

CITY OF BELTON

City Council Workshop Agenda Tuesday, November 27, 2018 - 4:00 p.m. Smith Room, Harris Community Center 401 N. Alexander, Belton, Texas

- 1. Call to order.
- 2. Discuss TDHCA Tax Credit Program proposal for the Commerce Street Apartments by Homestead Development south of the southwest corner of Sparta Road and Commerce Drive.
- 3. Receive a presentation and discuss remediation services at Central Fire Station, as well as other available information on building renovations.
- 4. Adjourn.

TDHCA Tax Credit Program for Commerce Street Apartments



CITY COUNCIL WORKSHOP/MEETING

NOVEMBER 27, 2018

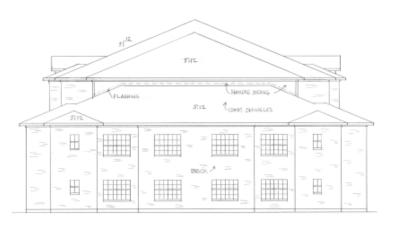
City Council Agenda Workshop Item #2/Regular Meeting Item #4

Consider a Resolution supporting Commerce Street Apartments, a tax credit application to Texas Department of Housing and Community Affairs (TDHCA) for a family housing development for low and moderate income persons, proposed south of southwest corner of Sparta Road and Commerce Drive.

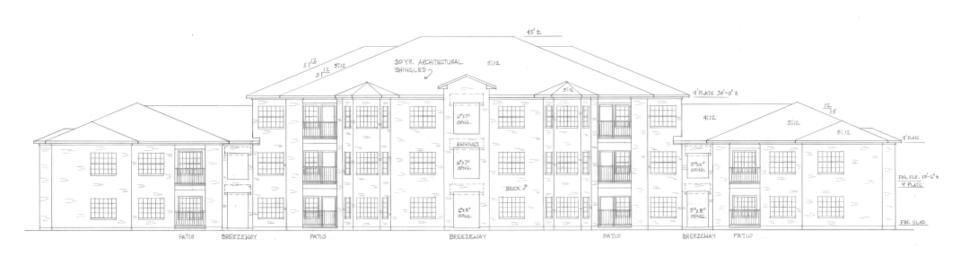


Summary:

- Homestead Development is preparing a pre-application packet for federal tax credits, for an 80 unit family housing development, to be know as Commerce Street Apartments, LTD.
- The Development is proposed to be located on 5 acres south of the southwest corner of Sparta Road and Commerce Drive, a site zoned for apartments in 2012.
- A breakdown of the 80 apartment units proposed includes:
 - 20 One Bedroom, One Bath
 - 44 Two Bedroom, Two Bath
 - <u>16</u> Three Bedroom, Two Bath
 - 80 Units



END ELEVATIONS I/8"---1-0"



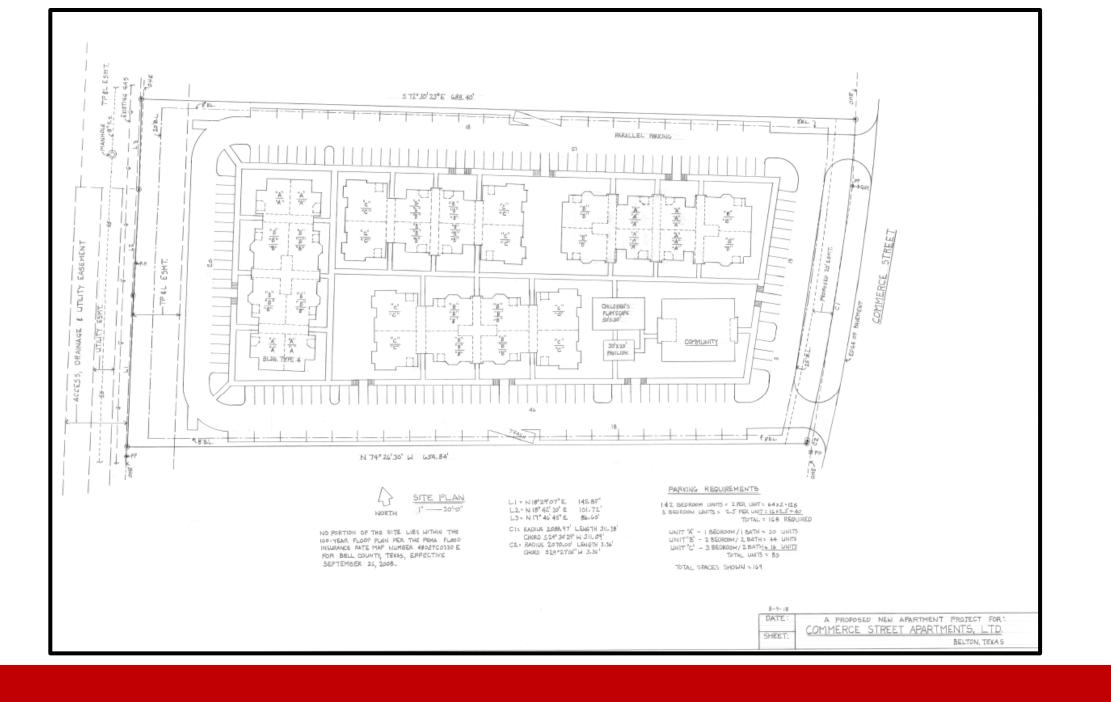
FRONT & REAR ELEVATIONS FOR BUILDING TYPE "3"

N8" --- 1'-0"
ALL ROOFS 5:12 PITCH UNLESS OTHERWISE NOTED.

PATIOS & BREIGZENAYS HAVE HARDIE SIDING I TRIM, HARDIE FASSIA, SOFFIT AND TKIN.

A PROPOSED NEW APARTMENT PROJECT FOR: COMMERCE STREET APARTMENTS, LTD.



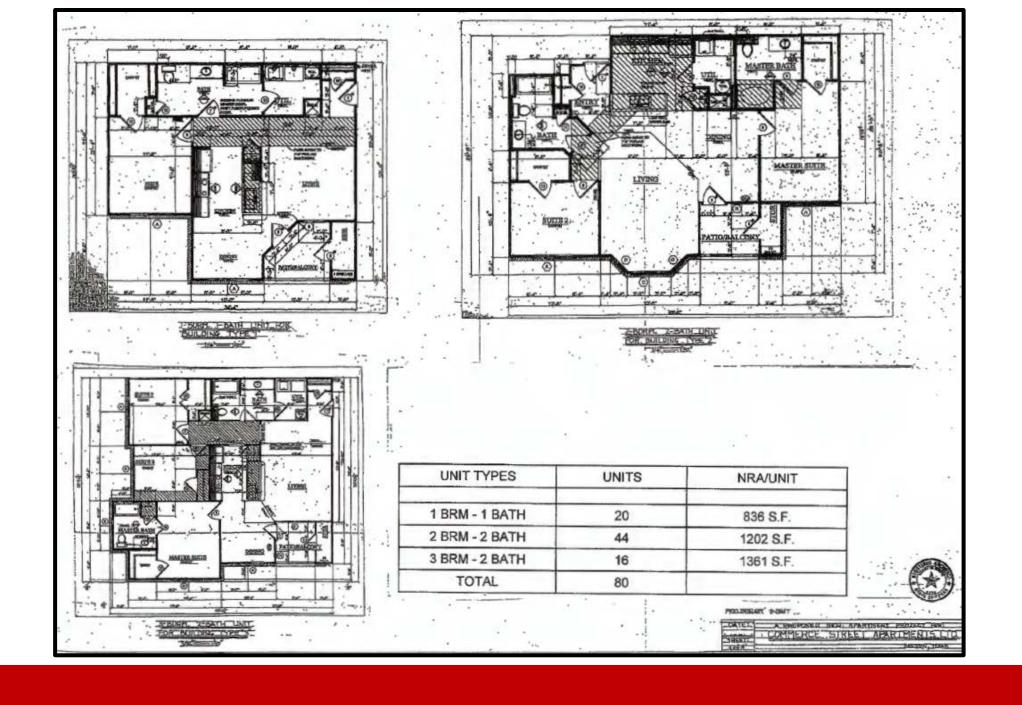


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Summary Continued:

- The development would result in a density of 16.0 dwelling units per acre.
- On-site management and on-site property maintenance personnel will be provided.
- The affordable housing tax credit program, administered in Texas by the TDHCA, is extremely competitive State-wide and in our Region. This site has been the subject of multiple requests in the past, but has yet to be approved for tax credit funding.
- To maximize points for potential funding, a Community is asked to pass a Resolution of support, and a minimum financial commitment of \$500 is required.





- Homestead Development proposes an investment of \$15 million and will meet all City of Belton design/development standards.
- A Resolution of support is included in the Council packet, and we recommend a proposed reduction of \$1,000 in the building permit fee, estimated at \$10,000.
- All other normal building permit and utility fees will be required.
- Once completed, the development will generate annual property taxes estimated at between \$9,500 and \$13,200 per year, depending on assessed property value.

Recommendation: Recommend approval of Resolution.

Central Fire Station Update

City Council Workshop November 27, 2018



Background

- 2004 Central Fire Station was renovated to convert the bay area to a bunk area and restrooms.
- 2007 Humidity and mold issues were discovered. Two firms (HMG and NAE) were consulted to determine the cause of the issues. The issue was determined by HMG and confirmed by NAE to be the negative pressure in the attic space, the lack of outside make-up air, and inadequate insulation of ductwork and ceiling.
- 2008 City and architect (BRW) agreed upon a settlement. The City hired HMG to design the proposed solutions: insulate the ducting, design a new unit to treat outside air (AAON), and balance the HVAC units. Rabroker A/C performed the work.
- Humidity continues to be an issue at the Central Fire Station, and Staff has worked with a qualified mechanical, electrical, and plumbing engineering firm (EIKON Consulting Group, LLC) and their team of engineers to design a permanent solution.

What are the causes and concerns?

- EIKON has identified some areas which are contributing to the humidity issues:
 - RTUs are single-phase, constant volume with no capacity control other than on/off.
 - Sheet rock ceiling is trapping moisture in attic space.
 - Outside air is partially treated and sent into attic space with little to no venting.
 - The attic space is not sealed.
 - There is not a traditional vapor barrier in the walls of the bunk area. (Vapor barrier in floor was confirmed.)
 - The bathroom walls extend above the ceiling and exhaust is restricted.
- Existing HVAC units are 15 and 23 years old, at the end of their life span.
- The AAON is 10 years old but has required frequent, and often expensive, maintenance. Maintenance on the unit is proprietary in nature, and in turn, unit down times are extended due to availability of technicians.
- Staff visually inspected the area inside of the walls in late September 2018. Moisture damage was discovered.

Two Step Process

Address Moisture Damage Address Mechanical Issues

Permanent Solution

Step 1: Addressing the Moisture Damage

- After visually identifying moisture damage, Staff sought out the recommended environmental firms and selected Farmer Environmental to perform a mold assessment.
- On Oct 22nd, Firefighters were temporarily relocated to Sparta Station.
- On Oct 23rd, Farmer performed physical and air tests for asbestos and mold.
- The findings were submitted to the City on Nov 7th.
 - The air quality in the living spaces were found to be acceptable with mold and allergens less than the outside air.
 - However, mold was identified within the walls and in the attic space of the sleeping quarters. The mold was present but not airborne.
 - The Farmer Environmental report also came with a protocol to remediate the mold.
 - Nov 8th Farmer began reaching out to specialized and licensed contractors to get quotes for the remediation work.

Step 1: Moisture Damage Summary

- As of November 12, 2018, 3 bids were received from licensed remediation contractors. Contractor information will be provided at the meeting.
- Staff has authorized the contractor to begin. The abatement work will take approximately 5 business days. Sampling will be required post-removal and cleaning.
 - Remediation limited to bunk area only.
 - Removal of north, south, and west walls. Removal of interior partition walls and lockers. Removal of ceiling in bunk area and bathrooms.
 - Clean metal supports.

Step 2: Addressing the Mechanical Issues

EIKON to finalize HVAC design. Staff to execute the HVAC improvements and finish out bunk area.

- 1. Install a vapor barrier in the walls.
- 2. Replace the two roof-top units (RTUs) with new equipment using part load and humidity control operation.
- 3. Replace the AAON system with a new energy recovery ventilator (ERV). Duct the outside air from the ERV directly into the intakes of the two RTUs.
- 4. Seal the attic space and remove the return ductwork in the attic so that is acts as a return air plenum.
- 5. Remove bathroom walls above the ceiling to open the areas up to the plenum.
- 6. Replace supply ductwork with properly sized and sealed ducting.
- 7. Replace the hard ceiling with a drop-in type ceiling. Lights will need to be replaced.
- 8. Finish out with architectural items: drywall, fixtures, carpet, cabinetry, shelfing, workstations, paint, etc.

Step 2: Mechanical Solution Summary

- This solution makes use of the insulated ceiling cavity as a return air plenum. This allows conditioned air (heated, cooled, dehumidified, etc.) to circulate into the attic space along with the occupied areas below the ceiling.
- This solution replaces both RTUs that are beyond their typical, expected life span.
- This solution replaces the AAON system with an ERV, which will be more energy efficient, will require less maintenance, and be ducted directly into the RTUs, not the attic space.
- OPCC = \$200,000 to \$260,000 (if done by a contractor)

Staff Recommendation

- Remediate the mold and moisture damage. (Cost will be provided at the meeting.)
- Staff to take on project internally with the Building Maintenance Staff. Staff is capable and willing to perform the mechanical and architectural improvements, with some help from vendors and contractors for certain tasks.
 - The project is expected to take approximately 6 months to complete after the remediation is done.
 - The estimated cost is expected to be less than \$200,000.
- If the project is bid and fully contracted out, the project will take 3 months and will cost between \$200,000 and \$260,000.
- Regardless, a temporary facility has been set up at Public Works for placement of fire fighters in South Belton.
- Recommendation: Proceed with construction in-house.
- Funding source for construction: General Fund Capital Project Fund.



CITY OF BELTON

City Council Meeting Agenda Tuesday, November 27, 2018 - 5:30 p.m. Wright Room, Harris Community Center 401 N. Alexander, Belton, Texas

Pledge of Allegiance. The Pledge of Allegiance to the U.S. Flag will be led by Councilmember Dan Kirkley.

Texas Pledge. The Pledge of Allegiance to the Texas Flag will be led by Director of Library Services Kim Kroll.

"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. Claudette Morgan-Scott, Pastor of Shiloh Worship Center.

- 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.

Consent Agenda

Items 3-4 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.

- 3. Consider minutes of the November 13, 2018, City Council meeting.
- 4. Consider a resolution supporting Commerce Street Apartments, LLC's Tax Credit Application to the Texas Department of Housing and Community Affairs (TDHCA) for a family housing development for low and moderate income persons proposed south of the southwest corner of Sparta Road and Commerce Drive.

Planning & Zoning

- 5. Hold a public hearing and consider a zoning change from Agricultural District to Single Family 3 District on a 6.22 acre tract located on the west side of Connell Street, north of Liberty Valley Drive, beginning on the north side of the Mitchell Branch crossing.
- 6. Consider a final plat of Heine Addition, comprising 3.33 acres, located on the east side of FM 1670, near its intersection with Lanell Drive, in Belton's ETJ.
- 7. Consider a resolution adopting the Historic Placard Program.
- 8. Consider adopting a medallion design for the Local Historic Landmark Designation.

Miscellaneous

- 9. Hold a public hearing and consider an ordinance concerning the designation of the following tax abatement reinvestment zones:
 - A. Re-designating Reinvestment Zone #7, the Belton Business Park, north of US Highway 190, generally west of Loop 121, and extending west to Wheat Road, totaling 191.66 acres; and
 - B. Creation of New Reinvestment Zone #8 which includes a portion of the current Reinvestment Zone #8 and all of current Reinvestment Zone #11 (deleting the current Reinvestment Zones #8 and #11), generally described as the Belton Industrial Park at Loop 121, generally south of Sparta Road, east of Loop 121, and north of Crusader Way, totaling 90.46 acres; and
 - C. Creation of New Reinvestment Zone #9 (incorporating the current Reinvestment #6 and deleting it as a separate RZ), generally described as the Salado Business Park at IH-35 and Goodway Drive, totaling 21.28 acres; and
 - D. Creation of New Reinvestment Zone #12, portions of the former Rockwool Property, located along the north side of FM 93, and extending to the south side of the Leon River, totaling 56.35 acres.

10. Consider authorizing the City Manager to execute a contract for the 2019 Street Overlay Project, and any change orders associated with the contract, not to exceed the amount authorized under state law.

11. Consider the following:

- A. A one-year extension to the franchise with Waste Management for residential solid waste collection and recycling; and
- B. An ordinance amending Sec. 8-71 and Sec. 8-72 of the City of Belton Fee and Rate Schedule related to solid waste collection rates for 2019.
- 12. Consider a request by W. B. Development to adjust the CCN (Certificate of Convenience and Necessity) boundary between the City of Belton and DRWSC (Dog Ridge Water Supply Corporation) within the Three Creeks Subdivision, located east of FM 1670 and south of IH 14.

<u>The Belton City Council will recess the Regular City Council Meeting and convene a meeting of the Belton Employee Benefits Trust.</u>

City of Belton Employee Benefits Trust Agenda

- 1. Call to Order.
- 2. Consider minutes of the City of Belton Employee Benefits Trust meeting dated October 24, 2017.
- 3. Consider action awarding contracts for employee insurance products.
- 4. Adjourn.

<u>The Employee Benefits Trust will adjourn the City of Belton Employee Benefits</u> <u>Trust Meeting and reconvene the Belton City Council Meeting.</u>

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.



CITY OF BELTON

OFFICE OF THE CITY MANAGER

City Council Meeting Agenda Tuesday, November 27, 2018 - 5:30 p.m. Wright Room, Harris Community Center 401 N. Alexander, Belton, Texas

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Invocation. The Invocation will be given by Dr. Claudette Morgan-Scott, Pastor of Shiloh Worship Center.

- 1. Call to order.
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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.

Consent Agenda

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City Council Meeting Agenda November 27, 2018 Page 1 of 4

3. Consider minutes of the November 13, 2018, City Council meeting.

A copy of the minutes is attached. Recommend approval.

4. Consider a resolution supporting Commerce Street Apartments, LLC's Tax Credit Application to the Texas Department of Housing and Community Affairs (TDHCA) for a family housing development for low and moderate income persons proposed south of the southwest corner of Sparta Road and Commerce Drive.

See Staff Report from City Manager Sam Listi. Recommend adoption of the resolution of support for the Commerce Street Apartments application to TDHCA.

Planning & Zoning

5. Hold a public hearing and consider a zoning change from Agricultural District to Single Family – 3 District on a 6.22 acre tract located on the west side of Connell Street, north of Liberty Valley Drive, beginning on the north side of the Mitchell Branch crossing.

See Staff Report from Director of Planning Cheryl Maxwell. At the November 20, 2018, Planning and Zoning Commission meeting, the Commission unanimously recommended approval of this zoning change, and Staff concurs with their recommendation.

6. Consider a final plat of Heine Addition, comprising 3.33 acres, located on the east side of FM 1670, near its intersection with Lanell Drive, in Belton's ETJ.

See Staff Report from Director of Planning Cheryl Maxwell. At the November 20, 2018, Planning and Zoning Commission meeting, the Commission unanimously recommended approval of this final plat, and Staff concurs with their recommendation.

7. Consider a resolution adopting the Historic Placard Program.

See Staff Report from Planner Kelly Atkinson. At the November 15, 2018, Historic Preservation Commission meeting, the Commission unanimously recommended adoption of this program. Recommend adoption of the resolution.

8. <u>Consider adopting a medallion design for the Local Historic Landmark Designation.</u>

See Staff Report from Planner Kelly Atkinson. At the November 15, 2018, Historic Preservation Commission meeting, the Commission unanimously recommended approval of the proposed medallion design. Recommend adoption of the medallion design.

Miscellaneous

- 9. Hold a public hearing and consider an ordinance concerning the designation of the following tax abatement reinvestment zones:
 - A. Re-designating Reinvestment Zone #7, the Belton Business Park, north of US Highway 190, generally west of Loop 121, and extending west to Wheat Road, totaling 191.66 acres; and
 - B. Creation of New Reinvestment Zone #8 which includes a portion of the current Reinvestment Zone #8 and all of current Reinvestment Zone #11 (deleting the current Reinvestment Zones #8 and #11), generally described as the Belton Industrial Park at Loop 121, generally south of Sparta Road, east of Loop 121, and north of Crusader Way, totaling 90.46 acres; and
 - C. <u>Creation of New Reinvestment Zone #9 (incorporating the current Reinvestment #6 and deleting it as a separate RZ), generally described as the Salado Business Park at IH-35 and Goodway Drive, totaling 21.28 acres; and</u>
 - D. <u>Creation of New Reinvestment Zone #12, portions of the former Rockwool Property, located along the north side of FM 93, and extending to the south side of the Leon River, totaling 56.35 acres.</u>

See Staff Report from City Manager Sam Listi. Recommend adoption of the ordinance designating tax abatement reinvestment zones as presented.

10. Consider authorizing the City Manager to execute a contract for the 2019 Street Overlay Project, and any change orders associated with the contract, not to exceed the amount authorized under State law.

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

11. Consider the following:

- A. <u>A one-year extension to the franchise with Waste Management for residential solid waste collection and recycling; and</u>
- B. An ordinance amending Sec. 8-71 and Sec. 8-72 of the City of Belton Fee and Rate Schedule related to solid waste collection rates for 2019.

See Staff Report from Director of Finance Brandon Bozon. Recommend a one-year extension to the existing franchise with Waste Management and rate adjustments as presented.

12. Consider a request by W. B. Development to adjust the CCN (Certificate of Convenience and Necessity) boundary between the City of Belton and DRWSC (Dog Ridge Water Supply Corporation) within the Three Creeks Subdivision, located east of FM 1670 and south of IH 14.

See Staff Report from City Manager Sam Listi. Recommend approval of the CCN boundary adjustment as presented.

The Belton City Council will recess the Regular City Council Meeting and convene a meeting of the Belton Employee Benefits Trust.

<u>City of Belton Employee Benefits Trust Agenda</u>

- 1. Call to Order.
- 2. <u>Consider minutes of the City of Belton Employee Benefits Trust meeting</u> dated October 24, 2017.

Minutes are attached. Recommend approval.

3. Consider action awarding contracts for employee insurance products.

See Staff Report from Director of Finance Brandon Bozon and Director of Human Resources Charlotte Walker. Recommend award of contracts as presented.

4. Adjourn.

The Employee Benefits Trust will adjourn the City of Belton Employee Benefit Trust Meeting and reconvene the Belton City Council Meeting.

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.

See Staff Report from Director of Finance Brandon Bozon. Recommend funding of the contracts for employee insurance products as approved by the Employee Benefits Trust.

Belton City Council Meeting November 13, 2018 – 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, John R. Holmes, Sr. and Wayne Carpenter. Councilmembers Guy O'Banion and Dan Kirkley were absent. Staff present included Sam Listi, Gene Ellis, John Messer, Amy Casey, Brandon Bozon, Ryan Brown, Matt Bates, Paul Romer, Bob van Til, Wes Gilbreath, Kim Kroll, Judy Garrett, Angellia Points, Charlotte Walker, Cheryl Maxwell and Cynthia Hernandez.

The Pledge of Allegiance to the U.S. Flag was led by Director of Public Works Angellia Points, the Pledge of Allegiance to the Texas Flag was led by Councilmember Wayne Carpenter, and the Invocation was given by Bryan Davis of First Responders Fellowship.

1. Call to order. Mayor Marion Grayson called the meeting to order at 5:31 p.m.

2. Public Comments.

Mat Naegele, 3501 Canyon Heights, said he is the Chairman of the Advisory Committee for the Salvation Army. He explained that the Salvation Army needs volunteer bell ringers. He encouraged the City Staff, as well as each person at the meeting, to volunteer their time to help.

3. Presentation of lifesaving awards to John Bigham and Michael Cummins.

Chief Ellis explained that on September 30, 2018, Belton Police and Fire units responded to Schoepf's BBQ in reference to a man choking and unconscious. John Bigham and Michael Cummins, who were dining at the restaurant, assisted the victim, Perry Brown, by performing the Heimlich maneuver and a finger sweep to remove food so he could breathe. Chief Ellis said that if it were not for the actions of everyday heroes like John Bigham and Michael Cummins, Mr. Brown would most likely not be with us today. He presented them with Lifesaving Medals.

4. Recognitions:

a. Recognize the Finance Department for receipt of the Certificate of Achievement for Excellence in Financial Reporting for Fiscal Year 2017.

City Manager Sam Listi recognized Director of Finance Brandon Bozon and Assistant Director of Finance Susan Allamon, as well as the Finance Staff, for receiving the Certificate of Achievement for Excellence in Financial Reporting for Fiscal Year 2017 from the Government Finance Officers Association of Texas. This is the 32nd consecutive year the Finance Department has received this award.

b. Recognize City Manager Sam Listi for receiving his 40 year service award from ICMA.

Mayor Marion Grayson said that City Manager Sam Listi was recently recognized by the International City Management Association for forty years of service in City government management. She congratulated Mr. Listi on this recognition, and thanked him for his 17 years of service to the City of Belton.

Consent Agenda

Items 5-6 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 minutes of October 23, 2018, City Council Meeting.
- 6. <u>Consider appointment to the Belton Economic Development Corporation</u> **Board of Directors.** (Joe Shepperd)

Upon a motion by Councilmember Leigh and a second by Mayor Pro Tem Pearson, the Consent Agenda was unanimously approved by a vote of 5-0.

Regular Agenda

7. Hold a public hearing and consider an ordinance amending Chapter 22, Article VI, Sections 22-106 through 22-108 of the Code of Ordinances regarding traffic schedules and speed limit regulations.

Director of Public Works Angellia Points explained that Chapter 22 of the Code of Ordinances relating to traffic schedules and speed limit regulations needs to be amended. She said that after the installation of traffic control devices, an ordinance will need to be passed in order to enforce penalties. Moving forward, Staff will propose such ordinance twice a year as new subdivisions and new signs are installed. She said that this particular ordinance amends the Code of Ordinances to allow for a new Schedule A as follows:

- A stop sign at the northeast corner of E 13th Avenue facing east at its intersection with North Beal Street.
- A stop sign at the southwest corner of E 13th Avenue facing west at its intersection with North Beal Street.
- A stop sign at the northeast corner of W Ave D facing east at its intersection with Mitchell Street.
- A stop sign at the southwest corner of W Ave D facing west at its intersection with Mitchell Street.

She added that the penalty section needs to be amended as follows:

Sec. 22-107. – Penalty.

- (a) Any person, corporation or association violating any provision of this Ordinance shall be deemed guilty of an offense, and upon conviction shall be punished by a fine not to exceed Five Hundred Dollars (\$500). The violation thereof shall be deemed a separate offense, and shall be punished accordingly.
- (b) The driving or operating of any motor vehicle on or along any portion of a public street of the City at a rate of speed that is greater than the maximum rate of speed fixed by this traffic code shall be a violation of this traffic code. Any person convicted of violating any of the provisions of this chapter shall be guilty of a misdemeanor known as the offense of speeding and shall, upon conviction, be fined in an amount not to exceed \$200.
- (c) Any person convicted of an offense under this chapter of this code, or an offense under Section 545.066, Texas Transportation Code, while driving or operating a motor vehicle within a school zone as described in this code, shall, upon conviction, pay as court costs \$25 in addition to other taxable court costs.
- (d) The money collected under this subsection shall be collected in the same manner that other fines and taxable court costs in the case are collected; and
- (e) Above notwithstanding, it shall not be a defense in a prosecution under this traffic code that there was no sign, or that such sign was not sufficiently legible or in a proper position to be seen by the defendant or by an ordinarily observant person.

Mayor Grayson asked if this was a new law because she doesn't remember approving ordinances like this before, and she has been on the Council since 2004. City Attorney John Messer explained that this is not a new law, but it is something that is needed in order to enforce the fines that are included for disobeying the traffic control devices.

City Manager Listi said a sign inventory will be conducted and an ordinance will be presented to Council to approve those that have not previously been approved.

Mayor Pro Tem Pearson asked about the language, "it shall not be a defense in a prosecution under this traffic code that there was no sign, or that such sign was not sufficiently legible or in a proper position to be seen by the defendant or by an ordinarily observant person." He asked how the City is able to enforce it if there is no sign. City Attorney John Messer said that there are instances where a sign is not present, but law dictates the speed or other traffic control measure such as a line painted on the street.

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

Councilmember Leigh asked about the fines stating "not to exceed." He asked if this is the maximum or is there a provision for an escalation in the event someone fails to

pay the fine. Mr. Messer said this is in line with State statutes and is the most that can be charged for these type of offenses. He said if someone doesn't pay, that is considered a separate offense and is handled separately.

Upon a motion by Councilmember Holmes, and a second by Councilmember Leigh, Item #7, including the following captioned ordinance, was unanimously approved by a vote of 5-0.

ORDINANCE NO. 2018-37

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BELTON, TEXAS, AMENDING CHAPTER 22, ARTICLE VI, SECTION 22 OF THE CODE OF ORDINANCES, ADDING SCHEDULE A REGARDING STOP SIGNS IN CITY STREETS, AND ADDING A PENALTY CLAUSE FOR A VIOLATION OF CHAPTER 22; REPEALING ALL ORDINANCES TO THE EXTENT THEY ARE IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

8. <u>Consider approval and recordation of non-annexation Development Agreements for properties owned by the Dickson Family including:</u>

#	PROPERTY OWNER(S)	PROPERTY ID
1	DICKSON, CHESTER E ETUX LINDA DIANE	29291
2	DICKSON, CHESTER E ETUX LINDA DIANE	29292
3	DICKSON, CHESTER E ETUX LINDA DIANE	29288
4	DICKSON, CHESTER E ETUX	29278
5	DICKSON, CHESTER E ETUX LINDA DIANE	29283
6	DICKSON, CHESTER E	29274
7	DICKSON, CHESTER E ETUX LINDA DIANE	29282
8	DICKSON, CHESTER E	29276
9	DICKSON, CHESTER E ETUX LINDA DIANE	29285
10	DICKSON, CHESTER E ETUX LINDA DIANE	10240
11	DICKSON, CHESTER E ETUX LINDA DIANE	29286
12	DICKSON, CHESTER E ETUX LINDA	25237
13	DICKSON, CHESTER E ETUX LINDA DIANE	123231
14	DICKSON, CHESTER E ETUX LINDA DIANE	124431
15	DICKSON, CHESTER E ETUX DIANE M	8672
16	DICKSON, CHESTER E ETUX LINDA DIANE	29280
17	DICKSON, CHESTER E ETUX LINDA DIANE	29279
18	DICKSON, CHESTER E ETUX LINDA DIANE	38071
19	DICKSON, CHESTER E ETUX LINDA DIANE	168881
20	DICKSON, CHESTER E ETUX LINDA DIANE	49350
21	DICKSON, CHESTER E ETUX LINDA DIANE	419292

22	DICKSON, CHESTER E ETUX LINDA DIANE	419293
23	DICKSON, CHESTER E ETUX LINDA DIANE	419294
24	DICKSON, CHESTER E ETUX LINDA DIANE	587
25	DICKSON, CHESTER E ETUX LINDA DIANE	107623
26	DICKSON, CHESTER E ETUX LINDA DIANE	471161
27	DICKSON, CHESTER E ETUX LINDA DIANE	477158*
28	DICKSON, CHESTER E ETUX LINDA DIANE	107618

^{*}Part of Property ID 114064 that was divided and purchased by another entity in 2017.

Director of Public Works Angellia Points said that the property owners, Mr. and Mrs. Dickson, representing 28 parcels, are requesting to sign Non-Annexation Development Agreements for a 10-year period. She explained that a 10-year term is consistent with the surrounding, existing non-annexation development agreements. The Dicksons have made this request as a condition for providing a waterline easement to the City of Belton for the North Belton Waterline Project that will connect the proposed third elevated storage tank to the transmission line from BCWCID No. 1. The Agreement represents tracts located just along Sparta Road, south of FM439, and west of Wheat Road.

Mr. and Mrs. Dickson have acquired properties with existing development agreements that were signed in 2016. The following properties that were purchased by the Dickson Family currently have approved and recorded 2016 non-annexation development agreements.

#	PROPERTY OWNER(S)	PROPERTY ID	CURRENT DEVELOPMENT AGREEMENT EXPIRATION DATE
18	DICKSON, CHESTER E ETUX LINDA DIANE	38071	November 22, 2026
19	DICKSON, CHESTER E ETUX LINDA DIANE	168881	November 22, 2026
20	DICKSON, CHESTER E ETUX LINDA DIANE	49350	November 22, 2026
26	DICKSON, CHESTER E ETUX LINDA DIANE	471161	November 22, 2026
27	DICKSON, CHESTER E ETUX LINDA DIANE	477158*	November 22, 2026

^{*}Part of Property ID 114064 that was divided and purchased by another entity in 2017.

Mrs. Points said the 2016 development agreements are recommended to be replaced by the proposed development agreement, creating a new term starting November 22, 2018, and expiring November 22, 2028.

Points added that Non-Annexation Development Agreements provide the bridge to timely annexation and development, and will trigger a consideration for voluntary annexation when, and if, development is desired and, until that time, the City will have no obligation for Municipal Services on these properties. The Development Agreements will be recorded with the County following approval by Council.

Upon a motion by Councilmember Leigh and a second by Mayor Pro Tem Pearson, Item #8 was unanimously approved by a vote of 5-0.

Miscellaneous

9. Consider authorizing the City Manager to execute a change order for Phase I of the Temple-Belton Wastewater Treatment Plant Expansion Project.

Director of Public Works Angellia Points reminded the Council that the Temple-Belton Wastewater Treatment Plant (TBWWTP) is owned by the Cities of Temple and Belton, and is permitted to treat 10 million gallons per day (MGD) of wastewater. Temple and Belton share capital improvement costs at 75% and 25%, respectively. Both cities have contracted with the Brazos River Authority to operate the facility. The plant was constructed in 1975, expanded in 1990, and currently treats wastewater from approximately 70% of Temple and all of Belton.

Mrs. Points said on September 12, 2017, Council awarded a construction contract to Archer Western in the amount of (Belton's share) \$3,277,500 with deductive Change Order No. 1 in the amount of (Belton's share) -\$246,895.50. The net contract amount awarded for Belton's share was \$3,030,604.50. The total contract amount award by both Belton and Temple to Archer Western was \$12,122,418. She added that in April 2018, Staff approved Change Order No. 2 in the amount of \$15,722.74 (Belton's 25% share) for changes made in the field due to the existing force main pipe material change.

She explained that the attached proposed Change Order #3 is necessary due to unknown conditions discovered during construction, as well as an item to accommodate future Phase 2 construction. Proposed Change Order #3 totals \$460,881.53 of which \$115,220.38 is Belton's 25% share. This Change Order No. 3 and the previous change orders result in a total contract of \$12,646,190.50. Time allotted for the additional construction activities is 45 calendar days, and funding is available from the Water and Sewer Capital Fund.

Mrs. Points said that the City of Temple reviewed the proposed change order on October 18, 2018, and executed their share.

Project Engineer Tommy Valle of KPA Engineers explained each of the proposed changes. Mayor Grayson asked if there was a contingency built in to cover these types of things. Mr. Valle said that KPA no longer added contingency line items in their bid documents. He said there are typically 5-8% worth of change orders on projects of this magnitude.

Upon a motion by Councilmember Holmes, and a second by Councilmember Carpenter, Item #9 was unanimously approved by a vote of 5-0.

10. Consider authorizing the City Manager to execute a contract for the Chisholm Trail Hike and Bike Trail Phase II, and any change orders associated with the contract, not to exceed the amount authorized under state law.

Director of Public Works Angellia Points explained that Belton's Hike and Bike Trail network currently extends from IH-35 at Confederate Park to north of W MLK Jr. Ave along University. The Sparta Road Reconstruction Project included a 10-foot Hike and Bike Trail along Sparta Road from Commerce Drive to Loop 121. However, there is a disconnect between these trail networks, with the BNSF railroad dividing the two trail components.

The City Council passed a resolution on May 12, 2015, for an 80/20 grant application to TxDOT for Phase II of the Chisholm Trail Hike and Bike Facility in order to link Belton's trail network from IH-35 to Sparta and Loop 121. Points said that in June 2016, the City entered into an Advance Funding Agreement with the Texas Department of Transportation for Phase II of the Chisholm Trail Hike and Bike Facility. TxDOT allocated \$2,136,492 in federal funding for construction with a total local commitment from the City of Belton of \$597,448, which was reduced by \$200,000 due to local contributions.

Mrs. Points said that in February 2017, the City selected KPA Engineers to provide engineering services for the project. As KPA began working on the design of the tunnel and trail alignment, they discovered the presence of a fiber line that presented a substantial conflict with the tunnel under the railroad. She explained that after evaluating multiple alignments, Council approved a realignment along University, Crusader, and Sparta Road on January 23, 2018. This alignment was also approved by TxDOT. KPA completed the design in August 2018, and bids were opened on September 28, 2018. Six (6) qualified bids were received for the project with the low bid being submitted by Barsh Company of Waco for a total of \$1,682,584.10.

The Director of Public Works/City Engineer, the Assistant Director of Public Works, TxDOT project managers, and the Project Engineer at KPA, evaluated the bids received. The low bidder, Barsh Company, has successfully worked with the City of Belton in the past on the Nolan Creek Hike and Bike Trail. It has been determined that Barsh Construction of Waco, Texas, the low bidder, has the capability and experience to perform to the requirements of the contract. The duration of construction is estimated to be 12 months.

Mrs. Points explained that UMHB requested additional conduit be placed under the sidewalk along University Drive for future telecommunication lines. This item was bid as a separate item and will be fully funded by UMHB.

The entire contract for the project is \$2,472,579. The local cost share is \$566,100. The City allocated \$334,123 in funding for the project in FY 2016. The City has received a donation of \$100,000 from Janet and David K. Leigh, and a pledge of \$100,000 from the University of Mary Hardin-Baylor to fund this project. In total, \$534,123 of funding for this project has been identified. Mrs. Points said that City

Staff will work to identify cost savings or additional funding as the project progresses in order to address the gap of \$31,977 between the local cost share and current funding.

Upon a motion by Mayor Pro Tem Pearson, and a second by Councilmember Leigh, Item #10 was unanimously approved by a vote of 5-0.

Councilmember Leigh asked if TxDOT was going to connect all the pieces of the hike and bike trail when they begin widening Loop 121. Mrs. Points said that TxDOT has added a note to the construction plans that will require the connection.

11. Consider authorizing the BEDC Executive Director to execute a contract for the sale of 1.0 acre in the Belton Business Park to Birdcreek Holdings, LLC.

BEDC Executive Director Cynthia Hernandez said that the BEDC has received an offer from Birdcreek Holdings, LLC, to purchase 1.0 acre on Arbor Park Drive in the Belton Business Park. The company is proposing to develop a 6,000 square foot office building to be utilized for law offices and mediation. She said the investment for the land and building is estimated at \$700,000, and nine employees will be relocated to Belton.

Mrs. Hernandez explained that the Birdcreek Holdings is offering \$152,460 for the land with a 90-day Engineering Development Period. The subject property is part of a 3.04-acre tract that will need to be subdivided to accommodate their request. This will require some coordination on utilities and shared access easements to ensure the remaining property is marketable.

Prior to the expiration of the Engineering Development Period, the contract provides for a one-year Option Period at \$10,000. Mrs. Hernandez said if the buyer opts for the Option Period, an extension may be granted for a second one-year Option Period, also at a fee of \$10,000. Payments will be credited to the purchase of the property at closing. The two options will allow the buyer to utilize this purchase in a 1031 transaction.

Hernandez said the replat will be handled by the purchaser and the associated fees will be deducted from the sales price at closing. Additionally, BEDC will be responsible for the Title Insurance and half of the escrow or closing fees. She added that a broker was not utilized for this project.

The BEDC Board of Directors voted to approve the contract on November 6, 2018, at a sales price of \$152,460. Fees and services associated with the sale of property are estimated at \$9,400, and BEDC will net \$143,060 from the real estate transaction.

Upon a motion by Councilmember Leigh, and a second by Councilmember Carpenter, Item #11 was unanimously approved by a vote of 5-0.

Mayor Grayson said she wanted to backtrack a little back to Item #10 in order to thank David K. and Janet Leigh, as well as the University of Mary Hardin-Baylor, for their generous contributions to allow the completion of the Chisholm Trail Hike and Bike Trail.

Work Session

12. Receive a presentation and discuss a policy establishing provisions for joint vehicular access easements (JVAE).

Director of Planning Cheryl Maxwell reminded the City Council that they asked Staff to develop a policy to ensure joint vehicular access easements are provided when properties are undergoing platting or development. The purpose of such an easement is to maximize public safety and ease traffic congestion; minimize the number of curb cuts; and facilitate circulation between adjacent non-residential properties along major streets.

Mrs. Maxwell said that Staff reviewed related policies of various cities to include Killeen, Harker Heights, Round Rock, Georgetown, Bryan, and College Station. The attached policy includes provisions used by some of these cities. The policy consists of three parts: 1) Policy Administration; 2) Provision of Joint Access Easements; and 3) Joint Access Easement Improvements. The policy includes the following key points:

- Policy would only apply to non-residentially zoned or developing properties fronting on state highways, arterial streets, and major collector streets.
- JVAE may be required to share curb cuts between owners to promote public safety.
- JVAE should be shown on the site plan and/or subdivision plat with a minimum width of 25'.
- The property owners are responsible for constructing and maintaining the access easement and a paved surface is required—asphalt or concrete.
- These requirements may be considered for waiver due to unusual topography, site conditions, or existing development.

She gave several examples of properties where easements have been acquired, and in some cases, where access has already been provided.

Mrs. Maxwell said that Staff is recommending that this be an internal policy as opposed to an ordinance at this time. She added that this policy was presented to the Planning & Zoning Commission at their July 17th and August 21st meetings, and now Staff is presenting it to Council for their feedback.

City Manager Sam Listi said the Council has requested that Staff try to achieve cross access in the initial planning of developments. He added that Staff wants to work through the process with this as a policy rather than an ordinance which would require variances.

Belton City Council Meeting November 13, 2018 – Page 10

Mayor Grayson said she likes to utilize cross accesses in order to stay off busy roads as much as possible, but she doesn't want Belton to be a community where the developer is strong-armed to include the joint access.

Councilmember Holmes said that it doesn't look like much has been done to reduce the number driveways along FM 439. Mr. Listi said as residences convert, Staff tries to review the properties to see where a driveway may be eliminated. Mayor Grayson said if the driveway is allowed by the original plat, it cannot be taken away. Councilmember Leigh said that's not true because TxDOT has taken a driveway from his property on FM 439.

Mr. Leigh agreed that it was a good idea for this to be a policy and not an ordinance. He said that there are probably regions in the City where joint access should be required, and there are other regions where it doesn't need to be required. He also added that he would not exclude multi-family residences or residential areas that are adjacent to businesses where joint access may make sense. Staff also needs to consider who is responsible for maintenance.

There being no further business, the Mayor adjourned the meeting at 6:32 p.m.

ATTEST:	Marion Grayson, Mayor
Amy M. Casey, City Clerk	

Staff Report – City Council Agenda Item



Agenda Item #4

Consider a resolution supporting Commerce Street Apartments, LLC's Tax Credit Application to the Texas Department of Housing and Community Affairs (TDHCA) for a family housing development for low and moderate income persons proposed south of the southwest corner of Sparta Road and Commerce Drive.

Originating Department

Administration – Sam A. Listi, City Manager

Background

Homestead Development submitted a pre-application for an 64-unit family tax credit development to TDHCA in January 2017. The site proposed for this development was a 5 acre tract located just south of the southwest corner of Sparta Road and Commerce Drive. That was the second application by Homestead Development, and it was not funded by TDHCA in the last round. Another developer, Prestwick, filed several previous applications for tax credits at the same location, but none was funded. A Council work session is scheduled prior to the Council meeting on November 27, 2018, to review development details.

This application proposes a total of 80 units on 5 acres, a total of 16.0 units per acre, as follows:

- 20 one bedroom, one bath
- 44 two bedroom, two bath
- 16 three bedroom, two bath

80 TOTAL UNITS

Homestead Development proposes a total investment estimated at \$15 million, and a conceptual site plan and typical building elevation are attached.

Last year, Staff reached out to other communities where Homestead has built similar multifamily developments – Copperas Cove, Nacogdoches, Kilgore, College Station and Huntsville. (A development was also built in Kennedale in 2015.) All comments received have been positive, reflecting no management, maintenance or security issues with the developments for the communities described. Cambridge Interests is the management company for these developments, as well as the firm proposed to manage the Belton site with an on-site manager and on-site maintenance personnel.

<u>Location</u>	Housing Type	Year Built
Huntsville	Senior	2003
College Station	Family	2003
Kilgore	Family	2004
Nacogdoches	Family	2004
Copperas Cove	Family	2008
Kennedale	Senior	2015

Summary Information

The affordable housing tax credit program, administered by TDHCA, is extremely competitive. For consideration in this cycle, a community is required to pass a Resolution of Support, and a "nominal" financial commitment is recommended. Similar to last year, I am proposing a reduction in the building permit fee as our local commitment to the project, and TDHCA draft rules require a minimum \$500 local commitment. Given the development proposed, the building permit fee would be around \$10,000, to include utility, mechanical, plumbing, driveways, pool, fencing, and signage. The Resolution includes a proposed waiver for the first \$1,000 in building permit fees.

Regarding long term facility maintenance, two groups inspect the properties annually – TDHCA inspectors and the investors' representatives.

Fiscal Impact

A \$1,000 building permit fee waiver would be a reduction in the estimated permit fee, but all other permit fees would be collected.

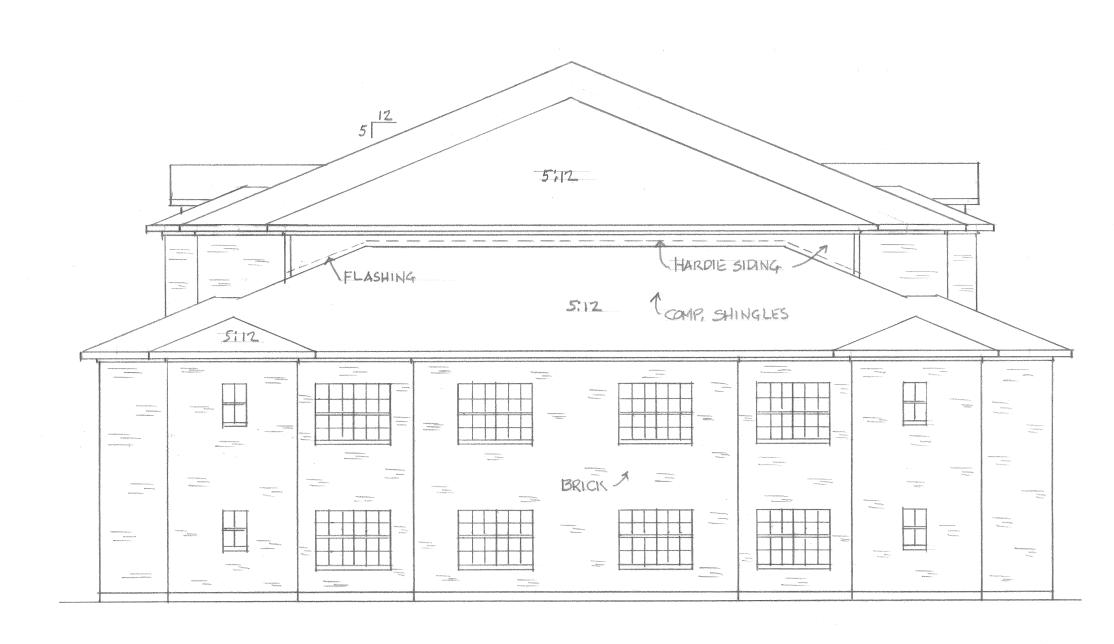
The applicant estimates a total investment of \$15 million. Annual property taxes generated by the site will be based on the property's appraised value. Other similar apartment developments typically are valued between \$18,000 and \$25,000 per unit, an estimated \$1,440,000 to \$2,000,000 for 80 units in this case. This development value would generate between \$9,501 and \$13,196 annually in property tax revenue.

Recommendation

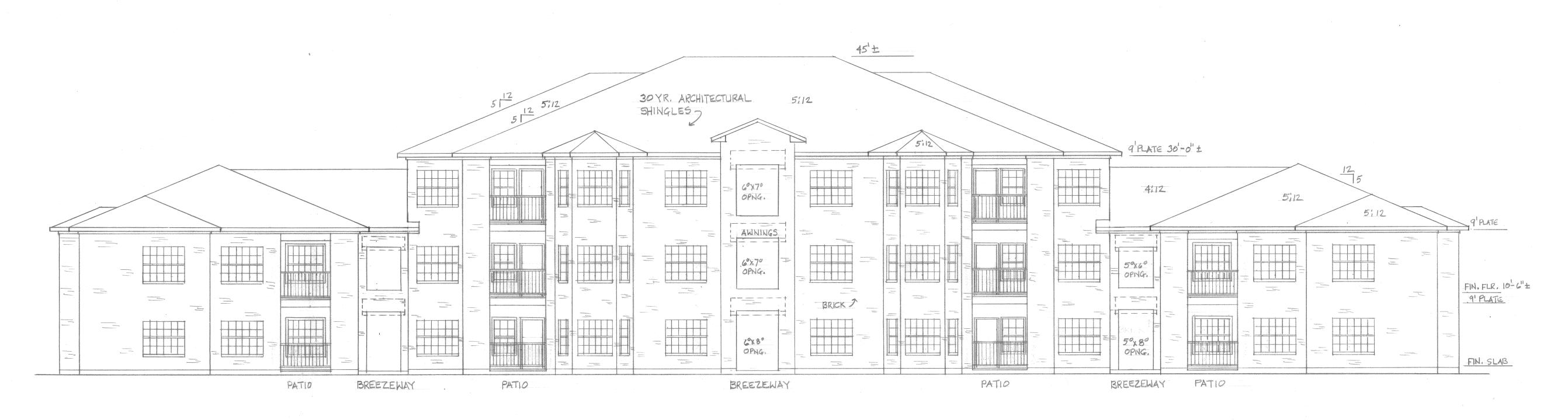
Recommend approval of the Resolution.

<u>Attachments</u>

Conceptual Site Plan and Elevation TDHCA Draft Rules Resolution of Support



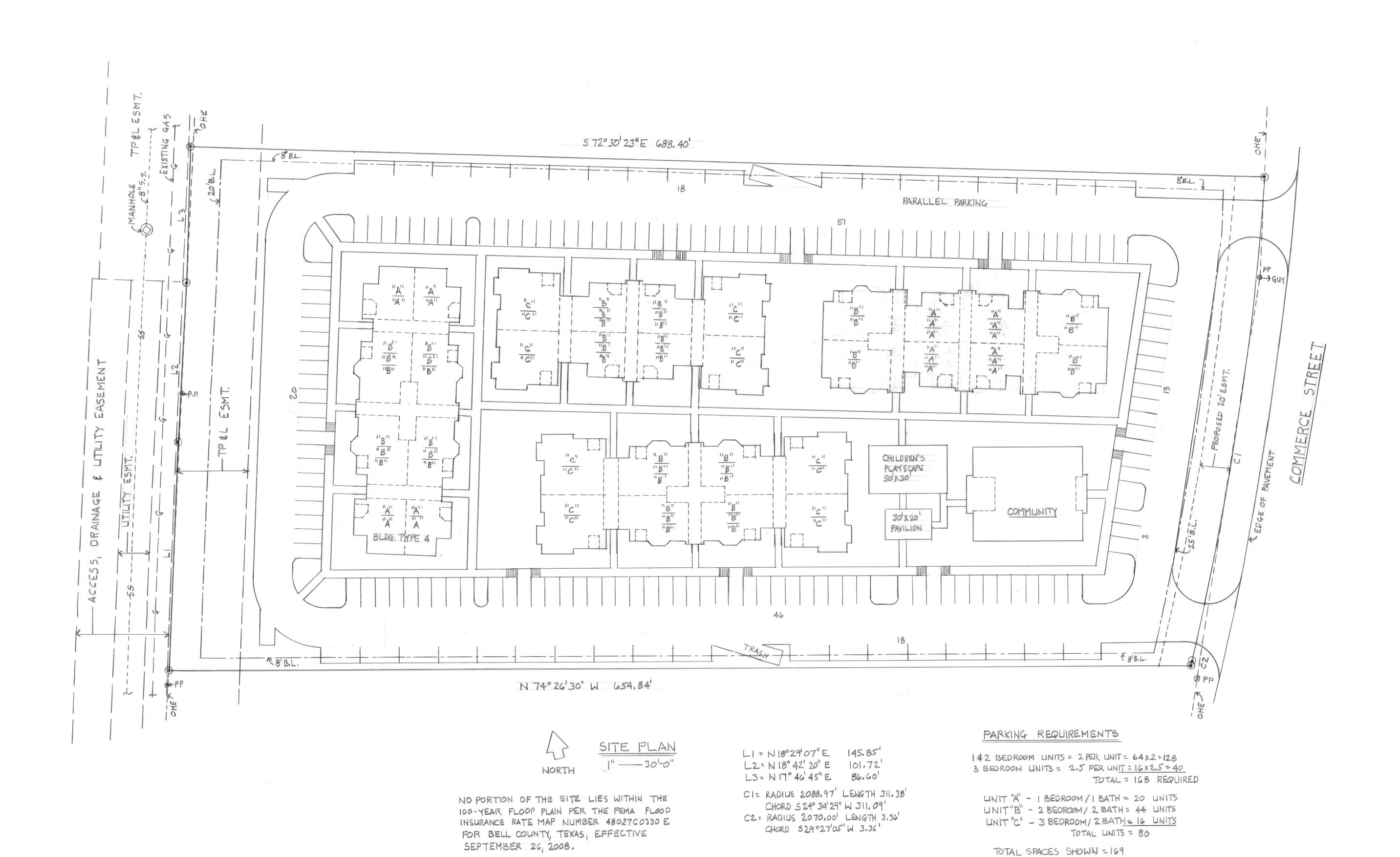
END ELEVATIONS 1/8"



FRONT & REAR ELEVATIONS FOR BUILDING TYPE "3" 1/8" - 1-0" ALL ROOFS 5:12 PITCH UNLESS OTHERWISE NOTED, PATIOS & BREEZEWAYS HAVE HARDIE SIDING & TRIM, HARDIE FASCIA, SOFFIT

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COMMERCE STREET APARTMENTS, LTD. BELTON, TEXAS



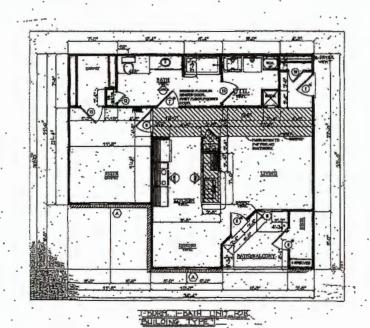
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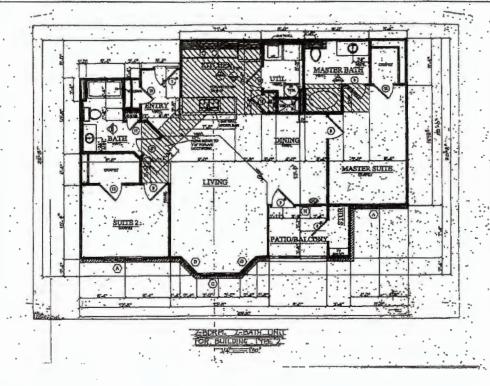
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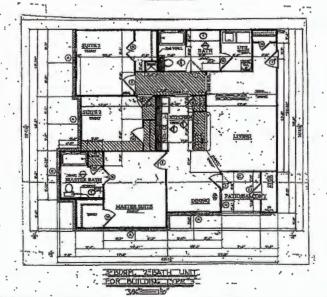
A PROPOSED NEW APARTMENT PROJECT FOR:

COMMERCE STREET APARTMENTS, LTD.

BELTON, TEXAS







UNIT TYPES	UNITS	NRA/UNIT
1 BRM - 1 BATH	20	836 S.F.
2 BRM - 2 BATH	44	1202 S.F.
3 BRM - 2 BATH	16	1361 S.F.
TOTAL	80	



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2	: COMMERCE STREET APARTMENTS LTD.
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3465	BESTRY, IDAS



Rent Schedule

Self Score Total: 0

Unit types must be entered from smallest to largest based on "# of Bedrooms" and "Unit Size", then within the same "# of Bedrooms" and "Unit Size" from lowest to highest "Rent Collected/Unit".

Private Activity Bond Priority (For Tax-Exempt Bond Developments ONLY):

HTC Units	MF Direct	National	TDHCA MRB Units	Other/ Subsidy	# of Units	# of Bed- rooms	# of Baths	Unit Size (Net Rentable Sq.	Total Net Rentable Sq. Ft.	Program Rent Limit	Tenant Paid Utility Allow.	Rent Collected /Unit	Total Monthly Rent
	Rent/Inc)							Ft.)			MIOW.		
					(A)			(B)	(A) x (B)			(E)	(A) x (E)
TC 30%					3	1	1.0	836	2,508	336	64	272	816
TC 50%					5	1	1.0	836	4,180	560	64	496	2,480
TC 60%					9	1	1.0	836	7,524	672	64	609	5,48
MR					3	1	1.0	836	2,508	675		675	2,02
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TC 30%		Chesta ha			5	2	2.0	1202	6,010	403	82	321	1,60
TC 50%					9	2	2.0	1202	10,818	672	82	590	5,31
TC 60%					25	2	2.0	1202	30,050	807	82	725	18,12
MR					5	2	2.0	1202	6,010	810		810	4,05
									0				-
TC 30%					2	3	2.0	1361	2,722	465	105	360	72
TC 50%					4	3	2.0	1361	5,444	776	105	671	2,68
TC 60%					8	3	2.0	1361	10,888	931	105	826	6,60
MR					2	3	2.0	1361	2,722	935		935	1,87
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			TOTAL 80 91,384 Non Rental Income \$10.00 per unit/month for: Application Fee/Credit Reports						51,77				
			Non Renta				-d'-	it/month for:	Al	pucation F	ee/Crean Rep	Uris	80
			Non Rent					it/month for:					****
				NONRENTA	L INCOM			it/month	L				80
				IAL GROS									52,57
			- Provision for Vacancy & Collection Loss % of Potential Gross Income: 7.50%							(3,94			
			- Rental Concessions (enter as a negative number) Enter as a negative value										
			= EFFECT	IVE GROSS	S MONTHL	Y INCOM	E						48,63
			x 12 = EFF	ECTIVE GI	ROSS ANNI	JAL INCO	ME						583,5



Texas Department of Housing and Community Affairs Rent and Income Limits¹ (As of 5/22/2018)

Project:

Belton Texas

Instructions:

(1) Choose the county in which your project is located.

(4) Project PIS Date: On or After 5/17/2018

On or After 5/17/2018

- (2) If your project is located within the boundaries of one of the designated places listed in the drop down menu then make the appropriate selection. If the location is not listed, then choose the "Not Listed" option.
- (3) Please select the financing applicable for your project. Units financed with HOME, NSP, or tax exempt bonds and 4% tax credits are not eligible to use the National Non-Metro limits.
- (4) Choose the date the first building in the project (as defined on line 8b of the 8609) was placed in service or for State Housing Trust Fund, the date of your LURA. For HOME, NSP or National Housing Trust Fund, select "N/A."
- (5) Select the date based on the execution date of your property's Carryover Agreement, Determination Notice or Subaward Agreement Date. For State Housing Trust Fund, select the date of your LURA. For HOME, NSP or National Housing Trust Fund select "N/A." See footnote 3 for more details.

PLEASE COMPLETE ALL FIELDS.

(1) County: Bell

(2) Place: Belton

(3) Financing: 9% Housing Tax Credits

(5) Carryover / Determination Notice / Subaward Agreement Date:

INCOME LIMITS

2018 Area Median Income:

\$59,700

	Number of Household Members												
AMFI %		1		2		3		4		5	6	 7	8
30	\$	12,540	\$	14,340	\$	16,140	\$	17,910	\$	19,350	\$ 20,790	\$ 22,230	\$ 23,670
40	\$	16,720	\$	19,120	\$	21,520	\$	23,880	\$	25,800	\$ 27,720	\$ 29,540	\$ 31,560
50	\$	20,900	\$	23,900	\$	26,900	\$	29,850	\$	32,250	\$ 34,650	\$ 37,050	\$ 39,450
60	\$	25,080	\$	28,680	\$	32,280	\$	35,820	\$	38,700	\$ 41,580	\$ 44,460	\$ 47,340
80	\$	33,440	\$	38,240	\$	43,040	\$	47,760	\$	51,600	\$ 55,440	\$ 59,280	\$ 63,120
120	\$		\$	-	\$	-	\$	-	\$	-	\$	\$ -	\$

RENT LIMITS

				Number of	Bedrooms		
AMFI %	0	1	2	3	4	5	
30	\$313	\$336	\$403	\$465	\$519	\$573	
40	\$418	\$448	\$538	\$621	\$693	\$765	
50	\$522	\$560	\$672	\$776	\$866	\$956	eranopan Sant
60	\$627	\$672	\$807	\$931	\$1,039	\$1,147	
65							
80	\$836	\$896	\$1,076	\$1,242	\$1,386	\$1,530	

- 1. The Texas Department of Housing and Community Affairs (the "Department" or TDHCA") has posted to its website the 2018 income and rent limit tool. This tool was developed for use by TDHCA staff, primarily in the Compilance Division, to determine whether income and rent limits prescribed by law were being met, and the tool is being shared with the public solely as a courtesy. This tool is NOT to be considered as either a definitive or exclusive statement or application of law or as legal advice. Neither the tool itself nor any output from or conclusions drawn from the tool may be relied upon as conclusively correct information or used a defense to any contrary determination, finding, conclusion, or assertion by any relevant or cognizant oversight or enforcement entity (including TDHCA) of an applicable rent or income limit. Again, these are simply the income and rent limits that the Department expects to use when monitoring. It is anticipated that from time to time as the Department identifies aspects of the tool that it needs to amend, correct, or improve, it will do so, but the Department cannot and does not commit to providing notifications or changes to the tool as posted on its website or as used by TDHCA staff.
- 2. The "Place" field is used to determine whether the property is eligible to use the National Non-Metropolitan Median Income limits. Not all Places or Cities in Texas are shown, if you are located outside of the boundaries of a designated Place then select "Not Listed" even if your mailing address reflects the place name.
- 3. The 'Carryover / Determination Notice / Subaward Agreement Date' field is used to determine whether the property's gross rent floor is based upon a different set of income limits than those used to qualify tenants. For a competitive or 9% HTC property the execution date of the property's Subaward Agreement should be used. For a 4% tax credit property, the date of the Datermination Notice should be used.
- 4. The 2018 Housing Tax Cradit limits are affective 4/1/2018. The NSP income limits are affective 6/1/2018 and rant limits that are affective for all new leases and lease renewals after 6/1/2018. The National Housing Trust Fund Income and rent limits are effective 8/1/2018.
- 5. For Housing Tax Credit project(s) that place in service or execute a Carryover Agreement within 45 days after HUD releases the MTSP income limits where the newly released limits reflect a decrease, IRS Revenue Ruling 94-57 allows the owner to rely on either limit.

DRAFT TOHCA RULES . SCORING . 2018

In providing a resolution a municipality or county should consult its own staff and legal counsel as to whether such resolution will be consistent with Fair Housing laws as they may apply, including, as applicable, consistency with any Fair Housing Activity Statement-Texas ("FHAST") form on file, any current Analysis of Impediments to Fair Housing Choice, or any current plans such as one year action plans or five year consolidated plans for HUD block grant funds, such as HOME or CDBG funds. Resolutions received by the Department setting forth that the municipality and/or county objects to or opposes the Application or Development will result in zero points awarded to the Application for that Governing Body. Such resolutions will be added to the Application posted on the Department's website. Once a resolution is submitted to the Department it may not be changed or withdrawn. For an Application with a proposed Development Site that, at the time of the initial filing of the Application, is:

(A) Within a municipality, the Application will receive:

- (i) seventeen (17) points for a resolution from the Governing Body of that municipality expressly setting forth that the municipality supports the Application or Development; or
- (ii) fourteen (14) points for a resolution from the Governing body of that municipality expressly setting forth that the municipality has no objection of the Application of Development.
- (B) Within the extraterritorial jurisdiction of a manifestity, the Application may receive points under clause (i) or (ii) of this subparagraph:
 - (i) eight and one-half (8.5) points for a resolution from the Governing Body of that municipality expressly setting forth that the municipality supports the Application or Development; or
 - (ii) seven (7) points for a cooldition from the Governing Body of that municipality expressly setting forth that a municipality has no objection to the Application or Development; and
 - (iii) eight and one-hax (8.5) points for a resolution from the Governing Body of that county expressly setting such that the county supports the Application or Development;
 - (in seven (7) points for a resolution from the Governing Body of that county expressly settles forth that the county has no objection to the Application or Development.
- Within a county and not within a municipality or the extraterritorial jurisdiction of a municipality:
 - (i) seventeen (17) points for a resolution from the Governing Body of that county expressly setting forth that the county supports the Application or Development; or
 - (ii) fourteen (14) points for a resolution from the Governing Body of that county expressly setting forth that the county has no objection to the Application or Development.

(2) Commitment of Development Funding by Local Political Subdivision. (§2506.6725(a)(5)) An Application may receive one (1) point for a commitment of Development funding from the city (if located in a city) or county in which the Development Site is located. The commitment of Development funding must be reflected in the Application as a financial benefit to the Development, i.e. reported as a source of finds on the Sources and Uses Form and/or reflected

* RESOLUTION Reference in a lower cost in the Development Cost Schedule, such as notation of a reduction in building permits and related costs. Documentation must include a letter from an official of the municipality, county, or other instrumentality with jurisdiction over the proposed Development stating they will provide a loan, grant, reduced fees or contribution of other value that equals \$500 or more for Applications located in Urban subregions or \$250 or more for Applications located in Rural subregions for the benefit of the Development. The letter must describe the value of the contribution, the form of the contribution, e.g. reduced fees or gap funding, and any caveats to delivering the contribution. Once a letter is submitted to the Department it may not be changed or withdrawn.

- (3) Declared Disaster Area. (§2306.6710(b)(1)(H)) An Application may receive en (10) points if at the time of Application submission or at any time within the two-year period preceding the date of submission, the Development Site is located in an area declars to be a disaster area under the Tex Gov't Code, §418.014.
- (4) Quantifiable Community Participation. (§2306.6710(b)(1)(f)); 2506.6725(a)(2)) An Application may qualify for up to nine (9) points for written systements from a Neighborhood Organization. In order for the statement to qualify for review, the Lieighborhood Organization must have been in current, valid existence with boundaries that contain the critic Development Site as of the Pre-beginning of the Application Final Delivery DateAcceptance Period. In addition, the Neighborhood Organization must be not record with the Secretary of State or county in which the Development Site is located—as of the beginning of the Application Acceptance Period. Once a letter is submitted to the Department it may not be changed or withdrawn. The written statement must meet all of the requirements in subparagraph (A) of this paragraph. Letters received by the Department setting forth that the eligible Neighborhood Organization objects to or opposes the Application or Development will be added to the Application posted on the Department's website. Written statements from the Neighborhood Organization included in an application and not received by the Department from the Neighborhood Organization will me be scored but will be counted as public comment.
 - (A) Statement Requirements. If a organization cannot make the following affirmative certifications or statements then the organization will not be considered a Neighborhood Organization for purposes of this paragraph.
 - (i) the Neighborhood Organization's name, a written description and map of the organization's boundaries, signatures and contact information (phone, email and mailing address) of at least two individual members with authority to sign on behalf of the organization;
 - (ii) certification that the boundaries of the Neighborhood Organization contain the entire Development Site and that the Neighborhood Organization meets the definition pursuant to Tex. Gov't Code §2306.004(23-a) and includes at least two separate residential households;
 - (iii) certification that no person required to be listed in accordance with Tex. Gov't Code §2306.6707 with respect to the Development to which the Application requiring their listing relates participated in any way in the deliberations of the Neighborhood Organization, including any votes taken;
 - (iv) certification that at least 80 percent of the current membership of the Neighborhood Organization consists of homeowners and/or tenants living within the boundaries of the Neighborhood Organization; and

\$ 500° Reference

RESOLUTION NO. 2018-24-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELTON, TEXAS, REGARDING COMMERCE STREET APARTMENTS AT COMMERCE STREET FOR SUPPORT AND LOCAL POLITICAL SUBDIVISION FUNDING.

Whereas, Commerce Street Apartments, LLC has proposed a development for a Multi Family affordable unit complex located on Commerce Street, named Commerce Street Apartments, in the City of Belton, Bell County, Texas;

Whereas, Commerce Street Apartments, LLC has advised that it intends to submit an application to the Texas Department of Housing and Community Affairs (TDHCA) for 2019 Competitive 9% Housing Tax Credits for Commerce Street Apartments;

Whereas, Chapter 380 of the Texas Local Government Code authorizes municipalities to administer programs to establish and provide for the making of loans and grants of public funds for the purpose of promoting state and local economic development and to stimulate business and commercial activity in the municipality; and

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

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

- <u>Part 1:</u> The City of Belton, acting through its governing body, hereby confirms that it supports the proposed development of Commerce Street Apartments, located on Commerce Street in the City of Belton, Bell County, Texas, and its application to the TDHCA.
- <u>Part 2:</u> The City of Belton, acting through its Governing Body, for the purposes of Local Political Subdivision Funding, will waive the first \$1,000 of building permit fees.
- <u>Part 3:</u> That for and on behalf of the Governing Body, Mayor Marion Grayson is hereby authorized, empowered, and directed to certify these resolutions to TDHCA. This formal action has been taken to put on record the opinion expressed by the City of Belton on 27th day of November, 2018.
- <u>Part 4:</u> 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 this the 27 th day of November , 2018.				
	THE CITY OF BELTON, TEXAS			
	Marion Grayson, Mayor			
ATTEST:				

Amy M. Casey, City Clerk

Staff Report – City Council Agenda Item



Date: November 27, 2018

Case No.: Z-18-15

Request: Agricultural to SF - 3
Owner: LWG Associates, LLC
Applicant: Belton Engineering, Inc.

Agenda Item #5

Hold a public hearing and consider a zoning change from Agricultural District to Single Family – 3 District on a 6.22 acre tract located on the west side of Connell Street, north of Liberty Valley Drive, beginning on the north side of the Mitchell Branch crossing.

Originating Department

Planning – Cheryl Maxwell, Director of Planning

<u>Current Zoning</u> <u>Proposed Zoning</u>

Agricultural District Single Family – 3 District

Future Land Use Map (FLUM) Designation: Residential

<u>Design Standards Type Area:</u> 9 – Projected to be a mixture of uses with the understanding of context and Loop 121 corridor.

Case Summary

This property is proposed for a single family residential development with 26 lots. An extension of Huey Drive will be constructed as part of this development.

Project Analysis and Discussion

This property is the site of a proposed detached single family residential development. This property is currently undeveloped. Adjacent property to the north is zoned Agricultural District, annexed in 1998, and is used residentially or undeveloped. Adjacent properties to the south and west are zoned primarily Single Family – 2 District and are undergoing development for detached single family homes as part of the Liberty Valley Subdivision, Phases III and IV. One tract to the south is zoned Single Family – 1, dedicated to the city for parkland as part of the Liberty Valley, Phase III development. This SFI zoning is a remainder of the original SF1 zoning assigned in 2010 and revised in May 2017. Mitchell Branch is also located to the south and is a conduit for transporting area drainage. Property on the east side of Connell is the site

of the Star Mobile Home Park, zoned a Planned Development District for mixed uses to allow retail, mobile homes, and RV's.

The owner is proposing to develop 26 residential lots. Area requirements for the requested SF-3 Zoning District are as follows:

Minimum Lot Area: 5,000 sq ft
Minimum Lot Width: 50 ft
Minimum Lot Depth: 90 ft

Front Yard Setback: 25 ft
Side Yard Setback: 5 ft
Rear Yard Setback: 20 ft

A concept plan of the proposed development has been provided and the proposed lots satisfy these area requirements. Subdivision plat approval is required prior to issuing any building permits.

The FLUM identifies this area as residential. There are a variety of residential uses in this general area to include duplexes, detached single family homes, and mobile homes. The requested SF-3 Zoning District is consistent with the FLUM and compatible with existing uses. Area requirements for the adjacent SF-2 Zoning District promote less density with a minimum area of 7,500 sq. ft.; however, given the mixture of housing types in this area, to include duplex developments and mobile homes, the proposed SF-3 zoning appears to be reasonable in this location.

Recommendation

Recommend approval of zoning change from Agricultural District to Single Family – 3 District.

Attachments:

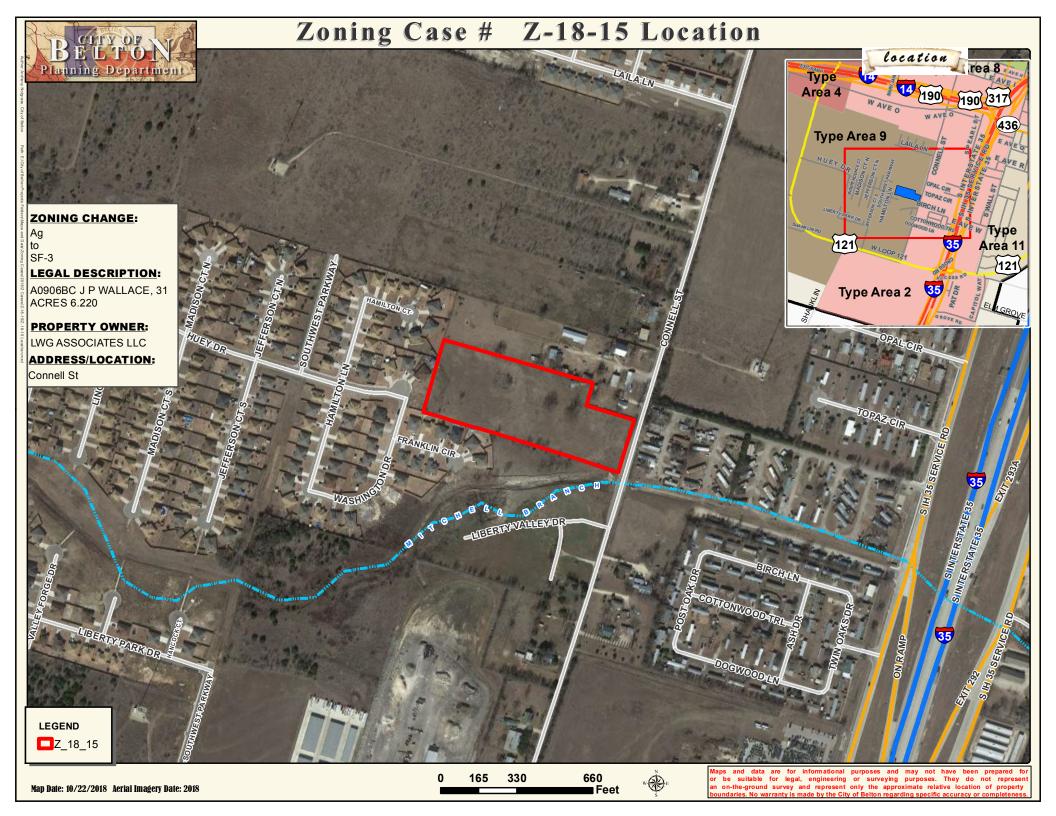
Zoning application
Property Location Map
Zoning map
Aerial photo
Map with zoning notice boundary (200')
Zoning notice to owners
Property owners list
Field notes
P&Z Minutes Excerpt
Ordinance

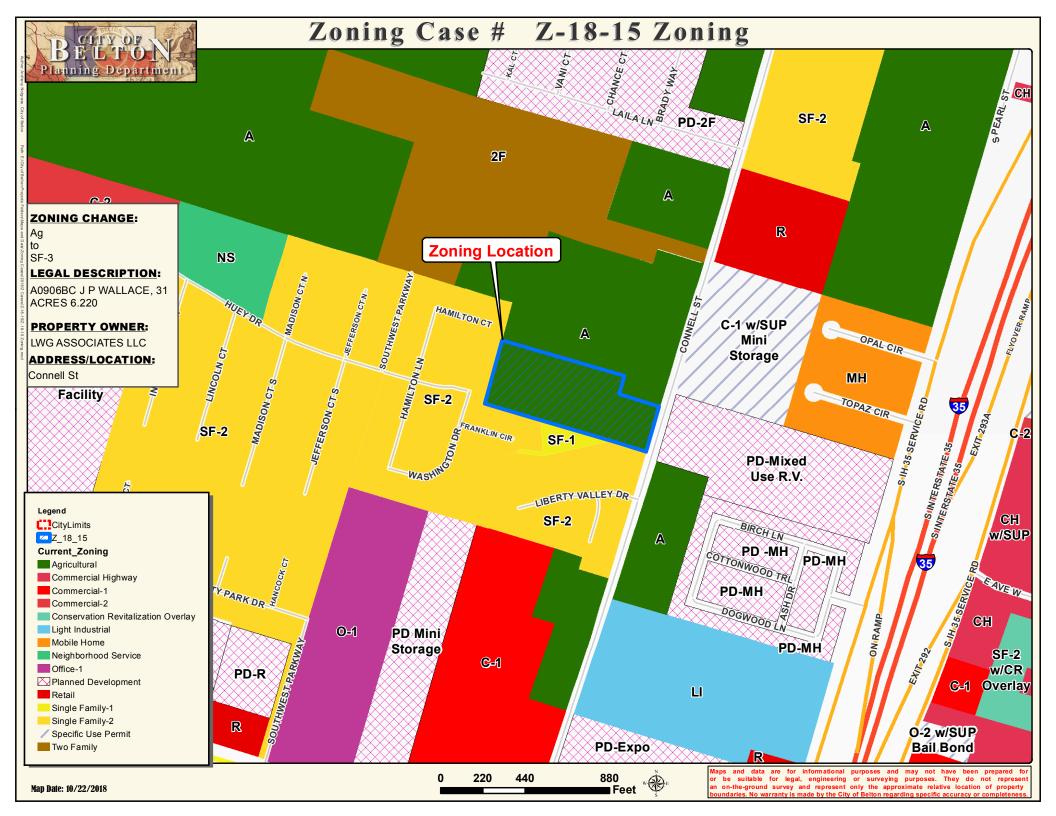
City of Belton Request for a Zoning Change

To the City Council and the Planning & Zoning Commission

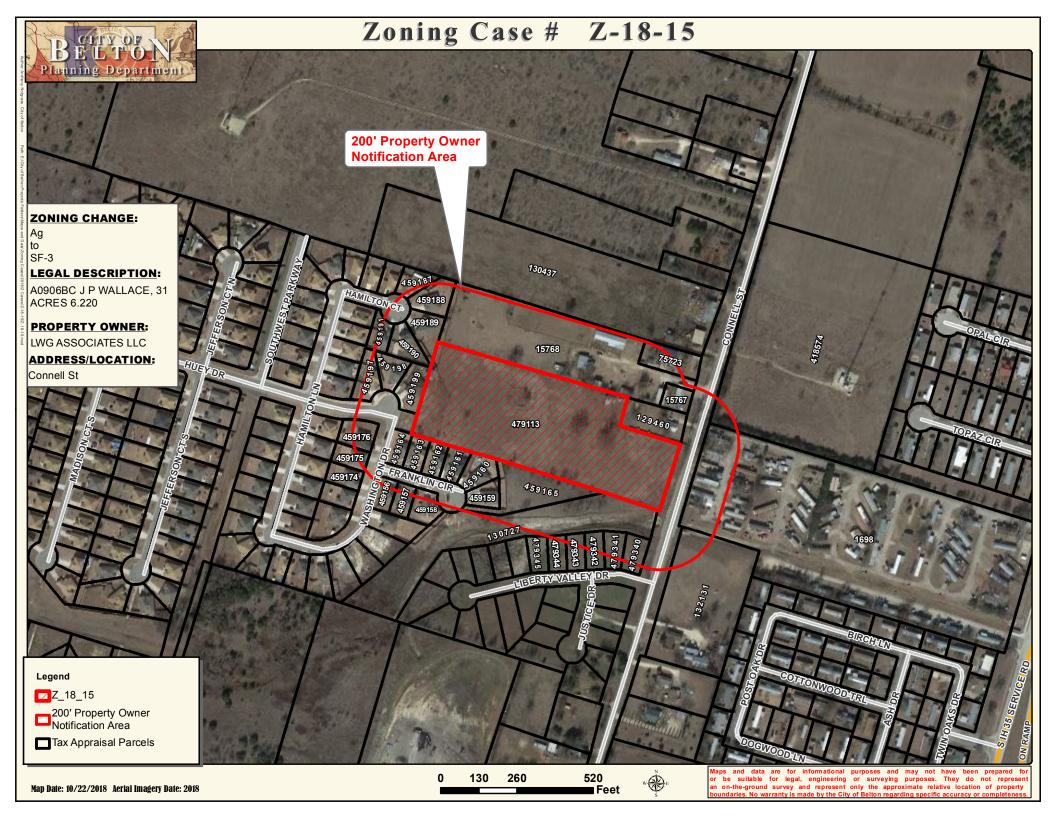
Fee: \$250.00

Date Received: 10-15-18 Date Due: 10-15-18 (All plans are to be returned to the Planning
Department within 5 working days)
Belton Engineering, Inc.
Applicant: Ling Chiay, P.E. Phone Number: (254) 289-7273
Mailing Address: 106 N. East Street City: Belton State: TX
Email Address: 1chtay @ beitonengineers.com
LWG ASSociates, LLC
Owners Name: Larry Guess Phone Number: (254) 718-2897
Mailing Address: 202 E. Barton Ave. City: Temple State: TX
Email Address: Lquess @ hot.rr.com
3
Applicant's Interest in Property:
owner /developer
Legal Description of Property:
6.22 Acres, J.P. Wallace Survey Abstract No. 906
Is this property being simultaneously platted?
Street Address: Connell Street
Zoning Change From Agricultural (Allo Single Family -3 Residential (SF-3)
Zoning Change From Agricultural (A) Single Family -3 Residential (SF-3) Signature of Applicant: July 2 Date: 10-12-18
Signature of reprise to the state of the sta
Signature of Owner (if not applicant): Jany Date: 10/15-18
Checklist for Zoning Items to be submitted with application:
o Signed Application
o Fees Paid
o Complete Legal Description of the property to be re-zoned
o Site Plans per Section 32, Planned Development, of the Zoning Ordinance. Please see the back
for specific guidelines.
o In the event the request involves more than one lot or irregular tracts or acreage, a drawing of the
property must be submitted.









NOTICE OF APPLICATION FOR AN AMENDMENT TO THE ZONING ORDINANCE OF THE CITY OF BELTON

THE CITY OF BELTON HAS RECEIVED A REQUEST FROM: BELTON ENGINEERING INC

TO CHANG	GE THE FOLLOWING DESCRIBED PROPERTY: _	,
FROM A(N	i) <u>Agricultural</u>	ZONING DISTRICT,
To A(N)	SINGLE FAMILY-3	ZONING DISTRICT.
PURSUAN		IE CITY OF BELTON, TEXAS WILL HOLD A PUBLIC HEARING November 20, 2018, AT THE T.B. HARRIS CENTER, 401 N.
IF A PUBLIC	APPROVED BY THE PLANNING & ZONING CO HEARING BY THE CITY COUNCIL. THAT M	MMISSION, THIS ITEM WILL BE PLACED ON THE AGENDA FOR EETING WILL BE AT 5:30 P.M., Tuesday, November 27,
2018 , AT 7	THE T. B. HARRIS COMMUNITY CENTER, 401	ALEXANDER STREET, BELTON, TEXAS.
BY ATTEN	*	TY OF BELTON INVITES YOU TO MAKE YOUR VIEWS KNOWN IT WRITTEN COMMENTS ABOUT THIS ZONING CHANGE BY DRESS BELOW.
	YOU REQUIRE INTERPRETER SERVICES FOR THE CITY HALL AT LEAST 48 HOURS BEFORE THE	HE DEAF OR HEARING IMPAIRED, PLEASE CONTACT THE CITY SE MEETINGS.
	circle one	
	ERESTED PROPERTY OWNER, I (PROTEST) (APCATION ABOVE FOR THE REASONS EXPRESSED	PROVE) THE REQUESTED ZONING AMENDMENT PRESENTED IN BELOW:
1		
2		
3.		
<i></i>	(FURTHER COMMENTS MAY BE EXP	RESSED ON A SEPARATE SHEET OF PAPER)
Date:		SIGNATURE:

PLANNING DEPARTMENT CITY OF BELTON P. O. BOX 120 BELTON, TEXAS 76513 254-933-5812

1698	15767	15768
STAR PLNDV TX LLC	MOON, ROZELLA BUTLER	MOON, ROZELLA BUTLER
4600 COX RD STE 400	2081 CONNELL ST	2081 CONNELL ST
GLEN ALLEN, VA 23060-6732	BELTON, TX 76513-4239	BELTON, TX 76513-4239
GLENVILLEN, WY 25000 0752	52216.14, 11/10513 1233	5EEF 611, 1X 76515 1255
75723	129460	130437
SHEPPERD, DAVID C & DEBRA L	SHEPPERD, DAVID CARL ETUX DEBRA LAJUAN	MUSTON, BILLY WAYNE
2055 CONNELL ST	2055 CONNELL ST	2027 CONNELL ST
BELTON, TX 76513-4239	BELTON, TX 76513-4239	BELTON, TX 76513-4239
130727	132131	418574
BARNES INDEPENDENT DEVELOPERS L P	ZEHR, DENNIS L	FMB GROUP LLC
PO BOX 148	2290 CONNELL ST	9918 FM 2483
KILLEEN, TX 76540-0148	BELTON, TX 76513-4244	BELTON, TX 76541
459156	459157	459158
SMITH, KENNETH JR ETUX GRACE	MARTINEZ, JAMES ETUX ERICA	TROXELL, DARRELL
1012 FRANKLIN CIR	1016 FRANKLIN CIR	1022 FRANKLIN CIR
BELTON, TX 76513	BELTON, TX 76513	BELTON, TX 76513
459159	459160	459161
DODD, JAMES JR ETUX ANGELA	BARKER, JOHN D ETUX SUSANNAH	CREACY, AVERY & JANIS W RUFF
1033 FRANKLIN CIR	1029 FRANKLIN CIR	1025 FRANKLIN CIR
BELTON, TX 76513	BELTON, TX 76513	BELTON, TX 76513
459162	459163	459164
HOPKINS, MARKEEIS ETUX KIMBERLY	BRISCOE, JEAN	MANN, STEVEN & CAROLYN
1021 FRANKLIN CIR	1015 FRANKLIN CIR	1011 FRANKLIN CIR
BELTON, TX 76513	BELTON, TX 76513	BELTON, TX 76513
459165	459174	459175
CITY OF BELTON	MITCHELL, AMANDA E	ACTON, WILLIAM A & MARY A
PO BOX 120	2397 WASHINGTON DR	2407 WASHINGTON DR
BELTON, TX 76513-0120	BELTON, TX 76513	BELTON, TX 76513
459176	459187	459188
SOTO, JACLYN S ETVIR BOBBY J	HAYES, EDWARD CHRISTOPHER ETUX DEBRA	FARINHA, KEVIN ETUX PAULINE
2415 WASHINGTON DR	336 HAMILTON CT	344 HAMILTON CT
BELTON, TX 76513	BELTON, TX 76513	BELTON, TX 76513
459189	459190	459191
BELL, JOHN ETUX CRYSTAL J	COOLEY, JOSHUA A	DIAZ, BRANDYN
345 HAMILTON CT	337 HAMILTON CT	323 HAMILTON CT
BELTON, TX 76513	BELTON, TX 76513	BELTON, TX 76513
459197	459198	459199
GOLDING, ROBERT ROY III	HARRIGAN, DOUGLAS EDWARD ETUX AVA KALLINA	HINOJOSA, MARTHA B
1841 HUEY DR	1847 HUEY DR	1855 HUEY DR
BELTON, TX 76513	BELTON, TX 76513	BELTON, TX 76513
DELION, IN 10010	PERION, IV 10313	BLEION, IA 70313

479113 LWG ASSOCIATES LLC 202 E BARTON AVE

TEMPLE, TX 76501-3371

479342

LEMAY HOMES LTD PO BOX 148

KILLEEN, TX 76540-0148

479345

LEMAY HOMES LTD

PO BOX 148

KILLEEN, TX 76540-0148

479340

LEMAY HOMES LTD

PO BOX 148

KILLEEN, TX 76540-0148

479343

LEMAY HOMES LTD

PO BOX 148

KILLEEN, TX 76540-0148

SUPERINTENDENT

Dr. Susan Kincannon

BELTON I.S.D. P O Box 269

Belton Texas 76513

479341

LEMAY HOMES LTD

PO BOX 148

KILLEEN, TX 76540-0148

479344

LEMAY HOMES LTD

PO BOX 148

KILLEEN, TX 76540-0148

Field Note Description prepared by Advanced Surveying & Mapping, LLC

Surveyor's Field Notes:

November 29, 2017

6.22 acre tract out of the M. F. CONNELL SURVEY, ABSTRACT NO. 6, and the J. P. WALLACE SURVEY, ABSTRACT NO. 906, in Bell County, Texas, and embracing a portion of that tract conveyed to DAVID CARL SHEPPERD and DEBRA LAJUAN SHEPPERD, husband and wife, of record in Volume 5646, Page 692, Official Public Records of Bell County, Texas (OPRBCT). Said 6.22 acre tract was surveyed on the ground by Advanced Surveying & Mapping, LLC and a metes and bounds description of that survey is as follows:

Beginning at a 12" wood post found, for a point in the west line of Connell Street and for the northeast corner of a called 27.537 acre tract conveyed to BARNES INDEPENDENT DEVELOPERS, LP in Document No. 2010-33789, OPRBCT, also being the southeast corner of said SHEPPERD tract, and being the southeast corner and Point of Beginning of the herein described tract,

Thence departing the west line of said Connell Street and along the south line of said SHEPPERD tract for the following three (3) courses and distances:

- 1) N 73° 22' 57" W 201.96 feet (BARNES record call N 71° 45' 00" W 889.19') to a ½" iron rod found with "RPLS 2475" cap, for the northeast corner of a called 0.827 acre TRACT "A" dedicated to the City of Belton by the plat of Liberty Valley Phase III, of record in Plat Year 2014, Plat No. 48, and being an angle point in the south line of this tract,
- 2) N 72° 51' 13" W 385.78 feet (PLAT record call N 73° 22' 27" W 385.62') to a ½" iron rod found with "RPLS 2475" cap, for the northeast corner of Lot 21, Block 1 of said Liberty Valley Phase III, and being an angle point in the south line of this tract,
- 3) N 73° 22' 27" W 299.89 feet (PLAT record call N 73° 22' 27" W) to a ½" iron rod found with "RPLS 2475" cap, for a point in the north line of Lot 25, Block 1 of said Liberty Valley Phase III, also being the southwest corner of said SHEPPERD tract, and being the southwest corner of this tract,

Thence N 16° 01' 27" E 325.47 feet (PLAT record call N 16° 01' 49" E 542.82') departing the north line of Liberty Valley Phase III Block 1, and along the west line of said SHEPPERD tract, same being the east line of said Liberty Valley Phase III, Block 1, to a ½" iron rod set with "Advanced Surveying" cap, for the northwest corner of said SHEPPERD tract, and being the northwest corner of this tract,

Thence S 73° 41' 55" E 674.35 feet (deed record call S 71° 00' 00" E 680.00') departing the east line of Liberty Valley Phase III, Block 3, and along the north line of

said SHEPPERD tract to a ½" iron rod set with "Advanced Surveying" cap, for a point in the north line of said SHEPPERD tract, and being an "L" corner in the north line of this tract,

Thence S 15° 47' 48" W 100.10 feet departing the north line and crossing in a southerly direction said SHEPPERD tract, to a ½" iron rod set with "Advanced Surveying" cap, for an "L" corner in the north line of this tract,

Thence S 72° 49' 19" E 215.65 feet crossing said SHEPPERD tract in an easterly direction, to a ½" iron rod set with "Advanced Surveying" cap, for a point in the east line of said SHEPPERD tract, same being the west line of said Connell Street, and being the northeast corner of this tract,

Thence S 16° 43' 29" W 230.58 feet along the east line of said SHEPPERD tract, same being the west line of said Connell Street, to the POINT OF BEGINNING, and containing 6.22 ACRES OF LAND.

Directional control is based upon monuments found along the north line of said BLOCK 1 OF LIBERTY VALLEY PHASE III. Reference accompanying sketch of said 6.22 acre tract.

I, Timothy Lane Kennedy, Texas Registered Professional Land Surveyor #6119, do hereby attest that this survey was done on the ground and under my personal supervision and to the best of my knowledge is true and correct.

ASM #170221

Minutes of the **Planning and Zoning Commission (P&ZC)**

City of Belton 333 Water Street Tuesday, November 20, 2018

The Planning and Zoning Commission met at 5:30 P.M. in the Wright Room at the Harris Community Center. The following members were present: Chair Brett Baggerly, David Jarratt, Lewis Simms, Ty Hendrick, Dave Covington, Stephanie O'Banion and Michael Pressley. The following staff members were present: Director of Planning Cheryl Maxwell, Planner Kelly Atkinson, IT Ryan Brown and Planning Clerk Laura Livingston. Board members DJ Fuller and Allison Turner were absent.

3. Z-18-15 Hold a public hearing and consider a zoning change from Agricultural District to Single Family – 3 District on a 6.22 acre tract located on the west side of Connell Street, north of Liberty Valley Drive, beginning on the north side of the Mitchell Branch crossing.

Ms. Maxwell presented the staff report (Exhibit A).

Chair Baggerly opened the public hearing and with no one requesting to speak, he closed the public hearing.

Mr. Hendrick made a motion to approve Z-18-15, a zoning change from AG to SF-3 on a 6.22 acre tract located on the west side of Connell Street, north of Liberty Valley Drive, beginning on the north side of the Mitchell Branch crossing. Mr. Covington seconded the motion. The motion was approved with 7 ayes, 0 nays.

ORDINANCE NO. 2018-39

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF BELTON BY CHANGING THE DESCRIBED DISTRICT FROM AGRICULTURAL TO SINGLE FAMILY-THREE ZONING DISTRICT ON A 6.22 ACRE TRACT, WITH DEVELOPMENT TO BE REGULATED UNDER TYPE AREA 9 DESIGN STANDARDS.

WHEREAS, LWG Associates, LLC., owner of the following described property has presented a petition duly signed, to the City Planning & Zoning Commission and filed said petition with the City Clerk of the City of Belton, and due notice of filing of said petition and hearing on said petition has been given as required by the City Zoning Ordinance and by law, and a hearing on said petition before the City Planning & Zoning Commission of the City of Belton was set for the 20th day of November, 2018, at 5:30 p.m. for hearing and adoption, said district being described as follows:

6.22 acres, J.P. Wallace Survey Abstract No. 906, Belton, Texas (location map attached as Exhibit "A")

WHEREAS, said application for such amendment was duly recommended by the said City Planning & Zoning Commission and the date, time and place of the hearing on said application by the City Council of the City of Belton was set for the 27th day of November, at 5:30 p.m. at the Harris Community Center and due notice of said hearing was given as required by ordinances and by law; and

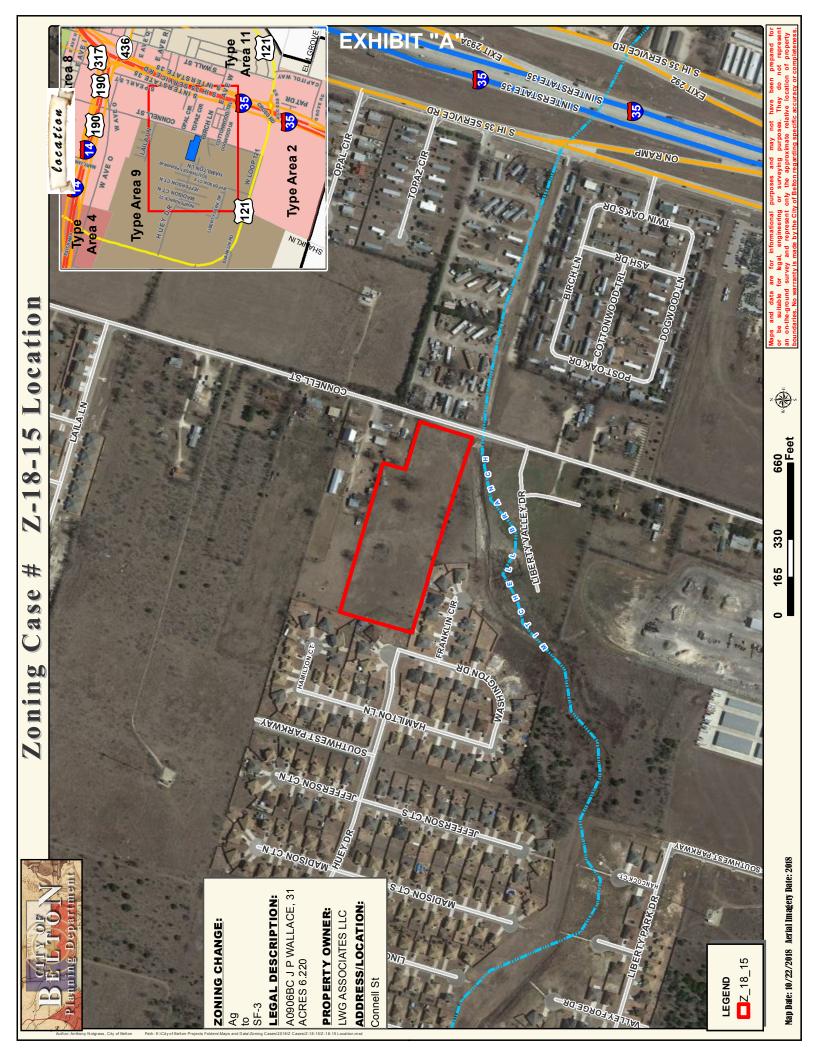
WHEREAS, a hearing was held upon the application by the City Council of the City of Belton at the time, place and date herein before set forth and no valid objection to said amendments was presented.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Belton, Texas, that the said district located on a tract of land as more fully and completely described above, be and is hereby changed from a Agricultural Zoning District to Single Family - Three District, in accordance with Section 12 – Single Family-3 Zoning District, and the Design Standards in Ordinance No. 2014-17, Section 7.1 of the Zoning Ordinance.

The Zoning Ordinance of the City of Belton is hereby amended, subject to the following conditions:

- The uses and development of the property shall conform to the Single Family -Three Zoning District in all respects.
- 2. The development of the property shall conform to all applicable Type Area 9 Design Standards, as identified in Ordinance 2014-17, Section 7.1 of the Zoning Ordinance.
- 3. Subdivision plat is required.

This ordinance was presented at the stated meeting of the City Council of the City of Belton and upon reading was passed and adopted by the City Council on the 27 th day of November, 2018, by a vote of ayes and nays.
SIGNED AND APPROVED by the Mayor and attested by the City Clerk on this the 27 th day of November, 2018.
Marion Grayson, Mayor ATTEST:
Amy M. Casey, City Clerk



Staff Report – City Council Agenda Item



Date: November 27, 2018
Case No.: P-18-24 Heine Addition

Request: Final Plat

Applicant: Chuck Lucko, All County Surveying

Owner/Developer: Bruce Peterson

Agenda Item #6

Consider a final plat of Heine Addition, comprising 3.33 acres, located on the east side of FM 1670, near its intersection with Lanell Drive, in Belton's ETJ.

Originating Department

Planning - Cheryl Maxwell, Director of Planning

Case Summary

This is a four-lot subdivision proposed for residential development. Three lots will have frontage on FM 1670, and one lot will front on Walter Lane, part of the Stoneoak Subdivision, Phase 2, platted in 1993. This property is currently undeveloped.

Project Analysis and Discussion

This property is located in Belton's ETJ so there is no zoning. The proposed lots range in size from 0.51 acre to 1.56 acre.

Following is a summary of the subdivision ordinance requirements as they apply to this subdivision plat.

<u>Water</u>: This property is located within the Dog Ridge Water Supply Corporation (DRWSC) CCN. They have an existing 6" water line along FM 1670 that transitions to an 8" line approximately 400' north of this subdivision, and a 4" line along Corliss Circle. These water lines will provide domestic service to these lots. A letter has been provided from DRWSC confirming their ability and willingness to serve this subdivision with domestic service.

The City of Belton Fire Code requires a minimum water flow of 1,000 gpm for fire hydrants. The existing water lines do not meet this flow requirement and cannot support fire hydrants for fire protection purposes. Per DRWSC, estimated flow on the 6" line is 300 – 400 gpm, while flow on the 8" line is estimated at 800+ gpm. The developer is requesting a variance to this requirement.

Staff has concerns with approving multi-lot developments that do not meet the City's Fire Code and is consulting with our Fire Marshal regarding future policy. In this case, a fire hydrant may be placed on the 6" or 8" line but may only be used to fill a tanker truck and not for drafting purposes. Estimated cost for the hydrant plus installation is approximately \$6,000. Staff has evaluated the benefits of placing a hydrant for tank filling purposes on the existing 8" line approximately 400' away and feels it is warranted for this four lot residential subdivision. Therefore, staff supports the requested variance to the 1,000 gpm water flow requirement, subject to installation of a fire hydrant on the existing 8" water line.

On-site water tanks may be an option in the future for providing fire protection for developments with limited water service. Staff is researching this and will provide an update as more information is obtained.

<u>Sewer</u>: No sanitary sewer is available to serve this subdivision. The lots are over 0.50 acre in size and individual septic systems are proposed on the lots, subject to approval by the Bell County Public Health District.

<u>Drainage</u>: Since this property lies in Belton's ETJ, the city is not responsible for drainage and will defer to Bell County and their requirements.

Streets: Lots 1, 3 & 4 will have frontage on FM 1670. FM 1670 is a TxDOT roadway; therefore, the requirement for perimeter street improvements is not applicable. There is currently 120' ROW available; no additional ROW is requested by TxDOT. Only one access point for the three lots is allowed by TxDOT and the proposed location has met their approval. A 50' joint access easement is being provided on the plat to facilitate access to, and circulation within, the three lots. Lot 2 will be accessed via Walter Lane. Walter Lane is an existing local roadway with 50' ROW and 22' pavement width.

<u>Sidewalks</u>: The Subdivision Ordinance requires the developer to construct and install a 6-foot wide sidewalk along the subdivision side of arterial roadways, which would apply to FM 1670, a minor arterial. This requirement is waived since the plat is in Belton's ETJ and no entities have assumed responsibility for maintenance.

Parkland Dedication/Fee: Residential subdivisions are required to dedicate suitable lands for the purpose of parkland and/or make a financial contribution for the acquisition and development of such parkland. One acre for each 100 new dwelling units projected is required. With only four lots, the dedication would be 0.04 acre, which is considerably short of the minimum two acres desired for dedication. The fee in lieu of dedication is \$200/lot, which would be \$800 for this subdivision. A variance to the parkland dedication/fee is requested. Staff supports the variance request since there are no plans to develop a public park in this vicinity at this time and the lots are all over 0.5 acre which provides open space to satisfy the needs of the lot owners.

<u>P&ZC Meeting</u>: At the P&ZC meeting on November 20, 2018, the proposed purchaser, Darwin Heine, attended the meeting and explained he was purchasing three of the four lots to provide a buffer between his current residence at 3545 Walter Lane (Stoneoak

Subdivision Phase II, Block 6 Lot 2) and development occurring on FM 1670. According to Mr. Heine, the current owner, Bruce Peterson, plans to keep the fourth lot. Mr. Heine stated he has no plans to develop the property so the requirement to install a fire hydrant does not seem reasonable. He proposed to install the hydrant at such time he develops the property; however, since this property is in Belton's ETJ, the City has no building permits or means to enforce this requirement after the property is platted. Mr. Heine was agreeable to reducing the number of lots from four to two, since he has no development plans. The Planning Commission was more comfortable approving a variance to Belton's Fire Code with only two lots instead of four. They recommended approval of the subdivision, conditioned on a revised lot configuration with two lots (Lots 1-3 combined as one, and Lot 4 remaining as proposed) and approval of requested variances, including the variance to the 1,000 gpm fire flow with no fire hydrant provided.

<u>Conclusion</u>: Since this proposed subdivision is located in Belton's ETJ, the Bell County Engineer's Office has reviewed this plat and provided comments which are being addressed. After Council action, this plat will be taken to Bell County Commissioners Court for approval.

We have reviewed the plat and find it acceptable as a final plat, subject to conditions outlined above by the Planning Commission, and those contained in the letter to the applicant and owner dated November 16, 2018.

Recommendation

The Planning and Zoning Commission met on November 20, 2018 and unanimously recommended approval of the final plat of Heine Addition, subject to the conditions below, and staff concurs with their recommendation:

- 1. Plat is to be reconfigured to show only two lots;
- 2. Approval of variance to the water pressure requirement for fire protection—no fire hydrant required;
- 3. Approval of variance to the parkland dedication/fee requirement; and
- 4. Address items in the City's Letter to the applicant and owner dated November 16, 2018.

Attachments

Final Plat Application
Final Plat – Original Submission
Final Plat – Revised Lot Configuration per P&ZC Recommendation
Location Map
Variance Requests
Letter from DRWSC
City's Letter to applicant and owner dated November 16, 2018
P&Z Minutes Excerpt

City of Belton

Request for Subdivision Plat to the City Council and the Planning and Zoning Commission

Application is hereby made to the City Council for the following:
□ Preliminary Subdivision Fees due \$
☐ Final Subdivision
M Administrative Plat
□ Replat
ETJ
□ City Limits
Date Received: Date Due: (All plans are to be returned to the Planning
Department by the 15 th day of the month ahead of the next month's P&Z meeting.)
Applicant: All County Surveyors Phone: 778-2272 Mailing Address: 4330 S. 555 ST Tompo TA
Email Address: Chick @ all county surdering Com
Owner: Bruce Pererson Phone: 512-819-4034
Mailing Address: 3615 FM 1670 Belton TX
Email Address:
Current Description of Property:
Lot:Block:Subdivision:
Acres: 3.33 Survey: 5. Leens Survey At 572
Abstract #: 512 Street Address: FM 1670
Frontage in Feet: 395 the Depth in Feet: 270 the Average
Does Zoning comply with proposed use? Current Zoning: A
Name of proposed subdivision: Leide Addition
Number of Lots: Fee: \$
M 1 C P 1 9 11 70 10
Signature of Applicant: Challet July Date: 9, 14, 7018
Signature of Owner: Date: 9/1/1/8

STATE OF TEXAS COUNTY OF BELL

BRUCE PETERSON, BEING THE OWNER OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS HEINE ADDITION, WITHIN THE E.T.J. OF THE CITY OF BELTON, BELL COUNTY, TEXAS, AND WHOSE NAME IS SUBSCRIBED HERETO, HEREBY DEDICATES THE USE OF THE PUBLIC FOREVER ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS, AND PUBLIC PLACES SHOWN HEREON WITHIN THE PLAT BOUNDARIES OF THIS SUBDIVISION.

IT IS THE RESPONSIBILITY OF THE OWNER, NOT THE COUNTY, TO ASSURE COMPLIANCE WITH THE PROVISIONS OF ALL APPLICABLE FEDERAL, STATE, AND LOCAL LAWS AND REGULATIONS RELATING TO THE ENVIRONMENT; INCLUDING (BUT NOT LIMITED TO) THE ENDANGERED SPECIES ACT, STATE AGUIFER REGULATIONS, AND MUNICIPAL WATERSHED ORDINANCES. TO THE BEST OF MY KNOWLEDGE. THE ABOVE MENTIONED PROPERTY MEETS THESE PROVISIONS.

By:
BRUCE PETERSON
STATE OF TEXAS
COUNTY OF BELL
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED BRUCE PETERSON, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOI INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN STATED.
GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE DAY OF
NOTARY PUBLIC, STATE OF TEXAS

STATE OF TEXAS
COUNTY OF BELL
I HEREBY CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF HEINE ADDITION AN ADDITION WITHIN THE E.T.J. OF THE CITY OF BELTON, BELL COUNTY, TEXAS, WAS APPROVED THIS THE DAY OF, 2018, BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF BELTON, TEXAS.
CHAIRMAN SECRETARY

CITY CLERK

STATE OF TEXAS COUNTY OF BELL

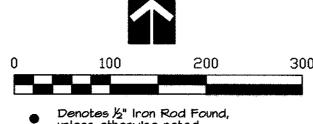
CHARLES C. LUCKO, R.P.L.S.

REGISTRATION NO. 4636

STILLHOUSE HOLLOW

CHARLES C. LUCKO 4636

FINAL PLAT OF



Denotes %" iron rods with "ACS" o caps will be set at all interior Lot



A SUBDIVISION WITHIN THE E.T.J. OF THE CITY OF BELTON, BELL COUNTY, TEXAS, BEING 3.33 ACRES SITUATED IN THE JOHN LEWIS SURVEY, ABSTRACT No. 512, BELL COUNTY, TEXAS,

unless otherwise noted. BRADY'S SUBDIVISION-FIRST EXTENSION (Cab. A, Slide 175-D) SANDRA G. LAMSON and STEPHEN R. LAMSON Called 0.45 Acre (Doc. \$ 2016-00031071) LYNN E. RIPPE Called 1.072 Acre

BLOCK I

LOT | BLOCK |

Lot 2

BASED UPON WHAT CAN BE SCALED FROM THE GRAPHICS SHOWN ON F.E.M.A FLOOD INSURANCE

RATE MAP (FIRM), MAP NO. 46027C0325E, EFFECTIVE DATE SEPTEMBER 26, 2008, THE ABOVE

ANNUAL CHANCE FLOODPLAIN). THIS FLOOD STATEMENT DOES NOT IMPLY THAT THIS TRACT WILL

SHOWN PROPERTY APPEARS WITHIN "ZONE X" (AREAS DETERMINED TO BE OUTSIDE THE 0.2%

NEVER FLOOD, NOR DOES IT CREATE ANY LIABILITY IN SUCH EVENT ON THE PART OF THIS

STONEOAK SUBDIVISION,

(Cab. B, Slide 334-B)

PHASE 2

BRADY'S SUBDIVISION Lot 2 (Cab. A, Slide 175-C) Lot I

> STONEOAK SUBDIVISION, PHASE 2 (Cab. B, Slide 334-B)

> > Lot 6

Lot 5

WITNESS MY HAND AND SEAL THIS THE _____ DAY OF _____

STATE OF TEXAS

COUNTY OF BELL I HEREBY CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF HEINE ADDITION, AN ADDITION WITHIN THE E.T.J. OF THE CITY OF BELTON, BELL COUNTY, TEXAS, WAS APPROVED THIS THE _ DAY OF _____, 2018, BY THE CITY COUNCIL OF THE CITY OF BELTON, TEXAS.

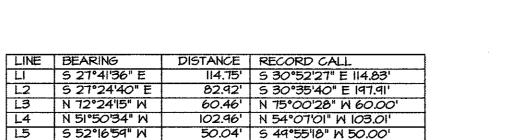
SAID SUBDIVISION LIES WITHIN THE E.T.J. OF THE CITY OF BELTON, BELL COUNTY, TEXAS, AND SHALL BE SUBJECT TO ALL REQUIREMENTS OF THE PLATTING ORDINANCE OF THE CITY OF

SECRETARY

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

DATE SURVEYED: AUGUST 28, 2018

VICINITY MAP



16' Dog Ridge W.S.C. Esmt. (2053, Pg. 454 as shown on Cab. B, Sl. 246-B)

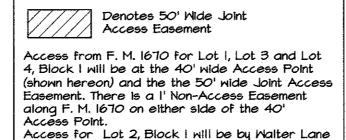
REPLAT OF LOT 2, BLOCK 2 STONEOAK SUBDIVISION, PHASE I

(Cab. B, Slide 296-B)

L6 N 27°10'09" W 64.12' N 29°31'52" W 64.23' L7 | 5 62°48"15" W | 142.87' | 5 60°28'08" W 144.20' CURVE RADIUS ARC LENGTH CHORD LENGTH CHORD BEARING DELTA ANGLE RECORD CALL
CI 497.94' 92.10' 91.97' N 33°0!'17" W 10°35'51" L=91.66'

OWNERS' RESPONSIBILITIES

"IN APPROVING THIS PLAT BY THE COMMISSIONERS' COURT OF BELL COUNTY, TEXAS, IT IS UNDERSTOOD THAT THE BUILDING OF ALL STREETS, ROADS, AND OTHER PUBLIC THOROUGHFARES AND ANY BRIDGES OR CULVERTS NECESSARY TO BE CONSTRUCTED OR PLACED IS THE RESPONSIBILITY OF THE OWNERS OF THE TRACT OF LAND COVERED BY THIS PLAT IN ACCORDANCE WITH THE PLANS AND SPECIFICATIONS PRESCRIBED BY THE COMMISSIONERS' COURT OF BELL COUNTY, TEXAS. SAID COMMISSIONERS' COURT ASSUMES NO OBLIGATION TO BUILD ANY OF THE STREETS, ROADS, OR OTHER PUBLIC THOROUGHFARES SHOWN ON THIS PLAT OR OF CONSTRUCTING ANY OF THE BRIDGES OR DRAINAGE IMPROVEMENTS IN CONNECTION THEREWITH. THE COUNTY WILL ASSUME NO RESPONSIBILITY FOR DRAINAGE WAYS OR EASEMENTS IN THE SUBDIVISION, OTHER THAN THOSE DRAINING OR PROTECTING THE ROAD SYSTEM AND STREETS. THE COUNTY ASSUMES NO RESPONSIBILITY FOR THE ACCURACY OF REPRESENTATION BY OTHER PARTIES IN THIS PLAT. FLOOD PLAIN DATA, IN PARTICULAR, MAY CHANGE DEPENDING ON SUBSEQUENT DEVELOPMENT."



FLOOD PLAIN NOTE:

SURVEYOR OR COMPANY.

ACCESS NOTES:

-ACCESS DETAIL-

JOHN CHURCHMELL Called 9.32 Acre (Doc.# 2010-00023486

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

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

OWNERS: BRUCE PETERSON 3615 FM 1670 BELTON, TX 76513

BELL COUNTY

LOTS - 4 BLOCKS - I

I hereby certify that this plat was approved this the _____ day of

2018, by the Bell County Commissioners Court and may be filed for record in the Plat Records of Bell County, Texas. County Judge Notary Public, State of Texas

PUBLIC HEALTH DISTRICT CERTIFICATE THE BELL COUNTY PUBLIC HEALTH DISTRICT, THE LICENSING AUTHORITY FOR AN ON-SITE SEWAGE DISPOSAL IN BELL COUNTY, TEXAS, HEREBY CERTIFIES THAT THIS SUBDIVISION MEETS OR EXCEEDS THE MINIMUM STANDARDS ESTABLISHED BY THE BELL COUNTY BOARD OF HEALTH.

SANITARIAN

THE TAX APPRAISAL DISTRICT OF BELL COUNTY, THE TAXING AUTHORITY FOR ALL TAXING ENTITIES IN BELL COUNTY, TEXAS, DOES HEREBY CERTIFY THAT THERE ARE CURRENTLY NO DELINQUENT TAXES DUE OR OWING ON THE PROPERTY DESCRIBED BY THIS PLAT.

DATED THIS THE _____ DAY OF ____

NOTARY PUBLIC, STATE OF TEXAS

BELL COUNTY TAX APPRAISAL DISTRICT

<u>Clearwater Underground Water Conservation District (CUMCD) District Rules</u> based on Chapter 36 "Texas Groundwater Code" prevent the drilling of Exempt Wells for **domestic use on tracts of land platted to less than 10 acres after March 1, 2004. Permitting of Wells on tracts less than 10 acres and greater than 2 acres is possible under district rules if the purpose is of the well meets the definition of beneficial use. Per District Rules and Chapter 36, all drilling of wells on tracts of land platted to less than 2 acres after March 1, 2004 is not possible. All current and future wells must meet the 100-ft setback requirement of all on-site septic systems, unless the well is constructed with an approved sanitary seal allowing setback from the on-site septic to be reduce to a minimum 50 feet.

By: Dirk Aaron Clearwater Underground Water Conservation District WITNESS MY HAND THIS _____

BELL COUNTY PLAT NOTE: VARIANCE REQUEST: A variance is being requested to the Bell County Subdivision Regulations A5-(Minimum 50' of direct access to a public roadway) due to TxDot regulations minimum driveway spacing along State Maintained

> Tx. Firm No. 10023600 1303 South 5th Street Temple, Texas 76502 254-778-2272 Killeen 254-634-4636 Fax 254-774-7608

Surveyor <u>CCL #4636</u> Copyright 2018 All County Surveying, Inc

Plot Date: 11-16-2018

compléted <u>08-28-2018</u>

Scale: | | | | = |001 Job No. ____180681

Dwg No. ____180681P Drawn by MDH

STATE OF TEXAS COUNTY OF BELL

BRUCE PETERSON, BEING THE OWNER OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS HEINE ADDITION, WITHIN THE E.T.J. OF THE CITY OF BELTON, BELL COUNTY, TEXAS, AND WHOSE NAME IS SUBSCRIBED HERETO, HEREBY DEDICATES THE USE OF THE PUBLIC FOREVER ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS, AND PUBLIC PLACES SHOWN HEREON WITHIN THE PLAT BOUNDARIES OF THIS SUBDIVISION.

IT IS THE RESPONSIBILITY OF THE OWNER, NOT THE COUNTY, TO ASSURE COMPLIANCE WITH THE PROVISIONS OF ALL APPLICABLE FEDERAL, STATE, AND LOCAL LAWS AND REGULATIONS RELATING TO THE ENVIRONMENT; INCLUDING (BUT NOT LIMITED TO) THE ENDANGERED SPECIES ACT, STATE AQUIFER REGULATIONS, AND MUNICIPAL WATERSHED ORDINANCES. TO THE BEST OF MY KNOWLEDGE, THE ABOVE MENTIONED PROPERTY MEETS THESE PROVISIONS.

<i>□</i> g	
BRUCE	PETERSON

STATE OF TEXAS

COUNTY OF BELL

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED BRUCE PETERSON, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE ______ DAY OF _____

NOTARY PUBLIC, STATE OF TEXAS

STATE OF TEXAS

COUNTY OF BELL

I HEREBY CERTIFY THAT THE ABOVE AND FOREGOING PLAT OF HEINE ADDITION AN ADDITION WITHIN THE E.T.J. OF THE CITY OF BELTON, BELL COUNTY, TEXAS, WAS APPROVED THIS THE _ THE CITY OF BELTON, TEXAS

SAID SUBDIVISION LIES WITHIN THE E.T.J. OF THE CITY OF BELLTON, BELL COUNTY, TEXAS, AND SHALL BE SUBJECT TO ALL REQUIREMENTS OF THE PLATTING ORDINANCE OF THE CITY OF

WITNESS MY HAND AND SEAL THIS THE _____ DAY OF _____

STATE OF TEXAS COUNTY OF BELL

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SECRETARY

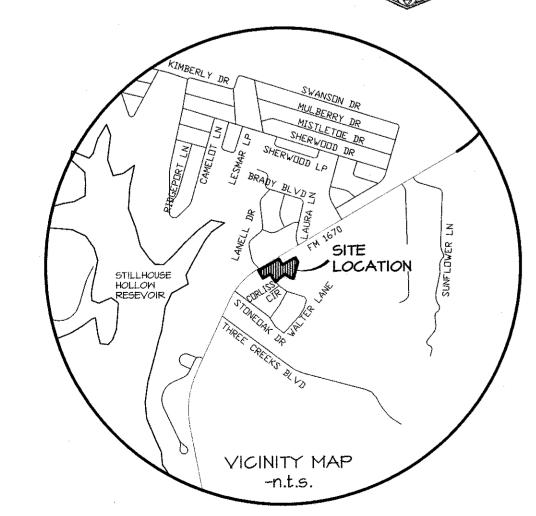
STATE OF TEXAS

COUNTY OF BELL

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CHARLES C. LUCKO, R.P.L.S.

CHARLES C. LUCKO 4636



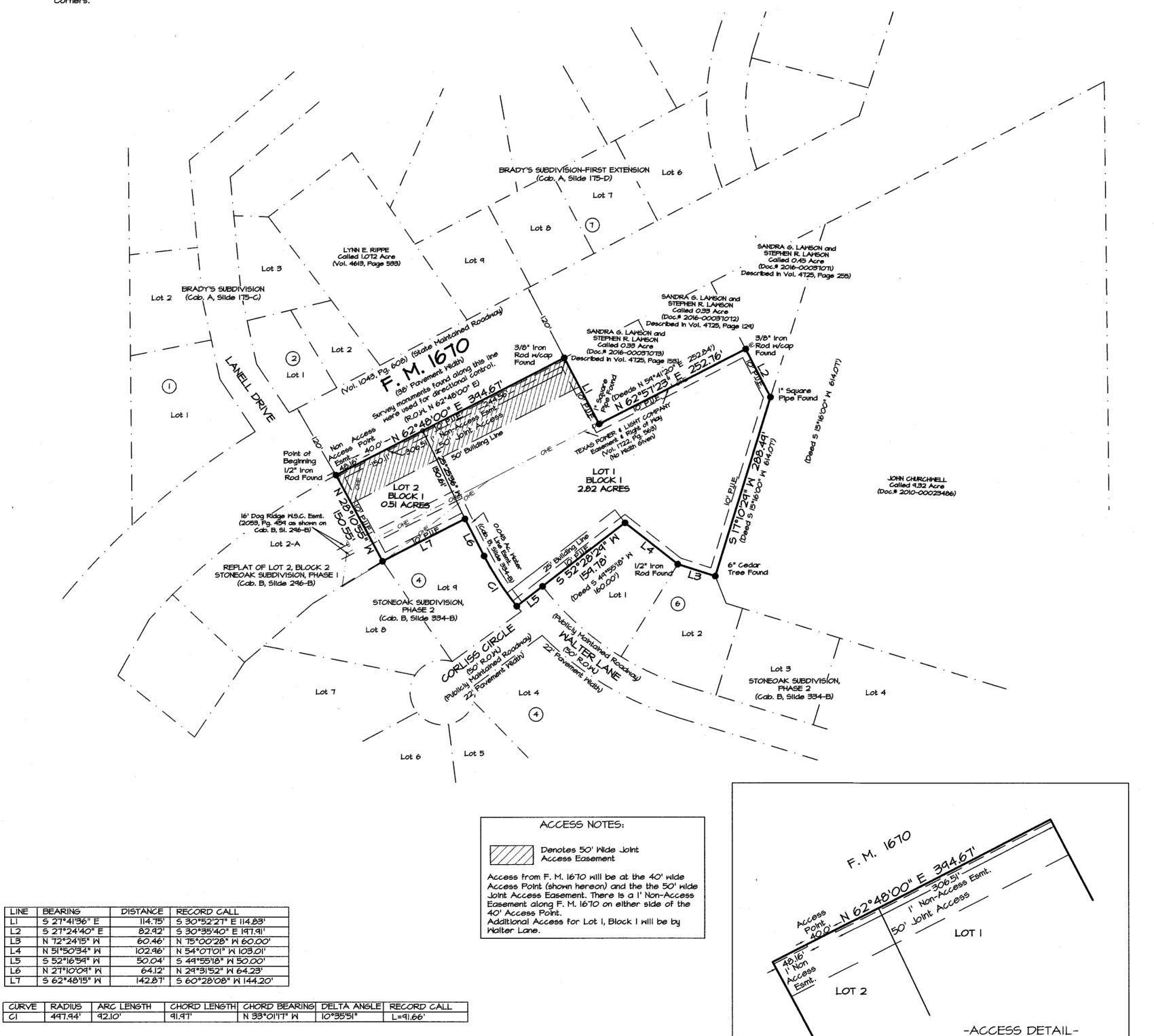
FINAL PLAT OF HEINE ADDITION



Denotes 为" Iron Rod Found,

A SUBDIVISION WITHIN THE E.T.J. OF THE CITY OF BELTON, BELL COUNTY, TEXAS, BEING 3.33 ACRES SITUATED IN THE JOHN LEWIS SURVEY, ABSTRACT No. 512, BELL COUNTY, TEXAS,

Denotes %" Iron rods with "ACS" caps will be set at all interior Lot



OWNERS:

BRUCE PETERSON 3615 FM 1670 BELTON, TX 76513 LOTS - 2 BLOCKS - I 3.33 ACRES

I hereby certify that this plat was approved this the _____ day of _____, 2018, by the Bell County Commissioners Court and may be filed for record in the Plat Records of Bell County, Texas.

County Judge

Notary Public, State of Texas

BELL COUNTY

PUBLIC HEALTH DISTRICT CERTIFICATE

THE BELL COUNTY PUBLIC HEALTH DISTRICT, THE LICENSING AUTHORITY FOR AN ON-SITE SEWAGE DISPOSAL IN BELL COUNTY, TEXAS, HEREBY CERTIFIES THAT THIS SUBDIVISION MEETS OR EXCEEDS THE MINIMUM STANDARDS ESTABLISHED BY THE BELL COUNTY BOARD OF HEALTH.

SANITARIAN

BY THIS PLAT.

THE TAX APPRAISAL DISTRICT OF BELL COUNTY, THE TAXING AUTHORITY FOR ALL TAXING ENTITIES IN BELL COUNTY, TEXAS, DOES HEREBY CERTIFY THAT THERE ARE CURRENTLY NO DELINQUENT TAXES DUE OR OWING ON THE PROPERTY DESCRIBED

DATED THIS THE _____ DAY OF ___

BELL COUNTY TAX APPRAISAL DISTRICT

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By: Dirk Aaron

General Manage Clearwater Underground Water Conservation District

WITNESS MY HAND THIS _____

NOTARY PUBLIC, STATE OF TEXAS

BELL COUNTY PLAT NOTE: VARIANCE REQUEST: A variance is being requested to the Bell County Subdivision Regulations A5-(Minimum 50' of direct access to a public roadway) due to TxDot regulations minimum driveway spacing along State Maintained

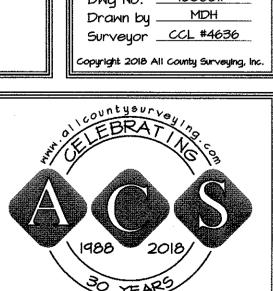
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FLOOD PLAIN NOTE:

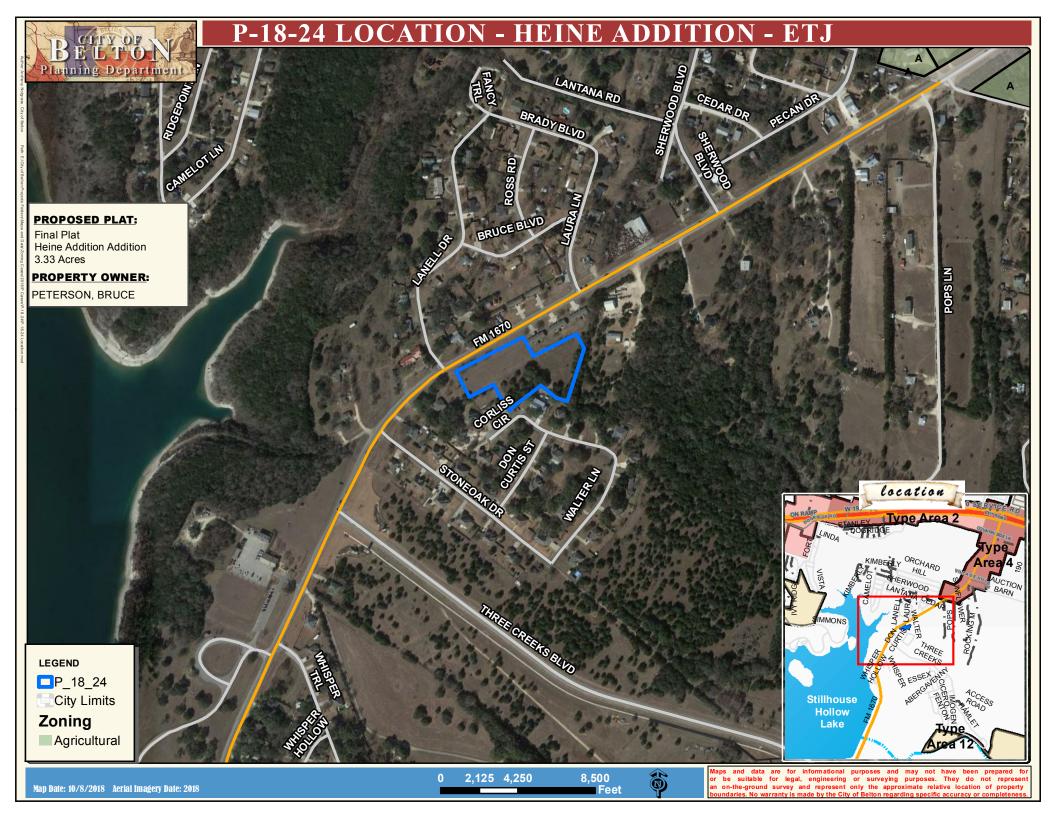
BASED UPON WHAT CAN BE SCALED FROM THE GRAPHICS SHOWN ON F.E.M.A FLOOD INSURANCE RATE MAP (FIRM), MAP NO. 48027C0325E, EFFECTIVE DATE SEPTEMBER 26, 2008, THE ABOVE SHOWN PROPERTY APPEARS WITHIN "ZONE X" (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN). THIS FLOOD STATEMENT DOES NOT IMPLY THAT THIS TRACT WILL NEVER FLOOD, NOR DOES IT CREATE ANY LIABILITY IN SUCH EVENT ON THE PART OF THIS SURVEYOR OR COMPANY.

FILED FOR RECORD THIS ______ DAY OF ______, 2018. IN YEAR _____, PLAT # ____, PLAT RECORDS OF BELL COUNTY, TEXAS. DEDICATION INSTRUMENT #____ ___ OFFICIAL PUBLIC RECORDS OF REAL PROPERTY, BELL COUNTY, TEXAS.



Tx. Firm No. 10023600 1303 South 5th Street Temple, Texas 76502 254-778-2272 Killeen 254-634-4636 Fax 254-774-7608

Plot Date: 11-21-2018 compléted <u>08-28-2018</u> Scale: | | " = 100" Job No. <u>180681</u> Dwg No. 180681P







November 7, 2018

City of Belton Planning Department 333 Water Street Belton, Texas 76513

ATTN: Cheryl Maxwell, Planning Director

Re: Request for "Fire Protection Waiver" – Heine Addition (ETJ)

Dear Ms. Maxwell:

This letter is in response to your comments dated October 24, 2018.

We are working through the comments, and under the category of "Fire Dept": Fire flows must meet 100 gpm per the Fire Code, it is herby desired by applicant to be allowed a "Fire Protection Waiver".

Dog Ridge Water Supply Corporation supplies the water for this area and does not have the capability to provide the required 1000 gallon per minute flow to meet the City of Belton's fire flow ordinance. There are no existing fire hydrants in the area and to update the water system to obtain the required flow would be very costly.

Thanks for granting this waiver, and as applicant, I wish to thank you in advance.

Respectfully,

Regards,

Charles C. Lucko, RPLS

Pres, All County Surveying, Inc.

5330 South 5th Street

Temple, TX 76502

254.778.2272

f 254.774.7608



October 8, 2018

City of Belton 333 Water Street Belton, Texas 76513 ATTN: Cheryl Maxwell, Planning Director

Re: Request for "Parkland Dedication/Fee Variance" - Heine Addition

Dear Ms. MAXWELL:

This letter is in response to your HEINE ADDITION comments, dated 09-14-18.

We are working through the comments and under item 15, it is herby desired by applicant to be allowed a "Parkland Dedication/Fee Variance".

This area is being developed into four (4) lots, a small addition in the ETJ of Belton, nearer Stillhouse Hollow Lake recreational areas than the City of Belton.

Thanks for granting this waiver, and as applicant, I wish to thank you in advance.

Respectfully,

Regards,

Charles C. Lucko, RPLS

pres, All County Surveying, Inc.

Dog Ridge Water Supply Co.

Lafonda Wilsey, General Manager P.O. BOX 232 • 7480 FM 2410 • Belton, TX 76513 Phone: (254) 939-6533 • Fax (254) 939-3620



Website: www.dogridgewsc.com

November 13, 2018

All County Surveying 1303 South 21st Street Temple, Texas 76504

RE: Heine Addition - FM 1670

To Whom It May Concern:

Regarding the proposed development location on FM 1670, Dog Ridge WSC currently can provide domestic water service to this location with an existing six inch main that fronts the property and an existing four inch main at the back of the property.

In order to meet the City of Belton fire flow requirements one of the following will be required:

- a. Install a fire hydrant on the existing six inch water main, this will allow an estimated fire flow of 300-400 gallons per minute
- Install a fire hydrant on the existing eight inch main located within 500' of the property, this will allow an estimated fire flow of 800+ gallons per minute
- c. Extend the eight inch main approximately 400' to the property and install a fire hydrant, this will allow an estimated 800+ fire flow of 800+ gallons per minute

Any and all upgrade costs to meet the City's requirements are the responsibility of the developer. Upgrades are to be done through Dog Ridge WSC and will be overseen and inspected by Dog Ridge WSC to assure that it meets the proper requirements and standards.

Sincerely,

Lafonda Wilsey, General Manager

afonda Wilsey

Dog Ridge WSC

Office Phone: 254.939.6533

Cell: 254.721.0401

Email: <u>lafonda@dogridgewsc.com</u>



City of Belton

Planning Department

November 16, 2018

Applicant: ACS-CHUCK LUCKO / BRUCE PETERSON

Date Submitted:

09-14-18

2nd Submittal:

10-08-18

3rd Submittal:

11-09-18

4th Submittal: 11-16-18

Project: HEINE ADDITION ETJ Location: 3.33 ACRES FM 1670

Please comment back in red under the comments submitted on this sheet.

PLANNING - Cheryl Maxwell - CMaxwell@BeltonTexas.gov:

No additional comments.

PUBLIC WORKS/KPA - Angellia Points, APoints@BeltonTexas.gov:

No comments at this time.

BUILDING OFFICIAL - Bruce Ebbert, BEbbert@BeltonTexas.gov:

No comments at this time.

FIRE DEPT - Jeff Booker, JBooker@BeltonTexas.gov:

Fire hydrant required on the 8" water line for tank filling purposes.

POLICE DEPT - Chief Gene Ellis, GEllis@BeltonTexas.gov:

No comments.

GIS - Anthony Notgrass, ANotgrass@BeltonTexas.gov:

No further comments.

BELL COUNTY - Stephen Eubanks, Stphen. Eubanks@bellcounty.texas.gov:

Please see the attached letter.

Juiside Utility Provider Comments	
Oncor:	
□ AT&T:	
Atmos Energy: In agreement with proposed plat.	
Charter Communications:	
Grande Communications:	
Spectrum (Time Warner):	
USPS:	
Clearwater UCD:	
☐ TXDOT:	

Note: Acceptance by the City of Belton of a plat, zoning change, conceptual drawing, construction drawing, or other development submittal complying with City of Belton minimum standards for drainage does not provide approval beyond what the City may authorize. Approval is limited, and this approval does not limit any obligations you may have under applicable state statutes, such as the Texas Water Code, or federal statutes. You should consult with your own professionals as you continue to pursue this development project.

BRYAN NEAVES, P. E.

November 9, 2018

(254) 933-5275

Fax (254) 933-5276

Mr. Charles Lucko, RPLS. All County Surveying 1303 South 21st Street Temple, Texas 76504

Re: Heine Addition, City of Belton ETJ

Chuck,

After reviewing the Final Plat submitted by your office on November 9, 2018 the following are the County's comments:

Subdivision Regulations:

• <u>204.11- Restrictions</u>- Provide a copy of any existing or proposed restrictions or covenants that may apply to the proposed subdivision or confirm there are no restrictions intended.

• <u>A5- Access</u>- Please revise the Access Note shown to state the correct subdivision block. (1 vs. 4)

 <u>A5- Access- Please include a plat note indicating a variance regarding 50' of direct access</u> for each lot is being requested based on current TxDOT regulations regarding driveway spacing.

volume 18- Clerk's approval block- revise the date shown in the Clerk's approval block. (2017)

· Address all City of Belton comments.

Sincerely,

Steve Eubanks Engineering Technician Bell County Engineers Office

Minutes of the **Planning and Zoning Commission (P&ZC)**

City of Belton 333 Water Street Tuesday, November 20, 2018

The Planning and Zoning Commission met at 5:30 P.M. in the Wright Room at the Harris Community Center. The following members were present: Chair Brett Baggerly, David Jarratt, Lewis Simms, Ty Hendrick, Dave Covington, Stephanie O'Banion and Michael Pressley. The following staff members were present: Director of Planning Cheryl Maxwell, Planner Kelly Atkinson, IT Ryan Brown and Planning Clerk Laura Livingston. Board members DJ Fuller and Allison Turner were absent.

4. P-18-24 Consider a final plat of Heine Addition, comprising 3.33 acres, located on the east side of FM 1670, near its intersection with Lanell Drive, in Belton's ETJ.

Ms. Maxwell present the staff report (Exhibit B).

Chair Baggerly asked about Ms. Maxwell's discussion of a compromise over the fire hydrant. Does the developer agree with that compromise? Ms. Maxwell said she doesn't believe so, but he is present at the meeting so she invited him to speak to the Commission.

Mr. Darwin Heine, 3545 Water Lane, said he is purchasing this property. He showed the Commission where he lives on the map. He said he and his wife enjoy their back porch, and along the frontage road there are three unattractive duplexes; there are trees behind the lot that block the view from the porch. They have said, 'who owns this land? They would hate to see someone come in and cut down those trees, and build something ugly out there that we would have to stare at it.' Mr. Heine said it would depreciate the value of their house. He contacted his neighbor, Mr. Peterson, and told him he did not want to build anything. He just wants to make sure no one else goes in there and ruins the value of their land, he said. The proposal is to turn it into four lots and zone it Residential, yet he has no intention of building anything back there, he said. This came about because Mr. Peterson wants to keep Lot 4 since his house is next to it. The law is if you have less than 10 acres and you want to subdivide then you must plat, so Mr. Heine joked that in his infinite wisdom, he would draw in four lots and then Mr. Peterson would keep one, so that's what he did and jumped through all the hurdles. The only access will be through Mr. Peterson's lot. The only improvement he will make is to plant trees back behind the duplexes. He said he certainly understands safety but he doesn't understand why the hydrant is required if he does not plan to build anything. The cost is very high, he said, to plat and install the fire hydrant. He asked if there was any way to postpone the fire hydrant until the day comes when someone wants to building something? It would make sense if someone is building something, but as long as nothing is changing... except for adding a few trees, it doesn't make sense, he said.

Chair Baggerly said the quandary they have is that once they make this alteration, then we don't know what happens after that, say if he wants to sell the property tomorrow and someone wants to build. Ms. Maxwell said that is correct and to clarify, this property is located in Belton's ETJ so there is not a requirement for building permits. If it were inside city limits, the building permits would be an acceptable way to catch it and require a fire hydrant at that time, but in the ETJ we don't have that leverage. Ms. Maxwell said she does not know how they would become aware if someone is building on that property and to then require a fire hydrant, or what authority the City would have. If you moved forward, then the fire hydrant would have to be in place before they signed off on the plat because that is the only leverage we have to ensure the fire hydrant is installed.

Mr. Covington asked the location of the duplexes? Mr. Heine described the location. Mr. Hendrick asked about the Stillhouse Volunteer Fire Department location, which is nearby. Ms. Maxwell said they are no longer a functioning department. Mr. Pressley said they have shut down. Ms. Maxwell checked with Belton's Fire Department staff and they confirmed they have disbanded. There was a conversation between Ms. Maxwell and Mr. Heine about who would respond to a fire call and it would likely be the Nolanville Fire Department or Belton, whoever arrived first.

Ms. Maxwell asked Mr. Heine, if he is only needing to subdivide the one lot to his neighbor, why not keep the other property as its own lot (two lots in all)? The concern for fire protection is greater when the property was proposed to be divided into four lots; also the fact that the lines are available to support a hydrant, Ms. Maxwell said.

Mr. Heine said he did not have any reason to make it four lots and that he would make it two lots just as well. He said he truly will not build, but he knows there is concern about that and the future of that land. Mr. Covington said yes, and that's what the Commission must consider. Mr. Covington said he understands his approach and he is sympathetic to that. The Commission must consider if it was sold tomorrow and someone slaps a bunch of houses in there; that's just part of their job on the Commission. Mr. Covington asked if he was willing to make Lot 4, which your neighbor wants to retain, and combine Lots 1, 2 and 3 into a single lot that Mr. Heine would keep?

Sure, Mr. Heine said.

We just came to a solution, Chair Baggerly said. And then you don't need a fire hydrant, Mr. Covington said. Great, I'm good with that, Mr. Heine said. Ms. Maxwell said it would still be a variance you would have to approve, with two homes at risk instead of four homes.

Mr. Heine asked if his children wants to sell the lots, does it then have to be re-platted? Chair Baggerly said yes, if they want four lots.

Mr. Fuller asked about the division of the property and if the platting is necessary. Mr. Covington explained all four lots are one at this point in time, so a parcel must be broken off for Mr. Heine's neighbor to retain.

Ms. Maxwell said any division that is less than 5 acres must be included in a plat so no parcel could be left outside of the boundaries.

Chair Baggerly asked, in this situation do we table this item, or do we take a vote on this item?

Ms. Maxwell said she wasn't sure how much is involved to change it from a four-lot subdivision to a two-lot subdivision, though she did believe it could be fairly simple, so the Commission could recommend approval without the fire hydrant subject to this being redrawn to a two-lot subdivision.

Ms. O'Banion made a motion to approve P-18-24 pending the change from a four-lot subdivision to a two-lot subdivision with the variance for the fire hydrant/minimum water flow and the parkland fee, which would decrease to \$400, Ms. Maxwell added. Mr. Covington seconded the motion. The motion was approved with 7 ayes, 0 nays.

Staff Report – City Council Agenda Item



Agenda Item #7

Consider a resolution adopting the Historic Placard Program.

Originating Department

Planning – Kelly Trietsch Atkinson, Planner / Historic Preservation Officer

Summary Information

The Historic Placard Program is being implemented to establish uniform criteria and procedures for the placement of historical markers in the City of Belton, sharing the stories of our past in an easily identifiable and understandable format. Proposed placards should generally meet one of the following criteria:

- 1. To commemorate local history, places, events or culture;
- 2. To strengthen historic district identity;
- 3. To recognize natural features that are historically relevant to the City of Belton; and
- 4. To recognize persons, places or events of state or national significance

This program is intended to create points of interest related to general local history within the City of Belton and to help educate the public about local history. Every effort will be taken to ensure that existing State or National markers throughout the City previously designated as historical places, events or culture are not contradicted or duplicated.

The new placards will be similar in design, shape, and size to existing informational placards found along the Nolan Creek Hike and Bike Trail.

Fiscal Impact

None. These signs are funded through donations and fundraising events organized by the Hamburger King Appreciation Society.

Recommendation

The Historic Preservation Commission met on November 15th and unanimously recommended adoption of the Historic Placard Program, and Staff concurs with their recommendation.

Attachments Letter of recommendation from Historic Preservation Commission Historic Preservation Commission meeting minutes – November 15, 2018 Historic Placard Program Outline Historic Placard Application Historic Placard Research Checklist Resolution



City of Belton ~ Founded 1850 ~

November 15, 2018

Mayor Marion Grayson City of Belton P.O. Box 120 Belton, Texas 76513

Dear Mayor Grayson:

On behalf of the Historic Preservation Commission, I am pleased to support the proposed Historic Placard Program.

The Historic Preservation Commission recognizes the importance of the protection, enhancement, and preservation of landmarks and districts of architectural, archaeological, cultural, and historic significance to promote the economic, cultural, educational, and general welfare of the public. In the past, the Commission has had a strong focus on the architectural elements of significance found throughout the City of Belton, yet the Commission is also increasingly interested in other historical elements such as noteworthy persons, places or events of local, state, or national significance.

The implementation of this new program will establish uniform criteria and procedures for the placement of informational placards focused on the stories of Belton's past. The Historic Placard Program will create points of interest related to local history and help to educate the public about local people, places, and events.

This program is separate from the federal inventory of historic properties (National Register of Historic Places), from the state marker program (Official Texas Historic Markers), and separate from the City of Belton Local Landmark designation program and is intended to identify and preserve as much information as possible about the history of our city for future generations.

Thank you for considering the above recommendation of the Historic Preservation Commission.

Sincerely,

Sheila Donahue, Chair

City of Belton, Historic Preservation Commission

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Minutes of the **Historic Preservation Commission (HPC)**

City of Belton 333 Water Street Thursday, November 15, 2018

The Historic Preservation Commission met at 5:02 P.M. in the Wright Room at the Harris Community Center. The following members were present: Chair Sheila Donahue, Dorothy Coppin, Tammie Baggerly, Diane Pressley and Barrett Covington. The following staff members were present: Director of Planning Cheryl Maxwell, Planner and HPC Officer Kelly Atkinson, and Planning Clerk Laura Livingston.

3. Consider and take appropriate action on a recommendation to City Council regarding adoption of the Historic Placard Program.

Ms. Maxwell introduced the item as Ms. Atkinson arrived at 5:04 p.m. Ms. Atkinson presented a slideshow and overview of the program. (Exhibit A).

With no questions from the Commission, Chair Donahue entertained a motion. Ms. Baggerly made a motion to approve the letter of support (Exhibit B). Mr. Covington seconded the motion. The item was approved with 5 ayes, 0 nays.



Historic Placard Program

Adopted XXX XX, 20XX

I. PURPOSE

The implementation of this program is to establish uniform criteria and procedures for the placement of historical markers in the City of Belton, sharing the stories of our past in an easily identifiable and understandable format. Proposed placards should generally meet one of the following criteria:

- 1. To commemorate local history, places, events or culture;
- 2. To strengthen historic district identity;
- 3. To recognize natural features that are historically relevant to the City of Belton;
- 4. To recognize persons, places or events of state or national significance.

Careful consideration should be given to the selection of informational materials used for the placement of historic placards. The language should be an objective reciting of historically documented facts. The following shall not be permitted:

- 1. Placards with material which could be considered discriminatory or derogatory, or that express a particular political affiliation; and
- 2. Placards that could be considered advertising and are not monuments.

This program is intended to create points of interest related to general local history within the City of Belton and to help educate the public about local history. Every effort should be taken to ensure that existing state or national markers throughout the city previously designated as historical places, events or culture are not contradicted or duplicated.

II. EXPENDITURES

The cost of the placard, to include installation, will be funded by a combination of resources provided by the applicant, the City of Belton and Friends of the Historic Placard Program. Any subsequent repairs or replacements, shall be the responsibility of the person(s), group or organization submitting the application for the nomination. The Director of Planning or his/her designee shall be responsible to calculate the cost of materials and production of the proposed placard and provide the amount of these cost to the applicant and the Friends of the Historic Placard Program fund to be used toward the placard program.

III. CRITERIA FOR CONSIDERATION

The City of Belton encourages applications on subjects of historically significant places, people and events in Belton history. Historical markers are not monuments, insomuch that language on the marker that departs in any way from objective recounting of historically documented facts will not be approved. Markers that recognize people are typically considered when the person has been deceased more than 25 years. Markers recognizing events are considered only when the event took place at least 25 years prior to the application submittal. Buildings, sites or other structures should be at least 50 years old to be considered.

When preparing the physical description of a structure, provide a full description of the property as it appears today and as it appeared historically. Note the date of construction, architectural style, construction materials and any distinguishing features. Dates of ownership by the first and/or significant owners should be included along with the occupation of the owner and contribution to social history of Belton's community. If the name of the architect, builder or contractor is known, this will be included on the placard. Major architectural changes to the building are important.

The statement should provide specific information of the significance of the event, person, place, or architectural style. If the statement is written for a structure, information should identify the historic function of the property. It is important that dates and names are accurate.

The source of the information must be recorded and noted on the application. All applications should be supported by reference to evidence, such as published books, manuscripts, historic photographs, newspapers, deed records, Sanborn insurance maps and resources from the Bell County Museum or other repositories. For a structure, please include color photographs of the current building with the application.

IV. APPLICATION PROCESS

- A. An application should be filed with the Planning Department located at City Hall, 333 Water Street, Belton, Texas 76513 or mailed to P.O. Box 120, Belton, Texas 76513. Once the application is received, please allow 60 days for review. Even if an application is accepted as complete, staff may need additional information to complete the review process. The Historic Preservation Commission will review applications in the order they are received.
- B. The application shall include the following:
 - 1. Name and contact information of the applicant;
 - 2. Nomination information including:
 - a. Detailed description of nominee;
 - b. Justification for the designation as a local historical element;

- c. The proposed location of the placard with details of placement and a site map indicating the proposed location;
- d. Note: The applicant will have input in the specific wording and overall design of the proposed placard, to be placed on a standard placard template.
- 3. Name and contact information of the owner of the proposed placard site;
- 4. Owner signature of approval and applicant signature if different from owner.

This process is not intended to be burdensome to the applicant, but to identify and preserve as much information as possible about the history of our city for future generations. It is also important to note that the Belton Historic Placard Program is separate from the federal inventory of historic properties (National Register of Historic Places), from the state marker program (Official Texas Historic Markers), and separate from the City of Belton Local Landmark designation program.

V. APPROVAL PROCESS

The Historic Preservation Commission (HPC) preserves, protects, and promotes the City of Belton's historic resources through preservation, public education, community partnerships and heritage tourism. Its preservation responsibilities include issuing Certificates of Appropriateness for proposed changes to historic properties and making recommendations for historic designations and historic policy and programs to the City Council.

The historic placard application will be reviewed by staff, who will then provide a staff report to the Friends of the Historic Placard Program reviewing committee. Once the application has been reviewed and any suggestions/changes are settled among the committee and applicant, the application will be presented to the HPC, which consists of board members appointed by City Council. Staff will distribute copies of the application and supporting documentation submitted by the applicant to the HPC for review. It is recommended the applicant(s) attend the HPC meeting to answer any questions posed by the Commission. The placard text will be reviewed and finalized by staff with consideration by the HPC and Friends of the Historic Placard Program of any suggestions or edits.

The review of applications will be based on availability of the reviewing committee with respect also to City staff time and workload. This process can take between six and 12 months from submission, to approval, to ground-breaking.

The applicant should be aware that for staff to place an application on the agenda of a board meeting, the application must be in the hands of the Planning Department several months in advance. The application deadlines shown below allow time for staff to evaluate each placard in consultation with the editorial and advisory committee and revise the placard text, as necessary, prior to submitting the proposed placard text to the HPC. (Please note

that the schedule for presenting a placard to the board also is affected by variable factors such as staff work load, other agency projects, and the number of placards under consideration at any one time.)

Here is the schedule of deadlines for each quarterly HPC meeting:

- For the March HPC meeting, the placard application deadline is December 1.
- For the June HPC meeting, deadline is March 1.
- For the September HPC meeting, deadline is June 1.
- For the December HPC meeting, deadline is September 1.

VI. POST APPROVAL PROCEDURE

Once the application has been approved by the HPC, the applicant will then receive the approved sign design with the cost for production of the placard and the installation.

Applications are either approved, conditionally approved or disapproved. A conditionally approved application is one approved contingent on changes requested by the HPC. Disapproved applications may be encouraged by the HPC to revise and resubmit with specific changes or more research. The HPC may encourage the applicant to work with City staff on the application and revised submissions.

Following approval, "sponsors" or the persons/organization responsible for the placard application will finalize the project with City staff, including the text and overall placard design, and once these items are complete, a dedication ceremony is scheduled. This process can take between six and 12 months to complete.

The price of a new placard is processed through the Planning Department. The City will contact the applicant when the placard is ready to be installed if you're interested in arranging a ceremony or taking photos.

For additional information, please contact the City of Belton Planning Department by phone at 254-933-5812 or by email at Planning@BeltonTexas.gov.



Historic Placard Program Application for Nomination

			DATE:	
Applicant Contact Informa	ation:			
NAME:				
ADDRESS:				
PHONE:		EMAIL:		
Nomination Information:				
NOMINEE FOR DESIGNATION	ON:			
JUSTIFICATION FOR DESIGNATION AS A LOCAL HISTORICAL ELEMENT (include all pertinent information concerning the nominee):				
PROPOSED LOCATION OF PLACARD (specific information and a site map required):				
SPECIFIC WORDING PROPOSED FOR PLACARD: ***Please Attach to Application***				
Owner of Proposed Placard Site: NAME:				
	ADDRESS:			
PHONE: EMAIL:				
OWNER SIGNATURE OF APPROVAL:				
The undersigned applicant approval process governing	t acknowledges and agrees g the City of Belton Histori		application process, and	
Signature of Applicant: Date:				
Date Received	Received By	Complete	Review By Date	



Historic Placard Program: Research Checklist

TS:
Background information on the cause of the event Date of event or beginning and end dates Location of the event including current site information Key participants with relevant information, including birth and death dates Dialogue of the local, state, and national impacts and effects of the event Organizational or institutional associations Remaining physical reminders from the event
CTURES:
Historical name (if applicable) and any available background information about the name The location of the structure by address or GPS coordinates Date of construction and construction history (building materials, materials origin, façade alterations, major renovations, etc.) Architect with supporting biographical information Original owner, subsequent owners, tenants. Any available information including: • Names • Vital dates and dates of occupancy • Names of who made significant alterations to the structure with dates of alterations
LE:
Full name and any nicknames Birth and death dates Location of birth, death and burial Places of residence Family information, such as parents, spouse(s), children, along with biographical information; include vital dates (births, marriage, death, etc.) Education information Occupation/career information Military service (if applicable) Public service Civic activities Religious affiliation and activities Organizational affiliations Significant achievements/honors/awards

RESOLUTION NO. 2018-25-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELTON, TEXAS, ESTABLISHING THE HISTORIC PLACARD PROGRAM.

WHEREAS, the Historic Preservation Commission has worked with Staff to develop a policy regarding the placement of informational placards focused on local history in the City of Belton and to establish uniform criteria and procedures, applicable to all persons, groups, firms and agencies, for the placement of these placards; and

WHEREAS, it is in the City's best interest to establish a program to ensure uniform criteria and procedures for the placement of informational placards focused on the stories of Belton's past; and

WHEREAS, at times it is appropriate to honor people, places, or events having made a significant impact on the quality of life within the City, and/or events of significance to the City's history by installing informational placards; and

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

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

- <u>Part 1:</u> That the guidelines indicated in the City of Belton Historic Placard Program shall hereby be employed in the creation of the placards.
- **Part 2:** That this resolution shall become effective immediately from and after its passage.
- <u>Part 3:</u> 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 this the 27th day of November, 2018 by the City Council of the City of Belton, Texas.

	THE CITY OF BELTON, TEXAS
ATTEST:	Marion Grayson, Mayor
Amv M. Casev. Citv Clerk	_

Staff Report – City Council Agenda Item



Agenda Item #8

Consider adopting a medallion design for the Local Historic Landmark Designation.

Originating Department

Planning – Kelly Trietsch Atkinson, Planner / Historic Preservation Officer

Summary Information

The Historic Preservation Ordinance (2012-18) identifies the process the Commission shall use to designate Historic Districts and Properties. This process was used to establish the Historic Districts currently recognized by the City of Belton. The Commission is tasked to evaluate properties using the standards outlined in the National Register Bulletin No. 15, How to Apply the National Register Criteria for Evaluation, published by the National Park Service to help determine the eligibility of a structure to be listed as a designated historic landmark. There are several benefits of extending this overlay to a property including, but not limited to, the opportunity to apply for the tax exemption program, protections granted by the review authority of the Historic Preservation Commission, access to resources through the Texas Historical Commission, and access to other resources for designated properties. The overall intent of the Local Historic Landmark designation program is to help designate and protect historic resources located outside the boundaries of a Historic District.

This program has already been adopted through the Historic Preservation Ordinance and is ready to be implemented. Staff has worked with the Historic Preservation Commission to create a medallion design to identify designated local landmarks.

Several images were considered in the search for a unique design for Belton's local landmark medallion. The options were quickly narrowed down to the Belton Standpipe and one of the large trees found on the property. The standpipe is an historic structure constructed in approximately 1913, and it represents the ingenuity and forward thinking of Beltonians. The large, mature tree is a reflection of the deep respect and appreciation for the local natural resources found throughout the City.

At the Historic Preservation Commission meeting held on November 15th, 2018, the Commission unanimously voted to submit a formal recommendation to the City Council for the approval of the proposed Local Historic Landmark medallion design.

Fiscal Impact

The medallions are estimated to cost approximately \$450 each. A grant application has been submitted to the Bell County Historical Commission to establish funds for the first three medallions.

Recommendation

Recommend adoption of the proposed Local Historic Landmark medallion design.

Attachments

Letter of recommendation from Historic Preservation Commission
Historic Preservation Commission meeting minutes – November 15, 2018
Historic Landmark Designation Application
Proposed Local Historic Landmark medallion design
Historic Landmark – Potential Landmark Properties



City of Belton ~ Founded 1850 ~

November 15, 2018

Mayor Marion Grayson City of Belton P.O. Box 120 Belton, Texas 76513

Dear Mayor Grayson:

On behalf of the Historic Preservation Commission, I am pleased to support the attached proposed design for the City of Belton's Local Historic Landmark medallion.

In 2012, the Heritage Preservation Board and Planning and Zoning Commission recommended, and City Council approved Ordinance 2012-18, which established Section 29 of the Zoning Ordinance entitled "Historic Preservation Overlay District", and provided a process for the designation of historic properties. Following the establishment of the Historic Preservation Overlay District, 5 local historic districts were established. The buildings located within the boundaries of these local historic districts are now protected by and subject to all of the provisions of the ordinance governing alterations, demolition, and minimum maintenance standards.

As you are aware, the City of Belton has several buildings located outside of the established local historic districts which hold historical, architectural, or cultural significance. The City of Belton Historic Landmark Designation application process is in place to designate eligible properties as local landmarks and extend the benefits and responsibilities of the Historic Preservation Overlay zoning to these properties. Since the implementation of the 2012 Belton Historic Preservation Ordinance, no individual properties have been designated as local historic landmarks.

It is in the best interest of the City to designate a medallion design for local landmarks, and to have these available to property owners wishing to designate their properties. The Commission recommends the proposed design including the Belton Standpipe and tree. The Standpipe is a historic structure of significance and symbolizes the ingenuity and forward thinking of Beltonians, and the tree is a reflection of the deep respect and appreciation for the local natural resources that surround us.

Thank you for considering the above recommendation of the Historic Preservation Commission.

Sincerely

Sheila Donahue, Chair

City of Belton, Historic Preservation Commission

Minutes of the **Historic Preservation Commission (HPC)**

City of Belton 333 Water Street Thursday, November 15, 2018

The Historic Preservation Commission met at 5:02 P.M. in the Wright Room at the Harris Community Center. The following members were present: Chair Sheila Donahue, Dorothy Coppin, Tammie Baggerly, Diane Pressley and Barrett Covington. The following staff members were present: Director of Planning Cheryl Maxwell, Planner and HPC Officer Kelly Atkinson, and Planning Clerk Laura Livingston.

4. Consider and take appropriate action on a recommendation to City Council regarding adoption of the Local Historic Landmark medallion design.

Ms. Atkinson presented a slideshow and overview of the program and the proposed medallion design (Exhibit C).

With no questions from the Commission, Chair Donahue entertained a motion. Ms. Baggerly made a motion to submit a recommendation of the Local Historic Landmark medallion design to City Council. Ms. Coppin seconded the motion. The item was approved with 5 ayes, 0 nays.



City of Belton, Texas Planning Department

HISTORIC LANDMARK DESIGNATION APPLICATION

Please complete all information. Incomplete applications or those that have inadequate support after the filing deadline will be deemed to have not met the filing requirements and the application will not be processed. Applications must be made using this form. If you have questions or need help, please call the Planning Department at 254-933-5812.

To be completed by Plannii	ng Staff		
Date accepted as complete:	HPO F	ile Number:	
Accepted by:			
APPLICANT INFORMATION	N (please print)		
Name of person submitting petitions			
Address			
City	State	ZIP Code	
Daytime Phone	Email		
Signature		Date	
ADDRESS OF PROPOSED HISTORIC LANDMARK ATTACH REQUIRED DOCUMENTATION (see next page for explanation)			
■ Evidence of Support	•		
☐ Map			
Statement of Signification	nce		
☐ Inventory			
Photos			

City of Belton Historic Landmark Designation Application, continued

REQUIRED DOCUMENTATION

1) Support

Written evidence of support should include a letter signed by the owner(s) of the property that makes up the proposed historic landmark. If the property is owned by more than one person, only the signature of one owner is required.

2) Map

A map, indicating the boundaries of the proposed historic landmark, should follow the guidelines set forth below:

- Select boundaries to encompass but not exceed the extent of the significant resources and land areas comprising the property.
- Include all historic features of the property, but do not include buffer zones or acreage not directly contributing to the significance of the property.
- Exclude peripheral areas that no longer retain integrity due to alterations in physical conditions or setting caused by human forces, such as development, or natural forces, such as erosion.
- Include small areas that are disturbed or lack significance when they are completely surrounded by eligible resources. "Donut holes" are not allowed.
- Define a discontiguous property when large areas lacking eligible resources separate portions of the eligible resource.

3) Statement of Significance

A general description of the proposed historic landmark property should be submitted explaining its historical, architectural, or cultural significance. This documentation should address one or more of the criteria contained in the *City of Belton Historic Preservation Ordinance* No. 2012-18, Section 29.7, Criteria for Designation of Historic Properties or Districts, as follows:

- A. Association with events that have made a significant contribution to the broad patterns of our history.
- B. Association with the lives of persons significant in our past.
- C. Embodiment of the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction.
- D. Archaeological value, in the sense that the property has yielded, or may be likely to yield, information important in prehistory or history.

City of Belton Historic Landmark Designation Application, continued

Guidance for the application of these criteria may be found in the National Register of Historic Places Bulletin No. 15, *How to Apply the National Register Criteria for Evaluation*, available online from the National Park Service.

The Statement of Significance should include information such as:

- The origin/founding of the area in which the landmark is located
- Historical development of the area
- General trends in building practice
- Styles/influences of architecture, workmanship, materials, design
- Known architects/builders associated with the property
- Local patterns of history that the property represents
- Architectural, cultural or historical context
- Biographical details and significant contributions of individuals associated with the property

It is appropriate to include a general statement of historic context and to place the proposed historic landmark, and the people and/or events with whom it is associated, or its method of construction or architectural style, within that context.

5) Photos

Provide digital images of each building, structure, or object on the property that makes up the proposed historic landmark. Digital photographs must be taken with a camera of at least 2 megapixels of resolution. Please use the highest resolution setting available.

Rename each photograph using the following file-naming format. Use zeros as needed to create two-digit image numbers, as shown below.

Format:

Belton_(Year)_(Street Address)_(Image Number).jpg (or .tiff)

Example:

Belton 2013 404East9thAvenue 01.jpg

Submit digital photographs on a CD, DVD, or other media for permanent storage in City records.





CAST ALUMINUM, 12" MEDALLION, DOUBLE LINE BORDER, PEBBLED TEXTURE, SATIN FINISH, HIDDEN STUD MOUNT



136 Metropolitan Ave, 4A Brooklyn, New York 11249 718.283.4109 masterworkplaques.com APPROVED BY: ______

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INDIVIDUAL PROPERTIES

The following properties are individually listed on the National Register and/or have been designated as RTHLs and/or SALs.

Resource Name	Address	NR	RTHL	SAL
Bell County Courthouse	101 E. Central Ave.	\checkmark	\checkmark	\checkmark
Belton Standpipe	NW junction of SH 317 and IH-35	✓		
Luther Memorial	UMHB Campus		\checkmark	
Sanderford Log Cabin	Private property near FM 93 and Paddy Hamilton Rd.		✓	
SH-53 Bridge at the Leon River	FM 817	\checkmark		
Missouri, Kansas & Texas Railroad Bridge at the Leon River	Taylor's Valley Rd.	✓		
Belton Yarn Mill	805 E. 4th Ave.	\checkmark		
Wedemeyer House (Belton Academy)	404 E. 9th Ave.	✓	✓	
Capt. Andrew Jackson Harris House	1001 W. 10th Ave.	✓	✓	
V. R. Means House	609 E. 14th Ave.	\checkmark		
Mt. Zion United Methodist Church	218 Alexander St.	\checkmark		
Residence at 730 North Beal Street	730 N. Beal St.	✓		
James House	805 N. Beal St.	\checkmark		
James A. Ferguson House	1123 N. Beal St.	\checkmark		
William Beamer House	1202 S. Beal St.	\checkmark		
Joel Elliott House	716 College St.	\checkmark		
Walter J. Lee House	804 College St.	\checkmark		
Fellrath Building	126 N. East St.		\checkmark	
First United Methodist Church of Belton	205 N. East St.		✓	
Belton Farmer's Gin Co-op	219 S. East St., Building Four	\checkmark		
DEMOLISHED	402 N. East St.	✓		
Carnegie Public Library	201 N. Main St.	\checkmark	\checkmark	
Dr. Taylor Hudson House	324 N. Main St.	\checkmark		
Morey House	328 N. Main St.	\checkmark		
Miller-Curtis House/Curtis Mansion	1004 N. Main St.	\checkmark	\checkmark	

Resource Name	Address	NR	RTHL	SAL
Silas and Ellen Baggett House	1018 N. Main St.	\checkmark		
Ele Baggett House	1019 N. Main St.	\checkmark	\checkmark	
John P. Hammersmith House (aka Clark House) **	520 S. Main St.	✓	✓	
Muehlhause House	620 S. Main St.		\checkmark	
Early Bell County Jail	210 N. Pearl St.		\checkmark	
George and Martha McWhirter House	400 N. Pearl St.	✓		
H. A. and Helena Ware House	401 N. Pearl St.	\checkmark		
Gray Rental Houses	702 N. Pearl St.	\checkmark		
Gray Rental Houses	704 N. Pearl St.	\checkmark		
Gray Rental Houses	708 N. Pearl St.	\checkmark		
Cornelison House	1102 N. Pearl St.	\checkmark		
L. B. Kinchion House	702 S. Pearl St.	\checkmark		
Robert Naismith House (DEMO)	440 N. Penelope St.	✓		
James E. and Miriam Ferguson House	604 N. Penelope St.	✓		
First Christian Church Parsonage	608 N. Penelope St.	\checkmark		
F. K. and Mary Austin House	702 N. Penelope St.	\checkmark		
J. Z. Miller House	804 N. Penelope St.	\checkmark		
R. F. and Lena Burford House	920 N. Penelope St.	\checkmark		
Old St. Luke's Episcopal Church	438 N. Wall St.	\checkmark		
Arthur Potts House	445 N. Wall St.	\checkmark		
T. Hamp and Beulah Birdwell House **	503 N. Wall St.	✓		
Dr. Jacob Moore Frazier House	618 N. Wall St.	✓		
W. J. Venable House	426 N. Wall St. ✓			

^{**} Not in favor of an Historic District

Staff Report – City Council Agenda Item



Agenda Item #9

Hold a public hearing and consider an ordinance concerning the designation of the following tax abatement reinvestment zones:

- A. Re-designating Reinvestment Zone #7, the Belton Business Park, north of US Highway 190, generally west of Loop 121, and extending west to Wheat Road, totaling 191.66 acres; and
- B. Creation of New Reinvestment Zone #8 which includes a portion of the current Reinvestment Zone #8 and all of current Reinvestment Zone #11 (deleting the current Reinvestment Zones #8 and #11), generally described as the Belton Industrial Park at Loop 121, generally south of Sparta Road, east of Loop 121, and north of Crusader Way, totaling 90.46 acres; and
- C. Creation of New Reinvestment Zone #9 (incorporating the current Reinvestment #6 and deleting it as a separate RZ), generally described as the Salado Business Park at IH-35 and Goodway Drive, totaling 21.28 acres; and
- D. Creation of New Reinvestment Zone #12, portions of the former Rockwool Property, located along the north side of FM 93, and extending to the south side of the Leon River, totaling 56.35 acres.

Originating Department

Administration – Sam A. Listi, City Manager

Summary Information

The purpose of the public hearing is to receive public comment regarding the designation of several tax abatement reinvestment zones in the areas identified below:

<u>RZ #7:</u> The Belton Business Park, north of US Highway 190,

generally west of Loop 121, and extending west to

Wheat Road, totaling 191.66 acres.

RZ #8: The Belton Industrial Park at Loop 121, generally

south of Sparta Road, east of Loop 121, and north of

Crusader Way, totaling 90.46 acres.

RZ #9: The Salado Business Park at IH-35 and Goodway

Drive, totaling 21.28 acres.

City Council Agenda Item November 27, 2018 Page 1 of 3 Portions of the former Rockwool property, located along the north side of FM 93, and extending to the south side of the Leon River, totaling 56.35 acres.

These proposed zones provide additional tax abatement reinvestment zone boundaries within which tax abatement is an available economic development tool. Current locations available for consideration of property tax abatement include:

- Belton's Enterprise Zone (as designated by the U.S. Census Bureau); and
- Belton's Tax Increment Reinvestment Zone (TIRZ, as designated by Council), which includes the Downtown Development District.

Within eligible areas, a property tax abatement ordinance can be approved by the Council relatively quickly, after giving notice to Bell County. Non-eligible areas located outside a zone may still be considered as freestanding zones, but the process is elongated by at least two City Council meetings in order to comply with state law requirements.

BEDC Executive Director, Cynthia Hernandez, expressed support for designation, given the important incentive tool available with tax abatement.

Development or redevelopment of properties in these areas represent suitable candidates for tax abatement due to these factors:

- Development will enhance and expand the local Belton economy.
- Development will create new property tax value that will remain on the tax rolls after the tax abatement period.
- Development will increase or retain jobs.

Fiscal Impact

No immediate fiscal impact. Approval of ordinance allows future designation of tax abatement reinvestment zones by the City Council and Bell County Commissioner's Court only. Three properties within the proposed TARZ boundaries have ongoing tax abatements that will not be affected by this designation:

<u>Company</u>	Final Year of Tax Abatement	Proposed TARZ Boundary
1 Wire Penee	2020	7
1. Wire Ropes		7
2. Belltec	2022	8
3. TRU MH	2020	8

Recommendation

Recommend Council hold the public hearing and approve ordinance designating Tax Abatement Reinvestment Zones.

<u>Attachments</u>	
Attachments	
Proposed Ordinance	
Proposed Ordinance Maps	
	City Council Agenda Item
	City Council Agenda Item November 27, 2018 Page 3 of 3

ORDINANCE NO. 2018-40

AN ORDINANCE OF THE CITY OF BELTON, TEXAS, DESIGNATING CERTAIN AREAS AS TAX ABATEMENT REINVESTMENT ZONES FOR TAX ABATEMENT, ESTABLISHING THE BOUNDARIES THEREOF AND OTHER MATTERS RELATING THERETO; DECLARING FINDINGS OF FACT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

WHEREAS, the City Council of the City of Belton, Texas (the "City"), desires to promote the development or redevelopment of certain geographic areas within its jurisdiction by creation of reinvestment zones for industrial tax abatement, as authorized by Section 312.201 of the Texas Tax Code (hereinafter the "Code");

WHEREAS, by Resolution dated February 9, 1988, the City Council of the City of Belton stated its intention to consider granting tax abatement within the City;

WHEREAS, on January 23, 2018, the City Council of the City of Belton readopted Guidelines and Criteria (the "Criteria") governing tax abatement reinvestment zones and agreements within the City;

WHEREAS, the City Council of the City of Belton called a public hearing to discuss the designation of several Tax Abatement Reinvestment Zones before the City Council of the City of Belton at 5:30 p.m. on the 27th day of November, 2018, such date being at least seven (7) days after the date of publication of the notice of such public hearing;

WHEREAS, the City held such public hearing after publishing notice of such public hearing;

WHEREAS, the City at such hearing invited any interested person to appear and speak for or against the creation of the reinvestment zones, the boundaries of the proposed reinvestment zones, whether all or part of the territory described in the ordinance calling such public hearing should be included in such proposed reinvestment zones, the concept of tax abatement; and

WHEREAS, all interested persons were given every opportunity to present their views.

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

SECTION 1: That the facts and recitations contained in the preamble of this

ordinance are hereby found and declared to be true and correct;

- **SECTION 2:** The City, after conducting such hearings and having heard such evidence and testimony, has made the following findings and determinations based on the testimony presented to it;
- A. That a public hearing on the designation of the reinvestment zones has been properly called, held and conducted, and that notice of such hearings has been published as required by law;
- B. That the boundaries of the reinvestment zones (hereinafter "Reinvestment Zones") should be the areas generally described below, and shown on the attached map:
 - (1) Re-designating Reinvestment Zone #7, the Belton Business Park, north of US Highway 190, generally west of Loop 121, and extending west to Wheat Road, totaling 191.66 acres; and
 - (2) Creation of New Reinvestment Zone #8 which includes a portion of the current Reinvestment Zone #8 and all of current Reinvestment Zone #11 (deleting the current Reinvestment Zones #8 and #11), generally described as the Belton Industrial Park at Loop 121, generally south of Sparta Road, east of Loop 121, and north of Crusader Way, totaling 90.46 acres; and
 - (3) Creation of New Reinvestment Zone #9 (incorporating the current Reinvestment #6 and deleting it as a separate RZ), generally described as the Salado Business Park at IH-35 and Goodway Drive, totaling 21.28 acres; and
 - (4) Creation of New Reinvestment Zone #12, portions of the former Rockwool Property, located along the north side of FM 93, and extending to the south side of the Leon River, totaling 56.35 acres.
- C. That designation of these Reinvestment Zones will result in benefits to the City and to the land included in the zones after the term of any agreement executed hereunder; and the improvements sought are feasible and practical;
- D. That Reinvestment Zones meet the criteria for the creation of reinvestment zones as set forth on Section 312.202 of the Code in that it is "reasonably likely as a result of the designation to contribute to the retention or expansion of primary employment or to attract major investment in the zone that would be a benefit to the property and that would contribute to the economic development of the City"; and
- E. That Reinvestment Zones meet the criteria for the creation of reinvestment zones as set forth in the City of Belton Guidelines and Criteria for granting tax abatement in reinvestment zones.

- **SECTION 3:** That pursuant to Section 312.201 of the Code, the City hereby reestablishes throughout reinvestment zones for industrial tax abatement as indicated in Section 2, and such REINVESTMENT ZONES are hereby designated and shall hereafter be officially designated as Tax Abatement Reinvestment Zones #7, #8, #9 and #12 in the City of Belton, Bell County, Texas.
- **SECTION 4:** That the Reinvestment Zones shall take effect on November 27, 2018, as of the time of passage of this ordinance.
- **SECTION 5:** That to be considered for execution of an agreement for tax abatement, the industrial project shall:
 - A. Be located wholly within a zone as established herein;
- B. Not include property that is owned or leased by a member of the City Council of the City of Belton;
- C. Conform to the requirements of the Criteria governing tax abatement previously adopted by the City, and all other applicable laws and regulations; and
- D. Have and maintain all land located within a designated zone, appraised at market value for tax purposes.
- **SECTION 6:** That written agreements with property owners located within a zone shall provide identical terms regarding duration of exemption and share of taxable real property value exempted from taxation.
- **SECTION 7:** That written agreements for tax abatement as provided for by Section 312.205 of the Code shall include provisions for:
- A. Listing the kind, number and location of all proposed improvements of the property;
- B. Access to and inspection of property by municipal employees to ensure that the improve-ments or repairs are made according to the specification and conditions of the agreements;
- C. Limiting the use of the property consistent with the general purpose of encouraging development or redevelopment of a zone during the period that property tax exemptions are in effect; and
- D. Recapturing property tax revenue lost as a result of the agreement if the owner of the property fails to make the improvements as provided by the agreement.

SECTION 8: That if any provision of this Ordinance or the application of any provision to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the Ordinance which can be given effect with the invalid provision or application, and to this end, the provisions of this Ordinance are declared to be severable.

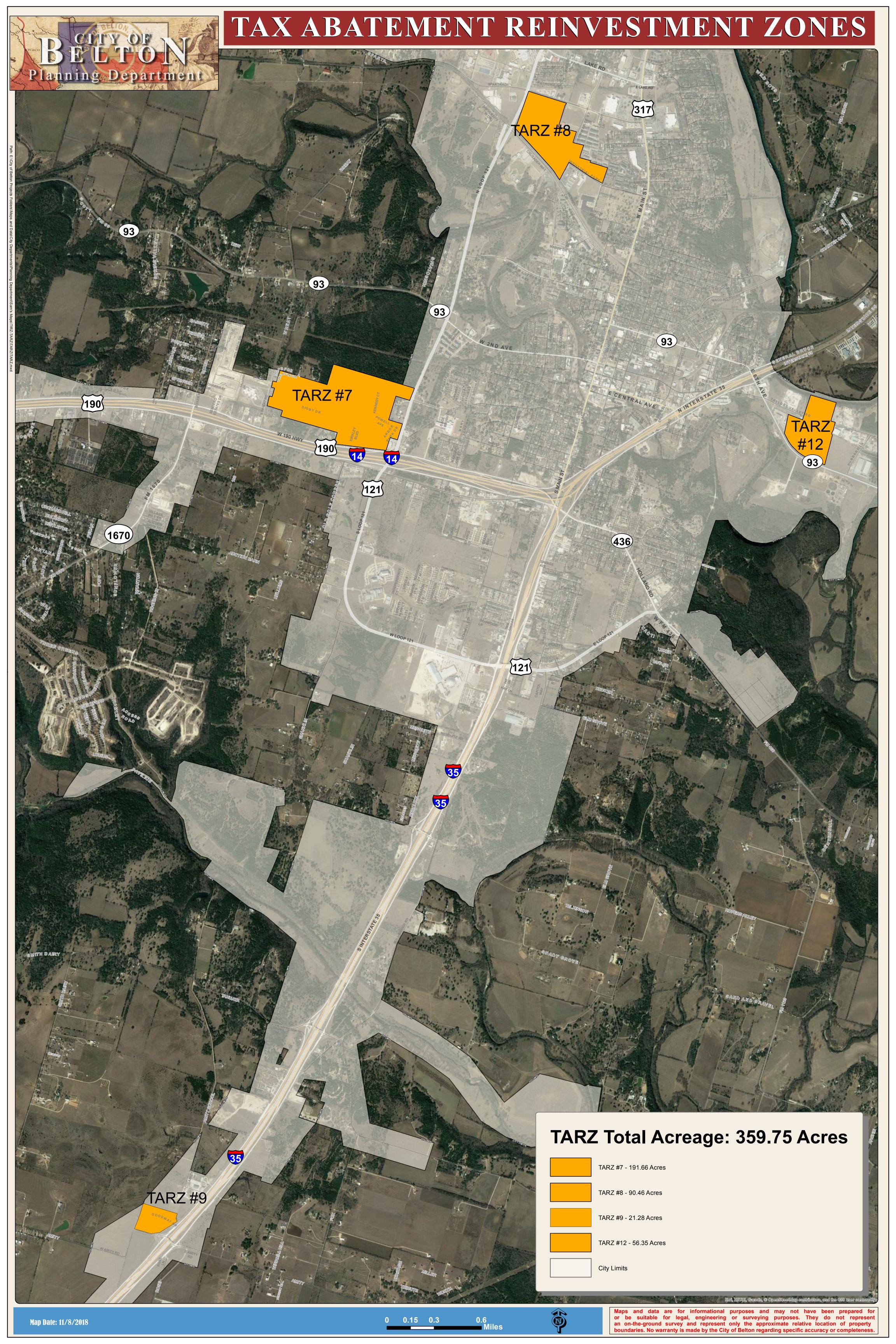
SECTION 9: That this Ordinance shall take effect immediately from and after its passage.

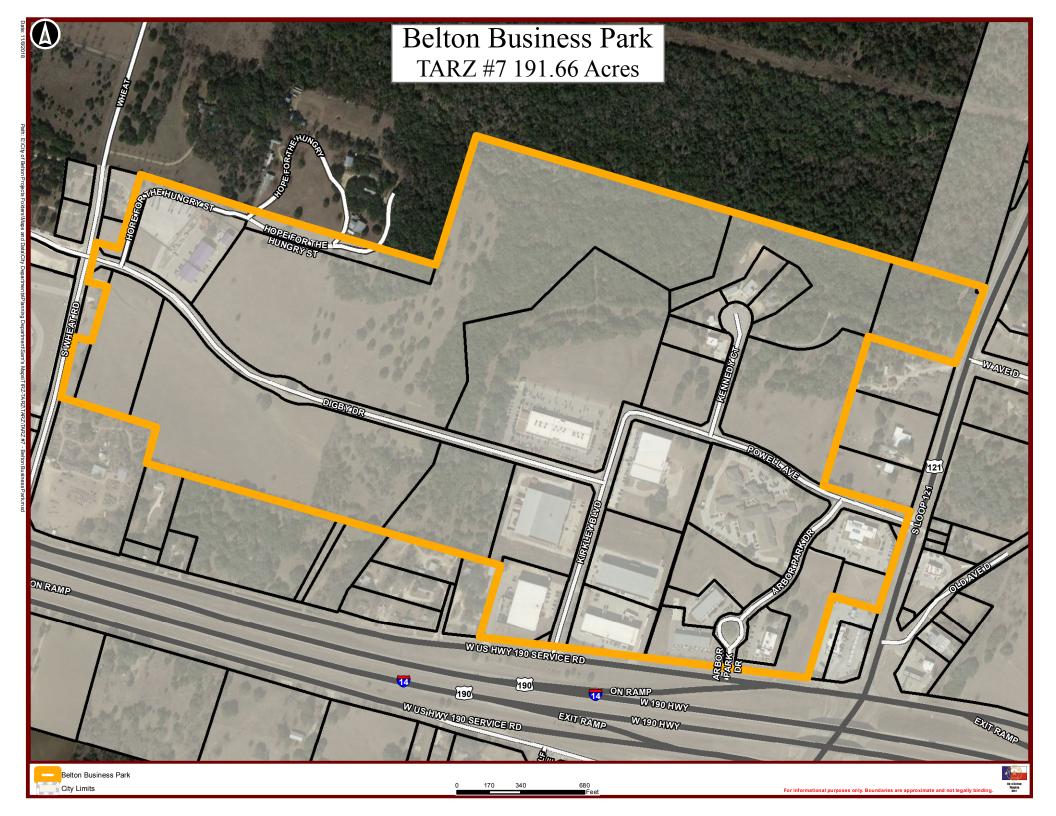
SECTION 10: Sunset provision. The designation of these Tax Abatement Reinvestment Zones shall expire five years from the effective date of this Ordinance on November 27, 2023. The designation of tax abatement reinvestment zones may be renewed for periods not exceeding five years. The expiration of reinvestment zone designation does not affect an existing tax abatement agreement authorized by the City Council of the City of Belton, Bell County, Texas.

SECTION 11: That it is hereby officially found and determined that the meeting at which this Ordinance 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, TEX. REV. CIV. STAT. ANN. art. 6252-17 (Vernon 1992).

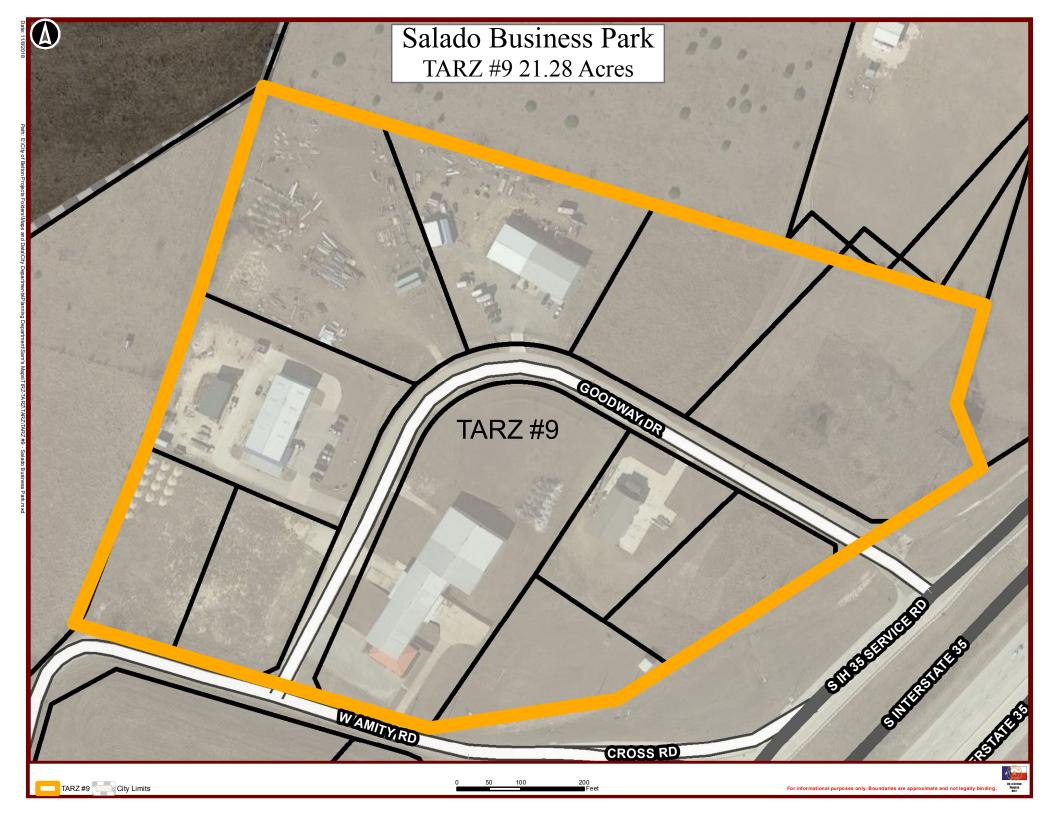
PASSED AND APPROVED on the 27th day of November, 2018.

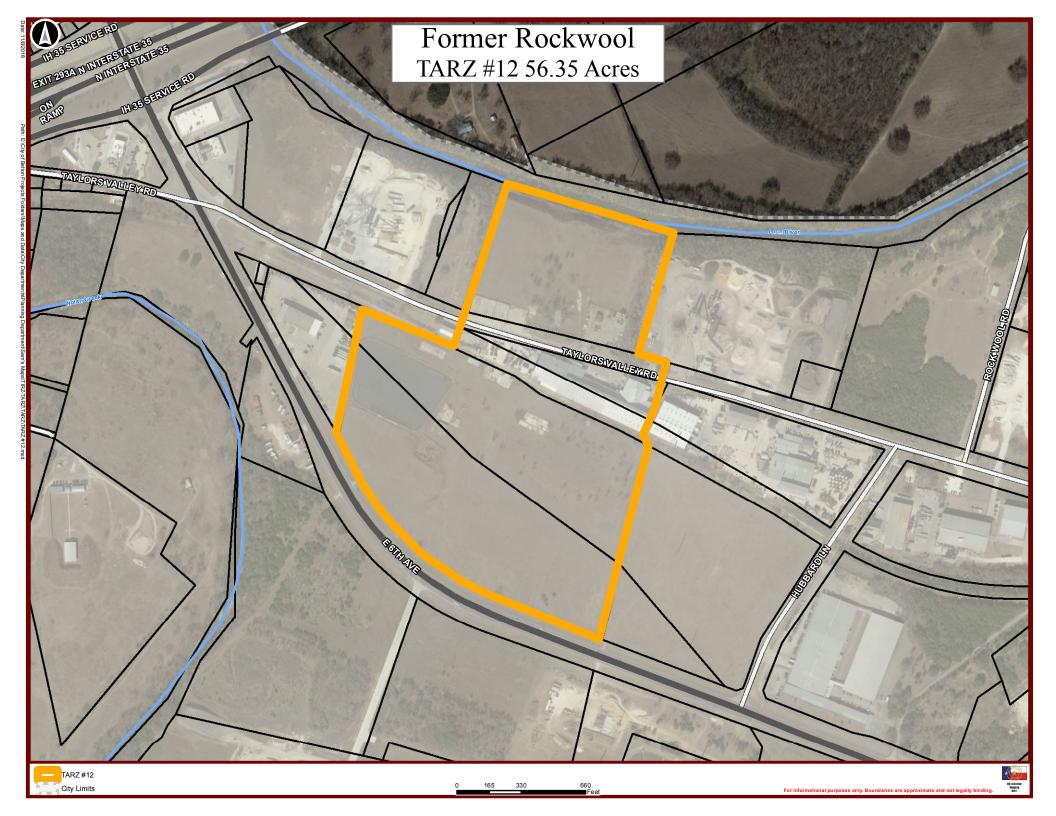
	Marion Grayson, Mayor
ATTEST:	
Amy Casey, City Clerk	











Staff Report – City Council Agenda Item



Agenda Item #10

Consider award of bid and authorizing the City Manager to execute the construction contract for the 2019 Street Overlay Project, and any change orders associated with the contract, not to exceed the amount authorized under state law.

Originating Department

Public Works – Angellia Points, P.E., Director of Public Works/City Engineer

Background

In 2014, Council adopted a 5-year Street Maintenance Plan which called for 63.3 miles of Belton's streets to be maintained within a 5-year span. This year is the 5th year of the 5-year plan. The following work has been done over the last 4 years.

- In FY 2015, Year 1 addressed 4.2 miles (6.6%) of streets maintenance with chip sealing with \$168,156 in funding.
- In FY 2016, Year 2 addressed 18.9 miles (30%) of street maintenance with both chip sealing and HMAC overlaying with \$1,437,433 in funding.
- In FY 2017, Year 3 addressed 6.5 miles (10.3%) of street maintenance with HMAC overlay with \$926,395.23 in funding.
- In FY2018, Year 4 addressed 3.3 miles (5.1%) of street maintenance with HMAC overlay with \$609,272.17 in funding.

During the last four years, approximately 32.9 miles (52%) of Belton's streets have received some sort of surface maintenance in the last four years.

Director of Public Works/City Engineer developed Year 5 of the Street Maintenance Plan with \$548,000 in available funding. On November 15, 2018, Year 5 of the Street Maintenance Plan was bid under the project name: 2019 Street Overlay Project. The nature of the work prescribed in this project was a hot-mix asphalt overlay treatment. Approximately 3.0 miles (4.8% of the Plan) will be overlaid as part of the Year 5 project.

This means with Year 5's base bid project, 35.9 miles or 56.7% of Belton's streets will have been maintained over the last 5 years. This leaves 27.4 miles or 43.3% of the streets in Belton not maintained over the last five years.

This 2019 Street Overlay Project was developed to require the contractor to complete the overlay work within three months from start to finish, and the project must be finished by July 3, 2010. This date was chosen to allow for ample amount of time to perform the work before the July 4th festivities and before school begins. The project was designed and compiled in-house, and advertisement for bids began on October 18, 2018.

The base bid included streets throughout the City as shown in the attached map in yellow and red. Yellow indicates a traditional 2" overlay with edge milling. Red indicates a 6" mill and 6" overlay. The red street sections have structural damage that can be repaired to lengthen the life of the street with a full depth mill and overlay.

Add alternate bid A was also in the bid package. Add Alt A included South Pearl and the E Ave F area as shown in green in the attached map.

Add alternative bid B was in the bid package to cover South Wall Street between Holland Road and Loop 121.

Add alternative bid C was included to mill and overlay the two Public Works Department parking lots. Alt Bid C has a budget of \$20,000 allocated separately in FY19 budget.

Bids were opened on November 15, 2018 at 2:00 p.m. Three (3) qualified bids were received as shown in the following table.

Contractor	Base Bid	Add Alt A*	Add Alt B*	Add Alt C*
Texas Materials, Belton	\$493,033.98	\$109,548.26	\$159,951.07	\$29,266.44
Lone Star Paving, Austin	\$556,587.75	\$113,296.75	\$175,278.75	\$36,991.10
Alpha Paving, Round Rock	\$690,692.50	\$150,997.75	\$203,925.00	\$47,958.25

^{*}Alt Bids are not proposed to be awarded in this contract.

With the available funding of \$548,000, the Staff's Opinion of Probable Construction Cost (OPCC) to construct the specified 2019 Street Overlay Project was \$500,000 for the base bid project.

The Director of Public Works/City Engineer, Assistant Director of Public Works, and the City's Construction Inspector evaluated the bids and determined that Texas Materials, the low bidder, has the capability and experience to perform to the requirements of the contract. With the low base bid being \$54,966.02 under the available funding, Staff recommends proceeding with the base bid with the option to add additional streets to the scope and add items under the alternative bids by change order. Regardless, the amount added will be limited to the funding allotted and no more than 25% of the contract.

Fiscal Impact

Funding for this project would be sourced from the following:

Funding Source	Amount
Remaining Funds from FY2018	\$374,669
FY2019 Street Maintenance Funds	\$170,000
Interest Earnings	\$3,331
TOTAL	\$548,000

The project is fully funded. Therefore, Staff recommends awarding the contract to Texas Materials of Belton in the amount of \$493,033.98.

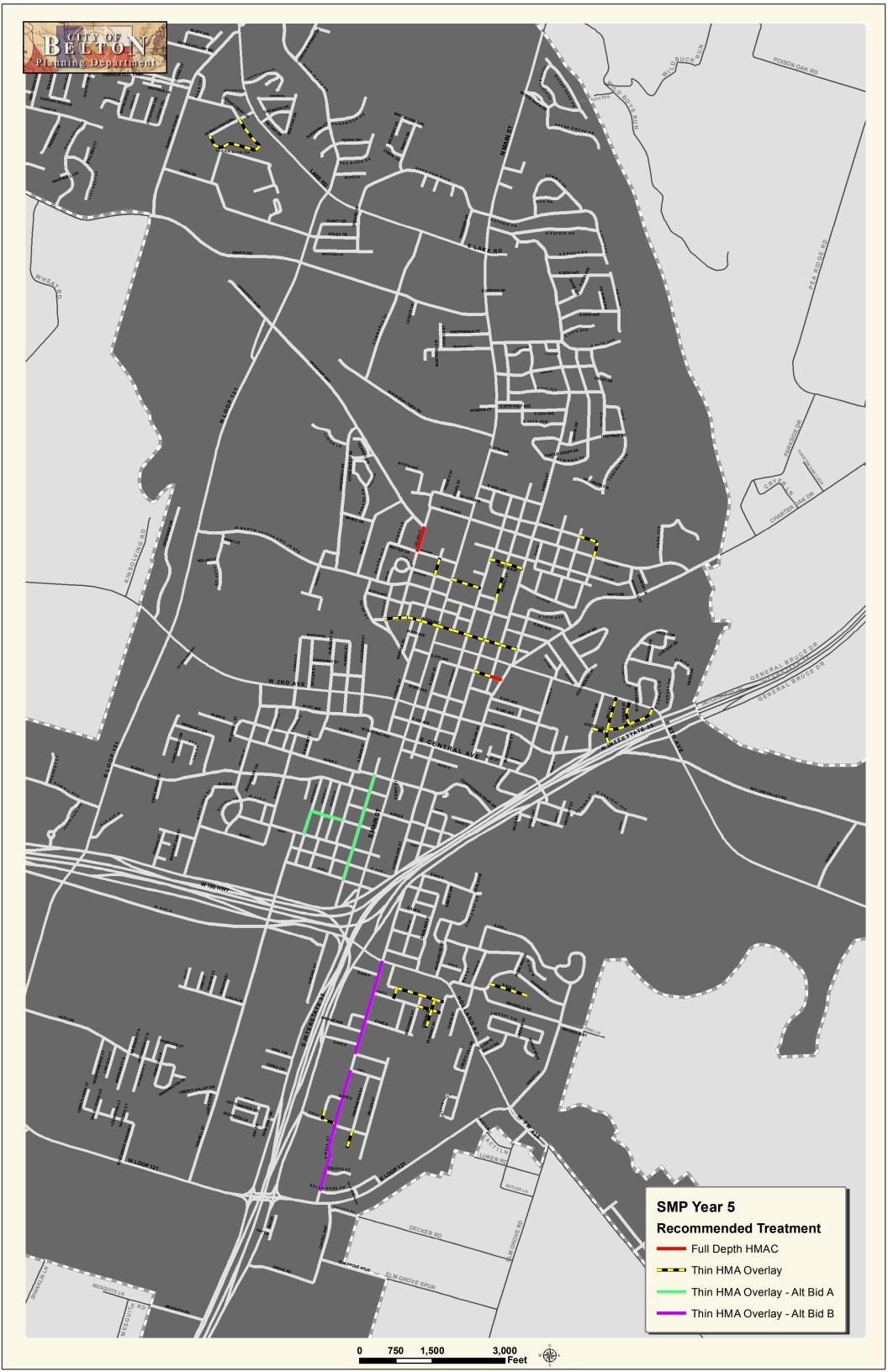
Budgeted:		☐ No	⊠ Various s	ources listed above
f not budget	ed: 🗌 Budget	Transfer [Contingency	Amendment Needed

Recommendation

Award bid and authorize the City Manager to execute the construction contract for the 2019 Street Overlay Project, and any change orders associated with the contract, not to exceed the amount authorized under state law.

Attachments

Location Map
Director of Public Works/City Engineer Recommendation Letter
Bid Tabulation



MEMO



To: Sam Listi, City Manager

Cc: Amy Casey, City Clerk

From: Angellia Points, P.E. Director of Public Works/City Engineer

Re: 2019 Street Overlay Project Recommendation of Award

On November 15, 2018, at 2:00 PM, sealed bids for the 2019 Street Overlay Project were opened and read aloud publicly in the Main Conference Room at Belton City Hall by the City Clerk, Amy M. Casey. A Bid Tabulation for the Bids received is attached to this memo.

There were three bidders for this project. The opinion of probable construction costs for this project was \$500,000. The following is data provided for a comparison of the bids received, listed lowest to highest:

Contractor	Base Bid	Add Alt A	Add Alt B	Add Alt C
Texas Materials, Belton	\$493,033.98	\$109,548.26	\$159,951.07	\$29,266.44
Lone Star Paving, Austin	\$556,587.75	\$113,296.75	\$175,278.75	\$36,991.10
Alpha Paving, Round Rock	\$690,692.50	\$150,997.75	\$203,925.00	\$47,958.25

The low base bidder was Texas Materials of Belton. The City of Belton has a good record of experience working with Texas Materials (previously known as APAC, Old Castle Materials, and Wheeler) on many projects, including the recent 2016 Street Maintenance Project, 2017 Street Maintenance Project, 2018 Street Overlay Project, and the W. MLK Jr. Ave Overpass Project.

With a total available funding of \$548,000, the project is fully funded. Therefore, at this time, I recommend that the City of Belton award the contract for the 2019 Street Overlay Project to Texas Materials of Belton in the amount of \$493,033.98.

Sincerely,

Angellia C. Points, P.E.

Enclosure: Bid Tabulation

	BID TABULATION 2019 Street Overlay Project			т	.,	n-k m				Page 1 of 3 s Alpha Paving, Round Rock, Texa			
	2019 Street Overlay Project Bid Opening: November 15, 2018				als,		Lone Star Pavir	ıg, <i>A</i>	Austin, Texas	Alpha Paving,	Rour	d Rock, Texa	
Item No.	Description	Unit	Proposal Quantity	Unit Price		Total Cost	Unit Price		Total Cost	Unit Price		Total Cost	
BASE I	Mobilization, Bonds & Insurance (not-to-exceed 5% of Total Bid), Complete For	LS	100%	\$ 8,732.86	\$	8,732.86	\$ 6,000.00	\$	6,000.00	\$ 25,000.00	\$	25,000.00	
2	Provide Traffic Control Plan (Vehicle & Pedestrian) Prepared by a Texas Licensed Professional Engineer, Complete For		100%	3,000.00	\$	3,000.00	3,000.00	\$	3,000.00	3,000.00	\$	3,000.00	
3	Implement Traffic Control Plan (Vehicle & Pedestrian), Complete For	МТН	3	1,993.32	\$	5,979.96	3,500.00	\$	10,500.00	6,500.00	\$	19,500.00	
4	HMAC Saw Cut, Complete For	LF	1,400	0.01	\$	14.00	0.25	\$	350.00	1.00	\$	1,400.00	
5	Provide Pavement Edge Milling to Create Edge Joints for HMAC Overlays, Complete For	SY	14,500	1.19	\$	17,255.00	0.50	\$	7,250.00	2.75	\$	39,875.00	
6	Provide Pavement Milling to Create Butt Joints at Pavement Intersections for HMAC Overlays, Complete For	SY	7,125	0.17	\$	1,211.25	0.50	\$	3,562.50	2.75	\$	19,593.75	
7	Provide Edge Blading, Complete For	LF	1,000	0.42	\$	420.00	0.10	\$	100.00	2.00	\$	2,000.00	
8	Provide HMAC Type "D" Spot Level Up Prior to HMAC Overlay Construction, Complete For	TN	55	93.07	\$	5,118.85	83.50	\$	4,592.50	125.00	\$	6,875.00	
9	2-inch HMAC Type "D" Overlay with Tack Coat, Complete For	SY	40,000	7.95	\$	318,000.00	9.00	\$	360,000.00	9.45	\$	378,000.00	
10	6-in Full Depth Mill and Overlay HMAC Type "D", Complete For	SY	2,750	23.71	\$	65,202.50	34.00	\$	93,500.00	24.50	\$	67,375.00	
11	Adjust Existing Wastewater Manhole Rings and Covers (various sizes) using 2-inch Inserts, Complete For		36	200.26	\$	7,209.36	100.00	\$	3,600.00	500.00	\$	18,000.00	
12	Replace Existing Water Valve Boxes with New Valve Boxes, Complete For	EA	31	230.10	\$	7,133.10	50.00	\$	1,550.00	400.00	\$	12,400.00	
13	Remove and Replace Existing Curb and Gutter, Complete For	LF	100	43.09	\$	4,309.00	68.00	\$	6,800.00	150.00	\$	15,000.00	
14	Remove and Replace Existing Valley Gutter, Complete For	LF	200	53.24	\$	10,648.00	70.00	\$	14,000.00	175.00	\$	35,000.00	
15	Remove and Replace Existing Concrete Manhole Collar, Complete For	SY	5	231.17	\$	1,155.85	435.00	\$	2,175.00	500.00	\$	2,500.00	
16	Provide New Concrete Manhole Collar, Complete For	SY	100	187.65	\$	18,765.00	180.00	\$	18,000.00	245.00	\$	24,500.00	
17	Remove and Replace Driveway Approach with HMAC, Complete For	SY	100	18.05	\$	1,805.00	35.00	\$	3,500.00	24.00	\$	2,400.00	
18	Remove and Replace Driveway Approach with Concrete, Complete For	SY	25	167.57	\$	4,189.25	155.00	\$	3,875.00	200.00	\$	5,000.00	
19	Provide 24-inch TY-I White Solid Stop Bar Pavement Marking, Complete For	LF	60	14.00	\$	840.00	14.00	\$	840.00	18.00	\$	1,080.00	
20	Provide 4-inch TY-I Double Yellow Solid Pavement Marking, Complete For	LF	100	6.50	\$	650.00	14.00	\$	1,400.00	3.25	\$	325.00	
	Provide 4-inch TY-I Single White Solid Pavement Marking for Parallel Parking Spaces, Complete For	LF	100	3.00	\$	300.00	14.00	\$	1,400.00	2.25	\$	225.00	
	Provide 4-inch TY-II Single Red Solid Pavement Marking for Service Vehicle Parking Markings, Complete For	LF	55	4.00	\$	220.00	0.55	\$	30.25	12.25	\$	673.75	
23	Provide Railroad Crossing per MUTCD Pavement Marking Complete For	EA	1	500.00	\$	500.00	250.00	\$	250.00	680.00	\$	680.00	
	Provide TY II-A-A Raised Pavement Markers (Yellow), Complete For	EA	5	15.00	\$	75.00	12.50	\$	62.50	10.00	\$	50.00	

	BID TABULATION 2019 Street Overlay Project Bid Opening: November 15, 2018			Texas Materia	ıls, E	Belton, Texas	Lone Star Pavin	g, A	ustin, Texas	Alpha Paving,	Roun	d Rock, Texas
Item No.	Description	Unit	Proposal Quantity	Unit Price		Total Cost	Unit Price		Total Cost	Unit Price		Total Cost
25	Provide TY II-B-B Raised Pavement Markers (Blue), Complete For	EA	20	15.00	\$	300.00	12.50	\$	250.00	12.00	\$	240.00
26	Items Requested by Owner Not Identified in the Contract, Complete For	LS	1	10,000.00	\$	10,000.00	10,000.00	\$	10,000.00	10,000.00	\$	10,000.00
TOTAL	BASE BID				\$	493,033.98		\$	556,587.75		\$	690,692.50

Presented in Bid Package \$ 493,034.03 Difference \$ (0.05)

ALT B	ID A	1.00						80			
A-1	HMAC Saw Cut, Complete For	LF	225	0.01	\$	2.25	0.25	\$	56.25	1.00	\$ 225,00
A-2	Provide Pavement Edge Milling to Create Edge Joints for HMAC Overlays, Complete For	SY	3,700	1.33	\$	4,921.00	0.50	\$	1,850.00	2.75	\$ 10,175.00
A-3	Provide Pavement Milling to Create Butt Joints at Pavement Intersections for HMAC Overlays, Complete For	SY	1,125	0.13	\$	146.25	0.50	\$	562.50	2.75	\$ 3,093.75
A-4	Provide Edge Blading, Complete For	LF	200	0.47	\$	94.00	0.10	\$	20.00	2.00	\$ 400.00
A-5	2-inch HMAC Type "D" Overlay with Tack Coat, Complete For	SY	11,600	7.95	\$	92,220.00	9.00	\$	104,400.00	9.45	\$ 109,620.00
A-6	Adjust Existing Wastewater Manhole Rings and Covers (various sizes) using 2-inch Inserts, Complete For	EA	8	200.26	\$	1,602.08	100.00	\$	800.00	500.00	\$ 4,000.00
À-7	Adjust Existing Wastewater Cleanout (approx 7.5" in diameter), Complete For	EA	1	60.08	\$	60.08	50.00	\$	50.00	400.00	\$ 400.00
A-8	Replace Existing Water Valve Boxes with New Valve Boxes, Complete For	EA	30	204.54	\$	6,136.20	50.00	\$	1,500.00	400.00	\$ 12,000.00
A-9	Provide New 5'x5' Concrete Manhole Collar, Complete For	SY	22	193.70	S	4,261.40	180.00	\$	3,960.00	500.00	\$ 11,000.00
A-10	Provide TY II-B-B Raised Pavement Markers (Blue), Complete For	EA	7	15.00	\$	105.00	14.00	\$	98.00	12.00	\$ 84.00
TOTAL	ALT BID A	<u> </u>			\$	109,548.26		\$	113,296.75		\$ 150,997.75
				·			i Did De des e	_	112 226 25		

109,548.26 | \$ 113,296.75 | Presented in Bid Package \$ 113,336.75 Difference \$ (40.00)

ALT B	ID B		I SERVICE TO				XX				
B-1	HMAC Saw Cut, Complete For	LF	315	0.01	\$ 3.15	0.25	\$	78.75	1.00	S	315.00
B-2	Provide Pavement Edge Milling to Create Edge Joints for HMAC Overlays, Complete For	SY	740	2.46	\$ 1,820.40	0.50	\$	370.00	2.75	\$	2,035.00
B-3	Provide Pavement Milling to Create Butt Joints at Pavement Intersections for HMAC Overlays, Complete For	SY	420	0.12	\$ 50.40	0.50	\$	210.00	2.75	\$	1,155.00
B-4	2-inch HMAC Type "D" Overlay with Tack Coat, Complete For	SY	18,000	7.87	\$ 141,660.00	9.00	\$	162,000.00	9.15	\$	164,700.00
B-5	Adjust Existing Wastewater Manhole Rings and Covers (various sizes) using 2-inch Inserts, Complete For	EA	20	200.26	\$ 4,005.20	100.00	\$	2,000.00	500.00	\$	10,000.00
B-6	Replace Existing Water Valve Boxes with New Valve Boxes, Complete For	EA	8	210.86	\$ 1,686.88	50.00	\$	400.00	400.00	\$	3,200.00
B-7	Provide New Concrete Manhole Collar, Complete For	SY	56	188.84	\$ 10,575.04	180.00	S	10,080.00	400.00	\$	22,400.00
B-8	Provide TY II-B-B Raised Pavement Markers (Blue), Complete For	EA	10	15.00	\$ 150.00	14.00	\$	140.00	12.00	\$	120.00
OTAL	ALT BID B		<u></u>		\$ 159,951.07		\$	175,278.75		\$	203,925.00

Difference \$

	BID TABULATION 2019 Street Overlay Project Bid Opening: November 15, 2018			Texas Materia	ıls, E	Belton, Texas	Lone Star Pavin	ıg, A	Austin, Texas	Alpha Paving,	Roun	d Rock, Texas
Item No.	Description	Unit	Proposal Quantity	Unit Price		Total Cost	Unit Price		Total Cost	Unit Price		Total Cost
ALT BI	D C									Allseis Kora II	V	
C-1	HMAC Saw Cut, Complete For	LF	310	0.01	\$	3.10	0.25	\$	77.50	1.00	\$	310.00
C-2	Provide 2" Pavement Milling for Entire Surface Area of Parking Lots, Complete For	SY	2,829	1.34	\$	3,790.86	2.50	\$	7,072.50	4.00	\$	11,316.00
C-3	2-inch HMAC Type "D" Overlay with Tack Coat, Complete For	SY	2,829	8.12	\$	22,971.48	9.90	\$	28,007.10	12.00	\$	33,948.00
C-4	Provide Pavement Striping for Handicap Parking Space at Main Office, Complete For	EA	1	200.00	\$	200.00	300.00	\$	300.00	275.00	\$	275.00
C-5	Provide 4-inch TY-I Single White Solid Pavement Marking for Parking Spaces, Complete For	LF	767	3.00	\$	2,301.00	2.00	\$	1,534.00	2.75	\$	2,109.25
TOTAL	ALT BID C				\$	29,266.44		\$	36,991.10		\$	47,958.25

BID SUMMARY	Texas Materials, Belton, Texas	Lone Star Paving, Austin, Texas	Alpha Paving, Round Rock, Texas
Base Bid	\$ 493,033.98	\$ 556,587.75	\$ 690,692.50
Alt Bid A	\$ 109,548.26	\$ 113,296.75	\$ 150,997.75
Alt Bid B	\$ 159,951.07	\$ 175,278.75	\$ 203,925.00
Alt Bid C	\$ 29,266.44	\$ 36,991.10	\$ 47,958.25
Did Bidder Acknowledge Addendum No. 1?		YES	YES
Did Bidder Provide 5% Bid Security?	YES	YES	YES

Items in yellow indicate calculated numbers were different than the presented bid number. A-9 and B-7 differences were due to the quantity having a decimal value not shown in the PDF bid form. The whole number shown in this bid tab is to be used for the contract.

Angellia C. Points, P.F. Date
Director of Public Works/City Engineer

City of Belton

I hereby certify that this is a correct and true tabulation of all bids received for the 2019 Street Overlay Project.

FY2019 – Year 5 Street Overlay Project

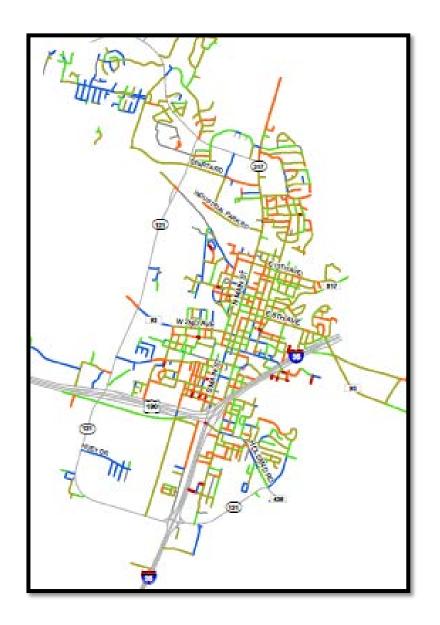
Bid Award Recommendation

City Council

November 27, 2018

Project Summary

- 5-Year Street Maintenance Plan (SMP) developed in September 2014 by Lee Engineering
 - A total of \$6.0 million for the 5-year plan (About \$1.2M/year is needed to fully meet the plan)
 - Various treatment types
- FY 2015 Street Maintenance Funds Year 1
 - \$168,156 to treat 4.2 miles (6.6%)
- FY 2016 Year 2 Funding
 - \$1,437,433 to treat 18.9 miles (30%)
- FY 2017 Year 3 Funding
 - \$926,395.23 to treat 6.5 miles (10.3%)
- FY2018 Year 4 Funding
 - \$609,272.17 to treat 3.3 miles (5.1%)
- Today's Action: FY2019 Year 5 of the SMP
 - \$493,033.98 to treat a proposed 3.0 miles (4.8%)



Proposed FY19

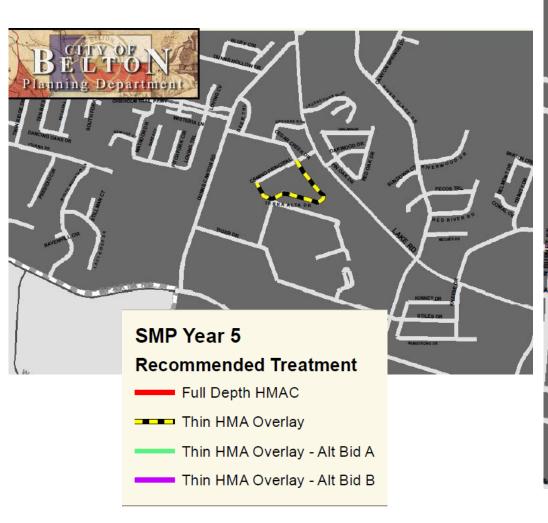
Treatment	2015 ~ Y1	2016 - Y2	2017 – Y3	2018 – Y4	2019 – Y5	Untreated in 5-year Plan
Chip Seal	2.5 miles	16.2 miles	4.0 miles	-	-	
Double Chip Seal	1.5 miles	1.1 miles	-	-	-	25.9 miles
HMAC Overlay	-	2.4 miles	2.6 miles	3.3 miles	3.0 miles	
Reconstruction	0.37 miles	-	-	-		1.5 miles
Total Length	4.2 miles (6.6%)	18.9 miles (30%)	6.5 miles (10.3%)	3.3 miles (5.1%)	3.0 miles (4.8%)	27.4 miles (43.3%)
Total Cost	Chip Seal: \$168,156 (\$2.72/SY)	Chip Seal: \$968,215 (\$3.36/SY) HMAC Overlay: \$469,218 (\$11.33/SY) Total: \$1,437,433	Chip Seal: \$252,336 (\$4.61/SY) HMAC Overlay: \$674,060 (\$16.02/SY) Total: \$926,396	HMAC Overlay: \$495,112.14 (\$8.82/SY)	HMAC Overlay: \$493,033.98 (\$11.53/SY)	Funding sources unknown

2019 Street Maintenance Plan

Scope of Work

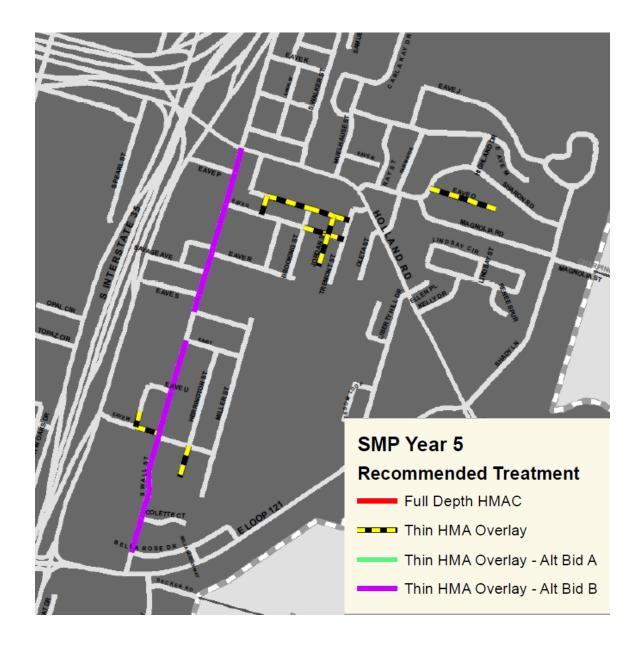
- One type of treatment: Asphalt Overlay
- Traffic Control
- ROW Prep (sweeping, blading back grass, level up)
- · Curb and valley gutter reconstructions along W 7th, E 7th, and Neil Street
- Driveway reconstructions as needed to tie in new pavement
- 6" Full Mill and Overlay
 - College between 11th and railroad
 - E 5th Ave between Beal and Blair
- Pavement milling along edges and pavement intersections
- 2" HMAC Overlay with edge milling
- Adjustments to manholes and valve covers
- Pavement Markings
- Mobilization, bonds, insurance

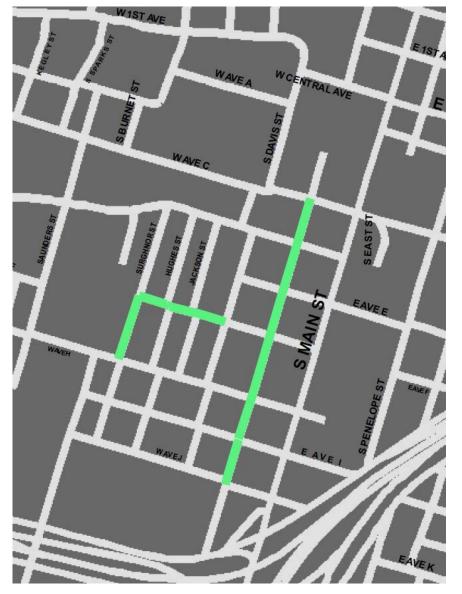
Year 5 – Base Bid Streets





Year 5 – Base and Alt Bids





Bid Results and Schedule

Contractor	Base Bid	Add Alt A	Add Alt B	Add Alt C
Texas Materials, Belton	\$493,033.98	\$109,548.26	\$159,951.07	\$29,266.44
Lone Star Paving, Austin	\$556,587.75	\$113,296.75	\$175,278.75	\$36,991.10
Alpha Paving, Round Rock	\$690,692.50	\$150,997.75	\$203,925.00	\$47,958.25

Schedule

- 1. Consider award of project: November 27, 2018
- 2. Project Deadline: July 3, 2019
- 3. Project Duration from start to finish: 3 months maximum

Funding and Recommendation

Funding Source	Amount
Remaining Funds from FY2018	\$374,669
FY2019 Street Maintenance Funds	\$170,000
Interest Earnings	\$3,331
TOTAL	\$548,000

Recommendation

Award bid and authorize the City Manager to execute the construction contract for the 2019 Street Overlay Project in the amount of \$493,033.98 with Texas Materials of Belton, and any change orders associated with the contract, not to exceed the amount authorized under state law.

Staff Report - City Council Agenda Item



Agenda Item #11

Consider the following:

- A. A one-year extension to the franchise with Waste Management for residential solid waste collection and recycling; and
- B. An ordinance amending Sec. 8-71 and Sec. 8-72 of the City of Belton Fee and Rate Schedule related to solid waste collection rates for 2019.

Originating Department

Finance Department – Brandon Bozon, Director of Finance

Summary Information

- A. On September 10, 2013, the City of Belton and Waste Management entered into a Municipal Solid Waste Collection and Transportation Agreement (the "Agreement"), granting Waste Management exclusive rights to operate and maintain the service of collection and transportation of residential and commercial hand-collect garbage and trash and recycling, over, upon, along and across the present and future streets, alleys, bridges, and public properties of the City, subject to the terms of the Agreement. Section 3 of the Agreement allows the term to be extended for two additional one-year terms upon both parties' mutual written consent. Staff recommends exercising the first of the one-year extension options. A comprehensive analysis of refuse collection options will be developed for Council consideration during 2019.
- B. Per section 11.01 of the Agreement, beginning January 1, 2015 and continuing annually, Waste Management has the right to adjust the rates outlined in Schedule A by the same percentage as the Consumer Price Index, US City Average for All Urban Consumers, Garbage and Trash Collection, Not Seasonally Adjusted, Base Period December 1983 = 100 (published by the United State Bureau of Labor Statistics, Consumer Price Index) (the "CPI") for the preceding twelve months. The index used is the most recently available index prior to the 60 days' notice to the City.

On October 31, 2018, Waste Management notified the City that rates would be adjusted upwards by 4.90% as of January 1, 2019 based on the September 2017 – September 2018 adjustment in the CPI. The adjustment to each rate is as follows:

Solid Waste Collection Rates -	Current Rates	Proposed January 1, 2019 Rates
Residential		
Curbside	\$15.82 per month	\$16.59 per month
Curbside Additional Container	\$5.89 per month per additional container	\$6.18 per month per additional container
Door-to-Truck Service	\$27.45 per month	\$28.80 per month
Door-to-Truck Service Additional Container	\$10.72 per month additional container	\$11.25 per month additional container
Residential Recycling Service Additional Container	\$5.36 per month additional container	\$5.62 per month additional container

Solid Waste Collection Rates -	Current Rates	Proposed January 1, 2019 Rates
Commercial		
Once per week service	\$26.79 per cart	\$28.10 per cart
Commercial Cart Collection	\$16.08 per additional cart	\$16.87 per additional cart
Additional Cart		·
Commercial Recycling Cart	\$8.58 per month	\$9.00 per month
Institutional Recycling	\$8.58 per month	\$9.00 per month

Fiscal Impact

ŀ	Amount:	Based	on	current	customer	counts,	the	estimated	fiscal	impact	will	be	increa	sed
r	efuse co	llection	rev	enues a	and expen	ditures d	of ap	proximatel	y \$25,	000.				

Budgeted: _	<u>X</u> Yes	No			
If not budgeted Project Funds		ansfer Conti	ngency Ar	mendment Needed	Capital

The revenue and expenditure figures within the FY 2019 budget were estimates based on historical trends and estimated rate increases. While this rate change will have some effect on those estimates, should Council adopt the ordinance amending the fee schedule to match the rates put forth by Waste Management, the overall budget impact should be de minimis.

Funding Source(s): Additional contract expenditures as a result of the rate increase from Waste Management will be offset by the increase in revenues collected from rate payers.

Recommendation

Recommend approval of the one-year extension to the franchise with Waste Management for residential solid waste collection and recycling; and

Recommend approval of the attached ordinance amending the City of Belton fee and rate schedule.

Attachments

Extension Letter Proposed ordinance

Waste Management letter containing relevant sections of the Agreement and CPI data



November 19, 2018

Sent Via Email

Mr. Sam Listi City Manager City of Belton 333 Water Street Belton, TX 786513

Re: One Year Extension of the Municipal Solid Waste Collection and Transportation Agreement Between the City of Belton Texas and Waste Management of Texas, Inc. ("Agreement")

Dear Mr. Listi,

As you know, Waste Management of Texas, Inc. ("WMTX") is the current waste and recyclables provider for the residents and small commercial customers in Belton, Texas ("City") under the terms of the above-referenced Agreement. The initial five year term of the Agreement, which took effect on January 1, 2014, is scheduled to expire on December 31, 2018. Section 3 of the Agreement allows the term to be extended for an additional year upon both parties' mutual written consent. WMTX looks forward to continuing to provide services to the City under the Agreement, and we are seeking to exercise the one-year renewal. Please sign in the space below to indicate the City's agreement to extend the term of the Agreement through December 31, 2019.

Once the City has signed the letter, please return a copy to me for my files. Please feel free to contact Paul Daugereau if you have any questions.

CITY: CITY OF BELTON, TEXAS	WASTE MANAGEMENT OF TEXAS, INC.
BY:	BY:
ITS:	ITS:

ORDINANCE NO. 2018-38

AN ORDINANCE AMENDING THE FEE SCHEDULE OF THE CITY OF BELTON FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2018, AND ENDING SEPTEMBER 30, 2019.

WHEREAS, the City of Belton has entered into a Municipal Solid Waste Collection and Transportation Agreement granting Waste Management exclusive rights to operate and maintain the service of collection and transportation of residential and commercial hand-collect garbage and trash and recycling, over, upon, along and across the present and future streets, alleys, bridges, and public properties of the City

WHEREAS, section 11.01 of that Municipal Solid Waste Collection and Transportation Agreement allows Waste Management to adjust rates for collection beginning January 1, 2015 and continuing annually by the same percentage as the Consumer Price Index, US City Average for All Urban Consumers, Garbage and Trash Collection, Not Seasonally Adjusted, Base Period December 1983 = 100 for the preceding twelve months based on the most recently available index prior to the 60 days' notice to the City

WHEREAS, on October 31, 2018, Waste Management notified the City that rates would be adjusted upwards by 4.90% as of January 1, 2019 based on the September 2017 – September 2018 adjustment in the Consumer Price Index, US City Average for All Urban Consumers, Garbage and Trash Collection, Not Seasonally Adjusted, Base Period December 1983 = 100

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Belton, Texas, that section 8-71 and section 8-72 of the Fiscal Year 2017 Fee Schedule effective October 1, 2018, be amended effective January 1, 2018 as follows:

Sec. 8-71:

Solid Waste Collection Rates -	Current Rates	January 1, 2019 Rates
Residential		
Curbside	\$15.82 per month	\$16.59 per month
Curbside Additional Container	\$5.89 per month per additional container	\$6.18 per month per additional container
Door-to-Truck Service	\$27.45 per month	\$28.80 per month
Door-to-Truck Service Additional	\$10.72 per month per additional container	\$11.25 per month per additional container
Container		
Residential Recycling Service	\$5.36 per month per additional container	\$5.62 per month per additional container
Additional Container		

Sec. 8-72:

Solid Waste Collection Rates -	Current Rates	Proposed January 1, 2019 Rates
Commercial		
Once per week service	\$26.79 per cart	\$28.10 per cart
Commercial Cart Collection Additional	\$16.08 per additional cart	\$16.87 per additional cart
Cart		
Commercial Recycling Cart	\$8.58 per month	\$9.00 per month
Institutional Recycling	\$8.58 per month	\$9.00 per month

PASSED AND APPROVED this the 27th day of November, 2018.

ATTEST:	Marion Grayson, Mayor
Amy M. Casey, City Clerk	

October 31, 2018

City of Belton Brandon Bozen City of Belton 1502 Holland Road Belton, Texas 76513

Re: Garbage Collection Agreement / Rate Adjustment

Dear Mr. Bozen:

Provided for your notification is the annual CPI adjustment as stated in Section 11 Modification To Rates Clause, in our solid waste collection agreement. The scheduled annual CPI adjustment will be reflected in our invoicing for January 1, 2018.

The CPI U.S Cities Average Garbage and Trash Index number in September 2017 was 449.008 and has increased to 471.026 as of September 2018. The rate for collection services will increase (4.90%) over your current monthly service fee from \$15.82 to \$16.59 (Includes "At Your Door Special Waste Program"). Please inform us if there is any issue implementing this rate increase.

Please see attached pricing matrix form for the complete rate breakdown.

It is a pleasure to be part of the community team. Should you have any questions or comments please do not hesitate to contact me directly at 512-696-0363 or pdaugere@wm.com. It is pleasure to work for the betterment of your community.

Sincerely,

Paul Daugereau

Public Sector Solutions Manager Waste Management of Texas

9708 Giles Road Austin, TX 78754





CPI-All Urban Consumers (Current Series)

Original Data Value

Series Id: CUSR0000SEHG02

Seasonally Adjusted

Series Title: Garbage and trash collection in U.S. city average, all

U.S. city average

Area: Item:

Garbage and trash collection

Base Period: DECEMBER 1983=100

Years: 2008 to 2018

	Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov
2008		356.901	358.059	358.550	359.586	361.533	363.159	366.043	368.960	369.651	371.155	371.648
2009		371.828	372,503	373.241	375.392	375.599	376.582	377.494	377.879	378.285	379.560	379.208
2010		380.036	382.490	383.362	383.615	383.405	383.749	383.832	385.010	385.920	385.909	387.216
2011		389.727	391.854	391.855	392.754	395.477	395.329	395,723	396.605	397.028	397.106	398.910
2012		398.880	400.381	401.692	400.913	401.067	402.793	406.243	406.823	407.594	409.495	410.155
2013		411.126	411.805	412.305	413.675	414.511	414.802	416.505	417.760	418.357	419.687	421.427
2014		422.440	422.483	423.413	425.393	425.242	425.930	426.562	426.771	427.327	427.995	427.808
2015		427.734	429.248	429.235	429.807	431.234	430.813	431.229	432.967	433.843	434.829	436.428
2016		437.205	438.296	437.699	437.676	438.317	437.858	438.607	439.358	439.707	440.311	443.343
2017		446.266	447.699	446.987	447.129	447.272	448.046	448.328	448.717	449.008	452.196	453.820
2018		453.354	454.915	455.230	458.722	462.887	465.041	465.579	470.457	471.026		

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N/A	2x N/A N/A N/A N/A N/A N/A N/A N/A See *Compactor Ra	3x N/A N/A N/A N/A N/A N/A N/A N/A Other Charges Or	AD COMPA 4x N/A N/A N/A N/A N/A N/A N/A N/	5x N/A N/A N/A N/A N/A N/A	5x N/A N/A N/A N/A N/A	N/A N/A N/A N/A	N/A N/A N/A N/A
	\$0.65 \$16.59 \$6.18 \$5.62 \$28.80 \$11.25 1XWK \$ 28.10 \$ 16.87 \$ 9.00 \$ 9.00	\$15.94 \$0.65 \$16.59 \$6.18 \$5.62 \$28.80 \$11.25 COMINAL 1XWK 2XWK \$ 28.10 N/A \$ 16.87 N/A \$ 9.00 N/A \$ 9.00 N/A N/A N/A N/A	### Table	1/1/2019 FOR THE CUSTOMER TAB	1/1/2019 FOR THE CUSTOMER TAB	1/1/2019 FOR THE CUSTOMER TAB	1/1/2019 FOR THE CUSTOMER TAB

Size	1x	2x	3x	4x	5x	бх	7x	I VDI
2 Yard FEL Container	N/A	N/A	N/A	N/A	N/A	N/A	N/A	XPU
3 Yard FEL Container	N/A	N/A	N/A	N/A	N/A			N/A
4 Yard FEL Container	N/A	N/A	N/A	N/A	N/A	N/A	N/A_	N/A
6 Yard FEL (Cardboard)	N/A	N/A	N/A	N/A	N/A	N/A N/A	N/A N/A	N/A
8 Yard FEL Cardboard	N/A	N/A	N/A	N/A	N/A	N/A	N/A N/A	N/A
	1		Other ChargesOr N		I N/A	IN/A	IV/A	N/A
Delivery	N/A	1	Other Chargeson IV	ores peiow				
ock Bar, MONTHLY	N/A	ł						
Casters MONTHLY	N/A	ĺ						
Redelivery Fee for non								
payment	N/A							
Gate or Enclosure Fee	N/A	1						
Snapshot Charge	N/A							
Additional Charge	N/A	1						
			ROLL-OFF RA	TES				
				Hauling		Disposal		
Container Size / Type	Delivery Rate	Rental Rate	BY Month or Day	Charge (Per	Haul Rate per	Rate per		
, ,,	'		Rate	Pull + Disp)	Pull	ton		
	\$ -	\$ -	0	\$ -	\$ -	\$ -		
25 Yard (Open-Top)	\$ 133.04	N/A	Day	#VALUE!	\$ 197.89	\$ 34.33		
30 Yard (Open-Top)	\$ 133.04	N/A	Day	#VALUE!	\$ 197.89	\$ 34.33		
10 Yard (Open-Top)	\$ 133.04	N/A	Day	#VALUE!	\$ 197.89	\$ 34.33		
30 Yard (Compactor)	N/A	NEGOTIATED	Month	N/A	N/A	N/A		
33 Yard (Compactor)	N/A	NEGOTIATED	Month	N/A	N/A	N/A		
34 Yard (Compactor)	N/A	NEGOTIATED	Month	N/A	N/A	N/A		
35 Yard (Compactor)	N/A	NEGOTIATED	Month	N/A	N/A	N/A		
40 Yard (Compactor)	N/A	NEGOTIATED	Month	N/A	N/A	N/A		
	N/A	NEGOTIATED	Month	N/A	N/A	N/A		
42 Yard (Compactor)		MERCE 1	N/A		1818			
				3.00				
42 Yard (Compactor) TRIP CHARGE RATE:			NOTES					

Staff Report – City Council Agenda Item



Agenda Item #12

Consider a request by W. B. Development to adjust the CCN (Certificate of Convenience and Necessity) boundary between the City of Belton and DRWSC (Dog Ridge Water Supply Corporation) within the Three Creeks Subdivision, located east of FM 1670 and south of IH 14.

Originating Department

Administration - Sam A. Listi, City Manager

Summary Information

The DRWSC and City of Belton CCN boundary lines meet along a generally N/S line, located about 3,000 east of the Three Creeks Subdivision entrance at FM 1670 and Three Creeks Boulevard. The current boundary follows old property lines and has no relationship to the proposed lot layout and street design, and splits a number of proposed lots. W.B. Development proposes to shift the CCN boundary affecting 22 lots, eliminating these conflicts, as well as the potential for multiple water lines being located within a street ROW belonging to two different CCN's. The result will be a more logical arrangement of lots, located exclusively within either Belton's or DRWSC's CCN for water line design, placement, and future maintenance.

Fiscal Impact

All costs to amend the CCN boundary at the Public Utility Commission will be borne by W.B. Development. A net total of 2 lots will go to the DRWSC.

Recommendation

Recommend approval of request authorizing the City Manager to execute an agreement, subject to all costs borne by applicant.

Attachments

Request from W.B. Development, including maps Approval by DRWSC Agreement

Sam Listi

From: Joshua Welch <jwelch@wbdevelopment.com>

Sent: Monday, October 22, 2018 4:14 PM
To: Sam Listi; Tyler Freese; Angellia Points

Subject: RE: Water CCN Through Three Creeks Development

Attachments: AGREEMENT REGARDING ADJUSTMENT TO WATER UTILITY.PDF

Sam,

I have attached the agreement for Dog Ridge and Belton for us to be able to adjust these lines. Let me know if you need anything else or have any questions.

Josh Welch V.P. of Development 254-953-5353 ext. 212



From: Sam Listi <SListi@BeltonTexas.Gov> Sent: Monday, August 27, 2018 5:00 PM

To: Tyler Freese <tfreese@yalgoengineering.com>; Angellia Points <APoints@BeltonTexas.Gov>

Cc: Joshua Welch < jwelch@wbdevelopment.com>

Subject: RE: Water CCN Through Three Creeks Development

Tyler and Josh: Item rec'd. Will review and advise. Thanks.

From: Tyler Freese < tfreese@yalgoengineering.com >

Sent: Monday, August 27, 2018 3:13 PM

To: Angellia Points < APoints@BeltonTexas.Gov >: Sam Listi < SListi@BeltonTexas.Gov >:

Cc: Joshua Welchwbject: Water CCN Through Three Creeks Development">Development

Angellia/Sam,

As Josh mentioned last week, we are looking at the water distribution design for the front part of the Three Creeks Development. As you are aware, the Dog Ridge and Belton Water CCNs meet each other across this area. The current CCN boundary follows old property lines that are now all within the MUD boundary. As one would expect, these older property lines do not follow any proposed roads or property boundaries. The current CCN boundary with our current layout plan can be seen in the attachment named "Three Creeks Water CCNs Existing".

In order to avoid having residential lots that lie within both CCNs (i.e. the 22 lots shown in the attachment above) we are proposing a shift in the CCN boundary. The proposed shift not only avoids splitting lots, but also avoids splitting roads (having some houses served by Dog Ridge and some served by Belton on the same road). Avoiding split roads is important so we do not have multiple waterlines within the ROW that "belong" to different CCNs. Avoiding split roads will also reduce the chance of confusion in the future by not having a situation where houses next door to each other are served by different CCNs. This proposed CCN boundary can be seen in the attachment named "Three Creeks Water CCNs Proposed".

You will see in the "Existing" drawing that 22 lots are currently split by the CCN boundary. These 22 lots are not divided evenly between Dog Ridge and Belton. To even out the split, 2 lots that are currently entirely within the Belton CCN will be swapped to Dog Ridge. Similarly, to avoid split roads some lots had to switch CCNs entirely. Ultimately, neither Dog Ridge or Belton "looses" any lots from their service areas assuming they were to evenly split the original 22 lots that lie on the current CCN boundary.

Thanks,

Tyler Freese, P.E. Yalgo, LLC

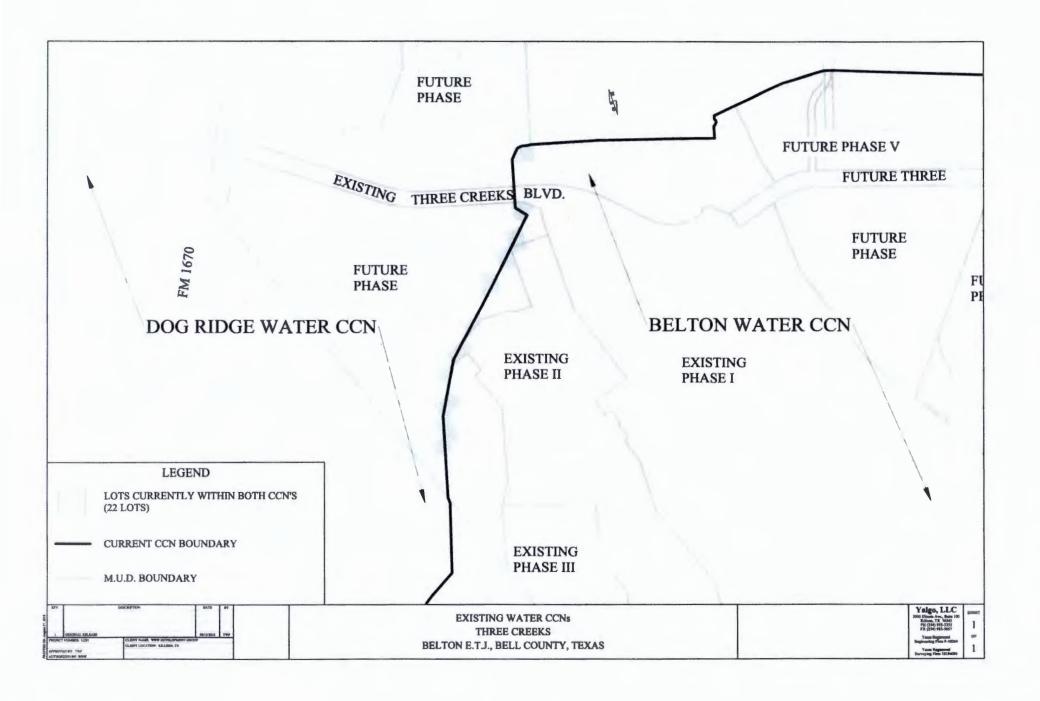
Office: (254) 953-5353, x-211

Cell: (979) 533-3906

*** WARNING: This message is from an EXTERNAL email source. DO NOT open attachments or click links from unknown senders or unexpected email. Contact Belton IT support for assistance if necessary. ***

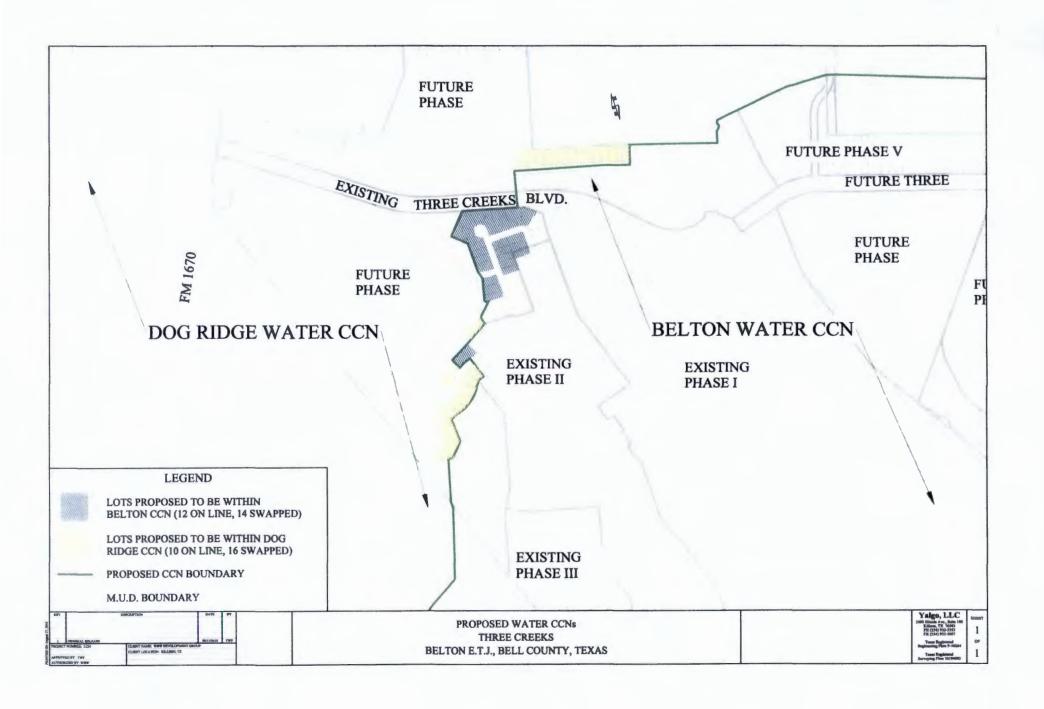
*** WARNING: This message is from an EXTERNAL email source. DO NOT open attachments or click links from unknown senders or unexpected email. Contact Belton IT support for assistance if necessary. ***

ATTACHMENT A EXISTING CCN BOUNDARY LINE



ATTACHMENT B

PROPOSED AMENDED BOUNDARY LINE REGARDING THE AFFECTED PROPERTIES



Dog Ridge Water Supply Co.

P.O. BOX 232 • 7480 FM 2410 • Belton, TX 76513

Phone: (254) 939-6533 • Fax (254) 939-3620

Website: www.dogridgewsc.com

November 19, 2018

WB Development

Attn: Josh Welch

RE: CCN Change Proposal

Josh,

After presentation and review of the proposed CCN boundary changes to Dog Ridge WSC on November 13, 2018, the Board of Director's voted on the following:

- a. The City of Belton must agree with the changes presented
- b. The Developer will incur all costs and filing associated with the CCN changes

New boundary maps will need to be provided to both parties once the process is completed.

Please contact our office at the number above with any questions.

Thank You,

Wayne Rutherford, Board President

Dog Ridge WSC

AGREEMENT REGARDING ADJUSTMENT TO WATER UTILITY CERTIFICATE OF CONVENIENCE AND NECESSITY BOUNDARY LINES

This Agreement regarding Adjustment to Water Utility Certificate of Convenience and Necessity Boundary Lines ("Agreement") is by and between the City of Belton, Texas ("Belton") and Dog Ridge Water Supply Corporation ("Dog Ridge WSC"), and is effective as set forth below.

WHEREAS, Belton provides potable water service in Bell County pursuant to Water Certificate of Convenience and Necessity ("CCN") Numbers 11133 and 20444; and

WHEREAS, Dog Ridge WSC provides potable water service in Bell County pursuant to Water CCN Number 10048; and

WHEREAS, the current CCN boundary lines of the two parties do not fall exactly on current property lines (the "Affected Properties"), as shown on Attachment 1 hereto; and

WHEREAS, the parties desire to clarify which entity will serve each of the Affected Properties and adjust the CCN boundaries to reflect this Agreement.

NOW THEREFORE, Belton and Dog Ridge WSC agree as follows:

- 1. Belton and Dog Ridge WSC agree that their respective CCN boundaries should be adjusted to reflect water service to the Affected Properties as shown in Attachment 2 hereto.
- 2. Belton and Dog Ridge WSC agree to cooperate with each other in supporting any filing for any necessary regulatory approvals before the Public Utility Commission of Texas ("PUCT") or any other governmental authority needed to accomplish the purposes of this Agreement.

This Agreement is effective as of the date that both parties have executed this Agreement.

CITY OF BELTON, TEXAS	DOG RIDGE WATER SUPPLY CORPORATION
By:	Ву:
Name:	Name:
Title:	Title:
Date:	Date:

Meeting of the Belton Employee Benefits Trust October 24, 2017 – 5:30 P.M.

The Belton Employee Benefits Trust met in regular session in the Wright Room at the Harris Community Center with the following members present: Chair Marion Grayson, Vice Chair Craig Pearson and Trustees 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.

- 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;

Belton Employee Benefits Trust Meeting October 24, 2017 – Page 2

- 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.

	benefit co	ntracts	were app	proved upo	n a v	ote of 7-0.					
4.	Adjourn. p.m.	Chair	Grayson	adjourned	the	Employee	Benefits	Trust	meeting	at	8:03
Α٦	ΓΤEST:					Marion (Grayson,	Chair			-
 Ar	my M. Case	v. Citv	Clerk								

Staff Report – Employee Benefit Trust Agenda Item



Agenda Item #3 of Employee Benefit Trust Meeting

Consider action awarding contracts for employee insurance products.

Originating Department

Finance – Brandon Bozon, Director of Finance Human Resources – Charlotte Walker, Director of Human Resources

Summary Information

Last year, the City renewed its contract for employee health insurance with Scott & White Health Plan (SWHP). In 2017, the City awarded the contract for employee health insurance to SWHP as a result of an RFP process. In 2016, the City awarded the contract for employee health insurance to Blue Cross/Blue Shield (TX) (BCBS) as a result of an RFP process. In 2014 and 2015, the City had contracted with SWHP. In 2012 and 2013, the City had contracted with United Health Care (UHC). Prior to UHC, the City had contracted for decades with SWHP.

For the purposes of continuity for employees and providers, the City prefers not to engage in an RFP process each year. This year, the renewal rate negotiated by IPS on the City's behalf of a 9.9% premium increase was determined to be sufficiently competitive that an RFP process was not necessary. The recommendation from City Staff is to accept the renewal proposal from SWHP.

Benefit Changes

This year, staff recommends the funding of any plans covering more than the employee be funded at a flat rate of \$1,500 per year over the cost of the employee-only mid (PPO 2) plan. This proposal is intended to move the City to a cost structure that provides greater equity, budgets that are more predictable, and will help sustain Belton's ability to fund 100% of employee premiums into the future.

Fiscal Impact

• The FY 2019 budget included funding for up to a 12.5% increase in employee insurance premiums.

- SWHP's proposal, employee only mid premium, is \$5,949 per employee. A 9.9% increase over last year's cost.
- The City's contribution, for plans other than employee only, is increasing to \$7,449 per employee. A 4.3% 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.
- The City's cost for HSA management will remain \$4/per month/per enrolled employee.
- MetLife's renewal for dental coverage is a decrease in premiums of approximately 3.5%, \$309.24 per employee.
- UTEAP's proposal for an employee assistance program (EAP) is at no change in premiums, \$20 per employee.
- Ochs for employee Basic Life/AD&D insurance is at a decrease in total City paid premiums of \$5,421 or 34.78% compared to the previous year (Lincoln Financial Group). There is no change in benefit.
- Employee optional, employee cost:
 - Ochs Long Term Disability, 4-22% decrease in premiums depending on age.
 - Ochs Voluntary Life insurance, no change in premiums
 - o CBG renewal for employee optional, no change in premiums.
 - United Health Care vision insurance, no change in premiums.

Amount:

The actual premiums paid during the course of the year will vary, according to the actual number of employees during the year, and the plans that they choose. Also, the City pays 50% of the saved premium to employees who are able to provide proof of other insurance coverage, typically through their spouse's employer's group plan. This monetary incentive serves to motivate employees to report such situations, rather than the City paying 100% of the premium for unneeded coverage.

 The City premium cost for all employee insurance (health, dental, EAP and life) for all 169 covered positions at 100% utilization would be approximately \$1,167,615 for calendar year 2019 based on the current distribution of plan types and tiers with the recommended City contribution rates.

- Given the City's renewal effective date of January 1, 2019, the nine months of the new premiums for the balance of FY 2019 is \$875,712 (Jan Sept 2019), plus three months of old premiums of \$274,273 (Oct-Dec 2018), approximates maximum potential premiums of \$1,149,985 based on the current distribution of plan types and tiers, with the recommended City contribution rates.
- The FY 2019 budget includes funding of \$1,210,999 for all City employee insurance, which includes a projected 12.5% increase in premiums.
- The maximum potential premiums are lower than the total budget. The difference is driven by health insurance premiums increasing approximately 9.9%, Dental premiums decreasing, and EAP and life insurance premiums remaining flat.
- We currently only have 142 employees on our plan, with 27 opting out of the City insurance plan(s). Those savings, plus vacancies occurring during the year, will create an additional gap between budgeted and actual costs.
- City staff will propose to Council a use of the budget savings to bolster budget contingencies and provide funding opportunities for expanded employee benefits elsewhere.

Budgeted: X Yes No			
If not budgeted: Budget Transfer Capital Project Funds	☐ Contingency	Amendment Needed	

Funding Source(s): Funds for employee insurance programs will be transferred to the Employee Benefits Trust from City operating funds. Employee insurance premiums are included in the FY 2019 budgets for General Fund, Water & Sewer Fund, Drainage Fund, Hotel/Motel Fund and the BEDC.

Recommendation

- Recommend award of the contract for employee health insurance to Scott & White Health Plan as presented.
- Recommend award of the contract for health savings account administration to Flores & Associates as presented.
- Recommend award of the contract for dental insurance to MetLife as presented.
- Recommend award of the contract for an Employee Assistance Plan to UTEAP as presented.

- Recommend award of the contract for Basic and Voluntary Life/AD&D insurance to Ochs as presented.
- Recommend award of the contract for employee optional insurance products to the Combined Benefits Group as presented.
- Recommend award of contract for employee option long-term disability insurance to Ochs as presented.
- Recommend award of contract for employee optional vision insurance to United Health Care as presented.

Attachments

Premium matrix – health and dental

	Med		•	Belton nthly Rates	for :	2018			City of Belton Medical - SWHP Monthly Rates for 2019									
		Cost		City		Employee		Per			Cost		City		Employee Cost		Per	
Tiers & Options	P	er Month	Co	ntribution		Cost	Pa	ay Period	Tiers & Options		Per Month	Co	ntribution	ibution		Pa	Pay Period	
Base									PPO 1									
Employee Only	\$	398.06	\$	398.06	\$	-	\$	-	Employee Only	\$	437.43	\$	437.43	\$	-	\$	-	
Employee/Spouse	\$	995.16	\$	595.00	\$	400.16	\$	200.08	Employee/Spouse	\$	1,093.58	\$	620.76	\$	472.82	\$	236.41	
Employee/Children	\$	716.50	\$	595.00	\$	121.50	\$	60.75	Employee/Children	\$	787.36	\$	620.76	\$	166.60	\$	83.30	
Employee/Family	\$	1,194.19	\$	595.00	\$	599.19	\$	299.60	Employee/Family	\$	1,312.30	\$	620.76	\$	691.54	\$	345.77	
Mid									PPO 2									
Employee Only	\$	451.14	\$	451.14	\$	-	\$	-	Employee Only	\$	495.76	\$	495.76	\$	-	\$	-	
Employee/Spouse	\$	1,127.88	\$	595.00	\$	532.88	\$	266.44	Employee/Spouse	\$	1,239.43	\$	620.76	\$	618.67	\$	309.34	
Employee/Children	\$	812.08	\$	595.00	\$	217.08	\$	108.54	Employee/Children	\$	892.39	\$	620.76	\$	271.63	\$	135.82	
Employee/Family	\$	1,353.46	\$	595.00	\$	758.46	\$	379.23	Employee/Family	\$	1,487.32	\$	620.76	\$	866.56	\$	433.28	
HDHP									HDHP									
Employee Only	\$	294.56	\$	451.14	\$	(156.58)	\$	(78.29)	Employee Only	\$	323.69	\$	495.76	\$	(172.07)	\$	(86.04)	
Employee/Spouse	\$	736.42	\$	595.00	\$	141.42	\$	70.71	Employee/Spouse	\$	809.25	\$	620.76	\$	188.49	\$	94.25	
Employee/Children	\$	530.21	\$	595.00	\$	(64.79)	\$	(32.40)	Employee/Children	\$	582.65	\$	620.76	\$	(38.11)	\$	(19.06)	
Employee/Family	\$	883.70	\$	595.00	\$	288.70	\$	144.35	Employee/Family	\$	971.10	\$	620.76	\$	350.34	\$	175.17	

^{*}Negative employee costs represent City contributions to H.S.A.

^{*}Negative employee costs represent City contributions to H.S.A.

	Dental - Me		y of Belton Monthly Rates	for	2018			City of Belton Dental - MetLife Monthly Rates for 2019								
	Cost		City	E	mployee		Per			Cost	City		En	Employee		Per
Tiers & Options	Per Mon	th	Contribution		Cost	Pay Period		Tiers & Options		Per Month	Contribution		Cost		Pay Period	
Low Plan								Standard Plan								
Employee Only	\$ 27	13	\$ 27.13	\$	-	\$	-	Employee Only	\$	25.77	\$	25.77	\$	-	\$	-
Employee/Spouse	\$ 53	.99	\$ 27.56	\$	26.43	\$	13.22	Employee/Spouse	\$	51.29	\$	25.77	\$	25.52	\$	12.76
Employee/Children	\$ 66	67	\$ 27.56	\$	39.11	\$	19.56	Employee/Children	\$	63.34	\$	25.77	\$	37.57	\$	18.79
Employee/Family	\$ 98	.90	\$ 27.56	\$	71.34	\$	35.67	Employee/Family	\$	93.96	\$	25.77	\$	68.19	\$	34.10
Tiers & Options	Cost		City	Е	mployee		Per	Tiers & Options		Cost	City		Employee		Per	
-	Per Mon	th	Contribution		Cost	Pa	ay Perod			Per Month	Co	ntribution		Cost	Pa	y Perod
High Plan								Orthodontics Plan								
Employee Only	\$ 27	56	\$ 27.56	\$	-	\$	-	Employee Only	\$	26.18	\$	25.77	\$	0.41	\$	0.21
Employee/Spouse	\$ 54	.89	\$ 27.56	\$	27.33	\$	13.67	Employee/Spouse	\$	52.15	\$	25.77	\$	26.38	\$	13.19
Employee/Children	\$ 74	.57	\$ 27.56	\$	47.01	\$	23.51	Employee/Children	\$	70.84	\$	25.77	\$	45.07	\$	22.54
Employee/Family	\$ 110	64	\$ 27.56	\$	83.08	\$	41.54	Employee/Family	\$	105.11	\$	25.77	\$	79.34	\$	39.67

Medica	ıl - SW	•	of Bose	elton Monthly Ra	tes	for 2019	City of Belton Medical - SWHP % Increase in Monthly Rates for 2018						
Tiers & Options	Pe	Cost er Month	Co	City ntribution	Employee Cost		Per Pay Period		Tiers & Options	Cost Per Month	City Contribution	Employee Cost	Per Pay Period
PPO 1									PPO 1				
Employee Only	\$	39.37	\$	39.37	\$	-	\$	-	Employee Only	9.9%	9.9%		
Employee/Spouse	\$	98.42	\$	25.76	\$	72.66	\$	36.33	Employee/Spouse	9.9%	4.3%	18.2%	18.2%
Employee/Children	\$	70.86	\$	25.76	\$	45.10	\$	22.55	Employee/Children	9.9%	4.3%	37.1%	37.1%
Employee/Family	\$	118.11	\$	25.76	\$	92.35	\$	46.18	Employee/Family	9.9%	4.3%	15.4%	15.4%
PPO 2									PPO 2				
Employee Only	\$	44.62	\$	44.62	\$	-	\$	-	Employee Only	9.9%	9.9%		
Employee/Spouse	\$	111.55	\$	25.76	\$	85.79	\$	42.90	Employee/Spouse	9.9%	4.3%	16.1%	16.1%
Employee/Children	\$	80.31	\$	25.76	\$	54.55	\$	27.28	Employee/Children	9.9%	4.3%	25.1%	25.1%
Employee/Family	\$	133.86	\$	25.76	\$	108.10	\$	54.05	Employee/Family	9.9%	4.3%	14.3%	14.3%
HDHP									<u>HDHP</u>				
Employee Only	\$	29.13	\$	44.62	\$	(15.49)	\$	(7.75)	Employee Only	9.9%	9.9%		
Employee/Spouse	\$	72.83	\$	25.76	\$	47.07	\$	23.54	Employee/Spouse	9.9%	4.3%	33.3%	33.3%
Employee/Children	\$	52.44	\$	25.76	\$	26.68	\$	13.34	Employee/Children	9.9%	4.3%	-41.2%	-41.2%
Employee/Family	\$	87.40	\$	25.76	\$	61.64	\$	30.82	Employee/Family	9.9%	4.3%	21.4%	21.4%

^{*}Negative employee costs represent City contributions to H.S.A.

Dental	- Metl			Selton Monthly Ra	tes	for 2018	City of Belton Dental - MetLife % Increase in Monthly Rates for 2018								
		Cost		City	Employee Per		Employee		Employee Per			Cost	City	Employee	Per
Tiers & Options	Pe	r Month	Co	ontribution		Cost	Pa	y Period	Tiers & Options	Per Month	Contribution	Cost	Pay Period		
Standard Plan									Standard Plan						
Employee Only	\$	(1.36)	\$	(1.36)	\$	-	\$	-	Employee Only	-5.0%	-5.0%				
Employee/Spouse	\$	(2.70)	\$	(1.79)	\$	(0.91)	\$	(0.46)	Employee/Spouse	-5.0%	-6.5%	-3.4%	-3.4%		
Employee/Children	\$	(3.33)	\$	(1.79)	\$	(1.54)	\$	(0.77)	Employee/Children	-5.0%	-6.5%	-3.9%	-3.9%		
Employee/Family	\$	(4.94)	\$	(1.79)	\$	(3.15)	\$	(1.58)	Employee/Family	-5.0%	-6.5%	-4.4%	-4.4%		
Tiers & Options		Cost	City		Employee		Per			Cost	City	Employee	Per		
	Pe	r Month	Co	ontribution		Cost	Pa	y Perod	Tiers & Options	Per Month	Contribution	Cost	Pay Perod		
Orthodontics Plan									Orthodontics Plan						
Employee Only	\$	(1.38)	\$	(1.79)	\$	0.41	\$	0.21	Employee Only	-5.0%	-6.5%	0.0%	0.0%		
Employee/Spouse	\$	(2.74)	\$	(1.79)	\$	(0.95)	\$	(0.48)	Employee/Spouse	-5.0%	-6.5%	-3.5%	-3.5%		
Employee/Children	\$	(3.73)	\$	(1.79)	\$	(1.94)	\$	(0.97)	Employee/Children	-5.0%	-6.5%	-4.1%	-4.1%		
Employee/Family	\$	(5.53)	\$	(1.79)	\$	(3.74)	\$	(1.87)	Employee/Family	-5.0%	-6.5%	-4.5%	-4.5%		

Staff Report – City Council Agenda Item



Agenda Item #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.

Originating Department

Finance - Brandon Bozon, Director of Finance

Summary Information

The City Council must vote to approve funding for employee insurance plans for the 2019 calendar year, as approved by the Board of the Employee Benefits Trust.

The two step process of establishing benefits within the Employee Benefits Trust and then funding the Trust allows the City to achieve lower insurance premiums by making those premiums paid to insurers not subject to the Health, and Accident Insurance Premium tax levied by the state of Texas. The single nonprofit Trust allows the premiums paid to be exempted from the tax in accordance with Texas Insurance Code section 222.002(b)(5)(a), and because of that exemption, the taxes that would otherwise be charged to insurers under the code are not passed through to the City. The annual savings is approximately \$19,900.

Fiscal Impact

For FY 2019, nine months of the new premiums is \$875,712 (Jan – Sept 2019), plus three months of old premiums of \$274,273 (Oct-Dec 2018), approximates maximum potential premiums of \$1,149,985 based on the current distribution of plan types and tiers, with the recommended City contribution rates.

Budgeted: X Yes No	
If not budgeted: Budget Transfer Contingency Amendment Needed Capital Project Funds	
Funding Source(s): Funds for employee insurance programs will be transferred to the Employee Benefits Trust from City operating funds. Employee insurance premiums are included in the FY 2019 budgets for General Fund, Water & Sewer Fund, Drainage Fund Hotel/Motel Fund and the BEDC.	е

<u>Recommendation</u>	
Recommend approval of funding for employee insurance contracts.	
<u>Attachments</u>	
None	
Tione	
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