

**WACO CITY COUNCIL MEETING AGENDA
DECEMBER 5, 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.

I. CALL TO ORDER

II. WORK SESSION

1. **WS-2017-1022** Report of the City Manager: a. Changes in the Council Agenda; b. Organizational Updates and Recognition of Employee(s); c. Recent and Upcoming Community Events; and d. Review of Business Session Agenda.
2. **WS-2017-1023** Discussion of Planning Public Hearing Agenda Items.
3. **WS-2017-1024** Discussion of Waco Regional Tennis and Fitness Center operations, proposed improvements and contract amendments.
4. **WS-2017-1025** Discussion of economic development incentives authorized under Chapter 380 of the Texas Local Government Code and proposed changes to the current policy.
5. **WS-2017-1026** Discussion of the 4th Quarter FY 2016-17 Financials.
6. **WS-2017-1027** 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);
2. Real Property (Texas Open Meetings Act Sec. 551.072): Potential, future landfill site(s);
3. Economic Development (Texas Open Meetings Act Sec. 551.087); and
4. Personnel (Texas Open Meetings Act Sec. 551.074): Nomination and appointment of individuals to the McLennan County Appraisal District Board of Directors.

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 Nov 21, 2017

VII. PROCLAMATIONS/PRESENTATIONS/SPECIAL RECOGNITION

VIII. PUBLIC HEARINGS

1. **PH-2017-1028** 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) Preliminary Plat of the Brazos Country Estates Addition, Lots 1-14, Block 1; and 2) Preliminary Plat of the Callan Village Addition.
2. **PH-2017-1029** Conduct a public hearing and consider a resolution to approve the final plan for a Planned Unit Development for property described as a 16.36 acre tract of land in the Tomas De La Vega Grant, Abstract No. 43, McLennan County, Texas, and being out of a called 94.82 acre tract described in a deed to Bear Pump Riverfront Properties, LLC, a Texas Limited Liability Company, recorded in MCC No. 2015008076 of the Official Public Records of McLennan County, Texas, and located at 1923 Marlin Highway and South Loop Drive. (Case Z-17-81 Grant Hotel Hospitality Institute)
3. **PH-2017-1030** Conduct a public hearing and consider a resolution to grant a special permit to Barbara Bridgewater for a Short Term Rental Type I in an R-1B District on the property described as Lots 13 & 14, Block 4, Cohen Addition, known as 1815 Morrow Avenue. (Case Z-17-82 Barbara Bridgewater)
4. **PH-2017-1031** Conduct a public hearing and consider a resolution to grant a special permit to Martin and Kelsey Purks for a Short Term Rental Type I in an R-1B District on the property described as Lots 15A & 16, Block 39, Dean Addition, known as 3201 Windsor Avenue. (Case Z-17-83 Martin & Kelsey Purks)
5. **PH-2017-1032** Conduct a public hearing and consider a resolution to grant a special permit to Tampco, LLC, for a Short Term Rental Type II in an R-1B District on the property described as Lots 10, 11 & 12B, Block 37, Dean Addition, known as 3215 Maple Avenue. (Case Z-17-84 Tampco, LLC)
6. **PH-2017-1033** Conduct a public hearing and consider a resolution to grant a special permit to Claudia and Matthew Bachofen for a Short Term Rental Type II in an R-1A District on the property described as Lot 4, Block 1, Braywood Place Addition, known as 3405 MacArthur Drive. (Case Z-17-85 Claudia & Matthew Bachofen)

7. **PH-2017-1034** Conduct a public hearing and consider a resolution to grant a special permit to Michele Grinnan for a Short Term Rental Type II in an R-1A District on the property described as Lots 4 & 5, Block C, Cameron Park Addition, known as 3109 Carroll Drive. (Case Z-17-86 Michele Grinnan)
8. **PH-2017-1035** Conduct a public hearing and consider a resolution to grant a special permit to Heart of Texas Properties, Inc., for a Short Term Rental Type II in an R-1B District on the property described as Lot 3, Block H, Hillcrest Addition, known as 3126 Lyle Avenue. (Case Z-17-87 Heart of Texas Properties, Inc.)
9. **PH-2017-1036** Conduct a public hearing and consider an ordinance creating a Planned Unit Development (PUD), approving the concept plan for the PUD and changing the zoning classification from R-1B to a Planned Unit Development on certain property described as a 151.173 acre tract of land in the L. Marble Survey, Abstract 580, in the City of Waco, McLennan County, Texas, and being all that called 151.091 acre tract of land described in a deed to TCI 151 Acres, Inc., recorded in McLennan County Clerk's Document 2007015286 of the Official Public Records of McLennan County, Texas, 5.953 acres in the L. Marble Survey, described in a deed to LG Callan, LLC, recorded in McLennan County Clerk's Document 2015026944 of the Official Public Records of McLennan County, Texas, and a 21.544 acre tract of land located in the L. Marble Survey, Abstract 580, Waco, McLennan County, Texas, and being all of the remainder of a called 21.58 acre tract described as Tract B in a deed to TCI 319 Acres, Inc., recorded under McLennan County Clerk's Document 2006029640 of the Official Public Records of McLennan County, Texas, and located on Panther Way between Ritchie Road and Farmiller Road. (Case Z-17-80 LG Callan, LLC) FIRST READING

IX. CONSENT AGENDA

Consider Consent Agenda.

Agenda Numbers RES-1037 through RES-1055 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-2017-1037** Consider a resolution amending the Fiscal Year 2016-17 operating budget for the General Fund, Health Fund, Debt Service Fund, Street Reconstruction Fund, Water Fund, Solid Waste Fund, Ranger Hall of Fame Fund, Rural Transit Fund, Engineering Fund and Health Insurance Fund.
2. **RES-2017-1038** Consider a resolution amending the Capital Improvements Programs for the City of Waco Fiscal Years 2016-17, 2015-16, 2013-14, and 2006-07.

3. **RES-2017-1039** Consider a resolution authorizing an additional expenditure of an amount not to exceed \$53,000.00 so that the total contract price does not exceed \$193,000.00 for legal services by the law firms of Fulbright Winniford, P.C., and Lloyd Gosselink Rochelle & Townsend, P.C., in connection with the lawsuit, Citizens to Save Lake Waco v. City of Waco, Cause No. 2017-290-5, pending in the 414th Judicial District Court, and City of Waco v. Citizens to Save Lake Waco, Cause No. 10-17-00202-CV, pending in the Court of Appeals for the Tenth District of Texas, and authorizing the City Manager to execute any documents in connection therewith.
4. **RES-2017-1040** Consider a resolution ratifying an expenditure of \$48,143.20 and authorizing an additional expenditure of an amount not to exceed \$176,000.00 so that the total contract price does not exceed \$424,143.20 for legal services by the law firm of Lloyd Gosselink Rochelle & Townsend, P.C., in connection with the permitting of a new landfill and authorizing the City Manager to execute any documents in connection therewith.
5. **RES-2017-1041** Consider a resolution casting the City of Waco's 861 votes for directors of the Board of Directors of the McLennan County Appraisal District for the 2018-2019 term.
6. **RES-2017-1042** Consider a resolution accepting the Continuum of Care planning grant passed through the Heart of Texas Homeless Coalition from the U.S. Department of Housing and Urban Development in an amount not to exceed \$44,000.00 (which will require a City match of 25% or \$11,000.00, resulting in a total grant commitment of \$55,000.00) and authorizing the City Manager to execute all necessary documents for acceptance and administration of the grant, including any budget allotment adjustments and increases to the grant.
7. **RES-2017-1043** Consider a resolution accepting a grant from the Texas Department of State Health Services for the Tuberculosis Prevention Program of the Waco-McLennan County Public Health District for the period of January 1, 2018, to December 31, 2018, in an amount not to exceed \$39,678.00 (consisting of \$33,065.00 from the State and a required City match of \$6,613.00), and authorizing the City Manager, or his designee, to execute any document in connection therewith and/or furnish additional information/documentation as is deemed necessary for implementation of said program and related matters.
8. **RES-2017-1044** Consider a resolution approving the submission of an application to the National Association of City and County Health Officials (NACCHO) for the 2018 Medical Reserve Corps Challenge Awards for the Waco-McLennan County Public Health District's Medical Reserve Corps, in the amount of \$7,500.00, and authorizing the City Manager, or his designee, to accept said grant in an amount not to exceed \$7,500.00 and to execute any document in connection therewith and/or furnish additional information/documentation as is deemed necessary for implementation of said project and related matters.

9. **RES-2017-1045** Consider a resolution approving the purchase of: (a) one greens mower with related equipment for \$21,825.00; and (b) one rotary mower with related equipment for \$30,362.75 from C&M Golf and Grounds Equipment, under an existing purchasing agreement with BuyBoard, in a total amount not to exceed \$52,187.75 and authorizing the City Manager to execute all documents necessary to complete this transaction.
10. **RES-2017-1046** Consider a resolution approving a contract with Animal Birth Control Clinic to provide low cost spay and neuter services for a total amount not to exceed \$166,000.00 in Fiscal Year 2017-18, and authorizing the City Manager to execute this agreement and any documents necessary to complete this transaction.
11. **RES-2017-1047** Consider a resolution authorizing an Interlocal Agreement with McLennan County for the use of the Waco Animal Shelter and animal care services to assist with animal services in unincorporated areas of McLennan County and authorizing the City Manager to execute any documents in connection therewith.
12. **RES-2017-1048** Consider a resolution authorizing the City Manager to negotiate and execute Interlocal Agreements with Woodway, Bellmead, Beverly Hills, Crawford, Hewitt, Lacy Lakeview, Marlin, McGregor, Moody, Riesel, Robinson and West for animal shelter services at the Waco Animal Shelter that includes an automatic renewal clause with a thirty-day option to terminate by either party and authorizing the City Manager to execute any documents necessary to complete this transaction.
13. **RES-2017-1049** Consider a resolution authorizing the purchase of 15 Police SWAT ballistic raid vests from G.T. Distributors, Inc., under an existing purchasing cooperative agreement with BuyBoard, in an amount not to exceed \$42,885.00, and authorizing the City Manager to execute all documents necessary to complete this transaction.
14. **RES-2017-1050** Consider a resolution authorizing the purchase of 30 patrol car camera video systems, upgrades to system servers, software, and storage drives, as well as a maintenance agreement, with WatchGuard in an amount not to exceed \$276,425.00, and authorizing the City Manager to execute all documents necessary to complete this transaction.
15. **RES-2017-1051** Consider a resolution approving an Interlocal Agreement with the Texas Department of Public Safety for a Cooperative Purchasing Program for supplies to be used in gunshot residue testing, breath testing, laboratory drug testing and alcohol testing and authorizing the City Manager to execute any documents in connection herewith.
16. **RES-2017-1052** Consider a resolution awarding a contract to Barsh Company, lowest responsible bidder, for the Sidewalk Improvement Plan 2017 project, in an amount not to exceed \$349,434.87 and establishing a 15% construction contingency in the amount of \$52,415.23, for a total authorization amount not to exceed \$401,850.10, and authorizing the City Manager to execute all documents necessary to complete this transaction.

17. **RES-2017-1053** Consider a resolution ratifying Amendment No. 4 to the contract for professional environmental services with SCS Engineers for environmental due diligence for remediation services, as required, for the Riverfront Property in an amount not to exceed \$504,100.00, so that the total amount does not exceed \$1,288,950.00, and authorizing the City Manager to execute all documents necessary to complete this transaction.
18. **RES-2017-1054** Consider a resolution authorizing a contract with McCreary & Associates, Inc., for engineering services for the Old McGregor Road Pump Station Improvements Project, in an amount not to exceed \$88,555.00, and authorizing the City Manager to execute all documents necessary to complete this transaction.
19. **RES-2017-1055** Consider a resolution approving appointments to various boards and commissions subject to each appointee meeting qualifications.

XI. ORDINANCES

1. **ORD-2017-1056** Consider an ordinance to abandon a portion of E. Webster Avenue described as 0.687 acres in the Tomas De La Vega Grant, Abstract 43, lying east of Forrest Street and North of Blocks 4 and 5 in Division C, according to the plat of the subdivision of Fraction F and a part of Fraction E of the Tomas De La Vega 11 League Grant recorded in Volume 111, Page 113, of the Deed Records of McLennan County, Texas. (ABD-17-9 H & B Packing Company, Inc.) **SECOND READING**
2. **ORD-2017-1057** Consider an ordinance to rezone from O-3 to R-2 on property described as Lot 18, Block 10, Prather's Anita Park Addition, known as 1401 Speight Avenue. (Case Z-17-68 Merck Land Holdings, LLC) **SECOND READING**
3. **ORD-2017-1058** Consider an ordinance amending the Project and Financing Plan for Reinvestment Zone Number One for Tax Increment Financing (TIF Zone One) to provide up to \$153,910.00 to Magnolia Silos, LLC, to install public improvements associated with development of a parking lot at 400 S. 8th St.; to provide up to \$1,019,400.00 to Stratton Square, LLC, for the restoration and renovation of the historic Stratton Building at 800 Austin Ave.; and to provide up to \$261,112.00 to The Waco Hippodrome, Inc., for the Hippodrome Theatre renovation and expansion project at 724 Austin Ave., with all projects being within TIF Zone One, in Waco, Texas; and authorizing the City Manager to execute any documents in connection therewith. **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.

Jennifer Richie, City Attorney