

RESOLUTION NO. {{item.sequential_number}}

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A FIRST AMENDMENT TO THE LAND LEASE AGREEMENT WITH TEMPLE FIRE AND RESCUE, A DEPARTMENT OF THE CITY OF TEMPLE, TO EXPAND THE LEASED AREA TO ACCOMMODATE ADDITIONAL TRAINING FACILITIES AT FIRE STATION NUMBER EIGHT AND ON AIRPORT PROPERTY; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on October 1, 2010, the Parties entered into an Airport Lease Agreement for the lease of 2.86 acres (124,581 square feet) to construct a 15,845-square-foot fire station and emergency operations center and 58,827-square-foot paved area, commonly known as Fire Station No. 8;

Whereas, the term of the Lease is for twenty years, commencing October 1, 2010 and ending September 30, 2030, with five one-year renewals at the agreement of the parties at fair market value - rent was initially established at \$12,458 per year, with rental rates to be adjusted at the end of each lease year, computed according to the Consumer Price Index (CPI) for Dallas, Texas, or to rates prevailing in the Temple area for similar facilities;

Whereas, the City has constructed, or will construct, additional improvements to Fire Station No. 8, expanding beyond the 124,581-square-foot plot initially leased - in 2014, Phase II was constructed, adding the Fire Burn Building and Fire Storage Site on an additional 3.2 acres (139,392 square feet) and, recently, Phase III was constructed to add a Driving Skills Pad, a Simulation Shoot House, and a storage building on an additional four acres (174,240 square feet);

Whereas, the total increased square footage is 313,632 square feet, for a total of 438,213 square feet leased - this area is designated as non-aeronautical space on the Airport Layout Plan;

Whereas, in order to comply with the Airport Sponsor's Federal Aviation Administration Grant Assurances, the City desires to amend the Land Lease as follows:

- Expand the leased premises to include an additional 313,632 square feet to accommodate the Fire Training Facility expansion;
- Update the Annual Land Lease Rate based on the CPI adjustment from October 2010 through the present, setting the new rate at \$0.14971 per square foot; and
- Set the updated annual lease payment at \$65,604.87, based on the revised total area of 438,213 square feet (approximately 10.06 acres).

Whereas, Staff recommends Council authorize a First Amendment to the Land Lease Agreement with the Temple Fire and Rescue to expand the leased area to accommodate additional training facilities at Fire Station No. 8 and on Airport property;

Whereas, a budget amendment is being presented to Council to allocate additional funding in the prorated amount of \$22,144.53 for this Amendment, effective May 1, 2025 - these funds will be deposited into Account No. 110-0000-446-3022 (Fire Land Lease);

Whereas, in the future, the updated annual rental payment of \$65,604.87, along with any adjustment based on the CPI, will be incorporated into the Fire Department's operating budget; 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: Findings. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Temple, Texas, and they are hereby approved and incorporated into the body of this Resolution as if copied in their entirety.

Part 2: The City Council authorizes a First Amendment to the Land Lease Agreement with the Temple Fire and Rescue, a department of the City of Temple, to expand the leased area to accommodate additional training facilities at Fire Station No. 8 and on Airport property, and authorizes the City Manager, or her designee, after approval as to form by the City Attorney's Office, to execute any necessary documents.

Part 3: The City Council authorizes an adjustment to the Fiscal Year 2025 Budget, substantially in the form of the copy attached hereto as Exhibit A.

Part 4: 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 1st day of **May, 2025**.

THE CITY OF TEMPLE, TEXAS

TIMOTHY A. DAVIS, Mayor

ATTEST:

APPROVED AS TO FORM:

Jana Lewellen
City Secretary

Kathryn H. Davis
City Attorney