



CITY OF BELTON

**City Council Meeting Agenda
Tuesday, November 14, 2017 - 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 Director of Library Services Kim Kroll.

Texas Pledge. The Pledge of Allegiance to the Texas Flag will be led by Mayor Marion Grayson.

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

Invocation. The Invocation will be given by Dr. Shawn Shannon, Director of Baptist Student Ministries at the University of Mary Hardin-Baylor.

1. Call to order.
2. Public Comments.

Citizens who desire to address the Council on any matter may register to do so prior to this meeting and speak during this item. Forms are located on the table outside of the south side entry to the meeting room. Please state your name and address for the record, and limit your comments to three minutes. Also, please understand that while the Council appreciates hearing your comments, State law (Texas Gov't Code §551.042) prohibits them from: (1) engaging in discussion other than providing a statement of specific factual information or reciting existing City policy, and (2) taking action other than directing Staff to place the matter on a future agenda.

3. Recognize the Belton Fire Department for achieving Best Practices Recognition and being one of the first ten Texas Fire Departments to achieve this recognition.
4. Recognize the Finance Department for receipt of the Certificate of Achievement for Excellence in Financial Reporting for Fiscal Year 2016.

Consent Agenda

Items 5-7 under this section 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 prior to voting, at the request of any Councilmember, and it will be considered separately.

5. Consider the minutes of previous meetings:
 - A. October 24, 2017, City Council Workshop
 - B. October 24, 2017, City Council Meeting
 - C. October 31, 2017, Special Called City Council Workshop
6. Consider a resolution authorizing the submittal of an application to the Texas Historical Commission to be designated as a Certified Local Government.
7. Consider authorizing the purchase of a Street Sweeper through the HGAC Purchasing Cooperative.

Work Session:

8. Receive a presentation and discuss small cell nodes.
9. Receive a presentation and discuss fats, oils, grease and grit.
10. Receive a presentation and discuss backflow and irrigation.

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.



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OFFICE OF THE CITY MANAGER

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3. **Recognize the Belton Fire Department for achieving Best Practices Recognition and being one of the first ten Texas Fire Departments to achieve this recognition.**

The Texas Fire Chiefs Association has developed a best practices program to encourage fire departments in Texas to seek continual improvement in their

services to their local community. I am proud to say that the Belton Fire Department is one of the first ten Texas Fire Departments to achieve this recognition. Scott Kerwood, Hutto Fire Chief, will make the official presentation of the recognition.

4. Recognize the Finance Department for receipt of the Certificate of Achievement for Excellence in Financial Reporting for Fiscal Year 2016.

It is my privilege to announce that for the 31st consecutive year, the City of Belton's Comprehensive Annual Financial Report (CAFR) has received the Government Finance Officers Association Certificate of Achievement Award. This award is for Financial Reporting for the fiscal year ending September 30, 2016. It is recognition of distinction and an honor for the Belton City Council, management, and staff that the City's CAFR meets the national standards of excellence for reporting the City's finances. Special thanks go to Director of Finance Brandon Bozon, Assistant Director of Finance Susan Allamon, and the rest of the team in the Finance Department.

Consent Agenda

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5. Consider the minutes of previous meetings:

- A. **October 24, 2017, City Council Workshop**
- B. **October 24, 2017, City Council Meeting**
- C. **October 31, 2017, Special Called City Council Workshop**

Copies of the minutes are attached. Recommend approval.

6. Consider a resolution authorizing the submittal of an application to the Texas Historical Commission to be designated as a Certified Local Government.

See Staff Report from Director of Planning Erin Smith. Recommend approval of the resolution authorizing the application submittal.

7. Consider authorizing the purchase of a Street Sweeper through the HGAC Purchasing Cooperative

See Staff Report from Director of Public Works Angellia Points. Recommend approval of the purchase as presented.

Work Session:

8. Receive a presentation and discuss small cell nodes.

See PowerPoint presentation from Director of Public Works Angellia Points and Director of Planning Erin Smith. Recommend setting public hearing and adopting ordinance on November 21, 2017.

9. Receive a presentation and discuss fats, oils, grease and grit.

See PowerPoint presentation from Director of Public Works Angellia Points. Recommend setting public hearing and adopting ordinance on November 21, 2017.

10. Receive a presentation and discuss backflow and irrigation.

See PowerPoint presentations from Director of Public Works Angellia Points. Recommend setting public hearing and adopting ordinance on November 21, 2017.

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 Fire Department
is one of the first ten
Texas Fire Departments to
achieve this recognition*



**Best
Practices
Recognition
Program**

**November 14,
2017**



The Texas Fire Chiefs Association (TFCA) has developed a best practices program to encourage fire departments in Texas to seek continual improvement in their services to their local community. There are twelve chapters that define best practices in the typical service areas provided by a fire department.

12 Areas of Concentration

Administration and Organization
Emergency Medical Service
Training
Special Operations
Records and Information Management
Fire Operations
Fire Prevention, Risk Reduction, and
Community Outreach
Response Analysis
Communications
Safety and Health
Resources Management
Professional Standards and Conduct



Welcome

Mayor, Marion Grayson

Invocation

Mayor Pro Tem, Craig Pearson

Opening Comments

City Manager, Sam Listi

Guest Speakers

Retired Firefighter, Leroy Vargas

Hutto Fire Chief, Scott Kerwood

Presentation of Coins

Fire Chief, Bruce Pritchard

Closing

Fire Chief, Bruce Pritchard



Government Finance Officers Association
203 North LaSalle Street, Suite 2700
Chicago, Illinois 60601-1210
312.977.9700 fax: 312.977.4806

September 25, 2017

Sam A. Listi
City Manager
City of Belton
PO Box 120
Belton, TX 76513-0120

Dear Mr. Listi:

We are pleased to notify you that your comprehensive annual financial report (CAFR) for the fiscal year ended 2016 qualifies for GFOA's Certificate of Achievement for Excellence in Financial Reporting. The Certificate of Achievement is the highest form of recognition in governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a government and its management.

When a Certificate of Achievement is awarded to a government, an Award of Financial Reporting Achievement (AFRA) is also presented to the individual(s) or department designated by the government as primarily responsible for its having earned the Certificate. This award has been sent to the submitter as designated on the application.

We hope that you will arrange for a formal presentation of the Certificate and Award of Financial Reporting Achievement, and that appropriate publicity will be given to this notable achievement. A sample news release is enclosed to assist with this effort.

We hope that your example will encourage other government officials in their efforts to achieve and maintain an appropriate standard of excellence in financial reporting.

Sincerely,

A handwritten signature in black ink, reading "Todd Buikema". The signature is written in a cursive, flowing style with a prominent horizontal line at the beginning.

Todd Buikema
Acting Director, Technical Services Center

**Belton City Council Workshop Meeting
October 24, 2017 – 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, Mayor Pro Tem Craig Pearson and Councilmembers David K. Leigh, Guy O'Banion, Paul Sanderford, Dan Kirkley and John R. Holmes, Sr. Staff present included Sam Listi, John Messer, Gene Ellis, Amy Casey, Brandon Bozon, Angellia Points, Bob van Til, Paul Romer and Matt Bates.

1. **Call to order.** Mayor Marion Grayson called the meeting to order at 4:30 p.m.
2. **Conduct a Council Workshop to review the status of the Chisholm Trail Hike/Bike Trail Facility Phase II.**

City Manager Sam Listi thanked the Council for their attendance at the workshop. He said that a fiber optic cable is in the route of the Phase II Hike/Bike Trail, and it is becoming a major issue. He asked Director of Public Works Angellia Points to present the issue and possible solutions. She explained that the project originally was presented with an at-grade crossing over the BNSF railroad. The railroad would not approve that at-grade crossing, so the project was designed to include a tunnel passing under the railroad. Staff was aware of a fiber optic cable in the route, but did not understand the challenge it would present to the design of the project. She added that BNSF has said now that they will allow an at-grade crossing in the vicinity of College Street/Crusader Way.

Mrs. Points said that the City applied for and received a TxDOT TAP Grant for this project which included a tunnel under the railroad. Discussions with TxDOT have indicated that TxDOT would allow the grant funding even if the project included an at-grade crossing, but she added that still needs to be put in writing.

Mrs. Points reviewed options for the route of the trail and the costs associated with each as shown in Exhibit "A."

City Manager Listi said that he met with Steve Theodore and Edd Martin of UMHB and presented them with the concept plan for the new alignment. They have reservations with some aspects of the plan where the alignment of the trail comes close to the rear of UMHB's operations center. The operations center is an area where broken equipment and other unsightly items are stored temporarily.

Mr. Listi said that Staff is interested in Council's input related to the realignment of the trail. If the Council does not agree to a realignment, the City may have to turn down the grant funds, although TxDOT has discouraged us from doing that.

Councilmembers discussed different alignments for the trail. Mr. Listi said that Staff was concerned about having a very long tunnel, the security issues, and the added

cost of construction. He added that after Council has given some direction on the concept of realignment, then an exact alignment will be identified and presented to the Council.

Councilmember Holmes expressed surprise that the realignment would be about the same cost as the current alignment given the tunnel that would be eliminated. Mrs. Points said that some of the costs that were originally proposed were somewhat low. The Mayor added that the cost of concrete has risen dramatically as well.

Councilmember Leigh stated that the funding included local private donations along with City funds. He asked if the private donors and the City amounts were still the same. Mr. Listi said the assumption is that the matching funds are still available and will remain the same. Mr. Leigh then added that the project is still projected to be approximately \$93,000 short.

Mr. Leigh discussed some alternative alignments for the trail that would end in the Industrial area. He said he would prefer to explore the at-grade crossing options. Mrs. Points added that regardless of which alignment is chosen, the City will still need to acquire right-of-way.

Mayor Pro Tem Pearson suggested a possible alternative of using 14th Street if the street is wide enough. He said it could expand the network and provide other options.

City Attorney John Messer asked if there have been discussions with UMHB about their south property line by the cemetery. Mr. Listi said they discussed it briefly, and the UMHB officials wanted to go look at the area. Mr. Messer said fencing would already be in place if this area was included in the trail.

Councilmember Kirkley said that College Street is in poor condition. Mr. Leigh agreed stating that it was one of the worst spots in Belton. He added that unfortunately Belton has a lot of visitors who drive through the area. Mack Parker, KPA Engineers, said the UMHB students are “wayfinding” through the UMHB complex in order to avoid the poor conditions of College and 13th Street.

Councilmember Paul Sanderford asked if some of the design efforts will be lost as a result of this realignment. Mr. Parker said the design has been purposefully slow in order to ensure that the issues are resolved prior to getting too far into the design. He said that funds spent on surveying will be offset by savings from geotechnical items and special insurances that will no longer be needed.

3. **Adjourn.**

There being no further business, the Mayor adjourned the workshop meeting at 5:00 p.m.

Marion Grayson, Mayor

ATTEST:

Amy M. Casey, City Clerk

EXHIBIT "A"

Chisholm Trail Hike and Bike Trail Status and Possible Realignment Discussion

City Council
October 24, 2017

Background and Status

- Belton's H&B Trail extends from IH-35 to north of W MLK Jr. Ave along University Drive. Sparta Road Reconstruction Project included a 10-foot H&B Trail.
- Disconnect between these two networks, divided by BNSF railroad. The project's intent is to connect the City's trail network.
- TxDOT TAP Grant Funding: TxDOT's contribution for construction is \$2,136,492 with the City's match of \$534,123.
- Design is underway including coordination with property owners and BNSF railroad.

Map of Belton, Texas, showing the proposed route for the Chisholm Trail Hike and Bike Corridor. The route is highlighted in green and yellow, indicating different phases of construction. Key features include:

- EXISTING SIDEWALK AND BIKE LANES:** Lake Road (FM 439), Main Street (SH 317), and the area around the University of Mary-Hardin Baylor.
- PROPOSED 10-FOOT WIDE HIKE & BIKE TRAIL:** Commerce Drive, Industrial Park Road.
- PROPOSED 6-FOOT WIDE SIDEWALK WITH EXISTING BIKE LANES:** University Boulevard.
- SIDEWALKS AND BIKE LANES UNDER CONSTRUCTION:** Martin Luther King Jr. Ave.
- HIKE AND BIKE TRAIL UNDER DESIGN:** Spartans Road.
- CROSSING UNDER RAILROAD:** University Boulevard crossing the BNSF Railroad.
- Other Landmarks:** Belton High School, Quail Meadow Neighborhood, U.M.H.B. Sports Complex, U.M.H.B. Apartments, Mayborn Center, University of Mary-Hardin Baylor, U.M.H.B. Stadium.

Scale: 0 to 1 mile. North arrow pointing up.

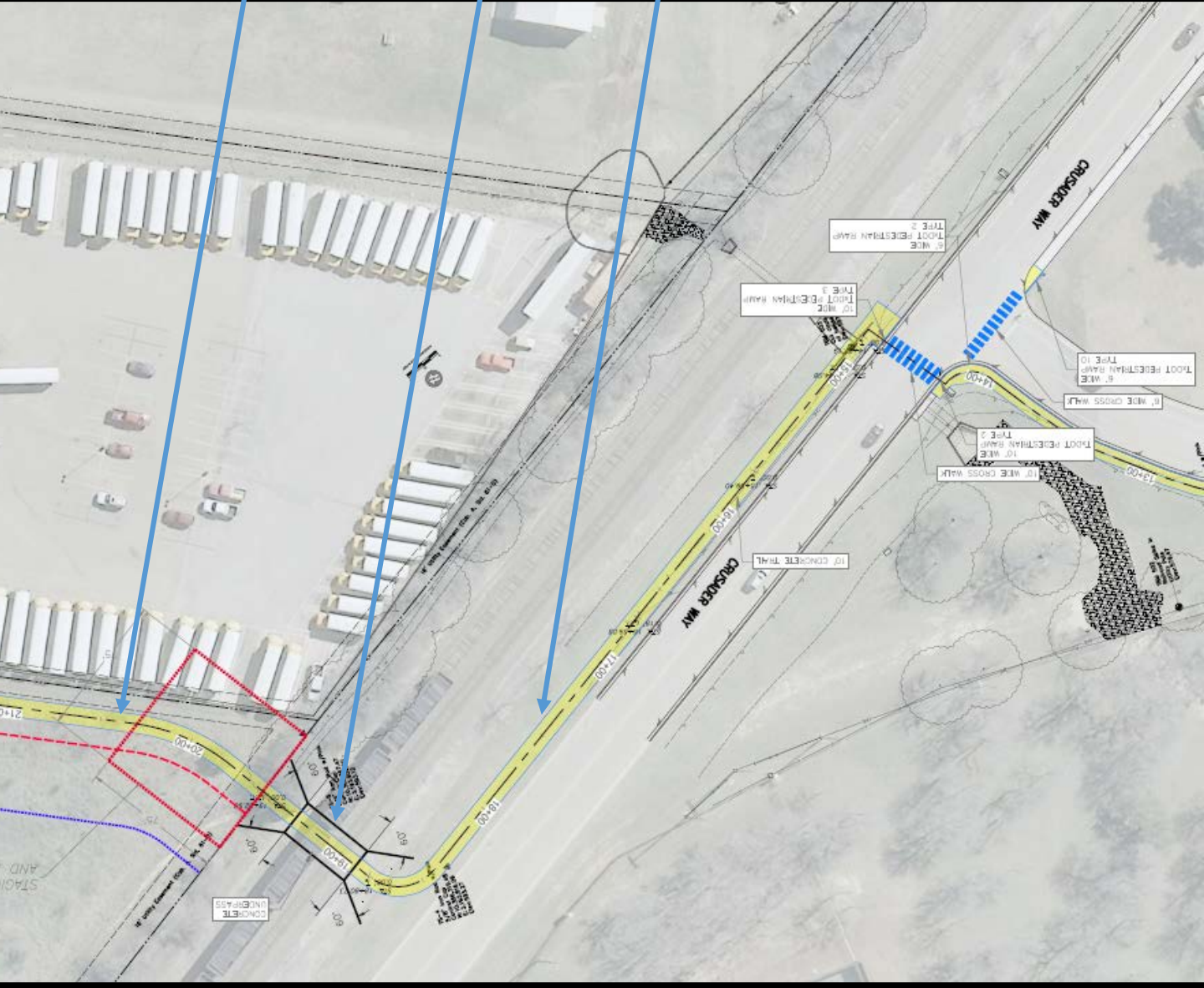
CITY OF BELTON, TEXAS
PROPOSED ROUTE FOR CHISHOLM TRAIL
HIKE AND BIKE CORRIDOR
PHASE II

K&A
 KASSBERG, ANDERSON & ASSOCIATES, L.P.
 1100 N. GATEWAY BLVD., SUITE 100
 BELTON, TEXAS 77916
 OCTOBER 2016

KPA
KASBERG, PATRICK & ASSOCIATES, LP
CONSULTING ENGINEERS
TULSA, TEXAS 74106
Fluor Registration No. F-458

©2010 Kueberg, Patrick & Associates, LP Firm Registration No. F-310
B-Belleville, MO 63119-1078 PHONE AND FAX NUMBERS ARE NOT TO BE

Original
Alignment

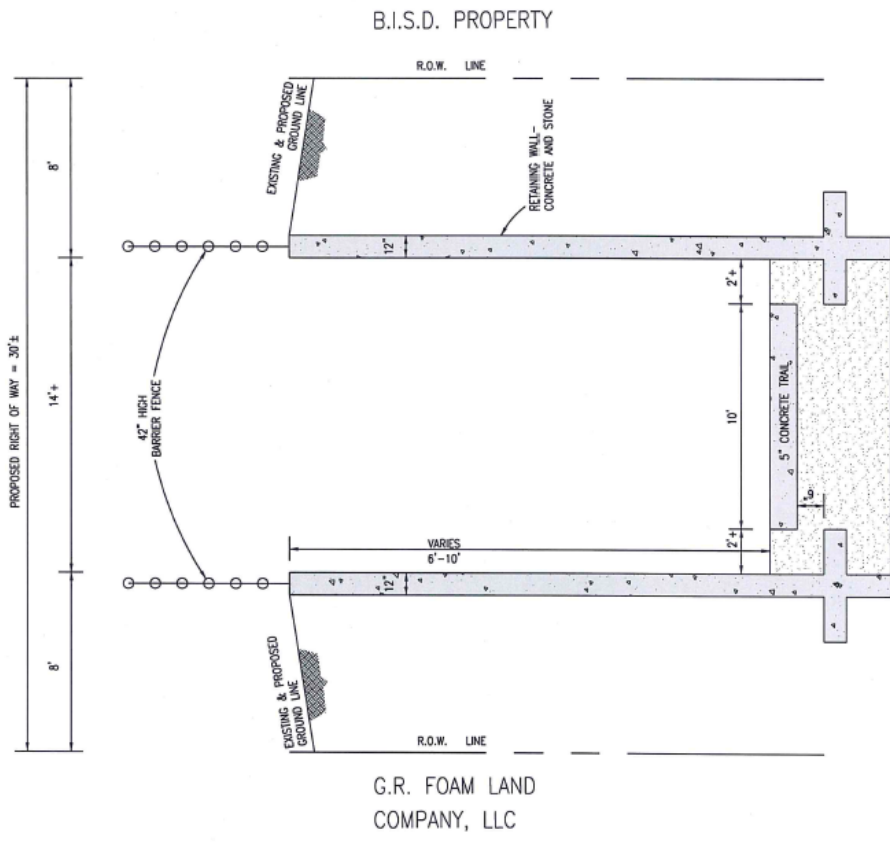
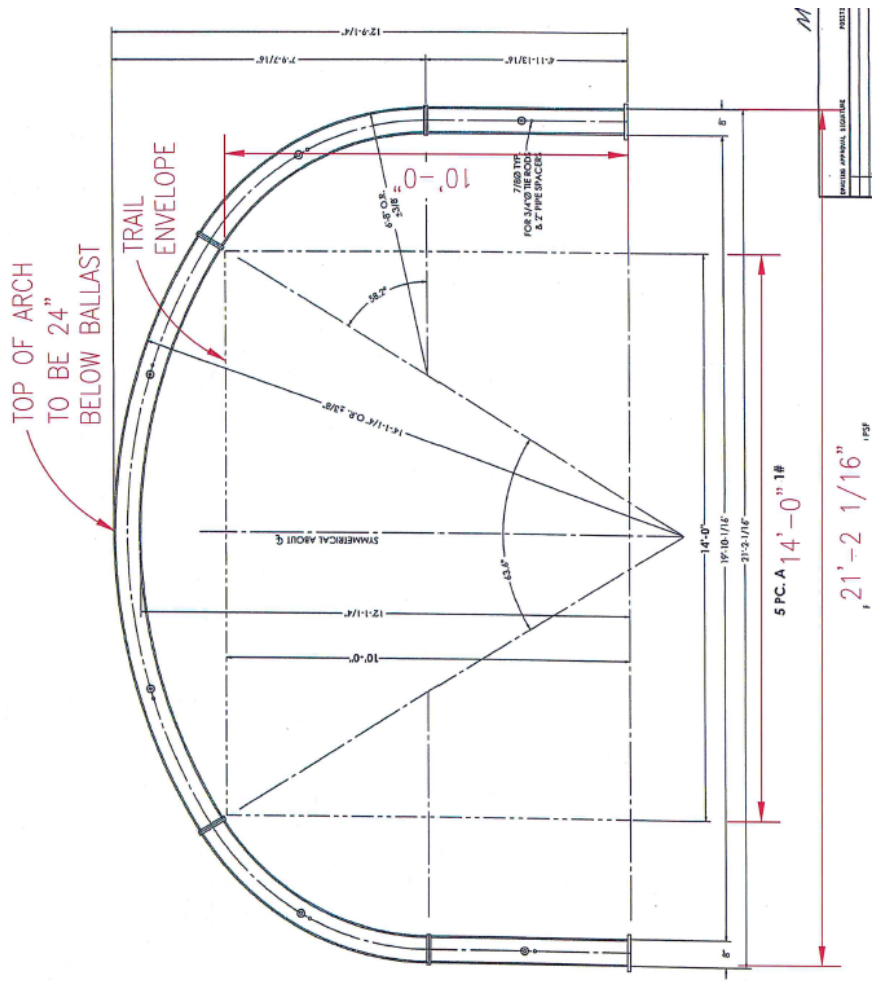


Retaining Walls

Arc Tunnel
Under Railroad
40 LF

Retaining Walls

Original Alignment Details



STA. 36+00
TYPICAL SECTION



Original Budget

	Federal	Local	Total
Construction	\$1,900,080	\$70,020	\$1,970,100
Engineering		\$405,000	\$405,000
State Costs	\$236,412	\$59,103	\$295,515
ROW/Appraisal	-	-	-
Total	\$2,136,492	\$534,123	\$2,670,615
Share	80%	20%	100%

Original Alignment OPCC

	Federal	Local	Total
Construction	\$1,900,080	\$70,020	\$1,970,100
Engineering		\$467,075	\$467,075
State Costs	\$236,412	\$59,103	\$295,515
ROW/Appraisal	-	\$1,250	\$1,250
Total	\$2,136,492	\$597,448	\$2,732,690
Share	78%	22%	100%

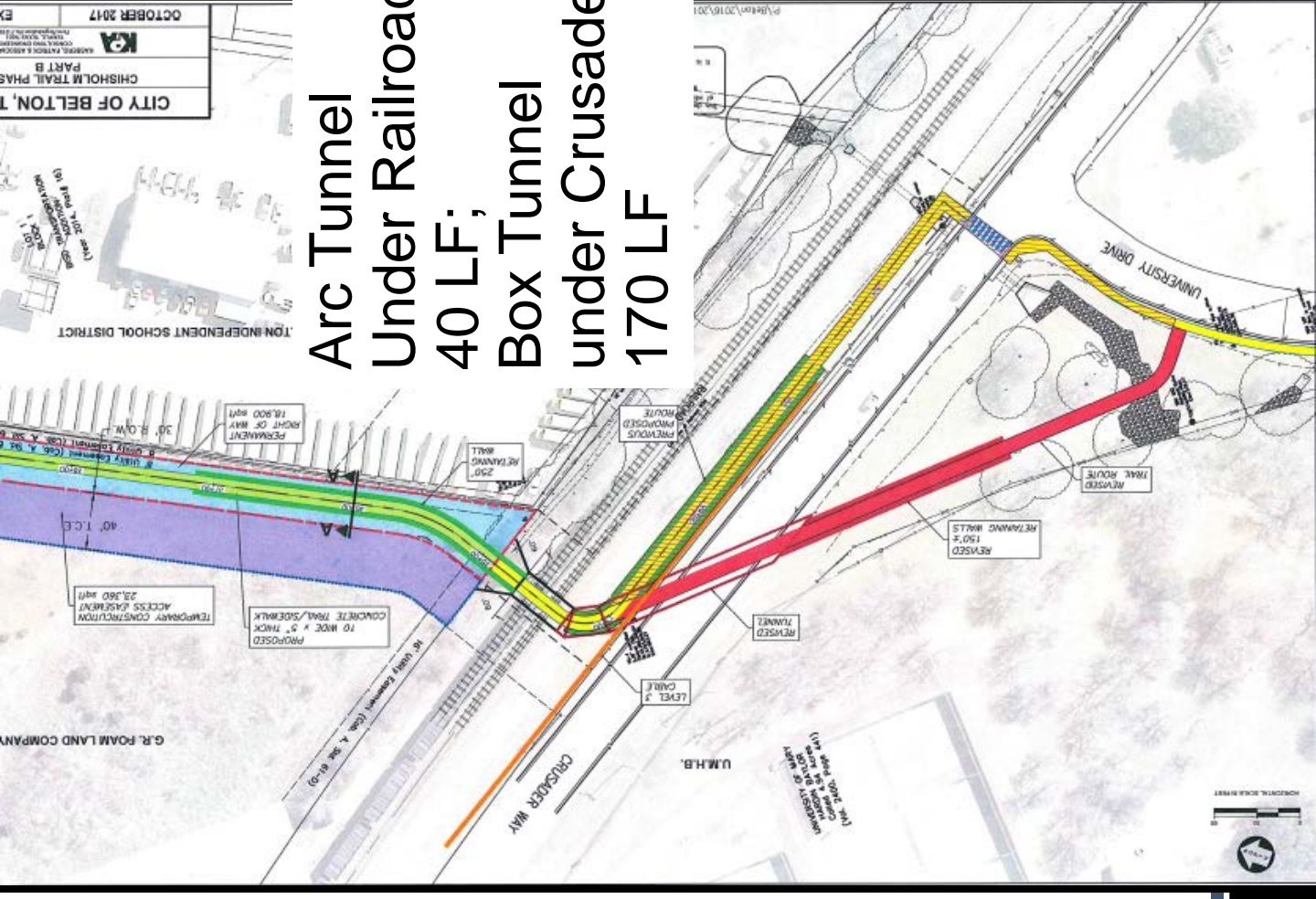
Local funding shortfall: \$63,325 due to increased engineering cost and ROW/Appraisal costs**

Utility Issues

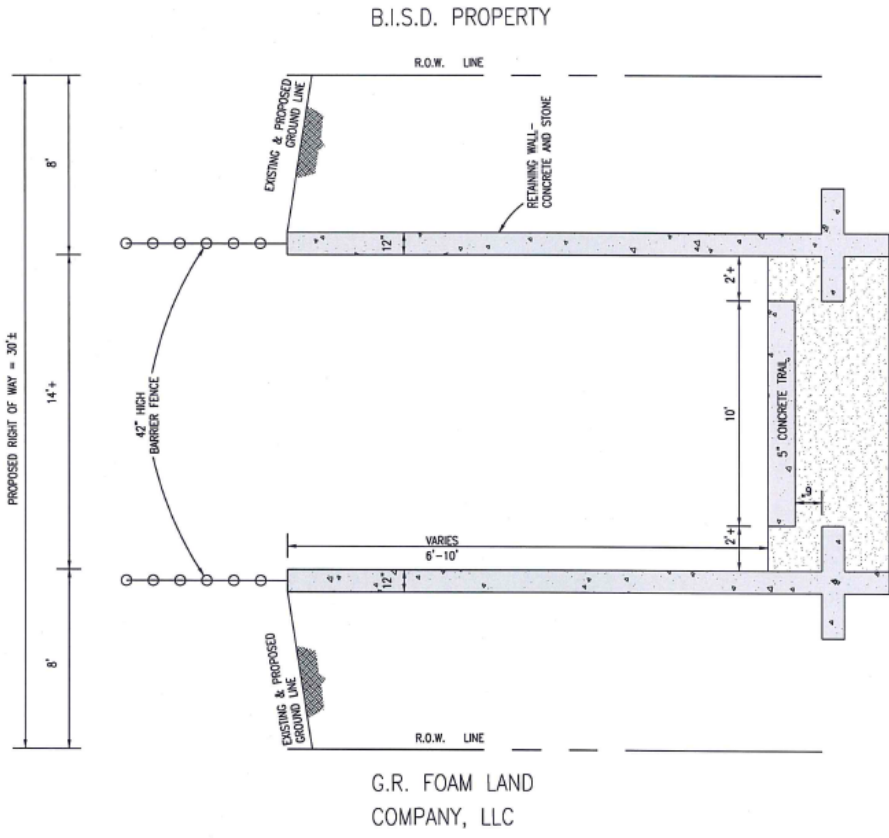
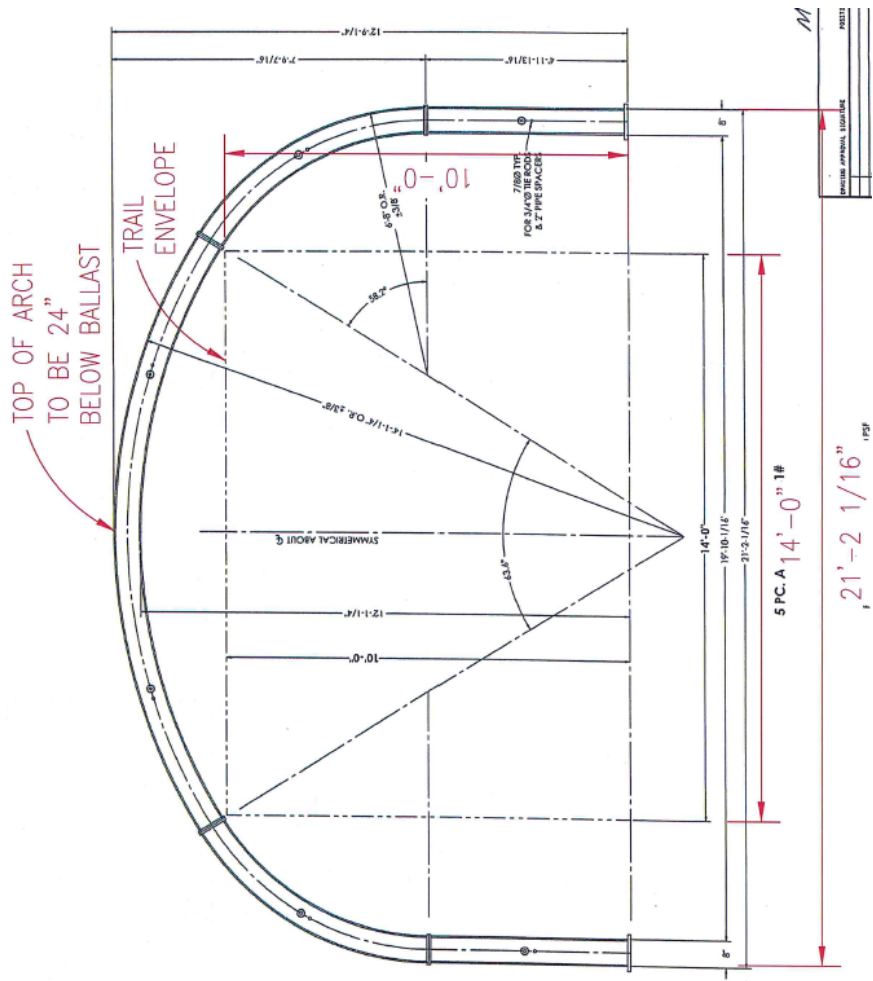
- Fiber optic cable (Level 3) within BNSF railroad ROW that would need to be lowered to install tunnel.
- Elevation of tunnel and required slopes of the trail will require a retaining wall to be constructed. This requires more of the fiber cable to be lowered.
- Initial discussions with cable owner indicate lowering the line is not possible for the retaining wall. Re-splicing can occur but costs are extremely high.
- Considerations: increase construction costs for tunnel(s) or realign the trail network.

Note:
Esmt/ROW
needed
from 2
entities:
BNSF & GR
Foam

Arc Tunnel
Under Railroad
40 LF;
Box Tunnel
under Crusader
170 LF

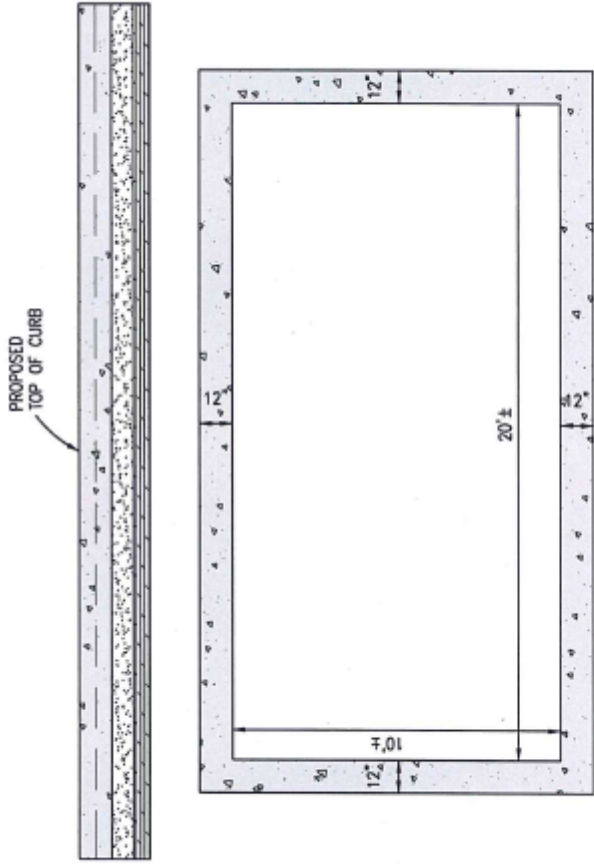


Original & Option 1 Alignment Details



STA. 36+00
TYPICAL SECTION

Alignment
Option 1
Tunnel
Extension
under
Crusader



TYPICAL CONCRETE BOX
UNDER CRUSADER WAY

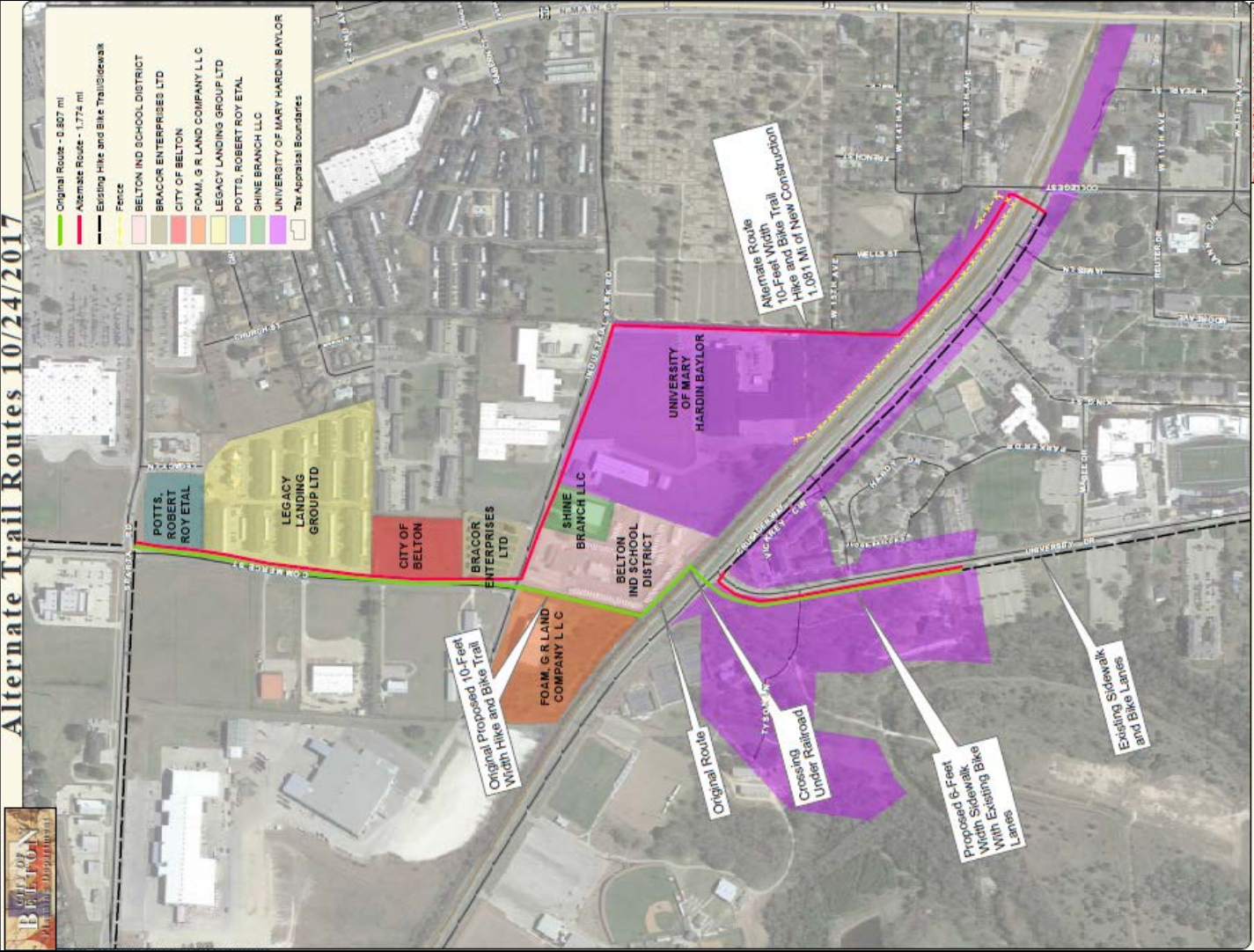
Option 1 – Tunnel Extension OPCC

	Federal	Local	Total
Construction	\$1,900,080	\$930,920	\$2,831,000
Engineering		\$467,075	\$467,0750
State Costs	\$236,412	\$59,103	\$295,515
ROW/Appraisal	-	\$1,250	\$1,250
Total	\$2,136,492	\$1,458,348	\$2,732,690
Share	59%	41%	100%

Local funding shortfall: \$924,225 due to increased engineering cost, increased construction costs and ROW/Appraisal costs

Alignment Option 2

Note: Easements/
ROW needed from 2 entities:
BNSF & UMHB



Alignment Option 2 Railroad At-Grade Crossing at College Street & UMHB Private Drive



Existing Fence

Align new H&B
along Northside
of Private Drive

Option 2 – At-Grade Crossing OPCC

	Federal	Local	Total
Construction	\$1,900,080	\$99,920	\$2,000,000
Engineering		\$467,075	\$467,075
State Costs	\$236,412	\$59,103	\$295,515
ROW/Appraisal	-	\$1,250	\$1,250
Total	\$2,136,492	\$627,348	\$2,732,690
Share	77%	23%	100%

Local funding shortfall: \$93,225 due to increased engineering cost, increased construction costs and ROW/Appraisal costs

Comparison

Original Route: Under Railroad

- 0.807 miles of new construction
- Bore under Railroad
- Easement/ROW from 2 entities: BNSF and GR Foam Company; 1 temp easement from BISD
- Fiber optic cable lowering is possible with only a crossing, but 1 crossing isn't feasible with retaining wall
- Tunnel can be extended to under Crusader way, but increased tunnel length increases construction cost and potential safety concerns
- **(\$924,225) Shortfall for Tunnel Extension**

Preferred Alternative Route: At-grade Crossing

- 1.774 miles of trail with 1.081 miles of new construction
- Utilizes existing sidewalks and bike lanes on Crusader
- No bore; at grade crossing
- Easement/ROW from 2 entities: BNSF and UMHB
- Cost will likely be less than Original Route
- TxDOT supportive of realignment with continued grant funding; BNSF approval seems positive
- **(\$93,225) Shortfall, but design has not begun to determine more accurate costs**

Should we reroute to Loop 121?

- Timing of Loop 121 expansion is unknown. Minimum 5 years from breaking ground.
- New trail from University to Loop 121 would be around 0.6 miles long; switch backs would be needed or an (estimated) additional 0.15 miles needed to make slopes meet ADA requirements = 0.75 miles
- Grant funding is available now but there is a deadline; rerouting to Loop 121 would result in loss of grant; 100% of trail to Loop 121 would have to be funded by the City
- Although multimodal means of transportation is needed along Loop 121, Staff recommends Belton's Hike & Bike Trail network be off-system due to safety.

Schedule

- Today's workshop: discuss realignment
- Finish Design and Easement Acquisition in March 2018
- Summer 2018 – TxDOT Review
- Fall 2018 – Bid Opening
- Jan 2019 – Construction Begins (12 month duration)
- Early 2020 – Trail Opens

**Belton City Council Meeting
October 24, 2017 – 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, Mayor Pro Tem Craig Pearson and Councilmembers David K. Leigh, Guy O'Banion, Paul Sanderford, Dan Kirkley and John R. Holmes, Sr. Staff present included Sam Listi, John Messer, Gene Ellis, Amy Casey, Brandon Bozon, Erin Smith, Angellia Points, Matt Bates, Paul Romer, Bob van Til, Susan Allamon, Kim Kroll, Chris Brown, Judy Garrett, Charlotte Walker, Bruce Pritchard and Cynthia Hernandez.

The Pledge of Allegiance to the U.S. Flag and the Pledge of Allegiance to the Texas Flag were both led by Boy Scout Troop 153. The Invocation was given by Councilmember Craig Pearson.

1. **Call to order.** Mayor Marion Grayson called the meeting to order at 5:32 p.m.
2. **Public Comments.** Delories Renfro, 3812 Southlake Drive, said that her property was taken into the City in 2003. She said her road was private before annexation, and she asked if the road was still considered private, or was the City supposed to be maintaining it. The Mayor referred her to Director of Public Works Angellia Points and asked that they set up a meeting with her to discuss it.
3. **Presentation of National Night Out Awards:**

**Best Block Party – 2017
Rookie of the Year – 2017**

**First United Methodist Church
Helping Hands Ministry/Mosaic Fellowship**

Assistant City Manager/Chief of Police Gene Ellis presented the awards for National Night Out parties that were held throughout Belton. National Night Out 2017 was not dampened by the weather, as there were 15 block parties despite the wet conditions. Many parties moved indoors, merged with other parties, or were postponed until the next evening.

Consent Agenda

Items 4-5 under this section 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 prior to voting, at the request of any Councilmember, and it will be considered separately.

4. **Consider the minutes of previous meetings:**
 - A. **September 26, 2017, City Council Meeting**
 - B. **October 12, 2017, City Council Meeting**
5. **Consider a resolution appointing Christopher Flor to the Tax Appraisal District Board of Directors.**

Upon a motion by Councilmember Dan Kirkley and a second by Councilmember John R. Holmes, Sr., the Consent Agenda, including the following captioned resolution, was unanimously approved upon a vote of 7-0.

RESOLUTION NO. 2017-31-R

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELTON, TEXAS,
APPOINTING A REPRESENTATIVE TO THE TAX APPRAISAL DISTRICT BOARD
OF DIRECTORS.**

Growth Management

6. **Conduct annexation public hearings and present Municipal Services Plans for four areas for possible annexation into the City of Belton, including:**

Area 1	Approximately ten (10) acres, located on the east side of Toll Bridge Road, generally between Shanklin Road and the Lampasas River, in the 5000 block of Toll Bridge Road.
Area 2	Approximately 850 acres, located generally west of IH-35, east of Rocking M Lane, south of Auction Barn Road, and north of the Lampasas River.
Area 3	Approximately 450 acres, located generally south of US 190 (IH-14), east of FM 1670, west of Golf Course Road, and along both sides of Auction Barn Road.
Area 4	Approximately 55 acres, located generally north of US 190 (IH-14), west of Boxer Road, northwest of the intersection of US 190/Airdale Road, and along both sides of Airdale Road south of Springer Street.

City Manager Sam Listi welcomed everyone to the public hearing. He said Belton's Growth Management Strategy is a goal in Belton's Strategic Plan. The Growth Management Framework, which was adopted by the Council on June 28, 2016, identified strategies to guide the study of annexation, including:

- Promoting economic development;
- Planning for existing and future development;
- Facilitating long range planning;
- Addressing municipal service delivery needs; and
- Evaluating fiscal considerations.

Listi stated that the Council toured the areas under consideration for annexation on September 19, 2017. Resolution 2017-26-R directed preparation of a Growth Management Study to help the Council evaluate if annexation is appropriate, the preparation of Service Plans, and to set public hearings for October 24th and 31st.

City Staff prepared a tract by tract analysis which was presented to Council on September 26th. Council directed Staff to work with property owners who are eligible for a Non-Annexation Development Agreements. Eligible property owners are those with an agriculture, timber or wildlife management exemption.

City Manager Sam Listi presented an overview of the areas under consideration for annexation as well as the municipal service plans for each area. (see Exhibit "A")

A female member of the audience (not identified) asked Mr. Listi to explain the water and sewer extension policy. He said the municipal services plan does not provide water and wastewater service to every single piece of property. The City provides trunk lines, and developers or property owners desiring extensions to these trunk lines must construct the extensions in accordance with the City's Subdivision Ordinance. The cost of the extension is borne by the developer or property owner.

Mr. Listi said that this is the first annexation public hearing, and the second public hearing has been scheduled for 5:30 p.m. on October 31, 2017, at the Harris Community Center as well.

City Clerk Amy Casey stated that she received a stack of protest letters on October 23, 2017, in accordance with TLGC 43.063(b). She certified that each requirement was met for an on-site hearing for Area 2. She added that if a suitable site, one that is ADA compliant and can seat at least 100 people, is found, then a public hearing for Area 2 will be held at that location following the public hearings at the Harris Community Center on October 31, 2017.

Mayor Grayson opened the public hearing. She said that since Areas 1 and 4 are much smaller, she would start with those areas.

Area 1

There was no one present wishing to speak on Area 1.

Area 4

Lawrence Northmore, 1334 Airdale Road: Mr. Northmore said he and his wife are against the annexation. They have lived in the area for 31 years, and they don't see where being a part of the City will benefit them. He said they would like to stay in the country and not be annexed.

Area 2

Diane Dixon, 3939 Shanklin Lane: Mrs. Dixon said she and her husband bought their property 46 years ago. She said they do not want to be annexed. She said there will be no services provided to them by the City. She said her husband likes to hunt on the property, but if they are annexed, he will not be allowed to hunt.

Bruce Flanigan, 5114 Lampasas Lane: Mr. Flanigan said that he has been a tax paying citizen of Belton since 2009. His house was annexed with the annexation of the river properties. He said he does not believe that the change in the State law should be the main reason for a forced annexation. He said that the information that he has been provided has been under par. He served on different types of government boards for the City of Temple, and he has the utmost respect for Belton's City Manager. He says that the study is flawed, inaccurate and in places is just false. He asked to see a financial side to the plan and the study. He asked if the City can afford it, and provide the same level of services provided by Bell County [who does a good job]. He said the only comparison he can make is on Shanklin Road. The City's portion of the road is not maintained in as good a condition as the County's portion of the road. He said if annexation happens, he would suggest a County-City agreement to allow the County personnel to continue providing the service. He ended by asking the Council, "If this was your property, would you be in favor of or against the annexation?"

Wayne Crook, 1034 Mesquite Road: Mr. Crook said he has lived in the Belton area for a long time. He said even though he doesn't like it, he knows that annexation is coming. He said it is taxation without representation. He said, "You talk about your plan, but you didn't talk to us about our plan." He added that annexation "violates what we do in America and it violates the new State law that goes into effect 48 hours after you are trying to impose this on us." He said annexation is coming, and the residents will work with the City, but they will not allow anyone to tax them without representation. He said he didn't elect any of the Council who is imposing their decisions on him.

Christy Monroe, 2520 Shanklin Road: Mrs. Monroe said that she and her family had been away from Belton for 12 years, her husband recently retired from the Army, and now they have a farm. She said that her family doesn't need the laundry list of services that the City has listed in the Municipal Services Plan. She added that they have seen plans showing a road going through their property and over their house. They are young, and they are not planning to leave. She is a teacher, and her co-workers have told her that she is lucky to have found five acres around Belton. She said her family did not want to live in Temple, because they knew that Belton cares about preserving trees and about development being done right. She said she was shocked when she received the information about annexation. She said it is a gift to drive home and have no City lights. She said that their "gift" is being taken away from them without consideration for the people who live there.

James Brooks, 4232 Shanklin Lane: Mr. Brooks said he has owned seven acres in Area 2 for 17 years. He said that the Planning Department provided four reasons for consideration of annexation. One reason is to apply planning and zoning standards including environmental protection. It appears that the City is concerned with future development affecting the quality of life within the City. He said the area has already been developed and is environmentally used for residential and agricultural purposes. He said the second reason listed is to create efficiency in service delivery especially for public safety services. He said that the Planning Department shows

Area 2 as low density and open spaces. This characterization seems to be the direct opposite of efficiency and service delivery. He said as far as he is aware, the area has a very low crime rate, and any rare need for law enforcement services is handled promptly and effectively by the Bell County Sheriff's Department. He added that he is afraid the crime rate will rise if the City annexes Area 2, widens the roads and connects them to other roads in the area. He said he made the conscious decision to provide his own services, and he pays taxes to Bell County to provide other services. The Planning Department's third reason for annexation is to maximize the City's return on investment in infrastructure and business incentives. He said this translates into the City receiving thousands of dollars of new tax revenues each year from newly annexed property owners for a minimal investment as the City has demonstrated in the recent past, such as annexation along both sides of the Lampasas River. He added that he does not believe the City's annexation of the property in Area 2 will create any new business incentives since the property is already developed. It appears the City has already annexed the likely prime business locations along IH-35 and US190, so he does not consider that to be a valid reason for annexation. The Planning Department study provides for a widening of roads in Area 2 which it deems to be a provision of infrastructure to newly annexed property owners. This sort of infrastructure is neither wanted or needed by Area 2 property owners. He added, as a matter of fact, the City's planned expansion of the existing rights-of-way on Shanklin Road, Mesquite Road, and Mesquite Lane will substantially harm current property owners along those streets. The City's study mentions the planned 120-foot right-of-way of Three Creeks Boulevard in the Three Creeks Subdivision, as well as the 120-foot right-of-way on the east-west portion of Shanklin Road, and the 80-foot right-of-way on the north-south portion of Shanklin Road. Since it is the opinion of the Area 2 property owners that the current roads are satisfactory, the only conclusion that he can come to is that the right-of-way expansion along Shanklin Road is for the exclusive benefit of the residents of Three Creeks Subdivision to allow those residents to more directly access IH-35 to the east and the future BISD schools at the end of Shanklin Road. It seems that any newly annexed property owners in Area 2 will be forced to pay City property taxes to build roads and/or lose property through eminent domain for the benefit of people who are not in Area 2 or even in the City of Belton. It should be noted that Three Creeks is located within Bell County Municipal Utility District #1 with its residents paying a utility tax to that MUD. In summary, he protests annexation.

Amy Cook, 730 Mesquite Road: Mrs. Cook said she wanted to speak about one key issue and two choices she is presented with. She said, "Your service as an elected representative is powerful. When you were running for election or reelection, you made statements about why you wanted to be elected representatives, and I want to remind you of those tonight. One of you is a mother who wanted to make her children proud. One of you wanted to create a better Belton for everyone. More than one of you believed that Belton's future lies in investment in current infrastructure and increasing the tax base not by burdening citizens, but by revitalization of shopping areas in the City. One of you wanted to make sure every citizen is represented. One of you loved raising your kids in Belton because of the small town

identity that this town had. One of you acknowledges the population growth presents unique challenges to the City, especially in the areas of roads, schools and infrastructure. One of you cited the Bible verse, Luke 12:48, 'to whom much is given, much is required.' What is required of you, as elected representatives, is thoughtful governance, easily distinguished from the haste with which this proposed annexation effort is undertaken. Tonight, we have two choices here. The first choice is you can slow down what you are doing, and have this wonderful group of people help you find the answer to the problems that you face given that you are \$33M in debt, and you have already overextended yourself in many places. I ask you to give a voice to the 340,000 voters in Bell County, Texas, not just the 20,000 that happen to be City residents by allowing us to do a vote on voluntary annexation opt-in to the new law effective 1 December. In the alternative, we will continue to pursue this effort. That third hearing has not just had its initial requirements met of us requesting it, it must have a public ten-day notice posted. It cannot be on the 31st of October. It must be on the 7th of November, which is Election Day, or the 14th, and we will find a suitable place, and we will bring that back to you on the 31st, but the citizens have a right to speak. In the alternative, I have created a support group called the Empower Bell County, Texas, Support Group, and this is the sign-up sheet. I will have it outside the door. I thank you for your time, and I thank you for listening to those of us who really believe that we can be a part of making Belton a better place to live near as a future constituent, not just as someone you see as a taxpayer. Thank you."

Michelle Ciccariello, 511 Mesquite Road: Mrs. Ciccariello said, "The big rush to annex these areas quickly before the homeowners get a say in it, should be setting off alarm bells for everyone with a sense of moral integrity. Rushing to violate the spirit of the law before being required to adhere to the letter of the law is not the Belton that we have always known. Do the right thing, and act with integrity. Work with the people who live here. We have some serious concerns." She reminded the Council that a portion of Mesquite Road is already in the City limits, and she added that the area floods all the time now. She believes this is caused by the expansion of IH-35. There are at least three areas on the FEMA map marked as 100-year flood areas, but she said they actually flood every time it rains. She added that if the widening of Mesquite Road were to occur, it would cause the same type of flooding and would flood the residents' homes. She said that several items in the City's study are inaccurate. She said that the City's Growth Management Framework states that using annexation as a development tool would primarily exist of raw land. There is not a single empty lot in some of these neighborhoods to be developed, so it is not right for the City to say that services will be extended so that development would be done in a responsible manner. She added that the City's Home Rule Charter states that the purpose of annexation is to protect a place from irresponsible or destructive development, but she said the road widenings that the City is planning are destructive to a place that isn't developing anymore. "You are paving us over to make a road to some other development that hasn't been built. Build your road somewhere else, not through the middle of our homes."

Jim Monroe, 2520 Shanklin Road: Mr. Monroe said that he and his wife purchased their house in December. He said he shoots his bow and arrow, and shoots coyotes

that come on his property. He said, "I don't need animal control. I am animal control." He said that Area 2 is 850 acres with 200 people in it, making that approximately 4 acres per person, and the City is looking to extend services into that region. He added that Area 2 is in the ETJ, so the City already has a say on what is done as far as development. Mr. Monroe said that the 2030 plan for the area shows a regional mall and living centers where homes are now. He believes that Belton's long-term plan is not for the current residents, but for the land. "You don't want us. You want our land and us off of it, so other folks can come in." He said that all of the properties surrounding his property are ag exempt, so it doesn't make fiscal sense for the City to annex his property. He said the Capital Improvements Plan states that a road is not expected for 2.5 years, however the minutes from the October 1, 2017, meeting mentions money for the Shanklin Road piece. "When you overlay Mesquite Road and where it is expected to go, that's smack-dab on top of our house." He asked the Council to think about the people when they make the decision, and to think about their fiscal responsibility when they "take such a large chunk with such a small population, and just think about us."

Carwyn Smith, 2501 Shanklin Road: Mr. Smith asked if the content of the Municipal Services Plan that was distributed at the meeting for Area 2 is the same as the plan for Area 3. Mr. Listi said there a slight difference related to the water service. Mr. Smith asked if the powerpoint presentation was the same as the handout. Mr. Listi explained that the powerpoint was more of an overview, but the handout is the proposed service plan.

Jackie Meier, 3650 Shanklin Lane: She has 12 acres, and she enjoys feeding the wildlife. She said, "You [the City] bought that property the Wood's had, and now you are going to take all that away." Mayor Grayson explained that Belton ISD had purchased the land. Mrs. Meier stated that it is a shame.

Nelda Deholloz, 306 Mesquite Lane: Mrs. Deholloz said that she has almost seven acres, but they have not built a house on it, yet. She explained that her husband had planned to retire in two years, and they were going to build a house and live on the property. She said the future extension of Mesquite Lane goes through her property, and she said the City is going to take away her dream. "We are too old to start the dream over." She said that nobody asked her if it is okay for a road to be built through the property she has owned for 18 years.

Mayor Grayson asked Mr. Listi to discuss the road plans. Mr. Listi said that a number of people have commented on roads that are on the City's Thoroughfare Plan or Comprehensive Plan. He explained that those roads are identified as possible, future corridors. They are not certain to occur, but from a planning standpoint, the City needs to know where future roads may go. He said that the roads are conceptual, and as development occurs, there may not be a need for the roads. He added that, with the future school site, a north-south Shanklin Road is a very real possibility.

Julian Deholloz III, 306 Mesquite Lane: Mr. Deholloz said the City has not maintained the City-owned portion of Mesquite Road. He said that there are many potholes that he has attempted to fix by filling them with dirt since the City has not been able to fix them. He said the City took him out of ag exempt since he owned horses. He asked that the City be fair to him and the other residents. They don't want anything the City has to offer them.

Roye Nell Love, 866 Shanklin Road: Mrs. Love said she owns eight acres on Shanklin Road. She said she previously worked in Belton Tourism and has known about the future widening/extension of Shanklin Road. She said that she and her husband are most concerned about the City rushing through this annexation before the law changes. She said that the law is about to change, and she asked if she and her neighbors can just have a chance to speak and have a say in this. She said there are other accesses to the proposed school, and asked the City to consider those.

Jeffery Hildner, 3098 Auction Barn Road: Mr. Hildner said he lives in Area 3, but he wanted to speak about a gun range that he and his family wanted to build in the area around Simmons Road and US190 a couple of years ago. He was told that he needed to build a thoroughfare that only went 250 feet or so, and there was no negotiation of that requirement. He said it was to be an extension of FM93. He said that the City's claim that future roads are negotiable is not true. He said the gun range development was not built because of the requirement for a road that went nowhere.

Jimmy Taylor, 2981 Hellums Road: Mr. Taylor said all of this is politics. He said he appreciates everything the Council has done except for hiring Sam Listi. He said the City needs to revise its policies before the City gets into more than it can handle. He has talked with lawyers and justice people with the State to see what right he has to stop this annexation. He said that the City is just seeking more income to improve downtown. Mr. Taylor said that the County has seal-coated City streets for just the cost of materials, and that isn't fair to the County citizens who are not residents of Belton. He advised the City to go back to the basics and take care of what it has, and get the debt paid off before looking for more money to pay the debts.

Scooter Golden, 2328 Shanklin Road: Mr. Golden said he agrees with Mr. Flanigan about the services that the City is going to provide. He said that Mr. Listi should have at least sent someone out to cut the grass on the City-owned portions before taking the Council on the bus ride.

Randall McKee, 1450 Shanklin Road: Mr. McKee talked about the services listed in the service plans. He said the residents don't need police services because they have the services of the Bell County Sheriff's Department. He said they have animal control through the County as well. As far as Fire protection, the residents have fire and EMS services. He said that he would agree that the City can provide Fire Prevention Services that they don't have now. He said that the residents take care of their own brush control. He said they have water service through well water or other

water service. Most won't take advantage of the services the City can provide because they have no need for them.

Area 3

Michelle Whitt, 2245 Auction Barn Road: Mrs. Whitt said that she lives in an area where there are \$250-\$300K homes. She asked how the line for the annexation areas was determined. She said that she lives at the end of Golf Course Road, and she asked if the City was going to fix that road where people drive into the yard. She protests the annexation.

Kenneth Davis, 2459 Old Golf Course Road: Mr. Davis explained that he retired about four years ago, and he is on medically retired income. If the City annexes him, it will be very difficult for him to pay the City taxes.

Susan Smith, 2141 190 Lane: Mrs. Smith provided pictures of a portion of 190 Lane that was annexed in 2002. She said that nobody comes to take care of problems unless they are hounded. She said the road is so bad that it damages their vehicles. She said that they don't have problems with the County. They come take care of issues when they are contacted. She said the City needs to take care of what it has before any more is added. She said the City would need to build a bridge to get heavy vehicles like fire trucks down the road. She said that the current bridge is hand built rock with tin horns underneath, and she and her neighbors have maintained the road for the last 34 years. She advised that the City really needs to study what they are considering for annexation to see if the City can handle it, because she hasn't seen any evidence that the City can since 2002.

Brandon Benton, 2053 Auction Barn Road: Mr. Benton said it sounds like to him that nobody wants what the City has to offer. The residents have taken care of themselves for a very long time. He said the person who sold them the house said "it's outside the city limits," and that was one of the selling points. He told the Mayor she should remember because she was there. The Mayor said she remembered telling him, "Yeah, it's outside the City limits, but that doesn't mean it will stay that way." Mr. Benton said he doesn't think that was ever discussed. He added that the Council needed to think about what they are doing before they do it.

Larry Wilkins, 2138 Old Golf Course Road: Mr. Wilkins said he has been a Beltonite for 64 years, 11 months and 2 days. He said that the Council has bit off more than they can chew. "You just want our money." He said that he has a 2-inch water line serving his house, and he experiences low water pressure making it difficult to shower. The Mayor asked if it was Belton water or Dogridge water. Mr. Wilkins said that it is Belton water, and Mr. Listi added that it is an old Dogridge line that the City inherited. Mr. Wilkins said, "Before you tell what you are going to do, you need to come out there and do what you said you would do."

Jerry Hughes, 3030 Auction Barn Road: Mrs. Hughes said she wanted everyone in the room to write down the names of the Council.

David Trueblood, 2024 Auction Barn Road: Mr. Trueblood said he bought his house about 12 years ago. He is a Vietnam Vet, and he likes to use his land to zero in his weapons, burn his trash, and work on his race cars. He doesn't want that to change.

Anna Guardiola, 2087 Auction Barn Road: Mrs. Guardiola said that she bought her house in May, and she loves where she lives. She does not want to be annexed.

Kyle Larson, 2381 W US Hwy 190: Mr. Larson gave the Council the reasons he doesn't want to be annexed. He said that a portion of his property was annexed a decade or so ago, and he has seen no water line built to serve that area. He said that he does not need the services offered by the City. He added that he had received a letter from Code Enforcement stating that he needed to mow his grazing pasture land because the grass was too tall. He said that he and his wife went to residents on Old Golf Course Road and Auction Barn Road, and nearly all signed the petition against annexation. He has lived in Belton his entire life, and his family has many ties to Belton. He said he used to have a lot of pride in Belton, but after reading a newspaper article about the Council's bus tour of the annexation areas, he no longer does. He asked the Council to rethink the annexation and the lives they will be changing. He wondered about the reasons for getting this annexation completed before December 1, but he believes that it is because, given the choice, people would vote against it.

Leigh Murray, 5126 Dauphin (not part of the annexation): Mrs. Murray said she lives in Three Creeks. She is concerned about who will provide EMS, water, taxes and utilities in the Municipal Utility District. She said her last water bill was \$311 and the one before that was \$296. She said she is rarely home, and she doesn't understand how she could be using that much water. City Manager Sam Listi asked her to get with Brandon Bozon, the City's Director of Finance, and he would be glad to go over her water account with her.

Seeing no one else wanting to speak, Mayor Grayson closed the public hearing.

Mr. Listi announced that the second public hearing will be held on October 31, 2017, at 5:30 p.m. at the Harris Community Center. He said the only caveat will be the petition from Area 2 residents. The City is still trying to find a suitable location in Area 2, that is ADA accessible. Listi said if that does not occur, the hearing will be at the Harris Center. Amy Cook stated that the group will propose a location. Mr. Listi said the public hearing will be next week, and Mrs. Cook said no because the City has to provide a 10-day notice. Mr. Listi stated that the law only requires two public hearings. Mrs. Cook said, "You can either work with us or against us." A member of the audience asked if Mr. Listi was saying that the second public hearing for Area 2 will not be at the Harris Center. Mr. Listi said that the second public hearing is scheduled and advertised for the Harris Center, and the Mayor will open the public hearing and give anyone present from Area 2 the opportunity to speak at that time. Mr. Listi added that if a suitable location is found in Area 2, then the City will meet

the statutory requirement for an on-site public hearing. Mr. Listi said that the City will place the public hearing information on the City's website.

No other action is required of the Council on this item at this time.

7. Consider establishing term for Non-Annexation Development Agreements.

City Manager Sam Listi said that State law requires a city to offer Non-Annexation Development Agreements to property owners in prospective annexation areas if their property is appraised for ad valorem taxes as agricultural, wildlife management, or timberland. A land owner may accept the Agreement terms and, if not executed, the Council may evaluate the property for annexation. The City agrees not to annex the property for the specified term of the Agreement, conditioned that the property owner(s) comply with the terms below.

- Owner(s) agree to maintain the ad valorem tax appraisal status as agricultural, wildlife management or timberland and execute the attached Affidavit.
- Land uses must remain one of these allowed uses, and an existing single-family use is allowed.
- Owner(s) agree not to subdivide or develop the property.
- Owner(s) agree not to construct more than one single family house (new or replacement), an addition, or accessory buildings to support Ag use.
- A building permit is required (no fee) to ensure future Agricultural Zoning District setback compliance.
- Non-compliance with any Agreement term may be considered a petition for voluntary annexation, subject to Council consideration.
- Owner(s) acknowledge the City is not responsible for provision of any City services.
- These Agreement terms run with the land to successive purchasers.

Mr. Listi said the law does not establish a term for Non-Annexation Development Agreement, so this is a decision for the City Council. Last year, all Development Agreement terms were five (5) years, except the Study Area along Sparta Road, which was established as ten (10) years. The Agreements may be extended by the Council at the end of the initial term, at its discretion, up to a maximum of 45 years.

Area 1 is not eligible for an Agreement, as the terms of the previously executed Development Agreements were not maintained, and these properties are now subject to annexation consideration by the Council. The City has received a request for voluntary annexation from the Kincaids who own the southernmost parcel.

Area 2 is under consideration due to development in the area including the expansion to the Bell County Expo Center, Three Creeks Subdivision and the future BISD campus site at Loop 121/Shanklin. BISD has requested voluntary annexation of their 41-acre tract outside the City limits. Mr. Listi explained that this area has high development potential, but timing is the issue. The school district does not anticipate

building the school until 2025, but it is included in BISD's planning each year. The City must also make future plans for this area as well.

Area 3 is encompassed by major road networks including IH-14/US 190, FM 1670 (Lake to Lake Road), and Loop 121. TxDOT has completed their initial plans for widening of Loop 121, and Listi said will TxDOT will present it to the City in the Spring. He added that this area represents strong development potential in Staff's opinion.

Area 4 is located just northwest of the intersection of IH-14/US 190 and Airdale Road, just west of Sendero Estates. The residences along Airdale are not eligible for a Development Agreement, but the vacant 50-acre tract is eligible. With the IH-14 frontage, this area represents moderate development potential.

Mr. Listi recommended terms of five years for Non-Annexation Development Agreements for Areas 2-4. Letters have been prepared and will be sent to eligible property owners on October 25th, asking to have the agreements returned by November 10th.

Councilmember Holmes asked if there was a minimum acreage that must be owned to have an ag exemption. Mr. Listi said that Staff has asked that question of the Appraisal District, but they have not given a definitive answer. Questions like that need to be directed to the Bell County Tax Appraisal District.

Mayor Grayson explained to the audience that the Council has listened to the residents of the areas proposed for annexation, and now the Council will determine the term of the Non-Annexation Development Agreements.

Councilmember Leigh added that the discussion is not a deliberation on any parcel, but is only a discussion on the term of the agreements. He said that he grew up in the country, and his family has these type of agreements with the City of Temple. He said that the agreement is a good tool. He recommended a five-year term for the areas around Loop 121 and Lake-to-Lake Road, as well as the areas around Three Creeks and the future school site. He recommended ten-year terms for the others.

Councilmember Kirkley reminded the Council and audience that at the end of the term of the agreement, it may be renewed at the discretion of the Council up to a maximum of 45 years.

Councilmember Holmes asked if there was a negative impact with a ten-year agreement from a planning or City standpoint. Mr. Listi said the five-year recommendation is just a recognition of the development potential in the area.

Councilmember O'Banion said that if there is development in the area, then annexation will be required, especially in the area of the future school. He said that he was more in favor of a ten-year term to give the homeowners an opportunity for security for a longer term, and it still protects the City if there is development.

Councilmember Sanderford agreed that he would be more comfortable with a ten-year term. It offers residents a little bit more peace of mind in the sense that five years goes by quickly. If the area blossoms in development, and property starts to sell by the square foot, people are going to start selling.

Mayor Pro Tem Craig Pearson asked if a term of ten years is established, would subsequent terms be required to be ten years as well. Mr. Listi said no; it is at the discretion of the Council.

Councilmember Leigh asked if a property under a development agreement is sold, does the agreement follow the land or the property owner who signed the agreement. Mr. Listi said the agreement goes with the property.

A motion establishing a term of ten years for the Non-Annexation Development Agreements in Areas 2-4 was made by Councilmember Leigh. The motion was seconded by Mayor Pro Tem Craig Pearson, and passed unanimously upon a vote of 7-0.

Planning and Zoning

8. **Consider adoption of a resolution approving the updated 2030 Comprehensive Plan and Future Land Use Map.**

Director of Planning Erin Smith explained that the City has worked on this project since January 2016. She reviewed the process leading to the development of the draft Comprehensive Plan. She added that a public hearing was held on September 26, 2017, and the updated Comprehensive Plan is now presented for adoption.

Mayor Pro Tem Pearson thanked Staff for the fantastic work they have done on this project.

Upon a motion by Mayor Pro Tem Pearson and a second by Councilmember Kirkley, item 8, including the following captioned resolution, was unanimously approved upon a vote of 7-0.

RESOLUTION NO. 2017-32-R

A RESOLUTION ADOPTING THE 2030 COMPREHENSIVE PLAN UPDATE FOR THE CITY OF BELTON, TEXAS.

9. **Hold a public hearing and consider a zoning change from Planned Development Commercial-1 to Commercial-2 Zoning District for equipment rentals on a 10 acre tract of land, located on the east side of South Interstate Highway 35, south of Grove Road.**

Director of Planning Erin Smith said this ten-acre property is currently vacant and is located on the east side of IH-35. The applicant is proposing this zone change to

allow for light and heavy equipment rentals. The applicant has indicated that there will be both light and heavy equipment rentals; therefore, a Commercial-2 Zoning District is required.

Mrs. Smith explained that an 8,000 square foot building will be constructed on this site, pending zoning approval. She added that if the zoning request is approved, the applicant will submit a plat to P&ZC and Council for consideration.

Smith said that the Planning and Zoning Commission unanimously recommended approval of this zoning change at its meeting on October 17, 2017, and Staff concurs in the recommendation.

Mayor Grayson opened the public hearing on this item. Seeing no one wishing to speak, she closed the public hearing.

Upon a motion by Mayor Pro Tem Pearson and a second by Councilmember Holmes, item 9, including the following captioned ordinance, was unanimously approved upon a vote of 7-0.

ORDINANCE NO. 2017-30

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF BELTON BY CHANGING THE DESCRIBED DISTRICT FROM PLANNED DEVELOPMENT COMMERCIAL-1 TO COMMERCIAL-2 ZONING DISTRICT ON A 10.0 ACRE TRACT, WITH DEVELOPMENT TO BE REGULATED UNDER TYPE AREA 2 DESIGN STANDARDS.

10. **Hold a public hearing and consider a zoning change from Agricultural to Two Family Zoning District for the construction of duplexes on a 24.995 acre tract of land, located on the west side of Connell Street, north of Huey Drive and south of Laila Lane.**

Director of Planning Erin Smith stated that this property is located on the west side of Connell Street and south of W. Highway 190/IH-14. Currently, this property is zoned Agricultural and a zoning change to Two Family will allow for the construction of duplexes. Smith said that the minimum lot size will be 7,200 square feet, with 8,000 square feet on corner lots. The applicant will be required to provide two parking spaces per unit.

Smith explained that the applicant is currently constructing duplexes in Southwood Hills, Phase I, to the north in a Planned Development allowing for duplexes. The applicant is proposing to final plat Phase II, a total of 78 lots, with 156 units in both phases. This property is proposed to be Phase III of the Southwood Hills subdivision, and the applicant will present a preliminary plat pending zoning approval. Smith added that all of the dwellings will be constructed similar to Phases I and II with exterior construction consisting of a mixture of brick, stone, and hardy plank. The proposed duplexes will be two and three bedroom units that range from

1,150 square feet to 1,300 square feet per unit. Each unit will be constructed with a single car garage. The applicant has stated a Property Owners Association (POA) will be responsible for maintenance of the irrigation, yard maintenance, and all building maintenance.

Smith said that the Planning and Zoning Commission unanimously recommended approval of this zoning change at its meeting on October 17, 2017, and Staff concurs in the recommendation.

Mayor Grayson opened the public hearing on this item.

The applicant, Todd Scott, showed a brief presentation of pictures showing duplex developments that he and Dr. Guttikonda have partnered on in the past.

Seeing no one else wishing to speak, the Mayor closed the public hearing.

Upon a motion by Councilmember Holmes and a second by Councilmember Kirkley, item 10, including the following captioned ordinance, was unanimously approved upon a vote of 7-0. Councilmember Leigh added that the challenge with duplexes is the amount of parking needed by the residents. He wondered if the City should consider off-premise parking, like mini-parking lots, when zoning these types of properties.

ORDINANCE NO. 2017-31

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF BELTON BY CHANGING THE DESCRIBED DISTRICT FROM AGRICULTURAL TO TWO FAMILY ZONING DISTRICT ON A 24.995 ACRE TRACT, WITH DEVELOPMENT TO BE REGULATED UNDER TYPE AREA 9 DESIGN STANDARDS.

- 11. Consider a final plat for Southwood Hills, Phase II, an 8.799 acre tract of land, located on the west side of Connell Street, 0.35 miles south of West Highway 190/Interstate 14.**

Director of Planning Erin Smith said that this property is proposed as Phase II of Southwood Hills, a duplex subdivision, containing 36 lots (72 units). Laila Lane will function as a minor collector with 50' of right-of-way and 37' of pavement. The Thoroughfare Plan proposes Laila Lane to extend west ultimately to Loop 121 and east ultimately to Interstate Highway 35. A 5' public access easement is proposed within the lots on the north side of Laila Lane for construction of a 5' sidewalk on one side, directly adjacent to the property line. Kal Court and Vani Court will contain 50' of right-of-way and 31' of pavement. These roads will extend north from Laila Lane and terminate in cul-de-sacs.

In accordance with the Subdivision Ordinance, the applicant has paid a fee-in-lieu of parkland dedication equaling a total amount of \$14,400 for 72 units (36 lots) in Phase II.

There are five lots (ten units) in Phase I that have driveways extending to Laila Lane. Phase II is proposed to have an additional eight lots (16 units) in Phase II with driveways extending to Laila Lane. During preliminary plat consideration, Council expressed concern with parking on these roadways. The collector street width of 37' should be wide enough to accommodate on-street parking for occasional visitors. Since Laila Lane is proposed as public ROW, the Public Works Director/City Engineer may install "No Parking" signage if any on-street parking issues occur in the future.

Smith said that the Planning and Zoning Commission unanimously recommended approval of this final plat at its meeting on October 17, 2017, and Staff concurs in the recommendation subject to the technical comments contained in the City's letter to the applicant's engineer dated September 29, 2017.

Upon a motion by Councilmember Leigh and a second by Mayor Pro Tem Pearson, item 11 was unanimously approved upon a vote of 7-0.

Miscellaneous

12. Consider authorizing the purchase of the following vehicles through the BuyBoard Purchasing Cooperative:

- A. One (1) Crime Scene Vehicle
- B. Three (3) Marked Police Vehicles

Assistant City Manager/Police Chief Gene Ellis said these vehicles are part of the Capital Equipment Replacement Plan for FY 2018. Three Ford Interceptor SUVs will replace two 2009 vehicles. The Crime Scene Vehicle is a 1994 refurbished ambulance that will be replaced with a vehicle that is equipped to handle this type of work. Chief Ellis said these vehicles are available through the BuyBoard purchasing cooperative.

The Mayor thanked Chief Ellis for explaining that Ford, at no cost, is checking all police vehicles for a possible exhaust leak issue, and they have found no issues with City of Belton police vehicles. Chief Ellis added that carbon monoxide detectors have been installed in each of the vehicles as well.

Upon a motion by Councilmember Holmes and a second by Councilmember O'Banion, item 12 was unanimously approved by a vote of 7-0.

The Belton City Council recessed the Regular City Council Meeting at 7:57 p.m. and convened a meeting of the Belton Employee Benefits Trust.

City of Belton Employee Benefits Trust Agenda

1. **Call to Order.** Chair Marion Grayson called the meeting to order at 7:58 p.m.
2. **Consider minutes of the City of Belton Employee Benefits Trust meeting dated November 22, 2016.** Upon a motion by Trustee Leigh and a second by Trustee Holmes, this item was unanimously approved upon a vote of 7-0.
3. **Consider action awarding contracts for employee insurance products.**

Director of Finance Brandon Bozon reminded the Trustees that the Trust has been established solely to avoid paying the premium tax. This saves the City approximately \$15,000 per year.

Mr. Bozon explained that the City was contracted with Scott & White Health Plan (SWHP) in 2014 and 2015 for employee health insurance. In 2016, the City awarded the contract for employee health insurance to Blue Cross/Blue Shield as a result of an RFP process. In 2017, the City once again contracted with Scott & White Health Plan as a result of an RFP process. Mr. Bozon said that the City is pleased with Scott & White Health Plan's renewal offer for 2018.

Mr. Bozon explained that the FY2018 budget includes funding for up to a 10% increase in employee insurance premiums. SWHP's proposal, for employee-only mid premium is \$5,414 per employee, a 7.2% increase over last year's cost. The City's contribution, for plans other than employee only, is increasing to \$7,140 per employee, a 7.2% increase over last year's cost. The City's total cost for HDHP and HSA contributions will mirror those on the employee only mid plan, or match in total the City's contribution towards plans other than employee only.

Bozon added that this year, Staff recommends the addition of vision insurance and long term disability insurance to the optional policies, funded fully by employee contributions.

Bozon summarized other recommended contract renewals as follows:

- The City's cost for HSA management will remain \$4/per month/per enrolled employee;
- MetLife's renewal for dental coverage is at no change in premiums;
- UTEAP's proposal for an employee assistance program (EAP) is at no change in premiums, \$20 per employee;
- Lincoln Financial Group renewal for employee life/AD&D insurance is at no change in premiums;
- CBG renewal for employee optional policies is at no change in premiums.

Upon a motion by Trustee Leigh, and a second by Trustee Pearson, the employee benefit contracts were approved upon a vote of 7-0.

4. **Adjourn.** Chair Grayson adjourned the Employee Benefits Trust meeting at 8:03 p.m.

The Employee Benefits Trustees adjourned the City of Belton Employee Benefit Trust Meeting and reconvened the Belton City Council Meeting at 8:03 p.m.

13. **Consider approval of funding for employee insurance contracts awarded by the Board of the Employee Benefits Trust, and authorizing the transfer of funds from the City's operating funds to the Employee Benefits Trust account.**

Upon a motion by Councilmember Leigh, and a second by Councilmember Holmes, item 13 was unanimously approved by a vote of 7-0.

There being no further business, the Mayor adjourned the meeting at 8:04 p.m.

Marion Grayson, Mayor

ATTEST:

Amy M. Casey, City Clerk

COUNCIL AGENDA ITEM #6 ANNEXATION PUBLIC HEARING/ PRESENTATION OF MUNICIPAL SERVICES PLANS

October 24, 2017

EXHIBIT "A"



Annexation Public Hearing

Presentation of Services Plans

- Summary Information

- Development of an overall Growth Management Strategy, evaluating annexation priorities, is a goal in Belton's Strategic Plan.
- A Growth Management Framework was adopted by Council on June 28, 2016, and included these strategies to guide the City's annexation studies:
 - Promoting economic development;
 - Planning for existing and future development;
 - Facilitating long range planning;
 - Addressing municipal service delivery needs; and
 - Evaluating fiscal considerations.
- Council conducted a driving tour of possible annexation study areas on September 19th.

Annexation Public Hearing

Presentation of Services Plans

- Summary Information (cont.)

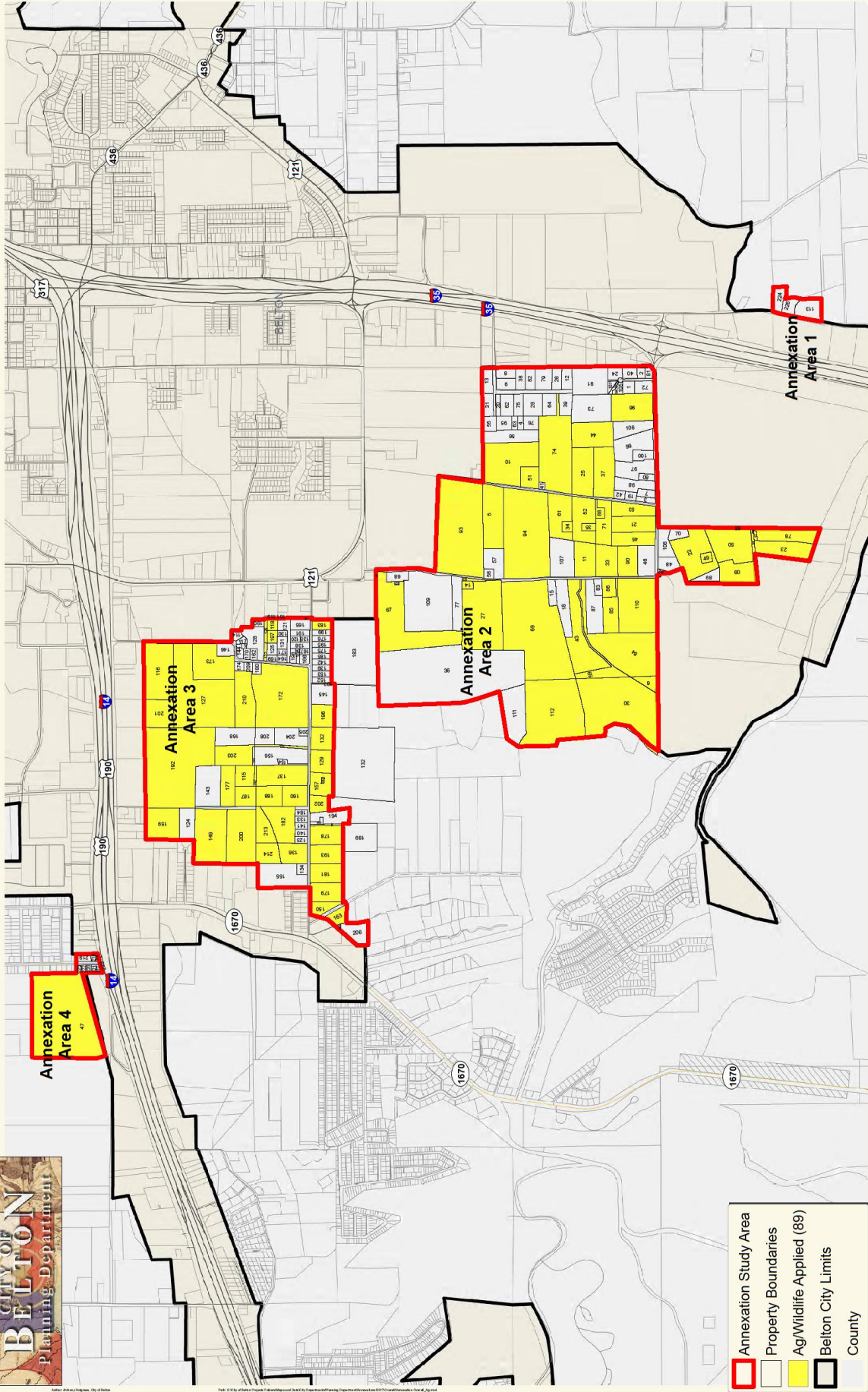
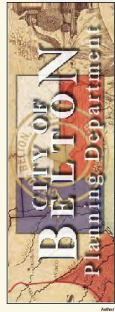
- A Growth Management Study was then developed to analyze existing conditions, and planning and development issues, in each of the 4 Study Areas. Information was presented to Council on September 26th.
- This analysis led Council to call for public hearings on October 24th and October 31st to consider annexation of these 4 Study Areas.
- Council also directed us to work with property owners eligible for non-annexation Development Agreements, whose land is currently appraised for agriculture, timber, or wildlife management, allowing annexation to be deferred, until development occurs.
- Four Annexation Study Areas follow.

Area 1 - 10.96 Acres // Area 2 - 845.47 Acres // Area 3 - 455.08 Acres // Area 4 - 56.32 Acres



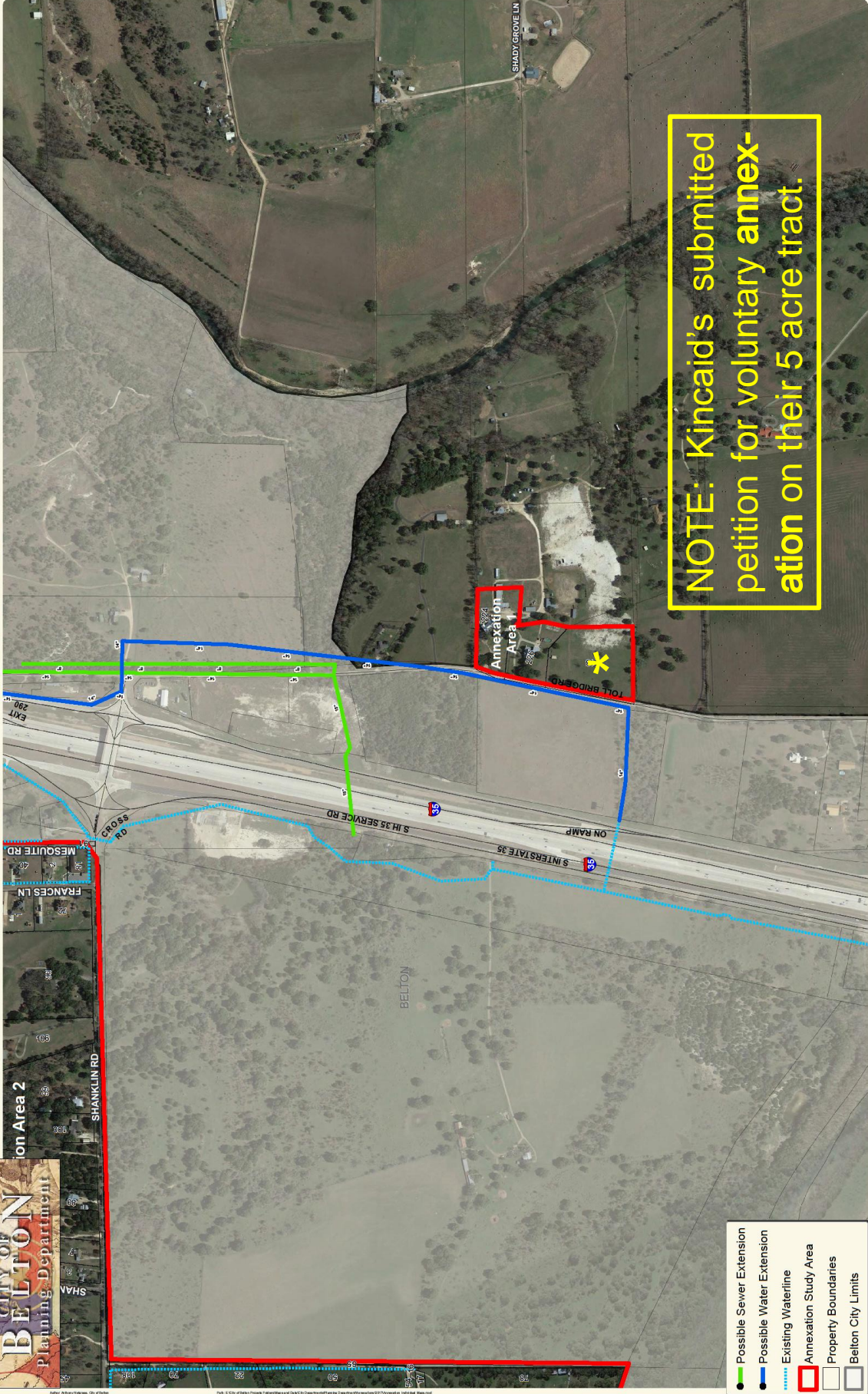
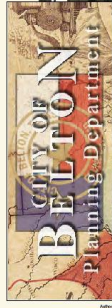
Four (4) Annexation Study Areas

Area 1 - 10.96 Acres // Area 2 - 845.47 Acres // Area 3 - 455.08 Acres // Area 4 - 56.32 Acres



Annexation Study Area 1

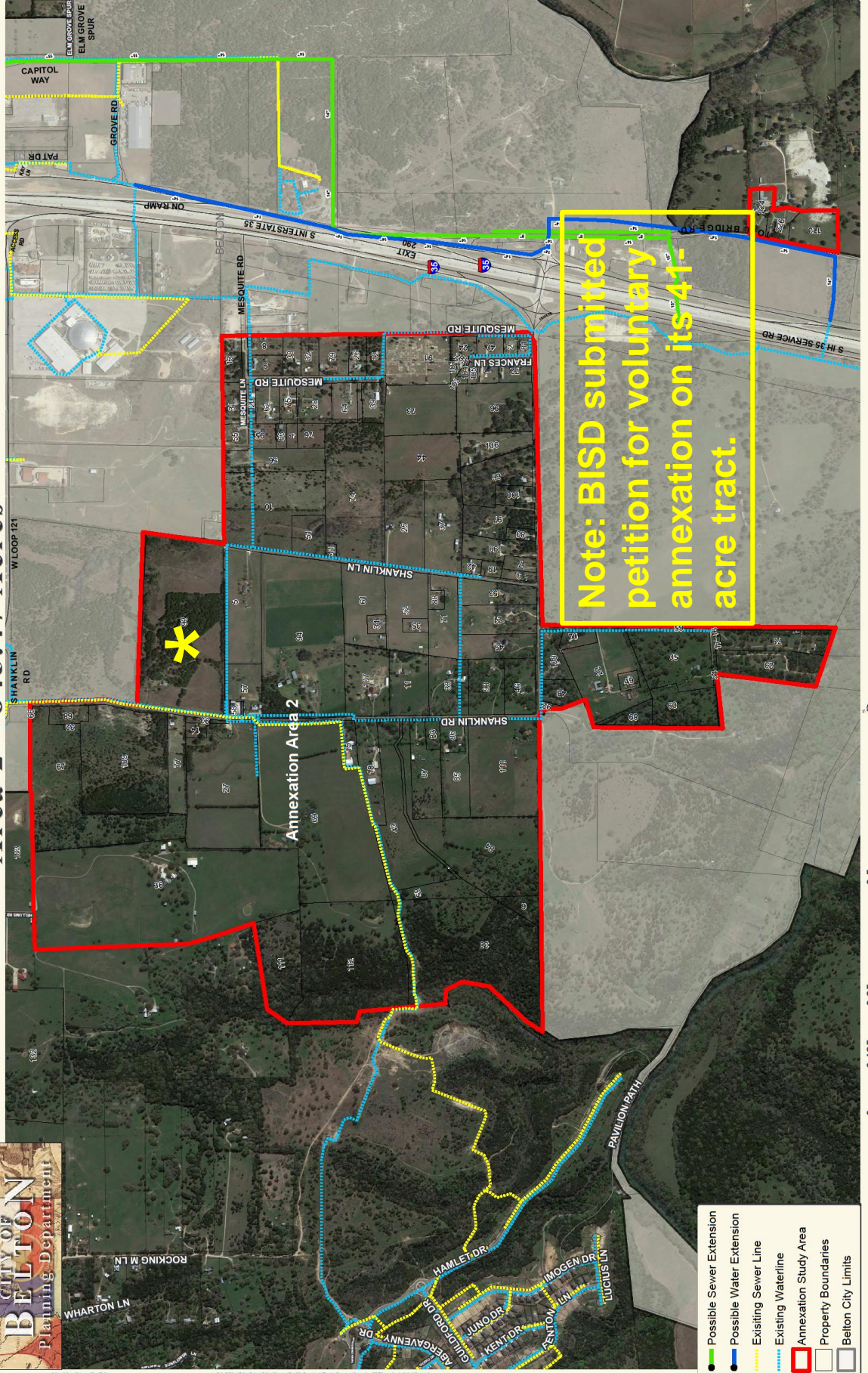
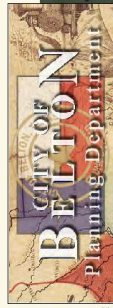
Area 1 - 10.96 Acres



NOTE: Kincaid's submitted petition for voluntary annexation on their 5 acre tract.

Annexation Study Area 2

Area 2 - 845.47 Acres



Note: BISD submitted petition for voluntary annexation on its 41-acre tract.

- Possible Sewer Extension
- Possible Water Extension
- Existing Sewer Line
- Existing Waterline
- Annexation Study Area
- Property Boundaries
- Belton City Limits

Map Date: 04/17/2017

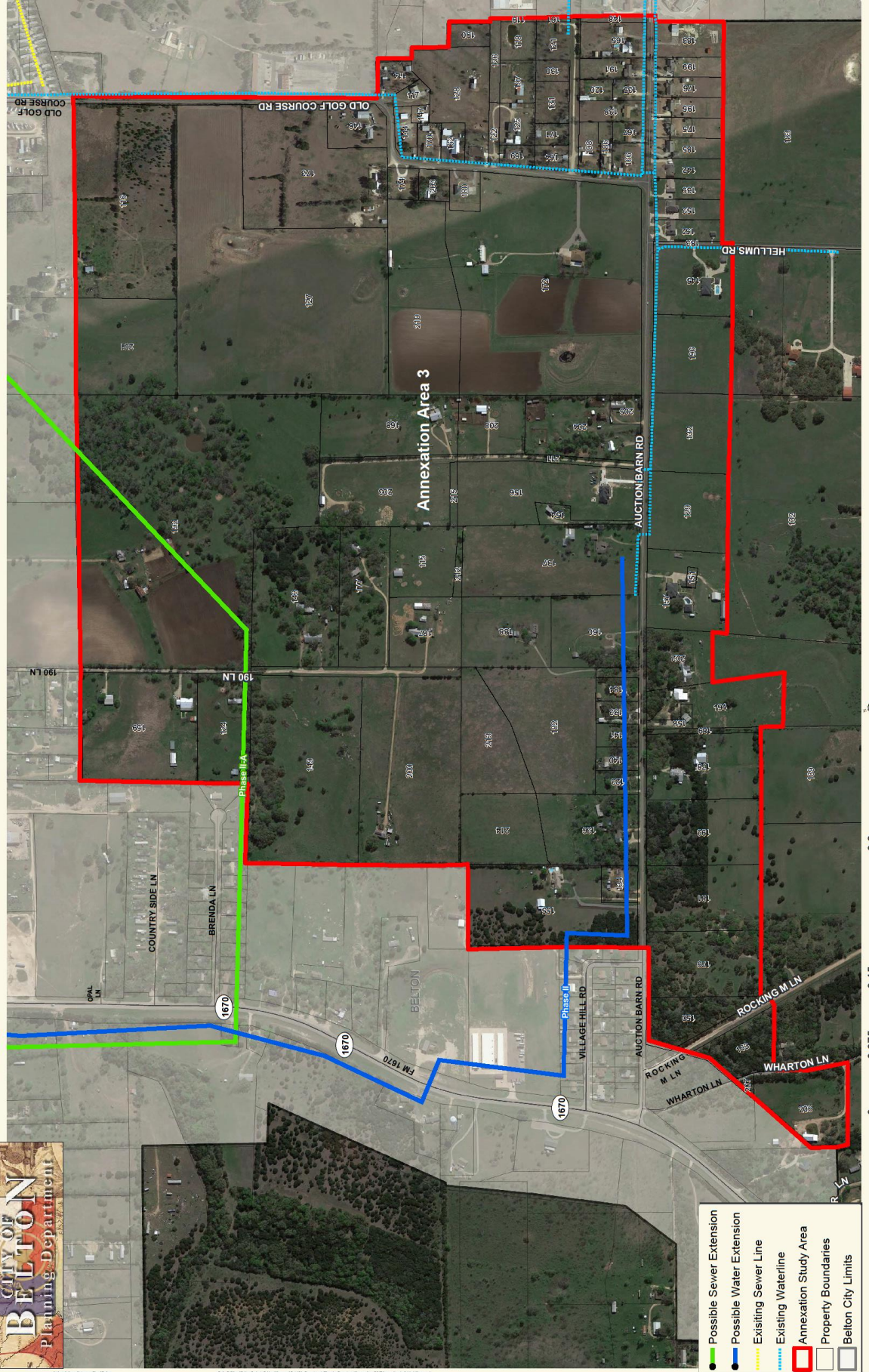
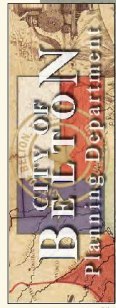
0 0.125 0.25 0.5 Miles



For informational purposes only. Boundaries are approximate and not legally binding.

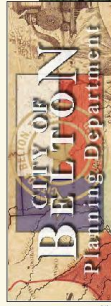
Annexation Study Area 3

Area 3 - 455.08 Acres



Annexation Study Area 4

Area 4 - 56.32 Acres



Annexation Public Hearing

Presentation of Services Plans

- **Summary Information (cont.)**

- In accordance with Texas State Law, the City is required to develop and make available a Municipal Services Plan for services to be extended to areas annexed, equal or superior to services provided prior to annexation:
 - A. Basic Services – Police, Fire, EMS, Street Maintenance, Public Park Maintenance, if any, and extension of currently provided services.
 - B. Full Municipal Services – Extension of all city services, but a uniform level of services is not required based on existing topography, land use, and population density.
 - C. Capital Improvement Plan (CIP) project listing based on known commitments, as well as inclusion in CIP planning for future capital needs.
- Those services will now be reviewed, as required.

Annexation Public Hearing - Presentation of Services Plans

Municipal Services Plans - Areas 1-4

Basic Municipal Services to be Provided: The City will provide the following services, beginning immediately upon the effective date of the annexation. All the services will be provided at a service level that is equal or superior to the level of services in the area prior to the annexation.

- Police Protection. Police protection personnel and equipment from the Belton Police Department shall be provided to the areas immediately upon the effective date of the annexation of the areas. Response to calls for police services, crime prevention programs and all other police services will be provided at the same level as provided to other areas of the City. Police enforcement and protection services shall be provided at the request of residents/property owners in the area.
- Animal Control. The City shall provide animal control services immediately upon the effective date of the annexation of the area. These services encompass regular patrol by the animal control officer and response to animal nuisance problems from residents in the area.
- Fire and Emergency Medical Service (EMS) Protection. Upon annexation, the City will provide fire and EMS response at the level provided inside the Belton city limits. The service level will be equal to or better than the current level, with the limitations of water available.

Annexation Public Hearing - Presentation of Services Plans

Municipal Services Plans - Areas 1-4

- Code Enforcement. The City shall provide code enforcement services immediately upon annexation to include response to complaints of weedy lot violations, junked vehicles, sign violations, and other similar general city code violations.
- Fire Prevention. All of the services performed by the City's Fire Marshal shall be provided immediately upon the effective date of the annexation of the areas.
- Planning, Zoning and Development Review. The area will automatically be zoned Agricultural on the effective date of annexation. In conjunction with review of Comprehensive Plan, a land use plan will be developed and permanent zoning established under the process specified by the City's Zoning Ordinance. In the interim, the Planning & Zoning Commission and the City Council will consider zoning and rezoning tracts of the property in response to landowner requests. Subdivision plat review will occur in the City and in Belton's extraterritorial jurisdiction in order to ensure orderly development of land, reduce flood potential, achieve efficient operation of public facilities and services, and provide accurate description and addressing of property.
- Code Compliance. Immediately upon the annexation becoming effective, building inspection activities will be available. The Building Official shall provide consultation with the project developers, independent contractors and homeowners for building code requirements, plan review for structures in the area, and on-site inspection services as needed, to include evaluation of hazardous and dilapidated buildings.

Annexation Public Hearing - Presentation of Services Plans

Municipal Services Plans - Areas 1-4

- Library. Residents within the newly annexed areas shall be provided all services available at Belton's Lena Armstrong Public Library.
- Parks and Recreation. All City of Belton public parks, facilities, and resources shall be available to residents of the annexed area.
- Streets and Drainage. Existing dedicated public streets and drainage structures and courses maintained by Bell County will be maintained by the City of Belton at their current or better level of improvement with like topography, land use, and density as those found within the City. Private streets are not maintained by the City. Roadways maintained by the Texas Department of Transportation (TxDOT) will continue to be maintained by TxDOT. Maintenance of streets and rights-of-way shall be as follows:
 - Emergency maintenance of streets, repair of hazardous potholes, measures necessary for traffic flow, etc.
 - Routine maintenance as presently performed within City.
 - Reconstruction and resurfacing of streets, installation of drainage facilities, construction of curbs, gutters and other such major improvements as the need therefore is determined by the governing body under City policies.
 - Installation and maintenance of traffic signals, traffic signs, street markings and other traffic control devices as the need therefore is established by appropriate study and traffic standards.
 - Installation and maintenance of street lighting in accordance with established policies of the City.
 - The City will enforce drainage requirements in the Subdivision Ordinance and related standards.
 - Private streets will remain the responsibility of record owners or the homeowners association and as such be maintained by the responsible party.

Annexation Public Hearing - Presentation of Services Plans

Municipal Services Plans - Areas 1-4

- Sanitation and Recycling. Sanitation and recycling service will be immediately available to residential customers in accordance with existing City ordinances. Residents in the newly annexed area may select to continue service with their current service provider for up to two years, or switch to the City's service, currently provided by contract with Waste Management, Inc. After the second anniversary of the annexation date, the City will provide the service at City rates. Residents will be contacted with information regarding how to obtain sanitation and recycling service, and efforts will be made to coordinate any transition of service. Sanitation service will be immediately available to non-residential customers through any of the commercial services franchised by the City. Non-residential customers are responsible for obtaining commercial service.
- Brush Collection Services. Brush collection services shall be provided to residents in the same manner and at the same rate as provided for other residents within the City of Belton.

Annexation Public Hearing - Presentation of Services Plans

Municipal Services Plans - Areas 1-4

- Environmental Health. Immediately upon the effective date of the annexation, the City's environmental health ordinances and regulations shall be applicable to the annexed areas. All health related matters are handled for the City by the Bell County Health District.
- Maintenance of Parks, Playgrounds, and Swimming Pools. The City is not aware of the existence of any publicly owned parks, playgrounds or swimming pools now located in the proposed areas of annexation. In the event any such parks, playgrounds, or swimming pools do exist and are public facilities, the City will maintain such areas and facilities to the extent and degree and to the same or similar level of service now being provided to other such areas and facilities within the corporate limits of the City with like topography, land use and density as those found within the newly annexed areas. Private facilities will remain under the ownership of the homeowners association and as such maintained by the association.
- Maintenance of any Publicly owned Facility, Building or Municipal Service. The City is not aware of the existence of any other publicly owned facility, building, or other municipal service now located in the proposed areas of annexation. In the event any other publicly owned facility, building, or other municipal service does exist and are public facilities, the City will maintain such areas and facilities to the extent and degree and to the same or similar level of service now being provided to other such areas and facilities within the corporate limits of the City with like topography, land use and density as those found within the newly annexed areas.

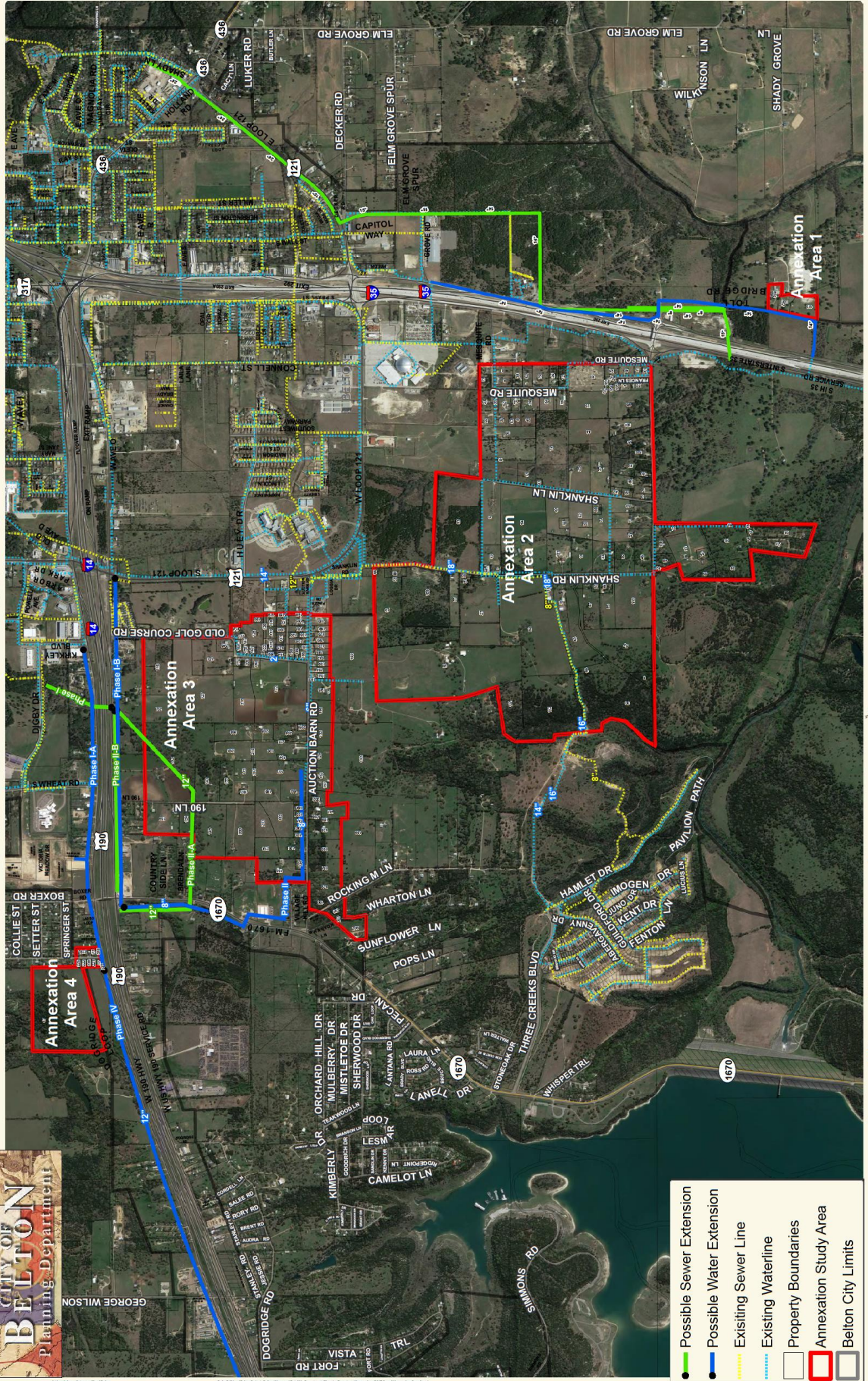
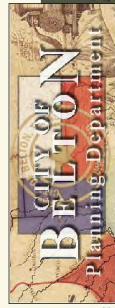
Annexation Public Hearing - Presentation of Services Plans

Municipal Services Plans - Areas 1-4

- Services, Funding and City Policies. All services which require expenditure of public funds are subject to annual appropriations by the City Council. Copies of City policies are available in the City Clerk's office upon request.
- Specific Findings. Belton, Texas, finds and determines that this proposed service plan will not provide any fewer services and will not provide a lower level of service in the areas being considered for annexation that were in existence in the proposed areas at the time immediately preceding the annexation process. Given the proposed annexation areas' topography, land utilization and population density, the service levels to be provided in the newly annexed areas will be equivalent to those provided to other areas of the City with similar characteristics.
- Terms. This plan shall be valid for a term of ten (10) years. Renewal of the Service Plan is at the discretion of the City of Belton.
- Level of Service. Nothing in this plan shall require the City to provide a uniform level of full municipal services to each area of the City, including the annexed areas, if different characteristics of topography, land use, and population density are considered a sufficient basis for providing different levels of service.
- Amendments. The plan shall not be amended unless public hearings are held in accordance with Chapter 43 of the Texas Local Government Code.

Four (4) Annexation Study Areas

Area 1 - 10.96 Acres // Area 2 - 845.47 Acres // Area 3 - 455.08 Acres // Area 4 - 56.32 Acres



Annexation Public Hearing - Presentation of Services Plans

Variable Municipal Services – Study Areas 1 & 2

- Water Service

1. City is responsible for water service based on CCN, subject to City of Belton extension policies and City development standards and subdivision regulations.

- Wastewater Service

1. Wastewater services are available for extension in same manner as available in City of Belton subject to City of Belton extension policies.
2. Developer or property owner is responsible for funding extension and connection subject to subdivision regulations and extension policies.

Annexation Public Hearing - Presentation of Services Plans Capital Improvements to be Completed w/i 2½ Years (6/30/20) Study Areas 1 & 2

- Water/Wastewater Facility

1. A 1MG elevated water storage tank is planned in Northwest Belton. (3rd)
2. Tank will enhance water service/fire protection throughout the City
3. Tank will be available by June 30, 2020.
4. On-site sewerage systems may be maintained in accordance with the City's Code of Ordinances and subject to approval by the Public Works Director/Bell County Health District.

Annexation Public Hearing - Presentation of Services Plans

Variable Municipal Services – Study Area 3

- Water Service

1. City is responsible for water service based on CCN on the eastern two-thirds of Area 3, and Dog Ridge Water Supply Corporation is responsible for the western one-third of Area 3, subject to City of Belton extension policies, and City development standards and subdivision regulations. (Annexation does not change a Water CCN service provider).

- Wastewater Service

1. Wastewater services are available for extension in same manner as available in City of Belton subject to City of Belton extension policies.
2. Developer or property owner is responsible for funding extension and connection subject to subdivision regulations and extension policies.

Annexation Public Hearing - Presentation of Services Plans Capital Improvements to be Completed w/i 2½ Years (6/30/20) Study Area 3

- Water/Wastewater Facility Other Sewer Than Line Above
 1. A 1MG elevated water storage tank is planned in Northwest Belton. (3rd)
 2. Tank will enhance water service/fire protection throughout the City
 3. Tank will be available by June 30, 2020.
 4. On-site sewerage systems may be maintained in accordance with the City's Code of Ordinances and subject to approval by the Public Works Director/Bell County Health District.

Annexation Public Hearing - Presentation of Services Plans

Variable Municipal Services – Study Area 4

- Water Service

1. Dog Ridge Water Supply Corporation, based on CCN, is responsible for Area 4, subject to City of Belton extension policies and City development standards and subdivision regulations. (Annexation does not change a Water CCN provider).

- Wastewater Service

1. Wastewater services are available for extension in same manner as available in City of Belton subject to City of Belton extension policies.
2. Developer or property owner is responsible for funding extension and connection subject to subdivision regulations and extension policies.

Annexation Public Hearing - Presentation of Services Plans Capital Improvements to be Completed w/i 2½ Years (6/30/20)

Study Area 4

- Water/Wastewater Facility

1. A 1MG elevated water storage tank is planned in Northwest Belton. (3rd)
2. Tank will enhance water service/fire protection throughout the City
3. Tank will be available by June 30, 2020.
4. On-site sewerage systems may be maintained in accordance with the City's Code of Ordinances and subject to approval by the Public Works Director/Bell County Health District.

Recommendations

- Conduct this, the first of two annexation public hearings on each Study Area, Areas 1-4.
- Response by eligible property owners on Non-Annexation Development Agreements needed by November 10th. Next agenda item establishes terms.
- Second annexation public hearing will occur at Harris Community Center on Tuesday, October 31, 2017, at 5:30 pm.
- Institution of Annexation Proceedings scheduled November 21, 2017.
- Completion of Annexation Proceedings scheduled November 28, 2017.

Municipal Services Cost Summary (Areas 1-4)

2017 Annexation Study

Area 1

1. Operations/Typical Maintenance (Streets – Toll Bridge Road – 0.2 mi.)

Street lighting and street signage (PW)	minimal \$
Street ROW maintenance (Parks)	minimal \$
2. Major Maintenance (Streets – Toll Bridge Road)

No immediate requirement.
3. Capital Projects (Streets – Toll Bridge Road)

No immediate requirement. Reconstruction will occur in conjunction with future development.

Municipal Services Cost Summary (Areas 1-4)

2017 Annexation Study

Area 2

Operations/Typical Maintenance (Streets)

Lampasas Ln. (0.4 mi) – pothole repair (PW)	\$2,000/yr.
Street Lighting – 10 lights (PW)	\$3,000/yr.
Street Signs – (PW) – initial sign cost	\$2,000
Brush Collection – some impact to brush routes, vehicles (PW)	TBD

Major Maintenance – Estimates for Years 3-5 (Streets)

Shanklin Rd. (1.7 mi) – (PW)	(O/L = overlay)
Shanklin Ln. (0.7 mi) – (PW)	HMAC O/L \$225,000
Mesquite Ln./Rd. north of Resthaven Cemetery (0.48 mi) – (PW)	HMAC O/L \$ 93,000
Frances Ln. – No immediate requirements	HMAC O/L \$ 64,000
Mesquite Rd. – south of Resthaven Cemetery – private	

Capital Projects – (Streets)

No immediate requirement. Reconstruction of existing streets will occur in conjunction with future development.
Three Creeks Blvd./Extension to Shanklin Rd. (comparisons to MLK Project) \$5-7M
(very rough estimate)

- Street distance: 3,400' (MLK: 2,963')
- Bridge length: 320' (MLK: 416')
- 2 lane street, except over bridge (similar to MLK - construction cost of \$5M)

Municipal Services Cost Summary (Areas 1-4)

2017 Annexation Study

Area 3

Operations/Typical Maintenance – (Streets)

Rocking M Ln. – Currently Private road. After dedication to City in late 2018 per MUD Agreement, the proposed double chip seal surface will require some maintenance
190 Ln. (0.5 mi) – (PW) pothole maintenance
Street Lighting – 7 lights – (PW)
Street Signs – (PW) – initial sign cost
Brush Collection – some impact to brush routes, vehicles (PW)

\$5,000/yr.
\$2,000/yr.
\$2,000/yr.
\$1,500
TBD

Major Maintenance – Estimates for Years 3-5 – (Streets)

Rocking M – possible alignment to Auction Barn	TBD
190 Ln. (0.5 mi)	HMAL O/L \$ 27,000
Old Golf Course Rd. (0.4 mi)	HMAL O/L \$ 53,000
Auction Barn Rd. (1.1 mi)	HMAL O/L \$150,000
Hellums Rd. (0.1 mi) – need public street dedication	HMAL O/L \$ 14,000

Capital Projects – After 5 years and only if needed – (Streets)

Auction Barn Road widening and reconstruction, if needed	\$500,000
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Municipal Services Cost Summary (Areas 1-4)

2017 Annexation Study

Area 4

Operations/Typical Maintenance – (Streets)

Airdale (0.1 mi) – (PW)	minimal \$
Street Lighting – (PW)	minimal \$
Street Signs – (PW)	minimal \$
Street ROW (Parks)	minimal \$

Major Maintenance – Estimates for Years 3-5 – (Streets)

Airdale (0.1 mi) – (PW)	HMAC O/L	\$ 14,000
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Capital Projects – Airdale Road - (Streets)

No immediate requirement.

Municipal Services Cost Summary (Areas 1-4)

2017 Annexation Study

Summary of Above Costs:

Operations/Typical Maintenance – Typical items, will depend on final annexation boundary:

- Minor Street Maintenance
- Street signage
- Street lighting
- Street ROW maintenance equipment/personnel

Major Maintenance – HMAC Street overlays begin five years after annexation and depend on annexation boundary.

Future Possible Capital Projects – Three Creeks Blvd. extension to Shanklin Road will be a function of development activity and is not scheduled. Preliminary estimate \$5-\$7M, but design/alignment could reduce cost.

**Belton City Council Workshop Meeting
October 31, 2017 – 4:00 P.M.**

The Belton City Council met in workshop session in the Wright Room at the Harris Community Center with the following members present: Mayor Marion Grayson, Mayor Pro Tem Craig Pearson and Councilmembers David K. Leigh, Guy O'Banion, Paul Sanderford, Dan Kirkley and John R. Holmes, Sr. Staff present included Sam Listi, John Messer and Amy Casey.

1. **Call to order.** Mayor Marion Grayson called the meeting to order at 4:03 p.m.

Executive Session

At 4:04 p.m., the Mayor announced the Council would go into Executive Session and move to the Smith Room for the following item:

2. **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 551.072, to discuss real estate transaction.**

No action was taken by the Council.

3. **Adjourn.** The Mayor reopened the meeting at 5:20 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 #6

Consider a resolution authorizing the submittal of an application to the Texas Historical Commission to be designated as a Certified Local Government.

Originating Department

Planning – Erin Smith, Director of Planning

Summary Information

The Certified Local Government (CLG) Program is a local, state, and federal government partnership for historic preservation. It is designed to help cities and counties develop standards of preservation to protect a wide range of important historic properties. Local governments that participate in the CLG program act independently to develop and maintain a successful preservation program. The Texas Historical Commission administers the program at the state level, and the National Park Service is the responsible federal agency. The THC offers financial and technical assistance to participating communities.

The CLG application requires submission of the following:

- Local historic preservation ordinance
- List of locally designated properties/districts
- List of identified properties and districts
- Resumes of historic preservation review commission/board/committee members
- Local preservation plan or statement of goals and objectives
- Historic Preservation Officer appointment form

The City of Belton now qualifies for Certified Local Government status, with the recent adoption of the Historic Preservation Plan as a component of the Comprehensive Plan. The City's current historic preservation practice also meets all of the eligibility requirements listed in the CLG Handbook.

CLG grants provide funding to cities and counties to develop and sustain an effective local preservation program critical to preserving local historic resources. Typically, grants range from \$2,000 to \$30,000. All CLG grants require a 50/50 local cash match budgeted on a one-to-one (dollar for dollar) for the total cost of the project. Proposed projects utilizing all or partial matches of verifiable in-kind services or goods may also qualify as long as the local match equals a 50/50 ratio for the total cost of the project.

Projects eligible for grant funding may include, but are not limited to architectural, historical, archeological surveys; oral histories; nominations to the National Register of Historic Places; staff work for historic preservation commissions; design guidelines and preservation plans; educational and public outreach materials such as publications, videos, exhibits and brochures; training for commission members and staff; and rehabilitation or restoration of National Register listed properties.

Fiscal Impact

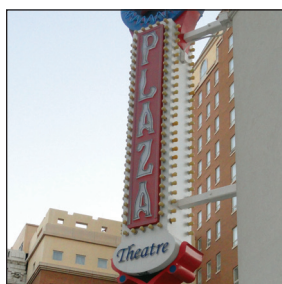
There is no application fee to achieve Certified Local Government status. If the City chooses to request 50/50 match for a historic preservation project, staff will present a funding request to City Council.

Recommendation

Recommend adoption of a resolution for the application to the Texas Historical Commission to be designated as a Certified Local Government.

Attachments

Certified Local Government Handbook
Resolution



CLG HANDBOOK ★ 2012

Kress Building, Lubbock; Plaza Theater, El Paso;
Round Rock residence; Ransom Williams artifacts;
Rail car, Jefferson



TEXAS HISTORICAL COMMISSION
real places telling real stories

INTRODUCTION

In 1966, Congress passed the National Historic Preservation Act, establishing a preservation program for the United States, operated through a partnership between the federal government and the states. The National Historic Preservation Act established the National Register of Historic Places, including the criteria for identifying, documenting, and preserving our nation's historic places. Building on the success of the National Register, Congress passed the National Historic Preservation Amendments Act of 1980, outlining the process for a federal-state-local preservation partnership.

The Texas Historical Commission's (THC) Certified Local Government (CLG) Program is part of the agency's responsibilities in administering the National Historic Preservation Act of 1966. Administration of the program is required to comply with the Act and with the *Historic Preservation Fund Grants Manual*, which stipulates the minimum requirements for administration and operation of the program. States may amplify minimum CLG requirements so long as any additional requirements are consistent with the Act and applicable federal regulations, including 36 CFR Part 61.

The purposes of the CLG Program are:

1. to ensure the broadest possible participation of local governments in the national historic preservation program, while maintaining standards consistent with the National Historic Preservation Act and the Secretary of the Interior's "Standards and Guidelines for Archeology and Historic Preservation;"
2. to enrich, develop, and help maintain local historic preservation programs in cooperation and coordination with the State Historic Preservation Officer (SHPO); and
3. to provide financial and technical assistance to further these purposes.

DESCRIPTION AND STATEMENT OF PURPOSE

The Texas CLG Program is designed to promote the preservation of prehistoric and historic sites, structures, objects, buildings, and historic districts by establishing a partnership between local governments and the THC. The program empowers cities and counties to develop high standards of preservation to protect the wide range of important historic assets that gives each community a unique sense of place. From ornate courthouses to working-class neighborhoods to local stories, each asset contributes to the history and viability of the community.

As a partnership between the National Park Service, the THC, and local governments, the Texas CLG Program reinforces community efforts to preserve historic resources. In doing so, local governments are empowered to better protect their historic resources by having access to on-site and remote consultation with the THC on issues such as the identification, evaluation, designation, and protection of historic and prehistoric properties. In many cases, the technical guidance received and the products generated by CLG grants have provided credibility to both fledgling and established local historic preservation programs.

The program seeks to encourage and expand local involvement in historic preservation program activities through matching grants and technical assistance. Certified local programs will be complementary to and in coordination with the THC's Statewide Preservation Plan. Such partnerships will help to assure that:



City of Denton Historic Landmark Medallion

- Historic assets within the community are identified and recorded at the local, state, and national level to ensure their continued contribution to the community;
- Historic preservation issues are understood and addressed at the local level and are integrated into the local planning and decision-making processes at the earliest possible opportunity;
- Local education and outreach efforts engender a pride in the history of the community and an understanding of how local events shape the course of Texas history;
- Communities continue to respect the design and construction of their historic fabric through utilization and recognition of historic assets;
- Communities adopt incentives to encourage proper maintenance and restoration of the historic assets;
- Communities take action to preserve and protect the historic assets that create a unique sense of place.

By participating in the Texas CLG Program, city and county governments:

- Assume a leadership role in the preservation of the community's prehistoric and historic resources;
- Serve a formal role in the designation of National Register properties, Recorded Texas Historic Landmarks, State Archeological Landmarks, and Section 106 review process;
- Participate in the establishment of state historic preservation objectives;
- Apply for subgrants from the Texas CLG Program to fund eligible preservation projects
- Receive technical and advisory services from the THC.

RULES AND REGULATIONS

The Texas CLG Program is governed by the National Historic Preservation Act of 1966 (16 U.S.C. 470 et.seq.), the National Park Service Historic Preservation Fund Grants Manual, Chapter 15.6 of the Texas Administrative Code, and the policies contained in this handbook.

ELIGIBILITY

Cities and counties are eligible to participate in the Texas CLG Program.

CITIES

City governments may participate in the Texas CLG Program by satisfying the following criteria for eligibility:

- Enact and enforce a local historic preservation ordinance.
- Appoint a local historic preservation officer.
- Establish a local review commission.
- Follow standards and criteria for designating historic properties.



La Madrilena, Brownsville

- Review alterations to and demolitions of designated properties.
- Follow the Secretary of the Interior's Standards for Historic Preservation Projects and Standards for Rehabilitation.
- Provide for demolition delay of historic properties.



First Methodist Episcopal Church,
San Augustine County

COUNTIES

County governments may participate in the Texas CLG Program by satisfying the following criteria for eligibility:

- Appoint a local historic preservation officer.
- Establish a local review commission.
- Survey, inventory, and protect historic properties.
- Follow the Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation.

The *Historic Preservation Fund Grants Manual* allows for certification of state-recognized Native American tribes. At time of publication, the State of Texas has not granted any tribes state recognition.

CERTIFICATION PROCESS

Eligible entities may apply to become a CLG by submitting a Request for Certification to the THC. The certification requirements are established by the by the National Historic Preservation Act of 1966 (16 U.S.C. 470 et.seq.), the National Park Service Historic Preservation Fund Grants Manual, Chapter 15.6 of the Texas Administrative Code and the policies contained in this handbook. The certification requirements for each entity are listed below.

CITIES

Cities seeking certification must meet the following criteria:

- **Enforce appropriate federal, state, and local legislation for the designation and protection of historic properties.** The CLG is required to adhere to and enforce all federal, state, and local legislation regarding the designation and protection of historic properties.
- **Enact and enforce a local historic preservation ordinance.** Historic Preservation Ordinance must contain criteria that will substantially achieve the purpose of preserving and rehabilitating buildings and sites of historic and/or archaeological significance. The ordinance shall establish a Review Commission that follows the Secretary of the Interior's Standards for the Treatment of Historic Properties and any local design guidelines.
- **Appoint a local historic preservation officer.** The CLG is required to appoint a historic preservation officer (HPO) that satisfies the Secretary of the Interior's Professional Qualification Standards. If the CLG is unable to satisfy the standards, the HPO must clearly demonstrate an interest, knowledge, and a demonstrated background in the disciplines of architecture, history, urban planning, real estate, legal, archeology, or other disciplines related to historic preservation.

- **Establish a local review commission.** CLG Communities must establish a Qualified and Adequate Review Commission in the Historic Preservation Ordinance. All Historic Landmark Commission (HLC) members must have a known and demonstrated interest, competence, or knowledge in historic preservation within the city and/or the county. Appointed members should satisfy the Secretary of the Interior's Profession Qualifications Standards.
- **Survey, inventory, and protect historic properties.** CLGs must establish a process for undertaking a survey of the cultural resources within their jurisdiction. Where surveys have already been undertaken or are underway, a process for the continuation, maintenance, and organization of this survey data must be defined.
- **Follow standards and criteria for designating historic properties.** The CLG must follow a proscribed process for the designation of local historic properties. The process may be based upon the National Register of Historic Places criteria and process.
- **Review alterations to and demolitions of designated properties.** The Review Commission shall have the authority to review permits requested for properties listed as individual landmarks or located within a historic district. Certificates of Appropriateness shall be based upon the Secretary of the Interior's Standards for the Treatment of Historic Property, National Register criteria, and local design guidelines.
- **Follow the Secretary of the Interior's Standards for Historic Preservation Projects and Standards for Rehabilitation.** All Review Commission and CLG decisions shall be based upon the Secretary of the Interior's Standards for Treatment of Historic Properties.
- **Provide for demolition delay of historic properties.** At a minimum, the Historic Preservation Ordinance shall mandate a 60-day stay in demolition permits for historic property to allow the CLG the opportunity to reach a satisfactory resolution that preserves the structure while addressing the property owner's individual rights.
- **Establish a system for monitoring federal and state designated properties.** The CLG must create a system to monitor and report on all actions affecting National Register Properties, State Archeological Landmarks, and recorded Texas Historic Landmarks to the THC.
- **Review and provide comment on all required Federal and State Reviews.** The CLG must review all projects requiring federal and state review for potential adverse effect on historic properties, pursuant to Section 106 of the National Historic Preservation Act of 1966.



Cactus Hotel Lobby, San Angelo

SECTION 106 (16 U.S.C. 470f)

The head of any Federal agency having direct or indirect jurisdiction over a proposed Federal or federally assisted undertaking in any State and the head of any Federal department or independent agency having authority to license any undertaking shall, prior to the approval of the expenditure of any Federal funds on the undertaking or prior to the issuance of any license, as the case may be, take into account the effect of the undertaking on any district, site, building, structure, or object that is included in or eligible for inclusion in the National Register. The head of any such Federal agency shall afford the Advisory Council on Historic Preservation established under Title II of this Act a reasonable opportunity to comment with regard to such undertaking.

COUNTIES

Texas counties have limited regulatory control over land use. Therefore, the CLG eligibility requirements for county governments are reduced. Counties seeking certification must meet the following criteria:

- **Appoint a local historic preservation officer.** The CLG is required to appoint a historic preservation officer that satisfies the Secretary of the Interior's Professional Qualification Standards. If the CLG is unable to satisfy the standards, the HPO must clearly demonstrate an interest, knowledge and a demonstrated background in the disciplines of architecture, history, urban planning, real estate, legal, archeology, or other disciplines related to historic preservation.
- **Establish a local review commission.** CLG Communities must establish a qualified and adequate review commission in the bylaws for their County Historical Commission. All appointed members must have a known and demonstrated interest, competence, or knowledge in historic preservation within the city and/or the county. Appointed members should satisfy the Secretary of the Interior's Profession Qualifications Standards.
- **Survey, inventory and protect historic properties.** CLGs must establish a process for undertaking a survey of the cultural resources within their jurisdiction. Where surveys have already been undertaken or are underway, a process for the continuation, maintenance, and organization of this survey data must be defined.
- **Follow the Secretary of the Interior's Standards for Historic Preservation Projects and Standards for Rehabilitation.** All Review Commission and CLG decisions shall be based upon the Secretary of the Interior's Standards for Treatment of Historic Properties.
- **Establish a system for monitoring Federal and State designated properties.** The CLG must create a system to monitor and report on all actions affecting National Register Properties, State Archeological Landmarks, and recorded Texas Historic Landmarks to the THC.
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Carnegie Library, Jefferson

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Interested local governments are encouraged to contact the Texas Historical Commission's CLG Coordinator prior to preparing an application. Eligible entities are required to submit a completed Request for Certification and Certification Agreement, along with all accompanying information to the THC. Requests for Certification may be submitted at any time throughout the calendar year.

The THC reviews CLG applications within 60 days of receipt of the formal request. Upon approval, the Commission forwards a Certification Agreement to the applicant that restates the responsibilities of the CLG and the THC. After the chief elected official of the local government signs the agreement, it is returned to the THC for the executive director's signature.

A copy of the application material and Certification Agreement are forwarded to the NPS for a 15-day review and approval. The NPS then issues a formal letter of designation to the new CLG and the THC. The date of that letter serves as the official date of certification.

CLG ANNUAL REQUIREMENTS

Upon certification, each CLG shall satisfy the following annual reporting requirements:

- **Maintain an adequate and qualified Review Commission.** The CLG is responsible for maintaining a Historic Review Commission as outlined in its preservation ordinance or county historical commission bylaws. If vacancies occur during the year, the CLG must appoint the appropriate members. All commission members must demonstrate interest, competence, or knowledge in historic preservation. All members must participate in Texas Open Meetings Act training and a copy of their certificate held in the official files.
- **Monitor actions affecting historic properties.** Each CLG is responsible for surveying the status of historically designated properties within their jurisdiction, including State Archeological Landmarks, Recorded Texas Historic Landmarks, and National Register properties. In addition, the CLG must notify the THC of any status changes affecting state and nationally designated historic properties.
- **Ensure all meetings are in accordance with Texas Open Meetings Act.** All CLG meetings must be conducted in accordance with the Texas Open Meetings Act, including proper posting per local government procedures.
- **Record written minutes of meetings.** Each CLG must maintain written minutes of each of their meetings. The minutes must be forwarded to the THC within 60 days of their approval.
- **Attend one educational meeting per year.** While all members of the HPC and city staff are encouraged to attend preservation training, each CLG is required to provide annual training for the Historic Preservation Officer. Training must be either preservation focused or specific to duties that support the functions of the Historic Preservation Commission. The preservation training may be provided by the THC. If an applicable training session is not offered by the THC, the CLG must obtain approval for training from other providers.
- **Annual Reporting** Each CLG will complete the National Park Service Annual Report and the THC Annual Report and submit to the THC within 45 days of the end of the corresponding fiscal year.



Historical residence, Corsicana

CLG ANNUAL PERFORMANCE

The THC shall monitor the annual performance of each CLG to assure that the CLG is complying with obligations described in the Certification Agreement. The CLG's performance shall be reviewed on the basis of recognized standards for historic preservation activities. These standards shall include but not be limited to the Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation; National Register criteria for evaluation in reviewing the local government's role in the National Register Program; state survey grant requirements in assessing the local government's execution of the survey requirement of the CLG regulations; and the Secretary of the Interior's Standards for the Treatment of Historic Properties in considering the local government's role in overseeing work to locally designated landmarks and districts.



The Connelley Hotel, Eastland

CLG STAFF REVIEW

The Texas Historical Commission shall conduct a comprehensive review of each CLG every four years. The review will include a site visit from THC staff to review records from CLG meetings, and the administration of CLG grants. In addition, THC staff may attend a regularly scheduled Historic Review Commission meeting to evaluate the procedures. Upon completion of the review, THC staff will issue a written report summarizing the findings, including any mandatory improvements and recommendations for effective operations.

If the review determines the CLG is not satisfying the minimum requirements for participation in the CLG Program, THC staff will make recommendations and establish a timeframe for compliance with the minimum standards. All efforts will be made to assist the CLG in returning to compliance with state and federal regulations. If the CLG is unable to demonstrate substantial compliance, THC Executive Director/SHPO will have the authority to initiate the Decertification Process.

CLG DECERTIFICATION

The THC may initiate the Decertification Process at any time upon determining that a CLG is not meeting the minimum requirements. If a CLG is deemed to be unsatisfactory, THC staff will issue written recommendations and a timeframe for compliance. THC staff will make every effort to assist the CLG in satisfying the minimum requirements. If the CLG is unable to demonstrate compliance with the minimum standards within the allotted time, the Decertification Process shall be initiated by THC staff.

The CLG will be notified in writing of the THC's intent to recommend decertification of the CLG to the National Park Service. Following notification, the THC may suspend financial and technical services to the CLG. The CLG shall be notified in writing of the National Park Service decision and the date of the letter serves as the date of decertification.

Following decertification, a CLG will not be eligible for recertification until all previous deficiencies are addressed to the satisfaction of the THC and the National Park Service.

GRANTS

The National Historic Preservation Act of 1966 provides that at least 10 percent of the THC's annual Historic Preservation Fund allocation be distributed as sub grants among eligible CLGs. All Texas CLGs are eligible to apply for CLG funds but not all will receive funding. Available CLG funds shall be granted on an annual basis through a competitive process as outlined in the CLG Grants Guide. The THC may choose to score specific types of projects higher based upon agency goals and objectives. In addition, the THC Reserves the right to deem any grant requests to be ineligible if the applicant community is not compliant with the Certification Agreement.

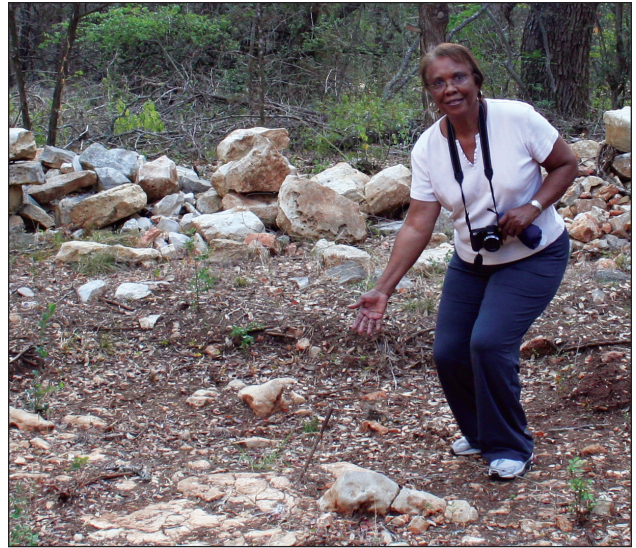
CLG Subgrants can be utilized to fund a variety of projects as outlined in the Historic Preservation Fund Grants Manual. In general, eligible activities will include any project which furthers the goals of identification, evaluation, nomination, and protection of the community's cultural resources. This would include historic property survey, nomination of properties to the National Register of Historic Places, public preservation educational programs, research, the publication of local landmarks legislation, cultural resource management plans for specific historic properties, and the development or update of a comprehensive historic preservation plan. CLG staff are available to coordinate grant projects to ensure compliance with the HPF Grants Manual.

CLG Subgrants are a 100 percent matching grant that may be matched with any combination of cash or in-kind services. CLG monies are federal monies and may not be matched with any other federal grants or funding. However, cities may utilize Community Development Block Grant funding as the CLG's match for the grant. The THC Executive Director may select to waive the matching requirements under special circumstances or to support agency initiatives.

Reimbursements for CLG Grants may be submitted at any time during the grant cycle with the required documentation of expenses and any associated match. THC will reimburse 50 percent of the reimbursement request up to 75 percent of the total grant amount. The final 25 percent of the grant will be retained pending approval of final grant products.

Upon completion of fiscal year grant projects, any remaining unspent money shall be redirected to the highest scoring subgrantees demonstrating an additional match beyond the required amount. Only subgrantees who have successfully completed their grant, including meeting all reporting requirements, will be eligible for additional match. Any redirected grant funds will be allocated to eligible CLGs based upon their demonstrated overmatch and proportion of cash match outlined in the final report. The additional reimbursement issued to the CLGs shall be used to further historic preservation efforts in the community.

If at any time during the grant cycle the THC determines that a subgrantee will be unable to utilize all or part of its grant funding, the THC may reallocate the money to an alternative grant project within the same grant fiscal year. Reallocation will occur only after the respective CLG is provided an opportunity to utilize their full allocation.



Mrs. Jewel Andrews visiting the Ransom and Sarah Williams Farmstead site in Travis County

CLG REQUIREMENTS FOR QUALIFIED HISTORIC PRESERVATION COMMISSION

The local government must establish an adequate and qualified historic preservation commission through a local ordinance. Historic preservation commissions, through the powers and duties assigned to them through city ordinance, should actively seek opportunities to promote preservation and proactively take steps to ensure protection of significant properties. Most historic preservation ordinances list a variety of powers and duties for the historic preservation commission beyond the regulatory duties.

1. **Each Historic Preservation Commission shall have a commission with a minimum of five members, whose geographic area of authority is coterminous with the boundaries of that local government's jurisdiction.** The commission members must be appointed by either the chief elected official of the jurisdiction or elected members of the local government council.
2. **The commission shall be composed of both professional and lay members, all of whom have a demonstrated interest, knowledge, or training in historic preservation.** Information on the credentials of the commission members must be kept on file and available to the public. The commission members must attempt to remain current concerning historic preservation issues and techniques. Commission members are required to complete Texas Open Meetings Act training provided by the Texas Attorney General's Office.
3. **At least 60 percent of the commission membership shall be drawn from the preservation-related profession defined by the National Park Service.** These professions currently include Prehistoric and Historic Archeology, Architectural History, Conservation, Cultural Anthropology, Curation, Engineering, Folklore, Historic Architecture, Historic Landscape Architecture, Historic Preservation Planning, Historic Preservation, and History. This requirement may be waived if the local government can provide written documentation to the Texas Historical Commission (THC) that it has made a reasonable effort to fill those positions.



Green Pastures, a local Austin historic landmark, is also designated as a RTHL and NR property.

4. **The historic preservation commission shall review all proposed National Register nominations for properties within its jurisdiction as well as alterations, relocations, and demolitions of listed historic properties as required by law.** When a commission reviews a National Register nomination or other actions which are normally evaluated by a professional in a specific discipline and that discipline is not represented on the commission, the commission shall seek expertise in that area before rendering its decision. Local governments are encouraged to try to find qualified individuals with expertise in the relevant disciplines to serve on their preservation commissions. If they cannot be found, commissions will need to explore the possibility of utilizing the services of consultants or other outside experts or work with the THC to meet the need in another way.

5. **Terms of office of commission members shall be staggered and of at least two years duration.** There need not be a limit on the number of consecutive terms served by one member.
6. **The local appointing authority shall act within 60 days to fill a vacancy, including expired terms.** The Historic Preservation Office shall be provided with the resumes and qualifications of new appointments.
7. **All meetings of the commission shall be open to the public.** Minutes shall be kept of each meeting and shall be available for public inspection. A copy of the minutes of each meeting shall be sent to the THC following approval at the next regularly scheduled meeting.
8. **The commission must meet as often as necessary to complete its work in a timely manner.** The commission must meet no less than six times a year. All commission meetings shall be properly posted and conducted in accordance with the Texas Open Meetings Act.
9. **All preservation responsibilities and activities shall be carried out by the Certified Local Government in a manner consistent with the Texas Statewide Preservation Plan.**
10. **An annual report of CLG-related activities of the local government shall be submitted to the THC.** The report shall be due following the conclusion of the federal fiscal year, October 1 through September 30. The report shall include, but is not limited to, such items as number and types of cases reviewed and their disposition, a list of new designations made during the year, changes in boundaries of any previous designations, resumes of new commission members, a list of all current members with their professional disciplines, attendance records, a list of educational meetings attended by commission members, and all minutes relating to National Register nominations.
11. **The State Historic Preservation Officer may, at his or her discretion and by mutual written agreement with the local government, delegate further responsibilities to the Certified Local Government.**
12. **In order to stay current with developments in the field, each commission member is strongly encouraged to attend at least one informational or training meeting per year that pertains to fields associated with historic preservation or with the duties of local preservation commissions.**
Ongoing training of historic preservation commissions may be a factor in the awarding of Certified Local Government subgrants.
13. **All responsibilities and duties assigned to local historic preservation commissions shall be complementary to and carried out in coordination with those assigned to the State in 36 C.F.R. 61.6 (e).**



Main Street, Elgin, 1916

CLG REQUIREMENTS FOR QUALIFIED HISTORIC PRESERVATION OFFICER

Each Certified Local Government (CLG) is required to appoint a qualified staff member to serve as the Historic Preservation Officer (HPO). In the absence of a qualified staff member, a volunteer may be asked to serve in this capacity. Upon appointment, a copy of the HPO resume must be submitted to the Texas Historical Commission (THC).

The responsibilities assigned to the City Historic Preservation Officer typically include, but are not limited to:

- Develop policies and procedures to implement the city's adopted historic preservation ordinance and related ordinances.
- Review Certificate of Appropriateness applications for completeness, perform administrative reviews where applicable, and submit recommendations to the Historic Preservation Commission.
- Create community outreach programs to support city historic preservation program.
- Review and help coordinate the city's preservation and urban design activities with those of local, state, and federal agencies and with local, state, and national preservation organizations in the private sector

County HPOs are expected to accept the responsibilities above, exclusive of any Certificate of Appropriateness review responsibilities.

The HPO shall meet the professional qualifications as established in the Secretary of the Interior's Professional Qualification Standards. If the HPO fails to satisfy these guidelines, the CLG is required to obtain additional training for the HPO to ensure compliance with the guidelines. In addition, the CLG may be required to hire an outside consultant on a case-by-case basis to address needs for the local preservation program.

SECRETARY OF THE INTERIOR PROFESSIONAL QUALIFICATIONS STANDARDS



Officers' Quarters at Fort Concho, San Angelo

The following requirements are those used by the National Park Service, and have been previously published in the Code of Federal Regulations, 36 CFR Part 61. The qualifications define minimum education and experience required to perform identification, evaluation, registration, and treatment activities. In some cases, additional areas or levels of expertise may be needed, depending on the complexity of the task and the nature of the historic properties involved. In the following definitions, a year of full-time professional experience need not consist of a continuous year of full-time work but may be made up of discontinuous periods of full-time or part-time work adding up to the equivalent of a year of full-time experience.

HISTORY

The minimum professional qualifications in history are a graduate degree in history or closely related field; or a bachelor's degree in history or closely related field plus one of the following:

1. At least two years of full-time experience in research, writing, teaching, interpretation, or other demonstrable professional activity with an academic institution, historic organization or agency, museum, or other professional institution; or
2. Substantial contribution through research and publication to the body of scholarly knowledge in the field of history.

ARCHEOLOGY

The minimum professional qualifications in archeology are a graduate degree in archeology, anthropology, or closely related field plus:

1. At least one year of full-time professional experience or equivalent specialized training in archeological research, administration, or management;
2. At least four months of supervised field and analytic experience in general North American archeology;
3. Demonstrated ability to carry research to completion.

In addition to these minimum qualifications, a professional in prehistoric archeology shall have at least one year of full-time professional experience at a supervisory level in the study of archeological resources of the prehistoric period. A professional in historic archeology shall have at least one year of full-time professional experience at a supervisory level in the study of archeological resources of the historic period.

ARCHITECTURAL HISTORY

The minimum professional qualifications in architectural history are a graduate degree in architectural history, art history, historic preservation, or closely related field, with coursework in American architectural history, or a bachelor's degree in architectural history, art history, historic preservation, or closely related field plus one of the following:

1. At least two years of full-time experience in research, writing, or teaching in American architectural history or restoration architecture with an academic institution, historical organization or agency, museum, or other professional institution; or
2. Substantial contribution through research and publication to the body of scholarly knowledge in the field of American architectural history.



Residence in the King William Historic District, San Antonio



Former U.S. post office now houses city offices, Georgetown

ARCHITECTURE

The minimum professional qualifications in architecture are a professional degree in architecture plus at least two years of full-time experience in architecture; or a state license to practice architecture.

HISTORIC ARCHITECTURE

The minimum professional qualifications in historic architecture are a professional degree in architecture or a state license to practice architecture, plus one of the following:

1. At least one year of graduate study in architectural preservation, American architectural history, preservation planning, or closely related field; or
2. At least one year of full-time professional experience on historic preservation projects.

Such graduate study or experience shall include detailed investigations of historic structures, preparation of historic structures research reports, and preparation of plans and specifications for preservation projects.

Each CLG is required to provide annual training for the HPO. Training must be either preservation focused or specific to duties that support the functions of the Historic Preservation Commission. The preservation training may be provided by the THC or by another entity if approved by the THC. In addition, each CLG must send the HPO to CLG training at least once every two years.

Any vacancies for the HPO must be filled within 30 days. The appointment shall be forwarded to the THC by the chief elected official or a designee for the CLG. The CLG may select an interim appointment that does not satisfy the requirements, but a permanent replacement, satisfying the stated requirements, must be appointed within 120 days of the initial vacancy.

CLG REQUIREMENTS FOR QUALIFIED HISTORIC PRESERVATION ORDINANCE

Local governments play a vital role in the protection of historic properties. In order to obtain and maintain CLG status, the local government must enforce appropriate state and local legislation for the designation and protection of historic properties. These protections are accomplished through the adoption of a historic preservation ordinance.

1. The purpose of the ordinance must be clearly stated, including citing appropriate enabling legislation. The ordinance must establish a historic preservation commission, define all relevant terms, and specify the number, composition, and duties of the commission. In addition, the ordinance must appoint a city staff person or volunteer to serve as historic preservation officer.
2. The ordinance must establish criteria and a process for designating properties and districts of local, state, and national significance. These criteria should be based upon criteria established for the National Register of Historic Places and can be adapted for local use. The local preservation commission shall have the authority either to designate local historic districts and individual landmarks or recommend such designation to the jurisdiction's governing body, which may retain final approval. The process for designating local historic properties shall follow the same process as other municipal zoning changes.
3. The local government shall establish provisions for Certificate of Appropriateness review on locally designated properties and districts. The nature and scope of the protections offered for properties on the local register shall be at the discretion of the local government. The criteria upon which a local preservation commission reviews proposals for alteration or demolition must be clearly set forth in the ordinance or adopted by the commission under the authority of the ordinance. Such criteria must be consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties.
4. Provisions for enforcing decisions and a right of appeal must exist in the ordinance or in the general zoning ordinance.
5. The ordinance shall include provisions outlining the procedures for mitigating demolition by neglect to prevent the loss of historic resources through improper maintenance. In addition, the ordinance must define the minimum maintenance standards.



Civil War powder magazine, Jefferson

THC RECOMMENDATIONS FOR LOCAL ORDINANCES

The Texas Historical Commission recommends that the local ordinance designate all National Register properties, State Archeological Landmarks, Recorded Texas Historic Landmarks, and Historic Texas Cemeteries as local landmarks.

QUALIFIED HISTORIC RESOURCES SURVEY



Oakdale Park Motor Court, Glen Rose, listed NR

The local government must maintain a system for the survey and inventory of historic properties. The Historic Resources Survey forms the basis for many of the decisions and projects implemented by the Historic Preservation Commission. Surveys range from reconnaissance level surveys to intensive surveys, each requiring specific information about the historic properties located within the Certified Local Governments (CLG) jurisdiction. Therefore, each CLG is required to maintain an updated survey for the community.

1. The CLG shall begin or continue a survey process approved by the THC to identify historic properties within its jurisdiction. All survey and inventory activities as well as other preservation responsibilities shall be carried out by the CLG in a manner consistent with the Texas Statewide Preservation Plan.
2. The CLG must maintain a detailed inventory of the districts, sites, or structures it has surveyed. All inventory materials shall be reviewed annually to ensure completion and compliance with all regulations.
3. All new surveys shall utilize the THC Historic Resource Survey Form.
4. All inventory materials shall be accessible to the public and duplicate copies of materials from all survey efforts conducted by the local government shall be provided to the THC unless already in the files of that office.
5. Historic Resource Surveys shall be conducted in coordination with the THC Survey Coordinator. CLG grant-funded surveys require final approval by the Survey Coordinator prior to reimbursement.
6. Surveys funded through the CLG Subgrants must result in properties or districts being listed in the National Register of Historic Places.

RESOLUTION NO. 2017-33-R

A RESOLUTION OF THE CITY OF BELTON, TEXAS, AUTHORIZING THE MAYOR TO SUBMIT AN APPLICATION TO THE TEXAS HISTORICAL COMMISSION FOR BELTON TO BE DESIGNATED A CERTIFIED LOCAL GOVERNMENT.

WHEREAS, the Certified Local Government Program is a local, state and federal government partnership dedicated to historic preservation; and

WHEREAS, the Certified Local Government Program is designed to help cities and counties develop high standards of preservation to protect a wide range of important historic properties; and

WHEREAS, the City of Belton has demonstrated its commitment to historic preservation by providing Façade Improvement Grants for various historic preservation projects; and

WHEREAS, in November of 2012, the City of Belton approved an Historic Preservation Ordinance, established five local historic districts, and appointed the Historic Preservation Commission; and

WHEREAS, having an Historic Preservation Ordinance is a requirement for a city to become a Certified Local Government; and

WHEREAS, participation in the Certified Local Government Program makes Belton eligible to apply for grants that can be used for local historic preservation projects.

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

Part 1: The City of Belton will apply for the designation of Belton as a Certified Local Government City. The City of Belton will protect and celebrate the heritage, use the historic assets for economic development and community revitalization, and encourage people to experience and appreciate local historic resources through education and heritage tourism.

Part 2: It is hereby officially found and determined that the meeting at which this Resolution is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED by the Belton City Council on this the 14th day of November, 2017.

APPROVED:

Marion Grayson, Mayor

ATTEST:

Amy M. Casey, City Clerk

Staff Report – City Council Agenda Item



Agenda Item #7

Consider authorizing the purchase of a Street Sweeper through the HGAC Purchasing Cooperative.

Originating Department

Public Works – Angellia Points, Director of Public Works/City Engineer

Summary Information

The proposed street sweeper would replace Unit 62, the existing 8-year old street sweeper that is scheduled to be replaced this fiscal year. Unit 62 is used on a nearly daily basis to sweep debris, leaves, sand, etc. from Belton's streets. Unit 62 is beyond its useful life, which is typically a maximum of 7 years, and requires frequent, often expensive, maintenance.

Staff researched the available models for street sweepers and determined a TYMCO Model 435 Regenerative Air Sweeper would be ideal for Belton's needs. The Model 435 requested has a cabover, which is preferable for the Fleet Maintenance Department for maintenance needs. The cabover allows easy access to the engine and other critical parts. Also, the 435 has a "piggyback" hopper which allows the debris to be dumped up and over into a dumpster. This type of hopper also allows easy access to the blower and the hydraulic components.

During the budget process, a Model 635 sweeper was quoted at \$250,000. During the recent quoting process, Public Works staff visited with multiple sales representatives and visited the TYMCO facility in Waco. Staff evaluated numerous sweeper models and found the Model 435 to be best suited for Belton's needs. The Model 635 requires a CDL while the Model 435 does not. Unlike the Model 435 which dumps directly into a dumpster, the 635's hopper can only discharge downward, which means crews would have to hand shovel the debris from the ground into a dumpster.

Under Texas State Procurement Law, products that are quoted the HGACBuy cooperative is not required to be bid, because H-GAC has already performed the bidding process. Quotes were pursued from TYMCO, Inc. out of Waco, Texas. TYMCO is a large, trusted manufacturer of street sweepers for companies and municipalities across the country. The Model 435 was quoted for \$138,935, which is the HGACBuy price.

Significant savings are realized with the Model 435 over the Model 635. The proposed street sweeper is under the projected budget of \$250,000 by \$111,065.

In order to accommodate the purchase of the street sweeper in the FY 2018 Drainage Fund Budget, the expenditure of \$159,882 of fund balance was anticipated, and the drainage

capital projects funding was reduced to \$50,000 (\$96,000 in FY 2017). The savings on the street sweeper relative to the amount that was anticipated to be spent as part of the FY 2018 budget will be used to bolster drainage capital projects funding, establish a drainage capital equipment fund for future capital replacement needs, and/or preserve a portion of the fund balance of the Drainage Fund.

Fiscal Impact Amount: \$138,935.00

Budgeted: ☒ Yes ☐ No ☐ Capital Project Funds

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

Funding Source(s): FY2018 Drainage Fund Budget

Recommendation

Authorize the purchase of a 2018 TYMCO Street Sweeper using HGACBuy Contract #SW04-16.

Attachments

HGACBuy Quote



CONTRACT PRICING WORKSHEET

For MOTOR VEHICLES Only

Contract No.:

SW04-16

Date Prepared:

10/20/2017

This Worksheet is prepared by Contractor and given to End User. If a PO is issued, both documents MUST be faxed to H-GAC @ 713-993-4548. Therefore please type or print legibly.

Buying Agency:	City of Belton, TX	Contractor:	TYMCO, Inc. (ISSUE P.O. TO TYMCO, Inc.- email below)
Contact Person:	Dwade Dalton	Prepared By:	Kaye Morgan
Phone:		Phone:	254-799-5546
Fax:		Fax:	254-799-2722
Email:	ddalton@beltontexas.gov	Email:	kaye.morgan@tymco.com

Product Code:	BI03	Description:	TYMCO Model 435 Regenerative Air Sweeper
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A. Product Item Base Unit Price Per Contractor's H-GAC Contract: \$ 65,500.00

B. Published Options - Itemize below - Attach additional sheet(s) if necessary - Include Option Code in description if

Description	Cost	Description	Cost
Pick-Up Head Curtain Lifter 435087	\$ 1,605.00	Auxiliary Hydraulic System 435053	\$ 1,130.00
Gutter Broom Tilt Adjusters - Left/Right 435093	\$ 1,300.00	Dual Steering 435058	\$ 8,250.00
Gutter Broom - Drop Downs - Left/Right 435069	\$ 1,800.00	2016 Isuzu NQR Chassis 435708	\$ 52,250.00
Traffic Directing Light - LED 435823	\$ 1,200.00		
Twin Gutter Brooms, Lights & Mirrors are standard on HGAC Contract			
		Subtotal From Additional Sheet(s):	
		Subtotal B:	\$ 67,535.00

C. Unpublished Options - Itemize below / attach additional sheet(s) if necessary.

Description	Cost	Description	Cost
Dump Switch in Cab	\$ 200.00	Auto Sweep Interrupt w/Overspeed Interrupt	\$ 1,500.00
Hopper Load Indicators	\$ 400.00	2018 Isuzu NQR Chassis UPGRADE	\$ 1,000.00
Skid Bumper Extension Set (2)	\$ 250.00	Pick-Up Head Pressure Inlet Water Injection System	\$ 1,800.00
		Subtotal From Additional Sheet(s):	
		Subtotal C:	\$ 5,150.00

Check: Total cost of Unpublished Options (C) cannot exceed 25% of the total of the Base Unit Price plus Published Options (A+B). For this transaction the percentage is: 4%

D. Total Cost Before Any Applicable Trade-In / Other Allowances / Discounts (A+B+C) \$ 138,185.00

Quantity Ordered: 1 X Subtotal of A + B + C: \$ 138,185.00 = Subtotal D: \$ 138,185.00

F. Trade-Ins / Other Allowances / Special Discounts / Freight / Installation

Description	Cost	Description	Cost
Freight/PDI/Inservice	\$ 750.00		
		Subtotal F:	\$ 750.00

Delivery Date: 90-120 Days **G. Total Purchase Price (D+E+F):** \$ 138,935.00

SMALL CELL NODES

City Council Meeting
November 14, 2017



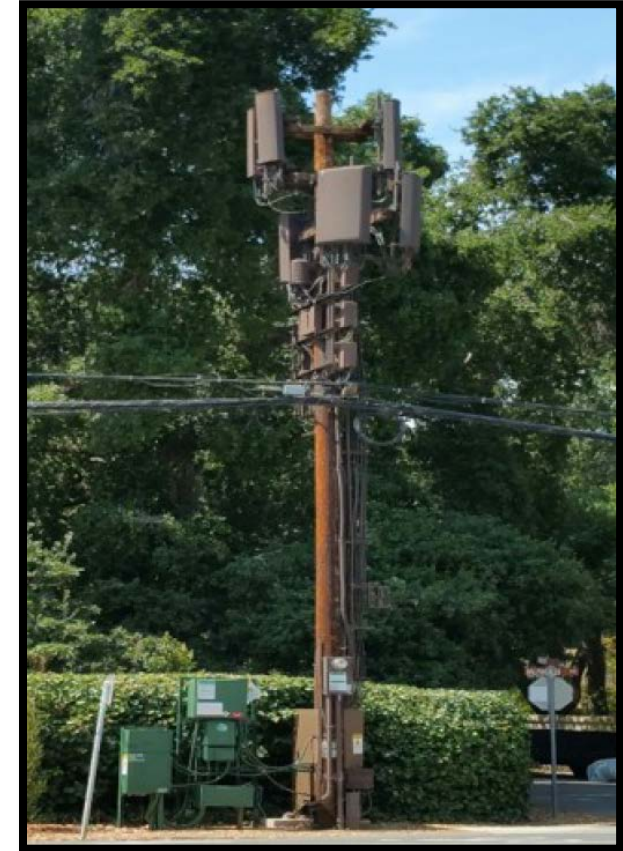
TABLE OF CONTENTS

- Senate Bill 1004 – What is it and how does it affect Belton?
- Types of Installations
- Prohibited and Preferred Locations
- Order or Preference for Installation
 - Where Can They Be Installed?
- What is the City's Response?
 - Small Wireless Facility Siting Ordinance
 - Revised the current ROW Management Ordinance
 - Add an appendix to the City's Design Manual
 - Develop a Service Pole Collocation Attachment License Agreement
- Staff Recommendation



SENATE BILL 1004

- Senate Bill 1004 (effective September 1, 2017) created Chapter 284. “Deployment of Network Nodes in Public Right-of-Way”.
- Chapter 284 requires municipalities to allow small cells within the public right-of-way and on city infrastructure.
- Important facts about Chapter 284:
 - Mandated access to city infrastructure (utility poles, non-decorative street lights, street signs, traffic signals)
 - Unless approved by the City, cannot utilize city parks and be placed in the ROW of residential areas if the streets are 50 feet wide or less
 - Special regulations for areas within designated design and historic districts
- This legislative action will require amendments to the City’s Right-of-Way Management Ordinance and Design Manual.
- Proposed wireless towers on private property will be subject to the City’s Wireless Service Facilities Ordinance (2001-38)



TYPES OF INSTALLATIONS



- Network Nodes – Wireless communication equipment (not the pole)
 - Must be installed at least 8 feet above the ground
 - ROW permit required; Attachment agreement may be required
- Node Support Poles – New pole to support network node facility
 - Can't exceed 10 feet in height above tallest existing utility pole with 500 linear feet
 - Max height allowed is 55 foot above ground level
 - ROW permit required
- Transport Facility – physical fiber or line connection between the network node in the ROW and cellular network's mobile switching location.
 - ROW permit required
- Micro Network Node – Strung on lines between poles or node support poles
 - No larger than 24" x 15" x 12" in size
 - No permit required from the City, unless disrupting traffic during install or repairs

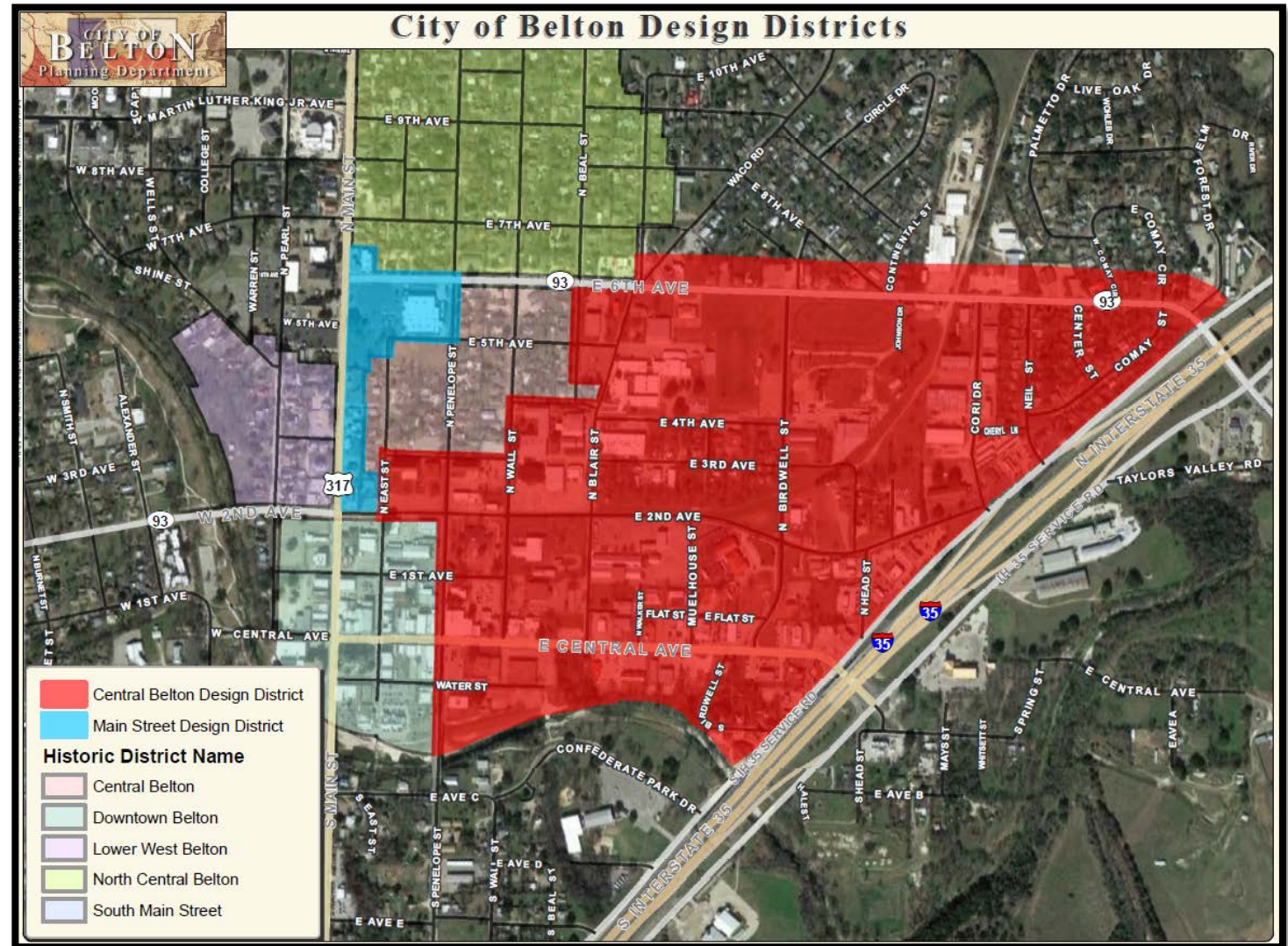






PROHIBITED AND PREFERRED LOCATIONS

- Prohibited or Restricted Areas, unless approved by the City
 - Residential Areas
 - Municipal Parks
 - Historic Districts (5)
 - Design Districts (2) (NEW!)
 - Historic landmarks recognized by the City, state, or federal government
- Preferable Locations
 - Industrial Areas
 - Highway Rights-of-Way
 - Retail and Commercial Areas



WHERE THEY CAN BE INSTALLED:

- Business Park
- Taylors Valley Road/Hubbard Lane
- Sparta Road between Main and Loop 121
- Industrial Park Road
- Commerce Street

WHERE THEY CAN'T BE INSTALLED WITHOUT CITY APPROVAL AND CONCEALMENT:

- N Head Street between IH-35 SR and E 2nd Ave
 - Central Ave
 - 2nd Ave
 - N Penelope
 - Any City-owned Parks
 - ROW of residential areas if the streets are 50 feet wide or less
 - Historical and Design Districts
-
- Note: Regardless of location, a ROW Permit is still required; ROW Permits approved at the Staff level; no Council approval/consideration



ORDER OF PREFERENCE FOR INSTALLATION

1. Existing telephone or electrical lines between existing utility poles (None owned by City)
2. Existing Utility Poles (None)
3. Municipal Service Poles
 - Non-decorative street lights with height of more than 20 feet (Yes)
 - Traffic signal structures (None)
 - Street signage shall be a low priority for attachment of a network node (due to availability of electricity and MUTCD) (Yes)
 - Other municipal service poles are discouraged.
4. Network Node Support Poles



WHAT IS THE CITY'S RESPONSE?

1. Adopt a Small Wireless Facility Siting Ordinance to clarify requirements to extent allowed by law
2. Revised the current Rights-of-Way Management Ordinance to include wireless network infrastructure
3. Add an appendix to the City's Design Manual for Installation of Network Nodes and Node Support Poles
4. Develop and require a Service Pole Collocation Attachment License Agreement
5. Later: Establish fees in City's Fee Schedule



1. ADOPT A SMALL WIRELESS FACILITY SITING ORDINANCE

Purpose: clarify requirements as allowed by law; establish policies and procedures for the placement of node support poles and network nodes in the public ROW.

Included in the ordinance:

- Clarifies general requirements including prohibited and allowed locations
- ROW permit is required
- Review period for ROW permits
- Within 90 notice from the City for construction, repair, maintenance, etc., network provider is required to relocate within ROW
- Removal of node requirements (90 days after their notice of abandonment)
- Fees are required per City's Fee Schedule
- Attachment Service Agreement is required
- Must comply with Design Manual

ORDINANCE NO. 2017-____
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BELTON, TEXAS, AMENDING CHAPTER 23 OF THE CODE OF ORDINANCES ESTABLISHING UNIFORM RULES AND REGULATIONS GOVERNING THE STANDARDS FOR NETWORK NODES AND NODE SUPPORT POLES IN THE PUBLIC RIGHT-OF-WAY IN THE CITY OF BELTON; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE; PROVIDING A PENALTY; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

WHEREAS, the City of Belton ("City") seeks to encourage wireless infrastructure investment by providing a fair, reasonable, and predictable process for the deployment of network nodes and node support poles, while managing the public right-of-way in the overall interests of the public health, safety and welfare;

WHEREAS, wireless infrastructure in and proposed to be in City right-of-way is permitted and managed in this proposed ordinance while infrastructure on private property is permitted and managed by building permits;

WHEREAS, the City intends to fully comply with and implement Chapter 284 of the Texas Local Government Code and comply with federal law to the extent it preempts local control.

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

The City of Belton City Council hereby adds the following Chapter that will read as follows:

PART 1: Chapter 20 "Streets, Sidewalks and Other Public Places," Article VIX, "Small Wireless Facility Siting Ordinance," of the Code of Ordinances of the City of Belton, Texas, is hereby added to read as follows:

Article VIX - SMALL WIRELESS FACILITY SITING ORDINANCE

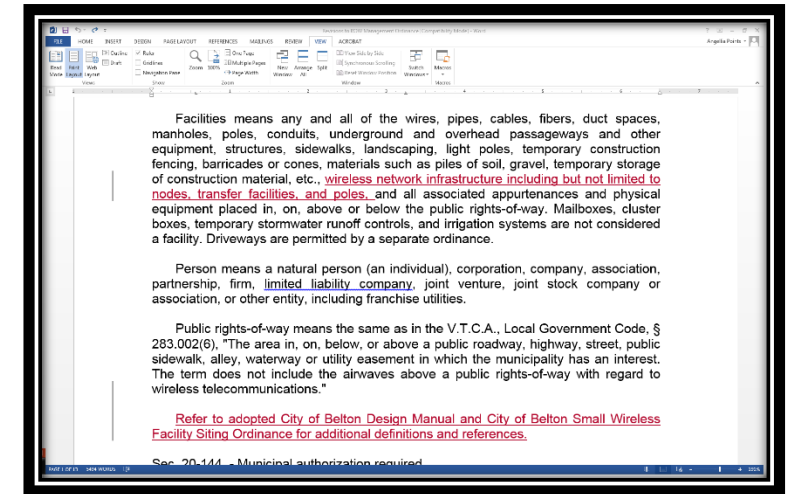
Section 20-160 – Purpose and Scope.

(a) Purpose. The purpose of this Chapter is to establish policies and procedures for the placement of node support poles in the right-of-way and network nodes in the public right-of-way and on service poles within the City's jurisdiction, which will provide public benefits and will be consistent with the preservation of the integrity, safe usage, and visual qualities of the City public right-of-way and the City as a whole.

(b) Intent. In enacting this Chapter, the City is establishing uniform standards to address issues presented by network nodes, including without limitation, ensuring that network nodes or node support poles do not adversely affect.

2. AMEND RIGHTS-OF-WAY ORDINANCE

1. Include Network Nodes as a “Facility”
2. Require a ROW permit when a person “removes” or “relocates” a facility
3. Wireless network providers shall adhere to City’s Network Node Ordinance, Chapter 284 of LGC, and the City’s design manual.
4. All facilities placed in the City’s ROW shall be done at the person’s expense and be placed in a good and workmanlike manner.
5. Gives City authority to perform inspections on facilities placed within ROW.
6. City is a drug-free workforce and workplace. The distribution, possession, sale, or use, etc., of illegal drugs or alcohol by the person or person’s contractors is prohibited.
7. Facilities placed in a historical or design district may be prohibited or at minimum, be required to be black powdered coated and/or be reasonably camouflaged to match the surrounding environmental and aesthetics. Also applies to auxiliary equipment.
8. No part of a person’s facility is considered as being affixed to or a part of the ROW. All facilities will remain the property of the person.



2. AMEND RIGHTS-OF-WAY ORDINANCE CONT...

9. City is not liable for damages, injuries, or claims arising from the person's actions in the ROW.
10. Upon a person's abandonment of facilities, the person must notify the City and remove the facilities within 90 days.
11. Signage must be in accordance with MUTCD. However, signage may be required by the City to identify the persons name, location, emergency phone number, etc.
12. Facilities should not violate ADA requirements.
13. Upon notice thereof, the person shall remove all graffiti on any of its facilities.
14. Any damage done to the ROW due to the installation, maintenance, removal, etc. of facilities shall be repaired at the person's expense within 10 days.
15. The person is responsible for their employees, contractors, etc.



3. APPENDIX TO DESIGN MANUAL

- Many of the same provisions and requirements as the Network Node Ordinance and ROW Management Ordinance
- Purpose: more detailed requirements (heights, spacing, colors, electrical, etc.)
- Prohibited and Preferred Locations
- Guidelines on Placement
- Electrical Supply - Network Provider is responsible for their electrical service. Generators are not allowed.
- General Aesthetic Requirements

Appendix A Design Manual

*for the
Installation of Network Nodes and Node Support Poles
pursuant to Tex. Loc. Gov. Code, Chapter 284.*

3. DESIGN MANUAL: GENERAL AESTHETIC REQUIREMENTS

▪ Concealment

- Concealment of network nodes and node support poles in historic and design districts with decorative poles
- Camouflage is required, except areas zoned Light or Heavy Industrial
- Concealed or enclosed in equipment box, cabinet or other unit
- External cables and wires hanging off a pole shall be sheathed or enclosed in a conduit

▪ New Node Support Pole Spacing

- New poles shall be a minimum of 300 feet from a utility pole or other node support pole

▪ Allowed Colors

- Unless otherwise provided, all colors shall be earth tones or shall match the background of any structure the facilities are located upon and all efforts shall be made for the colors to be inconspicuous. Colors in areas other than in Historic Districts and Design Districts shall conform to colors of other installations of telecommunication providers in the immediately adjacent areas.



4. ATTACHMENT AGREEMENT

- Agreement between the City and Network Provider that states a facility can be attached to a City-owned pole, sign, etc.
- Standard agreement proposed by TML.
- Signatures required by the City Manager and Network Provider.
- Defines terms (typically 5 years) and defines renewals (typically up to 2 terms of 5 years each), or otherwise agreed upon by the City and Provider.
- Addresses transfer of authority, ownership, causes/reasons for termination, abandonment, relocation requirements, liabilities, electrical supply, graffiti abatement, fees, etc.

CITY OF BELTON, TEXAS
CHAPTER 284 SERVICE POLE COLLOCATION ATTACHMENT
LICENSE AGREEMENT

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FEES AND REVIEW INFO

- No ROW Permit application fee will be required, consistent with current practice.
- Fees to be considered when presented with Proposed Fee Schedule.

- Network Nodes
 - 30 days to determine completeness; 60 days to approve or deny permit
 - Fee: \$250 per network node site/year

- Node Support Poles
 - 30 days to determine completeness; 150 days to approve or deny permit
 - Fee: \$250 per pole/year

- Transport Facility
 - 10 days to determine completeness; 21 days to approve or deny permit
 - Fee: \$28 per transport facility/month



RECOMMENDATIONS FOR 11/21/17 COUNCIL MEETING

Staff recommends the following:

1. Adopt the proposed Small Wireless Facility Siting Ordinance.
2. Approve the proposed amendments to the Rights-of-Way Management Ordinance.
3. Adopt an appendix to the City's Design Manual for Installation of Network Nodes and Node Support Poles.
4. Require a Service Pole Collocation Attachment License Agreement with City Manager having the authority to approve or deny such requests.



Fats, Oils, Grease and Grit Program

City Council

Fats, Oils, Grease and Grit in Sewer Pipes



BIG RED





CEASE THE

Palm Bay's

MOST WANTED

WARE OF



I WANT YOU
TO HELP STOP FOG
NO GREASE DOWN THE DRAIN

Are you Committing
SINK SINS?



*"Mother never told me
not to pour Fats, Oil
and Grease down
the drain!"*



Yes...feed me. Every
little bit helps. *glurg*

Purpose of the FOG Ordinance

- Protect the City's sewer infrastructure
- Reduce risk of sewer overflows in the street and back-ups into businesses and homes
- Maintain/reduce sewer washing operations
- Work with businesses to ensure compliance

FOG Program Summary

Who?

- Applies to all new and existing non-residential generators of grease/grit (does not apply to residents)
- Transporters of grease and grit waste
- No one can discharge FOG into sewer system

Grease/Grit Trap Sizing

- Use the Uniform Plumbing Code Formula for sizing requirements; Minimum sizing requirements for car washes (grit generators)
- Will allow for self-cleaners and alternative treatments (bioremediation)
- Staff will work with existing generators to allow smaller sized units, but more frequency cleaning cycles (monthly) may be required

Cleaning Frequency

- Every 90 days, unless otherwise approved
- Waste manifest to City within 10 days of cleaning

Enforcement

- City Inspections (Environmental Specialist Technician)
- A violation of any provisions of this ordinance will result in a Class C Misdemeanor in addition to fines not exceeding \$2,000.00
- City may terminate water services due to non-compliance

How does this affect existing businesses?

- Existing businesses which are “waste generators” will need some sort of grease/grit/hair traps.
 - Typical locations for these types of traps: Restaurants, pet grooming facilities, hair salons, car washes, etc.
- Staff will work with them on accommodating smaller units with more frequent cleaning cycles.
- Up to 180 days to come into compliance.

Unclog Belton!



No FOG, No CLOG!
COOL IT, CAN IT, TRASH IT!

What's Next

1. Create database of the information provided to Public Works
2. Train Environmental Compliance Tech
3. Work with businesses that currently have grease traps to maintain a cleaning cycle and reporting
4. Work with businesses that need grease traps to get a device or trap installed
5. Work with new businesses when great traps are needed

Recommendation for 11/21/17 Council Meeting

Recommend approval of the new Fats, Oils, Grease and Grit Program to Chapter 23, Article II, as Division 5 of the Code of Ordinances regarding the City's management and protection of the public sanitary sewer system.

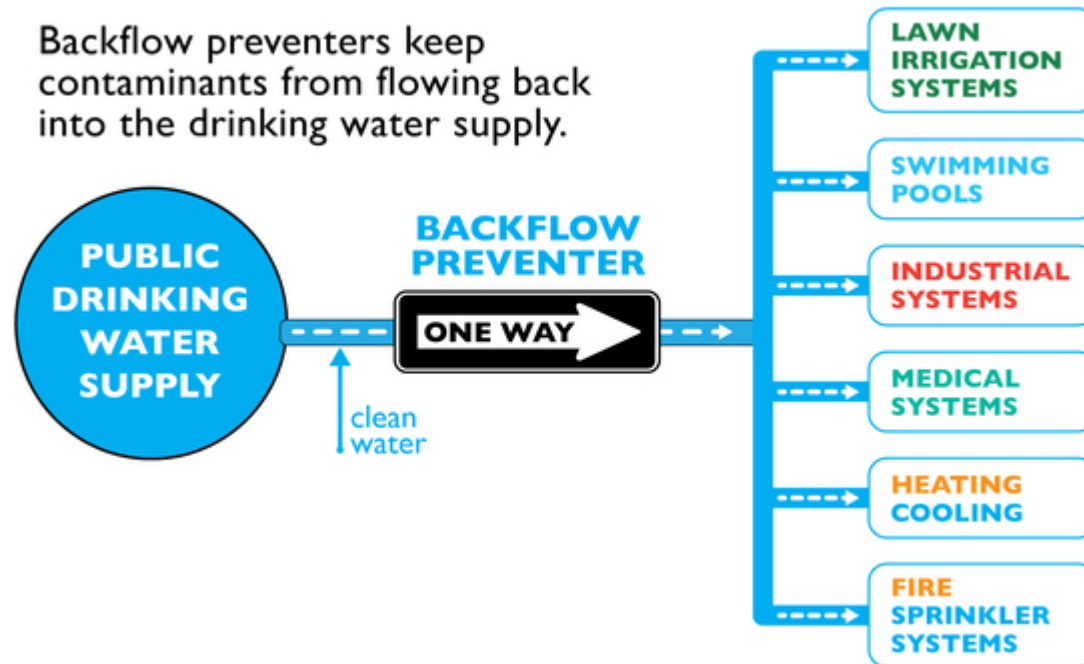
Cross Connection Control and Backflow Prevention Program

City Council

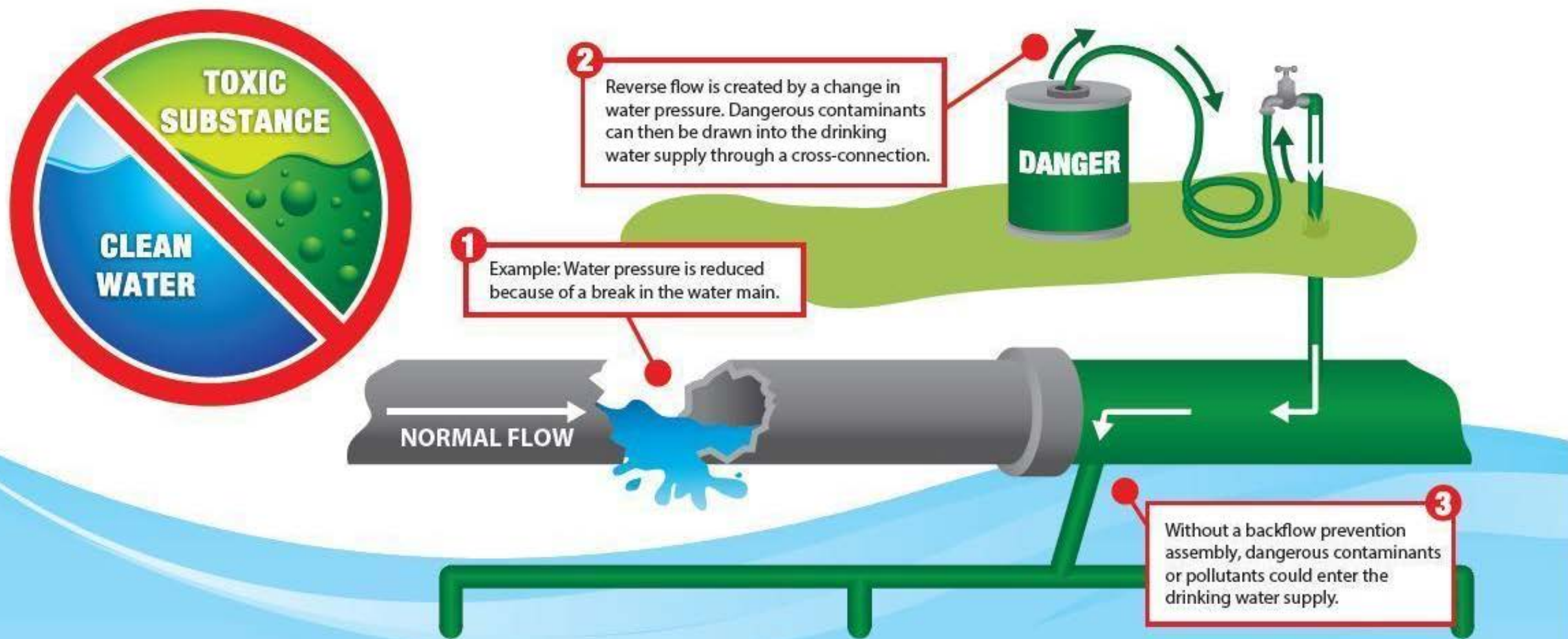
Backflow

- Backflow is the undesirable reverse flow of non-potable (non-drinkable) water or other substances that can contaminate the drinking or public water system due to a cross connection in the piping.
- Preventing backflows is crucial to protecting drinking water quality.
- TCEQ requires the City to manage backflows and cross connections.
- The City currently has an abbreviated program under Chapter 23, Article VIII which pertains only to irrigation systems.
- A comprehensive program for ALL connections is required.
- In August, TCEQ performed an inspection of the City's water system. The inspector noted that a backflow ordinance and program is required in order to maintain compliance with TCEQ.

Backflow preventers keep contaminants from flowing back into the drinking water supply.



YOUR ROLE IN PROTECTING OUR WATER SUPPLY FROM CROSS-CONNECTIONS AND BACKFLOW



Backflow Program Summary

Who is required to have backflow devices?

- Where are potential backflow or cross connection hazard exists, a backflow prevention assembly is required.
- Installation of the device and testing is at the customer's expense.
- Backflow devices are not required at any residence or facility where there is no actual or potential contamination hazard.

Authority

- TCEQ requires the City to provide a backflow program and manage backflow and cross connections.
- City may refuse to initiate water service or discontinue present water service to any customer if a potential hazard exists and/or adequate protection has not been provided or reported.

Customer Responsibilities

- All backflow prevention assemblies shall be tested by a certified tester upon installation, repair, alteration, relocation, **annually** and prior to being placed into service.

Testers

- Testers must be certified by the State.
- Testers must be registered with the City. Registrations are valid for 1 year.
- Registrations can be revoked.

Backflow Program Summary Continued

Types of Devices Required

- Examples are air gaps, atmospheric vacuum breakers, double check valve, pressure vacuum breaker, reduced-pressure principle backflow assemblies.
- Car wash facilities, fire hydrant meters, medical clinics, metal manufacturing, WWTPs = AG or RPBA
- Irrigation systems = RPBA, DCVA, AVB, or PVB (depends on if chemicals are added or not)
- Internal dental clinic equipment RPBA, swimming pools (private) PVB or AG, Ice or Soda machines = AVB

New and Existing Facilities

- All new facilities are required to comply with the requirements of this policy.
- All existing facilities must come into compliance with this policy within 180 calendar days.

Enforcement and Penalties

- Environmental Specialist: The City has the authority to enter the property or premises of a customer to inspect the customer's water system for compliance.
- Violation of any provisions of this ordinance will result in a Class C Misdemeanor in addition to fines not exceeding \$2,000.
- At any time, the City may terminate water services due to non-compliance with this ordinance.

Average Testing Costs

- Residential irrigation backflow devices range between \$60-\$85 per test.
- Commercial irrigation and other devices range between \$60-\$100 per diameter inch of waterline per test, depending on the device and use.
- Installation costs vary depending on the device that is required.
 - PVB: \$285-\$500 for most irrigation systems
 - DCVA: \$370-\$420
 - RPBA: \$400-\$1,000 depending on size and application

What's Next?

1. In progress: We have purchased a backflow program to properly manage, track, and report backflow device testing.
 2. Develop database in new Backflow Program.
 3. Train new Environmental Specialist.
 4. Work with businesses to get the correct backflow device installed and start catching up on the required testing.
- Program is compatible with billing software for up-to-date customer information.
 - Automated letter generation
 - Reminders and warning letters
 - Test report forms
 - Envelopes
 - Certified tester list
 - Customizable letters and reports
 - Certified tester information
 - Reports
 - Comprehensive test summary reports for TCEQ
 - View completed, past due, and upcoming tests



Say NO to Backflow!



Belton says NO to
backflow!

Recommendation for 11/21/17 Council Meeting

Recommend approval of the new Water Cross Connection Control Program as an amendment to Chapter 23, Article IX of the Code of Ordinances regarding the City's management and protection of the public water system following a public hearing on this topic.

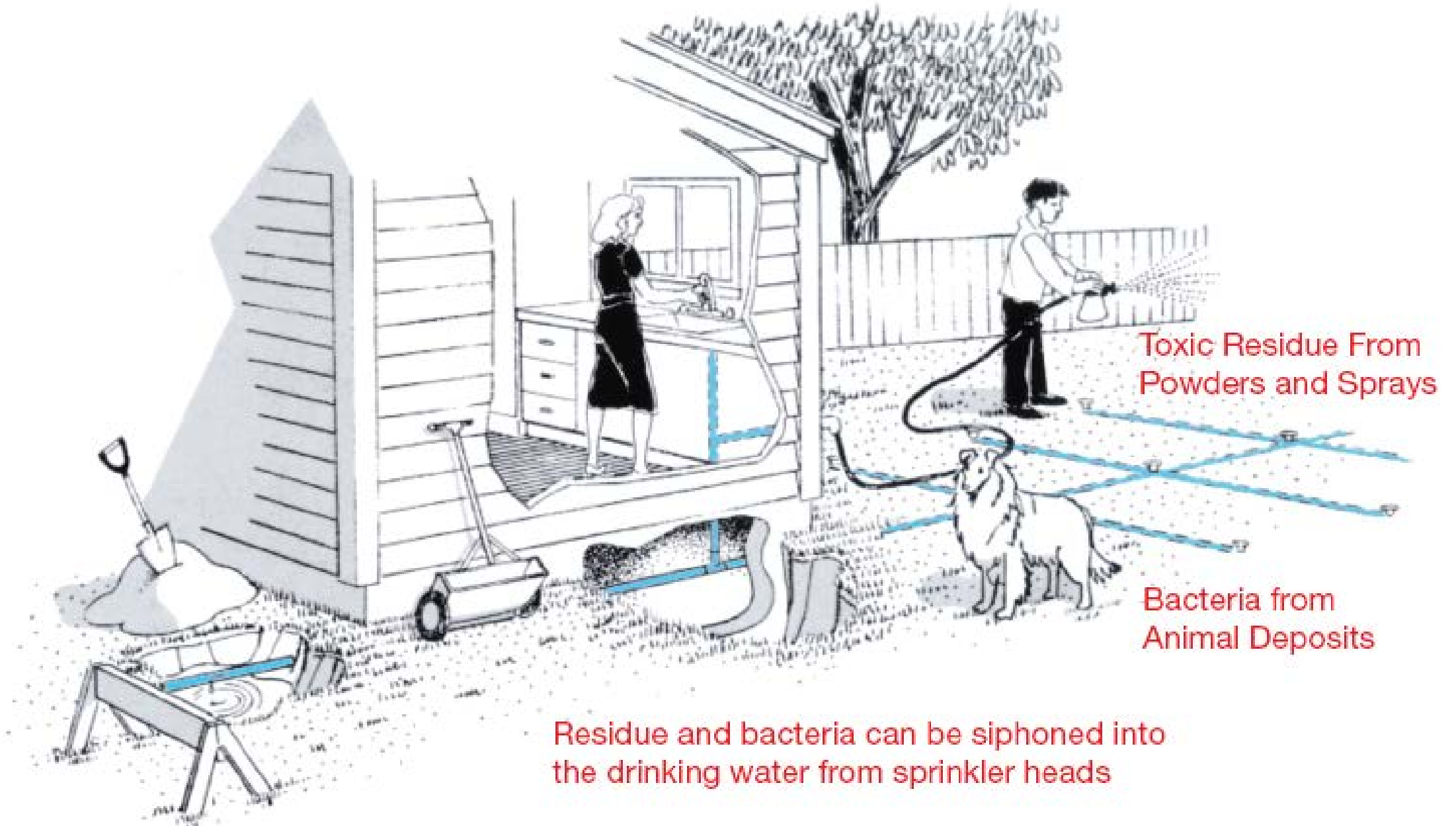
Consider Amendments to Code of Ordinances: Installation of Irrigation Systems

City Council

Backflow and Irrigation

- With the adoption of the new Cross Connection Control Ordinance, there are conflicting backflow requirements in Chapter 23, Article VIII, Installation of Irrigation Systems.
- Amendments are proposed to address conflicts between the existing ordinance and the newly adopted backflow program.
- Goal of amendments: clear and consistent standards.

Backflow prevention for irrigation systems



Amendments Summary

- Definitions
 - Deleted duplicate or conflicting definitions. Referred to new Backflow Ordinance.
- Backflow prevention methods and devices
 - Deleted and referred to new Chapter 23, Article IX.
- Specific conditions and cross-connection control
 - Deleted and referred to new Chapter 23, Article IX.
- Reclaimed water
 - Revised item 5 to state the following: Backflow prevention on the reclaimed water supply line shall be in accordance with the regulations of the city's water provider and per Chapter 23, Article IX "Water Cross Connection Control Program".
- Items not covered by this chapter
 - Revised the paragraph to the following: Any item not covered by the ordinance and required by law shall be governed by the Texas Occupations Code, the Texas Water Code, Title 30 of the Texas Administrative Code, and any other applicable state statute or Texas Commission on Environmental Quality rule and per Chapter 23, Article IX "Water Cross Connection Control Program".

Recommendation for 11/21/17 Council Meeting

Recommend approval of the amended Chapter 23 Article VIII of the Code of Ordinances regarding installation of irrigation systems following a public hearing on this topic.