

## MEETING OF THE TEMPLE CITY COUNCIL

**September 17, 2020**

### **PRESENT**

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

### **I. CALL TO ORDER**

1. Invocation

Mayor Pro Tem Judy Morales voiced the Invocation.

2. Pledge of Allegiance

City Secretary Jana Lewellen led the Pledge of Allegiance.

### **II. PUBLIC COMMENTS**

Bobbie Thompson, 904 Henderson, Temple, Texas, spoke regarding mowing and trimming in the right of way on her street. Carlotta Davis, 1505 E Avenue D, Temple, Texas, spoke regarding possible homeless camps located in or around the corners of 24<sup>th</sup> and 26<sup>th</sup>, and Avenue D. Mrs. Davis also requested a sign indicating a blind resident be placed on her street. She also thanked the Temple Police Department for their service to the citizens of Temple. Nancy Hite, Bell County, voiced concerns regarding her pending legal matters with Bell County.

### **III. SPECIAL RECOGNITIONS**

3. Recognize Constitution Week September 17-23.

Mayor Davis presented this Proclamation to Carol Hodge with Betty Martin Chapter, NSDAR.

4. Recognize Deputy Chief James Tobin

Mayor Davis presented this Proclamation to Chief Executive Officer Shawn Reynolds who accepted on behalf of Deputy Chief Tobin.

### **IV. CONSENT AGENDA**

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

### Minutes

- (A) September 3, 2020 Regular Meeting Minutes

Moved by Mayor Pro Tem Judy Morales, seconded by Councilmember Jessica Walker to be Approve

**Aye:** 5 – Mayor Timothy Davis, Mayor Pro Tem Judy Morales, Councilmember Susan Long, Councilmember Wendell Williams, Councilmember Jessica Walker

**Nay:** 0 – **Final Result:** Pass

### Contracts, Leases, & Bids

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

Moved by Mayor Pro Tem Judy Morales, seconded by Councilmember Jessica Walker to be Approve

**Aye:** 5 – Mayor Timothy Davis, Mayor Pro Tem Judy Morales, Councilmember Susan Long, Councilmember Wendell Williams, Councilmember Jessica Walker

**Nay:** 0 – **Final Result:** Pass

- (C) Consider adopting a resolution authorizing the purchase annual renewal of budgeting, performance, strategic planning and citizen engagement software subscription with Carahsoft Technology Corporation of Reston, VA in the amount of \$79,207.

Moved by Mayor Pro Tem Judy Morales, seconded by Councilmember Jessica Walker to be Approve

**Aye:** 5 – Mayor Timothy Davis, Mayor Pro Tem Judy Morales, Councilmember Susan Long, Councilmember Wendell Williams, Councilmember Jessica Walker

**Nay:** 0 – **Final Result:** Pass

- (D) Consider adopting a resolution authorizing the purchase of Dell Servers from Dell Marketing LP of Round Rock, Texas in the amount of \$ 99,886.50

Moved by Mayor Pro Tem Judy Morales, seconded by Councilmember Jessica Walker to be Approve

**Aye:** 5 – Mayor Timothy Davis, Mayor Pro Tem Judy Morales, Councilmember Susan Long, Councilmember Wendell Williams, Councilmember Jessica Walker

**Nay:** 0 – **Final Result:** Pass

- (E) Consider adopting a resolution authorizing the purchase of the FY 2021 financial systems software maintenance contract with CentralSquare Technologies of Lake Mary, Florida, in the estimated amount of \$94,484.82.

Moved by Mayor Pro Tem Judy Morales, seconded by Councilmember Jessica Walker to be Approve

**Aye:** 5 – Mayor Timothy Davis, Mayor Pro Tem Judy Morales, Councilmember Susan Long, Councilmember Wendell Williams, Councilmember Jessica Walker

**Nay:** 0 – **Final Result:** Pass

- (F) Consider adopting a resolution authorizing a one-year extension to a MyGovernmentOnline software license Authorize yearly subscription for permitting, planning and code enforcement online software through with South Central Planning and Development Commission of Houma, LA in the estimated annual amount of \$81,510.

Moved by Mayor Pro Tem Judy Morales, seconded by Councilmember Jessica Walker to be Approve

**Aye:** 5 – Mayor Timothy Davis, Mayor Pro Tem Judy Morales, Councilmember Susan Long, Councilmember Wendell Williams, Councilmember Jessica Walker

**Nay:** 0 – **Final Result:** Pass

- (G) Consider adopting a resolution authorizing the purchase of a yearly 2020-2021 sole source police records management software maintenance contract with Intergraph Corporation, dba Hexagon Safety & Infrastructure, Chicago, IL in the amount of \$97,879.51

Moved by Mayor Pro Tem Judy Morales, seconded by Councilmember Jessica Walker to be Approve

**Aye:** 5 – Mayor Timothy Davis, Mayor Pro Tem Judy Morales, Councilmember Susan Long, Councilmember Wendell Williams, Councilmember Jessica Walker

**Nay:** 0 – **Final Result:** Pass

- (H) Consider adopting a resolution authorizing the purchase of cellular services, data services, and wireless equipment during FY2021 from Cellco Partnership, dba Verizon Wireless, in the estimated annual amount of \$360,000.

Moved by Mayor Pro Tem Judy Morales, seconded by Councilmember Jessica Walker to be Approve

**Aye:** 5 – Mayor Timothy Davis, Mayor Pro Tem Judy Morales, Councilmember Susan Long, Councilmember Wendell Williams, Councilmember Jessica Walker

**Nay:** 0 – **Final Result:** Pass

- (I) Consider adopting a resolution authorizing the purchase of janitorial supplies during FY 2021 from Gulf Coast Paper Company of Temple in the estimated annual amount of \$110,000.

Moved by Mayor Pro Tem Judy Morales, seconded by Councilmember Jessica Walker to be Approve

**Aye:** 5 – Mayor Timothy Davis, Mayor Pro Tem Judy Morales, Councilmember Susan Long, Councilmember Wendell Williams, Councilmember Jessica Walker

**Nay:** 0 – **Final Result:** Pass

- (J) Consider adopting a resolution authorizing the purchase of office supplies during FY 2021 from Perry Office Plus, Inc. of Temple in the estimated annual amount of \$135,000.

Moved by Mayor Pro Tem Judy Morales, seconded by Councilmember Jessica Walker to be Approve

**Aye:** 5 – Mayor Timothy Davis, Mayor Pro Tem Judy Morales, Councilmember Susan Long, Councilmember Wendell Williams, Councilmember Jessica Walker

**Nay:** 0 – **Final Result:** Pass

- (K) Consider adopting a resolution authorizing the purchase of automotive repair parts during FY 2021 from O'Reilly Auto Parts of Springfield, Missouri, in the estimated annual amount of \$95,000.

Moved by Mayor Pro Tem Judy Morales, seconded by Councilmember Jessica Walker to be Approve

**Aye:** 5 – Mayor Timothy Davis, Mayor Pro Tem Judy Morales, Councilmember Susan Long, Councilmember Wendell Williams, Councilmember Jessica Walker

**Nay:** 0 – **Final Result:** Pass

- (L) Consider adopting a resolution authorizing the purchase of tire retreading services for FY 2021 from Southern Tire Mart, LLC of Columbia, Mississippi, in the estimated amount of \$100,000.

Moved by Mayor Pro Tem Judy Morales, seconded by Councilmember Jessica Walker to be Approve

**Aye:** 5 – Mayor Timothy Davis, Mayor Pro Tem Judy Morales, Councilmember Susan Long, Councilmember Wendell Williams, Councilmember Jessica Walker

**Nay:** 0 – **Final Result:** Pass

- (M) Consider adopting a resolution authorizing a one-year renewal to a purchase agreement for various forms of rock and top soil during FY 2021 with Heartland

Quarries, LLC, dba Heartland Aggregates, of Austin, in the estimated annual amount of \$100,000.

Moved by Mayor Pro Tem Judy Morales, seconded by Councilmember Jessica Walker to be Approve

**Aye:** 5 – Mayor Timothy Davis, Mayor Pro Tem Judy Morales, Councilmember Susan Long, Councilmember Wendell Williams, Councilmember Jessica Walker

**Nay:** 0 – **Final Result:** Pass

- (N) Consider adopting a resolution authorizing the purchase of a 2021 Freightliner dump truck from Houston Freightliner, Inc., of Houston in the amount of \$104,247.

Moved by Mayor Pro Tem Judy Morales, seconded by Councilmember Jessica Walker to be Approve

**Aye:** 5 – Mayor Timothy Davis, Mayor Pro Tem Judy Morales, Councilmember Susan Long, Councilmember Wendell Williams, Councilmember Jessica Walker

**Nay:** 0 – **Final Result:** Pass

- (O) Consider adopting a resolution authorizing the purchase of two 2021 Freightliner dump trucks from Houston Freightliner, Inc. of Houston, in the amount of \$216,170.

Moved by Mayor Pro Tem Judy Morales, seconded by Councilmember Jessica Walker to be Approve

**Aye:** 5 – Mayor Timothy Davis, Mayor Pro Tem Judy Morales, Councilmember Susan Long, Councilmember Wendell Williams, Councilmember Jessica Walker

**Nay:** 0 – **Final Result:** Pass

- (P) Consider adopting a resolution authorizing a contract with RT Schneider Construction Co., Ltd., of Belton, for construction of Avenue C infrastructure improvements from Main Street to Martin Luther King, Jr Drive in the amount of \$1,993,802.75.

Moved by Mayor Pro Tem Judy Morales, seconded by Councilmember Jessica Walker to be Approve

**Aye:** 5 – Mayor Timothy Davis, Mayor Pro Tem Judy Morales, Councilmember Susan Long, Councilmember Wendell Williams, Councilmember Jessica Walker

**Nay:** 0 – **Final Result:** Pass

- (Q) Consider adopting a resolution authorizing Contract Amendment #2 to a professional services agreement with Kasberg, Patrick & Associates, LP, of Temple for bidding and construction administration of the Ave C (Main Street to 24th Street) project in the amount of \$88,800.

Moved by Mayor Pro Tem Judy Morales, seconded by Councilmember Jessica Walker to be Approve

**Aye:** 5 – Mayor Timothy Davis, Mayor Pro Tem Judy Morales, Councilmember Susan Long, Councilmember Wendell Williams, Councilmember Jessica Walker

**Nay:** 0 – **Final Result:** Pass

- (R) Consider adopting a resolution authorizing Change Order #1 to the construction contract with Patin Construction, LLC, of Taylor for construction of Phase 4A of the Bird Creek Interceptor Project in the amount of \$111,625.

Moved by Mayor Pro Tem Judy Morales, seconded by Councilmember Jessica Walker to be Approve

**Aye:** 5 – Mayor Timothy Davis, Mayor Pro Tem Judy Morales, Councilmember Susan Long, Councilmember Wendell Williams, Councilmember Jessica Walker

**Nay:** 0 – **Final Result:** Pass

- (S) Consider adopting a resolution authorizing a three-year term contract for merchant services processor services with First Data Merchant Services, LLC (BBVA) of Atlanta.

Moved by Mayor Pro Tem Judy Morales, seconded by Councilmember Jessica Walker to be Approve

**Aye:** 5 – Mayor Timothy Davis, Mayor Pro Tem Judy Morales, Councilmember Susan Long, Councilmember Wendell Williams, Councilmember Jessica Walker

**Nay:** 0 – **Final Result:** Pass

- (T) Consider adopting a resolution authorizing a professional services agreement with Haley & Olson, P.C., for fiscal year 2021 in the estimated annual amount of \$200,000 for the provision of legal services associated with various condemnation proceedings.

Moved by Mayor Pro Tem Judy Morales, seconded by Councilmember Jessica Walker to be Approve

**Aye:** 5 – Mayor Timothy Davis, Mayor Pro Tem Judy Morales, Councilmember Susan Long, Councilmember Wendell Williams, Councilmember Jessica Walker

**Nay:** 0 – **Final Result:** Pass

- (U) Consider adopting a resolution authorizing a professional services agreement with Clark & Fuller, PLLC, of Temple, for design and bidding phase services required for the 41st Street Wastewater Improvements project in the amount of \$58,357.19.

Moved by Mayor Pro Tem Judy Morales, seconded by Councilmember Jessica Walker to be Approve

**Aye:** 5 – Mayor Timothy Davis, Mayor Pro Tem Judy Morales, Councilmember Susan Long, Councilmember Wendell Williams, Councilmember Jessica Walker  
**Nay:** 0 – **Final Result:** Pass

- (V) Consider adopting a resolution authorizing a one-year renewal to the Services Agreement for the sale of scrap metal for FY 2021 with Temple Iron & Metal of Temple.

Moved by Mayor Pro Tem Judy Morales, seconded by Councilmember Jessica Walker to be Approve

**Aye:** 5 – Mayor Timothy Davis, Mayor Pro Tem Judy Morales, Councilmember Susan Long, Councilmember Wendell Williams, Councilmember Jessica Walker  
**Nay:** 0 – **Final Result:** Pass

- (W) Consider adopting a resolution ratifying a meet and confer agreement with the Temple Professional Fire Fighters Association.

Moved by Mayor Pro Tem Judy Morales, seconded by Councilmember Jessica Walker to be Approve

**Aye:** 5 – Mayor Timothy Davis, Mayor Pro Tem Judy Morales, Councilmember Susan Long, Councilmember Wendell Williams, Councilmember Jessica Walker  
**Nay:** 0 – **Final Result:** Pass

- (X) Consider adopting a resolution authorizing an Interlocal Agreement with the Academy Independent School District to utilize the tennis facilities at Crossroads Park.

Moved by Mayor Pro Tem Judy Morales, seconded by Councilmember Jessica Walker to be Approve

**Aye:** 5 – Mayor Timothy Davis, Mayor Pro Tem Judy Morales, Councilmember Susan Long, Councilmember Wendell Williams, Councilmember Jessica Walker  
**Nay:** 0 – **Final Result:** Pass

- (Y) Consider adopting a resolution authorizing ratifying an Interlocal Agreement with the Temple Independent School District to provide standby medical services at Varsity home football games for the 2020 football season.

Moved by Mayor Pro Tem Judy Morales, seconded by Councilmember Jessica Walker to be Approve

**Aye:** 5 – Mayor Timothy Davis, Mayor Pro Tem Judy Morales, Councilmember Susan Long, Councilmember Wendell Williams, Councilmember Jessica Walker  
**Nay:** 0 – **Final Result:** Pass

## Ordinances - Second & Final Reading

- (Z) SECOND & FINAL READING - FY-20-30-ZC: Consider adopting an ordinance authorizing a rezoning from Agricultural (AG) to Single-Family 3 (SF-3) on 9.302 acres, General Retail (GR) on 0.750 acres, and General Retail (GR) with a Conditional Use Permit (CUP) to sell alcoholic beverages for on-site consumption, where the sale of alcohol may be up to 75% of the total revenue on 23.222 acres, addressed as 8120 Prairie View Road, east of North Pea Ridge Road.

Moved by Mayor Pro Tem Judy Morales, seconded by Councilmember Jessica Walker to be Approve

**Aye:** 5 – Mayor Timothy Davis, Mayor Pro Tem Judy Morales, Councilmember Susan Long, Councilmember Wendell Williams, Councilmember Jessica Walker

**Nay:** 0 – **Final Result:** Pass

- (AA) SECOND & FINAL READING: Consider adopting an ordinance authoring an amendment and adopting the Tax Increment Financing Reinvestment Zone No. 1 Financing and Project Plans to align with the 2030 Master Plan which includes adjusting tax revenues, adjusting funding for future debt service, operating expenditures and public improvements for years FY 2020 – FY 2022.

Moved by Mayor Pro Tem Judy Morales, seconded by Councilmember Jessica Walker to be Approve

**Aye:** 5 – Mayor Timothy Davis, Mayor Pro Tem Judy Morales, Councilmember Susan Long, Councilmember Wendell Williams, Councilmember Jessica Walker

**Nay:** 0 – **Final Result:** Pass

## Misc

- (AB) Consider adopting a resolution to ratify authorizing the City Manager to accept funding through the Texas School Safety Center at Texas State University (TxSSC) in the amount of \$18,000 for the purpose of enforcing Subchapter 161 Texas Health and Safety Code.

Moved by Mayor Pro Tem Judy Morales, seconded by Councilmember Jessica Walker to be Approve

**Aye:** 5 – Mayor Timothy Davis, Mayor Pro Tem Judy Morales, Councilmember Susan Long, Councilmember Wendell Williams, Councilmember Jessica Walker

**Nay:** 0 – **Final Result:** Pass

- (AC) Consider adopting a resolution authorizing acceptance of the FY21 Texas Department of Transportation, Aviation Division, Routine Airport Maintenance Program (RAMP) Grant, in the amount of \$100,000 (City match of \$50,000), to

assist with funding of airport maintenance at the Draughton-Miller Central Texas Regional Airport.

Moved by Mayor Pro Tem Judy Morales, seconded by Councilmember Jessica Walker to be Approve

**Aye:** 5 – Mayor Timothy Davis, Mayor Pro Tem Judy Morales, Councilmember Susan Long, Councilmember Wendell Williams, Councilmember Jessica Walker

**Nay:** 0 – **Final Result:** Pass

- (AD) Consider adopting a resolution authorizing the application and acceptance of grant funds from the Texas Department of Transportation, Highway Safety Improvement Program for projects to improve pedestrian and intersection safety.

Moved by Mayor Pro Tem Judy Morales, seconded by Councilmember Jessica Walker to be Approve

**Aye:** 5 – Mayor Timothy Davis, Mayor Pro Tem Judy Morales, Councilmember Susan Long, Councilmember Wendell Williams, Councilmember Jessica Walker

**Nay:** 0 – **Final Result:** Pass

- (AE) Consider adopting a resolution authorizing an amendment to Resolution 2019-9658-R authorizing the purchase of a 1.124-acre tract of land encompassing the right of way and temporary construction easement necessary for the Poison Oak Road Expansion Project and authorizing closing costs associated with the purchase in an estimated amount of \$35,000.

Moved by Mayor Pro Tem Judy Morales, seconded by Councilmember Jessica Walker to be Approve

**Aye:** 5 – Mayor Timothy Davis, Mayor Pro Tem Judy Morales, Councilmember Susan Long, Councilmember Wendell Williams, Councilmember Jessica Walker

**Nay:** 0 – **Final Result:** Pass

- (AF) Consider adopting a resolution authorizing the acquisition of three rights of way and two drainage easements necessary for the construction of Outer Loop West Project Phase One and authorizing closing costs associated with the purchases in an estimated amount of \$110,000.

Moved by Mayor Pro Tem Judy Morales, seconded by Councilmember Jessica Walker to be Approve

**Aye:** 5 – Mayor Timothy Davis, Mayor Pro Tem Judy Morales, Councilmember Susan Long, Councilmember Wendell Williams, Councilmember Jessica Walker

**Nay:** 0 – **Final Result:** Pass

- (AG) Consider adopting a resolution authorizing the acquisition of the purchase of one temporary construction easement necessary for the construction of the North Pea Ridge Road Expansion Project Phase One in an estimated amount of \$520.00

Moved by Mayor Pro Tem Judy Morales, seconded by Councilmember Jessica Walker to be Approve

**Aye:** 5 – Mayor Timothy Davis, Mayor Pro Tem Judy Morales, Councilmember Susan Long, Councilmember Wendell Williams, Councilmember Jessica Walker

**Nay:** 0 – **Final Result:** Pass

- (AH) Consider adopting a resolution authorizing the acquisition of two rights of way and two permanent utility easements necessary for the construction of the Poison Oak Road Expansion Project and authorizing closing costs associated with the purchases in an estimated amount of \$50,000.

Moved by Mayor Pro Tem Judy Morales, seconded by Councilmember Jessica Walker to be Approve

**Aye:** 5 – Mayor Timothy Davis, Mayor Pro Tem Judy Morales, Councilmember Susan Long, Councilmember Wendell Williams, Councilmember Jessica Walker

**Nay:** 0 – **Final Result:** Pass

- (AI) Consider adopting a resolution amending the Neighborhood Planning Districts planning studies schedule.

Moved by Mayor Pro Tem Judy Morales, seconded by Councilmember Jessica Walker to be Approve

**Aye:** 5 – Mayor Timothy Davis, Mayor Pro Tem Judy Morales, Councilmember Susan Long, Councilmember Wendell Williams, Councilmember Jessica Walker

**Nay:** 0 – **Final Result:** Pass

- (AJ) Consider adopting a resolution authorizing budget amendments for fiscal year 2019-2020.

Moved by Mayor Pro Tem Judy Morales, seconded by Councilmember Jessica Walker to be Approve

**Aye:** 5 – Mayor Timothy Davis, Mayor Pro Tem Judy Morales, Councilmember Susan Long, Councilmember Wendell Williams, Councilmember Jessica Walker

**Nay:** 0 – **Final Result:** Pass

## **V. REGULAR AGENDA**

### **Ordinances**

6. FIRST READING - PUBLIC HEARING - FY-20-32-ZC: Consider adopting an ordinance authorizing a rezoning from Agricultural (AG) to Neighborhood Service (NS), on 47.809 acres, located in the Azarlah G Moore Survey, abstract 596 in Temple, addressed as 2420 West Nugent Avenue.

Director of Planning and Development Brian Chandler presented this item and stated the subject property is located at the northeast corner of the intersection of West Nugent Avenue and Eberhardt Road. Mr. Chandler stated he applicant requests a rezoning from Agricultural (AG) to Neighborhood Service (NS). The applicant initially requested a rezoning to General Retail (GR) but changed his request to Neighborhood Service (NS) to remove the potential of duplex development. Since the NS zoning district is more restrictive than the GR district, renotification is not necessary. Mr. Chandler stated at the August 17, 2020 meeting, the Planning & Zoning Commission voted 7 to 0 to recommend approval, and stated 43 notices of the Planning and Zoning Commission public hearing were sent out to property owners within 200-feet of the subject property as required by State law and City Ordinance. Mr. Chandler stated no notices have been returned in favor of the proposed rezoning and 2 notices have been returned in opposition to the proposed rezoning and recommends approval of the proposed zoning.

Mayor Davis opened the Public Hearing. There being none, the Public Hearing was closed.

Moved by Councilmember Wendell Williams, seconded by Mayor Pro Tem Judy Morales to be Approve

**Aye:** 5 – Mayor Timothy Davis, Mayor Pro Tem Judy Morales, Councilmember Susan Long, Councilmember Wendell Williams, Councilmember Jessica Walker

**Nay:** 0 – **Final Result:** Pass

7. FIRST READING - PUBLIC HEARING - FY-20-31-ZC: Consider adopting an ordinance authorizing a rezoning from Office 2 (O-2) to Planned Development General Retail (PD-GR) with a Development/ Site Plan for a self-storage facility on 6.326 +/- acres, legally described as Lots 1 & 2, Block 1 Guillen Estates and all of called 4.326-acre tract of land, addressed as 1249 & 1147 Marlandwood Road.

Moved by Councilmember Jessica Walker, seconded by Councilmember Wendell Williams to be Approve

**Aye:** 5 – Mayor Timothy Davis, Mayor Pro Tem Judy Morales, Councilmember Susan Long, Councilmember Wendell Williams, Councilmember Jessica Walker

**Nay:** 0 – **Final Result:** Pass

Director of Planning and Development Brian Chandler presented this item and stated the applicant, DB Commercial, on behalf of Ly Lee, requests a rezoning from Office 2 (O-2) to Planned Development-General Retail (PD-GR) to allow for a self-storage facility on 6.326 +/- acres. The facility would include a combination of indoor climate controlled and ambient (outdoor) temperature storage units. Mr. Chandler stated the development/site plan provides the minimum 5% landscaping to soften the exterior views of the buildings as well as exterior elevation materials using a combination of split face concrete masonry unit (CMU) and stone veneer as described

further later in this report. Mr. Chandler said the self-storage building layout for the 6.326 +/- acres is proposed with seven (7) buildings providing for a total 118,475 square feet of total storage space. Mr. Chandler stated owners of twelve (12) properties within 200-feet of the subject property, were sent notice of the public hearing as required by State law and City Ordinance. As of Thursday September 10, 2020, three notices, two from the same owner have been received and on August 17, 2020 the Planning and Zoning Commission recommended approval by a vote of 7-0.

Mayor Davis opened the Public Hearing. There being none, the Public Hearing was closed.

Councilmember Long stated she had not received any negative feedback regarding the proposed zoning, and thanked the Planning Department and the Developer for their efforts.

## **Resolutions**

8. FY-20-45-PLT Consider adopting a resolution authorizing the Final Plat of Gonzales Ranch Addition, Phase II a 1.00 +/- acre, residential subdivision with an applicant-requested exception to Unified Development Code (UDC) Section 8.1.3: Type of Improvements Required to waive fire hydrants, situated in the Stephen Frazier Survey, abstract no. 311, Bell County Texas, located north of FM 93, south of the Georgetown Railroad, and east of the Leon River.

Moved by Councilmember Susan Long, seconded by Mayor Pro Tem Judy Morales to Approve FY-20-45-PLT Consider adopting a resolution authorizing the Final Plat of Gonzales Ranch Addition, Phase II a 1.00 +/- acre, residential subdivision with an applicant-requested exception to Unified Development Code (UDC) Section 8.1.3: Type of Improvements Required to waive fire hydrants, situated in the Stephen Frazier Survey, abstract no. 311, Bell County Texas, located north of FM 93, south of the Georgetown Railroad, and east of the Leon River.

**Aye:** 5 – Mayor Timothy Davis, Mayor Pro Tem Judy Morales, Councilmember Susan Long, Councilmember Wendell Williams, Councilmember Jessica Walker

**Nay:** 0 – **Final Result:** Pass

Director of Planning and Development Brian Chandler presented this item and stated the applicant requests an exception to UDC Section 8.1.3: Type of Improvements Required to waive fire hydrants due to use of an underground water well. Mr. Chandler stated City Council granted the same exception to waive fire hydrants with its approval of the Final Plat of Gonzales Ranch Subdivision (FY-19-44-PLT) with Resolution No. 2019-9744-R on August 1, 2019. Mr. Chandler said the Fire Department is aware of the previous fire hydrant exception for Gonzales Ranch Subdivision to the north and supports the applicant's requested exception to waive fire hydrants for the Final Plat of Gonzales Ranch, Phase II (FY-20-45-PLT). According to the Engineering Department, the City does not have any plans in the near future to extend its water distribution system to this area. Mr. Chandler said City Council is the final plat authority since the developer requests an exception to the UDC for this development and recommends approval as presented.

9. Consider adopting a resolution authorizing City Staff to issue temporary mobile food unit permits pending adoption of amendments to Chapter 14, Food and Food Establishments, of the City's Code of Ordinances.

Moved by Councilmember Susan Long, seconded by Councilmember Jessica Walker to Approve Consider adopting a resolution authorizing City Staff to issue temporary mobile food unit permits pending adoption of amendments to Chapter 14, Food and Food Establishments, of the City's Code of Ordinances.

**Aye:** 5 – Mayor Timothy Davis, Mayor Pro Tem Judy Morales, Councilmember Susan Long, Councilmember Wendell Williams, Councilmember Jessica Walker

**Nay:** 0 – **Final Result:** Pass

Deputy City Attorney Amanda Rice presented this item and stated the City currently issues City mobile food unit permits under Chapter 14, Food and Food Establishments, of the City's Code of Ordinances ("Chapter 14"). The City has seen a rise in the number of City mobile food unit permit applications over the years, especially in the past several months. Ms. Rice stated within the past year, City Staff has discovered several water and wastewater violations committed by mobile food units, which have posed risks to the City's water and wastewater systems. Ms. Rice said due to these violations, City Staff has determined that amendments to Chapter 14 are necessary to allow the City to enforce state law regulating the disposal of wastewater from mobile food units and better protect the City's water and wastewater systems. City Staff is currently drafting amendments to Chapter 14, including a substantial revision of the City's mobile food unit permit process to help prevent water and wastewater violations. City Staff is planning to bring these amendments before City Council for approval before the end of the calendar year. Ms. Rice stated the City's current mobile food unit permits are valid for one year, and staff recommends that City Council authorize City Staff to issue City mobile food unit (MFU) applicants a temporary MFU permit that will expire December 31, 2020 in lieu of an annual MFU permit. MFU operators that are issued a temporary mobile food unit permit would be required to pay a \$5 permit fee as required by Chapter 14. Mobile food unit operators issued a temporary mobile food unit permit will be required to apply for a City annual MFU permit upon the expiration of their temporary permit but would not be required to pay for their first City annual permit issued in the calendar year 2021. Ms. Rice stated this proposed temporary permit program will allow mobile food unit operators to legally operate within the City while the code amendments are pending and will also allow City Staff time to comprehensively review and amend Chapter 14 and implement this Chapter's amended provisions after the amendments' approval by City Council.

10. Consider adopting a resolution authorizing a Chapter 380 Economic Development Agreement between the City of Temple and the Temple Economic Development Corporation ("TEDC") funding TEDC's purchase of property in the Industrial Park from the Billie G. Byrne Trust in the amount of \$3,740,000.

Moved by Councilmember Susan Long, seconded by Councilmember Jessica Walker to Approve Consider adopting a resolution authorizing a Chapter 380 Economic Development Agreement between the City of Temple and the Temple Economic Development Corporation ("TEDC") funding TEDC's purchase of property in the Industrial Park from the Billie G. Byrne Trust in the amount of \$3,740,000.

**Aye:** 5 – Mayor Timothy Davis, Mayor Pro Tem Judy Morales, Councilmember Susan Long, Councilmember Wendell Williams, Councilmember Jessica Walker

**Nay:** 0 – **Final Result:** Pass

City Attorney Kathy Davis presented this item and stated the Temple Economic Development Corporation has committed to purchase an approximately 146.847-acre tract at the Southwest Corner of Moore's Mill Road and Wendland Road from the Billie G. Byrne Trust. Mrs. Davis stated the purchase price for the Property is \$3,690,000 and TEDC intends to market and sell it to an economic development prospect in order to create jobs and additional tax revenue in the City. Mrs. Davis said the City has agreed to provide \$3,740,000 to TEDC to fund the purchase of the Property plus closing costs and TEDC agrees to reimburse to the City its proceeds from the sale of the Property after it is sold to an economic development prospect.

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Timothy A. Davis, Mayor

ATTEST:



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Jana Lewellen, City Secretary, TRMC, CMC