



**MEETING OF THE
TEMPLE CITY COUNCIL**

MUNICIPAL BUILDING

2 NORTH MAIN STREET

THURSDAY, JULY 2, 2009

3:30 P.M.

3RD FLOOR CONFERENCE ROOM

WORKSHOP AGENDA

1. Discuss, as may be needed, Regular Meeting agenda items for the meeting posted for Thursday, July 2, 2009.
2. Receive briefing on preliminary FY 2009-2010 budget.
3. Receive report on City Council expenditures for second quarter of FY 2009.
4. Receive update regarding the 81st legislative session.

5:00 P.M.

MUNICIPAL BUILDING

2 NORTH MAIN STREET
CITY COUNCIL CHAMBERS – 2ND FLOOR

TEMPLE, TX

TEMPLE CITY COUNCIL

REGULAR MEETING AGENDA

I. CALL TO ORDER

1. Invocation
2. Pledge of Allegiance

II. PROCLAMATIONS & SPECIAL RECOGNITIONS

3. Recognize [Erika Allen](#), Temple High School 2009 Valedictorian

III. PUBLIC HEARING

4. Conduct a public hearing to receive comments and questions concerning the 2008 Drinking Water Quality Report ([Consumer Confidence Report](#)).

IV. 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 promotion of the meeting. Please limit comments to 3 minutes. No discussion or final action will be taken by the City Council.

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.

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

Minutes:

- (A) [June 18, 2009 Regular Meeting](#)

Contracts, Leases & Bids:

- (B) [2009-5740-R](#): Consider adopting a resolution authorizing the following acquisitions utilizing Texas State Contracts (TXMAS) for the new Municipal Court & Utility Business Office Facility:
1. Furniture from Perry Office Plus of Temple in the amount of \$80,071.98; and
 2. A records management system for the Municipal Court from Southwest Solutions Group of Round Rock in the amount of \$27,700.60.
- (C) [2009-5741-R](#): Consider adopting a resolution authorizing a Memorandum of Understanding with the City of Killeen and Bell County to establish the rights, duties, administration and division of funds received under the 2009 Edward Byrne Memorial Justice Assistance Grant (JAG) program award.

Misc.:

- (D) [2009-5742-R](#): Consider adopting a resolution authorizing continued participation with the Steering Committee of Cities Served by Oncor; and authorizing the payment of 10 cents per capita to the Steering Committee to fund regulatory and related activities related to Oncor Electric Delivery.
- (E) [2009-5743-R](#): Consider adopting a resolution authorizing an alternate project to be submitted in the City's amendment to the Fiscal Year 2008-2009 CDBG Annual Action Plan for \$136,673 of Recovery Act of 2009 Program funds awarded to the City.
- (F) [2009-5744-R](#): Consider adopting a resolution authorizing the expansion of the district boundary of the Temple Medical and Education District (TMED) to include Texas Agrilife Research-Blackland Research and Extension Center, and the United States Department of Agriculture campuses.
- (G) [2009-5745-R](#): Consider adopting a resolution setting the date, time and place of the public hearing on the proposed FY 2009-2010 budget for August 6, 2009 at 5:00 p.m. in the City Council Chambers.

VI. REGULAR AGENDA

ORDINANCES

6. [2009-4293](#): THIRD READING – Z-FY-07-18: Consider adopting an ordinance authorizing the creation of an IH-35 Overlay District containing regulations for landscaping, building standards, signs and parking by amending the Zoning Ordinance, Section 7-560.
7. [2009-4298](#): FIRST READING – PUBLIC HEARING –Consider adopting an ordinance abandoning a 0.2± acre tract of land in that portion of East Barton Avenue from the west side of North 4th Street to the west side of the nearest alley, approximately 130 linear feet.

8. [2009-4299](#): FIRST READING – PUBLIC HEARING – Consider adopting an ordinance setting out the civil service classifications and setting the number of positions in each classification in the Temple Police Department.

RESOLUTIONS

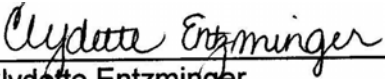
9. [2009-5746-R](#): Consider adopting a resolution authorizing a Chapter 380 matching grant agreement with Texquest Investments for redevelopment improvements in the Temple Medical and Education District and the 1st Street Strategic Investment Zone corridor.

BOARD APPOINTMENTS

10. [2009-5747-R](#): Consider adopting a resolution appointing members to the following City Boards:
- (A) One member to the Airport Advisory Board to fill an unexpired term through September 1, 2010
 - (B) One member to the Temple Public Safety Advisory Board to fill an unexpired term through September 1, 2010

***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 10:45 AM, on June 25, 2009.


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 at _____ on the _____ day of _____ 2009. _____



COUNCIL AGENDA ITEM MEMORANDUM

07/02/09
Item #3
Regular Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

William A. Jones, III, Mayor

ITEM DESCRIPTION: Presentation of Proclamation:

Recognize Erika Allen, Temple High School 2009 Valedictorian

STAFF RECOMMENDATION: Present proclamation as presented in item description.

ITEM SUMMARY: This proclamation will be received by Erika Allen, Temple High School 2009 Valedictorian.

FISCAL IMPACT: None

ATTACHMENTS: None



COUNCIL AGENDA ITEM MEMORANDUM

07/02/09
Item #4
Regular Agenda
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DEPT./DIVISION SUBMISSION & REVIEW:

Bruce A. Butscher, P.E., Director of Public Works

ITEM DESCRIPTION: Conduct a public hearing to receive comments and questions concerning the 2008 Drinking Water Quality Report (Consumer Confidence Report).

STAFF RECOMMENDATION: Conduct public hearing; no action required.

ITEM SUMMARY: The Consumer Confidence Report (CCR) is an annual water quality analysis of the City's drinking water. The Texas Commission on Environmental Quality (TCEQ), under Title 30 of the Texas Administrative Code §290.271-290.275, requires that community water systems deliver the 2008 CCR to all of their customers, making a good faith effort to reach non bill-paying customers by appropriate methods. This has been done through including the CCR in all three utility billing cycles, both by mail and email, and by posting the CCR on the City's internet web site and in public places. The Code also requires that a public forum be provided to any citizen who may wish to comment or ask questions about the CCR. The July 2, 2009, meeting has been designated as the public participation opportunity for this purpose.

FISCAL IMPACT: N/A

ATTACHMENTS:

[2008 Drinking Water Quality Report](#)



2008 Drinking Water Quality Report

(Consumer Confidence Report)

City of Temple



Ph: (254) 298-5621 Fax: (254) 298-5479

www.ci.temple.tx.us

Special Notice for the ELDERLY, INFANTS CANCER PATIENTS, people with HIV/AIDS or other immune problems:

Some people may be more vulnerable to contaminants in drinking water than the general population. Immuno-compromised persons such as persons with cancer undergoing chemotherapy, persons who have undergone organ transplants, people with HIV/AIDS or other immune system disorders, some elderly, and infants can be particularly at risk from infections. These people should seek advice about drinking water from their health care providers. EPA/Centers for Disease Control Prevention (CDC) guidelines on appropriate means to lessen the risk of infection by *Cryptosporidium* and other microbial contaminants are available from the Safe Drinking Water Hotline (1-800-426-4791).

Public Participation Opportunities

Date: July 2, 2009
Time: 5:00 p.m.
Location: Regular Council Meeting, Council Chambers
Municipal Building
2 North Main
Phone No: (254) 298-5700

Our Drinking Water Meets or Exceeds all Federal (EPA) Drinking Water Requirements

This report is a summary of the quality of the water we provide our customers. The analysis was made by using the data from the most recent U.S. Environmental Protection Agency (EPA) required tests and is presented in the attached pages. We hope this information helps you become more knowledgeable about what's in your drinking water.

En Español

Este reporte incluye información importante sobre el agua potable. Para obtener una copia de esta información traducida al Español, favor de llamar al teléfono (254) 298-5621.

WATER SOURCES: The sources of drinking water (both tap water and bottled water) include rivers, lakes, streams, ponds, reservoirs, springs and wells. As water travels over the surface of the land or through the ground, it dissolves naturally-occurring minerals, and in some cases, radioactive material, and can pick up substances resulting from the presence of animals or from human activity. Contaminants that may be present in source water before treatment include: microbes, inorganic contaminants, pesticides, herbicides, radioactive contaminants, and organic chemical contaminants.

Where do we get our drinking water?

Our drinking water is obtained from Surface water sources. It comes from Lake Belton by way of the Leon River.

TCEQ completed an assessment of our source water and results indicate that some of our sources are susceptible to certain contaminants. The sampling requirements for our water system are based on this susceptibility and previous sample data. Any detections of these contaminants will be found in this report. For more information on source water assessments and protection efforts at our system, please contact us.

ALL drinking water may contain contaminants.

When drinking water meets federal standards, there may not be any health-based benefits to purchasing bottled water or point of use devices.

Drinking water, including bottled water, may reasonably be expected to contain at least small amounts of some contaminants. The presence of contaminants does not necessarily indicate that water poses a health risk. More information about contaminants and potential health effects can be obtained by calling the EPA's Safe Drinking Water Hotline (800-426-4791).

Secondary Constituents

Many constituents (such as calcium, sodium, or iron) which are often found in drinking water can cause taste, color, and odor problems. The taste and odor constituents are called secondary constituents and are regulated by the State of Texas, not the EPA. These constituents are not causes for health concern. Therefore, secondaries are not required to be reported in this document but they may greatly affect the appearance and taste of your water.

About The Following Pages

The pages that follow list all of the federally regulated or monitored contaminants which have been found in your drinking water. The U.S. EPA requires water systems to test up to 97 contaminants.

Maximum Contaminant Level (MCL)

The highest permissible level of a contaminant in drinking water. MCLs are set as close to the MCLGs as feasible using the best available treatment technology.

Maximum Contaminant Level Goal (MCLG)

The level of a contaminant in drinking water below which there is no known or expected health risk. MCLGs allow for a margin of safety.

Maximum Residual Disinfectant Level (MRDL)

The highest level of disinfectant allowed in drinking water. There is convincing evidence that addition of a disinfectant is necessary for control of microbial contaminants.

Maximum Residual Disinfectant Level Goal (MRDLG)

The level of drinking water disinfectant below which there is no known or expected risk to health. MRDLGs do not reflect the benefits of the use of disinfectants to control microbial contamination.

Action Level (AL)

The concentration of a contaminant which, if exceeded, triggers treatment or other requirements which a water system must follow.

NTU – Nephelometric Turbidity Units

pCi/L – picocuries per liter (a measure of radioactivity)

ppm – parts per million, or milligrams per liter (mg/L)

ppb – parts per billion, or micrograms per liter (ug/L)

Inorganic Contaminants

Year	Contaminant	Average Level	Minimum Level-Maximum Level	MCL	MCLG	Unit of Measure	Source of Contaminant
2004	Barium	0.047	0.047 – 0.047	2	2	ppm	Discharge of drilling wastes; discharge from metal refineries; erosion of natural deposits.
2008	Fluoride	0.1	0.10 - 0.10	4	4	ppm	Erosion of natural deposits; water additive which promotes strong teeth; discharge from fertilizer and aluminum factories.
2008	Nitrate	0.72	0.72-0.72	10	10	ppm	Runoff from fertilizer use; leaching from septic tanks, sewage; erosion of natural deposits.
2005	Gross beta emitters	2.9	2.9 – 2.9	50	0	pCi/L	Decay of natural and man-made deposits.

Organic Contaminants: TESTING WAIVED, NOT REPORTED, OR NONE DETECTED

Maximum Residual Disinfectant Level

Systems must complete and submit disinfection data on the surface Water Monthly Operations Report (SWMOR). On the CCR report, the system must provide disinfectant type, minimum, maximum and average levels.

Year	Disinfectant	Average Level	Minimum Level-Maximum Level	MRDL	MRDLG	Unit of Measure	Source of Chemical
2008	Chloramines	2.7	0.5 – 4.0	4.0	<4.0	ppm	Disinfectant used to control microbes.

Disinfection Byproducts

Year	Contaminant	Average Level	Minimum Level-Maximum Level	MCL	Unit of Measure	Source of Contaminant
2008	Total Haloacetic Acids	32.7	25.5-41.8	60	ppb	By-product of drinking water disinfection
2008	Total Trihalomethanes	62.9	46.9-99.8	80	ppb	By-product of drinking water disinfection.

Unregulated Initial Distribution System Evaluation for Disinfection Byproducts

This evaluation is sampling required by EPA to determine the range of total trihalomethane and haloacetic acid in the system for future regulations. The samples are not used for compliance, and may have been collected under non-standard conditions. EPA also requires the data to be reported here.

Year	Contaminant	Average Level	Minimum Level-Maximum Level	MCL	Unit of Measure	Source of Contaminant
2008	Total Haloacetic Acids	29.4	11.3-42.3	N/A	ppb	By-product of drinking water disinfection
2008	Total Trihalomethanes	60.1	38.0-81.8	N/A	ppb	By-product of drinking water disinfection.

Unregulated Contaminants

Bromoform, chloroform, dichlorobromomethane and dibromochloromethane are disinfection byproducts. There is no maximum contaminant level for these chemicals at the entry point to distribution.

Year	Contaminant	Average Level	Minimum Level-Maximum Level	Unit of Measure	Source of Contaminant
2008	Chloroform	27	27-27	ppb	By-product of drinking water disinfection.
2008	Bromoform	2.2	2.2-2.2	ppb	By-product of drinking water disinfection.
2008	Bromodichloromethane	35	35-35	ppb	By-product of drinking water disinfection.
2008	Dibromochloromethane	23	23-23	ppb	By-product of dinking water disinfection.

Lead and Copper

Year	Contaminant	The 90th Percentile	Number of Sites Exceeding AL	Action Level	Unit of Measure	Source of Contaminant
2006	Lead	3.9	0	15	ppb	Corrosion of household plumbing systems; erosion of natural deposits.
2006	Copper	0.186	0	1.3	ppm	Corrosion of household plumbing systems; erosion of natural deposits; leaching from wood preservatives.

Recommended Additional Health Information for Lead

All water systems are required by EPA to report the language below starting with the 2009 CCR to be delivered to you by July of 2010. We are providing this information now as a courtesy.

“If present, elevated levels of lead can cause serious health problems, especially for pregnant women and young children. Lead in drinking water is primarily from materials and components associated with service lines and home plumbing. This water supply is responsible for providing high quality drinking water, but cannot control the variety of materials used in plumbing components. When your water has been sitting for several hours, you can minimize the potential for lead exposure by flushing your tap for 30 seconds to 2 minutes before using water for drinking or cooking. If you are concerned about lead in your water, you may wish to have your water tested. Information on lead in drinking water, testing methods, and steps you can take to minimize exposure is available from the Safe Drinking Water Hotline or at <http://www.epa.gov/safewater/lead>.”

Turbidity

Turbidity has no health effects. However, turbidity can interfere with disinfection and provide a medium for microbial growth. Turbidity may indicate the presence of disease-causing organisms. These organisms include bacteria, viruses, and parasites that can cause symptoms such as nausea, cramps, diarrhea and associated headaches.

Year	Contaminant	Highest Single Measurement	Lowest Monthly % of Samples Meeting Limits	Turbidity Limits	Unit of Measure	Source of Contaminant
2008	Turbidity	0.70	99.00	0.3	NTU	Soil runoff.

Total Organic Carbon

Total organic carbon (TOC) has no health effects. The disinfectant can combine with TOC to form disinfection by-products. Disinfection is necessary to ensure that water does not have unacceptable levels of pathogens. By-products of disinfection include trihalomethanes (THMs) and haloacetic acids (HAA) which are reported elsewhere in this report.

Year	Contaminant	Average Level	Minimum Level-Maximum Level	Unit of Measure	Source of Contaminant
2008	Source Water	4.88	3.98-5.66	ppm	Naturally present in environment.
2008	Drinking Water	4.46	3.17-12.10	ppm	Naturally present in environment
2008	Removal Ratio	16.3%	-19.0%-28.8%	% removal*	N/A

*Removal ratio is the percent of TOC removed by the treatment process divided by the percent of TOC required by TCEQ to be removed.

Cryptosporidium

Year	Contaminant	Average Level	Minimum Level-Maximum Level	Unit of Measure	Source of Contaminant
2007	Cryptosporidium	.0222	0.00 - .186	oocysts/liter	*

*Cryptosporidium is a microbial pathogen that may be found in water contaminated by feces. Although filtration removes Cryptosporidium, it cannot guarantee 100 percent removal, nor can the testing methods determine if the organisms are alive and capable of causing cryptosporidiosis, an abdominal infection with nausea, diarrhea and abdominal cramps that may occur after ingestion of contaminated water.

Total Coliform: REPORTED MONTHLY TESTS FOUND NO COLOFORM BACTERIA.

Fecal Coliform: REPORTED MONTHLY TESTS FOUND NO FECAL COLIFORM BACTERIA.

Secondary and Other Constituents Not Regulated

(No associated adverse health effects)

Year	Constituent	Average Level	Minimum Level	Maximum Level	Secondary Limit	Unit of Measure	Source of Constituent
2004	Aluminum	0.027	0.027	0.027	50	ppm	Abundant naturally occurring element.
2008	Bicarbonate	196	196	196	NA	ppm	Corrosion of carbonate rocks such as limestone.
2004	Calcium	41.5	41.5	41.5	NA	ppm	Abundant naturally occurring element.
2008	Chloride	30	30	30	300	ppm	Abundant naturally occurring element; used in water purification; by-product of oil field activity.
2004	Copper	0.013	0.013	0.013	NA	ppm	Corrosion of household plumbing systems; erosion of natural deposits; leaching from wood preservatives.
2004	Hardness as Ca/Mg	140	140	140	NA	ppm	Naturally occurring calcium and magnesium

Year	Constituent	Average Level	Minimum Level	Maximum Level	Secondary Limit	Unit of Measure	Source of Constituent
2004	Magnesium	8.8	8.8	8.8	NA	ppm	Abundant naturally occurring element.
2008	pH	7.3	7.3	7.3	>7.0	Units	Measure of corrosivity of water
2004	Sodium	16	16	16	NA	ppm	Erosion of natural deposits; by-product of oil field activity.
2008	Sulfate	30	30	30	300	ppm	Naturally occurring; common industrial by-product; by-product of oil field activity.
2008	Total Alkalinity as CaCO ₃	161	161	161	NA	ppm	Naturally occurring soluble mineral salts.
2008	Total Dissolved Solids	302	302	302	1000	ppm	Total dissolved mineral constituents in water.



COUNCIL AGENDA ITEM MEMORANDUM

07/02/09
Item #5(A)
Consent Agenda
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DEPT./DIVISION SUBMISSION & REVIEW:

Clydette Entzminger, City Secretary

ITEM DESCRIPTION: Approve Minutes:

(A) June 18, 2009 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 18, 2009 Regular Meeting Minutes](#)

TEMPLE CITY COUNCIL

JUNE 18, 2009

The City Council of the City of Temple, Texas conducted a Regular Meeting on Thursday, June 18, 2009 at 5:00 PM in the Council Chambers, Municipal Building, 2nd Floor, 2 North Main Street.

Present:

Councilmember Marty Janczak
Mayor Pro Tem Patsy E. Luna
Councilmember Russell Schneider
Mayor William A. Jones, III

Absent:

Councilmember Tony Jeter

I. CALL TO ORDER

1. Invocation

Police Chief Gary Smith voiced the Invocation.

2. Pledge of Allegiance

Staff Sergeant Undre Mitchell, Army Recruiting Office in Temple, led the Pledge of Allegiance.

II. PROCLAMATIONS & SPECIAL RECOGNITIONS

3. (A) Recognize the United States Army's 234th Birthday June 14, 2009

Mayor Jones presented this proclamation to Staff Sergeant Undre Mitchell, Army Recruiting Office in Temple.

(B) Presentation of Tourism Stars Awards

Ken Cicora, Director of Parks and Leisure Services, along with Nancy Glover, Tourism Director, presented the Tourism Stars Awards to the following businesses and individuals who have contributed to the success of Temple regarding the following events: Downtown Association Annual Conference - Walter Prothro, TISD; Karen Horn, Persidea; Terri Matthew, Cultural Activities Center; Civil War Reenactment Event - John Larson, Sons of Confederate Veterans; Concentus Media Group.

III. PUBLIC COMMENTS

There were no public comments made at this meeting.

IV. CONSENT AGENDA

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

(A) June 4, 2009 Special Called Meeting and Regular Meeting

(B) 2009-5727-R: Consider adopting a resolution authorizing the purchase of various traffic signal equipment from Naztec, Inc. for the construction of a new traffic signal at Lowe's Avenue and Marlandwood Road in the amount of \$39,225.74

(C) 2009-5728-R: Consider adopting a resolution authorizing a purchase agreement through September 30, 2010, for the purchase of citric acid for the water treatment plant from Altivia Corporation of Houston at a price of \$7.4053 per gallon.

(D) 2009-5729-R: Consider adopting a resolution authorizing the purchase of 10 mobile digital video systems for new police vehicles from WatchGuard Video of Plano in the amount of \$49,826.

(E) 2009-5730-R: Consider adopting a resolution authorizing a construction contract with K&S Backhoe Services, Inc., of Gatesville for construction activities required to build Phase 2 of the Somerville to Waskow Acres Water Line Improvements in an amount not to exceed \$252,256.94.

(F) 2009-5731-R: Consider adopting a resolution authorizing two change orders to the construction contract with James Construction Group, LLC, for construction activities required to build the Industrial Rail Spur Phases 1 & 2 between northwest H.K. Dodgen Loop and the future outer loop in an amount not to exceed \$178,582.

(G) 2009-5732-R: Consider adopting a resolution authorizing a construction contract with Z Floor Company, Ltd. of Dallas for the purchase and installation of a new wood gym floor for the Wilson Park Recreation Center gymnasium in the amount of \$58,881.

(H) 2009-5733-R: Consider adopting a resolution authorizing a contract with Brockway, Gersbach, Franklin and Niemeier, P.C. to perform the annual City of Temple audit for an amount not to exceed \$53,000.

(I) 2009-5722-R: Consider adopting a resolution authorizing the City Manager to enter into a railroad licensing and operating agreement with Patriot Rail Corp and Temple & Central Texas Railway, Inc. for operational and management services in the Temple Rail Park.

(J) 2009-5724-R: Consider adopting a resolution authorizing the following related to golf cars for Sammons Golf Links:

- 1. A 54 month conditional sale agreement for 70 fleet electric golf cars,**

2 marshal electric golf cars, and 2 beverage cars from Yamaha Golf Car Company with an annual payment of \$52,343.76, and

- 2. Electrical improvements to the golf car barn utilizing the annual electrical service contract with T. Morales Company Electric & Controls, Ltd. for an estimated amount of \$30,000.**

(K) 2009-5734-R: Consider adopting a resolution authorizing a 5-year lease agreement with Summit Aviation, Inc., under new ownership, to continue to provide aviation maintenance and avionics services at the Draughon-Miller Central Texas Regional Airport.

(L) 2009-5735-R: Consider adopting a resolution authorizing an 11.316 parcel of City owned land be designated as Airport property for the purpose of completing the runway extension project at the Draughon-Miller Central Texas Regional Airport.

(M) 2009-5736-R: Consider adopting a resolution authorizing the City Manager to submit a grant application for a sustainability/energy manager and a hike/bike trail in the Temple Medical Education District through the Department of Energy, Energy Efficiency and Conservation Block Grant Program.

(N) 2009-5737-R: Consider adopting a resolution authorizing budget amendments for fiscal year 2008-2009.

Motion by Councilmember Marty Janczak to adopt resolution approving Consent Agenda, with the exception of item (I), seconded by Mayor Pro Tem Patsy E. Luna.

Motion passed unanimously.

(I) 2009-5722-R: Consider adopting a resolution authorizing the City Manager to enter into a railroad licensing and operating agreement with Patriot Rail Corp and Temple & Central Texas Railway, Inc. for operational and management services in the Temple Rail Park.

David Blackburn, City Manager, presented this item relating to the Temple & Central Texas Railway, to the City Council. He provided some background information on the development of this project and showed a portion of a presentation he made previously to Gulf States Toyota, which highlighted the Tax Increment Financing Reinvestment Zone public improvements, totalling \$30 million. These improvements include Outer Loop Phase II, totalling \$7.3M, to be complete August 2009; Pepper Creek Trail Hike and Bike Trail, Phase I, to open October 2009, \$2.2 M; Airport Business Park, \$2.2M, project complete; Rail Park Detention Pond, \$4.5M, complete June 2009; Industrial Rail Park, Rail Spur Phase 1 and 2, \$9.5M to be complete September 2009; Wendland Road, \$3.7M, complete by June 2009. Mr. Blackburn also showed the location of the proposed HEB site and the Northland Products site.

The Temple & Central Texas Railway project began with the Reinvestment Zone's investment in the North Industrial Park but really came together with the Gulf States Toyota (GST) agreement, Mr. Blackburn explained. GST needs substantial rail

service to service their vehicle processing center and both GST and the City agreed on the need for third party switching services. A process was initiated in late 2008 through early 2009 to identify a party to manage and operate the rail park.

Mr. Blackburn stated Patriot Rail Corporation was selected as the company best able to provide the needed services. He provided some background information regarding Patriot and its management team. This company has long standing business relationships with all class one railroads. In addition to switching services, Patriot provides multiple transportation and logistic services and they currently own and operate five short line freight railroads. The terms of the agreement provide that Patriot would be the exclusive manager and operator for the rail park for a two year initial term, with extensions if performance merits. Patriot will have 90 days to enter into an agreement with BNSF. Revenue sharing provisions of 4% of gross before Toyota and 5% of gross after Toyota opens will also be included in the agreement.

Motion by Councilmember Russell Schneider to adopt resolution, seconded by Mayor Pro Tem Patsy E. Luna.

Motion passed unanimously.

V. REGULAR AGENDA

5. 2009-4293: SECOND READING - PUBLIC HEARING - Z-FY-07-18: Consider adopting an ordinance authorizing the creation of an IH-35 Overlay District containing regulations for landscaping, building standards, signs and parking by amending the Zoning Ordinance, Section 7-560.

Tim Dolan, Planning Director, presented this item to the City Council, highlighting the changes being recommended since the first reading of the ordinance on May 4. Mr. Dolan showed the location of the entire I-35 overlay district, noting each of the different districts. The proposed ordinance applies to new construction with a terraced approach for businesses that redevelop. Eighteen comments were received from presentations to TEDC, Chamber of Commerce and RZ No. 1. Staff recommends approval of 15 of the 18 recommended changes. Mr. Dolan reviewed the 15 comments approved and the 3 that were not. This process started almost 5 years ago and was re-initiated in late 2008 with the RZ No. 1. A property owner meeting was held in March with 26 property owners attending. Mr. Dolan showed some of the recommended standards, the tri-partite architecture and entryway designs.

Mayor Jones declared the public hearing open with regard to agenda item 5 and asked if anyone wished to address this item.

Mr. Harry Adams, Johnson Brothers Ford, 503 North General Bruce Drive, addressed the Council regarding this proposed ordinance. He provided some history about his business which has been located at the current site for 27 years. Mr. Adams stated he is proud to be doing business in the City of Temple and is pleased with the many improvements that have been made, in particular in the last 10 years. He added he is not opposed to the intent of this ordinance because something does need to be done to improve the appearance along I-35. He did express concern with several requirements that he felt were excessive and would be costly to comply with for both

existing businesses and those coming to town in the future. These issues deal with the number of parking spaces eliminated at the potential site for his dealership due to the substantial setback requirements for all sides of the property and landscape islands within the paved parking area. There will be no service bays visible driving north and although the ordinance allows these, they must be screened either with landscaping or a wall the same height as the bay door. These doors need to face north and south with the doors open to provide adequate cross ventilation. Mr. Adams also expressed his concern with the number of trees that would be required because trees bring birds which are not friendly to vehicles. Business owners making the investment to comply with this proposed ordinance have reason to expect surrounding businesses to improve the visual aspect of their businesses, as well. Mr. Adams concluded by stating the purpose of this ordinance which was contained in the original draft in 2005 was to "maintain and enhance an image that attracts new commercial activity." He expressed concern that this purpose might be at risk if this proposed ordinance is adopted.

Councilmember Schneider asked if Mr. Adams concern with the trees was mostly on the interior.

Mr. Adams stated some trees are required along the frontage of I-35 and he is not opposed to that. The problem is with the 17 trees required along the south boundary along Jack White within a 20 foot setback.

Councilmember Schneider asked if the ordinance should be changed to only require the trees along I-35.

Mayor Jones asked if the Adams property is unique or would this situation be common along I-35.

Mr. Dolan replied the committee took this into consideration as the ordinance was developed.

Mayor Jones asked if exceptions can be brought forward to the Council.

Mr. Dolan replied yes. The exception will go before the Planning & Zoning Commission for appeal and final consideration. Mr. Dolan also reviewed the process for site plan review by the Planning & Zoning Commission regarding setback and landscaping requested exceptions.

Councilmember Schneider asked how a bay door would be screened.

Mr. Dolan it would require landscaping in the front yard area to hide the doors, not up close to the building.

Mayor Jones stated auto dealerships are very desirable along I-35 and we want them here. However, it would be difficult to make changes to the ordinance for a specific business design. We need to rely on the exceptions outlined in the ordinance and a common sense approach to individual situations.

Mayor Pro Tem Luna stated she appreciated the work accomplished to develop the ordinance but it is not aimed at car dealerships so there needs to be some exceptions for setbacks and trees.

Councilmember Schneider agreed with the proposed ordinance requirements except the setback requirements on the side streets, which he felt should stay as they are currently - 10 feet. We can work around other specifics for particular businesses on a case by case basis.

Mayor Jones asked if the Council was okay with directing staff to make some additional changes and bringing the ordinance back at the next meeting.

Teresa Smith, Real Estate Manager for Lamar Advertising, expressed their support for the I-35 corridor beautification. The lighting issues in the ordinance have been changed to apply to on-premise and they support that change. Lamar is concerned with energy efficient lighting and had changed from 4 to 2 light bulbs on their signs.

Ken Higdon, Temple Chamber of Commerce, 2 North 5th Street, thanked staff for the presentations and their ability to make comments. He supported the aesthetic improvements of I-35 but expressed concern with the costs associated with these regulations. Mr. Higdon stated they want to maintain visibility for retail establishments and not require complete screening with mature landscaping. We need to be reasonable about what we do. He stated he was cautious about the outcome 30 years out.

Lloyd Thomas, Aldrich-Thomas Group, 18 North 3rd Street, addressed the Council. Regarding the issue with trees along the frontage road blocking businesses, the committee recommended a cluster effect and not lining them up along the road as a good compromise. We still might need to tweak the number of trees required in the future. There is room for modifying side setback requirements and he agreed with Councilmember Schneider that 10 feet is probably enough. Regarding screening of bay doors, the committee was concerned with auto dealerships and distribution centers that have these doors on the north and south sides of building. The landscaping should be along the street in front of the doors, not up against the doors or building.

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

Motion by Mayor Pro Tem Patsy E. Luna to table ordinance, seconded by Councilmember Russell Schneider.

Motion passed unanimously.

6. 2009-5738-R: Consider adopting a resolution naming the General Aviation Terminal Building at the Draughon-Miller Central Texas Regional Airport after Mr. Elmer Reed.

Mayor Jones introduced Hugh Shine, Chair of the Airport Advisory Board, to present this item.

Mr. Shine stated the board received a request from Mr. Darr Kuykendall to name the General Aviation Terminal at the Airport in honor of Elmer Reed. The Board has complied with all the requirements under the City's policy for naming a facility. Mr.

Reed's contribution to aviation make it very appropriate to name this facility in his honor. Mr. Darr Kuykendall and Mr. Brad Phillips, Airport Advisory Board member, were also present in support of this proposal.

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

Motion passed unanimously.

7. 2009-5739-R: Consider adopting a resolution authorizing a Letter of Intent between the City of Temple, Temple Historic Arcadia Theatre, Inc, and Astin Redevelopment LP for redevelopment of the Hawn Hotel buildings and Arcadia Theatre located at 110 and 114 East Central Avenue.

Kim Foutz, Assistant City Manager, presented this item to the City Council. She outlined the purpose of this Letter of Intent (LOI) which is not a binding agreement but does allow the exclusive right to negotiate with Astin Development for 6 months. A definitive agreement will be negotiated within six months if this LOI is approved. Although this LOI is a tri-party agreement, the final contract will likely be between Astin Development and the City of Temple only.

Mrs. Foutz stated this project includes the Hawn Hotel and 2nd story building to include 80 rooms, restaurant and kitchen, bar, gathering area, coffee bar and business center. The theatre will include a performing arts center and meeting space, a common area with restrooms and reception area, and ticket box. It also includes the redevelopment of a 96 space parking lot. The Hawn Hotel was built in 1927 on a small lot. It has a wonderful facade and ballroom with arched windows and was constructed of concrete and steel. The challenges with redevelopment will be with internal demolition and asbestos abatement.

The obligations of the developer include securing an operator, constructing a national franchise, boutique style hotel with 80+ rooms and a \$10M investment. There may be a separate operator for the performing arts/conference center. The Arcadia group will transfer their facility to City for \$1 and special conditions will be incorporated into that development agreement. The City will accept the theatre, transfer it to Astin with a reversionary clause and transfer the Hawn to Astin for \$1, assist with tax credits, provide City tax abatements, perform phase 1 environmental assessment, assist with state enterprise zone incentives, and enhance the existing parking lot. The City will use the federal grant funds received (\$137,000) for redevelopment costs, waive permits and fees, consider full or partial closure of 4th Street, and redevelop sidewalks and streetscape. The Arcadia Board has approved the LOI, Mrs. Foutz noted.

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

Motion passed unanimously.

BOARD APPOINTMENTS

8. **2009-5710-R: Consider adopting a resolution appointing one member to the Bell County Public Health District Board of Directors.**

Mayor Jones recommended the appointment of Dr. Ray Ashcraft to this board.

Motion by Mayor Pro Tem Patsy E. Luna to adopt resolution, seconded by Councilmember Russell Schneider.

Motion passed unanimously.

ATTEST:

William A. Jones, III, Mayor

Clydette Entzminger
City Secretary



COUNCIL AGENDA ITEM MEMORANDUM

07/02/09
Item #5(B)
Consent Agenda
Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

Traci Barnard, Director of Finance
Belinda Mattke, Director of Purchasing

ITEM DESCRIPTION: Consider adopting a resolution authorizing the following acquisitions utilizing Texas State Contracts (TXMAS) for the new Municipal Court & Utility Business Office Facility:

1. Furniture from Perry Office Plus of Temple in the amount of \$80,071.98; and
2. A records management system for the Municipal Court from Southwest Solutions Group of Round Rock in the amount of \$27,700.60.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: Construction of the new Municipal Court & Utility Business Office Facility located at 401 N. 3rd Street is scheduled to be complete in mid-September 2009. Included in the original budget for the facility was funding to acquire new furniture for the facility and a new records management system for the Municipal Court.

The proposed furniture purchase will furnish all areas with new furniture except four offices on the second floor. A summary of the proposed furniture purchase is as follows:

Hon Desks - 9
Hon Storage Units - 27
Allsteel Cubicles - 2
Hon Conference Room Tables - 8
Hon Multi-purpose tables - 17
Allsteel Task Chairs - 80
Hon and Allsteel Multi-purpose Chairs – 115

Staff is recommending that the furniture purchases be made through Perry Office Plus utilizing an existing Texas State Contract #TXMAS-3-711090 for the Hon furniture and #TXMAS-9-711030 for the Allsteel furniture.

In addition, the Municipal Court currently files their case folders alphabetically in standard 4-drawer filing cabinets. To be able to more efficiently file and retrieve case folders, it is staff's recommendation that a records management system be acquired. The proposed system will be a Rollok Security Shutter Door space-saving system similar to what is being used at Bell County and at other courts throughout the area. Included in the proposed cost of \$27,700.60 is 6 filing system units, the pre-printing of the initial set of files along with 30,367 end-tab file folders. Staff is

recommending the purchase of this filing system from Southwest Solution Group utilizing Texas State Contract #TXMAS-2-711030 and TXMAS-7-36030.

FISCAL IMPACT: The breakdown by division of the proposed furniture purchases is as follows:

Municipal Court:

Furniture for Municipal Court areas	\$42,764.82
Furniture for shared areas – 70%	5,728.10
Records Management System	<u>27,700.60</u>
Total Municipal Court	<u>\$76,193.52</u>

Utility Business Office:

Furniture for Utility Business Office areas	\$29,124.16
Furniture for shared areas – 30%	<u>2,454.90</u>
Total Utility Business Office	<u>\$31,579.06</u>

Total Purchase	<u>\$107,772.58</u>
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A portion of Municipal Court's records management system will be purchased with restricted Municipal Court technology and efficiency funds. A budget adjustment is presented for Council's approval appropriating \$20,000 to account # 351-1800-525-6849, project #100240. The remaining \$56,193.52 is available in account # 359-8800-525-6779, project # 100240.

The Utility Business Office's portion in the amount of \$31,579.06 is available in account 520-5800-535-2210.

ATTACHMENTS:

[Budget Adjustment
Resolution](#)

FY **2009****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	
351-1800-525-68-49	100240	Municipal Court Facility	\$ 20,000			
351-0000-490-25-82		Transfer In	20,000			
110-9100-591-81-51		Transfer Out-Designated Capital Proj	20,000			
110-0000-317-00-00		Reserved for Municipal Court-Technology			17,000	
110-0000-317-00-00		Reserved for Municipal Court-Judicial			3,000	
		Efficiency				
TOTAL.....			\$ 60,000		\$ 20,000	

EXPLANATION OF ADJUSTMENT REQUEST- Include justification for increases AND reason why funds in decreased account are available.

This budget amendment appropriates restricted Municipal Court funds to purchase a space saving storage system for the new Municipal Court facility.

DOES THIS REQUEST REQUIRE COUNCIL APPROVAL?

☒

Yes

☐

No

DATE OF COUNCIL MEETING

July 2, 2009

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 FOLLOWING TRANSACTIONS UTILIZING TEXAS STATE CONTRACTS (TXMAS) FOR THE NEW MUNICIPAL COURT & UTILITY BUSINESS OFFICE FACILITY: FURNITURE FROM PERRY OFFICE PLUS OF TEMPLE, TEXAS, IN THE AMOUNT OF \$80,071.98; AND A RECORDS MANAGEMENT SYSTEM FOR THE MUNICIPAL COURT FROM SOUTHWEST SOLUTIONS GROUP OF ROUND ROCK, TEXAS, IN THE AMOUNT OF \$27,700.60; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, construction of the new Municipal Court & Utility Business Office facility located at 401 North 3rd Street is scheduled to be complete in mid-September 2009;

Whereas, included in the original budget for the facility was funding to acquire new furniture for the facility and a new records management system for the Municipal Court;

Whereas, the Staff recommends utilizing Texas State Contracts (TXMAS) for both of these purchases: furniture from Perry Office Plus of Temple, Texas, in the amount of \$80,071.98, and records management system for the Municipal Court from Southwest Solutions Group of Round Rock, Texas, in the amount of \$27,700.60;

Whereas, funds are available for this project but an amendment to the FY2008-2009 budget needs to be approved to transfer the funds to the appropriate expenditure account; 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 following acquisitions utilizing Texas State Contracts (TXMAS) for both of these purchases: furniture from Perry Office Plus of Temple, Texas, in the amount of \$80,071.98, and records management system for the Municipal Court from Southwest Solutions Group of Round Rock, Texas, in the amount of \$27,700.60.

Part 2: The City Council approves an amendment to the FY2008-2009 budget, substantially in the form of the copy attached as Exhibit A, for this project.

Part 3: 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 **2nd** day of **July**, 2009.

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

07/02/09
Item #5(C)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Gary O. Smith, Chief of Police

ITEM DESCRIPTION: Consider adopting a resolution authorizing a Memorandum of Understanding with the City of Killeen and Bell County to establish the rights, duties, administration and division of funds received under the 2009 Edward Byrne Memorial Justice Assistance Grant (JAG) program award.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The Department of Justice has made a grant award of \$117,810 to be allocated by Bell County, Killeen, and Temple.

These funds are to be used to fund state and local initiatives, technical assistance, training, personnel, equipment, supplies, contractual support, and information systems for criminal justice for any or more of the following purposes: law enforcement programs; prosecution and court programs; prevention and education programs; corrections and community corrections programs; drug treatment programs; and/or planning evaluation and technology improvement programs.

FISCAL IMPACT: At this time the amounts being allocated to each entity are currently being negotiated. There are no City matching funds required for this grant.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS; AUTHORIZING A MEMORANDUM OF UNDERSTANDING WITH THE CITY OF KILLEEN AND BELL COUNTY TO ESTABLISH THE RIGHTS, DUTIES, ADMINISTRATION AND DIVISION OF FUNDS RECEIVED UNDER THE 2009 AMERICAN RECOVERY AND REINVESTMENT ACT EDWARD BYRNE JUSTICE ASSISTANCE GRANT (JAG) PROGRAM AWARD; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the Edward Byrne Memorial Justice Assistance Grant (JAG) provides funds for state and local initiatives, technical assistance, training, personnel, equipment, supplies, contractual support and information systems for criminal justice for law enforcement programs, prosecution and court programs, prevention and education programs, corrections and community corrections programs, drug treatment programs, and planning evaluation and technology improvements programs;

Whereas, the Department of Justice has made a grant award of \$117,810 to be allocated by Bell County and the cities of Killeen and Temple;

Whereas, Bell County will receive \$_____; the City of Killeen will receive \$_____; and the City of Temple will receive \$_____;

Whereas, the City Council needs to authorize a Memorandum of Understanding to establish the rights, duties, administration and division of funds received under the grant; 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 a Memorandum of Understanding with the City of Killeen and Bell County, after approval as to form by the City Attorney, to establish the rights, duties, administration and division of funds received under the 2009 American Recovery and Reinvestment Act Edward Byrne Justice Assistance Grant (JAG) program award.

Part 2: The City Council accepts the funds (\$_____) received under the 2009 American Recovery and Reinvestment Act Edward Byrne Justice Assistance Grant (JAG) program award.

Part 3: 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 **2nd** day of **July**, 2009.

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

07/02/09
Item #5(D)
Consent Agenda
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DEPT./DIVISION SUBMISSION & REVIEW:

Jonathan Graham, City Attorney

ITEM DESCRIPTION: Consider adopting a resolution authorizing continued participation with the Steering Committee of Cities Served by Oncor; and authorizing the payment of 10 cents per capita to the Steering Committee to fund regulatory and related activities related to Oncor Electric Delivery.

STAFF RECOMMENDATION: Adopt resolution presented in item description.

ITEM SUMMARY: The City of Temple is a member of a 150-member city coalition known as the Steering Committee of Cities served by Oncor. This resolution approves the assessment of a 10 cents *per capita* fee to fund our participation in the activities of the Steering Committee.

The Steering Committee undertakes activities on behalf of municipalities for which it needs funding support from its members. Municipalities have original jurisdiction over the electric transmission and distribution rates and services within the city. The Steering Committee has been in existence since the late 1980s. It took on a formal structure in the early 1990s when cities served by TXU (since renamed as Oncor Electric Delivery Company) gave up their statutory right to rate case expense reimbursement in exchange for higher franchise fee payments. Empowered by city resolutions and funded by *per capita* assessments, the Steering Committee has been the *primary* public interest advocate before the Public Utility Commission, the Courts, and the Legislature on electric utility regulation matters for nearly two decades.

In 2004, the Steering Committee coordinated the activities of 20 member cities that initiated an investigation of Oncor's wire rates. As a result of the Steering Committee's activities, the Company agreed to make settlement payments to the cities beginning in 2005. Settlement payments from Oncor will continue to be made annually through the entry of final order in the Company's pending rate case (expected on or before July 31, 2009).

The Steering Committee is actively involved in rate cases, appeals, rulemakings, and legislative efforts impacting the rates charged by Oncor Electric Delivery within the city. Steering Committee representation is also strong at ERCOT. It is possible that additional efforts will be necessary on new issues that arise during the year, and it is important that the Steering Committee be able to fund its participation on behalf of its member cities. A per capita assessment has historically been used and is a fair method for the members to bear the burdens associated with the benefits received from that membership.

Our residents benefit from the activities of the Steering Committee through lower rates. The City also benefits directly through settlements received from Oncor that represent reimbursement for historical underpayment of their franchise fee to us. The City's most recent payment from Oncor through the Steering Committee was \$60,932.35 on June 3, 2009. We recommend approval of the attached resolution which authorizes our continued participation in this organization and a contribution of \$5,833.

FISCAL IMPACT: The Steering Committee has requested a 10 cent *per capita* contribution based on a population of 58,330, which works out to \$5,833. A budget adjustment is presented for Council's approval appropriating \$5,833 to account 110-1600-512-2515 from the recent payment we received from Oncor through the Steering Committee.

ATTACHMENTS:

[Budget Adjustment
Resolution](#)

FY **2009****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.

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ACCOUNT NUMBER	PROJECT #	ACCOUNT DESCRIPTION	INCREASE		DECREASE	
110-1600-512-25-15		Dues & Subscriptions	\$ 5,833			
110-0000-461-08-55		Claims Due City	5,833			
TOTAL.....			\$ 11,666		\$ -	

EXPLANATION OF ADJUSTMENT REQUEST- Include justification for increases AND reason why funds in decreased account are available.

To appropriate a portion of the recent payment from Oncor through the Steering Committee to pay for membership in the Steering Committee of Cities Served by Oncor. The total payment received was \$60,932.35. Our cost for membership in the Steering Committee is \$5,833.

DOES THIS REQUEST REQUIRE COUNCIL APPROVAL?

☒

Yes

☐

No

DATE OF COUNCIL MEETING

7/2/2009

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 CONTINUED PARTICIPATION WITH THE STEERING COMMITTEE OF CITIES SERVED BY ONCOR; AUTHORIZING THE PAYMENT OF 10 CENTS PER CAPITA TO THE STEERING COMMITTEE TO FUND REGULATORY AND RELATED ACTIVITIES RELATED TO TXU ELECTRIC DELIVERY; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the City of Temple is a regulatory authority under the Public Utility Regulatory Act (PURA) and has exclusive original jurisdiction over the rates and services of Oncor Electric Delivery Company (Oncor) within the municipal boundaries of the city;

Whereas, the Steering Committee has historically intervened in Oncor (formerly known as TXU) rate proceedings and electric utility related rulemakings to protect the interests of municipalities and electric customers residing within municipal boundaries;

Whereas, the Steering Committee is participating in Public Utility Commission dockets and projects, as well as court proceedings, affecting transmission and distribution utility rates;

Whereas, the City is a member of the Steering Committee of Cities Served by Oncor;

Whereas, in order for the Steering Committee to continue its participation in these activities which affects the provision of electric utility service and the rates to be charged, it must assess its members for such costs; 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 to continue its membership with the Steering Committee of Cities Served by Oncor to protect the interests of the City of Temple and protect the interests of the customers of Oncor Electric Delivery residing and conducting business within the City limits.

PART 2: The City Council authorizes the payment of \$5,833 (\$0.10 per capita based on the population figures for the City shown in the latest TML Directory of City Officials) to fund the payment to the Steering Committee of Cities Served by Oncor, and

approves an amendment to the FY2008-09 budget, substantially in the form of the copy attached as Exhibit A, for this purpose.

PART 3: A copy of this resolution and the assessment payment check made payable to “Oncor Cities Steering Committee” shall be sent to Jay Doegey, Chair, Oncor Cities Steering Committee, c/o City Attorney’s Office, Mail Stop 63-0300, P.O. Box 90231, Arlington, Texas, 76004-3231.

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 **2nd** day of **July**, 2009.

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

07/02/09
Item #5(E)
Consent Agenda
Page 1 of 2

DEPT. /DIVISION SUBMISSION & REVIEW:

Traci Barnard, Director of Finance

ITEM DESCRIPTION: Consider adopting a resolution authorizing an alternate project to be submitted in the City's amendment to the Fiscal Year 2008-2009 CDBG Annual Action Plan for \$136,673 of Recovery Act of 2009 Program funds awarded to the City.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: On May 21, 2009, Council authorized an amendment to the Fiscal Year 2008-2009 CDBG Annual Action Plan for \$136,673 of Recovery Act of 2009 Program funds that was awarded to the City. The City's plan amendment was submitted to HUD on June 5, 2009.

The proposed allocation of funds in the plan amendment was as follows:

Park Improvements	\$123,006
General Administration	<u>13,667</u>
Total	<u>\$136,673</u>

The park improvement funds were to be used to expand on the current improvements allocated in the Fiscal Year 2008-2009 CDBG Annual Action Plan for Jones Park.

HUD has since received additional instructions regarding recreational type of activities. The White House ARRA Implementation Office has advised HUD that recreational and entertainment facilities and services are generally inconsistent with the President's March 20 memo and the broader purposes of the Recovery Act. HUD has therefore requested that the City reconsider our proposed use of funds for recreational facilities and services.

The new proposed allocation of funds is as follows:

Infrastructure Improvements	\$123,006
General Administration	<u>13,667</u>
Total	<u>\$136,673</u>

It is recommended that the infrastructure improvement funds be used for a full street resurface of West and East Avenue H from South 1st Street to the overpass before South 10th Street. The resurface will include milling, seal coat and overlay.

FISCAL IMPACT: \$136,673 in Recovery Act of 2009 Program funds will be allocated as recommended.

ATTACHMENTS:
[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING AN ALTERNATE PROJECT TO BE SUBMITTED IN THE CITY'S AMENDMENT TO THE FISCAL YEAR 2008-2009 CDBG ANNUAL ACTION PLAN FOR \$136,673 OF RECOVERY ACT OF 2009 PROGRAM FUNDS AWARDED TO THE CITY; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on May 21, 2009, the City Council authorized an amendment to the Fiscal Year 2008-2009 CDBG Annual Action Plan for \$136,673 of Recovery Act of 2009 Program funds that were awarded to the City;

Whereas, the proposed allocation of funds used were to be used to expand current improvements for Jones Park;

Whereas, HUD has since received additional instructions regarding recreational type of activities; the White House ARRA Implementation Office has advised HUD that recreational and entertainment facilities and services are generally inconsistent with the President's March 20 memo and the broader purposes of the Recover Act, and HUD has therefore requested that the City reconsider the proposed use of funds for recreational facilities and services;

Whereas, the Staff recommends that the infrastructure improvement funds be used for a full street resurface of West and East Avenue H from South 1st Street to the overpass before South 10th Street – the resurfacing will include milling, seal coat, and overlay; 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 an alternate project (full street resurface of West and East Avenue H from South 1st Street to the overpass before South 10th Street) to be submitted in the City's amendment to the Fiscal Year 2008-2009 CDBG Annual Action Plan for \$136,673 of Recovery Act of 2009 Program funds awarded to the City of Temple.

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 **2nd** day of **July**, 2009.

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

07/02/09
Item #5(F)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Kim Foutz, Assistant City Manager

ITEM DESCRIPTION: Consider adopting a resolution authorizing the expansion of the district boundary of the Temple Medical and Education District (TMED) to include Texas Agrilife Research-Blackland Research and Extension Center, and the United States Department of Agriculture campuses.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The TMED Coordinating Group, comprised of representatives from Scott & White Memorial Hospital, Central Texas Veterans Healthcare System, Temple Health and Bioscience District, Texas A&M System Health Science Center College of Medicine, Temple College, and the City of Temple met on May 22, 2009. At this meeting they made a recommendation for the district boundary to be expanded to include the Texas Agrilife Research-Blackland Research and Extension Center (BREC), and the United States Department of Agriculture campuses.

One of the purposes of the District is to enhance cooperative and collaborative relationships and initiatives in research, and to leverage resources. The Coordinating Group believes that there are several areas where these partnerships can be enhanced. For example, BREC conducts world class evidence based science and research in natural resources, which can assist TMED with healthy community design.

The current boundaries of the District are generally Avenue M, South 31st Street; Loop 363; and Martin Luther King Street, which includes the campuses of the sponsoring entities. The revised district boundary would incorporate the area bounded by 5th Street, West Blackland Road, Little River Road, and SW HK Dodgen.

FISCAL IMPACT: N/A

ATTACHMENTS:

[Revised TMED District Boundary Map](#)
[Resolution](#)

TEMPLE MEDICAL EDUCATION DISTRICT

- SINGLE FAMILY
- TOWNHOME
- RETAIL
- MUNICIPAL
- MIXED USE
- ASSISTED LIVING
- OFFICE
- TEMPLE ISD
- MEDICAL CAMPUS
- TEMPLE COLLEGE



FRAMEWORK PLAN



RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, EXPANDING THE DISTRICT BOUNDARY OF THE TEMPLE MEDICAL AND EDUCATION DISTRICT (TMED) TO INCLUDE TEXAS AGRILIFE RESEARCH-BLACKLAND RESEARCH AND EXTENSION CENTER, AND THE UNITED STATES DEPARTMENT OF AGRICULTURE CAMPUSES; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on March 6, 2008, the City Council approved a Letter of Understanding for creation of the Temple Medical and Education District (TMED) between the City of Temple, Texas A&M Health Science Center College of Medicine, Scott and White Memorial Hospital, Temple Health & Bioscience District, Temple College and Central Texas Veterans Healthcare System;

Whereas, the purpose of the agreement was to jointly facilitate and promote the services and activities offered on the Scott and White, the VA, Temple College, and the College of Medicine campuses and to promote the redevelopment and revitalization of residential and commercial neighborhoods surrounding those campuses;

Whereas, the agreement established the boundaries of the TMED as the area bounded by Avenue M on the north side, South 31st Street on the west side (and including property owned by Scott and White on the west side of, and adjacent to 31st Street), Loop 363 to the south, and Martin Luther King Street to the east;

Whereas, at a meeting on May 22, 2009, the TMED Coordinating Group made a recommendation that the district boundary be expanded to include the Texas Agrilife Research-Blackland Research and Extension Center (BREC), and the United States Department of Agriculture campuses which will further enhance the partnerships between the TMED sponsoring entities; 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 expansion of the Temple Medical and Education District (TMED) to include Texas Agrilife Research-Blackland Research

and Extension Center, and the United States Department of Agriculture campuses, more fully shown on a map which is attached hereto and made a part for all purposes as Exhibit A.

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 **2nd** day of **July**, 2009.

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

07/02/09
Item #5(G)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

David Blackburn, City Manager
Traci Barnard, Director of Finance

ITEM DESCRIPTION: Consider adopting a resolution setting the date, time and place of the public hearing on the proposed FY 2009-2010 budget for August 6, 2009 at 5:00 p.m. in the City Council Chambers.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: This proposed resolution will comply with the City Charter requirement that the date, time and place of the public hearing on the proposed budget be set at the first regular Council meeting after the budget is filed. The public hearing is scheduled for the August 6, 2009 Regular Council meeting, to be held at 5:00 p.m. in the Council Chambers, to receive citizen comments on the operating budget.

Additional public hearings for the FY 2009-2010 Proposed Budget may be scheduled relating to statutory requirements for adoption of a tax rate.

FISCAL IMPACT: N/A

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, SETTING THE DATE, TIME, AND PLACE OF THE PUBLIC HEARING ON THE PROPOSED FY2009-2010 BUDGET FOR AUGUST 6, 2009, AT 5:00 P.M. IN THE CITY COUNCIL CHAMBERS; DIRECTING THE CITY SECRETARY TO PUBLISH NOTICE SETTING FORTH THE TIME AND PLACE THEREOF; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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

Part 1: The City Council directs that a public hearing on the budget for the City of Temple Fiscal Year 2009-2010 shall be held at a meeting of the City Council at 5:00 p.m. on **August 6, 2009**, in the City Council Chambers located in the Municipal Building at 2 North Main Street, Temple, Bell County, Texas.

Part 2: The City Council directs the City Secretary to cause the publication of notice of said hearing setting forth the time and place thereof in a newspaper of general circulation within the City.

Part 3: 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 **2nd** day of **July**, 2009.

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

07/02/09
Item #6
Regular Agenda
Page 1 of 2

DEPT. /DIVISION SUBMISSION & REVIEW:

Tim Dolan, Planning Director

ITEM DESCRIPTION: THIRD READING – Z-FY-07-18: Consider adopting an ordinance authorizing the creation of an IH-35 Overlay District containing regulations for landscaping, building standards, signs and parking by amending the Zoning Ordinance, Section 7-560.

ACTION FROM CITY COUNCIL SECOND READING: The Council tabled this ordinance on the second reading. Some Councilmembers requested alternative standards for automobile dealerships for the third reading. Staff created two standards for dealerships. The first included parking islands for the sales inventory area and secondly for a narrower landscape width along intersecting roads with IH-35. The attached ordinance contains that information in the Freeway Retail/Commercial Sub-District, Section E, in addition to the comments from the second reading. Staff has distributed the proposed ordinance to stakeholders and asked for any other comments. One stakeholder believed the narrower landscape width along an intersecting street should be the same for the entire IH-35 area.

ACTION FROM CITY COUNCIL FIRST READING: The Council approved the first reading of the ordinance May 7th. Before the second reading, the City Manager and Staff presented the ordinance to the Chamber of Commerce, Temple Economic Development Corporation and the Reinvestment Zone #1 to gather comments. The RZ#1 also recommended approval of the ordinance knowing some suggested changes will be made for second reading. Staff received suggestions from five persons involved in the presentations and has incorporated many of those changes. The changes in the proposed ordinance appear highlighted in yellow with the deleted language struck-through.

PLANNING & ZONING COMMISSION RECOMMENDATION: The Planning and Zoning Commission voted 8/0, April 20, 2009, upon Staff's recommendation, recommending approval for Case Z-FY-07-18 subject to:

1. The request complies with the Future Land Use & Character Plan;
2. The request complies with the Thoroughfare Plan; and
3. Existing public facilities serve existing development and will be extended as development or redevelopment occurs.

Please refer to the Staff Report and draft minutes of case Z-FY-07-18, from the Planning and Zoning meeting, April 20, 2009. If approved on first reading, the second reading is set for May 21, 2009.

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

ITEM SUMMARY: The Commission has worked on this ordinance since 2004. In advance of the reconstruction of IH 35, the Commission was interested in the appearance of the major gateway into Temple. In 2008, the City Manager's office initiated an idea to include members of the Reinvestment Zone, Temple Economic Development Corporation, Keep Temple Beautiful and representation from the Planning & Zoning Commission. The sub-committee met seven times and included a property owners meeting to discuss the ordinance. The City also hired TBG Architects as the professional consultant to create an ordinance for the Interstate 35 area from the southern city limits to the northern city limits.

The proposed ordinance contains standards for the following areas, Civic District, Industrial District, Freeway Retail/Commercial District and a City Entry District. These areas contain regulations for site plan review, tree preservation, parking, screening and wall standards, landscape, signage, lighting and utilities.

FISCAL IMPACT: N/A

ATTACHMENTS:

[PZ Staff Report](#)
[PZ Minutes](#)
[Comments on the proposed ordinance](#)
[Proposed Ordinance - Revised](#)



PLANNING AND ZONING COMMISSION AGENDA ITEM

04/06/09
Item # 3
Page 1 of 1

APPLICANT / DEVELOPMENT: City of Temple

CASE MANAGER:

Tim Dolan, AICP, Planning Director c/o Planning & Zoning Commission

ITEM DESCRIPTION: Z-FY-07-18: Hold a public hearing to discuss and recommend action for creating an IH-35 Overlay District to discuss landscaping, building standards, signs and parking.

BACKGROUND:

The Commission called a public hearing for today's meeting to amend the Zoning Ordinance Section 7-60 creating the development regulations for the Interstate 35 Overlay District. The City hired TBG Architects, as the professional consultant to create an ordinance for the Interstate 35 area from the southern city limits to the northern city limits. A sub-committee, of which Chairperson Pope and Commissioner Talley are members, has met six times with representatives from the Reinvestment Zone, the Temple Economic Development Corporation, citizen stakeholders from area banks, real estate companies and engineering companies. More recently, TBG presented the draft ordinance to area property owners. The purpose of the memo is to explain the draft ordinance with the assistance of Chairperson Pope and Commissioner Talley.

The ordinance still needs review by the City Attorney's office for appearance to form requirements and for codification.

FISCAL IMPACT:

Not Applicable

ATTACHMENTS:

Draft Ordinance

**EXCERPTS FROM THE
PLANNING & ZONING COMMISSION MEETING**

MONDAY, APRIL 20, 2009

ACTION ITEMS

Z-FY-07-18: Hold a public hearing to discuss and recommend action for creating an IH-35 Overlay District to discuss landscaping, building standards, signs and parking. (City of Temple)

Mr. Tim Dolan, Planning Director, stated a P&Z work session was held on this item on April 6, 2009. If recommended for approval tonight, this item would move forward to City Council for the May 7th and 21st meetings. The purpose of this Ordinance is to serve as a focal point or gateway to the City and to address the safety, aesthetic and functional characteristics of development and redevelopment of the City of Temple.

Mr. Dolan stated the history of this item goes back about five or six years. It was first discussed in 2004 and reinitiated in late 2008 to include Temple Economic Development Corporation and the Reinvestment Zone and also involved some subcommittee members from Planning & Zoning Commission and Keep Temple Beautiful. A property owner meeting was held in late March of 2009 and approximately half of the property owners invited attended a presentation made by TBG Partners.

Mr. Dolan stated the I35 area included southern to northern city limits. Areas along the north are still being planned for industrial uses which fit with the Reinvestment Zone area and going south there are retail and commercial uses described as freeway commercial. Some other areas are being looked at for City entry districts where one would come off the interstate and go through Temple. Mr. Dolan explained various aspects of architectural designs and elevations, sidewalk types, landscaping, foundation plantings, and buffer yards, to name a few of the issues.

Chair Pope opened the public hearing for comment.

Mr. Lloyd Thomas of 18 N. 3rd Street approached the Commission and stated he has served on this committee and one item he discovered with car dealerships, boats, motorcycles, etc., was their concern about the parking areas. In discussions with some of the dealerships, concerns were made regarding the landscaped islands, how it affected ability to display the vehicles, constant movement of inventory, and the tree coverage within those islands.

Mr. Dolan confirmed the architects have looked at some of these issues previously and suggestions have been made for using shrubs instead of trees, **keeping the plant percentages, but vary methods of planting** (clusters v. rows), spacing issues, movement of pedestrian and vehicle traffic, etc., but still remain consistent in the requirements needed.

Chair Pope closed the public hearing.

There being no further speakers Chair Pope closed the public hearing.

Commissioner Secrest made a motion to approve **Z-FY-07-18** in accordance with Paragraph E, Subsection 11, and to include 1) Allowing dealerships for passenger cars, trucks, recreational vehicles, motorcycles and boats to use inventory areas with parking islands containing shrubs, and the use of perimeter buffering; and 2) allowing lot areas smaller than required for freeway commercial and industrial uses to conform to the proposed standards for its proportional requirement. Commissioner Hurd made the second.

Motion passed. (7:0)

Commissioners Luck and Dusek were absent

Comments from Persons Involved in Presentations	
Recommendation	Proposed Ordinance
Define area for Civic Sub-district	Add – Sub-district is south of Bellaire North Drive, 1,000± feet south to the northern edge of Bellaire North 2 nd Addition
Increase threshold to require parking standards for improvements 25%-49%	Add - Require parking requirements to apply
Decrease threshold to require lighting standards for improvements 25%-49%	No change - keep lighting standards; only applies to the improved area
Add standards for preliminary site plan review	Add - Create preliminary site plan review plus shift some requirements to final site plan from concept plan stage (engineering related: drainage, storm water retention, etc.)
Create timeline for response to applicant for final site plan review	Add – Written response in 12 working days
Create appeals process	Add - Appeals go to the Planning & Zoning Commission
Tree Preservation – how to keep someone from cutting down all vegetation prior to submitting plan	Add - Create tree inventory on aerial maps with dimensioned vegetation
Tree Preservation – what if insufficient area exists to plant the same total inches of trees that are cut down?	No change - keep criteria to pay \$1 per inch to Parks & Leisure
Allow parking to the side and consider wider sidewalks next to building in lieu of wheel stops for all parking	Add – Allow parking next to building with wider raised sidewalk in lieu of wheel stops
Maintenance problems for wildflower plantings	No change - keep planting requirements
Remove date for replacing all bulb to cut-off lenses by 05/21/09	Deleted
Industrial Sub-district Use Chart – Move minor and major vehicle repair from conditional use to allowed use	No change – sub-committee recommended
All sub districts to have architectural metal panels as ‘primary’, cast stone as ‘accent’	Add – to all sub-districts
City Entry Sub-district Uses – remove day camp for children	Typographical error and deleted
Sign Lighting - for ‘on-premises’ only – delete off-premises language	Add - apply to on-premises only
Screening & Wall Standards – request consideration to not screen service bay doors from public view by masonry wall	Add - require landscaping islands near entrances and exits and count towards total landscaping in lieu of masonry wall

Comments from Persons Involved in Presentations	
Recommendation	Proposed Ordinance
Screening & Wall Standards for masonry wall next to electrical transformers –cost to be charged to requesting party	Add – costs charged to requesting party
Landscaping –request to not have interior parking islands for ‘sales inventory areas’	Add - require parking islands only at the end of ‘inventory sales areas’ – no trees, only 5 gallon shrubs
General Comment - not a good time to initiate this program, may restrict growth and development within the City. More restrictive development regulations will increase cost of construction and may turn some people away.	Goal is to enhance the overall appearance of the corridor. If businesses do not change then ordinance does not apply. Prepare standards in anticipation of future highway improvement. Standards apply for new and increased thresholds of development. Building appearance similar built projects on the Inner Loop.

ORDINANCE NO. 2009-4293

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AMENDING ORDINANCE NO. 91-2101, THE ZONING ORDINANCE OF THE CITY OF TEMPLE, TEXAS, ADDING A NEW SECTION 7-560, ENTITLED, "INTERSTATE 35 CORRIDOR OVERLAY DISTRICT," AUTHORIZING THE CREATION OF AN INTERSTATE 35 OVERLAY DISTRICT CONTAINING REGULATIONS FOR LANDSCAPING, BUILDING STANDARDS, SIGNS AND PARKING; AMENDING SECTION 21-100, "DEFINITIONS," TO ADD DEFINITIONS CONTAINED IN THE NEW SECTION 7-560; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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

Part 1: The City Council approves an amendment to Ordinance No. 91-2101, the Zoning Ordinance of the City of Temple, by adding a new Section 7-560, entitled, "Interstate 35 Overlay District," to read as follows:

7-560 INTERSTATE 35 CORRIDOR OVERLAY DISTRICT

7-561 GENERAL PURPOSE AND DESCRIPTION

The general purpose of this overlay zoning district is to exercise greater control over the aesthetic, functional and safety characteristics of development and redevelopment along Interstate 35 (I-35) within the City where higher development standards can effectively enhance the City's image as a desirable place to live, work and shop. This overlay zoning district is limited to specified areas encompassing land that has already been assigned conventional base zoning district classifications. It supplements the standards of the base zoning districts with new or different standards that are more restrictive.

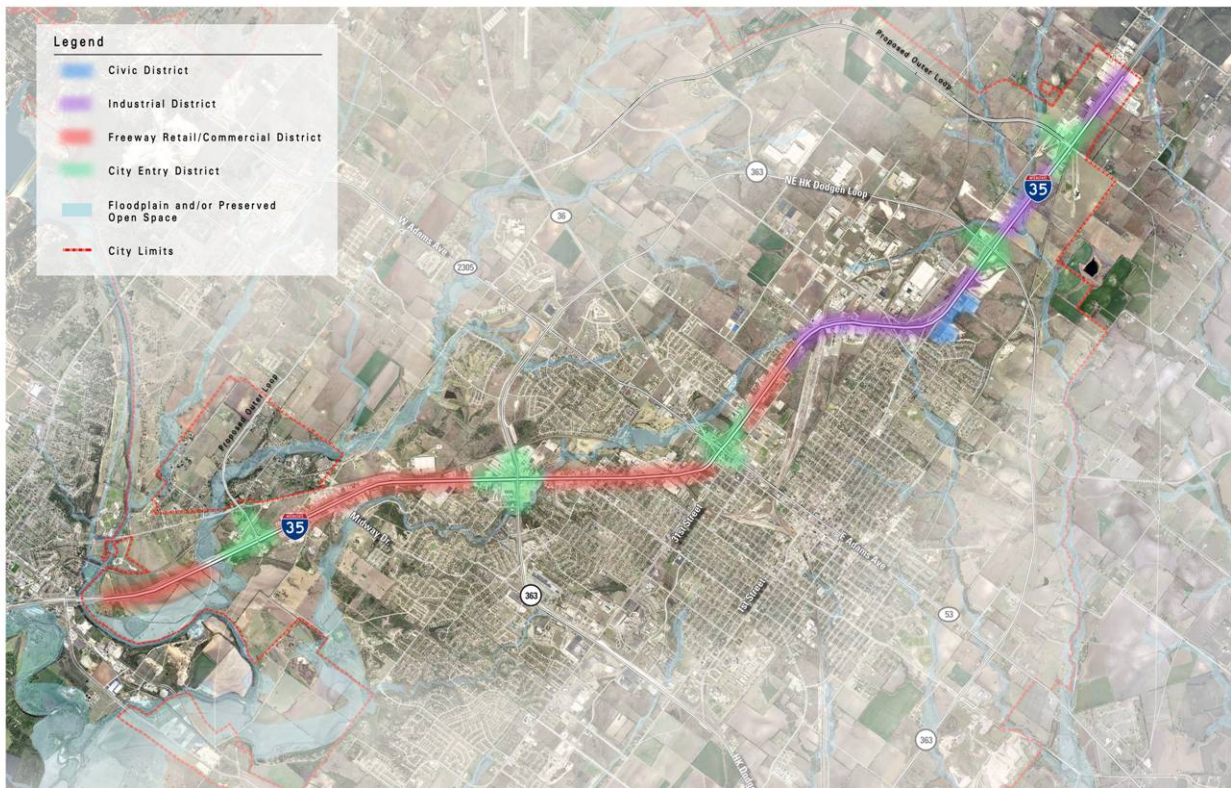
7-562 BOUNDARY

The I-35 Corridor Overlay District applies to the entire length of the Interstate within the City Limits of the City of Temple. The I-35 Corridor Overlay District is defined as the land including:

- A. Tracts of land that abut or adjoin a public street or an intersection with I-35;
- B. Tracts of land that are developed used, managed, or marketed as a group that includes a tract of land that abuts or adjoins a public or private access street or an intersection with I-35; or

Commentary: The interior portion of a shopping center with pad sites is an example of land that lies within I-35 without abutting the highway.

C. Tracts of land that shares parking space with a tract of land that abuts or adjoins a public or private access street or an intersection with I-35.



7-563 SUB-DISTRICTS

The I-35 Corridor Overlay District is divided into four sub-districts. If a property falls within more than one sub-district, the more restrictive sub-district standards apply, regardless of how much land area is in the less restrictive sub-district. Each sub-district must comply with the general requirements listed in this Section and the sub-district requirements. Where the Overlay District requirements conflict with the base zoning requirements, the I-35 Overlay District standards apply. See City of Temple I-35 Corridor Overlay District map. Those sub-districts are:

- A. Civic Sub-District – ~~Located east of I-35 at the Frank W. Mayborn Convention Center and Evangelical Brethren Church~~ The boundary extends from the south

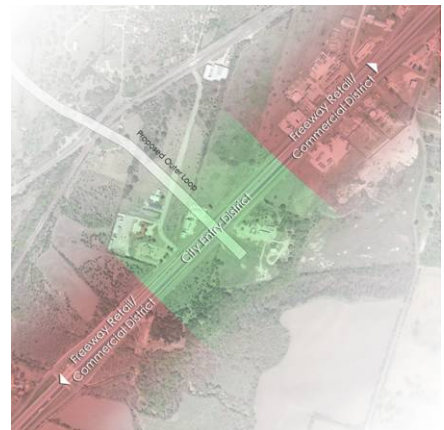
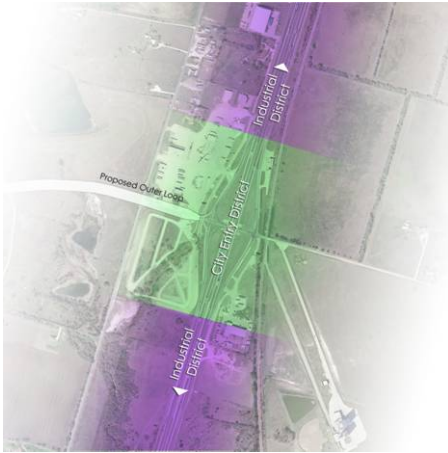


side of Bellaire North Drive and approximately 1,000 south to the north side of Bellaire North 2nd Addition.

- B. Industrial Sub-District – The boundary extends from the northern city limits, approximately 1,100 feet south of Enterprise Road on the west of I-35 and 560 feet north of Nugent Avenue on the east. It is interrupted by city entry ~~zones~~ sub-districts, with ~~more strict~~ stricter standards, at the north outer loop and NE HK Dodgen Loop.
- C. Freeway Retail/Commercial Sub-District – The boundary extends from south of Enterprise Avenue to the Leon River, the south City Limits. It is interrupted by city entry ~~zones~~ sub-districts at Adams Avenue, HK Dodgen Loop and the South outer loop.



D. City Entry Sub-District – There are five City Entry Sub-Districts located at major street locations that access industrial areas, the Central Area, the hospital areas, shopping centers and future retail nodes.



7-564 APPLICABILITY

The provisions of I-35 Corridor Overlay District apply to development types in the table below. Improvements to existing buildings are cumulative within a 15-year period when determining which of the following provisions apply. A development type not shown in the table below is not subject to the requirements of the I-35 Corridor Overlay District.

Development Type	Site Plan Review	Tree Preservation	Parking	Screening and Wall Standards Architectural Design	Landscape	Signage	Lighting	Utilities
New construction	✓	✓	✓	✓	✓	✓	✓	✓
Increase in gross floor area of 50% or more or improvement resulting in 50% or more increase in value per tax role	✓	✓	✓	✓	✓	✓	✓	✓
Increase in gross floor area of 25%-49% or improvement resulting in 25%-49% increase in value per tax role	✓	✓	✓	✓	✓	✓	✓	
Increase in gross floor area of 10%-24% or improvement resulting in 10%-24% increase in value per tax role	✓	✓		✓	✓			

7-565 DESIGN REVIEW

A site development plan must be submitted, reviewed and approved prior to construction for all developments within the I-35 Corridor Overlay District as required by this Section.

A. Design Review Process

1. This Section establishes a design review process to ensure that all development within the I-35 Corridor Overlay District meets requirements set forth in these design standards. The review covers site planning, architecture, landscaping, exterior lighting and exterior signage, as well as any changes, additions or renovations to any development on the site.
2. The design review process is divided into ~~three~~ **four** steps:
 - a. Design Orientation
 - b. Conceptual Design Review
 - b. **Preliminary Design Review**
 - d. Construction Documents Review
3. Formal submittals for design review must be provided at each of the steps in the design review process listed above. Official approvals must be obtained in writing for each of these steps.
4. All requests for design review approvals must be submitted in writing to the City.
5. All required submittals must be provided to the City in a single package that includes the following information:
 - a. Lot owner's name, mailing address, business telephone and

- home telephone numbers
 - b. Lot number (location of proposed construction)
 - c. Name, address and phone number of architect or owner's representative
 - d. Scale, north arrow, preferably at a scale of 1"=100' or smaller
 - e. Architectural plans at a scale 1/4 " = 1' or smaller.
6. Questions, meetings and informal and partial submittals are encouraged to promote early communication and resolution of issues. Verbal responses are unofficial and are subject to change in written response. Only written approvals from the City are official.

B. Submittal Requirements

Any and all of the information on the plans required below may be combined to reduce the number of sheet submittals, as long as all sheet detail is provided.

1. Design Orientation

Before any design begins, an optional design orientation session is recommended between a representative of the City and the parcel owner, design architect, landscape architect, engineer and/or contractor. This session includes a discussion of the design concept and design standards for the I-35 Corridor Overlay District, the specific design standards for the particular site and the design review process. This orientation provides valuable information to assist the owner and designers in expediting design review.
2. Conceptual Design Review
 - a. When the initial design for the project is prepared, two conceptual drawings must be submitted to the City for formal review. This review covers conceptual site planning, architecture, landscaping landscape areas, grading and signage location.
 - b. The purpose of this conceptual design review is to provide the owner and designer with written assurance that the fundamental designs are acceptable, before requiring plans suitable for City permitting. It also provides a clear list of any issues to be resolved in the Construction Documents Submittal step.

3. Preliminary Design Review

- a. Two sets of conceptual preliminary design plans must be submitted for this review. These plans must include, but are not limited to the following:
 - i) Conceptual Preliminary Site Plan
 - a. All property lines, easements, setbacks and

- buildable area limits;
 - b. Location of water, sewer and electrical connections and conceptual distribution layout;
 - c. All buildings, walls, driveways, parking, walks, pools, patios, terraces, signs and any other above grade development;
 - d. Dimensions between existing and proposed construction and between proposed construction and nearest property lines;
 - e. Building height reference elevation; and
 - f. Vicinity map showing relationships of this site to the rest of the I-35 Corridor Overlay District.
- ii) Preliminary Grading
 - a. Existing and proposed ground level contour **concepts** and spot elevations; and
 - b. Slope treatment and drainage concepts.
- iii) ~~Conceptual Building Floor Plan(s)~~
 - a. ~~Layout of all rooms, terraces, atriums, balconies, decks, carports, garages and any other proposed structures and floor area;~~
 - b. ~~Total gross floor area (measured to the outside edge of the exterior building wall) of all covered (roofed) building space in square feet;~~
 - c. ~~Conceptual floor level elevation of all floors, terraces, patios and atriums, etc; and~~
 - d. ~~All window and door openings, exterior columns, arcades, terraces, patios, atriums, roof overhangs, patio covers and exterior design of the building.~~
- iii)** Conceptual **Preliminary** Roof Plan
 - a. ~~Plan of all proposed roofs with slope pitches and ridge heights measured from the building height reference elevation;~~
 - a.** Any unusual conditions or construction requirements; and
 - b.** All roof mounted equipment and required screening.
- iv)** Conceptual **Preliminary** Building Elevations
 - a. At least two principal exterior elevations of all proposed buildings (in color);
 - b. Maximum building heights on each elevation drawing; and
 - c. Conceptual finish materials, colors and textures under consideration.

- vi) ~~Conceptual~~ Preliminary Building Sections
 - a. ~~Two primary sections, perpendicular to one another, through the site and the principal building(s); and~~
 - a. All significant ~~g~~ Grade and building height elevations for slopes greater than seven and one-half percent (7.5%).
 - vii) ~~Conceptual~~ Preliminary Landscape Plan
 - a. Planting concept, including locations and types of all plant materials; and
 - b. ~~Hardscape concept, including locations and materials for driveways, parking, walkways, terraces, patios, walls, fences, planter beds, fountains, trellises and pools; and~~
 - c. Demonstration that plant and wall design along the street frontage meets the streetscape design guideline requirements for the I-35 Corridor Overlay District.
 - viii) Fence and Wall Plans
 - a. Locations, materials, colors and heights in relation to on-site grades; and
 - b. Relationships to walls, fences and grades on adjacent parcels.
 - ~~ix~~ ~~viii~~) Sign Plan
 - a. ~~Locations materials, colors and heights in relation to on-site grades; and~~
 - b. Elevations and details of sign graphics with data table of permitted and proposed.
 - ~~x) Materials Board~~
 - a. ~~Materials and color palette board or samples.~~
 - ix) Tree Survey
 - a. Location of hardwood trees measuring six inches or greater in diameter, measured at breast height, not including Bois D' Arc, Ashe Junipers, Hackberry, Willow, Cottonwood and Mesquite trees.
3. Construction Documents Design Review
- a. When the ~~conceptual~~ preliminary design is further refined and the final construction drawings and specifications for the project have been prepared, they must be submitted to the City Construction Services Department for official review and final decision. This review covers all design necessary for construction, including site development, architecture, signage, grading, driveways, parking, walkways, terraces, patios, walls, fences, planter beds, fountains, trellises,

- utilities, architecture, landscaping, walls, pools, mechanical equipment, exterior lighting and exterior signage.
- b. The purpose of construction documents design review is to provide the owner and designers with written assurance that the final design is acceptable for construction and that any conditions placed on the previous review have been resolved.
 - c. Two sets of final construction plans must be submitted for this review. They must contain, but are not limited to a Final Site Plan showing:
 - i) Final locations of all structures, terraces, patios, driveways, parking and walk ways, etc. and show dimensions from buildings and paved areas to setbacks and property lines;
 - ii) Water, sewer and electrical connection points and distribution lines.
 - iii) Locations of all above-ground mechanical equipment, including electrical transformers, fuel tanks, water tanks, filtration equipment, backflow ~~preventer~~ **prevention devices**, air-conditioning units and irrigation controllers, etc; and
 - iv) Any other drawings required by the City for construction permitting.
 - d. After the Final Site Plan is approved, an approval letter must be submitted to the owner **within 12 working days**, giving written assurance the Final Site Plan drawings have been found acceptable for construction. At this time the building plans may be submitted to the City for construction permitting.

7-566 GENERAL REQUIREMENTS **FOR SITE PLAN REVIEW**

This Section establishes the general requirements for site plan review that includes standards for tree preservation, parking, screening, landscape, signs, lighting and utilities. All development within the I-35 Corridor Overlay District must comply with these regulations, which supersede all other regulations. Additional standards and requirements apply for each of the sub-districts.

A. Site Plan Review

1. The site plan must contain sufficient information demonstrating compliance with all of the applicable requirements of this overlay zoning district and any additional information required by the Planning Director
2. A site development plan must be submitted, reviewed and approved prior to construction for all developments proposed on a tract of land within the I-35 Corridor Overlay District as required by the City.

3. In reviewing the site development plan, the City may consider other factors that may be relevant to a particular application, which may include the following:
 - a. The relationship to neighboring properties;
 - b. The zoning and the uses of nearby properties;
 - c. The extent to which the proposed use would substantially harm the value of nearby properties;
 - d. The extent to which the proposed use would adversely affect the capacity or safety of that portion of the road network influence by the use, or present parking problems in the vicinity of the property;
 - e. The extent to which utilities and services, including, but not limited to, sewer, water service, police and fire protection and are available and adequate to serve the proposed use;
 - f. The conformance of the proposed use to the I-35 Corridor Overlay District, the Comprehensive Plan and other adopted planning policies; and
 - g. The recommendation of the professional staff.
 - h. Appeals shall be to the Planning & Zoning Commission.

B. Tree Preservation

The purpose for these tree preservation standards is to protect the natural beauty of the city, decrease soil erosion, prevent clear cutting and preserve many existing hardwood and canopy trees. Efforts should be made to protect trees on site. All trees over six inches in diameter at breast height (DBH) located within the floodplain plus the area within 300 feet of the floodplain must be protected. A \$100 per caliper-inch fee payable to the City of Temple Parks Department may be made for trees that cannot be accommodated after the required landscape elements are added. Tree mitigation requirements and fees do not apply to Bois D' Arc, Ashe Junipers, Hackberry, Willow, Cottonwood and Mesquite trees on the site. The tree mitigation requirements do not count toward required landscape in Section E below. Tree mitigation requirements are as follows:

1. A tree survey and preservation plan is required with preliminary site plan submittal. The tree survey must be signed and sealed by a licensed landscape architect, arborist, engineer, or land surveyor.
2. The location, diameter, height and common name of all trees with more than a six-inch DBH must be shown on the plan.
3. The removal of protected trees must be replaced on the property by planting new trees, found in Exhibit E, which are equal to the total caliper-inches of the removed trees.
4. The City of Temple of Temple shall take inventory of existing vegetation along the IH 35 Corridor to ensure compliance with this Section.

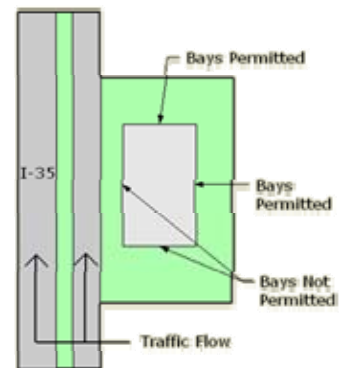
C. Parking

Parking presents one of the greatest challenges in creating an appealing image for the City and the business itself. Parking may be provided in surface lots, parking structures, beneath buildings or below grade, in whatever combination that meets the needs for required spaces and the limits on impervious surface areas.

1. Curb and gutter six inches in height is required around the perimeter of the parking area and all landscaped parking islands.
2. Parking aisles must be designed to be perpendicular to the front of the primary building.
3. Parking to the side and rear of buildings is encouraged and preferred.
4. Parking areas must be planned so that vehicles are not required to back out of parking spaces directly into a public or private street.
5. Parking lots must be designed to preserve the maximum amount of existing trees on site as possible.
6. Parking spaces that face and are adjacent to a building must utilize wheel stops.
7. Wheel stops are required at all landscape ~~and sidewalk~~ conditions.
8. Wheel stops are required at all sidewalk conditions, **except for raised sidewalks at least 6 feet in width (8 feet if parking spaces front both sides).**
9. All parking must be landscaped and screened per the standards set forth in Section E below.
10. No parking is allowed in the landscape buffer.

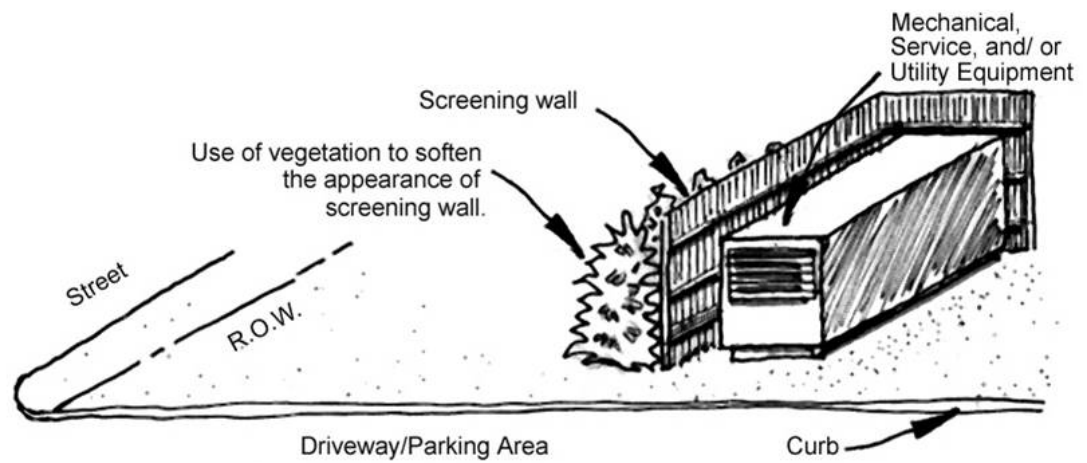
D. Screening and Wall Standards

1. Storage in connexes, shipping containers and semi-trailers is not permitted. Portable buildings may not be made into permanent structures in any form.
2. All garage and service bays, including but not limited to off-street loading bays and service bays used for vehicle repair and servicing, must be located to the rear of the primary building or on the side of the building that is not visible to the traffic flow on the abutting side of I-35, as illustrated right. Such bays may be located on the on-coming traffic flow side of the building at the approval of the Planning Director, but must be screened by a masonry **wing** wall matching the architectural style and color of the building or an **opaque landscape screen containing three-inch caliper hardwood shade trees, and 5-gallon shrubs, described in Exhibit 'E'.**
3. No outside storage and display, sales, leasing or operation of merchandise outside of sales areas for dealerships for new trucks, cars, boats and motorcycles, are permitted unless such activity is visually screened with a continuous solid screening device from all streets and adjacent property

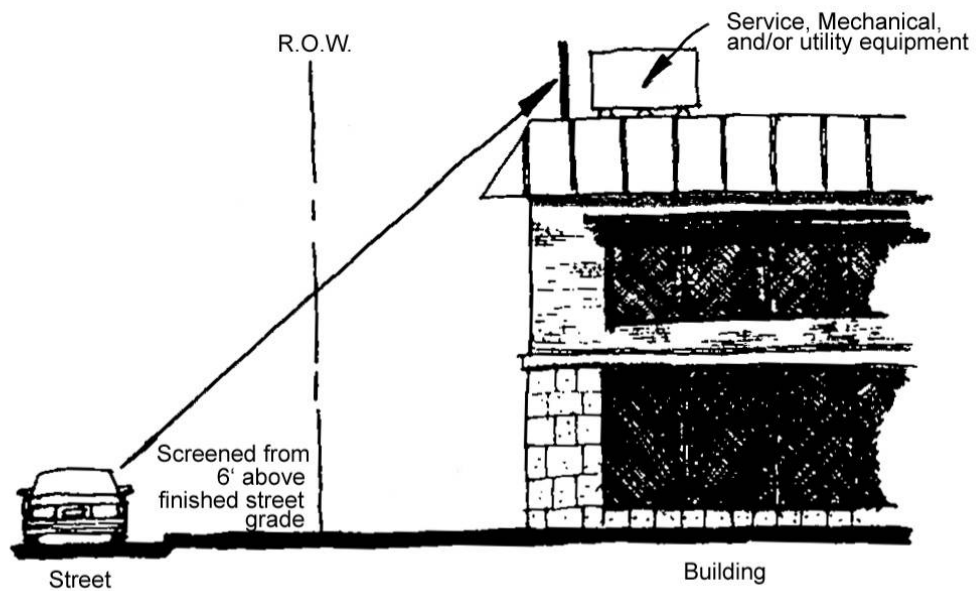


lines of residentially zoned properties or areas shown as a residential use on the Future Land Use and Character Map.

4. Any public utility stations, such as lift stations and electric sub-stations, must be screened from public view with a masonry wall.
5. A masonry wall matching the architectural style and color of the building must be located between properties when a multiple-family or nonresidential use abuts a residential use or zoning district. Such wall must not be less than six feet or more than eight feet in height, and constructed at grade along the abutting property line. The screening wall is not required if a comparable screening wall in satisfactory condition already exists on the abutting property.
6. Except as provided below, the following site elements must not be clearly visible at eye level from any public right-of-way or any adjoining residential use or located within 100 feet of any public right-of-way, unless a masonry screening wall matching the architectural style and color of the building is used.
 - a. Vehicle Loading and Unloading Zones and Service Areas
Screening for vehicle loading and unloading zones must consist of a continuous solid masonry wall to match the building, earthen berms or evergreen opaque landscaping a minimum of six feet in height. Landscape screening must be solid and reach a minimum height of six feet within two years of the issue date of the Certificate of Occupancy for the building or change of use.
 - b. Refuse Storage and Compactors
Refuse storage and compactors must be enclosed on three sides by a solid wall of wood or masonry to match the building color and be a minimum of one foot taller than the equipment being screened. The enclosure must have a minimum eight-foot self-closing gate. The enclosure must be designed to contain all refuse generated on-site between solid waste collections. The refuse storage and compactors must not be located in required setbacks.
 - c. Mechanical and Utility Equipment
 - i. All ground mounted service equipment such as air conditioners, transformers, trash collection equipment, and other service functions must be located at the rear of buildings, and integrated into the building envelope or enclosed service areas, unless the rear of the building faces I-35, in which case such equipment must be located on the side least visible from a public right-of-way. Reduce pressure zones are allowed in front of the building if properly landscaped.
 - ii. As illustrated below, if such equipment is visible from a public right-of-way, the screening materials must be 100 percent opaque. Screens must incorporate shrubbery with year-round foliage, or a wall, fence, or architectural element of the adjacent building, and be a minimum of one foot taller than the equipment being screened.



- iii. As illustrated below, all roof-mounted equipment must be screened from a vantage point that is six feet above finished street grade with materials that are 100 percent opaque. In all cases, screening must be compatible with building materials.

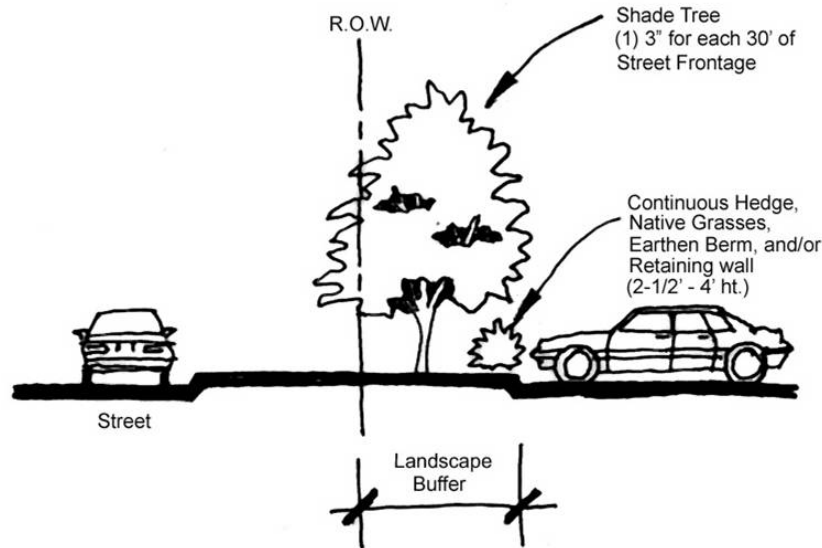


E. Landscape

Each site, outside of a City Entry Sub-District, must provide a minimum of the following landscape elements.

1. A total of 15 percent of the total site area must be landscaped with living approved trees, shrubs and groundcovers as set forth in the approved list of planting materials in Exhibit E of this Ordinance. Such landscape areas must consist of approved plants and irrigation covering 100 percent of the required landscaped area.
2. All required landscaping must be maintained in good condition after installation. Any plant material that becomes diseased deteriorated or dies must be replaced by the owner within 30 days.
3. Areas not covered by building or pavement must be landscaped.
4. Drainage facilities are not allowed within the landscape area except those that are necessary to convey drainage in the shortest possible route to or from the street right-of-way. Drainage facilities include detention ponds, water quality ponds, outlet structures, drainage berms or other improvements associated with the drainage improvements. Such drainage facilities must have a natural look to them with minimum slopes and landscaping.
5. Vegetation must be used to soften the appearance of walls, including those used for screening. This may include either vines trained up the wall or minimum five-gallon shrubs planted a minimum of thirty inches on center.
6. Foundation plantings are required within a planting area a minimum of six feet in width along 70 percent of the length of any façade visible to the public. Foundation planting may count toward the required minimum site landscape area required in paragraph 1 above.
7. All landscape and turf areas must be irrigated and maintained on a regularly scheduled basis.
8. A landscape buffer is required adjacent to any public right-of-way based on the sub-district's Area Regulations and as follows.
 - a. One minimum three-inch caliper canopy tree must be planted for each 30 feet of frontage along public rights-of-way as measured along the lot lines. (See Exhibit E – Approved list of Planting Materials).
 - b. Required trees must not be planted in a regular interval, but in clusters.
 - c. Substituting four ornamental trees per one canopy tree is allowed under power lines.
 - d. A minimum 60 percent of required trees must be evergreen with year around foliage.
 - e. A minimum 20 percent of the required landscape buffer must have native grass beds or wildflowers.
 - f. Berms not less than 24 inches or more than 48 inches in height at no more than a four to one slope are required in the landscape buffer, covering a minimum of 50 percent of the area.

9. As illustrated below, any of the following must be screened by a continuous hedge or native grasses shrubs, earthen berms, or retaining walls that are two and one-half to four feet in height:
- Parking lot or vehicle use area;
 - Fuel pumps visible from the direction of traffic flow; or
 - Vehicle drive-through window facing the street or traffic flow.

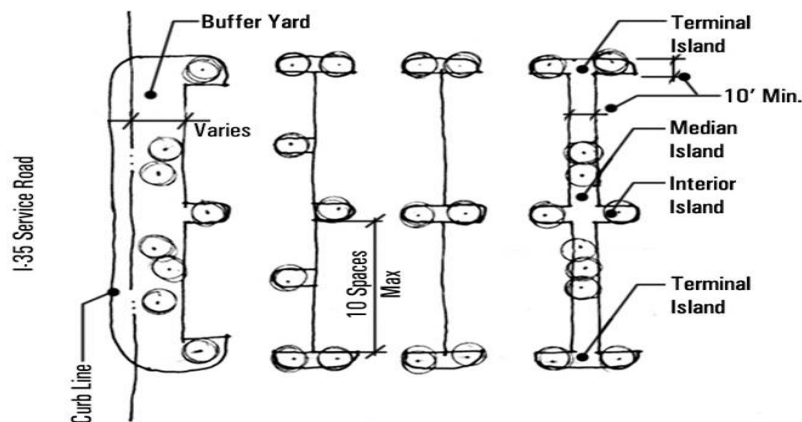


10. Meandering sidewalks a minimum of five feet in width are required in accordance with City standards within the landscape buffer the entire length of the street frontage. Such sidewalks are not required in the Industrial Sub-District.
11. Landscaped parking islands are required as follows in all parking lots, but are not required adjacent to industrial truck docks. ~~excepting sales inventory area(s) for automobile, truck, motorcycle, and recreational vehicle or boat dealerships defined in the Freeway/Retail Commercial Sub-District. Parking islands for the sales inventory area for automobile, truck, boat and recreational vehicle dealerships must conform to all spacing and construction dimensions and may contain only 5 gallon evergreen shrubs filling the island area.~~
12. Parking islands may count toward the required minimum landscape area set forth in the sub-district Area Regulations.
- Interior Islands**
A curbed landscape island must be provided for every 10 parking spaces. Each island must be a minimum of 170 square feet in area and 10 feet in width back of curb to back of curb. A minimum three-inch caliper tree is required in each island. See illustration below.
 - Terminal Islands**
All parking rows must terminate in a curbed landscape island. Each terminal island must conform to the specifications described in the paragraph above, except it must be a minimum of 360 square feet in area and contain two minimum three-inch caliper trees. See illustration

below.

c. Median Islands

A curbed median island a minimum of 10 feet in width back of curb to back of curb must be located after every third parking bay and along primary internal access drives. Each median island must conform to the applicable specifications described in the paragraphs above and must contain one minimum three-inch caliper tree a minimum of every 30 feet on center. See illustration below.



13. All landscape areas must accent building features, entryways and driveways.

14. Native plants and drought tolerant species are preferable to reduce water requirements.

F. Signage

1. The signage standards for the I-35 Corridor Overlay District are the same as required for On-Premise Low Profile Signs in the Central Avenue Corridor as found in Section 12-205 of this Zoning Ordinance.
2. The General Standards for Off-Premise Signs as found in Section 12-166-190 of this Zoning Ordinance apply to the I-35 Corridor Overlay District.
3. Design, materials and finish of monument signs must match those of the buildings on the same lot.
4. Signs must be reviewed and approved or denied by the Manager of Construction Safety and Services in accordance with the City of Temple Zoning Ordinance.

G. On Premises Lighting

The purpose of these lighting regulations is to permit reasonable uses of outdoor lighting for nighttime safety, utility, security and enjoyment while preserving the ambiance of the night. By minimizing glare and obtrusive light that is

misdirected, excessive, or unnecessary, energy and resources can be conserved and the natural environment can be protected from the damaging effects of night lighting. ~~Any lighting not in compliance with the standards of this Section within seven years from (June 18, 2009), must be immediately brought into compliance.~~

1. Directional Control

- a. All luminaires of 1,800 or more lumens must be full-cutoff as installed. For luminaires under 1,800 the bulb must be frosted glass or installed behind a translucent cover. Floodlights must be aimed no higher than 45 degrees below horizontal. This can be accomplished by the use of full-cutoff fixture design, shielding, visors, louvers, or other devices.
- b. Exterior lighting must have soft, indirect illumination concealed behind landscaping or placed in outdoor lighting fixtures that do not produce direct glare. Lighting must be focused and provide the minimum amount of illumination required for safety.
- c. On-site lighting design must be used to identify and illuminate entries, walks and parking areas. Site lighting used for building illumination must be down wall washing only. No flood lighting or up lighting is permitted.
- d. Security lighting must be designed to avoid glare, and must direct light toward the building or storage area instead of away.

2. Reasonableness of Intensity

- a. The maximum allowable total lumens generated on each parcel are 80,000 lumens per net acre with full-cutoff lighting. Parcels less than one net acre are allowed full-cutoff lumens in a portion equal to the parcel's portion of a net acre.
- b. Lights mounted on the underside of a roof 15 or more feet from any edge of the roof count one-quarter toward the limit. Lights on the underside of a roof less than 15 feet from the edge of the roof count one-half toward total lumens.
- c. Exterior lighting must have soft, indirect illumination concealed behind landscaping or placed in outdoor lighting fixtures that do not produce direct glare.
- d. Lighting must be focused and provide the minimum amount of illumination required for safety.
- e. Outdoor lighting fixtures must be a maximum of 30 feet in height. All light fixtures located within 50 feet of any residential use must not exceed 15 feet in height.
- f. Lighting that flashes, blinks, or moves in any way is not allowed.
- g. Mercury vapor lighting is not allowed.

3. Light Trespass

- a. The maximum illumination at five feet inside an adjacent residential parcel or public right-of-way, or beyond, from light emitted from an artificial light source is 0.1 horizontal foot-candles and 0.1 vertical foot-candles. Such illumination at 10 feet inside an adjacent nonresidential

parcel or on a public roadway, or beyond, must not exceed 0.1 horizontal foot-candles or 0.1 vertical foot-candles.

- b. No line of sight to a bulb is permitted five feet or more beyond a residential or public right-of-way property line by an observer viewing from a position that is level with or higher than the ground below the fixture. Compliance is achieved with fixture shielding, directional control designed into the fixture, fixture location, fixture height, fixture aim, or a combination of these factors.

4. Signage

All illuminated signs must be lighted internally or lighted by top-mounted lights pointed downward. No sign may be illuminated with fixtures not shielded from upward transmission of light. ~~The maximum size of the signs and minimum distances between signs should be established. Off-premise signs must be turned off after 10:30 p.m., and On-site signs must be turned off upon closing if after 10:30p.m.~~ Lights that flash, pulse, rotate, move, or simulate motion are not permitted.

5. Temporary Lighting

- a. The temporary use of low wattage or low voltage lighting for public festivals, celebrations and the observance of holidays are exempt from regulation except where they create a hazard or nuisance from glare. Light trespass requirements remain in effect. Permits are required for commercial activities such as carnivals and are valid for up to seven consecutive days. Where possible lighting should be full-cutoff.

6. All-Night Lighting

Lighting at places of business or public venues, except for security, must be turned off no later than one hour after closing. The lights of vacant parking lots must not remain lighted except for illuminating entryways by the fixtures closest to building entrances.

7. Lighting Exemptions

The following uses or features are exempt from the standards of this Section unless otherwise noted:

- a. Swimming pools and other water features, monuments, historic structures, or flags;
- b. Stairs and ramps, as required by the Building Code;
- c. Signs must meet the requirements in Sec. 12-127 of this Zoning Ordinance, but all signs are recommended to be fully shielded;
- d. Holiday and temporary lighting must meet the requirements in Sec. 13-124 of this Zoning Ordinance;
- e. Sports lighting is exempt from the lumens per net acre limitations as to the playing field only, but full-cutoff fixture design is required and light trespass requirements apply; and
- f. Low voltage landscape lighting, but such lighting should be shielded in such a way as to eliminate glare and light trespass.

H. Utilities

All electric, telephone and cable television wires and cables from the property line to all structures being served on the site must be located underground.

7-567 CIVIC SUB-DISTRICT

The Civic Sub-District provides a location for important buildings and services that are essentially noncommercial or non-profit in nature and that often serve as community landmarks, gathering places and settings for social interaction. This sub-district is meant to be a destination for events, performances, festivals, and other activities related to civic and cultural arts.

A. Permitted Uses

The following use table establishes land uses allowed by right in the Civic Sub-District. Unless otherwise regulated in the standards for this overlay district, permitted uses are governed by the standards of this Zoning Ordinance for the underlying base zoning district.

B. Prohibited and Conditional Uses

Notwithstanding such uses being permitted in the underlying base zoning district according to Section 7 of this Zoning Ordinance, the following uses require a conditional use permit in accordance with Section 7-600. Uses not listed are prohibited.

USES	PERMITTED USE	CONDITIONAL USE
Art Gallery or Museum	✓	
Accessory Building	✓	
Day Camp for Children		✓
Community Unit Development		✓
Community Center (public)	✓	
Church or Rectory	✓	
Convent or Monastery	✓	
Kindergarten or Pre-School	✓	
Off Street Parking Incidental to Main Use	✓	
School, Public, or Denominational		✓
Mortuary or Funeral Home		✓
Park or Playground	✓	
Single Family Dwelling Attached or Detached		✓
Swimming pool (private)	✓	

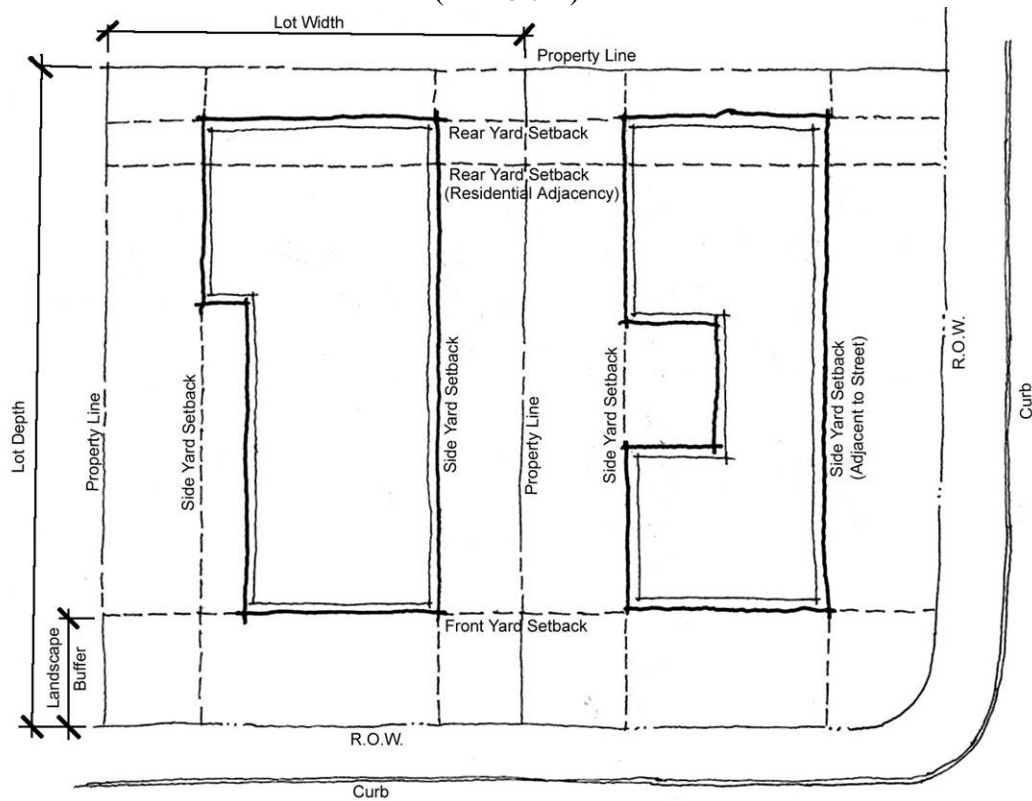
C. Area Regulations (See Exhibit A)

Area regulations for the base zoning districts as found in Section 8 of this Zoning Ordinance shall apply except that the following regulations supersede such

requirements for properties in the Civic Sub-District. Nonconforming lots of record that are smaller than the minimum required lot area may be developed but all requirements of the I-35 Corridor Overlay District apply.

Regulation	Measurement
Minimum Lot Area	12,500 sf.
Minimum Lot Width	80 ft.
Minimum Lot Depth	80 ft.
Minimum Front Yard Setback	25 ft.
Minimum Side Yard Setback	10 ft.
Minimum Side Yard Setback at Street	25 ft.
Minimum Rear Yard Setback	10 ft. (20 ft. adjacent to residential)
Minimum Landscape	15% of lot area
Minimum Landscape Buffer	25 ft. front and adjacent to public street 10 ft. rear (20 ft. adjacent to residential) 10 ft. side
Maximum Building Coverage	60%
Maximum FAR	4 to 1
Maximum Building Height	6 stories or 100 ft. including mechanical and roof structure

AREA REGULATIONS DIAGRAM (Exhibit A)



D. Landscape

The following landscape requirements are required in addition to those requirements described in Section E, Landscape, above.

1. An additional 10 percent of vegetation is required above the general landscaping requirements in landscape buffer areas.
2. In addition to those trees already required, ornamental trees must be used in the landscape buffer; one minimum two-inch caliper tree must be planted for each 30 feet of frontage along public street rights-of-way as measured along the lot lines.

7-568 INDUSTRIAL SUB-DISTRICT

The industry component of Temple's economy has been and should continue to be a major factor in the City's growth and employment. These Industrial Sub-District standards will keep the City's industrial base strong and growing while protecting the City's image and enhancing the I-35 Corridor.

A. Permitted Uses

Permitted uses are governed by the uses permitted in the land use tables in Section 7 of the City's Zoning Ordinance for the underlying zoning district. Unless otherwise regulated in the standards for this overlay district, permitted uses are governed by the standards of this Zoning Ordinance for the underlying base

zoning district.

B. Prohibited and Conditional Uses

Notwithstanding such uses being permitted in the underlying district according to above section, the following uses are prohibited or require a conditional use permit in accordance with Section 7-600.

USES	PROHIBITED USE	CONDITIONAL USE
Residential		
All Residential Uses Except as Follows:	✓	
Multiple Family Dwelling(Apartment)		✓
Nonresidential		
Animal Feed Lot	✓	
Animal Pound (public or private)		✓
Auto Laundry (car wash)		✓
Auto Storage or Auto Auction	✓	
Boat Sales, Servicing		✓
Bottling Works		✓
Building Material Sales		✓
Child Care Facility	✓	
Contractor Storage and Equipment Yard		✓
Day Camp For Children	✓	
Drag Strip or Commercial Racing	✓	
Flea Market (outdoors)	✓	
Greenhouse or Plant Nursery		✓
Hatchery, Fish/Shrimp, Fish Farm	✓	
Hatchery, Poultry	✓	
Heavy Machinery Sales Storage and Repair		✓
Heavy Manufacturing or Industrial Uses		✓
Kennel		✓
Light Manufacturing or Industrial Uses		✓
Live Stock Auction	✓	
Major Vehicle Repair		✓
Milk Depot, Dairy or Ice Cream Plant		✓
Minor Vehicle Servicing		✓
Motorcycle or Scooter Sales and Repair		✓
Open Storage of Furniture, Appliances or Machinery	✓	

USES	PROHIBITED USE	CONDITIONAL USE
Paint Shop		✓
Penal Correctional Facility	✓	
Sales or Rental: Trailer, Portable Bldg., HUD-Code Manufactured Home		✓
Sexually Oriented Business	✓	
Shooting Range (outdoor)	✓	
Stable (private)	✓	
Upholstery Shop		✓
Veterinarian Hospital (outside pens)		✓
Wrecker or Salvage Yard	✓	

C. Area Regulations (See Exhibit A)

Area regulations for the base zoning districts as found in Section 8 of this Zoning Ordinance shall apply except that the following regulations supersede such requirements for properties in the Industrial Sub-District. All nonconforming lots of record that are smaller than the minimum required lot area may be developed but all requirements of the I-35 Corridor Overlay District apply.

Regulation	Measurement
Minimum Lot Area	1 acre
Minimum Lot Width	160 ft.
Minimum Lot Depth	160 ft.
Minimum Front Yard Setback	50 ft.
Minimum Side Yard Setback	20 ft.
Minimum Side Yard Setback at Street	50 ft.
Minimum Rear Yard Setback	20 ft. (30 ft. adjacent to residential)
Minimum Landscape	10% of lot area
Minimum Landscape Buffer	35 ft. front and adjacent to public street 10 ft. rear (20 ft. adjacent to residential) 20 10 ft. side
Maximum Building Coverage	50%
Maximum FAR	1 to 1
Maximum Building Height	42 ft. including mechanical and roof structure

D. Architectural Design

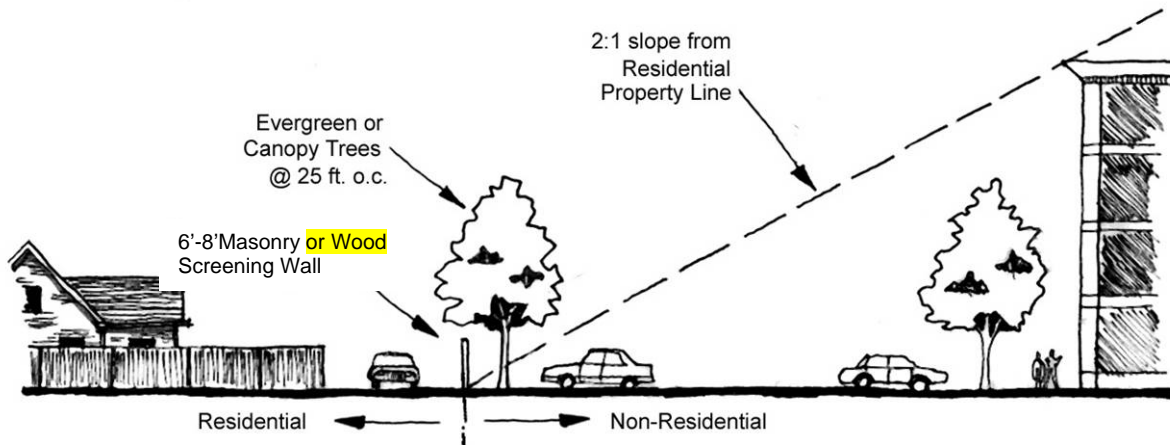
1. Site Development

- a. The location and placement of buildings on individual sites must reflect consideration for roadway access, the preservation of major existing

natural vegetation, visual impact and the relationship to surrounding developments.

- b. In order to preserve privacy of residential properties when located adjacent to nonresidential uses in a non-mixed use setting, the building must fit within a 2:1 slope from the residential property line, regardless if distance is greater than that listed in the Area Regulations table above. See Exhibit B.

Relationship between Residential and Nonresidential in a Non-Mixed Use setting
(Exhibit B)

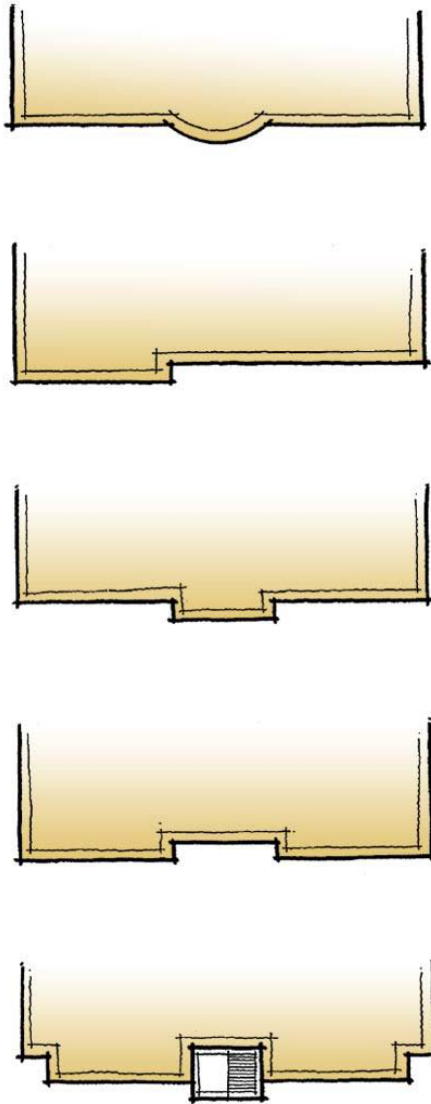


2. Exterior Appearance of Buildings and Structures

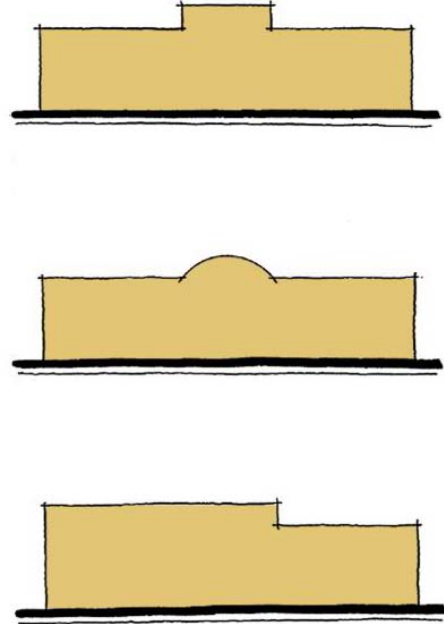
- a. All buildings must be architecturally finished on all sides with same materials, detailing and features, with a higher level of finish on the primary facades.
- b. Building entrances must be articulated six feet and defined to present a strong entry presence (see Exhibit C). All buildings must be designed to incorporate no less than one of the following architectural elements. Buildings over 50,000 square feet must include a minimum of two of the following elements. Buildings over 100,000 square feet must include a minimum of three of the following elements.
 - i) Canopies, awnings or porticos;
 - ii) Overhangs;
 - iii) Recesses or projections;
 - iv) Arcades;
 - v) Peaked roof forms;
 - vi) Arches;
 - vii) Outdoor patios;
 - viii) Display windows;
 - ix) Architectural details (such as tile work or moldings) integrated into building façade;
 - x) Articulated ground floor levels or base;
 - xi) Articulated cornice line;
 - xii) Integrated planters or wing walls that incorporate landscape and sitting areas;
 - xiii) Offsets, reveals or projecting rib used to express architectural or structural bay; or
 - xiv) Accent materials.

BUILDING ARTICULATION DIAGRAM
(Exhibit C)

Possible Building Plans



Possible Building Elevations



- c. Building design must incorporate a basic level of architectural variety. All industrial buildings with facades greater than 250 feet in length, visible from a public right-of-way, must have wall plane projections or recesses that are a minimum of six feet deep. Projections and recesses must be at least 25 percent of the length of the façade on those sides facing a public street. No uninterrupted length of facade may exceed 200 feet in length.

3. Building Materials and Colors

- a. Conceptual facade plans, color palette and sample boards must be submitted with preliminary site plan application. Final facade plan and sample boards must be submitted with final site plan application for all nonresidential uses.
- b. The color of all structures must be generally earth-tone in hue. Accent colors that are not earth tone may be approved by the Planning Director, but not to exceed 10 percent of each façade, ~~Other colors may be approved by the Planning Director,~~ but no color may be neon or florescent.
- c. A variety of exterior materials may be selected for use as the dominant material on the facades of a building, but the number of materials on a single building must be limited to no more than three materials in order to achieve a clean design style.
- d. Windows must not be glazed or re-glazed with mirrored or reflective glass.
- e. Maintenance and durability of materials must be considered as important qualities for every element of the design. Special care must be taken to specify the use of vandal resistant building components.
- f. The following is a list of approved building materials and accent materials per façade (not to exceed 20 percent of materials used). Materials not listed may be approved by the Planning Director.

Primary Materials: Max. 100%, Min. 80%	Accent Materials: Max. 20%
<ul style="list-style-type: none"> • Cast Stone • Architectural Metal • Stone • Brick • Stucco • Color Integrated Split Face Block • Painted Tilt Wall • Smooth Insulated Wall Panel 	<ul style="list-style-type: none"> • Cast Stone • Wood • Glass Block • Architectural Metal • Tile • Granite • Marble • Textured or Patterned Concrete • All Primary Materials (other than material used to achieve the min. 80%)

7-569 FREEWAY RETAIL / COMMERCIAL SUB-DISTRICT

The freeway retail and commercial locations of Temple's economy has been and should continue to be a major factor in the City's effort growth and employment. These standards will continue to attract new commercial activity to the City and enhance the City's image as a desirable place to live, work and shop on the I-35 Corridor.

A. Permitted Uses

Permitted uses are governed by the uses permitted in the land use tables in Section 7 of the City's Zoning Ordinance for the underlying zoning district. Unless otherwise regulated in the standards for this overlay district, permitted uses are governed by the standards of this Zoning Ordinance for the underlying base zoning district.

B. Prohibited and Conditional Uses

Notwithstanding such uses being permitted in the underlying district according to above section, the following uses are prohibited or require a conditional use permit in accordance with Section 7-600.

USES	PROHIBITED USE	CONDITIONAL USE
Residential		
All Residential Uses Except as Follows:	✓	
Multiple Family Dwelling(Apartment)		✓
Nonresidential		
Animal Feed Lot	✓	
Animal Pound (public or private)		✓
Auto Laundry (car wash)		✓
Auto Storage or Auto Auction	✓	
Boat Sales, Servicing		✓
Bottling Works	✓	
Building Material Sales	✓	
Child Care Facility		✓
Contractor Storage and Equipment Yard	✓	
Day Camp For Children	✓	
Drag Strip or Commercial Racing	✓	
Flea Market (outdoors)	✓	
Greenhouse or Plant Nursery		✓
Hatchery, Fish/Shrimp, Fish Farm	✓	
Hatchery, Poultry	✓	
Heavy Machinery Sales Storage and Repair	✓	
Heavy Manufacturing or Industrial Uses	✓	
Kennel	✓	
Light Manufacturing or Industrial Uses	✓	
Live Stock Auction	✓	
Major Vehicle Repair		✓
Milk Depot, Dairy or Ice Cream Plant	✓	

USES	PROHIBITED USE	CONDITIONAL USE
Minor Vehicle Servicing		✓
Open Storage of Furniture, Appliances or Machinery	✓	
Paint Shop		✓
Penal Correctional Facility	✓	
Sales or Rental: Trailer, Portable Bldg., HUD-Code Manufactured Home	✓	
Sexually Oriented Business	✓	
Shooting Range (outdoor)	✓	
Stable (private)	✓	
Upholstery Shop		✓
Veterinarian Hospital (outside pens)		✓
Wrecker or Salvage Yard	✓	

C. Area Regulations (See Exhibit A)

Area regulations for the base zoning districts as found in Section 8 of this Zoning Ordinance shall apply except that the following regulations supersede such requirements for properties in the Freeway Retail / Commercial Sub-District. Nonconforming lots of record that are smaller than the minimum required lot area may be developed but all requirements of the I-35 Corridor Overlay District apply.

Regulation	Measurement
Minimum Lot Area	12,500 sf.
Minimum Lot Width	80 ft.
Minimum Lot Depth	80 ft.
Minimum Front Yard Setback	25 ft.
Minimum Side Yard Setback	20 ft.
Minimum Side Yard Setback at Street	25 ft.
Minimum Rear Yard Setback	10 ft. (20 ft. adjacent to residential)
Minimum Landscape	15% of lot area
Minimum Landscape Buffer	25 ft. front and adjacent to public street 10 ft. rear (20 ft. adjacent to residential) 10 ft. interior side 20 ft. street side
Maximum Building Coverage	50%
Maximum FAR	4 to 1
Maximum Building Height	6 stories or 100 ft. including mechanical and roof structure

D. Architectural Design

1. Site Development
 1. Development must be sited as to maximize street presence.
 2. The location and placement of buildings on individual sites must reflect consideration for roadway access, the preservation of major existing natural vegetation, visual impact and the relationship to surrounding developments.
 3. In order to preserve privacy of residential properties when located adjacent to nonresidential uses in a non-mixed use setting, the building must fit within a 2:1 slope from the residential property line, regardless if distance is greater than that listed in the Area Regulations table above. See Exhibit B.
4. Exterior Appearance of Buildings and Structures
 - a. All buildings, including accessory buildings, must be architecturally finished on all sides with the same materials, detailing and features, with a higher level of finish on the primary facades.
 - b. As an alternative for facades that are not visible from the public streets, a single row of trees can be planted along the building or in the landscape buffer on offset 30-foot centers in a minimum 10-foot landscape edge, where 50 percent of the trees are canopy evergreen trees. In this case, the architectural finish must match the remainder of the building in color only.
 - c. Building entrances must be articulated and defined to present a strong entry presence. Such entries must be inset or offset from the front building plane by at least six feet (see Exhibit C). All buildings must be designed to incorporate no less than three of the following architectural elements. Buildings over 50,000 square feet must include a minimum of five of the following elements. Buildings over 100,000 square feet must include a minimum of seven of the following elements:
 - d. Canopies, awnings, or porticos;
 - i) Overhangs;
 - ii) Recesses or projections;
 - iii) Arcades;
 - iv) Peaked roof forms;
 - v) Arches;
 - vi) Outdoor patios;
 - vii) Display windows;
 - viii) Architectural details (such as tile work or moldings) integrated into building facade;
 - ix) Articulated ground floor levels or base;
 - x) Articulated cornice line;
 - xi) Integrated planters or wing walls that incorporate landscape and sitting areas;

- xii) Offsets, reveals or projecting rib used to express architectural or structural bay; or
 - xiii) Accent materials (minimum 10 percent of exterior façade).
- e. All buildings must be designed and constructed in tri-partite architecture to express a base, midsection and top (see Exhibit D). The base and tops of buildings must vary in material, and the heaviest building material must be used as the base. All facades must include:
 - i) Articulated ground floor levels;
 - ii) Minimum three-foot overhangs at eaves; and
 - iii) Articulated cornice lines.

TRI-PARTITE ARCHITECTURE

Building with a “Base”, “Middle” and “Top”
(Exhibit D)



- Heaviest building material located at base.
- No more than three materials in order to achieve a clean design style.
- Incorporate architectural elements
- Use of overhangs and eaves and articulated cornice lines.
- Use of windows on building elevation falls within the required 40 percent to 80 percent.

- f. All buildings must be designed to be consistent with the purpose of the I-35 Corridor Overlay District. Building design must incorporate a basic level of architectural variety. All retail and commercial buildings with facades greater than 200 feet in length, visible from a public right-of-way, must incorporate wall plane projections or recesses that are at least six feet deep. Projections and recesses must be at least 25 percent of the length of the facade. No uninterrupted length of facade may exceed 100 feet in length.
- g. Windows must be a minimum of 40 percent up to a maximum of 80 percent of each building elevation.

2) Building Materials and Colors

- a) Conceptual facade plans, color palette and sample boards must be submitted with preliminary site plan application for all nonresidential uses. Final facade plan and sample boards must be submitted with final site plan application for all nonresidential uses.
- b) The color of all structures must be generally earth-tone in hue. Accent colors that are not earth tone may be approved by the Planning Director, but not to exceed 10 percent of each façade. Other colors may be approved by the Planning Director, but no color may be neon or florescent.

- c) A variety of exterior materials may be selected for use as the dominant material on the facade of a building, but the number of materials on a single building must be limited to no more than three materials in order to achieve a clean design style.
- d) No single building material may cover more than 80 percent of the front of any building, with the exception of on-site utility or service structures.
- e) Windows must not be glazed or re-glazed with mirrored or reflective glass.
- f) Maintenance and durability of materials must be considered as important qualities for every element of the design. Special care must be taken to specify the use of vandal resistant building components.
- g) The following is a list of approved building materials and accent materials per façade (not to exceed 20 percent of materials used). Materials not listed may be approved by the Planning Director.

Primary Materials: Max. 90%, Min. 70%
<ul style="list-style-type: none"> • Cast Stone • Stone • Architectural Metal • Brick • Stucco • Granite • Marble • Painted Tilt Wall

Accent Materials: Max. 30%, Min. 10%
<ul style="list-style-type: none"> • Wood • Cast Stone • Glass Block • Architectural Metal • Tile • Textured or Patterned Concrete • Color Integrated Split Face Block • All Primary Materials (other than material used to achieve the min. 80%)

E. Vehicle Dealerships

Where sales inventory aisles exist for automobile, truck, motorcycle, recreational vehicle or boat dealerships the following standards must apply.

1. Inventory Parking Lot Islands

- a. Islands must be located at the end of the inventory aisle, span the width of such aisle and have a minimum depth of 10 feet, and
- b. 5-gallon evergreen shrubs must completely fill the island area.

2. Landscape Buffer

A 10-foot wide landscape buffer is required adjacent to a public or private road which

intersects with IH 35.

7-570 CITY ENTRY SUB-DISTRICT

This sub-district is the gateway into the city core, hospitals, neighborhoods, shopping, airport and industrial parks. Development should enhance the image of the City and entice people to stop shop and visit the City of Temple. These entries need to create attractive portals to the City.

A. Permitted Uses

Permitted uses are governed by the uses permitted in the land use tables in Section 7 of the City's Zoning Ordinance for the underlying zoning district. Such uses are permitted subject to the requirements of this Section.

B. Prohibited and Conditional Uses

Notwithstanding such uses being permitted in the underlying district according to above section, the following uses are prohibited or require a conditional use permit in accordance with Section 7-600.

USES	PROHIBITED USE	CONDITIONAL USE
Residential		
All Residential Uses Except as Follows:	✓	
Multiple Family Dwelling(Apartment)		✓
Nonresidential		
Animal Feed Lot	✓	
Animal Pound (public or private)	✓	
Auto Laundry (car wash)		✓
Auto Storage or Auto Auction	✓	
Boat Sales, Servicing	✓	
Bottling Works	✓	
Building Material Sales	✓	
Child Care Facility		✓
Contractor Storage and Equipment Yard	✓	
Day Camp For Children		✓
Drag Strip or Commercial Racing	✓	
Flea Market (outdoors)	✓	
Greenhouse or Plant Nursery		✓
Hatchery, Fish/Shrimp, Fish Farm	✓	
Hatchery, Poultry	✓	
Heavy Machinery Sales Storage and Repair	✓	

USES	PROHIBITED USE	CONDITIONAL USE
Heavy Manufacturing or Industrial Uses	✓	
Kennel	✓	
Light Manufacturing or Industrial Uses	✓	
Live Stock Auction	✓	
Major Vehicle Repair	✓	
Milk Depot, Dairy or Ice Cream Plant	✓	
Minor Vehicle Servicing		✓
Motorcycle or Scooter Sales and Repair		✓
Open Storage of Furniture, Appliances or Machinery	✓	
Paint Shop		✓
Penal Correctional Facility	✓	
Sales or Rental: Trailer, Portable Bldg., HUD-Code Manufactured Home	✓	

C. Area Regulations (See Exhibit A)

Area regulations for the base zoning districts as found in Section 8 of this Zoning Ordinance shall apply except that the following regulations supersede such requirements for properties in the City Entry Sub-District. Nonconforming lots of record that are smaller than the minimum required lot area may be developed but all requirements of the I-35 Corridor Overlay District apply.

Regulation	Measurement
Minimum Lot Area	12,500 sf.
Minimum Lot Width	80 ft.
Minimum Lot Depth	80 ft.
Minimum Front Yard Setback	25 ft.
Minimum Side Yard Setback	20 ft.
Minimum Side Yard Setback at Street	25 ft.
Minimum Rear Yard Setback	10 ft. (20 ft. adjacent to residential)
Min. Landscape	15% of lot area
Minimum Landscape Buffer	25 ft. front and adjacent to public street 10 ft. rear (20 ft. adjacent to residential) 20 10 ft. side
Maximum Building Coverage	60%
Maximum FAR	4 to 1
Maximum Building Height	6 stories or 100 ft. including mechanical and roof structure

D. Architectural Design

1. Site Development
 - a. Development must be sited as to maximize street presence.
 - b. The location and placement of buildings on individual sites must reflect consideration for roadway access, the preservation of major existing natural vegetation, visual impact and the relationship to surrounding developments.
 - c. In order to preserve privacy of residential properties when located adjacent to nonresidential uses in a non-mixed use setting, the building must fit within a 2:1 slope from the residential property line, regardless if distance is greater than that listed in the Area Regulations table above. See Exhibit B.
2. Exterior Appearance of Buildings and Structures
 - a. All buildings, including “out” buildings, must be architecturally finished on all sides with same materials, detailing and features, with a higher level of finish on the primary facades.
 - b. For facades that are not visible from the public streets, a single row of trees can be planted along the building or in the landscape buffer on offset 25-foot centers in a minimum 10-foot landscape edge, where 50 percent of the trees are canopy evergreen trees. In this case, the architectural finish must match the remainder of the building in color only.
 - c. The primary building wall is to be setback 18-24 feet from the back of the drive curb.
 - d. Building entrances must be articulated and defined to present a strong entry presence. Such entries must be inset or offset from the front building plane by at least four feet (see Exhibit C). All buildings must be designed to incorporate no less than three of the following architectural elements. Buildings over 50,000 square feet must include a minimum of five of the following elements. Buildings over 100,000 square feet must include a minimum of seven of the following elements.
 - 1) Canopies, awnings or porticos
 - 2) Overhangs
 - 3) Recesses or projections
 - 4) Arcades
 - 5) Peaked roof forms
 - 6) Arches
 - 7) Outdoor patios
 - 8) Display windows
 - 9) Architectural details (such as tile work or moldings) integrated into building facade
 - 10) Articulated ground floor levels or base
 - 11) Articulated cornice line

- 12) Integrated planters or wing walls that incorporate landscape and sitting areas
- 13) Offsets, reveals or projecting rib used to express architectural or structural bay
- 14) Accent materials (minimum 10 percent of exterior façade)
- e. All buildings must be designed and constructed in tri-partite architecture to express a base, midsection and top (see Exhibit D). The base and tops of buildings must vary in material, and the heaviest building material must be used as the base. All facades must include:
 - 1) Articulated ground floor levels;
 - 2) Minimum three-foot overhangs at eaves; and
 - 3) Articulated cornice lines.
- f. All buildings must be designed to be consistent with the purpose of the I-35 Corridor Overlay District. Building design must incorporate a basic level of architectural variety. All retail or commercial buildings with facades greater than 150 feet in length, visible from a public right-of-way, must incorporate wall plane projections or recesses that are at least eight feet deep. Projections or recesses must be at least 25 percent of the length of the facade. No uninterrupted length of facade may exceed 100 feet in length.
- g. Windows must be a minimum of 40 percent up to a maximum of 80 percent of each building elevation.
- 3. Building Materials and Colors
 - a. Conceptual facade plans with **labeled colors**, ~~color palette and sample boards~~ must be submitted with preliminary site plan application for all nonresidential uses. Final facade plan, **color palette** and sample boards must be submitted with final site plan application for all nonresidential uses.
 - b. The color of all structures must be generally earth-tone in hue. Accent colors that are not earth tone may be approved by the Planning Director, but not to exceed 10 percent of each façade. Other colors may be approved by the Planning Director, but no color may be neon or florescent.
 - c. A variety of exterior materials may be selected for use as the dominant material on the facade of a building, but the number of materials on a single building must be limited to no more than three materials in order to achieve a clean design style.
 - d. No single building material may cover more than 80 percent of the front of any building, with the exception of on-site utility or service structures.
 - e. Windows may not be glazed or re-glazed with mirrored or reflective glass.

- f. Maintenance and durability of materials are considered important qualities for every element of the design. Special care must be taken to specify the use of vandal resistant building components.
- g. The following is a list of approved building materials and accent materials per façade (not to exceed 20 percent of materials used). Materials not listed may be approved by the Planning Director.

Primary Materials: Max. 90%, Min. 70%
<ul style="list-style-type: none"> • Cast Stone • Stone • Brick

Primary Materials: Max. 70%
<ul style="list-style-type: none"> • Painted Tilt Wall

Accent Materials: Max. 30%, Min. 10%
<ul style="list-style-type: none"> • Wood • Cast Stone • Glass Block • Architectural Metal • Tile • Granite • Marble • Textured or Patterned Concrete • All Primary Materials (other than material used to achieve the min. 70%)

E. Landscape

The following landscape requirements are required in addition to those requirements described in Section E, Landscape.

1. A minimum of 15 percent of the total site area must be landscaped.
2. All driveways into the site must have enhanced paving of stone, brick, or patterned concrete for a minimum of 50 percent of the driveway throat.
3. An additional 10 percent of vegetation is required above the general landscaping requirements in landscaped buffer areas.
4. In addition to those trees already required, ornamental trees must be used in the landscape buffer; one minimum two-inch caliper tree must be planted for each 30 feet of frontage along public street rights-of-way as measured along the lot lines; **and**
5. One minimum three-inch caliper canopy tree must be planted for each 25 feet of frontage along public street rights-of-way as measured along the lot lines.

F. Lighting

All **on-premises** outdoor lighting fixtures in the City Entry Sub-District must be ornamental or decorative where appropriate.

G. Utilities

All electric, telephone and cable television wires along the public right-of-way must be located underground in the City Entry Sub-District.

EXHIBIT E

Common Name	Scientific Name
Canopy Trees	
Ash, Green	Fraxinus pennsylvanica
Ash, Texas	Fraxinus texensis
Cypress, Arizona	Cupressus arizonica
Cypress, Bald	Taxodium distichum
Elm, American	Ulmus americana
Elm, Cedar	Ulmus crassifolia
Eve's Necklace	Sophora affinis
Holly, American	Ilex opaca
Laurelcherry, Carolina	Prunus caroliniana
Maple, Bigtooth	Acer grandidentatum
Oak Shumard	Quercus shumardii
Oak, Blackjack	Quercus marilandica
Oak, Bur	Quercus macrocarpa
Oak, Chinquapin	Quercus muhlenbergii
Oak, Durand	Quercus sinuate
Oak, Live	Quercus virginiana
Oak, Post	Quercus stellata
Oak, Red	Quercus texana
Oak, Shumard	Quercus shumardii
Pecan	Carya drummondii
Sycamore	Platanus occidentalis
Walnut, Arizona	Juglans major
Walnut, Eastern	Juglans negra
Ornamental Trees	
Blackhaw, Rusty	Viburnum rufidulum
Buckeye, Mexican	Ungnadia speciosa
Crabapple	
Crepe Myrtle Cultivars: Basham's Party Pink Biloxi Choctaw Dynamite Miami Muscogee Natchez Pink Velour Potomac Red Rocket Siren Red Townhouse Tuscarora Wichita	Lagerstroemia indica
Chaste Tree	Vitex agnus-castus

Common Name	Scientific Name
Dogwood, Roughleaf	<i>Cornus drummondii</i>
Hawthorn	<i>Crataegus</i> spp.
Holly, Yaupon	<i>Ilex vomitoria</i>
Laurel, Texas Mountain	<i>Sophora secundiflora</i>
Leadtrees, Goldenball	<i>Leucaena retusa</i>
Oak, Lacey	<i>Quercus laceyi</i>
Persimmon, Texas	<i>Diospyros texana</i>
Pine, Eldarica	<i>Pinus eldarica</i>
Pistache, Texas	<i>Pistacia texana</i>
Plum, Mexican	<i>Prunus mexicana</i>
Possumhaw Holly	<i>Ilex deciduas</i>
Redbud, Mexican	<i>Cercis canadensis</i> var. <i>mexicana</i>
Redbud, Texas	<i>Cercis canadensis</i> var. <i>texensis</i>
Smoketree, American	<i>Cotinus obovatus</i>
Sumac, Prairie Flameleaf	<i>Rhus lanceolata</i>
Wax Myrtle	<i>Myrica cerifera</i>
Walnut, Texas	<i>Juglans microcarpa</i>
Willow, Desert	<i>Chilopsis linearis</i>
Shrubs	
Abelia Glossy	<i>Abelia grandiflora</i>
Agarita	<i>Berberis trifoliata</i>
Agave, Century Plant	<i>Agave</i> sp.
Althea	<i>Hibiscus syriacus</i>
American Beautyberry	<i>Callicarpa americana</i>
Artemisia	<i>Artemisia</i> 'Powis Castle'
Barbados Cherry	<i>Malpighia glabra</i>
Barberry, Japanese	<i>Berberis thunbergii</i>
Basket Grass (Sacahuista)	<i>Nolina texana</i>
Black Dalea	<i>Dalea frutescens</i>
Bush Germander	<i>Teucrium fruticans</i>
Butterfly Bush	<i>Buddleja davidii</i>
Butterfly Bush, Woolly	<i>Buddleja marrubifolia</i>
Coralberry	<i>Symphoricarpos orbiculatus</i>
Cotoneaster	<i>Cotoneaster</i> sp.
Crape Myrtle Cultivars Not Listed in Ornamental Trees Above	<i>Lagerstroemia indica</i>
Esperanza/ Yellow Bells	<i>Tecoma stans</i>
Flame Acanthus	<i>Anisacanthus quadrifidus</i> var.
Holly, Burford	<i>Ilex cornuta</i> 'Burfordii'
Holly, Dwarf Burford	<i>Ilex cornuta</i> 'Burfordii Nana'
Holly, Dwarf Chinese	<i>Ilex cornuta</i> 'Rotunda nana'
Holly, Dwarf Yaupon	<i>Ilex vomitoria</i> 'Nana'
Lantana, Pink	<i>Lantana camara</i>
Lantana, Texas	<i>Lantana horrida</i>
Mistflower, White	<i>Ageratina havanense</i>
Mistflower, BlueBlue Boneset	<i>Eupatorium coelestinum</i>

Common Name	Scientific Name
Mountain Sage	Salvia regla
Nandina (dwarf-types)	Nandina sp
Oleander	Nerium oleander
Palmetto, Dwarf Texas	Sabal minor
Primrose Jasmine	Jasminum mesnyi
Rock Rose	Pavonia lasiopetala
Rose, Belinda's Dream	Rosa 'Belinda's Dream'
Rose, Knock Out	Rosa 'Knock Out'
Rose, Livin' Easy	Rosa 'Livin' Easy'
Rose, Marie Pavie	Rosa 'Marie Pavie'
Rose, Mutabilis	Rosa 'Mutabilis'
Rose, Nearly Wild	Rosa 'Nearly Wild'
Rose, Old Blush	Rosa 'Old Blush'
Rosemary	Rosmarinus officinalis
Sage, Texas	Leucophyllum frutescens
Sotol, Texas	Dasylium texanum
Sumac, Evergreen	Rhus virens
Sumac, Fragrant (Aromatic)	Rhus aromatica
Turk's Cap	Malvaviscus arboreus
Wax Myrtle, Dwarf	Myrica pusilla
Wax Myrtle, Southern	Myrica cerifera
Yucca, Paleleaf	Yucca pallida
Yucca, Red	Hesperaloe parviflora
Yucca, Softleaf	Yucca recurvifolia
Yucca, Twistleaf	Yucca rupicola
Groundcover	
Asian Jasmine	Trachelospermum asiaticum
Aztec Grass	Ophiopogon japonicus
Bamboo	Muhlenbergia dumosa Muhly
Big Bluestem	Andropogon gerardii
Bushy Bluestem	Andropogon glomeratus
Carolina Jessamine	Gelsemium sempervirens
Coral Honeysuckle	Lonicera sempervirens
Coral Vine	Antigonon leptopus
Crossvine	Bignonia capreolata
Dwarf Fountain Grass	Pennisetum alopecuroides
English Ivy	Hedera helix
Fig Vine	Ficus pumila
Frogfruit	Phyla incisa
Horseherb	Calypocarpus vialis
Indian Grass	Sorghastrum nutans
Inland Seaots	Chasmanthium latifolium
Japanese Honeysuckle	Lonicera japonica
Lady Banksia Rose	Rosa banksiae
Leadwort Plumbago	Ceratostigma plumbaginoides

Common Name	Scientific Name
Liriope	Liriope muscari
Little Bluestem	Schizachyrium scoparium
Mexican Feathergrass (Wiregrass)	Stipa tenuissima
Monkey Grass (Mondo Grass)	Ophiopogon japonicus
Muhly, Big	Muhlenbergia lindheimeri
Muhly, Deer	Muhlenbergia rigens
Muhly, Gulf	Muhlenbergia capillaris
Muhly, Seep	Muhlenbergia reverchonii
Oregano	Origanum vulgare
Passion Vine	Passiflora incarnata
Periwinkle, Littleleaf	Vinca minor
Pigeonberry	Rivina humilis
Purple Heart	Secreasea pallida
Santolina (Lavender Cotton)	Santolina chamaecyparissus
Sedge, Berkeley	Carex tumulicola
Sedge, Meadow	Carex perdentata
Sedge, Texas	Carex texensis
Sedum (Stonecrop)	Sedum nuttallianum
Sideoats Grama	Bouteloua curtipendula
Silver Pony-foot	Dichondra argentea
Sweet Autumn Clematis	Clematis paniculata
Switch Grass	Punica virgatum
Trumpet Vine	Campsis radicans
Virginia Creeper	Parthenocissus quinquefolia
Wild Rye	Elymus canadensis
Wooly Stemodia	Stemodia lanata or tomentosa

Part 2: The City Council approves an amendment to Ordinance No. 91-2101, the Zoning Ordinance of the City of Temple, by amending Section 21-100, “Definitions,” to include the following the definitions:

21-100 DEFINITIONS.

Cutoff luminaire - A luminaire in which 2.5 percent or less of the lamp lumens are emitted above a horizontal plane through the luminaire's lowest part and 10 percent or less of the lamp lumens are emitted at a vertical angle 80 degrees above the luminaire's lowest point.

Diameter at Breast Height (DBH) – Diameter of a tree measured three and one-half above the ground level on the downhill side of an existing tree.

Impervious surface - A surface consisting of asphalt, concrete, brick, paving block, plastic or other similar material which does not readily absorb water.

Lumen - Measure of brightness of the illumination exiting a bulb, provided by manufacturer.

Luminaire - The complete lighting unit, including the lamp, the fixture and other parts.

Monument sign - A freestanding sign having a low profile and made of stone, concrete, metal, routed wood planks or beams, brick, or similar materials, including individual lettering, which repeat or harmonize with the architecture of the establishment it serves.

Nonconforming lot of record – A legally established lot that does not conform to the Area Regulations of the zoning district in which it is located.

Outdoor lighting fixture - means any type of fixed or movable lighting equipment that is designed or used for illumination outdoors. The term includes billboard lighting, street lights, searchlights and other lighting used for advertising purposes and area lighting.

Primary facade - The exterior wall or walls of a building that are visible from any public or private street or central green space.

Part 3: 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 4: Ordinance No. 91-2101, the Zoning Ordinance of the City of Temple, Texas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

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 7th day of **May**, 2009.

PASSED AND APPROVED on Second Reading and Public Hearing on the 18th day of **June**, 2009.

PASSED AND APPROVED on Third Reading on the 2nd day of **July**, 2009.

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

07/02/09
Item #7
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DEPT. /DIVISION SUBMISSION & REVIEW:

Tim Dolan, Planning Director

ITEM DESCRIPTION: FIRST READING – PUBLIC HEARING –Consider adopting an ordinance abandoning a 0.2± acre tract of land in that portion of East Barton Avenue from the west side of North 4th Street to the west side of the nearest alley, approximately 130 linear feet.

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 16, 2009.

ITEM SUMMARY: This ordinance contains a small area recently bought by First United Methodist church as part of its building project. This area is planned for pedestrian use and improved traffic flow for its members. No structure will be built here. The church has a building permit and has paid the fees for the previous abandoned right-of-way. The church will amend its permit to include this area.

FISCAL IMPACT: Payment to the City for this portion is \$7,330, using market rate of \$0.694 per square foot, consistent with the previous abandonments in this area.

ATTACHMENTS:

[Location Map](#)
[Ordinance](#)



First United Methodist Church- Street Abandonment



ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, ABANDONING AN APPROXIMATELY .2 ACRE TRACT OF LAND IN THAT PORTION OF EAST BARTON AVENUE FROM THE WEST SIDE OF NORTH 4TH STREET TO THE WEST SIDE OF THE NEAREST ALLEY, APPROXIMATELY 130 LINEAR FEET; RETAINING BLANKET UTILITY EASEMENTS FOR THE ABANDONED TRACT 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, the First United Methodist Church has requested the City to abandon an approximately .2 acre tract of land in that portion of East Barton Avenue from the west side of North 4th Street to the west side of the nearest alley, approximately 130 linear feet;

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 an approximately .2 acre tract of land in that portion of East Barton Avenue from the west side of North 4th Street to the west side of the nearest alley, approximately 130 linear feet, more fully described by metes and bounds contained in field notes and a surveyor's drawing which is attached hereto and made a part hereof for all purposes as Exhibit A.

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 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 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 **2nd** day of **July**, 2009.

PASSED AND APPROVED on Second Reading the **16th** day of **July**, 2009.

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, 2009, by WILLIAM A. JONES, III, Mayor of the City of Temple, Texas.

Notary Public, State of Texas



COUNCIL AGENDA ITEM MEMORANDUM

07/02/09
Item #8
Regular Agenda
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DEPT./DIVISION SUBMISSION & REVIEW:

Amy M. House, Director of Human Resources/Civil Service

ITEM DESCRIPTION: FIRST READING – PUBLIC HEARING – Consider adopting an ordinance setting out the civil service classifications and setting the number of positions in each classification in the Temple Police Department.

STAFF RECOMMENDATION: Conduct public hearing and adopt ordinance as presented in item description, on first reading, and schedule second and final reading for July 16, 2009.

ITEM SUMMARY: Chapter 143 of the Local Government Code requires that the Council establish, by ordinance, the classifications in the Police Department and the Fire Department. The Temple Independent School District was successful in their application for a grant that would fund an additional School Resource Officer. Therefore, an additional police officer position needs to be authorized in order to replace the officer that will be moved into the TISD grant position.

FISCAL IMPACT: The City has prepared an interlocal agreement that Chief Smith will present to the Council at their meeting on July 16th. The interlocal agreement will be presented to the School Board at their meeting on July 13th. The agreement states that TISD will pay the salary and benefits of the employee assigned to the position, as well as for equipment and mileage. The City of Temple has committed to providing the car to be used by the assigned officer. Staff has applied for a 2009 JAG Recovery Grant and has included a fully equipped police car in the application, but we have not yet received word on the success of that grant application.

ATTACHMENTS:

[Ordinance](#)

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, SETTING OUT THE CIVIL SERVICE CLASSIFICATIONS, SETTING OUT REQUIREMENTS FOR APPOINTMENT TO THE POSITIONS, AND SETTING OUT THE NUMBER OF POSITIONS IN EACH CLASSIFICATION IN THE TEMPLE FIRE DEPARTMENT AND TEMPLE POLICE DEPARTMENT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; PROVIDING AN OPEN MEETING CLAUSE; AND DECLARING AN EMERGENCY.

Whereas, Chapter 143 of the Local Government Code requires that the City Council establish, by ordinance, the classifications in the Police Department and the Fire Department;

Whereas, following the success of the Temple ISD grant application allowing the ISD to add an additional School Resource Officer, it is recommended that the City add an additional authorization to the Police Officer classification; and

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

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

Part 1: The City Council establishes the following *Classifications and the Number of Positions of Certified Firefighters and Classifications and the Number of Positions of Certified Police Officers* for civil service positions in the Police and Fire Departments.

CLASSIFICATIONS AND POSITIONS
OF CERTIFIED FIREFIGHTERS

I. UNCLASSIFIED POSITIONS

A. *FIRE CHIEF* - 1 Position

The Fire Chief is appointed by the City Manager. No person shall be eligible for appointment as Chief of the Fire Department who is not eligible for certification by the Commission on Fire Protection Personnel Standards and Education at the

intermediate level, or its equivalent as determined by that Commission, and who has not served at least 5 years as a fully paid firefighter.

II. CLASSIFIED POSITIONS

A. *DEPUTY CHIEF* - 5 Positions

No person shall be eligible for appointment as a Deputy Chief who has not served continuously in the Department, as a Captain for at least 2 years. In addition to base pay every Deputy Chief having 5, 7, 9 or 15 years of service in the Department shall receive the amount shown on the attached compensation plan for such increments of seniority.

B. *CAPTAIN* - 22 Positions

No person shall be eligible for appointment as a Captain who has not served continuously in the Department, as a Driver, for at least 2 years. In addition to base pay, every Captain having 3, 5, 7, 9 or 15 years of service in the Department shall receive the amount shown on the attached compensation plan for such increments of seniority.

C. *DRIVER* - 27 Positions

No person shall be eligible for appointment as a Driver who has not served continuously in the Department, as a Fire Control and Rescue Officer, for at least 2 years. In addition to base pay every Driver having more than 3, 5, 7, 9 or 15 years of service in the Department shall receive the amount shown on the attached compensation plan for such increments of seniority.

D. *FIRE CONTROL AND RESCUE OFFICER* - 53 Positions

No person shall be eligible for appointment as a Fire Control and Rescue Officer who does not meet all requirements necessary to become eligible for future classification by the Commission on Fire Protection Personnel Standards and Education. In addition to base pay every Fire Control and Rescue Officer having 1, 3, 5, 7, 9 and 15 years of service in the Department shall receive the amount shown on the attached compensation plan for such increments of seniority.

CLASSIFICATIONS AND POSITIONS OF CERTIFIED POLICE OFFICERS

I. UNCLASSIFIED POSITIONS

A. *POLICE CHIEF* - 1 Position

The Police Chief is appointed by the City Manager. No person shall be eligible for appointment as Chief of the Police Department who is not eligible for certification by the Commission on Law Enforcement Standards and Education at the intermediate level or its equivalent as determined by that Commission or who has not served as a bona fide law enforcement officer for at least 5 years.

B. *Deputy Chief* - 2 Positions

No person shall be eligible for appointment as a Deputy Chief who has not served as a Lieutenant or continuously served for a minimum of 2 years as a Sergeant in the Department.

II. CLASSIFIED POSITIONS

A. *LIEUTENANT* - 5 Positions

No person shall be eligible for appointment as a Lieutenant who has not served continuously as a Sergeant in the Department for at least 2 years. In addition to base pay every Lieutenant having more than 5, 8, 12, 16 or 20 years of service in the Department shall receive the amount shown on the attached compensation plan for such increments of seniority.

B. *SERGEANT* – 16 Positions

No person shall be eligible for appointment as a Sergeant who has not served continuously as a Senior Police Officer in the Department for at least 2 years. In addition to base pay every Sergeant having more than 3, 6, 10, 15 or 20 years of service in the Department shall receive the amount shown on the attached compensation plan for such increments of seniority.

C. *Corporal* - 16 Positions

No person shall be eligible for appointment as a Corporal who has not served continuously as a Police Officer in the Department for at least two years. In addition to base pay every officer who has 3, 6, 10, 15 or 20 years of service in the Department shall receive the amount shown on the attached compensation plan for such increments of seniority.

D. *POLICE OFFICER* - 91 Positions

No person shall be eligible for appointment as a Probationary Police Officer who has not met the basic requirements for entrance into the Department. No person shall be eligible for a permanent appointment as a police officer who has not completed 1 year of satisfactory performance in the Department. In addition to base pay every police officer who has 1, 3, 6, 10, 15 or 20 years of service in the Department shall receive the amount shown on the attached compensation plan for such increments of seniority.

Part 2: 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 3: 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 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 **2nd day of July, 2009.**

PASSED AND APPROVED on Second Reading on the **17th day of July, 2009.**

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

07/02/09
Item #9
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DEPT./DIVISION SUBMISSION & REVIEW:

Kim Foutz, Assistant City Manager
Jonathan Graham, City Attorney

ITEM DESCRIPTION: Consider adopting a resolution authorizing a Chapter 380 matching grant agreement with Texquest Investments for redevelopment improvements in the Temple Medical and Education District and the 1st Street Strategic Investment Zone corridor.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: This agreement outlines the obligations and representations of Texquest Investments, a nuclear pharmacy, and also defines the City's incentive package. Texquest, located at 2006 First Street, is situated in the Temple Medical and Education District and is within the South 1st Street Strategic Investment Zone.

The agreement and resolution will allow Texquest to receive a Chapter 380 matching grant of up to \$15,000 match for façade improvements; up to \$10,000 match for landscaping and irrigation improvements; up to \$10,000 match for sidewalk improvements; up to \$5,000 match for a monument sign; up to \$4,000 match for an asbestos survey and removal; and waiver of permits and fees. Texquest's total project investment is \$600,000 in renovations and infrastructure improvements (plus the cost of the building and site) with the City's match being up to \$44,000. These improvements significantly exceed the City's ordinance requirements and meet conceptual TMED concept design. Improvements must be completed by March 31, 2010. In return, Texquest has agreed to:

- Refinish all four sides of the building facades with EIFS and stone/brick
- Install new doors and windows
- Improve roof elevations of front façade as per Attachment "B"
- Install landscaping and irrigation system as per TMED concept design –Attachment "A"
- Install sidewalks and handicaps ramps as per TMED concept design – Attachment "A"
- Replace/upgrade asphalt parking lot (not grant eligible)
- Monument sign (optional)
- Conduct an asbestos survey and removal

This applicant is also a Temple Economic Development Corporation prospect. TEDC is anticipated to provide \$30,000 in cash incentives. In addition, Texquest has requested tax abatement and staff will be bringing forward an application for tax abatement at a future meeting.

FISCAL IMPACT: The total maximum grant match by the City is \$44,000 plus waiver of permits, taps, and fees. In FY 2007-2008, \$85,000 was appropriated for the Strategic Investment Zone matching grant incentives. This amount was not spent during the fiscal year and was carried forward to FY 2008-2009. An additional \$ 85,000 was appropriated in the FY 2008-2009 operating budget bringing the incentive fund to \$170,000. Uncommitted Strategic Investment Zone matching grant incentive funds are \$126,722 and are available in account 110-1500-515-2695.

Payment of the grant matching funds will not be made until work and inspections are completed, and receipts are received by the City.

ATTACHMENTS:

[Grant Agreement](#)

[Location map and picture](#)

[Attachment "A" – TMED Design Manual](#)

[Attachment "B" – Building Façade](#)

[Resolution](#)

South 1st Street Strategic Investment Zone Chapter 380 Development Agreement



This Agreement is executed by and between the City of Temple, a home rule city in Bell County, Texas (hereinafter “the City”) and Texquest Investments LLC, a Limited Liability Company hereinafter “Owner”).

City and Owner agree as follows:

Section 1. Purpose. Pursuant to authority granted to home rule cities under Chapter 380 of the Local Government Code and pursuant to a program established for the South 1st Street Strategic Investment Zone under City Ordinance Number 2009-4285, the City and the Owner enter into this Agreement to promote economic development within the South 1st Street Strategic Investment Zone. As an inducement to Owner to make certain specified improvements to the property located at 2006 South 1st Street (hereinafter the “Property”), City and Owner agree to assume the responsibilities set forth below.

Section 2. Obligations of Owner. Owner proposes to make certain improvements to the Property, which are described generally below and as attached, and to use the Property as a Nuclear Pharmacy after the Improvements are completed. Owner is seeking matching grants for certain types of additional improvements described in Section 3, and further agrees to complete all of the additional improvements describe in the subparts of Section 3.

Refinish all four sides of the building facades with EIFS and stone or brick; install new doors and windows; install landscaping and irrigation system as per Attachment “A”; install sidewalks and handicap ramps as per Attachment “A”; replace/upgrade asphalt parking lot (not grant eligible); engineering, survey work, etc. (not grant eligible), hereinafter collectively referred to as “the Improvements.” The cost of total anticipated Improvements are \$600,000.

Owner agrees to complete said Improvements on or before March 31, 2010. As a condition to receiving the matching grants from the City described in Section 3, Owner further agrees to complete the improvements described in each subpart of Section 3.

Section 3. Matching Grants by the City. The City agrees to provide matching grants to the Owner as described below if Owner satisfactorily completes and maintains the additional improvements described in each subpart below:

- (a) **Façade Improvement Grant.** The City will make a grant of \$15,000 on a 1:1 matching basis for the replacement of an existing façade with an eligible masonry product on the Improvements as per **Attachment “B”**- building elevations. Eligible masonry materials for a replacement façade under this subsection include brick, stone, stucco, EIFS, simulated stone block, and such other materials that the City may approve from time to time. A list of eligible materials for the South 1st Street Strategic Investment Zone is maintained in the Construction Safety Office, 1st Floor, the Municipal Building, 2 North Main Street. Other façade improvement costs eligible for reimbursement with a façade improvement grant include demolition costs (including labor), landfill costs, and material and construction (including labor) costs, but specifically exclude design costs.

A description of the Façade Improvements to be completed by Owner is as follows:

- EIFS and stone or brick on all four sides of the building
- Install new doors and windows
- Façade elevation as per Attachment “B”

- (b) **Landscaping Improvement Grant.** The City will make a grant of \$10,000.00 on a 1:1 matching basis for the installation of new or additional landscaping and irrigation system on the Property. To be eligible the landscaping must meet or exceed the City’s landscaping requirements for the area (see **attachment “A”**), as the same may be established from time to time. Landscaping improvement costs eligible for reimbursement with a landscaping improvement grant include ground preparation costs (including labor), materials (trees, irrigation, shrubs, soil and amendments thereto and other decorative hardscape such as arbors, art, and walls or fences) and material and construction (including labor) costs, but specifically exclude design costs. The City will also consider making grants of trees from the City’s tree farm if requested by the Owner as part of a landscaping improvement grant application.

A description of the Landscaping Improvements to be completed by Owner is as follows:

Install landscaping and irrigation system as per **Attachment “A”**.

- (c) **Sidewalk Improvement Grant.** The City will make a grant of up to \$10,000.00 on a 1:1 matching basis for the construction or replacement of new sidewalks, curb and guttering with a minimum sidewalk width of 10 feet. Sidewalk improvement costs eligible for reimbursement include demolition costs (where applicable) (including labor), landfill costs, and material and construction (including labor) costs and equipment rental, but specifically exclude design costs.

See **attachment “A”** for Sidewalk Improvement design and construction to be completed by Owner is as follows.

- (d) **Monument Sign.** The City will make a grant of up to \$5,000.00 on a 1:1 matching basis for sign construction and installation. See **Attachment “A”** for design and construction requirements.
- (e) **Asbestos Survey and Removal.** The City will make a grant of up to \$1,000 on a 1:1 matching basis for Owner-initiated asbestos survey of the building and up to \$3,000 on a 1:1 matching basis for asbestos abatement for the building. Asbestos survey and abatement grant eligible costs include professional fees, labor costs, and replacement materials.
- (f) **Waiver of Platting, Zoning and Permit Fees.** The City will waive platting, zoning, water and wastewater tap fees, and building permit fees related to the Improvements on the Property.

Section 4. Acceptance of Improvements and Payment of Matching Grants.

The City’s obligation to provide the matching grants described in Section 3 is conditioned upon the Owner completing the Improvements described in Section 2 and the specific additional improvements described in the relevant subparts of Section 3. After the Improvements described in Section 2 and in the subparts of Section 3 are inspected and accepted by the City, the City will make payment to the Owner within 30 days of such acceptance and upon evidence of receipts for expenses.

Section 5. Maintenance of Improvements. Owner, or its successors and assigns, agree to maintain the Improvements described in Section 2 and the subparts of Section 3 for a period of not less than five (5) years from the date matching grants are received from the City.

Section 6. Assignment. Owner shall have the right to assign this Agreement as collateral for the financing of the construction of the Improvements, and in the event that Owner is unable to complete the project for any reason, its assignee shall have the right, but not the obligation to finish the project, and receive a

contribution from the City in the amounts specified in this Agreement upon final inspection and acceptance of the Improvements by the City.

Section 7. Availability of Records. Owner agrees to make its books and other records related to the construction of the Improvements available for inspection by the City during reasonable business hours.

Executed on this the ____ day of _____, 20__.

City of Temple, Texas

Owner

David A. Blackburn
City Manager

Tom Wilkinson
For Texquest Investments, LLC

Attest:

Approved as to form:

Clydette Entzminger
City Secretary

Jonathan Graham
City Attorney

State of Texas §

County of Bell §

This instrument was acknowledged before me on the ____ day of _____, 20__ by David A. Blackburn, City Manager, for the City of Temple, a Texas home rule City.

Notary Public

State of Texas §

County of Bell §

This instrument was acknowledged before me on the ____ day of _____, 20__ by _____.

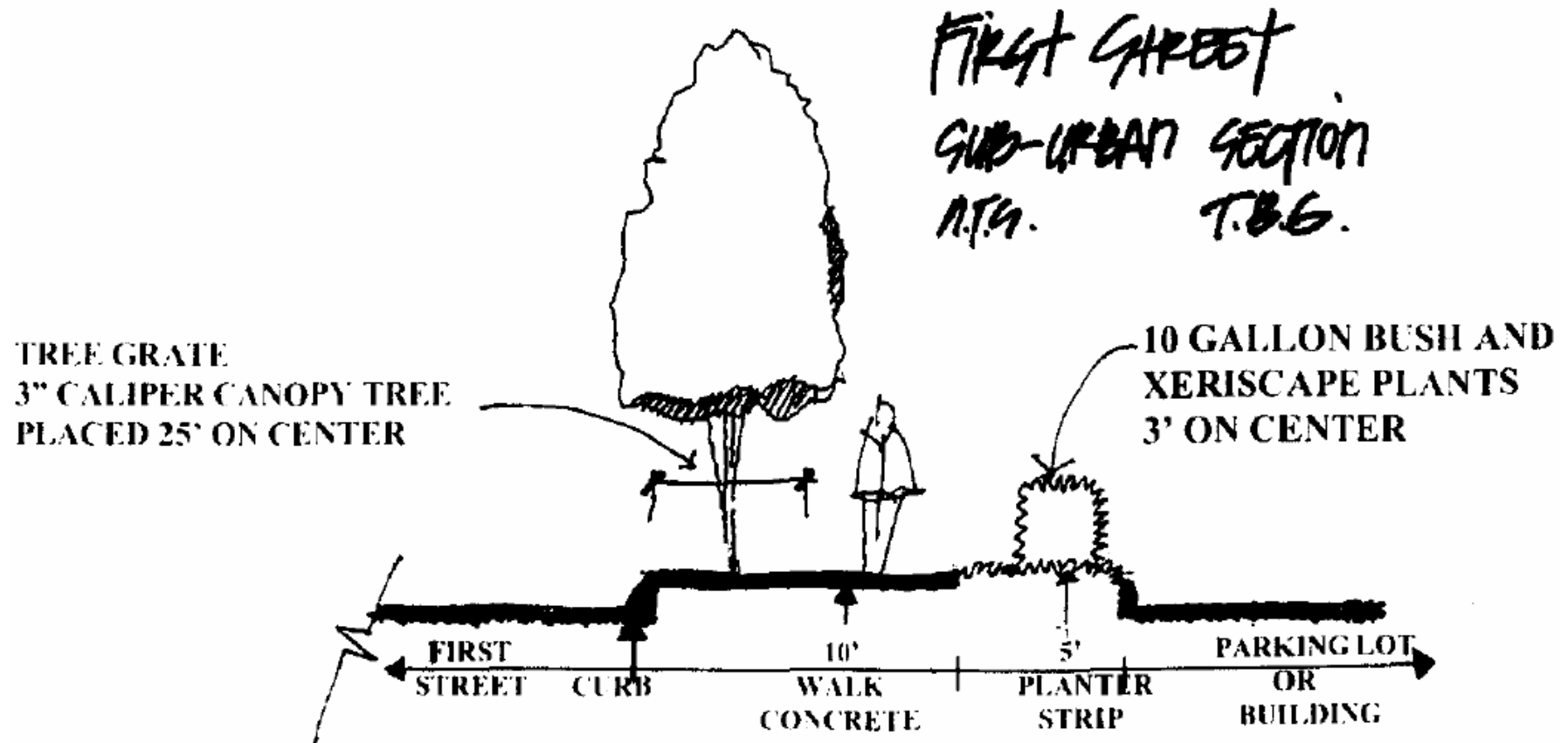
Notary Public



05/28/2009



Temple Medical and Education District Landscape & Hardscape Specifications



ADDITIONAL SPECIFICATIONS:

- Design as depicted above
- Programmable Irrigation System
- Plants must be Xeriscape Plants from City Plant List
- 50% of Plants in Planting Strip Must Be Evergreen and Include Large Perennials, Shrubs, and Grass
Bushes which Mature at a Minimum of 3' Height; Strip must be $\geq 75\%$ Filled with Plants
- 4" Mulch in Planting strip
- Additional Landscaping Against/near Building to Meet 5% Site landscape site Requirement
- Trees are continuous across all street frontages
- Planting strips continuous across all street frontages (except driveway cut)
- Tree Species: Under Review by TXDOT - TBD

Street Bench



SPECIFICATIONS

- Bronze in Color
- Two Benches Every 200 Feet of Street Frontage
- Design as depicted
- Location under tree adjacent to tree grate

<http://www.landscapeforms.com/en-US/Products/Pages/TowneSquareBench.aspx#more>

Sidewalk and Ramp



Tree Grates



SPECIFICATIONS

- Bronze in Color
- Design as depicted
- 4 ' x 4'

http://www.fairweathersf.com/tree_grates_pages/sp_tree_grates.html

Trash Receptacle



SPECIFICATIONS

- Design as depicted
- Bronze in Color
- One Receptacle Every 200' of Street Frontage
- Located next to bench

<http://www.landscapeforms.com/en-US/Products/Pages/PlainwellLitterReceptacle.aspx>

Bike Rack



SPECIFICATIONS

- Design as depicted
- Bronze in Color
- Located at Convenient Locations Near Building Entrances Outside of Pedestrian Circulation Routes
- One Bicycle Rack for Every 50 Parking Spaces
- Minimum of 1 Bike rack

<http://www.landscapeforms.com/en-US/Products/Pages/RingBikeRack.aspx>

Street Lighting



SPECIFICATIONS

- Design as depicted
- Bronze in Color
- Installed in Planter Strips
- 12' -15' Height for Pedestrian Illumination
- 20' Height for Vehicular Illumination
- Design Required if Lighting Fixtures are installed

http://www.sternberglighting.com/product_details.asp?id=899

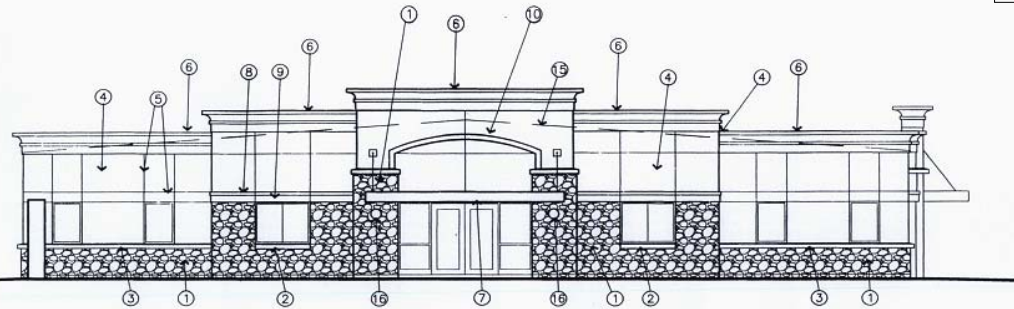
Building Signs and Free Standing Signs



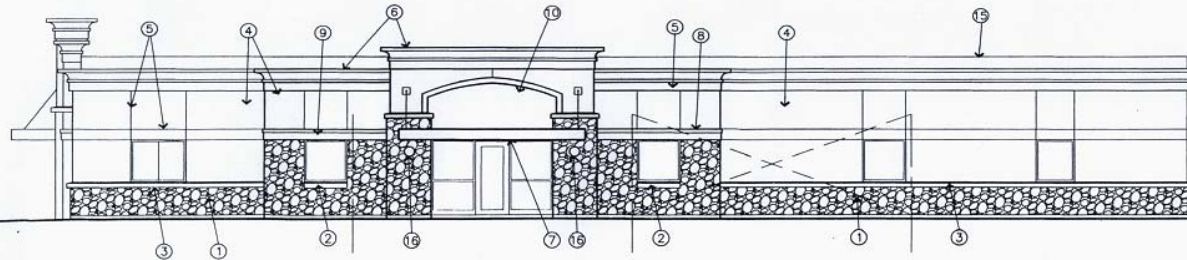
SPECIFICATIONS

- One Sign Max on Building
- One Ground Mounted Monument Sign (No Pole)
- Monument Must Have Some Brick or Stone
- No Plastic or Internal Illumination
- Similar design as depicted

http://www.vitalsignsusa.com/pro_bldg_5339stone.htm



1 FRONT (EAST) ELEVATION
1/8"=1'-0"



2 NORTH ELEVATION
1/8"=1'-0"

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A CHAPTER 380 “MATCHING GRANT” AGREEMENT BETWEEN THE CITY OF TEMPLE AND TEXQUEST INVESTMENTS FOR REDEVELOPMENT IMPROVEMENTS IN THE TEMPLE MEDICAL EDUCATION DISTRICT AND THE SOUTH 1ST STREET STRATEGIC INVESTMENT ZONE CORRIDOR; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, Texquest Investments is located on South First Street and is situated in the Temple Medical Education District and also within the South 1st Street Strategic Investment Zone which makes it eligible to receive a matching grant incentive from the City which is authorized by Ordinance No. 2008-4218 passed by the Temple City Council on June 5, 2008, and amending Ordinance No. 2009-4285 passed on March 5, 2009;

Whereas, the Staff recommends entering into a Chapter 380 “matching grant” agreement which will outline the obligations and representations of Texquest Investments and define the City’s incentive package;

Whereas, the total project investment by Texquest Investments is \$600,000, and the City’s total match may not exceed \$44,000;

Whereas, funds are available for this matching grant incentive in Account No. 110-1500-515-2695; 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 Chapter 380 “matching grant” agreement, between the City of Temple and Texquest Investments, after approval as to form by the City Attorney, for redevelopment improvements in the Temple Medical Education District and the South 1st Street Strategic Investment Zone corridor.

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 **2nd** day of **July**, 2009.

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

07/02/09
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DEPT./DIVISION SUBMISSION & REVIEW:

William A. Jones, III, Mayor

ITEM DESCRIPTION: Consider adopting a resolution appointing members to the following City Boards:

- (A) One member to the Airport Advisory Board to fill an unexpired term through September 1, 2010
- (B) One member to the Temple Public Safety Advisory Board to fill an unexpired term through September 1, 2010

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: (A) David Brown has resigned from the Airport Advisory Board due to health concerns. We recommend the appointment of one Temple resident to fill this unexpired term through September 1, 2010.

(B) John Bush has forfeited his position on the Temple Public Safety Advisory Board due to non-attendance. However, Mr. Bush is requesting re-instatement on the board for the remainder of his term. Please see the attached letter from Mr. Bush. We recommend the appointment of one Temple resident to fill this unexpired term through September 1, 2010.

Please see the attached board summary forms for both boards which list current members, purpose of the board, membership requirements, and meeting time and place. Also attached are board applications on file from qualified persons requesting appointment to one of these boards.

FISCAL IMPACT: None

ATTACHMENTS:

[Letter from John Bush](#)
[Board Summary Forms – Airport Advisory Board & Temple Public Safety Advisory Board](#)
[City Board Application Forms](#)

From: John Bush [jbush83498@sbcglobal.net]

Sent: Wednesday, June 24, 2009 1:40 PM

To: Clydette Entzminger

Subject: Public Safety Advisory Board

Clydette,

This is a letter requesting reinstatement on the public safety advisory board. I had some work related issues that caused me to

miss some meetings. All of those issues have been resolved at this time and I would appreciate being reinstated.

John Bush

NREMT - B, EMT - B, Temple CERT

AIRPORT ADVISORY BOARD

TERM EXPIRATION: SEPTEMBER - 3 YEAR TERMS

APPOINTED BY: MAYOR/COUNCIL

MEMBER	POSITION FILLED	DATE APPOINTED	EXPIRATION YEAR	ADDRESS	PHONE NUMBER
*William Maedgen, III summit@vvm.com OMA	At large	09/08	2011	11886 Brewer Road Salado, TX 76571	773-9902 W 947-5815 F 760-6385 Cell
Brad Phillips Bradp@homespecl.com	Temple Resident	09/08	2011	4000 Hickory Rd. #9 PO Box 1369 Temple, TX 76503	770-8057 W/C 770-0429 H
*Perry Cloud (RZ-1), Sec. ptcloud@cloudconstruction.com	At large & RZ No. 1	12/05	2009	P O Box 667 Temple, Texas 76503	778-1363 W 778-6492 H 778-5877 Fax
Lamar Eidson lamareidson@sbcglobal.net	Temple Resident	10/08	2009	11010 Whiterock Dr. Temple, TX 76502	780-2505 W 291-8659 C
*Don Gidden giddenyg@vvm.com OMA	Temple Resident	01/04	2010	5000 Hickory Temple, TX 76502	773-9933 W 778-3753 H
David M. Brown – resigned 6-02-09 ghosttrydur@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	2010	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	P O Box 793 Temple, TX 76503	42-1885 W 774-9685 H 742-7714 Fax 760-6007 Cell
Gary Schmidt (TEDC) gschmidt@cnbtemple.com	At large & TEDC	06/08	2010	Central National Bank P O Box 4107 Temple, TX 76505	770-1613 W 938-2429 H 770-3186 Fax

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); re-established by Resolution No. 2008-5437-R (remove Belton Rep and add 1 rep from TEDC and 1 rep from RZ No. 1 Board).

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: 6 residents of the City of Temple
3 residents at-large
1 member from TEDC Board of Directors & 1 member from RZ No. 1 Board of Directors (either at-large or Temple resident)
Ex-officio - Airport Manager, City Manager and Mayor

Term: 3 years **Meeting Time/Place:** 2nd Monday of each month, 4:00 pm, Airport Operations Bldg.

City Staff : Sharon Rostovich, Airport Manager REVISED 10/02/08

TEMPLE PUBLIC SAFETY ADVISORY BOARD

TERM EXPIRATION: SEPTEMBER - 3 YEAR TERMS

APPOINTED BY: MAYOR/COUNCIL

MEMBER	DATE APPOINTED	EXPIRATION YEAR	ADDRESS	PHONE NUMBER
Bill E. Moore OMA	06/05	2009	2005 East Avenue K, 76501	773-3589 H
Gaylene Nunn	09/08	2009	3502 Gila Trail 76504 gaylenenunn@netscape.net	254-519-5458 W 771-3556 H 972-989-4040 C
Steven Baskerville	05/09	2010	909 Neuberry Cliffe 76502 sbaskerville@hotmail.com sbaskerville@ussd.dhs.gov	741-1581 W 644-4135 C
James M. Horton	10/08	2010	4415 Longhorn Trail, 76502 Jameshorton3937@sbcglobal.net	742-1239 H 254-228-9522 C
John Rude	05/03	2009	214 Cheyenne, 76504 innarude@vvm.com	773-7147 H 298-7031 C 298-7111 F
John Bush – forfeit term non-attendance	09/04	2010	1302 North 13 th Street Temple, TX 76501 john@rmh-temple.com	770-0910 W 773-1416 H 760-9313 C
Patricia A. Smith, Ph.D. Chair	11/02	2010	3334 Red Cliff Cr., 76502 pat-smith@earthlink.net	778-4425 H
Corey Richardson	09/07	2010	100 Ottoway Drive, 76501 cdrich@excite.com	760-8330 W 598-0280 H
Marcie Davis OMA	5/03	2009	P.O. Box 4267, 76505 Marcie.davis@sbcglobal.net	771-0881 H 721-0212 C
Nancie Etzel	10/08	2010	329 Big Timber Drive 76502 NEtzel@aol.com	780-9898 H 443-742-1478 C
Karl J. Kolbe	04/07	2011	4802 S. 31 st Street, #Apt 515 kkolbe@hotmail.com	512-771-4132 C 254-231-3445 H
Gerald Richmond	09/05	2011	3210 Glenwood Drive 76502 n5zxj@n5zxj.us	773-6868 W 771-3006 H 913-7041 C
Stephen Paine OMA	02/08	2011	227 Taylors Drive Temple, TX 76502 Stephen.centraltexasems@gmail.com	771-1136 W 534-1834 C
Arben “Benny” Ismaili	09/07	2011	1810 Marlandwood Rd. #8107 76502 arben1976@hotmail.com	771-0169 W 421-1249 C
John Barina	09/08	2011	2109 Stagecoach Trl 76502 johnbarina@hotmail.com	760-6525 W/C 773-9580 H

Created by Resolution 94-641-R February 3, 1994; previously under authority of resolution adopted September 1, 1983 as Temple Law Enforcement Advisory Board.

Purpose: Advise the Council on matters of law enforcement, fire, emergency medical service, communications and emergency management.

Membership: 15 members - all residents of the City;
Ex-Officio members - Chief of Police, Fire Chief

Term: 3 years

City Staff: Police Chief Gary Smith/Fire Chief Lonzo Wallace

Meeting Time/Place: 2nd Tuesday of each month at 5:30 p.m., Temple Police Department. Revised 05/21/09



BOARD APPOINTMENTS

APPLICATION SUMMARY

JULY 2, 2009

AIRPORT ADVISORY BOARD – 3 YEAR TERMS: Meet 2nd Monday each other month, 4:00 pm

1 unexpired term – Temple resident position

Board Forms on File:

Pat Bell

Rayford Brown

Dan Conn

Gaylene Nunn (currently on Public Safety Advisory Board)

Vernon Starnes

Valentine Villa

TEMPLE PUBLIC SAFETY ADVISORY BOARD – 3 YEAR TERMS: Meets 2nd Tuesday of month at 5:30 pm

1 unexpired term – must be Temple resident

Board Forms on File:

Pat Bell

Justice Bigbie

Dee Blackwell

Margaret Goodwin

David Perkins

Warren Smith

James Spurlock

Bennie Trevino

BOARD APPLICATIONS REQUESTING SERVICE ON ANY BOARD:

Charles Belson – Temple resident

Margaret Goodwin – Temple resident

Jim Malone – Temple resident



CITY OF TEMPLE

CITY BOARD APPLICATION FORM

The purpose of this form is to furnish information to the Mayor and City Council regarding those persons who may desire to volunteer their time and services to the City of Temple by serving on one or more of the following boards and/or committees:

- | | |
|-------------------------------------|---|
| 1 AIRPORT ADVISORY BOARD | ANIMAL SERVICES ADVISORY BOARD |
| BUILDING & STANDARDS COMMISSION | BUILDING BOARD OF APPEALS |
| CIVIL SERVICE COMMISSION | COMMUNITY SERVICES ADVISORY BOARD |
| ELECTRICAL BOARD | 2 TEMPLE PUBLIC SAFETY ADVISORY BOARD |
| ZONING BOARD OF ADJUSTMENT | DEVELOPMENT STANDARDS ADVISORY BOARD |
| LIBRARY BOARD | 4 PARKS & LEISURE SERVICES ADVISORY BOARD |
| PLANNING & ZONING COMMISSION | TRANSIT ADVISORY COMMITTEE |
| REINVESTMENT ZONE NUMBER ONE | CENTRAL TEXAS HOUSING CONSORTIUM |
| 5 TEMPLE ECONOMIC DEVELOPMENT CORP. | |

• If you wish to make yourself available for consideration, please complete this form and send to the City Secretary's Office, City of Temple, P.O. Box 207, Temple, TX 76503 or by fax 254-298-5637.

• If you would like further information on meeting times and/or anticipated time commitments, please contact the City Secretary at 254-298-5301 or centz@ci.temple.tx.us.

Name Pat Bell Residence Address 3201 Pecan Valley Dr. 76502
Mailing Address PO Box 2062 Temple 76503 Phone Number(Business) 231-1075 (Home) 721-6925
Fax Number _____ Cell Phone Number 721-6925 E-Mail Address atwoodbell@yahoo.com
Current Employer/Nature of Business: Gidden Distributing/Beverage Distributor
What City Boards have you served on before & When? _____

Name, in priority order, the Board or Boards on which you would prefer to serve: Airport Advisory Board,
Temple Public Safety Advisory Board, TEDS, TRANSIT Advisory

What experience and/or educational background do you have that could be applied to community service?
Licensed Private Pilot, Bachelor of Science degree in Marketing

Comments (Attach additional page if desired):
I'm also on the advisory board of the Temple Salvation Army

Signed: Pat Bell Date: 7/15/08

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CITY OF TEMPLE

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BUILDING & STANDARDS COMMISSION
CIVIL SERVICE COMMISSION
ELECTRICAL BOARD
ZONING BOARD OF ADJUSTMENT
LIBRARY BOARD
PLANNING & ZONING COMMISSION
REINVESTMENT ZONE NUMBER ONE
TEMPLE ECONOMIC DEVELOPMENT CORP.

ANIMAL SERVICES ADVISORY BOARD
BUILDING BOARD OF APPEALS
COMMUNITY SERVICES ADVISORY BOARD
TEMPLE PUBLIC SAFETY ADVISORY BOARD
DEVELOPMENT STANDARDS ADVISORY BOARD
PARKS & LEISURE SERVICES ADVISORY BOARD
TRANSIT ADVISORY COMMITTEE
CENTRAL TEXAS HOUSING CONSORTIUM
TREE BOARD

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Name CHARLES BELSON Residence Address 4309 STONEHILL CT.
Mailing Address 4309 STONEHILL CT Phone Number(Business) 254 697-8516 (Home) 773-1347
Fax Number 697-8656 Cell Phone Number 760-6636 E-Mail Address cmbelson@sbcglobal.net
Temple Resident: ✓ Yes No

Current Employer/Nature of Business: EBCO GENERAL CONTRACTOR, LTD

What City Boards have you served on before & When? NONE

Name, in priority order, the Board or Boards on which you would prefer to serve:

TEPCO PLANNING & ZONING, - WHATEVER?

What experience and/or educational background do you have that could be applied to community service?

37 YRS OF MANUFACTURING MANAGEMENT EXPERIENCE

Comments (Attach additional page if desired):

WOULD LIKE TO GIVE BACK TO COMMUNITY BY SERVING ON A BOARD

Signed: Charles M. Belson Date: 5/19/09

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CITY OF TEMPLE

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ZONING BOARD OF ADJUSTMENT
LIBRARY BOARD
PLANNING & ZONING COMMISSION
REINVESTMENT ZONE NUMBER ONE
TEMPLE ECONOMIC DEVELOPMENT CORP.

ANIMAL SERVICES ADVISORY BOARD
BUILDING BOARD OF APPEALS
COMMUNITY SERVICES ADVISORY BOARD
TEMPLE PUBLIC SAFETY ADVISORY BOARD
DEVELOPMENT STANDARDS ADVISORY BOARD
PARKS & LEISURE SERVICES ADVISORY BOARD
TRANSIT ADVISORY COMMITTEE
CENTRAL TEXAS HOUSING CONSORTIUM

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Name JUSTIN M. BISHOP Residence Address 108 SANDHILL DRIVE

Mailing Address SAME Phone Number(Business) --- (Home) 742-2171

Fax Number --- Cell Phone Number 421-0889 E-Mail Address jbishop@att.net

Temple Resident: ☒ Yes ☐ No

Current Employer/Nature of Business: RETIRED (MIL + CIVIL SERVICE) 65+5

What City Boards have you served on before & When? --- SAME - APPROVED BY
THE COUNCIL 1999-03

Name, in priority order, the Board or Boards on which you would prefer to serve: (1) TRANSIT ADVISORY
COMMITTEE, (2) CIVIL SERVICE COMMISSION, (3) TEMPLE PUBLIC SAFETY ADVISORY BOARD

What experience and/or educational background do you have that could be applied to community service?
BS SCIENCE SERVICE "MAJOR WITH HONOR" TEXAS UNIVERSITY, ARMY BOMB CORPS SQUAD

Comments (Attach additional page if desired):
SERVED ON AIRPORT STATE EDUCATION AND TRAINING COMMISSION 1999-03 APPROVED BY BOARD

I WOULD BE HONORED TO SERVE ON ANY OF THE TEMPLE CITY BOARDS.
I PRESENTLY SERVE AS A RALPH WILSON YOUTH CLUB BOARD MEMBER.

Signed: Justin M. Bishop Date: 13 FEB 2009

PLEASE NOTE: All information supplied on this form is public information.

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FEB 6 - 2009

CITY OF TEMPLE
CITY SECRETARY



CITY OF TEMPLE

CITY BOARD APPLICATION FORM

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AIRPORT ADVISORY BOARD	ANIMAL SERVICES ADVISORY BOARD
BUILDING & STANDARDS COMMISSION	BUILDING BOARD OF APPEALS
CIVIL SERVICE COMMISSION	COMMUNITY SERVICES ADVISORY BOARD
CONVENTION CENTER & TOURISM BOARD	ELECTRICAL BOARD
ZONING BOARD OF ADJUSTMENT	DEVELOPMENT STANDARDS ADVISORY BOARD
LIBRARY BOARD	PARKS & RECREATION BOARD
PLANNING & ZONING COMMISSION	TRANSIT ADVISORY COMMITTEE
REINVESTMENT ZONE NUMBER ONE	TEMPLE HOUSING AUTHORITY
TEMPLE ECONOMIC DEVELOPMENT CORP.	TEMPLE PUBLIC SAFETY ADVISORY BOARD

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Name Dee Blackwell Residence Address 8520 Oak Crossing Temple, TX 76502
 Mailing Address 8520 Oak Crossing Temple, TX 76502 Phone Number (Business) _____ (Home) 254-298-5609
 Fax Number 254-298-5609 Cell Phone Number 254-541-8873 E-Mail Address dahblackwell@hotmail.com
 Current Employer/Nature of Business: Stay at home Mom
 What City Boards have you served on before & When? none previously

Name, in priority order, the Board or Boards on which you would prefer to serve: (1) Public Safety Advisory Board; (2) Community Services Advisory Board

What experience and/or educational background do you have that could be applied to community service?

I have a diverse education including a Masters degree in Social Work and Bachelor degree in Biology. As a mother and wife of a physician, the health and safety of the citizens of Temple is of great importance to me.

Signed: Dee Blackwell Date 4/18/08

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APR 17 2008

CITY OF TEMPLE, TX
CITY SECRETARY



CITY OF TEMPLE

CITY BOARD APPLICATION FORM

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CIVIL SERVICE COMMISSION
ELECTRICAL BOARD
ZONING BOARD OF ADJUSTMENT
LIBRARY BOARD
PLANNING & ZONING COMMISSION
REINVESTMENT ZONE NUMBER ONE
TEMPLE ECONOMIC DEVELOPMENT CORP.

ANIMAL SERVICES ADVISORY BOARD
BUILDING BOARD OF APPEALS
COMMUNITY SERVICES ADVISORY BOARD
TEMPLE PUBLIC SAFETY ADVISORY BOARD
DEVELOPMENT STANDARDS ADVISORY BOARD
PARKS & LEISURE SERVICES ADVISORY BOARD
TRANSIT ADVISORY COMMITTEE
CENTRAL TEXAS HOUSING CONSORTIUM

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Name FORWARD K BROWN Residence Address 3702 JAGUAR TRAIL
Mailing Address Same Phone Number (Business) 254 718 4910 (Home) 254 718 4910
Fax Number _____ Cell Phone Number 254 718 4910 E-Mail Address Herb.brown@clearwire.net
Temple Resident: ☒ Yes ☐ No
Current Employer/Nature of Business: Self Certified Flight Instructor
What City Boards have you served on before & When? NONE

Name, in priority order, the Board or Boards on which you would prefer to serve: Building and Standards Comm., Development Standards Advy, (Airport when open)

What experience and/or educational background do you have that could be applied to community service?
USAF A 68 grad, Commandant Academy of Military Science, Air National Guard Liaison Officer to Counter Drug Task Force, LTC (USAF Ret)
Comments (Attach additional page if desired):
8 Yr Temple Resident, Temple Chamber Military Affairs Committee

Signed: _____ Date: _____

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CITY OF TEMPLE

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BUILDING & STANDARDS COMMISSION	BUILDING BOARD OF APPEALS
CIVIL SERVICE COMMISSION	COMMUNITY SERVICES ADVISORY BOARD
CONVENTION CENTER & TOURISM BOARD	ELECTRICAL BOARD
ZONING BOARD OF ADJUSTMENT	DEVELOPMENT STANDARDS ADVISORY BOARD
LIBRARY BOARD	PARKS & RECREATION BOARD
PLANNING & ZONING COMMISSION	TRANSIT ADVISORY COMMITTEE
REINVESTMENT ZONE NUMBER ONE	TEMPLE HOUSING AUTHORITY
TEMPLE ECONOMIC DEVELOPMENT CORP.	TEMPLE PUBLIC SAFETY ADVISORY BOARD

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Name DAN J CONN Residence Address 101 BEAVER LOOP

Mailing Address 101 BEAVER LOOP, Temple Phone Number (Business) _____ (Home) 774-7368

Fax Number _____ Cell Phone Number _____ E-Mail Address dan329@5BXglobal.net

Current Employer/Nature of Business: RETIRED

What City Boards have you served on before & When? NONE

Name, in priority order, the Board or Boards on which you would prefer to serve: _____

AIRPORT ADVISORY BOARD

What experience and/or educational background do you have that could be applied to community service?
WORKED IN AVIATION 40+ YRS. COMMERCIAL PILOT 5000+ HRS. HIGH SCHOOL -
SOME COLLEGE, WAS GENERAL MGR OF FBO AT MIDLAND REG A/P 25 YRS.
DID CHARTER & EXC. FLYING, ALSO HAVE A# P LICENSE.

Comments (Attach additional page if desired):
I WORK WITH AIRPORT & CITY MGMT. WAS INVOLVED WITH NUMEROUS
BLDG PROJECTS.

Signed: Dan J Conn Date: 7-21-08

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CITY OF TEMPLE

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LIBRARY BOARD
PLANNING & ZONING COMMISSION
REINVESTMENT ZONE NUMBER ONE
TEMPLE ECONOMIC DEVELOPMENT CORP.

ANIMAL SERVICES ADVISORY BOARD
BUILDING BOARD OF APPEALS
COMMUNITY SERVICES ADVISORY BOARD
TEMPLE PUBLIC SAFETY ADVISORY BOARD
DEVELOPMENT STANDARDS ADVISORY BOARD
PARKS & LEISURE SERVICES ADVISORY BOARD
TRANSIT ADVISORY COMMITTEE
CENTRAL TEXAS HOUSING CONSORTIUM

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Name Margaret Goodwin Residence Address 3206 Keller Rd., 76504
 Mailing Address Same Phone Number (Business) 254-771-8600 EXT 377 (Home) _____
 Fax Number _____ Cell Phone Number 254-541-0894 E-Mail Address mag47gao@msn.com
 Temple Resident: ☒ Yes ☐ No
 Current Employer/Nature of Business: Kings Daughters Hosp, medical technologist
 Which City Boards have you served on before & When? N/A

Name, in priority order, the Board or Boards on which you would prefer to serve: ① Parks & Leisure
② Library ③ Community Services ④ Temple Public Safety ⑤ Any others
at your discretion

What experience and/or educational background do you have that could be applied to community service?
I am a life-long resident of Temple and a graduate of Temple High
school and Temple college. I have worked in the medical field
 Comments (Attach additional page if desired): for over 40 yrs.

I feel that I have benefited from the services of the city
and would like to be a benefit to my community.
 Signed Margaret Goodwin Date: _____

PLEASE NOTE: All information supplied on this form is public information.

RECEIVED

JAN 26 2009

CITY OF TEMPLE, TX
CITY SECRETARY



CITY OF TEMPLE

CITY BOARD APPLICATION FORM

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LIBRARY BOARD
PLANNING & ZONING COMMISSION
REINVESTMENT ZONE NUMBER ONE
TEMPLE ECONOMIC DEVELOPMENT CORP.

ANIMAL SERVICES ADVISORY BOARD
BUILDING BOARD OF APPEALS
COMMUNITY SERVICES ADVISORY BOARD
TEMPLE PUBLIC SAFETY ADVISORY BOARD
DEVELOPMENT STANDARDS ADVISORY BOARD
PARKS & LEISURE SERVICES ADVISORY BOARD
TRANSIT ADVISORY COMMITTEE
CENTRAL TEXAS HOUSING CONSORTIUM

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Name JIM MALONE Residence Address 5304 Wildflower Lane
Mailing Address Same Phone Number (Business) 76502 (Home) 742-0376
Fax Number _____ Cell Phone Number _____ E-Mail Address Jmalone022@hotmail.com
Temple Resident: ☒ Yes ☐ No
Current Employer/Nature of Business Retired / Schlumberger - worked for Schlumberger for 10 years
What City Boards have you served on before & When? None

Name, in priority order, the Board or Boards on which you would prefer to serve: most any except library

What experience and/or educational background do you have that could be applied to community service?
B.S. Math - Physics 30yrs of experience in management - mostly operational. Strong experience in making budget, managing people and costs. served as president / general manager of credit union - worked with many service organizations

Signed Jim Malone Date 9-11-08

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SEP 12 2008

CITY OF TEMPLE
CITY SECRETARY



CITY OF TEMPLE

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PLANNING & ZONING COMMISSION
REINVESTMENT ZONE NUMBER ONE
TEMPLE ECONOMIC DEVELOPMENT CORP.

ANIMAL SERVICES ADVISORY BOARD
BUILDING BOARD OF APPEALS
COMMUNITY SERVICES ADVISORY BOARD
TEMPLE PUBLIC SAFETY ADVISORY BOARD
DEVELOPMENT STANDARDS ADVISORY BOARD
PARKS & LEISURE SERVICES ADVISORY BOARD
TRANSIT ADVISORY COMMITTEE
CENTRAL TEXAS HOUSING CONSORTIUM

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Name Gaylene Nunn Residence Address 3502 Gila Trail, Temple

Mailing Address 3502 Gila Trail, 76504 Phone Number (Business) ²⁵⁴⁻519-5458 (Home) ²⁵⁴⁻771-3556

Fax Number ²⁵⁴⁻519-5480 Cell Phone Number ⁹⁷²⁻989-4040 E-Mail Address gaylene.nunn@nctscape.net

Current Employer/Nature of Business: Tarleton State University - Central Texas Education

What City Boards have you served on before & When? none

Name, in priority order, the Board or Boards on which you would prefer to serve: Airport Advisory Board, Temple Public Safety Advisory Board, Transit Advisory Board

What experience and/or educational background do you have that could be applied to community service?
MASTERS IN BUSINESS ADMINISTRATION; 20+ YEARS IN FINANCE & ACCOUNTING;

CURRENT - DIRECTOR OF FINANCE & ADMINISTRATION; PREVIOUS - 5 YRS ASST. DIRECTOR OF
Comments (Attach additional page if desired): FINANCE FOR CITY OF LANCASTER, TX

Signed

Gaylene Nunn

Date:

7/24/08

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Appl'd PSAB 9/04/08



CITY OF TEMPLE

CITY BOARD APPLICATION FORM

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CIVIL SERVICE COMMISSION	COMMUNITY SERVICES ADVISORY BOARD
CONVENTION CENTER & TOURISM BOARD	ELECTRICAL BOARD
ZONING BOARD OF ADJUSTMENT	DEVELOPMENT STANDARDS ADVISORY BOARD
LIBRARY BOARD	PARKS & RECREATION BOARD
PLANNING & ZONING COMMISSION	TRANSIT ADVISORY COMMITTEE
REINVESTMENT ZONE NUMBER ONE	TEMPLE HOUSING AUTHORITY
TEMPLE ECONOMIC DEVELOPMENT CORP.	TEMPLE PUBLIC SAFETY ADVISORY BOARD

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Name David Perkins Residence Address 814 Pecos, Temple 76504
 Mailing Address 814 Pecos, Temple 76504 Phone Number (Business) 773-9292 Home 778-5650
 Fax Number 770-0811 Cell Phone Number 931-1900 E-Mail Address davidwperkins@shcglobal.net
 Current Employer/Nature of Business: Viron International/Environmental Control Systems
 What City Boards have you served on before & When? N/A

Name, in priority order, the Board or Boards on which you would prefer to serve: Temple Public Safety Advisory Board, Zoning Board of Adjustment

What experience and/or educational background do you have that could be applied to community service?

B.S. History U.T. at Tyler
Minor: Economic Geography
 Comments (Attach additional page if desired):

Signed: David Perkins Date 7/15/2008

PLEASE NOTE: All information supplied on this form is public information.

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 JUL 15 2008
 CITY OF TEMPLE, TX
 CITY SECRETARY

JUL 9, 2008 3:31PM

SOLID_SURFACE_DEPARTMENT

NO 6553



CITY OF TEMPLE

CITY BOARD APPLICATION FORM

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CIVIL SERVICE COMMISSION	COMMUNITY SERVICES ADVISORY BOARD
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ZONING BOARD OF ADJUSTMENT	DEVELOPMENT STANDARDS ADVISORY BOARD
LIBRARY BOARD	PARKS & RECREATION BOARD
PLANNING & ZONING COMMISSION	TRANSIT ADVISORY COMMITTEE
REINVESTMENT ZONE NUMBER ONE	TEMPLE HOUSING AUTHORITY
TEMPLE ECONOMIC DEVELOPMENT CORP.	TEMPLE PUBLIC SAFETY ADVISORY BOARD

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Name Warren R Smith Residence Address 4409 Surface Lane Temple 76502

Mailing Address 4409 Surface Lane 76502 Phone Number (Business) 254-228-7412 (Home) 254-228-7412

Fax Number 254-228-7412 Cell Phone Number 254-228-7412 E-Mail Address WarrenRSmith@530.yahoo.com

Current Employer/Nature of Business: Wilson & International, Solid Surface Group, Controller

What City Boards have you served on before & When? None

Name, in priority order, the Board or Boards on which you would prefer to serve: Temple Public Safety
Advisory Board, Temple Economic Development Corporation

What experience and/or educational background do you have that could be applied to community service?

30 years of Corporate Business Experience, Licensed CPA

Undergraduate Degree in Accounting, MBA in Finance

Comments (Attach additional page if desired).

Signed: Dan Smith Date: 7/9/2008

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CITY OF TEMPLE

CITY BOARD APPLICATION FORM

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- | | |
|-----------------------------------|---------------------------------------|
| AIRPORT ADVISORY BOARD | ANIMAL SERVICES ADVISORY BOARD |
| BUILDING & STANDARDS COMMISSION | BUILDING BOARD OF APPEALS |
| ① CIVIL SERVICE COMMISSION | COMMUNITY SERVICES ADVISORY BOARD |
| CONVENTION CENTER & TOURISM BOARD | ELECTRICAL BOARD |
| ZONING BOARD OF ADJUSTMENT | DEVELOPMENT STANDARDS ADVISORY BOARD |
| LIBRARY BOARD | PARKS & RECREATION BOARD |
| ② PLANNING & ZONING COMMISSION | TRANSIT ADVISORY COMMITTEE |
| REINVESTMENT ZONE NUMBER ONE | TEMPLE HOUSING AUTHORITY |
| TEMPLE ECONOMIC DEVELOPMENT CORP | ③ TEMPLE PUBLIC SAFETY ADVISORY BOARD |

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***** (Temple) *****
Name JAMES M. SPURLOCK Residence Address 2109 CARNATION LANE
Mailing Address 2109 CARNATION Temple, TX 76702 Phone Number (Business) NONE (Home) 254-228-5809
Fax Number N/A Cell Phone Number 254-760-8925 E-Mail Address MD.Spurlock@hotmail.com
Current Employer/Nature of Business: RETIRED
What City Boards have you served on before & When? NONE

Name, in priority order, the Board or Boards on which you would prefer to serve: Civil Service,
PUBLIC SAFETY, PLANNING & ZONING

What experience and/or educational background do you have that could be applied to community service?
20 YEARS WITH US AIR FORCE, 20 YEARS AS TEXAS DEPUTY SHERIFF

AA Degree in Criminal Justice
Comments (Attach additional page if desired):
I am retired and have something to give back to the community.

Signed: James M. Spurlock Date: 7-10-08

PLEASE NOTE: All information supplied on this form is public information.

Clydette Entzminger

From: spartacus@ci.temple.tx.us
Sent: Wednesday, May 09, 2007 3:53 PM
To: Clydette Entzminger
Subject: Data posted to form 1 of <http://www.ci.temple.tx.us/chtml/boardform.htm>

Name: Vernon Starnes
Address: 121 Calvin Drive
Contact_WorkPhone: NA
Contact_HomePhone: 254-773-4700
Contact_Email: vstarnes@hotmail.com
previous boards: Airport Advisory Board - 2003
Boards preferred: Airport Advisory Board
Attend meetings: Yes

experience/educational:

comments:

Due to my wife's illness I had to resign from the Airport Board. She passed away in 2004.



CITY OF TEMPLE
CITY BOARD APPLICATION FORM

The purpose of this form is to furnish information to the Mayor and City Council regarding those persons who may desire to volunteer their time and services to the City of Temple by serving on one or more of the following boards and/or committees:

AIRPORT ADVISORY BOARD	ANIMAL SERVICES ADVISORY BOARD
BUILDING & STANDARDS COMMISSION	<input checked="" type="checkbox"/> BUILDING BOARD OF APPEALS
CIVIL SERVICE COMMISSION	<input checked="" type="checkbox"/> COMMUNITY SERVICES ADVISORY BOARD
<input checked="" type="checkbox"/> ELECTRICAL BOARD	TEMPLE PUBLIC SAFETY ADVISORY BOARD
ZONING BOARD OF ADJUSTMENT	<input checked="" type="checkbox"/> DEVELOPMENT STANDARDS ADVISORY BOARD
LIBRARY BOARD	PARKS & LEISURE SERVICES ADVISORY BOARD
PLANNING & ZONING COMMISSION	TRANSIT ADVISORY COMMITTEE
REINVESTMENT ZONE NUMBER ONE	CENTRAL TEXAS HOUSING CONSORTIUM
TEMPLE ECONOMIC DEVELOPMENT CORP.	

• If you wish to make yourself available for consideration, please complete this form and send to the City Secretary's Office, City of Temple, P.O. Box 207, Temple, TX 76503 or by fax 254-298-5637.

• If you would like further information on meeting times and/or anticipated time commitments, please contact the City Secretary at 254-298-5301 or centz@ci.temple.tx.us.

Name Bernie Trevino Residence Address 1003 South 13th St

Mailing Address 1003 S. 13th St Phone Number(Business) _____ (Home) 254-771-3851

Fax Number 254-771-3851 Cell Phone Number _____ E-Mail Address bernietrevino@yahoo.com
bn-trevino@yahoo.com

Temple Resident: ☒ Yes ☐ No

Current Employer/Nature of Business: not employed

What City Boards have you served on before & When? none

Name, in priority order, the Board or Boards on which you would prefer to serve: Building Board of Appeals
electrical board community services public safety board

What experience and/or educational background do you have that could be applied to community service?
25 years as an electrician 18 as an industrial maintenance electrician

Comments (Attach additional page if desired):

Signed: Bernie Trevino Date: 1-24-07

PLEASE NOTE: All information supplied on this form is public information.



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PLANNING & ZONING COMMISSION
REINVESTMENT ZONE NUMBER ONE
TEMPLE ECONOMIC DEVELOPMENT CORP.

ANIMAL SERVICES ADVISORY BOARD
BUILDING BOARD OF APPEALS
COMMUNITY SERVICES ADVISORY BOARD
TEMPLE PUBLIC SAFETY ADVISORY BOARD
DEVELOPMENT STANDARDS ADVISORY BOARD
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Name VALENTINE VILLA Residence Address 7717 HAWTHORN

Mailing Address 7717 HAWTHORN Phone Number(Business) 254-774-1418 (Home) 254-774-1418

Fax Number _____ Cell Phone Number _____ E-Mail Address VILLAVG.VILLA@AOL.COM

Temple Resident: ☒ Yes ☐ No

Current Employer/Nature of Business: RETIRED - COMPUTER CONSULTANT

What City Boards have you served on before & When? NONE

Name, in priority order, the Board or Boards on which you would prefer to serve: (1) PARKS & LEISURE,

(2) TEMPLE ECONOMIC DEV, (3) PLANNING & ZONING, AIRPORT ADVISORY

What experience and/or educational background do you have that could be applied to community service?

MY INVOLVEMENT IN OTHER CIVIC ORGANIZATIONS

Comments (Attach additional page if desired):

Signed: [Signature] Date: 02/10/2009

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