

RESOLUTION NO. {{item.sequential\_number}}

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A LEASE AGREEMENT WITH SCOTT SELL FOR T-HANGAR NUMBER 60 AT THE DRAUGHON-MILLER CENTRAL TEXAS REGIONAL AIRPORT; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, Scott Sell (the Lessee) has requested to lease T-Hangar No. 60 at the Draughon-Miller Central Texas Regional Airport (the Airport) for aircraft storage and aeronautical purposes - the Lessee is an existing tenant currently leasing T-Hangar No. 47, but wishes to discontinue his lease of T-Hangar No. 47 and lease the larger T-Hangar No. 60;

**Whereas**, the Lessee has been on the waitlist for a larger T-Hangar and is the next individual on the T-Hangar waitlist - the rent for T-Hangar No. 60 is \$250 per month, due on the first day of the month;

**Whereas**, the Lessee will store the following aircraft:

Type: Single Engine Piston Aircraft

Model: 1948 Cessna 140 and/or 1948 Cessna 170

U.S. Registration No./Tail No. N4245N and/or N4225V

**Whereas**, the initial term of the new Lease Agreement (the Lease) will be for 12 months and may be renewed for four additional 12-month terms at the agreement of the parties, and as evidenced by the execution of a written amendment or addendum, or a new lease agreement reflecting any new rental rates or changes to terms and conditions - Staff recommends that the Lease have an effective date of September 6, 2024;

**Whereas**, the Lessee will discontinue his lease of T-Hangar No. 47 upon the lease of T-Hangar No. 60, making T-Hangar No. 47 available for the next eligible individual on the waitlist;

**Whereas**, the Lessee agrees to use T-Hangar No. 60 solely for aircraft hangar purposes and aeronautical operations and understands that the hangar space is for storage of an operable and airworthy aircraft - the Lessee further understands that commercial activity is prohibited;

**Whereas**, pursuant to the Lease, the Lessee will:

- Timely pay rent and store only aircraft and items related to aeronautical operations on the leased premises;
- Grant the City of Temple (the City) the right to enter the T-Hangar at any time for inspection, repairs, additions, and alterations;
- Furnish a duplicate key or combination to the Airport Director for any lock used to secure the T-Hangar;
- Keep the premises in a good and orderly condition;

- Comply with all terms of the Lease and all ordinances, rules, and regulations of the City and the Airport; and
- Within 90 days of the start of the Lease, show proof of and maintain the required liability insurance as evidenced by a current certificate of insurance that names the City as an additional insured and includes a waiver of subrogation in favor of the City.

**Whereas**, Staff recommends Council authorize a lease agreement with Scott Sell for T-Hangar No. 60 at the Airport;

**Whereas**, annual lease revenue of \$3,000 for the rental of T-Hangar No. 60 will be deposited into Account No. 110-0000-446-3021; 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 lease agreement with Scott Sell for T-Hangar No. 60 at the Draughton-Miller Central Texas Regional Airport 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:** 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 5<sup>th</sup> day of **September, 2024.**

THE CITY OF TEMPLE, TEXAS

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TIMOTHY A. DAVIS, Mayor

ATTEST:

APPROVED AS TO FORM:

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Jana Lewellen  
City Secretary

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Kathryn H. Davis  
City Attorney