



MEETING OF THE TEMPLE CITY COUNCIL

September 05, 2024

PRESENT

Mayor Timothy Davis
Mayor Pro Tem Jessica Walker
Councilmember Zoe Grant
Councilmember Susan Long
Councilmember Michael Pilkington

I. CALL TO ORDER

1. Invocation

Deputy City Secretary Liz Caraway voiced the Invocation.

2. Pledge of Allegiance

City Secretary Jana Lewellen led the Pledge of Allegiance.

II. PUBLIC COMMENTS

Scott Matthews voiced concern regarding property vandalism. Alan Lytle requested the necessity of Consent Agenda Item 6(K) regarding renovations to the City's data and network operations center if the intent is to build a new Municipal Complex. City Manager Brynn Myers stated the data center would remain in the existing building and not relocate to the new complex. Mr. Lytle also encouraged citizens to attend the 9/11 Remembrance Ceremony scheduled for Tuesday, September 11, 2024 at the Central Fire Station. Milton Hensley invited citizens to attend the Life Chain event scheduled for October 6, 2024 located at the corner of 31st Street and Azalea. Shanna Wildheart with the Central Texas Housing Consortium requested the purchase of dumpsters with side openings for easier accessibility.

III. SPECIAL RECOGNITIONS

3. Recognize Gary Rapp for his dedication to the East Temple Neighborhood Initiative.

Mayor Davis presented a Proclamation to Gary Rapp recognizing him for his dedication to the East Temple Neighborhood Initiative.

4. Recognize September as National Preparedness Month.

Mayor Davis presented a Proclamation to Fire Chief Mitch Randles and CEM Division Director Jennifer Henegar recognizing September 2024 as National Preparedness Month.

5. Recognize organizations for relief efforts provided following the May 22, 2024 severe weather event.

Council and Staff expressed their gratitude to the following organizations for relief efforts following the May 22, 2024 severe weather event:

Church of Jesus Christ of Later-day Saints
Bell County
U. M. Army
Wake Up Temple
Greater Troy Chamber of Commerce
Midwest Food Bank
Keep Temple Beautiful
Austin Disaster Relief Network
Temple Chamber of Commerce
Fort Hood Area Habitat for Humanity
Serve Source
Minute Man Disaster
Haute Dog

IV. CONSENT AGENDA

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

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

Moved by Michael Pilkington, seconded by Jessica Walker
Approve Consider adopting a resolution approving the Consent Agenda items and the appropriate resolutions and ordinances for each of the following:
For: 5 – Timothy Davis, Jessica Walker, Zoe Grant, Susan Long, Michael Pilkington
Against: 0 – **Final Result:** Pass

Minutes

- (A) August 15, 2024 Regular Meeting Minutes
August 22, 2024 Regular Meeting Minutes

Moved by Michael Pilkington, seconded by Jessica Walker
Approve Consider adopting a resolution approving the Consent Agenda items and the appropriate resolutions and ordinances for each of the following:
For: 5 – Timothy Davis, Jessica Walker, Zoe Grant, Susan Long, Michael Pilkington
Against: 0 – **Final Result:** Pass

Contracts, Leases, & Bids

- (B) 2024-0232-R Consider adopting a resolution authorizing the purchase of annual software subscription and maintenance from Central Square Technologies of Lake Mary, FL in the estimated amount of \$118,360.50.

Moved by Michael Pilkington, seconded by Jessica Walker
Approve Consider adopting a resolution approving the Consent Agenda items and the appropriate resolutions and ordinances for each of the following:
For: 5 – Timothy Davis, Jessica Walker, Zoe Grant, Susan Long, Michael Pilkington
Against: 0 – **Final Result:** Pass

- (C) 2024-0250-R Consider adopting a resolution authorizing the purchase of annual maintenance for the public safety records management software with Intergraph Corporation dba Hexagon Safety & Infrastructure of Chicago, IL in the estimated amount of \$50,096.53.

Moved by Michael Pilkington, seconded by Jessica Walker
Approve Consider adopting a resolution approving the Consent Agenda items and the appropriate resolutions and ordinances for each of the following:
For: 5 – Timothy Davis, Jessica Walker, Zoe Grant, Susan Long, Michael Pilkington
Against: 0 – **Final Result:** Pass

- (D) 2024-0251-R Consider adopting a resolution authorizing the purchase of the Palo Alto Cortex eXtended Detection and Response subscription from Dell Marketing LP of Round Rock in the estimated amount of \$115,824.58.

Moved by Michael Pilkington, seconded by Jessica Walker
Approve Consider adopting a resolution approving the Consent Agenda items and the appropriate resolutions and ordinances for each of the following:
For: 5 – Timothy Davis, Jessica Walker, Zoe Grant, Susan Long, Michael Pilkington

Against: 0 – Final Result: Pass

- (E) 2024-0252-R Consider adopting a resolution authorizing the renewal of an annual software subscription for MyGovernmentOnline permitting, planning, code enforcement, fire, public works and city secretary online software from South Central Planning and Development Commission of Houma, LA in the estimated amount of \$86,904.

Moved by Michael Pilkington, seconded by Jessica Walker

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

For: 5 – Timothy Davis, Jessica Walker, Zoe Grant, Susan Long, Michael Pilkington

Against: 0 – Final Result: Pass

- (F) 2024-0253-R Consider adopting a resolution authorizing a lease agreement with Scott Sell for T-Hangar #60 at the Draughton-Miller Central Texas Regional Airport.

Moved by Michael Pilkington, seconded by Jessica Walker

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

For: 5 – Timothy Davis, Jessica Walker, Zoe Grant, Susan Long, Michael Pilkington

Against: 0 – Final Result: Pass

- (G) 2024-0254-R Consider adopting a resolution authorizing the purchase of paid advertising services including radio, search engine, social media, and digital advertising with Townsquare Media, Inc. in the estimated amount of \$230,820.

Moved by Michael Pilkington, seconded by Jessica Walker

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

For: 5 – Timothy Davis, Jessica Walker, Zoe Grant, Susan Long, Michael Pilkington

Against: 0 – Final Result: Pass

- (H) 2024-0255-R Consider adopting a resolution authorizing purchase agreements with Consolidated Pipe & Supply Co., Inc. of Ft. Worth; Core & Main of Belton; Ferguson Waterworks of Killeen; and Fortiline Waterworks of Hewitt for utility supplies in the estimated annual amount of \$1,242,516.92 for FY 2025.

Moved by Michael Pilkington, seconded by Jessica Walker

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

For: 5 – Timothy Davis, Jessica Walker, Zoe Grant, Susan Long, Michael Pilkington

Against: 0 – Final Result: Pass

- (I) 2024-0256-R Consider adopting a resolution authorizing annual purchase agreements with 4imprint, Inc of Oshkosh, WI; Bienali Promotions, LLC of Highland Park, IL; Positive Promotions, Inc. of Hauppauge, NY; Promotional Designs, Inc. of Dallas; and Sports World, Inc. of Temple and agreement renewals for AGAS MFG, Inc. of Philadelphia, PA; Be One Promotional Marketing of Temple; Big Hit Creative Group of Garland; Dugout Sports/Eagle Custom Apparel of Spring; HALO Branded Solutions, Inc. of Sterling, IL; Impressions BCTX, LLC dba Three Thread Designs of Temple; Mancha Screenprint & Embroidery, LLC of McAllen; Perry Office Plus of Temple; Printed Promotionals of Corpus Christi; SHR Enterprises dba Specialty Printing & Graphics of Houston; Solutions, Etc. of Temple; and Temple Welding & Industrial Supply of Temple for City-logo promotional items and apparel in the estimated annual amount of \$110,000 for FY 2025.

Moved by Michael Pilkington, seconded by Jessica Walker

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

For: 5 – Timothy Davis, Jessica Walker, Zoe Grant, Susan Long, Michael Pilkington

Against: 0 – Final Result: Pass

- (J) 2024-0257-R Consider adopting a resolution authorizing annual contract renewals and anticipated expenditures in excess of \$50,000 during FY 2025 with Allied Sales; Big Wheels Body Shop, LLC; CenTex Window Tint & Truck Accessories; Chastang Enterprises-Houston, LLC dba Chastang Autocar; Country Chrysler Dodge Jeep Ram, Inc.; George's Auto Glass; Holt Texas, Ltd. dba Holt Truck Centers; Lubricant Products & Supplies, LLC; Motion Industries, Inc.; Northwest Drive Train; RHV Innovative Enterprises, LLC; TexStar Equipment Sales; Top5 Equipment, LLC dba Region Equipment; Walton Distributing Co, Inc.; Austin Armature Works, LP; Austin Environmental, LLC; Baer Engineering & Environmental Consulting, Inc.; Terracon Consultants; Baker & Taylor, LLC; Blackstone Audio, Inc.; Children's Plus, Inc.; Complete Book & Media Supply, LLC; Ingram Library Services, LLC; Midwest Tape, LLC; Brenntag Southwest, Inc.; C.A.P.'s Mechanical; Centex Office Pros; Chameleon Industries, Inc.; Chemrite, Inc.; Cochran, Blair, & Potts, Inc.; Crafcro, Inc.; Express Employment Professionals; Snelling; Green Dream International, LLC; Heartland Quarries, LLC dba Heartland Aggregates; Twisted Nail Broker Services; Ham & McCreight Supply, Inc.; Heart of Texas Landscape & Irrigation, Co.; Irrigation Station; Jani-King of Austin; Langerman Engineering, LLC; McCreary, Veselka, Bragg & Allen, PC; Pathmark Traffic Equipment, LLC; Vulcan, Inc.; PVS DX, Inc. formerly known as DPC Industries, Inc.; S&M Vacuum and Waste, LTD; Sky Wonder Pyrotechnics, LLC; Texas Materials Group, Inc.; Texas Pro Mix Ready Mix; Univar Solutions USA, Inc.; USALCO, LLC; Wilson Construction Services, LLC; Yellowstone Landscape; and Zenner USA, Inc.

Moved by Michael Pilkington, seconded by Jessica Walker

Approve Consider adopting a resolution approving the Consent Agenda items

and the appropriate resolutions and ordinances for each of the following:
For: 5 – Timothy Davis, Jessica Walker, Zoe Grant, Susan Long, Michael Pilkington
Against: 0 – **Final Result:** Pass

- (K) 2024-0258-R Consider adopting a resolution authorizing a construction contract with Texas AirSystems, LLC of Austin for the renovations to the City's data and network operations center in the estimated amount of \$397,865.

Moved by Michael Pilkington, seconded by Jessica Walker
Approve Consider adopting a resolution approving the Consent Agenda items and the appropriate resolutions and ordinances for each of the following:
For: 5 – Timothy Davis, Jessica Walker, Zoe Grant, Susan Long, Michael Pilkington
Against: 0 – **Final Result:** Pass

- (L) 2024-0259-R Consider adopting a resolution ratifying an emergency construction contract with D&S Field Services of Corsicana for the construction of 14th & Williamson Creek Sewer Repair in the estimated amount of \$99,742.

Moved by Michael Pilkington, seconded by Jessica Walker
Approve Consider adopting a resolution approving the Consent Agenda items and the appropriate resolutions and ordinances for each of the following:
For: 5 – Timothy Davis, Jessica Walker, Zoe Grant, Susan Long, Michael Pilkington
Against: 0 – **Final Result:** Pass

- (M) 2024-0260-R Consider adopting a resolution authorizing contract amendment #1 to the agreement with Tetra Tech, Inc. of Maitland, FL, for debris removal monitoring and consulting services in the estimated amount of \$643,377.

Moved by Michael Pilkington, seconded by Jessica Walker
Approve Consider adopting a resolution approving the Consent Agenda items and the appropriate resolutions and ordinances for each of the following:
For: 5 – Timothy Davis, Jessica Walker, Zoe Grant, Susan Long, Michael Pilkington
Against: 0 – **Final Result:** Pass

- (N) 2024-0261-R Consider adopting a resolution authorizing change order #2 to the construction contract with D. Guerra Construction, LLC, of Austin for construction of Phase 4C of the Bird Creek Interceptor Project in the estimated amount of \$126,920.04.

Moved by Michael Pilkington, seconded by Jessica Walker
Approve Consider adopting a resolution approving the Consent Agenda items and the appropriate resolutions and ordinances for each of the following:

For: 5 – Timothy Davis, Jessica Walker, Zoe Grant, Susan Long, Michael Pilkington

Against: 0 – **Final Result:** Pass

- (O) 2024-0262-R Consider adopting a resolution authorizing a services agreement with MultiVolt Electric, Inc. of Temple for the maintenance and repair of the telemetry and supervisory control and data acquisition systems in the estimated amount of \$50,000.

Moved by Michael Pilkington, seconded by Jessica Walker

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

For: 5 – Timothy Davis, Jessica Walker, Zoe Grant, Susan Long, Michael Pilkington

Against: 0 – **Final Result:** Pass

- (P) 2024-0263-R Consider adopting a resolution authorizing a services agreement for heating, ventilation, and cooling maintenance and repair services as needed with Capstone Mechanical of Waco in the estimated amount of \$150,000 for FY 2025.

Moved by Michael Pilkington, seconded by Jessica Walker

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

For: 5 – Timothy Davis, Jessica Walker, Zoe Grant, Susan Long, Michael Pilkington

Against: 0 – **Final Result:** Pass

- (Q) 2024-0264-R Consider adopting a resolution approving a multiple use agreement between the Texas Department of Transportation (TxDOT) and the City of Temple to place an outdoor warning siren in the right-of-way of Highway 317, just north of Cedar Creek Road.

Moved by Michael Pilkington, seconded by Jessica Walker

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

For: 5 – Timothy Davis, Jessica Walker, Zoe Grant, Susan Long, Michael Pilkington

Against: 0 – **Final Result:** Pass

- (R) 2024-0265-R Consider adopting a resolution authorizing an agreement with BNSF to inspect the construction of an elevated crossing over the BNSF railroad as part of the Outer Loop North Phase 3 project in an estimated amount of \$119,988.

Moved by Michael Pilkington, seconded by Jessica Walker

Approve Consider adopting a resolution approving the Consent Agenda items

and the appropriate resolutions and ordinances for each of the following:
For: 5 – Timothy Davis, Jessica Walker, Zoe Grant, Susan Long, Michael Pilkington

Against: 0 – **Final Result:** Pass

- (S) 2024-0266-R Consider adopting a resolution authorizing a professional services agreement with Turley Associates, Inc. of Temple for design phase services required for FM 93 and FM 93 Spur Roadway and Utilities in the estimated amount of \$1,121,500.

Moved by Michael Pilkington, seconded by Jessica Walker
Approve Consider adopting a resolution approving the Consent Agenda items and the appropriate resolutions and ordinances for each of the following:

For: 5 – Timothy Davis, Jessica Walker, Zoe Grant, Susan Long, Michael Pilkington

Against: 0 – **Final Result:** Pass

- (T) 2024-0267-R Consider adopting a resolution authorizing contract amendment #1 to the professional services agreement with Kasberg, Patrick & Associates, LP of Temple for design services of the Southwest Community Park project, to include 1.28 miles of regional trail north to West Adams Avenue in the estimated amount of \$374,900.

Moved by Michael Pilkington, seconded by Jessica Walker
Approve Consider adopting a resolution approving the Consent Agenda items and the appropriate resolutions and ordinances for each of the following:

For: 5 – Timothy Davis, Jessica Walker, Zoe Grant, Susan Long, Michael Pilkington

Against: 0 – **Final Result:** Pass

- (U) 2024-0268-R Consider adopting a resolution authorizing contract amendment #7 to the professional services agreement with Kasberg, Patrick & Associates, LP of Temple, for design phase services, relating to the Little River Road Expansion Project, in the estimated amount of \$127,150.

Moved by Michael Pilkington, seconded by Jessica Walker
Approve Consider adopting a resolution approving the Consent Agenda items and the appropriate resolutions and ordinances for each of the following:

For: 5 – Timothy Davis, Jessica Walker, Zoe Grant, Susan Long, Michael Pilkington

Against: 0 – **Final Result:** Pass

- (V) 2024-0269-R Consider adopting a resolution authorizing the payment of an annual invoice to the Brazos River Authority in the estimated amount of \$248,750 to secure the availability of 2,500 acre-feet of water per year to the City for FY 2025.

Moved by Michael Pilkington, seconded by Jessica Walker
Approve Consider adopting a resolution approving the Consent Agenda items and the appropriate resolutions and ordinances for each of the following:
For: 5 – Timothy Davis, Jessica Walker, Zoe Grant, Susan Long, Michael Pilkington
Against: 0 – **Final Result:** Pass

- (W) 2024-0270-R Consider adopting a resolution authorizing the payment of an annual invoice from Brazos River Authority in the amount of \$56,239.31 for operation and maintenance costs associated with the City's portion of raw water storage in Lake Belton.

Moved by Michael Pilkington, seconded by Jessica Walker
Approve Consider adopting a resolution approving the Consent Agenda items and the appropriate resolutions and ordinances for each of the following:
For: 5 – Timothy Davis, Jessica Walker, Zoe Grant, Susan Long, Michael Pilkington
Against: 0 – **Final Result:** Pass

Ordinances - Second & Final Reading

- (X) 2024-0041-O SECOND & FINAL READING - FY-24-6-AB: Consider adopting an ordinance authorizing the release of a right-of-way easement subject to a public-utility easement being the entirety of the public right-of-way of the road known as Corporate Way, from its terminus at the intersection with McLane Parkway to its terminus at the intersection with Research Parkway/Outer Loop.

Moved by Michael Pilkington, seconded by Jessica Walker
Approve Consider adopting a resolution approving the Consent Agenda items and the appropriate resolutions and ordinances for each of the following:
For: 5 – Timothy Davis, Jessica Walker, Zoe Grant, Susan Long, Michael Pilkington
Against: 0 – **Final Result:** Pass

Misc

- (Y) 2024-0271-R Consider adopting a resolution authorizing the purchase of employee insurance policies from the following vendors for FY 2025: (A) Medical & Pharmacy Insurance Plans from Blue Cross & Blue Shield of Texas of Richardson; (B) Worksite Benefits – Accident, Critical Illness, and Hospitalization insurance from Standard Insurance Company of Portland, OR; (C) Dental Insurance Plans from Blue Cross & Blue Shield of Texas; (D) Flexible Spending Account, Dependent Spending Account, Cafeteria 125 Plan, Health Savings Account administrative services, and Consolidated Omnibus Budget Reconciliation Act administrative services from Optum Financial of Hunt Valley, MD; (E) Basic Life, Voluntary Life and Accidental Death and Dismemberment, Short-Term and Long-Term Disability insurance from Dearborn Life Insurance Company; and (F) Vision Fully Insured Policy from Dearborn Life Insurance

Company (subsidiary of Blue Cross Blue Shield).

Moved by Michael Pilkington, seconded by Jessica Walker
Approve Consider adopting a resolution approving the Consent Agenda items and the appropriate resolutions and ordinances for each of the following:

For: 5 – Timothy Davis, Jessica Walker, Zoe Grant, Susan Long, Michael Pilkington

Against: 0 – **Final Result:** Pass

- (Z) 2024-0272-R Consider adopting a resolution ratifying amended resolution 2024-035-R for grant funding through the Office of the Governor Homeland Security Grants Division's (HSGD) State Homeland Security Program – Competitive National Priority Area Projects (SHSP-NPA).

Moved by Michael Pilkington, seconded by Jessica Walker
Approve Consider adopting a resolution approving the Consent Agenda items and the appropriate resolutions and ordinances for each of the following:

For: 5 – Timothy Davis, Jessica Walker, Zoe Grant, Susan Long, Michael Pilkington

Against: 0 – **Final Result:** Pass

- (AA) 2024-0273-R Consider adopting a resolution approving the Neighborhood Improvement Grant Program Policy.

Moved by Michael Pilkington, seconded by Jessica Walker
Approve Consider adopting a resolution approving the Consent Agenda items and the appropriate resolutions and ordinances for each of the following:

For: 5 – Timothy Davis, Jessica Walker, Zoe Grant, Susan Long, Michael Pilkington

Against: 0 – **Final Result:** Pass

- (AB) 2024-0274-R Consider adopting a resolution authorizing budget amendments for fiscal year 2023-2024.

Moved by Michael Pilkington, seconded by Jessica Walker
Approve Consider adopting a resolution approving the Consent Agenda items and the appropriate resolutions and ordinances for each of the following:

For: 5 – Timothy Davis, Jessica Walker, Zoe Grant, Susan Long, Michael Pilkington

Against: 0 – **Final Result:** Pass

V. REGULAR AGENDA

Ordinances

7. 2024-0042-O FIRST READING – PUBLIC HEARING – FY-24-36-ZC: Consider adopting an ordinance authorizing a rezoning from Two Family (2F) to Office 1(O1) located at

1006 S 30th Street, Temple, Texas.

Moved by Zoe Grant, seconded by Susan Long

Approve FIRST READING – PUBLIC HEARING – FY-24-36-ZC: Consider adopting an ordinance authorizing a rezoning from Two Family (2F) to Office 1(O1) located at 1006 S 30th Street, Temple, Texas.

For: 5 – Timothy Davis, Jessica Walker, Zoe Grant, Susan Long, Michael Pilkington

Against: 0 – **Final Result:** Pass

Assistant Director of Planning and Development Kelly Atkinson presented this item and stated the applicant requests a rezoning of 1.09 +/- acres from Two-family (2F) to Office-1 (O1) zoning district to accommodate a proposed 10,560 square foot facility to house the Early Childhood Head Start Program. Mrs. Atkinson stated 15 notices were mailed to surrounding property owners and as of this meeting, 1 notice in agreement was received. Mrs. Atkinson stated on August 19, 2024, the Planning and Zoning Commission met and reviewed this item and recommended approval of the applicants request by a vote of 7 to 0.

Mayor Davis opened the Public Hearing. Alan Lytle was in favor of the proposed head start program and asked what other uses were allowed in Office-1 should the proposed program not move into the facility. Jeanette Frazier, Executive Director of Central Texas 4C stated the program will move into the proposed facility and provided a brief overview of the program. Mrs. Frazier commended the Planning Department for their assistance and respectfully requested approval. After no additional comments or questions, the Public Hearing was closed. Councilmember Long asked if the program intends to work with TISD regarding traffic flow and sidewalks. Mrs. Atkinson stated yes. Councilmember Zoe Grant said this will be a beautiful addition to East Temple.

8. 2024-0043-O FIRST READING - PUBLIC HEARING - FY-24-3-ANX: Consider adopting an ordinance authorizing the voluntary petitions of the following: (1) incorporation of 79.17 +/- acres of land situated in the Maximo Moreno Survey, Abstract No. 14 into the City of Temple's east extra-territorial jurisdiction and (2) the annexation of a combined 100.113 +/- acres of land situated in the Maximo Moreno Survey, Abstract No. 14, into the City of Temple located on the east side of Old Hwy 95 approximately 2.1 miles south of its intersection with East FM 93 generally commencing 2,890 feet east of the south west corner of the Cotton Bottom Phase I subdivision, known as Bell County Tax Appraisal District Parcel Number 43877 addressed as 9563 Old Hwy 95.

Moved by Jessica Walker, seconded by Susan Long

Approve FIRST READING - PUBLIC HEARING - FY-24-3-ANX: Consider adopting an ordinance authorizing the voluntary petitions of the following: (1) incorporation of 79.17 +/- acres of land situated in the Maximo Moreno Survey, Abstract No. 14 into the City of Temple's east extra-territorial jurisdiction and (2) the annexation of a combined 100.113 +/- acres of land situated in the Maximo Moreno Survey, Abstract No. 14, into the City of Temple located on the east side of Old Hwy 95 approximately 2.1 miles south of its intersection with East FM 93 generally commencing 2,890 feet east of the south west corner of the Cotton Bottom Phase I subdivision, known as Bell County Tax Appraisal District Parcel Number 43877 addressed as 9563 Old Hwy 95.

For: 5 – Timothy Davis, Jessica Walker, Zoe Grant, Susan Long, Michael Pilkington
Against: 0 – **Final Result:** Pass

Assistant Director of Planning Kelly Atkinson presented this item and stated prior to requesting annexation into the City of Temple, 79.17 +/- acres of land were in the Little River Academy ETJ. At the October 12, 2023, City Council Regular Meeting of the Little River Academy council, the vote died due to the lack of a second for the release of the ETJ petition. After 30 days, the ETJ was released by operation of law. Mrs. Atkinson stated under LGC sec. 42.105 (e), an area released from a municipality's extraterritorial jurisdiction may not be included in the extraterritorial jurisdiction of any municipality unless the owner of the area subsequently requests that the area be included in the municipality's extraterritorial jurisdiction or corporate boundaries. Here, the owner has requested annexation into City limits, as discussed below, and can therefore be included into the City's ETJ to allow the requested annexation to proceed. Mrs. Atkinson stated on February 27, 2024, property owner New American Dream LTD filed a written request seeking voluntary annexation of 100.113 +/- acres of land, as shown and being more particularly described in Exhibit A of the Municipal Services Agreement. Mrs. Atkinson stated the City and property owner have entered into written agreement for the provision of municipal services in the area. Before offering the proposed municipal services agreement to the property owner, the proposed agreement was circulated to all relevant City Departments to determine the services that would be provided on the effective date of the annexation, such as fire, police, solid waste disposal and code enforcement. No issues were identified by any of the reviewing departments. The property owner accepted the proposed agreement offered on June 21, 2024. The City is not required to provide a service that is not included in the agreement. Mrs. Atkinson stated The annexation is required for anticipated development of Phase II & Phase III of the Cotton Bottom subdivision for single-family residential development consistent with Phase I. A rezoning to Planned Development Urban Estates (PD-UE) is anticipated after the annexation of 100.113 +/- acres. In addition to the rezoning, a subdivision plat will be required prior to the expected development.

Mayor Davis opened the Public Hearing. There being no comments or questions, the Public Hearing was closed.

9. 2024-0044-O FIRST READING – PUBLIC HEARING: Consider adopting an ordinance authorizing the release of a 0.5506-acre right-of-way legally described as being a portion of South 5th Street, as per Volume 36, Page 640, Deed Records of Bell County, Texas, being the portion of South 5th Street between W Avenue E and W Avenue F.

Moved by Susan Long, seconded by Michael Pilkington

Approve FIRST READING – PUBLIC HEARING: Consider adopting an ordinance authorizing the release of a 0.5506-acre right-of-way legally described as being a portion of South 5th Street, as per Volume 36, Page 640, Deed Records of Bell County, Texas, being the portion of South 5th Street between W Avenue E and W Avenue F.

For: 5 – Timothy Davis, Jessica Walker, Zoe Grant, Susan Long, Michael Pilkington
Against: 0 – **Final Result:** Pass

Assistant City Attorney Kyle Nuttall presented Regular Agenda Items 9 and 10 together. Mr. Nuttall stated the Applicant, TISD, requests the release of a 0.5506-acre right-of-way being a portion of South 5th Street and a 0.0689-acre right-of-way easement being a portion of an unimproved 20-foot-wide alley located in Block 51. The northern portion of this alley was previously abandoned to TISD with a utility easement retained. The owner is currently seeking to abandon this portion of South 5th Street and the remainder of the existing unimproved right-of-way easement to facilitate expansion of their operations center.

Mayor Davis opened the Public Hearing on Regular Agenda Items 9 and 10. Alan Lytle asked if TISD is paying for the land. Mr. Nuttall stated yes, they will pay fair market value. After no additional comments or questions, the Public Hearing was closed.

10. 2024-0045-O FIRST READING – PUBLIC HEARING: Consider adopting an ordinance authorizing the release of a 0.0689-acre right-of-way easement subject to a public-utility easement legally described as being a portion of an unimproved 20-foot-wide alley located in Block 51, Original Town Temple, as per Volume 36, Page 640, Deed Records of Bell County, Texas, being the alley north of W Ave F, between S 5th St and S 7th St.

Moved by Susan Long, seconded by Jessica Walker

Approve FIRST READING – PUBLIC HEARING: Consider adopting an ordinance authorizing the release of a 0.0689-acre right-of-way easement subject to a public-utility easement legally described as being a portion of an unimproved 20-foot-wide alley located in Block 51, Original Town Temple, as per Volume 36, Page 640, Deed Records of Bell County, Texas, being the alley north of W Ave F, between S 5th St and S 7th St.

For: 5 – Timothy Davis, Jessica Walker, Zoe Grant, Susan Long, Michael Pilkington

Against: 0 – **Final Result:** Pass

11. 2024-0046-O FIRST READING – PUBLIC HEARING: Consider adopting an ordinance authorizing a Pro-Rata Reimbursement Fee for construction of off-site wastewater collection lines.

Moved by Zoe Grant, seconded by Michael Pilkington

Approve FIRST READING – PUBLIC HEARING: Consider adopting an ordinance authorizing a Pro-Rata Reimbursement Fee for construction of off-site wastewater collection lines.

For: 5 – Timothy Davis, Jessica Walker, Zoe Grant, Susan Long, Michael Pilkington

Against: 0 – **Final Result:** Pass

Assistant City Manager Erin Smith presented this item and stated the City of Temple and The Ridge at Knob Creek Land Investments, LLC entered into a Developer Participation Agreement dated on August 15, 2024, regarding the development of the Property, which development includes the construction of wastewater lines and a regional lift station providing sufficient capacity to serve at least 2,552 Living Unit Equivalents. The City is obligated to establish an ordinance providing for the assessment and collection of a subsequent user pro-rata fee related to the use of the wastewater utilities by those who did not share in its cost, but who may desire to obtain the benefits arising by the construction of the wastewater utilities. Ms. Smith stated the Developer will construct the wastewater utilities to include a lift station serving 263 acres of land, gravity sewer mains

and force mains connecting lift stations, removal of the existing Waters Edge lift station, and removal of the existing Crestview lift station off 40th Street in a future phase of development up to the Not to Exceed Amount of \$3,028,970.00, or 100% of the actual costs of the improvements, whichever is less. The Subsequent User Pro-Rata Fee shall be in the amount of \$19,797.19 per acre based on 153 acres of undeveloped property. After collecting the Subsequent User Pro-Rata Fees, the City shall reimburse the funds the City paid Developer under above mentioned Developer Participation Agreement. Such reimbursements shall be recovered on a pro-rata basis so that all participants, other than those expressly exempted, shall share proportionately in the Construction Costs of the Wastewater Utilities. The maximum period of time the City may collect the pro rata reimbursement for the Wastewater Utilities shall not exceed fifteen years.

Mayor Davis opened the Public Hearing. Alan Lytle asked if the lift station will be built to city specs. Ms. Smith stated yes. After no additional comments or questions, the Public Hearing was closed. Council and Staff stated the removal of existing lift stations will require less cost and maintenance and Council was pleased to see both Staff and the Developer being proactive regarding this development.

Resolutions

12. 2024-0275-R Consider adopting a resolution authorizing a Developer Participation Agreement with Shallowford Road, LLC for construction of improvements to Shallow Ford Road between Robinhood Drive and the bridge over Bird Creek and oversizing of a water line from an 8-inch line to a 12-inch line, in a total not to exceed amount of \$6,046,590.13.

Moved by Susan Long, seconded by Jessica Walker

Approve Consider adopting a resolution authorizing a Developer Participation Agreement with Shallowford Road, LLC for construction of improvements to Shallow Ford Road between Robinhood Drive and the bridge over Bird Creek and oversizing of a water line from an 8-inch line to a 12-inch line, in a total not to exceed amount of \$6,046,590.13.

For: 5 – Timothy Davis, Jessica Walker, Zoe Grant, Susan Long, Michael Pilkington

Against: 0 – **Final Result:** Pass

Assistant City Attorney Kyle Nuttall presented this item and stated Shallowford Road, LLC is in the process of developing a subdivision that will be known as the Preserve at Lions Park. The City and Developer desire to enter into a Developer Participation Agreement for certain infrastructure improvements to be made during the construction of the subdivision. A developer participation agreement for this project previously came to Council on October 19, 2023, in resolution 2023-0347-R and was approved. However, before the agreement was executed, the scope of the project was further reviewed and determined by both the City and the Developer to need a substantial adjustment to what had been approved by resolution 2023-0347-R. This new agreement is intended to replace what had been authorized in resolution 2023-0347-R and meet the new scope of the improvements the Developer and City desire to see constructed. Mr. Nuttall stated the City of Temple worked with the Developer to create two planned development zoning areas, which are in the process of being platted into the Preserve at Lions Park

subdivision. As part of this project, the City of Temple worked with the Developer to determine what additional road and utility improvements could be provided to ensure safe traffic flow on Shallow Ford Road and sufficient infrastructure for nearby properties to develop in the future.

A handwritten signature in blue ink that reads "Timothy A. Davis". The signature is fluid and cursive, with the first name being more prominent.

Timothy A. Davis, Mayor

ATTEST:

A handwritten signature in blue ink that reads "Jana Lewellen". The signature is cursive and elegant, with the first name being more prominent.

Jana Lewellen, City Secretary, TRMC, CMC