



**MEETING OF THE
TEMPLE CITY COUNCIL**

MUNICIPAL BUILDING

2 NORTH MAIN STREET

THURSDAY, APRIL 15, 2010

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, April 15, 2010.
2. Review and discuss the City's extraterritorial jurisdiction map and consider possible revisions thereto.
3. Discuss proposed ordinance changes related to off-street parking in residential neighborhoods.

5:00 P.M.

MUNICIPAL BUILDING

2 NORTH MAIN STREET
CITY COUNCIL CHAMBERS – 2ND FLOOR

TEMPLE, TX

REGULAR MEETING AGENDA

I. CALL TO ORDER

1. Invocation
2. Pledge of Allegiance

II. PROCLAMATIONS & SPECIAL RECOGNITIONS

3. [Presentation of Proclamations:](#)
 - (A) Fair Housing Month April, 2010
 - (B) Arbor Day – May 7, 2010

III. PUBLIC COMMENTS

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

IV. 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.

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

Minutes:

(A) April 1, 2010 Special Called and Regular Meeting

Contracts, Leases & Bids

- (B) **2010-5985-R:** Consider adopting a resolution authorizing an out of scope contract with CH2MHill/OMI of Englewood, Colorado for replacement of the chlorine feed lines at the Doshier Wastewater Treatment Plant in the not to exceed amount of \$144,242.27.
- (C) **2010-5986-R:** Consider adopting a resolution authorizing the purchase of various replacement parts for the Membrane Water Treatment Plant from
 1. Pall System Services of Cortland, NY, as a sole source provider, in the amount of \$104,344.41;
 2. Genesis Systems, Inc. of Plano, as a sole source provider, in the amount of \$18,262.00; and
 3. Dealers Electrical Supply of Temple in the amount of \$20,360.76.
- (D) **2010-5987-R:** Consider adopting a resolution authorizing a professional services agreement with InHouse Systems, Inc. for the purchase and installation of audio visual technology equipment for the newly renovated Mayborn Convention Center in an amount not to exceed \$29,500.
- (E) **2010-5988-R:** Consider adopting a resolution authorizing the purchase of Wireless Video Surveillance and Network Services and equipment from Redmoon Broadband in the amount of \$74,500 in the support of implementing a video surveillance Wireless SCADA network for the City of Temple.
- (F) **2010-5989-R:** Consider adopting a resolution authorizing the purchase of eleven (11) mobile digital video systems for the new police vehicles from L-3 Mobile Vision utilizing the Houston-Galveston Area Council Interlocal Cooperative, HGAC contract # EF04-09, in the amount of \$59,353.25.
- (G) **2010-5990-R:** Consider adopting a resolution authorizing demolition contracts with Gulf States Demolition of Kingwood in the amount of \$12,590 and with Intercon Environmental, Inc. of Mansfield in the amount of \$5,962 for the demolition of four (4) residential structures funded through the Community Development Block Grant (CDBG).

Ordinances – Second and Final Reading

- (H) **2010-4352:** SECOND READING – Consider adopting an ordinance abandoning 164 feet of a 20-foot wide alley located on the north side of West Adams Avenue, between Lot 3, Block 1 and Lot 1, Block 2, Blacks Addition.
- (I) **2010-4354:** SECOND READING – Z-FY-10-23 - Consider adopting an ordinance authorizing a zoning change from Light Industrial District (LI) to Planned Development (Light Industrial) District (PDD-LI) on a 250 ± acre tract of land situated in the Maximo Moreno survey, Abstract 14, Bell County, located in the Southeast Industrial Park, south of Lorraine Drive.

- (J) 1. [2010-4355](#): SECOND READING – Z-FY-10-24A – Consider adopting an ordinance authorizing a zoning change from Agricultural District (A) to General Retail District (GR) on 0.9 ± acres out of the Daniel Meador Survey, Abstract 577, Bell County Texas, located at 8800 Airport Road.
2. [2010-4356](#): SECOND READING – Z-FY-10-24B – Consider adopting an ordinance authorizing a Conditional Use Permit (CUP) to allow a package store with alcoholic beverage sales for off-premise consumption on 0.9 ± acres out of the Daniel Meador Survey, Abstract 577, Bell County Texas, located on the north side of Airport Road east of the State Highway 317 interchange at 8800 Airport Road.

Misc.

- (K) [2010-5991-R](#): Consider adopting a resolution authorizing a grant application to the Texas Parks and Wildlife Department, in the amount of \$180,521, to complete the Lions Parks National Recreation Trail.
- (L) [2010-5992-R](#): Consider adopting a resolution authorizing budget amendments for fiscal year 2009-2010.
- (M) [2010-5995-R](#): Consider adopting a resolution appointing the presiding and alternate judges for the May 8, 2010 City of Temple – Temple ISD Joint Election.

V. REGULAR AGENDA

ORDINANCES

5. [2010-4353](#): SECOND READING – Z-FY-10-20 – Consider adopting an ordinance authorizing a zoning change from General Retail District (GR) to Planned Development General Retail District (PD-GR) on a portion of Lot 1, Block 1, Number One Market Loop, located at 1521 SW H K Dodgen Loop.
6. [2010-4357](#): FIRST READING – Consider adopting an ordinance re-naming a portion of Hilliard Road to Lightner Lane.
7. [2010-4358](#): FIRST READING – PUBLIC HEARING – Consider adopting an ordinance establishing the prima facie speed limit on the US 190/LP363 frontage road, within the City limits.

RESOLUTIONS

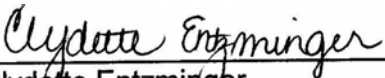
8. [2010-5993-R](#): Consider adopting a resolution directing the City Attorney to develop a policy to require quarterly disclosure by City Councilmembers of gross income earned by them, directly or indirectly, as a contractor, subcontractor or materials supplier from contracts entered into by the City or from projects that are funded in whole or in part from City funds or funds administered by the City.

BOARD APPOINTMENTS

9. **2010-5994-R:** Consider adopting a resolution appointing members to the following City boards and commissions:
- (A) One member to the Temple Public Safety Advisory Board to fill an unexpired term through September 1, 2012
 - (B) One member to the Community Services Advisory Board to fill an unexpired term through September 1, 2011

***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 _____ PM, on April 9, 2010.


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 _____ 2010. _____



COUNCIL AGENDA ITEM MEMORANDUM

04/15/10
Item #3
Regular Agenda

Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

William A. Jones, III, Mayor

ITEM DESCRIPTION: Presentation of Proclamations:

- | | |
|------------------------|-------------|
| (A) Fair Housing Month | April, 2010 |
| (B) Arbor Day | May 7, 2010 |

STAFF RECOMMENDATION: Present proclamations as presented in item description.

ITEM SUMMARY:

(A) This proclamation was requested by Beth Correa, Regional Planner with the Central Texas Council of Governments. Ms. Correa will be present to receive the proclamation.

(B) This proclamation was requested by, and will be received by, Val Roming, Parks and Leisure Services Department.

FISCAL IMPACT: N/A

ATTACHMENTS: N/A



COUNCIL AGENDA ITEM MEMORANDUM

04/15/10
Item #4(A)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Clydette Entzminger, City Secretary

ITEM DESCRIPTION: Approve Minutes:

(A) April 15, 2010 Special Called and 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:

[April 15, 2010 Special Called and Regular Meeting](#)

TEMPLE CITY COUNCIL

APRIL 1, 2010

The City Council of the City of Temple, Texas conducted a Special Meeting on Thursday, April 1, 2010, at 3:30 pm, in the 3rd Floor Conference Room, Municipal Building, 2 North Main Street.

Present:

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

Absent:

Councilmember Tony Jeter
Councilmember Russell Schneider

1. Discuss, as may be needed, Regular Meeting agenda items for the meeting posted for Thursday, April 1, 2010.

Consent Agenda Item 4(B) - Pass-Through Financing Project: David Blackburn, City Manager, stated there is no binding commitment with the award of this contract. He introduced Mr. Bill Hicks, with Bucher, Willis & Ratliff Corporation, the firm recommended to assist the City in preparing the pass-through financing application. Mr. Hicks provided background information regarding his involvement in this project with TxDOT since 2001.

Regular Agenda Item 5 - Alley abandonment in Blacks Addition: Mr. Blackburn reminded the Council this item was tabled at the first reading of the item on March 18th. Tim Dolan, Planning Director, noted that Taco Bell has indicated that if the alley is abandoned they will purchase the half abutting their property. A fence would be placed at the western end to eliminate pedestrian traffic. Jonathan Graham, City Attorney, explained the Council's action is to abandon the alley, if determined it is not usable for police, fire, or solid waste services. The City can offer the property for sale to the adjoining property owners.

Regular Agenda Item 6 - Billboard request from Lamar Advertising: Mayor Jones noted this item will require four affirmative votes from the City Council for approval due to the denial from the Planning & Zoning Commission. Mayor Pro Tem Luna asked why the Planning Commission denied the request. Mr. Dolan explained billboards are not allowed in the General Retail zoning district, it is not recommended in the Comprehensive Plan and it is out of scale with the existing signs in that location.

Regular Agenda Item 7 - Conditional Use Permit for Panda Energy: Mr. Blackburn stated there are no issues with this item. Mr. Richard Evans, the project manager for Panda, will be present at the regular meeting.

Regular Agenda Item 8 - Rezoning and conditional use permit for package store: No issues concerning this item. Both items A and B can be presented and considered together.

2. Receive update on 2010 Tax Increment Financing Reinvestment Zone No. 1 Master Plan.

Mr. Blackburn stated the RZ No. 1 Project Committee is about mid-way through the development of the RZ Master Plan update. When complete, the plan will be presented to the RZ No. 1 Board of Directors and then to the City Council for review and approval.

Mr. John Kiella, Chair of the RZ No. 1 Project Committee, provided the City Council with an overview of the RZ Master Plan. The last update to the plan occurred in 1999, with a project justification in 2005. This plan being developed now will lay out the future of the Zone for the next 10-20 years.

Mr. Kiella continued with a summary review of the various chapters in the plan, including (A) Background and Purpose of the Master Plan; (B) History of TRZ; (C) TRZ in 2010; (D) TRZ Future Projects; (E) Future Growth Plan; (F) Ten Year Project Financing Plan; and (G) Conclusion. He showed maps of the TRZ boundary and the various parks within the Zone, and discussed opportunities for extending the life of the Zone and expanding the boundary to possibly include the Temple Medical and Education District (TMED). Mr. Kiella also discussed some of the future projects being proposed within each park, noting that these are just potential projects with no priority order at this time. Cost estimates are being developed for each of these projects as the development of the plan continues.

3. Review and discuss the City's extraterritorial jurisdiction map and consider possible revisions thereto.

There was no discussion of this item due to the absence of two Councilmembers.

The City Council of the City of Temple, Texas conducted a Regular Meeting on Thursday, April 1, 2010 at 5:00 PM in the Council Chambers, Municipal Building, 2nd Floor, 2 North Main Street.

Present:

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

Absent:

Councilmember Russell Schneider

I. CALL TO ORDER

1. Invocation

Ms. Karen Allman, District II Director for Bell, Coryell and Falls Counties Camp Fire USA Texas Council, voiced the Invocation.

2. Pledge of Allegiance

Several Camp Fire Girls from the USA Texas Council led the Pledge of Allegiance.

II. PROCLAMATIONS & SPECIAL RECOGNITIONS

3. Presentation of Proclamations:

(A) Absolutely Incredible Kid Day - April 14, 2010

Mayor Jones presented this proclamation to Karen Allman, District II Director for Bell, Coryell and Falls Counties Camp Fire USA Tejas Council, and several Camp Fire Girls present at the meeting.

III. PUBLIC COMMENTS

No public comments were 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) March 18, 2010 Special Called and Regular Meeting

(B) 2010-5981-R: Consider adopting a resolution authorizing an agreement with Bucher, Willis & Ratliff Corporation (BWR) to assist the City in preparing an application for a Pass-Through Financing Project proposal for improvements to the Northwest Loop 363 with the Texas Department of Transportation (TxDOT).

(C) 2010-5982-R: Consider adopting a resolution ratifying emergency work performed and authorizing payment to T. Morales Company of Florence, Texas for services performed related to a power outage on March 9, 2010 at the Water Treatment Plant in the amount of \$28,318.06.

(D) 2010-5983-R: Consider adopting a resolution declaring the candidates for the May 8, 2010 District 1 City Councilmember as unopposed and elected to office, thereby canceling the May 8, 2010 City general election in District 1.

(E) 2010-5984-R: Consider adopting a resolution authorizing budget amendments for fiscal year 2009-2010.

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

Motion passed unanimously.

V. REGULAR AGENDA

ORDINANCES

- 5. 2010-4352: FIRST READING - PUBLIC HEARING - Consider adopting an ordinance abandoning 164 feet of a 20-foot wide alley located on the north side of West Adams Avenue, between Lot 3, Block 1 and Lot 1, Block 2, Blacks Addition.**

Tammy Lyerly, Planner, presented this request for alley abandonment to the City Council. This item was presented to the City Council for first reading at the March 18th

meeting at which time the item was tabled. Ms. Lyerly showed an aerial photo of the property. Dr. James Dean, the owner of the car wash to the east of the alley, would like to continue the fence along his property line to prohibit pedestrian traffic. All utility providers have been contacted and there are no objections to abandoning the alley. The Broker's Opinion of Value for the property is \$4,900.

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

Dr. James Dean, 409 Van Dyke, the applicant in this request, addressed the Council. He stated he approached Taco Bell about purchasing the entire alley if abandoned by the City Council. They initially agreed to that but later expressed opposition since their diners leave through that alley to access Central Avenue. Dr. Dean continued to ask that the alley be abandoned.

Mayor Jones stated he understands that Taco Bell now has agreed to purchase their half of the alley and allow the alley to be fenced at the west end.

Mr. Graham stated if the City abandons the alley, it is our practice to offer the alley to the abutting properties for their purchase. If Taco Bell does not purchase their portion, Dr. Dean could purchase it.

Councilmember Janczak explained his concern is with the City ending up with only a 10' alley.

Mr. Graham stated staff will explore opportunities with both property owners to not allow the 10' alley to remain.

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

Motion by Councilmember Marty Janczak to adopt ordinance on first reading and schedule second and final reading for April 15, 2010, seconded by Mayor Pro Tem Patsy E. Luna.

Motion passed unanimously.

6. 2010-4353: FIRST READING - PUBLIC HEARING - Z-FY-10-20 - Consider adopting an ordinance authorizing a zoning change from General Retail District (GR) to Planned Development General Retail District (PD-GR) on a portion of Lot 1, Block 1, Number One Market Loop, located at 1521 SW H K Dodgen Loop.

Brian Mabry, Planner, presented this rezoning request to the City Council. The request is for a Planned Development District to allow the construction of a billboard on the property. The property currently has a restaurant on site. The Planning and Zoning Commission denied the request due to concerns with the Comprehensive Plan, the Zoning Ordinance and the scale of the proposed billboard. Four affirmative votes of the City Council will be required to approve the requested rezoning.

Mr. Mabry showed an aerial photo of the property, located on SW H K Dodgen Loop, as well as photos of the surrounding uses and zoning. The billboard standards for this area were reviewed. Mr. Mabry presented the staff concerns regarding the proposed billboard as they relate to the Comprehensive Plan, Zoning Ordinance, and scale of

design of the billboard. Lamar Advertising, the applicant, submitted a rendition showing how the billboard would appear on this property in comparison to existing structures and signs in the area. Eight notices were mailed to surrounding property owners and one was returned in disapproval of the request. The Planning and Zoning Commission recommended denial because of the concerns expressed by Staff.

The City Council discussed the height standards in relation to the existing signs and utility poles along the Loop and the surrounding areas with Commercial zoning.

Mayor Jones declared the public hearing open with regard to agenda item 6 and asked if anyone wished to address this item.

Mat Naegele, Lamar Advertising, addressed the City Council. He stated the City's ordinance encourages his company to dismantle their structures to decrease the total number of structures throughout the community. They hope to move their signs around and they feel this is a good location. This is a highly regulated industry and it is becoming more difficult to construct billboards. He did not agree with the zoning restriction to Commercial zoning in light of the great amount of construction in this area and the surrounding commercial zoning. Mr. Naegele noted he is also representing the property owner, Mr. Newman, who is in support of locating the billboard on his property.

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

Motion by Councilmember Tony Jeter to adopt ordinance on first reading and schedule second and final reading for April 15, 2010, seconded by Councilmember Marty Janczak.

Motion passed unanimously.

7. 2010-4354: FIRST READING - PUBLIC HEARING - Z-FY-10-23 - Consider adopting an ordinance authorizing a zoning change from Light Industrial District (LI) to Planned Development (Light Industrial) District (PDD-LI) on a 250 ± acre tract of land situated in the Maximo Moreno survey, Abstract 14, Bell County, located in the Southeast Industrial Park, south of Lorraine Drive.

Tim Dolan, Planning Director, presented this rezoning request to the City Council. He stated the applicant is Panda Energy. A Planned Development site plan has been submitted by the applicant although it is not required. Mr. Dolan displayed an aerial photo of the property and the Future Land Use and Character map. The planned development standards for this area were also presented and reviewed, as well as the actual site plan for the development, to be included as an exhibit to the ordinance if approved. The Planning and Zoning Commission and staff recommended approval of the proposed Planned Development District Light Industrial District rezoning.

Mayor Jones declared the public hearing open with regard to agenda item 7 and asked if anyone wished to address this item.

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

Motion by Councilmember Marty Janczak to adopt ordinance on first reading and schedule second and final reading for April 15, 2010, seconded by Mayor Pro Tem

Patsy E. Luna.

Motion passed unanimously.

8. **2010-4355: (A) FIRST READING - PUBLIC HEARING - Z-FY-10-24A - Consider adopting an ordinance authorizing a zoning change from Agricultural District (A) to General Retail District (GR) on 0.9 ± acres out of the Daniel Meador Survey, Abstract 577, Bell County Texas, located at 8800 Airport Road.**

(B) FIRST READING – PUBLIC HEARING – Z-FY-10-24B – Consider adopting an ordinance authorizing a Conditional Use Permit (CUP) to allow a package store with alcoholic beverage sales for off-premise consumption on 0.9 ± acres out of the Daniel Meador Survey, Abstract 577, Bell County Texas, located on the north side of Airport Road east of the State Highway 317 interchange at 8800 Airport Road.

Brian Mabry, Planner, presented both items 8 (A) and (B) to the City Council. The purpose of this request is to establish a package store. A bar was previously located on this property but has been demolished. Mr. Mabry showed an aerial photo of the location in this request, as well as photos of surrounding uses. The use does not match the Future Land Use and Character map but staff will recommend an amendment in the future due to the appropriateness of the use on this property. Four notices were sent to surrounding property owners, with none returned in approval or denial. The Planning and Zoning Commission recommended approval of the rezoning request to General Retail zoning.

Regarding item (B), the request for a Conditional Use Permit to allow the establishment of a package store, Mr. Mabry presented the general standards for CUP approval, as well as the criteria specific to package stores. He also presented the site plan for the property, noting a few specific details including the proposed landscaping and signage. The Planning and Zoning Commission recommended approval of this requested Conditional Use Permit for the package store use.

Mayor Jones declared the public hearing open with regard to agenda items 8(A) and (B) and asked if anyone wished to address these items.

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

Motion by Mayor Pro Tem Patsy E. Luna to adopt ordinances on first reading and schedule second and final reading for April 15, 2010, seconded by Councilmember Marty Janczak.

Motion passed unanimously.

William A. Jones, III, Mayor

ATTEST:

Clydetta Entzminger City Secretary



COUNCIL AGENDA ITEM MEMORANDUM

04/15/10
Item #4(B)
Consent Agenda
Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

Nicole Torralva, P.E., Interim / Acting Director of Public Works / Operations

ITEM DESCRIPTION: Consider adopting a resolution authorizing an out of scope contract with CH2MHill/OMI of Englewood, Colorado for replacement of the chlorine feed lines at the Doshier Wastewater Treatment Plant in the not to exceed amount of \$144,242.27.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: Major upgrades of the Doshier Wastewater Treatment Plant were completed in 1994. Over the past 15 years, leaks have developed in the existing chlorine feed lines, causing a loss of vacuum in the lines. These small leaks are nearly impossible to locate, causing trouble with feeding chlorine when demand is high. Once new lines are installed, air testing will be performed to ensure that the new lines are functioning well. This project was approved by Council as part of the FY 2010 Capital Improvement Program as revised on November 19, 2009.

CH2MHill/OMI (contract operators of the Doshier WWTP facility) have prepared the attached out of scope letter proposal to complete the work. Specific information for tasks to be performed related to replacement of the polymer feed units are described in more detail in the attached documentation. Many tasks identified will be performed directly by operational staff, reducing labor charges and minimizing costs for the work.

Per the existing operational contract with OMI, Article 2.8.1 (Financing) states that when requested by the City, OMI shall finance capital improvement projects relating to Doshier WWTP that have been requested or authorized by the City, subject to mutually agreeable terms and conditions of repayment. Additionally, Article 2.9 (Incidental Services) states that OMI shall perform other services that are incidental to the performance by OMI of the services required as directed by the City at OMI's cost plus not more than 15%. Public Works staff recommends that this work be performed utilizing the services of CH2MHill through the attached out of scope contract proposal.

FISCAL IMPACT: A budget adjustment is presented for Council's approval appropriating Water & Sewer Unreserved Retained Earnings in the amount of \$144,243 to account 520-5900-535-6310, project # 100604, for the replacement of chlorine feed lines at the Doshier Wastewater Treatment Plant.

This project was approved by Council as part of the FY 2010 Capital Improvement Program as revised on November 19, 2009.

ATTACHMENTS:

[CH2MHill/OMI Proposal](#)

[Budget Adjustment](#)

[Resolution](#)



CH2M HILL OMI
9193 S. Jamaica Street
Suite 400
Englewood, CO 80112
P.O. Box 6607
Englewood, CO 80155
Tel 303.740.0019
Fax 303.740.7061

January 13, 2010

Nicole Torralva, P.E.
City of Temple
3210 East Ave H, Bldg A
Temple, Texas 76501

Subject: Out-of-Scope Letter Proposal

Dear Mrs. Torralva,

Per your request, Operations Management International Inc. ("CH2M HILL OMI") will provide the following out-of-scope services/materials upon approval by council:

What is being provided:

Replacement of original equipment on the chlorine and sulfur dioxide feed system and fencing of chlorine docks.

1. 3 Capital Control Chlor-A-Vac 1500 ppd chlorine inductors Series 1520. Cost \$57,498.53, no labor charge as it will be installed during normal contract hours

2. 3 Capital Control 750 ppd sulfur dioxide inductors Series 1420. Cost \$30,889.85, no labor charge as it will be installed during normal contract hours

3. 2- 500ppd sulfonators, rehab the SO2 feed manifold, replace the filters, rebuild SO2 vacuum regulators, new hi-lo vacuum alarm switch. Cost \$7,162.36

4. 2 chlorinators (1 -1000ppd and 1- 500ppd), 2-new tank mounted CL2 vacuum switchover regulators. Cost \$6,572.25

4. Replacement of 2, 792 feet 1-1/4" schedule 80 pvc, vacuum feed lines for chlorine. No labor charge as it will be installed during normal contract hours. Cost \$3640.04 (piping, fittings, valves, fill and equipment)

5. Security fencing of the chlorine storage docks to better meet new regulations forthcoming from EPA. Cost \$8,013.60

6. Replacement of the sulfur dioxide leak detector, including all electrical Cost \$2,591.50

7. Pull and replace 1600 ft of #16-2pair type TC shielded cable in existing raceways from Chlorine and Sulfur Dioxide Analyzers to PLC located in office. Test and terminate old cable. Cost \$2,677.50

8. Replace 4 SCBA's with new Scott C100, NIOSH approved units with spare cylinders. Cost \$ 7,252.00

Purchased Parts: All replacement parts purchased from local suppliers

When it is being provided: All work to be completed by contract year end (September 30, 2010).

Price of services: According to Article 2.9 Incidental Services, CH2M HILL OMI shall perform other services required that are incidental to the performance by CH2M HILL OMI of the services required by this Article as directed by City of Temple. Such services will be invoiced to City of Temple at CH2M HILL OMI's cost plus not more than (15%) fifteen percent.

Estimate of costs: \$144,242.27

Supplemental parts and labor charges (additional to the scope of work) were included in the Contractor Agreements for unforeseen or extraordinary work. Any additional work will be brought to the City of Temple for approval and funding.


Payment terms: According to Article 5.2 Other Payments, all other compensation to CH2M HILL OMI is due on receipt of CH2M HILL OMI's invoice and payable within thirty days.

All other terms and conditions of the Agreement dated September 30th, 2004 between CH2M HILL OMI and the City of Temple remains in full force and effect.

If these terms are agreeable to you, please sign both copies of this letter. We will return one fully executed original for your files.

CH2M HILL OMI appreciates the opportunity to provide these additional services to the City of Temple.

Sincerely,



Christopher S. Parker
Project Manager

Both parties indicate their approval of the above described services by their signature below.

Operations Management International, Inc.

Authorized Client Name:

Date: _____

Date: _____

FY 2010

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	
520-5900-535-63-10	100604	Chlorine Feed Line Replacement	\$ 144,243			
520-0000-373-04-11		Water & Sewer Unreserved Ret Earnings			144,243	
		<i>Do Not Post</i>				
TOTAL.....			\$ 144,243		\$ 144,243	

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

To fund the contract with CH2MHill/OMI for replacement of the chlorine feed lines at Doshier Wastewater Treatment Plant. This project was approved by Council as part of the FY 2010 Capital Improvement Program as revised on November 19, 2009.

DOES THIS REQUEST REQUIRE COUNCIL APPROVAL?

☒ Yes ☐ No

DATE OF COUNCIL MEETING

April 15, 2010

WITH AGENDA ITEM?

☒ Yes ☐ No

Mit Tee

Department Head/Division Director

3/26/10
Date

<input checked="" type="checkbox"/>	Approved
<input type="checkbox"/>	Disapproved

Finance

Date _____

<input type="checkbox"/>	Approved
<input type="checkbox"/>	Disapproved

City Manager

Date _____

☐ Approved
☐ Disapproved

RESOLUTION NO. 2010-5985-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING AN OUT OF SCOPE CONTRACT WITH CH2M HILL/OMI OF ENGLEWOOD, COLORADO, FOR REPLACEMENT OF THE CHLORINE FEED LINES AT THE DOSHIER FARM WASTEWATER TREATMENT PLANT, IN AN AMOUNT NOT TO EXCEED \$144,242.27; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, over the past 15 years, leaks have developed in the existing chlorine feed lines at the Doshier Farm Wastewater Treatment Plant, causing trouble with feeding chlorine when demand is high – new lines need to be installed, and then air testing will be performed to ensure that the new lines are functioning well;

Whereas, CH2M Hill/OMI, the contract operators at the Doshier Farm Wastewater Treatment Plant, have submitted a proposal for this project;

Whereas, the Staff recommends approval of an out of scope contract with OMI for an amount not to exceed \$144,242.27;

Whereas, funds are available for this project but an amendment to the FY2009-2010 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 City Manager, or his designee, to execute an out of scope contract with CH2M Hill/OMI of Englewood, Colorado, after approval as to form by the City Attorney, for replacement of the chlorine feed lines at the Doshier Farm Wastewater Treatment Plant, for a cost not to exceed \$144,242.27.

Part 2: The City Council approves an amendment to the FY2009-2010 budget, substantially in the form 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 **15th** day of **April**, 2010.

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

04/15/10
Item #4(C)
Consent Agenda
Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

Nicole Torralva, P.E., Interim Director of Public Works
Johnnie Reisner, Superintendent of Water Production

ITEM DESCRIPTION: Consider adopting a resolution authorizing the purchase of various replacement parts for the Membrane Water Treatment Plant from:

1. Pall System Services of Cortland, NY, as a sole source provider, in the amount of \$104,344.41;
2. Genesis Systems, Inc. of Plano, as a sole source provider, in the amount of \$18,262.00; and
3. Dealers Electrical Supply of Temple, in the amount of \$20,360.76.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: As a part of normal membrane plant operations, water treatment personnel regularly perform required maintenance within the facility to keep all components and operations functioning year round. To conduct this maintenance, an inventory of many common parts is kept on hand at the plant for use when necessary. As inventory declines, these parts must be restocked to enable maintenance and operations to continue.

At the time the Membrane Plant was built, Pall Corporation's parts and equipment were originally installed. Due to the specialized nature of the equipment, replacement for some of these parts can only be supplied by the original vendor, Pall Corporation. These items include valves, straining media, retaining rings, gaskets, couplings, repair pins, and a heater.

The second sole source purchase is for acquisition of Keystone valves and actuators for the plant. The membrane facility contains over 240 Keystone valves. In an effort to maintain uniformity without having to make costly modifications to the system (and also minimize plant down time), it is essential that Keystone valves remain consistent. Genesis Systems is the only factory authorized stocking distributor of these Keystone valve and actuator products, and as such, these parts are proposed to be purchased from Genesis in the total amount of \$18,262.00.

The last component of this item is for purchase of SCADA cards for communications at the plant. This portion of the work is not sole sourced. Therefore, three written quotes were obtained with Dealers Electrical Supply submitting the low bid in the amount of \$20,360.76.

FISCAL IMPACT: Funding in the amount of \$150,000 is available in account 520-5100-535-63-10, project #100573, for the replacement of component parts at the Membrane Plant in the FY 2010 operating budget.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. 2010-5986-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE PURCHASE OF VARIOUS REPLACEMENT PARTS FOR THE MEMBRANE WATER TREATMENT PLANT FROM PALL SYSTEM SERVICES OF CORTLAND, NEW YORK, IN THE AMOUNT OF \$104,344.41; GENESIS SYSTEMS, INC., OF PLANO, TEXAS, IN THE AMOUNT OF \$18,262.00; AND DEALERS ELECTRIC SUPPLY OF TEMPLE, TEXAS, IN THE AMOUNT OF \$20,360.76; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, as a part of normal membrane plant operations, water treatment personnel regularly perform required maintenance within the facility to keep all components and operations functioning year round – to conduct this maintenance, an inventory of many common parts is kept on hand at the plant for use when necessary, and as inventory declines, these parts must be restocked to enable maintenance and operations to continue;

Whereas, the Staff recommends purchasing valves, straining media, retaining rings, gaskets, couplings, repair pins, and a heater from Pall System Services, Inc., of Plano, Texas, as a sole source provider, for \$104,344.41; Keystone valves and actuators from Genesis Systems, Inc., of Plano, Texas, as a sole source provider, for \$18,262; and SCADA cards for communications at the plant from Dealers Electric Supply, of Temple, Texas, for \$20,360.76;

Whereas, funding is available in Account No. 520-5100-535-6310, project # 100573, for these purchases; 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 purchase of various replacement parts for the Membrane Water Treatment Plant, as follows: Pall System Services of Cortland, New York, as a sole source provider, in the amount of \$104,344.41; Genesis Systems, Inc., of Plano, Texas, as a sole source provider, in the amount of \$18,262.00; and Dealers Electrical Supply of Temple, Texas, in the amount of \$20,360.76.

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 **15th** day of **April**, 2010.

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

04/15/10
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DEPT./DIVISION SUBMISSION & REVIEW:

Alan DeLoera, Information Technology Director

ITEM DESCRIPTION: Consider adopting a resolution authorizing a professional services agreement with InHouse Systems, Inc. for the purchase and installation of audio visual technology equipment for the newly renovated Mayborn Convention Center in an amount not to exceed \$29,500.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The City recently renovated the Mayborn Convention Center in an effort to promote a great conference and meeting facility. Part of this effort is to include a new Audio Visual system for the North and South Conference Rooms along with digital signage in the lobby area.

To be an effective, collaborative and professional Convention Center the Audio Visual should be available in all of the conference rooms without the need of equipment from the customer. There is also a lack of signage in the Lobby area that would allow the customer to easily find their designated conference room.

This project would include new projection and audio systems in the two north conference rooms as well as the large conference room to the south. The systems will include new projectors, electric screens, wall plates and wireless access to the projectors along with the associated speaker system in each room. The lobby area work will include three 58" LCD TV's that will be tied into a digital signage software to direct customers to their correct conference rooms.

The Convention Center should provide quality audio/visual solutions to our clients' communication goals. No matter the size or nature of the event, we should deliver personal service and insight to help meet the customer's needs.

FISCAL IMPACT: The FY 2009 CIP program adopted by Council on August 28, 2008, included \$733,890 for Mayborn Center Improvement projects funded by Hotel/Motel Unallocated Fund Balance. The improvements included kitchen upgrades, Wi-Fi and data lines, and facility improvements.

Funding in the amount of \$55,500 has been appropriated in account 240-4400-551-6224, Project #100489. After the purchase of wireless access controllers, \$37,676 is available for the purchase of the audio visual equipment. After this purchase, a balance of \$8,176 will remain available for electrical work on the audio visual system.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. 2010-5987-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE PURCHASE OF AUDIO VISUAL TECHNOLOGY EQUIPMENT FOR THE NEWLY RENOVATED MAYBORN CONVENTION CENTER FROM INHOUSE SYSTEMS, INC., IN AN AMOUNT NOT TO EXCEED \$29,500; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the City recently renovated the Mayborn Convention Center in an effort to promote a great conference and meeting facility – part of this effort is to include a new audio visual system for the north and south conference rooms along with digital signage in the lobby area;

Whereas, the Staff recommends purchasing the equipment from InHouse Systems, Inc., for a cost not to exceed \$29,500;

Whereas, the FY 2009 CIP program authorizes funds for Mayborn Center improvements, and funds are available in Account No. 240-4400-551-6224, project # 100489, for this purchase; 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 purchase of audio visual technology equipment for the newly renovated Mayborn Convention Center from InHouse Systems, Inc., in an amount not to exceed \$29,500, and authorizes the City Manager, or his designee, to execute a contract, after approval as to form by the City Attorney, for this purchase and equipment installation.

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 15th day of April, 2010.

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

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Item #4(E)
Consent Agenda
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DEPT./DIVISION SUBMISSION & REVIEW:

Alan DeLoera, Information Technology Director

ITEM DESCRIPTION: Consider adopting a resolution authorizing the purchase of Wireless Video Surveillance and Network Services and equipment from Redmoon Broadband in the amount of \$74,500 in the support of implementing a video surveillance Wireless SCADA network for the City of Temple.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: As part of the Capital Improvements Program, money was budgeted to implement a video surveillance for the Wireless Supervisory Control and Data Acquisition (SCADA) Network. This is also part of a joint project with Public Works implement to SCADA control systems, monitoring and software.

The proposed video surveillance Wireless SCADA Network was designed to provide high-speed connection to freshwater pump stations for real-time video monitoring. Data transmission across this network is secured using 128 bit AES encryption—a high industry standard. Additionally, this network will enable the Public Works Department to comply with Homeland Security interim voluntary security guidelines that recommend video surveillance of freshwater distribution facilities (water towers and pump stations) with minimal costs.

This project also provides for redundancy of the network for the video surveillance by adding additional wireless units at key locations to expand the coverage for video surveillance. The video surveillance wireless SCADA network consists of video monitoring equipment installed at each fresh water pump station. These pump stations will be linked using high-speed wireless radios forming a ring around the center of the City. The video surveillance Wireless SCADA Network will be a tremendous asset to the City's infrastructure. The security, reliability and flexibility designed into this project make it a great value to the City of Temple.

FISCAL IMPACT: Funding in the amount of \$135,000 was appropriated in account 361-1900-519-6802, project #100087, from the 2006 Certificate of Obligation Bonds for Wireless Broadband Network, which included SCADA improvements. After funding \$77,972 in wireless improvements, a balance of \$57,028 is available to fund \$44,700 of the purchase related to this project.

Funding in the amount of \$74,114 is available in account 561-5100-535-6931, project #100336, from the 2008 Utility Revenue Bond Issue for SCADA upgrades to purchase \$29,800 of wireless video surveillance and network services and equipment.

The total amount of the purchase is \$74,500, through State of Texas DIR Contract DIR-SDD-475. The maintenance is for 3 years on all hardware and is included in the price from Redmoon Broadband.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. 2010-5988-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE PURCHASE OF WIRELESS VIDEO SURVEILLANCE AND NETWORK SERVICES AND EQUIPMENT FROM REDMOON BROADBAND (STATE OF TEXAS DIR CONTRACT DIR-SDD-475) IN SUPPORT OF IMPLEMENTING A VIDEO SURVEILLANCE WIRELESS SCADA NETWORK FOR THE CITY, IN THE AMOUNT OF \$74,500; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, as part of the Capital Improvements Program, funds was budgeted to implement a video surveillance for the Wireless Supervisory Control and Data Acquisition (SCADA) Network – this is also part of a joint project with Public Works to implement to SCADA control systems, monitoring and software;

Whereas, the proposed video surveillance Wireless SCADA Network was designed to provide high-speed connection to freshwater pump stations for real-time video monitoring – this network will enable the Public Works Department to comply with Homeland Security Interim voluntary security guidelines that recommend video surveillance of freshwater distribution facilities (water towers and pump stations) with minimal cost;

Whereas, funds are available in Account No. 561-5100-535-6931, project #100336, from the 2008 Utility Revenue Bond Issue for this purchase; 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 purchase of Wireless Video Surveillance and Network Services and equipment from Redmoon Broadband (State of Texas DIR Contract DIR-SDD-475) in support of implementing a video surveillance Wireless SCADA network for the City of Temple, in the amount of \$74,500.

Part 2: The City Council authorizes the City Manager, or his designee, to execute any documents, after approval as to form by the City Attorney, that may be necessary for this purchase.

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 **15th** day of **April**, 2010.

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

04/15/10
Item #4(F)
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DEPT./DIVISION SUBMISSION & REVIEW:

Gary O. Smith, Chief of Police

ITEM DESCRIPTION: Consider adopting a resolution authorizing the purchase of eleven (11) mobile digital video systems for the new police vehicles from L-3 Mobile Vision utilizing the Houston-Galveston Area Council Interlocal Cooperative, HGAC contract # EF04-09, in the amount of \$59,353.25.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The Police Department seeks approval to purchase mobile digital video systems to be installed in the ten (10) replacement vehicles that we have already received, and the vehicle purchased from the 2009 American Recovery and Reinvestment Act Edward Byrne Justice Assistance Grant (JAG) Program. The digital video system being considered is the same system we are now using on the six traffic motorcycles. This system wirelessly downloads videos to a server which reduces the time that officers and employees must handle cassettes and DVDs, as well as reducing the costs associated with purchasing these recording media. The system also provides for much quicker access to the recordings by officers, supervisors, and prosecutors, saving considerable time when incidents need to be reviewed, or are moving through the criminal justice system.

FISCAL IMPACT: In the FY 2010 operating budget, funding in the amount of \$350,000 was appropriated in account 110-2000-521-62-13, project # 100583, for the purchase of 10 marked police vehicles and related accessories. To date, all vehicles have been purchased and received along with some accessories, leaving a balance of \$71,165 currently remaining to fund the purchase of ten mobile digital video systems and to complete the purchases of other accessories.

The additional video system will be purchased out of the 2009 American Recovery and Reinvestment Act Edward Byrne Justice Assistance Grant (JAG) Program for the fully equipped patrol vehicle at an estimated cost of \$37,500 for the additional School Resource Officer (SRO) funded by the TISD Grant. Funds are appropriated in account 260-2000-521-62-13, project # 100586. To date the vehicle and one associated accessory has been purchased leaving a balance of \$10,461 in the account to fund the purchase of one mobile digital video system for the SRO vehicle.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. 2010-5989-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE PURCHASE OF 11 MOBILE DIGITAL VIDEO SYSTEMS FOR THE NEW POLICE VEHICLES FROM L-3 MOBILE VISION UTILIZING THE HOUSTON-GALVESTON AREA COUNCIL INTERLOCAL COOPERATIVE, HGAC CONTRACT #EF04-09, IN THE AMOUNT OF \$59,353.25; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the Police Department needs to purchase mobile digital video systems to be installed in 11 police vehicles that the City has already received;

Whereas, the digital video system being considered wirelessly downloads videos to a server which reduces the time that officers and employees must handle cassettes and DVD's, as well as reducing the costs associated with purchasing these recording media;

Whereas, the Staff recommends purchasing the mobile digital video systems from L-3 Mobile Vision utilizing the Houston-Galveston Area Council Interlocal Cooperative contract pricing (contract # EF04-090) in the amount of \$59,353.25;

Whereas, funds are available for this purchase in Account 110-2000-521-6213, project #100583 and Account 260-2000-521-6213, project # 100586; 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 purchase of 11 mobile digital video systems for police vehicles from L-3 Mobile Vision utilizing the Houston-Galveston Area Council Interlocal Cooperative contract pricing (contract # EF04-090), for a cost not to exceed \$59,353.25.

Part 2: The City Council authorizes the City Manager, or his designee, to execute any documents, after approval as to form by the City Attorney, that may be necessary for this purchase.

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 15th day of April, 2010.

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

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Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

Richard Therriault, Chief of Construction Safety
Belinda Mattke, Director of Purchasing

ITEM DESCRIPTION: Consider adopting a resolution authorizing demolition contracts with Gulf States Demolition of Kingwood, in the amount of \$12,590 and with Intercon Environmental, Inc. of Mansfield in the amount of \$5,962 for the demolition of four (4) residential structures funded through the Community Development Block Grant (CDBG).

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: Included in the City's Community Development Block Grant (CDBG) Action Plan is funding for residential demolitions with the focus of eliminating blight. Up until FY 2010, the City has used Public Works to complete these demolitions. However, due to the backlog of demolitions, the City started contracting out some of these demolitions. To date in FY2010, informal bids and awards in the amount of \$22,741.35 have been award for CDBG demolitions. Based on the City's adopted monetary guidelines of competitive sealed bidding required for contracts greater than \$25,000, it was determined future demolitions will require competitive sealed bids. Accordingly, on March 30, 2010, competitive sealed bids were opened for the demolition of the following four (4) residential structures:

- 521 E. Avenue H
- 608 S. 20th Street
- 1607 W. Avenue K
- 406 S. 5th Street

As shown on the attached bid tabulation, the low bidder for 521 E. Avenue H, 608 S. 20th Street, 1607 W. Avenue K, and 406 S. 5th Street is Gulf States Demolition. The low bidder for 406 S. 5th Street is Intercon Environmental, Inc. Staff recommends award of these demolitions to these 2 low bidders.

The City has done business with Gulf States Demolition in the past and has found them to be a responsible vendor. The City has not done business with Intercon Environmental, Inc. previously. Accordingly, references were checked and Intercon was found to be a responsible vendor.

FISCAL IMPACT: Funding in the amount of \$100,000 is included in the FY 2010 CDBG adopted Action Plan for demolitions. This \$100,000 is currently available in account 260-6100-571-2698 along with \$48,051.50 carried forward from FY2009.

ATTACHMENTS:

[Bid Tabulation](#)

[Photos of residential structures proposed for demolition](#)

[Resolution](#)

Tabulation of Bids Received
on March 30, 2010 at 2:00 p.m.
CDBG Residential Demolitions (4 Sites)

Description	Bidders			
	Gulf States Demolition Kingwood, TX	Pride General Contractors, LLC El Paso, TX	Southwest Destructors Austin, TX	JJ Insulation & Acoustics, Inc. Corpus Christi, TX
521 E Avenue H (house only)	\$4,670.00	\$13,900.00	\$5,122.00	\$11,800.00
608 S. 20th (house only)	\$4,360.00	\$9,760.00	\$4,922.00	\$11,100.00
1607 W. Avenue K (house and accessory structure)	\$3,560.00	\$10,680.00	\$4,422.00	\$11,300.00
406 S. 5th Street (house & fence)	\$5,970.00	\$14,540.00	\$10,522.00	\$11,900.00
Bid Bond (required at bid opening)	\$928 Cashier Check	5%	5%	5%

Insurance Affidavit	Yes	Yes	Yes	Certificate
Credit Check Authorization Form	Yes	Yes	Yes	Yes

Description	Bidders			
	Intercon Environmental, Inc Mansfield, TX	RT Schnieder Construction Belton, TX		
521 E Avenue H (house only)	\$5,716.00	\$5,510.00		
608 S. 20th (house only)	\$5,233.00	\$6,092.00		
1607 W. Avenue K (house and accessory structure)	\$6,223.00	\$5,543.00		
406 S. 5th Street (house & fence)	\$5,962.00	\$6,598.00		
Bid Bond (required at bid opening)	5%	5%		

Insurance Affidavit	Yes	Yes		
Credit Check Authorization Form	Yes	Yes		

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

Belinda Mattke

Belinda Mattke, Director of Purchasing

30-Mar-10

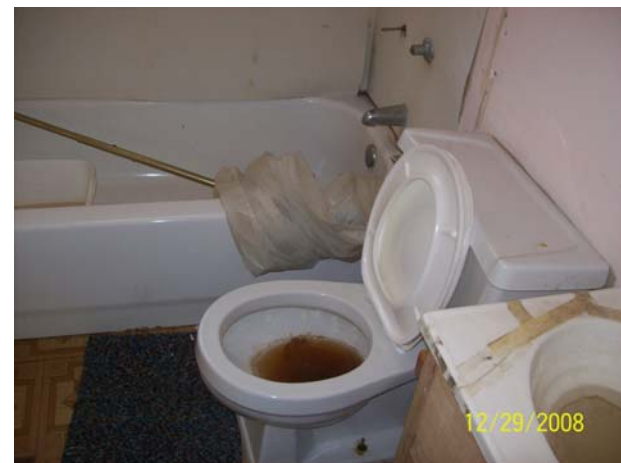
Date

**Note: Highlighted bid is recommended
for Council approval.**

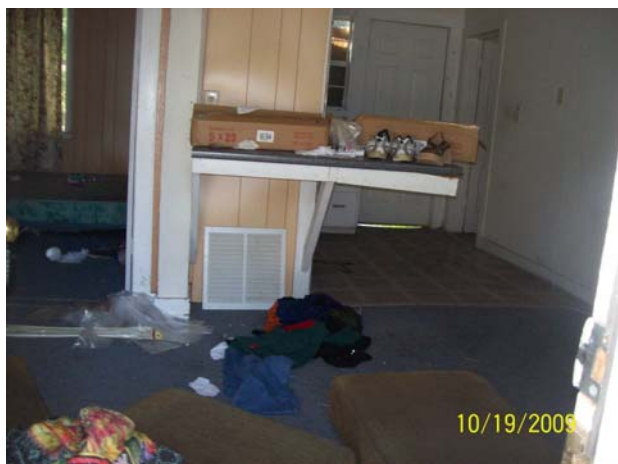
521 E Ave. H



608 S 20th ST.



1607 W Ave. K



406 S 5th ST.



RESOLUTION NO. 2010-5990-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING DEMOLITION CONTRACTS WITH GULF STATES DEMOLITION OF KINGWOOD, TEXAS, IN THE AMOUNT OF \$12,590; AND WITH INTERCON ENVIRONMENTAL, INC., OF MANSFIELD, TEXAS, IN THE AMOUNT OF \$5,962, FOR THE DEMOLITION OF 4 RESIDENTIAL STRUCTURES FUNDED THROUGH THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG); AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on March 30, 2010, the City received competitive sealed bids for the demolition of 4 residential structures;

Whereas, the Staff recommends accepting the bid (\$12,590) submitted by Gulf States Demolition of Kingwood, Texas, for demolition of 520 E. Avenue H, 608 S. 20th Street, and 1607 W. Avenue K;

Whereas, the Staff recommends accepting the bid (\$5,962) submitted by Intercon Environmental, Inc., of Mansfield, Texas, for demolition of 406 S. 5th Street;

Whereas, funds are available for these demolitions in Account No.260-6100-571-2698; 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 demolition contract, in the amount of \$12,590, with Gulf States Demolition of Kingwood, Texas, after approval as to form by the City Attorney, for demolition of 520 E. Avenue H, 608 S. 20th Street, and 1607 W. Avenue K.

Part 2: The City Council authorizes the City Manager, or his designee, to execute a demolition contract, in the amount of \$5,962, with Intercon Environmental, Inc., of Mansfield, Texas, after approval as to form by the City Attorney, for demolition of 406 S. 5th Street.

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 **15th** day of **April**, 2010.

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

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DEPT./DIVISION SUBMISSION & REVIEW:

Tim Dolan, Planning Director

ITEM DESCRIPTION: SECOND READING – Consider adopting an ordinance abandoning 164 feet of a 20-foot wide alley located on the north side of West Adams Avenue, between Lot 3, Block 1 and Lot 1, Block 2, Blacks Addition.

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

ITEM SUMMARY: This item was presented to Council for first reading on March 18th. The applicant was not present for that meeting and at the applicant's request, the Council tabled action on the item and left the public hearing open until April 1st.

The applicant, James D. Dean, requests this abandonment to add square footage to the open area of his existing car wash and to allow him to complete the fence along his rear property line. The applicant hopes the fence will reduce vandalism and theft from foot traffic through his business property.

Staff contacted all utility providers, including all divisions of the Public Works Department, regarding the proposed alley abandonment. There are no objections to the request.

The applicant and the owners of the adjacent Taco Bell property are the only abutting property owners along this portion of the subject alley. Staff notified the owners of the Taco Bell property of this alley abandonment request. Taco Bell representatives are opposed to the applicant's request to abandon the alley because their customers use the alley to travel back to Central Avenue.

FISCAL IMPACT: If approved, both abutting property owners will be allowed to purchase their half of the abandoned alley, which has a fair market value of \$4,900.

ATTACHMENTS:

Application
Survey
Plat
Aerial
Abandonment Exhibit
Ordinance

ABANDONMENT APPLICATION

Date: 12/16/2009

Property Owner: JAMES D. DEAN 409 VAN DYKE DR. 254.721.9929
Name Address Phone #

Applicant: JAMES D. DEAN 409 VAN DYKE DR. 254.721.9929
Name Address Phone #

Capacity of applicant: ☐ Officer ☐ Broker ☐ Prospective Buyer ☒ Other OWNER

Email: jdeanod@yahoo.com Fax Number: —

Address of Property: 1506 W. ADAMS Lot: 1 Block: 2 Subdivision: BLACK ADD.

Outblock (if not platted): _____

Filing Fee: The abandonment application requires a filing fee of \$100 plus the broker's opinion of the value of the property to be abandoned (if applicable). The fee is not refundable, except that a refund of \$25 and the value of the property will be made if an application is withdrawn in writing and received by the Planning Department prior to the notification of utility providers.

Type of Abandonment: ☒ Alley ☐ Street ☐ Drainage or utility easement ☐ Other _____

Abandonment Description: Please explain why the abandonment is needed.

POLICE RECOMMENDS TO HELP STOP VANDALISM AND TRAFFIC TO COMPLETE
EXISTING FENCE ALL THE WAY ACROSS BACK OF PROPERTY, TO STOP FOOT
TRAFFIC OF HOMELESS AND STREET PEOPLE FROM HAVING WALK THROUGH
ALLEYS AS NOW.

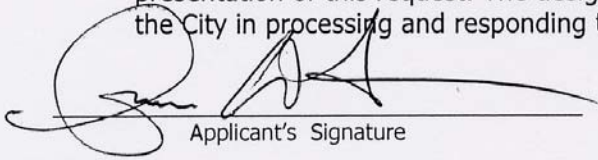
Use of Abandonment: Please provide the proposed use of abandoned property, if granted.

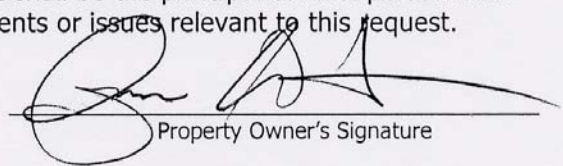
TO COMPLETE FENCE ACROSS BACK OF PROPERTY AND ADD 50 FEET AREA
TO OPEN AREA OF EXISTING CAR WASH. NO INTENDED USE
FOR BUILDING ON.

Thoroughfare Plan Streets: Any abandonment of a street reflected on the City's Thoroughfare Plan may be presented to Planning and Zoning Commission and the City Council.

Certification: You as the property owner certify with your signature that all of the following statements are true:

- This application is complete and all of the information provided is accurate.
- The person signing below as applicant may act as my agent for the processing and presentation of this request. The designated agent shall be the principal contact person with the City in processing and responding to requirements or issues relevant to this request.


Applicant's Signature


Property Owner's Signature

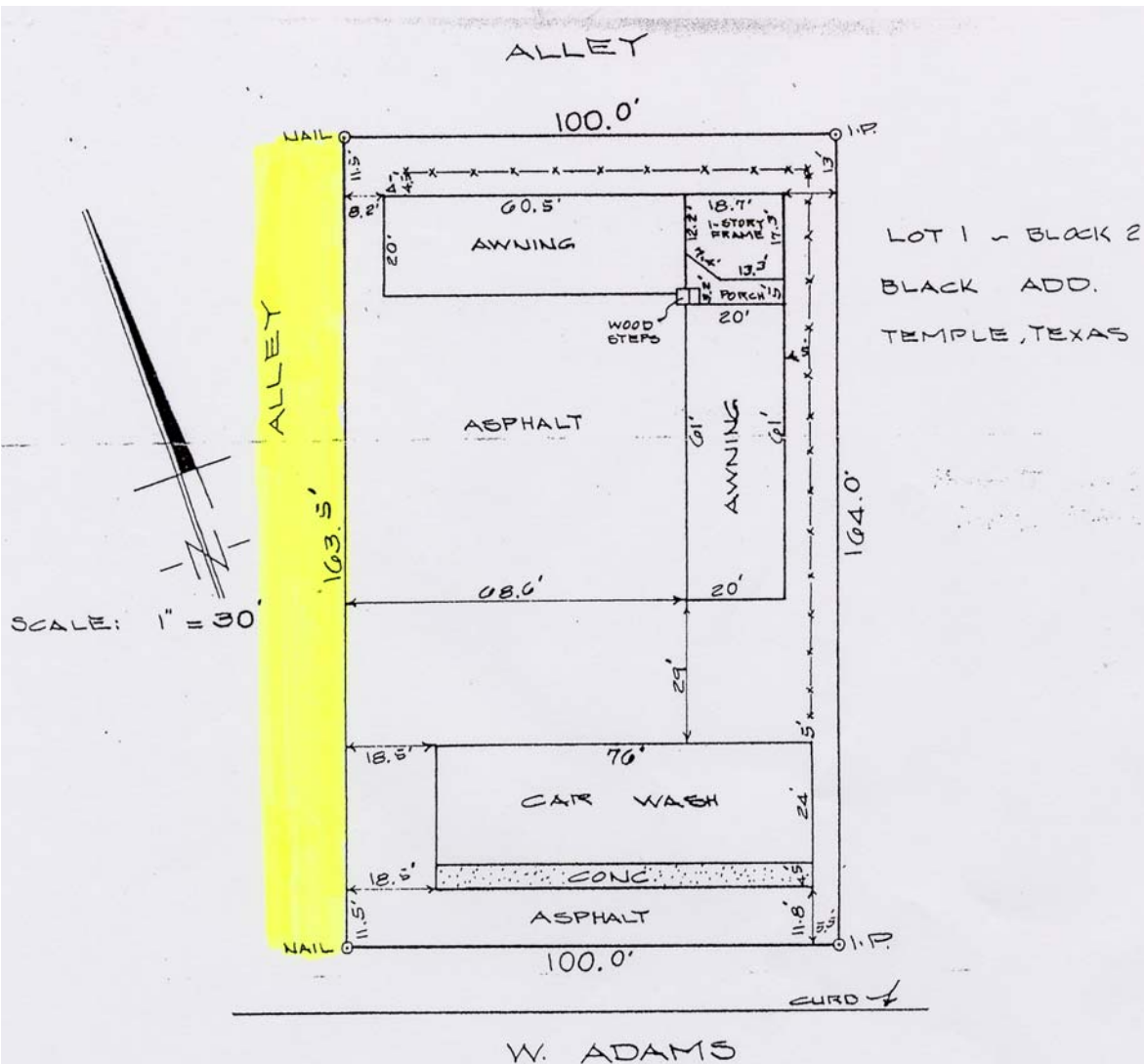
For Office Use Only

☒ Completed Application

Fee Received By: M. Maxwell

Case #: A-FV-10-04 Zoning Map Page: _____ Project Manager: Tammy Lyenky

Tentative City Council Date: _____



STATE OF TEXAS)

) KNOW ALL MEN BY THESE PRESENTS,

COUNTY OF BELL)

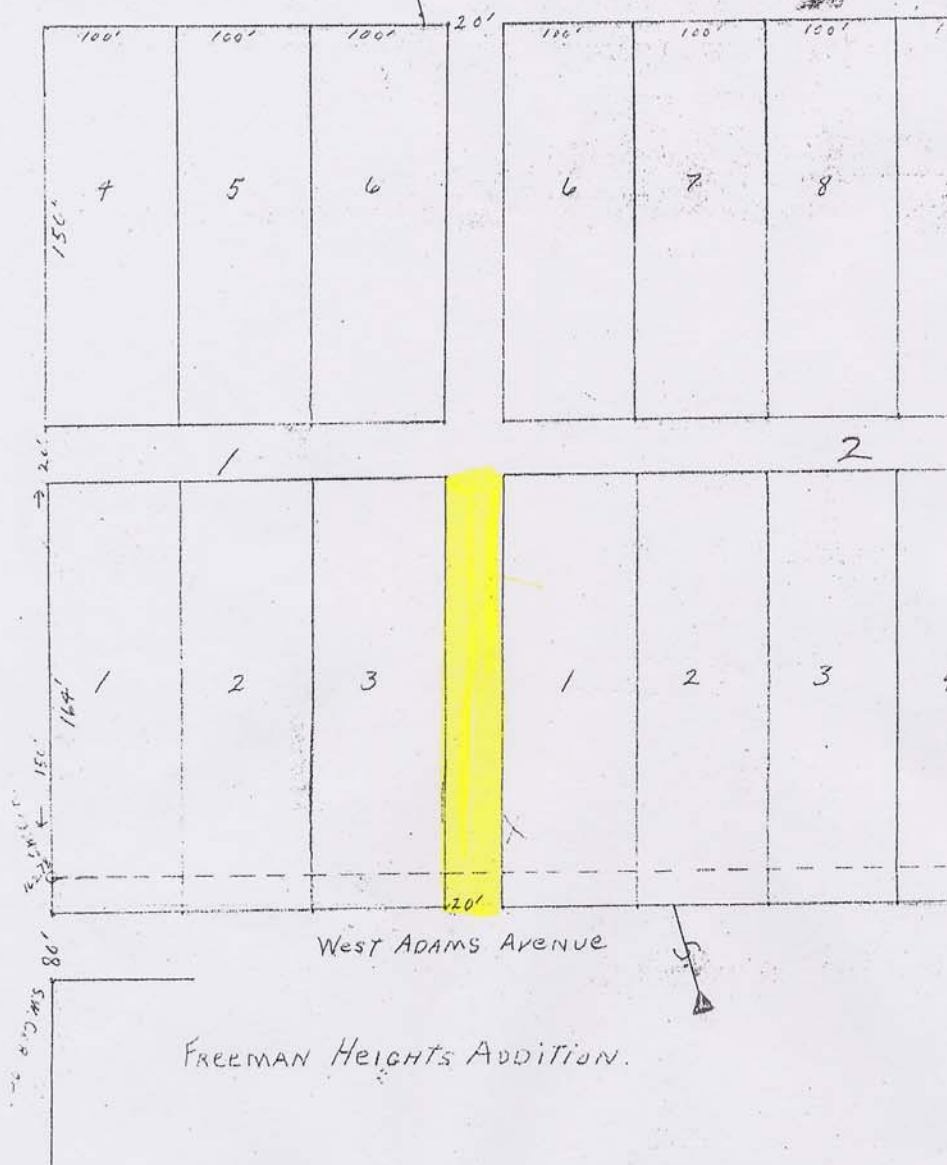
That I, Frank G. Martin Jr., a Registered Public Surveyor in the State of Texas, do hereby certify that the plat hereon is a true and accurate representation as determined by a survey made on the ground of Lot 1 Block 2 of Black Addition to the City of Temple, Texas, and the improvements erected thereon. There are no other easements. This lot is not in a flood hazard area.

December 9, 1981

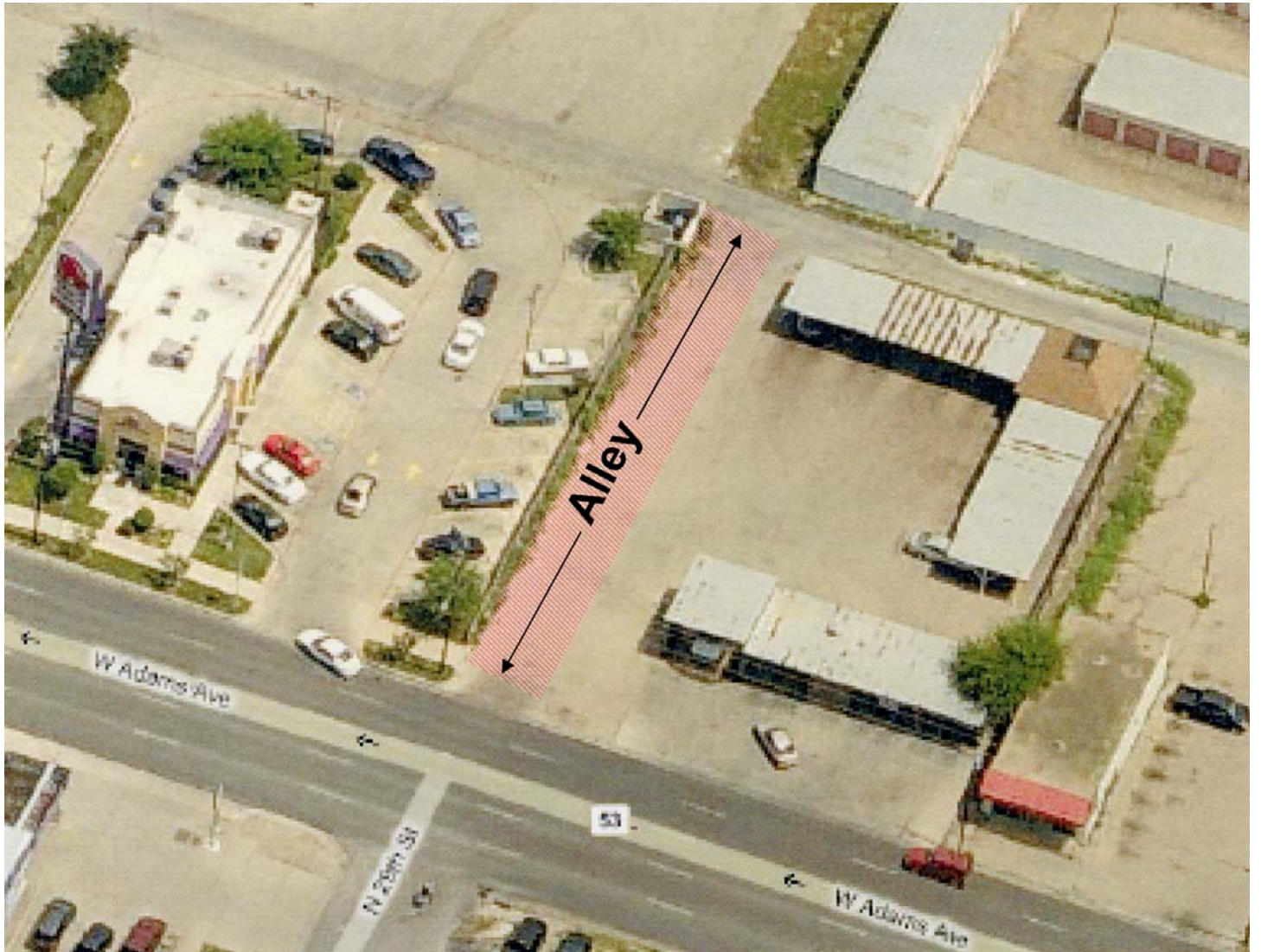


Frank G. Martin Jr.
Frank G. Martin Jr.
Registered Public Surveyor

BLACKS ADDITIO
Vol. 153-P. 1



N. W. COR. AVE. D. & 3RD ST.
IRON BOLT.





**Proposed Alley Abandonment
20' wide x 164' long**

ORDINANCE NO. 2010-4352

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, ABANDONING 164 FEET OF A 20-FOOT WIDE ALLEY LOCATED ON THE NORTH SIDE OF WEST ADAMS AVENUE, BETWEEN LOT 3, BLOCK 1 AND LOT 1, BLOCK 2, BLACKS ADDITION; 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 City has a request to abandon 164 feet of a 20-foot wide alley located on the north side of West Adams Avenue, between Lot 3, Block 1 and Lot 1, Block 2, Blacks Addition;

Whereas, the land is not necessary for the purpose of serving the general public or landowners adjacent thereto for any public purposes;

Whereas, the Staff recommends that the tract be abandoned in exchange for the fair market value of the property; 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 164 feet of a 20-foot wide alley located on the north side of West Adams Avenue, between Lot 3, Block 1 and Lot 1, Block 2, Blacks Addition, more fully described in Exhibit A, attached hereto and made a part hereof for all purposes.

Part 2: The City Council authorizes the Mayor of the City of Temple, Texas, for the consideration set out in Part 3, to execute a Deed Without Warranty conveying the rights and interests of the City of Temple, Texas, to the abutting property owners, which when done, shall be and become a binding act and deed of the City of Temple.

Part 3: As consideration for the conveyance described in Part 2 hereof, the abutting property owners shall each pay to the City of Temple the fair market value amount of \$2,450, for a total of \$4,900.

Part 4: 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 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.

TABLED on First Reading and Public Hearing on the **18th** day of **March**, 2010.

PASSED AND APPROVED on First Reading and Public Hearing on the **1st** day of **April**, 2010.

PASSED AND APPROVED on Second Reading the **15th** day of **April**, 2010.

THE CITY OF TEMPLE, TEXAS

WILLIAM A. JONES, III, Mayor

ATTEST:

ATTEST:

Clydetta Entzminger
City Secretary

Jonathan Graham
City Attorney

STATE OF TEXAS §

COUNTY OF BELL §

This instrument was acknowledged before me on the _____ day of **April**, 2010, by WILLIAM A. JONES, III, Mayor of the City of Temple, Texas.

Notary Public, State of Texas



COUNCIL AGENDA ITEM MEMORANDUM

04/15/10
Item #4(I)
Consent Agenda
Page 1 of 2

DEPT. /DIVISION SUBMISSION & REVIEW:

Tim Dolan, Planning Director

ITEM DESCRIPTION: SECOND READING – Z-FY-10-23 - Consider adopting an ordinance authorizing a zoning change from Light Industrial District (LI) to Planned Development (Light Industrial) District (PDD-LI) on a 250 ± acre tract of land situated in the Maximo Moreno survey, Abstract 14, Bell County, located in the Southeast Industrial Park, south of Lorraine Drive.

STAFF AND P&Z COMMISSION RECOMMENDATION: At its March 15, 2010 meeting, the Planning and Zoning Commission voted 8/0 in accordance with staff recommendation to recommend approval of a zoning change request from Light Industrial District (LI) to Planned Development (Light Industrial) District (PDD-LI) subject to the following requirements:

- A. The request complies with the Future Land Use and Character Plan for Industrial uses;
- B. The request complies with the Thoroughfare Plan for the extension of Lorraine and Panda Drives as access roads; and
- C. Available facilities will serve the site.
- D. Adoption of the Development Plan with the following requirements:
 - (1) Landscape area shall measure the five percent coverage for that area parallel to Loop 363 with trees, 5' height, 2" caliper 30 linear feet on center, with five-gallon capacity evergreen shrubs every three linear feet on center interspersed between the trees;
 - a) Species must be those found in the Zoning Ordinance, Section 7-560, and Exhibit E.
 - (2) Access shall come from an extension of Lorraine and Panda Drive, and both shall be an 80' rights-of-way and 45' pavement width, with 6" raised curb and gutter;
 - (3) Secondary access for construction shall come from a southern point as shown on the development plan subject to the development agreement;
 - (4) A business sign shall be allowed on the entrance from Panda Drive with a maximum 15' height measured at the grade level of the sign, 50' square foot of copy area per side, which shall be a monument style, supported by a 100% masonry base, and
 - (5) A business tenant sign shall be included as part of the Southeast Industrial Park.

Commissioner Dusek was absent.

ITEM SUMMARY: Please refer to the Staff Report and draft minutes of case Z-FY-10-23, from the Planning and Zoning meeting, March 15, 2010. The PD was requested by Panda, and it is not required by the Zoning Ordinance or by Staff. The PD Development Plan shows the location of the proposed energy plant with access from the extension of Lorraine Drive and the future construction of Panda Drive. The PD elevation plan shows the profile of the energy plant. The description of the use was provided by Panda Energy.

Public Notice

A total of eight notices of the Planning and Zoning Commission public hearing were sent out. As of March 10, 2010 at 5 PM, no notices were returned in favor of and no notices were returned in opposition to the request. The newspaper printed notice of the Planning and Zoning Commission public hearing on March 10, 2010 in accordance with state law and local ordinance.

FISCAL IMPACT: None

ATTACHMENTS:

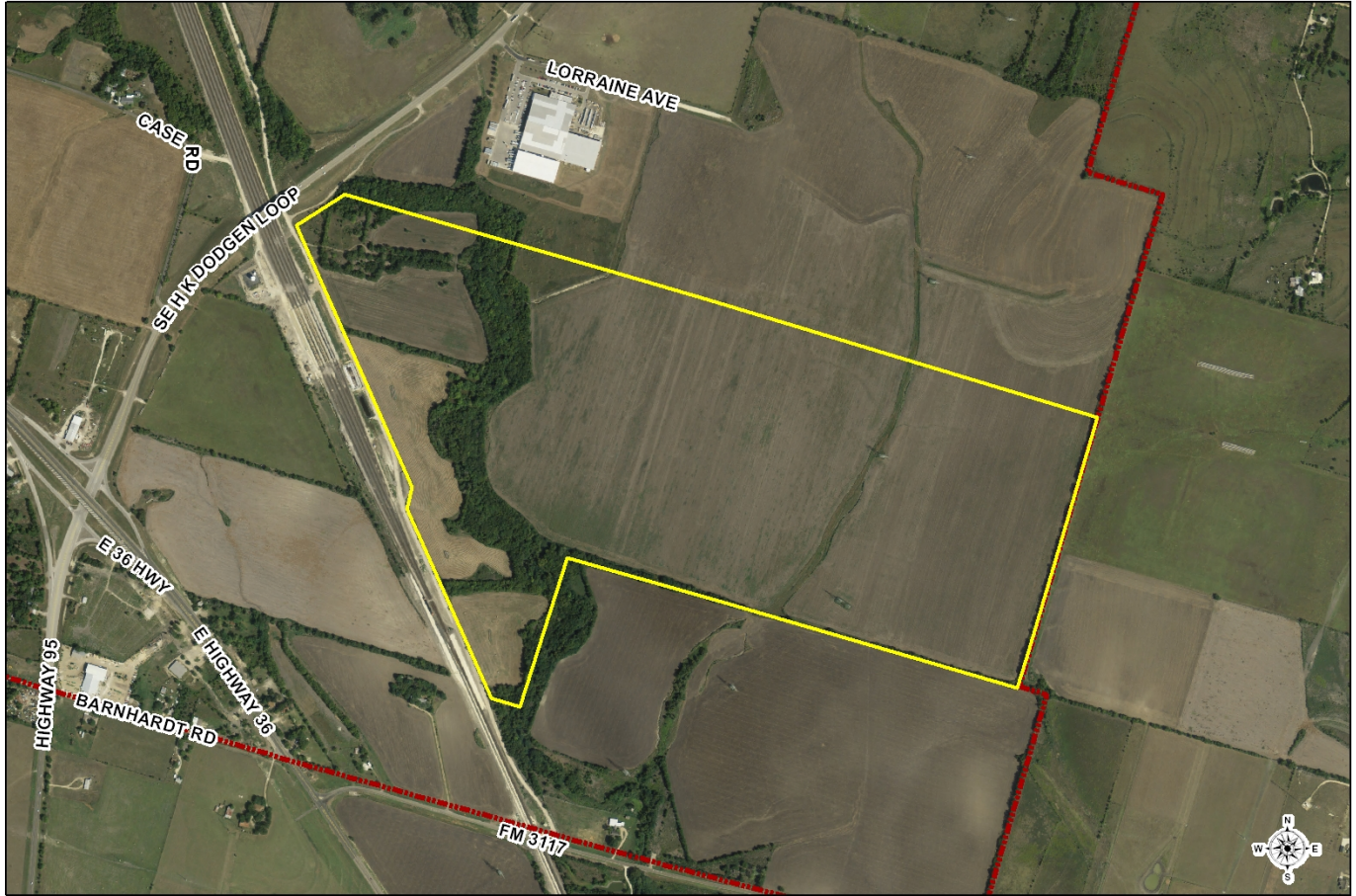
Aerial
Future Land Use and Character Map
Zoning Map
Notice Map
Development Plan
Development Façade Plan
Applicant's PD Explanation
P&Z Staff Report (Z-FY-10-23)
P&Z Minutes (March 15, 2010)
Ordinance




Z-FY-10-23

Panda Temple Power Project

250 Acres of Maximo Moreno Abstract



 Z-FY-10-23

Feet 0 200 400 600 800

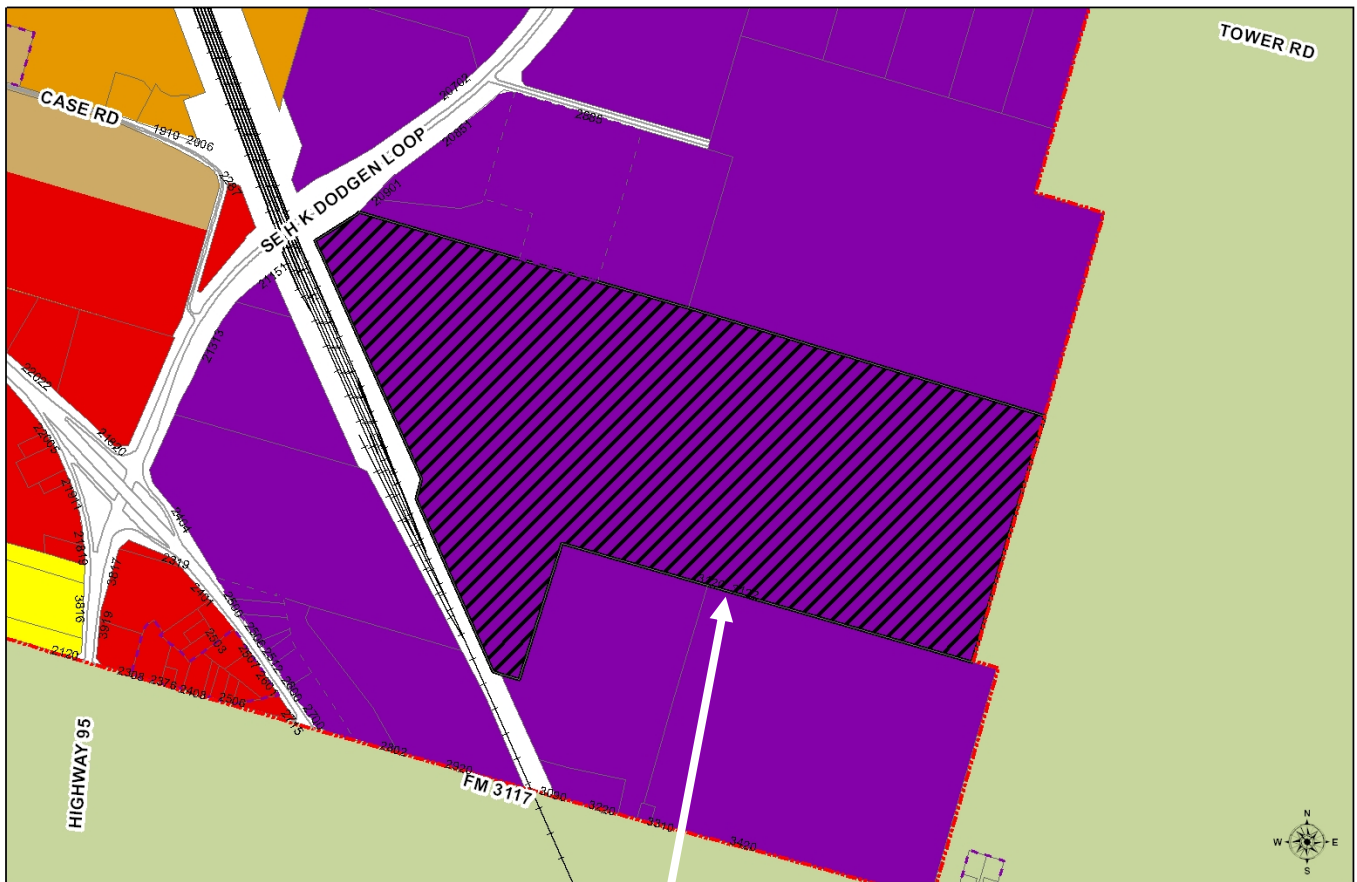
J Stone 1.28.10



Z-FY-10-23

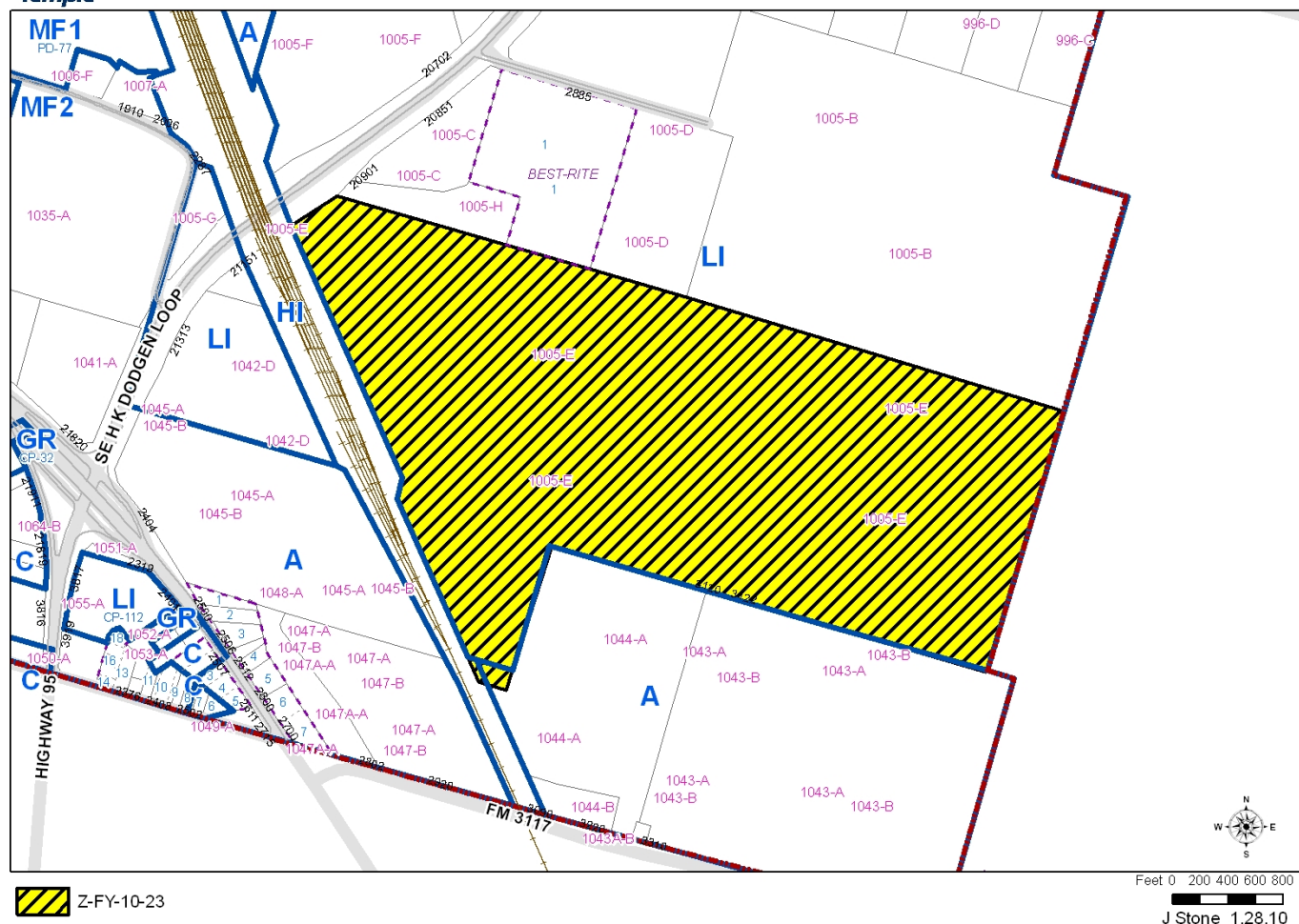
Panda Temple Power Project

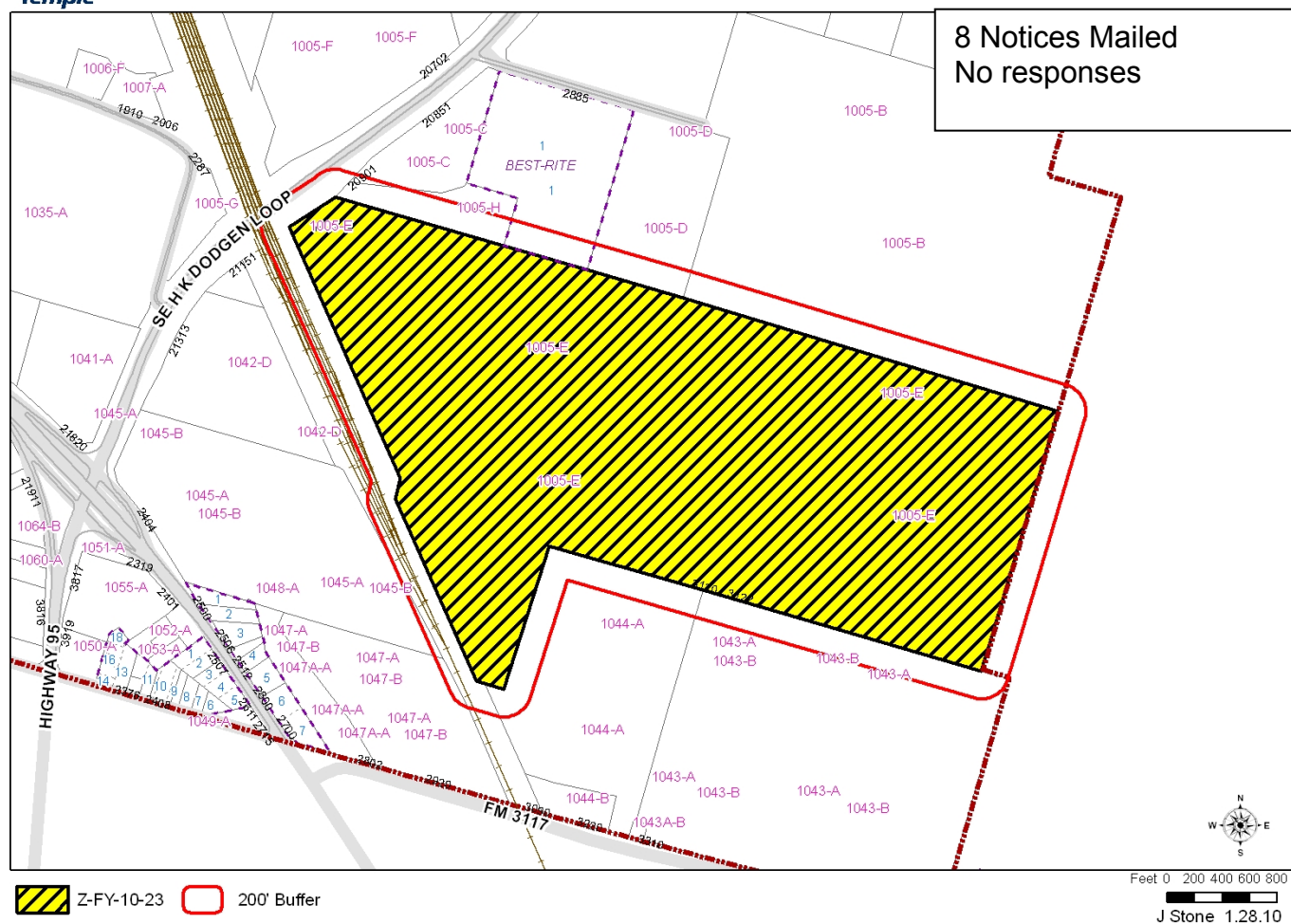
250 Acres of Maximo Moreno Abstract

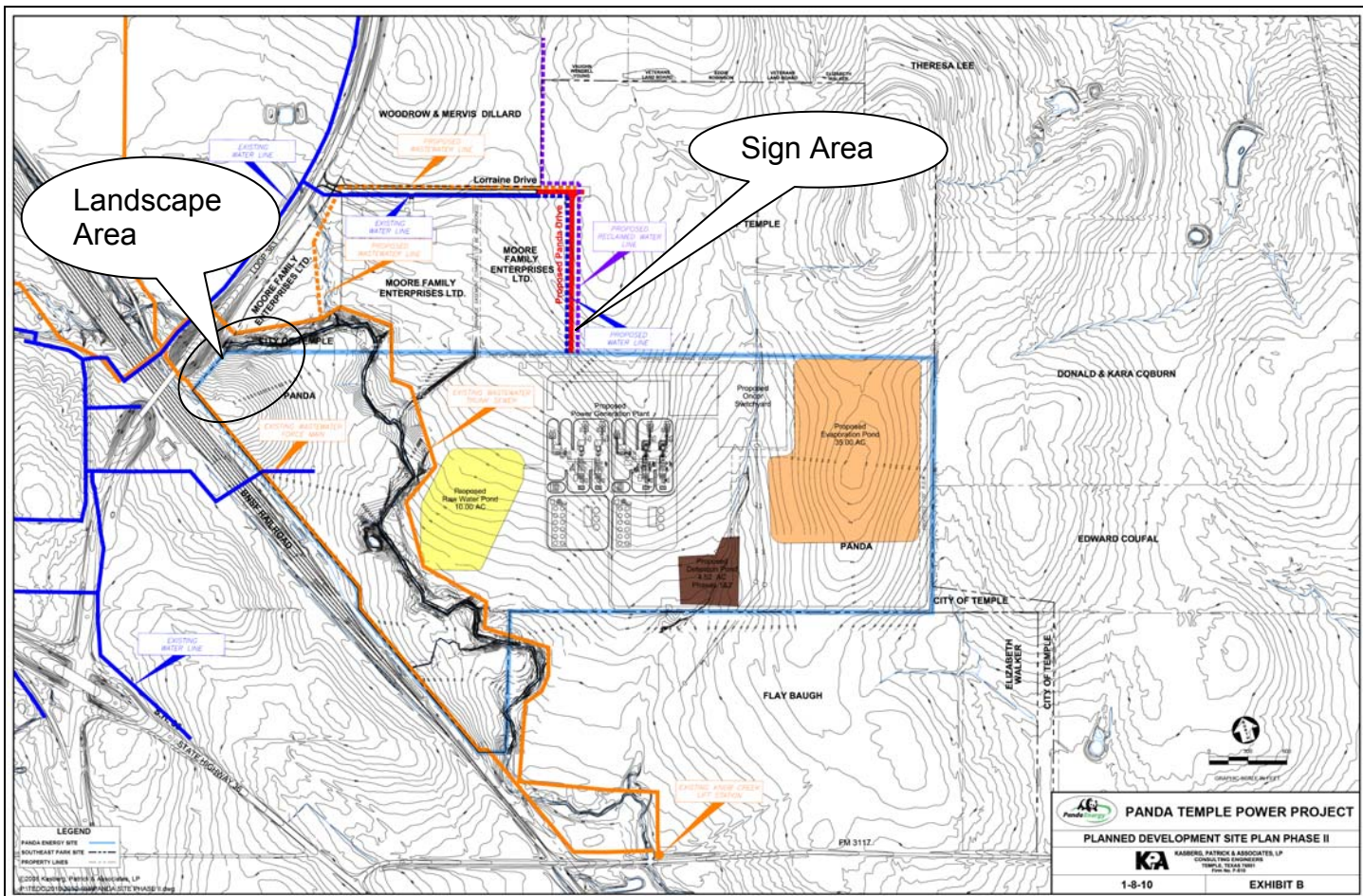


- | | | | | | |
|---------------------------|-------------------------|-----------------------|-----------------------------------|----------------------|----------------------|
| Z-FY-10-23 | Suburban Residential | Auto-Urban Mixed Use | Urban Center | Business park | Agricultural/Rural |
| Neighborhood Conservation | Auto-urban Residential | Auto-Urban Commercial | Temple Medical Education District | Public/Institutional | Parks and Open Space |
| Estate Residential | Auto-Urban Multi-Family | Suburban Commercial | Industrial | | |

1 inch = 1,000 feet
J Stone 2.3.10

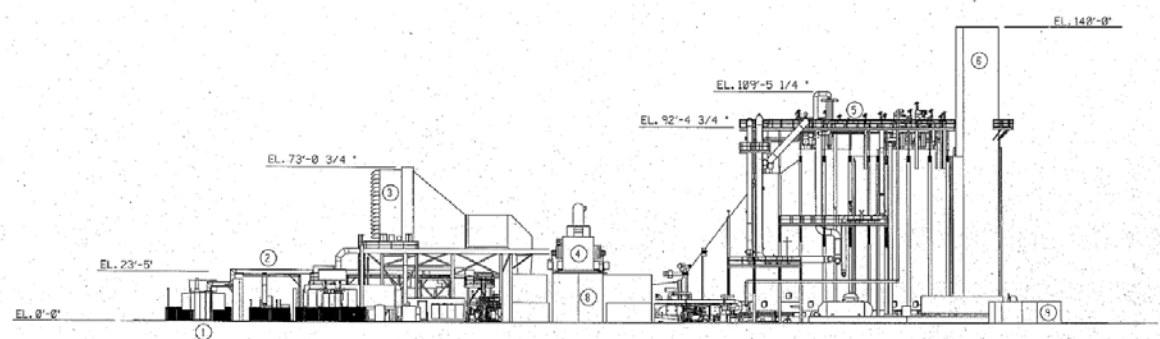






11 10 9 8 7 6 5 4 3 2 1

PLANT NORTH

LEGEND

- 1 GENERATOR STEP UP TRANSFORMER
- 2 ISOPHASE BUS DUCT
- 3 GAS TURBINE INLET FILTER
- 4 STEAM TURBINE
- 5 HEAT RECOVERY STEAM GENERATOR
- 6 HRSG STACK
- 7 AUXILIARY BOILER (NOT SHOWN)
- 8 CONDENSER
- 9 FEEDWATER PUMP BUILDING



PRELIMINARY

11/20/2011 10:00 AM
 11/20/2011 10:00 AM

Panda Temple Power Project
SUBMITTED WITH THE PLANNED DEVELOPMENT APPLICATION
TO THE CITY OF TEMPLE
JANUARY 20, 2010
GENERAL PROJECT DESCRIPTION

Panda Temple Power, LLC (Panda) is developing an electric power generating facility to be located in the City of Temple (City). Specifically the site location is on a 250 acre parcel in the Southeast Industrial Park. Panda has a contract in place with the Temple Economic Development Corporation (TEDC) for an option to purchase this property. The following sections describe the proposed facility including utility interconnections, fuel supply, water and waste water connections, access, permits, and plans for expansion.

Technical Description of Power Plant

The electric generating facility will be a natural gas fired, two-on-one power block in combined cycle configuration. This arrangement consists of two Gas Turbine Generators, two Heat Recovery Steam Generators, and one Steam Turbine Generator. The plant will have a nominal output of 550 MW and a maximum output of approximately 650 MW with duct firing.

The proposed plant will utilize the latest, most efficient and environmentally friendly power generation equipment available on the market today. It will have an overall heat rate of approximately 6900 Btu/kWh and will have one of the lowest emissions possible of any Texas power generation facility. The general layout of plant equipment and structures on the site is shown on the Project Development (PD) Drawing.

Water Supply

The primary water supply for cooling and makeup to the plant will be treated effluent provided from the Doshier Farm Waste Water Treatment Plant (WTP), which is owned by the City of Temple. A Water Agreement that addresses the purchase of the treated effluent by Panda and the terms of supply and delivery has been executed between Panda the City.

The effluent will be pumped from the Doshier facility through a 16-inch diameter pipeline approximately 1.1 miles to the project site. Panda will be responsible for the design and construction of the pump station and the pipeline. Panda will transfer ownership of these facilities to the City upon completion.

The pipeline will be located on easements on four parcels of City owned property and one privately held parcel. Routing and preliminary survey drawings for the easements have been completed. Additionally, the project will be supplied with potable water from the City water system. It is planned that an eight-inch water line will be installed, running from the existing line on Lorraine Drive at the Best Rite facility to the Panda project site.

Preliminary routing and designation of easements for this line have been accomplished as part of the Lorraine Drive Extension engineering effort.

Waste Water

The primary source of waste water on the site will be blowdown from the Cooling Towers. This stream will be processed through Reverse Osmosis (RO) units in order to reclaim and reuse as much water as possible. The RO reject stream will then be sent to an onsite evaporation pond. There will be no liquid waste discharge to the environment.

Sanitary sewage will be discharged via a Panda pipeline to the existing 15-inch waste water trunk line, owned by the City, which traverses the Panda site.

Fuel Supply

Natural gas will be supplied from the Atmos 30-inch pipeline and the Energy Transfer Corporation 20-inch pipeline. These are located approximately 7 and 13 miles east of the Panda site respectively. Panda will construct a compressor station and a lateral pipeline to the interconnection points. Preliminary pipeline routing and engineering have been performed.

Electrical Interconnection

The Panda Temple Project will connect to the existing Oncor 345 kV transmission line, which runs across the Panda site. A new Oncor switching station, located onsite adjacent to the Panda power island, will be constructed concurrently with the Panda project.

All interconnection studies by Oncor have been completed. No system upgrades are required other than the changing of line termination equipment at the Temple and Salado switching stations at a minimal cost. These studies demonstrate that the Panda Temple Project can easily inject its power into the Southern Zone of the ERCOT grid. Oncor is currently preparing a draft Interconnection Agreement for Panda review.

In addition the Panda site will be served by a distribution line to be constructed along Lorraine Drive from Loop 363 and along the Panda Drive connector to the project site boundary. This line will provide power for construction and will serve auxiliary site loads during the operations phase and will also provide power for streetlights along Lorraine Drive and Panda Drive.

Permitting

Panda received its Air Permit from the Texas Commission on Environmental Quality (TCEQ) on October 10, 2008. Onsite environmental assessments have been performed and no adverse impacts have been identified. Additional required permits will be applied for and obtained as the project goes forward.

Site Access

The primary access to the site will be via a planned extension of Lorraine Drive and a north-south connector road to the Panda site. These roadways have already been laid out and preliminary engineering (30% Review Drawings) has been completed for the City by Kasperg, Patrick and Associates. The ROW for these roadways is 80 feet. A secondary access road is planned which will approach the site from the south. Panda will construct a construction phase access road with the City's permission on easements owned by the City. These easements run north from FM 317 and then west to the southeast corner of the Panda site. The ROW available for this road ranges from approximately 80 feet up to approximately 200 feet. All roads, walkways, and parking areas within the site boundary will be the responsibility of Panda. Specific locations and routings will be developed during the final site engineering phase of the project.

Expansion

The project is designed to allow future expansion. Specifically, a second power block generally identical to the first block would be added thus doubling the overall plant electrical output to a nominal 1100MW. For planning purposes, this additional capacity is designated as Phase 2. Both Phase 1 and Phase 2 are shown on the respective Project Development Drawings.

PD SITE PLAN CHECKLIST – EXPLANATORY NOTES

Uses

The major structures and areas (power block, cooling towers, raw water storage pond, waste evaporation pond, switchyard, etc.) are identified on the PD Site Plan.

More detailed identification of power plant equipment is provided on the Plant Arrangement Drawing and the Power Island Elevation Drawing which were prepared for Panda by Burns and Roe Engineers.

Building Locations

Building locations are shown on PD Site Plan and the Plant General Arrangement Drawing. Building Heights and General Floor Area

Building heights for the main power island are shown in the Power Island Elevation Drawing.

General areas are indicated by the General Arrangement Drawing. Due to the complexity of the equipment layout and the amount of equipment that is located outside of closed structures, it is difficult to provide a specific number for “floor areas” especially in this stage of the design process. Setbacks from Property Lines

The location of structures relative to the property lines is shown on the PD Site Plan Drawing.

Landscaping

Panda will provide landscaping on the site consistent with its use as an industrial facility.

Location, Height and Area of Signs

Panda will install signage at the entrance gates to the site on the primary and secondary access roads. Panda may also install a sign as part of the Southeast Industrial Park monument at the intersection of Lorraine Drive and Loop 363. All signs will be of appropriate size, height and design in keeping with the overall aesthetics of the park.

Screening Walls of Fences

The project buildings, equipment, structures, switchyard and ponds will be enclosed by a security fence. Due to the nature of the surrounding industrial park and the distance of the plant equipment from the site boundaries, no additional walls or screening are planned.

Lot Area

The overall site area is 250 acres as indicated on the plat drawings.

Adjacent Land Uses

The property adjacent to western portion of the northern boundary of the site is used for light manufacturing by the Best Rite facility. The property adjacent to the site along its southwestern border is owned by the BNSF railroad and is used for a fueling facility and the through rail line. The remaining parcels adjacent to the site are wooded or are currently under cultivation. The site is zoned as LI – Light Industrial.

Easements

The original easements on the site property are to the City of Temple for the existing 15” waste water trunk line and the 8” waste water force main and to Oncor for the 345kV transmission line corridor.

Easements have been added to site property for drainage along the western end of the northern boundary and for a drainage path running north – south near the transmission line.

There is also a strip of land along the eastern boundary of the site which will be dedicated to the City of Temple for future use as an access road and / or water lines. These easements and dedicated strip are shown on the Preliminary Plat Drawing and on the PD Site Plan.

Significant Drainage Ways or Natural Features

The topography of the site is shown on the Topo / Utility Map and on the PD Site Plan. The primary drainage way is Knob Creek which runs generally north – south in the western portion of the site.

Fire Hydrants

The Panda facility will have its own fire detection and protection system. The fire protection system will include fire water storage, pumps, buried loop piping, interior sprinkler systems, as well as hydrants. The fire systems will be designed and constructed in accordance with applicable provisions of the National Fire Code as well as local requirements. During the final design phase for the project, Panda's engineering and construction contractors will work directly with the City of Temple Fire Marshal to ensure that all requirements are implemented and that all appropriate inspections are performed.

It should also be noted that at all our facilities, Panda's O&M organization works closely with the local fire and emergency services organizations to coordinate emergency response procedures and to ensure that all responders are familiar with the facility. Panda also will implement a detailed hazardous material control and emergency training programs at the facility.

Sidewalks

Various paved walkways will be provided on the site for use of Panda operations and maintenance personnel. The exact layout of roadways and sidewalks will be developed during the final site engineering phase of the project.

Required Parking and Loading Spaces

Parking and loading spaces will be provided on the site for use of Panda operations and maintenance personnel and for shipping and receiving materials.

The exact layout of roadways and sidewalks will be developed during the final site engineering phase of the project.

Refuse Container and Screening

Refuse containers will be located and maintained by Panda in accordance with good industrial practices.

Width of Internal and Adjacent Streets and Alleys

Roadways within the Panda site will be designed and constructed to serve the needs of operating and maintaining the power facility. The exact design of these roadways will be developed during the final site engineering phase of the project. With regard to adjacent streets, the primary access road which connects the site to the Lorraine Drive extension will be designed and constructed in accordance with the requirements and specifications put forth by the City of Temple. These are reflected in the engineering drawings that have already been produced. The ROW width for this road is 80 feet.

The secondary access road connecting to the southern boundary of the site will also be designed and constructed in accordance with the appropriate City of Temple requirements. The ROW available for this road ranges from approximately 80 feet up to approximately 200 feet.

Location and Size of Water and Sewer Mains

The potable water supply will be provided by an 8 inch pipeline which will run along the southern side of the Lorraine Drive Extension and then along the western edge of the Panda Drive connector road to the Panda site boundary. This line will be located within the ROW for the roadways.

The effluent water supply will be provided by a 16 inch pipeline which will run from the outfall of the Doshier Farm Waste Treatment Facility, under Loop 363 and then across open land to the Lorraine Drive Extension where it will run along the north side of the roadway. It will then run down the eastern edge of the Panda Drive connector road to the Panda site boundary. The ROW for this pipeline will be a 20 foot wide Public Utility Easement. The sanitary sewer connection will be via a Panda pipeline running from the appropriate buildings on site to the 15 inch waste water trunk line which transverses

the Panda site near Knob creek. The routes for the potable water and effluent water lines are already shown on the engineering drawings which were prepared as part of the Lorraine Drive Extension engineering effort. The exact design of the onsite piping for potable water, effluent, and sewage will be developed by Panda's engineering contractor during the final site engineering phase of the project.

Drainage Facilities

The size and location of site drainage facilities are shown on the Preliminary Drainage Plan prepared by Kasberg, Patrick and Associates. The three exhibits in the plan show the existing drainage pattern and the drainage patterns for Phase 1 of the project (one Power Island) and for Phase 2 of the project (two Power Islands).

Public Open Space, Parks and Playground

These types of facilities are not applicable to a private industrial site.



PLANNING AND ZONING COMMISSION AGENDA ITEM

03/15/10
Item #4A
Regular Agenda
Page 1-14

APPLICANT / DEVELOPMENT: Applicant: TEDC, c/o Richard Evans and Panda Energy

CASE MANAGER: Tim Dolan, AICP, Planning Director

Public Hearing, Discussion and Action Z-FY-10-23: Discuss and recommend action on a zoning change request from Light Industrial District (LI) to Planned Development (Light Industrial) District (PDD-LI) on a 250 ± acre tract of land situated in the Maximo Moreno survey, Abstract 14, Bell County, located in the Southeast Industrial Park, south of Loraine Drive.

BACKGROUND - The applicant's request is for an industrial subdivision on one lot for an electric power generating facility. Water and wastewater will be extended to this area as part of the development agreement. The applicant has received an air quality permit from the TCEQ. Other permits shall be forthcoming as the project develops.

Surrounding Property and Uses

A zoning request should be reviewed for compliance with the Comprehensive Plan.

Future Land Use and Character Plan

The Future Land Use and Character Plan show the subject area suitable for industrial uses in the Southeast Industrial Park. The request conforms to the Future Land Use and Character Plan.

Thoroughfare Plan

Both Loraine Drive and Panda Drives, (both with 80' right-of-way) will be extended as part of the building permit process; will provide access to the energy plant. The request conforms to the Thoroughfare Plan.

Availability of Public Facilities Plan

Adequate water will be extended as part of the utility agreement for the purpose of having sufficient water for cooling ponds and service to the administration building. Sewer will be managed by on-site.

Planned Development (PD) Regulations

The purpose of the PD-Light Industrial (LI) district is to allow light industrial uses as defined by performance standards in the zoning ordinance. Residential uses are not allowed except boarding or rooming houses and hotels or motels, and it allows building height to any legal limit not prohibited by other laws or ordinances. The light industrial district acts as a transition from other commercial or retail uses to industrial uses. This district is intended to be located away from areas of low and medium density residential development. The location should be carefully selected to avoid or reduce environmental impacts to residential areas. No residential areas exist here.

The applicant has requested a PD-LI, with the development plan to be adopted as an exhibit in the PD ordinance. The minimum requirements for the Planned Development- LI district are as follows.

PD-LI, Planned Development Light Industrial	
Min. Lot Area (sq. ft.)	None
Min. Lot Width (ft.)	None
Min. Lot Depth (ft.)	None
Max. Height (stories)	None
Min. Yard (ft)	
Front Cooling Pond	230 from center line of Loop 363
Front Energy Plant	265 from the centerline of Loop 363
Side	None
Rear	None
Primary Access	A shown on development plan from extension of 'Panda Drive' from extension of Loraine Drive (both 80' rights of way)
Business Tenant Sign	Part of Southeast Industrial Park Tenant Sign
On-premise Sign on Panda Drive Energy Plant Entrance	Maximum 15' height, 50' maximum square foot copy area per side, monument style support with 100% masonry base

Public Notice

A total of eight notices were sent out. As of March 12, 2010 at Noon, no notices were returned. The newspaper printed notice of the public hearing on Mar 4, 2010 in accordance with state law and local ordinance

STAFF RECOMMENDATION: Staff recommends approval of the case Z-FY-10-23:

- A. Zoning change from Light Industrial (LI) to a Planned Development Light Industrial District subject to:
 - (1) Landscape area shall measure the five percent coverage for that area parallel to Loop 363 with trees, 5' height, 2" caliper 30 linear feet on center, with five-gallon capacity evergreen shrubs every three linear feet on center interspersed between the trees.
 - a) Species must be those found in the Zoning Ordinance, Section 7-560, and Exhibit E.
 - (2) Access shall come from an extension of Loraine and Panda Drive, and both shall be an 80' rights-of-way and 45' pavement width, with 6" raised curb and gutter.
 - (3) Secondary access for construction shall come a southern point as shown on the development plan subject to the development agreement.
 - (4) A business sign shall be allowed on the entrance from Panda Drive with a maximum 15' height measured at the grade level of the sign, 50' square foot of copy area per side; monument style supported by a 100% masonry base, and shall require a building permit.
 - (5) A business tenant sign shall be included as part of the Southeast Industrial Park.
 - (6) Adoption of the binding development plan.
- B. The request complies with the Future Land Use and Character Plan for industrial uses;
- C. The request complies with the Thoroughfare Plan for the extension of Loraine and Panda Drives as access roads; and
- D. Available facilities will serve the site.

ATTACHMENTS:

Aerial

Land Use and Character Map

Zoning Map

Notice Map

Development Plan

Development Façade Plan

Applicant's PD Explanation

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

MONDAY, MARCH 15, 2010

ACTION ITEMS

Item 4A: Public Hearing, Discussion and Action Z-FY-10-23: Discuss and recommend action on a zoning change request from Light Industrial District (LI) to Planned Development (Light Industrial) District (PDD-LI) on a 250± acre tract of land situated in the Maximo Moreno survey, Abstract 14, Bell County, located in the Southeast Industrial Park. (Applicant: TEDC, c/o Richard Evans and Panda Energy).

Chair Pilkington stated **Items 4A and 4B** (4B being Preliminary Plat, required P&Z authority only) would be presented together; however, separate public hearings, motions, and seconds would be made.

Commissioner Staats stated he would recuse himself from **Items 4A and 4B** (4B being Preliminary Plat) and presented his Affidavits to Staff.

Mr. Tim Dolan, Planning Director, stated the Future Land Use and Character Plan showed the requested area to be suitable for industrial uses and the Thoroughfare Plan showed the extensions of Loraine Drive and Panda Drive would be access roads to serve the site. Sewage was available to the site and water will be extended with the construction plans for the roads for both potable and reclaimed water.

The property to the north is zoned LI, property across the Loop contained both HI and LI and the properties to the south were zoned A.

Eight (8) notices were mailed out and zero (0) notices were returned. Ms. Kathleen Coburn stated she had a notice she would like to turn in for the zoning case. Mr. Dolan stated to the Commission he would read the notice comments into the record (minutes) and copies of the notice would be made available for their review before continuing on with the discussion. Mr. Dolan stated the notice contained several questions and Ms. Coburn asked for the questions to be answered in order to make a decision.

“What chemical hazards will be in generating the electricity? What hazards will exist with high powered electric lines near homes? Cattle? What explosion hazards will there be? There will need to be easements for the conveyance of natural gas for the generators and delivery of electricity from the plant. Will these be over the surrounding contiguous properties? If this forces a change of use from contiguous properties from Agricultural to other uses, who pays the additional property taxes?

The PD development standards showed everything remained the same for LI zoning save for the idea for the setbacks for the cooling pond and front energy plant from center lines of Loop 363. The access will be from the extension of Panda Drive and Loraine Drive which are planned to both be 80 feet rights-of-way. The applicant would look to be on the tenant sign as part of the Southeast Industrial Park and the possibility of an on-premise sign for the plant entrance would be a maximum of 15 feet in height and monument style with 100% masonry base.

Staff recommended approval of the zoning case from LI to PD-LI since the request conformed to the Future Land Use and Character Plan for industrial uses, the Thoroughfare Plan for access roads, and availability of public facilities would be at the site at the time of issuance of building permit.

Chair Pilkington opened the public hearing for the zoning case. There being no speakers, the public hearing was closed.

Copies of Ms. Coburn's hand delivered notice for zoning were given to the Commissioners for review before taking action on this item.

Chair Pilkington asked if the questions stated on the hand delivered notice would be covered by the EPA since the Commission did not have details regarding those issues and Mr. Dolan stated Chair Pilkington was correct; nor was any information about property taxes or easements available.

Chair Pilkington stated there was nothing in the written questions that would change the use of surrounding properties and Mr. Dolan confirmed that was correct. The area was planned to be an industrial park and the use is allowed by Zoning Ordinance. Chair Pilkington asked as far as hazards and other issues, if EPA and/or TCEQ would be involved and Mr. Dolan confirmed. Mr. Dolan also stated the applicant's representative would likely answer these questions.

Mr. Richard Evans, Development Director for Panda Energy, approached the Commission and stated when a plant of this nature is built everything goes through a very extensive structured and permitting procedure. Panda had been unable to do anything without going through certain strict processes beforehand. Any chemicals transported or used would be in contained areas and/or within the plant and no danger existed to the residents or surrounding property owners. Again, these processes would have to go through an extensive permitting process with strict guidelines.

In relation to explosion hazards, Mr. Evans stated during the operation of the plant very strict operation guidelines and procedures would be in place for any potential issues. As with any industrial plant, risk analyses would be done on every possible risk and all measures would be taken to minimize any risk. Mr. Evans stated if something were to happen within the plant, it would be contained within the plant and not have an impact beyond the plant boundaries.

Regarding the electrical questions, the plant already had the 345 kva cables crossing the facility so they will not be building any more transmission. A switchyard would be built immediately under the cables that are there already so no more transmission would be necessary.

Mr. Evans stated Panda wanted to be very open with the public and have the support of the community.

Vice-Chair Talley asked about Pinto Drive not being on the map and Mr. Dolan stated it was a mailing address and not a location of the property owned by Ms. Coburn.

Commissioner Pope made a motion to approve the zone request from LI to PD-LI as requested and Vice-Chair Talley made a second.

Motion passed: (7:0)

Commissioner Staats abstained; Commissioner Dusek absent

ORDINANCE NO. _____

[PLANNING NO. Z-FY-10-23]

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, APPROVING A ZONING CHANGE FROM LIGHT INDUSTRIAL DISTRICT (LI) TO PLANNED DEVELOPMENT- LIGHT INDUSTRIAL DISTRICT (PDD-LI) ON AN APPROXIMATELY 250 ACRE TRACT OF LAND SITUATED IN THE MAXIMO MORENO SURVEY, ABSTRACT 14, BELL COUNTY, TEXAS, LOCATED IN THE SOUTHEAST INDUSTRIAL PARK, SOUTH OF LORRAINE DRIVE, IN ACCORDANCE WITH SECTIONS 7-500 THROUGH 7-509 OF THE COMPREHENSIVE ZONING ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the owner of the property consisting of an approximately 250 acre tract of land situated in the Maximo Moreno Survey, Abstract 14, Bell County, Texas, located in the Southeast Industrial Park, south of Lorraine Drive, has requested that the property be rezoned from Light Industrial District (LI) to Planned Development-Light Industrial District (PDD-LI); and

Whereas, the City Council, after notice and a public hearing, finds that it is in the public interest to authorize this action.

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

Part 1: The City Council approves a zoning change from Light Industrial District (LI) to Planned Development-Light Industrial District (PDD-LI) on an approximately 250 acre tract of land situated in the Maximo Moreno Survey, Abstract 14, Bell County, Texas, located in the Southeast Industrial Park, south of Lorraine Drive, more fully described in Exhibit A, attached hereto and made a part hereof for all purposes.

Part 2: In accordance with Sections 7-500 through 7-509 of the Comprehensive Zoning Ordinance of the City of Temple, Texas, Ordinance No. 91-2101, is amended by changing the zoning classification of the property described in Part 1 above, to Planned Development-Light Industrial District (PDD-LI), and shall comply with all applicable sections of the Code of Ordinances of the City of Temple, Texas, and all local, State and Federal laws and regulations as they may now read or hereafter be amended, including but not limited to the following conditions:

- (a) The use and development standards of the property shall conform to the requirements of the Light Industrial District;
- (b) In the event of a conflict between the development plan, attached hereto as Exhibit B, and the text of this ordinance, the stricter standard applies;
- (c) All standards of the Zoning Ordinance apply unless the development plan or the text of this ordinance specifically modifies such standards;
- (d) Landscape area shall measure the 5% coverage for that area parallel to Loop 363 with trees, 5 feet in height, 2 inches in caliper, 30 linear feet on center, with 5-gallon capacity evergreen shrubs every 3 linear feet on center interspersed between the trees (species must be those found in the Zoning Ordinance, Section 7-560, and Exhibit E);
- (e) Access shall come from an extension of Lorraine and Panda Drive, and both shall be an 80 foot rights-of-way and 45 feet pavement width, with 6 inch raised curb and gutter;
- (f) Secondary access for construction shall come a southern point as shown on the development plan, subject to the development agreement;
- (g) A business sign shall be allowed on the entrance from Panda Drive with a maximum 15 feet height measured at the grade level of the sign, 50 square feet of copy area per side, which shall be a monument style, supported by a 100% masonry base; and
- (h) A business tenant sign shall be included as part of the Southeast Industrial Park.

These conditions shall be expressed conditions of any building permit issued for construction on the property which may be enforced by the City of Temple by an action either at law or in equity, including the right to specifically enforce the requirements of the ordinance, and these requirements shall run with the land.

Part 3: The City Council directs the Director of Planning to make the necessary changes to the City Zoning Map accordingly.

Part 4: It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable and, if any phrase, clause, sentence, paragraph or section of this ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such

invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such phrase, clause, sentence, paragraph or section.

Part 5: This ordinance shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Temple, Texas, and it is accordingly so ordained.

Part 6: It is hereby officially found and determined that the meeting at which this Ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED on First Reading and Public Hearing on the **1st** day of **April**, 2010.

PASSED AND APPROVED on Second Reading on the **15th** day of **April**, 2010.

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

04/15/10
Item #4(J-1)
Consent Agenda
Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

Tim Dolan, Planning Director

ITEM DESCRIPTION: SECOND READING – Z-FY-10-24A – Consider adopting an ordinance authorizing a zoning change from Agricultural District (A) to General Retail District (GR) on 0.9 ± acres out of the Daniel Meador Survey, Abstract 577, Bell County Texas, located at 8800 Airport Road.

STAFF AND P&Z COMMISSION RECOMMENDATION: At its March 15, 2010 meeting, the Planning and Zoning Commission voted 8/0 in accordance with staff recommendation to recommend approval of a zoning change from A to GR for the following reasons:

1. Although the proposal does not conform to the Future Land Use and Character Plan, Planning Staff will recommend an amendment to the Map at the intersection of Airport Road and State Highway 317 to reflect the Suburban Commercial character district as part of the semi-annual update, planned for June 2010.
2. The proposal conforms to the Thoroughfare Plan.
3. Public water is available and an on-site septic facility is proposed on the property.

Commissioner Dusek was absent.

ITEM SUMMARY: Please refer to the Staff Report and draft minutes of case Z-FY-10-24A, from the Planning and Zoning meeting, March 15, 2010. A package store requires a Conditional Use Permit. This request is addressed in item 8(B).

Future Land Use and Character

The Future Land Use and Character Map designates the subject property as Rural. Although the request does not conform to the Future Land Use and Character Map, Planning Staff will recommend an amendment to the Map at the intersection of Airport Road and State Highway 317 to reflect the Suburban Commercial character district as part of the semi-annual update, planned for June 2010.

Thoroughfare Plan

The Thoroughfare Plan designates Airport Road as a Major Arterial. The zone change request complies with the Thoroughfare Plan.

Availability of Public Facilities

A 6" water line serves the property. An on-site septic facility is proposed for the property and has received approval from the Bell County Sanitarian. Public and private facilities are available.

The Commission did not raise any issues requiring additional staff attention.

Public Notice

Four notices of the Planning and Zoning Commission public hearing were sent out. As of March 10, 2010 at 5 PM, no notices were returned in favor of and no notices were returned in opposition to the request. The newspaper printed notice of the Planning and Zoning Commission public hearing on March 10, 2010 in accordance with state law and local ordinance.

FISCAL IMPACT: None

ATTACHMENTS:

Aerial
Land Use and Character Map
Zoning Map
Utility Map
Notice Map
P&Z Staff Report (Z-FY-10-24A)
P&Z Minutes (March 15, 2010)
Ordinance




Z-FY-10-24A

Rezoning to GR

0.92ac, OB#2803-A

8800 Airport Rd



 Z-FY-10-24

Feet 0 100 200 300 400

J Stone 2.4.10



Z-FY-10-24A

Rezoning to GR

0.92ac, OB#2803-A

8800 Airport Rd



- | | | | | | |
|---------------------------|-------------------------|-----------------------|-----------------------------------|----------------------|--------------------|
| Z-FY-10-24 | Suburban Residential | Auto-Urban Mixed Use | Urban Center | Business park | Agricultural/Rural |
| Neighborhood Conservation | Auto-urban Residential | Auto-Urban Commercial | Temple Medical Education District | Public/Institutional | |
| Estate Residential | Auto-Urban Multi-Family | Suburban Commercial | Industrial | Parks and Open Space | |

1 inch = 300 feet
J Stone 2.4.10

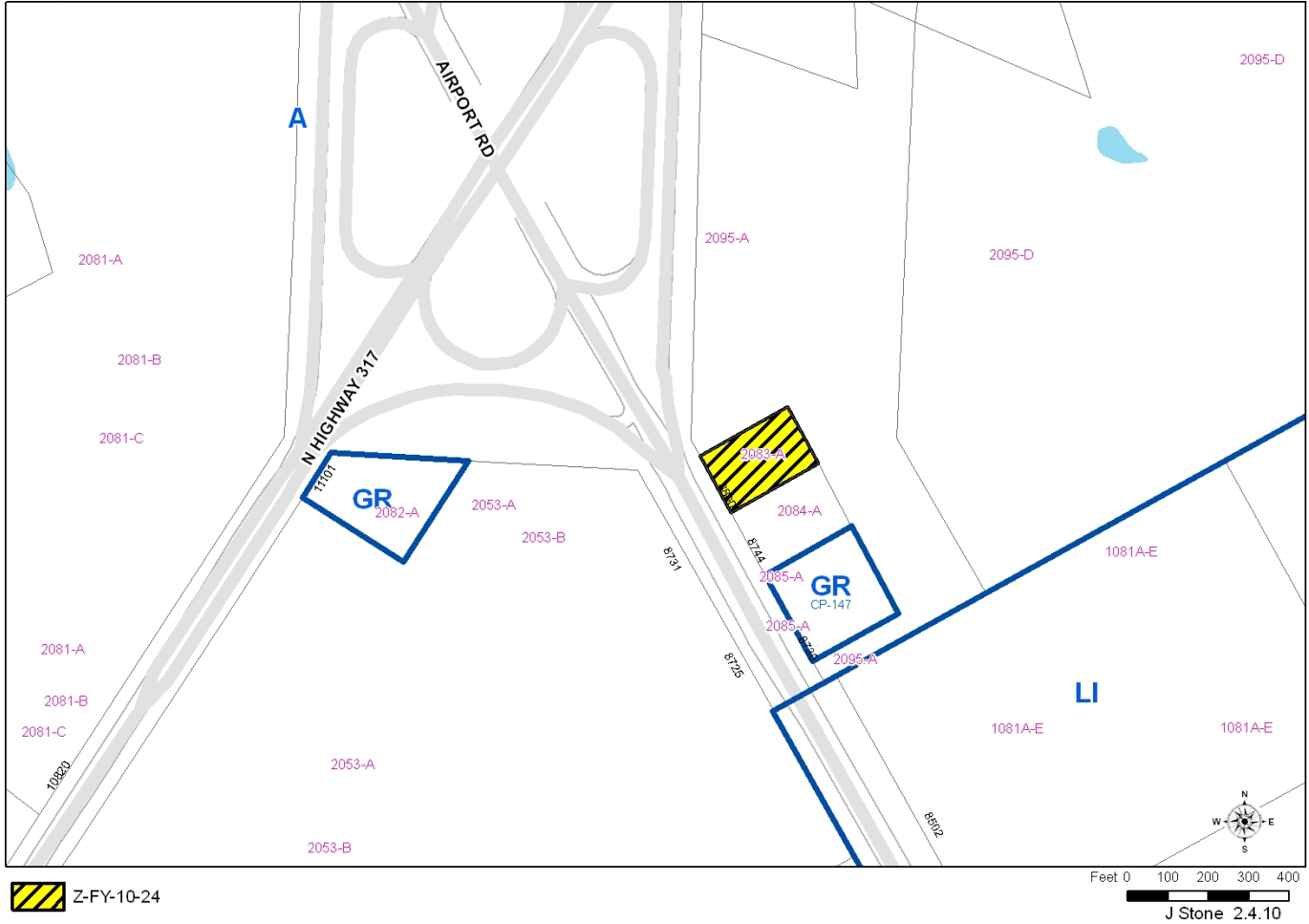


Z-FY-10-24A

Rezoning to GR

0.92ac, OB#2803-A

8800 Airport Rd





Z-FY-10-24A

Rezoning to GR

0.92ac, OB#2803-A

8800 Airport Rd



Z-FY-10-24 — WATER LINE — SEWER LINE

Feet 0 100 200 300 400
J Stone 2.4.10

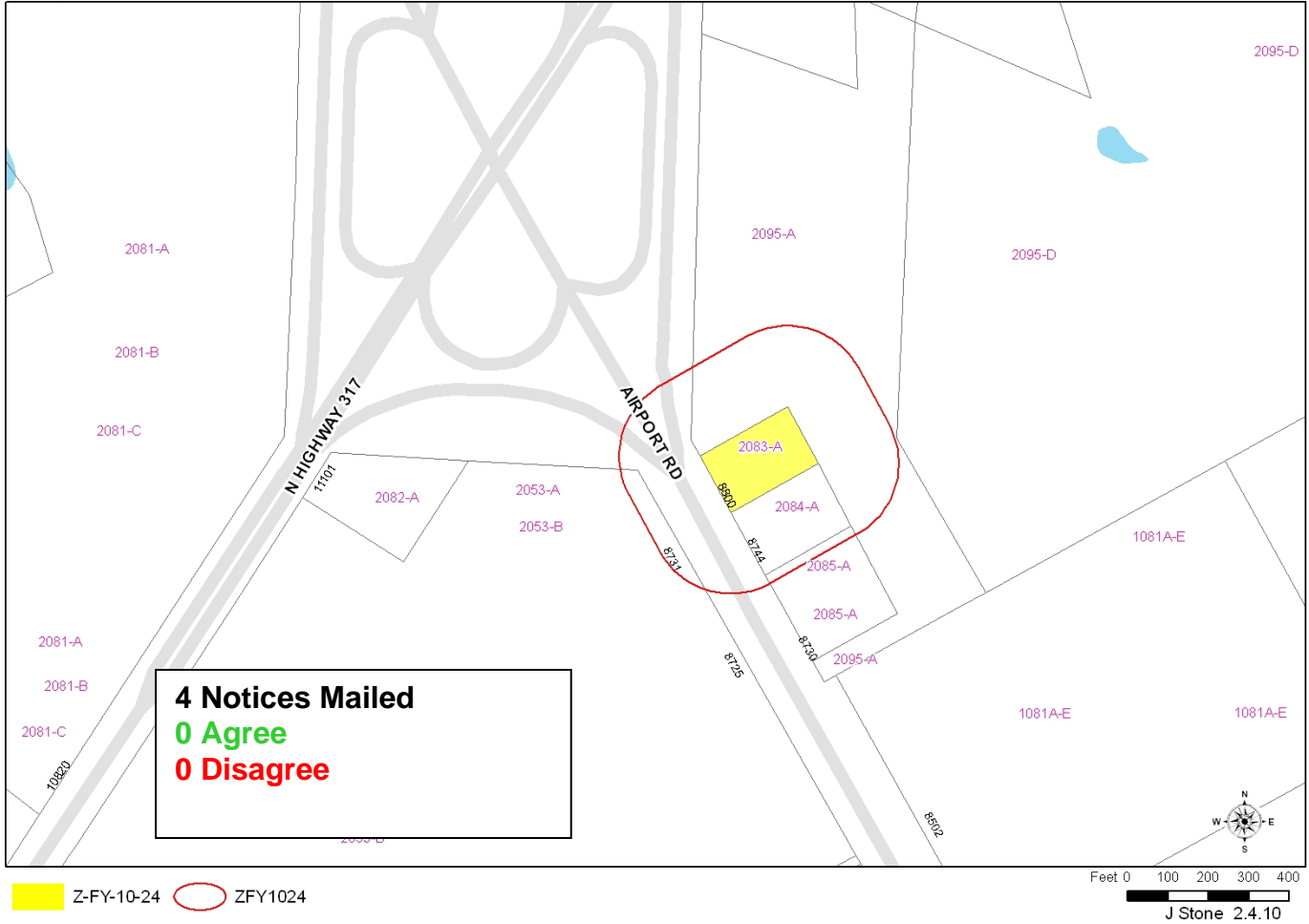


Z-FY-10-24A

Rezoning to GR

0.92ac, OB#2803-A

8800 Airport Rd





PLANNING AND ZONING COMMISSION AGENDA ITEM

03/15/10
Item #5A
Regular Agenda
Page 1 of 3

APPLICANT: Richard Lewis



CASE MANAGER: Brian Mabry, AICP, Senior Planner

ITEM DESCRIPTION: Z-FY-10-24-A Hold a public hearing to discuss and recommend action on a zoning change request from Agricultural District (A) to General Retail District (GR) on 0.9 ± acres out of the Daniel Meador Survey, Abstract 577, Bell County Texas, located at 8800 Airport Road.




BACKGROUND: The purpose of this zone change request is to establish a package store. The subject property was annexed in January 2008 and given the default zoning district of Agricultural. The property previously had a bar on it which was demolished in October 2009. A package store requires a Conditional Use Permit. This request is addressed in item 5B.

Surrounding Property and Uses

The following table shows the subject property, existing zoning and current land uses:

Direction	Zoning	Current Land Use	Photo
Subject Property	A (GR proposed)	Vacant	
North	A	Undeveloped	

Double Sided

Direction	Zoning	Current Land Use	Photo
South	A	Convenience store with fuel sales	
East	A	Undeveloped	
West	A	Undeveloped (across from Airport Rd.)	

A zoning request should be reviewed for compliance with the Comprehensive Plan.

Future Land Use and Character

The Future Land Use and Character Map designates the subject property as Rural. Although the request does not conform to the Future Land Use and Character Map, Planning Staff will recommend an amendment to the Map at the intersection of Airport Road and State Highway 317 to reflect the Suburban Commercial character district as part of the semi-annual update, planned for June 2010.

Thoroughfare Plan

The Thoroughfare Plan designates Airport Road as a Major Arterial. The zone change request complies with the Thoroughfare Plan.

Availability of Public Facilities

A 6" water line serves the property. An on-site septic facility is proposed for the property and has received approval from the Bell County Sanitarian. Public and private facilities are available.

Development Regulations

The GR zoning district is the standard retail district and allows most retail sales, restaurants, grocery store, department store, or offices and all residential uses except apartments, with a maximum

building height of 3 stories. There is no minimum lot area, width or depth. The building setback for the front yard is 15 feet from the front property line and 10 feet for the side yard. Any additions to the existing building would have to occur to the rear of the 15-foot front yard setback.

Public Notice

Four notices of the Planning and Zoning Commission public hearing were sent out. As of March 10, 2010 at 5 PM, no notices were returned in favor of and no notices were returned in opposition to the request. The newspaper printed notice of the Planning and Zoning Commission public hearing on March 10, 2010 in accordance with state law and local ordinance

STAFF RECOMMENDATION: Staff recommends approval of the rezoning for case Z-FY-10-24A for the following reasons:

1. Although the proposal does not conform to the Future Lands Use and Character Plan, Planning Staff will recommend an amendment to the Map at the intersection of Airport Road and State Highway 317 to reflect the Suburban Commercial character district as part of the semi-annual update, planned for June 2010.
2. The proposal conforms to the Thoroughfare Plan.
3. Public water is available and an on-site septic facility is proposed on the property.

FISCAL IMPACT: Not Applicable

ATTACHMENTS:

Aerial

Land Use and Character Map

Zoning Map

Utility Map

Notice Map

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

MONDAY, MARCH 15, 2010

ACTION ITEMS

Item 5A: Public Hearing, Discussion and Action Z-FY-10-24-A: Discuss and recommend action on a zoning change request from Agricultural District (A) to General Retail District (GR) on 0.9 ± acres out of the Daniel Meador Survey, Abstract 577, Bell County Texas, located at 8800 Airport Road. (Applicant: Richard Lewis).

Chair Pilkington stated **Items 5A and 5B** would be presented together; however, separate public hearings, motions and seconds would be made individually.

Commissioner Staats stated he would recuse himself from **Items 5A and 5B** and presented the Affidavits to Staff.

Mr. Brian Mabry stated this was a rezoning request for a package store and the applicant was Richard Lewis. The request was from Agricultural to GR and the subject property was located at 8800 Airport Road. If approved, this case would go to City Council on April 1st and 15th.

A Conditional Use Permit (CUP) was required for a package store in the GR, C, CA, LI and HI zoning districts. A bar which was previously located on the subject property was demolished in 2009.

Mr. Mabry gave a visual presentation of the area to the Commission. The property was currently shown as rural on the Future Land Use and Character Map and although the request does not conform to the Future Land Use and Character Map, Staff would recommend an amendment to the map at the intersection of Airport Road and SH 317 to reflect the suburban/commercial character district as part of its semi-annual update planned for June 2010.

Mr. Mabry stated Airport Road was classified as a major arterial on the Thoroughfare Plan and the zoning request was appropriate. A 6 inch water line would serve the property and the applicant would use an on-site septic system for the wastewater so adequate facilities would be provided for the site.

The dimensional standards were cited and the site plan for the CUP met all of the standards.

Four (4) notices were mailed to surrounding property owners and zero responses were received.

Staff recommended approval of the rezoning request from A to GR for the following reasons: although the proposal does not conform with the Future Land Use and Character Plan, Planning Staff would recommend an amendment to the map for the intersection of Airport and SH 317 to reflect suburban/commercial in June of 2010. The proposal conformed with the Thoroughfare Plan and public water was available and on-site septic facility was proposed for the subject property.

Chair Pilkington opened the public hearing. There being no speakers, Chair Pilkington closed the public hearing.

Vice-Chair Talley made a motion to approve the zoning request for **Z-FY-10-24A** and Commissioner Barton made a second.

Motion passed: (7:0)

Commissioner Staats abstained; Commissioner Dusek absent

ORDINANCE NO. _____

[PLANNING NO. Z-FY-10-24A]

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, APPROVING A ZONING CHANGE FROM AGRICULTURAL DISTRICT (A) TO GENERAL RETAIL DISTRICT (GR) ON AN APPROXIMATELY 0.9 ACRE TRACT OF LAND OUT OF THE DANIEL MEADOR SURVEY, ABSTRACT 577, BELL COUNTY, TEXAS, LOCATED AT 8800 AIRPORT ROAD; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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

Part 1: The City Council approves a zoning change from Agricultural District (A) to General Retail District (GR) on an approximately 0.9 acre tract of land out of the Daniel Meador Survey, Abstract 577, Bell County, Texas, located at 8800 Airport Road, more fully described in Exhibit A, attached hereto and made a part hereof for all purposes.

Part 2: The City Council directs the Director of Planning to make the necessary changes to the City Zoning Map accordingly.

Part 3: It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable and, if any phrase, clause, sentence, paragraph or section of this ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such phrase, clause, sentence, paragraph or section.

Part 4: This ordinance shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Temple, Texas, and it is accordingly so ordained.

Part 5: It is hereby officially found and determined that the meeting at which this Ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED on First Reading and Public Hearing on the **1st** day of **April**, 2010.

PASSED AND APPROVED on Second Reading on the **15th** day of **April**, 2010.

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

04/15/10
Item #4(J-2)
Consent Agenda
Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW:

Tim Dolan, Planning Director

ITEM DESCRIPTION: SECOND READING – Z-FY-10-24B – Consider adopting an ordinance authorizing a Conditional Use Permit (CUP) to allow a package store with alcoholic beverage sales for off-premise consumption on 0.9 ± acres out of the Daniel Meador Survey, Abstract 577, Bell County Texas, located on the north side of Airport Road east of the State Highway 317 interchange at 8800 Airport Road.

STAFF AND P&Z COMMISSION RECOMMENDATION: At its March 15, 2010 meeting, the Planning and Zoning Commission voted 8/0 in accordance with staff recommendation to recommend approval of a CUP for a package store at 8800 Airport Road subject to the following conditions:

1. The permittee must design and operate the establishment in such a manner that the proposed use does not substantially increase traffic congestion or create overcrowding in the establishment or the immediately surrounding area.
2. The permittee must demonstrate that the granting of the permit would not be detrimental to the public welfare of the citizens of the City.
3. The permittee must operate the establishment in such a manner as to prevent excessive noise, dirt, litter and odors in the establishment or in the surrounding area and operate the establishment in such a manner as to minimize disturbance to surrounding property owners.
4. The City Council may deny or revoke this CUP if it affirmatively determines that the issuance of the permit is (a) incompatible with the surrounding uses of property, or (b) detrimental or offensive to the neighborhood or contrary to the health, safety, and general welfare of the City and its inhabitants.
5. The CUP runs with the property. Changes in the owner or lessee of a permitted establishment do not affect the permit.
6. The CUP may be canceled, suspended or revoked in accordance with the revocation clause set forth in Section 7-608 of the Zoning Ordinance.
7. The applicant's site plan, elevations and application are exhibits to the CUP.
8. Window signs are prohibited.
9. Lighted signs must be turned off at closing time.
10. The color of the metal siding at the rear of the building must match the color of the stone facades on the other three sides of the building.
11. The sign must be 15 feet in height, with a copy area that is 9 feet wide by 6 feet tall and a brick base that compliments the exterior of that building and is 9 feet wide by 9 feet tall.

Commissioner Dusek was absent.

ITEM SUMMARY: Please refer to the Staff Report and draft minutes of case Z-FY-10-24B, from the Planning and Zoning meeting, March 15, 2010. The purpose of the CUP is to establish a package store.

Access to the property comes from Airport Road/State Highway 36. The Texas Department of Transportation will allow a driveway 40 feet in width as shown on the CUP site plan.

The CUP site plan shows 48 percent of the gross square footage of the property is proposed to be landscaped. Thirty six percent of the area that is landscaped is visible to the public, along the sides and the front of the property. Plantings will consist of hydromulch, live oaks, crepe myrtles, Indian hawthorns and Knock Out roses.

Facades of the building that are visible to the public are 100% stone, excluding doors, windows and an awning. Metal is proposed for the rear façade with a color compatible to the three sides.

The State has designated State Highway 317 between Belton and Moody as a scenic corridor where billboards are prohibited. Since the subject property is at the intersection of Airport Road and State Highway 317, recommendation 11 above requires a monument sign that is 15 feet in overall height with a brick base.

General CUP Standards

The proposal complies with all of the general standards for a CUP in the Zoning Ordinance. These standards include but are not limited to compatibility with adjacent properties, access and landscaping.

Specific Use Standards for Package Stores

The proposal complies with all of the specific standards for package stores. These standards include but are not limited to location of pick-up windows, vehicle stacking space and escape lane in the drive-through.

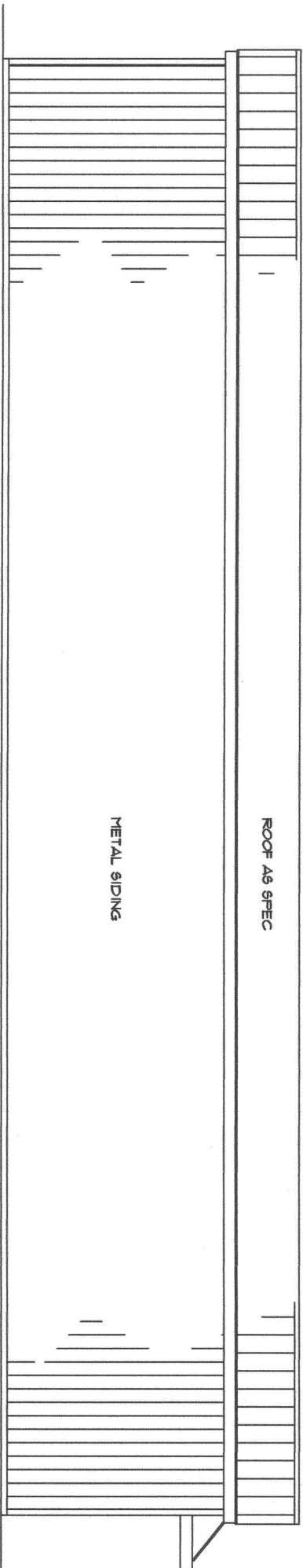
Public Notice

Four notices of the Planning and Zoning Commission public hearing were sent out. As of March 10, 2010 at 5 PM, no notices were returned in favor of and no notices were returned in opposition to the request. The newspaper printed notice of the Planning and Zoning Commission public hearing on March 10, 2010 in accordance with state law and local ordinance.

FISCAL IMPACT: None

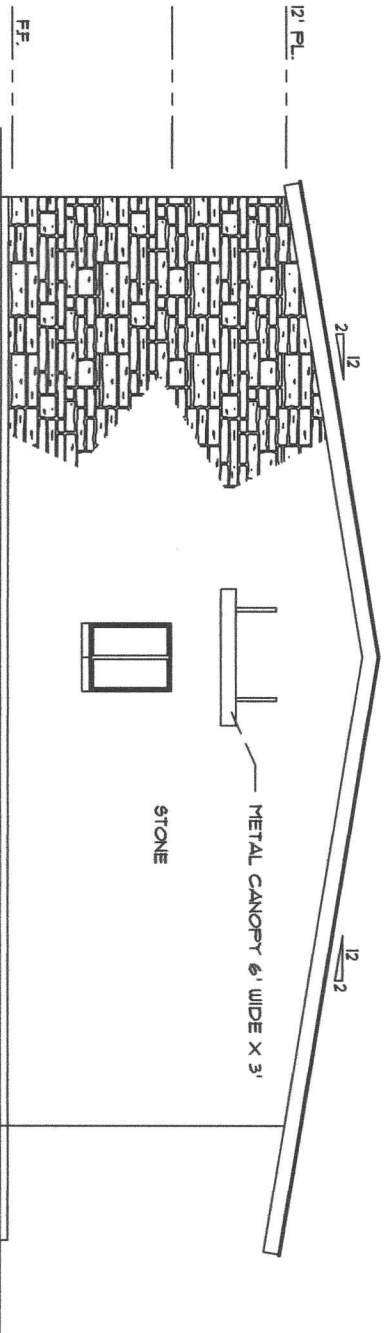
ATTACHMENTS:

[CUP Site Plan](#)
[CUP Elevations](#)
[P&Z Staff Report \(Z-FY-10-24B\)](#)
[P&Z Minutes \(March 15, 2010\)](#)
[Ordinance](#)



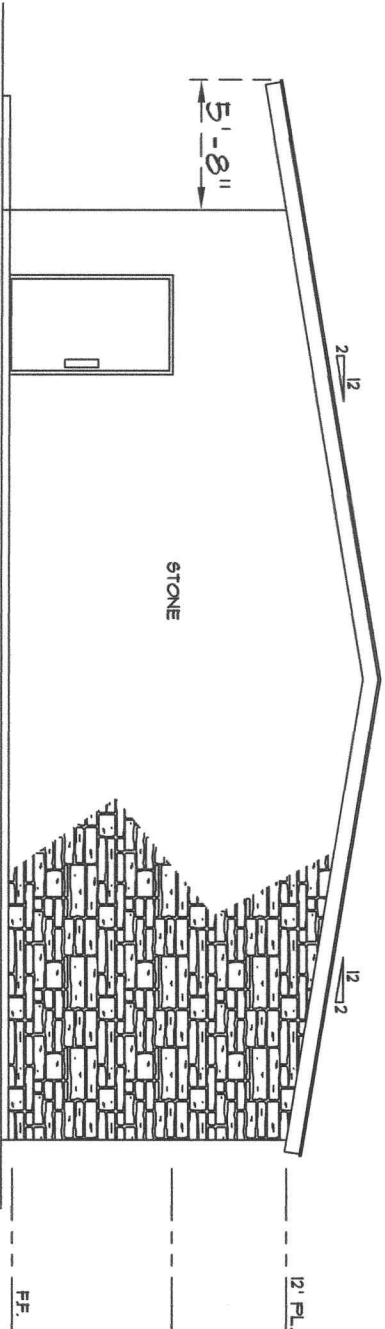
REAR ELEVATION

SCALE: 1/4"=1'-0"



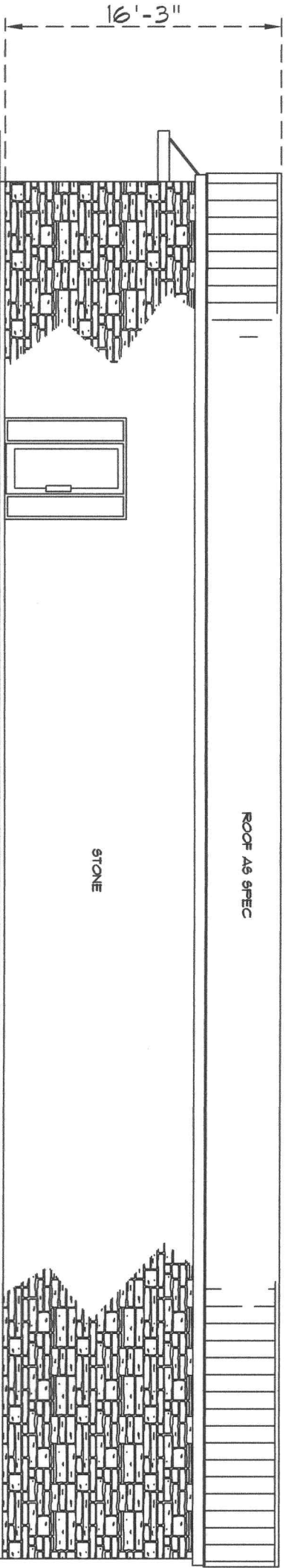
LEFT ELEVATION

SCALE: 1/4"=1'-0"



RIGHT ELEVATION

SCALE: 1/4"=1'-0"



FRONT ELEVATION

SCALE: 1/4"=1'-0"



PLANNING AND ZONING COMMISSION AGENDA ITEM

03/15/10
Item #5B
Regular Agenda
Page 1 of 4

APPLICANT: Richard Lewis

CASE MANAGER: Brian Mabry, AICP, Senior Planner

ITEM DESCRIPTION: Z-FY-10-24-B Hold a public hearing to discuss and recommend action on a Conditional Use Permit (CUP) to allow a package store with alcoholic beverage sales for off-premise consumption on 0.9 ± acres out of the Daniel Meador Survey, Abstract 577, Bell County Texas, located on the north side of Airport Road east of the State Highway 317 interchange at 8800 Airport Road.

BACKGROUND: The purpose of this CUP request is to establish a package store at the intersection of Airport Road and State Highway 317. The applicant is also requesting a rezoning from Agricultural to General Retail. This request is addressed in item 5A.

Access to the property comes from Airport Road / State Highway 36 and the Texas Department of Transportation (TxDOT) will allow a driveway 40 feet in width as shown on the CUP site plan. The applicant will also install a six-foot wide sidewalk along Airport Road / State Highway 36, an Arterial Road on the Thoroughfare Plan.

The CUP site plan shows 48 percent of the gross square footage of the property is proposed to be landscaped. The landscaping at the rear of the property is for an on-site septic facility and will not be visible to the general public. Thirty six percent of the landscaped area is visible to the public, along the sides and the front of the property. Plantings will consist of hydromulch, live oaks, crepe myrtles, Indian hawthorns and Knock Out roses.

The drive through lane contains proper stacking, a bypass lane and a pick up window visible from the public right-of-way, as required by the package store standards in the Zoning Ordinance.

Facades of the building that are visible to the public are 100% stone, excluding doors, windows and an awning. Metal is proposed for the rear façade with a color compatible to the three sides.

General CUP Criteria

There are seven general criteria for the Planning and Zoning Commission and City Council to consider when reviewing a CUP. (Section 7-600).

Criteria	Proposal Meets Criteria?
The conditional use permit will be compatible with and not injurious to the use and enjoyment of the property, nor significantly diminish or impair property values within the immediate vicinity	Yes. Project will have a higher degree of site design amenities than nearby developments.
The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property	Yes
Adequate utilities, access roads, drainage, and other necessary support facilities have been or will be provided	Yes. 6" water line serves the property. Septic system has already been approved by County Sanitarian. Plat for the property will be administratively approved.
The design, location, and arrangement of all driveways and parking spaces provide for the safe and convenient movement of vehicular and pedestrian traffic without adversely affecting the general public or adjacent development	Yes. Number of parking spaces complies with required number for a package store.
Adequate nuisance prevention measures have been or will be taken to prevent or control offensive odors, fumes, dust, noise, and vibration	Yes
Directional lighting will be provided so as not to disturb or adversely affect neighboring properties	Yes
There is sufficient landscaping and screening to insure harmony and compatibility with adjacent property.	Yes. 48% of the entire property is landscaped with hydromulch, live oaks, crepe myrtles, Indian hawthorns and knock out roses. 36% of the landscaped area is visible to the public.

Package Store Standards In addition to the general CUP standards in Zoning Ordinance Section 7-600, the following standards apply to a CUP for a package store:

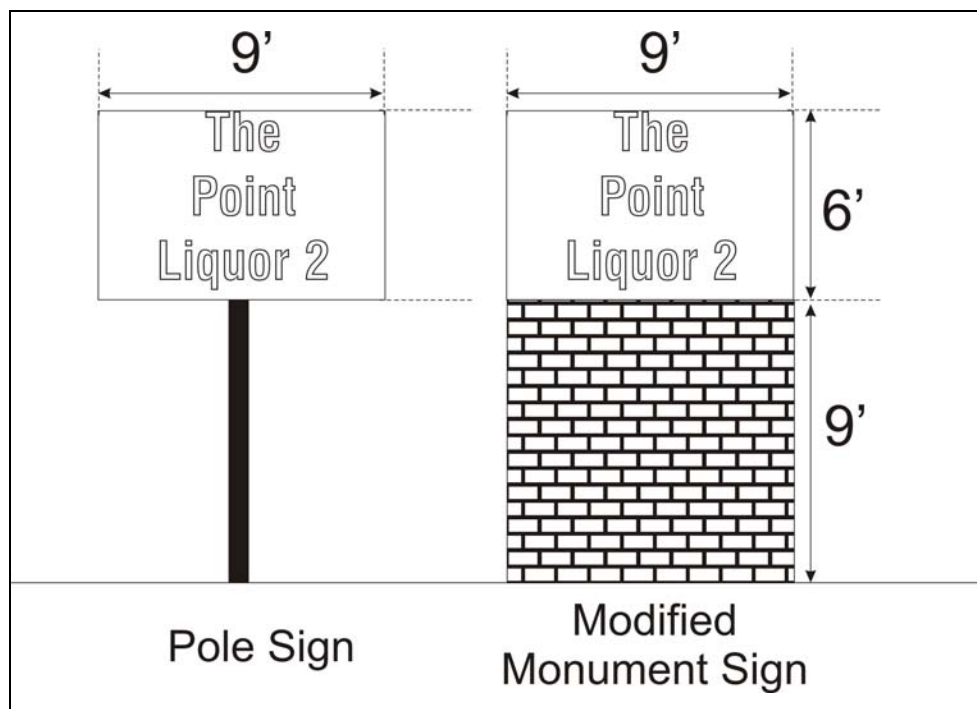
1. Such use must comply with Chapter 4, "Alcoholic Beverages," of the City Code;
2. Outdoor lighting must comply with the standards in Zoning Ordinance, Section 7-566 (G);
3. If applicable, a pick-up window must be visible from the public right-of-way, and may not be placed in alleys;
4. The drive-through lane must provide a minimum of 60 feet of stacking space from the pick-up window to the beginning;
5. An escape (bypass) lane must be provided parallel to the drive-through lane, if applicable, from the beginning of the drive-through lane;
6. Parking (in any zoning district including in CA) must be provided on-site, not less than one space for each 250 square feet of retail space (plus the number of parking spaces required for non-retail space as specified by other City ordinances);
7. Window signs are prohibited; and
8. Lighted advertising signs must be turned off at closing time.

All of the applicable standards above are reflected on the attached CUP site plan.

This application conforms to the area and use requirements for a CUP required for a package store in the GR zoning district. Conditions 1 through 6 in the Staff Recommendation below are standard conditions for alcohol-related uses in the Zoning Ordinance. Condition 7 is based on Zoning Ordinance Section 7-604 requiring the site plan and application to become part of the CUP.

Conditions 8 and 9 in the Staff Recommendation are from the Zoning Ordinance standards for a package store and cannot really be shown on a site plan but are more related to Code Enforcement. The rear of the building is currently not visible to the public or to a residential use. The Zoning Ordinance allows non-masonry materials on the rear façade of buildings when the façade is not visible from the public right-of-way. Condition 10 requires the rear metal façade of the building to match the color of the stone used on the other three sides of the building.

Texas Transportation Code Sec. 391.252 prohibits billboards on State Highway 317 from Belton to Valley Mills. This corridor is grouped with eighteen other scenic corridors across the state. The applicant submitted a proposal to have a pole sign that is 15 feet in overall height with a copy area that is 9 feet wide by 6 feet tall. In keeping with the State's designation of this scenic corridor, condition 11 in the Staff Recommendations recommends a modified monument sign. The recommended modified monument sign is 15 feet in height, has a copy area that is 9 feet wide by 6 feet tall and a brick base that compliments the exterior of that building and is 9 feet wide by 9 feet tall. See the conceptual drawing below.



Public Notice

Four notices of the Planning and Zoning Commission public hearing were sent out. As of March 10, 2010 at 5 PM, no notices were returned in favor of and no notices were returned in opposition to the request. The newspaper printed notice of the Planning and Zoning Commission public hearing on March 10, 2010 in accordance with state law and local ordinance

STAFF RECOMMENDATION: Staff recommends approval of Z-FY-10-24B, a CUP for a package store at 8800 Airport Road with the following conditions in accordance with Zoning Ordinance, Section 7-611:

1. The permittee must design and operate the establishment in such a manner that the proposed use does not substantially increase traffic congestion or create overcrowding in the establishment or the immediately surrounding area.
2. The permittee must demonstrate that the granting of the permit would not be detrimental to the public welfare of the citizens of the City.

3. The permittee must operate the establishment in such a manner as to prevent excessive noise, dirt, litter and odors in the establishment or in the surrounding area and operate the establishment in such a manner as to minimize disturbance to surrounding property owners.
4. The City Council may deny or revoke this CUP if it affirmatively determines that the issuance of the permit is (a) incompatible with the surrounding uses of property, or (b) detrimental or offensive to the neighborhood or contrary to the health, safety, and general welfare of the City and its inhabitants.
5. The CUP runs with the property. Changes in the owner or lessee of a permitted establishment do not affect the permit.
6. The CUP may be canceled, suspended or revoked in accordance with the revocation clause set forth in Section 7-608 of the Zoning Ordinance.
7. The applicant's site plan, elevations and application are exhibits to the CUP.
8. Window signs are prohibited.
9. Lighted signs must be turned off at closing time.
10. The color of the metal siding at the rear of the building must match the color of the stone facades on the other three sides of the building.
11. The sign must be 15 feet in height, with a copy area that is 9 feet wide by 6 feet tall and a brick base that compliments the exterior of that building and is 9 feet wide by 9 feet tall.

FISCAL IMPACT: Not Applicable

ATTACHMENTS:

CUP Site Plan
CUP Elevations

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

MONDAY, MARCH 15, 2010

ACTION ITEMS

Item 5B: Public Hearing, Discussion and Action Z-FY-10-24-B: Discuss and recommend action on a Conditional Use Permit (CUP) to allow a package store with alcoholic beverage sales for off-premise consumption on 0.9 ± acres out of the Daniel Meador Survey, Abstract 577, Bell County Texas, located at 8800 Airport Road. (Applicant: Richard Lewis).

Chair Pilkington stated **Items 5A and 5B** would be presented together; however, separate public hearings, motions and seconds would be made individually.

Commissioner Staats stated he would recuse himself from **Items 5A and 5B** and presented the Affidavits to Staff.

Mr. Mabry began the CUP portion of the presentation by stating there were seven general criteria for conditional uses the Zoning Ordinance set forth and all of those criteria have been met by the proposal. The project would have a higher degree of site design amenities than nearby developments so there is no concern for diminishing property values. There are adequate utilities to serve the property; the number of parking spaces complied with required number for a package store; and a large percentage of the property (48%) was landscaped with 30% being visible to the public.

There are eight (8) standards specific to package stores:

Package Store Standards: In addition to the general CUP standards in Zoning Ordinance Section 7 600, the following standards apply to a CUP for a package store:

1. Such use must comply with Chapter 4, "Alcoholic Beverages," of the City Code;
2. Outdoor lighting must comply with the standards in Zoning Ordinance, Section 7 566 (G);
3. If applicable, a pick-up window must be visible from the public right-of-way, and may not be placed in alleys;
4. The drive-through lane must provide a minimum of 60 feet of stacking space from the pick-up window to the beginning;

5. An escape (bypass) lane must be provided parallel to the drive-through lane, if applicable, from the beginning of the drive-through lane;
6. Parking (in any zoning district including in CA) must be provided on-site, not less than one space for each 250 square feet of retail space (plus the number of parking spaces required for non-retail space as specified by other City ordinances);
7. Window signs are prohibited; and
8. Lighted advertising signs must be turned off at closing time.

The proposal met all of the applicable standards above and are reflected on the CUP site plan.

Mr. Mabry stated the frontage on SH 36 would have a 30' wide access way which was in compliance with TxDOT requirements and applicant would install a six-foot wide sidewalk along Airport Road and SH 36, an Arterial Road on the Thoroughfare Plan.

The stacking space was 60 feet from the pick/up window and the escape lane to the right would allow vehicles to get by without going through the window. Façades of the building visible to the public are 100% stone, excluding doors, windows and an awning. Metal is proposed for the rear façade with a color compatible to the three sides.

TxDOT has designated SH 317 as a scenic corridor where billboards are not permitted; therefore, Staff suggested a modified monument sign which has the same height and copy area as a conventional pole sign but a better aesthetic look.

Staff recommended approval of **Z-FY-10-24B**, a CUP for a package store at 8800 Airport Road with the following conditions in accordance with Zoning Ordinance, Section 7-611:

1. The permittee must design and operate the establishment in such a manner that the proposed use does not substantially increase traffic congestion or create overcrowding in the establishment or the immediately surrounding area.
2. The permittee must demonstrate that the granting of the permit would not be detrimental to the public welfare of the citizens of the City.
3. The permittee must operate the establishment in such a manner as to prevent excessive noise, dirt, litter and odors in the establishment or in the surrounding area and operate the

establishment in such a manner as to minimize disturbance to surrounding property owners.

4. The City Council may deny or revoke this CUP if it affirmatively determines that the issuance of the permit is (a) incompatible with the surrounding uses of property, or (b) detrimental or offensive to the neighborhood or contrary to the health, safety, and general welfare of the City and its inhabitants.
5. The CUP runs with the property. Changes in the owner or lessee of a permitted establishment do not affect the permit.
6. The CUP may be canceled, suspended or revoked in accordance with the revocation clause set forth in Section 7-608 of the Zoning Ordinance.
7. The applicant's site plan, elevations and application are exhibits to the CUP.
8. Window signs are prohibited.
9. Lighted signs must be turned off at closing time.
10. The color of the metal siding at the rear of the building must match the color of the stone facades on the other three sides of the building.
11. The sign must be 15 feet in height, with a copy area that is 9 feet wide by 6 feet tall and a brick base that compliments the exterior of that building and is 9 feet wide by 9 feet tall.

Chair Pilkington opened the public hearing. There being no speakers, Chair Pilkington closed the public hearing.

Commissioner Pope made a motion to approve the CUP as described in **Z-FY-10-24B** and Commissioner Hurd made a second.

Motion passed: (7:0)

Commissioner Staats abstained; Commissioner Dusek absent

ORDINANCE NO. _____

[PLANNING NO. Z-FY-10-24B]

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A CONDITIONAL USE PERMIT TO ALLOW A PACKAGE STORE WITH ALCOHOLIC BEVERAGE SALES FOR OFF-PREMISE CONSUMPTION ON AN APPROXIMATELY 0.9 ACRE TRACT OF LAND OUT OF THE DANIEL MEADOR SURVEY, ABSTRACT 577, BELL COUNTY, TEXAS, LOCATED ON THE NORTH SIDE OF AIRPORT ROAD EAST OF THE STATE HIGHWAY 317 INTERCHANGE AT 8800 AIRPORT ROAD; DECLARING FINDINGS OF FACT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

WHEREAS, the Comprehensive Zoning Ordinance of the City of Temple, Texas, provides for the issuance of conditional use permits under certain conditions and authorizes the City Council to impose such developmental standards and safeguards as the conditions and locations indicate to be important to the welfare or protection of adjacent property and for the protection of adjacent property from excessive noise, vibration, dust, dirt, smoke, fumes, gas, odor, explosion, glare, offensive view or other undesirable or hazardous conditions, and for the establishment of conditions of operation, time limits, location, arrangement and construction for any use for which a permit is authorized;

WHEREAS, the Planning and Zoning Commission of the City of Temple, Texas, after due consideration of the conditions, operation and location of an approximately 0.9 acre tract of land out of the Daniel Meador Survey, Abstract 577, Bell County, Texas, located on the north side of Airport Road east of State Highway 317 interchange at 8800 Airport Road, recommends that the City Council approve the application for this Conditional Use Permit for an off-premise consumption package store; and

WHEREAS, the City Council of the City of Temple, Texas, after public notice as required by law, has at a public hearing, carefully considered all the evidence submitted by the applicant concerning the proposed plans for operation of said establishment and has heard the comments and evidence presented by all persons supporting or opposing this application at said public hearing, and after examining the conditions, operation and the location of said establishment, finds that the proposed use of the premises substantially complies with the comprehensive plan and the area plan adopted by the City Council.

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

Part 1: The City Council approves a Conditional Use Permit to allow a package store with alcoholic beverage sales for off-premise consumption on an approximately 0.9 acre tract

of land out of the Daniel Meador Survey, Abstract 577, Bell County, Texas, located on the north side of Airport Road east of State Highway 317 interchange at 8800 Airport Road more fully shown on Exhibit A, attached hereto and made a part of for all purposes.

Part 2: The owner/applicant, his employees, lessees, agents or representatives, hereinafter called "permittee" shall comply with the following developmental standards and conditions of operation;

- (a) The permittee must design and operate the establishment in such a manner that the proposed use or actual use of the premises shall not substantially increase traffic congestion or create overcrowding in the establishment or the immediately surrounding area;
- (b) The permittee must demonstrate that the granting of the permit would not be detrimental to the public welfare of the citizens of the City;
- (c) The permittee must operate the establishment in such a manner as to prevent excessive noise, dirt, litter and odors in the establishment or in the surrounding area and operate the establishment in such a manner as to minimize disturbance to surrounding property owners;
- (d) The City Council may deny or revoke this conditional use permit if it affirmatively determines that the issuance of the permit is (a) incompatible with the surrounding uses of property, or (b) detrimental or offensive to the neighborhood or contrary to the health, safety, and general welfare of the City and its inhabitants;
- (e) Window signs are prohibited;
- (f) Lighted advertising signs must be turned off at closing time;
- (g) The conditional use permit runs with the property. Changes in the owner or lessee of a permitted establishment do not affect the permit;
- (h) The conditional use permit may be canceled, suspended or revoked in accordance with the revocation clause set forth in Section 7-608 of the Zoning Ordinance;
- (i) The permittee's site plan, elevations and application are exhibits to the conditional use permit, attached hereto as Exhibit B;
- (j) The color of the metal siding at the rear of the building must match the color of the stone facades on the other 3 sides of the building; and
- (k) The sign must be 15 feet in height, with a copy area that is 9 feet wide by 6 feet tall and a brick base that compliments the exterior of that building and is 9 feet wide by 9 feet tall.

These conditions shall be expressed conditions of any building permit issued for construction on the property which may be enforced by the City of Temple by an action either at law or in equity, including the right to specifically enforce the requirements of the ordinance, and these requirements shall run with the land.

Part 3: The Director of Planning is hereby directed to make the necessary changes to the City Zoning Map accordingly.

Part 4: The declarations, determinations and findings declared, made and found in the preamble of this ordinance are hereby adopted, restated and made a part of the operative provisions hereof.

Part 5: It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable and, if any phrase, clause, sentence, paragraph or section of this ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such phrase, clause, sentence, paragraph or section.

Part 6: 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 7: It is hereby officially found and determined that the meeting at which this Ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED on First Reading and Public Hearing on the **1st** day of **April**, 2010.

PASSED AND APPROVED on Second Reading on the **15th** day of **April**, 2010.

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

04/15/10
Item #4(K)
Consent Agenda
Page 1 of 2

DEPT./DIVISION SUBMISSION & REVIEW: Ken Cicora, Parks and Leisure Services Director

ITEM DESCRIPTION: Consider adopting a resolution authorizing a grant application to the Texas Parks and Wildlife Department, in the amount of \$180,521, to complete the Lions Parks National Recreation Trail.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: We are requesting City Council approval to apply to the Texas Parks and Wildlife Department (TPW) for a Texas Recreational Trail Fund grant. The purpose of the grant will be to complete the Lions Park Nature Trail. The grant allows applicants to request up to \$200,000 in funding for a \$240,000 grant. We are going to request a \$180,521 grant project, of which \$144,416.80 would be from TPW and \$36,104.20 would be the City's required 20 percent match of funds

In 1999, the Parks and Leisure Services Department worked with the Lions Club to develop a Master Plan for Lions Park. As part of the process in developing the grant we conducted a survey of the community as to the recreation needs our residents wanted at Lions Park. Hiking trails were ranked as the number one need and/or want in the survey. In addition, natural areas came in as the second highest want.

In 2002, The Parks and Leisure Services Department applied for and received a grant from TPW to develop the existing hiking trail at Lions Park. That trail has been a huge success at the park, with many people using it daily.

In 2007, the Lion Park Trail was designated a National Recreation Trail by the Secretary of the Interior.

This grant request will add approximately 2,000 feet to the trail. The main features of the new trail will be:

- 1,600 linear feet of looped trail to extend across Bird Creek into beautifully wooded open space that is now unused due to a lack of access across the creek.
- 400 linear feet of trail added to connect from existing trail to existing trail behind the pond in the lower part of the park.
- A bridge crossing Bird Creek to the new addition to the trail
- 3 new seating areas along the trail
- signage along the trail to highlight the types of wildlife in the lower part of the park where the trail expansion will occur.

If the Department is successful in securing this grant, it will complete the trail as indicated in the Lions Park Master Plan.

Of the required \$36,104 match by the City, \$15,956 will come from in-kind services of the Departments' Park Planner designing the trail expansion, \$5,000 from operating funds for plant materials and \$15,148.20 from accumulated interest earnings on Park Land Dedication Fees.

FISCAL IMPACT: The total project cost is \$180,521. If selected for funding, the grant would fund 80% of the project cost which is \$144,416.80. The remaining cost of this project would be \$36,104.20. This represents the City's 20% matching funds required by the grant. Funds have been identified from in-kind services of the Parks and Leisure Services Department's Park Planner designing the trail in the amount of \$15,956, \$5,000 from operating funds for plant materials, and \$15,148 from accumulated interest earnings from Park Land Dedication Fees.

A budget adjustment is presented for Council's approval designating the City's cash grant match in the amount of \$20,148. The \$15,956 of in-kind services is for salary and benefits for the Park Planner for time spent designing the trail.

ATTACHMENTS:

[Map of Lions Park Nature Trail](#)
[Budget Adjustment](#)
[Resolution](#)

Lions Park Nature Trail : A National Recreational Trail



FY 2010

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	
110-0000-352-13-45		Des. Capital Proj-Lion's Park Grant Match	\$ 20,148			
110-3500-552-21-19		Botanical Supplies			5,000	
110-0000-461-08-30		Misc. Rev. (Interest on Park Fees Escrow)	15,148			
		Do not post				
TOTAL.....			\$ 35,296		\$ 5,000	

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

To designate funds for the 20% cash grant match required for the Lion's Park National Recreational Trail project. City's match is \$36,104 with \$15,956 coming from in-kind services. If awarded the City will receive grant funds in the amount of \$144,417. Total project costs = \$180,521.

DOES THIS REQUEST REQUIRE COUNCIL APPROVAL?

x

Yes

No

DATE OF COUNCIL MEETING

4/15/2010

WITH AGENDA ITEM?

X

☐ Yes☐ No

Department Head/Division Director

Date _____

Approved

Disapproved

Finance

Date _____

Approved

Disapproved

City Manager

Date _____

Approved

Disapproved

RESOLUTION NO. 2010-5991-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS; AUTHORIZING A GRANT APPLICATION TO THE TEXAS PARKS AND WILDLIFE DEPARTMENT, IN THE AMOUNT OF \$180,521, TO COMPLETE THE LIONS PARK NATIONAL RECREATION TRAIL; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the Parks and Leisure Services Department desires to submit a grant application to the Texas Parks and Wildlife Department for a Texas Recreational Trail Fund Grant to complete the Lions Park National Recreation Trail;

Whereas, the grant allows applicants to request up to \$200,000 in funding for a \$240,000 grant, and the City desires to request a \$180,521 grant project, of which \$144,417 would be from Texas Parks and Wildlife and \$36,104 would be the City's required 20% match of funds (in-kind services of the PALS Park Planner designing the trail in the amount of \$15,956; \$5,000 from operating funds for plant materials; and \$15,148 from accumulated interest earnings from Park Land Dedication Fees);

Whereas, the grant, if awarded, will add approximately 2,000 feet to the trail, which will complete the trail as indicated in the Lions Park Master Plan;

Whereas, an amendment to the FY2009-10 budget needs to be approved designating the City's cash grant match; 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 grant application to the Texas Parks and Wildlife Department for funding to complete the Lions Park National Recreation Trail, and authorizes the City Manager to execute any documents, after approval as to form by the City Attorney, that may be necessary for the grant application.

Part 2: The City Council accepts any funds that may be received for this grant, and commits to the City's 20% match (in-kind services of the Parks and Leisure Service Department's Park Planner designing the trail in the amount of \$15,956; \$5,000 from

operating funds for plant materials; and \$15,148 from accumulated interest earnings from Park Land Dedication Fees) if the grant is awarded.

Part 3: The City Council approves an amendment to the FY2009-2010 budget, substantially in the form of the copy attached as Exhibit "A," to designate the City's cash grant match.

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 **15th** day of **April**, 2010.

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

04/15/10
Item #4(L)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Traci Barnard, Director of Finance

ITEM DESCRIPTION: Consider adopting a resolution authorizing budget amendments for fiscal year 2009-2010.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: This item is to recommend various budget amendments, based on the adopted FY 2009-2010 budget. The amendments will involve transfers of funds between contingency accounts, department and fund levels.

FISCAL IMPACT: The total amount of budget amendments is \$32,867.

ATTACHMENTS:

[Budget amendments
Resolution](#)

CITY OF TEMPLE
BUDGET AMENDMENTS FOR FY 2010 BUDGET
April 15, 2010

			APPROPRIATIONS	
ACCOUNT #	PROJECT #	DESCRIPTION	Debit	Credit
110-3700-524-2516		Judgments & Damages (Construction Safety)	\$ 25,000	
110-1500-515-6531		Contingency - Judgments & Damages		\$ 25,000
To appropriate funds to engage the services of Baird, Crews, Schiller & Whitaker, P.C., to represent the City in code enforcement action.				
110-2200-522-2516		Judgments & Damages (Fire Department)	\$ 987	
110-0000-461-0554		Insurance Claims		\$ 987
Insurance claim to cover costs of Training Captain's repairs to his truck.				
110-2800-532-2516		Judgments & Damages (Traffic Signal)	\$ 1,148	
110-1500-515-6531		Contingency - Judgments & Damages		\$ 1,148
Deductible reimbursement to the Texas Municipal League for settlement of a claim filed against the City by Cheryl Craine seeking reimbursement for damage to her vehicle after it was struck by a Traffic Signal Department vehicle on January 27, 2010.				
110-3200-551-2516		Judgments & Damages (Recreation)	\$ 3,500	
110-0000-461-0554		Insurance Claims		\$ 3,500
Deductible reimbursement of \$1,443 to the Texas Municipal League for settlement of a claim filed by Tammy Coakley seeking reimbursement for personal injury to her daughter as a result of an accident at Lions Junction Family Water Park on June 6, 2009. The company that installed the equipment will pay \$3,500 to the City.				
110-3500-552-2516		Judgments & Damages (Parks)	\$ 2,032	
110-1500-515-6531		Contingency - Judgments & Damages		\$ 2,032
Deductible reimbursement to the Texas Municipal League for settlement of a claim filed as a result of a vehicle accident on January 29, 2010, involving a Parks vehicle which struck a vehicle driven by Josie Mae Johnson.				
110-4000-555-2510		Contributions & Prizes (Library)	\$ 200	
110-0000-461-0841		Donations		\$ 200
Use donation from City Federated Women's Club as designated for prizes for summer reading program.				
TOTAL AMENDMENTS			\$ 32,867	\$ 32,867
GENERAL FUND				
Beginning Contingency Balance			\$	-
Added to Contingency Sweep Account			\$	-
Carry forward from Prior Year			\$	-
Taken From Contingency			\$	-
Net Balance of Contingency Account			\$	-
Beginning Judgments & Damages Contingency			\$	77,833
Added to Contingency Judgments & Damages from Council Contingency			\$	-
Taken From Judgments & Damages			\$	(57,725)
Net Balance of Judgments & Damages Contingency Account			\$	20,108

CITY OF TEMPLE
BUDGET AMENDMENTS FOR FY 2010 BUDGET
April 15, 2010

ACCOUNT #	PROJECT #	DESCRIPTION	APPROPRIATIONS	
			Debit	Credit
		Beginning Fuel Contingency		\$ 125,000
		Added to Fuel Contingency		\$ -
		Taken From Fuel Contingency		\$ -
		Net Balance of Fuel Contingency Account		\$ 125,000
		Beginning Solid Waste - Future Capital Replacement Contingency		\$ 48,400
		Added to Solid Waste - Future Capital Replacement Contingency		\$ -
		Taken From Solid Waste - Future Capital Replacement Contingency		\$ -
		Net Balance of Solid Waste - Future Capital Replacement Contingency Account		\$ 48,400
		Net Balance Council Contingency		\$ 193,508
		Beginning Balance Budget Sweep Contingency		\$ -
		Added to Budget Sweep Contingency		\$ -
		Taken From Budget Sweep		\$ -
		Net Balance of Budget Sweep Contingency Account		\$ -
		WATER & SEWER FUND		
		Beginning Contingency Balance		\$ 247,423
		Added to Contingency Sweep Account		\$ -
		Taken From Contingency		\$ (28,875)
		Net Balance of Contingency Account		\$ 218,548
		Beginning Approach Mains Contingency		\$ -
		Added to Approach Mains Contingency		\$ 488,270
		Taken From Approach Mains Contingency		\$ (488,270)
		Net Balance of Approach Mains Contingency Account		\$ -
		Net Balance Water & Sewer Fund Contingency		\$ 218,548
		HOTEL/MOTEL TAX FUND		
		Beginning Contingency Balance		\$ 26,336
		Added to Contingency Sweep Account		\$ -
		Taken From Contingency		\$ (19,000)
		Net Balance of Contingency Account		\$ 7,336
		DRAINAGE FUND		
		Beginning Contingency Balance		\$ -
		Added to Contingency Sweep Account		\$ -
		Taken From Contingency		\$ -
		Net Balance of Contingency Account		\$ -
		FED/STATE GRANT FUND		
		Beginning Contingency Balance		\$ 15,243
		Carry forward from Prior Year		\$ 51,505
		Added to Contingency Sweep Account		\$ -
		Taken From Contingency		\$ (43,423)
		Net Balance of Contingency Account		\$ 23,325

RESOLUTION NO. 2010-5992-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
TEMPLE, TEXAS, APPROVING BUDGET AMENDMENTS TO THE
2009-2010 CITY BUDGET; AND PROVIDING AN OPEN
MEETINGS CLAUSE.

Whereas, on the 3rd day of September, 2009, the City Council approved a budget for the 2009-2010 fiscal year; and

Whereas, the City Council deems it in the public interest to make certain amendments to the 2009-2010 City Budget.

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

Part 1: The City Council approves amending the 2009-2010 City Budget by adopting the budget amendments which are more fully described in Exhibit A, attached hereto and made a part hereof for all purposes.

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

PASSED AND APPROVED this the 15th day of **April**, 2010.

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

04/15/10
Item #4(M)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Clydette Entzminger, City Secretary

ITEM DESCRIPTION: Consider adopting a resolution appointing the presiding and alternate judges for the May 8, 2010 City of Temple – Temple ISD Joint Election.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The City Council adopted a resolution ordering the May 8, 2010 general election on February 4, 2010. That resolution also appointed the presiding and alternate judges for the election. Since that time, the presiding judge in District 4 has informed us of their inability to serve in that capacity so this resolution is necessary to appoint the new presiding and alternate judges for the May 8th election.

Lavelle Parsons has agreed to serve as the presiding judge. An alternate judge will be confirmed prior to the Council meeting.

FISCAL IMPACT: None

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. 2010-5995-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, APPOINTING THE PRESIDING AND ALTERNATE JUDGES FOR THE MAY 8, 2010, CITY OF TEMPLE – TEMPLE ISD JOINT ELECTON; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on February 4, 2010, the City Council adopted a resolution ordering the May 8, 2010, general election – the resolution also appointed the presiding and alternate judges for the election;

Whereas, since that time, the presiding judge in District 4 has informed the City Secretary of their inability to serve in that capacity;

Whereas, new presiding and alternate judges for District 4 need to be appointed; 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 appoints Lavelle Parsons to serve as the presiding judge and _____ to serve as alternate judge for District 4 for the May 8, 2010 City of Temple – Temple ISD Joint Election.

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 15th day of **April**, 2010.

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

04/15/10
Item #5
Regular Agenda
Page 1 of 3

DEPT./DIVISION SUBMISSION & REVIEW:

Tim Dolan, Planning Director

ITEM DESCRIPTION: SECOND READING – Z-FY-10-20 – Consider adopting an ordinance authorizing a zoning change from General Retail District (GR) to Planned Development General Retail District (PD-GR) on a portion of Lot 1, Block 1, Number One Market Loop, located at 1521 SW H K Dodgen Loop.

STAFF AND P&Z COMMISSION RECOMMENDATION: At its March 15, 2010 meeting, the Planning and Zoning Commission voted 8/0 in accordance with staff recommendation to recommend **denial** of the zoning change from GR to PD-GR for a billboard at 1521 SW H K Dodgen Loop for the following reasons:

1. The request does not comply with the Urban Design and Future Land Use Chapter of the Comprehensive Plan.
2. A billboard is not permitted in the GR zoning district.
3. A billboard is too intense of a use for the subject property and is out of scale with surrounding structures.

Commissioner Dusek was absent.

ITEM SUMMARY: Please refer to the Staff Report and draft minutes of case Z-FY-10-20, from the Planning and Zoning meeting, March 15, 2010.

A restaurant occupies the subject property. The applicant requests the PD-GR zoning district to erect an off-premise sign (billboard). Staff recommends denial of this Planned Development request due to concerns related to: the Comprehensive Plan, Zoning Ordinance and Scale of Design.

Due to the recommendation for denial from the Planning and Zoning Commission, a minimum of four favorable votes from the City Council is required to approve this Planned Development designation.

CONCERNS:

Comprehensive Plan

The purpose of the Auto-Urban Commercial character district in the Comprehensive Plan is as follows:

...The use of a higher landscape surface area, better landscaping along frontages and around and within parking areas, a build-to line (rather than a large front yard setback), and other signage and design standards would significantly enhance the appearance of these areas, especially as sites redevelop over time...

Adding a billboard to the property does not further this purpose statement.

Zoning Ordinance

Billboards are regulated as intense uses in the Zoning Ordinance. As stated above, billboards are only allowed by right in the zoning districts that allow industrial uses: Commercial (C), Light Industrial (LI) and Heavy Industrial (HI). If an applicant applied for any of these zoning districts on the subject property or the surrounding area, staff would recommend denial.

Scale of Design

Considering the dimensional requirements above, Staff has concerns about the scale of the existing structures in the area in relation to the proposed billboard. The heights of various structures in the area are as follows.

Structure	Height (ft.)
TSO Building	15
Baytown Seafood Building	18
Old Montgomery Ward Building	22
Baytown Seafood Sign	28
Parking Lot Light Poles	33
Light Pole Along Frontage Road	47

In addition, the size of the site itself (approximately 22,000 square feet) scale does not lend itself well to the placement of such a large sign.

Staff originally informed the applicant in November 2009 that the proposal would be recommended for denial.

The applicant's representative (Lamar Outdoor Advertising) was not present at the Commission's hearing.

The Commission did not raise any issues requiring additional staff attention.

Public Notice

Eight notices of the Planning and Zoning Commission public hearing were sent out. As of Friday, March 12 at noon, one notice was returned in opposition to the request and no notices were returned in favor. The newspaper printed notice of the Planning and Zoning Commission public hearing on February 18, 2010 in accordance with state law and local ordinance

FISCAL IMPACT: None

ATTACHMENTS:

Aerial
Land Use and Character Map
Zoning Map
Billboard Separation Map
Binding Site Development Plan
Applicant's Exhibits
Notice Map
P&Z Staff Report (Z-FY-10-20)
P&Z Minutes (March 15, 2010)
Ordinance




Z-FY-10-20

Number One Market Loop, Lot 1, Block 1

1521 SW H.K. Dodgen Loop



 Z-FY-10-20

Feet 0 20 40 60 80
J Stone 1.15.10

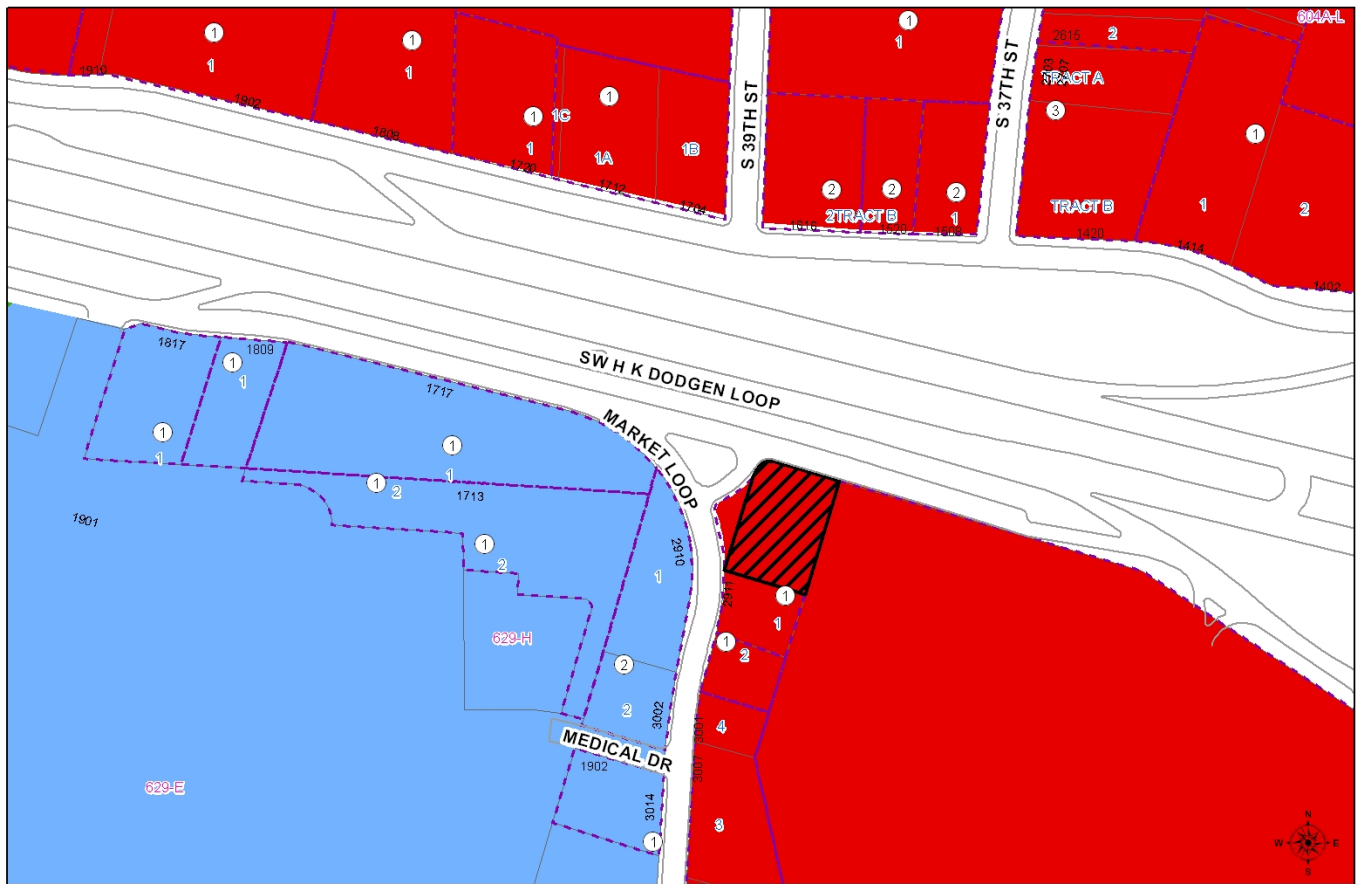


Z-FY-10-20

No. One Market Loop, Lt 1, Blk 1

1521 SW H.K. Dodgen Lp

Proposed Billboard



Lot Numbers	Suburban Residential	Auto-Urban Mixed Use	Urban Center	Business park	Agricultural/Rural
Neighborhood Conservation	Auto-urban Residential	Auto-Urban Commercial	Temple Medical Education District	Public/Institutional	
Estate Residential	Auto-Urban Multi-Family	Suburban Commercial	Industrial	Parks and Open Space	

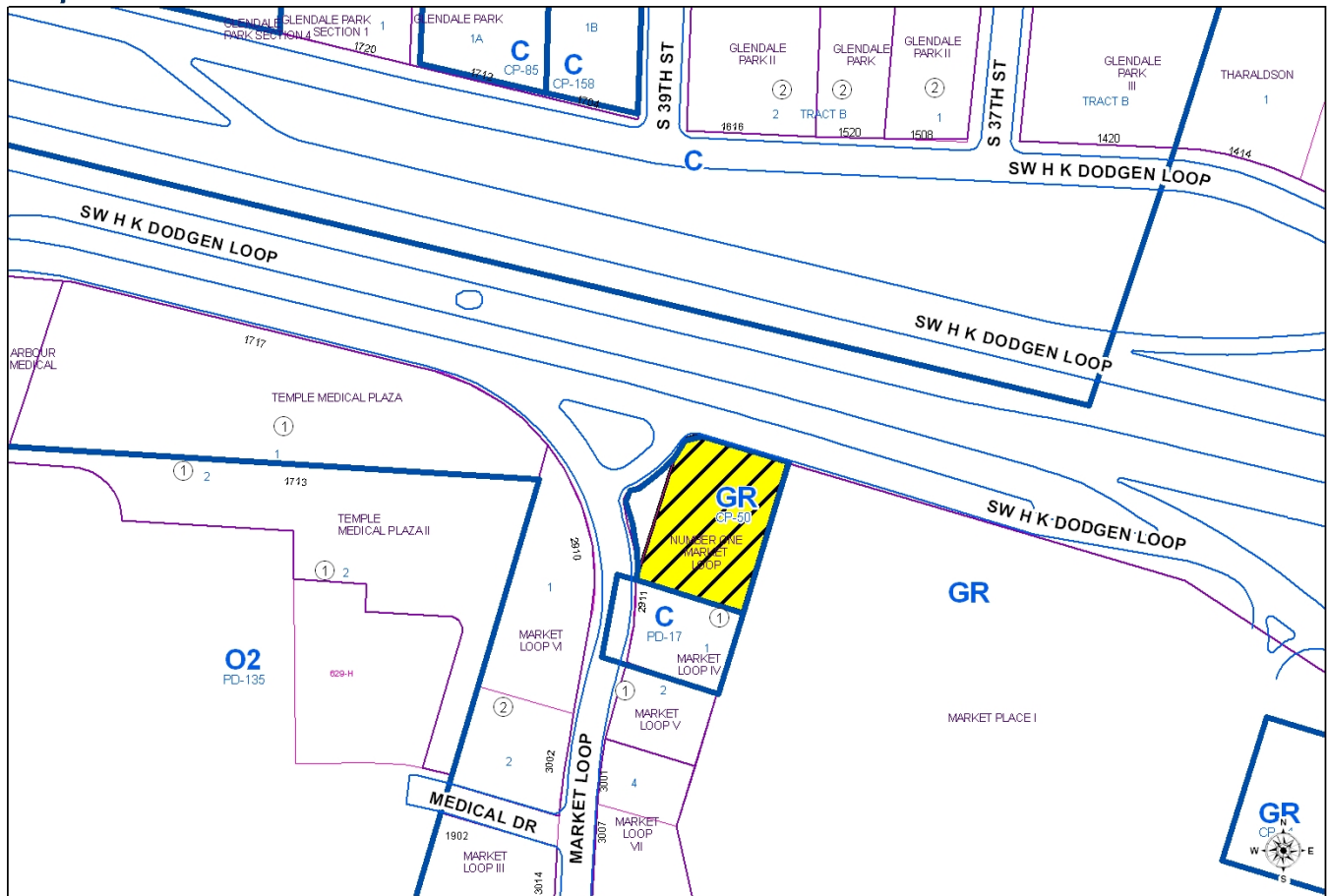
1 inch = 200 feet
J Stone 1.15.10




Z-FY-10-20

Number One Market Loop, Lot 1, Block 1

1521 SW H.K. Dodgen Loop



 Z-FY-10-20

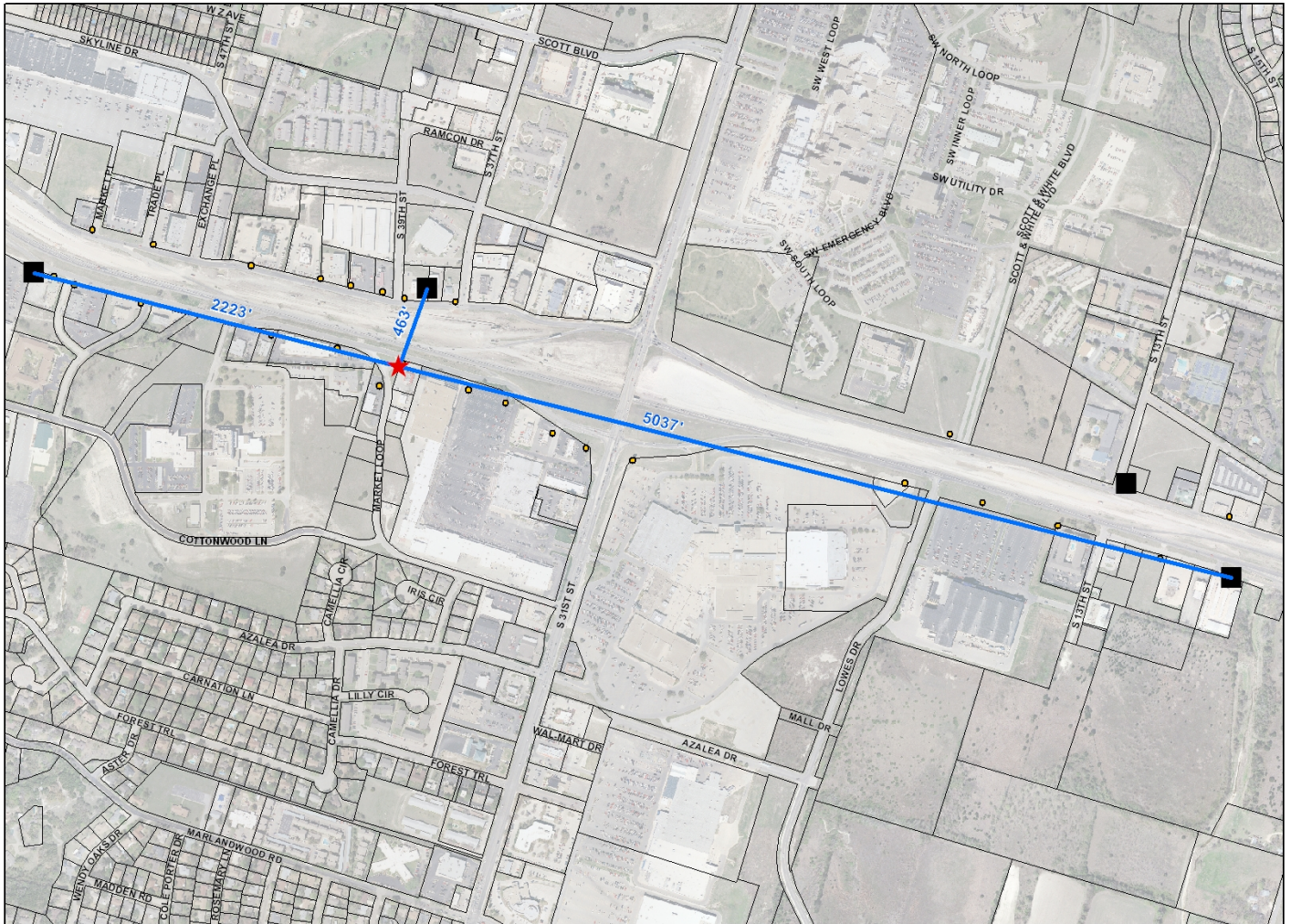
Feet 0 30 60 90 120
J Stone 1.15.10



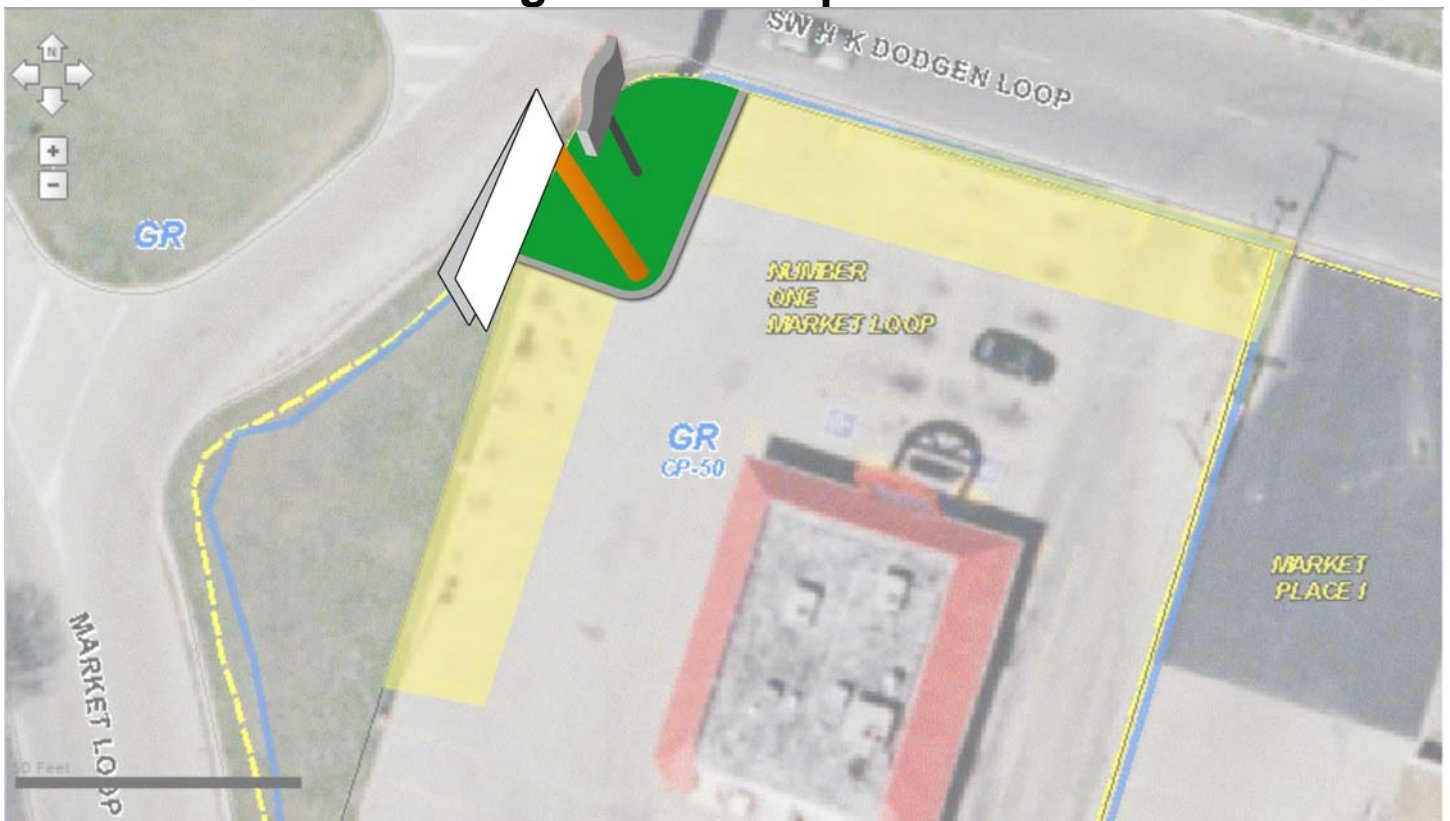
Z-FY-10-20

Number One Market Loop, Lot 1, Block 1

1521 SW H.K. Dodgen Loop



Binding Site Development Plan

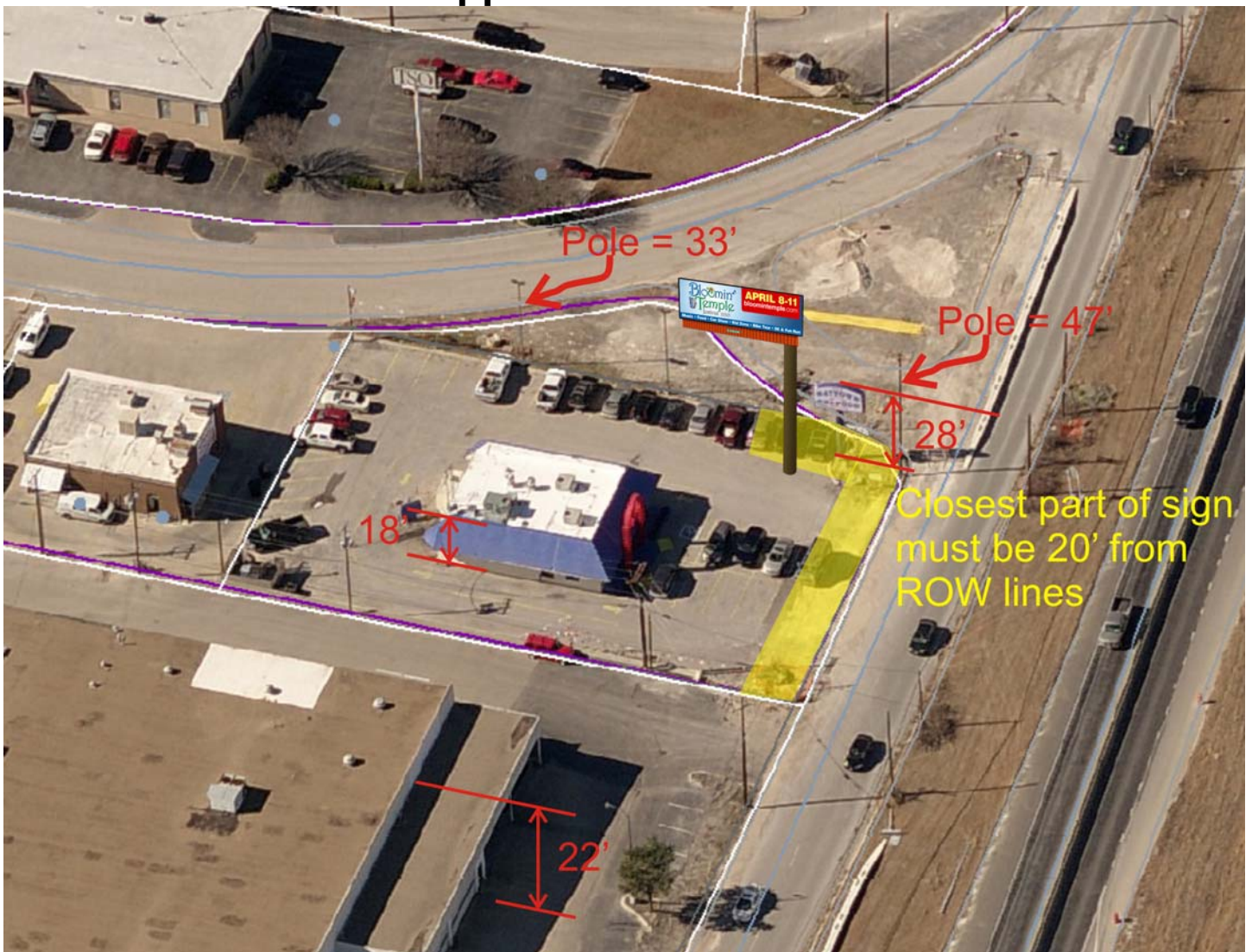


Yellow area = required 20' setback from right-of-way line for billboards

Applicant's Exhibits



Applicant's Exhibits

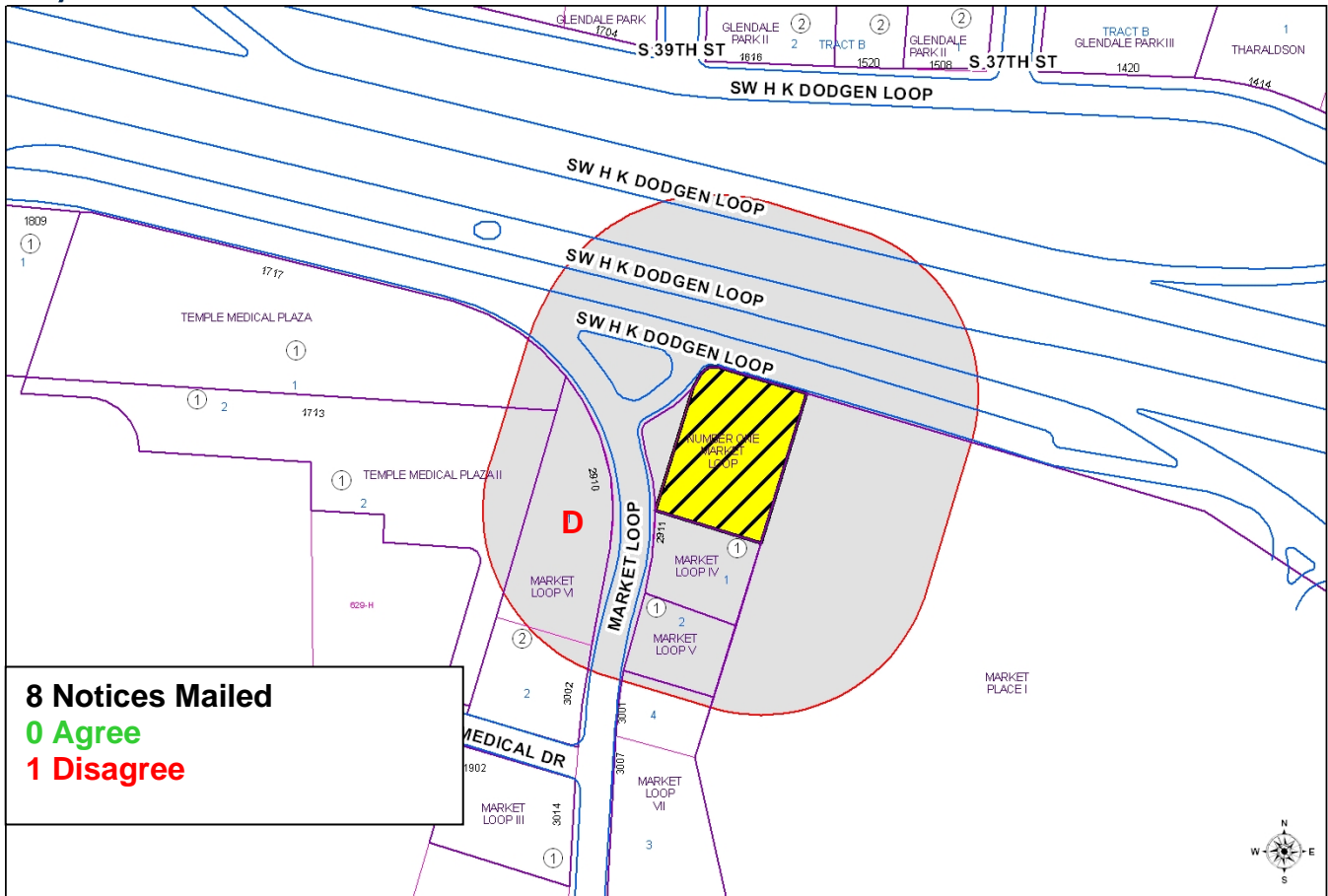




Z-FY-10-20

Number One Market Loop, Lot 1, Block 1

1521 SW H.K. Dodgen Loop



8 Notices Mailed

0 Agree

1 Disagree



Z-FY-10-20



200' Buffer

Feet 0 30 60 90 120

J Stone 1.15.10



PLANNING AND ZONING COMMISSION AGENDA ITEM

03/15/10
Item #3
Regular Agenda
Page 1 of 4

APPLICANT / DEVELOPMENT: Lamar Advertising for David Newman of Famous Chicken of Laredo

CASE MANAGER: Brian Mabry, AICP, Senior Planner


ITEM DESCRIPTION: **Public Hearing, Discussion and Action Z-FY-10-20:** Hold a public hearing to discuss and recommend action on a zone change from General Retail District (GR) to Planned Development General Retail District (PD-GR) on a portion of Lot 1, Block 1, Number One Market Loop, located at 1521 SW H K Dodgen Loop. Zoned GR.

BACKGROUND: A restaurant occupies the subject property. The applicant requests the PD-GR zoning district to erect an off-premise sign (billboard).

Billboards are only allowed by right in the Commercial (C), Light Industrial (LI) and Heavy Industrial (HI) zoning districts. Staff recommends denial of this Planned Development request due to concerns related to: the Comprehensive Plan, Zoning Ordinance and Scale of Design.

Surrounding Property and Uses

The following table shows the subject property, existing zoning and current land uses:

Direction	Zoning	Current Land Use	Photo
Subject Property	GR (PD-GR proposed)	Restaurant	

Double Sided

Direction	Zoning	Current Land Use	Photo
North	GR	TxDOT right-of-way	
South	PD-C	Dry Cleaner	
East	GR	Vacant Retail	
West	GR	TxDOT right-of-way	

A zoning request should be reviewed for compliance with the Comprehensive Plan.

Future Land Use and Character

The Future Land Use and Character Map designates the property as Auto-Urban Commercial. The request does not comply with the Future Land Use and Character Map. See the “Concerns” section below.

CONCERNS

Comprehensive Plan

The purpose of the Auto-Urban Commercial character district in the Comprehensive Plan is as follows:

...The use of a higher landscape surface area, better landscaping along frontages and around and within parking areas, a build-to line (rather than a large front yard setback), and other signage and design standards would significantly enhance the appearance of these areas, especially as sites redevelop over time...

Adding a billboard to the property does not further this purpose statement. Once the billboard is erected, it could be in place for up to 70 years if properly maintained (source: Florida Office of Program Policy and Government Analysis), potentially hindering or detracting from the redevelopment of the area.

Zoning Ordinance

Billboards are regulated as intense uses in the Zoning Ordinance. As stated above, billboards are only allowed by right in the zoning districts that allow industrial uses: Commercial (C), Light Industrial (LI) and Heavy Industrial (HI). Billboards were permitted in the GR zoning district until 2002., when they were removed as a permitted use as part of an update to the billboard standards. If an applicant applied for any of these zoning districts on the subject property or the surrounding area, staff would recommend denial.

Section 12-168 of the Zoning Ordinance requires a minimum separation distance of 2,000 feet between billboards along HK Dodgen Loop. As shown in the attached aerial, the closest existing billboard on the same side of the Loop is 2,223 feet to the west. The closest billboard to the east is 5,150 feet away.

The dimensional requirements for a billboard are as follows.

Billboards on HK Dodgen Loop	
Sign Copy Area (sq. ft.)	378 (10'6" x 36')
Overall Height (ft.)	42.5
Setback from Any ROW Line (ft.)	20
Separation Between Billboards (ft.)	2,000

Scale of Design

Considering the dimensional requirements above, Staff has concerns about the scale of the existing structures in the area in relation to the proposed billboard. The heights of various structures in the area are as follows.

Structure	Height (ft.)
TSO Building	15
Baytown Seafood Building	18
Old Montgomery Ward Building	22
Baytown Seafood Sign	28
Parking Lot Light Poles	33
Light Pole Along Frontage Road	47

Staff originally informed the applicant in November 2009 that the proposal would be recommended for denial.

Public Notice

Eight notices of the Planning and Zoning Commission public hearing were sent out. As of Friday, March 12 at noon, no notices were returned in favor of and one notice was returned in opposition to the request. The newspaper printed notice of the Planning and Zoning Commission public hearing on February 18, 2010 in accordance with state law and local ordinance

STAFF RECOMMENDATION: Staff recommends denial of Z-FY-10-20, a Planned Development for a billboard at 1521 SW HK Dodgen Loop for the following reasons:

1. The request does not comply with the Urban Design and Future Land Use Chapter of the Comprehensive Plan.
2. A billboard is not permitted in the GR zoning district.
3. A billboard is too intense of a use for the subject property and is out of scale with surrounding structures.

FISCAL IMPACT: Not Applicable

ATTACHMENTS:

Aerial
Land Use and Character Map
Zoning Map
Billboard Separation Map
Binding Site Development Plan
Applicant's Exhibits
Notice Map

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

MONDAY, MARCH 15, 2010

ACTION ITEMS

Item 3: Public Hearing, Discussion and Action Z-FY-10-20: Discuss and recommend action on a zoning change to Planned Development (General Retail) District (PD-GR) on a portion of Lot 1, Block 1, Number One Market Loop, located at 1521 SW H K Dodgen Loop. Zoned GR. (Applicant: Lamar Advertising for David Newman)

Mr. Brian Mabry, Senior Planner, stated Lamar Advertising was the applicant for this request and if approved would go to City Council on April 1st and 15th. The applicant was requesting a Planned Development designation in order to erect a billboard on the property which has frontage on H.K. Dodgen Loop. There were no representatives from Lamar Advertising in attendance at the meeting.

Staff recommended denial of this application based on concerns related to the Comprehensive Plan, the Zoning Ordinance, and the overall use and scale of the billboard design in relation to the property and surrounding area. The zoning map for the subject property is mostly Office Two (O2) and General Retail (GR) on outside of the Loop and Commercial (C) on the inside of the Loop.

Mr. Mabry gave the billboard standards along the Loop and stated the copy area for a sign is 10.5 x 36 feet; overall height was 42.5 feet, setback was 20 feet and separation of billboards was 2,000 feet. The proposed billboard met all of these requirements.

In reference to the concerns regarding approval, the property was shown to be Auto/Urban Commercial. In accordance with the Comprehensive Plan, part of the description for Auto/Urban Commercial stated "...the signage and design standards would significantly enhance the appearance of this/these area(s) especially as sites redevelop over time..." It was Staff's opinion the addition of this billboard to the subject property would not further this statement of Auto/Urban Commercial character district, especially for this area in this setting.

Staff also had concerns related to the Zoning Ordinance and the standards for billboards related to this specific property. Billboards are allowed in industrial zoning districts—C, LI and HI, which recognized billboards as an intense use. If the applicant had applied for any of these zoning districts for the subject property that do allow billboards or an intense use such as billboards, Staff would recommend denial for that as well.

Mr. Mabry showed the Commission the required PD site development plan submitted by the applicant which showed the GR designations surrounding and on the property itself. The proposed location of the billboard does meet the required setback standards, but the scale in relation to Baytown Seafood sign was larger.

The last concern related to the scale of design. There were several heights of various structures currently in the area: the TSO building was 15 feet in height; the Baytown Seafood was 18 feet; the Wards building was 22 feet, etc. The closest sign to the proposed billboard was the Baytown Seafood sign which was 28 feet in height.

Mr. Mabry showed several visuals regarding various heights of buildings and signs in relation to the requested billboard.

Eight (8) notices were mailed for this request and one (1) notice was returned in opposition; zero were received in favor.

Staff recommended denial of this request because the request did not comply with the urban design and Future Land Use chapter of the Comprehensive Plan, a billboard is not permitted in a GR district and a billboard on this site is too intense of a use for the subject property, and it is out of scale with the surrounding structures.

Commissioner Staats asked about the origin of the existing billboard on the other side of the Loop. Mr. Mabry stated he did not know the origin of the billboard or when it was permitted, however, as far as spacing, there were no requirements for spacing across the Loop so the presence of that existing billboard would not prevent a billboard from being placed on the subject property. Mr. Mabry also stated that the property across the Loop was zoned Commercial as required for a billboard.

Commissioner Secrest asked about the dimensions of the new sign and Mr. Mabry stated they were the default dimensions for a billboard along the Loop.

Chair Pilkington asked about the letter of denial and Mr. Mabry stated it was from the TSO building which stated there were concerns about the proposed billboard blocking public view of the TSO sign and possibly the building.

Chair Pilkington opened the public hearing. There being no speakers Chair Pilkington closed the public hearing.

Commissioner Martin made a motion to deny the request for **Z-FY-10-20** and Commissioner Hurd made a second.

Motion passed: (8:0)

Commissioner Dusek absent

ORDINANCE NO. _____

[PLANNING NO. Z-FY-10-20]

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, APPROVING A ZONING CHANGE FROM GENERAL RETAIL DISTRICT (GR) TO PLANNED DEVELOPMENT GENERAL RETAIL DISTRICT (PD-GR) ON A PORTION OF LOT 1, BLOCK 1, NUMBER ONE MARKET LOOP, LOCATED AT 1521 SW H K DODGEN LOOP, IN ACCORDANCE WITH SECTIONS 7-500 THROUGH 7-509 OF THE COMPREHENSIVE ZONING ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the owner of the property located at 1521 SW H K Dodgen Loop has requested that the property be rezoned from General Retail District (GR) to Planned Development General Retail District (PD-GR);

Whereas, the Planning and Zoning Commission denied this request at a meeting on March 15, 2010, and the Staff recommends denial of the request; and

Whereas, the City Council, after notice and a public hearing, finds that it is in the public interest to authorize this action.

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

Part 1: The City Council approves a zoning change from General Retail District (GR) to Planned Development General Retail District (PD-GR) on a portion of Lot 1, Block 1, Number One Market Loop, located at 1521 SW H K Dodgen Loop in the City of Temple, Bell County, Texas, more fully described in Exhibit A, attached hereto and made a part hereof for all purposes.

Part 2: In accordance with Sections 7-500 through 7-509 of the Comprehensive Zoning Ordinance of the City of Temple, Texas, Ordinance No. 91-2101, is amended by changing the zoning classification of the property described in Part 1 above, to Planned Development General Retail (PD-GR), and shall comply with all applicable sections of the Code of Ordinances of the City of Temple, Texas, and all local, State and Federal laws and regulations as they may now read or hereafter be amended, including but not limited to the following conditions:

- (a) The use and development standards of the property shall conform to the requirements of the General Retail zoning district;
- (b) Off-premise sign is allowed;

- (c) In the event of a conflict between the development plan, attached hereto as Exhibit B, and the text of the Planned Development ordinance, the stricter standard applies; and
- (d) All standards of the Zoning Ordinance apply unless the development plan or the text of the Planned Development ordinance specifically modifies such standards.

These conditions shall be expressed conditions of any building permit issued for construction on the property which may be enforced by the City of Temple by an action either at law or in equity, including the right to specifically enforce the requirements of the ordinance, and these requirements shall run with the land.

Part 3: The City Council directs the Director of Planning to make the necessary changes to the City Zoning Map accordingly.

Part 4: It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable and, if any phrase, clause, sentence, paragraph or section of this ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such phrase, clause, sentence, paragraph or section.

Part 5: This ordinance shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Temple, Texas, and it is accordingly so ordained.

Part 6: It is hereby officially found and determined that the meeting at which this Ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED on First Reading and Public Hearing on the **1st** day of **April**, 2010.

PASSED AND APPROVED on Second Reading on the **15th** day of **April**, 2010.

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

04/15/10
Item #6
Regular Agenda
Page 1 of 1

DEPT. /DIVISION SUBMISSION & REVIEW:

Tim Dolan, AICP, Planning Director

ITEM DESCRIPTION: FIRST READING – PUBLIC HEARING - Consider adopting an ordinance re-naming a portion of Hilliard Road to Lightner Lane.

STAFF RECOMMENDATION: Adopt ordinance as presented in item description, on the first reading, and schedule second reading and final adoption for May 6, 2010.

ITEM SUMMARY: This item is a 'clean up' for a portion of a roadway near Research Parkway. Staff recommends it be named Lightner Lane, after the property owners in this area now deceased. (The Council approved a road name change for Research Parkway at its meeting December 03, 2009.) After review of that alignment, a portion existed of Hilliard Road, north or northwest of the Research Parkway.

The proposed street name, Lightner Lane does not conflict with other names in Temple. All City departments reviewed the request. The ordinance will take affect 30 days after the second reading to allow time for the installation of new street signs and update maps.

According to the City of Temple policy, described in Resolution #2002-3395-R, a street name change may be considered when a majority of the area is recognized as a significant contribution by an organization to the enhancement of the quality of life in the community. This portion of the Hilliard Road is suited to the name change of Lightner Lane. While the roadway name changes, the addresses here remain the same. Staff has discussed this change with the executor of the estate.

FISCAL IMPACT: Additional signage along Lightner Lane. Estimate cost of \$ 600.

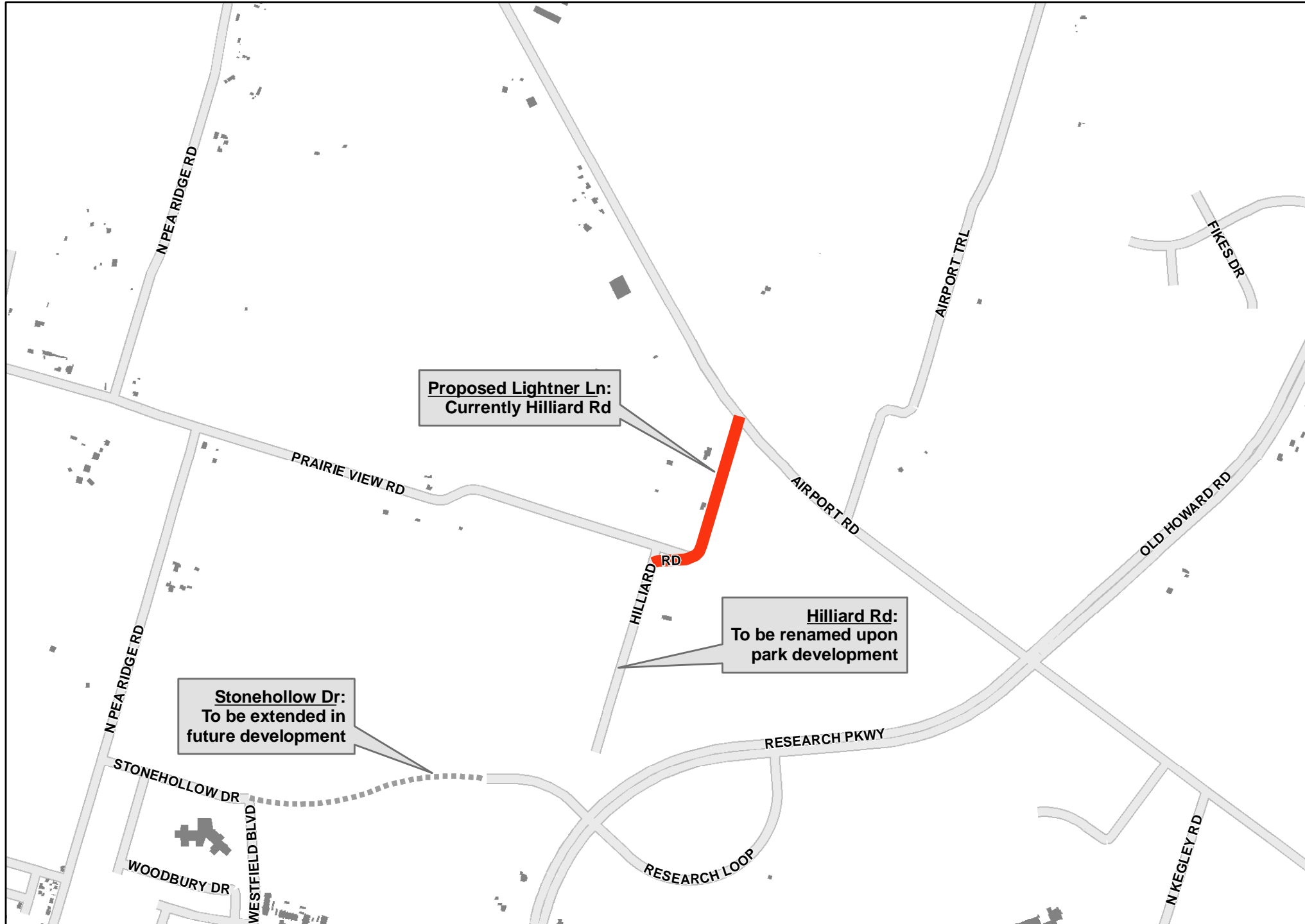
ATTACHMENTS:

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



Z-FY-10-25

Proposed Renaming of Hilliard Rd



ORDINANCE NO. 2010-4357

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, RENAMING A PORTION OF HILLIARD ROAD TO *LIGHTNER LANE*; DECLARING FINDINGS OF FACT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on December 3, 2009, the City Council adopted dual naming for a portion of the planned Outer Loop (new portion of Old Howard Road and the portion from McLane Parkway to FM 2305) as Old Howard Road/Research Parkway;

Whereas, a portion of Hilliard Road near Research Parkway needs to be renamed after review of the recent alignment of Hilliard Road;

Whereas, the Staff recommends renaming the portion of roadway to *Lightner Lane* in recognition of the property owners in this area, who are now deceased;

Whereas, the proposed street name does not conflict with other street names in the City of Temple, and is in compliance with the City's street name change policy which provides that a street name change may be considered when a majority of the area is recognized as a significant contribution by an organization to the enhancement of the quality of life in the community; and

Whereas, the City Council, after a public hearing, 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 approves renaming a portion of Hilliard Road to *Lightner Lane*, more fully shown on a map attached hereto as Exhibit A.

Part 2: The City Council directs the Street Department of the City of Temple, Texas, to make and place the appropriate signs on said street.

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: This ordinance shall take effect 30 days after the second reading to allow time for the installation of new street signs and updating of maps.

Part 5: It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED on First Reading and Public Hearing on the **15th** day of **April**, 2010.

PASSED AND APPROVED on Second Reading on the **6th** day of **May**, 2010.

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

04/15/10
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Regular Agenda
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DEPT./DIVISION SUBMISSION & REVIEW:

Nicole Torralva P.E., Interim Director of Public Works
Michael Newman P.E., Assistant Director of Public Works/City Engineer

ITEM DESCRIPTION: FIRST READING – PUBLIC HEARING – Consider adopting an ordinance establishing the prima facie speed limit on the US 190/LP363 frontage road, within the City limits.

STAFF RECOMMENDATION: Conduct public hearing and adopt ordinance as presented in item description, on first reading, and schedule second reading and final adoption for May 6, 2010.

ITEM SUMMARY: Based on Traffic Engineering Studies by the State, TxDOT has requested that the City adopt an ordinance setting the prima facie speed limits on US190/LP363 frontage roads. The section of highway described as follows.

Starting at M.P. 3.194, proceeding east on the west bound frontage road of US190/LP363, the speed limit shall be 45 MPH for a distance of 1.888 miles, ending at M.P. 5.082 & South 5th Street.

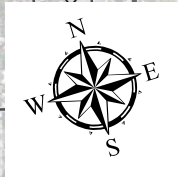
Currently this section of US190/LP363 frontage road is posted at 30 MPH, TxDOT has determined that the prima facie speed limit shall be 45 MPH.

We are required by TxDOT to re-adopt this speed limit at this time with changes being posted.

FISCAL IMPACT: None

ATTACHMENTS:

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

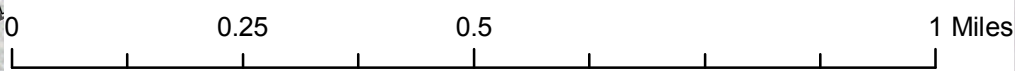


57th STREET

SPEED
LIMIT
45

5th STREET

SPEED LIMIT CHANGE



ORDINANCE NO. 2010-4358

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, PROVIDING FOR REASONABLE AND PRUDENT PRIMA FACIE MAXIMUM SPEED LIMIT ON THE US190/LOOP 363 FRONTAGE ROAD WITHIN THE CITY LIMITS; PROVIDING A REPEALER; PROVIDING FOR A PENALTY FOR VIOLATIONS NOT TO EXCEED \$500 FOR EACH VIOLATION; PROVIDING AN EFFECTIVE DATE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

WHEREAS, an engineering and traffic investigation has been made to determine the reasonable and prudent prima facie maximum speed for motor vehicles on the US190/Loop 363 frontage road within the city limits;

WHEREAS, these traffic investigations and engineering studies have determined the reasonable and safe prima facie maximum speed limits, as more fully described herein; and

WHEREAS, the City Council has considered the matter and deems it in the public interest to approve these speed limits for the benefit of the citizens for the promotion of the public health, welfare, and safety.

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

Part 1: The City Council finds that the reasonable and prudent prima facie maximum speed limit for vehicular traffic on the US190/Loop 363 frontage road is as follows:

Starting at M.P. 3.194, proceeding east on the west bound frontage road of US190/LP36, the speed limit shall be 45 MPH for a distance of 1.888 miles, ending at M.P. 5.082 and South 5th Street.

Part 2: It shall be unlawful for any person to drive or operate a motor vehicle, bicycle, or other vehicle of any kind, whether or not motor powered, on that portion of the roadways described above under the conditions described herein, at a speed greater than is reasonable and prudent under the circumstances then existing, but any speed in excess of the reasonable and prudent prima facie maximum speed limits as set forth in Part 1 hereof shall be prima facie evidence that such speed is not reasonable or prudent and that it is unlawful.

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

Part 4: A person who violates a provision of this ordinance is guilty of a separate offense for each day or portion of a day which the offense is committed, continued, or permitted, and each offense is punishable by a fine not to exceed \$500.

Part 5: If any provision of this ordinance or the application of any provision to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

Part 6: This ordinance shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Temple, Texas, and it is accordingly so ordained.

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

PASSED AND APPROVED on First Reading on the **15th** day of **April**, 2010.

PASSED AND APPROVED on Second Reading on the **6th** day of **May**, 2010.

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

04/15/10
Item #8
Regular Agenda
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DEPT./DIVISION SUBMISSION & REVIEW:

Mayor Pro Tem Patsy Luna

ITEM DESCRIPTION: Consider adopting a resolution directing the City Attorney to develop a policy to require quarterly disclosure by City Councilmembers of gross income earned by them, directly or indirectly, as a contractor, subcontractor or materials supplier from contracts entered into by the City or from projects that are funded in whole or in part from City funds or funds administered by the City.

STAFF RECOMMENDATION: N/A

ITEM SUMMARY: Mayor Pro Tem Patsy Luna asked that this item be placed on the City Council agenda for April 15th for discussion and consideration by the City Council.

FISCAL IMPACT: None

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. 2010-5993-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, DIRECTING THE CITY ATTORNEY TO DEVELOP A POLICY TO REQUIRE QUARTERLY DISCLOSURE BY CITY COUNCILMEMBERS OF GROSS INCOME EARNED BY THEM, DIRECTLY OR INDIRECTLY, AS A CONTRACTOR, SUBCONTRACTOR OR MATERIALS SUPPLIER FROM CONTRACTS ENTERED INTO BY THE CITY OR FROM PROJECTS THAT ARE FUNDED IN WHOLE OR IN PART FROM CITY FUNDS OR FUNDS ADMINISTERED BY THE CITY; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, Mayor Pro Tem Patsy Luna requested that this item be discussed and considered by the City Council; 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 directs the City Attorney to develop a policy to require quarterly disclosure by City Councilmembers of gross income earned by them, directly or indirectly, as a contractor, subcontractor or materials supplier from contracts entered into by the City or from projects that are funded in whole or in part from City funds or funds administered by the City.

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 **15th** day of **April**, 2010.

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

04/15/10
Item #9
Regular Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Clydette Entzminger, City Secretary

ITEM DESCRIPTION: Consider adopting a resolution appointing members to the following City boards and commissions:

- (A) One member to the Temple Public Safety Advisory Board to fill an unexpired term through September 1, 2012
- (B) One member to the Community Services Advisory Board to fill an unexpired term through September 1, 2011

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: (A) Gaylene Nunn has been serving on the Temple Public Safety Advisory Board since September 2008. She resigned from the board in March due to work commitments. We request the Council fill the unexpired term through September 1, 2012, with a Temple resident.

(B) Steve Rublee has been serving on the Community Services Advisory Board since September 2005. He resigned from the board on March 19th due to a job relocation in another state. We request the Council fill the unexpired term through September 1, 2011.

Please see the attached summary forms for these two boards, which list current board members, purpose, membership requirements, term and meeting time/place for the boards. Board applications forms from those interested in serving on these boards are also attached.

FISCAL IMPACT: N/A

ATTACHMENTS:

[Board Summary Forms](#)
[City Board Application Forms](#)

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	06/05	2012	2005 East Avenue K, 76501	773-3589 H
Gaylene Nunn Resigned March 2010	09/08	2012	3502 Gila Trail 76504 gaylenenunn@netscape.net	254-519-5458 W 771-3556 H 972-989-4040 C
Warren R. Smith O/OMA	03/10	2010	4409 Sunflower Lane 76502 Warrensmith1953@yahoo.com	207-2727 W 228-7472 C
John Bush	09/09	2010	1302 North 13 th , 76501 Jbush83498@sbcglobal.net	774-8899 W 773-1416 H 760-9313 C
Donald W. Nelson	09/09	2012	3105 Hemlock Blvd., 76502 Dnelson8@hotmail.com	778-1803 H/F
Justice M. Bigbie	07/09	2010	108 Sundance, 76502 jbnavyman@hotmail.com	742-2171 H 421-0849 C
Patricia A. Smith, Ph.D.	11/02	2010	3334 Red Cliff Cr., 76502 pat-smith@earthlink.net	778-4425 H
Corey Richardson, Chair	09/07	2010	100 Ottoway Drive, 76501 cdrich@excite.com	760-8330 W
Temikia Brown (O/OMA)	09/09	2012	8228 Starview, 76502 brownnchrist@aol.com	780-2822 H 778-8036 W 217-5476 C
Cynthia Martinez (OMA)	09/09	2010	508 West Virginia Ave., 76501 cymartinez@templejc.edu	298-8358 W 778-4180 H 231-6004 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 03/04/10

COMMUNITY SERVICES ADVISORY BOARD

TERM EXPIRATION: SEPTEMBER - 3 YEAR TERMS

APPOINTED BY: MAYOR/COUNCIL

MEMBER	DATE APPOINTED	EXPIRATION YEAR	ADDRESS	PHONE NUMBER
Rev. Roscoe Harrison rharrison@swmail.sw.org OMA	06/04	2012	5222 J. I. Bruce Dr., Temple 76502	773-0173 H 724-1929 W 724-5288 F
Lamar Collins, Chair coach@collinseducationgroup.org	09/06	2012	101 Twelve Oaks Drive, 76502	412-5704 W 624-7133 C 808-1008 Pager
Nancie Etzel NEtzel27@hotmail.com	04/08	2012	329 Big Timber Drive, 76502	443-742-1478 C
Sharon Holleman Sharon.holleman@tisd.org	01/03	2010	8509 Starview St., 76502	760-5405 C 778-5641 H
Corey Richardson cdrich@excite.com	09/07	2010	100 Ottoway Drive, 76501	760-8330 W 598-0280 H
Dr. Robert Beamon, Vice Chair newday213@sbcglobal.net OMA	09/04	2010	611 West Royal Avenue, 76501	899-9321 W 778-3437 H 899-9323 F
Melissa Tyroch melissatyroch@yahoo.com	09/08	2011	110 Arbor Drive, Little River, TX 76554	654-5606 H/C
Jody Donaldson jody@jdonaldson.com	09/05	2011	4106 Eagle Road, 76502	771-2422 W 778-8401 H
Steve Rublee srublee@ccrest.com resigned 3-19-10	09/05	2011	2810 Creekside Drive, 76502	939-2100 W 770-3464 H

Created May 7, 1992 by Resolution #92-234-R; duties expanded May 6, 2004 by Resolution 2004-4042-R

Purpose: To assess public service needs in the community; annually request proposals from public service agencies to meet identified needs; recommend funding levels to the Council from the CDBG annual budget; monitor the agencies receiving CDBG funds to evaluate their performance and proper utilization of funds.

Membership: 11 members, all residents of Bell County; Ex-officio members - City Manager

Term: 3 years

City Staff: Traci Barnard, Director of Finance

Meeting Time/Place: Regular meetings monthly, special meetings as needed; Staff Conference Room, Municipal Building.

General Duties: Attend approximately 6 board meetings per year, from October through May; participate in subcommittee work on application format as needed; participate in subcommittee application review; participate in interview process of agency representatives; present funding recommendations to the Council in June. Duties will include the selection criteria and process for the new HOME Program and other associated CDBG activities.

Revised 08/20/09



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 | PARKS & LEISURE SERVICES ADVISORY BOARD |
| PLANNING & ZONING COMMISSION | 4 TRANSIT ADVISORY COMMITTEE |
| REINVESTMENT ZONE NUMBER ONE | CENTRAL TEXAS HOUSING CONSORTIUM |
| 3 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. Temple 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: Giddens 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, TEDC, 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

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



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

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- 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 Dee Blackwell Residence Address 8520 Oak Crossing Temple, TX 76502
Mailing Address 8520 Oak Crossing Temple, TX 76502 Phone Number (Business) _____ (Home) 254-228-5609
Fax Number 254-228-5609 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: Public Safety Advisory Board; 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.

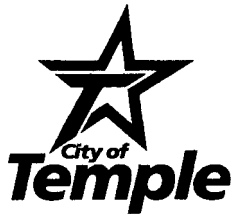
Signed: Dee Blackwell Date: 4/18/08

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

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CITY OF TEMPLE, TX
CITY SECRETARY



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
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

• 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 SYLVIA R. CHESSE Residence Address 802 WESTPOINT DR. TEMPLE 76504

Mailing Address Same - Phone Number(Business) — (Home) 254-771-1171

Fax Number — Cell Phone Number — E-Mail Address KD5US1@AOL.COM

Temple Resident: ☒ Yes ☐ No

Current Employer/Nature of Business: RETIRED - TEMPLE PUBLIC Library.

What City Boards have you served on before & When? Public Safety Advisory Board 2004 - 2008

Library Board 2003 - 2009

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

Parks & Leisure Services Advisory Board, Community Services Advisory Board,
TRANSIT ADVISORY COMMITTEE

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

AS THE WIFE OF A CAREER G.I. I have lived in 5 states and 3 countries.

I have been in public service jobs all my life from Catering to Retail

Comments (Attach additional page if desired):

Temple is a great place to live and I like to give back to it with

my time. I am a member of the Citizens Police Academy Alumni and a volunteer
at Scott and White.

Signed: Sylvia R. Chesser Date: July 22nd, 2009

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

* Appointed to Transit Adv. Committee 8/29/09



CITY OF TEMPLE

CITY BOARD APPLICATION FORM

Rec'd
7-16-08

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	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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• 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 Inez Cobb Residence Address 17060 New Colony Rd, Rogers 76569
Mailing Address Same Phone Number (Business) 298-3344 (Home) 983-2794
Fax Number _____ Cell Phone Number 721-4481 E-Mail Address icobb@swmail.sw.org
Current Employer/Nature of Business: Scott & White Health Plan - Insurance
What City Boards have you served on before & When? no

Name, in priority order, the Board or Boards on which you would prefer to serve: Community Services,
Temple Economic Development Corporation Planning & Zoning Commission
Parks & Leisure Services, Zoning Board of Adjustment
What experience and/or educational background do you have that could be applied to community service?

Just a concerned citizen

Comments (Attach additional page if desired):

I feel a strong need to unite the people who live
outside the city, but contribute much to its growth and
financial success, with the city who like us are a benefit to us

Signed: Inez Cobb Date: 7-9-08

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

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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
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

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- 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 Patsy Cofer Residence Address 4314 Gazelle Trl, Temple
Temple TX (254)
Mailing Address 4314 Gazelle Trl, 76504 Phone Number (Business) 718-1859 (Home) 254-899-8165
Fax Number 254-899-8165 Cell Phone Number 254-718-0866 E-Mail Address pcofer@h.t.rr.com
Temple Resident: ☒ Yes ☐ No Postmaster 15yrs Distributor-Medical Device
Current Employer/Nature of Business: Retired USPSal Service 32yrs / Co-owner, The Pain Center
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
Commission, Community Services Advisory Board, Parks & Leisure Svs.

What experience and/or educational background do you have that could be applied to community service?
As a Postmaster involved in Community where I served - Board
for VFD, Government Service 32 years, 15yrs as Manager
Comments (Attach additional page if desired):
Would like to serve the Community. Concerned about
issues relating to our Senior Community

Signed: Patsy Cofer Date: August 3, 2009

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



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
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

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• 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 Margaret Goodwin Residence Address 3206 Keller Rd., 76504

Mailing Address Same Phone Number (Business) 254-771-8600 EXT 277 (Home) _____

Fax Number _____ Cell Phone Number 254-541-0894 E-Mail Address mag47g00@msn.com

Temple Resident: ☒ Yes ☐ No

Current Employer/Nature of Business: King's Daughters Hosp, medical technologist

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: 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 for over 40 yrs.

Comments (Attach additional page if desired):

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: _____

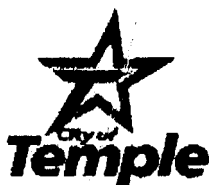
PLEASE NOTE: All information supplied on this form is public information.

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CITY OF TEMPLE, TX
CITY SECRETARY

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CITY OF TEMPLE

CITY BOARD APPLICATION FORM

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AIRPORT ADVISORY BOARD
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

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- 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 JIM MALONE Residence Address 5304 Wildflower Lane
Mailing Address Same Phone Number (Business) _____ (Home) 76502 742-0376
Fax Number _____ Cell Phone Number _____ E-Mail Address Jmalone002@hot
Temple Resident: Yes ☒ Yes ☐ No rr.com
Current Employer/Nature of Business: Retired / Schlumberger Schlumberger is the world largest oil & gas service company
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 30 yrs of experience in management - mostly operational. Strong experience in making budgets, managing people and costs. Served as president / general manager of credit union - served World with many service organizations

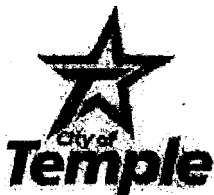
Signed Jim Malone Date 9-11-08

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

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CITY OF TEMPLE, TX
CITY SECRETARY



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
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

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- 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 John Mayo Residence Address 6918 Valley Mist 76502
Mailing Address SAME Phone Number (Business) 773-9966 (Home) 933-8466
Fax Number N/A Cell Phone Number 541-6816 E-Mail Address John.mayo@hotmail.com
Temple Resident: ☒ Yes ☐ No

Current Employer/Nature of Business: Omega Enterprises / Construction
What City Boards have you served on before & When? Zoning Board (Alternate) 2003-2005

Name, in priority order, the Board or Boards on which you would prefer to serve: 1) Civil Service
2) Temple Public Safety 3) Community Services

What experience and/or educational background do you have that could be applied to community service?
BBA-Accounting, MBA, 25 year professional Business Experience.
7-Year as Director / Instructor - Search & Recovery Team
Comments (Attach additional page if desired):
19-Year President of Temple with strong tie to community with a
desire to give back.

Signed: John Mayo Date: 7/24/2009

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

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CITY OF TEMPLE
CITY BOARD APPLICATION FORM

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BUILDING & STANDARDS COMMISSION
CIVIL SERVICE COMMISSION
ELECTRICAL BOARD
ZONING BOARD OF ADJUSTMENT
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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

• 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 Richard E. Morgan Residence Address 214 West Houston Ave.
Mailing Address 214 W. Houston Ave. Phone Number (Business) Temple, TX 76501 (Home) 254.771.0109
Fax Number 254.634.8809 Cell Phone Number 254.760.0331 E-Mail Address richardmorgan@hst.ir.com
Temple Resident: ☒ Yes ☐ No

Current Employer/Nature of Business: Self Employed/Sole Proprietor/Clinical Social Worker

What City Boards have you served on before & When? _____

Name, in priority order, the Board or Boards on which you would prefer to serve: (1) Planning & Zoning Commission
(2) Community Services Advisory Board (3) Temple Public Safety Advisory Board
(4) Reinvestment Zone Number One (5) Transit Advisory Board

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

Served on Numerous Committees including Bell County Resource Group,
Parents Without Partners Board of Directors - Bell County Mental Health
Comments (Attach additional page if desired): I have a Master of Science Degree
in Social Work from University of Texas
over 20 years as a Clinical Social Worker

Signed: R E Morgan Date: 7/26/09

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



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
BUILDING & STANDARDS COMMISSION
CIVIL SERVICE COMMISSION
CONVENTION CENTER & TOURISM 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
ELECTRICAL BOARD
DEVELOPMENT STANDARDS ADVISORY BOARD
PARKS & RECREATION BOARD
TRANSIT ADVISORY COMMITTEE
TEMPLE HOUSING AUTHORITY
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: Virun 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?

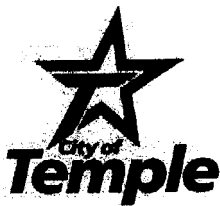
BS, History UT at Tyler

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.

RECEIVED
JUL 15 2008
CITY OF TEMPLE, TX
CITY SECRETARY



CITY OF TEMPLE

CITY BOARD APPLICATION FORM

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BUILDING & STANDARDS COMMISSION
CIVIL SERVICE COMMISSION
ELECTRICAL BOARD
ZONING BOARD OF ADJUSTMENT
2-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 Marganita R. Stefan-Rios Residence Address 2419 East Adams Ave.
Mailing Address _____ Phone Number (Business) _____ (Home) 254-742-7703
Fax Number _____ Cell Phone Number 254-498-9085 E-Mail Address R.Jose.2513@aol.com
Temple Resident: ☒ Yes ☐ No

Current Employer/Nature of Business: _____

What City Boards have you served on before & When? Keep Temple Beautiful 4yrs
Hispanic League

Name, in priority order, the Board or Boards on which you would prefer to serve: Community service Advisory
Animal Services Adv. Bd.
Board Library Board Parks and Leisure services Tx Housing Consortium

What experience and/or educational background do you have that could be applied to community service?
Volunteer Red Cross Disaster Team Temple/Bell Co. Casa advocate

McKenney Cty. Taught 35yrs, 11yrs @ St. Mary's

Comments (Attach additional page if desired):
I served 3 terms as a Silver Haired legislator
representing Temple & Bell Cty.

Signed: Marganita R. Stefan-Rios Date: 8/01/2008

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* Appointed to Library Board 8/20/09



CITY OF TEMPLE
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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
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Name Laura VanLier Residence Address 4925 Camp Creek Rd.

Mailing Address _____ Phone Number(Business) 770-4193 (Home) 984-0315

Fax Number 770-4876 Cell Phone Number 931-0561 E-Mail Address lvulier@pactiv.com

Current Employer/Nature of Business: Pactiv Corporation / Manufacturing

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: No Preference

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

BS Mgt.; VP HTCHS 2000; Sheriff's Posse 2006

Comments (Attach additional page if desired):

Signed: _____ Date: 6/15/08

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CITY OF TEMPLE

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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
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Name IRIS WITT Residence Address 1914 FOREST TR
Mailing Address SAME Phone Number (Business) 724-8847 (Home) 76502
Fax Number - Cell Phone Number 903-271-5693 E-Mail Address WittIwitt@aol.com

Current Employer/Nature of Business: SCOTT & WHITE / Research RN coordination

What City Boards have you served on before & When? Grayson County

Community College RN Advisory Board - 2000-2002

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

(2) - Community Services Advisory Board

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

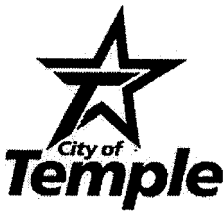
RN - BS in Political Science, Masters in Education

Comments (Attach additional page if desired): I moved to Temple in 2005 because of my new position at S.W. - In Denton, Tx I was a member of the

Jr. Service League, CASA + would like to contribute to my new hometown of Temple.

Signed: Iris Witt Date: 7/2/08

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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
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Name Bennie Trevino Residence Address 1003 South 13th St

Mailing Address 1003 S. 13th St Phone Number(Business) _____ (Home) 254-771-3859

Fax Number 254-771-3859 Cell Phone Number _____ E-Mail Address bnn-trevino@yahoo.com
bnn-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: Bennie Trevino Date: 1-28-09

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