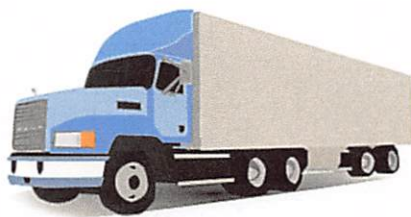


Harker *The Bright Star Of Central Texas* Heights

August 24, 2021

5:00 P.M.

CITY COUNCIL MEETING AGENDA





**NOTICE OF MEETING OF THE CITY COUNCIL OF
THE CITY OF HARKER HEIGHTS, TEXAS**

The City Of Harker Heights
305 Miller's Crossing
Harker Heights, Texas 76548
Phone 254/953-5600
Fax 254/953-5614

Notice is hereby given that, beginning at 5:00 p.m. on Tuesday, August 24, 2021, and continuing from day to day thereafter if necessary, the City Council of the City of Harker Heights, Texas, will hold a meeting in the Kitty Young Council Chamber at 305 Miller's Crossing, Harker Heights, Texas 76548. The subjects to be discussed are listed in the following agenda:

MEETING AGENDA

Mayor
Spencer H. Smith

Mayor Protem
Jennifer McCann

City Council
Michael Blomquist
Jackeline Soriano Fountain
Lynda Nash
Sam Halabi

I. Invocation:

II. Pledge of Allegiance:

I Pledge Allegiance to the Flag of the United States of America and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

Honor the Texas Flag. I pledge allegiance to thee Texas; one State under God, one and indivisible.

III. Roll Call:

IV. Mayoral Proclamations and Presentations:

V. Consent Items:

1. Discuss and consider approving the minutes of the meeting held on August 10, 2021, and take the appropriate action.

VI. Presentations by Citizens:

1. Citizens who desire to address the Council on any matter may do so during this item. 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. Please state your name and address for the record and limit your comments to three minutes.

VII. Public Hearing:

1. Conduct a Public Hearing to discuss and consider approving an Amendment to §72.21 Heavy Vehicle Parking Regulations and §155.061 Off-Street Parking And Loading Requirements of the Harker Heights Code of Ordinances To add exceptions to clarify the intent of the Ordinance; providing an affirmative defense; and providing for an effective date of the Amendments, and take the appropriate action. (Planning and Development Director)

VIII. Old Business:

IX. New Business:

1. Discuss and consider a Preliminary Ad Valorem Tax Rate, take a Record Vote on the Preliminary Ad Valorem Tax Rate, schedule the Public Hearing, and take the appropriate action. (Finance Director)
2. Discuss and consider approving an Ordinance of the City of Harker Heights, Texas, amending Section 90.01 – Definitions to the Code of Ordinances to add definition of “Community Cat”, “Community Cat Caregiver”, “Ear Tip”, “Shelter-Neuter-Return”, and “Trap-Neuter-Return”; Adding Section 90.34: Permitted Acts; Amending Section 90.36 and 90.60 to authorize a Community Cat Program; providing regulations regarding Trap-Neuter-Return and Shelter-Neuter-Return Program for Community Cats, and take the appropriate action. (I. T. Director)
3. Discuss and consider approving a Resolution of the City Council of the City of Harker Heights, Texas, awarding a contract for the New (Second) Belt Filter Press Project in the amount of \$898,500.00 to Archer Western Construction, LLC, and take the appropriate action. (Public Works Director)
4. Discuss and consider approving a Resolution of the City Council of the City of Harker Heights, Texas, awarding a contract for the 2021 Street Improvement Projects in the amount of \$2,732,271.06 to Lonestar Grading & Materials, LLC, and take the appropriate action. (Public Works Director)
5. Discuss and consider approving a Resolution of the City Council of the City of Harker Heights, Texas, establishing policies and procedures for Ceremonial Documents, and take the appropriate action. (Assistant City Manager)
6. Discuss and consider approving an Ordinance of the City Council of the City of Harker Heights, Texas, amending Section 30.11, Order of Business, of the Code of Ordinances of the City of Harker Heights, and take the appropriate action. (City Manager)

X. Reports of Advisory Boards & Commissions:

1. Receive and discuss a presentation by Jack Palmer, Public Safety Commission Chair, regarding an Annual Update on the Public Safety Commission Activities in Fiscal Year 2020-2021. (Police Chief)

XI. Staff Reports:

1. Receive and discuss the City Manager's Report. (City Manager)

XII. Items from Council:

1. Council member closing statements.

XIII. Announcements:

1. Updates and comments from the Mayor.

XIV. Recess into Executive Session:

1. Announce a closed meeting for the following purpose:
 - A) Pursuant to §551.074 of the Texas Government Code to discuss and deliberate the appointment of the Municipal Judge.

XV. Reconvene into Open Session:

1. Take action, if any, on matters discussed in Executive Session.

XVI. Adjournment:

I hereby certify that the above notice of meeting was posted on the bulletin board of City Hall, City of Harker Heights, Texas, a place readily accessible to the general public at all times, on the 20th day of August 2021, by 4:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.



Ursula Paddie
Assistant City Secretary

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at 254-953-5600, or FAX 254-953-5614, or email jhelsham@harkerheights.gov for further information.

Pursuant to Chapter 551 of the Government Code the City Council reserves the right to go into Closed Meeting on any item listed above if deemed necessary.

Note: On occasion the City Council may consider agenda items out of order.

The public may listen to live-stream audio of this meeting by dialing-in using your phone or join the meeting from your computer, tablet, or smartphone. Use the following information to connect to the meeting:

Please join my meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/780067949>

You can also dial in using your phone.

United States (Toll Free): [1 877 309 2073](tel:18773092073)

United States: [+1 \(646\) 749-3129](tel:+16467493129)

Access Code: 780-067-949

Minutes of the City of Harker Heights Council Meeting held at 5:00 p.m. on Tuesday, August 10, 2021, in the Kitty Young Council Chamber at the Harker Heights City Hall at 305 Miller's Crossing, Harker Heights, Texas 76548:

Roll Call:	Spencer H. Smith	Mayor
	Jennifer McCann	Mayor Pro-tem
	Michael Blomquist	Councilmember Place 2
	Jackeline Soriano Fountain	Councilmember Place 3
	Lynda Nash	Councilmember Place 4
	Sam Halabi	Councilmember Place 5
	David Mitchell	City Manager
	Julie Helsham	City Secretary

Mayoral Proclamations and Presentations:

1. Mayor Smith presented a proclamation to Darrien Nicholas declaring him a "Bright Star of Central Texas".

Consent Items:

1. Council discussed and considered approving the minutes of the meeting held on July 27, 2021.

Blomquist made the motion to approve the minutes of the meeting held on July 27, 2021. Seconded by McCann. All in favor. Motion approved 5-0.

Mayor Smith moved to Item IX. New Business, Number 4.

New Business:

4. Council discussed and considered approving a Resolution of the City Council of the City of Harker Heights, Texas, authorizing the creation of the Central Texas Regional 9-1-1 Emergency Communications District. David Mitchell, City Manager, and Jim Reed, Central Texas Council of Governments Executive Director, made the presentation.

Fountain made the motion to approve a Resolution of the City Council of the City of Harker Heights, Texas, authorizing the creation of the Central Texas Regional 9-1-1 Emergency Communications District. Seconded by Halabi. All in favor. Motion approved 5-0.

Mayor Smith moved back to Item VII. Public Hearings.

Public Hearing:

1. Council conducted a public hearing to discuss and consider approving an Ordinance of the City of Harker Heights, Texas, to change zoning designation from R-1 (One Family Dwelling District) to R-2 (Two Family Dwelling District) on property described as Meadow Acres 1st Extension, Lot Eighteen (18), Block Eight (8), generally located at 209 W. Robin Lane, Harker Heights, Bell County, Texas. Kristina Ramirez, Planning and Development Director, made the presentation. Raymond Hamden, representative, was present to represent the request.

McCann made the motion to approve an ordinance to change zoning designation from R-1 (One Family Dwelling District) to R-2 (Two Family Dwelling District) on property described as Meadow Acres 1st Extension, Lot Eighteen (18), Block Eight (8), generally located at 209 W. Robin Lane, Harker Heights, Bell County, Texas, based on staff's recommendation and findings. Seconded by Fountain. All in favor. Motion approved 5-0.

2. Council did not conduct the public hearing to discuss and consider approving an Ordinance of the City of Harker Heights, Texas, to change zoning designation from R-1 (One Family Dwelling District), R1-M (One Family Manufactured Home Dwelling District) and B-4 (Secondary and Highway Business District) to PD (Planned Development) with R-2 (Two Family Dwelling District) on property described as all land located within Mobile Manor Estates Section One (1), generally located near the intersection of Indian Oaks and S. Amy Lane, Harker Heights, Bell County, Texas.

The applicant withdrew the request on August 10, 2021, prior to the Council Meeting. No action taken.

3. Council conducted a public hearing to discuss and consider approving an Ordinance of the City of Harker Heights, Texas, to change zoning designation from R-1 (One Family Dwelling District) to R-2 (Two Family Dwelling District) on property described as Comanche Land 1st Unit, Lot Eight (8), Block Six (6), generally located at 1515 Indian Trail Drive, Harker Heights, Bell County, Texas. Kristina Ramirez, Planning and Development Director, made the presentation. Jerome Gomer, representative, was present to represent the request.

McCann made the motion to approve an ordinance to change zoning designation from R-1 (One Family Dwelling District) to R-2 (Two Family Dwelling District) on property described as Comanche Land 1st Unit, Lot Eight (8), Block Six (6), generally located at 1515 Indian Trail Dr., Harker Heights, Bell County, Texas. Seconded by Halabi. All in favor. Motion approved 5-0.

4. Council conducted a public hearing to discuss and consider approving an Ordinance of the City of Harker Heights, Texas, to change zoning designation from R-1 (One Family Dwelling District) to R-2 (Two Family Dwelling District) on property described as Comanche Land 1st Unit, Lots Eighteen (18), Nineteen (19), and Twenty (20), Block Seven (7), generally located at 1403 Natchez Trail and 1405 Natchez Trail, Harker Heights, Bell County, Texas. Kristina Ramirez, Planning and Development Director, made the presentation. Jerome Gomer, representative, was present to represent the request.

Blomquist made the motion to approve an ordinance to change zoning designation from R-1 (One Family Dwelling District) to R-2 (Two Family Dwelling District) on property described as Comanche Land 1st Unit, Lots Eighteen (18), Nineteen (19), and Twenty (20), Block Seven (7), generally located at 1403 Natchez Trail and 1405 Natchez Trail, Harker Heights, Bell County, Texas, based on staff's recommendation and findings. Seconded by Nash. All in favor. Motion approved 5-0.

5. Council conducted a public hearing to discuss and consider approving an Ordinance of the City of Harker Heights, Texas, to amend Ordinance 2018-29, granting a Conditional Use Permit (CUP) to allow for a 1,850 square foot accessory dwelling unit to be occupied by a relative, on property described as Leisure Addition, Block One (1), Lot One (1), Acres 1.432, generally located at 1801 Ponca Trace, Harker Heights, Bell County, Texas. Kristina Ramirez, Planning and Development Director, made the presentation. Ace Reneau, Mitchell & Associates, Inc., representative, was present to represent the request.

Blomquist made the motion to approve an amendment to Ordinance 2018-29, granting a Conditional Use Permit (CUP) to allow for a 3,737 square foot accessory dwelling unit to be occupied by a relative, on property described as Leisure Addition, Block One (1), Lot One (1), Acres 1.432, generally located at 1801 Ponca Trace, Harker Heights, Bell County, Texas, based on staff's recommendation and findings and subject to the following conditions:

1. The accessory dwelling unit shall have a maximum gross foundation footprint of 3,737 square feet: and
2. One Accessory Dwelling Unit driveway connection to the section of Ponca Trace constructed in Sapiyah Plains Phase 3 shall be allowed: and
3. No interior cross fencing of the lot shall be allowed to extend from the eastern property line to the western property line or be placed such that there is an appearance of two independent lots.

Seconded by McCann. All in favor. Motion approved 5-0.

6. Council conducted a public hearing to discuss and consider approving an Ordinance of the City of Harker Heights, Texas, to allow Harker Heights Ceramic Coatings, LLC to conduct a car detailing business as a Home Occupation on Stonewall Ridge Phase II, Lot Four (4), Block Three (3), generally located at 1206 Stonewall Ridge, Harker Heights, Bell County, Texas. Kristina Ramirez, Planning and Development Director, made the presentation. Matthew Jones, applicant, was present to represent the request.

Fountain made the motion to approve an ordinance to allow Harker Heights Ceramic Coatings, LLC to conduct a car detailing business as described in the June 18, 2021, application as a Home Occupation on Stonewall Ridge Phase II, Lot Four (4), Block Three (3), generally located at 1206 Stonewall Ridge, Harker Heights, Bell County, Texas, based on staff's recommendation and findings. Seconded by Nash. All in favor. Motion approved 5-0.

At 6:32 p.m. Mayor Smith called for a ten (10) minute break.

Mayor Smith reconvened the meeting at 6:42 p.m.

New Business:

1. Council discussed and considered approving a request for a Minor Plat with conditions,¹ for the subdivision referred to as Krohn Valley Addition, on property described as a 0.322 acre tract of land in Bell County, Texas, being part of the Peter Williamson Survey, Abstract No. 1099, the land herein described being all of a called 0.322 acre tract of land conveyed to Angel K. Krohn, being of record in Volume 5172, Page 415, Official Public Records of Real Property, Bell County, Texas (O.P.R.R.P.B.C.T.), generally located at 3910 Hilltop Drive, Harker Heights, Bell County, Texas. Kristina Ramirez, Planning and Development Director, made the presentation. Ace Reneau, Mitchell & Associates, Inc., representative, was present to represent the request.

Fountain made the motion to approve with conditions a request for Minor Plat for the subdivision referred to as Krohn Valley Addition, on property described as a 0.322 acre tract of land in Bell County, Texas, being part of the Peter Williamson Survey, Abstract No. 1099, the land herein described being all of a called 0.322 acre tract of land conveyed to Angel K. Krohn, being of record in Volume 5172, Page 415, Official Public Records of Real Property, Bell County, Texas (O.P.R.R.P.B.C.T.), generally located at 3910 Hilltop Drive, Harker Heights, Bell County, Texas, subject to the following condition: all outstanding comments from Bell County Public Health shall be resolved prior to issuance of any building permits or replacement of a manufactured home on this parcel. Seconded by McCann. All in favor. Motion approved 5-0.

2. Council discussed and considered approving a Resolution of the City Council of the City of Harker Heights, Texas, approving a negotiated settlement between the Atmos Cities Steering Committee ("ACSC") and Atmos Energy Corp., Mid-Tex Division regarding the Company's 2021 Rate Review Mechanism filing; declaring existing rates to be unreasonable; adopting tariffs that reflect rate adjustments consistent with the negotiated settlement; finding the rates to be set by the attached settlement tariffs to be just and reasonable and in the public interest; approving an attached exhibit establishing a benchmark for pensions and retiree medical benefits; approving an attached exhibit regarding amortization of regulatory liability; requiring the Company to reimburse the ACSC's reasonable ratemaking expenses; determining that this resolution was passed in accordance with the requirements of the Texas Open Meetings Act; adopting a savings clause; declaring an effective date; and requiring delivery of this resolution to the Company and the ACSCs legal counsel. Ayesha Lealliee, Finance Director, made the presentation.

Nash made the motion to approve a Resolution of the City Council of the City of Harker Heights, Texas, approving a negotiated settlement between the Atmos Cities Steering Committee ("ACSC") and Atmos Energy Corp., Mid-Tex Division regarding the Company's 2021 Rate Review Mechanism filing; declaring existing rates to be unreasonable; adopting tariffs that reflect rate adjustments consistent with the negotiated settlement; finding the rates to be set by the attached settlement tariffs to be just and reasonable and in the public interest; approving an attached exhibit establishing a benchmark for pensions and retiree medical benefits; approving an attached exhibit regarding amortization of regulatory liability; requiring the Company to reimburse the ACSC's reasonable ratemaking expenses; determining that this resolution was passed in accordance with the requirements of the Texas Open Meetings Act; adopting a savings clause; declaring an effective date; and requiring delivery of this resolution to the Company and the ACSCs legal counsel. Seconded by Halabi. All in favor. Motion approved 5-0.

3. Council discuss and considered approving a Resolution of the City Council of the City of Harker Heights, Texas, authorizing the City Manager to negotiate a contract with Pattillo, Brown & Hill, LLP to audit the City of Harker Heights for Fiscal Year 2020-2021 with the option to audit for four subsequent years. Ayesha Lealiiee, Finance Director, made the presentation.

McCann made the motion to approve a Resolution authorizing the City Manager to negotiate a contract with Pattillo, Brown & Hill, LLP to audit the City of Harker Heights for Fiscal Year 2020-2021 with the option to audit for four subsequent years. Seconded by Blomquist. All in favor. Motion approved 5-0.

Staff Reports:

1. Council received and discussed the City Manager's Report. David Mitchell, City Manager, made the presentation. No action taken.

Items from Council:

1. Council member closing statements.

Councilmember Blomquist stated that he attended the following events:

- July 27th – Meet with numerous citizens to discuss zoning, permitting and street repairs.
- July 31st – Harker Heights Farmer's Market.
- August 2nd – Met with City Manager David Mitchell to discuss Economic Development opportunities for the City of Harker Heights.
- August 5th – Met with Fire Chief Paul Sims to discuss a Fire Wise Community for the City of Harker Heights.
- August 7th – Harker Heights Farmer's Market.
- August 10th – Harker Heights Chamber of Commerce Coffee Connection Meeting with Edward Jones and Central Texas Athletic Club.

Councilmember Fountain stated that she attended the following events:

- July 28th – AUSA Meeting
- July 31st – Kern Park Splash Bash

Mayor Pro-tem McCann stated that she attended the following event:

July 28th – Stewart C. Meyer Harker Heights Public Library "The Creature Teacher" event.

Announcements:

1. Updates and comments from the Mayor.

Mayor Smith stated that he attended the following events:

- July 28th – Harker Heights Street Dedication Ceremony in recognition of Freddie Nichols, Sr.
- July 30th – III Corps and Fort Hood Phantom Honors Ceremony for Fort Hood Retirees.
- July 31st – Harker Heights Farmer's Market.
- August 3rd – Harker Heights City Council and City Staff Wastewater Treatment Plant Tour.
- August 5th – Harker Heights City Hall participation in Harker Heights Chamber of Commerce Vision XXI Local Government Day.
- August 7th – Harker Heights Farmer's Market.
- August 10th – III Corps Commanding General and Mayors Engagement Luncheon at Fort Hood.

Adjournment:

There being no further business the City of Harker Heights City Council Meeting was adjourned at 7:15 p.m.

CITY OF HARKER HEIGHTS, TEXAS:

Spencer H. Smith, Mayor

ATTEST:

Julie Helsham, City Secretary



COUNCIL MEMORANDUM

AGENDA ITEM #VII-1

FROM: THE OFFICE OF THE CITY MANAGER

DATE: AUGUST 24, 2021

CONDUCT A PUBLIC HEARING TO DISCUSS AND CONSIDER APPROVING AN AMENDMENT TO §72.21 HEAVY VEHICLE PARKING REGULATIONS AND §155.061 OFF-STREET PARKING AND LOADING REQUIREMENTS OF THE HARKER HEIGHTS CODE OF ORDINANCES TO ADD EXCEPTIONS TO CLARIFY THE INTENT OF THE ORDINANCE; PROVIDING AN AFFIRMATIVE DEFENSE; AND PROVIDING FOR AN EFFECTIVE DATE OF THE AMENDMENTS, AND TAKE THE APPROPRIATE ACTION.

EXPLANATION:

On September 8, 2020, the Heavy Vehicle and Parking on the Grass ordinances were adopted by City Council with an effective date of October 1, 2021. There were several public forums and public hearings regarding the ordinances prior to adoption by City Council.

Since the ordinances were adopted by City Council, staff has focused efforts on educational outreach, such as inserts for water bills and new water services, posting on social media, and posting door hangers at observed residences who would not be in compliance with the requirements of this ordinance on the effective date.

ANALYSIS

During the public education period of implementation of these ordinances, it was brought to light that some intent discussed and clarified during the public forums and by City Council were not clearly included in the adopted ordinance. In order to provide clear direction for our residents and staff, the proposed amendments are suggested.

§72.21(A)

...

(3) Heavy vehicles that are a $\frac{3}{4}$ ton or 1-ton truck.

...

§155.061

...

(T) The prohibition found in division (A) (2) above does not apply to:

Residential properties that are over 1 acre in size and whose existing parking space is not visible from public right of way are not required to have an all-weather surface driveway connecting the existing parking space to a public street or alley, provided that

they have an all-weather surface driveway approach from the public street or alley to the property line and that their existing parking space meet the other requirements set forth in this Chapter.

...

STAFF RECOMMENDATION:

Staff recommends approval of an ordinance of the City of Harker Heights, Texas amending Sections §72.21 Heavy Vehicle Parking Regulations and §155.061 Off-Street Parking and Loading Requirements of the Harker Heights Code of Ordinances to add exceptions to clarify the intent of the ordinance; providing an affirmative defense; and providing for an effective date of the amendments, and take the appropriate action.

ACTION BY CITY COUNCIL:

1. Motion to APPROVE/DISAPPROVE an Ordinance of the City of Harker Heights, Texas Sections §72.21 Heavy Vehicle Parking Regulations and §155.061 Off-Street Parking and Loading Requirements of the Harker Heights Code of Ordinances to add exceptions to clarify the intent of the ordinance; providing an affirmative defense; and providing for an effective date of the amendments, and take the appropriate action, based upon staff's recommendation and findings.
2. Any other action desired.

ATTACHMENTS:

1. Proposed Chapter 72 Ordinance Amendment
2. Proposed Chapter 155 Ordinance Amendment
3. Ordinance

HEAVY VEHICLE PARKING REGULATIONS

§ 72.20 GENERALLY.

(A) (1) Through September 30, 2021, as used in this subchapter, the term HEAVY VEHICLE shall mean and refer to:

- (a) Any motor vehicle which is 18 feet or more in length; or
- (b) Any motor vehicle which is seven feet or more in width; or
- (c) Any motor vehicle which is nine feet or more in height; or
- (d) Any motor vehicle which exceeds a gross vehicle weight of 10,000 pounds (generally excludes one-ton vehicles with manufacturer's rated carrying capacity not to exceed 2,000 pounds); or
- (e) Trucks, truck tractors, or the implement thereof which exceed a gross weight of 10,000 pounds (trailer plus its load).

(2) Effective October 1, 2021, as used in this subchapter, the term HEAVY VEHICLE shall mean and refer to:

- (a) Any motor vehicle which is greater than 20 feet in length; or
- (b) Any motor vehicle which is greater than eight feet in width; or
- (c) Any motor vehicle which is greater than ten feet in height; or
- (d) Any motor vehicle which exceeds a gross vehicle weight of 10,000 pounds (generally excludes one-ton vehicles with manufacturer's rated carrying capacity not to exceed 2,000 pounds); or
- (e) Trucks, truck tractors, or the implement thereof which exceed a gross weight of 10,000 pounds (trailer plus its load).

(B) Nothing herein shall be construed to permit parking in a manner, time, or location otherwise prohibited by law.

(C) Effective October 1, 2021, nothing herein shall be construed to counter or take precedent over existing deed restrictions or restrictive covenants.

(Ord. 99-36, passed 10-26-99; Am. Ord. 2020-43, passed 9-8-20, effective 10-1-21)

§ 72.21 PARKING CERTAIN HEAVY VEHICLES.

(A) This section does not apply to:

- (1) Heavy vehicles owned or leased by the City while being used by employees or agents of the City in the performance of their City duties; or
- (2) Heavy vehicles otherwise lawfully parked or left standing:
 - (a) At a construction site while construction is in progress;
 - (b) By public utility companies at a location where public service utilities are being repaired, installed, maintained, relocated, or extended; or
 - (c) Effective October 1, 2021, by an employee of a public utility, police department, fire department, ambulance service, or tow truck operator while that employee is on call.

(3) Heavy vehicles that are a ¾ ton or 1-ton truck.

(B) Through September 30, 2021, it shall be unlawful for a person who owns or operates a heavy vehicle to park or leave same standing so as to encroach upon any alley, public street or right of way.

(C) Through September 30, 2021, it shall be unlawful for a person who owns or operates a heavy vehicle, except a recreational vehicle, to park or leave same standing so as to encroach upon any residential property zoned R-1, R1-M, R-2, R-3, R-MH, or RT-1, unless at the time of the alleged offense there is conspicuously displayed upon the heavy vehicle a valid permit as provided in § 72.23.

(D) Through September 30, 2021, it shall be unlawful for a person who owns or operates a heavy vehicle to park or leave same standing so as to encroach upon any commercial property which is not owned or leased by the owner or operator of the heavy vehicle, unless the vehicle is parked on a truck lot.

(E) Effective October 1, 2021, it shall be unlawful for a person who owns or operates a heavy vehicle to park or leave same standing in whole or in part on any alley, public street or right of way.

(F) Effective October 1, 2021, it shall be unlawful for a person who owns or operates a heavy vehicle, except a recreational vehicle, to park or leave same standing in whole or in part on any residentially zoned property. It shall further be unlawful to occupy or treat as a residence or accessory dwelling unit a recreational vehicle on residentially zoned property.

(G) Effective October 1, 2021, it shall be unlawful for a person who owns or operates a heavy vehicle to park or leave same standing in whole or in part upon any commercial property which is not owned or leased by the owner or operator of the heavy vehicle, unless the vehicle is parked on a truck lot.

(H) It shall be an affirmative defense to prosecution under paragraphs (D) and (G) of this section that at the time of the alleged offense:

(1) The vehicle was otherwise lawfully parked;

(2) The owner or operator of the vehicle was in the actual course and scope of loading, unloading, or providing goods or services to, or acquiring goods or services from, the occupant of property upon which the vehicle was parked;

(3) There were no other locations in the immediate vicinity where the vehicle could be lawfully parked; and

(4) The vehicle was removed from the property as soon as reasonably possible following completion of the loading, unloading, or provision or acquisition of goods or services.

(I) It shall be an affirmative defense to prosecution under paragraphs (B) through (G) of this section that at the time of the alleged offense the heavy vehicle was otherwise lawfully parked or stopped due to a mechanical defect which made it unsafe to operate the vehicle, provided that as soon as reasonably possible the driver or operator completed emergency repairs, effected a load transfer to another vehicle, or summoned tow removal equipment, as appropriate.

(Ord. 99-36, passed 10-26-99; Am. Ord. 2020-43, passed 9-8-20, effective 10-1-21) Penalty, see §§ 70.99 and 72.24

§ 72.22 ACCESSORY EQUIPMENT.

It shall be unlawful for any person owning or having control of a heavy vehicle to park or leave standing said heavy vehicle with the motor or accessory equipment (such as a refrigeration unit generator) running, unless such heavy vehicle is parked upon commercial property which is owned or leased by the owner or operator of the heavy vehicle.

(Ord. 99-36, passed 10-26-99; Am. Ord. 2020-43, passed 9-8-20, effective 10-1-21) Penalty, see §§ 70.99 and 72.24

§ 72.23 RESIDENTIAL PARKING PERMIT.

(A) Notwithstanding § 72.21, a heavy vehicle may be parked on residential property zoned R-1, R1-M, R-2, R-3, R-MH or RT-1 if there is conspicuously displayed on the vehicle a valid permit approved by the City Manager in accordance with this section.

(B) The application for a permit shall be filed with the Planning and Development Department, and the permit, if issued, shall be renewable annually upon application and the subsequent inspection of the property. A fee shall be charged for each permit application and renewal in the amount established and published annually in the City Fee Schedule.

(C) The City Manager shall approve or disapprove an application for the issuance or renewal of a permit within 45 days following the date on which the properly-completed application is filed. Failure of the City Manager to approve an application within such 45-day period shall result in the administrative disapproval of such application.

(D) The City Manager shall deny or revoke the permit if the application contains false or misleading information, or if the applicant at any time fails to meet the following requirements. No permit shall be issued until the following minimum requirements have been satisfied:

- (1) The applicant is the owner of the heavy vehicle for which the permit is to be issued.
- (2) All neighbors within 200 feet of the property where the heavy vehicle is to be parked have been notified of the filing of the permit application.
- (3) The Property upon which the heavy vehicle is to be parked is occupied by the applicant as his residence.
- (4) Improvements necessary for the issuance of the permit, if any, must be completed before the permit is granted.
- (5) The parking area shall meet the standards for off-street parking established in § 155.062, and must be improved with a hard surface with an adequate size of apron to allow for the maneuvering of the heavy vehicle onto and off the public street.
- (6) The parking area is located no closer than ten feet from the front property line and seven feet from any side property line.
- (7) The applicant must not have any outstanding parking or moving traffic violations issued by the City.

(E) A permit issued under this section shall specify the vehicle to which it applies, the location where the vehicle is to be parked and, if the vehicle is subject to the restrictions established by § 76.04, an approved route of travel between the parking location and the nearest approved truck route.

(F) The permit may not be transferred or assigned, and if the permit-holder ceases to occupy the property for which the permit is issued the permit shall become null and void.

(G) If the City Manager denies the issuance of a permit, or revokes a permit, he shall send to the applicant at the address shown on the most recent application, by certified mail, return receipt requested, written notice of such action and the right to appeal. The applicant may appeal the decision in writing to the City Council within 15 days of the receipt of the notice. The City Council shall act on the appeal within 60 days after an appeal is filed with the City Secretary. The filing of an appeal stays the action of the City Manager until the City Council makes a final decision.

(Ord. 99-36, passed 10-26-99) Penalty, see §§ 70.99 and 72.24

Editor's note: Pursuant to Ord. 2020-43, passed 9-8-20, §72.23 is repealed effective 10-1-21.

§ 72.24 REMOVAL OF VIOLATIONS.

A heavy vehicle parked or left standing in violation of any provision of this subchapter is subject to immediate towing and impoundment.

(Ord. 99-36, passed 10-26-99) Penalty, see § 70.99

OFF-STREET PARKING AND LOADING REQUIREMENTS

§ 155.061 GENERAL STANDARDS.

(A) (1) Through September 30, 2021, parking spaces and loading berths required herein, together with aisles and maneuvering areas, enclosed or unenclosed shall be surfaced and maintained with an all weather surface such as asphalt, concrete or other similar permanent hard surface material sufficient to prevent mud, dust, loose material, and other nuisances. Required spaces and berths shall be connected by an all weather hard- surfaced driveway to a public street or alley.

(2) Effective October 1, 2021, parking spaces and loading berths required herein, together with aisles and maneuvering areas, enclosed or unenclosed, shall be surfaced and maintained with an all weather surface. Parking spaces and loading berths shall be connected by an all weather surfaced driveway to a public street or alley.

(B) In determining the required number of parking spaces, fractional spaces shall be rounded to the next higher whole space. Parking spaces located in buildings used for repair garages or auto laundries shall not be counted as meeting the requirements of minimum off-street parking.

(C) The floor area of buildings already devoted to off street parking of vehicles shall be excluded from the total floor area when computing requirements for off-street parking.

(D) For sites with more than one use, or for adjacent sites served by a common parking facility, the parking requirements shall be the composite or sum of the requirements for each use or site except as adjusted pursuant to this subchapter.

(E) Off street parking facilities complying with these regulations shall be provided for any new building constructed and for any new use established. Off-street parking facilities complying with these regulations shall be provided for any addition or enlargement of an existing building or use or any change in occupancy or manner of operation that would result in additional parking spaces being required. If sufficient parking does not exist on a lot or site, the number of spaces required to meet the needs of both the existing and new building or use shall be provided.

(F) Parking facilities being used for off-street parking on the effective date of this chapter shall not be reduced in capacity to less than the number of spaces prescribed, or altered in design or function to less than the minimum standards prescribed herein.

(G) All required parking facilities shall be maintained for the duration of the use requiring such areas. Those facilities shall be used for the temporary parking of passenger automobiles, motor vehicles, or light trucks not exceeding one ton in capacity, exclusively. They shall not be used for the sale, display, or storage of merchandise, or for the storage, display, or repair of vehicles or equipment.

(H) All required parking facilities shall be located on the same site as the use for which such facilities are required, except as authorized pursuant to § 155.063.

(I) No use shall be required to provide more spaces than prescribed by these regulations. Where parking spaces in excess of such requirements are provided, the spaces may be considered as meeting the provisions for another use pursuant to division (D) of this section.

(J) Compact vehicle spaces may be provided in any parking facility required by this regulation; however, no more than 25% of the total parking spaces required may be designed for compact vehicles and they must be signed and marked for compact vehicles.

(K) The following provisions for off street parking shall apply to all parking adjacent to a public thoroughfare:

(1) Parking spaces so situated that the maneuvering of a vehicle in entering or leaving such space is done on a public street or alley shall not be classified as off street parking in computing any parking requirements herein, except in districts zoned: R-1, R-2, R-1(M), or RT-1.

(2) The construction of parking spaces as described in division (J)(1) shall be prohibited hereafter. All such parking facilities in existence at the time of the enactment of these regulations are hereby declared to be nonconforming use of land and subject to the provisions of § 155.100.

(L) No off street parking space or loading berth shall be located either in whole or in part on any public street, sidewalk, parkway, alley, or other public right-of-way, or within any fire lane required by ordinance or code of the city. Maneuvering areas located adjacent to a public street shall be computed from the property line (maneuvering must take place on private property).

(M) Lighting, to the maximum extent, shall be so arranged as to be reflected away from property zoned or used for residential purposes.

(N) No publicly owned property may be considered in determining whether or not any private property meets the parking and loading requirements of this chapter.

(O) No entrance or exit to any parking facility for any property in a business or manufacturing zoning district shall be located within 50 feet of any intersection of any public street (measurement shall be from the right-of-way line). Driveways within business and manufacturing zoning districts shall be located at the following minimum distances from street intersections (right-of-way lines): on arterials, 70 feet; on collectors, 60 feet; and on other streets, 50 feet. These minimums apply only to city streets, not Texas Department of Transportation facilities.

(P) Number of driveways allowed:

- (1) Lot frontage of 100 feet or less: one access point;
- (2) Lot frontage of 100 feet - 300 feet: two access points;
- (3) Lot frontage of 300 feet - 600 feet: three access points.

(Q) Spacing of driveways is determined by the functional classification of the street as follows: arterials: 70 feet; collectors: 60 feet; others: 50 feet. These minimums apply only to city streets, not Texas Department of Transportation facilities. In the event that particular parcels lack sufficient frontage to maintain adequate spacing, the owner may:

- (1) Establish a common driveway with an adjacent property owner by a perpetual joint use agreement filed in the public records of Bell County, the driveway midpoint being the property line between the two parcels; or
- (2) Request a written approval from the city for alternative spacing.

(R) One-way access driveway widths shall be a minimum of 15 feet.

(S) Two-way access driveway widths shall be 24-40 feet within multi-family zoning districts and B-1 through M-2.

(T) The prohibition found in division (A) (2) above does not apply to the following:

(1) Residential properties that are over 1 acre in size and whose existing parking space is not visible from public right of way are not required to have an all-weather surface driveway connecting the existing parking space to a public street or alley, provided that they have an all-weather surface driveway approach from the public street or alley to the property line and that their existing parking space meet the other requirements set forth in this Chapter.

...

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF HARKER HEIGHTS, TEXAS AMENDING §72.21 HEAVY VEHICLE PARKING REGULATIONS AND §155.061 OFF-STREET PARKING AND LOADING REQUIREMENTS OF THE HARKER HEIGHTS CODE OF ORDINANCES TO ADD EXCEPTIONS TO CLARIFY THE INTENT OF THE ORDINANCE; PROVIDING AN AFFIRMATIVE DEFENSE; AND PROVIDING FOR AN EFFECTIVE DATE OF THE AMENDMENTS.

WHEREAS, the City Council ("*Council*") of the City of Harker Heights ("*City*") finds that it is necessary and desirable to amend the Code of Harker Heights ("*Code*") as hereinafter provided in order to preserve the public peace residential in areas; and

WHEREAS, the impact of parking of ¾ ton and 1-ton trucks in residential areas is similar to that of non-heavy vehicles; and

WHEREAS, mandating the installation of all-weather driveways on residential properties greater than one acre with parking not visible from the public right of way does not meet the intent of the original ordinance; and

WHEREAS, the meeting at which this Ordinance was passed was open to the public, and notice of the time, place and purpose of said meeting was given as required by law, all in strict accordance with the requirements of the Texas Open Meetings Act;

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

SECTION 1: The City Council officially finds and declares that the facts and recitations set forth in the preamble to this ordinance are true and correct.

SECTION 2: HEAVY VEHICLE PARKING REGULATIONS Section 72.21 and OFF-STREET PARKING AND LOADING REQUIREMENTS Section 155.061 of the Code of Ordinances of the City of Harker Heights are hereby amended to read as follows:

§ 72.21 PARKING CERTAIN HEAVY VEHICLES.

- (A) This section does not apply to:
 - ...
 - (3) Heavy vehicles that are a ¾ ton or 1-ton truck.
 - ...

§ 155.061 GENERAL STANDARDS.

- ...
 - (T) The prohibition found in division (A) (2) above does not apply to:
Residential properties that are over 1 acre in size and whose existing parking space is not visible from public right of way are not required to have an all-weather surface driveway connecting the existing parking space to a public street or alley, provided that they have

an all-weather surface driveway approach from the public street or alley to the property line and that their existing parking space meet the other requirements set forth in this Chapter.

...

SECTION 3: All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are to the extent of such conflict hereby repealed.

SECTION 4: All regulations provided in this Ordinance are hereby declared to be governmental and for the health, safety and welfare of the general public. Any member of the City Council or any City official or employee charged with the enforcement of this Ordinance, acting for the City in the discharge of official duties, shall not thereby become personally liable, and is hereby relieved from all personal liability for any damage that might accrue to persons or property as a result of any act required or permitted in the discharge of said duties.

SECTION 5: The change in the law made by this Ordinance applies only to an offense committed on or after the effective date of this Ordinance. For purposes of this section, an offense is committed on or after the effective date of this Ordinance if every element of the offense occurs on or after that date.

SECTION 6: An offense committed before the effective date of this Ordinance is covered by the law in effect when the offense was committed, and the former law is continued in effect for that purpose.

SECTION 7: This Ordinance shall be effective from and after **October 1, 2021**, and the City Clerk shall publish the caption or title of hereof within ten days of approval as required by law.

PASSED AND APPROVED by the City Council of the City of Harker Heights on August 24, 2021.

Spencer H. Smith, Mayor

ATTEST:

Juliette Helsham, City Secretary



CITY COUNCIL MEMORANDUM

AGENDA ITEM # IX-1

FROM: THE OFFICE OF THE CITY MANAGER

DATE: AUGUST 24, 2021

DISCUSS AND CONSIDER A PRELIMINARY AD VALOREM TAX RATE, TAKE A RECORD VOTE ON THE PRELIMINARY AD VALOREM TAX RATE, SCHEDULE THE PUBLIC HEARING AND TAKE THE APPROPRIATE ACTION.

EXPLANATION:

Staff presented the proposed 2022 fiscal year budget on August 17, 2021, which included a proposed tax rate of \$0.6519 per \$100 valuation. This rate is lower than the \$0.6727 voter approval rate but higher than the no new revenue rate of \$0.6305. The current fiscal year’s tax rate, FY 2021, is \$0.6770.

Following is a comparison of the FY 2022 proposed property tax rates of surrounding cities:

City	M & O	I & S	Total Rate
Belton	0.083400	0.546600	0.630000
Temple	0.303000	0.337000	0.640000
Harker Heights	0.506300	0.145600	0.651900
Killeen	0.517100	0.188500	0.705600
Copperas Cove	0.482763	0.277305	0.760068

Truth-in-Taxation requires that when a proposed rate exceeds the lower of the voter approval rate or the no new revenue rate, the governing body must vote to place the proposal to adopt a rate on the agenda of a future meeting as an action item and must publish notices notifying citizens of the public hearing.

Following is a tentative schedule to meet this requirement. All meetings will be open to the public.

Notice of Public Hearing on Budget and Fee Schedule Sunday, August 29, and September 5

Budget Public Hearing..... Tuesday, September 7

Notice of Adoption of Budget and Fee Schedule

Notice of Tax Rate IncreaseSunday, September 5, and September 12

Adoption of Budget and Fee Schedule

Ratification of Tax Revenue Increase

Tax Rate Public Hearing

Adoption of Tax Rate Tuesday, September 14

RECOMMENDATION:

Staff recommends the proposed ad valorem tax rate of \$0.6519 per \$100 valuation which is included in the Fiscal Year 2021-2022 Budget.

ACTION BY COUNCIL:

1. Motion to place a proposal to adopt the tax rate of (*state tax rate*) per \$100 valuation on the September 14, 2021, Council Agenda.
 - a. The proposed rate cannot exceed \$0.6727 and is the highest rate the City Council will be able to approve at the September 14, 2021, Council Meeting.
 - b. For the motion to be valid, it must be approved by a “record” vote.
2. Motion to schedule the public hearing for the tax rate for September 14, 2021.
3. Any other action desired.

ATTACHMENTS:

1. Tax Rate History of the City of Harker Heights.

Fiscal Year	Tax Rate	Difference
2021	0.6770	0.0000
2020	0.6770	0.0000
2019	0.6770	0.0000
2018	0.6770	0.0000
2017	0.6770	0.0000
2016	0.6770	0.0000
2015	0.6770	0.0000
2014	0.6770	0.0000
2013	0.6770	0.0000
2012	0.6770	0.0000
2011	0.6770	0.0000
2010	0.6770	-0.0026
2009	0.6796	0.0000
2008	0.6796	0.0000
2007	0.6796	0.0000
2006	0.6796	-0.0100
2005	0.6896	-0.0100
2004	0.6996	-0.0003
2003	0.6999	0.0000
2002	0.6999	0.0000
2001	0.6999	0.0000
2000	0.6999	0.0000
1999	0.6999	0.0000
1998	0.6999	0.0000
1997	0.6999	0.0000
1996	0.6999	0.0000
1995	0.6999	0.0000
1994	0.6999	0.0009
1993	0.6990	0.1009
1992	0.5981	0.0000
1991	0.5981	0.0000
1990	0.5981	-0.0732
1989	0.6713	0.0013
1988	0.6700	0.0000
1987	0.6700	0.3000
1986	0.3700	0.0000
1985	0.3700	0.3700



COUNCIL MEMORANDUM

AGENDA ITEM # IX-2

FROM: THE OFFICE OF THE CITY MANAGER

DATE: AUGUST 24, 2021

DISCUSS AND CONSIDER APPROVING AN ORDINANCE OF THE CITY OF HARKER HEIGHTS, TEXAS, AMENDING SECTION 90.01 – DEFINITIONS TO THE CODE OF ORDINANCES TO ADD DEFINITION OF “COMMUNITY CAT”, “COMMUNITY CAT CAREGIVER”, “EAR TIP”, “SHELTER-NEUTER-RETURN”, AND “TRAP-NEUTER-RETURN”; ADDING SECTION 90.34: PERMITTED ACTS; AMENDING SECTION 90.36 AND 90.60 TO AUTHORIZE A COMMUNITY CAT PROGRAM; PROVIDING REGULATIONS REGARDING TRAP-NEUTER-RETURN AND SHELTER-NEUTER-RETURN PROGRAM FOR COMMUNITY CATS, AND TAKE THE APPROPRIATE ACTION.

EXPLANATION:

On May 18th, 2021; the City Council of Harker Heights received a presentation from the Harker Heights Pet Adoption Center Manager and the Pet Adoption Center Veterinarian regarding the establishment and implementation of a Trap-Neuter-Return (TNR) and Shelter-Neuter-Return (SNR) program.

Historically, residents who have a “stray” feral cat that they are concerned about have had only one option, which is to use a humane live trap to trap the cat, and then contact Animal Services to have the cat picked up for impound. Once the cat is impounded into the shelter, the stray hold period starts, which is a minimum of 72 hours. If the cat is friendly, and not reclaimed by an owner, then after the 72-hour hold is over, the cat would be placed up for adoption to the public. If the cat is not friendly, either due to being stressed, fractious, or feral, the cat would be considered unadoptable and would be humanely euthanized. The majority of the euthanasia’s performed by Animal Services are feral cats who, although healthy and thriving in their environment prior to being trapped, are not safe to handle, or to adopt out to the public as pets, and must be destroyed in accordance to current policy.

The best-known programs for such are trap-neuter-return (TNR) and shelter-neuter-return (SNR). The process is simple: cats are caught, evaluated by a veterinarian, vaccinated, sterilized, and returned to their original location, where they have been, and will continue to be cared for by community caretakers. Studies show that by implementing TNR policies, established cat colonies will decrease in numbers, as cats are caught and sterilized, and new litters of kittens are no longer being born into the colony. TNR can also reduce nuisance complaints since spaying and neutering unowned, free-roaming cats reduces mating related behaviors that can lead to such complaints.

Many of our own citizens are already paying out of pocket for community cats to be sterilized and vaccinated at their own full-service vet clinics. Removing the cat from the environment that it is thriving in does not solve an unwanted stray cat problem, but rather causes a vacuum effect that leads to colony growth, as new, unsterilized cats move into the colony.

Staff has investigated surrounding cities ordinances and policies for feral cats. Most municipalities do not have a TNR/SNR program, or an ordinance to support such. However larger cities in Central Texas, such as Waco and Austin, have been using TNR/SNR programs for years and have seen success in implementing these programs into their shelter and animal services policies.

Studies show that the cost of TNR/SNR to the shelter is offset by the shortened length of stay for each animal, fewer disease outbreaks due to overcrowding, and ultimately fewer cats to impound, as less unwanted litters are born to community cats.

Staff has drafted an ordinance based off the information gathered from sources such as National Animal Control Association, Alley Cat Allies, Maddie's Fund, and Feral Cat Coalition, and cities who have ordinances

The ordinance in summary implements the following:

- Establishes the following definitions in Chapter 90.01:
 - **COMMUNITY CAT** is a member of the domestic species *Felis Catus* and shall mean a free-roaming cat who may be cared for by one or more residents of the immediate area who is/are known or unknown; a community cat may or may not be feral. Community cats are not wildlife.
 - **COMMUNITY CAT CAREGIVER** shall mean a person who, in accordance with a pursuant to a policy of Trap-Neuter-Return, provides care, including food, shelter, or medical care to a community cat, while not being considered the owner, harbinger, controller, or keeper of a community cat.
 - **EAR TIP** shall mean the removal of the distal one-quarter of a community cat's left ear, which is approximately 3/8-inch, or 1 cm, in an adult and proportionally smaller in a kitten. This procedure is performed under sterile conditions while the cat is under anesthesia, in compliance with any applicable federal or state law, and under supervision of a licensed veterinarian. Ear tips are designed to identify a community cat as being sterilized and lawfully vaccinated for rabies.
 - **SHELTER-NEUTER-RETURN** shall be the involvement of the shelter in Trap-Neuter-Return program with cats impounded in the shelter, to include, sterilizing, vaccinating for rabies, ear tipping, microchipping, and returning community cats to their environment.
 - **TRAP-NEUTER-RETURN** shall mean the process of humanely trapping, sterilizing, vaccinating for rabies, ear tipping, microchipping, and returning community cats to their original location.
- The ordinance establishes Section 90.34 of City's Code of Ordinances with the following additions:

- Specifies that an ear tipped cat maybe returned to the trapping location unless veterinarian care is required.
- Community Cat Caregivers are empowered to reclaim impounded cats without proof of ownership for the sole purpose of returning an ear tipped community cat to its original location.
- A person returning an ear tipped community cat to its original location is not deemed to have abandoned the cat.
- TNR shall be the preferred disposition for impounded community cats.
- Section 90.36 of the Code is amended with the following change:
 - Division (A) of this section does not apply to service animals while performing their qualifying services, or animals performing official police or rescue activities, or a community cat that has a left ear tip indicating that it has been sterilized and vaccinated through trap-neuter-return.
- The ordinance amends section 90.60 of the code with the following changes:
 - Division A is supplemented with: (1) An ear tipped cat received at the shelter may be returned to the location where trapped unless veterinary care is required. A trapped ear tipped cat may be released on site unless veterinary care is required.
 - Division D of this section is amended with the addition of the following section: (3) Community Cat Caregivers are empowered to reclaim impounded ear tipped community cats without proof of ownership solely for the purpose of carrying out Trap-Neuter-Return and/or returning ear tipped community cats to their original locations.
- The Animal Advisory Committee supports this effort and Legal Counsel reviewed and approved the Ordinance language.

RECOMMENDATION:

City staff recommends approving this resolution.

ACTION BY THE CITY COUNCIL:

1. Motion to APPROVE/DISAPPROVE an Ordinance of the City of Harker Heights, Texas, amending section 90.01 – definitions to the code of ordinances to add definition of “community cat”, “community cat caregiver”, “ear tip”, “shelter-neuter-return”, and “trap-neuter-return”; adding section 90.34: permitted acts; amending section 90.36 and 90.60 to authorize a community cat program; providing regulations regarding trap-neuter-return and shelter-neuter-return program for community cats.
2. Any other actions desired by the Council.

ATTACHMENT:

1. TNR\SNR Ordinance

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF HARKER HEIGHTS, TEXAS, AMENDING SECTION 90.01 – DEFINITIONS TO THE CODE OF ORDINANCES TO ADD DEFINITIONS OF “COMMUNITY CAT”, “COMMUNITY CAT CAREGIVER”, “EAR TIP”, “SHELTER-NEUTER-RETURN”, AND “TRAP-NEUTER-RETURN”; ADDING SECTION 90.34: PERMITTED ACTS; AMENDING SECTIONS 90.36 AND 90.60 TO AUTHORIZE A COMMUNITY CAT PROGRAM; PROVIDING REGULATIONS REGARDING TRAP-NEUTER-RETURN AND SHELTER-NEUTER-RETURN PROGRAM FOR COMMUNITY CATS.

WHEREAS, the City Council (“*Council*”) of the City of Harker Heights (“*City*”) finds that the practice of euthanizing healthy community cats has proven to be ineffective in managing the feral cat population within the City of Harker Heights; and

WHEREAS, the City Council finds that a process of trapping, sterilizing, vaccinating for rabies, ear tipping, microchipping and returning cats to their original location is an effective and humane way to manage the population of feral and community cats within the City of Harker Heights; and

WHEREAS, the City Council has determined that this process, known as Trap-Neuter-Return, is the preferred approach for managing the cat population, and that Trap-Neuter-Return shall be the prioritized disposition for any impounded community cats; and

WHEREAS, the Council has determined that to promote the public health and safety, it is necessary and desirable to amend the Code of Harker Heights (“*Code*”) as hereinafter provided; and

WHEREAS, the meeting at which this Ordinance was passed was open to the public, and notice of the time, place and purpose of said meeting was given as required by law, all in strict accordance with the requirements of the Texas Open Meetings Act;

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

Section 1: The Council officially finds and declares that the facts and recitations set forth in the preamble to this Ordinance are true and correct.

Section 2: Section 90.01 of the Code of Ordinances is hereby amended to add the following definitions:

COMMUNITY CAT is a member of the domestic species Felis Catus and shall mean a free-roaming cat who may be cared for by one or more residents of the immediate area who is/are known or unknown; a community cat may or may not be feral. Community cats are not wildlife.

COMMUNITY CAT CAREGIVER shall mean a person who, in accordance with a pursuant to a policy of Trap-Neuter-Return, provides care, including food, shelter, or medical care to a community cat, while not being considered the owner, harbinger, controller, or keeper of a community cat.

EAR TIP shall mean the removal of the distal one-quarter of a community cat's left ear, which is approximately 3/8-inch, or 1 cm, in an adult and proportionally smaller in a kitten. This procedure is performed under sterile conditions while the cat is under anesthesia, in compliance with any applicable federal or state law, and under supervision of a licensed veterinarian. Ear tips are designed to identify a community cat as being sterilized and lawfully vaccinated for rabies.

SHELTER-NEUTER-RETURN shall be the involvement of the shelter in Trap-Neuter-Return program with cats impounded in the shelter, to include, sterilizing, vaccinating for rabies, ear tipping, microchipping, and returning community cats to their environment.

TRAP-NEUTER-RETURN shall mean the process of humanely trapping, sterilizing, vaccinating for rabies, ear tipping, microchipping and returning community cats to their original location.

Section 3: Chapter 90 of the Code is hereby supplemented by the addition of a new section 90.34 to read as follows:

Permitted Acts

§ 90.34 Permitted Acts.

The following actions shall be permitted in the City of Harker Heights as part of Trap-Neuter-Return:

(A) Trapping, for the sole purpose of sterilizing, vaccinating for rabies, and ear tipping community cats, in compliance with any applicable federal or state law, and under supervision of a licensed veterinarian, where applicable.

(B) An ear tipped cat received by Animal Services may be returned to the location where trapped unless veterinary care is required, or at the direction of the Shelter Manager. A trapped ear tipped cat may be released on site unless veterinary care is required, or at the discretion of an Animal Services Officer.

(C) Community Cat Caregivers are empowered to reclaim impounded ear tipped community cats without proof of ownership solely for the purpose of carrying out Trap-Neuter-Return and/or returning ear tipped community cats to their original location.

(D) A person who returns a community cat to its original location while conducting Trap-Neuter-Return is not deemed to have abandoned the cat.

(E) Trap-Neuter-Return shall be the preferred disposition for impounded community cats. Animal Services and the Harker Heights Pet Adoption Center are authorized and encouraged to conduct Trap-Neuter-Return or to direct impounded community cats to a Trap-Neuter-Return program.

Section 4: Section 90.36 – **KEEPING ANIMALS: RUNNING AT LARGE PROHIBITED** of the Code of Ordinances is amended to read as follows:

- (A) It shall be unlawful for any person to suffer or permit any dogs, cats, guinea fowl, hares, horses, mules, donkeys, cattle, goats, sheep, chickens, turkeys, geese, ducks, pigeons, animals, or fowl to run, or be, at-large upon the public streets, avenues, or alleys of the city, or on the premises of any person other than the owner of the animals or fowl, and the premises not being in possession or control of the owner of the animals or fowl.
- (B) No female animal in heat shall be allowed or permitted to leave the property of the owner of the animal unless being transported by the owner and under the owner's physical control at all times.
- (C) Any person convicted of a violation of this section shall be punished by a fine not to exceed \$200.
- (D) Division (A) of this section does not apply to service animals while performing their qualifying services, or animals performing official police or rescue activities, or a community cat that has a left ear tip indicating that it has been sterilized and vaccinated through trap-neuter-return.

Section 5: Section 90.60 **IMPOUNDMENT** of the Code of Ordinances is amended to read as follows:

(A) Animals at-large may be captured by Animal Services personnel, or other designated employees of the city if Animal Services personnel are not available, impounded in an animal shelter, and there confined in a reasonably humane manner with necessary food and shelter.

(1) An ear tipped cat received at the shelter may be returned to the location where trapped unless veterinary care is required. A trapped ear tipped cat may be released on site unless veterinary care is required.

(B) Immediately upon intake, animal services personnel are authorized to provide each appropriately aged impounded animal with core immunizations as defined by the

Association of Shelter Veterinarian guidelines. These vaccinations may either be administered by a licensed Veterinarian employed or contracted by the city or animal services personnel who is familiar with the common infectious diseases affecting dogs and cats of Bell County, along with any other necessary treatment the Veterinarian, or animal services personnel after consultation with a Veterinarian, determines is appropriate for the care and well-being of the animals, or to prevent animals currently housed at the shelter from becoming exposed to an infectious disease.

(C) If an impounded animal bears a tag, microchip or other identification, the Shelter Manager or animal services personnel shall make a reasonable effort to notify the owner. Notice under this section is complete upon the earlier of:

- (1) Verbal notification to the owner, if the owner can be reached in person or by telephone;
- (2) Written notification affixed to the front door of the owner's last known address:
or
- (3) Written notification mailed to the owner's last known address, enclosed in a postpaid, properly addressed wrapper, in a post office or official depository under the care and custody of the United States Postal Service.

(D) Unless otherwise required by law, an impounded animal shall be released to its owner during regular hours of operation upon payment of the appropriate fees and upon proof of ownership

- (1) Acceptable proof of ownership may consist of a microchip or tag indicating ownership of the animal, a receipt for purchase or adoption of the animal, records from a Veterinarian showing vaccinations administered within the previous 12 months, receipts for payment to a Veterinarian or commercial pet service facility for services rendered to the animal, and photographic or videographic records showing the animal and individual asserting ownership at home or in other environments.
- (2) Impounded dogs and cats for which the owner cannot show proof of current vaccination will be released only if and when the owner signs an agreement to show proof of the same within 72 hours. Failure to show proof of vaccination within the 72 hour period will constitute a violation of this chapter.
- (3) Community Cat Caregivers are empowered to reclaim impounded ear tipped community cats without proof of ownership solely for the purpose of carrying out Trap-Neuter-Return and/or returning ear tipped community cats to their original locations.

(E) If the animal is not reclaimed by the owner, then before the animal is released for adoption, humane destruction, or other disposition, the Shelter Manager or an entity contracting with the city to operate an animal shelter shall keep an impounded animal:

(1) At least three days (72 hours) after notification to the owner, not counting the date of notice, if such notice is required under division (C); or

(2) At least three days, not counting the day of impoundment, in all other cases.

(F) Any animal surrendered by the owner, or not reclaimed by the owner within the time frame provided in division (E), shall be deemed abandoned, and shall therefore be the sole property of the City of Harker Heights, and the owner divested of all right, title and interest in and to such animal. The animal shall then be subject to adoption, placement, transfer, humane destruction, or other disposition at the discretion of the Shelter Manager.

Section 6: All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are to the extent of such conflict hereby repealed.

Section 7: All of the regulations provided in this Ordinance are hereby declared to be governmental and for the health, safety and welfare of the general public. Any member of the City Council or any City official or employee charged with the enforcement of this Ordinance, acting for the City in the discharge of official duties, shall not thereby become personally liable, and is hereby relieved from all personal liability for any damage that might accrue to persons or property as a result of any act required or permitted in the discharge of said duties.

Section 8: This Ordinance shall be effective from and after its passage, and the City Clerk shall publish the caption or title of hereof within ten days as required by law.

PASSED on this the _____ day of _____, 2021.

CITY OF HARKER HEIGHTS, TEXAS

By: _____
Spencer H. Smith, Mayor

ATTEST:

Julie Helshem, City Secretary



COUNCIL MEMORANDUM

AGENDA ITEM #IX-3

FROM: THE OFFICE OF THE CITY MANAGER

DATE: 08-24-2021

DISCUSS AND CONSIDER APPROVING A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HARKER HEIGHTS, TEXAS, AWARDING A CONTRACT FOR THE NEW (SECOND) BELT FILTER PRESS PROJECT IN THE AMOUNT OF \$898,500.00 TO ARCHER WESTERN CONSTRUCTION, LLC AND TAKE THE APPROPRIATE ACTION.

EXPLANATION:

The bidding process began with the City advertising for bids for the New (Second) Belt Filter Press Project on July 25, 2021, and August 1, 2021. A total of 35 bid packets were distributed to contractors and plan rooms. Eight (8) were plan rooms, twenty-seven (27) were contractors. On August 10th at 2:00 p.m. the sealed bids for the New (Second) Belt Filter Press Project were opened. The following bids were received and met specifications:

No.	Bidder	Base Bid	Add Alternate Bids 1, 2 & 3	Base Bid with Add Alternate Bids 1, 2 & 3
1	Archer Western Construction, LLC	\$782,500	\$116,000	\$898,500
2	PrimeSpec Construction, LLC	\$768,000	\$169,400	\$937,400
3	Matous Construction, LTD	\$867,000	\$152,000	\$1,019,000

Base Bid

Includes the belt filter press equipment; polymer feed equipment; replacement of two ventilation fans and intake vents; remove and replace half of the building roof; install electrical wiring and, install new ductile iron pressure piping with valving.

Add Alternate 1

Replacement of the electrical control panel and remote panel for the existing belt filter press.

Add Alternate 2

Power wash the existing belt filter press building interior and exterior.

Add Alternate 3

Paint the interior of the belt filter press building including piping and doors.

For the three add alternates, the City Council can award all, none or any combination of the add alternates.

In 2012, Archer Western Construction successfully completed the replacement of the B-Plant gear drive and two clarifier drain valves at the wastewater treatment plant.
Funding in the amount of \$898,500 are budgeted from the American Rescue Plan Act Fund.

RECOMMENDATION:

Public Works recommends approving a resolution awarding a contract for the New (Second) Belt Filter Press Project for the Base Bid amount plus Add Alternates 1, 2 and 3 in the amount of \$898,500.00 to Archer Western Construction, LLC.

ACTION BY CITY COUNCIL:

1. Motion to approve/disapprove a resolution of the City Council of the City of Harker Heights, Texas, awarding a contract for the New (Second) Belt Filter Press Project for the Base Bid amount plus Add Alternates 1, 2 and 3 in the amount of \$898,500.00 to Archer Western Construction, LLC.
2. Any other action desired.

ATTACHMENTS:

1. Resolution
2. Recommendation of Award from Thonhoff Consulting Engineers, Inc.
3. Bid Tabulation
4. Plan Holders List

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HARKER HEIGHTS, TEXAS, AWARDING A CONTRACT FOR THE NEW (SECOND) BELT FILTER PRESS PROJECT IN THE AMOUNT OF \$898,500.00 TO ARCHER WESTERN CONSTRUCTION, LLC.

WHEREAS, the City advertised for bids for the New (Second) Belt Filter Press Project on July 25, 2021, and on August 1, 2021; and

WHEREAS, the City has funding budgeted from the American Rescue Plan Act Fund; and

WHEREAS, the City notified twenty-seven construction contractors, and eight plan rooms; and

WHEREAS, the City received three bids meeting specifications; and

WHEREAS, the City opened the sealed bids at 2:00 p.m. on August 10, 2021 and found the lowest responsible bidder to be Archer Western Construction, LLC; and

WHEREAS, the meeting at which this resolution was passed was open to the public, and notice of the time, place and purpose of said meeting was given as required by law, all in strict accordance with the requirements of the Texas Open Meetings Act;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Harker Heights, Texas:

1. The facts and recitations set forth above are hereby found and declared to be true and correct.
2. The contract ("*Agreement*") for the New (Second) Belt Filter Press Project is awarded to Archer Western Construction, LLC in the amount of \$898,500.00.
3. The City Manager, David Mitchell, is hereby authorized and empowered to act in the name and on behalf of the City to execute and deliver the Agreement (and any changes therein and additions thereto as he shall determine to be necessary or advisable, such determination to be conclusively evidenced by the execution and delivery thereof), together with any related consents, notices, certificates, acknowledgments, and other instruments, and to act as the representative of the City in any lawful way to perform or cause to be performed such other and further acts as may be reasonably necessary and appropriate to effectuate the said Agreement, and to accomplish the purposes of these resolutions.
4. All actions taken or performed prior to the date hereof by any person herein authorized to act in respect to the matters referred to and approved in this Resolution be and hereby are ratified and confirmed in all respects.

5. Any person, corporation, partnership, limited partnership, association, joint venture or other business entity may presume upon the validity of the acts of any person authorized herein to act, without further recourse to the governing documents, minutes or other proceedings of the City, and without joinder of any other officer or employee of the City.

PASSED AND APPROVED on August 24, 2021, by the Harker Heights City Council.

Spencer H. Smith, Mayor
City of Harker Heights

ATTEST:

Juliette Helsham, City Secretary
City of Harker Heights



THONHOFF CONSULTING ENGINEERS, INC.
MUNICIPAL • ENVIRONMENTAL • WATER & WASTEWATER

August 18, 2021

Mr. Mark Hyde
Director of Public Works
City of Harker Heights
305 Miller's Crossing
Harker Heights, Texas 76548

Re: City of Harker Heights
New (Second) Belt Filter Press
Bid # 21-560-521-01
RECOMMENDATION OF AWARD

Dear Mr. Hyde:

Thonhoff Consulting Engineers, Inc. has tabulated the bids for the above-referenced project and the apparent low bidder is Archer Western Construction, LLC of Irving, Texas.

We have checked the references of this Contractor and know this Contractor to be responsible and qualified; therefore, it is the Recommendation of the Engineer to award this project to Archer Western Construction, LLC for the Total Base Bid Amount plus Additive Alternative Bid Items for a total contract award of \$898,500.00.

We have attached the bid tabulation for your review.

If you have any questions or need additional information, please contact me at 512-328-6736.

Sincerely,
THONHOFF CONSULTING ENGINEERS, INC.

Robert H. Thonhoff, Jr., P.E.
President

Attachment

TABULATION OF BIDS CITY OF HARKER HEIGHTS, TEXAS New (Second) Belt Filter Press Bid # 21-560-521-01 TCE Job # 21003.1.300 Bid Date: August 10, 2021				Archer Western Construction, LLC 1411 Greenway Drive Irving, Texas 75038 Scott Smiley 972-457-8500	PrimeSpec Construction, LLC 4750 Ranch Road 1869 Liberty Hill, Texas 78642 Marigold M. Carlisle 737-226-9604	Matous Construction, Ltd. 8602 State Highway 317 Belton, Texas 76513 Bruce A. Matous 254-780-1400
BASE BID						
ITEM	DESCRIPTION	QTY	UNIT	TOTAL	TOTAL	TOTAL
1	Furnish and install New Belt Filter Press equipment. (Per Addendum No. 2 - Includes New Walkway)	1	Lump Sum	\$551,000.00	\$529,000.00	\$600,000.00
2	Furnish and install New Polymer Feed equipment.	1	LS	\$33,500.00	\$39,500.00	\$32,000.00
3	Replace existing ventilation fan and two intake vents with new equipment. (Per Addendum No. 1 - Includes 2 Doors and Frames) (Per Contractor confirmation - Includes 2 Gas Heaters)	1	LS	\$38,000.00	\$23,000.00	\$53,000.00
4	Remove ½ of belt filter press building standing seam metal roof and purlins for installation of new belt filter press and reinstall existing roof with new fasteners and panels as needed.	1	LS	\$29,500.00	\$42,000.00	\$40,000.00
5	Furnish and install new electrical conduit, power wiring and control wiring for installation of new belt filter press, new polymer feed equipment, existing sludge pumps, and new dumpster winch. (Per Addendum No. 1 - Includes Magnetic Flow Meter)	1	LS	\$106,000.00	\$83,500.00	\$102,000.00
6	Provide new sludge D.I. pressure piping and valving and D.I. drain piping for new belt filter press operation.	1	LS	\$24,500.00	\$51,000.00	\$40,000.00
TOTAL BASE BID AMOUNT				\$782,500.00	\$768,000.00	\$867,000.00
ADDITIVE ALTERNATIVE BID ITEMS						
ITEM	DESCRIPTION	QTY	UNIT	TOTAL	TOTAL	TOTAL
A1.	Provide new primary electrical control panel and new remote panel for existing belt filter press.	1	LS	\$74,000.00	\$92,000.00	103,000.00
A2.	Power wash existing belt filter press building (exterior and interior), concrete floor, and dumpster floor and ceiling including exposed piping.	1	LS	\$4,000.00	\$2,400.00	14,000.00
A3.	Paint interior of belt filter press building and associated piping and doors as scheduled per Section 09900.	1	LS	\$38,000.00	\$75,000.00	35,000.00
TOTAL BASE BID AMOUNT + ADDITIVE ALTERNATIVE BID ITEMS				\$898,500.00	\$937,400.00	\$1,019,000.00

City of Harker Heights - New (Second) Belt Filter Press

Company	Company Type	Contact Name	Contact Phone	Contact Fax	Email	Notes	Certifications
AMTEK Austin	Plan Room	Kaylan Wardlaw	5123230508		amtek.austin@amtekusa.com	Download Plans	
WWaterTech, Inc.	Supplier	Cathy Aldrich	9363725272		caldrich@wwatertechinc.com	Download Plans	
Prime Vendor Inc.	Plan Room	Bid Clerk Bid Clerk	800-746-9554	800-746-8307	govtbids@prime-vendor.com	Download Plans	
Contractors Register, Inc.	Other	Maria Deg	800-431-2584		govbidops@thebluebook.com	Download Plans	
North America Procurement Council Inc., PBC	Other	Eric Johnson	302-450-1923	302-450-1925	sourcemanagement@napc.me	Download Plans	
ConstructConnect	Plan Room	Michael Stubbs	800-364-2059	866-570-8187	content@constructconnect.com	Download Plans	
Mcgraw-hill - Dodge Data	Plan Room	Hazel Lacamieta	413.471.9488	6093362767	dodge.docs@construction.com	Download Plans	
Baird Gilroy & Dixon, LLC	Engineer	Jon-Paul Dixon	281-529-5005		jdixon@bgdeng.com	Download Plans	
RLC Controls, Inc.	Other	Georgia Good	254-613-5248		georgia@rlccontrols.com	Download Plans	
Thonhoff Consulting Engineers	Engineer	Robert H. Thonhoff, Jr.	5123286736		bjohnson@tcetx.com	Download Plans	
PREMIUM PUMPS & CONTROLS	Supplier	Chris Currence	832-527-7515		chris@premiumpumpscontrols.com	Download Plans	
Municipal Pump & Control, Inc.	SubContractor	Cayde Heflin	210-310-4452		cayde@mpcinc.us.com	Download Plans	
SBIRents	Supplier	LINDA STRELOW	2392174457	2392372174	lstrelow@sbiirents.com	Download Plans	
AGC Plan Room	Plan Room	Elaine Hobbs	254-772-5400	254-772-5451	plans@centexagc.org	Download Plans	
Archer Western Construction	General Contractor	Rod Lunkwitz	972-457-8500	972-457-8501	rlunkwitz@archerwestern.com	Download	
T MORALES COMPANY	SubContractor	GILBERT D. Cabeldue	254-793-4344	254-793-3044	gcabeldue@moralescompany.com	Download Plans	
Virtual Builders Exchange	Plan Room	Jeannette Olguin	210-564-6900	210-564-6902	addenda@virtualbx.com	Download Plans	
Rangeline Pipeline Services	SubContractor	Ethan Mathis	8177271097	6822502154	ethan@rangeline.com	Download Plans	
Seneca Construction Management, LLC	General Contractor	Jonathan Warren	2545772331		jswarren@seneca-construction.com	Download Plans	
B-5 Construction	General Contractor	Melissa Epperson	281-356-3264		melissa.epperson@b-5construction.com	Download Plans	
PLC Construction	Engineer	Steve Fredrick	7138169961		sfredrick@plc-sid.com	Download Plans	
Matous Construction	General Contractor	Blake Pitts	2547801400	2547802599	blake@matousconstruction.com	Download Plans	
Matous Construction Ltd.	General Contractor	Jessica Bozon	254-780-1400		jessica@matousconstruction.com	Download Plans	
Legion Development, LLC	General Contractor	Emily Morales	(512) 688-5125		emily@legionh2o.com	Download Plans	
Associated Construction Partners, Ltd	General Contractor	Rachel Fitchett	2106988714		rachel@acpartners.org	Download Plans	WBE,HUB
R.P. Constructors, Inc.	General Contractor	Robert Pfeiffer	(512) 392-5111	(512) 392-	rpfeiffer@rpconstructorsinc.com	Download Plans	
Americano Construction	SubContractor	Americo Taylor	817 5432662		rttaylor2191@gmail.com	Download Plans	
Environmental Improvements	Supplier	Joey Justice	713-461-1111	713-461-1821	jjustice@ei2austin.com	Plans,Interested	
Municipal Valve and Equipment	Supplier	Patrick Sapp	9366895658		psapp@municipalvalve.com	Download Plans	
Construction Journal	Plan Room	Pamela Exton	8007855165	8005817204	bids@constructionjournal.com	Download Plans	
Archer Western	General Contractor	John Harbison	972-457-8500	972-457-8501	jharbison@walshgroup.com	Download Plans	
Aims Companies	SubContractor	Sabryna Abdella	281-485-8816		sabdella@aimscompanies.com	Download Plans	
Dodge Data & Analytics	Plan Room	Dodge Bidding	817-375-2953	800-768-5594	dodge.bidding@construction.com	Download Plans	
Knape Associates	Supplier	Renee Evans	713-467-2777	713-467-1217	Renee@knapeassociates.com	Download Plans	

City of Harker Heights - New (Second) Belt Filter Press

Company	Company Type	Contact Name	Contact Phone	Contact Fax	Email	Notes	Certifications
Wachter Electric	SubContractor	Kenny Napper	7132992903		kenny.napper@wachter.com	Download Plans	
Macaulay Controls Company	Supplier	Kari Hollway	2812820100	281-282-0077	khollway@macaulaycontrols.com	Download Plans	WBE,HUB
D&L Quailty Painting , INC.	General Contractor	Bob Bokemeyer	281-458-3588	281-458-2415	bbokemeyer@dlpainting.com	Download Plans	
Core & Main	Supplier	Laura Trujillo	713-466-9067	713-849-0413	laura.trujillo@coreandmain.com	Download Plans	
Schroder Material Handling Inc	SubContractor	Elizabeth Stuart	(864) 277-9933		schroderops@gmail.com	Download Plans	
ACT Pipe & Supply	Supplier	Jon Lamb	254-742-0888		jlamb@actpipe.com	Download Plans	
MAF Enterprises, Inc.	SubContractor	Marco Rivera	7139910154	7139913858	marco@maf1998.com	Download Plans	
Ferguson Waterworks	Supplier	FEATHER NELSON	5129302262	Ferguson	feather.douglass-nelson@ferguson.com	Download Plans	
Dobbs Coating Systems, Inc.	SubContractor	Don Fillenworth	8178194308	7017513415	.COM	Download Plans	
PrimeSpec Construction LLC	General Contractor	Charlie Carlisle	7372269604		marigold@primespecconstruction.com	Download Plans	
Ferguson WW Plant Div	Supplier	Tom Ellis	512-635-1865	512-930-2388	tom.ellis@ferguson.com	Download	
Universal Painting	SubContractor	Michael Allison	4073763404		mga@uipcl.com	Download Plans	
Valve & Equipment Consultants	Supplier	Steven Plummer	972-922-4993		stp@valveandequipment.com	Download Plans	
K4E	SubContractor	Matthew Ray	281-450-1936		mray@k4ellc.com	Download Plans	SBE
Archer Western	General Contractor	Thor Benson	972-457-8500		tbenson@walshgroup.com	Download Plans	
Ferguson Waterworks	Supplier	Justin Nickell	5129302262		justin.nickell@ferguson.com	Download Plans	
Seguin Fabricators, Misc Metals Fabricator	Supplier	Jennifer Warren	830-379-5890	830-379-0685	jennifer@seguinfab.com	Download Plans	
PrimeSpec Construction LLC	General Contractor	Marigold Carlisle	737-226-9604		marigold@primespecconstruction.com	Download Plans	
B-5 Construction Company	General Contractor	Sara Taylor	281-356-3264	281-356-3640	sara.taylor@b-5construction.com	Download Plans	
MADERO Engineers, Architects & Constructors	SubContractor	Frank Madero	281 610-0367	281 610-0367	frank@madero.net	Download Plans	MBE,SBE,HUB
MADERO Engineers, Architects & Constructors	SubContractor	Daniel Fernandez	8176090733		daniel@madero.net	Download Plans	
Global Treat Inc.	Supplier	Cameron Vandergriff	281 370 3425	2813703571	cameron@globaltreat.com	Download Plans	
CONSOLIDATED PIPE & SUPPLY	Supplier	Brian Smith	281-214-7060	281-214-7043	brian.smith@cspipe.com	Download Plans	
Ace Industries, Inc.	Manufacturer	Andrew Gurley	7702425102		agurley@aceindustries.com	Download Plans	
Hanes Companies	Supplier	Luke Padalecki	830-8324967		Luke.padalecki@hanescompanies.com	Download Plans	
Ferguson Waterworks	Architect	Joshua Holley	5129302262		JOSHUA.HOLLEY@FERGUSON.COM	Download Plans	
Pump Solutions Inc	Supplier	Francisco Guzman	2813999400		francisco@pumpsolutions.net	Download Plans	
Chlorinator Maintenance Inc.	SubContractor	Pam Manuel	7134721201	7134727717	pmanuel71@outlook.com	Download Plans	
Legion Development, LLC	General Contractor	Ed Albrecht	512-688-5125		ed@legionh2o.com	Download Plans	
MultiVolt Electric, Inc	SubContractor	Dathan Dalton	(254) 295-1985	(254) 295-	Estimating@multivoltelectric.com	Download Plans	
Garland Heating and Air Conditioning	SubContractor	David Echols	9722783506	9722783506	dechols@garlandheatingandair.com	Download Plans	HUB
B-5 construction	General Contractor	charlie Bell	2813563264		sara.taylor@b-5construction.com	Download Plans	
Technical Assurance, L.L.C.	Other	Hannah Montagne	2812969997		hmontagne@technical-assurance.com	Download Plans	



COUNCIL MEMORANDUM

AGENDA ITEM # IX-4

FROM: THE OFFICE OF THE CITY MANAGER

DATE: 08-24-2021

DISCUSS AND CONSIDER APPROVING A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HARKER HEIGHTS, TEXAS, AWARDING A CONTRACT FOR THE 2021 STREET IMPROVEMENT PROJECTS IN THE AMOUNT OF \$2,732,271.06 TO LONESTAR GRADING & MATERIALS, LLC AND TAKE THE APPROPRIATE ACTION.

EXPLANATION:

The bidding process began with the City advertising for bids for the 2021 Street Improvement Projects on July 25, 2021, and August 1, 2021. A total of eight (8) bid packets were distributed. Of those, seven (7) were construction companies, and one (1) was a plan room. On August 17, 2021, at 2:00 p.m. the sealed bids for the project were opened. The following bids were received and met specifications:

Location	Bidder	
	Lonestar Grading & Materials, LLC	TTG Utilities, LP
Chaucer Lane Part A	\$271,288.32	\$285,449.60
Crowfoot Dr. Part B	\$290,662.80	\$304,556.50
Miller's Crossing Part C	\$75,340.21	\$81,055.50
Pioneer Trail Part D	\$132,901.38	\$133,648.50
Wildewood Dr. Part E	\$380,403.22	\$371,776.00
Point Repairs Part F	\$902,657.90	\$1,068,300.00
Memory Lane/Shelby Lane Part G	(\$13,647.11)	(\$33,488.00)
Drawbridge Dr./Comanche Gap Road Part H	(\$43,198.12)	(\$72,694.20)
Indian Trail Drainage Improvements Part I	\$112,118.80	\$156,584.07
Nola Ruth Blvd./Old Nolanville Road Sidewalk Part J	\$34,827.39	\$23,444.00
Wildewood Dr. Drainage Improvements Part K	\$588,916.27	\$646,920.80
Total:	\$2,732,271.06	\$2,965,552.77

The 2021 Street Improvement Projects were bid in eleven separate parts. The City has reserved the right to award any individual part or any combination of parts of this project.

- Parts A, B, C, D, E, G and H includes subgrade cement stabilization and asphalt paving.
- Part F includes point repairs and asphalt paving.
- Part I includes construction of an 8-inch groundwater drainage pipe along Indian Trail.
- Part J includes pedestrian sidewalk improvements at the intersection of Nola Ruth Blvd/Old Nolanville Road.
- Part K includes drainage improvements and pedestrian sidewalk improvements on Wildewood Drive.

Lonestar Grading & Materials was awarded the 2020 Street Improvement Projects. The project is substantially completed.

The 2021 Street Improvement Projects are budgeted in the FY2020-21 Capital Improvement Fund.

RECOMMENDATION:

The Public Works Director recommends approving a resolution awarding a contract for the 2021 Street Improvement Projects, Parts “A” through “K” in the amount of \$2,732,271.06 to Lonestar Grading & Materials, LLC.

ACTION BY CITY COUNCIL:

1. Motion to approve/disapprove a resolution of the City Council of the City of Harker Heights, Texas, awarding a contract for the 2021 Street Improvement Projects, Parts “A” through “K” in the amount of \$2,732,271.06 to Lonestar Grading & Materials, LLC.
2. Any other action desired.

ATTACHMENTS:

1. Resolution
2. Letter of recommendation from Kasberg, Patrick & Associates, LP
3. Bid Tabulation
4. Plan Holders List
5. Location Map

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HARKER HEIGHTS, TEXAS, AWARDING A CONTRACT FOR THE 2021 STREET IMPROVEMENT PROJECTS IN THE AMOUNT OF \$2,732,271.06 TO LONESTAR GRADING & MATERIALS, LLC.

WHEREAS, the City advertised for bids on July 25, 2021 and August 1, 2021; and

WHEREAS, the City has funds budgeted in the FY 2020-21 Capital Improvement Funds; and

WHEREAS, the City notified seven construction contractors, and one plan room; and

WHEREAS, the City received two bids meeting specifications; and

WHEREAS, the City opened the sealed bids at 2:00 p.m. on August 17, 2021 and found the lowest responsible bidder to be Lonestar Grading & Materials, LLC; and

WHEREAS, the meeting at which this resolution was passed was open to the public, and notice of the time, place and purpose of said meeting was given as required by law, all in strict accordance with the requirements of the Texas Open Meetings Act;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Harker Heights, Texas:

1. The facts and recitations set forth above are hereby found and declared to be true and correct.
2. The contract ("*Agreement*") for the 2021 Street Improvement Projects is awarded to Lonestar Grading & Materials, LLC in the amount of \$2,732,271.06.
3. The City Manager, David Mitchell, is hereby authorized and empowered to act in the name and on behalf of the City to execute and deliver the Agreement (and any changes therein and additions thereto as he shall determine to be necessary or advisable, such determination to be conclusively evidenced by the execution and delivery thereof), together with any related consents, notices, certificates, acknowledgments, and other instruments, and to act as the representative of the City in any lawful way to perform or cause to be performed such other and further acts as may be reasonably necessary and appropriate to effectuate the said Agreement, and to accomplish the purposes of these resolutions.
4. All actions taken or performed prior to the date hereof by any person herein authorized to act in respect to the matters referred to and approved in this Resolution be and hereby are ratified and confirmed in all respects.

5. Any person, corporation, partnership, limited partnership, association, joint venture or other business entity may presume upon the validity of the acts of any person authorized herein to act, without further recourse to the governing documents, minutes or other proceedings of the City, and without joinder of any other officer or employee of the City.

PASSED AND APPROVED on August 24, 2021, by the Harker Heights City Council.

Spencer H. Smith, Mayor
City of Harker Heights

ATTEST:

Juliette Helsham, City Secretary
City of Harker Heights



KASBERG, PATRICK & ASSOCIATES, LP
CONSULTING ENGINEERS
Texas Firm F-510

Temple
19 North Main Street
Temple, Texas 76501
(254) 773-3731

RICK N. KASBERG, P.E.
R. DAVID PATRICK, P.E., CFM
THOMAS D. VALLE, P.E.
GINGER R. TOLBERT, P.E.
ALVIN R. "TRAE" SUTTON, III, P.E., CFM
JOHN A. SIMCIK, P.E., CFM

Georgetown
800 South Austin Avenue
Georgetown, Texas 78626
(512) 819-9478

August 17, 2021

Mr. Mark Hyde
Director of Public Works
City Hall
305 Millers Crossing
Harker Heights, Texas 76548

Re: City of Harker Heights
2021 Street Improvements Project

Dear Mr. Hyde:

On August 17, 2021, the City of Harker Heights received bids from two (2) contractors for construction of the 2021 Street Improvements Project. Attached is a Bid Tabulation for your reference. There were a total of eight (8) plan holders for this project, seven (7) contractors and one (1) planroom.

The Bid Schedule was separated into Parts A-K.

- Part A includes all work associated with the rehabilitation of **Chaucer Lane**, including cement stabilization, asphalt overlay, striping, traffic control, etc.
- Part B includes all work associated with the rehabilitation of **Crowfoot Drive**, including cement stabilization, asphalt overlay, striping, traffic control, etc.
- Part C includes all work associated with the rehabilitation of **Miller's Crossing**, including cement stabilization, asphalt overlay, striping, traffic control, etc.
- Part D includes all work associated with the rehabilitation of **Pioneer Trail**, including cement stabilization, asphalt overlay, striping, traffic control, etc.
- Part E includes all work associated with the rehabilitation of **Wildewood Drive**, including cement stabilization, curb installation, asphalt overlay, striping, traffic control, etc.
- Part F includes all work associated with the construction of **Point Repairs**, including sawcut and removal of existing material, full depth asphalt repair, striping, traffic control, etc.
- Part G includes all work associated with the rehabilitation of **Memory Lane / Shelby Lane**, including cement stabilization, curb installation, asphalt overlay, striping, traffic control, etc. This includes deducting applicable quantities from each street which are included as point repairs in Part F.
- Part H includes all work associated with the rehabilitation of **Drawbridge Drive / Comanche Gap**, including cement stabilization, curb installation, asphalt overlay, striping, traffic control, etc. This includes deducting applicable quantities from each street which are included as point repairs in Part F.

Mr. Mark Hyde
August 17, 2021
Page Two

- Part I includes all work associated with the installation of the **Indian Trail Drainage Improvements**, including installation of a trench drain and 8" PVC drain, asphalt trench repair, curb, sidewalk, and driveway replacement, traffic control, etc. These improvements are to collect and convey ground water that has surfaced and flows down Nola Ruth and Indian Trail.
- Part J includes all work associated with the installation of the **Nola Ruth / Old Nolanville Road Sidewalk**, including construction of a 6-foot wide sidewalk, flume crossing, handrail, traffic control, etc.
- Part K includes all work associated with the installation of the **Wildewood Drainage Improvements**, including removal of the existing 2-8'x4' box culverts and installation of 2-10'x4' reinforced concrete box culverts, storm sewer installation (sizes range from 18" to 36" diameter), curb inlets, headwalls, sloped end treatments, 5-foot wide sidewalk, traffic control, etc.

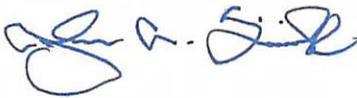
The low bidder on the project was Lone Star Grading & Materials, LLC from Salado, Texas with a Parts A-K price of \$2,732,271.06. A copy of the Bid Tabulation for the project is attached to this letter.

Our final opinion of probable construction costs was \$3,300,000.00 based on average bid prices received recently on comparable projects.

We recommend that the bid be awarded to **Lone Star Grading & Materials, LLC** for **Parts A-K** in the amount of **\$2,732,271.06**. We have previously worked with Lone Star Grading & Materials, LLC on projects in Central Texas and have found them to be a reputable contractor and capable of successfully completing the work associated with this project.

If you have any questions, please call.

Sincerely,



John A. Simcik, P.E., C.F.M.

xc: 2021-115-40

BID TABULATION
CITY OF HARKER HEIGHTS
2021 STREET IMPROVEMENTS Bid # 21-560-502-01
August 17, 2021; 2:00 PM

2021-115-40

								BIDDER INFORMATION			
								Lone Star Grading & Materials P.O. Box 1162 Salado, Texas 76571		TTG Utilities, LP P.O. Box 299 Gatesville, Texas 76528	
Bid No.	Estimated Quantity	Unit	Bid Data Description	Unit Price	Extended Amount	Unit Price	Extended Amount	Unit Price	Extended Amount		
PART A - Chauncer Lane											
A-1	100%	LS	Mobilization, Bonds & Insurance, not-to-exceed 5% of the Base Bid Amount	\$ 8,202.31	\$ 8,202.31	\$ 8,250.00	\$ 8,250.00				
A-2	100%	LS	Furnish Traffic Control Plan Sealed by an Engineer Licensed in the State of Texas	1,050.00	1,050.00	300.00	300.00				
A-3	100%	LS	Implement Traffic Control Plan	5,683.13	5,683.13	10,200.00	10,200.00				
A-4	100%	LS	Implement & Administer Stormwater Pollution Prevention Plan, Including Submission to & Receiving Permits from TCEQ	3,150.00	3,150.00	1,400.00	1,400.00				
A-5	100%	LS	DVD of ROW Pre-Construction & Post Construction Site Conditions for Total Project	250.00	250.00	350.00	350.00				
A-6	64	LF	Sawcut Existing Asphalt	5.47	350.08	2.40	153.60				
A-7	8,560	SY	Pulverize Existing Asphalt & Furnishing, Placing & Mixing 8" Cement Stabilization (8% Cement, Target Strength 250-500 psi)	11.06	94,673.60	14.20	121,552.00				
A-8	8,560	SY	Grade & Compact Cement Treated Material	5.60	47,936.00	2.75	23,540.00				
A-9	1,200	TN	Furnish & Place 2.5" Type 'D' HMAC Pavement with Prime & Tack Coat	91.01	109,212.00	99.00	118,800.00				
A-10	4	EA	Blue Reflective Buttons in Front of Fire Hydrants	18.90	75.60	22.00	88.00				
A-11	32	LF	12" White Thermoplastic School Zone Striping	22.05	705.60	25.50	816.00				
					\$ 271,288.32		\$ 285,449.60				

PART B - Crowfoot Drive									
B-1	100%	LS	Mobilization, Bonds & Insurance, not-to-exceed 5% of the Base Bid Amount	\$ 8,548.81	\$ 8,548.81	\$ 12,300.00	\$ 12,300.00		
B-2	100%	LS	Furnish Traffic Control Plan Sealed by an Engineer Licensed in the State of Texas	1,575.00	1,575.00	300.00	300.00		
B-3	100%	LS	Implement Traffic Control Plan	6,137.78	6,137.78	11,500.00	11,500.00		
B-4	100%	LS	Implement & Administer Stormwater Pollution Prevention Plan, Including Submission to & Receiving Permits from TCEQ	3,150.00	3,150.00	1,350.00	1,350.00		
B-5	100%	LS	DVD of ROW Pre-Construction & Post Construction Site Conditions for Total Project	250.00	250.00	350.00	350.00		
B-6	50	LF	Sawcut Existing Asphalt	5.48	274.00	2.40	120.00		
B-7	9,200	SY	Pulverize Existing Asphalt & Furnishing, Placing & Mixing 8" Cement Stabilization (8% Cement, Target Strength 250-500 psi)	11.06	101,752.00	13.40	123,280.00		
B-8	9,200	SY	Grade & Compact Cement Treated Material	5.40	49,680.00	2.75	25,300.00		
B-9	1,300	TN	Furnish & Place 2.5" Type 'D' HMAC Pavement with Prime & Tack Coat	90.86	118,118.00	99.00	128,700.00		
B-10	3	EA	Blue Reflective Buttons in Front of Fire Hydrants	18.90	56.70	22.00	66.00		
B-11	22	LF	Double 4" Yellow Thermoplastic Striping	1.94	42.68	2.25	49.50		
B-12	19	LF	8" White Thermoplastic Striping	2.57	48.83	3.00	57.00		
B-13	2	EA	Furnish & Install Double Reflectorized (Type II) Raised Pavement Markers (Yellow)	10.50	21.00	12.00	24.00		
B-14	4	EA	White Thermoplastic Directional Arrows & Text	252.00	1,008.00	290.00	1,160.00		
					\$ 290,662.80		\$ 304,556.50		

Bid No.	Estimated Quantity	Unit	Bid Data Description	Unit Price	Extended Amount	Unit Price	Extended Amount
PART C - Miller's Crossing							
C-1	100%	LS	Mobilization, Bonds & Insurance, not-to-exceed 5% of the Base Bid Amount	\$ 2,926.86	\$ 2,926.86	\$ 4,000.00	\$ 4,000.00
C-2	100%	LS	Furnish Traffic Control Plan Sealed by an Engineer Licensed in the State of Texas	1,050.00	1,050.00	305.00	305.00
C-3	100%	LS	Implement Traffic Control Plan	3,068.89	3,068.89	7,100.00	7,100.00
C-4	100%	LS	Implement & Administer Stormwater Pollution Prevention Plan, Including Submission to & Receiving Permits from TCEQ	3,150.00	3,150.00	1,350.00	1,350.00
C-5	100%	LS	DVD of ROW Pre-Construction & Post Construction Site Conditions for Total Project	250.00	250.00	350.00	350.00
C-6	40	LF	Sawcut Existing Asphalt	5.48	219.20	2.40	96.00
C-7	1,860	SY	Pulverize Existing Asphalt & Furnishing, Placing & Mixing 8" Cement Stabilization (8% Cement, Target Strength 250-500 psi)	11.06	20,571.60	13.00	24,180.00
C-8	1,860	SY	Grade & Compact Cement Treated Material	6.29	11,699.40	2.75	5,115.00
C-9	260	TN	Furnish & Place 2.5" Type 'D' HMAC Pavement with Prime & Tack Coat	100.58	26,150.80	110.00	28,600.00
C-10	45	LF	Asphalt/Concrete Interface Repair, Per Detail on Sheet G-03	55.55	2,499.75	125.00	5,625.00
C-11	404	LF	Double 4" Yellow Thermoplastic Striping	1.94	783.76	2.25	909.00
C-12	95	LF	8" White Thermoplastic Striping	2.57	244.15	3.00	285.00
C-13	21	LF	24" White Thermoplastic Striping (Stop Bar)	23.10	485.10	26.50	556.50
C-14	43	LF	Furnish & Install 6"x2" White Thermoplastic Bars on 2' Spacing (TxDOT Type I Material) for Crosswalk Striping	29.40	1,264.20	34.00	1,462.00
C-15	21	EA	Furnish & Install Double Reflectorized (Type II) Raised Pavement Markers (Yellow)	10.50	220.50	12.00	252.00
C-16	3	EA	White Thermoplastic Directional Arrows & Text	252.00	756.00	290.00	870.00
					\$ 75,340.21		\$ 81,055.50

PART D - Pioneer Trail									
D-1	100%	LS	Mobilization, Bonds & Insurance, not-to-exceed 5% of the Base Bid Amount	\$ 4,680.09	\$ 4,680.09	\$ 6,600.00	\$ 6,600.00		
D-2	100%	LS	Furnish Traffic Control Plan Sealed by an Engineer Licensed in the State of Texas	1,050.00	1,050.00	300.00	300.00		
D-3	100%	LS	Implement Traffic Control Plan	4,603.34	4,603.34	7,400.00	7,400.00		
D-4	100%	LS	Implement & Administer Stormwater Pollution Prevention Plan, Including Submission to & Receiving Permits from TCEQ	3,150.00	3,150.00	1,350.00	1,350.00		
D-5	100%	LS	DVD of ROW Pre-Construction & Post Construction Site Conditions for Total Project	250.00	250.00	350.00	350.00		
D-6	85	LF	Sawcut Existing Asphalt	5.51	468.35	2.40	204.00		
D-7	3,830	SY	Pulverize Existing Asphalt & Furnishing, Placing & Mixing 8" Cement Stabilization (8% Cement, Target Strength 250-500 psi)	11.06	42,359.80	13.40	51,322.00		
D-8	3,830	SY	Grade & Compact Cement Treated Material	6.59	25,239.70	2.75	10,532.50		
D-9	530	TN	Furnish & Place 2.5" Type 'D' HMAC Pavement with Prime & Tack Coat	90.59	48,012.70	99.00	52,470.00		
D-10	1	EA	Adjust Existing Manhole to Grade	1,000.00	1,000.00	700.00	700.00		
D-11	2	EA	Blue Reflective Buttons in Front of Fire Hydrants	18.90	37.80	22.00	44.00		
D-12	20	LF	24" White Thermoplastic Striping (Stop Bar)	23.10	462.00	27.00	540.00		
D-13	54	LF	Furnish & Install 6"x2" White Thermoplastic Bars on 2' Spacing (TxDOT Type I Material) for Crosswalk Striping	29.40	1,587.60	34.00	1,836.00		
					\$ 132,901.38		\$ 133,648.50		

PART E - Wildewood Drive									
E-1	100%	LS	Mobilization, Bonds & Insurance, not-to-exceed 5% of the Base Bid Amount	\$ 8,113.46	\$ 8,113.46	\$ 11,500.00	\$ 11,500.00		
E-2	100%	LS	Furnish Traffic Control Plan Sealed by an Engineer Licensed in the State of Texas	1,050.00	1,050.00	300.00	300.00		
E-3	100%	LS	Implement Traffic Control Plan	9,206.66	9,206.66	7,180.00	7,180.00		
E-4	100%	LS	Implement & Administer Stormwater Pollution Prevention Plan, Including Submission to & Receiving Permits from TCEQ	3,150.00	3,150.00	1,350.00	1,350.00		
E-5	100%	LS	DVD of ROW Pre-Construction & Post Construction Site Conditions for Total Project	250.00	250.00	350.00	350.00		
E-6	180	LF	Sawcut Existing Asphalt	3.50	630.00	2.40	432.00		
E-7	260	CY	Unclassified Excavation for Curb Installation	33.90	8,814.00	30.00	7,800.00		
E-8	130	CY	Crushed Limestone Base Material For Curb Installation, Type A, Grade 2 or Better (TxDOT 2004)	118.42	15,394.60	80.00	10,400.00		
E-9	45	CY	Select Material For Backfill of Curb Installation, TxDOT Item 132, Type A	125.35	5,640.75	48.00	2,160.00		
E-10	2,205	LF	Standard 24-Inch Curb & Gutter	21.21	46,768.05	20.00	44,100.00		
E-11	120	LF	Sawtooth Curb & Gutter	91.83	11,019.60	28.00	3,360.00		
E-12	9,160	SY	Pulverize Existing Asphalt & Furnishing, Placing & Mixing 8" Cement Stabilization	11.06	101,309.60	13.40	122,744.00		
E-13	9,160	SY	Grade & Compact Cement Treated Material	5.09	46,624.40	2.75	25,190.00		
E-14	1,260	TN	Furnish & Place 2.5" Type 'D' HMAC Pavement with Prime & Tack Coat	90.32	113,803.20	99.00	124,740.00		
E-15	2	EA	Adjust Existing Manhole to Grade	525.00	1,050.00	700.00	1,400.00		
E-16	5	EA	Blue Reflective Buttons in Front of Fire Hydrants	18.90	94.50	22.00	110.00		
E-17	242	LF	Furnish & Install 6"x2" White Thermoplastic Bars on 2' Spacing (TxDOT Type I Material) for Crosswalk Striping	29.40	7,114.80	34.00	8,228.00		
E-18	16	LF	24" White Thermoplastic Striping (Stop Bar)	23.10	369.60	27.00	432.00		
					\$ 380,403.22		\$ 371,776.00		

BID TABULATION
CITY OF HARKER HEIGHTS
2021 STREET IMPROVEMENTS Bid # 21-560-502-01
August 17, 2021; 2:00 PM

2021-115-40

BIDDER INFORMATION							
				Lone Star Grading & Materials P.O. Box 1162 Salado, Texas 76571		TTG Utilities, LP P.O. Box 299 Gatesville, Texas 76528	
Bid No.	Estimated Quantity	Unit	Bid Data Description	Unit Price	Extended Amount	Unit Price	Extended Amount
PART F - Point Repairs							
F-1	100%	LS	Mobilization, Bonds & Insurance, not-to-exceed 5% of the Base Bid Amount	\$ 12,012.65	\$ 12,012.65	\$ 50,000.00	\$ 50,000.00
F-2	100%	LS	Furnish Traffic Control Plan Sealed by an Engineer Licensed in the State of Texas	1,050.00	1,050.00	300.00	300.00
F-3	100%	LS	Implement Traffic Control Plan	26,250.00	26,250.00	21,500.00	21,500.00
F-4	100%	LS	Implement & Administer Stormwater Pollution Prevention Plan, Including Submission	3,150.00	3,150.00	1,350.00	1,350.00
F-5	100%	LS	DVD of ROW Pre-Construction & Post Construction Site Conditions for Total Project	250.00	250.00	1,090.00	1,090.00
F-6	21,500	LF	Sawcut Existing Asphalt	0.05	1,075.00	2.40	51,600.00
F-7	3,720	CY	Unclassified Excavation (0"-8" Depth), Including But Not Limited To, Removing & Disposing of Existing Asphalt & Base Material & Subgrade Material	34.30	127,596.00	37.50	139,500.00
F-8	5,525	TN	Furnish & Install 6" Type 'B' HMAC for Point Repairs	95.61	528,245.25	105.00	580,125.00
F-9	1,850	TN	Furnish & Place 2" Type 'D' HMAC Pavement with Prime & Tack Coat	106.76	197,506.00	117.00	216,450.00
F-10	2,200	LF	Double 4" Yellow Thermoplastic Striping	1.94	4,268.00	2.25	4,950.00
F-11	110	EA	Furnish & Install Double Reflectorized (Type II) Raised Pavement Markers (Yellow)	10.50	1,155.00	12.00	1,320.00
F-12	100	LF	4" White Thermoplastic Striping	1.00	100.00	1.15	115.00
PART F - Point Repairs				\$	902,657.90	\$	1,068,300.00

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				Lone Star Grading & Materials P.O. Box 1162 Salado, Texas 76571		TTG Utilities, LP P.O. Box 299 Gatesville, Texas 76528	
Bid No.	Estimated Quantity	Unit	Bid Data Description	Unit Price	Extended Amount	Unit Price	Extended Amount
PART G - Memory / Shelby							
G-1	100%	LS	Mobilization, Bonds & Insurance, not-to-exceed 5% of the Base Bid Amount	\$ (155.40)	\$ (155.40)	\$ 2,500.00	\$ 2,500.00
G-2	100%	LS	Furnish Traffic Control Plan Sealed by an Engineer Licensed in the State of Texas	1,050.00	1,050.00	300.00	300.00
G-3	100%	LS	Implement Traffic Control Plan	3,068.89	3,068.89	7,650.00	7,650.00
G-4	100%	LS	Implement & Administer Stormwater Pollution Prevention Plan, Including Submission	3,150.00	3,150.00	1,300.00	1,300.00
G-5	-2,180	LF	Deduct From Item F-6: Sawcut Existing Asphalt	0.05	(109.00)	2.40	(5,232.00)
G-6	-890	CY	Deduct From Item F-7: Unclassified Excavation (0"-8" Depth), Including But Not Limited To, Removing & Disposing of Existing Asphalt & Base Material & Subgrade Material	26.26	(23,371.40)	30.00	(26,700.00)
G-7	-1,320	TN	Deduct From Item F-8: Furnish & Install 6" Type 'B' HMAC for Point Repairs	89.90	(118,668.00)	102.00	(134,640.00)
G-8	-440	TN	Deduct From Item F-9: Furnish & Place 2" Type 'D' HMAC Pavement with Prime & Tack Coat	99.97	(43,986.80)	114.00	(50,160.00)
G-9	-220	LF	Deduct From Item F-10: Double 4" Yellow Thermoplastic Striping	1.94	(426.80)	2.25	(495.00)
G-10	-11	EA	Deduct From Item F-11: Furnish & Install Double Reflectorized (Type II) Raised Pavement Markers (Yellow)	10.50	(115.50)	12.00	(132.00)
G-11	150	LF	Sawcut Existing Asphalt	3.51	526.50	2.40	360.00
G-12	5,500	SY	Pulverize Existing Asphalt & Furnishing, Placing & Mixing 8" Cement Stabilization (8% Cement, Target Strength 250-500 psi)	11.06	60,830.00	13.40	73,700.00
G-13	5,500	SY	Grade & Compact Cement Treated Material	5.91	32,505.00	2.75	15,125.00
G-14	760	TN	Furnish & Place 2.5" Type 'D' HMAC Pavement with Prime & Tack Coat	91.25	69,350.00	105.00	79,800.00
G-15	3	EA	Blue Reflective Buttons in Front of Fire Hydrants	18.90	56.70	22.00	66.00
G-16	520	LF	Double 4" Yellow Thermoplastic Striping	1.94	1,008.80	2.25	1,170.00
G-17	80	LF	8" White Thermoplastic Striping	2.57	205.60	3.00	240.00
G-18	28	LF	24" White Thermoplastic Striping (Stop Bar)	23.10	646.80	27.00	756.00
G-19	27	EA	Furnish & Install Double Reflectorized (Type II) Raised Pavement Markers (Yellow)	10.50	283.50	12.00	324.00
G-20	2	EA	White Thermoplastic Directional Arrows	252.00	504.00	290.00	580.00
PART G - Memory / Shelby				\$	(13,647.11)	\$	(33,488.00)

BIDDER INFORMATION							
				Lone Star Grading & Materials P.O. Box 1162 Salado, Texas 76571		TTG Utilities, LP P.O. Box 299 Gatesville, Texas 76528	
Bid No.	Estimated Quantity	Unit	Bid Data Description	Unit Price	Extended Amount	Unit Price	Extended Amount
PART H - Drawbridge / Comanche Gap							
H-1	100%	LS	Mobilization, Bonds & Insurance, not-to-exceed 5% of the Base Bid Amount	\$ (492.45)	\$ (492.45)	\$ 2,150.00	\$ 2,150.00
H-2	100%	LS	Furnish Traffic Control Plan Sealed by an Engineer Licensed in the State of Texas	1,050.00	1,050.00	250.00	250.00
H-3	100%	LS	Implement Traffic Control Plan	3,068.89	3,068.89	6,500.00	6,500.00
H-4	100%	LS	Implement & Administer Stormwater Pollution Prevention Plan, Including Submission to & Receiving Permits from TCEQ	3,150.00	3,150.00	1,350.00	1,350.00
H-5	-3,288	LF	Deduct From Item F-6: Sawcut Existing Asphalt	0.05	(164.40)	2.40	(7,891.20)
H-6	-870	CY	Deduct From Item F-7: Unclassified Excavation (0"-8" Depth), Including But Not Limited To, Removing & Disposing of Existing Asphalt & Base Material & Subgrade Material	26.68	(23,211.60)	31.00	(26,970.00)
H-7	-1,292	TN	Deduct From Item F-8: Furnish & Install 6" Type 'B' HMAC for Point Repairs	90.18	(116,512.56)	104.00	(134,368.00)
H-8	-430	TN	Deduct From Item F-9: Furnish & Place 2" Type 'D' HMAC Pavement with Prime & Tack Coat	101.78	(43,765.40)	116.00	(49,880.00)
H-9	-220	LF	Deduct From Item F-10: Double 4" Yellow Thermoplastic Striping	1.94	(426.80)	2.25	(495.00)
H-10	-11	EA	Deduct From Item F-11: Furnish & Install Double Reflectorized (Type II) Raised Pavement Markers (Yellow)	10.50	(115.50)	12.00	(132.00)
H-11	260	LF	Sawcut Existing Asphalt	3.50	910.00	2.40	624.00
H-12	4,260	SY	Pulverize Existing Asphalt & Furnishing, Placing & Mixing 8" Cement Stabilization (8% Cement, Target Strength 250-500 psi)	11.06	47,115.60	13.40	57,084.00
H-13	4,260	SY	Grade & Compact Cement Treated Material	6.45	27,477.00	2.75	11,715.00
H-14	75	TN	Furnish & Place 1.5" Type 'D' HMAC Pavement with Prime & Tack Coat (Drawbridge)	112.70	8,452.50	129.00	9,675.00
H-15	470	TN	Furnish & Place 2.5" Type 'D' HMAC Pavement with Prime & Tack Coat (Comanche Gap)	92.40	43,428.00	106.00	49,820.00
H-16	1240	LF	Double 4" Yellow Thermoplastic Striping	1.94	2,405.60	2.25	2,790.00
H-17	2480	LF	Single 4" White Thermoplastic Striping	1.00	2,480.00	1.15	2,852.00
H-18	62	EA	Furnish & Install Double Reflectorized (Type II) Raised Pavement Markers (Yellow)	10.50	651.00	12.00	744.00
H-19	124	EA	Furnish & Install Single Reflectorized (Type I) Raised Pavement Markers (White)	10.50	1,302.00	12.00	1,488.00
PART H - Drawbridge / Comanche Gap				\$	(43,198.12)	\$	(72,694.20)

BIDDER INFORMATION							
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Bid No.	Estimated Quantity	Unit	Bid Data Description	Unit Price	Extended Amount	Unit Price	Extended Amount
PART I - Indian Trail Drainage							
I-1	100%	LS	Mobilization, Bonds & Insurance, not-to-exceed 5% of the Base Bid Amount	\$ 4,442.79	\$ 4,442.79	\$ 3,200.00	\$ 3,200.00
I-2	100%	LS	DVD of ROW Pre-Construction & Post Construction Site Conditions for Total Project	250.00	250.00	345.00	345.00
I-3	1	EA	Connect 8" PVC to Existing Curb Inlet	525.00	525.00	325.00	325.00
I-4	1,344	LF	8" PVC, SDR 26, Including Excavation, Bedding, & Backfill	32.52	43,706.88	51.50	69,216.00
I-5	7	EA	8" 22.5o Bend	157.50	1,102.50	145.00	1,015.00
I-6	5	EA	8" 45o Bend	157.50	787.50	145.00	725.00
I-7	1	EA	8" 90o Bend	315.00	315.00	225.00	225.00
I-8	1	EA	8" Wye	315.00	315.00	235.00	235.00
I-9	9	EA	8" Cleanout	855.75	7,701.75	815.63	7,340.67
I-10	35	LF	Remove & Replace Curb & Gutter	67.67	2,368.45	44.00	1,540.00
I-11	260	LF	Asphalt Trench Repair	34.89	9,071.40	32.00	8,320.00
I-12	35	LF	Furnish & Install Trench Drain and Grate, Per Details on Sheet R-12 of the Plans	352.33	12,331.55	328.00	11,480.00
I-13	100	SY	Remove & Replace Existing Sidewalk & Concrete Riprap (4" Thick on 2" Sand Cushion) As Necessary to Install Drainage Improvements	103.91	10,391.00	117.00	11,700.00
I-14	50	SY	Remove & Replace Existing Driveway (6" Concrete) As Necessary to Install Drainage	103.91	5,195.50	145.00	7,250.00
I-15	2	EA	Remove & Reset Existing Traffic Sign Assembly	262.50	525.00	370.00	740.00
I-16	350	SY	Revegetation of Disturbed Areas, Including Seeding or Sodding & Watering to Establish Growth	6.83	2,390.50	6.10	2,135.00
I-17	100%	LS	For Dewatering Trench Excavation as Necessary to Complete Proposed Improvements	1,575.00	1,575.00	16,000.00	16,000.00
I-18	100%	LS	For Providing a Trench Safety Plan, Per State Law	525.00	525.00	790.00	790.00
I-19	1,344	LF	For Implementation of Trench Safety Plan	1.05	1,411.20	3.35	4,502.40
I-20	100%	LS	Furnish Traffic Control Plan Sealed by an Engineer Licensed in the State of Texas	1,050.00	1,050.00	300.00	300.00
I-21	100%	LS	Implement Traffic Control Plan	6,137.78	6,137.78	9,200.00	9,200.00
PART I - Indian Trail Drainage				\$	112,118.80	\$	156,584.07

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CITY OF HARKER HEIGHTS
2021 STREET IMPROVEMENTS Bid # 21-560-502-01
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2021-115-40

				BIDDER INFORMATION			
				Lone Star Grading & Materials P.O. Box 1162 Salado, Texas 76571		TTG Utilities, LP P.O. Box 299 Gatesville, Texas 76528	
Bid No.	Estimated Quantity	Unit	Bid Data Description	Unit Price	Extended Amount	Unit Price	Extended Amount
PART J - Nola Ruth / Old Nolanville Road Sidewalk							
J-1	100%	LS	Mobilization, Bonds & Insurance, not-to-exceed 5% of the Base Bid Amount	\$ 848.27	\$ 848.27	\$ 1,000.00	\$ 1,000.00
J-2	100%	LS	DVD of ROW Pre-Construction & Post Construction Site Conditions for Total Project	250.00	250.00	350.00	350.00
J-3	25	CY	Unclassified Excavation for Sidewalk	39.67	991.75	29.00	725.00
J-4	5	CY	Place & Compact Select Fill for Sidewalk	125.24	626.20	55.00	275.00
J-5	133	SY	Construct 4" Thick Concrete (Class A) Sidewalk with 2" Crusher Fines or Sand Cushion	95.38	12,685.54	78.00	10,374.00
J-6	60	SF	Furnish & Install 6' Wide SlipNOT® or ALGRIP® Non Slip Floor Plate or Approved	150.00	9,000.00	65.50	3,930.00
J-7	100%	LS	For Construction of Three- 1-Foot Wide Reinforced Concrete Piers for Crossing (Class A Concrete)(Est. at 0.2 CY)	2,480.24	2,480.24	1,100.00	1,100.00
J-8	20	LF	Furnish & Install Pedestrian Handrail, Type B	89.25	1,785.00	100.00	2,000.00
J-9	6	SY	Furnish & Installing Mortared River Rock	340.25	2,041.50	190.00	1,140.00
J-10	100%	LS	Furnish Traffic Control Plan Sealed by an Engineer Licensed in the State of Texas	1,050.00	1,050.00	300.00	300.00
J-11	100%	LS	Implement Traffic Control Plan	3,068.89	3,068.89	2,250.00	2,250.00
PART J - Nola Ruth / Old Nolanville Road Sidewalk				\$	34,827.39	\$	23,444.00

PART K - Wildewood Drainage							
Bid No.	Estimated Quantity	Unit	Bid Data Description	Unit Price	Extended Amount	Unit Price	Extended Amount
K-1	100%	LS	Mobilization, Bonds & Insurance, not-to-exceed 5% of the Base Bid Amount	\$ 12,092.56	\$ 12,092.56	\$ 4,250.00	\$ 4,250.00
K-2	22	STA	Right-of-Way Preparation	362.01	7,964.22	350.00	7,700.00
K-3	100%	LS	Prepare Trench Safety Plan Per State Law	525.00	525.00	800.00	800.00
K-4	2,378	LF	Implement Trench Safety Plan (Pipe)	1.05	2,496.90	3.30	7,847.40
K-5	500	SF	Implement Trench Safety Plan (Structures)	3.68	1,840.00	4.00	2,000.00
K-6	100%	LS	Implementation of Traffic Control Plan, Per TxDOT Standard Details	3,068.89	3,068.89	19,500.00	19,500.00
K-7	100%	LS	Prepare SWPPP & Obtain TCEQ Permit	3,150.00	3,150.00	9,000.00	9,000.00
K-8	100%	LS	DVD of ROW Pre-Construction & Post Construction Site Conditions for Total Project	250.00	250.00	350.00	350.00
K-9	2	LF	Sawcut Asphalt for Storm Sewer Installation	203.74	407.48	2.70	5.40
K-10	2	EA	Remove & Dispose of Existing 18" Sloped End Treatment & Connect 18" RCP to Existing RCP	1,000.47	2,000.94	505.00	1,010.00
K-11	27	LF	Remove & Dispose of Existing 18" Culverts	25.75	695.25	14.00	378.00
K-12	252	LF	Remove & Dispose of Existing 24" Culverts	8.63	2,174.76	15.00	3,780.00
K-13	120	SY	Remove & Dispose of Existing Concrete Driveway	17.68	2,121.60	16.00	1,920.00
K-14	530	LF	18" HDPE Storm Sewer Pipe, Including Excavation, Bedding & Backfill	54.53	28,900.90	41.50	21,995.00
K-15	257	LF	24" HDPE Storm Sewer Pipe, Including Excavation, Bedding & Backfill	71.33	18,331.81	56.00	14,392.00
K-16	259	LF	30" HDPE Storm Sewer Pipe, Including Excavation, Bedding & Backfill	88.19	22,841.21	88.00	22,792.00
K-17	1,049	LF	36" HDPE Storm Sewer Pipe, Including Excavation, Bedding & Backfill	110.05	115,442.45	116.00	121,684.00
K-18	16	LF	18" RCP Storm Sewer Pipe, Including Excavation, Bedding & Backfill	188.48	3,015.68	91.00	1,456.00
K-19	49	LF	24" RCP Storm Sewer Pipe, Including Excavation, Bedding & Backfill	104.58	5,124.42	91.00	4,459.00
K-20	46	LF	30" RCP Storm Sewer Pipe, Including Excavation, Bedding & Backfill	129.56	5,959.76	152.00	6,992.00
K-21	233	LF	36" RCP Storm Sewer Pipe, Including Excavation, Bedding & Backfill	141.13	32,883.29	160.00	37,280.00
K-22	4	EA	18" Diameter Transition from RCP to HDPE, Per Details	525.00	2,100.00	665.00	2,660.00
K-23	2	EA	24" Diameter Transition from RCP to HDPE, Per Details	787.50	1,575.00	665.00	1,330.00
K-24	2	EA	30" Diameter Transition from RCP to HDPE, Per Details	1,365.00	2,730.00	1,000.00	2,000.00
K-25	10	EA	36" Diameter Transition from RCP to HDPE, Per Details	1,627.50	16,275.00	1,580.00	15,800.00
K-26	1	EA	Furnish & Installing 10'x3' Curb Inlet with Backside Opening	6,946.51	6,946.51	5,900.00	5,900.00
K-27	2	EA	Furnish & Installing 10'x4' Curb Inlet with Backside Opening	7,496.50	14,993.00	6,800.00	13,600.00
K-28	2	EA	Furnish & Installing 9'x5' Curb Inlet with 5' Inlet Extension & Backside Opening	7,496.50	14,993.00	10,700.00	21,400.00
K-29	2	EA	For Coring Into & Connecting 36" RCPs to Existing 8'x4' RCB	1,050.00	2,100.00	790.00	1,580.00
K-30	2	EA	Furnish & Installing 18" 300 Bend	682.50	1,365.00	265.00	530.00
K-31	2	EA	Furnish & Installing 18" Sloped End Treatment (4:1)	1,424.54	2,849.08	1,150.00	2,300.00
K-32	1	EA	Furnish & Installing 24" Sloped End Treatment (4:1)	2,183.21	2,183.21	1,800.00	1,800.00
K-33	120	SY	For Constructing 6-Inch Thick Reinforced Concrete Driveways (3,000 PSI Concrete)	124.00	14,880.00	108.00	12,960.00
K-34	155	LF	For Asphalt Trench Repair	34.95	5,417.25	28.00	4,340.00
K-35	3,350	SY	For Minor Swale Grading	1.50	5,025.00	3.30	11,055.00
K-36	3,350	SY	Revegetation of Disturbed Areas, Including Seeding or Sodding & Watering to Establish Growth	2.89	9,681.50	6.00	20,100.00
K-37	25	CY	Unclassified Excavation for Sidewalk	175.14	4,378.50	29.00	725.00
K-38	5	CY	Place & Compact Select Fill for Sidewalk	146.55	732.75	55.00	275.00
K-39	1,300	SY	For Constructing 4" Thick Concrete (Class A) Sidewalk with 2" Crusher Fines or Sand Cushion	49.09	63,817.00	78.00	101,400.00
K-40	120	SF	Furnish & Install 5' Wide SlipNOT® or ALGRIP® Non Slip Floor Plate or Approved Equal	150.00	18,000.00	65.50	7,860.00
K-41	12	EA	Furnish & Install TxDOT Type 10 Curb Ramp	1,800.00	21,600.00	1,200.00	14,400.00
K-42	40	LF	Furnish & Install Pedestrian Handrail, Type B	89.25	3,570.00	100.00	4,000.00
K-43	265	CY	Unclassified Excavation Necessary for Installation of 2-10'x4' RCBs & Removal & Disposal of Existing 2-8'x4' RCBs & Headwalls	43.74	11,591.10	22.00	5,830.00
K-44	45	LF	Furnish & Install 2-10'x4' RCBs (Precast), Including Bedding & Backfill	930.60	41,877.00	1,815.00	81,675.00
K-45	2	EA	Construct Headwall with Parallel Wings for 2-10'x4' RCBs, TxDOT Type PW-1	21,479.70	42,959.40	10,400.00	20,800.00
K-46	35	LF	Furnish & Install Sawtooth Curb	43.26	1,514.10	28.00	980.00
K-47	45	LF	Implement Trench Safety Plan (RCB)	52.50	2,362.50	9.00	405.00
K-48	5	CY	Furnish & Install 12" Diameter Mortared Rock Riprap (Approximately 25'x5' Area)	422.65	2,113.25	325.00	1,625.00
PART K - Wildewood Drainage				\$	588,916.27	\$	646,920.80

				BIDDER INFORMATION			
				Lone Star Grading & Materials P.O. Box 1162 Salado, Texas 76571		TTG Utilities, LP P.O. Box 299 Gatesville, Texas 76528	
PART A - Chauncer Lane	\$			271,288.32	\$		285,449.60
PART B - Crowfoot Drive	\$			290,662.80	\$		304,556.50
PART C - Miller's Crossing	\$			75,340.21	\$		81,055.50
PART D - Pioneer Trail	\$			132,901.38	\$		133,648.50
PART E - Wildewood Drive	\$			380,403.22	\$		371,776.00
PART F - Point Repairs	\$			902,657.90	\$		1,068,300.00
PART G - Memory / Shelby	\$			(13,647.11)	\$		(33,488.00)
PART H - Drawbridge / Comanche Gap	\$			(43,198.12)	\$		(72,694.20)
PART I - Indian Trail Drainage	\$			112,118.80	\$		156,584.07
PART J - Nola Ruth / Old Nolanville Road Sidewalk	\$			34,827.39	\$		23,444.00
PART K - Wildewood Drainage	\$			588,916.27	\$		646,920.80
Total Bid Amount (Part A + Part B + Part C + Part D + Part E + Part F + Part G + Part H + Part I + Part J + Part K)	\$			2,732,271.06	\$		2,965,552.77

Did Bidder Acknowledge Addenda 1, 2, 3, 4 & 5?	YES	YES
Did Bidder provide Bid Security?	YES	YES
Did Bidder provide required documents?	YES	YES

I hereby certify that this is a correct & true tabulation of all bids received


 John A. Simcik, P.E., CFM
 Kasberg, Patis & Associates, LP

8/17/2021
 Date



RECORD OF CONSTRUCTION DOCUMENTS

Kasberg, Patrick & Associates, LP
 19 North Main Street
 Temple, TX 76501

Engineers Opinion _____
 of Probable Cost _____

Client Name City of Harker Heights

Project Name:
 2021 Street Improvements Project; Bid # 21-560-502-01

Project Number 2021-115-30
 Bid Date August 12, 2021; 2:00 PM
 Address 305 Miller's Crossing; Harker Heights, TX 76

Fee Per Set \$75.00

Project Manager: John A. Simcik, PE, CFM

Pre-Bid August 3, 2021; 2:00 PM
400 Indian Trail; Harker Heights, TX 78548

Date Issued	Plan Holder Name and Address	Contact Name Phone and Fax Number	Fee	Set Number	Addenda		
					1	2	3
	TTG Utilities LP PO Box 299 Gatesville TX 76528	Keith James 254-248-1151 kjames@ttgutilities.com		1			
	RT Schneider Construction Co Ltd PO Box 876 Belton TX 76513	Bryant Davis 254-933-2529 bdavis@rtschneider.com		2			
	Lone Star Grading & Materials LLC PO Box 1162 Salado TX 76571	Chad Kiphart 254-947-0149 chad.kiphart@lonestargrading.com		3			
	Lone Star Grading & Materials LLC PO Box 1162 Salado TX 76571	Jason Miller 254-947-0149 jason.miller@lonestargrading.com		4			
	Austin AMTEK Information Services	Kaylan Wardlaw 512-323-0508 amtek.austin@amtekusa.com		5			
	Lone Star Paving 5513 Taylors Valley Road Temple TX 76502	Kevin Schneider 254-613-1421 kschneider@lspaving.com		6			
	Smith Paving	Casey smithpaving99@yahoo.com		7			
	Smith Contracting Co Inc	Hardin Camp hardincamp@gmail.com		8			

RECORD OF CONSTRUCTION DOCUMENTS

Kasberg, Patrick & Associates, LP
 19 North Main Street
 Temple, TX 76501

Engineers Opinion _____
 of Probable Cost _____

Client Name City of Harker Heights

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 2021 Street Improvements Project; Bid # 21-560-502-01

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Address 305 Miller's Crossing; Harker Heights, TX 76

Fee Per Set \$75.00

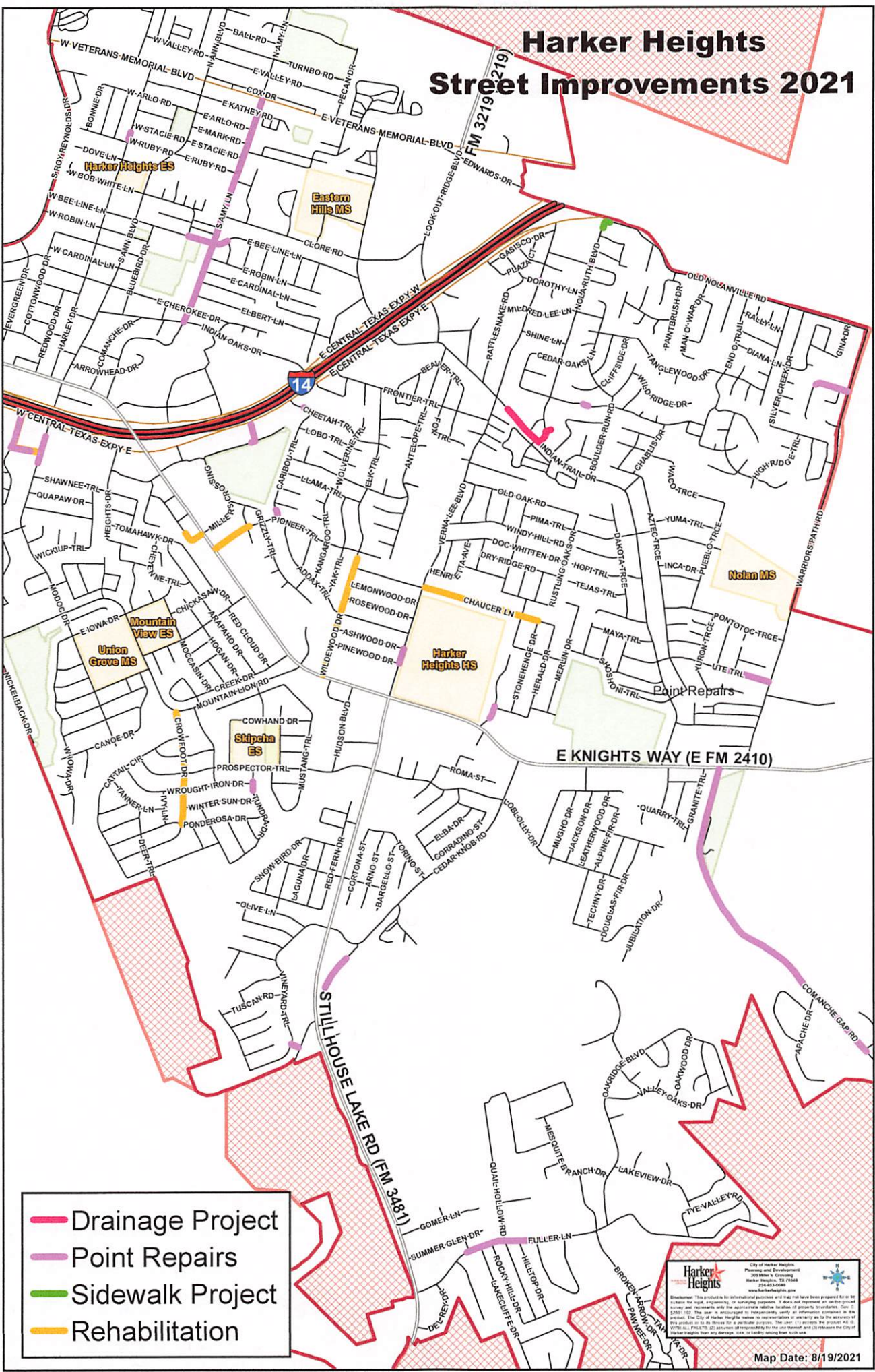
Project Manager: John A. Simcik, PE, CFM

Pre-Bid August 3, 2021; 2:00 PM

400 Indian Trail; Harker Heights, TX 78548

Date Issued	Plan Holder Name and Address	Contact Name Phone and Fax Number	Fee	Set Number	Addenda		
					1	2	3
	Smith Contracting Co Inc	Hunter Smith huntersmith@smithcontinc.com		9			
	Texas Materials Group	Todd Gerjets todd.gerjets@texasmaterials.com		10			
	Texas Materials Group	Brandon Lemay brandon.lemay@texasmaterials.com		11			

Harker Heights Street Improvements 2021



- Drainage Project
- Point Repairs
- Sidewalk Project
- Rehabilitation

Harker Heights
 Planning and Development
 305 West N. Crossway
 Harker Heights, TX 76788
 254-413-0666
www.harkerheights.com

Disclaimer: This product is for informational purposes and has not been prepared for or to replace the need for engineering or surveying support. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. (See 2.0000) (3) The user is encouraged to independently verify all information contained on this product for its intended use in a particular project. The user (1) accepts the accuracy of all data and (2) assumes all responsibility for the use thereof. All (3) releases for the City of Harker Heights from the developer, state, or federal agency from such use.

Map Date: 8/19/2021



CITY COUNCIL MEMORANDUM

AGENDA ITEM # IX-5

FROM: THE OFFICE OF THE CITY MANAGER

DATE: AUGUST 24, 2021

DISCUSS AND CONSIDER APPROVING A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HARKER HEIGHTS, TEXAS, ESTABLISHING POLICIES AND PROCEDURES FOR CEREMONIAL DOCUMENTS, AND TAKE THE APPROPRIATE ACTION.

EXPLANATION:

City staff presented this item to the Council during a July 20th workshop to consider a policy for recognizing outstanding citizens, groups, and organizations that have made contributions or a positive impact on the citizens of our community.

Staff developed a policy for council's consideration. These policies and procedures are intended to assist in determining the type of recognition and award for the efforts of promoting the spirit of civic awareness and pride.

RECOMMENDATION:

None

ACTION BY CITY COUNCIL:

1. Motion to APPROVE/DISAPPROVE a Resolution of the City Council of the City of Harker Heights, Texas, establishing policies and procedures for ceremonial documents.
2. Any other action desired.

ATTACHMENTS:

1. Policy and Procedures for Ceremonial Documents – Revision
2. Resolution

POLICIES AND PROCEDURES FOR CEREMONIAL DOCUMENTS

Updated 8/16/21

PURPOSE:

This recognition program was created by the City of Harker Heights Mayor and City Council to acknowledge outstanding citizens who have made a significant contribution to, or positive impact on the citizens of our community. Individuals or groups who receive recognition exemplified a strong sense of volunteerism, civic pride, and commitment towards the betterment of our community.

A ceremonial document could be a proclamation, letter or certificate that may congratulate, honor, or recognize a City of Harker Heights resident or organization.

CEREMONIAL DOCUMENT CRITERIA:

Ceremonial documents are reserved for people, places or events that positively contribute to the economic, social and/or cultural fabric of the City of Harker Heights.

Ceremonial documents will not be issued if:

- The request promotes campaigns, events or ideological and political beliefs that are contrary to the policies or laws of the City of Harker Heights.
- The request is for commercial/for-profit purposes.
- The request conflicts with federally recognized months, weeks, or days of observance.
- The request takes a side/position regarding international disputes or is a subjective statement of ideology.
- The request is for an event that is expected to happen but has not yet been confirmed.
- The request is on behalf of individuals/groups of which the requester has no proven affiliation.
- The request is to replace a damaged or missing document from a previous administration.

The following guidelines determine the type of recognition document issued.

PROCLAMATIONS:

An official document on special stationery that is issued for the following occasions. For example:

- Local City and civic celebrations
- Significant Birthdays (95+)
- Significant Anniversaries (65+)

- Retirements (40+)
- Public Awareness campaigns
- Special honors (on the recommendation of the Mayor and/or City Council)
- Any other item deemed by the City Council

LETTERS OF APPRECIATION/CONGRATULATIONS:

An official letter on the City of Harker Heights' letterhead that celebrates achievements and recognizes individuals or organizations for their accomplishments. They are issued for the following occasions. For example:

- Significant Birthdays (85-94)
- Significant Anniversaries (50-64)
- Retirements (30-39)
- Eagle Scout Award
- Girl Scout Gold Award
- Extraordinary volunteerism
- Any other item deemed by the City Council

BRIGHT STAR AWARDS:

An official award that celebrates the superlative service, performance, and/or contribution to the City of Harker Heights. For example:

- Areas of Recognition
 - Accomplishment – recognition for distinct and extraordinary accomplishments that have made significant identifiable successes or improvements for the citizens of Harker Heights.
 - Human Relations – Recognition for outstanding contributions made toward enhancing the quality and morale of the community.
 - Public Service – recognition for demonstrating a high awareness of the needs of the citizens regarding the services provided and encouraging others to value the importance of public service and stewardship.
 - Safety & Heroism – recognition for demonstrating outstanding judgement or courage in an emergency, voluntarily risking his or her life or taking action to prevent injury, loss of life or damage or loss of property.
 - Health & Wellness – recognition for providing outstanding leadership and setting an example in support of the City's pursuit of enhanced organizational effectiveness through improvements in the health and wellness of its citizens.

The ceremonial documents may be awarded as deemed appropriate at the discretion of the Mayor and members of Harker Heights City Council.

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HARKER HEIGHTS, TEXAS, ESTABLISHING ITS POLICY AND PROCEDURES FOR CEREMONIAL DOCUMENTS; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City Council of the City of Harker Heights, Texas, acknowledges outstanding citizens who have made a significant contribution to, or positive impact of the community; and

WHEREAS, the City Council is the governing body for the City of Harker Heights; and

WHEREAS, the City Council supports the importance of recognizing exemplary volunteerism, civic pride, and commitment towards the betterment of the community; and

WHEREAS, the desire of the development of this policy is to ensure effective and efficient governance.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HARKER HEIGHTS, TEXAS, AS FOLLOWS:

Section 1. That the foregoing recitals are hereby found to be true and correct legislative findings of the City of Harker Heights, Texas, and are fully incorporated into the body of this resolution.

Section 2. That the City Council of the City of Harker Heights, Texas, does hereby state the City of Harker Heights Ceremonial Documents Policies and Procedures, a copy of which is attached hereto as Exhibit A.

Section 3. That this Resolution shall become effective from and after its passage.

NOW, THEREFORE, BE IT RESOLVED BY the City Council of the City of Harker Heights, Texas, that the City hereby passes this resolution establishing policies and procedures for ceremonial documents.

PASSED AND APPROVED THIS 24th DAY OF AUGUST 2021, AT WHICH MEETING A QUORUM WAS PRESENT AND HELD IN STRICT ACCORDANCE WITH THE PROVISIONS OF TEXAS GOVERNMENT CODE, CHAPTER 557.

CITY OF HARKER HEIGHTS, TEXAS:

Spencer H. Smith
Mayor

ATTEST:

Julie Helsham
City Secretary

AGENDA ITEM #IX-6

FROM: THE OFFICE OF THE CITY MANAGER DATE: August 24, 2021

DISCUSS AND CONSIDER APPROVING AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HARKER HEIGHTS, TEXAS, AMENDING SECTION 30.11, ORDER OF BUSINESS, OF THE CODE OF ORDINANCES OF THE CITY OF HARKER HEIGHTS, AND TAKE THE APPROPRIATE ACTION.

EXPLANATION:

Section 30.11 of the City's Code of Ordinances reads as follows:

30.11 Order of Business.

The following order of business shall be observed:

- (A) Call to order;*
- (B) Invocation;*
- (C) Pledge of allegiance;*
- (D) Roll call;*
- (E) Approve minutes of the previous meetings;*
- (F) Mayoral proclamation;*
- (G) Consent items;*
- (H) Presentations by citizens;*
- (I) Public hearings;*
- (J) Old business;*
- (K) New business;*
- (L) Reports of advisory boards and commissions;*
- (M) Items from council;*
- (N) Staff reports;*
- (O) Announcements; and*
- (P) Adjournment.*

The City's Attorney recommends removing the current language found in 30.11 and replacing as follows: *30.11 Order of Business. All meetings of the Harker Heights City Council shall be conducted in accordance with the Texas Open Meetings Act. The Mayor, or other presiding council member, shall have discretion to determine the order of business.*

RECOMMENDATION:

Staff recommends approval.

ACTION BY CITY COUNCIL:

1. Motion to APPROVE/DISAPPROVE an Ordinance of the City of Harker Heights, Texas, amending Section 30.11, Order of Business, of the Code of Ordinances of the City of Harker Heights.
2. Any other action desired.

ATTACHMENTS:

1. Ordinance

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF HARKER HEIGHTS,
TEXAS AMENDING SECTION 30.11, ORDER OF BUSINESS,
OF THE CODE OF ORDINANCES OF THE CITY OF
HARKER HEIGHTS**

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY
OF HARKER HEIGHTS, TEXAS AS FOLLOWS:**

Section 1. Section 30.11, Order of Business, of the Code of Ordinances of the City of Harker Heights is amended to read as follows:

Sec. 30.11 – Order of Business.

All meetings of the Harker Heights City Council shall be conducted in accordance with the Texas Open Meetings Act. The Mayor, or other presiding council member, shall have discretion to determine the order of business.

PASSED ON THIS THE 24th DAY OF AUGUST, 2021.

CITY OF HARKER HEIGHTS

**By: _____
Spencer H. Smith, Mayor**

ATTEST:

Julie Helsham, City Secretary



CITY COUNCIL MEMORANDUM

AGENDA ITEM # X-1

FROM: THE OFFICE OF THE CITY MANAGER

DATE: AUGUST 24, 2021

RECEIVE AND DISCUSS A PRESENTATION BY JACK PALMER, PUBLIC SAFETY COMMISSION CHAIR, REGARDING AN ANNUAL UPDATE ON THE PUBLIC SAFETY COMMISSION ACTIVITIES IN FISCAL YEAR 2020-2021.

EXPLANATION:

This presentation will provide the City Council with an overview of the Public Safety Commission discussions presented during the 2021 fiscal year and any goals or objectives for the future.

ACTION BY COUNCIL:

None.

ATTACHMENTS:

1. PowerPoint Presentation

Public Safety Commission

Annual Update FY2021

Our Members

- Jack Palmer (Chairman)
- Dick Dwinell
- Louis Best
- Wyatt Wetzel
- Jeremy Hoffman (Alternate)
- Yomi Hardison (Alternate)

Our Purpose

The Public Safety Commission is established by the City Council as an advisory commission to the City Council in matters concerning the Police, Fire and Emergency Medical Services Departments of the City of Harker Heights.

We entertain issues and subjects requested by the City Council, City Manager, Police, Fire and Emergency Medical Services Department, citizens of Harker Heights, and members of the Commission that pertain to the provision of Public Safety within the City.

We also select the annual Firefighter of the Year, Police Officer of the Year, and the Citizen of the Year.

Scope of the Commission

- Act in an advisory capacity to the City Council in matters concerning the Police, Fire and Emergency Medical Services Departments of the City of Harker Heights.
- Provide opportunities for citizen input regarding the public safety needs of the community.
- Selection of annual Police Officer of the Year, Firefighter of the Year, and Citizen of the Year (Linda Neault Award).
- Receive updates from the Police and Fire Chiefs regarding their departments.
- Provide feedback to the Police and Fire Chiefs regarding the needs of the community and departments.

Scope of the Commission cont'd

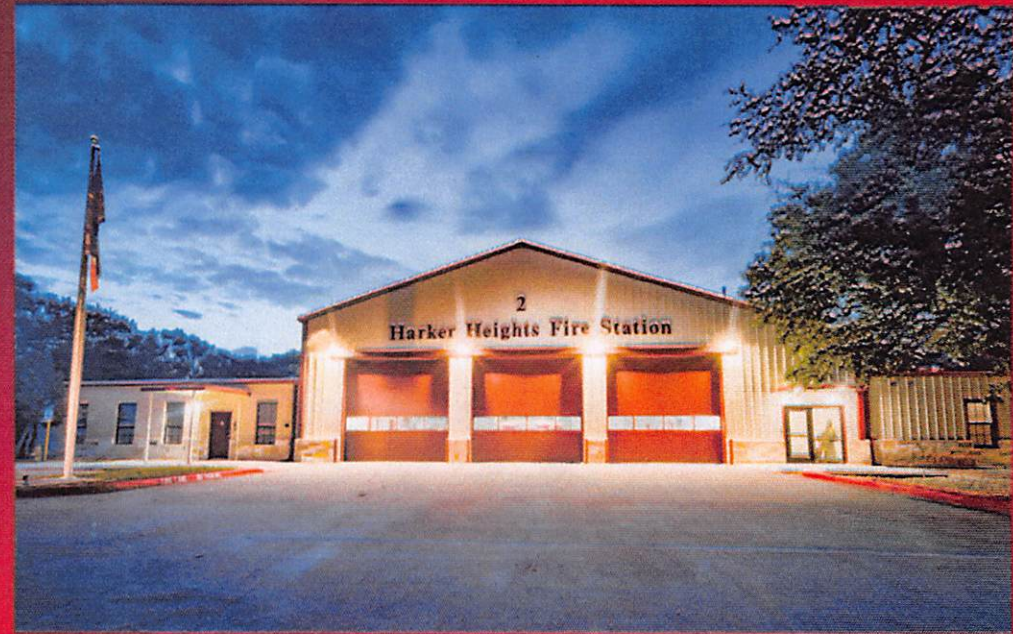
- Present recommendations concerning public safety in the city by the Chairperson to the City Council and respond to any inquiries made by Councilmembers.
- Provide meeting minutes to the City Council, and upon the Council's request, the Chairperson shall provide briefings of the Commission's completed activities and planned projects.
- At the request of the senior departmental officer, participate in selection board, promotion boards, and other forums as appropriate.
- As necessary, assist in the implementation of the City's Emergency Management Plan and assist the operations of the Emergency Operations Center as requested.

2020 Annual Awards

- Police Officer of the Year - Sergeant, Detective Raphael Baumgaertel
- Firefighter of the Year - Deputy Fire Marshal, Lieutenant Randy Ray
- Citizen of the Year (Linda Neault Award) - Kenny Cook



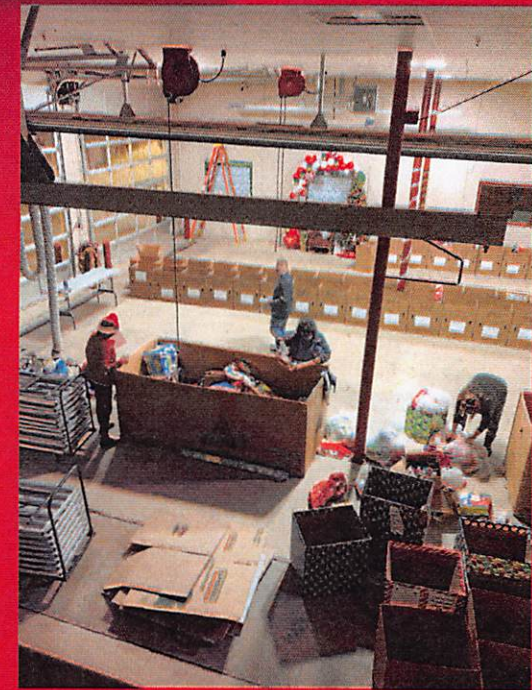
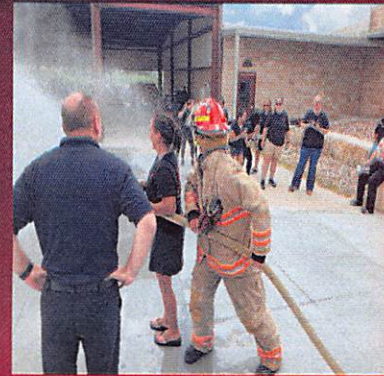
Fire Department



Photo's courtesy of Rene Fernandez

Fire Department Programs/Events

- Thanksgiving Baskets
- Santa Pal
- Christmas Eve Santa Route
- Vision XXI Participation

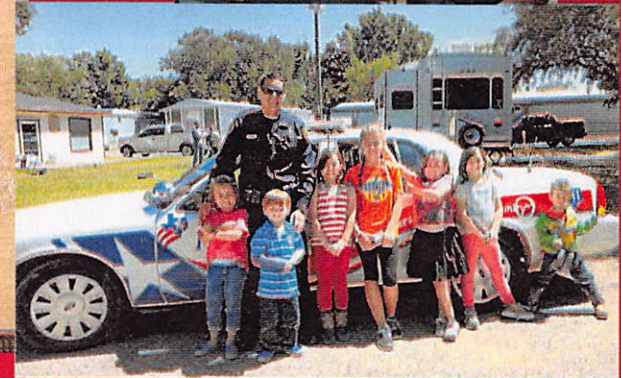
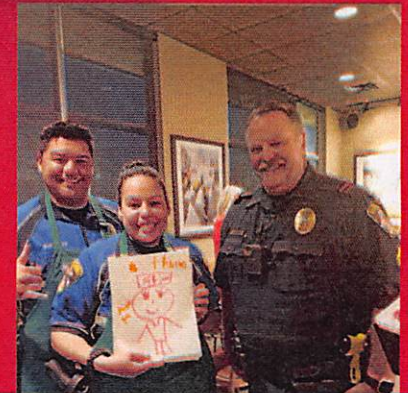
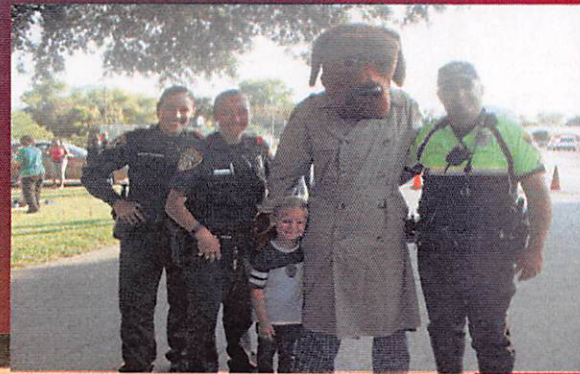


Police Department



Police Department Programs/Events

- National Night Out
- Citizen's Police Academy
- Coffee with a Cop





Questions