



**MEETING OF THE
TEMPLE CITY COUNCIL**

MUNICIPAL BUILDING

2 NORTH MAIN STREET

3rd FLOOR – CONFERENCE ROOM

THURSDAY, JUNE 4, 2015

3:30 P.M.

WORKSHOP AGENDA

1. Discuss, as may be needed, Regular Meeting agenda items for the meeting posted for Thursday, June 4, 2015.
2. Receive presentation from CTCOG related to 9-1-1 Legislation.
3. Receive second quarter financial results for Fiscal Year 2015.
4. Receive an update on the City's Transportation Capital Improvement Program.
5. Discuss the City's strategic plan, to include the FY 2015-2016 budget process and calendar, and various strategic and budget related policy issues.

5:00 P.M.

MUNICIPAL BUILDING

**2 NORTH MAIN STREET
CITY COUNCIL CHAMBERS – 2ND FLOOR
TEMPLE, TX**

**TEMPLE CITY COUNCIL
REGULAR MEETING AGENDA**

I. CALL TO ORDER

1. Invocation
2. Pledge of Allegiance

II. PUBLIC HEARING

3. PUBLIC HEARING – Receive Presentation of the Community Development Block Grant 2015-2019 Needs Assessment.

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) [May 21, 2015 Special Called & Regular Meeting](#)

Contracts, Leases, & Bids

- (B) [2015-7709-R](#): Consider adopting a resolution authorizing a professional services agreement with Lone Star Right of Way Services, Inc., for right-of-way services for the expansion of Research Parkway from Central Pointe Parkway to Interstate 35, in an amount not to exceed \$345,000.

- (C) [2015-7710-R](#): Consider adopting a resolution authorizing a payment of \$115,125 to the City of Belton for the purchase of 16.1 acres of land near the Temple-Belton Wastewater Treatment Plant.
- (D) [2015-7711-R](#): Consider adopting a resolution authorizing the purchase of 2.781 acres of right-of-way along the southeast corner of SW H.K. Dodgen Loop and South 5th Street and authorizing closing costs associated with the purchase.
- (E) [2015-7712-R](#): Consider adopting a resolution authorizing a one (1) year extension to the lease agreement with Kachemak Bay Flying Service, a wholly owned subsidiary of System Studies and Simulation, Inc. (S3), for the rental of a 6,000 square foot hangar for the purpose of operating an aircraft maintenance and avionics shop at the Draughon-Miller Central Texas Regional Airport.
- (F) [2015-7713-R](#): Consider adopting a resolution authorizing a five (5) year extension to the lease agreement with William G. Rosier, d.b.a. Temple Real Estate Investments, Inc., for the rental of a 3,600 square foot hangar at the Draughon-Miller Central Texas Regional Airport.
- (G) [2015-7714-R](#): Consider a resolution authorizing entering into to an Interlocal Agreement with the Belton Independent School District to provide school locations for after school latchkey programming.

Misc.

- (H) [2015-7715-R](#): Consider adopting a resolution authorizing a Memorandum of Understanding with the City of Killeen and Bell County to establish the rights, duties, administration and division of funds received under the 2015 Edward Byrne Memorial Justice Assistance Grant (JAG) program Award.
- (I) [2015-7716-R](#): Consider adopting a resolution approving second quarter financial results for Fiscal Year 2015.

V. REGULAR AGENDA

RESOLUTIONS

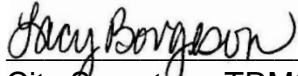
- 5. [2015-7717-R](#): Consider adopting a resolution authorizing a professional services agreement with Clark & Fuller of Temple for engineering services for the construction services relating to the building of a new football field in Wilson Community Park not to exceed \$77,775, as well as, declare an official intent to reimburse the expenditures with the issuance of 2015 Parks General Obligation Bonds.
- 6. [2015-7718-R](#): Consider adopting a resolution authorizing a professional services agreement with Kasberg, Patrick & Associates, LP (KPA) of Temple for design and construction related to architectural and engineering services for the construction of Phase 1 of Crossroads Park for an amount not to exceed \$1,202,560, as well as, declare an official intent to reimburse the expenditures with the issuance of 2015 Parks General Obligation Bonds.

ORDINANCES

7. [2015-4713](#): SECOND & FINAL READING - Z-FY-15-14: Consider adopting an ordinance authorizing a Conditional Use Permit for a Paint Shop/General Contractor facility on Lot 2, Block, Trantum Subdivision Phase VIII, located at 5806 South General Bruce Drive.

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

I hereby certify that a true and correct copy of this Notice of Meeting was posted in a public place at 10:45 AM, on Friday, May 29, 2015.



City Secretary, TRMC
City of Temple



COUNCIL AGENDA ITEM MEMORANDUM

06/04/15
Item #4(A)
Consent Agenda
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DEPT./DIVISION SUBMISSION & REVIEW:

Lacy Borgeson, City Secretary

ITEM DESCRIPTION: Approve Minutes:

(A) [May 21, 2015 Special Called & 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:

[May 21, 2015 Special Called & Regular Meeting \(To Be Provided\)](#)



COUNCIL AGENDA ITEM MEMORANDUM

06/04/15
Item #4(B)
Consent Agenda
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DEPT./DIVISION SUBMISSION & REVIEW:

Kayla Landeros, City Attorney
Bill D'Amico, ROW Project Coordinator

ITEM DESCRIPTION: Consider adopting a resolution authorizing a professional services agreement with Lone Star Right of Way Services, Inc., for right-of-way services for the expansion of Research Parkway from Central Pointe Parkway to Interstate 35, in an amount not to exceed \$345,000.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The expansion of Research Parkway from Central Point Parkway to I-35 is currently under design. Construction of the project is tentatively scheduled for Fiscal Year 2016. The expansion will require right-of-way from 24 separate tracts of land. Staff has received a proposal for the provision of right-of-way services from Lone Star Right of Way Services, Inc. ("Lone Star").

The City has worked with Lone Star on several different projects and has found the company to be efficient and responsible. Lone Star will offer multiple services during the right-of-way process, including, but not limited to, project management, acquisition, title, relocation, and appraisal services.

Staff recommends Council authorize a professional services agreement with Lone Star, in an amount not to exceed \$345,000, for right-of-way services for the expansion of Research Parkway from Central Pointe Parkway to I-35.

FISCAL IMPACT: Funding for the professional services agreement with Lone Star Right of Way Services, Inc. is available in the Reinvestment Zone No. 1 Financing Plan. Cost allocations are identified below.

Project Description	Financing Plan Line Item #	Account #	Project #	Costs
I35 to Wendland Ultimate	104	795-9800-531-6863	101000	\$140,958
Wendland to McLane Pkwy	105	795-9800-531-6864	101001	\$146,639
McLane Pkwy to Central Pt. Pkwy	157	795-9800-531-6881	101004	\$ 57,403
Total Cost				\$345,000

ATTACHMENTS:
[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH LONE STAR RIGHT OF WAY SERVICES, INC., OF BELTON, TEXAS, IN AN AMOUNT NOT TO EXCEED \$345,000, FOR RIGHT-OF-WAY SERVICES FOR THE EXPANSION OF RESEARCH PARKWAY FROM CENTRAL POINTE PARKWAY TO INTERSTATE 35; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the expansion of Research Parkway from Central Point Parkway to I-35 is currently under design and construction of the project is tentatively scheduled for Fiscal Year 2016;

Whereas, the expansion will require right-of-way from 24 separate tracts of land - staff has received a proposal for the provision of right-of-way services from Lone Star Right of Way Services, Inc. ("Lone Star"), of Belton, Texas;

Whereas, the City has worked with Lone Star on several different projects in the past and has found the company to be efficient and responsible - Lone Star will offer multiple services during the right-of-way process, including, but not limited to, project management, acquisition, title, relocation, and appraisal services;

Whereas, staff recommends Council authorize a professional services agreement with Lone Star, in an amount not to exceed \$345,000, for right-of-way services for the expansion of Research Parkway from Central Pointe Parkway to I-35;

Whereas, funding for this professional services agreement is available in three separate Reinvestment Zone No. 1 Financing Plan Accounts - Account No. 795-9800-531-6863, Project No. 101000, Account No. 795-9800-531-6864, Project No. 101001 and 795-9800-531-6881, Project No. 101004; 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 professional services agreement with Lone Star Right of Way Services, Inc., of Belton, Texas, after approval as to form by the City Attorney, in an amount not to exceed \$345,000, for right-of-way services for the expansion of Research Parkway from Central Pointe Parkway to Interstate 35.

Part 2: It is hereby officially found and determined that the meeting at which this Resolution was 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 **4th** day of **June**, 2015.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

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DEPT./DIVISION SUBMISSION & REVIEW:

Kayla Landeros, City Attorney

ITEM DESCRIPTION: Consider adopting a resolution authorizing a payment of \$115,125 to the City of Belton for the purchase of 16.1 acres of land near the Temple-Belton Wastewater Treatment Plant.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: In 2009, the City Council authorized a Land Acquisition and Engineering Services Agreement ("2009 Agreement") between the City of Temple, City of Belton ("Belton"), and the Brazos River Authority ("BRA"). The 2009 Agreement set forth each parties' responsibilities regarding a proposed expansion of the Temple-Belton Wastewater Treatment Plant ("TBP"). In 2009, the TBP was owned and operated by BRA. In the 2009 Agreement, BRA agreed to purchase from Belton, 16.1 acres of land located next to the TBP and owned by Belton that would be used for the proposed expansion. BRA agreed to purchase the 16.1 acres from Belton for \$145,000. At the time, there existed on the land a Texas Commission on Environmental Quality ("TCEQ") lien. The lien was later released upon Belton's payment to TCEQ of \$50,000.

In the 2009 Agreement, Temple agreed to share in 75% of the cost of the 16.1 acres of land and Belton agreed to cover the remaining 25%. BRA was to purchase the land from Belton and invoice the Cities according to their respective shares (75% for Temple and 25% for Belton). BRA never completed the transfer of the property as anticipated by the 2009 Agreement. However, the 16.1 acres is still needed for future expansion of the TBP. In 2013, ownership of the TBP was conveyed from BRA to the Cities. Belton has now requested that Temple pay it directly for its 75% share of the property and for a percentage of the lien that was paid to TCEQ. Temple's 75% share of the property totals \$108,750. Staff is suggesting that Temple share in 12.75% of the cost of the TCEQ lien which totals \$6,375. The 12.75% represents the percentage of land area that the 16.1 acre represents in relation to the entire amount of land now owned by the Cities.

At this time, Staff is seeking authorization to make a payment of \$115,125 to the City of Belton which represents 75% of the cost of the 16.1 acre tract and 12.75% of the payment made to TCEQ for the lien release on the property.

FISCAL IMPACT: Funding in the amount of \$115,125 is available in account 520-5522-535-6110, project 101333, to fund the purchase of 16.1 acres of land near the Temple-Belton Wastewater Treatment Plant.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A PAYMENT TO THE CITY OF BELTON, TEXAS, IN THE AMOUNT OF \$115,125 FOR THE PURCHASE OF 16.1 ACRES OF LAND NEAR THE TEMPLE-BELTON WASTEWATER TREATMENT PLANT; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, in 2009, the City Council authorized a Land Acquisition and Engineering Services Agreement (“2009 Agreement”) between the City of Temple, City of Belton (“Belton”), and the Brazos River Authority (“BRA”);

Whereas, the 2009 Agreement set forth each parties’ responsibilities regarding a proposed expansion of the Temple-Belton Wastewater Treatment Plant (“TBP”) - in 2009, the TBP was owned and operated by BRA;

Whereas, in the 2009 Agreement, BRA agreed to purchase from Belton, 16.1 acres of land located next to the TBP that would be used for the proposed expansion - BRA agreed to purchase the 16.1 acres from Belton for \$145,000;

Whereas, at the time, there existed a Texas Commission on Environmental Quality (“TCEQ”) lien on the land - the lien was later released upon Belton’s payment to TCEQ of \$50,000;

Whereas, in the 2009 Agreement, Temple agreed to share in 75% of the cost of the 16.1 acres of land and Belton agreed to cover the remaining 25% - BRA was to purchase the land from Belton and invoice the Cities according to their respective shares (75% for Temple and 25% for Belton);

Whereas, BRA never completed the transfer of the property as anticipated by the 2009 Agreement and the 16.1 acres is still needed for future expansion of the TBP;

Whereas, in 2013, ownership of the TBP was conveyed from BRA to the cities of Temple and Belton and Belton has now requested that Temple pay Belton directly for its 75% share of the property and for a percentage of the lien that was paid to TCEQ;

Whereas, Temple’s 75% share of the property totals \$108,750 and staff is suggesting that Temple share in 12.75% of the cost of the TCEQ lien which totals \$6,375, for a total of \$115,125;

Whereas, funds for this payment are available in Account No. 520-5522-535-6110, Project No. 101333; 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 payment to the City of Belton in the amount of \$115,125, for the purchase of 16.1 acres of land near the Temple-Belton Wastewater Treatment Plant.

Part 2: It is hereby officially found and determined that the meeting at which this Resolution was 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 4th day of **June**, 2015.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

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DEPT./DIVISION SUBMISSION & REVIEW:

Kayla Landeros, City Attorney
Bill D'Amico, ROW Project Coordinator

ITEM DESCRIPTION: Consider adopting a resolution authorizing the purchase of 2.781 acres of right-of-way along the southeast corner of SW H.K. Dodgen Loop and South 5th Street and authorizing closing costs associated with the purchase.

Executive Session – Pursuant to Chapter 551, Government Code § 551.072 – Real Property – The City Council may enter into executive session to discuss the purchase, exchange, lease or value of real property relating to City projects, the public discussion of which would have a detrimental effect on negotiations with a third party.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: Staff is asking for authorization to purchase 2.781 acres of land located along the southeast corner of SW H.K. Dodgen Loop and South 5th Street and to pay closing costs, in an amount not to exceed \$180,000. The property is needed for right-of-way for construction of improvements to Loop 363 and State Highway 290.

At the March 19, 2015 meeting, Council authorized the purchase of this property and payment of closing costs in an amount not to exceed \$160,000. The not to exceed amount of \$160,000 was based on a price per square foot of \$1.25, plus estimated closing costs. After further negotiations and consideration of comparable sales in the area, the owner has asked for \$1.39/square foot. Staff believes the counteroffer is reasonable and is seeking authorization to purchase the property and pay closing costs in an amount not to exceed \$180,000.

FISCAL IMPACT: Funding for the purchase of right-of-way along the southeast corner of SW H.K. Dodgen Loop and South 5th Street is available in the Reinvestment Zone No. 1 Financing Plan, account 795-9800-531-6872, project 101010.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE PURCHASE OF APPROXIMATELY 2.781 ACRES OF RIGHT-OF-WAY ALONG THE SOUTHEAST CORNER OF SW H.K. DODGEN LOOP AND SOUTH 5TH STREET AS WELL AS THE PAYMENT OF CLOSING COSTS IN AN AMOUNT NOT TO EXCEED \$180,000; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, staff is requesting to purchase approximately 2.781 acres of land located along the southeast corner of SW H.K. Dodgen Loop and South 5th Street;

Whereas, the property is needed for right-of-way for construction of improvements to Loop 363 and State Highway 290;

Whereas, at the March 19, 2015 meeting, Council authorized the purchase of this property along with the payment of closing costs in an amount not to exceed \$160,000 - the not to exceed amount of \$160,000 was based on a price per square foot of \$1.25, plus estimated closing costs;

Whereas, after further negotiations and consideration of comparable sales in the area, the current owner has asked for \$1.39 per square foot and staff believes this counteroffer is acceptable and reasonable;

Whereas, funding for the purchase of this property is available in the Reinvestment Zone No. 1 Financing Plan, Line 404, Account No. 795-9800-531-6872, Project No. 101010; 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 approximately 2.781 acres of right-of-way along the southeast corner of SW H.K. Dodgen Loop and South 5th Street and authorizes the payment of closing costs associated with the purchase, in an amount not to exceed \$180,000.

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 to purchase the property.

Part 3: It is hereby officially found and determined that the meeting at which this Resolution was 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 **4th** day of **June**, 2015.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

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DEPT./DIVISION SUBMISSION & REVIEW:

Jonathan Graham, City Manager
Sharon Rostovich, Airport Director

ITEM DESCRIPTION: Consider adopting a resolution authorizing a one (1) year extension to the lease agreement with Kachemak Bay Flying Service, a wholly owned subsidiary of System Studies and Simulation, Inc. (S3), for the rental of a 6,000 square foot hangar for the purpose of operating an aircraft maintenance and avionics shop at the Draughton-Miller Central Texas Regional Airport.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: Approval of the item will extend the lease with Kachemak Bay Flying Service for one (1) year through June 30, 2016.

On June 5, 2014, the City approved a one year lease extension with Kachemak Bay Flying Service, a wholly owned subsidiary of System Studies and Simulation, Inc. (S3), for the purpose of operating an aircraft maintenance and avionics shop and other general aviation services at the Draughton-Miller Central Texas Regional Airport. The lease will expire June 30, 2015.

Kachemak Bay Flying Service has demonstrated they are capable of operating a professional aircraft maintenance and avionics shop on the Airport; therefore, staff recommends that a one year extension to the Kachemak Bay Flying Service lease at the rate of \$600 per month be approved to run through June 30, 2016.

FISCAL IMPACT: Airport will receive a total of \$7,200 per year in hangar rent which will be deposited into account 110-0000-446-3528.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A ONE-YEAR EXTENSION TO THE LEASE AGREEMENT WITH KACHEMAK BAY FLYING SERVICE, A WHOLLY OWNED SUBSIDIARY OF SYSTEM STUDIES AND SIMULATION, INC., FOR THE RENTAL OF A 6,000 SQUARE FOOT HANGAR AT THE DRAUGHON-MILLER CENTRAL TEXAS REGIONAL AIRPORT, FOR THE PURPOSE OF OPERATING AN AIRCRAFT MAINTENANCE AND AVIONICS SHOP; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on June 5, 2014, the City approved a one-year lease agreement with Kachemak Bay Flying Service, a wholly owned subsidiary of System Studies and Simulation, Inc. (S3) for the purpose of operating an aircraft maintenance, avionics shop and providing other general aviation services at the Draughon-Miller Central Texas Regional Airport – this lease will expire June 30, 2015;

Whereas, Kachemak Bay Flying Service has demonstrated they are capable of operating a professional aircraft maintenance and avionics shop at the Airport;

Whereas, staff recommends authorizing a one-year extension to the lease agreement with Kachemak Bay Flying Service through June 30, 2016 with a rental rate of \$600 per month; 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 one-year extension to the lease with Kachemak Bay Flying Service, Inc., a wholly owned subsidiary of System Studies and Simulation, Inc. (S3), after approval as to form by the City Attorney, for the purpose of operating an aircraft maintenance, avionics shop, and providing other general aviation services at the Draughon-Miller Central Texas Regional Airport, in the monthly rental amount of \$600.

Part 2: It is hereby officially found and determined that the meeting at which this Resolution was 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 4th day of **June**, 2015.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

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DEPT./DIVISION SUBMISSION & REVIEW:

Jonathan Graham, City Manager
Sharon Rostovich, Airport Director

ITEM DESCRIPTION: Consider adopting a resolution authorizing a five (5) year extension to the lease agreement with William G. Rosier, d.b.a. Temple Real Estate Investments, Inc., for the rental of a 3,600 square foot hangar at the Draughton-Miller Central Texas Regional Airport.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: Approval of the item will extend the current lease with William G. Rosier, d.b.a. Temple Real Estate Investments, Inc., for hangar #19 an additional five (5) years through December 31, 2029.

On June 21, 2012, the City approved a ten (10) year lease extension and assignment from McLane Company, Inc., to William G. Rosier, d.b.a. Temple Real Estate Investments, Inc., for hangar #19 at the Airport. The original lease will expire December 31, 2024.

The tenant requests an additional five (5) year extension on the lease through December 31, 2029 at the rental rate of \$360 per month.

FISCAL IMPACT: The Airport will receive \$4,320 in hangar rent per year.

ATTACHMENTS:

[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A FIVE-YEAR EXTENSION TO THE LEASE AGREEMENT WITH WILLIAM G. ROSIER, D.B.A. TEMPLE REAL ESTATE INVESTMENTS, INC., FOR THE RENTAL OF A 3,600 SQUARE FOOT HANGAR AT THE DRAUGHON-MILLER CENTRAL TEXAS REGIONAL AIRPORT; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on June 21, 2012, the City approved a ten-year lease extension and assignment from McLane Company, Inc., to William G. Rosier, d.b.a. Temple Real Estate Investments, Inc., for hangar #19, a 3,600 square foot hangar at the Draughon-Miller Central Texas Regional Airport – that original lease will expire on December 31, 2024;

Whereas, the tenant has requested an additional five-year extension to the lease agreement through December 31, 2029;

Whereas, staff recommends authorizing a five-year extension to the lease agreement with William G. Rosier, d.b.a. Temple Real Estate Investments, Inc. through December 31, 2029 with a rental rate of \$360 per month; 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 five-year extension to the lease with William G. Rosier, d.b.a. Temple Real Estate Investments, Inc., after approval as to form by the City Attorney, for the rental of a 3,600 square foot hangar at the Draughon-Miller Central Texas Regional Airport, in the monthly rental amount of \$360.

Part 2: It is hereby officially found and determined that the meeting at which this Resolution was 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 4th day of **June**, 2015.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

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DEPT./DIVISION SUBMISSION & REVIEW:

Kevin Beavers, Parks and Recreation Director

ITEM DESCRIPTION: Consider a resolution authorizing entering into to an Interlocal Agreement with the Belton Independent School District to provide school locations for after school latchkey programming.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: We are requesting City Council approval to enter into an Interlocal Agreement with the Belton Independent School District (B.I.S.D.). The agreement would allow the Parks and Recreation Department to continue to provide an after school program at four (4) B.I.S.D. schools that are located in the Temple city limits.

In 2009, Temple Parks and Recreation Department was awarded the contract to provide “Latch Key Program Management Services” at Tarver, Pirtle, and Lakewood Elementary Schools. In 2013 High Point Elementary was added to the latch key program. During the 2014-15 school year, the Temple Parks and Recreation Department provided an after school program for two hundred and fifty four (254) 5 to 13 year olds, Monday through Friday, from 3 pm to 6 pm.

The term of this agreement will be from July 1, 2015 through June 30, 2016, at which time the parties may extend or renegotiate the agreement by mutual consent.

Additionally, B.I.S.D. has agreed to waive all facility usage fees during the time the program is being offered, thus allowing the program to be offered at an affordable rate for the participants.

FISCAL IMPACT: None

ATTACHMENTS:

[Interlocal Agreement
Resolution](#)

INTERLOCAL AGREEMENT

This agreement is made the ____ day of July, 2015, by and between Belton Independent School District (BISD) and the City of Temple (City), acting through its Parks and Leisure Services Department, for the purposes, mutual promises, and consideration expressed herein.

WHEREAS, a need has been identified in the BISD for a child care program; and

WHEREAS, the City of Temple Parks and Leisure Services Department has proposed a method of fulfilling that need; and

WHEREAS, students and parents in the BISD would benefit from such a child care program; and

NOW THEREFORE, the BISD and the City agree as follows:

I. PROGRAM

The City shall sponsor, conduct, and provide, and the BISD shall allow and cooperate in the provisions of an after-school day care program at Tarver Elementary, Lakewood Elementary, Pirtle Elementary, and High Point Elementary Schools (hereinafter referred to as "the Program.") In consideration for the City's provisions of these services, the BISD hereby waives all fees from the City during the times the Program is conducted at the BISD facilities.

II. HOURS

The Program shall be conducted at the aforementioned BISD facilities each school day between the time that school is dismissed and 6:00 pm.

III. HOLIDAYS

Programs sponsored and conducted for the Program participants during school holidays shall be held at locations other than the BISD facilities.

IV. PROGRAM FEE

The City shall be responsible for the cost, charge, or collection of any fees approved by BISD for participation in the Program, and shall be responsible for the granting or denial of full or partial fee waivers.

The BISD shall not be responsible for the cost, charge or collection of any fees for participation in the Program, nor shall the BISD be responsible for the granting or denial of full or partial fee waivers.

V. AVAILABLE SPACE

The spaces to be used by the City for provision of the after school Program shall be as agreed to by the City and the Principal at each facility. In the event that the City and the facility Principal are unable to agree, the Principal shall determine the space to be used by the City, provided, however, the following portions of the specified BISD facilities shall be included, in the space available to the City during the Program hours of the Program.

1. Outdoor play area;
2. Indoor program area which shall include indoor space for table activities, snack, lunch and interest centers;
3. A gym (if available);
4. Restroom facilities;
5. Water fountain;
6. Storage space (if available);
7. Flow areas between above-specified spaces

The BISD reserves the right to utilize the foregoing areas, for either school purposes or for other child care programs, and the City understands that this agreement does not constitute an exclusive license to the City for the use of said areas.

The City shall be responsible for keeping the available areas in a neat and orderly condition, and shall replace at the expense of the City any damaged or missing equipment or any damage to a BISD facility as a result of the negligence of the City.

The City shall be responsible for securing all areas used at each facility at closing each day that the Program is held at a BISD facility.

The City shall provide the following equipment, services, and/or facilities, if necessary:

1. Movable storage unit(s);
2. General cleaning of Program areas

The BISD shall designate an area in each facility for the placement of City-provided equipment and/or facilities.

VI. COSTS

The City shall bear all costs associated with initiation and provision of the Program, including, without limitation, the cost of obtaining necessary licenses, materials, and staff.

VII. STANDARDS AND LICENSING

The Program is exempt from regulation by the Texas Department of Family and Protective Services as codified in Texas Administrative Code Sec. 745.115(3). Texas law exempts recreation programs for elementary age (5-13 years old) children that meet the following criteria:

- A) A municipality operates the program; and
- B) The governing body of the municipality annually adopts standards of care by ordinance after a public hearing for such programs; and
- C) The Program provides these standards to the parents of each Program participant; and
- D) The ordinances include child/caregiver ratios, minimum employee qualifications, minimum building, health, and safety standards, and mechanisms for monitoring and enforcing the adopted local standards; and
- E) The Program informs the parents that the state does not license the Program; and
- F) The Program does not advertise itself as a child care operation.

The City agrees that this agreement is conditioned on its compliance with the requirements of Senate Bill 9 as found in Texas Education Code Section 22.0834(a).

VIII. STUDENTS

PARTICIPATION

Each student participating in the Program shall participate at the BISD facility at which the student normally attends school, unless specifically designated otherwise. The BISD shall not be responsible for transporting participating students from one BISD facility to another BISD facility.

The number of students permitted to participate in the Program shall be one teacher for each fifteen children. Access to the Program shall in no event be denied because of race, color, sex, national origin, or handicapping condition.

Each student's participation in the Program shall be completely voluntary. Neither the BISD nor the City shall coerce parents or students to participate in the Program.

DAILY RESPONSIBILITIES

The City shall take complete charge of the students participating in the Program upon the student's arrival at the child care area.

The City shall abide by and shall enforce standard school rules, including, without limitation, rules requiring walking in the halls and keeping the facilities clean. The City shall also establish rules for behavior for students participating in the Program.

The City shall take attendance each day of the Program.

The City shall keep all students participating in the Program in the areas designated unless such students are accompanied by staff.

IX. PROMOTION AND PUBLIC RELATIONS

The City shall be responsible for promoting the Program and recruiting students to participate in the Program. The BISD shall assist the City by allowing information to be distributed through the schools. All distributed information shall specify that the BISD is neither sponsoring nor operating the Program and that the BISD is not responsible for the care or treatment of the students participating in the Program.

The City shall contact parents of students as necessary, and shall encourage parent involvement.

The City shall hold conferences with each Principal on a regular basis to discuss the progress, success, and any problems in the Program.

X. STAFF

Training, supervision, and compensation of all Program staff shall be the sole responsibility of the City. City agrees that BISD has the right to deny any City staff member access to BISD facilities and/or students in the event BISD determines that such staff member(s) pose a safety risk to BISD students. In the event such a situation exists, BISD agrees to give the City notice of the denial of privileges as soon as practical.

XI. INSURANCE AND INDEMNIFICATION

During the term of this Agreement, and any extensions thereof, the City shall maintain comprehensive general liability insurance in the amount of one million dollars (\$1,000,000.00). Prior to the initiation of the child care Program, the City shall furnish the BISD with a valid current certificate of insurance evidencing the above by a company or companies with a rating of not less than B+ in the last available Best's Rating Guide. All such policies shall include clauses whereby each underwriter

agrees to waive its rights of subrogation against the BISD. The policies shall be endorsed to add the BISD as an additional insured. The limits of liability shown for each type of insurance coverage to be provided by the City pursuant hereto shall not be deemed to constitute a limitation of the City liability for claims hereunder or otherwise.

XII. TERM OF AGREEMENT

This Agreement shall begin on the day set forth above, and shall expire on the last school day of the 2014/2015 school year, at which time the parties may extend or renegotiate the Agreement by mutual consent. Either party may cancel this agreement with 60 days written notice for failure by either party to comply with any of the conditions of this agreement. The canceling party shall provide written documentation of any non-compliance and a reasonable time from for correction.

XIII. NO WAIVER OF IMMUNITY

No provision of this Agreement is a waiver of sovereign immunity from suit or liability, and no provision of this Agreement is a waiver of any public official, employee or volunteer immunity. The City and BISD expressly retain all immunities provided to governmental entities, their officials, employees and volunteers as those immunities now exist or may exist in accordance with the law of the State of Texas.

XIV. MODIFICATIONS

This Agreement may be modified by written approval of the Belton Independent School District Board of Trustees, or its designee, and the City or its designee.

XV. ENTIRE AGREEMENT

This document is the Final Agreement of the parties hereto. There are no representations or promises between the parties other than those set out herein.

XVI. APPLICABLE LAW

This Agreement shall be governed by and construed in accordance with the laws of the State of Texas.

XVII. MULTIPLE ORIGINALS

This Agreement may be executed in a number of identical counterparts, each of which shall be deemed an original for all purposes.

XVIII. AUTHORITY

The undersigned warrants that he or she is duly authorized to execute this Agreement on behalf of the entity named.

IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement on the dates stated.

BELTON INDEPENDENT SCHOOL DISTRICT

By:  Date: 5/18/15
Randy Pittenger, Board of Trustees President

By:  Date: 5/18/15
Dr. Susan Kincannon, Superintendent

CITY OF TEMPLE

By: _____ Date: _____
Jonathan Graham, City Manager

By: _____ Date: _____
Lacy Borgeson, City Secretary

Approved As To

Form: _____ Date: _____
City Attorney's Office

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING AN INTERLOCAL AGREEMENT WITH THE BELTON INDEPENDENT SCHOOL DISTRICT TO PROVIDE SCHOOL LOCATIONS FOR AFTER SCHOOL LATCHKEY PROGRAMMING FOR A ONE YEAR PERIOD BEGINNING JULY 1, 2015 AND ENDING JUNE 30, 2016; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, Temple Parks and Recreation Department provides After School Zone Programming at four Belton Independent School District schools that are located within the Temple city limits;

Whereas, in 2009, the Temple Parks and Recreation Department was awarded the contract to provide “Latch Key Program Management Services” at Tarver, Pirtle, and Lakewood Elementary Schools - in 2013, High Point Elementary was added to the program;

Whereas, during the 2014-15 school year, the Temple Parks and Recreation Department provided an after school program for two hundred and fifty-four 5 to 13 year olds, Monday through Friday, from 3 pm to 6 pm;

Whereas, BISD has agreed to waive all facility usage fees during the time the program is being offered, allowing the program to be offered at an affordable rate to the participants;

Whereas, this agreement is for a one year period beginning July 1, 2015 through June 30, 2016, at which time the parties may extend or renegotiate the agreement by mutual consent; and

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

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

Part 1: The City Council authorizes the City Manager, or his designee, to execute an Interlocal Agreement with the Belton Independent School District to provide school locations for after school latchkey programming for a one year period, beginning July 1, 2015 through June 30, 2016, at which time the parties may extend or renegotiate the agreement by mutual consent

Part 2: It is hereby officially found and determined that the meeting at which this Resolution was 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 4th day of **June**, 2015.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

06/04/15
Item #4(H)
Consent Agenda
Page 1 of 1

DEPT./DIVISION SUBMISSION & REVIEW:

Gary O. Smith, Chief of Police

ITEM DESCRIPTION: Consider adopting a resolution authorizing a Memorandum of Understanding with the City of Killeen and Bell County to establish the rights, duties, administration and division of funds received under the 2015 Edward Byrne Memorial Justice Assistance Grant (JAG) program Award.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: The Department of Justice has made a grant award of \$74,170. The City of Killeen will administer the grant and will accept an administration fee of 10% of the grant award with the remaining \$66,753 to be allocated to Bell County, Killeen, and Temple as follows: Bell County will receive \$20,025.90 or 30%, the City of Killeen will receive \$30,038.85 or 45% and the City of Temple will receive \$16,688.25 or 25%.

These funds are to be used to fund state and local initiatives, technical assistance, training, personnel, equipment, supplies, contractual support, and information systems for criminal justice for any or more of the following purposes: law enforcement programs; prosecution and court programs; prevention and education programs; corrections and community corrections programs; drug treatment programs; and/or planning evaluation and technology improvement programs. The Temple Police Department plans to use the funds to purchase crowd control equipment such as shields and gas masks.

Pursuant to the terms of the grant, the parties agree to expend the \$74,170 from the 2015 Edward Byrne Memorial Justice Assistance Grant Program by a date not later than forty eight (48) months after the project start date of October 1, 2015.

FISCAL IMPACT: The Temple Police Department will receive \$16,688.25. There are no City matching funds.

ATTACHMENTS:

[Resolution](#)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF TEMPLE, THE CITY OF KILLEEN AND BELL COUNTY TO ESTABLISH THE RIGHTS, DUTIES, ADMINISTRATION AND DIVISION OF FUNDS RECEIVED UNDER THE 2015 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM AWARD; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the Department of Justice has made a grant award of \$74,170 and these funds are to be used to fund state and local initiatives, technical assistance, training, personnel, equipment, supplies, contractual support, and information systems for criminal justice for any or more of the following purposes: law enforcement programs; prosecution and court programs; prevention and education programs; corrections and community corrections programs; drug treatment programs; and/or planning evaluation and technology improvement programs;

Whereas, the City of Killeen will administer the grant and will accept an administration fee of 10% of the grant award with the remaining amount to be allocated to Bell County, Killeen and Temple as follows: Bell County - \$20,025.90 (or 30%), the City of Killeen - \$30,038.85 (or 45%), and the City of Temple - \$16,688.25 (or 25%);

Whereas, the Temple Police Department plans to use the funds to purchase crowd control equipment such as shields and gas masks and will receive \$16,688.25 with no matching City funds required; 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 Memorandum of Understanding with the City of Temple, City of Killeen and Bell County, after approval as to form by the City Attorney, to establish the rights, duties, administration and division of funds received under the 2015 Edward Byrne Memorial Justice Assistance Grant Program Award.

Part 2: It is hereby officially found and determined that the meeting at which this Resolution was 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 **4th** day of **June**, 2015.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

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Consent Agenda
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DEPT./DIVISION SUBMISSION & REVIEW:

Traci L. Barnard, Director of Finance

ITEM DESCRIPTION: Consider adopting a resolution approving second quarter financial results for Fiscal Year 2015.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: This item will present in detail the second quarter ending March 31, 2015, for the General, Water & Sewer, Hotel/Motel Tax, and Drainage Funds.

Included with these second quarter results will be various schedules detailing grants, sales tax, capital projects and investments.

The second quarter financial statements also include a forecast of year-end financial results for the General Fund as of September 30, 2015.

FISCAL IMPACT: N/A

ATTACHMENTS:

[Quarterly Financial Statements](#)
[Resolution](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, APPROVING THE SCEOND QUARTER FINANCIAL RESULTS FOR FISCAL YEAR 2014-2015; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the Director of Finance has prepared the second quarter 2014-2015 fiscal year financial results which details the second quarter ending March 31, 2015, for the General, Water & Sewer, Hotel/Motel Tax and Drainage funds;

Whereas, included in the second quarter results are various schedules detailing grants, sales tax, capital projects and investments;

Whereas, the second quarter financial statements will also include a forecast of year-end financial results for the General Fund as of September 30, 2015; and

Whereas, the City Council deems it in the public interest to approve the fourth quarter financial results for the fiscal year 2014-2015.

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

Part 1: The City Council approves the second quarter 2014-2015 fiscal year financial results, 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 was 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 4th day of **June**, 2015.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

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Regular Agenda
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DEPT. /DIVISION SUBMISSION & REVIEW:

Kevin Beavers, Director of Parks and Recreation

ITEM DESCRIPTION: Consider adopting a resolution authorizing a professional services agreement with Clark & Fuller of Temple for engineering services for the construction services relating to the building of a new football field in Wilson Community Park not to exceed \$77,775, as well as, declare an official intent to reimburse the expenditures with the issuance of 2015 Parks General Obligation Bonds.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: One of the projects approved in the 2015 Parks Bond was the construction of a regulation size football field in Wilson Community Park.

The addition of a football field was the highest ranked priority in the East Temple Master Plan under the Recreation category.

Clark & Fuller services will include design development & construction document preparation, project bidding, site topography & construction staking, construction phase duties and daily on-site inspection.

FISCAL IMPACT: This item declares an official intent to reimburse the cost of this agreement in the amount of \$77,775 from the 2015 Parks GO Bonds to be issued in September 2015. The General Obligation bond issue was approved by voters on May 9, 2015. Total project cost for the Football Field in Wilson Community Park is \$611,375 including contingencies which will be funded in account 362-3500-552-6418, project #101327 when the bonds are issued.

ATTACHMENTS:

[Clark and Fuller Proposal Resolution](#)

May 17, 2015

Val Roming
City of Temple Parks Department
1909 Curtis B. Elliot Drive
Temple, Texas 76503

RE: Proposal for Professional Engineering & Surveying Consulting Services
To support the City of Temple – 2015 Wilson Park Football Field Addition

Mr. Roming:

We appreciate the opportunity to submit a professional services proposal in response to your request for a proposal to perform Professional Engineering & Surveying Consulting Services required for the above referenced project.

BASIC ENGINEERING & SURVEYING SERVICES:

Clark & Fuller, PLLC hereinafter ENGINEER proposes to the City of Temple hereinafter CLIENT the following professional Civil Engineering and Surveying Services for the City of Temple – 2015 Wilson Park Soccer Complex New Football Field Addition located in Temple, Texas. We understand that the estimated Budget for this project is \$600,000.00 and a new Football Field with associated sidewalks, reclaimed irrigation, and field sports lighting is to be constructed. We have included lump sum fees for each respective phase.

1. Design Development & Construction Document Preparation to include: \$ 48,450.00
 - a. Civil Site and Dimension Plan
 - b. Site Drainage and Erosion Control Analysis and Design
 - c. Site Grading Design and Plan
 - d. Site Sidewalk and Pedestrian Facility Design and Plan
 - e. Site Storm Sewer Design and Plan
 - f. Site Reclaimed Water Irrigation Design and Plan
 - g. Site Field Lighting and Electrical Design and Plan
 - h. Site Sports Seeding and Sodding Plan
 - i. Site Erosion Control and Storm Water Pollution Prevention Plan (SWPPP)
 - j. Preparation and Submission of SWPPP Notice of Intent (NOI)
 - k. Construction Document Preparation
 - l. Preparation of Engineers Project Details and Specifications
 - m. Attend and Facilitate Project Coordination with City of Temple Staff
2. Project Bidding Phase: \$ 1,275.00
 - a. Prepare and Distribute Copies of Plans, Bid Schedule, and Specifications to the City of Temple Purchasing Department
 - b. Prepare and Distribute Digital Copies of Plans, Bid Schedule, and Specifications to the City of Temple Purchasing Department
 - c. Attend and Facilitate a Pre-Bid Meeting
 - d. Review Contractor Bids for conformance to Engineers Plans
 - e. Provide Bid Tabulation and Letter of Recommendation to Award Project
 - f. Provide Engineers Opinion of Probable Cost and Number of Days to Construct
3. Site Topography Survey & Construction Staking to include: \$ 10,200.00
 - a. Provide Elevation Benchmark
 - b. Topography Survey to establish existing features and elevations to support Engineers Site Design & Document Development.
 - c. Establishment of Property Lines and Rights of Way Adjacent to Project Extents

- d. Provide one-foot contours, with TBM's referencing the datum
- e. Construction Stake (One Time)
 - i. Football Field Envelope and Offset
 - ii. Field Lighting
 - iii. Goal Posts

4. Construction Phase: \$ 3,825.00
- a. Attend and facilitate a Pre-Construction Meeting and/or Contractor Site Visit
 - b. Review all Contractor Submittals
 - b. Provide Construction Administration and Project "Site" Visits to assist contractor with field construction questions
 - c. Assist the City of Temple with Construction Questions and Respond to Requests for Information (RFI's)
 - d. Review Contractor Applications for Payment and insure conformance with percentage of construction complete
 - e. Execute Necessary Change Orders
 - f. Attend Final Project Inspection
 - g. Provide Final Inspection Punch List
5. Daily Onsite Construction Inspection Services: \$ 14,025.00

We're looking forward to working with you on this project and we look forward to participating in developing an overall successful project. Please notify us as to your acceptance so that we may schedule this project to meet the established deadlines

Sincerely,



Monty Clark, P.E., CPESC

PROFESSIONAL FEE SCHEDULE

Licensed Professional Engineer	\$ 120.00/hr.
Licensed Professional Structural Engineer	\$ 210.00/hr.
Design Technician	\$ 70.00/hr.
CADD Technician	\$ 60.00/hr.
CADD Draftsman	\$ 50.00/hr.
Clerical	\$ 35.00/hr.
Licensed Professional Land Surveyor	\$ 105.00/hr.
Field Crew & Total Station	\$ 130.00/hr.
Survey Research and Schematic Production	\$ 90.00/hr.
Daily On-Site Inspection Services	\$ 45.00/hr.
Landscaping Designer	\$ 70.00/hr.
Expenses	Additional Cost Plus 10%

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH CLARK & FULLER, PLLC, OF TEMPLE, TEXAS, IN AN AMOUNT NOT TO EXCEED \$77,775 FOR ENGINEERING SERVICES RELATED TO THE BUILDING OF A NEW FOOTBALL FIELD IN WILSON COMMUNITY PARK; DECLARING AN OFFICIAL INTENT TO REIMBURSE CERTAIN EXPENDITURES WITH THE ISSUANCE OF 2015 PARKS GENERAL OBLIGATION BONDS; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, one of the projects approved in the 2015 Parks Bond was the construction of a regulation size football field in Wilson Community Park;

Whereas, the addition of a football field was the highest ranked priority in the East Temple Master Plan under the recreation category;

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

Whereas, certain expenditures relating to this project will be paid prior to the issuance of the Obligations and the City hereby certifies that such expenditures have not been made prior to the date of passage of this Resolution;

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

Whereas, Section 1.150.2 of the Treasury Regulations provides that an expenditure on a project may not be reimbursed from Obligation proceeds unless, along with other requirements, the City declares official intent to reimburse the expenditure prior to the date that the expenditure to be reimbursed was paid;

Whereas, this item declares an official intent to reimburse the cost of this agreement in an amount not to exceed \$77,775 from the 2015 Parks General Obligation Bonds to be issued in September 2015 - the General Obligation Bond issue was approved by voters on May 9, 2015;

Whereas, staff recommends award of this agreement to Clark & Fuller, PLLC, of Temple, Texas in the amount of \$77,775;

Whereas, the total estimated project cost for the Football Field in Wilson Community Park is \$611,375 including contingencies which will be funded in Account No. 362-3500-552-6418, Project No. 101327 when the bonds are issued; 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 professional services agreement with Clark & Fuller, PLLC, of Temple, Texas, after approval as to form by the City Attorney, in an amount not to exceed \$77,775 for construction services related to the building of a new football field in Wilson Community Park, as well as declare an official intent to reimburse the expenditures with the issuance of 2015 Parks General Obligation Bonds.

Part 2: This Resolution is a declaration of official intent under Section 1.150.2 of the Treasury Regulations by the City, that it reasonably expects to reimburse the expenditures described in Part 1 with proceeds of debt to be incurred by the City, such debt to be issued on or before eighteen (18) months after the date of (i) the date the first expenditure is paid; or (ii) the date on which the property is placed in service, but in no event three years after the first expenditure is paid.

Part 3: It is hereby officially found and determined that the meeting at which this Resolution was 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 4th day of **June**, 2015.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

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DEPT. /DIVISION SUBMISSION & REVIEW:

Kevin Beavers, Director of Parks and Recreation

ITEM DESCRIPTION: Consider adopting a resolution authorizing a professional services agreement with Kasberg, Patrick & Associates, LP (KPA) of Temple for design and construction related to architectural and engineering services for the construction of Phase 1 of Crossroads Park for an amount not to exceed \$1,202,560, as well as, declare an official intent to reimburse the expenditures with the issuance of 2015 Parks General Obligation Bonds.

STAFF RECOMMENDATION: Adopt resolution as presented in item description.

ITEM SUMMARY: One of the projects approved in the 2015 Parks Bond was the construction of Phase 1 of Crossroads Park. This phase includes the construction of 4 lighted softball fields, 4 lighted baseball fields, 4 lighted soccer fields, a covered playground, trail, pavilions, landscaping, concessions, restrooms, and infrastructure such as parking, connections to Prairie View Road and Research Parkway, utilities, detention pond, etc.

KPA, LP services will include:

• Project management	\$ 70,460
• Design surveys	\$ 12,500
• Geotechnical	\$ 10,500
• Phase 1 environmental and archaeological	\$ 26,000
• Civil schematic design	\$ 71,000
• Landscape architecture schematic design	\$ 150,000
• Structural schematic design	\$ 6,000
• Architectural schematic design	\$ 13,000
• Electrical schematic design	\$ 29,000
• Civil final design	\$ 164,000
• Landscape final design	\$ 265,000
• Structural final design	\$ 12,000
• Architectural final design	\$ 27,600
• Electrical final design	\$ 51,750
• Bidding	\$ 15,500
• Construction administration	\$ 202,250
• On site representation	\$ 76,000
• TOTAL	<u>\$ 1,202,560</u>

The proposed timeline for the design is nine months from the "Notice to Proceed".

FISCAL IMPACT: This item declares an official intent to reimburse the cost of this agreement in the amount of \$1,202,560 from the 2015 Parks GO Bonds to be issued in September 2015. The General Obligation bond issue was approved by voters on May 9, 2105. Total project cost for Phase 1 of Crossroads Park is \$11,900,000 including contingencies which will be funded in account 362-3500-552-6402, project #101311 when the bonds are issued.

ATTACHMENTS:

[KPA Proposal](#)
[Master Plan Drawing](#)
[Resolution](#)

May 17, 2015

Val Roming
City of Temple Parks Department
1909 Curtis B. Elliot Drive
Temple, Texas 76503

RE: Proposal for Professional Engineering & Surveying Consulting Services
To support the City of Temple – 2015 Wilson Park Football Field Addition

Mr. Roming:

We appreciate the opportunity to submit a professional services proposal in response to your request for a proposal to perform Professional Engineering & Surveying Consulting Services required for the above referenced project.

BASIC ENGINEERING & SURVEYING SERVICES:

Clark & Fuller, PLLC hereinafter ENGINEER proposes to the City of Temple hereinafter CLIENT the following professional Civil Engineering and Surveying Services for the City of Temple – 2015 Wilson Park Soccer Complex New Football Field Addition located in Temple, Texas. We understand that the estimated Budget for this project is \$600,000.00 and a new Football Field with associated sidewalks, reclaimed irrigation, and field sports lighting is to be constructed. We have included lump sum fees for each respective phase.

1. Design Development & Construction Document Preparation to include: \$ 48,450.00
 - a. Civil Site and Dimension Plan
 - b. Site Drainage and Erosion Control Analysis and Design
 - c. Site Grading Design and Plan
 - d. Site Sidewalk and Pedestrian Facility Design and Plan
 - e. Site Storm Sewer Design and Plan
 - f. Site Reclaimed Water Irrigation Design and Plan
 - g. Site Field Lighting and Electrical Design and Plan
 - h. Site Sports Seeding and Sodding Plan
 - i. Site Erosion Control and Storm Water Pollution Prevention Plan (SWPPP)
 - j. Preparation and Submission of SWPPP Notice of Intent (NOI)
 - k. Construction Document Preparation
 - l. Preparation of Engineers Project Details and Specifications
 - m. Attend and Facilitate Project Coordination with City of Temple Staff
2. Project Bidding Phase: \$ 1,275.00
 - a. Prepare and Distribute Copies of Plans, Bid Schedule, and Specifications to the City of Temple Purchasing Department
 - b. Prepare and Distribute Digital Copies of Plans, Bid Schedule, and Specifications to the City of Temple Purchasing Department
 - c. Attend and Facilitate a Pre-Bid Meeting
 - d. Review Contractor Bids for conformance to Engineers Plans
 - e. Provide Bid Tabulation and Letter of Recommendation to Award Project
 - f. Provide Engineers Opinion of Probable Cost and Number of Days to Construct
3. Site Topography Survey & Construction Staking to include: \$ 10,200.00
 - a. Provide Elevation Benchmark
 - b. Topography Survey to establish existing features and elevations to support Engineers Site Design & Document Development.
 - c. Establishment of Property Lines and Rights of Way Adjacent to Project Extents

- d. Provide one-foot contours, with TBM's referencing the datum
- e. Construction Stake (One Time)
 - i. Football Field Envelope and Offset
 - ii. Field Lighting
 - iii. Goal Posts

4. Construction Phase: \$ 3,825.00
- a. Attend and facilitate a Pre-Construction Meeting and/or Contractor Site Visit
 - b. Review all Contractor Submittals
 - b. Provide Construction Administration and Project "Site" Visits to assist contractor with field construction questions
 - c. Assist the City of Temple with Construction Questions and Respond to Requests for Information (RFI's)
 - d. Review Contractor Applications for Payment and insure conformance with percentage of construction complete
 - e. Execute Necessary Change Orders
 - f. Attend Final Project Inspection
 - g. Provide Final Inspection Punch List
5. Daily Onsite Construction Inspection Services: \$ 14,025.00

We're looking forward to working with you on this project and we look forward to participating in developing an overall successful project. Please notify us as to your acceptance so that we may schedule this project to meet the established deadlines

Sincerely,



Monty Clark, P.E., CPESC

PROFESSIONAL FEE SCHEDULE

Licensed Professional Engineer	\$ 120.00/hr.
Licensed Professional Structural Engineer	\$ 210.00/hr.
Design Technician	\$ 70.00/hr.
CADD Technician	\$ 60.00/hr.
CADD Draftsman	\$ 50.00/hr.
Clerical	\$ 35.00/hr.
Licensed Professional Land Surveyor	\$ 105.00/hr.
Field Crew & Total Station	\$ 130.00/hr.
Survey Research and Schematic Production	\$ 90.00/hr.
Daily On-Site Inspection Services	\$ 45.00/hr.
Landscaping Designer	\$ 70.00/hr.
Expenses	Additional Cost Plus 10%

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BALL/SOFTBALL FIELDS
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PARKS BOND CROSSROADS PARK PHASE I

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RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH KASBERG, PATRICK & ASSOCIATES, LP OF TEMPLE, TEXAS, IN AN AMOUNT NOT TO EXCEED \$1,202,560, FOR ENGINEERING, DESIGN AND CONSTRUCTION ADMINISTRATION SERVICES FOR PHASE 1 CONSTRUCTION OF CROSSROADS PARK; DECLARING AN OFFICIAL INTENT TO REIMBURSE CERTAIN EXPENDITURES WITH THE ISSUANCE OF 2015 PARKS GENERAL OBLIGATION BONDS; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, one of the projects approved in the 2015 Parks Bond was the construction of Phase 1 of Crossroads Park;

Whereas, this phase includes the construction of 4 lighted softball fields, 4 lighted baseball fields, 4 lighted soccer fields, a covered playground, trail, pavilions, landscaping, concessions, restrooms, and infrastructure, such as parking, connections to Prairie View Road and Research Parkway, utilities, detention pond, etc.;

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

Whereas, certain expenditures relating to this project will be paid prior to the issuance of the Obligations and the City hereby certifies that such expenditures have not been made prior to the date of passage of this Resolution;

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

Whereas, Section 1.150.2 of the Treasury Regulations provides that an expenditure on a project may not be reimbursed from Obligation proceeds unless, along with other requirements, the City declares official intent to reimburse the expenditure prior to the date that the expenditure to be reimbursed was paid;

Whereas, this item declares an official intent to reimburse the cost of this agreement in an amount not to exceed \$1,202,560, from the 2015 Parks General Obligation Bonds to be issued in September 2015 - the General Obligation Bond was approved by voters on May 9, 2015;

Whereas, staff recommends award of this agreement to Kasberg, Patrick & Associates, LP, of Temple, Texas in the not to exceed amount of \$1,202,560 for engineering, design, and construction administration services for phase 1 construction of Crossroads Park;

Whereas, the total estimated project cost for phase 1 of Crossroads Park is \$11,900,000 including contingencies which will be funded in Account No. 362-3500-552-6402, Project No. 101311 when the bonds are issued; 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 professional services agreement with Kasberg, Patrick & Associates, LP, of Temple, Texas, after approval as to form by the City Attorney, in an amount not to exceed \$1,202,560, for engineering, design and construction administration services for the construction of phase 1 of Crossroads Park, as well as declare an official intent to reimburse the expenditures with the issuance of 2015 Parks General Obligation Bonds.

Part 2: This Resolution is a declaration of official intent by the City, under Section 1.150.2 of the Treasury Regulations, that it reasonably expects to reimburse the expenditures described in Part 1 with proceeds of debt to be incurred by the City, such debt to be issued on or before eighteen (18) months after the date of (i) the date the first expenditure is paid; or (ii) the date on which the property is placed in service, but in no event three years after the first expenditure is paid.

Part 3: It is hereby officially found and determined that the meeting at which this Resolution was 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 4th day of **June**, 2015.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney



COUNCIL AGENDA ITEM MEMORANDUM

06/04/15
Item #7
Regular Agenda
Page 1 of 4

DEPT./DIVISION SUBMISSION & REVIEW:

Brian Chandler, Director

ITEM DESCRIPTION: SECOND & FINAL READING – Z-FY-15-14: Consider adopting an ordinance authorizing a Conditional Use Permit for a Paint Shop/General Contractor facility on Lot 2, Block 1, Trantum Subdivision Phase VIII, located at 5806 South General Bruce Drive.

PLANNING & ZONING COMMISSION RECOMMENDATION: At its April 6, 2015 meeting, the planning and Zoning Commission voted 8 to 0 to recommend approval of the Conditional Use Permit as presented.

STAFF RECOMMENDATION: Staff recommends approval of Z-FY-15-14 and the associated site plan for a Conditional Use Permit to allow a Paint Shop/General Contractor facility use within the I-35 Corridor Overlay.

UPDATE SINCE 1ST READING: Based on the May 7, 2015 discussion during the City Council public hearing, staff revisited the Unified Development Code (UDC) provisions related to 1) commercial drive parking materials and 2) the definition of “parking.”

1) Commercial Drive Parking Materials

- a. While it is true that the UDC does not specify asphalt or concrete for general commercial driveway standards as was presented to City Council at 1st Reading, it does specifically address materials for driveways connecting to parking (see Sec. 7.5.5 below)
- b. “Sec. 7.5.5 (Off-Street Parking Design Standards)

C. Material Standards

All parking areas (required and optional) must be paved with either asphalt or concrete. A parking space or area must include an asphalt or concrete driveway connecting the parking space or area with a street or alley permitting free ingress and egress to the street or alley.”

2) Definition of “Parking”

- a. UDC definition: “Parking Space, Required – An enclosed or unenclosed all-weather (asphalt or concrete only) surfaced area for the parking of a vehicle.”

- 3) **Site Plan revisions** to address compliance with UDC parking and driveway standards (see Revised Site Plan attachment)
- “New Asphalt” paving area in front to complete driveway and new parking spaces
 - 2 additional parallel parking spaces in front
 - Removal of employee parking to the rear

ITEM SUMMARY: 5806 S. General Bruce Drive currently has a base zoning of C (Commercial District), which allows a somewhat comparable use like “tool rental (outside storage)” by right. However, the I-35 Corridor Overlay requires approval of a CUP (Conditional Use Permit) for a “Paint Shop” use within the Freeway Retail/Commercial Sub-District, which is the most comparable use found in Sec. 6.7.9 (Permitted Uses Table) of the Overlay standards.

When it was confirmed that a new use/tenant had moved onto the 5806 South General Bruce Drive property, the property owner was contacted to let him know that his new tenant required a CUP and that their new temporary signage required a permit. They have subsequently obtained a permit for permanent wall signage, which will be installed if the CUP is approved by City Council. The applicant and business owner have been very cooperative in trying to bring the use and the signage into compliance with the Code.

City Council approved a CUP on this same property on June 6, 2014 (Ordinance No. 2014-4669) to allow a Nursery/Landscape Facility use. However, the landscape company never fully occupied the space and, therefore, the current tenant must obtain another CUP to legally operate within the I-35 Corridor Overlay permitted use standards. Ordinance No. 2014-4669 included the following conditions, which the property owner has subsequently addressed:

- Landscaping is planted to screen parking and minimum of 40 percent of the existing I-35 facing chain-link fence

The property owner also painted the office and planted additional shrubs adjacent to it and to the existing warehouse building in an effort to improve the aesthetics of the buildings.

Considering that the applicant does not propose any additional improvements to the site, the I-35 Corridor Overlay standards would not be triggered at this time. The standards could be triggered by any improvements proposed in the future.

According to an email response from the applicant, MCS’ daily operations can be summed up as follows:

- 1) They store paint and other construction materials inside
- 2) They do not construct or paint on site
- 3) Outdoor storage is limited to a few trucks and trailers
- 4) They typically have no more than 5 employees on-site, who are typically in and out
- 5) They typically would have no more than 2 or 3 customers every hour

Per Sec. 3.5.2 of the UDC, application for a CUP must occur in conjunction with the submittal of a site plan, which shows the location of customer and employee parking. Staff’s interpretation regarding parking is that they must have 4 parking spaces according to the “All other retail and service use” requirement of 1 space per 300 square feet of office plus 1 space per 5000 square feet of

storage/warehousing (2000 square foot warehouse). They currently have 3 parking spaces in the front for customers and ample parking to the rear for employees to exceed that requirement (see Site Plan Attachment).

SURROUNDING PROPERTY AND USES:

The following table provides the direction from the property, Future Land Use Plan (FLUP) designation, existing zoning and current land uses:

<u>Direction</u>	<u>FLUP</u>	<u>Zoning</u>	<u>Current Land Use</u>
Site	Auto-Urban Commercial	C	Roofing co. (most recently)
North	Auto-Urban Commercial	C	Commercial
South	Auto-Urban Commercial	C	Commercial
East	Auto-Urban Commercial	LI and GR	Commercial
West	Auto-Urban Commercial	C	Vacant

COMPREHENSIVE PLAN COMPLIANCE:

The proposed rezoning relates to the following goals, objectives or maps of the Comprehensive Plan:

CP	Map 3.1 - Future Land Use and Character (FLUP)	Yes
CP	Map 5.2 - Thoroughfare Plan	Yes
CP	Goal 4.1 - Growth and development patterns should be consistent with the City's infrastructure and public service capacities	Yes

CP = Comprehensive Plan

Future Land Use Map (CP Map 3.1)

The entire area is shown as Auto-Urban Commercial. According to the Comprehensive Plan, "Auto-Urban Commercial" is for the majority of the areas identified for commercial use, generally concentrated at intersections versus strip development along the major roads."

Thoroughfare Plan (CP Map 5.2)

The site is located along a Major Arterial (IH-35).

Availability of Public Facilities (CP Goal 4.1)

An 8" water line and a 6" sewer line is available to the rear. A 6" water line and an 8" sewer line are available to the front of the property.

REVIEW CRITERIA (UDC Section 3.5.4): In determining whether to approve, approve with conditions or deny a CUP application, the review bodies in Sec. 3.5.2 above must consider the following criteria.

- A. The conditional use is compatible with and not injurious to the use and enjoyment of the property, and does not significantly diminish or impair property values within the immediate vicinity.
- B. The establishment of the conditional use does not impede the normal and orderly development and improvement of surrounding vacant property.

- C. Adequate utilities, access roads, drainage, and other necessary support facilities have been or will be provided.
- D. 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.
- E. Adequate nuisance prevention measures have been or will be taken to prevent or control offensive odors, fumes, dust, noise and vibration.
- F. Directional lighting is provided so as not to disturb or adversely affect neighboring properties.
- G. There is sufficient landscaping and screening to insure harmony and compatibility with adjacent property.

ADDITIONAL CONDITIONS (UDC Section 3.5.5): In authorizing a CUP, the Planning and Zoning Commission may recommend and the City Council may impose additional reasonable conditions necessary to protect the public interest and welfare of the community, including a time period for which a CUP is valid. The Planning and Zoning Commission and the City Council, in considering and determining the additional conditions, may impose such developmental standards and safeguards as conditions and locations indicate to be important to the welfare and protection of adjacent property from excessive noise, vibration, dust, dirt, smoke, fumes, gas, odor, explosion, glares, offensive view or other undesirable or hazardous conditions.

PUBLIC NOTICE: Nine notices of the public hearing were sent out to property owners within 200-feet of the subject property as required by State law and City Ordinance. As of Thursday April 2, 2015 at 12:00 pm, three (3) notices had been returned in favor (including 1 from the 5806 S. Gen. Bruce Drive property owner, 1 from his spouse and 1 from a neighbor "with reservations") and zero (0) notices in opposition to the proposed conditional use permit.

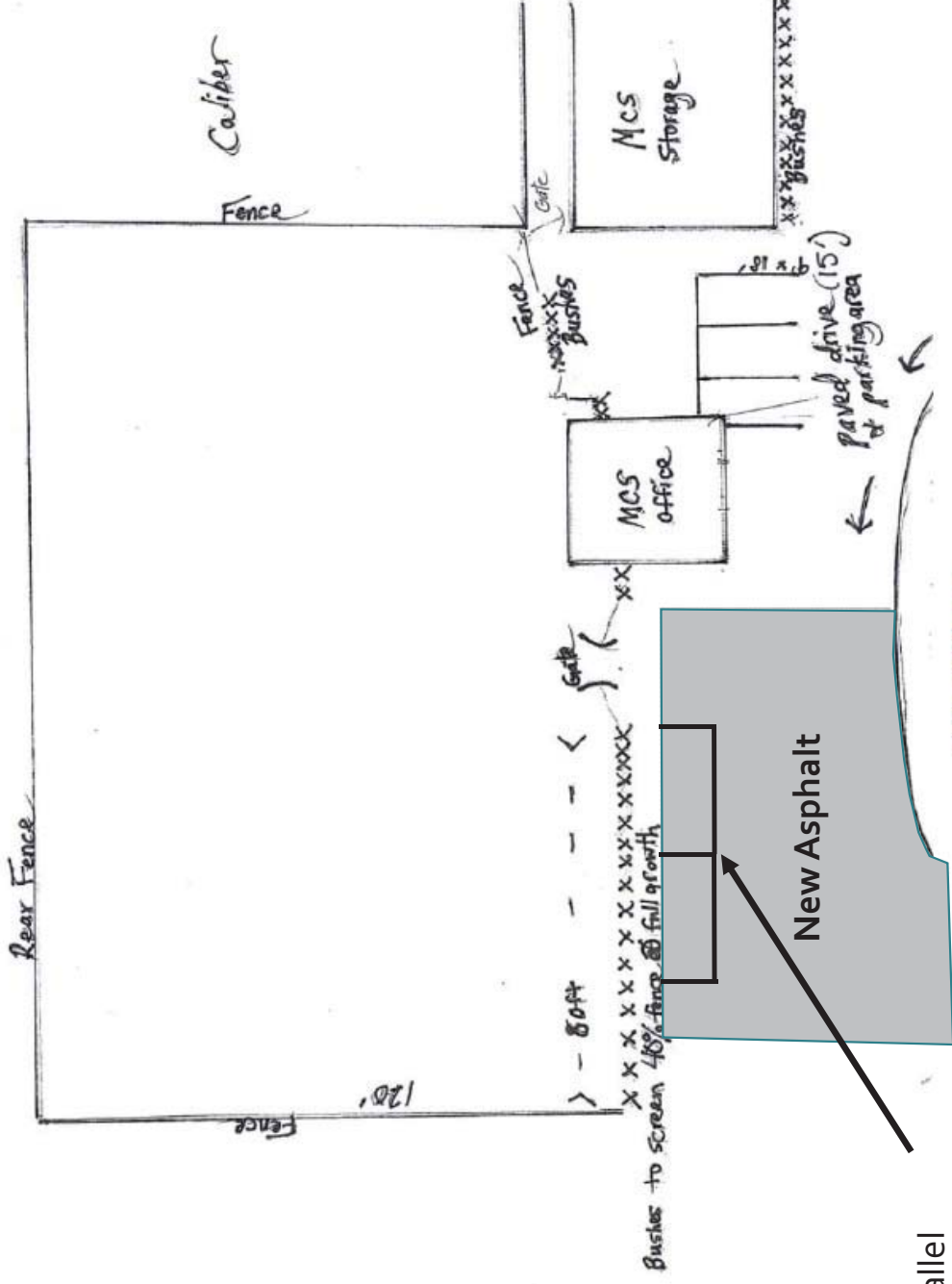
The newspaper printed notice of the Planning and Zoning Commission public hearing on March 26, 2015, in accordance with state law and local ordinance.

FISCAL IMPACT: Not Applicable

ATTACHMENTS:

[Revised Site Plan](#)
[Application and Checklist](#)
[Aerial Location Map](#)
[Photos](#)
[Zoning Map](#)
[Future Land Use Map](#)
[Site Plan](#)
[Notification Map](#)
[Returned Property Owner Notices](#)
[Ordinance No. 2014-4669 for previous CUP granted for site](#)
[Ordinance](#)

MCS Site Plan



Two 9' x 18' parallel parking spaces

5806 S. General Bruce Drive

Not to scale

City of Temple Universal Application

Rev. 10-09-14

(Incomplete applications will not be accepted)

- | | | |
|---|--|---|
| <input type="checkbox"/> Sketch Plan | <input type="checkbox"/> Zone Change | <input type="checkbox"/> Appeal of Administrative Decision |
| <input type="checkbox"/> Plat Vacation | <input checked="" type="checkbox"/> Conditional Use Permit (CUP) | <input type="checkbox"/> Residential Masonry Exception |
| <input type="checkbox"/> Minor or Amending Plat | <input type="checkbox"/> Planned Development (PD) | <input type="checkbox"/> Nonresidential Masonry Exception |
| <input type="checkbox"/> Preliminary Plat | <input type="checkbox"/> PD Site Plan | <input type="checkbox"/> Park, Facility or Street Renaming |
| <input type="checkbox"/> Final Plat | <input checked="" type="checkbox"/> I-35 Appeal | <input type="checkbox"/> Cost Sharing Offsite Participation |
| <input type="checkbox"/> Variance (Board of Adjustment) | <input type="checkbox"/> I-35 Site Plan Review | <input type="checkbox"/> Exception |
| <input type="checkbox"/> Abandonment | <input type="checkbox"/> TMED Site Plan Review | <input type="checkbox"/> Street Use License (SUL) |
| | <input type="checkbox"/> TMED Variances/Warrants | <input type="checkbox"/> 1 st and 3 rd Overlay Appeal |

PROJECT INFORMATION:

☐ Residential ☒ Commercial ☐ Property Platted ☐ Property Not Platted ☐ ETJ
 Project Name: MCS Parcel(s) Tax ID# (Required): _____
 Project Address (Location): 5750-5806 S. IH35 Total Acres: 1
 Lot: 2 Block: 1 Subdivision: Tranum Subdiv. Phase VIII
 Cabinet #: _____ Slide #: _____
 Outblock (if not platted): _____
 Brief Description of Project: _____
 Current Zoning Commercial # of Existing Lots 1 # of Existing Units _____
 Proposed Zoning _____ # of Proposed Lots _____ # of Proposed Units _____

APPLICANT / CONTACT INFORMATION: (This will be the primary contact; please ensure email address is legible)

Name: Ronnie Moran Company Name: MCS
 Address: 5806 S. Gen. Bruce Dr. City: Temple State: TX Zip: 76502
 Phone: 254-613-5047 Cell #: _____ Fax #: _____
 Email Address: mcsconstruction@gmail.com

PROPERTY OWNER INFORMATION:

Name: Chris McGregor Company Name: _____
 Address: 2806 Wickersham City: Temple State: TX Zip: 76502
 Phone: _____ Cell #: 254-770-7262 Fax #: _____
 Email Address: mcchecker05@aol.com

DEVELOPER ENGINEER SURVEYOR INFORMATION: (Please ensure email address is legible)

Name: _____ Company Name: _____
 Address: _____ City: _____ State: _____ Zip: _____
 Phone: _____ Cell #: _____ Fax #: _____
 Email Address: _____

VARIANCE / EXCEPTION / APPEAL DESCRIPTION: (Attach additional page if additional space is required)

To occupy above as painting / construction business.

PER SUBMITTAL

CHECKLIST

Submittal Requirements <i>All Checklists are available on Planning Applications webpage</i>	All Plats	CUP & PD	Zone Change	Sketch Plan	I-35	I-35 Appeal	TMED	TMED Variance/ Warrant	ZBA Variance	Masonry Exception	Appeal of Administrative Decision	Abandonment	Street Use License (SUL)
Complete Universal Application	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Utility Providers-see attached link http://www.templetx.gov/DocumentCenter/View/2920	✓												
Electronic copy (PDF) of all required materials submitted as hard copies (must be legible)	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Hard Copies for all submittals	5	2	1	5	2	2	2	2	1	1	1	1	1
Field Notes (<i>signed and stamped</i>) or Lot and Block Description	✓	✓	✓		✓	✓	✓	✓	✓			✓	✓
Site Plan Checklist		✓			✓	✓	✓	✓	*				
Plat Checklist	✓			✓									
I-35 Checklist					✓	✓							
TMED Checklist							✓	✓					
Abandonment Checklist												✓	
SUL Checklist													✓
Scaled Site Plan		✓			✓	✓	✓	✓	✓	✓	*	✓	✓
Drainage Letter or Drainage Report (for residential subdivisions)	✓												
Elevations		✓			✓	*	✓	*		✓			
Landscape Plan					*	*	*	*					
Lighting Plan					*	*	*	*					
Fee	✓	✓	✓	NA	NA	NA	NA	NA	✓	NA	NA	✓	✓
Survey												✓	✓
Broker's Opinion of Value or Appraisal R-O-W abandonment ONLY												✓	

**May be required depending on nature of Appeal/Variance*

Total valuation of proposed improvements for project in 1st & 3rd/TMED/I-35: \$ _____

FEE SCHEDULE

Abandonment (3 rd Party Broker's Opinion or Appraisal)	\$100.00 for filing fee only; (3 rd Party Broker's Opinion or Appraisal fee will be Applicant's responsibility)
Board of Adjustment (Variance)	\$ 75.00
*Preliminary/Final Plat	\$150.00 + \$3.00/lot (residential) or \$10.00/acre (nonresidential)
Street Use License (SUL)	\$150.00 (renewed every 15 years)
*Zone Change/CUP/PD Site Plan	\$150.00 + \$3.00/acre (to match Ordinance No. 1948)

*The filing fee for a piece of property that is 3.125 acres in size would be a total of \$159.36 (\$150 + [\$3 x 3.12]). City staff uses the second decimal place when calculating a filing fee and **does not round up or down**.

BY SIGNING THIS APPLICATION, STAFF IS GRANTED ACCESS TO YOUR PROPERTY FOR SIGN POSTING AND PROPERTY ANALYSIS PURPOSES.

APPLICANT SIGNATURE: Kippi Graves Rennie Moran

Print or Type Name: KIPPI GRAVES Rennie Moran

(property owner authorization required below if applicant is someone other than property owner)

I (property owner) hereby authorize Rennie Moran of MCS
(name) (company (if applicable))

to represent me in matters pertaining to this case.

Property owner's signature: Chris McGregor

Property owner's name (print): Chris McGregor

Property owner's address: 2806 Wickensham Dr. Temple, TX, 76502

Property owner's phone#: 254-770-7262

Email address: mcchecker05@aol.com

For Department Use Only

Project #: 2-FY 15-14
Project Manager: Brian Chandler
Total Fee(s): 150.00
Fee Credit: —
Payment Method: _____
Submittal Date: March 4, 2015
Accepted By: m. mcfarlane
Accepted Date: 4 March 15

**PLANNING DEPARTMENT CHECKLIST NON RESIDENTIAL& MULTI-FAMILY SITE PLAN REVIEW***

Project Name: MCS Zoning: Commercial
 Address: 5750-5806 S. Gen. Bruce Dr. Proposed Use: Painting Business

*Please note that this checklist is intended to assist developers and design professionals in the preparation of site plans and is generally what is needed by staff to ensure a timely review of plans. Additional information may be requested as needed to make an informed judgment about conformance with standards set forth in the City's Unified Development Code (UDC). The complete UDC can be accessed online at: <http://www.ci.temple.tx.us/index.aspx?NID=1221>.

Site Layout, Uses, Existing Conditions, Landscaping	
<input checked="" type="checkbox"/>	Has existing and proposed condition of lot been identified?
<input checked="" type="checkbox"/>	Has adjacent development been identified?
<input checked="" type="checkbox"/>	Have lot dimensions been clearly noted? UDC 4.6
<input checked="" type="checkbox"/>	Have all proposed uses for the property been clearly identified? UDC 5.1
<input checked="" type="checkbox"/>	Have all building setbacks from property line been identified and dimensioned? UDC 4.6
<input checked="" type="checkbox"/>	Have all landscaping areas been identified? UDC 7.3
<input checked="" type="checkbox"/>	Have any areas dedicated to public open space been identified?
Screening & Buffering, Site Improvements	
<input checked="" type="checkbox"/>	Have all refuse containers and compactors been clearly identified? UDC 7.6.6
<input checked="" type="checkbox"/>	Have all outdoor storage areas been clearly identified? UDC 7.6.8
<input checked="" type="checkbox"/>	Have all existing and proposed fire hydrants been identified? UDC 8.1.3
<input checked="" type="checkbox"/>	Have proposed drainage areas and all easements been identified? UDC 8.1.3
<input checked="" type="checkbox"/>	Have all proposed sign locations been identified? UDC 7.5
<input checked="" type="checkbox"/>	Has the location and material of all fences been identified? UDC 7.6.5
<input checked="" type="checkbox"/>	Has all screening and buffering been identified? UDC 7.6
<input checked="" type="checkbox"/>	Has all existing and proposed mechanical equipment (and poles) been identified?
<input checked="" type="checkbox"/>	Has all existing and proposed lighting been identified? UDC 7.1.8, UDC 8.2.10
<input checked="" type="checkbox"/>	Have building articulations been identified? UDC 7.7.3 G
<input checked="" type="checkbox"/>	Have exterior building materials been identified to include percentage of each type? UDC 7.7.2, UDC 7.7.3
<input checked="" type="checkbox"/>	Have building locations, dimensions, and gross floor area been identified? UDC 4.6
Access and Circulation / Off Street Parking and Loading	
<input checked="" type="checkbox"/>	Has access and circulation been clearly identified? UDC 7.2
<input checked="" type="checkbox"/>	Have drive aisles and drive aisle width been clearly identified?
<input checked="" type="checkbox"/>	Has curb and gutter locations been identified? UDC 7.4.5
<input checked="" type="checkbox"/>	Have curb cuts and drive approaches been clearly identified? UDC 7.2.4; UDC 7.2.5; UDC 7.2.6
<input checked="" type="checkbox"/>	Have proposed sidewalks been clearly identified? UDC 7.2.7
<input checked="" type="checkbox"/>	Is total number of parking spaces clearly annotated? UDC 7.4.4
<input checked="" type="checkbox"/>	Are the parking spaces clearly dimensioned? UDC 7.4.5

Certification

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

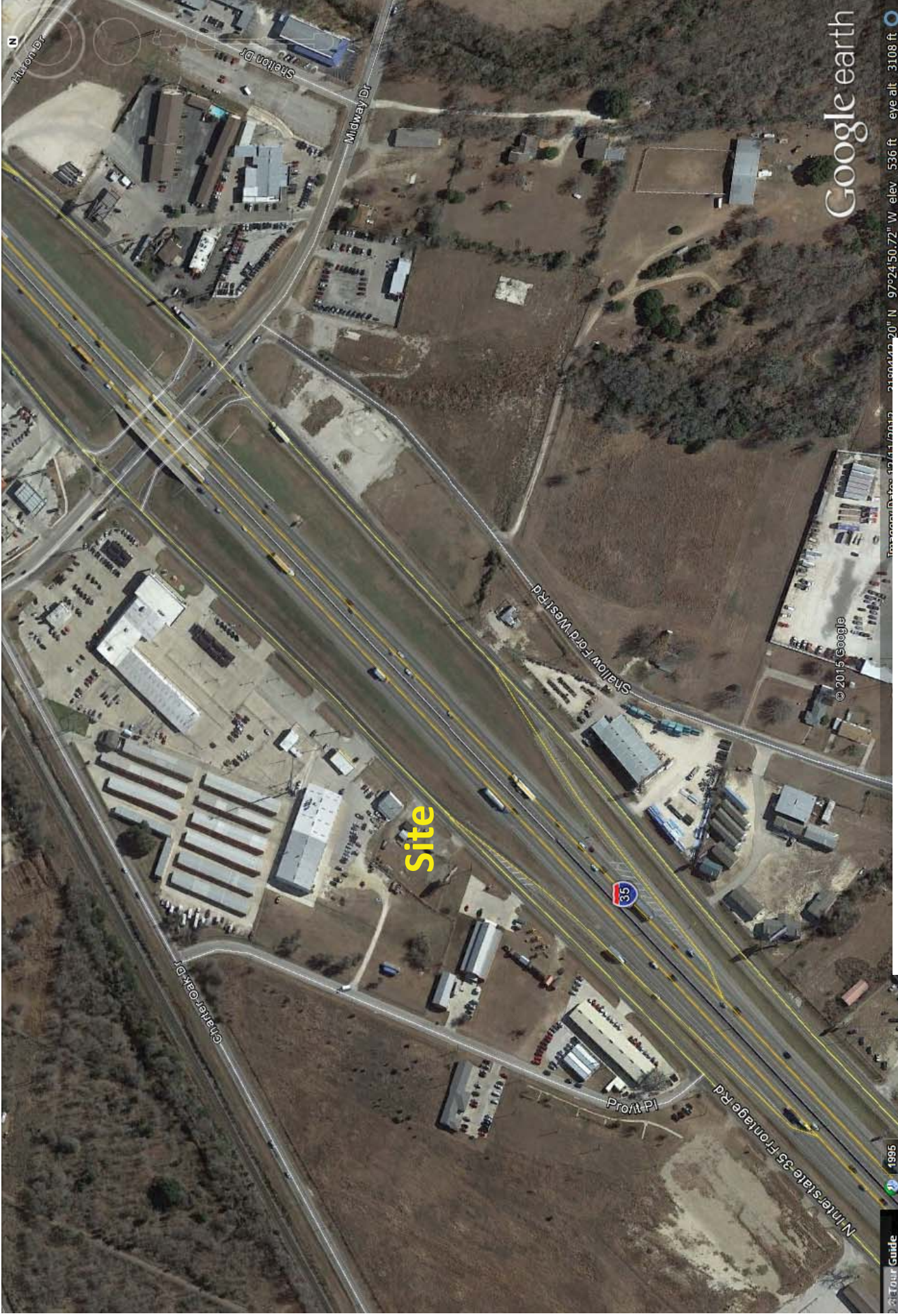
- This site plan is complete and all of the information provided is accurate.
- The person signing below as applicant may act as the owner's agent for processing and presentation of the application. The designated applicant will be the principal contact person with the City for processing and responding to requirements or issues relevant to the application.



Applicant's Signature Ronnie Moran



Property Owner's Signature
Chris McEggar



Vicinity Aerial Map



Site



900 sf Office



Customer Parking Area



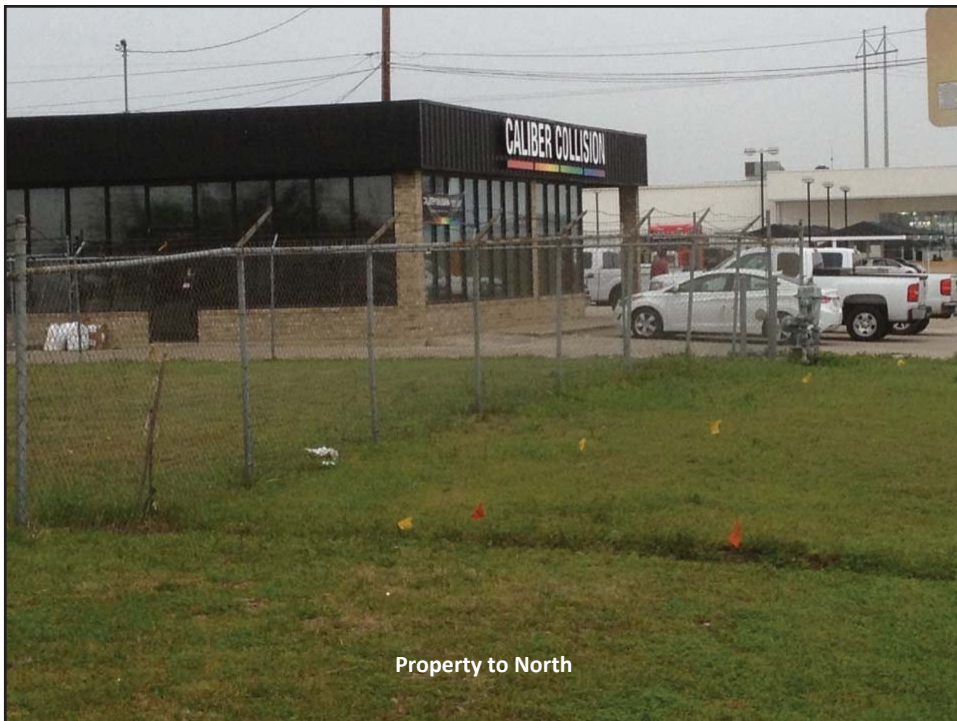
Gate to Employee Parking



Construction Trailers and Trucks



Looking south





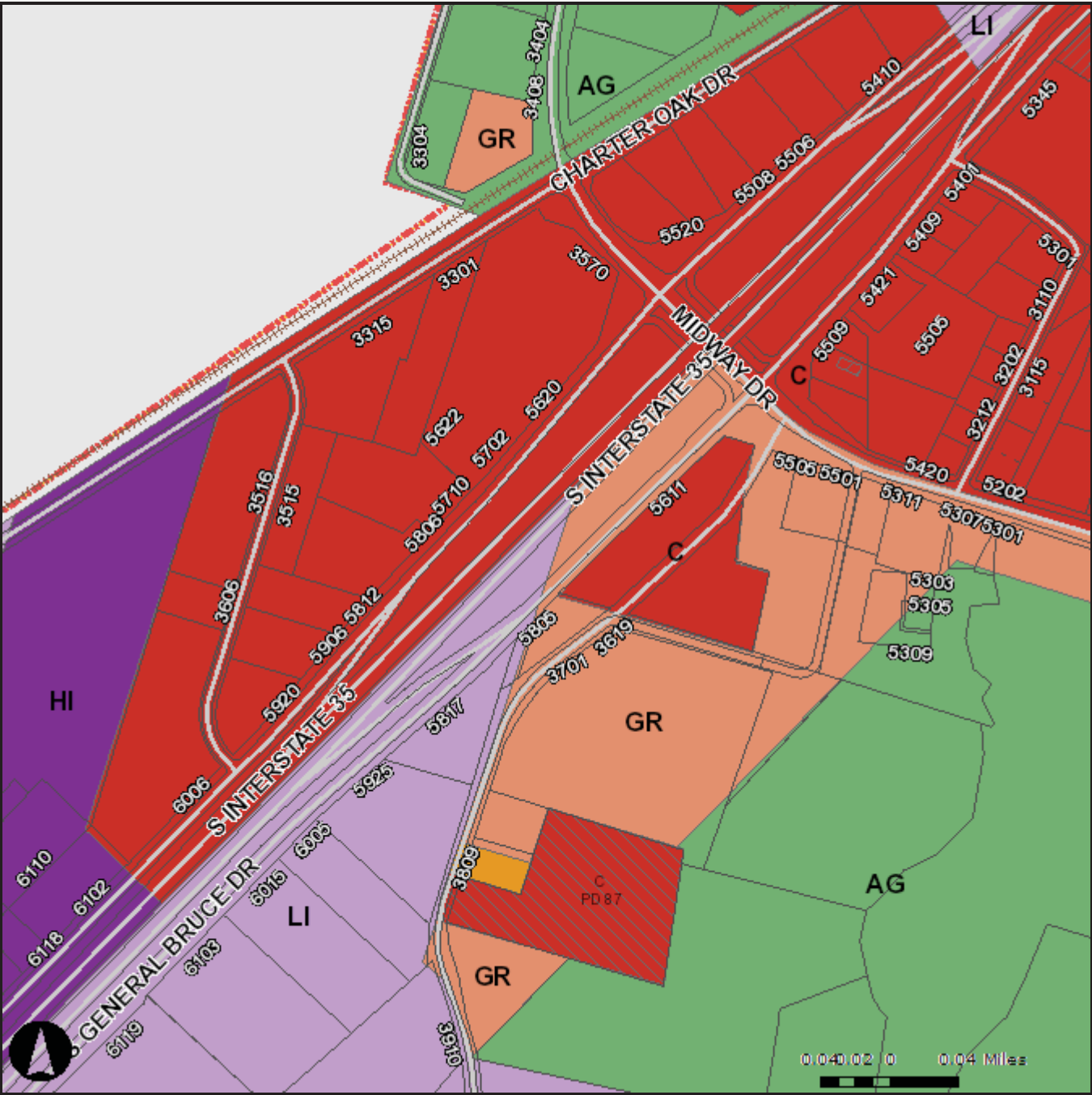
Property to South



Property to East



5806 S. Gen. Bruce Drive Zoning





Z-FY-14-28

Future Land Use Map

5806 S. Gen. Bruce Dr.



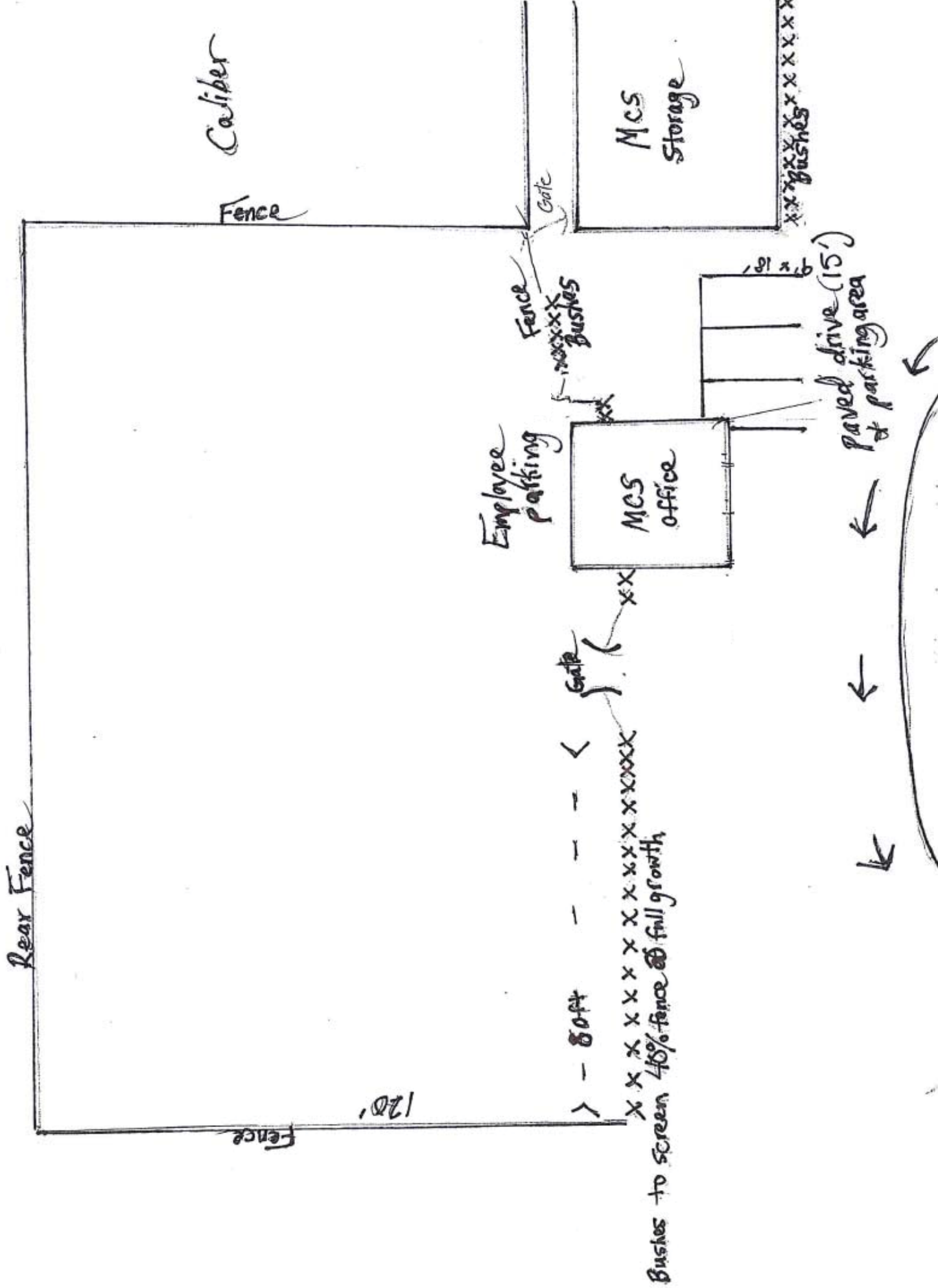
Future Land Use

- | | | | | | | | |
|--|---------------------------|--|-------------------------|--|-----------------------------------|--|----------------------|
| | Neighborhood Conservation | | Auto-Urban Residential | | Temple Medical Education District | | Public Institutional |
| | Estate Residential | | Auto-Urban Multi-Family | | Industrial | | Parks & Open Space |
| | Suburban Residential | | Auto-Urban Mixed Use | | Business Park | | Agricultural/Rural |

GIS products are for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. They do not represent an on-the-ground survey and represent only the approximate relative location or property boundaries and other features.

4/17/2014
City of Temple GIS

MCS Site Plan



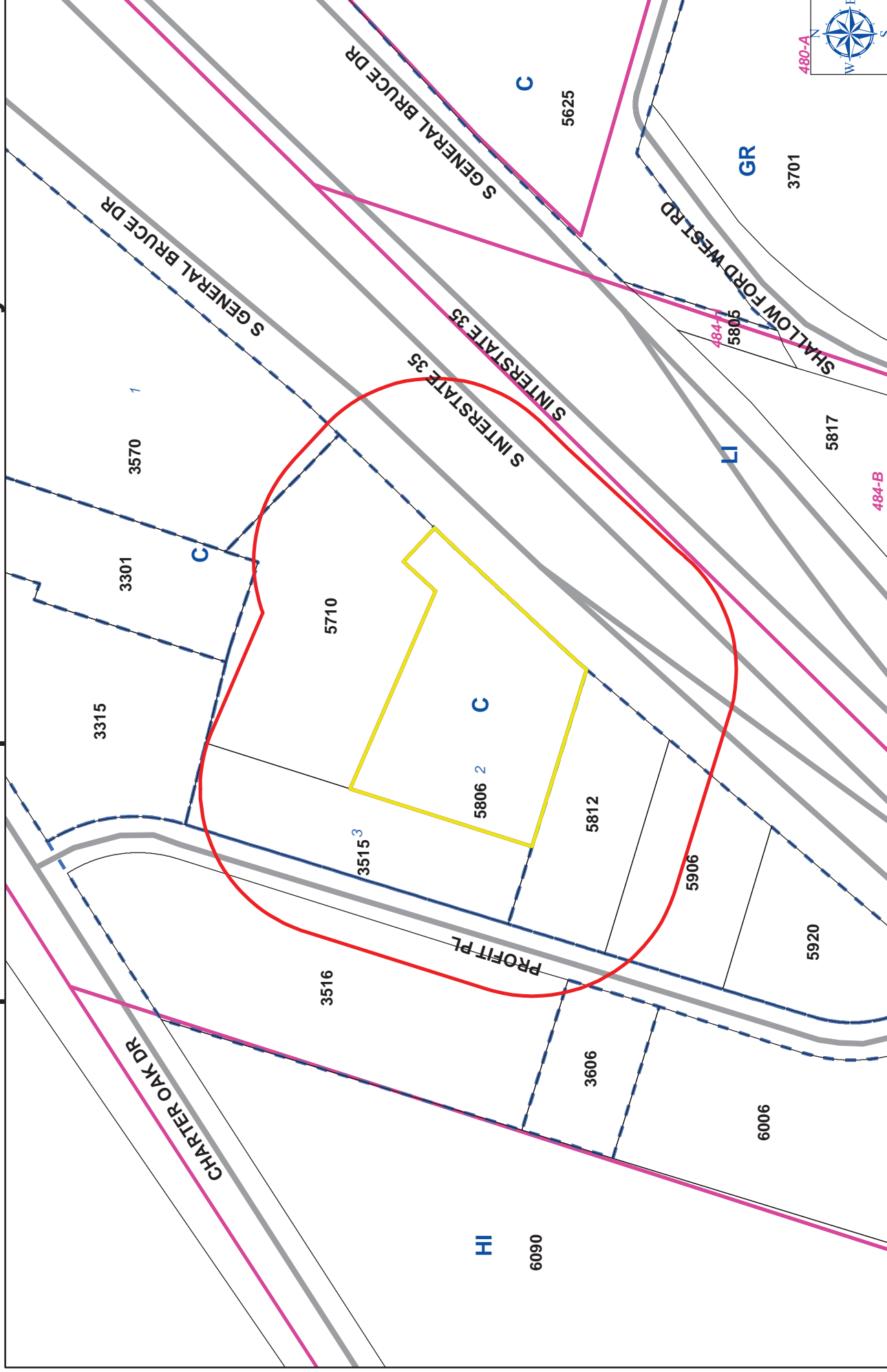


Z-FY-15-14

Conditional Use Permit Request

Proposed Paint Shop/General Contractor Facility

5806 S. Gen. Bruce Drive



GIS products are for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. They do not represent an on-the-ground survey and represent only the approximate relative location of property boundaries and other features.

ZFY-15-06
City of Temple GIS
bzndt



**RESPONSE TO PROPOSED
CONDITIONAL USE PERMIT REQUEST
CITY OF TEMPLE**

Chris Etux Karen McGregor
2806 Wickersham Drive
Temple, Texas 76502

Zoning Application Number: Z-FY-15-14

Project Manager: Brian Chandler

Location: 5806 South General Bruce Drive

The proposed conditional use permit request is the area shown in hatched marking on the attached map. Because you own property within 200 feet of the requested change, your opinions are welcomed. Please use this form to indicate whether you are in favor of the possible conditional use permit request of the property described on the attached notice, and provide any additional comments you may have.

I recommend ☒ approval () denial of this request.

Comments:


Signature


Print Name

Please mail or hand-deliver this comment form to the address shown below, no later than April 6, 2015.

City of Temple
Planning Department
Room 102
Municipal Building
Temple, Texas 76501

RECEIVED

Number of Notices Mailed: 9

Date Mailed: March 26, 2015

APR 01 2015

City of Temple
Planning & Development



**RESPONSE TO PROPOSED
CONDITIONAL USE PERMIT REQUEST
CITY OF TEMPLE**

Chris Etux Karen McGregor
2806 Wickersham Drive
Temple, Texas 76502

Zoning Application Number: Z-FY-15-14

Project Manager: Brian Chandler

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Comments:


Signature


Print Name

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City of Temple
Planning Department
Room 102
Municipal Building
Temple, Texas 76501

RECEIVED

Number of Notices Mailed: 9

Date Mailed: March 26, 2015

APR 01 2015

City of Temple
Planning & Development



RESPONSE TO PROPOSED
CONDITIONAL USE PERMIT REQUEST
CITY OF TEMPLE

James E. Trantum Etal
P.O. Box 1028
Temple, Texas 76503

Zoning Application Number: Z-FY-15-14

Project Manager: Brian Chandler

Location: 5806 South General Bruce Drive

The proposed conditional use permit request is the area shown in hatched marking on the attached map. Because you own property within 200 feet of the requested change, your opinions are welcomed. Please use this form to indicate whether you are in favor of the possible conditional use permit request of the property described on the attached notice, and provide any additional comments you may have.

I recommend ☒ ~~approval~~ ^{WITH RESERVATIONS} () denial of this request.

Comments:

ALL VEHICLES MUST BE PAINTED AND
WASHED INSIDE BUILDING THAT
HAS PROPER SAND TRAPS BEFORE
WASTE WATER IS SENT TO SEWER.


Signature

J. TRANTUM
Print Name

Please mail or hand-deliver this comment form to the address shown below, no later than April 6, 2015.

RECEIVED


APR 10 2015

City of Temple
Planning & Development

City of Temple
Planning Department
Room 102
Municipal Building
Temple, Texas 76501

Number of Notices Mailed: 9

Date Mailed: March 26, 2015

DID NOT
RECEIVE
UNTIL
4/8/15


ORDINANCE NO. 2014-4669

(PLANNING NO. Z-FY-14-28)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, APPROVING A CONDITIONAL USE PERMIT FOR A RETAIL NURSERY/LANDSCAPE FACILITY ON LOT 2, BLOCK 1, TRANUM SUBDIVISION, PHASE VIII, LOCATED AT 5806 SOUTH GENERAL BRUCE DRIVE; 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 property described as lot 2, block 1, Trantum Subdivision. Phase VIII, located at 5806 South General Bruce Drive, recommends that the City Council approve the application for this Conditional Use Permit for a retail nursery/landscape facility; 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 retail nursery/landscape facility on lot 2, block 1, Trantum Subdivision. Phase VIII, located at 5806 South General Bruce Drive, more fully described in Exhibit A, attached hereto and made a part hereof 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. Landscaping is planted to screen parking and a minimum of 40 percent of the existing I-35 facing chain-link fence;

- B. No portable buildings or other items considered to be non-landscaping related or accessories that are stored outdoors are sold; and
- C. That the Director of Planning is authorized to work with the applicant on what is deemed adequate parking.

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 15th day of May, 2014.

PASSED AND APPROVED on Second Reading on the 5th day of June, 2014.

THE CITY OF TEMPLE, TEXAS




DANIEL A. DUNN, Mayor

ATTEST:


Lacy Borgeson
City Secretary

APPROVED AS TO FORM:


Jonathan Graham
City Attorney



Z-FY-14-28

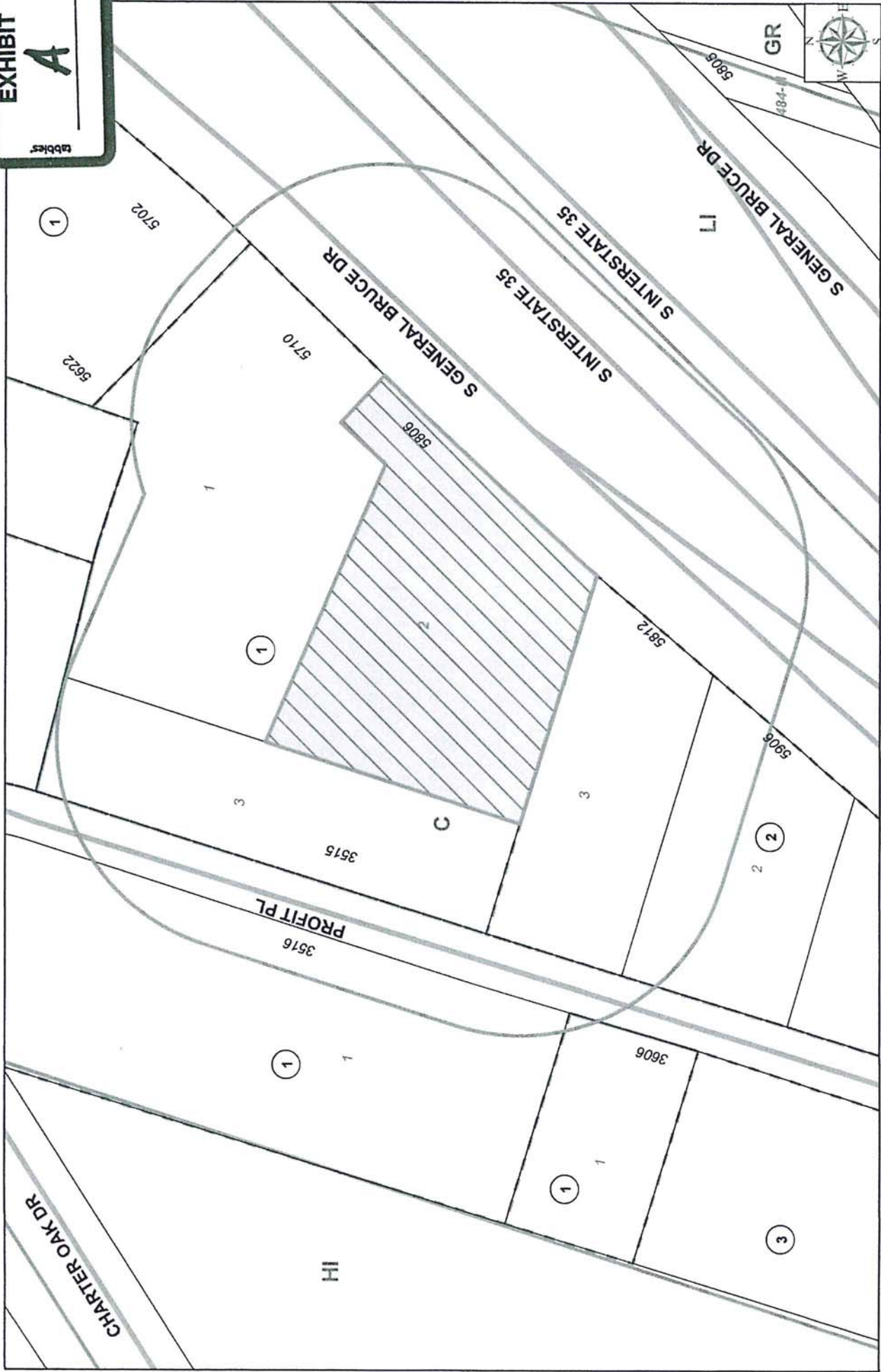
Proposed Nursery CUP

5806 S. General Bruce Drive

EXHIBIT

A

Labels



GIS products are for informational purposes and
may not be used for legal purposes. The
City of Temple, Texas, is not responsible for
any errors or omissions. The survey and
represent only the approximate relative location
of property boundaries and other features.

0 200
August 2012
City of Temple, Texas
bcharl@cityoftemple.com

Case ☐ **Zoning** ☐ **Outblock Number** ☐ **Block Number** ☐
200' Buffer ☐ **Subdivision** ☐ **Address** ☐ **Lot Number** ☐

City of Temple Universal Application

Rev. 10-09-14

(Incomplete applications will not be accepted)

- | | | |
|---|--|---|
| <input type="checkbox"/> Sketch Plan | <input type="checkbox"/> Zone Change | <input type="checkbox"/> Appeal of Administrative Decision |
| <input type="checkbox"/> Plat Vacation | <input checked="" type="checkbox"/> Conditional Use Permit (CUP) | <input type="checkbox"/> Residential Masonry Exception |
| <input type="checkbox"/> Minor or Amending Plat | <input type="checkbox"/> Planned Development (PD) | <input type="checkbox"/> Nonresidential Masonry Exception |
| <input type="checkbox"/> Preliminary Plat | <input type="checkbox"/> PD Site Plan | <input type="checkbox"/> Park, Facility or Street Renaming |
| <input type="checkbox"/> Final Plat | <input checked="" type="checkbox"/> I-35 Appeal | <input type="checkbox"/> Cost Sharing Offsite Participation |
| <input type="checkbox"/> Variance (Board of Adjustment) | <input type="checkbox"/> I-35 Site Plan Review | <input type="checkbox"/> Exception |
| <input type="checkbox"/> Abandonment | <input type="checkbox"/> TMED Site Plan Review | <input type="checkbox"/> Street Use License (SUL) |
| | <input type="checkbox"/> TMED Variances/Warrants | <input type="checkbox"/> 1 st and 3 rd Overlay Appeal |

PROJECT INFORMATION:

☐ Residential ☒ Commercial ☐ Property Platted ☐ Property Not Platted ☐ ETJ
 Project Name: MCS Parcel(s) Tax ID# (Required): _____
 Project Address (Location): 5750-5806 S. IH35 Total Acres: 1
 Lot: 2 Block: 1 Subdivision: Tranum Subdiv. Phase VIII
 Cabinet #: _____ Slide #: _____
 Outblock (if not platted): _____
 Brief Description of Project: _____
 Current Zoning Commercial # of Existing Lots 1 # of Existing Units _____
 Proposed Zoning _____ # of Proposed Lots _____ # of Proposed Units _____

APPLICANT / CONTACT INFORMATION: (This will be the primary contact; please ensure email address is legible)

Name: Ronnie Moran Company Name: MCS
 Address: 5806 S. Gen. Bruce Dr. City: Temple State: TX Zip: 76502
 Phone: 254-613-5047 Cell #: _____ Fax #: _____
 Email Address: mcsconstruction@gmail.com

PROPERTY OWNER INFORMATION:

Name: Chris McGregor Company Name: _____
 Address: 2806 Wickersham City: Temple State: TX Zip: 76502
 Phone: _____ Cell #: 254-770-7262 Fax #: _____
 Email Address: mcchecker05@aol.com

DEVELOPER ENGINEER SURVEYOR INFORMATION: (Please ensure email address is legible)

Name: _____ Company Name: _____
 Address: _____ City: _____ State: _____ Zip: _____
 Phone: _____ Cell #: _____ Fax #: _____
 Email Address: _____

VARIANCE / EXCEPTION / APPEAL DESCRIPTION: (Attach additional page if additional space is required)

To occupy above as painting / construction business.

PER SUBMITTAL

CHECKLIST

Submittal Requirements <i>All Checklists are available on Planning Applications webpage</i>	All Plats	CUP & PD	Zone Change	Sketch Plan	I-35	I-35 Appeal	TMED	TMED Variance/ Warrant	ZBA Variance	Masonry Exception	Appeal of Administrative Decision	Abandonment	Street Use License (SUL)
Complete Universal Application	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Utility Providers-see attached link http://www.templetx.gov/DocumentCenter/View/2920	✓												
Electronic copy (PDF) of all required materials submitted as hard copies (must be legible)	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Hard Copies for all submittals	5	2	1	5	2	2	2	2	1	1	1	1	1
Field Notes (<i>signed and stamped</i>) or Lot and Block Description	✓	✓	✓		✓	✓	✓	✓	✓			✓	✓
Site Plan Checklist		✓			✓	✓	✓	✓	*				
Plat Checklist	✓			✓									
I-35 Checklist					✓	✓							
TMED Checklist							✓	✓					
Abandonment Checklist												✓	
SUL Checklist													✓
Scaled Site Plan		✓			✓	✓	✓	✓	✓	✓	*	✓	✓
Drainage Letter or Drainage Report (for residential subdivisions)	✓												
Elevations		✓			✓	*	✓	*		✓			
Landscape Plan					*	*	*	*					
Lighting Plan					*	*	*	*					
Fee	✓	✓	✓	NA	NA	NA	NA	NA	✓	NA	NA	✓	✓
Survey												✓	✓
Broker's Opinion of Value or Appraisal R-O-W abandonment ONLY												✓	

**May be required depending on nature of Appeal/Variance*

Total valuation of proposed improvements for project in 1st & 3rd/TMED/I-35: \$ _____

FEE SCHEDULE

Abandonment (3 rd Party Broker's Opinion or Appraisal)	\$100.00 for filing fee only; (3 rd Party Broker's Opinion or Appraisal fee will be Applicant's responsibility)
Board of Adjustment (Variance)	\$ 75.00
*Preliminary/Final Plat	\$150.00 + \$3.00/lot (residential) or \$10.00/acre (nonresidential)
Street Use License (SUL)	\$150.00 (renewed every 15 years)
*Zone Change/CUP/PD Site Plan	\$150.00 + \$3.00/acre (to match Ordinance No. 1948)

*The filing fee for a piece of property that is 3.125 acres in size would be a total of \$159.36 (\$150 + [\$3 x 3.12]). City staff uses the second decimal place when calculating a filing fee and **does not round up or down**.

BY SIGNING THIS APPLICATION, STAFF IS GRANTED ACCESS TO YOUR PROPERTY FOR SIGN POSTING AND PROPERTY ANALYSIS PURPOSES.

APPLICANT SIGNATURE: Kippi Graves Rennie Moran

Print or Type Name: KIPPI GRAVES Rennie Moran

(property owner authorization required below if applicant is someone other than property owner)

I (property owner) hereby authorize Rennie Moran of MCS
(name) (company (if applicable))

to represent me in matters pertaining to this case.

Property owner's signature: Chris McGregor

Property owner's name (print): Chris McGregor

Property owner's address: 2806 Wickensham Dr. Temple, TX, 76502

Property owner's phone#: 254-770-7262

Email address: mcchecker05@aol.com

For Department Use Only

Project #: 2-FY 15-14
Project Manager: Brian Chandler
Total Fee(s): 150.00
Fee Credit: —
Payment Method: _____
Submittal Date: March 4, 2015
Accepted By: m. mcgrew
Accepted Date: 4 March 15

**PLANNING DEPARTMENT CHECKLIST NON RESIDENTIAL& MULTI-FAMILY SITE PLAN REVIEW***

Project Name: MCS Zoning: Commercial
 Address: 5750-5806 S. Gen. Bruce Dr. Proposed Use: Painting Business

*Please note that this checklist is intended to assist developers and design professionals in the preparation of site plans and is generally what is needed by staff to ensure a timely review of plans. Additional information may be requested as needed to make an informed judgment about conformance with standards set forth in the City's Unified Development Code (UDC). The complete UDC can be accessed online at: <http://www.ci.temple.tx.us/index.aspx?NID=1221>.

Site Layout, Uses, Existing Conditions, Landscaping	
<input checked="" type="checkbox"/>	Has existing and proposed condition of lot been identified?
<input checked="" type="checkbox"/>	Has adjacent development been identified?
<input checked="" type="checkbox"/>	Have lot dimensions been clearly noted? UDC 4.6
<input checked="" type="checkbox"/>	Have all proposed uses for the property been clearly identified? UDC 5.1
<input checked="" type="checkbox"/>	Have all building setbacks from property line been identified and dimensioned? UDC 4.6
<input checked="" type="checkbox"/>	Have all landscaping areas been identified? UDC 7.3
<input checked="" type="checkbox"/>	Have any areas dedicated to public open space been identified?
Screening & Buffering, Site Improvements	
<input checked="" type="checkbox"/>	Have all refuse containers and compactors been clearly identified? UDC 7.6.6
<input checked="" type="checkbox"/>	Have all outdoor storage areas been clearly identified? UDC 7.6.8
<input checked="" type="checkbox"/>	Have all existing and proposed fire hydrants been identified? UDC 8.1.3
<input checked="" type="checkbox"/>	Have proposed drainage areas and all easements been identified? UDC 8.1.3
<input checked="" type="checkbox"/>	Have all proposed sign locations been identified? UDC 7.5
<input checked="" type="checkbox"/>	Has the location and material of all fences been identified? UDC 7.6.5
<input checked="" type="checkbox"/>	Has all screening and buffering been identified? UDC 7.6
<input checked="" type="checkbox"/>	Has all existing and proposed mechanical equipment (and poles) been identified?
<input checked="" type="checkbox"/>	Has all existing and proposed lighting been identified? UDC 7.1.8, UDC 8.2.10
<input checked="" type="checkbox"/>	Have building articulations been identified? UDC 7.7.3 G
<input checked="" type="checkbox"/>	Have exterior building materials been identified to include percentage of each type? UDC 7.7.2, UDC 7.7.3
<input checked="" type="checkbox"/>	Have building locations, dimensions, and gross floor area been identified? UDC 4.6
Access and Circulation / Off Street Parking and Loading	
<input checked="" type="checkbox"/>	Has access and circulation been clearly identified? UDC 7.2
<input checked="" type="checkbox"/>	Have drive aisles and drive aisle width been clearly identified?
<input checked="" type="checkbox"/>	Has curb and gutter locations been identified? UDC 7.4.5
<input checked="" type="checkbox"/>	Have curb cuts and drive approaches been clearly identified? UDC 7.2.4; UDC 7.2.5; UDC 7.2.6
<input checked="" type="checkbox"/>	Have proposed sidewalks been clearly identified? UDC 7.2.7
<input checked="" type="checkbox"/>	Is total number of parking spaces clearly annotated? UDC 7.4.4
<input checked="" type="checkbox"/>	Are the parking spaces clearly dimensioned? UDC 7.4.5

Certification

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

- This site plan is complete and all of the information provided is accurate.
- The person signing below as applicant may act as the owner's agent for processing and presentation of the application. The designated applicant will be the principal contact person with the City for processing and responding to requirements or issues relevant to the application.



Applicant's Signature Ronnie Moran



Property Owner's Signature
Chris McEggar



Vicinity Aerial Map



Site



900 sf Office



Customer Parking Area



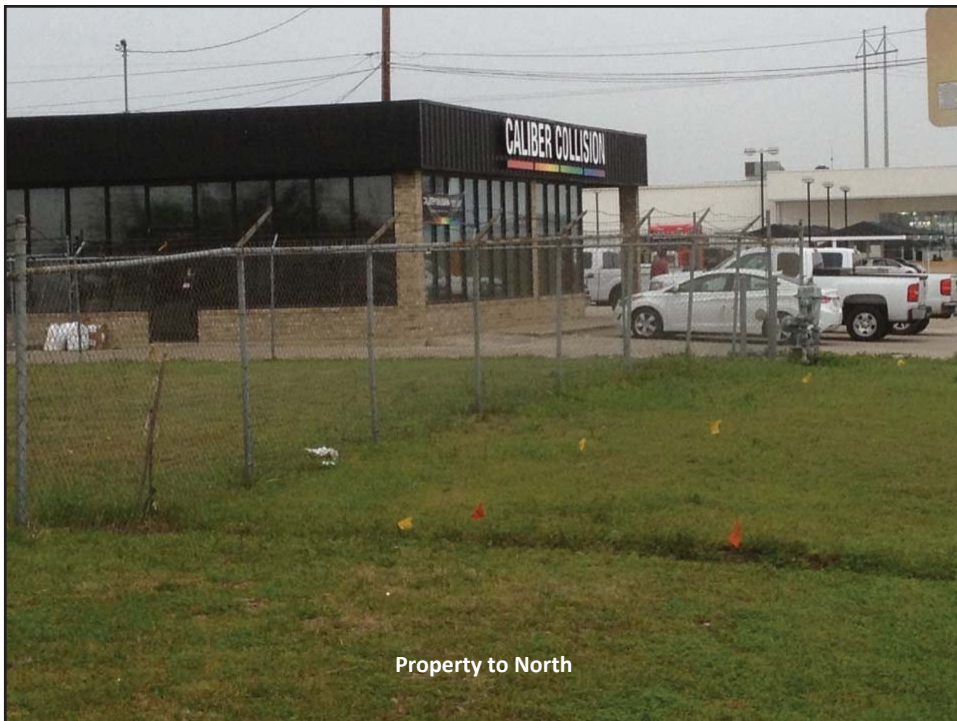
Gate to Employee Parking



Construction Trailers and Trucks



Looking south





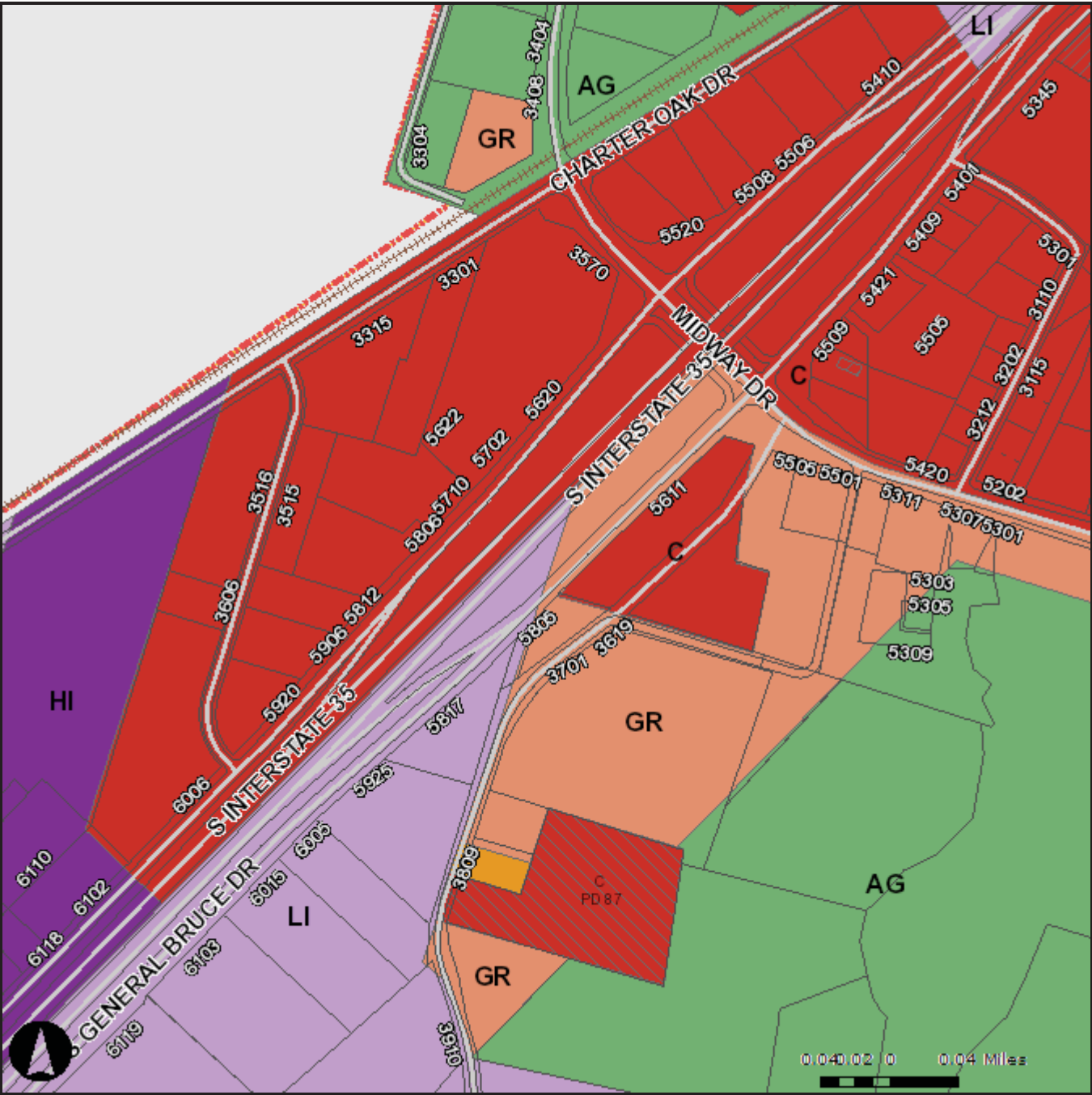
Property to South



Property to East



5806 S. Gen. Bruce Drive Zoning





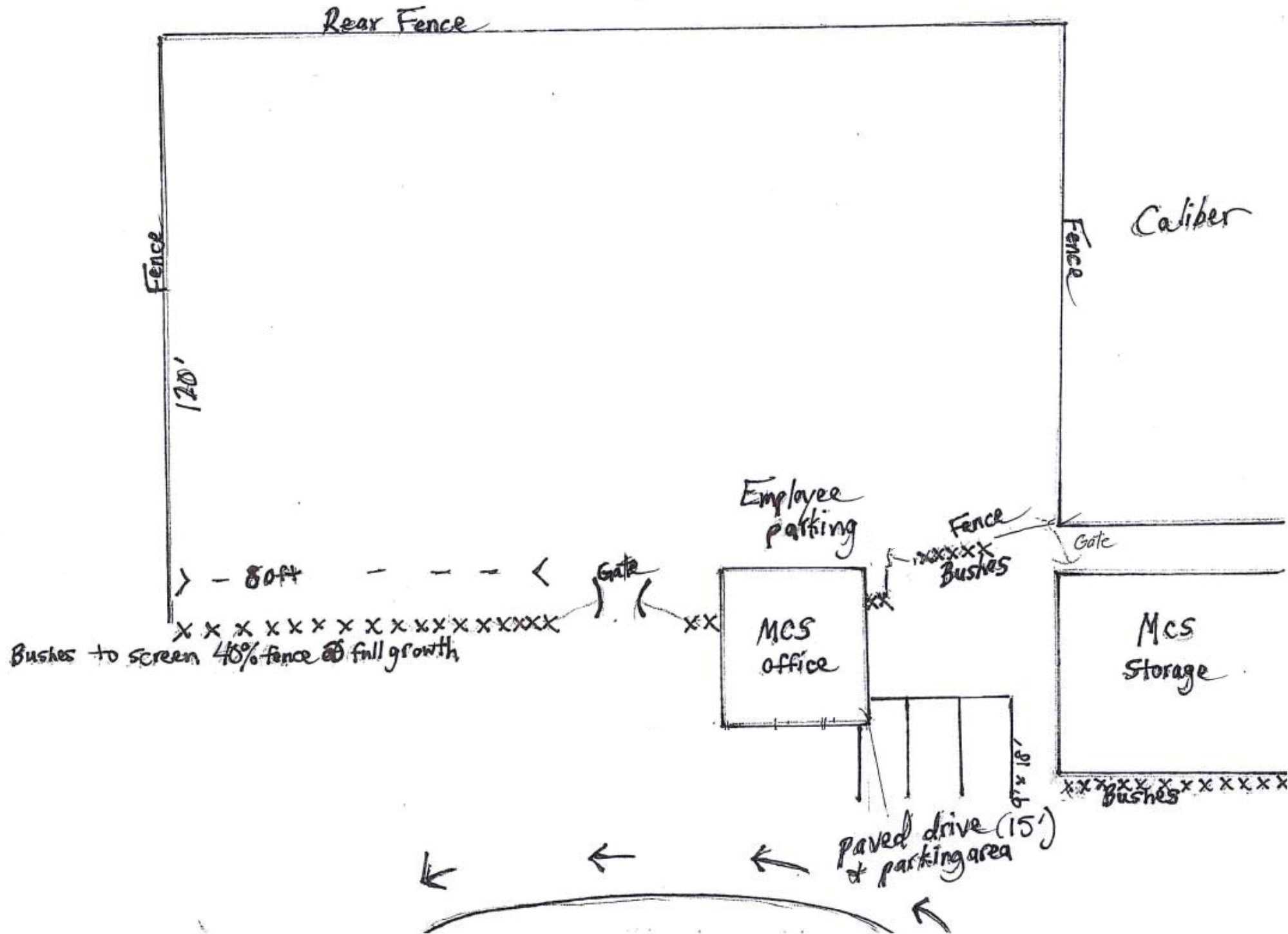
Future Land Use

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

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4/17/2014
City of Temple GIS

MCS Site Plan

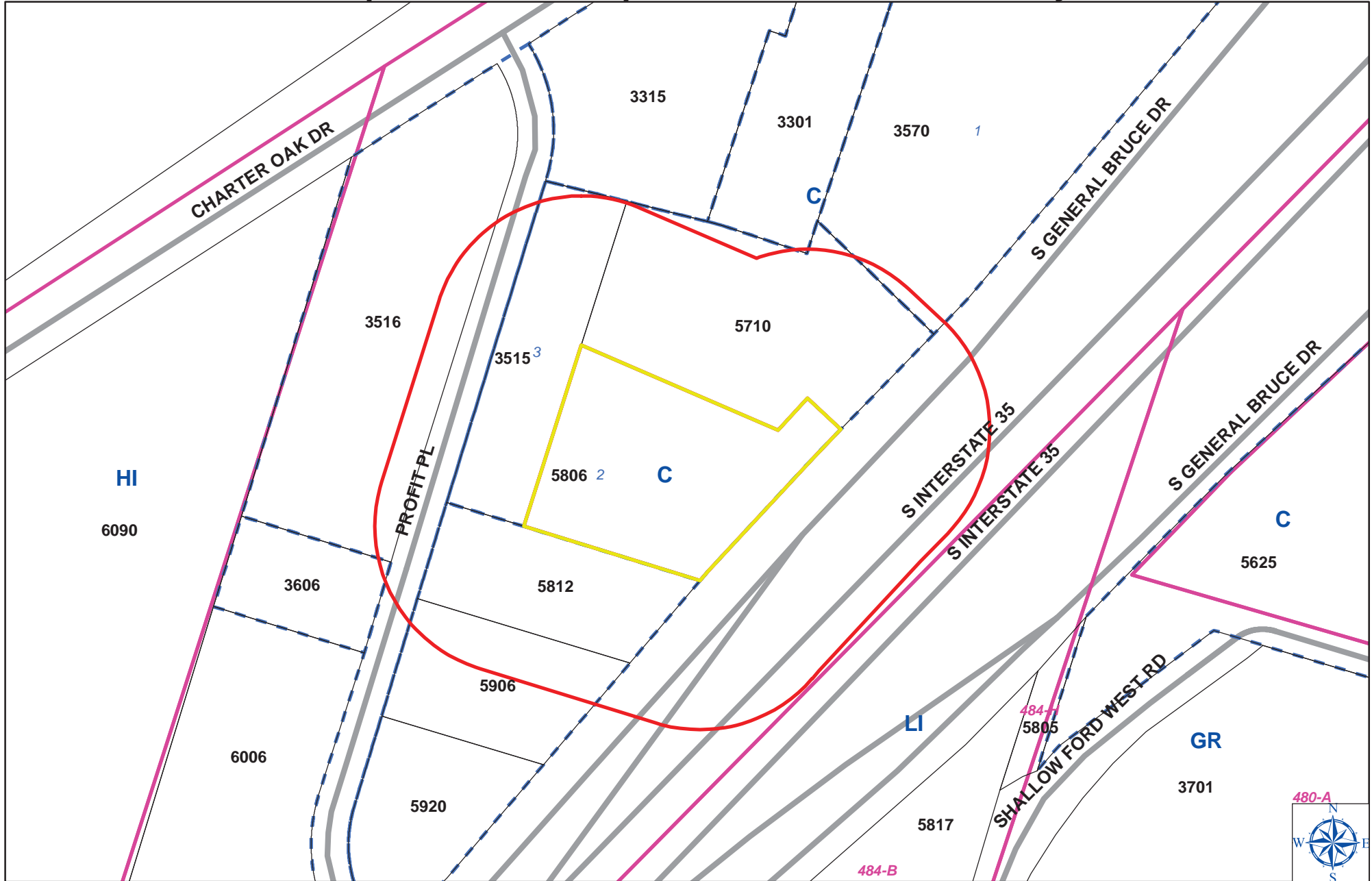




Z-FY-15-14

Conditional Use Permit Request Proposed Paint Shop/General Contractor Facility

5806 S. Gen. Bruce Drive



 Case  Zoning 1234 Addresses

0 80 160 320
Feet

Z-FY-15-06
City of Temple GIS
bzend

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**RESPONSE TO PROPOSED
CONDITIONAL USE PERMIT REQUEST
CITY OF TEMPLE**

Chris Etux Karen McGregor
2806 Wickersham Drive
Temple, Texas 76502

Zoning Application Number: Z-FY-15-14

Project Manager: Brian Chandler

Location: 5806 South General Bruce Drive

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I recommend ☒ approval () denial of this request.

Comments:


Signature


Print Name

Please mail or hand-deliver this comment form to the address shown below, no later than April 6, 2015.

City of Temple
Planning Department
Room 102
Municipal Building
Temple, Texas 76501

RECEIVED

Number of Notices Mailed: 9

Date Mailed: March 26, 2015

APR 01 2015

City of Temple
Planning & Development



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Signature

J. TRANUM
Print Name

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RECEIVED


APR 10 2015

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THE CITY OF TEMPLE, TEXAS

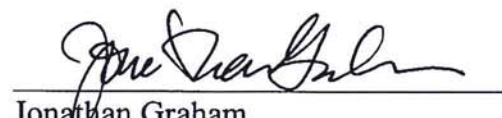


DANIEL A. DUNN, Mayor

ATTEST:


Lacy Borgeson
City Secretary

APPROVED AS TO FORM:


Jonathan Graham
City Attorney



Z-FY-14-28

Proposed Nursery CUP

5806 S. General Bruce Drive

EXHIBIT

tabbies

A



Case Zoning 1234-A Outblock Number Block Number
 200' Buffer Subdivision 1234 Address Lot Number

0 200
Feet

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ORDINANCE NO. _____
(Z-FY-15-14)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPLE,
TEXAS, APPROVING A CONDITIONAL USE PERMIT FOR A PAINT
SHOP/GENERAL CONTRACTOR FACILITY ON LOT 2, BLOCK 1,
TRANUM SUBDIVISION, PHASE VIII, LOCATED AT 5806 SOUTH
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Part 2: The Director of Planning is hereby directed to make the necessary changes to the City Zoning Map accordingly.

Part 3: The declarations, determinations and findings declared, made and found in the preamble of this ordinance are hereby adopted, restated and made a part of the operative provisions hereof.

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

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

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

PASSED AND APPROVED on First Reading and Public Hearing on the **7th** day of **May**, 2015.

PASSED AND APPROVED on Second Reading on the **21st** day of **May**, 2015.

THE CITY OF TEMPLE, TEXAS

DANIEL A. DUNN, Mayor

ATTEST:

APPROVED AS TO FORM:

Lacy Borgeson
City Secretary

Kayla Landeros
City Attorney