



City of Belton, Texas

City Council Meeting Agenda
Tuesday, September 27, 2022 - 5:30 p.m.
Wright Room at the 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 Daniel Bucher.

Texas Pledge. The Pledge of Allegiance to the Texas Flag will be led by BEDC Executive Director Cynthia Hernandez.

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

Invocation. The Invocation will be given by Councilmember Craig Pearson.

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.

Proclamations

3. A. Proclamation – National Night Out – October 4, 2022
B. Proclamation – Manufacturing Day – October 7, 2022

Consent Agenda

Items 4-13 under this section are considered to be routine by the City Council and may be enacted by one motion. If discussion is desired by the Council, any item may be

removed from the Consent Agenda prior to voting, at the request of any Councilmember, and it will be considered separately.

4. Consider minutes of September 13, 2022, City Council Meeting.
5. Consider reappointments to the following Boards/Commissions:
 - A. Bell County Public Health District Board of Directors
 - B. Electrical Board
6. Consider a resolution authorizing the submittal of a grant application to the Leary Firefighters Foundation for the purchase of thermal imaging cameras for the Fire Department.
7. Consider authorizing the City Manager to execute an agreement with Fire Recovery USA for billing and collection services for the Belton Fire Department.
8. Consider authorizing the City Manager to extend an agreement for Visitor Center support with the Belton Area Chamber of Commerce for FY2023.
9. Consider an Ordinance adopting Budget Amendment #1 to the City of Belton FY 2022 Annual Budget.
10. Consider a resolution denying Oncor Electric Delivery Company LLC's application to change rates within the City of Belton.
11. Consider an ordinance approving a tariff authorizing an annual Rate Review Mechanism as negotiated between Atmos Energy Corporation - Mid-Tex Division and the Steering Committee of Cities served by Atmos Energy Corporation.
12. Consider authorizing the purchase of vehicles and associated equipment for the Police Department as provided for in the Capital Equipment Replacement Fund.
13. Consider authorizing the purchase of a fire truck with associated equipment for fighting brush fires as provided for in the Capital Equipment Replacement Fund.

Planning and Zoning

14. Z-22-30 – Hold a public hearing and consider a zoning change from Single Family-2 District to Multiple Family District for approximately 0.50 acres located at 701 Holland Road.
15. Z-22-31 – Hold a public hearing and consider a zoning change from Agricultural District to Commercial Highway on approximately 10.92 acres located at 6379 W. Highway 190 Service Road, located south of IH-14 and east of Simmons Road.

- 16.Z-22-32 – Hold a public hearing and consider a zoning change from Agricultural District to Agricultural District with a Specific Use Permit for an Elementary School on approximately 15.992 acres located north of FM 436 (Holland Road) and west of future O.T. Drive.
- 17.Z-22-34 – Hold a public hearing and consider a zoning change from Planned Development – Commercial-1 to Amended Planned Development – Commercial-1 for approximately 21.617 acres located at 3360 S. IH-35 Service Road, east of IH-35 and south of Grove Road. **(This item has been withdrawn.)**
- 18.Z-22-35 – Hold a public hearing and consider a zoning change from Single Family-1 District to Single Family-1 District with a Specific Use Permit for a Private School on approximately 0.215 acres located at 707 N. Pearl Street.
- 19.P-21-17 – Consider a replat for the J.H. Connell Replat #1 subdivision, comprising 0.258 acres, located south of W. Avenue D and north of W. Avenue F.

Miscellaneous

- 20.Consider authorizing the City Manager to execute an agreement with American Medical Response Ambulance Services, Inc. (AMR), for the provision of emergency medical services within the City.

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

If interpreter services for the deaf or hearing impaired are required, please contact the City Clerk at (254) 933-5817 at least 48 hours in advance.



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OFFICE OF THE CITY MANAGER

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Texas Pledge. The Pledge of Allegiance to the Texas Flag will be led by BEDC Executive Director Cynthia Hernandez.

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Invocation. The Invocation will be given by Councilmember Craig Pearson.

1. Call to order.
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Proclamations

3. A. Proclamation – National Night Out – October 4, 2022

Police Department representatives will be present to receive this proclamation.

B. Proclamation – Manufacturing Day – October 7, 2022

Representatives from several manufacturing companies will be present to receive the proclamation.

Consent Agenda

Items 4-13 under this section are considered to be routine by the City Council and may be enacted by one motion. If discussion is desired by the Council, any item may be removed from the Consent Agenda prior to voting, at the request of any Councilmember, and it will be considered separately.

4. **Consider minutes of September 13, 2022, City Council Meeting.**

A copy of the minutes is attached. Recommend approval.

5. **Consider reappointments to the following Boards/Commissions:**

A. Bell County Public Health District Board of Directors (Wayne Carpenter)

B. Electrical Board (Bill Barge and Jamie Sanderford)

See Staff Report from City Clerk Amy Casey. Recommend approval of the reappointments as presented.

6. **Consider a resolution authorizing the submittal of a grant application to the Leary Firefighters Foundation for the purchase of thermal imaging cameras for the Fire Department.**

See Staff Report from Grants and Special Projects Coordinator Jo-Ell Guzman. Recommend approval of the grant application submittal.

7. **Consider authorizing the City Manager to execute an agreement with Fire Recovery USA for billing and collection services for the Belton Fire Department.**

See Staff Report from Fire Chief Jon Fontenot. Recommend approval of the contract with Fire Recovery USA.

8. **Consider authorizing the City Manager to extend an agreement for Visitor Center support with the Belton Area Chamber of Commerce for FY2023.**

See Staff Report from City Manager Sam Listi. Recommend approval of the contract extension.

9. **Consider an Ordinance adopting Budget Amendment #1 to the City of Belton FY 2022 Annual Budget.**

See Staff Report from Director of Finance Mike Rodgers. Recommend approval of FY2022 Budget Amendment #1.

10. **Consider a resolution denying Oncor Electric Delivery Company LLC's application to change rates within the City of Belton.**

See Staff Report from City Clerk Amy Casey. Recommend adoption of the resolution denying Oncor's proposed rate increase.

11. **Consider an ordinance approving a tariff authorizing an annual Rate Review Mechanism as negotiated between Atmos Energy Corporation - Mid-Tex Division and the Steering Committee of Cities served by Atmos Energy Corporation.**

See Staff Report from City Clerk Amy Casey. Recommend adoption of the ordinance approving the tariff authorizing the Rate Review Mechanism as presented.

12. **Consider authorizing the purchase of vehicles and associated equipment for the Police Department as provided for in the Capital Equipment Replacement Fund.**

See Staff Report from Assistant City Manager/Chief of Police Gene Ellis. Recommend approval of the purchase of the police vehicles and associated equipment.

13. **Consider authorizing the purchase of a fire truck with associated equipment for fighting brush fires as provided for in the Capital Equipment Replacement Fund.**

See Staff Report from Fire Chief Jon Fontenot. Recommend approval of the purchase of the fire brush truck and associated equipment.

Planning and Zoning

14. **Z-22-30 – Hold a public hearing and consider a zoning change from Single Family-2 District to Multiple Family District for approximately 0.50 acres located at 701 Holland Road.**

See Staff Report from Planner Tina Moore. At its meeting on September 20, 2022, the Planning and Zoning Commission unanimously recommended approval of this zoning change, and Staff concurs.

15. **Z-22-31 – Hold a public hearing and consider a zoning change from Agricultural District to Commercial Highway on approximately 10.92 acres located at 6379 W. Highway 190 Service Road, located south of IH-14 and east of Simmons Road.**

See Staff Report from Planner Tina Moore. At its meeting on September 20, 2022, the Planning and Zoning Commission unanimously recommended postponement of this item. Action will be needed by the Council to postpone this item to the October 25, 2022, Council meeting.

16. **Z-22-32 – Hold a public hearing and consider a zoning change from Agricultural District to Agricultural District with a Specific Use Permit for an Elementary School on approximately 15.992 acres located north of FM 436 (Holland Road) and west of future O.T. Drive.**

See Staff Report from Planner Tina Moore. At its meeting on September 20, 2022, the Planning and Zoning Commission unanimously recommended approval of this zoning change, and Staff concurs.

17. **Z-22-34 – Hold a public hearing and consider a zoning change from Planned Development – Commercial-1 to Amended Planned Development – Commercial-1 for approximately 21.617 acres located at 3360 S. IH-35 Service Road, east of IH-35 and south of Grove Road.**

See Staff Report from Planner Tina Moore. At its meeting on September 20, 2022, the Planning and Zoning Commission recommended disapproval of this zoning change. The owner has chosen not to appeal at this time. No action is needed by the Council.

18. **Z-22-35 – Hold a public hearing and consider a zoning change from Single Family-1 District to Single Family-1 District with a Specific Use Permit for a Private School on approximately 0.215 acres located at 707 N. Pearl Street.**

See Staff Report from Planner Tina Moore. At its meeting on September 20, 2022, the Planning and Zoning Commission unanimously recommended approval of this zoning change, and Staff concurs.

19. **P-21-17 – Consider a replat for the J.H. Connell Replat #1 subdivision, comprising 0.258 acres, located south of W. Avenue D and north of W. Avenue E.**

See Staff Report from Planner Tina Moore. At its meeting on September 20, 2022, the Planning and Zoning Commission unanimously recommended approval of this plat, and Staff concurs.

Miscellaneous

20. Consider authorizing the City Manager to execute an agreement with American Medical Response Ambulance Services, Inc. (AMR), for the provision of emergency medical services within the City.

See Staff Report from Fire Chief Jon Fontenot. Recommend approval of the agreement with AMR for EMS Services.

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

If interpreter services for the deaf or hearing impaired are required, please contact the City Clerk at (254) 933-5817 at least 48 hours in advance.

WHEREAS, National Night Out is an annual community-building campaign that promotes partnership between law enforcement officers and the community they serve and protect, and generates neighborhood camaraderie; and

WHEREAS, National Night Out is an opportunity to bring police and neighbors together under positive circumstances, creating a sense of community; and

WHEREAS, National Night Out is celebrated in thousands of neighborhoods across the United States; and

WHEREAS, the City of Belton has participated in National Night Out on the first Tuesday in October for nearly 20 years; and

WHEREAS, Belton residents can get involved by hosting neighborhood block parties, cookouts and other events that draw neighbors together; and

WHEREAS, the best way to create a safer community is to know your neighbors and your surroundings. National Night Out triumphs over a culture that isolates us from each other and allows us to rediscover our community; and

WHEREAS, the City of Belton believes National Night Out can strengthen community ties with our officers and reminds criminals that police and Belton residents are united.

NOW THEREFORE, I, WAYNE CARPENTER, Mayor of the City of Belton, Texas, do hereby proclaim October 4, 2022, as

“NATIONAL NIGHT OUT”

in the City of Belton, Texas, and urge all citizens to join with family, friends, neighbors you know, and neighbors you have yet to meet, along with law enforcement officers, to share a meal and conversation on National Night Out in Belton.

IN WITNESS THEREOF, I have hereunto set my hand, and have caused the Official Seal of the City of Belton, Texas, to be affixed this 27th day of September, 2022.

Wayne Carpenter, Mayor

ATTEST:

Amy M. Casey, City Clerk

WHEREAS, the City of Belton, Texas is promoting Manufacturing Day, October 7, 2022; and

WHEREAS, Manufacturing Day was developed to improve public perception of manufacturing and is supported by thousands of manufacturers nationally as they host students, teachers, parents, job seekers and other local community members at open houses, as well as, digital and virtual events designed to showcase modern manufacturing technology and careers; and

WHEREAS, it is a national celebration of modern manufacturing designed to inspire the next generation on how they can make a difference through manufacturing, give guidance on how to take first steps in starting a career in modern manufacturing, effectively communicate that manufacturers need the next generation, show students, parents and educators the opportunity, creativity, possibility and accomplishment that comes with a career in manufacturing; and

WHEREAS, the manufacturing industry is a critical component of the state of Texas economy with 903,537 people directly employed, and \$222.1 billion gross regional product (GRP) in 2021; and

WHEREAS, in the state of Texas and the City of Belton economic growth depends on the education and vocational opportunities that align with manufacturer’s skilled-labor needs; and,

WHEREAS, modern manufacturing relies on implementation of innovative technology; provides competitive benefits to every employee; and thereby makes manufacturing a worthwhile career choice for all residents; and

WHEREAS, the City of Belton, Texas supports and joins in this national effort to help America’s manufacturers do what they do best – grow their business, create jobs, and ensure that our communities remain as vibrant tomorrow as they are today.

NOW THEREFORE, I, WAYNE CARPENTER, MAYOR OF THE CITY OF BELTON, TEXAS, do hereby proclaim October 7, 2022, as

“Manufacturing Day”

in the City of Belton and encourage all to make themselves aware of our local manufacturers, their products, and career opportunities to develop a better understanding of their valuable purpose in our community.

IN WITNESS THEREOF, I have hereunto set my hand, and have caused the Official Seal of the City of Belton, Texas, to be affixed this the 27th day of September 2022.

Wayne Carpenter, Mayor

ATTEST:

Amy M. Casey, City Clerk

**Belton City Council Meeting
September 13, 2022 – 5:30 P.M.**

The Belton City Council met in regular session in the Wright Room of the Harris Community Center. Members present included Mayor Wayne Carpenter, Mayor Pro Tem David K. Leigh and Councilmembers Craig Pearson, Dan Kirkley, John R. Holmes, Sr., Daniel Bucher and Stephanie O'Banion. Staff present included Sam Listi, Gene Ellis, John Messer, Amy Casey, Chris Brown, Mike Rodgers, Charlotte Walker, Jon Fontenot, Tina Moore, Matt Bates, Paul Romer, Larry Berg, Allen Fields and Jo-Ell Guzman.

The Pledge of Allegiance to the U.S. Flag was led by Mayor Pro Tem David K. Leigh, and the pledge to the Texas Flag was led by City Manager Sam Listi. The Invocation was given by Councilmember Dan Kirkley.

1. **Call to order.** Mayor Carpenter called the meeting to order at 5:32 p.m.
2. **Public Comments.** *(Audio 1:42)*

There were none.

Consent Agenda

Items 3-6 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. *(Audio 1:48)*

3. **Consider minutes of September 6, 2022, Special Called City Council Meeting.**
4. **Consider a resolution authorizing the submission of a grant application to the Governor's Public Safety Office for a grant to purchase Bullet-Resistant Shields.**
5. **Consider authorizing the City Manager to execute an agreement with the Central Texas Council of Governments (CTCOG) to continue funding for the volunteer coordinator position for the Belton Police Department's RUOK? senior adult outreach program.**
6. **Consider a resolution authorizing publication of a Notice of Public Hearing regarding annexation of approximately 3.246 acres, located east of Interstate 35, south of East Amity Road, and west of Rose Lane.**

Mayor Pro Tem Leigh requested that Item #5 be pulled for discussion.

Upon a motion by Councilmember Pearson, and a second by Councilmember O'Banion, Consent Agenda Items 3, 4 and 6, including the following captioned resolutions, were unanimously approved upon a vote of 7-0.

RESOLUTION NO. 2022-28-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELTON, TEXAS, APPROVING THE SUBMITTAL OF A GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR, PUBLIC SAFETY OFFICE, CRIMINAL JUSTICE DIVISION, BULLET-RESISTANT SHIELD GRANT PROGRAM, AND DESIGNATING AN AUTHORIZED OFFICIAL.

RESOLUTION NO. 2022-29-R

A RESOLUTION SETTING A DATE, TIME, AND PLACE FOR A PUBLIC HEARING ON THE PROPOSED ANNEXATION OF CERTAIN PROPERTY BY THE CITY OF BELTON, TEXAS, AND AUTHORIZING AND DIRECTING THE MAYOR TO PUBLISH NOTICE OF SUCH PUBLIC HEARING.

Consent Agenda Item #5 was presented by Assistant City Manager/Chief of Police Gene Ellis.

Upon a motion by Mayor Pro Tem Leigh, and a second by Councilmember Holmes, Consent Agenda Item #5 was unanimously approved upon a vote of 7-0.

FY2023 Budget

7. **Consider an ordinance adopting Belton’s Strategic Plan for FY 2023-2027.** (Audio 5:17)

City Manager Sam Listi presented this item.

Upon a motion by Councilmember O'Banion, and a second by Councilmember Pearson, the following captioned ordinance was unanimously approved upon a vote of 7-0.

ORDINANCE NO. 2022-45

AN ORDINANCE ADOPTING THE STRATEGIC PLAN, FY2023-2027, FOR THE CITY OF BELTON, TEXAS.

8. **Ratify the increase in total property tax revenue as reported in the Fiscal Year 2023 Annual Budget for the City of Belton, Texas.** (Audio 6:22)

THIS BUDGET WILL RAISE MORE REVENUE FROM PROPERTY TAXES THAN LAST YEAR’S BUDGET BY AN AMOUNT OF \$1,093,189, WHICH IS AN 11.25 PERCENT INCREASE FROM LAST YEAR’S BUDGET. THE PROPERTY TAX REVENUE TO BE RAISED FROM NEW PROPERTY ADDED TO THE TAX ROLL THIS YEAR IS \$388,531.

Director of Finance Mike Rodgers presented this item.

Upon a motion by Councilmember Pearson, and a second by Mayor Pro Tem Leigh, the increase in total property tax revenue was ratified upon a vote of 6-1 with Councilmember Holmes providing the dissenting vote.

9. **Consider an ordinance adopting the Fiscal Year 2023 Annual Budget for the City of Belton, Texas.** (Audio 19:59)

THIS BUDGET WILL RAISE MORE REVENUE FROM PROPERTY TAXES THAN LAST YEAR’S BUDGET BY AN AMOUNT OF \$1,093,189, WHICH IS AN 11.25 PERCENT INCREASE FROM LAST YEAR’S BUDGET. THE PROPERTY TAX REVENUE TO BE RAISED FROM NEW PROPERTY ADDED TO THE TAX ROLL THIS YEAR IS \$388,531.

Upon a motion by Mayor Pro Tem Leigh, and a second by Councilmember O’Banion, the following captioned ordinance was approved upon a roll call vote as follows:

| Name | Yes | No | Absent | Abstain |
|-----------------------------------|-----|----|--------|---------|
| Councilmember Stephanie O’Banion | X | | | |
| Councilmember John R. Holmes, Sr. | | X | | |
| Councilmember Craig Pearson | X | | | |
| Councilmember Dan Kirkley | X | | | |
| Councilmember Daniel Bucher | X | | | |
| Mayor Pro Tem David K. Leigh | X | | | |
| Mayor Wayne Carpenter | X | | | |

ORDINANCE NO. 2022-46

AN ORDINANCE ADOPTING THE FISCAL YEAR 2023 ANNUAL BUDGET FOR THE CITY OF BELTON, TEXAS; APPROPRIATING THE SUMS FOR THE PURPOSES THEREIN NAMED; DIRECTING THE CITY CLERK TO FILE COPIES OF THIS ORDINANCE AND OF SUCH BUDGET WITH THE COUNTY CLERK OF BELL COUNTY, TEXAS; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

10. **Consider an ordinance adopting the 2022 ad valorem tax rate not to exceed \$0.5850 per \$100 of taxable value.** (Audio 22:37)

THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR’S TAX RATE.

THE TAX RATE WILL EFFECTIVELY BE RAISED BY 4.30 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$21.00.

Councilmember Kirkley made the following motion: *“I move that the property tax rate be increased by the adoption of a tax rate of \$0.5850, which is effectively a 4.6 percent increase in the tax rate.”*

The motion was seconded by Councilmember Pearson, and the following captioned ordinance was approved by a roll call vote as follows:

| Name | Yes | No | Absent | Abstain |
|-----------------------------------|-----|----|--------|---------|
| Councilmember Stephanie O’Banion | X | | | |
| Councilmember John R. Holmes, Sr. | | X | | |
| Councilmember Craig Pearson | X | | | |
| Councilmember Dan Kirkley | X | | | |
| Councilmember Daniel Bucher | X | | | |
| Mayor Pro Tem David K. Leigh | X | | | |
| Mayor Wayne Carpenter | X | | | |

ORDINANCE NO. 2022-47

AN ORDINANCE OF THE CITY OF BELTON, TEXAS, FIXING THE TAX RATE AND TAX LEVY FOR THE CITY OF BELTON, TEXAS, FOR THE 2022 TAX YEAR UPON ALL TAXABLE PROPERTY IN SAID CITY; AND PROVIDING FOR LIEN ON ALL REAL AND PERSONAL PROPERTY TO SECURE THE PAYMENT OF TAXES DUE THEREON.

Miscellaneous

11. **Consider authorizing a development agreement between the Belton Economic Development Corporation and Glass Expanse and Bell McKinnon Properties, LLC, to support their investment and job creation in Belton.** (Audio 31:46)

BEDC Executive Director Cynthia Hernandez presented this item.

Upon a motion by Councilmember O’Banion, and a second by Councilmember Bucher, the development agreement was unanimously approved upon a vote of 7-0.

12. **Consider authorizing the City Manager to enter into a professional services agreement with Kasberg, Patrick & Associates for design and bidding phase services related to the College Street and S. Pearl Street Improvements Project.** (Audio 41:46)

Director of Public Works Matt Bates presented this item.

Upon a motion by Councilmember Holmes, and a second by Mayor Pro Tem Leigh, the professional services agreement with KPA was unanimously approved upon a vote of 7-0.

Executive Session

At 6:23 p.m., the Mayor announced the Council would go into Executive Session for the following item:

13. Executive Session pursuant to the provision of the Open Meetings Law, Chapter 551, Govt. Code, Vernon's Texas Codes Annotated, in accordance with the authority contained in Section 551.072, Deliberation Regarding Real Property.

The Mayor reopened the meeting at 6:48 p.m., and there being no further business, the meeting was adjourned.

Wayne Carpenter, Mayor

ATTEST:

Amy M. Casey, City Clerk



Staff Report – City Council Agenda Item

Agenda Item #5

Consider reappointments to various Boards:

- A. Bell County Public Health District Board of Health
- B. Electrical Board

Originating Department: Administration – Amy M. Casey, City Clerk

Background

- A. Wayne Carpenter's term on the Bell County Public Health District Board of Directors is expiring on October 16, 2022. Mr. Carpenter has expressed a desire to serve another term on the board, so he is recommended for reappointment.
- B. Jamie Sanderford's and Bill Barge's terms on the Electrical Board expire on October 23, 2022. Mayor Carpenter is recommending both for reappointment.

Fiscal Impact

N/A

Recommendation

Recommend approval of the reappointments.

Attachments

None



Staff Report – City Council Agenda Item

Agenda Item #6

Consider a resolution authorizing the submission of a grant application to the Leary Firefighters Foundation for the purchase of Thermal Imaging Cameras for the Fire Department.

Originating Department

Belton Fire Department – Jon Fontenot, Fire Chief
Administration – Jo-Ell Guzman, Grants and Special Projects Coordinator

Background

The purpose of this item is to consider a resolution authorizing staff to submit a grant application to the Leary Firefighters Foundation for Thermal Imaging Cameras (TIC). An invitation from the Leary Firefighters Foundation was received on September 16, 2022, to submit a formal application for the TICs.

The proposed grant anticipates purchasing eight (8) Thermal Imaging Cameras and accessories for a total cost of \$19,983.44. No local match is required.

The grant application is due on October 7, 2022.

Fiscal Impact

Local Match: None

Recommendation

Recommend the Council adopt the resolution authorizing the grant application.

Attachments

Resolution

RESOLUTION NO. 2022-30-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELTON, TEXAS, APPROVING THE SUBMITTAL OF A GRANT APPLICATION TO THE LEARY FIREFIGHTERS' FOUNDATION AND DESIGNATING AN AUTHORIZED OFFICIAL.

WHEREAS, the City Council of the City of Belton, Texas, finds that it is in the best interest of the citizens of Belton, Texas, for the City to submit a grant application to the Leary Firefighters Foundation for Thermal Imaging Cameras (TIC).

WHEREAS, the City Council of the City of Belton, Texas, is fully eligible to receive assistance; and

WHEREAS, the City Council of the City of Belton, Texas, agrees that no matching funds are required by the grant program application; and

WHEREAS, the City Council of the City of Belton, Texas, agrees that in the event of loss or misuse of funds, the City will return the funds to the Leary Firefighters Foundation in full; and

WHEREAS, the City Council of the City of Belton, Texas, hereby designates the Belton City Manager as the grantee's authorized official who is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Belton, Texas, hereby authorizes the submission of the grant application to the Leary Firefighters Foundation as stated herein.

PASSED and APPROVED this 27th day of September 2022.

THE CITY OF BELTON, TEXAS

Wayne Carpenter, Mayor

ATTEST:

Amy M. Casey, City Clerk



Staff Report – City Council Agenda Item

Agenda Item #7

Consider authorizing the City Manager to execute an agreement with Fire Recovery USA for billing and collection services for the Belton Fire Department.

Originating Department

Fire Department – Jon Fontenot, Fire Chief

Background

On August 30, 2022, Belton City Council authorized an addition to the City's Code of Ordinances which authorizes the Fire Department to make cost recovery efforts by billing for certain services. The contract with Fire Recovery USA (FR) allows FR to obtain needed scene information and to take collection steps on the behalf of the City of Belton/Belton Fire Department.

Fiscal Impact

Amount: Fire Recovery USA will retain 22% of fees collected. There are no other charges for their service. In addition, there is no set-up or annual fees with FR.

Recommendation

Recommend approval of the agreement.

Attachments

Proposed Contract

SERVICES AGREEMENT

This Services Agreement (“Agreement”) is made effective as of _____, 2022 (“Effective Date”), by and between **FIRE RECOVERY USA, LLC**, a California limited liability company (“Company”), and **Belton Fire Department**, (“Client”). The Company and Client are referred to herein individually as a “party” and collectively as the “parties.”

RECITALS

WHEREAS, Company engages in the business of performing billing services (“Company Services”) for United States Fire Departments in connection with the motor vehicle incidents and other emergency incidents at which the Client provides emergency services: and

WHEREAS, Client seeks the services of Company to assist with the billing for services that Client provides in connection with motor vehicle incidents and other emergency incidents; and

WHEREAS, Company and Client desire to enter into this Agreement to memorialize their agreements regarding the Company Services to be provided to Client.

NOW, THEREFORE, in consideration of the mutual representations, warranties and covenants set forth herein and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Company and Client agree as follows:

ARTICLE 1 ENGAGEMENT

1.1. Engagement: Client hereby engages Company to provide the Company Services described in Article 4 herein, and Client hereby accepts such engagement, all on the terms and conditions set forth herein. Company will determine the method, detail and means of performing the services detailed below.

ARTICLE 2 REPRESENTATIONS AND WARRANTIES

2.1. Representations and Warranties of Company: Company hereby represents and warrants to Client that, at all times during the term of this Agreement, Company is a limited liability company duly organized, validly existing and in good standing under the laws of the State of California.

2.2. Representations and Warranties of Client: Client hereby represents and warrants to Company that, at all times during the term of this Agreement, Client is, or Governs, or Contracts with an organized fire department established pursuant to the laws and ordinances of the state in which Client is located.

ARTICLE 3
COMPANY STATUS AND QUALIFICATIONS

3.1. Independent Contractor: Company enters into this Agreement, and will remain throughout the term of the Agreement, as an independent contractor. Company agrees that it will not become an employee, partner, agent or principal of Client while this Agreement is in effect.

3.2. Payment of Income Taxes: Company is responsible for paying when due all income taxes, including estimated taxes, incurred as a result of the compensation paid by Client to Company for services rendered under this Agreement. On request, Company will provide Client with proof of timely payment. Company agrees to indemnify Client for any claims, costs, losses, fees, penalties, interest, or damages suffered by Client resulting from Company's failure to comply with this provision.

3.3. Use of Employees or Subcontractors: Company may, at Company's own expense, use any employees or subcontractors as Company deems necessary to perform the services required of Company by this Agreement. Client may not control, direct, or supervise Company's employees or subcontractors in the performance of those services.

3.4. Qualifications: Company represents that it is qualified and has the skills necessary to perform the services under this Agreement in a competent and professional manner, without the advice or direction of Client.

3.5. Ownership Interest: Company will have no ownership interest in Client.

3.6. No Benefit Contributions: Company shall have no obligation under this Agreement to compensate or pay applicable taxes or provide employee benefits of any kind to any person employed or retained by Client.

3.7. Attorney-in-Fact: Client appoints Company as Client's attorney-in-fact for the following purposes:

- (a) Billing and Collections: To bill and collect ("Collections") all revenue earned by and due to Client, in connection with Client's provision of emergency services provided/rendered at the sites of motor vehicle incidents and other emergency incidents, and to receive all Collections on Client's behalf and to sue for and give satisfaction for monies due on account and to withdraw any claims, suits, or proceedings pertaining to or arising out of Company's or Client's right to collect such amounts; and
- (b) Endorsement: To take possession of and endorse in Client's name any notes, checks, money orders, and any other instruments received as Collections.

ARTICLE 4
GENERAL RESPONSIBILITIES OF COMPANY

4.1. Minimum Amount of Service: Company agrees to devote as much time and attention to the performance of the Company Services under this Agreement as may be, in Company's sole discretion, required to accomplish the tasks described herein to accomplish the results for which the Company is responsible under this Agreement.

4.2. Company Services: Company agrees to perform the Company Services as set forth in the "List of Company Services" attached hereto as Schedule "A" and incorporated herein by reference; including those additional services requested by Client and accepted in writing by the Company during the term of this Agreement.

4.3. Non-Exclusive Relationship: Company may represent, perform services for, and contract with as many additional clients, persons, or companies as Company, in Company's sole discretion, sees fit.

4.4. Time and Place of Performing Work: Company may perform the services under this Agreement at any suitable time and location Company chooses.

4.5. Materials and Equipment: Company will supply all materials and equipment required to perform the services under this Agreement.

4.6. Workers' Compensation: Company agrees to provide workers' compensation insurance for Company and Company's employees and agents and agrees to hold harmless and indemnify Client for any and all claims arising out of any injury, disability, or death of any of Company's employees or agents.

4.7. Assignment: Neither this Agreement nor any duties or obligations under this Agreement may be assigned by Company without the prior written consent of Client, which consent shall not be unreasonably withheld.

ARTICLE 5 COMPENSATION OF COMPANY

5.1. Compensation for Company Services: All Company Services provided pursuant to this Agreement will be provided in accordance with the terms, including compensation amounts and schedule of remittance, set forth in the "List of Company Services," attached hereto as Schedule A.

5.2. The provisions of Article 11 of this Agreement will govern any dispute associated with compensation.

ARTICLE 6 OBLIGATIONS OF CLIENT

6.1. Cooperation of Client: The Client agrees to comply with all reasonable requests of Company and provide access to all documents reasonably necessary to the performance of Company's duties under this Agreement. The Client shall be responsible for initially insuring, and continuing to review, local and state laws in the Client's jurisdiction to assure adequate legal authority for Company to engage in the Services described herein on behalf of Client.

6.2. Assignment: Once a run is assigned to Company for processing, Company will pursue collection until all efforts have been exhausted. While Company is pursuing payment on a claim Client is precluded from assigning any duties or obligations under this Agreement to any other party, without the written consent of Company. Client may not negotiate a settlement of a run Company is processing without Company's written consent to the terms of the settlement and compensation due to Company for processing the run. Once Company has determined a run is not collectible it will either be archived and closed or sent to a collection agency (only if Client chooses to do so). Sending an account to collection incurs additional fees to Client. If payment is received from a collection agency, the amount received will be posted to Client's account by Company. Company will reimburse Client at the rate set forth in Schedule A, List of Company Services for that particular run, minus any additional fees from the collection agency.

ARTICLE 7 CLIENT AUTHORIZATION

7.1. Authorization: Notwithstanding other provisions of this Agreement, Company shall obtain authorization from Client prior to performing any of the following:

- (a) The sale conveyance, transfer, pledge exchange, assignment, hypothecation, or encumbrance of Client's interest in any sums owed to Client; and
- (b) All other limitations as stated by the terms of this Agreement.

ARTICLE 8 TERMINATION OF AGREEMENT

8.1. Termination on Notice: Notwithstanding any other provision of this Agreement, either party may terminate this Agreement at any time by giving thirty days (30) written notice to the other party. Unless earlier terminated as set forth below, this Agreement shall be effective as of the date first set out above and shall continue for a period of one (1) year thereafter. This Agreement shall automatically renew for successive one (1) year periods, unless either party provides written notification to the other party of its decision not to renew this Agreement. Any runs submitted for processing to Company prior to the date of the notice of termination will continue to be processed under the terms of the List of Company Services set forth in this Agreement.

8.2. Termination on Occurrence of Stated Events: This Agreement will terminate automatically on the occurrence of any of the following events;

- (a) Bankruptcy or insolvency of either party;
- (b) The assignment of this Agreement by either party without the consent of the other party; the parties agree that neither party will unreasonably withhold consent to such an assignment.

8.3. Termination for Default: If either party defaults in the performance of this Agreement or materially breaches any of its provisions, the non-breaching party may terminate this Agreement by giving written notification to the breaching party. Termination will take effect immediately on receipt of notice by the breaching party or five days (5) after mailing of notice,

whichever occurs first. For the purposes of this paragraph, material breach of this Agreement includes, but is not limited to, the following:

- (a) Company's failure to complete the services specified in the Description of Services;
- (b) Client's material breach of any representation, warranty or agreement contained in this Agreement;
- (c) Company's material breach of any representation, warranty or agreement contained in this Agreement;
- (d) If the Fire Department does not maintain a minimum of 6 billable runs per year, the Fire Department will be subject to a minimum account service fee of \$250 annually or termination of the account.

ARTICLE 9 PROPRIETARY RIGHTS

9.1. Confidential Information: Any written, printed, graphic, or electronically or magnetically recorded information furnished by Client for Company's use are the sole property of Client. This proprietary information includes, but is not limited to, customer requirements, customer lists, marketing information, and information concerning the Client's employees, products, services, prices, operations, and subsidiaries. Company will keep this confidential information in the strictest confidence, and will not disclose it by any means to any person except with the Client's approval, and only to the extent necessary to perform the services under this Agreement. This prohibition also applies to Company's employees, agents, and subcontractors. On termination of this Agreement, Company will return any confidential information in Company's possession to Client.

9.2 Confidential Information: Any written, printed, graphic, electronically or magnetically recorded information, computer-based hardware, software, applications, software scripts, or software links furnished by Company for Client's use are the sole property of Company. This proprietary information includes, but is not limited to, customer requirements, customer lists, marketing information, and information concerning the Company's employees, products, services, prices, operations, and subsidiaries. Client will keep this confidential information in the strictest confidence, and will not disclose it by any means to any person except with the Company's approval, and only to the extent necessary to perform the services under this Agreement. This prohibition also applies to Client's employees, agents, and subcontractors. On termination of this Agreement, Client will return any confidential information in Client's possession to Company.

ARTICLE 10 INDEMNIFICATION

10.1. Indemnification: To the extent permitted by applicable law, the Company will indemnify and hold the Client harmless from and against any and all loss, damage, liability, claims and/or injury resulting from all negligent actions performed by the Company, or its agents on the

Company's behalf, in connection with this Agreement. However, this indemnification shall not apply with respect to any legal cause, action or consequential liability or losses as a result from inaccurate or incomplete information or unfounded or unreasonable submissions furnished to the Company by the Client nor shall it apply to any act, omission or negligence of the Client.

**ARTICLE 11
GENERAL PROVISIONS**

11.1. Governing Law: This Agreement shall be governed in all respects by the laws of the State of Texas, without giving effect to any choice or conflict of law provision or rule (whether of the State of Texas or any other jurisdiction that would cause the application of the laws of any jurisdiction other than the State of Texas).

11.2. Entire Agreement: This Agreement constitutes the entire agreement between the Parties pertaining to the subject matter contained in it and supersedes all prior and contemporaneous agreements, representations, and understanding of the parties.

11.3. Successors and Assigns: Except as otherwise provided herein, the provisions hereof shall inure to the benefit of, and be binding upon, the successors, assigns, heirs, executors and administrators of the parties hereto. No party may assign any of its rights or obligations hereunder without the express written consent of the other party hereto, which consent may not be unreasonably withheld; provided, however, any party may assign any and all of its rights and interests hereunder to one or more of its affiliates and designate one or more of its affiliates to perform its obligations hereunder; provided, however, that such party remains liable for full and total performance of its obligations hereunder.

11.4. Notices: Any notices authorized to be given hereunder shall be in writing and deemed given, if delivered personally or by overnight courier, on the date of delivery, if a Business Day, or if not a business day, on the first Business Day following delivery, or if mailed, three days after mailing by registered or certified mail, return receipt requested, and in each case, addressed, as follows:

If to the Company to:

Fire Recovery USA, LLC
2271 Lava Ridge Court, Suite 120
Roseville CA 95661
Attention: Craig Nagler

with a copy to:

The Watkins Firm, APC
9915 Mira Mesa Boulevard, Suite 130
San Diego, CA 92131
Attention: Chris Popov, Esq.

If to Client to:

Belton Fire Department
420 Sparta Road
Belton, TX 76513
Attention: _____

with a copy to:

Attention: _____

Or, if delivered by telecopy, on a Business Day before 4:00 PM local time of addressee, on transmission confirmed electronically, or if at any other time or day on the first Business Day succeeding transmission confirmed electronically, to the facsimile numbers provided above, or to such other address or telecopy number as any party shall specify to the other, pursuant to the

foregoing notice provisions. When used in this Agreement, the term "Business Day" shall mean a day other than a Saturday, Sunday or a Federal Holiday.

11.5. Waiver; Amendments: This Agreement sets forth the entire agreement of the parties respecting the subject matter hereof, (ii) supersede any prior and contemporaneous understandings, agreements, or representations by or among the parties, written or oral, to the extent they related in any way to the subject matter hereof, and (iii) may not be amended orally, and no right or obligation of any party may be altered, except as expressly set forth in a writing signed by such party.

11.6. Counterparts: This Agreement may be signed in several counterparts.

11.7. Expenses: Each party shall bear its own expenses incurred with respect to the preparation of this Agreement and the consummation of the transactions contemplated hereby.

11.8. Arbitration:

(a) If at any time there shall be a dispute arising out of or relating to any provision of this Agreement, any Transaction Document or any agreement contemplated hereby or thereby, such dispute shall be submitted for binding and final determination by arbitration in accordance with the regulations then obtaining of the American Arbitration Association. Judgment upon the award rendered by the arbitrator(s) resulting from such arbitration shall be in writing, and shall be final and binding upon all involved parties. The site of any arbitration shall be at a site agreed to by the parties and the arbitration decision can be enforced in a "court of competent jurisdiction".

(b) This arbitration clause shall survive the termination of this Agreement, any Transaction Document and any agreement contemplated hereby or thereby.

11.9. Waiver of Jury Trial; Exemplary Damages: THE PARTIES HERETO HEREBY WAIVE THEIR RIGHTS TO TRIAL BY JURY WITH RESPECT TO ANY DISPUTE ARISING UNDER THIS AGREEMENT OR ANY TRANSACTION DOCUMENT. NO PARTY SHALL BE AWARDED PUNITIVE OR OTHER EXEMPLARY DAMAGES RESPECTING ANY DISPUTE ARISING UNDER THIS AGREEMENT OR ANY TRANSACTION DOCUMENT CONTEMPLATED HEREBY.

11.10 Cooperative Purchases: This Agreement may be used by other government agencies. Company has agreed to offer similar serves to other agencies under the same or similar terms and conditions as stated herein except that the revenue share percentage (Compensation) may be negotiated between the Company and other agencies based on the specific revenue expectations, agency reimbursed costs, and other agency requirements. The City/County/or Client/Protection District will in no way whatsoever incur any liability in relation to specifications, delivery, payment, or any other aspect of purchase by other agencies.

Signatures on following page:

IN WITNESS WHEREOF, the undersigned have executed this Agreement as of the date first written above.

COMPANY:

FIRE RECOVERY USA, LLC.
a California limited liability company

Signature: _____

Name: M. Craig Nagler

Title: Manager

CLIENT:

Belton Fire Department

Signature: _____

Name (printed): _____

Title: _____

SCHEDULE A

LIST OF COMPANY SERVICES

1. Company will provide, as a normal matter of business; entry of claims and submission to the responsible party, collections of monies deemed due to the Client, payments of the agreed upon percentage of said monies to Client, and reporting of progress.
2. Company agrees to bill to the best of its ability all claims provided to Company by the Client.
3. Company will not begin litigation against a person, entity, or insurance carrier without prior written approval by the Client.
4. Company agrees to reimburse Client a portion of the monies collected at a rate of 78% (seventy-eight percent) of the total monies collected on the Client's claims. Total monies collected will be net, after any credit card processing fees (charged at 4%) or any collection agency fees. If Client submits a claim to Company and later wants to cancel the claim, Client may be subject to a billing fee. If Client agrees to submit a claim to Company's collection agency and later wants to remove it from collection status, Client may be subject to a fee of up to 35% of the amount of the claim to compensate for efforts made to collect the claim.
5. Company agrees to pay these monies collected to the Client on a monthly basis, within seven (7) working days after the close and accounting of the monthly billing cycle.
6. Company agrees to make available reports via a password protected website to the Client which detail billable claims outstanding (which are claims submitted, but not yet completed) and claims completed in the prior billing cycle.
7. Company will not be responsible for, nor accept any liability for, any erroneous, invalid, or illegal procedure codes or claims submitted to Company by the Client on the Run Sheets.

EXHIBIT A

MITIGATION RATES

BASED ON PER HOUR

| Asset Type | Cost |
|------------|------|
|------------|------|

| | |
|---|-----------------------------|
| Engine/ Pumper +3 personnel | \$350/ hour |
| Ladder Truck/ Quint + 3 personnel | \$450/ hour |
| Command Veh. + 1 command officer | \$150/ hour |
| Police Veh. + 1 officer | \$100/ hour |
| Brush Truck + 2 personnel | \$250/ hour |
| Boat/ ATV + 2 personnel | \$150/ hour |
| Other (PW heavy equipment to include operator) | \$100/ hour |
| Additional Personnel | \$75/person/hour |
| City Supplied Water | \$7.50 per 1000 gal. |
| Sand (per cubic yard) | \$25/ yard, minimum 3 yards |
| Other Approved Absorbent | Actual Cost + 10% |
| Other Control/ Containment Items | Actual Cost + 10% |
| Disposal of Debris | Actual Cost + 10% |
| Firefighting Foam | Actual Cost + 10% |
| Damaged FF. Tools, Equipment, or Apparatus | Actual Cost + 10% |
| False Alarm - Malfunction (after 3rd response) | \$150 per response |
| False Alarm - Deliberate/ malicious | \$200 per response |
| Misadventure and/or deliberate risk taking | \$200 plus Asset Fee |
| Failure to respond to lawful warning or order | \$200 per response |
| Failure to notify the fire dept. of an alarm activation | \$150 per occurrence |



Staff Report – City Council Agenda Item

Agenda Item #8

Consider authorizing the City Manager to execute an agreement for Visitor Center support with the Belton Area Chamber of Commerce for FY2023.

Originating Department

Administration – Sam A. Listi, City Manager

Summary Information

This revised Agreement would continue City support for the operation of the Convention and Visitors Bureau, housed in the Belton Area Chamber of Commerce office, for FY 2023. The Hotel/Motel Budget adopted on September 13, 2022, includes this funding. Other Agreement elements:

- Chamber staff will support Visitor Center operations and support CVB/Retail Coordinator
- Provides for advance payment at beginning of each quarter – no invoice required
- Provides for CVB display space and office space for CVB Director
- Approved by Chamber Board

Fiscal Impact

Amount: \$12,500

Budgeted: Yes No

Recommendation

Recommend approval

Attachments

Chamber/City Support Agreement

**Visitor Center Support
Belton Area Chamber of Commerce and
The City of Belton, Texas**



Time Period: Oct. 1, 2022 - Sept. 30, 2023



A. Visitor Center Support – City of Belton: \$12,500

B. Chamber Staff Support to Visitor Center

1. Provide Chamber Staff Support to Visitor Center/Reception Area during Chamber hours.
2. Provide Chamber Staff Support for City's Visitor Center/Tourism Director – Examples include, but not limited to SeeBelton.com; Visitor Guide; Welcome Packets; Event Marketing; Market Days.

C. Office Space for City's Visitor Center/Tourism Director provided by Chamber

Office Space and associated Visitor Center Display Space, together with use of common areas including the foyer, hallways, conference room, break room, and other spaces and areas within the building necessary for access to leased premises.

D. Process for Funding Distribution

1. Chamber to complete Special Events Sponsorship Application for H/M funding for agreed amount.
2. City Council funding agreement not needed; handle as a Sponsorship.
3. Reimbursement shall occur in one payment following request on or about October 17, 2022.

Randy Pittenger
Belton Area Chamber of Commerce

Sam A. Listi
Belton City Manager

Date: _____

Date: _____



Staff Report – City Council Agenda Item

Agenda Item #9

Consider an Ordinance adopting Budget Amendment #1 to the City of Belton FY 2022 Annual Budget

Originating Department

Finance Department – Mike Rodgers, Director of Finance

Summary Information

Section 8.09 of the City Charter allows the City Council to amend the annual budget by Ordinance as necessary. As the 2022 fiscal year wraps up, a budget amendment is needed as a housekeeping measure to account for expenditures that surpassed the budgeted appropriations during the year. Below is a brief description of each proposed revision.

Revision #1)

Several General Fund revenue accounts should be adjusted to reflect actual results for the year. Revision #1 increases the budget for sales tax and permitting revenues. It reduces the budget for revenue received from property taxes.

Revision #2)

The FY 2022 Annual Budget included \$568,670 for pay plan-related costs. Revision #2 increases appropriations for the personnel accounts of several divisions by \$713,800, a net increase to the budget of \$145,130.

Revision #3)

Fuel expenditures have far exceeded the amount anticipated when the budget was being developed. Revision #3 will add \$140,460 to various fuel accounts to cover the cost overrun.

Revision #4)

Since 2020, the Debt Service Fund has been carrying very little reserves. An ending balance of \$7,527 was anticipated at the end of FY 2022; however, lower property tax collections during the year have reduced the reserve balance below zero. This revision will transfer \$30,000 from the General Fund into the Debt Service Fund to reverse the negative equity position at year end.

Revision #5)

On February 8, 2022, City Council approved the repair of the Fire Department's Quint 2, a 2004 Spartan 75-foot aerial apparatus, at a cost of \$80,147. Due to the inability to take delivery of new vehicles, damaged vehicles have been repaired instead of replaced. Revision

#5 will add \$80,000 to Fire Suppression and \$30,000 to Fleet Maintenance to cover the cost of major repairs.

Revision #6)

Three divisions had cost overruns for services. As a result of demanding workloads and staff shortages, the Inspections Division hired a third-party to perform building inspections. General engineering costs have also exceeded budget. Expenses related to credit card processing continue to increase. Revision #6 will increase appropriations in the Inspections, Engineering, and Utility Finance divisions by \$33,600, \$17,000, and \$10,000, respectively.

Revision #7)

The City of Belton issued its Series 2022 Certificates of Obligation on February 8, 2022, for several water projects, including the North Belton elevated storage tank. Revision #7 will increase appropriations in the Utility Finance Division by \$212,100 to cover the cost of issuance and the first interest payment that was made in August.

Revision #8)

After several months of dry weather, the consumption of water – along with the cost to acquire it – has surpassed budget in FY 2022. Revision #8 will increase both revenues and expenses the Water & Sewer Fund by \$200,000.

Revision #9)

The Sewer-Collections and Sewer-Lift Stations divisions each had cost overruns related to major maintenance projects. Offsetting these expenses, sewer revenue exceeded budget due to higher consumption. Revision #9 appropriates an additional \$90,000 for expenses and \$183,000 for sewer revenue.

Fiscal Impact

See Ordinance

Budgeted: ___ Yes ___ **X** No

If not budgeted: ___ Budget Transfer ___ Contingency ___ **X** Amendment Needed ___ Capital Project Funds

Funding Source(s): See ordinance

Recommendation

Staff recommends approval of the Ordinance adopting Budget Amendment #1 to the City of Belton FY 2022 Annual Budget

Attachments:

Proposed Ordinance

ORDINANCE NO. 2022-48

AN ORDINANCE OF THE CITY OF BELTON, TEXAS, ADOPTING AMENDMENT NO. 1 TO THE BUDGET OF THE CITY OF BELTON, TEXAS, FOR ITS FISCAL YEAR 2022; BY PROVIDING DETAILED LINE INCREASES; BY MAKING SUPPLEMENTAL APPROPRIATIONS; DECLARING THIS A MATTER OF PUBLIC NECESSITY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR THE EFFECTIVE DATE THEREOF

WHEREAS, the City of Belton Fiscal Year 2022 Annual Budget was adopted within the time and in the manner required by State Law; and

WHEREAS, the City Council hereby finds and determines that certain transfers of unencumbered appropriation balances from one department or division to another are allowed; and

WHEREAS, the City Council hereby finds and determines that there are sufficient revenues available for appropriation; and

WHEREAS, the City Council finds and determines that the proposed changes in the budget are for municipal purposes, and that the amendment to the budget is a matter of public necessity requiring adoption of the amendment to the budget at this time; now therefore,

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

Section 1. The facts and matters set forth in the preamble of this ordinance are found to be true and correct.

Section 2. The City of Belton Fiscal Year 2022 Annual Budget is hereby amended by the adoption of "Amendment No. 1 to the Budget of the City of Belton, Texas, for the Fiscal Year 2022," a copy of which is attached hereto. "Amendment No. 1 to the Budget of the City of Belton, Texas, for the Fiscal Year 2022" shall be attached to and made a part of the Original Budget by the City Clerk and filed as required by State Law.

Section 3. All ordinances or parts of ordinances inconsistent with the terms of this ordinance are hereby repealed; provided however, that such repeal shall be only to the extent of such inconsistency and in all other respects this ordinance shall be cumulative of other ordinances regulating and governing the subject matter covered by this ordinance.

Section 4. This ordinance shall become effective after its approval and adoption upon first and final reading and its publication pursuant to law.

Ordinance No. 2022-48
FY 2022 Amendment No. 1

PASSED, APPROVED, AND ADOPTED on first and final reading this 27th day of
September 2022.

Wayne Carpenter, Mayor

ATTEST:

Amy M. Casey, City Clerk

**AMENDMENT NO. 1 TO THE BUDGET OF THE CITY OF BELTON, TEXAS
FOR THE FISCAL YEAR 2022**

| Division Name | General Ledger Account Number | General Ledger Account Name | FY 2022 Current Budget | Amendment Amount | FY 2022 Amended Budget |
|---------------------------|----------------------------------|--------------------------------|------------------------------|---------------------|------------------------------|
| <u>Revision #1</u> | | | | | |
| General Fund | 101-3-1010 | Current Ad Valorem Taxes | (8,508,320) | 199,320 | (8,309,000) |
| General Fund | 101-3-1210 | Sales Tax Revenue | (4,917,660) | (787,340) | (5,705,000) |
| General Fund | 101-3-3010 | Building Permits | (160,920) | (144,080) | (305,000) |
| General Fund | 101-3-3020 | Electrical Permits | (34,000) | (61,000) | (95,000) |
| General Fund | 101-3-3030 | Plumbing Permits | (53,650) | (55,000) | (108,650) |

To adjust General Fund revenues to year-end estimates

Revision #2

| | | | | | |
|-----------------------------|----------------|-------------------------|-----------|-----------|-----------|
| City Managers Office | 101-4-021-1600 | Pay Plan Costs | 568,670 | (568,670) | - |
| City Managers Office | 101-4-021-1010 | Administrative Salaries | 55,850 | 6,500 | 62,350 |
| Public Information | 101-4-022-1020 | Professional Salaries | 40,000 | 2,500 | 42,500 |
| Retail Development | 101-4-023-1020 | Professional Salaries | 24,060 | 1,000 | 25,060 |
| Finance | 101-4-031-1010 | Administrative Salaries | 59,400 | 2,000 | 61,400 |
| Human Resources | 101-4-032-1010 | Administrative Salaries | 97,880 | 1,000 | 98,880 |
| Police - Administration | 101-4-051-1010 | Administrative Salaries | 87,550 | 11,300 | 98,850 |
| Police - Patrol | 101-4-052-1040 | Operations Salaries | 939,230 | 263,800 | 1,203,030 |
| Police - Support Service | 101-4-053-1040 | Operations Salaries | 880,630 | 63,600 | 944,230 |
| Police - Animal Control | 101-4-054-1040 | Operations Salaries | 43,020 | 1,700 | 44,720 |
| Police - Code Enforcement | 101-4-055-1040 | Operations Salaries | 41,190 | 2,000 | 43,190 |
| Fire - Suppression | 101-4-061-1040 | Operations Salaries | 1,007,460 | 305,000 | 1,312,460 |
| GIS | 101-4-103-1040 | Operations Salaries | 18,290 | 2,000 | 20,290 |
| Library | 101-4-110-1040 | Operations Salaries | 131,560 | 3,000 | 134,560 |
| Solid Waste - Collection | 101-4-131-1040 | Operations Salaries | 21,700 | 2,000 | 23,700 |
| Engineering | 101-4-150-1020 | Professional Salaries | 42,570 | 3,000 | 45,570 |
| Hotel/Motel Fund | 114-4-024-1020 | Professional Salaries | 24,060 | 1,000 | 25,060 |
| Information Technology Fund | 177-4-071-1010 | Administrative Salaries | 112,730 | 1,900 | 114,630 |
| Utility Administration | 202-4-201-1010 | Administrative Salaries | 180,910 | 8,000 | 188,910 |
| Utility Finance | 202-4-202-1040 | Operations Salaries | 103,480 | 10,000 | 113,480 |
| Sewer - Lift Stations | 202-4-222-1040 | Operations Salaries | 44,280 | 3,000 | 47,280 |
| BEDC Fund | 505-4-501-1010 | Administrative Salaries | 96,620 | 19,500 | 116,120 |

To distribute the appropriation for Pay Plan Costs from the CMO Division into specific divisions that exceed budget

Revision #3

| | | | | | |
|---------------------------|----------------|------|--------|--------|---------|
| Police - Administration | 101-4-051-2220 | Fuel | 400 | 800 | 1,200 |
| Police - Patrol | 101-4-052-2220 | Fuel | 60,160 | 47,840 | 108,000 |
| Police - Support Service | 101-4-053-2220 | Fuel | 4,570 | 3,430 | 8,000 |
| Police - Animal Control | 101-4-054-2220 | Fuel | 1,840 | 1,160 | 3,000 |
| Police - Code Enforcement | 101-4-055-2220 | Fuel | 1,330 | 670 | 2,000 |
| Fire - Suppression | 101-4-061-2220 | Fuel | 17,210 | 16,800 | 34,010 |
| Streets | 101-4-080-2220 | Fuel | 13,600 | 11,000 | 24,600 |
| Parks & Rec. Facilities | 101-4-091-2220 | Fuel | 19,170 | 16,000 | 35,170 |
| Parks & Rec Community Ctr | 101-4-092-2220 | Fuel | 350 | 60 | 410 |
| Inspections | 101-4-102-2220 | Fuel | 3,030 | 1,600 | 4,630 |
| Solid Waste - Brush | 101-4-132-2220 | Fuel | 9,520 | 6,500 | 16,020 |
| Fleet Maintenance | 101-4-141-2220 | Fuel | 1,570 | 1,650 | 3,220 |
| Building Maintenance Fund | 178-4-142-2220 | Fuel | 4,240 | 2,700 | 6,940 |
| Utility Administration | 202-4-201-2220 | Fuel | 3,890 | 4,600 | 8,490 |
| Water | 202-4-210-2220 | Fuel | 20,510 | 10,000 | 30,510 |
| Sewer - Collection | 202-4-221-2220 | Fuel | 12,060 | 6,950 | 19,010 |
| Sewer - Lift Stations | 202-4-222-2220 | Fuel | 2,290 | 1,700 | 3,990 |
| Drainage | 707-4-080-2220 | Fuel | 6,970 | 7,000 | 13,970 |

To increase appropriations for fuel expenditures

**AMENDMENT NO. 1 TO THE BUDGET OF THE CITY OF BELTON, TEXAS
 FOR THE FISCAL YEAR 2022**

| Division Name | General Ledger Account Number | General Ledger Account Name | FY 2022 Current Budget | Amendment Amount | FY 2022 Amended Budget |
|--|----------------------------------|--------------------------------|------------------------------|---------------------|------------------------------|
| <u>Revision #4</u> | | | | | |
| Finance | 101-4-031-9115 | Transfer to Debt Service Fund | - | 30,000 | 30,000 |
| Debt Service Fund | 115-3-8101 | Transfer from General Fund | - | (30,000) | (30,000) |
| To transfer money into the Debt Service Fund to cover a negative equity position | | | | | |
| <u>Revision #5</u> | | | | | |
| Fire - Suppression | 101-4-061-4030 | Vehicle Maintenance | 1,160 | 80,000 | 81,160 |
| Fleet Maintenance | 101-4-141-4030 | Vehicle Maintenance | 113,450 | 30,000 | 143,450 |
| To increase appropriations for major vehicle maintenance | | | | | |
| <u>Revision #6</u> | | | | | |
| Inspections | 101-4-102-5700 | Special Services | 3,400 | 33,600 | 37,000 |
| Engineering | 101-4-150-5620 | Engineering | 40,000 | 17,000 | 57,000 |
| Utility Finance | 202-4-202-5731 | Payment Processing Fees | 43,400 | 10,000 | 53,400 |
| To increase appropriations for cost overruns in third-party inspections, engineering, and payment processing fees | | | | | |
| <u>Revision #7</u> | | | | | |
| Utility Finance | 202-4-202-6020 | Interest Payments | 477,080 | 84,100 | 561,180 |
| Utility Finance | 202-4-202-6200 | Bond Issuance Costs | - | 128,000 | 128,000 |
| To increase appropriations for transactions related to the issuance of Certificates of Obligation, Series 2022 | | | | | |
| <u>Revision #8</u> | | | | | |
| Water | 202-4-210-7220 | Water Purchases- Treated Water | 860,000 | 200,000 | 1,060,000 |
| Water & Sewer Fund | 202-3-5500 | Water Revenue | (5,997,100) | (200,000) | (6,197,100) |
| To increase appropriations for higher water costs offset by additional revenue | | | | | |
| <u>Revision #9</u> | | | | | |
| Sewer - Collection | 202-4-221-3230 | Sewer Line Maintenance | 21,000 | 50,000 | 71,000 |
| Sewer Lift Stations | 202-4-222-4020 | Lift Station Maintenance | 42,000 | 40,000 | 82,000 |
| Water & Sewer Fund | 202-3-5510 | Sewer Revenue | (3,829,650) | (183,000) | (4,012,650) |
| To increase appropriations for major maintenance projects offset by additional revenue | | | | | |



Staff Report – City Council Agenda Item

Agenda Item #10

Consider a resolution denying Oncor Electric Delivery Company LLC's application to change rates within the City of Belton.

Originating Department

Finance – Mike Rodgers, Director of Finance
Administration – Amy Casey, City Clerk

Summary Information

On May 13, 2022, Oncor Electric Delivery Company LLC filed an application with cities retaining original jurisdiction seeking to increase system-wide transmission and distribution rates by about \$251 million or approximately 4.5% over present revenues. The Company asks the City to approve an 11.2% increase in residential rates and a 1.6% increase in street lighting rates. The impact of this requested increase on an average residential customer using 1,300 kWh/month would be about \$6.02 per month.

In a prior City action, Oncor's rate request was suspended from taking effect for 90 days, the fullest extent permissible under the law. This time period has permitted the City, through its participation with the Steering Committee of Cities Served by Oncor ("Steering Committee"), to determine that the proposed rate increase is unreasonable. Consistent with the recommendations of the experts engaged by the Steering Committee, Oncor's request for a rate increase should be denied.

Accordingly, the purpose of the Resolution is to deny the rate change application proposed by Oncor. Once the Resolution is adopted, Oncor will have 30 days to appeal the decision to the Public Utility Commission of Texas where the appeal will be consolidated with Oncor's filing (i.e. PUC Docket No. 53601) currently pending at the Commission.

Explanation of "Be It Resolved" Sections:

1. This section finds that the Company's application is unreasonable and should be denied.
2. This section states that the Company's current rates shall not be changed.
3. The Company will reimburse Cities for their reasonable rate case expenses. Legal counsel and consultants approved by Cities will submit monthly invoices that will be forwarded to Oncor for reimbursement.
4. This section merely recites that the resolution was passed at a meeting that was open to the public and that the consideration of the Resolution was properly noticed.

5. This section provides Oncor and counsel for Cities will be notified of the City's action by sending a copy of the approved and signed resolution to counsel.

Fiscal Impact

N/A

Recommendation

Approve the resolution

Attachments

Resolution

RESOLUTION NO. 2022-31-R

A RESOLUTION OF THE CITY OF BELTON, TEXAS, FINDING THAT ONCOR ELECTRIC DELIVERY COMPANY, LLC'S ("ONCOR" OR "COMPANY") APPLICATION TO CHANGE RATES WITHIN THE CITY SHOULD BE DENIED; FINDING THAT THE CITY'S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY THE COMPANY; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL.

WHEREAS, the City of Belton, Texas ("City") is an electric utility customer of Oncor Electric Delivery Company, LLC ("Oncor" or "Company"), and a regulatory authority with an interest in the rates and charges of Oncor; and

WHEREAS, the City is a member of the Steering Committee of Cities Served by Oncor ("Steering Committee"), a coalition of similarly situated cities served by Oncor that have joined together to efficiently and cost effectively review and respond to electric issues affecting rates charged in Oncor's service area; and

WHEREAS, on or about May 13, 2022, Oncor filed with the City an application to increase system-wide transmission and distribution rates by \$251 million or approximately 4.5% over present revenues. The Company asks the City to approve an 11.2% increase in residential rates and a 1.6% increase in street lighting rates; and

WHEREAS, the Steering Committee is coordinating its review of Oncor's application and working with the designated attorneys and consultants to resolve issues in the Company's filing; and

WHEREAS, through review of the application, the Steering Committee's consultants determined that Oncor's proposed rates are excessive; and

WHEREAS, the Steering Committee's members and attorneys recommend that members deny the Application; and

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

Section 1. That the rates proposed by Oncor to be recovered through its electric rates charged to customers located within the City limits, are hereby found to be unreasonable and shall be denied.

Section 2. That the Company shall continue to charge its existing rates to customers within the City.

Section 3. That the City's reasonable rate case expenses shall be reimbursed in full by Oncor within 30 days of the adoption of this Resolution.

Section 4. That it is hereby officially found and determined that the meeting at which this Resolution is passed is open to the public as required by law and the public notice of the time, place, and purpose of said meeting was given as required.

Section 5. That a copy of this Resolution shall be sent to Oncor, Care of Howard Fisher, Oncor Electric Delivery Company, LLC, 1616 Woodall Rodgers Freeway, Dallas, Texas 75202 and to Thomas Brocato, Counsel to the Steering Committee, at Lloyd Gosselink Rochelle & Townsend, P.C., 816 Congress Ave., Suite 1900, Austin, TX 78701.

PASSED AND APPROVED this 27th day of September, 2022.

Wayne Carpenter, Mayor

ATTEST:

Amy M. Casey, City Clerk



Staff Report – City Council Agenda Item

Agenda Item #11

Consider an ordinance approving a tariff authorizing an annual Rate Review Mechanism as negotiated between Atmos Energy Corporation, Mid-Tex Division, and the Steering Committee of Cities served by Atmos Energy Corporation.

Originating Department

Administration – Amy M. Casey, City Clerk
Finance – Mike Rodgers, Director of Finance

Background

In 2018, the City was a member of the Atmos Texas Municipalities (ATM). The ATM group was organized by a number of municipalities served by Atmos Energy Corporation – MidTex Division (“Atmos Energy”) and has been represented by the law firm of Herrera Law & Associates, PLLC to assist in reviewing applications to change rates submitted by Atmos Energy. This group utilizes the GRIP statute for reviewing rates. Sometime in 2018, the City of Belton joined the ACSC Group (another group of Texas municipalities) that utilizes Lloyd Gosselink Rochelle & Townsend for rate review under the Rate Review Mechanism. In 2018, the City of Belton was supposed to adopt the RRM tariff to allow for this particular type of rate review. This action did not take place because we were still following ATM instructions under the GRIP review method. Atmos has recently notified Thomas Brocato of Lloyd Gosselink Rochelle & Townsend that they are uncertain as to which rates to charge the City of Belton because of the lack of adoption of the tariff. Mr. Brocato has advised us that the rates are lower utilizing the RRM method instead of the GRIP method. In order to utilize the RRM method, the City must adopt the tariff through the proposed ordinance under consideration.

Fiscal Impact

N/A

Recommendation

Recommend adoption of the ordinance

Attachments

Ordinance

ORDINANCE NO. 2022-49

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BELTON, TEXAS, APPROVING A TARIFF AUTHORIZING AN ANNUAL RATE REVIEW MECHANISM (“RRM”) AS A SUBSTITUTION FOR THE ANNUAL INTERIM RATE ADJUSTMENT PROCESS DEFINED BY SECTION 104.301 OF THE TEXAS UTILITIES CODE, AND AS NEGOTIATED BETWEEN ATMOS ENERGY CORP., MID-TEX DIVISION (“ATMOS MID-TEX” OR “COMPANY”) AND THE STEERING COMMITTEE OF CITIES SERVED BY ATMOS (“STEERING COMMITTEE”); REQUIRING THE COMPANY TO REIMBURSE CITIES’ REASONABLE RATEMAKING EXPENSES; ADOPTING A SAVINGS CLAUSE; DETERMINING THAT THIS ORDINANCE WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE OPEN MEETINGS ACT; DECLARING AN EFFECTIVE DATE; AND REQUIRING DELIVERY OF THIS ORDINANCE TO THE COMPANY AND LEGAL COUNSEL FOR THE STEERING COMMITTEE.

WHEREAS, the City of Belton, Texas (“City”) is a gas utility customer of Atmos Energy Corp., Mid-Tex Division (“Atmos Mid-Tex” or “Company”), and a regulatory authority with an interest in the rates and charges of Atmos Mid-Tex; and

WHEREAS, the City and similarly-situated Mid-Tex municipalities created the Steering Committee of Cities Served by Atmos (“Steering Committee”) to efficiently address all rate and service matters associated with delivery of natural gas; and

WHEREAS, the Steering Committee formed an Executive Committee to direct legal counsel and to recommend certain specific actions to all aligned Mid-Tex Cities through resolution or ordinance; and

WHEREAS, pursuant to the terms of a November 2007 agreement between the Steering Committee and Atmos Mid-Tex that settled the Company’s interim rate filing under Section 104.301 of the Texas Utilities Code (a “GRIP” rate case), the Steering Committee and the Company collaboratively developed a Rate Review Mechanism (“RRM”) Tariff that allows for an expedited rate review process as a substitute for the GRIP process; and

WHEREAS, in 2018, the Steering Committee’s Executive Committee approved a settlement with the Company on the attached RRM Tariff that contains certain notable improvements, from a consumer perspective, over the prior RRM Tariff, including a reduced rate of return on equity, acceptance of certain expense adjustments made by the Railroad Commission in the Order in GUD No. 10580, and the addition of two months to the time for processing a RRM Tariff application; and

WHEREAS, the RRM Tariff contemplates reimbursement of Cities’ reasonable expenses associated with RRM Tariff applications; and

WHEREAS, the Steering Committee's Executive Committee recommends that all Steering Committee member cities adopt this ordinance and the attached RRM Tariff; and

WHEREAS, the attached RRM Tariff is just, reasonable and in the public interest,

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

Section 1. That the findings set forth in this Ordinance are hereby in all things approved.

Section 2. That the attached RRM Tariff re-establishing a form of Rate Review Mechanism is just and reasonable and in the public interest and is hereby adopted.

Section 3. That Atmos Mid-Tex shall reimburse the Cities' reasonable expenses associated with adoption of this Ordinance and the attached RRM Tariff and in processing future RRM Tariff applications filed pursuant to the attached tariff.

Section 4. That to the extent any resolution or ordinance previously adopted by the City is inconsistent with this Ordinance, it is hereby repealed.

Section 5. That the meeting at which this Ordinance was approved was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

Section 6. That if any one or more sections or clauses of this Ordinance is adjudged to be unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remaining provisions of this Ordinance , and the remaining provisions of this Ordinance shall be interpreted as if the offending section or clause never existed.

Section 7. That this Ordinance shall become effective from and after its passage.

Section 8. That a copy of this Ordinance shall be sent to Atmos Mid-Tex, care of Chris Felan, Vice President of Rates and Regulatory Affairs, Atmos Energy Corporation, Mid-Tex Division, 5420 LBJ Freeway, Suite 1862, Dallas, Texas 75240, and to Thomas Brocato, General Counsel to the Steering Committee, at Lloyd Gosselink Rochelle & Townsend, P.C., 816 Congress Avenue, Suite 1900, Austin, Texas 78701.

PASSED AND APPROVED this 27th day of September, 2022.

Wayne Carpenter, Mayor

ATTEST:

APPROVED AS TO FORM:

Amy M. Casey, City Clerk

John Messer, City Attorney

**ATMOS ENERGY CORPORATION
MID-TEX DIVISION**

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|------------------------|--|-----------------|
| RATE SCHEDULE: | RRM – Rate Review Mechanism | |
| APPLICABLE TO: | ALL CITIES IN THE MID-TEX DIVISION AS IDENTIFIED IN EXHIBIT A TO THIS RATE SCHEDULE | |
| EFFECTIVE DATE: | Bills Rendered on and after 04/01/2018 | PAGE: 18 |

I. Applicability

Applicable to Residential, Commercial, Industrial, and Transportation tariff customers within the city limits of cities identified in Exhibit A that receive service from the Mid-Tex Division of Atmos Energy Corporation (“Company”). This Rate Review Mechanism (“RRM”) provides for an annual adjustment to the Company’s Rate Schedules R, C, I and T (“Applicable Rate Schedules”). Rate calculations and adjustments required by this tariff shall be determined on a System-Wide cost basis.

II. Definitions

“Test Period” is defined as the twelve months ending December 31 of each preceding calendar year.

The “Effective Date” is the date that adjustments required by this tariff are applied to customer bills. The annual Effective Date is October 1.

Unless otherwise provided in this tariff the term Final Order refers to the final order issued by the Railroad Commission of Texas in GUD No. 10170 and elements of GUD No. 10580 as specified in Section III below.

The term “System-Wide” means all incorporated and unincorporated areas served by the Company.

“Review Period” is defined as the period from the Filing Date until the Effective Date.

The “Filing Date” is as early as practicable, but no later than April 1 of each year.

III. Calculation

The RRM shall calculate an annual, System-Wide cost of service (“COS”) that will be used to adjust applicable rate schedules prospectively as of the Effective Date. The Company may request recovery of its total cost of service but will include schedules showing the computation of any adjustments. The annual cost of service will be calculated according to the following formula:

$$\text{COS} = \text{OM} + \text{DEP} + \text{RI} + \text{TAX} + \text{CD}$$

Where:

OM = all reasonable and necessary operation and maintenance expenses from the Test Period adjusted for known and measurable items and prepared consistent

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with the rate making treatments approved in the Final Order. Incentive compensation (Management Incentive Plan, Variable Pay Plan and Long Term Incentive Plan) related to Atmos' Shared Services Unit will be applied consistent with treatment approved in GUD 10580. Additionally, O&M adjustments will be incorporated and applied as modified by a final order, not subject to appeal, issued by the Railroad Commission of Texas in subsequent rate cases involving the Atmos Mid-Tex or West Texas divisions. Known and measurable adjustments shall be limited to those changes that have occurred prior to the Filing Date. OM may be adjusted for atypical and non-recurring items. Shared Services allocation factors shall be recalculated each year based on the latest component factors used during the Test Period, but the methodology used will be that approved in the Final Order in GUD 10580.

DEP = depreciation expense calculated at depreciation rates approved by the Final Order. Additionally, if depreciation rates are approved in a subsequent final order, not subject to appeal, issued by the Railroad Commission of Texas for the Mid-Tex division those rates would be applicable for subsequent RRM filings.

RI = return on prudently incurred investment calculated as the Company's pretax return multiplied by rate base at Test Period end. Rate base is prepared consistent with the rate making treatments approved in the Final Order, and as in GUD 10580 as specifically related to capitalized incentive compensation (Management Incentive Plan, Variable Pay Plan and Long Term Incentive Plan) for Atmos' Shared Services Unit. However, no post Test Period adjustments will be permitted. Additionally, adjustments will be incorporated and applied as modified by a final order, not subject to appeal, issued by the Railroad Commission of Texas in subsequent rate cases involving the Atmos Mid-Tex or West Texas divisions. Pretax return is the Company's weighted average cost of capital before income taxes. The Company's weighted average cost of capital is calculated using the methodology from the Final Order including the Company's actual capital structure and long term cost of debt as of the Test Period end (adjusted for any known and measurable changes that have occurred prior to the filing date) and the return on equity of 9.8%. However, in no event will the percentage of equity exceed 58%. Regulatory adjustments due to prior regulatory rate base adjustment disallowances will be maintained. Cash working capital will be calculated using the lead/lag days approved in the Final Order. With respect to pension and other postemployment benefits, the Company will record a regulatory asset or liability for these costs until the amounts are included in the next annual rate adjustment implemented under this tariff. Each year, the Company's filing under this Rider RRM will clearly state the level of pension and other postemployment benefits recovered in rates.

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TAX = income tax and taxes other than income tax from the Test Period adjusted for known and measurable changes occurring after the Test Period and before the Filing Date, and prepared consistent with the rate making treatments approved in the Final Order. Atmos Energy shall comprehensively account for, including establishing a regulatory liability to account for, any statutory change in tax expense that is applicable to months during the Test Period in the calculation to ensure recovery of tax expense under new and old income tax rates.

CD = interest on customer deposits.

IV. Annual Rate Adjustment

The Company shall provide schedules and work papers supporting the Filing's revenue deficiency/sufficiency calculations using the methodology accepted in the Final Order. The result shall be reflected in the proposed new rates to be established for the effective period. The Revenue Requirement will be apportioned to customer classes in the same manner that Company's Revenue Requirement was apportioned in the Final Order. For the Residential Class, 50% of the increase may be recovered in the customer charge. However, the increase to the Residential customer charge shall not exceed \$0.60 per month in the initial filing and \$0.70 per month in any subsequent year. The remainder of the Residential Class increase not collected in the customer charge will be recovered in the usage charge. For all other classes, the change in rates will be apportioned between the customer charge and the usage charge, consistent with the Final Order. Test Period billing determinants shall be adjusted and normalized according to the methodology utilized in the Final Order.

V. Filing

The Company shall file schedules annually with the regulatory authority having original jurisdiction over the Company's rates on or before the Filing Date that support the proposed rate adjustments. The schedules shall be in the same general format as the cost of service model and relied-upon files upon which the Final Order was based. A proof of rates and a copy of current and proposed tariffs shall also be included with the filing. The filing shall be made in electronic form where practical. The Company's filing shall conform to Minimum Filing Requirements (to be agreed upon by the parties), which will contain a minimum amount of information that will assist the regulatory authority in its review and analysis of the filing. The Company and regulatory authority will endeavor to hold a technical conference regarding the filing within twenty (20) calendar days after the Filing Date.

A sworn statement shall be filed by an Officer of the Company affirming that the filed

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schedules are in compliance with the provisions of this Rate Review Mechanism and are true and correct to the best of his/her knowledge, information, and belief. No testimony shall be filed, but a brief narrative explanation shall be provided of any changes to corporate structure, accounting methodologies, allocation of common costs, or atypical or non- recurring items included in the filing.

VI. Evaluation Procedures

The regulatory authority having original jurisdiction over the Company's rates shall review and render a decision on the Company's proposed rate adjustment prior to the Effective Date. The Company shall provide all supplemental information requested to ensure an opportunity for adequate review by the relevant regulatory authority. The Company shall not unilaterally impose any limits upon the provision of supplemental information and such information shall be provided within seven (7) working days of the original request. The regulatory authority may propose any adjustments it determines to be required to bring the proposed rate adjustment into compliance with the provisions of this tariff.

The regulatory authority may disallow any net plant investment that is not shown to be prudently incurred. Approval by the regulatory authority of net plant investment pursuant to the provisions of this tariff shall constitute a finding that such net plant investment was prudently incurred. Such finding of prudence shall not be subject to further review in a subsequent RRM or Statement of Intent filing.

During the Review Period, the Company and the regulatory authority will work collaboratively and seek agreement on the level of rate adjustments. If, at the end of the Review Period, the Company and the regulatory authority have not reached agreement, the regulatory authority shall take action to modify or deny the proposed rate adjustments. The Company shall have the right to appeal the regulatory authority's action to the Railroad Commission of Texas. Upon the filing of an appeal of the regulatory authority's order relating to an annual RRM filing with the Railroad Commission of Texas, the regulatory authority having original jurisdiction over the Company's rates shall not oppose the implementation of the Company's proposed rates subject to refund, nor will the regulatory authority advocate for the imposition of a third party surety bond by the Company. Any refund shall be limited to and determined based on the resolution of the disputed adjustment(s) in a final, non-appealable order issued in the appeal filed by the Company at the Railroad Commission of Texas.

In the event that the regulatory authority and Company agree to a rate adjustment(s) that is different from the adjustment(s) requested in the Company's filing, the Company shall file compliance tariffs consistent with the agreement. No action on the part of the regulatory authority shall be required to allow the rate adjustment(s) to become effective on October 1. To the extent that the regulatory authority does not take action on the Company's RRM filing by September 30, the rates proposed in the Company's filing shall

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be deemed approved effective October 1. Notwithstanding the preceding sentence, a regulatory authority may choose to take affirmative action to approve a rate adjustment under this tariff. In those instances where such approval cannot reasonably occur by September 30, the rates finally approved by the regulatory authority shall be deemed effective as of October 1.

To defray the cost, if any, of regulatory authorities conducting a review of the Company's annual RRM filing, the Company shall reimburse the regulatory authorities on a monthly basis for their reasonable expenses incurred upon submission of invoices for such review. Any reimbursement contemplated hereunder shall be deemed a reasonable and necessary operating expense of the Company in the year in which the reimbursement is made. A regulatory authority seeking reimbursement under this provision shall submit its request for reimbursement to the Company no later than December 1 of the year in which the RRM filing is made and the Company shall reimburse regulatory authorities in accordance with this provision on or before December 31 of the year the RRM filing is made.

To the extent possible, the provisions of the Final Order shall be applied by the regulatory authority in determining whether to approve or disapprove of Company's proposed rate adjustment.

This Rider RRM does not limit the legal rights and duties of a regulatory authority. Nothing herein shall abrogate the jurisdiction of the regulatory authority to initiate a rate proceeding at any time to review whether rates charged are just and reasonable. Similarly, the Company retains its right to utilize the provisions of Texas Utilities Code, Chapter 104, Subchapter C to request a change in rates. The provisions of this Rider RRM are implemented in harmony with the Gas Utility Regulatory Act (Texas Utilities Code, Chapters 101-105).

The annual rate adjustment process set forth in this tariff shall remain in effect during the pendency of any Statement of Intent rate filing.

VII. Reconsideration, Appeal and Unresolved Items

Orders issued pursuant to this mechanism are ratemaking orders and shall be subject to appeal under Sections 102.001(b) and 103.021, et seq., of the Texas Utilities Code (Vernon 2007).

VIII. Notice

Notice of each annual RRM filing shall be provided by including the notice, in conspicuous form, in the bill of each directly affected customer no later than forty-five (45) days after the Company makes its annual filing pursuant to this tariff. The notice to customers shall

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include the following information:

- a) a description of the proposed revision of rates and schedules;
- b) the effect the proposed revision of rates is expected to have on the rates applicable to each customer class and on an average bill for each affected customer;
- c) the service area or areas in which the proposed rates would apply;
- d) the date the annual RRM filing was made with the regulatory authority; and
- e) the Company's address, telephone number and website where information concerning the proposed rate adjustment can be obtained.

**ATMOS ENERGY CORPORATION
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Exhibit A

ACSC Cities

| | | | |
|---------------|---------------------------|------------------|----------------------|
| Abilene | Cleburne | Frost | Lancaster |
| Addison | Clyde | Gainesville | Lavon |
| Albany | College Station | Garland | Lewisville |
| Allen | Colleyville | Garret | Little Elm |
| Alvarado | Colorado City | Georgetown | Lorena |
| Angus | Comanche | Glenn Heights | Madisonville |
| Anna | Coolidge | Grand Prairie | Malakoff |
| Argyle | Coppell | Grapevine | Mansfield |
| Arlington | Corinth | Gunter | McKinney |
| Aubrey | Crandall | Haltom City | Melissa |
| Azle | Cross Roads | Harker Heights | Mesquite |
| Bedford | Crowley | Haskell | Midlothian |
| | Dalworthington Gardens | Haslet | Murphy |
| Bellmead | | | |
| Belton | | | |
| Benbrook | Denison | Hewitt | Newark |
| Beverly Hills | Denton | Highland Park | Nocona |
| Blossom | Desoto | Highland Village | North Richland Hills |
| | Draper aka Corral City | Honey Grove | Northlake |
| Blue Ridge | | Hurst | Oak Leaf |
| Bowie | Duncanville | Hutto | Ovilla |
| Boyd | Early | Iowa Park | Palestine |
| Bridgeport | Eastland | Irving | Pantego |
| Brownwood | Edgecliff Village | Justin | Paris |
| Bryan | Emory | Kaufman | Parker |
| Buffalo | Ennis | Keene | Pecan Hill |
| Burkburnett | Euless | Keller | Plano |
| Burleson | Everman | Kemp | Ponder |
| Caddo Mills | Fairview | Kennedale | Pottsboro |
| Canton | Farmers Branch | Kerens | Prosper |
| Carrollton | Farmersville | Kerrville | Quitman |
| Cedar Hill | Fate | Killeen | Red Oak |
| Celeste | Flower Mound | Krum | Reno (Parker County) |
| Celina | Forest Hill | Lake Dallas | Rhome |
| Centerville | Forney | Lake Worth | Richardson |
| Cisco | Fort Worth | Lakeside | Richland |
| Clarksville | Frisco | | |

**ATMOS ENERGY CORPORATION
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ACSC Cities (Continued)

| | | | |
|----------------|-----------------|-----------------|-------------------|
| Richland Hills | Sansom Park | Temple | Waxahachie |
| River Oaks | Seagoville | Terrell | Westlake |
| Roanoke | Sherman | The Colony | Westover Hills |
| Robinson | Snyder | Trophy Club | Westworth Village |
| Rockwall | Southlake | Tyler | White Settlement |
| Roscoe | Springtown | University Park | Whitesboro |
| Rowlett | Stamford | Venus | Wichita Falls |
| Royse City | Stephenville | Vernon | Woodway |
| Sachse | Sulphur Springs | Waco | Wylie |
| Saginaw | Sweetwater | Watauga | |

Non-Coalition Cities

| | | | |
|-------------|-------------------|------------|---------------|
| Abbott | Bremond | Decatur | Hearne |
| Alba | Bronte | Deleon | Hebron |
| Alma | Brownsboro | Deport | Holland |
| Alvord | Bruceville-Eddy | Detroit | Holliday |
| Annona | Buckholts | Dodd City | Howe |
| Anson | Buffalo Gap | Double Oak | Hubbard |
| Archer City | Byers | Dublin | Hutchins |
| Athens | Caldwell | Ector | Impact |
| Aurora | Calvert | Edom | Iredell |
| Avery | Campbell | Emhouse | Italy |
| Baird | Carbon | Eustace | Itasca |
| Ballinger | Cashion Community | Evant | Jewett |
| Bangs | Chandler | Fairfield | Josephine |
| Bardwell | Chico | Ferris | Joshua |
| Barry | Childress | Franklin | Knollwood |
| Bartlett | Chillicothe | Frankston | Knox City |
| Bartonville | Cockrell Hill | Glen Rose | Kosse |
| Bellevue | Coleman | Godley | Kurten |
| Bells | Collinsville | Goodlow | Lacy-Lakeview |
| Benjamin | Como | Gordon | Ladonia |
| Bertram | Cooper | Goree | Lakeport |
| Blackwell | Copper Canyon | Gorman | Lawn |
| Blanket | Covington | Grandview | Leona |
| Blue Mound | Coyote Flats | Granger | Leonard |
| Blum | Crawford | Gustine | Lexington |
| Bogata | Cumby | Hamlin | Lindsay |
| Bonham | Dawson | Hawley | Lipan |

**ATMOS ENERGY CORPORATION
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Non-Coalition Cities (Continued)

| | | | |
|-----------------------|------------------------|----------------|----------------|
| Little River | | | |
| Academy | Nevada | Roby | Thorndale |
| Llano | New Chapel Hill | Rochester | Thornton |
| Lometa | Newcastle | Rosebud | Thrall |
| Lone Oak | Nolanville | Ross | Throckmorton |
| Loraine | Normangee | Rotan | Tioga |
| Lott | Novice | Roxton | Toco |
| Lucas | Oak Point | Rule | Tom Bean |
| Lueders | Oakwood | Runaway Bay | Trent |
| Mabank | O'Brien Co-Op Gin | Sadler | Trenton |
| Malone | Oglesby | Saint Jo | Troy |
| Manor | Palmer | San Saba | Tuscola |
| Marlin | Paradise | Sanctuary | Tye |
| Maypearl | Pecan Gap | Santa Anna | Valley Mills |
| McGregor | Penelope | Savoy | Valley View |
| McLendon- Chisholm | Petrolia | Scurry | Van Alstyne |
| Megargel | Pilot Point | Seymour | Walnut Springs |
| Meridian | Pleasant Valley | Shady Shores | Weinert |
| Merkel | Post Oak Bend | South Mountain | West |
| Midway | Powell | Southmayd | Whitehouse |
| Miles | Poyner | Stockton Bend | Whitewright |
| Milford | Putnam | Strawn | Wilmer |
| Millsap | Quanah | Streetman | Windom |
| Mobile City | Quinlan | Sun Valley | Winters |
| Moody | Ravenna | Sunnyvale | Wixon Valley |
| | Reno (Lamar County) | Talty | Wolfe City |
| Moran | Retreat | Taylor | Wortham |
| Muenster | Rio Vista | Teague | Yantis |
| Munday | Robert Lee | Tehuacana | |
| Murchison | | | |



Staff Report – City Council Agenda Item

Agenda Item #12

Consider authorizing the purchase of vehicles and associated equipment for the Police Department as provided for in the Capital Equipment Replacement Fund.

Originating Department

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

Background

Nearly eight years ago, City Council authorized the transfer of funds to establish a Capital Equipment Replacement Fund. The Capital Equipment Replacement Fund has been successful at creating a level funding mechanism to sustain the City fleet of vehicles and equipment. The FY 2023 budget contains funding to purchase and equip four new vehicles for the Police Department.

In the last year, we have noticed a massive reduction in the amount of police vehicles available for purchase. Dealerships have reduced the amount of stock on hand, and the production times have doubled. One manufacturer has not allowed any fleet orders, and another restricted the placement of orders to one week earlier this month. This has caused a ripple effect, requiring police agencies to be strategically opportunistic in pursuit of limited supplies.

We seek authorization to purchase three (3) Ford Explorer police utility vehicles at a price of \$39,691 each, totaling \$119,473. The price of these vehicles has been contracted through the Buy-Board purchasing co-op. The installation of emergency equipment will be performed by CAP Upfitters in Belton for an additional cost of \$57,900.

Additionally, we seek authorization to purchase one (1) Dodge Durango police utility vehicle at a price of \$40,850. The price of this vehicle has been contracted through Buy-Board as well. The installation of emergency and agency supplied equipment will be performed by CAP Upfitters for an additional cost of \$17,193.

Agency supplied equipment, including cameras, radars, radios, stop sticks, automated electronic defibrillator (AED) devices, and data transfer routers are to be purchased separately at a total cost of \$57,754.18.

By purchasing three Ford Explorers and one Dodge Durango, we will be able to better maintain a readiness state for these important public safety tools. All four new patrol vehicles to the fleet will be all-wheel drive which proved critical during winter weather events.

All four vehicles are ready for immediate delivery. However, a purchase order will not be issued until on or after October 1, 2022, corresponding with the new FY23 budget.

Fiscal Impact

The total cost is \$293,170.18, including up-fitting and equipment. Four vehicles are scheduled for replacement in FY23. In October 2022, the General Fund will transfer \$326,110 into the Police Department Equipment Replacement Fund to provide sufficient funding for the replacement.

Budgeted: Yes No Capital Project Funds

If not budgeted: Budget Transfer Contingency Amendment Needed

Funding Source(s): FY 2023 PD Equipment Replacement Fund (Fund 175)

Recommendation

Recommend approval for purchase of three (3) Ford Explorer police utility vehicle from Caldwell Country and one (1) Dodge Durango police utility vehicle from Cameron Country CJDR using Texas Buy Board contract #601-19.

Attachments

Vehicle Quotes

Equipment Quote

CALDWELL COUNTRY FORD

PO BOX 72, ROCKDALE, TX 76567

BUYBOARD BID 601-19

End User: CITY OF BELTON Caldwell Rep: BEN LAUREANO QUOTE# BL22817

Contact: ALLEN FIELDS Phone: 979-567-6155

Phone/email: AFIELDS@BELTONTXAS.GOV Date: Tuesday, September 13, 2022

Product Description: FORD POLICE INTERCEPTOR UTILITY email: ben@caldwellcountry.com

A. Bid Series: 114 A. Base Price: **\$ 39,543.00**

B. Published Options [Itemize each below]

| Code | Options | Bid Price | Code | Options | Bid Price |
|---------------------------------------|----------------------------------|-----------|------|---------------------------------|-----------|
| K8A | 2022 FORD PIU AWD | INCL | 59B | KEYED ALIKE - KEY CODE B | INCL |
| 99B | ENGINE, 3.3L V6 DIRECT INJECTION | INCL | 87R | REARVIEW MIRROR CAMERA | INCL |
| 44U | TRANS: 10-SPD AUTOMATIC | INCL | | FULL VINLY FLOOR COVERING | INCL |
| 17A | AUX CLIMATE CONTROL | INCL | | POWER WINDOW/LOCK | INCL |
| 51R | DRIVER LED SPOTLIGHT | INCL | | RADIO: AM/FM/MP3/BLUETOOTH | INCL |
| 60A | GRILLE LIGHT/SIREN/SPKR PREWIRI | INCL | | DEEP TINTED GLASS | INCL |
| 43D | COURTESY LAMP DISABLE | INCL | | CLASS III TOWING EQUIP INC HITC | INCL |
| 61B | OBD-II SPLIT CONNECTOR | INCL | | CRUISE CONTROL | INCL |
| 76R | REVERSE SENSING SYSTEM | INCL | | DUAL ZONE FRONT AC | INCL |
| 86T | REAR TAILLAMP HOUSING | INCL | | | |
| 55F | REMOTE KEYLESS ENTRY | INCL | | | |
| Total of B. Published Options: | | | | | |

C. Unpublished Options [Itemize each below, not to exceed 25%] \$= 0.0 %

| Options | Bid Price | Options | Bid Price |
|---|-----------|----------------------------------|-------------|
| | | UM-AGATE BLACK | COLOR |
| | | AVAILABLE STOCK | DELIVERY |
| | | **PLEASE NOTE, ALL UNITS ARE | |
| | | EQUIPPED THE SAME FROM FACTORY** | |
| | | | |
| | | | |
| Total of C. Unpublished Options: | | | \$ - |

D. Registration, Inspection, Paperwork, Postage cost, Courthouse time, & Runner time:

E. UPFITTERS:

F. Manufacturer Destination/Delivery:

G. Floor Plan Interest (for in-stock and/or equipped vehicles):

H. Lot Insurance (for in-stock and/or equipped vehicles):

I. Contract Price Adjustment:

J. Additional Delivery Charge: miles

K. Subtotal:

L. Quantity Ordered 3 x K =

M. Trade in:

N. BUYBOARD FEE PER PURCHASE ORDER

O. TOTAL PURCHASE PRICE WITH BUYBOARD FEE

CAMERON COUNTRY

CAMERON COUNTRY CHRYSLER JEEP DODGE RAM

QUOTE# DL220078

End User: BELTON POLICE DEPARTMENT Caldwell Rep: DAVID LOWRY
 Contact: ALLEN FIELDS Phone: 903-513-2316
 Phone/email: afields@belontexas.gov Date: Tuesday, September 13, 2022
 Product Description: DURANGO PURSUIT email: dlowry@caldwellcountry.com

A. Bid Series: _____ A. Base Price: \$ **39,900.00**

B. Published Options [Itemize each below]

| Code | Options | Bid Price | Code | Options | Bid Price |
|---------------------------------------|--------------------------|-----------|------|-----------------------------|-----------|
| WDEE75 | 2022 DURANGO PURSUIT AWD | INCL | WBN | 18IN. BLACK STEEL WHEELS | INCL |
| EZH | 5.7L V8 HEMI MDS VVT | INCL | Z6J | GVWR: 7100LBS | INCL |
| DFD | 8-SPD AUTO | INCL | XAN | BLIND SPOT DETECTION | INCL |
| LNF | BLACK LH SPOTLIGHT | INCL | | BRIDGESTONE/FIRESTONE TIRES | INCL |
| *A7/-X9 | CLOTH BUCKET FRONT SEATS | INCL | | | INCL |
| | | INCL | | | INCL |
| | | INCL | | | INCL |
| | | INCL | | | INCL |
| | | INCL | | | INCL |
| | | INCL | | | INCL |
| | | INCL | | | INCL |
| Total of B. Published Options: | | | | | \$ - |

C. Unpublished Options [Itemize each below, not to exceed 25%] \$= 0.1 %

| Options | Bid Price | Options | Bid Price |
|---|-----------|----------|-----------|
| | | WHITE | EXT COLOR |
| | | BLACK | INT COLOR |
| | | DELIVERY | \$ 50.00 |
| | | | |
| | | | |
| Total of C. Unpublished Options: | | | \$ 50.00 |

| | | |
|---|-----------------|---------------------|
| D. Registration, Inspection, Paperwork, Postage cost, Courthouse time, & Runner time: | INLCUDED | \$ - |
| E. Upfitters: CAP FLEET: CAPQ105690 | | \$ 17,193.00 |
| F. Manufacturer Destination/Delivery: | | |
| G. Floor Plan Interest (for in-stock and/or equipped vehicles): | | \$ 900.00 |
| H. Lot Insurance (for in-stock and/or equipped vehicles): | | \$ - |
| I. Contract Price Adjustment: | | \$ - |
| J. Additional Delivery Charge: _____ 0 miles INCLUDED | | \$ - |
| K. Subtotal: | | \$ 58,043.00 |
| L. Quantity Ordered <u>1</u> x K = | | \$ 58,043.00 |
| M. Trade in: _____ | | \$ - |
| N. COOP FEE PER PURCHASE ORDER: | | \$ - |
| O. TOTAL PURCHASE PRICE INCLUDING COOP FEE:: | | \$ 58,043.00 |

** PRICES ARE VALID FOR 30 DAYS BUT ARE SUBJECT TO CHANGE DUE TO SUPPLY CHAIN CHALLENGES. RE-VERIFY PRICING BEFORE ISSUING A PURCHASE ORDER. COMMODITY SURCHARGES MAY APPLY AFTER P.O. IS ISSUED. ENSURE CONFIRMATION OF RECEIPT BY EMAIL WHEN P.O. IS SENT. ** DUE TO SEMICONDUCTOR SUPPLY SHORTAGES, FEATURE AVAILABILITY WILL CHANGE THROUGHOUT THE MODEL YEAR. SEE THE WINDOW LABEL OF A SPECIFIC VEHICLE TO DETERMINE ITS CONTENT. **

Quote



CAP FLEET

2603 Taylors Valley Road
Belton, TX 76513
Office 254-773-1959

Date **9/20/2022**
Quote # **CAPQ-105687**

Name / Address
BELTON PD
711 East 2nd Avenue, Belton, Texas 76513
United States

Ship To:
BELTON PD
Allen Fields
711 East 2nd Avenue, Belton, Texas 76513 United States

| | |
|----------------------|----------------------|
| Salesperson: | Bary Bedford |
| Email: | LBERG@BELTONTXAS.GOV |
| Contact Name: | LARRY BERG |

| | |
|---------------|------------|
| Year: | 2022 |
| Make: | Ford |
| Model: | PI UTILITY |

Job Description: REMOVE FROM BUILT UNIT THE FOLLOWING

C-EB25-MMT-1P
UT-1004
C-ARPB-1038
C-EB30-A11-1P
C-MD-119
HKN41926
HLN6863B
28611
66553
PK1126ITU20TM
PK0123ITU202ND
ALL CUSTOMER SUPPLIED PARTS FROM CAPQ103651
77553
CW0411-WR
TLI2D X2 RUNNING BOARD
TLI2E X2 RINNING BOARD
TIONBKT X4 RUNNING BOARD

****PRICES ARE VALID FOR 30 DAYS BUT ARE SUBJECT TO CHANGE DUE TO SUPPLY CHAIN CHALLENGES.
REVERIFY PRICING BEFORE ISSUING A PURCHASE ORDER. COMMODITY SURCHARGES MAY APPLY AFTER PO IS ISSUED.
ALL CANCELLED ORDERS ARE SUBJECT TO A 20% RESTOCKING FEE****

I hereby authorize the install work therein set forth to be done by CAP Fleet Upfitters, together with the furnishing by CAP Fleet Upfitters of the necessary parts and other material for such install and agree that CAP Fleet Upfitters is not responsible for any delays caused by unavailability or delayed availability of parts or material for any reason; that CAP Fleet Upfitters neither assumes or authorizes any other person to assume for CAP Fleet Upfitters any liability in connection with such install; that CAP Fleet Upfitters shall not be responsible for loss or damage to the above vehicle, or articles left therein; in case of fire, theft, any Act of God, or other cause beyond CAP Fleet Upfitters control; that CAP Fleet Upfitters employees may operate the above vehicle on streets, highways, or elsewhere for the purpose of testing and/or inspecting such vehicle.

WWW.CAPFLEET.COM

QUOTES ARE GOOD FOR 30 DAYS.

PLEASE SIGN BELOW IF ALL ITEMS & QUANTITIES ARE APPROVED.

X _____ Date: / /

Quote

Date **9/20/2022**
Quote # **CAPQ-105687**



CAP FLEET

2603 Taylors Valley Road
Belton, TX 76513
Office 254-773-1959

Quote Summary

Per Vehicle Subtotal \$19,300.00
Per Vehicle Tax \$0.00
Per Vehicle Total \$19,300.00

Vehicles Quoted 3

Grand Total \$57,900.00

| QTY | Part # | Part Details |
|---------------------------|-------------------|--|
| CONSOLE/MDT | | |
| 1 | C-VS-1012-INUT | HIGH ANGLED CONSOLE FOR 2020-2022 FORD INTERCEPTOR UTILITY |
| 1 | C-EB40-CCS-1P | 1-PIECE EQUIPMENT MOUNTING BRACKET, 4" MOUNTING SPACE, FITS WHELEN CENCOM,CCSRN,CCSRNTA,MPC03 |
| 1 | C-EB35-XG2-1P | 1-PIECE EQUIPMENT MOUNTING BRACKET, 3.5" MOUNTING SPACE, FITS HARRIS/L3HARRIS XG-25M MODEL DM-M78B |
| 1 | CUP2-1001 | SELF-ADJUSTING DOUBLE CUP HOLDER |
| 1 | C-ARM-108 | SIDE MOUNTED SWING-AWAY FLIP-UP ARMREST |
| 1 | CM009785-1 | HVAC RELOCATION BRACKET KIT |
| 2 | C-MCB | MIC CLIP BRACKET |
| 2 | MMBP | MAGNETIC MIC KIT |
| 1 | C-DMM-3015 | HEAVY-DUTY DASH MOUNT FOR 2020-2022 FORD INTERCEPTOR UTILITY VEHICLE |
| 1 | C-EB20-WGD-1P | 1-PIECE EQUIPMENT MOUNTING BRACKET, 2" MOUNTING SPACE, FITS MOTOROLA WATCHGUARD 4RE DVR |
| ELECTRONICS | | |
| 1 | 338265 | 3/4 IN MOUNT 25 FT RG58/U MINI-UHF LOOSE Notes: ADD TNC CONNECTOR |
| 1 | TREMCO- 2020 FPIU | ANTI-THEFT DEVICE 2020 FORD PIU |
| 1 | 241830 | PHANTOM OMNI ANTENNA 760-870 MHZ, NMO; MODEL # TRA7603 Notes: CAP OFF OTHER NMO MOUNT ON BUILT UNIT. |
| EMERGENCY LIGHTING | | |
| 1 | LGYS54CORETD-DE | 54" DUO LEGACY FULLY POPULATED W/SMOKED LENSES W/TAKEDOWNS (DRIVER SIDE RED/WHITE FRONT; RED/AMBER REAR; PASSENGER SIDE BLUE/WHITE FRONT; BLUE/AMBER REAR); C399 CORE SIREN; CEM16 EXPANSION MODULE; CV2V SYNC; C399K*; SA315U SPEAKER; SAK*; STPKT* |
| 1 | SA315U | SA315U SPEAKER, BLACK PLASTIC |

Quote

Date **9/20/2022**
 Quote # **CAPQ-105687**



CAP FLEET

2603 Taylors Valley Road
 Belton, TX 76513
 Office 254-773-1959

| QTY | Part # | Part Details |
|-----|----------------|--|
| 1 | EB2SP3JY | LEGACY WCX 54" D/E/D/E PROMO - W/TAKEDOWNS AND SMOKE LENSES |
| 1 | C399 | CENCOM CORE WCX CONTROL CENTER |
| 1 | CEM16 | WECANX 16 OUTPUT EXPANSION MOD |
| 1 | CV2V | VEHICLE TO-VEHICLE SYNC MODULE |
| 1 | C399K4 | OBDII CANPORT CABLE KIT FORD |
| 1 | CCTL7 | WECANX 21 BUTTON/SLIDE CTRL HD |
| 1 | SAK66P | SA-315 MT KIT EXPLORER PASS |
| 1 | STPKT105 | LIGHTBAR STRAP KIT #105 |
| 2 | I3JC | TRIO ION R/B W/ WHT OVERRIDE Wiring Instructions : WIRE TRIO W/ OVERRIDE Mounting Location : LC - PB LIGHT CHANNEL Notes: TAKEDOWN AND SCENE |
| 2 | VTX9J | VERTEX SUPER-LED DUO BLU/RED Mounting Location : H - HEADLIGHTS |
| 2 | VTX9J | VERTEX SUPER-LED DUO BLU/RED Mounting Location : T - TAILLIGHTS |
| 1 | LSVBKT50 | LINSV MIRROR MT KIT 20 UTILITY |
| 1 | LINSV2R | SURFACE MT LINZ V-SERIES RED |
| 1 | LINSV2B | SURFACE MT LINZ V-SERIES BLUE |
| 1 | BS508-BSSP28JA | 8 LIGHT REAR TRAY, DUO 4 RED/AMBER DRIVER/4 BLUE/AMBER PASSENGER, FORD UTILITY 2020-2021 |
| 2 | I3JC | TRIO ION R/B W/ WHT OVERRIDE Wiring Instructions : WIRE TRIO W/ BRAKE ; WIRE WHITE OVERRIDE ON REVERSE & SCENE Mounting Location : LP - ON BRACKET Notes: WHITE ON REVERSE AND SCENE, RED ON BRAKES |
| 1 | IONBKT1 | ION LICENSE PLATE BKT HORIZ. |
| 1 | TLI2J | ION T-SERIES LINEAR DUO R/B Mounting Location : LG1 - LIFTGATE - RECESSED IN TRIM Notes: BOTTOM LIP |
| 1 | CW0410-WR | 400 SERIES COMPARTMENT LIGHT, 5.4" RED/WHITE, 12/24VDC, WITH TOUCH SWITCH Notes: OVER CONSOLE |
| 1 | I3JC | TRIO ION R/B W/ WHT OVERRIDE Mounting Location : RQGL1 - REAR QTR GLASS -DS- LOW |
| 1 | I3JC | TRIO ION R/B W/ WHT OVERRIDE Mounting Location : RQGL2 - REAR QTR GLASS - PS - LOW |
| 1 | I3JC | TRIO ION R/B W/ WHT OVERRIDE Wiring Instructions : WIRE TRIO W/ OVERRIDE Mounting Location : PB145 - DS SIDE 45 |
| 1 | I3JC | TRIO ION R/B W/ WHT OVERRIDE Wiring Instructions : WIRE TRIO W/ OVERRIDE Mounting Location : PB245 - PS SIDE 45 |
| 1 | S-3017 | HAMMER 100W SPEAKER/SIREN |
| 1 | HAMB-007 | HAMMER MOUNT; FORD EXPLORER PIU 2020-2021 |
| 4 | VTXADAPT | VERTEX TWIST-IN ADAPTER KIT |
| 1 | RPWS50-KIT | ION REAR PILLAR WC SOLO UTILITY |

Quote

Date **9/20/2022**
 Quote # **CAPQ-105687**



CAP FLEET

2603 Taylors Valley Road
 Belton, TX 76513
 Office 254-773-1959

| QTY | Part # | Part Details |
|-------------------------------------|-----------------|---|
| 1 | 07-26J505-023A | BRACKET, MTG TOP LEFT BLK |
| 1 | 07-26J505-123A | BRACKET, MTG TOP RIGHT BLK |
| 1 | 07-26J510-0230 | BRACKET, MTG MID LEFT BLK |
| 1 | 07-26J510-1230 | BRACKET, MTG MID RIGHT BLK |
| 1 | 07-26J512-0230 | BRACKET, MTG BOTTOM LEFT BLK |
| 1 | 07-26J512-1230 | BRACKET, MTG BOTTOM RIGHT BLK |
| 1 | 11-488629-L00A | HOUSING, DRVR REAR PILLAR ION |
| 1 | 11-488629-R00A | HOUSING, PASS REAR PILLAR ION |
| 6 | I3JC | TRIO ION R/B W/ WHT OVERRIDE |
| EXTERIOR | | |
| 1 | 5344-F | Go Rhino Push Bumper, PIU |
| 1 | 2L61-M1B | LR MASK FOR USE ON LR PUSH BUMPER ONLY 2-LIGHT MASK PLATE (WHELEN ION) W/INTERSECTION BRACKETS |
| OTHER | | |
| 1 | AX500T | FIRE EXTINGUISHER |
| PRISONER TRANSPORT EQUIPMENT | | |
| 1 | P1000UINT20AOSB | SINGLE COMPARTMENT, PRO-CELL, 1/2 PARTITION, W/PASSENGER SIDE ONLY OUTBOARD SEAT BELTS; PRO-CELL PRISONER TRANSPORT SYSTEMS; FORD INTERCEPTOR UTILITY 2020-2022 |
| 1 | SC-917-5-#2 | ADJUSTABLE WALL/TRUNK SETUP, BUTT PLATE MOUNT WITH SC-5 GUN LOCK - #2 KEY OVERRIDE Wiring Instructions : WIRE GUNLOCK TO SMART SIREN |

| QTY | Part # | Description |
|-----|----------------|---|
| 1 | SHIPPING | SHIPPING |
| 1 | LABOR | LABOR |
| 1 | PDKIT | POWER DISTRIBUTION KIT |
| 1 | DISPOSAL | DISPOSAL FEE (FOR OEM PARTS NOT PICKED UP ON DELIVERY) |
| 1 | PROGFEE | PROGRAMMING FEE |
| 1 | INSPECT | ALL CAP FLEET INSPECTIONS COME WITH AN AGENCY LIMITED LIFETIME WARRANTY |
| 1 | DEALER | DEALER PREP |
| 1 | WIRING HARNESS | WIRING HARNESS |
| 1 | SHOP SUPPLIES | SHOP SUPPLIES |
| 1 | GRAPHICS | CUSTOM GRAPHICS |

| QTY | Make | Model | Used |
|-----|------------------|-----------------|-------------------------------------|
| 1 | Panorama | SHKG-7-27-24-58 | <input type="checkbox"/> |
| 1 | Cradlepoint | IBR900-1200M-B | <input checked="" type="checkbox"/> |
| 1 | Stalker | DUAL SL | <input checked="" type="checkbox"/> |
| 1 | WatchGuard Video | 4RE Vista Wi-Fi | <input checked="" type="checkbox"/> |

Quote

Date **9/20/2022**
Quote # **CAPQ-105687**



CAP FLEET

2603 Taylors Valley Road
Belton, TX 76513
Office 254-773-1959

| QTY | Make | Model | Used |
|-----|--------|--------|-------------------------------------|
| 1 | Harris | XG-25M | <input checked="" type="checkbox"/> |

Quote



CAP FLEET

2603 Taylors Valley Road
Belton, TX 76513
Office 254-773-1959

Date **9/20/2022**
Quote # **CAPQ-105690**

Name / Address
BELTON PD
711 East 2nd Avenue, Belton, Texas 76513
United States

Ship To:
BELTON PD
Allen Fields
711 East 2nd Avenue, Belton, Texas 76513 United States

| | |
|----------------------|----------------------|
| Salesperson: | Bary Bedford |
| Email: | LBERG@BELTONTXAS.GOV |
| Contact Name: | LARRY BERG |

| | |
|---------------|---------|
| Year: | 2023 |
| Make: | Dodge |
| Model: | DURANGO |

Job Description:

Quote Summary

| | |
|----------------------|-------------|
| Per Vehicle Subtotal | \$17,193.00 |
| Per Vehicle Tax | \$0.00 |
| Per Vehicle Total | \$17,193.00 |

Vehicles Quoted 1

Grand Total \$17,193.00

****PRICES ARE VALID FOR 30 DAYS BUT ARE SUBJECT TO CHANGE DUE TO SUPPLY CHAIN CHALLENGES.
REVERIFY PRICING BEFORE ISSUING A PURCHASE ORDER. COMMODITY SURCHARGES MAY APPLY AFTER PO IS ISSUED.
ALL CANCELLED ORDERS ARE SUBJECT TO A 20% RESTOCKING FEE****

I hereby authorize the install work therein set forth to be done by CAP Fleet Upfitters, together with the furnishing by CAP Fleet Upfitters of the necessary parts and other material for such install and agree that CAP Fleet Upfitters is not responsible for any delays caused by unavailability or delayed availability of parts or material for any reason; that CAP Fleet Upfitters neither assumes or authorizes any other person to assume for CAP Fleet Upfitters any liability in connection with such install; that CAP Fleet Upfitters shall not be responsible for loss or damage to the above vehicle, or articles left therein; in case of fire, theft, any Act of God, or other cause beyond CAP Fleet Upfitters control; that CAP Fleet Upfitters employees may operate the above vehicle on streets, highways, or elsewhere for the purpose of testing and/or inspecting such vehicle.

WWW.CAPFLEET.COM

QUOTES ARE GOOD FOR 30 DAYS.

PLEASE SIGN BELOW IF ALL ITEMS & QUANTITIES ARE APPROVED.

X _____ Date: / /

Quote

Date **9/20/2022**
 Quote # **CAPQ-105690**



CAP FLEET

2603 Taylors Valley Road
 Belton, TX 76513
 Office 254-773-1959

| QTY | Part # | Part Details |
|---------------------------|-----------------|--|
| CONSOLE/MDT | | |
| 1 | C-VS-2300-DUR | VEHICLE-SPECIFIC 23" CONSOLE FOR 2021-2022 DODGE DURANGO PURSUIT |
| 1 | CUP2-1001 | SELF-ADJUSTING DOUBLE CUP HOLDER |
| 1 | C-EB40-CCS-1P | 1-PIECE EQUIPMENT MOUNTING BRACKET, 4" MOUNTING SPACE, FITS WHELEN CENCOM,CCSRN,CCSRNTA,MPC03 |
| 1 | C-EB35-XG2-1P | 1-PIECE EQUIPMENT MOUNTING BRACKET, 3.5" MOUNTING SPACE, FITS HARRIS/L3HARRIS XG-25M MODEL DM-M78B |
| 1 | C-FP-5 | 5" FILLER PLATE |
| 1 | C-LP2-PS1-USB | 2 LIGHTER PLUG OUTLET W/1 USB CUT OUTS |
| 1 | C-DMM-3015 | HEAVY-DUTY DASH MOUNT FOR 2020-2022 FORD INTERCEPTOR UTILITY VEHICLE |
| ELECTRONICS | | |
| 1 | TREMCO | ANTI-THEFT |
| 1 | 391637 | 0-2500 MHZ 3/4 IN BRASS MT 25 FT 195 TNC |
| 1 | TRAB7603 | 760-870 MHZ PHANTOM ANTENNA, 3 DBI, 100 WATTS |
| EMERGENCY LIGHTING | | |
| 1 | LGYS48CORETD-DE | 48" DUO LEGACY FULLY POPULATED W/SMOKED LENSES W/TAKEDOWNS (DRIVER SIDE RED/WHITE FRONT; RED/AMBER REAR; PASSENGER SIDE BLUE/WHITE FRONT; BLUE/AMBER REAR); C399 CORE SIREN; CEM16 EXPANSION MODULE; CV2V SYNC; C399K*; SA315U SPEAKER; SAK*; STPKT* |
| 1 | SA315U | SA315U SPEAKER, BLACK PLASTIC |
| 1 | EB8SP3JY | LEGACY WCX 48" D/E/D/E PROMO - W/TAKEDOWNS AND SMOKE LENSES |
| 1 | C399 | CENCOM CORE WCX CONTROL CENTER |
| 1 | CEM16 | WECANX 16 OUTPUT EXPANSION MOD |
| 1 | CV2V | VEHICLE TO-VEHICLE SYNC MODULE |
| 1 | C399K3 | OBDII CANPORT KIT DODGE |
| 1 | CCTL7 | WECANX 21 BUTTON/SLIDE CTRL HD |
| 1 | STPKT85 | LIGHTBAR STRAP KIT #85 |
| 1 | SAK54 | SA-315 MT KIT 2013-14 DURANGO |
| 2 | I3JC | TRIO ION R/B W/ WHT OVERRIDE Wiring Instructions : WIRE TRIO W/ OVERRIDE Mounting Location : LC - PB LIGHT CHANNEL Notes: TAKEDOWN AND SCENE |
| 1 | I3JC | TRIO ION R/B W/ WHT OVERRIDE Wiring Instructions : WIRE TRIO W/ OVERRIDE Mounting Location : PB145 - DS SIDE 45 |
| 1 | I3JC | TRIO ION R/B W/ WHT OVERRIDE Wiring Instructions : WIRE TRIO W/ OVERRIDE Mounting Location : PB245 - PS SIDE 45 |
| 2 | I3JC | TRIO ION R/B W/ WHT OVERRIDE Wiring Instructions : WIRE TRIO W/ BRAKE ; WIRE WHITE OVERRIDE ON REVERSE & SCENE Mounting Location : LP - ON BRACKET |
| 1 | IONBKT1 | ION LICENSE PLATE BKT HORIZ. |

Quote

Date **9/20/2022**
 Quote # **CAPQ-105690**



CAP FLEET

2603 Taylors Valley Road
 Belton, TX 76513
 Office 254-773-1959

| QTY | Part # | Part Details |
|-------------------------------------|----------------|---|
| 1 | I3JC | TRIO ION R/B W/ WHT OVERRIDE Mounting Location : RQGL1 - REAR QTR GLASS -DS- LOW |
| 1 | I3JC | TRIO ION R/B W/ WHT OVERRIDE Mounting Location : RQGL2 - REAR QTR GLASS - PS - LOW |
| 2 | TLI2J | ION T-SERIES LINEAR DUO R/B Mounting Location : LG1 - LIFTGATE - RECESSED IN TRIM Notes: BOTTOM LIP |
| 1 | ULF44 | UNIVERSAL LED FLASHER 4 OUTLET Mounting Location : T - TAILLIGHTS Notes: RACETRACK |
| 1 | S-3017 | HAMMER 100W SPEAKER/SIREN |
| 1 | HAMB-006 | HAMMER MOUNT; UNIVERSAL BRACKET |
| 2 | ENT2B3RBW | INTERSECTOR UNDER MIRROR MOUNT LIGHT, 9-32 VDC, W/4-WEDGES, MOUNTING GASKET & HARDWARE, 18 LEDS, TRICOLOR - RED/BLUE/WHITE Mounting Location : MIR2 - UNDER MIRROR |
| 1 | PNT1CRV06 | CURVED SURFACE ADAPTORS FOR INTERSECTOR - 1-DRIVER & 1-PASSENGER W/0° MOUNTING WEDGE & HARDWARE - DODGE DURANGO 2013-2022 |
| 1 | RPWS44-KIT | ION REAR PILLAR WC SOLO DURANGO |
| 1 | 07-26J468-0230 | BRACKET, LEFT TOP SECTION BLK |
| 1 | 07-26J468-1230 | BRACKET, RIGHT TOP SECTION BLK |
| 1 | 07-26J469-0230 | BRACKET, LEFT MID SECTION BLK |
| 1 | 07-26J469-1230 | BRACKET, RIGHT MID SECTION BLK |
| 1 | 07-26J476-023A | BRACKET, LEFT BOT SECTION BLK |
| 1 | 07-26J476-123A | BRACKET, RIGHT BOT SECTION BLK |
| 1 | 11-488616-L00A | HOUSING, DRVR REAR PILLAR ION |
| 1 | 11-488616-R00A | HOUSING, PASS REAR PILLAR ION |
| 6 | I3JC | TRIO ION R/B W/ WHT OVERRIDE Wiring Instructions : INCLUDED IN KIT |
| EXTERIOR | | |
| 1 | 5201-F | LR SERIES PUSH BUMPER 2019+ DURANGO |
| 1 | 2L61-M1B | LR MASK FOR USE ON LR PUSH BUMPER ONLY 2-LIGHT MASK PLATE (WHELEN ION) W/INTERSECTION BRACKETS |
| OTHER | | |
| 1 | AX500T | FIRE EXTINGUISHER |
| PRISONER TRANSPORT EQUIPMENT | | |
| 1 | SC-917-5-#2 | ADJUSTABLE WALL/TRUNK SETUP, BUTT PLATE MOUNT WITH SC-5 GUN LOCK - #2 KEY OVERRIDE |
| 1 | P1000DUR18AOSB | SINGLE COMPARTMENT, PRO-CELL, 1/2 PARTITION, DOES NOT INCLUDE ABS DOOR PANELS; PRO-CELL PRISONER TRANSPORT SYSTEM; DODGE DURANGO PPV/SSV 2018-2022 |

| QTY | Part # | Description |
|-----|----------|-------------|
| 1 | LABOR | LABOR |
| 1 | SHIPPING | SHIPPING |

Quote

Date **9/20/2022**
Quote # **CAPQ-105690**



CAP FLEET

2603 Taylors Valley Road
Belton, TX 76513
Office 254-773-1959

| QTY | Part # | Description |
|-----|----------------|---|
| 1 | PDKIT | POWER DISTRIBUTION KIT |
| 1 | DISPOSAL | DISPOSAL FEE (FOR OEM PARTS NOT PICKED UP ON DELIVERY) |
| 1 | PROGFEE | PROGRAMMING FEE |
| 1 | INSPECT | ALL CAP FLEET INSPECTIONS COME WITH AN AGENCY LIMITED LIFETIME WARRANTY |
| 1 | DEALER | DEALER PREP |
| 1 | WIRING HARNESS | WIRING HARNESS |
| 1 | SHOP SUPPLIES | SHOP SUPPLIES |
| 1 | GRAPHICS | CUSTOM GRAPHICS |

09/15/2022

BELTON POLICE DEPARTMENT
PO BOX 120
BELTON, TX 76513

RE: Motorola Quote for Belton PD - 4 4RE_EL4
Dear Allen Fields,

Motorola Solutions is pleased to present BELTON POLICE DEPARTMENT with this quote for quality communications equipment and services. The development of this quote provided us the opportunity to evaluate your requirements and propose a solution to best fulfill your communications needs.

This information is provided to assist you in your evaluation process. Our goal is to provide BELTON POLICE DEPARTMENT with the best products and services available in the communications industry. Please direct any questions to Michelle Oleari at Michelle.Oleari@motorolasolutions.com.

We thank you for the opportunity to provide you with premier communications and look forward to your review and feedback regarding this quote.

Sincerely,

Michelle Oleari

Billing Address:
 BELTON POLICE
 DEPARTMENT
 PO BOX 120
 BELTON, TX 76513
 US

Quote Date:09/15/2022
 Expiration Date:12/14/2022
 Quote Created By:
 Michelle Oleari
 Michelle.Oleari@
 motorolasolutions.com

End Customer:
 BELTON POLICE DEPARTMENT
 Allen Fields
 afields@beltontexas.gov
 254-933-5840

Payment Terms:30 NET

Summary:

Any sales transaction resulting from Motorola's quote is based on and subject to the applicable Motorola Standard Terms and Conditions, notwithstanding terms and conditions on purchase orders or other Customer ordering documents. Motorola Standard Terms and Conditions are found at www.motorolasolutions.com/product-terms.

| Line # | Item Number | Description | Qty | List Price | Sale Price | Ext. Sale Price |
|-------------------------|-------------------|--|-----|------------|------------|-----------------|
| 4RE In car Video System | | | | | | |
| 1 | IV-ACK-WF-C--DM | MIKROTIK CONF WIFI KIT, DRILL MNT | 4 | \$250.00 | \$200.00 | \$800.00 |
| 2 | IV-ACK-BK-DV-FP | VIDEO EQUIPMENT,4RE CONSOLE FACEPLATE, 2INCH | 4 | Included | Included | Included |
| 3 | WGP02225-130-KIT2 | BRKT4RE DISP/VISTA/ CAMVR POST 2020+EXPL | 4 | Included | Included | Included |
| 4 | IV-BND-VW-ZS-10 | 4RE/VISTA WIFI BUNDLE, ZERO SIGHTLINE | 4 | \$5,693.75 | \$4,555.00 | \$18,220.00 |
| 5 | WGP02400-100 | EVIDENCE LIBRARY 4 WEB 4RE IN-CAR DEVICE LICENSE KEY | 4 | \$187.50 | \$150.00 | \$600.00 |
| 6 | WGP02400-400 | EVIDENCE LIBRARY 4 WEB VISTA COMBO-DISCOUNT DEVICE LICENSE KEY | 4 | \$93.75 | \$75.00 | \$300.00 |

Grand Total

\$19,920.00(USD)



Notes:

- Unless otherwise noted, this quote excludes sales tax or other applicable taxes (such as Goods and Services Tax, sales tax, Value Added Tax and other taxes of a similar nature). Any tax the customer is subject to will be added to invoices.
- Unless otherwise noted in this quote / order, installation of equipment is not included.



4RE IN-CAR VIDEO SYSTEM SOLUTION DESCRIPTION

The 4RE In-Car Video System lets users easily capture more footage and quickly upload high-definition video evidence without having to sacrifice time and situational awareness.

High Definition, Hands Free Evidence Capturing

The 4RE In-Car Video System is equipped with high-definition cameras with hands-free uploading capabilities, making the capture and upload of clear video evidence as easy as possible. The cameras record at 720p resolution and use an Ultra Wide Dynamic Range technology that dramatically improves the quality of video, especially in difficult lighting situations. This helps capture video evidence that is clear and easy to monitor. 4RE cameras are also equipped with patented Record-After-the-Fact® (RATF) technology, which allows users to go back in time and capture important evidence, even if the recording function was not activated and the incident happened days before.



The 4RE offers a dual drive structure with both an internal and removable USB drive for storage, and supports wireless upload. Wireless uploading capabilities through both Wi-Fi and LTE networks eliminate the need for trips to and from stations to upload evidence. The 4RE's patented multiple resolution encoding allows officers to save footage of critical incidents in HD and routine occurrences in a lower resolution at the same time. This eliminates the compromise between video quality and file storage needs. Event tags can be configured to determine which resolution is uploaded to the digital evidence management system (DEMS), as well as drive which files are automatically saved to it.

It includes three high-definition camera options; the ZSL, Panoramic X2, and the Mini-Zoom; which offer single and multi-camera, split-screen viewing on the display. Additional wireless microphones are included to enhance audio quality and amount of captured evidence.

Intuitive Display and Interface

The 4RE's display offers an easy-to-navigate 4.3" LED control panel with a backlit touch screen, allowing for clear view and navigation of the panel. Nearly all functions the officer will interact with are keys laid out along the control panel. Users can also program various sensors to activate a new record event, including emergency lights, siren, auxiliary input, wireless microphone, vehicle speed, and crash detection. Additionally, the 4RE can initiate its Covert Mode, in which the LEDs turn off, and simulates a complete device shutdown while the 4RE records video and audio simultaneously. This provides officers with a way to capture evidence while staying concealed.

The 4RE Mobile Data Computer App is a simple interface that runs on Windows 10 and interfaces with the 4RE through an Ethernet connection. The app also works in conjunction with the control panel, allowing 4RE to have full functionality when the MDC is not available.

INTEGRATION WITH BODY-WORN CAMERAS

The VISTA and V300 Body-Worn Cameras integrate seamlessly with the 4RE video system, capturing video of incidents from multiple vantage points.



VISTA Wi-Fi, VISTA XLT, and V300s are able to pair with 4RE and other body-worn cameras in the integrated system. When one camera starts recording, VISTA Wi-Fi notifies its recording status to other cameras, triggering body-worn cameras to initiate a group recording. These recordings are uploaded and automatically linked in DEMS.

Additionally, when body-worn and in-car cameras record the same incident, Motorola Solutions' Evidence Library software automatically links those recordings based on officer name, date, and time overlap associated with the devices.



Dailey & Wells Communications Inc.

3440 E. Houston St. San Antonio, TX 78219

**Bill To:**

City of Belton Police Dept
PO Box 120
Belton, TX 76513
ATTN: Accts. Payable
PH: 254-933-5806
EMAIL: N/A

Customer PO:

Purchase Contract: H-GAC RA05-21

SHIP TO:

Belton Police Dept.
711 E. 2nd
Belton, TX 76513
ATTN: Allen Fields

Sales Person:

Larry Sayles
larry@dwcomm.com
(888) 311-7595 Mobile

Quotation: BeltonPD-XG-25M-091422

Quote Number: BPD-XG-25M-091422

Terms: Net 30

Date: 9/14/2022

Valid Until: 60 Day from the above date.

XG-25 Mobile, 700/800 MHz,P25 Phase 1 & 2 Trunking, Single Key DES/AES - Remote Mount

| Item | Part Number | Description | Qty. | Unit List | Disc. % | Unit Sale | Ext Sale |
|------------------|---------------|--|------|-------------|---------|-------------|---------------------|
| 1 | DM-M78B | MOBILE,XG-25M,700/800 MHZ,35W | 4 | \$ 2,290.00 | 26% | \$ 1,694.60 | \$ 6,778.40 |
| 2 | AN-125001-001 | Antenna,Base,Standard Roof Mount | 4 | \$ 40.00 | 26% | \$ 29.60 | \$ 118.40 |
| 3 | AN-225001-001 | Antenna,Element,700/800 3dB | 4 | \$ 90.00 | 26% | \$ 66.60 | \$ 266.40 |
| 4 | DM-PKGPT | Feature Package,P25 Trunking | 4 | \$ 825.00 | 26% | \$ 610.50 | \$ 2,442.00 |
| 5 | DM-PL4F | Feature, P25 Phase 2, TDMA | 4 | \$ 250.00 | 26% | \$ 185.00 | \$ 740.00 |
| 6 | DM-PL9E | FEATURE, SINGLE-KEY AES ENCRYPTION | 4 | \$ 0.01 | 0% | \$ 0.01 | \$ 0.04 |
| 7 | DM-PL4U | Feature, Single-Key DES Encryption | 4 | \$ 0.01 | 0% | \$ 0.01 | \$ 0.04 |
| 8 | DM-ZN9X | Kit,Accessories,XG-25M | 4 | \$ 195.00 | 26% | \$ 144.30 | \$ 577.20 |
| 9 | DM-ZN9Z | KIT, CONVERSION, CH-25 REM CTRL HD, 30FT | 4 | \$ 710.00 | 26% | \$ 525.40 | \$ 2,101.60 |
| 10 | DM-MN1D | SPEAKER, MOBILE, 4 OHM | 4 | \$ 27.00 | 26% | \$ 19.98 | \$ 79.92 |
| 11 | DM-CL2X | Cable,Option,XG-25M | 4 | \$ 285.00 | 26% | \$ 210.90 | \$ 843.60 |
| 12 | DM-MC9R | Microphone,Standard,XG-25M | 4 | \$ 80.94 | 26% | \$ 59.90 | \$ 239.58 |
| Shipping | | | | | | | \$ 125.00 |
| SUB TOTAL | | | | | | | \$ 14,312.18 |

Notes:

Purchase Orders to be issued to:
Dailey & Wells Communications Inc
3440 E. Houston St.
San Antonio, TX 78219

Purchase orders must include the following references:

- *Quotation Name
- *Contract Number and/or name
- *Frequencies must be supplied (if applicable)
- *Requested delivery date
- *Shipping will default to Bestway, 5 day ground, unless other wise specified
- *Bill and Ship to address must be included
- *Special shipping/delivery instructions (ex. Delivery lift gate required) must be noted if applicable.
- *Non standard packing will be billed to customer

*This document contains confidential, proprietary, and competitive sensitive information. All information provided shall not be disclosed nor duplicated for any purpose other than to evaluate this quote. Disclosure, reproduction, or use of any part thereof shall not be made without prior written approval from Dailey & Wells Communications.

*These items/technical data are controlled by the United States government and shall not be exported from the United States nor shared with a Foreign National without prior approval from the United States government. Delivery is dependent upon receipt of an export license, where applicable.

*TOTAL PRICE excludes installation, programming, taxes (if applicable), and shipping (if applicable) unless i) items are itemized herein, ii) otherwise agreed to by both parties in writing, or iii) the quote is issued under an existing contract noted on quote and purchase order.

Aed Market

3011 Harrah Dr. Suite R
Spring Hill, TN 37174 US
info@aedmarket.com
www.aedmarket.com



Estimate

ADDRESS

Allen Fields

ESTIMATE # 3721

DATE 09/07/2022

| ITEM | QTY | RATE | AMOUNT |
|---|-----|--------|----------|
| Philips Heartstart Onsite AED - Recertified Includes: AED, new adult pads, new battery, new carrying case, 1 year warranty. | 4 | 695.00 | 2,780.00 |
| Shipping and Taxes no charge for shipping or taxes | 1 | 0.00 | 0.00 |

Please let me know if you have any questions.

Thank you
Chris Hendershot
AED Market
1-800-441-8378 ext 700

| | |
|--------------|-------------------|
| SUBTOTAL | 2,780.00 |
| TAX | 0.00 |
| TOTAL | \$2,780.00 |

Accepted By

Accepted Date



QUOTE
2065633

applied concepts, inc.

855 E. Collins Blvd
Richardson, TX 75081
Phone: 972-398-3780
Fax: 972-398-3781

National Toll Free: 1-800- STALKER

Page 1 of 1

Date: 09/07/22

Chris Frett
Inside Sales Partner: +1-972-801-4866
chrisf@a-concepts.com

Stephen Barlag
Reg Sales Mgr: 972-398-3780
stephen@a-concepts.com

Effective From : 09/07/2022

Valid Through: 12/06/2022

Lead Time: 45 working days

| | | | |
|--|--|--|---|
| Bill To: City of Belton PO Box 120 Belton, TX 76513-0120 | Customer ID: 013190 Accounts Payable | Ship To: Belton Police Dept 711 E 2nd Ave Belton, TX 76513 | <i>FedEx Ground</i> Captain Allen Fields |
|--|--|--|---|

| Grp | Qty | Package | Description | Wrnty/Mo | Price | Ext Price |
|-----|-----|-------------|-------------------------------|----------|------------|------------|
| 1 | 4 | 805-0022-00 | Dual - 2 Antenna Radar System | 36 | \$2,355.00 | \$9,420.00 |

| Ln | Qty | Part Number | Description | Price | Ext Price |
|----|-----|-------------|--|---------|-----------|
| 1 | 4 | 200-0998-40 | Dual Enhanced Counting Unit, 1.5 PCB, FCC Filtered | | \$0.00 |
| 2 | 4 | 200-0996-40 | Dual SL Modular Display | | \$0.00 |
| 3 | 8 | 200-1237-35 | Dual Ka Antenna | | \$0.00 |
| 4 | 4 | 200-0920-00 | Dual SL Remote Control w/Screw Latch | | \$0.00 |
| 5 | 4 | 200-0769-00 | 25 MPH/40 KPH KA Tuning Fork | | \$0.00 |
| 6 | 4 | 200-0770-00 | 40 MPH/64 KPH KA Tuning Fork | | \$0.00 |
| 7 | 4 | 200-0345-00 | Counting Unit/Display Short Dash Mount | | \$0.00 |
| 8 | 4 | 200-0244-00 | Antenna Dash Mount | | \$0.00 |
| 9 | 4 | 200-0245-00 | Antenna Tall Deck Mount | | \$0.00 |
| 10 | 4 | 200-0648-00 | Display Sun Shield | | \$0.00 |
| 11 | 4 | 155-2591-08 | 8 Foot Antenna Cable, IP67 | | \$0.00 |
| 12 | 4 | 155-2591-20 | 20 Foot Antenna Cable, IP67 | | \$0.00 |
| 13 | 4 | 200-0622-00 | VSS Cable Kit | | \$0.00 |
| 14 | 4 | 200-0820-00 | Dual Manual Kit | | \$0.00 |
| 15 | 4 | 035-0361-00 | Shipping Container, Dash Mounted Radar | | \$0.00 |
| 16 | 4 | 060-1000-36 | 36 Month Warranty | | \$0.00 |
| 17 | 4 | 155-2211-00 | Remote Display Interconnect Cable | \$80.00 | \$320.00 |

Group Total \$9,740.00

| | | | |
|----------------------------|------------|----------------------|-------------------|
| Product | \$9,740.00 | Sub-Total: | \$9,740.00 |
| Discount | \$0.00 | Sales Tax 0% | \$0.00 |
| Payment Terms: Net 30 days | | Shipping & Handling: | \$90.00 |
| | | Total: USD | \$9,830.00 |

Vehicle Information:
2023 Ford Interceptor SUV

001

This Quote or Purchase Order is subject in all respects to the Terms and Conditions detailed at the back of this document. These Terms and Conditions contain limitations of liability, waivers of liability even for our own negligence, and indemnification provisions, all of which may affect your rights. Please review these Terms and Conditions carefully before proceeding.



Pricing Proposal

| | |
|--------------|-------------|
| Quotation #: | 22479648 |
| Description: | Cradlepoint |
| Created On: | Sep-15-2022 |
| Valid Until: | Sep-30-2022 |

TX-City of Belton

Allen Fields

711 E 2nd Ave.
Belton, TX 76513
United States
Phone: 254.933.5840
Fax:
Email: afields@beltontexas.gov

Senior Inside Account Executive

Jessica Vos

P.O. Box 847434
Dallas, TX 75284-7434
Phone: 800-870-6079 x6527657
Fax: 512-732-0232
Email: Jessica_Vos@shi.com

[Click here](#) to order this quote

All Prices are in US Dollar(USD)

| Product | Qty | Your Price | Total |
|--|-----|------------|------------|
| 1 CRADLEPOINT INC : 1-yr NetCloud Mobile Essentials Plan and IBR1700 router with WiFi (1200Mbps modem), no AC power supply or antennas, North America Cradlepoint - Part#: MA1-1700120B-NNA Contract Name: Miscellaneous Hardware Contract #: DIR-TSO-3863 | 1 | \$1,710.00 | \$1,710.00 |
| 2 CRADLEPOINT INC : SIM, Verizon ruggedized 2FF only, for Verizon Retail or VPP accounts Cradlepoint - Part#: 170594-000 Contract Name: Miscellaneous Hardware Contract #: DIR-TSO-3863 | 1 | \$9.00 | \$9.00 |
| 3 CRADLEPOINT INC : SIM insertion of 1 SIM per NetCloud package, must be combined with one of the following; 170594-000, 170594-002, 170752-000, 170752-001,170753-000, 170840-000, or 170638-001 Cradlepoint - Part#: SIMINSERT_01 Contract Name: Miscellaneous Hardware Contract #: DIR-TSO-3863 | 1 | \$9.00 | \$9.00 |
| 4 PANORAMA ANTENNAS, INC. : Low Profile Dome Black, 9 in 1 Antenna: 4x MiMo 2G/3G/4G LTE, 4x MiMo 2.4/5GHz Wi-Fi, GPS/GNSS, 5m/16 cables for use with a single modem IBR1700-1200M. FirstNet compatible. Cradlepoint Certified Antennas by Panorama Panorama Antennas - Part#: LG-IN2446 Contract Name: Miscellaneous Hardware Contract #: DIR-TSO-3863 | 1 | \$500.00 | \$500.00 |
| Total | | | \$2,228.00 |

Additional Comments

Cradlepoint DOES NOT accept returns. Customers need to work with Cradlepoint directly for any exchanges:
RMA@Cradlepoint.com."

Please note, if Emergency Connectivity Funds (ECF) will be used to pay for all or part of this quote, please let us know as we will need to ensure compliance with the funding program.

Hardware items on this quote may be updated to reflect changes due to industry wide constraints and fluctuations.

Thank you for choosing SHI-GS! The pricing offered on this quote proposal is valid through the expiration date set above. To ensure the best level of service, please provide End User Name, Phone Number, Email Address and applicable Contract Number when submitting a Purchase Order.

SHI Government Solutions, Inc. is 100% Minority Owned, Woman Owned Business.
TAX ID# 22-3695478; DUNS# 14-724-3096

The products offered under this proposal are resold in accordance with the terms and conditions of the Contract referenced under that applicable line item.



Quotation

Quote Number 2022-21788
Terms Net 30 Days
Date 09/06/2022
Sales Person Cyndi Alley
Valid Until 10/06/2022
Shipping Fedex
Contract Number Cooperative

Ship To: Allen Fields, Belton Police Department [TX], 711 E 2nd Ave, Belton, TX 76513, United States, 254-933-5871, afields@beltontexas.gov
Bill To: Allen Fields, Belton Police Department [TX], PO BOX 120, Belton, TX 76513-0120, United States, 254-933-5871, afields@beltontexas.gov

Table with 5 columns: #, Qty., Product, Item Code, Unit Price, Ext. Price. Row 1: 1, 4, 9' Stop Stick Kit w/Storage Bag-Red, S3700K, \$ 485.00, \$ 1,940.00

Quotation Totals

Currency: US Dollar
Subtotal: \$ 1,940.00
Shipping Provider: Fedex
Shipping and Handling: \$ 60.00
Total: \$ 2,000.00

Quotation Accepted By

Quote Number 2022-21788
P.O. Number
Tax Exempt # EXEMPT
Print Name
Title
Signature
Date



Staff Report – City Council Agenda Item

Agenda Item #13

Consider authorizing the purchase of a fire truck with associated equipment for fighting brush fires as provided for in the Capital Equipment Replacement Fund.

Originating Department

Fire Department – Jon Fontenot, Fire Chief

Background

Brush (B-2) is a 2008 Ford F550 Brush truck. This vehicle has around 25,000 miles and is primarily utilized for brush fire responses. (See attached Vehicle Evaluation performed last October 2020.)

The Fire Department proposes to replace Brush 2 with a 2023/24 Ford F550 Brush truck, built by Skeeter apparatus, and purchased utilizing the HGAC contract pricing from Siddons-Martins Emergency Group. Brush 2 replacement will cost approximately \$239,534 with an additional \$30,000 in up-fitting and equipment. It is expected to take 17 to 18 months to complete.

Products that are quoted through Purchasing Cooperatives such as HGAC, Sourcewell NJPA, and Texas Smart Buy are not required to be bid because these agencies have already performed the bidding process.

Fiscal Impact

The vehicle cost is \$239,534 with an additional \$30,000 in up-fitting and equipment. Brush 2 is scheduled for replacement in FY23. In October 2022, the General Fund will transfer \$310,930 into the Fire Department Equipment Replacement Fund to provide sufficient funding for the replacement.

Budgeted: Yes No

Funding Source(s): FD Equipment Replacement Fund (Fund 170)

Recommendation

Authorize the purchase of the Brush 2 replace vehicle, a 2023/24 Skeeter Brush Truck

Attachments

Brush 2 2020 Evaluation, Siddons-Martins Quotes, and Presentation



City of Belton

~ Fire Department ~

Date: October 21, 2020

Brush 2 Evaluation and Analysis

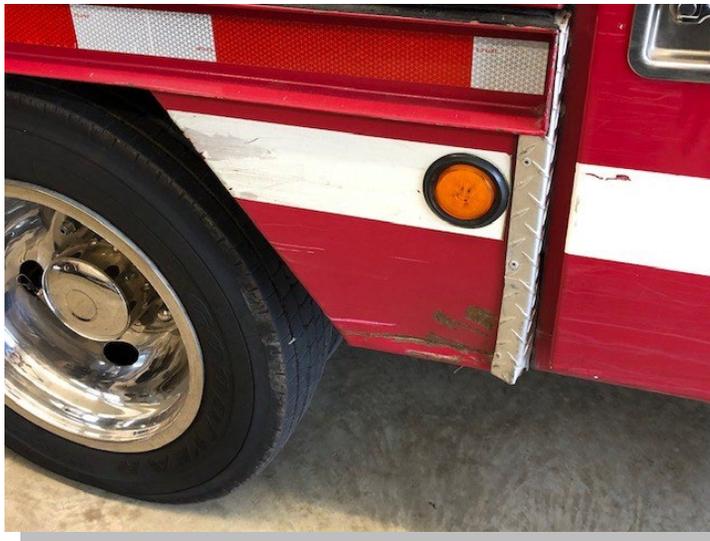
On this day, the Command staff performed an evaluation of Squad 1. There were three categories we focused on within this evaluation which were; a) overall condition of the apparatus, b) the capabilities, and c) the condition of the assigned equipment and tools.

Overall Condition:

Brush 2 is a 2008 commercial cab Ford F550 custom built Brush Truck with 20,243 miles. The paint and trim on this apparatus shows its age (12 years old) with torn flooring and seats inside the cab. Inside the compartments, the paint is worn because it was not designed to hold fueled equipment like a chain saw.



At first glance, the body looks faded and scratched from the rough terrain this vehicle has responded to. At closer examination, the rubber seals on for the compartment doors are dry rotted and are worn to a point of ineffectiveness. There is a moderate to major dent in front of the passenger side rear tire. The safety reflective



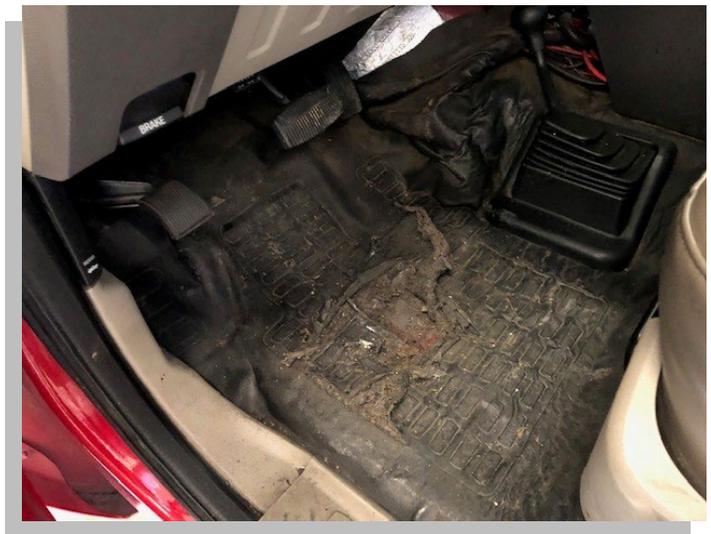
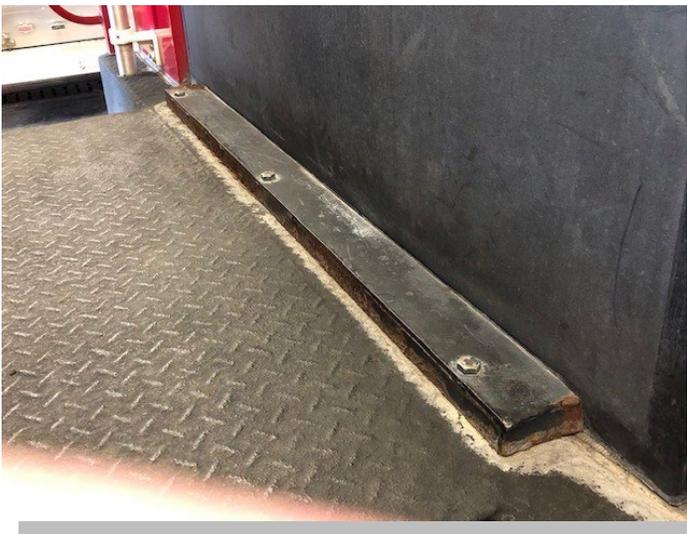
striping on the cab and body seems to have lost some of the reflectiveness and may not meet the NFPA1901 15.9.3.3.1 – “All retroreflective materials used to satisfy the requirements of 15.9.3.1 that are colors not listed in ASTM D4956, Section 6.1.1, shall have a minimum coefficient of retroreflection of 10 with observation angle of 0.2 degrees and entrance angle of -4 degrees.”



City of Belton

~ Fire Department ~

All Fire Apparatus built after 2007 have to have reflective chevrons installed on the rear of the apparatus for visibility reasons while operating on a roadway. According to NFPA 1901 - *At least 50 percent of the rear-facing vertical surfaces, visible from the rear of the apparatus, excluding any pump panel areas not covered by a door, shall be equipped with retroreflective striping in a chevron pattern sloping downward and away from the centerline of the vehicle at an angle of 45 degrees. Each stripe in the chevron shall be a single color alternating between red and either yellow, fluorescent yellow, or fluorescent yellow-green.* Although B-2 does not have to meet this NFPA code, if BFD plans to keep this apparatus more than 2 more years, it is highly recommended the truck be retrofitted with the chevrons due to high exposure on highways and major thoroughfares.



The condition of the drivetrain on B-2 is considered serviceable. The City Shop has done an excellent job maintaining the motor and transmission. The power upon take-off and acceleration seems to be adequate. The trucks stops appropriately, and no defects could be noted during a simple drive and visual test.

A visual inspection of the pump did not indicate any major concerns or issues. This was consistent with operating the pump; no issues could be noted. The fire crews and city shop have been consistent with the lubrication and adjustments on the pump and therefore only minor deficiencies were noted. Items of minor concern include gauge cloudiness on the pressure gauge, missing valve labels and no foam system.

After all things considered, I believe the overall condition of B-2 should be considered serviceable but at the end of life. Although the mileage on the truck is low, there is excess wear and tear on the cab and body.



City of Belton

~ Fire Department ~

Capabilities:

Brush 2 was built for wildland firefighting. As part of this evaluation process, the apparatus' equipment was compared to the requirements of a Texas Forestry Service Bush Truck. The following is a summary of finding when the vehicles capabilities were evaluated:

- Minimal Wildland equipment on the truck
- No Foam Induction
- No rear area for firefighters to be secured during fire attack
- Vulnerable to water damage during flooding

Just like most apparatus and equipment, new advances have been implemented on the design of Brush Trucks since B-2 was built. One example is the mandatory use of a foam inductor system. Foam allows for quicker knock-down and extinguishment. Without this system, BFD is forced to batch mix the foam into the tank which is harmful to the pumps internal components.

Equipment Evaluation:

During the evaluation, we took this time to ensure Wildland firefighting equipment was installed and located logically and safely. This process took at least two hours, but the end result was a much more organized apparatus which should maximize proficiency. One noticeable issue with the equipment was the age of some items. It was discussed that most of the equipment was assigned to the previous first out truck and was swapped over to this one when it was purchased. Equipment, like the apparatus itself, has an expected life span and much of the tools and hose seem to be beyond expected time of usage. The following is a list of other issues identified during the evaluation process:

Equipment To-Do List

- Tank Hold-down system rusted – needs replaced
- Winch cable pinched and needs replaced
- Missing 1” adaptors
- No Fire Rakes or Pulaski’s
- No spare forestry line
- No Foam Inductor
- Missing both front wheel covers
- Missing rear Passenger side emergency light

Conclusion:

This apparatus has been in service for 12 years with Belton Fire Department. It is apparent that B-2 should be replaced soon. Because of the apparent overall condition of the apparatus, it is recommended we place this vehicle near the top of the replacement list within BFD fleet.

Siddons Martin Emergency Group, LLC
 3500 Shelby Lane
 Denton, TX 76207
 GDN P115891
 TXDOT MVD No. A115890



August 15, 2022

Wesley Gilbreath
 BELTON FIRE DEPARTMENT
 420 SPARTA RD
 BELTON, TX 76513

Proposal For: 2022 Belton Skeeter

Siddons-Martin Emergency Group, LLC is pleased to provide the following proposal to BELTON FIRE DEPARTMENT. Unit will comply with all specifications attached and made a part of this proposal. Total price includes delivery FOB BELTON FIRE DEPARTMENT and training on operation and use of the apparatus.

| Description | Amount |
|--|---------------------|
| <hr/> | |
| Qty. 1 - 6894 - Ford Ford F 550 Type 5, Rescue Side, Lifted (Unit Price - \$231,554.00) | |
| Delivery within 17-18 months of order date | |
| QUOTE # - SMEG-0003234-0 | |
| Vehicle Price | \$231,554.00 |
| 3 Pos. Wireless FireCom | \$6,530.00 |
| (1) Mobile Radio Install - STASH | \$450.00 |
| 6894 - UNIT TOTAL | \$238,534.00 |
| <hr/> | |
| SUB TOTAL | \$238,534.00 |
| HGAC FS12-19A (SKEETER) | \$1,000.00 |
| TOTAL | \$239,534.00 |

Price guaranteed until 11/15/2022

Additional: Please issue purchase order to: Cavender Grande Ford, 4562 IH 10 East, San Antonio, TX 78219

Taxes: Tax is not included in this proposal. In the event that the purchasing organization is not exempt from sales tax or any other applicable taxes and/or the proposed apparatus does not qualify for exempt status, it is the duty of the purchasing organization to pay any and all taxes due. Balance of sale price is due upon acceptance of the apparatus at the factory.

Late Fee: A late fee of .033% of the sale price will be charged per day for overdue payments beginning ten (10) days after the payment is due for the first 30 days. The late fee increases to .044% per day until the payment is received. In the event a prepayment is received after the due date, the discount will be reduced by the same percentages above increasing the cost of the apparatus.

Cancellation: In the event this proposal is accepted and a purchase order is issued then cancelled or terminated by Customer before completion, Siddons-Martin Emergency Group may charge a cancellation fee. The following charge schedule based on costs incurred may be applied:

- (A) 10% of the Purchase Price after order is accepted and entered by Manufacturer;
- (B) 20% of the Purchase Price after completion of the approval drawings;
- (C) 30% of the Purchase Price upon any material requisition.

The cancellation fee will increase accordingly as costs are incurred as the order progresses through engineering and into manufacturing. Siddons-Martin Emergency Group endeavors to mitigate any such costs through the sale of such product to another purchaser; however, the customer shall remain liable for the difference between the purchase price and, if applicable, the sale price obtained by Siddons-Martin Emergency Group upon sale of the product to another purchaser, plus any costs incurred by Siddons-Martin to conduct such sale.

Acceptance: In an effort to ensure the above stated terms and conditions are understood and adhered to, Siddons-Martin Emergency Group, LLC requires an authorized individual from the purchasing organization sign and date this proposal and include it with any purchase order. Upon signing of this proposal, the terms and conditions stated herein will be considered binding and accepted by the Customer. The terms and acceptance of this proposal will be governed by the laws of the state of Texas. No additional terms or conditions will be binding upon Siddons-Martin Emergency Group, LLC unless agreed to in writing and signed by a duly authorized officer of Siddons-Martin Emergency Group, LLC.

Sincerely,

Brian Peters

Brian Peters

I, _____, the authorized representative of BELTON FIRE DEPARTMENT, agree to purchase the proposed and agree to the terms of this proposal and the specifications attached hereto.

Signature & Date

Belton Fire Department

Brush 2 Replacement
September 27, 2022



Current Apparatus

Brush 2

- ▶ 2008 (15 years old)
- ▶ Due for Replacement in 2023
- ▶ Ford F550
- ▶ Brush Truck
- ▶ Around 25,000 miles
- ▶ Ground clearance issues
- ▶ Compartment Rust and Wear



Proposed Replacement Apparatus

- ▶ 2023 (New)
- ▶ Ford F550
- ▶ Brush Truck
- ▶ 400 gals of Water
- ▶ 6.7L Diesel
- ▶ Flood Water response capable
- ▶ Mirrors current Brush 1



Financial Considerations

- ▶ Replacement is part of the Capital Equipment Replacement Fund (CERF) for Fire Apparatus
- ▶ Build is expected to take 16 to 18 months (March or April of 2024)
- ▶ CERF can fully fund this apparatus
- ▶ Brush 2 replacement = \$239,534
- ▶ Up-Fit and Equipment = approximately \$30,000

Questions or Comments?



Staff Report – City Council Agenda Item

Date: September 27, 2022
Case No.: Z-22-30
Request: SF-2 to MF
Applicant/Owners: Oscar Luquin

Agenda Item #14

Z-22-30 – Hold a public hearing and consider a zoning change from Single Family-2 District to Multiple Family District on approximately 0.50 acres located at 701 Holland Road, east of Interstate 35 and west of East Loop 121.

Originating Department: Planning Department – Tina Moore - Planner

Current Zoning: Single Family-2 Residential District (SF-2)

Current Uses(s): Vacant

Proposed Zoning: Multifamily (MF)

Proposed Use(s): Multi-Family Development

Future Land Use Map (FLUM) Designation: Residential

Design Standards Type Area 11: The projected growth for Type Area 11 is primarily single-family residential area with opportunities for retail and commercial areas along Holland Road.

Background/Case Summary

The applicant recently purchased this property and intends to develop a 6-unit complex. The MF zoning district allows a maximum of 18 units per acre. A maximum of nine (9) units with adequate parking would be allowed on this half acre site should the zoning change be approved.

Project Analysis and Discussion

Existing Conditions: This property is currently vacant. The adjacent properties are mostly zoned SF-2 except for the property to the west (Family Dollar) and north (convenience store) that are zoned Retail.

Land Use Table/Allowable Uses: The requested Multi Family Zoning District will allow for the development of a small apartment complex.

Area & Setback Requirements: Minimum area and setback requirements for the requested Multi Family (MF) Zoning District are summarized below.

Multi Family

| | | |
|------------|--|--------------------------------------|
| Lot Area: | 10,000 sq ft; 2,420 sq ft/du (18 du/acre) | Front Yard: 25' |
| Lot Width: | 80' | Rear Yard: 20' |
| Lot Depth: | 120' | Side Yard: 8'/15' adjacent to street |

The subject lot exceeds the minimum requirements with 21,780 sq. ft, with a width of 108' and depth of 208'. A subdivision plat and construction plans are required for this development to ensure all applicable zoning and building code requirements are met.

The FLUM identifies this area for residential which may permit multiple family development. The requested MF zoning seems appropriate given the adjacent commercial uses and proximity to Holland Road.

Recommendation

At their meeting on September 20, 2022, the Planning and Zoning Commission voted unanimously to recommend approval of the requested zoning change from Single Family-2 District to Multiple Family District, subject to the following:

1. The development must conform to all applicable standards of the Multiple Family Zoning District.
2. A final subdivision plat meeting the requirements of the adopted Subdivision Ordinance is required.
3. Civil site plan and construction plans in compliance with adopted standards are required.

Attachments

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

ZONING CHANGE APPLICATION



Fee: \$250.00

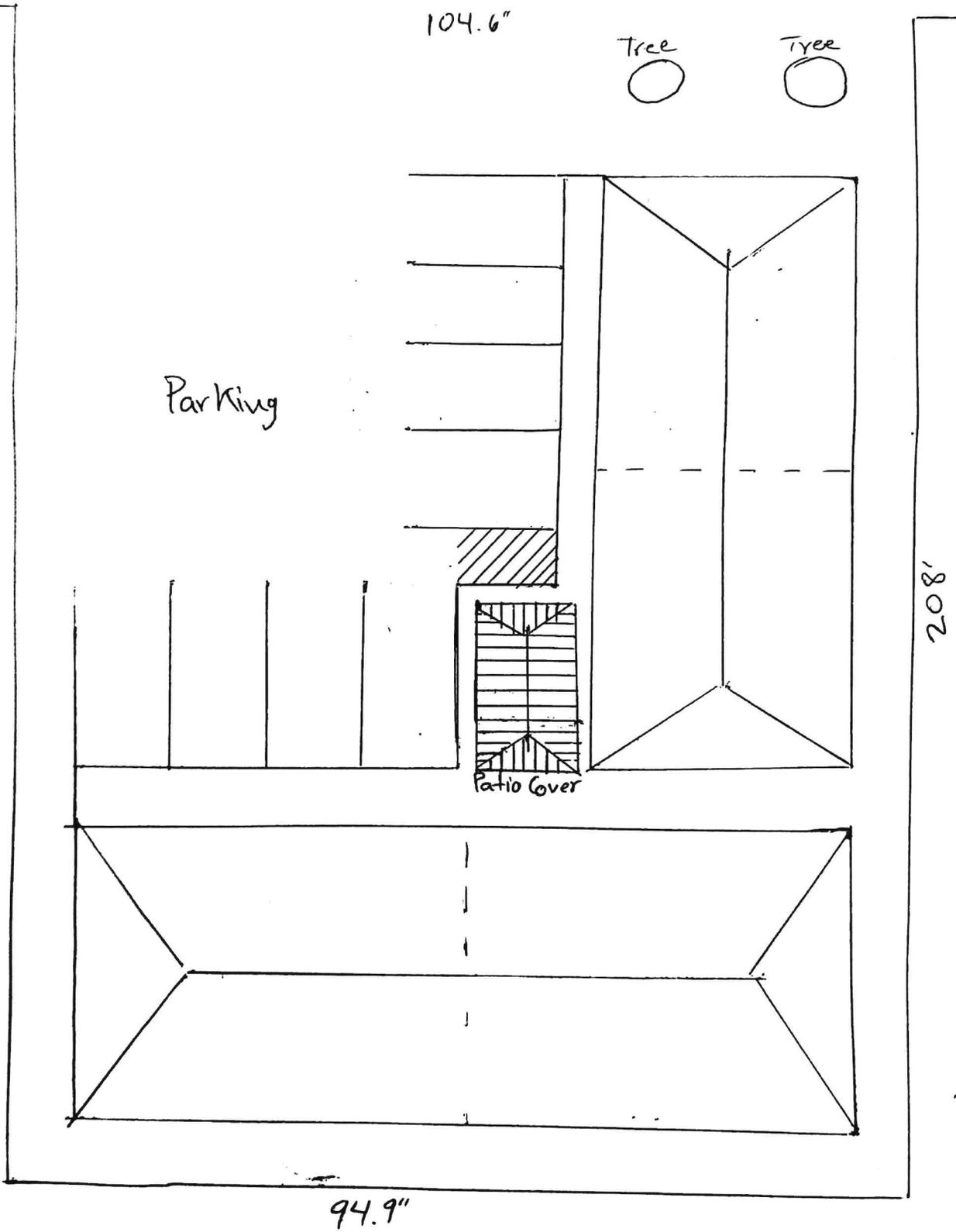
| | |
|--|-----------------------------------|
| Date received: | |
| APPLICANT NAME: <u>Oscar Luquin</u> | |
| EMAIL: <u>oscarluquin@yahoo.com</u> | PHONE NUMBER: <u>254-933-1111</u> |
| MAILING ADDRESS: <u>1907 Liberty Hill Dr Belton TX 76513</u> | |
| PROPERTY OWNER NAME: <u>Francisco Luquin</u> | |
| EMAIL: <u>oscarluquin@yahoo.com</u> | PHONE NUMBER: <u>254-933-1111</u> |
| MAILING ADDRESS: <u>1907 Liberty Hill Dr Belton TX 76513</u> | |

| |
|--|
| Proposed Use of Structures (building) and Property (exterior property): <u>Need Rezoning to build Duplex or apartments</u> |
| Current Use: <u>Empty lot</u> |
| LOCATION/STREET ADDRESS OF PROPERTY TO BE REZONED: <u>701 Holland Rd Belton TX 76513 or</u> <u>701 Ave O Belton TX 76513</u> |
| Legal Description of Property: Abstract Survey <u>A0006 BC</u> |
| Lot(s): _____ Block(s): _____ of Subdivision _____ |
| Existing Zoning: <u>SF2</u> Proposed Zoning: <u>MF</u> |

Signature of Applicant: [Signature] Date: 8-06-22
Signature of Owner (if not applicant): Francisco Luquin Date: 8-06-22

City of Belton Planning Department
333 Water Street * Belton, Texas 76513 * Phone (254) 933-5812 * Fax (254) 933-5822

Holland Rd.



Zoning Case # Z-22-30 Location



ZONING CHANGE:
SF-2
to
MF

LEGAL DESCRIPTION:
A0006BC M F CONNELL, AKA LT 7 BLK 11
BROOKING ACRES .5

PROPERTY OWNER:
LUQUIN, FRANCISCO

ADDRESS/LOCATION:
701 HOLLAND RD

LEGEND

Z_22_30

Maps and data are for informational purposes and may not have been prepared for or be suitable for legal, engineering or surveying purposes. They represent an on-the-ground survey and only the applicable relative location of property boundaries. No warranty is made by the City of Belton regarding specific accuracy or completeness.



Map Date: 8/11/2022

Zoning Case # Z-22-30 Aerial



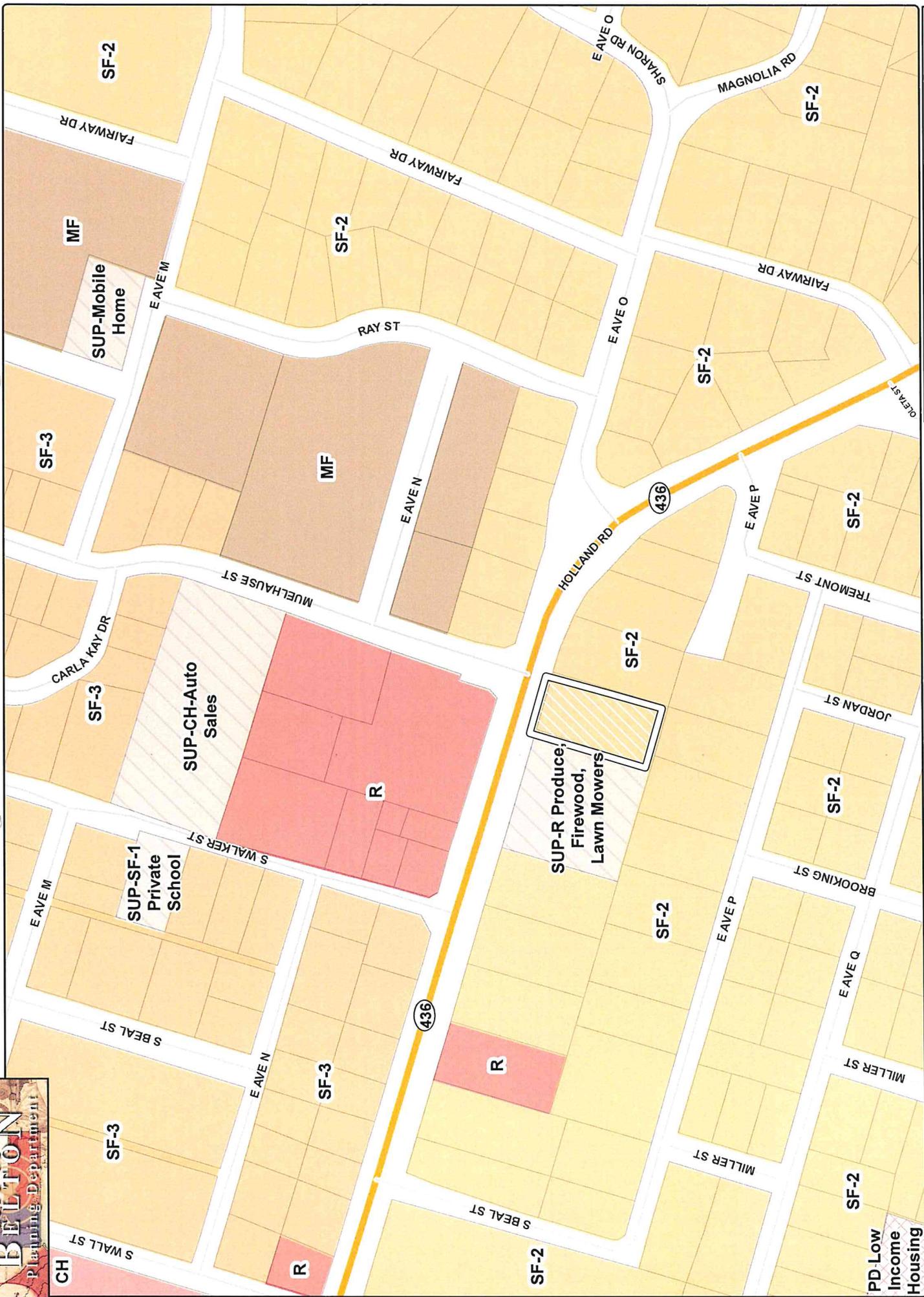
LEGEND
Z_22_30

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Map Date: 8/17/2022

Zoning Case # Z-22-30 Zoning



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Map Date: 8/11/2022

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

THE CITY OF BELTON HAS RECEIVED A REQUEST FROM: OSCAR LUQUIN AND FRANCISCO LUQUIN,
TO CHANGE THE FOLLOWING DESCRIBED PROPERTY: 701 HOLLAND ROAD,
FROM A(N) SINGLE FAMILY -2 (SF-2) ZONING DISTRICT,
TO A(N) MULTIPLE FAMILY (MF) ZONING DISTRICT,
TO ALLOW FOR A 6 UNIT DUPLEX APARTMENT.

THE PLANNING & ZONING COMMISSION OF THE CITY OF BELTON, TEXAS WILL HOLD A PUBLIC HEARING PURSUANT TO THIS REQUEST AT **5:30 P.M., Tuesday, September 20, 2022**, AT THE T.B. HARRIS CENTER, 401 N. ALEXANDER, BELTON, TEXAS.

IF APPROVED BY THE PLANNING & ZONING COMMISSION, THIS ITEM WILL BE PLACED ON THE AGENDA FOR A PUBLIC HEARING BY THE CITY COUNCIL. THAT MEETING WILL BE AT **5:30 P.M., Tuesday, September 27, 2022**, AT THE T. B. HARRIS COMMUNITY CENTER, 401 ALEXANDER STREET, BELTON, TEXAS.

AS AN INTERESTED PROPERTY OWNER, THE CITY OF BELTON INVITES YOU TO MAKE YOUR VIEWS KNOWN REGARDING THIS ZONING CHANGE. YOU MAY SUBMIT WRITTEN COMMENTS BY COMPLETING THIS FORM AND RETURNING IT TO THE ADDRESS BELOW OR VIA EMAIL TO PLANNING@BELTONTXAS.GOV, PRIOR TO 1:00 P.M. ON **SEPTEMBER 27, 2022**.

IF YOU REQUIRE INTERPRETER SERVICES FOR THE DEAF OR HEARING IMPAIRED, PLEASE CONTACT THE CITY CLERK AT CITY HALL AT LEAST 48 HOURS BEFORE THESE MEETINGS.

circle one

AS AN INTERESTED PROPERTY OWNER, I (PROTEST) (APPROVE) THE REQUESTED ZONING AMENDMENT PRESENTED IN THE APPLICATION ABOVE FOR THE REASONS EXPRESSED BELOW:

1. _____
2. _____
3. _____

(FURTHER COMMENTS MAY BE EXPRESSED ON A SEPARATE SHEET OF PAPER)

DATE: _____ SIGNATURE: _____

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

Zoning Case # Z-22-30



ZONING CHANGE:
SF-2
to
MF

LEGAL DESCRIPTION:
A0006BC M F CONNELL, AKA LT 7 BLK 11
BROOKING ACRES .5

PROPERTY OWNER:
LUQUIN, FRANCISCO

ADDRESS/LOCATION:
701 HOLLAND RD

Legend

- Z_22_30
- 200' Property Owner
- Notification Area
- Tax Appraisal Parcels

Maps and data are for informational purposes and may not have been prepared for or be suitable for legal, engineering or surveying purposes. They do not represent an on-the-ground survey and represent only the approximate relative location of property.



Map Date: 8/17/2022

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

THE CITY OF BELTON HAS RECEIVED A REQUEST FROM: OSCAR LUQUIN AND FRANCISCO LUQUIN,
TO CHANGE THE FOLLOWING DESCRIBED PROPERTY: 701 HOLLAND ROAD,
FROM A(N) SINGLE FAMILY -2 (SF-2) ZONING DISTRICT,
TO A(N) MULTIPLE FAMILY (MF) ZONING DISTRICT,
TO ALLOW FOR A 6 UNIT DUPLEX APARTMENT _____.

THE PLANNING & ZONING COMMISSION OF THE CITY OF BELTON, TEXAS WILL HOLD A PUBLIC HEARING PURSUANT TO THIS REQUEST AT **5:30 P.M., Tuesday, September 20, 2022**, AT THE T.B. HARRIS CENTER, 401 N. ALEXANDER, BELTON, TEXAS.

IF APPROVED BY THE PLANNING & ZONING COMMISSION, THIS ITEM WILL BE PLACED ON THE AGENDA FOR A PUBLIC HEARING BY THE CITY COUNCIL. THAT MEETING WILL BE AT **5:30 P.M., Tuesday, September 27, 2022**, AT THE T. B. HARRIS COMMUNITY CENTER, 401 ALEXANDER STREET, BELTON, TEXAS.

AS AN INTERESTED PROPERTY OWNER, THE CITY OF BELTON INVITES YOU TO MAKE YOUR VIEWS KNOWN REGARDING THIS ZONING CHANGE. YOU MAY SUBMIT WRITTEN COMMENTS BY COMPLETING THIS FORM AND RETURNING IT TO THE ADDRESS BELOW OR VIA EMAIL TO PLANNING@BELTONTXAS.GOV, PRIOR TO 1:00 P.M. ON JULY 19, 2022.

IF YOU REQUIRE INTERPRETER SERVICES FOR THE DEAF OR HEARING IMPAIRED, PLEASE CONTACT THE CITY CLERK AT CITY HALL AT LEAST 48 HOURS BEFORE THESE MEETINGS.

circle one

AS AN INTERESTED PROPERTY OWNER, I (PROTEST) (APPROVE) THE REQUESTED ZONING AMENDMENT PRESENTED IN THE APPLICATION ABOVE FOR THE REASONS EXPRESSED BELOW:

1. _____
2. _____
3. _____

(FURTHER COMMENTS MAY BE EXPRESSED ON A SEPARATE SHEET OF PAPER)

DATE: _____ SIGNATURE: _____

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

Zoning Case # Z-22-30



ZONING CHANGE:
SF-2
to
MF

LEGAL DESCRIPTION:
A0006BC M F CONNELL, AKA LT 7 BLK 11
BROOKING ACRES .5

PROPERTY OWNER:
LUQUIN, FRANCISCO

ADDRESS/LOCATION:
701 HOLLAND RD

Legend

- Z_22_30
- 200' Property Owner Notification Area
- Tax Appraisal Parcels

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851
RODRIGUEZ, JOSE R ETUX IMELDA O
704 E AVENUE O
BELTON, TX 76513

15748
BUTLER, L C ETUX FAYE
3320 ELM GROVE RD
BELTON, TX 76513-7615

24322
TEXAS RESERVE PROPERTIES LP
2500 MILFOIL CV
AUSTIN, TX 78704

34714
ALVIS, MICHAEL E ETUX MONICA L
712 E AVENUE O
BELTON, TX 76513-4311

74747
HERNANDEZ, NELSON PETER ETUX
708 E AVENUE O
BELTON, TX 76513-4311

100839
FIKES WHOLESALE INC
PO BOX 1287
TEMPLE, TX 76503-1287

114250
ESPINOZA, GRISELDA
1609 TREMONT ST
BELTON, TX 76513

7398
LOVE, ROGER C & LINDA K
20152 FM 2268
HOLLAND, TX 76534

16740
ILTON, JUDY ANN CAMPBELL
604 E AVE P
BELTON, TX 76513

24330
SAUCEDO, CRYSTAL ANN
603 HOLLAND RD
BELTON, TX 76513

63008
SERRANO, ALFONSO H
516 E AVENUE P
BELTON, TX 76513-4317

74999
BERRY, ITHA LYNNE ETAL
5081 ELM GROVE RD
BELTON, TX 76513

102915
SARINANA, SERGIO R ETUX
600 E AVENUE P
BELTON, TX 76513-4319

8579
BELL VILLAGE APT LTD
4901 COLE AVE
DALLAS, TX 75205-3401

20496
CITY OF BELTON
PO BOX 120
BELTON, TX 76513-0120

24333
LUQUIN, FRANCISCO
1907 LIBERTY HILL DR
BELTON, TX 76513

69648
MAXWELL, MARVIN R & TAMARA J
717 HOLLAND RD
BELTON, TX 76513-4403

78805
SANCHEZ, JOHANNA ETVIR HONORATO
960 GEORGE WILSON RD
BELTON, TX 76513

114248
ORTIZ, GUILLERMO QUINTANILLA ETUX MARIA
MADERA AVALOS
2564 VALLEY FORGE DRIVE
BELTON, TX 76513

Minutes of the
Planning and Zoning Commission (P&ZC)
City of Belton, City Hall
333 Water Street
Tuesday, September 20, 2022

The Planning and Zoning Commission met at 5:30 p.m. at the Harris Community Center, 401 North Alexander Street. Commission members who were present: Chair Brett Baggerly, Dave Jarratt, Quinton Locklin, Alton McCallum, Zach Krueger and Luke Potts. The following members were absent: Vice Chair David Covington, Joshua Knowles, and Nicole Fischer. The following staff members were present: Director of Planning Bob van Til, Planner Tina Moore, Planning Administrator Melinda Brice, and IT System Analyst, Alex Munger.

4. Z-22-30 - Hold a public hearing and consider a zoning change from Single Family-2 District to Multiple Family District for approximately 0.50 acres located at 701 Holland Road. (Audio 1.25)

Staff Planner Ms. Moore presented the staff report.

Chair Baggerly opened the public hearing. With no public input, the public hearing was closed.

Commission Member Krueger made a motion to approve Z-22-30 as presented. The motion was seconded by Commission Member McCallum. The motion was approved with 6 ayes, 0 nays.

ORDINANCE NO. 2022-50

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF BELTON BY CHANGING THE DESCRIBED DISTRICT FROM SINGLE FAMILY- 2 RESIDENTIAL TO MULTIPLE FAMILY DISTRICT ON APPROXIMATELY 0.50 ACRE PROPERTY LOCATED 701 HOLLAND ROAD.

WHEREAS, Oscar Luquin, the property owner, 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 September, 2022, at 5:30 p.m. for hearing and adoption, said district being described as follows:

approximately 0.50 acres
located at 701 Holland Road
(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 September, 2022, 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 Single Family-2 District to Multiple Family District in accordance with Section 15, *Multiple Family District*, and the Design Standards in Ordinance 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:

1. The use of the property shall conform to the Multiple Family Zoning District in all respects.
2. The development of the property shall conform to all applicable Type Area 11 Design Standards, as identified in Ordinance 2014-17, Section 7.1 of the Zoning Ordinance, including:
 - a. Site Development Standards
 - b. Landscape Development Standards
 - c. Tree Protection, Preservation and Mitigation Standards

3. A final subdivision plat meeting the requirements of the adopted Subdivision Ordinance is required.
4. Civil site plan and construction plans in compliance with adopted standards are 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 27th day of September, 2022, by a vote of _____ ayes and _____ nays.

SIGNED AND APPROVED by the Mayor and attested by the City Clerk on this the 27th day of September, 2022.

Wayne Carpenter, Mayor

ATTEST:

Amy M. Casey, City Clerk

Zoning Case # Z-22-30 Location

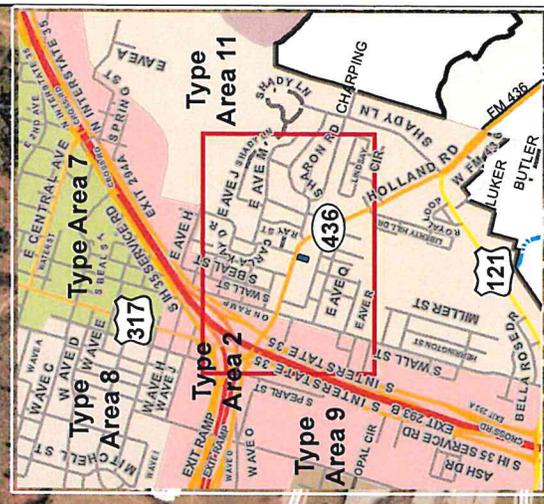


EXHIBIT "A"



ZONING CHANGE:
SF-2 to MF

LEGAL DESCRIPTION:
A0006BC M F CONNELL, AKA LT 7 BLK 11 BROOKING ACRES .5

PROPERTY OWNER:
LUQUIN, FRANCISCO

ADDRESS/LOCATION:
701 HOLLAND RD

LEGEND

Z_22_30

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Map Date: 8/11/2022



Staff Report – City Council Agenda Item

Date: September 27, 2022
Case No.: Z-22-31
Request: Agricultural to Commercial Highway (CH)
Applicant/Owner: MS Joint Ventures, LLC/
Robinson, Louis and Susan

Agenda Item #15

Z-22-31 – Hold a public hearing and consider a zoning change from Agricultural District to Commercial Highway on approximately 10.92 acres located at 7379 W. Highway 190 Service Rd. Road, located south of Interstate 14 and east of Simmons Road. **Due to inconsistency in address numbers, this property was recently reassigned from 6379 W. US 190 Service Road to 7379 W. US 190 Service Road.**

Originating Department

Planning Department – Tina Moore, Planner

Current Zoning: Agricultural Zoning District

Proposed Zoning: Commercial Highway

Current Land Use(s): Residential

Proposed Uses: Travel Center – Convenience Store w/ Gasoline, Truck Stop and Restaurant

Future Land Use Map (FLUM) Designation:

The FLUM identifies this general area as a lifestyle center appropriate for retail, restaurants, dense residential and neighborhood services.

Design Standards Type Area 2:

The projected growth for Type Area 4 is primarily commercial highway frontage uses. Opportunities for mixed use developments, hotels, restaurants, new car dealerships, multi-story office buildings.

Background/Case Summary

This property was annexed into the city limits in 2009 and assigned the Agricultural Zoning District at that time. The applicant is a prospective buyer of this property and has submitted this

zoning change request to allow for the development of a Travel Center including a convenience store with gasoline sales for both passenger vehicles and larger trucks. The development will also include two fast food restaurants. The proposed use is allowed in the Commercial Highway Zoning District.

Project Analysis and Discussion

Existing Conditions: The surrounding uses are:

| <i>Direction</i> | <i>Zoning</i> | <i>Use</i> |
|-------------------------|----------------------|---|
| North | Commercial 1 and 2 | C. F. Supply and Texas Materials Asphalt Maintenance. |
| South | Agricultural | Detached single family uses |
| East | Agriculture | Automotive Repairs |
| West | Commercial - 1 | Restaurant |

Allowable Land Uses: The proposed zoning change would allow for the proposed restaurants and convenience store/truck stop as well as other uses permitted in the CH zoning district. Other uses include all uses permitted in the Retail District, auto sales, commercial amusement, and hospital or nursing home.

Area & Setback Requirements: The subject lot exceeds the minimum area requirement for the CH District, which requires a minimum lot size of 7,200 sq. ft, a minimum width of 60' and depth of 120'. This lot is approximately 10.92 acres and meets the minimum lot requirements.

Water and Sewer: The applicant is aware this property lies outside of the City's water and wastewater service area. Dog Ridge Water Supply Corporation is the water provider. The applicant will be responsible for providing fire protection as there are no fire hydrants or adequate water pressure for firefighting purposes. The applicant plans to install a septic system which will require approval from the Bell County Public Health Department. A subdivision plat and a building permit will be required prior to development to ensure compliance with all applicable codes.

Recommendation

At their meeting on September 20, 2022, the Planning and Zoning Commission voted unanimously to postpone this item for consideration of a Planned Development – Commercial Highway zoning change to be discussed at their October 18th meeting.

Attachments

Zoning application and conceptual site plan

Property Location Map

Zoning map

Aerial

Map with zoning notice boundary (200')/Zoning notice to owners/Property owner's list

P&Z Minutes Excerpt



ZONING CHANGE APPLICATION

Fee: \$250.00

| | |
|---|----------------------------|
| Date received: | |
| APPLICANT NAME: MS JOINT VENTURE LLC | |
| EMAIL: MALEK694@GMAILCOM | PHONE NUMBER: 512-694-2223 |
| MAILING ADDRESS: 2402 LAKE AUSTIN BLVD., AUSTIN TX 78703 | |
| PROPERTY OWNER NAME: LOUIS N ROBISON JR , SUSAN A ROBISON | |
| EMAIL: ROBISONSUSAN2@GMAIL.COM | PHONE NUMBER: 254-760-9615 |
| MAILING ADDRESS: PO BOX 142, NOLANVILLE, TX 76559 | |

| |
|---|
| Proposed Use of Structures (building) and Property (exterior property): TRAVEL CENTER (C STORE WITH GASOLINE SALES & FAST FOOD) |
| Current Use: RESIDENTIAL / STORAGE |
| LOCATION/STREET ADDRESS OF PROPERTY TO BE REZONED: 7379 W HWY 190 BELTON, TX 76513 <i>BELL CAD # 194295</i> |
| Legal Description of Property: Abstract Survey A0070BC J BEAL, 58-31, ACRES 10.92, SN1 Lot(s): _____ Block(s): MP159524A; LABEL# PFS0695617, TITLE # 00306905 of Subdivision _____ |
| Existing Zoning: RESIDENTIAL Proposed Zoning: HIGHWAY COMMERCIAL (HC) |

Signature of Applicant: *Al-Sayid* Date: 8-10-2022
Signature of Owner (if not applicant): *Susan A Robison* Date: 8-10-2022

City of Belton Planning Department
333 Water Street * Belton, Texas 76513 * Phone (254) 933-5812 * Fax (254) 933-5822

Checklist for Items to be submitted with a zoning change application:

- Signed application
- Fees paid
- Complete legal descriptions of the property to be rezoned
- Site plans per Section 32, Planned Development, of the Zoning Code. Please see below for guidelines.

In the event the request involves more than one lot, a portion of a lot or irregular tracts or acreage, a Metes and Bound legal description, prepared by a registered Land Surveyor, registered in the State of Texas, is required.

Notice: If any construction is planned, a copy of the plans and a plat must be attached. **Requests for zoning changes must be submitted by the 15th day of the month to be placed on the agenda for the Planning and Zoning Commission meeting the next month.** The Planning and Zoning Commission meets on the third Tuesday of the month; their recommendations are normally placed on the agenda for the City Council meeting on the fourth Tuesday of the month.

The development plan shall include:

- a. A site inventory analysis including a scale drawing showing existing vegetation, natural water courses, creeks or bodies of water and an analysis of planned changes in such natural features as a result of the development. This should include as a delineation of any flood prone areas.
- b. As a scale drawing showing any proposed public or private streets and alleys; building sites or lots; and areas reserved as parks, parkways, playgrounds, utility easements, school sites, street widening and street changes; the points of ingress and egress from existing streets; general location and description of existing and proposed utility services, including size of water and sewer mains; the location and width for all curb cuts; the land area of all abutting sites; and the zoning classification thereof on an accurate survey of the tract with as a topographical contour interval of not more than five feet (5').
- c. As a site plan for proposed building complexes showing the location of separate buildings and the minimum distance between buildings and property lines, street lines and alley lines. Also, to be included on the site plan is a plan showing the arrangement and provision of off-street parking.
- d. As a landscape plan showing turf areas, screening walls, ornamental planting, wooded acres and trees to be planted.
- e. An architectural plan showing elevations and signage style to be used throughout the development in all districts except single-family and two-family may be required by the Planning and Zoning Commission or City Council if deemed appropriate.
- f. All Development Plans may have supplemental data describing standards, regulations or other data pertinent to the development of the Planned Development District which is to be included in the text of the amending ordinance.

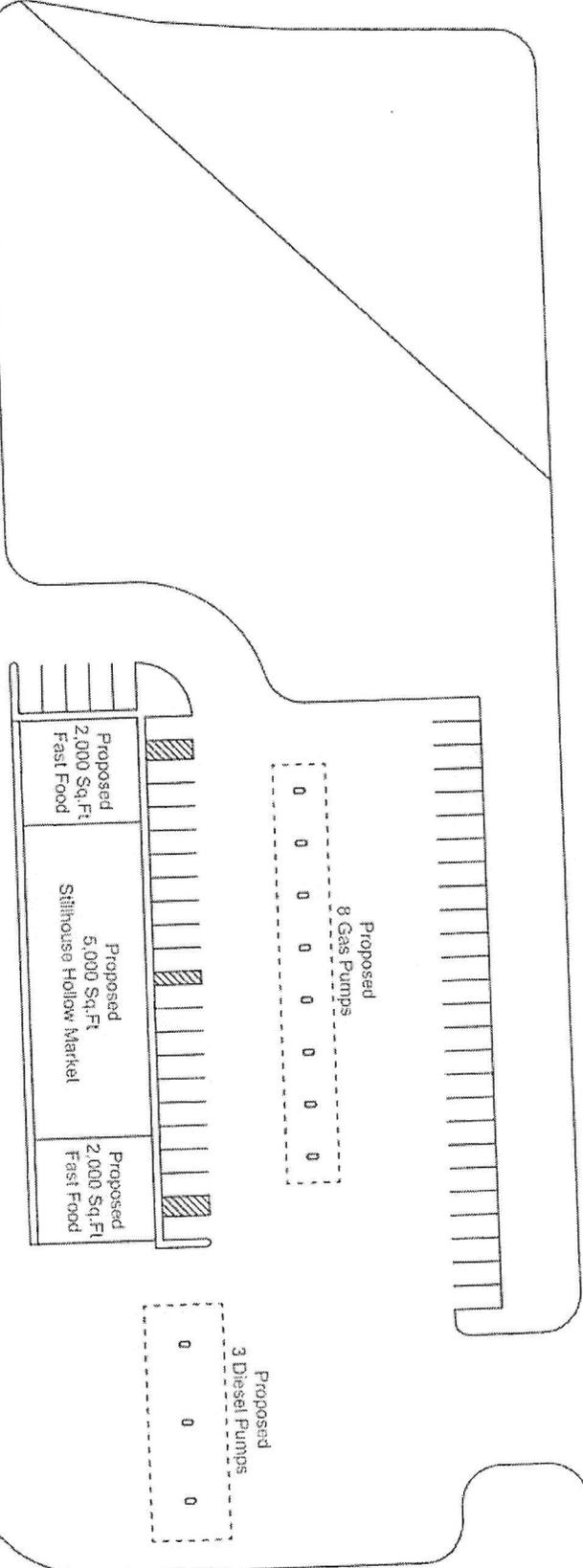
City of Belton Planning Department

333 Water Street * Belton, Texas 76513 * Phone (254) 933-5812 * Fax (254) 933-5822

STILLHOUSE HOLLOW MARKET
7379 W HWY 190 BELTON, TX 76513

W US Hwy 190 Service Rd.

Simmons Rd.



Proposed
8 Gas Pumps

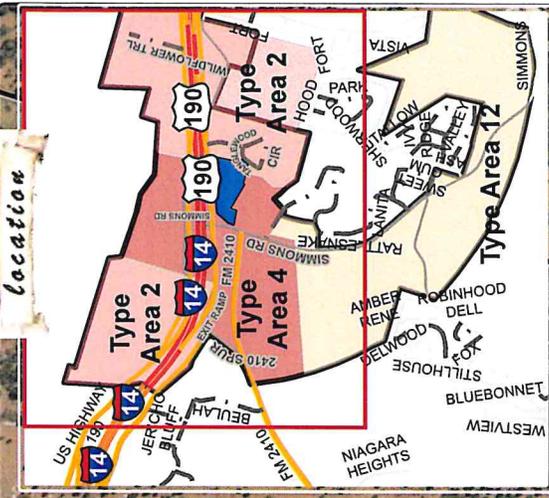
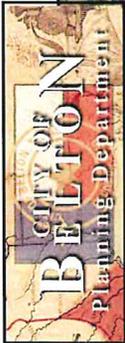
Proposed
3 Diesel Pumps

Proposed
2,000 Sq. Ft.
Fast Food

Proposed
5,000 Sq. Ft.
Stillhouse Hollow Market

Proposed
2,000 Sq. Ft.
Fast Food

Zoning Case # Z-22-31 Location

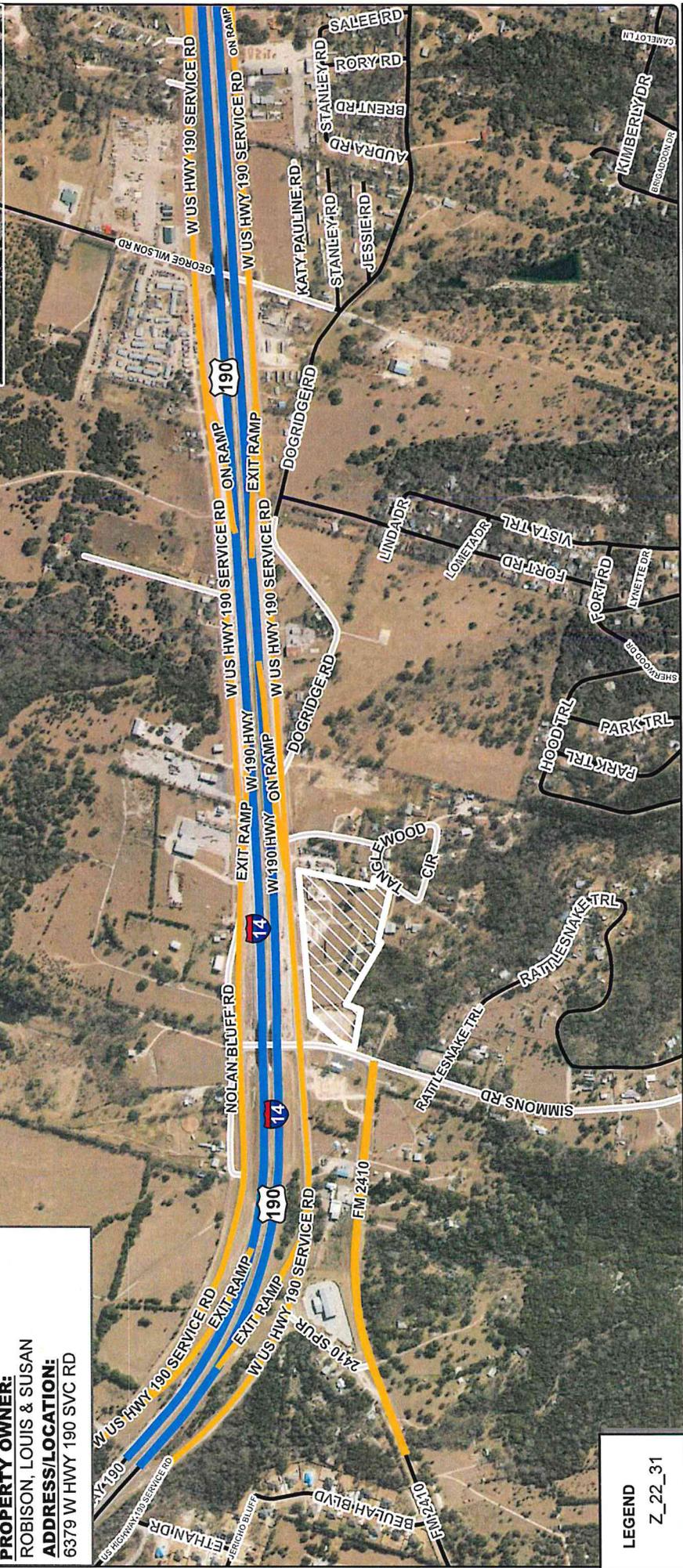


ZONING CHANGE:
AG
to
CH

LEGAL DESCRIPTION:
A0070BC J BEAL, 58-31,
ACRES 10.92, SN1 MP159524A;
LABEL# PFS0698617, TITLE # 00306905

PROPERTY OWNER:
ROBISON, LOUIS & SUSAN

ADDRESS/LOCATION:
6379 W HWY 190 SVC RD



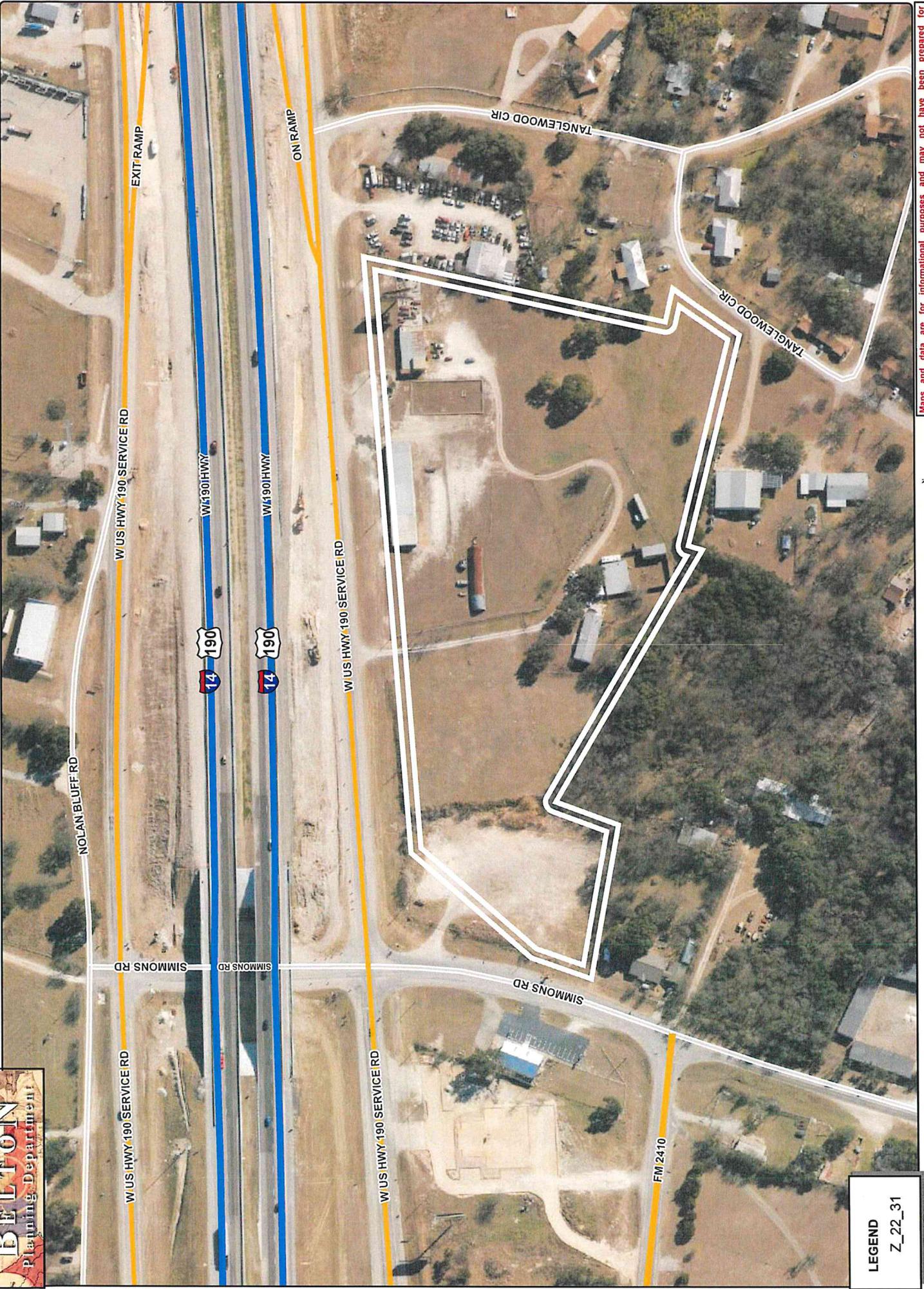
LEGEND
Z_22_31

0 500 1000 Feet

Maps and data are for informational purposes and may not have been prepared for legal or engineering purposes. They do not represent or be suitable for use in any legal proceeding or to represent only the approximate relative location of property boundaries. No warranty is made by the City of Belton regarding specific accuracy or completeness.

Man Date: 8/17/2022

Zoning Case # Z-22-31 Aerial

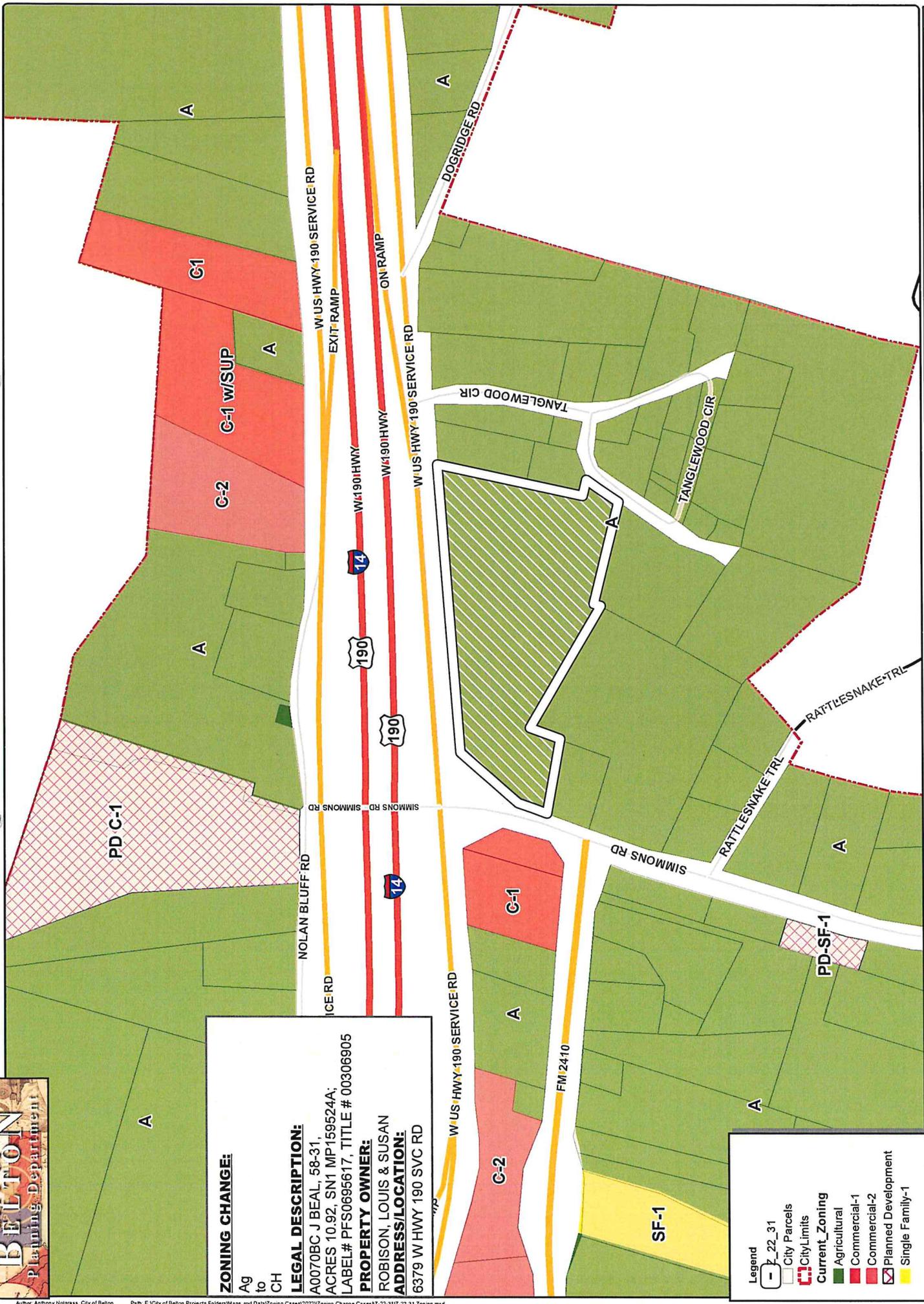
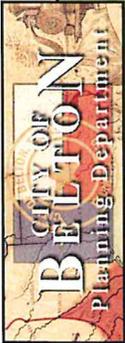


LEGEND
Z_22_31



Maps and data are for informational purposes and may not have been prepared for or be suitable for legal, engineering or surveying purposes. They do not represent an on-the-ground survey and represent only the approximate relative location of property boundaries. No warranty is made for the file or other information concerning accuracy or completeness.

Zoning Case # Z-22-31 Zoning



ZONING CHANGE:
 Ag to CH

LEGAL DESCRIPTION:
 A0070BC J BEAL, 58-31,
 ACRES 10.92, SN1 MP159524A;
 LABEL# PFS0695617, TITLE # 00306905

PROPERTY OWNER:
 ROBISON, LOUIS & SUSAN

ADDRESS/LOCATION:
 6379 W HWY 190 SVC RD

Legend

- City Parcels
- City Limits
- Current Zoning
- Agricultural
- Commercial-1
- Commercial-2
- Planned Development
- Single Family-1

Maps and data are for informational purposes and may not have been prepared for or be suitable for legal engineering purposes. They do not represent or constitute an offer and represent only the approximate relative location of property boundaries. No warranty is made by the City of Belton regarding specific accuracy or completeness.



Map Date: 9/2/2022

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

THE CITY OF BELTON HAS RECEIVED A REQUEST FROM: MS JOINT VENTURES LLC.,
TO CHANGE THE FOLLOWING DESCRIBED PROPERTY: 6379 W. US 190 SVC ROAD,
FROM A(N) AGRICULTURAL (A) ZONING DISTRICT,
TO A(N) COMMERCIAL HIGHWAY (CH) ZONING DISTRICT,
TO ALLOW FOR THE CONSTRUCTION FOR A TRAVEL CENTER (CONVENIENCE STORE W/ GAS STATION)

THE PLANNING & ZONING COMMISSION OF THE CITY OF BELTON, TEXAS WILL HOLD A PUBLIC HEARING PURSUANT TO THIS REQUEST AT **5:30 P.M., Tuesday, September 20, 2022**, AT THE T.B. HARRIS CENTER, 401 N. ALEXANDER, BELTON, TEXAS.

IF APPROVED BY THE PLANNING & ZONING COMMISSION, THIS ITEM WILL BE PLACED ON THE AGENDA FOR A PUBLIC HEARING BY THE CITY COUNCIL. THAT MEETING WILL BE AT **5:30 P.M., Tuesday, September 27, 2022**, AT THE T. B. HARRIS COMMUNITY CENTER, 401 ALEXANDER STREET, BELTON, TEXAS.

AS AN INTERESTED PROPERTY OWNER, THE CITY OF BELTON INVITES YOU TO MAKE YOUR VIEWS KNOWN REGARDING THIS ZONING CHANGE. YOU MAY SUBMIT WRITTEN COMMENTS BY COMPLETING THIS FORM AND RETURNING IT TO THE ADDRESS BELOW OR VIA EMAIL TO PLANNING@BELTONTXAS.GOV, PRIOR TO 1:00 P.M. ON **SEPTEMBER 27, 2022**.

IF YOU REQUIRE INTERPRETER SERVICES FOR THE DEAF OR HEARING IMPAIRED, PLEASE CONTACT THE CITY CLERK AT CITY HALL AT LEAST 48 HOURS BEFORE THESE MEETINGS.

circle one

AS AN INTERESTED PROPERTY OWNER, I (PROTEST) (APPROVE) THE REQUESTED ZONING AMENDMENT PRESENTED IN THE APPLICATION ABOVE FOR THE REASONS EXPRESSED BELOW:

1. _____
2. _____
3. _____

(FURTHER COMMENTS MAY BE EXPRESSED ON A SEPARATE SHEET OF PAPER)

DATE: _____ SIGNATURE: _____

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

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IF YOU REQUIRE INTERPRETER SERVICES FOR THE DEAF OR HEARING IMPAIRED, PLEASE CONTACT THE CITY CLERK AT CITY HALL AT LEAST 48 HOURS BEFORE THESE MEETINGS.

circle one

AS AN INTERESTED PROPERTY OWNER, I (PROTEST) (APPROVE) THE REQUESTED ZONING AMENDMENT PRESENTED IN THE APPLICATION ABOVE FOR THE REASONS EXPRESSED BELOW:

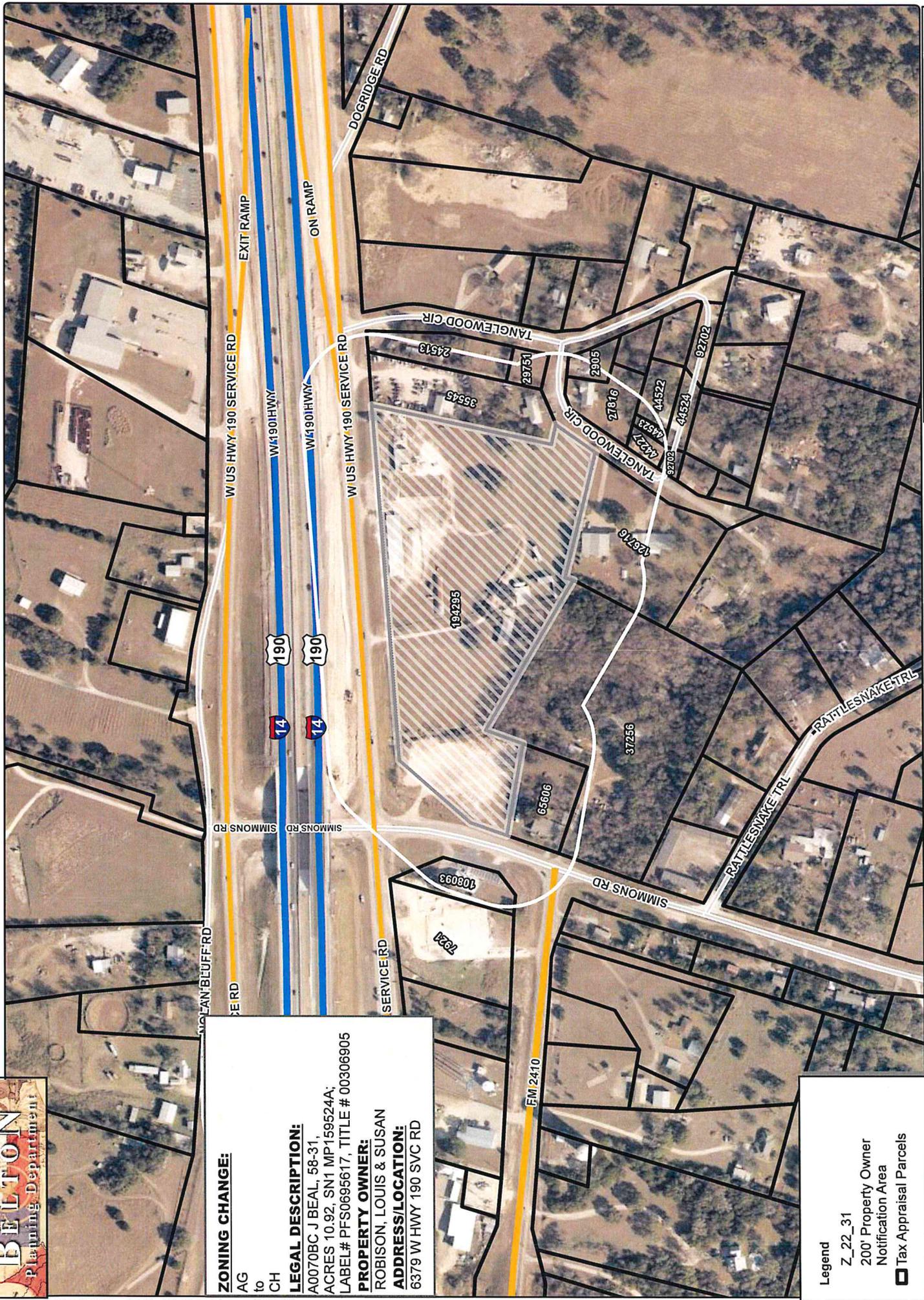
1. _____
2. _____
3. _____

(FURTHER COMMENTS MAY BE EXPRESSED ON A SEPARATE SHEET OF PAPER)

DATE: _____ SIGNATURE: _____

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

Zoning Case # Z-22-31



ZONING CHANGE:
AG
to
CH

LEGAL DESCRIPTION:
A0070BC J BEAL, 58-31,
ACRES 10.92, SN1 MP159524A;
LABEL# PFS0695617, TITLE # 00306905

PROPERTY OWNER:
ROBISON, LOUIS & SUSAN

ADDRESS/LOCATION:
6379 W HWY 190 SVC RD

Legend

- Z_22_31
- 200' Property Owner Notification Area
- Tax Appraisal Parcels

Author: Anthony Holaras, City of Belton Path: C:\Users\JGibson\Desktop\ArcGis_Learnings\2-22-22-31.aprx

2905
ANDERSON, DOROTHY JANE
2690 TANGLEWOOD
BELTON, TX 76513-6572

27816
DAVIS, EARNEST R II
3140 TANGLEWOOD CIR
BELTON, TX 76513

37256
FOSTER, STEPHEN K ETUX SUDIE
2805 SIMMONS RD
BELTON, TX 76513-7890

44523
GUZMAN, LORENZO V ETUX MARIE A
2952 TANGLEWOOD
BELTON, TX 76513-6650

92702
PETERSON'S PARTNERSHIP
3210 LANELLE DR
BELTON, TX 76513

194295
ROBISON, LOUIS N JR ETUX
PO BOX 142
NOLANVILLE, TX 76559-0142

7921
HAMSTER WHEEL INVESTMENTS LLC
106 W AVENUE G
NOLANVILLE, TX 76559-4339

29751
DOG RIDGE WATER SUPPLY CORP
PO BOX 232
BELTON, TX 76513-0232

44227
SCHROEDER, RICHARD E
6081 CLIFF LN
TEMPLE, TX 76502-6559

44524
GUZMAN, LORENZO V ETUX MARIE A
2952 TANGLEWOOD
BELTON, TX 76513-6650

108093
HAZEL PARK TRUST
3307 STILLHOUSE LAKE DR TRLR 32
HARKER HEIGHTS, TX 76548

24513
CORLEY, HELEN
2005 HOOD RIDGE CT
GRAPEVINE, TX 76051-2757

35545
FINNEY, CHARLES ETUX FRANCIS
3125 TANGLEWOOD CIRCLE
BELTON, TX 76513

44522
GUZMAN, LORENZO V ETUX MARIE A
2952 TANGLEWOOD
BELTON, TX 76513-6650

65606
LOERTCHER, JESSE DRAYTON
PO BOX 1215
BELTON, TX 76513

126716
NESBY, RICHARD K ETUX INDY
3011 TANGLEWOOD CIR
BELTON, TX 76513-6611

Minutes of the
Planning and Zoning Commission (P&ZC)
City of Belton, City Hall
333 Water Street
Tuesday, September 20, 2022

The Planning and Zoning Commission met at 5:30 p.m. at the Harris Community Center, 401 North Alexander Street. Commission members who were present: Chair Brett Baggerly, Dave Jarratt, Quinton Locklin, Alton McCallum, Zach Krueger and Luke Potts. The following members were absent: Vice Chair David Covington, Joshua Knowles, and Nicole Fischer. The following staff members were present: Director of Planning Bob van Til, Planner Tina Moore, Planning Administrator Melinda Brice, and IT System Analyst, Alex Munger.

5. Z-22-31 – Hold a public hearing and consider a zoning change from Agricultural District to Commercial Highway on approximately 10.92 acres located at 7379 W. Highway 190 Service Rd. Road, located south of Interstate 14 and east of Simmons Road. (Audio 5:02)

Staff Planner Ms. Moore presented the staff report.

Applicant Malek Alsayed spoke in support of the proposal stating it would be a high-end facility with restaurants.

Chair Baggerly opened the public hearing.

The following residents spoke in opposition of the zoning change expressing concerns for traffic impacts, noise, odor, drainage, illegal activities associated with truck stops, light pollution, loss of nature, water contamination: Rick Schroeder, 3022 Tanglewood Circle, Kevin Nesby, 3011 Tanglewood Drive, Evelyn Davis, 10853 FM 439, SK Foster, 2805 Simmons Road, Kenneth Moyer, 2707 Tanglewood Cir., Francis Finney, 3125 Tanglewood Cir, Tammy Nesby, 3011 Tanglewood Drive, Sudie Foster, 2805 Simmons Road, Candice Waugh, 2685 Tanglewood Cir.

Andrea Shaw, applicant's representative, 4707 High Oak Drive, spoke in support of the project and to address neighbor's concerns.

The public hearing was closed.

Commission Member Potts made a motion to postpone Z-22-31 to the October 18th meeting so that the applicant could submit a Planned Development. The motion was seconded by Commission Member Jarratt. The motion passed with 6 ayes, 0 nays.



Staff Report – City Council Agenda Item

Date: September 27, 2022
Case No.: Z-22-32
Request: Agricultural to Agricultural w/
SUP for Elementary School
Applicant/Owner: Kimley-Horn/BISD

Agenda Item #16

Z-22-32 - Hold a public hearing and consider a zoning change from Agricultural to Agricultural District with a Specific Use Permit for an Elementary School on approximately 15.992 acres located north of FM 436 (Holland Road) and west of future O.T. Drive.

Originating Department

Planning Department – Tina Moore, Planner

Current Zoning: Agricultural Zoning District

Proposed Zoning: Agricultural with a Specific Use Permit for an Elementary School

Current Land Use: Vacant/Undeveloped

Proposed Uses: Elementary School

Future Land Use Map (FLUM) Designation:

The FLUM identifies this general area as Agricultural with adjacent residential uses.

Design Standards Type Area:

This area was voluntarily annexed after the adoption of the Design Standards in 2016 and does not have a projected growth type.

Background/Case Summary

This property was annexed into the city limits in 2016 and assigned the Agricultural Zoning District at that time. Belton Independent School District acquired this property for an elementary school. Schools are permitted with a Specific Use Permit in all residential zoning districts; therefore, this would be allowed within the proposed zoning district.

The conceptual site plan indicates a 110,600 sq. ft. two story building to accommodate 800 students at maximum capacity and approximately 40 staff. The site exceeds the minimum

parking of 54 spaces (one space per each 15 students at max capacity), and provides 146 total spaces, with separate bus, student drop off, and staff parking lanes. Access to the site will be provided via FM 436/Holland Road and O.T. Tyler Drive, when extended to the site. A second access is needed on Land Grant Drive, on the west side of the site, when this road is constructed. BISD is coordinating with the Hubbard Branch developers and TxDOT to ensure adequate improvements (roads and utilities) are in place to accommodate the proposed site. O.T. Tyler Road currently terminates just south of the school site by Belle Hubbard Trail. Water and wastewater lines also terminate at the intersection of Belle Hubbard Trails and O.T. Tyler Drive. The exterior of the proposed building will consist of bricks, natural stone, and metal materials.

Project Analysis and Discussion

Existing Conditions: The surrounding uses are Single Family-3 zoning for the adjacent Hubbard Branch subdivision and unincorporated properties north.

Allowable Land Uses: The proposed zoning change would allow the development of the proposed Elementary School with area regulations conforming to the Agricultural Zoning District.

Area & Setback Requirements: The 10-acre school site exceeds the minimum area requirement for the Agricultural District which requires a minimum of 3 acres.

Project Analysis and Discussion

Per Zoning Ordinance Section 33.2, the following criteria for an SUP request should be considered:

1. Is the use harmonious and compatible with surrounding existing uses or proposed uses? **Elementary schools are typically harmonious and compatible within residential areas and provide educational needs of the surrounding neighborhood.**
2. Are the activities requested by the applicant normally associated with the requested use? **The activities requested are typical for elementary schools.**
3. Is the nature of the use reasonable? **Yes, this seems reasonable.**
4. Has any impact on the surrounding area been mitigated? **A screening wall is required along the southern perimeter to help mitigate impacts to the adjacent SF-3 lots.**

The requested SUP appears to satisfy the criteria above. Most of the surrounding areas are currently undeveloped. A Traffic Impact Analysis (TIA) will be completed to determine and mitigate the impacts to the neighborhood.

Recommendation

At their meeting on September 20, 2022, the Planning and Zoning Commission voted unanimously to approve the requested zoning change from Agricultural District to Agricultural

District with a Specific Use Permit for an Elementary School the property located at 1651 O.T. Tyler Drive, subject to the following conditions:

1. The use of this property shall conform to the Agricultural District in all respects and the use as an elementary school site is permitted.
2. The development of each property shall conform to all applicable Design Standards, as identified in Ordinance 2014-17, Section 7.1 of the Zoning Ordinance, including:
 - a. Site Development Standards
 - b. Landscape Design Standards
 - c. Tree Protection, Preservation and Mitigation Standards.
3. A subdivision plat, TIA, civil plans, and a building permit are required prior to development.

Attachments

Zoning application and conceptual site plan

Property Location Map

Zoning map

Aerial

Map with zoning notice boundary (200')/Zoning notice to owners/Property owner's list

P&Z Minutes Excerpt

Ordinance



ZONING CHANGE APPLICATION

Fee: \$250.00

| | |
|---|-------------------------------|
| Date received: | |
| APPLICANT NAME: Tee Mueller | |
| EMAIL: tee.mueller@kimley-horn.com | PHONE NUMBER: 726-777-6761 |
| MAILING ADDRESS: 10101 Reunion Place San Antonio TX, 78216 | |
| PROPERTY OWNER NAME: Belton ISD | |
| EMAIL: david.bennett@bisd.net | PHONE NUMBER: 254-215-2000 |
| MAILING ADDRESS: 400 North Wall Street Belton, TX 76513 | |

| |
|--|
| Proposed Use of Structures (building) and Property (exterior property): New two-story Elementary School 0.08 mi from the intersection of O T Tyler Drive and Holland Rd |
| Current Use: Vacant (Undeveloped/Wooded) |
| LOCATION/STREET ADDRESS OF PROPERTY TO BE REZONED: FM 436 Belton, TX 76513, Property ID: 414160 |
| Legal Description of Property: Abstract Survey <u>A0020BC O T Tyler, 19, Acres 15.992</u> |
| Lot(s): <u>1</u> Block(s): _____ of Subdivision _____ |
| Existing Zoning: <u>A</u> Proposed Zoning: <u>A-SUP</u> |

Signature of Applicant: Tee Mueller Date: 08/10/2022

Signature of Owner (if not applicant): [Signature] Date: 8/10/22

City of Belton Planning Department
333 Water Street * Belton, Texas 76513 * Phone (254) 933-5812 * Fax (254) 933-5822

Checklist for Items to be submitted with a zoning change application:

- Signed application
- Fees paid
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- f. All Development Plans may have supplemental data describing standards, regulations or other data pertinent to the development of the Planned Development District which is to be included in the text of the amending ordinance.



August 10, 2022

Zoning Change Request
City of Belton Planning Department
333 Water Street
Belton, Texas 76513

RE: *Belton 13 Hubbard Branch*

Dear Planning Department,

Belton 13 Hubbard Branch is a proposed two-story elementary school to be located approximately 0.08 mi from the intersection of O.T. Tyler Drive and Holland Road. Belton ISD is requesting a special use exemption to the 15.992-acre site currently zoned as agricultural.

Code Issue: City of Belton, Texas Zoning Ordinance
Ordinance No. 22790-1
Section 8 A-Agricultural District
Subsection 8.3 Height Regulations
Maximum Height – two and one-half (22) stories

The maximum finish floor elevation and building height for the elementary school is proposed to be 562 ft and 38 ft respectively. The existing conditions at the southwest property boundary plus 32.5 ft sums to an approximate 598.69 ft. Furthermore, the difference between the maximum building elevation 600 ft and the regulated height relative to the property boundary is 1.31 ft.

Per Section 33, SUP or S - Specific Use Permits, an elementary school is listed as a permissible specific use for an agricultural district corresponding to Section 33.4.30.

In conclusion, it is my professional opinion the proposed zoning change and specific use to allow for an elementary school in the currently agricultural zoned property remains in harmony with the spirit and intent of the City of Belton Zoning Ordinance.

Thank you for your consideration.

Sincerely,

Tee Mueller, P.E. (TX)
Kimley-Horn. F#928

LEGEND

EXISTING TREE
 PROPOSED TREE PLANTED BY CITY OF BELTON
 PROPOSED ROAD
 UNIMPAVED SHOULDER

NOTES

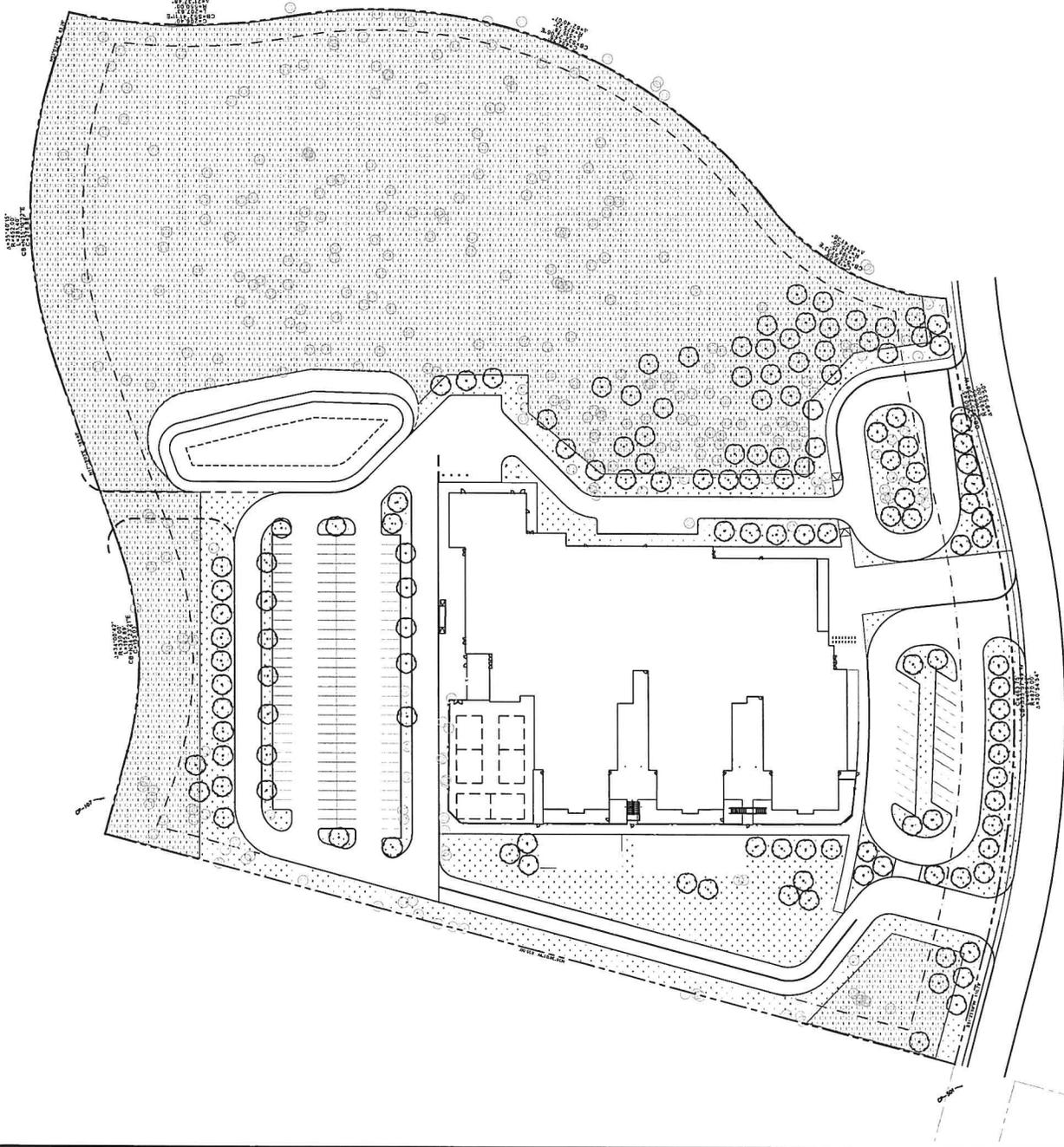
1. FINISHES OF THIS SITE ARE TO BE DETERMINED BY THE CITY OF BELTON.

GRAPHIC SCALE IN FEET

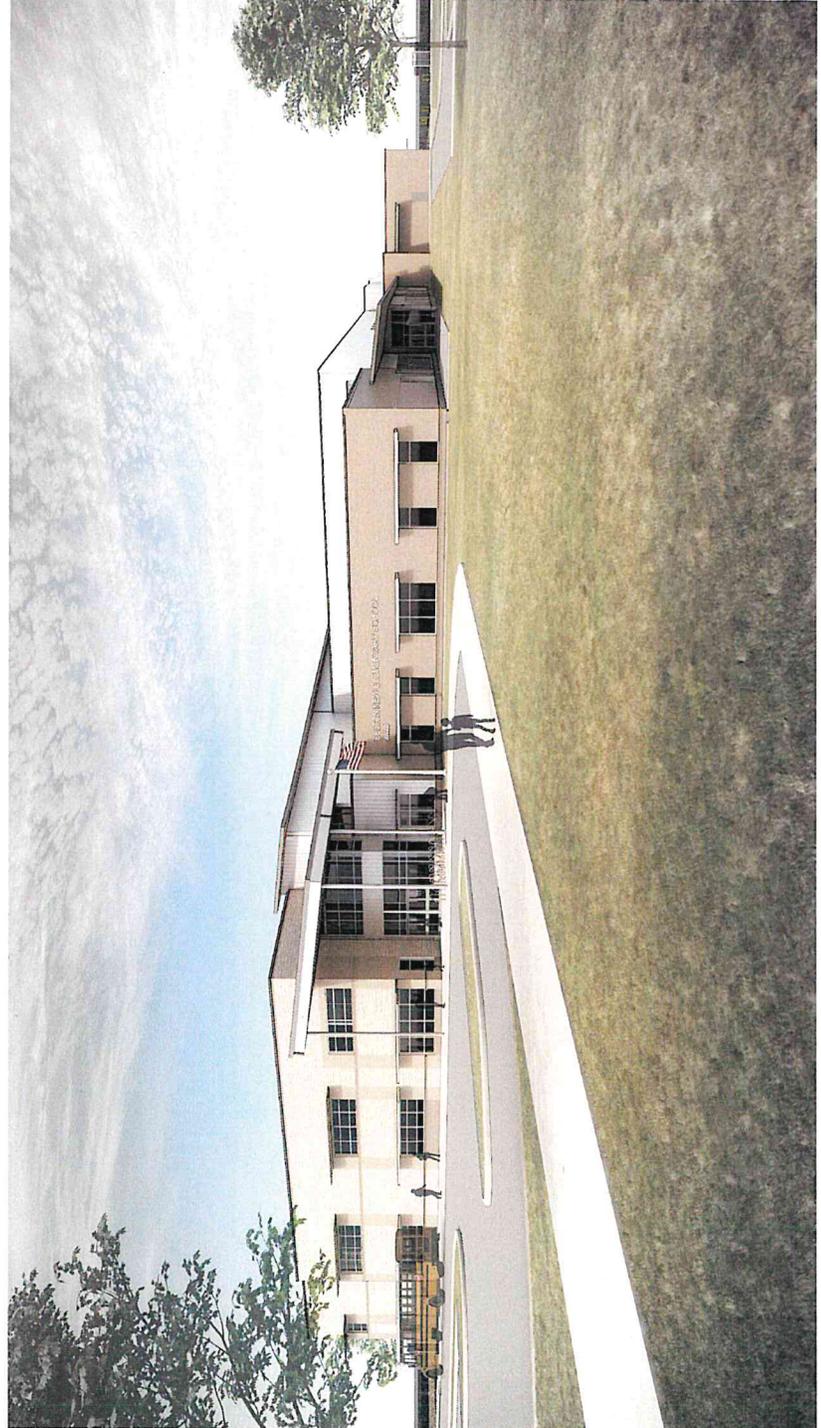
0 10 20 30 40 50

811
 Know what's below.
 Call before you dig.

IF THIS SITE IS TO BE DEVELOPED, THE USER SHALL CONTACT THE UTILITY COMPANIES TO LOCATE ALL UTILITIES AND OBTAIN NECESSARY PERMITS. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR THE COST OF SUCH PERMITS AND FOR THE COST OF ANY DAMAGE TO UTILITIES OR OTHER PROPERTY CAUSED BY THE USER'S OPERATIONS.



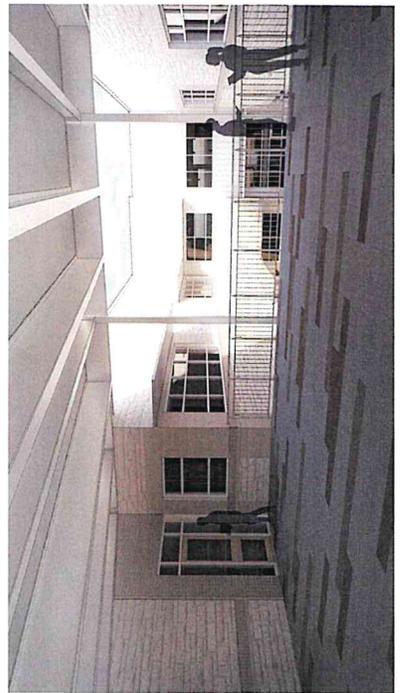
- MATERIAL LEGEND**
- BRICK - MUSKOGEE BROWN
 - BRICK - COCOA BROWN
 - STONE - PALMWOOD BLEND
 - BURNISHED BLOCK - LUMESTONE
 - METAL WALL PANEL - BASKET GRAY
 - METAL SOFFIT - STONE WHITE
 - METAL WALL PANEL PROFILE - HIGHLINE CT



3 EXTERIOR SOUTH RENDERING



2 EXTERIOR NORTH RENDERING



1 SECOND FLOOR OUTDOOR CLASSROOM RENDERING

Copyright © 2023 Huckabee LLC
 Revision / Date
 DWA

PROJECT
 ELEMENTARY SCHOOL 13
 BELTON, TEXAS

DRAFT
 COPY ONLY
 NOT FOR REGULATORY
 REVIEW OR CONSTRUCTION
 PROJECT NO. 23-001
 SHEET NO. 13

Huckabee
 ARCHITECTS
 10000 N. MOORE AVENUE
 SUITE 100
 DALLAS, TEXAS 75243
 (214) 343-1100
 www.huckabee.com

EXTERIOR RENDERINGS

| | | |
|----------|------------------|-----------|
| DATE | DESCRIPTION | SHEET NO. |
| 10/20/23 | ISSUE FOR PERMIT | A5.02 |
| 11/14/23 | ISSUE FOR PERMIT | |

Zoning Case # Z-22-32 Aerial

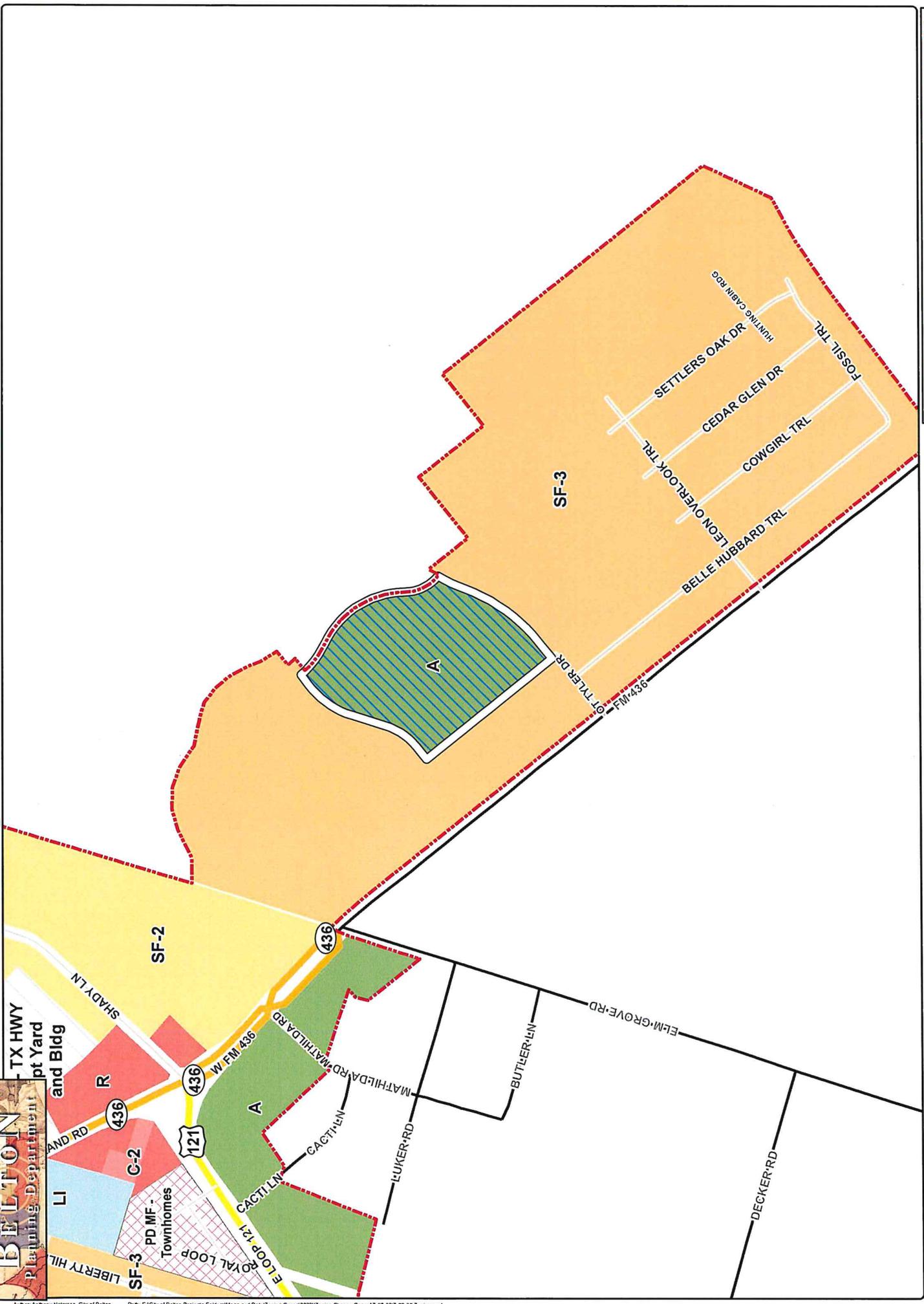


LEGEND
Z_22_32
City_Parcel

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Zoning Case # Z-22-32 Zoning



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Map Date: 8/18/2022

CORRECTION
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 INDEPENDENT SCHOOL DISTRICT (BISD),
TO CHANGE THE FOLLOWING DESCRIBED PROPERTY: 1651 O.T. TYLER DRIVE,
FROM A(N) AGRICULTURAL (A) ZONING DISTRICT,
TO A(N) AGRICULTURAL W/ SPECIFIC USE PERMIT FOR AN ELEMENTARY SCHOOL ZONING DISTRICT,
TO ALLOW FOR THE CONSTRUCTION FOR A TWO-STORY ELEMENTARY SCHOOL

THE PLANNING & ZONING COMMISSION OF THE CITY OF BELTON, TEXAS WILL HOLD A PUBLIC HEARING PURSUANT TO THIS REQUEST AT **5:30 P.M., Tuesday, September 20, 2022**, AT THE T.B. HARRIS CENTER, 401 N. ALEXANDER, BELTON, TEXAS.

IF APPROVED BY THE PLANNING & ZONING COMMISSION, THIS ITEM WILL BE PLACED ON THE AGENDA FOR A PUBLIC HEARING BY THE CITY COUNCIL. THAT MEETING WILL BE AT **5:30 P.M., Tuesday, September 27, 2022**, AT THE T. B. HARRIS COMMUNITY CENTER, 401 ALEXANDER STREET, BELTON, TEXAS.

AS AN INTERESTED PROPERTY OWNER, THE CITY OF BELTON INVITES YOU TO MAKE YOUR VIEWS KNOWN REGARDING THIS ZONING CHANGE. YOU MAY SUBMIT WRITTEN COMMENTS BY COMPLETING THIS FORM AND RETURNING IT TO THE ADDRESS BELOW OR VIA EMAIL TO PLANNING@BELTONTXAS.GOV, PRIOR TO 1:00 P.M. ON **SEPTEMBER 27, 2022**.

IF YOU REQUIRE INTERPRETER SERVICES FOR THE DEAF OR HEARING IMPAIRED, PLEASE CONTACT THE CITY CLERK AT CITY HALL AT LEAST 48 HOURS BEFORE THESE MEETINGS.

circle one

AS AN INTERESTED PROPERTY OWNER, I (PROTEST) (APPROVE) THE REQUESTED ZONING AMENDMENT PRESENTED IN THE APPLICATION ABOVE FOR THE REASONS EXPRESSED BELOW:

1. _____
2. _____
3. _____

(FURTHER COMMENTS MAY BE EXPRESSED ON A SEPARATE SHEET OF PAPER)

DATE: _____ SIGNATURE: _____

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

**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 INDEPENDENT SCHOOL DISTRICT (BISD),
TO CHANGE THE FOLLOWING DESCRIBED PROPERTY: 1651 O.T. TYLER DRIVE,
FROM A(N) AGRICULTURAL (A) ZONING DISTRICT,
TO A(N) AGRICULTURAL W/ SPECIFIC USE PERMIT FOR AN ELEMENTARY SCHOOL ZONING DISTRICT,
TO ALLOW FOR THE CONSTRUCTION FOR A TWO-STORY ELEMENTARY SCHOOL.

THE PLANNING & ZONING COMMISSION OF THE CITY OF BELTON, TEXAS WILL HOLD A PUBLIC HEARING PURSUANT TO THIS REQUEST AT **5:30 P.M., Tuesday, September 20, 2022**, AT THE T.B. HARRIS CENTER, 401 N. ALEXANDER, BELTON, TEXAS.

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IF YOU REQUIRE INTERPRETER SERVICES FOR THE DEAF OR HEARING IMPAIRED, PLEASE CONTACT THE CITY CLERK AT CITY HALL AT LEAST 48 HOURS BEFORE THESE MEETINGS.

circle one

AS AN INTERESTED PROPERTY OWNER, I (PROTEST) (APPROVE) THE REQUESTED ZONING AMENDMENT PRESENTED IN THE APPLICATION ABOVE FOR THE REASONS EXPRESSED BELOW:

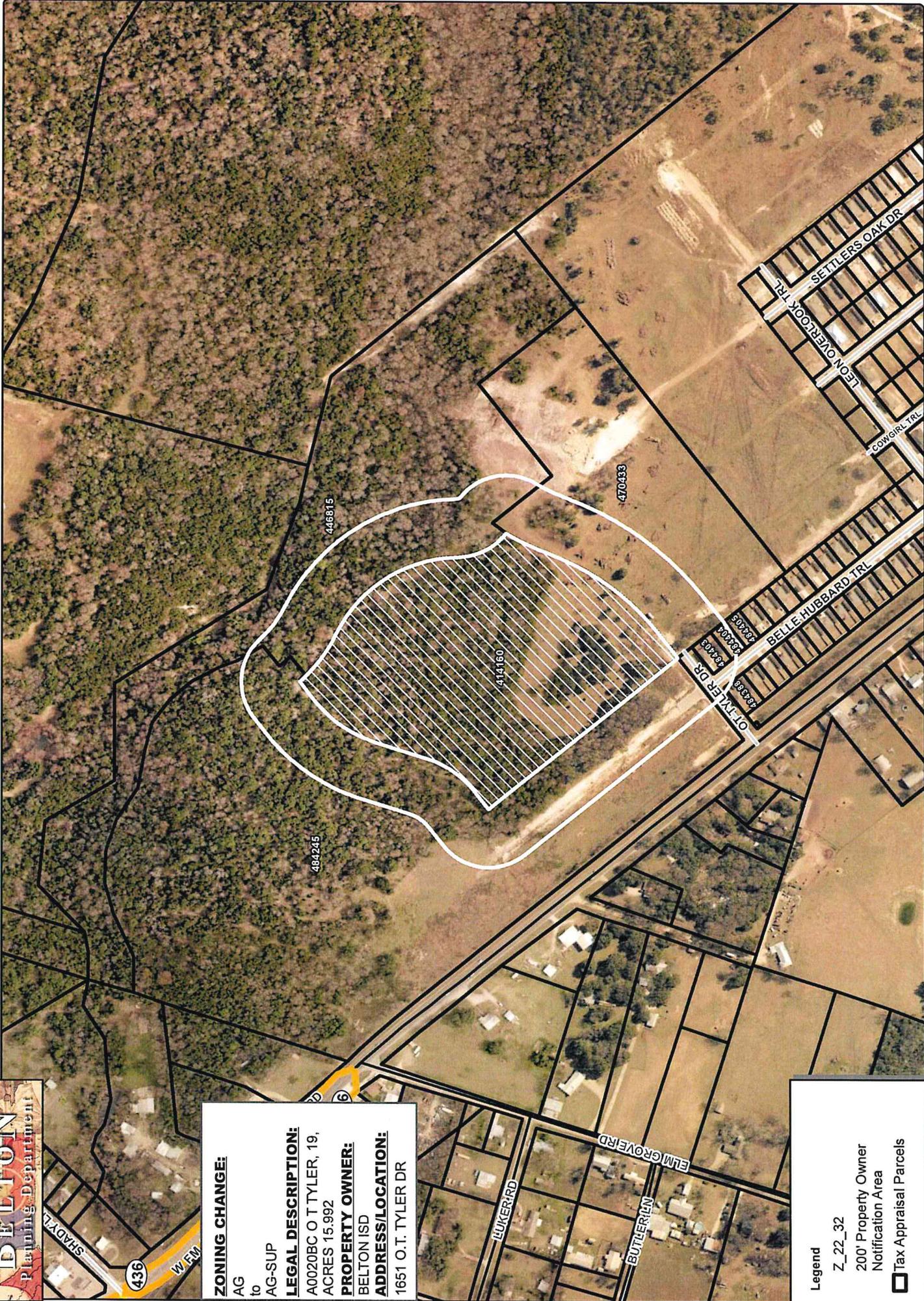
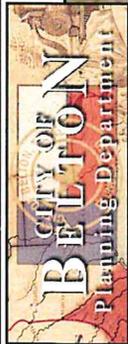
1. _____
2. _____
3. _____

(FURTHER COMMENTS MAY BE EXPRESSED ON A SEPARATE SHEET OF PAPER)

DATE: _____ SIGNATURE: _____

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

Zoning Case # Z-22-32



ZONING CHANGE:
AG
to
AG-SUP

LEGAL DESCRIPTION:
A0020BC O T TYLER, 19,
ACRES 15.992

PROPERTY OWNER:
BELTON ISD

ADDRESS/LOCATION:
1651 O.T. TYLER DR

Legend

Z_22_32

200' Property Owner Notification Area

Tax Appraisal Parcels



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414160
BELTON IND SCHOOL DISTRICT
PO BOX 269
BELTON, TX 76513-0269

484245
HEIGHTS EVERGREEN DEVELOPERS LTD
4300 CHANTZ DR
KILLEEN, TX 76542-7800

484404
LEMMON, PATRICK T
127 CREEK POINT DR
GEORGETOWN, TX 78628

446815
HEIGHTS EVERGREEN DEVELOPERS LTD
4300 CHANTZ DR
KILLEEN, TX 76542-7800

484388
HERAUF, SHAWN M ETUX BRITTNEY L
2542 BELLE HUBBARD TRL
BELTON, TX 76513

484405
LOPEZ, EMMANUEL
2549 BELLE HUBBARD TRL
BELTON, TX 76513

470433
HEIGHTS EVERGREEN DEVELOPERS LTD
4300 CHANTZ DR
KILLEEN, TX 76542-7800

484403
ELLIS BRITTANY M ETUX CORY S LOPEZ
2541 BELLE HUBBARD TRL
BELTON, TX 76513-7773

Minutes of the
Planning and Zoning Commission (P&ZC)
City of Belton, City Hall
333 Water Street
Tuesday, September 20, 2022

The Planning and Zoning Commission met at 5:30 p.m. at the Harris Community Center, 401 North Alexander Street. Commission members who were present: Chair Brett Baggerly, Dave Jarratt, Quinton Locklin, Alton McCallum, Zach Krueger and Luke Potts. The following members were absent: Vice Chair David Covington, Joshua Knowles, and Nicole Fischer. The following staff members were present: Director of Planning Bob van Til, Planner Tina Moore, Planning Administrator Melinda Brice, and IT System Analyst, Alex Munger.

6. Z-22-32 - Hold a public hearing and consider a zoning change from Agricultural to Agricultural District with a Specific Use Permit for an Elementary School on approximately 15.992 acres located north of FM 436 (Holland Road) and west of future O.T. Drive. (Audio 57:50)

Staff Planner Ms. Moore presented the staff report.

Chair Baggerly opened the public hearing.

The applicant's representatives, Mike Morgan (BISD) and Tee Mueller (Kimley Horn), spoke in support of the zoning change.

The following residents expressed concerns regarding traffic but were not in opposition of the zoning change: Cory Lopez, 2541 Belle Hubbard Trl, Danielle Morales, 2612 Cedar Glen Drive, Jillian Herron, 2619 Cedar Glen Dr. Mr. Laporte, Fossil Trl.

Mr. Morgan and Mr. Mueller addressed residents and commissioners' questions on traffic and queue areas around the school.

With no further input, the public hearing was closed.

Commission Member Locklin made a motion to approve Z-22-32 as presented. Commission Member Krueger seconded the motion. The motion was approved with 6 ayes, 0 nays.

ORDINANCE NO. 2022-51

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF BELTON BY CHANGING THE DESCRIBED DISTRICT FROM AGRICULTURAL TO AGRICULTURAL WITH A SPECIFIC USE PERMIT FOR AN ELEMENTARY SCHOOL ON APPROXIMATELY 15.990 ACRE PROPERTY LOCATED 1651 O.T. TYLER DR.

WHEREAS, Kimley Horn, representing Belton Independent School District, 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 September, 2022, at 5:30 p.m. for hearing and adoption, said district being described as follows:

approximately 15.992 acres
located at 1651 O. T. Tyler Drive
(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 September, 2022, 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 Agricultural District to Agricultural District with a Specific Use Permit in accordance with Section 8, *Agricultural District*, and Section 33, *Specific Use Permit*, and the Design Standards in Ordinance 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:

1. The use of this property shall conform to the Agricultural District in all respects and the use as an elementary school site is permitted.
2. The development of each property shall conform to all applicable Design Standards, as identified in Ordinance 2014-17, Section 7.1 of the Zoning Ordinance, including:
 - a. Site Development Standards
 - b. Landscape Design Standards
 - c. Tree Protection, Preservation and Mitigation Standards.

3. A subdivision plat, TIA, civil plans, and a building permit are required prior to development.

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 27th day of September, 2022, by a vote of _____ ayes and _____ nays.

SIGNED AND APPROVED by the Mayor and attested by the City Clerk on this the 27th day of September, 2022.

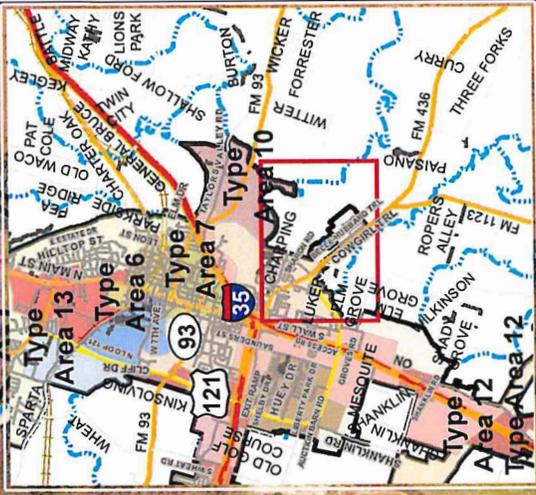
Wayne Carpenter, Mayor

ATTEST:

Amy M. Casey, City Clerk

Zoning Case # Z-22-32 Location

EXHIBIT "A"



ZONING CHANGE:
AG
to
AG-SUP

LEGAL DESCRIPTION:
A0020BC O T TYLER, 19,
ACRES 15.992

PROPERTY OWNER:
BELTON ISD

ADDRESS/LOCATION:
1651 O.T. TYLER DR

LEGEND

- Z-22-32
- City_Parcels



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Staff Report – City Council Agenda Item

Date: September 27, 2022
Case No.: Z-22-34
Request: PD-C1 to Amended PD-C1
Applicant/Owner: Hale Youngblood/Belton Lands LLC.

Agenda Item #17

Z-22-34 – Hold a public hearing and consider a zoning change from Planned Development-Commercial-1 to Amended Planned Development – Commercial-1 for approximately 21.617-acre property located at 3360 S. IH 35 Service Road, east of Interstate 35 and south of Grove Road.

Originating Department

Planning Department – Tina Moore, Planner

Current Zoning: Planned Development – Commercial-1 (PD-C1)

Current Use(s): RV Park

Proposed Zoning: Amended Planned Development – Commercial-1

Proposed Uses: 55-foot tall High-Profile Monument Sign

Future Land Use Map (FLUM) Designation:

The FLUM identifies this general area for Commercial/Retail Corridor.

Design Standards Type Area 2:

The project growth is primarily commercial highway frontage uses with opportunities for mixed-uses, restaurants, new car dealerships, multi-story office and other commercial uses.

Case Summary and Analysis

This property was zoned to a Planned Development (Commercial-1) District for an RV Park in March 2018. It was later amended in October 2019, to allow variances to the Chapter 19, *Recreational Vehicle Parks*, City Code of Ordinances which permitted a one-way road width of 16' and a maximum distance of 500' from RV sites, with individual sewer connections, to a restroom facility.

The owner has requested an amendment to the existing zoning to allow for a 55' tall High Profile Monument Sign. The application indicated the additional height is needed due to elevation changes along Interstate 35. The elevation of the proposed sign location is 35' lower than the adjacent property to the north and 5' lower than the adjacent property to the south. The applicant would like to match the height of ProStar Rentals sign, located north of their site.

Project Analysis and Discussion

Sign Area & Setback Requirements: According to Section 38, Sign Regulations, signs on properties with IH-35 and IH-14 frontage are required to have a maximum height of 20', a maximum sign face of 225 square feet, a minimum of 2 clad poles and a 5' setback from property line. Additional height is allowed when properties are at a lower elevation than the travel lanes of the interstate. The properties between Central Avenue and Cori Drive are allowed a maximum sign height of 75' as this area is lower than the Interstate. The elevation of the RV site is even with the adjacent travel lanes of the Interstate. All other applicable requirements are satisfied – the sign face area is approximately 166 sq. ft.

Recommendation

At their meeting on September 20, 2022, the Planning and Zoning Commission voted 5-1 to disapprove of the proposed zoning change from Planned Development – Commercial-1 to Amended Planned Development – Commercial-1.

Given a recommendation for disapproval from the Planning and Zoning Commission, a super majority (75%) vote will be required for approval from the Council. The property owner has chosen not to appeal at this time.

Attachments

Zoning application and proposed sign

Property Location Map

Zoning map

Aerial

Map with zoning notice boundary (200')/Zoning notice to owners/Property owner's list

P&Z Minutes Excerpt

**City of Belton
Request for a Zoning Change**

**To the City Council and the
Planning & Zoning Commission**

Fee: \$250.00

Date Received: 8/15/22 Date Due: 8/15/22 (All plans are to be returned to the Planning Department within 5 working days)

Applicant: Hale Youngblood Phone Number: 512-431-3552
Mailing Address: 6700 Bridge Hill Cove, 78746 City: Austin State: TX
Email Address: hale@sparkrootconstruction.com

BELTON LAND LLC

Owners Name: Suresh Lavani, Manager Phone Number: 512-507-4210
Mailing Address: 6700 Bridge Hill Cove, 78746 City: Austin State: TX
Email Address: suresh@sparkrootconstruction.com

Applicant's Interest in Property:

Hale is the Project Manager employed by Spark Root Construction to help develop the property into an RV park.

Legal Description of Property:

BELTON LAND LLC ADDITION, BLOCK 001, LOT 0001, ACRES 21.617

Is this property being simultaneously platted? No

Street Address: 3360 S IH 35 SVC RD BELTON, TX 76513

Zoning Change From 20ft sign height limit to 55ft sign height limit

Signature of Applicant:  Date: 8/15/2022

Signature of Owner (if not applicant): Suresh Lavani Date: 8/15/2022

Checklist for Zoning Items to be submitted with application:

- Signed Application
- Fees Paid
- Complete Legal Description of the property to be re-zoned
- Site Plans per Section 32, Planned Development, of the Zoning Ordinance. Please see the back for specific guidelines.
- In the event the request involves more than one lot or irregular tracts or acreage, a drawing of the property must be submitted.

Notice: If any construction is planned, a copy of the plans and a plat must be attached.
Requests for zoning changes must be submitted by the 15th day of the month to be placed on the agenda for the Planning and Zoning Commission meeting the next month.
The Planning and Zoning Commission meets on the third Tuesday of the month; their recommendations are normally placed on the agenda for the City Council meeting on the fourth Tuesday of the month.

The development plan shall include:

- a. A site inventory analysis including a scale drawing showing existing vegetation, natural water courses, creeks or bodies of water and an analysis of planned changes in such natural features as a result of the development. This should include as a delineation of any flood prone areas.
- b. As a scale drawing showing any proposed public or private streets and alleys; building sites or lots; and areas reserved as parks, parkways, playgrounds, utility easements, school sites, street widening and street changes; the points of ingress and egress from existing streets; general location and description of existing and proposed utility services, including size of water and sewer mains; the location and width for all curb cuts; the land area of all abutting sites; and the zoning classification thereof on an accurate survey of the tract with as a topographical contour interval of not more than five feet (5').
- c. As a site plan for proposed building complexes showing the location of separate buildings and the minimum distance between buildings and property lines, street lines and alley lines. Also to be included on the site plan is a plan showing the arrangement and provision of off-street parking.
- d. As a landscape plan showing turf areas, screening walls, ornamental planting, wooded acres and trees to be planted.
- e. An architectural plan showing elevations and signage style to be used throughout the development in all districts except single-family and two-family may be required by the Planning and Zoning Commission or City Council if deemed appropriate.
- f. All Development Plans may have supplemental data describing standards, regulations or other data pertinent to the development of the Planned Development District which is to be included in the text of the amending ordinance.



CND SIGNS
 INNOVATIVE IMAGE SOLUTIONS
 512.888.9788
 www.cndsigns.com

Gather
 Campground
 3360 S IH 35
 Service Rd.
 Belton, TX 78513

PAGE 3 OF 11
 ART VERSION 220375-1
 DATE 06/29/22
 SALES Monica A.
 PM PM
 DESIGN Jeg
 DATE REVISION NOTE

CONCEPTUAL DESIGN ONLY FINAL DIMENSIONS DETERMINED AT PRODUCTION.

ALL SIGNS ARE PROPERTY OF CND SIGNS. ALL RIGHTS RESERVED. NO PARTS OR MATERIALS MAY BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM. CND SIGNS DESIGN IS THE PROPERTY OF CND SIGNS. ALL RIGHTS RESERVED. NO PARTS OR MATERIALS MAY BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM. WITHOUT VIOLATION OF PATENT RIGHTS.



CND SIGNS DOES NOT provide primary electrical to sign. Power to the sign must be done by a licensed electrical contractor or licensed electrician. Each sign must have a 1.5A minimum of five disconnects. Junction box installed within 6 feet of sign. 3. Three wires. Live, Ground, Neutral
 TEL: 1888-1-REGULATED BY THE TEXAS DEPARTMENT OF LICENSING AND REGULATION P.O. BOX 12157, AUSTIN, TEXAS 78711. 1-800-803-9202. 512-463-6599. WEBSITE: WWW.LICENSE STATE.TX.US/COMPLAINTS



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 INNOVATIVE IMAGE SOLUTIONS
 512.888.9788
 www.cndsigns.com

Gather
 Campground
 3360 S IH 35
 Service Rd.
 Belton, TX 78513

PAGE 2 OF 11
 ART VERSION 220375-1
 DATE 06/29/22
 SALES Monica A.
 PM PM
 DESIGN Jcg
 DATE REVISION NOTE

CONCEPTUAL DESIGN ONLY FINAL
 DIMENSIONS DETERMINED AT
 PRODUCTION.

ALL PERMITS ARE THE PROPERTY OF AND FOR THE USE OF THE CLIENT. ANY REVISIONS, CORRECTIONS, AND/OR ADDITIONS TO THE DESIGN SHALL BE THE RESPONSIBILITY OF THE CLIENT. THE CLIENT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE, AND FEDERAL AUTHORITIES. THE CLIENT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE, AND FEDERAL AUTHORITIES. THE CLIENT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE, AND FEDERAL AUTHORITIES.

A/ DOUBLE SIDED ILLUMINATED POLE SIGN

FONT: SOL FT.
 SCALE: 1/8" = 1'

SCOPE OF WORK: FABRICATE AND INSTALL ONE (1) POLE SIGN TO SPECIFICATIONS

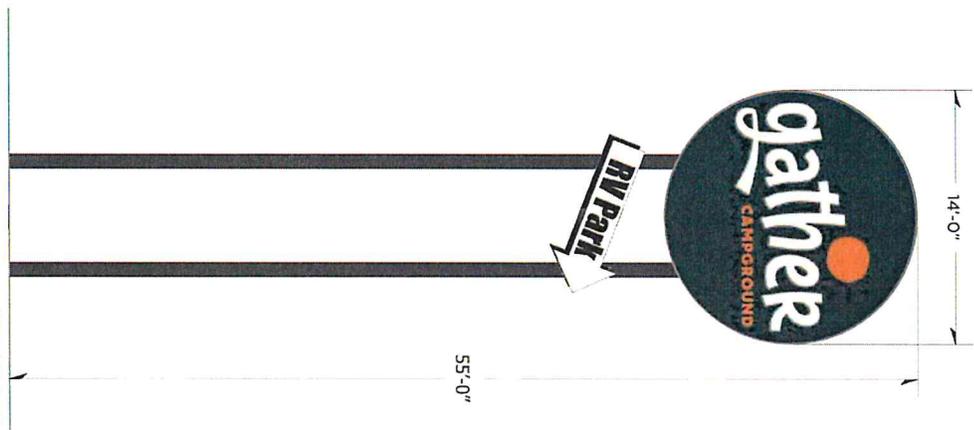
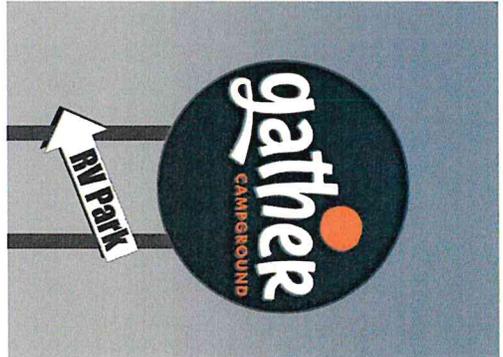
- WELDED 2" SQUARE STEEL FRAME SIGN CABINET WITH .090 ALUMINUM PLATE FINISHED TO MATCH PMS 548C
- 1" PUSH THRU WHITE ACRYLIC LETTERS OVERLAID WITH VINYL GRAPHICS
- ARROW
- (2) ALUMINUM CHANNEL WITH 3/16" WHITE ACRYLIC FACE OVERLAID WITH 3M BLACK VINYL COPY
- SIGNS TO BE ILLUMINATED BY WHITE LED
- INTERIORS FINISHED MP WHITE FOR LIGHT ENHANCEMENT
- POLE AND FOUNDATION PER ENGINEERING

MINIMUM ELECTRICAL REQUIREMENTS:

ONE (1) 120V 20A DEDICATED CIRCUITS WITHIN 6' OF SIGN, INSTALLED BY OTHERS
 NOTE: CONFIRM NUMBER OF CIRCUITS PRIOR TO INSTALLATION

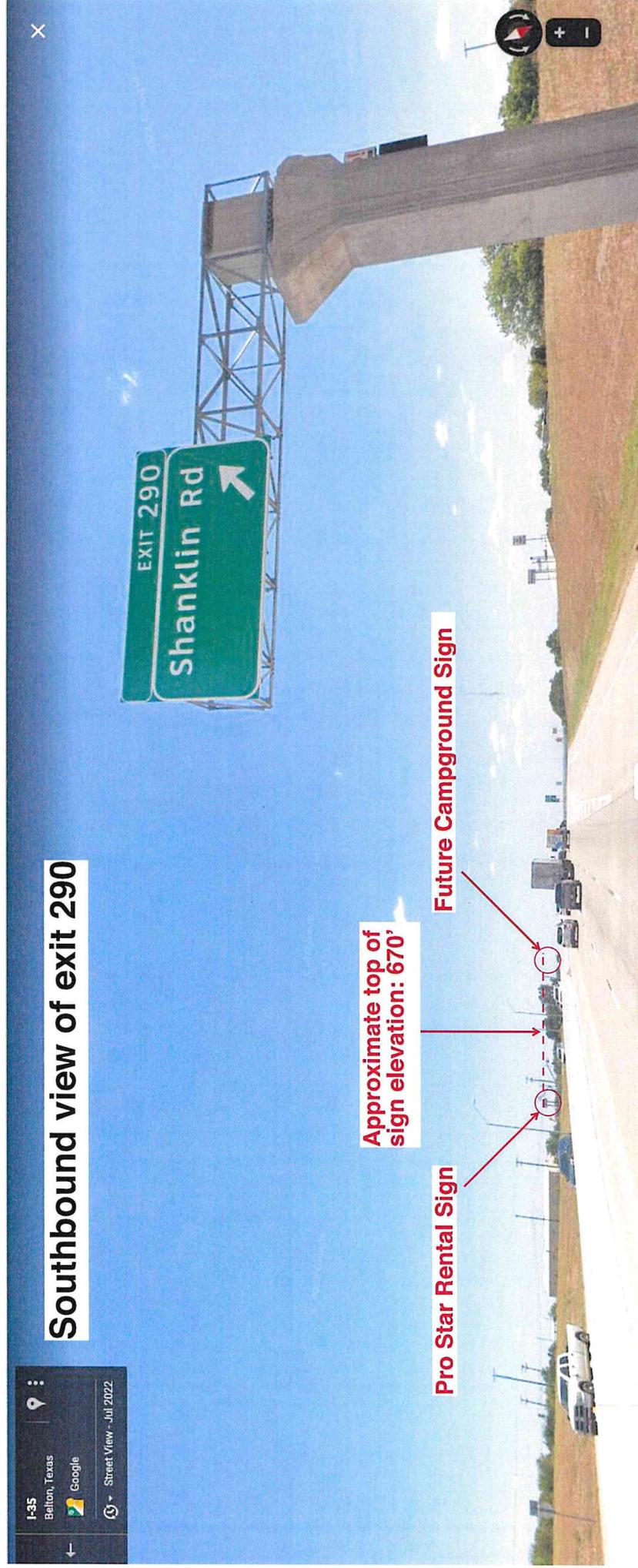
VINYL COLORS PROPOSED ARE CLOSEST MATCH NOT EXACTLY THE SAME AS DESIGN COLORS

- 3M TANGERINE 3630-84
- PMS 548C
- PMS 152C
- WHITE



CND SIGNS DOES NOT provide primary electrical to sign. Power to the sign must be done by a licensed electrical contractor or licensed electrician. Each sign must have: 1. A minimum of two dedicated 120V 20A circuits. 2. Junction box installed within 6 feet of sign. 3. Three wire Line Ground Neutral TECL 18581 - REGULATED BY THE TEXAS DEPARTMENT OF LICENSING AND REGULATION P.O. BOX 12157, AUSTIN, TEXAS 78711, 1-800-903-9202, 512-463-6599, WEBSITE: WWW.LICENSE.STATE.TX.US/COMPLAINTS

Southbound view of exit 290

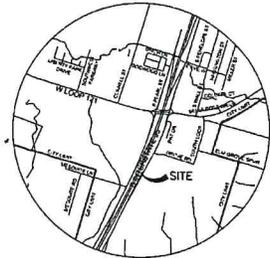


Approximate top of sign elevation: 670'

Pro Star Rental Sign

Future Campground Sign

A map interface showing the location of the signs and surrounding businesses. The map is centered on the area shown in the street view image. A yellow line indicates the path of the street view camera. Various businesses and landmarks are marked with pins and labels, including 'Bell County Expo Center', 'UPS Customer Center', '3360 S IH 35 Service Rd, Belton, TX 76513', 'Camp Mitchell', and 'Butler's Hat Cleaners'. The map includes standard Google Maps navigation and zoom controls.



VICINITY MAP
Scale: 1"=2000'

- LEGEND:
- Asphalt Surfacing
 - Flow Line
 - FO- Fiber Optic
 - UT- Underground Telephone Line
 - LE71- Overhead Electric & Telephone Line
 - G- Underground Gas Line
 - W- Underground Water Line
 - SD- Underground Storm Drain Line
 - WW- Underground Waste Water Line
 - RCP- Reinforced Concrete Pipe

NOTES:
THIS SKETCH DOES NOT REPRESENT A LAND BOUNDARY SURVEY. Owner has a boundary and line survey that is not a part of this topography survey.

All easements have been shown per the recorded plat.

*Curb Opening Hole - TxDOT Bureau Office indicated this curb opening is the only point to use for access to the subject site.

Beats of Bearing: The survey work for this project is on grid bearings and coordinates, based upon the Texas State Plane Coordinate System, Central Zone, NAD83 datum obtained from GPS observations and referenced to the SURVEINET OF NORTH AMERICA, Zone 14N, datum "NAD83" in Temple, Texas whose published coordinate value: N=10,366,600.417 E=3,229,630.994. The distances shown are grid distances. The Combined Correction Factor (CCF) for this project is 0.99998562. The elevations for this project are per NAVD 88 datum.

UTILITY STATEMENT:
The underground utilities shown have been located from a field survey. Utility locator services made point marks on the ground and set pin flags to designate such lines. This surveyor or company makes no guarantee that the underground utilities shown comprise all such utilities in the area, either in service or abandoned. The surveyor further does not warrant that the underground utilities shown are in the exact location indicated although the surveyor does state that they are located as accurately as possible from the information available. The surveyor has not physically located the underground UTILITIES. Before any digging call 1-800-OC-TESS.

The research for the topography survey of this tract has been provided by the surveyor or his associates. That research includes the names and references to the adjoining property owners at the line of the Final Plat. Those references are for compliance to the Texas Board of Engineers and Professional Land Surveyors regulations, and are shown for information purposes only. All other research for documents such as, but not limited to, easements, deed restrictions, restrictive covenants, leases, etc. are the responsibility of the client's Title Company or other third parties other than this surveyor or company. This does not represent a land boundary survey.

TBM - MCS 820827 - ELEV=575.95'
N=10,363,357.297 E=3,195,214.375
Concrete Monument with Brass Bolt stamped 8240 1953, marked "SURVEY", at the corner of University of Mary Hardin-Baylor, being at the southwest of College Street and Reuter Drive, being 3.5' West of West edge of a Concrete sidewalk and 2.5' Northwest of a "No Parking" sign.

Copyright © 2020, Ronald Carroll Surveyors, Inc., All Rights Reserved.
This survey was provided solely for the use of BELTON LAND, LLC.

Proposed area of the high profile monument sign just in front of entry

Campground entrance

Land to the north is more than 35ft higher in elevation

Land to the south is more than 5ft higher in elevation

INTERSTATE HIGHWAY NUMBER 35
(6000 FEET) - Concrete Services

TBM MCS 11
ELEV=615.50'
N=10,347,322.873 E=3,181,064.328
Concrete 30" in Concrete Set 1"
North of southeast corner of curb
west of one line of Frutkin
Road 1.874 southwest of concrete
monument

PRO STAR RENTAL SUBDIVISION - PINK
YEAR 2014, MAP NUMBER 42
BLOCK 0

CITY OF BELTON
APPROVED FOR CONSTRUCTION
JUL 23 2021
PLANNING DIRECTOR
PUBLIC WORKS DIRECTOR

Sketch showing Topography Survey over part of the
M. F. CONNELL SURVEY, Abstract Number 6, situated
in the City of Belton, Bell County, Texas.
Contours are one foot intervals.
Elevations are on NAVD83 datum.
Surveyed June 1, 2020.
RONALD CARROLL SURVEYORS, INC.

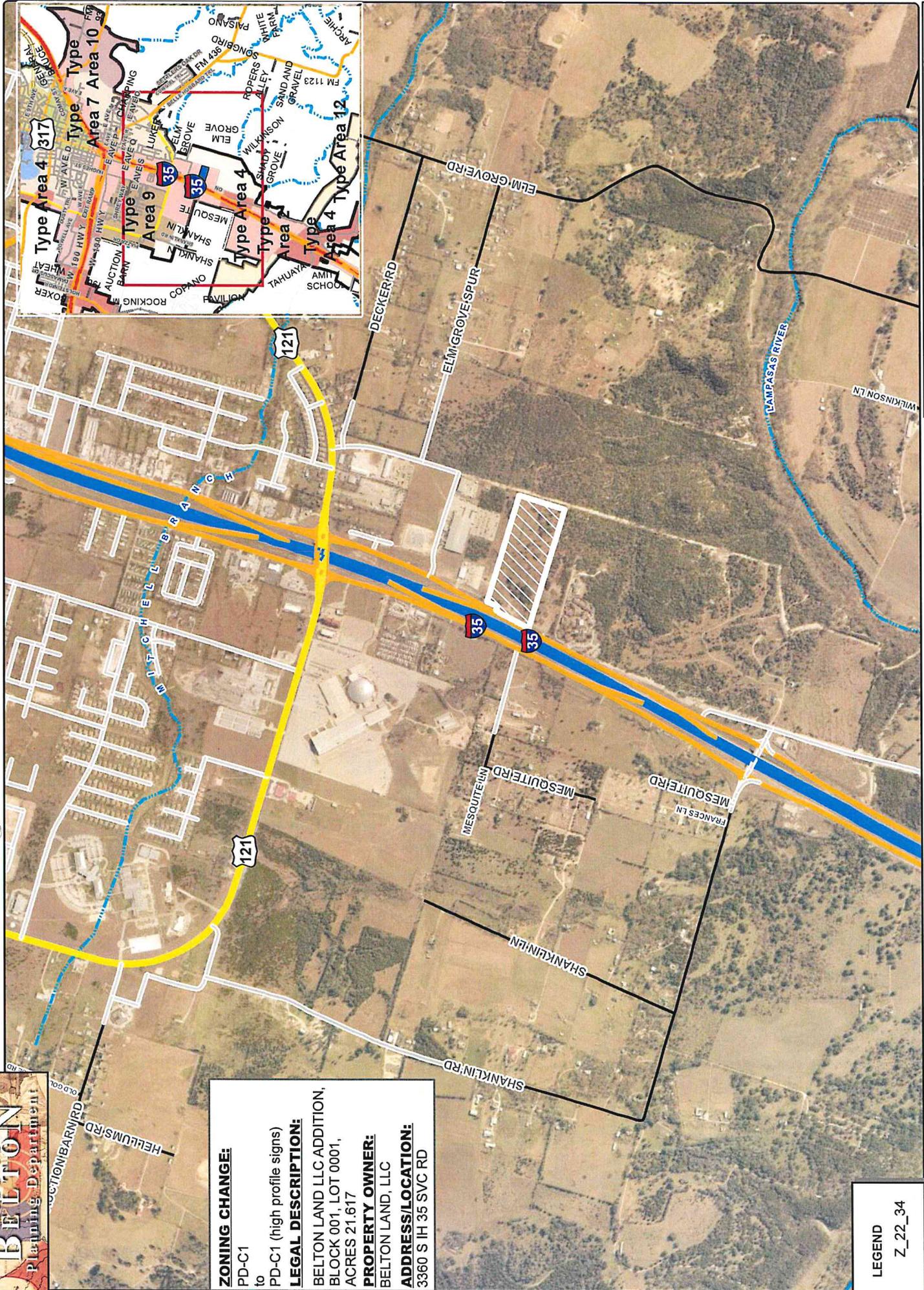
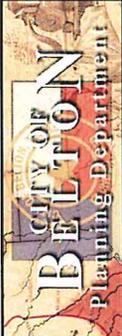
Topography Survey for
BELTON LAND, LLC
INTERSTATE HIGHWAY NUMBER 35
City of Belton, Bell County, Texas
RONALD CARROLL SURVEYORS, INC.
Phone: (254) 773-1447 Fax: (254) 773-1728
5302 South 31st Street - Temple, Texas 76502
TBPLS FIRM No. 10028400
DRAWN BY: DM DATE: 6/11/20 DRAWING NAME: 1923-TP-BELTON LAND ADD
SHEET SIZE: 34.5x46 JOB#: 19041 FIELD BOOK: 572 PG 29-32 SHEET 1 OF 1



SCALE: 1 inch = 50 Feet

*Amended April 6, 2020 to add striping in drawing & label both concrete curbs.
*Amended March 26, 2020 to change Curbside on West side of Frutkin Road and curbside with Frutkin Road.
*Amended June 12, 2020 to add drainage structure in North East corner of the project and modify curbside with Frutkin Road.

Zoning Case # Z-22-34 Location



ZONING CHANGE:
 PD-C1
 to
 PD-C1 (high profile signs)

LEGAL DESCRIPTION:
 BELTON LAND LLC ADDITION,
 BLOCK 001, LOT 0001,
 ACRES 21.617

PROPERTY OWNER:
 BELTON LAND, LLC

ADDRESS/LOCATION:
 3360 S IH 35 SVC RD

LEGEND
 Z_22_34

Maps and data are for informational purposes and may not have been prepared for or be suitable for legal, engineering or surveying purposes. They do not represent an on-the-ground survey and represent only the approximate relative location of property boundaries. No warranty is made by the City of Belton regarding specific accuracy or completeness.



Map Date: 9/2/2022

Zoning Case # Z-22-34 Aerial



ZONING CHANGE:
 PD-C1
 to
 PD-C1 (high profile signs)
LEGAL DESCRIPTION:
 BELTON LAND LLC ADDITION,
 BLOCK 001, LOT 0001,
 ACRES 21.617
PROPERTY OWNER:
 BELTON LAND, LLC
ADDRESS/LOCATION:
 3360 S IH 35 SVC RD

LEGEND
 Z_22_34

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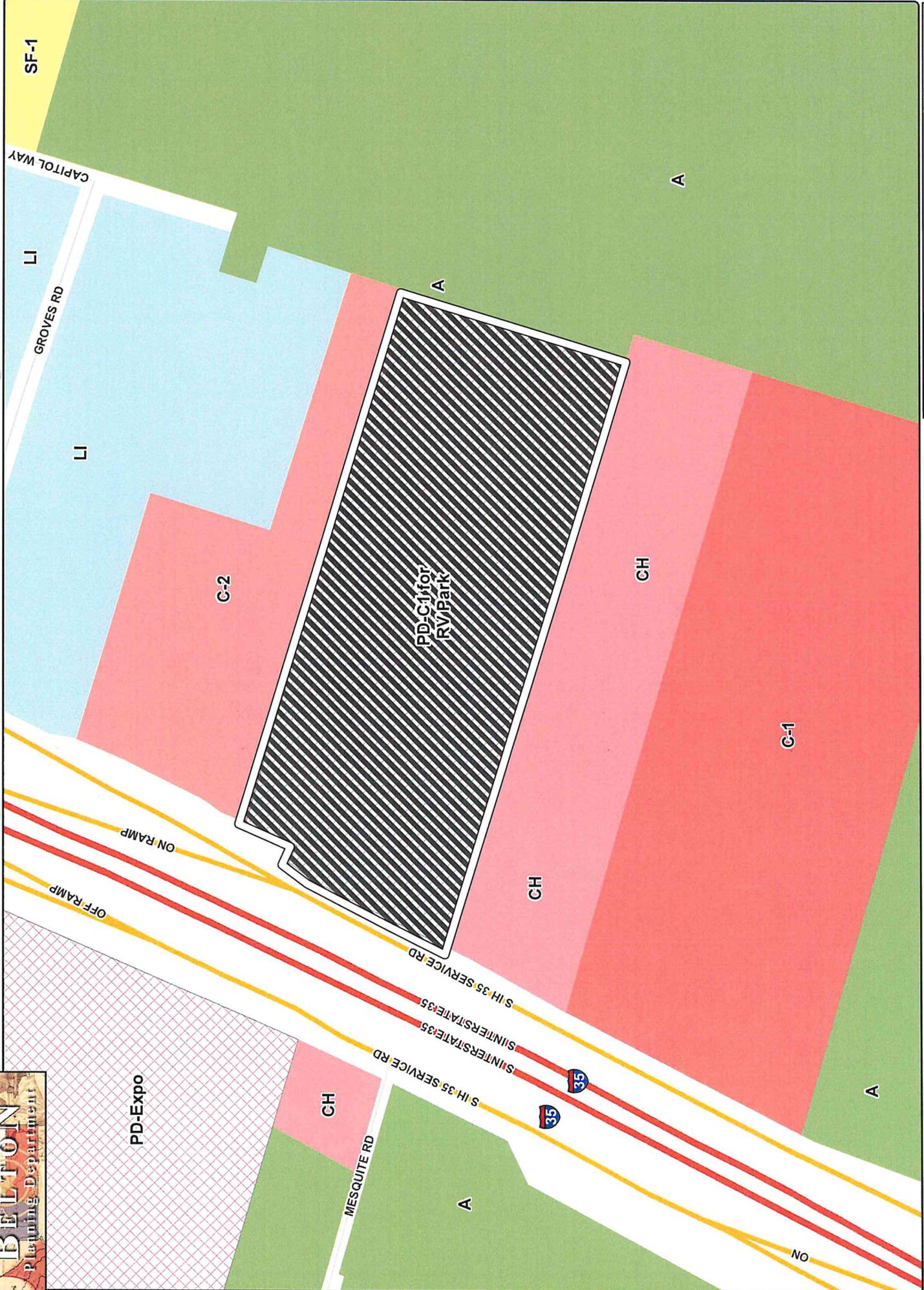


Map Date: 9/2/2022

Zoning Case # Z-22-34 Zoning



Author: Anthony Holzgass, City of Belton



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Map Date: 8/18/2022

CORRECTION
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 LAND, LLC.,
TO CHANGE THE FOLLOWING DESCRIBED PROPERTY: 3360 S. IH 35 SVC ROAD,
FROM A(N) PLANNED DEVELOPMENT – COMMERCIAL -1 (PD-C1) ZONING DISTRICT,
TO A(N) AMENDED PLANNED DEVELOPMENT - COMMERCIAL -1 ZONING DISTRICT,
TO ALLOW FOR A 55' TALL HIGH PROFILE SIGN.

THE PLANNING & ZONING COMMISSION OF THE CITY OF BELTON, TEXAS WILL HOLD A PUBLIC HEARING PURSUANT TO THIS REQUEST AT **5:30 P.M., Tuesday, September 20, 2022**, AT THE T.B. HARRIS CENTER, 401 N. ALEXANDER, BELTON, TEXAS.

IF APPROVED BY THE PLANNING & ZONING COMMISSION, THIS ITEM WILL BE PLACED ON THE AGENDA FOR A PUBLIC HEARING BY THE CITY COUNCIL. THAT MEETING WILL BE AT **5:30 P.M., Tuesday, September 27, 2022**, AT THE T. B. HARRIS COMMUNITY CENTER, 401 ALEXANDER STREET, BELTON, TEXAS.

AS AN INTERESTED PROPERTY OWNER, THE CITY OF BELTON INVITES YOU TO MAKE YOUR VIEWS KNOWN REGARDING THIS ZONING CHANGE. YOU MAY SUBMIT WRITTEN COMMENTS BY COMPLETING THIS FORM AND RETURNING IT TO THE ADDRESS BELOW OR VIA EMAIL TO PLANNING@BELTONTXAS.GOV, PRIOR TO 1:00 P.M. ON **SEPTEMBER 27, 2022**.

IF YOU REQUIRE INTERPRETER SERVICES FOR THE DEAF OR HEARING IMPAIRED, PLEASE CONTACT THE CITY CLERK AT CITY HALL AT LEAST 48 HOURS BEFORE THESE MEETINGS.

circle one

AS AN INTERESTED PROPERTY OWNER, I (PROTEST) (APPROVE) THE REQUESTED ZONING AMENDMENT PRESENTED IN THE APPLICATION ABOVE FOR THE REASONS EXPRESSED BELOW:

1. _____
2. _____
3. _____

(FURTHER COMMENTS MAY BE EXPRESSED ON A SEPARATE SHEET OF PAPER)

DATE: _____ SIGNATURE: _____

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

**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 LAND, LLC.,
TO CHANGE THE FOLLOWING DESCRIBED PROPERTY: 3360 S. IH 35 SVC ROAD,
FROM A(N) PLANNED DEVELOPMENT – COMMERCIAL -1 (PD-C1) ZONING DISTRICT,
TO A(N) AMENDED PLANNED DEVELOPMENT - COMMERCIAL -1 ZONING DISTRICT,
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IF YOU REQUIRE INTERPRETER SERVICES FOR THE DEAF OR HEARING IMPAIRED, PLEASE CONTACT THE CITY CLERK AT CITY HALL AT LEAST 48 HOURS BEFORE THESE MEETINGS.

circle one

AS AN INTERESTED PROPERTY OWNER, I (PROTEST) (APPROVE) THE REQUESTED ZONING AMENDMENT PRESENTED IN THE APPLICATION ABOVE FOR THE REASONS EXPRESSED BELOW:

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2. _____
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DATE: _____ SIGNATURE: _____

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

Zoning Case # Z-22-34



ZONING CHANGE:
 PD-C1
 to
 PD-C1 (high profile signs)
LEGAL DESCRIPTION:
 BELTON LAND LLC ADDITION,
 BLOCK 001, LOT 0001,
 ACRES 21.617
PROPERTY OWNER:
 BELTON LAND, LLC
ADDRESS/LOCATION:
 3360 S IH 35 SVC RD

Legend
 Z_22_34
 200' Property Owner
 Notification Area
 Tax Appraisal Parcels



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21858
KAELJO PROPERTIES LLC
80 MORGANS POINT RD STE 101
BELTON, TX 76513

481860
DRAKE PROSTAR BELTON LLC
11621 COUNTY ROAD 166
TYLER, TX 75703-7492

486282
BELL COUNTY JOINT VENTURE
1010 5TH AVE
NEW YORK, NY 10028-0130

466685
WESTWOOD ASSOCIATES LLC
2027 S 61ST ST STE 100A
TEMPLE, TX 76504

481909
CITY OF BELTON
PO BOX 120
BELTON, TX 76513-0120

486283
CITY OF BELTON
PO BOX 120
BELTON, TX 76513-0120

472985
LAKESHINE PROPERTIES LLC
10019 LAVON BND
AUSTIN, TX 78717-4169

486277
BELTON LAND LLC
6700 BRIDGE HILL CV
AUSTIN, TX 78746

486732
DRAKE CAPITAL INCOME FUND LP
11621 COUNTY ROAD 166
TYLER, TX 75703-7492

Minutes of the
Planning and Zoning Commission (P&ZC)
City of Belton, City Hall
333 Water Street
Tuesday, September 20, 2022

The Planning and Zoning Commission met at 5:30 p.m. at the Harris Community Center, 401 North Alexander Street. Commission members who were present: Chair Brett Baggerly, Dave Jarratt, Quinton Locklin, Alton McCallum, Zach Krueger and Luke Potts. The following members were absent: Vice Chair David Covington, Joshua Knowles, and Nicole Fischer. The following staff members were present: Director of Planning Bob van Til, Planner Tina Moore, Planning Administrator Melinda Brice, and IT System Analyst, Alex Munger.

8. Z-22-34 – Hold a public hearing and consider a zoning change from Planned Development- Commercial 1 to Amended Planned Development – Commercial-1 for approximately 21.617-acre property located at 3360 S. IH 35 Svc. Rd., east of Interstate 35 and south of Grove Rd. (Audio 1:58)

Staff Planner Ms. Moore presented the staff report.

Hale Youngblood, the applicant’s representative, and project manager, spoke in support of the zoning change and explained why the 55’ tall sign height was needed for visibility along the interstate.

Chair Baggerly opened the public hearing. With no public input, the public hearing was closed.

Commission Member Potts reiterated a desire to research and amend the sign code.

Commission Member Potts made a motion to disapprove Z-22-34 as presented. The motion was seconded by Commission Member McCallum. The motion was approved with 5 ayes, 1 nay (Commission Jarratt dissenting).



Staff Report – City Council Agenda Item

Date: September 27, 2022
Case No.: Z-22-35
Request: Single Family-1 to Single Family-1 w/ SUP for Private School
Applicant/Owner: Shannon Morrison – Providence Preparatory School/UMHB

Agenda Item #18

Z-22-35 Hold a public hearing and consider a zoning change from Single Family-1 District to Single Family-1 District with a Specific Use Permit for a Private School on approximately 0.215-acres located at 707 N. Pearl Street.

Originating Department

Planning Department – Tina Moore, Planner

Current Zoning: Single Family-1 Zoning District (SF-1)

Proposed Zoning: Single Family-1 with a Specific Use Permit for a Private School

Current Land Use: Vacant

Proposed Uses: School

Future Land Use Map (FLUM) Designation:

The FLUM identifies this general area as institutional and residential.

Design Standards Type Area 3:

The projected growth for this area is primarily UMHB Campus with potential for an Urban Infill.

Background/Case Summary

The applicant is leasing this property from UMHB to expand an existing private school. Most of the private school campus is located nearby on the property owned by First Baptist Church. Schools are permitted with a Specific Use Permit in all residential zoning districts.

The conceptual site plan indicates that an 810 sq. ft. portable building is proposed for this site. Two parking spaces are proposed for staff or students with limited mobility. The applicant

indicates this is adequate parking as they require staff and students to park in designated spaces at the main campus.

Project Analysis and Discussion

Existing Conditions: Adjacent properties north, south, and west are zoned Single Family-1 and are developed with detached homes. Adjacent properties along N. Main Street are zoned University Campus 1 and are developed with detached homes.

Allowable Land Uses: The proposed zoning change would allow the development of the proposed school with area regulations conforming to the Single Family-1 Zoning District.

Area & Setback Requirements: The subject lot exceeds the minimum area requirement for the Single Family-1 District which requires a minimum of 10,000 sq. ft., a minimum width of 70', and depth of 100'. This lot is approximately 9,382 sq. ft. with a width of 75' and depth of 124'.

Project Analysis and Discussion

Per Zoning Ordinance Section 33.2, the following criteria for an SUP request should be considered:

1. Is the use harmonious and compatible with surrounding existing uses or proposed uses? **The main school campus is within proximity to this location and appears to be compatible with the surrounding use that transitions from residential to commercial uses.**
2. Are the activities requested by the applicant normally associated with the requested use? **The activities requested are normally allowed.**
3. Is the nature of the use reasonable? **Yes, this seems reasonable because it blends in with the surrounding uses.**
4. Has any impact on the surrounding area been mitigated? **The proposed site plan will have minimal impacts to the surrounding area.**

The requested SUP appears to satisfy the criteria above.

Recommendation

At their meeting on September 20, 2022, the Planning and Zoning Commission voted unanimously to approve the requested zoning change from Single Family-1 District to Single Family-1 District with a Specific Use Permit for a Private School, subject to the following conditions:

1. The use of this property shall conform to the Single Family-1 District in all respects and the use as a private school site is permitted.
2. The development of each property shall conform to all applicable Design Standards, as identified in Ordinance 2014-17, Section 7.1 of the Zoning Ordinance, including:
 - a. Site Development Standards
 - b. Landscape Design Standards
 - c. Tree Protection, Preservation and Mitigation Standards.

3. A building permit application meeting the requirements of all applicable codes is required.

Attachments

Zoning application and conceptual site plan

Property Location Map

Zoning map

Aerial

Map with zoning notice boundary (200')/Zoning notice to owners/Property owner's list

P&Z Minutes Excerpt

Ordinance



ZONING CHANGE APPLICATION

Fee: \$250.00

| | |
|--|-------------------------------|
| Date received: August 15, 2022 | |
| APPLICANT NAME: Providence Preparatory School | |
| EMAIL: shannon.morrison@provprep.org | PHONE NUMBER: 254-913-7179 |
| MAILING ADDRESS: 2608 N Main St Ste B193 Belton TX 76513 | |
| PROPERTY OWNER NAME: UMHB | |
| EMAIL: stheodore@umhb.edu | PHONE NUMBER: 254-295-4519 |
| MAILING ADDRESS: 900 COLLEGE ST, UMHB BOX 8441 BELTON, TX 76513 | |

| |
|--|
| Proposed Use of Structures (building) and Property (exterior property): classroom, landscaping |
| Current Use: vacant lot |
| LOCATION/STREET ADDRESS OF PROPERTY TO BE REZONED: 707 N Pearl Street |
| Legal Description of Property: Abstract Survey Geographic ID: 0281260000 Property ID: 73210 |
| Lot(s): _____ Block(s): _____ of Subdivision TYLER, BLOCK 00A, LOT PT 4, 6, (W 124' OF S 1/2 OF 4 & N 25' OF W 124' OF 6) |
| Existing Zoning: <u>RESIDENTIAL</u> Proposed Zoning: <u>SCHOOL</u> |

Signature of Applicant: Shannon Morrison Digitally signed by Shannon Morrison Date: 2022.08.15 16:53:12 -05'00' Date: 08/15/2022

Signature of Owner (if not applicant): *Steve Theodore* Steve Theodore (Aug 16, 2022 08:10 CDT) Date: Aug 16, 2022

City of Belton Planning Department
333 Water Street * Belton, Texas 76513 * Phone (254) 933-5812 * Fax (254) 933-5822

Checklist for Items to be submitted with a zoning change application:

- Signed application
- Fees paid
- Complete legal descriptions of the property to be rezoned
- Site plans per Section 32, Planned Development, of the Zoning Code. Please see **below** for guidelines.

In the event the request involves more than one lot, **a portion of a lot** or irregular tracts or acreage, **a Metes and Bound legal description, prepared by a registered Land Surveyor, registered in the State of Texas, is required.**

Notice: If any construction is planned, a copy of the plans and a plat must be attached. **Requests for zoning changes must be submitted by the 15th day of the month to be placed on the agenda for the Planning and Zoning Commission meeting the next month.** The Planning and Zoning Commission meets on the third Tuesday of the month; their recommendations are normally placed on the agenda for the City Council meeting on the fourth Tuesday of the month.

The development plan shall include:

- a. A site inventory analysis including a scale drawing showing existing vegetation, natural water courses, creeks or bodies of water and an analysis of planned changes in such natural features as a result of the development. This should include as a delineation of any flood prone areas.
- b. As a scale drawing showing any proposed public or private streets and alleys; building sites or lots; and areas reserved as parks, parkways, playgrounds, utility easements, school sites, street widening and street changes; the points of ingress and egress from existing streets; general location and description of existing and proposed utility services, including size of water and sewer mains; the location and width for all curb cuts; the land area of all abutting sites; and the zoning classification thereof on an accurate survey of the tract with as a topographical contour interval of not more than five feet (5').
- c. As a site plan for proposed building complexes showing the location of separate buildings and the minimum distance between buildings and property lines, street lines and alley lines. Also, to be included on the site plan is a plan showing the arrangement and provision of off-street parking.
- d. As a landscape plan showing turf areas, screening walls, ornamental planting, wooded acres and trees to be planted.
- e. An architectural plan showing elevations and signage style to be used throughout the development in all districts except single-family and two-family may be required by the Planning and Zoning Commission or City Council if deemed appropriate.
- f. All Development Plans may have supplemental data describing standards, regulations or other data pertinent to the development of the Planned Development District which is to be included in the text of the amending ordinance.

Zoning Change App 2021 WEB (1)

Final Audit Report

2022-08-16

| | |
|-----------------|--|
| Created: | 2022-08-15 |
| By: | shannon morrison (shannon.morrison@provprep.org) |
| Status: | Signed |
| Transaction ID: | CBJCHBCAABAABWVTXY-kpxmev73vk8KYVm64pEAmiv7f |

"Zoning Change App 2021 WEB (1)" History

 Document digitally presigned by Shannon Morrison (shannon.morrison@provprep.org)
2022-08-15 - 9:53:12 PM GMT

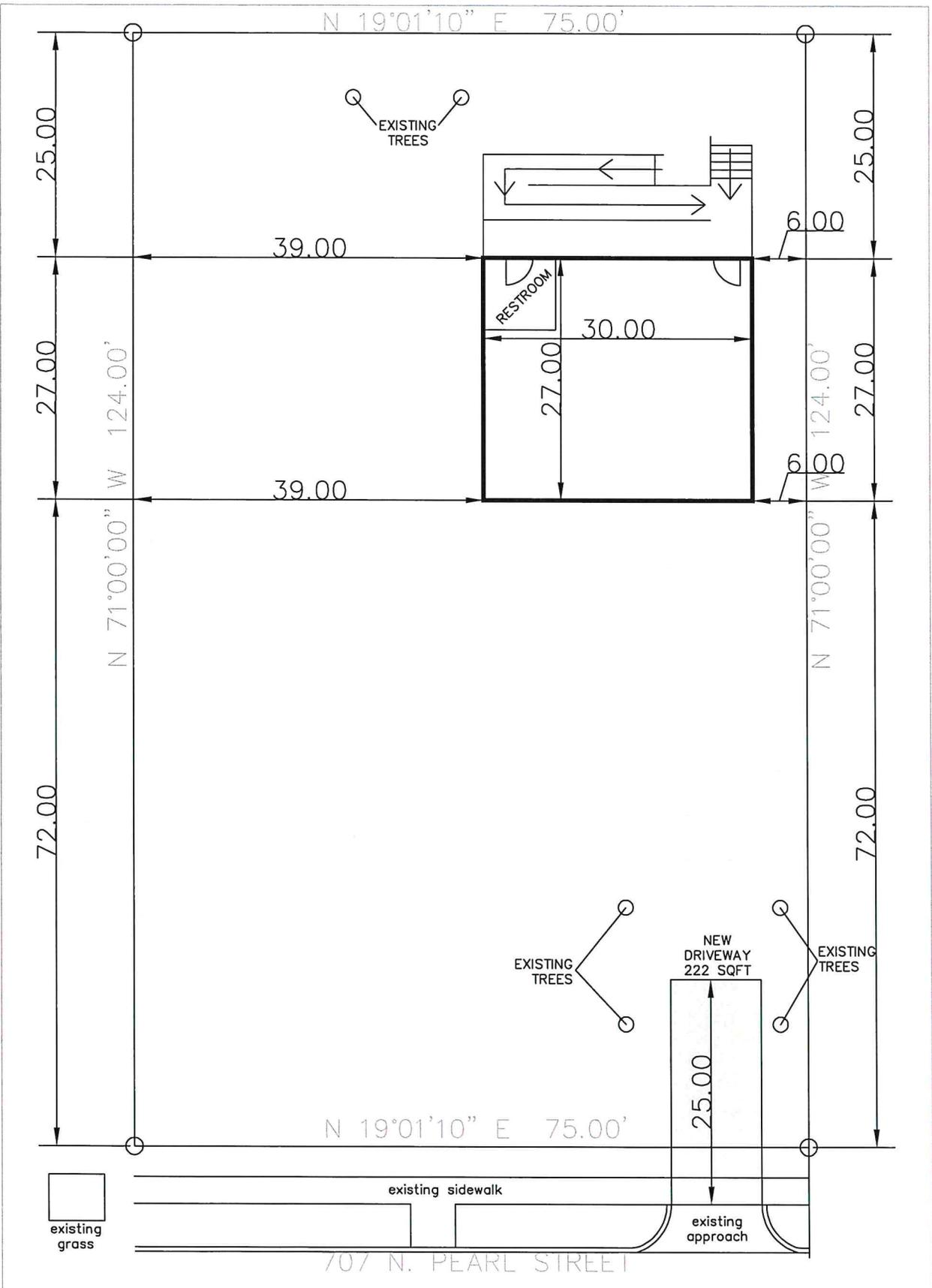
 Document created by shannon morrison (shannon.morrison@provprep.org)
2022-08-15 - 9:53:47 PM GMT

 Document emailed to Steve Theodore (stheodore@umhb.edu) for signature
2022-08-15 - 9:54:35 PM GMT

 Email viewed by Steve Theodore (stheodore@umhb.edu)
2022-08-15 - 9:54:46 PM GMT

 Document e-signed by Steve Theodore (stheodore@umhb.edu)
Signature Date: 2022-08-16 - 1:10:32 PM GMT - Time Source: server

 Agreement completed.
2022-08-16 - 1:10:32 PM GMT



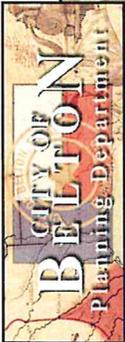
SCALE: 1" = 10'-0"

Property ID: 73210
 GEO ID: 0281260000
 Legal Description: TYLER, BLOCK 00A, LOT PT 4, 6,
 (W 124' OF S 1/2 OF 4 & N 25' OF W 124' OF 6)
 Tract or Lot: PT 4, 6
 Abstract Subdivision Code: S1093BE
 Block: 00A
 Neighborhood Code: RBELBENCRE
 School District: SBEL
 City Limits: TBE



1023 Canyon Creek Dr #125
 Temple, TX 76502
 254.778.1466

Zoning Case # Z-22-35 Aerial

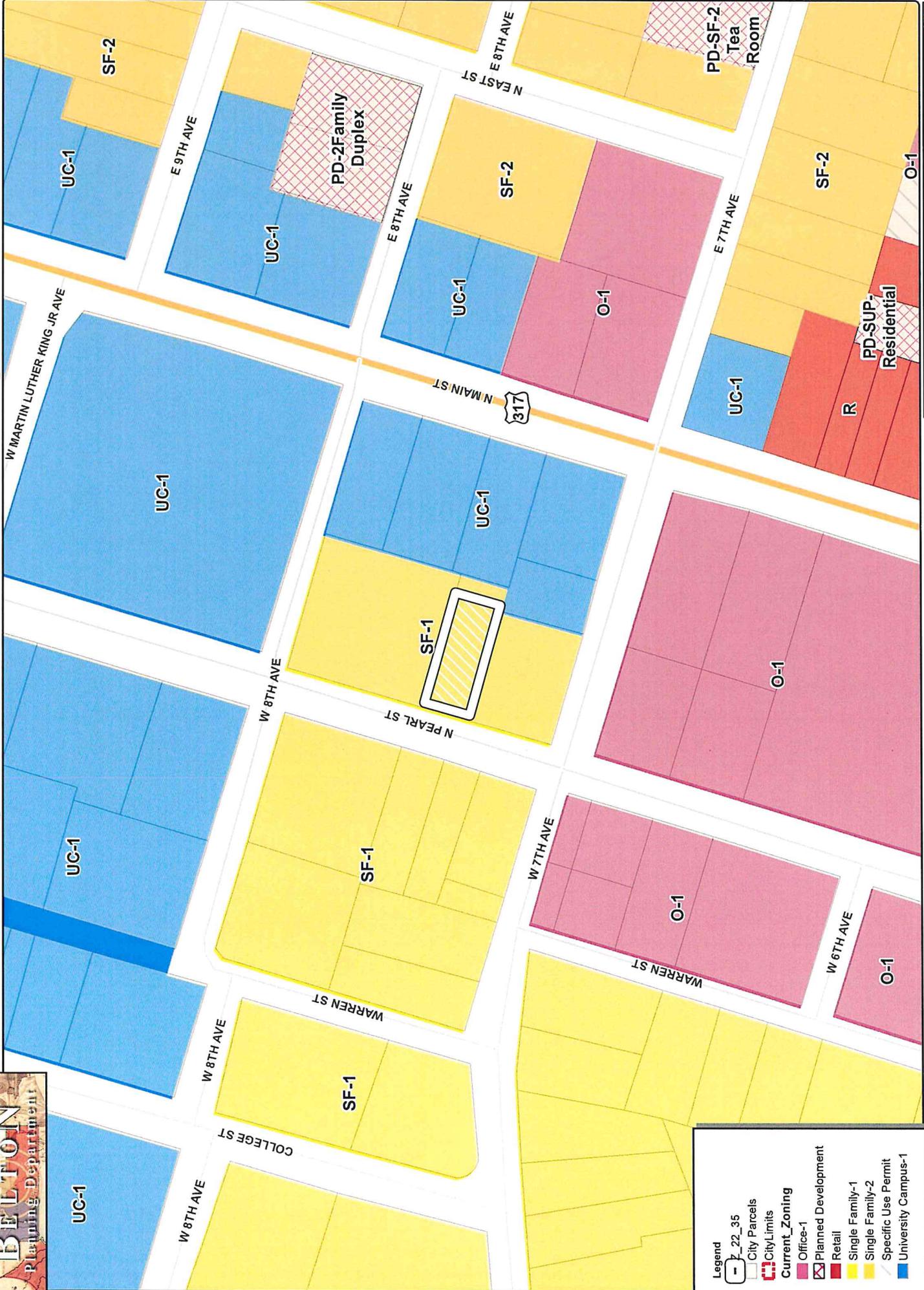


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LEGEND
Z_22_35

Zoning Case # Z-22-35 Zoning



Legend

- City Parcels
- City Limits
- Current_Zoning**
- Office-1
- Planned Development
- Retail
- Single Family-1
- Single Family-2
- Specific Use Permit
- University Campus-1

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Map Date: 9/7/2022

CORRECTION
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AMENDMENT TO THE ZONING ORDINANCE
OF THE CITY OF BELTON**

THE CITY OF BELTON HAS RECEIVED A REQUEST FROM: PROVIDENCE PREPARATORY SCHOOL,
TO CHANGE THE FOLLOWING DESCRIBED PROPERTY: 707 N. PEARL STREET,
FROM A(N) SINGLE FAMILY - 1 ZONING DISTRICT,
TO A(N) SINGLE FAMILY -1 W/ SUP FOR PRIVATE SCHOOL ZONING DISTRICT,
TO ALLOW FOR AN ADDITIONAL SCHOOL BUILDING AT THIS SITE AS SHOWN ON THE CONCEPTUAL SITE PLAN _____.

THE PLANNING & ZONING COMMISSION OF THE CITY OF BELTON, TEXAS WILL HOLD A PUBLIC HEARING PURSUANT TO THIS REQUEST AT **5:30 P.M., Tuesday, September 20, 2022**, AT THE T.B. HARRIS CENTER, 401 N. ALEXANDER, BELTON, TEXAS.

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circle one

AS AN INTERESTED PROPERTY OWNER, I (PROTEST) (APPROVE) THE REQUESTED ZONING AMENDMENT PRESENTED IN THE APPLICATION ABOVE FOR THE REASONS EXPRESSED BELOW:

1. _____
2. _____
3. _____

(FURTHER COMMENTS MAY BE EXPRESSED ON A SEPARATE SHEET OF PAPER)

DATE: _____ SIGNATURE: _____

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

Zoning Case # Z-22-35



ZONING CHANGE:
SF1
to
SF2 - SUP for Private School

LEGAL DESCRIPTION:
TYLER, BLOCK 00A, LOT PT 4, 6,
(W 124' OF S 1/2 OF 4 & N 25' OF W 124' OF 6)

PROPERTY OWNER:
UMHB

ADDRESS/LOCATION:
707 N PEARL ST

Legend

- Z_22_35
- 200' Property Owner Notification Area
- Tax Appraisal Parcels

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Map Date: 9/7/2022

1645
ALEXANDER, JOHN M ETUX NANCY M
706 N MAIN ST
BELTON, TX 76513-3054

35599
FIRST BAPTIST CHURCH
506 N MAIN ST
BELTON, TX 76513-3072

35627
FIRST BAPTIST CHURCH OF BELTON
506 N MAIN ST
BELTON, TX 76513-3072

35632
FIRST BAPTIST CHURCH OF
506 N MAIN ST
BELTON, TX 76513-3072

45192
CENTRAL TEXAS CASTLES LTD
2 S MAIN ST STE 200
TEMPLE, TX 76501-7632

78301
UNIVERSITY OF MARY HARDIN BAYLOR
900 COLLEGE ST, UMHB BOX 8441
BELTON, TX 76513

118934
FIRST BAPTIST CHURCH BELTON
506 N MAIN ST
BELTON, TX 76513-3072

35623
FIRST BAPTIST CHURCH OF BELTON
506 N MAIN ST
BELTON, TX 76513-3072

46015
UNIVERSITY OF MARY HARDIN BAYLOR
900 COLLEGE ST, UMHB BOX 8441
BELTON, TX 76513

25389
UNIVERSITY OF MARY HARDIN BAYLOR
900 COLLEGE ST, UMHB BOX 8441
BELTON, TX 76513

35624
FIRST BAPTIST CHURCH OF BELTON
506 N MAIN ST
BELTON, TX 76513-3072

35628
FIRST BAPTIST CHURCH OF BELTON
506 N MAIN ST
BELTON, TX 76513-3072

36280
UNIVERSITY OF MARY HARDIN BAYLOR
900 COLLEGE ST, UMHB BOX 8441
BELTON, TX 76513

60719
RANDOLPH, MICHAEL L & ROSEMARY
704 N MAIN ST
BELTON, TX 76513-3054

91733
UNIVERSITY OF MARY HARDIN BAYLOR
900 COLLEGE ST, UMHB BOX 8441
BELTON, TX 76513

126165
UNIVERSITY OF MARY HARDIN BAYLOR
900 COLLEGE ST, UMHB BOX 8441
BELTON, TX 76513

45191
HOMEOWNERS NETWORK INC
2325 SANGER AVE
WACO, TX 76707-3475

27300
POENITZSCH, ROBERT RAY
258 E ELMVIEW PL
SAN ANTONIO, TX 78209-3808

35626
FIRST BAPTIST CHURCH OF BELTON
506 N MAIN ST
BELTON, TX 76513-3072

35629
FIRST BAPTIST CHURCH OF BELTON
506 N MAIN ST
BELTON, TX 76513-3072

38201
FIRST BAPTIST CHURCH BELTON
506 N MAIN ST
BELTON, TX 76513-3072

73210
UNIVERSITY OF MARY HARDIN BAYLOR
900 COLLEGE ST, UMHB BOX 8441
BELTON, TX 76513

118675
TULLOCH, ELIZABETH WANEEN
503 NEIL ST
BELTON, TX 76513

129947
UNIVERSITY OF MARY HARDIN BAYLOR
900 COLLEGE ST, UMHB BOX 8441
BELTON, TX 76513

468478
UNIVERSITY OF MARY HARDIN BAYLOR
900 COLLEGE ST, UMHB BOX 8441
BELTON, TX 76513

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TO CHANGE THE FOLLOWING DESCRIBED PROPERTY: 707 N. PEARL STREET
FROM A(N) SINGLE FAMILY - 1 ZONING DISTRICT,
TO A(N) SINGLE FAMILY -1 w/ SUP FOR PRIVATE SCHOOL ZONING DISTRICT,
TO ALLOW FOR AN ADDITIONAL SCHOOL BUILDING AT THIS SITE AS SHOWN ON THE CONCEPTUAL SITE PLAN

THE PLANNING & ZONING COMMISSION OF THE CITY OF BELTON, TEXAS WILL HOLD A PUBLIC HEARING PURSUANT TO THIS REQUEST AT **5:30 P.M., Tuesday, September 20, 2022**, AT THE T.B. HARRIS CENTER, 401 N. ALEXANDER, BELTON, TEXAS.

IF APPROVED BY THE PLANNING & ZONING COMMISSION, THIS ITEM WILL BE PLACED ON THE AGENDA FOR A PUBLIC HEARING BY THE CITY COUNCIL. THAT MEETING WILL BE AT **5:30 P.M., Tuesday, September 27, 2022**, AT THE T. B. HARRIS COMMUNITY CENTER, 401 ALEXANDER STREET, BELTON, TEXAS.

AS AN INTERESTED PROPERTY OWNER, THE CITY OF BELTON INVITES YOU TO MAKE YOUR VIEWS KNOWN REGARDING THIS ZONING CHANGE. YOU MAY SUBMIT WRITTEN COMMENTS BY COMPLETING THIS FORM AND RETURNING IT TO THE ADDRESS BELOW OR VIA EMAIL TO PLANNING@BELTONTXAS.GOV, PRIOR TO 1:00 P.M. ON **SEPTEMBER 27, 2022**.

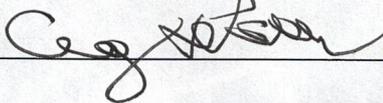
IF YOU REQUIRE INTERPRETER SERVICES FOR THE DEAF OR HEARING IMPAIRED, PLEASE CONTACT THE CITY CLERK AT CITY HALL AT LEAST 48 HOURS BEFORE THESE MEETINGS.

circle one

AS AN INTERESTED PROPERTY OWNER, I (PROTEST) (APPROVE) THE REQUESTED ZONING AMENDMENT PRESENTED IN THE APPLICATION ABOVE FOR THE REASONS EXPRESSED BELOW:

1. _____
2. _____
3. _____

(FURTHER COMMENTS MAY BE EXPRESSED ON A SEPARATE SHEET OF PAPER)

DATE: 9/15/22 SIGNATURE: 

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

35599
FIRST BAPTIST CHURCH
506 N MAIN ST
BELTON, TX 76513-3072

35624 35627 35629 35632 118934
35626 35628 38201 35623 FIRST BAPTIST CHURCH
FIRST BAPTIST CHURCH FIRST BAPTIST CHURCH FIRST BAPTIST CHURCH
506 N MAIN ST 506 N MAIN ST 506 N MAIN ST
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BELTON, TX 76513-3072 BELTON, TX 76513-3072 BELTON, TX 76513-3072

Minutes of the
Planning and Zoning Commission (P&ZC)
City of Belton, City Hall
333 Water Street
Tuesday, September 20, 2022

The Planning and Zoning Commission met at 5:30 p.m. at the Harris Community Center, 401 North Alexander Street. Commission members who were present: Chair Brett Baggerly, Dave Jarratt, Quinton Locklin, Alton McCallum, Zach Krueger and Luke Potts. The following members were absent: Vice Chair David Covington, Joshua Knowles, and Nicole Fischer. The following staff members were present: Director of Planning Bob van Til, Planner Tina Moore, Planning Administrator Melinda Brice, and IT System Analyst, Alex Munger.

9. Z-22-35 Hold a public hearing and consider a zoning change from Single Family- 1 District to Single Family-1 District with a Specific Use Permit for a Private School on approximately 0.215-acres located at 707 N. Pearl Street. (Audio 2:11)

Staff Planner Ms. Moore presented the staff report.

Shannon Morrison, representing Providence Preparatory School, spoke in support of the zoning change and the school's desire to place a portable building adjacent to their existing school site.

Chair Baggerly opened the public hearing.

John Alexander, 706 N. Main Street, spoke in favor of the request.

With no further public input, the public hearing was closed.

Commission Member Locklin made a motion to approve Z-22-35 as presented. The motion was seconded by Commission Member Jarratt. The motion was approved with 6 ayes, 0 nays.

ORDINANCE NO. 2022-52

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF BELTON BY CHANGING THE DESCRIBED DISTRICT FROM SINGLE FAMILY-1 TO SINGLE FAMILY-1 DISTRICT WITH A SPECIFIC USE PERMIT FOR A PRIVATE SCHOOL ON APPROXIMATELY 0.928 ACRES LOCATED AT 707 N. PEARL STREET.

WHEREAS, Shannon Morrison, representing Providence Preparatory School, and representing the property owner, University of Mary Hardin Baylor, 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 September 2022, at 5:30 p.m. for hearing and adoption, said district being described as follows:

Approximately 0.215 acres
Located at 707 N. Pearl Street
(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 September 2022, 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 Single Family-1 to Single Family-1 with a Specific Use Permit for a Private School, in accordance with Section 10, *Single Family-1 Zoning District*, and Section 33, *Specific Use Permits*, and the Design Standards in Ordinance No. 2014-1. The Zoning Ordinance of the City of Belton is hereby amended, subject to the following conditions:

1. The use of this property shall conform to the Single Family-1 District in all respects and the use as a private school site is permitted.
2. The development of each property shall conform to all applicable Design Standards, as identified in Ordinance 2014-17, Section 7.1 of the Zoning Ordinance, including:
 - a. Site Development Standards
 - b. Landscape Design Standards
 - c. Tree Protection, Preservation and Mitigation Standards.

3. A building permit application meeting the requirements of all applicable codes 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 27th day of September 2022, by a vote of _____ ayes and _____ nays.

SIGNED AND APPROVED by the Mayor and attested by the City Clerk on this the 27th day of September 2022.

Wayne Carpenter, Mayor

ATTEST:

Amy M. Casey, City Clerk

Staff Report – City Council Agenda Item



Date: September 27, 2022
Case No.: P-21-17
Request: Replat
Applicant: Tibbit Surveying
Owner/Developer: Manuel Orena

Agenda Item #19

P-21-17 - Consider a replat for the J.H. Connell Replat #1 subdivision, comprising of 0.258 acres, located south of W. Avenue D and north of W. Avenue F.

Originating Department

Planning – Tina Moore, Planner

Case Summary

This replat proposes a one block, two residential lot located between Surghnor Street and S. Hughes Street. This is considered a residential replat without variance and exceptions, therefore, does not require a public hearing. Per Texas Local Government Code Section, 212.012, written notice of the approved plat will be provided to property owners within 200' of the property within 15 days of the approved plat.

Project Analysis and Discussion

A zoning change to Planned Development - SF-2 with a Conservation Revitalization Overlay was approved in September 2021 to allow for the following standards:

| | PD Conditions Lot 3A | PD Conditions Lot 3B |
|---------------------|----------------------|----------------------|
| Minimum Lot Area | 5,600 | 5,600 |
| Minimum Lot Width | 60' | 60' |
| Minimum Lot Depth | 75' | 74' |
| Front Yard Setbacks | 12' | 15' |
| Rear Yard Setbacks | 5' | 10' |
| Side Yard Setbacks | 6' | 6' |

The plat conforms to the PD-SF-2 standards. There is an existing house at 519 Surghnor Street, and the property owner plans to construct a new home that fronts Hughes Street.

Water and Sewer: Water and wastewater services are provided by the City of Belton.

Streets: Both Surghnor and Hughes Streets are local roads that require 50' of Right of Way. Surghnor currently has 60' of ROW and 32' of pavement. Hughes currently has 50' of ROW

and approximately 20' of pavement. No perimeter street improvements or sidewalks are required for this infill lot.

Drainage: Topography and drainage have been reviewed by staff.

Parkland Dedication/Fee: Parkland fees are waived for administrative lots with fewer than four lots.

Recommendation

At their meeting on September 20, 2022, the Planning and Zoning Commission voted unanimously to approve the final plat of J.H. Connell Replat.

Attachments

Final Plat Application
Location Map
Final Plat
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 \$ 250
- Final Subdivision
- Administrative Plat
- Replat
- ETJ
- City Limits

Date Received: _____ Date Due: _____ (All plans are to be returned to the Planning Department according to the Plat Submission Calendar.)

Applicant: Toby Tibbit Phone: 254-718-8134
Mailing Address: 8721 Oakbend Cove - Temple, Texas 76502
Email Address: tibbitsurveying@hotmail.com

Owner: Manuel Orona Phone: 254-913-1615
Mailing Address: 801 S. Pearl Street
Email Address: _____

Current Description of Property:

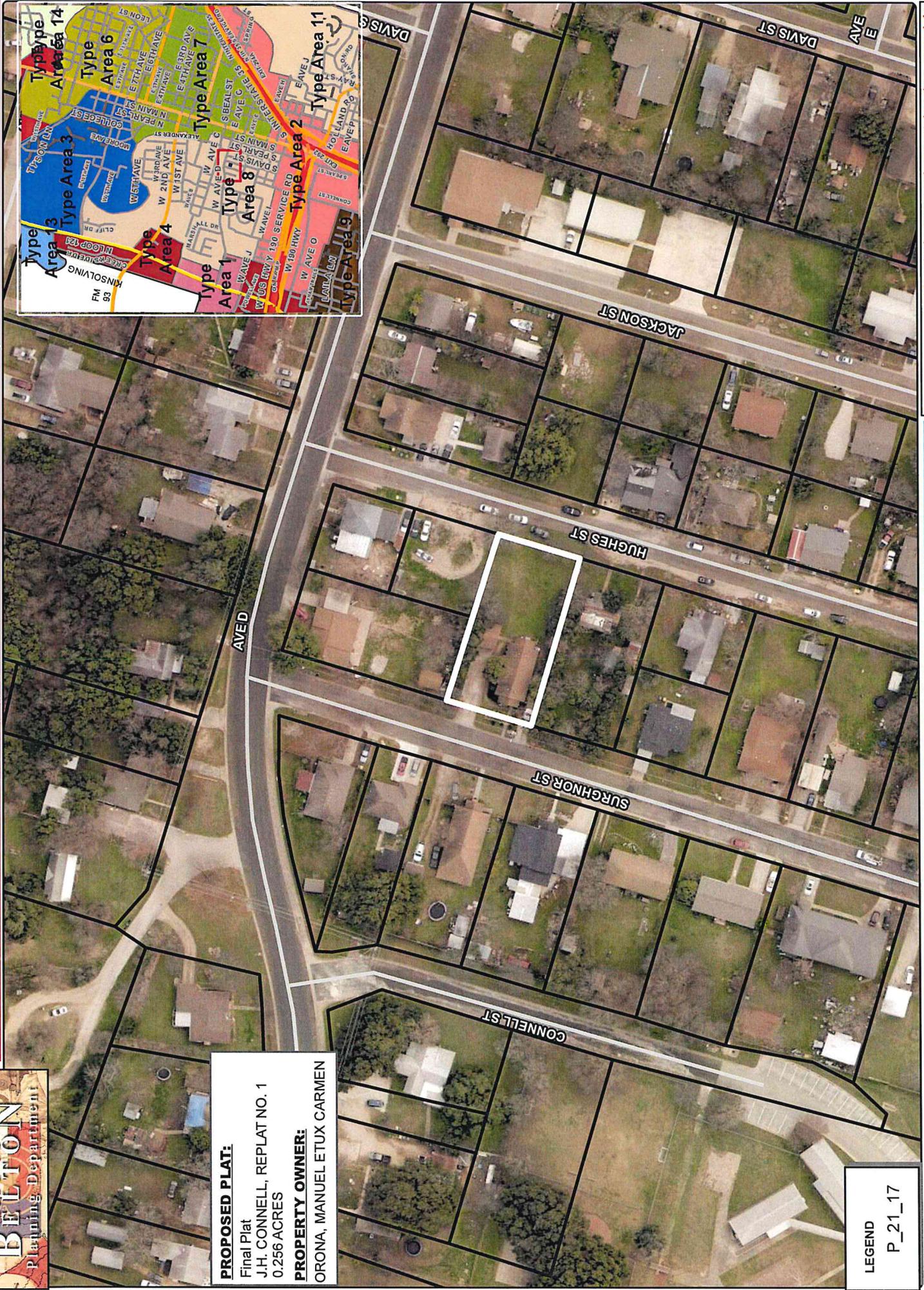
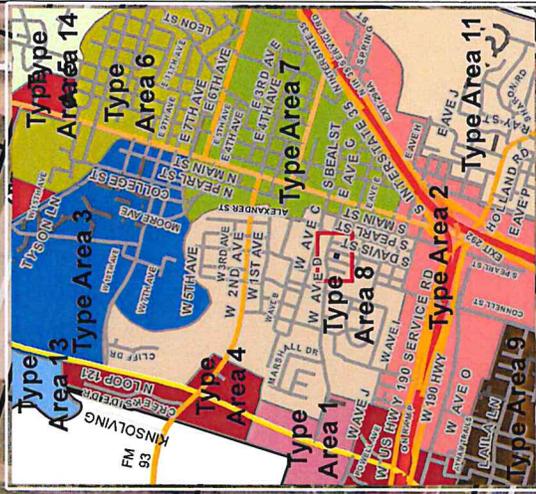
Lot: 3 Block: B-1 Subdivision: J. H. Connell
Acres: 0.258 Survey: M. F. Connell
Abstract #: 6 Street Address: _____
Frontage in Feet: 75 Depth in Feet: 150

Does Zoning comply with proposed use? Yes Current Zoning: SF2
Name of proposed subdivision: Orona's Replat
Number of Lots: 2 Fee: \$ 6

Signature of Applicant: Toby Tibbit Digitally signed by Toby Tibbit
Date: 2021.05.24 09:22:57 -05'00' Date: 5/24/21
Signature of Owner: Manuel Orona Date: 5-24-21

NOTE: Variances to code requirements may be considered by P&ZC and City Council.

P-21-17 LOCATION - J.H. CONNELL, REPLAT NO. 1



PROPOSED PLAT:
 Final Plat
 J.H. CONNELL, REPLAT NO. 1
 0.256 ACRES

PROPERTY OWNER:
 ORONA, MANUEL ETUX CARMEN

LEGEND
 P_21_17



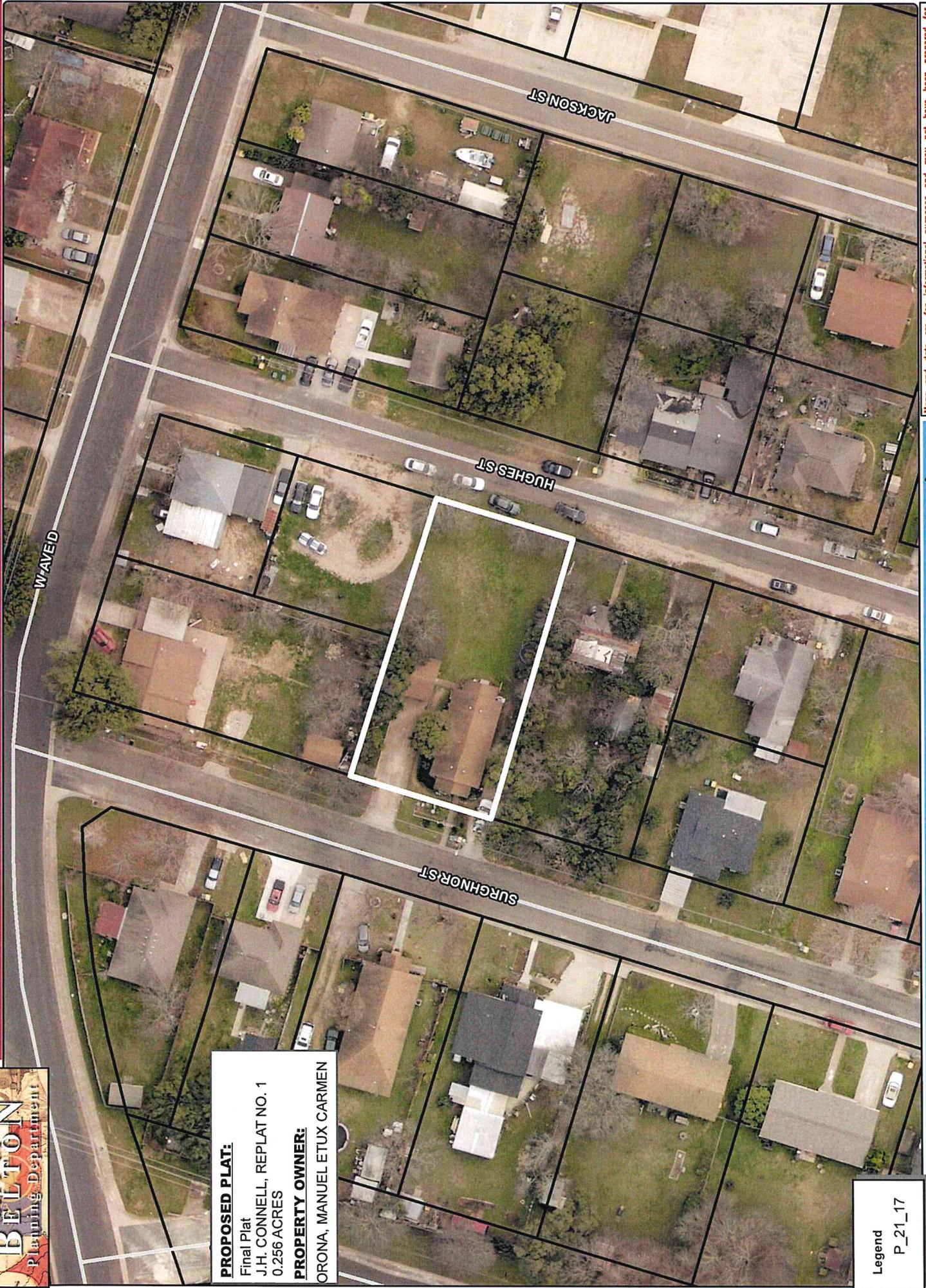
Maps and data are for informational purposes and may not have been prepared for or be suitable for legal, engineering or surveying purposes. They do not represent an on-the-ground survey and represent only the approximate relative location of property boundaries. No warranty is made by the City of Belton regarding specific accuracy or completeness.

P-21-17 - J.H. CONNELL, REPLAT NO. 1



PROPOSED PLAT:
Final Plat
J.H. CONNELL, REPLAT NO. 1
0.256 ACRES
PROPERTY OWNER:
ORONA, MANUEL ETUX CARMEN

Legend
P_21_17



Maps and data are for informational purposes and may not have been prepared for or be suitable for legal, engineering or surveying purposes. They do not represent an on-the-ground survey and represent only the approximate relative location of property boundaries. No warranty is made by the City of Belton regarding specific accuracy or completeness.



Map Date: 9/16/2022

Minutes of the
Planning and Zoning Commission (P&ZC)
City of Belton, City Hall
333 Water Street
Tuesday, September 20, 2022

The Planning and Zoning Commission met at 5:30 p.m. at the Harris Community Center, 401 North Alexander Street. Commission members who were present: Chair Brett Baggerly, Dave Jarratt, Quinton Locklin, Alton McCallum, Zach Krueger and Luke Potts. The following members were absent: Vice Chair David Covington, Joshua Knowles, and Nicole Fischer. The following staff members were present: Director of Planning Bob van Til, Planner Tina Moore, Planning Administrator Melinda Brice, and IT System Analyst, Alex Munger.

10. P-21-17 Consider a replat for the J.H. Connell Replat #1 subdivision, comprising of 0.258 acres, located south of West Avenue D and north of W. Avenue F. (Audio 2:21)

Staff Planner Ms. Moore presented the staff report.

Commission Member Krueger made a motion to approve P-21-17 as presented. The motion was seconded by Commission Member Locklin. The motion was approved with 6 ayes, 0 nays.



Staff Report – City Council Agenda Item

Agenda Item #20

Consider authorizing the City Manager to execute an agreement with American Medical Response Ambulance Services, Inc. (AMR), for the provision of emergency medical services within the City.

Originating Department

Fire Department – Jon Fontenot, Fire Chief

Background

On October 1, 2020, the City Council authorized an agreement with AMR for the provision of emergency medical services for two additional years. Since the contract is near its end, we have engaged with AMR to develop a proposed agreement extension for Council's consideration that is summarized below and in the attached presentation.

- The proposed contract's initial term ends September 30, 2024, and includes two 2-year renewal options, for a total maximum term of six years.
- AMR will continue to respond from Fire Stations 1 and 2 and pay \$800 per month per station to lease space for AMR EMS crews.
- AMR will be the sole provider for 911 ambulance service within Belton.
- AMR will ensure the City is covered through mutual aid agreements when both assigned ambulances are on other calls.
- Responding ambulances will all be certified as Advanced Life Support units.
- AMR shall maintain the goal of 7.5-minute response times for Life Threatening Medical Calls.
- AMR will provide its own billing and collection services.
- AMR will continue to send monthly reports to the Fire Chief for evaluation of services provided.
- City of Belton will continue to provide communication services through the Bell County Communications Center.
- The Fire Department will continue to provide First Responder services for priority calls.

AMR may increase rates yearly on anniversary date not to exceed the percentage increase in the Medical CPI during the most recent 12-month period for which published figures are available from the U.S Department of Labor.

The current rates are:

| | |
|-----------------------------------|------------|
| 1111 -TREAT NO TRANSPORT | \$0.00 |
| 1151 - ALS EMERGENCY BASE RATE | \$1,150.00 |
| 1171 -ALS EMERGENCY MANDATED | \$1,150.00 |
| 1251 - BLS EMERGENCY BASE RATE | \$920.00 |
| 2151 - MLLEAGE | \$20.50 |
| 2153 - NON-COVERED EXCESS MILEAGE | \$15.35 |

Fiscal Impact

Amount: \$1,600/month for leased spaces at each station from AMR to the City of Belton

Recommendation

Recommend approval of the agreement.

Attachments

Proposed Contract
Presentation

Emergency Medical Services Agreement

This Emergency Ambulance Services Agreement (“Agreement”) is made and entered into this 27th day of September 2022 by and between the City of Belton, Texas, a home rule City (“City”), and American Medical Response Ambulance Services, Inc. (“AMR”) a wholly owned subsidiary of American Medical Response, Inc., a Delaware corporation.

- A. City is a political subdivision of the State of Texas (the “State”) with authority over the delivery of pre-hospital emergency medical services (“EMS”) within its jurisdiction.

- B. AMR is a licensed provider of high-quality EMS with the capability to provide EMS within the City’s jurisdiction and Service Area. For purposes of this Agreement, “Service Area” shall mean the area within the incorporated city limits of the City of Belton.

- C. In order to assure that residents and visitors within the City’s jurisdiction receive appropriate EMS when required as a result of injury or illness, the City’s Governing Body (the “Governing Body”) desires to grant AMR the exclusive right to provide the specific EMS described herein, and AMR desires to provide such EMS, subject to the terms and conditions specified herein.

NOW, THEREFORE, in consideration of the mutual promises, the parties hereby agree as follows:

1. Exclusive Operating Area

- 1.1 City hereby grants AMR the exclusive right to provide EMS within the incorporated city limits of the City of Belton, Texas (the “Service Area”), City shall require all public safety answering points and communication facilities, including the Bell County Communications Center, authorized to received emergency medical calls and/or to dispatch emergency ambulances within the Service Area (“Communications Center”) to direct such calls directly to the nearest available AMR ambulance in accordance with the dispatch protocols agreed upon by AMR and City. City shall not permit any other provider of ambulance services to respond to 911 medical calls within the Service Area required emergency dispatch, regardless of whether such calls are placed through the 911 system or to 7-digit numbers, unless no AMR unit is available. City shall require that all such Emergency Calls, including those received on 7-digit numbers, be routed to AMR as provided in the Dispatch Protocols.

- 1.2 AMR may enter into mutual aid agreements with licensed ambulance providers, as deemed necessary by AMR to ensure adequate coverage throughout the Service Area, and as approved in writing by the City. All

mutual aid partners (“Partners”) shall meet the applicable requirements of this Agreement.

2. Ambulance Services

- 2.1 AMR shall respond to all requests for EMS within the Service Area from a Communications Center, provided however AMR Ambulances are available, the Communication Center may dispatch the next closest Partner. Nothing contained in this Agreement shall affect non-emergency ambulance services within the City.
- 2.2 AMR shall respond to all requests for EMS from the Communications Center using Type I or Type III advanced life support (“ALS”) Ambulances. Each ALS Ambulance shall be staffed with two personnel, at least one of whom shall be licensed or certified to perform procedures of an Emergency Medical Technician-Paramedic (“EMT-Paramedic”) and at least one of whom shall be licensed or certified at the level of the EMT-Basic or higher.
- 2.3 All AMR ambulances used to provide EMS (the “Ambulances”) shall be licensed and equipped with all supplies and equipment required by State law and shall comply with City policies and procedures agreed upon by AMR, (“City Policies”). In addition, all AMR Ambulances shall be maintained in good working order in accordance with AMR’s maintenance policies and procedures.
- 2.4 AMR and its personnel shall comply with all Federal, State and local laws, and with all City policies. Without limiting the foregoing, all AMR personnel shall be fully licensed or certified as required by law and shall comply with all licensing, certification or other laws.
- 2.5 AMR shall perform EMS in accordance with prevailing standards of care in the ambulance industry. To help assure maintenance of such standards, AMR shall operate a quality improvement program consistent with industry standards.
- 2.6 Although AMR may have additional services within the Service Area or adjacent to the Service Area, AMR may not use any of the City-designated EMS system infrastructure or factors of production to provide services for any other purpose not covered by the terms of this Agreement unless AMR first presents a plan and receives written approval from the City. Under no circumstances will such outside obligations interfere with AMR meeting its obligations under this Agreement.

3. Response Time Standards; Deployment

- 3.1 AMR shall deploy a minimum of two Type I or Type III ALS Ambulances at all times and shall deploy additional Ambulances as necessary to meet the needs of the City with an average response time not to exceed seven and one-half (7.5) minutes for Life Threatening 911 emergency calls as further defined in this Agreement. These response times will be calculated off the primary Belton unit(s) covering the City.
- 3.2 AMR shall provide disaster and mass casualty support in both pre-planned exercises and real events. Upon request of the City of Belton Emergency Management Coordinator or Incident Commander, AMR shall be able to provide the following assets within three hours of a disaster or mass casualty event.
- (a) Mobile Command Center: A bus outfitted with six workstations with laptops, wireless access and printer capabilities.
 - (b) Medical Ambulance Ambus: A Mobile Intensive Care Unit (MICU) capable emergency response vehicle that can transport up to 14 stretcher patients or 10 ambulatory patients during a single transport.
 - (c) Additional emergency response vehicles: AMR will respond or augment additional necessary vehicles (including ambulances) with Partners, as directed by Incident Command in coordination with Medical Command.

4. Term

- 4.1 AMR shall commence providing EMS hereunder effective October 1, 2022, and this Agreement shall continue in full force and effect for two (2) years, through September 30, 2024 (the "Initial Term").
- 4.2 This agreement shall have two (2) 2-year renewal options. The parties may renew this agreement with written consent. The initial term and all renewal periods shall be cumulatively referred to as the "Term."

5. City's Consideration

As part of the consideration of AMR's undertakings hereunder, the City shall provide the following to AMR:

- 5.1 The Bell County Communications Center shall perform dispatching services by accepting and processing calls in its Communications Center, in accordance

with Dispatch Protocols developed by the International Academy of Emergency Medical Dispatch and approved by the Bell County Regulatory Board of Operations and the Medical Directors of the affected services.

5.2 City's fire department shall provide medical first response ("First Responder Services"). City and its medical first responder personnel ("City Personnel") shall comply with the medical protocols and directives set forth by the Belton Medical Director.

6. Termination

6.1 Notwithstanding Section 4, City may terminate this Agreement in the event of the material breach ("Material Breach") by AMR of this Agreement, Material Breach shall include:

(a) Failure to provide EMS consistent with the prevailing standards of care in the ambulance industry and acceptable to the Belton Medical Director, such that the continued delivery of such EMS would be insufficient to ensure the health and safety to the residents of the Service Area.

(b) Failure to comply with any other material provision of this Agreement including, but not limited to, Medical Director's protocols and directives and incorporated herein for all purposes.

6.2 As a condition precedent to termination by the City, the City shall provide AMR with no less than thirty (30) days' advance written notice citing, with specificity, the basis for the Material Breach (the "Breach Notice"). In the event AMR shall have cured the Material Breach within such thirty (30) days' period, or such longer period as may be specified in the Breach Notice, this Agreement shall remain in full force and effect. In the event City reasonably deems AMR to remain in Material Breach as of the end of the notice period specified in the Breach Notice, City shall provide AMR with a notice of termination ("Termination Notice"), setting forth the specific reasons City believes AMR remains in Material Breach and the effective date of termination ("Termination Date"), which shall be no less than thirty (30) days from the date of Termination Notice.

6.3 AMR may appeal City's Breach Notice, or Termination Notice, by filing a notice of appeal ("Appeal Notice") with City's Governing Body at least 20 days prior to the Termination Date. Following receipt of such Appeal Notice, the Governing Body shall hold a hearing as soon as reasonably practicable, in which AMR shall be entitled to contest the Breach Notice and/or Termination Notice, as the case may be. The City's Governing Body may affirm or reverse the Breach or Termination Notice or may provide AMR with additional time within which to cure

the Material Breach. Notwithstanding Section 6.2, this Agreement shall remain in effect until the City's Governing Body has issued a written decision following the appeal. The written decision of City's Governing Body shall be binding on the parties. Notwithstanding the foregoing, nothing herein shall impair the rights of either party to seek damages or such other relief as may be available under the applicable law in a court of competent jurisdiction.

6.4 AMR shall post a performance bond in the amount of two hundred and fifty thousand dollars (\$250,000) to secure its performance hereunder. Such performance bond may consist of either a surety bond issued by a licensed insurer or surety, or a letter of credit issued by a licensed bank. In the event the City terminates this Agreement due to Material Breach by AMR, City shall be entitled to draw on such performance bond.

6.5 AMR may terminate this Agreement, with or without cause, upon one hundred eighty (180) days' written notice to City, subject to forfeiture of the Performance Bond required under Section 6.4.

6.6 In the event of termination by either party for any reason, or of expiration of this Agreement, AMR shall cooperate with City and with the successor provider to help ensure a smooth transition.

6.7 Should AMR fail to prevail in a future procurement cycle, or should this Agreement be terminated by the City or AMR per the provisions stated herein, AMR shall comply with all terms of the Agreement until the new contracted service provider assumes the EMS responsibilities, but in no event shall the requirements of AMR hereunder exceed 180 days without mutual written consent (referred to herein as the "lame duck" period). To assure that the required performance is fully consistent with all requirements of this Agreement the following provisions will apply:

(a) Throughout such "lame duck" period, AMR shall continue all operations and support services at the same levels of effort and performance as were in effect prior to the award of a subsequent contract to a competing firm.

(b) AMR shall make no changes in methods of operation which could reasonably be aimed at cutting AMR's service and operating costs to maximize profits during the final stages of this agreement.

(c) The City recognizes that, if a competing firm prevails in a future procurement cycle, AMR may reasonably begin to prepare for transition of

service to the new contracted provider during the “lame duck” period, and the City shall not unreasonably withhold its approval of AMR’s requests to begin an orderly transition process, including reasonable plans to relocate staff, scale down certain inventory items, so long as such transition activities do not impair AMR’s performance during the “lame duck” period, and so long as such transition activities are approved in advance by the City.

(d) During the “lame duck” period, AMR may not change employee benefits, wages or working conditions after the award of the contract to a successor firm, without the written consent of the City; and,

(e) Failure to comply with these requirements will be considered a Material Breach and will be subject to forfeiture of the Performance Bond outlined in Section 6.4.

7. Billing and Payment

7.1 AMR shall be solely entitled to perform, and be responsible for performing, billing of patients and third-party payers for EMS provided hereunder. City shall not bill or permit any other party to bill patients or third-party payers for EMS services billed by the provider, including but not limited to transport, treatment on scene or EMS dispatch services provided in connection with Emergency Medical Calls except for transports prior to October 1, 2019.

7.2 AMR shall comply with all applicable laws governing the billing and collection, including but not limited to laws and regulations applicable to patients covered by Medicare, Medicaid, Tricare and other public or private reimbursement programs.

7.3 AMR shall further comply with the rate requirements set forth by City ordinance. AMR may increase rates yearly on anniversary date not to exceed the percentage increase in the Medical CPI during the most recent 12-month period for which published figures are available from the U.S. Department of Labor. See rates in Appendix A.

7.4 In the event of extraordinary circumstances beyond the control of AMR, AMR may request a temporary rate adjustment. All requests for such adjustment shall be in writing and accompanied by documentation of incremental cost and revenue projections, underlying utilization assumptions, amortization policies, and marginal-cost pricing rationale, which support the amount of adjustment requested, along with such other related financial information as may be requested by the City. All requests shall be subject to the review and award or denial by City Council in its sole discretion.

8. Records

8.1 AMR shall maintain accurate books, documents and records reflecting the EMS provided and all bills or claims submitted to patients or third-party payers. All such records should be prepared and maintained in accordance with applicable law, including but not limited to the Health Insurance Portability and Accountability Act of 1996 and applicable regulations promulgated thereunder ("HIPAA").

8.2 Subject to all applicable laws and regulations, City shall be entitled to review and inspect such records to the extent necessary to assure compliance with the terms of this Agreement. Any such review or inspection shall occur at AMR's premises, during regular business hours, upon not less than two full business days advance written notice.

9. Mutual Cooperation

9.1 The parties shall fully cooperate with each other to assist AMR in the performance of this Agreement.

9.2 Each party shall designate a primary liaison, who shall be the primary point of contact for the other party in connection with the performance of this Agreement. In the event either party is dissatisfied with the other party's conduct or performance related to this Agreement, the primary liaison for each party shall meet and confer with such other personnel as they may deem appropriate, in order to informally resolve such issue, if possible.

10. Insurance

Each party shall maintain, throughout the term of this Agreement, the insurance coverage specified in Exhibit 3. Each party shall furnish to the other certificates evidencing such coverage prior to the effective date hereof and provide no less than thirty (30) days' advance written notice to the other party prior to the diminution or cancellation of such coverage.

11. Indemnification

To the extent allowable under Texas law, each party (the "Indemnitor") shall indemnify, defend and hold the other, and its employees and agents (collectively the "indemnatee") harmless against any claims, liability, losses or damages (collectively "Claims"), incurred by the indemnatee which arise from any breach of this Agreement or any negligent, intentional, or other tortious act or failure to act of the Indemnitor related to the performance of this Agreement. This provision shall survive the termination of this Agreement. The indemnatee agrees to promptly

notify the Indemnitor of any Claim against it which it expects to give rise to a duty of indemnity by the Indemnitor.

12. Dispute Resolution

12.1 All disputes which in any manner arise out of or relate to this Agreement or the subject matter thereof and which cannot be informally resolved, shall be resolved exclusively by binding arbitration, in accordance with the Commercial Arbitration rules of the American Arbitration Association. The parties shall have the rights of discovery as provided for by applicable Texas law. Arbitration shall take place in Belton, Texas, unless the parties otherwise agree.

12.2 Notwithstanding the foregoing, because time is of the essence of this Agreement, the parties specifically reserve the right to seek a judicial temporary restraining order, preliminary injunction, or other similar short term equitable relief, and grant the arbitrator the right to make a final determination of the parties' rights, including whether to make permanent or dissolve such court order. Further, nothing herein shall be construed as requiring arbitration of claims brought by patients or other third parties.

13. Miscellaneous Provisions

13.1 It is mutually agreed that AMR is, and at all times shall be, acting as an independent contractor. City shall neither have nor exercise any control or direction over the methods by which AMR and its employees shall perform their duties arising hereunder.

13.2 Any notice required or permitted by this Agreement shall be in writing and shall be delivered as follows, with notice deemed given as indicated: (a) by personal delivery, when delivered in person; (b) by overnight courier, upon written verification of receipt; or (c) by certified or registered mail, return receipt requested, upon verification of receipt. Notice shall be sent to the following addresses:

If to City:

Sam Listi, City Manager
City of Belton, Texas
333 Water Street (physical)
PO Box 120 (mailing)
Belton, TX 76513

With Mandatory Copy to:

Amy M. Casey, City Clerk
City of Belton, Texas
333 Water Street (physical)
PO Box 120 (mailing)
Belton, TX 76513

AMR:

Regional Director
American Medical Response
505 North 3rd Street
Temple, TX 76501

With Mandatory Copy to:

Legal Department
American Medical Response, Inc.
6363 S Fiddler's Green Circle, 14th Floor
Greenwood Village, Colorado 80111

13.3 This Agreement shall be governed by, and construed in accordance with, the laws of the State of Texas and those of Bell County.

13.4 This Agreement (including the Exhibits and any attachments thereto, which are incorporated herein by this reference) constitutes the entire agreement between the parties with respect to the subject matter hereof, superseding all prior oral and written agreements with respect thereto, and no amendment shall be valid unless it is documented in a written instrument duly executed by the party or parties making such amendment. In the event of any conflict between the provisions of this Agreement and the parts of any Exhibit incorporated herein, the other provisions of this Exhibit shall be deemed to control.

13.5 AMR agrees not to differentiate or discriminate in its provision of EMS to patients because of race, color, national origin, ancestry, religion, sex, marital status, sexual orientation, disability or age.

13.6 Nothing in this Agreement shall be construed to confer upon any person, any remedy or claim as third-party beneficiaries or otherwise. No waiver of any breach of any provision of this Agreement shall be deemed a waiver of any preceding or succeeding breach. No extension of time for performance of any

obligations or acts shall be deemed an extension of the time for performance of any other obligations or acts.

13.7 Neither party may assign this Agreement nor any rights hereunder, nor may they delegate any of the duties to be performed hereunder without the prior written consent of the other party, except as provided in Section 1.2 herein. This Agreement shall be binding upon, and shall inure the benefit of, the parties to it and their respective legal representatives, successors, and assigns.

13.8 Mediation of any dispute arising out of this agreement is required prior to filing of a lawsuit. The prevailing party in any mediation arising from this Agreement shall be awarded attorney's fees and costs of all such mediation or action.

13.9 It is not the intent of either party to this Agreement that any remuneration, benefit or privilege provided for under this Agreement shall influence or in any way be based on the referral or recommended referral by either party of patients to the other party or its affiliated providers, if any, or the purchasing, leasing, or ordering of any services other than specific services described in this Agreement. Any payments or other considerations specified in this Agreement are consistent with what the parties reasonably believe to be the fair market value for the services provided.

13.10 In the performance of this Agreement, each party hereto shall be, as to the other, an independent contractor and neither party shall have the right or authority, express or implied, to bind or otherwise legally obligate the other. Nothing contained in this Agreement shall be construed to constitute either party assuming or undertaking control or direction of the operations, activities or medical care rendered by the other. AMR and City administrative staff shall meet on a regular basis to address issues of mutual concern related to the provision of EMS and the parties' respective rights and obligations hereunder.

13.11 Each party shall comply with the privacy and security provisions of the Health Insurance Portability and Accountability Act of 1996 and the regulations thereunder ("HIPAA"). All Patient medical records shall be treated as confidential so as to comply with all state and federal laws.

13.12 AMR has made available to the City a copy of its policies, Code of Conduct, anti-kickback policies and other compliance policies, as may be changed from time to time, at AMR's website, located at www.amr.net, and the City acknowledges receipt of such documents. AMR warrants that its personnel shall comply with AMR's compliance policies, including training related to the anti-kickback statute.

13.13 Each party represents and certifies that neither it nor any practitioner who orders or provides EMS on its behalf hereunder has been convicted of any conduct that constitutes grounds for mandatory exclusion as identified in 42 U.S.C. § 1320a-7(a) or (b). Each party further represents and certifies that it is not ineligible to participate in Federal health care programs or in any other state or federal government payment program. Each party agrees that if DHHS/OJG excludes it, or any of its practitioners or employees who order or provide EMS, from participation in Federal health care programs, the party must notify the other party within five (5) days of knowledge of such fact, and the other party may immediately terminate this Agreement, unless the excluded party is a practitioner or employee who immediately discontinues ordering or providing EMS hereunder.

13.14 Equal Employment Opportunity. If the provisions of Executive Order 11246 are applicable to this Agreement, the parties incorporate the equal employment opportunity clause set forth in 41 CFR Part 60-1. If the provisions of Executive Order 13201 are applicable to this Agreement, the parties incorporate the equal opportunity clause set forth in 29 CFR Part 470.

13.15 Each individual executing this Agreement on behalf of any entity which is a party to this Agreement represents and warrants that he or she is duly authorized to execute and deliver this Agreement on behalf of said entity. This Agreement may be signed in counterparts.

13.16 The City does not waive any statutory or common law right to sovereign immunity by virtue of the execution of this Agreement.

IN WITNESS WHEREOF, each party hereto has caused the Agreement to be executed in its name as of the date first written above.

AMERICAN MEDICAL RESPONSE AMBULANCE, INC.

By: _____
Steve Dralle, Regional President

CITY OF BELTON, TEXAS

By: _____
Sam A. Listi, City Manager

EXHIBIT 1

RESPONSE TIME STANDARDS

1. **Standards.** AMR shall use its best efforts to comply with the following Response Time Standards (“Standards”). For all responses not canceled or exempted as provided below, AMR shall arrive at the Destination with an average response time not to exceed seven and one-half (7.5) minutes by measuring times of primary Belton units per call on all Life Threatening 911 responses.
2. **Dispatch.** For purposes of the foregoing, a “Dispatch” shall be deemed to have occurred when all information required to respond is transmitted, as specified in the Dispatch Protocols, to the address or other location specified by the Communications Center (“Destination”). AMR shall be deemed to have arrived at the Destination when the Ambulance comes to a stop at the Destination or, in the event of an unopened gate or other obstacle which impedes the Ambulance from proceeding to such destination, when the Ambulance stops at such obstacle. In the event an Ambulance is reassigned enroute to another location, the time of Dispatch shall be deemed to be the time such reassignment.
3. **Exemptions.** In determining whether AMR has met the Response Time Standards during any calendar month, call which fails to meet the applicable Standard for reasons beyond AMR’s reasonable control, including but not necessarily limited to the following reasons, shall be excluded from both the numerator and the denominator of the calculation:
 - a. The ambulance is blocked or impeded by a train, slow or impassable traffic or other impediment beyond AMR’s reasonable control;
 - b. The Communications Center provides inaccurate or incorrect information regarding the destination;
 - c. Incidents requiring multiple responses, wherein only the response time for the first arriving Ambulance must be counted;
 - d. The destination is outside of the service area;
 - e. Inclement weather, including but not limited to dense fog or severe rain;
 - f. Two or more ambulances are out of the service area on a mutual aid response; or
 - g. The system is experiencing extraordinary demand for the time period in question.
4. **Reports.** In order to assist City in determining whether AMR has met with the Response Time Standards for any calendar month, AMR shall provide, on or

before the 28th day of each month for calls the preceding month for the following reports:

- a. Response time by priority
- b. Responses made outside of service area
- c. Requests by AMR for mutual aid response in service area
- d. Monthly response numbers and transport numbers
- e. Turnout times by crew members
- f. Protocol deviation report

EXHIBIT 2

CITY FIRST RESPONDER OBLIGATIONS

In performing Emergency Medical Services, City and AMR agree to the following:

A. DEFINITIONS:

“First Responder Personnel” shall mean any employee of Belton Fire Department who responds to EMS calls within the Service Area.

“Service Area” shall mean the area within the incorporated city limits of the City of Belton.

- B. City shall require its fire service first responder medical personnel (“First Responder Personnel”) to work collaboratively with AMR personnel. In the event First Responder Personnel arrive at an incident scene prior to AMR personnel, event First Responder Personnel shall assume temporary medical control of the scene until AMR’s arrival, at which point AMR shall assume medical control, unless on-scene event First Responder Personnel hold a higher licensure or certification than on-scene AMR Personnel. First Responder Personnel and AMR Personnel shall be visibly identified with the name of the service provider, the individual responder’s name, and the level of Medical Director Authorization.
- C. Upon arrival of an AMR unit to the incident scene, First Responder Personnel and AMR Personnel will coordinate the prompt transfer of patient care responsibility to AMR. The transfer of patient responsibility shall be done in a verbal and/or written manner from the First Responder Personnel to AMR Personnel. AMR Personnel shall not enter any vehicle extrication or hazardous scene until advised it is safe to do so by First Responder Incident Commander. AMR Personnel shall follow the instruction of the Incident Commander.
- D. Patients treated by First Responder Personnel will only be transported from the scene in an authorized EMS Ambulance operated by AMR (or in the event an AMR unit is unavailable, another authorized licensed provider), unless extenuating circumstances dictate alternate methods of transportation for the benefit of the patient’s medical care, and the designated officers for both First Responder and AMR approve the use of alternate transport method. The Incident Commander will determine the method of transportation if the First Responder and AMR disagree.
- E. AMR may request that First Responder Personnel accompany the patient and shall request that First Responder Personnel accompany the patient when AMR personnel are not authorized to provide the necessary level of medical care or in the judgment of the City or AMR paramedic that additional personnel are needed.

First Responder Personnel accompanying patients to the hospital will be responsible for arranging their own transportation from the hospital.

- F. City and AMR agree to utilize all medical protocols, standing orders/general orders, and medical equipment approved by the City of Belton Medical Director.
- G. AMR shall be entitled to include in its charges to patients and third-party payers, charges for services performed or supplies utilized by First Responder Personnel. In consideration of the foregoing, AMR shall, without charge, restock the disposable medical supplies and medications, agreed upon by the parties when utilized by City personnel in treating patients transported by AMR. AMR may replace disposable medical supplies used by First Responder Personnel on scene if those items are carried by AMR, or replace or reimburse the City at a later date if replacement for the disposable items are not carried in the AMR ALS Ambulance. Non-expendable items may be provided to First Responder when used, if available, e.g. backboards, splints, etc.
- H. First Responder and AMR Personnel shall be responsible for maintaining documentation and verbal patient confidentiality. The First Responder shall maintain documentation of all emergency calls and must be able to provide verification of call specific documentation to AMR upon request. Documentation will be maintained in accordance with industry standards.
- I. City shall assure and certify in writing to AMR prior to the effective date hereof, and on annual basis thereafter, in a format acceptable to AMR, that none of its First Responder Personnel are "Ineligible Persons." Ineligible Persons shall include any individual who: (1) is currently excluded, debarred, suspended, or otherwise ineligible to participate in the Federal health care programs or in Federal procurement or non-procurement programs; or (2) has been convicted of a criminal offense that falls within the ambit of 42 J.S.C. § 1320a-7(a), but has not yet been excluded, debarred, suspended, or otherwise declared ineligible. City shall ensure that all First Responder Personnel are not Ineligible Persons, by implementing the following screening requirements:
 - i. City shall screen such persons against the Exclusion Lists within thirty days of the effective date hereof and annually thereafter.
 - ii. As part of the hiring process for any new First Responder Personnel hired after the effective date hereof, City shall require such persons to disclose whether they are an Ineligible Person and shall screen them against the Exclusion Lists.
 - iii. City shall implement a policy requiring all first responder personnel to disclose immediately any debarment, exclusion, suspension, or other event that makes that person an Ineligible Person.

Exclusion Lists include: (i) the HHS/OIG List of Excluded Individuals/Entities (available through the Internet at <http://oig.hhs.gov>) and (ii) the General Services Administration's List of Parties Excluded from Federal Programs (available through the Internet at <http://epls.arnet.gov>).

- J. City shall cooperate with AMR in performing quality improvement activities in accordance with policies and procedures agreed upon by the parties.
- K. First Responder and AMR shall not be responsible for care rendered, training, accidents, injuries, exposures, or any liability involving each other's personnel, equipment, supplies or vehicles. First Responder and AMR assume any and all associated liability related to patient care rendered by their respective service.
- L. In the event a dispute arises at the scene of an incident between First Responder and AMR personnel, they shall each promptly notify their respective Department Heads or designee in an attempt to resolve the dispute.
- M. The terms and obligations of this "First Responder" Exhibit may be amended from time to time, in writing, acknowledged by both Parties.

EXHIBIT 3

INSURANCE

At all times during the term of this Agreement, each party shall maintain general, professional, and automobile liability insurance coverage in a minimum amount of one million dollars (\$1,000,000) per occurrence, and two million dollars (\$2,000,000) in the annual aggregate, providing coverage for the negligent acts or omissions of such party and its employees and agents. In the event such coverage is provided under a "claims made" policy, such coverage shall remain in effect (or the covered party shall procure equivalent "tail coverage") for a period of not less than three (3) years following termination of this Agreement. In addition, each party shall maintain automobile liability insurance coverage in a minimum amount of one million dollars (\$1,000,000) per occurrence, and two million dollars (\$2,000,000) in the aggregate. Each party shall provide a certificate of coverage to the other party and shall notify the other party of any changes or cancellations of the policy.

EXHIBIT 4

INCORPORATED PROVISIONS OF PROPOSAL

The following provisions included in AMR's Proposal dated August 20, 2020, are hereby incorporated into this Agreement as specifically set forth below:

- A. **Number and Type of Ambulances.** AMR agrees to deploy sufficient Type I or Type III ALS Ambulances within the City, to allow for dispatch of two Ambulances at any one time. AMR agrees to staff a minimum of two Ambulances, until call history dictates a mutually agreed upon equipment and staffing change.
1. AMR will "brand" Ambulances "Belton EMS." AMR agrees to utilize new or "newer" Ambulances in operations in the Service Area. No Ambulance utilized under this Agreement shall be older than eight years in age or have more than 300,000 miles for primary units and no more than nine years or 350,000 miles on back-up units.
 2. AMR agrees to maintain all recommended maintenance and repairs to minimize unexpected EMS unit in-service break downs.
- B. **Utilization of Bell County Communications CAD System.** AMR will utilize the Communications Center's Computer Aided Dispatch (CAD) software and will allow automatic vehicle location of each AMR Ambulance. AMR will maintain laptops or tablets in each Ambulance with software compatible of communications directly to the Communications Center and Belton Fire and Rescue. The Communications Center will dispatch AMR Ambulances to emergency incidents directly from the Communications Center/CAD system.
- C. **Radio Equipment.** AMR will install fully compatible radio systems that will allow for direct communications between AMR, the Communications Center and Belton Fire Department without any type of cross band repeaters or other frequency combining technology.
- D. **Response Time.** AMR will, at all times, maintain sufficient Ambulances and personnel to realize an average response time not to exceed seven and one-half (7.5) minutes subject to the terms of Exhibit 3 of this Agreement. Response times will be measured on primary units stationed in the City limits of Belton on all Life Threatening 911 emergencies.
- E. **Reports.** AMR will produce for review by the Fire Chief or his designee, monthly performance and exception reports to insure an acceptable level of care and adequate response times in accordance with Section 3.1 of this Agreement.

- F. **Medical Director.** AMR agrees to utilize the City's Medical Director and adopt all protocols and orders issued by City's Medical Director.
- G. **Ambulance Facilities.** AMR agrees to provide EMS personnel and Ambulances at two fire stations located in Belton. These locations will be selected and maintained with the goal of minimizing response times and not requiring EMS to remain "posted" in their EMS vehicles for extended periods of time.
- H. **Lease of Space.** AMR agrees to lease space at two (2) Belton Fire Stations at a cost of \$800 each per month for crew quarters for the duration of contract. If it is determined that these locations are not suitable for response times, the City and AMR will discuss other options.
- I. **Selection of Station Personnel.** AMR Employees deemed not an acceptable fit will be discussed before assignment is given. Belton Fire Department cannot withhold a qualified applicant without proper justification that coincides with City of Belton or AMR policies.
- J. **AMR Roles at Events.** AMR's role at scenes is that of Medical Response only and will not perform any firefighter suppression activities.
- K. **Stand-by and Special Events Coverage.** Upon request by dispatch, AMR shall furnish courtesy stand-by coverage at emergency incidents involving a potential danger to City's personnel or the general public. Other community service-oriented entities may request stand-by coverage from AMR. AMR is encouraged to provide such non-dedicated stand-by coverage to events when possible.
- L. **Community Education Requirements.** AMR shall participate in community education programs emphasizing preventative health care and in activities driven to improve awareness of the 911 system, including programs made available to schools and community groups. It is the expectation that AMR will actively plan such programs, working collaboratively with the City of Belton and other public safety groups.
- M. **Mutual Aid.** As set forth in Section 1.2 of the Agreement, AMR may enter into mutual aid agreements with other agencies which will utilize the other provider's units to occasionally respond to calls within the Service Area, provided that the level of service is substantially equal to that provided by AMR. Mutual aid may be utilized to augment, but not replace, the services that the City is requiring from AMR. In every case, AMR will be held accountable for the performance of any mutual aid provider used in the system.

N. Disaster Assistance and Response. In addition to the requirements set forth in Section 3.2 of the Agreement, AMR shall be actively involved in planning for and responding to a declared disaster in the area. In the event a disaster within the area is officially declared, normal operations shall be suspended, and AMR shall respond in accordance with the City's Disaster Plan. AMR shall use best efforts to maintain primary emergency services. During the period of declared disaster, the City will not impose performance requirements for response times. The direct marginal costs resulting from the performance of disaster services that are non-recoverable from third parties shall be submitted to the appropriate agencies for cost recovery. The City will provide all reasonable assistance to AMR in recovering these costs; however, the City shall not be responsible for payments to AMR.

Appendix A

| | |
|-----------------------------------|------------|
| 1111 – TREAT NO TRANSPORT | \$0.00 |
| 1151 – ALS EMERGENCY BASE RATE | \$1,150.00 |
| 1171 – ALS EMERGENCY MANDATED | \$1,150.00 |
| 1251 – BLS EMERGENCY BASE RATE | \$920.00 |
| 2151 – MILEAGE | \$20.50 |
| 2153 – NON-COVERED EXCESS MILEAGE | \$15.35 |

EMS Contract between City of Belton and AMR

Council Agenda Item

September 27, 2022

By Fire Chief Jon Fontenot



History and Background



Due to Fire Department staffing issues, City of Belton entered into a contract with AMR for EMS services in October 2019.



Current contract is a 2-year extension of the original and ends September 30, 2022.

Term of Proposed Contract

Start date:
10/01/2022

End date:
09/30/2024

Two, 2-year
renewal options

AMR's EMS Rates:

| | |
|-----------------------------------|------------|
| 1111 -TREAT NO TRANSPORT | \$0.00 |
| 1151 - ALS EMERGENCY BASE RATE | \$1,150.00 |
| 1171 -ALS EMERGENCY MANDATED | \$1,150.00 |
| 1251 - BLS EMERGENCY BASE RATE | \$920.00 |
| 2151 - MILEAGE | \$20.50 |
| 2153 - NON-COVERED EXCESS MILEAGE | \$15.35 |

AMR may increase rates yearly on anniversary date not to exceed the percentage increase in the Medical CPI during the most recent 12-month period for which published figures are available from the U.S Department of Labor.

Ambulances

- ▶ AMR will continue to house two ALS Ambulances and crews at Belton Fire Stations (one crew at each station).
 - ▶ AMR will lease the space for \$800 per month per station.



AMR Shall:

| | |
|----------|---|
| Be | Be the sole provider of EMS services within the incorporated city limits of Belton. |
| Maintain | Maintain mutual aid agreements to ensure service area is adequately covered. |
| Provide | Provide Advanced Life Support rated crews and ambulances. |
| Follow | Follow Belton FD's Medical Directives and Standards set by the City of Belton's Medical Director. |

AMR Shall (continued):

Meet

Meet an average 7.5-minute response time for Life Threatening 911 calls for service.

Participate in

Participate in disaster and mass casualty training and real-world efforts.

- Provide Mobile Command Center
- Provide Ambulance Ambus
- Provide additional Ambulances as needed

Provide

Provide its own Billing and Collection efforts.

AMR Shall (continued):

- Provide the City accurate documentation and records:
 - a. Response times by priority
 - b. Responses made outside of service area
 - c. Requests by AMR for mutual aid response in service area
 - d. Monthly response numbers and transport numbers
 - e. Turnout times by crew members
 - f. Protocol deviation report

City of Belton shall:

| | |
|-------------------|---|
| Provide | Provide Communication Services (Bell County Communication Center) |
| Provide | Provide Fire Department First Response for Priority 1 calls such as CPR, Stroke, Chest Pain and Priority 2 calls such as motor vehicle accidents without entrapment, difficulty breathing, and falls. |
| Monitor and Track | Monitor and Track performance standards |
| Supply | Supply AMR Crews with Sleeping, Eating, and Working areas within the fire stations. This includes a bay to park the ambulance inside. |

AMR FY 2020 & 2021 Performance:

| | |
|----------------------------------|---|
| 2020 Total In District Calls | 1741 |
| 2020 Total Out of District Calls | 279 |
| 2020 Response Time Goals | Less than or equal to 7.5 minutes 70% of the time |
| 2021 Total In District Calls | 1772 |
| 2021 Total Out of District Calls | 776 |
| 2021 Response Time Goals | Less than or equal to 7.5 minutes 75% of the time |

Staff Recommendation:

- ▶ Staff recommends City Council authorize the City Manager to execute the contract with AMR to provide EMS services. This recommendation is based on:
 - ▶ Cost factor for the City of Belton (Fire Department) to re-establish personnel and equipment to run EMS.
 - ▶ AMR's performance over the last 2 year has been satisfactory.
 - ▶ AMR's regional approach to ensure Belton has continuous coverage.
 - ▶ No Negative Financial impact to City Budget to continue contracted EMS services.
 - ▶ Fire and EMS crew interactions have been very positive.



Question or
Comments