



**MEETING OF THE
TEMPLE CITY COUNCIL**

**MUNICIPAL BUILDING
2 NORTH MAIN STREET
TEMPLE, TX**

THURSDAY, JUNE 19, 2008

**3:00 P.M.
3RD FLOOR CONFERENCE ROOM**

WORKSHOP AGENDA

1. Receive update on downtown redevelopment including the final proposed parking study and the market and financial feasibility study relating to the City block that includes the Hawn Hotel and the Arcadia Theatre.
2. Discuss the City's current Drainage Fund sunset review report.
3. Receive presentation regarding the Tourism Marketing Campaign.
4. Discuss, as may be needed, Regular Meeting agenda items for the meeting posted for Thursday, June 19, 2008 as follows:

5:00 P.M.
CITY COUNCIL CHAMBERS – 2ND FLOOR

TEMPLE CITY COUNCIL

REGULAR MEETING AGENDA

I. CALL TO ORDER

1. Invocation
2. Pledge of Allegiance

II. PUBLIC COMMENTS

Citizens who desire to address the Council on any matter may sign up to do so prior to this meeting. Public comments will be received during this portion of the meeting. Please limit comments to 3 minutes. No discussion or final action will be taken by the City Council.

III. ELECTION ITEMS

3. [2008-5429-R](#): Consider adopting a resolution canvassing the returns of the June 14, 2008 run-off election in City Council District 2 and declaring the results thereof.
4. Administer Oath of Office to newly elected [Councilmember for District 2](#).
5. [2008-5402-R](#): Consider adopting a resolution electing a Mayor Pro Tem for the City of Temple.

IV. BUDGET ITEMS

6. [2008-5430-R](#): PUBLIC HEARING – Conduct a final public hearing and consider adopting a resolution approving the 2008-2009 Action Plan and Community Development Block Grant (CDBG) budget.

V. CONSENT AGENDA

All items listed under this section, Consent Agenda, are considered to be routine by the City Council and may be enacted by one motion. If discussion is desired by the Council, any item may be removed from the Consent Agenda at the request of any Councilmember and will be considered separately.

7. Consider adopting a resolution approving the Consent Agenda items and the appropriate resolutions for each of the following:

Minutes:

- (A) [June 5, 2008 Special Called Meeting and Regular Meeting](#)

Contracts, Leases & Bids:

- (B) [2008-5431-R](#): Consider adopting a resolution authorizing the Buy Board purchase of a picnic pavilion, tables, and park grills for Ferguson Park from BJ's Park and Recreation Products of Magnolia, in the amount of \$48,437.29, and declaring an official intent to reimburse this expenditure made prior to the issuance of tax-exempt obligations for this project.
- (C) [2008-5432-R](#): Consider adopting a resolution authorizing the Buy Board purchase and installation of playground equipment for Ferguson Park with Webuildfun, Inc. of Allen, in the amount of \$56,119.75, and declaring an official intent to reimburse this expenditure made prior to the issuance of tax-exempt obligations for this project.
- (D) [2008-5433-R](#): Consider adopting a resolution authorizing an Interlocal Agreement with the Temple Independent School District (TISD) which allows the City of Temple to donate the existing play structure from Jackson Park to the TISD.
- (E) [2008-5405-R](#): Consider adopting a resolution authorizing the following:
1. A construction contract with JHL Construction of Gatesville, in the amount of \$212,000 for trail renovations in Miller Community Park;
 2. A deductive change order from this contract in the amount of \$57,000; and
 3. Declaring an official intent to reimburse this net expenditure in the amount of \$155,000 made prior to the issuance of tax-exempt obligations for this project.

Ordinances - Second and Final Reading

- (F) [2008-4226](#): SECOND READING – Consider adopting an ordinance repealing Ordinance No. 1755 establishing the Airport Advisory Board, allowing the Board to be re-established by Resolution.
- (G) [2008-4227](#): SECOND READING – Z-FY-08-21: Consider adopting an ordinance authorizing a Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption in a restaurant at Holiday Inn, located at 5247 South General Bruce Drive, on Lot 1, Block 1, Kenny B. Addition Replat # 1.
- (H) [2008-4228](#): SECOND READING – Z-FY-08-22B: Consider adopting an ordinance authorizing a zoning change from Agriculture (AG) to Single Family-3 (SF-3) on 24.1± acres, being part of the Maximo Moreno Survey, Abstract No. 14, located on the north side of French Street, west of 42nd Street.

- (I) [2008-4229](#): SECOND READING – Z-FY-08-24: Consider adopting an ordinance authorizing a zoning change from Agriculture (AG) to Office-2 (O-2) with the additional uses of laboratory manufacturing and laboratory, scientific or research on 63.8± acres, being part of the P.M. Mercer Survey, Abstract No. 553, located on the west side of Old Howard Road, 1,500± feet north of SH 36.

Misc:

- (J) [2008-5434-R](#): Consider adopting a resolution authorizing the acceptance of a \$25,000.00 grant with no matching funding from the Department of Homeland Security's (DHS) Office of Grants and Training to purchase or upgrade Haz-Mat equipment and Haz-Mat supplies for Temple Fire and Rescue.
- (K) [2008-5435-R](#): Consider adopting a resolution authorizing submission of an application for a Safer Adequate Fire and Emergency Response (SAFER) grant administered by the Federal Emergency Management Agency's (FEMA) assistance to Firefighters Grants (AFG) Program Office for four Fire and Rescue Officer positions.
- (L) [2008-5436-R](#): Consider adopting a resolution authorizing budget amendments for fiscal year 2007-2008.

VI. REGULAR AGENDA

ORDINANCES

8. [2008-4231](#): FIRST READING – PUBLIC HEARING – Consider adopting an ordinance amending Ordinance 2005-4006 abandoning the following street rights-of-way for the First United Methodist Church; and retaining blanket utility easement for the abandoned rights-of-way to protect existing utilities:
- (A) A portion of North 2nd Street, between Calhoun and Barton Avenues (Original Town – Volume 36, Page 640 and Moore's First Addition – Volume 115, Page 416), and
 - (B) A portion of East Barton Avenue from the west side of the alley to 4th Street (Original Town – Volume 36, Page 640 and Moore's First Addition – Volume 115, Page 416).
9. [2008-4232](#): FIRST READING – PUBLIC HEARING – Consider adopting an ordinance abandoning the following street rights-of-way for the proposed Westfield Phase V (2 commercial lots on the west side of the future Outer Loop and on both sides of the future Stone Hollow Drive); for the following rights of way:
- (A) A 0.282 acre portion of Old Hilliard Road, (Nancy Chance Survey, Abstract # 5), and
 - (B) A 0.766 acre portion of Old Hilliard Road, (Nancy Chance Survey, Abstract # 5).
- Total: 1.048 acres

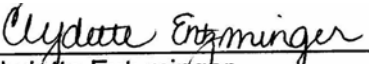
BOARD APPOINTMENTS

10. [2008-5437-R](#): Consider adopting resolutions:

- (A) re-establishing the Airport Advisory Board and changing the membership composition of the Board to allow representation from the Reinvestment Zone Board and the Temple Economic Development Corporation; and
- (B) appointing two members to fill unexpired terms on the Airport Advisory Board.

The City Council reserves the right to discuss any items in executive (closed) session whenever permitted by the Texas Open Meetings Act.

I hereby certify that a true and correct copy of this Notice of Meeting was posted in a public place at 11:00 AM, on June 13, 2008.


Clydette Entzminger
City Secretary

I certify that this Notice of Meeting Agenda was removed by me from the outside bulletin board in front of the City Municipal Building on _____ day of _____ 2008. _____



COUNCIL AGENDA ITEM MEMORANDUM

06/19/08
Item #3
Regular Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Clydette Entzminger, City Secretary

ITEM DESCRIPTION: Consider adopting a resolution canvassing the returns of the June 14, 2008 run-off election in City Council District 2 and declaring the results thereof.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The City's general election was conducted on May 10, 2008 for the election of the Mayor, Councilmember District 2 and Councilmember District 3. Mayor Jones and Councilmember Janczak were unopposed and were elected to office.

Three candidates filed for the Councilmember District 2 position – incumbent Patsy Luna, Mia McBride and Robert Martin. None of the candidates received more than 50% of the votes cast so a run-off election was ordered for June 14, 2008 in which the two candidates receiving the greatest number of votes, Patsy Luna and Mia McBride, were placed on the ballot for election.

We will provide the results of the June 14th City Council District run-off election prior to the Council meeting.

FISCAL IMPACT: None

ATTACHMENTS: None – official tabulation and resolution to be provided prior to meeting



COUNCIL AGENDA ITEM MEMORANDUM

06/19/08
Item #4
Regular Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

William A. Jones, III, Mayor

ITEM DESCRIPTION: Administer Oath of Office to newly elected Councilmember for District 2.

STAFF RECOMMENDATION: Administer Oaths of Office as indicated in item description.

ITEM SUMMARY: Municipal Court Judge Kathleen Person will be present to administer the Oath of Office to the District 2 Councilmember elected to office on June 14, 2008.

FISCAL IMPACT: None

ATTACHMENTS: None



COUNCIL AGENDA ITEM MEMORANDUM

06/19/08
Item #5
Regular Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

William A. Jones, III, Mayor

ITEM DESCRIPTION: Consider adopting a resolution electing a Mayor Pro Tem for the City of Temple.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: Section 4.6 of the City Charter states....“the City Council shall elected one of its members as a vice-chairman, who shall be known as Mayor Pro Tem, and who shall have and exercise all powers of Mayor in the absence of, or during the disability, from any cause, of the Mayor. The Mayor and Mayor Pro Tem shall hold their office (unless sooner removed as provided herein) until the first meeting of the City Council held after the next regular Municipal Election and their successors have been elected and qualified.”

In order to comply with the Charter requirement, it is recommended the City Council elected a Mayor Pro Tem at this meeting.

FISCAL IMPACT: None

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
TEMPLE, TEXAS, ELECTING A MAYOR PRO TEM FOR THE CITY
OF TEMPLE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, Section 4.6 of the City Charter provides that the City Council shall elect one of its members as a vice-chairman, who shall be known as Mayor Pro Tem, and who shall have and exercise all powers of Mayor in the absence of, or during the disability, from any cause, of the Mayor;

Whereas, in order to comply with the Charter requirement, the City Council desires to elect a Mayor Pro Tem; and

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

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

Part 1: The City Council elects _____ to be Mayor Pro Tem for the City of Temple, to hold the office (unless sooner removed as provided in the Charter) until the first meeting of the City Council held after the next regular Municipal Election and successor has been elected and qualified.

Part 2: It is hereby officially found and determined that the meeting at which this Resolution is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED this the 19th day of **June**, 2008.

THE CITY OF TEMPLE, TEXAS

WILLIAM A. JONES, III, Mayor

ATTEST:

APPROVED AS TO FORM:

Clydette Entzminger
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

06/19/08
Item #6
Regular Agenda
Page 1 of 4

DEPT./DIVISION SUBMISSION & REVIEW:

Traci Barnard, Director of Finance

ITEM DESCRIPTION: PUBLIC HEARING – Conduct a final public hearing and consider adopting a resolution approving the 2008-2009 Action Plan and Community Development Block Grant (CDBG) budget.

STAFF RECOMMENDATION: Conduct public hearing and adopt resolution as presented in item description.

ITEM SUMMARY:

2008/09 Annual Action Plan and Budget

For more than 30 years, the Community Development Block Grant (CDBG) program has been assisting metropolitan cities and urban counties across this country to fund their community and economic development activities. Approximately 1,000 entitlement communities participate in the program nationwide, including the City of Temple. The City is one of 76 entitlement communities located in the State of Texas. For Fiscal Year 2008-2009, HUD allocated CDBG funds to entitlement communities in Texas, as follows:

FY 2008- 2009 CDBG in Texas

CDBG	Amount
State Total	\$179,213,823
Minimum	214,520
Maximum	29,798,698
Average	2,358,077
Temple	\$503,239

Other Recent CDBG Grant Amounts

2004-2005	\$618,000
2005-2006	\$585,728
2006-2007	\$524,380
2007-2008	\$524,136

The Community Development Block Grant Program provides annual grants on a formula basis to develop viable urban communities by providing decent housing, and a suitable living environment, and by expanding economic opportunities, principally for low-and moderate-income persons. The City of Temple anticipates receiving \$503,239 as this year's funding, which will be the fourth year of the 5-Year Consolidated Plan (2005-2010). In addition, the City will have \$41,631 in program income to allocate and \$18,661 in prior funding reallocation. Entitlement communities develop their own programs and funding priorities. Maximum feasible priority must be given to activities that benefit low-and moderate-income persons.

Discussions between community groups and the City Manager's Office have occurred subsequent to the original presentation. Those discussions focused on improvements in the Ave. H and Ave. G area. Given the area's needs and CDBG funding opportunities, staff is recommending an allocation of \$60,430 for park improvements at Jones Park. The funding for infrastructure improvements would be decreased to fund this additional project. The remaining funding for infrastructure improvements would still be sufficient to complete the final phase of the Martin Luther King Jr. Drive project.

The allocation as proposed May 15, 2008:

Public Services	\$70,453
Infrastructure Improvements	\$190,430
Park Improvements	\$100,000
Demolition	\$100,000
General Administration	<u>\$102,648</u>
Total	<u>\$563,531</u>

Current Staff Recommendations:

Public Services	\$70,453
Infrastructure Improvements	\$130,000
Park Improvements	\$160,430
Demolition	\$100,000
General Administration	<u>\$102,648</u>
Total	<u>\$563,531</u>

Public Services - \$70,453

The Community Services Advisory Board (CSAB) spent many hours over several meetings sifting through the 8 requests (See Attachment) totaling \$194,530 while debating the merits of each agency and the needs of the community. It is recommended the City Council allocate \$70,453 to 6 agencies as follow:

1. Bell County Human Service (Temple HELP Center) \$10,000
2. Family Promise of East Bell County Inc. \$15,000
3. Hill County Community Action Association (Meals on Wheels) \$15,000
4. Families in Crisis, Inc. \$10,000
5. Aware Central Texas (formerly Family Outreach) \$10,000
6. Central Texas 4C, Inc. \$10,453

Infrastructure Improvements - \$130,000

Sidewalks and lighting will be installed along Martin Luther King Jr. Drive within the boundaries of Adams Avenue and Avenue E. Funding from 2006 and 2007 CDBG funds was not sufficient to complete the construction in this area. These additional funds will continue with the construction phase. It is recommended that \$130,000 be allocated from 2008 CDBG funds.

Park Improvements - \$160,430

Replace the floor in the Wilson Recreation Center gym. It is recommended that \$100,000 be allocated from 2008 CDBG funds.

Add 20 parking spaces and shade shelters at Jones Park. It is recommended that \$60,430 be allocated from 2008 CDBG funds.

Demolition - \$100,000

Demolition of vacant and dilapidated structures will be conducted to address blighted conditions on a spot basis in locations to be determined based on code violations. This is also a continuation of a project focus from the previous year. It is recommended that \$100,000 be allocated from 2008 CDBG funds.

Administration - \$102,648

It is recommended that \$102,648 be allocated for the City's administration of the CDBG Program, including contracted services.

Following adoption of the Resolution, the Annual Action Plan will be submitted to HUD. HUD must receive the document no later than August 15, 2008.

FISCAL IMPACT: \$503,239 in FY 2008-2009 CDBG funds along with \$41,631 program income and \$18,661 prior funding reallocation to be allocated as recommended.

ATTACHMENTS:

[Item \(1\) 2008-2009 CSAB Public Service Agency Funding Recommendations](#)

[Item \(2\) 2008-2009 CSAB meeting minutes](#)

Item (3) 2008-2009 Annual Action Plan and Budget - to be provided

[Resolution](#)

**2008-2009 CSAB PUBLIC SERVICE AGENCIES
FUNDING RECOMMENDATIONS**

PSA Applicant	Reason for Request	Funding Awarded
Bell County Human Services / Temple HELP Center	Transition from Welfare to Work Issues: Child care	\$10,000.00
Hill Country Community Action Associations, Inc. / Temple Nutrition Program	Elderly: Self-sufficiency programs (Salaries & wages/fringe benefits)	\$15,000.00
Family Promise of East Bell County, Inc.	Transition from Welfare to Work Issues: Transportation, Skills Training (Salaries & Wages, fringe benefits)	\$15,000.00
Aware Central Texas	Youth: Self-sufficiency, Mentoring (Salaries & wages/fringe benefits)	\$10,000.00
Central Texas 4C	Transition from Welfare to Work Issues: Child care (Salaries & Wages, fringe benefits)	\$10,453.00
Families in Crisis	Transition from Welfare to Work Issues: Skills Training (Salaries & Wages, fringe benefits)	\$10,000.00
	Total	\$70,453.00

COMMUNITY SERVICES ADVISORY BOARD
PSA INTERVIEWS
April 09, 2008
1:00 P. M.

COMMUNITY SERVICES ADVISORY BOARD MEMBERS PRESENT

Chair Steve Rublee	Bishop John Tolbert
Dr. Robert Beamon	Vice-Chair Rev. Roscoe Harrison
Sharon Holleman	Jody Donaldson
Lamar Collins	Corey Richardson

BOARD MEMBERS ABSENT

None

STAFF PRESENT

Lois Whitley, Traylor & Associates, Inc.

GUEST'S PRESENT

Judy Morales, Bell County Human Services Temple HELP Center
Esther Roque, Bell County Human Services Temple HELP Center
Becky Howard, Bell County Human Services Temple HELP Center
Carrie Kline, Temple Housing Authority
Sharon Sapp, Temple Housing Authority
Susan Rivera, Family Promise
Cheryl Mayfield, Family Promise
Pat Dietrich, Family Promise
Lewann Jackson, Hill Country Community Action
Janell Sherwood, Central Texas 4C
Beverly Miller, Christian Farms Treehouse
Judy Frederick, Christian Farms Treehouse
William K. Hall, Families in Crisis
Sue Ellen Jackson, Aware Central Texas (Family Outreach)

The agenda for this meeting was posted on the bulletin board at the Municipal Building, April 04, 2008, at 3:50 p.m. in compliance with the Open Meetings Law.

The following is a summary of the proceedings of this meeting. It is not intended to be a verbatim translation.

1. **Chair Rublee called the Community Services Advisory Board to order at 1:06 P. M.**

2. Elect Chair and Vice-Chair.

Chair Rublee opened the floor for discussion and nominations for new Chair and Vice-Chair.

Bishop Tolbert nominated Dr. Beamon for Chair and the nomination was seconded by Mr. Collins

Dr. Beamon nominated Mr. Rublee for Chair but Mr. Rublee respectfully declined the nomination.

Dr. Beamon also respectfully declined the nomination and nominated Mr. Collins for Chair and Rev. Tolbert seconded the nomination.

Acting Chair Rublee called for any other nominations. There being none, he closed the nominations and called for a vote.

Mr. Collins was elected as Chair by a unanimous vote.

Acting Chair Rublee then nominated Dr. Beamon for Vice-Chair. Dr. Beamon stated that he would serve as Vice-Chair and Bishop Tolbert called for approval by common consent and acting Chair Rublee declared that Dr. Beamon was elected as Vice-Chair by common consent.

Acting Chair Rublee then turned the proceedings over to the new chair, Mr. Collins.

3. Receive Comments from the Public

Chair Collins noted that no guests from the public were in attendance.

4. Receive Public Service Agencies (PSA) Applications for Community Development Block Grant (CDBG) 2007 Program Year

Chair Collins confirmed that each board member had received a PSA applicant packet binder and opened the floor for discussion until 1:30 when the interviews were scheduled to begin.

Chair Collins called for any discussion of the first applicant, Christian Farms Treehouse, that is requesting \$25,000 for childcare.

Mr. Donaldson confirmed that the funds had been requested to

- (1) update playgrounds to meet minimum standards
- (2) update the classrooms with equipment to enhance the program and
- (3) purchase published curriculum

Mr. Rublee stated that the Board would need to question Christian Farms concerning the use of religion in their program since Christian Farms had refused funding previously because of religion based programs.

Ms. Whitley confirmed that in 2005-06, Christian Farms had been awarded \$1,600 but did not expend any of those funds and withdrew from CDBG funding because their drug rehab program was religiously based and the actual day-to-day program did contain religious content. Their reasoning here is that the childcare program does not have religious components and would qualify under CDBG.

Mr. Beamon thought that the program was undergoing a change in status under an interim director.

Mr. Rublee stated that they should probably ask one question the same as last year; "If the Board could not fund them completely, could they accept partial funding?" and still be able to provide the service.

Chair Collins agreed that they should be questioned on how they could obtain the needed funds if only partially funded.

Bishop Tolbert asked what other funding Christian Farms was receiving.

Mr. Richardson confirmed that other grant requests are listed on page 6 of the submitted application. He also wanted to ask if they need to replace all of their equipment or if they can re-allocate it to meet the standards. That the state mandated that playground meet certain standards.

Mr. Rublee referred members to page 2-A of the Financial Statement for actual funding numbers. He noted that the organization lost about \$100,000 last year but were budgeting an additional \$500,000 of revenue this year. They do have some nice grant that they've applied for this year. He also questioned why the number of unites of service delivered went down from the prior year.

Mr. Richardson noted that \$400,000 was received as "private pay".

Ms. Whitley confirmed that the 1st applicant had arrived.

5. Interview Public Service Agencies (PSA) Applicants for Community Development Block Grant (CDBG) 2005-6 Program Year.

Chair Collins welcomed each applicant and set 20 minutes for each presentation with questions from the board following each presentation.

CHRISTIAN FARMS TREEHOUSE

Ms. Beverly Miller, Interim Executive Director, of Christian Farms Treehouse and Ms. Judy Frederick, Noah's Boat Director, were the first applicants to be interviewed.

Chair Collins went directly to questions for Ms. Miller.

Chair Collins asked for clarification of the agency's status as far as religious based and how does that fit into what you're asking for.

Ms. Miller confirmed that Christian Farms Treehouse itself is currently a faith-based organization. They are working on going back and getting state licenses again. However, Noah's Boat Daycare, is a facility on campus that is for the entire community. Originally, it was designed to provide childcare for Christian Farms Treehouse clients and does still meet that need. She confirmed that she had been Interim Executive Director of Christian Farms Treehouse for only 1 month and 1 week.

Mr. Rublee asked what she considered the biggest challenges and if she is considered a candidate for Executive Director on a permanent basis.

Ms. Miller confirmed that she was a candidate and the challenges include turning the organization around a little bit and taking it to where it is state licensed again, since that was dropped in 2003. Getting everything prepared for that alone is a big challenge.

Chair Collins asked how long it normally takes to get to where the organization is now to being state licensed.

Ms. Miller said approximately 6 months, from the material she has read.

Chair Collins asked if they could expect more funding from the state once the license is approved.

Ms. Miller stated that it will make the agency more credible and does put the agency in line for a lot more grants.

Ms. Miller stated that Noah's Boat is a state licensed childcare facility and referred to Ms. Frederick.

Ms. Frederick confirmed that Noah's Boat is state licensed as any other childcare facility and are reaching out to the community.

Bishop Tolbert asked if all clients have to be at risk for drug or alcohol dependency to qualify for childcare.

Ms. Miller said no. The childcare is open to anyone in the community needing the service.

Bishop Tolbert asked if there were serving more or less people this year.

Ms. Frederick confirmed that enrollment was low. She has a lot of CCS funded parents and when the Mom's get to a certain point, some of them drop out of the program.

Bishop Tolbert asked why they are asking for more money if they are serving less people.

Ms. Frederick confirmed that the funding is needed to improve the facilities. She stated that she is currently writing the curriculum for the children but a published curriculum would be more uniform and better build the child's base of knowledge.

Mr. Richardson asked about the curriculum required by the state license board.

Ms. Frederick confirmed that the Texas minimum standards requires a minimum outdoor activities and schedules which anyone can write, but the children need a good foundation for kindergarten.

Ms. Miller also noted that they were requested funding for playground and classroom equipment.

Ms. Frederick described the problems with some of the current classroom equipment.

Ms. Miller said that a lot of things just weren't maintained or repaired and now need to be replaced.

Mrs. Richardson asked how Ms. Miller would rate the 3 funding requests and what she felt was the most crucial and how what is the state deadline for the playground equipment.

Ms. Miller stated that Sept. 2008 was the deadline but she has found that they will probably be able to meet a portion of that without this funding, but not on the equipment itself.

Rev. Harrison asked if Christian Farms was a United Way Agency.

Ms. Miller confirmed that they were.

Rev. Harrison asked how much they get from United.

Ms. Miller stated that they received approximately \$45,000 last year.

Rev. Harrison asked what their yearly budget is.

Ms. Miller stated that the proposed budget is approximately \$900,000.

Rev. Harrison asked if they received money from the state probation

Ms. Miller confirmed that they did. A normal monthly coast for a client is a minimum of \$4,500 per month. Probation pays only \$1,500 per month.

Rev. Harrison asked if the state looks more at facilities than curriculum.

Ms. Miller confirmed that they did.

Rev. Harrison asked Ms. Miller what the order of priority of the funding requests.

Ms. Miller stated that the playground and classroom request would be first in priority.

Ms. Frederick confirmed that the classroom item, the baby buggy would be number 1, the playground number 2 and the curriculum, number 3.

Bishop Tolbert asked if the playground was just not safe.

Ms. Frederick confirmed that most pieces are just worn out. The covering requested would also help reduce deterioration.

Members discussed the expanded budge request on page 12 of the agency's application.

Ms. Fredrick noted that the \$13,847.49 listed for playground equipment included \$7,000 for a playground covering, which was the least expensive covering she could locate.

Rev. Harrison acknowledged the needs of the organization and regrets that more funding is not available.

Mr. Donaldson asked about the financial statements show that last year the agency lost \$98,000 in the changes of assets and \$148,000 the year before. Where does that money come from to make up for those losses? How do you pay your bills?

Ms. Miller stated that when she came on board as the bookkeeper in July of 2007, she started reviewing financials and found that land was sold to recover these losses. But the main problem is that the agency was giving away free beds without a scholarship fund in place. Now they are applying for grants for scholarship only so that when you have someone needs the bed that does not have the money for treatment, there is going to be a separate fund in a separate account to pay for that.

Mr. Donaldson asked if the agency had borrowed money to cover the losses.

Ms. Miller confirmed that she thinks they did borrow in Sept or August against the Treehouse property that is now being repaid.

Mr. Rublee noted that cash is a problem.

Ms. Miller confirmed that it's better now than it has been.

Mr. Rublee confirmed that they have some lofty goals of an increase in budgeted revenue, more grants applied for, switch from scholarship to private pay clients.

Ms. Miller confirmed that there were some discrepancies on the charge for beds in the past but now there is a set amount that it takes the agency to take of the client, broken down to a daily basis of \$150 per day and that is what is on the contracts now and that does not vary. She also hopes to partial scholarships to combine scholarship money with partial private pay.

Ms. Holleman asked what the student population was and how often it changes or rotates.

Ms. Frederick stated that they enroll and 6 weeks and do have some school age children.

Ms. Holleman asked for the age and population.

Ms. Frederick stated that as of today the population is at 21 students. 3 school age.

Ms. Holleman asked if they attend BISD.

Ms. Frederick confirmed that they did.

Ms. Holleman asked how the grade levels of the remaining 18 on campus is broken up and how is their curriculum.

Ms. Frederick stated that they have infants, 1 and 2 year olds, and that the 3's & 4's are combined with teaching through centers.

There being no further questions, Chair Collins thanked Ms. Miller and Ms. Frederick for their time and closed the interview.

HILL COUNTRY COMMUNITY ACTION ASSOCIATION (HCCAA) – (Meals on Wheels)

Ms. Lewann Turner, Director of Aging Services of HCCAA, was the next applicant to be interviewed.

HCCAA operates the Senior Nutrition Program here in Temple and have done so for many years. They provide noon meals to people 60 and older and to the homebound disabled. They have congregate meals and home delivered meals. They are requesting \$23,250 to cover the expenses of salary and fringe for three part-time meal delivery drivers. The goal is to improve the living environment for people 60 or older, or people with a disability and help them remain independent in their homes. They refer them to other social services agencies as needed and having a good nutritious meal will help improve their health.

Rev. Harrison asked if they were a United Way agency.

Ms. Turner confirmed that they were.

Mr. Rublee asked if the \$15,000 funded last year was for delivery drivers also,

Ms. Turner corrected that that was for kitchen aides.

Bishop Tolbert asked how many people they serve a month.

Ms. Turner confirmed that 270 are projected in 2008. She also noted that with fuel costs so high it's even more difficult to obtain volunteers to deliver meals.

Mr. Ruble asked about the criteria for inclusion in the Meals on Wheels program.

Ms. Turner stated that they have an Outreach Coordinator that responds to any referral and scores the potential client. If they meet the scoring criteria, the Coordinator refers them to the Director for enrollment.

Bishop Tolbert asked if these are typically people who simply cannot cook for themselves and how many of these people are on government subsidies. Is HCCAA serving them just because they can't cook?

Ms. Turner confirmed that they are serving them because they cannot go to the senior center for the congregate meals and they have no one in the home with them to serve them and are not able to go out for a meal. She also stated that a lot of the clients they see, the HCCAA personnel are the only contact they have with another person all day. There have been several incidents in Temple when the HCCAA driver had come in and the client had fallen and needed help. HCCAA is also a source for the clients to have outside contact. If the driver attempts to deliver a meal and someone does not answer their door, HCCAA has emergency contact phone numbers and if no one can be reached at the emergency contact numbers, then 911 is called and somebody goes in to check on the client. So they are checked on daily.

Rev. Harrison confirmed the need for this service and how profoundly it affects the homebound client.

Mr. Rublee noted that the agency has a very lofty and eloquent mission statement. He asked how the agency measures it's success against the mission statement. How do you measure whether low-income families become self-sufficient?

Ms. Turner stated that they feel that with more of the elderly that remain at home in their home environment and out of the nursing homes they have reached their goals. The clients well being is so much better when they can remain at home and retain as much independence as they can. Something as basic as one meal a day can help them maintain that independence.

Bishop Tolbert asked for confirmation that HCCAA is saying that there are people that, if they were not served a meal at home by HCCAA they probably would not eat.

Ms. Turner confirmed that was the case.

Rev. Harrison also confirmed this and that many clients have only that one meal a day.

Mr. Rublee noted that on the application, it reports that 84% of HCCAA participants surveyed said that the meal they received from Meals on Wheels was their primary source of nutrition and 17% indicated that without these meals they would have not food at all.

Ms. Turner stated that every 5 years for the Community Services Block Grant they do a community needs assessment and every year one of the major problems in all communities is the lack of food and services for the homebound client.

Bishop Tolbert asked if the agency owned any delivery vehicles.

Ms. Turner confirmed that they have a van in Temple that is used for meal delivery but that volunteers use their own vehicles. One of the 3 staff drivers drives the van and the other 2 use their own vehicles and they are reimbursed for mileage.

Ms. Holleman asked how HCCAA collaborates with the home health care agencies that may have a health care worker in the client's home.

Ms. Turner confirmed that it is often the health care worker who refers the client to HCCAA.

Bishop Tolbert asked if HCCAA has ever run out of meals before they run out of clients..

Ms. Turner confirmed that they often do and that at the current time they are under a meal freeze because they have already over served the amount of clients budgeted. She could not estimate how many clients have been turned away.

Mr. Richardson asked about other funding.

Ms. Turner confirmed funding from United Way of Temple & Belton, and they have applied for Killeen CDBG but no funding is received from the rural communities included in the 9 county area served by HCCAA.

There being no further questions, Chair Collins thanked Ms. Turner for her time and closed the interview..

CENTRAL TEXAS 4C:

Janell Sherwood, Executive Director of Central Texas 4C (4C) was the next applicant interviewed. They were formerly Temple 4C but they changed their name in 2002 because they serve all Bell County. 4C administers Early Head Start, children 0-3, Head Start, children 3-5, and a small child care program at Saulsbury-Jean Wilson Children's center here in Temple.

She pointed out that there was an error on her application. Page 6 #2, the CDBG cost per individual served is \$18.34 and per family served it's \$31.70. Central Texas 4C has an extremely unique Head Start & Early Head Start program. The Texas Education Agency service center people have learned what they are doing and came to study the programs administered by 4C. The agency has received international & national recognition and has been invited to present at several early childhood conferences. Last January, in Hawaii, the international conference on education had over 140 countries represented. They will be presenting this year at a 5 state conference in August in Lafayette, LA, through the Head Start Bureau.

Ms. Sherwood stated that she thinks the thing that really makes 4C unique and what keeps her coming to work every day that is so gratifying is that they can see the difference and they measure the difference. The agency measures outcomes that show what their children learn, because for every month a baby is in their Early Head Start Program they gain an additional 1 and 1/2 to 2 months of developmental milestones over and above their natural maturation. They work with Dr. Keith Turner of the University of Texas, who helped them design their model and is their external evaluator. He is the one who analyses the data mostly. They feed the results back to the teachers. This is what is working with this child and what is not working with this child. They have at least 10% of their children have disabilities and if their disability is severe to require it, 4C hires on-on one for that child so that they can be fully integrated into what's going on in the classroom educationally.

The funding is always a challenge. Head Start got a 10% cut from the legislature this year but the new Head Start Act has incredible unfunded mandates in it. For instance, by the year 2013, half of their teachers are supposed to have Bachelor degrees, but there is no money to fund that. They Bachelor teachers, but usually because we pay for their college and books, get them the CDA, which is the national credential, then they get them the AA, and then the BA, and then it's bye-bye birdie and they are gone to the public schools. There is some recourse in that they have people sign agreements that if they leave before 3 years are up, they will repay the agency, but they have no teeth in it and they don't lawyer funding to go after monies that are not repaid. Even though the Head Start Program got a 10% cut this year, her budget got flat funded for this coming year is that the Head Start Bureau determined that the quality set-aside money, which also mandated by the law, would be used to go ahead and fund programs at their present level. But gasoline, food costs and other daily expense have not stayed level. Therefore, she is back begging. She stated that she has incredible staff that are very dedicated, willing to learn and constantly improving. She thinks that Temple citizens can be very proud of their Head Start Program here and their Childcare Program at Saulsbury. They are asking for help with the driver's salary.

Chair Collins asked if they had been funded for an interpreter last year.

Ms. Sherwood stated that the interpreter was 2 years ago and that last year they asked for funding to be able to stay in the Meadow Village apartment complex, which was, understandably, not funded. They asked for the money because Meadow Village wanted them to stay there but they could not afford to upgrade the classrooms on their Federal Contract. They have since moved out of Meadow Village and have 6 classrooms at Dixon, 2 Early Head Start classrooms at Dixon and these classrooms are done in

collaboration with the public school where a public school teacher plus 4C teachers are in the classroom at the pre-k level. With the public schools there is 1 teacher and sometimes 1 aide. They know that the quality of the programming is enhanced because of that collaboration. They have 3 classrooms at Hal Rose that they encourage the school to put a teacher in for 3 hours per day so that the school can pull the ADA dollars from the state. Since 4C is federally funded they are able to do that. This coming fall they are moving 1 class from Belton to Temple to serve more Temple children. They have 3 classrooms and Saulsbury-Jean Wilson Children's Center.

Overall, they are just pleased to be able to document the high quality of childcare. Just for an example, they have a bar chart that they do by classroom by child, because everything is individualized, that shows a blue bar for Fall and an red bar for Spring. All of the children are shooting way up except for one kid. That one kid was where he should be but he didn't do what the other kids in the room did, so they looked back at the children. There are generally 3 temperaments of the children they work with. They call them fearful, feisty and flexible. Which was the kid that didn't do as well as the others? It was the flexible. Things are always fine with that kid and he may not receive the same amount of attention as the others. They have changed their observation and monitoring methods. They can go into a classroom and in a 10 minute time frame they can tell what percentage of language interaction was happening in that classroom. They call their model of programming TELM (Transactional Early Language Literacy Model), because they know that the more vocabulary a child has the better his development, and it takes 40 repetitions of an interaction for it to become a permanent part of the child's brain development and there just certain windows of opportunity for those repetitions.

They have 3 objectives that they work on with each child all the time, Head Start & Early Head Start, and if a child does not progress after 2 weeks they go in and see why that child is not progressing. Is the objective wrong for the child's developmental level, or Do the teachers need help in determining how to get that going, because it's mostly child directed. They don't do a lot of teacher directed stuff. They set up things and let children explore and a teacher in an Early Head Start classroom has 10 seconds to respond when a child touches a book.

Chair Collins asked specifically why 4C needs the bus driver.

Ms. Sherwood replied that some families don't have a way to get their kids there. Sometimes, it's temporary but often they just don't have way to get their kids to a center. If the child is not at the center at least 85%, then the child will not get nearly what that child needs.

Chair Collins asked how many students she expected the bus driver to pick-up & return home.

Ms. Sherwood stated that bus ridership will be over 1,000, because, not only do they use the bus to get those families to & from the Centers, they also use them for field trips for every child, and they use them to get parents to shared government functions. They sometimes take parents & children to dentist out of town for dental care. It's not just education, it's health, nutrition, disability and family services. They are in those homes working with the families as well center based.

Bishop Tolbert asked if the bus driver had any help on the bus.

Ms. Sherwood confirmed that there were 2 bus monitors with him. She said that teaching assistants or kitchen staff that can ride as bus monitors.

Chair Collins asked if this was a new position.

Ms. Sherwood said that it was not. They have had it in the past but just don't have the same funding. They lost \$100,000 of Katrina money this last year.

Bishop Tolbert asked what 4C would do if they did not receive this funding.

Ms. Sherwood stated that most likely they would not be able to enroll the children that have no transportation.

Rev. Harrison asked how much 4C was cut by the legislature.

Ms. Sherwood state 10% overall, approximately \$10 million. She personally did not have to cut her budget that much because they re-allocated funding for quality set aside, but that means that she can't give her teachers raises, cause that's what Quality Set-Aside is for. The last 4 years, the most cost of living increase she has been able to give her staff is 1-1/2 % per year. But so far they have not cut children due to budget cuts.

Rev Harrison asked if they had any bi-lingual teachers.

Ms. Sherwood stated that most or all of their classrooms have bi-lingual teachers. If a classroom doesn't have one, there is one in the center, but most classrooms have bilingual teachers.

Bishop Tolbert asked if the bus driver and/or bus monitors were bi-lingual.

She confirmed that they were.

Rev. Harrison stated that Head Start is one of the last of some great society programs that came out of the Johnson administration in the 60's and was one of the most effective program to help kids from low-inc me families. So many programs have been cut because most of our legislators send their kids to private schools so they have no feelings for kids that are coming out of low-income home or understand the different needs of these children. He knows what a good program Head Start is and is sorry it does not receive more funding.

Ms. Sherwood stated that she is just chomping at the bit to do more, especially in the Early program. She applied for 150 slots and they gave her 60 and could expand tomorrow. They have a waiting list of over 350 children all the time because there are over 7,000 children in this county who qualify for 4C program services, over 4,000 of those kids get nothing. No pre-k, Head Start, Early Head Start, no ECI or CCS. Some of that is family choice. They keep the child at home no matter the income and that's fine, but lat leaves a large area of need. Some good news is that the Act says that we do not have to stay at serving 100% poverty level, that we can serve some up to 130%, which will include more of our military families.

Mr. Richardson asked about the age of children served and if 4C is based in any other schools or in a stand alone facility and what is CCS

Ms. Sherwood stated that 4C is a community based non-profit organization but she has worked out collaboration with the public schools to get them in the public schools to help with the transition from Head Start into kindergarten, which is a pre-school program for 3 & 4 year olds, and that is why they have

classrooms in Dixon. The population is children 0-5, and, up until this year, has always been 100% of poverty level only, which is ridiculous. A mother & 2 children could not have household income of over \$14,000 a year. She would love to see legislators try to do it.

Ms. Sherwood went on to describe the 4C program as a very comprehensive, holistic program. They choose to do center-based care because they can monitor the quality better. There are some Head Start programs that do a combination of center based and home based teaching. They go into the home as part of their center-based care but they don't do the teaching in the home. They work with parents in the home and get their input. She stated that CCS (Child Care Services) is the state funded subsidy for childcare that many families qualify for.

Bishop Tolbert asked what ECI is.

Ms. Sherwood stated it was Early Childhood Intervention, which is the state mandated program that says that if a child has a disability, the early intervention team has to serve those children up till age 3. At age 3, it goes to LEA (Local Education Agency) which are the ISDs to serve those children. Ms. Sherwood invited the members to visit any of their centers at anytime.

There being no further questions, Chair Collins thanked Ms. Sherwood for her time and closed the interview..

AWARE CENTRAL TEXAS (ACT)

Sue Ellen Jackson, Executive Director of Aware Central Texas, was the next applicant interviewed.

Ms. Jackson distributed some material for review as she spoke. ACT was born out of Family Outreach, but in 2006 the Board of Directors made the decision to separate from Family Outreach and became an independent agency under the name Aware Central Texas (ACT). They are, therefore a "baby" agency. They have a long history of affiliation with, but the reason that they pulled away from Family Outreach was so they could be more flexible in meeting the needs of the area. It has been a good move for them.

Ms Jackson reviewed the material handout. Page 1 addressed the value of the service provided by ACT. For the investment this first quarter, based on the number of unduplicated families, the return on the City investment was \$32,900. Page 2 shows the 2007 monthly census report shows that over 90% of their referrals came from Child Protective Services (CPS).

As the agency grows and becomes familiar to the community they want to see that change. They want to see referrals come from additional sources because they are prevention. Family Outreach was very closely tied to CPS and was actually a volunteer arm of CPS. Since they are not CPS any longer, they have opened themselves up to be available to take referrals from any other source. They have also made contact with many of the other agency in the area and are able to swap referrals back & forth. Upon referral the Case Manager will determine how to serve the needs of the family and she will stay with that family and then a volunteer family coach will stay with the family as long a necessary. That's the effective piece. This year they've made contact with so many fabulous agencies in the area and they should see their referral base in 2008 should be scattered rather than just CPS. They believe that prevention works, that child abuse and neglect is a cycle that passes from generation to generation, and is the root of so many problems and costs

our community and this country a fortune. It's their responsibility to get to those families and impact them in such a way that they will literally alter their life choices.

Ms. Holleman stated that ACT was doing a wonderful job with the Alternative Ed Program here in Temple. Ms. Jones-Collins, ACT Case Manager, does the girl empowerment class once a month. She stated that the girls are getting some really good life social skills from Ms. Jones-Collins. That Ms. Jones-Collins is able to relate to the girls and is very straight forward with the girls and tells them what some consequences are.

Ms. Jackson confirmed that Ms. Jones-Collins was a blessing to the agency.

Rev. Harrison asked how many case managers they had. What was the case load?

Ms. Jackson confirmed that they have only one and she averages about 40 hours a week, with the average length of service of about 90 days. The length of service for the volunteer coach is indefinite, as long as that family needs it. They can be flexible according to what the needs are of the family. They had a young lady that just got help with her GED from one of family coaches. She could tell lots of stories, everyone so different from the other. She believes they are reaching families that otherwise would have fallen through the cracks. They've made referrals to Family Promise and excited to have that relationship with them because they are about the business of taking care of those social needs and making sure these families get to where they need to be.

Ms. Holleman stated that if they can do any kind of preventative a case goes to CPS, we can stop some of these things. Just having Ms. Jones-Collins coming over and talking to our young ladies about what is neglect, what is child abuse. Things you can do. What if Mom is doing these things? How to talk to Mom or Dad. They are learning some skills that can prevent this from happening. Some of the girls in her group are quick to tell their Mom "I'll call CPS". Ms. Jones told them the consequences of "getting mad" at Mom and wanting to get back at her by saying that to her and makes sure they understand the reality of that situation.

Ms. Jackson said she would certainly pass that on to Ms. Jones.

Chair Collins asked Ms. Jackson to confirm what they were asking for.

Ms. Jackson confirmed that they were requesting CDBG funds to go directly towards the Case Manager salary. Temple is only part of the area they serve and that's why they are only asking for a portion of their salary, \$10,000.

Ms. Holleman told of another case where Ms. Jones was working with a particularly difficult young girl who was expecting a child and facing incarceration. The young girl has now had her baby and is at home with her baby. Ms. Jones was able to keep the girl out of the juvenile justice system and having her baby in jail, where the baby would have been taken away.

Chair Collins asked how those cases are counted.

Ms. Jackson referred him to monthly census report. The first column is the total number of children and adults receiving anti-victimization training and that is where the classroom numbers go. They have already impacted almost 7,000 and are booked solid through the end of the year. The 2nd column is the number of adults that actually went to parenting and anger management classes. The last column is the total number of

unduplicated family units that received case management and family coaching through the year. They carry these on an average of 3 months. The next column is an estimate of total family members per household. That gives you a complete total of all the different services that they provided to people in the community.

Mr. Rublee asked what happened in May that caused the numbers to go up.

Ms. Jackson said that that was the month following child prevention month and she thought that was what did it.

Rev. Harrison asked if Bell County was still number 5 in the state for high numbers of abused children.

Ms. Jackson said that Bell County was not number 10, so there has been progress.

Mr. Richardson asked if they received any funding from Killeen or from the military.

Ms. Jackson confirmed that they have applied for CDBG in Killeen and Killeen United Way. To date they have never been awarded any funding from Killeen.

Bishop Tolbert asked if all the money requested would be spent in Temple.

Ms. Jackson confirmed that it would. About of a third of the families they serve are in the Temple area and they are asking for a little less than a third of the case manager salary.

Ms. Holleman asked if they plan to add a second case manager any time soon.

Ms. Jackson confirmed that that was their intention. The next new staff to be hired would probably be a volunteer coach coordinator who will be focused solely on when those volunteers are trained and are ready to go out and provide long-term assistance to these families. She will be working closely with the case manager on recruiting and training. The bad news is that they don't have enough family coaches. They only go into the home by invitation. About 50% of families say yes, they would love to have someone come in but the agency doesn't always have a volunteer coach available. They see that as a big problem and they are working on that.

Bishop Tolbert asked if they have made any kind of push to make the public aware of the difference between what ACT's focus is and agencies like CPS.

Ms. Jackson said that they are more focused on making people on what's going on with our children and hope that, over time, difference will be passed on by word of mouth.

There being no further questions, Chair Collins thanked Ms. Jackson for her time and closed the interview..

HELP CENTER:

Judy Morales, Bell County Human Services Temple HELP Center, was the next applicant interviewed.

Ms. Morales thanked the board members for taking time out of their busy schedule to meet with them and appreciate their care about the community. She is very thankful for any past support and hopes that the partnership can continue.

She introduced Ms. Esther Roque, Office Manager and Ms. Becky Howard, Education Coordinator.

The HELP Center this year is requesting \$17,000 total. \$10,000 for child care match, \$2,000 for bus tokens or transportation and \$5,000 for skills training and employment assistance. HELP Center provides all kinds of emergency assistance to individuals who are in a crisis. It could be they need utility assistance, rent, medication or a full gamut of things. What they are trying to focus on are the areas that they can help the individual move to the next step, whether it's getting a job, going back to school, being able to search for work, etc. The basic things that they need to improve their lives.

They are part of Bell County and have an application process and provide assistance thru the voucher system with the voucher being given directly to the vendor. Anyone who applies must attend orientation where they provide basic information of what they can or cannot do and what resources are available and other basic information. So the system is in place in very tight. They send the paperwork to the County and the County Auditor's Office send the direct funding to the vendor. They try their very best to look at all the needs of the people. They have anywhere from 800 to 1,000 contacts a month. A contact could be just a phone call but it also could be someone that is homeless, lost job, ect. With the families they work with, they try to break it down and look at the big picture, not just what the immediate need is, but is it that we could do to help them move to the next level to self-sufficiency.

Chair Collins asked suggested that they discuss child care, transportation and employment assistance separately. He asked of child care is a matching fund situation.

Ms. Morales confirmed that they work with Workforce Solutions and several years ago they discovered that there are some federal funds that can be matched if they can get some local funds. As people are identified that qualify for the CTS program childcare services, they put them on that program and even if there is closed enrollment, they can come through the HELP Center and don't have to wait, and funds will be matched 2 for1. So, for every dollar they are able to put in, it's 2 dollars for child care. They do have qualify for CCS in order for that program to work and they have to be working at least 30 hours a week or going to school in order to qualify. The assistance is based on family income. If they have 0 income they don't pay anything. If the family has income, they pay a portion based on income and that matching monies will pay the difference.

Ms. Roque said that CCS has open enrollment for a certain time of the year and HELP Center get clients when there is no open enrollment and that can mean the matter of losing their job or not being able to finish school. They come thru HELP Center. HELP Center refers them back to TWC. They do have to qualify thru CCS criteria, but they are able to get childcare within a matter of a couple of days.

Chair Collins referred to the application and asked how many children would be helped.

Ms. Morales confirmed that they have estimated 25 children.

Ms. Holleman asked if the childcare facility is a matter of the families' choice.

Ms. Morales confirmed that it was. The facility has to be certified and approved by CCS.

Bishop Tolbert requested confirmation the money does not go to the people, but to the facility providing the childcare.

Ms. Morales confirmed that was the case.

Ms. Holleman asked if they ever have any instances where there is someone in home taking care of the children that they provide funds for.

Ms. Morales said they did not because they have to be certified and be approved by CPS.

Bishop Tolbert asked if they ever refer people to other agencies.

Ms. Roque confirmed that they did refer all the time. When they are out of funds and CCS has closed enrollment, they refer to Head Start, Saulsbury Day Care, and other low-income child care facilities.

Ms. Roque then moved on the transportation stating that the tokens purchased are used by individuals and families that are looking for work, have no transportation, need rides to medical appointments.

Chair Collins asked if they ever have extra tokens.

Ms. Roque confirmed that they did but not often. They are real strict and make sure they have confirmation of the need for the token.

Ms. Morales stated that with the high gasoline prices, a lot of people are having issues and the HELP cent is able to help through vouchers to some of the local gasoline vendors.

Mr. Richardson asked how many requests they received from citizens that don't have access to the HOP, especially the North side.

Ms. Morales said that people come thru so fast that they are not able to track that. She did state that Ms. Roque has served on the HOP advisory board and they try to keep in touch and pass on any information they can. She stated that the HOP advisory board has done several surveys this last few years to determine some of the needs are.

Ms. Holleman asked if they have ever provided cab tokens.

Ms. Morales said they had not because they were too expensive.

Chair Collins asked how many trips \$2,000 would pay for.

Ms. Roque said the charge is \$1 each way if it's regular; 2\$ if Special Transit - so at least 500 trips.

Bishop Tolbert asked if they give out most of their funds for tokens as opposed to gasoline vouchers.

Ms. Morales confirmed that the amount provided for tokens is much less than gasoline but that they are receiving more request for gasoline.

Chair Collins asked if the gas route or token route is most cost effective.

Ms. Morales said they encourage them to use the tokens but HOP may not go to the route needed.. That is a big issue either due to working a night shift or target area.

Mr. Richardson observed that due to construction even the transportation to hospitals have been cut. Most people are using special transit.

Chair Collins moved to skills training.

Ms. Morales stated that this is where as they screen individuals and as they go into their orientation they identify those that are interested in either going back to school or finding employment. They get a lot of single parents that really need help. They may have 4 or 5 kids and don't even have their GED and are wanting help with their utilities. The reason they need help with utilities is that they don't have the job skills to get a job that will pay enough money to take care of their family. The HELP Center has really pursued this a lot in the last few years to provide some kind of support system and are working with Workforce again. Workforce has training that will enable them to receive specific training, such as LVN or CSN. Some of these programs don't provide certain things like shots or uniforms or shoes or books. The HELP Center works with them to supplement whatever it is they need to complete what they are trying to do.

Ms. Howard stated clients have to attend an orientation class when they come for assistance. The orientations are held twice a week, Monday & Wednesday. Each class is 2-1/2 hours long. A lot of the clients feel that the class is too long and don't want to attend. But the classes stress to the clients that the HELP Center is focused on helping to move toward self-sufficiency.

There being no further questions, Chair Collins thanked Ms. Morales, Ms. Roque & Ms. Howard and closed the interview.

FAMILY PROMISE:

Ms. Susan Rivera, Executive Director, with Family Promise was the next applicant interviewed. She was accompanied by Cheryl Mayfield, Board Treasurer and Ms. Pat Dietrich, Board President.

Ms. Dietrich stated the Family Promise was started in July, 2005 with the main purpose of working with families who find themselves homeless due to a crisis situation that puts them out of their home or apartment and puts them on the streets. They deal primarily with families with children. They work with the families to help them find shelter and employment. Family Promise is faith based and now have 14 churches that are host churches. When a family comes in to Family Promise, one of the host churches will actually host all the families one week at a time. Church volunteers stay with the families there at the church from 5:30 p.m. to leave the church at 7:00 the next morning to come to the day center. The church volunteers transport the families from the church to the day center in the Family Promise donated van. Family Promise also provides all the beds, bedding and other supplies needed. The program now has over 400 volunteers involved in this program thru the churches and the day center. When the families are at the

day center, Family Promise staff work with them to develop a plan, determine the families needs and help them to start working towards their goals and objective. Family Promise staff provide assistance but the program is geared toward helping those families to become self-sufficient again.. The Family Promise goal is to help prevent another crisis situation and to help the family be successful and self-sufficient.

Ms. Dietrich noted that they had received a grant from ER Carpenter but the grant was restricted and could not be used for salaries. She referred to Ms. Rivera

Ms. Rivera said that there is a problem at the day center when there are several clients. If the parents work at night they have to sleep during the day. The day center has no place for them to do that because they have no sleeping facilities. Part of the ER Carpenter funds will allow them to convert the east bay garage to usable. They had a very successful garage sale over the weekend and were able to buy new vinyl furniture for the main living room, which they are very happy about, as they can be wiped up and cleaned. The east bay garage area will be converted with 1 room for 2 baby beds & a twin bed in case a child is home sick from school. There will be another separate small room with a twin bed for people who work at night. There will also be a small room on the outside that will be a quiet room or study room with supplied and books that the kids need to do homework. Then the center itself will be more user friendly for the families that are coming into the program and staying there. They want families to feel comfortable so that they do stay so they can reach the goal of being financially stable by the time they leave the program. So they can get jobs and save money and have a little next egg before they move out on there on.

Ms. Holleman asked if Ms. Rivera could give her 2 success stories.

Ms. Rivera noted that she had only been with the program since February, but could give one example. They had a mother, father & 2 children from the Copperas Cove area. The father was trained as a professional chef and had completed a school program. He was able to get a job but not the ideal job and he was driving back & forth from Killeen to Temple. They were able to save money and were able to move into there own home. Family Promise helped them by getting furniture donated and cleaning supplies, as much as they could, so the family could save money. He is now working full time during the day in his career as a lead chef in a local restaurant. The kids are back in their old schools near their old neighborhood. They're close to their friends and stable and doing well. They are participating in sports again, track & soccer. The parents were both very good parents and the kids were really good students. Overall, they were in the program almost 4 month.

Ms. Mayfield stated that there was a family in the program about a year ago that had 3 children and were also in the program about 3 or 4 months. They were able to help the dad get a job and the mother was staying home. While they were in the program, the mom's teeth were real bad and there was s dentist at one of the volunteer churches who volunteered his time and capped her teeth and so forth. They too are in their home and the children are in school.

Ms. Holleman asked how many families were actually assisted in successfully reaching their goals.

Ms. Rivera stated that the statistics that were done through February by the Interim Acting Executive Director that would be 73%, which is 15 families, or 45 individuals.

Chair Collins asked how many families there are weekly.

Ms. Rivera said that it varies. They oftentimes get families that are going to be coming in but may not meet the program criteria, mainly the criminal history background check. They do that because their program is staffed by volunteers. Most of their volunteers are people working through churches.

Ms. Holleman stated that her biggest concern comes from reading through the minutes, that there is a continual message that Family Promise is not getting the right type of families and are getting bad referrals. Somebody stole a donated car; you think it was a family that stole the car; etc. She is just wondering, are you getting the right people to process through Family Promise and are they being successful.

Ms. Dietrich stated that part of their issues were the past director. She doesn't think he was really screening properly and they had to let him go in October. He started out doing really well but then there were some issues in his own life and it definitely carried over into the program. They have much more confidence in Ms. Rivera and the work that she can do. The screening process is tighter and the counseling with the client is tighter and she's already getting programs in place, parenting, budgeting and so forth, so that there won't be those issues.

Ms. Mayfield confirmed that it seems that the budgeting issue is one of the great needs that all the families seem to have in common, learning how to manage their money. Also, there was a least a 3 month period where the Board ran the program this past year. They have made some remarkable strides. The office is now secure, the bathroom has a solid wall that separates the showers, and the laundry room is completed. There have been enormous improvements that have been made. The 1 thing that they did find was that during this period, they had a family with mom, dad & 7 children and another mom & daughter at the same time. They are set up to be able to handle 14 people total. This was when we realized that 14 is too many people for that space, even though they weren't there all the time.

Rev Beamon said that he was aware of several successful families from the program and that an individual who is now the head usher in his church was helped by Family Promise..

Bishop Tolbert asked if they only have 1 person on paid staff and how many volunteer staff they have.

Ms. Rivera confirmed that there is only 1 paid staffer and 4 volunteer staff that come in to the center. They have 14 churches and each church has volunteers within the church that cook dinner for the families and transport the families to and from the church to the day center and also stay with the families in the church while they are there at night.

Bishop Tolbert asked if they have training that they provide to the volunteers.

Ms. Rivera confirmed that the volunteers have to have training.

Ms. Mayfield confirmed that they have over 400 volunteers in the program.

Ms. Dietrich stated that in terms of the families and the screening, right now the family that is currently in the program, mom, dad & 1 infant child, were living in Martha's Kitchen and came into their program. Since being in the program for 5 weeks, the dad has secured full-time permanent employment with benefits and the mom is taking job skills and interview & resume writing classes and is taking the baby with her. They are working on getting childcare for the baby. She thinks that the screening process is better now and that they are getting the kind of clients that they want and also people who can benefit greatly from just the short period time of help.

Bishop Tolbert asked how most people find out about Family Promise.

Ms. Rivera stated that they get referrals from everywhere. She's had people call and told her that there is a lady sleeping under the bridge, can you come and get her. They also get referrals from churches, organizations from Killeen, Belton, Round Rock and a lot of referrals from the schools.

Ms. Holleman asked about Temple residents. How many clients have come through Family Promise that are actually Temple residents. She noted that the examples given were from Copperas Cove and Troy.

Ms. Rivera said that all of them were living in Temple. That's where they ended up.

Ms. Mayfield stated that there is no other place for families to stay together. Martha's Kitchen is not a place for a family to stay together. Mom & Dad are in separate quarters and the children are separated by gender and Family Promise is the only program where the family stays together.

Bishop Tolbert asked if the money that comes from CDBG will stay in Temple.

Ms. Rivera confirmed that it would. Children are enrolled in Temple schools and so forth.

Chair Collins asked if it's safe to say that they intend to serve about 22 families this year.

Ms. Rivera confirmed that number.

Ms. Dietrich reminded the board that the clients are not just in & out of the center. That is where they live for 3 to 4 months, never more than 2 or 3 families. Their program also requires that their clients put a certain percentage of their earnings into savings to help them with deposits and other expenses of getting their own place.

Ms. Rivera confirmed that they must save 50% of their income and they may save up to 90% of their salary. The client deposits the money to Ms. Rivera in the form of a money order and then Ms. Mayfield deposits the money into an escrow account for them.

There being no further questions, Chair Collins thanked Ms. Rivera, Ms. Mayfield & Ms. Dietrich for their time and closed the interview.

TEMPLE HOUSING AUTHORITY:

Ms. Carrie Kline, Grants Director, Temple Housing Authority was the next applicant to be interviewed. She introduced Ms. Sharon Sapp, Director of Resident Services, who would be making the presentation.

Ms. Sapp stated that the 4 components they were requested funding for were for elderly and they are components that they see missing many times in their senior adult residents due to the fact that they are very low income. The first component would be transportation for medical appointments. Many times transportation is a hardship for their residents to get to their doctor's due to the fact that they are low income they have numerous, not just at the clinic, but also the hospital. If you are on Medicaid, which is the lowest portion of Medicaid, your transportation is provided free. If you're on any of the other components

you do not have free transportation on HOP. It costs the residents \$2.00 dollars each way, so every appointment is \$4.00. If the agency had the ability to assist them with tokens, this would greatly benefit them. The 2nd area that they find a need with their residents is for medication assistance. The residents have multiple medical and many time on a long list of medications and a lot of residents have Medicare Part B, but by the end of the year their resources are tapped out for that assistance. THA would like to be able to furnish them with some assistance for \$4.00 co-pay medications. Sometimes physicians sometime prescribe brand name medications that residents cannot afford. This would allow THA to help in that area also. If they receive the funds they would go into a partnership with Wal-Mart Pharmacy and also with northside HEB Pharmacy in order to provide these prescriptions for residents. They find that if residents must leave something out of their budget and they don't have enough money to make ends meet, it's going to be medications. They'll buy their groceries and everything else but will leave their medications out. The 3rd area is house-keeping & daily living assistance. In the Housing Authority, if they go in and do an inspection and a senior or handicapped resident fails an inspection, they can be in jeopardy of losing their housing. With assistance to provide someone to come in, or even funding to help purchase one time cleaning supplies for them so that they could be able to have someone come in. They could hire someone to clean one time or on a limited basis until they could get the state funded programs to come in and furnish those services. Their experience has been that with the state funded programs, there is usually a waiting list of at least 12 months before they can get residents on those programs. This would be only a temporary service until they could put the permanent services in places for the senior and disabled residents. The 4th component where they see need is for limited emergency dental services. Their seniors don't have funds available if they need just to go to the dentist, have a problem, they need a prescription for an infected tooth, or need one tooth pulled. If THA had that available for them they could remedy that emergency at that time.

She stated that these 4 components are needed to support self-sufficiency, would provide interim services until ongoing assistance would be available. By providing these elderly self-sufficiency programs the seniors would be able to delay alternative, more costly choices, which in most cases, for their seniors, is nursing home care. This grant request is a community-wide initiative as all of the Central Texas Housing Consortium properties would be included and they would be able to service about 215 individuals.

Chair Collins asked if all properties were in Temple.

Ms. Kline confirmed that the properties were through out town but all are in Temple.

Bishop Tolbert asked if the money would go equally to all properties.

Ms. Sapp said that the money would go wherever the need was on a case by case basis.

Bishop Tolbert asked how they make residents aware that the programs are available.

Ms. Sapp said that all residents are made aware of the Residents Services Department and they put out flyers to residents a programs become available and they also have a newsletter that they publish every other month that goes out to all residents.

Bishop Tolbert asked if they have talked to any of the doctors or dentists in the area to see if they will give preferred for these service.

Ms. Sapp confirmed that they have contacted several dentists' offices and there is one in town that has said that they would give them the minimum charge. Medicaid pays dental for 18 and under only.

Ms. Holleman asked if funds were received would it be put out for a bid.

Ms. Sapp said it probably would not be a bid but they would contact several dentist's office and go with the cheapest one.

Mr. Richardson asked if they had contacted any of the drug companies directly. A lot of the companies advertise help with drug costs.

Ms. Sapp said that they had worked with some in the past and found that if the patient had any insurance coverage, the drug company program provided no assistance.

Ms. Holleman asked if any of their residents qualify for home health services that might help with housekeeping.

Ms. Sapp confirmed that there are 2 programs of home health and they do use both services.

Chair Collins asked them to put their 4 components in order of importance if only partial funding is awarded.

Ms. Kline stated that housekeeping would be #1 to insure the residents don't lose their housing. #2

Chair Collins asked if any of these residents had family members that could help.

Ms. Sapp confirmed that they always try family first but a lot of their residents have burned their bridges with their families or if they have family, they don't want anything to do with their families. They have families that are very active and involved and that's the first place they go for help.

Ms. Kline added that another factor in contacting family is that these residents, especially the elderly residents don't want to contact their families because they don't want their families to know that they are having difficulties and are afraid that the next step is a nursing home and so they hesitate to ask for help. That is what THA is trying to prevent, is the nursing home placement and to keep them living independently as long as possible.

Mr. Richardson said that there are some good nursing homes in the area. Brand new.

Ms. Kline agreed but said that psychologically, the residents want to be in their own residence and hold on as long as possible.

Ms. Sapp added that they have had residents that have had to go to nursing home for short-term placement for rehab and when they come back to their apartments, they are dead set against nursing homes and vow never to go back to that nursing home again.

Chair Collins got back to priority listing

Ms. Kline said that medication is #2, transportation #3 with emergency medical services at #4

Ms. Sapp stated that anything the Board can do to help their seniors will be greatly appreciated.

Mr. Richardson observed that transportation is a recurring need in these interviews and HOP needs to be made aware.

There being no further discussion or questions, Chair Collins thanked Ms. Kline and Ms. Sapp and closed the interview.

FAMILIES IN CRISIS

William K. Hall, Interim Executive Director for Families in Crisis (FIC) was next to be interviewed. FIC opened a satellite shelter in Temple this year and they serve victims of domestic violence and sexual assault. They are asking for money to support two of the positions, Crisis Intervention Specialist. Their job is to insure that the clients receive everything they need from the time they get to the shelter, throughout the day and the night. They are the night staff for the shelter, answering phones and provide security. The biggest dilemma they have since they open the shelter is that they have to be operational until next September when they will be eligible for HHIC shelter funding from the state. They took all of their reserve to run it for the first year and now they have to get over that hurdle to next year and get some state funding.

Chair Collins asked for if this funding would be used for operational expenses.

Mr. Hall stated that it would be used to fund 2 of the positions, Crisis Intervention Specialists, that actually give the services to the clients. These are the people that, when no one else is there, they're the ones that make sure the clients have food, clothes, if they come in in the middle of the night: anything they might need.

Bishop Tolbert asked if the \$72,010 reflected on page 7 of their application was divided between the 2 positions.

Mrs. Hall stated that that amount was for 4.25 people for the Temple shelter, but he is asking CDBG funding for only 2 of those position.

Mr. Richardson asked if they are getting funding for the other 2.

Mr. Hall said they were in the process of doing that.

Ms. Holleman asked about the case load in Temple

Mr. Hall stated that today they have 10 people at the shelter, but they may not be all Temple residents. Occasionally they will have a client from the outskirts of Temple.

Ms. Holleman asked how many miles outside of Temple do they cover.

Mr. Hall said about 15-20 miles. He said that occasionally they will transfer somebody that is a Temple client due to safety reasons.

Mrs. Holleman asked how many caseworkers they had working in the Temple shelter.

Mr. Hall said they have 1 Case Manager and 1 Outreach Manager/Volunteer.

Mrs. Holleman asked if they were asking for funding for 2 new Case Managers.

Mr. Hall stated that they were asking for funding for 2 Crisis Intervention Specialists. The positions are currently there.

Mrs. Holleman asked if it would take the entire funding of both positions.

Mr. Hall said that if he receives less he will need to go somewhere else for the remainder. He is trying to fund all 5 positions.

Rev. Harrison asked if they were in the Child Services Offices.

Mr. Hall confirmed that they were.

Rev. Harrison asked if they had recently received some funding from Altrusa.

Mr. Hall confirmed that Altrusa bought the appliances for the building, Leadership Temple raised money to refurbish the facility and Ralph Wilson Golf Tournament got involved to help them fund the first year also.

Rev. Harrison agreed that it's a much needed facility; otherwise the closest facility is in Killeen.

Mr. Hall confirmed that the residents in Temple don't want to go to Killeen and uproot their kids and leave everything that's familiar to them; their church, their school and the things that they do still have for support.

Rev. Harrison asked how many children they had in the Temple shelter.

Mr. Hall confirmed that part of the 10 that are currently in the shelter, he did not know how many were children. He stated they have 3 in the previous week.

Mrs. Holleman asked if they had an Executive Director in place, and what was Mr. Hall normal position.

Ms. Hall confirmed that he is the Interim Executive Director and his normal position is Chief Financial Officer.

Mrs. Holleman asked what the duties were of the Community Relations Manager.

Bishop Tolbert observed that the guys are so young and some of the salaries are pretty good salaries.

Ms. Hall asked what he was looking at.

Rev. Harrison clarified that they had been open for years in Killeen so they are a well established program and that Temple is a satellite location

Mr. Hall stated that he had been with the program for 8 years.

Chair Collins asked if their clients are all victims of domestic or sexual abuse.

Mr. Hall confirmed.

Chair Collins asked what if a mother & son came in, how do they split them up or house them.

Mr. Hall said that they don't split them up. They have a room of their own.

Chair Collins asked if they had a family that came in where dad had lost his job and they needed shelter, do they house them.

Mr. Hall said they did not. They refer them to other more appropriate agencies.

Rev. Harrison stated that this was mostly a women's shelter.

Mr. Hall stated that they did have male clients but do not have the facilities to house male victims in the Temple shelter, so they would have to go to the Killeen shelter.

Chair Collins asked if they have many male victims.

Mr. Hall said they have from 12-20 per year.

Mr. Richardson noted from page 7 of their application that they had done away with some of their personnel positions; Data Entry, Family Violence Prevention Education and Thrift Store.

Mr. Hall confirmed that the Thrift Store was not making money so they had to close it. The Child Adolescent Specialist, the Data Entry Specialist were positions that were funded by the Violence Against Women Act and they lost that funding.

Rev. Harrison asked if there were any possibility for them to get money from the new driver responsibility act that was sponsored by Rep. Delisi that is to go for trauma funding where any state traffic fines go into a trauma fund. Would FIC be eligible for that funding.

Mr. Hall stated that they are eligible but how that works is the same as if you get a ticket for domestic violence part of your fine goes into a fund and goes top the state fund and the HHSC, which is there shelter funding, gets a certain amount of money to spread across the state. There is also the victim compensation fund that is pulled the same way.

Rev. Harrison stated that that money is going to EMS, primarily, but feels that a specialized area like family violence would qualify for that money.

Mr. Richardson said that if your talking about trauma, it' mostly defined a physical trauma, whereas the type of trauma the shelter deals with is psychological.

Mrs. Holleman asked about the process when a client comes in the middle of the night and how soon they see a counselor.

Mr. Hall stated that the Crisis Intervention is on duty to meet the immediate needs of the client and they see the Case Manager first thing in the morning.

Mrs. Holleman was surprised that they didn't see one right away.

Mr. Hall assured her that the Crisis Intervention Specialists who receive the client in the middle of the night are very well trained and prepared for the situation. If the client has an immediate need for on-on-one counseling, the Case Manger is on call and will meet with the client immediately.

Chair Collins asked if during regular business hours other positions receive clients.

Mr. Hall said that no, they need the intervention specialists to receive new clients to insure that the Case Manager is free for current caseload.

Mr. Richardson asked how they foresee not running in to overtime;

Mr. Hall confirmed that they do run into overtime. They have 2 people that they use as stand-by, on-call and only work on-call or they pull somebody from Killeen when they are short.

Mr. Holleman said that it just bothersher mind there is not a trained professional there to help a child that goes through a trauma like that and has to leave the home at 3:00 in the morning.

Mr. Hall assured her that the Intervention Specialists were trained and that if there is something that needs to be handled that night that is above their training, both the shelter managers in Temple & Killeen are on call. They do have them there and they can respond. They also have a Sexual Assault Advocate on call 24 hours a day.

There being no other questions, Chair Collins thanked Mr. Hall for his time and closed the interview.

Ms. Holleman stated again that she is disturbed to think that someone in a crisis situation goes to a shelter and there is no one trained to help. They just provide a meal and a cot.

6. Adjournment

Chair Collins opened the floor for any other items of business to discuss.

The CSAB meeting schedule was discussed and Chair Collins suggested April 17, at 1:30 p.m. and the members agreed. .

There being no further discussion, Chair Collins adjourned the meeting at 5:20 p.m.

Respectfully submitted,

Lois Whitley

COMMUNITY SERVICES ADVISORY BOARD

April 22, 2007

2:30 P.M.

COMMUNITY SERVICES ADVISORY BOARD MEMBERS PRESENT

Chair Lamar Collins	Vice-Chair Robert Beamon
Steve Rublee	Jody Donaldson
Corey Richardson	Rev. Roscoe Harrison
Sharon Holleman	

BOARD MEMBERS ABSENT

Rev. John Tolbert

STAFF PRESENT

Lois Whitley, Traylor & Associates, Inc.

GUESTS PRESENT

No guests attended.

The agenda for this meeting was posted on the bulletin board at the Municipal Building, April 17, 2007, at 9:10 a.m. in compliance with the Open Meetings Law.

The following is a summary of the proceedings of this meeting. It is not intended to be a verbatim translation.

1. Call to Order

Chair Collins called the Community Services Advisory Board to order at 2:43 p.m.

2. Receive Comments from the Public

Chair Collins observed that there were no guests present.

3. Review Public Service Agencies (PSA) Applications for the CDBG 2008 Program Year

Chair Collins started the review of the PSA applications and discussion for final recommendations. He confirmed that the total amount to be awarded of \$70,453 and the total applications are significantly more than that and suggested they discuss each applicant one by one. He started the discussion with Aware Central Texas (ACT).

Chair Collins confirmed that ACT asked for \$10,000 and called for suggestions and recommendations from the members.

Mr. Rublee confirmed that they are requesting partial salary for a case manager. One third of the salary, reflecting the percentage of the Temple population that they serve.

Chair Collins asked if any member had a suggestion.

Mr. Donaldson said that ACT is in the middle to him and is not a priority one to him. He asked if they could just put them to the side and look at them later.

Chair Collins moved on to Central Texas 4C who is requesting \$18,960 for a bus driver salary. He asked how much 4C received last year.

Mr. Rublee confirmed that 4C did not receive funding last year.

Mr. Donaldson asked if they applied for funding last year.

Ms. Whitley confirmed that 4C applied for funding to retain the classrooms at Meadow Village but did not receive the funding and the classrooms were removed from Meadow Village.

Chair Collins called for suggestions on the 4C funding request.

Vice-Chair Beamon asked who else is funding 4C.

Mr. Rublee confirmed that it's Head Start, so the program receives federal funding through Head Start

Mr. Donaldson reminded that Ms. Sherwood said that she had 300 kids on the waiting list.

Mr. Rublee confirmed that it is a great organization and he really likes the fact that they have received national and international recognition for a local program. That speaks very highly of what they are doing. He's just not sure that it is something the Board can fund to the tune of \$19,000. That's the problem. All the agencies are worthy. He stated that if they could use partial funding, he would certainly be all for that.

Chair Collins agreed that that would be the question. Could they have just partial funding?

Vice-Chair Beamon stated that they could take anything and run with it.

Chair Collins asked the members to name the organizations that they would definitely like to see funded.

Ms. Holleman named Aware Central Texas and HCCAA.

Mr. Donaldson and Mr. Rublee agreed that the HCCAA, meals on wheels program, should be funded.

Mr. Richardson stated that he liked the THA. He asked if the HCCAA funding would stay in Temple.

Ms. Whitley confirmed that the amount requested was for home delivery of meals to Temple residents.

Vice-Chair Beamon stated that Family Promise does not get funding from other sources like HCCAA.

Ms. Holleman agreed that she would really like to see Family Promise do more things with Temple families.

Vice-Chair Beamon confirmed that they do. He stated that his church is hosting a family tonight that is from Temple, and a new family tomorrow.

Mr. Rublee stated that they have pretty much mentioned everybody but the HELP Center and Christian Farms.

Mr. Rublee stated that the nice thing about the HELP Center is that they come in with a plan in 2 or 3 pieces every year and are happy for what they get. That allows the Board to be real flexible and fund 1, 2 or 3 pieces.

Chair Collins re-stated the HELP Center request; Child Care, \$10,000, Bus Tokens, \$2,000 and Training, \$5,000.

Vice-Chair Beamon stated that he liked how the Board handled it last year. They didn't give everything but gave everyone something as funding allowed.

Mr. Rublee stated they have mentioned 7 organizations, among which to split \$70,000. If nobody really feels strongly about any one organization, that's roughly \$10,000 apiece.

Chair Collins stated that Christian Farms had not been mentioned and asked if the members were ok with them not receiving any funding.

Vice-Chair Beamon stated that he was not ok with that. He feels they should receive something.

Chair Collins asked if members wanted to try to give everybody something.

Mr. Donaldson and Ms. Holleman stated that they did not want to try to give everybody something.

Ms. Holleman stated that she is for funding the full amount requested, \$23,250 for meals on wheels.

Mr. Donaldson asked about the HCCAA monitoring response letter and the concern about the financial statement not being received within 30 days as requested.

Ms. Whitley confirmed that HCCAA had responded to the letter and challenging the concern and referenced a section of Circular A-133, which is the federal regulation governing funding. Ms. Whitley stated that this was just an issue of when the agency financial statements are required to be submitted by CDBG that would need to be researched and confirmed with a HUD representative. She stated that HCCAA had always provided sufficient documentation for their CDBG funding.

Mr. Rublee observed that he is in the Rotary Club and have a couple of fundraisers and in years past they have kind of given a little bit to a lot of people, but this year they said that maybe what they wanted to do was make a big impact to just a few organizations. That is something that this Board could consider picking 2 or 3 organizations and fund them fully.

Chair Collins stated that he likes the meals on wheels program, but he also thinks that the Child Care element of the HELP Center should be funded, because they receive the 2 for 1 matching funds and that is also someone going to work in Temple and paying for daycares in Temple, and would be beneficial to Temple economy.

Mr. Donaldson confirmed that that was what the Board funded last year, \$10,000 Child Care and \$1,000 for tokens.

Chair Collins stated that if we try to give something to each organization it would be \$8,800 each.

Ms. Whitley stated that due to the cost of administration, it is really not recommended to fund less than \$10,000.

Ms. Holleman stated she has really been looking at the application from Family Promise and wants to give them a fair shake as for as them regrouping. She feels that without this funding that they might not be able to continue the program.

Mr. Donaldson stated that the Board discussed this last year. Family Promise is a local organization that didn't have many supporters and the Board felt it could make a big difference in that organization, whereas for another group that has other grant funding, this CDBG funding is not nearly as important as it is to Family Promise.

Chair Collins agrees that if they don't help Family Promise they may not make it, but the problem is, they are requesting \$35,000, an increase of \$10,000 from last year.

Ms. Holleman suggested \$20,000 to Family Promise.

Chair Collins asked members to look at THA and the 4 elements of their application. They are asking for \$13,000 for housecleaning and said that was priority one because the residents are at risk of being evicted from their apartments.

Ms. Holleman stated that she feels that if THA would be more pro-active, they should be able to get home health care agencies to help with housecleaning.

Mr. Donaldson stated that that would all depend on whether the resident is covered and eligibility for those services. You can't assume that all residents would be qualified.

Ms. Holleman still felt that if THA had made a better case to the Board that they had already tried that avenue and then present the Board with the number of residents that did not qualify for in home health care services and needed this CDBG funding to pay for housecleaning services.

Vice-Chair Beamon stated that he used to work with home health and that 99% of them do qualify.

Mr. Richardson stated that his wife is a case manager in home health and she works with the teams that go out and take care of these people and she sees a lot of hardship for the people that don't qualify. We rely too much on the government, and think the government will take care of us, but they won't, in his opinion.

Ms. Holleman stated that they have to look at , again, putting people to work, putting money back into the local economy, and so on, but that if THA had done their homework it would have made an easier case for this portion of the request. The dental, she thinks the dental should be funded.

Mr. Richardson stated that it's unfortunate that these people are at risk of losing their subsidized housing because they are not able to clean their apartment, but it's true that they can do an inspection at any time and inspect the apartment. It's just ridiculous that they can come in there and tell an 85 year old resident, living on \$400 a month, that your house isn't clean enough; correct it or you're out.

Chair Collins asked if anyone is opposed to the \$2,100 THA is requesting for emergency dental services.

Mr. Donaldson stated that he is opposed to everything that THA is requesting and that their proposal made him mad. He feels that they are just fishing for funds. In the past they fished for internet computers for seniors and the Board didn't give them anything on that. When these people come in here asking for tax dollars to pay a cleaning service \$72.00 per hour, these people are crazy. He doesn't want to spend tax money

for \$72.00 an hour for a cleaning service and it colors the whole proposal in his mind when they come in here thinking that it's good to ask for \$72.00 an hour to pay Merry Maids. Their application shows 24 times a year to pay \$195.00 to clean one-bedroom efficiency, plus the extra at \$72.00 an hour. He feels that if THA feels that this is good use of taxpayers' money, they don't need any of it.

Chair Collins still feels that the dental funding is reasonable.

Rev. Harrison asked if dental is covered under Medicare.

Chair Collins stated that, no, Medicare does not cover dental.

Mr. Donaldson pointed out that the dental was the last priority on the proposal.

Mr. Richardson said that was because THA is looking at keeping a roof over these people's heads. He had personal feelings on this because he dealt with the situation with his mother. Until he had to pay \$5,000 for his mother because Medicare didn't cover it, he never had a clue. If you talk to the residents who live there, they need these services.

Mr. Donaldson agreed but stated that it's the same if you to talk to the recipients of all of these programs, and he has to go by what THA put on the application they submitted, and when they want to spend tax money for \$72.00 an hour for cleaning to go to a for profit cleaning agency, he can't agree. If THA had proposed hiring someone who needed a job and here's resident who need help with cleaning, let's put them together, then he might agree, but hiring someone for \$72.00 an hour is not the answer, especially when money is so tight.

Chair Collins asked if we can mark out the cleaning request, but what about the other requests, #2 priority medication assistance, \$3,600 for co-pay, 12 residents per month x \$25 x 12 months = \$3,600.

Ms. Holleman stated that she agrees with Mr. Donaldson that they are just fishing for money, that there is nothing of substance.

Chair Collins stated that the dental part of the request does have substance and there are not many sources that the elderly can go to for help with dental costs. He feels that since it's only \$2,000, it's a good use of the money.

Rev. Harrison felt that there is no way that the City Council would agree to fund anybody for only \$2,000.

Ms. Whitley agreed that the administrative costs would eat up \$2,000

Ms. Holleman asked if we could see what was left over and decide on the dental then, because her money is already spent.

Chair Collins asked about the transportation element of the application and if these are the same residents that might utilize the tokens through the HELP Center.

Ms. Whitley confirmed that the residents could apply to the HELP Center if they were made aware of availability but that it would probably be more available to them through the THA social services office.

Chair Collins asked if they could recap and if they were still shooting for \$10,000 per agency.

Ms. Holleman stated that she wants \$20,000 to go to HCCAA and \$10,000 to ACT.

Mr. Donaldson asked for some discussion on Families in Crisis.

Ms. Holleman said they should have sent a Case Manager to plead their case.

Mr. Donaldson stated that FIC was not one of their priorities and Ms. Holleman agreed.

Rev. Harrison asked how much FIC is asking for.

Chair Collins confirmed that they are asking for \$45,000 or 2 Crisis Intervention Specialists, who are the individuals that are there as the first contact when the client comes in.

Rev. Harrison stated that they really should receive funding but that the Boards could not fund the full \$45,000.

Mr. Rublee suggested that they fund only one of the positions, \$22,700.

Chair Collins said that they might have to go down to \$15,000 for Family Promise.

Vice-Chair Beamon reminded that Family Promise has no other funding.

Chair Collins asked if Family Promise is trying to get any other grants and if they are a United Way organization.

Vice-Chair Beamon stated that they have tried every way they can and that some of them had to start over on some because they have a new director.

Rev. Harrison stated that Families in Crisis needs the money and that domestic violence is on the increase.

Mr. Richardson stated that the returning troops could contribute to that increase also.

Chair Collins asked if Families in Crisis was not funded, would those individuals not be serviced by Aware Central Texas.

Rev. Harrison stated that they could not serve the same crisis situations.

Mr. Rublee confirmed that Families in Crisis has gotten a lot of attention this last year since they have opened the Temple. Maybe FIC doesn't need this funding as much as some of the other agencies.

Chair Collins stated that FIC should also receive some funding from the military.

Mr. Richardson stated that he would not expect any funding from the military. He observed that the psych ward in Waco had been closed and felt that the recent increase in murder/suicides in Killeen are related to that. He feels that the military releases individuals for active duty that are still having issues.

Chair Collins stated that he thought that part of the problem is that some of the soldier's are not close to an active duty facility. The closer you are to an active duty facility the easier it is to get help. If anybody has an endless supply of money, the government has an endless supply of money, and that if individuals are in Temple and want help, we have a big facility close where they can get what they need.

Vice-Chair Beamon stated that there is the problem that individuals may not ask for help through the military because it goes into their record and may affect them the rest of their life so they keep their mouth shut, try to endure the pain and end up doing something wrong.

Mr. Richardson asked if anyone knew what the military population in Temple was.

Ms. Holleman confirmed that it was high and had increased, especially in West Temple.

Ms. Holleman stated that what bothered her about Families in Crisis, if you're going to ask for money, ask for money that we can see where it is going to directly benefit the client. If he had come in and said that they are hiring licensed, professional people that are going to help people, but if you're just going sit the Case manager over to the side...

Mr. Richardson stated that their Case Mangers are licensed, but they are needing the people who are there 24/7.

Ms. Holleman stated that she would like to see the licensed people on the front line as first contact.

Mr. Richardson said that you can't afford to pay them and that the Case Managers are on call.

Ms. Whitley confirmed that in the minutes it was noted that if the Intervention Specialist determines that the client needs one-on-one counseling, then they call the Case Manager on call.

Mr. Richardson confirmed that there is somebody there available to take someone into that agency 24 hours a day and they only have the 3, which is the minimum staff required for 24/7 and that's someone there in the building all the time to help the clients with their day-to day needs.

Ms. Holleman asked if the intent with Families in Crisis would be to show that we fund them something because we see the value of this program and the shelter in Temple.

Chair Collins recapped the proposed amounts on the board for discussion:

1. Aware Central Texas - \$10,000
2. HCCAA - \$23,000
3. Central Texas 4C- \$12,400
4. HELP Center-Child Care - \$10,000
5. Family Promise - \$15,000

Chair Collins asked if they should fund only 2 drivers for Hill Country.

Mr. Rublee confirmed that 2 drivers with fringe would be about \$15,000.

Ms. Holleman suggested that 4C receive \$10,000 and that would leave \$10,000 for Families in Crisis.

Chair Collins made the suggested changes and recapped as follows:

1. Aware Central Texas - \$10,000
2. HCCAA - \$15,000
3. Central Texas 4C - \$10,453
4. HELP Center-Child Care - \$10,000
5. Family Promise - \$15,000

6. Families in Crisis - \$10,000

All members agreed with this allocation and it was confirmed that they equaled the total amount available of \$70,453.

Chair Collins acknowledged that they were all sympathetic to Christian Farms and Temple Housing Authority but there is just not enough to go around.

Chair Collins asked if everyone could live with those numbers.

Mr. Rublee stated they were giving 4C about half of what they asked for and Hill Country gets about two-thirds of what they requested and ACT receiving what they asked because they only requested \$10,000.

4. Make final selection for recommendation to City Council

Chair Collins asked for a motion to make the final recommendation to the City Council to award funds as follows:

1. Aware Central Texas - \$10,000
2. HCCAA - \$15,000
3. Central Texas 4C - \$10,453
4. HELP Center-Child Care - \$10,000
5. Family Promise - \$15,000
6. Families in Crisis - \$10,000

Rev. Harrison so moved.

Mr. Donaldson seconded the motion.

Chair Collins called for a vote.

All members voted Aye and the motion carried to recommend that the Temple City Council award CDBG funding to agencies as listed in the motion.

Ms. Whitley confirmed that she would forward the recommendation in written form to Traci Barnard, Financial Director, for presentation to the City Council at the May 15, 2008 scheduled meeting.. She also stated that, historically, the Chair or Vice-Chair of this Board was present at the council meeting for the recommendation.

5. Adjournment

There being no further business, Chair Collins adjourned the meeting at 3:25 p.m.

Respectfully submitted,

Lois Whitley

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS,
APPROVING THE 2008-2009 ACTION PLAN AND COMMUNITY
DEVELOPMENT BLOCK GRANT (CDBG) BUDGET; AND PROVIDING AN
OPEN MEETINGS CLAUSE.

Whereas, a public hearing was held on May 15, 2008, to receive public comment on the proposed 2008-2009 Action Plan and CDBG budget;

Whereas, the Community Services Advisory Board has reviewed and carefully considered all requests for funding public service agencies and has submitted a recommendation to the City Council; and

Whereas, the City Council has considered the matter and deems it in the public interest to adopt the 2008-2009 Action Plan and Community Development Block Grant (CDBG) budget, including the funding recommendations for public service agencies from the Community Services Advisory Board.

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

Part 1: The City Council adopts the 2008-2009 Action Plan and Community Development Block Grant (CDBG) budget (Exhibit A), including the recommendations for public service agencies from the Community Services Advisory Board (Exhibit B), copies of which are attached hereto and made a part hereof for all purposes.

Part 2: It is hereby officially found and determined that the meeting at which this Resolution is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED this the **19th** day of **June**, 2008.

THE CITY OF TEMPLE, TEXAS

WILLIAM A. JONES, III, Mayor

ATTEST:

APPROVED AS TO FORM:

Clydetta Entzminger
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

06/19/08
Item #7(A)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Clydette Entzminger, City Secretary

ITEM DESCRIPTION: Approve Minutes:

(A) June 5, 2008 Special Called Meeting & Regular Meeting

STAFF RECOMMENDATION: Approve minutes as presented in item description.

ITEM SUMMARY: Copies of minutes are enclosed for Council review.

FISCAL IMPACT: N/A

ATTACHMENTS:

[June 5, 2008 Special Called Meeting & Regular Meeting](#)

TEMPLE CITY COUNCIL

JUNE 5, 2008

The City Council of the City of Temple, Texas conducted a Special Meeting on Thursday, June 5, 2008 at 2:00 pm in the City Council Chambers, 2nd Floor, 2 North Main Street.

Present:

Councilmember Marty Janczak
Councilmember Tony Jeter
Mayor Pro Tem Patsy E. Luna
Mayor William A. Jones, III

Absent:

Councilmember Russell Schneider

1. Receive presentations from the following public service agencies regarding their activities and funding requests for FY 2008-2009:

Mayor Pro Tem Patsy Luna called the meeting to order and welcomed those in attendance.

David Blackburn, City Manager, reviewed the process to be followed for this meeting. Fourteen agencies have requested funding from the City and will be making presentations today. Mr. Blackburn stated he will file the proposed budget on June 27th which will contain recommendations for funding public service agencies for the upcoming year. The budget is scheduled to be adopted by the Council on August 28th.

The following presentations were made:

Bell County Human Services Department - Temple HELP Center - Judy Morales: Mrs. Morales reviewed the history of this organization, its mission and purpose, and programs and services offered. They are requesting \$50,000 in the upcoming year to assist with their operating budget.

Several ladies provided testimonies to the Council about the services they received from the HELP Center, through the Co-Pay program, which allowed them to pursue their formal education.

Ralph Wilson Youth Clubs, Inc. - Charlie Kimmey: Mr. Kimmey reviewed the history of the Club and the programs and services offered. 800+ children are expected to participate in the summer program. Mr. Kimmey requested \$30,000 for the upcoming year, \$15,000 for the basketball program and \$15,000 for the scholarship program. This represents a \$10,000 increase over the current year's funding.

Bell County Public Health District - Dr. Wayne Farrell: Dr. Farrell stated the Health District budget will be presented to their board on June 9th for consideration and approval. The

total budget for the upcoming year is \$6,209,281 and Dr. Farrell explained the services provided by the Health District. The City of Temple's pro rata share of the budget is \$135,541 (2.18% of the total) based on a cooperative agreement signed in 1994 which established a formula for contributions based on population. The City of Temple receives approximately \$10,000 in revenue each year from food service establishments permitted by the Health District.

Bell County Business Alliance - Randy Garrett: This agency does business as the Temple Business Incubator and requested \$25,000 in funding for the upcoming year, the same as the current year. The incubator has been open for about 2 years and is supported by five partners. Mr. Garrett explained the purpose of the Bell County Business Alliance, which currently has four businesses they are assisting. He explained the initiatives they are currently working on to help move the Incubator forward.

Cultural Activities Center - Terri Matthew: Mrs. Matthew discussed some of the programs and services provided by the CAC. She displayed several photos of children enjoying the programs they offer. Mrs. Matthew requested \$60,000 in funding for the upcoming year.

Families in Crisis - William Hall: Mr. Hall explained the mission of this agency, as well as the programs and services they provide. He noted the Temple Shelter opened in August 2007, a project of Leadership Temple, and has served 76 victims since that time. They are requesting \$150,000 from the City for salaries for 4 people, utilities and maintenance, client services and office supplies. This funding will bridge the gap in Health and Human Services Department funding that will not be available to them until 2009.

Hill Country Community Action Association - Lewann Turner: Ms. Turner reviewed the services provided by the Aging Services Nutrition Programs administered by their agency for both congregate meals and meals on wheels. She requested \$25,000 for salary and benefits for a part-time cook at the Sammons Community Center. Ms. Turner explained the sources of other funds received by their agency.

Hill Country Transit District - Robert Ator: Mr. Ator provided a brief service overview for the Council as well as background information about previous budget requests. He requested \$75,000 for the upcoming year for assistance with operating costs. Mr. Ator discussed the service enhancements, including a new fixed route and expanded fleet.

Keep Temple Beautiful - Zoe Rascoe & Tanya Gray: Mrs. Rascoe reviewed their agency's mission and projects they have undertaken to achieve that mission. She also summarized the recognitions KTB has received for their efforts. They are requesting \$35,000 in funding for FY 2008-2009 to supplement administrative costs.

Railroad & Heritage Museum - Judy Covington: Ms. Covington stated the composition of the board will be changing within the next 30 days. She discussed the organization's membership trends, museum visits and total revenues. Ms. Covington also explained their target markets and how they intend to continue to reach those markets.

SPJST Library, Archives & Museum - Sandi Wicker: Ms. Wicker provided some background about their organization, which became a separate entity in 2000. She

displayed the floor plan for the new Museum to be constructed on North 3rd Street at French. She requested \$25,000 (\$12,000 funded in current year) from the City for the upcoming year to assist with the renovation of the building.

Temple Civic Theatre - Tim Campbell: Mr. Campbell presented the mission statement of the Theatre. He discussed their affiliation with Temple College. Mr. Campbell presented their annual operating budget and requested \$20,000 in funding for the upcoming year, an increase of \$10,000, to assist with the Theatre's operations.

Bloomin' Temple Festival - Kenny Martin: This festival was founded to celebrate the 125th anniversary of the City, Mr. Martin stated. He requested \$25,000 from the City, the same amount funded in the current year. This was the third year of this City-wide event.

Mayor Jones noted the requests received that were less than \$20,000 - Cen-Tex Alcoholic Rehabilitaiton Center (\$8,000), Children's Advocacy Center (\$8,000), Temple College Foundation (\$5,000), Temple Symphony Orchestra (\$6,000) and Tribal American Network (\$15,000).

Total requests received for the FY 2008-2009 budget are \$1,135,210, with \$749,541 from the General Fund, Mr. Blackburn stated.

2. Discuss, as may be needed, Regular Meeting agenda items for the meeting posted for Thursday, June 5, 2008 as follows:

There was no discussion of this item.

The City Council of the City of Temple, Texas conducted a Regular Meeting on Thursday, June 5, 2008 at 5:00 PM in the Council Chambers, Municipal Building, 2nd Floor, 2 North Main Street.

Present:

Councilmember Marty Janczak
Councilmember Tony Jeter
Mayor Pro Tem Patsy E. Luna
Mayor William A. Jones, III

Absent:

Councilmember Russell Schneider

I. CALL TO ORDER

1. Invocation

Pastor Pat Dietrich, First Lutheran Church, voiced the Invocation.

2. Pledge of Allegiance

SFC Neil Shaw, US Army Recruiting Station in Temple, lead the Pledge of Allegiance.

II. PROCLAMATIONS & SPECIAL RECOGNITIONS

3. Presentation of Proclamations:

(A) United States Army Day June 14, 2008

Sgt. Sierra and SFC Neil Shaw, US Army Recruiting Station in Temple, accepted the proclamation from Mayor Jones.

III. PUBLIC COMMENTS

There were no public comments.

IV. ELECTION ITEMS

4. Administer Oath of Office to newly elected District 3 Councilmember.

Municipal Court Judge Kathleen Person administered the Oath of Office to District 3 Councilmember Marty Janczak.

V. CONSENT AGENDA

5. Consider adopting a resolution approving the Consent Agenda items and the appropriate resolutions for each of the following:

(A) May 15, 2008 Special Called Meeting and Regular Meeting

(B) 2008-5418-R: Consider adopting a resolution authorizing a one year renewal to an existing contract with Atlas Enterprises, Inc. of Fort Worth for the purchase and shooting of the fireworks for July 4th in the amount of \$25,750.

(C) 2008-5419-R: Consider adopting a resolution authorizing acceptance of a grant from the National Parks and Recreation Association to become a 2008 Take Me Fishing Casting Community in the amount of \$500.

(D) 2008-5420-R: Consider adopting a resolution authorizing a contract renewal with the Temple Towman's Association to provide wrecker services at the request of the Temple Police Department.

(E) 2008-5421-R: Consider adopting a resolution authorizing the trade in of existing handguns and the purchase of Glock Model 22 .40 cal pistols with accessories, from GT Distributors.

(F) 2008-5422-R: Consider adopting a resolution authorizing a construction-manager-at-risk agreement with Vanguard Contractors, LP of Temple for the renovations to the Temple Public Library, which includes pre-construction services in the amount of \$2,750.

(G) 2008-5423-R: Consider adopting a resolution authorizing an Interlocal Agreement with the Bell County to provide brush pick up.

(H) 2008-5424-R: Consider adopting a resolution authorizing an interlocal agreement with Bell County for use of the County's software and fiber optic network to process and maintain records regarding early voting, in the amount of \$1200.

(I) 2008-5425-R: Consider adopting a resolution authorizing the purchase of a 177.45 acre tract located at 1122 Moore's Mill Road. Executive Session - The City Council may enter into executive session pursuant to Section 551.072 of the Texas Government Code to discuss the purchase, exchange, lease or sale of real property the public discussion of which may have a detrimental impact on negotiations.

(J) 2008-5426-R: Consider adopting a resolution authorizing the purchase of an approximately 356 acre tract located on Wendland Road. Executive Session - The City Council may enter into executive session pursuant to Section 551.072 of the Texas Government Code to discuss the purchase, exchange, lease or sale of real property the public discussion of which may have a detrimental impact on negotiations.

(K) 1. 2008-4222: SECOND READING: Consider adopting an ordinance repealing Ordinance No. 2000-2717 and adopting a new ordinance expanding and updating meeting procedures for the Planning and Zoning Commission.

2. 2008-4223: SECOND READING - Z-FY-08-11: Consider adopting an ordinance amending Ordinance No. 91-2101, the Zoning Ordinance of the City of Temple, Section 16, "Planning and Zoning Commission," updating procedures for the Planning and Zoning Commission.

(L) 2008-5427-R: Consider adopting a resolution supporting the "Army Community Covenant" initiative which recognizes the strength of Army soldiers, their families and the support of the local communities.

(M) 2008-5428-R: Consider adopting a resolution authorizing budget amendments for fiscal year 2007-2008.

Motion by Mayor Pro Tem Patsy E. Luna to adopt resolution approving Consent Agenda, with the exception on Items 5(I) & (J), seconded by Councilmember Marty

Janczak.

Motion passed unanimously.

Mayor Jones stated items 5(I) and (J) are posted for executive sessions and will be conducted at the end of the regular agenda.

VI. REGULAR AGENDA

ORDINANCES

- 6. 2008-4224: FIRST & FINAL READING - PUBLIC HEARING - Consider adopting an ordinance establishing the City of Temple, Texas Reinvestment Zone Number One Tax Increment Revenue Financing Program, hereinafter referred to as the "Master Ordinance", to be considered on an emergency basis.**
- 7. 2008-4225: FIRST & FINAL READING - PUBLIC HEARING - Consider adopting an ordinance authorizing "First Supplemental Ordinance to the Master Ordinance Establishing the City of Temple, Texas Reinvestment Zone Number One Tax Increment Revenue Financing Program" and authorizing the issuance, delivery and sale of \$10,365,000* City of Temple, Texas Tax Increment Reinvestment Zone (TIRZ) Revenue Bonds, Taxable Series 2008; pledging of certain revenues and making provisions to the security thereof for the payment of the bonds; a paying agent/registrar agreement, investment and commitment letter and other agreements related to the sale and issuance of the bonds; and authorizing other matters related to the issuance of the bonds, to be considered on an emergency basis.**

Traci Barnard, Director of Finance, presented both items 6 and 7 to the Council. She reviewed the projects to be completed with these bond funds.

Dan Wegmiller, First Southwest Company, addressed the Council. Two bids were received yesterday for this sale, one from Bank of America and one from Compass Bank. The low bid was submitted by Bank of America, with a 5.29% make-whole rate and 5.98% callable in one year. Mr. Wegmiller recommended the Council accept the 5.29% make-whole rate.

Mrs. Barnard stated repayment of these bonds will be from Reinvestment Zone funds. There is no tax pledge for their repayment.

Carol Polumbo, McCall, Parkhurst and Horton, the City's bond counsel, reviewed the two ordinances presented to the Council for consideration. She recommended approval by the Council.

Mayor Jones declared the public hearing open with regard to agenda items 6

and 7 and asked if anyone wished to address these items. There being no comments, Mayor Jones closed the public hearing.

Motion by Councilmember Marty Janczak to adopt ordinances 6 and 7, on first and final reading, seconded by Mayor Pro Tem Patsy E. Luna.

Motion passed unanimously.

8. 2008-4218: THIRD READING - PUBLIC HEARING - Consider adopting an ordinance designating South 1st Street corridor (from Adams Avenue to Loop 363) as Tax Abatement Reinvestment Zone Number Thirteen for Commercial/Industrial/Residential Tax Abatement and authorizing a number of other economic development incentives for property redevelopment.

Jonathan Graham, City Attorney, presented this item to the City Council. This is the third reading of this ordinance due to some boundary changes following the first reading of the ordinance. He described the boundary of the South 1st Street SIZ Corridor, shown on maps displayed in the Council Chambers. Two different kinds of incentives are being proposed, tax abatement and other special incentives to encourage commercial or residential redevelopment in this area. Mr. Graham described both of these incentives and displayed the proposed incentive grant matrix for various types of improvements. \$85,000 is budgeted in the current year for these additional incentives.

Mayor Jones declared the public hearing open with regard to agenda item 8 and asked if anyone wished to address this item.

Pat Patterson, 2116 West Avenue H, expressed his support for this proposed ordinance. It allows a partnership between both businesses and the City to clean up this strategic corridor. Mr. Patterson stated he owns property in this area and he, too, would like to take advantage of these incentives.

Connie Stokes, Piping Rock Road, stated these incentives will give this main corridor a 'shot in the arm', increase values and make the properties look better. She owns property here and will take advantage of these incentives.

Beverly Hamby, Eagle Rock Drive, Troy, investor and realtor, stated this will be a great project and help to project a better image of the City.

There being no further comments, Mayor Jones declared the public hearing closed.

Mr. Blackburn stated economic development takes many forms in the City. This may be a small amount but it is an incremental approach to protect a corridor in our community with many wonderful assets.

Motion by Mayor Pro Tem Patsy E. Luna to adopt ordinance on third and final reading, seconded by Councilmember Marty Janczak.

Motion passed unanimously.

9. 2008-4226: FIRST READING - PUBLIC HEARING - Consider adopting an ordinance repealing Ordinance No. 1755 establishing the Airport Advisory Board, allowing the Board to be re-established by Resolution.

Kim Foutz, Assistant City Manager, gave a brief presentation on this item to the Council. She provided some background information. The Airport Advisory Board has recommended a change in the composition of the membership of the board. This recommendation was presented to the Council at the May 15th meeting by the Chair of the Board, Kyle McQueen. This change will allow better representation from the Temple Economic Development Corporation and the Reinvestment Zone.

Mayor Jones declared the public hearing open with regard to agenda item 9 and asked if anyone wished to address this item. There being no comments, Mayor Jones closed the public hearing.

Motion by Councilmember Marty Janczak to adopt ordinance, with second reading set for June 19, 2008, seconded by Mayor Pro Tem Patsy E. Luna.

Motion passed unanimously.

10. 2008-4227: FIRST READING - PUBLIC HEARING - Z-FY-08-21: Consider adopting an ordinance authorizing a Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption in a restaurant at Holiday Inn, located at 5247 South General Bruce Drive, on Lot 1, Block 1, Kenny B. Addition Replat # 1.

Tammy Lyerly, City Planner, presented this item to the City Council. She displayed a photo of the Holiday Inn. All conditions have been met with the submission of the site plan. The Planning and Zoning Commission and staff both recommended approval of this requested Conditional Use Permit.

Mayor Jones declared the public hearing open with regard to agenda item 10 and asked if anyone wished to address this item. There being no comments, Mayor Jones closed the public hearing.

Motion by Mayor Pro Tem Patsy E. Luna to adopt ordinance, with second reading set for June 19, 2008, seconded by Councilmember Marty Janczak.

Motion passed unanimously.

- 11. 2008-4228: FIRST READING - PUBLIC HEARING - Z-FY-08-22B: Consider adopting an ordinance authorizing a zoning change from Agriculture (AG) to Single Family-3 (SF-3) on 24.1+ acres, being part of the Maximo Moreno Survey, Abstract No. 14, located on the north side of French Street, west of 42nd Street.**

Tim Dolan, Planning Director, presented this item to the City Council. This request complies the with future land use map of the Comprehensive Plan and the thoroughfare plan. Adequate public facilities exist to serve the property. Both the Planning and Zoning Commission and Staff recommended approval of the requested rezoning.

Mayor Jones declared the public hearing open with regard to agenda item 11 and asked if anyone wished to address this item. There being no comments, Mayor Jones closed the public hearing.

Motion by Mayor Pro Tem Patsy E. Luna to adopt ordinance, with second reading set for June 19, 2008, seconded by Councilmember Marty Janczak.

Motion passed unanimously.

- 12. 2008-4229: FIRST READING - PUBLIC HEARING - Z-FY-08-24: Consider adopting an ordinance authorizing a zoning change from Agriculture (AG) to Office-2 (O-2) with the additional uses of laboratory manufacturing and laboratory, scientific or research on 63.8+ acres, being part of the P.M. Mercer Survey, Abstract No. 553, located on the west side of Old Howard Road, 1,500+ feet north of SH 36.**

Tim Dolan, Planning Director, presented this item to the City Council. The proposed use is for an Office Park development and Staff is requesting Office-2 zoning with additional laboratory uses. The property has access from Old Howard Road, which is the future Outer Loop, and Central Pointe Parkway.

Mayor Jones declared the public hearing open with regard to agenda item 12 and asked if anyone wished to address this item. There being no comments, Mayor Jones closed the public hearing.

Motion by Councilmember Marty Janczak to adopt ordinance, with second reading set for June 19, 2008, seconded by Mayor Pro Tem Patsy E. Luna.

Motion passed unanimously.

- 13. 2008-4230: FIRST READING - PUBLIC HEARING - Z-FY-07-19: Consider adopting an ordinance approving the Draft Comprehensive Plan, Choices '08, including the Introduction, Community Overview, Urban Design &**

Future Land Use, Growth Plan, Transportation, Housing, Economic Development, Implementation, Tables and Documents Included by Reference.

Tim Dolan, Planning Director, provided a brief overview of the proposed Comprehensive Plan. The Planning and Zoning Commission unanimously recommended approval of the plan at its May 19th meeting. He provided a summary review of each of the plan's chapters, noting those key issues and opportunities identified by the Comprehensive Plan Advisory Committee as the plan was developed. Mr. Dolan emphasized the implementation portion of the plan and the next steps in the process of adopting this Comprehensive Plan for the City of Temple.

Mr. Blackburn thanked the CPAC and staff for their efforts in developing this plan. He explained what his expectations are for the document, which will be to provide overall direction regarding the City's development. It will also coordinate various other development plans. It will not serve as a resource allocation document and it is not a budget. Mr. Blackburn noted this document is not set in stone and should undergo at least an annual review, just like the strategic plan and budget. It is not a perfect document or complete document because the City and this plan are always evolving. He stated even though the public hearing is tonight he would not anticipate adoption until late August, in conjunction with the adoption of the City budget.

Councilmember Janczak expressed his concern that this document is going to be adopted by ordinance, a law of the City.

Jonathan Graham, City Attorney, explained Chapter 213 of the Local Government Code states that a city may adopt a comprehensive plan. Chapter 211 states that zoning regulations are permitted, but if so, they will be adopted by ordinance and a comprehensive plan must be adopted. Mr. Graham provided an analysis of these statutes and their effect on how our comprehensive plan is adopted and what is included.

Councilmember Janczak stated he is still concerned with adopting the policy as law based on feedback he has received from citizens.

Councilmember Jeter asked if the plan can be modified before it is voted on by the Council.

Mr. Dolan replied yes. The plan also has built in updates semi annually and annually for various other components.

Councilmember Jeter expressed his concern with the FM 93-Hartrick Bluff connector road as it relates to the Certificate of Obligation issue approved by the Council on May 15th. He felt the Council needs to give direction on this issue very soon since development is pending this decision on the location of the connector road.

Mayor Jones declared the public hearing open with regard to agenda item 13 and asked if anyone wished to address this item.

L.N. Vogel, 6511 Springwood Court, addressed the Council as the President of the Deerfield HOA. He expressed his concern with the 31st Street to Hartrick Bluff portion of the Thoroughfare Plan. His concern related to the road being proposed by the developer at the south end of Deerfield and abutting the north end of Springwood Estates. Because of the impact to both subdivisions and the cost of a bridge across Friar's Creek, a petition was previously submitted in opposition to this proposed road. The developer pulled the request at that time but this is basically what is being proposed in the thoroughfare plan in the proposed Comprehensive Plan. Mr. Vogel stated he would support the alternate connector from FM 93 to Hartrick Bluff to allow the east side of Friar's Creek to be developed.

Scott Brookshire, 2309 Windsong, provided some background information on the east-west arterial. When he served on the Council there was much discussion about this arterial. Mr. Brookshire asked the Council to do what was fair. Putting an arterial behind the property in Deerfield is not fair because this was not proposed when these people bought their properties.

Daron Harmel, 6015 Fawn Meadows, asked the Council to remember about a previous commitment not to cross Friar's Creek. He asked that they explore all possibilities. Mr. Harmel added he intends to be very involved as this process continues.

Lucas Wong, 6704 Springwood court, concurred with Councilmember Janczak's comments regarding adopting the plan by ordinance. He supported continued dialogue with the residents in Deerfield and Springwood to develop a better document.

There being no further comments, Mayor Jones declared the public hearing closed.

Mr. Blackburn stated he would recommend scheduling district meetings to receive feedback from citizens prior to adoption of the Comprehensive Plan.

Councilmember Jeter stated there is a plat on file for a development in this area and we need to give direction now. We should not say we may do this or that with no specific direction.

Mr. Graham stated the plat can still come forward for Planning and Zoning Commission and City Council for consideration. They can decide if the plat is in conformance with the subdivision regulations and Comprehensive Plan.

Councilmember Janczak stated he does not want to preclude any property owners from using their property by any future connection the City would make.

Mr. Dolan stated his presentation tonight indicated this is one area that will be looked at more extensively in the thoroughfare plan.

Motion by Councilmember Tony Jeter to adopt ordinance on first reading, seconded by Mayor Pro Tem Patsy E. Luna.

Motion passed unanimously.

BOARD APPOINTMENTS

14. 2008-5399-R: Consider adopting a resolution appointing four at-large members to the Temple Medical Education District Coordinating Group.

Mr. Blackburn recommended the appointment of Lloyd Thomas and David Jennings as members representing commercial property interests. Mr. Blackburn will serve as the City's representative on the board. One member representing residents will be appointed at a later date.

Motion by Councilmember Marty Janczak to adopt resolution as recommended, seconded by Mayor Pro Tem Patsy E. Luna.

Motion passed unanimously.

5(I) Consent Agenda - 2008-5425-R: Consider adopting a resolution authorizing the purchase of a 177.45 acre tract located at 1122 Moore's Mill Road.

Executive Session - The City Council may enter into executive session pursuant to Section 551.072 of the Texas Government Code to discuss the purchase, exchange, lease or sale of real property the public discussion of which may have a detrimental impact on negotiations.

5(J) Consent Agenda - 2008-5426-R: Consider adopting a resolution authorizing the purchase of an approximately 356 acre tract located on Wendland Road.

Executive Session - The City Council may enter into executive session pursuant to Section 551.072 of the Texas Government Code to discuss the purchase, exchange, lease or sale of real property the public discussion of which may have a detrimental impact on negotiations.

Mayor Jones stated the City Council would enter into executive session at this time, approximately 6:50 pm, for the discussion of items 5(I) and 5(J).

Following the executive session, Mayor Jones reconvened the regular session

at approximately 7:25 pm.

Jonathan Graham, City Attorney, presented this item to the Council. The property located on Moore's Mill Road, item (I), is recommended for purchase at the cost of \$5,000 per acre plus reimbursement to TEDC for the original option, surveying and phase 1 environmental assessment, for a total estimated cost of \$931,338.62. The property located on Wendland Road is just slightly less than 356 acres and is recommended for purchase at a cost of \$7,500 per acre plus closing costs.

Traci Barnard, Director of Finance, stated the Reinvestment Zone No. 1 Board of Directors has recommended approval of the amendment to the Financing Plan to fund the acquisition of these properties. The City Council has also approved the Financing Plan amendment, as well as the sale of the bonds for the repayment of these funds.

Motion by Councilmember Tony Jeter to adopt resolutions 5(I) and 5 (J),= seconded by Councilmember Marty Janczak.

Motion passed unanimously.

William A. Jones, III, Mayor

ATTEST:

Clydette Entzminger
City Secretary



COUNCIL AGENDA ITEM MEMORANDUM

6/19/08
Item #7(B)
Consent Agenda
Page 1 of 1

DEPT. /DIVISION SUBMISSION & REVIEW:

Ken Cicora, Parks and Leisure Services Director

ITEM DESCRIPTION: Consider adopting a resolution authorizing the Buy Board purchase of a picnic pavilion, tables, and park grills for Ferguson Park from BJ's Park and Recreation Products of Magnolia, in the amount of \$48,437.29, and declaring an official intent to reimburse this expenditure made prior to the issuance of tax-exempt obligations for this project.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: One of the projects approved during the fall bond election was improvements to Ferguson Park located at 1203 East Adams Avenue. An element of the proposed improvements was to add a picnic pavilion at this park to replace several old single picnic tables.

This pavilion will be octagon shaped and 40' in diameter with a standing seam metal roof and will be located on the west side of the park adjacent to the playground and splash pad. A pavilion of this size and shape was installed in Jeff Hamilton Park when that park was renovated and is a very attractive and well constructed park amenity.

The installation of this pavilion will be included as part of the contract when we add parking, ADA walkways and a small drop off lane to serve the pavilion area. Including the installation in this phase of construction will ensure that proper ADA access to the pavilion will be done and will maximize the use of City funds.

This pavilion is being purchased through the Buy Board which meets all competitive bid requirements.

FISCAL IMPACT: This item declares an official intent to reimburse this purchase from BJ's Park and Recreation Products from the 2008 General Obligation (G.O.) bonds to be sold July 3, 2008. The G.O. bond issue was approved by voters on November 6, 2007. The total project budget for Ferguson Park is \$300,000, which will be funded in account 362-3500-552-6845, project 100363. After funding this purchase and other costs associated with the project, \$231,183 will remain to complete the project.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE BUY BOARD PURCHASE FROM BJ'S PARK AND RECREATION PRODUCTS OF MAGNOLIA, TEXAS, OF A PICNIC PAVILION, TABLES, AND PARK GRILLS FOR FERGUSON PARK, IN THE AMOUNT OF \$48,437.29 DECLARING OFFICIAL INTENT TO REIMBURSE CERTAIN EXPENDITURES MADE PRIOR TO THE ISSUANCE OF TAX-EXEMPT OBLIGATIONS FOR THIS PROJECT; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the Staff requests authorization of the Buy Board purchase of a picnic pavilion, tables and park grills for Ferguson Park from BJ's Park and Recreation Products of Magnolia, Texas;

Whereas, the purchase price will not exceed \$48,437.29 and funds are available in Account 362-3500-552-6845, project #100363;

Whereas, the City of Temple anticipates the issuance of one or more series of obligations, the interest on which will be excludable from gross income under Section 103 of the Internal Revenue Code of 1986, as amended, in order to finance all or a portion of this project;

Whereas, certain expenditures relating to the Project will be paid prior to the issuance of the Obligations;

Whereas, the City hereby certifies that such expenditures have not been made prior to the date of passage of this Resolution;

Whereas, upon issuance of the Obligations, the City desires to reimburse these prior expenditures with proceeds of the Obligations;

Whereas, Section 1.150-2 of the Treasury Regulations provides that an expenditure on the Project may not be reimbursed from Obligation proceeds unless, along with other requirements, the City declares official intent to reimburse the expenditure prior to the date that the expenditure to be reimbursed was paid; and

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

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

Part 1: The City Council authorizes the Buy Board purchase of a picnic pavilion, tables and park grills for Ferguson Park, for a cost not to exceed \$48,437.39, from BJ's Park and Recreation Products of Magnolia, Texas, and authorizes the City Manager, or is designee, to execute any documents, after approval as to form by the City Attorney, that may be necessary for this purchase.

Part 2: The findings, determinations and certifications contained in the preamble hereof are incorporated herein for all purposes.

Part 3: This Resolution is a declaration of official intent under Section 1.150.2 of the Treasury Regulations by the City that it reasonably expects to reimburse the expenditures described in Part 4 with proceeds of debt to be incurred by the City, such debt to be issued on or before eighteen (18) months after the date of (i) the date the first expenditure is paid; or (ii) the date on which the property is placed in service, but in no event three years after the first expenditure is paid.

Part 4: The following is a general functional description of the Project for which the expenditures to be reimbursed are paid and a statement of the maximum principal amount of debt expected to be issued for the purpose of paying the costs of the Project.

Project Description

Debt To Be Issued

Picnic pavilion, tables,
and park grills for Ferguson
Park

\$48,437.29

Part 5: The expenditures described in Part 4 is a capital expenditure under general Federal income tax principles or a cost of issuance.

Part 6: Except for the proceeds of the Obligations, no funds are, or are reasonably expected to be reserved, allocated on a long-term basis, or otherwise set aside by the City or by any member of the same controlled group to pay for the expenditures described in Part 4.

Part 7: It is hereby officially found and determined that the meeting at which this Resolution is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED on this the 19th day of **June**, 2008.

THE CITY OF TEMPLE, TEXAS

WILLIAM A. JONES, III, Mayor

ATTEST:

APPROVED AS TO FORM:

Clydette Entzminger
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

06/19/08
Item #7(C)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Ken Cicora, Director of Parks and Leisure Services

ITEM DESCRIPTION: Consider adopting a resolution authorizing the Buy Board purchase and installation of playground equipment for Ferguson Park with Webuildfun, Inc. of Allen, in the amount of \$56,119.75, and declaring an official intent to reimburse this expenditure made prior to the issuance of tax-exempt obligations for this project.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: One of the projects approved in the bond election last fall was improvements to Ferguson Park located at 1203 East Adams Avenue. One element of the proposed improvements was to add playground equipment to the existing playground.

After a process of evaluating playground equipment from many vendors it was decided to use Miracle brand equipment supplied and installed by Webuildfun, Inc. We have several pieces of Miracle equipment throughout the parks system and it is of good quality. Miracle was also able to supply us equipment to build on the "Space" theme that is prevalent at this park. In fact the "Rocket" at this park is a Miracle piece that apparently was installed in the 1960's and is still in good shape.

This playground equipment and installation purchase is being made through the Buy Board which meets all competitive bidding requirements.

FISCAL IMPACT: This item declares an official intent to reimburse this purchase from Webuildfun, Inc. from the 2008 General Obligation (G.O.) bonds to be sold July 3, 2008. The G.O. bond issue was approved by voters on November 6, 2007. The total project budget for Ferguson Park is \$300,000, which will be funded in account 362-3500-552-6845, project 100363. After funding this purchase and other costs associated with the project (including the purchase of the pavilion, tables and park grills included in a separate agenda item), \$175,063 will remain to complete the project.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH WEBUILDFUN, INC., OF ALLEN, TEXAS, FOR THE PURCHASE AND INSTALLATION OF PLAYGROUND EQUIPMENT FOR FERGUSON PARK IN AN AMOUNT NOT TO EXCEED \$56,119.75; DECLARING OFFICIAL INTENT TO REIMBURSE CERTAIN EXPENDITURES MADE PRIOR TO THE ISSUANCE OF TAX-EXEMPT OBLIGATIONS FOR THIS PROJECT; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the Staff recommends entering into an agreement with Webuildfun, Inc., of Allen, Texas, for the purchase and installation of playground equipment for Ferguson Park;

Whereas, Webuildfun, Inc., submitted a proposal (\$56,119.75) and the staff recommends accepting it;

Whereas, funds are available in Account No. 362-3500-552-6845, project # 100363;

Whereas, the City of Temple anticipates the issuance of one or more series of obligations, the interest on which will be excludable from gross income under Section 103 of the Internal Revenue Code of 1986, as amended, in order to finance all or a portion of this project;

Whereas, certain expenditures relating to the Project will be paid prior to the issuance of the Obligations;

Whereas, the City hereby certifies that such expenditures have not been made prior to the date of passage of this Resolution;

Whereas, upon issuance of the Obligations, the City desires to reimburse these prior expenditures with proceeds of the Obligations;

Whereas, Section 1.150-2 of the Treasury Regulations provides that an expenditure on the Project may not be reimbursed from Obligation proceeds unless, along with other requirements, the City declares official intent to reimburse the expenditure prior to the date that the expenditure to be reimbursed was paid; and

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

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

Part 1: The City Council authorizes the City Manager, or his designee, to execute an agreement, not to exceed \$56,119.75, between the City of Temple, Texas, and Webuildfun, Inc., of Allen, Texas, after approval as to form by the City Attorney, for the purchase and installation of playground equipment for Ferguson Park.

Part 2: The findings, determinations and certifications contained in the preamble hereof are incorporated herein for all purposes.

Part 3: This Resolution is a declaration of official intent under Section 1.150.2 of the Treasury Regulations by the City that it reasonably expects to reimburse the expenditures described in Part 4 with proceeds of debt to be incurred by the City, such debt to be issued on or before eighteen (18) months after the date of (i) the date the first expenditure is paid; or (ii) the date on which the property is placed in service, but in no event three years after the first expenditure is paid.

Part 4: The following is a general functional description of the Project for which the expenditures to be reimbursed are paid and a statement of the maximum principal amount of debt expected to be issued for the purpose of paying the costs of the Project.

Project Description

Debt To Be Issued

Purchase and installation of
playground equipment for
Ferguson Park

\$56,119.75

Part 5: The expenditures described in Part 4 is a capital expenditure under general Federal income tax principles or a cost of issuance.

Part 6: Except for the proceeds of the Obligations, no funds are, or are reasonably expected to be reserved, allocated on a long-term basis, or otherwise set aside by the City or by any member of the same controlled group to pay for the expenditures described in Part 4.

Part 7: It is hereby officially found and determined that the meeting at which this Resolution is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED on this the 19th day of **June**, 2008.

THE CITY OF TEMPLE, TEXAS

WILLIAM A. JONES, III, Mayor

ATTEST:

APPROVED AS TO FORM:

Clydette Entzminger
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

06/19/08
Item #7(D)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Ken Cicora, Director of Parks and Leisure Services

ITEM DESCRIPTION: Consider adopting a resolution authorizing an Interlocal Agreement with the Temple Independent School District (TISD) which allows the City of Temple to donate the existing play structure from Jackson Park to the TISD.

STAFF RECOMMENDATION: Adopt resolution as presented in the item description.

ITEM SUMMARY: In 1990, the City of Temple purchased two identical play structures "New Horizon" style from Quality Industries. One was installed at Western Hills Elementary School through a school/city Interlocal Agreement and the other was installed in Jackson Neighborhood Park.

The play structure in Jackson Park is being replaced as part of the Community Development Block Grant Project that was approved by Council on May 1, 2008.

Since the play structure at Jackson Park is the only play structure of its kind in the City park system, there is no need for the City of Temple to retain it for parts.

The Parks Division approached the TISD Maintenance Division about their interest in the play structure. TISD was interested in the play structure and agreed to remove it from the park and use it in the TISD system for parts or possibly at Freeman Heights School where it will be available for the public to use after school hours. TISD will be responsible for the maintenance of the play structure if it is re-installed.

FISCAL IMPACT:

None

ATTACHMENTS:

[Resolution](#)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF TEMPLE AND THE TEMPLE INDEPENDENT SCHOOL DISTRICT WHICH ALLOWS THE CITY OF TEMPLE TO SHARE THE EXISTING PLAY STRUCTURE FROM JACKSON PARK TO THE TEMPLE INDEPENDENT SCHOOL DISTRICT AS A JOINT USE FACILITY; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the play structure at Jackson Park is being replaced as part of the Community Development Block Grant project approved by the City Council on May 1, 2008;

Whereas, since the play structure at Jackson Park is the only play structure of its kind in the City park system, there is no need for the City to retain it for parts – the Staff recommends entering into an interlocal agreement which will allow the structure to be donated to the Temple Independent School District;

Whereas, TISD will be responsible for the maintenance of the structure if it is reinstalled at Freeman Heights School where it will be available for the public to use after school hours; and

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

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

Part 1: The City Council authorizes the City Manager, or his designee, to execute an Interlocal Agreement between the City of Temple and the Temple Independent School District, after approval as to form by the City Attorney, which allows the City of Temple to share the existing play structure from Jackson Park to the Temple Independent School District as a joint use facility.

Part 2: It is hereby officially found and determined that the meeting at which this Resolution is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED this the **19th** day of **June**, 2008.

THE CITY OF TEMPLE, TEXAS

WILLIAM A. JONES, III, Mayor

ATTEST:

APPROVED AS TO FORM:

Clydetta Entzminger
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

06/19/08
Item #7(E)
Consent Agenda
Page 1 of 2

DEPT. /DIVISION SUBMISSION & REVIEW:

Ken Cicora, Director of Parks and Leisure Services

ITEM DESCRIPTION: Consider adopting a resolution authorizing the following:

1. A construction contract with JHL Construction of Gatesville, in the amount of \$212,000 for trail renovations in Miller Community Park;
2. A deductive change order from this contract in the amount of \$57,000; and
3. Declare an official intent to reimburse this net expenditure in the amount of \$155,000 made prior to the issuance of tax-exempt obligations for this project.

STAFF RECOMMENDATION: Adopt the resolution as presented in item description.

ITEM SUMMARY: This item was taken before the City Council on May 15, and was tabled for additional review. It has been determined that the City of Temple can save an additional \$9,750 by utilizing standard concrete for the 2,600 linear feet of trail located north of the creek in Miller Park instead of using pervious concrete for this location.

One of the projects approved last fall as part of the Parks Bond Election was improvements of the hiking trail system in Miller Community Park. The trail as it currently exists is a combination of standard concrete and crushed granite south of the creek and entirely crushed granite north of the creek. While the concrete has held up well since it was constructed in the early 1990's, the crushed granite has not. The crushed granite portion of the trail requires nearly constant maintenance to keep it in good shape and useable by park visitors.

This contract will eliminate the crushed granite portion of the trail south of the creek and replace it with standard concrete to match the existing concrete surface that is still in great shape. The crushed granite trail north of the creek will be replaced with standard concrete also.

This contract also provides for the installation of 10 "fitness stations" along a loop in the trail that is south of the creek and adjacent to the main parking area. The purchase of the fitness stations was approved by Council on May 15, 2008, in the amount of \$29,676.56.

On April 29, 2008 the City received one bid from JHL Construction for this project in the amount of \$212,000. After the bid was received it was discovered that there was an error on the construction plans and the trail north of the creek was actually 2600 feet in length versus 4000 feet. Therefore, a deductive change order in the amount of \$57,000 is needed to correct this error and to make the entire trail standard 3000 psi standard concrete versus pervious concrete.

JHL Construction has done work for the City in the past and staff has found them to be a responsible vendor.

FISCAL IMPACT: This item declares an official intent to reimburse the construction contract with JHL Construction for the trail renovations from the 2008 General Obligation bonds to be issued in the summer of 2008. The General Obligation bond issue was approved by voters on November 6, 2007. Total project costs for the Miller Park Playground/Hike and Bike Trail is \$600,000, which will be funded in account 362-3500-552-6842, project #100360. In addition to the trail renovations, exercise fitness stations, a spray park, and playground will also be built. After funding this contract, \$74,165 will remain to complete this project.

ATTACHMENTS:

[Bid Tabulation](#)
[Change Order](#)
[Resolution](#)

Tabulation of Bids Received
on April 29, 2008 at 2:00 p.m.
Miller Park Trail Renovation Project

	Bidders
	JHL Construction Gatesville
Description	
Total Bid Amount	\$212,000.00
Bid Bond (Required at bid opening)	Yes

CIQ Form	Yes
Bond Affidavit	Yes
Insurance Affidavit	Yes
Credit Check Authorization Form	Yes

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

Belinda Mattke

29-Apr-08

Belinda Mattke, Director of Purchasing

Date

CHANGE ORDER

PROJECT: Miller Park Trail Renovation
OWNER: City of Temple
CONTRACTOR: JHL Construction, Inc.
ENGINEER:
CHANGE ORDER #: 1

Make the following additions, modifications or deletions (circle those that apply) to the work described in the Contract Documents:

ITEM #: 1 Deduct 1,400 linear ft. of pervious concrete trail @ \$33.75 per lf

LUMP SUM AMOUNT: ~~\$(47,250.00)~~

ITEM #: Change 2600 linear ft. of pervious concrete trail @ \$33.75 per lf to standard 3000 psi concrete @ \$30.00 per linear foot LUMP SUM AMOUNT: ~~\$(9,750.00)~~

The compensation agreed upon in this Change Order is full, complete and final payment for all costs the Contractor may incur as a result of or relating to this change whether said costs are known, unknown, foreseen or unforeseen at this time, including without limitation, any cost for delay (for which only revised time is available), extended overhead, ripple or impact cost, or any other effect on changed or unchanged work as a result of this Change Order.

Original Contract Amount	\$ 212,000.00
Previous Net Change in Contract Amount	\$ 0.00
Net Change in Contract Amount	\$ (57,000.00)
Revised Contract Amount	\$ 155,000.00
Original Contract Time	90 days
Previous Net Change in Contract Time	N/A
Net Change in Contract Time	N/A
Revised Contract Time	90 days
Original Final Completion Date	TBD
Revised Final Completion Date	TBD

Contractor: **JHL Construction, Inc.**

Engineer/Architect/Contract Administrator:

By _____
date

By _____
date

Approved by City of Temple:

Approved as to Form::

By _____

By _____

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION CONTRACT WITH JHL CONSTRUCTION OF GATESVILLE, TEXAS, FOR TRAIL RENOVATIONS IN MILLER COMMUNITY PARK, IN THE AMOUNT OF \$212,000; AUTHORIZING A DEDUCTIVE CHANGE ORDER FROM THE CONTRACT IN THE AMOUNT OF \$57,000; DECLARING AN OFFICIAL INTENT TO REIMBURSE THIS EXPENDITURE (\$155,000) PRIOR TO THE ISSUANCE OF TAX-EXEMPT OBLIGATIONS FOR THIS PROJECT; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on April 29, 2008, the City received 1 bid for trail renovations in Miller Community Park;

Whereas, the Staff recommends accepting the bid (\$212,000) received from JHL Construction of Gatesville, Texas, and also approving a deductive change order for \$57,000 for the project, for a total project amount of \$155,000;

Whereas, funds are available in Account No. 362-3500-552-6842, project #100360;

Whereas, the City of Temple anticipates the issuance of one or more series of obligations, the interest on which will be excludable from gross income under Section 103 of the Internal Revenue Code of 1986, as amended, in order to finance all or a portion of this project;

Whereas, certain expenditures relating to the Project will be paid prior to the issuance of the Obligations;

Whereas, the City hereby certifies that such expenditures have not been made prior to the date of passage of this Resolution;

Whereas, upon issuance of the Obligations, the City desires to reimburse these prior expenditures with proceeds of the Obligations;

Whereas, Section 1.150-2 of the Treasury Regulations provides that an expenditure on the Project may not be reimbursed from Obligation proceeds unless,

along with other requirements, the City declares official intent to reimburse the expenditure prior to the date that the expenditure to be reimbursed was paid; and

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

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

Part 1: The City Council authorizes the City Manager, or his designee, to execute a construction contract, not to exceed \$212,000, with JHL Construction of Gatesville, Texas, after approval as to form by the City Attorney, for trail renovations in Miller Community Park.

Part 2: The City Council approves a deductive change order in the amount of \$57,000 to the contract, for a total project amount of \$155,000.

Part 3: The findings, determinations and certifications contained in the preamble hereof are incorporated herein for all purposes.

Part 4: This Resolution is a declaration of official intent under Section 1.150.2 of the Treasury Regulations by the City that it reasonably expects to reimburse the expenditures described in Part 5 with proceeds of debt to be incurred by the City, such debt to be issued on or before eighteen (18) months after the date of (i) the date the first expenditure is paid; or (ii) the date on which the property is placed in service, but in no event three years after the first expenditure is paid.

Part 5: The following is a general functional description of the Project for which the expenditures to be reimbursed are paid and a statement of the maximum principal amount of debt expected to be issued for the purpose of paying the costs of the Project.

Project Description

Debt To Be Issued

Trail improvements in
Miller Community Park

\$155,000

Part 6: The expenditures described in Part 5 is a capital expenditure under general Federal income tax principles or a cost of issuance.

Part 7: Except for the proceeds of the Obligations, no funds are, or are reasonably expected to be reserved, allocated on a long-term basis, or otherwise set aside by the City or by any member of the same controlled group to pay for the expenditures described in Part 5.

Part 8: It is hereby officially found and determined that the meeting at which this Resolution is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED on this the **19th** day of **June**, 2008.

THE CITY OF TEMPLE, TEXAS

WILLIAM A. JONES, III, Mayor

ATTEST:

APPROVED AS TO FORM:

Clydette Entzminger
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

06/19/08
Item #7(F)
Consent Agenda
Page 1 of 2

DEPT. /DIVISION SUBMISSION & REVIEW:

Sharon Rostovich, Airport Director

ITEM DESCRIPTION: SECOND READING – Consider adopting an ordinance repealing Ordinance No. 1755 establishing the Airport Advisory Board, allowing the Board to be re-established by Resolution.

STAFF RECOMMENDATION: Adopt ordinance as presented in item description, on second and final reading.

ITEM SUMMARY: Section 3.58 of the City Code states that the City Council shall appoint a City Airport Advisory Board to advise the City Council in matters pertaining to Draughon-Miller Central Texas Regional Airport. The Board was given the charge to keep abreast of legislation; to advise the City Council upon ways and means to strengthen and improve the effectiveness and operation of the Airport; and to investigate and advise the City Council upon the needs of the Airport and the means of alleviating same.

Section 3.59 of the City Code states the Board shall consist of five residents of the City of Temple, one resident of the City of Belton, and three residents at large. The Airport Manager, City Manager and Mayor shall be ex-officio members of the Board.

The purpose of repealing the Ordinance is to allow the Board to change the membership make-up of the Board to increase representation from the Reinvestment Zone Board and the Temple Economic Development Corporation. At its April 14 meeting, the Airport Advisory Board unanimously recommended the City Council change the membership composition to include six residents of the City of Temple and three residents at-large. Members designated from the Reinvestment Zone and the Temple Economic Development Corporation could be filled from the City of Temple or resident at large seats.

If approved by the Council, a resolution re-establishing the Airport Advisory Board with the new membership composition will be placed on the June 19, 2008 City Council agenda, following the second reading of this ordinance.

FISCAL IMPACT: None

ATTACHMENTS:

Minutes from April 24, 2008 Airport Advisory Board Meeting
Ordinance

MINUTES OF THE AIRPORT ADVISORY BOARD
April 14, 2008

The City of Temple Airport Advisory Board met April 14, 2008 at 4:00 p.m. in the Airport Operations Building Conference Room.

MEMBERS PRESENT: Kyle McQueen, Chair; Perry Cloud, Vice Chair; Don Gidden, David Brown, Hugh Shine

MEMBERS ABSENT: David Patterson, Timm White, Susan Strasburger

EX-OFFICIO MEMBERS: Sharon Rostovich

SPECIAL GUESTS: Lee Holmes

CALL TO ORDER: Kyle McQueen called the meeting to order at 4:00 p.m.

Sharon Rostovich administered the Oath of Office to David Brown.

APPROVE MINUTES: Kyle asked if there were any corrections or additions to the February minutes. None were addressed. The minutes were approved.

REVIEW BOARD MAKE-UP: Kyle stated that Clydette Entzminger, City Secretary had provided information on how the original Airport Board documents were established. Kyle said the Board was established through a City Ordinance and requires two readings. A suggestion was to recommend to City Council a repeal of the Ordinance that created the Airport Advisory Board and re-establish the Board by Resolution. Once established by Resolution, any future changes would only require one reading before the Council, not two as required by Ordinance. The Board's intent is to represent the community and create an active Board that can have input and feedback to the City and support for Sharon and her operations folks with the value of the Reinvestment Zone and the Temple Economic Development Corporation as well as other interested members. The current Board consists of 5 residents of the City of Temple; 1 resident of the City of Belton; 3 residents at-large; and the Mayor, City Manager and Airport Manager serving as ex-officio members of the Board. When the Board is re-established, we would have 2 standing positions - one would be a representative from the Reinvestment Zone and the other would be from the Temple Economic Development Corporation. Those two seats could be filled either by City residents or residents at-large. The outcome would be 6 residents of the City of Temple and 3 residents at-large with a designated representative from TEDC and the Reinvestment Zone. Hugh Shine made the motion to recommend to the City Council repeal of the current ordinance that

created the Airport Advisory Board and re-establish the Airport Board by resolution with a new Board consisting of 6 residents of the City of Temple, 3 residents at-large with 2 standing seats - 1 representative of the Reinvestment Zone and one representative of the Temple Economic Development Corporation. Perry Cloud seconded the motion. The motion carried unanimously. If the City Council approves the change, we would recommend Perry Cloud serve as the representative from the Reinvestment Zone and we would ask TEDC for a representative.

ANNUAL BOARD REVIEW: Kyle stated that he was reminded that City Boards come before the City Council and make a brief presentation of activities. My proposal is to take the current activities of the Board and present it to the Council and do it at the scheduled council meeting as the review of the Board make-up so we can make sure they are comfortable with the fact that we are making a change of the Board make-up and then letting them know what our goals are such as creating a more active Board and are asking for their support.

AIRPORT DEVELOPMENT UPDATE: Sharon reported that Drayton McLane bought a challenger and will build a large corporate hangar just southeast of the McLane Company hangars. The hangar is 180' X 100". Before any building construction can begin, the FAA will complete a review to insure the safe and efficient utilization of airspace and conformance with FAA design criteria and federal grant assurances. The review is also intended to insure the safety of persons and property on the ground.

The review goes through 5 agencies within the FAA:

- Air Traffic Organization (air/ground obstructions)
- Air Traffic (technical/navaids)
- Flight Standards (regulations/enforcement)
- Flight Procedures (airspace/IFR)
- Airports Division (critical data)

The process usually takes 2 - 3 months. The last site selected by McLane was sent to FAA on March 26th.

We had some real challenges finding a site for this size hangar within the Airport operations area. We must look to the future and open up the new general aviation development area shown in Leslie Sagar's report. This development area is on the southwest side of the entrance to the Airport.

Hugh Shine stated that with the construction of the new McLane hangar, it would get us outside of the master plan. Kyle stated that we are currently operating outside the master plan approved by the City. Hugh said we have been talking for years about how we need to have a good plan and stick with it. Not that the proposed general aviation development area is not a good idea,

but that we don't do some things and then go back and spend a couple hundred thousand dollars on a new master plan or development plan. Hugh stated he understands we have a request and a need that we want to address and satisfy, but that does raise some concern. We have been on the drawing board with this overall plan for quite some time and I hate to see us violate what we are saying we are not going to violate.

Kyle stated he thinks it is the best example of why we have got to move forward with infrastructure dollars so that if we have the infrastructure in place, everything will be there and the buildings will go where they are supposed to go.

AIRPORT OPERATIONS REPORT - Sharon Rostovich

GRANT PROJECTS

Our Runway Extension project is ready to bid once the last parcel of land is purchased. TxDOT is doing one last appraisal on this property and if the landowner does not accept it, then they will be forced to start condemnation proceedings. The estimated project cost is \$4 million with cost to the City at \$400,000.

The Ramp Grant is an annual grant I am fortunate to get. It is a \$100,000 grant at a 50-50 share and TxDOT will fund up to a \$50,000 match for our project. We use this grant for maintenance type projects. This year we plan to use the funds to do some runway crack sealing and re-marking on runway 02/20. This money will not go far, but it will definitely buy us some time before I get a grant to overlay and mark Runway 02/20, estimated at \$2.5 million.

AIRSHOW

The Airshow is fast approaching...May 2, 3 & 4. This year Beth is hoping to bring in a larger crowd on Friday night with the Aaron Tippin concert. There will also be a night flying act and a fireworks finale. The gates open at 4 p.m. on Friday night and 10:00 a.m. on Saturday and Sunday for static displays. This year's theme is honoring our Vietnam Veterans.

AIRCRAFT WASH RACK

The Notice To Proceed was issued today, 04/14/08. The project is scheduled for completion August 11th. The cost of the project is \$41,097. The wash rack will be located next to the old terminal building near the old electrical vault, just off the new concrete ramp.

STAFFING

We are working with the Human Resources Department in getting our positions reclassified based on their responsibility level. I am hoping once this reclassification is approved, we will be able to hire for the 2 vacant positions. The starting pay would increase considerably if approved.

Kyle asked when the new AMCOM access road will be completed. Sharon said the Street Department has done all they can do until the City has the annual contract approved for asphalt work. Kyle said at times it is unsafe turning into the Airport because the AMCOM employees use 2 or 3 lanes to turn onto Airport Road. Kyle suggested Sharon talk to AMCOM about the safety issues.

Lee Holmes introduced himself to everyone and stated he has been here as a pilot and hangar customer for about 3 years and was recently accepted through AOPA as the local volunteer for their airport support network. Lee said his role is to look out for the interests of general aviation pilots at this airport and would like to see a more active GA pilot presence out here. Lee said he is not here to be a Board member, but to listen to the meetings and be a voice for the G A pilots and serve as a liaison back and forth between the Airport and its other interests to make sure we are working as a group so that no group suppresses another.

Kyle welcomed Lee to the Board meeting and said most of the Board Members are GA pilots and members of the AOPA. The Board welcomed Lee's feedback anytime. Kyle told Lee if he wanted to place something on the agenda to let Sharon know.

Kyle announced the next Board meeting will be held on June 9th at 4:00 p.m.

ADJOURNMENT

The meeting ended at 4:45 p.m.

RESPECTFULLY SUBMITTED

Perry Cloud, Secretary

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, REPEALING ORDINANCE NO. 1755 ESTABLISHING THE AIRPORT ADVISORY BOARD, ALLOWING THE BOARD TO BE RE-ESTABLISHED BY RESOLUTION; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, in accordance with the requirement in Section 3.58 of the City Code, Ordinance No. 1755 established an Airport Advisory Board;

Whereas, at a meeting on April 14, 2008, the Airport Advisory Board unanimously recommended that the City Council change the membership composition of the Airport Advisory Board to increase representation from the Reinvestment Zone Board and the Temple Economic Development Corporation;

Whereas, the Staff recommends repealing Ordinance No. 1755 and allowing the Board to be re-established by Resolution; and

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

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, THAT:

Part 1: The City Council repeals Ordinance No. 1755 establishing the Airport Advisory Board, deletes portions of the City Code in conflict with this Ordinance, and allows the Board to be re-established by Resolution.

Part 2: It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable and, if any phrase, clause, sentence, paragraph or section of this ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such phrase, clause, sentence, paragraph or section.

Part 3: This ordinance shall take effect immediately from and after its passage in accordance with the provisions of the Code of the City of Temple, Texas, and it is accordingly so ordained.

Part 4: It is hereby officially found and determined that the meeting at which this Ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED on First Reading and Public Hearing on the **5th** day of **June**, 2008.

PASSED AND APPROVED on Second Reading on the **19th** day of **June**, 2008.

THE CITY OF TEMPLE, TEXAS

WILLIAM A. JONES, III, Mayor

ATTEST:

APPROVED AS TO FORM:

Clydette Entzminger
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

06/19/08
Item #7(G)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Tim Dolan, Planning Director

ITEM DESCRIPTION: SECOND READING – Z-FY-08-21: Consider adopting an ordinance authorizing a Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption in a restaurant at Holiday Inn, located at 5247 South General Bruce Drive, on Lot 1, Block 1, Kenny B. Addition Replat # 1.

P&Z COMMISSION & STAFF RECOMMENDATION: The Planning and Zoning Commission voted 9/0 in accordance with Staff recommendation to recommend approval of the requested Conditional Use Permit described in the item description, subject to the attached site plan exhibits and compliance with Zoning Ordinance Sections 7-606 and 7-611, at its meeting on May 19, 2008.

ITEM SUMMARY: Please refer to the Staff Report and draft minutes of case Z-FY-08-21, from the Planning and Zoning meeting, May 19, 2008. This request is to allow alcoholic beverage sales for on-premise consumption in a restaurant at Holiday Inn, located in an existing Commercial District.

Zoning Ordinance, Section 7-611(b) requires the permittee to comply with applicable licensing and permit provisions of the Alcoholic Beverage Code within 6 months from the date of the issuance of the conditional use permit by the City Council.

This request complies with Zoning Ordinance, Section 7-611(c), requiring a distance separation of 300 feet from a church, public school, or public hospital. The Holiday Inn is compatible with surrounding uses and complies with its Commercial District regulations.

FISCAL IMPACT:

ATTACHMENTS:

[Aerial](#)
[Land Use Map](#)
[Zoning Map](#)
[Notice Map](#)
[Site Plan Exhibits](#)
[P&Z Staff Report](#)
[P&Z Minutes](#)
[Ordinance](#)





Z-FY-08-21

Kenny B. Addition Replat

5247 S General Bruce Dr

CLUP

Agricultural

- AGRICULTURE

Residential

- LOW DENSITY (UE)
- MOD DENSITY (SF1, SF2, SF3, MH, 2F)
- MED DENSITY (MH, 2F, TH, MF1)
- HIGH DENSITY (MF2)

Commercial

- OFFICE (O1, O2)
- RETAIL (NS, GR)
- COMMERCIAL (C, CA)

Mixed Use

- MIXEDUSE (MU)

Industrial

- INDUSTRIAL (LI, HI)
- Warehouse/Distribution
- Manufacturing/Distribution
- Bio-Science/Technology
- Corporate Capus & Office
- Aviation Industrial Dvmt
- Fwy Com/Tech/Indust
- Intermodal

Community Facilities

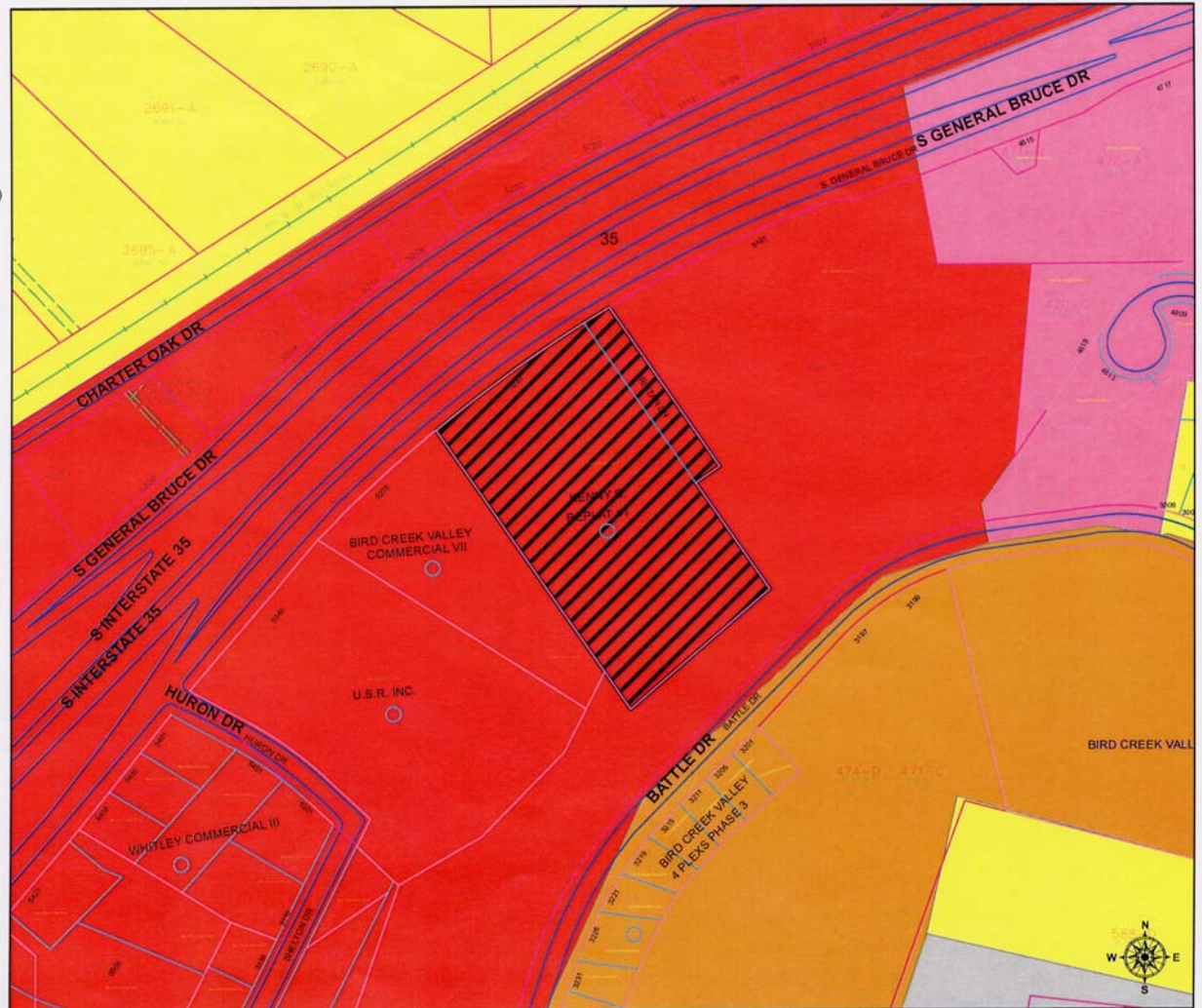
- COMMUNITYFACILITY
- CF-E (EDUCATIONAL)
- CF-G (GENERAL)
- CF-R (RESIDENTIAL)
- CF-M (MEDICAL)

Park Land

- PROPOSED FLOATING PARK
- PARKS

Downtown

- DOWNTOWN



CUP for Alcohol Sales in a Restaurant

1 inch equals 300 feet

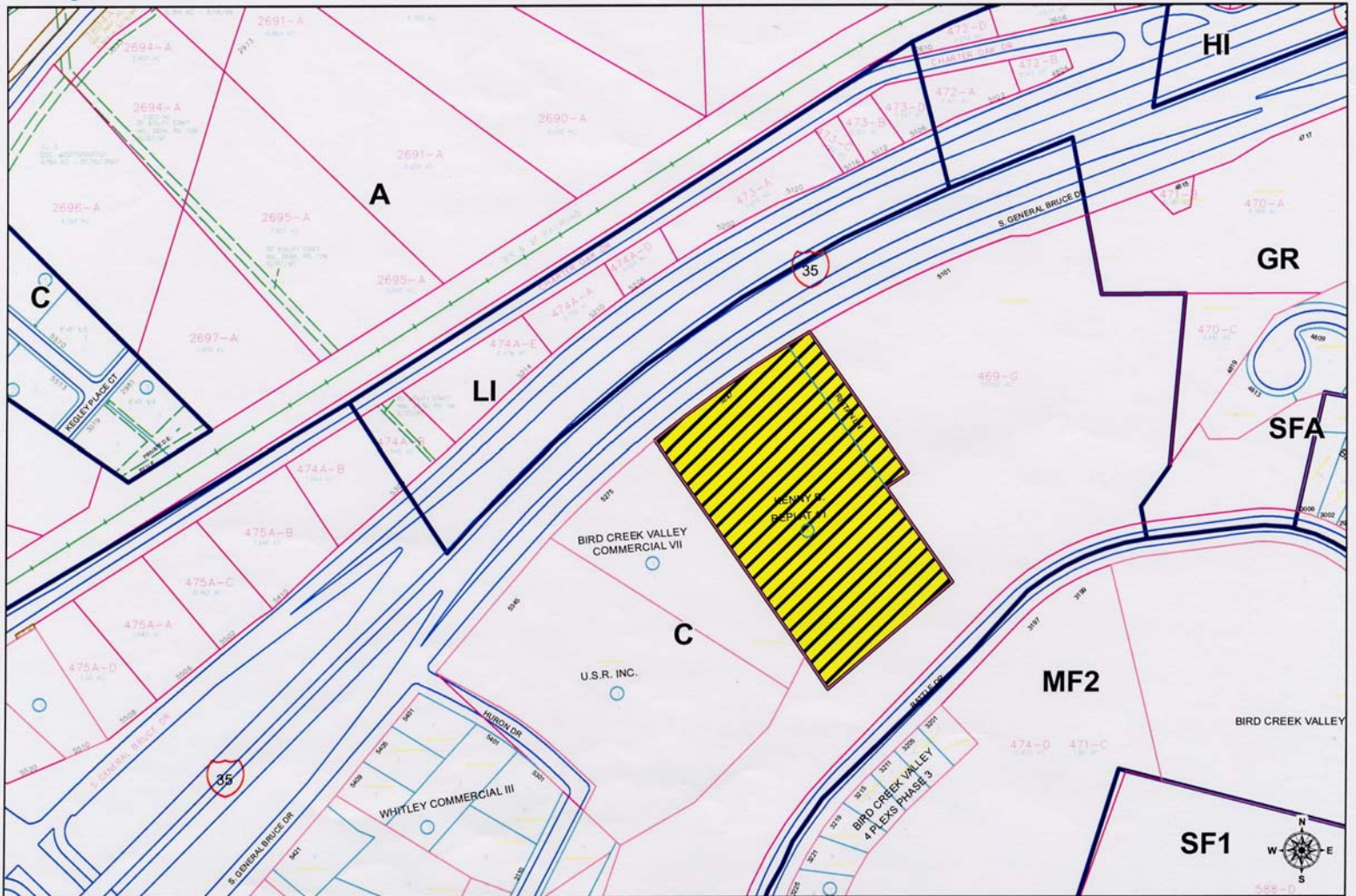
J Stone 04.22.08



Z-FY-08-21

Kenny B. Addition Replat

5247 S General Bruce Dr



 ZFY0821

CUP for Alcohol Sales in a Restaurant

1 inch equals 300 feet

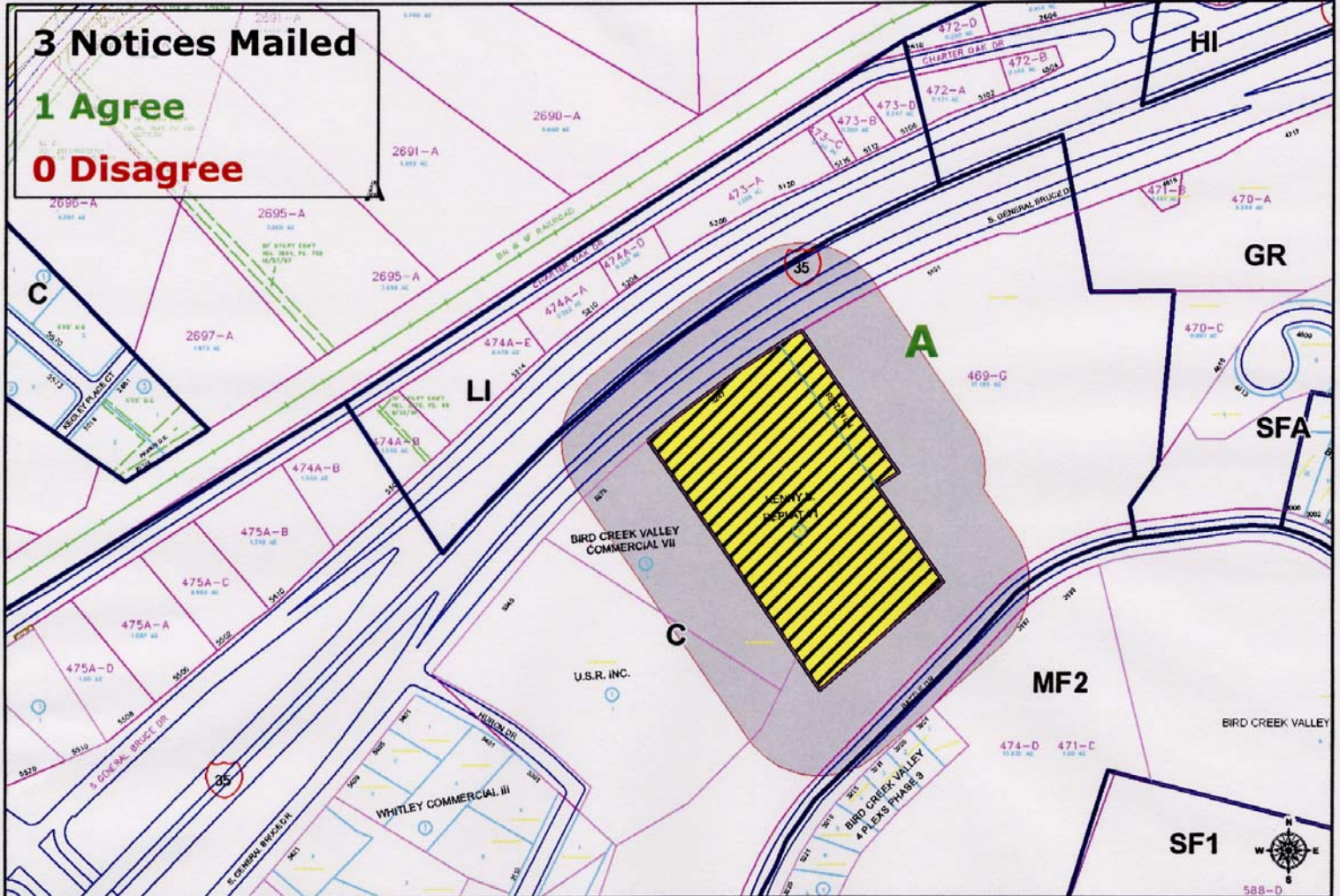
J Stone 04.21.08



Z-FY-08-21

Kenny B. Addition Replat

5247 S General Bruce Dr

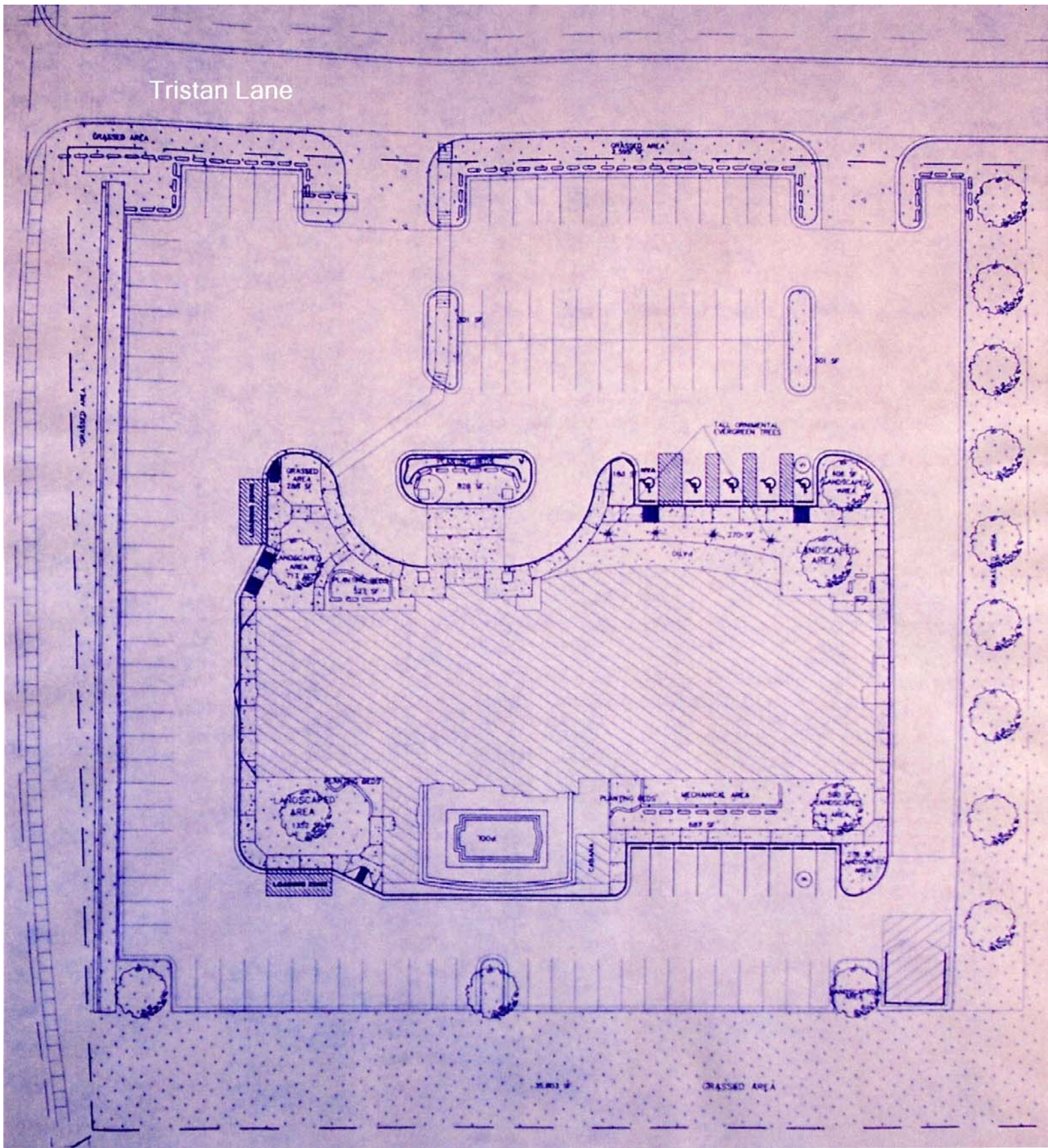


ZFY0821 200' Buffer

CUP for Alcohol Sales in a Restaurant

1 inch equals 300 feet
J Stone 04.21.08

Tristan Lane





05 OCTOBER 2006

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5247 5TH GENERAL BRUCE DRIVE TEMPLE, TX		LOBBY LEVEL FLOOR	

A.2.1

100



PLANNING AND ZONING COMMISSION AGENDA ITEM

05/19/08
Item 3
Page 1 of 4

APPLICANT / DEVELOPMENT: Dilip Patel

CASE MANAGER: Tammy Lyerly, Planner

ITEM DESCRIPTION: Z-FY-08-21 Hold a public hearing to consider a Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption in a restaurant at Holiday Inn, located at 5247 South General Bruce Drive, on Lot 1, Block 1, Kenny B. Addition Replat # 1. (Zoning: Commercial – Applicant: Dilip Patel)

BACKGROUND: The applicant, Dilip Patel, requests this conditional use permit to allow the sale of alcoholic beverages for on premise consumption in the restaurant at the new Holiday Inn mentioned in the item description. Holiday Inn complies with the property's Commercial District, which allows the sale of alcoholic beverages for on-premise consumption in a restaurant with a Condition Use Permit.

The public hearing for this zoning case was rescheduled from the May 5, 2008, Planning and Zoning Commission meeting. The Planning and Zoning Commission lacked the quorum needed to render action at its May 5, 2008 meeting.

Surrounding Property and Uses

This request complies with Zoning Ordinance, Section 7-611 (c), requiring a distance separation of 300 feet from a church, public school, or public hospital.

The subject property has a Commercial District designation and is compatible with the following surrounding uses.

Direction	Zoning	Use
North	Commercial	Undeveloped Land
South	Commercial	Lone Star Structures and United Rentals
East	Commercial	Undeveloped Land
West	Commercial	IH-35

Future Land Use Plan & Future Trends

The South Temple Comprehensive Plan recommends Commercial Uses for this property and the surrounding area. Holiday Inn complies with this recommendation.

Thoroughfare Plan

The subject property is located along South General Bruce Drive on the east side of IH-35.

Adequacy of Public Facilities

Adequate public facilities serve this site. Water service is through 8-inch and 4-inch water lines. Sewer service is through a new 6-inch line. A new 2 ½ -inch polyethylene natural gas line also serves the property.

Development Regulations

Holiday Inn conforms to the area requirements and uses permitted in the property's Commercial District. The request and the attached site plan exhibits comply with the following conditions of Zoning Ordinance, Section 7-606:

1. The conditional use permit will be compatible with and not injurious to the use and enjoyment of the property, nor significantly diminish or impair property values within the immediate vicinity;
2. The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property;
3. Adequate utilities, access roads, drainage, and other necessary support facilities have been or will be provided;
4. The design, location, and arrangement of all driveways and parking spaces provide for the safe and convenient movement of vehicular and pedestrian traffic without adversely affecting the general public or adjacent development;
5. Adequate nuisance prevention measures have been or will be taken to prevent or control offensive odors, fumes, dust, noise, and vibration;
6. Directional lighting will be provided so as not to disturb or adversely affect neighboring properties; and
7. There is sufficient landscaping and screening to insure harmony and compatibility with adjacent property.

Condition Use Permit compliance will be subject to the following conditions of Zoning Ordinance, Section 7-611 (b):

1. The permittee must design and operate the establishment in such a manner that the proposed use or actual use of the premises shall not substantially increase traffic congestion or create overcrowding in the establishment or the immediately surrounding area.
2. The permittee must comply with applicable licensing and permit provisions of the Alcoholic Beverage Code within six (6) months from the date of the issuance of the conditional use permit by the City Council, such limitation in time being subject to review and possible extension by the City.

3. The permittee bears the burden of showing that the establishment does not exceed the limitation on gross receipts from sales of alcoholic beverages applicable to its conditional use permit. The permittee must maintain accounting records of the sources of its gross revenue and allow the City to inspect such records during reasonable business hours.
4. The permittee must demonstrate that the granting of the permit would not be detrimental to the public welfare of the citizens of the City.
5. The permittee must, at all times, provide an adequate number of employees for security purposes to adequately control the establishment premises to prevent incidents of drunkenness, disorderly conduct and raucous behavior. The permittee shall consult with the Chief of Police, who shall act in an advisory capacity to determine the number of qualified employees necessary to meet his obligations hereunder.
6. The establishment must provide adequate parking spaces to accommodate its members and their guests. Provided, however, the number of parking spaces shall never be less than those required for similar uses in that zoning district where the establishment is located.
7. The permittee must operate the establishment in such a manner as to prevent excessive noise, dirt, litter and odors in the establishment or in the surrounding area and operate the establishment in such a manner as to minimize disturbance to surrounding property owners.
8. The City Council may deny or revoke a conditional use permit if it affirmatively determines that the issuance of the same is (a) incompatible with the surrounding uses of property, or (2) detrimental or offensive to the neighborhood or contrary to the health, safety, and general welfare of the City and its inhabitants.
9. A conditional use permit issued under this section runs with the property and is not affected by a change in the owner or lessee of a permitted establishment.
10. All conditional use permits issued under this section will be further conditioned that the same may be canceled, suspended or revoked in accordance with the revocation clause set forth in Section 7-609.

STAFF RECOMMENDATION: Staff recommends approval of the Conditional Use Permit, subject to the attached site plan exhibits and compliance with Zoning Ordinance, Sections 7-606 and 7-611.

Public Notice

Staff mailed notices of both public hearings to the three property owners within 200 feet of the site. As of Wednesday, May 14, 2008, at 5 PM, one property owner returned a response letter in favor of the request. No notices were returned in opposition to the request. The newspaper printed notice of the **first** public hearing (May 5, 2008) on April 26, 2008 in accordance with state law and local ordinance. The newspaper printed notice of the **second** public hearing (May 19, 2008) on May 10, 2008 in accordance with state law and local ordinance.

FISCAL IMPACT: Not Applicable

ATTACHMENTS:

Zoning Map
Land Use Map
Aerial
Site Picture
Application
Applicant's Exhibits
Response Letter

**EXCERPTS FROM THE
PLANNING & ZONING COMMISSION MEETING
MONDAY, MAY 19, 2008**

ACTION ITEMS

- Item 3.** Z-FY-08-21 Hold a public hearing to consider a Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption in a restaurant at Holiday inn, located at 5247 South General Bruce Drive, on Lot 1, Block 1, Kenny B Addition Replat #1. Zoned: Commercial by applicant Dilip Patel.

Ms. Tammy Lyerly, Planner, began with Item Z-FY-08-21, as presented in the Planning and Zoning Agenda Item. She said the applicant is Dilip Patel. She said the property is zoned commercial and that the zoning ordinance does allow for alcoholic beverages to be sold and consumed on the premises with a CUP. She displayed pictures, maps and other supporting documentation showing that it does have adequate public facilities and follows planned developmental regulations. Staff recommends approval subjective to site plan exhibits and with the compliance of zoning ordinances 7-606.

Commissioner Ken Kjelland recommends approval of Conditional Use Permit. Commissioner Derek Martin seconds approval. Vote was called for and approved (9/0).

ORDINANCE NO. _____

[PLANNING NO. Z-FY-08-21]

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, APPROVING A CONDITIONAL USE PERMIT TO ALLOW THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISE CONSUMPTION IN A RESTAURANT AT THE HOLIDAY INN, LOCATED AT 5247 SOUTH GENERAL BRUCE DRIVE, ON LOT 1, BLOCK 1, KENNY B. ADDITION REPLAT #1; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the Comprehensive Zoning Ordinance of the City of Temple, Texas, provides for the issuance of conditional use permits under certain conditions and authorizes the City Council to impose such developmental standards and safeguards as the conditions and locations indicate to be important to the welfare or protection of adjacent property and for the protection of adjacent property from excessive noise, vibration, dust, dirt, smoke, fumes, gas, odor, explosion, glare, offensive view or other undesirable or hazardous conditions, and for the establishment of conditions of operation, time limits, location, arrangement and construction for any use for which a permit is authorized;

Whereas, the Planning and Zoning Commission of the City of Temple, Texas, after due consideration of the location and zoning classification of the establishment, has recommended that the City Council approve this application; and

Whereas, the City Council of the City of Temple, Texas, after public notice as required by law, has at a public hearing, carefully considered all the evidence submitted concerning the establishment at 5247 South General Bruce Drive, and has heard the comments and evidence presented by all persons supporting or opposing this matter at said public hearing, and after examining the location and the zoning classification of the establishment finds that the proposed use of the premises substantially complies with the comprehensive plan and the area plan adopted by the City Council.

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

Part 1: The City Council approves a Conditional Use Permit to allow the sale of alcoholic beverages for on-premise consumption in a restaurant at the Holiday Inn, located at 5247 South General Bruce Drive, on Lot 1, Block 1, Kenny B. Addition Replat #1, more fully described in Exhibit A, attached hereto and made a part hereof for all purposes.

Part 2: The owners/applicants, their employees, lessees, agents or representatives, hereinafter called "permittee" shall comply with the following developmental standards and conditions of operation:

- A. The sale and consumption of alcoholic beverages (beer and mixed drinks) shall occur only within the bar area, in accordance with the site plan attached as Exhibit B.
- B. The permittee must design and operate the establishment in such a manner that the proposed use or actual use of the premises shall not substantially increase traffic congestion or create overcrowding in the establishment or the immediately surrounding area.
- C. The permittee must comply with applicable licensing and permit provisions of the Alcoholic Beverage Code within six (6) months from the date of the issuance of the conditional use permit by the City Council, such limitation in time being subject to review and possible extension by the City.
- D. The permittee bears the burden of showing that the establishment does not exceed the limitation on gross receipts from sales of alcoholic beverages applicable to its conditional use permit. The permittee must maintain accounting records of the sources of its gross revenue and allow the City to inspect such records during reasonable business hours.
- E. The permittee must demonstrate that the granting of the permit would not be detrimental to the public welfare of the citizens of the City.
- F. The permittee must, at all times, provide an adequate number of employees for security purposes to adequately control the establishment premises to prevent incidents of drunkenness, disorderly conduct and raucous behavior. The permittee shall consult with the Chief of Police, who shall act in an advisory capacity to determine the number of qualified employees necessary to meet his obligations hereunder.
- G. The establishment must provide adequate parking spaces to accommodate its members and their guests. Provided, however, the number of parking spaces shall never be less than those required for similar uses in that zoning district where the establishment is located.
- H. The permittee must operate the establishment in such a manner as to prevent excessive noise, dirt, litter and odors in the establishment or in the surrounding area and operate the establishment in such a manner as to minimize disturbance to surrounding property owners.

- I. The City Council may deny or revoke a conditional use permit if it affirmatively determines that the issuance of the same is (a) incompatible with the surrounding uses of property, or (2) detrimental or offensive to the neighborhood or contrary to the health, safety, and general welfare of the City and its inhabitants.
- J. A conditional use permit issued under this section runs with the property and is not affected by a change in the owner or lessee of a permitted establishment.
- K. All conditional use permits issued under this section will be further conditioned that the same may be canceled, suspended or revoked in accordance with the revocation clause set forth in Section 7-609.

Part 3: The declarations, determinations and findings declared, made and found in the preamble of this ordinance are hereby adopted, restated and made a part of the operative provisions hereof.

Part 4: It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable and, if any phrase, clause, sentence, paragraph or section of this ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such phrase, clause, sentence, paragraph or section.

Part 5: This ordinance shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Temple, Texas, and it is accordingly so ordained.

Part 6: It is hereby officially found and determined that the meeting at which this Ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED on First Reading and Public Hearing on the **5th** day of **June**, 2008.

PASSED AND APPROVED on Second Reading on the **19th** day of **June**, 2008.

THE CITY OF TEMPLE, TEXAS

WILLIAM A. JONES, III, Mayor

ATTEST:

APPROVED AS TO FORM:

Clydette Entzminger
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

06/19/08
Item #7(H)
Consent Agenda
Page 1 of 1

DEPT. /DIVISION SUBMISSION & REVIEW:

Tim Dolan, Planning Director

ITEM DESCRIPTION: SECOND READING – Z-FY-08-22B: Consider adopting an ordinance authorizing a zoning change from Agriculture (AG) to Single Family-3 (SF-3) on 24.1± acres, being part of the Maximo Moreno Survey, Abstract No. 14, located on the north side of French Street, west of 42nd Street.

P&Z COMMISSION & STAFF RECOMMENDATION: The Planning and Zoning Commission voted 9/0, upon Staff's recommendation, recommended approval of the permanent zoning of Single Family-3 (SF-3) from Agriculture (AG) at its meeting on May 19, 2008.

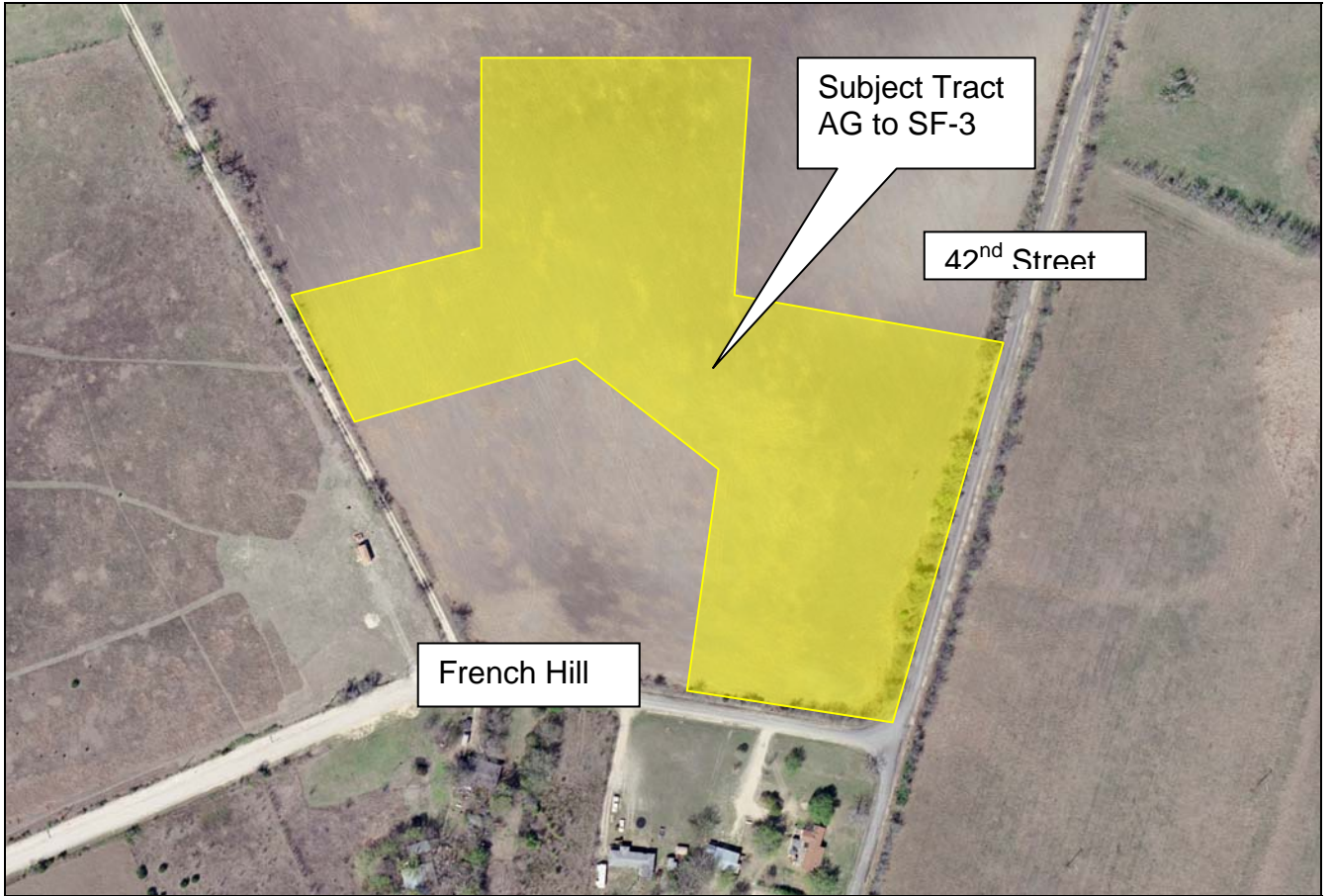
All zoning requests must be compared to the Comprehensive Plan. The request conforms to the Future Land Use Plan for moderate residential uses; the Thoroughfare Plan designation of French Street as a collector sized right-of-way; and the Adequacy of Public Facilities for sufficient water and sewer prior to development of the property.

ITEM SUMMARY: Please refer to the Staff Report and draft minutes of case Z-FY-08-22B, from the Planning and Zoning meeting, May 19, 2008. The request is for a future single-family subdivision planned for market buyers and some lots planned for development in coordination with the Temple Housing Authority.

FISCAL IMPACT: None

ATTACHMENTS:

[Aerial](#)
[Zoning & Notice Map](#)
[P&Z Staff Report](#)
[P&Z Minutes](#)
[Ordinance](#)





J Stone 04.28.08



J Stone 04.28.08



PLANNING AND ZONING COMMISSION AGENDA ITEM

05/19/08

Item 6A

Page 1 of 2

APPLICANT / DEVELOPMENT: John Bandas for New American Dream Ltd.

CASE MANAGER: Tim Dolan, AICP, Planning Director

ITEM DESCRIPTION:

Z-FY-08-22B: Hold a public hearing to consider the permanent zoning of Single Family-3 (SF-3) from Agriculture (AG) on 24.1± acres, being part of the Maximo Moreno Survey, Abstract No. 14, located on the north side of French Street, west of 42nd Street.

BACKGROUND:

The applicant(s) request the zoning for the single-family residential development named French Hill. The proposed lots would meet or exceed the SF-3 Standards. (Please see Item 6B, Final Plat.)

A zoning request must be reviewed for compliance with the Comprehensive Plan.

Surrounding Property and Uses

North and east of the he subject property is undeveloped and has the temporary zoning of AG. Part of the property to the south is undeveloped, also zoned AG, and the remaining property to the south is partially developed and zoned SF-1. Across French Street is the Buena Vista Subdivision containing some developed lots and is zoned SF-1.

Future Land Use Plan

The subject property conforms to the Future Land Use Plan and the Strategic Plan, which shows the area as Agricultural (AG), but is suitable for medium density residential since water lines exist here.

Thoroughfare Plan

French Street is shown as a collector sized street (55' width right-of-way, with 36' pavement width back to back of curb) The applicant will dedicate right-of-way on the north side of French (see next Agenda Item – Final Plat). Other houses in Temple front on collector sized streets.

Adequacy of Public Facilities

Sufficient water exists. A sewer line with sufficient capacity will be extended from 42nd Street down French Hill. The utility construction plans have been submitted to the Engineering Department in Public Works.

SF-3 Development Regulations

Purpose: The SF-3 District is planned for detached single family residences and related accessory structures on a minimum 4,000 square foot lot. The maximum building height is 2 ½ stories. It is designed to provide single family development at urban densities in locations well served by public utilities and roadways. Accessory buildings, backyard compost regulations and home occupations are allowed by right.

Minimum lot area and setback requirements:

Minimum SF-3 Standards	
Front Yard Setback	15'
Lot Width	100'
Lot Depth	40'

The applicant will provide a 20' front yard setback to ensure any vehicle parked in front of a car or carport will be on private property and not in the right-of-way.

Public Notice

A total of nine notices were sent out. As of Thursday, May 15th at 5 PM, no notices were returned. The newspaper printed notice of the public hearing on May 10, 2008 in accordance with state law and local ordinance.

STAFF RECOMMENDATION:

Staff requests the Commission recommend approval of Z-FY-08-22 subject to:

1. Conformance to the Future Land Use Plan for moderate residential uses;
2. Conformance to the requested Thoroughfare Plan Amendment (See Next Item, #6B); and
3. Conformance to the Adequacy of Public Facilities for sufficient water and sewer prior to development of the property.

FISCAL IMPACT: Not Applicable

ATTACHMENTS:

Land Use Map
Zoning Map with 200' buffer
Aerial

EXCERPTS FROM THE
PLANNING & ZONING COMMISSION MEETING
MONDAY, MAY 19, 2008

ACTION ITEMS

ITEM 6A: Z-FY-08-22B Hold hearing to consider the permanent zoning of Single Family-3 from Agriculture on 24.1+ acres, being part of Maximo Moreno Survey, Abstract No. 14, located on the north side of French Street, west of 42nd Street. Applicant: John Bandas for New American Dream Ltd.

Chair Susan Luck calls for questions and comments from the public. J.C. Wall speaks to the commissioners on the proposed rezoning. Chair Luck opens the floor to questions from the commissioners. She asks for clarification on item **Z-FY-08-22B**. Director Tim Dolan explains size and easement requirements. Mr. J.C. Wall further explains the proposal.

Commissioner Ken Kjelland asks, "What type of homes?" J.C. Wall replies that they will be affordable with assistance programs. All houses will have garages.

Chair Susan Luck thanks J.C. Wall. She opens the floor to other speakers. None reply. She then asks Mr. Wall about notices. Planning Director Tim Dolan explains that the notices had just come in and that they have no explanation of decision for or against.

Chair Susan Luck Closes public hearing and again opens the floor to the commissioners.

Commissioner Derek Martin moves to approve rezoning of Item **Z-FY-08-22B** from Agricultural to Single Family-3. Commissioner Ken Kjelland seconds and vote passes (9:0).

ORDINANCE NO. _____

[PLANNING NO. Z-FY-08-22B]

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, APPROVING A ZONING CHANGE FROM AGRICULTURAL DISTRICT TO SINGLE FAMILY-3 ON APPROXIMATELY 24.1 ACRES, BEING PART OF THE MAXIMO MORENO SURVEY, ABSTRACT NO. 14, LOCATED ON THE NORTH SIDE OF FRENCH STREET, WEST OF 42ND STREET; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, THAT:

Part 1: The City Council approves a zoning change from Agricultural District to Single Family-3 District on approximately 24.1 acres, being part of the Maximo Moreno Survey, Abstract No. 14, located on the north side of French Street, west of 42nd Street, more fully described in Exhibit A, attached hereto and made a part hereof for all purposes.

Part 2: The City Council directs the Director of Planning to make the necessary changes to the City Zoning Map accordingly.

Part 3: It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable and, if any phrase, clause, sentence, paragraph or section of this ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such phrase, clause, sentence, paragraph or section.

Part 4: This ordinance shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Temple, Texas, and it is accordingly so ordained.

Part 5: It is hereby officially found and determined that the meeting at which this Ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED on First Reading and Public Hearing on the 5th day of **June**, 2008.

PASSED AND APPROVED on Second Reading on the **19th** day of **June**, 2008.

THE CITY OF TEMPLE, TEXAS

WILLIAM A. JONES, III, Mayor

ATTEST:

APPROVED AS TO FORM:

Clydette Entzminger
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

06/19/08
Item #7(I)
Consent Agenda
Page 1 of 1

DEPT. /DIVISION SUBMISSION & REVIEW:

Tim Dolan, Planning Director

ITEM DESCRIPTION: SECOND READING – Z-FY-08-24: Consider adopting an ordinance authorizing a zoning change from Agriculture (AG) to Office-2 (O-2) with the additional uses of laboratory manufacturing and laboratory, scientific or research on 63.8± acres, being part of the P.M. Mercer Survey, Abstract No. 553, located on the west side of Old Howard Road, 1,500± feet north of SH 36.

P&Z COMMISSION & STAFF RECOMMENDATION: The Planning and Zoning Commission voted 9/0, upon Staff's recommendation, recommended approval of the permanent zoning of Office-2 (O-2) with the additional uses of laboratory manufacturing and laboratory, scientific or research from Agriculture (AG) at its meeting on May 19, 2008.

All zoning requests must be compared to the Comprehensive Plan. The request conforms to the Future Land Use Plan for office uses for the Airport Park and Bio Science Park, making it appropriate for the additional uses of laboratory manufacturing and laboratory, scientific or research; the Thoroughfare Plan designation arterial rights-of-way for both Central Pointe Parkway and Old Howard Road (future Outer Loop); and the Adequacy of Public Facilities for sufficient water and sewer prior to development of the property.

ITEM SUMMARY: Please refer to the Staff Report and draft minutes of case Z-FY-08-24, from the Planning and Zoning meeting, May 19, 2008. The zoning request is for the area encompassing the Airport Commerce Park Phase 1, Final Plat.

FISCAL IMPACT: None

ATTACHMENTS:

[Aerial](#)
[Zoning & Notice Map](#)
[P&Z Staff Report](#)
[P&Z Minutes](#)
[Ordinance](#)




Z-FY-08-24

63.870 Acres

OB#1178-A

Old Howard Road



 Zoning Boundary

A to O2

1 inch equals 600 feet
J Stone 05.08.08

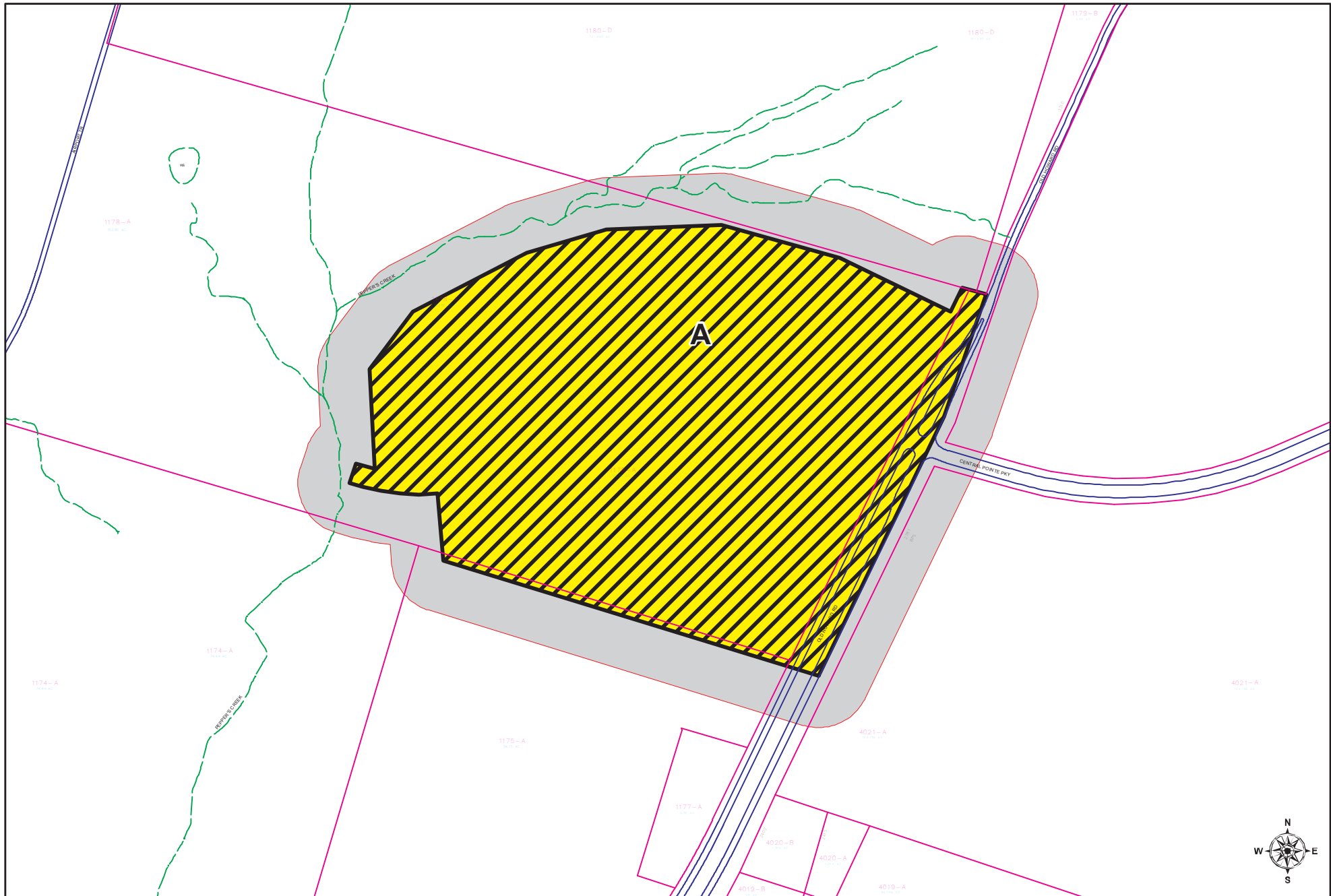


Z-FY-08-24

63.870 Acres

OB#1178-A

Old Howard Road



ZFY0824



200' Buffer

A to 02

1 inch equals 500 feet

J Stone 05.08.08

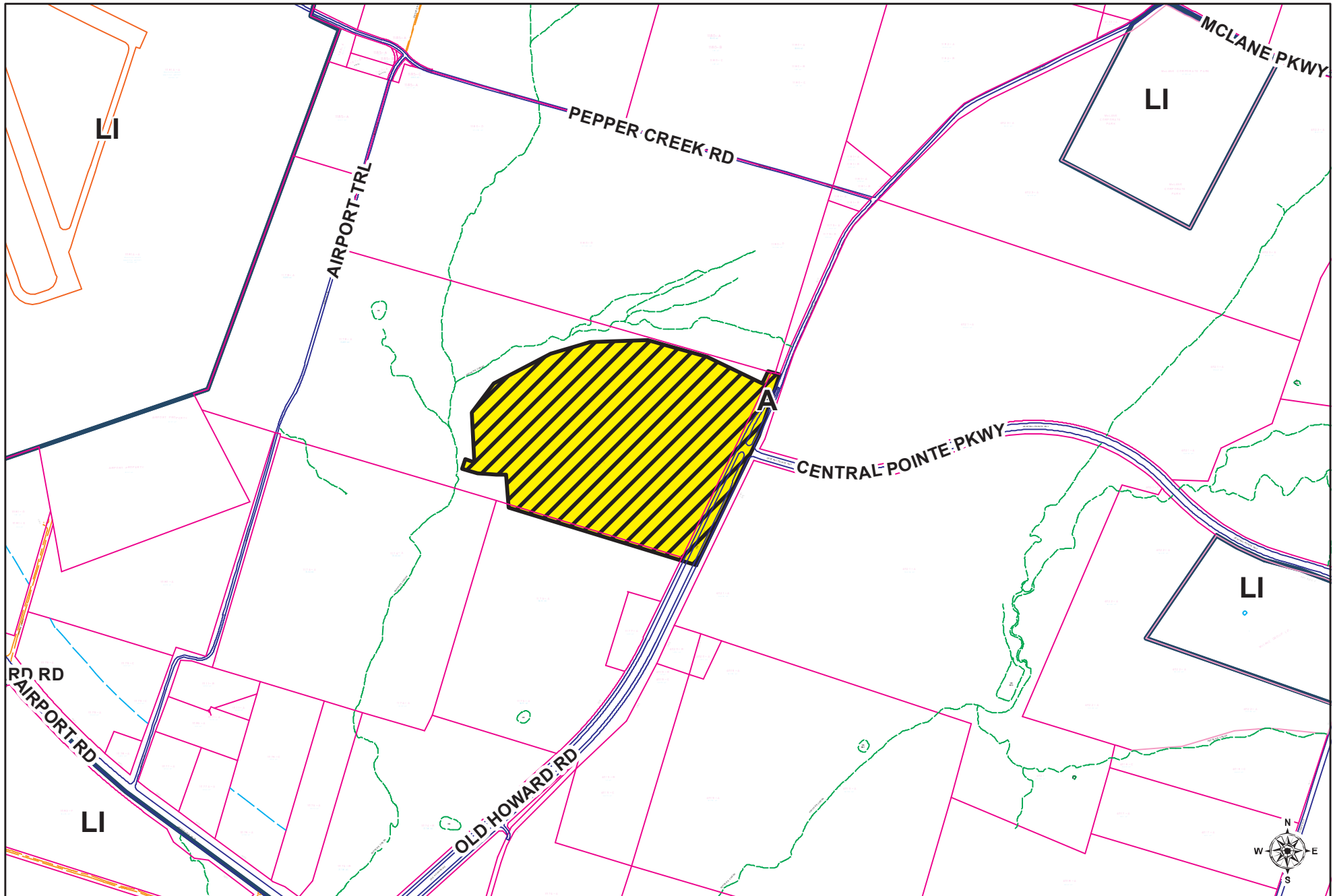


Z-FY-08-24

63.870 Acres

OB#1178-A

Old Howard Road



 ZFY0824

A to 02

1 inch equals 1,000 feet

J Stone 05.08.08



PLANNING AND ZONING COMMISSION AGENDA ITEM

05/19/08
Item 5
Page 1 of 2

APPLICANT / DEVELOPMENT: City of Temple c/o Temple Economic Development Corporation

CASE MANAGER: Tim Dolan, AICP, Planning Director

ITEM DESCRIPTION:

Z-FY-08-24: Hold a public hearing to consider recommending the permanent zoning of Office-2 (O-2) with the additional uses of laboratory manufacturing and laboratory, scientific or research on 63.8± acres, being part of the P.M. Mercer Survey, Abstract No. 553, located on the west side of Old Howard Road, 1,500± feet north of SH 36.

BACKGROUND:

The subject area is part of a series of zoning cases for City owned properties to change the zoning district from Office-2 (O-2) with the additional uses of laboratory manufacturing and laboratory, scientific or research. The subject area is surrounded by undeveloped properties that are zoned Agriculture (A) and Industrial. The area will be part of similar zoning cases as the area develops in the future.

Zoning cases should be compared to the Comprehensive Plan.

Future Land Use Plan

The subject area complies with the Future Land Use Plan as an Industrial Use because the Office-2 request is less intensive than Industrial.

Thoroughfare Plan

The subject area complies with the Thoroughfare Plan, with access to Old Howard, which is part of the future Outer Loop, and from the existing and future Central Pointe Parkway, both designated as Major Arterial Roadways.

Adequacy of Public Facilities

This area will be served by water and sewer as part of the CIP and RZ projects.

Development Regulations

The Office-2 (O-2) District permits a variety of low, mid and high rise office development. Buildings in the O-2 District can be built to any legal height. Office buildings over 40' shall provide additional yard space.

The O-2 District is intended to allow for office uses for professional, financial, medical, and other office services and may include corporate offices and major employment centers. The zoning for this area will also allow the additional uses of laboratory manufacturing and laboratory, scientific or research. Uses in this district generally have low traffic generation characteristics and do not require high visibility to conduct business.

Public Notice

A total of three notices were sent out. As of May 16, 2008 at 5:00 P.M., none were returned. The letters were mailed and the newspaper printed the public hearing on May 9th, in accordance with state law and local ordinance

STAFF RECOMMENDATION:

Staff recommends approval of Z-FY-08-24subject area to:

1. The request complies with the Future Land Use Plan Map for Office Zoning,
2. The Thoroughfare Plan showing Old Howard, which is part of the future Outer Loop, and from the existing and future Central Pointe Parkway, both designated as Major Arterial Roadways, and
3. The Adequacy of Public Facilities shows the area as part of the CIP and RZ areas for water and wastewater improvements.

FISCAL IMPACT: Not Applicable

ATTACHMENTS:

Land Use Map
Thoroughfare Plan Map
Zoning Map
Aerial

**EXCERPTS FROM THE
PLANNING & ZONING COMMISSION MEETING**

MONDAY, MAY 19, 2008

ACTION ITEMS

ITEM 5: **P-FY-08-24** Hold a hearing to recommend permanent zoning of Office-2 with additional uses of laboratory manufacturing and laboratory scientific or research from Agriculture on 63.8+ acres, being part of the P.M. Mercer Survey, Abstract No. 553, located on the west side on Old Howard Road.

Mr. Tim Dolan, Planning Director, states that the O-2 zoning does not usually allow for laboratory uses. However, TEDC requested plot not be zoned light industrial and it does comply with the Future Land Use Plan. It also complies with the Thoroughfare Plan. Also water and sewer are being extended out to the area. Notices have been submitted to surrounding areas and none were returned.

Mr. Tim Dolan, Planning Director, opened the floor for questions from the commissioners. None were posed. Chair Susan Luck opened the floor for questions from the public. None were submitted and the public hearing was closed.

Commissioner H. Allen Talley asked what is meant by "research." Planning Director Tim Dolan replies that no end users have been chosen yet. They are extending the water and sewer to attract end users.

Chair Susan Luck asks for other questions. None were posed and so, she asks for motions.

Commissioner Michael Norman moves that the proposal be approved. Vice-Chair Bert Pope seconds the nomination. Vote called and passed (9/0).

ORDINANCE NO. _____

[PLANNING NO. Z-FY-08-24]

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE ZONING OF OFFICE-2 WITH THE ADDITIONAL USES OF LABORATORY MANUFACTURING AND LABORATORY, SCIENTIFIC OR RESEARCH ON APPROXIMATELY 63.8 ACRES, BEING PART OF THE P.M. MERCER SURVEY, ABSTRACT NO. 553, LOCATED ON THE WEST SIDE OF OLD HOWARD ROAD, APPROXIMATELY 1,500 FEET NORTH OF SH 36; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, THAT:

Part 1: The City Council approves the zoning of Office-2 with additional uses of Laboratory Manufacturing and Laboratory, Scientific or Research on approximately 63.8 acres, being part of the P.M. Mercer Survey, Abstract No. 553, located on the west side of Old Howard Road, approximately 1,500 feet north of SH 36, more fully described in Exhibit A, attached hereto and made a part hereof for all purposes.

Part 2: The City Council directs the Director of Planning to make the necessary changes to the City Zoning Map accordingly.

Part 3: It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable and, if any phrase, clause, sentence, paragraph or section of this ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such phrase, clause, sentence, paragraph or section.

Part 4: This ordinance shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Temple, Texas, and it is accordingly so ordained.

Part 5: It is hereby officially found and determined that the meeting at which this Ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED on First Reading and Public Hearing on the **5th** day of **June**, 2008.

PASSED AND APPROVED on Second Reading on the **19th** day of **June**, 2008.

THE CITY OF TEMPLE, TEXAS

WILLIAM A. JONES, III, Mayor

ATTEST:

APPROVED AS TO FORM:

Clydette Entzminger
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

06/19/08
Item #7(J)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Lonzo Wallace, Fire Chief

ITEM DESCRIPTION: Consider adopting a resolution authorizing the acceptance of a \$25,000.00 grant with no matching funding from the Department of Homeland Security's (DHS) Office of Grants and Training to purchase or upgrade Haz-Mat equipment and Haz-Mat supplies for Temple Fire and Rescue.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: Temple Fire and Rescue plans to purchase an EntryLink Wireless Video System, upgrade our Bullard Thermal Imaging Camera with a transmitter and receiver, and replenish the inventory of Haz-Mat supplies with the grant funding received from the CTCOG.

The EntryLink Video System will allow Temple's Haz-Mat team to monitor a Haz-Mat event from a safe distance through a video system thus reducing the proximity of our personnel to an unsafe situation. The upgrade to the Bullard Thermal Imaging Camera will allow us to transmit the images of the camera to a remote location for viewing and recording.

FISCAL IMPACT: The grant is funded 100% through the Department of Homeland Security so there would be no match funding required by the City of Temple. A budget amendment is attached for your approval appropriating the grant expenditures and revenue.

ATTACHMENTS:

[Budget Amendments](#)
[Resolution](#)

FY **2008****BUDGET ADJUSTMENT FORM**

Use this form to make adjustments to your budget. All adjustments must balance within a Department.

Adjustments should be rounded to the nearest \$1.

+

-

ACCOUNT NUMBER	PROJECT #	ACCOUNT DESCRIPTION	INCREASE		DECREASE	
260-2200-522-22-11		Instruments/Special Equipment	\$ 6,250			
260-2200-522-62-11	220003	Instruments/Special Equipment	18,750			
260-0000-431-01-63		Federal Grant Revenue	25,000			
TOTAL.....			\$ 50,000		\$ -	

EXPLANATION OF ADJUSTMENT REQUEST- Include justification for increases AND reason why funds in decreased account are available.

Appropriate Department of Homeland Security grant revenue and expenditures. The grant is to purchase Haz-Mat equipment and supplies.

DOES THIS REQUEST REQUIRE COUNCIL APPROVAL?

☒ Yes☐ No

DATE OF COUNCIL MEETING

6/19/2008

WITH AGENDA ITEM?

☒ Yes☐ No

Department Head/Division Director

Date

☐ Approved
☐ Disapproved

Finance

Date

☐ Approved
☐ Disapproved

City Manager

Date

☐ Approved
☐ Disapproved

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS; AUTHORIZING THE ACCEPTANCE OF A GRANT FROM THE DEPARTMENT OF HOMELAND SECURITY'S OFFICE OF GRANTS AND TRAINING TO PURCHASE OR UPGRADE HAZ-MAT EQUIPMENT AND HAZ-MAT SUPPLIES, WITH NO CITY MATCH REQUIRED; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, Temple Fire & Rescue is eligible to receive a \$25,000 grant with no matching funding from the Department of Homeland Security's Office of Grants and Training to purchase or upgrade Haz-Mat equipment and supplies;

Whereas, the funds will be used to purchase an EntryLink Wireless Video System, upgrade the Department's Bullard Thermal Imaging Camera with a transmitter and receiver, and replenish inventory of Haz-Mat supplies;

Whereas, the City will not be required to provide a local match, but an amendment to the FY2007-08 budget needs to be approved to recognize receipt of the funds; and

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

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

Part 1: The City Council authorizes the acceptance of a \$25,000 grant with no matching funding from the Department of Homeland Security's Office of Grants and Training.

Part 2: The City Council authorizes the City Manager, or his designee, to execute any documents, after approval as to form by the City Attorney, that may be necessary for this grant.

Part 3: The City Council approves an amendment to the FY2007-2008 budget, substantially in the form of the copy attached as Exhibit A, for this purpose.

Part 4: It is hereby officially found and determined that the meeting at which this Resolution is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED this the **19th** day of **June**, 2008.

THE CITY OF TEMPLE, TEXAS

WILLIAM A. JONES, III Mayor

ATTEST:

APPROVED AS TO FORM:

Clydetta Entzminger
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

06/19/08
Item #7(K)
Consent Agenda
Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

Lonzo Wallace, Fire Chief

ITEM DESCRIPTION: Consider adopting a resolution authorizing submission of an application for a Safer Adequate Fire and Emergency Response (SAFER) grant administrated by the Federal Emergency Management Agency's (FEMA) assistance to Firefighters Grants (AFG) Program Office for four Fire and Rescue Officer positions.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: SAFER grants provide financial assistance to help fire departments increase their cadre of frontline firefighters. The goal is to assist the local fire departments' staffing and deployment capabilities, in order to respond to emergencies whenever they occur, assuring that their communities have adequate protection from fire and fire-related hazards.

The SAFER program is a grant program with a five-year period of performance that provides fire departments with funding to pay a portion of the salaries and benefits of newly hired firefighters. The portion of the salary and benefits the grant pays for diminishes over the five year period ranging from 90% the first year to 0% the fifth and final year with a \$108,380 limit per position for funding assistance over the life of the grant. The chart below summarizes the grant funding per year:

Year One:	90% of actual costs or	\$39,015
Year Two:	80% of actual costs or	\$34,675
Year Three:	50% of actual costs or	\$21,670
Year Four:	30% of actual costs or	\$13,020
Year Five:	0% of actual costs or	\$0
		<u>\$108,380</u>

Temple Fire & Rescue is requesting authorization to apply for funding assistance for 4 Fire and Rescue Officer positions this fiscal year to assist in the first staffing phase for Fire Station 8. Additional grants will be sought in future years to assist in funding the additional staffing phases for Fire Station 8.

FISCAL IMPACT: If awarded the full grant, funding over the four year period would be \$433,520. This includes salary and benefits for 4 Fire and Rescue Officer positions. If fully funded the City match would be approximately \$569,021 over the four year period. After the initial four year period, the new positions must be included in the budget for at least one full budget cycle with an estimated fiscal impact of approximately \$321,349 in Fiscal Year 2012-2013. Funding in the amount of \$46,976 will be included in the Proposed Fiscal Year 2008-2009 Budget in Contingency - Special Services for the first year of the City's Match.

ATTACHMENTS:

[Summary of Grant Funding
Resolution](#)

Staffing for Adequate Fire and Emergency Response (SAFER)
Summary of Grant Funding

	Grant		City Match		Total Funds
Year 1	\$	156,060	\$	46,976	\$ 203,036
Year 2		138,700		65,554	204,254
Year 3		86,680		200,234	286,914
Year 4		52,080		256,257	308,337
Subtotal		433,520		569,021	1,002,541
Year 5		-		321,349	321,349
Total	\$	433,520	\$	890,370	\$ 1,323,890

Per officer	\$	108,380	\$	222,593	\$ 330,973
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RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING TEMPLE FIRE & RESCUE TO APPLY FOR 4 FIRE AND RESCUE OFFICER POSITIONS THROUGH THE STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE (SAFER) GRANT ADMINISTERED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S (FEMA) ASSISTANCE TO FIREFIGHTERS GRANTS (AFG) PROGRAM OFFICE ; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, SAFER grants provide financial assistance to help fire departments increase their cadre of frontline firefighters;

Whereas, Temple Fire & Rescue seek authorization to apply for 4 fire & rescue officer positions through SAFER grant which is administered by the Federal Emergency Management Agency's (FEMA) Assistance to Firefighters Grants (AFG) Program Office;

Whereas, the SAFER grant program has a 5-year period of performance that provides fire departments with funding to pay a portion of the salaries and benefits of newly hired firefighters – the portion of the salary and benefits the grant pays for diminishes over the 5-year period ranging from 90% the first year to 0% the fifth and final year;

Whereas, if awarded the full grant, funding over the 4 year period would be \$433,520 – if fully funded the City match would be approximately \$569,021 over the 4 year period, and after the initial 4 year period, the new positions must be included in the budget for at least one full budget cycle with an estimated fiscal impact of approximately \$321,349 in Fiscal Year 2012-2013;

Whereas, funding will need to be appropriated in the amount of \$46,976 in the proposed FY2008-09 budget for the first year for matching funds; and

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

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

Part 1: The City Council authorizes Temple Fire & Rescue to apply for 4 Fire and Rescue Officer positions through the Staffing for Adequate Fire and Emergency Response (SAFER) grant administered by the Federal Emergency Management

Agency's (FEMA) Assistance to Firefighters Grant (AFG) Program Office, and commits to matching funding if the grant is awarded.

Part 2: The City Council authorizes the City Manager, or his designee, to execute any documents, after approval as to form by the City Attorney, that may be needed for purposes of the grant application.

Part 3: The City Council accepts any grant funds that may be awarded and commits to the necessary matching funds for the 5-year period.

Part 4: It is hereby officially found and determined that the meeting at which this Resolution is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED this the 19th day of **June**, 2008.

THE CITY OF TEMPLE, TEXAS

WILLIAM A. JONES, III, Mayor

ATTEST:

APPROVED AS TO FORM:

Clydetta Entzminger
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

06/19/08
Item #7(L)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Traci Barnard, Director of Finance

ITEM DESCRIPTION: Consider adopting a resolution authorizing budget amendments for fiscal year 2007-2008.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: This item is to recommend various budget amendments, based on the adopted FY 2007-2008 budget. The amendments will involve transfers of funds between contingency accounts, department and fund levels.

FISCAL IMPACT: The total amount of budget amendments is \$17,475.

ATTACHMENTS:

Budget amendments
Resolution

CITY OF TEMPLE
BUDGET AMENDMENTS FOR FY 2008 BUDGET
June 19, 2008

			APPROPRIATIONS	
ACCOUNT #	PROJECT #	DESCRIPTION	Debit	Credit
110-2350-540-2516		Judgments & Damages (Solid Waste - Frontload)	\$ 5,000	
110-1500-515-6531		Contingency - Judgments & Damages		\$ 5,000
Deductible reimbursement to the Texas Municipal League for settlement of a claim filed against the City by Anja Lippard seeking reimbursement for damage to a vehicle after it was struck by a Solid Waste frontload truck on December 11, 2007, in the 000 Block of West Avenue H.				
110-3600-560-6310	360003	Capital Building & Grounds (Airport)	\$ 9,975	
110-0000-446-3530		Miscellaneous Airport Revenue		\$ 9,975
AMCOM has requested improvements to the hangar. These improvements include adding walls and electrical outlets to an existing room in the hangar. The full cost of the improvements will be reimbursed by AMCOM.				
110-3700-524-2516		Judgments & Damages (Construction Safety)	\$ 2,500	
110-1500-515-6531		Contingency - Judgments & Damages		\$ 2,500
Agreement between the City and owners of Cactus Jack's Restaurant to authorize TxDOT to remove a sign from the public right-of-way and install the new sign on private property and in compliance with all sign ordinance and setback requirements.				
TOTAL AMENDMENTS			\$ 17,475	\$ 17,475
GENERAL FUND				
Beginning Contingency Balance			\$	-
Added to Contingency Sweep Account			\$	-
Carry forward from Prior Year			\$	-
Taken From Contingency			\$	-
Net Balance of Contingency Account			\$	-
Beginning Judgments & Damages Contingency			\$	70,000
Added to Contingency Judgments & Damages from Council Contingency			\$	-
Taken From Judgments & Damages			\$	(56,157)
Net Balance of Judgments & Damages Contingency Account			\$	13,843
Beginning Master Plan Implementation Contingency			\$	250,000
Added to Master Plan Implementation Contingency			\$	-
Taken From Master Plan Implementation Contingency			\$	(176,334)
Net Balance of Master Plan Implementation Contingency Account			\$	73,666
Beginning Performance Pay Contingency			\$	150,000
Added to Compensation Plan Contingency			\$	-
Taken From Compensation Plan Contingency			\$	(150,000)
Net Balance of Compensation Plan Contingency Account			\$	-
Net Balance Council Contingency			\$	87,509
Beginning Balance Budget Sweep Contingency			\$	-
Added to Budget Sweep Contingency			\$	-
Taken From Budget Sweep			\$	-
Net Balance of Budget Sweep Contingency Account			\$	-

CITY OF TEMPLE
BUDGET AMENDMENTS FOR FY 2008 BUDGET
June 19, 2008

		APPROPRIATIONS	
ACCOUNT #	PROJECT #	DESCRIPTION	Debit Credit
		WATER & SEWER FUND	
		Beginning Contingency Balance	\$ 904,672
		Added to Contingency Sweep Account	\$ -
		Taken From Contingency	\$ (169,258)
		Net Balance of Contingency Account	\$ 735,414
		Beginning Performance Pay Contingency	\$ 30,000
		Added to Compensation Plan Contingency	\$ -
		Taken From Compensation Plan Contingency	\$ (30,000)
		Net Balance of Compensation Plan Contingency Account	\$ -
		Beginning Approach Mains Contingency	\$ 500,000
		Added to Approach Mains Contingency	\$ -
		Taken From Approach Mains Contingency	\$ (141,419)
		Net Balance of Approach Mains Contingency Account	\$ 358,581
		Net Balance Water & Sewer Fund Contingency	\$ 1,093,995
		HOTEL/MOTEL TAX FUND	
		Beginning Contingency Balance	\$ 20,126
		Added to Contingency Sweep Account	\$ -
		Taken From Contingency	\$ -
		Net Balance of Contingency Account	\$ 20,126
		Beginning Performance Pay Contingency	\$ 8,000
		Added to Compensation Plan Contingency	\$ -
		Taken From Compensation Plan Contingency	\$ (8,000)
		Net Balance of Compensation Plan Contingency Account	\$ -
		Net Balance Hotel/Motel Tax Fund Contingency	\$ 20,126
		DRAINAGE FUND	
		Beginning Contingency Balance	\$ 1,495
		Added to Contingency Sweep Account	\$ -
		Taken From Contingency	\$ -
		Net Balance of Contingency Account	\$ 1,495
		Beginning Performance Pay Contingency	\$ 2,000
		Added to Compensation Plan Contingency	\$ -
		Taken From Compensation Plan Contingency	\$ (838)
		Net Balance of Compensation Plan Contingency Account	\$ 1,162
		Net Balance Drainage Fund Contingency	\$ 2,657
		FED/STATE GRANT FUND	
		Beginning Contingency Balance	\$ -
		Carry forward from Prior Year	\$ 86,477
		Added to Contingency Sweep Account	\$ -
		Taken From Contingency	\$ (57,766)
		Net Balance of Contingency Account	\$ 28,711

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE,
TEXAS, APPROVING BUDGET AMENDMENTS TO THE 2007-2008
CITY BUDGET; AND PROVIDING AN OPEN MEETINGS CLAUSE.**

Whereas, on the 23rd day of August, 2007, the City Council approved a budget for the 2007-2008 fiscal year; and

Whereas, the City Council deems it in the public interest to make certain amendments to the 2007-2008 City Budget.

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

Part 1: The City Council approves amending the 2007-2008 City Budget by adopting the budget amendments which are more fully described in Exhibit A, attached hereto and made a part hereof for all purposes.

Part 2: It is hereby officially found and determined that the meeting at which this Resolution is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED this the 19th day of **June**, 2008.

THE CITY OF TEMPLE, TEXAS

WILLIAM A. JONES, III, Mayor

ATTEST:

APPROVED AS TO FORM:

Clydette Entzminger
City Secretary

Jonathan Graham
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

06/19/08
Item #8
Regular Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Tim Dolan, Planning Director

ITEM DESCRIPTION: FIRST READING – PUBLIC HEARING – Consider adopting an ordinance amending Ordinance 2005-4006 abandoning the following street rights-of-way for the First United Methodist Church; and retaining blanket utility easement for the abandoned rights-of-way to protect existing utilities:

- (A) A portion of North 2nd Street, between Calhoun and Barton Avenues (Original Town – Volume 36, Page 640 and Moore's First Addition – Volume 115, Page 416), and
- (B) A portion of East Barton Avenue from the west side of the alley to 4th Street (Original Town – Volume 36, Page 640 and Moore's First Addition – Volume 115, Page 416).

STAFF RECOMMENDATION: Conduct public hearing and adopt ordinance as presented in item description, on first reading, and schedule second reading and final adoption for July 3, 2008.

ITEM SUMMARY: In 2005, at the request of First United Methodist Church, the City Council abandoned other rights-of-way along North 2nd Street, Calhoun and Barton, pursuant to the Ordinance 2005-4006. The Church requested other right-of-way to be abandoned at that time; however, access issues arose at that time. Subsequently, the Church has acquired this property and is requesting the abandonment.

The First United Methodist Church requests this abandonment to allow expansion of the church and improve pedestrian safety between existing and future buildings. First United Methodist Church owns the properties on both sides of the proposed abandonment.

All utility companies have responded with the proposed abandonment, with the TXU utility requesting access to its guy wire and anchors, AT&T will have a buried wire in the right-of-way of Barton Avenue. Existing water and waste water lines will need to have an easement also.

Centrovision will be provided parking by the Church improvements.

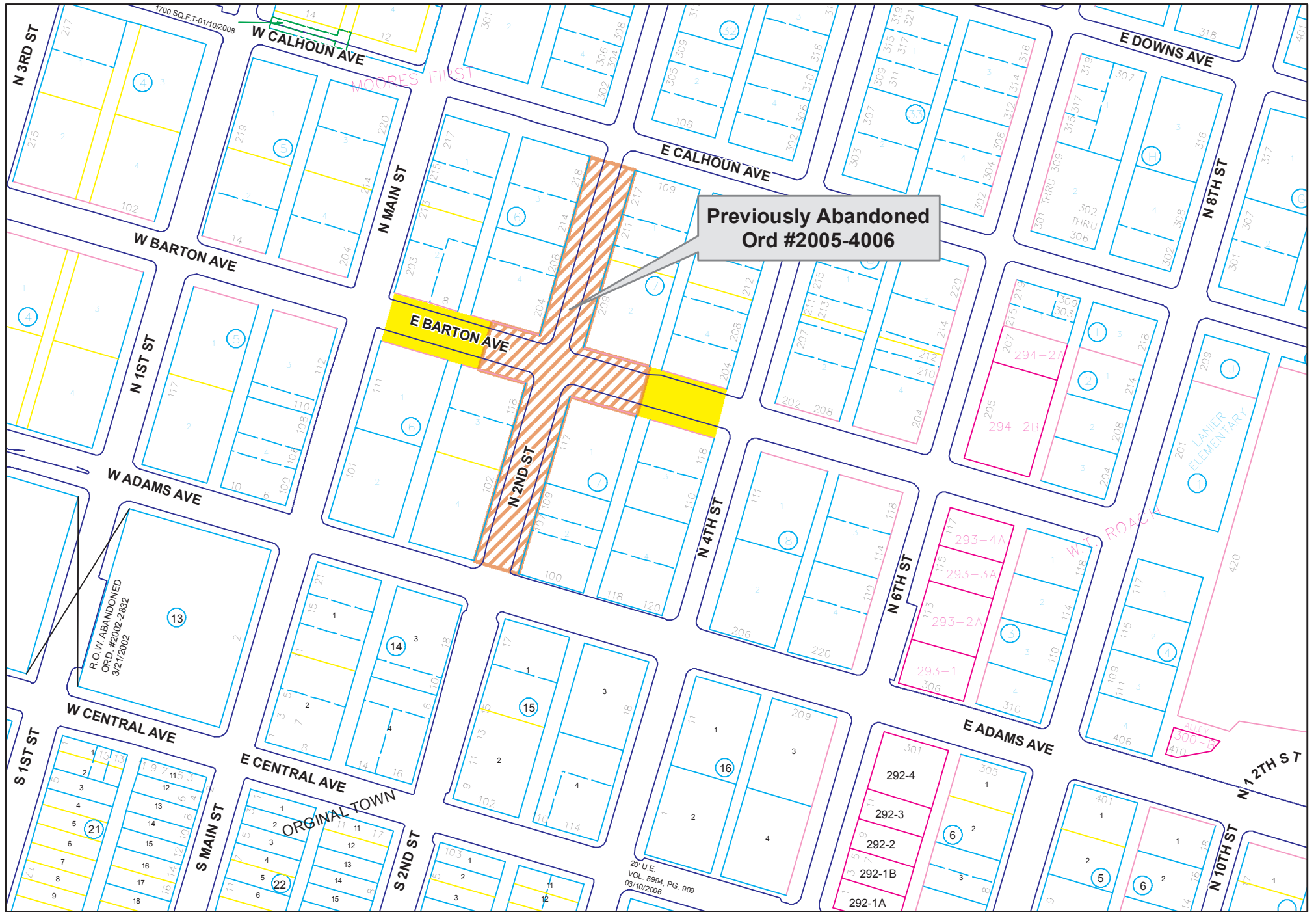
FISCAL IMPACT: The previous case from 2005 established the fair market value for this area and was accepted by the City Council.

ATTACHMENTS:

[Location Map](#)
[Church exhibit](#)
[Ordinance](#)

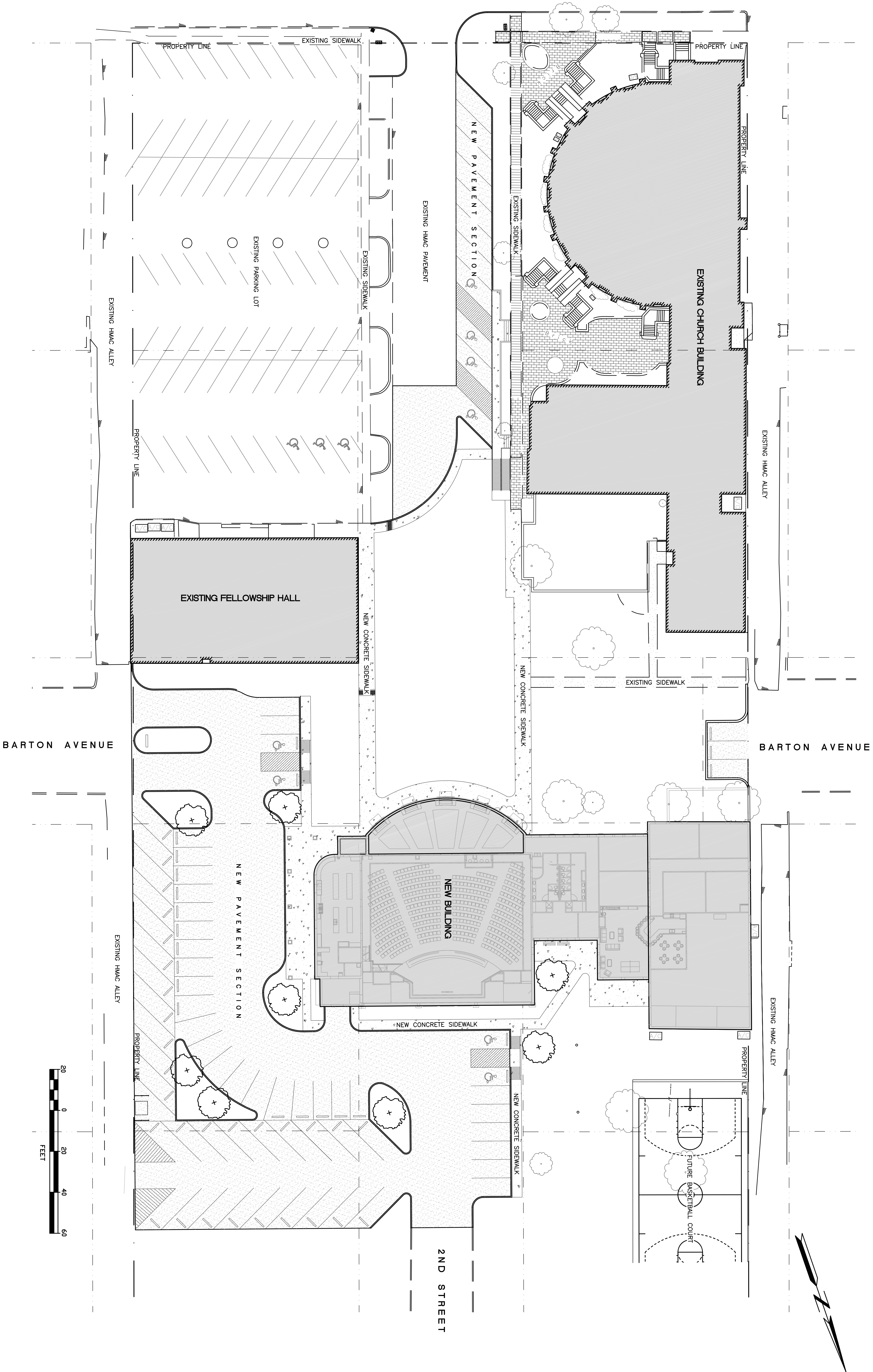


Proposed ROW Abandonment: E Barton Avenue



Proposed Abandonment

0 25 50 100 150 200 Feet



KEYED NOTES:

1. PRIOR TO BEGINNING CONSTRUCTION, THE CONTRACTOR SHALL CONSULT WITH THE PROJECT ARCHITECT TO DETERMINE THE ENCLOSURES (STYLE, MATERIALS, PLACEMENT) WITH PROJECT ARCHITECT.

- NOTES:**
1. FURNISH & INSTALL NEW HANDICAP SIDEWALK RAMP (PER IAS STANDARDS)
 2. FURNISH & INSTALL NEW HEAVY DUTY SIDEWALK GRATE (PER DETAILS)

①

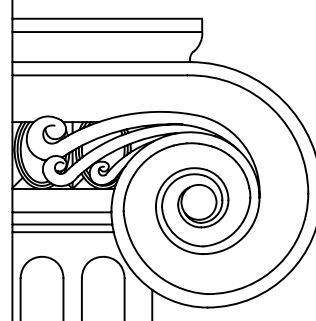
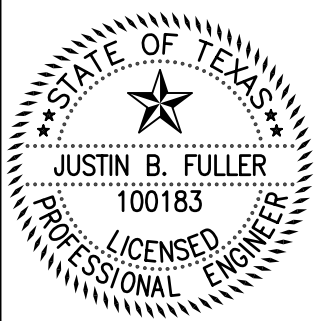
LEGEND:

- NEW PRECAST CONCRETE WHEEL STOP (PER DETAILS)
- NEW PARALLEL SECTION (PER GEOTECHNICAL REPORT)
- NEW STANDARD CONCRETE CURB AND GUTTER (PER DETAILS)
- NEW CONCRETE FLATWORK (PER DETAILS)
- NEW FIRELANE STRIPING (PER CITY OF TEMPLE FIRE MARSHALL REQUIREMENTS)

NOT FOR CONSTRUCTION

THIS DOCUMENT IS PREPARED FOR THE PURPOSE OF INTERNAL REVIEW UNDER THE AUTHORITY OF JUSTIN B. FULLER, PE, 00083 AS PER DATE ON DRAWING. IT IS NOT TO BE USED FOR BIDDING OR CONSTRUCTION.

Clark & Fuller, PLLC
Civil Engineers - Designers - Planners
Tel: (254) 899, 0899 Fax: (254) 899, 0901
2010 SW Hickok Loop, Suite 105, Temple, Texas 76704



Heimsath Architects
2108 EM Franklin, Austin, Texas 78723
Tel. (512) 478 1621 Fax (512) 477-7259 E-Mail arch@heimsath.com

FIRST UNITED METHODIST CHURCH
102 NORTH 2ND STREET, TEMPLE, TX 76501

SITE PLAN

C1.1

Project #	718
Date	05/14/08
Drawn	JBF
Checked	CMC
Scale	MLC

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AMENDING ORDINANCE NO. 2005-4006 ABANDONING ADDITIONAL STREET RIGHTS-OF-WAY FOR THE FIRST UNITED METHODIST CHURCH; RETAINING BLANKET UTILITY EASEMENTS FOR THE ABANDONED RIGHTS-OF-WAY TO PROTECT EXISTING UTILITIES; DECLARING FINDINGS OF FACT; AUTHORIZING CONVEYANCE OF SUCH PROPERTY BY A DEED WITHOUT WARRANTY; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, in on May 5, 2005, the City Council passed Ordinance No. 2005-4006 which abandoned certain rights-of-way along North 2nd Street and Calhoun and Barton Avenues at the request of the First United Methodist Church;

Whereas, the First United Methodist Church has requested that additional rights-of-way be abandoned consisting of a portion of North 2nd Street, between Calhoun and Barton Avenues and a portion of East Barton Avenue from the west side of the alley to 4th Street;

Whereas, a blanket utility easement will be maintained for the entire abandoned area allowing utility companies easement rights, clearances and access to their facilities;

Whereas, the Staff recommends that the property be abandoned and that the land be sold for not less than the fair market value of \$0.694 per square foot;

Whereas, the land is not necessary for the purpose of serving the general public or landowners adjacent thereto for any public purposes and the Staff recommends this action; and

Whereas, the City Council has considered the matter and deems it in the public interest to declare approve this action.

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

Part 1: The City Council abandons The City Council abandons the following public rights-of-way:

- (a) A portion of North 2nd Street, between Calhoun and Barton Avenues, Original Town and Moore's First Additions to the City of Temple, Texas, more fully described in deeds recorded in Volume 36, Page 640

and Volume 115, Page 416 of the Deed Records of Bell County, Texas;
and

- (b) A portion of East Barton Avenue from the west side of the alley to 4th Street, Original Town and Moore's First Additions to the City of Temple, Texas, more fully described in deeds recorded in Volume 36, Page 640 and Volume 115, Page 416 of the Deed Records of Bell County, Texas;

Part 2: The City Council reserves in the entire area abandoned for public street purposes, an easement for drainage purposes and for the installation, operation, maintenance, repair, use and replacement of public utilities, including but not limited to electric power, water, sewer, gas, and telecommunications.

Part 3: The City Council authorizes the Mayor of the City of Temple, Texas, for the consideration set out in Part 4, to execute a Deed Without Warranty conveying the rights and interests of the City of Temple, Texas, to the abutting property owner, which when done, shall be and become a binding act and deed of the City of Temple. Provided, however, the actual transfer of ownership will be executed following formal site plan approval by the City Manager or the filing of a building permit for improvements within a particular phase.

Part 4: As consideration for the conveyance described in Part 1 hereof, the abutting property owner shall pay an amount which is equal to or greater than the appraised fair market value of **\$0.694 per square foot** for the property.

Part 5: If any provision of this ordinance or the application of any provision to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

Part 6: It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED on First Reading and Public Hearing on the **19th** day of **June**, 2008.

PASSED AND APPROVED on Second Reading the **3rd** day of **July**, 2008.

THE CITY OF TEMPLE, TEXAS

WILLIAM A. JONES, III, Mayor

ATTEST:

ATTEST:

Clydetta Entzminger
City Secretary

Jonathan Graham
City Attorney

STATE OF TEXAS §

COUNTY OF BELL §

This instrument was acknowledged before me on the ____ day of July, 2008, by
WILLIAM A. JONES, III, Mayor of the City of Temple, Texas.

Notary Public, State of Texas



COUNCIL AGENDA ITEM MEMORANDUM

06/19/08
Item #9
Regular Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Tim Dolan, Planning Director

ITEM DESCRIPTION: FIRST READING – PUBLIC HEARING – Consider adopting an ordinance abandoning the following street rights-of-way for the proposed Westfield Phase V (2 commercial lots on the west side of the future Outer Loop and on both sides of the future Stone Hollow Drive); for the following rights of way:

- (A) A 0.282 acre portion of Old Hilliard Road, (Nancy Chance Survey, Abstract # 5), and
 - (B) A 0.766 acre portion of Old Hilliard Road, (Nancy Chance Survey, Abstract # 5).
- Total: 1.048 acres

STAFF RECOMMENDATION: Conduct public hearing and adopt ordinance as presented in item description, on first reading, and schedule second reading and final adoption for July 3, 2008.

ITEM SUMMARY: Kiella Development, Inc., applicant, requests the abandonment of a portion of Old Hilliard Road, to facilitate the commercial development of 20± acres, for a two commercial lot subdivision with frontage on the future Outer Loop and access to the future Stone Hollow Drive. For purposes of fair market value, the tract to the north was recently purchased for \$16,000.00 per acre. Using that cost, the value of \$16,768.00 should be paid by the applicant for the 1.048 acre abandonment of Old Hilliard Road.

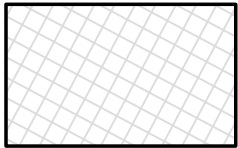
Staff recommends approval of the abandonment subject to the requirement of the road to be used as an access and construction easement during the construction of the Outer Loop and Stonehollow Drive. Once the roads have been accepted by the City of Temple, the easements would terminate. The proposed ordinance contains these stipulations.

The utility companies, AT&T, Oncor and Atmos have been sent the abandonment request.

FISCAL IMPACT: The fair market value for this area is met by the recent purchase of the property to the north, purchased for \$16,000.00 per acre, for a value \$16,768.00 for the 1.048 acres.

ATTACHMENTS:

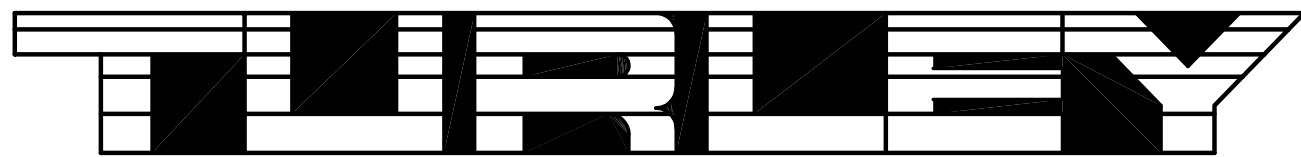
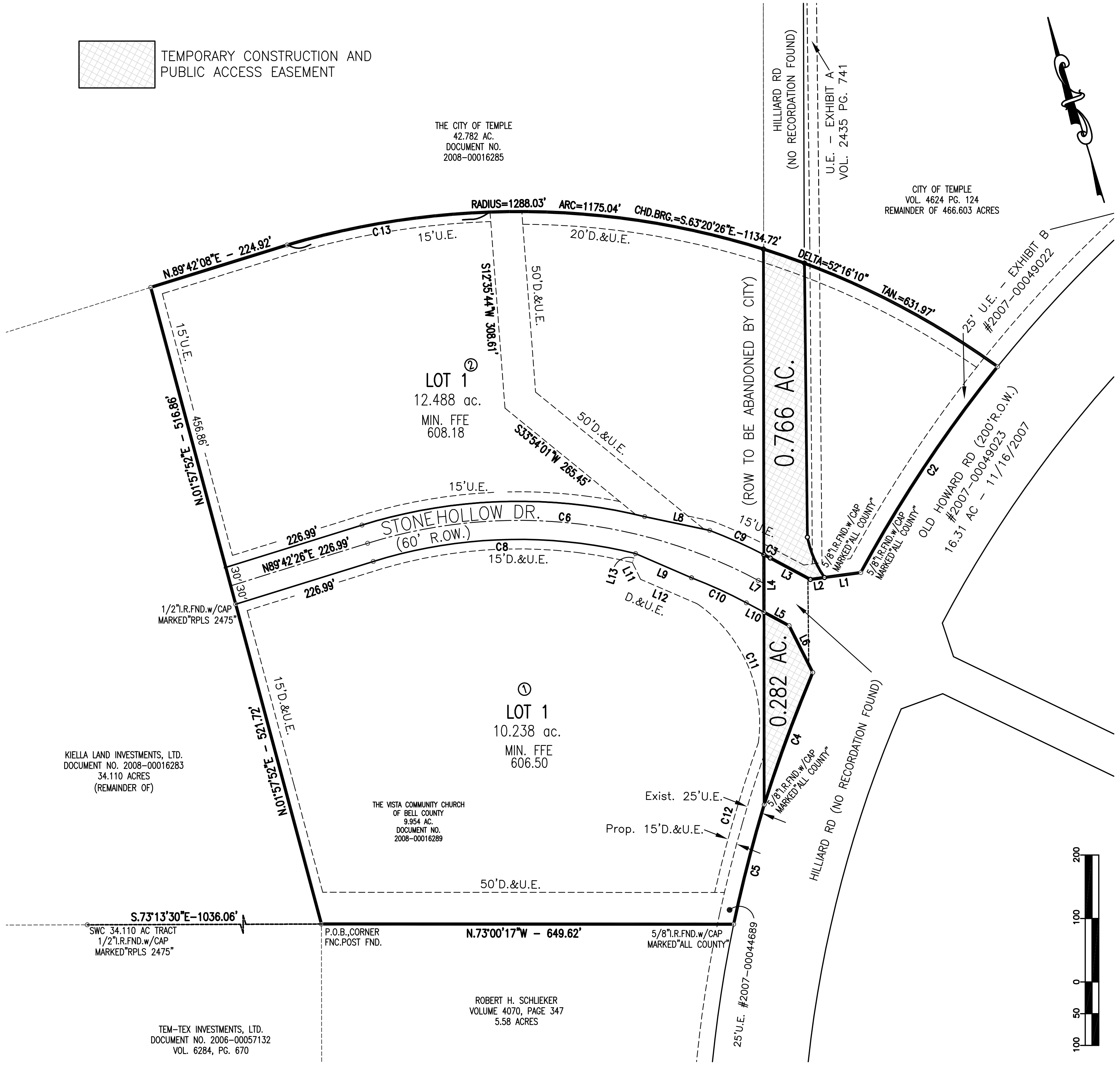
[Location Map](#)
[Right-of-way exhibit](#)
[Ordinance](#)



TEMPORARY CONSTRUCTION AND
PUBLIC ACCESS EASEMENT

THE CITY OF TEMPLE
42.782 AC.
DOCUMENT NO.
2008-00016285

CITY OF TEMPLE
VOL. 4624 PG. 124
REMAINDER OF 466.603 ACRES



ENGINEERING • PLANNING • SURVEYING
CONSTRUCTION MANAGEMENT

TURLEY ASSOCIATES, INC.

301 N. 3rd ST. TEMPLE, TEXAS 76501 (254) 773-2400
E-MAIL: VDTURLEY@AOL.COM FAX NO. (254) 773-3998

NO.	BEARING	LENGTH
L1	S.44°54'39"E.	44.95'

MICHAEL KIRK VON ROSENBERG
INSTRUMENT NO. 2006-00053196
89.33 ACRES

P.O.B. 5/8" R.FND. w/CAP
MARKED "ALL COUNTY"

1/2" R.SET w/CAP
MARKED "RPLS 2475"

EXIST. ASPHALT LANE

1/2" R.SET w/CAP
MARKED "RPLS 2475"

N16°53'30"E-303.25'

0.282 AC.

C1

HILLIARD ROAD

20' U.E.

S89°51'26"E
82.66'
1/2" R.SET w/CAP
MARKED "RPLS 2475"

DED. PUBLIC R.O.W. (OUTER LOOP)
16.31 AC., DOC. #2007-00049023

TRACT 1
CITY OF TEMPLE
VOL. 4624, PG. 124

1"=100'

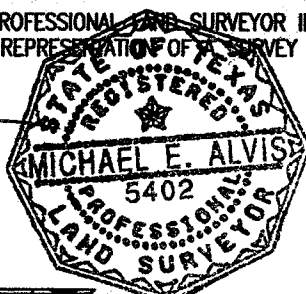
NO.	RAD.	ARC	CHD.BRG.	CHD.	DELTA	TAN.
C1	2075.00	222.03	S.37°08'37"W.	221.92	06°07'50"	111.12

ROBERT H. SCHLIEKER
VOLUME 4070, PAGE 347
5.58 ACRES

BEING A TRACT OF LAND IN BELL COUNTY, TEXAS, LYING AND SITUATED IN THE NANCY CHANCE SURVEY ABSTRACT NO.5, BELL COUNTY TEXAS, AND BEING A PORTION OF A PUBLIC ROADWAY KNOWN AS HILLIARD ROAD (NO RECORDATION FOUND), AND ALSO BEING A PORTION OF THAT CERTAIN 16.31 ACRE TRACT DEDICATED TO THE PUBLIC AS RIGHT-OF-WAY (OUTER LOOP), RECORDED IN DOCUMENT NUMBER 2007-00049023, OFFICIAL PUBLIC RECORDS OF REAL PROPERTY, BELL COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY SEPARATE FIELD NOTES.

I, MICHAEL E. ALVIS, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THESE FIELD NOTES ARE A CORRECT REPRESENTATION OF A SURVEY MADE ON THE GROUND.

Michael E. Alvis
MICHAEL E. ALVIS, R.P.L.S. NO.5402
APRIL 24, 2008



TURLEY ASSOCIATES, INC.

ENGINEERING • PLANNING • SURVEYING • CONSTRUCTION MANAGEMENT
301 NORTH 3RD STREET • TEMPLE, TEXAS • (254)773-2400

BEARING BASE: TEXAS STATE PLANE COORDINATE SYSTEM, NAD 1983, CENTRAL ZONE

11922-A, 08-063, DWM

NO.	BEARING	LENGTH
L1	N.80°48'02"W.	22.47'

MICHAEL KIRK VON ROSENBERG
INSTRUMENT NO.2006-00053196
88.33 ACRES

1/2" I.R. SET w/CAP
MARKED RPLS 2475"

1/2" I.R. SET w/CAP
MARKED RPLS 2475"

EXIST. ASPHALT LANE

N16°53'30"E-481.42'

HILLIARD ROAD 0.766 AC.

S16°21'09"W-431.74'

1/2" I.R. SET w/CAP
MARKED RPLS 2475"

1/2" I.R. SET w/CAP
MARKED RPLS 2475"

N44°54'39"W
71.57'

1/2" I.R. SET w/CAP
MARKED RPLS 2475"

P.O.B. 5/8" I.R. FND. w/CAP
MARKED "ALL COUNTY"

5/8" I.R. FND. w/CAP
MARKED "ALL COUNTY"

TRACT 1
CITY OF TEMPLE
VOL. 4624, PG. 124

DED. PUBLIC R.O.W. (OUTER LOOP)
16.31 AC., DOC. #2007-00049023

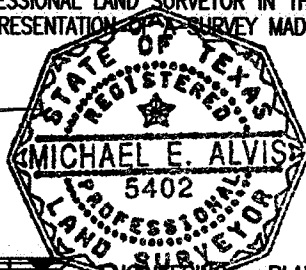
NO.	RAD.	ARC	CHD. BRG.	CHD.	DELTA	TAN.
C1	1288.03	68.34	S.54°04'33"E.	68.34	03°02'24"	34.18
C2	841.44	11.41	N.45°17'58"W.	11.41	00°46'23"	5.71
C3	173.36	69.42	S.05°57'23"E.	68.96	22°56'37"	35.18

BEING A TRACT OF LAND IN BELL COUNTY, TEXAS, LYING AND SITUATED IN THE NANCY CHANCE SURVEY ABSTRACT NO.5, BELL COUNTY TEXAS, AND BEING A PORTION OF A PUBLIC ROADWAY KNOWN AS HILLIARD ROAD (NO RECORDATION FOUND), AND ALSO BEING A PORTION OF THAT CERTAIN 16.31 ACRE TRACT DEDICATED TO THE PUBLIC AS RIGHT-OF-WAY (OUTER LOOP), RECORDED IN DOCUMENT NUMBER 2007-00049023, OFFICIAL PUBLIC RECORDS OF REAL PROPERTY, BELL COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY SEPARATE FIELD NOTES.

I, MICHAEL E. ALVIS, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THESE FIELD NOTES ARE A CORRECT REPRESENTATION OF A SURVEY MADE ON THE GROUND.

Michael E. Alvis

MICHAEL E. ALVIS, R.P.L.S. NO.5402
APRIL 24, 2008



TURLEY ASSOCIATES, INC.

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BEARING BASE: TEXAS STATE PLANE COORDINATE SYSTEM, NAD 1983, CENTRAL ZONE

11919-A, 08-063, DWM

0.282 ACRE

BEING a tract of land in Bell County, Texas, lying and situated in the NANCY CHANCE SURVEY, ABSTRACT No. 5, Bell County, Texas, and the land herein described being a portion of a public roadway known as Hilliard Road (no recordation found), and also being a portion of that certain 16.31 acre tract dedicated to the public as right-of-way (outer loop) recorded in Document Number 2007-00049023, Official Public Records of Real Property, Bell County, Texas, and being more particularly described by metes and bounds as follows:

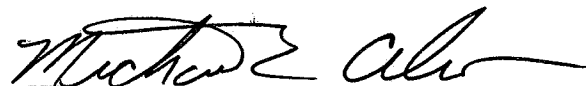
BEGINNING at a $\frac{5}{8}$ " iron rod with cap marked "All County" in concrete found along the common line of that certain 88.35 acre tract of land distributed to Michael Kirk Von Rosenberg by Distribution Deed recorded in instrument number 2006-00053196, Official Public Records of Real Property, Bell County, Texas, (east line) and the west right-of-way line of said public roadway known as Hilliard Road and bearing N. $66^{\circ} 17' 46''$ E., (bearing base), 4334.43 feet from City of Temple Monument No. 4004, for corner;

THENCE with common line, N. $16^{\circ} 53' 30''$ E., 303.25 feet, to a $\frac{1}{2}$ " iron rod with cap marked "RPLS 2475" set, for corner;

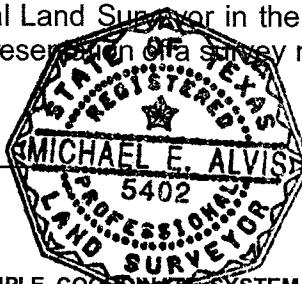
THENCE departing said common line, over and across said public roadway known as Hilliard Road, and said 16.31 acre right-of-way (outer loop) tract, the following three (3) calls:

- (1) S. $44^{\circ} 54' 39''$ E., 44.95 feet to a $\frac{1}{2}$ " iron rod with cap marked "RPLS 2475" set, for corner;
- (2) S. $09^{\circ} 51' 26''$ E., 82.66 feet to a $\frac{1}{2}$ " iron rod with cap marked "RPLS 2475" set at the beginning of a curve to the left, for corner;
- (3) THENCE with said curve to the left, radius equals 2075.00 feet, arc length equals 222.03, and the long chord bearing equals S. $37^{\circ} 08' 37''$ W., 221.92 feet to the Point of BEGINNING and containing 0.282 acres of land.

I, Michael E. Alvis, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that these field notes are a correct representation of a survey made on the ground.



Michael E. Alvis, R.P.L.S. #5402
April 24, 2008



THIS PROJECT IS REFERENCED TO THE CITY OF TEMPLE COORDINATE SYSTEM, AN EXTENSION OF THE TEXAS COORDINATE SYSTEM OF 1983, CENTRAL ZONE. ALL DISTANCES ARE HORIZONTAL SURFACE DISTANCES UNLESS NOTED AND ALL BEARINGS ARE GRID BEARINGS.

ALL COORDINATE VALUES ARE REFERENCED TO CITY MONUMENT NUMBER 4004

THE THETA ANGLE AT SAID CITY MONUMENT IS $01^{\circ} 30' 24''$

THE COMBINED CORRECTION FACTOR (CCF) IS 0.999884

PUBLISHED CITY COORDINATES ARE X = 3,206,128.30 Y = 10,383,154.18

THE TIE FROM THE ABOVE CITY MONUMENT TO THE POINT OF BEGINNING IS N. $62^{\circ} 54' 58''$ E., 4668.87 FEET.

See attached surveyors sketch, which accompanies this set of field notes (ref: drawing no.11922-A)



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0.766 ACRE

BEING a tract of land in Bell County, Texas, lying and situated in the NANCY CHANCE SURVEY, ABSTRACT No. 5, Bell County, Texas, and the land herein described being a portion of a public roadway known as Hilliard Road (no recordation found), and also being a portion of that certain 16.31 acre tract dedicated to the public as right-of-way (outer loop) recorded in Document Number 2007-00049023, Official Public Records of Real Property, Bell County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8" iron rod with cap marked "All County" in concrete found, along the common line of that certain 466.603 acre tract (TRACT 1) conveyed to the City of Temple, Texas, by Special Warranty Deed recorded in Volume 4624, Page 124, Official Public Records of Real Property, Bell County, Texas, (west line) and said public roadway known as Hilliard Road (east line), said iron rod being a northwesterly corner of said 16.31 acre tract (outer loop) and bearing N. 62° 54' 58" E., (bearing base) 4668.87 feet from City of Temple Monument No. 4004, for corner;

THENCE with a northwesterly boundary line of said 16.31 acre tract (outer loop), along a curve to the left, radius equals 173.36 feet, arc length equals 69.42 feet, and the long chord bearing equals S. 05° 57' 23" E., 68.96 feet to a 5/8" iron rod with cap marked "All County" in concrete found, for corner;

THENCE over and across, said 16.31 acre tract (outer loop) and public roadway known as Hilliard Road, the following three (3) calls:

- 1) N. 80° 48' 02" W., 22.47 feet to a 1/2" iron rod with cap marked "RPLS 2475" set, for corner;
- 2) N. 44° 54' 39" W., 71.57 feet to a 1/2" iron rod with cap marked "RPLS 2475" set at the beginning of a curve to the left, for corner;
- 3) THENCE with said curve to the left, radius equals 841.44 feet, arc length equals 11.41 feet, and the long chord bearing equals N. 45° 17' 58" W., 11.41 feet to a 1/2" iron rod with cap marked "RPLS 2475" set, along the common line of that certain 88.33 acre tract of land distributed to Michael Kirk Von Rosenberg by Distribution Deed recorded in Instrument Number 2006-00053196, Official Public Records of Real Property, Bell County, Texas (east line) and the west right-of-way line of said public roadway known as Hilliard Road, for corner;



TURLEY ASSOCIATES, INC.

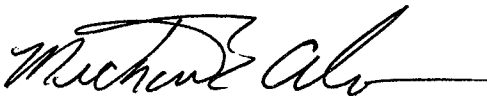
ENGINEERING • PLANNING • SURVEYING • DESIGN/BUILDING
301 NORTH 3RD STREET • TEMPLE, TEXAS 76501 • (254) 773-2400

THENCE with common line N. 16° 53' 30" E., 481.42 feet, to a ½" iron rod with cap marked "RPLS 2475" set at the beginning of a curve to the right, for corner;

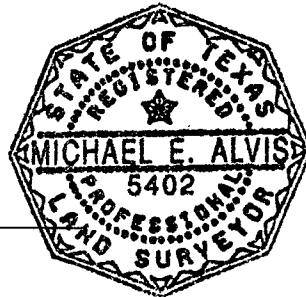
THENCE departing said common line, over and across said Hilliard Road, with said curve to the right, radius equals 1288.03 feet, arc length equals 68.34 feet, and the long chord bearing equals S. 54° 04' 33" E., 68.34 feet, to a ½" iron rod set with cap marked "RPLS 2475", along the common line of aforementioned 466.603 acre City of Temple, Texas tract (TRACT 1) (west line), and the east right-of-way line of said Hilliard Road, for corner;

THENCE with said common line, S. 16° 21' 09" W., 431.74 feet to the Point of BEGINNING and containing 0.766 acres of land.

I, Michael E. Alvis, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that these field notes are a correct representation of a survey made on the ground.



Michael E. Alvis, R.P.L.S. #5402
April 24, 2008



THIS PROJECT IS REFERENCED TO THE CITY OF TEMPLE COORDINATE SYSTEM, AN EXTENSION OF THE TEXAS COORDINATE SYSTEM OF 1983, CENTRAL ZONE. ALL DISTANCES ARE HORIZONTAL SURFACE DISTANCES UNLESS NOTED AND ALL BEARINGS ARE GRID BEARINGS.

ALL COORDINATE VALUES ARE REFERENCED TO CITY MONUMENT NUMBER 4004

THE THETA ANGLE AT SAID CITY MONUMENT IS 01° 30' 24"

THE COMBINED CORRECTION FACTOR (CCF) IS 0.999884

PUBLISHED CITY COORDINATES ARE X = 3,206,128.30 Y = 10,383,154.18

THE TIE FROM THE ABOVE CITY MONUMENT TO THE POINT OF BEGINNING IS N. 62° 54' 58" E., 4668.87 FEET.

See attached surveyors sketch, which accompanies this set of field notes (ref: drawing no.11919-A)



TURLEY ASSOCIATES, INC.

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301 NORTH 3RD STREET • TEMPLE, TEXAS 76501 • (254) 773-2400

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, ABANDONING PORTIONS OF HILLIARD ROAD, CONSISTING OF 0.282 AND 0.766 ACRE TRACTS OF LAND IN THE NANCY CHANCE SURVEY, ABSTRACT #5, DECLARING FINDINGS OF FACT; AUTHORIZING CONVEYANCE OF SUCH PROPERTY BY A DEED WITHOUT WARRANTY; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the developer of Westfield Phase V Subdivision, Kiella Development, Inc., has requested the abandonment of a portion of Hilliard Road to facilitate the commercial development of approximately 20 acres of land for a 2 lot commercial subdivision with frontage on the future Outer Loop and access to the future Stone Hollow Drive;

Whereas, the developer of Westfield Phase V Subdivision has conveyed a temporary access easement to the City pending completion of the proposed Outer Loop and an east-west collector street (Stonehollow Drive);

Whereas, the portions of Hilliard Road to be abandoned will not be necessary for the purpose of serving adjacent land or the general public once Stonehollow Drive and the intersecting segment of the Outer Loop are built, dedicated as public streets, and opened to the public for travel; and

Whereas, the City Council has considered the matter and deems it in the public interest to declare approve this action.

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

Part 1: The City Council abandons 0.282 and 0.766 acre portions of Old Hilliard Road out of the Nancy Chance Survey, Abstract #5, more fully described in Exhibit A, attached hereto for all purposes.

Part 2: The City Council authorizes the Mayor of the City of Temple, Texas, for the consideration set out in Part 3, to execute a Deed Without Warranty conveying the rights and interests of the City of Temple, Texas, to the abutting property owner, which when done, shall be and become a binding act and deed of the City of Temple.

Part 3: The City recently purchased 43 acres adjacent to Hilliard Road for \$16,000 an acre, and for appraisal purposes determines that \$16,000 an acre is the fair market value.

Part 4: As consideration for the conveyance described in Part 2 hereof, the abutting property owner shall pay \$16,768.00 to the City of Temple and execute an agreement conveying to the City a temporary public access easement in the tracts described in

Exhibit A, for the purpose of continuing to use those tracts as a public street until the City accepts and opens Stonehollow Drive and the intersecting segment of the Outer Loop.

Part 5: If any provision of this ordinance or the application of any provision to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

Part 6: This ordinance shall take effect immediately from and after its passage in accordance with the Charter of the City of Temple, Texas.

Part 7: It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED on First Reading and Public Hearing on the **19th** day of **June**, 2008.

PASSED AND APPROVED on Second Reading the **3rd** day of **July**, 2008.

THE CITY OF TEMPLE, TEXAS

WILLIAM A. JONES, III, Mayor

ATTEST:

ATTEST:

Clydette Entzminger
City Secretary

Jonathan Graham
City Attorney

STATE OF TEXAS §

COUNTY OF BELL §

This instrument was acknowledged before me on the _____ day of July, 2008, by WILLIAM A. JONES, III, Mayor of the City of Temple, Texas.

Notary Public, State of Texas



COUNCIL AGENDA ITEM MEMORANDUM

06/19/08
Item #10
Regular Agenda
Page 1 of 2

DEPT. /DIVISION SUBMISSION & REVIEW:

Sharon Rostovich, Airport Director

ITEM DESCRIPTION: Consider adopting resolutions:

(A) re-establishing the Airport Advisory Board to change the membership composition of the Board to allow representation from the Reinvestment Zone Board and the Temple Economic Development Corporation, and

(B) appointing two members to fill unexpired terms.

STAFF RECOMMENDATION: Adopt resolutions as presented in item description.

ITEM SUMMARY: (A) The Airport Advisory Board was established to advise the City Council in matters pertaining to Draughton-Miller Central Texas Regional Airport. The board was given the charge to keep abreast of legislation; to advise the City Council upon ways and means to strengthen and improve the effectiveness and operation of the Airport; and to investigate and advise the City Council upon the needs of the Airport and the means of alleviating same. The Board's membership consisted of five residents of the City of Temple, one resident of the City of Belton, and three residents at large.

During the Airport Advisory Board meeting April 14, 2008, the Board determined it would be in the best interest of the Airport to recommend removing the Belton representative from the membership and designating a representative from the Reinvestment Zone Board and Temple Economic Development Corporation. Members designated from the Reinvestment Zone and TEDC could be filled from the City of Temple or resident at large seats. If this resolution is passed, the new membership configuration would be: 6 residents of the City of Temple and 3 residents at-large. The number of Board members would not change and the current members on the board would retain their positions, as well.

(B) Two vacancies currently exist (the Belton representative position and one position forfeited for non-attendance). Staff is requesting Council appoint members to fill these two positions at this meeting, one of which would be a representative from the Temple Economic Development Corporation. Mr. Perry Cloud, Chair of the Reinvestment Zone Number One Board of Directors, is currently serving on the Airport Advisory Board. Please see the attached Board roster for vacant positions.

FISCAL IMPACT: None

ATTACHMENTS:

[Current Board Member List
Resolution](#)

AIRPORT ADVISORY BOARD

TERM EXPIRATION: SEPTEMBER - 3 YEAR TERMS

APPOINTED BY: MAYOR/COUNCIL

MEMBER	POSITION FILLED	DATE APPOINTED	EXPIRATION YEAR	ADDRESS	PHONE NUMBER
*Kyle McQueen, Vice Chair kmcqueen@sunbeltusa.com	At large	04/02	2008	1922 South MLK Jr. Dr. Temple, TX 75604	771-3777 W 771-5719 F
Vacant – (formerly Susan Strasburger; Forfeit non-attendance)	Temple Resident	04/02	2008	3108 West Avenue T Temple, Texas 76504	771-2952 H
*Perry Cloud (RZ-1), Sec. ptcloud@cloudconstruction.com	At large & Reinvestment Zone	12/05	2009	P O Box 667 Temple, Texas 76503	778-1363 W 778-6492 H 778-5877 Fax
David Patterson David.patterson@patcoconstructionllc.com	Temple Resident	09/06	2009	2116 West Avenue H Temple, TX 76504	771-2228 W 771-0728 Fax 760-9199 H
*Don Gidden giddenyg@vvm.com	At large	01/04	2010	5000 Hickory Temple, TX 76502	773-9933 W 778-3753 H
David M. Brown ghostrydur@clearwire.net	Temple Resident	06/06	2010	3218 E. Munroe Ave P O Box 28 Temple, Texas 76503	774-6992 H 214-763-2387 Cell
Timm White twhite3486@aol.com	Temple Resident	07/06	010	2906 Erie P O Box 2420 Temple, TX 76503	771-2228 W 771-0729 F 760-3414 Cell
Hugh Shine, Vice Chair Hugh.shine@wachoviasec.com	Temple Resident	09/04	2010	3001 Las Cruces Temple, TX 76502-1638	42-1885 W 774-9685 H 742-7714 Fax 760-6007 Cell
Vacant/TEDC position (formerly Belton Rep.)	Temple Resident		2010		

Created August 21, 1980 by Ordinance #1287; amended by Ordinances 1755 (5-15-86) and 2132 (4-16-92) to increase membership from 6 to 9 (addition of 3 at large positions).

Purpose: Serves in an advisory capacity to City Council in matters pertaining to the Airport, make recommendations as to fees, charges, facility improvements, and airport services.

Membership: 5 residents of the City of Temple
1 resident of the City of Belton (chosen by the Mayor of Belton)
3 residents at-large
Ex-officio - Airport Manager, City Manager and Mayor

Term: 3 years

Meeting Time/Place: Quarterly; conducted at the Airport Operations Bldg.

City Staff : Sharon Rostovich, Airport Manager REVISED 06/13/08

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, RE-ESTABLISHING THE AIRPORT ADVISORY BOARD AND CHANGING THE MEMBERSHIP COMPOSITION OF THE BOARD TO ALLOW REPRESENTATION FROM THE REINVESTMENT ZONE BOARD AND THE TEMPLE ECONOMIC DEVELOPMENT CORPORATION; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, at a meeting on April 14, 2008, the Airport Advisory Board determined that it would be in the best interest of the Airport to recommend removing the Belton representative from the membership of the Airport Advisory Board and designate a representative from the City of Temple Tax Increment Financing Reinvestment Zone Number One Reinvestment Zone Board and the Temple Economic Development Corporation Board of Directors;

Whereas, the Staff concurs with the recommendation of the Airport Advisory Board to re-establish the Board with the membership composition consisting of 6 residents from the City of Temple and 3 residents at-large;

Whereas, the members designated from the City of Temple Tax Increment Financing Reinvestment Zone Number One Reinvestment Zone Board and the Temple Economic Development Corporation Board could be filled from the City of Temple or resident at-large seats; and

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

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

Part 1: The City Council authorizes the Airport Advisory Board to be re-established to remove the Belton representative from the membership and to appoint a member from City of Temple Tax Increment Financing Reinvestment Zone Number One Board of Directors and a member from the Temple Economic Development Corporation Board of Directors.

Part 2: It is hereby officially found and determined that the meeting at which this Resolution is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED this the **19th** day of **June**, 2008.

THE CITY OF TEMPLE, TEXAS

WILLIAM A. JONES, III, Mayor

ATTEST:

APPROVED AS TO FORM:

Clydette Entzminger
City Secretary

Jonathan Graham
City Attorney