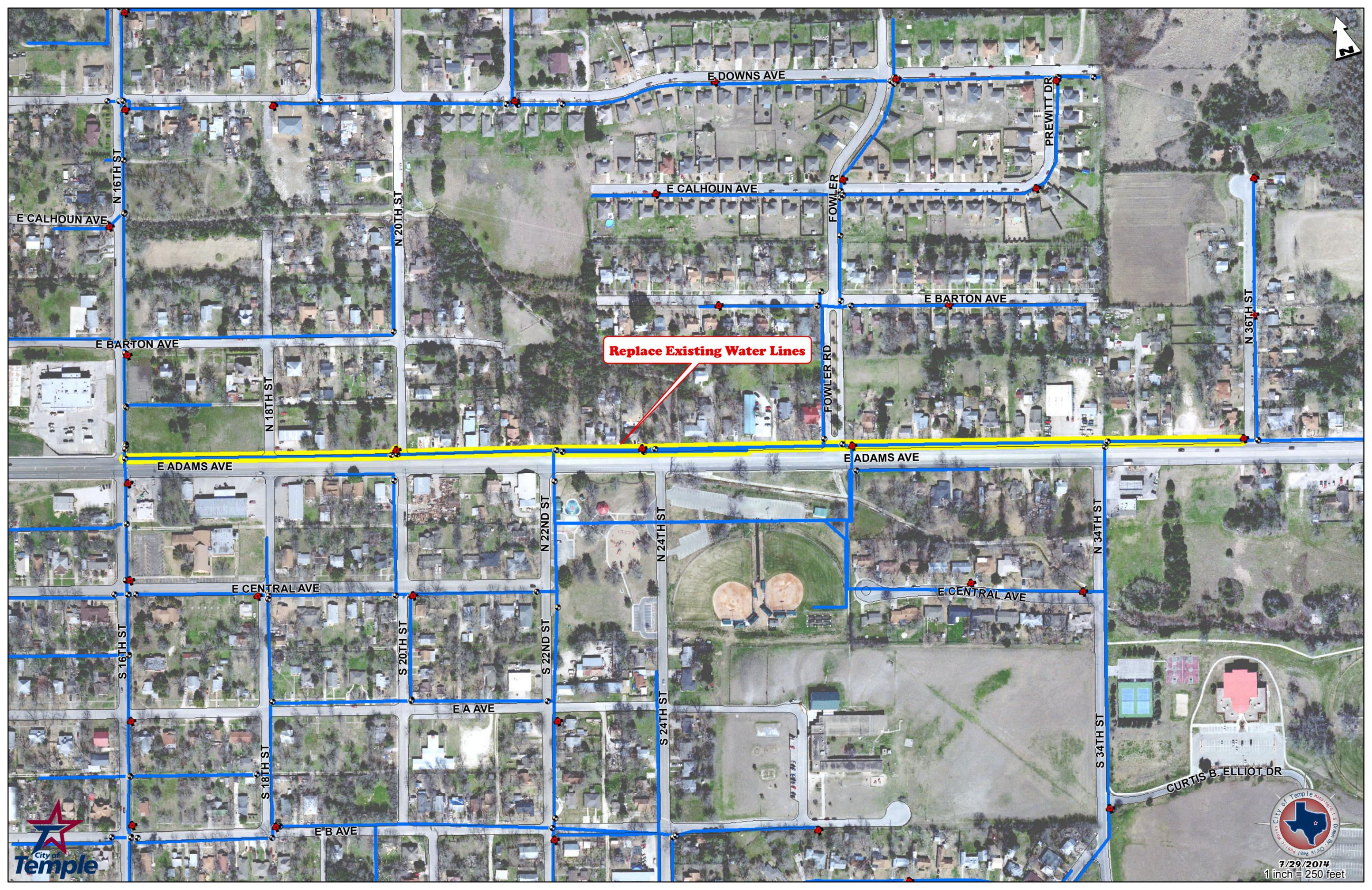
Item No.	Bid Item Description	Estimated		Nelson Lewis, Inc.		TTG Utilities		Alcott, Inc. DBA TCH	
		Quantities	Measure	Unit Price	Unit Amount	Unit Price	Unit Amount	Unit Price	Unit Amount
EAST ADAMS AVENUE									
1.00	Furnish & Install 8" C906 HDPE Waterline Pipe installed via Directional Drilling, Complete for	3,508	LF	113.00	396,404.00	106.15	372,374.20	130.00	456,040.00
1.01	Furnish & Install 6" C-900 PVC Waterline pipe, Complete for	60	LF	80.00	4,800.00	140.65	8,439.00	210.00	12,600.00
1.02	Furnish & Install 10"x 8" Tapping Sleeve & Valve, Complete for	1	EA	6,500.00	6,500.00	6,200.00	6,200.00	8,500.00	8,500.00
1.03	Furnish & Install 8"x6" Tapping Sleeve & Valve, Complete for	4	EA	5,000.00	20,000.00	7,485.00	29,940.00	7,600.00	30,400.00
1.04	Furnish & Install 6"x 6" Tapping Sleeve & Valve, Complete for	2	EA	4,800.00	9,600.00	4,125.00	8,250.00	7,600.00	15,200.00
1.05	Furnish & Install 8" Resilient Seat Gate Valve, Complete for	4	EA	1,800.00	7,200.00	2,950.00	11,800.00	2,200.00	8,800.00
1.06	Furnish & Install 8"x 6" Reducer, Complete for	1	EA	400.00	400.00	550.00	550.00	750.00	750.00
1.07	Furnish & Install 6" 90 Degree Bend, Complete for	1	EA	400.00	400.00	500.00	500.00	350.00	350.00
1.08	Furnish & Install Fire Hydrant Assembly, Complete for	7	EA	6,200.00	43,400.00	7,100.00	49,700.00	6,900.00	48,300.00
1.09	Provide Labor, Equipment, Tools & Supervision to Complete Removal and Salvage of Existing Fire Hydrant, Complete for	4	EA	500.00	2,000.00	950.00	3,800.00	500.00	2,000.00
1.10	Provide Labor, Equipment, Tools & Supervision to Complete Relocation of Water Meter & Reconnect Water Service Line, Complete for	24	EA	1,200.00	28,800.00	1,315.00	31,560.00	1,500.00	36,000.00
1.11	Provide Labor, Equipment, Tools & Supervision to Complete Concrete Sidewalk Removal, Complete for	504	SF	4.00	2,016.00	5.85	2,948.40	5.00	2,520.00
1.12	Furnish & Install Concrete Sidewalk, Complete for	504	SF	11.00	5,544.00	23.50	11,844.00	10.00	5,040.00
1.13	Provide Labor, Equipment, Tools & Supervision to Complete Abandonment of Existing 6" Waterline, Complete for	1,910	LF	7.00	13,370.00	13.75	26,262.50	10.00	19,100.00
1.14	Furnish & Install Asphalt Surface Replacement, Complete for	80	SY	150.00	12,000.00	90.75	7,260.00	90.00	7,200.00
1.15	Provide Labor, Equipment, Tools & Supervision to Complete Removal of Concrete Curb & Gutter	40	LF	5.00	200.00	11.75	470.00	25.00	1,000.00
1.16	Furnish & Install Concrete Curb & Gutter, Complete for	40	LF	20.00	800.00	39.75	1,590.00	50.00	2,000.00
1.17	Submit Traffic Control Plan, Complete for	1	LS	3,000.00	3,000.00	3,750.00	3,750.00	2,500.00	2,500.00
1.18	Implement Traffic Control Plan, Complete for	1	LS	11,000.00	11,000.00	21,500.00	21,500.00	10,000.00	10,000.00
1.19	Submit Stormwater Pollution Prevention Plan, Complete for	1	LS	3,000.00	3,000.00	1,200.00	1,200.00	1,000.00	1,000.00
1.20	Implement & Follow Stormwater Pollution Prevention Plan, Complete for	1	LS	5,000.00	5,000.00	7,000.00	7,000.00	5,000.00	5,000.00
1.21	Submit Trench Safety Plan Prepared & Signed by PE, in Conformance with State Law & OSHA, Complete for	1	LS	3,000.00	3,000.00	650.00	650.00	3,000.00	3,000.00

Item No.	Bid Item Description	Estimated		Nelson Lewis , Inc.		TTG Utilities		Alcott, Inc. DBA TCH	
		Quantities	Measure	Unit Price	Unit Amount	Unit Price	Unit Amount	Unit Price	Unit Amount
1.22	Implement & Follow Trench Safety Plan, Complete for	1	LS	2,500.00	2,500.00	7,500.00	7,500.00	500.00	500.00
1.23	Provide Labor, Equipment, Tools & Supervision to Complete Preparation of Right-of-Way, Complete for	1	LS	5,000.00	5,000.00	17,250.00	17,250.00	1,000.00	1,000.00
1.24	Mobilization, Bonds & Insurance, not to exceed 5% of the Base Bid Amount, Complete for	1	LS	30,000.00	30,000.00	22,500.00	22,500.00	33,500.00	33,500.00
EAST ADAMS AVENUE SUBTOTAL					615,934.00		654,838.10		712,300.00
NORTH 3RD STREET AND ALLEY									
2.00	Furnish & Install 8" C906 HDPE Waterline Pipe installed via Directional Drilling, Complete for	5,416	LF	113.00	612,008.00	110.25	597,114.00	130.00	704,080.00
2.01	Furnish & Install 6" C-900 PVC Waterline pipe, Complete for	26	LF	180.00	4,680.00	140.65	3,656.90	210.00	5,460.00
2.02	Furnish & Install Fire Hydrant Assembly, Complete for	8	EA	6,200.00	49,600.00	7,100.00	56,800.00	7,200.00	57,600.00
2.03	Provide Labor, Equipment, Tools & Supervision to Complete Relocation of Water Meter & Reconnect Water Service Line, Complete for	48	EA	1,200.00	57,600.00	1,315.00	63,120.00	1,100.00	52,800.00
2.04	Furnish & Install 8" x 8" Tapping Sleeve & Valve, Complete for	3	EA	5,800.00	17,400.00	5,375.00	16,125.00	8,025.00	24,075.00
2.05	Furnish & Install 8" x 6" Tapping Sleeve & Valve, Complete for	6	EA	5,000.00	30,000.00	4,700.00	28,200.00	7,600.00	45,600.00
2.06	Furnish & Install 6" x 6" Tapping Sleeve & Valve, Complete for	6	EA	4,800.00	28,800.00	4,125.00	24,750.00	7,600.00	45,600.00
2.07	Furnish & Install 4" x 4" Tapping Sleeve & Valve, Complete for	1	EA	4,500.00	4,500.00	3,500.00	3,500.00	5,600.00	5,600.00
2.08	Furnish & Install 8" Resilient Seat Gate Valve, Complete for	3	EA	1,800.00	5,400.00	2,950.00	8,850.00	2,200.00	6,600.00
2.09	Furnish & Install 8" x 6" Reducer, Complete for	2	EA	400.00	800.00	550.00	1,100.00	750.00	1,500.00
2.10	Furnish & Install 8" x 4" Reducer, Complete for	1	EA	400.00	400.00	535.00	535.00	900.00	900.00
2.11	Furnish & Install 8" 45 degree Bend, Complete for	8	EA	500.00	4,000.00	625.00	5,000.00	275.00	2,200.00
2.12	Furnish & Install 8" 22.5 Degree Bend, Complete for	2	EA	500.00	1,000.00	625.00	1,250.00	200.00	400.00
2.13	Furnish & Install 6" 90 Degree Bend, Complete for	2	EA	400.00	800.00	500.00	1,000.00	350.00	700.00
2.14	Furnish & Install 8" Ring Connection, Complete for	1	EA	4,500.00	4,500.00	7,650.00	7,650.00	7,000.00	7,000.00
2.15	Provide Labor, Equipment, Tools & Supervision to Complete Concrete Sidewalk Removal, Complete for	1,595	SF	4.00	6,380.00	5.85	9,330.75	5.00	7,975.00
2.16	Furnish & Install Concrete Sidewalk, Complete for	1,595	SF	11.00	17,545.00	23.50	37,482.50	10.00	15,950.00
2.17	Provide Labor, Equipment, Tools & Supervision to Complete Removal of Existing ADA Ramp	1	EA	500.00	500.00	800.00	800.00	1,500.00	1,500.00
2.18	Provide Labor, Equipment, Tools & Supervision to Complete Abandonment of Existing 6" Waterline, Complete for	845	LF	7.00	5,915.00	27.00	22,815.00	10.00	8,450.00
2.19	Furnish & Install Asphalt Surface Replacement, Complete for	250	SY	150.00	37,500.00	90.75	22,687.50	90.00	22,500.00
2.20	Provide Labor, Equipment, Tools & Supervision to Complete Removal of Concrete Curb & Gutter	51	LF	5.00	255.00	11.75	599.25	25.00	1,275.00

Item No.	Bid Item Description	Estimated		Nelson Lewis , Inc.		TTG Utilities		Alcott, Inc. DBA TCH	
		Quantities	Measure	Unit Price	Unit Amount	Unit Price	Unit Amount	Unit Price	Unit Amount
2.21	Furnish & Install Concrete Curb & Gutter, Complete for	51	LF	20.00	1,020.00	39.75	2,027.25	50.00	2,550.00
2.22	Provide Labor, Equipment, Tools & Supervision to Complete Removal of Brick Pavers	25	SF	6.00	150.00	17.25	431.25	75.00	1,875.00
2.23	Furnish & Install Brick Pavers, Complete for	25	SF	150.00	3,750.00	22.50	562.50	125.00	3,125.00
2.24	Provide Labor, Equipment, Tools & Supervision to Complete Removal of Keystone Block Wall, Complete for	20	LF	10.00	200.00	21.50	430.00	100.00	2,000.00
2.25	Furnish & Install Keystone Block Wall, Complete for	20	LF	75.00	1,500.00	35.85	717.00	300.00	6,000.00
2.26	Submit Traffic Control Plan, Complete for	1	LS	3,000.00	3,000.00	3,750.00	3,750.00	2,500.00	2,500.00
2.27	Implement Traffic Control Plan, Complete for	1	LS	13,000.00	13,000.00	29,500.00	29,500.00	10,000.00	10,000.00
2.28	Submit Stormwater Pollution Prevention Plan, Complete for	1	LS	3,000.00	3,000.00	1,200.00	1,200.00	1,000.00	1,000.00
2.29	Implement & Follow Stormwater Pollution Prevention Plan, Complete for	1	LS	5,000.00	5,000.00	7,000.00	7,000.00	5,000.00	5,000.00
2.30	Submit Trench Safety Plan Prepared & Signed by PE, in Conformance with State Law & OSHA, Complete for	1	LS	3,000.00	3,000.00	650.00	650.00	3,000.00	3,000.00
2.31	Implement & Follow Trench Safety Plan, Complete for	1	LS	3,500.00	3,500.00	15,000.00	15,000.00	500.00	500.00
2.32	Provide Labor, Equipment, Tools & Supervision to Complete Preparation of Right-of-Way, Complete for	1	LS	6,000.00	6,000.00	26,650.00	26,650.00	1,000.00	1,000.00
2.33	Mobilization, Bonds & Insurance, not to exceed 5% of the Base Bid Amount, Complete for	1	LS	47,000.00	47,000.00	26,500.00	26,500.00	52,500.00	52,500.00
NORTH 3RD STREET AND ALLEY SUBTOTAL					979,703.00		1,026,783.90		1,108,815.00
Total Bid					\$1,595,637.00		\$1,681,622.00		\$1,821,115.00



Replace Existing Water Lines



Replace Existing Water Lines



7/29/2014
1 inch = 250 feet

BUDGET ADJUSTMENT FORM

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

Adjustments should be rounded to the nearest \$1.

		+	-	
ACCOUNT NUMBER	PROJECT #	ACCOUNT DESCRIPTION	INCREASE	DECREASE
561-5200-535-69-52	101200	Capital Bonds/WL Rplc N. 3rd St/Irvin-Nugent	447,473	
561-5200-535-69-53	101205	Capital Bonds/WL Rplc along E. Adams	173,824	
561-5400-535-69-05	101210	Capital Bonds/Little Flock Lift Station Improvements		300,000
561-5500-535-69-68	101211	Capital Bonds/WWTP-Lift Station Transfer Switch		321,297
TOTAL.....			\$ 621,297	\$ 621,297

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

To appropriate funding for the award of a construction contract with Nelson Lewis, Inc. for construction of the North 3rd Street and East Adams Avenue Water Line Improvement projects in the amount of \$1,595,637. The total amount for the North 3rd Street project is \$979,703 and total amount for East Adams project is \$615,934. Funding is available from the projects shown above per Nicole Torralva and Damon Boniface.

DOES THIS REQUEST REQUIRE COUNCIL APPROVAL? Yes No

DATE OF COUNCIL MEETING 12/17/2015

WITH AGENDA ITEM? Yes No

Department Head/Division Director	Date	<input type="checkbox"/> Approved <input type="checkbox"/> Disapproved
Finance	Date	<input type="checkbox"/> Approved <input type="checkbox"/> Disapproved
City Manager	Date	<input type="checkbox"/> Approved <input type="checkbox"/> Disapproved

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A CONSTRUCTION CONTRACT WITH NELSON LEWIS, INC. OF MARBLE FALLS, TEXAS, IN THE AMOUNT OF \$1,595,637, FOR CONSTRUCTION OF THE NORTH 3RD STREET AND EAST ADAMS AVENUE WATER LINE IMPROVEMENTS; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, Staff recommends replacing the 6-inch water main along East Adams Avenue from 16th to 36th Street, replacing the 2-inch water mains along both sides of North 3rd Street from Irvin to Nugent, and replacing the 2-inch water main between North 3rd Street and North 1st Street from Elm to Irvin;

Whereas, the water lines in these areas are at least 50 years old, consist of cast-iron pipe with lead-poured joints and are experiencing frequent leaks;

Whereas, on November 17, 2015, three bids were received for this project with Nelson Lewis, Inc. submitting the low bid in the amount of \$1,595,637;

Whereas, Staff recommends awarding a construction contract to Nelson Lewis, Inc. of Marble Falls, Texas, in the amount of \$1,595,637, for construction of the North 3rd Street and East Adams Avenue Water Line Improvements;

Whereas, funding is available for this contract but an amendment to the fiscal year 2016 budget needs to be approved to transfer the funds into Account No. 561-5200-535-6952, Project No. 101200 and Account No. 561-5200-535-6953, Project No. 101205; 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: The City Council authorizes the City Manager, or his designee, after approval as to form by the City Attorney, to execute a construction contract with Nelson Lewis, Inc. of Marble Falls, Texas, in the amount of \$1,595,637, for construction of the North 3rd Street and East Adams Avenue Water Line Improvements.

Part 2: The City Council authorizes an amendment to the fiscal year 2016 budget, substantially in the form of the copy attached hereto as Exhibit 'A.'

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 **December**, 2015.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

APPROVED AS TO FORM:

ATTEST:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

12/17/15
Item #5(F)
Consent Agenda
Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

Jonathan Graham, City Manager

ITEM DESCRIPTION: Consider adopting a resolution authorizing an agreement with Kasberg, Patrick, & Associates, LP, of Temple in an amount not to exceed \$242,649 for professional services required for preliminary engineering design and associated investigations at the City of Temple Water Treatment Plant.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The City of Temple owns a water treatment plant located on the north side of the Leon River just off Charter Oak Drive. The plant consists of a conventional water treatment train (CWTT) and a membrane water treatment train (MWTT), which ultimately combine through shared storage and pumping facilities and operate as one plant which delivers water to customers along the distribution system. The 29.4 MGD CWTT is an aging facility that has been renovated and expanded several times since its construction in 1957. In 2004, the 11.6 MGD MWTT was constructed in response to increasing water demands.

To address immediate and overall water treatment facility needs, the City of Temple is now engaging Kasberg, Patrick, & Associates to rehabilitate, renovate, improve, and expand the City's water treatment plant. This effort will be an on-going and evolving venture which will consist of numerous tasks and activities over the next several years. Of highest, and most immediate, importance are the first three tasks, outlined below and detailed in the attached proposal. Zebra mussels, membrane plant production rates, and conventional solids handling and lagoon infrastructure requirements are the first tasks identified for engineering award.

Task 1 – Raw Water Intake Mussel Control	\$ 40,041.00	(90 days)
Task 2 – MWTP Optimization	\$ 165,022.00	(180 days)
Task 3 – CWTP Solids Handling & Lagoon Improvements	\$ 37,586.00	(120 days)
Total	\$ 242,649.00	

KPA's proposal includes a map that illustrates the above tasks. The proposed services will recommend solutions that will be considered for final design and construction later this year. Time required for these design services is variable depending upon task, with 180 days for Task 2 being the longest. Tasks 1 and 3 will be completed earlier (within 90 days and 120 days, respectively).

It is anticipated that final design and construction phase services for each of these tasks will be ready for further consideration by Council later this fiscal year. Future tasks, which will be forthcoming within the next quarter, will include additional treatment plant components not limited to raw water pump station modifications and chemical feed improvements. As this project moves forward, development of new tasks will be advanced, as needed, to provide for ultimate build-out and expansion of Temple's water treatment facilities.

On April 6, 2015, the City released a Request for Qualifications (RFQ) related to a similar scope of work. On May 5, 2015, five engineering firms submitted their qualifications in response to this RFQ: Carollo Engineers (Austin); Kasberg, Patrick & Associates (Temple); Lockwood Andrews & Newnam (Austin); CP&Y (Waco); and Freese and Nichols (Austin). A staff committee reviewed the qualifications of those five firms and was prepared to recommend one of those firms. Based on a new direction from the City Manager, the Director of Public Works revised the original scope of work and negotiated the terms of an agreement with KPA based on their previous experience working at the City's water treatment plant.

FISCAL IMPACT: Funding for award of an agreement for professional services required for preliminary engineering design and associated investigations at the City of Temple Water Treatment Plant (WTP) is appropriated in account 561-5100-535-6954, project #101087, as follows:

Project Budget	\$ 1,000,000
Encumbered/Committed to Date	(183)
Engineering Award - KPA	<u>(242,649)</u>
Remaining Project Funds	<u>\$ 757,168</u>

ATTACHMENTS:

[Engineer's Proposal & 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. STRAE SUTTON, III, P.E., CFM

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

December 3, 2015

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

Re: City of Temple, Texas
 Water Treatment Plant -- Membrane Treatment, Intake and Lagoon Improvements

Dear Mr. Billeck:

This letter proposal is in response to your request for engineering services required for preliminary design and associated investigations at the City of Temple Water Treatment Plant. The proposed investigations encompass the control of mussels at the Raw Water Intake Structure, optimization of the Membrane WTP and improvements at the Conventional WTP Solids Handling and Lagoon Infrastructure. KPA and our sub-consultants have met with City of Temple Staff to discuss the operational issues and have jointly developed a proposed scope of services to address the items listed above.

The Scope of Services is included as Exhibit A to this proposal. In order for us to provide the services required for completion of the proposed Scope of Services, the following not-to-exceed lump sum amounts will be applicable. The lump sum fees are directly related to the scope items. Modifications to the scope will result in an applicable modification (either increase or decrease) to the associated fee.

Preliminary Design

Task 1A -- Raw Water Intake (Mussel Control)	\$ 40,041.00
Task 2A -- Membrane WTP Optimization	165,022.00
Task 3A -- CWTP Solids Handling & Lagoon Infrastructure	<u>37,586.00</u>
Total Preliminary Design	\$ 242,649.00

Exhibit B contains an hourly breakdown for each scope item and the associated cost. Please note that the scope only entails preliminary investigations and associated pilot studies. Final design services are not included in this proposal. Likewise, procurement of any components necessary for either the MWTP Optimization Pilot Study or the Membrane Filtration Pilot Study are not included in this proposal.

Mr. James Billeck, P.E.
December 3, 2015
Page Two

KPA will complete the investigations within 180 calendar days from the Notice to Proceed or 90 days after procurement and startup of the membrane pilot equipment, whichever is later. The time allotted for each individual task item are as follows:

Schedule

Task 1A -- Raw Water Intake (Mussel Control)	90 days
Task 2A -- Membrane WTP Optimization	*180 days
Task 3A -- Conventional WTP Solids Handling & Lagoon Imp. <i>*or 90 days after startup of pilot studies.</i>	120 days

We are available to address any questions or comments you may have and appreciate the opportunity to submit this proposal.

Sincerely,



Thomas D. Valle, P.E.
TDV/

Exhibit A
Temple WTP
Membrane Treatment, Intake and Lagoon Improvements
Draft Scope
December 3, 2015

Background

The City of Temple, Texas owns and operates the Temple Water Treatment Plant located in the southwest portion of town. The Conventional WTP consists of four (4) clarifiers, eight (8) gravity filters, chemical storage and feed assemblies, two (2) clearwells and a high service pump station. The Membrane WTP consists of 858 Pall pressure membrane modules. While the two WTPs have separate raw water intake structures, the Membrane Plant does not have separate chemical storage and feed, clearwells or high service pump station. The Conventional WTP was constructed in 1957 with expansions/modifications in 1977, 1988 and 2004. The Membrane Plant was constructed in 2004, with the backwash sedimentation improvements constructed in 2011. WTP Staff has noted issues or potential issues in the following locations:

1. Raw Water Intakes – Zebra mussels have been observed in Lake Belton and in the Leon River. Recently, they have been discovered in the raw water pump stations and could become a significant problem in the very near future. It is the intent of this project to identify the necessary improvements and/or operational modifications to insure they are not a problem in the future.
2. Membrane WTP – the MWTP consistently produces high quality effluent. However, it has experienced prolonged instances where it cannot operate at design capacity (has exceeded 10 MGD three times) without increasing the transmembrane pressure (TMP) to a point that the membrane has to be chemically cleaned. The existing membrane is approaching its service life and it is the intent of this project to identify the issues that are not allowing prolonged operation at/or near design flow rates and to recommend improvements and/or operational modifications to address those items prior to the large capital expenditure required to replace the membrane modules.
3. Conventional WTP Solids Handling and Lagoon Infrastructure – the southernmost backwash lagoon shows signs of structural cracking and separation in the concrete. It is possible that the lagoon area will receive and manage all sludge/dewatering discharge from both CWTP and MWTP and include a gravity sewer line connection to the proposed Leon River trunk sewer. Additionally, the location of the supernatant recycle stream to the head of the plant will be analyzed in accordance with TCEQ criteria.

Scope -- The following scope items are based on a team approach from discussions between KPA and City Staff to address the issues noted above. Please note that the tasks are labeled as "A" corresponding to the preliminary design phase. Future phases for design ("B") and construction ("C") will be included under a separate contract.

TASK 1A -- Raw Water Intake (Mussel Control Improvements):

- 1.1 Evaluate the existing intake drawings / verify the current and proposed capacity.
- 1.2 Meet with TCEQ to determine the allowable chemical operations available for use in mussel control.
- 1.3 Prepare a memorandum outlining the methods available to discourage the attachment of zebra and/or quagga mussels at the intake. Evaluations will take into account long term economic cost as well as availability and ability to control the mussels.
- 1.4 Provide a preliminary design concept for the proposed system to help control mussel habitation at the intake.
- 1.5 Prepare OPCs for preliminary design concept.
- 1.6 Deliverables:
 - a. Letter report including analysis, summary of TCEQ discussions, OPCs and recommendation.
 - b. No final design component is included in this scope. This is the preliminary, conceptual portion of the project. A separate contract will be required for final design and future phases.
- 1.7 Schedule – Letter report will be prepared with 90 days of Notice to Proceed.

TASK 2A -- Membrane WTP Optimization:

- 2.1 Review the plant data listed below:
 - a. Raw Water Quality
 - i. Complete inorganic scan if available. If historical data is available, then 5 years of data is requested.
 - ii. If not, at a minimum, weekly data for a month is requested:
 1. Iron (dissolved and total)
 2. Manganese (dissolved and total)
 3. AluminumCost for laboratory analysis is not included in this scope.
 - b. Recycled Water Quality (same timeline as 2.1.a)
 - i. Inorganic scan if available
 - ii. If not, as a minimum:
 1. Iron (dissolved and total)
 2. Manganese (dissolved and total)
 3. AluminumCost for laboratory analysis is not included in this scope.
 - c. Electronic Data
 - i. Flux, TMPs, and Temperature (to normalize TMP) for as many years as is available
 - ii. Raw water turbidities for periods above
 - iii. 2 years of data is requested.
 - d. CIP / EMF Logs: including frequency, chemicals used, temperatures

- 2.2 Summarize this data and make initial recommendations in an initial assessment report. The recommendations will be made with the goal of allowing the plant to operate at design capacity and may include:
 - a. CIP frequency and chemistry
 - b. EMF clean frequency and chemistry
 - c. Recovery procedures
 - d. Pretreatment alternatives
- 2.3 Review potential technologies and/or operational modifications that could be implemented to allow the plant to operate at design capacity. Methods or technologies to be investigated are:
 - a. Providing a PACI feed system as a coagulant to feed upstream near the intake to determine if this can delay the increase in TMP and potentially reduce the maximum TMP, increasing the capacity of the plant and saving electrical energy.
 - b. Merus Ring
 - c. Other technologies
- 2.4 Develop a pilot program protocol for the recommended method determined in Item 2.3 to help improve the performance of the membrane system.
- 2.5 Implement, monitor and analyze results of pilot program. This scope does not include the procurement or installation of chemicals, chemical feed or storage equipment. KPA will coordinate with the City to determine the necessary equipment to be purchased and installed by the City.
- 2.6 Evaluate alternatives and operation of the backwash sedimentation basins including coagulant feed dosing and return rate.
- 2.7 Meet with the membrane manufacturer to discuss historical operation of their membrane, issues seen and addressed at other plants and potential operational impacts of any chemical addition prior to the membrane.
- 2.8 Meet with membrane manufacturers to obtain necessary data to review potential manufacturers for membrane module replacement including review of module costs.
- 2.9 Review microfiltration versus ultra-filtration alternatives including advantages, disadvantages and cost implications. Prepare a letter report detailing the findings, analysis and recommendations.
- 2.10 Develop pilot study protocol for on-site testing of replacement modules (Scinor or similar manufacturer), including coordination with the manufacturer. This scope does not include the procurement or installation of pilot study equipment.
- 2.11 Implement, monitor and analyze membrane equipment pilot study.
- 2.12 Prepare letter report detailing Items 2.3, 2.5, 2.10 and 2.11 and forward to TCEQ for review and approval.
- 2.13 Meet with TCEQ and/or allot time for discussions concerning pilot study.
- 2.14 Develop recommended procedure and schedule for membrane module replacement. This task will include coordination with City Staff regarding preferred funding plan.

2.15 Schedule:

- a. Items 2.1 through 2.10 – 180 calendar days (including 30 days for piloting associated with Item 2.5)
- b. Items 2.11 through 2.14 – 90 calendar days after procurement and installation of pilot equipment associated with Item 2.11. Pilot study will be operated for 30 days.

TASK 3A – Conventional WP Solids Handling and Lagoon Infrastructure

- 3.1 Evaluate the existing record drawings showing existing dimensions, piping orientation and details of influent piping to the lagoon.
- 3.2 Evaluate and recommend necessary piping modifications to allow lagoon to be removed from service.
- 3.3 Structural review of existing conditions to determine proposed scope of construction work (rehabilitation or replacement).
- 3.4 Prepare preliminary plan to allow isolation of lagoon.
- 3.5 Perform analysis (including review of historical operation, projecting future flow volumes and discussions with City Staff) to determine optimal sizing of lagoon taking into account future sludge handling flows and/or ultimate buildout.
- 3.6 Prepare preliminary sizing and layout for gravity sewer line extension to proposed Leon River trunk sewer line. Alignments from both the MWTP and CWTP will be included.
- 3.7 Perform analysis on location of supernatant recycle stream as it enters back into the treatment train and make recommendation on applicable modifications.
- 3.8 Evaluate the impact to the current CT Study for compliance with current regulations. This scope item will detail the impact but will not include a revised CT Study and/or coordination with TCEQ for revising said CT Study. If the analysis shows that the CT Study has to be modified, a separate proposal will be required.
- 3.9 Prepare preliminary opinion of probable construction costs for recommended improvements.
 - a. Prepare Letter Report.
 - b. No final design component is included in this scope. This is the preliminary, conceptual portion of the project. A separate contract will be required for final design and future phases.
- 3.10 Schedule – Letter report will be prepared within 120 days of Notice to Proceed.

Project Scope items will be completed within the schedule indicated for each item with final completion within 180 calendar days from the Notice to Proceed or 90 days after procurement and startup of the membrane pilot equipment associated with Item 2.11, whichever is later.

Exhibit B

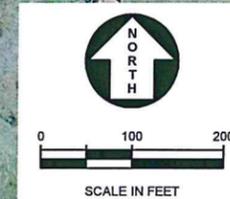
**City of Temple, Texas
Water Treatment Plant -- Membrane Treatment, Intake and Lagoon Improvements
Level of Effort / Fee Schedule**

City of Temple, Texas Temple Water Treatment Plant Membrane Treatment, Intake and Lagoon Improvements		Principal	Project Manager	Graduate Engineer	Technical Specialists	CAD Technician	Technical Support	Clerical	TOTAL HOURS	LABOR TOTAL	Direct Costs	Total Costs
TASK 1 - RAW WATER INTAKE (MUSSEL CONTROL IMPROVEMENTS)		31	82	138	0	30	16	2	270	\$ 39,391	\$ 650	\$ 40,041
1.1	Evaluate Existing Intake Drawings and Capacities	2	4	16	0	0	2	0	24	\$ 2,990	\$ -	\$ 2,990
1.2	Meet with TCEQ concerning chemical addition at intake	6	14	6	0	0	2	0	28	\$ 4,288	\$ 250	\$ 4,538
1.3	Prepare Memorandum detailing Methods of Mussel Inhibition	8	20	52	0	12	8	2	102	\$ 12,718	\$ 300	\$ 13,018
1.4	Prepare Preliminary Design Concept for Proposed System	12	36	48	0	18	2	0	116	\$ 15,558	\$ 100	\$ 15,658
1.5	Prepare OPCs	3	8	16	0	0	2	0	29	\$ 3,837	\$ -	\$ 3,837
TASK 2 -- MEMBRANE WTP OPTIMIZATION		110	146	222	222	12	10	16	738	\$ 153,052	\$ 11,970	\$ 165,022
2.1	Obtain & Review City supplied Data	6	4	4	16	0	0	0	30	\$ 5,280	\$ -	\$ 5,280
2.2	Data Analysis and Assessment	6	16	36	32	12	2	4	108	\$ 16,102	\$ 210	\$ 16,312
2.3	Review potential technologies and/or operational modifications to allow plant to operate at design capacity.	8	8	24	24	0	2	0	66	\$ 9,378	\$ -	\$ 9,378
2.4	Develop Pilot program and protocol to help improve performance of membrane system.	20	16	20	32	0	2	0	90	\$ 13,354	\$ 100	\$ 13,454
2.5	Implement, monitor and analyze results of pilot program.	36	40	100	50	0	2	8	236	\$ 37,066	\$ 6,400	\$ 43,466
2.6	Evaluate alternatives and operation of backwash sedimentation basins including coagulant feed dosing and return rate.	8	16	16	16	0	0	0	56	\$ 7,880	\$ -	\$ 7,880
2.7	Meet w/ Membrane manufacturer to discuss historical operation and operational impacts.	4	8	0	8	0	0	0	20	\$ 3,776	\$ 1,200	\$ 4,976
2.8	Meet with Membrane manufacturers to review replacement module costs.	4	8	0	8	0	0	0	20	\$ 4,604	\$ 550	\$ 5,154
2.9	Review microfiltration vs. ultrafiltration	4	8	0	8	0	2	0	22	\$ 3,670	\$ 110	\$ 3,780
2.10	Develop pilot protocol for on site testing of replacement modules.	8	8	0	16	0	2	0	34	\$ 4,746	\$ -	\$ 4,746
2.11	Implement, monitor and analyze results of Membrane pilot program.	24	40	100	20	0	2	8	194	\$ 29,178	\$ 3,100	\$ 32,278
2.12	Prepare Letter Report detailing findings of Pilot Studies	12	16	8	24	0	0	2	62	\$ 7,616	\$ 100	\$ 7,716
2.13	Meet with TCEQ or discussions with TCEQ concerning Pilot results	6	14	6	4	0	0	0	30	\$ 5,106	\$ 200	\$ 5,306
2.14	Develop and recommend procedure and schedule for membrane module replacement	4	8	8	16	0	2	2	40	\$ 5,296	\$ -	\$ 5,296
TASK 3 -- CONVENTIONAL WTP SOLIDS HANDLING AND LAGOON IMPROVEMENTS		26	74	88	8	52	0	4	252	\$ 34,486	\$ 3,100	\$ 37,586
3.1	Evaluate Existing Record Drawings and confirm Capacities.	2	2	8	0	8	0	0	20	\$ 2,506	\$ -	\$ 2,506
3.2	Evaluate necessary piping modifications	2	8	4	0	0	0	0	14	\$ 2,168	\$ -	\$ 2,168
3.3	Structural review of existing lagoon	4	8	4	8	0	0	0	24	\$ 3,768	\$ -	\$ 3,768
3.4	Prepare plan to allow isolation of lagoon.	2	8	16	0	8	0	0	34	\$ 4,392	\$ -	\$ 4,392
3.5	Analysis to determine optimal sizing of lagoon.	2	8	12	0	4	0	0	26	\$ 3,504	\$ -	\$ 3,504
3.6	Preliminary sizing and layout of gravity sewer improvements	4	12	24	0	24	0	0	64	\$ 8,108	\$ 3,000	\$ 11,108
3.7	Analysis on location of supernatant stream connection point	4	12	4	0	0	0	0	20	\$ 3,228	\$ -	\$ 3,228
3.8	Evaluate impact to current CT Study	2	8	0	0	0	0	0	10	\$ 1,720	\$ -	\$ 1,720
3.9	Prepare Letter Report including Preliminary OPC	4	8	16	0	8	0	4	40	\$ 5,092	\$ 100	\$ 5,192
TOTALS		167	302	448	230	94	26	22	1260	\$ 226,929	\$ 15,720	\$ 242,649

**TASK 3A
CONVENTIONAL WTP
SOLIDS HANDLING AND
LAGOON INFRASTRUCTURE**

**TASK 2A
MEMBRANE WTP
OPTIMIZATION**

**TASK 1A
RAW WATER INTAKE
(MUSSEL CONTROL)**



CITY OF TEMPLE, TEXAS
**WATER TREATMENT PLANT
MEMBRANE TREATMENT, INTAKE & LAGOON
IMPROVEMENTS**

KPA KASBERG, PATRICK & ASSOCIATES, LP
CONSULTING ENGINEERS
TEMPLE, TEXAS 76701
Firm Registration No. F-510

12-3-15

EXHIBIT C

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH KASBERG, PATRICK & ASSOCIATES, LP OF TEMPLE, TEXAS, IN THE AMOUNT OF \$242,649, FOR SERVICES REQUIRED FOR PRELIMINARY ENGINEERING DESIGN AND ASSOCIATED INVESTIGATIONS AT THE CITY OF TEMPLE WATER TREATMENT PLANT; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the City owns a water treatment plant located on the north side of the Leon River just off Charter Oak Drive that consists of a 29.4 MGD conventional water treatment train and an 11.6 MGD membrane water treatment train, which ultimately combine through shared storage and pumping facilities and operate as one plant which delivers water to customers along the distribution system;

Whereas, the conventional water treatment train is an aging facility that has been renovated and expanded several times since its construction in 1957 - in 2004, the membrane water treatment train was constructed in response to increasing water demands;

Whereas, this will be an on-going and evolving venture which will consist of numerous tasks and activities over the next several years and of highest, and most immediate, importance is the removal of zebra mussels, membrane plant production rates, and conventional solids handling and lagoon infrastructure requirements;

Whereas, Staff recommends authorizing a professional services agreement with Kasberg, Patrick & Associates to address the immediate and overall water treatment facility needs to rehabilitate, renovate, improve, and expand the City's water treatment plant, in an amount not to exceed \$242,649;

Whereas, funding is available for this professional services agreement in Account No. 561-5100-535-6954, Project No. 101087; 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: The City Council authorizes the City Manager, or his designee, after approval as to form by the City Attorney, to execute a professional services agreement with Kasberg, Patrick & Associates, LP, in an amount not to exceed of \$242,649, for professional services required for the preliminary engineering design and associated investigations at the City of Temple Water Treatment Plant.

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 **17th** day of **December**, 2015.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

APPROVED AS TO FORM:

ATTEST:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

12/17/2015
Item #5(G)
Consent Agenda
Page 1 of 1

DEPT. /DIVISION SUBMISSION & REVIEW:

Kevin Beavers, Parks and Recreation Director

ITEM DESCRIPTION: Consider adopting a resolution authorizing the City Manager or designee to execute offers and contracts for the scheduling of musical entertainment for the 2016 Bloomin Temple Festival in an amount not to exceed \$35,000 per offer or contract.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The Bloomin Temple Festival began in 2006 with a partnership between the Chamber of Commerce and the City of Temple. For the last two years, the local Townsquare Media group has produced the event. The Chamber was notified by Townsquare Media they would not produce the 2016 Festival. The 2016 Festival will now be produced by the Parks and Recreation Department. One of the key components to a festival is the musical entertainment. Due to the high importance of being able to quickly secure bands when we find them available, the City Manager or designee needs the authority to execute offers and contracts quickly so we do not lose them to another venue.

FISCAL IMPACT: Funding is appropriated for the Bloomin' Temple Festival musical entertainment in account 110-3281-551-2623 in the amount of \$112,090.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE, TO EXECUTE OFFERS AND CONTRACTS FOR MUSICAL ENTERTAINMENT FOR THE 2016 BLOOMIN TEMPLE FESTIVAL, IN AN AMOUNT NOT TO EXCEED \$35,000 PER OFFER OR CONTRACT; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the Bloomin Temple Festival began in 2006 with a partnership between the Chamber of Commerce and the City of Temple - for the last two years, the local Townsquare Media group has produced the event;

Whereas, the Chamber was notified by Townsquare Media they would not produce the 2016 Festival - the Festival will now be produced by the Parks and Recreation Department;

Whereas, one of the key components to any festival is the musical entertainment and due to the high importance of being able to quickly secure bands when available, the City Manager or his designee needs the authority to execute offers and contracts quickly so we do not lose them to another venue;

Whereas, Staff recommends Council authorize the City Manager or his designee to execute offers and contracts for musical entertainment for the 2016 Bloomin Temple Festival, in an amount not to exceed \$35,000 per offer or contract;

Whereas, funding for the 2016 Bloomin Temple Festival musical entertainment is authorized in Account No. 110-3281-551-2623; and

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

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

Part 1: The City Council authorizes the City Manager or his designee, after approval as to form by the City Attorney, to execute offers and contracts for musical entertainment for the 2016 Bloomin Temple Festival, in an amount not to exceed \$35,000 per offer or contract.

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 17th day of **December**, 2015.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

APPROVED AS TO FORM:

Kayla Landeros
City Attorney

ATTEST:

Lacy Borgeson
City Secretary



COUNCIL AGENDA ITEM MEMORANDUM

12/17/15
Item #5(H)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Kayla Landeros, City Attorney
Brynn Myers, Assistant City Manager

ITEM DESCRIPTION: Consider adopting a resolution authorizing a Chapter 380 Economic Development Agreement between the City of Temple and the Temple Housing Authority for conveyance of City owned property commonly referred to as “Casa Hispanica” and located at 801 South Main Street, Temple, Texas.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The Temple Housing Authority (THA) is interested in acquiring City owned property located at 801 South Main Street. THA will agree to pay the City \$65,000 for the property and agree to use the property for residential rental property or for other THA purposes for a period of at least five years from the date of conveyance.

The City no longer uses the property and Staff believes that conveyance of the property for economic development is in the best interest of the City.

FISCAL IMPACT: Funds received from the sale of the property will be deposited into account 110-0000-461-0424, Sale of Assets.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A CHAPTER 380 DEVELOPMENT AGREEMENT WITH THE TEMPLE HOUSING AUTHORITY FOR CONVEYANCE OF CITY OWNED PROPERTY, COMMONLY REFERRED TO AS "CASA HISPANICA," AND LOCATED AT 801 SOUTH MAIN STREET, TEMPLE, TEXAS; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the Temple Housing Authority is interested in acquiring City owned property, commonly referred to as "Casa Hispanica." and located at 801 South Main Street;

Whereas, pursuant to Ordinance No. 2014-4673, the City may consider making grants of public funds to promote local economic development and to stimulate business and commercial activity within the City;

Whereas, the Temple Housing Authority agrees to pay the City \$65,000 for the property and agrees to use the property as residential rental property or for other Temple Housing Authority purposes, for a period of at least five years from the date of conveyance;

Whereas, the City no longer uses the property and Staff believes that conveyance of the property for economic development is in the best interests of the City;

Whereas, funds received from the sale of the property located at 801 South Main Street will be deposited into Account No. 110-0000-461-0424; 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: The City Council authorizes the City Manager, or his designee, after approval as to form by the City Attorney, to execute a Chapter 380 Development Agreement with the Temple Housing Authority for conveyance of City owned property located at 801 South Main Street, Temple, Texas.

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 17th day of **December**, 2015.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN MAYOR

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

12/17/15
Item #5(I)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Jonathan Graham, City Manager

ITEM DESCRIPTION: Consider adopting a resolution authorizing a Chapter 380 agreement with Morris Venture Partners VI, LLC, to contribute \$100,000 towards the construction of a right turn lane off of South 31st Street into the Shoppes on the Hill development.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: Morris Venture Partners VI, LLC is developing a tract of land located at 2510 South 31st as "Shoppes on the Hill", a mixed use development consisting of retail, restaurant, and multi-family apartments and associated amenities.

The development necessitates turning lane improvements costing roughly \$250,000. The developer, Morris Venture Partners VI, LLC, will construct the right turn lane into the Shoppes on the Hill development from South 31st Street in accordance with a design approved by Texas Department of Transportation (TxDOT). Staff has negotiated a proposed cost sharing agreement with the developer for the turning lane improvements which would include the City covering \$100,000 of the cost. The City will reimburse the developer upon final acceptance of the construction by the City and TxDOT.

At the December 9, 2015 meeting of the Reinvestment Zone No. 1 Board, the Board voted to recommend approval of this agreement to the City Council.

FISCAL IMPACT: Funding is available in the Reinvestment Zone No. 1 Financing and Project Plans, line 459, account 795-9800-531-6873, project #101011, 31st Street Intersection Improvements to fund the agreement in the amount of \$100,000.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A CHAPTER 380 DEVELOPMENT AGREEMENT WITH MORRIS VENTURE PARTNERS VI, LLC, TO CONTRIBUTE \$100,000 TOWARDS THE CONSTRUCTION OF A RIGHT TURN LANE OFF SOUTH 31ST STREET INTO THE SHOPPES ON THE HILL DEVELOPMENT; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, Morris Venture Partners VI, LLC is developing a tract of land located at 2510 South 31st named “Shoppes on the Hill,” which is a mixed use development consisting of retail, restaurant, and multi-family apartments and associated amenities;

Whereas, this development necessitates turning lane improvements to South 31st Street costing roughly \$250,000 - Morris Venture Partners VI, LLC will construct the right turn lane into the Shoppes on the Hill development from South 31st Street in accordance with a design approved by Texas Department of Transportation;

Whereas, Staff has negotiated a proposed cost sharing agreement with Morris Venture Partners for the turning lane improvements - the City will reimburse Morris Venture Partners VI, LLC \$100,000 upon final acceptance of the construction by the City and TxDOT;

Whereas, pursuant to Ordinance No. 2014-4673, the City may consider making grants of public funds to promote local economic development and to stimulate business and commercial activity within the City;

Whereas, funding for this cost sharing agreement is available in the Reinvestment Zone Number One Financing and Project Plans, Line 459, Account No. 795-9800-531-6872, Project No. 101011; 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: The City Council authorizes the City Manager, or his designee, after approval as to form by the City Attorney, to execute a Chapter 380 Development Agreement with Morris Venture Partners VI, LLC, to construct a right turn lane off South 31st Street into the “Shoppes on the Hill” development.

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 17th day of **December**, 2015.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN MAYOR

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

12/17/15
Item #5(J)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Floyd Mitchell, Chief of Police

ITEM DESCRIPTION: Consider adopting a resolution authorizing the purchase of 13 mobile digital video systems for the new police vehicles in the amount of \$71,316.05 from L-3 Mobile Vision, Inc.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The Police Department seeks approval to purchase mobile digital video systems to be installed in the ten replacement vehicles and three new marked units. The digital video system being considered is the same system we are now using. This system wirelessly downloads videos to a server which reduces the time that officers and employees must handle cassettes and DVDs, as well as reducing the costs associated with purchasing these recording media. The system also provides for much quicker access to the recordings by officers, supervisors, and prosecutors, saving considerable time when incidents need to be reviewed, or are moving through the criminal justice system.

This purchase is being recommended utilizing a Houston-Galveston Area Council (HGAC) Cooperative contract #EF04-15. All contracts available through the HGAC Cooperative have been awarded by virtue of a public competitive procurement process compliant with state statutes.

FISCAL IMPACT: In the FY 2016 budget, funding for the mobile digital video systems are included with the funding of the marked units. Ten of these vehicles are funded in account 110-2031-521-62-13, project # 101368, and three are funded in account 110-5900-521-62-13, project #101369.

Funding for the mobile digital video systems is appropriated as follows:

<u>Account</u>	<u>Project #</u>	<u>Description</u>	<u>Amount Available</u>
110-2031-521-6213	101368	(10) Mobile Digital Video Systems	\$ 54,859
110-5900-521-6213	101369	(3) Mobile Digital Video Systems	\$ 16,458
		Total Funding Available	<u>\$ 71,317</u>

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE PURCHASE OF 13 MOBILE DIGITAL VIDEO SYSTEMS FROM L-3 MOBILE VISION, IN THE AMOUNT OF \$71,316.05, UTILIZING THE HOUSTON-GALVESTON AREA COUNCIL INTERLOCAL COOPERATIVE CONTRACT; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the Police Department seeks to purchase mobile digital video systems to be installed in the ten replacement vehicles and three new marked units - the digital video system being considered is the same system the police department is presently using;

Whereas, the digital video systems wirelessly download videos to a server which reduces the time officers and employees must handle cassettes and DVDs, as well as reduces the costs associated with purchasing recording media;

Whereas, the mobile digital video system also provides quicker access to the recordings by officers, supervisors, and prosecutors, saving considerable time when incidents need to be reviewed, or are moving through the criminal justice system;

Whereas, Staff recommends the purchase of 13 mobile digital video systems from L-3 Mobile Vision, in the amount of \$71,316.05, utilizing a Houston-Galveston Area Council Interlocal Cooperative contract for this purchase – all contracts awarded through the H-GAC have been competitively procured and meet the statutory procurement requirements for Texas municipalities;

Whereas, funding was approved in the fiscal year 2016 budget for this purchase and funds are available in Account No. 110-2031-521-6213, Project No. 101368 to fund 10 of the mobile digital systems, and Account No. 110-2031-521-6213, Project No. 101369 to fund the remaining 3 mobile digital systems; 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: The City Council authorizes the purchase of 13 mobile digital video systems from L-3 Mobile Vision, in the amount of \$71,316.05, utilizing the Houston-Galveston Area Council Interlocal Cooperative contract.

Part 2: The City Council authorizes the City Manager, or his designee, after approval as to form by the City Attorney, to execute any documents that may be necessary for this purchase.

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

PASSED AND APPROVED this the **17th** day of **December**, 2015.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

12/17/15
Item #5(K)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Floyd O. Mitchell, Chief of Police

ITEM DESCRIPTION: Consider adopting a resolution authorizing the purchase of 85 body cameras systems with eight charging systems in an amount of \$37,887 from L3 Mobile-Vision, Inc.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The Police Department seeks approval to purchase 85 body-vision camera systems and eight charging systems from L-3 Mobile Vision, Inc. in the amount of \$37,887. The body cameras will be used to outfit the remaining officers that have not been issued a body camera. At this time the Police Department has 44 body cameras, and there are 23 cameras that are in the budget to purchase this year. The 85 cameras that are being requested will outfit the rest of the department and have spares. The additional service space will be purchased from L3 Mobile-Vision, Inc. as a sole source for \$11,009.50 and IT will be purchasing additional ports through Solid IT Networks for \$6,593.12.

This purchase is being recommended utilizing a Houston-Galveston Area Council (HGAC) cooperative contract #EF04-15. Contracts awarded 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 appropriating State Seized Funds for the purchase of the body cameras, additional service space, and additional ports in the amount of \$55,490. Upon approval of the budget adjustment funding will be available for the purchase of 8) body cameras and eight charging systems from L3 Mobile-Vision, Inc. in account 110-2031-521-6229, project #101474, as follows:

Project Budget	\$	55,490
Encumbered/Committed to Date		(17,603)
Purchase Award - L-3 Mobile-Vision, Inc.		(37,887)
Remaining Project Funds	\$	-

ATTACHMENTS:

[Budget Adjustment
Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE PURCHASE OF 85 BODY CAMERAS AND 8 CHARGING STATIONS, IN THE AMOUNT OF \$37,887, FROM L-3 MOBILE VISION, INC., UTILIZING THE HOUSTON-GALVESTON AREA COUNCIL INTERLOCAL COOPERATIVE CONTRACT; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the Police Department seeks approval to purchase 85 body camera systems and 8 charging systems from L-3 Mobile Vision, Inc. which will be used to outfit the remaining officers which have not been issued body cameras;

Whereas, the Police Department currently has 44 body cameras with a remaining 23 cameras budgeted to be purchased this year – this purchase will outfit the rest of the department and provide a few spare cameras;

Whereas, the additional service space will be purchased from L-3 Mobile Vision, Inc. as a sole source and additional ports will be purchased through Solid IT Networks;

Whereas, Staff recommends the purchase of 85 body cameras and 8 charging stations from L-3 Mobile Vision, Inc., in the amount of \$37,887, utilizing a Houston-Galveston Area Council Interlocal Cooperative contract – all contracts awarded through the H-GAC have been competitively procured and meet the statutory procurement requirements for Texas municipalities;

Whereas, funds are available for this purchase but an amendment to the fiscal year 2016 budget needs to be approved to transfer State Seized Funds to Account No. 110-2031-521-6229, Project No. 101474; 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: The City Council authorizes the purchase of 85 body cameras and 8 charging stations, in the amount of \$37,887, from L-3 Mobile Vision, Inc., utilizing a Houston-Galveston Area Council Interlocal Cooperative contract.

Part 2: The City Council authorizes the City Manager, or his designee, after approval as to form by the City Attorney, to execute any documents that may be necessary for this purchase.

Part 3: The City Council authorizes an amendment to the fiscal year 2016 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 **December**, 2015.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

12/17/15
Item #5(L)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Floyd O. Mitchell, Chief of Police

ITEM DESCRIPTION: Consider adopting a resolution authorizing the purchase of 70 ballistic vests in the amount of \$57,188.60 from Miller Uniforms & Emblems, Inc.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The Police Department seeks approval to purchase 70 ballistic vest from Miller Uniforms & Emblems, Inc. These vest have a lifespan of five years according to the manufacture. For 14 years the Department of Justice, Bureau of Justice Assistance Bulletproof Vest Partnership Program has been providing funding for up to 50% of the cost associated with the purchase of new ballistic vests. Grant funds of \$27,919.82 were awarded through the Bureau of Justice for the purchase of 70 vests in FY 2016.

This purchase is being recommended utilizing BuyBoard contract #432-13. Contracts awarded through BuyBoard have been competitively procured and meet the statutory procurement requirements for Texas municipalities.

FISCAL IMPACT: A budget adjustment is presented for Council's approval appropriating the grant revenue to be received in the amount of \$29,919.82 and reallocating the City's grant match of \$29,269 to account 260-2000-521-2113, from the Police Department's FY 2016 operating budget, account 110-2031-521-2113, Clothing and Uniforms.

Funding for the purchase of the seventy ballistic vests is shown below:

<u>Account</u>	<u>Description</u>	<u>Amount Available</u>
260-2000-521-2113	Clothing and Uniforms	\$ 57,189
Total Funding Available		\$ 57,189

The grant funds are reimbursed to the City after the purchase is completed.

ATTACHMENTS:
[Budget Adjustment Resolution](#)

BUDGET ADJUSTMENT FORM

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

Adjustments should be rounded to the nearest \$1.

		+	-	
ACCOUNT NUMBER	PROJECT #	ACCOUNT DESCRIPTION	INCREASE	DECREASE
260-2000-521-21-13		Clothing & Uniforms	\$ 57,189	
260-0000-431-01-63		Federal Grants	27,920	
260-0000-490-25-89		Transfer In - Gen Fund	29,269	
110-9100-591-81-60		Transfer Out - Grant Fund	29,269	
110-2031-521-21-13		Clothing & Uniforms		29,269
TOTAL.....			\$ 143,647	\$ 29,269

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

Allocate funding to purchase ballistic vests. Grant funds of \$27,919.82 were awarded through the Bureau of Justice Assistance Bulletproof Vest Partnership Program of 2015 for the purchase of ballistic vests for the Police Department. The required 50% minimum match is budgeted in the FY 16 Operating budget in account 110-2031-521-2113.

DOES THIS REQUEST REQUIRE COUNCIL APPROVAL? Yes No

DATE OF COUNCIL MEETING 12/17/2015

WITH AGENDA ITEM? Yes No

Department Head/Division Director	Date	<input type="checkbox"/> Approved <input type="checkbox"/> Disapproved
Finance	Date	<input type="checkbox"/> Approved <input type="checkbox"/> Disapproved
City Manager	Date	<input type="checkbox"/> Approved <input type="checkbox"/> Disapproved

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A PURCHASE AGREEMENT WITH MILLER UNIFORMS AND EMBLEMS, INC. OF AUSTIN, TEXAS, IN AN AMOUNT OF \$57,188.60, FOR THE PURCHASE OF 70 BALLISTIC VESTS, UTILIZING THE BUYBOARD LOCAL GOVERNMENT ONLINE PURCHASING COOPERATIVE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, for 14 years, the Department of Justice, Bureau of Justice Assistance Bulletproof Vest Partnership Program has been providing funding for up to 50% of the costs associated with the purchase of new ballistic vests – grant funds of \$27,919.82 were awarded through the Bureau of Justice for the purchase of 70 vests for fiscal year 2016;

Whereas, Staff recommends the purchase of seventy ballistic vests from Miller Uniforms and Emblems, Inc. of Austin, Texas, in a total amount of \$57,188.60, utilizing the BuyBoard Local Government Online Purchasing Cooperative;

Whereas, all purchases made through the BuyBoard meet the Texas governmental competitive bid requirements;

Whereas, funds are available for this purchase, but an amendment to the fiscal year 2016 budget needs to be approved to transfer grant revenue to be received and reallocating the City’s grant match to Account No: 260-2000-521-2113; and

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

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

Part 1: The City Council authorizes the City Manager, or his designee, after approval as to form by the City Attorney, to execute a purchase agreement with Miller Uniforms and Emblems, Inc. of Austin, Texas, in a total amount of \$57,188.60, for the purchase of 70 ballistic vests utilizing the BuyBoard Local Government Online Purchasing Cooperative.

Part 2: The City Council authorizes an amendment to the fiscal year 2016 budget, substantially in the form of the copy attached hereto as Exhibit ‘A.’

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 **December**, 2015.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

12/17/15
Item #5(M)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Floyd Mitchell, Chief of Police Department

ITEM DESCRIPTION: Consider adopting a resolution authorizing the purchase of 13 marked police vehicles and one unmarked vehicle in an amount of \$579,869.26 from Caldwell Country Ford of Caldwell.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: In accordance with the vehicle replacement schedule, ten marked police vehicles are due for replacement this year. Three marked units were included in the FY 16 budget due to the addition of three new officer positions in FY 2015. This resolution also includes one unmarked unit that is a replacement. The Police Department seeks approval to purchase 13 2016 Ford Explorers and one Ford Program Sedan.

This purchase is being recommended utilizing BuyBoard cooperative contract #430-13. All contracts available through the BuyBoard have been competitively procured and meet the statutory procurement requirements for Texas municipalities.

SUSTAINABILITY IMPACT: Each vehicle scheduled for purchase has been evaluated to ensure the most sustainable and fuel efficient vehicle that will meet the needs of the department is being purchased. The proposed vehicles meet the sustainability requirements of the City fleet. No OEM options exist for alternative fuel applications, post purchase conversions are possible.

FISCAL IMPACT: Funding for these units including accessories is appropriated in accounts as shown below:

<u>Account</u>	<u>Project #</u>	<u>Description</u>	<u>Amount Available</u>
110-2031-521-6213	101368	Replace (10) Marked Units	\$ 490,000
110-2031-521-6213	101368	Video Recording Systems (10)	(54,859)
		Amount available	<u>435,141</u>
110-5900-521-6213	101369	Purchase (3) Additional Marked Units	147,000
110-5900-521-6213	101369	Video Recording Systems (3)	(16,458)
		Amount available	<u>130,542</u>
110-5900-521-6213	101370	Replace (1) Unmarked Unit	<u>28,000</u>
		Total Funding Available	\$ <u>593,683</u>

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE PURCHASE OF THIRTEEN MARKED AND ONE UNMARKED POLICE VEHICLES FROM CALDWELL COUNTRY OF CALDWELL, TEXAS, IN THE AMOUNT OF \$579,869.26, UTILIZING THE BUYBOARD LOCAL GOVERNMENT ONLINE PURCHASING COOPERATIVE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, in accordance with the vehicle replacement schedule, ten marked police vehicles are due for replacement this year;

Whereas, three marked units were included in the fiscal year 2016 budget due to the addition of three new police officer positions and one unmarked unit is a replacement unit;

Whereas, Staff recommends the purchase of the following vehicles from Caldwell Country of Caldwell, Texas, in the amount of \$579,869.26, utilizing the BuyBoard Local Government Online Purchasing Cooperative:

- thirteen 2016 Ford Explorers;
- one Ford Program Sedan;

Whereas, all purchases made through the BuyBoard meet the Texas governmental competitive bid requirements;

Whereas, each vehicle scheduled for purchase has been evaluated to ensure the most sustainable and fuel efficient vehicle that will meet the needs of the department is being purchased – the proposed vehicles meet the sustainability requirements of the City fleet;

Whereas, funding for the purchase of these vehicles is included in the following accounts:

- ten marked units - Account No. 110-2031-521-6213, Project No. 101368;
- three marked units – Account No. 110-5900-521-6213, Project No. 101369;
- one unmarked unit – Account No. 110-5900-521-6213, Project No. 101370; 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: The City Council authorizes the purchase of the following vehicles from Caldwell Country of Caldwell, Texas, in the amount of \$579,869.26, utilizing the BuyBoard Local Government Online Purchasing Cooperative:

- thirteen 2016 Ford Explorers
- one Ford Program Sedan

Part 2: The City Council authorizes the City Manager, or his designee, to execute any documents, after approval as to form by the City Attorney, that may be necessary for these purchases.

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 **December**, 2015.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

12/17/15
Item #5(N)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Kayla Landeros, City Attorney
Jonathan Graham, City Manager

ITEM DESCRIPTION: Consider adopting a resolution authorizing the purchase of property located at 301, 302 and 303 South 4th Street, Temple, Texas 76501 in the amount of \$300,000 and the payment of closing costs in the estimated amount of \$6,000.

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

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: Staff is interested in purchasing property located at 301, 302 and 303 South 4th Street which is in the vicinity of the future MLK Park area and will be used in future revitalization plans for the area. The purchase price for the property is \$300,000 which Staff believes is reasonable. Closing costs, for which the City will be responsible, are estimated at \$6,000.

FISCAL IMPACT: Funding for the purchase of the property located at 301, 302 and 303 South 4th Street, Temple, Texas 76501 is available in the Reinvestment Zone No. 1 Financing Plan, Line 407, account 795-9500-531-6566, project 101262.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE PURCHASE OF PROPERTY LOCATED AT 301, 302 AND 303 SOUTH 4TH STREET, TEMPLE, TEXAS, IN THE AMOUNT OF \$300,000 AND AUTHORIZING THE PAYMENT OF CLOSING COSTS IN THE ESTIMATED AMOUNT OF \$6,000; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, 301, 302 and 303 South 4th Street are located in the vicinity of the future MLK Park area and will be used in future revitalization plans for the area;

Whereas, Staff believes the purchase price of \$300,000 and closing costs, for which the City will be responsible in the estimated amount of \$6,000, are reasonable for this purchase;

Whereas, funding for the purchase of these properties is available in the Reinvestment Zone No. 1 Financing and Project Plans, Line 407, Account No. 795-9500-531-6566, Project No. 101262; and

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

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

Part 1: The City Council authorizes the purchase of property located 301, 302 and 303 South 4th Street, Temple, Texas, in the amount of \$300,000, and the payment of closing costs in the estimated amount of \$6,000.

Part 2: The City Council authorizes the City Manager, or his designee, after approval as to form by the City Attorney, to execute any documents that may be necessary for the purchase of this property.

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 **December**, 2015.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

APPROVED AS TO FORM:

ATTEST:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

12/17/15
Item #5(O)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Nicole Torralva, P.E., Public Works Director

ITEM DESCRIPTION: Consider adopting a resolution authorizing a change order to the construction contract with James Construction Group, LLC in an amount not to exceed \$28,718.69 for construction activities on NW Loop 363.

STAFF RECOMMENDATION: Adopt resolution as discussed in item description.

ITEM SUMMARY: The City and TxDOT negotiated an agreement under the Pass-Through Program for the NW Loop 363 expansion project from FM 2305/West Adams north up to the BNSF main line. On September 16, 2010, Council authorized a pass through financing agreement with TxDOT for these improvements. On September 30, 2010, TxDOT authorized approval of the agreement. General terms and conditions of the agreement were presented to council on September 16, 2010.

On May 24, 2012, Council authorized a construction contract with James Construction in the amount of \$39,883,619.28 for expansion of the NW Loop 363. The change order currently requiring council authorization is change order #38 addressing groundwater issues along Airport Road, just east of the intersection of NW Loop 363 and Airport. This change order provides for installation of an underdrain to convey groundwater to the adjacent ditch. After meeting with TxDOT to review available options, the engineer and staff recommend approving the change order.

FISCAL IMPACT: Funding for the change order with James Construction Group, LLC in a not to exceed amount of \$28,718.69 is appropriated in account 261-3400-531-2588, project #100681 as follows:

Project Budget	\$46,028,151
Encumbered/Committed To Date	(45,612,403)
Change Order #38 for James Construction	<u>(28,719)</u>
Remaining Project Funds	<u>\$ 387,029</u>

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A CHANGE ORDER TO THE CONSTRUCTION CONTRACT WITH JAMES CONSTRUCTION GROUP, LLC OF BELTON, TEXAS, IN AN AMOUNT NOT TO EXCEED \$28,718.69, FOR CONSTRUCTION ACTIVITIES ON NORTHWEST LOOP 363; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the City and the Texas Department of Transportation negotiated an agreement under the Pass-Through Program for the Northwest Loop 363 expansion project from FM 2305/West Adams north up to the BNSF main line;

Whereas, on May 24, 2012, Council authorized a construction contract with James Construction Group, LLC, for expansion of the Northwest Loop 363 – a change order is now required for installation of an underdrain to convey groundwater to the adjacent ditch along Airport Road, just east of the intersection of Northwest Loop 363 and Airport Road;

Whereas, Staff recommends approval of a change order to the construction contract with James Construction Group, LLC of Belton, Texas, in an amount not to exceed \$28,718.69 for construction activities on Northwest Loop 363;

Whereas, funding for this change order is available in Account No. 261-3400-531-2588, Project No. 100681; 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: The City Council authorizes the City Manager, or his designee, after approval as to form by the City Attorney, to execute a change order to the construction contract with James Construction Group, LLC of Belton, Texas, in the amount of \$28,718.69, for construction activities on Northwest Loop 363.

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 17th day of **December**, 2015.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

APPROVED AS TO FORM:

ATTEST:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

12/17/15
Item #5(P)
Consent Agenda
Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

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

ITEM DESCRIPTION: Consider adopting a resolution authorizing change order #3 to the Outer Loop Phase 3A (Adams Avenue to channel) construction contract with R.T. Schneider Construction Company, Ltd., (RTS) in the amount of \$492,672.12 for construction services to extend the proposed roadway section.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: West Temple is rapidly growing along the West Adams corridor. On December 4, 2014, Council authorized a construction contract with RTS for construction of the Outer Loop Phase 3A from Adams Avenue to the channel. Subsequent to the award, ensuing developments associated within the construction limits have resulted in the identification of construction services to aid in maintaining traffic flow during future phases of improvements to the Outer Loop. These services include drainage connections, intersection construction, and extension of the proposed roadway section approximately 550 feet.

The original construction contract amount was \$2,368,916. Change Orders to date have increased the contract \$82,984.25, or 3.5%, of the original contract amount. Change Order #3 represents a contract increase of \$492,672.12, or 20.8%, of the original contract amount. The net proposed change to the construction contract is \$575,656.37 (24.3%).

The engineering consultant has reviewed the change order and recommends approval.

FISCAL IMPACT: Funding is appropriated for change order #3 to the Outer Loop Phase 3A (Adams Ave to channel) construction contract with R.T. Schneider Construction Company, Ltd. to extend the proposed roadway section in the amount of \$492,672.12 in accounts 365-3400-531-6813 and 520-5900-535-6521, project #101121, as follows:

Account	Project No.	Description	Amount Available
365-3400-531-6813	101121	TCIP Project Budget	\$ 1,893,692
		Encumbered/Committed to Date	\$(1,390,559)
		Change Order #3 - R.T. Schneider Construction	\$ (451,445)
		TCIP Remaining Project Funds	<u>\$ 51,688</u>
520-5900-535-6521	101121	Utility Improvements Project Budget	\$ 1,428,071
		Encumbered/Committed to Date	\$ (689,041)
		Change Order #3 - R.T. Schneider Construction	\$ (41,227)
		Utility Improvements Remaining Project Funds	<u>\$ 697,803</u>

ATTACHMENTS:

- [Engineer's Recommendation](#)
- [Change Order](#)
- [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

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

December 7, 2015

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

Re: City of Temple, Texas
Outer Loop III A FM 2305 to Thompson Channel

Dear Mr. Wilson:

Attached is Change Order #3. This change order is comprised of multiple items. At the request of City Staff, the change order is for extending the project past the intersection of Tanglehead Drive which will be constructed in the near future. Without this extension, Tanglehead Drive will not be able to be constructed to the final section of Old Waco Road. This construction will also provide traffic relief for future construction phases of the expansion of Old Waco Road by providing a connection to completed construction to the neighborhood developments to the west of Old Waco Road. This change order will add 150 calendar days to the project for the additional work and delays due to dry utility relocations making the final completion date July 1, 2016. The items included in the change order are:

- Construction Staking and Layout
- Signage and Striping
- Irrigation System
- Single Course Surface Treatment
- Bonds and Insurance
- Unclassified Excavation
- Unclassified Fill
- 6-inch Stabilized Subgrade
- 19-inch Crushed Limestone Base Material
- 4 5/8 –inch Type B HMA
- 2 – inch Type C HMA
- Concrete Curb and Gutter
- Concrete Driveway
- 10'x4' Curb Inlet
- Concrete Sidewalk
- Type 7 Handicap Ramp
- Water and Wastewater Services

Mr. Richard Wilson, P.E.
December 7, 2015
Page 2

- 30" RCP Storm Water Line with Connections
- 12" Water Line with Connections
- Page Two Bermuda Seeding
- Bermuda Sod
- Trench Safety

We have reviewed Change Order #3 in the amount of \$492,672.12 and recommend it be processed and executed with respect to RT Schneider Construction Co, LTD construction contract for the above referenced project.

Sincerely,

A handwritten signature in blue ink, appearing to read "R. David Patrick".

R. David Patrick, P.E., CFM

RDP/rdp

xc: Mr. Russell Schneider, RT Schneider Construction Co., LTD
KPA Project File: 2014-110-40

CHANGE ORDER

PROJECT: Outer Loop Phase IIIA, FM 2305 to Thompson Drainage Channel

OWNER: City of Temple

CONTRACTOR: RT Schneider Construction Co, Ltd

ENGINEER: Kasberg, Patrick & Associates, LP

CHANGE ORDER #: **Three**

Make the following additions, modifications or deletions to the work described in the Contract Documents: See the attached letter and exhibit.

Add:

Item #	Description	Unit	Quantity	Unit Price	Extended Amount
CO3-1	Construction Layout and Staking	LS	1	4,025.00	4,025.00
CO3-2	Signage and Striping (207+56 - 200+30)	LS	1	17,595.00	17,595.00
CO3-3	Irrigation System (207+56-200+30)	LS	1	11,392.00	11,392.00
CO3-4	Single Course Surface Treatment	SY	5,605	3.00	16,815.00
CO3-5	12" 45 Degree Bend (Waterline)	EA	4	880.00	3,520.00
CO3-6	Water Service to Mini Storage	LS	1	9,140.20	9,140.20
CO3-7	Wastewater Service (Proctor)	LS	1	15,658.75	15,658.75
CO3-8	Wastewater Manhole Demolition	LS	1	2,860.00	2,860.00
CO3-9	16" Steel Encasement Pipe Welding	LS	1	1,716.00	1,716.00
CO3-10	Mobilization, Bonds & Insurance Change Order #3	LS	1	9,800.00	9,800.00
CO3-11	Preperation of ROW Change Order #3	LS	1	12,100.00	12,100.00
CO3-12	30" RCP Plug	EA	1	1,320.00	1,320.00
CO3-13	Connect to Existing Stormwater Manhole	EA	1	2,530.00	2,530.00
3	Unclassified Excavation	SY	6,385	7.21	46,035.85
4	Unclassified Fill	SY	6,124	3.00	18,372.00
5	6-inch Stabilized Subgrade	SY	5,605	1.00	5,605.00
6	19" CLBM	SY	5,605	15.10	84,635.50
8	4 5/8" Type B HMAC	SY	4,390	22.40	98,336.00
9	2" Type C HMAC	SY	4,845	11.60	56,202.00
10	Concrete Curb and Gutter	LF	2,090	9.00	18,810.00
12	Concrete Driveway	SY	240	36.00	8,640.00
24	10'x4' Curb Inlet	EA	1	4,095.00	4,095.00
30	30" Class III RCP Pipe	LF	135	79.00	10,665.00
38	Concrete Sidewalk	SY	1,470	30.00	44,100.00
39	Type 7 Handicap Ramp	EA	4	820.00	3,280.00
43	12" PVC Waterline	LF	15	42.00	630.00
54	Connect to Existing 12" Waterline	EA	2	1,200.00	2,400.00

CHANGE ORDER

PROJECT: Outer Loop Phase IIIA, FM 2305 to Thompson Drainage Channel

OWNER: City of Temple

CONTRACTOR: RT Schneider Construction Co, Ltd

ENGINEER: Kasberg, Patrick & Associates, LP

CHANGE ORDER #: **Three**

60	Relocate Existing Fire Hydrant per Detail W-03	EA	1	3,240.00	3,240.00
78	Bermuda seeding with Fertilizer with Flexible Growth Medium including watering to promote and sustain growth throughout the project	SY	4,825	3.24	15,633.00
79	Bermuda Sod	SY	2,450	6.50	15,925.00
83	Implement and Follow Trench Safety Plan (Pipe)	LF	135	1.50	202.50
	Total Add				<u>\$ 545,278.80</u>

Delete:

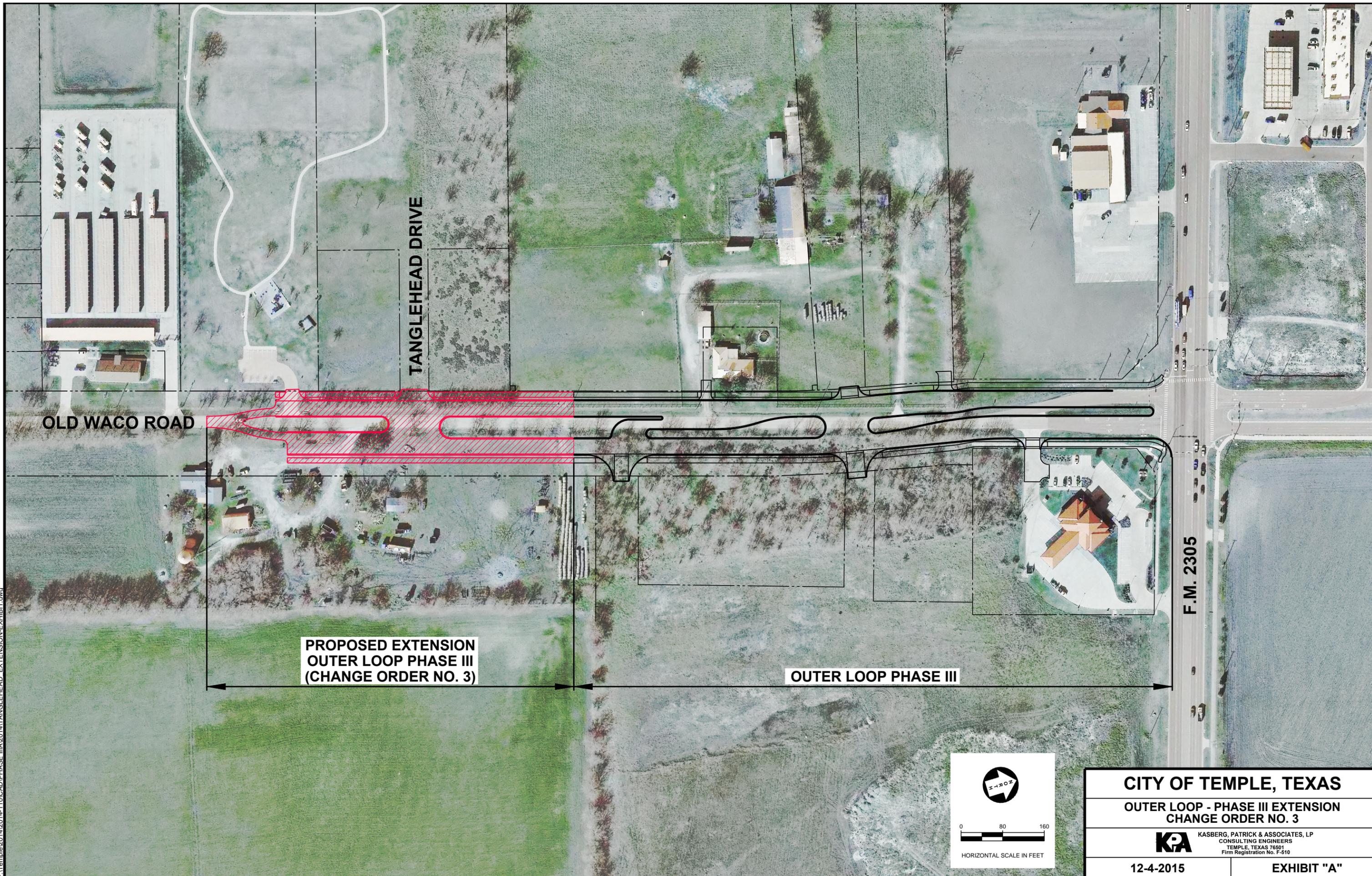
Item #	Description	Unit	Quantity	Unit Price	Extended Amount
7	12" CLBM	SY	-2,000	\$ 9.80	\$ (19,600.00)
35	Class A Concrete	CY	-88	\$ 238.00	\$ (20,944.00)
CO1-9	16" Steel Encasement by Open Cut	LF	-134	\$ 90.02	\$ (12,062.68)
	Total Delete				<u>\$ (52,606.68)</u>

Change Order Total **\$ 492,672.12**

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

Original Contract Amount:	\$ 2,368,916.00
Previous Net Change in Contract Amount:	\$ 82,984.25
Net Change in Contract Amount:	\$ 492,672.12
Revised Contract Amount:	\$ 2,944,572.37
Original Contract Time:	240 Days
Previous Net Change in Contract Time:	170 Days
Net Change in Contract Time:	0 Days
Revised Contract Time:	410 Days
Original Final Completion Date:	August 16, 2015
Revised Final Completion Date:	February 2, 2016

P:\Temple\2014\2014-110\CAD\PHASE III\A\2014\TANGLEHEAD_EXTENSION-EXHIBIT.dwg



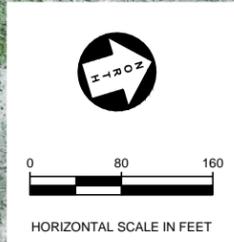
TANGLEHEAD DRIVE

OLD WACO ROAD

F.M. 2305

PROPOSED EXTENSION
OUTER LOOP PHASE III
(CHANGE ORDER NO. 3)

OUTER LOOP PHASE III



CITY OF TEMPLE, TEXAS	
OUTER LOOP - PHASE III EXTENSION CHANGE ORDER NO. 3	
 KASBERG, PATRICK & ASSOCIATES, LP CONSULTING ENGINEERS TEMPLE, TEXAS 76501 Firm Registration No. F-510	
12-4-2015	EXHIBIT "A"

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING CHANGE ORDER NO. 3 TO THE CONSTRUCTION CONTRACT WITH R. T. SCHNEIDER CONSTRUCTION COMPANY, LTD, OF BELTON, TEXAS, IN THE AMOUNT OF \$492,672.12, FOR CONSTRUCTION SERVICES REQUIRED TO EXTEND THE PROPOSED ROADWAY SECTION OF THE OUTER LOOP PHASE 3A; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on December 4, 2014, Council authorized a construction contract with R. T. Schneider Construction Company, Ltd of Belton, Texas for construction of the Outer Loop Phase 3A from Adams Ave to the channel;

Whereas, West Temple is rapidly growing along the West Adams corridor and subsequent to the award, ensuing developments associated within the construction limits have resulted in the identification of construction services to aid in maintaining traffic flow during future phases of improvements to the Outer Loop - these services include drainage connections, intersection construction, and the extension of the proposed roadway section approximately 550 feet;

Whereas, Staff recommends Council authorize change order number 3 to the construction contract with R. T. Schneider Construction Company, Ltd of Belton, Texas, in the amount of \$492,672.12, for construction of the Outer Loop Phase 3A from Adams Ave to the channel;

Whereas, funding is available for this change order in Account Nos. 365-3400-531-6813 and 520-5900-535-6521, Project No. 101121; 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: The City Council authorizes the City Manager, or his designee, after approval as to form by the City Attorney, to execute change order number 3 to the construction contract with R. T. Schneider Construction Company, Ltd of Belton, Texas, in the amount of \$492,672.12, for construction of the Outer Loop Phase 3A from Adams Ave to the channel.

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 17th day of **December**, 2015.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

APPROVED AS TO FORM:

ATTEST:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

12/17/15
Item #5(Q)
Consent Agenda
Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

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

ITEM DESCRIPTION: Consider adopting a resolution authorizing an amendment to the professional services agreement with Jacobs Engineering Group, Inc., in an amount not to exceed \$91,370 for design and construction-phase services related to Phase 5 of the Bird Creek Interceptor.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: In 2007, Council authorized a professional services agreement with Carter Burgess, Inc., now Jacobs Engineering Group, Inc., for engineering services related to the Bird Creek Interceptor. This project, targeted toward reducing sanitary sewer overflows, will rehabilitate existing deteriorated infrastructure through the heart of the City.

To date, the City has constructed three phases of the overall project. Phase 5 of the project will upsize the interceptor line through Lion's Park, eliminating overflows and terminating at the Shallow Ford Lift Station which will be designed and reconstructed under separate contract in a new location. Services authorized under this Amendment will realign Phase 5 and a portion of the Pepper Creek Interceptor to allow for project termination at the new lift station location. A separate item will authorize professional services related to Shallow Ford Lift Station design and reconstruction.

Consultant services recommended under this contract amendment include the following:

Professional Services

Engineering Fees	\$ 73,320
Easement Acquisition Fees	<u>\$ 18,050</u>
TOTAL	<u>\$ 91,370</u>

The preliminary opinion of probable construction cost associated with the sewer segments addressed under this amendment is \$ 969,335. Construction of Phase 5 is estimated at \$4,500,000. Resequencing and prioritization of the existing capital utility improvement program tentatively anticipates construction of Phase 5 for funding in FY '17. Time required for design is six (6) months.

FISCAL IMPACT: Funding for award of a professional services agreement with Jacobs Engineering Group, Inc. is appropriated in account 561-5400-535-6925, project #101477, as follows:

	Project Budget	\$	91,370
	Encumbered/Committed to Date		0
Engineering Award, Phase V - Jacobs Engineering Group, Inc.			(91,370)
	Remaining Project Funds	\$	0

ATTACHMENTS:
[Proposal & Map](#)
[Resolution](#)

ATTACHMENT A – SCOPE OF WORK

Amendment No. 9 Temple Bird Creek Interceptor Improvements Phase 3 Design Revisions Prepared By Jacobs Engineering Group, Inc.

Project Description

The Bird Creek Interceptor is one of the primary wastewater collection lines through the City of Temple, traversing pastureland, park areas, neighborhoods, and golf courses. This interceptor, comprised of vitrified clay pipe and brick manholes, over the years has experienced numerous overflows due to excessive infiltration and inflow (I&I), lack of capacity and poor condition. The interceptor is approximately 5.3 miles long and about 50-years old.

Phase 1 (Flow Monitoring & Rain Gauge Installation) and Phase 2 (Preliminary Engineering Report & Hydraulic Modeling) have been completed. Phase 3 (Final Design) for Construction Contracts 1, 2 and 3 have been completed. Phase 3 (Final Design) services are currently underway for Construction Contracts 4 and 5. Phase 4 (Bid Phase Services) and Phase 5 (Construction Phase Services) were previously performed for Construction Contracts 1, 2, and 3.

The previously approved alignment of the new interceptor generally follows the existing interceptor, which flows into the existing Shallowford Lift Station. Recent planning by the City of Temple includes construction of a new lift station to replace the existing lift station. The new lift station site is approximately 900 feet east of the existing lift station site. Consequently, additional services are required to re-design a segment of Construction Phase 5 of the Bird Creek Interceptor and extend a segment of the existing 36" interceptor from the Pepper Creek Basin to the new lift station site.

Additional tasks included in this Amendment No. 9 are summarized below:

A. ENGINEERING SERVICES

1. Project Management, including progress monitoring of budgets and schedules, and invoicing.
2. Coordination Meetings (assumes a total of five (5) meetings in connection with services included in Amendment 9)
3. Hydraulic calculations required for sizing of a segment of the interceptor to carry combined flows from Bird Creek and Pepper Creek Basins.
4. Re-design Phase 5 plan & profile from approx. Sta. 15+00 on Macey Tract to new Lift Station site on Cospers Tract; design plan & profile for extension of existing 36" interceptor from Pepper Creek Basin to a connection with Phase 5 north of the new Lift Station. Refer to Figure 1 for conceptual layout of re-aligned segment of Phase 5 and extension of Pepper Creek Basin Interceptor.
5. Preparation of construction phasing plan, considering Lift Station construction schedule and impact due to extension of Pepper Creek Basin Interceptor (i.e., extension of the Pepper Creek Basin Interceptor will require either temporary bypass pumping of flow from the existing Bird Creek Interceptor or lowering of the Pepper Creek Basin Interceptor at its crossing of and vertical conflict with the existing Bird Creek Interceptor.

6. Re-design erosion and sediment control sheets for: (a) Phase 5 from approx. Sta. 15+00 to new Lift Station site, and (b) extension of existing interceptor from Pepper Creek Basin to a connection with Phase 5 north of the new Lift Station.
7. Revise Bid Form per new Phase 5 alignment and extension of existing interceptor from Pepper Creek Basin.
8. QC reviews (60%, 90% and final submittals).
9. Coordinate with Survey sub-consultant re: added topographic survey and revised easement descriptions.
10. Coordinate with easement acquisition sub-consultant re: revised easement acquisition for Cosper Tract.
11. Coordinate with City of Temple re: revised easement acquisition for Macey Tract.

B. SUB-CONSULTANT SERVICES

1. New initial appraisal for Cosper Tract.
2. New appraisal review for Cosper Tract.
3. Negotiation services for Cosper Tract.
4. Title & closing services for Cosper Tract.
5. Preparation of legal description and exhibit for new easement for Cosper Tract.
6. Additional topographic survey required for re-design of segment of Phase 5 and extension of existing 36" interceptor from Pepper Creek Basin.

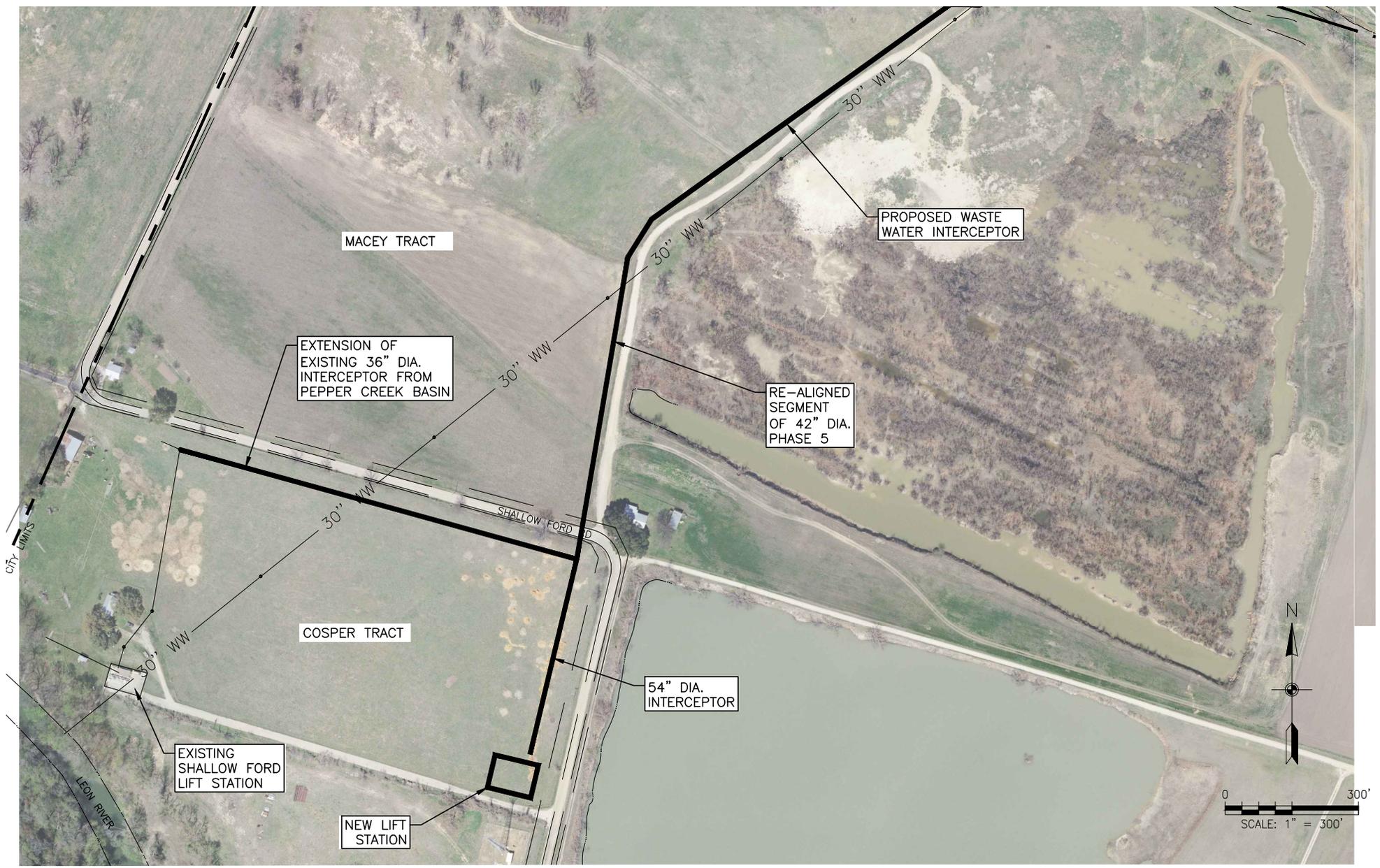
C. PROJECT SCHEDULE

TASK	DURATION
1. Written Notice to Proceed	Day 0
2. Topographic survey	2 months
3. 60% complete design submittal	1 month
4. Review by City of Temple	
5. 90% complete design submittal	1 month
6. Review by City of Temple	
7. Easement Preparation	1 month
8. 100% complete submittal	<u>1 month</u>
Total Duration (excluding City of Temple reviews)	6 months

D. PROJECT ASSUMPTIONS

1. Pipe sizing will be based on the Model results completed in the April 2009 Preliminary Engineering Report. The Bird Creek and Pepper Creek peak flows will be added together and additional dynamic modeling is excluded from the scope of services in this amendment.
2. Design of the new lift station will be completed by others. It is assumed that the preliminary phase of lift station design will be completed concurrent with interceptor design included in this amendment, in order to allow the point of termination of the interceptor to be coordinated with the lift station design. It is assumed that the interceptor will terminate in a manhole located outside the lift station site, and that the connection from the manhole to the lift station wet well will be included in the lift station design.
3. Property acquisition services for the new lift station site are excluded from this amendment.
4. Services associated with vacation of previously recorded easements within the Cospers and Macey Tracts are excluded from this amendment.
5. County road crossing will be constructed via trenchless method; consequently, no separate traffic control plan will be required.
6. The following project meetings are assumed: (City Council meeting, kickoff meeting, coordination meeting with City and Lift Station design consultant, final review meeting and one currently undefined meeting).

PATH: K:\050929 Temple - Bird Crk Interceptor\CADD\Final\Overall Exhibits



JACOBS
 2705 BEE CAVE ROAD, SUITE 300, AUSTIN, TX 78746
 (512) 314-3100, FAX (512) 314-3135
 TBPE REGISTRATION #F-2966

FEE AMENDMENT 9	FIGURE 1
TEMPLE BIRD CREEK INTERCEPTOR	

ATTACHMENT B - FEE SCHEDULE

Temple Bird Creek Interceptor Improvements
Amendment No. 9 - Phase 5 Design Revisions / Additions

10-Dec-15

Scope Item	Description	Project Manager	Project Engineer	CADD Designer	Clerical	Total Jacobs	All-County Survey	Lone Star R.O.W.	Total Sub Consultant	Expenses	Total Services
Design Revisions / Additions											
1	Project Management, including progress monitoring of budgets and schedules, and invoicing.	20			6	\$ 3,920			\$ -	\$ -	\$ 3,920
2	Coordination Meetings (assumes up to five (5) meetings with City and Lift Station design consultant)	30	45		5	\$ 11,000			\$ -	\$ 600	\$ 11,600
3	Hydraulic calculations required for sizing of a segment of the interceptor to carry combined flows from Bird Creek and Pepper Creek Basins.	8	24		4	\$ 4,560			\$ -	\$ -	\$ 4,560
4	Re-design Phase 5 plan & profile from approx. Sta. 15+00 on Macey Tract to new Lift Station site on Cosper Tract; and design plan & profile for extension of existing interceptor from Pepper Creek Basin to a connection with Phase 5 north of the Lift Station.	20	40	60	12	\$ 15,140			\$ -	\$ 200	\$ 15,340
5	Preparation of construction phasing plan, considering Lift Station construction schedule and impact due to extension of Pepper Creek Basin Interceptor.	12	30	12		\$ 6,900			\$ -		\$ 6,900
6	Re-design erosion and sediment control sheets for: (a) Phase 5 from approx. Sta. 15+00 to new Lift Station site, and (b) extension of existing interceptor from Pepper Creek Basin to a connection with Phase 5 north of the Lift Station.	4	8	16		\$ 3,260			\$ -		\$ 3,260
7	Revise Bid Form per new Phase 5 alignment and extension of interceptor from Pepper Creek Basin.	4	40	16	4	\$ 7,380			\$ -		\$ 7,380
8	QC Review (60%, 90% & Final)	20		8	4	\$ 4,580			\$ -		\$ 4,580
9	Coordinate with Survey sub-consultant re: added topographic survey and revised easement descriptions	12		8		\$ 2,900			\$ -		\$ 2,900
10	Coordinate with Easement acquisition sub-consultant re: revised easement acquisition for Cosper Tract	12		8		\$ 2,900			\$ -		\$ 2,900
11	Coordinate with City of Temple re: revised easement acquisition for Macey Tract	12		4	4	\$ 2,780			\$ -		\$ 2,780
Subtotal - Design Revisions / Additions		154	187	132	39	\$ 65,320	\$ -	\$ -	\$ -	\$ 800	\$ 66,120
Surveying and Easement Acquisition Services											
1	New Appraisal (Cosper Tract)							\$1,200	\$ 1,200	\$ -	\$ 1,200
2	Attempt to obtain Right of Entry (Cosper & Macey)							\$3,500	\$ 3,500	\$ -	\$ 3,500
3	New Appraisal Review (Cosper Tract)							\$900	\$ 900	\$ -	\$ 900
4	Negotiation Services (Cosper Tract)							\$8,000	\$ 8,000	\$ -	\$ 8,000
5	Title / Closing Services (Cosper Tract)							\$1,600	\$ 1,600	\$ -	\$ 1,600
6	Legal Descriptions / Easement Exhibits (Assumes 2 for Cosper Tract and 1 for Macey Tract)						\$2,850		\$ 2,850	\$ -	\$ 2,850
7	Additional Topographic Surveys Required for Design						\$7,200		\$ 7,200	\$ -	\$ 7,200
Subtotal - Additional Surveying and Easement Acquisition Services						\$ -	\$ 10,050	\$ 15,200	\$ 25,250	\$ -	\$ 25,250
TOTAL - Amendment No. 9						\$ 65,320	\$ 10,050	\$ 15,200	\$ 25,250	\$ 800	\$ 91,370

**REVISED PHASE 5 ALIGNMENT IN MACEY & COSPER TRACTS / EXTENSION OF PEPPER CREEK BASIN INTERCEPTOR
 OPINION OF PROBABLE CONSTRUCTION COST**

Item	Description	Unit	Unit Price	Quantity	Total Amount
1	42" FRPM gravity wastewater line - 16' - 20' deep	LF	\$ 355	660	\$ 234,300
2	36" FRPM gravity wastewater line - 16' - 20' deep	LF	\$ 285	950	\$ 270,750
3	54" FRPM gravity wastewater line - 16' - 20' deep	LF	\$ 425	600	\$ 255,000
4	42" FRPM gravity wastewater line installed by jacking & boring, including 48" steel encasement, etc.	LF	\$ 700	44	\$ 30,800
5	6' diameter manhole (8' depth)	EA	\$ 11,400	3	\$ 34,200
6	6' diameter manhole (additional depth)	VF	\$ 850	21	\$ 17,850
SUB-TOTAL ADDITIONAL COST					\$ 842,900
CONTINGENCY (15%)					\$ 126,435
TOTAL CONSTRUCTION COST					\$ 969,335

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH JACOBS ENGINEERING GROUP, INC. OF AUSTIN, TEXAS, IN AN AMOUNT NOT TO EXCEED \$91,370, FOR DESIGN AND CONSTRUCTION PHASE SERVICES RELATED TO PHASE 5 OF THE BIRD CREEK INTERCEPTOR PROJECT; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, in 2007, Council authorized a professional services agreement for engineering services related to the Bird Creek Interceptor, which was targeted toward reducing sanitary sewer overflows and rehabilitation of existing deteriorating infrastructure throughout the City;

Whereas, the City has constructed three phases of the overall project and Phase 5 will upsize the interceptor line through Lion's Park, eliminating overflows and terminating at the Shallow Ford Lift Station;

Whereas, services under this amendment will include the realignment of Phase 5 to allow for project termination at the new lift station location, and accommodate a revised design and construction schedule for expedited project delivery;

Whereas, Staff recommends authorizing an amendment to the professional services agreement with Jacobs Engineering Group, Inc, in an amount not to exceed \$91,370, for design and construction phase services related to Phase 5 of the Bird Creek Interceptor Project;

Whereas, funding is available for this amendment to the professional services agreement is available in Account No. 561-5400-535-6925, Project No. 101477; 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: The City Council authorizes the City Manager, or his designee, after approval as to form by the City Attorney, to execute an amendment to the professional services agreement with Jacobs Engineering Group, Inc., of Austin, Texas, in an amount not to exceed \$91,370, for design and construction phase services related to Phase 5 of the Bird Creek Interceptor Project.

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 17th day of **December**, 2015.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

APPROVED AS TO FORM:

ATTEST:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

12/17/15
Item #5(R)
Consent Agenda
Page 1 of 2

DEPT. /DIVISION SUBMISSION & REVIEW:

Kevin Beavers, Director of Parks and Recreation

ITEM DESCRIPTION: Consider adopting a resolution authorizing a professional services agreement with Architectural Edge Inc. of Temple, in an amount not to exceed \$132,565 for design services for the renovation of Sammons Community Center.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: One of the projects approved in the 2015 Parks Bond was the interior renovation of Sammons Community Center located at 2220 West Avenue D. The Community Center was the Original clubhouse of the Lake Polk Golf and Country Club. The facility opened in December of 1922, as one of only a few nine-hole courses in the state. The clubhouse, which was originally built in 1922 was completely destroyed by fire. The clubhouse was rebuilt in 1938 and has since been re-named Sammons Community Center. Today the facility specializes in senior and adult recreation programs and serves as a rental facility for community events and private functions.

Master planning services were provided by Architectural Edge prior to the passage of the bond and will be used as a guideline for the development of the construction documents. The proposed timeline for the project is two hundred and ten days from the "Notice to Proceed".

Architectural Edge, Inc. services will include:

Architectural and Engineering Services:	\$122,500
Geotechnical Services	\$ 4,500
Submittal to TDLR for ADA Compliance:	<u>\$ 5,565</u>
TOTAL	<u>\$132,565</u>

FISCAL IMPACT: This project is funded by the Parks GO Bonds that were approved by voters on May 9, 2015 and sold on September 24, 2015. Funding is appropriated for award of a design services agreement with Architectural Edge, Inc. for renovation of Sammons Community Center in account 362-3500-552-6413, project #101322, as follows:

Project Budget	\$ 1,750,000
Encumbered/Committed to Date	(1,335)
Design Services Award - Architectural Edge	(132,565)
Remaining Project Funds	\$ 1,616,100

ATTACHMENTS:

- [Proposal](#)
- [Resolution](#)



November 10, 2015

Chuck Ramm
Parks & Rec
City of Temple
Temple, Texas 76501

**RE: Architectural and Engineering Services
Sammons Senior Center**

Dear Chuck,

ARCHITECTURAL EDGE INC. is pleased to submit a proposal to perform Architectural and Engineering services for the renovation and expansion of the Sammons Community Center in Temple, Texas. The proposed services and fees are listed below.

Architecture

Design Services

Consultation

We understand that the scope of the project includes renovation of the existing community center in order to better provide for the patrons who utilize the facilities. Master Planning services were provided by Architectural Edge prior to the passage of the Bond and will be used as a guideline for these renovations and addition. The staff and users of this facility will have opportunity to address the scope and any possible changes that may have come up over the past year.

Currently, Architectural Edge understands that the project construction costs will be approximately \$1,750,000. The professional fees proposed are generated from this amount, fully recognizing that the exact scope of the services will include the normal processes and consultants required to produce the construction documents.

Fees:

ARCHITECTURAL & ENGINEERING SERVICES: 7% \$122,500.00

CIVIL SERVICES:

- Site Plan*
- Site Grading*
- Paving and Striping Plan*
- Construction Control and Detail*
- Details and Specifications as required*
- Construction Supervision as required*

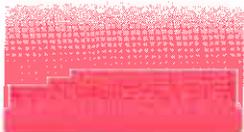
ARCHITECTURAL SERVICES:

- Floor Plans*
- Elevations*
- Schedules and Details as required*
- Meet with the City of Temple and owners as required*
- Coordinate all disciplines*
- Construction Management as required*

3010 Scott Blvd.
Suite 102
Temple, TX 76504

P 254.771.2054
F 254.773.2144

email@
archedge.com



STRUCTURAL SERVICES:

- Foundation
- Review of Steel Submittals
- Two on-site visits

MEP ENGINEERING:

- Electrical – Overall assessment of the electrical service for the building, lighting and power design for the newly designed spaces, minimal site lighting.
- Plumbing - Design for the renovation of two sets of gang restrooms and support facilities including underground sewer and water service as necessary
- HVAC – Overall assessment of the existing equipment serving the current facility, as well as design and documentation for the mechanical system required to serve the new 1,200 sf multi-purpose addition.

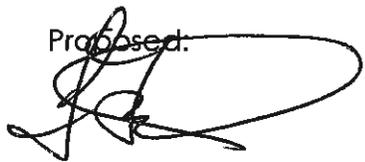
SUPPLEMENTAL FEES / COSTS: required upon completion of Construction Drawings. The construction drawings are required by law, to be submitted to the Texas Department of Licensing and Regulations for review for ADA accessibility prior to obtaining a building permit by the City of Temple.

GEOTECHNICAL SERVICES:	\$4,500.00
Submittal to TDLR for ADA Compliance (as required by state law)	
Filing Fee	\$175.00
Plan Review:	\$445.00
Construction Inspection:	<u>\$445.00</u>
Total Supplemental Fees:	\$5,565.00

TOTAL FEES:

We look forward to working with you on this project. Please feel free to contact me if you have any questions or comments

Sincerely,
ARCHITECTURAL EDGE INC.

Proposed:


Tanya Mikeska-Reed
Architectural Edge, Inc.

Accepted:

Chuck Ramm

11/13/15
Date

Date

STANDARD TERMS AND CONDITIONS

1. Architectural Edge Inc., hereafter (A/E) will perform its services in accordance with the standard of care and diligence normally practiced by recognized professional firms in performing services of a similar nature. A/E makes no other warranties or guarantees, expressed or implied, regarding the services set forth herein. CLIENT acknowledges that all of the services provided by A/E pursuant to this agreement are professional services involving only A/E's advice, judgment and opinion.
2. CLIENT shall provide A/E with all pertinent documents and information in relation to the project. In preparing the scope of work documents, A/E may review and interpret certain information provided by the CLIENT or third parties. A/E will not conduct an independent evaluation of the accuracy or completeness of such information.
3. The final documents and other instruments of service are prepared for, and made available for the sole use of, the CLIENT, and the contents thereof may not be used or relied upon by any other person without the express written authorization of A/E.
4. CLIENT will be invoiced on a monthly basis for services rendered to date. Invoices are payable within 30 days after the invoice date. If the invoice is not paid within 45 days, A/E may, without waiving any rights against the CLIENT, and without liability whatsoever to the CLIENT, suspend or terminate services and commence with collection procedures. Invoices unpaid 60 days after the invoice date will be subject to a monthly service charge of 1.5% (or the legal rate) on the then unpaid balance. In the event that any portion or all of an account remains unpaid 90 days after the invoice date, CLIENT shall pay all costs of collection or legal action, including reasonable attorneys fees. If there are any disputes or claims made during the project, all arbitration will be submitted to non-binding arbitration. No portion of A/E invoice will be retained or withheld for any reason.
5. CLIENT will indemnify A/E against any claims or costs which exceed the limitation on A/E's liability provided for in the preceding paragraph, or result from acts or omissions of CLIENT.
6. Cancellation of the Agreement to which these terms and conditions apply may be made by either party for just cause after thirty days' written notification of intent of cancellation is provided to the other party. In the event the CLIENT elects to terminate the Agreement, A/E will be compensated in full for all services, materials, supplies, and amounts invoiced that the CLIENT does not dispute as provided herein.
7. If basic services covered by this Agreement have not been completed within 18 months of the date hereof, through no fault of A/E, the amounts of compensation set forth in the Agreement shall be equitably adjusted.
8. A/E retains ownership of and copyright privileges for all drawings, specifications, and other documents prepared under this agreement. A/E shall provide the Client with a complete set of construction documents and technical specifications for record purposes. The Client has permission to reproduce its copy of the documents for purposes of maintaining records and providing information to others who may need the information in order

to provide services or products for the Client's constructed building. However, the Client shall not sell, publish, reuse, or make any modification to the drawings, specifications, digital files or other documents, nor provide copies to others except those listed in the preceding sentence, without the prior written authorization of A/E.

9. A/E has limited construction phase services included in this Agreement. The CLIENT agrees to indemnify and hold harmless A/E, its officers, directors, employees, and sub-consultants against all damages, liabilities or costs, including reasonable attorney's fees and defense costs, arising in any way connected with the performance of such services by other persons or entities and from any and all claims arising from modifications, clarifications, interpretations, adjustments, or changes to the Contract Documents made by others to reflect changed field or other conditions, except for claims arising from the sole negligence or willful misconduct of A/E.
10. Unless otherwise specified, this agreement shall be governed by the laws in the State of Texas.
11. This Agreement, and all of its attachments, constitutes the entire, integrated Agreement between the Parties to it, and the Agreement superseded all other Agreements, oral or written between the Parties, concerning the subject set forth in this Agreement. This Agreement may not be amended except in writing, with that amendment being signed by both parties.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH ARCHITECTURAL EDGE, INC. OF TEMPLE, TEXAS, IN AN AMOUNT NOT TO EXCEED \$132,565, FOR DESIGN SERVICES FOR THE RENOVATION OF THE SAMMONS COMMUNITY CENTER; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, one of the projects approved in the 2015 Parks Bond was interior renovations to the Sammons Community Center located at 2220 West Avenue D – the Community Center was the original Clubhouse of the Lake Polk Golf and Country Club which opened in December of 1922, as one of only a few nine-hole courses in the state;

Whereas, the Clubhouse was completely destroyed by fire, was rebuilt in 1938 and has since been renamed to the current Sammons Community Center - today the facility specializes in senior and adult recreation programs and serves as a rental facility for community events and private functions;

Whereas, Staff recommends authorizing a professional services agreement with Architectural Edge, Inc. of Temple, Texas, in an amount not to exceed \$132,565, for design services for the renovations of the Sammons Community Center;

Whereas, this project is funded by the Parks GO Bonds that were approved by voters on May 9, 2015 and sold on September 24, 2015 - funding is appropriated for this professional services agreement in Account No. 362-3500-552-6413, Project No. 101322; 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: The City Council authorizes the City Manager, or his designee, after approval as to form by the City Attorney, to execute a professional services agreement with Architectural Edge, Inc. of Temple, Texas, in an amount not to exceed \$132,565, for design services for the renovations of the Sammons Community Center.

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 17th day of **December**, 2015.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

APPROVED AS TO FORM:

ATTEST:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

12/17/15
Item #5(S)
Consent Agenda
Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

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

ITEM DESCRIPTION: Consider adopting a resolution authorizing a professional services agreement with Kasberg, Patrick & Associates, LP, (KPA) in an amount not to exceed \$641,530 for design and bidding services related to reconstruction and relocation of the Shallowford Lift Station.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: Sewer overflows within the Bird Creek basin are problematic, and the City has a significant capital effort underway to address deteriorated sewer mains and interceptor pipe to reduce inflow and infiltration. In 2007, Council authorized a professional services agreement for engineering services related to the Bird Creek Interceptor, addressing significant issues within the basin and embarking upon a 10 year plan to address system needs. The Shallowford Lift Station receives wastewater from the Bird Creek basin, and is now in need of upgrade to properly convey discharge from the collection system to the treatment facility.

The existing Shallowford Lift Station is an aged installation and does not have sufficient capacity to serve the entire Bird Creek basin. Recent sewer overflows in Lions Park have added urgency to construction of the fifth phase of the interceptor (downstream of the park) which terminates at the lift station. Staff recommends reconstructing the required larger lift station in a nearby location and realigning the interceptor accordingly. A separate agenda item proposes additional fees to realign the interceptor to successfully achieve the desired basin wide outcome.

Consultant services recommended under this contract include the following:

Professional Services

Preliminary Design	\$ 126,416
Final Design	\$ 500,302
Bidding	\$ <u>14,812</u>
TOTAL	<u>\$ 641,530</u>

Time required for design is eight (8) months.

FISCAL IMPACT: A budget adjustment is being presented to Council for approval to reallocate funding for this project. Upon approval of the budget adjustment, funding will be appropriated in account 561-5400-535-6905, project #101475, as follows:

Project Budget	\$641,530.00
Encumbered/Committed to Date	-
Engineering Award - KPA	(641,530.00)
Remaining Project Funds	\$ -

ATTACHMENTS:

- Engineer's Proposal & Map
- Budget Adjustment
- Resolution



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

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

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

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

December 4, 2015

Mr. Don Bond, PE, CFM
 City Engineer
 3210 E. Avenue H
 Building A
 Temple, Texas 76501

Re: City of Temple, Texas
 Shallowford Lift Station Improvements

Dear Mr. Bond:

This letter proposal is in response to your request for engineering services required for final design services associated with the relocation and expansion of the Shallowford Lift Station. The Shallowford Lift Station was investigated in the 2012 TBWWTP Expansion Preliminary Engineering Report. The Scope of Services, included as Exhibit A to this proposal, is based on the recommendations that a new submersible lift station be constructed to replace the existing Shallowford Lift Station. The scope generally includes the design of a new, stand-alone submersible lift station and the extension of a new 30-inch force main to connect to the existing force main.

In order for us to provide the services required for completion of the proposed Scope of Services, the following not-to-exceed lump sum amounts will be applicable. The lump sum fees are directly related to the scope items. Modifications to the scope will result in an applicable modification (either increase or decrease) to the associated fee.

Shallowford Lift Station Improvements

Task 1 – Basis of Design	\$ 126,416.00
Task 2 – Final Design	500,302.00
Task 3 -- Bidding	<u>14,812.00</u>
Total Preliminary Design	\$ 641,530.00

Exhibit B contains a fee breakdown for each scope item. A site map showing the location of the existing and proposed lift stations is included as Exhibit C. We are available to address any questions or comments you may have and appreciate the opportunity to submit this proposal.

Sincerely,

Thomas D. Valle, P.E.
 TDV/

Exhibit B

City of Temple, Texas Shallowford Lift Station Improvements Scope December 4, 2015

Background

The City of Temple, Texas owns and operates the Shallowford Lift Station (SFLS) which is located approximately 1,000 feet west of Shallowford Road and 8,500 feet northeast of the Temple-Belton Wastewater Treatment Plant (TBWWTP). SFLS is a dry pit/ wet well lift station which conveys wastewater from the Leon River, Pepper Creek and Bird Creek drainage basins to the TBWWTP via four (4) – 125 HP vertically mounted volute casing pumps. The firm pumping capacity of the SFLS is approximately 9,000 gallons per minute (gpm) or almost 13 million gallons per day (MGD).

The City's existing wastewater collection and conveyance infrastructure upstream of the SFLS is currently undersized for the flows experienced during large rain events. The City is currently implementing improvements to the Bird Creek Interceptor. Recent events have led the City to expedite the construction of the final section of the Bird Creek Interceptor (which connects to the SFLS) and expansion of the SFLS. The *Temple-Belton Wastewater Treatment Plant Expansion Preliminary Engineering Report*, dated November 2012, details the analysis of the existing Shallowford Lift Station and Force main. Included in the referenced report are the following key items:

1. Existing Shallowford Lift Station can only accommodate four (4) pumps, due to sizing and configuration.
2. Replacement pump capacities are limited by the depth of the wet well and the orientation of the stairs leading to the wet well which limit the available suction head.
3. Existing Shallowford Force Main is 30" RCCP rated for 100 psi working pressure and can convey 6-19 MGD based on TCEQ criteria for velocities to remain between 2 and 6 feet per second (fps) within the force main.
4. Projected 2040 Shallowford Lift Station capacity = 35 MGD (24,000 gpm).
5. Three options for expansion were investigated:
 - a. Construct additional wet well capacity adjacent to existing lift station and install additional pumps while leaving the existing pumps operational.
 - b. Construct new dry-pit / wet well lift station to meet future demands.
 - c. Construct new submersible lift station to fit future demands.

Recent conversations with City Staff have led to the scope proposed below, which will consist of constructing a new submersible lift station adjacent to Shallowford Road and abandoning the existing lift station. This scope will include approximately 1,000 linear feet (LF) of 30-inch force main to connect the proposed lift station with the exiting force main. However, design of modifications to the existing gravity sewer lines to the proposed lift station will be by others. The proposed scope will include sizing the wet well and ancillary facilities for the ultimate build out, while recommending the necessary equipment to maximize the existing 30-inch force main.

Scope

TASK 1 – BASIS OF DESIGN – tasks to allow final design to proceed.

- 1.1 Design surveys
 - a. Proposed Lift Station site.
 - b. Access Road from Shallowford Road to the Existing Lift Station.
 - c. Natural ground from the existing Lift Station to the Leon River along the existing Force Main (to allow determination of the interconnection between the existing and proposed force mains).
- 1.2 Review and document existing property ownership and easements from Shallowford Road to the Leon River, along the existing access road and force main alignment.
- 1.3 Geotechnical borings at site of proposed Lift Station.
- 1.4 Phase I Environmental Site Assessment for proposed Lift Station Site and Force Main extension.
- 1.5 Cultural resources site clearance (Archeological)
- 1.6 Preliminarily size the following components for both Phase I (initial) and ultimate buildout:
 - a. Submersible Pumps (number and size)
 - b. Wet well configuration and size
 - c. Discharge piping, including surge valves(s)
 - d. MCC Building
 - e. Generator (compare Phase I requirement with existing SFLS generator to determine applicability of utilizing existing)
 - f. Force Main
 - g. Influent Screening – multiple manufacturers and/or technologies.
- 1.7 Meet with City and Pump Manufacturers to determine preliminary pump selection.
- 1.8 Meet with Oncor to determine requirements for new service.
- 1.9 Determine various purchasing and/or construction options to expedite construction schedule.
- 1.10 Prepare updated Opinion of Probable Construction Cost (OPC)
- 1.11 Prepare letter report for submittal to TCEQ detailing the proposed Lift Station, including applicable calculations, details and exhibits.
- 1.12 Parcel description for new lift station site.

TASK 2 – FINAL DESIGN

- 2.1 30% Plan Sheets – Engineer shall perform services for the 30% design review submittal for the following:
 - a. Force Main Extension
 - i. Alignment and grade
 - b. Submersible Pump Station – structures will be designed for ultimate buildout with equipment and ancillary facilities sized for Phase I service.
 - i. Pump Selection and layout
 - ii. Variable Frequency Drives (VFDs)
 - iii. Wet Well
 - iv. Piping

- v. Structural
- c. MCC Building
 - i. Electrical
 - ii. HVAC
 - iii. Structural
- d. Discharge Piping
 - i. Layout
 - ii. Structural
- e. Site Plan
 - i. Grading
 - ii. Piping
 - iii. Structures
 - iv. Electrical
- 2.2 30% Review Meeting
- 2.3 60% Plan Sheets and Technical Specifications
 - a. Same components as Item 2.1 (30% Review Set)
 - b. Prepare updated OPC
- 2.4 60% Review Meeting
- 2.5 90% Plan Sheets and Technical Specifications
 - a. Same components as Item 2.1 (30% Review Set)
- 2.6 90% Review Meeting
- 2.7 Incorporate comments from 90% Review Meeting into final Bid Set.
- 2.8 Prepare updated OPC
- 2.9 Monthly design and progress meetings with City Staff and weekly project updates/emails to allow design issues to be addressed as required.

TASK 3 -- BIDDING

- 3.1 Prepare the tabulation of bid items and quantities for insertion into Contract Documents and Bid Schedule/Forms.
- 3.2 Solicit bidders for the project by sending e-mails and web links and calling prospective contractors.
- 3.3 Provide necessary bid documents and bid solicitation information for the construction project.
- 3.4 Coordinate, attend, and moderate pre-bid conference to be held onsite at TBWWTP.
- 3.5 Prepare addenda as appropriate to interpret, clarify, or expand the bidding documents.
- 3.6 Attend bid opening, prepare bid tabulation sheets, and provide the following assistance to owner:
 - a. Review bids for compliance with bid documents. Evaluate low bidder including workload, references and financial status and other information as required to support a recommendation of award.
 - b. Submit a written recommendation to owner detailing the bids received and the evaluation of the recommended bidder and any other low bidders.
- 3.7 Attend City Council Meeting at which construction contracts are awarded.
- 3.8 Prepare conformed Contract Documents incorporating addenda for owner and contractor.

3.9 Modify drawings to incorporate changes by addenda and assemble executed Contract Documents, Construction sets of Plans and Specifications.

A separate proposal for construction administration and on-site representation services will be submitted after receipt of bids.

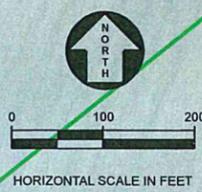
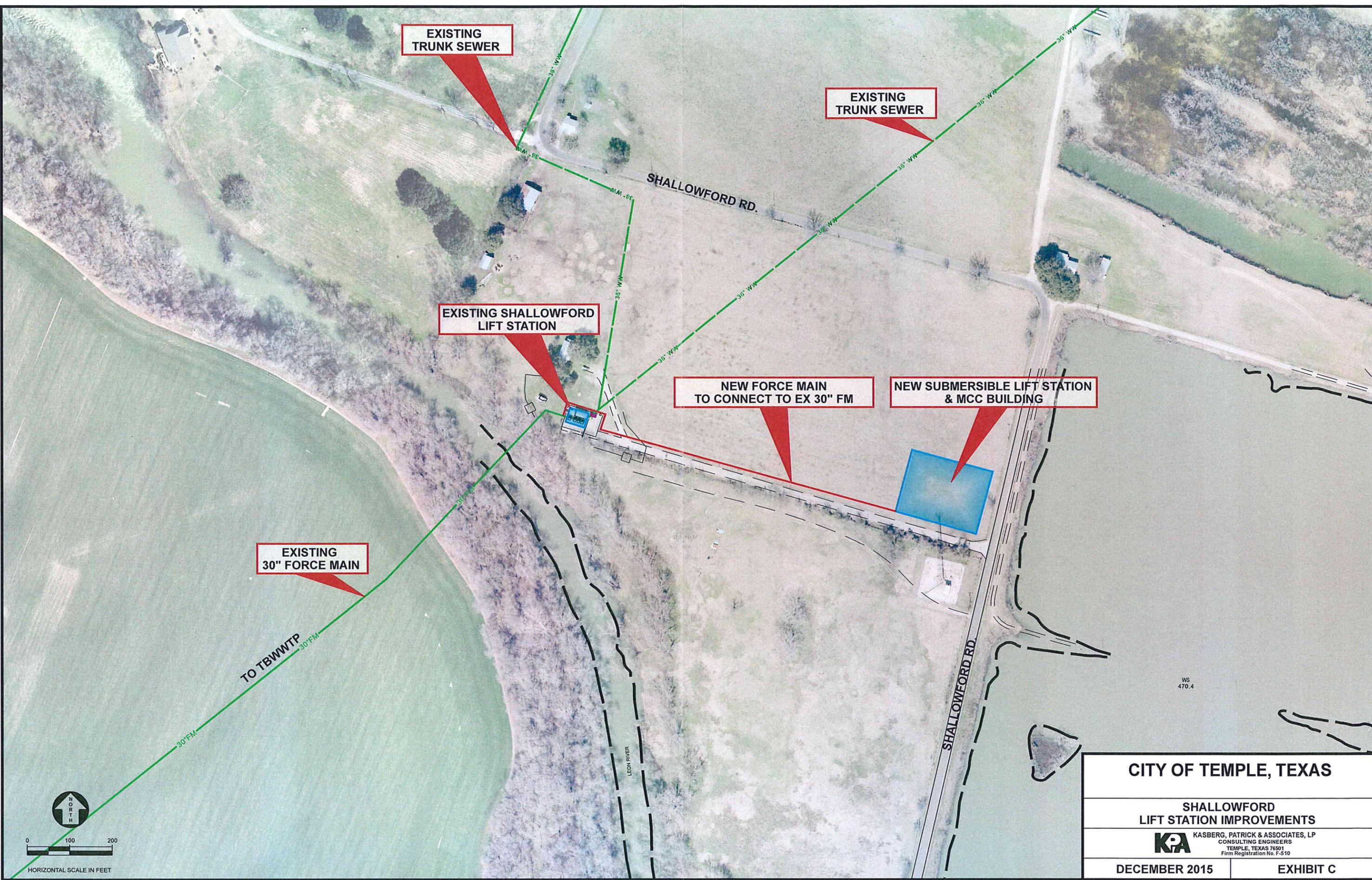
Exhibit C

**City of Temple, Texas
Shallowford Lift Station Improvements
Level of Effort / Fee Schedule**

City of Temple, Texas Shallowford Lift Station Improvements		Principal	Project Engineer	Graduate Engineer	CAD Technician	Clerical	TOTAL	Total Costs
Task1 -- Basis of Design		42	116	148	50	0	356	
1.1	Design Surveys	1	2	2	2		7	\$ 126,416
1.2	Review Existing Ownership Records			2	2		4	\$ 5,974
1.3	Geotechnical Investigations	1		2	2		5	\$ 444
1.4	Phase I Environmental Site Assessment	1	2	2	2		7	\$ 16,144
1.5	Cultural Resources Clearance	1	2	2	2		7	\$ 3,774
1.6	Preliminary sizing and layout for Phase I and Ultimate Buildout	18	82	112	34	0	246	\$ 5,474
1.7	Meet with Pump Manufacturers, select allowable	2	8	8			18	\$ 65,414
1.8	Oncor coordination	4					4	\$ 2,616
1.9	Investigate options to expedite construction schedule	8	8				16	\$ 5,800
1.10	Update OPC	1	2	8	4		15	\$ 8,420
1.11	Letter Report and submit to TCEQ	4	8	8			20	\$ 4,366
1.12	Parcel Description for LS Site	1	2	2	2		7	\$ 5,016
TASK 2 -- Final Design		198	582	616	468	36	1900	\$ 2,974
2.1	30% Plan Sheets	40	180	180	140	8	548	\$ 500,302
2.2	30% Review Meeting	4	4	8		1	17	\$ 144,860
2.3	60% Plan Sheets and Technical Specifications	80	200	200	160	8	648	\$ 3,431
2.4	60% Review Meeting	4	4	8		1	17	\$ 170,600
2.5	90% Plan Sheets and Technical Specifications	48	164	160	120	8	500	\$ 3,431
2.6	90% Review Meeting	4	4	8		1	17	\$ 132,880
2.7	Incorporate comments from 90% Review Meeting into Bid Set	8	8	20	40	8	84	\$ 3,431
2.8	Prepare Final OPC	2	2	8	8	1	21	\$ 24,160
2.10	Monthly Design Meetings and Weekly Project Updates	8	16	24			48	\$ 7,081
TASK 3 -- Bidding		14	13	26	18	33	104	\$ 10,428
3.1	Prepare Bid Schedule	1		2	2	4	9	\$ 14,812
3.2	Solicit Bidders					2	2	\$ 944
3.3	Provide Bid Documents	1		2		2	5	\$ 150
3.4	Pre-Bid Conference	2	4	6		1	13	\$ 574
3.5	Prepare Addenda	4	4	12		8	28	\$ 1,807
3.6	Bid Opening, Bid Tabulation and Award Recommendation	2	2	4			8	\$ 5,904
3.7	Attend City Council Meeting for award of Contract	2					2	\$ 1,178
3.8	Prepare Conformed Contract Documents	1	1			8	10	\$ 400
3.9	Prepare Conformed Construction Plans	1	2		16	8	27	\$ 965
							Total Fee	\$ 641,530

*Hours are for KPA Level of Effort. Total Cost incorporates subconsultant fees and direct costs.

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CITY OF TEMPLE, TEXAS	
SHALLOWFORD LIFT STATION IMPROVEMENTS	
 KASBERG, PATRICK & ASSOCIATES, LP CONSULTING ENGINEERS TEMPLE, TEXAS 76701 Firm Registration No. F-510	
DECEMBER 2015	EXHIBIT C

BUDGET ADJUSTMENT FORM

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

Adjustments should be rounded to the nearest \$1.

ACCOUNT NUMBER	PROJECT #	ACCOUNT DESCRIPTION	INCREASE	DECREASE
561-5400-535-69-05	101475	Capital Bonds/Lift Station Improve/Shallowford L. S.	\$ 641,530	
561-5500-535-69-68	101211	Capital Bonds/WWTP -LS Transfer Switches		78,703
561-5000-535-65-32		Capital-Special Projects/Contingency Fund		562,827
TOTAL.....			\$ 641,530	\$ 641,530

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

To appropriate funding for the award of a professional services agreement with KPA for design and bidding services related to the reconstruction and relocation of the Shallowford Lift Station in the amount of \$641,530. Funding is available to reallocate from the WWTP-LS Transfer Switches project shown above per Nicole Torralva and Damon Boniface; the balance of the funding is being taken from the contingency account.

DOES THIS REQUEST REQUIRE COUNCIL APPROVAL? Yes No

DATE OF COUNCIL MEETING 12/17/2015

WITH AGENDA ITEM? Yes No

Department Head/Division Director	Date	<input type="checkbox"/> Approved <input type="checkbox"/> Disapproved
Finance	Date	<input type="checkbox"/> Approved <input type="checkbox"/> Disapproved
City Manager	Date	<input type="checkbox"/> Approved <input type="checkbox"/> Disapproved

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH KASBERG, PATRICK & ASSOCIATES, LP OF TEMPLE, TEXAS, IN THE AMOUNT OF \$641,530, FOR DESIGN AND BIDDING SERVICES RELATED TO RECONSTRUCTION AND RELOCATION OF THE SHALLOWFORD LIFT STATION; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, sewer overflows within the Bird Creek basin are problematic, and the City has a significant capital effort underway to address deteriorated sewer mains and interceptor pipe to reduce inflow and infiltration;

Whereas, in 2007, Council authorized a professional services agreement for engineering services related to the Bird Creek Interceptor, which addressed significant issues within the basin and began embarking upon a 10 year plan to address system needs;

Whereas, the Shallowford Lift Station receives wastewater from the Bird Creek basin, and is now in need of upgrade to properly convey discharge from the collection system to the treatment facility – the existing lift station is aged and does not have sufficient capacity to serve the entire Bird Creek basin;

Whereas, recent sewer overflows have added urgency to construction of the fifth phase of the interceptor (downstream of the park) which terminates at the Shallowford Lift Station and Staff recommends reconstructing the required larger lift station in a nearby location and realigning the interceptor accordingly;

Whereas, Staff recommends authorizing a professional services agreement with Kasberg, Patrick & Associates, LP, in the amount of \$641,530, for design and bidding services related to reconstruction and relocation of the Shallowford Lift Station;

Whereas, funding is available for this professional services agreement but an amendment to the fiscal year 2016 budget needs to be approved to transfer the funds to Account No. 561-5400-535-6905, Project No. 101475; 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: The City Council authorizes the City Manager, or his designee, after approval as to form by the City Attorney, to execute a professional services agreement with Kasberg, Patrick & Associates, LP, in the amount of \$641,530, for design and bidding services related to reconstruction and relocation of the Shallowford Lift Station.

Part 2: The City Council authorizes an amendment to the fiscal year 2016 budget, substantially in the form of the copy attached hereto as Exhibit A.

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 **December**, 2015.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

APPROVED AS TO FORM:

ATTEST:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

12/17/15
Item #5(T)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Sharon Rostovich, Airport Director

ITEM DESCRIPTION: Consider adopting a resolution authorizing a one year renewal to the contract with World Fuel Services Corporation of Florida to supply aviation bulk fuels and other business support to operate an exclusive fuel dealership through December 31, 2016 at the Draughon-Miller Central Texas Regional Airport.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The five year contract for supplying aviation fuels for the Airport was executed in January 2009 and expired on December 31, 2013. The contract allowed for three one year options to renew. World Fuel Services Corporation requests the option to renew for the third year through December 31, 2016.

World Fuel Services has provided reliable, quality fuel service at a competitive price throughout the contract.

Staff recommends a one year contract extension through December 31, 2016.

FISCAL IMPACT: The FY 2016 Operating Budget for the Airport included an amount of \$1,753,482 for the purchase of aviation fuels. Allocation of fuel costs are shown below.

Description	Account Number	Amount
Jet Fuel	110-3620-560-2710	\$ 1,500,482
AvGas	110-3620-560-2711	\$ 253,000
Total Funding Available		\$ 1,753,482

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A ONE YEAR RENEWAL TO THE CONTRACT WITH WORLD FUEL SERVICES CORPORATION OF FLORIDA, TO SUPPLY AVIATION BULK FUELS AND OTHER BUSINESS SUPPORT TO OPERATE AN EXCLUSIVE FUEL DEALERSHIP AT THE DRAUGHON-MILLER CENTRAL TEXAS REGIONAL AIRPORT THROUGH DECEMBER 31, 2016; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the fuel contract for supplying aviation fuels for the airport was executed in January 2009 with Western Petroleum Company – World Fuel Services Corporation purchased Western Petroleum Company in 2011;

Whereas, the contract allowed for three one-year renewal options upon conclusion of the initial five year term, which expired on December 31, 2013;

Whereas, World Fuel Services has provided reliable, quality fuel at a competitive price throughout the contract and Staff recommends renewal of the contract through December 31, 2016;

Whereas, aviation fuel is budgeted in the Airport's fiscal year 2016 budget in Account No: 110-3620-560-2710 (Jet Fuel) and Account No. 110-3620-560-2711 (AvGas); 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: The City Council authorizes the City Manager, or his designee, after approval as to form by the City Attorney, to execute a one year renewal to the contract with World Fuel Services Corporation of Florida, to supply aviation bulk fuels and other business support to operate an exclusive fuel dealership at the Draughon-Miller Central Texas Regional Airport through December 31, 2016.

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 17th day of **December**, 2015.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

12/17/15
Item #5(U-1)
Consent Agenda
Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

Kayla Landeros, City Attorney

ITEM DESCRIPTION: SECOND READING – Consider adopting an ordinance Creating Chapter 41, “Credit Access Businesses,” of the Code of Ordinances of the City of Temple, Texas.

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

ITEM SUMMARY: The proposed ordinance would regulate certain business practices of “Credit Access Businesses,” also commonly referred to as “payday lenders” or “auto title loan lenders.” A Credit Access Business (“CAB”) is defined in the Texas Finance Code, § 393.601 as a “credit services organization that obtains for a consumer or assists a consumer in obtaining an extension of credit in the form of a deferred presentment transaction or a motor vehicle title loan.” There are currently 15 CAB’s operating within the Temple city limits. The proposed ordinance would become effective 90 days after Council approval and regulate the business practices of existing and future CAB’s in Temple.

The proposed ordinance is based off of a model ordinance that was drafted by the Texas Municipal League and that has been adopted by more than 25 cities in Texas. The ordinance would place the following requirements and restrictions on CAB’s:

- A CAB must apply for and receive a certificate of registration from the City;
- A CAB must maintain complete records of all loans made by the business for at least 3 years and make the records available to the City for inspection upon request;
- The amount of a payday loan may not exceed 20% of the consumer’s gross monthly income;
- The amount of an auto title loan may not exceed the lesser of 3% of the consumer’s gross annual income or 70% of the retail value of the motor vehicle;
- Any loan that provides for repayment in installments may not be payable in more than 4 installments, and the proceeds from each installment must be used to repay at least 25% of the principal amount of the loan;
- No renewals or refinancing of installment-payment loans would be permitted;
- Any loan that provides for a single lump sum repayment may not be refinanced or renewed more than 3 times and the proceeds from each refinancing or renewal must be used to repay at least 25% of the principal amount of the loan;
- Any loan made to a consumer within 7 days of a previous loan paid by the consumer constitutes a refinancing or renewal;

- Every agreement must be written in the consumer's language of preference and if a consumer is unable to read, it must be read to them in their language of preference prior to signature;
- Referral to non-profit credit counseling/financial education providers is required; and
- CAB's would be required to submit the State mandated quarterly reports to the Director of Finance, along with any other information requested by the City and required by the ordinance.

CAB's would be required to register with the City Secretary's Office and pay a \$50 registration fee. The General Services Department will track registrations to be sure that all CAB's are current. Regulation would be primarily complaint driven and a violation of the ordinance would be a Class C misdemeanor which could result in a fine of up to \$500.

FISCAL IMPACT: Not applicable

ATTACHMENTS:

[Ordinance](#)

ORDINANCE NO. 2015-4739

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, CREATING CHAPTER 41, "CREDIT ACCESS BUSINESSES" OF THE CODE OF ORDINANCES OF THE CITY OF TEMPLE, TEXAS; PROVIDING A REPEALER; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the creation of Chapter 41 of the Code of Ordinances of the City of Temple, Texas would regulate certain business practices of "Credit Access Businesses," also commonly referred to as "payday lenders" or "auto title loan lenders;"

Whereas, a Credit Access Business ("CAB") is defined in the Texas Finance Code, § 393.601 as a "credit services organization that obtains for a consumer or assists a consumer in obtaining an extension of credit in the form of a deferred presentment transaction or a motor vehicle title loan;"

Whereas, there are currently 15 CAB's operating within the Temple city limits and this proposed ordinance would regulate the business practices of existing and future CAB's in Temple;

Whereas, the proposed ordinance is based off of a model ordinance that was drafted by the Texas Municipal League and that has been adopted by more than 25 cities in Texas - the ordinance would place the following requirements and restrictions on CAB's:

- a CAB must apply for and receive a certificate of registration from the City;
- a CAB must maintain complete records of all loans made by the business for at least 3 years and make the records available to the City for inspection upon request;
- the amount of a payday loan may not exceed 20% of the consumer's gross monthly income;
- the amount of an auto title loan may not exceed the lesser of 3% of the consumer's gross annual income or 70% of the retail value of the motor vehicle;
- any loan that provides for repayment in installments may not be payable in more than 4 installments, and the proceeds from each installment must be used to repay at least 25% of the principal amount of the loan;
- no renewals or refinancing of installment-payment loans would be permitted;
- any loan that provides for a single lump sum repayment may not be refinanced or renewed more than 3 times and the proceeds from each refinancing or renewal must be used to repay at least 25% of the principal amount of the loan;
- any loan made to a consumer within 7 days of a previous loan paid by the consumer constitutes a refinancing or renewal;
- every agreement must be written in the consumer's language of preference and if a consumer is unable to read, it must be read to them in their language of preference prior to signature;
- referral to non-profit credit counseling/financial education providers is required; and
- CAB's would be required to submit the State mandated quarterly reports to the Director of Finance, along with any other information requested by the City and required by the ordinance;

Whereas, CAB's would be required to register with the City Secretary's Office and pay a \$50 annual registration fee and the General Services Department would track registrations to be sure that all CAB's are current;

Whereas, Staff recommends the creation of Chapter 41 of the Code of Ordinances which will be titled "Credit Access Businesses;" 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: The City Council creates Chapter 41, "Credit Access Businesses" of the Code of Ordinances of the City of Temple, Texas, as outlined in Exhibit 'A,' attached hereto and incorporated herein for all purposes.

Part 2: All ordinances or parts of ordinances in conflict with the provisions of this ordinance are to the extent of such conflict hereby repealed.

Part 3: 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 4: This ordinance shall take effect 90 days after its passage in accordance with the provisions of the Charter of the City of Temple, Texas, and it is accordingly so ordained.

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

PASSED AND APPROVED on First Reading and Public Hearing on the 3rd day of **December**, 2015.

PASSED AND APPROVED on Second Reading on the 17th day of **December**, 2015.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, MAYOR

APPROVED AS TO FORM:

Kayla Landeros
City Attorney

ATTEST:

Lacy Borgeson
City Secretary



COUNCIL AGENDA ITEM MEMORANDUM

12/17/15
Item #5(U-2)
Consent Agenda
Page 1 of 4

DEPT. /DIVISION SUBMISSION & REVIEW:

Brian Chandler, Planning Director

ITEM DESCRIPTION: SECOND READING – Z-FY-16-04: Consider adopting an ordinance authorizing amendments to Ordinance 2010-4413, Temple Unified Development Code related to regulating Credit Access Businesses (commonly referred to as “Payday Lenders”) and the following specific Articles: Article 5-Use Standards, including specific locational standards; and Article 11-Definitions, providing a definition for Credit Access Businesses.

P&Z RECOMMENDATION: At the November 16, 2015 Planning and Zoning Commission meeting, P&Z recommended unanimous approval per staff recommendation.

STAFF RECOMMENDATION: Based on the additional research and conference call discussion, staff has revised the recommendation presented at the October 15, 2015 City Council and the November 2, 2015 Planning and Zoning Commission workshops to the following:

1. Allow CABs in O-1 (Office 1), O-2 (Office 2), GR (General Retail), C (Commercial), Light Industrial (LI) and HI (Heavy Industrial) zoning districts;
2. Require a minimum of 1000 feet between all CABs;
3. Prohibit on Major Arterials and Expressways as shown on the Thoroughfare Plan; and
4. Require a minimum of 200 feet (measured in a straight line from property lines) from a residential zoning district.

ITEM SUMMARY: Credit Access Businesses, which are defined by Chapter 393 of the Texas Finance Code, are commonly referred to as “payday lenders.” Many cities throughout Texas have proposed regulations mirroring a “model ordinance” drafted by TML (Texas Municipal League) that would regulate the lending practices of CAB with the overall objective of providing some limitations on fees and overall interest rates, while other cities have adopted zoning regulations and a few have adopted both. The City of Temple has proposed to adopt both 1) regulations based on the TML model ordinance and 2) zoning standards due to the fact that 15 CABs (see attached list) have opened in Temple (as of June 29, 2015 per the Texas Office of Consumer Credit) and that there is a growing concern that these businesses are beginning to have a negative impact on the lower-income sectors of the community and on associated social service organizations. However, only the proposed zoning regulations would be reviewed by P&Z.

While Temple has 15 CABs, the city also has 22 Licensed Finance Companies (see attached list) that are often confused for being payday lenders; however, they are licensed under Chapter 342 of the Texas Finance Code and, unlike CABs, their fees are capped.

CITY COUNCIL AND P&Z WORKSHOPS: The Credit Access Business topic was discussed with City Council at their August 20th and October 15th workshops. The first presentation was led by Texas Appleseed, a nonprofit organization that advocates against payday lenders, while the second presentation was given by City staff on proposed code amendments related to the TML model ordinance and CAB zoning regulations. Planning staff followed up that discussion with the zoning half of the presentation at the November 2, 2015 P&Z workshop. During both zoning presentations, staff recommended adopting the following standards:

5. Allowing CABs in O-1 (Office 1), O-2 (Office 2), GR (General Retail), C (Commercial), Light Industrial (LI) and HI (Heavy Industrial) zoning districts;
6. Requiring 1000 feet between all CABs;
7. Prohibiting on Major Arterials and Expressways as shown on the Thoroughfare Plan; and
8. Requiring a Conditional Use Permit (CUP)

P&Z advised staff at the workshop to take a closer look at proposing a 200-foot distance requirement from adjacent residential-zoned property per the City of Bryan zoning regulations, rather than requiring a CUP. Staff has more closely evaluated the 200-foot distance requirement versus requiring a CUP, which included a conference call with the City of Bryan's Planning Manager, Martin Zimmerman. Based on P&Z input, the discussion with Mr. Zimmerman and other additional analysis, staff is recommending the 200-foot distance requirement from adjacent residential zoning districts for the following reasons:

- A map produced by the GIS Division showing eligible CAB properties without the 200-foot distance requirement, indicates that those properties would be disproportionately concentrated in East Temple and South Temple (north of HK Dodgen Loop)
- CABs could still be located on an estimated 364 properties (that would still be subject to the 1000 feet distance requirement between them)
- However, adding the distance requirement, while eliminating the need for a CUP, combined with the other proposed regulations, CABs would be allowed by right in locations that are:
 1. Not abutting existing or proposed neighborhoods
 2. Not located within Temple's most visible corridors; and
 3. Are separated from each other, therefore, preventing the future clustering of CABs that we currently have along W. Adams near downtown.
- CUP applications for CABs would be subject to the existing UDC criteria in Sec. 3.5.4, which mostly address preventing negative nuisance-type impacts on nearby properties that are not typically created by CABs. Therefore, compliance with the criteria would typically result in staff recommendations for approval, anyway. So, if the intent of the CUP requirement would be to evaluate the impact on neighborhoods and/or to further limit where they can locate, staff has determined that a distance requirement from residential zoning districts would be a better way to meet that objective.

Staff has reached out to Adam Burklund, who represents a payday lender advocacy organization called the Consumer Service Alliance of Texas, to give them an opportunity to comment on the proposed amendments. As of November 12, 2015, staff had not received a response from Mr. Burklund other than that they would review and let us know whether they had any comments.

The TML model ordinance and zoning regulations are proposed to be considered by City Council on December 3rd (Public Hearing – 1st Reading) and December 17th, 2015 (2nd Reading).

Article 5 Use Standards

Staff is proposing amending section 5.1, which currently does not address CABs.

Specific Use	P= Permitted by Right L = Permitted by Right Subject to Limitations [blank cell] = Prohibited C= Conditional Use Permit																Standards						
	AG	UE	SF-1	SF-2	SF-3	SFA-1	SFA-2	SFA-3	TH	2F	MF-1	MF-2	MF-3	O-1	O-2	NS		GR	C	CA	LI	HI	
consumption, beer and wine store																							
Alcohol beverage sales, off-premise consumption, package store																	C	C	C	C	C		5.3.17
Antique shop															P	P	P	P	P	P	P		
Art supply store															P	P	P	P	P	P	P		
Bakery or confectionary shop (retail)															P	P	P	P	P	P	P		
Bank or savings and loan														P	P	P	P	P	P	P	P		
Barber shop or beauty shop															P	P	P	P	P	P	P		
<u>Credit Access Business</u>														<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>		<u>5.3.26</u>
Cleaning, pressing and pick up shop															L	L	L	L	L	L	L		5.3.18
Cleaning plant (commercial)																		P	P				
Discount or department store																	P	P	P	P	P		
Drug store or pharmacy															P	P	P	P	P	P	P		
Exercise gym	C										C	C	C		P	C	P	P	P	P	P		

Sec. 5.3.26 Credit Access Business (Specific Use Standards)

A credit access business (commonly referred to as a “payday lender”) may be permitted in accordance with the use table in Sec. 5.1 subject to the following standards:

- A. A credit access business may not be located:
 - 1. Within 1000 feet of another credit access business; or
 - 2. Within 200 feet of a residentially-zoned property (property located within a UE, SF-1, SF-2, SF-3, SFA-1, SFA-2, SFA-3, TH, 2F, MF-1, MF-2 or MF-3 zoning district), or
- B. For purposes of this section, measurements are made in a straight line, without regard to intervening structures or objects, from property line to property line.
- C. A credit access business may not be located on property abutting a Major Arterial road or an Expressway, as identified on the Thoroughfare Plan.

Article 11 Definitions has been amended to add a definition for Credit Access Business to match the language in the Texas Finance Code Chapter 393.221.

Credit Access Business. Means a credit services organization that obtains for a consumer or assists a consumer in obtaining an extension of consumer credit in the form of a deferred presentment transaction or a motor vehicle title loan.

PUBLIC NOTICE: The newspaper printed notice of the Planning and Zoning Commission public hearing on November 5, 2015, in accordance with state law and local ordinance.

FISCAL IMPACT: NA

ATTACHMENTS:

Attachment 1: Draft UDC Code Amendments

Attachment 2: Map of Potential CAB Locations per Workshop Code Amendments (no 200' buffer)

Attachment 3: Map of Potential CAB Locations per Recommended Code Amendments (w/ 200' buffer)

Attachment 4: TML City Regulation of Payday and Auto Title Lenders

Attachment 5: List of Temple CABs

Attachment 6: List of Temple Licensed Financial Companies

Attachment 7: Email correspondence with Adam Burklund, Consumer Alliance of Texas

Attachment 8: Email correspondence with Ann Baddour, Texas Appleseed
Ordinance

Article 5: Use Standards

Sec. 5.1. Use Table

P= Permitted by Right L = Permitted by Right Subject to Limitations

[blank cell] = Prohibited C= Conditional Use Permit

Specific Use	AG	UE	SF-1	SF-2	SF-3	SFA-1	SFA-2	SFA-3	TH	2F	MF-1	MF-2	MF-3	O-1	O-2	NS	GR	C	CA	LI	HI	Standards
Rodeo grounds	C																	P		P	P	
Roller or Ice Rink	C																P	P	P	P	P	
Sexually oriented business																					P	Ordinance No. 99-2633
Shooting range (outdoor)	C																			C	C	5.3.16
Swimming pool, commercial	C																C	P	P	P	P	
Theater or playhouse (indoor)														P	P		P	P	P	P	P	
Theater or playhouse (open or drive-in)																		P		P	P	
Zoo	P																C	C	C	P	P	
RESTAURANT USES																						
Restaurant (not drive-in)															P	P	P	P	P	P	P	
Restaurant (drive-in)															P		P	P	P	P	P	
RETAIL SALES AND SERVICE USES																						
Alcohol beverage sales, off-premise consumption, beer and wine store																C	P	P	P	P	P	
Alcohol beverage sales, off-premise consumption, package store																		C	C	C	C	5.3.17
Antique shop															P	P	P	P	P	P	P	
Art supply store															P	P	P	P	P	P	P	
Bakery or confectionary shop (retail)															P	P	P	P	P	P	P	
Bank or savings and loan														P	P	P	P	P	P	P	P	
Barber shop or beauty shop															P	P	P	P	P	P	P	
<u>Credit Access Business</u>														<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>5.3.26</u>
Cleaning, pressing and pick up shop															L	L	L	L	L	L	L	5.3.18
Cleaning plant (commercial)																		P	P			
Discount or department store																	P	P	P	P	P	
Drug store or pharmacy														P	P	P	P	P	P	P	P	

Temple, Texas Unified Development Code

Effective 12/16/10 • Last Amended 04/16/15

5.3.24 Wrecking or Salvage Yard

A wrecking or salvage yard may be permitted in accordance with the use table in Sec. 5.1 provided that the buying and receiving area is set back a minimum of 50 feet from the public street right-of-way.

5.3.25 Kiosk

A kiosk is permitted in accordance with the use table in [Sec. 5.1](#) subject to the following standards:

- A. All of the Dimensional and General Development Standards in Article 4 and Article 7 of this UDC apply to a kiosk as if it were the principal use of the property.
- B. Drive-through kiosks must provide 3, 8-ft by 22-ft. queuing spaces per kiosk service window.
- C. Wall signs on the wall of a kiosk itself are the only sign type allowed for advertising the services of the kiosk. Wall signs on a kiosk are limited to a maximum of 25 percent of the surface area of each wall. Wall signs are permitted only on the sides of a kiosk that are visible from the public right-of-way.
- D. Pedestrian access to the kiosk use must be included from all pedestrian facilities, including but not limited to sidewalks.

Parking that serves as required parking for another use must not be used for either placement of the kiosk or for parking or vehicle maneuvering required by the kiosk unless additional parking exists for the adjacent use and a shared parking agreement is agreed upon by both property owners and submitted with the building permit application.

5.3.26 Credit Access Business (see Sec. 11.2 for definition)

A credit access business (commonly referred to as a "payday lender") may be permitted in accordance with the use table in Sec. 5.1 subject to the following standards:

- A. A credit access business may not be located closer than:
 1. Within 1000 feet of another credit access business; or
 2. Within 200 feet of a residentially-zoned property (located within the UE, SF-1, SF-2, SF-3, SFA-1, SFA-2, SFA-3, TH, 2F, MF-1, MF-2 or MF-3 zoning districts).
- B. For purposes of this section, measurements are made in a straight line, without regard to intervening structures or objects, from property line to property line.
- C. A credit access business may not be located on property abutting a Major Arterial or an Expressway, as identified on the Thoroughfare Plan.

Article 11: Definitions

Sec. 11.2. Defined Terms

Comprehensive Plan. The comprehensive plan of the City and adjoining areas adopted by the Planning and Zoning Commission and approved by the City Council, including all its revisions. The plan indicates the general locations recommended for various land uses, transportation routes, public and private buildings, streets, parks and other public and private developments and improvements, to include detailed plans for water, sewer, and other public services.

Conditional Use. A use permitted in a particular zoning district only upon showing that such use in a specified location will be compatible and can comply with all the conditions and standards for the location or operation of such a use as specified in this UDC.

Condominium. A building or group of buildings in which units are owned individually, while the structure and common areas and facilities are owned by all the owners on a proportional, individual basis.

Configuration. The form of a building, based on its massing, private frontage and height. [Ord. 2010-4415]

Copy. Letters, characters, illustrations, logos, graphics, symbols or writing designed to communicate information of any kind, to advertise or identify the purpose of a person or entity, to identify or advertise a business or to advertise the sale or lease of a premise.

Correctional Facility. A penal facility including buildings and structures that are inhabited by 6 or more persons who are under restraint or security and are generally incapable of self-preservation due to security measures not under the occupants' control. This definition includes, but is not limited to prisons, jails, reformatories, detention centers, correction centers, and prerelease centers.

Country Club. An area containing a golf course and a clubhouse and available only to private specific membership, such a club may contain adjunct facilities such as private club, dining room, swimming pool, tennis courts and similar recreational or service facilities.

Credit Access Business. Means a credit services organization that obtains for a consumer or assists a consumer in obtaining an extension of consumer credit in the form of a deferred presentment transaction or a motor vehicle title loan.

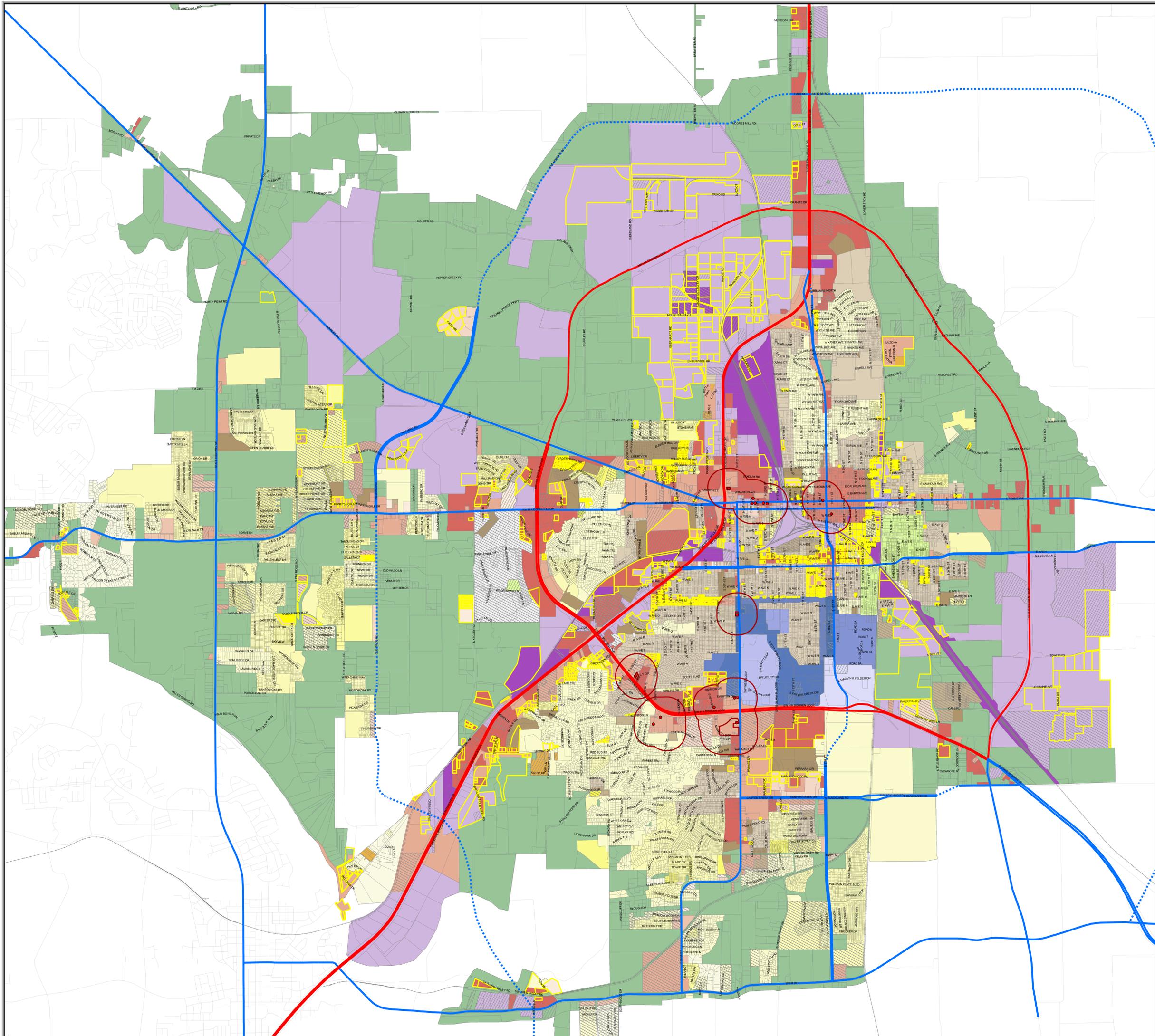
Cul-de-Sac. A local street with only one street outlet and having an appropriate terminal for the same and convenient reversal of traffic movement.

Curb Line. An imaginary line drawn along the outermost part or back of the curb and gutter on either side of a public street, or, if there is no curb and gutter, along the outermost portion of the paved roadway, or if there is no paved roadway, along the edge of the traveled portion of the roadway.

Dance Hall or Nightclub. An establishment offering to the general public facilities for dancing and entertainment for a fee and subject to licensing and regulation by the City.

Day Camp. A facility arranged and conducted for the organized recreation and instruction of children including outdoor activities on a daytime basis.

Density: The number of dwelling units within a standard measure of land area. [Ord. 2010-4415]



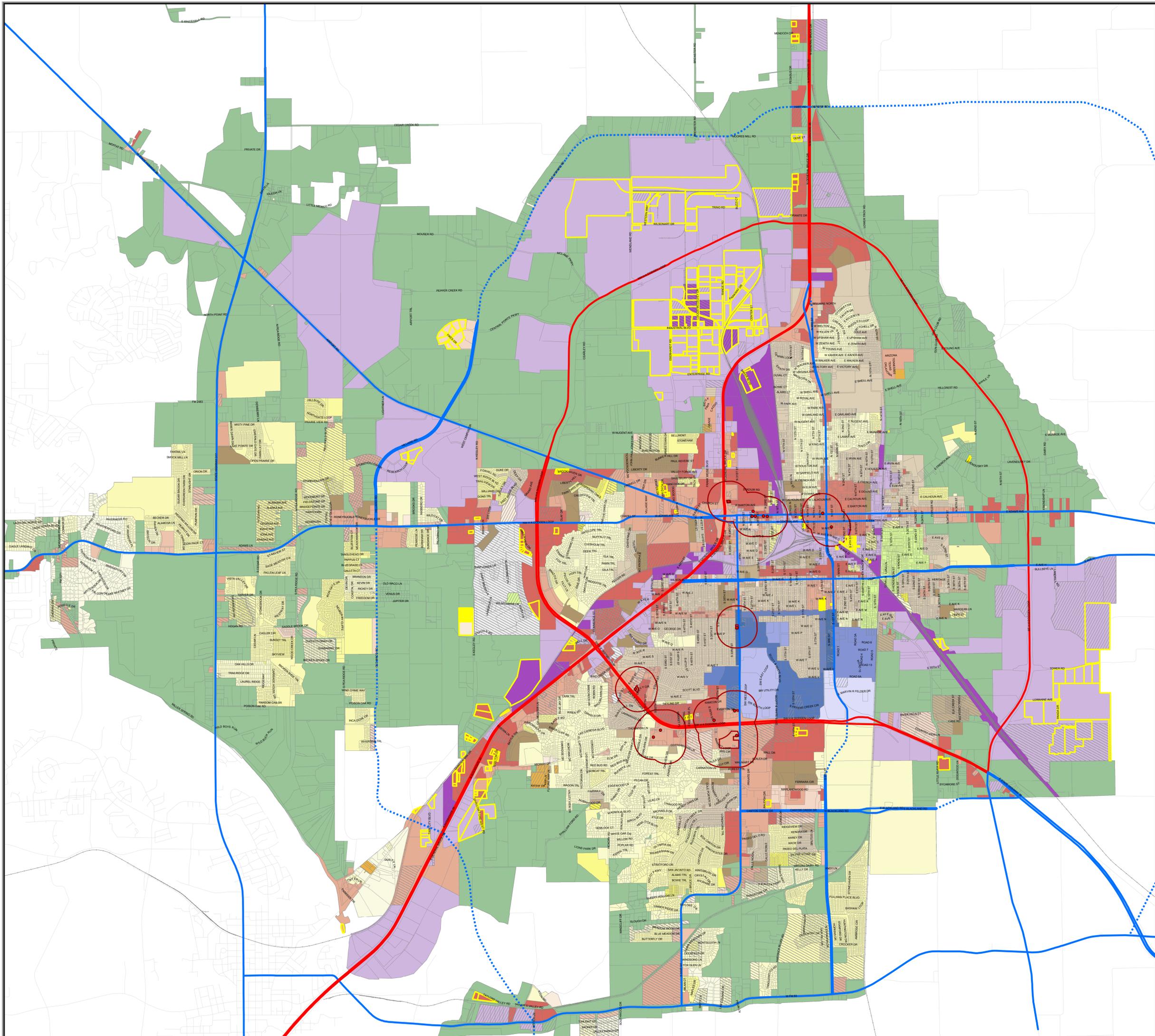
Payday Lender Locations (without 200' Residential Buffer)



Legend	Symbol/Color	Description
Payday Lender	Red Circle	Payday Lender
Thoroughfare Plan	Blue Line	Thoroughfare Plan
Proposed Major Arterial	Blue Dashed Line	Proposed Major Arterial
Proposed I-35 DMC/Corridor	Blue Dotted Line	Proposed I-35 DMC/Corridor
Roadway	Yellow Line	Roadway
Proposed Future Locations	Yellow Circle	Proposed Future Locations
1000 Ft Buffer of Current Lender Locations	Red Circle	1000 Ft Buffer of Current Lender Locations
Service Points	White Circle	Service Points
Current Zoning	Color Swatches	Current Zoning
UC - CUP	Light Blue	UC - CUP
UC	Light Green	UC
UC - PD	Light Purple	UC - PD
SP-1	Light Yellow	SP-1
SP-1 - CUP	Light Green	SP-1 - CUP
SP-1 - PD	Light Purple	SP-1 - PD
SP-2	Light Yellow	SP-2
SP-2 - CUP	Light Green	SP-2 - CUP
SP-2 - PD	Light Purple	SP-2 - PD
SP-3	Light Yellow	SP-3
SP-3 - CUP	Light Green	SP-3 - CUP
SP-3 - PD	Light Purple	SP-3 - PD
SP-4	Light Yellow	SP-4
SP-4 - CUP	Light Green	SP-4 - CUP
SP-4 - PD	Light Purple	SP-4 - PD
SP-5	Light Yellow	SP-5
SP-5 - CUP	Light Green	SP-5 - CUP
SP-5 - PD	Light Purple	SP-5 - PD
SP-6	Light Yellow	SP-6
SP-6 - CUP	Light Green	SP-6 - CUP
SP-6 - PD	Light Purple	SP-6 - PD
SP-7	Light Yellow	SP-7
SP-7 - CUP	Light Green	SP-7 - CUP
SP-7 - PD	Light Purple	SP-7 - PD
SP-8	Light Yellow	SP-8
SP-8 - CUP	Light Green	SP-8 - CUP
SP-8 - PD	Light Purple	SP-8 - PD
SP-9	Light Yellow	SP-9
SP-9 - CUP	Light Green	SP-9 - CUP
SP-9 - PD	Light Purple	SP-9 - PD
SP-10	Light Yellow	SP-10
SP-10 - CUP	Light Green	SP-10 - CUP
SP-10 - PD	Light Purple	SP-10 - PD
SP-11	Light Yellow	SP-11
SP-11 - CUP	Light Green	SP-11 - CUP
SP-11 - PD	Light Purple	SP-11 - PD
SP-12	Light Yellow	SP-12
SP-12 - CUP	Light Green	SP-12 - CUP
SP-12 - PD	Light Purple	SP-12 - PD
SP-13	Light Yellow	SP-13
SP-13 - CUP	Light Green	SP-13 - CUP
SP-13 - PD	Light Purple	SP-13 - PD
SP-14	Light Yellow	SP-14
SP-14 - CUP	Light Green	SP-14 - CUP
SP-14 - PD	Light Purple	SP-14 - PD
SP-15	Light Yellow	SP-15
SP-15 - CUP	Light Green	SP-15 - CUP
SP-15 - PD	Light Purple	SP-15 - PD
SP-16	Light Yellow	SP-16
SP-16 - CUP	Light Green	SP-16 - CUP
SP-16 - PD	Light Purple	SP-16 - PD
SP-17	Light Yellow	SP-17
SP-17 - CUP	Light Green	SP-17 - CUP
SP-17 - PD	Light Purple	SP-17 - PD
SP-18	Light Yellow	SP-18
SP-18 - CUP	Light Green	SP-18 - CUP
SP-18 - PD	Light Purple	SP-18 - PD
SP-19	Light Yellow	SP-19
SP-19 - CUP	Light Green	SP-19 - CUP
SP-19 - PD	Light Purple	SP-19 - PD
SP-20	Light Yellow	SP-20
SP-20 - CUP	Light Green	SP-20 - CUP
SP-20 - PD	Light Purple	SP-20 - PD
SP-21	Light Yellow	SP-21
SP-21 - CUP	Light Green	SP-21 - CUP
SP-21 - PD	Light Purple	SP-21 - PD
SP-22	Light Yellow	SP-22
SP-22 - CUP	Light Green	SP-22 - CUP
SP-22 - PD	Light Purple	SP-22 - PD
SP-23	Light Yellow	SP-23
SP-23 - CUP	Light Green	SP-23 - CUP
SP-23 - PD	Light Purple	SP-23 - PD
SP-24	Light Yellow	SP-24
SP-24 - CUP	Light Green	SP-24 - CUP
SP-24 - PD	Light Purple	SP-24 - PD
SP-25	Light Yellow	SP-25
SP-25 - CUP	Light Green	SP-25 - CUP
SP-25 - PD	Light Purple	SP-25 - PD
SP-26	Light Yellow	SP-26
SP-26 - CUP	Light Green	SP-26 - CUP
SP-26 - PD	Light Purple	SP-26 - PD
SP-27	Light Yellow	SP-27
SP-27 - CUP	Light Green	SP-27 - CUP
SP-27 - PD	Light Purple	SP-27 - PD
SP-28	Light Yellow	SP-28
SP-28 - CUP	Light Green	SP-28 - CUP
SP-28 - PD	Light Purple	SP-28 - PD
SP-29	Light Yellow	SP-29
SP-29 - CUP	Light Green	SP-29 - CUP
SP-29 - PD	Light Purple	SP-29 - PD
SP-30	Light Yellow	SP-30
SP-30 - CUP	Light Green	SP-30 - CUP
SP-30 - PD	Light Purple	SP-30 - PD
SP-31	Light Yellow	SP-31
SP-31 - CUP	Light Green	SP-31 - CUP
SP-31 - PD	Light Purple	SP-31 - PD
SP-32	Light Yellow	SP-32
SP-32 - CUP	Light Green	SP-32 - CUP
SP-32 - PD	Light Purple	SP-32 - PD
SP-33	Light Yellow	SP-33
SP-33 - CUP	Light Green	SP-33 - CUP
SP-33 - PD	Light Purple	SP-33 - PD
SP-34	Light Yellow	SP-34
SP-34 - CUP	Light Green	SP-34 - CUP
SP-34 - PD	Light Purple	SP-34 - PD
SP-35	Light Yellow	SP-35
SP-35 - CUP	Light Green	SP-35 - CUP
SP-35 - PD	Light Purple	SP-35 - PD
SP-36	Light Yellow	SP-36
SP-36 - CUP	Light Green	SP-36 - CUP
SP-36 - PD	Light Purple	SP-36 - PD
SP-37	Light Yellow	SP-37
SP-37 - CUP	Light Green	SP-37 - CUP
SP-37 - PD	Light Purple	SP-37 - PD
SP-38	Light Yellow	SP-38
SP-38 - CUP	Light Green	SP-38 - CUP
SP-38 - PD	Light Purple	SP-38 - PD
SP-39	Light Yellow	SP-39
SP-39 - CUP	Light Green	SP-39 - CUP
SP-39 - PD	Light Purple	SP-39 - PD
SP-40	Light Yellow	SP-40
SP-40 - CUP	Light Green	SP-40 - CUP
SP-40 - PD	Light Purple	SP-40 - PD
SP-41	Light Yellow	SP-41
SP-41 - CUP	Light Green	SP-41 - CUP
SP-41 - PD	Light Purple	SP-41 - PD
SP-42	Light Yellow	SP-42
SP-42 - CUP	Light Green	SP-42 - CUP
SP-42 - PD	Light Purple	SP-42 - PD
SP-43	Light Yellow	SP-43
SP-43 - CUP	Light Green	SP-43 - CUP
SP-43 - PD	Light Purple	SP-43 - PD
SP-44	Light Yellow	SP-44
SP-44 - CUP	Light Green	SP-44 - CUP
SP-44 - PD	Light Purple	SP-44 - PD
SP-45	Light Yellow	SP-45
SP-45 - CUP	Light Green	SP-45 - CUP
SP-45 - PD	Light Purple	SP-45 - PD
SP-46	Light Yellow	SP-46
SP-46 - CUP	Light Green	SP-46 - CUP
SP-46 - PD	Light Purple	SP-46 - PD
SP-47	Light Yellow	SP-47
SP-47 - CUP	Light Green	SP-47 - CUP
SP-47 - PD	Light Purple	SP-47 - PD
SP-48	Light Yellow	SP-48
SP-48 - CUP	Light Green	SP-48 - CUP
SP-48 - PD	Light Purple	SP-48 - PD
SP-49	Light Yellow	SP-49
SP-49 - CUP	Light Green	SP-49 - CUP
SP-49 - PD	Light Purple	SP-49 - PD
SP-50	Light Yellow	SP-50
SP-50 - CUP	Light Green	SP-50 - CUP
SP-50 - PD	Light Purple	SP-50 - PD
SP-51	Light Yellow	SP-51
SP-51 - CUP	Light Green	SP-51 - CUP
SP-51 - PD	Light Purple	SP-51 - PD
SP-52	Light Yellow	SP-52
SP-52 - CUP	Light Green	SP-52 - CUP
SP-52 - PD	Light Purple	SP-52 - PD
SP-53	Light Yellow	SP-53
SP-53 - CUP	Light Green	SP-53 - CUP
SP-53 - PD	Light Purple	SP-53 - PD
SP-54	Light Yellow	SP-54
SP-54 - CUP	Light Green	SP-54 - CUP
SP-54 - PD	Light Purple	SP-54 - PD
SP-55	Light Yellow	SP-55
SP-55 - CUP	Light Green	SP-55 - CUP
SP-55 - PD	Light Purple	SP-55 - PD
SP-56	Light Yellow	SP-56
SP-56 - CUP	Light Green	SP-56 - CUP
SP-56 - PD	Light Purple	SP-56 - PD
SP-57	Light Yellow	SP-57
SP-57 - CUP	Light Green	SP-57 - CUP
SP-57 - PD	Light Purple	SP-57 - PD
SP-58	Light Yellow	SP-58
SP-58 - CUP	Light Green	SP-58 - CUP
SP-58 - PD	Light Purple	SP-58 - PD
SP-59	Light Yellow	SP-59
SP-59 - CUP	Light Green	SP-59 - CUP
SP-59 - PD	Light Purple	SP-59 - PD
SP-60	Light Yellow	SP-60
SP-60 - CUP	Light Green	SP-60 - CUP
SP-60 - PD	Light Purple	SP-60 - PD
SP-61	Light Yellow	SP-61
SP-61 - CUP	Light Green	SP-61 - CUP
SP-61 - PD	Light Purple	SP-61 - PD
SP-62	Light Yellow	SP-62
SP-62 - CUP	Light Green	SP-62 - CUP
SP-62 - PD	Light Purple	SP-62 - PD
SP-63	Light Yellow	SP-63
SP-63 - CUP	Light Green	SP-63 - CUP
SP-63 - PD	Light Purple	SP-63 - PD
SP-64	Light Yellow	SP-64
SP-64 - CUP	Light Green	SP-64 - CUP
SP-64 - PD	Light Purple	SP-64 - PD
SP-65	Light Yellow	SP-65
SP-65 - CUP	Light Green	SP-65 - CUP
SP-65 - PD	Light Purple	SP-65 - PD
SP-66	Light Yellow	SP-66
SP-66 - CUP	Light Green	SP-66 - CUP
SP-66 - PD	Light Purple	SP-66 - PD
SP-67	Light Yellow	SP-67
SP-67 - CUP	Light Green	SP-67 - CUP
SP-67 - PD	Light Purple	SP-67 - PD
SP-68	Light Yellow	SP-68
SP-68 - CUP	Light Green	SP-68 - CUP
SP-68 - PD	Light Purple	SP-68 - PD
SP-69	Light Yellow	SP-69
SP-69 - CUP	Light Green	SP-69 - CUP
SP-69 - PD	Light Purple	SP-69 - PD
SP-70	Light Yellow	SP-70
SP-70 - CUP	Light Green	SP-70 - CUP
SP-70 - PD	Light Purple	SP-70 - PD
SP-71	Light Yellow	SP-71
SP-71 - CUP	Light Green	SP-71 - CUP
SP-71 - PD	Light Purple	SP-71 - PD
SP-72	Light Yellow	SP-72
SP-72 - CUP	Light Green	SP-72 - CUP
SP-72 - PD	Light Purple	SP-72 - PD
SP-73	Light Yellow	SP-73
SP-73 - CUP	Light Green	SP-73 - CUP
SP-73 - PD	Light Purple	SP-73 - PD
SP-74	Light Yellow	SP-74
SP-74 - CUP	Light Green	SP-74 - CUP
SP-74 - PD	Light Purple	SP-74 - PD
SP-75	Light Yellow	SP-75
SP-75 - CUP	Light Green	SP-75 - CUP
SP-75 - PD	Light Purple	SP-75 - PD
SP-76	Light Yellow	SP-76
SP-76 - CUP	Light Green	SP-76 - CUP
SP-76 - PD	Light Purple	SP-76 - PD
SP-77	Light Yellow	SP-77
SP-77 - CUP	Light Green	SP-77 - CUP
SP-77 - PD	Light Purple	SP-77 - PD
SP-78	Light Yellow	SP-78
SP-78 - CUP	Light Green	SP-78 - CUP
SP-78 - PD	Light Purple	SP-78 - PD
SP-79	Light Yellow	SP-79
SP-79 - CUP	Light Green	SP-79 - CUP
SP-79 - PD	Light Purple	SP-79 - PD
SP-80	Light Yellow	SP-80
SP-80 - CUP	Light Green	SP-80 - CUP
SP-80 - PD	Light Purple	SP-80 - PD
SP-81	Light Yellow	SP-81
SP-81 - CUP	Light Green	SP-81 - CUP
SP-81 - PD	Light Purple	SP-81 - PD
SP-82	Light Yellow	SP-82
SP-82 - CUP	Light Green	SP-82 - CUP
SP-82 - PD	Light Purple	SP-82 - PD
SP-83	Light Yellow	SP-83
SP-83 - CUP	Light Green	SP-83 - CUP
SP-83 - PD	Light Purple	SP-83 - PD
SP-84	Light Yellow	SP-84
SP-84 - CUP	Light Green	SP-84 - CUP
SP-84 - PD	Light Purple	SP-84 - PD
SP-85	Light Yellow	SP-85
SP-85 - CUP	Light Green	SP-85 - CUP
SP-85 - PD	Light Purple	SP-85 - PD
SP-86	Light Yellow	SP-86
SP-86 - CUP	Light Green	SP-86 - CUP
SP-86 - PD	Light Purple	SP-86 - PD
SP-87	Light Yellow	SP-87
SP-87 - CUP	Light Green	SP-87 - CUP
SP-87 - PD	Light Purple	SP-87 - PD
SP-88	Light Yellow	SP-88
SP-88 - CUP	Light Green	SP-88 - CUP
SP-88 - PD	Light Purple	SP-88 - PD
SP-89	Light Yellow	SP-89
SP-89 - CUP	Light Green	SP-89 - CUP
SP-89 - PD	Light Purple	SP-89 - PD
SP-90	Light Yellow	SP-90
SP-90 - CUP	Light Green	SP-90 - CUP
SP-90 - PD	Light Purple	SP-90 - PD
SP-91	Light Yellow	SP-91
SP-91 - CUP	Light Green	SP-91 - CUP
SP-91 - PD	Light Purple	SP-91 - PD
SP-92	Light Yellow	SP-92
SP-92 - CUP	Light Green	SP-92 - CUP
SP-92 - PD	Light Purple	SP-92 - PD
SP-93	Light Yellow	SP-93
SP-93 - CUP	Light Green	SP-93 - CUP
SP-93 - PD	Light Purple	SP-93 - PD
SP-94	Light Yellow	SP-94
SP-94 - CUP	Light Green	SP-94 - CUP
SP-94 - PD	Light Purple	SP-94 - PD
SP-95	Light Yellow	SP-95
SP-95 - CUP	Light Green	SP-95 - CUP
SP-95 - PD	Light Purple	SP-95 - PD
SP-96	Light Yellow	SP-96
SP-96 - CUP	Light Green	SP-96 - CUP
SP-96 - PD	Light Purple	SP-96 - PD
SP-97	Light Yellow	SP-97
SP-97 - CUP	Light Green	SP-97 - CUP
SP-97 - PD	Light Purple	SP-97 - PD
SP-98	Light Yellow	SP-98
SP-98 - CUP	Light Green	SP-98 - CUP
SP-98 - PD	Light Purple	SP-98 - PD
SP-99	Light Yellow	SP-99
SP-99 - CUP	Light Green	SP-99 - CUP
SP-99 - PD	Light Purple	SP-99 - PD
SP-100	Light Yellow	SP-100
SP-100 - CUP	Light Green	SP-100 - CUP
SP-100 - PD	Light Purple	SP-100 - PD



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Potential Lender Locations	SF-1	SF-1-CUP	SF-2	SF-2-CUP	SF-3	SF-3-CUP	SF-4	SF-4-CUP	SF-5	SF-5-CUP	SF-6	SF-6-CUP	SF-7	SF-7-CUP	SF-8	SF-8-CUP	SF-9	SF-9-CUP	SF-10	SF-10-CUP	SF-11	SF-11-CUP	SF-12	SF-12-CUP	SF-13	SF-13-CUP	SF-14	SF-14-CUP	SF-15	SF-15-CUP	SF-16	SF-16-CUP	SF-17	SF-17-CUP	SF-18	SF-18-CUP	SF-19	SF-19-CUP	SF-20	SF-20-CUP	SF-21	SF-21-CUP	SF-22	SF-22-CUP	SF-23	SF-23-CUP	SF-24	SF-24-CUP	SF-25	SF-25-CUP	SF-26	SF-26-CUP	SF-27	SF-27-CUP	SF-28	SF-28-CUP	SF-29	SF-29-CUP	SF-30	SF-30-CUP	SF-31	SF-31-CUP	SF-32	SF-32-CUP	SF-33	SF-33-CUP	SF-34	SF-34-CUP	SF-35	SF-35-CUP	SF-36	SF-36-CUP	SF-37	SF-37-CUP	SF-38	SF-38-CUP	SF-39	SF-39-CUP	SF-40	SF-40-CUP	SF-41	SF-41-CUP	SF-42	SF-42-CUP	SF-43	SF-43-CUP	SF-44	SF-44-CUP	SF-45	SF-45-CUP	SF-46	SF-46-CUP	SF-47	SF-47-CUP	SF-48	SF-48-CUP	SF-49	SF-49-CUP	SF-50	SF-50-CUP	SF-51	SF-51-CUP	SF-52	SF-52-CUP	SF-53	SF-53-CUP	SF-54	SF-54-CUP	SF-55	SF-55-CUP	SF-56	SF-56-CUP	SF-57	SF-57-CUP	SF-58	SF-58-CUP	SF-59	SF-59-CUP	SF-60	SF-60-CUP	SF-61	SF-61-CUP	SF-62	SF-62-CUP	SF-63	SF-63-CUP	SF-64	SF-64-CUP	SF-65	SF-65-CUP	SF-66	SF-66-CUP	SF-67	SF-67-CUP	SF-68	SF-68-CUP	SF-69	SF-69-CUP	SF-70	SF-70-CUP	SF-71	SF-71-CUP	SF-72	SF-72-CUP	SF-73	SF-73-CUP	SF-74	SF-74-CUP	SF-75	SF-75-CUP	SF-76	SF-76-CUP	SF-77	SF-77-CUP	SF-78	SF-78-CUP	SF-79	SF-79-CUP	SF-80	SF-80-CUP	SF-81	SF-81-CUP	SF-82	SF-82-CUP	SF-83	SF-83-CUP	SF-84	SF-84-CUP	SF-85	SF-85-CUP	SF-86	SF-86-CUP	SF-87	SF-87-CUP	SF-88	SF-88-CUP	SF-89	SF-89-CUP	SF-90	SF-90-CUP	SF-91	SF-91-CUP	SF-92	SF-92-CUP	SF-93	SF-93-CUP	SF-94	SF-94-CUP	SF-95	SF-95-CUP	SF-96	SF-96-CUP	SF-97	SF-97-CUP	SF-98	SF-98-CUP	SF-99	SF-99-CUP	SF-100	SF-100-CUP
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Payday Lender Locations (with 200' Residential Buffer)



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City Regulation of Payday and Auto Title Lenders

November 11, 2015

On October 30, the Office of Consumer Credit Commissioner (OCCC) published proposed administrative rules in the *Texas Register* regarding some aspects of payday and auto title lending. Among other things, the proposed rules outline: (1) the factors the OCCC will consider when reviewing criminal history information and grounds for denial, suspension, and revocation of a credit access business license; (2) OCC's examination and investigation authority regarding credit access businesses; and (3) the recordkeeping requirements applicable to credit access businesses.

Interested cities can review the proposed rules here

(<http://www.sos.state.tx.us/texreg/archive/October302015/Proposed%20Rules/7.BANKING%20AND%20SECURITIES.html#31>).

Comments on the proposal may be submitted to in writing to Laurie Hobbs, Assistant General Counsel, Office of Consumer Credit Commissioner, 2601 North Lamar Boulevard, Austin, Texas 78705-4207 or by email to laurie.hobbs@occc.texas.gov (mailto:laurie.hobbs@occc.texas.gov). To be considered, a written comment must be received at or before 5:00 p.m. on November 30, 2015.

August 12, 2015

On August 11, 2015, Corpus Christi became the 26th Texas city to adopt business regulations governing payday and auto title lenders. The ordinance will be effective 90 days from passage. During the weeks preceding the city's adoption of the ordinance, the Consumer Service Alliance of Texas (CSAT), the statewide trade association for credit access businesses in Texas, made numerous comments on the city's actions.

CSAT pointed out that the federal Consumer Finance Protection Bureau (CFPB) has made public their proposed rules (<http://www.consumerfinance.gov/newsroom/cfpb-considers-proposal-to-end-payday-debt-traps/>) for short term consumer lending across the country.

CSAT claimed in an email to the city that the ordinance (which is the example provided at the bottom of this page) "would be in direct conflict with many of the provisions being considered by the CFPB, and would make you the first city (to my knowledge) in Texas to adopt this flawed and capricious ordinance." In response, Corpus Christi Mayor Nelda Martinez stated that "many people who take out these loans get trapped and end up losing everything, it sets them up for failure. We are going to protect those who we were elected to protect." The CSAT comments and the city's response are available [here \(/p/Corpus%20Christi%20CSAT%20comment%20letter%20and%20City%20response.pdf\)](#).

To the best of TML's knowledge, the following cities have enacted "business regulations" over payday lenders that are similar to the example ordinance available from TML:

1. Austin
2. Amarillo
3. Angleton
4. Balcones Heights
5. Baytown
6. Bellaire
7. Bryan
8. Brownsville
9. College Station
10. Corpus Christi
11. Dallas
12. Denton
13. Dickinson
14. El Paso
15. Flower Mound
16. Galveston
17. Garland
18. Houston
19. Midland
20. Pharr
21. San Antonio
22. Sequin
23. Somerset
24. South Houston
25. Universal City
26. West University Place
27. Willis

The following cities have enacted land use regulations:

1. Austin
2. Belton
3. Brownsville
4. Bryan
5. Corinth
6. Farmers Branch
7. Garland
8. Irving
9. Little Elm
10. Mesquite
11. Missouri City
12. Richardson
13. Sachse
14. Saginaw
15. Watauga

The following cities have enacted a resolution calling on the legislature to leave municipal

authority in place:

1. Lubbock
2. Somerset

June 12, 2015

On June 4, the Fort Worth Court of Appeals issued a memorandum opinion in the case of *Ace Cash Express, Inc. v. City of Denton*. Ace Cash Express claimed that Denton's ordinance (which is essentially the same as the example available on this page) overwhelmed customers, increased default rates, caused a significant decrease in revenue, and could lead to the closure of at least one of its two Denton locations. It sought an injunction and declaratory judgment that the ordinance exceeded Denton's police power, violated due process, and exceeded the city's constitutional authority. The court disagreed, holding for the city on all claims. The opinion is available under "Denton" on the Lawsuit Pleadings (/payday-lawsuit-pleadings) page.

May 1, 2015

To the best of TML's knowledge, the following cities have enacted "business regulations" over payday lenders that are similar to the example ordinance available from TML:

1. Austin
2. Amarillo
3. Angleton
4. Balcones Heights
5. Baytown
6. Bellaire
7. Bryan
8. Brownsville
9. College Station
10. Dallas
11. Denton
12. Dickinson
13. El Paso
14. Flower Mound
15. Galveston
16. Garland
17. Houston
18. Midland
19. San Antonio
20. Sequin
21. Somerset
22. South Houston
23. Universal City
24. West University Place

25. Willis

The following cities have enacted land use regulations:

1. Belton
2. Brownsville
3. Bryan
4. Corinth
5. Farmers Branch
6. Garland
7. Irving
8. Little Elm
9. Mesquite
10. Missouri City
11. Richardson
12. Sachse
13. Saginaw
14. Watauga

The following cities have enacted a resolution calling on the legislature to leave municipal authority in place:

1. Lubbock
2. Somerset

If your city has adopted regulations and is not shown on this list, please email Scott Houston, TML general counsel, at shouston@tml.org (mailto:shouston@tml.org).

September 17, 2014, Update

To the best of TML's knowledge, the following cities have enacted "business regulations" over payday lenders that are similar to the example ordinance available from TML:

1. Austin
2. Amarillo
3. Balcones Heights
4. Baytown
5. Bellaire
6. Bryan
7. College Station
8. Dallas
9. Denton
10. Dickinson
11. El Paso
12. Flower Mound
13. Galveston
14. Garland
15. Houston

16. Midland
17. San Antonio
18. Somerset
19. South Houston
20. Universal City
21. West University Place

The following cities have enacted land use regulations:

1. Belton
2. Brownsville
3. Bryan
4. Corinth
5. Farmers Branch
6. Garland
7. Irving
8. Little Elm
9. Mesquite
10. Missouri City
11. Richardson
12. Sachse
13. Saginaw
14. Watauga

The following cities have enacted a resolution calling on the legislature to leave municipal authority in place:

1. Lubbock
2. Somerset

If your city has adopted regulations and is not shown on this list, please email Scott Houston, TML general counsel, at shouston@tml.org (mailto:shouston@tml.org).

May 15, 2014 Update

Style	Case/Cause No.	Court	Status
CSAT, et al. vs. City of Dallas	05-13-00255-CV	5 th Court of Appeals Dallas	Oral Argument: 3/25/14
TitleMax, et al. vs. City of Austin	D-1-GN-12-001780	98 th District Court Travis County	Pending
CSAT, et al. vs. City of Denton	2013-60479-393	393 rd District Court Denton County	4/1/14: Order granting City of Denton's Motion to Dismiss with Prejudice
ACE Cash, et al. vs. City of Denton	2013-1-564-16	16 th District Court Denton County	4/17/14: Order Granting Defendant's Plea to Jurisdiction Entered 5/7/14: N/Appeal filed by Ace; Case appealed to the 2 nd Court of Appeals – Ft. Worth
CSAT vs. City of San Antonio	2012-CI-20520	285 th District Court Bexar County	Pending

April 24, 2014, Update

To the best of TML's knowledge, the following cities have enacted "business regulations" over payday lenders that are similar to the example ordinance available from TML:

1. Austin
2. Balcones Heights
3. Bellaire
4. Bryan
5. College Station
6. Dallas
7. Denton
8. El Paso
9. Flower Mound
10. Garland
11. Houston
12. San Antonio
13. Somerset
14. Universal City
15. West University Place

The following cities have enacted land use regulations:

1. Baytown
2. Brownsville
3. Corinth
4. Garland
5. Irving
6. Little Elm
7. Mesquite
8. Missouri City

9. Richardson
10. Sachse
11. Watauga

The following cities have enacted a resolution calling on the legislature to leave municipal authority in place:

1. Lubbock

If your city has adopted regulations and is not shown on this list, please email Scott Houston, TML general counsel, at shouston@tml.org (mailto:shouston@tml.org).

April 3, 2014, Update

To the best of TML's knowledge, the following cities have enacted "business regulations" over payday lenders that are similar to the example ordinance available from TML:

1. Austin
2. Balcones Heights
3. Bryan
4. College Station
5. Dallas
6. Denton
7. El Paso
8. Flower Mound
9. Garland
10. Houston
11. San Antonio
12. Somerset
13. West University Place

The following cities have enacted land use regulations:

1. Irving
2. Little Elm
3. Mesquite
4. Richardson
5. Sachse
6. Watauga

The following cities have enacted a resolution calling on the legislature to leave municipal authority in place:

1. Lubbock

If your city has adopted regulations and is not shown on this list, please email Scott Houston, TML general counsel, at shouston@tml.org (mailto:shouston@tml.org).

Last February, the preemption lawsuit against the City of San Antonio was dismissed. The lawsuit may be back, but for now the dismissal is a victory for the city.

On March 25, the City of Dallas lawsuit was argued on appeal to the Fifth District Court of Appeals. The briefs are available under the “Lawsuit Pleadings” link on the left side of this page, and the following chart (provided by Joe Gorfida with Nichols, Jackson, Dillard, Hager & Smith, LLP) is an update on the status of the lawsuits:

Lawsuit Update

Style	Case/Cause No.	Court	Status
CSAT, et al. vs. City of Dallas	05-13-00255-CV	5 th Court of Appeals Dallas	Oral Argument: 03/25/14
TitleMax, et al. vs. City of Austin	D-1-GN-12-001780	98 th District Court Travis County	Pending
CSAT, et al. vs. City of Denton	2013-60479-393	393 rd District Court Denton County	Plaintiff’s non-suit granted; Defendant’s counterclaim is pending
ACE Cash, et al. vs. City of Denton	2013-1-564-16	16 th District Court Denton County	3/20/14: Hearing on Defendant’s Plea to Jurisdiction 04/28/14: Trial Setting
CSAT vs. City of San Antonio	2012-CI-20520	285 th District Court Bexar County	Pending

January 9, 2014, Update

Questions about state regulators have prompted recent press reports and correspondence from senators. The *El Paso Times* ran an [article](http://www.elpasotimes.com/news/ci_24816415/texas-governor-candidate-wendy-davis-calls-officials-removal?source=most_viewed) (http://www.elpasotimes.com/news/ci_24816415/texas-governor-candidate-wendy-davis-calls-officials-removal?source=most_viewed) on the subject, and three Texas senators sent a [letter](#) ([/p/Payday%20Letter.pdf](#)) to the Chairman of the Texas Finance Commission asking for his resignation.

October 25, 2013, Update

Some cities, in addition to or in lieu of lender transaction regulations, have enacted various land use measures to address the proliferation of the lender storefronts. An informal [survey](#) ([/p/SUMMARY%20OF%20TEXAS%20LOCAL%20%20ORDINANCES.pdf](#)) of Texas ordinances prepared by Texas Appleseed is now available, as well as a [report](#) (<http://www.consumerfed.org/pdfs/Resources.PDL.LocalOrdinanceManual11.13.12.pdf>) by national consumer groups.

August 23, 2013, Update

City officials interested in payday lending should know that, at the League's Annual Conference and Exhibition on Thursday, October 10, a panel will discuss the ins-and-outs of this type of regulation:

Payday Lending: Are Cities the Last Line of Defense?

City officials across the state have seen the proliferation of payday and auto title lender storefronts. How can these lenders negatively affect your citizens? What has the state done (or not done) to reign in predatory lending practices? What happened during the 2013 regular legislative session that leaves cities as the last line of defense? In this session, you'll earn the answers to these questions, how some cities are taking matters into their own hands, and about the lawsuits filed by the industry.

Moderator:

Scott Houston, Deputy Executive Director and General Counsel, Texas Municipal League

Panel Members:

The Honorable Bill Spelman, Councilmember, City of Austin

Meghan Riley, Litigation Division Chief, City of Austin

Jerry Drake, Deputy City Attorney, City of Denton

Laura Gordon, Deputy City Attorney, City of El Paso

To register for the League's Annual Conference and Exhibition, visit www.tmlconference.org (<http://www.tmlconference.org>).

August 2, 2013, Update

The Town of Flower Mound has become the seventh Texas city to adopt an ordinance. In addition, some cities asked about what fee is appropriate to charge for a permit under the League's example ordinance. The Flower Mound ordinance sets the registration fee at \$50, and that is common. Of course, the common law rule is that a fee should approximate the amount needed to administer the ordinance. Thus, the fee amount can be set by each city accordingly.

In addition, the Flower Mound ordinance provides that "any lot containing a credit access business establishment shall be located at least one thousand (1,000') feet from any lot containing another credit access business establishment, as measured in a straight line between the nearest points of one lot to the other lot." To view the ordinance, **[click here \(lp/Flower%20Mound%20Payday%20Ordinance.pdf\)](#)**. To view the agenda cover sheet, **[click here \(lp/FM%20Agenda%20Cover%20Sheet%20for%20Credit%20Access%20Businesses%20\(Payday%20Lenders\)%20Ordinance%207-3-13.pdf\)](#)**.

July 26, 2013, Update

"Our efforts to reform payday lending in the state legislature are at a stalemate. To make progress at the state level, we must act locally by encouraging our city leaders to pass city ordinances regulating predatory lending."

-- Rep. Mike Villarreal (D – San Antonio), Chairman of the Texas House Committee on Investments and Financial Services

While many other states have enacted laws to restrict predatory lending practices, meaningful reforms have failed to pass the Texas Legislature in the last three sessions. Free of any statewide cap on lending fees, limits on loan rollovers, and other restrictions, the number of payday and auto title loan stores in Texas has exploded with over 2,000 new storefronts opening in the last six years. In the absence of state action, Texas cities are stepping up to adopt ordinances to protect their citizens from some of the worst predatory practices of this industry.

Background

Payday lending is a practice where a person can walk into a store, typically located in a strip mall, and take a cash advance on his or her next paycheck. Most such businesses offer a similar cash advance with a car's title as collateral. The interest rates on the loans are very high. In fact, legal loopholes used by the lenders exempt them from the state's usury laws.

Interest rates, when fees are included, often exceed 500 percent APR. Fifteen states limit the APR to 36 percent. The products are marketed as two-week or one-month loans, but the vast majority of borrowers refinance, often six to ten times. In addition to the traditional short-term payday loan, companies have started to offer expensive longer term installment loans. One company offers a five-month installment loan for \$1500. Customers must pay back over \$3,862, an APR of 612 percent.

Borrowers who fall behind on payments can refinance multiple times; meanwhile, the interest and other fees keep piling up. It's not uncommon on the auto title lending side for people to lose their car altogether after multiple refinancings.

In Texas and across the country, the payday and auto title lender industry (also known as the "credit access business") has grown dramatically. The Texas Office of Consumer Credit Commissioner (OCCC) reports that there are an estimated 3,000 credit access business locations in Texas alone. With the proliferation of the credit access business industry comes increased concerns about the harmful effects of Texas citizens entering a cycle of debt and dependency. Some cities are also concerned about public safety and the effect the businesses may have on property values. As a result, both the state legislature and a handful of Texas cities have taken steps to regulate this industry.

In 2011, the legislature addressed some of these concerns by passing legislation that both requires credit access businesses to provide consumer disclosures regarding their loan products, fees, interest charges, and percentage rates, as well as requires them to obtain a license with the OCCC (operating under the oversight of the Finance Commission of Texas), which in turn has some ability to examine these businesses. Some Texas cities viewed the 2011 legislation as insufficient to address the growth in the credit access business industry in their communities, and have since adopted ordinances that place additional restrictions on these businesses. The ordinances that have been adopted include zoning restrictions, substantive business regulations such as a limitation on the total amount of the loan, or both.

Several bills were filed during the 2013 legislative session that would have increased regulation of the credit access business industry. Other bills were filed at the behest of the credit access business lobby that would have preempted all city ordinances regulating the industry, including (in some cases) generally-applicable zoning and other health and safety ordinances. In the

end, no legislation dealing with payday and auto title lenders passed in 2013. Consequently, under current law cities are not expressly prohibited from adopting ordinances regulating the credit access business industry in any way, including ordinances restricting business practices.

City Ordinances

In response to the state legislature's failure to adopt any substantive statewide regulation of credit access businesses, a handful of cities have adopted ordinances aimed at ending the cycle of debt and helping borrowers to be successful in paying back their loans. As of the spring of 2013, the cities that adopted ordinances were Austin, Balcones Heights, Dallas, Denton, El Paso, and San Antonio. There are likely to be more at the time of this publication. All of these cities – except for Balcones Heights – have been sued by the credit access business industry, with the industry claiming that the cities are preempted from regulating credit access businesses since the legislature gave the OCCC some authority to regulate in 2011. (Balcones Heights has suspended enforcement of its ordinance pending the outcome of the San Antonio lawsuit.)

When payday and auto title lenders argued before the legislature for preemption of all city ordinances regulating credit access businesses, chief among their policy arguments was the notion that it would be too administratively difficult to keep track of the different “patchwork of regulation” that exists from city to city. This argument falls flat in two ways. First, only six out of roughly 1,200 Texas cities have adopted ordinances. Second, the ordinances adopted by these six cities are all but identical in how they regulate the lending practices of credit access businesses. Key features of all six ordinances include the following provisions:

- A credit access business must apply for and receive a certificate of registration from the city.
- A credit access business must maintain complete records of all loans made by the business for at least three years and make the records available to the city for inspection upon request.
- The amount of a payday loan may not exceed 20 percent of the consumer's gross monthly income.
- The amount of an auto title loan may not exceed the lesser of three percent of the consumer's gross annual income or 70 percent of the retail value of the motor vehicle.
- Any loan from a credit access business that provides for repayment in installments may not be payable in more than four installments, and the proceeds from each installment must be used to repay at least 25 percent of the principal amount of the loan. No renewals or refinancing of installment-payment loans are permitted.
- Any loan from a credit access business that provides for a single lump sum repayment may not be refinanced or renewed more than three times, and the proceeds from each refinancing or renewal must be used to repay at least 25 percent of the principal amount of the loan.
- Any loan made to a consumer within seven days of a previous loan has been paid by the consumer constitutes a refinancing or renewal.

Cities contemplating the adoption of an ordinance regulating the lending practices of credit access businesses should consider adopting substantially similar regulations to those adopted by the six cities mentioned above. If Texas cities that wish to regulate in this area continue to adopt essentially uniform ordinances, credit access businesses will not be able to use the argument that city ordinances vary from city-to-city if they seek preemption legislation in 2015.

City officials should be aware that adoption of any ordinance regulating credit access businesses will likely cause stakeholders representing the payday and auto title lending industry to file a lawsuit. To assist cities that may be facing such a lawsuit, TML has created this "payday lending clearinghouse" webpage. This page includes the pleadings in each lawsuit that has been filed. In addition, it includes an example ordinance that consolidates the features of the similar city ordinances, as well as additional information.

Each city should consult with local legal counsel prior to adopting any ordinance. That is particularly true in this instance.

[Example Ordinance \(/payday-example-ordinance\)](#)

[Helpful Links \(/payday-helpful-links\)](#)

[Lawsuit Proceedings \(/payday-lawsuit-pleadings\)](#)

Texas Municipal League 1821 Rutherford Lane, Suite 400 Austin, Texas 78754 512-231-7400 [Terms & Conditions of Use \(/p/TML%20Website%20Terms%20and%20Conditions%20of%20Use_7%2030%2013_SH.pdf\)](#) [\(/p/10reasonsTMLAssociate.pdf\)](#)



<http://www.facebook.com/TexasMunicipalLeague>



http://www.twitter.com/TML_Texas

CABs

	Licensed Location Number	License DBA	License Address 1	License City	License Zip	License State	License Phone	License Status	License Licensed
1	61993	**EZPAWN	24 S 1ST	TEMPLE	76501	TX	2547736411	Active	3/30/2012
2	62010	**EZMONEY LOAN SERVICES	1205 W. ADAMS	TEMPLE	76501	TX	512-597-5856	Active	3/30/2012
3	60175		211 N GENERAL BRUCE DR	TEMPLE	76504	TX	2547733442	Active	3/16/2012
4	60356	ADVANCE AMERICA	2910 S 31ST STREET	TEMPLE	76502	TX	2547749143	Active	2/29/2012
5	60778	CHECK N GO	1616A SOUTHWEST H K DODGEN LOOP	TEMPLE	76504	TX	2548991161	Active	3/2/2012
6	61953	LOANSTAR TITLE LOANS	1303-1307 WEST ADAMS AVE	TEMPLE	76501	TX	2547420278	Active	3/16/2012
7	67530	TITLEMAX	1109 W ADAMS AVE	TEMPLE	76504	TX	912-525-2675	Active	12/20/2013
8	66566	TITLEMAX	2715 THORNTON LN	TEMPLE	76502	TX	912-525-2675	Active	10/4/2013
9	60841	FIRST CASH ADVANCE	2668 S 31ST STREET SUITE D	TEMPLE	76504	TX	2547421266	Active	12/31/2011
10	60937	FIRST CASH PAWN	3002 SW HK DODGEN LOOP	TEMPLE	76504	TX	2547746858	Active	12/30/2011
11	60962	FIRST CASH ADVANCE	110 N 27TH STREET	TEMPLE	76504	TX	2547711210	Active	12/31/2011
12	62714	STAR OF TEXAS FINANCIAL SOLUTIONS LLC	212 W ADAMS AVE	TEMPLE	76501	TX	2547741400	Active	5/10/2012
13	61490	ACE CASH EXPRESS #1519	2603 THORNTON LN STE 140	TEMPLE	76502	TX	2547749958	Active	2/15/2012
14	61590	ACE CASH EXPRESS #1520	1416 S 31ST ST	TEMPLE	76504	TX	2547919100	Active	2/15/2012
15	66677	PRESTO	1309 W ADAMS	TEMPLE	76504	TX	2547710700	Active	12/6/2013

*source: Texas Office of Consumer Credit (June 29, 2015)

**EZ Pawn has announced that they would be discontinuing their payday and auto title lending and just focusing on Pawn (possible they will no longer hold those licenses in the near future)

Notes: licensed under Chapter 393 of the Texas Finance Code, the Credit Services Organization Act

they are loan brokers

uncapped fee, resulting in APRs of 500% or higher for payday loan transactions

this method of operation was adopted by payday and auto title loan businesses in 2005 as a way around complying with rat and fee caps under Chapter 342

because the CSO Act was never intended to regulate consumer loans, there are a lot of areas related to consumer loans not addressed in the law

this leaves home rule cities significant authority to adopt ordinances to address problems in the CAB market

Definition: "Credit access business" means a credit services organization that obtains for a consumer or assists a consumer in obtaining an extension of consumer credit in the form of a deferred presentment transaction or a motor vehicle title loan.

Licensed Finance Companies

	License Number	License DBA	Location Address 1	Location City	Location Zip	Location State	Location Phone	License Status	License Licensed	License Canceled
1	56708	WORLD FINANCE CORPORATION	221 W ADAMS AVE	TEMPLE	76501	TX	2547712901	Active	4/12/2010	
2	10901		1005 MARLANDWOOD RD #111	TEMPLE	76502	TX	5126080035	Active	9/25/2012	
3	117		3809 S GENERAL BRUCE DR	TEMPLE	76502	TX	4103323000	Active	7/1/2011	
4	152830	TitleMax	1109 W ADAMS AVE	TEMPLE	76504	TX	254-774-1877	Active	4/17/2015	
5	152829	TitleMax	2715 THORNTON LANE	TEMPLE	76502	TX	254-774-6944	Active	4/17/2015	
6	151247	BELL FINANCE	1102 W ADAMS AVE STE C	TEMPLE	76501	TX	254-773-2333	Active	7/11/2014	
7	151150		2 SOUTH MAIN ST	TEMPLE	76501	TX	254-778-3678	Active	8/1/2014	
8	65866	PAYMENT 1 FINANCIAL	1229 B S 31ST ST	TEMPLE	76504	TX	555-555-5555	Active	4/26/2013	
9	55648		1412 W ADAMS AVE	TEMPLE	76504	TX	2547713442	Active	8/27/2009	
10	52803	REGIONAL FINANCE	2314 W ADAMS ST NEON SQUARE SHOPPING CENTER	TEMPLE	76504	TX	2547714145	Active	1/18/2008	
11	52090	FIRST FINANCE & FURNITURE	108 S MAIN	TEMPLE	76501	TX	2547734452	Active	10/12/2007	
12	8497		1408 S 31ST STREET STE F	TEMPLE	76504	TX	254-791-0305	Active	1/28/2013	
13	7620		108 N 27TH ST	TEMPLE	76504	TX	254-778-0189	Active	8/27/2009	
14	7563		1408 SOUTH 31ST STREET STE D	TEMPLE	76501	TX	254-742-0155	Active	3/19/1993	
15	7430		2 S FIRST ST	TEMPLE	76501	TX	254-778-0048	Active	8/21/1992	
16	6942	SUN LOAN COMPANY	916 S 31ST ST STE A	TEMPLE	76501	TX	254-770-1116	Active	4/13/2009	
17	6177	WESTERN FINANCE	8 E CENTRAL AVE	TEMPLE	76501	TX	2547713255	Active	4/11/2008	
18	5954	SERVICE LOAN COMPANY	215 W ADAMS ST	TEMPLE	76501	TX	254-778-0070	Active	7/3/2006	
19	5422	PREFERRED LOANS	11 E AVE B	TEMPLE	76501	TX	2547562081	Active	6/23/1989	
20	3732		6 1/2 E AVE A	TEMPLE	76501	TX	254-778-4777	Active	1/8/1990	
21	2284	FAMILY LOANS OF TEMPLE	10 E AVE A	TEMPLE	76501	TX	254-778-5241	Active	9/1/1976	
22	1265	WORLD FINANCE CORPORATION	1610 S 31ST ST STE 104	TEMPLE	76504	TX	2547785264	Active	11/16/1989	

*source: Texas Office of Consumer Credit (June 29, 2015)

Notes: licensed finance companies are finance companies licensed under Chapter 342 E or F of the Texas Finance Code
 both of these business types are direct lenders and are subject to fairly substantial regulatory oversight
 the CAB ordinances do not address this area of lending, as it is substantially regulated at the state level with rate and fee caps
 high caps, but still substantially lower than paybe and auto title charges.

342 E lenders are limited to a maximum of a \$100 fee plus 30% interest
 they are permitted to sell certain types of credit insurance along with a loan

342F lenders generally have their loans capped at around \$1300
 they can charge a 10% fee, plus a \$4 per \$100 borrowed per month
 they are not permitted to see certain types of credit insurance with a loan
 these loans are generally 6-month installment loans
 carry an APR of around 90%

Brian Chandler

From: Adam Burklund <adam@burklundconsulting.com>
Sent: Wednesday, November 11, 2015 9:25 AM
To: Brian Chandler
Subject: RE: Proposed Credit Access Business Zoning Regulations

Brian,

Thank you for the update. We will review it and be in touch with any questions.

Regards,

Adam Burklund
Burklund Consulting
1122 Colorado Street
Westgate Building, Suite 2320
Austin, TX 78701
Office: (512) 476-1117
Cell: (512) 787-1397

From: Brian Chandler [mailto:bchandler@templetx.gov]
Sent: Wednesday, November 11, 2015 9:15 AM
To: Adam Burklund <adam@burklundconsulting.com>
Subject: RE: Proposed Credit Access Business Zoning Regulations

Good morning, Mr. Burklund. I wanted to give you a quick update on our proposed zoning regulations for CABs. Based on feedback received from our Planning and Zoning Commission at a 11/2 workshop, staff's recommendation will be to not require a Conditional Use Permit for CABs, but instead to add the 200' distance requirement from residentially-zoned properties instead. As a result, it would certainly further limit where CABs could be located. However, it would also eliminate the uncertainty of a CUP process and would, therefore, allow CABs by right subject to location and distance requirements within the zoning districts listed below. I've attached the draft amendments for your review. Please let me know if you have any comments or concerns. Thank you.

Brian

From: Brian Chandler

Sent: Friday, October 30, 2015 9:43 AM

To: 'adam@burklundconsulting.com'

Subject: Proposed Credit Access Business Zoning Regulations

Good morning, Mr. Burklund. Kayla Landeros, City Attorney, provided me with your contact information. I understand that you have had contact with her regarding the City of Temple's proposed adoption of the TML model ordinance regulating CABs. During that City Council workshop in August regarding the CAB discussion, direction was given for to look into potential zoning regulations for CABs, which I have done and which I wanted to share with you. I have copied slides showing the following below:

- The proposed zoning standards proposed here in Temple to regulate CABs

Please review and perhaps we can discuss either by phone or in person next week. I'm in the process of drafting code amendments reflecting this concept that would go to our Planning and Zoning Commission on 11/16, followed by City Council on 12/3. In the meantime, please let me know if you have any questions. Thanks for your time.

Recommendations (Option 1)

1. Distance requirements

- 1000' between
- Originally considered 200' distance from residential zoning district or use, but would not recommend...
 - Determined that the direct impact on neighbors would be limited and could be addressed through CUP on a case-by-case basis

2. Allow in:

- O-1, O-2, GR, C, LI and HI Districts

3. Require a Conditional Use Permit (CUP) subject to the existing **UDC** criteria

3.5.4 CUP Review Criteria

- A. Compatible with and *does not significantly diminish or impair property values within the immediate vicinity*
- B. Does not impede the normal and orderly development and improvement of surrounding vacant property
- C. Adequate utilities, access roads, drainage, and other necessary support facilities
- D. Provide for the safe and convenient movement of vehicular and pedestrian traffic
- E. Adequate nuisance prevention measures related to controlling offensive odors, fumes, dust, noise and vibration
- F. Directional lighting is provided so as not to disturb or adversely affect neighboring properties
- G. Sufficient landscaping and screening to insure harmony and compatibility with adjacent property

Recommendations (Option 1)

4. Prohibit on Major Arterials or Above

- I-35
- Adams Ave.
- Central Ave.
- S. 31st Street
- 1st and 3rd Streets
- FM 93
- SH 317
- Airport Rd.
- Outer Loop
- HK Dodgen Loop
- W. and E. Avenue H
- Canyon Creek Dr./Blackland Rd.

Note: Could be located along the following Minor Arterials, subject to the other proposed standards:

- FM 2271, FM 2438, Prairie View Rd., Poison Oak, Westfield Blvd., N. Kegley Rd., Mouser Rd., Central Pointe Pkwy, Charter Oak Dr., Midway Dr., Hickory Rd., S. 57th St., Marlandwood Rd., Little River Rd., MLK Jr. Dr., S. 25th St., W. Ave. M, N. 31st St., W. Nugent Ave., Wendland Rd., Eberhardt Rd., Lucius McElvey, Industrial Blvd., Zenith Ave.



Sincerely,
Brian

Dessie Redmond

From: Ann Baddour <abaddour@texasappleseed.net>
Sent: Thursday, October 08, 2015 3:03 PM
To: Dessie Redmond
Subject: RE: Payday Lender Locations in Temple

Licensed finance company is a finance company licensed under Ch. 342 E or F of the Texas Finance Code. These businesses are often confused with payday lenders—in my experience, even consumers don't necessarily know the difference. However, there are many substantive differences. The main differences are the transaction structure and the cost.

342 E lenders are limited to a maximum of a \$100 fee plus 30% interest. Springleaf and One Main Financial are some of the biggest operators in this space, though there are others as well. They are also permitted to sell certain types of credit insurance along with a loan.

342 F lenders generally have their loans capped at around \$1,300. They can charge a 10% fee, plus a \$4 per \$100 borrowed per month. They are not permitted to sell credit insurance. These loans are generally six-month installment loans and carry an APR of around 90%.

These businesses are direct lenders and are subject to fairly substantial regulatory oversight. The CAB ordinances do not address this area of lending, as it is substantially regulated at the state level with rate and fee caps—high caps, but still substantially lower than payday and auto title charges.

CABs are licensed under Ch. 393 of the Texas Finance Code, the Credit Services Organization Act. They are loan brokers and their fees are uncapped, resulting in APRs of 500% or higher for payday loan transactions. This method of operation was adopted by payday and auto title loan businesses in 2005, as a way around complying with the rate and fee caps under Chapter 342. Because the CSO Act was never intended to regulate consumer loans, there are a lot of areas related to consumer loans not addressed in the law, leaving home rule cities significant authority to adopt ordinances to address problems in the CAB market.

I hope this clarifies things.

Thanks,

Ann

From: Dessie Redmond [mailto:dredmond@templetx.gov]
Sent: Thursday, October 08, 2015 2:49 PM
To: Ann Baddour <abaddour@texasappleseed.net>
Subject: RE: Payday Lender Locations in Temple

Hi Ann-

This is great information it will be very useful as we dig into code amendments. Thank you very much!

Follow-up question: What is the difference between CABs and Licensed Finance companies? I pulled the definition of CABs the Texas Finance Code but couldn't find any definition for Licensed Finance companies. The "payday lenders" list we compiled before reaching out to you included some businesses on the 342-E and 342-F lists and I want to make sure we are amending the code so it affects the right business.

Thanks for your help. Very much appreciated!

Dessie

From: Ann Baddour [<mailto:abaddour@texasappleseed.net>]
Sent: Thursday, October 08, 2015 12:20 PM
To: Dessie Redmond
Subject: Payday Lender Locations in Temple

Hello Dessie,

Attached is data I received from the Texas Office of Consumer Credit Commissioner on June 29th of 2015. I created a new tab in the data set that includes all the active licensed store locations in Temple. The full list includes the entire state, with active, surrendered, canceled, and various other statuses. The other tab—342-E and 342 F lenders included licensed finance companies. It is not relevant to your inquiry, but wanted to share the original documents with you, so you can clearly see the source.

I noticed that two of the licensed CAB locations in Temple are with Texas EZ Pawn. They announced in August that they would be discontinuing their payday and auto title lending and just focusing on Pawn, so it is possible they no longer hold those licenses. Otherwise, it should be up to date.

Please let me know if I can be of any further help.

Sincerely,

Ann

----- Forwarded message -----

From: Dana Edgerton <Dana.Edgerton@occc.texas.gov>
Date: Mon, Jun 29, 2015 at 1:00 PM
Subject: Re: Number of CAB, 342 E and F licensees
To: Ann Baddour <abaddour@texasappleseed.net>

OR-15-221

Ms. Baddour:

Attached is the list responsive to your request for CABs and 342 E and F licensees. Please feel free to contact me if you have any other questions.

I hope this information is helpful to you as this correspondence completes and closes this request. Thank you.

Sincerely,

Dana D. Edgerton
Public Information Officer

Office of Consumer Credit Commissioner
2601 N. Lamar Blvd
Austin, Texas 78705

[512.936.7639](tel:512.936.7639) phone
[512.936.7610](tel:512.936.7610) fax
www.occ.state.tx.us

>>> Ann Baddour <abaddour@texasappleseed.net> 6/15/2015 10:26 AM >>>
Dana,

Could you share with me the latest data for CAB and 342 E and F licensees?

Thanks,

Ann

Ann Baddour

Director, Fair Financial Services Program

Texas Appleseed

1609 Shoal Creek Blvd, Suite 201

Austin, TX 78701

[512-473-2800](tel:512-473-2800) X104

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www.texasappleseed.net

[Z-FY-16-04]

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING AMENDMENTS TO ORDINANCE NO. 2010-4413, UNIFIED DEVELOPMENT CODE, RELATED TO REGULATING CREDIT ACCESS BUSINESSES AND ARTICLE 5 AND 11; PROVIDING A REPEALER; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, Credit Access Businesses (“CAB”), which are defined by Chapter 393 of the Texas Finance Code, are commonly referred to as “payday lenders;”

Whereas, at its November 2, 2015 meeting, the Planning and Zoning Commission voted to amend Article 5 and Article 11 of the Unified Development Code - the recommended changes are as follows:

- ARTICLE 5: USE STANDARDS: The amendment will include Credit Access Business as a specific use, which currently does not exist.
- ARTICLE 5, SECTION 5.3.26 – Credit Access Businesses (Specific Use Standards): A credit access business (commonly referred to as a “payday lender”) may be permitted in accordance with the use table in Sec. 5.1 subject to the following standards:
 - a credit access business may not be located:
 - Within 1000 feet of another credit access business; or
 - Within 200 feet of a residentially-zoned property (property located within a UE, SF-1, SF-2, SF-3, SFA-1, SFA-2, SFA-3, TH, 2F, MF-1, MF-2 or MF-3 zoning district);
 - for purposes of this section, measurements are made in a straight line, without regard to intervening structures or objects, from property line to property line;
 - a credit access business may not be located on property abutting a Major Arterial road or an Expressway, as identified on the Thoroughfare Plan.
- ARTICLE 11: DEFINITIONS – Article 11 has been amended to add a definition for Credit Access Business (“CAB”) to match the language in the Texas Finance Code Chapter 393.221.
 - *Credit Access Business. Means a credit services organization that obtains for a consumer or assists a consumer in obtaining an extension of consumer credit in the form of a deferred presentment transaction or a motor vehicle title loan; and*

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

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

Part 1: The City Council approves amendments to Ordinance No. 2010-4413, the “Unified Development Code,” by amending Article 5 and Article 11 as set forth in Exhibits A and B, attached hereto and incorporated herein for all purposes.

Part 2: All ordinances or parts of ordinances in conflict with the provisions of this ordinance are to the extent of such conflict hereby repealed.

Part 3: 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 4: This ordinance shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Temple, Texas, and it is accordingly so ordained.

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

PASSED AND APPROVED on First Reading and Public Hearing on the **3rd** day of **December**, 2015.

PASSED AND APPROVED on Second Reading on the **17th** day of **December**, 2015.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, MAYOR

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

12/17/15
Item #5(V)
Consent Agenda
Page 1 of 4

DEPARTMENT / DIVISION SUBMISSION & REVIEW:

Mark Baker, Senior Planner

ITEM DESCRIPTION: SECOND READING – Z-FY-16-01: Consider adopting an ordinance authorizing a rezoning from General Retail District (GR), Office 1 District (O-1) and Multiple-Family Dwelling 1 District (MF-1) to General Retail District (GR), on 6.414 +/- acres, being all of Lot 2, Block 1, G2K North subdivision, located on the north side of West Adams Avenue, west of Holy Trinity Catholic High School and east of Hilliard Road.

PLANNING & ZONING COMMISSION RECOMMENDATION: At their November 2, 2015 meeting, the Planning & Zoning Commission voted 8 to 0 to recommend approval of the proposed rezoning as presented by Planning staff.

STAFF RECOMMENDATION: Based on the following, staff recommends approval for a rezoning from General Retail (GR), Office-1 (O-1) and Multi-Family-1 (MF-1) district to General Retail (GR) for the following reasons:

1. The proposed rezoning is in compliance with the Future Land Use Plan's (FLUP) Suburban Commercial District;
2. The proposed zoning is compatible with surrounding zoning and uses;
3. The request complies with the Thoroughfare Plan; and
4. Public facilities are available to serve the subject property.

ITEM SUMMARY: The subject property contains three different zoning districts, General Retail (GR), Office 1 (O-1) and Multiple Family 1 (MF-1) was established by Ordinance #1350 in May 1981 on two different lots.

This rezoning follows the boundaries of Lot 2, Block 1, established by the recordation of the final plat of G2K North subdivision (Exhibit A) on January 8, 2014, and contains 6.414 +/- acres of undeveloped land. No further platting to the subject property is anticipated in the immediate future. Any future platting would be processed as a Replat and reviewed by the Design Review Committee (DRC).

While it is anticipated the property will be developed with non-residential uses, there are a number of residential and non-residential uses that are permitted by right in the GR zoning district. The uses permitted in the GR, include but are not limited to:

Residential uses

Detached / Attached SF Homes
Duplex
Home for the aged
Industrialized housing
Apartments

Nonresidential uses

Retail and Service Uses (Various)
Place of Worship
Convenience Stores with Fuel Sales
Hotel or Motel
Beer & Wine Sales (On-Premise Consumption – Less than 75% Gross Revenue)

It should be noted that the GR zoning district provides for sale of alcoholic beverages for both on-premise and off-premise consumption, both permitted by-right or with an approved conditional use permit. Any future requests will be evaluated and processed based on their own merits at the time application. This includes the applicability of both UDC Section 5.3.15 and Chapter 4 of the City Code of Ordinances. At the present time, the applicant has indicated, there are no plans for beer & wine or other alcoholic beverage sales to be located on the subject property.

Prohibited uses include HUD-Code manufactured homes and land lease communities, most commercial uses and industrial uses. A number of uses are allowed by an approved conditional use permit (package store, any percentage of all alcoholic beverage sales with on-premise consumption, temporary asphalt concrete batching plants, sewage pumping station or petroleum gas well).

SURROUNDING PROPERTY AND USES: The following table provides the direction from the property, Future Land Use Plan (FLUP) designation, existing zoning and current land uses:

<u>Direction</u>	<u>FLUP</u>	<u>Zoning</u>	<u>Current Land Use</u>
Site	Suburban Commercial	GR, O-1 & MF-1	Undeveloped
North	Public institutional	SF-1	Undeveloped
South	Suburban Commercial	GR	Retail & Service Uses
East	Public Institutional & Suburban Comm.	SF-1, O-1	Holy Trinity Catholic High School
West	Suburban Commercial	GR	Retail & Service Uses

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 Plan (FLUP)	YES
CP	Map 5.2 - Thoroughfare Plan	YES
CP	Goal 4.1 - Growth and development patterns should be consistent with the City's infrastructure and public service capacities	YES
STP	Temple Trails Master Plan Map and Sidewalks Ordinance	YES

CP = Comprehensive Plan STP = Sidewalk and Trails Plan

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

The subject property is entirely within the Suburban Commercial land use district. While the office and retails service-related zoning districts are typically consistent with the Suburban Commercial land use district, the GR zoning is in-compliance for this location. In these circumstances, staff evaluates the appropriateness of GR on a case by case basis. While the GR zoning district lends itself more to the Auto-Urban Commercial land use district, the presence of existing GR and the location of arterial roads as well as future development trends for an area influence the consideration of GR consistency. In this case, since the subject property would have direct access to W. Adams Ave (FM 2305), a major arterial and the property is surrounded on 2 of 4 sides by established GR-zoning, the request to GR is considered consistent with the Future Land Use Plan. A similar situation is the presence of GR-supported zoning along Old Waco Road, the Outer Loop, where the Future Land Use Plan designation is also Suburban Commercial.

Thoroughfare Plan (CP Map 5.2)

The subject property takes access from an existing 20-foot access easement leading to W. Adams Ave (FM 2305). The property does not front along any classified City roadway and therefore no additional Thoroughfare Plan compliance is applicable. No additional ROW or dedication is anticipated for the development of the subject property.

Availability of Public Facilities (CP Goal 4.1)

Sewer is available to the subject property through an existing 18" sewer line on the eastern property line. The same line extends along a portion of the northern property line. Water is available through either an existing 14" or 4" water line in W. Adams Ave.

Temple Trails Master Plan Map and Sidewalks Ordinance

The Trails Master Plan identifies an existing City-Wide Spine Trail along W. Adams Ave. A 10-foot asphalt trail is currently in existence. Trail improvements (sidewalk) would be addressed at the platting stage of development, if they include the lots that front along W. Adams Ave. The subject property does not front along W. Adams Ave. No new trails or sidewalks are anticipated by this project.

DEVELOPMENT REGULATIONS: Standard non-residential setbacks in the GR district are:

Min Lot Size	N/A
Min Lot Width	N/A
Min Lot Depth	N/A
Front	15'
Side	10'
Side (corner)	10'
Rear	0' (10' adjacent to or abutting residential use or zoning district)
Max Height	3 Stories

Since the proposed GR zoning is adjacent to a residentially-zoned property, additional Development Regulations include but not limited to:

- * A minimum 10' rear setback is required where a non-residential use abuts a residential zoning district or use (UDC Section 4.4.4.F3) and,

While general provisions for buffering and screening are found in UDC Section 7.7, highlighted provisions include but not limited to:

- * Evergreen hedges with a minimum planted height of six feet, placed on 36-inch centers or, fences and walls constructed of wood , masonry, stone or pre-cast concrete from 6 to 8 feet in height above the adjacent grade (UDC Section 7.7.4),
- * Refuse containers are to be located in the side or rear of the property and screened from view per UDC Section 7.7.6, and
- * Outdoor storage is permitted in the GR zoning district, where the storage area is situated behind the principal building in the rear half of the property and where a solid wood or masonry fence screens the outdoor storage from public view. Such wood or masonry fence must be at least one-foot higher than the stored material (UDC Section 7.7.8.B1).

PUBLIC NOTICE: Seven notices to property owners within 200-feet of the subject property were sent notice of the public hearing as required by State law and City Ordinance. As of Tuesday November 17, 2015 at 9:00 AM, three notices for approval of the request have been received. No notices for denial have been received.

The newspaper printed notice of the public hearing on October 21, 2015, in accordance with state law and local ordinance.

FISCAL IMPACT: Not Applicable

ATTACHMENTS:

[Site and Surrounding Property Photos](#)
[Boundary Survey \(Exhibit A\)](#)
[Vicinity Map](#)
[Zoning Map](#)
[Future Land Use and Character Map](#)
[Thoroughfare & Trails Map](#)
[Utility Map](#)
[Notification Map](#)
[Returned Property Notices](#)
[Ordinance](#)

Site & Surrounding Property Photos



Site: Undeveloped (GR, O-1 & MF-1)



Site: Undeveloped (GR, O-1 & MF-1)



North: Holy Trinity Catholic High School (SF-1)



North: Holy Trinity Catholic High School (SF-1)



West: Undeveloped (GR)



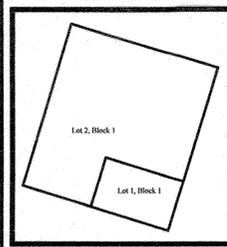
East: Undeveloped (SF-1 & O-1)



South: Scott & White Medical Clinic (GR)



South: Retail Uses - Family Dollar (GR)

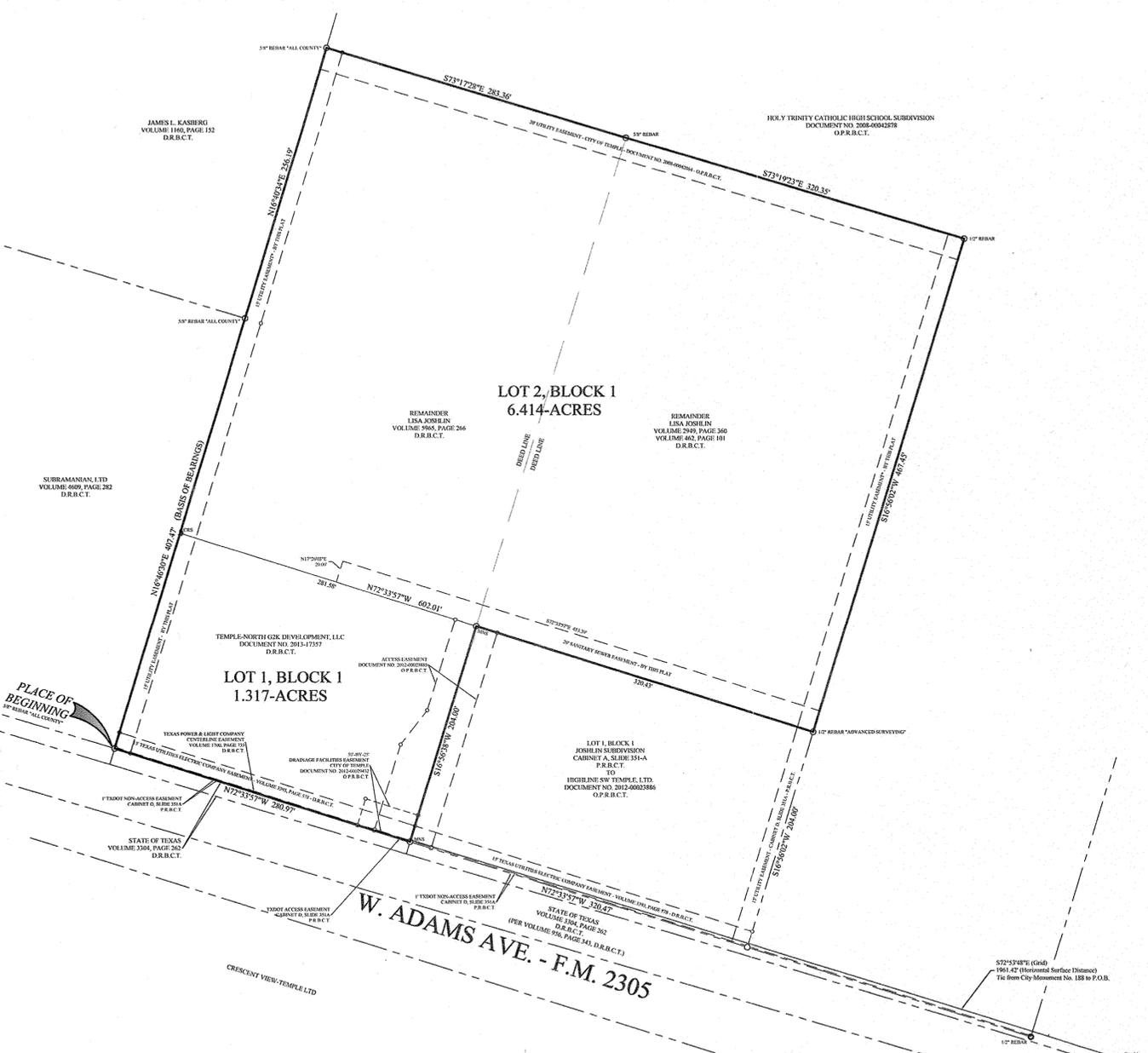


2014
7

CONFIGURATION OF JOSHIN SUBDIVISION CABINET A, SLIDE 351-A P.R.B.C.T. (1"-250')

Legend of Abbreviations
 P.R.B.C.T. - Plat Records Bell County, Texas
 O.P.R.B.C.T. - Official Public Records Bell County, Texas
 D.R.B.C.T. - Deed Records Bell County, Texas
 CRS-1/2" capped rebar stamped "JPH Land Surveying" set
 MNS-mag nail with metal washer stamped "JPH Land Surveying" set
 -see note B
 P.O.B. - Place of Beginning

- Surveyor's Notes**
- Basis of Bearings: west line of Lot 2, Block 1 of Joshin Subdivision an addition in the City of Temple, Bell County, Texas according to the plat recorded on March 19, 2012 in Cabinet D, Slide 351-A of the Plat Records of Bell County, Texas.
 - According to the Flood Insurance Rate Map (FIRM) for Bell County, Texas and Incorporated Areas, Panel 335 of 725, Map Number 48027C033E, effective date of September 26, 2008 as published by the Federal Emergency Management Agency (FEMA), the subject tract lies within Zone X (unshaded), areas outside the 0.2-percent-annual-chance floodplain.
 - 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 and all bearings are grid bearings. The combined correction factor (CCF) is 0.999853 for this location. Grid distance = Surface distance X CCF. Reference tie from City of Temple Monument Number 188 to the P.O.B. is N 72°53'48" W, 1,961.42 feet. Published City coordinates for the project reference point 188 are N = 10,381,459.02; E = 3,211,709.53
 - Monuments are found, unless marked CRS or MNS.
 - The purpose of this replat is to subdivide Lot 2, Block 1, Joshin Subdivision into two lots.
 - A 10-foot wide concrete sidewalk is required along West Adams Avenue. Standard development regulations require a 6-foot wide sidewalk along Major Arterials, such as West Adams Avenue, per UDC Section 8.2.3-Sidewalks. Since a 10-foot wide concrete spine trail is required along the property's frontage along West Adams Avenue, the required 6-foot wide concrete sidewalk will need to be upsized to a 10-foot width, with the City's oversized participation agreement for the additional 4 feet.
 - This plat has one block (Block 1) and two lots (Lot 1 & Lot 2).
 - The 15' utility easements on the east and west lines as delineated by the plat recorded in Cabinet D, Slide 351A of the Plat Records of Bell County, Texas are marked (*).



JPH Land Surveying, Inc.
 807 Bluebonnet Drive, Suite C
 Keller, Texas 76248
 Tel: (817) 431-9771 www.jph.com
 TPPLS Firm #100195-00

JPH Job No. 2013.040.002
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Client
 CEI Engineering Associates Inc.
 Tri West Plaza
 3030 LBJ Freeway, Suite 100
 Dallas, TX 75234

Owners
 Lisa Joshlin & C.A. Joshlin
 486 Valley Dr.
 Moody, TX 76557-3822

Temple-North G2K Development, LLC
 11609 Kingsridge Dr.
 Montgomery, TX 77316

THE STATE OF TEXAS §
 COUNTY OF TARRANT §

I hereby certify that this plat is true and correct and was prepared from an actual survey of the property made under my supervision on the ground.

Jewel Chadd
 Registered Professional
 Land Surveyor No. 5754
 November 7, 2013

Doc # 2014-581

Recordation Information:
 Plat recorded in Cabinet Slide 351-A, Plat Records of Bell County, Texas
 Dedication recorded in instrument number 621, Official Public Records of Real Property of Bell County, Texas, filed this the 2 day of January, 2014.

Affidavit:
 The Tax Appraisal District of Bell County, the taxing authority for all taxing entities in Bell County, Texas does hereby certify that there are currently no delinquent taxes due or owed on the property described by this plat.

Dated this the 2 day of January, 2014

 Bell County Tax Appraisal District

This plat has been submitted to and considered by the Planning & Zoning Commission of the City of Temple, Texas, and is hereby approved by such commission.

Dated this 23 day of December, 2013.

 Secretary to Planning & Zoning Commission

This final plat has been submitted to and considered by the Planning & Zoning Commission of the City of Temple, Texas, and is hereby approved by such commission.

Dated this 23 day of Dec, 2013.

 City Clerk

OWNER'S CERTIFICATE

STATE OF TEXAS §
 COUNTY OF BELL §

KNOW ALL MEN BY THESE PRESENTS:

I, the undersigned, being the owner of the land shown on this plat and designated herein as G2K North subdivision, within the City limits of the City of Temple, Bell County, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, watercourses, drains, easements, and public places shown hereon within the plat boundaries of this subdivision.

LISA JOSHIN

 Lisa Joshlin

STATE OF TEXAS §
 COUNTY OF BELL §

This instrument was acknowledged before me on the 18th day of November, 2013, by Lisa Joshlin.

Linda C. Moore
 Notary Public, State of Texas

OWNER'S CERTIFICATE

STATE OF TEXAS §
 COUNTY OF BELL §

KNOW ALL MEN BY THESE PRESENTS:

I, the undersigned, being the owner of the land shown on this plat and designated herein as G2K North subdivision, within the City limits of the City of Temple, Bell County, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, watercourses, drains, easements, and public places shown hereon within the plat boundaries of this subdivision.

TEMPLE-NORTH G2K DEVELOPMENT LLC
 a Texas limited liability company

By:
 Jim Gunn
 Title: President

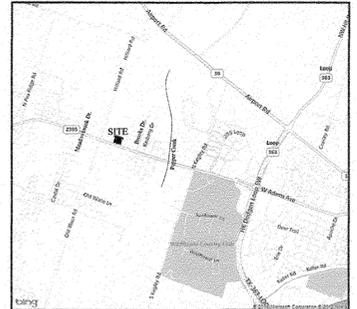
STATE OF TEXAS §
 COUNTY OF BELL §

Before me, on this day personally appeared Jim Gunn, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 15th day of November, 2013.

Linda C. Moore
 Notary Public, State of Texas

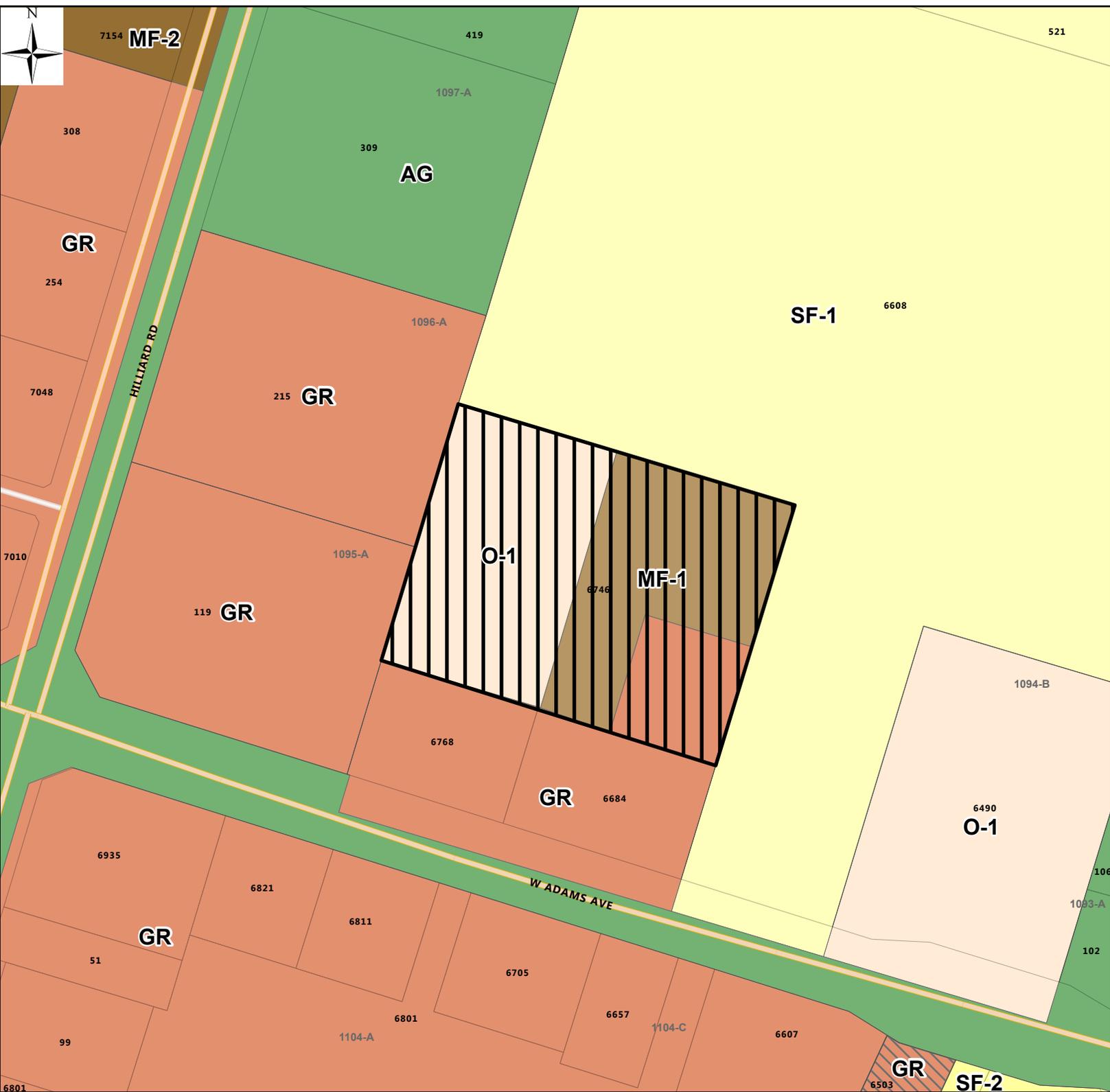
Note: Please see separately filed dedication with metes & bounds description.



VICINITY MAP
 NOT TO SCALE

FINAL PLAT
G2K NORTH
 LOTS 1 & 2, BLOCK 1
 7.731 ACRES
 BEING A REPLAT OF
 LOT 2, BLOCK 1, JOSHIN SUBDIVISION
 AN ADDITION IN THE
 CITY OF TEMPLE, BELL COUNTY, TEXAS

CITY CASE NO. PFY-13-41



GR, O-1, MF-1 TO GR

200' ZONING MAP

Zoning Case :
Z-FY-16-01

Address :

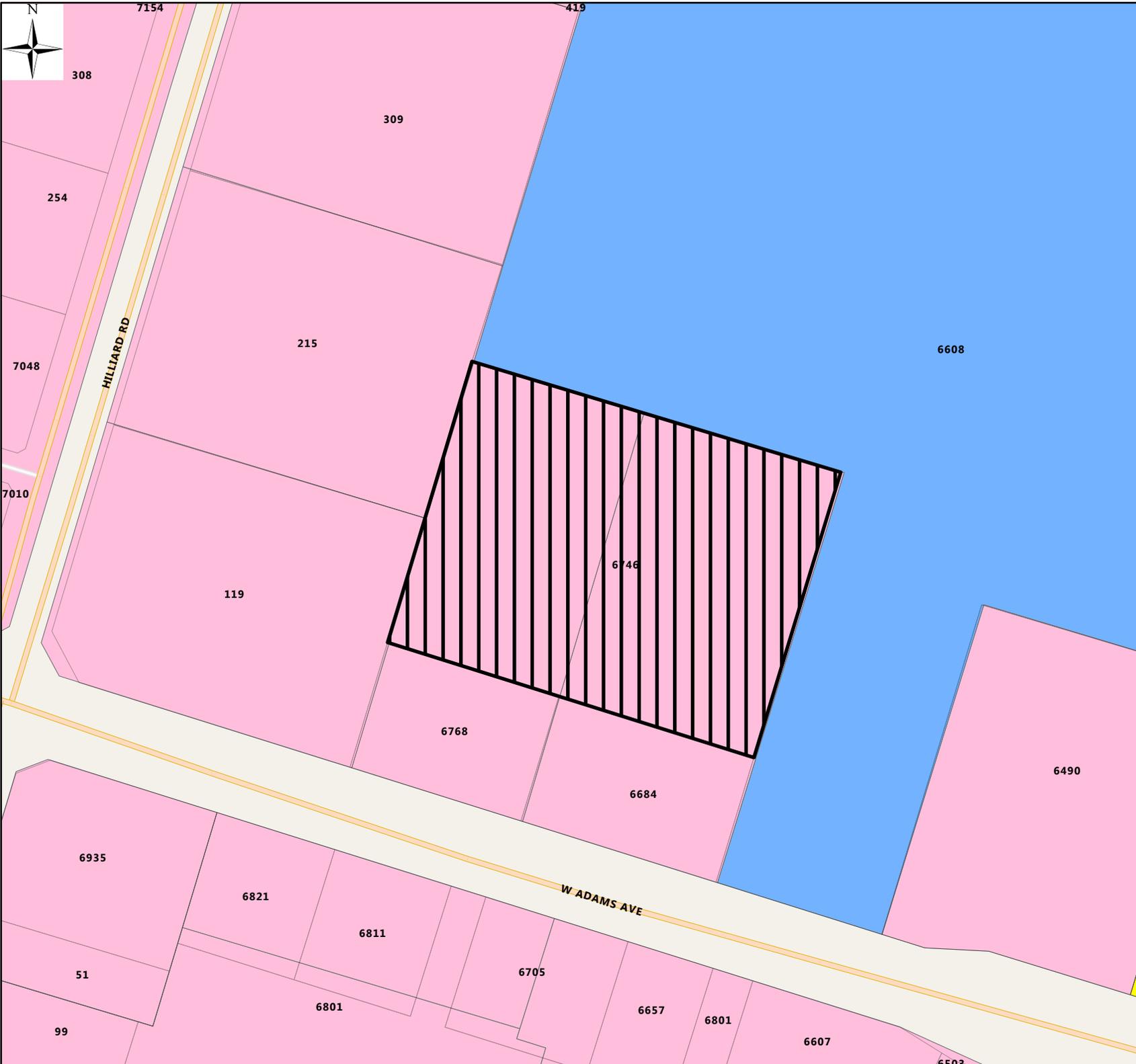
6746 W ADAMS AVE

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

myarberry
Date: 10/6/2015





GR, O-1, MF-1 TO GR

FUTURE LAND USE MAP

Zoning Case :
Z-FY-16-01

Address :
6746 W ADAMS AVE

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

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myarberry
Date: 10/5/2015





GR, O-1, MF-1 TO GR

UTILITY MAP

Zoning Case :
Z-FY-16-01

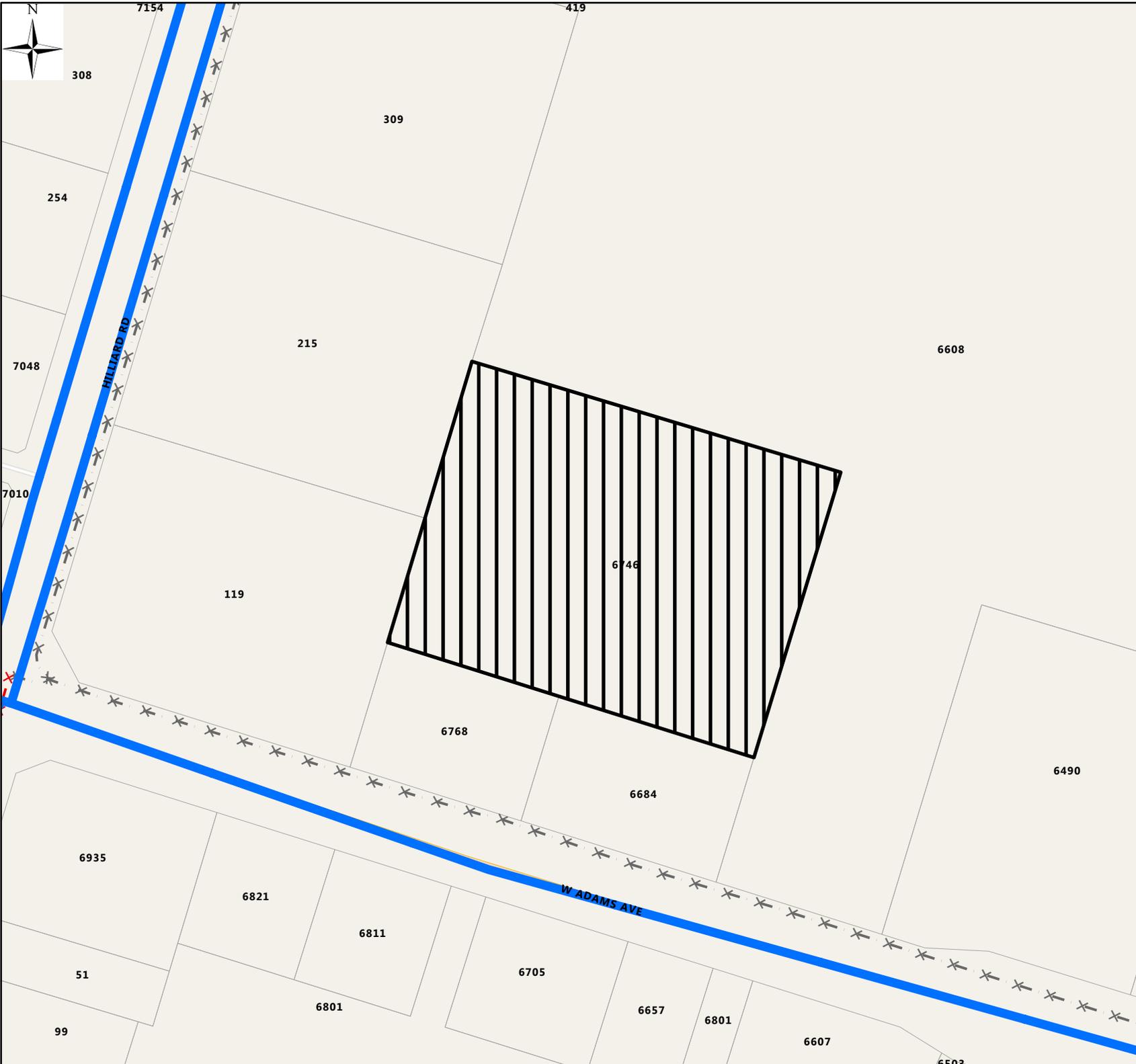
Address :
6746 W ADAMS AVE

- Manhole
- Gravity Main
- + Hydrant
- Main
- Parcels
- CaseArea

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myarberry
Date: 10/5/2015





GR, O-1, MF-1 TO GR THOROUGHFARE AND TRAILS MAP

Zoning Case :
Z-FY-16-01

Address :
6746 W ADAMS AVE

-  Parcels
-  Expressway
-  Major Arterial
-  Proposed Major Arterial
-  Minor Arterial
-  Proposed Minor Arterial
-  Collector
-  Proposed Collector
-  EXISTING, CITY WIDE SPINE
-  EXISTING, COMMUNITY WIDE CONNECTOR
-  EXISTING, LOCAL CONNECTOR
-  PROPOSED, CITY WIDE SPINE
-  PROPOSED, COMMUNITY WIDE CONNECTOR
-  PROPOSED, LOCAL CONNECTOR
-  CaseArea

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myarberry
Date: 10/20/2015





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

James L. Kasberg
601 Kasberg Drive
Temple, Texas 76502

Zoning Application Number: Z-FY-16-01 **Project Manager:** Mark Baker

Location: North side of West Adams Avenue, west of Holy Trinity High School and east of Hilliard Road

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 recommend approval () denial of this request.

Comments:


Signature

James Kasberg
Print Name

Please mail or hand-deliver this comment form to the address shown below, no later than November 2, 2015.

**City of Temple
Planning Department
Room 102
Municipal Building
Temple, Texas 76501**

RECEIVED
OCT 30 2015
City of Temple
Planning & Development

Number of Notices Mailed: 7

Date Mailed: October 22, 2015



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

Southbank Investments LLC
2070 Newcomb Ave, Unit B
San Francisco, CA 94124

Zoning Application Number: Z-FY-16-01 **Project Manager:** Mark Baker

Location: North side of West Adams Avenue, west of Holy Trinity High School and east of Hilliard Road

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 recommend approval () denial of this request.

Comments:

Southbank Investments LLC Teresa Green
By: Robert Caldwell by Milona
Robert Caldwell, Sole Member w/ permission,
Signature attorney for SouthBank Investments LLC Print Name
SouthBank Investments LLC

Please mail or hand-deliver this comment form to the address shown below, no later than November 2, 2015.

City of Temple
Planning Department
Room 102
Municipal Building
Temple, Texas 76501

RECEIVED
NOV - 2 2015
City of Temple
Planning & Development

Number of Notices Mailed: 7

Date Mailed: October 22, 2015



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

Holy Trinity Catholic High School
Attn: President of The Board of Trustees
Temple, Texas 76502
418 North 11th Street
Temple, Texas 76501

Zoning Application Number: Z-FY-16-01 **Project Manager:** Mark Baker

Location: North side of West Adams Avenue, west of Holy Trinity High School and east of Hilliard Road

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 recommend () approval () denial of this request.

Comments:

SEE ATTACHED LETTER
CONDITIONAL APPROVAL PER LETTER
DATED 11-9-15

Bruce A. Matous
Signature

Bruce A. Matous
Print Name

Please mail or hand-deliver this comment form to the address shown below, no later than November 2, 2015.

City of Temple
Planning Department
Room 102
Municipal Building
Temple, Texas 76501

RECEIVED
NOV 12 2015
City of Temple
Planning & Development

Number of Notices Mailed: 7

Date Mailed: October 22, 2015

Holy Trinity Catholic High School

6608 West Adams
Temple, Texas 76502
254-771-0787

November 9, 2015

Mr. Mark Baker, Project Manager
City of Temple
Planning Department, Room 102
Municipal Building
Temple, Texas 76501

RE: Zoning Application Number Z-FY-16-01

Dear Mr. Baker;

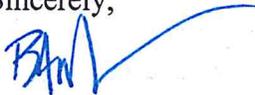
In response the Proposed Rezoning Request received for the above referenced Application, we have the following comments and concerns:

1. This is a large tract of land that is currently in agriculture. Construction of paved areas, roof runoff, etc will increase the runoff that goes on our west property line.
2. This runoff already causes problems for Holy Trinity Catholic High School since it goes under our roadway thru drainage culverts and has to be mechanically pumped to drain across the property on our east.
3. Any new construction will cause additional runoff. We will require that the owner will be responsible for the complete cost of upsizing our existing drainage culverts as well as any modifications to our pumping system to divert storm water runoff that collects in front of our detention pond and they must pay for the cost to pump their runoff.
4. In addition to the above, the adjacent land owner on our east side must be required to excavate the silted up drainage ditch in front of their property which causes us to have to pump.
5. Holy Trinity Catholic High School is being damaged by the silted up ditch on the east land owner and the new runoff that will occur on the subject tract.

In addition to the above, Holy Trinity will not approve of any establishments that sale or serve alcoholic beverages. We have a church on our campus and wish to notify the adjacent land owners and the city of such. Holy Trinity will not allow any traffic or adjoining roads on our property without written permission from the Chairman of the Board of Trustees.

Should you have any questions, please do not hesitate to contact us.

Sincerely,



Bruce A. Matous
Chairman, Board of Trustees

RECEIVED
NOV 12 2015
City of Temple
Planning & Development

ORDINANCE NO. _____

(PLANNING NO. Z-FY-16-01)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A REZONING FROM GENERAL RETAIL DISTRICT, OFFICE ONE DISTRICT AND MULTIPLE FAMILY DWELLING ONE DISTRICT TO GENERAL RETAIL DISTRICT, ON APPROXIMATELY 6.414 ACRES OF LOT 1, BLOCK 1, G2K NORTH SUBDIVISION, LOCATED ON THE NORTH SIDE OF WEST ADAMS AVENUE, WEST OF HOLY TRINITY CATHOLIC HIGH SCHOOL, AND EAST OF HILLIARD ROAD; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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

Part 1: The City Council approves a rezoning from General Retail District (GR), Office One District (O-1) and Multiple Family Dwelling One District (MF-1) to General Retail District (GR), on approximately 6.414 acres of Lot 1, Block 1, G2K North Subdivision, located on the north side of West Adams Avenue, west of Holy Trinity Catholic High School and east of Hilliard Road, as outlined in the map attached hereto as Exhibit 'A,' and made a part hereof for all purposes.

Part 2: The City Council directs the Director of Planning to make the necessary changes to the City Zoning Map.

Part 3: 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 4: This ordinance shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Temple, Texas, and it is accordingly so ordained.

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

PASSED AND APPROVED on First Reading and Public Hearing on the 3rd day of **December**, 2015.

PASSED AND APPROVED on Second Reading on the 17th day of **December**, 2015.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

12/17/15
Item # 5(W-1)
Consent Agenda
Page 1 of 2

DEPT. /DIVISION SUBMISSION & REVIEW:

Jonathan Graham, City Manager

ITEM DESCRIPTION: SECOND READING – Consider adopting an ordinance amending the approval process for economic development incentives for property redevelopment in the Jeff Hamilton Park area.

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

ITEM SUMMARY: The proposed amends portions of the City's comprehensive economic development ordinance related to our Empowerment Zone (Jeff Hamilton Park area) incentive program.

In May of 2015, the City Council adopted an ordinance creating an incentive zone in the Jeff Hamilton Park area designed to encourage redevelopment that might otherwise not occur in the absence of incentives. The ordinance encourages redevelopment in the Jeff Hamilton Park area incentive zone primarily through the availability of incentives (Chapter 380) where the City participates with dollars or in-kind services to encourage redevelopment. The ordinance creates enabling authority, but is subject to the availability of funds that may be appropriated from year to year by the City Council as part of the annual budget process.

Incentives include:

- Conveyance of City-owned lots to builders
- Waiver of platting, zoning & permit fees
- Demolition of structures by City crews
- Waiver of water & wastewater tap fees
- Release of mowing & demolitions liens
- Providing solid waste containers at no charge (clean up, construction or demolition)
- Lot clearing by City Crews

The proposed change to the ordinance includes eliminating the provision that each incentive agreement requires City Council approval and instead delegates that authority to the City Manager.

FISCAL IMPACT: Incentives proposed under this program would be in the form of in-kind services or through forgoing potential revenue.

ATTACHMENTS:

[Ordinance](#)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AMENDING THE APPROVAL PROCESS FOR ECONOMIC DEVELOPMENT INCENTIVES FOR PROPERTY REDEVELOPMENT IN THE JEFF HAMILTON PARK AREA; PROVIDING A REPEALER; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the approval process of the City's comprehensive economic development ordinance related to our Empowerment Zone (Jeff Hamilton Park area) incentive program needs to be amended;

Whereas, in May 2015, the City Council adopted an ordinance creating an incentive zone in the Jeff Hamilton Park area designed to encourage redevelopment that might otherwise not occur in the absence of incentives;

Whereas, this ordinance encourages redevelopment in the Jeff Hamilton Park area incentive zone primarily through the availability of incentives where the City participates with dollars or in-kind services to encourage redevelopment - the ordinance also creates an enabling authority, but is subject to the availability of funds that may be appropriated from year to year by the City Council as part of the annual budget process;

Whereas, certain incentives include:

- conveyance of City-owned lots to builders;
- waiver of platting, zoning and permit fees;
- demolition of structures by City crews;
- waiver of water and wastewater tap fees;
- release of mowing and demolition liens;
- providing solid waste containers at no charge (clean-up, construction or demolition);
- lot clearing by City crews;

Whereas, the proposed change includes eliminating the provision that each incentive agreement requires City Council approval and instead delegates that authority to the City Manager; and

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

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

Part 1: The City Council amends the approval process for economic development incentives for property redevelopment in the Jeff Hamilton Park area to delegate to the City Manager the authority to approve incentive agreements.

Part 2: All ordinances or parts of ordinances in conflict with the provisions of this ordinance are to the extent of such conflict hereby repealed.

Part 3: 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 4: This ordinance shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Temple, Texas, and it is accordingly so ordained.

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

PASSED AND APPROVED on First Reading and Public Hearing on the **3rd** day of **December**, 2015.

PASSED AND APPROVED on Second Reading on the **17th** day of **December**, 2015.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, MAYOR

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

12/17/15
Item # 5(W-2)
Consent Agenda
Page 1 of 2

DEPT. /DIVISION SUBMISSION & REVIEW:

Jonathan Graham, City Manager

ITEM DESCRIPTION: Consider adopting a resolution establishing a policy for award of economic development incentives for property redevelopment in the Jeff Hamilton Park area.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The proposed resolution adopts a policy for award of economic development incentives through the Jeff Hamilton Empowerment Zone incentive program.

In May of 2015, the City Council adopted an ordinance creating an incentive zone in the Jeff Hamilton Park area designed to encourage redevelopment that might otherwise not occur in the absence of incentives.

Through the implementation of this incentive program, developers who meet certain eligibility criteria may facilitate new housing construction for single family structures and/or rental investments in order to meet the following goals:

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

For eligible projects involving investment in real property, incentives are available on property located within the delineated Empowerment Zone. Incentives include:

- Conveyance of City-owned lots to builders
- Waiver of platting, zoning & permit fees
- Demolition of structures by City crews
- Waiver of water & wastewater tap fees
- Release of mowing & demolitions liens
- Providing solid waste containers at no charge (clean up, construction or demolition)
- Lot clearing by City Crews

The proposed resolution establishes a policy and criteria for award of incentives and includes the following elements:

- Eligibility Standards
- Approval and Implementation Process
- Application of Fee Reductions
- Criteria Related to Building Standards

NOTE: We have revised the policy from what was discussed during our workshop to eliminate a limitation on four simultaneous agreements with the City and also removed a requirement that builders be bondable.

FISCAL IMPACT: Incentives proposed under this program would be in the form of in-kind services or through forgoing potential revenue.

ATTACHMENTS:

[Policy](#)
[Resolution](#)

EMPOWERMENT ZONE – JEFF HAMILTON AREA

PURPOSE

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

- Enhancing the neighborhood and improve the quality of life through community partnerships;
- Empowering neighborhoods by engaging citizens in the neighborhood improvement process;
- Encouraging enhancements that support long-term viability and prevent/address deferred maintenance and property deterioration; and
- Preserving the character of the neighborhood.

INCENTIVES

For eligible projects involving investment in real property, incentives are available on property located within a delineated *Empowerment Zone*. The incentives are provided as fee reductions for eligible and approved activities to be completed by the Applicant, within twelve (12) months. Fee reductions may be applied in-lieu of payment for eligible and approved activities, up to the approved amount.

The City may consider offering similar economic incentives for development within certain areas of the City, when deemed appropriate.

Incentive Overview

Incentive Type	Eligible Amount
Lot Conveyance	Conveyance by deed without warranty
Waiver of Platting, Zoning and Permit Fees	100% of associated costs waived (up to \$2,000)
Demolition Assistance	If available, 100% of costs waived
Waiver of Water and Wastewater Tap Fees	If eligible, 100% of associated costs waived
Release of Mowing and Demolition Liens	If eligible, 100% of associated costs waived
Disposal of Lot Clean Up, Construction and Demo Waste	If eligible, 100% of associated costs waived
Lot Clearing	If available, 100% of costs waived

Types of Incentives

In its sole discretion the City will consider offering the following incentives on eligible properties within the Empowerment Zone:

Lot Conveyance – Grants, by deed without warranty, of City-owned lots in the Jeff Hamilton Empowerment Zone to builders on eligible property, in which case the applicant shall be responsible for recording fees, surveying costs and all other costs associated with the conveyance.

Waiver of Platting, Zoning and Permit Fees – Fee reductions, up to \$2,000, in platting, zoning, and building permit fees.

Demolition Assistance – The demolition of buildings, slabs, or other existing improvements on lots by City crews, and disposing of the same at the City's cost, when the City has the capacity and equipment to do so. The City will not demolish buildings where the City determined that there is a reasonable probability that the building contains asbestos, unless the applicant agrees to obtain an asbestos survey and abated asbestos, where necessary, prior to demolition of the structure.

Waiver of Water and Wastewater Tap Fees – The waiver of water and wastewater tap fees.

Release of Mowing and Demolition Liens – Releasing mowing and demolition liens on eligible properties in the Jeff Hamilton Empowerment Zone, upon property acquisition.

Disposal of Lot Clean Up, Construction and Demolition Waste – Fee reduction or waiver for roll off containers for lot clean up, construction, or demolition waste. Hazardous materials will not be collected.

Lot Clearing – Clearing vegetation by City crews when the City has the available personnel, capacity and equipment to do so.

ELIGIBILITY

A developer may be eligible for assistance under this program if they meet all of the following criteria:

- The property is located within the properties of the delineated Empowerment Zone (see attachment A);
- The home is located on a legally platted lot of record that is zoned to allow the proposed construction;
- All payments for City-provided utilities and all property taxes are current for the property;
- The proposed investment for rehabilitation must total a minimum of \$15,000 or the proposed investment for new construction must total a minimum of \$70,000; and
- The applicant must complete an application and follow the application process.

Rehabilitation work must include at least one of the following:

- Foundation work (drain tile, bracing, new foundation);
- Major exterior improvements (siding, roofing, windows); and/or
- Major interior remodeling or replacement of major mechanical systems (e.g., furnace, electrical system).

Applications must be submitted and approved prior to commencement of work. Fee reductions will not be offered on activities commenced prior to contract execution.

Developer Requirements

Developers interested in participating in the program must submit, along with an application, the following documentation:

- Demonstrate consistent, quality performance, with no previous unresolved complaints with the City;
- Provide documentation of homes built in the Temple or Bell County area, which demonstrates quality of work and ability to carry a project through to completion;
- Utilize subcontractors who have not been previously disqualified for work on City projects;
- Use licensed plumbers, electricians, and heating specialists in the construction of homes built for the program;
- Submit proposed house plan(s)/rehabilitation plan(s) and specifications that meet or exceed the housing criteria, as outlined in this program guide;
- Provide proof of insurance;
- Obtain all applicable permits from the City, upon agreement execution;
- Provide documentation that a 10-year limited warranty would be provided on new homes built in the program, at no charge to the occupant
- Provide letters of reference from buyers/renters of homes you have built/manage;
- Provide pictures of homes you have built, in their new and current condition; and
- Provide proof of financial sustainability.

City staff shall determine, based on the above, if the developer meets the qualifications as indicated in the scoring criteria section of this program guide.

APPROVAL AND IMPLEMENTATION PROCESS

A developer wishing to have a project considered for the Jeff Hamilton Incentive Program fee reductions should complete the application form and submit them to the General Services division **PRIOR TO REQUESTING A BUILDING PERMIT**. The GS division will review the project against the applicable criteria below and determine the level of fee reduction. Upon satisfaction of these requirements and approval by the General Services Manager, the fee reduction will be granted and processed with the building permit application. This process will take a minimum of one week. All appeals of the amount of the fee reduction approved may be made to the City Manager in writing within 10 days of the fee reduction approval.

STEP 1: Identify the project and prepare an application

STEP 2: Submit the application

Attachments:

Plans and graphical renderings

STEP 3: Staff review period

STEP 4: Agreement review and execution, if application approved

Application Evaluation and Selection Criteria

This section states the criterion used to measure the benefits of projects intending to address the program goals. The categories provide specific points for projects to meet the Program objectives. Under this criterion, there are a minimum of points that need to be achieved to qualify for the fee reductions. The individual ranking sheets for projects are attached for illustration purposes only.

The proposed project must satisfy enough criteria to receive at least 100 points to be considered eligible for fee reduction. Additional points may be applied to an application that meets the non-required criteria related to accessibility and energy efficiency.

The developer must sign a contractual agreement assuring that the respective criteria will be met for the construction of the unit.

1. Applicant Information
 - A. Non-profit Required Items (if applicable)
 - B. For-profit Required Items (if applicable)
2. Project Description
3. Site Control and Demonstration of Value
4. Development Team
5. Development Schedule
6. Developer Capacity
7. Project Budget
8. Funds Proposal
 - A. Sources
 - B. Uses
9. Accessible/Adaptable Units
10. Criteria Related to Building Standards checklist

For final approval conditions, see attached sample of the agreement, which is subject to change based on project implementation.

APPLICATION OF FEE REDUCTIONS

Before redeeming any fee reductions on an approved project, the developer should review the procedures in the project agreement. The developer must provide proof of the agreement to the departments associated with the fee reduction when asking for the service. In some cases the developer may be responsible for paying the total costs of the fees and the City will reimburse once all work is completed, which will be outlined in the Project Agreement, and based on the developers qualifications.

CRITERIA RELATED TO BUILDING STANDARDS

Developers are asked to develop plans and specifications that meet or exceed the following basic criteria:

General

- Each house will have bedrooms, a living room, kitchen/dining area, and a minimum of one bathroom. The bathroom may be divided with a door between the toilet/bath/shower area and a vanity/sink area.
- All homes must be constructed in accordance with the International Residential Code (IRC), the City codes and any standards associated with this program.
- House plans should depict units in an affordable size range. Minimum square footage:
 - One – Bedroom (duplex only) 650 square feet (each)
 - Two – Bedroom 850 square feet
 - Three – Bedroom 1,050 square feet
 - Four – Bedroom 1,150 square feet
- Following is a list of the types of construction and components which will be standard in all homes:
 - Engineered Foundation
 - Energy Efficient
 - Hip and/or gabled roof
 - Central HVAC
 - FHA Standards
 - Roof pitch will be a minimum 4/12

The project must meet the minimum standards defined in Unified Development Code, plus the following program specific criteria:

Exterior

- Design features to create safe neighborhoods – front porches with a minimum size of 40 sf (can encroach into front setback);
- If two or more units, offset of front porches;
- Masonry front (at least 25% wainscoting coverage), remaining must be to the standard of fiber cement siding, with high quality paint to ensure longer life of siding;
- Single front gable, at a minimum;
- Ridge vents or turtle-back vents will be installed, providing sufficient attic ventilation, as required by IRC;
- Shingles used on roofs will be fiberglass reinforced 20-year warranty, at a minimum; lighter colors are preferred to reduce heat gain;
- Soffit or Hardi soffit vents will be installed under the eaves;
- Exterior walls will be insulated to an R-13 value or higher and ceilings will be insulated to an R-38 value or higher;
- A programmable thermostat will be provided;
- Insulated windows will be used and will be a color that coordinates with the masonry and/or Hardiplank color; size, placement and type of window are very important to minimize heat gain and maximize ventilation;
- Proper and adequate security provided at doors and windows;
- Exterior doors will be steel clad or fiberglass with keyed lock-set and single cylinder dead bolt lock on the front door and the rear door or sliding door on the rear; lock hardware will be standard duty and all locks will be keyed alike;

- A single, 1 ½ or double car garage will be provided, as the site allows; all electrical wiring shall be within closed walls;
- In lieu of a garage an 8' x 10' storage building must be provided, with a solid core exterior door and a standard locking knob must be provided;
- The front and rear porch/entrance areas will have light fixtures;
- In addition to normal plumbing inside the house, a hose bib will be provided at two places on the exterior, preferably the front and rear;
- A concrete drive minimum 9' wide will be provided with a minimum of 3' concrete walkway leading from the driveway/parking pad to the front entrance door;
- Minimize parking in the front to 2 – 9x18 spaces per unit;
- If two or more units, planting strip between each parking pad;
- Plant drought tolerant sod in front, side and rear yards (Bermuda, Buffalo Grass or Zoysia);
- Contiguous front yard;
- Plant drought tolerant qualifying large or medium canopy tree at outer edge of parking pad;
- Plant drought tolerant qualifying ground cover, shrubs or small canopy trees;
- Preserve or replace public sidewalk, as feasible; and
- Front setback that is consistent with the rest of the block and as close to the road as possible; and
- Preserve existing trees and native vegetation, clear lots only to the extent necessary for the house and driveway.

Wall Framing

- Design/construction should include weatherization of all units to increase energy efficiency;
- Studs may be spaces either 16" or 24" on center, framing must comply with the IRC; and
- Wood blocking will be installed, during framing, at tub/shower and toilet areas for the future installation of grab bars, and also in the kitchen area for kitchen cabinets.

Interior

- All homes will be provided with central heating and air conditioning systems, with enhanced energy efficiency;
- Interior doors will be pre-hung, hollow-core doors with a minimum thickness of 1-3/8";
- Standard bedroom and bathroom lock hardware shall be provided;
- In the kitchen area, all wood base cabinets and wall cabinets will be installed to provide maximum storage available;
- The kitchen sink will be at least a double, 20 gauge, 22" x 33" stainless steel sink, with a minimum depth of 6 inches;
- At a minimum laminate quality counter tops will be provided;
- There will be a 30-in range, with a vent-a-hood, or a micro-wave vent hood combination;
- A garbage disposal and dishwasher will be installed;
- All appliances will be Energy Star certified, as appropriate to the appliance;
- The required bathroom will include a toilet, vanity with sink, wall mirror, two towel bars and a tub/shower unit;

- A space will be provided for a washer and dryer in the living space, with a water supply and drain plumbing for the washer, a dryer vent will be installed to the outside, preferably by a horizontal duct, appropriate electrical or gas receptacles will be provided for both appliances;
- Install wiring for telephones with a jack in the living room or kitchen area and master bedroom, at a minimum;
- Install wiring for television antenna jacks in the living room and master bedroom, at a minimum;
- A doorbell chime and hard-wired smoke alarm will be provided;
- Interior walls will be finished drywall, painted with semi-gloss latex paint;
- Flooring should preferably be strip vinyl, sheet vinyl, composition vinyl, laminate wood flooring or stained concrete, minimal use of carpet is preferred;
- Mini-blinds shall be installed on all windows;
- Master bedroom closet will have at least 6' hanging space for clothes; all other bedrooms will have a minimum of 4' closet rod space;
- Bi-fold doors will be allowed for laundry areas only;
- A linen closet will be provided;
- Ceiling light fixtures will be provided in the bedrooms and kitchen, install light fixtures over the vanity in bathrooms, ceiling fans with light fixtures may be installed and are preferred in the living room and bedrooms;
- Access to the attic will be provided, with an area four feet by eight feet with floorboards for storage space; and
- Fireplaces will not be allowed.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, ESTABLISHING A POLICY FOR AWARD OF ECONOMIC DEVELOPMENT INCENTIVES FOR PROPERTY REDEVELOPMENT IN THE JEFF HAMILTON PARK AREA; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, in May of 2015, the City Council adopted an ordinance creating an incentive zone in the Jeff Hamilton Park area designed to encourage redevelopment that might otherwise not occur in the absence of incentives;

Whereas, through the implementation of this incentive program, developers who meet certain eligibility criteria may facilitate new housing construction for single family structures and/or rental investments in order to meet the following goals:

- enhance the neighborhood and improve the quality of life through community partnerships;
- empower neighborhoods by engaging citizens in the neighborhood improvement process;
- encourage enhancements that support long-term viability and prevent/address deferred maintenance and property deterioration; and
- preserve the character of the neighborhood;

Whereas, for eligible projects involving investment in real property, incentives are available on property located within the delineated ‘Empowerment Zone’ and those incentives include:

- conveyance of City-owned lots to builders;
- waiver of platting, zoning & permit fees;
- demolition of structures by City crews;
- waiver of water & wastewater tap fees;
- release of mowing & demolitions liens;
- providing solid waste containers at no charge (clean up, construction or demolition); and
- lot clearing by City crews;

Whereas, Staff recommends establishing a policy for award of economic development incentives for property redevelopment in the Jeff Hamilton Park area which will be in the form of in-kind services or through forgoing potential revenue; and

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

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

Part 1: The City Council establishes a policy for award of economic development incentives for property redevelopment in the Jeff Hamilton Park area as outlined in Exhibit 'A' and attached herein.

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 17th day of **December**, 2015.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

APPROVED AS TO FORM:

ATTEST:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

12/17/15
Item #5(X)
Consent Agenda
Page 1 of 1

DEPT. /DIVISION SUBMISSION & REVIEW:

Jonathan Graham, City Manager

ITEM DESCRIPTION: SEDOND READING – Consider adopting an ordinance amending the City’s strategic investment zones incentive policies.

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

ITEM SUMMARY: The proposed ordinance amends portions of the City’s comprehensive economic development ordinance related to our Strategic Investment Zone (SIZ) incentive program. The proposed substantive changes to the ordinance include:

- Creation of a Downtown zone with incentives targeting conditions specific to area, including enhanced façade improvement incentives
- Consolidation of the portions of the five current zones (South 1st, Avenue G/H, North 3rd, MLK, and Adams, Central, and C Avenues) which fall outside of the proposed Downtown zone into a single incentive zone area with consistent incentives and standards
- Expansion of existing zones
- Clarification of application process
- General clean-up of ordinance

As with our previously adopted ordinance, this proposed ordinance is designed to encourage redevelopment of strategically important neighborhoods and corridors that might otherwise not occur in the absence of incentives. The proposed ordinance encourages redevelopment in the SIZ incentive area primarily through: (1) the availability of agreements that provide tax abatement for commercial and industrial property on the *increased* value of eligible real and personal property; and (2) the availability of matching grant incentives (Chapter 380) where the City participates with dollars or in-kind services to encourage redevelopment. The proposed ordinance creates enabling authority, but is subject to the availability of funds that may be appropriated from year to year by the City Council as part of the annual budget process.

In addition to the possibility of five year tax abatement for large, significant projects, the proposed Chapter 380 matching grants for economic development and in-kind services are very similar to those employed in our current program. The grant matrix includes funds or services related to façade replacement or upgrading, sign improvements, landscaping improvements, asbestos abatements,

demolitions and sidewalk replacement. Availability of these matching funds would be on a first-come/first-served basis for eligible projects.

The proposed grant matrix is as follows:

TYPE OF GRANT	Downtown Zone Single Facade	Downtown Zone Double Facade	Commercial Zone
Façade	\$25,000	\$40,000	\$15,000
Sign	\$2,500	\$2,500	\$2,500
Landscaping	\$2,000	\$3,000	\$5,000
Asbestos	\$4,000	\$4,000	\$4,000
Demolition	\$2,500	\$5,000	\$2,500
Sidewalk	\$10,000	\$10,000	\$10,000
Design	\$5,000	\$5,000	\$5,000
Fee Waiver	\$2,000	\$2,000	\$2,000
Maximum Grant	\$53,000	\$71,500	\$46,000
Required Minimum Investment	\$20,000	\$35,000	\$20,000

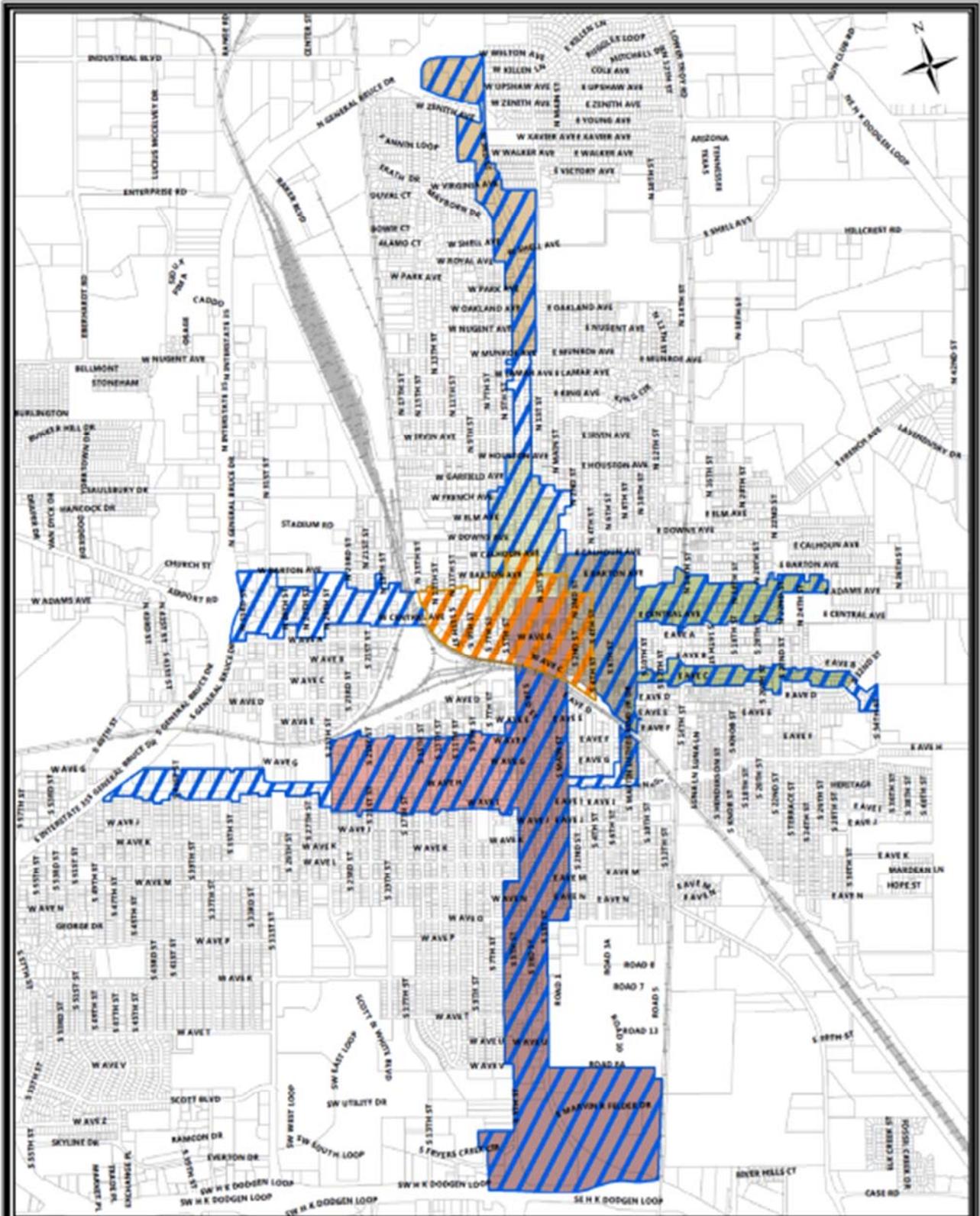
A map of the proposed boundaries of the SIZ incentive zones is attached to this narrative as Exhibit A and shows the proposed Downtown zone, the proposed consolidation of the zones, and the proposed expansion of the zones.

Finally, in our proposed amendments to the City’s Comprehensive Economic Development Ordinance, changes were made to clarify the application process and for non-substantive general clean-up of the ordinance.

FISCAL IMPACT: A total of \$193,363 is currently available in account 110-1500-515-2695 for Strategic Investment Zone grants. Tax abatement agreements, if entered into in the future on property in this corridor, would rebate taxes on the increase value of eligible real and personal property in the area and would not require a financial outlay by the City.

ATTACHMENTS:

- [Map](#)
- [Ordinance](#)



- | | | |
|--------------------|---------------------------|--------------------------------------|
| Proposed SIZ Areas | Current SIZ Areas | NORTH 3RD STREET SIZ-TAZ2 - AREA 'A' |
| DOWNTOWN CORE | ADAMS, CENTRAL, AND AVE C | NORTH 3RD STREET SIZ-TAZ2 - AREA 'B' |
| SIZ | MIDLAND & K SIZ-ENR2 | SOUTH 1ST STREET SIZ-TAZ2 |
| | MIA, JR DR SIZ | |

SIZ AREAS



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.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AMENDING THE CITY'S STRATEGIC INVESTMENT ZONES INCENTIVE POLICIES; PROVIDING A REPEALER; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, amendments to portions of the City's comprehensive economic development ordinance related to our Strategic Investment Zone ("SIZ") incentive program are needed - the proposed substantive changes include:

- creation of a Downtown zone with incentives targeting conditions specific to area, including enhanced façade improvement incentives;
- consolidation of the portions of the five current zones (South 1st, Avenue G/H, North 3rd, MLK, and Adams, Central, and C Avenues) which fall outside of the proposed Downtown zone into a single incentive zone area with consistent incentives and standards;
- expansion of existing zones;
- clarification of application process;
- general clean-up of ordinance;

Whereas, these proposed changes are designed to encourage redevelopment of strategically important neighborhoods and corridors that might otherwise not occur in the absence of incentives;

Whereas, these proposed changes will encourage redevelopment in the SIZ incentive areas primarily through the availability of agreements that provide tax abatement for commercial and industrial property on the increased value of eligible real and personal property, and the availability of matching grant incentives (Chapter 380) where the City participates with dollars or in-kind services to encourage redevelopment;

Whereas, the proposed changes creates enabling authority, but is subject to the availability of funds that may be appropriated from year to year by the City Council as part of the annual budget process;

Whereas, in addition to the possibility of a five year tax abatement for large, significant projects, the proposed Chapter 380 matching grants for economic development and in-kind services are very similar to those employed in our current program - the grant matrix includes funds or services related to façade replacement or upgrading, sign improvements, landscaping improvements, asbestos surveys and abatements, demolitions and sidewalk replacement;

Whereas, availability of these matching funds would be on a first-come/first-served basis for eligible projects;

Whereas, proposed amendments to the City’s Comprehensive Economic Development Ordinance are being made to clarify the application process and for non-substantive general clean-up of the ordinance; and

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

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

Part 1: The City Council approves amendments to the City’s Strategic Investment Zones Incentive Policies as set forth in Exhibit A attached hereto and incorporated herein for all purposes.

Part 2: All ordinances or parts of ordinances in conflict with the provisions of this ordinance are to the extent of such conflict hereby repealed.

Part 3: 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 4: This ordinance shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Temple, Texas, and it is accordingly so ordained.

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

PASSED AND APPROVED on First Reading and Public Hearing on the **3rd** day of **December**, 2015.

PASSED AND APPROVED on Second Reading on the **17th** day of **December**, 2015.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, MAYOR

APPROVED AS TO FORM:

Kayla Landeros
City Attorney

ATTEST:

Lacy Borgeson
City Secretary

C. Incentives in Certain Strategic Investment Zones (SIZ)

1. **Authority.** Pursuant to Article 3, Section 52-a of the Texas Constitution, Chapter 380 of the Texas Local Government Code, and Section III.B of the City's Economic Development Policy ordinance, the City will consider offering additional economic incentives for development within certain of the City's Strategic Investment Zones. ~~If property is located within the boundaries of more than one Strategic Investment Zone which has available incentives, an applicant may apply for incentives under either incentive program (but not more than one), subject to the applicable rules of eligibility.~~

2. **Purpose.** ~~The City desires to encourage the redevelopment of certain of its Strategic Investment Zones by offering economic development incentives (SIZ grants) within those corridors to property owners who meet certain criteria.~~ The City is committed to establishing long-term economic vitality in Strategic Investment Zone (SIZ) corridors, encouraging redevelopment and diversification. Through the implementation of this incentive grant program, property owners who meet certain eligibility criteria may facilitate new public and private sector investments.

3. **Incentives.** For eligible projects involving investment in real property, incentive grants are available on property located within a designated SIZ grant corridors. The grants are provided as reimbursements as a match to the funds disbursed by the Applicant. Only the Applicant's cash disbursements may be used as a grant match, in-kind contributions may not be used as part of the Applicant's match. Improvements which are primarily deferred maintenance by the property owner will not be eligible for grants.

4. **Application Process.** The funding cycle shall be from October 1st to September 30th. For each funding cycle the City shall designate a specific amount of funding available for that cycle. Upon exhaustion of those funds, the City will be under no obligation to fund additional grants. Likewise, the City is under no obligation to establish future funding cycles. ~~Applications for SIZ grants are available through the City Manager's office. Applications may be picked up at any time, but the City only approves new applications for SIZ grants four times a year: December, March, June & September. Completed applications for SIZ grants must be filed as follows:~~

For consideration in:	Completed Application Due No Later Than:
December	November 10th
March	February 10th
June	May 10th
September	August 10th

5. Types of Grants.

- a. Façade Improvement Grants.** ~~(commercial or industrial property only)~~ The City will consider making grants (the amount varies depending on the eligible SIZ incentive corridor) on a 1:1 matching basis for the replacement or upgrade of an existing façade with an eligible ~~masonry~~ product to an eligible property, or to remove an existing façade to expose the original façade. ~~Eligible masonry materials for a replacement façade under this subsection include brick, stone, stucco, EIFS, rough-faced block, fiber cement siding products, such as HardiPlank® those that comply with the Unified Development Code as applicable to the eligible property and such other materials that the City may approve from time to time. A list of eligible materials for the eligible SIZ incentive corridors (See Section 6 below) are maintained in the Construction Safety Office, 1st Floor, the Municipal Building, 2 North Main Street.~~ Façade improvement costs eligible for reimbursement with a façade improvement grant include demolition costs (including labor), landfill costs, and material and construction (including labor) costs, ~~but specifically exclude design costs.~~ Improvements which are primarily deferred maintenance by the property owner will not be eligible for grants.
- b. Sign Improvement Grants.** ~~(commercial property only)~~ The City will consider making grants (the amount varies depending on the eligible SIZ incentive corridor) on a 1:1 matching basis for the installation of new ~~ground-mounted, monument type (building mounted signs within TMED)~~ signs on eligible properties or the replacement of a dilapidated sign. ~~To be eligible, the base or footing of the sign must be concrete or metal.~~ Sign improvement costs eligible for reimbursement with a sign improvement grant include demolition costs (including labor), landfill costs, and City-approved material and construction (including labor) costs, ~~but specifically exclude design costs.~~
- c. Landscaping Improvement Grants.** ~~(commercial or industrial property only)~~ The City will consider making grants (the amount varies depending on the eligible SIZ incentive corridor) on a 1:1 matching basis for the installation of new or additional landscaping to an eligible property. ~~To be eligible the landscaping must exceed the City's landscaping requirements for the area, as the same may be established from time to time. If an irrigation system is installed, or already exists, and will be maintained by the applicant, the maximum amount of the landscaping grant is greater than if no irrigation system exists.~~ Landscaping improvement costs eligible for reimbursement ~~with a landscaping improvement grant~~ include:
- ground preparation costs (including labor);
 - materials (trees, shrubs, soil and amendments thereto and other decorative hardscape such as arbors, art, and walls or fences);
 - material and installation of non-portable space conditioning devices (heaters, fans, and misters);
 - curbed islands, and
 - material and construction (including labor) costs.

The City will also consider making grants of trees from the City's tree farm if requested by the applicant ~~as part of a landscaping improvement grant application.~~

- d. Asbestos Survey or Abatement Grants.** ~~(commercial or industrial property only)~~ The City will consider a grant (the amount varies depending on the eligible SIZ incentive

corridor) on a 1:1 matching basis for an owner-initiated asbestos survey of a building and for asbestos abatement for a building on eligible property. Asbestos survey and abatement grant eligible costs include professional fees, labor costs, select demolition/removal costs, and replacement materials.

- e. **Demolition Grants.** ~~(residential, commercial or industrial property)~~ When requested by an applicant the City will consider in its sole discretion, demolishing buildings, signs or parking lots, and disposing of the same at the City's cost, when the City has the capacity and equipment to do so. The City will not demolish buildings where the City in its sole discretion determines that there is a reasonable probability that the building contains asbestos, unless the applicant has obtained an asbestos survey and abated asbestos, where necessary, prior to demolition of the structure. In lieu of doing the demolition work with its own crews, the City will also consider a grant on a 1:1 matching basis for the demolition of existing buildings, signs, or parking lots on eligible property. Where the applicant is performing the demolition and seeking a demolition grant, eligible costs include the labor and landfill costs, and equipment rental, but exclude any design costs.
- f. **Sidewalk Improvement Grants.** ~~(residential, commercial or industrial property)~~ The City will consider grants (the amount varies depending on the eligible SIZ incentive corridor) on a 1:1 matching basis for the construction of new sidewalks, curb and guttering or the replacement of existing sidewalks or curb and guttering on eligible property. Sidewalk improvement costs eligible for reimbursement ~~with a sidewalk improvement grant~~ include demolition costs (where applicable) (including labor), landfill costs, and material and construction (including labor) costs and equipment rental, ~~but specifically exclude design costs.~~
- g. **Waiver of Platting, Zoning and Permit Fees.** ~~(commercial or industrial property only)~~ The City will consider waiving platting, zoning, and building permit fees for eligible projects. The City *cannot* waive water and wastewater tap fees.
- ~~h. **Code Compliance Grant.** (residential only) The City will consider grants on a 1:4 (City/Property Owner) matching basis for the construction of real property improvements necessary to bring a structure in one of the approved SIZ incentive zones listed in subpart 6 below in to City Code compliance. To receive a grant under this subsection, the property owner must substantiate actual expenditures necessary to meet an existing City code by the property owner of \$4 dollars for every \$1 of code upgrade grant sought from the City up to the maximum grant as shown in subsection 5 below. For example, to receive a code grant of \$5,000 from the City, the property owner would have to demonstrate actual expenditures by the property owner of \$20,000 that are necessary to meet existing City code requirements.~~
6. **Maximum Amount of Grants.** The chart below shows the types and dollar amounts of grants available in each of the current SIZ ~~incentive zone~~ grant corridors. An applicant can request consideration for up to the maximum for each type of grant applicable to his/her property and application, but the total amount that an applicant can receive for any particular application and property is limited by the size of the applicant's actual investment. The chart also shows the minimum required investment by a property owner for consideration of a SIZ grant. ~~The value of grants of trees from the City's tree farm and demolition work performed by City crews, as determined by the City, is applied to the grant maximum.~~

TYPE OF GRANT	South 1st Street	Avenue G/H
Facade	\$15,000	\$10,000
Sign	\$2,500	\$1,500
Landscaping	\$5,000 or \$10,000 (higher amt w/ irrigation)	\$2,500 or \$3,500 (higher amt w/ irrigation)
Asbestos	\$1,000 + \$3,000 (survey + abatement)	\$1,000 + \$3,000 (survey + abatement)
Demolition	\$2,500	\$2,500
Sidewalk	\$10,000	\$5,000
Fee Waiver	\$2,000	\$2,000
Code Compliance (Residential)	n/a	\$5,000
Theoretical Maximum Grant (lesser of the sum of individual grants and 33% of total investment if project < \$100K or 25% if total investment is ≥ \$100K)	\$46,000	\$33,500
Required Minimum Investment	\$20K Commercial/\$10K Residential	\$20K Commercial/\$10K Residential

TYPE OF GRANT	North 3rd Street	MLK, Jr. Boulevard
Facade	\$15,000	\$15,000
Sign	\$2,500	\$2,500
Landscaping	\$5,000 or \$10,000 (higher amt w/ irrigation)	\$5,000 or \$10,000 (higher amt w/ irrigation)
Asbestos	\$1,000 + \$3,000 (survey + abatement)	\$1,000 + \$3,000 (survey + abatement)
Demolition	\$2,500	\$2,500
Sidewalk	\$10,000	\$10,000
Fee Waiver	\$2,000	\$2,000
Code Upgrade (Residential)	n/a	\$5,000
Theoretical Maximum Grant (lesser of the sum of individual grants and 33% of total investment if project < \$100K or 25% if total investment is ≥ \$100K)	\$46,000	\$46,000
Required Minimum Investment	\$20K Commercial or Industrial	\$20K Commercial/\$10K Residential

TYPE OF GRANT	Adams, Central, C
Façade	\$15,000
Sign	\$2,500
Landscaping	\$5,000 or \$10,000 (higher amt w/ irrigation)
Asbestos	\$1,000 + \$3,000 (survey + abatement)
Demolition	\$2,500
Sidewalk	\$10,000
Fee Waiver	\$2,000
Code Compliance (Residential)	\$5,000
Theoretical Maximum Grant (lesser of the sum of individual grants and 33% of total investment if project < \$100K or 25% if total investment is ≥ \$100K)	\$46,000
Required Minimum Investment	\$20K Commercial/\$10K Residential

TYPE OF GRANT	Commercial Zone	Downtown Zone	
		Single Façade	Double Façade
Façade	\$15,000	\$25,000	\$40,000
Sign	\$2,500	\$2,500	\$2,500
Landscaping	\$5,000	\$2,000	\$5,000
Asbestos	\$4,000	\$4,000	\$4,000
Demolition	\$2,500	\$2,500	\$2,500
Sidewalk	\$10,000	\$10,000	\$10,000
Design	\$5,000	\$5,000	\$5,000
Fee Waiver	\$2,000	\$2,000	\$2,000
Maximum Grant	\$46,000	\$53,000	\$71,500
Required Minimum Investment	\$20,000	\$20,000	\$35,000

The total maximum grant (the sum of all of the individual grants the project is eligible for) is the lesser of: (1) the sum of the individual grants, AND (2) 33% of the applicant's total investment where the investment is less than \$100,000, OR 25% of the applicant's total investment where the investment is greater than \$100,000. Total investment is measured at the time the project is completed, and is subject to verification by the City.

7. **SIZ Incentive Zones; Eligible Property.** To be eligible for a SIZ incentive grant under subsection 5 above, the applicant must be the owner or a lessee of property lying within the boundaries of one of the City's SIZ Incentive Zones. The current SIZ Incentive Zones are "Commercial" and "Downtown Core," see attached Exhibit S1 for boundaries.

- ~~• South 1st SIZ incentive area (Boundary Map attached as Exhibit "S1")~~
- ~~• Avenue G/H SIZ incentive area (Boundary Map attached as Exhibit "S2")~~
- ~~• North 3rd SIZ incentive area (Parts A & B) (Boundary Map attached as Exhibit "S3")~~
- ~~• Martin Luther King SIZ incentive area (Boundary Map attached as Exhibit "S4")~~

8. **Application Form.** To be eligible for the grants described in Part C an applicant must submit an application and receive approval from the City prior to commencing the work for which a grant or assistance by the City is sought. Applications must be submitted on an application ~~a form~~ provided by the City, be fully and accurately completed, and signed by the owner(s) [and the lessee(s), where applicable] of the property. ~~Forms are available in the City Manager's Office (c/o Assistant City Manager) and in the office of Keep Temple Beautiful, 100 West Adams, Suite 302, Temple, TX 76501, and must be submitted to the City Manager's office for review and potential approval by the City.~~ A completed application must contain a rendering of all proposed improvements and a written description of the same. Where the proposed scope of work requires professional work by an engineer or architect, the plans must be sealed by an engineer or architect prior to the issuance of building permits, as applicable.

9. **Evaluation of Applications.** In evaluating whether to recommend an application for a grant under Part C for consideration by the City Council, the Staff will review and evaluate all SIZ incentive applications using the following criteria:

- (a) the extent to which the property for which a grant is sought is blighted or fails to meet City codes or regulations in one or more aspects ~~(20 points)~~;
- (b) whether the proposed redevelopment is at a higher level than which exists on other properties in the SIZ incentive corridor in which the property is situated ~~(15 points)~~;
- (c) whether the applicant has the financial resources to complete the improvements described in the application ~~(10 points)~~;
- (d) whether the property is unlikely to redevelop without an incentive by the City ~~(20 points)~~;
- (e) whether the proposed use of the property is in keeping with the future uses of property identified in the City's Comprehensive Plan or a master plan adopted by the

City Council ~~(8 points)~~;

(f) whether the development is in an overlay that requires higher standards than in other parts of the City (5 points);

(g) whether the development remedies deteriorated existing City infrastructure (10 points);

(h) whether the development implements elements of the City Master Plan including sidewalk, trail, or parks master plan (7 points); and

(i) whether there is a known occupant/tenant for the proposed development ~~(5 points)~~.

Applications ~~receiving a score of less than 75 points~~ that do not meet the above criteria will not be recommended by the Staff for approval ~~by the City Council. Where the amounts being requested in any quarter exceed the amount of uncommitted funds available for SIZ incentive grants, the City Council may take the rating system into consideration when deciding which applications, if any, to approve.~~

~~**Evaluation of application.** Upon receipt of an application for a grant under Part 3(a), the City Manager shall cause the application to be evaluated using the criteria established in Part 8 above, and submit the application and the Staff's recommendation to approve or deny the request, in whole or part, to the City Council for their consideration.~~

10. **Approval of grants; duration of approval.** The City Council may approve a request for a grant under Part C in whole or in part, or deny the same. Provided that the City Manager is authorized to approve Chapter 380 agreements providing SIZ incentive grants as provided in Part III(B) of this ordinance.

11. **No Vested Right to Receive a Grant.** The existence of the grant program established in Section C does not create any vested rights to receive a grant or convey a property interest to any person to receive a grant. The award or denial of a grant under this Ordinance shall be at the sole discretion of the City Council. The City Council shall annually appropriate funds for the administration of the grant program in this ordinance, and the granting of funds under the programs established by this ordinance are subject to the availability of funds appropriated for that purpose in any given fiscal year.

12. **Compliance with Terms of a Grant; payment to recipient.** A recipient of a grant from the City must enter into a Chapter 380 development agreement with the City prior to receiving any grant funds or in-kind services by the City. The agreement shall provide that the applicant agrees to: (1) complete the work described in the application in a timely fashion; (2) give the City the right to inspect the work described in the development agreement and the financial records associated with the same during reasonable business hours; (3) perform all of the work described in the grant application in accordance with all applicable City codes and regulations; and (4) to maintain those improvements in the future. The failure by an applicant for a grant to satisfy all of the terms and conditions of the development agreement shall relieve the City of any obligation to provide grant funds under this Ordinance or as described in the development agreement. The Staff is authorized to grant extensions of up to ninety (90) days ~~in~~ from the completion date.

Payment to grantees shall be made within thirty (30) days of the work described in the development agreement being completed, inspected and a certificate of occupancy issued by the City. When the recipient of a SIZ grant fails to complete a project by the date provided for completion in his Chapter 380 agreement with the City, inclusive of any extension approved by the Staff (up to ninety days), the amount of the grant provided for in the Chapter 380 agreement shall be reduced by 5% for each thirty days that the project lacks completion. Completion under this section means the inspection and acceptance of any public improvements by the City and the issuance of a certificate of occupancy (where applicable) by the City.



COUNCIL AGENDA ITEM MEMORANDUM

12/17/15
Item #5(Y)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Traci L. Barnard, Director of Finance

ITEM DESCRIPTION: Consider adopting a resolution approving the annual report of the Tax Increment Financing Reinvestment Zone No. 1 for fiscal year 2014-2015.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: This item is to comply with the State law requiring submission of an annual report to the taxing units within the Reinvestment Zone No. 1 (Zone).

The attached report discloses the financial condition of the Zone as of 9/30/2015, as well as the tax collections by taxing entity.

The financial information contained in this report was presented to the Reinvestment Zone No. 1 Board at the December 9, 2015 board meeting. The annual report will be mailed to the chief executive officer of each taxing unit that levies property taxes on real property in the Reinvestment Zone and to the State Comptroller as required by state law.

FISCAL IMPACT: Attached is the annual report of the Tax Increment Financing Reinvestment Zone No. 1 for fiscal year 2014-2015.

ATTACHMENTS:

[Annual Report](#)
[Resolution](#)

A large, stylized maroon shape with a white outline, resembling a thick brushstroke or a calligraphic flourish, positioned behind the title box.

Reinvestment Zone No. 1
Annual Report

For the year ended
September 30, 2015

Table of Contents

Balance Sheet as of September 30, 2015 and 2014.....	3
Schedule of Revenues, Expenditures, and Changes in Fund Balance For the Year Ended September 30, 2015 and 2014.....	4
Schedule of Appraised Taxable Value, Tax Levy, and Tax Collections – By Entity	5
Schedule of Fixed Assets.....	6
Schedule of Outstanding Bonds (Principal & Interest).....	7
Schedule of Tax Increment Base and Current Captured Appraised Value.....	8
 <u>Supplemental Schedules:</u>	
Financing Plan as of 09/30/15	11
Summary Financing Plan with Detailed Project Plan as of 09/30/15	16
Map of Reinvestment Zone No. 1 Boundaries	18

**CITY OF TEMPLE, TEXAS
REINVESTMENT ZONE NO. 1
COMPARATIVE BALANCE SHEET
September 30, 2015 and 2014**

	<u>2015</u>	<u>2014</u>
ASSETS		
Current assets:		
Investments	\$ 9,646,528	\$ 6,695,915
Receivables (net of allowance for estimated uncollectible):		
Ad valorem taxes	63,704	168,084
Accounts receivable	<u>307,164</u>	<u>735,351</u>
Total current assets	<u>10,017,396</u>	<u>7,599,350</u>
Restricted assets:		
Reserve for debt service	-	885,361
Bond proceeds	<u>12,888,766</u>	<u>23,482,962</u>
Total restricted assets	<u>12,888,766</u>	<u>24,368,323</u>
 Total assets	 <u>\$ 22,906,162</u>	 <u>\$ 31,967,673</u>
LIABILITIES AND FUND BALANCES		
Current liabilities:		
Vouchers and contracts payable	\$ 938,193	\$ 299,831
Retainage payable	220,038	-
Unearned revenues	<u>63,704</u>	<u>168,084</u>
Total current liabilities	<u>1,221,935</u>	<u>467,915</u>
Liabilities from restricted assets:		
Vouchers and contracts payable	137,867	136,315
Retainage payable	<u>38,779</u>	<u>-</u>
Total liabilities from restricted assets	<u>176,646</u>	<u>136,315</u>
Total liabilities	<u>1,398,581</u>	<u>604,230</u>
Fund Balance:		
Restricted for:		
Construction	12,712,120	23,346,647
Committed to:		
Reinvestment Zone No. 1 Projects	<u>8,795,461</u>	<u>8,016,796</u>
Total fund balance	<u>21,507,581</u>	<u>31,363,443</u>
Total liabilities, deferred inflows and fund balances	<u>\$ 22,906,162</u>	<u>\$ 31,967,673</u>

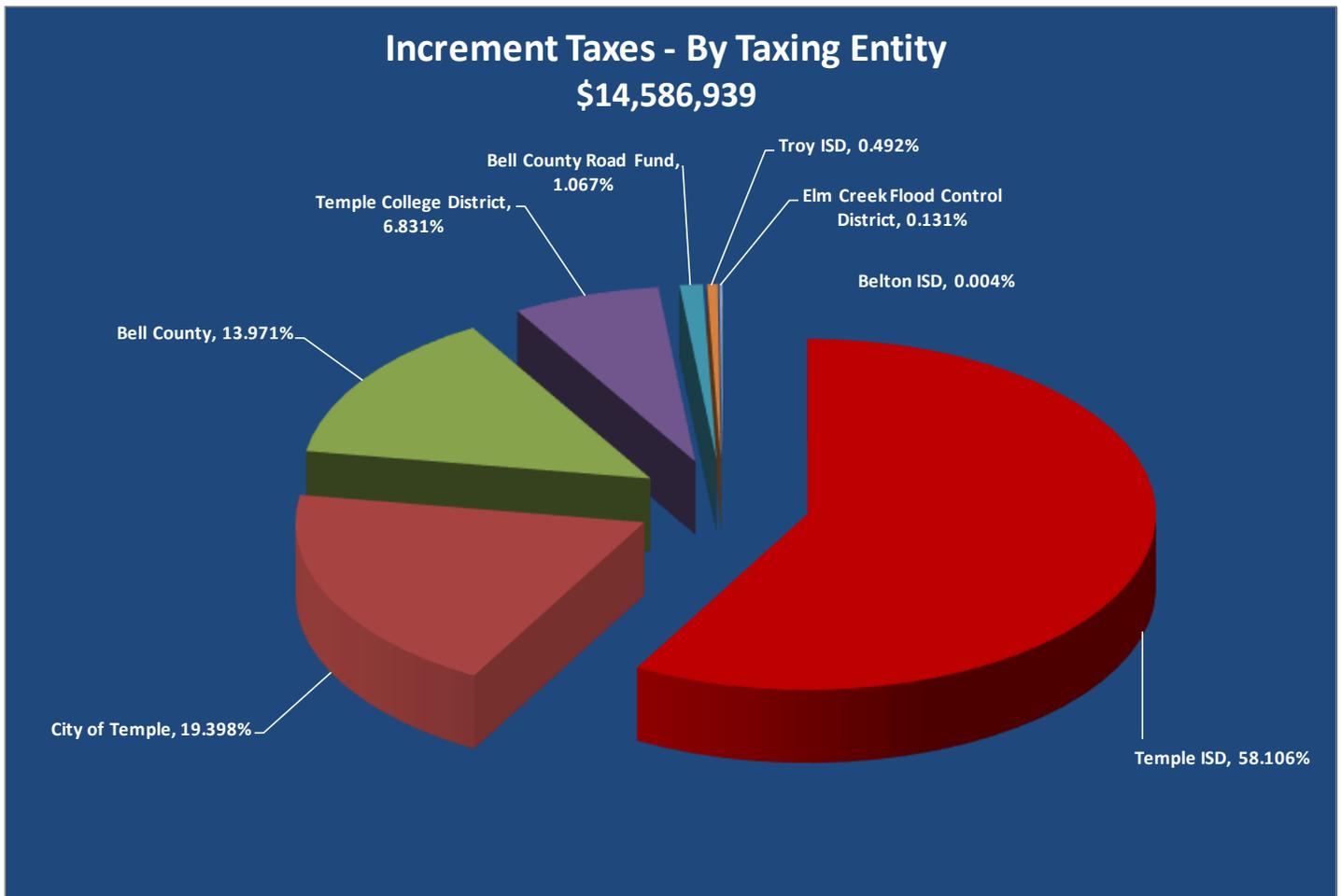
CITY OF TEMPLE, TEXAS
 REINVESTMENT ZONE #1
 SCHEDULE OF REVENUES, EXPENDITURES, AND CHANGES
 IN FUND BALANCE - ACTUAL AND BUDGET
 For the year ended September 30, 2015
 (With comparative amounts for the year ended September 30, 2014)

	2015			2014	Analytical
	Actual	Budget	Variance Favorable (Unfavorable)	Actual	Increase (Decrease) Prior yr.
REVENUES:					
Taxes	\$ 14,586,939	\$ 14,420,311	\$ 166,628	\$ 5,529,970	\$ 9,056,969
Interest	62,621	50,000	12,621	51,328	11,293
Leases	8,513	-	8,513	14,364	(5,851)
Miscellaneous reimbursements	1,602,212	2,448,588	(846,376)	26,369	1,575,843
Proceeds on sale of land	10,087	-	10,087	707,134	(697,047)
License and permits	61,730	36,000	25,730	51,720	10,010
Grants	350,000	1,320,000	(970,000)	-	350,000
Total revenues	16,682,102	18,274,899	(1,592,797)	6,380,885	10,301,217
EXPENDITURES:					
Administrative					
Professional	18,316	203,275	184,959	85,454	(67,138)
Other contracted services	150,000	175,000	25,000	168,600	(18,600)
Temple Medical Education District (TMED)	-	1,550	1,550	-	-
Downtown non-capital improvements	90,898	339,574	248,676	18,761	72,137
Contractual obligation - TEDC	200,000	200,000	-	199,650	350
Intergovernmental:					
Reimbursement to TISD	26,250	26,250	-	24,000	2,250
Total administrative expenditures	<u>485,464</u>	<u>945,649</u>	<u>460,185</u>	<u>496,465</u>	<u>(11,001)</u>
Capital Improvements					
General Rail Spur Improvements	8,099	289,744	281,645	22,055	(13,956)
General Roadway Improvements	19,164	333,077	313,913	-	19,164
Temple Industrial Park	5,365,840	7,464,552	2,098,712	-	5,365,840
Corporate Campus Park	1,307,217	3,954,558	2,647,341	380,130	927,087
Bioscience Park	159,851	1,702,822	1,542,971	72,946	86,905
Research Parkway	1,432,847	5,766,776	4,333,929	698,224	734,623
Synergy Park	564,580	1,200,077	635,497	347,078	217,502
Downtown Improvements	1,247,285	3,528,547	2,281,262	441,146	806,139
TMED	10,083,416	14,751,127	4,667,711	351,483	9,731,933
Airport Improvements	1,266,955	3,437,739	2,170,784	109,145	1,157,810
Total capital improvements	<u>21,455,254</u>	<u>42,429,019</u>	<u>20,973,765</u>	<u>2,422,207</u>	<u>19,033,047</u>
Debt Service					
Bond principal	2,655,000	2,655,000	-	2,555,000	100,000
Bond interest	1,941,046	1,941,046	-	2,004,974	(63,928)
Fiscal agent fees	1,200	1,200	-	1,200	-
Total debt service	<u>4,597,246</u>	<u>4,597,246</u>	<u>-</u>	<u>4,561,174</u>	<u>36,072</u>
Total expenditures	26,537,964	47,971,914	21,433,950	7,479,846	19,058,118
Excess (deficiency) of revenues over expenditures	<u>(9,855,862)</u>	<u>(29,697,015)</u>	<u>19,841,153</u>	<u>(1,098,961)</u>	<u>(8,756,901)</u>
Fund balance, beginning of period	31,363,443	31,363,443	-	32,462,404	(1,098,961)
Fund balance, end of period	<u>\$ 21,507,581</u>	<u>\$ 1,666,428</u>	<u>\$ 19,841,153</u>	<u>\$ 31,363,443</u>	<u>\$ (9,855,862)</u>

**CITY OF TEMPLE, TEXAS
 REINVESTMENT ZONE NO. 1
 SCHEDULE OF APPRAISED TAXABLE VALUE, TAX LEVY & TAX COLLECTIONS BY TAXING ENTITY
 For the Tax Year 2014/Fiscal Year Ending September 30, 2015**

Taxing Jurisdiction	Appraised Taxable Value	Tax Collections ⁽¹⁾	% of Total Collected
Temple ISD	\$ 516,360,932	\$8,475,918	58.106%
City of Temple	480,646,226	2,829,568	19.398%
Bell County	481,968,186	2,037,961	13.971%
Temple College District	480,696,034	996,394	6.831%
Bell County Road Fund	517,017,385	155,651	1.067%
Troy ISD	4,389,913	71,755	0.492%
Elm Creek Flood Control District	54,081,082	19,077	0.131%
Belton ISD	36,835	615	0.004%
		\$ 14,586,939	100.000%

⁽¹⁾ Tax collections include the amount collected from the current year levy and any amount collected from prior years.



CITY OF TEMPLE, TEXAS
REINVESTMENT ZONE NO. 1
SCHEDULE OF FIXED ASSETS
For the year ending September 30, 2015 and 2014

	<u>2015</u>	<u>2014</u>
Land	\$ 9,626,471	\$ 6,416,484
Buildings	763,036	1,103,036
Machinery & Equipment	42,559	42,559
Infrastructure	56,978,511	53,485,501
Construction in Progress	<u>16,385,128</u>	<u>5,649,243</u>
Total Fixed Assets	83,795,705	66,696,823
Less: Accumulated Depreciation	<u>(19,498,166)</u>	<u>(17,113,276)</u>
Net Fixed Assets	<u><u>\$ 64,297,539</u></u>	<u><u>\$ 49,583,547</u></u>

CITY OF TEMPLE, TEXAS
REINVESTMENT ZONE NO. 1

SCHEDULE OF OUTSTANDING BONDS (PRINCIPAL & INTEREST) - AS OF SEPTEMBER 30, 2015

Fiscal Year	Percent of Debt Retired		TIRZ Revenue Bonds, Taxable Series 2008	General Obligation Bonds Series 2009	General Obligation Bonds Series 2011A	General Obligation Bonds Series 2012	Combo Tax & Revenue Bonds Series 2013	Total
	Annual %	Cummulative %						
2016	7.51%	7.51%	\$ 1,240,855	\$ 1,508,775	\$ 913,550	\$ 82,700	\$ 924,894	\$ 4,670,774
2017	9.28%	16.79%	1,240,096	1,510,150	912,200	76,400	2,034,894	5,773,740
2018	9.27%	26.06%	1,241,957	1,488,750	908,350	79,600	2,047,694	5,766,351
2019	9.27%	35.33%	1,241,173	1,485,000	915,950	77,650	2,048,344	5,768,117
2020	9.43%	44.76%	1,237,744	-	2,497,800	80,050	2,047,944	5,863,538
2021	9.43%	54.19%	1,241,670	-	2,497,550	77,250	2,046,494	5,862,964
2022	9.40%	63.59%	1,242,422	-	2,494,950	78,750	2,031,494	5,847,616
2023	3.26%	66.85%	-	-	-	-	2,030,094	2,030,094
2024	3.26%	70.11%	-	-	-	-	2,026,694	2,026,694
2025	3.28%	73.39%	-	-	-	-	2,038,412	2,038,412
2026	3.30%	76.68%	-	-	-	-	2,051,612	2,051,612
2027	3.31%	79.99%	-	-	-	-	2,059,112	2,059,112
2028	3.31%	83.31%	-	-	-	-	2,061,712	2,061,712
2029	3.31%	86.62%	-	-	-	-	2,061,712	2,061,712
2030	3.33%	89.95%	-	-	-	-	2,069,112	2,069,112
2031	3.33%	93.28%	-	-	-	-	2,073,512	2,073,512
2032	3.35%	96.64%	-	-	-	-	2,084,912	2,084,912
2033	3.36%	100.00%	-	-	-	-	2,092,913	2,092,913
Total:			\$ 8,685,917	\$ 5,992,675	\$ 11,140,350	\$ 552,400	\$ 35,831,555	\$ 62,202,897

Principal Outstanding \$ 7,105,000 \$ 5,565,000 \$ 9,215,000 \$ 470,000 \$ 25,260,000 \$ 47,615,000

CITY OF TEMPLE, TEXAS
REINVESTMENT ZONE NO. 1 - VALUES FOR BASE AND INCREMENT (CAPTURED APPRAISED VALUE)
 For the Tax Year 2014/FY 2015 As of 10/1/2014

Taxing Jurisdiction	ORIGINAL ZONE			EXPANDED ZONE			TOTAL		
	Tax Increment Base	Captured Appraised Value ⁽¹⁾	TOTAL	Tax Increment Base	Captured Appraised Value	TOTAL	Tax Increment Base	Captured Appraised Value	TOTAL
Temple ISD	\$ 97,186,149	\$ 516,360,932	\$ 613,547,081				\$ 97,186,149	\$ 516,360,932	\$ 613,547,081
City of Temple	97,765,552	470,087,549	567,853,101	267,979,786	10,558,677	278,538,463	365,745,338	480,646,226	846,391,564
Bell County	97,765,552	471,369,684	569,135,236	267,979,786	10,598,502	278,578,288	365,745,338	481,968,186	847,713,524
Temple College District	97,765,552	470,137,357	567,902,909	267,979,786	10,558,677	278,538,463	365,745,338	480,696,034	846,441,372
Bell County Road Fund	97,765,552	517,017,385	614,782,937				97,765,552	517,017,385	614,782,937
Troy ISD	8,146,123	4,389,913	12,536,036				8,146,123	4,389,913	12,536,036
Elm Creek Flood Control District	28,984,337	54,081,082	83,065,419				28,984,337	54,081,082	83,065,419
Belton ISD	18,028	36,835	54,863				18,028	36,835	54,863

⁽¹⁾ Note: Captured Appraised Value for each taxing entity will vary based on exemptions allowed, participation in tax abatements and varying geographical boundaries.

DEFINITIONS:

Original Zone - Includes Zone Boundaries as originally created in 1982 and expanded in 1999.

Expanded Zone - TMED area as expanded in 2010. City of Temple - 11/04/10; Temple College - 01/24/11; Bell County - 12/03/12.

Tax Increment Base - Total taxable value of all real property taxable by the unit and located in a reinvestment zone for the year in which the zone was designated.

Captured Appraised Value - The captured appraised value of real property taxable by a taxing unit for a year is the total taxable value of all real property taxable by the unit and located in a reinvestment zone for that year less the tax increment base of the unit.





Supplemental Schedules



DESCRIPTION	{A}	{B}	{C}	{D}	{E}	Y/E 9/30/17	Y/E 9/30/18	Y/E 9/30/19	Y/E 9/30/20	Y/E 9/30/21	Y/E 9/30/22
	Y/E 9/30/15 Year 33	9/30/2015 Actual	FY 2015 Open Encumbrances & Carry Forwards	As Currently Adopted FY 2016 Year 34	Revised Y/E 9/30/16 Year 34	Year 35	Year 36	Year 37	Year 38	Year 39	Year 40
1 "Taxable Increment"	\$ 480,646,226	\$ 480,646,226	\$ -	\$ 670,071,846	\$ 670,071,846	\$ 499,376,923	\$ 493,938,360	\$ 483,717,700	\$ 477,713,295	\$ 469,325,959	\$ 536,140,914
1 FUND BALANCE, Begin	\$ 31,363,443	\$ 31,363,443	\$ -	\$ 1,666,428	\$ 21,507,581	\$ 2,244,123	\$ 4,234,030	\$ 4,085,965	\$ 3,484,971	\$ 3,411,462	\$ 3,344,177
2 Adjustments to Debt Service Reserve	-	-	-	-	-	-	-	-	-	-	-
3 Fund Balance Available for Appropriation	\$ 31,363,443	\$ 31,363,443	\$ -	\$ 1,666,428	\$ 21,507,581	\$ 2,244,123	\$ 4,234,030	\$ 4,085,965	\$ 3,484,971	\$ 3,411,462	\$ 3,344,177
SOURCES OF FUNDS:											
4 Tax Revenues	14,637,665	14,586,939	-	23,553,306	23,553,306	22,463,347	21,934,364	21,371,762	20,887,403	20,397,077	20,875,254
6 Allowance for Uncollected Taxes	(217,354)	-	-	(353,300)	(353,300)	(336,950)	(329,015)	(320,576)	(313,311)	(305,956)	(313,129)
8 Interest Income-Other	50,000	62,621	-	50,000	50,000	50,000	50,000	40,000	40,000	30,000	10,000
10 Grant Funds	1,320,000	350,000	970,000	-	970,000	-	-	-	-	-	-
12 License Fee - Central Texas Railway	36,000	61,730	-	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,000
14 Other Revenues	2,448,588	1,620,812	846,376	-	846,376	-	-	-	-	-	-
17 Bond Issue	-	-	-	-	-	-	-	-	-	-	-
20 Total Sources of Funds	\$ 18,274,899	\$ 16,682,102	\$ 1,816,376	\$ 23,286,006	\$ 25,102,382	\$ 22,212,397	\$ 21,691,349	\$ 21,127,186	\$ 20,650,092	\$ 20,157,121	\$ 20,608,125
25 TOTAL AVAILABLE FOR APPROPRIATION	\$ 49,638,342	\$ 48,045,545	\$ 1,816,376	\$ 24,952,434	\$ 46,609,963	\$ 24,456,520	\$ 25,925,379	\$ 25,213,151	\$ 24,135,063	\$ 23,568,583	\$ 23,952,303
USE OF FUNDS:											
DEBT SERVICE											
27 2009 Bond Refunding	1,499,769	1,499,769	-	1,508,775	1,508,775	1,510,150	1,488,750	1,485,000	-	-	-
28 2008 Bond Issue-Taxable (\$10.365 mil)	1,239,233	1,239,233	-	1,240,854	1,240,854	1,240,096	1,241,957	1,241,173	1,237,744	1,241,670	1,242,422
29 Debt Service - 2011A Issue (Refunding)	914,450	914,450	-	913,550	913,550	912,200	908,350	915,950	2,497,800	2,497,550	2,494,950
30 Debt Service - 2012 Issue (Refunding)	17,700	17,700	-	82,700	82,700	76,400	79,600	77,650	80,050	77,250	78,750
31 Debt Service - 2013 Issue (\$25.260 mil)	924,894	924,894	-	924,894	924,894	2,034,894	2,047,694	2,048,344	2,047,944	2,046,494	2,031,494
35 Paying Agent Services	1,200	1,200	-	1,200	1,200	1,200	1,200	1,200	1,200	1,200	1,200
40 Subtotal-Debt Service	4,597,246	4,597,246	-	4,671,973	4,671,973	5,774,940	5,767,551	5,769,317	5,864,738	5,864,164	5,848,816
OPERATING EXPENDITURES											
50 Prof Svcs/Proj Mgmt	202,075	18,316	11,925	175,000	186,925	175,000	175,000	175,000	175,000	175,000	175,000
52 Legal/Audit	1,200	-	-	1,200	1,200	1,300	1,300	1,300	1,300	1,300	1,400
54 Zone Park Maintenance [mowing, utilities, botanical supplies]	150,000	150,000	-	255,000	255,000	255,000	255,000	255,000	255,000	255,000	255,000
55 Zone Park Maintenance [maintenance]	25,000	-	-	-	-	-	-	-	-	-	-
56 Rail Maintenance	289,744	8,099	281,645	100,000	381,645	100,000	100,000	100,000	100,000	100,000	100,000
58 Road/Signage Maintenance	333,077	19,164	313,913	100,000	413,913	100,000	100,000	100,000	100,000	100,000	100,000
60 Contractual Payments [TEDC - Marketing]	200,000	200,000	-	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000
62 TISD-Reimbursement [per contract]	26,250	26,250	-	26,250	26,250	26,250	27,563	27,563	27,563	28,941	28,941
65 Subtotal-Operating Expenditures	1,227,346	421,829	607,483	857,450	1,464,933	857,550	858,863	858,863	858,863	860,241	860,341
70 TOTAL DEBT & OPERATING EXPENDITURES	\$ 5,824,592	\$ 5,019,075	\$ 607,483	\$ 5,529,423	\$ 6,136,906	\$ 6,632,490	\$ 6,626,414	\$ 6,628,180	\$ 6,723,601	\$ 6,724,405	\$ 6,709,157
80 Funds Available for Projects	\$ 43,813,750	\$ 43,026,470	\$ 1,208,893	\$ 19,423,011	\$ 40,473,057	\$ 17,824,030	\$ 19,298,965	\$ 18,584,971	\$ 17,411,462	\$ 16,844,177	\$ 17,243,146
PROJECTS											
150 Temple Industrial Park	7,464,552	5,365,840	2,080,989	2,400,000	4,480,989	-	-	-	-	-	-
200 Corporate Campus Park	3,954,558	1,307,217	2,647,341	2,300,000	4,947,341	-	-	-	-	-	-
250 Bioscience Park	1,702,822	159,851	1,542,971	925,000	2,467,971	-	-	-	-	-	-
350 Research Parkway	5,766,776	1,432,847	4,333,929	2,000,000	6,333,929	5,840,000	4,363,000	-	-	-	-
400 Synergy Park	1,200,077	564,580	635,497	-	635,497	-	-	-	-	-	-
450 Downtown	3,868,121	1,338,183	2,512,762	3,805,400	6,318,162	7,750,000	-	-	-	-	-
500 TMED	14,752,677	10,083,416	4,669,261	5,755,000	10,424,261	-	7,850,000	-	-	-	-
550 Airport Park	3,437,739	1,266,955	2,170,784	450,000	2,620,784	-	-	-	-	-	-
610 Public Improvements	-	-	-	-	-	-	3,000,000	15,100,000	14,000,000	13,500,000	14,000,000
Subtotal-Projects	42,147,322	21,518,889	20,593,534	17,635,400	38,228,934	13,590,000	15,213,000	15,100,000	14,000,000	13,500,000	14,000,000
TOTAL USE OF FUNDS	\$ 47,971,914	\$ 26,537,964	\$ 21,201,017	\$ 23,164,823	\$ 44,365,840	\$ 20,222,490	\$ 21,839,414	\$ 21,728,180	\$ 20,723,601	\$ 20,224,405	\$ 20,709,157
700 FUND BALANCE, End	\$ 1,666,428	\$ 21,507,581	\$ (19,384,641)	\$ 1,787,611	\$ 2,244,123	\$ 4,234,030	\$ 4,085,965	\$ 3,484,971	\$ 3,411,462	\$ 3,344,177	\$ 3,243,146

DESCRIPTION	2023 41	2024 42	2025 43	2026 44	2027 45	2028 46	2029 47	2030 48	2031 49	2032 50
1 "Taxable Increment"	\$ 555,068,698	\$ 572,139,740	\$ 612,193,154	\$ 727,657,703	\$ 739,444,591	\$ 724,387,818	\$ 710,303,039	\$ 697,143,845	\$ 684,866,169	\$ 673,428,173
1 FUND BALANCE, Begin	\$ 3,243,146	\$ 2,860,094	\$ 2,875,622	\$ 2,580,114	\$ 2,924,610	\$ 3,146,668	\$ 2,936,938	\$ 3,325,986	\$ 3,331,449	\$ 3,483,291
2 Adjustments to Debt Service Reserve	-	-	-	-	-	-	-	-	-	-
3 Fund Balance Available for Appropriation	\$ 3,243,146	\$ 2,860,094	\$ 2,875,622	\$ 2,580,114	\$ 2,924,610	\$ 3,146,668	\$ 2,936,938	\$ 3,325,986	\$ 3,331,449	\$ 3,483,291
SOURCES OF FUNDS:										
4 Tax Revenues	20,772,978	20,668,031	20,871,769	22,042,535	21,927,389	21,491,665	21,084,333	20,704,039	20,349,500	20,019,493
6 Allowance for Uncollected Taxes	(311,595)	(310,020)	(313,077)	(330,638)	(328,911)	(322,375)	(316,265)	(310,561)	(305,243)	(300,292)
8 Interest Income-Other	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000
10 Grant Funds	-	-	-	-	-	-	-	-	-	-
12 License Fee - Central Texas Railway	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,000
14 Other Revenues	-	-	-	-	-	-	-	-	-	-
17 Bond Issue	-	-	-	-	-	-	-	-	-	-
20 Total Sources of Funds	\$ 20,507,383	\$ 20,404,011	\$ 20,604,692	\$ 21,757,897	\$ 21,644,478	\$ 21,215,290	\$ 20,814,068	\$ 20,439,478	\$ 20,090,258	\$ 19,765,201
25 TOTAL AVAILABLE FOR APPROPRIATION	\$ 23,750,529	\$ 23,264,105	\$ 23,480,315	\$ 24,338,011	\$ 24,569,088	\$ 24,361,958	\$ 23,751,006	\$ 23,765,464	\$ 23,421,706	\$ 23,248,492
USE OF FUNDS:										
DEBT SERVICE										
27 2009 Bond Refunding	-	-	-	-	-	-	-	-	-	-
28 2008 Bond Issue-Taxable (\$10.365 mil)	-	-	-	-	-	-	-	-	-	-
29 Debt Service - 2011A Issue (Refunding)	-	-	-	-	-	-	-	-	-	-
30 Debt Service - 2012 Issue (Refunding)	-	-	-	-	-	-	-	-	-	-
31 Debt Service - 2013 Issue (\$25.260 mil)	2,030,094	2,026,694	2,038,413	2,051,613	2,059,113	2,061,713	2,061,713	2,069,113	2,073,513	2,084,913
35 Paying Agent Services	-	-	-	-	-	-	-	-	-	-
40 Subtotal-Debt Service	2,030,094	2,026,694	2,038,413	2,051,613	2,059,113	2,061,713	2,061,713	2,069,113	2,073,513	2,084,913
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]	255,000	255,000	255,000	255,000	255,000	255,000	255,000	255,000	255,000	255,000
55 Zone Park Maintenance [maintenance]	-	-	-	-	-	-	-	-	-	-
56 Rail Maintenance	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000
58 Road/Signage Maintenance	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000
60 Contractual Payments [TEDC - Marketing]	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000
62 TISD-Reimbursement [per contract]	28,941	30,388	30,388	30,388	31,907	31,907	31,907	33,502	33,502	33,502
65 Subtotal-Operating Expenditures	860,341	861,788	861,788	861,788	863,307	863,307	863,307	864,902	864,902	864,902
70 TOTAL DEBT & OPERATING EXPENDITURES	\$ 2,890,435	\$ 2,888,482	\$ 2,900,201	\$ 2,913,401	\$ 2,922,420	\$ 2,925,020	\$ 2,925,020	\$ 2,934,015	\$ 2,938,415	\$ 2,949,815
80 Funds Available for Projects	\$ 20,860,094	\$ 20,375,622	\$ 20,580,114	\$ 21,424,610	\$ 21,646,668	\$ 21,436,938	\$ 20,825,986	\$ 20,831,449	\$ 20,483,291	\$ 20,298,677
PROJECTS										
150 Temple Industrial Park	-	-	-	-	-	-	-	-	-	-
200 Corporate Campus Park	-	-	-	-	-	-	-	-	-	-
250 Bioscience Park	-	-	-	-	-	-	-	-	-	-
350 Research Parkway	-	-	-	-	-	-	-	-	-	-
400 Synergy Park	-	-	-	-	-	-	-	-	-	-
450 Downtown	-	-	-	-	-	-	-	-	-	-
500 TMED	-	-	-	-	-	-	-	-	-	-
550 Airport Park	-	-	-	-	-	-	-	-	-	-
610 Public Improvements	18,000,000	17,500,000	18,000,000	18,500,000	18,500,000	18,500,000	17,500,000	17,500,000	17,000,000	17,000,000
Subtotal-Projects	18,000,000	17,500,000	18,000,000	18,500,000	18,500,000	18,500,000	17,500,000	17,500,000	17,000,000	17,000,000
TOTAL USE OF FUNDS	\$ 20,890,435	\$ 20,388,482	\$ 20,900,201	\$ 21,413,401	\$ 21,422,420	\$ 21,425,020	\$ 20,425,020	\$ 20,434,015	\$ 19,938,415	\$ 19,949,815
700 FUND BALANCE, End	\$ 2,860,094	\$ 2,875,622	\$ 2,580,114	\$ 2,924,610	\$ 3,146,668	\$ 2,936,938	\$ 3,325,986	\$ 3,331,449	\$ 3,483,291	\$ 3,298,677

DESCRIPTION	2033 51	2034 52	2035 53	2036 54	2037 55	2038 56	2039 57	2040 58	2041 59	2042 60
1 "Taxable Increment"	\$ 662,790,130	\$ 652,914,323	\$ 643,764,942	\$ 635,307,995	\$ 627,511,207	\$ 620,343,946	\$ 613,777,130	\$ 607,783,159	\$ 602,335,835	\$ 597,410,296
1 FUND BALANCE, Begin	\$ 3,298,677	\$ 3,302,355	\$ 3,118,854	\$ 3,176,175	\$ 2,992,491	\$ 3,088,572	\$ 2,982,545	\$ 2,689,857	\$ 2,728,855	\$ 2,615,286
2 Adjustments to Debt Service Reserve	-	-	-	-	-	-	-	-	-	-
3 Fund Balance Available for Appropriation	\$ 3,298,677	\$ 3,302,355	\$ 3,118,854	\$ 3,176,175	\$ 2,992,491	\$ 3,088,572	\$ 2,982,545	\$ 2,689,857	\$ 2,728,855	\$ 2,615,286
SOURCES OF FUNDS:										
4 Tax Revenues	19,712,861	19,428,504	19,165,378	18,922,490	18,698,900	18,493,715	18,306,086	18,135,209	17,980,319	17,840,693
6 Allowance for Uncollected Taxes	(295,693)	(291,428)	(287,481)	(283,837)	(280,484)	(277,406)	(274,591)	(272,028)	(269,705)	(267,610)
8 Interest Income-Other	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000
10 Grant Funds	-	-	-	-	-	-	-	-	-	-
12 License Fee - Central Texas Railway	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,000
14 Other Revenues	-	-	-	-	-	-	-	-	-	-
17 Bond Issue	-	-	-	-	-	-	-	-	-	-
20 Total Sources of Funds	\$ 19,463,168	\$ 19,183,076	\$ 18,923,897	\$ 18,684,653	\$ 18,464,417	\$ 18,262,309	\$ 18,077,495	\$ 17,909,181	\$ 17,756,614	\$ 17,619,083
25 TOTAL AVAILABLE FOR APPROPRIATION	\$ 22,761,845	\$ 22,485,431	\$ 22,042,752	\$ 21,860,827	\$ 21,456,908	\$ 21,350,881	\$ 21,060,040	\$ 20,599,038	\$ 20,485,469	\$ 20,234,369
USE OF FUNDS:										
DEBT SERVICE										
27 2009 Bond Refunding	-	-	-	-	-	-	-	-	-	-
28 2008 Bond Issue-Taxable (\$10.365 mil)	-	-	-	-	-	-	-	-	-	-
29 Debt Service - 2011A Issue (Refunding)	-	-	-	-	-	-	-	-	-	-
30 Debt Service - 2012 Issue (Refunding)	-	-	-	-	-	-	-	-	-	-
31 Debt Service - 2013 Issue (\$25.260 mil)	2,092,913	-	-	-	-	-	-	-	-	-
35 Paying Agent Services	-	-	-	-	-	-	-	-	-	-
40 Subtotal-Debt Service	2,092,913	-	-	-	-	-	-	-	-	-
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]	255,000	255,000	255,000	255,000	255,000	255,000	255,000	255,000	255,000	255,000
55 Zone Park Maintenance [maintenance]	-	-	-	-	-	-	-	-	-	-
56 Rail Maintenance	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000
58 Road/Signage Maintenance	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000
60 Contractual Payments [TEDC - Marketing]	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000
62 TISD-Reimbursement [per contract]	35,177	35,177	35,177	36,936	36,936	36,936	38,783	38,783	38,783	40,722
65 Subtotal-Operating Expenditures	866,577	866,577	866,577	868,336	868,336	868,336	870,183	870,183	870,183	872,122
70 TOTAL DEBT & OPERATING EXPENDITURES	\$ 2,959,490	\$ 866,577	\$ 866,577	\$ 868,336	\$ 868,336	\$ 868,336	\$ 870,183	\$ 870,183	\$ 870,183	\$ 872,122
80 Funds Available for Projects	\$ 19,802,355	\$ 21,618,854	\$ 21,176,175	\$ 20,992,491	\$ 20,588,572	\$ 20,482,545	\$ 20,189,857	\$ 19,728,855	\$ 19,615,286	\$ 19,362,247
PROJECTS										
150 Temple Industrial Park	-	-	-	-	-	-	-	-	-	-
200 Corporate Campus Park	-	-	-	-	-	-	-	-	-	-
250 Bioscience Park	-	-	-	-	-	-	-	-	-	-
350 Research Parkway	-	-	-	-	-	-	-	-	-	-
400 Synergy Park	-	-	-	-	-	-	-	-	-	-
450 Downtown	-	-	-	-	-	-	-	-	-	-
500 TMED	-	-	-	-	-	-	-	-	-	-
550 Airport Park	-	-	-	-	-	-	-	-	-	-
610 Public Improvements	16,500,000	18,500,000	18,000,000	18,000,000	17,500,000	17,500,000	17,500,000	17,000,000	17,000,000	16,500,000
Subtotal-Projects	16,500,000	18,500,000	18,000,000	18,000,000	17,500,000	17,500,000	17,500,000	17,000,000	17,000,000	16,500,000
TOTAL USE OF FUNDS	\$ 19,459,490	\$ 19,366,577	\$ 18,866,577	\$ 18,868,336	\$ 18,368,336	\$ 18,368,336	\$ 18,370,183	\$ 17,870,183	\$ 17,870,183	\$ 17,372,122
700 FUND BALANCE, End	\$ 3,302,355	\$ 3,118,854	\$ 3,176,175	\$ 2,992,491	\$ 3,088,572	\$ 2,982,545	\$ 2,689,857	\$ 2,728,855	\$ 2,615,286	\$ 2,862,247

DESCRIPTION	2043 61	2044 62	2045 63	2046 64	2047 65	2048 66	2049 67	2050 68	2051 69	2052 70
1 "Taxable Increment"	\$ 592,982,946	\$ 589,031,395	\$ 585,534,398	\$ 582,471,797	\$ 579,824,466	\$ 577,574,265	\$ 572,703,984	\$ 574,197,302	\$ 573,038,739	\$ 572,213,617
1 FUND BALANCE, Begin	\$ 2,862,247	\$ 2,615,127	\$ 2,576,043	\$ 2,953,940	\$ 3,261,447	\$ 3,008,693	\$ 3,203,227	\$ 2,856,457	\$ 2,977,257	\$ 3,071,883
2 Adjustments to Debt Service Reserve	-	-	-	-	-	-	-	-	-	-
3 Fund Balance Available for Appropriation	\$ 2,862,247	\$ 2,615,127	\$ 2,576,043	\$ 2,953,940	\$ 3,261,447	\$ 3,008,693	\$ 3,203,227	\$ 2,856,457	\$ 2,977,257	\$ 3,071,883
SOURCES OF FUNDS:										
4 Tax Revenues	15,024,469	14,931,003	14,848,787	14,777,325	14,716,146	14,664,802	14,622,869	14,589,946	14,565,651	14,549,623
6 Allowance for Uncollected Taxes	(225,367)	(223,965)	(222,732)	(221,660)	(220,742)	(219,972)	(219,343)	(218,849)	(218,485)	(218,244)
8 Interest Income-Other	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000
10 Grant Funds	-	-	-	-	-	-	-	-	-	-
12 License Fee - Central Texas Railway	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,000
14 Other Revenues	-	-	-	-	-	-	-	-	-	-
17 Bond Issue	-	-	-	-	-	-	-	-	-	-
20 Total Sources of Funds	\$ 14,845,102	\$ 14,753,038	\$ 14,672,055	\$ 14,601,665	\$ 14,541,404	\$ 14,490,830	\$ 14,449,526	\$ 14,417,097	\$ 14,393,166	\$ 14,377,379
25 TOTAL AVAILABLE FOR APPROPRIATION	\$ 17,707,349	\$ 17,368,165	\$ 17,248,098	\$ 17,555,605	\$ 17,802,851	\$ 17,499,523	\$ 17,652,753	\$ 17,273,553	\$ 17,370,424	\$ 17,449,262
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)	-	-	-	-	-	-	-	-	-	-
35 Paying Agent Services	-	-	-	-	-	-	-	-	-	-
40 Subtotal-Debt Service	-	-	-	-	-	-	-	-	-	-
OPERATING EXPENDITURES										
50 Prof Svcs/Proj Mgmt	175,100	175,000	175,000	175,000	175,000	175,000	175,000	175,000	175,000	175,000
52 Legal/Audit	1,400	1,400	1,400	1,400	1,400	1,400	1,400	1,400	1,400	1,400
54 Zone Park Maintenance [mowing, utilities, botanical supplies]	150,000	150,000	150,000	150,000	150,000	150,000	150,000	150,000	150,000	150,000
55 Zone Park Maintenance [maintenance]	25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000
56 Rail Maintenance	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000
58 Road/Signage Maintenance	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000
60 Contractual Payments [TEDC - Marketing]	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000
62 TISD-Reimbursement [per contract]	40,722	40,722	42,758	42,758	42,758	44,896	44,896	44,896	47,141	47,141
65 Subtotal-Operating Expenditures	792,222	792,122	794,158	794,158	794,158	796,296	796,296	796,296	798,541	798,541
70 TOTAL DEBT & OPERATING EXPENDITURES	\$ 792,222	\$ 792,122	\$ 794,158	\$ 794,158	\$ 794,158	\$ 796,296	\$ 796,296	\$ 796,296	\$ 798,541	\$ 798,541
80 Funds Available for Projects	\$ 16,915,127	\$ 16,576,043	\$ 16,453,940	\$ 16,761,447	\$ 17,008,693	\$ 16,703,227	\$ 16,856,457	\$ 16,477,257	\$ 16,571,883	\$ 16,650,721
PROJECTS										
150 Temple Industrial Park	-	-	-	-	-	-	-	-	-	-
200 Corporate Campus Park	-	-	-	-	-	-	-	-	-	-
250 Bioscience Park	-	-	-	-	-	-	-	-	-	-
350 Research Parkway	-	-	-	-	-	-	-	-	-	-
400 Synergy Park	-	-	-	-	-	-	-	-	-	-
450 Downtown	-	-	-	-	-	-	-	-	-	-
500 TMED	-	-	-	-	-	-	-	-	-	-
550 Airport Park	-	-	-	-	-	-	-	-	-	-
610 Public Improvements	14,300,000	14,000,000	13,500,000	13,500,000	14,000,000	13,500,000	14,000,000	13,500,000	13,500,000	14,000,000
Subtotal-Projects	14,300,000	14,000,000	13,500,000	13,500,000	14,000,000	13,500,000	14,000,000	13,500,000	13,500,000	14,000,000
TOTAL USE OF FUNDS	\$ 15,092,222	\$ 14,792,122	\$ 14,294,158	\$ 14,294,158	\$ 14,794,158	\$ 14,296,296	\$ 14,796,296	\$ 14,296,296	\$ 14,298,541	\$ 14,798,541
700 FUND BALANCE, End	\$ 2,615,127	\$ 2,576,043	\$ 2,953,940	\$ 3,261,447	\$ 3,008,693	\$ 3,203,227	\$ 2,856,457	\$ 2,977,257	\$ 3,071,883	\$ 2,650,721

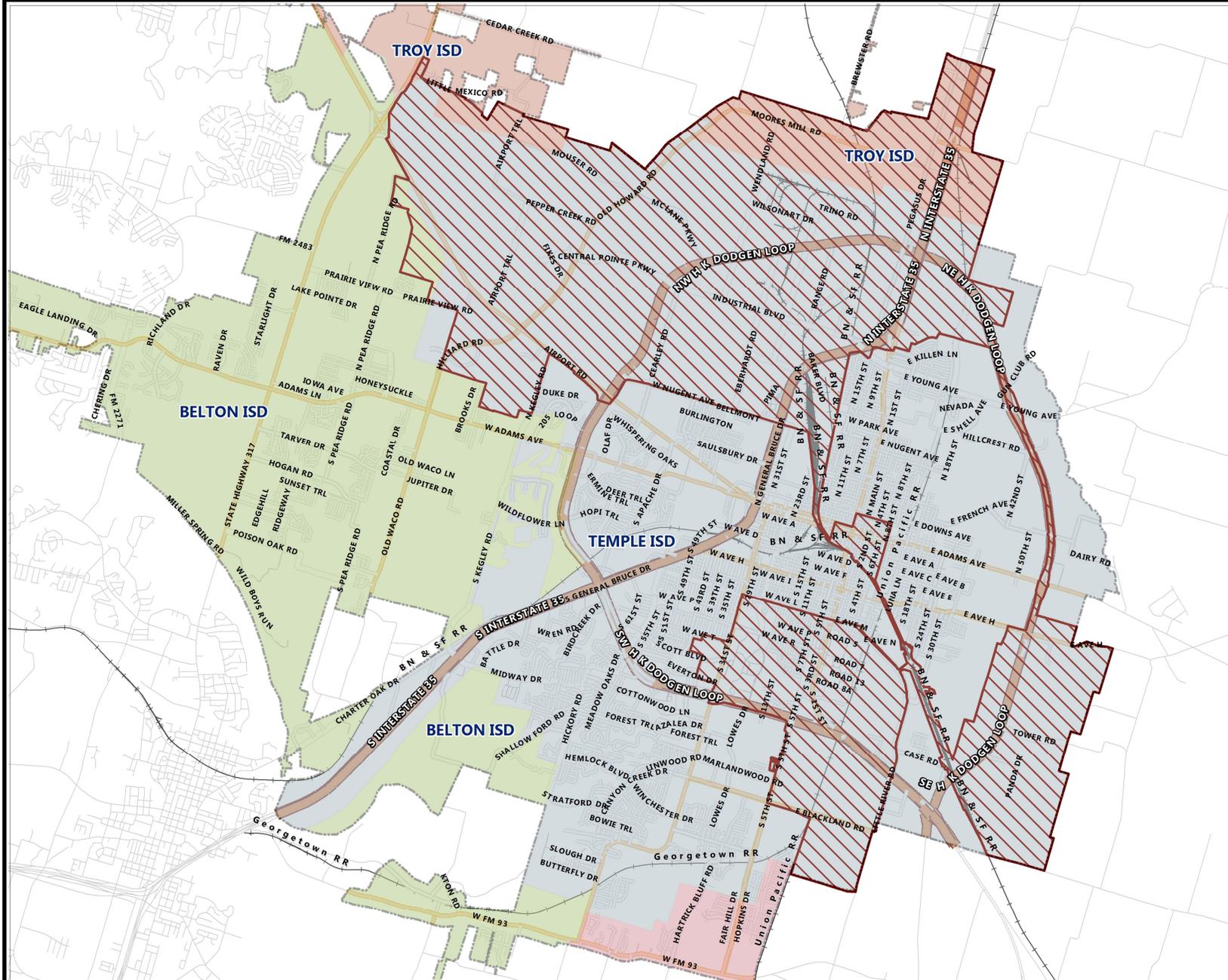
DESCRIPTION	2053 71	2054 72	2055 73	2056 74	2057 75	2058 76	2059 77	2060 78	2061 79	2062 80
1 "Taxable Increment"	\$ 571,708,019	\$ 571,508,752	\$ 571,603,310	\$ 571,979,839	\$ 572,627,109	\$ 573,534,479	\$ 574,691,867	\$ 576,089,727	\$ 577,719,018	\$ 579,571,182
1 FUND BALANCE, Begin	\$ 2,650,721	\$ 2,721,575	\$ 2,789,574	\$ 2,864,255	\$ 2,952,512	\$ 3,058,493	\$ 2,691,035	\$ 2,856,258	\$ 3,057,448	\$ 3,302,875
2 Adjustments to Debt Service Reserve	-	-	-	-	-	-	-	-	-	-
3 Fund Balance Available for Appropriation	\$ 2,650,721	\$ 2,721,575	\$ 2,789,574	\$ 2,864,255	\$ 2,952,512	\$ 3,058,493	\$ 2,691,035	\$ 2,856,258	\$ 3,057,448	\$ 3,302,875
SOURCES OF FUNDS:										
4 Tax Revenues	14,541,518	14,541,012	14,547,796	14,561,579	14,582,085	14,609,051	14,642,229	14,681,383	14,726,293	14,776,746
6 Allowance for Uncollected Taxes	(218,123)	(218,115)	(218,217)	(218,424)	(218,731)	(219,136)	(219,633)	(220,221)	(220,894)	(221,651)
8 Interest Income-Other	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000
10 Grant Funds	-	-	-	-	-	-	-	-	-	-
12 License Fee - Central Texas Railway	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,000	36,000
14 Other Revenues	-	-	-	-	-	-	-	-	-	-
17 Bond Issue	-	-	-	-	-	-	-	-	-	-
20 Total Sources of Funds	\$ 14,369,395	\$ 14,368,897	\$ 14,375,579	\$ 14,389,155	\$ 14,409,354	\$ 14,435,915	\$ 14,468,596	\$ 14,507,162	\$ 14,551,399	\$ 14,601,095
25 TOTAL AVAILABLE FOR APPROPRIATION	\$ 17,020,116	\$ 17,090,472	\$ 17,165,153	\$ 17,253,410	\$ 17,361,866	\$ 17,494,408	\$ 17,159,631	\$ 17,363,420	\$ 17,608,847	\$ 17,903,970
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)	-	-	-	-	-	-	-	-	-	-
35 Paying Agent Services	-	-	-	-	-	-	-	-	-	-
40 Subtotal-Debt Service	-	-	-	-	-	-	-	-	-	-
OPERATING EXPENDITURES										
50 Prof Svcs/Proj Mgmt	175,000	175,000	175,000	175,000	175,000	175,000	175,000	175,000	175,000	175,000
52 Legal/Audit	1,400	1,400	1,400	1,400	1,400	1,400	1,400	1,400	1,400	1,400
54 Zone Park Maintenance [mowing, utilities, botanical supplies]	150,000	150,000	150,000	150,000	150,000	150,000	150,000	150,000	150,000	150,000
55 Zone Park Maintenance [maintenance]	25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000
56 Rail Maintenance	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000
58 Road/Signage Maintenance	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000
60 Contractual Payments [TEDC - Marketing]	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000
62 TISD-Reimbursement [per contract]	47,141	49,498	49,498	49,498	51,973	51,973	51,973	54,572	54,572	54,572
65 Subtotal-Operating Expenditures	798,541	800,898	800,898	800,898	803,373	803,373	803,373	805,972	805,972	805,972
70 TOTAL DEBT & OPERATING EXPENDITURES	\$ 798,541	\$ 800,898	\$ 800,898	\$ 800,898	\$ 803,373	\$ 803,373	\$ 803,373	\$ 805,972	\$ 805,972	\$ 805,972
80 Funds Available for Projects	\$ 16,221,575	\$ 16,289,574	\$ 16,364,255	\$ 16,452,512	\$ 16,558,493	\$ 16,691,035	\$ 16,356,258	\$ 16,557,448	\$ 16,802,875	\$ 17,097,998
PROJECTS										
150 Temple Industrial Park	-	-	-	-	-	-	-	-	-	-
200 Corporate Campus Park	-	-	-	-	-	-	-	-	-	-
250 Bioscience Park	-	-	-	-	-	-	-	-	-	-
350 Research Parkway	-	-	-	-	-	-	-	-	-	-
400 Synergy Park	-	-	-	-	-	-	-	-	-	-
450 Downtown	-	-	-	-	-	-	-	-	-	-
500 TMED	-	-	-	-	-	-	-	-	-	-
550 Airport Park	-	-	-	-	-	-	-	-	-	-
610 Public Improvements	13,500,000	13,500,000	13,500,000	13,500,000	13,500,000	14,000,000	13,500,000	13,500,000	13,500,000	16,641,486
Subtotal-Projects	13,500,000	13,500,000	13,500,000	13,500,000	13,500,000	14,000,000	13,500,000	13,500,000	13,500,000	16,641,486
TOTAL USE OF FUNDS	\$ 14,298,541	\$ 14,300,898	\$ 14,300,898	\$ 14,300,898	\$ 14,303,373	\$ 14,803,373	\$ 14,303,373	\$ 14,305,972	\$ 14,305,972	\$ 17,447,458
700 FUND BALANCE, End	\$ 2,721,575	\$ 2,789,574	\$ 2,864,255	\$ 2,952,512	\$ 3,058,493	\$ 2,691,035	\$ 2,856,258	\$ 3,057,448	\$ 3,302,875	\$ 456,512

TIF Reinvestment Zone #1
Summary Financing Plan with Detailed Project Plan
 Project Plan - 09/23/15 - to Zone Board

		(A)	(B)	(C)	(D)	(E)		
SUMMARY FINANCING PLAN								
		2015	FY 2015 Actual	FY 2015 Open Encumbrances & Carry Forwards	As currently adopted FY 2016	Revised 2016	2017	2018
1	Beginning Available Fund Balance, Oct 1	\$ 31,363,443	\$ 31,363,443	\$ -	\$ 1,666,428	\$ 21,507,581	\$ 2,244,123	\$ 4,234,030
20	Total Sources of Funds	18,274,899	16,882,102	1,816,376	23,286,006	25,102,382	22,212,397	21,691,349
2	Adjustments to Debt Service Reserve	-	-	-	-	-	-	-
25	Net Available for Appropriation	49,638,342	48,045,545	1,816,376	24,952,434	46,609,963	24,456,520	25,925,379
50/52	General Administrative Expenditures	203,275	18,316	11,925	176,200	188,125	176,300	176,300
54	Zone Park Maintenance [mowing, utilities, botanical supplies]	150,000	150,000	-	255,000	255,000	255,000	255,000
55	Zone Park Maintenance [maintenance]	25,000	-	-	-	-	-	-
56	Rail Maintenance	289,744	8,099	281,645	100,000	381,645	100,000	100,000
58	Road/Signage Maintenance	333,077	19,164	313,913	100,000	413,913	100,000	100,000
60	Contractual Payments (TEDC - Marketing)	200,000	200,000	-	200,000	200,000	200,000	200,000
62	TISD-Reimbursement [per contract]	26,250	26,250	-	26,250	26,250	26,250	27,563
27	Debt Service - 2008 Issue (Refunding)	1,499,769	1,499,769	-	1,508,775	1,508,775	1,510,150	1,488,750
28	Debt Service - 2008 Taxable Issue (\$10.365 mil)	1,239,233	1,239,233	-	1,240,854	1,240,854	1,240,096	1,241,957
29	Debt Service - 2011A Issue (Refunding)	914,450	914,450	-	913,550	913,550	912,200	908,350
30	Debt Service - 2012 Issue (Refunding)	17,700	17,700	-	82,700	82,700	76,400	79,600
31	Debt Service - 2013 Issue (\$25.260 mil)	924,894	924,894	-	924,894	924,894	2,034,894	2,047,694
33	Paying Agent Services	1,200	1,200	-	1,200	1,200	1,200	1,200
70	Total Debt & Operating Expenditures	5,824,592	5,019,075	607,483	5,529,423	6,136,906	6,632,490	6,626,414
80	Funds Available for Projects	\$ 43,813,750	\$ 43,026,470	\$ 1,208,893	\$ 19,423,011	\$ 40,473,057	\$ 17,824,030	\$ 19,298,965
PROJECT PLAN								
		2015	FY 2015 Actual	FY 2015 Open Encumbrances & Carry Forwards	As currently adopted FY 2016	Revised 2016	2017	2018
TEMPLE INDUSTRIAL PARK:								
100	Northern "Y" Phase I	-	-	-	1,500,000	1,500,000	-	-
101	R & D Tracks	-	-	-	550,000	550,000	-	-
102	North Lucius McCelvey Extension	2,294,576	1,004,593	1,289,983	-	1,289,983	-	-
103	Pepper Creek Main Stem Regional Detention Pond	1,139,201	378,970	760,231	-	760,231	-	-
107	Property Acquisition - North Industrial Park	4,000,000	3,982,277	-	-	-	-	-
108	31st Street Sidewalks Grant Match	30,775	-	30,775	-	30,775	-	-
109	31st Street Sidewalks	-	-	-	350,000	350,000	-	-
150	Total North Zone/Rail Park (including Enterprise Park)	7,464,552	5,365,840	2,080,989	2,400,000	4,480,989	-	-
CORPORATE CAMPUS PARK:								
155	Pepper Creek Trail Hwy 36 to McLane Parkway	432,430	205,630	226,800	2,300,000	2,526,800	-	-
156	McLane Pkwy/Research Pkwy Connection	3,522,128	1,101,587	2,420,541	-	2,420,541	-	-
200	Total Corporate Campus Park	3,954,558	1,307,217	2,647,341	2,300,000	4,947,341	-	-
BIO-SCIENCE PARK:								
204	Pepper Creek Trail Connection to S&W	-	-	-	-	-	-	-
205	Bio-science Park Service Road & Utility Extensions	-	-	-	-	-	-	-
207	Cross Roads Park @ Pepper Creek Trail	1,702,822	159,851	1,542,971	925,000	2,467,971	-	-
250	Total Bio-Science Park	1,702,822	159,851	1,542,971	925,000	2,467,971	-	-
RESEARCH PARKWAY:								
305	Research Pkwy (IH 35 to Wendland Ultimate) STAG grant	-	-	-	1,000,000	1,000,000	-	-
305	Research Pkwy (IH 35 to Wendland Ultimate)	2,386,820	952,781	1,434,039	1,000,000	2,434,039	-	-
310	Research Pkwy (Wendland to McLane Pkwy)	2,040,209	279,445	1,760,764	-	1,760,764	5,840,000	-
315	Research Pkwy (McLane Pkwy to Central Point Pkwy)	1,339,747	200,621	1,139,126	-	1,139,126	-	4,363,000
350	Total Research Parkway	5,766,776	1,432,847	4,333,929	2,000,000	6,333,929	5,840,000	4,363,000
SYNERGY PARK:								
351	Lorraine Drive (Southeast Industrial Park) - [\$1.5M total project cost]	102,675	-	102,675	-	102,675	-	-
352	Entry Enhancement	500,000	-	500,000	-	500,000	-	-
353	Lorraine Drive/Panda Drive Asphalt	32,822	-	32,822	-	32,822	-	-
354	Lorraine Drive - Commitment to Panda	564,580	564,580	-	-	-	-	-
400	Total Synergy Park	1,200,077	564,580	635,497	-	635,497	-	-
DOWNTOWN:								
401	Downtown Improvements	373,050	124,374	231,500	144,000	375,500	-	-
402	Rail Safety Zone Study	909,407	841,197	68,210	-	68,210	-	-
403	Lot Identification & Signage	-	-	-	-	-	-	-
404	Santa Fe Plaza	2,365,000	361,448	2,003,552	1,161,400	3,164,952	7,000,000	-
405	Downtown Master Plan	30,664	11,164	19,500	-	19,500	-	-
406	Intersection Improvements at Central & North 4th Street	-	-	-	-	-	750,000	-
407	Santa Fe Market	190,000	-	190,000	2,500,000	2,690,000	-	-
450	Total Downtown	3,868,121	1,338,183	2,512,762	3,805,400	6,318,162	7,750,000	-
TMED:								
451	TMED - 1st Street @ Temple College - STEP Grant Match	3,878	2,616	1,262	-	1,262	-	-
452	Master Plan Integration 2010	1,550	-	1,550	-	1,550	-	-
453	TMED - 1st Street @ Loop 363 Design/Construction - Design only	33,300	33,300	-	-	-	-	-
454	TMED - Friars Creek Trail 5th Street to S&W Blvd. - [\$1.9M total project cost - DOE Grant of \$400K]	6,110	6,110	-	-	-	-	-
455	Avenue R - S&W Blvd. Ave R - 19th Intersections	2,928,486	1,762,713	1,165,773	-	1,165,773	-	-
456	Ave U from S&W Blvd to 1st St & 13th to 17th connector from Ave R to Loop 363	13,222	7,952	5,270	-	5,270	-	-
457	South 1st Street Improvements from the Temple College Apartments to Ave O	-	-	-	-	-	-	-
458	Loop 363 Frontage Rd (UPRR to 5th TIRZ portion)	6,219,877	5,929,220	290,657	300,000	590,657	-	-
459	31st Street/Loop 363 Improvements/Monumentation	2,168,845	87,272	2,081,573	-	2,081,573	-	-
460	Ave U TMED Ave. to 1st Street	2,650,000	1,863,581	786,419	3,780,000	4,566,419	-	-
461	TMED Master Plan (Health Care Campus)	125,000	91,791	33,209	-	33,209	-	-
462	TMED Master Plan & Thoroughfare Plan	55,000	-	55,000	-	55,000	-	-
463	Friars Creek Trail to Ave. R Trail	547,409	298,861	248,548	-	248,548	-	-
464	Veteran's Memorial Blvd. Phase II	-	-	-	1,675,000	1,675,000	-	7,850,000
500	Total TMED	14,752,677	10,083,416	4,669,261	5,755,000	10,424,261	-	7,850,000
AIRPORT PARK:								
506	Airport Improvements (roadway, drainage, parking, lighting, fencing, landscaping, fuel farm impr, entrance impr, guard facility)	3,437,739	1,266,955	2,170,784	-	2,170,784	-	-
508	Corporate Hangar Phase II	-	-	-	450,000	450,000	-	-
550	Total Airport Park	3,437,739	1,266,955	2,170,784	450,000	2,620,784	-	-
610	Public Improvements	-	-	-	-	-	-	3,000,000
Total Planned Project Expenditures		42,147,322	21,518,889	20,593,534	17,635,400	38,228,934	13,590,000	15,213,000
700	Available Fund Balance at Year End	\$ 1,666,428	\$ 21,507,581	\$ (19,384,641)	\$ 1,787,611	\$ 2,244,123	\$ 4,234,030	\$ 4,085,965

TIF Reinvestment Zone #1
Summary Financing Plan with Detailed Project Plan
 Project Plan - 09/23/15 - to Zone Board

SUMMARY FINANCING PLAN				
	2019	2020	2021	2022
1 Beginning Available Fund Balance, Oct 1	\$ 4,085,965	\$ 3,484,971	\$ 3,411,462	\$ 3,344,177
20 Total Sources of Funds	21,127,186	20,650,092	20,157,121	20,608,125
2 Adjustments to Debt Service Reserve	-	-	-	-
25 Net Available for Appropriation	25,213,151	24,135,063	23,568,583	23,952,303
50:52 General Administrative Expenditures	176,300	176,300	176,300	176,400
54 Zone Park Maintenance [mowing, utilities, botanical supplies]	255,000	255,000	255,000	255,000
55 Zone Park Maintenance [maintenance]	-	-	-	-
56 Rail Maintenance	100,000	100,000	100,000	100,000
58 Road/Signage Maintenance	100,000	100,000	100,000	100,000
60 Contractual Payments (TEDC - Marketing)	200,000	200,000	200,000	200,000
62 TISD-Reimbursement [per contract]	27,563	27,563	28,941	28,941
27 Debt Service - 2009 Issue (Refunding)	1,485,000	-	-	-
29 Debt Service - 2008 Taxable Issue (\$10.365 mil)	1,241,173	1,237,744	1,241,670	1,242,422
29 Debt Service - 2011A Issue (Refunding)	915,950	2,497,800	2,497,550	2,494,950
30 Debt Service - 2012 Issue (Refunding)	77,650	80,050	77,250	78,750
31 Debt Service - 2013 Issue (\$25.260 mil)	2,048,344	2,047,944	2,046,494	2,031,494
33 Paying Agent Services	1,200	1,200	1,200	1,200
70 Total Debt & Operating Expenditures	6,628,180	6,723,601	6,724,405	6,709,157
80 Funds Available for Projects	\$ 18,584,971	\$ 17,411,462	\$ 16,844,177	\$ 17,243,146
PROJECT PLAN				
	2019	2020	2021	2022
TEMPLE INDUSTRIAL PARK:				
100 Northern "Y" Phase I	-	-	-	-
101 R & D Tracks	-	-	-	-
102 North Lucius McCelvey Extension	-	-	-	-
103 Pepper Creek Main Stem Regional Detention Pond	-	-	-	-
107 Property Acquisition - North Industrial Park	-	-	-	-
108 31st Street Sidewalks Grant Match	-	-	-	-
109 31st Street Sidewalks	-	-	-	-
150 Total North Zone/Rail Park (including Enterprise Park)	-	-	-	-
CORPORATE CAMPUS PARK:				
155 Pepper Creek Trail Hwy 36 to McLane Parkway	-	-	-	-
156 McLane Pkwy/Research Pkwy Connection	-	-	-	-
200 Total Corporate Campus Park	-	-	-	-
BIOSCIENCE PARK:				
204 Pepper Creek Trail Connection to S&W	-	-	-	-
205 Bioscience Park Service Road & Utility Extensions	-	-	-	-
207 Cross Roads Park @ Pepper Creek Trail	-	-	-	-
250 Total Bio-Science Park	-	-	-	-
RESEARCH PARKWAY				
305 Research Pkwy (IH 35 to Wendland Ultimate) STAG grant	-	-	-	-
305 Research Pkwy (IH 35 to Wendland Ultimate)	-	-	-	-
310 Research Pkwy (Wendland to McLane Pkwy)	-	-	-	-
315 Research Pkwy (McLane Pkwy to Central Point Pkwy)	-	-	-	-
350 Total Research Parkway	-	-	-	-
SYNERGY PARK:				
351 Lorraine Drive (Southeast Industrial Park) - [\$1.5M total project cost]	-	-	-	-
352 Entry Enhancement	-	-	-	-
353 Lorraine Drive/Panda Drive Asphalt	-	-	-	-
354 Lorraine Drive - Commitment to Panda	-	-	-	-
400 Total Synergy Park	-	-	-	-
DOWNTOWN:				
401 Downtown Improvements	-	-	-	-
402 Rail Safety Zone Study	-	-	-	-
403 Lot Identification & Signage	-	-	-	-
404 Santa Fe Plaza	-	-	-	-
405 Downtown Master Plan	-	-	-	-
406 Intersection Improvements at Central & North 4th Street	-	-	-	-
407 Santa Fe Market	-	-	-	-
450 Total Downtown	-	-	-	-
TMED:				
451 TMED - 1st Street @ Temple College - STEP Grant Match	-	-	-	-
452 Master Plan Integration 2010	-	-	-	-
453 TMED - 1st Street @ Loop 363 Design/Construction - Design only	-	-	-	-
454 TMED - Friars Creek Trail 5th Street to S&W Blvd. - [\$1.9M total project cost - DOE Grant of \$400K]	-	-	-	-
455 Avenue R - S&W Blvd, Ave R - 19th Intersections	-	-	-	-
456 Ave U from S&W Blvd to 1st St & 13th to 17th connector from Ave R to Loop 363	-	-	-	-
457 South 1st Street Improvements from the Temple College Apartments to Ave O	-	-	-	-
458 Loop 363 Frontage Rd (UPRR to 5th TIRZ portion)	-	-	-	-
459 31st Street/Loop 363 Improvements/Monumentation	-	-	-	-
460 Ave U TMED Ave. to 1st Street	-	-	-	-
461 TMED Master Plan (Health Care Campus)	-	-	-	-
462 TMED Master Plan & Thoroughfare Plan	-	-	-	-
463 Friars Creek Trail to Ave. R Trail	-	-	-	-
464 Veteran's Memorial Blvd. Phase II	-	-	-	-
500 Total TMED	-	-	-	-
AIRPORT PARK:				
506 Airport Improvements (roadway, drainage, parking, lighting, fencing, landscaping, fuel farm impr, entrance impr, guard facility)	-	-	-	-
508 Corporate Hangar Phase II	-	-	-	-
550 Total Airport Park	-	-	-	-
610 Public Improvements	15,100,000	14,000,000	13,500,000	14,000,000
Total Planned Project Expenditures	15,100,000	14,000,000	13,500,000	14,000,000
700 Available Fund Balance at Year End	\$ 3,484,971	\$ 3,411,462	\$ 3,344,177	\$ 3,243,146



Tax Increment Reinvestment Zone & School District Boundaries

Temple City Limits = 74.67 sq miles
 TIRZ Area = 23.46 sq miles
 31.4%

- Temple Municipal Boundary
- Tax Increment Reinvestment Zone
- School Districts**
- TEMPLE ISD
- BELTON ISD
- ACADEMY ISD
- TROY ISD



RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, APPROVING THE SUBMISSION OF THE CITY OF TEMPLE TAX INCREMENT FINANCING REINVESTMENT ZONE NUMBER ONE ANNUAL REPORT FOR FISCAL YEAR 2014-2015; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, Section 311.016 of the Tax Increment Financing Act requires that the governing body of a municipality submit to the chief executive officer of each taxing unit that levies property tax on real property in a reinvestment zone created by the municipality, a report on the status of the zone on or before the 90th day following the end of the fiscal year of the municipality;

Whereas, a copy of the report must also be sent to the Texas Attorney General and State Comptroller as required by state law;

Whereas, the financial information contained in the report was presented to the City of Temple Tax Increment Financing Reinvestment Zone Number One Board at the December 9, 2015 board meeting;

Whereas, Staff recommends approval of the City of Temple Tax Increment Financing Reinvestment Zone Number One Annual Report for 2014-2015 which meets all the mandated requirements for submission, including a balance sheet and income statement of September 30, 2015; 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: The City Council approves the City of Temple Tax Increment Financing Reinvestment Zone Number One Annual Report for the fiscal year 2014-2015, a copy of which is attached hereto and made a part of this Resolution for all purposes as Exhibit "A," and the Director of Finance is hereby directed to submit the report to the chief executive officer of each taxing unit that levies property tax on real property in City of Temple Tax Increment Financing Reinvestment Zone Number One. A copy of the report shall also be sent to the Attorney General and State Comptroller.

Part 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 17th day of **December**, 2015.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

12/17/15
Item #5(Z)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Nicole Torralva, PE, Director of Public Works
Belinda Mattke, Director of Purchasing

ITEM DESCRIPTION: Consider adopting a resolution authorizing the rejection of all bids received for Doshier Farm Wastewater Treatment Plant SCADA System Improvements on November 10, 2015.

STAFF RECOMMENDATION: Adopt resolution as described in item description.

ITEM SUMMARY: Authorization of the rejection of the Doshier Farm Wastewater Treatment Plant SCADA System Improvements bids received on November 10, 2015, will allow staff and the design consultant to implement some value engineering opportunities.

As shown on the attached bid tabulation, on November 10, 2015, the City received two bids for SCADA system improvements at Doshier Farm Wastewater Treatment plant. The base bids were \$315,800 and \$353,600. Contrarily, there is only \$228,033 in funding available for this project. Accordingly, it is staff's desire to re-evaluate the project, incorporate some value engineering ideas into the plans and specs, and re-bid the project at a later date.

Per the Local Government Code §252.043(f), the governing body may reject any and all bids.

If Council authorizes the rejection of bids, staff anticipates going out for bids for this project again in January 2016.

FISCAL IMPACT: There is no fiscal impact related to this item. Funding in the amount of \$228,033 is available for this SCADA project in account 561-5500-535-6944.

ATTACHMENTS:

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

**Tabulation of Bids Received
on November 10, 2015 at 2:00 p.m.
Doshier Wastewater Treatment Plant -
SCADA System Improvements
Bid # 55-01-16**

	Bidders	
	Trac-N-Trol, Inc. Georgetown, TX	T. Morales Company Electric & Controls, Ltd. Florence, TX
Description		
Total Bid	\$315,800.00	\$353,600.00
Alternate Bid #1 - Installation and testing of the WAS flowmeter and Belt Press Feed flowmeter	\$13,300.00	\$18,800.00
Alternate Bid #2 - Installation and testing of soft starters for 8 reactor drives	\$75,900.00	\$77,400.00
Alternate Bid #3 - Installation and testing of emergency shutdown systems for the Chlorine and Sulfur Dioxide Cylinders; Installation of chlorine cylinder scale weight system	\$60,000.00	\$59,000.00
Alternate Bid #4 - Installation and testing of sump flooding alarm systems at the WAS Pump Station, the Reactor Center Island, the Digester Control Bldg, and the Solids Handling Bldg	\$4,000.00	\$2,700.00
Alternate Bid #5 - Installation and testing of a TSS analyzer in the Reactor Basin	\$8,900.00	\$9,900.00
Alternate Bid #6 - Installation and testing of discrete output modules and relays in all the PLC's	\$6,200.00	\$23,000.00
Acknowledge Addendum (1)	Yes	Yes
Bid Bond	Yes	Yes
Bond Requirement Affidavit	Yes	Yes
Credit Check Authorization	Yes	Yes

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, REJECTING ALL BIDS RECEIVED FOR DOSHIER FARM WASTEWATER TREATMENT PLANT SCADA SYSTEM IMPROVEMENTS; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on November 10, 2015, the City received two proposals for SCADA system improvements at Doshier Farm Wastewater Treatment Plant;

Whereas, base bids received were from a high of \$353,600 to a low of \$315,800, however, funding available for this project totals only \$228,033;

Whereas, it is Staff's desire to re-evaluate the project, incorporate some value engineering ideas into the plans and specs, and re-bid the project at a later date;

Whereas, with the rejection of these two proposals, Staff anticipates going out for bids for this project again in January 2016;

Whereas, in accordance with the Local Government Code §252.043, only the governing body may reject bids;

Whereas, therefore, Staff recommends Council reject all proposals received on November 10, 2015 for SCADA system improvements at Doshier Farm Wastewater Treatment Plant; 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: The City Council rejects all bids received on November 10, 2015 for SCADA system improvements at Doshier Farm Wastewater Treatment Plant.

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 17th day of **December**, 2015.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

12/17/15
Item #5(AA)
Consent Agenda
Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

Lacy Borgeson, City Secretary

ITEM DESCRIPTION: Consider adopting resolutions:

1. Designating 120 West Central Avenue as the single polling place for City Council Districts 1, 2, 3, and 4; and
2. Authorizing joint election agreements with the Temple Health & Bioscience Economic Development District, Temple College, and the Temple Independent School District for the May 7, 2016 election.

STAFF RECOMMENDATION: Adopt resolutions as presented in item description.

ITEM SUMMARY: (1) The current polling places for the single member voting districts are as follows:

District 1, The Mayborn Convention Center, located at 3303 North 3rd Street

District 2, Wilson Recreation Center, located at 2205 Curtis B. Elliott Drive

District 3, Thornton Elementary School, located at 2900 Pin Oak Drive

District 4, Holy Trinity Catholic High School, located at 6608 West Adams Avenue (FM 2305)

Due to current boundary lines for County and City single member districts not setting wholly within an area, we have seen this to cause some confusion for voters. Staff is recommending that the four single member polling locations be combined into one single polling location located at 120 West Central Avenue (Fred Poteet Building). This is in an attempt to alleviate some of the voter confusion with regards to where to vote on election day.

Staff has toured the facility and feel it will be a very appropriate and accessible location for the voters in the City of Temple.

(2) This proposed resolution authorizes joint election agreements with the Temple Health & Bioscience Economic Development District, Temple College, and Temple Independent School District to conduct joint elections and share expenses for the May 7, 2016 general election. The City will be responsible for all duties associated with conducting the election and the costs will be shared equally between those parties holding elections. Should any of the entities declare the May 7, 2016 election to be canceled because of unopposed candidates, then the agreement will become void.

FISCAL IMPACT: Funding in the amount of \$20,725 is appropriated in account 110-1400-511-2517, as part of the City Secretary's budget for the 2016 General Election. All other entities holding joint elections with the City will pay their pro rata share of the total cost of conducting the election.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, DESIGNATING A SINGLE POLLING PLACE FOR ALL CITY COUNCIL DISTRICTS AND AUTHORIZING JOINT ELECTION AGREEMENTS WITH THE TEMPLE HEALTH AND BIOSCIENCE ECONOMIC DEVELOPMENT DISTRICT, TEMPLE COLLEGE, AND THE TEMPLE INDEPENDENT SCHOOL DISTRICT, FOR THE MAY 7, 2016 ELECTION; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, Section 1.6 of the Code of Ordinances provides that the location of each polling place in the City shall be as determined by Resolution of the City Council from time to time;

Whereas, Staff recommends establishing a single polling place for all City Council Districts located at 120 West Central Avenue, Temple, Texas;

Whereas, Staff also recommends authorizing joint election agreements with the Temple Health and Bioscience Economic Development District, Temple College, and the Temple Independent School District, for the May 7, 2016 election;

Whereas, funding is available for the May 7, 2016 election in Account No. 110-1400-511-2517, as part of the fiscal year 2016 General Election budget; and

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

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

Part 1: The City Council establishes a single polling place for all City Council Districts, located at 120 West Central Avenue, Temple, Texas, for the May 7, 2016 election.

Part 2: The City Council authorizes entering into joint election agreements with the Temple Health and Bioscience Economic Development District, Temple College, and the Temple Independent School District, for the May 7, 2016 election.

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 **December**, 2015.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

APPROVED AS TO FORM:

ATTEST:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

12/17/15
Item #5(BB)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Lacy Borgeson, City Secretary

ITEM DESCRIPTION: Consider adopting a resolution authorizing the cancellation of the January 7, 2016, City Council meeting.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The first regular City Council Meeting for 2016 is scheduled for January 7, 2016. Due to this being during the holidays, Staff recommends cancelling this meeting.

FISCAL IMPACT: N/A

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE,
TEXAS, CANCELING THE JANUARY 7, 2016, CITY COUNCIL MEETING;
AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the first regular City Council meeting of 2016 is scheduled for January 7, 2016;

Whereas, due to the holidays, Staff recommends canceling this meeting – the second regular City Council meeting scheduled for January 21, 2016, will be held as scheduled;

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: The City Council approves canceling the January 7, 2016 City Council meeting due to the holidays – the second regular City Council meeting scheduled for January 21, 2016 will be held as scheduled.

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 17th day of **December**, 2015.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

12/17/15
Item #5(CC)
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 2015-2016.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: This item is to recommend various budget amendments, based on the adopted FY 2015-2016 budget. The amendments will involve transfers of funds between contingency accounts, department and fund levels.

FISCAL IMPACT: The total amount of budget amendments is \$1,366,217.

ATTACHMENTS:

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

CITY OF TEMPLE
BUDGET AMENDMENTS FOR FY 2016 BUDGET
December 17, 2015

ACCOUNT #	PROJECT #	DESCRIPTION	APPROPRIATIONS	
			Debit	Credit
110-2041-521-2538		Other Services / Crime Victim Expenditures	\$ 873	
110-0000-442-0722		Police Revenue / Police Donations/Gifts		\$ 873
To appropriate revenue and expenditures related to donation received from The Rotary Club of Temple - South on November 10, 2015.				
362-1300-515-1115		Salaries / Skilled	\$ 41,649	
362-1300-515-1220		Personnel Benefits / Retirement/Pension	\$ 7,164	
362-1300-515-1221		Personnel Benefits / Social Security	\$ 604	
362-1300-515-1222		Personnel Benefits / Health Insurance	\$ 5,372	
362-1300-515-1223		Personnel Benefits / Worker Compensation	\$ 127	
362-1300-515-1224		Personnel Benefits / Unemployment Insurance	\$ 270	
362-1300-515-1225		Personnel Benefits / Dental Insurance	\$ 97	
362-1300-515-1226		Personnel Benefits / Life Insurance	\$ 61	
362-1300-515-1227		Personnel Benefits / AD&D Insurance	\$ 13	
362-1300-515-1228		Personnel Benefits / Long Term Disability	\$ 107	
362-0000-353-1110		Undesignated / Operation Reserves		\$ 49,345
362-1300-515-6536		Capital-Special Projects / Contingency - Compensation		\$ 6,119
To appropriate funding from the General Obligation (GO) Parks bond proceeds to fund the Senior Buyer II position for FY 2016.				
561-0000-311-0112		Reserve for Encumbrance / Prior Year	\$ 113,579	
561-5200-535-6950	100967	Capital Bonds - Western Hills Roadway/Utility Improvements		\$ 113,579
To correct the carry forward entry from FY 2015 due to an invoices for services performed in FY 2015 being received on 11/20/15, which was after all year end entries were recorded.				
365-1500-515-1112		Salaries / Professional	\$ 87,166	
365-1500-515-1220		Personnel Benefits / Retirement/Pension	\$ 14,378	
365-1500-515-1221		Personnel Benefits / Social Security	\$ 1,264	
365-1500-515-1222		Personnel Benefits / Health Insurance	\$ 7,199	
365-1500-515-1223		Personnel Benefits / Worker Compensation	\$ 409	
365-1500-515-1224		Personnel Benefits / Unemployment Insurance	\$ 405	
365-1500-515-1225		Personnel Benefits / Dental Insurance	\$ 134	
365-1500-515-1226		Personnel Benefits / Life Insurance	\$ 130	
365-1500-515-1227		Personnel Benefits / AD&D Insurance	\$ 28	
365-1500-515-1228		Personnel Benefits / Long Term Disability	\$ 225	
561-5000-535-1112		Salaries / Professional	\$ 29,704	
561-5000-535-1220		Personnel Benefits / Retirement/Pension	\$ 5,029	
561-5000-535-1221		Personnel Benefits / Social Security	\$ 431	
561-5000-535-1222		Personnel Benefits / Health Insurance	\$ 1,932	
561-5000-535-1223		Personnel Benefits / Worker Compensation	\$ 80	
561-5000-535-1224		Personnel Benefits / Unemployment Insurance	\$ 135	
561-5000-535-1225		Personnel Benefits / Dental Insurance	\$ 36	
561-5000-535-1226		Personnel Benefits / Life Insurance	\$ 44	
561-5000-535-1227		Personnel Benefits / AD&D Insurance	\$ 10	
561-5000-535-1228		Personnel Benefits / Long Term Disability	\$ 77	
365-3400-531-6886	101215	Capital-Bonds / Poison Oak Road Improvements		\$ 78,296
365-0000-353-1110		Undesignated / Operation Reserves		\$ 33,042
561-5000-535-6532		Capital-Special Projects / Contingency		\$ 37,478
To appropriate funding for the Project Manager and Deputy City Attorney positions for FY 2016. 100% of the salary and benefits for the Project Manager position is being funded from the 2015 Combination Tax and Revenue Certificates of Obligation bonds. The Deputy City Attorney position is being funded 50% with the 2015 Combination Tax and Revenue Certificates of Obligation bonds and 50% with Utility Revenue Bonds.				
Upon issuance of the Series 2016 of TCIP bond proceeds in February or March 2016, the Poison Oak, Phase I (project # 101215) will need to be reimbursed \$78,296. In addition, estimated salaries and benefits for FY 2017 will need to be placed into a Contingency - Compensation account.				

CITY OF TEMPLE
BUDGET AMENDMENTS FOR FY 2016 BUDGET
December 17, 2015

ACCOUNT #	PROJECT #	DESCRIPTION	APPROPRIATIONS	
			Debit	Credit
561-0000-373-0412		Utility Revenue Bonds / Unreserved	\$ 291,170	
561-5400-535-6948	101084	Capital-Bonds / Westfield Blvd, Phase I		\$ 291,170
<p>To correct FY 2015-2016 carry forward related to the wastewater line extension for Westfield Blvd, Phase I project. Expenditures totaling \$291,169.50 were incurred during FY 2014 with an intent to reimburse upon issuance of the 2015 Utility Revenue Bonds. Bond proceeds in the amount of \$291,170 were appropriated to the project on 09/30/15.</p>				
110-2053-521-1119		Salaries / Overtime	\$ 13,000	
110-1900-519-1113		Salaries / Technical		\$ 2,000
110-1900-519-1119		Salaries / Overtime		\$ 1,000
110-0000-351-0943		Designated Capital Unallocated Technology Funds		\$ 10,000
<p>To fund Police CSTs' overtime to clean the names database in I-Leads before moving to WebRMS. The City was anticipating spending \$30,000 to have Integraph write a program but there was no guarantee of the accuracy of cleaning the names database.</p>				
110-2011-521-1119		Salaries / Overtime	\$ 700,000	
110-0000-442-0718		Police Revenue / Police Overtime		\$ 700,000
<p>To appropriate revenue related to reimbursement from James Construction for overtime cost incurred by officers providing traffic control services.</p>				
110-3500-552-6364	101316	Capital - Lions Junction Water Park Expansion	\$ 32,800	
110-0000-445-1587		Recreational Services / Donations - Parks		\$ 32,800
<p>To appropriate revenue and expenditures related to the donation received from Temple Lions Club Parks and Charities on 12/17/15 in the amount of \$32,800. The donation is to be used for the expansion of Lions Junction Family Water Park Facility.</p>				
110-3280-551-2541		Other Services / Corporate Games	\$ 10,515	
110-0000-445-1571		Recreational Services / Corporate Games		\$ 10,515
<p>To appropriate additional revenue and expenditures related to the Corporate Games. Revenues received from event fees will cover the additional expenditures.</p>				
TOTAL AMENDMENTS			\$ 1,366,217	\$ 1,366,217
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		\$ 44,230
		Added to Contingency Judgments & Damages from Council Contingency		-
		Taken From Judgments & Damages		-
		Net Balance of Judgments & Damages Contingency Account		\$ 44,230
		Beginning Compensation Contingency		\$ 375,000
		Added to Compensation Contingency		-
		Taken From Compensation Contingency		-
		Net Balance of Compensation Contingency Account		\$ 375,000
		Net Balance Council Contingency		\$ 419,230
		Beginning Balance Budget Sweep Contingency		\$ -
		Added to Budget Sweep Contingency		-
		Taken From Budget Sweep		-
		Net Balance of Budget Sweep Contingency Account		\$ -

CITY OF TEMPLE
 BUDGET AMENDMENTS FOR FY 2016 BUDGET
 December 17, 2015

ACCOUNT #	PROJECT #	DESCRIPTION	APPROPRIATIONS	
			Debit	Credit
		WATER & SEWER FUND		
		Beginning Contingency Balance	\$	50,000
		Added to Contingency Sweep Account		-
		Taken From Contingency		-
		Net Balance of Contingency Account	\$	50,000
		Beginning Compensation Contingency	\$	64,000
		Added to Compensation Contingency		-
		Taken From Compensation Contingency		-
		Net Balance of Compensation Contingency Account	\$	64,000
		Net Balance Water & Sewer Fund Contingency	\$	114,000
		HOTEL/MOTEL TAX FUND		
		Beginning Contingency Balance	\$	-
		Added to Contingency Sweep Account		-
		Carry forward from Prior Year		-
		Taken From Contingency		-
		Net Balance of Contingency Account	\$	-
		Beginning Compensation Contingency	\$	13,300
		Added to Compensation Contingency		-
		Taken From Compensation Contingency		-
		Net Balance of Compensation Contingency Account	\$	13,300
		Net Balance Hotel/Motel Tax Fund Contingency	\$	13,300
		DRAINAGE FUND		
		Beginning Contingency Balance	\$	-
		Added to Contingency Sweep Account		-
		Carry forward from Prior Year		-
		Taken From Contingency		-
		Net Balance of Contingency Account	\$	-
		Beginning Compensation Contingency	\$	10,300
		Added to Compensation Contingency		-
		Taken From Compensation Contingency		-
		Net Balance of Compensation Contingency Account	\$	10,300
		Net Balance Drainage Fund Contingency	\$	10,300
		FED/STATE GRANT FUND		
		Beginning Contingency Balance	\$	-
		Carry forward from Prior Year		-
		Added to Contingency Sweep Account		-
		Taken From Contingency		-
		Net Balance of Contingency Account	\$	-

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, APPROVING BUDGET AMENDMENTS TO THE 2015-2016 CITY BUDGET; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on the 27th day of August, 2015, the City Council approved a budget for the 2015-2016 fiscal year; and

Whereas, the City Council deems it in the public interest to make certain amendments to the 2015-2016 City Budget.

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

Part 1: The City Council approves amending the 2015-2016 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 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 17th day of **December**, 2015.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

12/17/15
Item #6
Regular Agenda
Page 1 of 2

DEPT. /DIVISION SUBMISSION & REVIEW:

Chuck Ramm, Parks and Recreation Assistant Director

ITEM DESCRIPTION: FIRST READING - PUBLIC HEARING - Consider adopting an ordinance regarding the City of Temple's Youth Program Standards of Care.

STAFF RECOMMENDATION: Conduct a public hearing, adopt the ordinance on first reading, and set the second and final reading for January 21, 2016.

ITEM SUMMARY: On August 19, 2004, City Council adopted the Standards of Care for youth programs sponsored by the Parks and Recreation Department. The standards were developed after the department was contacted by the Texas Department of Protective and Regulatory Services (TDPRS). One of the requirements of the TDPRS is for Cities that conduct youth programs to adopt a Standards of Care policy. The purpose of the policy is to assure the community that when they place their child/children in one of our programs our facilities are safe, a background check has been conducted on our staff and that they are properly trained for the program they will be conducting.

Some of the key elements of the City or Temple standards include:

- Defining a participant as a youth, ages 5-13, whose parent(s) have completed all required registration procedures and is determined to be eligible for a Temple Youth Program
- Ensuring that criminal background checks will be conducted on prospective youth program employees
- Stating that as soon as possible after employment all appropriate staff will complete a course in first aid and Cardiopulmonary Resuscitation (CPR).
- Stating that the Parks and Recreation Department will provide training and orientation to program employees and that staff will be provided with a program manual specific to each Youth Program.
- Indicating that in a Temple youth recreation program, the number of participants may not exceed leaders by a minimum ratio of 1 Leader per 20 participants for children 5 years to 13 years of age.

- Assuring parents that they will be notified immediately if a:
 - (1) participant is injured
 - (2) participant has a sign or symptom requiring exclusion from the site (i.e. communicable disease, fever, illness)
 - (3) if there is an outbreak of any communicable disease that is reportable to the State Department of Health.
- Confirming that all program sites will have an annual fire inspection by the City Fire Marshall prior to September 1st of each year.
- Requiring the Parks and Recreation Director to provide an annual report to the City Council on the overall status of the Youth Programs and their operation relative to compliance with the adopted Standards of Care.

In 2015, average daily attendance at our afterschool sites decreased from 311 children to 300. The summer camp average for 2015 was 257. In 2014, it was 236. All training and inspection requirements were met.

Each year the Parks and Recreation Department is required to review the previous year's afterschool and camp programs and develop an annual report, including making any recommendations we believe necessary to change the Child Care Ordinance. City Council is then asked to conduct a public hearing, approve the report and adopt the Standards of Care after conducting a public hearing.

We are not recommending any changes to the current (and proposed) Child Care Ordinance.

FISCAL IMPACT: None

ATTACHMENTS:

[2015 Child Care Standards Report](#)
[2016 Child Care Standards Ordinance](#)

Parks and Leisure Services Department
Child Care Standards Annual Report
2015

Throughout the 2015 school year, the City of Temple Parks and Leisure Services Department provided after-school programs for boys and girls ages 5-13 at four Temple I.S.D campuses, four Belton I.S.D campuses and St. Mary's Catholic School. The department also organized two summer camps, a spring break camp (Camp Adventure), and a holiday camp (Camp Holidayze) for children ranging from 5 to 13 at the Wilson Recreation Center.

After School Programs

The after-school programs run concurrent with each of the schools including holidays and teacher workdays. Children attended the programs from 3:00 p.m. to 6:00 p.m. Monday through Friday. On teacher workdays and school holidays, the program is offered from 7am – 6pm at Wilson Park Recreation Center.

The children are provided with a quality recreation program that includes activities such as tutoring and dedicated homework//educational sessions, arts and crafts, athletics, gym games, etc. The children are also provided a healthy snack. The after school programs are staffed with part-time employees but supervised by a full time Program Coordinator and Recreation Specialist.

<u>Location</u>	<u>Attendance (daily average)</u>	
	2014	2015
Thornton Elementary	30	31
Western Hills	14	14
Kennedy Powell	42	43
Cater	21	20
Lakewood	42	45
Pirtle	48	44
Tarver	41	43
St. Mary's	28	17
High Point	45	43

Camps

Summer camps included Camp Heatwave, which took place at the Wilson Park Recreation Center and Camp Horizon which was held at Tarver Elementary School. Camp Heatwave and Horizon were 11 week programs. Both camps were staffed with part-time recreation leaders and supervised by a full-time Recreation Specialist and a Recreation Coordinator. Because of numerous waitlisted children seeking participation in our camps the Department is looking into a third site for camp at Kennedy-Powell Elementary School. The same staffing format also occurred at Camp Holidayze and Camp Adventure

The summer camp schedule was 7:00 a.m. to 6:00 p.m. Monday through Friday. The children participated in a variety of activities including arts and crafts, athletics, swimming, field trips, hiking, disc golf, archery, outdoor adventure programs, etc. The children at Camp Heatwave were provided a lunch and an afternoon snack from the Temple I.S.D. summer lunch program.

Each participant submitted a signed waiver, registration form and emergency contact information.

<u>Camp Name</u>	<u>Attendance (daily average)</u>	
	<u>2014</u>	<u>2015</u>
Camp Holiday (Christmas Break)	63	60
Camp Adventure (Spring Break)	93	91
Camp Heatwave (Summer Camp)	153	165
Camp Horizon (Summer Camp)	83	92

Scholarships

Parents who are in need of financial support are provided the opportunity to apply for assistance. Based upon the guidelines adopted by The Parks and Leisure Services Advisory Board, 78 participants received aid in the form of reduced fees.

After School Program

25 – 50% reduced (Parents paid \$20 per child, weekly)

7 – 20% reduced (Parents paid \$32 per child, weekly)

Camp Heatwave, Quest, Horizon

35 – 50% reduced (Parents paid \$35 per child, weekly)

11 – 20% reduced (Parents paid \$56 per child, weekly)

At the beginning of the 2012-2013 school year, the Parks and Leisure Services Advisory Board adopted new guidelines for scholarships.

Inspection Schedule

The Wilson Recreation Center and all after school sites were inspected in April, May and December 2015 for any hazards or potential problems by the Recreation Superintendent. None were noted.

The Wilson Recreation Center passed the annual fire inspection in October, 2015

All school sites were inspected by the Fire Marshall.

Training

Per the adopted Childcare Standards, all staff are CPR/First Aid trained within one year of their hire date. Training occurs twice each year.

All staff who worked with children attended a minimum of 12 hours of training pertinent to their programming responsibilities.

All staff were given quarterly safety training.

All training requirements were met.

Recommendations

Seek permission from TISD for a third site within Temple’s West side to accommodate the 100+ waitlisted campers from FY 2015.

TEMPLE YOUTH PROGRAMS' STANDARDS OF CARE

The following Standards of Care have been adopted by the City Council of the City of Temple, Texas to pursuant to with Texas Human Resources Code Section 42.041(14). The Standards of Care are the minimum standards by which the City of Temple Parks and Recreation Department will operate the City's Youth Programs.

General Administration

1. Organization

- A. The governing body of the City of Temple youth programs is the Temple City Council.
- B. Implementation of the Youth Program Standards of Care is the responsibility of the Superintendent of Recreation.
- C. Youth Programs ("Program") to which these Standards will apply are the programs held at the Wilson Recreation Center and other "Outreach" programs currently operated by the City of Temple. Other programs may be subsequently designated by the City of Temple.
- D. Each Youth Program site will have available for public and staff review a current copy of the Standards of Care.
- E. Standards of Care will be made available on the Parks and Recreation Website www.templeparks.com.
- F. Criminal background checks will be conducted on prospective Youth Program employees. If results of that criminal check indicate that an applicant has been convicted of any of the following offenses, he or she will not be considered for employment:
 - (1) felony or a misdemeanor classified as an offense against a person or family;
 - (2) felony or misdemeanor classified as public indecency;
 - (3) felony or misdemeanor violation of any law intended to control the possession or distribution of any controlled substance;
 - (4) offense involving moral turpitude;
 - (5) offense that would potentially put the City of Temple at risk.

2. Definitions

- A. City: City of Temple
- B. City Council: City Council of the City of Temple
- C. Department: Recreation Division of the Parks and Recreation Department of the City of Temple
- D. Youth Programs or Program: City of Temple youth programs held at the Wilson Recreation Center, and “Outreach” programs currently operated by the City of Temple. Other programs may be subsequently designated by the City of Temple.
- E. Program Manual: Notebook of policies, procedures, required forms, and organizational and programming information relevant to Temple Youth Programs
- F. Director: City of Temple Director of Parks and Recreation or his or her designee
- G. Recreation Superintendent: person responsible for the overall oversight of the Parks and Recreation
- H. Program Coordinator or Coordinator: City of Temple, Parks and Recreation Department full-time recreation staff person who has been assigned administrative responsibility for a Temple Youth Program
- I. Recreation Specialist: City of Temple, Parks and Recreation Department full-time recreation staff person who has been assigned day to day responsibilities to implement the City’s Youth Program.
- J. Recreation Leader or Leaders: City of Temple, Parks and Recreation Department part-time employee who has been assigned responsibility to conduct the City’s Youth Programs
- K. Program Site: Any area or facility where Temple Youth Programs are held
- L. Participant: A youth, ages 5-13, whose parent(s) have completed all required registration procedures and determined to be eligible for a Temple Youth Program
- M. Parent(s): This term will be used to represent one or both parent(s) or guardian(s) who have legal custody and authority to enroll their child(ren) in Temple Youth Programs
- N. Employee(s): Term used to describe people who have been hired to work for the City of Temple, Parks and Recreation Department and have been assigned responsibility for managing, administering, implementing or conducting some portions of the Temple Youth Programs.

3. Inspections/Monitoring/Enforcement

- A. A bi-annual inspection report will be initiated by the Recreation Superintendent to confirm the Standards of Care are being adhered to.
 - (1) Inspection reports will be sent to the Director for review and kept on record for at least two years.
 - (2) The Director will review the report and establish deadlines and criteria for compliance with the Standards of Care.
- B. The Recreation Superintendent will make visual inspections of the facilities based on the following schedule:
 - (1) pre-summer check in May of each year
 - (2) winter check in January
- C. Complaints regarding enforcement of the Standards of Care will be directed to the Coordinator. The Coordinator will be responsible to take the necessary steps to resolve the problems. All complaints regarding enforcement of the Standards of Care and their resolution will be recorded by the Coordinator. Unresolved complaints regarding enforcement of the Standards of Care will be addressed by the Recreation Superintendent, and should they still not be resolved, by the Director. The complaint and the resolution will be documented.
- D. The Director will provide an annual report to the City Council on the overall status of the Youth Programs and their operation relative to compliance with the adopted Standards of Care.

4. Enrollment

- A. All children participating in the program must be 5 years of age. Before a child can be enrolled, the parents must sign registration forms that contain the child's:
 - (1) name, address, home telephone number;
 - (2) name and address of parents and telephone during program hours;
 - (3) names and telephone numbers of people to whom the child can be released;
 - (4) statement of the child's special problems or needs;
 - (5) proof of residency when appropriate;

- (6) liability waiver which also includes permission for field trips and emergency medical authorization.
- (7) any medicines the child may be taking

5. Suspected Abuse

Program employees will report suspected child abuse in accordance with the Texas Family Code.

Staffing-Responsibilities and Training

6. Youth Program Coordinator Qualifications

- A. Coordinators will be full-time, employees of the Temple Parks and Recreation Department and will be required to have all Program Leader qualifications as outlined in Section 8 of this document.
- B. Coordinators must be at least 21 years old.
- C. Coordinators must have two years' experience planning and implementing recreation activities.
- D. Coordinators must be able to pass a background investigation including testing for illegal substances.
- E. As soon as possible after employment with the City of Temple, but within one year, Coordinators must successfully complete a course in first aid and Cardiopulmonary Resuscitation (CPR) offered by either: the City of Temple, American Red Cross, American Heart Association, Medic First-Aid Training Program of America, National Safety Council, any agency of the State of Texas authorized to provide Emergency Medical Technician or Emergency Care Attendant certification, or any other agency recognized by any agency of the U.S. Department of Labor to provide certification.
- F. Coordinators must be able to furnish proof of a clear tuberculosis test within 12 months prior to their employment date.

7. Coordinator's Responsibilities

- A. Coordinators are responsible to administer the Programs' daily operations in compliance with the adopted Standards of Care.
- B. Coordinators are responsible to recommend for hire, supervise, and evaluate Leaders.

C. Coordinators are responsible to plan, implement, and evaluate programs.

8. Recreation Leader (“Leader”) Qualifications

A. Leaders will be full-time, part-time or temporary employees of the Parks and Recreation Department.

B. Leaders working with children must be age sixteen (16) or older.

C. Leaders should be able to consistently exhibit competency, good judgment, and self-control when working with children.

D. Leaders must relate to children with courtesy, respect, tolerance, and patience.

E. As soon as possible, but within one year of hiring, all of the Leaders at each site must have successfully completed a course in first aid and Cardiopulmonary Resuscitation (CPR) offered by either: the City of Temple, American Red Cross, American Heart Association, Medic First-Aid Training Program of America, National Safety Council, any agency of the State of Texas authorized to provide Emergency Medical Technician or Emergency Care Attendant certification, or any other agency recognized by any agency of the U.S. Department of Labor to provide certification.

F. Each Leader applicant must be able to furnish proof of a clear tuberculosis test within the 12 months prior to their employment date.

G. Leader must pass a background investigation including testing for illegal substances.

9. Leader Responsibilities

A. Leaders will be responsible to provide participants with an environment in which they can feel safe, can enjoy wholesome recreation activities, and can participate in appropriate social opportunities with their peers.

B. Leaders will be responsible to know and follow all City, Departmental, and Program standards, policies, and procedures that apply to Temple Youth Programs.

C. Leaders will ensure that participants are released only to a parent or an adult designated by the parent. All Program sites will have a copy of the Department approved plan to verify the identity of a person authorized to pick up a participant if that person is not known to the Leader.

D. A leader must be with participants at all times or aware of the participants location.

10. Training/Orientation

- A. The Department is responsible to provide training and orientation to Program employees in working with children and for specific job responsibilities. Coordinators will provide each Leader with a Program manual specific to each Youth Program.
- B. Leaders must be familiar with the Standards of Care for Youth Program operation as adopted by the City Council.
- C. Program employees must be familiar with the Program's policies including discipline, guidance, and release of participants as outlined in the Program Manual.
- D. Program employees will be trained in appropriate procedures to handle emergencies.
- E. Program employees will be trained in areas including City, Departmental, and Program policies and procedures; provision of recreation activities; safety issues; and organization.
- F. All program employees will receive 10 hours of training annually.
- G. Program employees will be required to sign an acknowledgment that they received the required training.

Operations

11. Staff-Participant Ratio

- A. In a Temple Youth Program school, the number of participants may not exceed leaders by a minimum ratio of 1 Leader per 20 participants for children 5 years to 14 years of age.
- B. In a Belton Youth Program school, the number of participants may not exceed leaders by a minimum ratio of 1 Leader per 15 participants for children 5 years to 14 years of age.
- C. Each participant should have a Program employee who is responsible for him or her and who is aware of details of the participant's habits, interests, and any special problems as identified by the participant's parents during the registration process.

12. Notification

- A. Parents must be notified immediately if:
 - (1) Participant is injured; or
 - (2) Participant has a sign or symptom requiring exclusion from the site (i.e. communicable disease, fever, illness).

- B. All parents must be notified if there is an outbreak of any communicable disease that is reportable to the State Department of Health.

13. Discipline

- A. Program employees will implement discipline and guidance in a consistent manner based on the best interests of Program participants.
- B. There will be no cruel or harsh punishment or treatment.
- C. Program employees may use brief, supervised separation from the group if necessary.
- D. As necessary, Program employees will initiate discipline reports to the parent(s) of participants. Parents will be asked to sign participant discipline reports to indicate they have been advised about a specific problem or incident.
- E. A sufficient number and/or severe nature of discipline reports as detailed in the Program manual may result in a participant being suspended from the Program.
- F. In instances where there is a danger to participants or staff, offending participants will be removed from the Program site as soon as possible.

14. Programming

- A. Program employees will attempt to provide activities for each group according to the participants' ages, interests, and abilities. The activities must be appropriate to participants' health, safety, and well-being. The activities also will be flexible and promote the participants' emotional, social, and mental growth.
- B. Program employees will attempt to provide indoor and outdoor time periods to include:
 - (1) alternating active and passive activities,
 - (2) opportunity for individual and group activities, and
 - (3) outdoor time each day weather permits.
- C. Program employees will be attentive and considerate of the participants' safety on field trips and during any transportation provided by the Program.
 - (1) During trips, Program employees supervising participants must have immediate access to emergency medical forms and emergency contact information for each participant.

- (2) Program employees must have a written list of the participants in the group and must check the roll frequently.
- (3) Program employees must have first aid supplies and a guide to first aid and emergency care available on field trips.
- (4) Notice of any field trips will be displayed at a prominent place at each site.

15. Communication

- A. Each Program site will have access to a telephone for use in contacting the Recreation Center or making emergency calls.
- B. The Coordinator will post the following telephone numbers adjacent to a telephone accessible to all Program employees at each site:
 - (1) Temple ambulance or emergency medical services.
 - (2) Temple Police Department.
 - (3) Temple Fire Department.
 - (4) Poison Control.
 - (5) The telephone number for the site itself.
 - (6) Numbers at which parents may be reached.

16. Transportation

- A. First aid supplies and a first aid and emergency care guide will be available in all Program vehicles that transport children.
- B. All Program vehicles used for transporting participants must have available a 6-BC portable fire extinguisher which will be installed in the passenger compartment of the vehicle and which must be accessible to the adult occupants.
- C. A notebook containing the names and telephone numbers of Parents and Physicians shall be available in all Program vehicles that transport Participants.

Facility Standards

17. Safety

- A. Program employees will inspect Youth Program sites daily to detect sanitation and safety concerns that might affect the health and safety of the participants. A daily inspection report will be completed by the Program staff and kept on file by the Program Coordinator.
- B. Buildings, grounds, and equipment on the Program site will be inspected, cleaned, repaired, and maintained to protect the health of the participants.
- C. Program equipment and supplies must be safe for the participant's use.
- D. Program employees must have first aid supplies available at each site, during transportation, and for the duration of any off-site activity.
- E. Program air conditioners, electric fans, and heaters must be mounted out of participants' reach or have safeguards that keep participants from being injured.
- F. Program porches and platforms more than 30 inches above the ground must be equipped with railings participants can reach.
- G. All swing seats at Program sites must be constructed of durable, lightweight, relatively pliable material.
- H. Program employees must have first aid supplies readily available to staff in a designated location. Program employees must have an immediately accessible guide to first aid and emergency care.
- H. The list of Program sites will be provided to the Bell County Health District- Environmental Health Division so that the Health Division can conduct health inspection(s).

18. Fire

- A. In case of fire, danger of fire, explosion, or other emergency, Program employees' first priority is to evacuate the participants to a designated safe area.
- B. The Program site(s) will have an annual fire inspection by the City Fire Marshall prior to September 1 of each year, and the resulting report will detail any safety concerns observed, the report will be forwarded to the Director who will review and establish deadlines and criteria for compliance. Information from this report will be included in the Director's annual report to the Council.
- C. Each Program site must have at least one fire extinguisher approved by the Fire Marshall readily available to all Program employees. The fire extinguisher is to be inspected monthly by the Program Coordinator, and a monthly report will be forwarded to the Coordinator's supervisor who will keep the report on file for a minimum of two years. All Youth Program staff members will be trained in the proper use of fire extinguishers.

19. Health

A. Illness or Injury

- (1) A participant who is considered to be a health or safety concern to other participants or staff will not be admitted to the Program.
- (2) Illnesses and injuries will be handled in a manner to protect the health of all participants and employees.
- (3) Program employees will follow plans to provide emergency care for injured participants or for participants with symptoms of an acute illness as specified in the Program manual.
- (4) Program employees will follow the recommendation of the Texas Department of Health concerning the admission or readmission of any participant after a communicable disease.

B. Program employees will administer medication only if:

- (1) Parent(s) or guardian(s) complete and sign a medication form that provides authorization for staff to dispense medication with details as to time and dosages. The form will include a hold harmless clause to protect the City.
- (2) Prescription medications are in the original containers labeled with the child's name, a date, directions, and the physician's name. Program staff members will administer the medication only as stated on the label. Program staff will not administer medication after the expiration date.
- (3) Nonprescription medications are labeled with the child's name and the date the medication was brought to the Program. Nonprescription medication must be in the original container. The Program staff will administer it only according to label direction.
- (4) Medications dispensed will be limited to routine oral ingestion not requiring special knowledge or skills on the part of Program employees. No injections will be administered by the Program employees.
- (5) Program employees must ensure medications are inaccessible to participants or, if it is necessary to keep medications in the refrigerator (when available), medications will be kept separate from food.

C. Toilet Facilities

- (1) The Program site will have inside toilets located and equipped so children can use them independently and program staff can supervise as needed.
- (2) There must be one flush toilet for every 30 children. Urinals may be counted in the ratio of toilets to children, but must not exceed 50% of the total number of toilets.
- (3) An appropriate and adequate number of lavatories will be provided.

D. Sanitation

- (1) The Program site must have adequate light, ventilation, and heat.
- (2) The Program must have an adequate supply of water meeting the standards of the Texas Department of Health for drinking water and ensure that it will be supplied to the participants in a safe and sanitary manner.
- (3) Program employees must see that garbage is removed from sites daily.

- E. The City will contact the Health Department and request an annual health inspection by the Health Department prior to September 1 of each year, and the resulting report will detail any safety concerns observed, the report will be forwarded to the Director who will review and establish deadlines and criteria for compliance. Information from this report will be included in the Director's annual report to the Council.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, ADOPTING THE TEMPLE YOUTHS' PROGRAM STANDARDS OF CARE POLICY FROM THE PARKS AND RECREATION DEPARTMENT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on August 19, 2004, City Council first adopted the Standards of Care for youth programs sponsored by the Parks and Recreation Department which were developed after the department was contacted by the Texas Department of Protective and Regulatory Services (TDPRS);

Whereas, one of the requirements of the TDPRS is for cities that conduct youth programs to adopt a Standards of Care policy annually – the purpose is to assure the community that when they place their child/children in one of the City of Temple's programs, the facilities are safe, a background check has been conducted on the staff, and they are properly trained for any program they conduct;

Whereas, in 2015, the average daily attendance at the afterschool sites decreased from a daily average of 311 children to 300 with the summer camp average rising from 236 in 2014 to 257 in 2015;

Whereas, the Temple Youths' Program Standards of Care policy, attached hereto as Exhibit 'A,' outlines several key elements including the average daily attendance at all afterschool sites;

Whereas, each year the Parks and Recreation Department is required to review the previous year's afterschool and camp programs and develop an annual report, including making any recommendations Staff believes is necessary to change the Child Care Ordinance – Staff is not recommending any changes to the current (and proposed) Child Care Ordinance at this time; and

Whereas, the City Council has considered these matters and deems it in the public interest to authorize these actions.

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

Part 1: The City Council adopts the Temple Youths' Program Standards of Care Policy from the Temple Parks and Recreation Department, which is required by the Texas Department of Protective and Regulatory Services and which assures the community that the City of Temple's facilities are safe, a background check has been conducted on the staff and they are properly trained for any program they conduct, as outlined in Exhibit 'A' attached hereto and incorporated herein for all purposes.

Part 2: All ordinances or parts of ordinances in conflict with the provisions of this ordinance are to the extent of such conflict hereby repealed.

Part 3: 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 4: This ordinance shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Temple, Texas, and it is accordingly so ordained.

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

PASSED AND APPROVED on First Reading and Public Hearing on the **17th** day of **December, 2015**.

PASSED AND APPROVED on Second Reading on the **21st** day of **January, 2016**.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, MAYOR

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

12/17/15
Item #7
Regular Agenda
Page 1 of 1

DEPT. /DIVISION SUBMISSION & REVIEW:

Kayla Landeros, City Attorney

ITEM DESCRIPTION: Consider adopting a resolution granting a petition to institute voluntary annexation proceedings of 0.278 acres of land out of and part of the George W. Lindsey Survey, Abstract 513, directing Staff to develop a municipal services plan, and calling public hearings to consider the petition.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: On November 23, 2015, Kiella Land Investments, Ltd filed a petition seeking voluntary annexation of 0.278 acres of land out of and part of the George W. Lindsey Survey, Abstract 513, and being more particularly described in the attached survey.

Voluntary annexation is governed by Chapter 43 of the Local Government Code and applies only to the annexation of an area that is (1) less than one-half mile in width, (2) contiguous to the annexing municipality, and (3) vacant and without residents or on which fewer than three qualified voters reside. The petition and the property meet the statutory requirements.

Pursuant to Chapter 43 of the Local Government Code, the City must adopt a municipal services plan for the annexed area and conduct two public hearings. The proposed resolution would direct Staff to develop the municipal services plan and set the dates for the public hearings.

The proposed dates for the public hearings are January 21, 2016 (regular meeting) and January 22, 2016, (special meeting). Planning staff will present a municipal services plan at the hearing on January 21, 2016, as required by state law, showing how the City will serve the area proposed to be annexed. The proposed schedule anticipates completion of annexation proceedings through a Second Reading at City Council on March 3, 2016. Zoning for the property will be requested at a future date.

FISCAL IMPACT: The City will receive future property tax revenue if the property is annexed.

ATTACHMENTS:

[Petition for Voluntary Annexation](#)

[Survey](#)

[Resolution](#)

TURLEY ASSOCIATES, INC.

301 N. Third Street
TEMPLE, TEXAS 76501
FIRM REGISTRATION NO. F-1658
Email: mail@turley-inc.com

Phone (254) 773-2400
Fax (254) 773-3998

LETTER OF TRANSMITTAL

DATE 11/23/15 JOB NO. 13-379

ATTENTION _____

RE: 0.278 Acres

TO City of Temple Planning

WE ARE SENDING YOU Attached Under separate cover via _____ the following items:

- Shop drawings
- Prints
- Plans
- Samples
- Specifications
- Copy of letter
- Change order
- Field Notes

COPIES	DATE	NO.	DESCRIPTION
<u>1</u>			<u>Drawing</u>
<u>1</u>			<u>Letter for Voluntary Annexation</u>
<u>1</u>			<u>Field Notes</u>

THESE ARE TRANSMITTED as checked below:

- For approval
- For your use
- As requested
- For review and comment
- FOR BIDS DUE _____
- Approved as submitted
- Approved as noted
- Returned for corrections
- _____
- Resubmit _____ copies for approval
- Submit _____ copies for distribution
- Return _____ corrected prints
- PRINTS RETURNED AFTER LOAN TO US

REMARKS

RECEIVED

NOV 23 2015

City of Temple
Planning & Development

COPY TO _____

SIGNED: _____

If enclosures are not as noted, kindly notify us at once.

VOLUNTARY PETITION FOR ANNEXATION

November 20, 2015

To the City Council of the City of Temple:

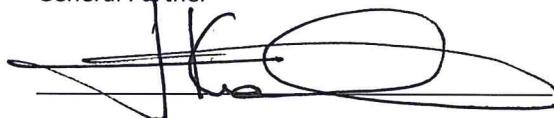
Kiella Land Investments, Ltd., a Limited Partnership, sole owners of that certain tract of land containing 0.278 acres (hereafter called the Tract), out of and part of the George W. Lindsey Survey, Abstract 513, County of Bell, and more particularly described by metes and bounds in field notes prepared by Turley Associates, Inc. and attached hereto and incorporated herein for all purposes for a complete legal description, does hereby petition the City Council to take appropriate action to annex said Tract pursuant to Section 43.028 of the Local Government Code.

Said Tract is more or less: 88 feet in width and 219 feet in length and contains 0.278 acres of land and is contiguous to the current limits of the City of Temple and has no qualified voters as residents.

EXECUTED this the 23rd day of November, 2015.

KIELLA LAND INVESTMENTS, LTD.
A Limited Partnership

By and Through:
KIELLA LAND INVESTMENTS MANAGEMENT, LLC
A Texas Limited Liability Company
General Partner



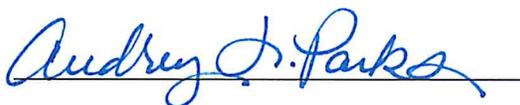
By: John R. Kiella, Manager

STATE OF TEXAS §

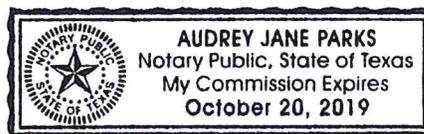
COUNTY OF BELL §

BEFORE ME, the undersigned authority, on this day personally appeared John R. Kiella, Manager of Kiella Land Investments Management, LLC., a Texas Limited Liability Company and general Partner of Kiella Land Investments, Ltd., a Limited Partnership, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein stated.

Given under my hand and seal of office this 23rd day of November, 2015.



Notary Public in and for the State of Texas



BEING a 0.278 acre tract situated in the GEORGE W. LINDSEY SURVEY, ABSTRACT No. 513, Bell County, Texas and being a part or portion of that certain 25.000 acre tract of land described in a Executor's Special Warranty Deed dated April 2, 2008 from Edward William Clinite, Independent Executor and as Trustee of any Trusts Created under the Last Will and Testament of LaVerne Miller, Deceased to Kiella Land Investments, Ltd., a Texas limited partnership and being of record in Document No. 2008-00016748, Official Public Records of Bell County, Texas and being a part or portion of that certain 23.856 acre tract (TRACT2) described in a Special Warranty Deed dated October 1, 2012 from Edward William Clinite, Trustee of the Esta Laperle Clinite Descendants Separate Trust to Kiella Land Investments, Ltd., a Texas limited partnership and being of record in Document No. 2012-00042201, Official Public Records of Bell County, Texas and being a part or portion of that certain 112.763 acre tract of land described in a Special Warranty Deed dated October 1, 2012 from Clinite-Miller, Inc., a Texas corporation to Kiella Land Investments, Ltd., a Texas limited partnership and being of record in Document No. 2012-00042199, Official Public Records of Bell County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a ½" iron rod with cap stamped "RPLS 2475" found being the most easterly northeast corner of that certain 15.047 acre tract of land described as The Campus at Lakewood Ranch, Phase VIII according to the map or plat of record in Cabinet D, Slide 375-B, Plat Records of Bell County, Texas and being the southeast corner of Lot 3, Block 3, The Campus at Lakewood Ranch, Phase IX according to the map or plat or record in Year No. 2014, Plat No. 144, Plat Records of Bell County, Texas and being in the north boundary line of the said 25.000 acre tract and being in the south boundary line of the said 23.856 acre tract for corner;

THENCE departing the said 15.047 acre tract and the said 25.000 acre tract and the said south boundary line and over and across the said 23.856 acre tract the following seven (7) calls:

- 1) N. 15° 56' 32" W., 24.87 feet departing the said The Campus at Lakewood Ranch, Phase VIII and with the east boundary line of the said Lot 3, Block 3, The Campus at Lakewood Ranch, Phase IX to a ½" iron rod with cap stamped "RPLS 2475" set being the southwest corner of Lot 2, said Block 3 for corner;
- 2) N. 70° 06' 33" E., 219.92 feet with the south boundary line of the said Block 3 to a ½" iron rod with cap stamped "RPLS 2475" set for corner;
- 3) S. 50° 38' 46" W., 30.44 feet departing the said Block 3 to a ½" iron rod with cap stamped "RPLS 2475" set for corner;
- 4) S. 37° 15' 50" W., 15.29 feet to a ½" iron rod with cap stamped "RPLS 2475" set for corner;
- 5) N. 54° 23' 42" E., 1.00 feet to a ½" iron rod with cap stamped "RPLS 2475" set for corner;



6) S. 17° 46' 25" W., 2.98 feet to a ½" iron rod with cap stamped "RPLS 2475" set for corner;

7) N. 54° 23' 10" E., 24.76 feet to a ½" iron rod with cap stamped "RPLS 2475" set for corner;

THENCE S. 24° 20' 30" E., 17.60 feet over and across the said 23.856 acre tract and continuing over and across the aforementioned 112.763 acre tract to a ½" iron rod with cap stamped "RPLS 2475" set for corner;

THENCE S. 54° 57' 16" W., 216.30 feet over and across the said 112.763 acre tract and continuing over and across the said 23.856 acre tract and continuing over and across the aforementioned 25.000 acre tract to a ½" iron rod with cap stamped "RPLS 2475" set being in the east boundary line of the aforementioned The Campus at Lakewood Ranch, Phase VIII for corner;

THENCE N. 15° 56' 32" W., 63.25 feet continuing over and across the said 25.000 acre tract and with the said east boundary line of The Campus at Lakewood Ranch, Phase VIII to the Point of BEGINNING and containing 0.278 acres of land.

I, Michael E. Alvis, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that these field notes are a correct representation of a survey made on the ground.

Michael E. Alvis

Michael E. Alvis, R.P.L.S. #5402
November 20, 2015



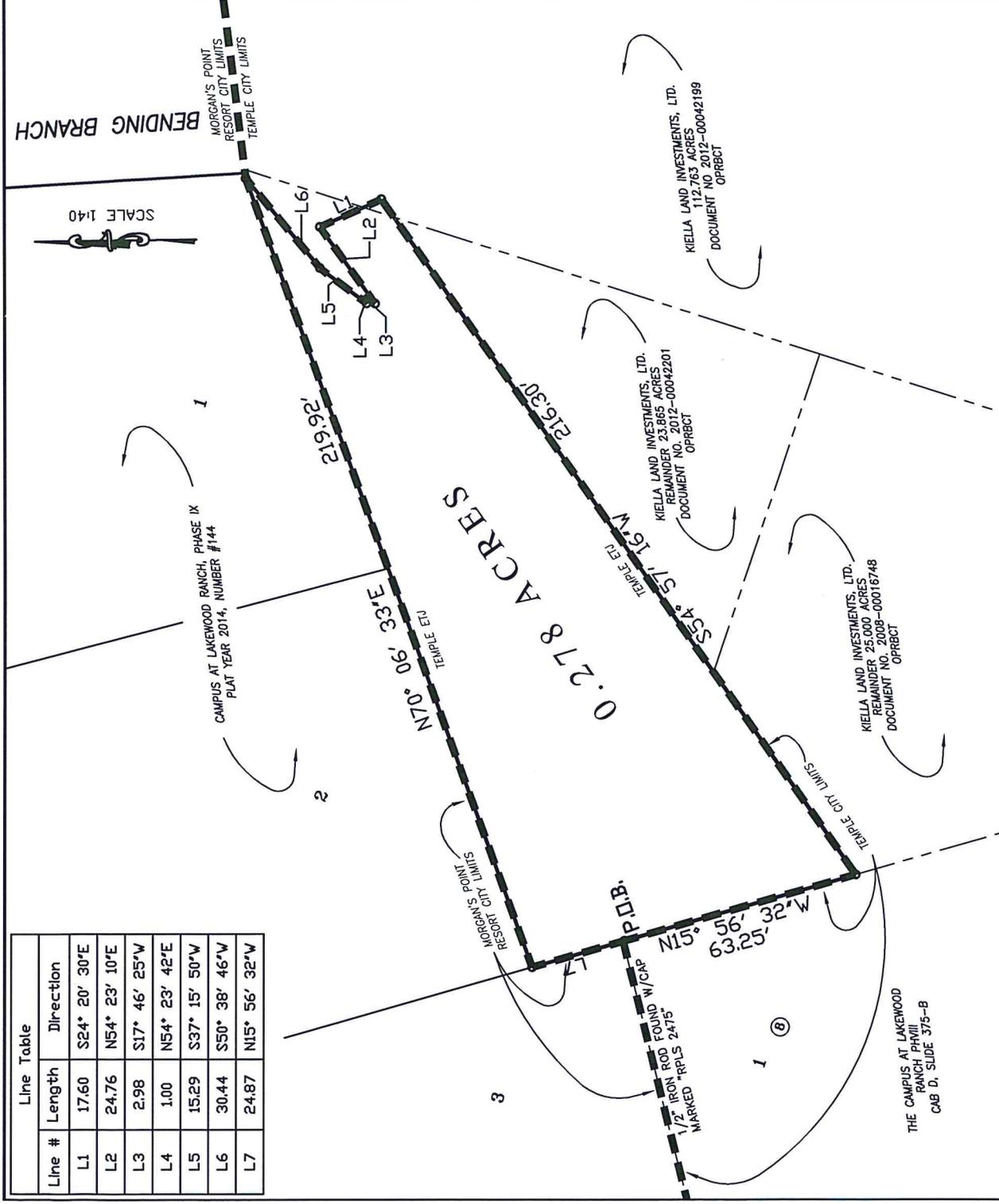
THIS PROJECT IS REFERENCED TO THE CITY OF TEMPLE COORDINATE SYSTEM, AN EXTENSION OF THE TEXAS COORDINATE SYSTEM OF 1983, CENTRAL ZONE. ALL DISTANCES ARE HORIZONTAL SURFACE DISTANCES UNLESS NOTED AND ALL BEARINGS ARE GRID BEARINGS.

ALL COORDINATE VALUES ARE REFERENCED TO CITY MONUMENT NUMBER 506
THE THETA ANGLE AT SAID CITY MONUMENT IS 01° 29' 04"
THE COMBINED CORRECTION FACTOR (CCF) IS 0.999852
PUBLISHED CITY COORDINATES ARE X = 3,198,199.05 Y = 10,383,950.33
THE TIE FROM THE ABOVE CITY MONUMENT TO THE POINT OF BEGINNING (POB) IS
N. 29° 17' 25" W., 4674.11 FEET.
GRID DISTANCE = SURFACE DISTANCE X CCF
GEODETC NORTH = GRID NORTH + THETA ANGLE

Page 2 of 2



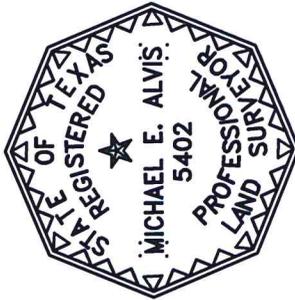
Line #	Length	Direction
L1	17.60	S24° 20' 30"E
L2	24.76	N54° 23' 10"E
L3	2.98	S17° 46' 25"W
L4	1.00	N54° 23' 42"E
L5	15.29	S37° 15' 50"W
L6	30.44	S50° 38' 46"W
L7	24.87	N15° 56' 32"W



BEING a 0.278 acre tract situated in the GEORGE W. LINDSEY SURVEY, ABSTRACT No. 513, Bell County, Texas and being a part or portion of that certain 25.000 acre tract of land described in a Executor's Special Warranty Deed dated April 2, 2008 from Edward William Clinite, Independent Executor and as Trustee of any Trusts Created under the Last Will and Testament of LaVerne Miller, Deceased to Kiella Land Investments, Ltd., a Texas limited partnership and being of record in Document No. 2008-00016748, Official Public Records of Bell County, Texas and being a part or portion of that certain 23.856 acre tract (TRACT2) described in a Special Warranty Deed dated October 1, 2012 from Edward William Clinite, Trustee of the Esta Laperle Clinite Descendants Separate Trust to Kiella Land Investments, Ltd., a Texas limited partnership and being of record in Document No. 2012-00042201, Official Public Records of Bell County, Texas and being a part or portion of that certain 112.763 acre tract of land described in a Special Warranty Deed dated October 1, 2012 from Clinite-Miller, Inc., a Texas corporation to Kiella Land Investments, Ltd., a Texas limited partnership and being of record in Document No. 2012-00042199, Official Public Records of Bell County, Texas and being more particularly described by separate metes and bounds in separate field notes.

STATE OF TEXAS § 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 COUNTY OF BELL § this survey was this day made on the ground of the property described 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.

IN WITNESS THEREOF, my hand and seal, this the 23rd day of November, 2015.



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

**ALL BOUNDARY CORNERS ARE 1/2" IRON ROD WITH CAP MARKED "RPLS 2475" SET UNLESS NOTED OTHERWISE.

0.278 acre tract being more particularly described by separate metes and bounds.		DATE: 11/23/15	SCALE: 1:40	DWN. BY: JFBII/MJK
GEORGE W. LINDSEY SURVEY, ABSTRACT #513 BELL COUNTY, TEXAS		REFERENCE: 12512-D	JOB NO: 13-379	FILE NO: 12789-A
ENGINEERING • PLANNING • SURVEYING CONSTRUCTION MANAGEMENT TURLEY ASSOCIATES, INC. F-1658 301 N. 3rd ST. TEMPLE, TEXAS (254) 773-2400		SHEET 1 OF 1		

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, DIRECTING STAFF TO DEVELOP A MUNICIPAL SERVICES PLAN AND CALLING PUBLIC HEARINGS TO CONSIDER THE ANNEXATION OF APPROXIMATELY 0.278 ACRES OF LAND OUT OF AND PART OF THE GEORGE W. LINDSEY SURVEY, ABSTRACT 513, TEMPLE, TEXAS; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on November 23, 2015, Kiella Land Investments, Ltd filed a petition seeking voluntary annexation of approximately 0.278 acres of land out of and part of the George W. Lindsey Survey, Abstract 513, and being more particularly described in the survey attached hereto as Exhibit 'A;'

Whereas, voluntary annexation is governed by Chapter 43 of the Local Government Code and applies only to the annexation of an area that is (1) less than one-half mile in width, (2) contiguous to the annexing municipality, and (3) vacant and without residents or on which fewer than three qualified voters reside – the petition and the property meet the statutory requirements;

Whereas, pursuant to Chapter 43 of the Local Government Code, the City must adopt a municipal services plan for the annexed area and conduct two public hearings;

Whereas, the proposed dates for the public hearings are January 21, 2016 (regular meeting) and January 22, 2016, (special meeting) - planning staff will present a municipal services plan at the hearing on January 21, 2016, as required by state law, showing how the City will serve the area proposed to be annexed;

Whereas, the proposed schedule anticipates completion of annexation proceedings through a Second Reading at City Council on March 3, 2016 - zoning for the property will be requested at a future date; 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: The City Council directs Staff to develop a Municipal Services Plan and calls public hearings for the annexation of approximately 0.278 acres of land out of and part of the George W. Lindsey Survey, Abstract 513, Temple, Texas (see map attached as Exhibit 'A').

Part 2: The City Council hereby calls two public hearings to gather comments concerning the proposed annexation described above, with the first public hearing scheduled for the Regular Council Meeting on January 21, 2016, at 5:00 PM, and the second public hearing at a Special Called City Council Meeting on January 22, 2016, 2015, at 8:30 AM, both public hearings to be held in the City Council Chambers on the 2nd floor of the Municipal Building located at Main and Central in Temple, Bell County, Texas.

Part 3: The City Staff is hereby authorized to relocate the second public hearing to a suitable location within the area to be annexed in the event of protest.

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 **December**, 2015.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

12/17/15
Item #8
Regular Agenda
Page 1 of 2

DEPT. /DIVISION SUBMISSION & REVIEW:

Kayla Landeros, City Attorney

ITEM DESCRIPTION: Consider adopting a resolution granting a petition to institute voluntary annexation proceedings of 20.855 acres of land out of the Sarah Fitzhenry Survey, Abstract 312, directing Staff to develop a municipal services plan, and calling public hearings to consider the petition.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: On December 8, 2015, Texas JB Investments, LLC filed a petition seeking voluntary annexation of 20.855 acres of land out of the Sarah Fitzhenry Survey, Abstract 312, and being more particularly described in the attached survey.

Voluntary annexation is governed by Chapter 43 of the Local Government Code and applies only to the annexation of an area that is (1) less than one-half mile in width, (2) contiguous to the annexing municipality, and (3) vacant and without residents or on which fewer than three qualified voters reside. The petition and the property meet the statutory requirements.

Pursuant to Chapter 43 of the Local Government Code, the City must adopt a municipal services plan for the annexed area and conduct two public hearings. The proposed resolution would direct Staff to develop the municipal services plan and set the dates for the public hearings.

The proposed dates for the public hearings are January 21, 2016 (regular meeting) and January 22, 2016, (special meeting). Planning staff will present a municipal services plan at the hearing on January 21, 2016, as required by state law, showing how the City will serve the area proposed to be annexed. The proposed schedule anticipates completion of annexation proceedings through a Second Reading at City Council on March 3, 2016.

FISCAL IMPACT: The City will receive future property tax revenue if the property is annexed.

ATTACHMENTS:

[Petition for Voluntary Annexation Survey Resolution](#)

VOLUNTARY PETITION FOR ANNEXATION

December 7, 2015

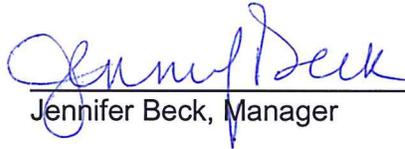
To the City Council of the City of Temple:

Texas JB Investments, LLC is the sole owner of a tract of land containing 20.855 Acres (hereafter called the Tract), out of the SARAH FITZHENRY SURVEY, ABSTRACT 312, Bell County, Texas, and more particularly described metes and bounds prepared by All County Surveying, Inc. and attached hereto and incorporated herein for all purposes for a complete legal description, does hereby petition the City Council to take appropriate action to annex said Tract pursuant to Section 43.028 of the Local Government Code.

Said Tract is less than one-half mile in width and contains 20.855 Acres of land that is contiguous to the current limits of the City of Temple and has less than three qualified voters residing on said Tract.

Texas JB Investments, LLC
A Texas limited liability company

By and Through:



Jennifer Beck, Manager

RECEIVED

DEC - 8 2015

City of Temple
Planning & Development

STATE OF TEXAS

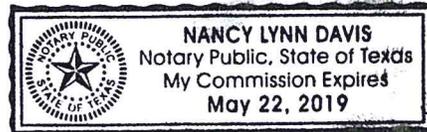
COUNTY OF BELL

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED JENNIFER BECK, MANAGER OF TEXAS JB INVESTMENTS, LLC, A TEXAS LIMITED LIABILITY COMPANY, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT SHE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE 8th DAY OF December, 2015.



NOTARY PUBLIC, STATE OF TEXAS



FIELD NOTES PREPARED BY ALL COUNTY SURVEYING, INC.

October 1, 2015

Surveyor's Field Notes for:

20.855 ACRES, situated in the **SARAH FITZHENRY SURVEY, ABSTRACT 312**, Bell County, Texas, being a portion of that called 32.39 acre tract of land conveyed in a deed to Texas JB Investments, LLC., in Document Number 2011-00023616, Official Public Records of Real Property, Bell County, Texas, and being more particularly described as follows:

BEGINNING at a ½" iron rod found in the west line of a tract of land conveyed to the Boop Family Trust in Volume 2718, Page 54, Official Public Records of Real Property, Bell County, Texas, being the southeast corner of said 32.39 acre tract and being the northeast corner of a called 1.00 acre tract conveyed to William H. Spoons and wife, Helen Spoons in Volume 1209, Page 639, Deed Records of Bell County, Texas, for the southeast corner of this;

THENCE in a northwesterly direction, with a southwest line of said 32.39 acre tract (*Deed N. 50° 21' 00" W., 682.68 feet*), same being the northeast line of said 1.00 acre tract, the northeast line of a called 1.461 acre tract conveyed to Jeffrey S. Gillis and wife, Paula G. Gillis in Document Number 2008-00001267, Official Public Records of Real Property, Bell County, Texas and the northeast line of a called 0.571 acre tract conveyed to James Dean and wife, Lori Dean in Document Number 2009-00035624, Official Public Records of Real Property, Bell County, Texas, **N. 52° 28' 34" W., 682.67 feet**, to a ½" iron rod found on the northeast right of way of State Highway 36, being a corner of said 32.39 acre tract and being the most northerly corner of said 0.571 acre tract, for a corner of this tract;

THENCE continuing in a northwesterly direction, with the southwest line of said 32.39 acre tract, same being the northeast right of way of State Highway 36, the following two (2) courses and distances:

- 1) **N. 13° 49' 12" E., 26.36 feet** (*Deed N. 15° 40' 40" E., 26.00 feet*), to a 5/8" iron rod with "ACS" cap set, for a corner of this tract;
- 2) **N. 29° 37' 17" W., 26.66 feet** (*Deed N. 27° 45' 42" W., 26.72 feet*), to a 5/8" iron rod with "ACS" cap set, being an angle corner of said 32.39 acre tract and being the southwest corner of a called 1.12 acre tract conveyed to Hafner Properties, LLC. in Document Number 2010-00045147, Official Public Records of Real Property, Bell County, Texas, for a corner of this tract;

THENCE in an easterly direction, with an interior line of said 32.39 acre tract (*Deed N. 63° 08' 56" E., 325.69 feet*), same being the south line of said 1.12 acre tract, **N. 61° 07'**

45" E., 325.39 feet, to a 5/8" iron rod found, being an interior corner of said 32.39 acre tract and being the southeast corner of said 1.12 acre tract, for an interior corner of this tract;

THENCE in a northerly direction, with an interior line of said 32.39 acre tract (*Deed N. 43° 13' 29" W., 169.89 feet*), same being the east line of said 1.12 acre tract, **N. 45° 12' 42" W., 169.96 feet**, to a 3/4" metal pipe found, being an interior corner of said 32.39 acre tract, same being the northeast corner of said 1.12 acre tract, for an interior corner of this tract;

THENCE in a westerly direction, with an interior line of said 32.39 acre tract (*Deed S. 62° 42' 10" W., 277.20 feet*), same being the north line of said 1.12 acre tract, **S. 60° 39' 21" W., 277.16 feet**, to a 5/8" iron rod with "ACS" cap found on the northeast right of way of State Highway 36, being an ell corner of said 32.39 acre tract, same being the northwest corner of said 1.12 acre tract, for an ell corner of this tract;

THENCE in a northwesterly direction with a southwesterly line of said 32.39 acre tract (*Deed N. 26° 45' 52" W.*), same being the northeast right of way of State Highway 36, **N. 28° 55' 59" W., 86.57 feet**, to a 5/8" iron rod with "ACS" cap found, being the most southerly corner of Lot 1, Block 1, Cedar Ridge Crossing, an addition in the City of Temple, Bell County, Texas, of record in Cabinet D, Slide 300-C, Plat Records of Bell County, Texas, for the most westerly, northwest corner of this tract;

THENCE in a northeasterly direction with the southeast line of said Lot 1, Block 1 and with the southeast line of a called 11.54 acre tract of land conveyed to CCB properties, LLC. in Document Number 2009-00028362, Official Public Records of Real Property, Bell County, Texas (*Deed N. 51° 21' 27" E., 1336.87 feet*), **N. 49° 17' 50" E., 1336.92 feet**, to a 5/8" iron rod with "ACS" cap set, being the most easterly corner of said 11.54 acre tract, for an ell corner of this tract;

THENCE in a northwesterly direction, with the northeast line of said of 11.54 acre tract (*Deed N. 52° 04' 09" W., 421.50 feet*), **N. 54° 07' 36" W., 421.50 feet**, to a 5/8" iron rod with "ACS" cap found on the southeast line of a called 15.00 acre tract of land conveyed to Frank J. Lawson in Volume 4149, Page 773, Official Public Records of Real Property, Bell County, Texas, bring the most northerly corner of said 11.54 acre tract, for an ell corner of this tract;

THENCE in a northeasterly direction, with a northwesterly line of said 32.39 acre tract (*Deed N. 50° 41' 30" E.*), same being the southeast line of said 15.00 acre tract, **N. 48° 36' 35" E., 395.20 feet**, to a 5/8" iron rod found on a south line of a tract of land conveyed to the Boop Family Trust in Volume 2718, Page 54, Official Public Records of Real Property, Bell County, Texas, being the northwest corner of said 32.39 acre tract, same being the northeast corner of said 15.00 acre tract, for the northwest corner of this tract;

THENCE in an easterly direction, with the north line of said 32.39 acre tract (*Deed S. 71° 04' 00" E., 309.95 feet*), same being the south line of said Boop Family Trust tract, **S. 73° 07' 03" E., 310.13 feet**, to a 5/8" iron rod found, being the northeast corner of said 32.39 acre tract, for the northeast corner of this tract;

THENCE in a southerly direction, with the east line of said 32.39 acre tract (*Deed S. 18° 55' 53" W., 2060.49 feet*), same being a west line of said Boop Family Trust Tract, **S. 16° 52' 04" W., 2060.09 feet**, to the **POINT OF BEGINNING** and containing **20.855 Acres of Land**.

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 coordinates are referenced to City Monument No. 608. The theta angle at City Monument No. 608 is 01° 28' 54". The combined correction factor (CCF) is 0.999853. Grid distance = Surface distance X CCF. Geodetic north = Grid north + theta angle. Reference tie from City monument No. 608 to the southeast corner of this 20.855 acre tract S 62°54'47" E 8,557.20 feet. Published City coordinates for project reference point 608 are N. = 10,407,944.61 E. = 3,195,940.81.

This metes and bounds description to accompany a Surveyor's Sketch showing the herein described 20.855 Acre tract.

This document is not valid for any purpose unless signed and sealed by a Registered Professional Land Surveyor.

Surveyed September 18, 2015

ALL COUNTY SURVEYING, INC.

1-800-749-PLAT

Tx. Firm Lic. No. 10023600

server/projects/pro150000/150600/150634/150634 Annex.doc

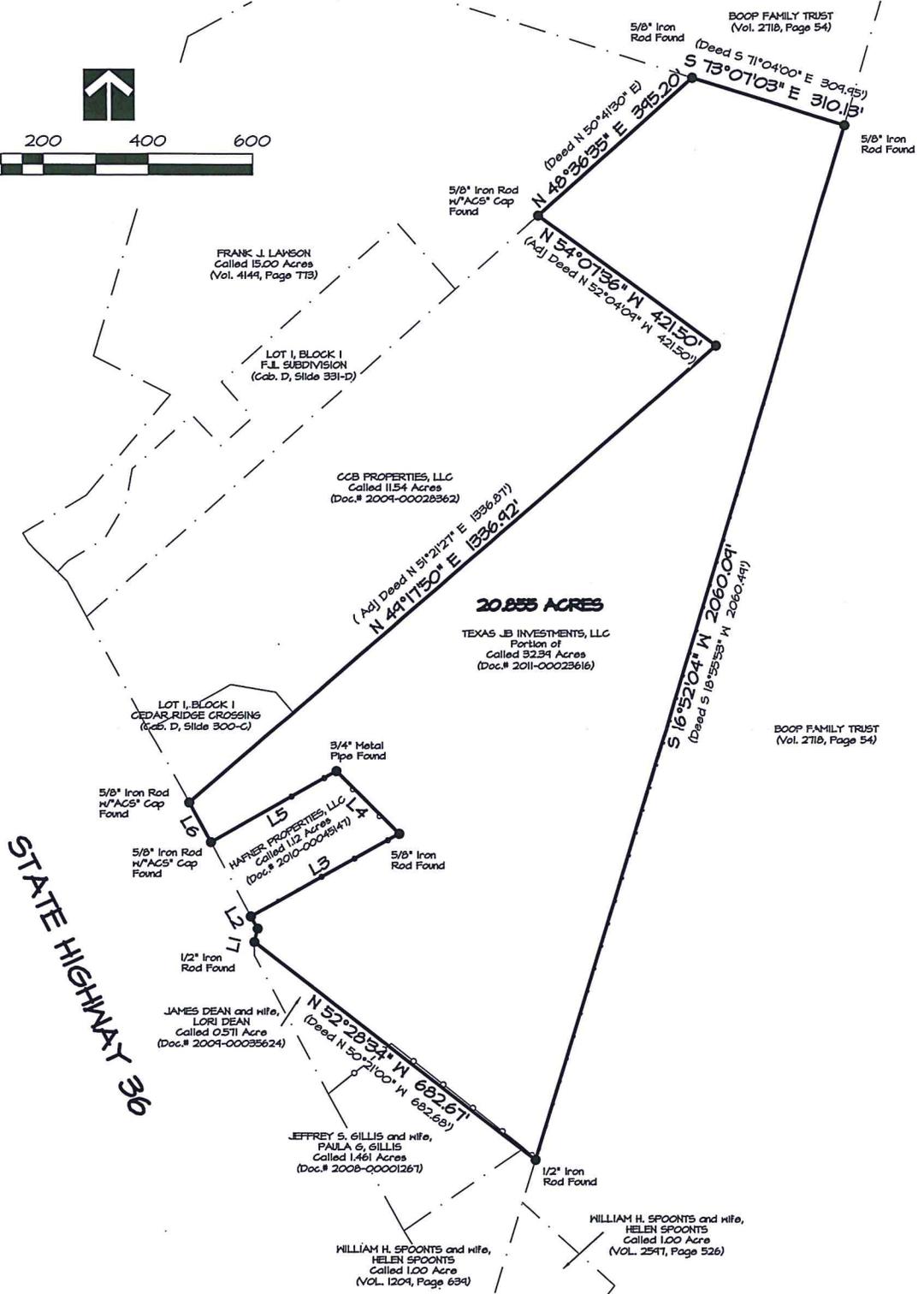
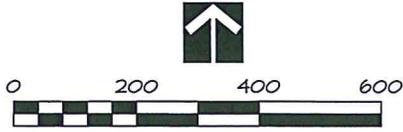


Charles C. Lucko
Registered Professional Land Surveyor
Registration No. 4636

A handwritten signature in blue ink that reads "Charles C. Lucko".

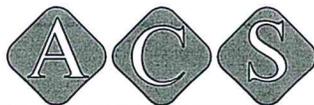
Survey showing 20.855 ACRES, situated in the
SARAH FITZHENRY SURVEY, ABSTRACT #312
Temple, Bell County, Texas

This sketch to accompany a metes and bounds
description of the hereon shown 20.855 Acre tract.



STATE HIGHWAY 36

This document is not valid for any purpose unless signed
and sealed by a Registered Professional Land Surveyor.



ALL COUNTY SURVEYING, INC.
1303 South 21st Street
Temple, Texas 76504
254-770-2272 Killeen 254-634-4636
Fax 254-774-7608
Tx. Firm Lic. No. 10023600



Charles C. Lucko

Survey completed: 09-18-2015
Scale: 1" = 200'
Job No.: 150634.1
Dwg No.: 15063401A
Drawn by: MDH
Surveyor: CCL #4636
Copyright 2015 All County Surveying, Inc.

Plot Date: 10-02-2015



ALL COUNTY SURVEYING, INC
 Tx. Firm No. 10023600

LETTER OF TRANSMITTAL	
PROJECT NO. <u>150634</u>	DATE: <u>December 08, 2015</u>
PROJECT TITLE: Texas JB Investments, LLC – 20.855 Acres	
Voluntary Petition For Annexation	

TO: City of Temple	FROM: Charles C. Lucko, RPLS All County Surveying, Inc. 1303 South 21 st Street Temple, TX 76504
--------------------	--

The following has been forwarded to you for the action indicated:			
	INFORMATION		APPROVAL
	FOR YOUR FILE		COMMENT
	AS DISCUSSED		SIGNATURE AND RETURN
X	AS REQUESTED		OTHER

Enclosed: 1 Voluntary Petition for Annexation 1 Survey of 20.855 Acres 1 set of signed field notes of the 20.855 Acres	
Received By: <u>M Maxwell</u>	Date: <u>Dec 15</u>
Thank You!	

1303 South 21st Street
 Temple, TX 76504
 254-778-2272 (Office) 254-774-7608 (Fax)
 allcountysurveying.com

RECEIVED

DEC - 8 2015

City of Temple
 Planning & Development

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, DIRECTING STAFF TO DEVELOP A MUNICIPAL SERVICES PLAN AND CALLING PUBLIC HEARINGS TO CONSIDER THE ANNEXATION OF APPROXIMATELY 20.855 ACRES OF LAND OUT OF THE SARAH FITZHENRY SURVEY, ABSTRACT 312, TEMPLE, TEXAS; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on December 8, 2015, Texas JB Investments, LLC filed a petition seeking voluntary annexation of approximately 20.855 acres of land out of the Sarah Fitzhenry Survey, Abstract 312, and being more particularly described in the survey attached hereto as Exhibit 'A;'

Whereas, voluntary annexation is governed by Chapter 43 of the Local Government Code and applies only to the annexation of an area that is (1) less than one-half mile in width, (2) contiguous to the annexing municipality, and (3) vacant and without residents or on which fewer than three qualified voters reside – the petition and the property meet the statutory requirements;

Whereas, pursuant to Chapter 43 of the Local Government Code, the City must adopt a municipal services plan for the annexed area and conduct two public hearings;

Whereas, the proposed dates for the public hearings are January 21, 2016 (regular meeting) and January 22, 2016, (special meeting) - planning staff will present a municipal services plan at the hearing on January 21, 2016, as required by state law, showing how the City will serve the area proposed to be annexed;

Whereas, the proposed schedule anticipates completion of annexation proceedings through a Second Reading at City Council on March 3, 2016 - zoning for the property will be requested at a future date; 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: The City Council directs Staff to develop a Municipal Services Plan and calls public hearings for the annexation of approximately 20.855 acres of land out of the Sarah Fitzhenry Survey, Abstract 312, Temple, Texas (see map attached as Exhibit 'A').

Part 2: The City Council hereby calls two public hearings to gather comments concerning the proposed annexation described above, with the first public hearing scheduled for the Regular Council Meeting on January 21, 2016, at 5:00 PM, and the second public hearing at a Special Called City Council Meeting on January 22, 2016, 2015, at 8:30 AM, both public hearings to be held in the City Council Chambers on the 2nd floor of the Municipal Building located at Main and Central in Temple, Bell County, Texas.

Part 3: The City Staff is hereby authorized to relocate the second public hearing to a suitable location within the area to be annexed in the event of protest.

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 **December**, 2015.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



CITY COUNCIL ITEM MEMORANDUM

12/17/15
Item #9
Regular Agenda
Page 1 of 2

DEPARTMENT / DIVISION SUBMISSION & REVIEW

Mark Baker, Senior Planner

ITEM DESCRIPTION: P-FY-15-40: Consider adopting a resolution authorizing the Final Plat of Whitehall Road Addition, a 4.748 +/- acre, 1-lot, 1-block, residential subdivision, with an exception to UDC Section 8.1.3A.7 of the Unified Development Code related to required fire hydrants, located on the north side of Whitehall Road, approximately 2900 feet east of its intersection with FM 2409.

PLANNING & ZONING COMMISSION RECOMMENDATION: At its November 16, 2015 meeting, the Planning & Zoning Commission voted 5 to 0 to recommend approval of the final plat of Whitehall Road Addition as recommended by staff, and

Recommended approval of the requested exception to UDC Section 8.1.3A.7 of the Unified Development Code (UDC) related to required fire hydrants as recommended by staff.

STAFF RECOMMENDATION: Staff recommends approval of the Final Plat of Whitehall Road Addition subdivision; and

Staff recommends approval of the requested exception to Section 8.1.3A.7 of the Unified Development Code relating to required fire hydrants because:

1. The proposed plat is not served by the City's Water Department;
2. The location of the proposed lot and the lack of water supply in the area; and
3. The Fire Marshal recommends approval of the Exception.

ITEM SUMMARY: The Development Review Committee reviewed the Final Plat for the Whitehall Road Addition on September 10, 2015. The plat was deemed administratively complete on November 2, 2015.

The Final Plat for Whitehall Road subdivision, a 1-lot, 1-block, residential subdivision is located on South Whitehall Road approximately 2900 feet east of its intersection with FM 2409. In 2008, the subject property was annexed into the City per Ordinance 2008-4191 and is currently zoned Agriculture (AG).

The plat is required as result of several splits, creating this property and several adjacent lots, which occurred without the benefit of a subdivision plat. It is anticipated that subdivision plats will also be required of those adjoining properties in the future, if a building permit is desired to develop or expand use of the property. These anticipated plats will address existing deficiencies such as obtaining the minimum ROW along Whitehall Road. With respect to the current request, an address is required before utilities can be provided and the plat is required before a property address can be issued by the City.

There is no sewer service in the area and the proposed lot will require an on-site septic system. The County will not issue a septic permit unless it is a legally created lot. Although water service is provided by the Moffat Water Service Company through a 2-inch water line, the property is within the City's Fire District and fire hydrant placement is required.

A separate Exception to UDC Section 8.1.3A.7 for required fire hydrants has been submitted and is part of this request. The request for exception has been circulated to the Fire Department. The Fire Marshal concurs with the requested exception due to the location of the proposed lot and the lack of water supply in the area to support a hydrant. In addition, it was noted in the exception request letter that a significant upgrade would be necessary to the Moffat Water Supply Company's (WSC) infrastructure, in order to accommodate the hydrant. Planning staff has been in contact with Moffat WSC and no issues have been identified.

The subject property takes access from south Whitehall Road which is identified as a collector road and as such requires a 4-foot sidewalk. A separate Sidewalk Waiver has been submitted and is currently being reviewed by the Director of Planning.

Additionally, since Whitehall Road is a collector, a 55-foot ROW, the project's share would be 27.50-feet, is required. There is currently a ½ street ROW of 22.15-feet (44.30-feet total ROW), so a balance of 5.35 feet is required to be dedicated and is shown on the plat.

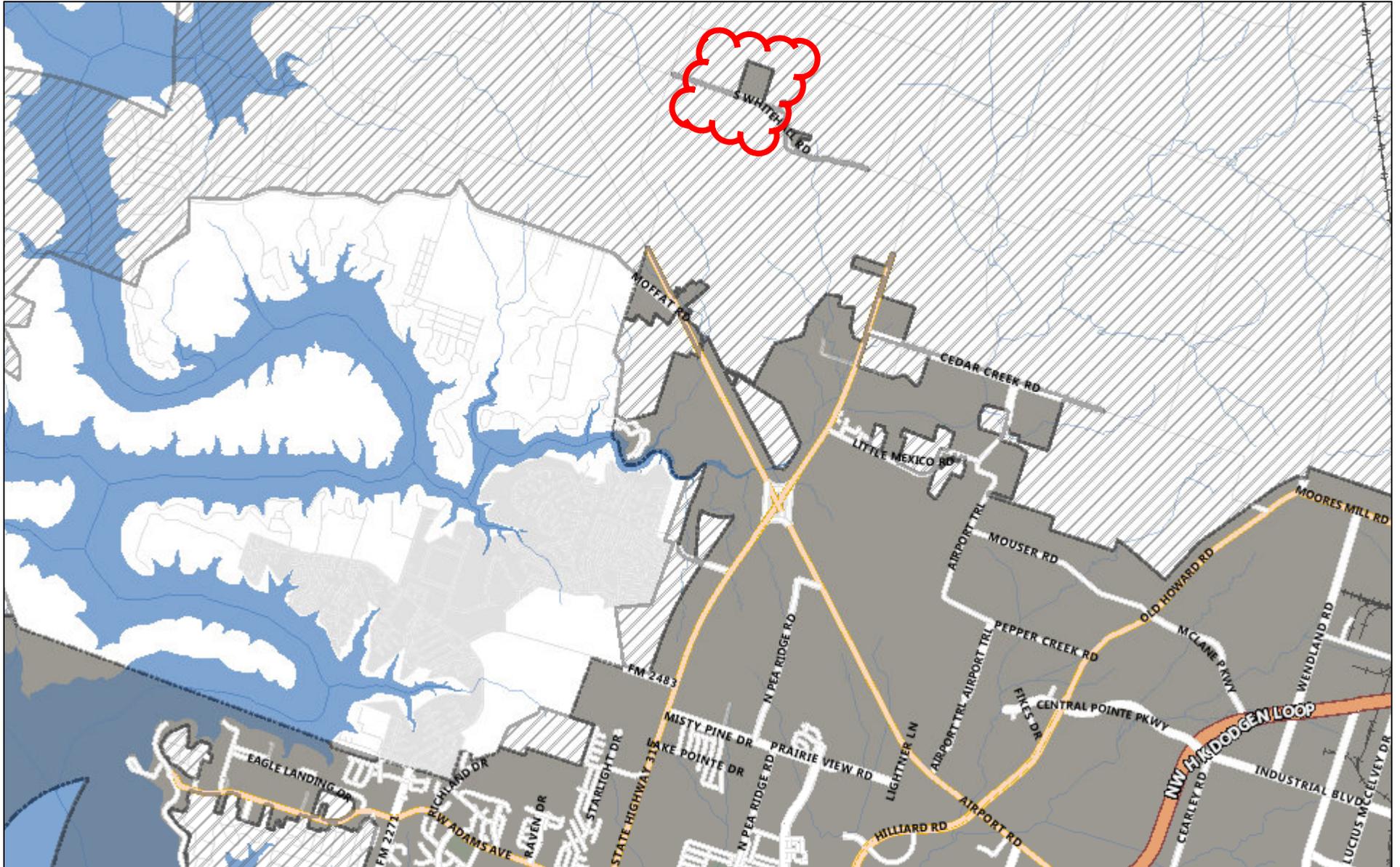
Since this final plat includes a request for an exception to the UDC, the City Council is the final plat authority.

FISCAL IMPACT: Not Applicable

ATTACHMENTS:

[Vicinity Map](#)
[Aerial & Street View Photos – Google Earth](#)
[Final Plat](#)
[Topo / Utility Plan](#)
[Requested Exception Letter](#)
[Resolution](#)

Vicinity Map



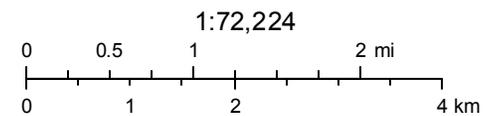
November 10, 2015

Street Labels

Railroad Labels

Park Labels

Outblock Numbers



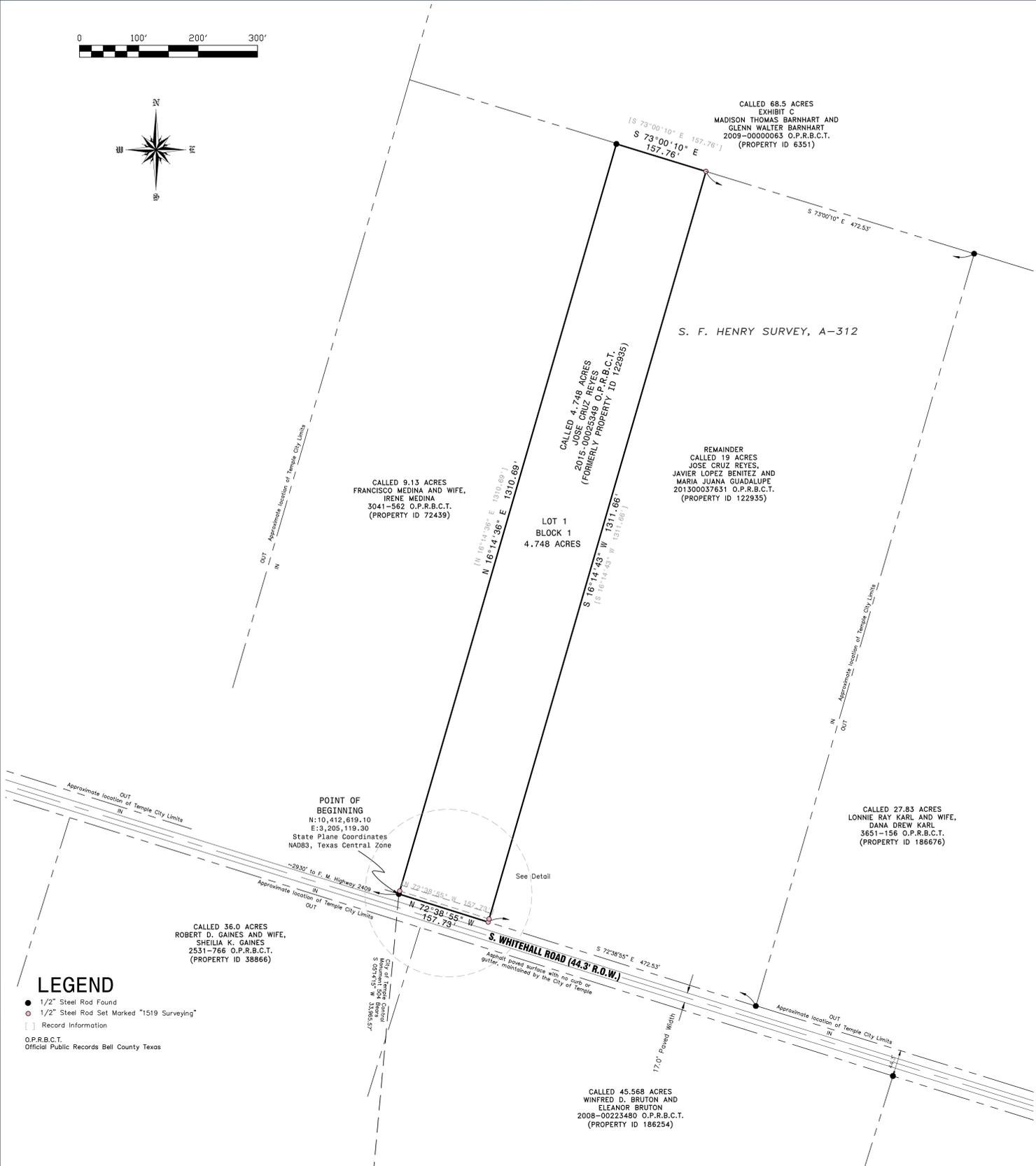
Aerial Photo & Street View



Aerial Vicinity / Site Photo: Google Earth Image



Street View: Looking West on S. Whitehall Road - Google Earth Image



LEGEND

- 1/2" Steel Rod Found
- 1/2" Steel Rod Set Marked "1519 Surveying"
- Record Information

O.P.R.B.C.T.
Official Public Records Bell County Texas

AFFIDAVIT:

The Tax Appraisal District of Bell County, the taxing authority for all taxing entities in Bell County, Texas, does hereby certify that there are currently no delinquent taxes due or owing on the property described by this plat.

Dated this _____ day of _____, 2015 A. D.

By: _____
Bell County Tax Appraisal District

Recordation Information:
Plat recorded in Cabinet _____ Slide _____
Plat Records of Bell County, Texas

Dedication recorded in Volume _____ Page _____ Official Public Records of Real Property, Bell County, Texas

Filed this _____ day of _____, 2015.

Owner:
Jose Cruz Reyes
5740 Knob Creek Road
Temple, Texas 78469

Lots - One (1)
Blocks - One (1)
Area - 4.748 Acres TOTAL
Less 0.019 Acres Dedicated for R.O.W.
4.459 Acres NET

NOTES:

- No part of the subject tract lies within the special flood hazard area (SFHA) as scaled from F.I.E.M. Panel 4802700175E, dated September 26, 2008. No elevations run on the ground.
- BEARINGS, DISTANCES, AND ACREAGE ARE REFERENCED TO GRID NORTH, NAD83 STATE PLANE COORDINATE SYSTEM, TEXAS CENTRAL ZONE 4203.
- PERIMETER: 2937.84'
- AREA: 206,803.583 SQ. FT.
- CLOSURE DISTANCE: 0.005'
- CLOSURE PRECISION: 1 IN 630,914

OWNER'S STATEMENT

STATE OF TEXAS
COUNTY OF BELL

Jose Cruz Reyes, owner of the tract of land shown hereon, and designated as WHITEHALL ROAD ADDITION, within the city limits of the City of Temple, Bell County, Texas, and whose names are subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, watercourses, drains, easements, and public places shown hereon within the plat boundaries of this subdivision.

Jose Cruz Reyes
5740 Knob Creek Road
Temple, Texas 78469

STATE OF TEXAS
COUNTY OF BELL

Before me, the undersigned authority, on this day personally appeared, Jose Cruz Reyes, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein stated.

Given under my hand and seal of office this the _____ day of _____, 2015.

Notary Public, State of Texas
My Commission Expires _____

This plat has been submitted to and considered by the Planning & Zoning Commission of the City of Temple, Texas, and is hereby approved by such Commission.
Dated this _____ day of _____, 2015 A. D.

Chair, Planning & Zoning Commission _____ Secretary to the Planning & Zoning Commission _____

This plat has been submitted to and considered by the City Council of the City of Temple, Texas, and is hereby approved by such council.
Dated this _____ day of _____, 2015 A. D.

City Secretary _____

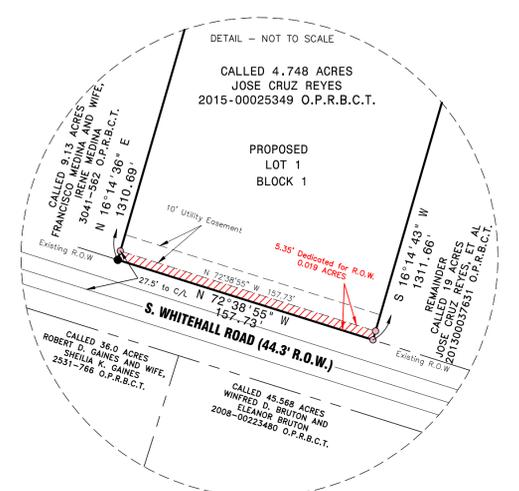
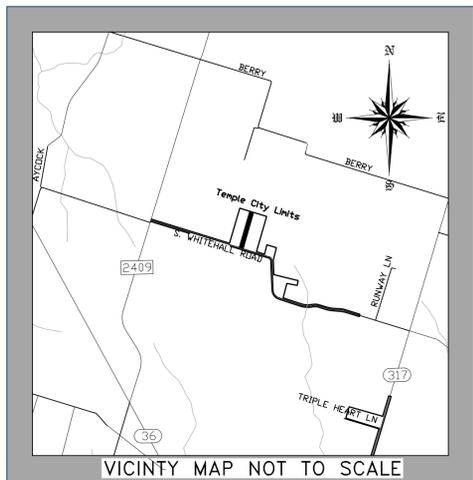
I, the undersigned, a registered sanitarian in the State of Texas, hereby certify that this subdivision, and its wastewater utility system has been reviewed for compliance with applicable state and other regulations governing such systems and is hereby approved for installation as indicated.

Approved: _____
Date: _____ day of _____, 2015 A. D.
Title: _____ BCH

I, the undersigned, General Manager of Moffat Water Supply Corporation, hereby certify that there is sufficient water supply available to service the subject property shown hereon, in accordance with the Moffat Water Supply Corporation Service Application and Agreement applicable to this property.

by: Mark Trulove, General Manger
Moffat Water Supply Corporation
5460 Lakeaire Blvd.
Temple, Texas 76502

Date: _____ day of _____, 2015 A. D.



FINAL PLAT
WHITEHALL ROAD ADDITION
LOT 1, BLOCK 1
WITHIN THE CITY LIMITS OF THE CITY OF TEMPLE
BELL COUNTY, TEXAS

(BEING out of the S. F. Henry Survey, Abstract Number 312, and being part of that called 4.748 acres of land described in a deed to Jose Cruz Reyes, recorded in County Clerk's File Number 201500025349 of the Official Public Records of Bell County, Texas)

STATE OF TEXAS
COUNTY OF BELL

I, the undersigned, a Registered Professional Land Surveyor in the State of Texas, hereby certify, to the best of my knowledge and belief, that this plat is true and correct, that it was prepared from an actual survey of the property made under my supervision on the ground, and that all necessary survey monuments are correctly shown thereon.

H.A. Taylor
Harold Alexander Taylor
Registration No. 6176

Date Surveyed: September 10, 2015

1519
Surveying, LLC
www.1519surveying.com

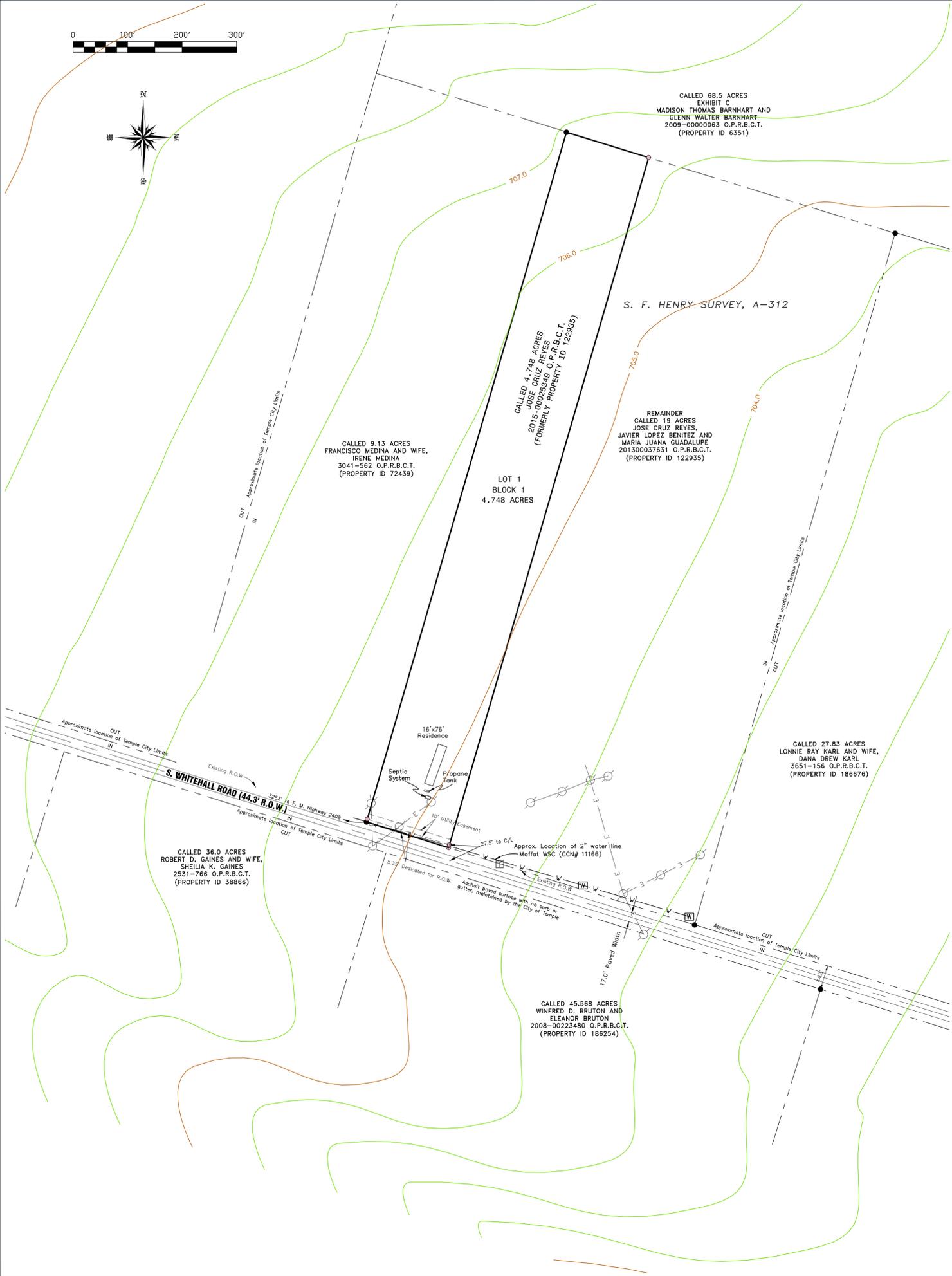
Rev.	Date	Description

1519 Job: 7803
Sheet 1 of 1
Property Address:
Whitehall Road
Temple, Texas

Drawn By: hat

FINAL PLAT
LOT 1, BLOCK 1
WHITEHALL ROAD ADDITION
CITY OF TEMPLE
BELL COUNTY, TEXAS

1519 Surveying, LLC
504 Franklin Ave. Suite A, Waco, TX 76710 Ph: 254-776-1519 TBPUS Firm# 10159068
© Copyright 2015 1519 Surveying, LLC. The content, color, and style of this plat prepared by Copyright and all rights are reserved.



PRELIMINARY, THIS DOCUMENT SHALL NOT BE RECORDED FOR
 ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED
 UPON AS A FINAL SURVEY DOCUMENT.

LEGEND

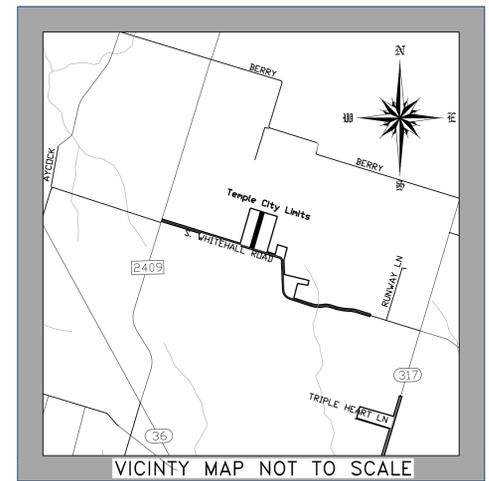
- 1/2" Steel Rod Found
 - 1/2" Steel Rod Set Marked "1519 Surveying"
 - Power Pole
 - Telephone Pedestal
 - ⊞ Water Meter
 - Overhead Electric —
- O.P.R.B.C.T.
 Official Public Records Bell County Texas

Owner:
 Jose Cruz Reyes
 5740 Knobs Creek Road
 Temple, Texas 78469

Lots - One (1)
 Blocks - One (1)
 Area - 4.748 Acres TOTAL
 Less 0.019 Acres Dedicated for R.O.W.
 4.459 Acres NET

NOTES:

1. No part of the subject tract lies within the special flood hazard area (SFHA) as scaled from F.I.R.M. Panel 48027C0175E, dated September 26, 2008. No elevations ran on the ground.
2. Water service provided by Moffat WSC, CC# 11166.
3. Septic service provided by OSSF.



TOPO/UTILITY MAP
WHITEHALL ROAD ADDITION
LOT 1, BLOCK 1
WITHIN THE CITY LIMITS OF THE CITY OF TEMPLE
BELL COUNTY, TEXAS
 (BEING out of the S. F. Henry Survey, Abstract Number 312, and being part of that called 4.748 acres of land described in a deed to Jose Cruz Reyes, recorded in County Clerk's File Number 201500025349 of the Official Public Records of Bell County, Texas)

Rev.	Date	Description

TOPO/UTILITY MAP
 PROPOSED LOT 1, BLOCK 1
 WHITEHALL ROAD ADDITION
 CITY OF TEMPLE
 BELL COUNTY, TEXAS

1519 Job: 7803
 Sheet 1 of 1
 Property Address:
 Whitehall Road
 Temple, Texas

October 20, 2015

Mr. Mark Baker, Planner
City of Temple
2 North Main Street
Temple, Texas 76501
254-298-5668

Re.: "WHITEHALL ROAD ADDITION, LOT 1, BLOCK 1 to the City of Temple, Bell County, Texas, Case # P-FY-15-40"

Dear Mr. Baker:

1519 Surveying, LLC is requesting, on behalf of Jose Cruz Reyes, the following variance for the proposed Whitehall Road Addition, which is located on S. Whitehall Road approximately 2900 feet East of its intersection with F. M. Highway 2409, in the city limits of the City of Temple.

1) A variance is requested for fire hydrant installation in accordance with UDC Section 3.6.7. This area is located in a non-contiguous area of the City of Temple, and is served by Moffat WSC, which maintains a 2" line on the North side of S. Whitehall Road. Installation of a fire hydrant in this location would require significant upgrade of Moffat WSC infrastructure, over which neither Mr. Reyes nor the City of Temple have any control. Therefore, approval of this variance does not appear to be detrimental to the public safety, health, welfare or injurious to other property.

Please contact me if you have any questions or comments concerning this subdivision.

Alex Taylor
1519 Surveying, LLC

RESOLUTION NO. _____

(PLANNING NO. P-FY-15-40)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, APPROVING THE FINAL PLAT OF WHITEHALL ROAD ADDITION, AN APPROXIMATELY 4.748 ACRE, 1 LOT, 1 BLOCK, RESIDENTIAL SUBDIVISION LOCATED APPROXIMATELY 2900 FEET EAST OF ITS INTERSECTION WITH FM 2409, AND GRANTING AN EXCEPTION TO SECTION 8.1.3A.7 OF THE UNIFIED DEVELOPMENT CODE RELATED TO REQUIRED FIRE HYDRANTS; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on November 16, 2015, the Planning and Zoning Commission recommended approval of Whitehall Road Addition, located approximately 2900 feet east of its intersection with FM 2409 and granting an exception to Section 8.1.3A.7 of the Unified Development Code related to required fire hydrants; and

Whereas, the City Council has considered the matter and deems it in the public interest to approve the Final Plat of Whitehall Road Addition, with a developer-requested exception to Section 8.1.3A.7 of the UDC related to required fire hydrants.

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

Part 1: The City Council approves the Final Plat of Whitehall Road Addition, located approximately 2900 feet east of its intersection with FM 2409 and grants an exception to Section 8.1.3A.7 of the Unified Development Code related to required fire hydrants.

Part 2: The City Council approves an exception to Section 8.1.3A.7 of the Unified Development Code related to required fire hydrants because:

- the proposed plat is not served by the City's Water Department;
- the location of the proposed lot and the lack of water supply in the area; and
- the Fire Marshal recommends approval of the exception.

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 **December**, 2015.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, MAYOR

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson

Kayla Landeros

City Secretary

City Attorney