CITY OF BELTON

City Council Meeting Agenda
Tuesday, July 12, 2016 - 5:30 p.m.
Wright Room, Harris Community Center
401 N. Alexander, Belton, Texas

Pledge of Allegiance. The Pledge of Allegiance to the U.S. Flag will be led by Councilmember Paul Sanderford.

Texas Pledge. The Pledge of Allegiance to the Texas Flag will be led by City Manager Sam Listi.

> *"Honor the Texas flag; I pledge allegiance to thee Texas, one state under God, one and indivisible."*

Invocation. The Invocation will be given by Councilmember Dan Kirkley.

1. Call to order.

2. Public Comments.

3. Recognition of Belton Law Enforcement Explorer Post for placing first in Second Annual Central Texas Law Enforcement Explorer Competition.

4. Consider minutes from previous meetings:

   A. Minutes of June 28, 2016, City Council Workshop
   B. Minutes of June 28, 2016, City Council Meeting

Budget Items

5. Receive presentations on the proposed water and sewer budget for FY 2017:

   A. Financial Summary
   B. Operations

6. Receive a presentation on the proposed drainage budget for FY 2017.

7. Receive presentations on annual goals and priorities from the following departments:

   A. Council and Administration
   B. Finance and Legal
   C. Human Resources
   D. Information Technology
   E. Public Works

Miscellaneous Items

8. Consider award of bid and authorizing the City Manager to execute a construction contract for the 2016 Street Chip Seal and HMAC Overlay Project, and any change orders associated with the contract, not to exceed the amount authorized under state law.

9. Consider donation of police dog to the City of Harker Heights Police Department.

The City Council reserves the right to adjourn into Executive Session at any time regarding any issue on this agenda for which it is legally permissible.

CITY OF BELTON

OFFICE OF THE CITY MANAGER

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1. **Call to order.**

2. **Public Comments.**

3. **Recognition of Belton Law Enforcement Explorer Post for placing first in Second Annual Central Texas Law Enforcement Explorer Competition.**

4. **Consider minutes from previous meetings:**

   A. Minutes of June 28, 2016, City Council Workshop
   B. Minutes of June 28, 2016, City Council Meeting

Minutes are attached. Recommend approval.

Budget Items

5. **Receive presentations on the proposed water and sewer budget for FY 2017:**

A. Financial Summary
B. Operations

6. **Receive a presentation on the proposed drainage budget for FY 2017**

7. **Receive presentations on annual goals and priorities from the following departments:**

   A. Council and Administration
   B. Finance and Legal
   C. Human Resources
   D. Information Technology
   E. Public Works

Miscellaneous Items

8. **Consider award of bid and authorizing the City Manager to execute a construction contract for the 2016 Street Chip Seal and HMAC Overlay Project, and any change orders associated with the contract, not to exceed the amount authorized under state law.**

   See Staff Report from Director of Internal Services/City Engineer Angellia Points. Recommend award of the bid to APAC-Texas.

9. **Consider donation of police dog to the City of Harker Heights Police Department**.

   See Staff Report from Assistant City Manager/Police Chief Gene Ellis. Recommend approval of the donation to the Harker Heights Police Department.

The City Council reserves the right to adjourn into Executive Session at any time regarding any issue on this agenda for which it is legally permissible.

BELTON CITY COUNCIL WORKSHOP
June 28, 2016 – 4:30 P.M.

The Belton City Council met in workshop session in the Smith Room at the Harris Community Center with the following members present: Mayor Marion Grayson and Councilmembers Craig Pearson, Dan Kirkley, Jerri Gauntt, Paul Sanderford and Guy O'Banion. Mayor Pro Tem David K. Leigh was absent. Staff present included Sam Listi, Gene Ellis, Amy Casey, Brandon Bozon, Chris Brown, Erin Smith, Byron Sinclair, Angellia Points, Aaron Harris and Paul Romer.

1. **Call to order.** Mayor Marion Grayson called the workshop meeting to order at 4:33 p.m.

2. **Discuss Growth Management Framework for the City of Belton.**

   Director of Planning Erin Smith presented the proposed Growth Management Framework as shown in Exhibit A. She said that the name had been changed from Annexation Policy to Growth Management Framework because annexation is only a portion of growth management.

   Councilmember Paul Sanderford asked Mrs. Smith how she envisioned this tool will be used. Mrs. Smith said she believed that it would benefit affected property owners, and it provides a checklist to Staff to follow when considering possible areas for annexation. Mr. Listi said that the first step will be to provide Council with a proposed study area to evaluate for possible annexation.

   Councilmember Craig Pearson asked how the annexation of Three Creeks Subdivision will fit into the plan since it will be well over 100 residential properties in the future when considered for annexation. Mr. Listi said that Staff will need to develop a Three-Year Plan that will include that subdivision for possible annexation, approximately three years in advance.

3. **Receive an update on Ordinance regarding management of construction in public rights-of-way.**

   Director of Internal Services/City Engineer Angellia Points discussed possible amendments to the City's ordinance regarding management of construction in public rights-of-way as shown in Exhibit B. She said that initially Staff began developing a new ordinance based on Texas Municipal League's model ordinance. The draft ordinance was sent to 70 interested parties, and Staff received several comments and concerns from those affected. After considering all the concerns, Staff decided that amending the existing ordinance was the best route to follow. Mrs. Points reviewed those possible amendments in depth.

   Councilmember Sanderford asked about the policy related to underground utilities. Mrs. Points said underground utilities are encouraged but not required. She stated that there was a court case where it was ruled cities cannot require underground utilities.

City Manager Sam Listi said that the ordinance amendments will be presented to Council for action at a future meeting.

4. **Receive an update on Stormwater Public Education**.

   Director of Internal Services/City Engineer Angellia Points informed the Council that the City's Stormwater Permit requires public outreach and education (see Exhibit C). Mrs. Points discussed several handouts, flyers and door hangers addressing each of the required elements that will be part of the City's outreach effort. Council and Staff comments were requested.

5. **Adjourn.** There being no further business, the meeting was adjourned at 5:22 p.m.

_____
Marion Grayson, Mayor

ATTEST:

_____
Amy M. Casey, City Clerk

Growth Management Framework

City Council Workshop

June 28, 2016

Exhibit "A"

Background

- Texas Municipal League (TML) hosted the 2016 Texas Municipal League Annexation Conference on May 12-13.
- TML recommended each city adopt a growth management framework prior to beginning an annexation study.
- Not a legal requirement, but from a policy perspective it is important to have a clear growth management framework.
- Such a framework will provide background on issues, objectives, and policies that will be considered when addressing major growth and development issues.
- Belton's Strategic Plan identifies Development of a Growth Management Strategy as a Goal for FY2016.

Annexation Authority

- The City of Belton has the authority to annex areas within its extraterritorial jurisdiction (ETJ) that are contiguous to the City limits.
- City Council adopted the Annexation Plan by resolution in 1999 and established all future annexations in the ETJ would comply with allowed exceptions, making Belton exempt from a three year annexation plan.
- Areas located within the Belton ETJ are exempt from the annexation plan requirements because the Plan indicates no future annexation will contain more than 100 residentially developed tracts.

Growth Management Strategies

- **Promote Economic Development**
  - Stimulate local and regional economic growth and implement sound capital improvement programming.
- **Facilitate Long Range Planning**
  - Manage development on the fringe of the City in accordance with the Comprehensive Plan.
- **Protect Future Development**
  - Extend the City's land use standards and building codes to protect future development.
- **Foster Intergovernmental Cooperation**
  - Alleviate jurisdictional conflicts with abutting municipal and county governments, and for coordinating service delivery arrangements with emergency response providers.
  - Consider boundary adjustments with adjacent municipalities.

Growth Management Policy Statements

- Evaluate areas for Annexation Based on Existing or Planned Level of Development
- Address Service Delivery Needs
- Protect Public Health, Safety, and Welfare
- Facilitate Intergovernmental Regulations
- Evaluate Fiscal Considerations
- Offer the opportunity for Non-Annexation Development Agreements

Recommendation

- The proposed Growth Management Framework will set the stage for Council analysis and decision making to determine if annexation is the right choice for the City and affected property owners.
- Recommend approval of a Resolution establishing a Growth Management Framework consistent with Belton's 2016 Strategic Plan.

Proposed Amendment to the Ordinance Regarding Management of Construction in City Rights-of-Way

Council Workshop

June 28, 2016

Exhibit "B"

Purpose of the Ordinance

1. Assist in the management of utility facilities placed in, on or over the public rights-of-way to minimize the congestion, inconvenience, deterioration, visual impact, and the public costs from the locations in the public rights-of-way;
2. Govern the use and occupancy of the public rights-of-way;
3. Protect the public health, safety and welfare;
4. Conserve the limited physical capacity of the public rights-of-way held in public trust by the city;
5. Preserve the physical integrity of the streets and highways;
6. Control the orderly flow of vehicles and pedestrians when required for construction;
7. Keep track of the different entities using the public rights-of-way to prevent interference between them;
8. Assist on scheduling common trenching and street cuts; and
9. Protect the safety, security, appearance and condition of the public rights-of-way.

Background

Non-City owned/maintained facilities have been placed in the ROW

→ Deterioration of roadways, interruptions in traffic flow






CAT

1. Any person requesting to place facilities in the ROW must apply for a permit.
2. Director of Public Works to review and approve.
3. The City has priority over all other uses of the public rights-of-way. The City shall assign the location in or over the public rights-of-way among users of the public rights-of-way with due consideration.
4. Bonding and insurance are required.
5. Person to give 48-hour notice of beginning construction.
6. In emergency work, City Manager is to be notified immediately.
7. Post-construction, the person shall restore the ROW with 30 days.
8. As-built drawings are required.
9. Warranty of work is 2 years.

Ordinance Summary

The ordinance as it stands provides a structure for the City to manage public ROW. However, in order to properly enforce and adequately protect public ROW, Staff proposes additions and revisions to the ordinance along with a formal permitting process.

Amending the Ordinance

INITIAL APPROACH

Developed entirely new ordinance.

Used TML model ordinance to draft new City of Belton ROW Management Ordinance.

Requested 2 rounds of comments from interested parties (70+, including TABA).

Result: many comments and concerns with proposed new ordinance.

FINAL APPROACH

Took a step back.

Proposing revisions to existing ordinance with less stringent requirements.

Requested review from interested parties.

Result: fewer comments, less resistance

Proposed Amendments to the Ordinance

Section 20-143 Definitions

- Definition of Facilities: Included pipes, sidewalks, landscaping, light poles, temporary construction fencing, barricades, storage of materials such as soil, gravel, etc.
- Clarified mailboxes, irrigation systems, and driveways are not included in this ordinance.

Section 20-144 Municipal authorization required

- Clarified that any person wishing for facilities to be placed, reconstructed, demolished, repaired, maintained, or altered within the ROW must receive approval from the Director of Public Works (Director).
- Declared non-City owned or maintained facilities shall not be located within the ROW, unless otherwise approved by the Director.

Proposed Amendments to the Ordinance

Section 20-146 Construction obligations

- A traffic control plan may be required by the Director.
- If approved to be placed in the ROW, any non-City owned or maintained utilities are to be fully encased in steel pipe or concrete and access to such encasements shall be made outside of the ROW.
- A permit must be obtained at least three (3) business days prior to any work to be done in the ROW.
- The ROW must be restored to at or better than the pre-construction condition.
- In the case of emergency work, the person shall apply for a permit on the first working day after the work has been completed.

Section 147 Conditions of public ROW occupancy

- Clarified the City has the first priority over all other uses of the ROW.
- If the City were to obtain new ROW with existing utilities, the existing utilities may be required to be relocated at the direction of the Director.

Other Notes

- Instead of creating a completely new ordinance, Staff modified existing ordinance
- No Permit Fee is not included at this time
- The ordinance does not apply to ETJ, only to City limits
- Specifications on the methods and when traffic control plans are required was not included
- Underground placement of facilities is encouraged but not required (TXU Electric v City of Allen)
- Heights of overhead utilities was not included – governed by other entities

➢ Next Steps:

A. Schedule consideration of the proposed ordinance amendment at July 12, 2016 meeting.
B. Staff to advise interested parties.

Stormwater Public Outreach and Education

Council Workshop

Exhibit "C"

MS4 PERMIT REQUIREMENT EDUCATION!

Residents
- Water quality
- Household hazardous waste program

Visitors
- What is the City doing to promote water quality?

Local Businesses, Commercial and Industrial Facilities
- Focused literature on industrial, commercial, and automotive businesses
- Develop Business Recognition Program

Developers/Home Builders
- Construction related literature

Future Leaders
- Art Contest
- Awareness Events

Belton City Council Meeting
June 28, 2016 – 5:30 P.M.

The Belton City Council met in regular session in the Wright Room at the Harris Community Center with the following members present: Mayor Marion Grayson and Councilmembers Craig Pearson, Guy O'Banion, Dan Kirkley, Jerri Gauntt and Paul Sanderford. Mayor Pro Tem David K. Leigh was absent. Staff present included Sam Listi, John Messer, Gene Ellis, Amy Casey, Brandon Bozon, Erin Smith, Bruce Pritchard, Chris Brown, Aaron Harris, Byron Sinclair, Angellia Points, Matt Bates, Ed Bandas, Paul Romer, Charlotte Walker, Kim Kroll and Cynthia Hernandez.

The Pledge of Allegiance to the U.S. Flag was led by Councilmember Craig Pearson, the Pledge of Allegiance to the Texas Flag was led by Assistant City Manager/Police Chief Gene Ellis, and the Invocation was given by Andy Davis, Senior Pastor at First Baptist Church of Belton.

1. **Call to order.** Mayor Marion Grayson called the meeting to order at 5:33 p.m.

2. **Public Comments.** There were none.

3. **Recognize Public Safety personnel regarding their efforts in saving a life.**

   Fire Chief Bruce Pritchard recognized the efforts of many employees of Belton Fire Department, as well as employees of James Construction, Bell County Communications, and Belton Police Officers who assisted in saving the life of an employee of James Construction who suffered a heart attack. Assistant City Manager/Police Chief Gene Ellis presented a special Life-Saving Award to Police Officer Barnett for his role in the rescue.

4. **Consider minutes of previous meetings:**

   A. June 14, 2016, City Council Workshop
   B. June 14, 2016, City Council Meeting

   Upon a motion by Councilmember Paul Sanderford and a second by Councilmember Craig Pearson, the minutes were unanimously approved upon a vote of 6-0.

Planning and Zoning

5. **Hold a public hearing and consider a zoning change from Commercial Highway to Commercial-1 Zoning District for a minor auto repair shop at 501 East Avenue I, a 0.33 acre tract of land, located on the southeast corner of South Beal Street and East Avenue I.**

   Director of Planning Erin Smith said that this vacant 0.33 acre property is currently zoned Commercial Highway. The applicant is proposing a zoning change to Commercial-1 to allow for a minor auto repair shop. She said that the applicant

owns L&N Auto Sales located directly west of this property, and he would like to construct a building to complete minor repair services to the vehicles for resale at the L&N Auto Sales lot.

Mrs. Smith said that at their meeting on June 21, 2016, the Planning and Zoning Commission recommended approval with conditions, and Staff concurs in their recommendation.

The Mayor opened the public hearing. Seeing no one wishing to speak for or against the item, she closed the public hearing.

Upon a motion by Councilmember Pearson and a second by Councilmember Dan Kirkley, item 5 was unanimously approved upon a vote of 6-0.

6. **Hold a public hearing and consider a zoning change from Heavy Industrial to Light Industrial Zoning District on a 36.326 acre tract of land, located on the north side of East 6th Avenue/FM 93, south of Taylors Valley Road, and east of Interstate Highway 35**.

Director of Planning Erin Smith said that the applicant, the City of Belton, is proposing this zone change to allow for light industrial development. She explained that the Future Land Use Plan identifies this area as Heavy Industrial, and she said that it is Staff's judgment that heavy and light industrial uses are compatible.

Mrs. Smith stated that this property is a portion of the former Rockwool Superfund Site. She added that the EPA gave a Superfund Redevelopment planning grant to the City of Belton to support the site's return to beneficial use. The environmental remedies have been completed, and this property may now be developed in compliance with EPA and TCEQ conditions. The Belton Economic Development Corporation (BEDC) will acquire this 36.326 acre site and market the property for industrial development.

Mrs. Smith said that at their meeting on June 21, 2016, the Planning and Zoning Commission recommended approval of zone change from Heavy Industrial to Light Industrial District. Staff concurs with their recommendation.

Councilmember Guy O'Banion asked if Light Industrial zoning will allow the possibility of a cement plant. Mrs. Smith replied that a cement plant would be Heavy Industrial. City Manager Sam Listi added that it could also be zoned Light Industrial with a Special Use Permit. Mr. Listi said that this rezoning is at Council's request prior to conveyance of the property to BEDC.

The Mayor opened the public hearing. Seeing no one wishing to speak for or against the item, she closed the public hearing.

Upon a motion by Councilmember Guy O'Banion and a second by Councilmember Kirkley, item 6 was unanimously approved upon a vote of 6-0.

7. **Hold a public hearing and consider a re-plat for 93 Quarters Place, a 0.576 acre tract of land, located on the southwest corner of West 2nd Avenue and Alexander Street.**

Director of Planning Erin Smith said that this is a 3-lot subdivision proposed as 93 Quarters Place. She stated that this property is currently zoned Single Family-2 Zoning District with a Conservation and Revitalization (CR) Overlay. The CR Overlay allows single family, duplex, and patio homes. There is an existing house on Lot 1, and proposed Lots 2 and 3 are currently vacant. The applicant would like to construct new duplexes on the two vacant lots.

Mrs. Smith said that TXDOT has reviewed the plat and stated that only one driveway will be permitted on FM 93. The existing house has driveway access to Alexander Street. Lot 3 will have driveway access to FM 93, and Lot 2 will be required to have driveway access to Alexander Street.

She stated that any residential subdivision within the City is required to set aside suitable parkland and/or pay a fee-in-lieu for the acquisition and development of such parkland for each dwelling unit proposed. This subdivision requires parkland dedication of 0.04 acres or an $800 parkland fee for the additional lot. Staff is recommending payment of the parkland fee since there are several area parks that could benefit from these funds.

Mrs. Smith said that at their meeting on June 21, 2016, the Planning and Zoning Commission recommended approval with conditions, and Staff concurs in their recommendation.

Councilmember Jerri Gauntt asked about parking for the duplexes. She expressed concern about the narrow road and the fact there is an apartment complex across the street. She was concerned that Alexander Street was too narrow to accommodate the large number of vehicles. Mrs. Smith stated that the developer will be required to provide two off-road parking places per dwelling unit.

The Mayor opened the public hearing. Seeing no one wishing to speak for or against the item, she closed the public hearing.

Upon a motion by Councilmember Sanderford and a second by Councilmember Pearson, item 7 was approved upon a vote of 5-1. Councilmember Jerri Gauntt provided the dissenting vote.

8. **Hold a public hearing and consider an amendment to Section VI, Tree Protection, Preservation, and Mitigation, of the Design Standards in the Zoning Ordinance, regarding the heritage tree replacement fee and ratio inches**.

Director of Planning Erin Smith said the City's current design standards require a 3:1 replacement when removing a heritage tree. When it is determined by the City

that mitigation for heritage tree removal by replanting trees on site is not feasible, an applicant is required to provide payment of $50 per diameter inch of a Belton Heritage Tree removed for replanting elsewhere. She added that a tree is considered a Belton Heritage Tree when it is 21-38 diameter inches depending on the species of tree. Mrs. Smith said that the 2009 Design Standards required 3:1 replacement or a tree replacement fee of $200 per diameter inch for removal of a heritage tree. In 2009, a tree was considered a Heritage Tree when it was 30 diameter inches regardless of tree species.

Mrs. Smith researched area cities to see what their tree mitigation requirements are, and she found that Copperas Cove, Harker Heights, and Killeen have none. The City of Temple I-35 corridor overlay district requires trees in the floodplain to be protected or a contribution of $100 per caliper-inch fee is recommended; however, there are no other tree replacement requirements.

Mrs. Smith reminded Council that Staff presented tree mitigation recommendations on March 8th for possible future consideration, given the changes from 2009 to present and questions raised about the current replacement ratio. At this meeting, Council recommended researching the City of Flower Mound. She provided a comparison of Belton's policy to Flower Mound's policy.

Mrs. Smith stated that in most instances, a developer has chosen to remove a heritage tree and pay the fee-in-lieu due to a lack of space on a site needed to plant the required number of trees. She said that to encourage heritage tree mitigation, Staff recommends changing the tree mitigation fee to $100 per diameter inch and changing the 3:1 replacement to a 1:1 replacement. Mrs. Smith added that at their meeting on June 21, 2016, the Planning and Zoning Commission recommended approval.

Mayor Grayson asked when the tree ordinance was enacted. Mrs. Smith said the latest revision was in 2014, but the original ordinance was passed in 2009. Mayor Grayson stated that the whole point of the tree ordinance is to save the trees. She added that the City needs to develop a plan for using the tree mitigation fees which have already been received. Mrs. Smith said that she has been working with Matt Bates, Director of Parks and Recreation, who is developing such a plan.

Councilmember O'Banion said that he agrees with the Mayor that the purpose of the ordinance is to save the trees. He said that the proposed changes are acceptable, but he would have preferred a 2:1 replacement so as not to weaken the point of the ordinance. Councilmember Gauntt said she likes the idea of charging a permit fee to remove trees. Mayor Grayson reminded her that Belton requires a tree survey be completed at the applicant's expense.

The Mayor opened the public hearing.

Mr. James Hibbler, 611 S. Loop 121, praised Mrs. Smith for the work she has done on the ordinance, but he wanted to make sure she was aware of the size of the root

system of live oak trees. He said that in order to salvage these trees, you must make sure that you maintain enough of the root system to make them viable.

Seeing no one else wishing to speak for or against the item, Mayor Grayson closed the public hearing.

Upon a motion by Councilmember Kirkley and a second by Councilmember Gauntt, item 8 was approved upon a vote of 5-1. Councilmember Sanderford provided the dissenting vote.

9. **Hold a public hearing and consider an amendment to Section 41, Screening, Fence and Wall Standards, of the Zoning Ordinance, regarding the maximum height of a fence within the front yard of a single family- duplex, or patio home**.

Director of Planning Erin Smith stated that Section 41, Screening, Fence and Wall Standards, of the Zoning Ordinance, establishes the maximum height of a front yard fence at three feet. Staff has received several permit requests for front yard fences that are taller than three feet. She explained that most fencing sold at home improvement stores is 4 feet, 6 feet, and 8 feet tall. It is difficult to find fencing that is 3 feet tall.

Mrs. Smith researched front yard fence height requirements of area cities, and found the following:

- Copperas Cove – no front yard fences allowed
- Salado – no front yard fences allowed
- Temple – 4 feet maximum applies to SF1 and SF2; 3 feet or less can be solid wood; over 3 feet must have open design with minimum 50% visibility and cannot impede visibility within 10 feet of curb or edge of pavement
- Killeen – 5 feet maximum; over 4 feet cannot be solid wood or chain link
- Harker Heights – 5 feet maximum; applies to premises 5 acres or less and within the 25-foot setback; 5+ acres can have front yard fence higher than 5 feet

Mrs. Smith said that Staff is recommending an amendment to the current fence height requirements to allow a front yard fence not to exceed four feet above the grade of the adjacent property. Additionally, combinations of berms and fences shall not exceed four feet in height. Front yard fences will not be permitted in the right-of-way or sight distance triangle areas, and any front yard fence that measures greater than three feet in height shall not be of an opaque character (e.g. solid wood). Mrs. Smith added that at their meeting on June 21, 2016, the Planning and Zoning Commission recommended approval of this amendment.

Mayor Grayson asked Mrs. Smith to define “several.” Mrs. Smith said that she didn’t have an exact number, but she added that the majority of requests she receives are for the older parts of Belton. Mayor Grayson said that front yard fences, especially

chain link, did not seem friendly to her. She asked if this could be accomplished on a case-by-case basis. Mrs. Smith said that it would be challenging to allow this through variances.

Councilmember O'Banion said that when the Planning and Zoning Commission recommended the fence height at three feet, it was to discourage chain link front yard fences. Three feet was set because it is not a standard size and would be more expensive and difficult to obtain. He recommended that the ordinance remain unchanged.

Councilmember Gauntt said that she does not want to see chain link fences in her neighborhood because it doesn't look inviting or welcoming. She relies on the City to maintain standards since her neighborhood does not have a HOA. She said that the City should not encourage front yard fences, especially chain link ones, by amending the height to four feet.

Councilmember Dan Kirkley asked if chain link is allowed now. Mrs. Smith said that it is allowed. He said that he doesn't think we should tell a property owner that they cannot have a chain link fence in the front yard.

The Mayor opened the public hearing. Seeing no one wishing to speak for or against the item, she closed the public hearing.

Mayor Grayson said she is in favor of leaving the ordinance as it is, and she recommended documenting the number of requests that we receive for 4 feet fences.

Councilmember Gauntt said she wasn't sure she had a problem with a 4 feet fence although it can limit visibility. However, she is not in favor of chain link.

Councilmember O'Banion said that if a property owner wants to put a chain link fence right next to a property that already has that type of fence, then it makes sense. He said that it doesn't make sense to put a chain link fence next to a yard without a chain link fence.

Councilmember Pearson said the Council needs to be careful when placing limitations on property owners. We should ensure that changes are in the overwhelming best interest of the greater part of the City. Council needs to consider the value to the City of any change before placing constraint on property owners in what can or cannot be done on his or her property.

Upon a motion for approval of the amendment by Councilmember Kirkley and a second by Councilmember Sanderford, item 9 was disapproved upon a vote of 3-3. Councilmembers Sanderford, Pearson and Kirkley voted in favor. Mayor Grayson and Councilmembers O'Banion and Gauntt voted against.

10. **Hold a public hearing and consider an amendment to Section 502, Street Standards and Policy, of the Subdivision Ordinance, regarding the maximum cul-de-sac length and means of access into a subdivision.**

Director of Planning Erin Smith stated that the current Subdivision Ordinance establishes the maximum length of a cul-de-sac or dead-end street with a permanent turnaround of six hundred feet except under unusual conditions and with the approval of the Planning and Zoning Commission. Additionally, the 2009 International Fire Code requires a second means of access when subdivisions exceed 30 lots. She said that in recent subdivision plats, there have been multiple variances requested to the maximum cul-de-sac length requirement and the means of access for subdivisions exceeding 30 lots.

Mrs. Smith said that due to the number of variances requested and approved, Staff began researching maximum cul-de-sac length and means of access requirements in area cities. Based on this research, she said that Staff recommends changing the maximum cul-de-sac length to 1,000 feet. If the cul-de-sac exceeds 1,000 feet, construction of an intermediate turnaround shall be required, similar to the City of Temple's requirements. Staff also recommends amending the City's Design Manual to include design criteria for cul-de-sacs.

She added that Staff recommends changing the means of access requirements to (1) one entrance for 1-50 lots; (2) two entrances for 51-100 lots; and (3) three entrances for greater than 100 lots.

Staff also recommends adding a means of access requirement to the Subdivision Ordinance so it may apply to Belton's ETJ. Mrs. Smith said that additionally there should be a provision to allow a temporary emergency access road in the Subdivision Ordinance and Design Manual.

At their meeting on June 21, 2016, the Planning and Zoning Commission recommended approval of these amendments.

The Mayor opened the public hearing. Seeing no one wishing to speak for or against the item, she closed the public hearing.

Councilmember Sanderford asked what feedback had been received on this item. Mrs. Smith said that although the amendments had been sent to the Temple Area Builders Association, she received no comments.

Upon a motion by Councilmember O'Banion and a second by Councilmember Pearson, item 10 was unanimously approved upon a vote of 6-0.

11. **Hold a public hearing and consider an amendment to Section 517, Requirements for Parkland, of the Subdivision Ordinance, regarding required parkland.**

Director of Planning Erin Smith said that the current Subdivision Ordinance requires any residential subdivision within the City of Belton, or within the City's extraterritorial jurisdiction, to dedicate suitable parkland and/or make a financial contribution for the acquisition and development of such parkland. In some instances a developer will request to pay a fee-in-lieu of parkland dedication.

The current parkland requirement states that the City only reserves the right to require the dedication of land for public park purposes when two or more acres of land would be required to satisfy the parkland dedication requirements. Staff recommends amending the current parkland requirements to provide Council with discretion in all circumstances when determining the need for satisfying application of the parkland requirement in new residential subdivisions.

Mrs. Smith said that the following revisions to Section 517.01 Parkland Required, of the Subdivision Ordinance are recommended:

B. All plats receiving subdivision approval shall conform to the requirements of this Section. To satisfy the provisions of this Ordinance, conformance with these requirements may be through Parkland dedication or payment of fees-in-lieu of required Parkland, or a combination of the two, at the exclusive discretion of the City Council.

C. In the event the subdivider offers to dedicate land for a public park classification that is defined in the Comprehensive Plan and/or Parks and Recreation Master Plan which meets the design standards of these regulations, and that is two or more acres in size, the City shall accept the parkland dedication, unless Parkland needs have been previously satisfied in that area, if in the City's best interests.

D. Where a subdivider proposes to pay an in-lieu-fee as provided for below, the Council may accept such payment as satisfying the parkland dedication requirements of this Code, except that the ~~City~~ Council reserves the exclusive right to require the dedication of land for public park purposes at its discretion ~~in accordance with this Section when two or more acres of land would be required~~ to satisfy the parkland dedication requirements of this Code.

The Mayor opened the public hearing. Seeing no one wishing to speak for or against the item, she closed the public hearing.

Upon a motion by Councilmember Pearson and a second by Councilmember Kirkley, item 11 was unanimously approved upon a vote of 6-0.

Miscellaneous

12. **Consider a Resolution establishing a Growth Management Framework for the City of Belton**.

Director of Planning Erin Smith said that at a recent Texas Municipal League (TML) Annexation Conference, TML recommended that each city adopt an annexation policy prior to beginning any annexation proceedings. Adoption of an annexation policy is not a legal requirement, but Mrs. Smith explained that, from a policy perspective, it is important to have a clear growth management framework.

Mrs. Smith stated that the City has the authority to annex areas within its ETJ that are contiguous with the existing city limits. As required by law, the City adopted an annexation policy in 1999 that states the City will not annex areas that contain more than 100 residentially developed tracts.

She reviewed the Growth Management Strategies including:

- Economic development;
- Facilitate long range planning;
- Protect future development; and
- Foster intergovernmental cooperation.

She also reviewed the Growth Management Policy statements which will be used in evaluating areas for annexation. These are:

- Evaluate areas for annexation based on existing/planned level of development;
- Address service delivery needs;
- Protect public health, safety, and welfare;
- Facilitate intergovernmental regulations;
- Evaluate fiscal considerations; and
- Offer the opportunity for Non-Annexation Development Agreements.

Mayor Grayson said that this is not something that we haven't already been doing. This just provides it in a formal policy so the public will be able to understand what is done.

Upon a motion by Councilmember Kirkley and a second by Councilmember O'Banion, item 12 was approved upon a vote of 5-1. Councilmember Gauntt provided the dissenting vote.

13. **Second Reading and Public Hearing - Consider ordinances granting a one year extension with two additional one-year automatic extensions, unless rescinded by City, of a franchise to operate and maintain a non-emergency ambulance transfer service within the public streets and highways of the City of Belton:**

A. Acadian EMS
B. Scott & White EMS
C. Serenity EMS, LLC, dba Ameristat Ambulance

Fire Chief Bruce Pritchard told the Council that there are currently four non-emergency ambulance services operating in our City with a franchise agreement. They are Skyline EMS, Acadian EMS, Scott & White EMS and Serenity EMS. To simplify the management of these franchises, Staff requested all agencies renew their franchise agreements at the same time. Additionally, we are proposing to extend the term of the agreements from one year, to one year with two automatic one-year extensions, unless the City rescinds the franchise.

The Mayor opened the public hearing. Seeing no one wishing to speak for or against the item, she closed the public hearing.

Upon a motion by Councilmember O'Banion and a second by Councilmember Kirkley, item 13 was unanimously approved upon a vote of 6-0.

14. **Consider the following:**

A. An amendment to Ordinance No. 2013-02, regarding Institutional Control Measures, on portions of the former Rockwool Superfund Site, located east of IH 35 and FM 93 (6th Avenue), addressing changes in ownership.

B. An amendment to Resolution No. 2013-13-R determining the necessity of transferring real property and authorizing its transfer to the Belton Economic Development Corporation (BEDC) for a public purpose, and authorizing the City Manager to take all steps necessary to accomplish the transfer of portions of the former Rockwool Superfund Site, located east of IH 35 and FM 93 (6th Avenue).

City Manager Sam Listi stated that item 14A is an amendment to institutional controls that exist on the property, prior to the City's conveyance of the property to BEDC. He explained that item 14B is an amendment to the previously approved conveyance document, referencing the amended institutional controls from item 14A.

Mr. Listi explained that the institutional controls are in place to preserve the integrity of the asphalt cap and other site protections that were established by EPA when they cleaned up the site at a cost of approximately $18M several years ago. EPA had responsibility for monitoring the site for five years, and then at the end of the five years, that responsibility shifted to TCEQ. He said that these amended controls are the result of a legal review by BEDC's attorney of the existing institutional controls. The principal objective of the amendment is to shift as much of that obligation to successive purchasers or developers of the property. The City will still be required to conduct an annual inspection of the property.

Upon a motion by Councilmember Pearson to approve both items and a second by Councilmember Paul Sanderford, items 14A and 14B were unanimously approved upon a vote of 6-0.

15. **Consider an amendment to Ordinance No. 2013-26 regulating burglar alarms within the City of Belton**.

Assistant City Manager/Police Chief Gene Ellis said that the City of Belton passed an ordinance in 2013 to regulate burglar alarm systems. The ordinance has not been as effective as Staff had hoped, as false alarms have actually increased during the three years. He added that it took a year and a half to obtain all the contact information.

Chief Ellis recommended an amendment to the ordinance to repeal the sections regarding the permitting process and to retain the provision that makes it a violation to knowingly operate a malfunctioning alarm system. He said that there are a small number of businesses who have excessive false alarms, most often caused by equipment malfunctions. Some choose not to repair their systems even after receiving notice of the issue. Staff is proposing that those with more than 10 false alarms in any single (calendar) quarter may be subject to being summoned into municipal court if they do not repair their alarm system within ten (10) business days after receiving written notice of the issue. He said that the goal is the reduction of excessive false alarms and not penalizing individuals or businesses for accidental or unintended alarm activation.

Upon a motion by Councilmember Sanderford and a second by Councilmember Kirkley, item 15 was unanimously approved upon a vote of 6-0.

Executive Session

At 7:10 p.m., the Mayor announced the Council would go into Executive Session for the following item:

16. **Executive Session pursuant to the provisions of the Texas Open Meetings Act, Chapter 551, Govt. Code, Vernon's Texas Codes Annotated, in accordance with the authority contained in Section 551.071, consultation with attorney.**

The Mayor reopened the meeting at 7:37 p.m., and there being no further business, the meeting was adjourned.

_____
Marion Grayson, Mayor

ATTEST:

_____
Amy M. Casey, City Clerk

Staff Report – City Council Agenda Item

Agenda Item #8

Consider award of bid and authorizing the City Manager to execute a construction contract for the 2016 Street Chip Seal and Overlay Project, and any change orders associated with the contract, not to exceed the amount authorized under state law.

Originating Department

Engineering – Angellia Points, Director of Internal Services/City Engineer

Background

In September 2014, Staff coordinated the completion of the Five-Year Roadway Maintenance Plan performed by Lee Engineering. Lee Engineering used a numeric matrix to determine the type of treatment recommended for each road segment. The original plan required approximately $1.2 million every year for 5 years to treat the roadways owned and maintained by the City of Belton. Treatments varied from traditional chip seals and asphalt overlays to more emerging technologies such as microsurfacing and scrub sealing.

Staff contracted with Kasberg, Patrick, & Associates in August 2015 to assist in evaluating the street treatments and to develop the contract documents to bid the project. KPA and Staff reevaluated funding sources and practicality of the treatment options and proposed a revised plan to Council on April 26, 2016. The revised plan proposed treating Year 1 and 2 streets using more standard and proven treatments such as chip seal, double chip seal, and asphalt overlay treatments, totaling approximately $1.5 million. Funding was also identified using the general fund bond, TIRZ street maintenance funds, and the City's annual budgeted chip sealing funds.

The Year 1 and 2 streets were bid under the project name: 2016 Street Chip Seal and Overlay Project. The nature of the work prescribed in this project allowed contractors to bid using two completely separate base bids: Base Bid A or the Single and Double Chip Seal treatments and Base Bid B or the hot mix asphalt overlay treatments. Bidders had the option to bid both base bids or only one base bid. This allowed companies capable of performing either only chip seals or only asphalt placement or both to bid the project.

The project's contract documents were developed to require the contractor to complete the work by October 21, 2016. This date was chosen to allow for ample amount of time to perform the work and to prevent the work being done under lower ambient temperatures, which may cause the emulsions to fail to cure properly.

The project was designed, and advertisement for bids began on June 2, 2016. Bids were opened on June 28, 2016 at 2:00 p.m. Two qualified bids were received as shown in the following table. Although the treatment types are common and proven, chip sealing and

asphalt work require specialized equipment and crews to perform the work. The companies capable of performing this work are limited, and those who are able to chip seal and overlay streets are typically 100% utilized during the summer months. Therefore, only two bidders chose to bid this specific project.

Bidder	Base Bid & Total Bid Amount
APAC-Texas, Inc. of Belton, Texas	Base Bid A (Chip Seal): $1,256,125.00 Base Bid B (Overlay): $526,120.00 (TOTAL A+B = $1,782,245)
Alpha Paving, LLC of Round Rock, Texas	Base Bid A (Chip Seal): No bid. Base Bid B (Overlay): $655,318.00

The City Engineer's Opinion of Probable Cost (EOPC) to construct the Project was $1,516,390 for both Base Bids A and B, a difference of $265,855 higher than the lowest combined bid. KPA, the City Engineer, and the City's Construction Inspector evaluated the bids and determined that APAC-Texas, the single bidder for Base Bid A (Chip Seal) and the low bidder for Base Bid B (Overlay), has the capability and experience to perform to the requirements of the contract. Although a single bid was received for Base Bid A, the unit costs for the project elements are reasonable and within the expected range.

Fiscal Impact

Funding for this project would be sourced from the Maintenance Bond Proceeds, TIRZ Street Maintenance Funds, and FY2016 Annual Street Chip Seal Maintenance Funds. The following table summarizes the funding amounts:

Funding Source	Amount
Bond Funds	$1,421,500
TIRZ Street Maintenance Funds	$301,051
BEDC Contribution – Business Park Streets	$33,622
Chip Seal Funds – FY 2016 General Fund Operating Budget	$26,072
TOTAL	**$1,782,245**

The project is fully funded. After reviewing Base Bid A (Chip Seal) bid, Staff met with APAC-Texas to discuss the specifications on the project in order to provide the high quality product within budget for the chip seal street treatment. This discussion between the Contractor and Staff is ongoing on the Chip Seal portion of the project.

Therefore, Staff recommends awarding both Base Bid A and B to the low bidder, APAC-Texas. Staff will issue the Notice to Proceed for Base Bid B, the overlay treatment but will continue to coordinate and evaluate options with the low bidder on Base Bid A, the chip seal treatment.

Budgeted: ☒ Yes ☐ No ☒ Bond Funds, TIRZ, and Annual Budget

If not budgeted: ☐ Budget Transfer ☐ Contingency ☐ Amendment Needed

Recommendation

Award bid and authorize the City Manager to execute a construction contract for the 2016 Street Chip Seal and Overlay Project, and any change orders associated with the contract, not to exceed the amount authorized under state law.

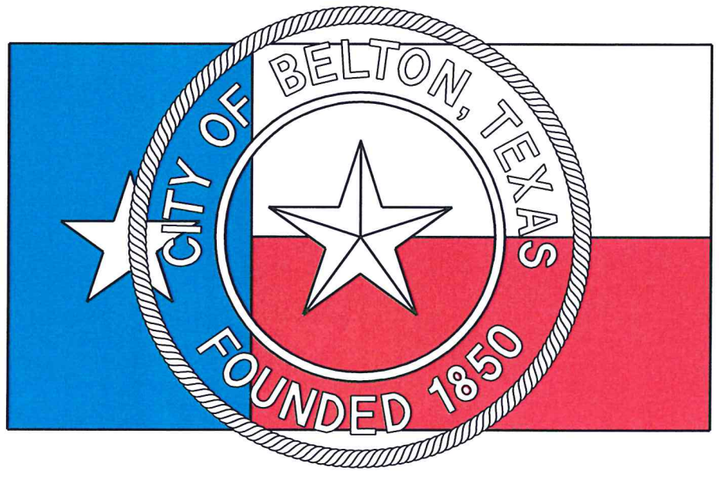
Attachments

Drawings
City Engineer Recommendation Letter
Bid Tabulation

CITY OF BELTON, TEXAS

CONSTRUCTION PLANS FOR

2016 CHIP SEAL AND HMAC OVERLAY PROJECT



JUNE 2016

Prepared By

KPA

KASBERG, PATRICK, & ASSOCIATES, LP
CONSULTING ENGINEERS
TEMPLE, TEXAS 76501
Firm Registration No. F-510

STATE OF TEXAS
WM. MACK PARKER
44288
REGISTERED
PROFESSIONAL ENGINEER

Wm. Mack Parker
6-1-16

Prepared By

CITY OF BELTON, TEXAS
BELTON, TEXAS 76513

STATE OF TEXAS
ANGELLIA C. POINTS
115965
LICENSED
PROFESSIONAL ENGINEER

6-1-16

City Council

Marion Grayson	Mayor
David K. Leigh	Mayor Pro-Tem
Paul Sanderford	Council Member
Jerri Gauntt	Council Member
Dan Kirkley	Council Member
Guy O'Banion	Council Member
Craig Pearson	Council Member

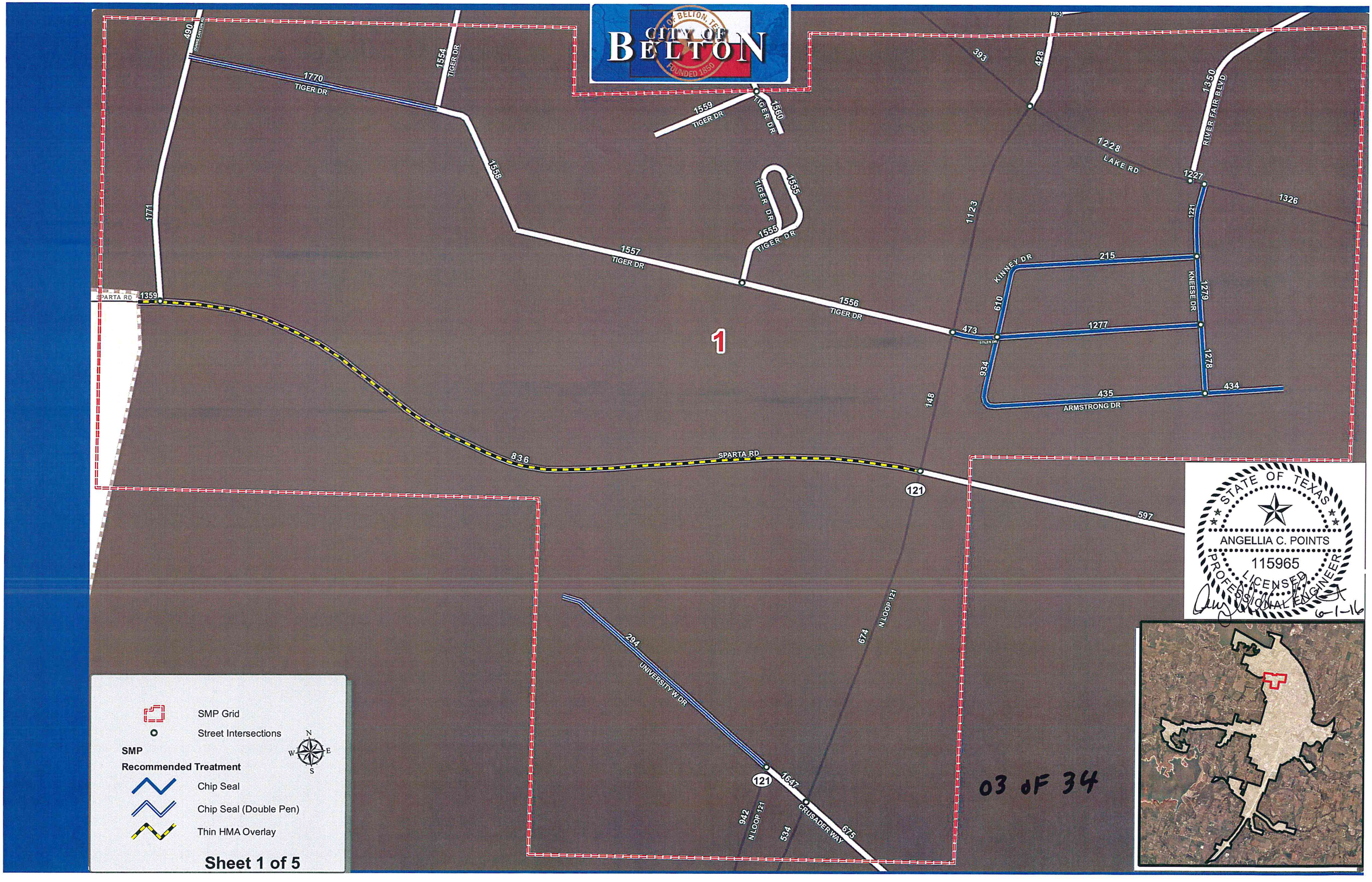
City Staff

Sam Listi	City Manager
Angellia Points	City Engineer

Approved by the City of Belton, Texas
this 1st day of June, 2016.

Sam A. Listi 6/1/16
Sam Listi — Date
City Manager

6/1/16
Angellia Points — Date
City Engineer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PROFESSIONAL ENGINEER
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Street Intersections
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Chip Seal
Chip Seal (Double Pen)
Thin HMA Overlay
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Sheet 1 of 5
03 of 34

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SMP Grid

Street Intersections

SMP

Recommended Treatment

Chip Seal

Chip Seal (Double Pen)

Thin HMA Overlay

Sheet 2 of 5

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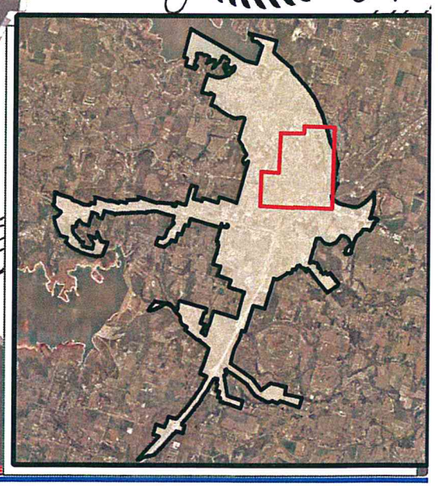
ANGELLIA C. POINTS
115965
PROFESSIONAL ENGINEER
6-1-16

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Street Intersections
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Recommended Treatment
Chip Seal
Thin HMA Overlay
Sheet 3 of 5
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PROFESSIONAL ENGINEER
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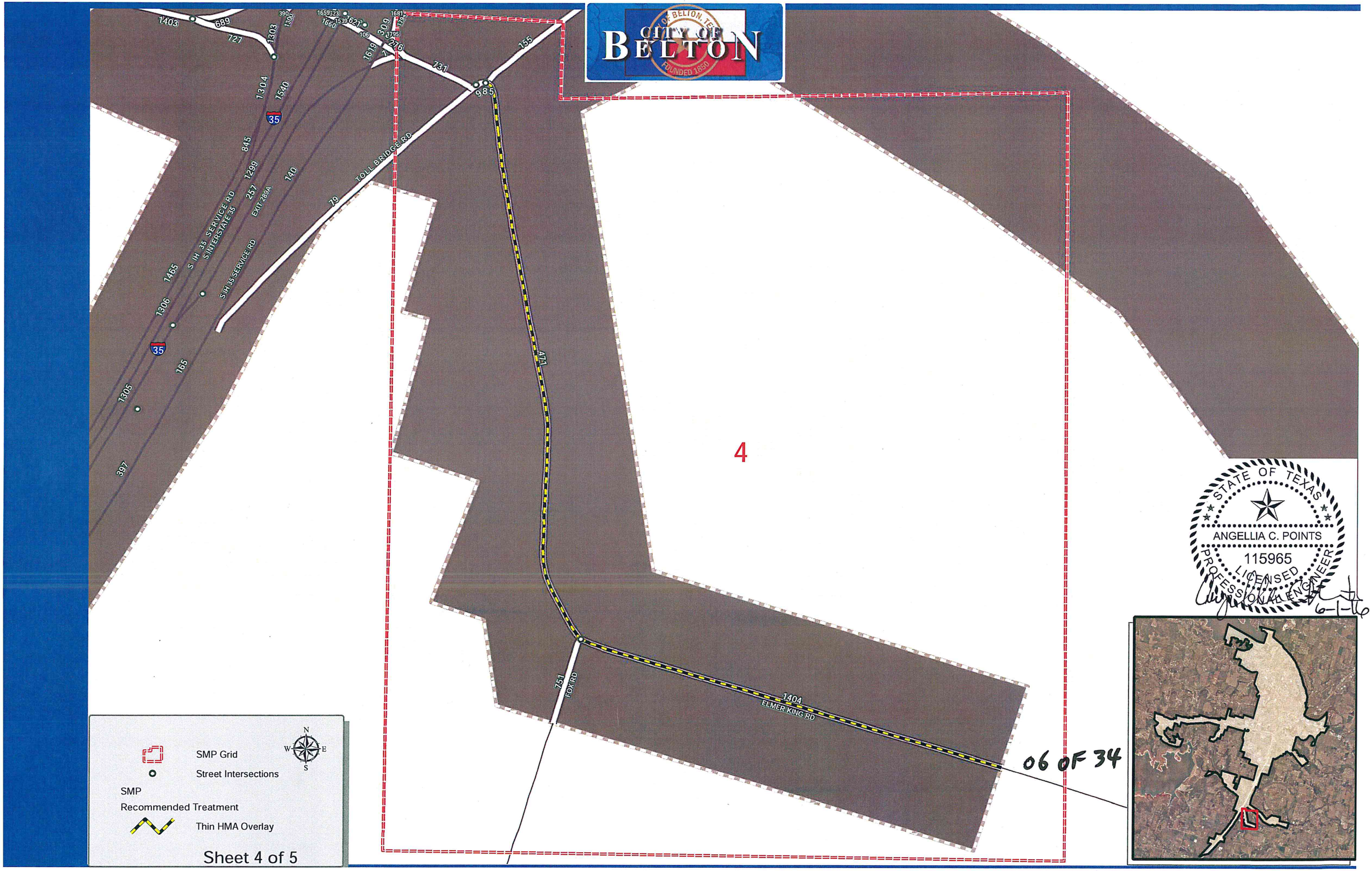
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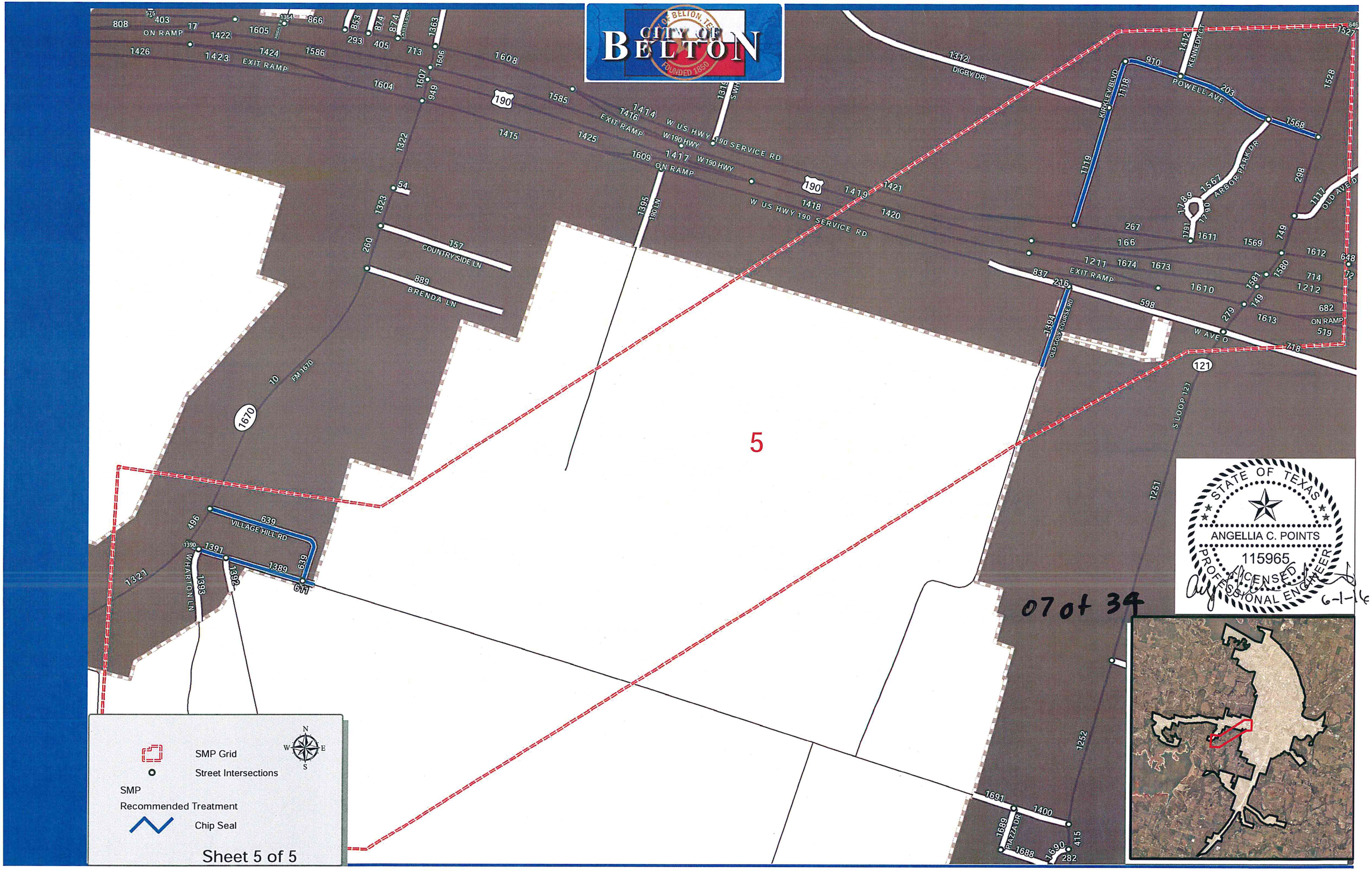
Sheet 4 of 5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ARBOR PARK DR
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OLD GOLF COURSE RD
S LOOP 121
COUNTRY SIDE LN
BRENDA LN
FM 1670
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Recommended Treatment
Chip Seal
Sheet 5 of 5

MEMO

Date: July 8, 2016

To: Sam Listi, City Manager

From: Angellia Points, Director of Internal Services/City Engineer

Re: 2016 Street Chip Seal and Overlay Project Recommendation of Award

---

On Tuesday, June 2, 2016, at 2:00 PM, sealed bids for the 2016 Street Chip Seal and Overlay Project were opened and read aloud publicly in the Main Conference Room at Belton City Hall by the City Clerk, Amy M. Casey. A Bid Tabulation for the Bids received is attached to this memo.

There were two bidders with a total of three separate base bids. The amount that I budgeted for the project as an Opinion of Probable Costs was $1,516,390. The following is data provided for a quick comparison of the bids received:

Bids received:

APAC-Texas, Inc. of Belton	Base Bid A (Chip Seal) = $1,256,125.00
	Base Bid B (Overlay) = $526,120.00
	Total Base Bid A + B = $1,782.245
Alpha Paving, LLC of Round Rock	Base Bid A (Chip Seal) = No bid.
	Base Bid B (Overlay) = $655,318.00

The only bidder for Base Bid A was APAC-Texas, Inc., and the lower bidder for Base Bid B was also APAC-Texas, Inc. The City of Belton has a good record of experience working with APAC-Texas on many projects, including the recent W. MLK Jr. Ave Overpass Project. Although a single bid was provided for Base Bid A, the chip seal treatment, the prices provided by APAC-Texas are reasonable and acceptable. The project is fully funded. However, I am and will be working with APAC-Texas to evaluate options to ensure the correct oils and rock are specified on the project to ensure the highest quality product.

Therefore, at this time, I recommend that the City of Belton award the contract for both Base Bid A and B for the 2016 Street Chip Seal and Overlay Project to APAC-Texas, Inc. of Belton, Texas in the amount of $1,782,245.

Sincerely,
Angellia Points, P.E.
Project Manager
City Engineer
Xc: Amy M. Casey, City Clerk, City of Belton

BID TABULATION
CITY OF BELTON, TEXAS

2016 Street Chip Seal and HMAC Ovelay Project

333 Water Street
June 28, 2016; 2:00 PM

Item No.		Estimated Quantity	Unit	Bid Data Description	BIDDER INFORMATION: APAC-Texas, Inc. 6904 Hwy 190 West Belton TX 76513 — Unit Price	Extended Amount	Alpha Paving Industires LLC PO Box 6565 Round Rock TX 78683 — Unit Price	Extended Amount
BASE BID A								
1	COB	100%	LS	Mobilization, Bonds & Insurance (not-to-exceed 5% of Total Bid)	$ 62,225.00	$ 62,225.00	$	$ -
2	132	100%	LS	Provide Traffic Control Plan (Vehicle & Pedestrian) Prepared by a Texas Licensed PE	3,000.00	3,000.00		-
3	132	100%	LS	Implement Traffic Control Plan (Vehicle & Pedestrian)	46,500.00	46,500.00		-
4	COB	100%	LS	Items Requested by the City of Belton Not Shown in the Construction Drawings	25,000.00	25,000.00		-
5	340	2,060	TN	HMAC Type "D" Spot Level Up Prior to Chip Seal Construction	82.00	168,920.00		-
6	104	380	LF	HMAC Saw Cut	1.00	380.00		-
7	316	300,000	SY	Single Chip Seal	2.65	795,000.00		-
8	316	16,500	SY	Double Chip Seal	4.60	75,900.00		-
9	100	240	HR	Provide Road Way Delineation	175.00	42,000.00		-
10	100	240	HR	Provide Road Way Sweeping	155.00	37,200.00		-
TOTAL BASE BID A AMOUNT - (Items 1 - 10)						$ 1,256,125.00		NO BID

Item No.		Estimated Quantity	Unit	Bid Data Description	Unit Price	Extended Amount	Unit Price	Extended Amount
BASE BID A (ADD/DEDUCT)								
1		100%	LS	Provide & Install Aggregate hereby Specified as Non-Coated, Light Weight Aggregate for Chip Seal(s) as Required in Base Bid A Descriptive Codes #7 and#8	$ 0.00	$ 0.00	$	$ -
TOTAL BASE BID A (ADD/DEDUCT) AMOUNT - (Item 1)						$ 0.00		NO BID

Item No.		Estimated Quantity	Unit	Bid Data Description	Unit Price	Extended Amount	Unit Price	Extended Amount
BASE BID B								
1	COB	100%	LS	Mobilization, Bonds & Insurance (not-to-exceed 5% of Total Bid)	$ 26,000.00	$ 26,000.00	$ 15,000.00	$ 15,000.00
2	132	100%	LS	Provide Traffic Control Plan (Vehicle & Pedestrian) Prepared by a Texas Licensed PE	3,000.00	3,000.00	3,000.00	3,000.00
3	132	100%	LS	Implement Traffic Control Plan (Vehicle & Pedestrian)	15,000.00	15,000.00	10,000.00	10,000.00
4	COB	100%	LS	Items Requested by the City of Belton Not Shown in the Construction Drawings	25,000.00	25,000.00	25,000.00	25,000.00
5	340	280	TN	Provide HMAC Type "D" Spot Level Up Prior to HMAC Overlay Construction	82.00	22,960.00	75.00	21,000.00
6	104	800	LF	HMAC Saw Cut	1.00	800.00	20.00	16,000.00
7	340	42,340	SY	2-inch HMAC Type "D" Overlay with Tack Coat	9.00	381,060.00	12.70	537,718.00
8	100	20	HR	Provide Roadway Delineation	160.00	3,200.00	100.00	2,000.00
9	100	20	HR	Provide Roadway Sweeping	130.00	2,600.00	100.00	2,000.00
10	354	4,000	SY	Provide Pavement Milling to Create Butt Joints for HMAC Overlays	4.00	16,000.00	4.00	16,000.00
11	COB	15	EA	Adjust Existing Wastewater Manhole Rings with 24-inch Diameter Covers using 2-inch Inserts	1,000.00	15,000.00	300.00	4,500.00
12	COB	31	EA	Adjust Existing Water Valve Boxes	500.00	15,500.00	100.00	3,100.00
TOTAL BASE BID B AMOUNT - (Items 1 - 12)						$ 526,120.00		$ 655,318.00

BID SUMMARY

	BIDDER INFORMATION: APAC-Texas, Inc. 6904 Hwy 190 West Belton TX 76513	Alpha Paving Industires LLC PO Box 6565 Round Rock TX 78683
BASE BID A (ITEMS 1 - 10)	$ 1,256,125.00	NO BID
Lump Sum Total ADD/DEDUCT	$ 0.00	NO BID
BASE BID B (ITEMS 1-12)	$ 526,120.00	$ 655,318.00

Did Bidder Acknowledge Addenda No. 1?	YES	YES
Did Bidder provide Bid Security?	YES	YES

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

Wm. Mack Parker

6-29-16

Wm. Mack Parker, PE, CFM
Kasberg, Patrick & Associates, LP

Date

STATE OF TEXAS
WM. MACK PARKER
44288
REGISTERED PROFESSIONAL ENGINEER

Staff Report – City Council Agenda Item

Agenda Item #9

Consider donation of police dog to the City of Harker Heights Police Department.

Originating Department

Police Department – Gene Ellis, Chief of Police/Assistant City Manager

Summary Information

The City of Belton acquired a trained police dog (K-9) in 2012 through a Governor's Office Criminal Justice Division grant. Detective Richard Murray became our first K-9 handler, and he and "Chico" have been partners ever since. Detective Murray is retiring on July 15, 2016, after nearly 21 years of service with the City of Belton. Upon learning of Detective Murray's retirement, we reviewed three possible scenarios for Chico.

The first option considered was to retire Chico and give him to Detective Murray. Chico will be 6 years old in August. We consulted with several police dog experts and learned he is in his prime with several more years of work life ahead provided he remains in good health. There is some liability associated with making a pet out of a working dog in his prime. Based on advice from the experts on this subject, we determined this was not the best option despite the empathy we have for the bond between Detective Murray and Chico.

The second option was to assign Chico to a new BPD handler. A careful review of our staff who expressed interest in the K-9 program was completed. We have several very talented and capable officers who, at some point in the future, will be outstanding K-9 handlers. However, at this time, those interested either are very new officers still learning their main job functions or officers with other commitments that would conflict with being a successful K-9 handler at this time. There is also some substantial cost to training a new handler.

The final option was to consider donating Chico to a nearby agency who could utilize him and still make him available to respond to Belton when needed. The Harker Heights Police Department has a very successful K-9 program that they are looking to expand. They currently have a certified police dog trainer on staff, a handler selected, and a vehicle setup for K-9.

After careful consideration and research, we believe it is in the best interest of Chico, the City of Belton, and the law enforcement community in our region, to give Chico and some of the associated K-9 handler equipment to the City of Harker Heights Police Department. We have an outstanding working relationship with the Harker Heights Police Department including a mutual aid interlocal agreement for a joint tactical team. Harker Heights Police Chief Mike Gentry has assured us that their K-9 team will be available to assist the Belton Police Department when needed.

Fiscal Impact

Original Governor's Criminal Justice Division Justice Administration Grant (JAG) in 2011 to start K-9 Program:

Supplies	$ 7,500	
Personnel	4,000	(first year handler off-duty care)
Travel & Training	3,000	
Dog & accessories	12,000	
	$26,500	

Estimated value of police dog and equipment to be donated (based on approximate 8 year working life of a police dog:

Chico	($6,000)
Equipment	($1,000)
	($7,000)

Estimated value of items to be sold through auction:

Bite suit	$ 500
Vehicle Accessories	1,000
	$1,500

BPD former K-9 vehicle taken out of service due to mechanical issues and sold at auction.

Recommendation

Recommend approval of donation of police K-9, Chico, and associated handler equipment to the City of Harker Heights to be utilized by the Harker Heights Police Department.