



**MEETING OF THE
TEMPLE CITY COUNCIL
MUNICIPAL BUILDING
2 NORTH MAIN STREET
3rd FLOOR – CONFERENCE ROOM
THURSDAY, MARCH 1, 2018
4:45 P.M.
AGENDA**

1. Discuss, as may be needed, Regular Meeting agenda items for the meeting posted for Thursday, March 1, 2018.
2. Discuss various board appointments.

5:00 P.M.

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

**TEMPLE CITY COUNCIL
REGULAR MEETING AGENDA**

I. CALL TO ORDER

1. Invocation
2. Pledge of Allegiance

II. PUBLIC COMMENTS

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

III. 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.

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

Minutes

- (A) [February 1, 2018 Special and Regular Meeting](#)
- (B) [February 15, 2018 Special and Regular Meeting](#)

Contracts, Leases, & Bids

- (C) [2018-9053-R](#): Consider adopting a resolution authorizing the purchase of a 2018 Ford Transit Van with lift system from Chastang Ford of Houston in the amount of \$65,948.
- (D) [2018-9054-R](#): Consider adopting a resolution authorizing the purchase of an easement and temporary construction easement necessary for the construction of the Shallowford Force Main and authorizing closing costs associated with the purchase, in an estimated amount of \$40,000.

- (E) [2018-9055-R](#): Consider adopting a resolution authorizing the purchase of three properties situated at Avenue B and Martin Luther King Jr. Drive and authorizing closing costs associated with the purchase in an estimated amount of \$45,000.
- (F) [2018-9056-R](#): Consider adopting a resolution authorizing the purchase of a property necessary for the expansion of Old Waco Road and authorizing closing costs associated with the purchase in an amount not to exceed \$170,000.
- (G) [2018-9057-R](#): Consider adopting a resolution authorizing a construction contract accepting the base bid and alternate #1 with Yoko Excavating, LLC of Belton, in the amount of \$66,624 for the construction of a concrete parking lot to serve Oak Creek Neighborhood Park.
- (H) [2018-9058-R](#): Consider adopting a resolution authorizing change order #12 to a construction manager-at-risk construction contract with RM Rodriguez Construction, LP, of Temple, in the amount of \$72,020 to install a 50' x 400' netting system as part of the Sammons Community Center renovation project.
- (I) [2018-9059-R](#): Consider adopting a resolution authorizing payment of the annual invoice from Brazos River Authority in the amount of \$129,033.45 which covers the availability of 9,453 acre-feet of water to the City for FY 2018.
- (J) [2018-9060-R](#): Consider adopting a resolution authorizing the engagement of Haley & Olson, P.C. for legal services.
- (K) [2018-9061-R](#): Consider adopting a resolution authorizing a Multiple Use Agreement between the City of Temple and the Texas Department of Transportation to allow the City to construct pedestrian lighting and other amenities within the 3rd Street right-of-way and as part of the Santa Fe Market Trail project.
- (L) [2018-9062-R](#): Consider adopting a resolution authorizing a Developer Participation Agreement, in an amount not to exceed \$73,619 with WBW Development Group for the construction of a sidewalk along South 5th Street and FM 93.
- (M) [2018-9063-R](#): Consider adopting a resolution authorizing an Economic Development Agreement between the City of Temple and the Temple Economic Development Corporation for the conveyance of an 113.869 acre tract of land located at the intersection of Lorraine Avenue and Panda Drive.
- (N) [2018-9064-R](#): Consider adopting a resolution authorizing a First Amendment to the Development Agreement between the City of Temple and Royce and Diane Oliver to allow a subdivision of property without requiring voluntary annexation.

Ordinances – Second & Final Reading

- (O) [2018-4898](#): SECOND READING: Consider adopting an ordinance changing the classification title of Deputy Chief to that of Battalion Chief in the Fire Department.
- (P) [2018-4899](#): SECOND READING – A-FY-18-04: Consider adopting an ordinance authorizing abandonment and conveyance of 0.104 +/- acre portion of Prairie View Road, being located on the north side of Prairie View Road, approximately 765 feet east of its intersection with Westfield Boulevard, City of Temple, Bell County, Texas.

- (Q) [2018-4900](#): SECOND READING – Z-FY-18-09: Consider adopting an ordinance authorizing rezoning of two tracts of land comprised of 3.625 +/- acres from General Retail and Light Industrial districts to Commercial district, located on West Nugent Avenue, approximately 180 feet west of its intersection with North General Bruce Drive, addressed as 1410 & 1300 North General Bruce Drive.

Misc.

- (R) [2018-9065-R](#): Consider adopting a resolution authorizing an annual Rate Review Mechanism as a substitution for the annual interim rate adjustment process, and as negotiated between Atmos Energy Corp., Mid-Tex Division and the Steering Committee of Cities served by Atmos.
- (S) [2018-9066-R](#): Consider adopting a resolution authorizing budget amendments for fiscal year 2017-2018.

IV. REGULAR AGENDA

RESOLUTIONS

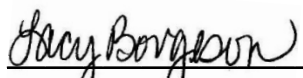
4. [2018-9067-R](#): Consider adopting a resolution authorizing a construction contract with Choice Builders, LLC, of Temple, in the amount of \$7,091,236.60 for the construction of the Crossroads Park Civil Package.

BOARD APPOINTMENTS:

5. [2018-9068-R](#): Consider adopting a resolution appointing members to the following City boards and commissions:
- (A) Airport Advisory Board – one member to fill an unexpired term through September 1, 2019;
 - (B) Animal Services Advisory Board – one member to fill an unexpired term through September 1, 2018;
 - (C) Building Board of Appeals – three members to fill expiring terms through March 1, 2022;
 - (D) Building and Standards Commission – one alternate member to fill expiring terms through March 1, 2020.
6. [2018-9069-R](#): Consider adopting a resolution appointing one member to serve as the City's representative on the Board of Directors of the Tax Appraisal District of Bell County for a two-year term.

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

I hereby certify that a true and correct copy of this Notice of Meeting was posted in a public place at 1:00 pm, on Friday, February 23, 2018.



City Secretary, TRMC

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

I certify that this Notice of Meeting Agenda was removed by me from the outside bulletin board in front of the City Municipal Building on _____ day of _____ 2018.

_____ Title _____



COUNCIL AGENDA ITEM MEMORANDUM

03/01/18
Item #3(A-B)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Lacy Borgeson, City Secretary

ITEM DESCRIPTION: Approve Minutes:

- (A) February 1, 2018 Special and Regular Meetings
- (B) February 15, 2018 Special and Regular Meetings

STAFF RECOMMENDATION: Approve minutes as presented in item description.

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

FISCAL IMPACT: N/A

ATTACHMENTS:

[February 1, 2018 Special and Regular Meetings](#)
[February 15, 2018 Special and Regular Meetings](#)
[Video](#)

TEMPLE CITY COUNCIL

FEBRUARY 1, 2018

The City Council of the City of Temple, Texas conducted a Special Meeting on Thursday, February 1, 2018 at 4:00 PM, at the Municipal Building, 2 North Main Street, in the 3rd Floor Conference Room.

PRESENT:

Mayor Pro-Tem Timothy Davis
Councilmember Susan Long
Councilmember Judy Morales
Councilmember Michael Pilkington

ABSENT:

Mayor Daniel A. Dunn

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

Mayor Pro Tem Tim Davis stated that Councilmember Pilkington will abstain on item #9 - Z-FY-08-04, Veterans Community Project and item #10 -Z-FY-18-05, Z-FY-18-06, Z-FY-18-07. He also stated that we will be tabling item #7(A).

- 2. Discuss various upcoming board appointments.**

Lacy Borgeson, City Secretary provided a summary of board appointment vacancies to Council.

- 3. Discuss the proposed amendments to the Unified Development Code related to Temple Medical Educational zoning district.**

Brynn Myers, City Manager stated to Council that Brian Chandler and his staff have put a lot of work into this project and that she appreciated all the hard work that has been done on this project to get to this point.

Brian Chandler, Director of Planning, provided an update to the Council. He stated that in early December, they were able to listen and get feedback on this project. He gave a summary of concerns from stakeholders and due to the concerns by stakeholders, staff is recommending to scale back the rezoning to only include the ± 27.876 acres, which is currently zoned PD-GR, and is the only property that 1) has submitted development plans to the City and 2) that will directly benefit from the current scope of the South 1st Street extension. The other properties could rezone to TMED South in the future once they are ready for development.

The Curio's were also present at the workshop and were in agreement with staff's recommendations.

The City Council of the City of Temple, Texas conducted a Regular Meeting on Thursday, February 1, 2018 at 5:00 PM in the Council Chambers, Municipal Building, 2nd Floor, 2 North Main Street.

Present:

Councilmember Susan Long
Mayor Pro Tem Timothy Davis
Councilmember Mike Pilkington
Councilmember Judy Morales

Absent:

Mayor Daniel A. Dunn

I. CALL TO ORDER

1. Invocation

Rev. Shelton Rhodes, Greater Zion Church of God in Christ provided the invocation.

2. Pledge of Allegiance

Mark Baker, Senior Planner, led the pledge of allegiance.

II. PUBLIC COMMENTS

Denise Seibert, 114 Great West Loop, Belton, Texas, addressed the Council concerning a flyer displayed in the children's section at the Temple Public Library concerning LGBT.

Molly Goodson, 501A Paseo Del Plata, addressed the Council with concerns about the display concerning LGBT at the Temple Public Library and stated that the Library should be neutral.

Davis Ford, 118 McCullough Loop, addressed the Council stating that the city needs to get back to the basics, in regards to the issue with the LGBT display at the Library.

Steve Desjardins, 11365 Berry Road, Moody, Texas, addressed the Council stating that he is standing up for the children of the community in regards to the LGBT display at the Library. He also noted some statistics concerning the lifestyle of LGBT.

Larry Michalk, 11533 FM 2601, Moody, Texas, addressed the Council

stating concerns about issues and comments mentioned at a Library Board meeting concerning the LGBT display.

Sharon Rhoads, 2506 Legend Oaks, addressed the Council stating that as a Christian, she feels she needs to take a stand in regards to the issue at the library concerning the LGBT display.

Joe Goodson, 501A Paseo del Plata, addressed the Council in regards to the LGBT display at the Library, stating that the Library needs to be a safe, inclusive and neutral place for everyone's children.

Jennifer Madrid, 2217 South Wall Street, Belton, Texas, addressed the Council stating that she feels a line has been crossed at the Library regarding the LGBT display. She asks that the Council put pressure on the library to go back to being a neutral space for all.

Milton Hensley, 301 Mitchell Drive, addressed the Council in regards to the exhibit at the Library with a homosexual theme and it's location within the library.

III. PUBLIC APPEARANCE

3. Receive comments from Mr. Richard Hooverson regarding the possible need for a city ordinance for dogs in restaurants, and interference with customers.

Richard Hooverson, 701 Lake Road, Belton, Texas, addressed the Council concerning an issue he had at the Chili's restaurant in regards to service dogs. He asked that the City adopt a similar policy to Chili's, for all restaurants, stating that if a dog is in training, that it be limited to one dog and one handler at a time. He also asked that the City require a sign be placed at the entrance at those restaurants stating "Dog training in progress here" so if anyone has negative feelings about eating there at that time, then they can make that decision at that time to leave or stay.

IV. REPORTS

4. Receive the City of Temple Comprehensive Annual Financial Report for fiscal year ended September 30, 2017.

Steve Niemeier with Brockway, Gershbach, Franklin, and Niemeier, gave a brief presentation. He stated that the City has received for the last 36 consecutive years, an award for excellence in financial reporting and has been recognized 22 consecutive years for it's distinguished budget presentation. He also stated to Council that Traci Barnard and her finance team, do a outstanding job in preparing this report for the City.

Mr. Niemeier presented financial highlights for fiscal year 2017 noting the City's total revenues exceeded \$126 million, and the revenues exceeded total expenses by \$6.4 million. It was noted that the City invested \$38.6 million in capital assets and issued \$32.8 million in bonds; and funded 81.7% of the TMRS retirement liability and 70.8% of the Firemen's Pension.

5. Receive the City of Temple Annual Report for fiscal year 2017.

Brynn Myers, City Manager, provided a presentation to Council. She stated that the City is a full service municipality and provides a wide variety of services to its residents. Mrs. Myers also stated that at the end of 2017, the City's population was 76,864, with an annual budget of \$143.1 million and that the City employs 856.1 employees.

Mrs. Meyers noted the City's general fund revenues and expenditures; along with the City's property tax base and rate. She also stated that the City continues to manage the largest Capital Improvement Program in the City's history, investing in it's critical infrastructure. She also gave a brief overview of operational highlights for the year 2017.

6. Receive the Temple Economic Development Corporation Annual Report.

David Blackburn, President of Temple Economic Development Corporation provided the annual report to the Council. He spoke about the average salary and population increasing to 80,000 in the next few months, as these are important factors in the Economic Development for the City. He stated that the cost of living in Temple is very competitive across the state and nation. Mr. Blackburn also stated that 2017 was an unprecedented year in regards to capital investments in our community. He reviewed the workforce and education development, marketing relationships, and highlighted the collaboration it has with community partners.

V. CONSENT AGENDA

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

(A) January 18, 2017 Special and Regular Meeting

(B) 2018-9022-R: Consider adopting a resolution authorizing the purchase of a Storage Area Network as part of our body worn camera project for the Police Department from GOV Connection, Inc. of Merrimack, NH, in the amount of \$73,209.47.

(C) 2018-9023-R: Consider adopting a resolution authorizing the purchase of right of way necessary for the expansion of Hogan Road and authorizing closing costs associated with the purchase in an estimated amount of \$55,000.

(D) 2018-9024-R: Consider adopting a resolution authorizing a contract with Lloyd D. Nabors Demolition, LLC of Hutchins, in the amount of \$40,700 for the asbestos abatement and demolition of 210 South Main Street and 220 South 2nd Street.

(E) 2018-9025-R: Consider adopting a resolution authorizing the renewal of an Interlocal Agreement with Bell County for the Bell County Crime Coalition project that is administered by the Bell County Juvenile Probation Department.

(F) 2018-9026-R: Consider adopting a resolution authorizing a Mutual Aid Agreement between Belton, Central Bell, Copperas Cove, Killeen, Morgan's Point Fire Departments and the Temple Fire Department for mutual aid by the respective fire departments at various locations.

(G) 2018-9027-R: Consider adopting a resolution amending Resolution Number 2017-8944-R which authorized an agreement with the Texas Lobby Group for legislative lobbying services to amend the name of the contracting entity from Texas Lobby Group to Bill Messer PC.

(H) 2018-9028-R: Consider ratifying a lease agreement with Stephanie Lalouette, for lease of space in the E. Rhodes and Leona B. Carpenter Foundation Building (the Temple Public Library).

(I) 2018-4892: SECOND READING: Consider adopting an ordinance authorizing the Temple Youths' Program Standards of Care.

(J) 2018-4893: SECOND READING: Consider adopting an ordinance amending the number of positions in the Police Department Deputy Chief classification and the Police Officer Classification.

(K) 2018-4894: SECOND READING – Z-FY-18-01: Consider adopting an ordinance authorizing a Conditional Use Permit for a proposed wireless telecommunications facility, including a new 100-foot monopole tower, being a part of a 3.103 +/- acre tract of land out of the McKinney and Williams Survey, Abstract No. 609, Bell County, Texas, located at 1402A Commerce Street.

(L) 2018-4895: SECOND READING – A-FY-18-01: Consider adopting an ordinance authorizing an abandonment and conveyance of approximately .08 acres of the 35 foot wide ROW along the last 99 feet of Katy Street south of Downs Avenue where it dead-ends into the Hilliard Distributing property in the Moore’s Park Addition, City of Temple, Bell County, Texas.

(M) 2018-9029-R: Consider adopting resolutions:

(1) Ordering the General election for Mayor at-Large; and a Special Election to fill the vacancy for Councilmember District 1, for May 5, 2018. (Ordenar las elecciones generales para el alcalde en general; y una Elección Especial para cubrir la vacante de Miembro del Concejo Distrito 1, para el 5 de Mayo de 2018.)

(2) Authorizing joint election agreements with the Temple Health & Bioscience Economic Development District; Temple College, and Temple Independent School District for the May 5, 2018 election. (Autorizar acuerdos de elección conjunta con Temple Health & Bioscience Economic Development District; Temple College y Temple Independent School District para las elecciones del 5 de Mayo de 2018.)

(N) 2018-9030-R: Consider adopting a resolution authorizing budget amendments for fiscal year 2017-2018.

Motion by Councilmember Susan Long to approve the Consent Agenda as presented, with the exception of tabling item 7 (A), seconded by Councilmember Judy Morales.

Motion passed unanimously.

(A) January 18, 2017 Special and Regular Meeting

Motion by Councilmember Susan Long to table item 7 (A), seconded by Councilmember Mike Pilkington.

Motion passed unanimously.

VII. REGULAR AGENDA

ORDINANCES

8.

2018-4887: SECOND READING – PUBLIC HEARING - Z-FY-18-03: Consider adopting an ordinance authorizing the rezoning of a 1.49 +/- acre tract of land from Planned Development Multiple-Family Dwelling 1 to Neighborhood Service, located at the northeast corner of South Martin Luther King Jr. Drive and Case Road, addressed as 2945 South Martin Luther King Jr. Drive.

Mark Baker, Senior Planner, provided a presentation to the council. He stated that the applicant, Turley Associates, on behalf of Austin Hill Capital LLC, requests the rezoning of a 1.49 +/- acre unplatted tract of land, from Planned Development – Multi-Family One zoning district per Ordinance 2000-2694 on March 2, 2000. While the request is only for a portion of a larger 68.4 +/- acres, an amendment to the ordinance is necessary since it is included in the zoning designation and includes provisions for residential development that has not occurred on the 1.49 +/- acres.

While it is anticipated to be developed with non-residential uses within the Neighborhood Service zoning designation, no specific development has been identified at this time. The property would be allowed to develop by any uses permitted or conditionally permitted with the NS district.

A subdivision plat will be required prior to development. The subdivision plat would address lot boundary and any needed right-of-way along both South Martin Luther King Jr. Drive and Case Road as well as other subdivision-related requirements by the Development Review Committee. While it is anticipated for the property to be developed with non-residential uses, there are a number of both residential and non-residential uses that are permitted in the NS district.

The subject property is within the Auto-Urban Multi-Family Future Land Use Map designation. The Auto-Urban Multi-Family designation, is intended for residential development whether it be multi-family or in combination with single family residential development and is not consistent with the proposed NS zoning. However, it can be interpreted that since the requested zoning is only 1.49 +/- acres, the proposed NS zoning would provide non-residential support to the area for the adjacent Village at Meadowbend & Meadows at Creekside.

Additionally, the proposed NS zoning is in proximity to the recently approved South Pointe development (Ord. 2017-4843) with Single-Family Attached-Three & Single Family Three zoning. The South Pointe development is proposed to be developed with townhomes and detached single family homes

respectively. The additional residences will benefit from the presence of the neighborhood service uses.

Mr. Baker stated that while the request, at face-value is not consistent with the Auto-Urban Multi-Family FLUM designation, the proposed rezoning is of limited acreage and would support the existing and proposed residential uses in the area, it therefore is consistent with the FLUM designation.

The subject property takes access from both South Martin Luther King Jr. Drive, a minor arterial and Case Road, a collector. The required subdivision plat will address any needed right-of-way dedication for both. To date, no dedication issues have been identified by staff but will be further evaluated with a forthcoming plat. No Transportation Capital Improvement Program improvements scheduled through FY 2024 have been identified.

Mr. Baker stated that water is available through a 12-inch water line on the north side of Case Road and a 12-inch waterline in South Martin Luther King Jr. Drive. Sewer is available through an 8-inch sewer line in Case Road. A proposed Local Connector Trail along South Martin Luther King Jr. Drive is in the Trails Master Plan. As a minor arterial, a minimum 6' sidewalk is required along South Martin Luther King Jr. Dr. Additionally, Case Road, as a collector, requires a four foot sidewalk. Provisions for the sidewalk will be addressed during the plat review stage.

Six notices to property owners within 200-feet of the subject property were sent notice of the public hearing as required by State law and City Ordinance; one notice in disagreement has been received.

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

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

Motion passed unanimously.

- 9. 2018-4888: SECOND READING – PUBLIC HEARING – Z-FY-18-04: Consider adopting an ordinance authorizing a rezoning from Planned Development Single Family Dwelling**

3 and Agricultural zoning districts to Planned Development-Single Family Attached 3 with a site development plan on 2.50 +/- acres, situated in the Maximo Moreno, Abstract No. 14, Bell County, Texas, located on East Avenue N, west of 38th Street and Hope Street, and addressed as 1880 East Avenue N and 1921 Hope Street.

Brian Chandler, Director of Planning, provided a presentation to the council. He stated that this request is for a rezoning from the AG and PD SF3 zoning districts to the PD-SFA-3 zoning district to allow for 26-lot, 13 unit single family attached development. The applicant envisions that the properties would be purchased by veterans and is presenting their ideas to community and state stakeholders for funding and is applying for city incentives. The subject property is located along East Avenue N and is on two lots totaling 2.5 +/- acres. The property is currently vacant and unplatted. Per UDC, Section 3.4.3 & 3.4.4, a Planned Development requires approval of a Development/Site plan that is binding. The applicant proposes small single family attached dwelling units with ten foot separation and having a common firewall between the attached homes. On December 8, 2017, the DRC met to discuss the proposal.

He also stated that Auto Urban Residential is the dominant future land use for this area. The *Choices '08* City of Temple Comprehensive Plan states that the Auto Urban Residential character district is suited for smaller single family lots similar to the range of lot sizes available in the City's current SF and SFA zoning districts. The PD provides a hybrid mixture of two family attached units that share a fire wall along the property line in a community-style environment. The subject property is bounded by East Avenue N and Hope Street which are identified as local streets on the Thoroughfare Plan. This property is not in the area of any proposed trails. Water and sewer are available through several potential connections. Details of public facilities and extensions will be addressed during the platting process.

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

In conclusion, Mr. Chandler stated that 15 notices of the public hearing were sent out to property owners within 200-feet of the subject property as required by State law and City Ordinance. One notice has been returned in favor of the proposed rezoning (property owners) and zero notices have been returned in opposition to the proposed rezoning.

Mayor Pro Tem Tim Davis declared the public hearing open with regards to agenda item 9, and asked if anyone wished to address this item.

James D. Zeptner, 402 South 26th Street, addressed Council stating he thinks this is a good thing the City is doing for the veterans. However, if this is passed he believes the homes should come with some type of security to protect the homeless veterans.

Pat Patterson, 3144 South 5th, stated he is the builder and is working with Habitat for humanity on this project. They also work with the VA to qualify people for these homes. The VA and Habitat for Humanity will process the qualifications and it will have a home owner's association to maintain the properties. He stated the veterans will have a community center to provide all the services and counseling they need, plus they will set up transportation to get them to the VA Center.

Ken Cates, Executive Director, Fort Hood, Habitat for Humanity, 604 South Lantana Street, Harker Heights, spoke about the cost effectiveness and the ways to be able to own these homes.

Councilmember Judy Morales stated that she is proud of this project that is able to help the veterans.

Councilmember Susan Long stated this is a fabulous and an uplifting project for our veterans. She stated that it will also be a stabilization as a whole for that general area.

There being no one else wishing to speak, Mayor Pro Tem Tim Davis declared the public hearing closed.

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

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

10. Consider adopting ordinances:

(A) 2018-4889: SECOND READING – PUBLIC HEARING – Z-FY-18-05: Consider adopting an ordinance rezoning from Commercial to Multi-Family Two on 16.127 +/- acres, situated in the Maximo Moreno Survey, Abstract No. 14,

Bell County, Texas, located South of Loop 363, West of South 5th Street, and East of Lowe's Drive.

(B) 2018-4890: SECOND READING – PUBLIC HEARING – Z-FY-18-06: Consider adopting an ordinance rezoning from Commercial to Multi-Family Two on 15.931 +/- acres, situated in the Maximo Moreno Survey, Abstract No. 14, Bell County, Texas, located South of Loop 363, West of South 5th Street, and East of Lowe's Drive.

(C) 2018-4891: SECOND READING – PUBLIC HEARING – Z-FY-18-07: Consider adopting an ordinance rezoning from Commercial to Multi-Family Two on 3.00 +/- acres, situated in the Maximo Moreno Survey, Abstract No. 14, Bell County, Texas, located South of Loop 363, West of South 5th Street, and East of Lowe's Drive.

Tammy Lyerly, City Planner, provided a presentation to the council. She stated that the applicant requests these rezonings from Commercial to Multi-Family Two to allow future multifamily development and other residential uses. This rezoning request proposes to expand the existing MF-2 District at the dead-end at South 13th Street, at the Lowe's store, to the existing MF-2 District established for the Encore Apartments along Marlandwood Road.

Although the current Commercial zoning district allows several types of single-family and multi-family uses, such as duplexes, it does not allow apartments. The purpose of the MF-2 zoning district is to allow more modest sized dwelling units and an increased number of units within the multifamily complex. Maximum density is 20 units per acre in buildings three to four stories. The MF-2 zoning district provides more modest sized dwelling units within the multifamily complex. This district should be designed for a higher density use of the land with the amenities and facilities, such as a major thoroughfare, parks, transit, and utilities close by and adequate for the volume of use. The MF-2 zoning district allows most residential uses, including duplexes and excluding manufactured homes. It also allows some residential support uses such as school and places of worship.

The subject properties are within the Auto-Urban Commercial and Suburban Commercial, and Parks & Open Space character districts of the *Choices '08* City of Temple Comprehensive Plan. The applicant's MF-2 rezoning requests do not comply with these character districts, but this request would bridge the gap between adjacent MF-2 Districts to the north and south. This

request also is compatible with the surrounding uses, especially with the Barrington Suites & Apartments to the north on South 13th Street and with the Encore Landing Apartment Homes to the south along Marlandwood Road.

South 13th Street, near the property within Z-FY-18-07, is a local street. Multi-family developments and other residential uses are appropriate along local streets. Lowes Drive, adjacent to the property within Z-FY-18-05, is a collector. Collectors are appropriate for entryways into multi-family developments such as apartments and other types of residential subdivisions. Staff anticipates discussing additional thoroughfare options during the future platting process for the subject properties.

An existing 8-inch water line is located within the east right-of-way of South 13th Street, an existing six inch and eight inch water line along the north property line of Z-FY-18-05, located along the southern property line of the Lowes store. A 12-inch water line extends across to the east side of Lowes Drive from the south right-of-way of Azalea Drive, near Wal-Mart. Existing sewer lines are located within the west right-of-way of South 13th Street and along the north property line of Z-FY-18-07. Another sewer line exists along the east property line of Z-FY-18-06 at Friar's Creek.

She also stated that 11 notices for Z-FY-18-05; nine notices for Z-FY-18-06, and 13 notices for Z-FY-18-07 of the Planning and Zoning Commission public hearing were sent out to property owners within 200-feet of the subject property as required by State law and City Ordinance. One notice for Z-FY-18-05; two notices for Z-FY-18-06; and two notices for Z-FY-18-07 have been received in favor of the proposed rezonings and no notices have been returned in opposition to the proposed rezonings.

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

James D. Zeptner, 402 South 26th Street, addressed Council with traffic safety concerns for this area.

Alan Lydel, 504 B Paseo del Plata, addressed Council with concerns regarding traffic congestion if this item is approved.

There being no else wishing to speak, Mayor Pro Tem Tim Davis declared the public hearing closed.

Motion by Councilmember Susan Long to adopt ordinances as presented on second and final reading, seconded by Councilmember Judy Morales.

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

ORDINANCES

11. **2018-4896: FIRST READING - PUBLIC HEARING: Consider adopting an ordinance authorizing amendments to the Unified Development Code: Article 2 (Sections 2.5.2, 2.5.4, 2.6 and 2.7), Article 3 (Section 3.11) and Article 6 (Sec. 6.3), related to the Temple Medical and Educational zoning district, to establish the TMED South transect zone, and to amend TMED applicability, uses allowed, review process and development standards such as landscaping, architecture, signage and public frontage improvements.**

Brian Chandler, Director of Planning, provided a presentation to Council. He stated the TMED zoning district and enabling ordinance was adopted by City Council on January 6, 2011, followed by rezoning of individual properties to TMED on February 3rd and May 19th 2011.

Similar to the I-35 Corridor Overlay amendments, Planning staff has spent the last four years gathering input and making notes related to existing TMED code provisions that need to be improved or clarified, while also trying to provide additional design flexibility, especially for existing buildings within the district. TMED is considered the first Form-Based Code in Temple, which focuses more on the form of buildings with a mix of uses, rather than single-purpose land uses, while also creating a pedestrian-friendly environment with enhanced landscaping and architectural standards, wide sidewalks, rear parking and increased open/common space. The other main objective is to establish the TMED South transect (sub-district) that would allow for future implementation of the TMED South Master Plan when development is proposed by private property owners.

Mr. Chandler also stated that staff has met with the property owners and other stakeholders to get their input.

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

Alan Lydel, 504 B Paseo del Plata, addressed Council with concerns about the trees that are put in these areas.

There being no one else wishing to speak, Mayor Pro Tem Tim Davis declared the public hearing closed.

Motion by Councilmember Mike Pilkington to adopt ordinance as presented, with second and final reading on February 15, 2018, seconded by Councilmember Susan Long.

Motion passed unanimously.

- 12. 2018-4897: FIRST READING - PUBLIC HEARING - Z-FY-18-02: Consider adopting an ordinance authorizing a rezoning of property bounded by Georgetown Railroad right-of-way and Sarah's Glen subdivision (south), South 5th Street (west), Loop 363 (north), and Union Pacific Railroad right-of-way (east)-from Planned Development-General Retail zoning district on ± 27.876 acres, Single Family One zoning district on ± 211.56 acres, and Agricultural zoning district on ± 115.53 acres, to Temple Medical and Educational zoning district, South TMED transect.**

Brian Chandler, Director of Planning, provided a presentation to Council. He stated that due to concerns from various stakeholders, staff is recommending to scale back the rezoning to only include the ± 27.876 acres, which is currently zoned PD-GR, and is the only property that 1) has submitted development plans to the City and 2) that will directly benefit from the current scope of the South 1st Street extension. The other properties could rezone to TMED South in the future once they are ready for development.

Mr. Chandler stated that at their December 18, 2017 meeting, the Planning and Zoning Commission voted unanimously per staff recommendation to rezone only the ± 27.876 acres along Loop 363.

The TMED zoning district and enabling ordinance was adopted by City Council on January 6, 2011, followed by rezoning of individual properties to TMED on February 3rd and May 19th 2011.

The Temple Reinvestment Zone, which includes the current TMED zoning district, as well as the proposed TMED South rezoning area, funded a TMED South Master Plan that City Council adopted in March of 2017. The plan proposed to extend the TMED concepts referenced in the Code Amendments

section above to the area south of Loop 363, east of South 5th Street, west of the Union Pacific and Georgetown Railroads and north of Sarah's Glen subdivision. A number of property owners participated in the three day design workshop process for the plan, including Blackland/Texas A&M Agrilife Research and Extension Center representatives. The proposed rezoning also includes a 27-acre + tract owned by UTex, which was rezoned in July 2017 to accommodate the proposed Everest Rehabilitation Hospital. While many of the conditions from that Planned Development district zoning ordinance are proposed within the TMED code amendments, the UTex tract is also part of the rezoning request to provide development continuity throughout the entire TMED South Master Plan area.

Mr. Chandler stated that by only rezoning the PD-GR 27.876 acre property at this time, development within this tract, including the proposed Everest Rehabilitation Hospital, can help establish the TMED South District and build to those standards. The current PD conditions for the ordinance were mostly incorporated into the proposed TMED standards and would, therefore, still apply. Everest Rehab Hospital has already submitted a building permit application, as well. The only major differences between the PD ordinance and the proposed TMED South standards are:

- A number of additional uses allowed in TMED South; and
- Some minor differences between the signage requirements

He also states that Staff met with the property owners and other stakeholders to get their input. Some comments from stakeholders can be summarized as follows:

- Clarify that ordinary repair and maintenance is exempted
- Development in TMED South still may be cost-prohibitive without incentives
- "Like the plan but everything has to be economically-feasible"
- Knowing the alignment for South 1st Street and who will pay for its extension is key

Sewer and water are available on the other side of South 5th Street and, therefore, would have to be extended to accommodate proposed development. Also, The site is designated as TMED; therefore, the proposed development and staff recommended standards would comply with the Plan. The Thoroughfare Plan would include:

- Loop 363 (Expressway) – Approximate right-of-way width is 300 feet; South 1st Street will extend across Loop 363 and will include sidewalk connectivity
- South 1st Street (Major Arterial) – Approximate right-of-way width is 150 feet; TXDOT is in the process of extending South 1st Street approximately 400 feet to the south to accommodate the proposed future development; this arterial is proposed to be the “front door” of TMED South and will include wide sidewalks and street trees to be consistent with the existing section of roadway to the north in front of Temple College and to encourage walkability
- South 5th Street (Minor Arterial) – Approximate right-of-way width is 110 feet

According to the Trails Master Plan, a City-Wide Spine Trail is proposed along South 1st Street that would ultimately connect to the Friar’s Creek Trail across South 5th Street.

He also stated that 82 notices for the Planning and Zoning Commission public hearing were sent out to property owners within 200-feet of the subject property on December 7, 2017. Six responses had been received with six in favor, two against and one email in which the property owner expressed support for TMED South but with rezoning in the future once development is proposed on her property.

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

Alan Lydel, 504 B Paseo del Plata, addressed the Council with safety concerns of the traffic congestion in that area.

Councilmember Susan Long also stated that she believes a traffic light needs to be placed in that area.

Dr. Sandra Creek, 504 B Paseo del Plata, addressed Council stating that she also believed a traffic light needs to be placed in that area to avoid future vehicle accidents.

Brynn Myers, City Manager, addressed Council reminding them that in the Transportation Capital Improvement Plan adopted for FY 2018 budget, includes an allocation for traffic signals but it is Staffs recommendation that the City let the construction be complete so traffic patterns can be established and a proper study can be done. She also stated that Council has planned for the addition of signals throughout the community through the

TCIP plan.

Robin Dedrick, 5423 Crossing Echo Village, addressed Council with concerns about no crosswalk for children or signal for pedestrian crossing in that area.

There being no else wishing to speak, Mayor Pro Tem Tim Davis declared the public hearing closed.

Brynn Myers, City Manager, stated appreciation to Brian Chandler, Director of Planning and his staff for their countless work on this project.

Tim Davis, Mayor Pro Tem, also thanked Brian and his staff for all their hard work.

Motion by Councilmember Susan Long to adopt ordinance as presented by staff, with second and final reading on February 15, 2018, seconded by Councilmember Mike Pilkington.

Motion passed unanimously.

RESOLUTIONS

- 13. 2018-9031-R: Consider adopting a resolution authorizing a Chapter 380 Development Agreement with Investors Lane Inc., in an amount not to exceed \$26,000 for improvements to property located at 12 South Main Street within the Downtown Strategic Investment Zone corridor.**

Brian Chandler, Director of Planning, provided a presentation to Council. He stated that the proposed resolution would allow the City Manager to enter into a Chapter 380 Development Agreement with Investors Lane, Inc. that would provide a SIZ 1:1 matching grant of up to a total of \$26,000 for exterior front façade and interior sprinkler system building improvements. The total capital investment is \$197,674.15, which qualifies the project as Tier II project investment. Tier II would allow up to \$55,000 of City reimbursement for eligible improvements. However, due to the popularity of the SIZ grant program, only \$34,813 remains in the FY18 City Council-approved budget. Staff recommends \$26,000, which is an amount that is consistent with other recent SIZ projects of similar scope and still leaves \$8,813 for smaller Tier I-type projects, such as signage, covered patios, etc. This same building did receive a \$29,000 SIZ grant in 2012 for other façade improvements.

Mr. Chandler also stated that in order to receive grant funding,

the applicant must enter into a development agreement with the City prior to commencing work and receiving any grant funds, which will ensure that the applicant:

- Completes the work and total capital investment described in the agreement in a timely fashion;
- Gives the City the right to inspect the work and financial records associated with the project;
- Performs all of the work described in the agreement in accordance with all applicable City codes and regulations; and
- Maintains those improvements in the future.

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

Motion passed unanimously.

- 14. 2018-9032-R: Consider adopting a resolution granting a petition to institute voluntary annexation proceedings of 18.589 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.**

Kayla Landeros, City Attorney, provided a presentation to Council. She stated that on January 4, 2018, Belton Engineering, Inc., on behalf of the property owner, Virgil Smith, filed a petition seeking voluntary annexation of 18.589 acres of land out of the Sarah Fitzhenry Survey, Abstract 312, approximately one-half mile south of South Whitehall Road on the west side of State Highway 317.

The subject property was exempt from annexation at the time of a City-initiated annexation effort in 2007 by a City Council-approved development/non-annexation agreement for each of Mr. Smith's four properties that gave property owners within the annexation area the option to defer annexation until development is proposed or until expiration of the 12-year agreement. The applicant also submitted a Conditional Use Permit application for a Recreational Vehicle Park on this property, which triggered the annexation request and is tentatively scheduled for City Council consideration at the same time as the annexation ordinance.

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 March 15, 2018 (regular meeting) and March 16, 2018, (special meeting). Planning staff will present a municipal services plan at the hearing on March 15, 2018, 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 May 3, 2018.

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

Motion passed unanimously.

Daniel A. Dunn, Mayor

ATTEST:

Lacy Borgeson
City Secretary

TEMPLE CITY COUNCIL

FEBRUARY 15, 2018

The City Council of the City of Temple, Texas conducted a Special Meeting on Thursday, February 15, 2018 at 3:30 PM, at the Municipal Building, 2 North Main Street, in the 3rd Floor Conference Room.

PRESENT:

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

- 1. Discuss, as may be needed, Regular Meeting agenda items for the meeting posted for Thursday, February 15, 2018.**

Mayor Dunn stated that we will be tabling item #3(B) and moving item #3 (Q) to Regular Agenda. He also stated that Mike Pilkington will be abstaining from item #9. Kayla Landeros, City Attorney noted that item #7 is on Regular Agenda again and advised that Council if approving on second reading, the wording should be similar to, "in accordance with what was stated in first reading."

Brynn Myers, City Manager, wanted to move item #3(Q) from Consent Agenda to Regular Agenda to be able to give Council an update to the permit fee schedule that was in the packet last week. She also discussed the new online software that the City will start to use for permits, planning and land management. She also stated that the City does hope to fill the new position for Building Inspector soon and that the City has worked closely with TABA on this initiative.

Marty Janczak, with TABA, noted that they are generally supportive of the process improvement of the new management software and the fee increase to fund an additional inspector.

- 2. Receive a presentation regarding the First Quarter Financial results for Fiscal Year 2018.**

Traci Barnard, Director of Finance, provided an overview of the 1st Quarter Financials, quarter ending December 31, 2017, for the General, Water and Sewer, Hotel/Motel Tax, and Drainage Funds. Included in these first quarter results are various schedules detailing grants, sales tax, capital projects, investments and an update on redevelopment grants and incentive programs within Strategic Investment Zones.

3. Discuss various board appointments.

The Council reviewed the applications on file for board appointments.

4. Discuss a voluntary annexation petition of 1.310 acres of land located at 2381 FM 1237 in Temple.

Kayla Landeros, City Attorney provided a brief presentation to the Council. She stated that on January 18, 2018 Janet Clark filed a petition seeking voluntary annexation of 1.310 acres of land located at 2381 FM 1237 in Temple. She stated the voluntary annexation is on the Regular agenda, to adopt a resolution granting the petition, directing Staff to develop a municipal service plan, and calling the required public hearings. Mrs. Landeros recommends Council to continue with the annexation for Mrs. Clark's property and stated that Ms. Clark is also planning to plat her property and place a manufactured home for residential use.

Mayor Dunn announced that at this time, approximately 4:18pm, the Temple City Council would enter an executive session, with no final action tonight.

5. Discuss ongoing eminent domain proceedings on two properties required for the expansion of Moores Mill Road and Old Howard Road, known as the Research Parkway project.

Executive Session - Texas Government Code Section 551.071, Consultation with Attorney - A governmental body may meet in executive session to seek the advice of its attorney about pending or contemplated litigation.

6. Discuss a lawsuit filed by Officer Bradley Perrin against the City of Temple, the Temple Police Department, Chief Floyd Mitchell, in his official capacity as Chief of Police, and the Temple Fire Fighters' and Police Officers' Civil Service Commission Director.

Executive Session - Texas Government Code Section 551.071, Consultation with Attorney - A governmental body may meet in executive session to seek the advice of its attorney about pending or contemplated litigation.

Mayor Dunn announced that at this time, approximately 5:00 pm, the Temple City Council would adjourn the executive session, with no final action tonight.

I. CALL TO ORDER

1. Invocation

Thomas Pechal, Temple Fire & Rescue voiced the Invocation.

2. Pledge of Allegiance

Mitch Randle, Fire Chief, lead the Pledge of Allegiance.

II. PUBLIC COMMENTS

Milton Hensley, 301 Mitchell Drive, addressed the Council with regards to the display of homosexuality at the Library.

William Broughton, 2426 Marlandwood Road, addressed the Council with regards to the bridge and drainage/flooding of the creek that runs behind his yard.

Leonard Halleen, 5807 Alexander, addressed the Council with regards to ordinances concerning yard sales and storage sheds. Mayor Dunn suggested he get with his home owner's association and see what they allow with regards to storage sheds.

JD Zeptner, 402 South 26st, addressed the Council with regards to campaigning and voter reform.

III. CONSENT AGENDA

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

(A) January 18, 2018 Special and Regular Meeting

(B) February 1, 2018 Special and Regular Meeting

(C) 2018-9033-R: Consider adopting a resolution authorizing the purchase of a drainage easement and associated temporary construction easement necessary for the Connor Park Drainage Channel Improvement Project in an estimated amount of \$3,240.

(D) 2018-9034-R: Consider adopting a resolution authorizing the purchase of an easement necessary for the construction of the Shallowford Force Main and authorizing closing costs associated with the purchase, in an estimated amount of \$2,300.

(E) 2018-9035-R: Consider adopting a resolution authorizing deductive change order #2 to the meter infrastructure improvement construction contract with TTG Utilities, LP, of Gatesville, in the net deductive amount of \$38,550.60.

(F) 2018-9036-R: Consider adopting a resolution authorizing the following items related to heating, ventilation and cooling (HVAC) replacements:

1. **Authorization of a construction contract in the amount of \$1,804,437 with Lochridge-Priest, Inc. of Waco, and**
2. **Rejection of all bids received for Section 2 of the HVAC bid, which consists of improvements to City Hall and the Santa Fe Depot.**

(G) 2018-9037-R: Consider adopting a resolution authorizing two construction contracts in the amount of \$371,306.83 for lighting replacement projects with the following two vendors:

1. **Clear Blue Energy Corporation of San Diego, CA, in the amount of \$351,025.64, and**
2. **Energy & Automation, Inc. of Waco in the amount of \$20,290.20.**

(H) 2018-9038-R: Consider adopting a resolution ratifying an emergency construction contract with Matous Construction, Ltd. of Belton in the estimated amount of \$50,000 for a waterline repair at the Conventional Water Treatment Plant.

(I) 2018-9039-R: Consider adopting a resolution authorizing a construction contract with Yoko Excavating, LLC of Belton, in the amount of \$33,797.60 for trail renovations within Jackson Neighborhood Park.

(J) 2018-9040-R: Consider adopting a resolution authorizing entering into an Interlocal Agreement with the Texas Department of Public Safety relating to driver records for applicants and employees.

(K) 2018-9041-R: Consider adopting a resolution authorizing a Developer Participation Agreement with Kiella Development, Inc. to construct public drainage improvements and a public parking lot north of West Adams Avenue and south of Stonehollow Drive with City participation in the improvements set at a not to exceed amount of \$459,473.25.

(L) 2018-9042-R: Consider adopting a resolution authorizing the submission of a grant application and acceptance of funding if awarded for the Assistance to Firefighters Grant Program, in the amount of \$132,600 for replacement Haz-Mat equipment.

(M) 2018-4896: SECOND READING: Consider adopting an ordinance authorizing amendments to the Unified Development Code: Article 2 (Sections 2.5.2, 2.5.4, 2.6 and 2.7), Article 3

(Section 3.11) and Article 6 (Sec. 6.3), related to the Temple Medical and Educational zoning district, to establish the TMED South transect zone, and to amend TMED applicability, uses allowed, review process and development standards such as landscaping, architecture, signage and public frontage improvements.

(N) 2018-9043-R: Consider adopting a resolution approving a modification to a formerly approved exception to the Parkland Dedication requirements for Carriage House Trails Subdivision.

(O) 2018-9044-R: Consider adopting a resolution finding that two properties situated in the Baldwin Robertson Survey, Abstract No. 17, Bell County, Texas, are remnant areas of land resulting from right of way acquisitions that cannot be used independently pursuant to Local Government Code § 272.001(b)(1) and authorizing the conveyance of such properties to the adjacent property owner.

(P) 2018-9045-R: Consider adopting a resolution authorizing a Memorandum of Understanding between Central Texas Council of Governments and the City of Temple regarding the transferring of hazardous material response equipment and supplies to be used by the fire department for its hazardous materials response mission.

(Q) 2018-9046-R: Consider adopting a resolution authorizing an updated building permit fee schedule for permits processed through the City of Temple Permits Office and authorizing the City Manager to establish an effective date for the updated schedule.

(R) 2018-9047-R: Consider adopting a resolution approving first quarter financial results for Fiscal Year 2018.

(S) 2018-9048-R: Consider adopting a resolution authorizing budget amendments for fiscal year 2017-2018.

Motion by Councilmember Susan Long to approve consent agenda as presented, with the exception of 3(B) and 3(Q) seconded by Councilmember Mike Pilkington.

Motion passed unanimously.

(B) February 1, 2018 Special and Regular Meeting

Motion by Mayor Pro Tem Timothy Davis to table item 3(B) seconded by Councilmember Susan Long.

Motion passed unanimously.

(Q) 2018-9046-R: Consider adopting a resolution authorizing an updated building permit fee schedule for permits processed through the City of Temple Permits Office and authorizing the City Manager to establish an effective date for the updated schedule.

Brynn Myers, City Manager, wanted to move item #3(Q) from Consent Agenda to Regular Agenda to be able to give Council an update to the permit fee schedule that was in the packet last week.

Motion by Councilmember Mike Pilkington to approve 3(Q) as updated and presented in the work session, seconded by Councilmember Susan Long.

Motion passed unanimously.

IV. REGULAR AGENDA

ORDINANCES

- 4. 2018-4898: FIRST READING – PUBLIC HEARING: Consider adopting an ordinance changing the classification title of Deputy Chief to that of Battalion Chief in the Fire Department.**

Sandra Esqueda, Director of Human Resources, provided a brief presentation to the Council. She stated that Chapter 143 of the Local Government Code requires that the Council establish by ordinance the classifications in the Police and Fire Departments.

At this time, the Fire Chief requests a title change from “Deputy Chief” to “Battalion Chief”. This title change is necessary to align the job requirements, tasks and expectations of the classified position with the title commonly used in the industry. A Battalion Chief is a shift commander who oversees a shift in the department. This title change will not alter the essential functions of the position, or the salary and benefits of fire fighters in the position. The title change does not impact the rank of any Fire Department personnel.

At this time, the Fire Chief respectfully requests the approval of the title change to Battalion Chief.

There will be no changes to the positions within any of the classifications, and all classifications will maintain the current number of personnel.

Mayor Dunn declared the public hearing open with regards to agenda item 4, and asked if anyone wished to address this item. There being none, Mayor Dunn declared the public hearing closed.

Motion by Councilmember Judy Morales to adopt ordinance as presented on first reading, with second and final reading set for March 1, 2018; seconded by Mayor Pro Tem Timothy Davis.

Motion passed unanimously.

5. **2018-4899: FIRST READING - PUBLIC HEARING - A-FY-18-04: Consider adopting an ordinance authorizing abandonment and conveyance of 0.104 +/- acre portion of Prairie View Road, being located on the north side of Prairie View Road, approximately 765 feet east of its intersection with Westfield Blvd, City of Temple, Bell County, Texas.**

Mark Baker, Senior Planner, presented this case to the Council. He stated that the staff recommends approval for abandonment and conveyance of 0.104 +/- Acres of Prairie View Road as identified by the Item Description.

The applicant, Short Term Lending Group, Inc. is requesting abandonment and conveyance of 0.104 +/- acre portion of Prairie View Road. The abandonment is needed to expand the developable land area of Lot #2 of the North Gate, Phase II subdivision.

Conveyance will allow the applicant to purchase the abandoned right of way in the amount of \$1,664. as established by the fair market rate.

The subdivision plat for North Gate, Phase II, Replat No. 1 (P-FY-18-09) was reviewed by the Design Review Committee on November 22, 2017 and it was during the review that additional land area was desired.

The final plat is scheduled for review and consideration by the Planning & Zoning Commission on February 19, 2018 but City Council's consideration of the abandonment needs to occur first. Since no exceptions to the Unified Development Code are needed, the Planning & Zoning Commission is the final plat

authority.

Outside utility providers as well as the City of Temple Public Works Department have been notified of the proposed abandonment. No issues have been identified. Public Works is in agreement with the abandonment as proposed.

Mayor Dunn declared the public hearing open with regards to agenda item 5, and asked if anyone wished to address this item. There being none, Mayor Dunn declared the public hearing closed.

Motion by Councilmember Susan Long to adopt ordinance as presented, with second and final reading set for March 1, 2018, seconded by Councilmember Mike Pilkington.

Motion passed unanimously.

6. 2018-4900: FIRST READING - PUBLIC HEARING - Z-FY-18-09: Consider adopting an ordinance authorizing rezoning of two tracts of land comprised of 3.625 +/- acres from General Retail and Light Industrial districts to Commercial district, located on West Nugent Avenue, approximately 180 feet west of its intersection with North General Bruce Drive, addressed as 1410 & 1300 North General Bruce Drive.

Mark Baker, Senior Planner, presented this case to the Council. He stated that the staff recommends approval of a rezoning to C for the following reasons: 1) The proposed Commercial zoning is compatible with surrounding zoning, existing and anticipated uses as well as future growth trends in the area; 2) The proposed Commercial zoning is a compatible compromise between the existing GR & LI districts; 3) The proposal is in compliance with the Thoroughfare Plan; and 4) Public facilities are available to serve the subject property.

At the January 16, 2018 meeting, the Planning & Zoning Commission voted seven to zero to recommend approval of the proposed rezoning per staff's recommendation.

The subject property consists of 3.625 +/- acres and comprised of two unplatted tracts of land which have been impacted by recent TxDOT acquisition for the realignment of Interstate 35. The property is within the boundaries of two zoning districts, General Retail and Light Industrial. The proposed Commercial district will provide a single zoning across the property and is being requested by the applicant to consolidate the property under one zoning district. The former site of Hidden Valley

Moving & Storage, is within the I-35 Overlay. Although, the property is within the I-35 Overlay, as discussed below, the Commercial district is considered to be a compromised balance between the two existing designations that are assigned to the property.

Prior to application submittal, the applicant met with staff to discuss the rezoning and both staff and the applicant were in agreement that the Commercial zoning district was a balanced compromise for this location's future development within the I-35 Corridor.

A subdivision plat will be required prior to development. The subdivision plat will address parcel tract lines that as well as a TxDOT right-of-way acquisition from a larger tract that is reflected in deed records. Compliance to subdivision standards will be identified during the review by the Development Review Committee.

The subject property is within the Retail sub-district of the I-35 Corridor Overlay. Redevelopment of the property is subject to compliance to the sub district and Overlay standards. It should be noted that dimensional standards as well as buffering and screening standards are more restrictive than base zoning. Applicability to the provisions are triggered by the type of improvement and costs associated with the improvement, per UDC Section 6.7.4. Identification and compliance to the provisions of the corridor overlay will be made during the review of the building permit.

While the applicant is requesting rezoning to clean-up the existing zoning and consolidate under one zoning district, there are a number of other uses that are permitted by-right or require a conditional use permit in the Retail sub-district of the I-35 Corridor Overlay.

Fourteen 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. Six notices in disagreement have been received within the 200-foot buffer area and a number of notices for residents outside the buffer area. The notices outside the buffer area are distinguished by "Not located within the 200' radius" label toward the top of the notice. In addition, one notice in agreement has been received.

Mayor Dunn declared the public hearing open with regards to agenda item 6, and asked if anyone wishes to address this item. There being none, Mayor Dunn declared the public hearing closed.

Motion by Mayor Pro Tem Timothy Davis to adopt ordinance as presented on first reading, with second and final reading set for March 1, 2018. seconded by Councilmember Judy Morales.

Motion passed unanimously.

ORDINANCES

7. **2018-4897: SECOND READING – Z-FY-18-02: Consider adopting an ordinance authorizing a rezoning of property bounded by Georgetown Railroad right-of-way and Sarah’s Glen subdivision (south), South 5th Street (west), Loop 363 (north), and Union Pacific Railroad right-of-way (east) —from Planned Development-General Retail zoning district on ± 27.876 acres, Single Family One zoning district on ± 211.56 acres, and Agricultural zoning district on ± 115.53 acres, to Temple Medical and Educational zoning district, South TMED transect.**

Brian Chandler, Director of Planning, provided a brief presentation to the Council. He stated that due to concerns from various stakeholders, staff is recommending to scale back the rezoning to only include the ± 27.876 acres, which is currently zoned PD-GR, and is the only property that 1) has submitted development plans to the City and 2) that will directly benefit from the current scope of the South 1st Street extension. The other properties could rezone to TMED South in the future once they are ready for development.

Motion by Councilmember Mike Pilkington to adopt ordinance in accordance with what was approved in the first reading, seconded by Councilmember Judy Morales.

Motion passed unanimously.

RESOLUTIONS

8. **2018-9049-R: PUBLIC HEARING: Consider adopting a resolution authorizing the permanent use of approximately 0.025 acres of Woodbridge Park land to be used for a driveway easement and to relocate a portion of the trail to a safer driveway crossing point, in accordance with Chapter 26 of the Texas Parks and Wildlife Code.**

Lynn Barrett, Assistant Director of Planning, provided a brief presentation to the Council. She stated that the City of Temple

Planning Department is managing a request to plat a property for Trinity Church of Temple, which is proposing to purchase the 7.39-acre tract of land located at 3501 Airport Road, adjacent to Woodbridge Park on to the west and north and adjacent to the City of Temple Fire and Rescue Station 5 to the east, to build a new facility for their growing church. Access to the subject property is currently from a local street named North Creek Lane to the south, which is located within the Woodbridge Creek, Phase II subdivision. The current access location through the neighborhood is not ideal considering the high volume of traffic associated with a church during services, special events, or even certain daily activities.

As previously stated, the subject property is adjacent to Woodbridge Park, a City owned park, to the north. This portion of parkland is approximately 20 feet wide and separates the subject property from access to Airport Road. This 20' wide strip of parkland contains a four-foot wide walking trail that connects the Woodbridge Park to the City owned Fire Station property at the corner of Airport Road and North Apache Drive.

The purchase of the subject property and subsequent construction of new church facilities is dependent on the ability to access Airport Road directly. Trinity Church has received written confirmation that TXDOT is in agreement to locate a driveway approximately 185 feet from the northwest property corner of the subject (measured to the center of the driveway), placing the proposed driveway directly south of the driveway to the north of Airport Road (VFW Post 1820 driveway). This will require an easement from the City of Temple to allow the Church to use approximately 0.025 acres of the parkland for driveway purposes. Turley Associates, Inc. has written field notes and provided sketches of the proposed easement.

This proposed easement would contain a concrete driveway, approximately 41 feet wide, measured from back of curb to back of curb, and utilities (as necessary). The driveway will have curb and gutter that will match into the curb and gutter along Airport Road. The radii of the driveway will be 25 feet. The driveway will not affect the cluster of existing hackberry trees within the 20' wide property however, the existing walking trail will be bisected by the driveway.

Chapter 26 of the Texas Parks and Wildlife Code requires municipalities and other governmental entities and agencies to publish notices, hold a public hearing, and make specific findings for approval of any project involving non-park use of public land that was designated and used as a park or recreation area prior to the arrangement of the project. Approval

of the project requires a determination that there is no feasible and prudent alternative to the use or taking of such land and that the program or project includes all reasonable planning to minimize harm to the remaining park land, resulting from the use or taking.

To mitigate the reduction of 0.025 acres of Woodbridge Park and the removal of 156 linear foot of the existing four-foot wide walking trail, Trinity Church proposes the following:

(1) The developer will install approximately 98 linear foot of concrete sidewalk, built to the City of Temple Design Standards and Specifications, from connecting the west side of the existing trail to the western edge of the proposed driveway. The sidewalk will be built to ADA standards and will include an approved ADA ramp with detectable warning surface at the driveway location.

(2) The developer will stripe the driveway and install signage for a pedestrian crossing at the location of the ramp.

(3) The developer will construct an ADA ramp with detectable warning surface at the east edge of the driveway, connecting the crosswalk to a proposed 66 linear foot, 4' wide concrete sidewalk joining the existing walking trail to the east. This sidewalk will be constructed to the City of Temple Design Standards and Specifications.

(4) The proposed new construction of the sidewalk will be located within the subject property, within a proposed 10' wide trail easement dedicated to the City of Temple. This will give the City of Temple access to the property for the maintenance and upkeep of the sidewalk and adjacent land within the easement.

In addition to the construction of the sidewalk, the developer will plant a minimum of five Crape Myrtles (or other City approved trees) along with irrigation near the new sidewalk. This landscaping and irrigation will be outside of the proposed trail easement.

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

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

Motion passed unanimously.

RESOLUTIONS

9. **2018-9050-R: Consider adopting a resolution authorizing a Developer Participation Agreement with Cedon Realty, Ltd. to construct an extension of a wastewater line with City participation in an amount not to exceed \$36,750.68.**

Kayla Landeros, City Attorney, provided a brief presentation to the Council. She stated that Cedon Realty, Ltd. owns property located at 7777 South General Bruce Drive in southwest Temple. Cedon is interested in constructing a wastewater line extension which would serve its property, as well as surrounding properties in the same area.

Cedon's property is located along the route of a current City wastewater line project known as the Leon River Trunk Sewer project. Cedon proposes to connect to the new trunk sewer line once it has been installed. Cedon estimates the cost of this construction to be \$122,502.60.

Pursuant to Chapter 212 of the Texas Local Government Code, Section 212.072, the City may participate in the construction at a level not to exceed 30% of the cost of the public improvements. Therefore, the proposed agreement would cap the City's participation at \$36,750.68 or 30% of the actual costs of the sewer line extension, whichever is less.

Councilmember Pilkington abstained from all discussions and vote; while all others voted.

Motion by Mayor Pro Tem Timothy Davis to adopt resolution as presented, seconded by Councilmember Judy Morales.

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

10. **2018-9051-R: Consider adopting a resolution granting a petition to institute voluntary annexation proceedings of 1.310 acres of land out of the William Gilmore Survey, Abstract 339, located at 2381 FM 1237 in Temple, directing Staff to develop a municipal services plan, and calling public hearings to consider the petition.**

Kayla Landeros, City Attorney, presented a brief presentation to the Council. She stated that on January 18, 2018, Janet Clark filed a petition seeking voluntary annexation of 1.310 acres of land out of the William Gilmore Survey, Abstract 339. The property address is 2381 FM 1237 in Temple.

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 April 5, 2018 (regular meeting) and April 6, 2018, (special meeting). Planning staff will present a municipal services plan at the hearing on April 5, 2018, 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 May 17, 2018.

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

Motion passed unanimously.

BOARD APPOINTMENTS

- 11. 2018-9052-R: Consider adopting a resolution appointing members to the following City boards and commissions:**

(A) Airport Advisory Board – one member to fill an unexpired term through September 1, 2019;

Council tabled this item.

(B) Animal Services Advisory Board – one member to fill an unexpired term through September 1, 2018;

Appoint Ami Hooper to fill an expired term through September 1, 2018.

(C) Building Board of Appeals – three members to fill expiring terms through March 1, 2022;

Council tabled this item.

(D) Building and Standards Commission – three members to fill expiring terms through March 1, 2020; and one alternate member to fill expiring terms through March 1, 2020

Appoint Ginger Tolbert, reappoint Derek Marshall and Sonjanette Crossley to fill expired term through March 1, 2020; Council tabled alternate member.

(E) Development Standards Advisory Board –three members to fill expiring terms through March 1, 2021;

Reappoint Brian Reinhardt, Blake Pitts and Jeffrey Schneider to fill an expired term through March 1, 2021

(F) Parks and Leisure Services Advisory Board – four members to fill expiring terms through March 1, 2021;

Reappoint Fabian Gomez, James Stafford, Albert Nebgen, and Joey Agee to fill an expired term through March 1, 2021.

(G) Zoning Board of Adjustment – three members to fill expiring terms through March 1, 2020; and two alternate members to fill expiring terms through March 1, 2020

Reappoint Derek Marshall (Regular member), Lee Armstrong and Tom Brautigan (Regular member) to fill an expired term through March 1, 2020; and appoint two alternate members Mat Naegele and Joel Berryman to fill an expired term through March 1, 2020.

Mayor Dunn and the Council discussed the appointments. Tabling item 11(A), 11(C), and 11(D) alternate member.

Motion by Councilmember Susan Long to adopt resolution with the recommended appointments, seconded by Councilmember Judy Morales.

Motion passed unanimously.

Daniel A. Dunn, Mayor

ATTEST:

Lacy Borgeson
City Secretary



COUNCIL AGENDA ITEM MEMORANDUM

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DEPT./DIVISION SUBMISSION & REVIEW:

Justin Brantley, Assistant Director of Purchasing & Facility Services
Kirk Scopac, Fleet Services Director

ITEM DESCRIPTION: Consider adopting a resolution authorizing the purchase of a 2018 Ford Transit Van with lift system from Chastang Ford of Houston in the amount of \$65,948.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: Currently the Facility Services Department has a van that has been identified for routine replacement by the Fleet Services Director in the annual vehicle replacement review. The proposed purchase of a 2018 Ford Transit CSIU with lift system will replace a 15 year old van (asset #13402) used by the city electrician in daily maintenance and repairs. The van includes the appropriate storage needed and a bucket lift for high work areas.

Chastang Ford has been awarded Contract #AM10-16 by Houston-Galveston Area Cooperative (HGAC), which staff is recommended the use of for this purchase. Contracts awarded by HGAC have been competitively procured and meet the statutory procurement requirements for Texas municipalities.

FISCAL IMPACT: Funding for the purchase of a 2018 For Transit Van with lift system from Chastang Ford is available in the amount of \$65,948 in account 110-5924-519-6213, project 101656.

Project Budget	\$	75,000
Encumbered/Committed to Date		-
2018 Ford Transit Van with Lift System		(65,948)
Remaining Project Funds Available	\$	9,052

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. 2018-9053-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE PURCHASE OF A 2018 FORD TRANSIT VAN WITH LIFT SYSTEM IN THE AMOUNT OF \$65,948, FROM CHASTANG FORD OF HOUSTON, TEXAS; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the Facility Services Department has a van that has been identified for routine replacement by the Fleet Services Director in the annual vehicle replacement review;

Whereas, the purchase of a 2018 Ford Transit van with lift system will replace a 15-year old van which is used by the City electrician for daily City maintenance and repairs – this van will include appropriate storage and a bucket lift for high work areas;

Whereas, Chastang Ford has been awarded a Houston-Galveston Area Cooperative (HGAC) Contract No. AM10-16 by which Staff is recommending the use of for this purchase – contracts awarded by HGAC have been competitively procured and meet the statutory procurement requirements for Texas municipalities;

Whereas, funds are available for this purchase in Account No. 110-5924-519-6213, Project No. 101656; and

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

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

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

Part 2: The City Council authorizes the purchase of a 2018 Ford Transit Van with lift system from Chastang Ford of Houston, Texas in the amount of \$65,948, utilizing Houston-Galveston Area Cooperative (HGAC) Contract No. AM10-16.

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

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

PASSED AND APPROVED this the 1st day of **March**, 2018.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

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DEPT./DIVISION SUBMISSION & REVIEW:

Kayla Landeros, City Attorney
Christina Demirs, Deputy City Attorney

ITEM DESCRIPTION: Consider adopting a resolution authorizing the purchase of an easement and temporary construction easement necessary for the construction of the Shallowford Force Main and authorizing closing costs associated with the purchase, in an estimated amount of \$40,000.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The City owns and operates the Shallowford Lift Station and Force Main. The Lift Station receives wastewater flow from both the Bird Creek and Pepper Creek drainage basins. The City is currently rehabilitating and expanding both gravity interceptors within Bird Creek and the Lift Station to alleviate wastewater overflows and improve capacity. To adequately convey the increased flow from the Lift Station, it was determined the Shallowford Force Main needs to be expanded. The new force main will run parallel to the existing force main.

The design for Shallowford Force Main requires the acquisition of five easements from five property owners. Two of the easements needed have been acquired and closing is being coordinated on a third easement. With the assistance of Lone Star Right of Way Services (Lone Star), the City has reached an agreement with a property owner for the fourth easement. At this time, Staff is asking for authorization to purchase the easement and temporary construction easement necessary for the Shallowford Force Main and authorizing closing costs associated with the purchase, in an estimated amount of \$40,000.

The address and Bell County Appraisal District ID Number of the property is Rockwool Lane, Rural Bell County—Bell CAD ID #11373.

FISCAL IMPACT: Funding for the purchase of an easement, temporary construction easement, and closing costs associated with the purchase necessary for the construction of the Shallowford Force Main in an estimated amount of \$40,000 is available in account 520-5900-535-6352, project 101512.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. 2018-9054-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE PURCHASE OF AN EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT NECESSARY FOR THE CONSTRUCTION OF THE SHALLOWFORD FORCE MAIN; AUTHORIZING CLOSING COSTS ASSOCIATED WITH THE PURCHASE IN AN ESTIMATED AMOUNT OF \$40,000; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the City owns and operates the Shallowford Lift Station and Force Main which receives wastewater flow from both the Bird Creek and Pepper Creek drainage basins;

Whereas, the City is currently rehabilitating and expanding both gravity interceptors within Bird Creek and the Lift Station to alleviate wastewater overflows and improve capacity and in order to adequately convey the increased flow from the Lift Station, it was determined the Shallowford Force Main needs to be expanded - the new force main will run parallel to the existing force main;

Whereas, the design for Shallowford Force Main requires the acquisition of five easements from five property owners - two of the easements needed have been acquired and closing is being coordinated on a third easement;

Whereas, with the assistance of Lone Star Right of Way Services (Lone Star), the City has reached an agreement with a property owner for a fourth easement located on Rockwool Lane, Rural Bell County - Bell CAD ID No. 11373;

Whereas, Staff recommends Council authorize the purchase of an easement necessary for the Shallowford Force Main and authorize closing costs associated with the purchase, in an estimated amount of \$40,000;

Whereas, funding is available for the purchase of an easement and closing costs are available in Account No. 520-5900-535-6352, Project No. 101512; and

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

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

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

Part 2: The City Council authorizes the purchase of an easement and a temporary construction easement necessary for the Shallowford Force Main and authorizes closing costs associated with the purchase, in an estimated amount of \$40,000 for property located on Rockwool Lane, Rural Bell County - Bell CAD ID No. 11373.

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

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

PASSED AND APPROVED this the **1st** day of **March**, 2018.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

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DEPT./DIVISION SUBMISSION & REVIEW:

Kayla Landeros, City Attorney
Christina Demirs, Deputy City Attorney

ITEM DESCRIPTION: Consider adopting a resolution authorizing the purchase of three properties situated at Avenue B and Martin Luther King Jr. Drive and authorizing closing costs associated with the purchase in an estimated amount of \$45,000.

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: City staff was approached in November 2017 by a property owner seeking to sell three lots and the existing improvements to the City. These lots are located at Avenue B and Martin Luther King Jr. Drive. The property owner offered to sell the properties at the Bell County Tax Appraisal District's assessed valued.

These properties are located directly across from the MLK Festivals Fields. Due to the location, coupled with the City's commitment to revitalizing downtown, Staff recommends purchasing the properties.

At this time, Staff is asking for authorization to purchase three properties situated at Avenue B and Martin Luther King Jr. Drive and authorizing closing costs associated with the purchase in an estimated amount of \$45,000. The address and Bell CAD ID numbers of the properties are listed below:

201 South Martin Luther King Drive (Bell CAD Nos. 77605 & 51873[residence improvements])
203 South Martin Luther King Drive (Bell CAD No. 77606)
205 South Martin Luther King Drive (Bell CAD No. 77607)

FISCAL IMPACT: Funding is available for the purchase of the three properties and authorizing closing costs associated with the purchase in an estimated amount of \$45,000 in account 795-9500-531-6566, project 101262.

ATTACHMENTS:
[Resolution](#)

RESOLUTION NO. 2018-9055-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE PURCHASE OF THREE PROPERTIES SITUATED AT AVENUE B AND MARTIN LUTHER KING JR. DRIVE; AUTHORIZING CLOSING COSTS ASSOCIATED WITH THE PURCHASES IN AN ESTIMATED AMOUNT OF \$45,000; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, City Staff was approached in November 2017 by a property owner seeking to sell three lots with existing improvements to the City which are located at Avenue B and Martin Luther King Jr. Drive;

Whereas, the property owner has offered to sell the properties at the Bell County Tax Appraisal District's assessed values;

Whereas, these properties are located directly across from the MLK Festivals Fields and due to the location, coupled with the City's commitment to revitalizing downtown, Staff recommends Council authorize the purchase of these three properties in an estimated amount of \$45,000;

Whereas, the address and Bell CAD ID numbers of the properties are listed below:

- 201 South Martin Luther King Jr. Dr. (Bell CAD Nos. 77605 & 51873[residence improvements]);
- 203 South Martin Luther King Jr. Dr. (Bell CAD No. 77606);
- 205 South Martin Luther King Jr. Dr. (Bell CAD No. 77607);

Whereas, funding for the purchase of these properties is available in Account No. 795-9500-531-6566, Project No. 101262; and

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

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

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

Part 2: The City Council authorizes the purchase of three properties located at 201, 203 and 205 South Martin Luther King Jr. Drive, Temple, Texas, and authorizes closing costs associated with the purchases, in an estimated amount of \$45,000.

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

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 **1st** day of **March**, 2018.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

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DEPT./DIVISION SUBMISSION & REVIEW:

Kayla Landeros, City Attorney
Christina Demirs, Deputy City Attorney

ITEM DESCRIPTION: Consider adopting a resolution authorizing the purchase of a property necessary for the expansion of Old Waco Road and authorizing closing costs associated with the purchase in an amount not to exceed \$170,000.

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: The expansion of Old Waco Road, the Outer Loop, is an important north-south arterial that will connect the Adams Avenue growth corridor to IH 35. City staff was contacted by a real estate agent stating that a residential property located in Outer Loop Phase 5 is currently for sale. The Transportation Capital Improvement Plan has Phase 5 planned for construction in FY 2021. Based on the current proposed alignment, the expansion will result in the taking of this property and relocation of the residents. Through communication with the property owner's real estate agent, the owner is willing to sell the property to the City. Even though this phase of Outer Loop is a few years away, since this taking will result in a relocation, Staff recommends purchasing the property now to minimize disruption to residents.

At this time, Staff is asking for authorization to purchase a property necessary for the expansion of Old Waco Road and authorizing closing costs associated with the purchase in an amount not to exceed \$170,000. The address and Bell CAD ID number of the property is 3522 Old Waco Road, Bell CAD 94669.

FISCAL IMPACT: A budget adjustment is being presented to Council to appropriate funding for the purchase of a property necessary for the expansion of Old Waco Road Phase 5 and authorizing costs associated with the purchase in an amount not to exceed \$170,000. Funding will be available in account 365-3400-531-6813, project 101824.

ATTACHMENTS:

[Budget Adjustment
Resolution](#)

RESOLUTION NO. 2018-9056-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE PURCHASE OF A PROPERTY NECESSARY FOR THE EXPANSION OF OLD WACO ROAD; AUTHORIZING CLOSING COSTS ASSOCIATED WITH THE PURCHASE IN AN AMOUNT NOT TO EXCEED \$170,000; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the expansion of Old Waco Road, the Outer Loop, is an important north-south arterial that will connect the Adams Avenue growth corridor to IH 35;

Whereas, Staff was recently contacted by a real estate agent advising of a residential property located in Outer Loop Phase 5 which is currently for sale;

Whereas, the Transportation Capital Improvement Plan has Phase 5 planned for construction in fiscal year 2021 and based on the current proposed alignment, the expansion will result in the taking of this property and relocation of the residents;

Whereas, through communication with the property owner's real estate agent, the owner is willing to sell the property located at 3522 Old Waco Road, Bell CAD 94669, to the City;

Whereas, even though this phase of the Outer Loop is a few years away, this taking will result in a relocation and Staff recommends Council authorize the purchase of this property now to minimize disruption to residents;

Whereas, Staff recommends Council authorize the purchase of a property necessary for the expansion of Old Waco Road and authorize closing costs associated with the purchase in an amount not to exceed \$170,000;

Whereas, funding for the purchase of this property is available in Account No. 365-3400-531-6813, Project No. 101824; and

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

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

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

Part 2: The City Council authorizes the purchase of a property located at 3522 Old Waco Road, Temple, Texas, and authorizes closing costs associated with the purchase, in an estimated amount of \$170,000.

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

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

PASSED AND APPROVED this the **1st** day of **March**, 2018.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

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DEPT. /DIVISION SUBMISSION & REVIEW:

Kevin Beavers, CPRP, Director of Parks and Recreation

ITEM DESCRIPTION: Consider adopting a resolution authorizing a construction contract accepting the base bid and alternate #1 with Yoko Excavating, LLC of Belton, in the amount of \$66,624 for the construction of a concrete parking lot to serve Oak Creek Neighborhood Park.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: One of the projects approved in the 2015 Parks Bond was renovating Oak Creek Park located at 2304 Forest Trail. The renovations at this park have proven to be very popular and has generated multiple requests for a parking lot to be constructed to accommodate park visitors.

This project will construct a six vehicle concrete parking lot including one ADA accessible space with a separate entrance and exit lane.

On February 15, 2018, the City of Temple received six bids for this project. Yoko Excavating, LLC submitted the lowest base bid of \$59,347 for an asphalt lot. Staff has chosen to go with alternate #1 to replace the asphalt lot and use concrete instead. This makes the total \$66,624 but is a better long-term solution due to less maintenance issues.

Bids ranged with the alternate #1 from a low of \$66,624 to a high of \$94,000. The engineering firm of Clark and Fuller had a project estimate with alternate #1 of \$74,803.20.

This resolution also provides waving of construction permit fees.

The Parks and Recreation Department has worked with Yoko Excavating, LLC before and has found them to be a very responsible contractor completing projects on time and within budget.

FISCAL IMPACT: Funding for the construction contract with Yoko Excavating, LLC in the amount of \$66,624.00 for the construction of a concrete parking lot to serve Oak Creek Neighborhood Park is available in account 362-3500-552-64-10, project 101319, as follows:

Project Budget	\$	417,202
Encumbered/Committed to Date		(349,924)
Construction Award - Yoko Excavating, LLC		(66,624)
Remaining Project Funds Available	\$	654

ATTACHMENTS:

- [Bid Tabulation](#)
- [Recommendation Letter](#)
- [Resolution](#)



Bid Tabulation Sheet

City of Temple - Oak Creek Park New Parking Lot Addition



Bid Date: February 15, 2018

No.	Base Bid - New HMAc Parking Lot		Yoko Excavating, LLC		Holy Contractors		Wilson Construction Services, LLC		Lone Star Grading & Materials, LLC		TTG Utilities, LP		R.T. Schneider Construction Co., LTD.		
	Item Description	Est. Quan.	Unit	Unit Price	Total Cost	Unit Price	Total Cost	Unit Price	Total Cost	Unit Price	Total Cost	Unit Price	Total Cost	Unit Price	Total Cost
	Base Bid														
1	Provide mobilization, insurance and bonding; traffic control; storm water pollution prevention plan; site demolition; grading and earthwork; reinforced concrete sidewalk; PVC Schedule 40 utility conduit, irrigation adjustment and/or relocation; existing utility protection, removal, relocation and/or replacement; tree protection; hydromulch grass seeding; new speed hump; and all miscellaneous appurtenances.	100%	LS	\$ 33,874.00	\$ 33,874.00	\$ 47,000.00	\$ 47,000.00	\$ 38,000.00	\$ 38,000.00	\$ 37,192.00	\$ 37,192.00	\$ 35,865.00	\$ 35,865.00	\$ 38,350.00	\$ 38,350.00
2	Provide New HMAc Parking Lot including new HMAc pavement sections, new reinforced concrete drive approaches, crushed limestone base, subgrade preparation, standard concrete curb and gutter, concrete edging, pavement striping and signage, and concrete wheel stops.	100%	LS	\$ 25,473.00	\$ 25,473.00	\$ 38,880.00	\$ 38,880.00	\$ 41,000.00	\$ 41,000.00	\$ 36,334.00	\$ 36,334.00	\$ 39,270.00	\$ 39,270.00	\$ 27,630.00	\$ 27,630.00
	Total			\$ 59,347.00	\$ 59,347.00	\$ 85,880.00	\$ 85,880.00	\$ 79,000.00	\$ 79,000.00	\$ 73,526.00	\$ 73,526.00	\$ 75,135.00	\$ 75,135.00	\$ 65,980.00	\$ 65,980.00
	Bid Alternate (1) - New Concrete Parking Lot														
	Deduct														
2	Provide New HMAc Parking Lot including new HMAc pavement sections, new reinforced concrete drive approaches, crushed limestone base, subgrade preparation, standard concrete curb and gutter, concrete edging, pavement striping and signage, and concrete wheel stops.	100%	LS	\$ (25,473.00)	\$ (25,473.00)	\$ (38,880.00)	\$ (38,880.00)	\$ (41,000.00)	\$ (41,000.00)	\$ (36,334.00)	\$ (36,334.00)	\$ (39,270.00)	\$ (39,270.00)	\$ (27,630.00)	\$ (27,630.00)
	Add														
3	Provide New Reinforced Concrete Parking Lot including new reinforced concrete pavement sections, new reinforced concrete drive approaches, crushed limestone base, subgrade preparation, standard concrete curb and gutter, concrete edging, pavement striping and signage, and concrete wheel stops.	100%	LS	\$ 32,750.00	\$ 32,750.00	\$ 41,480.00	\$ 41,480.00	\$ 56,000.00	\$ 56,000.00	\$ 38,468.00	\$ 38,468.00	\$ 38,900.00	\$ 38,900.00	\$ 34,230.00	\$ 34,230.00
	Total			\$ 66,624.00	\$ 66,624.00	\$ 88,480.00	\$ 88,480.00	\$ 94,000.00	\$ 94,000.00	\$ 75,660.00	\$ 75,660.00	\$ 74,765.00	\$ 74,765.00	\$ 72,580.00	\$ 72,580.00



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

February 16, 2018

City of Temple Purchasing
Belinda Mattke
3210 East Avenue H, Building C
Temple, Texas 76501

Re: City of Temple – Oak Creek Park New Parking Lot Addition

Dear Mrs. Mattke,

On February 15th, we received six (6) bids for the City of Temple - Oak Creek Park New Parking Lot Addition. We have reviewed each bid for accuracy and completeness. Yoko Excavating, LLC submitted a Base Bid, for a new Asphalt Parking Lot totaling \$59,347.00. Additionally they submitted Bid Alternate (1), to construct a new reinforced concrete parking lot in lieu of the Asphalt, totaling \$66,624.00. These submitted bit totals make them the apparent low bidder. *Please see the enclosed Bid Tabulation Sheet and Bid Schedule Breakout for detailed information.*

The engineer's project estimate, for the Oak Creek Park New Parking Lot Addition, was \$74,803.20.

We are recommending that the City of Temple award the contract to Yoko Excavating, LLC. We also are recommending that the City of Temple accept the Bid Alternate (1) and construct a reinforced concrete parking lot. We believe, through personal experience, that Yoko Excavating, LLC is qualified and is capable of providing the City of Temple - Oak Creek Park New Parking Lot Addition and we look forward to working with them on this project.

Sincerely,

Monty Clark, P.E., CPESC

RESOLUTION NO. 2018-9057-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A CONSTRUCTION CONTRACT, ACCEPTING THE BASE BID AND ALTERNATE NO. 1 WITH YOKO EXCAVATING, LLC OF BELTON, TEXAS IN THE AMOUNT OF \$66,624, FOR THE CONSTRUCTION OF A CONCRETE PARKING LOT TO SERVE OAK CREEK NEIGHBORHOOD PARK; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, one of the projects approved in the 2015 Parks Bond was renovations to Oak Creek Park located at 2304 Forest Trail;

Whereas, the renovations at this park have proven to be very popular and have generated multiple requests for a parking lot to accommodate park visitors – proposed will be a 6-vehicle concrete parking lot and 1 ADA accessible space with a separate entrance and exit lane;

Whereas, on February 15, 2018, Staff received 6 bids for this project with Yoko Excavating, LLC of Belton, Texas submitting the lowest base bid of \$59,347 for an asphalt lot;

Whereas, Staff recommends Council award Alternate No. 1 to replace the asphalt lot and use concrete instead, making the total amount \$66,624 - Staff believes concrete is a better long term solution due to less maintenance issues;

Whereas, the Parks and Recreation Department has worked with Yoko Excavating, LLC in the past and has found them to be a quality contractor completing projects on time and within budget;

Whereas, Staff recommends Council authorize a construction contract accepting the base bid and Alternate No. 1 with Yoko Excavating, LLC of Belton, Texas in the amount of \$66,624, for the construction of a concrete parking lot to serve Oak Creek Neighborhood Park, and waiving construction permit fees associated with this project;

Whereas, funds are available for this construction contract in Account No. 362-3500-552-6410, Project No. 101319; and

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

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

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

Part 2: The City Council authorizes the City Manager, or her designee, after approval as to form by the City Attorney, to execute a construction contract accepting the base bid and Alternate No. 1 with Yoko Excavating, LLC of Belton, Texas in the amount of \$66,624, for the construction of a concrete parking lot to serve Oak Creek Neighborhood Park and waives construction permit fees associated with this project.

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

PASSED AND APPROVED this the **1st** day of **March**, 2018.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

03/01/18
Item #3(H)
Consent Agenda
Page 1 of 2

DEPT. /DIVISION SUBMISSION & REVIEW:

Kevin Beavers, CPRP, Director of Parks & Recreation

ITEM DESCRIPTION: Consider adopting a resolution authorizing change order #12 to a construction manager-at-risk construction contract with RM Rodriguez Construction, LP, of Temple, in the amount of \$72,020 to install a 50' x 400' netting system as part of the Sammons Community Center renovation project.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: One of the projects approved in the 2015 Parks Bond was the renovation of Sammons Community Center. As part of the project, the parking lot was expanded and a 20' x 365' net system was installed to minimize the risk of golf balls from entering the parking lot and damaging cars or endangering citizens. Unfortunately, the 20-foot high netting has not been high enough to mitigate this risk, and as such, multiple vehicles have been damaged. Accordingly, approval of this change order will provide for a 50' x 400' netting system with wood poles that will replace the 20' x 365' netting system that will better shield the cars and citizens visiting Sammons Community Center and the Sammons Indoor Pool.

Council originally authorized a construction manager-at-risk (CMAR) contract with RM Rodriguez Construction on October 6, 2016, in the amount of \$1,577,100 for renovations to Sammons Community Center. This CMAR contract is still open due to flooring issues that are still being addressed. With the CMAR contract still being open, it is Staff's recommendation to authorize this change order under the CMAR contract to enable the netting improvements to be made as quickly as possible. Based on the netting system being installed under the CMAR contract, the pricing for the netting system will be RM Rodriguez Construction's cost with an on-site management fee pro-rated at \$8,325 per month, insurance & bonding, and a profit & overhead fee of 2.75%.

FISCAL IMPACT: The Sammons Community Center project is funded with Parks GO Bonds that were approved by voters on May 9, 2015, and sold on September 24, 2015. Funding for change order #12 to the construction contract with RM Rodriguez Construction, LP is appropriated in the amount of \$72,020 in account 362-3500-552-6413, project 101322, as follows:

Project Budget	\$ 1,995,384
Encumbered/Committed to Date	(1,923,364)
RM Rodriguez Construction Change Order #12	<u>(72,020)</u>
Remaining Project Funds Available	<u>\$ -</u>

ATTACHMENTS:
[Resolution](#)

RESOLUTION NO. 2018-9058-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING CHANGE ORDER NO. 12 TO THE CONSTRUCTION MANAGER-AT-RISK CONSTRUCTION CONTRACT WITH RM RODRIGUEZ CONSTRUCTION, LP OF TEMPLE, TEXAS IN THE AMOUNT OF \$72,020, TO INSTALL A NETTING SYSTEM AS PART OF THE SAMMONS COMMUNITY CENTER RENOVATION PROJECT; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, one of the projects approved in the 2015 Parks Bond was the renovation of Sammons Community Center and as part of that project, the parking lot was expanded and a 20-foot x 365-foot netting system was installed to minimize the risk of golf balls entering the parking lot and damaging cars or endangering citizens;

Whereas, unfortunately, the 20-foot high netting has not been high enough to mitigate this risk, and as such, multiple vehicles have been damaged;

Whereas, Staff recommends Council authorize Change Order No. 12 to provide for a 50-foot x 400-foot netting system with wood poles that will replace the 20-foot x 365-foot netting system which will better shield the cars and citizens visiting Sammons Community Center and the Sammons Indoor Pool;

Whereas, Council originally authorized a construction manager-at-risk (CMAR) contract with RM Rodriguez Construction on October 6, 2016, in the amount of \$1,577,100 for renovations to Sammons Community Center - this CMAR contract is still open due to flooring issues that are still being addressed;

Whereas, with the CMAR contract still being open, it is Staff's recommendation to authorize this change order under the CMAR contract to enable the netting improvements to be made as quickly as possible – with the netting system being installed under the CMAR contract, the pricing for the netting system will be RM Rodriguez Construction's cost with an on-site management fee pro-rated at \$8,325 per month, insurance & bonding, and a profit & overhead fee of 2.75%;

Whereas, this project is funded with the Parks GO Bonds that were approved by the voters on May 9, 2015, and sold on September 24, 2015 – funding for this change order is available 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: Findings. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Temple, Texas, and they are hereby approved and incorporated into the body of this Resolution as if copied in their entirety.

Part 2: The City Council authorizes the City Manager, or her designee, after approval as to form by the City Attorney, to execute Change Order No. 12 to the Construction Manager-at-Risk contract with RM Rodriguez Construction, LP of Temple, Texas in the amount of \$72,020 to install a netting system as part of the Sammons Community Center renovation project.

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

PASSED AND APPROVED this the 1st day of **March**, 2018.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

03/01/18
Item #3(I)
Consent Agenda
Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

Nicole Torralva, P.E., Public Works Director
Damon B. Boniface, Utility Director

ITEM DESCRIPTION: Consider adopting a resolution authorizing payment of the annual invoice from Brazos River Authority in the amount of \$129,033.45 which covers the availability of 9,453 acre-feet of water to the City for FY 2018.

STAFF RECOMMENDATION: Adopt resolution as discussed in item description.

ITEM SUMMARY: Pursuant to the Replacement Water Supply Agreement 7801-01 between the Brazos River Authority (“BRA”) and the City, dated July 1, 1992, the City is allocated 9,453 acre-feet of option water per year. The City is required to make an annual payment to BRA for this water. BRA has requested payment in the amount of \$129,033.45 for fiscal year 2018. Staff is seeking authorization to make this payment to BRA.

FISCAL IMPACT: Funding is appropriated in the FY 2018 Operating Budget to fund payment of the invoice to Brazos River Authority in the amount of \$129,033.45 as shown below:

<u>Account</u>	<u>Description</u>	<u>Amount Available</u>
520-5100-535-2651	BRA - Water Services	\$ 129,034
	Total Funding Available	\$ 129,034

ATTACHMENTS:

[BRA Invoice](#)
[Resolution](#)



Brazos
RIVER AUTHORITY

DEVELOP ★ MANAGE ★ PROTECT
WATER RESOURCES OF THE BRAZOS RIVER BASIN



4600 COBBS DRIVE ★ P.O. BOX 7555 ★ WACO, TEXAS 76714-7555
(254) 761-3100

Customer No. 7801
Invoice No. FR00008149
Invoice Date: 01/30/2018
Due Date: 02/15/2018

City of Temple
3210 East Avenue H
Building A, Suite #130
Temple, TX 76501-8402

INVOICE

Item/Description	Qty	UOM	Price	Amount
7801-01-OP REPLACEMENT WATER SUPPLY AGRMT Option Water	9,453.00	AF	13.65	129,033.4

RECEIVED

FEB 01 2018

CITY OF TEMPLE

PUBLIC WORKS ADMINISTRATION



Fast & Easy Pay Option



Total Amount Due: \$129,033.45

Save Postage & Time: Brazos River Authority now offers our customers an on-line payment option. Visit our website at www.brazos.org and click on 'Doing Business' then select 'Make an Online Payment' to pay by ACH (electronic check) via our secure website.

Please remit by due date to prevent additional late fees and finance charges.

Important Notice: There is a security flap on the back of this form showing your name, address, and customer account number. Please remove this security flap and return with your payment to the mailing address below. If unable to include this remittance flap, your customer account number must be written legibly on the check to ensure proper credit.

Remit to: **Brazos River Authority**
P.O. Box 7555
Waco, Texas 76714-7555

RESOLUTION NO. 2018-9059-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING PAYMENT OF THE ANNUAL INVOICE FROM BRAZOS RIVER AUTHORITY IN THE AMOUNT OF \$129,033.45, WHICH COVERS THE AVAILABILITY OF 9,453 ACRE-FEET OF WATER TO THE CITY OF TEMPLE FOR FISCAL YEAR 2018; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, pursuant to Replacement Water Supply Agreement 7801-01 between the Brazos River Authority (“BRA”) and the City, dated July 1, 1992, the City is allocated 9,453 acre-feet of option water per year;

Whereas, the City is required to make an annual payment to BRA for this water and BRA has requested payment in the amount of \$129,033.45 for fiscal year 2018;

Whereas, funding is appropriated in the fiscal year 2018 Operating Budget to fund payment of the invoice to Brazos River Authority in Account No. 520-5100-535-2651; and

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

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

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

Part 2: The City Council authorizes payment of the annual invoice from the Brazos River Authority in the amount of \$129,033.45, which covers the availability of 9,453 acre-feet of water to the City of Temple for fiscal year 2018.

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

PASSED AND APPROVED this the **1st** day of **March**, 2018.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

03/01/18
Item #3(J)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Kayla Landeros, City Attorney

ITEM DESCRIPTION: Consider adopting a resolution authorizing the engagement of Haley & Olson, P.C. for legal services.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: Haley & Olson, P.C. is a Waco based law firm providing legal services in many different subject matters. The City currently works with and receives legal representation from Haley & Olson in several cases related to property acquisition and eminent domain.

On February 5, 2018, Officer Bradley Perrin filed a declaratory judgment lawsuit against the City of Temple, the Temple Police Department, Chief Floyd Mitchell, and the Temple Fire Fighters' and Police Officers' Civil Service Commission Director. The lawsuit seeks a declaration from the court that Officer Perrin is entitled to a promotion to the Corporal position.

Staff recommends that Council authorize the engagement of Haley & Olson to represent the City and all other defendants in this litigation. Staff believes that the law firm's assistance will help the City reach an efficient resolution to this dispute.

FISCAL IMPACT: A budget adjustment is being presented to Council for approval to reallocate funds from contingency to account 110-1600-512-2616, Professional fees, to fund the legal services. It is estimated the legal services will range from \$10,000 to \$15,000.

ATTACHMENTS:

[Budget Adjustment Resolution](#)

RESOLUTION NO. 2018-9060-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE ENGAGEMENT OF HALEY & OLSON, P.C. OF WACO, TEXAS, FOR LEGAL SERVICES; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, Haley & Olson, P.C. is a Waco based law firm that provides legal services in various subject matters - the City currently works with and receives representation from Haley & Olson in several cases related to property acquisition and eminent domain;

Whereas, on February 5, 2018, Officer Bradley Perrin filed a declaratory judgment lawsuit against the City of Temple, the Temple Police Department, Chief Floyd Mitchell, and the Temple Fire Fighters' and Police Officers' Civil Service Commission Director;

Whereas, the lawsuit seeks a declaration from the Court that Officer Perrin is entitled to a promotion to the position of Corporal;

Whereas, Staff recommends Council authorize the engagement of Haley & Olson to represent the City and all other defendants in this litigation - Staff believes that the law firm's assistance will help the City reach an efficient resolution to this dispute;

Whereas, funds are available for these services, but a budget adjustment needs to be approved to reallocate the funds from contingency to Account No. 110-1600-512-2616- it is estimated the legal services will range from \$10,000 to \$15,000.

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

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

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

Part 2: The City Council authorizes the City Manager, or her designee, after approval as to form by the City Attorney, to execute an engagement letter with Haley & Olson, P.C., to provide legal services associated with the declaratory judgment lawsuit filed by Officer Perrin.

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 1st day of **March**, 2018.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

APPROVED AS TO FORM:

ATTEST:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

03/01/18
Item #3(K)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Brynn Myers, City Manager
Kayla Landeros, City Attorney

ITEM DESCRIPTION: Consider adopting a resolution authorizing a Multiple Use Agreement between the City of Temple and the Texas Department of Transportation to allow the City to construct pedestrian lighting and other amenities within the 3rd Street right-of-way and as part of the Santa Fe Market Trail project.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The City is finalizing design of the Santa Fe Market Trail project which will provide a walkable connection between the new Santa Fe Plaza and the Martin Luther King, Jr. Festival Fields. The Market Trail is one of the projects included in the Council-adopted Downtown Master Plan. The Market Trail will feature several amenities, including green space, trail connections, and a food truck park.

Some of the amenities will be installed under the 3rd Street bridge to make the connection to Santa Fe Plaza. The Texas Department of Transportation (TxDOT) maintains 3rd Street and the bridge. Therefore, TxDOT is requiring that the City sign a Multiple Use Agreement to allow for the planned improvements. The City will be responsible for maintenance of the improvements and no improvements may be attached directly to the bridge.

Staff recommends approval of this item.

FISCAL IMPACT: The construction of the pedestrian lighting and other amenities within the 3rd Street right-of-way will fall within the scope of construction of the Santa Fe Market Trail which is funded by the Reinvestment Zone No. 1. Future maintenance of the improvements will be funded by the Reinvestment Zone's annual allocation of maintenance funds.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. 2018-9061-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A MULTIPLE USE AGREEMENT BETWEEN THE CITY OF TEMPLE AND THE TEXAS DEPARTMENT OF TRANSPORTATION TO ALLOW THE CITY TO CONSTRUCT PEDESTRIAN LIGHTING AND OTHER AMENITIES WITHIN THE 3RD STREET RIGHT OF WAY AS PART OF THE SANTA FE MARKET TRAIL PROJECT; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the City is finalizing design of the Santa Fe Market Trail project which will provide a walkable connection between the new Santa Fe Plaza and the Martin Luther King, Jr. Festival Fields;

Whereas, the Market Trail is one of the projects included in the Council-adopted Downtown Master Plan which will feature several amenities, including green space, trail connections, and a food truck park;

Whereas, some of the amenities will be installed under the 3rd Street bridge to make the connection to Santa Fe Plaza, however, the Texas Department of Transportation (TxDOT) maintains 3rd Street and the bridge and TxDOT is requiring that the City sign a Multiple Use Agreement to allow for the planned improvements;

Whereas, the City will be responsible for maintenance of the improvements and no improvements may be attached directly to the bridge;

Whereas, Staff recommends Council authorize a Multiple Use Agreement between the City of Temple and the Texas Department of Transportation to allow the City to construct pedestrian lighting and other amenities within the 3rd Street right-of-way and as part of the Santa Fe Market Trail project;

Whereas, the construction of the pedestrian lighting and other amenities within the 3rd Street right-of-way will fall within the scope of construction of the Santa Fe Market Trail which is funded by the Reinvestment Zone No. 1 - future maintenance of the improvements will be funded by the Reinvestment Zone's annual allocation of maintenance funds; and

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

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

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

Part 2: The City Council authorizes the City Manager, or her designee, after approval as to form by the City Attorney, to execute a Multiple Use Agreement between the City of Temple and the Texas Department of Transportation to allow the City to construct pedestrian lighting and other amenities within the 3rd Street right-of-way and as part of the Santa Fe Market Trail project.

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

PASSED AND APPROVED this the 1st day of **March**, 2018.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN MAYOR

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

03/01/18
Item #3(L)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Brian Chandler, Director of Planning

ITEM DESCRIPTION: Consider adopting a resolution authorizing a Developer Participation Agreement, in an amount not to exceed \$73,619 with WBW Development Group for the construction of a sidewalk along South 5th Street and FM 93.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

BACKGROUND: WBW Development Group, the developer for the newest phases of the Alta Vista residential subdivision, is required to construct six-foot sidewalks along South 5th Street and FM 93 per Sec. 8.2.3.B. of the Unified Development Code (UDC). Per Sec. 8.2.3, "On portions of property developed for single-family residential use that adjoin an arterial street, or a County, State, or Federally maintained highway, the developer shall build an arterial width sidewalk, and the City shall bear the cost of sidewalk construction of those portions of sidewalk adjoining an arterial street or a County, State, or Federally maintained highway."

The \$73,619 sidewalk construction estimate includes a section between Raye Allen Elementary School that will fill in a sidewalk gap and will provide a safe pedestrian route for children from nearby neighborhoods.

FISCAL IMPACT: Funding for the Developer Participation Agreement with WBW Development Group for the construction of a sidewalk along South 5th Street in an amount not to exceed \$73,619 is available in account 365-3400-531-6315, project 101827, as follows:

Project Budget	\$	73,619
Encumbered/Committed to Date		-
Developer Participation Agreement – S. 5th Street Sidewalk		(73,619)
Remaining Project Funds Available	\$	-

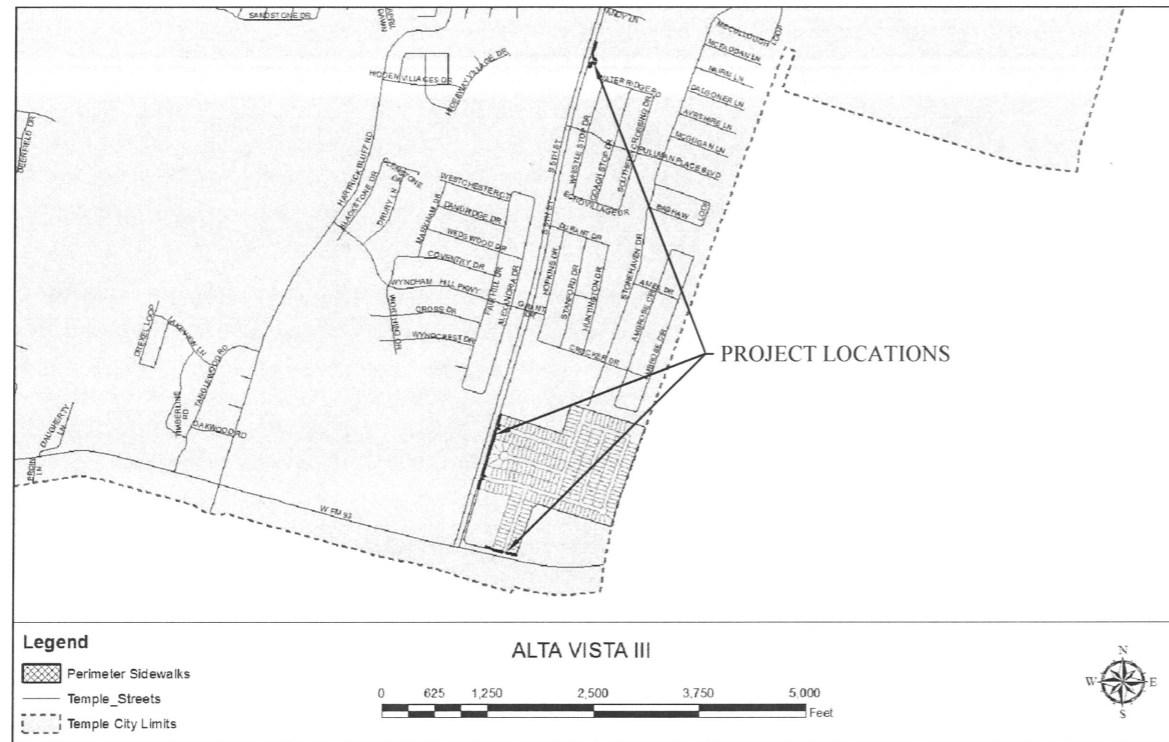
ATTACHMENTS:

[Cost Estimate](#)
[Vicinity Map and Construction Plans](#)
[Resolution](#)

Alta Vista Sidewalk Project

Item	Quantity	UOM	Unit Price	Total
Grading for sidewalk	1604	LF	\$ 5.45	\$ 8,741.80
Place sidewalk	9324	SF	\$ 4.95	\$ 46,153.80
Fine grade / fill	1604	LF	\$ 1.95	\$ 3,127.80
Soil Stabilization	1604	LF	\$ 0.75	\$ 1,203.00
ADA ramps / curb cuts	6	EA	\$ 950.00	\$ 5,700.00
Mobilization	1	EA	\$ 2,000.00	\$ 2,000.00
		Construction Total	\$	66,926.40
		Engineering (10%)	\$	6,692.64
		Grand Total	\$	73,619.04

PERIMETER SIDEWALK PLANS FOR ALTA VISTA PHASE III AND RAYE-ALLEN ELEMENTARY SCHOOL Temple, Bell County, Texas



VICINITY MAP NTS

Sheet List Table	
Sheet Number	Sheet Title
--	TITLE PAGE
1	FM-93 SIDEWALK PLANS
2	5 TH ST SIDEWALK PLANS 1
3	5 TH ST SIDEWALK PLANS 2
4	5TH ST AT ELEMENTARY SCHOOL SIDEWALK PLANS
5	SIDEWALK DETAILS



ENGINEERING

YALGO, LLC

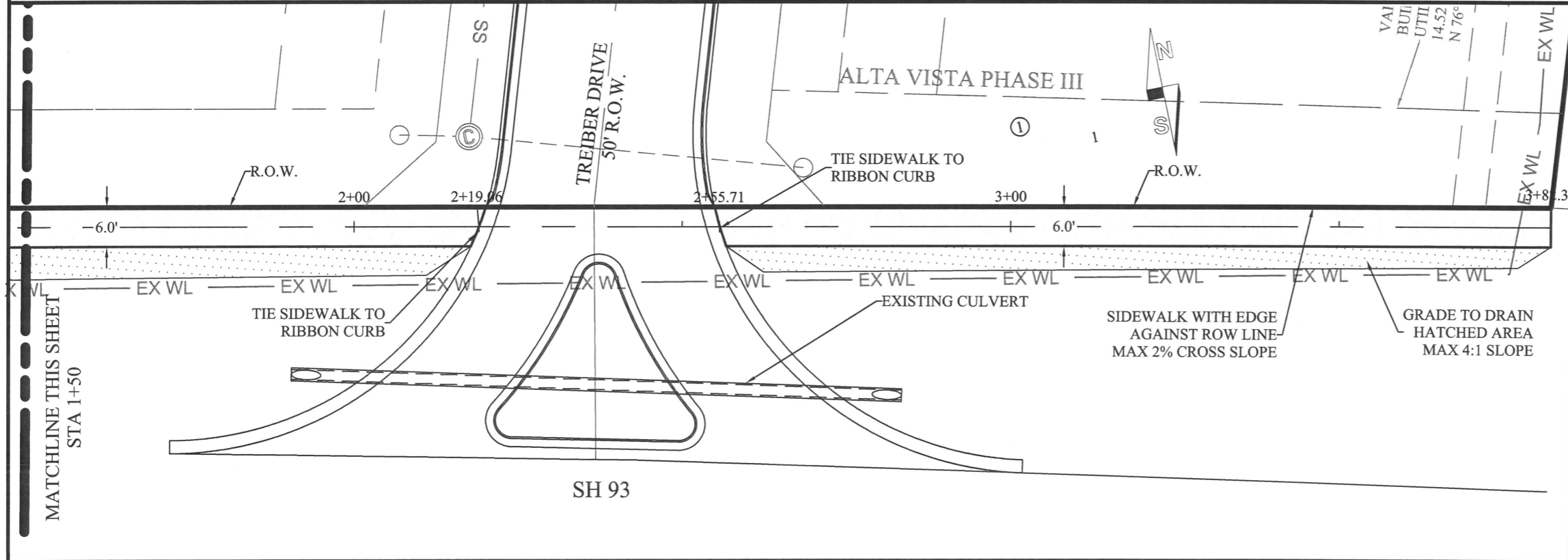
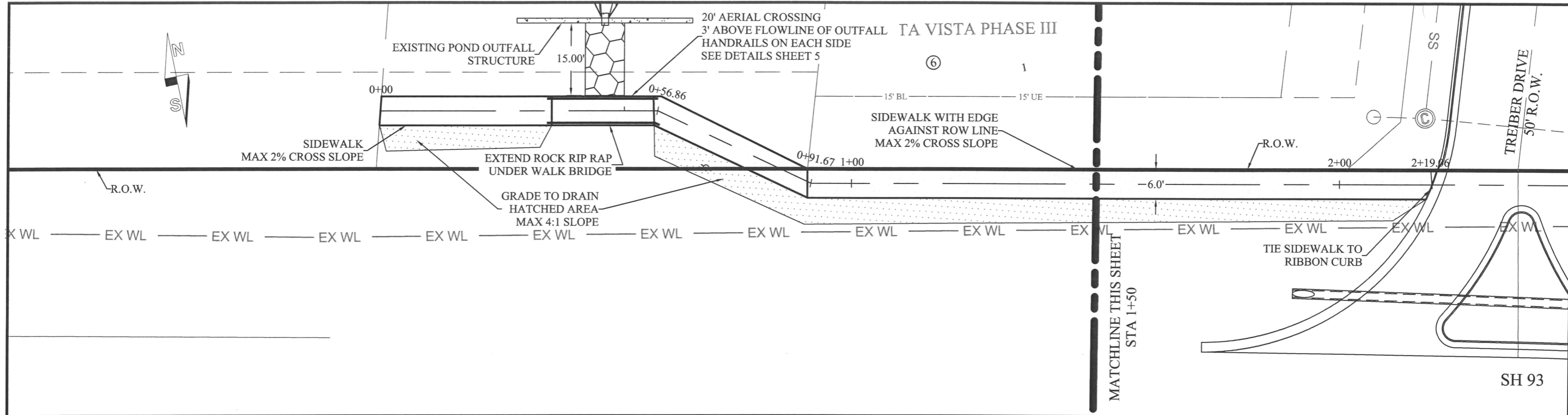
3000 ILLINOIS AVE. STE 100
KILLEEN, TX. 76543 (254) 953-5353

Texas Registered Engineering Firm F-10264
Texas Registered Surveying Firm 10194095

THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF REVIEW UNDER THE AUTHORITY OF SCOTT A. BROOKS, P.E. 99801 ON 2/1/2018. IT IS NOT TO BE USED FOR CONSTRUCTION PURPOSES.

ALTA VISTA PHASE III AND
RAYE-ALLEN ELEMENTARY SCHOOL

February 2018



LEGEND

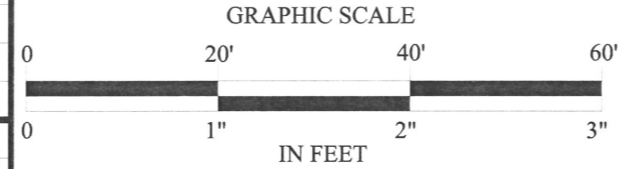
- CABLE BOX
- GUY WIRE
- POWER POLE
- WATER VALVE
- FIRE HYDRANT

ENGINEER'S APPROVAL

THIS DOCUMENT IS RELEASED FOR THE
PURPOSE OF REVIEW UNDER THE
AUTHORITY OF SCOTT A BROOKS, P.E.
99801 ON 01/08/2018. IT IS NOT TO BE
USED FOR CONSTRUCTION PURPOSES.

PRINTED ON February 1, 2018

REV.	DESCRIPTION	DATE	BY
1	ORIGINAL RELEASE	1/8/2018	JAT
PROJECT NUMBER: AV03		CLIENT NAME: WBW DEVELOPMENT GROUP	
APPROVED BY: SAB		CLIENT LOCATION: KILLEEN, TX	
AUTHORIZED BY: WBW			

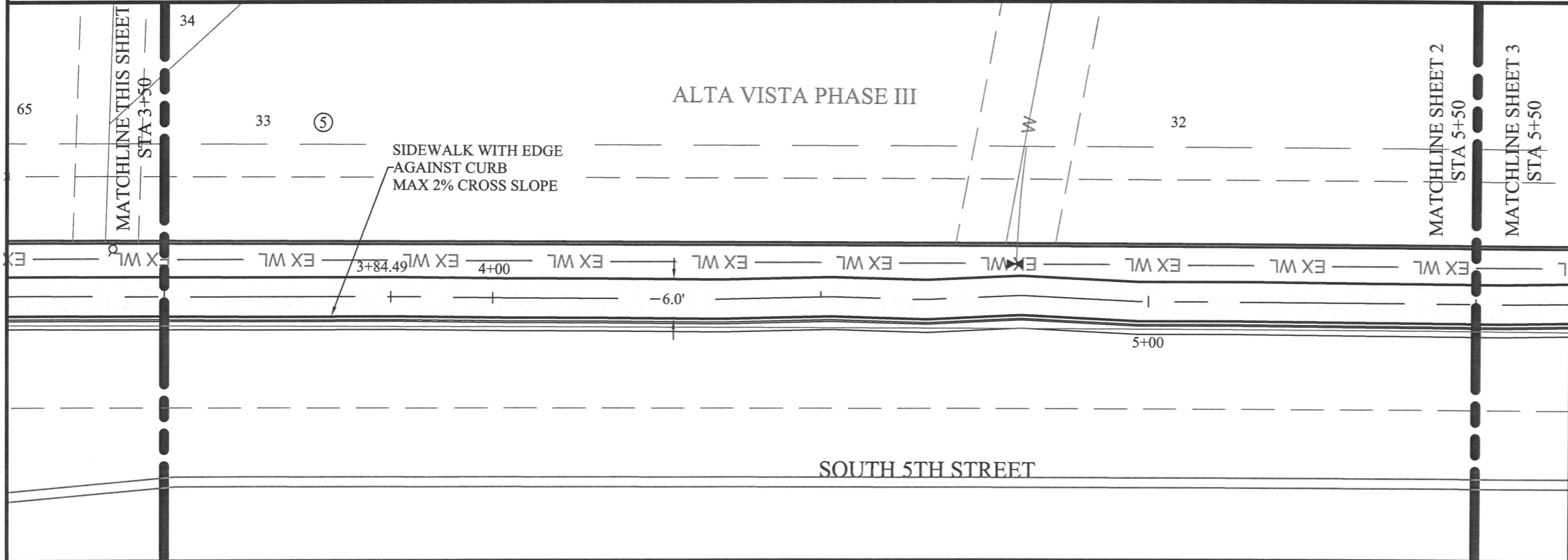
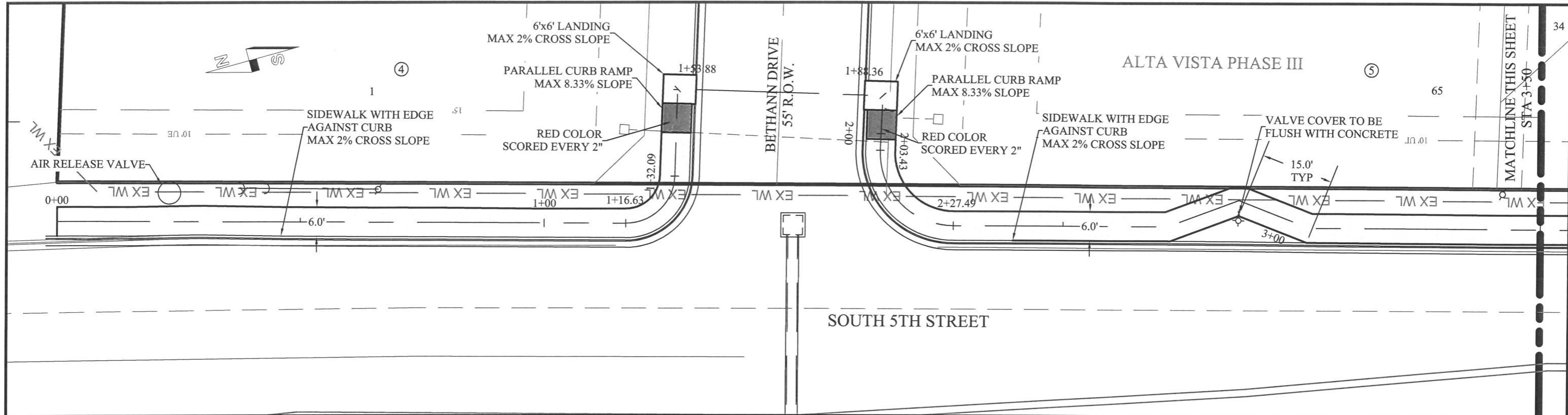


FM-93 SIDEWALK PLANS
ALTA VISTA III
CITY OF TEMPLE,
BELL COUNTY, TEXAS

Yalgo, LLC
3000 Illinois Ave., Suite 100
Killeen, TX 76543
PH (254) 953-5353
FX (254) 953-5057

Texas Registered Engineering Firm F-10264
Texas Registered Surveying Firm 10194095

SHEET
1
OF
5



LEGEND

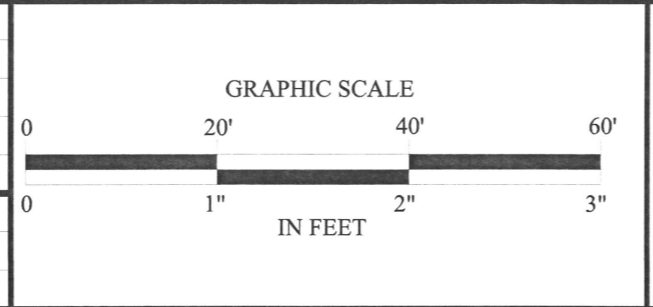
Ⓢ	CABLE BOX
—⊕—	GUY WIRE
⊙	POWER POLE
⊗	WATER VALVE
⊕	FIRE HYDRANT

ENGINEER'S APPROVAL

THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF REVIEW UNDER THE AUTHORITY OF SCOTT A BROOKS, P.E. 99801 ON 01/08/2018. IT IS NOT TO BE USED FOR CONSTRUCTION PURPOSES.

REV.	DESCRIPTION	DATE	BY
1	ORIGINAL RELEASE	1/8/2018	JAT

PROJECT NUMBER: AV03	CLIENT NAME: WBW DEVELOPMENT GROUP
APPROVED BY: SAB	CLIENT LOCATION: KILLEEN, TX
AUTHORIZED BY: WBW	



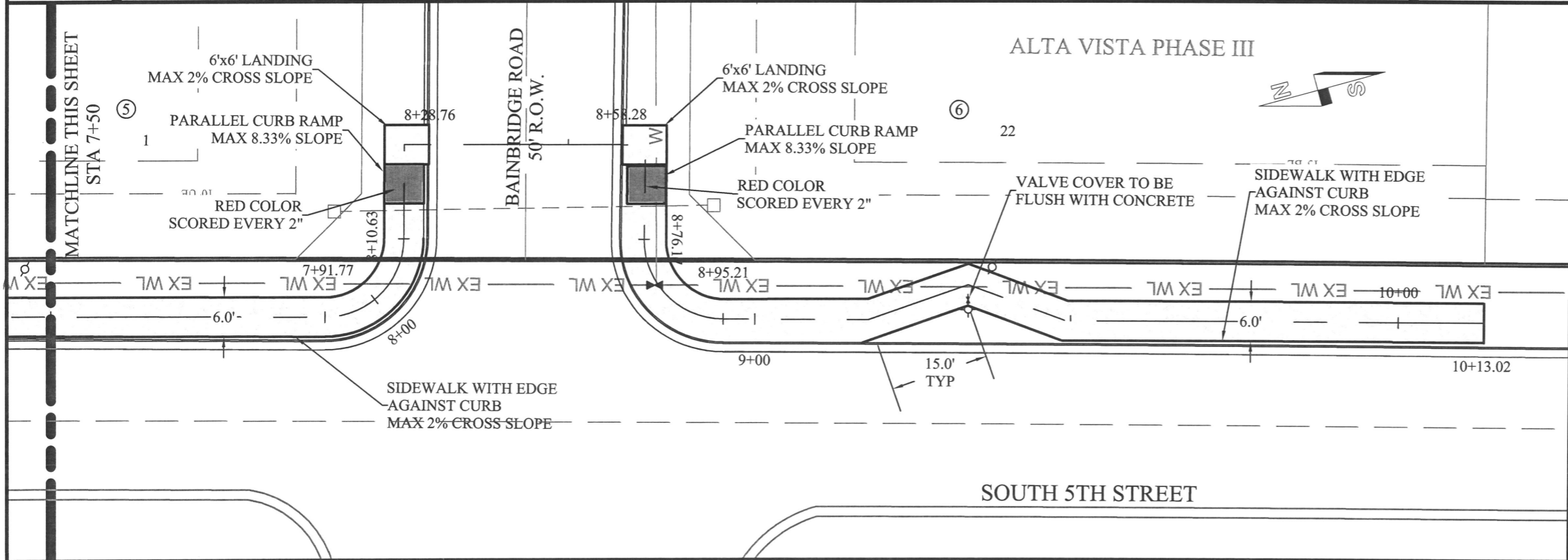
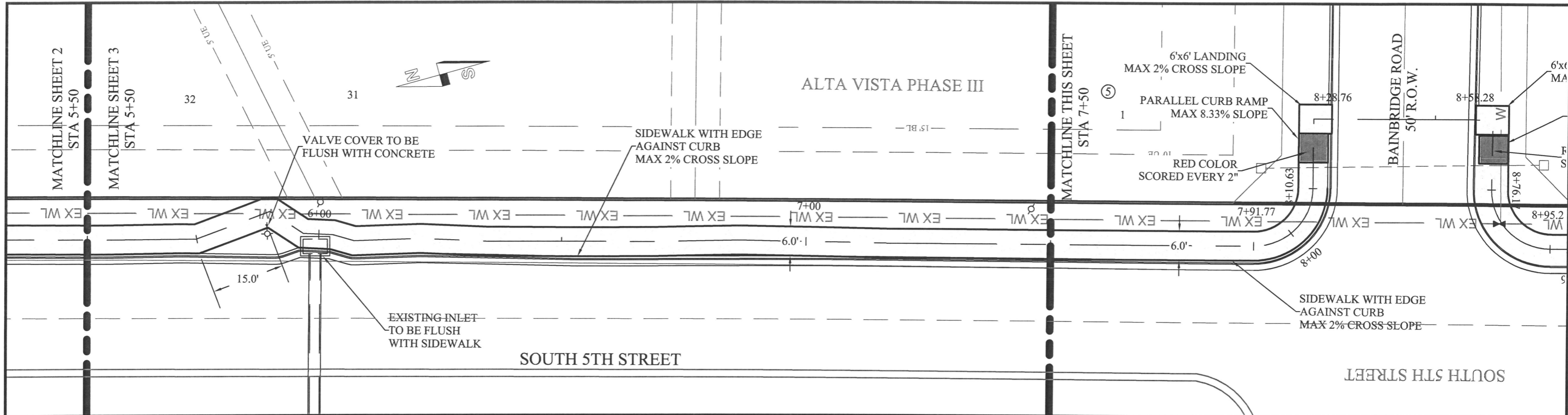
5TH ST SIDEWALK PLANS 1
ALTA VISTA III
CITY OF TEMPLE,
BELL COUNTY, TEXAS

Yalgo, LLC
 3000 Illinois Ave., Suite 100
 Killeen, TX 76543
 PH (254) 953-5353
 FX (254) 953-5057

Texas Registered Engineering Firm F-10264
 Texas Registered Surveying Firm 10194095

SHEET
2
 OF
5

PRINTED ON February 1, 2018



LEGEND

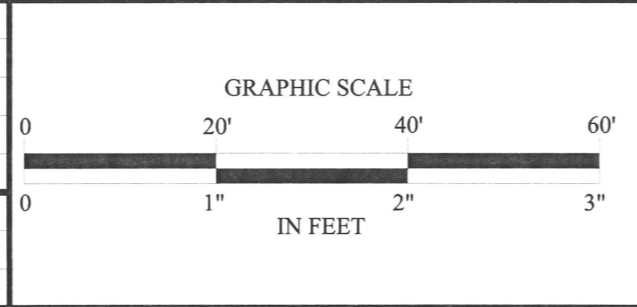
Ⓢ	CABLE BOX
—○—	GUY WIRE
⊗	POWER POLE
⊕	WATER VALVE
⊕	FIRE HYDRANT

ENGINEER'S APPROVAL

THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF REVIEW UNDER THE AUTHORITY OF SCOTT A BROOKS, P.E. 99801 ON 01/08/2018. IT IS NOT TO BE USED FOR CONSTRUCTION PURPOSES.

REV.	DESCRIPTION	DATE	BY
1	ORIGINAL RELEASE	1/8/2018	JAT

PROJECT NUMBER: AV03	CLIENT NAME: WBW DEVELOPMENT GROUP
APPROVED BY: SAB	CLIENT LOCATION: KILLEEN, TX
AUTHORIZED BY: WBW	



5TH ST SIDEWALK PLANS 2
ALTA VISTA III
CITY OF TEMPLE,
BELL COUNTY, TEXAS

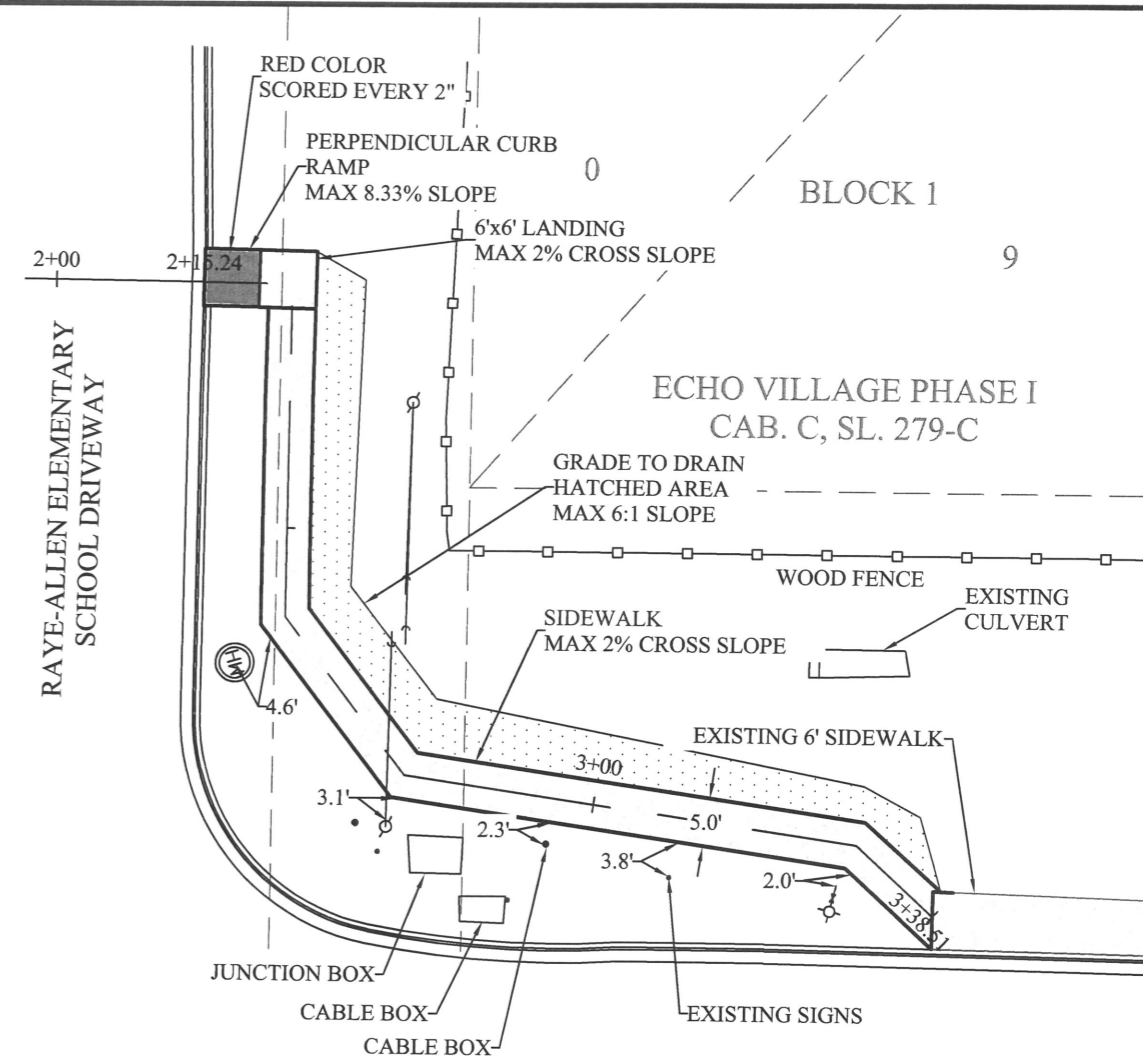
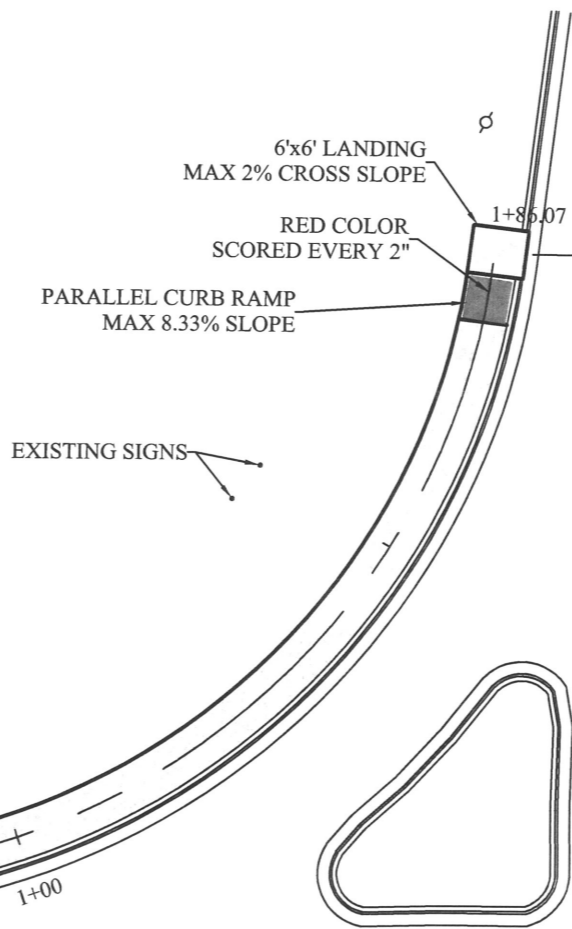
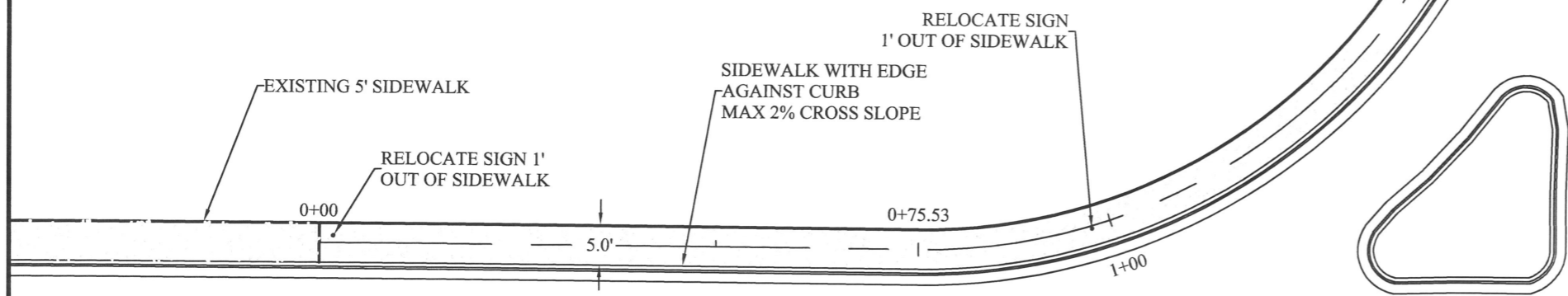
Yalgo, LLC
 3000 Illinois Ave., Suite 100
 Killeen, TX 76543
 PH (254) 953-5353
 FX (254) 953-5057

Texas Registered Engineering Firm F-10264
 Texas Registered Surveying Firm 10194095

SHEET
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 OF
5






PRINTED ON February 1, 2018

TEMPLE ISD
VOL. 3612, PG. 389



SOUTH 5TH STREET

LEGEND

-  CABLE BOX
-  GUY WIRE
-  POWER POLE
-  WATER VALVE
-  FIRE HYDRANT

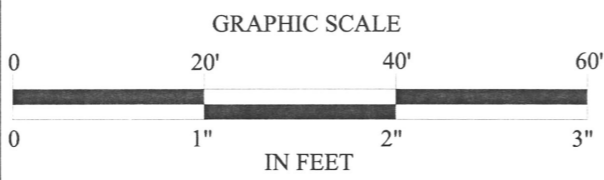
ENGINEER'S APPROVAL

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PRINTED ON February 1, 2018

REV.	DESCRIPTION	DATE	BY
1	ORIGINAL RELEASE	1/8/2018	JAT

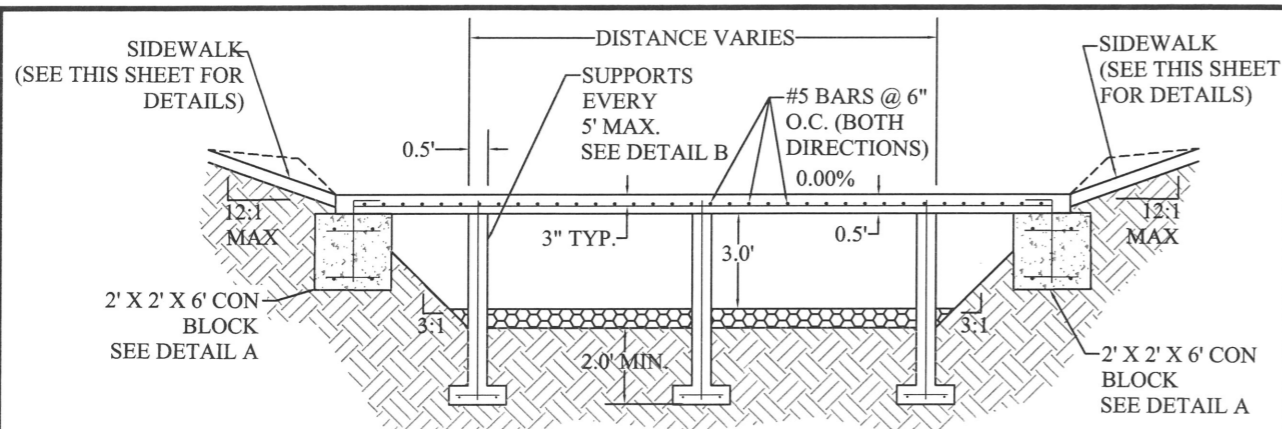
PROJECT NUMBER: AV03	CLIENT NAME: WBW DEVELOPMENT GROUP
APPROVED BY: SAB	CLIENT LOCATION: KILLEEN, TX
AUTHORIZED BY: WBW	



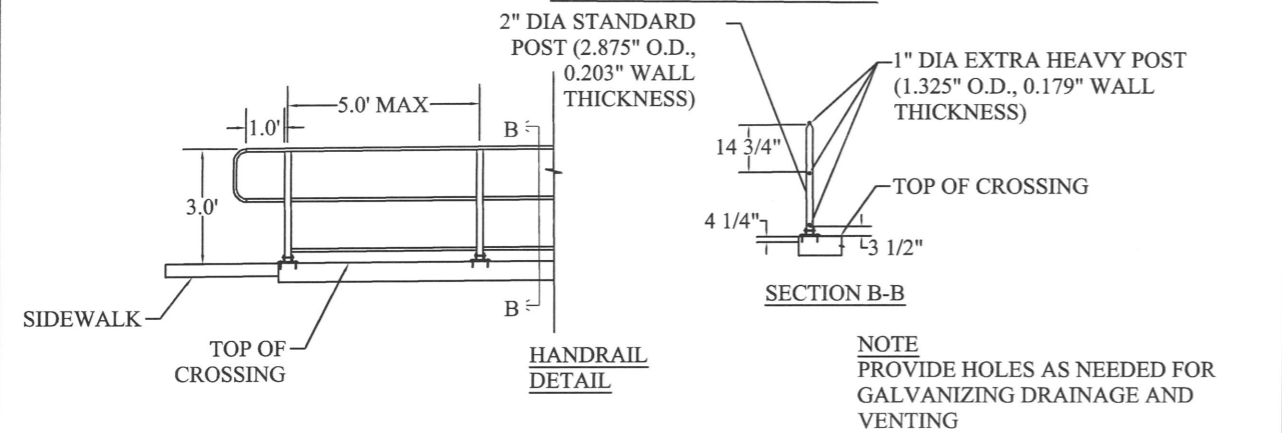
5TH ST AT ELEMENTARY SCHOOL
SIDEWALK PLANS
ALTA VISTA III
CITY OF TEMPLE,
BELL COUNTY, TEXAS

Yalgo, LLC
3000 Illinois Ave., Suite 100
Killeen, TX 76543
PH (254) 953-5353
FX (254) 953-5057
Texas Registered Engineering Firm F-10264
Texas Registered Surveying Firm 10194095

SHEET
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OF
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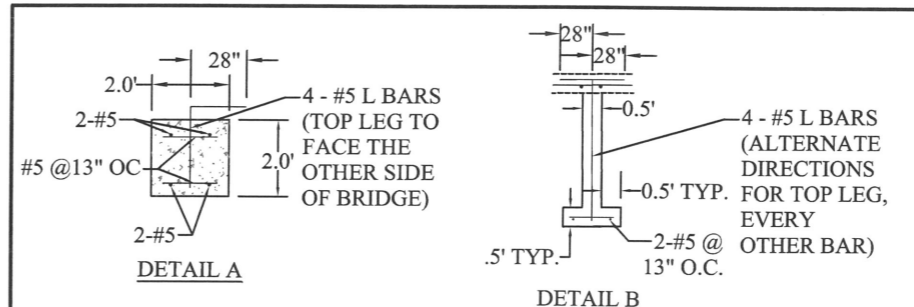
SIDEWALK BRIDGE CROSSING



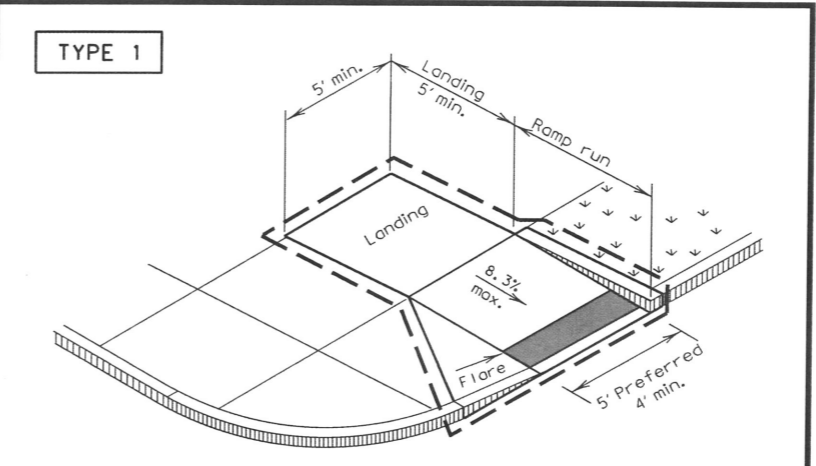
HANDRAIL DETAIL

SECTION B-B

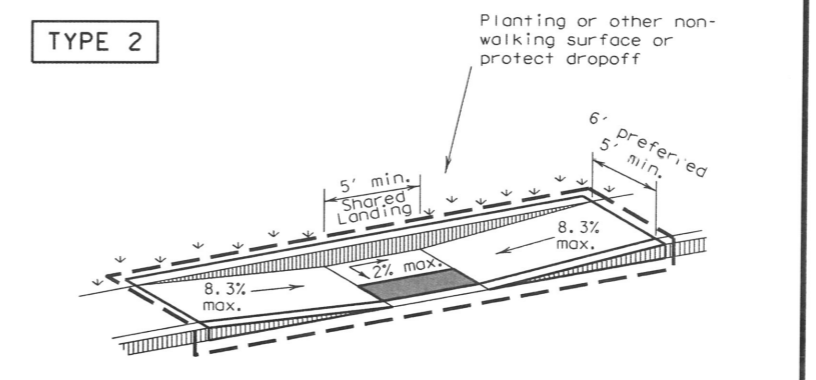
NOTE: PROVIDE HOLES AS NEEDED FOR GALVANIZING DRAINAGE AND VENTING



NOTE: THE DEPTH (LOOKING INTO THE PLANE OF THIS PAPER) OF BOTH DETAIL A AND B IS 6', THE WIDTH OF THE SIDEWALK.

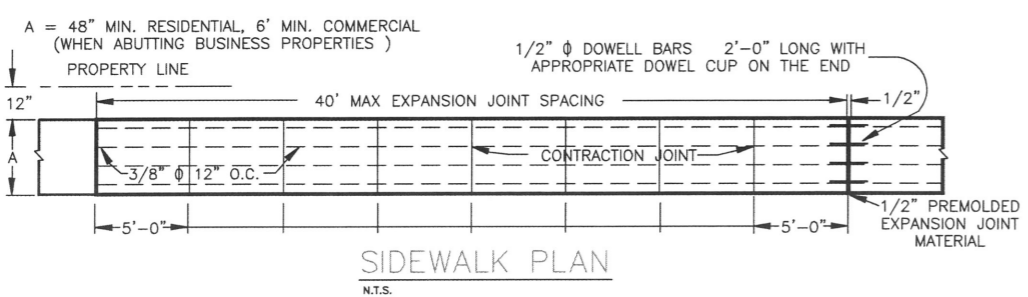


PERPENDICULAR CURB RAMP

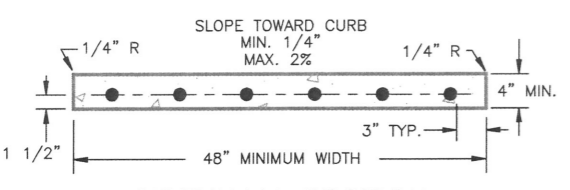


PARALLEL CURB RAMP

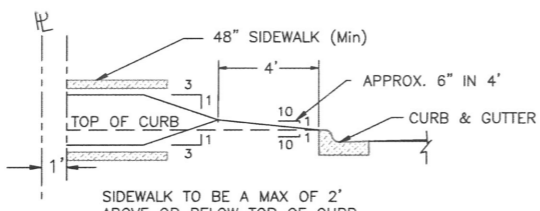
(Use only where water will not pond in the landing.)



SIDEWALK PLAN



SIDEWALK SECTION



SIDEWALK & STREET DETAIL

ENGINEER'S APPROVAL

THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF REVIEW UNDER THE AUTHORITY OF SCOTT A BROOKS, P.E. 99801 ON 01/08/2018. IT IS NOT TO BE USED FOR CONSTRUCTION PURPOSES.

PRINTED ON February 1, 2018

REV.	DESCRIPTION	DATE	BY
1	ORIGINAL RELEASE	1/9/2018	BTW
PROJECT NUMBER: AV03		CLIENT NAME: WBW DEVELOPMENT GROUP	
APPROVED BY: SAB		CLIENT LOCATION: KILLEEN, TX	
AUTHORIZED BY: WBW			

SIDEWALK DETAILS
ALTA VISTA III
CITY OF TEMPLE,
BELL COUNTY, TEXAS

Yalgo, LLC

3000 Illinois Ave., Suite 100
Killeen, TX 76543
PH (254) 953-5353
FX (254) 953-5057

Texas Registered Engineering Firm F-10264
Texas Registered Surveying Firm 10194095

SHEET
5
OF
5

RESOLUTION NO. 2018-9062-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A DEVELOPER PARTICIPATION AGREEMENT, IN AN AMOUNT NOT TO EXCEED \$73,619, WITH WBW DEVELOPMENT GROUP FOR THE CONSTRUCTION OF A SIDEWALK ALONG SOUTH 5TH STREET AND FM 93; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, WBW Development Group, the developer for the newest phases of the Alta Vista residential subdivision, is required to construct 6-foot sidewalks along South 5th Street and FM 93, per Section 8.2.3.B. of the Unified Development Code (UDC);

Whereas, per Section. 8.2.3, “On portions of property developed for single-family residential use that adjoin an arterial street, or a County, State, or Federally maintained highway, the developer shall build an arterial width sidewalk, and the City shall bear the cost of sidewalk construction of those portions of sidewalk adjoining an arterial street or a County, State, or Federally maintained highway;

Whereas, the \$73,619 sidewalk cost includes a section between Raye Allen Elementary School that will fill in a sidewalk gap and will provide a safe pedestrian route for children from nearby neighborhoods;

Whereas, Staff recommends Council authorize a Developer Participation Agreement with WBW Development Group in the amount of \$73,619 for the construction of a sidewalk along South 5th Street and FM 93 in accordance with Section 8.2.3.B. of the Unified Development Code (UDC);

Whereas, funding is available for this agreement in Account No. 365-3400-531-6315, Project No. 101827; and

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

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

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

Part 2: The City Council authorizes the City Manager, or her designee, after approval as to form by the City Attorney, to execute a Developer Participation Agreement with WBW Development Group, in an amount not to exceed \$73,619 for a sidewalk along South 5th Street and FM 93.

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 **1st** day of **March**, 2018.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN MAYOR

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

03/01/18
Item #3(M)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Brynn Myers, City Manager
Kayla Landeros, City Attorney

ITEM DESCRIPTION: Consider adopting a resolution authorizing an Economic Development Agreement between the City of Temple and the Temple Economic Development Corporation for the conveyance of an 113.869 acre tract of land located at the intersection of Lorraine Avenue and Panda Drive.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The Temple Economic Development Corporation (TEDC) has identified an economic development prospect who desires to acquire property in Temple's Synergy Park. The prospect is planning to construct new real and personal property improvements with a significant capital investment.

TEDC has requested that the City convey to it property located at the intersection of Lorraine Avenue and Panda Drive. The tract of land consists of 113.869 acres. The Bell County Appraisal District property identification number is 207346. The City may convey the property to TEDC pursuant to Chapter 272 of the Texas Local Government Code and Chapter 311 of the Texas Tax Code because the property is located in the City of Temple's Tax Increment Financing Reinvestment Zone #1 and the City desires that the property be developed in accordance with the Reinvestment Zone's Project Plan. TEDC plans to enter into an economic development agreement with the economic development prospect mentioned above.

FISCAL IMPACT: At the present time, the property is exempt from property taxes, and it will remain so under the ownership of TEDC. When the property is conveyed for a commercial/industrial purpose it will be added back to the property tax rolls.

The City's cost basis for the 113.869 acre tract of land is \$171,117.

ATTACHMENTS:

[Map](#)
[Resolution](#)

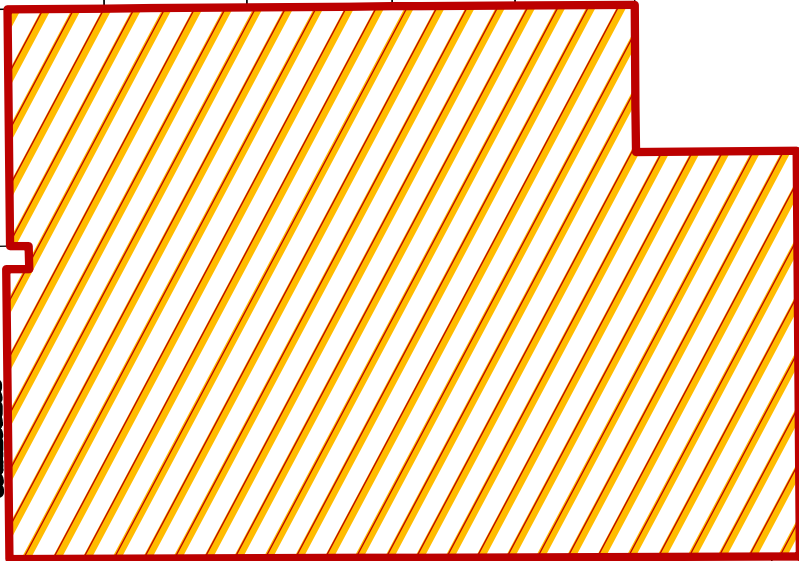


SE H K DODGEN LOOP (LOOP 363)

TOWER RD

LORRAINE AVE

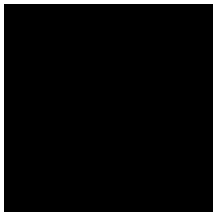
PANDA DR



Property ID: 207346

DISCLAIMER:

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



RESOLUTION NO. 2018-9063-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING AN ECONOMIC DEVELOPMENT AGREEMENT BETWEEN THE CITY OF TEMPLE AND THE TEMPLE ECONOMIC DEVELOPMENT CORPORATION FOR THE CONVEYANCE OF AN APPROXIMATELY 113.869-ACRE TRACT OF LAND LOCATED AT THE INTERSECTION OF LORRAINE AVENUE AND PANDA DRIVE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the Temple Economic Development Corporation (TEDC) has identified an economic development prospect who desires to acquire property in Temple's Synergy Park area – the prospect is planning to construct new real and personal property improvements with a significant capital investment;

Whereas, TEDC has requested that the City convey to it property located at the intersection of Lorraine Avenue and Panda Drive which consists of an approximately 113.869-acre tract of land with Bell County Appraisal District ID No. 207346;

Whereas, pursuant to Chapter 272 of the Texas Local Government Code and Chapter 311 of the Texas Tax Code the City may convey the property to TEDC because the property is located in the City of Temple's Tax Increment Financing Reinvestment Zone No. 1 and the City desires that the property be developed in accordance with the Reinvestment Zone's Project Plan;

Whereas, TEDC plans to enter into an economic development agreement with the prospect mentioned above;

Whereas, Staff recommends Council authorize an Economic Development Agreement between the City of Temple and TEDC for the conveyance of an approximately 113.869-acre tract of land located at the intersection of Lorraine Avenue and Panda Drive;

Whereas, at the present time, the property is exempt from property taxes, and it will remain so under the ownership of TEDC - when the property is conveyed for a commercial/industrial purpose, it will be added back to the property tax rolls;

Whereas, the City's cost basis for the 113.869-acre tract of land is \$171,117; and

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

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

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

Part 2: The City Council authorizes the City Manager, or her designee, after approval as to form by the City Attorney, to execute an Economic Development Agreement with the Temple Economic Development Corporation for the conveyance of an approximately 113.869-acre tract of land located at the intersection of Lorraine Avenue and Panda Drive.

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

PASSED AND APPROVED this the 1st day of **March**, 2018.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN MAYOR

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

03/01/18
Item #3(N)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Kayla Landeros, City Attorney
Brian Chandler, Planning Director

ITEM DESCRIPTION: Consider adopting a resolution authorizing a First Amendment to the Development Agreement between the City of Temple and Royce and Diane Oliver to allow a subdivision of property without requiring voluntary annexation.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: In 2007, the City entered into a “Development Agreement” (“Agreement”) with Royce and Diane Oliver, the owners of property located on FM 1237 and designated by the Bell County Appraisal District as property number 317309. At the time of the Agreement, the City had initiated annexation proceedings on all or a portion of Mr. and Mrs. Oliver’s property. Pursuant to Texas Local Government Code Sections 43.035 and 212.172, the property owners decided to enter into the Agreement with the City to have their property remain in the extraterritorial jurisdiction (“ETJ”). The property will remain in the ETJ for a period of 12 years from the date of the Agreement, unless the property owners file a subdivision plat or take any action to subdivide the property that would require a plat to be filed. If such actions are taken, the plat would serve as a voluntary petition for annexation.

The Oliver property was approximately 12.4 acres. In 2016, Mr. and Mrs. Oliver divided and sold 1.3 acres of the property to a family member. This subdivision would have required a plat to be filed and would have triggered voluntary annexation. However, Mr. and Mrs. Oliver were advised by City Staff that a plat and annexation would not be required. The property owners relied on this information by moving forward with the subdivision. In January 2018, the City received a request for voluntary annexation of the 1.3 acre tract now owned by Janet Clark.

Because Mr. and Mrs. Oliver relied on the information obtained from the City, Staff is recommending that Council authorize a First Amendment to the Development Agreement to waive the annexation requirement at this time. The proposed amendment would allow the subdivision that occurred in 2016 without requiring annexation of the Oliver’s remaining property.

However, any future subdivisions of the property would require voluntary annexation.

FISCAL IMPACT: The property covered by the Agreement is located in the ETJ and is not subject to City taxation. If the First Amendment is authorized and executed, the property will remain in the ETJ.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. 2018-9064-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A FIRST AMENDMENT TO THE DEVELOPMENT AGREEMENT BETWEEN THE CITY OF TEMPLE AND ROYCE AND DIANE OLIVER TO ALLOW A SUBDIVISION OF PROPERTY WITHOUT REQUIRING VOLUNTARY ANNEXATION; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, in 2007, the City entered into a “Development Agreement” (“Agreement”) with Royce and Diane Oliver, the owners of property located on FM 1237 and designated by the Bell County Appraisal District as property number 317309;

Whereas, at the time of the Agreement, the City had initiated annexation proceedings on all or a portion of Mr. and Mrs. Oliver’s property;

Whereas, pursuant to Texas Local Government Code Sections 43.035 and 212.172, the property owners decided to enter into the Agreement with the City to have their property remain in the extraterritorial jurisdiction (“ETJ”);

Whereas, the property will remain in the ETJ for a period of 12 years from the date of the Agreement, unless the property owners file a subdivision plat or take any action to subdivide the property that would require a plat to be filed - if such actions are taken, the plat would serve as a voluntary petition for annexation;

Whereas, the Oliver property was originally approximately 12.4 acres, and in 2016, Mr. and Mrs. Oliver divided and sold approximately 1.3 acres of the property to a family member - this subdivision would have required a plat to be filed and would have triggered voluntary annexation, however, Mr. and Mrs. Oliver were advised by City Staff that a plat and annexation would not be required;

Whereas, the property owners relied on this information by moving forward with the subdivision and in January, 2018, the City received a request for voluntary annexation of the approximately 1.3-acre tract now owned by Janet Clark;

Whereas, because Mr. and Mrs. Oliver relied on the information obtained from the City, Staff is recommending that Council authorize a First Amendment to the Development Agreement to waive the annexation requirement at this time - this proposed amendment would allow the subdivision that occurred in 2016 without requiring annexation of the Oliver’s remaining property;

Whereas, any future subdivisions of the property would require voluntary annexation;

Whereas, Staff recommends Council authorize a First Amendment to the Development Agreement between the City of Temple and Royce and Diane Oliver to allow a subdivision of property without requiring voluntary annexation;

Whereas, the property covered by the Agreement is located in the ETJ and is not subject to City taxation - if the First Amendment is authorized and executed, the property will remain in the ETJ; and

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

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

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

Part 2: The City Council authorizes the City Manager, or her designee, after approval as to form by the City Attorney, to execute a First Amendment to the Development Agreement between the City of Temple and Royce and Diane Oliver to allow a subdivision of property without requiring voluntary annexation.

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 1st day of **March**, 2018.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN MAYOR

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

03/01/18
Item #3(O)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Sandra Esqueda, Civil Service Director

ITEM DESCRIPTION: SECOND READING: Consider adopting an ordinance changing the classification title of Deputy Chief to that of Battalion Chief in the Fire Department.

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

ITEM SUMMARY: Chapter 143 of the Local Government Code requires that the Council establish by ordinance the classifications in the Police and Fire Departments.

At this time, the Fire Chief requests a title change from “Deputy Chief” to “Battalion Chief”. This title change is necessary to align the job requirements, tasks and expectations of the classified position with the title commonly used in the industry. A Battalion Chief is a shift commander who oversees a shift in the department. This title change will not alter the essential functions of the position, or the salary and benefits of fire fighters in the position. The title change does not impact the rank of any Fire Department personnel.

At this time, the Fire Chief respectfully requests the approval of the title change to Battalion Chief.

There will be no changes to the positions within any of the classifications, and all classifications will maintain the current number of personnel as follows:

Fire Chief	1
Assistant Fire Chief	1
Battalion Chief	5
Captain	25
Driver	33
Fire Fighter	56
TOTAL	121

FISCAL IMPACT: The title change from “Deputy Chief” to “Battalion Chief” will not have an impact on the operating budget. The FY 2018 Operating Budget includes funding for five Deputy Chief positions.

ATTACHMENTS:

[Classification Ordinance](#)

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AMENDING THE CLASSIFICATION TITLE OF DEPUTY CHIEF TO THAT OF BATTALION CHIEF IN THE FIRE DEPARTMENT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, Chapter 143 of the Local Government Code requires that the City Council establish by Ordinance, the classifications in the Police and Fire Departments;

Whereas, Staff requests a title change from Deputy Chief to Battalion Chief in the Fire Department, which Staff believes is necessary to align the job requirements, tasks and expectations of the classified position with the title commonly used in the industry;

Whereas, a Battalion Chief is a shift commander who oversees a shift in the department - this title change will not alter the essential functions of the position, the salary and benefits of fire fighters in the position, or impact the rank of any Fire Department personnel;

Whereas, Staff recommends that Council amend the classification title of Deputy Chief to that of Battalion Chief in the Fire Department;

Whereas, all remaining classifications will maintain the current number of personnel as follows:

Fire Chief – 1 position;
Assistant Fire Chief – 1 position;
Battalion Chief – 5 positions;
Captain – 25 positions;
Driver – 33 positions;
Fire Fighters – 56 positions;

Whereas, this title change will not have an impact on the fiscal year 2018 operating budget which includes funding for five Battalion Chief positions; 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: Findings. All the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Temple, Texas, and they are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

Part 2: Council amends the classification title of Deputy Chief to that of Battalion Chief in the Fire Department:

CLASSIFICATIONS AND POSITIONS
OF CERTIFIED FIREFIGHTERS

I. UNCLASSIFIED POSITIONS

A. *FIRE CHIEF* – 1 Position

The Fire Chief is appointed by the City Manager. No person shall be eligible for appointment as Chief of the Fire Department who is not eligible for certification by the Commission on Fire Protection Personnel Standards and Education at the intermediate level, or its equivalent as determined by that Commission, and who has not served at least 5 years as a fully paid firefighter.

II. CLASSIFIED POSITIONS

A. *ASSISTANT CHIEF* – 1 Position

No person shall be eligible for appointment as Assistant Chief who has not served continuously in the Department in a rank not lower than that of Captain, for at least two years.

B. *BATTALION CHIEF* – 5 Positions

No person shall be eligible for appointment as a Battalion Chief who has not served continuously in the Department, as a Captain, for at least 2 years. In addition to base pay, every Battalion Chief having 5, 7, 9 or 15 years of service in the Department shall receive the amount shown on the attached compensation plan for such increments of seniority.

C. *CAPTAIN* – 25 Positions

No person shall be eligible for appointment as a Captain who has not served continuously in the Department, as a Driver, for at least 2 years. In addition to base pay, every Captain having 3, 5, 7, 9 or 15 years of service in the Department shall receive the amount shown on the attached compensation plan for such increments of seniority.

D. *DRIVER* – 33 Positions

No person shall be eligible for appointment as a Driver who has not served continuously in the Department, as a Firefighter, for at least 2 years. In addition to base pay, every Driver having 3, 5, 7, 9 or 15 years of service in the Department shall receive the amount shown on the attached compensation plan for such increments of seniority.

E. *FIREFIGHTER* – 56 Positions

No person shall be eligible for appointment as a Firefighter who does not meet all requirements necessary to become eligible for future classification by the Commission on Fire Protection Personnel Standards and Education. In addition to base pay, every Firefighter having 1, 3, 5, 7, 9 or 15 years of service in the Department shall receive the amount shown on the attached compensation plan for such increments of seniority.

Part 3: If any provision of this Ordinance or the application of any provision to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

Part 4: This Ordinance shall take effect **March 1, 2018**.

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 **15th** day of **February, 2018**.

PASSED AND APPROVED on Second Reading on the **1st** day of **March, 2018**.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, MAYOR

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

03/01/18
Item #3(P)
Consent Agenda
Page 1 of 2

DEPT. / DIVISION SUBMISSION & REVIEW:

Mark Baker, Senior Planner

ITEM DESCRIPTION: SECOND READING - A-FY-18-04: Consider adopting an ordinance authorizing abandonment and conveyance of 0.104 +/- acre portion of Prairie View Road, being located on the north side of Prairie View Road, approximately 765 feet east of its intersection with Westfield Boulevard, City of Temple, Bell County, Texas.

STAFF RECOMMENDATION: Staff recommends approval for abandonment and conveyance of 0.104 +/- Acres of Prairie View Road as identified by the Item Description and further described in survey sketch and field notes attached as Exhibit A.

ITEM SUMMARY: The applicant, Short Term Lending Group, Inc. is requesting abandonment and conveyance of 0.104 +/- acre portion of Prairie View Road. The abandonment is needed to expand the developable land area of Lot #2 of the North Gate, Phase II subdivision.

Conveyance will allow the applicant to purchase the abandoned right of way in the amount of \$1,664. as established by the fair market rate. Proceeds will be deposited as further described in the "Fiscal Impact" section of this report.

The subdivision plat for North Gate, Phase II, Replat No. 1 (P-FY-18-09) was reviewed by the Design Review Committee (DRC) on November 22, 2017 and it was during the review that additional land area was desired.

The final plat is scheduled review and consideration by the Planning & Zoning Commission on February 19, 2018 but City Council's consideration of the abandonment needs to occur first. Since no exceptions to the Unified Development Code (UDC) are needed, the Planning & Zoning Commission is the final plat authority.

Outside utility providers as well as the City of Temple Public Works Department have been notified of the proposed abandonment. No issues have been identified. Public Works is in agreement with the abandonment as proposed.

FISCAL IMPACT: The original property listed above was purchased for the Prairie View Road, Phase 1 project with Certificate of Obligation Bond funds as part of the Transportation Capital Improvement Program. Upon approval, the applicant will purchase the abandoned road right-of-way at the fair market value of \$16,000 per acre, as recommended by comparable valuations used from the area. Therefore, the fair market value for the 0.104 acre abandonment is \$1,664. The proceeds from the purchase of abandoned Right of Way in the amount of \$1,664 will be deposited into the TCIP Bond Fund, account 365-0000-461-0423, Sale of Land.

ATTACHMENTS:

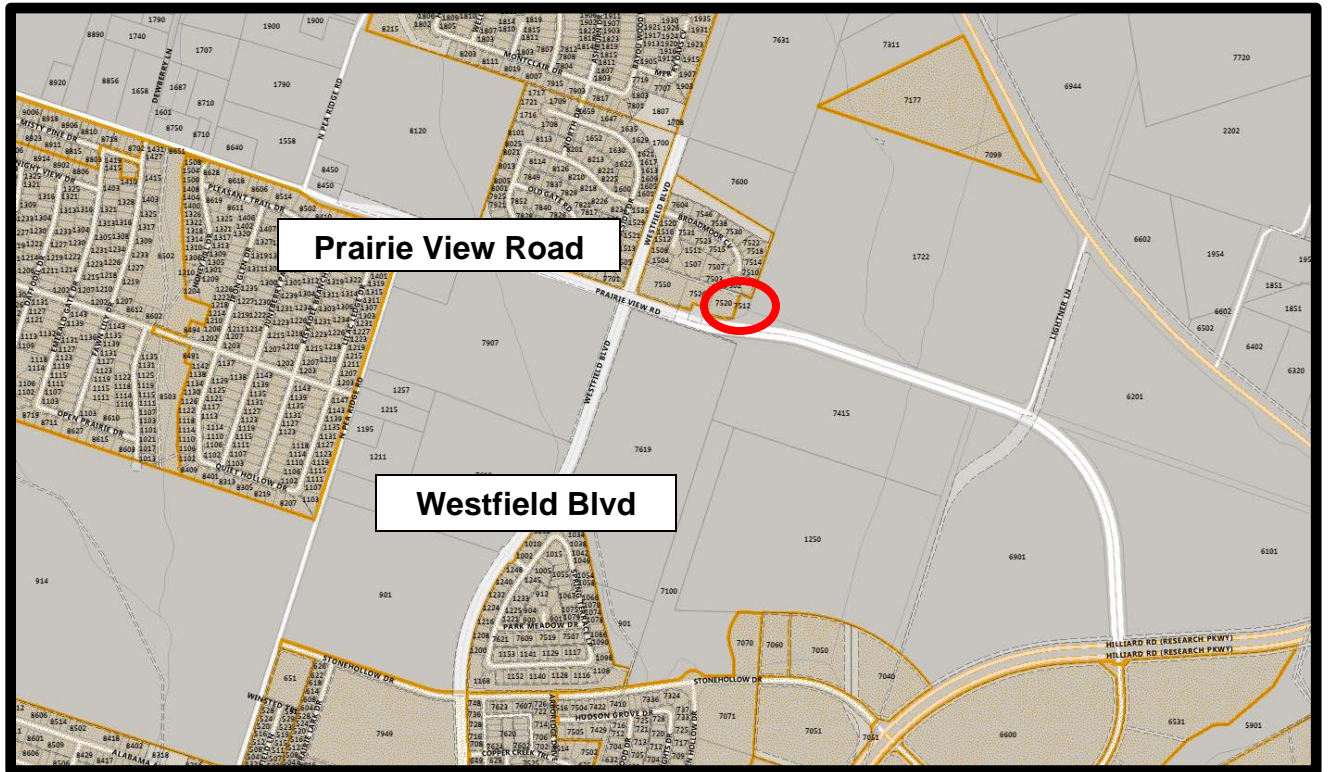
[Vicinity Map](#)

[Replat No. 1 - North Gate, Phase II Final Plat \(Area of abandonment highlighted\)](#)

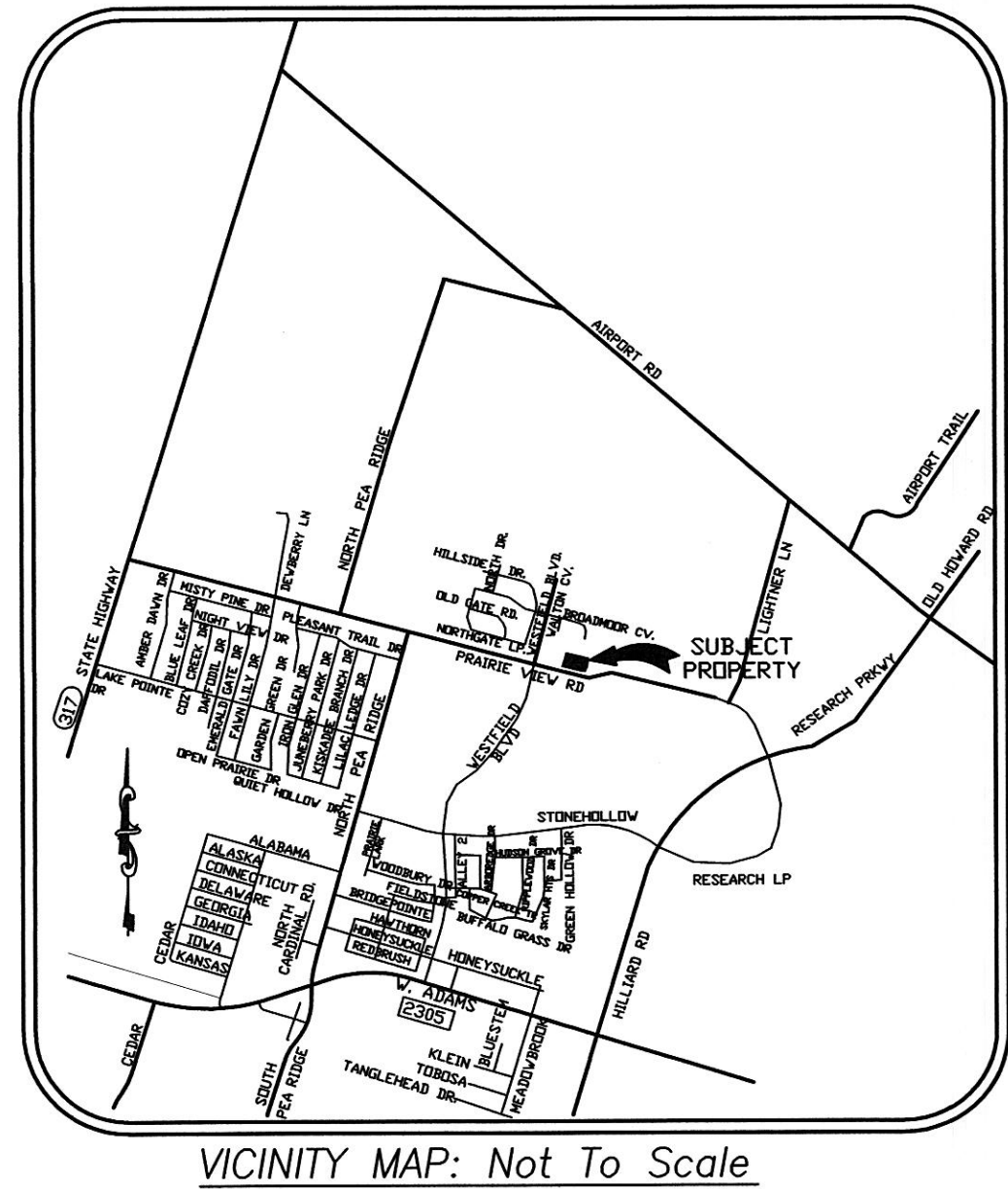
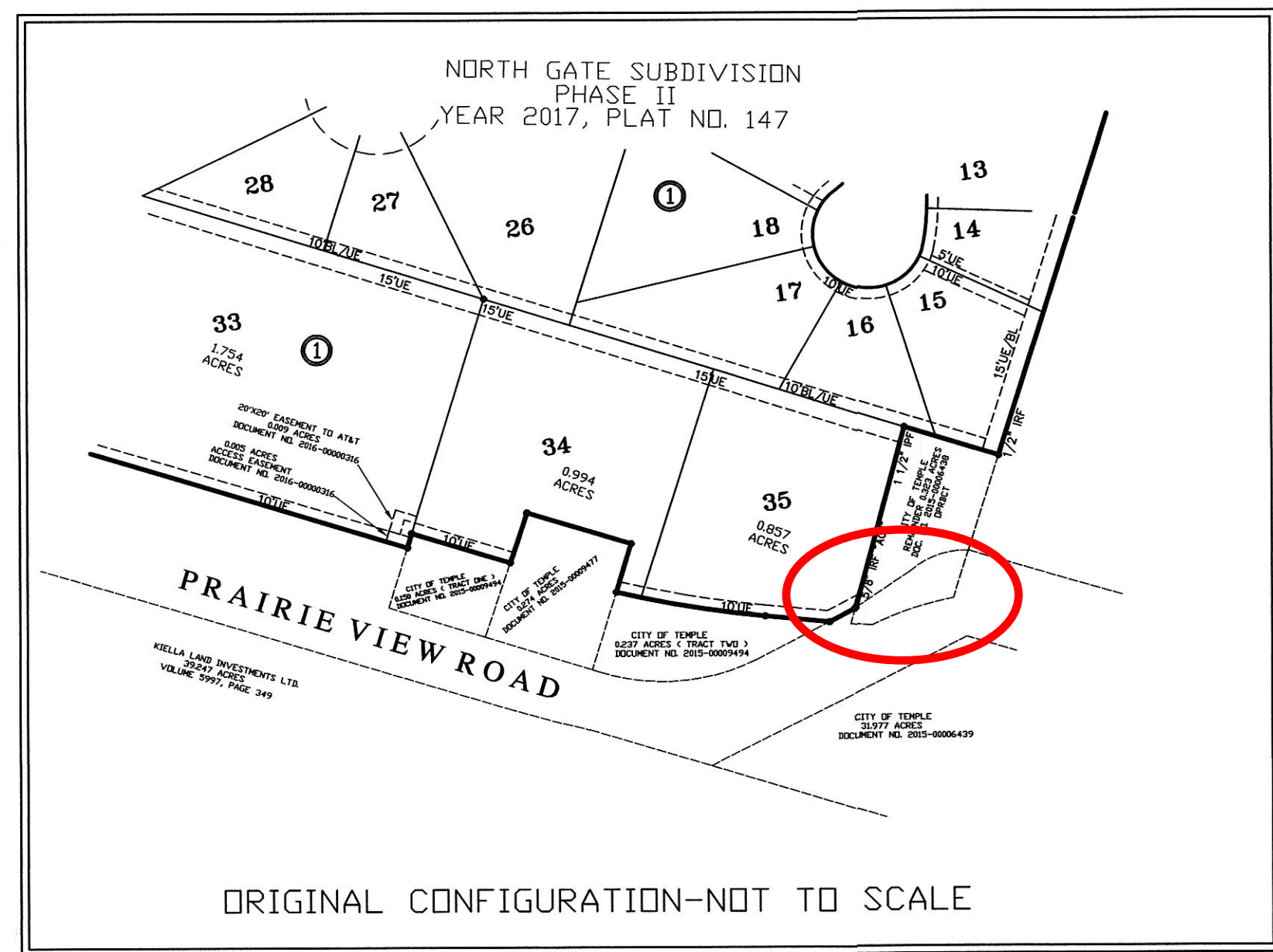
[Abandonment Survey & Field Notes \(Exhibit A\)](#)

[Ordinance](#)

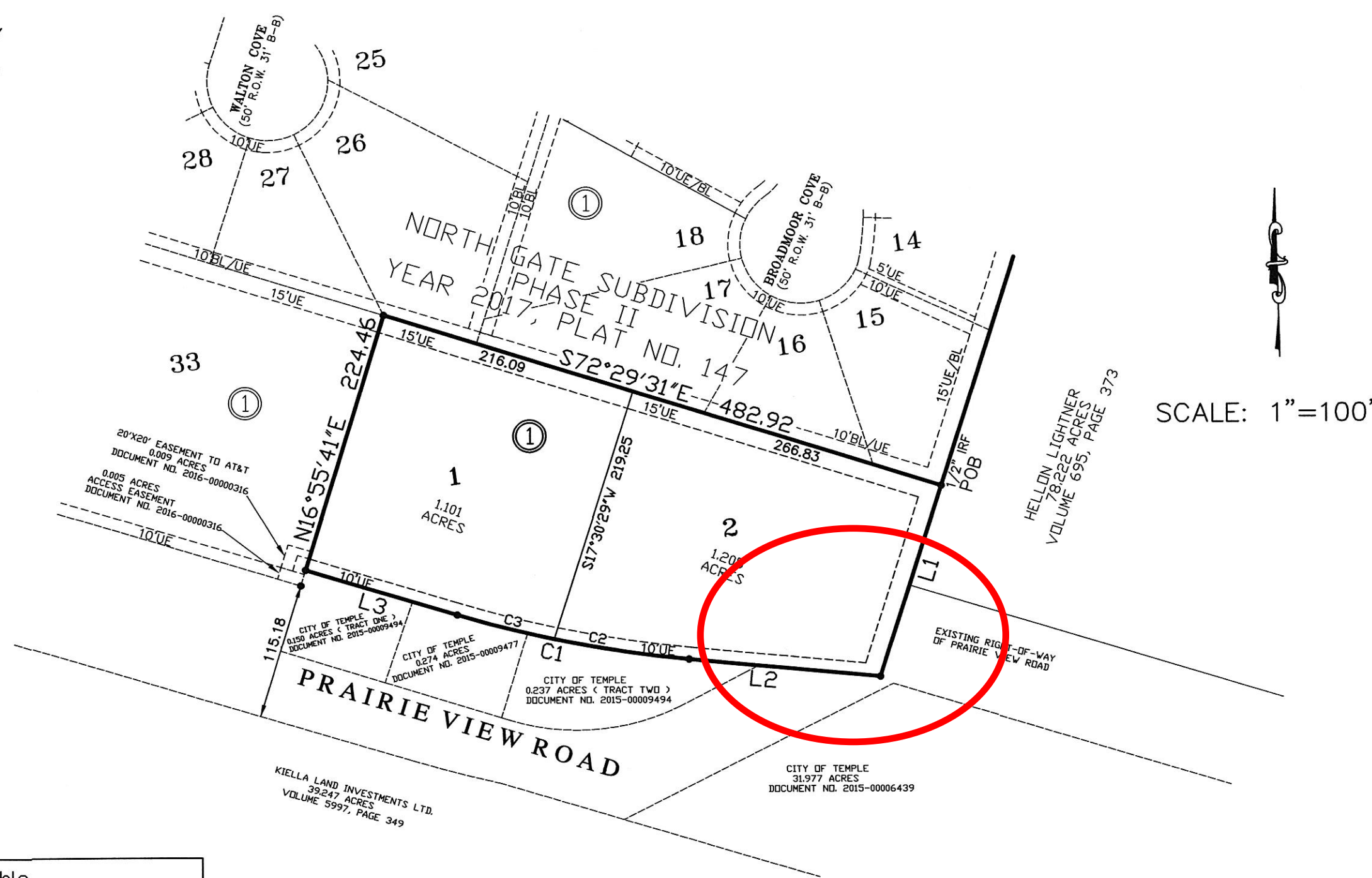
Vicinity Map



Vicinity Map (City of Temple GIS Maps) - Area of requested abandonment shown in **RED**



THE PURPOSE OF THIS REPLAT IS TO INCORPORATE PORTIONS OF THE TWO CITY OF TEMPLE TRACTS (DOCUMENT NO. 2015-00009477 AND DOCUMENT NO. 2015-00006438) INTO LOTS 34 AND 35, BLOCK 1, NORTH GATE, PHASE II AS DESCRIBED IN PLAT YEAR 2017, PLAT NO. 147, PLAT RECORDS OF BELL COUNTY, TEXAS.



Line #	Direction	Length
L1	S17°28'11"W	169.17'
L2	N84°29'59"W	158.91'
L3	N72°56'23"W	131.10'

Curve #	Length	Radius	Delta	Chord
C1	195.71	970.00	11°33'36"	N78°43'09"W 195.37'
C2	112.86	970.00	6°39'59"	N81°09'59"W 112.80'
C3	82.85	970.00	4°53'37"	N75°23'11"W 82.82'

NOTES:

- THIS PROPERTY IS NOT WITHIN THE 100-YEAR FLOOD BOUNDARY PER F.E.M.A. FEDERAL INSURANCE RATE MAP No. 4802700170E DATED SEPTEMBER 26, 2008
- THERE SHALL BE A 10' REAR BUILDING LINE UNLESS OTHERWISE SHOWN HEREON.
- ALL BOUNDARY CORNERS ARE 1/2" IRON ROD WITH CAP STAMPED "RPLS 2475" SET UNLESS OTHERWISE NOTED HEREON.
- UTILITY COMPANIES HAVE BEEN PROVIDED A COPY OF THIS PLAT FOR THEIR REVIEW.

THIS PROJECT IS REFERENCED IN NAD 1983 CENTRAL TEXAS STATE PLANE. ALL DISTANCES ARE HORIZONTAL SURFACE DISTANCES UNLESS NOTED AND ALL BEARINGS ARE GRID BEARINGS.

ALL COORDINATE VALUES ARE REFERENCED TO CITY MONUMENT NUMBER 510 THE THETA ANGLE AT SAID CITY MONUMENT IS 01°29'57" THE COMBINED CORRECTION FACTOR (CCF) IS 0.999853 PUBLISHED CITY COORDINATES ARE X=3,207,137.72 Y=10,388,529.14 THE TIE FROM THE ABOVE CITY MONUMENT TO THE POINT OF BEGINNING IS S81°48'28"E, 2155.64 FEET

FILED FOR RECORD THIS _____ DAY OF _____, 2018, IN YEAR _____, PLAT # _____, PLAT RECORDS OF BELL COUNTY, TEXAS.

DEDICATION INSTRUMENT # _____, OFFICIAL PUBLIC RECORDS OF BELL COUNTY, TEXAS.

STATE OF TEXAS
COUNTY OF BELL

SHORT TERM LENDING GP, INC., A TEXAS CORPORATION, OWNER OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS FINAL PLAT OF NORTH GATE PHASE II, REPLAT NO. 1 A SUBDIVISION IN 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, WATERCOURSES, DRAINS, EASEMENTS AND PUBLIC PLACES AS SHOWN HEREON.

SHORT TERM LENDING GP, INC.
A TEXAS CORPORATION

THOMAS BAIRD
PRESIDENT

STATE OF TEXAS
COUNTY OF BELL

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE _____ DAY OF _____, 2018 BY THOMAS BAIRD, PRESIDENT OF SHORT TERM LENDING GP, INC., A TEXAS CORPORATION.

NOTARY PUBLIC

STATE OF TEXAS
COUNTY OF BELL

I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN TO THIS PLAT:



Victor D. Turley
VICTOR D. TURLEY, PE
NO. 32525

STATE OF TEXAS
COUNTY OF BELL

I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT THIS PLAT IS TRUE AND CORRECT, THAT IT WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND, AND THAT ALL NECESSARY SURVEY MONUMENTS ARE CORRECTLY SHOWN THEREON.



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

THIS FINAL PLAT HAS BEEN SUBMITTED TO AND CONSIDERED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF TEMPLE, TEXAS, AND IS HEREBY APPROVED BY SUCH COMMISSION. DATED THIS _____ DAY OF _____, 2018

CHAIRMAN, PLANNING and ZONING COMMISSION DATE

THIS PLAT HAS BEEN SUBMITTED TO AND CONSIDERED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF TEMPLE, TEXAS, AND IS HEREBY APPROVED BY SUCH COMMISSION. DATED THIS _____ DAY OF _____, 2018.

SECRETARY TO PLANNING & ZONING COMMISSION:

THIS FINAL PLAT HAS BEEN SUBMITTED TO AND CONSIDERED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AND IS HEREBY RECOMMENDED FOR APPROVAL BY SUCH COUNCIL. DATED THIS _____ DAY OF _____, 2018

MAYOR:

AFFIDANT:

THE TAX APPRAISAL DISTRICT OF BELL COUNTY, TEXAS DOES HEREBY CERTIFY THERE ARE CURRENTLY NO DELINQUENT TAXES DUE TO THE TAX APPRAISAL DISTRICT OF BELL COUNTY, TEXAS ON THE PROPERTY DESCRIBED BY THIS PLAT.

DATED THIS _____ DAY OF _____, 2018.

BELL COUNTY TAX APPRAISAL DISTRICT

BY: _____

ENGINEERING * PLANNING * SURVEYING * CONSTRUCTION MANAGEMENT
TURLEY ASSOCIATES, INC.
301 N. 3rd ST.
TEMPLE, TEXAS
E-MAIL: MAIL@TURLEY-INC.COM
(254) 773-2400
(254) 773-3988

SURVEY FIRM # 10056000
ENGINEER FIRM # F-1658

FINAL PLAT of:
NORTH GATE PHASE II REPLAT NO. 1
PART OF THE BALDWIN ROBERTSON SURVEY, ABSTRACT #17,
A SUBDIVISION IN THE CITY OF TEMPLE,
BELL COUNTY, TEXAS
PREPARED FOR:
SHORT TERM LENDING GP, INC.

REVISIONS		
DATE	COMMENTS	BY
11/28/17		MEA

DATE: 07/10/17
DRN. BY: MEA
REF.:
FB/LB
JOB NO.: 16-516
SHEET 1 OF 1
COMPUTER
DWG. NO. 16-516

16516-D
FILE NO.

TRACT SURVEYED OCTOBER 27, 2017

2.306 ACRES MORE FULLY DESCRIBED BY METES & BOUNDS BY SEPARATE FIELD NOTES PREPARED AND ATTACHED TO DEDICATION INSTRUMENT

FINAL PLAT of:
**NORTH GATE PHASE II
REPLAT NO. 1**
2.306 ACRES
1 BLOCK, 2 LOTS
LOTS 1 thru 2, BLOCK 1

PART OF THE BALDWIN ROBERTSON SURVEY, ABSTRACT #17,
A SUBDIVISION IN THE CITY OF TEMPLE,
BELL COUNTY, TEXAS

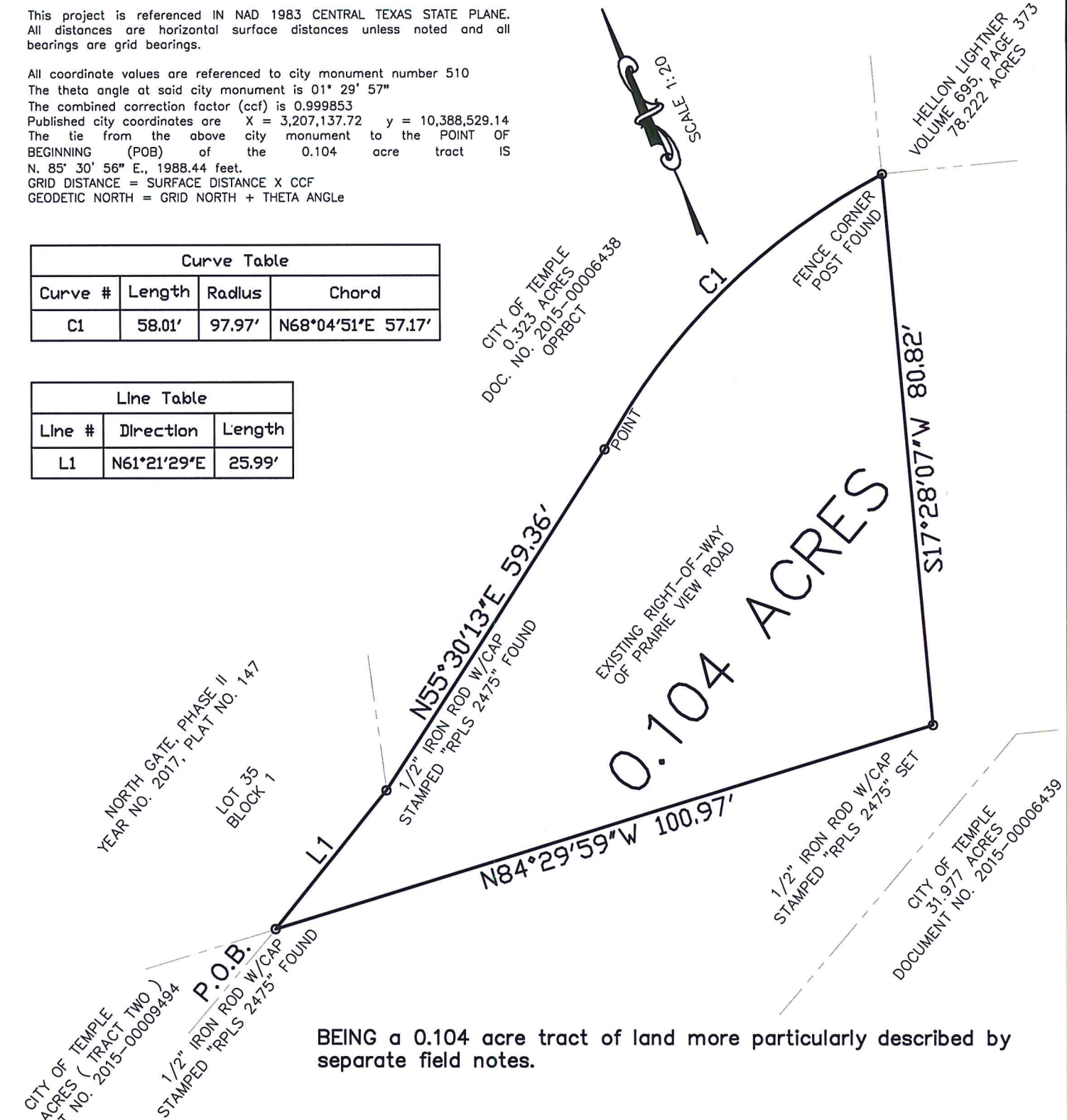


This project is referenced IN NAD 1983 CENTRAL TEXAS STATE PLANE. All distances are horizontal surface distances unless noted and all bearings are grid bearings.

All coordinate values are referenced to city monument number 510
 The theta angle at said city monument is 01° 29' 57"
 The combined correction factor (ccf) is 0.999853
 Published city coordinates are X = 3,207,137.72 y = 10,388,529.14
 The tie from the above city monument to the POINT OF BEGINNING (POB) of the 0.104 acre tract IS N. 85° 30' 56" E., 1988.44 feet.
 GRID DISTANCE = SURFACE DISTANCE X CCF
 GEODETIC NORTH = GRID NORTH + THETA ANGLE

Curve Table			
Curve #	Length	Radius	Chord
C1	58.01'	97.97'	N68°04'51"E 57.17'

Line Table		
Line #	Direction	Length
L1	N61°21'29"E	25.99'



BEING a 0.104 acre tract of land more particularly described by separate field notes.

THIS SURVEY WAS COMPLETED WITHOUT THE BENEFIT OF A TITLE INSURANCE POLICY AND NO FURTHER EASEMENT RESEARCH WAS PERFORMED BY THIS COMPANY.

BEING a 0.104 acre tract situated in the BALDWIN ROBERTSON SURVEY, ABSTRACT No. 17, Bell County, Texas and being a part or portion of the existing occupied and evidenced right-of-way of Prairie View Road (a publicly maintained roadway) and which also encompasses a portion of that certain 0.323 acre tract of land described in a General Warranty Deed dated February 18, 2015 from Jon Karl von Rosenberg, Gretchen Kateri von Rosenberg Cormier, Charles Walter von Rosenberg, Jr. and Amanda Ann von Rosenberg Davis now known as Amanda Ann von Rosenberg to the City of Temple and being of record in Document No. 2015-00006438, Official Public Records of Bell County, Texas.



STATE OF TEXAS ✕ KNOW ALL MEN BY THESE PRESENTS, that I Michael E. Alvis, a Registered Professional Land Surveyor in the State of Texas,
 COUNTY OF BELL ✕ do hereby certify that this survey was this day made on the ground of the property described herein and is correct.

IN WITNESS THEREOF, my hand and seal, this the 13th day of December, 2017.

Michael E. Alvis

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

EXHIBIT A

BEING a 0.104 acre tract situated in the BALDWIN ROBERTSON SURVEY, ABSTRACT No. 17, Bell County, Texas and being a part or portion of the existing occupied and evidenced right-of-way of Prairie View Road (a publicly maintained roadway) and which also encompasses a portion of that certain 0.323 acre tract of land described in a General Warranty Deed dated February 18, 2015 from Jon Karl von Rosenberg, Gretchen Kateri von Rosenberg Cormier, Charles Walter von Rosenberg, Jr. and Amanda Ann von Rosenberg Davis now known as Amanda Ann von Rosenberg to the City of Temple and being of record in Document No. 2015-00006438, Official Public Records of Bell County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2" iron rod with cap stamped "RPLS 2475" found being the most southerly southeast corner of Lot 35, Block 1, North Gate, Phase II according to the map or plat of record in Year No. 2017, Plat No. 147, Plat Records of Bell County, Texas and being the northeast corner of that certain 0.237 acre tract of land (TRACT TWO) described in a General Warranty Deed dated March 13, 2015 from Billie June Barnes Reagan to the City of Temple, Texas and being of record in Document No. 2015-00009494, Official Public Records of Bell County, Texas and being in the existing north right-of-way line of the said Prairie View Road for corner;

THENCE N. 61° 21' 29" E., 25.99 feet departing the said 0.237 acre tract (TRACT TWO) and with the southeast boundary line of the said Lot 35, Block 1, North Gate, Phase II and with the said existing north right-of-way line of Prairie View Road to a 1/2" iron rod with cap stamped "RPLS 2475" found being the most easterly southeast corner of the said Lot 35, Block 1 and being in the west boundary line of the said 0.323 acre tract for corner;

THENCE departing the said Lot 35, Block 1 and the said west boundary line and over and across the said 0.323 acre tract and continuing with the existing north right-of-way line of Prairie View Road the following two (2) calls:

- 1) N. 55° 30' 13" E., 59.36 feet to a point being at the beginning of a curve to the right having a radius equals 97.97 feet, chord bearing equals N. 68° 04' 51" E., 57.17 feet for corner;
- 2) 58.01 feet along the arc of said curve to the right to a fence corner post found being in the east boundary line of the said 0.323 acre tract and being the occupied and evidenced southwest corner of that certain 78.222 acre tract of land described in a Deed to Hellon Lightner and being of record in Volume 695, Page 373, Deed Records of Bell County, Texas for corner;

THENCE S. 17° 28' 07" W., departing the said 78.222 acre tract and the said existing north right-of-way line and over and across the said existing right-of-way of Prairie View Road and with the east boundary line of the said 0.323 acre tract at 48.73 feet pass a point being the southeast corner of the said 0.323 acre tract and continuing over and across the said existing right-of-way at 80.82 feet in all to a 1/2" iron rod with cap stamped "RPLS 2475" set for corner;

THENCE N. 84° 29' 59" W., continuing over and across the said existing right-of-way of Prairie View Road at 62.59 feet pass a point being in the southeast boundary line of the said 0.323 acre tract and over and across the said 0.323 acre tract and continuing over and across the said existing right-of-way at 81.99 feet pass a point being in the west boundary line of the said 0.323 acre tract and continuing over and across the said existing right-of-way at 100.97 feet in all to the Point of BEGINNING and containing 0.104 acres of land.

I, Michael E. Alvis, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that these field notes are a correct representation of a survey made on the ground.

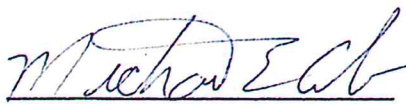

 Michael E. Alvis, R.P.L.S. #5402
 December 11, 2017



EXHIBIT A

Page 1 of 2

THIS PROJECT IS REFERENCED IN NAD 1983 CENTRAL TEXAS STATE PLANE. ALL DISTANCES ARE HORIZONTAL SURFACE DISTANCES UNLESS NOTED AND ALL BEARINGS ARE GRID BEARINGS.

ALL COORDINATE VALUES ARE REFERENCED TO CITY MONUMENT NUMBER 510

THE THETA ANGLE AT SAID CITY MONUMENT IS 01° 29' 57"

THE COMBINED CORRECTION FACTOR (CCF) IS 0.999853

PUBLISHED CITY COORDINATES ARE X = 3,207,137.72 Y = 10,388,529.14

THE TIE FROM THE ABOVE CITY MONUMENT TO THE POINT OF BEGINNING (POB) OF THE 0.104 ACRE TRACT IS N. 85° 30' 56" E., 1988.44 FEET.

GRID DISTANCE = SURFACE DISTANCE X CCF

GEODETIC NORTH = GRID NORTH + THETA ANGLE

EXHIBIT A

Page 2 of 2



ORDINANCE NO. _____
(A-FY-18-04)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING ABANDONMENT AND CONVEYANCE OF AN APPROXIMATELY 0.104-ACRE PORTION OF PRAIRIE VIEW ROAD, LOCATED ON THE NORTH SIDE OF PRAIRIE VIEW ROAD, APPROXIMATELY 765 FEET EAST OF ITS INTERSECTION WITH WESTFIELD BOULEVARD, TEMPLE, BELL COUNTY, TEXAS; DECLARING FINDINGS OF FACT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the applicant, Short Term Lending Group, Inc., has requested abandonment and conveyance of an approximately 0.104-acre portion of Prairie View Road, being located on the north side of Prairie View Road, approximately 765 feet east of its intersection with Westfield Boulevard, Temple, Bell County, Texas, which is more particularly described in Exhibit A, attached hereto and made a part hereof for all purposes;

Whereas, the area proposed to be abandoned is not needed by the City and can be used by the applicant to expand the developable land area of lot 2 of the North Gate, Phase II subdivision;

Whereas, conveyance of this property will allow the applicant to purchase the abandoned right-of-way in the amount of \$1,664, as established by the fair market value;

Whereas, Staff contacted all public and private utility service providers, including the Public Works Department, and confirmed that the right of way may be abandoned, as the providers' responses indicated there are no objections to the abandonment;

Whereas, the original property listed above was purchased for the Prairie View Road, Phase 1 project with Certificate of Obligation Bond funds as part of the Transportation Capital Improvement program;

Whereas, upon approval, the applicant will purchase the abandoned right-of-way at the fair market value of \$16,000 per acre, as recommended by comparable valuations used from the area - the fair market value for the 0.104-acre abandonment is \$1,664.00 and the proceeds from the purchase of abandoned right of way in the amount of \$1,664.00 will be deposited into the TCIP Bond Fund, Account No. 365-0000-461-0423; and

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

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

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

Part 2: The City Council abandons and conveys an approximately 0.104-acre portion of Prairie View Road, being located on the north side of Prairie View Road, approximately 765 feet east of its intersection with Westfield Boulevard, Temple, Bell County, Texas, and more particularly described in Exhibit A to this Ordinance.

Part 3: The City Council authorizes the Mayor of the City of Temple, Texas, to execute a Deed Without Warranty conveying the rights and interests of the City of Temple, Texas to the abutting property owner.

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

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

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

PASSED AND APPROVED on First Reading and Public Hearing on the **15th** day of **February**, 2018.

PASSED AND APPROVED on Second Reading on the **1st** day of **March**, 2018.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney

STATE OF TEXAS §

COUNTY OF BELL §

This instrument was acknowledged before me on the _____ day of _____,
2018, by Daniel A. Dunn, Mayor of the City of Temple, Texas.

Notary Public, State of Texas

Return Recorded Document to:

*City Attorney's Office
2 North Main Street, Suite 308
Temple, TX 76501*



COUNCIL AGENDA ITEM MEMORANDUM

03/01/18
Item #3(Q)
Consent Agenda
Page 1 of 3

DEPT. / DIVISION SUBMISSION & REVIEW:

Mark Baker, Senior Planner

ITEM DESCRIPTION: SECOND READING – Z-FY-18-09: Consider adopting an ordinance authorizing rezoning of two tracts of land comprised of 3.625 +/- acres from General Retail and Light Industrial districts to Commercial district, located on West Nugent Avenue, approximately 180 feet west of its intersection with North General Bruce Drive, addressed as 1410 & 1300 North General Bruce Drive.

STAFF RECOMMENDATION: Staff recommends approval of a rezoning to C for the following reasons:

1. The proposed Commercial zoning is compatible with surrounding zoning, existing and anticipated uses as well as future growth trends in the area;
2. The proposed Commercial zoning is a compatible compromise between the existing GR & LI districts;
3. The proposal is in compliance with the Thoroughfare Plan; and
4. Public facilities are available to serve the subject property.

PLANNING & ZONING COMMISSION RECOMMENDATION: At their January 16, 2018 meeting, the Planning & Zoning Commission voted seven to zero to recommend approval of the proposed rezoning per staff's recommendation.

ITEM SUMMARY: The subject property consists of 3.625 +/- acres and comprised of two unplatted tracts of land which have been impacted by recent TxDOT acquisition for the realignment of Interstate 35. The property is within the boundaries of two zoning districts, General Retail (GR) and Light Industrial (LI). The proposed Commercial (C) district will provide a single zoning across the property and is being requested by the applicant to consolidate the property under one zoning district. The former site of Hidden Valley Moving & Storage, is within the I-35 Overlay. Although, the property is within the I-35 Overlay, as discussed below, the Commercial district is considered to be a compromised balance between the two existing designations that are assigned to the property.

Prior to application submittal, the applicant met with staff to discuss the rezoning and both staff and the applicant were in agreement that the Commercial zoning district was a balanced compromise for this location's future development within the I-35 Corridor.

SUBDIVISION PLAT: A subdivision plat will be required prior to development. The subdivision plat will address parcel tract lines that as well as a TxDOT right-of-way acquisition from a larger tract that is reflected in deed records. Compliance to subdivision standards will be identified during the review by the Development Review Committee (DRC).

I-35 CORRIDOR OVERLAY: The subject property is within the Retail sub-district of the I-35 Corridor Overlay. Redevelopment of the property is subject to compliance to the sub district and Overlay standards. It should be noted that dimensional standards as well as buffering and screening standards are more restrictive than base zoning. Applicability to the provisions are triggered by the type of improvement and costs associated with the improvement, per UDC Section 6.7.4. Identification and compliance to the provisions of the corridor overlay will be made during the review of the building permit.

While the applicant is requesting rezoning to clean-up the existing zoning and consolidate under one zoning district, there are a number of other uses that are permitted by-right or require a conditional use permit in the Retail sub-district of the I-35 Corridor Overlay. While not inclusive, uses are compiled in the attached table.

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

Future Land Use Map (CP Map 3.1)

The subject property is within the Auto-Urban Commercial Future Land Use Map (FLUM) designation. The Auto-Urban Commercial designation, is identified for commercial uses, generally concentrated at intersections versus strip development along major roads. The Auto Urban Commercial designation supports both GR and C zoning districts. Therefore, the requested commercial **is** consistent with the FLUM designation.

Thoroughfare Plan (CP Map 5.2)

Although the subject property is addressed off North General Bruce Drive, it also takes access from West Nugent Avenue, a proposed arterial. The required subdivision plat will address any needed right-of-way dedication for both. To date, no dedication issues have been identified by staff but will be further evaluated with a forthcoming plat. No Transportation Capital Improvement Program (TCIP) improvements scheduled through FY 2024 have been identified.

Availability of Public Facilities (CP Goal 4.1)

Water is available through a 12-inch water line along North General Bruce Drive and an eight-inch waterline in West Nugent Avenue. Sewer is available through either a six-inch sewer line on the south side of West Nugent Avenue or along the north property line.

Temple Trails Master Plan Map and Sidewalks Ordinance

No trails are shown on the Trails Master Plan, however, as a minor arterial, a 6' sidewalk is required along West Nugent Avenue. Provisions for the sidewalk will be addressed during the plat review stage.

DEVELOPMENT REGULATIONS: The attached table show the required dimensional standards within the I-35 Corridor Overlay as well as buffer and screening standards that are applicable provided for in UDC Sections 6.11C & 7.7 respectively.

PUBLIC NOTICE: Fourteen notices to property owners within 200-feet of the subject property were sent notice of the public hearing as required by State law and City Ordinance. As of Thursday, January 11, 2018 at 12:00 PM, six notices in disagreement have been received within the 200-foot buffer area and a number of notices for residents outside the buffer area. The notices outside the buffer area are distinguished by "**Not located within the 200' radius**" label toward the top of the notice. In addition, one notice in agreement has been received.

The newspaper printed notice of the public hearing on January 4, 2018, in accordance with state law and local ordinance.

FISCAL IMPACT: Not Applicable

ATTACHMENTS:

[Survey Map \(Exhibit A\)](#)

[Photos](#)

[Tables](#)

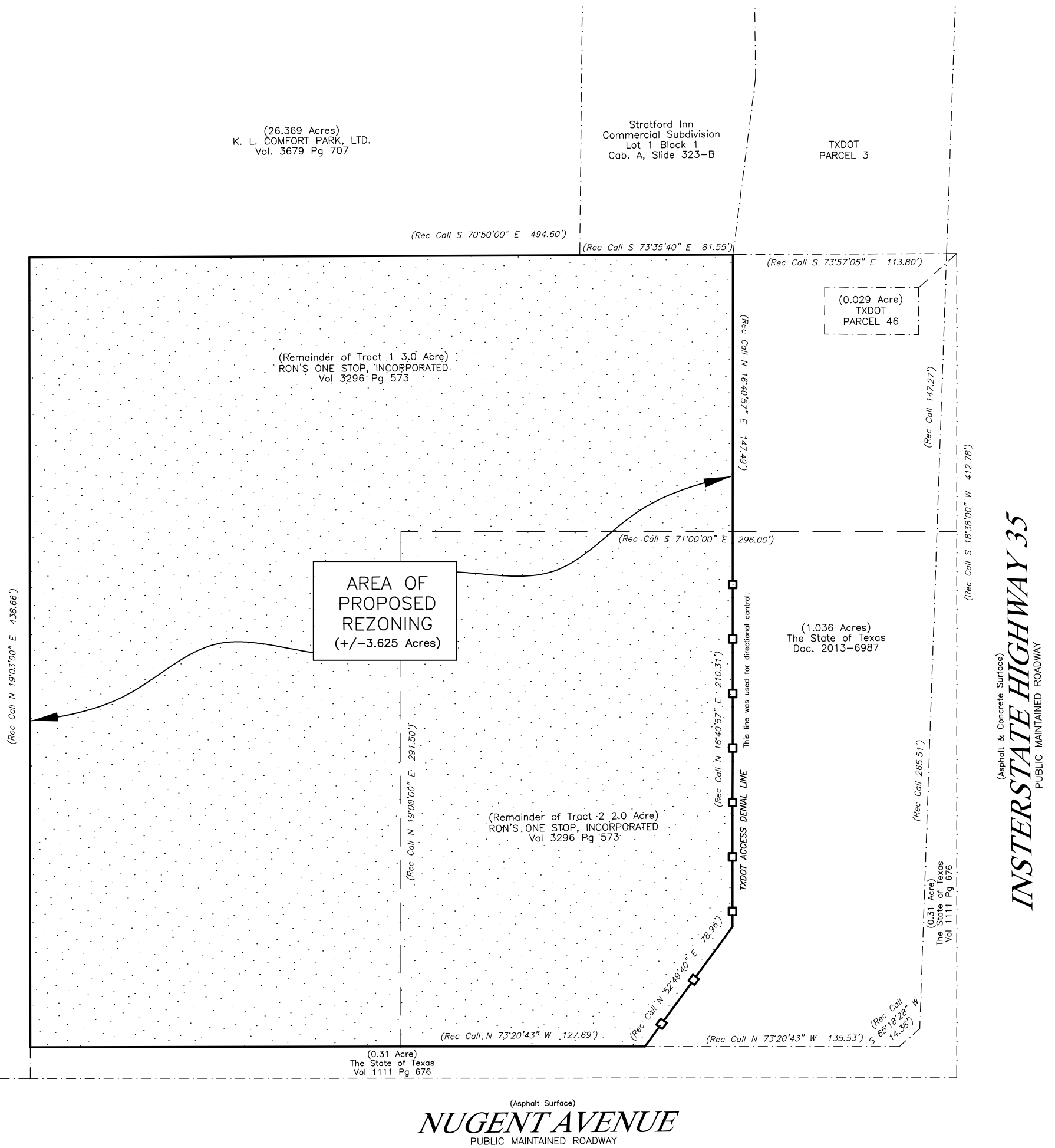
[Maps](#)

[Returned Property Notices](#)

[PZ Excerpts \(January 16, 2018\)](#)

[Ordinance](#)

Exhibit drawing showing a deed plot of the remainder property (+/-3.625 acres), after TXDOT acquisitions, of the called 3.0 Acre "Tract One" and 2.0 Acre "Tract Two" described and conveyed to RON'S ONE STOP, INCORPORATED, of record in Volume 3296, Page 573 of the Official Public Records of Bell County, Texas.



() Distances shown are deed record calls or per TXDOT right-of-way maps

NOTE:

This is not a certified boundary survey for conveyance of property. It is an exhibit for use in planning, design & zoning purposes only.

I, Timothy Lane Kennedy, Registered Professional Land Surveyor No. 6119 in the State of Texas, do hereby certify to the title agency, underwriter, lender, mortgage company and/or purchaser that this drawing represents a survey performed on the ground. To the best of my knowledge the drawing correctly represents the facts found at the time of the survey.

A Advanced Surveying & Mapping, LLC

1610 South 31st St., Ste. 102-299
 Temple, Texas 76504
 254-760-1894 254-760-4633
 www.asm-tx.com Firm Reg. #10193722
 Copyright 2017 Advanced Surveying & Mapping, LLC



Scale: 1" = 50'
 Job No. 170251
 Surveyor TLK #6119
 Revised: 12-13-17

Site & Surrounding Property Photos



**Site: (Looking across West Nugent Ave toward site -
Vacated Hidden Valley Moving & Storage)
(GR & LI)**



**North: (Looking Across the Site toward Bird Creek MH Park
(GR)**



**North: Looking toward site from Navajo St (Bird Creek MH Park)
(GR)**



**South: Looking Across W. Nugent Ave
(LI)**



**East: Recent Activity Associated with I-35 Improvements
(LI)**



**West: SF Residential (Bird Creek MH Park & subdivision)
(MH)**

Tables

Compiled Permitted & Conditional Use Table
I-35 Corridor Overlay (Retail Sub District)

Use	Retail Sub District
Residential	
All Residential Uses listed in the use table in Sec. 5.1 except as follows:	Prohibited
Multiple-family dwelling (apartment)	CUP
Recreational vehicle park	Prohibited
Nonresidential	
Animal feed lot	Prohibited
Animal shelter (public or private)	CUP
Auto storage or auto auction	Prohibited
Boat sales or repair	CUP
Body Piercing Studio	Prohibited
Bottling works	Prohibited
Building material sales (indoor or to the rear with screening)	Prohibited
Car wash	CUP
Child care facility	CUP
Contractor storage and equipment yard	Prohibited
Correctional facility	Prohibited
Day camp for children	Prohibited
Drag strip or commercial racing	Prohibited
Flea market (outdoors)	Prohibited
Fuel Sales	Permitted
Greenhouse or nursery (retail)	CUP
Hatchery, fish or shrimp, fish farm	Prohibited
Hatchery, poultry	Prohibited
Heavy machinery sales, storage and repair	Prohibited
Hotel / Motel	Permitted
Industrial Uses listed in the use table in Sec. 5.1	Prohibited
Kennel	Prohibited
Livestock auction	Prohibited
Major vehicle repair	CUP
Milk depot, dairy or ice cream plant	Prohibited
Minor vehicle servicing	CUP
Motorcycle or scooter sales and repair	Prohibited

Open/outdoor storage of lawn/garden furniture, appliances or machinery	Prohibited
Retail & Service Uses	Permitted
Parking Lot, (trucks, autos, trailers, moving trucks & vans)	Permitted
Paint shop	CUP
Sexually oriented business	Prohibited
Shooting range (outdoor)	Prohibited
Stable, residential or noncommercial	Prohibited
Tattoo Studio	Prohibited
Recreational vehicle sales or rental	Prohibited
Restaurant	Permitted
Transitional or emergency shelter	Prohibited
Truck Sales	Permitted
Truck Stop	Permitted
Upholstery shop	CUP
Veterinarian hospital (kennels)	CUP
Wrecking or salvage yard	Prohibited

Surrounding Property Uses

<u>Surrounding Property & Uses</u>			
<u>Direction</u>	<u>FLUP</u>	<u>Zoning</u>	<u>Current Land Use</u>
Site	Auto-Urban Commercial	GR & LI	Hidden Valley Moving & Storage (Vacated)
North	Auto Urban Commercial	GR & LI	Bird Creek MH Park
South	Auto Urban Commercial	LI	Undeveloped
East	Auto Urban Commercial	LI	I-35
West	Auto Urban Commercial	MH & AG	SF Residential Uses (Bird Creek subdivision)

Comprehensive Plan Compliance

Document	Policy, Goal, Objective or Map	Compliance?
CP	Map 3.1 - Future Land Use Map	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		

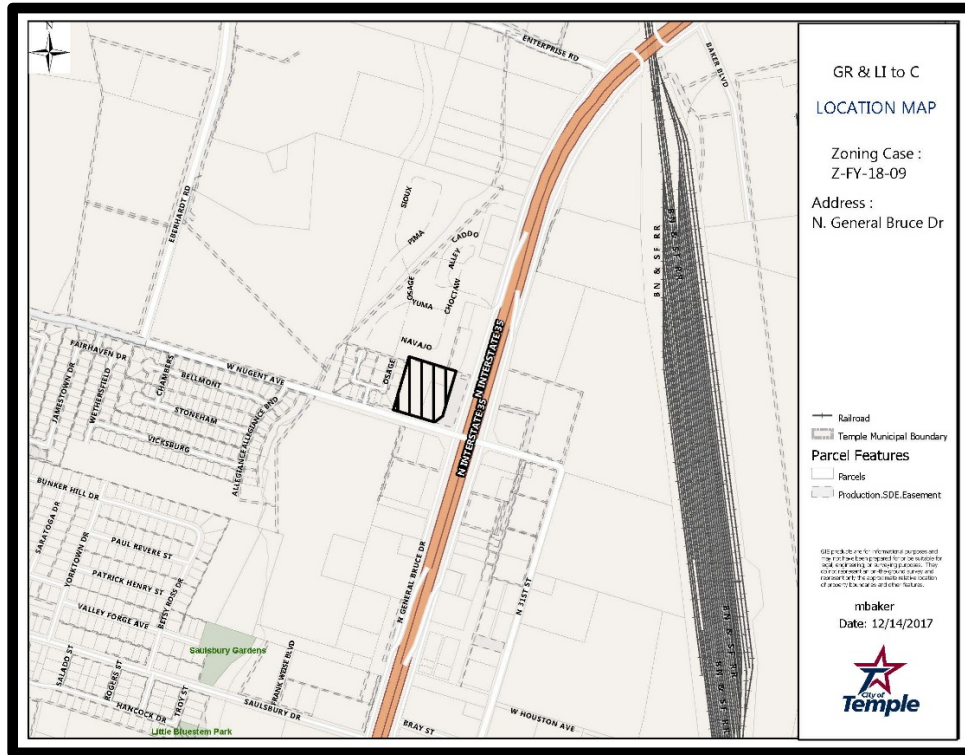
**I-35 Overlay (Retail Sub-District) Dimensional Standards
(UDC Section 6.7)**

<u>I-35 Corridor Overlay</u> <u>Retail Sub-District</u> <u>Dimensional Standards</u>	
Minimum Lot Size	12,500 SF
Minimum Lot Width	80 Feet
Minimum Lot Depth	80 Feet
Front Setback	25 Feet
Side Setback	20 Feet
Side Setback (corner)	25 Feet
Rear Setback	❖ 10 Feet / 20 Feet (adjacent to residential)
Minimum Landscape Buffer	25 Feet front & adjacent to public street 10 Feet rear (20 Feet adjacent to residential) 10 Feet interior side 10 Feet street side
Max Building Height	6 Stories or 100 Feet including mechanical and roof structure

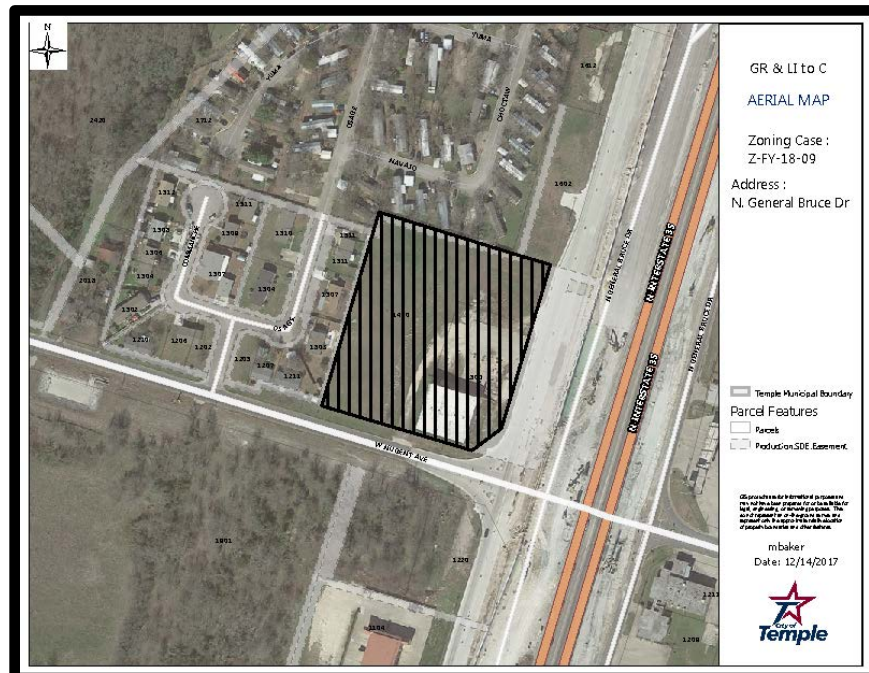
❖ **General provisions for buffering and screening for non-residential uses adjacent to residential uses are found in UDC Section 7.7, highlighted provisions include but not limited to:**

- * **Landscaping or solid fencing from 6 to 8 feet in height (UDC Section 7.7.4),**
- * **Refuse containers located in the side or rear of the property (UDC Section 7.7.6), and**
- * **Screened outdoor storage (UDC Section 7.7.8.B1).**

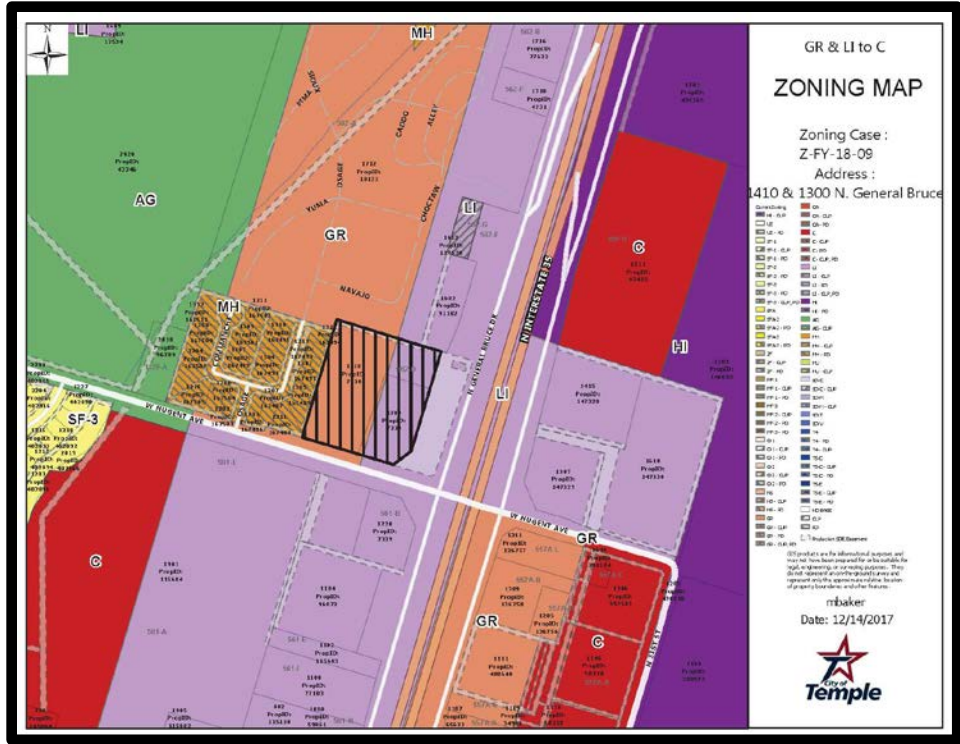
Maps



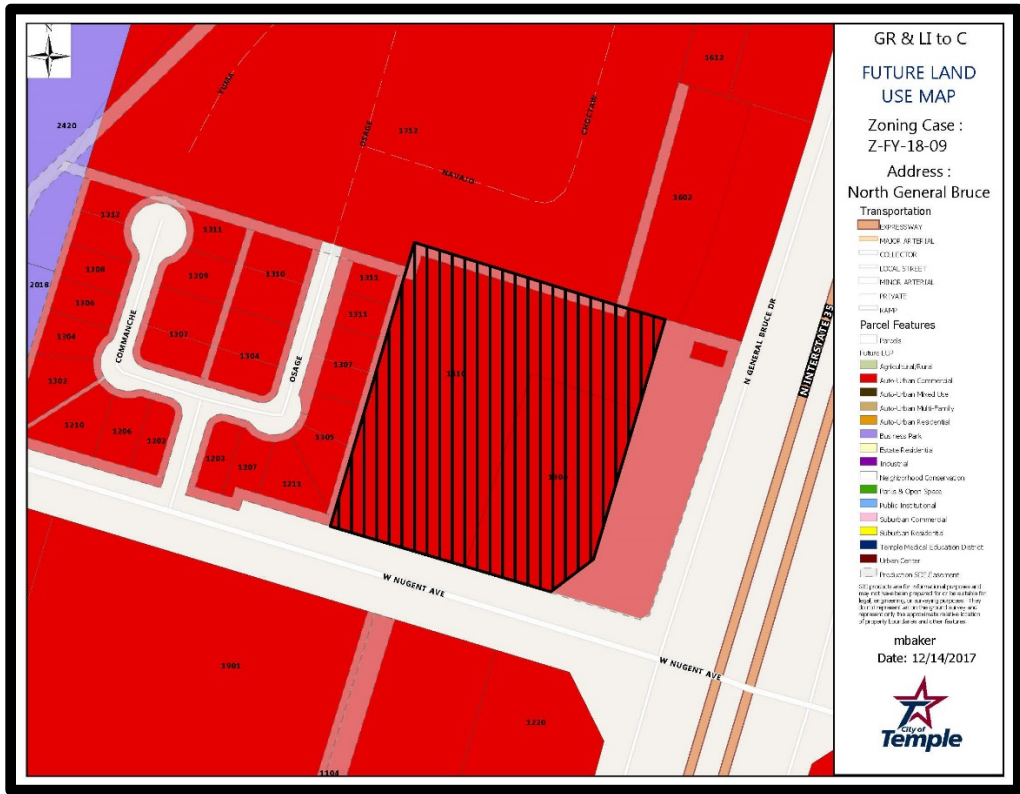
Location Map



Aerial Map



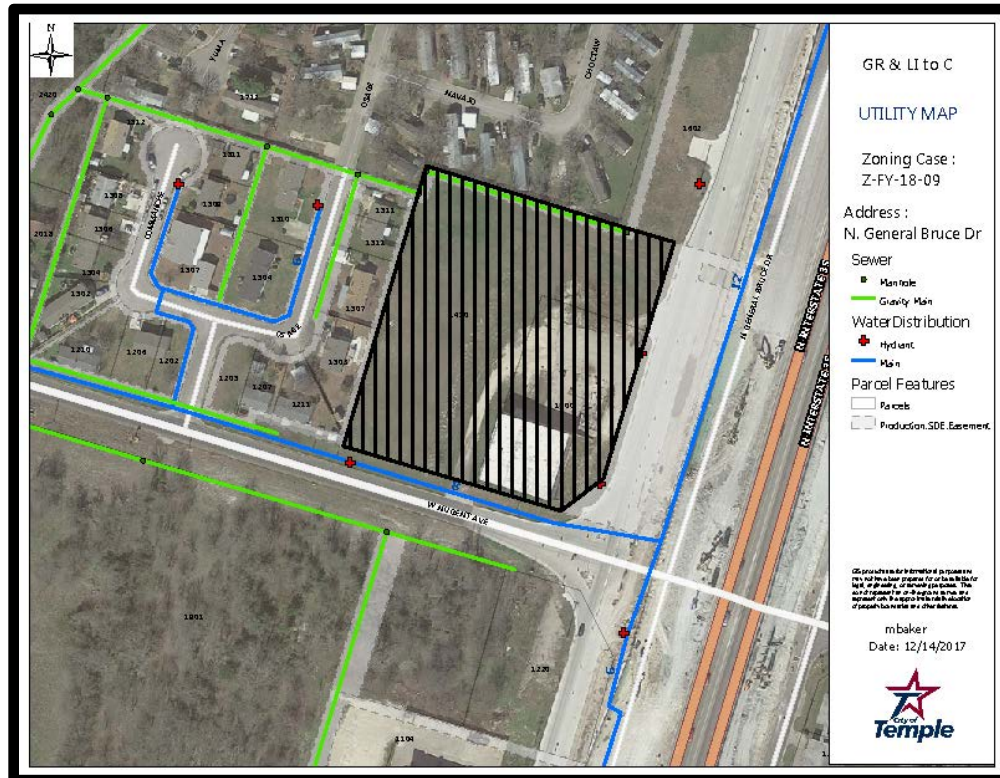
Zoning Map



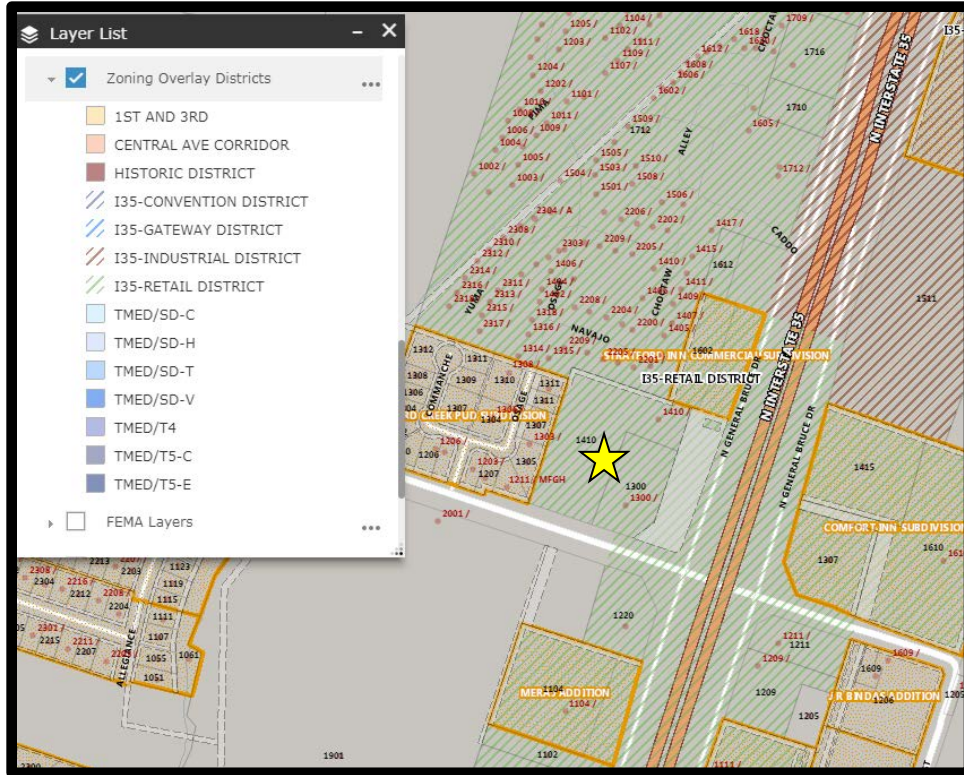
Future Land Use Map



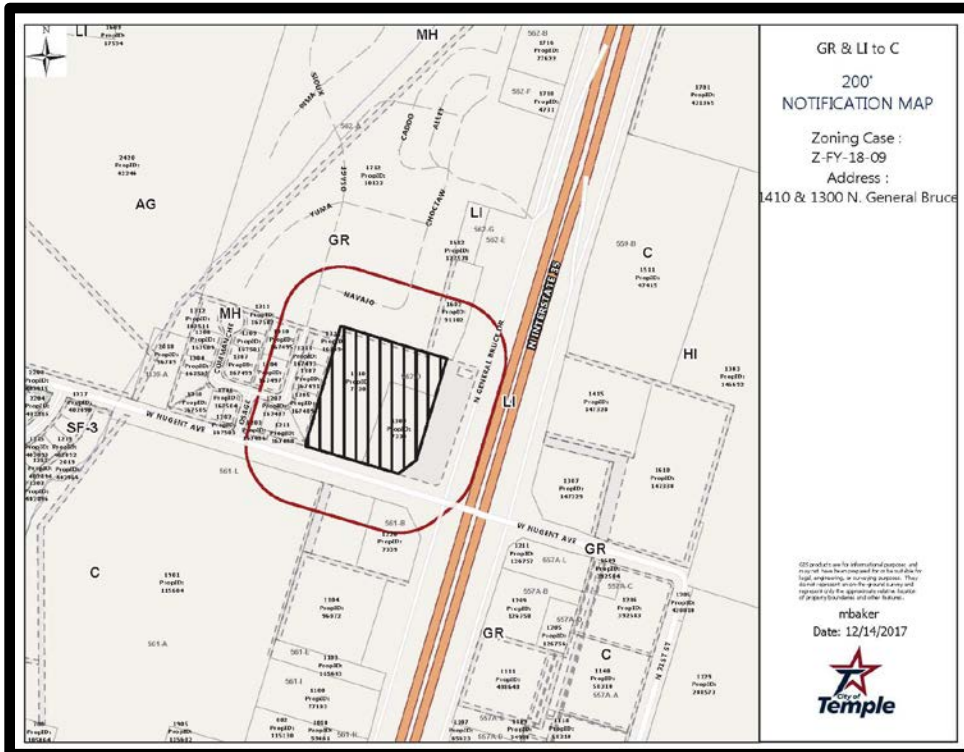
Thoroughfare & Trails Map



Utility Map



I-35 Corridor Overlay Map (Retail Sub-District)



Notification Map



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

ZAMORA, TERRI
1304 OSAGE
TEMPLE, TX 76504-1108

Zoning Application Number: Z-FY-18-09 Case Manager: Mark Baker

Location: 1410 & 1300 North General Bruce Drive, Temple, TX

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

I () agree

() disagree with this request

Comments:

Safety and Security
base of fees for trucks
taxes

Teri Zamora
Signature

Teri Zamora
Print Name

If you would like to submit a response, please email a scanned version of this completed form to the Case Manager referenced above, mbaker@templetx.gov, or mail or hand-deliver this comment form to the address below, no later than **January 16, 2018**.

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

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JAN - 9 2018
City of Temple
Planning & Development

Number of Notices Mailed: 14

Date Mailed: January 4, 2018

OPTIONAL: Please feel free to email questions or comments directly to the Case Manager or call us at 254.298.5668.



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

SMITH, SHERRI ANN
14 MORGANS POINT BLVD
BELTON, TX 76513-6438

Zoning Application Number: Z-FY-18-09 **Case Manager:** Mark Baker

Location: 1410 & 1300 North General Bruce Drive, Temple, TX

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I () agree

disagree with this request

Comments:

My elderly mother Carol A. Rabrokey, lives alone in a trailer located on the property that runs adjacent to the property that is the subject of the proposed rezoning area on N. General Bruce Dr. Her health is questionable at times in that she suffers from COPD. She has become very upset about the possibility of a truck stop convenience store being built at this site not only because she feels it might be environmentally hazardous but also cause greater concern for her personal safety.

Sherril Smith
Signature

Sherril Smith
Print Name Thank you,
Sherril Smith

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

JAN 10 2018
City of Temple
Planning & Development

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

*Dona nickels
1311 orange
Temple, TX
76504*

Zoning Application Number: Z-FY-18-09

Case Manager: Mark Baker

Location: 1410 & 1300 North General Bruce Drive, Temple, TX

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I agree

disagree with this request

RECEIVED

JAN 11 2018

Comments:

City of Temple
Planning & Development

Dona nickels

Signature

Dona nickels

Print Name

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

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

Michelle Nickels
1311 Osage
Temple, TX
76504

Zoning Application Number: Z-FY-18-09

Case Manager: Mark Baker

Location: 1410 & 1300 North General Bruce Drive, Temple, TX

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I agree

disagree with this request

Comments:

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City of Temple
Planning & Development

Michelle Nickels

Signature

Michelle Nickels

Print Name

If you would like to submit a response, please email a scanned version of this completed form to the Case Manager referenced above, mbaker@templetx.gov, or mail or hand-deliver this comment form to the address below, no later than **January 16, 2018**.

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

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

RITTER, STEVEN R
1305 OSAGE
TEMPLE, TX 76504-1107

Zoning Application Number: Z-FY-18-09 Case Manager: Mark Baker

Location: 1410 & 1300 North General Bruce Drive, Temple, TX

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

I () agree

disagree with this request

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JAN 11 2018

Comments:

City of Temple
Planning & Development

S. Randy Ritter
Signature

RANDY RITTER (STEVEN)
Print Name

If you would like to submit a response, please email a scanned version of this completed form to the Case Manager referenced above, mbaker@templetx.gov, or mail or hand-deliver this comment form to the address below, no later than **January 16, 2018**.

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

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

WHITE, BARBARA K
1206 COMMANCHE DR
TEMPLE, TX 76504-1124

Zoning Application Number: Z-FY-18-09

Case Manager: Mark Baker

Location: 1410 & 1300 North General Bruce Drive, Temple, TX

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I agree

disagree with this request

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JAN 11 2018

Comments:

City of Temple
Planning & Development

Barbara K. White
Signature

Barbara K. White
Print Name

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

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RESPONSE TO PROPOSED REZONING REQUEST CITY OF TEMPLE

Not located within the 200' radius

RITTER, MYRA 1307 COMMANCHE DR TEMPLE, TX 76504

Zoning Application Number: Z-FY-18-09 Case Manager: Mark Baker

Location: 1410 & 1300 North General Bruce Drive, Temple, TX

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I () agree

(X) disagree with this request

Comments:

TO MUCH NOISE IN A RESIDENTIAL AREA

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JAN 11 2018

City of Temple Planning & Development

Myra Ritter Signature

MYRA RITTER Print Name

If you would like to submit a response, please email a scanned version of this completed form to the Case Manager referenced above, mbaker@templetx.gov, or mail or hand-deliver this comment form to the address below, no later than January 16, 2018.

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

Number of Notices Mailed: 14

Date Mailed: January 4, 2018

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

Not located within the 200' radius

PEDRO ESAMILLA
1302 COMMUNICADA

Zoning Application Number: Z-FY-18-09

Case Manager: Mark Baker

Location: 1410 & 1300 North General Bruce Drive, Temple, TX

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I () agree

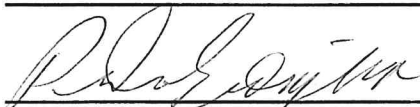
disagree with this request

Comments:

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City of Temple
Planning & Development



Signature

PEDRO ESAMILLA

Print Name

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

Number of Notices Mailed: 14

Date Mailed: January 4, 2018

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

CHARIS MITCHELL
1307 COMMANCHE
TEMPLE TX 76504

Not located within the 200' radius

Zoning Application Number: Z-FY-18-09

Case Manager: Mark Baker

Location: 1410 & 1300 North General Bruce Drive, Temple, TX

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I () agree

() disagree with this request

Comments:

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City of Temple
Planning & Development

CHARIS MITCHELL

Signature

CHARIS MITCHELL

Print Name

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

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Date Mailed: January 4, 2018

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

Not located within the 200' radius

Louise & Alice Scott 1210 Comanche Dr.
Zoning Application Number: Z-FY-18-09 **Case Manager: Mark Baker**

Location: 1410 & 1300 North General Bruce Drive, Temple, TX

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I () agree

~~(X)~~ **disagree with this request**

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JAN 11 2018

Comments:

City of Temple
Planning & Development

Alice Scott

Signature

Alice Scott

Print Name

If you would like to submit a response, please email a scanned version of this completed form to the Case Manager referenced above, mbaker@templetx.gov, or mail or hand-deliver this comment form to the address below, no later than **January 16, 2018**.

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

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RESPONSE TO PROPOSED
REZONING REQUEST
CITY OF TEMPLE

Not located within the 200' radius

MICHAEL CARTER
1303 COMMANDER DR,
TEMPLE TX 76504

Zoning Application Number: Z-FY-18-09

Case Manager: Mark Baker

Location: 1410 & 1300 North General Bruce Drive, Temple, TX

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I () agree

(X) disagree with this request

Comments:

RECEIVED

JAN 11 2018

City of Temple
Planning & Development

[Handwritten Signature]

Signature

MICHAEL CARTER

Print Name

If you would like to submit a response, please email a scanned version of this completed form to the Case Manager referenced above, mbaker@templetx.gov, or mail or hand-deliver this comment form to the address below, no later than **January 16, 2018**.

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

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

Not located within the 200' radius

Merrilee McDowell
1616 Caddo
Temple, TX 76504

Zoning Application Number: Z-FY-18-09

Case Manager: Mark Baker

Location: 1410 & 1300 North General Bruce Drive, Temple, TX

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I () agree

disagree with this request

RECEIVED

Comments:

JAN 11 2018

City of Temple
Planning & Development

Merrilee McDowell
Signature

MERRILEE McDowell
Print Name

If you would like to submit a response, please email a scanned version of this completed form to the Case Manager referenced above, mbaker@templetx.gov, or mail or hand-deliver this comment form to the address below, no later than **January 16, 2018**.

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

Number of Notices Mailed: 14

Date Mailed: January 4, 2018

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RESPONSE TO PROPOSED REZONING REQUEST CITY OF TEMPLE

Not located within the 200' radius

Steven Ritter II

1307 Commanche Drive

Temple TX 76504

Zoning Application Number: Z-FY-18-09

Case Manager: Mark Baker

Location: 1410 & 1300 North General Bruce Drive, Temple, TX

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I () agree

disagree with this request

Comments:

RECEIVED

JAN 11 2018

City of Temple Planning & Development

Signature

Steven Ritter II

Print Name

If you would like to submit a response, please email a scanned version of this completed form to the Case Manager referenced above, mbaker@templetx.gov, or mail or hand-deliver this comment form to the address below, no later than January 16, 2018.

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

Number of Notices Mailed: 14

Date Mailed: January 4, 2018

OPTIONAL: Please feel free to email questions or comments directly to the Case Manager or call us at 254.298.5668.



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

NANCY FITZGERALD
1312 COMMANCHE DR
TEMPLE TX 76504

Not located within the 200' radius

Zoning Application Number: Z-FY-18-09

Case Manager: Mark Baker

Location: 1410 & 1300 North General Bruce Drive, Temple, TX

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() agree

disagree with this request

Comments:

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JAN 11 2018

City of Temple
Planning & Development

NANCY FITZGERALD BY MYRA RITTER
Signature

NANCY FITZGERALD
Print Name

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

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

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JAN 12 2018

City of Temple
Planning & Development

K L COMFORT PARK, LTD
1102 MARTIN AVE
ROUND ROCK, TX 78681-7324

Zoning Application Number: Z-FY-18-09

Case Manager: Mark Baker

Location: 1410 & 1300 North General Bruce Drive, Temple, TX

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I agree

() disagree with this request

Comments:

**X with contingency*

I own the adjacent property. We experience a great deal of run off of water and DISINAZO from this site. I would like to be assured that the run off issue is corrected during construction (see UMAP)

[Handwritten Signature]

Signature

Robert Kip Lewis

Print Name

If you would like to submit a response, please email a scanned version of this completed form to the Case Manager referenced above, mbaker@templetx.gov, or mail or hand-deliver this comment form to the address below, no later than **January 16, 2018**.

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

Number of Notices Mailed: 14

Date Mailed: January 4, 2018

OPTIONAL: Please feel free to email questions or comments directly to the Case Manager or call us at 254.298.5668.

Drainage Concerns

GR & LI to C
200'

NOTIFICATION MAP

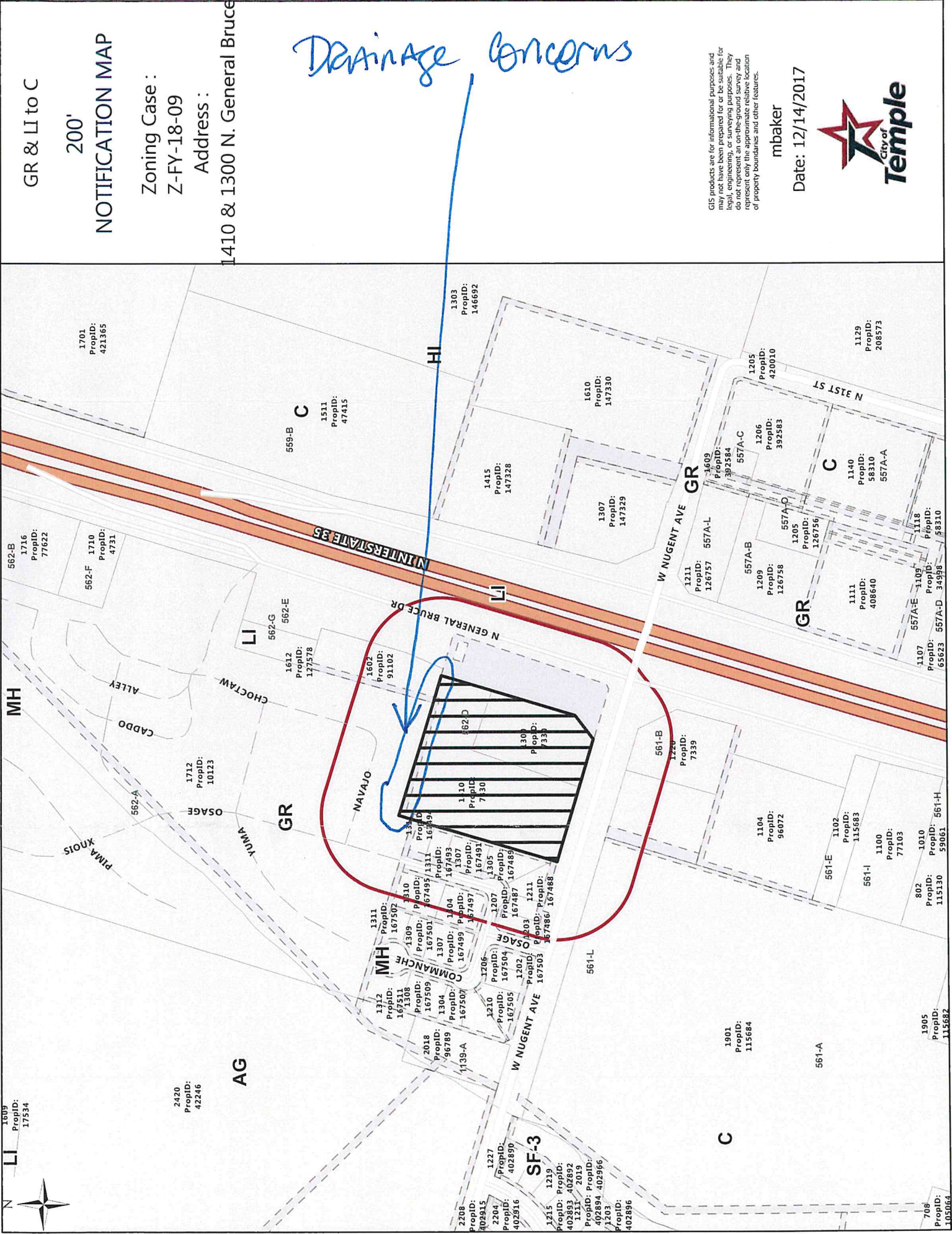
Zoning Case :
Z-FY-18-09
Address :

1410 & 1300 N. General Bruce

GIS products are for informational purposes and may not have been prepared for or be suitable for use in any other way. The information shown here does not represent an on-the-ground survey and represent only the approximate relative location of property boundaries and other features.

mbaker

Date: 12/14/2017



LI 1609 PropID: 17534

2420 PropID: 42246

AG

MH 1312 PropID: 167502

MH 1311 PropID: 167502

MH 1310 PropID: 167502

MH 1309 PropID: 167502

MH 1308 PropID: 167502

MH 1307 PropID: 167502

MH 1306 PropID: 167502

MH 1305 PropID: 167502

MH 1304 PropID: 167502

MH 1303 PropID: 167502

MH 1302 PropID: 167502

MH 1301 PropID: 167502

MH 1300 PropID: 167502

MH 1299 PropID: 167502

MH 1298 PropID: 167502

MH 1297 PropID: 167502

MH 1296 PropID: 167502

MH 1295 PropID: 167502

MH 1294 PropID: 167502

MH 1293 PropID: 167502

MH

562-B PropID: 77622

562-F PropID: 4731

562-G PropID: 127578

562-E PropID: 127578

562-D PropID: 91102

562-C PropID: 47415

562-B PropID: 47415

562-A PropID: 47415

562 PropID: 47415

561 PropID: 47415

560 PropID: 47415

559 PropID: 47415

558 PropID: 47415

557 PropID: 47415

556 PropID: 47415

555 PropID: 47415

554 PropID: 47415

553 PropID: 47415

552 PropID: 47415

551 PropID: 47415

550 PropID: 47415

549 PropID: 47415

548 PropID: 47415

547 PropID: 47415

546 PropID: 47415

545 PropID: 47415

544 PropID: 47415

543 PropID: 47415

542 PropID: 47415

541 PropID: 47415

540 PropID: 47415

1701 PropID: 421365

1700 PropID: 421365

1699 PropID: 421365

1698 PropID: 421365

1697 PropID: 421365

1696 PropID: 421365

1695 PropID: 421365

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GR & LI to C

AERIAL MAP

Zoning Case :
Z-FY-18-09

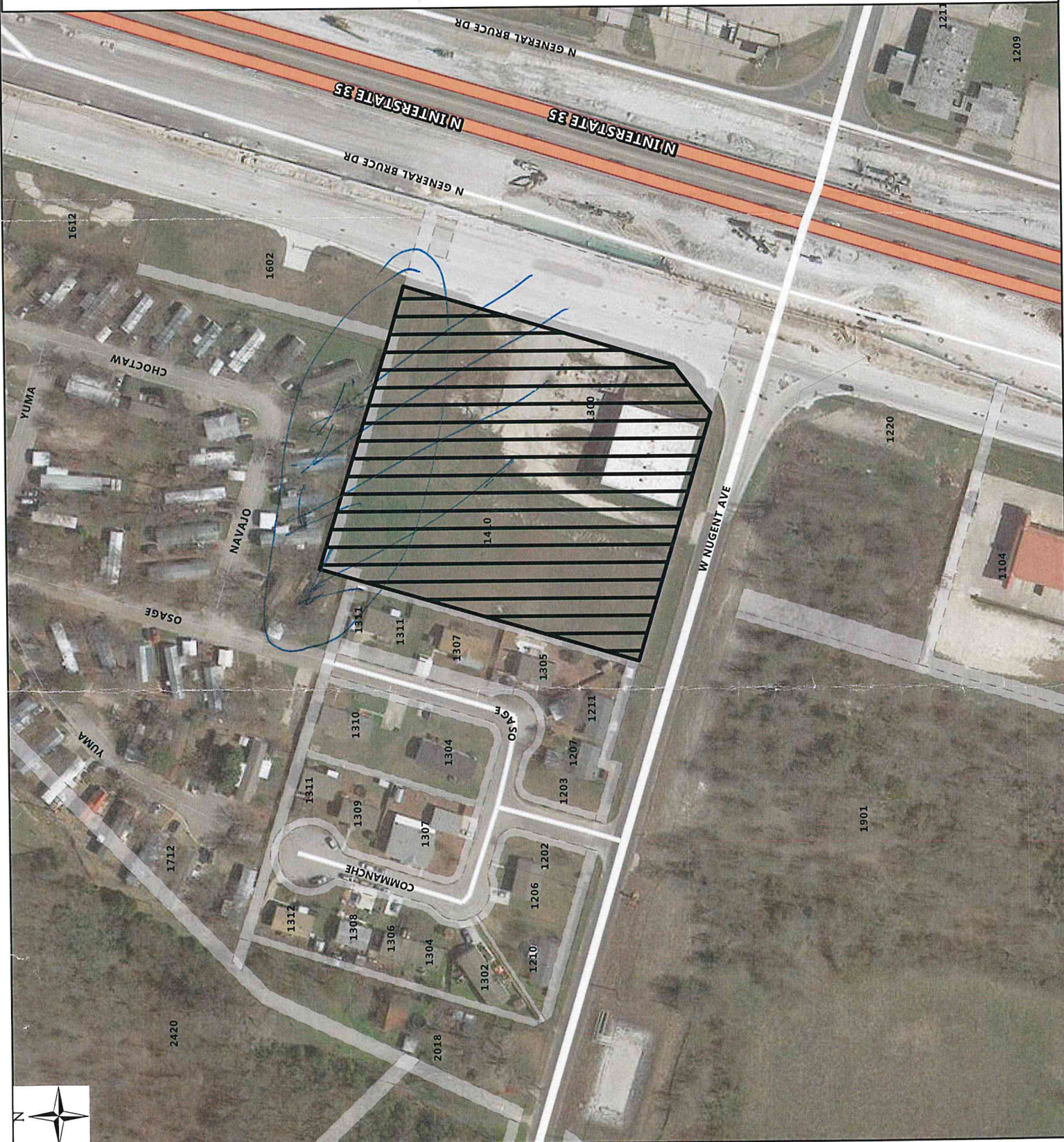
Address :
N. General Bruce Dr

*Drainage
Issues*

- Temple Municipal Boundary
- Parcel Features
- Parcels
- Production: SDE: Easement

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

mbaker
Date: 12/14/2017



**EXCERPTS FROM THE
PLANNING & ZONING COMMISSION MEETING
TUESDAY, JANUARY 16, 2018**

ACTION ITEMS

Item 2: [Z-FY-18-09](#) – Hold a public hearing to discuss and recommend action for rezoning of two tracts of land comprised of 3.625 +/- acres from General Retail (GR) and Light Industrial (LI) districts to Commercial (C) district, located on West Nugent Ave, approximately 180 feet west of its intersection with North General Bruce Drive, addressed as 1410 and 1300 North General Bruce Drive.

Mr. Mark Baker, Senior Planner, stated this item was scheduled to go forward to City Council for first reading on February 15, 2018 and second reading on March 1, 2018.

The subject property is located at the northwest corner of West Nugent Avenue and I-35/General Bruce Drive, and east of the Bird Creek Mobile Home Park.

Mr. Baker clarified the request is being initiated by the applicant to “clean-up” the existing zoning under one district for future marketability within the I-35 Corridor; not a specific use as originally indicated by notification documents.

A subdivision plat will be required prior to development.

The subject property is located within the I-35 Corridor Overlay, Retail Sub-District.

Purpose (UDC Sec. 4.3.28)

Overlay Zoning district is limited to specific areas encompassing land that has already been assigned conventional base zoning district classifications. Supplements the standards of the base zoning districts with enhanced landscaping, architectural, and land use standards.

Zoning Map shown. The current zoning is GR and LI.

- Proposed for Commercial (C)
- Consolidates property under one zoning district
- Compromise between the two existing districts
- Consistent with surrounding (C) within the area
- (C) is more restrictive than existing Light Industrial

The Future Land Use and Character Map designates the subject property as Auto Urban Commercial which is:

- Identified for commercial uses, generally concentrated at intersections versus strip development along major roads; and

- Supports both General Retail (GR) & Commercial (C) zoning

Both water and sewer are available to serve the property.

The Thoroughfare Plan designates West Nugent Avenue as a Minor Arterial and a six-foot foot sidewalk is required that will be addressed during the plat review process.

No anticipated Transportation Capital Improvements Project (TCIP) are funded or scheduled through 2024. However, TxDOT I-35 / North General Bruce right-of-way improvements are on-going.

There are no trails identified.

On-site photos shown.

Surrounding properties include Bird Creek Mobile Home Park to the north and west, and I-35/General Bruce Drive to the east,

Complied existing uses able (not all inclusive) in the I-35 Corridor Overlay shown.

Buffering and Screening (required)

Per UDC Section 7.7.4 – Buffering:

- May consist of evergreen hedges composed of five-gallon plants or larger, with a planted height of six-feet on 36-inch centers
- May consist of a six-foot to eight-foot high fence or wall, constructed by any number of allowed materials per UDC Section 7.7.5, such as:
 - Wood,
 - Masonry
 - Stone or pre-cast concrete

Current I-35 Overlay Development Standards:

- More restrictive than base zoning dimensional standards
- Compliance is determined with review of building permit

Fourteen notices were mailed in accordance with all state and local regulations with one response returned in agreement and six responses returned in disagreement.

The request is compatible with the Future Land Use and Character Map, the Thoroughfare Plan, is compatible with surrounding uses and zoning, and public facilities are available to serve the property.

Staff recommends approval of the request for a rezoning from GR and LI District to C District.

Chair Fettig opened the public hearing.

Ms. Theresa Lange, Central Realty, 11209 Inverness, Belton, TX, stated she was representing Mr. Dave Beevers and addressed the six responses returned in opposition. Those negative responses were due to the notice sent out indicating a specific use for this property and there is no specific use. The rezoning is only to clean up the zoning.

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

Commissioner Marshall made a motion to approve Item 2, **Z-FY-18-09**, as presented by Staff, and Commissioner Alaniz made a second.

Motion passed: (7:0)

Commissioners Crisp and Ward absent

DRAFT

ORDINANCE NO. _____
(Z-FY-18-09)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A REZONING OF TWO TRACTS OF LAND COMPRISED OF APPROXIMATELY 3.625 ACRES FROM GENERAL RETAIL AND LIGHT INDUSTRIAL ZONING DISTRICTS TO COMMERCIAL ZONING DISTRICT, LOCATED ON WEST NUGENT AVENUE, APPROXIMATELY 180 FEET WEST OF ITS INTERSECTION WITH NORTH GENERAL BRUCE DRIVE, ADDRESSED AS 1410 AND 1300 NORTH GENERAL BRUCE DRIVE; 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: Findings. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Temple, Texas, and they are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

Part 2: The City Council approves a rezoning of two tracts of land comprised of approximately 3.625 acres from General Retail and Light Industrial zoning districts to Commercial zoning district, located on West Nugent Avenue, approximately 180 feet west of its intersection with North General Bruce Drive, addressed as 1410 and 1300 North General Bruce Drive, as outlined in the map attached hereto as Exhibit 'A,' and made a part hereof for all purposes.

Part 3: The City Council directs the Director of Planning to make the necessary changes to the City Zoning Map.

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

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

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

PASSED AND APPROVED on First Reading and Public Hearing on the **15th** day of **February**, 2018.

PASSED AND APPROVED on Second Reading on the **1st** day of **March**, 2018.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

APPROVED AS TO FORM:

ATTEST:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

03/01/18
Item #3(R)
Consent Agenda
Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

Kayla Landeros, City Attorney
Charla Thomas, Deputy City Attorney

ITEM DESCRIPTION: Consider adopting a resolution authorizing an annual Rate Review Mechanism as a substitution for the annual interim rate adjustment process, and as negotiated between Atmos Energy Corp., Mid-Tex Division and the Steering Committee of Cities served by Atmos.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The City of Temple, along with 171 other Mid-Texas Cities Served by Atmos Energy Corporation, Mid-Tex Division (“Atmos Mid-Tex” or “Company”), is a member of the Steering Committee of Cities Served by Atmos (“Cities”). In 2007, the Cities and Atmos Mid-Tex settled a rate application filed by the Company pursuant to Section 104.301 of the Texas Utilities Code for an interim rate adjustment commonly referred to as a GRIP filing (arising out of the Gas Reliability Infrastructure Program legislation). That settlement created a substitute rate review process, referred to as Rate Review Mechanism (“RRM”), as a substitute for future filings under the GRIP statute.

Since 2007, there have been several modifications to the original RRM Tariff. The Ordinance that resolved the Company’s application under the RRM Tariff in 2017 also terminated the existing RRM Tariff and required a renegotiation of the terms of that tariff. Negotiations have taken place over the past several months, and have resulted in a revised RRM Tariff that has been agreed to by the Company. The Cities’ Executive Committee has recommended acceptance of the revised RRM Tariff, which is attached to this memorandum.

Cities strongly opposed the GRIP process because it constitutes piecemeal ratemaking by ignoring declining expenses and increasing revenues and rewarding the Company for increasing capital investment. The GRIP process does not allow any review of the reasonableness of capital investment and does not allow cities to participate in the Railroad Commission’s review of annual GRIP filings or recover their rate case expenses. The Railroad Commission undertakes a mere administrative review of GRIP filings (instead of a full hearing) and rate increases go into effect without any material adjustments. In the Steering Committee’s view, the GRIP process unfairly raises customers’ rates without any regulatory oversight. In contrast, the RRM process has allowed for a more comprehensive rate review and annual evaluation of expenses and revenues, as well as capital investment.

The RRM Tariff on which the 2017 rates were based allowed a rate of return on equity of 10.50%. The revised RRM Tariff reduces that to 9.8%. The revised RRM Tariff also captures the reduction in federal income tax rates from 35% to 21%, and should result in a rate reduction effective by mid-March 2018. Prior RRM tariffs allowed Cities only three months to review the Company's filing. The new revised Tariff expands that time period by two months. New applications by the Company should be made on or about April 1 of each year, with new rates effective October 1. A rate order from the Railroad Commission in an Atmos Texas Pipeline rate case adopted the position of Cities with regard to incentive compensation related to Atmos' Shared Services Unit that reduced allowed expenses, and that reduced level of expenses will be applicable under the new RRM Tariff.

Staff recommends authorization of this resolution.

FISCAL IMPACT: The revised RRM Tariff should result in a rate reduction to the City effective by mid-March, 2018. This would positively impact the FY 2018 Operating Budget of multiple City departments and facilities.

ATTACHMENTS:

[Tariff](#)
[Resolution](#)

**ATMOS ENERGY CORPORATION
MID-TEX DIVISION**

RATE SCHEDULE:	RRM – Rate Review Mechanism	
APPLICABLE TO:	ALL CITIES IN THE MID-TEX DIVISION AS IDENTIFIED IN EXHIBIT A TO THIS RATE SCHEDULE	
EFFECTIVE DATE:	Bills Rendered on and after 04/01/2018	PAGE: 1

I. Applicability

Applicable to Residential, Commercial, Industrial, and Transportation tariff customers within the city limits of cities identified in Exhibit A that receive service from the Mid-Tex Division of Atmos Energy Corporation (“Company”). This Rate Review Mechanism (“RRM”) provides for an annual adjustment to the Company’s Rate Schedules R, C, I and T (“Applicable Rate Schedules”). Rate calculations and adjustments required by this tariff shall be determined on a System-Wide cost basis.

II. Definitions

“Test Period” is defined as the twelve months ending December 31 of each preceding calendar year.

The “Effective Date” is the date that adjustments required by this tariff are applied to customer bills. The annual Effective Date is October 1.

Unless otherwise provided in this tariff the term Final Order refers to the final order issued by the Railroad Commission of Texas in GUD No. 10170 and elements of GUD No. 10580 as specified in Section III below.

The term “System-Wide” means all incorporated and unincorporated areas served by the Company.

“Review Period” is defined as the period from the Filing Date until the Effective Date.

The “Filing Date” is as early as practicable, but no later than April 1 of each year.

III. Calculation

The RRM shall calculate an annual, System-Wide cost of service (“COS”) that will be used to adjust applicable rate schedules prospectively as of the Effective Date. The Company may request recovery of its total cost of service but will include schedules showing the computation of any adjustments. The annual cost of service will be calculated according to the following formula:

$$\text{COS} = \text{OM} + \text{DEP} + \text{RI} + \text{TAX} + \text{CD}$$

Where:

OM = all reasonable and necessary operation and maintenance expenses from the Test Period adjusted for known and measurable items and prepared

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consistent with the rate making treatments approved in the Final Order. Incentive compensation (Management Incentive Plan, Variable Pay Plan and Long Term Incentive Plan) related to Atmos' Shared Services Unit will be applied consistent with treatment approved in GUD 10580. Additionally, O&M adjustments will be incorporated and applied as modified by a final order, not subject to appeal, issued by the Railroad Commission of Texas in subsequent rate cases involving the Atmos Mid-Tex or West Texas divisions. Known and measurable adjustments shall be limited to those changes that have occurred prior to the Filing Date. OM may be adjusted for atypical and non-recurring items. Shared Services allocation factors shall be recalculated each year based on the latest component factors used during the Test Period, but the methodology used will be that approved in the Final Order in GUD 10580.

DEP = depreciation expense calculated at depreciation rates approved by the Final Order. Additionally, if depreciation rates are approved in a subsequent final order, not subject to appeal, issued by the Railroad Commission of Texas for the Mid-Tex division those rates would be applicable for subsequent RRM filings.

RI = return on prudently incurred investment calculated as the Company's pretax return multiplied by rate base at Test Period end. Rate base is prepared consistent with the rate making treatments approved in the Final Order, and as in GUD 10580 as specifically related to capitalized incentive compensation (Management Incentive Plan, Variable Pay Plan and Long Term Incentive Plan) for Atmos' Shared Services Unit. However, no post Test Period adjustments will be permitted. Additionally, adjustments will be incorporated and applied as modified by a final order, not subject to appeal, issued by the Railroad Commission of Texas in subsequent rate cases involving the Atmos Mid-Tex or West Texas divisions. Pretax return is the Company's weighted average cost of capital before income taxes. The Company's weighted average cost of capital is calculated using the methodology from the Final Order including the Company's actual capital structure and long term cost of debt as of the Test Period end (adjusted for any known and measurable changes that have occurred prior to the filing date) and the return on equity of 9.8%. However, in no event will the percentage of equity exceed 58%. Regulatory adjustments due to prior regulatory rate base adjustment disallowances will be maintained. Cash working capital will be calculated using the lead/lag days approved in the Final Order. With respect to pension and other postemployment benefits, the Company will record a regulatory asset or liability for these costs until the amounts are included in the next annual rate adjustment implemented under this tariff. Each year, the Company's filing under this Rider RRM will clearly state the level of pension

**ATMOS ENERGY CORPORATION
MID-TEX DIVISION**

RATE SCHEDULE:	RRM – Rate Review Mechanism	
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EFFECTIVE DATE:	Bills Rendered on and after 04/01/2018	PAGE: 3

and other postemployment benefits recovered in rates.

TAX = income tax and taxes other than income tax from the Test Period adjusted for known and measurable changes occurring after the Test Period and before the Filing Date, and prepared consistent with the rate making treatments approved in the Final Order. Atmos Energy shall comprehensively account for, including establishing a regulatory liability to account for, any statutory change in tax expense that is applicable to months during the Test Period in the calculation to ensure recovery of tax expense under new and old income tax rates.

CD = interest on customer deposits.

IV. Annual Rate Adjustment

The Company shall provide schedules and work papers supporting the Filing's revenue deficiency/sufficiency calculations using the methodology accepted in the Final Order. The result shall be reflected in the proposed new rates to be established for the effective period. The Revenue Requirement will be apportioned to customer classes in the same manner that Company's Revenue Requirement was apportioned in the Final Order. For the Residential Class, 50% of the increase may be recovered in the customer charge. However, the increase to the Residential customer charge shall not exceed \$0.60 per month in the initial filing and \$0.70 per month in any subsequent year. The remainder of the Residential Class increase not collected in the customer charge will be recovered in the usage charge. For all other classes, the change in rates will be apportioned between the customer charge and the usage charge, consistent with the Final Order. Test Period billing determinants shall be adjusted and normalized according to the methodology utilized in the Final Order.

V. Filing

The Company shall file schedules annually with the regulatory authority having original jurisdiction over the Company's rates on or before the Filing Date that support the proposed rate adjustments. The schedules shall be in the same general format as the cost of service model and relied-upon files upon which the Final Order was based. A proof of rates and a copy of current and proposed tariffs shall also be included with the filing. The filing shall be made in electronic form where practical. The Company's filing shall conform to Minimum Filing Requirements (to be agreed upon by the parties), which will contain a minimum amount of information that will assist the regulatory authority in its review and analysis of the filing. The Company and regulatory authority will endeavor to hold a technical conference regarding the filing within twenty (20) calendar days after the Filing Date.

**ATMOS ENERGY CORPORATION
MID-TEX DIVISION**

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A sworn statement shall be filed by an Officer of the Company affirming that the filed schedules are in compliance with the provisions of this Rate Review Mechanism and are true and correct to the best of his/her knowledge, information, and belief. No testimony shall be filed, but a brief narrative explanation shall be provided of any changes to corporate structure, accounting methodologies, allocation of common costs, or atypical or non-recurring items included in the filing.

VI. Evaluation Procedures

The regulatory authority having original jurisdiction over the Company's rates shall review and render a decision on the Company's proposed rate adjustment prior to the Effective Date. The Company shall provide all supplemental information requested to ensure an opportunity for adequate review by the relevant regulatory authority. The Company shall not unilaterally impose any limits upon the provision of supplemental information and such information shall be provided within seven (7) working days of the original request. The regulatory authority may propose any adjustments it determines to be required to bring the proposed rate adjustment into compliance with the provisions of this tariff.

The regulatory authority may disallow any net plant investment that is not shown to be prudently incurred. Approval by the regulatory authority of net plant investment pursuant to the provisions of this tariff shall constitute a finding that such net plant investment was prudently incurred. Such finding of prudence shall not be subject to further review in a subsequent RRM or Statement of Intent filing.

During the Review Period, the Company and the regulatory authority will work collaboratively and seek agreement on the level of rate adjustments. If, at the end of the Review Period, the Company and the regulatory authority have not reached agreement, the regulatory authority shall take action to modify or deny the proposed rate adjustments. The Company shall have the right to appeal the regulatory authority's action to the Railroad Commission of Texas. Upon the filing of an appeal of the regulatory authority's order relating to an annual RRM filing with the Railroad Commission of Texas, the regulatory authority having original jurisdiction over the Company's rates shall not oppose the implementation of the Company's proposed rates subject to refund, nor will the regulatory authority advocate for the imposition of a third party surety bond by the Company. Any refund shall be limited to and determined based on the resolution of the disputed adjustment(s) in a final, non-appealable order issued in the appeal filed by the Company at the Railroad Commission of Texas.

**ATMOS ENERGY CORPORATION
MID-TEX DIVISION**

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In the event that the regulatory authority and Company agree to a rate adjustment(s) that is different from the adjustment(s) requested in the Company's filing, the Company shall file compliance tariffs consistent with the agreement. No action on the part of the regulatory authority shall be required to allow the rate adjustment(s) to become effective on October 1. To the extent that the regulatory authority does not take action on the Company's RRM filing by September 30, the rates proposed in the Company's filing shall be deemed approved effective October 1. Notwithstanding the preceding sentence, a regulatory authority may choose to take affirmative action to approve a rate adjustment under this tariff. In those instances where such approval cannot reasonably occur by September 30, the rates finally approved by the regulatory authority shall be deemed effective as of October 1.

To defray the cost, if any, of regulatory authorities conducting a review of the Company's annual RRM filing, the Company shall reimburse the regulatory authorities on a monthly basis for their reasonable expenses incurred upon submission of invoices for such review. Any reimbursement contemplated hereunder shall be deemed a reasonable and necessary operating expense of the Company in the year in which the reimbursement is made. A regulatory authority seeking reimbursement under this provision shall submit its request for reimbursement to the Company no later than December 1 of the year in which the RRM filing is made and the Company shall reimburse regulatory authorities in accordance with this provision on or before December 31 of the year the RRM filing is made.

To the extent possible, the provisions of the Final Order shall be applied by the regulatory authority in determining whether to approve or disapprove of Company's proposed rate adjustment.

This Rider RRM does not limit the legal rights and duties of a regulatory authority. Nothing herein shall abrogate the jurisdiction of the regulatory authority to initiate a rate proceeding at any time to review whether rates charged are just and reasonable. Similarly, the Company retains its right to utilize the provisions of Texas Utilities Code, Chapter 104, Subchapter C to request a change in rates. The provisions of this Rider RRM are implemented in harmony with the Gas Utility Regulatory Act (Texas Utilities Code, Chapters 101-105).

The annual rate adjustment process set forth in this tariff shall remain in effect during the pendency of any Statement of Intent rate filing.

**ATMOS ENERGY CORPORATION
MID-TEX DIVISION**

RATE SCHEDULE:	RRM – Rate Review Mechanism	
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VII. Reconsideration, Appeal and Unresolved Items

Orders issued pursuant to this mechanism are ratemaking orders and shall be subject to appeal under Sections 102.001(b) and 103.021, et seq., of the Texas Utilities Code (Vernon 2007).

VIII. Notice

Notice of each annual RRM filing shall be provided by including the notice, in conspicuous form, in the bill of each directly affected customer no later than forty-five (45) days after the Company makes its annual filing pursuant to this tariff. The notice to customers shall include the following information:

- a) a description of the proposed revision of rates and schedules;
- b) the effect the proposed revision of rates is expected to have on the rates applicable to each customer class and on an average bill for each affected customer;
- c) the service area or areas in which the proposed rates would apply;
- d) the date the annual RRM filing was made with the regulatory authority; and
- e) the Company's address, telephone number and website where information concerning the proposed rate adjustment can be obtained.

ACSC Cities (172 Members)**Exhibit A**

Abilene	Fairview	Oak Leaf
Addison	Farmers Branch	Ovilla
Albany	Farmersville	Palestine
Allen	Fate	Pantego
Alvarado	Flower Mound	Paris
Angus	Forest Hill	Parker
Anna	Forney	Pecan Hill
Argyle	Fort Worth	Petrolia
Arlington	Frisco	Plano
Aubrey	Frost	Ponder
Azle	Gainesville	Pottsboro
Bedford	Garland	Prosper
Bellmead	Garrett	Quitman
Benbrook	Grand Prairie	Red Oak
Beverly Hills	Grapevine	Reno (Parker County)
Blossom	Groesbeck	Rhome
Blue Ridge	Gunter	Richardson
Bowie	Haltom City	Richland
Boyd	Harker Heights	Richland Hills
Bridgeport	Haskell	River Oaks
Brownwood	Haslet	Roanoke
Buffalo	Hewitt	Robinson
Burkburnett	Highland Park	Rockwall
Burleson	Highland Village	Roscoe
Caddo Mills	Honey Grove	Rowlett
Canton	Hurst	Royse City
Carrollton	Hutto	Sachse
Cedar Hill	Iowa Park	Saginaw
Celeste	Irving	Sansom Park
Celina	Justin	Seagoville
Centerville	Kaufman	Sherman
Cisco	Keene	Snyder
Clarksville	Keller	Southlake
Cleburne	Kemp	Springtown
Clyde	Kennedale	Stamford
College Station	Kerens	Stephenville
Colleyville	Kerrville	Sulphur Springs
Colorado City	Killeen	Sweetwater
Comanche	Krum	Temple
Commerce	Lakeside	Terrell
Coolidge	Lake Worth	The Colony
Coppell	Lancaster	Trophy Club
Copperas Cove	Lewisville	Tyler
Corinth	Lincoln Park	University Park
Crandall	Little Elm	Venus
Crowley	Lorena	Vernon
Dalworthington Gardens	Madisonville	Waco
Denison	Malakoff	Watauga
Denton	Mansfield	Waxahachie
DeSoto	McKinney	Westlake
Draper	Melissa	Westover Hills
Duncanville	Mesquite	Whitesboro
Eastland	Midlothian	White Settlement
Edgecliff Village	Murphy	Wichita Falls
Emory	Newark	Woodway
Ennis	Nocona	Wylie
Eules	North Richland Hills	
Everman	Northlake	

RESOLUTION NO. 2018-9065-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, APPROVING A TARIFF AUTHORIZING AN ANNUAL RATE REVIEW MECHANISM (“RRM”) AS A SUBSTITUTION FOR THE ANNUAL INTERIM RATE ADJUSTMENT PROCESS DEFINED BY SECTION 104.301 OF THE TEXAS UTILITIES CODE, AND AS NEGOTIATED BETWEEN ATMOS ENERGY CORP., MID-TEX DIVISION (“ATMOS MID-TEX” OR “COMPANY”) AND THE STEERING COMMITTEE OF CITIES SERVED BY ATMOS; REQUIRING THE COMPANY TO REIMBURSE CITIES’ REASONABLE RATEMAKING EXPENSES; ADOPTING A SAVINGS CLAUSE; DETERMINING THAT THIS RESOLUTION WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE OPEN MEETINGS ACT, DECLARING AN EFFECTIVE DATE; AND REQUIRING DELIVERY OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL FOR THE STEERING COMMITTEE.

Whereas, the City of Temple, Texas (“City”) is a gas utility customer of Atmos Energy Corp., Mid-Tex Division (“Atmos Mid-Tex” or “Company”), and a regulatory authority with an interest in the rates and charges of Atmos Mid-Tex;

Whereas, the City and similarly-situated Mid-Tex municipalities created the Steering Committee of Cities Served by Atmos to efficiently address all rate and service matters associated with delivery of natural gas;

Whereas, the Steering Committee formed an Executive Committee to direct legal counsel and to recommend certain specific actions to all aligned Mid-Tex Cities through Resolution or Ordinance;

Whereas, pursuant to the terms of a November 2007 agreement between the Steering Committee and Atmos Mid-Tex that settled the Company’s interim rate filing under Section 104.301 of the Texas Utilities Code (a “GRIP” rate case), the Steering Committee and the Company collaboratively developed a Rate Review Mechanism (“RRM”) Tariff, ultimately authorized by the City in 2008, that allows for an expedited rate review process as a substitute for the GRIP process;

Whereas, the City has kept some form of a RRM Tariff in place until 2017 when it adopted a Resolution approving an RRM Tariff filing settlement and specifically calling for termination of the existing RRM Tariff and negotiation of a replacement RRM Tariff following the Railroad Commission’s decision in a then-pending Atmos Texas Pipeline case (GUD No. 10580);

Whereas, the Steering Committee’s Executive Committee has recently approved a settlement with the Company on the attached RRM Tariff that contains certain notable improvements, from a consumer perspective, over the prior RRM Tariff, including a reduced

rate of return on equity, acceptance of certain expense adjustments made by the Railroad Commission in the Order in GUD No. 10580, and the addition of two months to the time for processing a RRM Tariff application;

Whereas, the RRM Tariff contemplates reimbursement of Cities' reasonable expenses associated with RRM Tariff applications;

Whereas, the revised RRM Tariff should result in a rate reduction to the City effective by mid-March, 2018 which would positively impact the fiscal year 2018 Operating Budget of multiple City departments and facilities;

Whereas, the Steering Committee's Executive Committee recommends that all Steering Committee member cities adopt this Resolution and the attached RRM Tariff; and

Whereas, the attached RRM Tariff is just, reasonable and in the public interest.

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

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

Part 2: That the findings set forth in this Resolution are hereby in all things approved.

Part 3: That the attached RRM Tariff re-establishing a form of Rate Review Mechanism is just and reasonable and in the public interest, and is hereby adopted.

Part 4: That Atmos Mid-Tex shall reimburse the Cities' reasonable expenses associated with adoption of this Resolution and the attached RRM Tariff and in processing future RRM Tariff applications filed pursuant to the attached tariff.

Part 5: That to the extent any Resolution previously adopted by the City is inconsistent with this Resolution, it is hereby repealed.

Part 6: That the meeting at which this Resolution was approved was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

Part 7: That if any one or more sections or clauses of this Resolution is adjudged to be unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remaining provisions of this Resolution, and the remaining provisions of this Resolution shall be interpreted as if the offending section or clause never existed.

Part 8: That this Resolution shall become effective from and after its passage.

Part 9: That a copy of this Resolution shall be sent to Atmos Mid-Tex, care of Chris Felan, Vice President of Rates and Regulatory Affairs, Atmos Energy Corporation, Mid-Tex Division, 5420 LBJ Freeway, Suite 1862, Dallas, Texas 75240, and to Geoffrey Gay, General Counsel to Mid-Tex Cities, at Lloyd Gosselink Rochelle & Townsend, P.C., 816 Congress Avenue, Suite 1900, Austin, Texas 78701.

PASSED AND APPROVED this the 1st day of **March**, 2018.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN MAYOR

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

03/01/18
Item #3(S)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Traci Barnard, Director of Finance

ITEM DESCRIPTION: Consider adopting a resolution authorizing budget amendments for fiscal year 2017-2018.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: This item is to recommend various budget amendments, based on the adopted FY 2017-2018 budget. The amendments will involve transfers of funds between contingency accounts, department and fund levels.

FISCAL IMPACT: The total amount of budget amendments is \$659,480.

ATTACHMENTS:

[Budget Amendments
Resolution](#)

CITY OF TEMPLE
BUDGET AMENDMENTS FOR FY 2018 BUDGET
March 1, 2018

ACCOUNT #	PROJECT #	DESCRIPTION	APPROPRIATIONS	
			Debit	Credit
110-2041-521-2229		Capital < \$5,000 / OCU Seized Funds - State	\$ 3,675	
110-0000-313-0330		Reserved for Drug Enforcement / Reserve for Seized Funds - State		\$ 3,675
To appropriate state seized funds for the purchase of a L3 camera system for Juvenile Investigations.				
520-5200-535-2326		Repair & Maintenance / Hydrants & Valves	\$ 2,184	
520-0000-443-3054		Insurance Claims / Insurance Claims		\$ 2,184
To appropriate insurance proceeds received from Geico County Mutual Insurance Company for damages to a fire hydrant at 1st Street and Avenue U.				
110-1900-519-2228		Capital < \$5,000 / Public Education Government Expense	\$ 12,000	
110-0000-315-1900		Reserved for Future Expense / Reserved for Public Education Channel		\$ 12,000
To appropriate funds for the replacement of TV in CMO-1, as well as network switches and PCs in CMO-1 and Council Chambers.				
292-2900-534-6312	101638	Capital - Special Projects / Drainage	\$ 485,000	
292-0000-358-1110		Drainage Fund Undesignated Fund Balance		\$ 485,000
To appropriate Drainage Fund Unallocated Fund Balance for the construction of drainage improvements at Avenue D and 14th Street.				
520-5200-535-2326		Repair & Maintenance / Hydrants & Valves	\$ 1,566	
520-5200-535-2327		Repair & Maintenance / Water Mains	\$ 895	
520-0000-443-3054		Insurance Claims / Insurance Claims		\$ 2,461
110-2800-532-2516		Other Services / Judgments & Damages	\$ 6,542	
110-0000-461-0554		Insurance Claims / Insurance Claims		\$ 6,542
To appropriate insurance proceeds received from Nationwide Insurance related to damages occurring on December 12, 2017 to a City fire hydrant, water valve box and stand, and a traffic signal box. This budget adjustment will also allocate additional anticipated insurance proceeds related to the replacement of a traffic signal pole that was also damaged during the December 12, 2017 incident.				
110-2011-521-2514		Other Services / Travel & Training	\$ 9,356	
110-0000-442-0720		Police Revenue / Police Revenue		\$ 9,356
To appropriate annual allocation payment from the Law Enforcement Officer and Education (LEOSE) for expenses related to continuing education for Police.				
362-1300-515-1115		Salaries / Skilled	\$ 4,979	
362-1300-515-1220		Personnel Benefits / Retirement/Pension	\$ 831	
362-1300-515-1221		Personnel Benefits / Social Security	\$ 57	
362-1300-515-1223		Personnel Benefits / Worker Compensation	\$ 10	
362-3500-552-6532		Capital - Special Projects / Contingency		\$ 5,877
To appropriate contingency funds to cover salary and personnel benefit accounts related to the promotion of Contract Manager in Purchasing to Purchasing Manager. The promotion was a result of eliminating the Director of General Services position in December 2017.				

CITY OF TEMPLE
BUDGET AMENDMENTS FOR FY 2018 BUDGET
March 1, 2018

ACCOUNT #	PROJECT #	DESCRIPTION	APPROPRIATIONS	
			Debit	Credit
110-1300-515-1110		Salaries / Administrative	\$ 11,968	
110-1300-515-1111		Salaries / Supervisory	\$ 8,351	
110-1300-515-1220		Personnel Benefits / Retirement/Pension	\$ 3,334	
110-1300-515-1221		Personnel Benefits / Social Security	\$ 242	
110-1300-515-1223		Personnel Benefits / Worker Compensation	\$ 41	
110-6000-513-1110		Salaries / Administrative		\$ 20,319
110-6000-513-1220		Personnel Benefits / Retirement/Pension		\$ 3,334
110-6000-513-1221		Personnel Benefits / Social Security		\$ 242
110-6000-513-1223		Personnel Benefits / Worker Compensation		\$ 41

The Director of General Services position was eliminated in December 2017. With the elimination of this position, Facility Services personnel now report directly to Purchasing. This change resulted in a promotion for Director and Assistant Director of Purchasing to Director and Assistant Director of Purchasing and Facility Services. This budget adjustment reflects the salary and personnel benefit accounts related to the promotions.

110-1200-515-1115		Salaries / Skilled	\$ 31,488	
110-1200-515-1126		Salaries / Longevity	\$ 1,553	
110-1200-515-1220		Personnel Benefits / Retirement/Pension	\$ 5,512	
110-1200-515-1221		Personnel Benefits / Social Security	\$ 448	
110-1200-515-1222		Personnel Benefits / Health Insurance	\$ 3,578	
110-1200-515-1223		Personnel Benefits / Worker Compensation	\$ 72	
110-1200-515-1225		Personnel Benefits / Dental Insurance	\$ 56	
110-1200-515-1226		Personnel Benefits / Life Insurance	\$ 48	
110-1200-515-1227		Personnel Benefits / AD&D Insurance	\$ 11	
110-1200-515-1228		Personnel Benefits / LTD	\$ 107	
110-3700-524-1111		Salaries / Supervisory	\$ 1,075	
110-3700-524-1112		Salaries / Professional	\$ 37,855	
110-3700-524-1113		Salaries / Technical	\$ 479	
110-3700-524-1115		Salaries / Skilled	\$ 1,975	
110-3700-524-1126		Salaries / Longevity	\$ 68	
110-3700-524-1220		Personnel Benefits / Retirement/Pension	\$ 5,406	
110-3700-524-1221		Personnel Benefits / Social Security	\$ 438	
110-3700-524-1222		Personnel Benefits / Health Insurance	\$ 4,127	
110-3700-524-1223		Personnel Benefits / Worker Compensation	\$ 22	
110-3700-524-1225		Personnel Benefits / Dental Insurance	\$ 64	
110-3700-524-1226		Personnel Benefits / Life Insurance	\$ 44	
110-3700-524-1227		Personnel Benefits / AD&D Insurance	\$ 9	
110-3700-524-1228		Personnel Benefits / LTD	\$ 99	
110-6000-513-1110		Salaries / Administrative		\$ 39,779
110-6000-513-1115		Salaries / Skilled		\$ 31,292
110-6000-513-1220		Personnel Benefits / Retirement/Pension		\$ 11,476
110-6000-513-1221		Personnel Benefits / Social Security		\$ 851
110-6000-513-1222		Personnel Benefits / Health Insurance		\$ 11,136

To reallocate funding within the General Fund for salary and personnel benefit accounts. This budget adjustment takes into consideration several organizational changes that include personnel moving from General Services to Code Compliance, as well as the additional position created for the Finance Department. This budget adjustment encompasses salary increases, salary and benefit distribution changes, and the elimination of positions that have occurred within fiscal year 2018.

364-1300-515-6310	101820	Capital Buildings & Grounds / Window Improvements at Purchasing	\$ 13,915	
364-1500-515-6532		Capital - Special Projects / Contingency		\$ 10,797
364-0000-358-1110		Undesignated Fund Balance / Unreserved Fund Balance		\$ 3,118

To allocate the remaining 2016 Limited Tax Notes for window improvements to Service Center, Building C (which houses the Purchasing Department).

TOTAL AMENDMENTS	\$ 659,480	\$ 659,480
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CITY OF TEMPLE
BUDGET AMENDMENTS FOR FY 2018 BUDGET
March 1, 2018

ACCOUNT #	PROJECT #	DESCRIPTION	APPROPRIATIONS	
			Debit	Credit
		GENERAL FUND		
		Beginning Contingency Balance	\$	-
		Added to Contingency Sweep Account		-
		Carry forward from Prior Year		-
		Taken From Contingency		-
		Net Balance of Contingency Account	\$	-
		Beginning Judgments & Damages Contingency	\$	25,182
		Added to Contingency Judgments & Damages from Council Contingency		-
		Taken From Judgments & Damages		(10,000)
		Net Balance of Judgments & Damages Contingency Account	\$	15,182
		Beginning Compensation Contingency	\$	343,000
		Added to Compensation Contingency		-
		Taken From Compensation Contingency		(343,000)
		Net Balance of Compensation Contingency Account	\$	-
		Net Balance Council Contingency	\$	15,182
		Beginning Balance Budget Sweep Contingency	\$	-
		Added to Budget Sweep Contingency		-
		Taken From Budget Sweep		-
		Net Balance of Budget Sweep Contingency Account	\$	-
		WATER & SEWER FUND		
		Beginning Contingency Balance	\$	65,000
		Added to Contingency Sweep Account		-
		Taken From Contingency		(4,884)
		Net Balance of Contingency Account	\$	60,116
		Beginning Compensation Contingency	\$	63,000
		Added to Compensation Contingency		-
		Taken From Compensation Contingency		(63,000)
		Net Balance of Compensation Contingency Account	\$	-
		Net Balance Water & Sewer Fund Contingency	\$	60,116
		HOTEL/MOTEL TAX FUND		
		Beginning Contingency Balance	\$	-
		Added to Contingency Sweep Account		-
		Carry forward from Prior Year		-
		Taken From Contingency		-
		Net Balance of Contingency Account	\$	-
		Beginning Compensation Contingency	\$	19,000
		Added to Compensation Contingency		-
		Taken From Compensation Contingency		(19,000)
		Net Balance of Compensation Contingency Account	\$	-
		Net Balance Hotel/Motel Tax Fund Contingency	\$	-
		DRAINAGE FUND		
		Beginning Contingency Balance	\$	807,065
		Added to Contingency Sweep Account		-
		Carry forward from Prior Year		-
		Taken From Contingency		(694,864)
		Net Balance of Contingency Account	\$	112,201
		Beginning Compensation Contingency	\$	12,500
		Added to Compensation Contingency		-
		Taken From Compensation Contingency		(12,500)
		Net Balance of Compensation Contingency Account	\$	-
		Net Balance Drainage Fund Contingency	\$	112,201

CITY OF TEMPLE
 BUDGET AMENDMENTS FOR FY 2018 BUDGET
 March 1, 2018

ACCOUNT #	PROJECT #	DESCRIPTION	APPROPRIATIONS	
			Debit	Credit
		FED/STATE GRANT FUND		
		Beginning Contingency Balance		\$ -
		Carry forward from Prior Year		39,299
		Added to Contingency Sweep Account		6,926
		Taken From Contingency		(37,343)
		Net Balance Fed/State Grant Fund Contingency		\$ 8,882

RESOLUTION NO. 2018-9066-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, APPROVING BUDGET AMENDMENTS TO THE 2017-2018 CITY BUDGET; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on the 25th day of August, 2017, the City Council approved a budget for the 2017-2018 fiscal year; and

Whereas, the City Council deems it in the public interest to make certain amendments to the 2017-2018 City Budget.

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

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

Part 2: The City Council approves amending the 2017-2018 City Budget by adopting the budget amendments which are more fully described in Exhibit 'A,' attached hereto and made a part hereof for all purposes.

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

PASSED AND APPROVED this the 1st day of **March**, 2018.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

03/01/18
Item #4
Regular Agenda
Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

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

ITEM DESCRIPTION: Consider adopting a resolution authorizing a construction contract with Choice Builders, LLC, of Temple, in the amount of \$7,091,236.60 for the construction of the Crossroads Park Civil Package.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: As communicated to Council on September 21, 2017, with the rejection of bids associated with the initial bidding of Crossroads Park Phase II, staff recommended the project be broken down into four smaller packages: (1) sports lighting, (2) architectural package consisting of the construction of four buildings, (3) landscaping, and (4) civil package. Council has previously awarded the first three packages. Award of this Civil Package in the amount of \$7,091,236.60 to Choice Builders will provide for substantial completion of the Crossroads Park project.

As shown on the attached bid tabulation, on February 8, 2018, the City received six bids for the construction of the Civil Package ranging from a low base bid of \$5,327,170.50 to a high base bid of \$9,480,583.56. Based on available funding for the project, Staff and Kasberg, Patrick & Associates, LP (KPA) (see attached recommendation letter) are recommending award of the base bid plus 15 of the 19 add alternates totaling \$1,764,066.10, for a total construction contract value of \$7,091,236.60.

The recommended civil package includes construction of the following, but not limited to, park amenities: six lit tennis courts, five lit parking lots, driveways, sidewalks/trails, fencing/backstops, baseball/softball bleachers and shade structures, scoreboards, park entry signage, three playgrounds, two batting cages, a pavilion between the baseball and softball complexes, and a disk golf course.

The proposed contract provides for a nine month construction period. Based on the turf establishment period that will be required, it is anticipated that Crossroads Park will be open for play in the spring of 2019.

FISCAL IMPACT: The Crossroads Park project is funded with Parks GO Bonds that were approved by voters on May 9, 2015, and sold on September 24, 2015, and Reinvestment Zone No. 1 funds. Funding is appropriated for the construction contract with Choice Builders for the civil package related to the Crossroads Park in the amount of \$7,091,236.60 as follows:

	<u>362-3500-552-6402</u>	<u>795-9500-531-6867</u>	<u>795-9800-531-6867</u>	<u>Total</u>
	101311	101005		
Project Budget	\$ 14,313,691	\$ 2,974,850	\$ 2,950,150	\$20,238,691
Encumbered/Committed to Date	(9,550,530)	(1,048,529)	(1,750,000)	(12,349,059)
Choice Builders, LLC	(3,964,766)	(1,926,321)	(1,200,150)	(7,091,237)
Remaining Project Funds	<u>\$ 798,395</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 798,395</u>

It is anticipated that the remaining project funds will be used for a portable sports fencing for the baseball and softball outfields, water costs associated with the establishment of the turf throughout the park, and other park amenities.

ATTACHMENTS:

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



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

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

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

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

February 19, 2018

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

Re: City of Temple, Texas
Crossroads Park Phase II- Civil Package

Dear Mr. Beavers:

On February 8, 2018, the City of Temple received bids from six (6) contractors for the Crossroads Park Phase II – Civil Package Project.

The attached Bid Tabulation shows Choice Builders, LLC of Temple, Texas as the low bidder with a base bid of \$5,327,170.50. The base bids ranged from \$5,327,170.50 to \$9,480,583.56. Our final opinion of probable construction cost for the base bid was \$5,450,000.

Also included in this bid package were fifteen (15) add-alternates for the City to review for potential inclusion with the base bid package. The following is a full list of all add alternates including recommendations of the add alternates to be included with the contract based on the City's budget and meetings with City Staff:

- Add Alternate #1 – Sidewalk West of Detention Pond - \$94,827.50. Recommend to award with the contract.
- Add Alternate #2 – Sidewalk West of Softball Fields - \$55,461.00. Recommend to award with the contract.
- Add Alternate #3A – Batting Cage #1 - \$113,882.00. Recommend to award with the contract.
- Add Alternate #3B – Batting Cage #2 - \$111,124.00. Recommend to award with the contract.
- Add Alternate #4 – Baseball and Softball Field Playgrounds - \$67,120.00. Recommend to award with the contract.
- Add Alternate #5 – Championship Field Scoreboards - \$2,652.00. Recommend to award with the contract.

- Add Alternate #6 – Parking Lot Lights for Baseball and Softball Complex - \$151,777.00. Recommend to award with the contract.
- Add Alternate #7 – Parking Lot Lights for Soccer Complex - \$168,000.00. Recommend to award with the contract
- Add Alternate #8A – Lighting for Soccer Fields - \$660,000.00. Recommend to not award with the contract.
- Add Alternate #8B – Lighting for Soccer Fields - \$385,000.00. Recommend to not award with the contract.
- Add Alternate #8C – Lighting for Soccer Fields - \$585,000.00. Recommend to not award with the contract
- Add Alternate #9 – Entrance Signage for Baseball and Softball Fields - \$79,570.00. Recommend to award with the contract.
- Add Alternate #10A – Tennis Courts - \$274,588.80. Recommend to award with the contract.
- Add Alternate #10B – Tennis Courts - \$301,664.80. Recommend to award with the contract.
- Add Alternate #11 – Pavilion with Large Fan - \$91,464.00. Recommend to award with the contract.
- Add Alternate #12 – Brick Columns at Shade Structures - \$55,200.00. Recommend to award with the contract.
- Add Alternate #13 – Tennis Courts Parking Lot Extension - \$129,871.00. Recommend to award with the contract.
- Add Alternate #14 - Tennis Courts Parking Lot Lighting - \$66,864.00. Recommend to award with the project.
- Add Alternate #15 – 6' Chain Link Fencing Deduction - \$(84,437.50). Recommend to not award with the contract.

Choice Builders, LLC has successfully completed numerous projects of this type and are well qualified to perform the work. Therefore, we recommend that a contract be awarded to Choice Builders, LLC for the Base Bid and Add Alternates 1, 2, 3A, 3B, 4, 5, 6, 7, 9, 10A, 10B, 11, 12, 13 and 14 for the Crossroads Park Phase II – Civil Package Project in the amount of \$7,091,236.60.

Sincerely,



R. David Patrick, P.E., CFM

RDP/

xc: Belinda Mattke, City of Temple
Charlie O'Daniel, Choice Builders, LLC.

BID TABULATION
CITY OF TEMPLE
CROSSROADS PARK PHASE II - CIVIL PACKAGE
February 8, 2018; 2:00 PM

BIDDER INFORMATION															
			Choice Builders LLC 3809 S General Bruce Dr, #103 Temple TX 76502		Wright Builders 5640 Kegley Place Lane Temple TX 76502		Patin Construction LLC 3800 West 2nd Street Taylor TX 76574		TTG Utilities, LP PO Box 299 Gatesville TX 76528		Emerson Construction Company, Inc 4502 Twin City Blvd Temple TX 76502		Denco CS Corp 5525 Lyons Road Garland Texas 75043		
<i>Bid No.</i>	<i>Estimated Quantity</i>	<i>Unit</i>	<i>Bid Data Description</i>	<i>Unit Price</i>	<i>Extended Amount</i>	<i>Unit Price</i>	<i>Extended Amount</i>	<i>Unit Price</i>	<i>Extended Amount</i>	<i>Unit Price</i>	<i>Extended Amount</i>	<i>Unit Price</i>	<i>Extended Amount</i>	<i>Unit Price</i>	<i>Extended Amount</i>
PART A: CIVIL															
1	100%	LS	Mobilization, Bonds & Insurance, not-to-exceed 5% of the Part A Bid	\$ 141,400.00	\$ 141,400.00	\$ 51,866.66	\$ 51,866.66	\$ 100,000.00	\$ 100,000.00	\$ 240,000.00	\$ 240,000.00	\$ 111,500.00	\$ 111,500.00	\$ 238,000.00	\$ 238,000.00
2	100%	LS	Prepare Stormwater Pollution Prevention Plan for the Project, Including Submission to & Receiving Permits from TCEQ	1,360.00	1,360.00	4,543.15	4,543.15	3,500.00	3,500.00	1,200.00	1,200.00	1,338.00	1,338.00	1,785.00	1,785.00
3	100%	LS	Implement & Administer Barricade, Signing & Traffic Safety Plan (Vehicular & Pedestrian) for the Project	11,494.00	11,494.00	5,380.03	5,380.03	2,500.00	2,500.00	5,800.00	5,800.00	5,575.00	5,575.00	28,560.00	28,560.00
4	1	EA	Concrete Slope End Treatment for 24" RCP	708.00	708.00	2,173.75	2,173.75	3,000.00	3,000.00	1,175.00	1,175.00	2,787.50	2,787.50	3,570.00	3,570.00
5	1	EA	Concrete Slope End Treatment for 18" RCP	531.00	531.00	1,630.34	1,630.34	2,500.00	2,500.00	710.00	710.00	2,508.75	2,508.75	2,975.00	2,975.00
6	100%	LS	50 LF of Prefabricated Bridge including Contech Precast Abutment System or Approved Equivalent	52,114.00	52,114.00	52,241.56	52,241.56	55,000.00	55,000.00	43,500.00	43,500.00	64,498.29	64,498.29	72,406.74	72,406.74
7	76	LF	24" Class IV RCP	64.00	4,864.00	54.35	4,130.60	55.00	4,180.00	75.00	5,700.00	91.15	6,927.40	83.30	6,330.80
8	68	LF	18" Class IV RCP	52.00	3,536.00	43.48	2,956.64	50.00	3,400.00	55.00	3,740.00	67.31	4,577.08	77.35	5,259.80
9	1	EA	15' x 3' Drainage Inlet	4,391.00	4,391.00	3,260.64	3,260.64	9,590.00	9,590.00	4,350.00	4,350.00	5,296.25	5,296.25	17,850.00	17,850.00
10	1	EA	2' x 2' Area Inlet	1,100.00	1,100.00	1,086.89	1,086.89	2,200.00	2,200.00	1,450.00	1,450.00	1,672.50	1,672.50	2,380.00	2,380.00
11	6,200	SY	Concrete Trail Including Reinforcing & Bedding per Detail	40.50	251,100.00	51.36	318,432.00	52.00	322,400.00	43.00	266,600.00	51.68	320,416.00	59.50	368,900.00
12	5,450	SY	Concrete Sidewalk Including Reinforcing & Bedding per Detail	31.60	172,220.00	46.47	253,261.50	45.00	245,250.00	37.50	204,375.00	46.83	255,223.50	59.50	324,275.00
13	12	EA	TxDOT Type 2 Handicap Ramp	954.00	11,448.00	326.07	3,912.84	1,200.00	14,400.00	885.00	10,620.00	1,338.00	16,056.00	1,428.00	17,136.00
14	5	EA	TxDOT Type 7 Handicap Ramp	842.00	4,210.00	326.07	1,630.35	1,200.00	6,000.00	910.00	4,550.00	1,115.00	5,575.00	1,428.00	7,140.00
15	40	SY	Concrete Playground Accessibility Ramp	43.00	1,720.00	59.78	2,391.20	54.00	2,160.00	49.00	1,960.00	55.75	2,230.00	59.50	2,380.00
16	250	SY	Concrete Flume Including Reinforcing & Bedding per Detail	37.00	9,250.00	63.59	15,897.50	54.00	13,500.00	49.00	12,250.00	60.21	15,052.50	65.45	16,362.50
17	260	SY	Concrete Disk Golf Pad Including Reinforcing & Bedding per Detail	43.00	11,180.00	51.36	13,353.60	54.00	14,040.00	63.00	16,380.00	64.50	16,770.00	71.40	18,564.00
18	14,600	SY	6" Concrete Ballpark/Allee Flatwork Including Reinforcing, Bedding, Dugout & Field Entrance Concrete Work, & All Other Appurtenances per the Detail	44.00	642,400.00	51.36	749,856.00	54.00	788,400.00	45.00	657,000.00	44.60	651,160.00	65.45	955,570.00
19	600	SY	6" Concrete Ballpark Stand Section Flatwork Including Reinforcing, Bedding, Steps, Excavation & Fill, & All Other Appurtenances per the Detail	72.00	43,200.00	51.36	30,816.00	54.00	32,400.00	59.50	35,700.00	100.35	60,210.00	77.35	46,410.00
20	1,750	Square Foot	2' Concrete Retaining Wall, Including Reinforcing & Bedding per Detail	16.50	28,875.00	21.74	38,045.00	11.00	19,250.00	39.00	68,250.00	22.30	39,025.00	119.00	208,250.00
21	1,200	Square Foot	Concrete Retaining Wall with Limestone Brick Façade, Including Reinforcing & Bedding per Detail	33.30	39,960.00	42.47	50,964.00	50.00	60,000.00	58.00	69,600.00	37.99	45,588.00	178.50	214,200.00
22	675	SY	Mortared Limestone Rip-Rap	98.60	66,555.00	97.82	66,028.50	50.00	33,750.00	69.00	46,575.00	68.58	46,291.50	89.25	60,243.75
23	100	SY	18" Rock Rip-Rap	51.20	5,120.00	146.73	14,673.00	30.00	3,000.00	41.00	4,100.00	56.09	5,609.00	208.25	20,825.00
24	550	SY	Concrete Valley Gutter/Radius Units Including Reinforcing & Bedding per Detail	38.80	21,340.00	81.52	44,836.00	54.00	29,700.00	51.00	28,050.00	50.18	27,599.00	65.45	35,997.50
25	100%	LS	Concrete Storage Bins at Maintenance Yard, Including Reinforcing & Bedding per Detail	10,700.00	10,700.00	17,389.95	17,389.95	20,250.00	20,250.00	14,500.00	14,500.00	11,651.75	11,651.75	10,710.00	10,710.00
26	280	LF	Concrete Playground Curb	28.40	7,952.00	17.40	4,872.00	12.00	3,360.00	11.00	3,080.00	31.22	8,741.60	11.90	3,332.00
27	515	LF	Remove Existing Curb & Gutter	5.00	2,575.00	7.78	4,006.70	5.00	2,575.00	5.00	2,575.00	11.15	5,742.25	5.95	3,064.25
28	4,600	LF	Ribbon Curb around Outfield	7.50	34,500.00	9.24	42,504.00	12.00	55,200.00	9.75	44,850.00	11.15	51,290.00	11.90	54,740.00
29	4,200	LF	Block Curb	11.30	47,460.00	10.87	45,654.00	12.00	50,400.00	14.20	59,640.00	27.88	117,096.00	17.85	74,970.00
30	2,100	LF	Indirect Spill Curb & Gutter	10.40	21,840.00	14.13	29,673.00	12.00	25,200.00	13.20	27,720.00	16.73	35,133.00	17.85	37,485.00
31	11,700	LF	Standard Catch Curb & Gutter	10.40	121,680.00	13.05	152,685.00	12.00	140,400.00	13.00	152,100.00	15.61	182,637.00	11.90	139,230.00
32	800	LF	Mountable Curb & Gutter	17.00	13,600.00	14.13	11,304.00	12.00	9,600.00	13.00	10,400.00	17.84	14,272.00	11.90	9,520.00
33	80	LF	Sawtooth Curb & Gutter	12.30	984.00	27.18	2,174.40	12.00	960.00	22.00	1,760.00	22.30	1,784.00	11.90	952.00
34	1,000	SY	2" Type C HMAC	12.40	12,400.00	11.96	11,960.00	9.40	9,400.00	12.01	12,010.00	12.54	12,540.00	33.32	33,320.00
35	1,000	SY	4" Type B HMAC	12.70	12,700.00	18.48	18,480.00	13.80	13,800.00	18.40	18,400.00	21.19	21,190.00	61.88	61,880.00
36	43,500	SY	2" Type D HMAC	8.70	378,450.00	8.65	376,275.00	9.40	408,900.00	8.03	349,305.00	9.20	400,200.00	30.94	1,345,890.00
37	100	Tons	Type D HMAC Level Up	101.00	10,100.00	76.09	7,609.00	109.68	10,968.00	76.00	7,600.00	100.35	10,035.00	178.50	17,850.00
38	1,500	SY	19" Crushed Limestone Base Material	22.80	34,200.00	31.74	47,610.00	22.50	33,750.00	17.65	26,475.00	23.42	35,130.00	23.80	35,700.00
39	43,500	SY	4" Crushed Limestone Base Material Between Curbs	4.30	187,050.00	5.11	222,285.00	4.90	213,150.00	4.30	187,050.00	4.57	198,795.00	5.95	258,825.00
40	51,100	SY	4" Crushed Limestone Base Material Below Curbs	4.30	219,730.00	5.06	258,566.00	4.90	250,390.00	4.30	219,730.00	4.79	244,769.00	5.95	304,045.00
41	52,600	SY	6" Moisture Conditioned Subgrade	1.27	66,802.00	1.64	86,264.00	2.00	105,200.00	0.95	49,970.00	1.45	76,270.00	11.90	625,940.00
42	24,500	LF	4" Single White Solid Thermo Plastic Striping	1.00	24,500.00	0.96	23,520.00	1.06	25,970.00	0.96	23,520.00	1.19	29,155.00	1.07	26,215.00
43	135	LF	24" Single White Solid Thermo Plastic Stop Bar	2.50	337.50	2.45	330.75	2.70	364.50	2.45	330.75	6.69	903.15	8.63	1,165.05
44	7,000	LF	4" Single Red Solid Painted Fire Lane Striping	0.60	4,200.00	5.17	36,190.00	5.70	39,900.00	5.15	36,050.00	1.12	7,840.00	0.36	2,520.00
45	60	EA	White Directional Arrow Thermo Plastic Striping	282.00	16,920.00	277.16	16,629.60	310.00	18,600.00	275.00	16,500.00	100.35	6,021.00	291.55	17,493.00
46	50	EA	Handicap Parking Sign Including Post, Base & All Appurtenances	801.00	40,050.00	787.99	39,399.50	870.00	43,500.00	325.00	16,250.00	501.75	25,087.50	339.15	16,957.50
47	2	EA	White "ONLY" Emblem Thermo Plastic Striping	354.00	708.00	347.81	695.62	385.00	770.00	346.00	692.00	223.00	446.00	297.50	595.00

* Extended amount has been corrected.
** Total amount has been corrected.

BID TABULATION
CITY OF TEMPLE
CROSSROADS PARK PHASE II - CIVIL PACKAGE
February 8, 2018; 2:00 PM

BIDDER INFORMATION																			
			Choice Builders LLC 3809 S General Bruce Dr, #103 Temple TX 76502			Wright Builders 5640 Kegley Place Lane Temple TX 76502			Patin Construction LLC 3800 West 2nd Street Taylor TX 76574			TTG Utilities, LP PO Box 299 Gatesville TX 76528			Emerson Construction Company, Inc 4502 Twin City Blvd Temple TX 76502			Denco CS Corp 5525 Lyons Road Garland Texas 75043	
<i>Bid No.</i>	<i>Estimated Quantity</i>	<i>Unit</i>	<i>Bid Data Description</i>	<i>Unit Price</i>	<i>Extended Amount</i>	<i>Unit Price</i>	<i>Extended Amount</i>	<i>Unit Price</i>	<i>Extended Amount</i>	<i>Unit Price</i>	<i>Extended Amount</i>	<i>Unit Price</i>	<i>Extended Amount</i>	<i>Unit Price</i>	<i>Extended Amount</i>	<i>Unit Price</i>	<i>Extended Amount</i>	<i>Unit Price</i>	<i>Extended Amount</i>
48	6	EA	Stop Sign R1-1 Including Post, Base & All Appurtenances	280.00	1,680.00	706.48	4,238.88	780.00	4,680.00	325.00	1,950.00	345.65	2,073.90	362.95	2,177.70				
49	10	EA	Yield Sign R1-2 Including Post, Base & All Appurtenances	280.00	2,800.00	706.47	7,064.70	780.00	7,800.00	325.00	3,250.00	345.65	3,456.50	374.85	3,748.50				
50	14	EA	No Right Turn Sign R3-1 Including Post, Base & All Appurtenances	280.00	3,920.00	706.47	9,890.58	780.00	10,920.00	325.00	4,550.00	345.65	4,839.10	315.35	4,414.90				
51	8	EA	No Left Turn Sign R3-2 Including Post, Base & All Appurtenances	280.00	2,240.00	706.47	5,651.76	780.00	6,240.00	325.00	2,600.00	345.65	2,765.20	315.35	2,522.80				
52	1	EA	Left Lane Turn Sign R3-7L Including Post, Base & All Appurtenances	280.00	280.00	706.48	706.48	780.00	780.00	325.00	325.00	345.65	345.65	374.85	374.85				
53	6	EA	Curve Sign R4-7 Including Post, Base & All Appurtenances	280.00	1,680.00	706.48	4,238.88	780.00	4,680.00	325.00	1,950.00	345.65	2,073.90	315.35	1,892.10				
54	8	EA	Do Not Enter Sign R5-1 Including Post, Base & All Appurtenances	280.00	2,240.00	706.47	5,651.76	780.00	6,240.00	325.00	2,600.00	345.65	2,765.20	386.75	3,094.00				
55	8	EA	Wrong Way Sign R5-1a Including Post, Base & All Appurtenances	280.00	2,240.00	706.47	5,651.76	780.00	6,240.00	325.00	2,600.00	345.65	2,765.20	374.85	2,998.80				
56	1	EA	One Way Sign R6-1R Including Post, Base & All Appurtenances	280.00	280.00	706.48	706.48	780.00	780.00	325.00	325.00	345.65	345.65	464.10	464.10				
57	8	EA	No Parking Sign R7-1D Including Post, Base & All Appurtenances	280.00	2,240.00	706.47	5,651.76	780.00	6,240.00	325.00	2,600.00	345.65	2,765.20	315.35	2,522.80				
58	8	EA	No Parking Loading Zone Sign R7-7D Including Post, Base & All Appurtenances	280.00	2,240.00	706.47	5,651.76	780.00	6,240.00	325.00	2,600.00	345.65	2,765.20	345.10	2,760.80				
59	2	EA	Maintain & Remove Existing Stabilized Construction Entrance	730.00	1,460.00	1,086.88	2,173.76	1,200.00	2,400.00	2,100.00	4,200.00	2,230.00	4,460.00	2,975.00	5,950.00				
60	11,000	LF	Maintain & Remove Existing Silt Fence as required in the Stormwater Pollution Prevention Plan	0.30	3,300.00	1.09	11,990.00	1.00	11,000.00	0.55	6,050.00	1.67	18,370.00	2.38	26,180.00				
61	220	LF	Maintain & Remove Existing Rock Berm as required in the Stormwater Pollution Prevention Plan	4.40	968.00	7.42	1,632.40	10.00	2,200.00	7.00	1,540.00	27.88	6,133.60	3.57	785.40				
62	8	EA	Maintain & Remove Existing Inlet Protection as required in the Stormwater Pollution Prevention Plan	85.00	680.00	217.38	1,739.04	50.00	400.00	112.00	896.00	111.50	892.00	2,380.00	19,040.00				
63	400	LF	French Drain, Including All Pipe & Bedding	7.00	2,800.00	27.18	10,872.00	20.00	8,000.00	21.00	8,400.00	44.60	17,840.00	17.85	7,140.00				
64	200	CY	Class A Concrete	219.00	43,800.00	380.41	76,082.00	350.00	70,000.00	255.00	51,000.00	223.00	44,600.00	535.50	107,100.00				
65	200	SY	Concrete Riprap	49.00	9,800.00	83.15	16,630.00	50.00	10,000.00	55.00	11,000.00	61.33	12,266.00	89.25	17,850.00				
66	850	LF	Concrete Valley Gutter with Block Curb Including Reinforcing & Bedding per Detail	28.40	24,140.00	27.18	23,103.00	15.00	12,750.00	27.00	22,950.00	27.88	23,698.00	11.90	10,115.00				
67	14	LF	2-12" Class IV RCP	41.00	574.00	86.96	1,217.44	90.00	1,260.00	62.00	868.00	111.50	1,561.00	154.70	2,165.80				
68	2	EA	SET for 2-12" RCP	354.00	708.00	1,630.32	3,260.64	3,000.00	6,000.00	1,100.00	2,200.00	1,672.50	3,345.00	4,165.00	8,330.00				
PART A: CIVIL AMOUNT - (Items 1 - 68)					\$ 2,909,584.50		\$ 3,393,250.35		\$ 3,437,577.50		\$ 3,148,596.75	**	\$ 3,370,341.82	**	\$ 5,989,397.44				

<i>Bid No.</i>	<i>Estimated Quantity</i>	<i>Unit</i>	<i>Bid Data Description</i>	<i>Unit Price</i>	<i>Extended Amount</i>	<i>Unit Price</i>	<i>Extended Amount</i>	<i>Unit Price</i>	<i>Extended Amount</i>	<i>Unit Price</i>	<i>Extended Amount</i>	<i>Unit Price</i>	<i>Extended Amount</i>	<i>Unit Price</i>	<i>Extended Amount</i>
PART B: LANDSCAPE/SPROTS EQUIPMENT															
1	100%	LS	Mobilization, Bonds & Insurance, not-to-exceed 5% of the Part B Bid	\$ 90,000.00	\$ 90,000.00	\$ 24,791.16	\$ 24,791.16	\$ 70,000.00	\$ 70,000.00	\$ 78,000.00	\$ 78,000.00	\$ 55,750.00	\$ 55,750.00	\$ 17,850.00	\$ 17,850.00
2	8	EA	Scorer's Box, Including All Concrete, Reinforcing, Tables, Benches/Chairs, Stone, Brick, Paint, Electrical, & All Other Appurtenances as Specified in Plans & Details	6,160.00	49,280.00	10,125.30	81,002.40	2,200.00	17,600.00	10,600.00	84,800.00	5,370.12	42,960.96	1,190.00	9,520.00
3	7	EA	2' X 2' X 4' Limestone Seating Block	237.00	1,659.00	217.38	1,521.66	590.00	4,130.00	215.00	1,505.00	446.00	3,122.00	166.60	1,166.20
4	16	EA	Wydman WC3600-DT-BK 36 Gallon Trash Receptacle with Dome Top or Approved Equivalent	733.00	11,728.00	825.35	13,205.60	850.00	13,600.00	850.00	13,600.00	1,191.66	19,066.56	416.50	6,664.00
5	27	EA	Innova Discatcher Pro 28 Disc Basket including Disc Golf Marker Sign or Approved Equivalent (Located at Disc Golf Tee Box) & base as Shown in Detail	766.00	20,682.00	467.96	12,634.92	750.00	20,250.00	720.00	19,440.00	836.25	22,578.75	386.75	10,442.25
6	14	EA	24' X 8' Kwik Goal Fusion Soccer Goal or Approved Equivalent	3,158.00	44,212.00	4,564.87	63,908.18	3,850.00	53,900.00	2,850.00	39,900.00	3,595.88	50,342.32	3,570.00	49,980.00
7	2	EA	24' X 8' Alumagoal Combination Goal including Nets & Ground Sleeves or Approved Equivalent	1,689.00	3,378.00	2,554.16	5,108.32	1,800.00	3,600.00	2,550.00	5,100.00	2,449.66	4,899.32	833.00	1,666.00
8	11	EA	90' X 15' Multisport Barrier Net System including Posts or Approved Equivalent	5,275.00	58,025.00	9,781.85	107,600.35	11,000.00	121,000.00	9,830.00	108,130.00	10,035.00	110,385.00	5,712.00	62,832.00
9	1,800	LF	Ameristar Montage Plus Two Rail Genesis Style 4' Ornamental Iron Fence or Approved Equivalent	38.70	69,660.00	34.78	62,604.00	40.80	73,440.00	41.50	74,700.00	37.91	68,238.00	45.22	81,396.00
10	300	LF	Ameristar Montage Plus Two Rail Genesis Style 6' Ornamental Iron Fence, Including All Poles, Bases, Keyed Deadbolt Locks & Other Appurtenances or Approved Equivalent	73.30	21,990.00	43.48	13,044.00	69.60	20,880.00	89.50	26,850.00	64.97	19,491.00	97.58	29,274.00
11	24	EA	Timberform 2190-RH Stainless Steel Removable Bollard or Approved Equivalent	970.00	23,280.00	942.32	22,615.68	1,000.00	24,000.00	1,040.00	24,960.00	1,231.33	29,551.92	238.00	5,712.00
12	10	EA	Dumor Model 57-60-PL Bench including Surface Mount & Concrete Pads	1,384.00	13,840.00	1,394.46	13,944.60	1,450.00	14,500.00	1,800.00	18,000.00	1,319.05	13,190.50	2,380.00	23,800.00
13	2	EA	Nightmaster Downlight Internal Halyard 25' X 5" X 0.125" Flag Pole or Approved Equivalent, Including Base & Bedding	3,414.00	6,828.00	9,738.61	19,477.22	3,800.00	7,600.00	9,760.00	19,520.00	4,889.28	9,778.56	2,380.00	4,760.00
14	1	EA	Extra Tough America Flag	80.00	80.00	75.99	75.99	84.00	84.00	86.00	86.00	245.30	245.30	297.50	297.50
15	1	EA	Extra Tough Texas Flag or Approved Equivalent	80.00	80.00	75.99	75.99	84.00	84.00	86.00	86.00	245.30	245.30	297.50	297.50

* Extended amount has been corrected.
** Total amount has been corrected.

BID TABULATION
CITY OF TEMPLE
CROSSROADS PARK PHASE II - CIVIL PACKAGE
February 8, 2018; 2:00 PM

BIDDER INFORMATION															
Bid No.	Estimated Quantity	Unit	Bid Data Description	Choice Builders LLC 3809 S General Bruce Dr, #103 Temple TX 76502		Wright Builders 5640 Kegley Place Lane Temple TX 76502		Patin Construction LLC 3800 West 2nd Street Taylor TX 76574		TTG Utilities, LP PO Box 299 Gatesville TX 76528		Emerson Construction Company, Inc 4502 Twin City Blvd Temple TX 76502		Denco CS Corp 5525 Lyons Road Garland Texas 75043	
				Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Extended Amount
16	8	EA	Spectrum Model 10310-C2 LED 8' X 10' X 5" Scoreboard or Approved Equivalent	9,674.00	77,392.00	12,006.67	96,053.36	10,925.00	87,400.00	12,550.00	100,400.00	12,264.72	* 98,117.76	3,570.00	28,560.00
17	1,200	LF	Backstop Net System including 30' Poles	100.00	120,000.00	158.69	190,428.00	144.00	172,800.00	209.50	251,400.00	162.79	195,348.00	228.48	274,176.00
18	16	EA	Surfaced Mounted Bat Holder	261.00	4,176.00	345.28	5,524.48	205.00	3,280.00	270.00	4,320.00	273.18	* 4,370.88	297.50	4,760.00
19	16	EA	15' Aluminum Dugout Bench with Storage Shelf, Standard Aluminum - Item #115-765-669 or Approved Equivalent,	2,525.00	40,400.00	1,258.06	20,128.96	1,150.00	18,400.00	1,005.00	16,080.00	1,513.61	* 24,217.76	833.00	13,328.00
20	16	EA	Yellow Foul Poles	1,314.00	21,024.00	2,173.75	34,780.00	1,350.00	21,600.00	2,265.00	36,240.00	1,795.43	* 28,726.88	2,469.25	39,508.00
21	26	EA	20" Double Foot Plank 3 Row BIEAers	1,944.00	50,544.00	2,391.12	62,169.12	2,050.00	53,300.00	1,670.00	43,420.00	1,705.95	44,354.70	1,785.00	46,410.00
22	2	EA	3 Row Championship Field Seating with Aluminum Bench Seat, Contoured Backrest, Riser Mounted Galvanized Seat Brackets Mounted to Concrete , & End Caps on all Exposed Bench Ends or Approved Equivalent	9,594.00	19,188.00	14,564.08	29,128.16	9,750.00	19,500.00	11,600.00	23,200.00	11,846.88	* 23,693.76	12,792.50	25,585.00
23	4	EA	Steel Handrail Railing Piece along Concrete Steps at	387.00	1,548.00	1,630.31	6,521.24	1,500.00	6,000.00	555.00	2,220.00	1,115.00	4,460.00	476.00	1,904.00
24	400	LF	Steel Guard Rail	38.70	15,480.00	54.35	21,740.00	81.60	32,640.00	41.50	16,600.00	51.29	20,516.00	89.25	35,700.00
25	1,200	LF	Steel Backstop Protection Rail	19.40	23,280.00	33.15	39,780.00	48.00	57,600.00	45.00	54,000.00	29.55	* 35,460.00	65.45	78,540.00
26	10,100	LF	6' Chain Link Fence including Gates, Including All Poles & Bases	19.30	194,930.00	18.97	191,597.00	22.20	224,220.00	20.20	204,020.00	19.46	* 196,546.00	22.02	* 222,402.00
27	2	EA	Orlando Kiosk including 2 - 5' X 8' Posts	7,750.00	15,500.00	8,368.93	16,737.86	17,800.00	35,600.00	15,415.00	30,830.00	12,488.00	24,976.00	14,119.35	28,238.70
28	1	EA	Miracle Arch Swing (2 Seats) Model Number 714-852-2S or Approved Equivalent	3,696.00	3,696.00	4,147.52	4,147.52	5,000.00	5,000.00	4,165.00	4,165.00	4,254.84	4,254.84	4,541.04	4,541.04
29	1	EA	Miracle Arch Swing (2 Tots Seats) Model Number 714-852-2T or Approved Equivalent	3,913.00	3,913.00	4,323.59	4,323.59	5,175.00	5,175.00	4,345.00	4,345.00	4,435.47	4,435.47	4,733.82	4,733.82
30	1	EA	Berliner Cloud 9 Hoop Swing or Approved Equivalent	10,904.00	10,904.00	14,009.79	14,009.79	19,335.00	19,335.00	14,000.00	14,000.00	14,372.35	14,372.35	15,339.10	15,339.10
31	1	EA	Berliner Universe "Spaceball L" (90.100.075) Climbing Net or Approved Equivalent	32,422.00	32,422.00	43,078.16	43,078.16	51,525.00	51,525.00	43,275.00	43,275.00	44,193.03	44,193.03	47,165.65	47,165.65
32	600	Square	Limestone Boulders	11.90	7,140.00	21.74	13,044.00	95.00	57,000.00	15.50	9,300.00	22.30	13,380.00	89.25	53,550.00
33	6	EA	Dumor Model 91-60-PL Bench, or Approved Equivalent, including Surface Mount & Concrete Pads	1,222.00	7,332.00	1,229.26	7,375.56	1,210.00	7,260.00	1,665.00	9,990.00	1,149.57	* 6,897.42	2,975.00	17,850.00
34	300	CY	Engineered Wood Fiber Playground Surfacing	47.60	14,280.00	51.65	15,495.00	50.00	15,000.00	52.50	15,750.00	53.52	16,056.00	61.88	18,564.00
35	1	EA	Timberform Embankment Slide Chute 1650-51-EMB or Approved Equivalent	12,421.00	12,421.00	7,445.09	7,445.09	6,900.00	6,900.00	13,620.00	13,620.00	18,676.25	18,676.25	6,247.50	6,247.50
36	3	EA	Mutt Mitt Pet Waste Station or Approved Equivalent	491.00	1,473.00	760.82	2,282.46	420.00	1,260.00	610.00	1,830.00	476.11	* 1,428.33	357.00	1,071.00
37	3	EA	Dynamo NP-COP183 6' Oak Plank or Approved Equivalent	4,150.00	12,450.00	4,673.56	14,020.68	5,745.00	17,235.00	5,570.00	16,710.00	5,575.00	16,725.00	8,330.00	24,990.00
38	2	EA	Dynamo NP-COP122 4' Oak Plank or Approved Equivalent	4,150.00	8,300.00	2,912.75	5,825.50	5,745.00	11,490.00	3,715.00	7,430.00	3,902.50	7,805.00	8,449.00	16,898.00
39	1,600	SY	Tennis Court Slab Including Slab Design, Surfacing, Reinforcing & Bedding & All other Appurtenances as Detailed in the Specification	101.50	162,400.00	107.88	172,608.00	72.50	116,000.00	106.40	170,240.00	114.98	* 183,968.00	83.30	133,280.00
40	480	LF	10' Chain Link Fence, Including All Poles, Gates & Bases	36.50	17,520.00	35.87	17,217.60	60.00	28,800.00	46.00	22,080.00	36.80	* 17,664.00	69.02	33,129.60
41	4	EA	Edwards 3" Classic Round Net Posts or Approved Equivalent	829.00	3,316.00	347.18	1,388.72	260.00	1,040.00	955.00	3,820.00	434.85	1,739.40	238.00	952.00
42	2	EA	Edwards 40LS 42' Tennis Net or Approved Equivalent	276.00	552.00	434.71	869.42	260.00	520.00	275.00	550.00	351.23	* 702.46	416.50	833.00
43	5	CY	Blackstar Gravel, or Approved Equivalent, 1.5" (Groundcover Mulch) to a 4" Depth including Filter Fabric	222.00	1,110.00	271.73	1,358.65	630.00	3,150.00	190.00	950.00	334.50	1,672.50	59.50	297.50
44	2	EA	Park Entry Sign per Plan Detail Sheets, Including Electrical Connections & Materials	24,333.00	48,666.00	23,030.35	46,060.70	28,000.00	56,000.00	27,500.00	55,000.00	21,532.32	* 43,064.64	9,678.27	19,356.54
45	1	EA	Remove Existing Bioscience Park Entry Re-Build Sign per Plan Detail Sheets	1,112.00	1,112.00	3,260.64	3,260.64	41,500.00	41,500.00	7,500.00	7,500.00	5,017.50	5,017.50	952.00	952.00
46	1	EA	Park Entry Re-Build Sign per Plan Detail Sheets, Including Electrical Connections & Materials	39,857.00	39,857.00	27,838.68	27,838.68	41,500.00	41,500.00	39,500.00	39,500.00	33,896.00	33,896.00	25,247.04	25,247.04
47	15,000	SY	4" Top Soil for at Various Locations within the Project Site	2.10	31,500.00	2.83	42,450.00	3.50	52,500.00	1.70	25,500.00	5.02	* 75,300.00	65.45	981,750.00
48	26,000	SY	Common Bermuda Hydromulching With Flextera or Drilling, Including Watering, Fertilizing, & Mowing to Establish Growth	0.80	20,800.00	2.48	64,480.00	0.50	13,000.00	1.30	33,800.00	1.90	* 49,400.00	2.08	54,080.00
49	16	EA	Softball/Baseball Field Markers, Including All Materials, Bases, & Appurtenances	240.00	3,840.00	by owner	by owner	300.00	4,800.00	2,400.00	38,400.00	334.50	5,352.00	249.90	3,998.40
50	16	EA	Dugout, Including Roof, All Posts, Bases, Fencing, Gates, & Other Appurtenances	6,630.00	106,080.00	17,874.15	285,986.40	11,000.00	176,000.00	9,680.00	154,880.00	6,968.75	111,500.00	6,812.75	109,004.00
51	750	LF	8' Chain Link Fence including Gates, All Poles & Bases	27.10	20,325.00	26.63	19,972.50	31.20	23,400.00	28.10	21,075.00	27.32	* 20,490.00	30.64	* 22,980.00

* Extended amount has been corrected.
** Total amount has been corrected.

BID TABULATION
CITY OF TEMPLE
CROSSROADS PARK PHASE II - CIVIL PACKAGE
February 8, 2018; 2:00 PM

BIDDER INFORMATION																			
			Choice Builders LLC 3809 S General Bruce Dr, #103 Temple TX 76502			Wright Builders 5640 Kegley Place Lane Temple TX 76502			Patin Construction LLC 3800 West 2nd Street Taylor TX 76574			TTG Utilities, LP PO Box 299 Gatesville TX 76528			Emerson Construction Company, Inc 4502 Twin City Blvd Temple TX 76502			Denco CS Corp 5525 Lyons Road Garland Texas 75043	
<i>Bid No.</i>	<i>Estimated Quantity</i>	<i>Unit</i>	<i>Bid Data Description</i>	<i>Unit Price</i>	<i>Extended Amount</i>	<i>Unit Price</i>	<i>Extended Amount</i>	<i>Unit Price</i>	<i>Extended Amount</i>	<i>Unit Price</i>	<i>Extended Amount</i>	<i>Unit Price</i>	<i>Extended Amount</i>	<i>Unit Price</i>	<i>Extended Amount</i>	<i>Unit Price</i>	<i>Extended Amount</i>	<i>Unit Price</i>	<i>Extended Amount</i>
52	8	EA	Shade Structure over Softball & Baseball Field Spectator BIEAers per Architectural Plan & Detail Sheets, Including All Appurtenances	36,774.00	294,192.00	7,608.10	60,864.80	35,000.00	280,000.00	41,000.00	328,000.00	40,363.00	322,904.00	14,875.00	119,000.00				
53	84	LF	4' Chain Link Fence, Including All Poles, Gates & Bases	15.50	1,302.00	13.05	1,096.20	16.80	1,411.20	23.75	1,995.00	13.38	1,123.92	25.88	2,173.92				
54	6	EA	Tennis Court Player Bench	599.00	3,594.00	1,086.88	6,521.28	1,210.00	7,260.00	2,000.00	12,000.00	692.42	4,154.52	595.00	3,570.00				
55	1	EA	Tennis Court Player Bench Shade Canopy	2,846.00	2,846.00	7,608.12	7,608.12	11,000.00	11,000.00	9,450.00	9,450.00	8,641.25	8,641.25	7,735.00	7,735.00				
56	1	EA	Playground Shade Canopy	15,553.00	15,553.00	40,714.22	40,714.22	56,000.00	56,000.00	20,450.00	20,450.00	20,883.95	20,883.95	17,850.00	17,850.00				
PART B: LANDSCAPE/SPORTS EQUIPMENT AMOUNT - (Items 1 - 56)					\$ 1,887,080.00		\$ 2,087,541.53		\$ 2,288,069.20		\$ 2,383,012.00	**	\$ 2,206,331.06	**	\$ 2,851,908.26				

<i>Bid No.</i>	<i>Estimated Quantity</i>	<i>Unit</i>	<i>Bid Data Description</i>	<i>Unit Price</i>	<i>Extended Amount</i>	<i>Unit Price</i>	<i>Extended Amount</i>	<i>Unit Price</i>	<i>Extended Amount</i>	<i>Unit Price</i>	<i>Extended Amount</i>	<i>Unit Price</i>	<i>Extended Amount</i>	<i>Unit Price</i>	<i>Extended Amount</i>	<i>Unit Price</i>	<i>Extended Amount</i>	
PART C: ELECTRICAL																		
1	100%	LS	Mobilization, Bonds & Insurance, not-to-exceed 5% of the Part C Bid	\$ 26,000.00	\$ 26,000.00	\$ 6,729.63	\$ 6,729.63	\$ 92,000.00	\$ 92,000.00	\$ 97,100.00	\$ 97,100.00	\$ 22,300.00	\$ 22,300.00	\$ 105,816.48	\$ 105,816.48			
2	100%	LS	Baseball Complex Lighting, Including All Items, Wiring & Appurtenances, (Lighting Panels Shall be Provided to the Contractor for Installation by Musco)	182,456.00	182,456.00	170,638.79	170,638.79	128,960.00	128,960.00	136,695.00	136,695.00	161,675.00	161,675.00	148,991.38	148,991.38			
3	100%	LS	Softball Complex Lighting, Including All Items, Wiring & Appurtenances,(Lighting Panels Shall be Provided to the Contractor for Installation by Musco)	177,544.00	177,544.00	164,117.56	164,117.56	124,385.00	124,385.00	131,845.00	131,845.00	156,100.00	156,100.00	143,705.44	143,705.44			
4	100%	LS	Tennis Complex Lighting for Base Bid of Courts 1 & 2, Including All Items, Wiring & Appurtenances,(Lighting Panels Shall be Provided to the Contractor for Installation by Musco)	36,191.00	36,191.00	39,127.38	39,127.38	33,710.00	33,710.00	35,750.00	35,750.00	33,450.00	33,450.00	38,944.95	38,944.95			
5	75	LF	4 - 2 1/2" Schedule 40 PVC Electrical Conduit with Pull String, Including All Connections	34.00	2,550.00	76.09	5,706.75	72.15	5,411.25	76.45	5,733.75	78.05	5,853.75	95.20	7,140.00			
6	135	LF	3 - 2" Schedule 40 PVC Electrical Conduit with Pull String, Including All Connections	20.00	2,700.00	43.48	5,869.80	43.72	5,902.20	46.40	6,264.00	44.60	6,021.00	59.50	8,032.50			
7	150	LF	2 - 2 1/2" Schedule 40 PVC Electrical Conduit with Pull String, Including All Connections	20.00	3,000.00	35.87	5,380.50	31.70	4,755.00	33.90	5,085.00	36.80	5,520.00	35.70	5,355.00			
8	550	LF	2 - 2" Schedule 40 PVC Electrical Conduit with Pull String, Including All Connections	15.00	8,250.00	38.05	20,927.50	25.31	13,920.50	26.85	14,767.50	39.03	21,466.50	31.54	17,347.00			
9	5,800	LF	2" Schedule 40 PVC Electrical Conduit with Pull String, Including All Connections	10.00	58,000.00	21.74	126,092.00	17.20	99,760.00	18.30	106,140.00	22.30	129,340.00	23.80	138,040.00			
10	1	EA	Electrical Equipment Rack per Plans & Details	4,120.00	4,120.00	20,107.13	20,107.13	3,837.85	3,837.85	4,070.00	4,070.00	20,627.50	20,627.50	4,433.94	4,433.94			
11	8	EA	Duplex RCPT & GFCI Device Mounted in Weather Proof Box per Plans & Details	1,535.00	12,280.00	2,608.50	20,868.00	178.75	1,430.00	195.00	1,560.00	2,676.00	21,408.00	345.10	2,760.80			
12	9	EA	Hand Hole	1,935.00	17,415.00	815.16	7,336.44	1,799.31	16,193.79	1,910.00	17,190.00	836.25	7,526.25	2,078.93	18,710.37			
PART C: ELECTRICAL AMOUNT - (Items 1 - 12)					\$ 530,506.00		\$ 592,901.48		\$ 530,265.59		\$ 562,200.25	**	\$ 591,288.00	**	\$ 639,277.86			

ADD ALTERNATE 1: SIDEWALK WEST OF DETENTION POND																		
AA1-1	2,285	SY	Concrete Trail Including Reinforcing & Bedding per Detail	\$ 41.50	\$ 94,827.50	\$ 51.69	\$ 118,111.65	\$ 54.00	\$ 123,390.00	\$ 43.70	\$ 99,854.50	\$ 51.68	\$ 118,088.80	\$ 59.50	\$ 135,957.50			
ADD ALTERNATE 1: SIDEWALK WEST OF DETENTION POND AMOUNT (AA1-1)					\$ 94,827.50		\$ 118,111.65		\$ 123,390.00		\$ 99,854.50	**	\$ 118,088.80	**	\$ 135,957.50			

ADD ALTERNATE 2: SIDEWALK WEST OF SOFTBALL FIELDS																		
AA2-1	1,330	SY	Concrete Trail Including Reinforcing & Bedding per Detail	\$ 41.70	\$ 55,461.00	\$ 51.70	\$ 68,761.00	\$ 54.00	\$ 71,820.00	\$ 43.70	\$ 58,121.00	\$ 51.68	\$ 68,734.40	\$ 59.50	\$ 79,135.00			
ADD ALTERNATE 2: SIDEWALK WEST OF SOFTBALL FIELDS AMOUNT (AA2-1)					\$ 55,461.00		\$ 68,761.00		\$ 71,820.00		\$ 58,121.00	**	\$ 68,734.40	**	\$ 79,135.00			

ADD ALTERNATE 3A: BATTING CAGE #1																		
AA3A-1	1	EA	Transformer Stand per Detail	\$ 11,192.00	\$ 11,192.00	\$ 9,816.61	\$ 9,816.61	\$ 14,055.00	\$ 14,055.00	\$ 12,790.00	\$ 12,790.00	\$ 10,035.00	\$ 10,035.00	\$ 13,939.23	\$ 13,939.23			
AA3A-2	50	LF	2" Schedule 40 PVC Electrical Conduit with Pull String, Including All Connections	10.00	500.00	27.04	1,352.00	26.62	1,331.00	24.25	1,212.50	22.30	1,115.00	26.40	1,320.00			
AA3A-3	1	EA	Tuff 4 Lane Tuff Frame Modular Outdoor 70' Double Batting Cage Item #105-100-170, or Approved Equivalent, Including All Poles, Bases, Tensioning Cuffs, Net Protectors, & All Appurtenances	23,700.00	23,700.00	34,611.20	34,611.20	34,450.00	34,450.00	26,500.00	26,500.00	35,680.00	35,680.00	21,420.00	21,420.00			
AA3A-4	650	SY	Batting Cage #1 Foundation, Including Concrete, Bedding, & Dupont Forever Lawn Cage Turf	115.00	74,750.00	110.10	71,565.00	115.00	74,750.00	124.00	80,600.00	192.90	125,385.00	47.60	30,940.00			
AA3A-5	110	SY	Concrete Sidewalk Including Reinforcing & Bedding per Detail	34.00	3,740.00	46.24	5,086.40	45.00	4,950.00	43.00	4,730.00	46.83	5,151.30	59.50	6,545.00			
ADD ALTERNATE 3A: BATTING CAGE #1 AMOUNT - (Items AA3A-1 - AA3A-5)					\$ 113,882.00		\$ 122,431.21		\$ 129,536.00		\$ 125,832.50	**	\$ 177,366.30	**	\$ 74,164.23			

* Extended amount has been corrected.
** Total amount has been corrected.

BID TABULATION
CITY OF TEMPLE
CROSSROADS PARK PHASE II - CIVIL PACKAGE
February 8, 2018; 2:00 PM

BIDDER INFORMATION															
			Choice Builders LLC 3809 S General Bruce Dr, #103 Temple TX 76502		Wright Builders 5640 Kegley Place Lane Temple TX 76502		Patin Construction LLC 3800 West 2nd Street Taylor TX 76574		TTG Utilities, LP PO Box 299 Gatesville TX 76528		Emerson Construction Company, Inc 4502 Twin City Blvd Temple TX 76502		Denco CS Corp 5525 Lyons Road Garland Texas 75043		
Bid No.	Estimated Quantity	Unit	Bid Data Description	Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Extended Amount
ADD ALTERNATE 3B: BATTING CAGE #2															
AA3B-1	1	EA	Transformer Stand per Detail	\$ 10,192.00	\$ 10,192.00	\$ 9,793.99	\$ 9,793.99	\$ 14,055.00	\$ 14,055.00	\$ 12,790.00	\$ 12,790.00	\$ 10,035.00	\$ 10,035.00	\$ 13,939.24	\$ 13,939.24
AA3B-2	40	LF	2" Schedule 40 PVC Electrical Conduit with Pull String, Including All Connections	10.00	400.00	27.04	1,081.60	26.62	1,064.80	32.70	1,308.00	22.30	892.00	35.64	* 1,425.60
AA3B-3	1	EA	Tuff 4 Lane Tuff Frame Modular Outdoor 70' Double Batting Cage Item #105-100-170, or Approved Equivalent, Including All Poles, Bases, Tensioning Cuffs, Net Protectors, & All Appurtenances	23,700.00	23,700.00	34,611.20	34,611.20	34,450.00	34,450.00	26,500.00	26,500.00	35,680.00	35,680.00	21,420.00	21,420.00
AA3B-4	650	SY	Batting Cage #2 Foundation, Including Concrete, Bedding, & Dupont Forever Lawn Cage Turf	115.00	74,750.00	110.10	71,565.00	115.00	74,750.00	124.00	80,600.00	192.90	* 125,385.00	47.60	30,940.00
AA3B-5	60	SY	Concrete Sidewalk Including Reinforcing & Bedding per Detail	34.70	2,082.00	46.24	2,774.40	45.00	2,700.00	43.00	2,580.00	46.83	2,809.80	59.50	3,570.00
ADD ALTERNATE 3B: BATTING CAGE #2 AMOUNT - (Items AA3B-1 - AA3B-5)				\$	111,124.00	\$	119,826.19	\$	127,019.80	\$	123,778.00	**	\$ 174,801.80	**	\$ 71,294.84
ADD ALTERNATE 4: BASEBALL & SOFTBALL FIELD PLAYGROUNDS															
AA4-1	2	EA	Berliner Unifers "Mars" Climbing Net (90.100.010), or Approved Equivalent	\$ 15,000.00	\$ 30,000.00	\$ 34,903.86	\$ 69,807.72	\$ 20,500.00	\$ 41,000.00	\$ 17,175.00	\$ 34,350.00	\$ 17,538.95	\$ 35,077.90	\$ 18,718.70	\$ 37,437.40
AA4-2	2	EA	Sun Ports Hip Pyramid 30' X 30' Playground Shade Canopy, or Approved Equivalent, including 4 Posts & All Other Appurtenances	16,600.00	33,200.00	40,516.74	81,033.48	25,000.00	50,000.00	20,450.00	40,900.00	20,883.95	41,767.90	22,288.70	44,577.40
AA4-3	80	CY	Engineered Wood Fiber Playground Surfacing to a Minimum Depth of 12"	49.00	3,920.00	51.45	4,116.00	62.00	4,960.00	52.00	4,160.00	53.52	4,281.60	56.62	* 4,529.60
ADD ALTERNATE 4: BASEBALL & SOFTBALL FIELD PLAYGROUNDS (Items AA4-1 - AA4-3)				\$	67,120.00	\$	154,957.20	\$	95,960.00	\$	79,410.00	\$	81,127.40	**	\$ 86,544.40
ADD ALTERNATE 5: CHAMPIONSHIP FIELD SCOREBOARDS															
AA5-1	2	EA	Spectrum Model 9314-C2 LED 9' X 14' X 5" Scoreboard with Wireless Radio Controller, or Approved Equivalent	\$ 11,000.00	\$ 22,000.00	\$ 8,422.09	\$ 16,844.18	\$ 13,500.00	\$ 27,000.00	\$ 13,750.00	\$ 27,500.00	\$ 13,542.79	\$ 27,085.58	\$ 5,950.00	\$ 11,900.00
AA5-2	-2	EA	DELETE Base Bid Part B Item 16, Spectrum Model 10310-C2 LED 8' X 10' X 5" Scoreboard, or Approved Equivalent	9,674.00	(19,348.00)	6,766.49	(13,532.98)	10,925.00	(21,850.00)	12,550.00	(25,100.00)	12,264.72	(24,529.44)	3,000.00	(6,000.00)
ADD ALTERNATE 5: CHAMPIONSHIP SCOREBOARDS AMOUNT (AA5-1 - AA5-2)				\$	2,652.00	\$	3,311.20	\$	5,150.00	\$	2,400.00	\$	2,556.14	\$	5,900.00
ADD ALTERNATE 6: PARKING LOT LIGHTS FOR BASEBALL & SOFTBALL COMPLEX															
AA6-1	100%	LS	Baseball/Softball Field Complex Roadway & Parking Lot Lighting, Including All Items, Wiring & Appurtenances	\$ 151,777.00	\$ 151,777.00	\$ 172,838.55	\$ 172,838.55	\$ 140,725.00	\$ 140,725.00	\$ 149,150.00	\$ 149,150.00	\$ 171,598.50	\$ 171,598.50	\$ 162,569.37	\$ 162,569.37
ADD ALTERNATE 6: PARKING LOT LIGHTS FOR BASEBALL & SOFTBALL COMPLEX AMOUNT (AA6-1)				\$	151,777.00	\$	172,838.55	\$	140,725.00	\$	149,150.00	\$	171,598.50	\$	162,569.37
ADD ALTERNATE 7: PARKING LOT LIGHTS FOR SOCCER COMPLEX															
AA7-1	100%	LS	Soccer Field Complex Parking Lot Lighting, Including All Items, Wiring & Appurtenances	\$ 168,000.00	\$ 168,000.00	\$ 200,195.31	\$ 200,195.31	\$ 157,410.00	\$ 157,410.00	\$ 166,850.00	\$ 166,850.00	\$ 178,177.00	\$ 178,177.00	\$ 181,861.76	\$ 181,861.76
ADD ALTERNATE 7: PARKING LOT LIGHTS FOR SOCCER COMPLEX AMOUNT (AA7-1)				\$	168,000.00	\$	200,195.31	\$	157,410.00	\$	166,850.00	\$	178,177.00	\$	181,861.76
ADD ALTERNATE 8A: LIGHTING FOR SOCCER FIELDS															
AA8A-1	100%	LS	Soccer Field Complex Lighting For Fields A, C & E, Including All Items, Wiring & Appurtenances	\$ 660,000.00	\$ 660,000.00	\$ 638,890.65	\$ 638,890.65	\$ 646,990.00	\$ 646,990.00	\$ 685,785.00	\$ 685,785.00	\$ 657,850.00	\$ 657,850.00	\$ 747,485.42	\$ 747,485.42
ADD ALTERNATE 8A: LIGHTING FOR SOCCER FIELD AMOUNT (AA8A-1)				\$	660,000.00	\$	638,890.65	\$	646,990.00	\$	685,785.00	\$	657,850.00	\$	747,485.42
ADD ALTERNATE 8B: LIGHTING FOR SOCCER FIELDS															
AA8B-1	100%	LS	Soccer Field Complex Lighting For Fields B & D, Including All Items, Wiring & Appurtenances	\$ 385,000.00	\$ 385,000.00	\$ 366,521.63	\$ 366,521.63	\$ 385,320.00	\$ 385,320.00	\$ 408,425.00	\$ 408,425.00	\$ 373,525.00	\$ 373,525.00	\$ 445,172.11	\$ 445,172.11
ADD ALTERNATE 8B: LIGHTING FOR SOCCER FIELD AMOUNT (AA8B-1)				\$	385,000.00	\$	366,521.63	\$	385,320.00	\$	408,425.00	\$	373,525.00	\$	445,172.11
ADD ALTERNATE 8C: LIGHTING FOR SOCCER FIELDS															
AA8C-1	100%	LS	Soccer Field Complex Lighting For Fields F, G & H, & Bioscience Loop Roadway, Including All Items, Wiring & Appurtenances	\$ 585,000.00	\$ 585,000.00	\$ 568,857.49	\$ 568,857.49	\$ 607,735.00	\$ 607,735.00	\$ 644,180.00	\$ 644,180.00	\$ 587,605.00	\$ 587,605.00	\$ 702,137.37	\$ 702,137.37
ADD ALTERNATE 8C: LIGHTING FOR SOCCER FIELD AMOUNT (AA8C-1)				\$	585,000.00	\$	568,857.49	\$	607,735.00	\$	644,180.00	\$	587,605.00	\$	702,137.37
ADD ALTERNATE 9: ENTRANCE SIGNAGE FOR BASEBALL & SOFTBALL FIELDS															
AA9-1	2	EA	34' Wide Ball Field Entrance Gateway per Plan & Detail Sheets	\$ 36,800.00	\$ 73,600.00	\$ 50,709.53	\$ 101,419.06	\$ 19,525.00	\$ 39,050.00	\$ 51,500.00	\$ 103,000.00	\$ 33,700.88	\$ 67,401.76	\$ 9,866.29	\$ 19,732.58
AA9-2	165	LF	2 - 2" Schedule 40 PVC Electrical Conduit with Pull String, Including All Connections	18.00	2,970.00	43.27	7,139.55	55.00	9,075.00	49.00	8,085.00	39.03	* 6,439.95	53.03	* 8,749.95
AA9-3	2	EA	Hand Hole	1,500.00	3,000.00	1,081.60	2,163.20	1,665.00	3,330.00	1,520.00	3,040.00	836.25	1,672.50	1,651.62	* 3,303.24
ADD ALTERNATE 9: ENTRANCE SIGNAGE FOR BASEBALL & SOFTBALL FIELDS AMOUNT (Items AA9-1 - AA9-3)				\$	79,570.00	\$	110,721.81	\$	51,455.00	\$	114,125.00	**	\$ 75,514.21	**	\$ 31,785.77

* Extended amount has been corrected.
** Total amount has been corrected.

BID TABULATION
CITY OF TEMPLE
CROSSROADS PARK PHASE II - CIVIL PACKAGE
February 8, 2018; 2:00 PM

BIDDER INFORMATION															
			Choice Builders LLC 3809 S General Bruce Dr, #103 Temple TX 76502		Wright Builders 5640 Kegley Place Lane Temple TX 76502		Patin Construction LLC 3800 West 2nd Street Taylor TX 76574		TTG Utilities, LP PO Box 299 Gatesville TX 76528		Emerson Construction Company, Inc 4502 Twin City Blvd Temple TX 76502		Denco CS Corp 5525 Lyons Road Garland Texas 75043		
Bid No.	Estimated Quantity	Unit	Bid Data Description	Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Extended Amount
ADD ALTERNATE 10A: TENNIS COURTS															
AA10A-1	1,600	SY	Tennis Court Slab Including Slab Design, Surfacing, Reinforcing & Bedding & All other Appurtenances as Detailed in the Specification	\$ 103.00	\$ 164,800.00	\$ 95.38	\$ 152,608.00	\$ 75.00	\$ 120,000.00	\$ 106.40	\$ 170,240.00	\$ 114.98	* 183,968.00	\$ 59.50	\$ 95,200.00
AA10A-2	100%	LS	Tennis Complex Lighting for Courts 3 & 4, Including All Items & Appurtenances	68,000.00	68,000.00	64,896.00	64,896.00	82,510.00	82,510.00	75,070.00	75,070.00	66,900.00	66,900.00	81,822.94	81,822.94
AA10A-3	480	LF	10' Chain Link Fence, Including Gates, Poles & Bases	37.00	17,760.00	35.70	17,136.00	60.00	28,800.00	46.00	22,080.00	36.80	* 17,664.00	59.38	* 28,502.40
AA10A-4	4	EA	Edwards 3" Classic Round Net Posts	840.00	3,360.00	345.50	1,382.00	260.00	1,040.00	955.00	3,820.00	434.85	1,739.40	238.00	952.00
AA10A-5	2	EA	Edwards 40LS 42' Tennis Net	280.00	560.00	324.43	648.86	260.00	520.00	275.00	550.00	351.23	* 702.46	416.50	833.00
AA10A-6	250	SY	Concrete Sidewalk Including Reinforcing & Bedding per Detail	33.00	8,250.00	46.24	11,560.00	45.00	11,250.00	43.00	10,750.00	46.83	11,707.50	53.55	13,387.50
AA10A-7	2	EA	20" Double Foot Plank 3 Row BIEAers	2,010.00	4,020.00	2,379.52	4,759.04	9,600.00	19,200.00	1,585.00	3,170.00	1,705.95	3,411.90	9,520.00	19,040.00
AA10A-8	84	LF	4' Chain Link Fence, Including All Poles, Gates & Bases	15.70	1,318.80	12.98	1,090.32	16.80	1,411.20	23.75	1,995.00	13.38	1,123.92	35.58	* 2,988.72
AA10A-9	6	EA	Tennis Court Player Bench, Complete For	596.00	3,576.00	1,081.60	6,489.60	1,250.00	7,500.00	2,005.00	12,030.00	692.42	* 4,154.52	1,785.00	10,710.00
AA10A-10	1	EA	Tennis Court Player Bench Shade Canopy	2,944.00	2,944.00	7,571.20	7,571.20	11,600.00	11,600.00	9,450.00	9,450.00	8,641.25	8,641.25	29,750.00	29,750.00
ADD ALTERNATE 10A: TENNIS COURTS AMOUNT (AA10A-1 - AA10A-10)				\$ 274,588.80		\$ 268,141.02		\$ 283,831.20		\$ 309,155.00		** \$ 300,012.95		** \$ 283,186.56	
ADD ALTERNATE 10B: TENNIS COURTS															
AA10B-1	1,600	SY	Tennis Court Slab Including Slab Design, Surfacing, Reinforcing & Bedding & All other Appurtenances as Detailed in the Specification	\$ 103.00	\$ 164,800.00	\$ 95.31	\$ 152,496.00	\$ 75.00	\$ 120,000.00	\$ 106.40	\$ 170,240.00	\$ 114.98	* 183,968.00	\$ 59.50	\$ 95,200.00
AA10B-2	100%	LS	Tennis Complex Lighting for Courts 5 & 6, Including All Items & Appurtenances	66,000.00	66,000.00	68,140.80	68,140.80	79,450.00	79,450.00	72,285.00	72,285.00	70,245.00	70,245.00	78,786.43	78,786.43
AA10B-3	4	EA	Hand Hole	2,232.00	8,928.00	1,081.60	4,326.40	2,395.00	9,580.00	2,180.00	8,720.00	836.25	3,345.00	2,374.35	* 9,497.40
AA10B-4	400	LF	2" Schedule 40 PVC Electrical Conduit with Pull String, Including All Connections	11.00	4,400.00	27.04	10,816.00	32.85	13,140.00	30.00	12,000.00	22.30	8,920.00	32.56	* 13,024.00
AA10B-5	480	LF	10' Chain Link Fence, Including Gates, Poles & Bases	37.00	17,760.00	35.70	17,136.00	60.00	28,800.00	63.35	30,408.00	36.80	* 17,664.00	59.38	* 28,502.40
AA10B-6	4	EA	Edwards 3" Classic Round Net Posts, or Approved Equivalent	840.00	3,360.00	345.50	1,382.00	260.00	1,040.00	950.00	3,800.00	434.85	1,739.40	297.50	1,190.00
AA10B-7	2	EA	Edwards 40LS 42' Tennis Net, or Approved Equivalent	280.00	560.00	324.43	648.86	260.00	520.00	275.00	550.00	351.23	* 702.46	416.50	833.00
AA10B-8	750	SY	Concrete Sidewalk Including Reinforcing & Bedding per Detail	32.00	24,000.00	46.24	34,680.00	45.00	33,750.00	43.00	32,250.00	46.83	35,122.50	47.60	35,700.00
AA10B-9	2	EA	20" Double Foot Plank 3 Row BIEAers	2,010.00	4,020.00	2,379.52	4,759.04	9,600.00	19,200.00	1,585.00	3,170.00	1,705.95	3,411.90	1,904.00	3,808.00
AA10B-10	84	LF	4' Chain Link Fence, Including All Poles, Gates & Bases	15.70	1,318.80	12.98	1,090.32	16.80	1,411.20	23.75	1,995.00	13.38	1,123.92	25.88	* 2,173.92
AA10B-11	6	EA	Tennis Court Player Bench	596.00	3,576.00	1,081.60	6,489.60	1,250.00	7,500.00	2,005.00	12,030.00	692.42	* 4,154.52	1,904.00	11,424.00
AA10B-12	1	EA	Tennis Court Player Bench Shade Canopy	2,942.00	2,942.00	7,571.20	7,571.20	11,600.00	11,600.00	9,450.00	9,450.00	8,641.25	8,641.25	29,750.00	29,750.00
ADD ALTERNATE 10B: TENNIS COURTS AMOUNT (AA10B-1 - AA10B-12)				\$ 301,664.80		\$ 309,536.22		\$ 325,991.20		\$ 356,898.00		** \$ 339,037.95		** \$ 309,889.15	
ADD ALTERNATE 11: PAVILION WITH LARGE FAN															
AA11-1	1	EA	Classic Recreation Systems Pavilion, or Approved Equivalent, Including All Foundations, Electrical Items, Connections,	\$ 69,000.00	\$ 69,000.00	\$ 79,634.79	\$ 79,634.79	\$ 82,000.00	\$ 82,000.00	\$ 113,000.00	\$ 113,000.00	\$ 126,124.34	\$ 126,124.34	\$ 17,088.38	\$ 17,088.38
AA11-2	1	EA	Big Fan Model Essence 14' per Detail, or Approved Equivalent	6,130.00	6,130.00	5,721.67	5,721.67	7,500.00	7,500.00	9,200.00	9,200.00	6,132.50	6,132.50	9,967.31	9,967.31
AA11-3	8	EA	Dumor Model 156 8'-0" Table, or Approved Equivalent	1,850.00	14,800.00	1,934.99	15,479.92	2,100.00	16,800.00	1,750.00	14,000.00	1,883.24	* 15,065.92	2,618.00	20,944.00
AA11-4	2	EA	Wydman Model WC3600-DT-BK 36 Gallon Trash Receptacle with Dome Top, or Approved Equivalent	767.00	1,534.00	919.36	1,838.72	850.00	1,700.00	850.00	1,700.00	1,191.66	* 2,383.32	357.00	714.00
ADD ALTERNATE 11: PAVILION WITH LARGE FAN AMOUNT - (Items AA11-1 - AA11-4)				\$ 91,464.00		\$ 102,675.10		\$ 108,000.00		\$ 137,900.00		** \$ 149,706.08		\$ 48,713.69	
ADD ALTERNATE 12: BRICK COLUMNS AT SHADE STRUCTURES															
AA12-1	48	EA	Brick Column at Spectator BIEAers' Shade Structure Support per Architectural Plans & Details	\$ 1,150.00	\$ 55,200.00	\$ 2,183.39	\$ 104,802.72	\$ 1,075.00	\$ 51,600.00	\$ 1,100.00	\$ 52,800.00	\$ 1,895.50	\$ 90,984.00	\$ 2,856.00	\$ 137,088.00
ADD ALTERNATE 12: BRICK COLUMNS AT SHADE STRUCTURES AMOUNT (AA12-1)				\$ 55,200.00		\$ 104,802.72		\$ 51,600.00		\$ 52,800.00		\$ 90,984.00		\$ 137,088.00	

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** Total amount has been corrected.

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BIDDER INFORMATION																			
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Bid No.	Estimated Quantity	Unit	Bid Data Description	Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Extended Amount
ADD ALTERNATE 13: TENNIS COURTS PARKING LOT EXTENSION																			
AA13-1	80	SY	Concrete Sidewalk Including Reinforcing & Bedding per Detail	\$ 33.00	\$ 2,640.00	\$ 73.39	\$ 5,871.20	\$ 45.00	\$ 3,600.00	\$ 40.00	\$ 3,200.00	\$ 46.83	\$ 3,746.40	\$ 47.60	\$ 3,808.00				
AA13-2	200	LF	Indirect Spill Curb & Gutter	10.70	2,140.00	14.61	2,922.00	12.00	2,400.00	14.50	2,900.00	16.73	* 3,346.00	26.18	5,236.00				
AA13-3	750	LF	Standard Catch Curb & Gutter	10.80	8,100.00	14.07	10,552.50	12.00	9,000.00	13.00	9,750.00	15.61	11,707.50	28.56	21,420.00				
AA13-4	-10	LF	DELETE Base Bid Part A Item 32, Mountable Curb & Gutter	17.00	(170.00)	14.61	(146.10)	12.00	(120.00)	13.00	(130.00)	17.84	(178.40)	9.00	(90.00)				
AA13-5	5,500	SY	2" Type D HMA	8.70	47,850.00	11.51	63,305.00	9.85	54,175.00	10.90	59,950.00	9.20	* 50,600.00	33.26	* 182,930.00				
AA13-6	5,500	SY	4" Crushed Limestone Base Material Between Curbs	4.30	23,650.00	5.09	27,995.00	5.00	27,500.00	4.40	24,200.00	4.57	* 25,135.00	5.95	32,725.00				
AA13-7	6,100	SY	4" Crushed Limestone Base Material Below Curbs	4.30	26,230.00	5.03	30,683.00	5.00	30,500.00	4.45	27,145.00	4.79	* 29,219.00	5.95	36,295.00				
AA13-8	6,100	SY	6" Moisture Conditioned Subgrade	1.27	7,747.00	1.63	9,943.00	3.00	18,300.00	0.97	5,917.00	1.45	* 8,845.00	11.90	72,590.00				
AA13-9	4,100	LF	4" Single White Solid Thermo Plastic Striping	1.00	4,100.00	0.96	3,936.00	1.06	4,346.00	0.96	3,936.00	1.19	* 4,879.00	1.07	4,387.00				
AA13-10	4	EA	White Directional Arrow Thermo Plastic Striping	284.00	1,136.00	275.81	1,103.24	310.00	1,240.00	278.00	1,112.00	100.35	401.40	315.35	1,261.40				
AA13-11	8	EA	White Handicap Emblem Thermo Plastic Striping & Handicap Parking Sign Including Post, Base & All Appurtenances	806.00	6,448.00	784.16	6,273.28	870.00	6,960.00	325.00	2,600.00	501.75	4,014.00	297.50	2,380.00				
ADD ALTERNATE 13: TENNIS COURTS PARKING LOT EXTENSION AMOUNT (AA13-1 - AA13-11)					\$ 129,871.00		\$ 162,438.12		\$ 157,901.00		\$ 140,580.00	**	\$ 141,714.90	**	\$ 362,942.40				
ADD ALTERNATE 14: TENNIS COURTS PARKING LOT LIGHTING																			
AA14-1	100%	LS	Tennis Complex Roadway & Parking Lot Lighting, Including All Items, Wiring & Appurtenances	\$ 50,000.00	\$ 50,000.00	\$ 34,219.67	\$ 34,219.67	\$ 28,260.00	\$ 28,260.00	\$ 29,970.00	\$ 29,970.00	\$ 30,105.00	\$ 30,105.00	\$ 32,539.34	\$ 32,539.34				
AA14-2	800	LF	2" Schedule 40 PVC Electrical Conduit with Pull String, Including All Connections	10.00	8,000.00	27.04	21,632.00	20.15	16,120.00	21.30	17,040.00	22.30	17,840.00	23.24	* 18,592.00				
AA14-3	4	EA	Hand Hole	2,216.00	8,864.00	1,081.60	4,326.40	2,060.00	8,240.00	2,180.00	8,720.00	836.25	3,345.00	2,374.35	* 9,497.40				
ADD ALTERNATE 14: TENNIS COURTS PARKING LOT LIGHTING AMOUNT (AA14-1 - AA14-3)					\$ 66,864.00		\$ 60,178.07		\$ 52,620.00		\$ 55,730.00		\$ 51,290.00	**	\$ 60,628.74				

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BIDDER INFORMATION															
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Bid No.	Estimated Quantity	Unit	Bid Data Description	Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Extended Amount		
ADD ALTERNATE 15: 6' CHAINLINK FENCING DEDUCTION															
AA15-1	-4,375	LF	Deduct Quantity from Bid Item 26, Part B: 6' Chain Link Fence including Gates, Including All Poles & Bases	\$ 19.30	\$ (84,437.50)	\$ 18.88	\$ (82,600.00)	\$ 22.20	\$ (97,125.00)	\$ 20.20	\$ (88,375.00)	\$ 19.46	* (85,137.50)	\$ 15.00	\$ (65,625.00)
ADD ALTERNATE 15: 6' CHAINLINK FENCING DEDUCTION AMOUNT (AA15-1)					\$ (84,437.50)		\$ (82,600.00)		\$ (97,125.00)		\$ (88,375.00)	**	\$ (85,137.50)		\$ (65,625.00)

BIDDER INFORMATION							
PROJECT SUMMARY		Choice Builders LLC 3809 S General Bruce Dr, #103 Temple TX 76502	Wright Builders 5640 Kegley Place Lane Temple TX 76502	Patin Construction LLC 3800 West 2nd Street Taylor TX 76574	TTG Utilities, LP PO Box 299 Gatesville TX 76528	Emerson Construction Company, Inc 4502 Twin City Blvd Temple TX 76502	Denco CS Corp 5525 Lyons Road Garland Texas 75043
PART A: CIVIL		2,909,584.50	3,393,250.35	3,437,577.50	3,148,596.75	3,370,341.82	5,989,397.44
PART B: LANDSCAPE/SPORTS EQUIPMENT		1,887,080.00	2,087,541.53	2,288,069.20	2,383,012.00	2,206,331.06	2,851,908.26
PART C: ELECTRICAL		530,506.00	592,901.48	530,265.59	562,200.25	591,288.00	639,277.86
TOTAL BASE BID		5,327,170.50	6,073,693.36	6,255,912.29	6,093,809.00	6,167,960.88	9,480,583.56

ADD ALTERNATE 1: SIDEWALK WEST OF DETENTION POND	\$ 94,827.50	\$ 118,111.65	\$ 123,390.00	\$ 99,854.50	\$ 118,088.80	\$ 135,957.50
ADD ALTERNATE 2: SIDEWALK WEST OF SOFTBALL FIELDS	\$ 55,461.00	\$ 68,761.00	\$ 71,820.00	\$ 58,121.00	\$ 68,734.40	\$ 79,135.00
ADD ALTERNATE 3A: BATTING CAGE #1	\$ 113,882.00	\$ 122,431.21	\$ 129,536.00	\$ 125,832.50	\$ 177,366.30	\$ 74,164.23
ADD ALTERNATE 3B: BATTING CAGE #2	\$ 111,124.00	\$ 119,826.19	\$ 127,019.80	\$ 123,778.00	\$ 174,801.80	\$ 71,294.84
ADD ALTERNATE 4: BASEBALL & SOFTBALL FIELD PLAYGROUNDS	\$ 67,120.00	\$ 154,957.20	\$ 95,960.00	\$ 79,410.00	\$ 81,127.40	\$ 86,544.40
ADD ALTERNATE 5: CHAMPIONSHIP FIELD SCOREBOARDS	\$ 2,652.00	\$ 3,311.20	\$ 5,150.00	\$ 2,400.00	\$ 2,556.14	\$ 5,900.00
ADD ALTERNATE 6: PARKING LOT LIGHTS FOR BASEBALL & SOFTBALL COMPLEX	\$ 151,777.00	\$ 172,838.55	\$ 140,725.00	\$ 149,150.00	\$ 171,598.50	\$ 162,569.37
ADD ALTERNATE 7: PARKING LOT LIGHTS FOR SOCCER COMPLEX	\$ 168,000.00	\$ 200,195.31	\$ 157,410.00	\$ 166,850.00	\$ 178,177.00	\$ 181,861.76
ADD ALTERNATE 8A: LIGHTING FOR SOCCER FIELDS	\$ 660,000.00	\$ 638,890.65	\$ 646,990.00	\$ 685,785.00	\$ 657,850.00	\$ 747,485.42
ADD ALTERNATE 8B: LIGHTING FOR SOCCER FIELDS	\$ 385,000.00	\$ 366,521.63	\$ 385,320.00	\$ 408,425.00	\$ 373,525.00	\$ 445,172.11
ADD ALTERNATE 8C: LIGHTING FOR SOCCER FIELDS	\$ 585,000.00	\$ 568,857.49	\$ 607,735.00	\$ 644,180.00	\$ 587,605.00	\$ 702,137.37
ADD ALTERNATE 9: ENTRANCE SIGNAGE FOR BASEBALL & SOFTBALL FIELDS	\$ 79,570.00	\$ 110,721.81	\$ 51,455.00	\$ 114,125.00	\$ 75,514.21	\$ 31,785.77
ADD ALTERNATE 10A: TENNIS COURTS	\$ 274,588.80	\$ 268,141.02	\$ 283,831.20	\$ 309,155.00	\$ 300,012.95	\$ 283,186.56
ADD ALTERNATE 10B: TENNIS COURTS	\$ 301,664.80	\$ 309,536.22	\$ 325,991.20	\$ 356,898.00	\$ 339,037.95	\$ 309,889.15
ADD ALTERNATE 11: PAVILLION WITH LARGE FAN	\$ 91,464.00	\$ 102,675.10	\$ 108,000.00	\$ 137,900.00	\$ 149,706.08	\$ 48,713.69
ADD ALTERNATE 12: BRICK COLUMNS AT SHADE STRUCTURES	\$ 55,200.00	\$ 104,802.72	\$ 51,600.00	\$ 52,800.00	\$ 90,984.00	\$ 137,088.00
ADD ALTERNATE 13: TENNIS COURTS PARKING LOT EXTENSION	\$ 129,871.00	\$ 162,438.12	\$ 157,901.00	\$ 140,580.00	\$ 141,714.90	\$ 362,942.40
ADD ALTERNATE 14: TENNIS COURTS PARKING LOT LIGHTING	\$ 66,864.00	\$ 60,178.07	\$ 52,620.00	\$ 55,730.00	\$ 51,290.00	\$ 60,628.74
ADD ALTERNATE 15: 6' CHAINLINK FENCING DEDUCTION	\$ (84,437.50)	\$ (82,600.00)	\$ (97,125.00)	\$ (88,375.00)	\$ (85,137.50)	\$ (65,625.00)
TOTAL ADD ALTERNATES	\$ 3,309,628.60	\$ 3,570,595.14	\$ 3,425,329.20	\$ 3,622,599.00	\$ 3,654,552.93	\$ 3,860,831.31

BIDDER INFORMATION						
	Choice Builders LLC 3809 S General Bruce Dr, #103 Temple TX 76502	Wright Builders 5640 Kegley Place Lane Temple TX 76502	Patin Construction LLC 3800 West 2nd Street Taylor TX 76574	TTG Utilities, LP PO Box 299 Gatesville TX 76528	Emerson Construction Company, Inc 4502 Twin City Blvd Temple TX 76502	Denco CS Corp 5525 Lyons Road Garland Texas 75043
BASE BID + ADD ALTERNATES	\$ 8,636,799.10	\$ 9,644,288.50	\$ 9,681,241.49	\$ 9,716,408.00	\$ 9,822,513.81	\$ 13,341,414.87

Did Bidder Acknowledge Addenda 1 thru 4?	YES	YES	YES	YES	YES	YES
Did Bidder provide Bid Security?	YES	YES	YES	YES	YES	YES
Did Bidder provide required documents?	YES	YES	YES	YES	YES	YES

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



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

2/19/18

Date



RESOLUTION NO. 2018-9067-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A CONSTRUCTION CONTRACT WITH CHOICE BUILDERS, LLC OF TEMPLE, TEXAS IN THE AMOUNT OF \$7,091,236.60, FOR THE CONSTRUCTION OF THE CROSSROADS PARK CIVIL PACKAGE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, as presented to Council on September 21, 2017, with the rejection of bids associated with the initial bidding of Crossroads Park Phase II, Staff recommended to Council that the project be broken down into four smaller packages: (1) sports lighting, (2) architectural package consisting of the construction of four buildings, (3) landscaping, and (4) civil package;

Whereas, Council has previously awarded the first three packages and award of the Civil Package will provide for substantial completion of the Crossroads Park project;

Whereas, on February 8, 2018, the City received six bids for the construction of the Civil Package ranging from a low base bid of \$5,327,170.50 to a high base bid of \$9,480,583.56 - based on available funding for the project, Staff recommends Council authorize a construction contract to Choice Builders, LLC of Temple, Texas in the amount of \$7,091,236.60;

Whereas, the recommended Civil Package includes construction of the following, but not limited to, park amenities, six lit tennis courts, five lit parking lots, driveways, sidewalks/trails, fencing/backstops, baseball/softball bleachers and shade structures, scoreboards, park entry signage, three playgrounds, two batting cages, a pavilion between the baseball and softball complexes, and a disk golf course;

Whereas, the proposed contract also provides for a 9-month construction period and based on the turf establishment period that will be required, it is anticipated that Crossroads Park will be open for play in the spring of 2019;

Whereas, Staff recommends Council authorize a construction contract with Choice Builders, LLC of Temple, Texas in the amount of \$7,091,236.60 for the construction of the Crossroads Park Civil Package;

Whereas, this project is funded with the Parks GO Bonds that were approved by the voters on May 9, 2015, and sold on September 24, 2015, and Reinvestment Zone No. 1 funds – funding is appropriated for the Civil Package in the following accounts:

Account No. 362-3500-552-6402, Project No. 101311;
Account No. 795-9500-531-6867, Project No. 101005;
Account No. 795-9800-531-6867, Project No. 101005; and

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

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

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

Part 2: The City Council authorizes the City Manager, or her designee, after approval as to form by the City Attorney, to execute a construction contract with Choice Builders, LLC of Temple, Texas in the amount of \$7,091,236.60 for the construction of the Crossroads Park Civil Package.

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 1st day of **March**, 2018.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

03/01/18
Item #5
Regular Agenda
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DEPT./DIVISION SUBMISSION & REVIEW:

Lacy Borgeson, City Secretary

ITEM DESCRIPTION: Consider adopting a resolution appointing members to the following City boards and commissions:

- (A) Airport Advisory Board – one member to fill an unexpired term through September 1, 2019;
- (B) Animal Services Advisory Board – one member to fill an unexpired term through September 1, 2018;
- (C) Building Board of Appeals – three members to fill expiring terms through March 1, 2022;
- (D) Building and Standards Commission – one alternate member to fill expiring terms through March 1, 2020

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: In accordance with the City Council adopted policies governing the appointment and training of citizens to City boards, appointments to the above stated boards are to be made with an effective date of March 1, 2014.

Please see the attached board summary forms, which list current board members, purpose, membership requirements, term and meeting time/place for the boards. Also attached is a summary listing of all applications received for board appointments. Individual board application forms on file for these boards have already been provided. New application forms received will be forwarded to the Council as received by the City Secretary.

FISCAL IMPACT: N/A

ATTACHMENTS:

[Board Summary Forms- to be provided](#)
[Board Applications – to be provided](#)
[Resolution](#)



COUNCIL AGENDA ITEM MEMORANDUM

03/01/18
Item #6
Regular Agenda
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DEPT./DIVISION SUBMISSION & REVIEW:

Lacy Borgeson, City Secretary

ITEM DESCRIPTION: Consider adopting a resolution appointing one member to serve as the City's representative on the Board of Directors of the Tax Appraisal District of Bell County for a two-year term.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: In March 2013, Dr. Sue Hamby submitted a letter of resignation from the Board of Directors of the Tax Appraisal District of Bell County. The Appraisal District has requested the City make an appointment to this board for a two-year term beginning January 1, 2017 through December 31, 2019.

FISCAL IMPACT: None

ATTACHMENTS: None