

**WACO CITY COUNCIL MEETING AGENDA  
AUGUST 15, 2017  
3:00 P.M. AND 6:00 P.M.  
WACO CONVENTION CENTER BOSQUE THEATER  
100 WASHINGTON AVENUE, WACO, TX 76701**



# **CITY OF WACO**

Kyle Deaver - Mayor

Jim Holmes – Mayor Pro Tem, District V

Noah Jackson, Jr. – Council Member, District I

Alice Rodriguez – Council Member, District II

John Kinnaird – Council Member, District III

Dillon Meek – Council Member, District IV

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WE WOULD LIKE TO WELCOME EACH OF YOU TO THE MEETING TODAY.

Persons with disabilities who plan to attend this meeting and who may need auxiliary aides or services should contact Esmeralda Hudson, City Secretary, at (254) 750-5750 at least twenty-four (24) hours before this meeting so that appropriate arrangements can be made.

The Waco City Council may convene into an Executive Session at anytime during the course of the meeting to discuss appropriate items. Times indicated are estimated.

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

### **II. WORK SESSION**

1. **WS-2017-707** Report of the City Manager: a. Changes in the Council Agenda; b. Informal Report - Downtown Kiosks; c. Organizational Updates and Recognition of Employee(s); d. Recent and Upcoming Community Events; and e. Review of Business Session Agenda.
2. **WS-2017-708** Discussion of Planning Public Hearing Agenda Items.
3. **WS-2017-709** Discussion of wireless facilities, including network nodes and support poles, in City Rights-of-Way.
4. **WS-2017-710** Discussion regarding the Downtown Parking Study.
5. **WS-2017-711** Discussion of proposed Noise Ordinance changes.
6. **WS-2017-712** Council requests for scheduling of future agenda items.

### **III. EXECUTIVE SESSION - DECORDOVA ROOM**

Notice is hereby given that the City Council will go into Executive Session in accordance with the following provisions:

1. Real Property (Texas Open Meetings Act Sec. 551.072); and
2. Economic Development (Texas Open Meetings Act Sec. 551.087).

**The City Council may go into Executive Session on any item listed on the Agenda in accordance with Chapter 551 of the Government Code.**

### **IV. BUSINESS SESSION 6:00 P.M. BOSQUE THEATER**

### **V. PLEDGE OF ALLEGIANCE**

### **VI. MINUTES**

Minutes of Aug 01, 2017

## VII. PROCLAMATIONS/PRESENTATIONS/SPECIAL RECOGNITION

## VIII. PUBLIC HEARINGS

1. **PH-2017-713** Conduct a public hearing on the proposed tax rate of 0.776232 (per \$100 valuation) for the City of Waco Fiscal Year 2017-18, which is scheduled to be presented to the Waco City Council for approval on Tuesday, September 5, 2017, at 6:00 p.m., in the Bosque Theater in the Waco Convention Center located at 100 Washington Avenue, Waco, Texas.
2. **PH-2017-714** Conduct a public hearing and consider a resolution to adopt and approve the City of Waco Operating Budget and the Capital Improvements Program (CIP Plan) for Fiscal Year 2017-18: a) To approve a portion of Operating Budget to provide funding to the Cen-Tex Hispanic Chamber; b) To approve the remainder of the Operating Budget and Capital Improvement Program for Fiscal Year 2017-18, including Fee Schedules and the Glossary of Terms; c) To authorize the City Manager to expend budgeted funds for: employee salaries and benefits; temporary employment services; regulatory permit fees; utility services for City facilities and operations; approved refund contracts; bank fees, debt service, bond payments, investment fees, and collection fees; various services, upgrades, rental fees, lease and installment payments, and supplies for City computers, copiers and telephones; City cell phones and wireless devices based on DIR contracts; mowing services on privately-owned lots and City-owned lots; operation and management of the Waco Regional Tennis and Fitness Center by Allen Samuel Sports; legal services to be performed in connection with water permitting, watershed protection, and water supply matters; services provided by the McLennan County Appraisal District and McLennan County Tax Office; existing management service contracts with Cameron Park Zoological Society and McDonald Transit Associates, Inc.; housing certain persons convicted of Class C misdemeanors under an Interlocal Cooperation Agreement with McLennan County, Texas; authorized business grants; and professional auditing/financial consulting services; d) To authorize the City Manager to remit fees and taxes collected for the state to the state; and e) To ratify the "property tax increase" as required by Texas Local Government Code Section 102.007.
3. **PH-2017-715** Conduct a public hearing and consider an ordinance amending Chapter 23 "Right-of-Way Management" of the Code of Ordinances of the City of Waco to conform to new state legislation for wireless communication facilities, including network nodes and support poles, to adopt a design manual for the installation of network nodes and node support poles and to revise certain provisions concerning erosion and traffic control. EMERGENCY

4. **PH-2017-716** Conduct a public hearing and consider a resolution to disapprove until all platting requirements are met by the applicant the following subdivision plats, as recommended by the City Plan Commission: 1) Final Plat of the Loftin Addition, Lots 3 & 4, Block 1 – Replat; 2) Final Plat of the Baylor Addition, Lots 16 & 17, Block 12, - Replat; 3) Final Plat of the Meadowview Addition, Part 4, Lots 3 & 4, Block 6 - Replat; 4) Final Plat of the Country Club Estates Addition, Lot 6, Block G; 5) Preliminary Plat of the Swan Lake Addition, Lots 1-19, Block 1; 6) Final Plat of the Swan Lake Addition, Lots 1-19, Block 1; and 7) Final Plat of the Brentwood Addition Phase III.
5. **PH-2017-717** Conduct a public hearing and consider a resolution to grant a special permit to Central Alcoholic Foundation, Inc., for a Transitional Shelter II in an O-3 District on the property described as Lots 6 and 7, Block 92, Farwell Heights Addition, known as 1618 and 1624 Lyle Avenue. (Case Z-17-56 Central Alcoholic Foundation, Inc.)
6. **PH-2017-718** Conduct a public hearing and consider a resolution to grant a special permit to FiberLight, LLC, for Public Utilities - Telecommunications Hut in an R-1B District on the property described as 0.036 acres (1568 square feet) out of Lot 1, Block 1, Hollingsworth Addition, known as 1826 E. Loop 340. (Case Z-17-57 Precision Technical on behalf of FiberLight, LLC)
7. **PH-2017-719** Conduct a public hearing and consider a resolution to grant a special permit to Dana E. Fadal for a Short Term Rental Type II in an R-1B District on the property described as Lots 5 and 6, Block 57, Provident Addition, known as 2807 Lasker Ave./1815 N. 29th Street. (Case Z-17-55 Dana E. Fadal)
8. **PH-2017-720** Conduct a public hearing and consider a resolution to grant a special permit to German Schmear, LLC, for a Short Term Rental Type II in an R-1B District on the property described as Lot 9, Block 14, Lake Air Estates Addition, known as 5517 Lake Highlands Drive. (Case Z-17-54 German Schmear, LLC)
9. **PH-2017-721** Conduct a public hearing and consider an ordinance to abandon a sewer easement described as 0.041 acre of land and being all of that 15 ft. wide sewer easement across Lot 34, Block 5 of the Baker Heights Addition to the City of Waco, according to the plat of said addition recorded in Volume 1508, Page 853 of the Deed Records of McLennan County, Texas, located at 3301 N. 19th Street. (ABD-17-6 City of Waco) **FIRST READING**
10. **PH-2017-722** Conduct a public hearing and consider an ordinance to change the land use designation from Medium Density Residential Office Flex to Mixed Use Flex on property described as Lots 3, 4, 5, 6, B7, 7C, 10A, 11A, 12A, 13 and 14, Block 7, Baylor Addition, known as 1703, 1705, 1707, 1717 and 1719 S. 18th Street, 1706 and 1720 S. 19th Street, and 1808 James Avenue; and to rezone from R-2 to C-2 on property described as Lots 3, 4, 10A, 11A, 12A, 13 and 14, Block 7, Baylor Addition, known as 1717 and 1719 S. 18th Street and 1706 and 1720 S. 19th Street. (Case Z-17-58 CABTA, LLC, and City of Waco) **FIRST READING**
11. **PH-2017-723** Conduct a public hearing and consider an ordinance to rezone from C-2 to C-4 on property described as Lots B8 and C9, Block 31, Original Taylor & Beall Addition, known as 526 S. 2nd Street. (Case Z-17-60 Casie Cargill Feight) **FIRST READING**

12. **PH-2017-724** Conduct a public hearing and consider an ordinance to rezone from M-2 to C-4 on property described as Lots 1-6, 15 and B, Block 2, G. Barnard Addition, known as 927 Webster Ave./408 S. 10th Street. (Case Z-17-61 Diamante Development) FIRST READING
13. **PH-2017-725** Conduct a public hearing and consider an ordinance amending Section 28-1046 in Chapter 28 - Zoning of the Code of Ordinances of the City of Waco, Texas, related to signage on or above buildings. FIRST READING

## IX. CONSENT AGENDA

Consider Consent Agenda.

Agenda Numbers RES-726 through RES-746 require no formal public hearing and are subject to being approved in a single motion. However, any City Council Member or the City Manager may remove an item from the Consent Agenda to allow discussion and voting on the item individually.

## X. RESOLUTIONS

1. **RES-2017-726** Consider a resolution calling \$600,000.00 in principal of certain outstanding bonds for redemption and resolving other matters related thereto.
2. **RES-2017-727** Consider a resolution amending the Fiscal Year 2016-17 operating budget fee schedule for the General Fund.
3. **RES-2017-728** Consider a resolution authorizing a Program Project Agreement between the Waco McLennan County Economic Development Corporation (WMCEDC) and Empereon Marketing, LLC, for up to \$150,000.00 in incentive funds, with up to \$75,000.00 being provided by the City of Waco, in exchange for an estimated \$2,560,000.00 in personal property improvements and, by September 1, 2019, the creation and retention of a total of 750 full-time jobs with 83 of those jobs providing pay at a minimum base wage of no less than twelve dollars per hour and providing health insurance benefits comparable to that provided by the City of Waco or McLennan County to their own employees, at a facility located at 1205 North Loop 340, Lacy Lakeview, Texas and authorizing the City Manager to execute all the necessary documents in connection therewith.
4. **RES-2017-729** Consider a resolution approving two grant contracts from the Texas Department of State Health Services administered through the Brazos Valley Council of Governments for the HIV Case Management program: (1) State Services Grant, in an amount not to exceed \$97,892.00; and (2) State Services SUPPLEMENTAL Grant, in an amount not to exceed \$100,305.00, both for the period of September 1, 2017 through August 31, 2018, and authorizing the City Manager, or his designee, to execute any documents for the acceptance and administration of the grants (including any budget allotment adjustments) and to provide any required information related to the grants.
5. **RES-2017-730** Consider a resolution to authorize the City Manager to execute an agreement for the purchase of natural gas for use at the WMARSS Central Wastewater Treatment Plant at the best value for the City of Waco, Texas and to execute all documents necessary to complete this transaction.

6. **RES-2017-731** Consider a resolution approving the purchase of nine 2018 Chevrolet Tahoe Police Package Vehicles from Holiday Chevrolet, Whitesboro, TX, under a cooperative purchasing agreement with Tarrant County in an amount not to exceed \$378,099.00 and authorizing the City Manager to execute all documents necessary to complete this transaction.
7. **RES-2017-732** Consider a resolution authorizing the purchase of Cisco networking equipment from Netsync Network Solutions, Inc., through the cooperative State of Texas Department of Information Resources (DIR) Contract No. DIR-TSO-2542, in an amount not to exceed \$110,975.70, and authorizing the City Manager to execute all necessary documents to complete this transaction.
8. **RES-2017-733** Consider a resolution authorizing an amendment to an existing contract with Winbourne Consulting for the purpose of providing consulting services for the evaluation of body worn camera vendors and authorizing the expenditure of an additional amount not to exceed \$65,820.00 (bringing the contract total to \$127,092.21), and authorizing the City Manager to execute any documents in connection therewith.
9. **RES-2017-734** Consider a resolution authorizing the submission of grant application #3444401 to the Office of the Governor, Criminal Justice Division (CJD) in an amount not to exceed \$79,000.00 to assist with the purchase of bullet resistant body armor and authorizing the City Manager to submit said grant and execute any documents in connection therewith and/or furnish additional information/documentation, including an assurance that, in the event of loss or misuse of CJD funds, the City shall reimburse said funds to the CJD.
10. **RES-2017-735** Consider a resolution authorizing the submission of the fiscal year 2017 Edward Byrne Memorial Justice Assistance Grant application to the U.S. Department of Justice, Bureau of Justice Assistance, and authorizing the City Manager to accept said grant and execute any documents in connection therewith and/or furnish additional information or documentation as is deemed necessary for implementation of said program and related matters.
11. **RES-2017-736** Consider a resolution authorizing the purchase and installation of a replacement radio system microwave link from Alcatel-Lucent USA, Inc., under the Houston Galveston Area Council (HGAC) purchasing agreement contract number RA05-15 in an amount not to exceed \$80,858.59 and authorizing the City Manager to execute all documents necessary to complete this transaction.
12. **RES-2017-737** Consider a resolution authorizing an amendment to the professional engineering services agreement with Walker Partners, LLC, Waco, Texas, for Stormwater Master Plan - Phase 2B services to include additional services and to increase the contract amount by \$346,900.00, so that the total contract amount does not exceed \$899,255.00, and authorizing the City Manager to execute all documents necessary to complete this transaction.
13. **RES-2017-738** Consider a resolution ratifying the award of a contract to J T Williams Construction, LLC, for the emergency repair of a storm sewer at the intersection of University Parks Drive and Webster Ave., for a total cost of \$110,967.20 and authorizing the City Manager to execute all documents necessary to complete this transaction.

14. **RES-2017-739** Consider a resolution consenting to the assignment of a water refund contract for Sunwest Village Addition, Part 8, from Sun West Land, Ltd., to Alliance Sunwest, LLC, and authorizing the City Manager to execute all documents necessary to complete this transaction.
15. **RES-2017-740** Consider a resolution awarding a contract to JNB Construction, LLC, lowest responsible bidder, for the Wastewater System Improvements FY 16/17 – Phase XI, 19th and Marshall Sanitary Sewer project, in an amount not to exceed \$114,330.00 and establishing a 10% construction contingency in the amount of \$11,433.00, for a total authorization amount not to exceed \$125,763.00, and authorizing the City Manager to execute all documents necessary to complete this transaction.
16. **RES-2017-741** Consider a resolution ratifying a contract with Quality W. Contractors, LLC, d/b/a Quality Contractors, for the emergency installation of an 8-inch wastewater line and manhole serving the Car Mel Apartments complex at 36th Street and Waco Drive in the amount of \$108,573.00, and authorizing the City Manager to execute all documents necessary to complete this transaction.
17. **RES-2017-742** Consider a resolution awarding a contract to B-Corp Utilities, Inc, as lowest responsible bidder, for construction services for the Wastewater System Improvements - FY16/17, Phase 6 project, in an amount not to exceed \$1,400,000.00, and authorizing the City Manager to execute all documents necessary to complete this transaction.
18. **RES-2017-743** Consider a resolution rejecting all bids for the Martin Luther King, Jr. Boulevard Wastewater Interceptor Rehabilitation Project.
19. **RES-2017-744** Consider a resolution ratifying a contract to purchase with Debra D. and David R. Anderton for the City's purchase of 1.947 acres out of Lot 2, Block 6, Meadowview Addition, Part 4, City of Waco, McLennan County, Texas, and otherwise known as 4515 Bagby Avenue ("Property") for an amount not to exceed \$435,922.91 including closing fees, surveying, and other expenses associated with the purchase, authorizing the City Manager to purchase the Property at the end of the contingency period contained within the contract to purchase, and authorizing the City Manager to execute all documents necessary to complete this transaction.
20. **RES-2017-745** Consider a resolution authorizing the direct sale of the following tax foreclosed properties located in Waco, Texas, to the following persons in accordance with the City of Waco Policy: 1) 1208 N. 18th St. to Rolling Indigo Investments, LLC, for the amount of \$4,108.00; 2) 525 Hood St. to Elizabeth Wilkinson and Rodrigo Da Silva for the amount of \$1,424.00; 3) 517 Lee Ave. to Epharm Herring for the amount of \$1,424.00; 4) 2113 Live Oak Ave. to Lawrence Allen for the amount of \$2,772.00; 5) 2014 Maple Ave. to Ramiro Silva, Jr., for the amount of \$1,335.00; 6) 1002 Preston St. to Carol Watkins for the amount of \$1,656.00; 7) 1319 N. 11th St. to Crook & Redding, LLC, for the amount of \$2,236.00 and authorizing the City Manager to execute any documents necessary to complete these transactions.

21. **RES-2017-746** Consider a resolution renewing a contract for one year with Loomis Armored US. LLC, to provide armored car services for various City of Waco locations, authorizing expenditures in an amount not to exceed \$53,042.00, and authorizing the City Manager to execute any other documents necessary in connection therewith.

## **XI. ORDINANCES**

1. **ORD-2017-747** Consider an ordinance amending Article II “Generally” in Chapter 17 “Parks and Recreation” of the Code of Ordinances of the City of Waco to designate public parks; providing for an effective date; and finding and determining that the meeting at which this ordinance is passed is open to the public as required by law.  
FIRST READING
2. **ORD-2017-748** Consider an ordinance establishing administrative departments and divisions of the City of Waco, Texas. SECOND READING

## **XII. HEARING OF ANY VISITOR CONCERNING CITY BUSINESS**

## **XIII. COUNCIL REPORTS**

- Council Member Reports on Committees and Boards and Commissions  
Liaison Visits

## **XIV.**

**It is the opinion of the City Attorney’s Office that this agenda complies with the requirements of Chapter 551 of the Texas Government Code.**

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Jennifer Richie, City Attorney