



City Council Agenda 04/19/2016

Notice is hereby given of a regular meeting of the City Council of City of San Angelo to be held on April 19, 2016 at 8:30 AM at the McNease Convention Center – South Meeting Room, 501 Rio Concho Drive, San Angelo, Texas, for the purpose of considering the following agenda items.

1. Call to Order

2. Prayer and Pledge

3. Proclamations/Recognitions

- a. "Save Safety City" April 9th, 2016, to be received Mrs. Fluitt's Third Grade Class at Ft. Concho Elementary
- b. Recognition of the Public Information Office's two Gold Awards at the 2016 local ADDY Awards, including a Best of Show for #ThisPlaceMatters
- c. Recognition of The Concho Valley Home for Girls/Children's Emergency Shelter to be received by Sammye Ruppeck, Executive Director, Concho Valley Home for Girls/Children's Emergency Shelter; Ricky Rogers, Festival Organizer and member of Concho Grass Bluegrass Band
- d. "Lemonade Day" May 7th, to be received by Boomer Kingston Operations Manager & Program/Music Director for KGKL
- e. "Public Safety Telecommunicators Week" April 10-16, to be received by Police Chief Tim Vasquez

4. Note: At 12:00 p.m. a recess will be taken to allow for a Special Joint Meeting with City of San Angelo Development Corporation

5. Public Comment

Issues or items that are not on the agenda may be raised by the public at this time. Citizens should speak from the podium, begin by stating their name and limit remarks to less than five minutes. Council members may request that a discussed item be placed on a future agenda. The Council takes public comment on all Regular Agenda items during the discussion of those items.

6. Consent Agenda

- a. Consider approving the April 5, 2016 City Council regular meeting minutes (B.Kendrick)
- b. Consider adopting a resolution authorizing applicant, San Angelo Chamber of Commerce, to hold a special event at Lake Nasworthy, known as, "Craig Partusch Memorial Showdown in San Angelo," permitting specified activities; imposing requirements on applicant; and granting variances relating to rules and regulations of Lake Nasworthy and park ordinances (C.White)

- c. Consider authorizing staff to negotiate an agreement, with Ronald R. Wagner & Co., L.P. for sealcoat services per Request for Sealed Competitive Proposal (RFSCP): ES-01-16 / 2016 Annual Sealcoat Project in an amount not to exceed \$3,600,000 and authorizing the City Manager to execute an agreement between the City of San Angelo and Ronald R. Wagner & Co., L.P. (R.Pehl)
- d. Consideration of adopting a Resolution authorizing applicant, Simply Texas Blues Festival Committee, to hold a special event downtown, known as, "Simply Texas Blues Festival," permitting specified activities; imposing requirements on applicant; and granting variances relating to rules and regulations of ordinances - (C. White)
- e. Second reading and consider adopting an ordinance amending the 2015-2016 budget for grants and capital projects - (M. Chegwidden)

7. Regular Agenda

- a. Annual update and discussion of the City's Wellness Program - (Presentation by Sheryl Pfluger, Marketing Director for San Angelo Community Medical Center, and Janet Charlesworth and Mary Solomon, Wellness Coordinators)
- b. Update on a portion of Bart DeWitt Park associated with the Eggemeyer lease to create an historical agricultural museum, now under a new non-profit organization, the Farm and Ranch Museum and discussion of terms for a new lease - (Presentation by Parks and Recreation Director Carl White and San Angelo Museum of Fine Arts Executive Director Howard Taylor)
- c. Consider adopting a resolution approving a Memorandum of Understanding with the Bureau of Reclamation and Texas Parks and Wildlife Department for the creation and management of public hunting lands at the Twin Buttes Reservoir - (Presentation by Parks and Recreation Director Carl White)
- d. Second public hearing and consideration of ordinances amending Appendix A fee schedule of the code of ordinances:
 - Creating article A14.000 facility use fees, section A14.001 airport conference room;
 - Deleting and replacing article A11.000 fire and rescue service fees;
 - Deleting and replacing article A12.000 fire safety inspection fees;
 - Amending article A9.000 planning related fees; and
 - Deleting and replacing article A2.000 building and construction related fees - (Presentation by Budget Manager Morgan Chegwidden)
- e. First public hearing and consideration of ordinances amending Appendix A fee schedule and chapter 11 of the code of ordinances:
 - Amending article A6.000 "Park Use Fees" (Real Estate/Finance);
 - Amending article A1.000 "Animal Control Services Fees";
 - Amending article 11.05 "Water Conservation and Drought Contingency Plan" and article A.8000 "Utility Related Fees"; and
 - Amending article A.8000 "Utility Related Fees" and chapter 11 "Utilities", article 11.02 "water and sewer service" - (presentation by Budget Manager Morgan Chegwidden)

- f. First Reading and Public Hearing on an ordinance amending Chapter 2, "Administration and Personnel", Article 2.07, "Boards, Committees, and Commissions", Division 10, "Tax Increment Reinvestment Zone Board", and removing Chapter 2, "Administration and Personnel", Article 2.07, "Boards, Committees, and Commissions", Division 11, "Downtown Development Commission" - (Presentation by Planning & Development Services Director Jon James)
- g. Discussion and consideration of amendments to the bylaws for the Tax Increment Reinvestment Zone Board - (Presentation by Planning & Development Services Director Jon James)
- h. First Reading and Public Hearing for Case Z16-01, an Ordinance approving a request from Jared Matlock to authorize a Rezoning from the Low Rise Multi-family Residential (RM-1) Zoning District to the Office Commercial (CO) Zoning District, on 0.14 acres generally located along the south side of West First Street, across from Farr Street (Presentation by Planning & Development Services Director Jon James)
- i. First Reading and Public Hearing for Case Z16-02, an Ordinance approving a request from Bryan Burger to authorize a Rezoning from the Light Manufacturing (ML) Zoning District to the General Commercial (CG) Zoning District, on 1.30 acres generally located at the corner of Knickerbocker Road and South Jackson Street (Presentation by Planning & Development Services Director Jon James)
- j. Consider adopting a resolution approving a Memorandum of Understanding (MOU) with the San Angelo Performing Arts Coalition (SAPAC) modifying an existing MOU describing fiscal responsibilities relating to the Renovation of the Auditorium and the approval of a Change Order to the Lee Lewis Construction contract for selected alternates and construction allowance totaling \$593,916 and authorization to execute any related documents - (Presentation by Construction Manager David Knapp)
- k. Consider adopting a resolution authorizing the Public Works Department to adopt and implement the Construction Details and Approved Materials List for Water and Sewer in order to ensure reliable and consistent development of the municipal water distribution and sanitary sewer systems infrastructure for San Angelo - (Presentation by City Engineer Russell Pehl)
- l. First public hearing and introduction of an ordinance amending the 2015-2016 budget for a capital project - (Presentation by Budget Manager Morgan Chegwidden)
- m. Discussion and consideration of the possibility of issuing rebates of water fees. (Presentation by Budget Manager Morgan Chegwidden)

8. Closed Session

Executive Session under the provision of Government Code, Title 5. Open Government; Ethics, Subtitle A. Open Government, Chapter 551. Open Meetings, Subchapter D. Exceptions to Requirement that Meetings be Open under the following sections:

- a. Section 551.071(1)(A) consult with attorney when the governmental body seeks the advice of its attorney about pending or contemplated litigation regarding:
 1. 2013 Sealcoating Program Contract;
 2. Martifer-Hirschfeld Energy Systems, LLC ET. AL.
 3. Templeton Construction, Inc.; and
 4. Denise Kendall V COSA ZBA 16C070-L2 (3221 RED BLUFF ROAD)
- b. Section 551.071(2) consult with attorney when the governmental body seeks the advice of its attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter, regarding the contract with the Health Foundation

9. Follow Up and Administrative Issues

- a. Consider possible action on matters discussed in Executive/Closed Session, if needed
- b. Consider approving various Board nominations

COSADC: Todd Kolls (Mayor) to an unexpired term ending February 2017

Fort Concho Board Jason Pierce (SMD1) to an unexpired term ending January 2018

Zoning Board of Adjustment: Jean Cornell (SMD6) to an unexpired term ending January 2018

- c. Announcements and consideration of Future Agenda Items

10. Adjournment

CERTIFICATION

I hereby certify that the above notice of meeting was posted on the bulletin board at the City Hall of the City of San Angelo, Texas, on the 15th of April 2016, at 2:00 p.m.

Bryan Kendrick, City Clerk

All agenda items are subject to action. All contracts/agreements are presented in substantially the attached form. The City Council reserves the right to consider business out of posted order and/or meet in a closed session on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

In compliance with the Americans with Disabilities Act, the City of San Angelo will provide for reasonable accommodations for persons attending City Council meetings. To better serve you, requests should be received 48 hours prior to the meetings. Please contact the City Clerk's Office at 325-657-4405.

City Council meetings are broadcast on Channel 17-Government Access at 10:30 A.M. and 7:00 P.M. every day for two weeks beginning on the Thursday after each meeting.

Proclamation

Tammy Fluitt's 3rd Grade Class from Fort Concho Elementary School, who call themselves the "Safety City Savers," have started an initiative to bring the safety education facility back for disrepair

As part of the Texas Research Institute for Young Scholars competition, the children from Tammy Fluitt's third grade gifted and talented class have come up with several ideas to help the San Angelo Police Department and the San Angelo Fire Department revive Safety City

Safety City has been a San Angelo institution for generations of third-graders to learn bicycle safety in a miniature version of the city and its streets. More recently, a fire safety program has been added to the education.

The students have created their "Safety City Savers" logo and have printed their creations onto T-shirts, and had a day at the mall to sell the t-shirts and get people to sign up to volunteer on April 9th for a workday at Safety City. They also wrote letters to businesses and people they know to give money or help out.

This place is near and dear to their hearts and if they don't get to go, they really want to make sure that others get to go in a safe wonderful environment!

Now, Therefore, I, Dwain Morrison, Mayor of the City of San Angelo, Texas, on behalf of the City Council, do hereby proclaim April 9, 2016 as

"SAVE SAFETY CITY"

in San Angelo and call upon the citizens of our area to recognize this remarkable display of pride in our community

In Witness Whereof, I have hereunto set my hand and have caused the Official Seal of the City of San Angelo to be affixed this 19th day of April, 2016.

Dwain Morrison
Mayor of the City of San Angelo

Recognition

The City of San Angelo's Public Information Office won two Gold Awards at the American Advertising Federation's local ADDY Awards on February 26th, including the Best of Show trophy for a video titled #ThisPlaceMatters.

The award-winning 99-second video is a montage of visual vignettes that tell the story of what makes San Angelo special. It features Fort Concho, water lilies, Angelo State University and Goodfellow Air Force Base, among other local landmarks. Since debuting on the City of San Angelo-Public Information Facebook page in September, the video has gone viral, having been viewed more than 185,000 times online.

Public Information also won a Gold Award for "Answering the Call," a recruitment video for the San Angelo Fire Department. Both videos will advance to compete in the AAF's regional competition. This was the first year the Public Information Office has entered the ADDY Awards.

The awards – yet again – underscore how fortunate the City of San Angelo is to have on staff Multimedia Coordinator Brian Groves. Brian is a videographer who is immensely talented, unquestionably committed to public service and utterly devoted to showcasing San Angelo and its many charms.

Therefore, I, Dwain Morrison, Mayor of the City of San Angelo, on behalf of the City Council, do hereby recognize and applaud

The City of San Angelo Public Information Office

for its achievements and positive determination to make a difference in our community.

In Witness Whereof, I have hereunto set my hand and have caused the Official Seal of the City of San Angelo to be affixed this 5th day of April, 2016.

Dwain Morrison
Mayor of
the City of San Angelo

Recognition

Since 1973, CVHG/CES has provided a safe haven and life skills training for the abused and neglected children and youth of West Texas

Community support and fundraisers enable the organization to offer these vital services. Recognizing the need to give a child a chance for a brighter future, the late Nelson Mcgee and Ricky Rogers organized a blue grass festival as a source of funding.

This year marked the ninth gathering which continues to be an ongoing asset to the organization as well as the community as a whole

Therefore, I, Dwain Morrison, Mayor of the City of San Angelo, on behalf of the City Council, do hereby recognize and applaud

"Concho Valley Home for Girls/Children's Emergency Shelter"

for their dedication and positive determination for making a difference in our community

In Witness Whereof, I have hereunto set my hand and have caused the Official Seal of the City of San Angelo to be affixed this 19th day of April, 2016.

Dwain Morrison
Mayor of the City of San Angelo

Proclamation

Townsquare Media, with its title sponsor Chick-fil-A, and many community partners throughout San Angelo is hosting Lemonade Day on Saturday May 7, 2016. Lemonade Day teaches the youth of our community how to start, own, and operate their very own lemonade business.

These young entrepreneurs, along with a caring adult, will learn what it takes to be successful in business by using a fun and experiential step-by-step process. They will learn how to set goals, plan for success, find an investor, select a site, advertise, build a stand, purchase supplies, make a product, run their business, do basic accounting, open a bank account and ultimately give something back to the less fortunate.

Because of its collaborative community-wide focus, Lemonade Day has gained remarkable acceptance within businesses, schools, youth organizations, faith-based communities, neighborhoods and government entities. By all of us working together, as a community, we demonstrate to our youth that they are important and that we care about their future. On May 7th every citizen has a role: We are either selling lemonade or buying it.

Now, Therefore, I, Dwain Morrison, Mayor of the City of San Angelo, Texas, on behalf of the City Council, do hereby proclaim the May 7, 2016 as

“Lemonade Day”

and encourage community-wide participation in this worthwhile endeavor.

In Witness Whereof, I have hereunto set my hand and have caused the Official Seal of the City of San Angelo to be affixed this 19th day of April 2016.

***Dwain Morrison
Mayor of the City of San Angelo***

Proclamation

The men and women serving as public safety telecommunicators; 9-1-1 operators, dispatchers and other communications specialists are dedicated to saving lives. These professionals, the "unseen first responders," provide critical assistance to all citizens in times of great need, and their specialized skills and calm presence are invaluable to the City of San Angelo.

The Commission on State Emergency Communications works with local and state governments to ensure reliable access to emergency telecommunications services. To highlight the invaluable role of public safety telecommunicators, the commission annually designates a week in April for an awareness campaign.

At this time, I encourage everyone in our community to extend their appreciation to public safety telecommunicators. Their diligent efforts ensure that help is on the way when we need it most.

Now, Therefore, I, Dwain Morrison, Mayor of the City of San Angelo, Texas, on behalf of the City Council, do hereby the week of April 10-16, 2016 as

“Public Safety Telecommunicators Week”

In Witness Whereof, I have hereunto set my hand and have caused the Official Seal of the City of San Angelo to be affixed this 19th day of April 2016.

Dwain Morrison
Mayor of the City of San Angelo

City of San Angelo, Texas
Regular City Council Meeting
Tuesday, April 5, 2016

Present:

Mayor Dwain Morrison
Mayor Pro tem Johnny Silvas, SMD 3
Council Member Rodney Fleming, SMD 1
Council Member Marty Self, SMD 2
Council Member Lucy Gonzales, SMD 4
Council Member Elizabeth Grindstaff, SMD 5
Council Member Charlotte Farmer, SMD 6

1. Call to Order

With a quorum of the City Council Members present, Mayor Morrison called the regular session of the San Angelo City Council to order at 8:34 a.m. on Tuesday, April 5, 2016, in the San Angelo McNease Convention Center, 501 Rio Concho Drive, San Angelo, Texas 76903.

2. Prayer and Pledge

An invocation was provided by Raul Ruiz with Ruiz Studio & Gallery; and the pledges were led by Gage Elkin, a student with Cornerstone Christian School

3. Proclamations/Recognitions

Sandy Jameson and Just Between Friends San Angelo was recognized for being named franchise of the year.

"Bulls" and "Hotshots" youth basketball teams were recognized for winning their respective divisions in the TAAF State Tournament

Daniel Zamudio was recognized for his efforts toward a reconstruction project resulting in a much needed native Texas bird aviary exhibit for the San Angelo Nature Center

Jennifer McConn was recognized for raising \$10,000 to underwrite the costs of adopting pets at the San Angelo Animal Shelter

The proclamation for "Public Health Week" April 4-10, 2016 was received by Health Services Director Sandra Villarreal

The proclamation for "Sexual Assault Awareness & Prevention Month" April 2016 was received by Karla Payne, Executive Director of the Concho Valley Rape Crisis Center

The proclamation for "National Crime Victims' Right Week" April 10-2016 was received by Valerie Tillery, Tom Green County Coalition Against Violence

The proclamation for "I Chose Angelo State Month" April 2016 was received by Dr. Javier Flores, Vice President of Student Affairs and Enrollment Management

4. Public Comment

Citizen Harry Thomas made comments to support the idea of recruiting volunteers to help with Code Compliance issues

Citizen Jim Turner made comments about issues with the city website and boards and commissions

5. Consent Agenda

- a. Approval of the:
 - 1) March 1, 2016 City Council regular meeting minutes; and
 - 2) March 8, 2016 City Council Strategic Planning Session minutes
- b. Approval of a resolution authorizing the City Manager or his designee to execute a Temporary Nonexclusive Revocable License Agreement with Historic City Center Project Inc. to allow for construction of a 96-square foot steel-framed cloth canopy and two new metal wall sconce lights along the south side of the Cactus Hotel property located at 36 East Twohig Avenue
- c. Approval of a new 40 year lake lot residential lease with the following Tenants:
 - 1) Taylor: Lot 24, Block 2, Section 2, Group Red Bluff, Lake Nasworthy Addition
 - 2) Nobles: Lot 27, Block 1, Group Fisherman's Road, Lake Nasworthy Addition
- d. Approval of authorizing the sale of the following Lake Nasworthy property to current residential lake lot lease holder for the appraised value):
 - 1) Lot 53, Block 1, Fisherman's Road (2674 Sleepy Hollow Road) \$62,641
- e. Approval of a resolution allowing First Financial Bank to remove a certain tree from the West Concho Avenue public right-of-way consistent with Section 7.02.035, Code of Ordinances

Motion: Council Member Self made a motion, seconded by Council Member Silvas, to approve the Consent Agenda, as presented. The motion carried unanimously seven (7) ayes to zero (0) nays.

6. Regular Agenda

- a. Presentation on the Household Hazardous Waste Event hosted by San Angelo Friends of the Environment (SAFE Recycling) on November 21, 2015
A presentation was made by Lloyd Paschal, Director of SAFE Recycling

No action was taken on this item

- b. Discussion of waste collection survey results and proposed changes to waste collection service
A presentation was made by Solid Waste Contract Manager Jeremy Miller

Citizen Harry Thomas spoke in support of the change, but noted the need for proper notice and information for the general public regarding the change.

Citizen R.A. Cantrell spoke in support, but noted the need for alley pick-up of bulk trash.

Citizen Terry Hurley expressed the need for communication of any changes to occur on the water bills.

Consensus of the City Council was for staff to move forward and bring the proposed changes back to Council for approval

- c. Postponement of a discussion of financing options for water and sewer line rehabilitation and Consider awarding RFQ No. WU-05-15 Professional Services contract for the 2016 Water Master Plan to CDM Smith, Inc. of Austin, Texas, and authorizing the City Manager to execute said contract in the amount of \$314,460

Item 6c was postponed to a future meeting

Recess: at 9:56 a.m. Mayor Morrison called for a recess.

Reconvene: at 10:10 a.m. the meeting was reconvened

- d. First public hearing and adoption of ordinances amending Appendix A fee schedule of the code of ordinances:

- Creating article A14.000 facility use fees, section A14.001 airport conference room;
- Deleting and replacing article A11.000 fire and rescue service fees;
- Deleting and replacing article A12.000 fire safety inspection fees;
- Amending article A9.000 planning related fees; and
- Deleting and replacing article A2.000 building and construction related fees

A presentation was made by Budget Manager Morgan Chegwidden

Motion: Council Member Fleming made a motion, seconded by Council Member Farmer, to approve the Ordinances, as presented with the change to move all costs to the estimated cost of service. The motion carried unanimously six (6) ayes to one (1) nay, with Mayor Morrison casting the dissenting vote.

- e. Discussion regarding the annual fee review for Neighborhood & Family Services, Finance, and Water

A presentation was made by Budget Manager Morgan Chegwidden

Consensus for staff to move forward and bring an ordinance amendment at a future meeting.

- f. Public hearing and adoption of a resolution authorizing the adoption of the 2016-2021 Capital Improvement Plan for the City of San Angelo

A presentation was made by Budget Manager Morgan Chegwidden

Motion: Council Member Silvas made a motion, seconded by Council Member Farmer, to approve the resolution adopting the Capital Improvement Plan, as presented. The motion carried unanimously seven (7) ayes to zero (0) nays.

- g. First public hearing and introduction of an ordinance amending the 2015-2016 budget for grants and capital projects

A presentation was made by Budget Manager Morgan Chegwidden

Motion: Council Member Farmer made a motion, seconded by Council Member Gonzales, to approve the resolution adopting the Capital Improvement Plan, as presented. The motion carried unanimously seven (7) ayes to zero (0) nays.

- h. Consider accepting the City of San Angelo's Fiscal Year 2015 Comprehensive Annual Financial Report (CAFR) and Single Audit as presented by the City's external auditor

A presentation was made by Chief Accountant Jaime Guerrero along with Audit Manager Aubrey Stewart and Auditor Gayla Thornton with Armstrong Backus & Co., LLP

Motion: Council Member Fleming made a motion, seconded by Council Member Silvas, to accept the CAFR, as presented. The motion carried unanimously seven (7) ayes to zero (0) nays.

Council Member Silvas left the meeting at 1:47 p.m.

- i. Consider adopting a resolution (English/Spanish) amending Exhibit A to the Resolution Ordering a General Election to be held on May 7, 2016, for purposes of amending designation of election day polling places

A presentation was made by City Clerk Bryan Kendrick

Motion: Council Member Self made a motion, seconded by Council Member Farmer, to adopt the resolution, as presented. The motion carried unanimously six (6) ayes to zero (0) nays.

- j. Consider authorizing staff to negotiate a contract for fee and scope of services with Antenora Architects under FC 01-16 for the renovation and expansion of the Fort Concho Visitor Center at Barracks 1 & 2

A presentation was made by Fort Concho Manager Robert Bluthardt

Motion: Council Member Grindstaff made a motion, seconded by Council Member Self, to authorize staff to negotiate the contract, as presented. The motion carried unanimously six (6) ayes to zero (0) nays.

- k. Update and discussion concerning commercial dumpsters and associated wind-blown waste

A presentation was made by Shane Kelton, Director of Operations

No action was taken on this item.

- l. Consider adopting a resolution enacting Drought Stage I of the City's Water Conservation/Drought Contingency Plan

A presentation was made by Assistant Director of Water Utilities Allison Strube

Motion: Council Member Farmer made a motion, seconded by Council Member Grindstaff, to adopt the resolution, as presented. The motion carried unanimously six (6) ayes to zero (0) nays.

- m. Adoption of a resolution supporting United States Army Special Operations Command, UWEX 16 Exercise, Realistic Military Training concept training within the City limits from April 5th to June 5th 2016

** This item was taken out of order (after item 6c)*

A presentation was made by Tom Green County Commissioner Bill Ford

Mayor Morrison expressed concerns regarding representatives from the Army not presenting this information before the City Council and public.

Council Members Farmer and Grindstaff spoke in support of this resolution.

Citizens Harry Thomas, Gloria Henderson, Mike Boyd, and Terry Hurley spoke in support of this resolution.

Citizens Jim Turner and R.A. Cantrell expressed concerns about this resolution.

Motion: Council Member Grindstaff made a motion, seconded by Council Member Fleming, to approve the resolution, as presented. The motion carried unanimously six (6) ayes to one (1) nay, with Mayor Morrison casting the dissenting vote.

- n. Discussion and direction regarding widening of West Concho Avenue

** This item was taken out of order (after item 6h)*

A presentation was made by Assistant City Manager Michael Dan and Director of Operations Shane Kelton

First Financial Bank – San Angelo President and CEO Michael Boyd Spoke in support of this project.

Consensus of City Council was for staff to move forward on this item.

- o. Update on the removal of traffic control signals:
 - 1) Washington Street and Chadbourne Street; and
 - 2) MLK Drive and 14th Street

A presentation was made by Traffic Operations Superintendent Ryan Ward

No action was taken on this item.

7. Closed Session

Executive Session under the provision of Government Code, Title 5. Open Government; Ethics, Subtitle A. Open Government, Chapter 551. Open Meetings, Subchapter D. Exceptions to Requirement that Meetings be Open under the following sections:

- a. Section 551.071(1)(a) consult with attorney when the governmental body seeks the advice of its attorney about pending or contemplated litigation regarding:
 - 1. 2013 Sealcoating Program Contract;
 - 2. Martifer-Hirschfeld Energy Systems, LLC ET. AL.
 - 3. Templeton Construction, Inc.
 - 4. SAP Hospitality, Inc. dba Knights Inn; and
 - 5. Denise Kendall V COSA ZBA 16C070-L2 (3221 RED BLUFF ROAD)

8. Follow Up and Administrative Issues

- a. Consider possible action on matters discussed in Executive/Closed Session, if needed

No action was taken on this item.

- b. Consider approving various Board nominations

Civic Events: Steven Mahaffey (SMD5) to an unexpired term ending October 2016

Park Commission: Allison Watkins to an unexpired term ending January 2019

Zoning Board of Adjustment: Raymond Bannert (SMD4) to an unexpired term ending January 2017

Motion: Council Member Farmer made a motion, seconded by Council Member Self, to approve the nominations, as presented. The motion carried unanimously six (6) ayes to zero (0) nays.

- c. Announcements and consideration of Future Agenda Items

Council Member Farmer asked for the Water Advisory Board to review water requirements for new construction in the City of San Angelo. Ms. Farmer also noted that she would be absent for the April 19, 2016 meeting due to representing the City of San Angelo by attending the Ports-to-Plains conference.

9. Adjournment

Motion: Council Member Self made a motion, seconded by Council Member Grindstaff, to adjourn the meeting. The motion carried unanimously six (6) ayes to zero (0) nays.

There being no further business, the meeting was adjourned at 2:30 p.m.

THE CITY OF SAN ANGELO

Dwain Morrison, Mayor

ATTEST:

Bryan Kendrick, City Clerk

In accordance with Chapter 2, Article 2.300, of the Official Code of the City of San Angelo, the minutes of this meeting consist of the preceding Minute Record and the Supplemental Minute Record. Details on Council meetings may be obtained from the City Clerk's Office or a video of the entire meeting may be purchased from the Public Information Officer at 481-2727. (Portions of the Supplemental Minute Record video tape recording may be distorted due to equipment malfunction or other uncontrollable factors.)

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Carl White, Parks and Recreation Director, Parks and Recreation, 325-657-4450

Meeting Date: April 19, 2016

Item type: Consent Item

Caption:

Consider adopting a resolution authorizing applicant, San Angelo Chamber of Commerce, to hold a special event at Lake Nasworthy, known as, "Craig Partusch Memorial Showdown in San Angelo," permitting specified activities; imposing requirements on applicant; and granting variances relating to rules and regulations of Lake Nasworthy and park ordinances (C.White)

Summary/History:

The variances required are identical to those granted for the past nine events and pertain to Lake Nasworthy rules and regulations and park ordinances, to include: coordination of camping and parking for the event, permits for street closures, tents, vendors and signs, and provisions regulating the water of Lake Nasworthy, such as "No Wake" zones. This year, just as in years past, staff is requesting a waiver to allow vendors within 500 feet of boat ramps and City-owned property leased for commercial purposes, which has been the practice of past races.

This is the 10th consecutive year that San Angelo has hosted the Drag boat races on Lake Nasworthy. This year, the event will be held , **June 24-26, 2016.**

Financial Impact:

None directly related to this item. The economic impact of the event this year is estimated at \$2.5 million. Direct revenue to the City from a portion of the gate collections is between \$8,000-\$10,000.

Other Information/Recommendation:

Attachments:

1. Craig Partusch Memorial Showdown in San Angelo Drag Boat Races Event
Full Packet with Resolution
- Craig Partusch Memorial Showdown in San Angelo.pdf

Presentation:

Approvals/Reviews:

White, Carl
White, Carl
James, Theresa
Carriger, Tina

Created/Initiated
Approved
Approved
Approved

James, Theresa
Dunn, Becky
Kendrick, Bryan

Approved
Approved
Final Approval

A RESOLUTION OF THE CITY OF SAN ANGELO AUTHORIZING APPLICANT, SAN ANGELO CHAMBER OF COMMERCE TO HOLD A SPECIAL EVENT AT LAKE NASWORTHY KNOWN AS "CRAIG PARTUSCH MEMORIAL SHOWDOWN IN SAN ANGELO"; PERMITTING SPECIFIED ACTIVITIES; IMPOSING REQUIREMENTS ON APPLICANT; AND GRANTING VARIANCES RELATING TO RULES AND REGULATIONS OF LAKE NASWORTHY AND PARK ORDINANCES.

WHEREAS, Chapter 9, Article 9.03 of the Code of Ordinances for the City of San Angelo provides that the City Council may authorize individuals or groups to hold special events for sporting and recreational purposes at Lake Nasworthy; and,

WHEREAS, Chapter 9, Article 9.03 further provides that the City Council may authorize temporary variances from the prohibitions and requirements of City ordinances for such events.

WHEREAS, City Council, in determining whether to grant one or more variances, shall take into account the following factors, to wit: (1) the proximity of the event to residential areas, (2) the probability of the event causing undue disturbance to occupants and users of the lakes, (3) the ability of the event organizers to insure the safety of participants and observers, including but not limited to acquiring appropriate insurance, (4) whether varying from the standard requirements and prohibitions of city ordinances would result in undue danger to participants under the circumstances of the special event, and (5) any other unique circumstances relating to the particular event; and,

WHEREAS, the "CRAIG PARTUSCH MEMORIAL SHOWDOWN IN SAN ANGELO" drag boat race has been an annual sporting and recreational event at Lake Nasworthy; and,

WHEREAS, the City Council has taken into account the required factors as applicable pursuant to the Chapter 9, Article 9.03 providing for the granting of variances;

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

The San Angelo Chamber of Commerce (hereinafter Applicant), is hereby authorized to hold a special event at Lake Nasworthy, known as "CRAIG PARTUSCH MEMORIAL SHOW DOWN IN SAN ANGELO", drag boat race on June 24th, 25th and 26th, 2016, and set up for the event on June 19th, 20th, 21st, 22nd and 23rd, 2016, and clean up after the event on June 27th, 28th and 29th, 2016. The event may include those activities as described on that certain "City of San Angelo-Special Event Application" and

attachments thereto (hereinafter collectively referred to as "Application") submitted by Applicant, a copy of which is attached to this Resolution as **Exhibit 1**, and made a part hereof for all purposes.

The execution of an indemnification and hold harmless agreement as required by the Director of Parks and Recreation and the requirements imposed upon the Applicant as set forth in the Application are adopted by reference thereto and are hereby imposed upon the Applicant, and are a condition to this authorization and to the variances granted. The variances referred to in the Application relating to Rules and Regulations of Lake Nasworthy and Park Ordinances are hereby granted during those times when the said special event is in progress from and including June 19th, 20th, 21st, 22nd, 23rd, 24th, 25th, 26th, 27th, 28th and 29th of June 2016.

PASSED and APPROVED THIS _____ DAY OF _____, 2016.

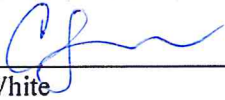
CITY OF SAN ANGELO, TEXAS

ATTEST:

Dwain Morrison, Mayor

Bryan Kendrick, City Clerk

APPROVED AS TO CONTENT



Carl White
Parks and Recreation Director

APPROVED AS TO FORM

Theresa James
City Attorney

City of San Angelo – Special Event Application

Complete and return this application to the City of San Angelo Parks and Recreation Department Office at 702 South Chadbourne St. at least 30 days prior to the event for events not requesting City Support. Events Requesting City Services (paid by the applicant or requested "in-kind") must submit a finalized Special Event application based on the schedule: by Jan. 31st for events in May, June, or July; by April 30th for events in Aug., Sept., or Oct.; by July 31st for events in Nov., Dec., or Jan.; and by Oct. 31st for events in Feb., March, or April. The separate "In-Kind" City Support / Sponsorship Application is required on these dates as well for events requesting City services "in-kind."

Event Information		
Event Name: Craig Partusch Memorial Showdown in San Angelo		Application Receipt Date & Time:
Event Purpose & Description: 10th Annual Drag Boat Race on Lake Nasworthy		
Event Date(s) and Hours: June 24-26, 2016 6am to 12am		
Event Location(s): Lake Nasworthy: Spring Creek Park, Middle Concho Park & Mary Lee Park		
Type of Event (Check one – see Special Events Policy for additional information)		
☐ City Operated/Sponsored Event ☒ Non-Profit Event ☐ Political or Ballot Issue Event ☐ Parade, Block Party, Road Run/Walk/Etc – Specify: _____ ☐ other (describe): _____ ☐ City Co-Sponsored Event ☐ For-Profit Event * for private events contact Parks & Rec. Admin. at 325-657-4279 for reservations		
Estimated Attendance: 12,000 to 15,000		
Sponsoring Organization Information		
Legal Business Name: San Angelo Chamber of Commerce		
Address: 418 W. Ave B San Angelo, TX 76903		
Mailing Address: Same		
Telephone: 325-655-4136	Email Address: jenni@sanangelo.org	
Contact Name: Jenni Campbell	Title: Director of Sales & Servicing	
Telephone: 325-212-8604	Email Address: same as above	
Contact Person on Day of Event (if same as above, leave blank)		
Name: ..	Title:	
Address:		
Telephone:	Cell Phone:	Email Address:
Event Information (continued)		
Estimated date/time for set up: Sunday, June 19, 2016 at 8 am		
Estimated date/time for clean up: Monday, June 27-Thursday, June 30, 2016		
Describe set up and clean up procedures: Set up includes fencing, pitting, RV set-up, vendor set-up, setting up the track on the water and Keep San Angelo Beautiful is helping with cleanup during event and after event is over.		

Event Information (continued)

Describe crowd and parking control and security plans for this event: *Sponsors of an event must have certified police officers present, if required by the Parks & Recreation Director. This requirement, as well as the number of officers needed, will depend on the type of event (including activities), number of anticipated attendees at the event, whether or not alcohol will be consumed at the event, as well as other factors.*

We will work with SAPD on security. We have specified places for parking which is directed by police & Goodfellow AFB volunteers.

Describe the Special Event's impact on adjacent commercial and residential property (consider affects of noise, lights, traffic, etc.):

Will street closure and/or use be necessary? ☐ YES ☒ NO If yes, complete the attached closure / use form.
*If yes, indicate road closures, emergency vehicle access, and barricade locations on the proposed event map.
The City of San Angelo does not have authority to close County roads.*

Will parking lot closures be necessary? ☐ YES ☒ NO

If yes, indicate proposed closures and barricade locations on the proposed event map.

Describe parking lot closures:

- Parking lot(s) closed: Date/Time:
- Parking lot(s) re-open: Date/Time:

What parking arrangements are proposed to accommodate attendance?

Leasing Spring Creek Park, Middle Concho Park & Mary Lee Park

Will music be provided/included during the event? YES ☒ NO If yes, show locations on proposed event map.

Describe type of music proposed: ☒ Live ☐ Amplification ☐ Recorded ☐ Loudspeakers

This is a possablity it will be located in the VIP area from 7-11pm on Friday & Sat.

Proposed time music will begin:

Proposed time music will end:

Do you plan to have special event signs and banners? ☒ YES ☐ NO *Signs must conform to City Ordinances*

Describe the general nature of signage used for the event:

We will have sponsor & directional signage. We will have a permit for both sides of park, so all signage will be located within that space.

Attach examples of signs and banners and provide locations for proposed placement on the proposed event map.

Event Information (continued)

Will the event have kiddie rides, inflatable (i.e. moonwalk), amusement rides, climbing walls, live animals, etc?

☐ YES ☒ NO If yes, the vendor or provider of the inflatable, amusement ride, etc. will be required to provide proof of insurance naming the City of San Angelo as an additional insured on all policies, except workers' compensation, and providing a waiver of subrogation in favor of the City on all policies.

If yes, describe in detail the types of attractions proposed (You must attach a plan of the proposed layout. Include the proposed location of booths, tents, tables, portable toilets, rides, routes, etc.):

Will the event have food, beverage, or concessions? ☒ YES ☐ NO

See Section H of the Special Events Policy for health department approvals and temporary food license requirements.

Describe the general nature and scope of food, beverage, and concessions vendors:
Our vendors will follow Section H of the Special Event Policy.

Provide locations for proposed placement of food, beverage, and concessions vendors on the proposed event map.

Do you plan to have alcohol served at this event? ☒ YES ☐ NO

Public events which sell alcohol must use the services of the City's Concessionaire. The Parks & Recreation Department can provide you with the contact information for the Concessionaire. Liquor Liability Insurance is required by any provider of alcohol. Please note that the deeds for the Santa Fe Park properties prohibit any sale of "intoxicating liquors." Only beer and wine coolers may be sold on these properties.

If alcohol is present at the event, describe measures to be taken to prohibit the sale and distribution of alcohol to minors or visibly impaired individuals: We will be using the City Concessionaire. Cooler passes for coolers no larger than 50 quarts will be sold. All coolers and identification will be checked at the gate. Alcohol is served at the VIP tent for sponsors and racers. SAPD is at the entrance of the VIP tent checking for identification.

Will the following be constructed or located in the event area?

No stakes of any kind allowed on asphalt

<u>Item</u>	<u>Quantity</u>	<u>Item</u>	<u>Quantity</u>
☐ Booths:	<u>20</u>	☐ Tables:	<u>50</u>
☐ Tents:	<u>3</u>	☐ Rides:	<u>0</u>
☐ Awnings:	<u> </u>	☐ Portable Toilets:	<u>63</u>
☐ Canopies:	<u>150</u>	(may be required depending on event)	
☐ Rides:	<u>0</u>	☐ other (describe):	<u>RV's</u>

Spectators will bring canopies to prevent heat exhaustion. The tents are used for the VIP area.

You must attach a plan of the proposed event map and layout. Include the proposed location of booths, tents, tables, portable toilets, rides, routes, etc.

Event Information (continued)

Will the event require the use of any of the following municipal materials?

Sponsoring organization must expect to be charged for use, delivery, placement, and pick-up of these items. See the Special Events Policy for additional information and schedule of rates. Due to other obligations, materials may NOT be available. Private vendors are available in San Angelo to provide materials below for the event.

☐ Trash Receptacles*	Quantity: _____	☐ Benches (8')	Quantity: _____
☐ Barricades	Quantity: <u>10</u>	☐ Chairs	Quantity: _____
☐ Traffic Cones	Quantity: <u>20</u>	☐ Tables (8')	Quantity: _____
☐ Stage Sections (4' x 8')	Quantity: _____	☐ Fencing, Temporary	Linear Feet: _____
☐ Water Connection	Quantity: _____	☐ Electrical Connection	Quantity: _____

X other (describe): 90 Barrels

*Sponsoring Organization may be required to supply a dumpster

Application Check List (failure to provide necessary documentation will delay application review and approval)

I have attached the following items:

X Completed Application

X Application Non-Refundable Permit Fee of \$25.00

X Detailed Event Map showing road closures, signage, vending, tent, and activity locations, etc.

X Certificate of Insurance (submit to the Risk Mgmt. Office at City Hall, 10 business days prior to first day of event)

If any document is missing, please explain:

The applicant and sponsoring organization understands and agrees to:

provide a certificate of insurance with all coverage deemed necessary for the event, name the City of San Angelo as an additional insured on all applicable policies, and submit the certificate to the City Risk Management Office no later than 10 business days prior to the event (contact the Risk Management Office at 325-657-4359);

comply with all City and County ordinances and applicable state laws, comply with City policies, and acknowledge that the special events permit does not relieve the applicant or sponsoring organization from meeting any application requirements of law or other public bodies or agencies; and

promptly pay any billing for City services rendered or deemed necessary as part of the event and event approval.

Applicant and sponsoring organization further understands the approval of this special event may include additional requirements and/or limitations based on the City's review of this application, in accordance with the City's Special Events Policy. The applicant and sponsoring organization understand that it may be necessary to meet with City staff during the review of this application and that City Council approval may be necessary. The applicant agrees the sponsoring organization will operate the event in conformance with the written approval.

Sponsors of events, in which food and/or beverage vendors will be present, should contact the City of San Angelo Health Department 90 days prior to the event date. Contact the City of San Angelo Health Department at 325-657-4493.

As the duly authorized agent of the sponsoring organization, I hereby apply for approval of the Special Event and affirm the above understandings. The information provided on this application is true and complete to the best of my knowledge.

Applicant Signature:

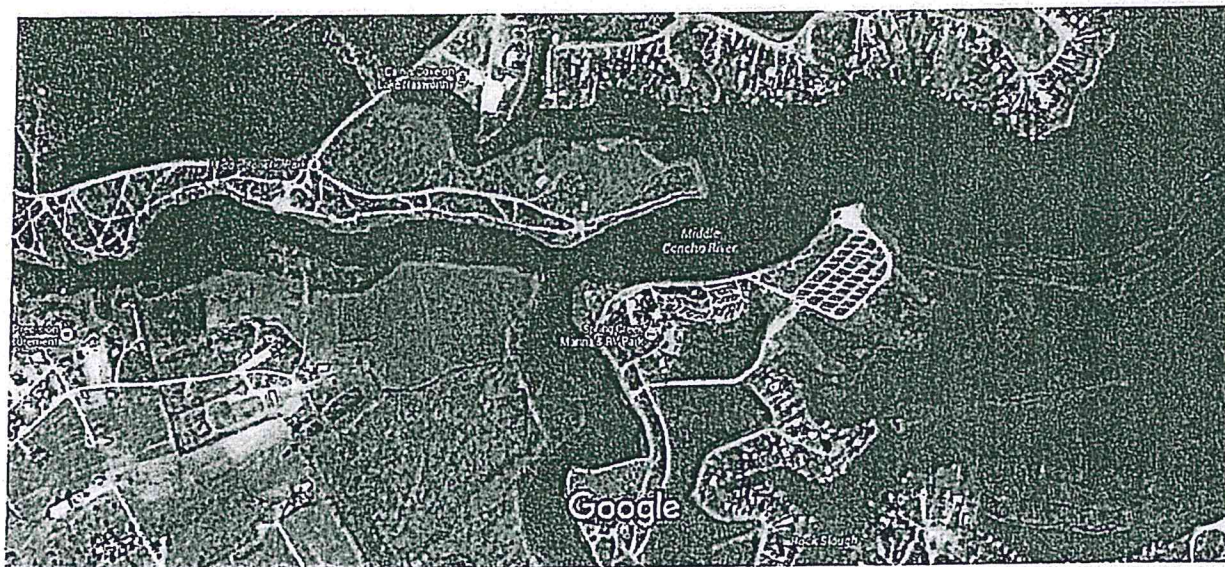
Peggy Arnold

Date:

4/5/16

Complete and return this application to the City of San Angelo Parks and Recreation Department Office at 702 South Chadbourne St. at least 30 days prior to the event for events not requesting City Support. Events Requesting City Services (paid by the applicant or requested "in kind") must submit a finalized Special Event application based on the schedule: by Jan. 31st for events in May, June, or July; by April 30th for events in Aug., Sept., or Oct.; by July 31st for events in Nov., Dec., or Jan.; and by Oct. 31st for events in Feb., March, or April. The separate "In-Kind" City Support / Sponsorship Application is required on these dates as well for events requesting City services "in-kind." Contact the Parks & Recreation Department at 657-4279/4450 if you have any questions about this application, this policy, or your event.

Google Maps



Imagery ©2016 Google, Map data ©2016 Google 500 ft

Go gle Maps Fisherman's Rd

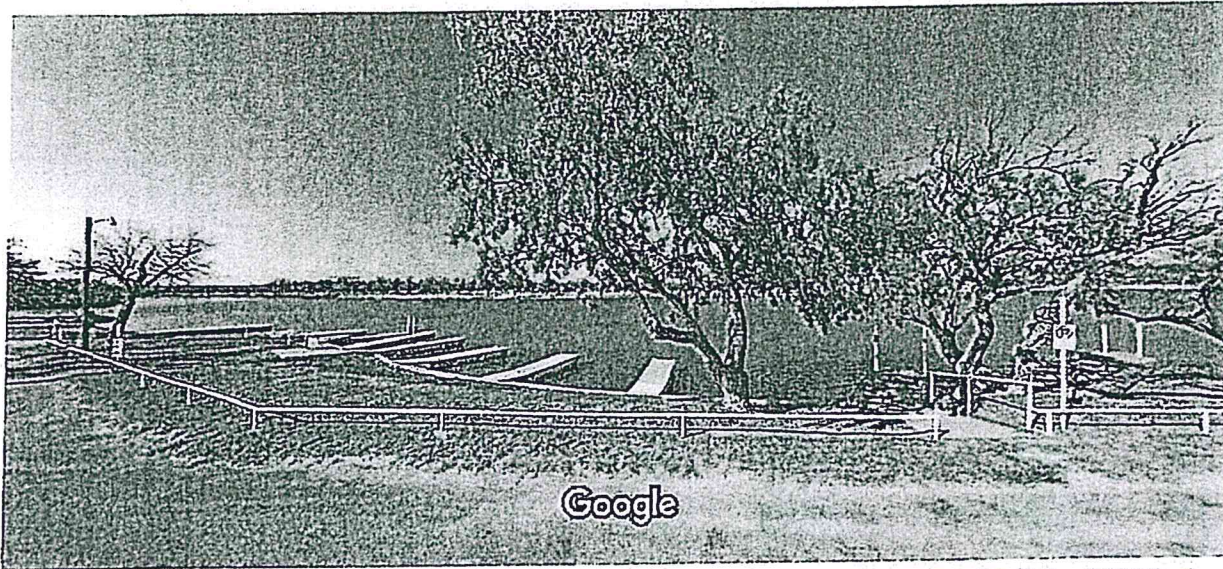


Image capture: Nov 2012 © 2016 Google

San Angelo, Texas

Street View - Nov 2012



Google Maps Fisherman's Rd

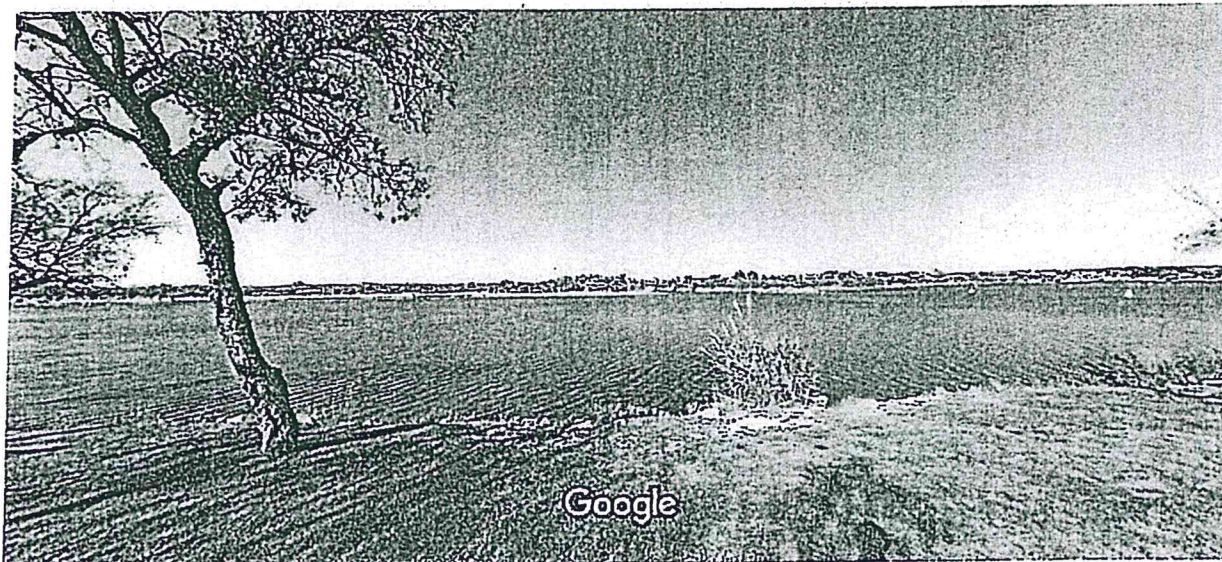


Image capture: Nov 2012 © 2016 Google

San Angelo, Texas

Street View - Nov 2012



Google Maps 11 Fisherman's Rd

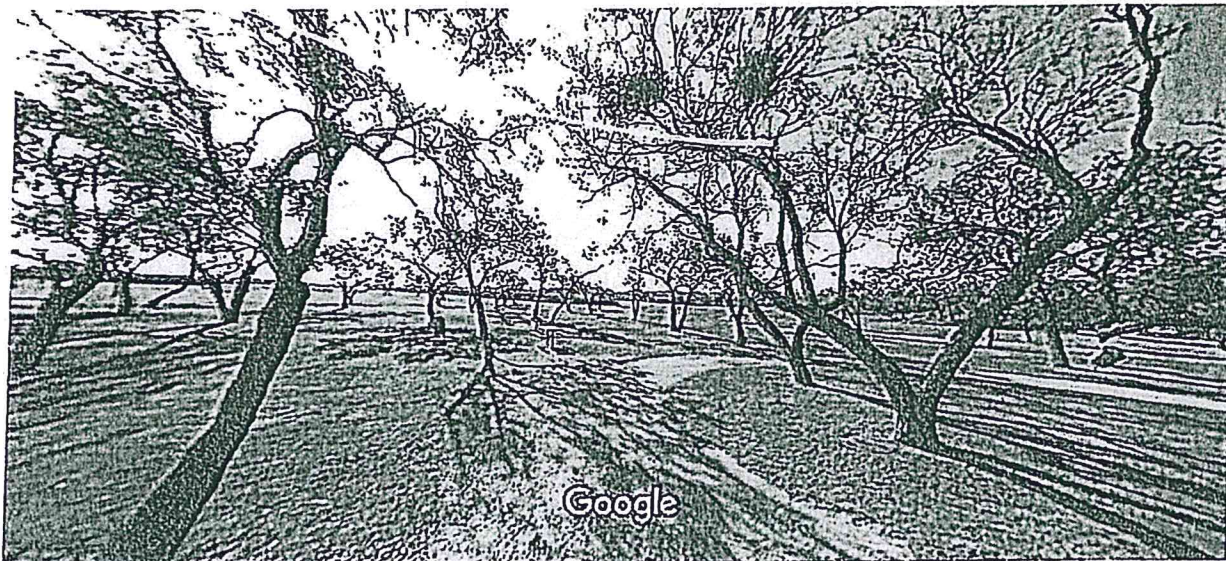


Image capture: Nov 2007 © 2016 Google

San Angelo, Texas

Street View - Nov 2007



Google Maps Middle Concho E

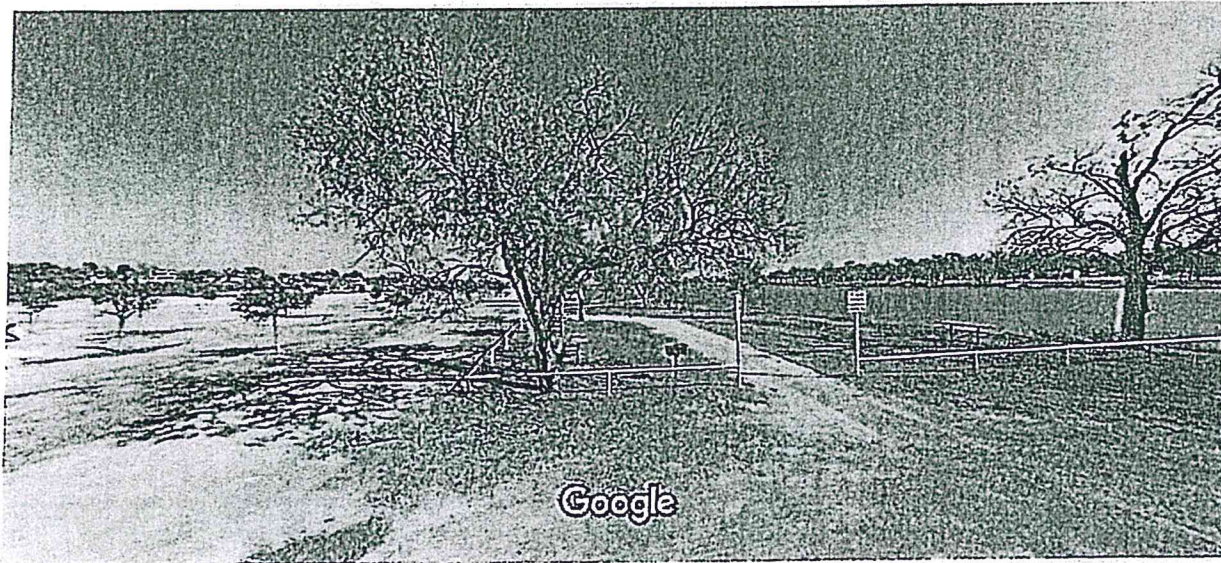
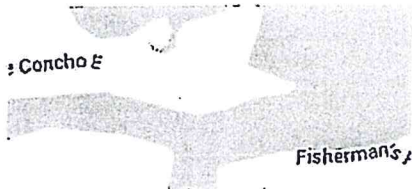


Image capture: Nov 2012 © 2016 Google

San Angelo, Texas

Street View - Nov 2012



Google Maps Middle Concho E



Image capture: Nov 2012 © 2016 Google

San Angelo, Texas

Street View - Nov 2012



EXHIBIT A
SUPPLEMENT TO SPECIAL EVENTS PERMIT
Craig Partusch Memorial Showdown in San Angelo, Drag Boat Races 2016

Permit Holder: San Angelo Chamber of Commerce (hereinafter "CC")
418 W. Ave. B, San Angelo, TX 76903

	<u>Name</u>	<u>Phone</u>
Contact Persons:	Jenni Hutcheson	212-8604; 655-4136

Location of Event: Lake Nasworthy: Middle Concho/Grassy Meadows, Spring Creek, and Mary Lee Park (hereinafter "Area") (see attached maps for location of Special Events area)

Name of Event: Craig Partusch Memorial Showdown in San Angelo, Boat Races (hereinafter "Event")

Date of Event: 12:01 a.m. June 24 through 12:00 a.m. June 26, 2016
Set up: 7:00 a.m. June 19, through Midnight, June 23, 2016
Clean up: 7:00 a.m. June 27 through 12:00 a.m. June 29, 2016

Anticipated
Attendance: 15,000

Hours of
Operation: 7:00 a.m. through 10:00 p.m. June 24
7:00 a.m. through 10:00 p.m. June 25
7:00 a.m. through 8:30 p.m. June 26

This permit is issued to the San Angelo Chamber of Commerce by the City of San Angelo (hereinafter "City") subject to the conditions and requirements set forth below. CC has contracted with the Lucas Oil Drag Boat Association, Inc. (hereinafter "LODBA") to conduct the drag boat races and the requirements and permitted activities set forth herein shall apply to LODBA as appropriate.

Permitted Activities

- 1) CC and LODBA may conduct drag boat races during the dates set out above.
- 2) CC and LODBA may operate all terrain vehicles in the Area during the Event.
- 3) CC and LODBA may designate and restrict access to areas for parking, camping, vendors, racers and crews and spectators. No general RV camping will be allowed at Spring Creek (except for at the separately leased property). Only event camping of sponsors, staff, and racers will be allowed.
- 4) CC and LODBA may set up tents and signs and allow vendors in the Area subject to any regulations set out in this Permit.

needed shall be determined by the Chief of Police, the Chief of Lake and Park Police, and the Sheriff.

- b. Under no circumstances may anyone, other than a duly authorized police officer, use force beyond that which is allowed to any citizen, to enforce any law or the rules of the Event.
- c. Overnight gate security will be provided by the Goodfellow Airforce Base military personnel.

3) Insurance and Indemnification

- a. CC shall provide, and/or require LODBA to provide, insurance as required by the City of San Angelo's Claims Manager and shall provide proof of such insurance.
- b. As deemed appropriate by the City Attorney, CC shall provide City with an Indemnification Agreement(s) executed by CC and LODBA and Releases executed by race participants, on forms approved by the City Attorney.

4) Barricades and Fencing

- a. CC shall provide and set up barricades for the direction of traffic.
- b. CC shall barricade, fence or otherwise designate areas for parking, camping, spectators, vendors, racers and crews, and any other necessary designations. (See attached maps for designations.)

5) Parking

CC shall provide designated parking areas for recreational vehicles, handicapped parking, and all other vehicles.

6) Volunteers

- a. CC will provide volunteers to assist with directing visitors and checking individual's authority to be or remain in the Area.
- b. Such volunteers are not agents of the City for any purpose, including, but not limited to, law enforcement. The City does not direct or authorize the manner in which they perform their duties. Under no circumstances may volunteers, other than a duly authorized police officer, use force beyond that which is allowed to any citizen, to enforce any law or the rules of the Event.

7) Vendors

- a. CC may allow vendors in the Area, including closer than 500 feet to boat launch areas and closer than 500 feet to any City-owned property leased for commercial purposes.
- b. Vendors shall obtain all necessary health permits and shall have appropriate liability insurance and an active Sales and Use Tax Permit.
- c. CC shall not issue a vendor permit for this event unless vendor complies with Section (b) above.

- d. CC shall use city concessionaire for the sale of all alcoholic beverages during event.

9) Fees to City

- a. CC shall pay City for security services other than the in-kind given to the CC.
- b. CC shall remit to City \$2.00 per spectator ticket sold at each gate.
- c. CC shall remit to City \$30.00 for each "RV Grassy Meadows" package sold.

Or Flat Fee?

10) Traffic Control

CC shall work with the San Angelo Police Department to develop a traffic control plan for the Event.

The City Manager or his designees shall have the authority to require CC to comply with the above listed requirements and to correct any deficiencies. In case of a threat to the public health or safety, the City Manager or his designee may suspend operation of the Event until deficiencies are corrected.

Variances

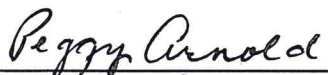
See attachment 1 to this exhibit

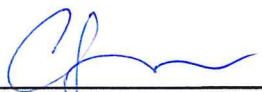
Authority of City to Regulate Event

The City Manager or his designee shall have the authority to interpret this Permit and/or adopt new rules during the Event to ensure public health and safety and proper use of all public rights-of-way.

The City Manager or his designee shall be the final authority with regard to interpretation of the provisions of this Permit.

EVENT SPONSOR


Print Name: Peggy Arnold
Date: 4/5/16


Carl White, Parks & Recreation Director
Date: April 6, 2016

THE STATE OF TEXAS

COUNTY OF TOM GREEN

§
§
§

INDEMNIFICATION AGREEMENT

WHEREAS, SAN ANGELO CHAMBER OF COMMERCE, INC., a Texas nonprofit corporation (hereinafter referred to as "Chamber"), has requested the use of Lake Nasworthy, including the waters of Lake Nasworthy, the lands and subdivisions of Lake Nasworthy, and the facilities of Lake Nasworthy in San Angelo, Tom Green County, Texas, hereinafter collectively "the Property" or "the Premises" which property is owned by the CITY OF SAN ANGELO (hereinafter referred to as "City") for purposes of the Showdown in San Angelo Drag Boat Races on June 24, 25 and 26, 2016; and

WHEREAS, in consideration of allowing the use of said property, the City has requested an indemnification agreement be executed by the appropriate officer of Chamber;

NOW THEREFORE, in consideration of permission to use said Premises on June 24, 25 and 26, 2016, including set up beginning June 19, 2016 and clean up from June 27, 2016, through June 29, 2016, Chamber hereby agrees to indemnify and save harmless the City, its agents and employees from and against any and all demands, suits, actions or claims of damage of every kind, for injury to or death of any person or persons and for damages to or loss of property, whether real or personal, arising out of or attributed, directly or indirectly, to the use of the Premises by Chamber, spectators or participants in the Drag Boat Races on June 24, 25 and 26, 2016, including set up beginning June 19, 2016 and clean up from June 27, 2016, through June 29, 2016. In case of any action or proceeding brought against the City by reason of any such claim Chamber, upon notice from City, hereby covenants to defend such action or proceeding by counsel acceptable to City. Chamber further agrees that if City, in enforcement of any part of this Indemnification Agreement, shall incur necessary expenses or become obligated to pay attorneys' fees or court costs, Chamber will reimburse such expenses, attorneys' fees and costs within ninety (90) days after receiving written notice from City and/or Chamber of the incurring of such expenses, costs and obligations.

Executed this _____ day of _____, 2016.

INDEMNITOR:

San Angelo Chamber of Commerce, Inc.

By: Peggy Arnold
Peggy Arnold, Acting President

INDEMNITEES:

City of San Angelo, Texas

By: _____
Daniel Valenzuela, City Manager

ATTEST:

By: _____

ATTEST:

By _____
Bryan Kendrick, City Clerk

INDEMNIFICATION AGREEMENT
BETWEEN CITY OF SAN ANGELO AND
SAN ANGELO CHAMBER OF COMMERCE, INC

APPROVED AS TO INSURANCE REQUIREMENT:

Marion McMinn, Risk Manager

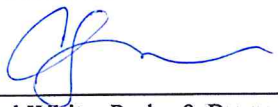
DATE

APPROVED AS TO FORM:

Theresa James, City Attorney

DATE

APPROVED AS TO CONTENT



Carl White, Parks & Recreation Director

Apr 6, 2016
DATE

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Russell Pehl, City Engineer, Engineering Services, 325-657-4201

Meeting Date: April 19, 2016

Item type: Consent Item

Caption:

Consider authorizing staff to negotiate an agreement, with Ronald R. Wagner & Co., L.P. for sealcoat services per Request for Sealed Competitive Proposal (RFSCP): ES-01-16 / 2016 Annual Sealcoat Project in an amount not to exceed \$3,600,000 and authorizing the City Manager to execute an agreement between the City of San Angelo and Ronald R. Wagner & Co., L.P. (R.Pehl)

Summary/History:

Sealcoat services are performed on an annual basis as a preventative maintenance procedure for city streets. Sealcoat is one component of a comprehensive street maintenance plan that provides the sealing of cracks and fissures in the pavement to alleviate water penetration and eventual failure of the base material through the application of a thin layer of liquid asphalt overlayed with a layer of coated rock.

City Council priorities set in 2014 established a comprehensive street maintenance schedule that meets an eight-year rotation as its Number Two priority. The 2016 sealcoat service will be another step toward this goal.

Ronald R. Wagner & Co., L.P. was contracted in 2010 and 2015 to perform sealcoat services for the City of San Angelo, and performed the requested services to specification with no quality or warranty issues.

Financial Impact:

Fiscal Year 2016 sealcoat services will not exceed \$3,600,000.

Other Information/Recommendation:

Staff recommends authorizing City Staff to negotiate and execute a contract with Ronald R. Wagner & Co., L.P. to provide sealcoat services.

Attachments:

- | | | |
|----|------------------|--|
| 1. | Acknowledgements | RFSCP ES-01-16 - 2016 Annual Sealcoat Services - Acknowledgement.pdf |
| 2. | Sealcoat Maps | RFSCP ES-01-16 - 2016 Annual Sealcoat Services - MAP.pdf |
| 3. | Ranking Summary | RFSCP ES-01-16 - 2016 Annual Sealcoat Services - Ranking Summary.pdf |

Presentation:

Approvals/Reviews:

Pehl, Russell
Kelton, Shane
James, Theresa
Carriger, Tina

Created/Initiated
Approved
Approved
Approved

James, Theresa	Approved
Dunn, Becky	Approved
Kendrick, Bryan	Approved
James, Theresa	Approved
Carriger, Tina	Approved
James, Theresa	Approved
Dunn, Becky	Approved
Kendrick, Bryan	Final Approval



CITY OF SAN ANGELO

RFCSP Acknowledgment * ES-01-16/2016 Annual Sealcoat Project
15-Mar-16

	Proposals Received	City	State
1	SAH Asphalt Paving	Houston	TX
2	Clark Construction	San Antonio	TX
3	Ronald R. Wagner & Co	Kendalia	TX

	Proposals Received	City	State	
1	AGC Plan Room/Wichita Falls	Wichita Falls	TX	
2	Concho Valley Plan Room	San Angelo	TX	
3	DFW Minority Business Council	Dallas	TX	
4	McGraw/Hill	Arlington	TX	
5	N. TX Constr Rpts - Austin - Amtek Plan Room	Austin	TX	
6	Reed Construction Data	Dallas	TX	
7	Reed Construction Data	Norceoss	GA	
8	BigTex Paving Inc	Johnson City	TX	
9	Blacktopper Technology, Inc.	Blanco	TX	
10	Contract Paving Co.	Tye	TX	
11	F N Ploch Const	New Braunfel	TX	No Bid
12	Mr.T's Asphalt Paving & Sealcoating	Menard	TX	
13	Price Construction	Big Spring	TX	No Bid
14	Reece Albert	San Angelo	TX	No Bid
15	Seidel, Inc	San Angelo	TX	
16	Van Zandt Paving	Odessa	TX	Returned
17	Lipham Construction Co., Inc.	Aspermont	TX	
18	Ronald R. Wagner & Co	Kendalia	TX	
19	Northeastern Pavers, Inc.	Granbury	TX	
20	Clark Construction	San Antonio	TX	

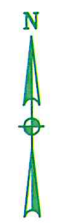
NOTE: Include this form with your Agenda Memo

CITY OF SAN ANGELO, TEXAS

TOM GREEN COUNTY

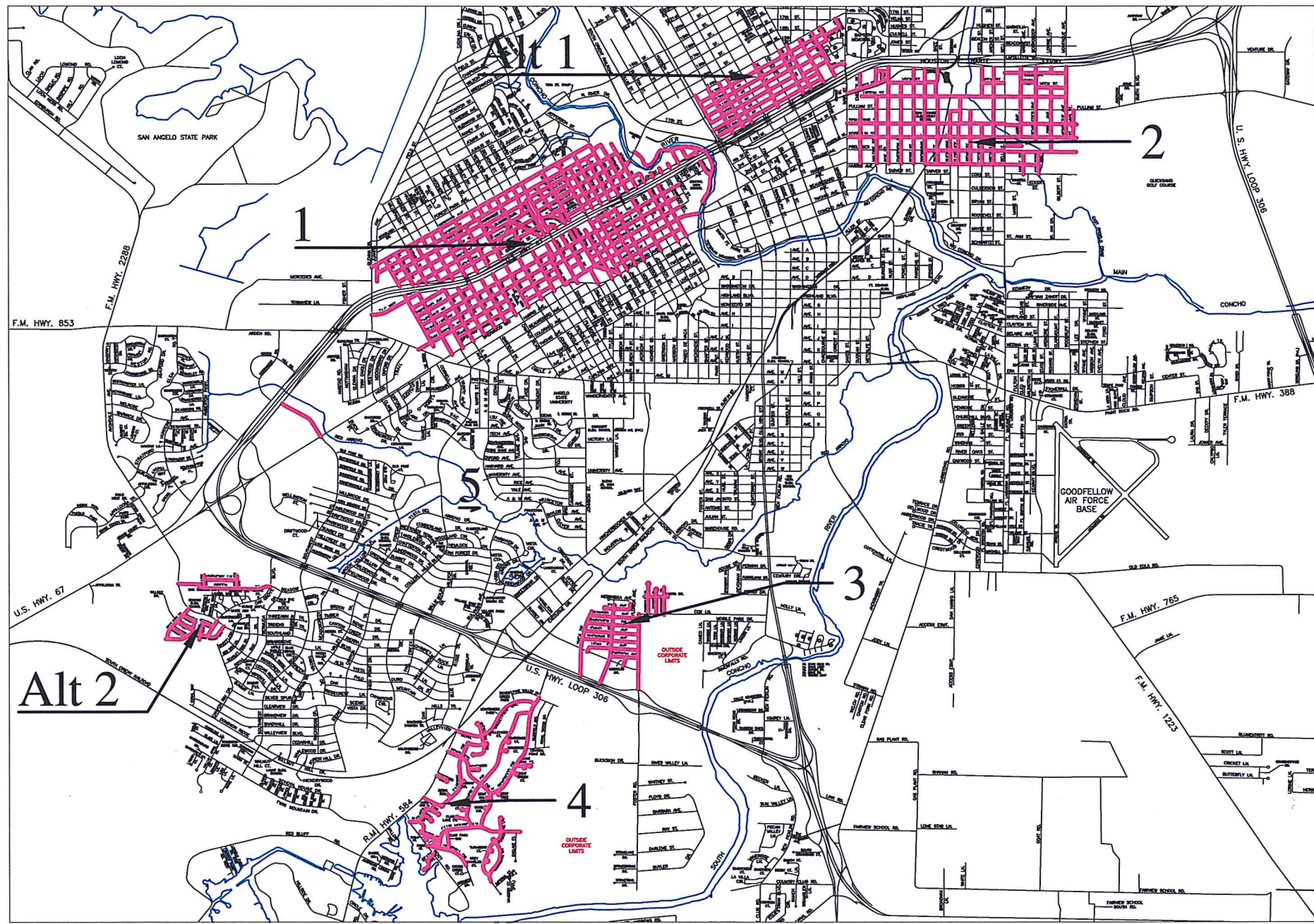
PROJECT NO. ES-01-16

PLANS OF PROPOSED
2016 Sealcoat Construction



1" = 5,000'

Sheet	Description
Cover Sheet	Cover Sheet
M- 908 A - B	General Notes
M- 908 C	Quantity Summary
M- 908 D	1. NW Loop Area
M- 908 E	2. Houston Harte to River
M- 908 F	3. The Trails
M- 908 G	4. Bentwood Country Club
	5. Red Arroyo Parking Lots
M- 908 H	Alt 1. HWY 87 to Main
M- 908 I	Alt 2. Prestonwood
M- 909 A-L	BC(1-12)-14
M- 910 A-D	TCP(3)-13
M- 910 E	TCP(7-1)-13
M- 910 F	WZ(STPM)-13
M- 910 G-J	PM(1-4)-12
M- 910 K	RCPM-09



CITY MANAGER: DANIEL VALENZUELA
MAYOR: DWAIN MORRISON

COUNCIL MEMBERS:

- | | |
|---------------------------|---------------------------------|
| 1 - RODNEY FLEMING | 4 - LUCY GONZALES |
| 2 - MARTY SELF | 5 - ELIZABETH GRINDSTAFF |
| 3 - JOHNNY SILVAS | 6 - CHARLOTTE FARMER |

COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT
ENGINEERING SERVICES DIVISION
CITY ENGINEER: Russell Pehl, P.E.

CITY OF SAN ANGELO, 52 WEST COLLEGE AVE., SAN ANGELO, TEXAS 76903



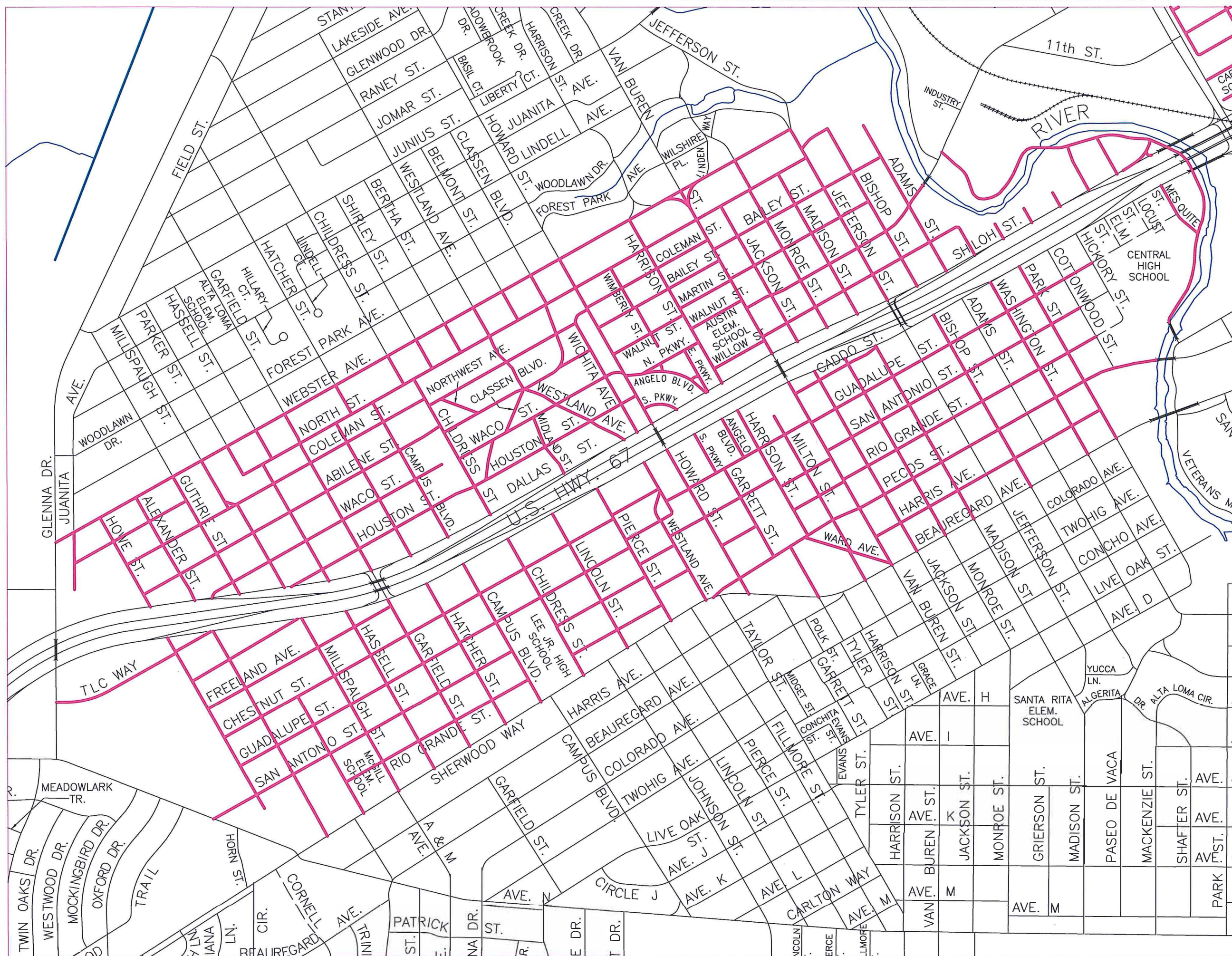
ENGINEERING SERVICES
72 W. COLLEGE AVE.
SAN ANGELO, TX 76903



Russell J. Pehl

THE SEAL APPEARING ON THIS
DRAWING WAS AUTHORIZED BY
RUSSELL J. PEHL, P.E. NO.
104755 ON 1-24-2014

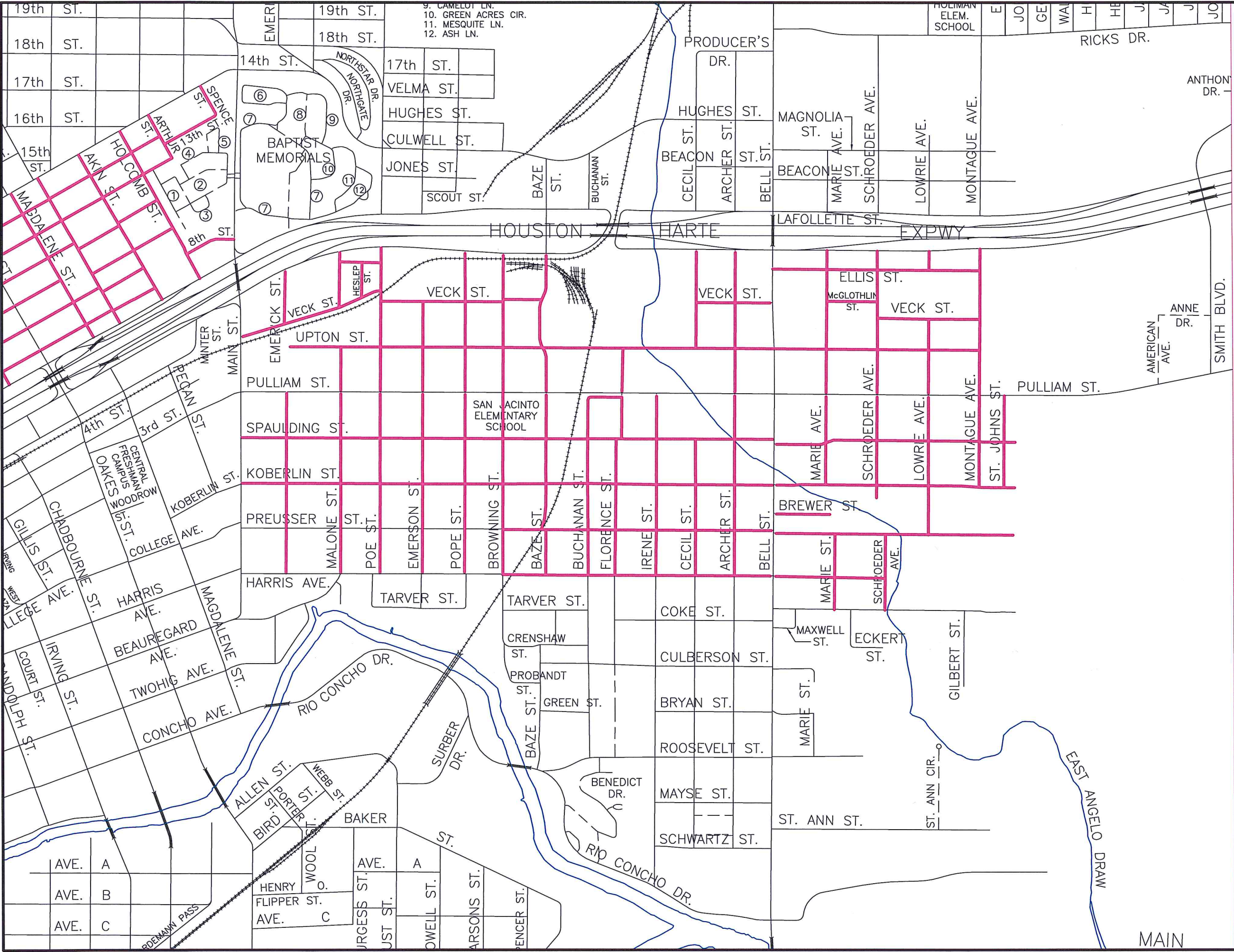
QUANTITY ESTIMATE SUMMARY				
SEALCOAT PROJECT No. ES-01-16		DESCRIPTION	UNIT	TOTAL
LOCATION: CITY OF SAN ANGELO				ESTIMATE
ITEM CODE				
ITEM No.	DESC CODE	BASE BID		
316	2006	ASPH (AC-20-5TR)	GAL	557,242
316	2125	AGGR (TY-PB GR-4 SAC-A)	CY	14,072
662	2113	WK ZN PAV MRK SHT TERM (TAB) TY W	EA	1,500
662	2114	WK ZN PAV MRK SHT TERM (TAB) TY Y	EA	1,200
666	2002	REFL PAV MRK TY I (W) 4" (BRK) (090MIL)	LF	4,500
666	2035	REFL PAV MRK TY I (W) 8" (SLD) (090MIL)	LF	2,300
666	2104	REFL PAV MRK TY I (Y) 4" (BRK) (090MIL)	LF	7,500
666	2110	REFL PAV MRK TY I (Y) 4" (SLD) (090MIL)	LF	30,500
666	2219	PAVEMENT SEALER (ARROW)	EA	36
666	2228	PAVEMENT SEALER (RR XING)	EA	20
666	6143	REFL PAV MRK TY I (Y) 18" (SLD) (090MIL)	LF	200
668	2104	PREFAB PAV MARK TY C (W) (18") (SLD)	LF	2,850
668	2105	PREFAB PAV MARK TY C (W) (24") (SLD) (Continental Design)	LF	1,500
668	2106	PREFAB PAV MARK TY C (W) (ARROW)	EA	36
668	2112	PREFAB PAV MARK TY C (RR XING)	EA	20
672	2012	REFL PAV MRKR TY I-C	EA	900
672	2015	REFL PAV MRKR TY II-A-A	EA	1,750
500	2001	MOBILIZATION	LS	1
502	2001	BARRICADES, SIGNS, AND TRAFFIC HANDLING	MO	3
		CONTINGENCY	LS	\$175,000
		ALTERNATE BID 1		
316	2006	ASPH (AC-20-5TR)	GAL	56,042
316	2125	AGGR (TY-PB GR-4 SAC-A)	CY	1,415
		ALTERNATE BID 1		
316	2006	ASPH (AC-20-5TR)	GAL	20,800
316	2125	AGGR (TY-PB GR-4 SAC-A)	CY	525


$$1'' = 1,000'$$

Northwest Loop Area

Estimated surface area: 722,684 SY

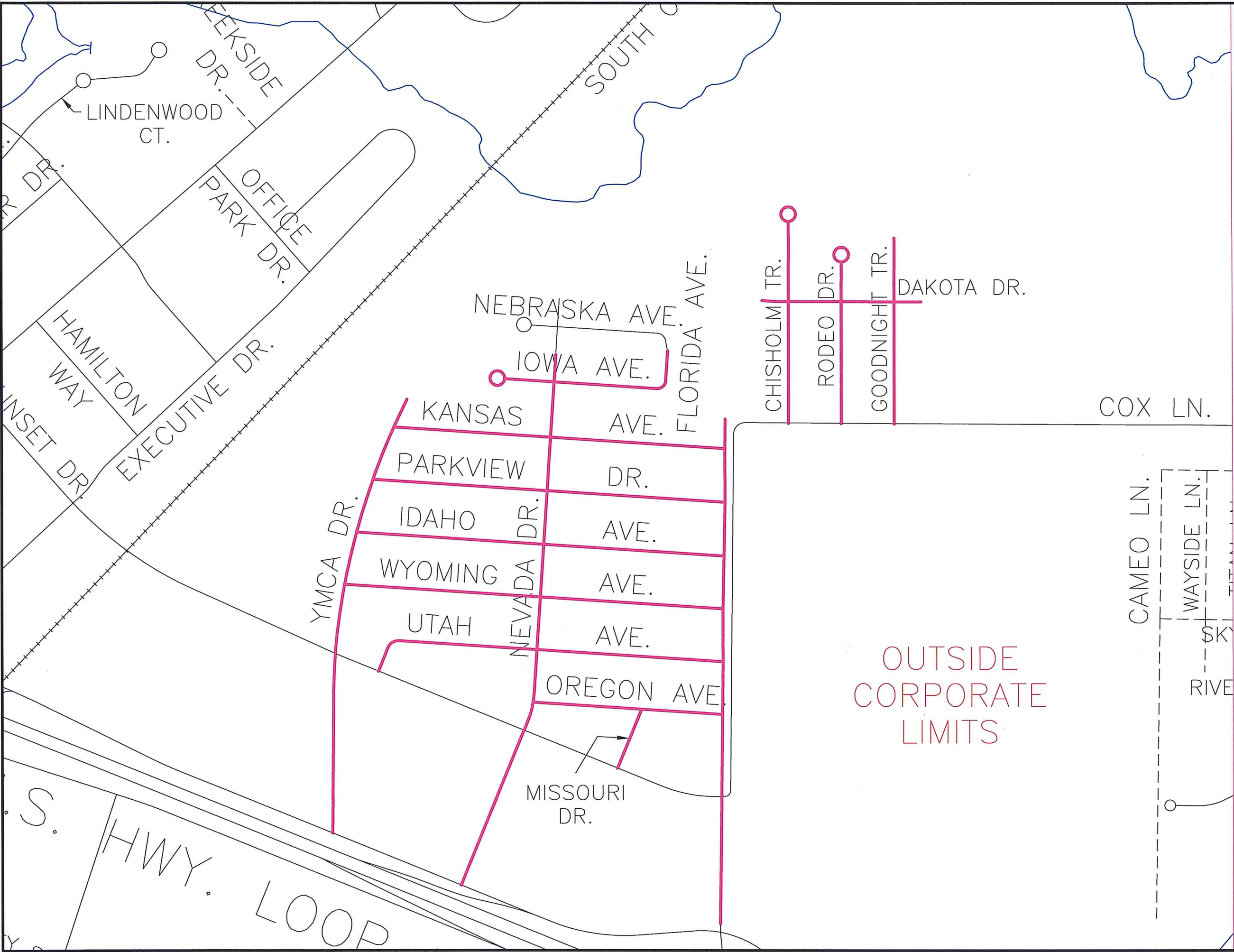
Base Bid Section 1



Houston Harte to Concho River Area

Estimated surface area: 376,643 SY

Base Bid Section 2

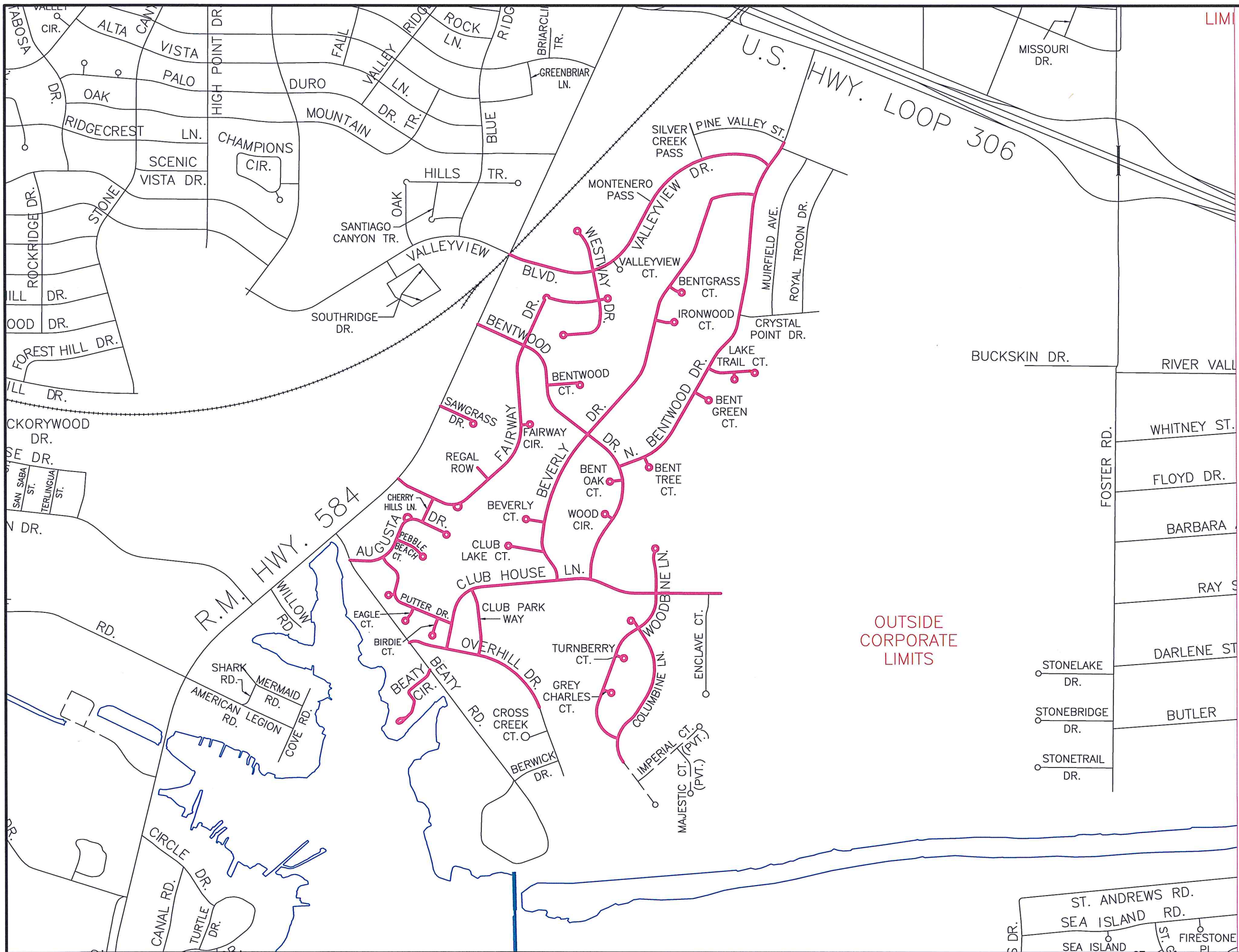


1" = 500'

The Trails

Estimated surface area: 105,460 SY

Base Bid Section 3



1" = 1,000'

Bentwood Country Club

Estimated surface area: 217,278 SY

Base Bid Section 4

OUTSIDE
CORPORATE
LIMITS

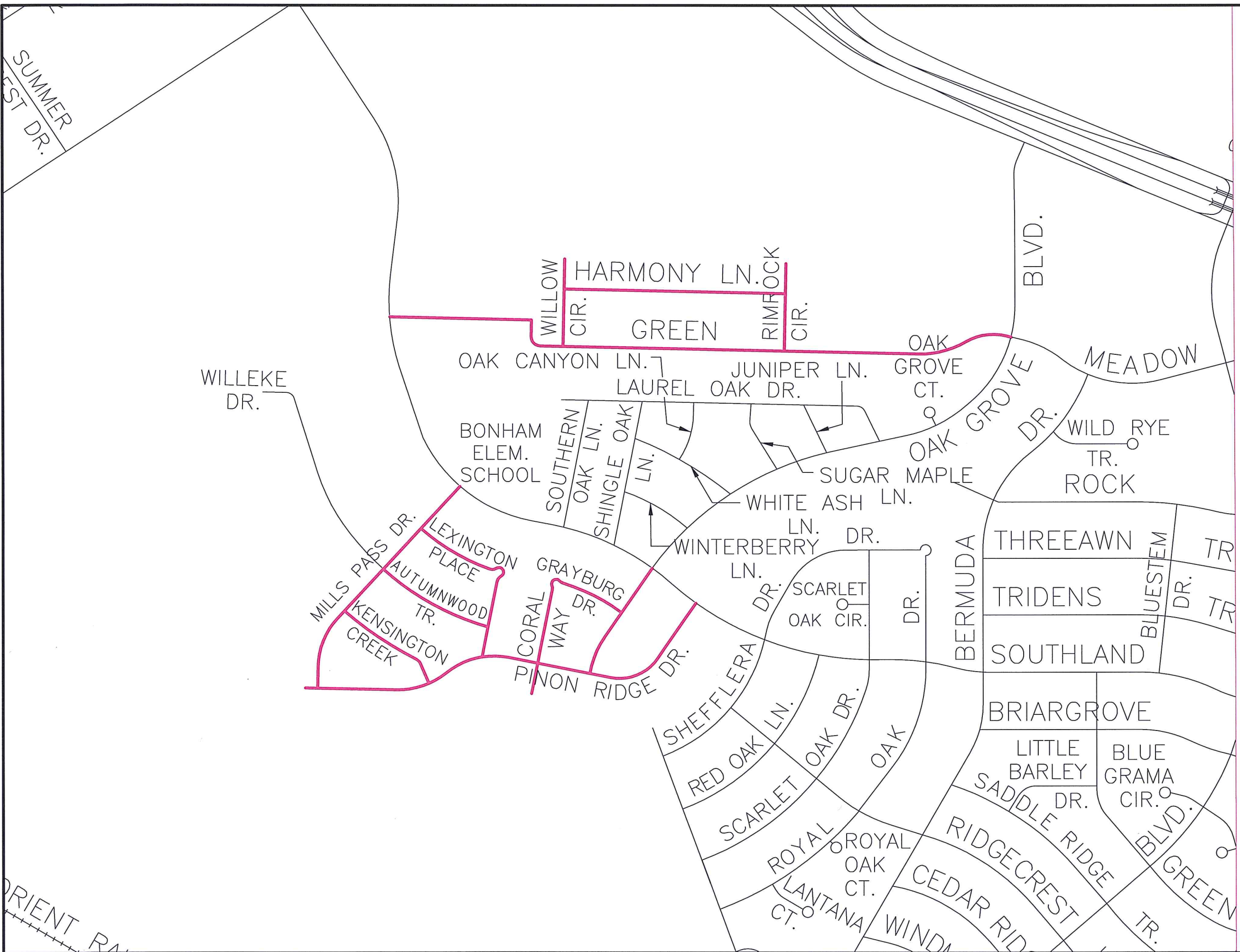


1" = 500'

87 to Main

Estimated surface area: 155,671 SY

Alternate Section 1



1" = 500'

Prestonwood

Estimated surface area: 57,772 SY

Alternate Section 2



Ranking Worksheet
RFCSP Acknowledgment * ES-01-16/2016 Annual Sealcoat Project

Committee Member Summary			Ronald R. Wagner & Co	
Category	Total Points		Clark Construction	
Reputation for Products Services	375		341.06	375.00
Past Experience with COSA	50		50	50
Past Experience within 150 miles	50		0	50
	25		25	25
Total Score	500		416.06	500.00
Ranking			2	1

Attach a Written Justification for each company's ranking and forward to Purchasing

NOTE: Attached this form and the Written Justification to your Agenda Background Memo

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Carl White, Parks and Recreation Director, Parks and Recreation, 325-657-4450

Meeting Date: April 19, 2016

Item type: Regular Item

Caption:

Consideration of adopting a Resolution authorizing applicant, Simply Texas Blues Festival Committee, to hold a special event downtown, known as, "Simply Texas Blues Festival," permitting specified activities; imposing requirements on applicant; and granting variances relating to rules and regulations of ordinances - (C. White)

Summary/History:

The variances sought are related to permits for tents and signs, the placements of signs and banners, and to the City's noise ordinance which prohibits loud or prolonged noises that disturb the public. The noise ordinance states that if such noise occurs after 10:30 p.m., that is clear proof the noise is disturbing the public. The 5th annual Simply Texas Blues Festival, hosted by the San Angelo Blues Society, will occur on Oakes Street between Concho and Twohig avenues. Live, amplified music is scheduled to be performed from 9 a.m. until midnight. The event is expected to draw 7,000-9,000 people.

The City Council on April 17, 2012 unanimously approved by a 5-0 vote a proposed ordinance allowing for temporary variances from City ordinances for special events held on City property other than Lake Nasworthy and Twin Buttes Reservoir. (Councilmen Morrison and Alexander were not at the meeting.)

This will be the 8th year the Blues Festival has occurred, and the second year it has sought variances.

The noise ordinance reads as follows:

Sec. 8.114 Noises Prohibited

(a) It shall be unlawful for any person to make, create, continue or cause to be made, created or continued any unnecessary, loud, unusual or prolonged noise which disturbs, or is calculated to disturb the persons in the immediate vicinity thereof.

(b) In determining whether any such noise is sufficient to constitute a disturbance hereunder, the Court shall consider whether such noise is of such character, intensity and duration as to disturb a person of ordinary sensibilities, taking into consideration the nature of the neighborhood in which such noise occurs.

(c) Proof that any such noise occurred between the hours of ten thirty o'clock (10:30) P.M. and seven o'clock (7:00) A.M., or that such noise occurred three (3) or more times in any ten-day period shall be prima facie proof that persons in the immediate vicinity thereof were disturbed.

The area surrounding the Blues Fest is a mix of residential and commercial properties.

The remaining variances for tent and sign permits, and for the placement of signs and banners related to the event are identical in nature to variances granted the annual drag boat races and wakeboard tournament at Lake Nasworthy.

Financial Impact:

There is negligible cost to the City to facilitate the event. In fact, with thousands of participants, many from out of town, there is a notable and beneficial economic impact by allowing this event.

Other Information/Recommendation:

Attachments:

- | | | |
|----|---|---|
| 1. | 8th Annual Simply Texas Blues Festival Packet with Resolution | 8th Annual Simply Texas Blues Festival Packet with Resolution.pdf |
|----|---|---|

Presentation:

Approvals/Reviews:

White, Carl	Created/Initiated
White, Carl	Approved
James, Theresa	Approved
Carriger, Tina	Approved
James, Theresa	Approved
Dunn, Becky	Approved
Kendrick, Bryan	Final Approval

**A RESOLUTION OF THE CITY OF SAN ANGELO
AUTHORIZING APPLICANT, SAN ANGELO BLUES SOCIETY,
TO HOLD A SPECIAL EVENT DOWNTOWN KNOWN AS
“SIMPLY TEXAS BLUES FESTIVAL” AND GRANTING
VARIANCES FROM CITY ORDINANCES, INCLUDING NOISE
ORDINANCE**

WHEREAS, the City Council for the City of San Angelo has approved a Special Event Application process through which individuals or groups may seek authorization to hold special events on public property; and,

WHEREAS, Chapter 9, Article 9.02.009 of the Code of Ordinances for the City of San Angelo provides that the City Council may authorize temporary variances from the prohibitions and requirements of City ordinances for such events; and,

WHEREAS, the “SIMPLY TEXAS BLUES FESTIVAL” has for seven years been an annual entertainment event in downtown San Angelo; and,

WHEREAS, the City Council has taken into account those factors as applicable pursuant to the ordinance providing for the granting of variances;

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

Part 1: San Angelo Blues Society (hereinafter Applicant), is hereby authorized to hold a special event in downtown San Angelo, known as “Simply Texas Blues Festival”. The event, including set up and clean up will take place from 12:00 PM Friday, May 13, 2016 through 12:00 PM May 15, 2016.

Part 2: The event may include those activities as described on that certain “City of San Angelo-Special Event Application” and attachments thereto (hereinafter collectively referred to as “Application”) submitted by Applicant, a copy of which is attached to this Resolution as **Exhibit A**, and made a part hereof for all purposes.

Part 3: The variance referred to in the Application relating to Section 9.03.010 “Noise” of the City Code of Ordinances, is hereby granted from 10 AM through 11:30 PM on May 14, 2016.

Part 4: A variance related to permitting of tent structures and signage for the event is hereby granted from 12:00 PM Friday, May 13, 2016 through 12:00 PM May 15, 2015.

Part 5: Oakes Street between Beauregard Street and Concho Avenue and Twohig Avenue between Chadbourne and Magdalen Streets may be closed from 12:00 P.M. Friday, May 13, 2016 through 12:00 P.M. Sunday, May 15, 2016.

PASSED and APPROVED THIS _____ DAY OF _____, 2016.

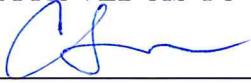
CITY OF SAN ANGELO, TEXAS

ATTEST:

Bryan Kendrick, City Clerk

Dwain Morrison, Mayor

APPROVED AS TO CONTENT



Carl White, Parks & Recreation Director

APPROVED AS TO FORM

Theresa James, City Attorney

EXHIBIT A
SUPPLEMENT TO SPECIAL EVENTS PERMIT
Simply Texas Blues Festival
May 14, 2016

Permit Holder: San Angelo Blues Society (hereinafter "SABS"),
2437 S. College Hills Blvd., San Angelo, TX 76904

Contact Person: Name Phone
 Shane Kelton (325) 234-7285

Location of Event: South Oakes Street between Concho and Twohig avenues;
 downtown San Angelo

Name of Event: Simply Texas Blues Festival (hereinafter "Event")

Date of Event: May 14, 2016
 Set up: May 13, 2016, noon through midnight
 Clean up: May 15, 2016 through noon.

Anticipated
Attendance: 7,000-9,000

Hours of
Event: 9:00 am through midnight May 15, 2016

This supplement to the special event permit is issued to the San Angelo Blues Society by the City of San Angelo (hereinafter "City") subject to the conditions and requirements set forth below.

Permitted Activities

1. SABS may conduct a blues music festival during the date set out above.
2. SABS may close Oakes Street between Beauregard Street and Concho Avenue, and Twohig Avenue between Chadbourne and Magdalen Streets during the Event, its set-up and its clean-up. All fees for street closure and necessary barricades pursuant to Section A2.004 of the City of San Angelo Code of Ordinances shall be paid prior to the event
3. SABS may set up tents and signs and allow vendors in the Area subject to any regulations set out in this Permit.

Requirements for Permit Holder ("SABS")

1. Sanitation.
 - a. SABS shall provide no less than a total of twenty (20) portable toilets.
 - b. SABS will keep the area clean during the event and clean up Area at the conclusion of the Event.
2. Insurance and Indemnification.

SABS shall provide insurance as required by the City of San Angelo's Risk Manager and shall provide proof of such insurance prior to the event.
3. Vendors.

SABS shall ensure that vendors obtain all necessary health permits and shall have appropriate liability insurance and an active Sales and Use Tax Permit.
4. Security.

Security personel shall be hired in the number determined by the San Angelo Police Department. Off duty SAPD officers will be hired for the event.
5. Structures.

No structure shall be erected in such a manner that it could not be easily removed by the San Angelo Fire Department in an emergency situation, unless otherwise approved by the San Angelo Fire Department.
6. Deviations.

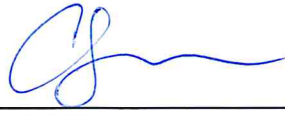
Any deviations from the submitted event map and layout must be approved by the City prior to the event.
7. The City Manager or his designee shall have the sole authority to require SABS to comply with the above-listed requirements and to correct any deficiencies. In case of a threat to the public health or safety, the City Manager or his designee may suspend operations of the Event until deficiencies are corrected.

Variances: Variances to the City of San Angelo Noise ordinance, permitting of structures and sign regulations shall be requested from the San Angelo City Council pursuant to Section 9.02.009 of the City of San Angelo Code of Ordinances.

Authority of City to Regulate Event

The City Manager or his designee shall have the authority to interpret this Permit and/or adopt new rules during the Event to ensure public health and safety and proper use of all public rights-of-way.

EVENT SPONSOR



Carl White Date
Parks & Recreation Director

City of San Angelo – Special Event Application (ver. June 15, 2015)

Complete and return this application to the City of San Angelo Parks and Recreation Department Office at 702 South Chadbourne St. at least 30 days prior to the event for events not requesting City Support, at least 90 days for events requesting City Support.

Event Information	
Event Name: <u>8th Annual Simply Texas Blues Festival</u>	
Event Date(s) and Hours: <u>MAY 14th 2016</u>	Event Purpose & Description: <u>Promote Blues music and provide a free, family friendly Blues concert and Festival to the public</u>
Event Location(s): <u>200 Blk South Daks</u>	<i>*Once approved, if you would like to make this event public on the City's website, please attach a flyer for your event.</i>
Attendance, Estimated Daily/Overall: <u>1</u>	
Type of Event (Check one – see Special Events Policy for additional information) ☒ Non-Profit Event ☐ For-Profit Event <i>* for private events contact Parks & Rec. Admin. at 325-657-4279 for reservations</i> ☐ City Operated/Sponsored Event ☐ City Co-Sponsored Event ☐ Political or Ballot Issue Event ☐ Parade, Block Party, Road Run/Walk/Etc – Specify: _____ ☐ other (describe): _____	
Event Sponsor Information	
Legal Business Name: <u>San Angelo Blues Society</u>	
Address: <u>P.O. Box 2779, San Angelo, TX. 76902</u>	
Mailing Address: _____	
Telephone: _____	Email Address: <u>San Angelo Blues Society@gmail.com</u>
Contact Name: <u>Clay Hubbard</u>	Title: <u>President</u>
Contact Number: <u>325-658-5375</u>	Email Address: <u>Conchor@verizon.net</u>
Event Information (continued)	
Estimated date/time for set up: <u>Fri. May 13th 5:00pm.</u>	Describe set up and clean up procedures: <u>Setup stage, food & CRAA vendors, motorcycle & car shows & Rib cookoff. along Daks & Two bl's streets</u> <u>Volunteers & GFAFB personnel will police 3Blk</u> <u>Radios & Clean up the downtown Area on Sunday</u> <i>*Sponsoring organization may be required to supply a dumpster and portable restrooms.</i>
Estimated date/time for clean up: <u>Sunday May 15th Finished by Noon.</u>	
Will street closure and/or use be necessary? ☒ YES ☐ NO <i>If yes, complete the street closure/use form.</i> <u>If yes, show proposed road uses, emergency vehicle access, and barricade locations on your event map.</u> <i>Note that the City of San Angelo does not have authority to close County and State roads.</i>	
Describe crowd and parking control and security plans for this event: <i>Sponsors of an event must have certified police officers present, if required. This requirement, as well as the number of officers needed, will depend on the type of event (including activities), number of anticipated attendees at the event, whether or not alcohol will be consumed at the event, as well as other factors.</i> <u>Off duty SAA will be used for security. The number of Officers will be determined by SAA.</u>	

Event Information (continued)

Will music be provided/included during the event? ☒ YES ☐ NO

Describe type of music proposed: ☒ Live ☒ Amplification ☐ Recorded ☐ Loudspeakers

Proposed time music will begin: 10:00am May 14th Proposed time music will end: 11:30pm May 14th

Describe noise control: As King for Variance From Noise Ordinance until 11:30pm on May 14th

Show proposed location of live band/disc jockey/loudspeakers/equipment on your attached event map

Do you plan to have special event signs and banners? ☒ YES ☐ NO Signs must conform to City Ordinances

Describe the general nature of signage used for the event:

Event Signage on Stage & Banners on Provided poles on Street

Show locations for proposed placement of banners and signs on your attached event map.

Will the event have activities such as inflatables, amusement rides, climbing walls, live animals, etc?

☐ YES ☒ NO If yes, the vendor or provider of the inflatable, amusement ride, etc. will be required to provide proof of insurance naming the City of San Angelo as an additional insured on all policies, except workers' compensation, and providing a waiver of subrogation in favor of the City on all policies.

If yes, describe in detail the types of attractions and activities proposed:

Show locations for all proposed activities on your attached event map.

Will the event have food, beverage, or concessions? ☒ YES ☐ NO

See Section H of the Special Events Policy for health department approvals and temporary food license requirements.

Describe in detail the general nature and scope of food, beverage, and concessions vendors:

Multiple food booths will be set up in a food court area. All vendors will be required to obtain their own Health Permit & well as insurance & will be notified of such.

Show locations for proposed placement of food, beverage, and concessions vendors on your attached event map.

Do you plan to have alcohol served at this event? ☐ YES ☒ NO

Public events which sell alcohol must use the services of the City's Concessionaire. The Parks & Recreation Staff can provide you with the contact information for the Concessionaire.

Alcohol will not be provided by the Event Sponsors, but may be brought by Attendees

If alcohol is present at the event, describe measures to be taken to prohibit the sale and distribution of alcohol to minors:

Alcohol may also be purchased by Attendees from Alcohol Merchants

Will the following be placed or located in the event area?

No stakes of any kind allowed on any walkway, roadway, or other hard surface.

Item	Quantity	Item	Quantity
☒ Booths:	unknown	☒ Tables:	11
☒ Tents*:	11	☐ Rides:	
☐ Awnings:		☒ Portable Toilets:	30
☒ Canopies:	11	(may be required depending on event)	
☐ Rides:		☐ other (describe):	

* Tents that exceed 120 square feet of area will require special permit. Contact Permits Office at 657-4421/2.

You must attach a plan of the proposed event map and layout. Include the proposed location of booths, tents, tables, portable toilets, rides, routes, etc.

Event Information (continued)**Application Check List** (failure to provide necessary documentation will delay application review and approval)

I have attached the following items:

- ☒ Completed Application ☐ Application Non-Refundable Permit Fee of \$35.00 ☒ Deposit (see policy)
- ☐ Certificate of Insurance (10 business days prior to first day of event) ☒ Street use and/or closure permit (if required)
- ☒ Detailed Event Map (showing road uses, signage, vending, tent, and activity locations, etc. Maps can be found on Google earth or www.cosatx.us, look under DEPARTMENTS & SERVICES > GEOGRAPHICAL INFORMATION SYSTEMS > Online mapping > Launch interactive online map)
- ☐ Temporary Health Permit (if required)

If any document is missing, please explain:

Request use of 2 Electrical Panels from the Parks Dept

The applicant and sponsoring organization understands and agrees to:

- provide a certificate of insurance with all coverage deemed necessary for the event, name the City of San Angelo as an additional insured on all applicable policies, and submit the certificate to the City Risk Management Office no later than 10 business days prior to the event (contact the Risk Management Office at 325-657-4359);
- comply with all City and County ordinances and applicable state laws, comply with City policies, and acknowledge that the special events permit does not relieve the applicant or sponsoring organization from meeting any application requirements of law or other public bodies or agencies; and
- promptly pay any billing for City services rendered or deemed necessary as part of the event and event approval.

Applicant and sponsoring organization further understands the approval of this special event may include additional requirements and/or limitations based on the City's review of this application, in accordance with the City's Special Events Policy. The applicant and sponsoring organization understand that it may be necessary to meet with City staff during the review of this application and that City Council approval may be necessary. The applicant agrees the sponsoring organization will operate the event in conformance with the written approval.

Sponsors of events, in which food and/or beverage vendors will be present, must contact the City of San Angelo Health Department 90 days prior to the event date. **Contact the City of San Angelo Health Department at 325-657-4493.**

As the duly authorized agent of the sponsoring organization, I hereby apply for approval of the Special Event and affirm the above understandings. The information provided on this application is true and complete to the best of my knowledge.

Applicant Signature:

Clay Hubbard

Date: *3-10-2016*

Complete and return this application to the City of San Angelo Parks and Recreation Department Office at 702 South Chadbourne St. at least 30 days prior to the event for events not requesting City Support or at least 90 days prior for events requesting City Support. Contact the Parks & Recreation Department at 657-4279/4450 if you have any questions about this application, this policy, or your event.

**Final
Approval:****Date:****Application
Receipt Date & Time:**



Permits & Inspections
72 W. College Ave.
San Angelo TX 76902
(325) 657-4420 ph.
(325) 657-4435 fx.
www.sanangelotexas.us

TEMPORARY STREET CLOSURE PERMIT

Organization/Applicant Name: San Angelo Blues Society

Applicant's Address: P.O. Box 2779, San Angelo, TX 76902

Contact Person Clay Hubbard Daytime Phone No. 325-650-2556

Date(s) Street Closure is requested: MAY 13, 14 & 15

Times of Closure: Fri, May 13th 5:00pm. open Mon Sun May 15th

Location of Street/Alley Closure (provide a map): 200 Blk of South Oaks,
150 to 199 South Oaks, - 50 to 99 Blk of Twining,
100 Blk of Twining

Generally describe the event: Music Festival with Stage, Food &
CRAFT beer & as well as a motorcycle & car show & live cook off.

How many barricade locations are you requesting? (All barricades provided will consist of barrels only) 4 locations with 20 barrels each location.

What type of security will you provide? SAPA

Is alcohol involved? No + provided by Event Sponsor but may be brought by Attendees.

Is this event sponsored or co-sponsored by the City of San Angelo? No

Regulations

- 1) All street closure permits require two (2) weeks notice.
- 2) No permit shall be issued for a period longer than (10) days.
- 3) You must provide a drawing of the entire area showing all houses/buildings and placement of barrel barricades.
- 4) You must provide a letter from all occupants who will be affected by this street closure stating that they are aware of the proposed event and are not opposed.
- 5) A \$25.00 non-refundable permit fee will be required.
- 6) Unless sponsored or co-sponsored by the City of San Angelo, a \$25.00 fee per barricade location will also be required. Applicants are responsible for contacting the Street and Bridge Department at 657-4430 for delivery and pick-up of barricades.
- 7) Unless sponsored or co-sponsored by the City of San Angelo, a \$100.00 deposit is required for damage/destruction of City barricades. Your deposit may be picked up 3 working days after the event.

DEVELOPMENT SERVICES DEPARTMENT

Permits & Inspections is a Division of the Department of Development Services

PERMITS & INSPECTIONS



Permits & Inspections
72 W. College Ave.
San Angelo TX 76902
(325) 657-4420 ph.
(325) 657-4435 fx.
www.sanangelotexas.us

PERMITS & INSPECTIONS

- 8) Notification of all street closures will be given to Police, Fire and Public Works Personnel. Any permit may be revoked at any time by the Chief of Police or his designee when the public safety, health and welfare make such revocation necessary.
- 9) Compliance with all other applicable laws and regulations will be enforced. Contact the Police Department for regulations related to loud music and crowd control.
- 10) Any denied permit applications may be appealed to the City Council. Written request for appeal must be received no later than ten (10) days from the denial of application for permit.
- 11) A Certificate of Insurance showing the City of San Angelo as a certificate holder and as an additional insured will be required for all Street Closure events.

I, Clay Hubbard, serving as representative for the San Angelo Blues Society organization, have read, understand and agree to the rules and regulations listed above.

Clay Hubbard
Signature

3-10-2016
Date

(Below Information to be completed by Office Personnel)

Total number of barricade locations: _____

Verification of City Sponsorship? Yes _____ No _____

Location of barricades: _____

Total number of barricades: _____

Public Works Approval By: _____

Permit Fee: \$25.00

Barricade Fee: (Exempt if City Sponsored) \$ _____

Deposit: (Exempt if City Sponsored) \$ _____

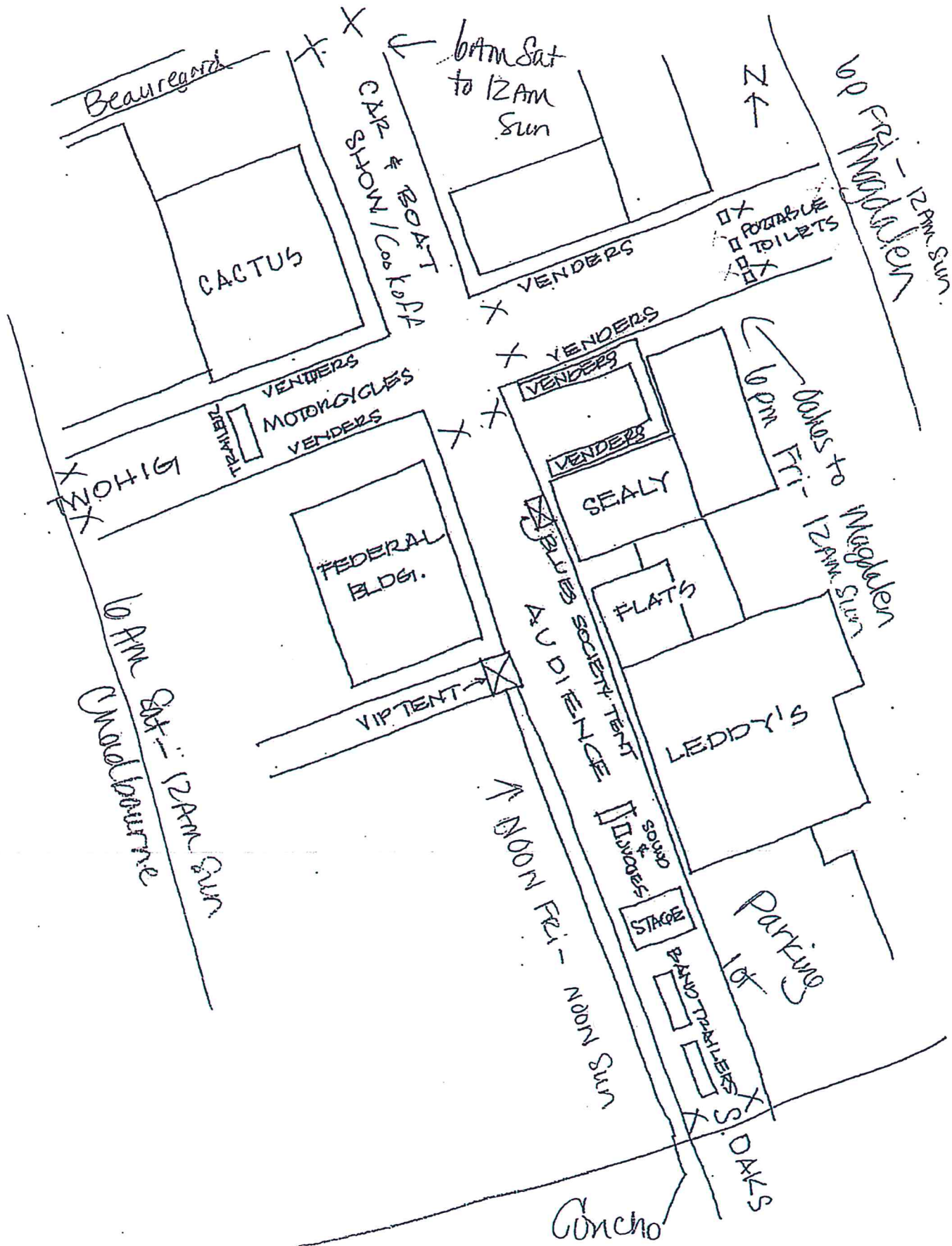
Total Fees: \$ _____

I, _____, acknowledge that I have received my \$100 deposit back.

Signature

Date

DEVELOPMENT SERVICES DEPARTMENT
Permits & Inspections is a Division of the Department of Development Services



REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Bryan Kendrick, City Clerk, Budget,

Meeting Date: April 19, 2016

Item type: Regular Item

Caption:

Second reading and consider adopting an ordinance amending the 2015-2016 budget for grants and capital projects - (M. Chegwiddden)

Summary/History:

This proposed amendment contains the following items (additional information attached):

- Utility assistance programming;
- Emergency Management programming;
- State Office Building improvements;
- Airport fire suppression system;
- Neighborhood Blitz;
- Parks & Recreation ballot projects;
- Airport capital projects;
- Fort Concho barracks and mess halls 3 & 4; and
- Animal Services spay neuter program.

Financial Impact:

Other Information/Recommendation:

Staff recommends approval.

Attachments:

- | | | |
|-----|-------------------------|--|
| 1. | Ordinance | ord.pdf |
| 2. | Exhibit A | exhibit A.pdf |
| 3. | Additional Information | add'l info.pdf |
| 4. | Memo Atmos | 103-7900 BA Memo Atmos Funds.docx |
| 5. | Memo Emergency Mgt | 103-9200 BA Memo Emergency Management.doc |
| 6. | Memo State Office | 201 BA Memo State Office Building Improvements.doc |
| 7. | Memo fire suppression | 220 BA Memo-Fire Supression System Ranger Paint Hangar.doc |
| 8. | Memo Blitz | 453 BA Memo Blitz.docx |
| 9. | Memo Parks & Rec Ballot | 502 BA Request Type B Sales Tax Projects.doc |
| 10. | Memo airport grant | 530 BA Memo PFC Match to Grant 34.doc |

- | | | |
|-----|-------------------------|--|
| 11. | Memo fort 3 & 4 | 601-6308 BA Memo Barracks & Mess Halls 3 & 4.doc |
| 12. | Memo spay neuter | 601-7805 BA Memo Animal Svcs Donation.doc |
| 13. | PowerPoint Presentation | FIN Budget Amendment 4-5-16.pptx |

Presentation:

Yes

Approvals/Reviews:

Kendrick, Bryan

Created/Initiated

**AN ORDINANCE OF THE CITY OF SAN ANGELO AMENDING
THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER
1, 2015, AND ENDING SEPTEMBER 30, 2016, FOR GRANTS AND
CAPITAL PROJECTS.**

WHEREAS the City of San Angelo has determined that new projects not included in the current budget should begin, and

WHEREAS the City of San Angelo has determined that certain budgeted amounts should be amended due to project changes and unforeseen circumstances, and

WHEREAS the resources necessary for these changes are available;

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

The City's budget for fiscal year 2015-2016 be amended by the amounts contained in Exhibit A.

INTRODUCED on the 5th day of April, 2016, and APPROVED and ADOPTED on this the 19th day of April, 2016.

CITY OF SAN ANGELO, TEXAS

Dwain Morrison, Mayor

ATTEST:

Bryan Kendrick, City Clerk

Approved as to Content and Form:

Tina Carriger, Finance Director

City of San Angelo
Proposed Budget Amendment
Exhibit A

Fund	Description	Total Revenue Amendment	Total Expense Amendment	Net Benefit/ (Cost)
103	Intergovernmental	89,001	89,001	-
201	State Office Building	50,000	50,000	-
220	Airport	240,000	240,000	-
453	Community Development Block Grant	10,000	10,000	-
502	General Capital Projects	3,358,744	3,358,744	-
530	Airport Grant	32,000	32,000	-
601	Citizen Contributions	2,010,000	2,010,000	-
Total		5,789,745	5,789,745	-

**City of San Angelo
Proposed Budget Amendment
Additional
Information**

Project/Need	Source of Funding	Revenue	Expense	Net Benefit/ (Cost)
Utility assistance programming	Atmos Grant	3,501	3,501	-
Emergency Management programming	Tom Green County contribution	85,500	85,500	-
State Office Building improvements	State agencies' reimbursements	50,000	50,000	-
Airport fire suppression system	Type B Sales Tax	240,000	240,000	-
Neighborhood Blitz	Type B Sales Tax	10,000	10,000	-
Parks & Recreation ballot projects	Type B Sales Tax	3,358,744	3,358,744	-
Airport capital projects	Passenger Facility Charges	32,000	32,000	-
Fort Concho barracks and mess halls 3 & 4	Donation	2,000,000	2,000,000	-
Animal Services spay neuter program	Donation	10,000	10,000	-
Total		5,789,745	5,789,745	-

Memo

To: Morgan Chegwiddden, Budget Manager
From: Mauri Rodríguez, Sr. Program Coordinator
Bob Salas, Director
Date: February 16, 2016
Re: Budget Amendment Request

Purpose of Budget Amendment Request:

To increase current year Atmos Funds for utility assistance programming due to an unexpected increase in allocation.

Source of Funding:

Atmos Funds

Funding previously approved? If so, by City Manager or City Council and when

No

Project/Budget to be amended	Current Budget	Proposed Change	Proposed Revised Budget
Atmos Grant 103-7900-335.05-00	25,000	3,501	28,501
Special Project "D" 103-7900-441-05.68	25,000	3,501	28,501

Additional Comments:

Memo

To: Morgan Chegvidden, Budget Manager

From: Steve Mild, Emergency Mgt.

Date: March 21, 2016

Re: Budget Amendment Request

Purpose of Budget Amendment Request:

To put the county share of fund into Emergency Management Budget

Source of Funding:

Contribution from Tom Green County Sheriff's Office

Funding previously approved? If so, by City Manager or City Council and when?

No

Project/Budget to be amended	Original Budget	Proposed Change	Proposed Revised Budget
Reimbursed Expenses Revenue 103-9200-380.40-00	150,911	85,500	236,411
Expense 103-9200	150,911	85,500	236,411

Additional Comments:

Memo

To: Morgan Chegwidden, Budget Manager
From: Bob Bluthardt, Fort Concho Site Manager
Date: February 8, 2016
Re: Budget Amendment Request

Purpose of Budget Amendment Request:

To increase the budget for various reimbursable capital projects needed to service the tenants in the Ralph B. Chase State Office Building, specifically security improvements to the Health and Human Services Commission suites D and G.

Source of Funding:

Reimbursement from state agencies.

Funding previously approved? If so, by City Manager or City Council and when?

Yes, approved by city manager in fiscal year 2014-15.

Project/Budget to be amended	Original Budget	Proposed Change	Proposed Revised Budget
Miscellaneous Revenue 201-1908-380.10-00	0	50,000	50,000
Improvements Not Building 201-1908-800.07-30	59,582	50,000	50,000

Additional Comments:

Memo

To: Morgan Chegwiddden, Budget Manager
From: Courteney Abbott, Business & Finance Analyst
Date: March 17, 2016
Re: Budget Amendment Request

Purpose of Budget Amendment Request:

Utilize allotted COSADC funds to install Fire Suppression System in the Ranger Paint Hangar. Once funds are requested and received, we can begin work with Enertel.

Source of Funding:

City of San Angelo Development Corporation Type B Sales Tax

Funding previously approved? If so, by City Manager or City Council and when?

Yes, City Council approved on 2/16/2016

Project/Budget to be amended	Original Budget	Proposed Change	Proposed Revised Budget
220-0000-391.04-00 Transfer In from Development Corp Revenue	\$0	\$240,000	\$240,000
220-3901-514.03-30 Contract Services Expense	\$100,101	\$240,000	\$340,101

Additional Comments:

Memo

To: Morgan Chegwiddden, Budget Manager
From: Mauri Rodríguez, Sr. Program Coordinator
Bob Salas, Director
Date: January 22, 2016
Re: Budget Amendment Request

Purpose of Budget Amendment Request:
To budget for monies allocated by SADC to Neighborhood Blitz.

Source of Funding:
San Angelo Development Corporation Type B Sales Tax

Funding previously approved? If so, by City Manager or City Council and when
No

Project/Budget to be amended	Current Budget	Proposed Change	Proposed Revised Budget
453-0000-391.04-00 Transfer from SADC Revenue	0	10,000	10,000
453-2621-988.08-73 SADC Blitz Expense	0	10,000	10,000

Additional Comments:

Discussed with Development Corporation meeting on 11.18.2015 and approval of minutes on 12.16.2015.

Memo

To: Morgan Chegwiddden, Budget Manager
From: Carl White, Parks and Recreation Director
Date: March 29, 2016
Re: Budget Amendment Request

Purpose of Budget Amendment Request:

To move funds from half-cent sales tax fund balance to 3 voter-approved projects that City Council has endorsed moving forward: Fort Concho Improvements, Sports & Athletics Facilities and 29th Street Complex.

Source of Funding:

City of San Angelo Development Corporation Fund Balance, funds committed for voter-approved projects."

Funding previously approved? If so, by City Manager or City Council and when?

City Council approved moving forward with the Sports & Athletics Facilities (Texas Bank Sports Complex improvements) on December 1, 2015, the 29th St. Sports Complex on January 5, 2016 and the Fort Concho Improvements on November 3, 2015.

Project/Budget to be amended	Original Budget	Proposed Change	Proposed Revised Budget
Fort Concho Improvements	\$100,000	\$900,000	\$1,000,000
Sports & Athletics Facilities	0	\$708,744	\$708,744
29 th St. Sports Complex	0	\$1,750,000	\$1,750,000
Total	\$100,000	\$3,358,744	\$3,458,744

Additional Comments: None

Memo

To: Morgan Chegwiddden, Budget Manager
From: Courteney Obr, Business & Finance Analyst
Date: March 29, 2016
Re: Budget Amendment Request

Purpose of Budget Amendment Request:

Transfer local match of \$32,000 to begin the following capital projects. Once local work has begun, the Federal Aviation Administration will announce the award of grant 34. The grant amount is unknown at this time and will be budgeted at a later date.

Source of Funding:

Passenger Facility Charge Funds

Funding previously approved? If so, by City Manager or City Council and when?

Yes, use of funds was approved by the Federal Aviation Administration on November 23, 2015

Project/Budget to be amended	Original Budget	Proposed Change	Proposed Revised Budget
530-3934-391.00-00 Interfund Transfers	\$0	\$32,000	\$32,000
Wildlife Hazard Management Plan 530-3934-514.05-65 Special Project "A"	\$0	\$2,000	\$2,000
Pavement Condition Evaluation 530-3934-514.05-66 Special Project "B"	\$0	\$6,000	\$6,000
Taxiway Reconfiguration Design 530-3934-514.05-67 Special Project "C"	\$0	\$24,000	\$24,000
Total Expense	\$0	\$32,000	\$32,000

Additional Comments:

Memo

To: Morgan Chegwiddden, Budget Manager
From: Robert F. Bluthardt, Site Manager/Fort Concho
Date: March 29, 2016
Re: Budget Amendment Request

Purpose of Budget Amendment Request:

To budget for the funding for the paying of bills and other obligations for the reconstruction of Barracks & Mess Halls 3 & 4 at Fort Concho

Source of Funding:

Anonymous donation made to the San Angelo Area Foundation for \$2,000,000 that will be given to the Fort Concho Foundation and then to City of San Angelo as necessary.

Funding previously approved? If so, by City Manager or City Council and when?

Council approved the request for qualifications to select/engage an architect for the project on November 3, 2015 and considered the selected architect at its March 1, 2016 meeting.

Project/Budget to be amended	Original Budget	Proposed Change	Proposed Revised Budget
Anonymous Donation Revenue 601-6308-365.00-00	0	2,000,000	2,000,000
Barracks & Mess Halls 3 & 4 Project Expense 601-6308-800.07-20	0	2,000,000	2,000,000

Additional Comments:

All private funds so far.

Memo

To: Morgan Chegwiddden, Budget Manager

From: Kandy McGinnis _____, Administrative Assistant _____

Date: March 29, 2016

Re: Budget Amendment Request

Purpose of Budget Amendment Request:

We received a \$10,000 donation with specific instructions to use for our spay/neuter needs. Meds, surgical equipment, etc.

Source of Funding:

Private citizen donation

Funding previously approved? If so, by City Manager or City Council and when?

No

Project/Budget to be amended	Original Budget	Proposed Change	Proposed Revised Budget
Donations Revenue 601-7805-365.00-00	-0-	10,000	10,000
Spay Neuter Program Expense 601-7805-442.06-16	2,507	10,000	12,507

Additional Comments:



City Council

April 5, 2016



Budget Amendment

	Revenue	Expense
Utility assistance programming	3,501	3,501
Emergency management programming	85,500	85,500
State office building improvements	50,000	50,000



Budget Amendment

	Revenue	Expense
Airport fire suppression system	240,000	240,000
Neighborhood Blitz	10,000	10,000
Parks & Recreation ballot projects	3,358,744	3,358,744



Budget Amendment

	Revenue	Expense
Airport capital projects	32,000	32,000
Fort Concho barracks and mess halls 3 & 4	2,000,000	2,000,000
Animal services spay neuter program	10,000	10,000





City Council

April 5, 2016



REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Lisa Marley, Dir of HR/RM, Human Resources/Risk Management, (325) 657-4221

Meeting Date: April 19, 2016

Item type: Regular Item

Caption:

Annual update and discussion of the City's Wellness Program - (Presentation by Sheryl Pfluger, Marketing Director for San Angelo Community Medical Center, and Janet Charlesworth and Mary Solomon, Wellness Coordinators)

Summary/History:

Financial Impact:

Other Information/Recommendation:

Attachments:

- | | | |
|----|----------------------|---|
| 1. | 2016 Wellness Report | Wellness Report to City Council 2016.pptx |
|----|----------------------|---|

Presentation:

Sheryl Pfluger, Janet Charlesworth and Mary Solomon

Approvals/Reviews:

Marley, Lisa	Created/Initiated
Marley, Lisa	Approved
Kendrick, Bryan	Final Approval



City Council

April 19, 2016



City of San Angelo Wellness Report

COSA EMPLOYEES: ECONOMIC IMPACT ESTIMATED EXCESS HEALTH CLAIMS COSTS

	2011	2012	2013	2014	2015	Cost/Emp.
no risks	77	67	85	84	107	\$0
1 risk	137	168	145	141	160	\$1,094.71
2 risks	214	166	201	167	181	\$2,244.16
3 risks	159	164	149	154	144	\$3,420.97
4 risks	105	96	105	65	97	\$4,816.73
5 risks	61	61	60	47	48	\$6,130.40
6 risks	34	29	23	19	18	\$7,526.17
7+ risks	28	22	27	14	7	\$8,894.57
>5 risks	128	112	110	80	73	\$2,033,183.00

COSA EMPLOYEES IMPROVED HEALTH COMPONENTS

Component	2011	2012	2013	2014	2015
# of smokers	100	96	88	74	65
5 or more health risk factors	15%	14.5%	13.8%	11.6%	9.6%
Completed annual HRA	74%	83%	94%	99.6%	99.9%
Improved overall wellness score		40%	42%	45%	48%

2015 COSA EMPLOYEES IMPROVED BIOMETRICS

Biometric Component	(n)	%
Lowered systolic or diastolic blood pressure	307	50
Lowered LDL cholesterol level	251	41
Lowered non-HDL cholesterol level	241	39
Lowered total cholesterol level	231	38
Increased HDL cholesterol level	211	34
Lowered triglyceride level	226	37

2015 COSA EMPLOYEES TOP CLINICAL HEALTH RISKS/CONDITIONS

Clinical Health Risk	2014	2015	National Norm
Obesity (BMI 30+)	42.5%	43.6%	36%
Overweight (BMI 25-29.9)	39.7%	37.7%	33%
Waist Circumference – (m)40+, (f)35+	47%	48%	29%
Diabetes: Elevated A1c (5.7%+)	13%	15.4%	9.3%
High Blood Pressure (140/90+)	35%	33.4%	31%
Metabolic Syndrome (3+ indicators)	33.7%	30.8%	23%

2015 COSA EMPLOYEES TOP NON-CLINICAL HEALTH RISKS/CONDITIONS

Modifiable Health Risk	COSA	National Norm
Nutrition: Low Fruit & Veggie Intake (<5 cups/day)	76.8%	73
Fitness: Low Physical Activity (1-4 days/week)	58%	61%
Inadequate Sleep (6 hours or less per day)	55%	43%

2015 EMPLOYEES PERCEPTION OF COSA'S INTEREST IN CREATING A HEALTHY WORKPLACE

Rank	2011	2015
Excellent/High	15.3	30.8
Good	45.6	48.4
Fair	26.3	15.4
Poor	12.9	5.3

2015 WOW PROGRAMS

January	Maintain Don't Gain Challenge
February	Jump Start Your Heart Challenge Weigh 2 Go Challenge Teens for Jeans Program
March	Get Your Plate in Shape Challenge
April	Nat'l Walking Day (6 employee led walks) Walk 10k Challenge Diabetes Class radWomen Self Defense Class
May	Squat Away May Challenge

2015 WOW Programs Continued

June	Relay for Life Walking Teams
July	Summer Slimdown Challenge
August	Stop, Drop, Chug Water Challenge
September	Fruit & Veggie Challenge
October	1 st Annual CityFit Event
November	Planksgiving Fitness Challenge Smoking Cessation Challenge Diabetes Class
December	12 Days of Wellness Challenge Maintain Don't Gain Challenge

2015 Wellness Highlights

Created WOW log books

Expanded WOW program - 20 wellness challenges & events in 2015 compared to 13 events in 2014

Created wellness challenge survey

Organized 1st annual CityFit event

Raised over \$2,500 / 159 participants

Winner of Workplace Wellness Platinum Award

Added new members to employee wellness committee

Invited to present the COSA wellness program at the TMHRA Conference

Thank you.

*WE APPRECIATE LEADING YOUR
WELLNESS EFFORT AND APPLAUD YOU
FOR MAKING SAN ANGELO A HEALTHIER
PLACE TO LIVE.*

YOU ARE CHANGING LIVES.

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Carl White, Parks and Recreation Director, Parks and Recreation, 325-657-4450

Meeting Date: April 19, 2016

Item type: Regular Item

Caption:

Update on a portion of Bart DeWitt Park associated with the Eggemeyer lease to create an historical agricultural museum, now under a new non-profit organization, the Farm and Ranch Museum and discussion of terms for a new lease - (Presentation by Parks and Recreation Director Carl White and San Angelo Museum of Fine Arts Executive Director Howard Taylor)

Summary/History:

At the June 2, 2015 meeting of the City Council, "consensus of the Council was reached to direct staff to move forward with termination of the existing lease (with Mr. Eric Eggemeyer) for some of the Bart DeWitt Park property and establish a new lease between a non-profit organization to be established and the City of San Angelo".

Under leadership of Mr. Howard Taylor, Executive Director of the San Angelo Museum of Fine Arts, a new non-profit organization has been created, "The Farm and Ranch Museum of the Concho Valley" (FARM-CV). A board of directors has been established and 3-4 meetings held. The board is in the process of being created as an official 501 (c) 3 organization.

Mr. Taylor will give a presentation to the City Council to show what progress has been made with the new organization and the property, still being leased by Mr. Eggemeyer.

We would like to discuss terms of a new lease with the FARM-CV and seek Council's direction as we move forward with this proposed lease.

Here is more background information on this item:

The City entered into an agreement with Mr. Eric Eggemeyer to lease some of the Bart DeWitt Park property to expand, adjacent property he owned around the old Vogel Blacksmith shop on Oakes St., in order to create an "historic agriculture museum." Below is stated the general concept in the agreement:

"The general concept for the use of the Property is as follows: The intent of this lease is to increase the usable size of the property owned by Lessee in order to operate an outdoor "real-live," turn-of-the-century, historic agriculture museum. The property will serve as a multi-use facility for the purpose of increasing tourism, benefiting Lessee, and bringing more events to the historic downtown area thereby benefiting the public. Lessee will bring in demonstrations that would have been typical of the frontiersman's life during the late 1800's and early 1900's. Events such as barn raising, log home construction, farming, ranching, and tradesman services will be demonstrated. Everything from blacksmithing, wagon construction, haymaking, a gristmill operation, steam tractors, drive engines and sheep shearing will be included."

The initial term of the lease was for 5 years, beginning on August 1, 2005, but the lease has a "hold over" clause, allowing the lease to continue month to month, "terminable at will of Lessor."

The City sent a letter to Mr. Eggemeyer on October 25, 2013, stating we were exercising our right to terminate the lease since the general concept of the lease had not been met. Mr. Eggemeyer appealed the termination and asked that he be heard at a Parks and Recreation Advisory Board meeting. This occurred at the November 21, 2013 meeting, at which the Board recommended the City rescind the termination notice and give Mr. Eggemeyer 6 months to meet the terms of the original lease and report to the Board on a bi-monthly basis. Reports occurred on the following meetings: January, April, May, June and October of 2014 and February of 2015, giving Mr. Eggemeyer over a year to achieve the intent of the original lease.

At the April 2014 meeting, the Board asked Mr. Eggemeyer to achieve the following specific items: install permanent signage, develop a master interpretive sign for the museum, have the grounds cleaned up, open the property as a public museum and give a final report at the December meeting. Mr. Eggemeyer did not show at the December meeting.

At the meeting on February 26, 2015, Mr. Eggemeyer gave his final report to the Board. At that meeting, Mr. Eggemeyer was able to present that the grounds had been cleaned up, a vinyl banner sign had been placed and the gates were open daily for people to walk onto the property. He was not able to show any permanent or interpretive signage on the property or show that any events had been held as stated in the general concept of the lease. After discussion, the Board voted to not recommend continuation of the existing lease with a 4-2 vote.

Staff believes we have given ample opportunity to Mr. Eggemeyer to achieve the intent of the original lease, but after almost 10 years it has yet to be fully met. We have a strong desire for it to be achieved but after almost 10 years it has not, under the existing lease.

We are now in the process of negotiating terms of lease of the same property with the new FARM-CV organization. In the near future, should Council direct, we will return to ask for approval of a new lease with FARM-CV and concurrently terminate the existing lease with Mr. Eggemeyer.

Financial Impact:

There is no cost associated with this item. Instead, the Farm and Ranch Museum of the Concho Valley could have notable economic impact on the city overall. In addition, the property being leased is no longer maintained by the City, instead by the Lessee, therefore reducing our maintenance overhead costs.

Other Information/Recommendation:

Attachments:

1. Farm and Ranch Museum Progress to Date Farm and Ranch Museum Progress to Date.doc
2. Presentation Farm and Ranch Museum of the Concho Valley Farm and Ranch Museum of the Concho Valley.pptx

Presentation:

Approvals/Reviews:

White, Carl	Created/Initiated
White, Carl	Approved
James, Theresa	Approved
Carriger, Tina	Approved
James, Theresa	Approved
Dunn, Becky	Approved
Kendrick, Bryan	Final Approval

Farm and Ranch Museum : recent activities

Bylaws have been written and adopted and a founding Board of Trustees organized

We have filed for incorporation as a nonprofit Texas entity and it has been granted

We are currently in the process of completing our application for Federal nonprofit status as a 501(c)(3) education Corporation the appropriate designation for museums

The Board of Trustees has met three times beginning in November 2015, and February and April 2016

We elected officers and named advisory members including Carl White representing the City of San Angelo ,Jerry Lakey and several other people in the agricultural industry

We have been working on exhibition and interpretation plans ,fundraising ideas and looking for an appropriate time to make a public announcement of the official organization of this museum.

At the site on S. Oakes St. we have made a number of significant improvements recently including removing the paint from the bricks on the old Blacksmith shop ,building a long covered porch for interpretation activities and painting the trim on the building.

The interior of the blacksmith shop has been cleaned up and some of the original machinery made operable again.

A gate entrance sign is being fabricated along with a general interpretation sign for the entrance.

Several tons of crushed granite have been added to create an easy pedestrian entrance and make it more attractive for visitors.

A rear entrance ramp has been built with a new gate making the property more accessible for the equipment that will be brought in to be displayed.

Two leading Texas historians Hillary Kidd and Patrick Butler were commissioned to visit the site and the Barrow Museum to help us develop cooperative exchanges and exhibitions.

Plans for the further site development and creation of a large outdoor shed for exhibits and programs are being drawn by architect Henry Schmidt.

Our first program was held at the site during the art museums Saturday family day titled home on the range in March. Sheep were brought in by Angelo State University and children made drawings and learned about our agricultural heritage from a team of educators. The art museum will continue to interface and work with the FARM MUSEUM during monthly family day programs.

Plans are being made to fabricate several displays and the Board of Trustees and other guests will make a trip to Lubbock in June to study their farm museum, Wind mill museum and ranching heritage Center. We hope to form a cooperative alliance with them.



City Council

April 19, 2016



Farm and Ranch Museum of the Concho Valley

- At the June 2, 2015 meeting of the City Council, consensus of the Council was reached to direct staff to move forward with termination of the existing lease (with Mr. Eric Eggemeyer) for some of the Bart DeWitt Park property and establish a new lease between a non-profit organization to be established and the City of San Angelo.





Farm and Ranch Museum of the Concho Valley

- Under leadership of Mr. Howard Taylor, Executive Director of the San Angelo Museum of Fine Arts, a new non-profit organization has been created, "The Farm and Ranch Museum of the Concho Valley" (FARM-CV). A board of directors has been established and 3 meetings held. The board is in the process of being created as an official 501 (c) 3 organization.



Farm and Ranch Museum of the Concho Valley

- The Farm and Ranch Museum of the Concho Valley is dedicated to the agricultural heritage of this region and to revealing the story of the toil, conflict, heartaches, inventiveness and triumphs of the people who have interfaced with the land, animals and elements to create one of the great agricultural centers of our nation.



Farm and Ranch Museum of the Concho Valley

- From the Native American hunter-gatherers of earlier times who relied on stone tools to the farmers and ranchers of today who use complex machinery and technology ,a knowledge of and respect for the land and nature remains a fundamental necessity for human survival.



Farm and Ranch Museum of the Concho Valley

- Through exhibits, demonstrations, interactive workshops and conversations with individuals actively involved in agriculture and conservation we are working to bring this great heritage to life.



Farm and Ranch Museum of the Concho Valley

- Board of Directors established.
- Bylaws written and adopted.
- Granted non-profit status at the State level.
- Currently completing application for Federal non-profit status, 501 (c) 3, “education corporation.”
- Board of Directors has met 3 times.



- Board of Directors:
 - Dara Anderson, ASU
 - Bobby Eggemeyer, business owner
 - Will Hartnett, Ag. Science teacher
 - John Hemphill, attorney, rancher
 - Raul Ruiz, artist
 - Doran Reynolds, farm equip. sales
 - Daniel Wilde, farmer, Pres. Barrows Museum
 - Howard Taylor, Director, SAMFA





- Advisors:
 - Bekah Coleman, Curator of Ed., SAMFA
 - Eric Eggemeyer, rancher, farmer
 - Jerry Lackey
 - Susan Mertz
 - Pierce Miller
 - Vince Meza
 - Carl White



Farm and Ranch Museum of the Concho Valley

- Officers elected and advisory members selected.
- Working on exhibition and interpretation plans.
- Brainstorming fundraising ideas.
- Determining appropriate time to make public announcement of the official organization of the museum.
- Discuss progress on site improvements.













Farm and Ranch Museum of the Concho Valley

- Proposed Lease Terms:
 - 20 year
 - 1 option to renew for 10 years
 - Operate leased property as a museum, open to the public on a regular basis
 - Host activities and events





City Council

April 19, 2016



REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Carl White, Parks and Recreation Director, Parks and Recreation, 325-657-4450

Meeting Date: April 19, 2016

Item type: Regular Item

Caption:

Consider adopting a resolution approving a Memorandum of Understanding with the Bureau of Reclamation and Texas Parks and Wildlife Department for the creation and management of public hunting lands at the Twin Buttes Reservoir - (Presentation by Parks and Recreation Director Carl White)

Summary/History:

The purpose of this item is to adopt a resolution approving a Memorandum of Understanding with the Bureau of Reclamation and Texas Parks and Wildlife Department for the creation and management of public hunting lands at the Twin Buttes Reservoir.

The primary purpose of the MOU is to include the recreational lands of the Twin Buttes Reservoir in TPWD's Public Lands Hunting Program. The objective is to provide for increased law enforcement; promote recreation, hunting, and fishing opportunities; and improve public access to these lands, as well as identify opportunities to provide habitat enhancement and improvement activities.

Including these lands in TPWD's Public Lands Hunting Program will provide more opportunities for family-oriented outdoor recreational activities and increase law enforcement. Hunting, fishing, and recreation are critical in promoting enjoyment and stewardship of federal lands and water.

Here are some additional key points:

- TPWD will administer the program.
- the Public Hunting Program includes almost 900,000 acres located throughout Texas.
- Access is provided by 2 types of annual permits: the \$48 Annual Public Hunting (APH) Permit which allows full privileges including hunting, fishing, camping, hiking and other recreational uses and the \$12 Limited Public Use (LPU) Permit which also provides access for all other recreational activities except hunting.
- The permit fees are collected and used by TPWD to administer the program.
- TPWD will work to provide habitat enhancement and improvement activities.

The following was discussed at the October 6, 2015 meeting regarding this matter:

- staff gave a presentation showing the existing situation at the Twin Buttes Reservoir public lands;
- staff gave an update on what has been done to improve the situation;
- we discussed what we think still needs to be done;
- with representatives from TPWD, we presented a proposal to adopt the TPWD Public Hunting Program, showing advantages and limitations; and
- discussed other steps we think are still needed.

No formal action was taken but direction, by consensus, was given for staff to move forward in this direction.

Previous Council meetings and action taken related to the Twin Buttes Reservoir recreational lands have been:

- a discussion item to obtain City Council direction regarding improving the security and management of the properties on December 7, 2010;
- City Council approval to proceed with matching funds with Bureau of Reclamation funds to construct series of pipe rail fencing and access gates on January 11, 2011; and
- adopting a Recreation Use Plan on May 21, 2013.

Staff recommends approval of the MOU.

Financial Impact:

There is no fiscal impact for entering into this MOU.

Other Information/Recommendation:

Attachments:

- | | | |
|----|---|---|
| 1. | Resolution for MOU with TPWD and Bureau for Twin Buttes | Resolution for MOU with TPWD and Bureau for Twin Buttes.pdf |
| 2. | MOU with TPWD and Bureau for Twin Buttes | MOU with TPWD and Bureau for Twin Buttes.pdf |
| 3. | Texas Admin Code TPWD Public Hunting Lands Program | Texas Admin Code TPWD Public Hunting Lands Program.pdf |
| 4. | Presentation MOU with TPWD and Bureau for Twin Buttes | MOU with TPWD and Bureau for Twin Buttes.pptx |

Presentation:

Approvals/Reviews:

White, Carl	Created/Initiated
White, Carl	Approved
James, Theresa	Approved
Carriger, Tina	Approved
James, Theresa	Approved
Dunn, Becky	Approved
Kendrick, Bryan	Final Approval

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN ANGELO, TEXAS, AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A MEMORANDUM OF UNDERSTANDING WITH THE FEDERAL BUREAU OF RECLAMATION ("RECLAMATION") AND THE TEXAS PARKS AND WILDLIFE DEPARTMENT ("DEPARTMENT") IMPLEMENTING THE DEPARTMENT'S PUBLIC HUNTING LANDS PROGRAM ON FEDERALLY OWNED LAND AT TWIN BUTTES RESERVOIR.

WHEREAS, Twin Buttes Reservoir is owned by the United States through Reclamation; and

WHEREAS, City is the assignee of Contract No. 14-06-500-368, dated June 18, 1959, as amended and supplemented, originally by and between the United States and the San Angelo Water Supply Corporation, which provides in part for the City's operation and maintenance of facilities at the Twin Buttes Reservoir (the "Contract"); and

WHEREAS, pursuant to its rights and obligations under the Contract, City desires to cooperate with Reclamation and Department in implementing the Department's Public Hunting Lands Program on lands designated within the Twin Buttes Reservoir; and

WHEREAS, to facilitate such cooperation, City desires to enter into a Memorandum of Understanding with Reclamation and Department for the purposes of increasing law enforcement; promoting recreation, hunting, and fishing opportunities; and improving public access to Twin Buttes Reservoir lands, as well as to identify opportunities to provide habitat enhancement and improvement activities.

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

Part 1: All of the recitals hereinabove stated are found to be true and correct and are incorporated herein and made a part of this resolution; and

Part 2: The City Manager is hereby authorized to negotiate and execute a Memorandum of Understanding between the City, Reclamation, and Department for the purpose of implementing the Department's Public Hunting Lands Program at Twin Buttes Reservoir.

PASSED and APPROVED this _____ day of _____, 2016.

CITY OF SAN ANGELO, TEXAS

Dwain Morrison, Mayor

ATTEST:

Bryan Kendrick, City Clerk

APPROVED AS TO CONTENT

APPROVED AS TO FORM

Carl White, Dir. of Parks & Rec.

Theresa James, City Attorney

MEMORANDUM OF UNDERSTANDING

Between

THE UNITED STATES OF AMERICA, BUREAU OF RECLAMATION

and the

CITY OF SAN ANGELO, TEXAS

and the

TEXAS PARKS AND WILDLIFE DEPARTMENT

This Memorandum of Understanding (MOU) is entered into by the Bureau of Reclamation, Great Plains Region, Oklahoma-Texas Area Office (Reclamation), the City of San Angelo, Texas (City) and the Texas Parks and Wildlife Department (Department) to define their respective roles and responsibilities in the administration of the Department's Public Hunting Lands Program on Federal land associated with the Bureau of Reclamation's San Angelo Project, Twin Buttes Reservoir.

1. Background

In an effort to provide safer public access and hunting opportunities in Tom Green County, Texas, Reclamation, the City, and the Department will collaborate to increase law enforcement, improve public access and identify opportunities to enhance wildlife habitat within the Twin Buttes Reservoir, located in Tom Green County, Texas.

This MOU is entered into in accordance with the Act of Congress of June 17, 1902, (32 Stat. 388) and acts amendatory thereof and supplementary thereto, particularly the Act of August 16, 1957 (Public Law 85-152, 71 Stat. 372) which authorized the San Angelo Project, hereinafter termed "Project". This MOU is also entered into in accordance with the Federal Water Project Public Recreation Act of July 9, 1965, Public Law 89-72, Sec. 1 and 7(b), (79 Stat. 213) as amended, which authorizes Reclamation to enter into agreements with non-Federal public entities for the purpose of administering and managing Federal lands and facilities for recreation and other purposes.

The United States owns lands and interests in lands for the San Angelo Project (Project), Twin Buttes Reservoir. The United States and the San Angelo Water Supply Corporation (Corporation) entered into Contract No. 14-06-500-368, dated June 18, 1959, as amended and supplemented, hereinafter referred to as the "Existing Contract," for the repayment of its allocated share of the Project construction costs in accordance with Reclamation Law. Amendment No. 8 to the Existing Contract, dated September 08, 2008, transferred and assigned all duties, rights, and privileges of the Existing Contract from the Corporation to the City.

2. Purpose/Objective

This MOU establishes an agreement between Reclamation, the City and the Department in which lands located at the Project (Exhibit A) will be delineated by the Department for inclusion in the Department's Public Lands Hunting Program. The objective is to provide for increased law enforcement; promote recreation, hunting, and fishing opportunities; and improve public access to these lands, as well as identify opportunities to provide habitat enhancement and improvement activities.

Including Project Lands in the Department's Public Lands Hunting Program will provide more opportunities for family-oriented outdoor recreational activities and increase law enforcement. Hunting, fishing, and recreation are critical in promoting enjoyment and stewardship of federal lands and waters.

This agreement shall not affect, invalidate, or supersede the requirements of any existing contracts or agreements between Reclamation and the City, including contract 14-06-500-368, as amended and supplemented.

3. Roles and Responsibilities

A. All Parties will:

1. Meet annually to establish a mutually agreeable Annual Management Plan which will detail the specific management activities and tasks to be undertaken to meet the goals and objectives of the Department's Public Lands Hunting Program. Reclamation, the City, and the Department agree that some areas of the Project may be temporarily closed to the public for all uses (to minimize use conflicts and ensure public health and safety), and some areas of the Project may not be available to the public for hunting, but may be open for other agreed upon uses.
2. Coordinate any administration, operation, maintenance, and development activities pursuant to this agreement that could affect any of the management, operation, and maintenance activities of the United States within the subject area.

B. Reclamation will:

1. At the request of the Department, provide information on property boundaries, easements, and Use Authorizations on Reclamation lands within the Project area.
2. Recognize existing duties, rights, and privileges with the City, as outlined in the Existing Contract, as amended.

C. The City will:

1. Comply with and observe rules and regulations for public conduct within the Project area as are necessary and desirable to protect the health and safety of persons using the Project area, for the preservation of law and order, and for the protection of resources, lands and facilities. The above said rules and regulations are promulgated by

Reclamation in 43 Code of Federal Regulations, Part 423 and Part 429 and other applicable Federal, State and Local laws, rules, regulations, and policies currently in place or as may be adopted in the future.

2. To the extent allowed by law, exercise its law enforcement authority to enforce rules and regulations within the entire Project area to maintain and preserve law and order, and to protect facilities, resources, and Federal lands and waters from unauthorized use and illegal activities.
3. To the extent allowed by law, exchange law enforcement information with Reclamation and the Department. City law enforcement personnel, the Department, and Reclamation will collaborate in the exchange of law enforcement information related to the Project area. The extent and detail of information will be defined on a case-by-case basis.
4. Ensure that land use and administration of the Project area will conform to all applicable Federal laws, rules, regulations, policies, and Executive Orders. Applicable Reclamation Policies, and Directives and Standards include, but are not limited, to LND P02; LND P04; LND 01-01; LND 01-03; LND 04-02; and LND 08-01. Nothing in this provision obligates the City to perform functions not otherwise required by the Existing Contract, as amended and supplemented.
5. Investigate, within its statutory authority, or cooperate within its statutory authority in the investigation by the agency having jurisdiction, of all accidents involving death, serious injury or property damage, hazardous material spills, or other incidents of a serious nature within the Project area. The agency having jurisdiction will make an initial verbal report on such incidents to Reclamation within one (1) working day of knowledge of the incident, and will submit a written report to Reclamation within five (5) calendar days of the verbal notice of any such incidents or occurrences.
6. To the extent allowed by law, take all reasonable measures necessary to identify, investigate, and resolve incidents of unauthorized land, resource, or recreation facility use, or unauthorized encroachment within the Project area. This may include any legal actions necessary to prevent or prosecute such unauthorized use provided that any such action by the City cannot bind the United States in a manner either to payment of money or any other form of commitment. Reclamation hereby delegates to the City the right to bring action in the City's name in order to protect each party's interests, and carry out their responsibilities in connection therewith. Resolution of boundary disputes shall be the responsibility of Reclamation. The City will notify Reclamation's designated representative of boundary disputes or unauthorized incidents within 10 calendar days of discovery.
7. Retain all duties, rights, and privileges as outlined in the Existing Contract; this shall include, but not be limited to, operations and maintenance.

D. The Department will:

1. Implement and administer the Texas Parks and Wildlife Public Hunting Lands Program on all Federal fee title land associated with Twin Buttes Reservoir (see Exhibit A), subject to the provisions of this Agreement and/or terms agreed upon during annual coordination meetings. The Department may issue Annual Public Hunting Permits and/or Limited Public Use Permits, in accordance with the Department's Public Hunting Lands Program, for all public use of the Federal lands.
2. Provide technical assistance on wildlife habitat and population management.
3. Exercise its law enforcement authority to enforce rules and regulations within the entire Project area to maintain and preserve law and order, and to protect facilities, resources, and Federal lands and waters from unauthorized use and illegal activities. Within the limits of its authority, adopt and enforce rules and regulations for public conduct within the Project area as are necessary and desirable to protect the health and safety of persons using the Project area, for the preservation of law and order, and for the protection of resources, lands and facilities. Federal rules and regulations are promulgated by Reclamation in 43 Code of Federal Regulations, Part 423 and Part 429 and other applicable Federal, State and Local laws, rules, regulations, and policies currently in place or as may be adopted in the future.
4. Exchange law enforcement information with Reclamation and the City. Department law enforcement personnel, the City, and Reclamation will collaborate in the exchange of law enforcement information related to the Project area. The extent and detail of information will be defined on a case-by-case basis.
5. Ensure that land use and administration of the Project area will conform to all applicable Federal laws, rules, regulations, policies, and Executive Orders. Applicable Reclamation Policies, and Directives and Standards include, but are not limited, to LND P02; LND P04; LND 01-01; LND 01-03; LND 04-02; and LND 08-01.
6. Investigate, within its statutory authority, or cooperate within its statutory authority in the investigation by the agency having jurisdiction, of all accidents involving death, serious injury or property damage, hazardous material spills, or other incidents of a serious nature within the Project area. The agency having jurisdiction will make an initial verbal report on such incidents to Reclamation within one (1) working day of knowledge of the incident, and will submit a written report to Reclamation within five (5) calendar days of the verbal notice of any such incidents or occurrences.
7. Take all reasonable measures necessary to identify, investigate, and resolve incidents of unauthorized land, resource, or recreation facility use, or unauthorized encroachment within the Project area. This includes any legal actions necessary to prevent or prosecute such unauthorized use provided that any such action by the Department cannot bind the United States in a manner either to payment of money or any other form of commitment. Resolution of boundary disputes shall be the responsibility of Reclamation. The Department will notify Reclamation's designated representative of boundary disputes or unauthorized incidents within 10 calendar days of discovery.

4. Period of Performance

This MOU shall become effective on the date of last signature hereto and shall remain in effect for a period of five (5) years. Not later than one year prior to expiration of this MOU, the parties hereto may negotiate a new MOU.

5. Modifications

- A. Reclamation, the City, or the Department may formally request modification of this MOU. Modifications shall be made by mutual consent of all parties by the issuance of a written modification to this MOU, and signed and dated by all parties prior to any changes being performed.
- B. If any portion of this MOU is rendered null and void as a result of applicable laws, regulations, executive orders, court rulings, etc., all remaining portions of the MOU will remain in full force and effect, provided the voided portion or portions do not affect the primary purposes of this MOU.

6. Termination

This MOU will terminate and all rights and obligations of the parties under this MOU will cease under the following conditions:

- A. Upon expiration of the term of this MOU, as provided in Article 4; or
- B. If after determination by Reclamation that a Department authorized activity or use of these Federal lands is deemed to be illegal, and notice of such determination is provided to the Department, the illegal activity is not terminated, and remediated if necessary, within 60 days of notice to the Department.
- C. For any reason, other than those expressed in above herein, Reclamation, the City, or the Department may terminate this MOU with at least 60 days written notice to the other parties.

7. Principal Contacts

The principal contacts for this MOU are:

Reclamation

Mark A. Treviño, Area Manager
Oklahoma-Texas Area Office
Bureau of Reclamation
5316 Hwy 290 W, Suite 110
Austin, TX 78735-8931
Phone: (512)899-4150

City

Carl White, Director, Parks and Recreation

City of San Angelo
702 S. Chadbourne St.
San Angelo, TX 76903
(325)657-4450

Department

Justin Dreibelbis, Director
Private Lands & Public Hunting Program
4200 Smith School Road
Austin, TX 78744
(512)389-4395

8. General Provisions

- A. **This MOU is neither a fiscal nor a funds obligating document.** Any endeavor or transfer of anything of value involving reimbursement or contribution of funds between the parties of this MOU will be handled in accordance with applicable laws, regulations, and procedures including those for Government procurement and printing. Such endeavors will be outlined in separate agreements that shall be made in writing by representatives of the parties and shall be independently authorized by appropriate statutory authority. This MOU does not provide such authority.
- B. The Department may enter into financial assistance agreements with Reclamation and/or the City for recreation and/or fish and wildlife enhancements in accordance with appropriate statutory authority.
- C. All Reclamation Federal lands covered by this MOU shall be closed to off-road (cross-country) vehicle use, unless opened through a Reclamation-approved planning process (in accordance with 43 CFR Part 420). Public motorized travel on existing, designated roads may be allowed, unless otherwise posted as closed to protect project resources and health and human safety.
- D. Cultural resources will be investigated prior to the implementation of any improvement activities or surface disturbing actions. The Department or City personnel will coordinate with Reclamation to ensure that compliance with Section 106 of the National Historic Preservation Act (NHPA) (16 U.S.C. 470f), and implementing regulations at 36 CFR Part 800, is completed prior to project implementation. The management of cultural resources located within the Project area shall be consistent with Reclamation's Cultural Resources Management Policy (LND P01) and Cultural Resources Directives and Standards (LND 02-01).
- E. In the event that human remains (as defined by the Native American Grave Protection and Repatriation Act) are found within the Project area, the respective Reclamation Area Manager shall be immediately notified and provisions of the Native American Grave Protection and Repatriation Act (25 U.S.C. 3001 et seq.) and Reclamation procedures shall be followed.
- F. The collection of prehistoric or historic artifacts from the Project area must be approved by Reclamation. The unauthorized excavation of such items is prohibited by the Archaeological Resources Protection Act (ARPA) (16 U.S.C. 470aa et. Seq.). Planned collections of such

items are subject to Reclamation's issuance of a permit pursuant to ARPA. Any archaeological or historical items removed from the Project area, including items collected and turned in by members of the public, shall be assessed by Reclamation to determine whether they constitute federal museum property. If so, they will be managed by Reclamation in a manner consistent with 36 CFR Part 79, the Curation of Federally-Owned and Administered Archaeological Collections. At Reclamation's request, the City and the Department will exchange information pertaining to prehistoric and historic artifacts and archaeological sites with Reclamation's archeologist.

- G. The rights of the Department and the City under this Agreement are subordinate to the prior rights of the United States, for the primary purposes of the project and any associated facilities or activities pursuant to Federal Reclamation Law, rules and regulations. The United States will give written notice to the City and the Department if the United States determines that changes in land use for Reclamation purposes within the Project area are necessary.
- H. Reclamation may close the Project area, or any portion thereof, to public use whenever Reclamation determines such restriction is necessary in the interest of Project operation, public safety or national security. Reclamation's designated representative will give written notice to the Department and City of any such closure. This notice will be given as soon as practicable after a determination for closure is made and will include the date when the closure becomes effective. The Department and the City will enforce such closure and such enforcement will include coordination and cooperation with Reclamation. Enforcement of any Reclamation mandated closure shall not obligate the City to incur costs or expenses not otherwise required by the Existing Contract, as amended and supplemented.
- I. No member of or delegate to Congress, or resident Commissioner, shall be admitted to any share or part of the MOU or to any benefit that may arise out of it.
- J. All parties to this MOU agree to comply with all Federal statutes relating to nondiscrimination, including but not limited to: Title VII of the Civil Rights Act of 1964, as amended, which prohibits discrimination on the basis of race, color, religion, sex, or national origin; Title IX of the Education amendments of 1972, as amended, which prohibits discrimination on the basis of sex; the Rehabilitation Act of 1973, as amended, and the Americans with Disabilities Act of 1990, as amended, which prohibit discrimination on the basis of disability; the Age Discrimination in Employment Act of 1967, as amended, which prohibits discrimination based on age against those who are at least 40 years of age; and the Equal Pay Act of 1963.
- K. Any information furnished to Reclamation, under this MOU, is subject to the Freedom of Information Act (5 U.S.C. 552).

9. Reservations

The Department's management of the Project area is subject to the following conditions and reservations:

- A. Existing land uses, rights, or interests within the Project area and lawfully held by Reclamation, the City or persons or entities not party to this MOU.

- B. The right of Reclamation, their assigns, employees and agents, to enter upon the Project area on official business without charge, for the purpose of enforcing, protecting, and exercising the rights of Reclamation and also to protect the rights of those not party to this MOU.
- C. The right of Reclamation, its assigns, agents, contractors, lessees, or permittees, to remove from the Project area, any and all materials necessary for the construction, operation, and maintenance of Project works and facilities. All such removal activities shall not encroach on developed sites without mutual agreement of the parties hereto.
- D. The right of Reclamation, and its assigns, agents, contractors, lessees, or permittees, to prospect for, extract, and carry on the management of oil, gas, coal, and other minerals and the right to issue leases or permits to prospect for oil, gas, or other minerals under the Act of February 25, 1920 (41 Stat. 437), and amendatory acts, the Act of August 4, 1939 (53 Stat. 1187), as amended, and the Act of August 7, 1947 (61 Stat. 913), subject to stipulations.

10. Signatures

IN WITNESS WHEREOF, the parties hereto have executed this MOU as of the last date written below.

Mark A. Treviño, Area Manager
Oklahoma-Texas Area Office
Bureau of Reclamation

Date

Daniel Valenzuela, City Manager
City of San Angelo

Date

Clayton Wolf
Division Director, Wildlife
Texas Parks and Wildlife Department

Date

[Signatures continued on following page]

FOR THE CITY:

ATTEST:

Bryan Kendrick, City Clerk

APPROVED AS TO CONTENT

APPROVED AS TO FORM

Carl White, Parks and Recreation Director

Brandon Dyson, Assistant City Attorney

~~ End of Document ~~

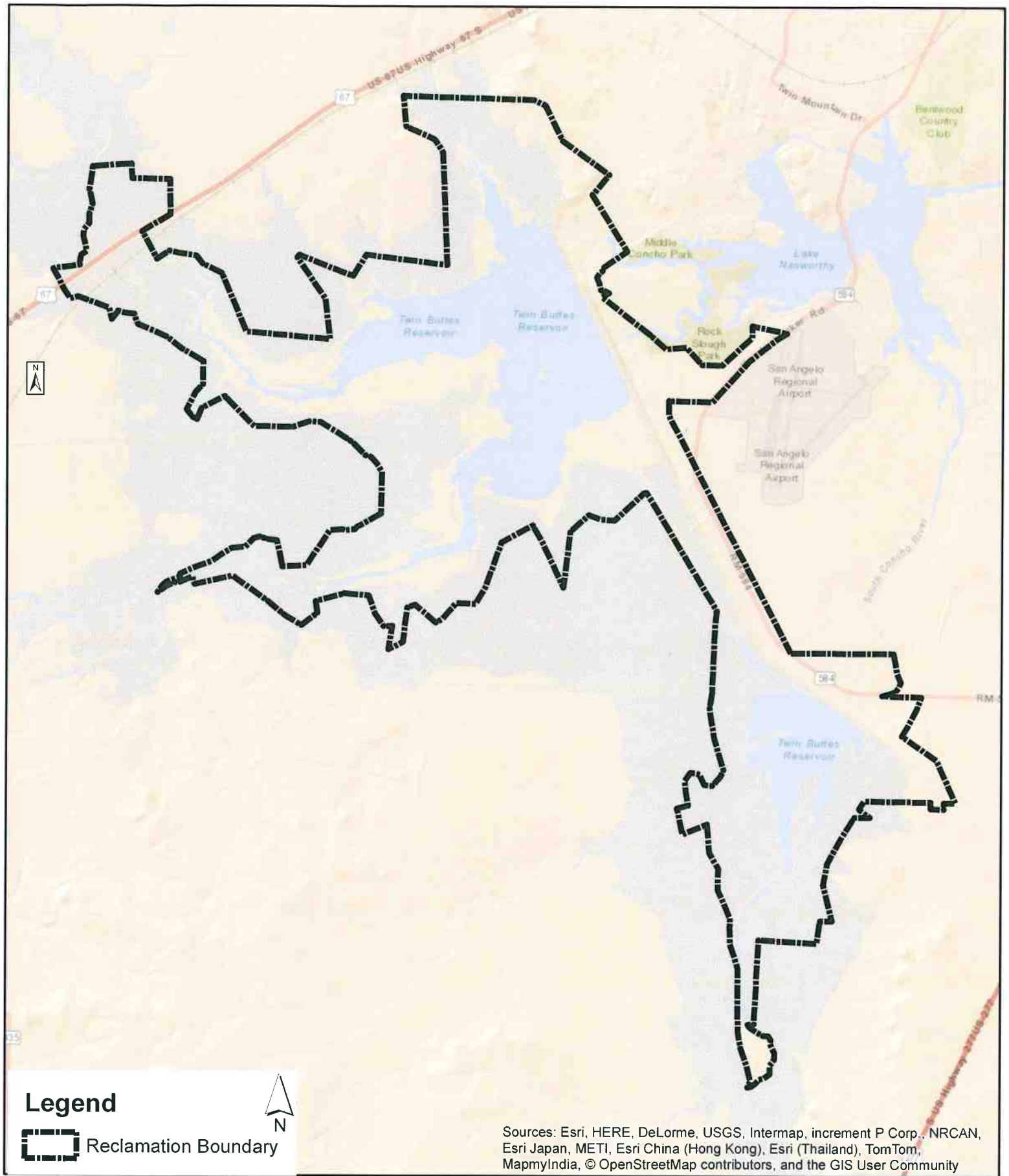


Exhibit A - Agreement 16-LM-60-2676
San Angelo Project, Twin Buttes Reservoir
Tom Green County, Texas

Texas Administrative Code

TITLE 31 NATURAL RESOURCES AND CONSERVATION PART 2 TEXAS PARKS AND WILDLIFE DEPARTMENT CHAPTER 65 WILDLIFE SUBCHAPTER H PUBLIC LANDS PROCLAMATION

Rules

RULE §65.190 Application

(a) This subchapter applies to all activities subject to department regulation on lands designated by the department as public hunting lands, regardless of the presence or absence of boundary markers. Public hunting lands are acquired by lease or license, management agreements, trade, gift, and purchase. Records of such acquisition are on file at the Department's central repository.

(b) On U.S. Forest Service Lands designated as public hunting lands (Alabama Creek, Bannister, Caddo National Grasslands, Moore Plantation, Sam Houston National Forest WMAs, and Lake McClellan Recreation Area) or any portion of Units 902 and 903, persons other than hunters are exempt from the provisions of this subchapter, except for the provisions of §65.199(c)(15) of this title (relating to General Rules of Conduct).

(c) On U.S. Army Corps of Engineer Lands designated as public hunting lands (Cooper, Dam B, Pat Mayse, and White Oak Creek WMAs; Granger, Somerville and Ray Roberts PHLs), persons other than hunters and equestrian users are exempt from requirements for an access permit.

(d) On state park lands designated as public hunting lands, access for fishing and recreational use is governed by state park regulations.

(e) Public hunting lands include, but are not limited to, the following:

- (1) Alabama Creek WMA (Unit 904);
- (2) Alazan Bayou WMA (Unit 747);
- (3) Atkinson Island WMA;
- (4) Bannister WMA (Unit 903);
- (5) Big Lake Bottom WMA (Unit 733);
- (6) Black Gap WMA (Unit 701);
- (7) Blue Elbow Swamp-Tony Houseman WMA/SP;
- (8) Caddo Lake WMA (Unit 730);

- (9) Caddo National Grasslands WMA (Unit 901);
- (10) Candy Abshier WMA;
- (11) Cedar Creek Islands WMA (includes Big Island, Bird Island, and Telfair Island Units);
- (12) Chaparral WMA (Unit 700);
- (13) Cooper WMA (Unit 731);
- (14) D.R. Wintermann WMA;
- (15) Dam B WMA--includes Angelina-Neches Scientific Area (Unit 707);
- (16) Designated Units of the Las Palomas WMA;
- (17) Designated Units of Public Hunting Lands Under Short-Term Lease;
- (18) Designated Units of the Playa Lakes WMA;
- (19) Designated Units of the State Park System;
- (20) Elephant Mountain WMA (Unit 725);
- (21) Gene Howe WMA (Unit 755)--includes Pat Murphy Unit (Unit 706);
- (22) Granger (Unit 709);
- (23) Guadalupe Delta WMA (Unit 729)--includes Mission Lake Unit (720), Guadalupe River Unit (723), Hynes Bay Unit (724), and San Antonio River Unit (760);
- (24) Gus Engeling WMA (Unit 754);
- (25) James Daughtrey WMA (Unit 713);
- (26) J.D. Murphree WMA (Unit 783);
- (27) Justin Hurst WMA (Unit 721);
- (28) Keechi Creek WMA (Unit 726);
- (29) Kerr WMA (Unit 756);
- (30) Lake McClellan Recreation Area (Unit 906);
- (31) Lower Neches WMA (Unit 728)--includes Old River Unit and Nelda Stark Unit;

- (32) Mad Island WMA (Unit 729);
- (33) Mason Mountain WMA (Unit 749);
- (34) Matador WMA (Unit 702);
- (35) Matagorda Island WMA (Unit 722);
- (36) McGillvray and Leona McKie Muse WMA (Unit 750);
- (37) M.O. Neasloney WMA;
- (38) Moore Plantation WMA (Unit 902);
- (39) Nannie Stringfellow WMA (Unit 716);
- (40) North Toledo Bend WMA (Unit 615);
- (41) Old Sabine Bottom WMA (Unit 732);
- (42) Pat Mayse WMA (Unit 705);
- (43) Ray Roberts (Unit 501);
- (44) Redhead Pond WMA;
- (45) Richland Creek WMA (Unit 703);
- (46) Sam Houston National Forest WMA (Unit 905);
- (47) Sierra Diablo WMA (Unit 767);
- (48) Somerville (Unit 711);
- (49) Tawakoni WMA (Unit 708);
- (50) Welder Flats WMA;
- (51) White Oak Creek WMA (Unit 727); and
- (52) Other numbered units of public hunting lands.

RULE §65.191 Definitions

The following words and terms, when used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise. All other words and terms shall have the meanings assigned in §65.3 of this title (relating to Statewide Hunting and Fishing Proclamation).

- (1) Adult--A person 17 years of age or older.
- (2) Airboat--A boat propelled mechanically by movement of air, including, but not limited to a fan, propeller, or jet.
- (3) All terrain vehicle (ATV)--Any vehicle meeting the definition of an ATV under Transportation Code, §663.001.
- (4) Annual Public Hunting (APH) Permit--A permit, valid from issuance date through the following August 31, which allows entry to designated public hunting lands at designated times and the taking of wildlife resources as designated.
- (5) Application fee--A non-refundable fee that may be required to accompany and validate an individual's application for a special permit.
- (6) Authorized supervising adult--A parent, legal guardian, or individual at least 18 years of age who assumes liability responsibility for a youth.
- (7) Blind--Any structure assembled of man-made or natural materials for the purpose or having the effect of promoting concealment or increasing the field of vision of a person.
- (8) Buckshot--Lead pellets ranging in size from .24-inch to .36-inch in diameter normally loaded in a shotgun (includes, but is not limited to 0 and 00 buckshot).
- (9) Camping--The use of public hunting lands for overnight accommodation, which includes sleeping, the storage of unattended personal possessions, or the use of a motor vehicle as a lodging.
- (10) Competitive hunting dog event (field trial)--A department-sanctioned contest in which the skills of hunting dogs are tested.
- (11) Concurrent hunt--A hunt that maintains the same permit requirements, hunt dates, means and methods, or shooting hours or combinations thereof for more than one species of animal, as designated and subject to any special provisions.
- (12) Consumptive user--A person who takes or attempts to take wildlife resources.
- (13) Designated campsite--A designated area where camping and camping activities are authorized.
- (14) Designated days--Specific days within an established season or period of time as designated by the executive director.
- (15) Designated road--A constructed roadway indicated as being open to the public by either signs posted to that effect or by current maps and leaflets distributed at the area. Roads closed to the public may additionally be identified by on-site signing, barricades at entrances, or informational literature made available to the public. Designated roads do not include county or state roads or highways.

(16) Designated target practice area--An area designated by on-site signing or by order of the executive director within which the discharge of firearms for target practice is authorized.

(17) Designated units of the state park system--Specific units of the state park system approved by the commission for application of provisions of this subchapter.

(18) Disabled person--A person who possesses a placard, license plate, or other documentation issued to that person by the State of Texas under the provisions of Transportation Code, Chapter 681.

(19) General Season--A specified time period, or designated days within a specified time period, during which more than one means or methods (as designated) may be used to take designated species.

(20) Headwear--Garment or item of apparel worn on or about the head.

(21) Immediate supervision--Control of a youth by an authorized supervising adult issuing verbal instructions in a normal voice level.

(22) Lands within a desert bighorn sheep cooperative--An aggregation of lands for which the concerned landowners and the Texas Parks and Wildlife Department have agreed to coordinate efforts to restore, manage, and harvest desert bighorn sheep.

(23) Limited Public Use (LPU) Permit--A permit, valid from issuance date through the following August 31, which allows access to designated wildlife management areas and public hunting lands at the same times that access is provided by an APH permit.

(24) Limited use zone--An area designated by order of the executive director and/or by boundary signs on the area, within which public use is prohibited or restricted to specified activities.

(25) Loaded firearm--A firearm containing a live round of ammunition within the chamber and/or the magazine, or if muzzleloading, one which has a cap on the nipple or a priming charge in the pan.

(26) Mentored Hunting Permit--A permit authorizing access to public hunting lands for the purpose of attending a department-sponsored workshop, including participation in a designated hunting opportunity subsequent to the workshop.

(27) Motorboat--Any vessel being propelled by machinery, but does not include a boat being propelled solely by paddle, pole, oar, or wind.

(28) Motor vehicle--As defined by Transportation Code, Chapter 541.

(29) Off-road vehicle--An ATV, a utility vehicle, a vehicle that may not lawfully be operated on a public roadway, or any vehicle that is manufactured or adapted for off-road use.

(30) On-site registration--The requirement for public users to register at designated places upon entry to and exit from specified public hunting lands, but does not constitute a permit.

(31) Permit--Documentation authorizing specified access and public use privileges on public hunting lands.

(32) Predatory animals--Coyotes and bobcats.

(33) Preference point system--A method of special permit distribution in which the probability of selection is progressively enhanced by prior unsuccessful applications within a given hunt category by individuals or groups.

(34) Public hunting area--A portion of public hunting lands designated as being open to the activity of hunting, and may include all or only a portion of a certain unit of public hunting land.

(35) Public hunting compartment--A defined portion of a public hunting area to which hunters are assigned and authorized to perform public hunting activity.

(36) Public hunting lands (PHL)--Lands identified in §65.190 of this title (relating to Application) or by order of the executive director on which provisions of this subchapter apply.

(37) Recreational use--Any use or activity other than hunting or fishing.

(38) Regular Permit--A permit issued on a first-come-first-served basis, on-site, at the time of the hunt that allows the taking of designated species of wildlife on the issuing area.

(39) Restricted area--All or portions of public hunting lands identified by boundary signs as being closed to public entry or use.

(40) Sanctuary--All or a portion of public hunting lands identified by boundary sign as being closed to the hunting of specified wildlife resources.

(41) Slug--A metallic object designed for being fired as a single projectile by discharge of a shotgun.

(42) Special Access Permit--A permit, issued pursuant to a selection procedure, that allows access to a specified unit of the state park system at a specified time.

(43) Special Permit--A permit, issued pursuant to a selection procedure, which allows the taking of designated species of wildlife.

(44) Special package hunt--A public hunt conducted for promotional or fund raising purposes and offering the selected applicant(s) a high quality experience with enhanced provisions for food, lodging, transportation, and guide services.

(45) Tagging fee--A fee which may be assessed in addition to the special permit fee for the harvest of alligators for commercial sale or prior to the attempted harvest of desert bighorn sheep or designated exotic mammals.

(46) Wildlife management area (WMA)--A unit of public hunting lands which is intensively managed for the conservation, enhancement, and public use of wildlife resources and supporting habitats.

(47) Wildlife resources--Game animals, game birds, furbearing animals, alligators, marine mammals, frogs, fish, crayfish, other aquatic life, exotic animals, predatory animals, rabbits and hares, and other wild fauna.

(48) Wounded exotic mammal--An exotic mammal leaving a blood trail.

(49) Youth--A person less than 17 years of age.

RULE §65.192 Powers of the Executive Director

(a) The executive director is authorized by the Parks and Wildlife Commission to execute lease and management agreements for public hunting lands.

(b) The executive director may designate lands acquired under short-term lease agreement or lands acquired following the adoption of this subchapter for application of regulations governing hunting, fishing, and other public use.

(c) The executive director may designate hunt areas, legal species, hunt dates, shooting hours, bag limits, means and methods, and permit requirements within the framework established by the commission to promote the proper management and public use of wildlife resources on public hunting lands.

(d) The executive director may designate specific hunts for participation only by persons who meet established criteria with respect to age or disability.

(e) The executive director may designate limited-use zones on public hunting lands, within which public use is prohibited, restricted, or limited to certain periods of time.

(f) The executive director may close public hunting lands to public use to protect sensitive sites, and may cancel hunts or close the seasons on certain areas to avoid depletion of wildlife resources or in response to severe weather or other emergencies.

(g) It is a violation to conduct business concessions on public hunting lands unless specifically authorized in writing by the executive director. Business concessions include but are not limited to activities such as selling, buying, leasing, or peddling goods, merchandise or services to the public.

RULE §65.193 Access Permit Required and Fees

(a) It is an offense for a person without a valid access permit to enter public hunting lands, except:

(1) on areas or for activities where no permit is required;

(2) persons who are authorized by, and acting in an official capacity for the department or the landowners of public hunting lands;

(3) persons participating in educational programs, management demonstrations, or other scheduled activities sponsored or sanctioned by the department with written approval;

(4) persons owning or leasing land within the boundaries of public hunting lands, while traveling directly to or from their property;

(5) for a non-hunting or non-fishing adult who is assisting a permitted disabled person; or

(6) for youth under the supervision of an authorized supervising adult possessing an APH permit or a LPU permit.

(b) Annual Public Hunting (APH) Permit and Limited Public Use (LPU) Permit.

(1) It is an offense for a person 17 years of age or older to enter public hunting lands or take or attempt to take wildlife resources on public hunting lands at times when an APH permit is required without possessing an APH permit or to fail to display the APH permit, upon request, to a department employee or other official authorized to enforce regulations on public hunting lands.

(2) A person possessing a LPU permit may enter public hunting lands at times that access is allowed under the APH permit, and is authorized to fish but may not hunt.

(3) Persons possessing an APH permit or an LPU permit may use public hunting lands to access adjacent public waters, and may fish in adjacent public waters from riverbanks on public hunting lands.

(4) The permits required under paragraphs (1) - (3) of this subsection are not required for:

(A) persons who enter Caddo Lake Wildlife Management Area and do not hunt or enter upon the land;

(B) persons who enter and hunt waterfowl within the Bayside Marsh Unit of Matagorda Island State Park and Wildlife Management Area; or

(C) persons who enter Zone C of the Guadalupe River Unit of the Guadalupe Delta Wildlife Management Area and do not hunt or fish.

(5) The permit required by paragraphs (1) - (3) of this subsection is not valid unless the signature of the holder appears on the permit.

(6) A person, by signature of the permit and by payment of a permit fee waives all liability towards the landowner (licensor) and Texas Parks and Wildlife Department (licensee).

(c) Regular Permit--A regular permit is issued on a first come-first served basis at the hunt area on the day of the scheduled hunt with the department reserving the right to limit the number of regular permits to be issued.

(d) Special Permit--A special permit is issued to an applicant selected in a drawing.

(e) Special Access Permit--A special access permit is issued to an applicant selected in a drawing.

(f) Mentored Hunting Permit--Permits issued under this subsection shall be available on a first-come, first-served basis for use on designated units of public hunting lands at designated times. A person may participate in a designated hunt under a mentored hunting permit only if the person has completed the mandatory mentored hunter workshop and has been authorized by the department to participate in hunt activities. A person who participates in a mentored hunt under a mentored hunting permit must be accompanied by a designated mentor.

(g) Permits for hunting wildlife resources on public hunting lands shall be issued by the department to applicants by means of a fair method of distribution subject to limitations on the maximum number of permits to be issued.

(h) The department may implement a system of issuing special permits or special access permits that gives preference to those applicants who have applied previously but were not selected to receive a permit.

(i) Application fees.

(1) The department may charge a non-refundable fee, which may be required to accompany and validate an individual's application in a drawing for a special hunting permit or special access permit.

(2) The application fee for a special hunting permit or special access permit is waived for a person under 17 years of age; however, the youth must apply in conjunction with an authorized supervising adult to whom an application fee is assessed, except as provided in paragraphs (3) and (4) of this subsection.

(3) The application fee for a special permit or special access permit is waived for an adult who is making application to serve as a non-hunting authorized supervising adult for a youth in a youth-only drawn hunt category.

(4) Persons under 17 years of age may be disqualified from applying for special package hunts or may be assessed the application fee.

(5) The application fee for a special permit or special access permit is waived for on-site applications made under standby procedures at the time of a hunt.

(6) Incomplete or incorrectly completed applications will be disqualified.

(j) Legal animals to be taken by special or regular permit shall be stipulated on the permit.

(k) Only one special, special access, or regular permit fee will be assessed in the event of concurrent hunts for multiple species, and the fee for the legal species having the most expensive permit will prevail.

(l) Any applicable special, special access, or regular permit fees will be waived for youth under the supervision of a duly permitted authorized supervising adult.

- (m) Any applicable regular permit fees will be waived for persons possessing an APH permit.
- (n) Certain hunts may be conducted totally or in part by regular permit. It is an offense to fail to comply with established permit requirements specifying whether a regular permit is required of all participants or required only of adult participants who do not possess an APH permit.
- (o) Any applicable regular permit fees for authorized activities other than hunting or fishing will be waived for persons possessing an APH permit or an LPU permit.
- (p) An access permit applies only to the individual to whom the permit is issued, and neither the permit nor the rights granted thereunder are transferable to another person.
- (q) A person who fails to obey the conditions of a permit issued under this subchapter commits an offense.

RULE §65.194 Competitive Hunting Dog Event (Field Trials) and Fees

The department may authorize field trials on public hunting lands. All activities conducted pursuant to this section shall be subject to the provisions of this subchapter, except as specifically provided in this section.

(1) No person shall conduct or participate in a field trial on public hunting lands unless the event has been sanctioned by the department through the issuance of a Field Trial Permit in accordance with this section.

(2) An application for a Field Trial Permit shall be submitted at least 90 days in advance of the proposed event to the Wildlife Division regional director in whose region the proposed event would take place. The application shall include, at a minimum:

(A) the name, address, and telephone number of the sponsoring person(s) or organization(s);

(B) the unit(s), compartment(s), and approximate acreage of public hunting lands that the proposed event would involve;

(C) the date(s) of the proposed event, including preparatory activity and cleanup operations;

(D) the exact nature of the event, including any construction, facilities emplacement, or other site alterations;

(E) the number of participating dogs, dog handlers, and officials, respectively, and the estimated number of spectators;

(F) the fee for the field trial permit as assessed according to the number of participating dog handlers and officials as specified by Chapter 53, Subchapter A of this title, (relating to Fees).

(G) proof of liability insurance for the event in the amount of at least \$250,000, which shall include coverage of personal injury and property damage; and

(H) a performance bond in the amount of \$5,000 to assure restoration of the involved public hunting lands to pre-field trial conditions.

(3) Approval or denial of the permit application shall be at the sole discretion of the regional director and shall be based on the anticipated impact the proposed event would have:

(A) on the natural resources of public hunting lands; and

(B) on other events or activities authorized or conducted by the department.

(4) The regional director shall, within 30 days of receipt of such application, notify the applicant of approval or denial of the application. If the application is approved, the field trial permit shall be issued in the form of a letter to the applicant. Any requirements or restrictions in addition to the provisions of this subchapter shall be specified in the permit.

(5) The field trial permit shall be present and available on-site during all field trial activities. The permittee shall, prior to commencing any competition, attach to the permit an accurate list containing the names and social security numbers of all dog handlers and officials who at any time participate in the event, and the names and social security numbers of all spectators. The aggregate number of participants named on the list shall not exceed the number of participants authorized by the field trial permit. The list shall be sent to the regional director no later than ten days following the conclusion of the event.

(6) All persons named on the list as officials, dog handlers, or spectators shall, during the event, be exempt from the access permit requirements of this subchapter.

(7) The permittee is responsible and liable for the actions of all field trial participants, spectators, and dogs during all activities conducted during this event.

(8) All construction, facilities emplacement, or other site alterations shall be performed and removed strictly in accordance with the conditions of the field trial permit. The permittee shall not be released from the obligations of this section and the performance bond shall not be returned to the permittee until the department is satisfied that the site has been restored to pre-trial conditions.

(9) During any field trial activity, it is an offense for any person attending the event or named on the list required by paragraph (2) of this section to:

(A) violate any condition of the field trial permit; or

(B) take or attempt to take any animal or bird.

RULE §65.195 Permit Revocation

Any person violating this subchapter is subject to having their permit revoked under the authority of Parks and Wildlife Code, Chapter 12, Subchapter F.

RULE §65.196 Refund of Permit Fees

There is a standard no-refund policy concerning permit fees; however, the department will consider, on a case-by-case basis, requests for refund of permit fees based on extenuating circumstances.

RULE §65.197 Reinstatement of Preference Points

Accrued preference points will be reinstated in the concerned hunt category for a selected applicant only if:

- (1) payment of hunt permit fees has been made, but the scheduled hunt is unable to be conducted in its entirety or is canceled at the discretion of the department;
- (2) the selected applicant was assigned a hunt category, hunt area, or hunt period other than was indicated on the application and does not participate in the hunt.

RULE §65.198 Entry, Registration, and Checkout

(a) It is an offense if a person:

- (1) who does not possess a valid permit enters public hunting lands at a time when access is restricted only to persons possessing a valid permit;
- (2) enters an area identified by boundary signs as a limited use zone, sanctuary, or restricted area and fails to obey the restrictions on public use posted at the area or as set forth in this subchapter; or
- (3) on areas where on-site registration is required, fails to check in at a registration station and properly complete registration procedures before initiation of hunting, fishing, or recreational use activities or fails to properly check out at the registration station before departing the area.

(b) Unless otherwise authorized in writing by the department or as provided in subsection (c) of this section, it is an offense if a person participating in a hunt conducted by special permit or totally or in part by regular permit fails to:

- (1) check in at a designated check station prior to initiation of hunting activities; and
- (2) check out at a designated check station or otherwise fails to allow inspection of the bag before leaving the area.

(c) The requirements of subsection (b) of this section may be waived for specific hunts as designated by order of the executive director or by direction of the hunt supervisor. Participation in regular permit hunts for which the check station requirement has been waived will be solely by APH permit.

(d) Access for recreational use and fishing may be temporarily restricted while hunts are being conducted by special or regular permit or at times when ongoing research or management activities may be impacted.

RULE §65.199 General Rules of Conduct

(a) This section applies to all public hunting lands unless an exception for a specific area and time period is designated by the executive director or by written permission of the department.

(b) For the purposes of this section, gear, equipment, and floating conveyances are "unattended" if the person who is responsible for the gear, equipment, or floating conveyance is not within 200 yards of the gear, equipment, or floating conveyance.

(c) It is unlawful for any person to:

(1) fail to obey regulations posted at the area or policies established by order of the executive director, fail to comply with instructions on permits or area leaflets, or refuse to follow directives given by departmental personnel in the discharge of official duties;

(2) possess a firearm, archery equipment, or any other device for taking wildlife resources on public hunting lands, except for persons authorized by the department to hunt or conduct research on the area, commissioned law enforcement officers, and department employees in performance of their duties;

(3) camp or construct an open fire anywhere other than in a designated campsite. On the Alabama Creek, Bannister, Caddo, Moore Plantation, and Sam Houston National Forest WMAs, this restriction applies only during the period from the day prior to the opening of the archery deer season through the day following the close of the general deer season;

(4) camp for more than 14 consecutive days on the same unit of public hunting lands, or for more than 21 days in any 30-day period;

(5) cause, create, or contribute to excessive or disturbing sounds beyond the person's immediate campsite between the hours of 10 p.m. and 6 a.m.;

(6) establish a camp and leave it unattended for a period of longer than 24 hours;

(7) disturb or remove plants, wood, rocks, gravel, sand, soil, shell, artifacts, or other objects from public hunting lands, except as authorized by the department;

(8) write on, scratch, or otherwise deface natural features, signs, buildings, or other structures;

(9) fail to deposit refuse in designated containers or fail to remove it from the area;

(10) consume or be under the influence of alcohol while engaged in hunting activities, or to publicly consume or display an alcoholic beverage while on public hunting lands;

(11) possess dogs in camp that are not confined or leashed;

(12) use or possess any type of riding stock or pack animal on public hunting lands at any time, except:

(A) as may be provided by order of the executive director; or

(B) by written authorization of the department;

(13) use an airboat within the boundaries of public hunting lands, except as provided by executive order or by written permission of the department;

(14) take an antlerless deer during the general open season on wildlife management areas jointly managed by TPW and the U.S. Forest Service (Alabama Creek, Bannister, Caddo, Moore Plantation, or Sam Houston National Forest) unless that person possesses on their person a U.S.F.S. antlerless permit;

(15) enter a unit of public hunting lands with an equine or equines, or cause the entry of an equine or equines to a unit of public hunting lands, unless that person has in their immediate possession, for each equine in the person's custody or equine that the person allowed to enter the unit of public hunting lands, a completed VS Form 10-11 (Texas Animal Health Commission) showing that the equine has tested negative to an official Equine Infectious Anemia test within the previous 12 months. The documentation required by this paragraph shall be made available for inspection upon the request of any department employee acting within the scope of official duties;

(16) park or leave a motor vehicle unattended anywhere other than in designated parking areas, if parking areas have been designated;

(17) use a motor vehicle, off-road vehicle, or ATV on a road, in an area, or at a time when such use is restricted to disabled persons, unless the person is in possession of a state-issued disabled parking placard or disabled license plate or assisting such a person;

(18) leave personal gear, equipment (including decoys), or a floating conveyance unattended for more than one hour following the close of legal shooting hours. This paragraph does not apply to personal gear, equipment, or a floating conveyance:

(A) within a designated camping area or designated campsite; or

(B) that is unattended during reserved participation in a public hunting activity that has been specifically scheduled by the department.

(19) engage in any activity not specifically authorized by order of the executive director or regulation of the commission.

(d) Hunting with Dogs.

(1) Dogs may be possessed and used to hunt animals and birds on public hunting lands only as provided:

(A) in the "Legal Game Legend" provided for each unit of public hunting lands in the department publication entitled "Map Booklet for Public Hunting Lands;" or

(B) in the case of drawn hunts, in the department publication entitled "Applications for Drawings on Public Hunting Lands."

(2) It is an offense for any person to use a dog to hunt a bird or animal on public hunting lands except as authorized:

(A) in the "Legal Game Legend" provided for each unit of public hunting lands in the department publication entitled "Map Booklet for Public Hunting Lands" or

(B) in the "Applications for Drawings on Public Hunting Lands."

RULE §65.200 Construction of Blinds

(a) The construction of permanent blinds is prohibited.

(b) The use of temporary blinds is permitted only if such structures are not:

(1) nailed to trees;

(2) emplaced longer than 72 hours; or

(3) otherwise prohibited for the specific activity, area, or time period.

(c) It is an offense for a person to:

(1) fail to remove all introduced materials used in constructing a temporary blind at the conclusion of public use activity;

(2) place a blind within 50 yards of any designated road, designated campsite, or public hunting lands boundary; or

(3) attempt to establish preferential rights to use of a specific location through construction of a temporary blind. A temporary blind shall be equally available to all public users on a first-come-first-served basis.

RULE §65.201 Motor Vehicles

(a) It is an offense to not confine motor vehicle use to designated roads, except parking is permitted on the shoulder of or immediately adjacent to designated roads, and as provided for a disabled person or for a person directly assisting a disabled person.

(b) It is unlawful to hunt any wildlife resource from a motor vehicle, motor-driven land conveyance, or possess a loaded firearm in or on the vehicle, except as provided for a disabled person.

(c) A disabled person may possess a loaded firearm in or on a motor vehicle and may hunt from a motor vehicle except only paraplegics and single or double amputees of legs may hunt migratory birds from a motor vehicle, provided the motor vehicle is not in motion, the engine is not running, and the motor vehicle is not located on a designated road, designated vehicle parking area, or designated campground.

(d) Except as authorized for specific areas and time periods by order of the executive director, or by written permission of the hunt supervisor or area manager, it is an offense for an individual other than a disabled person or a person directly assisting a disabled person to operate an off-road vehicle on public hunting lands. A person who uses an off-road vehicle to directly assist a disabled person under the provisions of this subchapter may not use the off-road vehicle to travel beyond normal speaking distance of the disabled person:

(1) except to return to an authorized road or trail; or

(2) unless such use is authorized by the department on the unit of public hunting lands at that time.

(e) The provisions of Chapter 59, Subchapter J of this title (relating to Off-Highway Vehicle Trail and Recreational Area Program) do not apply to a disabled person or a person assisting a disabled person who is participating in department-sanctioned activities on public hunting lands.

RULE §65.202 Youth Hunting on Public Hunting Lands

(a) Youth participating in public hunts by special permit must be eight years of age or older at the time of application.

(b) It is an offense for a person younger than 12 years of age to fail to be under the immediate supervision of a duly permitted and authorized supervising adult when hunting on public hunting lands. For a person 12 years of age or older who has received hunter education certification, the requirement for immediate supervision is relaxed to the extent that the authorized supervising adult is required only to be present on the public hunting area. The authorized supervising adult is responsible for the actions and liability of the youth.

(c) Youth participating in a youth waterfowl hunt during the federal youth waterfowl hunting season must be 15 years of age or younger.

RULE §65.203 Hunter Safety

(a) It is an offense if a person is within a hunt area during daylight hours at a time when hunting with firearms is permitted and fails to visibly wear:

(1) a minimum of 400 square inches of daylight fluorescent orange material, of which 144 square inches must appear on both the chest and back; and

(2) orange headwear.

(b) A person is exempt from the requirements of subsection (a) of this section only if the person is:

(1) hunting turkey, migratory birds, alligators, or desert bighorn sheep;

(2) within the enclosed passenger compartment of a motor vehicle; or

(3) within a designated campground, designated vehicle parking area, designated boat launching facility, or departmental check station.

(c) It is an offense to possess a loaded firearm in or on a motor vehicle, except as provided in §65.201(c) of this title (relating to Motor Vehicles) for a disabled person.

(d) It is an offense to possess a loaded firearm within a designated campsite, vehicle parking area, boat launching facility, or departmental check station.

(e) It is an offense to discharge a firearm or archery equipment from, onto, along, or across a designated road or designated campsite.

(f) It is an offense to use or display a firearm or other device in an obviously unsafe or threatening manner.

RULE §65.204 Recreational Use of Wildlife Management Areas

(a) Hunting is allowed on wildlife management areas only as provided in this subchapter.

(b) The following recreational uses may be allowed on a wildlife management area if authorized by the executive director:

(1) camping;

(2) equestrian activities, including horseback riding;

(3) hiking;

(4) bicycling;

(5) water recreation, which may include, but is not limited to boating, canoeing, kayaking and swimming;

(6) nature viewing (wildlife watching, wildflower viewing, etc.);

(7) fishing;

(8) educational and demonstration programs; and

(9) other recreational uses consistent and compatible with the purposes for which the wildlife management area was purchased, leased or otherwise acquired.

(c) Any recreational use allowed under subsection (b) of this section is subject to conditions and restrictions, including dates, times, and locations, prescribed by the executive director,

(d) No person may engage in any of the recreational uses listed in subsection (b) of this section on a wildlife management area unless such use is expressly authorized by the executive director.

RULE §65.208 Penalties

The penalties for violation of this subchapter are prescribed by Parks and Wildlife Code, §81.007. With respect to violations in designated state parks, the penalties are prescribed by Parks and Wildlife Code, §62.069.



City Council

April 19, 2016



MOU with TPWD & Bureau

- Consideration of adopting a Resolution approving a Memorandum of Understanding with the Bureau of Reclamation and Texas Parks and Wildlife Department for the creation and management of public hunting lands at the Twin Buttes Reservoir. (presentation by Carl White, Parks and Recreation Director)



MOU with TPWD & Bureau

- The purpose of this item is to secure City Council's adoption of a Resolution that authorizes approving an MOU with TPWD and the Bureau to adopt the Public Hunting Program for the recreational hunting lands at the Twin Buttes Reservoir.



MOU with TPWD & Bureau

- The primary purpose of the MOU is to include the recreational lands of the Twin Buttes Reservoir in TPWD's Public Lands Hunting Program. The objective is to provide for increased law enforcement; promote recreation, hunting, and fishing opportunities; and improve public access to these lands, as well as identify opportunities to provide habitat enhancement and improvement activities.



MOU with TPWD & Bureau

- At the October 6, 2015 meeting, Council consensus was to move forward with an MOU.
- Key parties have met and ironed out an MOU, presented here.



MOU with TPWD & Bureau

- Including these lands in TPWD's Public Lands Hunting Program will provide more opportunities for family-oriented outdoor recreational activities and increase law enforcement. Hunting, fishing, and recreation are critical in promoting enjoyment and stewardship of federal lands and water.



MOU with TPWD & Bureau

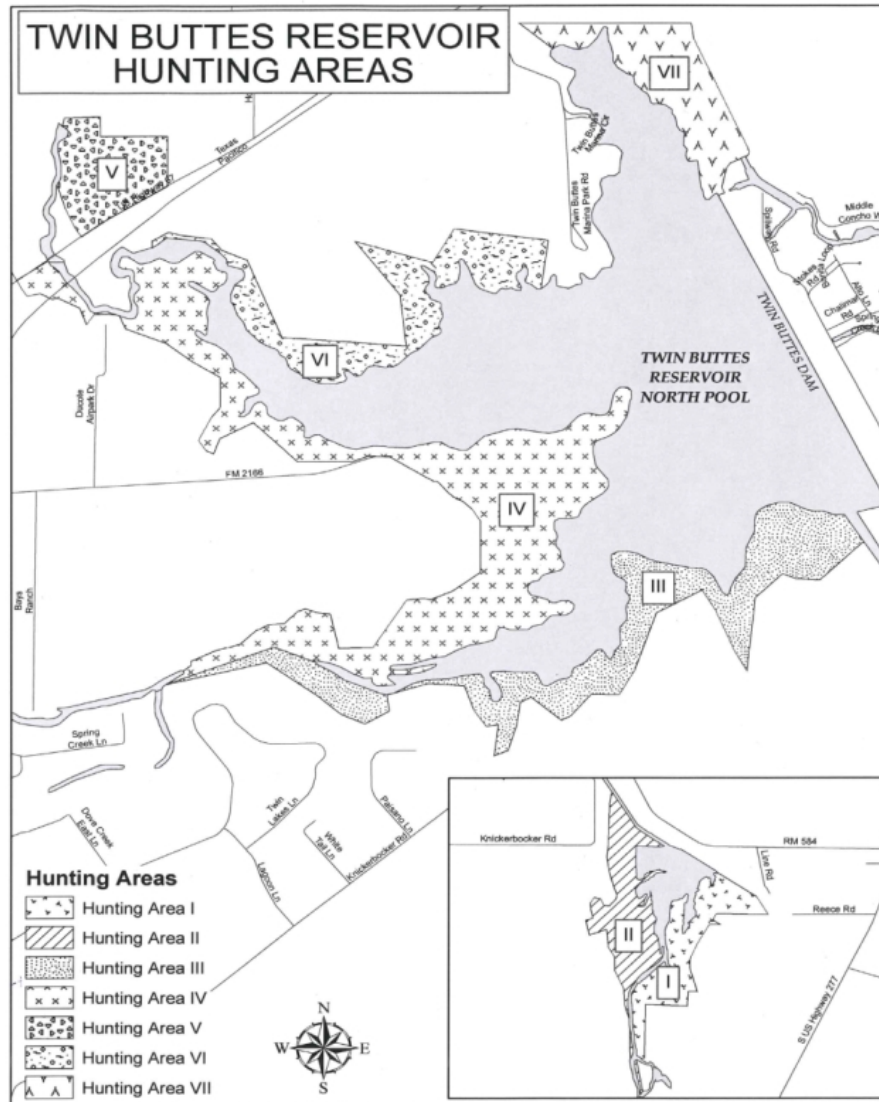
- TPWD will administer the program.
- the Public Hunting Program includes almost 900,000 acres located throughout Texas.
- TPWD will work to provide habitat enhancement and improvement activities.

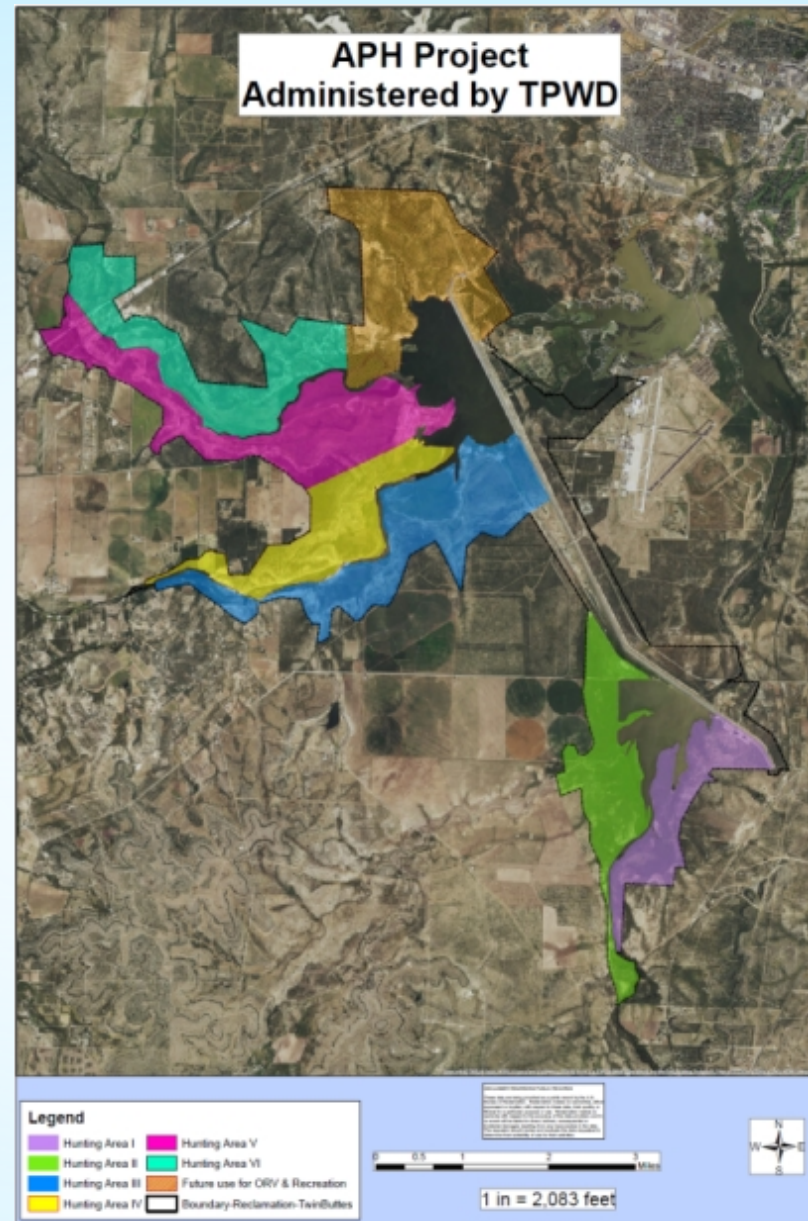


MOU with TPWD & Bureau

- Access is provided by 2 types of annual permits: the \$48 Annual Public Hunting (APH) Permit which allows full privileges including hunting, fishing, camping, hiking and other recreational uses and the \$12 Limited Public Use (LPU) Permit which also provides access for all other recreational activities except hunting.
- The permit fees are collected and used by TPWD to administer the program.







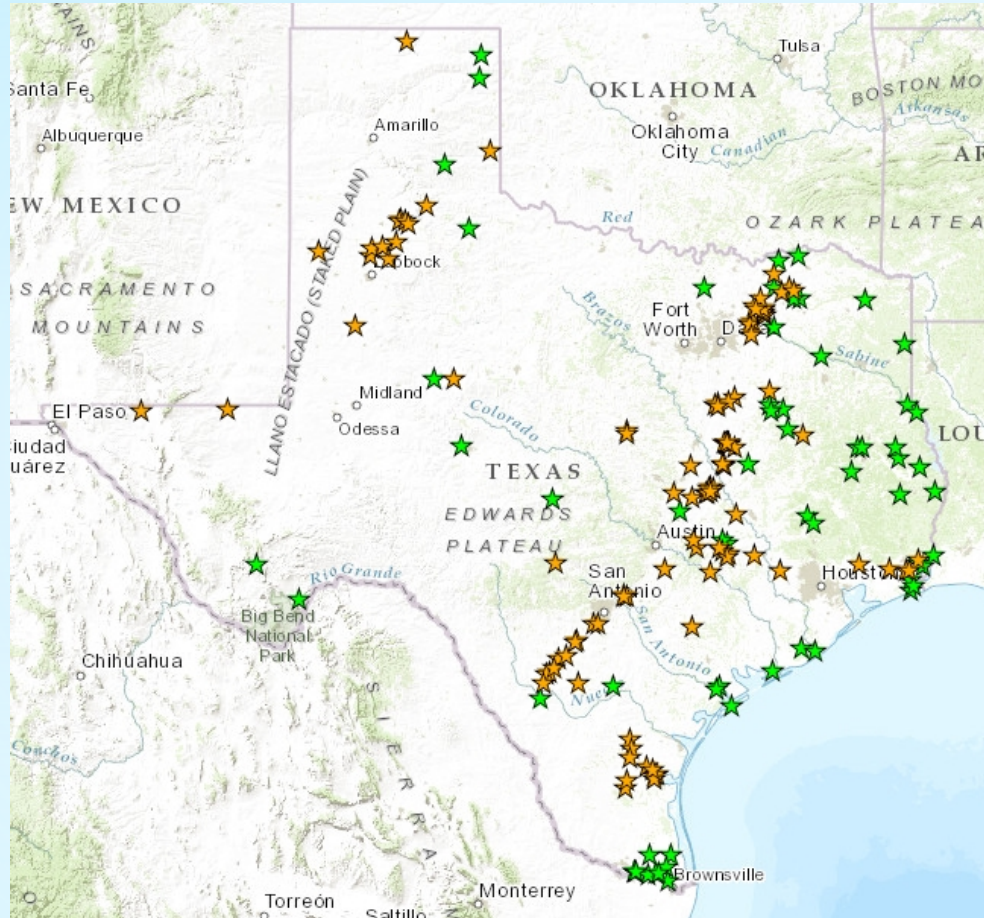


MOU with TPWD & Bureau

- *Texas Parks and Wildlife Department Mission Statement*
- *To manage and conserve the natural and cultural resources of Texas and to provide hunting, fishing and outdoor recreation opportunities for the use and enjoyment of present and future generations.*



MOU with TPWD & Bureau



★ = Public Hunt Areas ★ = Private Land Lease Areas

- TPWD has operated a Public Hunting Program since 1954.
- Annual Public Hunting Program since 1987.
- Nearly 1 Million acres of walk-in public hunting access on WMAs, State Parks and private lands leases.



MOU with TPWD & Bureau

- **Annual Public Hunting (APH) Permit:**
- A valid Texas hunting license along with any required stamp endorsements is required in addition to the APH Permit to participate in hunting opportunities offered through the public hunting program.
- Hunt white-tailed deer, feral hogs, dove, quail, turkey, waterfowl, rabbit, squirrel and more
- Over 180 hunting areas, including wildlife management areas, state parks and approximately 120 dove and small game areas leased from private landowners



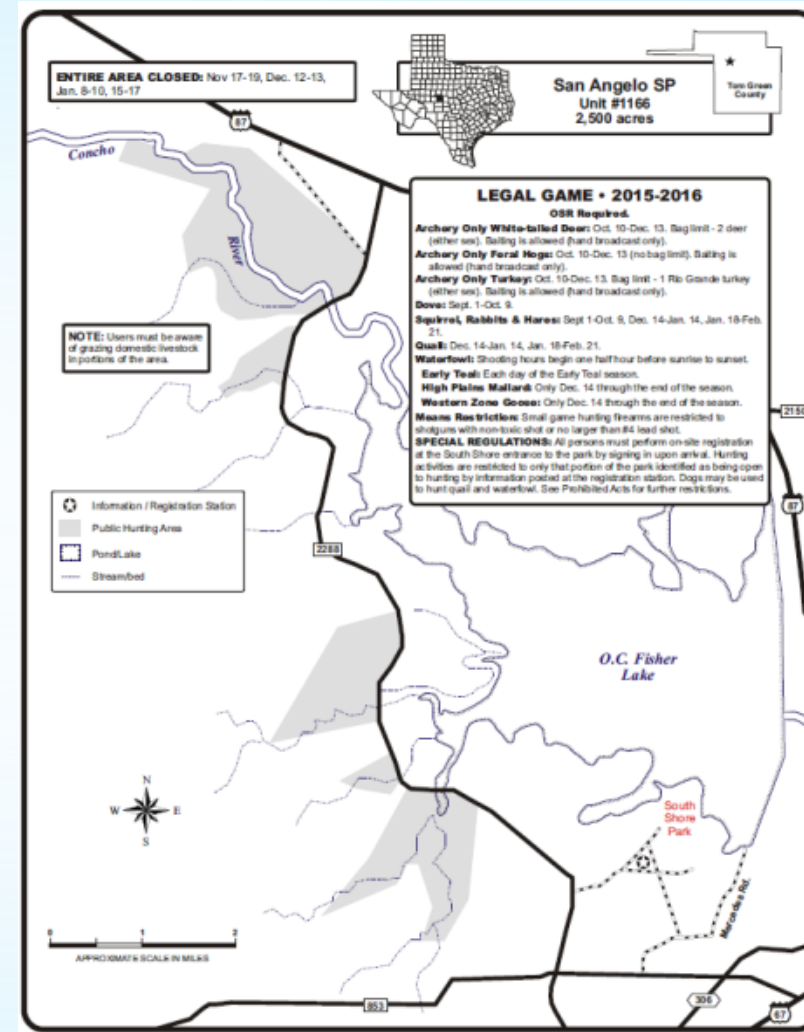
MOU with TPWD & Bureau

- Youth Only and Youth/Adult hunts for deer, waterfowl, dove, rabbit, squirrel and feral hogs
- Youth under age 17 may access these areas for free with a permitted adult.
- Fishing, camping, hiking, nature watching, photography and equestrian use are also available on these areas
- A **\$12 Limited Public Use (LPU)** Permit provides access to the same areas as the APH at a reduced cost for fishing, hiking, camping, bird watching, picnicking, wildlife viewing and equestrian use



MOU with TPWD & Bureau

- TPWD biologist would develop harvest plan and work with Bureau of Reclamation and City of San Angelo to enter info into APH book.
- Permit requirement would allow law enforcement to be more effective in patrolling the area.
- Potential wildlife habitat management opportunities.



MOU with TPWD & Bureau

- **Benefits of Participating in the TPWD Public Hunting Program:**
 - TPWD Law Enforcement presence
 - Habitat management and harvest recommendations from TPWD biologists
 - Over 60 years of experience administering hunts on public lands



MOU with TPWD & Bureau

- Other management matters to address:
 - Re-establish fence boundaries
 - Management of other recreational activities
 - Off-road trails: 4-wheelers, mountain bikes
 - Camping, boating, hiking
 - Designate hunting and other areas
 - Develop supporting ordinances, as needed
 - Honor existing leases





City Council

April 19, 2016



REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Morgan Chegwidden, Budget Manager, Budget, 325-653-6291

Meeting Date: April 19, 2016

Item type: Regular Item

Caption:

Second public hearing and consideration of ordinances amending Appendix A fee schedule of the code of ordinances:

- Creating article A14.000 facility use fees, section A14.001 airport conference room;
- Deleting and replacing article A11.000 fire and rescue service fees;
- Deleting and replacing article A12.000 fire safety inspection fees;
- Amending article A9.000 planning related fees; and
- Deleting and replacing article A2.000 building and construction related fees - (Presentation by Budget Manager Morgan Chegwidden)

Summary/History:

Each year, fees and charges are reviewed to ensure current rates are appropriate for the services rendered. The results of the 2016 fee review have been compiled and airport, fire, and development services are ready to be considered by the Council for adoption.

For today's discussion, staff recommends Council consider approving the attached ordinance ratifying fees for Airport, Fire, and Development Services which have been updated to match cost of service. Proposed fees, estimated cost of service, survey of peers, and financial impact table are depicted below.

Financial Impact:

Potential annual impact of increased revenue yielding:

- \$64 for Airport;
- \$180,687 for Fire; and
- \$11,101 for Development Services.

Other Information/Recommendation:

Staff recommends approval of the proposed ordinance.

Attachments:

- | | | |
|----|--|--|
| 1. | Fee Review Powerpoint Presentation | FIN 160419 Fee Review intro 2nd.pptx |
| 2. | Airport Fee Schedule | Airport fee schedule.pdf |
| 3. | Ord - Airport Conference Room | 16-266 BGT Fee Ordinance Airport Conference Room - First reading.docx |
| 4. | Fire Rescue & Fire Prevention Fee Schedule | Fire fee schedule.pdf |
| 5. | Ord - Fire Rescue | 16-266 BGT Fee Ordinance Fire and Rescue - second reading.docx |
| 6. | Ord - Fire Prevention | 16-266 BGT Fee Ordinance Fire Prevention - second reading.docx |
| 7. | Development Services Fee Schedule | Dev Svcs fee schedule.pdf |
| 8. | Ord - Planning | 16-266 BGT Fee Ordinance Planning - second reading.docx |
| 9. | Ord - Permits & Inspections | 16-266 BGT Fee Ordinance Permits and Inspections - second reading.docx |

Presentation:

Powerpoint

Approvals/Reviews:

Chegwidden, Morgan
 James, Theresa
 Carriger, Tina
 James, Theresa
 Dunn, Becky
 Kendrick, Bryan

Created/Initiated
 Approved
 Approved
 Approved
 Approved
 Final Approval



City Council

April 19, 2016



2016 Fee Review

- Annual fee review;
- Launched streamlined process;
- All fees reviewed each year;
- In-depth analysis on a three year rotation;
- Some departments recommended no changes;
- Recommended changes to be discussed.



2016 Fee Review

Airport	Current Fee	Proposed Fee	Estimated Cost of Service
Conference Room Fee (per hour)	\$0	\$16	\$16



2016 Fee Review

Fire	Current Fee	Proposed Fee	Estimated Cost of Service
Transfer/Transport for Ambulance Aircrew	\$0	\$337	\$337
Institutional Charge for Nonreimbursed Patient Transfer	\$0	\$337	\$337
Absorbent – per bag	\$17	\$23	\$23
Absorbent Booms	\$40	\$60	\$60



2016 Fee Review

Fire Prevention	Current Fee	Proposed Fee	Estimated Cost of Service
Inspection Fee – Schools, Day Cares, Head Start	\$100	\$172	\$172
Inspection Fee – Apartment Complex	\$25	\$172	\$172
Inspection Fee – Hotel/Motel	\$25	\$134	\$134
Fire Watch per hour (2 hour minimum)	\$0	\$65	\$65
Fire Code Compliance Inspection (including plan review and final inspection for certificate of occupancy)	\$0	\$172	\$172



2016 Fee Review

Fire Prevention	Current Fee	Proposed Fee	Estimated Cost of Service
Inspection Fee – Aviation Facilities	\$50	\$98	\$98
Inspection Fee – Exhibits & Trade Shows	\$50	\$86	\$86
Inspection Fee – High-piled Storage	\$50	\$95	\$95
Inspection Fee – Lumber Yards & Wood Working Plants	\$50	\$95	\$95
Inspection Fee – Repair Garages and Motor Fuel-dispensing Facilities	\$50	\$76	\$76
Inspection Fee – Spraying and Dipping	\$50	\$76	\$76



2016 Fee Review

Fire Prevention	Current Fee	Proposed Fee	Estimated Cost of Service
Inspection Fee – Storage of Scrap Tires and Tire Products	\$50	\$86	\$86
Inspection Fee – Wrecking Yards	\$50	\$95	\$95
Inspection Fee – Waste Handling/Recycling Facilities	\$50	\$95	\$95
Sprinkler System Installation	\$75-\$150	\$182	\$182
Fire Alarm System Permit Fee	\$50	\$172	\$172
Hood System Installation	\$25	\$86	\$86
Hospitals & Nursing Homes	\$300	\$317	\$317



2016 Fee Review

Planning	Current Fee	Proposed Fee	Estimated Cost of Service
DHRC Reviews	\$100	\$385	\$385
Application for design review: administratively eligible projects within the river corridor	\$0	\$195	\$195
Application for Expansion of Nonconforming Use	\$164	\$353	\$353
Supplemental fee for re-plats requiring re-notification	\$106	\$241	\$241



2016 Fee Review

Permits & Inspections	Current Fee	Proposed Fee	Estimated Cost of Service
Building Permit – Re-inspection Fee	\$25	\$39	\$39
Inspection after 4:30pm (2 hour minimum + per hour thereafter)	\$42	\$53	\$53





City Council

April 19, 2016



City of San Angelo
FY2015-16 Budget
Review of Fee Schedule/Charges

Type of Fee/Charge	Estimated Cost of Service	Current Fee	Proposed Fee	Financial Impact	Odessa	Midland	Wichita Falls	Abilene	San Angelo Convention Center
Airport 220-0000									
Conference Room Fee (per hour)	\$16	\$0	\$16	\$64					\$50

**AN ORDINANCE AMENDING APPENDIX A “FEE SCHEDULE”
OF THE CODE OF ORDINANCES, CITY OF SAN ANGELO
TEXAS, BY CREATING ARTICLE A14.000 “FACILITY USE
FEES”, SECTION A14.001 “AIRPORT CONFERENCE ROOM”,
PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN
EFFECTIVE DATE**

BE IT ORDAINED BY THE CITY OF SAN ANGELO:

1) THAT, Appendix A “Fee Schedule” of the Code of Ordinances is hereby amended by creating Article A14.000 “Facility Use Fees” Section A14.001 “Airport Conference Room Fee” as set out below:

Article A14.000, Section A14.001 shall read as follows:

“ Article A14.000 Facility Use Fees

Sec. A14.001 Airport Conference Room

Conference Room Fee per hour: \$16.00”

2) THAT, the following severability clause is hereby adopted with this amendment:

SEVERABILITY:

That the terms and provisions of this Ordinance shall be deemed to be severable in that if any portion of this Ordinance shall be declared to be invalid, the same shall not affect the validity of the other provisions of this Ordinance.

3) THAT, this Ordinance shall be effective on, from and after the 19thth day of April 2016.

INTRODUCED with public hearing on the 4th day of April, 2016, and finally PASSED, APPROVED and ADOPTED on this the 19th day of April, 2016.

CITY OF SAN ANGELO

ATTEST:

Dwain Morrison, Mayor

Bryan Kendrick, City Clerk

Approved as to Form:

Theresa James
City Attorney

City of San Angelo
FY2015-16 Budget
Review of Fee Schedule/Charges

Type of Fee/Charge	Estimated Cost of Service	Current Fee	Proposed Fee	Financial Impact	Odessa	Midland	Wichita Falls	Abilene	Other
Fire 101-9000									
Transfer/Transport for Ambulance Aircrew	\$337	\$0	\$337	\$0					
Institutional Charge for Nonreimbursed Patient Transfer	\$337	\$0	\$337	\$84,250					
Absorbent - Per Bag	\$23	\$17	\$23	\$1,500					
Absorbent Booms	\$60	\$40	\$60	\$400					
Fire Prevention 101-9300									
Inspection Fee - Schools, Day Cares, Head Start	\$172	\$100	\$172	\$6,229			\$50	\$25	\$37-\$75
Inspection Fee - Apartment Complex	\$172	\$25	\$172	\$7,372				\$25	\$37-\$75
Inspection Fee - Hotel/Motel	\$134	\$25	\$134	\$2,178				\$25	\$37-\$75
Fire Watch per hour [2 hour minimum]	\$65 / hr.	\$0	\$65 / hr.	\$2,600					
Fire Code Compliance Inspection (includes plan review and final inspection for certificate of occupancy)	\$172	\$0	\$172	\$61,920					
Inspection Fee - Aviation Facilities	\$98	\$50	\$98	\$3,504				\$25	\$37-\$75
Inspection Fee - Exhibits & Trade Shows	\$86	\$50	\$86	\$216			\$50	\$25	\$37-\$125
Inspection Fee - High-piled Storage	\$95	\$50	\$95	\$675			\$50	\$25	\$37-\$75
Inspection Fee - Lumber Yards & Wood Working Plants	\$95	\$50	\$95	\$135			\$50	\$25	\$37-\$75
Inspection Fee - Repair Garages and Motor Fuel-dispensing Facilities	\$76	\$50	\$76	\$2,990			\$50	\$25	\$37-\$75
Inspection Fee - Spraying and Dipping	\$76	\$50	\$76	\$390			\$50	\$50	\$37-\$75
Inspection Fee - Storage of Scrap Tires and Tire Products	\$86	\$50	\$86	\$36			\$50	\$25	\$37-\$75
Inspection Fee - Wrecking Yards	\$95	\$50	\$95	\$0				\$25	\$37-\$75
Inspection Fee - Waste Handling/Recycling Facilities	\$95	\$50	\$95	\$0			\$50	\$25	
Sprinkler System Installation	\$182	\$75-\$150	\$182	\$608	\$28.50 + \$0.0125 sq/ft for Sprinklers	\$.03 per square foot	\$50	\$50	\$40-\$125
Fire Alarm System Permit Fee	\$172	\$50	\$172	\$4,758	\$28.50 + \$0.0125 sq/ft Fire Alarm Permit		\$115	\$50	\$40-\$115
Hood System Installation	\$86	\$25	\$86	\$671	Fire Suppression Hood Permit \$28.50	\$30	\$50		\$40-\$75
Hospitals & Nursing Homes	\$317	\$300	\$317	\$254			\$50	\$25	\$50-\$250+

**AN ORDINANCE AMENDING APPENDIX A “FEE SCHEDULE”
OF THE CODE OF ORDINANCES, CITY OF SAN ANGELO
TEXAS, BY DELETING AND REPLACING ARTICLE A11.000
“FIRE AND RESCUE SERVICE FEES”, PROVIDING FOR
SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE**

BE IT ORDAINED BY THE CITY OF SAN ANGELO:

1) THAT, Appendix A “Fee Schedule” of the Code of Ordinances is hereby amended by deleting and replacing Article 11.000 “Fire and Rescue Service Fees” as set out below:

“Article 11.000 Fire and Rescue Service Fees

Sec. A11.001 Service fees

a. VEHICLES

	Vehicle Type	Apparatus	Price
	1	Class A engine	\$500.00
	1	Aerial	\$500.00
	2	Rescue (heavy)	\$600.00
	3	Brush truck	\$400.00
	4	Command car/truck	\$200.00
	1	Ladder (L-1)	\$500.00
	1	Engine 2 (E-2)	\$500.00
	1	Engine 3 (E-3)	\$500.00
	1	Engine 4 (E-4)	\$500.00
	1	Engine 5 (E-5)	\$500.00
	1	Engine 6 (E-6)	\$500.00
	1	Engine 7 (E-7)	\$500.00
	1	Reserve 21 (R-21)	\$500.00
	1	Reserve 22 (R-22)	\$500.00
	1	Reserve 23 (R-23)	500.00
	2	Rescue 1 (R-1)	600.00
	3	Brush 1 (Brsh-1)	\$400.00
	4	Battalion chief (Batt-1)	\$200.00

b. HAND TOOLS

	Tool	Price
	Flathead axe	\$17.00
	Pickhead axe	\$17.00
	Long pike pole	\$17.00
	Sheetrock pike pole	\$17.00
	Short pike pole	\$17.00
	Pry axe	\$17.00
	Hooligan tool	\$17.00
	Bolt cutters	\$17.00
	Pry bar	\$17.00
	Fire rake	\$17.00
	Shovels	\$17.00
	Scoops	\$17.00
	Brooms	\$12.00
	All hand tools	\$12.00

c. FIRE EQUIPMENT

	Tool	Price
	Foam nozzle	\$55.00
	Foam eductor	\$50.00
	AFFF foam - per gallon	\$40.00
	Class A foam - per gallon	\$25.00
	Piercing nozzle	\$40.00
	M/S fog nozzle	\$55.00
	M/S straight bore nozzle	\$30.00
	Salvage cover	\$28.00
	SCBA pack	\$85.00
	Hall runner	\$18.00
	Portable tank	\$75.00
	PPV fan - per hour	\$55.00
	Generator, portable - per hour	\$55.00
	Generator - per hour	\$55.00
	Chain saw - per hour	\$45.00
	Water extinguisher	\$22.00

	Dry chemical extinguisher	\$45.00
	CO ₂ extinguisher	\$45.00
	Scene lights	\$22.00
	Portable pump - per hour	\$95.00
	Float pump - per hour	\$65.00
	Water vests	\$30.00
	Thermal imaging camera	\$75.00
	Heat detection gun	\$75.00
	Sawzall	\$55.00

d. HAZARDOUS MATERIAL EQUIPMENT

	Supplies/Service	Price
	Absorbent - per bag	\$23.00 17.0
	Absorbent booms	\$60.00 40.0
	Top sol	\$35.00
	Disposable coveralls	\$30.00
	Neoprene gloves	\$20.00
	Latex gloves	\$6.00
	Over boots	\$25.00
	Disposable goggles	\$15.00
	Gas plug kit	\$50.00
	Plug and dike	\$65.00
	Drum liners	\$10.00
	Barricade tape	\$22.00
	Poly sheeting	\$55.00
	Removal of hazardous material	\$150.00
	Disposal of hazardous material	\$150.00
	Gas multi meter	\$65.00
	CO ₂ meter	\$65.00
	Terrazyme	\$70.00
	Microblaze - per quart	\$10.00
	Microblaze - per 5 gallons	\$150.00

e. RESCUE EQUIPMENT

	Tool	Price
	Spreaders	\$250.00
	Cutters	\$250.00
	Rams	\$250.00
	Air bags	\$250.00
	K-12 saw	\$55.00
	Target saw	\$55.00
	Ajax tool	\$25.00
	K-tool	\$25.00
	Windshield tool	\$15.00
	Rescue blanket	\$32.00
	Rope	\$25.00

f. AMBULANCE/TRANSPORT/TRANSFER FEES

	<u>Transfer/Transport for Ambulance Aircrew</u>	\$337
	<u>Institutional Charge for Nonreimbursed Patient</u>	\$337
	BLS Non-Emergency	\$600
	BLS Emergency	\$770
	ALS Non-Emergency	\$800
	ALS 1 Emergency	\$830
	ALS 2 Emergency	\$955
	Transport medical team: with or without Patient; to or from destination. (one way)	\$350
	Mileage Fee (Per Patient Mile)	\$10
	Out of City, Still in County *Additional Charge	\$100
	Out of County transport over 150 miles *Additional Charge	\$200
	Standby Services *Four (4) hour minimum Games/events	\$85 /hour \$340

2) THAT, the following severability clause is hereby adopted with this amendment:

SEVERABILITY:

That the terms and provisions of this Ordinance shall be deemed to be severable in that if any portion of this Ordinance shall be declared to be invalid, the same shall not affect the validity of the other provisions of this Ordinance.

3) THAT, this Ordinance shall be effective on, from and after the 19thth day of April 2016.

INTRODUCED with public hearing on the 4th day of April, 2016, and finally PASSED, APPROVED and ADOPTED on this the 19th day of April, 2016.

CITY OF SAN ANGELO

ATTEST:

Dwain Morrison, Mayor

Bryan Kendrick, City Clerk

Approved as to Form:

Theresa James
City Attorney

**AN ORDINANCE AMENDING APPENDIX A “FEE SCHEDULE”
OF THE CODE OF ORDINANCES, CITY OF SAN ANGELO
TEXAS, BY DELETING AND REPLACING ARTICLE A12.000
“FIRE SAFETY INSPECTION FEES”, PROVIDING FOR
SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE**

BE IT ORDAINED BY THE CITY OF SAN ANGELO:

1) THAT, Appendix A “Fee Schedule” of the Code of Ordinances is hereby amended by deleting and replacing Article 12.000 “Fire Safety Inspection Fees” as set out below:

“ ARTICLE A12.000 FIRE SAFETY INSPECTION FEES

Sec. A12.001 Inspection fees

(a) The city shall charge an inspection fee for each fire safety inspection of the facilities or operations listed in subsection (c).

(b) If a facility or an operation qualifies for a facility or an operation inspection fee under more than one category listed in subsection (c), the highest fee shall be assessed. Inspection fees shall not be cumulative for a single inspection.

(c) The inspection fees are:

Type of Facility or Operation	Operational Fee
Registered homes, foster homes and adoptive services	\$25.00
Institutions requiring a state inspection (e.g., the girls’ home)	\$50.00
Schools, day care centers, and Head Starts	\$172.00 \$100.00 + \$10 per building
Apartment Complexes	\$172.00 \$25.00 + \$10 per building
Hotel/Motel	\$134.00 \$100.00 + \$10 per building
Aviation facilities	\$98.00 \$75.00
Alcoholic beverages licensed establishments	\$100.00
Hospitals and nursing homes	\$317.00 \$300.00 + \$10 per building
Amusement buildings	\$50.00
Automatic fire-extinguishing systems	\$25.00
Carnivals and fairs	\$300.00
Combustible dust-producing operations	\$50.00

Compressed gases	\$50.00
Cryogenic fluids	\$50.00
Dry cleaning plants	\$50.00
Explosives	\$50.00
Exhibits and trade shows	\$86.00 \$100.00 50.00
Fire alarm and detection systems and related equipment	\$40.00
Flammable and combustible liquids	\$50.00
Hazardous materials	\$50.00
High-piled storage	\$95.00 \$75.00 50.00
Industrial ovens	\$50.00
Lumber yards and wood-working plants	\$595.00 100.00 .00
LP gas	\$50.00
Miscellaneous combustible storage	\$50.00
Open burning	\$100.00
Pyrotechnic special effects material	\$75.00
Repair garages and motor fuel dispensing facilities	\$76.00 \$50.00 75.00
Spraying and dipping	\$76.00 \$50.00 75.00
Storage of scrap tires and tire products	\$86.00 \$50.00 75.00
Tire-rebuilding plants	\$50.00
Waste handling/ Recycling Facilities	\$95.00 \$50.00 75.00
Wood products	\$50.00
Wrecking Yards	\$95.00 \$75.00
Fire Watch (2 hour minimum)	\$65.00 per hour \$25.00 per hour
Fire Code Compliance (includes plan review and final inspection)	\$172.00 \$100.00
Other facilities and operations	\$25.00

Sec. A12.002 Fire prevention permit fees

The city shall charge the following permit fees for the installation of fire protection systems in the city:

(1) Sprinkler system installation: ~~\$182.00~~~~\$100.00~~

~~(A) — 4" risers: \$75.00.~~

~~(B) — 6" risers: \$100.00.~~

~~(C) — 8" risers: \$150.00.~~

(2) Fire alarm systems: ~~\$172.00~~~~\$50.00~~~~75.00.~~

(3) Hood system installation - witness the acceptance test of the system:
~~\$86.00~~~~\$25.00~~~~50.00.~~

(4) After-hours inspections: \$50.00 per hour with a minimum charge of \$100.00.

2) THAT, the following severability clause is hereby adopted with this amendment:

SEVERABILITY:

That the terms and provisions of this Ordinance shall be deemed to be severable in that if any portion of this Ordinance shall be declared to be invalid, the same shall not affect the validity of the other provisions of this Ordinance.

3) THAT, this Ordinance shall be effective on, from and after the 19th day of April 2016.

INTRODUCED with public hearing on the 4th day of April, 2016, and finally PASSED, APPROVED and ADOPTED on this the 19th day of April, 2016.

CITY OF SAN ANGELO

ATTEST:

Dwain Morrison, Mayor

Bryan Kendrick, City Clerk

Approved as to Form:

Theresa James
City Attorney

City of San Angelo
FY2015-16 Budget
Review of Fee Schedule/Charges

Type of Fee/Charge	Estimated Cost of Service	Current Fee	Proposed Fee	Financial Impact	Odessa	Midland	Wichita Falls	Abilene
Planning 101-2030								
DHRC Reviews	\$385	\$100	\$385	\$4,275				
Application for design review: administratively eligible projects within the river corridor	\$195	\$0	\$195	\$3,510				
Application for Expansion of Nonconforming Use	\$353	\$164	\$353	\$568				
Supplemental fee for re-plats requiring renotification	\$241	\$106	\$241	\$809				
Permits & Inspections 101-2200								
Building Permit - Reinspection Fee	\$39	\$25	\$39	\$1,764	\$25	\$50		\$75
Inspection after 4:30pm (2 hour minimum + per hour thereafter)	\$53	\$42	\$53	\$176				\$200

**AN ORDINANCE AMENDING APPENDIX A “FEE SCHEDULE”
OF THE CODE OF ORDINANCES, CITY OF SAN ANGELO
TEXAS, BY AMENDING ARTICLE A9.000 “PLANNING
RELATED FEES”, PROVIDING FOR SEVERABILITY, AND
PROVIDING FOR AN EFFECTIVE DATE**

BE IT ORDAINED BY THE CITY OF SAN ANGELO:

1) THAT, Appendix A “Fee Schedule” of the Code of Ordinances is hereby amended by AMENDING Article A9.000 “Planning Related Fees” Section A9.006 “Final Plats or replats of administrative subdivisions” as set out below:

Section A9.006(b) shall read as follows:

“(b) Supplemental fee for replats requiring notification: \$241.00”

2) THAT, Appendix A “Fee Schedule” of the Code of Ordinances is hereby amended by deleting and replacing Article A9.000 “Planning Related Fees” Section A9.007 “Miscellaneous planning fees” as set out below:

“Sec. A9.007 Miscellaneous planning fees

- (a) Request for expansion of nonconforming use: ~~\$353.00~~163.75.
- (b) Request for consideration of sign variance: \$200.00.
- (c) Request for temporary permit: \$118.75.
- (d) Request for street name change: \$250.00 (plus cost of official city signage).
- (e) Request for release of easement: \$300.00.
- (f) Request for right-of-way abandonment or encroachment: \$450.00.
- (g) Request for Design & Historic Review Commission review: \$385.00.
- (h) Request for comprehensive plan amendment: \$500.00.
- (i) Request for zoning verification letter: \$25.00.
- (j) Request for annexation: \$1,000.00.
- (k) Application for design review; administratively eligible projects within the river corridor: \$195.00”

3) THAT, the following severability clause is hereby adopted with this amendment:

SEVERABILITY:

That the terms and provisions of this Ordinance shall be deemed to be severable in that if any portion of this Ordinance shall be declared to be invalid, the same shall not affect the validity of the other provisions of this Ordinance.

4) THAT, this Ordinance shall be effective on, from and after the 19th day of April 2016.

INTRODUCED with public hearing on the 4th day of April, 2016, and finally PASSED, APPROVED and ADOPTED on this the 19th day of April, 2016.

CITY OF SAN ANGELO

ATTEST:

Dwain Morrison, Mayor

Bryan Kendrick, City Clerk

Approved as to Form:

Theresa James
City Attorney

**AN ORDINANCE AMENDING APPENDIX A “FEE SCHEDULE”
OF THE CODE OF ORDINANCES, CITY OF SAN ANGELO
TEXAS, BY DELETING AND REPLACING ARTICLE A2.000
“BUILDING AND CONSTRUCTION RELATED FEES”,
SECTION A2.010 “GENERAL FEES” IN ITS ENTIRETY,
PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN
EFFECTIVE DATE**

BE IT ORDAINED BY THE CITY OF SAN ANGELO:

1) THAT, Appendix A “Fee Schedule” of the Code of Ordinances is hereby amended by deleting and replacing Article A2.000 “Building and Construction Related Fees” Section A2.010 “General Fees” as set out below:

“Sec. A2.010 General Fees

- (a) Re-inspection or failed inspection: ~~\$25.00~~39.00.
- (b) Permits or inspections outside city limits:
 - (1) With city utility: 150% regular rate (may be adjusted proportionally according to city tax rate).
 - (2) Without city utility: 200% regular rate.
- (c) Emergency inspections (requested with less than 1/2 day’s notice): \$25.00.
- (d) Overtime: \$42.00 per hour.
- (e) Inspections requested for after 4:30 p.m. (2-hour minimum plus emergency inspection fee): ~~\$106.00~~ ~~84.00~~ for first two hours, plus inspection fee, ~~\$53.00~~35.00 per hour thereafter.
- (f) Hourly rate in excess of two hours (re-review of plans, code compliance review assistance, expedited review, etc.): \$42.00 per hour.”

2) THAT, the following severability clause is hereby adopted with this amendment:

SEVERABILITY:

That the terms and provisions of this Ordinance shall be deemed to be severable in that if any portion of this Ordinance shall be declared to be invalid, the same shall not affect the validity of the other provisions of this Ordinance.

3) THAT, this Ordinance shall be effective on, from and after the 19thth day of April 2016.

INTRODUCED with public hearing on the 4th day of April, 2016, and finally PASSED,
APPROVED and ADOPTED on this the 19th day of April, 2016.

CITY OF SAN ANGELO

ATTEST:

Dwain Morrison, Mayor

Bryan Kendrick, City Clerk

Approved as to Form:

Theresa James
City Attorney

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Morgan Chegwidden, Budget Manager, Budget, 325-653-6291

Meeting Date: April 19, 2016

Item type: Regular Item

Caption:

First public hearing and consideration of ordinances amending Appendix A fee schedule and chapter 11 of the code of ordinances:

Amending article A6.000 "Park Use Fees" (Real Estate/Finance);

Amending article A1.000 "Animal Control Services Fees";

Amending article 11.05 "Water Conservation and Drought Contingency Plan" and article A.8000 "Utility Related Fees"; and

Amending article A.8000 "Utility Related Fees" and chapter 11 "Utilities", article 11.02 "water and sewer service" - (presentation by Budget Manager Morgan Chegwidden)

Summary/History:

Each year, fees and charges are reviewed to ensure current rates are appropriate for the services rendered. This agenda item serves to ratify the proposed fees for Finance (including Real Estate), Neighborhood and Family Services (including Animal Services), and Water (including Wastewater).

Staff presented proposed fees for these three departments April 5, 2016 for discussion. Supporting background included estimated cost of service, survey of peers, and estimated financial impact for each proposed item.

Finance fees for the Real Estate division are unchanged from the last presentation. Neighborhood and Family Services fees for the Animal Services division are also unchanged from the last presentation.

Although the water drought multiplier remains unchanged since last presentation, the following items for Water and Wastewater fees have been amended as follows:

- Fire hydrant deposit – no longer proposing an increased fee, simply recommending existing fee be ratified by ordinance.
- Fire service taps – no longer proposing an increased fee, simply recommending existing fee be ratified by ordinance.
- Deposits – no longer proposing increased fee.
- Tap charges – no longer proposing increased fee, will align procedures with existing ordinance.

Main extensions over 300 ft. – recommend removing fees and service, which will align with peer cities that no longer offer this service (ample opportunity in the private sector to handle this).

Financial Impact:

Potential annual impact of increased revenue yielding:

- \$8,650 for Real Estate;
- \$71,590 for Animal Services; and

- \$0 for Water*.

*Unable to quantify financial impact of water conservation drought contingency plan.

Other Information/Recommendation:

Staff recommends approval of the attached fees for Real Estate, Animal Services, and Water.

Attachments:

1.	Fee Review Powerpoint	FIN 160419 Fee Review Discussion.pptx
2.	Fee Schedule - Finance	FIN 160405 Fee Review Finance.pdf
3.	Ordinance - Finance (Real Estate)	16-294 BGT Fee Ordinance Real Estate - First reading.docx
4.	Fee Schedule - NFS (Animal Services)	FIN 160419 Fee Review Animal Services.pdf
5.	Ordinance - NFS Animal Services	16-294 BGT Fee Ordinance Animal Services Fees - first reading.docx
6.	Fee Schedule - Water	FIN 160419 Fee Review Water.pdf
7.	Ordinance - Water Drought	16-294 BGT Fee Ordinance Drought fees - First reading.docx
8.	Ordinance - Water Utility	16-294 BGT Fee Ordinance Water Utility - first reading.docx

Presentation:

Powerpoint

Approvals/Reviews:

Chegwidden, Morgan	Created/Initiated
James, Theresa	Approved
Carriger, Tina	Approved
James, Theresa	Approved
Dunn, Becky	Approved
Kendrick, Bryan	Final Approval



City Council

April 19, 2016



2016 Fee Review

- Annual fee review;
- Launched streamlined process;
- All fees reviewed each year;
- In-depth analysis on a three year rotation;
- Some departments recommended no changes;
- Recommended changes to be discussed.



2016 Fee Review

Process

January 4-31	Field work, Prepared recommendations
February 3	City manager considered proposed changes
February 6-21	Vet recommendations
February 22	Final recommendations considered by city manager
March 1	Begin council discussions
April 5	Continue council discussions



2016 Fee Review

- 7 departments are recommended for consideration:
- February 16:
 - Cemetery;
- March 1:
 - Airport;
 - Fire, including Fire Prevention; and
 - Development Services, including Planning and Permits & Inspections.



2016 Fee Review

- April 5:
 - Neighborhood & Family Services, specifically Animal Services;
 - Finance, specifically Real Estate; and
 - Water.



2016 Fee Review

Real Estate	Current Fee	Proposed Fee	Estimated Cost of Service
Transfer Fee - Organizational, Recreational, Grazing, Agriculture	\$50	\$100	\$113
Granting Fee - Residential	\$150	\$500	\$577
Granting Fee - Commercial	\$200	\$1,000	\$877



2016 Fee Review

Real Estate	Current Fee	Proposed Fee	Estimated Cost of Service
Granting Fee - Organizational, Recreational, Grazing, Agriculture	\$75	\$150	\$276
Late Fees (per month) - Residential Lake Nasworthy (certified mail, etc.)	\$20	\$40	\$186



2016 Fee Review

- History of Lake Nasworthy Fees:
- Granting Fees:
 - October 18, 1988; Residential - \$150
 - January 1994: Organizational, Recreational & Agricultural - \$75
- Late Fees:
 - September 4, 2007; \$20 per month



2016 Fee Review

Animal Services	Current Fee	Proposed Fee	Estimated Cost of Service
Heartworm Test	\$7	\$10	\$16
Estray Livestock	\$15	\$25	\$83
Animal Pickup at Owner's request	\$0	\$25	\$39
Removal of dead animal/livestock	\$0	\$25	\$28
Owner requested Flea/tick dipping/treatment	\$0	\$8	\$6



2016 Fee Review

Animal Services	Current Fee	Proposed Fee	Estimated Cost of Service
Euthanasia – owner requested (0-20 lbs)	\$7	\$10	\$12
Euthanasia – owner requested (21-50 lbs)	\$7	\$15	\$22
Euthanasia – owner requested (51-100 lbs)	\$7	\$20	\$41
Euthanasia – owner requested (101+ lbs)	\$7	\$25	\$56
Rabies Submission Head Test	\$28	\$40	\$81



2016 Fee Review

Animal Services	Current Fee	Proposed Fee	Estimated Cost of Service
Transport Fee to Vet	\$0	\$25	\$18
Animal surrender	\$0	\$10	\$43
Trap deposit	\$0	\$20	\$17
Spay & Neuter Program	\$0	\$10 - \$65 depending on Federal Poverty Level	\$33



Low Cost Spay/Neuter Program...

- Veterinarian hired November 2015
- Low cost spay/neuter program discussed/planned
- Program will focus only on citizens that fall within the Federal Poverty Guideline (FPG)
- Costs will be based off what percentage of poverty citizens fall under
- 50% of poverty = \$10, 400% of poverty= \$65



2016 Fee Review

Water	Current Fee	Proposed Multipliers
Residential, Non-residential, Landscape (Winter & Summer), Fire Hydrants, Untreated Water - Drought Level 1	Old methodology	1.00 – 1.20 Multiplier per 1,000 gallons
Residential, Non-residential, Landscape (Winter & Summer), Fire Hydrants, Untreated Water - Drought Level 2	Old methodology	1.00 – 1.30 Multiplier per 1,000 gallons
Residential, Non-residential, Landscape (Winter & Summer), Fire Hydrants, Untreated Water - Drought Level 3	Old methodology	1.00 – 1.40 Multiplier per 1,000 gallons



2016 Fee Review

- Drought multiplier – unchanged
- Fire hydrant deposit – no longer proposing increased fees
- Fire service taps – no longer proposing increased fees
- Deposits – no longer proposing increased fees



2016 Fee Review

- Tap charges – no longer proposing increased fees, align procedures with existing ordinance
- Main extensions over 300 ft. – recommend removing fees and service





City Council

April 19, 2016



DRAFT

City of San Angelo
FY2015-16 Budget
Review of Fee Schedule/Charges

Type of Fee/Charge	Estimated Cost of Service	Current Fee	Proposed Fee	Financial Impact	Odessa	Midland	Wichita Falls	Abilene	Other
Real Estate 101-0301									
Transfer Fee - Organizational, Recreational, Grazing, Agriculture	\$113	\$50	\$100	\$250					
Granting Fee - Residential	\$577	\$150	\$500	\$3,500					
Granting Fee - Commercial	\$877	\$200	\$1,000	\$0					
Granting Fee - Organizational, Recreational, Grazing, Agriculture	\$276	\$75	\$150	\$4,500					
Late Fees (per month) - Residential Lake Nasworthy (certified mail, etc.)	\$186	\$20	\$40	\$400			\$100	\$0	

**AN ORDINANCE AMENDING APPENDIX A "FEE SCHEDULE"
OF THE CODE OF ORDINANCES, CITY OF SAN ANGELO
TEXAS, BY AMENDING ARTICLE A6.000 "PARK USE FEES",
PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN
EFFECTIVE DATE**

BE IT ORDAINED BY THE CITY OF SAN ANGELO:

1) THAT, Appendix A "Fee Schedule" of the Code of Ordinances is hereby amended by AMENDING Article A6.000 "Park Use Fees" as set out below:

Section A6.001 shall read as follows:

"Sec. A6.001 Lake Nasworthy and South Concho River Lease Fees

The fees to be paid relating to Lake Nasworthy and South Concho River city leases shall be as follows:

(1) Transfer fees.

(A) Transfer fee for transfer of residential leases shall be two hundred fifty dollars (\$250.00).

(B) Transfer fee for transfers of commercial leases shall be one thousand dollars (\$1,000.00).

(C) Transfer fee for organizational leases shall be one hundred dollars (\$10050.00) and subject to approval of the city council.

(D) Transfer fee for recreational, grazing or agricultural leases shall be one hundred dollars (\$10050.00).

(2) Granting fees.

(A) Granting fee for a residential lease shall be five hundred dollars (\$500.00).

(B) Granting fee for a commercial lease shall be one thousand dollars (\$2001000.00).

(C) Granting fee for organizational, recreational, grazing or agricultural lease shall be one hundred fifty dollars (\$15075.00).

(3) Recreational, grazing or agricultural. The following is the established annual rental fee for recreational, grazing or agricultural leases at Lake Nasworthy and along the South Concho River:

(A) Fourteen dollars (\$14.00) per acre for the land.

(B) Two hundred fifty dollars (\$250.00) recreational charge regardless of acres.

(C) Fifty cents (\$0.50) per linear foot on the water.

(D) Seventy-five dollars (\$75.00) per family unit involved in an adjacent subdivision.

(4) Annual rent.

(A) Rent escalation at ten-year intervals. Any Lake Nasworthy lease requiring annual lease fee adjustments at five (5) year intervals, for which an adjustment is due on or after September 5, 1992, shall be adjusted on its regular adjustment date by increasing the annual lease fee (hereinafter referred to as "annual rent") by two percent (2%) per year for the previous five (5) years, for a total of ten percent (10%). Such adjusted annual rent shall thereafter be adjusted at ten (10) year intervals by increasing the annual rent by two percent (2%) per year for the previous ten (10) years, for a total of twenty percent (20%).

(B) Rent escalation when new lease is required before termination. In the event any lessee requests a new Lake Nasworthy lease before the expiration of the term of the current lease and the annual rent under the current lease is not based upon the appraised market value of the land, an adjustment shall be made effective the commencement date of the new lease by increasing the annual rent by two percent (2%) per year or per any portion of a year for time elapsed since the last adjustment. Such adjusted annual rent shall thereafter be adjusted at ten (10) year intervals by increasing the annual rent by two percent (2%) per year for the previous ten (10) years, for a total of twenty percent (20%), provided however, that this adjusted annual rent shall be applicable only for a time period that would equal the number of years remaining on the term of the current lease or until December 31, 2016, whichever is later. After this time period elapses, the annual rent shall equal the appraised market value of land multiplied by a factor of 0.015.

(C) Rent escalation based on appraised market value effective January 1, 2017. Effective January 1, 2017, annual rent shall be calculated based upon the appraised market value of the land multiplied by a factor of 0.015. Thereafter, all city-owned lots at Lake Nasworthy shall be appraised at intervals of not less than ten (10) years to determine the market value of the land. Upon completion of each appraisal of the land, the annual rent will be adjusted utilizing the newly determined market value and the multiplication factor of 0.015. However, at no time shall annual rent based on appraised market value be less than seven hundred dollars (\$700.00) per year.

(D) Late fees. If any Lake Nasworthy lease fee is not paid in full on or before the due date specified in the lease, in addition to any other penalty or remedy available under the lease, a late fee of twenty dollarsforty dollars (\$4020.00) per month for each month or part of month that the fee and any accrued late charges remain unpaid shall be incurred by and collected from the person or entity owing the sum.

2) THAT, the following severability clause is hereby adopted with this amendment:

SEVERABILITY:

That the terms and provisions of this Ordinance shall be deemed to be severable in that if any portion of this Ordinance shall be declared to be invalid, the same shall not affect the validity of the other provisions of this Ordinance.

3) THAT, this Ordinance shall be effective on, from and after the 19th day of April 2016.

INTRODUCED with public hearing on the 19th day of April, 2016, and finally PASSED, APPROVED and ADOPTED on this the 3rd day of May, 2016.

CITY OF SAN ANGELO

ATTEST:

Dwain Morrison, Mayor

Bryan Kendrick, City Clerk

Approved as to Form:

Theresa James
City Attorney

DRAFT

City of San Angelo
FY2015-16 Budget
Review of Fee Schedule/Charges

Type of Fee/Charge	Estimated Cost of Service	Current Fee	Proposed Fee	Financial Impact	Odessa	Midland	Wichita Falls	Abilene	Other
Animal Services 101-7803									
Heartworm Test	\$16	\$7	\$10	\$240					
Estray Livestock	\$83	\$15	\$25	\$0		\$100	\$35 first time, \$65 second, \$90 third, and \$115 fourth time in 12-mos		
Animal Pickup at Owner's request	\$39	\$0	\$25	\$1,250					
Removal of dead animal/livestock	\$28	\$0	\$25	\$1,750		\$75 livestock in City limits \$10 deceased pets	\$15 under 50lbs; \$20 over 50lbs	\$50	
Owner requested Flea/tick dipping/treatment	\$6	\$0	\$8	\$800		\$10/bottle; \$12/pet			
Euthanasia – owner requested (0-20 lbs)	\$12	\$7	\$10	\$450		\$15, \$20	\$20 under 20-lbs; \$30 20-50lbs; \$40 50+ lbs	\$5	
Euthanasia – owner requested (21-50 lbs)	\$22	\$7	\$15	\$600					
Euthanasia – owner requested (51-100 lbs)	\$41	\$7	\$20	\$390					
Euthanasia – owner requested (101+ lbs)	\$56	\$7	\$25	\$360					
Rabies Submission Head Test	\$81	\$28	\$40	\$1,200		\$30 (\$15 prep, \$15 shipping)	\$40		
Transport Fee to Vet	\$18	\$0	\$25	\$500		\$15			
Animal surrender	\$43	\$0	\$10	\$31,500		\$15	\$25		
Trap deposit	\$17	\$0	\$20	\$1,000			\$27 small, \$110 large		
Spay & Neuter Program	\$33	\$0	\$10 - \$65 depending on Federal Poverty Level	\$31,550					\$40 - \$195 Depending on Species and Gender

City of San Angelo
 Neighborhood and Family Services - Animal Services
 Spay and Neuter Program

2016 Federal Poverty Level - Texas
 Percent Gross Yearly Income

Family Size	50%	75%	100%	133%	138%	175%	200%	250%	300%	400%
1	\$ 5,940	\$ 8,910	\$ 11,880	\$ 15,800	\$ 16,394	\$ 20,790	\$ 23,760	\$ 29,700	\$ 35,640	\$ 47,520
2	\$ 8,010	\$ 12,015	\$ 16,020	\$ 21,307	\$ 22,108	\$ 28,035	\$ 32,040	\$ 40,050	\$ 48,060	\$ 64,080
3	\$ 10,080	\$ 15,120	\$ 20,160	\$ 26,813	\$ 27,821	\$ 35,280	\$ 40,320	\$ 50,400	\$ 60,480	\$ 80,640
4	\$ 12,150	\$ 18,225	\$ 24,300	\$ 32,319	\$ 33,534	\$ 42,525	\$ 48,600	\$ 60,750	\$ 72,900	\$ 97,200
5	\$ 14,220	\$ 21,330	\$ 28,440	\$ 37,825	\$ 39,247	\$ 49,770	\$ 56,880	\$ 71,100	\$ 85,320	\$ 113,760
6	\$ 16,290	\$ 24,435	\$ 32,580	\$ 43,331	\$ 44,960	\$ 57,015	\$ 65,160	\$ 81,450	\$ 97,740	\$ 130,320
7	\$ 18,365	\$ 27,548	\$ 36,730	\$ 48,851	\$ 50,687	\$ 64,278	\$ 73,460	\$ 91,825	\$ 110,190	\$ 146,920
8	\$ 20,445	\$ 30,668	\$ 40,890	\$ 54,384	\$ 56,428	\$ 71,558	\$ 81,780	\$ 102,225	\$ 122,670	\$ 163,560
Proposed Price (Charge for Surgery)	\$ 10	\$ 20	\$ 30	\$ 35	\$ 40	\$ 45	\$ 50	\$ 55	\$ 60	\$ 65
Estimated Number of Surgeries (Annual)	100	80	80	60	100	100	50	50	70	100
Estimated Financial Impact (Annual)	\$ 1,000	\$ 1,600	\$ 2,400	\$ 2,100	\$ 4,000	\$ 4,500	\$ 2,500	\$ 2,750	\$ 4,200	\$ 6,500

**AN ORDINANCE AMENDING APPENDIX A “FEE SCHEDULE”
OF THE CODE OF ORDINANCES, CITY OF SAN ANGELO
TEXAS, BY AMENDING ARTICLE A1.000 “ANIMAL CONTROL
SERVICES FEES”; PROVIDING FOR SEVERABILITY, AND
PROVIDING FOR AN EFFECTIVE DATE**

BE IT ORDAINED BY THE CITY OF SAN ANGELO:

1) THAT, the Code of Ordinances is hereby amended by AMENDING Article A1.000 “Animal Control Services Fees” as set out below:

Article A1.000 shall read as follows:

“ARTICLE A1.000 ANIMAL CONTROL SERVICES FEES

Sec. A1.001 License fee

~~(a) — Annual license fee. The dog, cat and ferret annual license fee shall be seven dollars (\$7.00) per animal per year.~~

~~(b) — Lifetime license fee. The dog, cat and ferret lifetime license fee shall be fifty dollars (\$50.00) per animal. Deleted~~

Sec. A1.002 Tag fee

~~Upon payment of the license fee and proof of current rabies vaccination administered by a licensed veterinarian, the veterinarian or the city finance officer shall issue the owner of the dog, cat or ferret a metal tag for each animal. If the metal tag is subsequently lost, a duplicate tag may be obtained for a fee of one dollar (\$1.00) at the city animal shelter. If proof of registration cannot be determined, a replacement registration tag may be obtained for a fee of seven dollars (\$7.00) at the city animal shelter. (1996 Code, app. A, sec. 1.200; Ordinance adopted 11/16/99) Deleted~~

Sec. A1.003 Animal adoption fees

(a) Adoption by individual. The adoption fee for adoption of animals by individuals under [section 3.02.042](#) of the Code of Ordinances is:

(1) Cats or ferrets: \$50.00.

(2) Dogs: \$85.00.

(b) Adoption by qualified rescue organization. The adoption fee for adoption of animals by qualified rescue organizations under [section 3.02.043](#) of the Code of Ordinances is:

(1) Cats or ferrets: \$50.00.

(2) Dogs: \$85.00.

(c) Sterilized, microchipped animal. The adoption fee for a previously sterilized and microchipped animal is:

(1) Dog, cat or ferret: \$15.00.

(d) Sterilized, non-microchipped animal. The adoption fee for a previously sterilized, non-microchipped animal is:

(1) Dog, cat or ferret: \$28.00.

(e) The Animal Shelter Manager at his/her discretion may sell any animal that has been resident at the shelter for more than fifteen (15) days at a reduced price.

Sec. A1.004 Microchip fee

Dog or cat: \$13.00.

Sec. A1.005 Impoundment fees

Any animal or fowl running at large may be taken up by the animal services director or the director's designee or by any police officer or other person designated by the city manager and held for a period of seventy-two (72) hours, during which time the owner, upon satisfactory proof of ownership, may redeem his animal or fowl upon payment of the following impounding fees: Thirty-six dollars (\$36.00) for a small animal or fowl impounded and a boarding fee of ten dollars (\$10.00) per day per animal beginning at 1 minute after twelve o'clock (12:01) a.m. the day following impoundment, plus a fee for necessary health care during impoundment. Board for a full day shall be charged for any part of a day. Impounding fees for livestock shall be thirty-six dollars (\$36.00). If any animal or fowl has not been so redeemed, the animal services director may sell or destroy said animal or fowl.

Sec. A1.006 Unaltered animal fee

Deleted

~~(a) — An owner who claims from the city animal shelter an animal that has not been spayed or neutered must pay an unaltered animal fee in the amount of two hundred dollars (\$200.00) if the animal has not been impounded within the prior twelve (12) months and five hundred dollars (\$500.00) otherwise.~~

~~(b) — The owner of an animal shall have the right to appeal the imposition of the requirements of section 3.05.004 of the Code of Ordinances and subsection (a) of this section to the director of health or his designee. Written notice of the appeal must be received in the director's office no later than the expiration of the tenth day following notification of the imposition of the fee. Upon receipt of notice of appeal the director shall hold a hearing no later than ten (10) business days~~

from receipt of notice. The appellant shall have the right to present evidence at the hearing, and though informal in nature the director must decide the matter finally upon a preponderance of the evidence. The decision of the director shall conclude all administrative remedies available to the applicant.

~~(c) — Grounds appropriate for overturning the imposition of the requirements of section 3.05.004 of the Code of Ordinances and subsection (a) of this section include proof by a preponderance of the evidence that the animal was not stray at the time the animal was seized or that the animal has been claimed from the shelter fewer times than city records indicate.~~

Sec. A1.007 Heartworm/ Fleas/ Ticks

- | | | |
|-----|---|-------------|
| (a) | <u>Heartworm test</u> | <u>\$10</u> |
| (b) | <u>Owner requested flea/tick dipping or treatment</u> | <u>\$8</u> |

Sec. A1.008 Animal pickup/removal/transport/surrender

- | | | |
|-----|---|-------------|
| (a) | <u>Estray Livestock</u> | <u>\$25</u> |
| (b) | <u>Animal pickup at owner's request</u> | <u>\$25</u> |
| (c) | <u>Removal of dead animals/livestock</u> | <u>\$25</u> |
| (d) | <u>Transport fee to vet</u> | <u>\$25</u> |
| (e) | <u>Animal surrender</u> — single pet | <u>\$10</u> |

Sec. A1.009 Euthanasia

The fees for euthanasia are as follows:

- | | | |
|-----|------------------------------------|-------------|
| (a) | <u>Owner requested 0 – 20 lbs.</u> | <u>\$10</u> |
| (b) | <u>Owner requested 21-50 lbs.</u> | <u>\$15</u> |
| (c) | <u>Owner requested 51-100 lbs.</u> | <u>\$20</u> |
| (d) | <u>Owner requested 101+ lbs</u> | <u>\$25</u> |

Sec. A1.010 Spay and Neuter Program

The fee for the spay or neuter of a pet shall be from \$10 to \$65 depending on the Federal poverty level.

Sec. A1.011 Miscellaneous

The following fees shall apply for the services listed:

- | | |
|--|--------------|
| (a) <u>Trap deposit</u> | <u>\$20</u> |
| (b) <u>Rabies Submission Head Test</u> | <u>\$40"</u> |

2) THAT, the following severability clause is hereby adopted with this amendment:

SEVERABILITY:

That the terms and provisions of this Ordinance shall be deemed to be severable in that if any portion of this Ordinance shall be declared to be invalid, the same shall not affect the validity of the other provisions of this Ordinance.

3) THAT, this Ordinance shall be effective on, from and after the 3rdth day of May 2016.

INTRODUCED with public hearing on the 19th day of April, 2016, and finally PASSED, APPROVED and ADOPTED on this the 3rd day of May, 2016.

CITY OF SAN ANGELO

ATTEST:

Dwain Morrison, Mayor

Bryan Kendrick, City Clerk

Approved as to Form:

Theresa James
City Attorney

DRAFT

City of San Angelo
FY2015-16 Budget
Review of Fee Schedule/Charges

Type of Fee/Charge	Estimated Cost of Service	Current Fee	Proposed Fee	Financial Impact	Odessa	Midland	Wichita Falls	Abilene	Other
Water 260-0000									
Residential, Non-residential, Landscape (Winter & Summer), Fire Hydrants, Untreated Water - Drought Level 1		Old methodology	1.00 - 1.20 Multiplier per 1,000 gallons						
Residential, Non-residential, Landscape (Winter & Summer), Fire Hydrants, Untreated Water - Drought Level 2		Old methodology	1.00 - 1.30 Multiplier per 1,000 gallons						
Residential, Non-residential, Landscape (Winter & Summer), Fire Hydrants, Untreated Water - Drought Level 3		Old methodology	1.00 - 1.40 Multiplier per 1,000 gallons						
Fire Hydrant Deposit	\$1,404	\$1,000	No Changes	\$0	\$2,000		\$2,000		
1" Fire Service Tap	\$1,238	\$800	No Changes	\$0		Service not provided		\$375	
4" Fire Service Tap	\$2,705	\$1,600	No Changes	\$0	\$2,000	Service not provided		Cost of Installation	
6" Fire Service Tap or larger	\$3,006	\$2,500	No Changes	\$0	\$2,500	Service not provided		Cost of Installation	
Tap Charges - New Tap - 3/4" 5/8"	Meter Only: \$248; Tap & Meter: \$1,488	\$150 + Trench Repair	No Changes	\$0	\$40-\$420		\$1,022	\$350	\$2,084
Tap Charges - New Tap - 1"	Meter Only: \$341; Tap & Meter: \$1,581	\$250 + Trench Repair	No Changes	\$0	\$60-\$300		\$1,138	\$375	\$2,084
Tap Charges - New Tap - 1 1/2"	Meter Only: \$796; Tap & Meter: \$2,967	\$450 + Trench Repair	No Changes	\$0	\$170-\$1,150		Actual Cost	\$525	
Tap Charges - New Tap - 2" Turbine	Meter Only: \$796; Tap & Meter: \$2,967	\$575 + Trench Repair	No Changes	\$0	\$260-\$1,800		Actual Cost	Actual Cost	\$3,092
Tap Charges - New Tap - 2" Compound	Meter Only: \$1,788; Tap & Meter: \$3,959	\$1,225 + Trench Repair	No Changes	\$0	\$260-\$1,800		Actual Cost	Actual Cost	\$3,092
Tap Charges - New Tap - 3" Turbine	Meter Only: \$1,041; Tap & Meter: \$4,448	\$1,875 + Trench Repair	No Changes	\$0	\$520-\$3,500		Actual Cost	Actual Cost	Service not done by City, shall be done by Contract
Tap Charges - New Tap - 3" Compound	Meter Only: \$2,515; Tap & Meter: \$5,921	\$2,625 + Trench Repair	No Changes	\$0	\$520-\$3,500		Actual Cost	Actual Cost	Service not done by City, shall be done by Contract
Tap Charges - New Tap - 4" Turbine	Meter Only: \$1,368; Tap & Meter: \$4,775	\$2,350 + Trench Repair	No Changes	\$0	\$800-\$4,300		Actual Cost	Actual Cost	Service not done by City, shall be done by Contract
Tap Charges - New Tap - 4" Compound	Meter Only: \$3,152; Tap & Meter: \$6,559	\$3,300 + Trench Repair	No Changes	\$0	\$800-\$4,300		Actual Cost	Actual Cost	Service not done by City, shall be done by Contract
Tap Charges - New Tap - 6" Turbine	Meter Only: \$2,501; Tap & Meter: \$6,959	\$3,500 + Trench Repair	No Changes	\$0	\$3,175-\$6,000		Actual Cost	Actual Cost	Service not done by City, shall be done by Contract
Tap Charges - New Tap - 6" Compound	Meter Only: \$5,035; Tap & Meter: \$9,493	\$5,500 + Trench Repair	No Changes	\$0	\$3,175-\$6,000		Actual Cost	Actual Cost	Service not done by City, shall be done by Contract
Tap Charges - New Tap - 1 1/2" Lake Meter	\$1,239	\$450	No Changes	\$0					

DRAFT

City of San Angelo
FY2015-16 Budget
Review of Fee Schedule/Charges

Type of Fee/Charge	Estimated Cost of Service	Current Fee	Proposed Fee	Financial Impact	Odessa	Midland	Wichita Falls	Abilene	Other
Main Extension (over 300 ft from existing water main)	To be determined on a case-by-case basis	\$7/ft from front and \$14/ft for anything over 300-ft from water main + tap fee	Removal of Service	\$0			Actual Cost		
Wastewater 270-0000									
Sewer Line Extension - Private Lot (over 300ft from existing sewage line)	To be determined on a case-by-case basis	\$7/ft from front and \$14/ft for anything over 300-ft from sewer main + tap fee	Removal of Service	\$0			Actual Cost		
Sewer Tap - 4" (w/ Trench Repair)	\$1,217	\$150 + Trench Repair	No Changes	\$0		\$350 plus \$250 for paved alley	Actual Cost	Cost of Installation	\$2,416
Sewer Tap - 6" (w/Trench Repair and manhole)	\$2,454	\$1,275 + Trench Repair	No Changes	\$0		\$400 plus \$250 for paved street	Actual Cost	Cost of Installation	\$8,866

Drought Multipliers				
Inside City Volumetric (per 1,000 gallons)	Drought Level 1	Drought Level 2	Drought Level 3	
Residential				
0-2	1.00	1.10	1.20	
3-5	1.05	1.10	1.20	
6-15	1.05	1.20	1.30	
16-39	1.10	1.20	1.30	
> 39	1.20	1.30	1.40	
Non-Residential	1.05	1.05	1.10	
Landscape - Winter				
0-89	1.10	1.20	1.30	
> 89	1.10	1.20	1.30	
Landscape - Summer				
0-89	1.10	1.20	1.30	
> 89	1.10	1.20	1.30	
Fire Hydrants	1.00	1.00	1.00	
Untreated Water	1.00	1.10	1.20	

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES,
CITY OF SAN ANGELO TEXAS, BY AMENDING ARTICLE
11.05 "WATER CONSERVATION AND DROUGHT
CONTINGENCY PLAN" and ARTICLE A.8000 "UTILITY
RELATED FEES", PROVIDING FOR SEVERABILITY, AND
PROVIDING FOR AN EFFECTIVE DATE**

BE IT ORDAINED BY THE CITY OF SAN ANGELO:

1) THAT, the Code of Ordinances is hereby amended by AMENDING Article 11.05 "Water Conservation and Drought Contingency Plan" Section 11.05.002 "Water conservation measures" as set out below:

Section 11.05.002 shall read as follows:

"Sec. 11.05.002 Water conservation measures

The city will utilize the following strategies to encourage, promote and require citizens to conserve water at all times.

(1) Conservation plan. The "City of San Angelo Water Conservation Plan," dated March 20, 2014 (revised September 4, 2014) which is on file in the office of the city clerk, and available for public inspection, is adopted and incorporated herein.

(A) Implementation. The director of water utilities will act as the administrator of the water conservation plan. The administrator will oversee the execution and implementation of all elements of the program and will be responsible for supervising the promulgation and retention of records for program verification.

(2) Plumbing code. The city plumbing code has provision for water-conserving plumbing devices. The city will enforce the requirements of the code to ensure the use of water-saving devices.

(3) Universal metering. All users of municipal treated water, except for fire sprinkler lines, will be metered.

(4) Water supply meters. The city metering devices will record water use with an accuracy of plus or minus 5.0% in order to measure and account for the amount of raw water diverted from the source of supply.

(5) Restaurants. Restaurants shall not serve water to their customers except when specifically requested by the customer.

(6) Waste of water. As defined below, shall be prohibited.

(A) Allowing treated or raw city water, greywater, reclaimed water or well water to run off property to a gutter, street, alley, ditch or drainage facility and

drain for more than 150 feet downgrade of the point of entry into such gutter, street, alley, ditch or drainage facility.

(B) Failure to repair a controllable leak.

(7) Prohibited watering hours. The use of treated or raw city water, greywater or reclaimed water for watering lawns, gardens, landscape areas, trees, golf courses, shrubs or other plants being grown outdoors (not in a nursery) shall be prohibited between the hours of 12:00 noon and 6:00 p.m. daily from April 1 through October 31.

(8) Watering frequency. The use of treated or raw city water, greywater or reclaimed water for watering lawns, landscape areas, trees, gardens, golf courses (except greens), shrubs or other plants being grown outdoors (not in a nursery) shall be allowed at a frequency of twice every seven days during the period of April 1 through October 31 and once every seven days during the period of November 1 through March 31. Golf course greens may be watered once per day year round.

(9) New landscape. Watering of newly seeded or sodded lawns or newly planted trees, shrubs or landscape plants will be allowed at the following frequency provided written notification is given to the city code compliance division or water conservation division of the watering schedule:

(A) Days 1-14 from planting: three times per day every day of such period at any time of day.

(B) Days 15-28 from planting: twice per day every day of such period at any time of day.

(10) Allowable application rates. The maximum amount of treated or raw city water, greywater or reclaimed water applied to established lawns, landscape plants, golf courses (except greens) or shrubs shall not exceed 1 inch per week.

(11) Drip irrigation. Landscape or foundation watering with a drip irrigation system such as a soaker hose, deep root watering system, drip pipe or tape, or bubbler shall be permitted on any day and at any time of day provided that the total amount of water applied shall not exceed 1 inch per week. For the purpose of this article, drip irrigation shall mean a water-saving irrigation system designed to emit water at low volumes and low pressures directly onto or below the soil surface without airborne streams or droplets.

(12) Hand watering. Hand watering of lawns, gardens, landscape areas, trees, shrubs or other plants being grown outdoors or foundations may be done on any day, except during the prohibited watering hours, provided the allowable application rate is not exceeded. Hand watering shall be watering with a hose that is hand-held for the duration of the irrigation event, or watering with a container of five gallons or less.

(13) Excessive usage of water. Excessive usage of water as defined below shall be prohibited and shall be a violation of the water conservation and drought contingency plan:

(A) Any use of water by a customer in excess of the maximum allowable application rates under subsection (10) above.

~~(B) Usage of water in amounts such that an “excessive usage fee” as set out in this article is assessed.~~

~~(14) Excessive usage fee. A fee shall be charged for excessive water usage in the amounts set forth below. This fee shall be in addition to the standard fee charged for water usage.~~

~~(A) For single-family residential accounts, an additional fee of \$1.50 per 1,000 gallons shall be charged for all usage from 40,000 through 49,000 gallons during a billing period, an additional fee of \$2.50 per 1,000 gallons shall be charged for all usage from 50,000 through 59,000 gallons during a billing period, and an additional fee of \$5.00 per 1,000 gallons shall be charged for all usage over 59,000 gallons during a billing period. Usage on a single-family residential account shall be the total usage at the address which is determined by adding together the usage on the meter supplying the residence and the usage on the meter(s) supplying water to the landscape watering system.~~

~~(B) For all landscape meters, except those at single-family residences, schools, colleges, parks, cemeteries, golf courses or athletic facilities, an additional fee of \$1.50 per 1,000 gallons shall be charged for all usage from 90,000 through 109,000 gallons during a billing period, an additional fee of \$2.50 per 1,000 gallons shall be charged for all usage from 110,000 through 129,000 gallons during a billing period, and an additional fee of \$5.00 per 1,000 gallons shall be charged for all usage over 129,000 gallons during a billing period.~~

(14) Contracts with other political subdivisions, water supply corporations or water suppliers. Any political subdivision, water supply corporation, or water supplier that contracts with the city for the purchase of water shall adopt applicable provisions of the city's water conservation and drought contingency plan. Contracts for the sale of water that are already in effect will be revised to reflect the applicable provisions of the city's most current water conservation and drought contingency plan when the contracts are renewed or extended. To the extent of the city's legal authority, the city shall require the city's wholesale customers to issue a public notice advising their water customers of required drought management measures declared in the city as follows in [section 11.05.003](#).

(A) In the event that the triggering criteria specified in [section 11.05.003\(f\)](#) of the plan for Water Supply Stage - Drought Level III have been met, the city manager is hereby authorized to initiate allocation of water supplies on a pro rata basis in accordance with Texas Water Code section 11.039 and according to the following water allocation policies and procedures.

(B) A wholesale customer's monthly allocation shall be a percentage of the customer's water usage baseline. The percentage will be set by resolution of the city council based on the administrator's assessment of the severity of the water shortage condition and the need to curtail water diversions and/or deliveries and may be adjusted periodically by resolution of the city council as conditions warrant. Once pro rata allocation is in effect, water diversions by or deliveries to each wholesale customer shall be limited to the allocation established for each month.

(C) Upon initiation of pro rata water allocation, the water utility director shall provide notice, by certified mail, to each wholesale customer informing them of their monthly water usage allocations and shall notify the news media and the executive director of the state commission on environmental quality.

(15) Water demand emergency. In the event the quantity of water usage from the city's water distribution system reaches a level that exceeds the amount which may be treated or safely delivered through the system, the water utilities director shall notify the city manager and the city council of such an occurrence. The city council shall be authorized to limit the use of water by passage of a resolution outlining such limitations, which shall remain in effect until the water demand emergency can be met. Upon initiation of a water demand emergency, the water utility director shall provide notice, by certified mail, to the executive director of the state commission on environmental quality and shall notify the news media.

(16) Water supply emergency. In the event of a water system failure or emergency (i.e., pressure zone deficiencies, chemical spills, broken water mains, power outages, failures of storage tanks or other equipment, treatment plant breakdown and/or water contamination) which limits the amount of water which may be treated or safely delivered through the system, the water utilities director shall notify the city manager and city council of such occurrence. The city council shall be authorized to limit the use of water by passage of a resolution outlining such limitations, which shall remain in effect until the water supply emergency can be met. Upon initiation of a water supply emergency, the water utility director shall provide notice, by certified mail, to the executive director of the state commission on environmental quality and shall notify the news media.

(17) Public information. The water utilities director will provide regular public education and information about the importance of year-round water efficiency as delineated in the plan, and will provide general information about water supply conditions and drought plan provisions on at least an annual basis. The purpose of this effort shall be to keep the citizenry informed about the drought and conservation plans and their importance to the city's water supply.

Sec. 11.05.003 Drought stages and water management measures

(a) Water supply sources. The city has several water supply sources that it can draw upon to meet its needs. Local surface water sources include Lake Nasworthy, Twin Buttes Reservoir, O.C. Fisher Reservoir and the South Concho River. Nonlocal surface water supplies are available to the city from O.H. Ivie Reservoir and Spence Reservoir. The city has a groundwater source in the Hickory Aquifer. When local reservoirs are full, the city's primary water supply will

be from these reservoirs along with nonlocal or groundwater sources as needed. When local reservoirs are below full but above drought trigger points, the local sources may be utilized along with water brought in from nonlocal sources or groundwater sources. During drought conditions, the primary source of supply will be nonlocal sources, subject to the maximum amount available from each source, with the remaining amount of water coming from the local sources or groundwater sources that the city may develop.

(b) Drought trigger point. Whenever the total amount of water available to the city falls below the minimum criteria established for each water supply stage level, the city shall be deemed to have entered a drought stage for management of its water supplies. The water utilities director shall notify the city manager and city council upon entering the threshold of a drought stage. The council shall implement each stage by resolution. A notice of such resolution shall be published one time in the local newspaper. The criteria for each stage and the water management measures which shall be enforced are as follows in subsections (d) to (f).

(c) Public information. The water utilities director will provide reports to the news media with information regarding current water supply conditions, projected water supply and demand conditions if the current drought conditions continue, and consumer information on water conservation measures and practices. Information describing each water supply stage trigger point and drought level restrictions on water use shall be prepared and published on the city's website.

(d) Water supply stage - Drought Level I.

(1) The minimum criteria for this drought stage shall be the following: The total amount of water available, as determined by the water utilities director, to the city from its developed water sources is less than a 24-month supply.

(2) In addition to the conservation measures stated in [section 11.05.002](#) of this article, the following additional water conservation measures shall be in force during Water Supply Stage - Drought Level I.

(A) The use of treated or raw city water for watering lawns, gardens, landscape areas, trees, shrubs, golf courses (except greens) or other plants being grown outdoors (not in a nursery) shall be prohibited at all times; provided, however, a person may do such watering which shall be once every seven days during the period of April 1 through October 31 and once every 14 days during the period of November 1 through March 31 except during the "prohibited watering hours" as stated in [section 11.05.002](#).

(B) Golf courses greens may be watered daily except during the "prohibited watering hours" as stated in [section 11.05.002](#).

(C) Watering of "new landscape" shall be allowed in accordance with the provisions as stated in [section 11.05.002](#) for "new landscape."

(3) ~~A fee multiplier shall be charged for water usage assessed to the volumetric water fees as set forth in Sec. A8.002(a)(7) of this Code. in the amounts as set forth below. This fee shall be in addition to the standard fee charged for water usage and shall be in lieu of the "excessive usage fee" as defined in section 11.05.002.~~

~~(A) For single-family residential accounts, an additional fee of \$2.00 per 1,000 gallons shall be charged for all usage from 25,000 through 34,000 gallons during a billing period, an additional fee of \$3.50 per 1,000 gallons shall be charged for all usage from 35,000 through 44,000 gallons during a billing period, and an additional fee of \$6.00 per 1,000 gallons shall be charged for all usage over 44,000 gallons during a billing period. Usage on a single-family residential account shall be the total usage at the address which is determined by adding together the usage on the meter supplying the residence and the usage on the meter(s) supplying water to the landscape watering system.~~

~~(B) For all landscape meters, except those at single-family residences, schools, colleges, parks, cemeteries, golf courses or athletic facilities, an additional fee of \$2.00 per 1,000 gallons shall be charged for all usage from 75,000 through 94,000 gallons during a billing period, an additional fee of \$3.50 per 1,000 gallons shall be charged for all usage from 95,000 through 114,000 gallons during a billing period, and an additional fee of \$6.00 per 1,000 gallons shall be charged for all usage over 114,000 gallons during a billing period.~~

(e) Water Supply Stage - Drought Level II.

(1) The minimum criteria for this drought stage shall be the following: The total amount of water available, as determined by the water utilities director, to the city from its developed water sources is less than an 18-month supply.

(2) In addition to the conservation measures stated in [section 11.05.002](#) of this article, the following additional water conservation measures shall be in force during Water Supply Stage - Drought Level II:

(A) The use of treated or raw city water for watering lawns, gardens, landscape areas, trees, shrubs, golf courses (except greens) or other plants being grown outdoors (not in a nursery) shall be prohibited at all times; provided, however, a person may do such watering which shall be once every seven days during the period of April 1 through October 31 and once every 14 days during the period of November 1 through March 31 except during the “prohibited watering hours” as stated in [section 11.05.002](#).

(B) Golf course greens may be watered daily except during the “prohibited watering hours” as stated in [section 11.05.002](#).

(C) Watering of “new landscape” shall not be allowed as stated in [section 11.05.002](#) for “new landscape.”

(3) A multiplier shall be assessed to the volumetric water fees as set forth in Sec. A8.002(a)(7) of this Code.

~~A fee shall be charged for water usage in the amounts as set forth below. This fee shall be in addition to the standard fee charged for water usage and in lieu of the water usage fee set out in subsection (d)(3) of this section [and] the “excessive usage fee” as defined in [section 11.05.002](#).~~

~~(A) For single-family residential accounts, an additional fee of \$3.50 per 1,000 gallons shall be charged for all usage from 10,000 through 19,000 gallons during a billing period, an additional fee of \$5.00 per 1,000 gallons shall be charged for all usage from 20,000 through 29,000 gallons during a billing period, and an additional fee of \$8.00 per 1,000 gallons shall be charged for all usage over 29,000 gallons during a billing period. Usage on a single-family residential account shall be the total usage at the address which is determined by adding together the usage on the meter supplying the residence and the usage on the meter(s) supplying water to the landscape watering system.~~

~~(B) For all landscape meters except those at single-family residences, an additional fee of \$3.50 per 1,000 gallons shall be charged for all usage from 60,000 through 79,000 gallons during a billing period, an additional fee of \$5.00 per 1,000 gallons shall be charged for all usage from 80,000 through 99,000 gallons during a billing period, and an additional fee of \$8.00 per 1,000 gallons shall be charged for all usage over 99,000 gallons during a billing period.~~

(f) Water Supply Stage - Drought Level III.

(1) The minimum criteria for this drought stage shall be the following: The total amount of water available, as determined by the water utilities director, to the city from its developed water sources is less than a 12-month supply.

(2) In addition to the water conservation measures stated in [section 11.05.002](#) of this article, the following water conservation measures shall be in force during Water Supply Stage - Drought Level III:

(A) The use of treated or raw city water for watering of lawns, gardens, landscape areas, golf courses (including greens), shrubs or other plants being grown outdoors is prohibited. Hand watering or drip irrigation of trees and foundations may be done on days and at times as established by the city council.

(B) The use of treated or raw city water to fill, refill or maintain the level of any fountain or swimming pool is prohibited.

(C) Washing of automobiles, trucks, trailers, boats, or other types of vehicles or mobile equipment is prohibited except, if the health, safety and welfare of the public is contingent upon vehicle cleaning, as determined by the director of city health services, then the washing of such vehicles shall be allowed.

(3) A multiplier shall be assessed to the volumetric water fees as set forth in Sec. A8.002(a)(7) of this Code.

~~A fee shall be charged for water usage in the amounts as set forth below. This fee shall be in addition to the standard fee charged for water usage and shall be in lieu of the water usage fee set out in subsections (d)(3) and (e)(3) of this section and the "excessive usage fee" as defined in [section 11.05.002](#):~~

~~(A) For single-family residential accounts, an additional fee of \$6.00 per 1,000 gallons shall be charged for all usage over 10,000 gallons during a billing period.~~

~~(B) For apartment unit accounts, an additional fee of \$5.00 per 1,000 gallons shall be charged for all usage over an amount equal to the number of units in the apartment times 3,000 gallons during a billing period.~~

~~(C) For all other water users, an additional fee of \$2.50 per 1,000 gallons shall be charged for all usage.~~

2) THAT, Appendix A “Fee Schedule” of the Code of Ordinances is hereby amended by AMENDING Article A8.000 “Utility Related Fees”, Section A8.002 “Monthly water rates; sanitary sewer discharge charges; industrial waste charges; sewer tap charges” as set out below:

Section A8.002(a) shall read as follows:

“Sec. A8.002 Monthly water rates; sanitary sewer discharge charges; industrial waste charges; sewer tap charges

(a) All persons supplied with water by the city shall be billed for water at the following monthly rates for water supplied on or after January 1, 2016:

(1) Rate schedule:

(A) Inside city, fixed charge - meter size:

	2016	2017	2018	2019	2020
5/8"	\$21.37	\$23.88	\$26.68	\$28.62	\$30.69
1"	\$25.86	\$28.90	\$32.29	\$34.63	\$37.15
1-1/2"	\$30.38	\$33.96	\$37.94	\$40.70	\$43.65
2"	\$40.07	\$44.78	\$50.04	\$53.67	\$57.56
3"	\$117.01	\$130.76	\$146.13	\$156.72	\$168.08
4"	\$146.09	\$163.26	\$182.44	\$195.67	\$209.85
6"	\$212.67	\$237.66	\$265.59	\$284.84	\$305.49
8"	\$288.28	\$322.15	\$360.01	\$386.11	\$414.10

(B) Residential volumetric, rate per 1,000 gallons (Single-family residence, duplex, or other individually metered residential unit. Residential usage shall be the combined usage of the building meter and any landscape meter(s) serving the tract.):

	2016	2017	2018	2019	2020
0–2	\$2.74	\$3.00	\$3.30	\$3.54	\$3.80
3–5	\$3.99	\$4.38	\$4.81	\$5.16	\$5.54
6–15	\$4.66	\$5.12	\$5.62	\$6.03	\$6.47

16–39	\$4.99	\$5.48	\$6.02	\$6.45	\$6.92
>39	\$9.13	\$10.03	\$11.02	\$11.82	\$12.68

(C) Nonresidential volumetric, rate per 1,000 gallons (commercial, apartment, mobile home park, fire hydrants, industrial, hotel/motel, hospital, school, and government):

2016	2017	2018	2019	2020
\$4.62	\$5.27	\$6.01	\$6.45	\$6.92

(D) Landscape volumetric, rate per 1,000 gallons:

	2016	2017	2018	2019	2020
Winter					
0–89	\$4.46	\$5.09	\$5.81	\$6.23	\$6.68
>89	\$9.98	\$11.39	\$12.99	\$13.93	\$14.94
Summer					
0–89	\$4.66	\$5.32	\$6.07	\$6.51	\$6.98
>89	\$10.43	\$11.90	\$13.58	\$14.56	\$15.62

(E) Untreated water volumetric, rate per 1,000 gallons (all customers):

2016	2017	2018	2019	2020
\$4.95	\$5.65	\$6.45	\$6.92	\$7.42

*Winter is the billing period of October through April.

**Summer is the billing period of May through September.

(2) Manufacturing companies which depend on water use for the construction, manufacturing, assembly or processing of products, such as creameries, medical sutures, wood and cotton processing, packing plants, commercial laundries and carwashes, shall pay the industrial water rate.

(3) Angelo State University, San Angelo Independent School District, Tom Green County, Goodfellow Air Force Base and the city shall pay the governmental/schools rate.

(4) Where the city pays all pumping and distribution costs of untreated water, an additional charge shall be added to the untreated water rate in an amount equal to the average cost per one thousand (1,000) gallons for pumping and distributing said water.

(5) The charge for fire sprinkler service shall be one dollar (\$1.00) per inch diameter of the main fire service feed line. This charge shall be for each line service per month.

(6) The charge for water service to users outside the city limits shall be one and one-half (1-1/2) times the rate charged to users within the city limits.

(7) The water rate schedule shall also be adjusted as set out below pursuant to Section 11.05.002 of this Code entitled "Water conservation measures".

<u>Drought Level 1</u>	<u>Residential</u>	
	<u>0-2</u>	<u>1.0</u>
	<u>3-5</u>	<u>1.05</u>
	<u>6-15</u>	<u>1.05</u>
	<u>16-39</u>	<u>1.10</u>
	<u>>39</u>	<u>1.20</u>
	<u>Non-Residential</u>	<u>1.05</u>
	<u>Landscape (Winter and Summer)</u>	<u>1.10</u>
	<u>Fire Hydrants</u>	<u>1.00</u>
	<u>Untreated Water</u>	<u>1.00</u>
<u>Drought Level 2</u>	<u>Residential</u>	
	<u>0-2</u>	<u>1.10</u>
	<u>3-5</u>	<u>1.10</u>
	<u>6-15</u>	<u>1.20</u>
	<u>16-39</u>	<u>1.20</u>
	<u>>39</u>	<u>1.30</u>
	<u>Non-Residential</u>	<u>1.05</u>
	<u>Landscape (Winter and Summer)</u>	<u>1.20</u>
	<u>Fire Hydrants</u>	<u>1.00</u>
	<u>Untreated Water</u>	<u>1.10</u>
<u>Drought Level 3</u>	<u>Residential</u>	
	<u>0-2</u>	<u>1.20</u>

	<u>3-5</u>	<u>1.20</u>
	<u>6-15</u>	<u>1.30</u>
	<u>16-39</u>	<u>1.30</u>
	<u>>39</u>	<u>1.40</u>
	<u>Non-Residential</u>	<u>1.10</u>
	<u>Landscape (Winter and Summer)</u>	<u>1.30</u>
	<u>Fire Hydrants</u>	<u>1.00</u>
	<u>Untreated Water</u>	<u>1.20</u>

7) THAT, the following severability clause is hereby adopted with this amendment:

SEVERABILITY:

That the terms and provisions of this Ordinance shall be deemed to be severable in that if any portion of this Ordinance shall be declared to be invalid, the same shall not affect the validity of the other provisions of this Ordinance.

8) THAT, this Ordinance shall be effective on, from and after the 3rdth day of May 2016.

INTRODUCED with public hearing on the 19th day of April, 2016, and finally PASSED, APPROVED and ADOPTED on this the 3rd day of May, 2016.

CITY OF SAN ANGELO

ATTEST:

Dwain Morrison, Mayor

Bryan Kendrick, City Clerk

Approved as to Form:

Theresa James
City Attorney



**AN ORDINANCE AMENDING APPENDIX A “FEE SCHEDULE”
OF THE CODE OF ORDINANCES, CITY OF SAN ANGELO
TEXAS, BY AMENDING ARTICLE A.8000 “UTILITY RELATED
FEES” AND CHAPTER 11 “UTILITIES”, ARTICLE 11.02
“WATER AND SEWER SERVICE”, PROVIDING FOR
SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE**

BE IT ORDAINED BY THE CITY OF SAN ANGELO:

1) THAT, Appendix A “Fee Schedule” of the Code of Ordinances is hereby amended by AMENDING Article A8.000 “Utility Related Fees” Section A8.002 “Monthly water rates; sanitary sewer discharge charges; industrial waste charges; sewer tap charges” subsection (d) as set out below:

Section A8.002(d) shall read as follows:

“Sec. A8.002 Monthly water rates; sanitary sewer discharge charges; industrial waste charges; sewer tap charges

(d) Sewer tap connections.

(1) The public works director or his designated agent shall determine the appropriate size and location for all sewer tap connections. Failure to abide by such determination will result in disapproval of the tap connection and/or possible disconnection of service. Any person ordering a sewer tap connection at premises within the city shall be charged for such sewer tap connection in accordance with the following schedule:

4" stubbed out by developer - \$25.00

4" with trench repair - \$150.00 plus cost of trench repair.

6" stubbed out by developer - \$25.00

6" with manhole and trench repair - \$1,275 plus cost of trench repair

Lake lots - \$570.00 per service connection.

(2) Any person ordering a sewer tap connection at premises located outside the city limits shall be charged for such sewer tap connection one and one-half (1-1/2) times the above-stated schedule for each size tap.”

2) THAT, Appendix A “Fee Schedule” of the Code of Ordinances is hereby amended by AMENDING Article A8.000 “Utility Related Fees” Section A8.005 “Water tap connections” as set out below:

Section A8.005 shall read as follows:

“Sec. A8.005 Water tap connections

(a) Any person ordering a water tap connection at premises within the city shall be charged for such water tap connection in accordance with the following schedule:

<u>5/8"3/4"</u>	\$100.00 where stubbed out by developer
<u>5/8"3/4"</u>	\$150.00 plus cost of trench repair
1"	\$250.00 plus cost of trench repair
1-1/2"	\$450.00 plus cost of trench repair
2" turbine	\$575.00 plus cost of trench repair
2" compound	\$1,225.00 plus cost of trench repair
3" turbine	\$1,875.00 plus cost of trench repair
3" compound	\$2,625.00 plus cost of trench repair
4" turbine	\$2,350.00 plus cost of trench repair
4" compound	\$3,300.00 plus cost of trench repair
6" turbine	\$3,500.00 plus cost of trench repair
6" compound	\$5,500.00 plus cost of trench repair
1-1/2" lake meter	\$450.00
<u>1" Fire Service Tap</u>	<u>\$800</u>
<u>4" Fire Service Tap</u>	<u>\$1600</u>
<u>6" Fire Service Tap</u>	<u>\$2500</u>

(b) Any person ordering a water tap connection at premises located outside the city shall be charged for such water tap connection one and one-half (1-1/2) times the above-stated schedule for each size tap.

(c) Any person leasing a lake lot from the city shall not be required to pay the tap connection fee when requesting approval for capital improvements; provided, however, if such improvement is a lawn sprinkler system which uses raw water, payment of the fee will not be required at that time."

3) THAT, Appendix A “Fee Schedule” of the Code of Ordinances is hereby amended by DELETING Article A8.000 “Utility Related Fees” Section A8.006 “Water main extension fees” .

4) THAT, Appendix A “Fee Schedule” of the Code of Ordinances is hereby amended by AMENDING Article A8.000 “Utility Related Fees” Section A8.014 “Sewer line extension fees” as set out below:

Section A8.014 shall read as follows:

“Sec. A8.014 Sewer line extension fees

~~_(a) Private lots.~~

~~(1) Sewer service to property not previously served by the city, and not city-owned leased lots at Lake Nasworthy, may be obtained by paying the appropriate tap connection fees plus a front foot fee for the property to be served. The front foot fee for sewer line extensions shall be seven dollars (\$7.00) per front foot of the property to be served for a property with a front footage of at least 50 feet but less than 100 feet. For properties with a front footage of less than 50 feet, the fee shall be \$350.00, and for properties with a front footage of 100 feet or more the fee shall be \$700.00. Provided, however, the front foot fee shall not be assessed on sewer mains which have been in service twenty (20) years or more. Where a customer requires a larger line, the cost to the customer for said line shall be established by the city council.~~

~~(2) To qualify for a sewer extension at the established front foot charge, the location of the property to be served must be within three hundred feet (300') of an existing sewer line that is capable of serving the property. If the distance to the property to be served is in excess of three hundred feet (300'), the charge shall be seven dollars (\$7.00) per front foot of the property requesting service, subject to the minimum and maximum footages stated in the above paragraph, plus fourteen dollars (\$14.00) times the distance from the existing sewer line to the property to be served, less the three hundred foot (300') distance.~~

~~(b) Leased lots at Lake Nasworthy. As sewer service is extended to areas of Lake Nasworthy, each leaseholder shall be assessed a per-lot fee of five hundred eighty-three dollars (\$583.00), which shall be paid upon service availability.”~~

5) THAT, Chapter 11 “Utilities”, Article 11.02 “Water and Sewer Service” of the Code of Ordinances is hereby amended by AMENDING Section 11.02.035 “Main Extensions” as set out below:

Section 11.02.035 shall read as follows:

“ Sec. 11.02.035 Main extensions

~~_(a) Any person desiring water service to lots not previously served by the water utilities department of the city may obtain service from the city by paying the appropriate tap connection fee plus a front foot fee for the property to be served. The front foot fee is assessed to reimburse the city for the cost of an eight-inch (8") water main installation. Front foot charges for water main extensions shall be as provided for in the fee schedule found in appendix A of this code; provided,~~

~~however, that a front foot fee shall not be assessed on water mains which have been in service for twenty (20) years or more. Where a customer requires a larger line, the cost to the customer of said line shall be established by the city council.~~

~~(b) — To qualify for the water main extension at the established front foot charge, the location of the lots to be served must be within three hundred feet (300') of an existing water main. If the distance to the lots to be served is in excess of three hundred feet (300') of an existing water main, the charges shall be as provided for in the fee schedule found in appendix A of this code.~~

~~(c) — Areas where water mains are installed entirely with funds from sources other than the water department will be exempt from the front foot charge.~~

~~(a) All water mains installed become the property of the city and the city reserves the right to extend or enlarge any water mains, or connect other water mains to it.~~

6) THAT, Chapter 11 “Utilities”, Article 11.02 “Water and Sewer Service”, of the Code of Ordinances is hereby amended by AMENDING Section 11.02.063 “Sewer Line Extensions as set out below:

Section 11.02.063 shall read as follows:

“Sec. 11.02.063 Sewer line extension fees

~~(a) — Private lots. Sewer service to property not previously served by the city and not city-owned leased lots at Lake Nasworthy may be obtained by paying the appropriate tap connection fees plus a front foot fee for the property to be served. The front foot fee for sewer line extension shall be as provided for in the fee schedule found in appendix A of this code; provided, however, the front foot fee shall not be assessed on sewer mains which have been in service twenty (20) years or more. Where a customer requires a larger line, the cost to the customer for said line shall be established by the city council. To qualify for a sewer extension at the established front foot charge, the location of the property to be served must be within three hundred feet (300') of an existing sewer line that is capable of serving the property. If the distance to the property to be served is in excess of three hundred feet (300'), the charge shall be as provided for in the fee schedule found in appendix A of this code.~~

~~(a) Leased lots at Lake Nasworthy. As sewer service is extended to areas of Lake Nasworthy, each leaseholder shall be assessed a per-lot fee as provided for in the fee schedule found in appendix A of this code, which shall be paid upon service availability.~~

~~(c) — Exemptions. The front foot fee is assessed to reimburse the city for the cost of sewer line installation. Areas where sewer lines are installed entirely with funds from sources other than the water utilities department will be exempt from the front foot charge.~~

~~(b) Ownership of line. All sewer lines installed become the property of the city and the city reserves the right to extend or enlarge any sewer line, or connect other sewer lines to it.~~

~~(c) Tap fee required. Each property being served shall also pay an appropriate tap connection fee.”~~

~~(c) — Exemptions. The front foot fee is assessed to reimburse the city for the cost of sewer line installation. Areas where sewer lines are installed entirely with funds from sources other than the public works department will be exempt from the front foot charge.~~

~~(d) — Ownership of line. All sewer lines installed become the property of the city, and the city reserves the right to extend or enlarge any sewer line, or connect other sewer lines to it.~~

~~(e) — Tap fee required. Each property being served shall also pay an appropriate tap connection fee."~~

7) THAT, the following severability clause is hereby adopted with this amendment:

SEVERABILITY:

That the terms and provisions of this Ordinance shall be deemed to be severable in that if any portion of this Ordinance shall be declared to be invalid, the same shall not affect the validity of the other provisions of this Ordinance.

8) THAT, this Ordinance shall be effective on, from and after the 3rdth day of May 2016.

INTRODUCED with public hearing on the 19th day of April, 2016, and finally PASSED, APPROVED and ADOPTED on this the 3rd day of May, 2016.

CITY OF SAN ANGELO

ATTEST:

Dwain Morrison, Mayor

Bryan Kendrick, City Clerk

Approved as to Form:

Theresa James
City Attorney

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: AJ Fawver, Planning & Development Administrator, Planning and Development Services, x1542

Meeting Date: April 19, 2016

Item type: Regular Item

Caption:

First Reading and Public Hearing on an ordinance amending Chapter 2, "Administration and Personnel", Article 2.07, "Boards, Committees, and Commissions", Division 10, "Tax Increment Reinvestment Zone Board", and removing Chapter 2, "Administration and Personnel", Article 2.07, "Boards, Committees, and Commissions", Division 11, "Downtown Development Commission" - (Presentation by Planning & Development Services Director Jon James)

Summary/History:

At the July 21st City Council meeting, the Council discussed recommendations from the TIRZ board concerning incentive requests made under the FY15 TIRZ Incentives policy, and emphasized their desire to revisit the policy, bylaws, and ordinance for the TIRZ board. At the September 16th meeting of the TIRZ board, staff presented some proposed changes for consideration. No action was taken. During the December 8th meeting of the DDC, the board discussed the idea of consolidation. At the December 16th meeting of the TIRZ board, the board also discussed this idea of consolidation. Since this meeting, additional discussions have continued amongst the TIRZ members, DDC members, some Council members, and the City staff regarding a proposal to consolidate the TIRZ and the DDC into a single board.

Attached are the current ordinance and current bylaws for this board, with the suggested changes redlined for ease in reading. Below is a brief summary of each of the changes being presented for consideration.

AMENDMENTS TO ORDINANCE – ALL PROPOSED UNTIL AND UNLESS ADOPTED

1. All references to "chairman" are changed to "chair".
2. Article 2, Division 10, Section 2.07.281 – Creation; members

The heading was changed from "Creation; members" to "Organization and Procedure".

The current membership of the board is a total of fifteen (15) members, representing: the City of San Angelo (8), Tom Green County (4), GAFB (1), ASU (1), SAISD (1). The City representatives must include a resident of SMD #2, SMD #3, SMD #4, & SMD #5, as well as three business owners from within the zone. The County representatives must include a property owner within the zone and 2 business owners within the zone.

The proposal would be to reduce the number of members to a total of twelve (12). These members would represent: the City of San Angelo (7), Tom Green County (2), GAFB (1), ASU (1) and SAISD (1). Ownership requirements would not apply. State law only requires representation by the financial participants – in this case, the City and County – and at least 5 but not more than 15 members.

Also proposed for addition to the document are statements specific to removal (consistent with other board and commission ordinances), record keeping (to be done by the City Clerk), and vacancies (related to unexpired

terms and serving until a replacement is appointed.

3. Article 2, Division 10, Section 2.07.282 – Qualifications

One of the two current requirements states that the individual must own real property within the zone, in addition to being a qualified voter of the city.

The proposal would be to strike the first requirement, leaving only the requirements that they are at least 18 years of age and a resident of the County.

4. Article 2, Division 10, Section 2.07.283 – Terms

The terms for the initial appointment of members are proposed to be staggered, to prevent a scenario in which all members' terms are expired at the same time.

5. Article 2, Division 10, Section 2.07.284 – Duties

An addition is proposed, to insert the language that "all action by the board is subject to city council approval." This suggestion has been discussed by the Council and staff in previous meetings.

In addition, to integrate the ongoing duties of the Downtown Development Commission into the TIRZ board, the following three items were added: recommendations regarding expenditures related to development and redevelopment of land within the zone, acting as the lead entity in working with other boards and commissions regarding incentives, regulations, and physical/economic development, and an annual progress report to Council. These echo duties outlined in the ordinance establishing the Downtown Development Commission and ensure these actions continue via the TIRZ board. State law also requires an annual report of the TIRZ, which was not mentioned in the previous ordinance version.

6. Article 2, Division 10, Section 2.07.285 – Officers

Added that the City Council shall appoint a chair for the TIRZ – this is a requirement in the Local Government Code which was previously not mentioned within the bylaws.

7. Article 2, Division 10, Section 2.07.292 – Conflicts of Interest

The conflict of interest language, mirroring that adopted by COSADC, was inserted here, as proposed. It addresses conflicts as they pertain to Council members, TIRZ members, and staff; namely, that eligibility for assistance does not exist for a Council member, TIRZ board member, or Planning & Development Services Department member (or a person related to any of these within the second degree by consanguinity or affinity) until they have vacated that position for at least six months.

Financial Impact:

N/A

Other Information/Recommendation:

City staff **recommends approving** these amendments as proposed.

The DDC board met on March 29th to discuss this item. While no formal recommendation is carried forward to the City Council, the board did have some specific concerns which they expressed at that time, and asked that the staff convey them. These included:

- a general support for merging the functions of the two boards;
- ensuring that the mission of the DDC is adequately reflected in the mission of the new board;
- preventing the board from being too large, preferring 9 or 10 members over 12 or more; and,
- some members wanted to ensure representation of Downtown San Angelo, Inc.

The TIRZ board met to discuss this item on both March 23rd and March 30th. Their formal recommendations were centered on five key areas.

- Ownership requirements: The existing TIRZ requires that 6 of the total board members own land within the TIRZ, and that 5 own businesses within it. The board recommends - by a vote of 7-0 - that of the 7 members appointed by the City Council, 3 must own property, own a business, live, or work in the TIRZ – North; furthermore, another 3 must own property, own a business, live, or work in the TIRZ – South. This recommendation represents a suggested modification to the staff recommendation, which would eliminate all requirements other than being residents of the County, as required by state law.
- Term length: The board recommends – by a vote of 7-0 – that the terms for each member be two years each. This recommendation matches the staff recommendation.
- Maximum number of terms: The board recommends – by a vote of 7-0 – that members be limited to four terms maximum. This recommendation represents a suggested modification to the staff recommendation of a three term limit (for a total of 6 years).
- Conflicts of interest: The board recommends – by a vote of 7-0 – that there be a single conflict of interest policy to apply citywide to all boards and commissions, as well as the City Council. This recommendation matches the staff recommendation, except that staff recognizes that such a document does not yet exist, and followed the City Council directive to apply the COSADC conflict language into the ordinance amendment.
- Executive summary: The board recommends – by a vote of 7-0 – their executive summary of survey findings compiled by polling each individual board member.

Attachments:

1.	TIRZ Ordinance changes	TIRZ Ordinance_final.docx
2.	Final Ordinance	15-371_CC_TIRZ_ORD_AMEND_DTS_MERGED_4-12-16.docx
3.	TIRZ Board Minutes - March 23, 2016	March 23, 2016 Draft Minutes.pdf
4.	DDC Minutes - March 29, 2016	March 29, 2016 Minutes.doc
5.	TIRZ Board Minutes - March 30, 2016	March 30, 2016 Minutes.pdf
6.	TIRZ Board Survey - Executive Summary	TIRZ Executive Summary .pdf
7.	TIRZ-DDC Reorganization Presentation	TIRZ-DDC Reorganization 2016-04-19.pptx

Presentation:

Jon James, Director of Planning & Development Services

Approvals/Reviews:

Fawver, AJ	Created/Initiated
James, Jon	Approved
James, Theresa	Approved
Carriger, Tina	Approved

James, Theresa
Dunn, Becky
Kendrick, Bryan

Approved
Approved
Final Approval

Division 10. Tax Increment Reinvestment Zone Board*

Sec. 2.07.281 ~~Creation; members~~Organization and Procedure

There is hereby created within the city a tax increment reinvestment zone board. ~~Said board shall be composed of fifteen (15) members. The members shall be appointed as follows: that consists of twelve (12) regular board members to be filled by nomination and appointment as follows:~~

- ~~(1) Five (5) shall be appointed by the city council from those who own property within the zone, of which four (4) shall reside within single member districts (SMD) #2, #3, #4, and #5 respectively; One (1) board seat shall be appointed by city council from a nomination of the mayor;~~
- ~~(2) One (1) shall be appointed by the county commissioners from those who own property within the zone; Each of six board member seats shall be appointed by city council, designated for city council single member districts one through six respectively, from nomination of each council member representing each designated single member district;~~
- ~~(3) Three (3) shall be appointed by the city council from those who own businesses within the zone;~~
- ~~(4) Two (2) board member seats shall be appointed by the county commissioners from those who own businesses within the zone; County Commissioners Court, Tom Green County;~~
- ~~(5) One (1) member shall be appointed by the county;~~
- (6) One (1) board member seat shall be appointed by Goodfellow Air Force Base;
- (7) One (1) board member seat shall be appointed by Angelo State University; and
- (8) One (1) board member seat shall be appointed by San Angelo Independent School District.

Sec. 2.07.282 Qualifications

~~All members shall be:~~

- ~~(1) A qualified voter of the city; or~~
- ~~(2) At least 18 years of age and own real property in the zone, whether or not the individual resides in the municipality.~~

All regular and alternate board members shall be at least eighteen (18) years of age and a resident of Tom Green County. Any regular board member who ceases to possess such qualifications shall automatically be deemed to have vacated his or her membership on the board.

Sec. 2.07.283 Terms

~~(a) Of the members first appointed by the city council, five (5) shall be appointed for a term of two (2) years, and three (3) shall be appointed for a term of one (1) year. Of the members first appointed by the county, two (2) shall be for a one (1) year term. Appointments by all other entities shall be for two (2) year terms.~~

~~(b) All additional appointments shall be for a term of two (2) years, except vacancies for unexpired terms, which shall be filled for the remainder of the unexpired term. Members may serve three (3) consecutive two (2) year terms and then may be reappointed after one (1) year has passed.~~

~~(1) Of the initial board member appointments by city council after the effective date of the ordinance, four (4) shall be for a two (2) year term, and three (3) shall be for a three (3) year term. Of the initial board member appointments by the county commissioners' court after the effective date of this ordinance, one (1) shall be for a two (2) year term, and one (1) shall be for a three (3) year term. Of the initial board member appointments by the San Angelo Independent School District after the effective date of this ordinance, one (1) shall be for a two (2) year term. Of the initial board member appointments by Goodfellow Air Force Base after the effective date of this ordinance, one (1) shall be for a three (3) year term. Of the initial board member appointments by Angelo State University after the effective date of this ordinance, one (1) shall be for a two (2) year term.~~

~~(2) All appointments for regular or alternate board members made after the initial appointments shall be for a term of two (2) years, except vacancies for unexpired terms, which shall be filled for the remainder of the unexpired term, thereby maintaining staggered terms.~~

~~(23) No individual may serve more than three, full consecutive board member terms, except after one full year from the date of last service as a board member.~~

Sec. 2.07.284 Duties

The TIRZ board shall act as an advisory board to the city council in the operation and administration of the TIRZ, all action by the board is subject to city council approval. The authority and responsibility of the board expressly includes:

- (1) Make recommendations to the city council regarding the administration of this division.
- (2) Make recommendations to the city council regarding agreements that are necessary or convenient to implement the project plan and reinvestment zone financing plan.
- (3) Make recommendations to the city council regarding agreements with local governments or political subdivisions for management of the zone or implementing the project plan and reinvestment zone financing plan.
- (4) Make recommendations to the city council regarding establishing and providing for the establishment of programs that:

- (A) Develop and diversify the economy of the zone;
 - (B) Eliminate unemployment and underemployment in the zone;
 - (C) Develop or expand transportation, business and commercial activity in the zone;
 - (D) Make grants and loans; and
 - (E) Stimulate business and commercial activity in the zone.
- (5) Contract with the city regarding allocation from the tax increment fund to pay for the incremental costs of providing municipal services incurred as a result of the creation of the zone or the development or redevelopment of land within the zone.
- (6) Make recommendations to the city council regarding the expenditure of TIRZ funds related to development and redevelopment of land within the zone, in conformance with the following process:
- (A) An affirmative recommendation to expend TIRZ funds for a project in the same area as that from which the funds are derived requires a simple majority vote of the TIRZ board members present when the matter is voted upon. The city council may approve expenditures under this subsection by a simple majority vote if such expenditure is recommended by the TIRZ board.
 - (B) An affirmative recommendation to expend TIRZ funds for a project located in the area outside that from which the funds are derived requires an affirmative vote by three-quarters of the TIRZ board members present when the matter is voted upon. The city council may only approve expenditures under this subsection when such expenditures are recommended by the TIRZ board and with an affirmative vote of six (6) members of the city council.
- (7) Acting as the lead entity in working with other boards and commissions regarding incentives, regulations, infrastructure and all other physical and economic development decisions related to the TIRZ district.
- (8) Providing a progress report to the city council annually, or as requested by the city council.

Sec. 2.07.285 Officers

~~The board shall elect a chairman~~The city council shall appoint a chair, as established in Section 311.009.f of the Local Government Code, for a term of one year, beginning in January. The board may appoint and~~such~~ other officers as it may establish in its bylaws.

Sec. 2.07.286 Quorum

A simple majority of the duly appointed voting members of the board shall constitute a quorum. In the event that a regular or specially called meeting of the board occurs without appointment of a new member (if the vacancy is that of a voting member), a majority of the remaining voting members shall constitute a quorum.

Sec. 2.07.287 Bylaws

The board shall write its own bylaws establishing its own rules for its regulation. Said bylaws and amendments thereto shall be filed with the city clerk.

Sec. 2.07.288 Meetings

The board shall hold regular monthly meetings that shall be open to the public and at a time and place to be established in its bylaws. It may also hold such other meetings as may be necessary to accomplish the purpose of its creation and as established in its bylaws. All meetings shall be public and shall conform to law.

Sec. 2.07.289 Minutes

The board shall keep a record of its proceedings in a permanent book, and a signed copy of said minutes shall be given to the city clerk.

Sec. 2.07.290 Absent members

In the event of three (3) consecutive absences or a cumulative total of four (4) absences by a member within a calendar year from regularly scheduled meetings, a board member shall be deemed to have resigned unless the board excused such absences by procedures established in its bylaws.

Sec. 2.07.291 Severability

The terms and provisions of this division shall be deemed to be severable in that, if any portion of this division shall be declared to be invalid, the same shall not affect the validity of the other provisions of this division.

Sec. 2.07.292 Conflicts of Interest

- (1) No member of the board shall participate in any case in which he or she has financial or personal interest in the property concerned, or will be directly affected by the decision, or has any other conflict of interest as defined by applicable law. The determination of "substantial" interest in a business entity, as well as rules affecting participation of board members in cases affected thereby, are described in Chapter 171 in the State of Texas Local Government Code.
- (2) No member of the San Angelo city council, or person related to a council member within the second degree by consanguinity or affinity, shall be eligible for a grant or assistance from the board during his/her tenure or for six months thereafter.

- (3) No member of the TIRZ board, or person related to a board member within the second degree by consanguinity or affinity, shall be eligible for a grant or assistance from the board during his/her tenure or for six months thereafter.
- (4) No employee of the Planning & Development Services Department, or person related to an employee or supervisor of this Department within the second degree by consanguinity or affinity, shall be eligible for assistance from the TIRZ during his/her employment or for six months thereafter.
- (5) A member may disqualify himself/herself from voting whenever any requestor, or his/her agent, has sought to influence the vote of the member in any setting, other than in the public meeting.

Secs. 2.07.~~292~~293–2.07.310 Reserved

AN ORDINANCE OF THE CITY OF SAN ANGELO, TEXAS, AMENDING CHAPTER 2 “ADMINISTRATION,” ARTICLE 2.7 “BOARDS, COMMITTEES AND COMMISSIONS,” DIVISION 10 “TAX INCREMENT REINVESTMENT ZONE BOARD,” BY RESTATING SECTIONS 2.07.281 THROUGH 2.07.285 IN THEIR ENTIRETY; ADDING A NEW SECTION 2.07.292 ADDRESSING CONFLICTS OF INTEREST; REPEALING CHAPTER 2 “ADMINISTRATION,” ARTICLE 2.7 “BOARDS, COMMITTEES AND COMMISSIONS,” DIVISION 11 “DOWNTOWN DEVELOPMENT COMMISSION”, IN ITS ENTIRETY; RATIFYING PRIOR ACTIONS; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City Council for the City of San Angelo adopted an ordinance on December 19, 2006, creating a tax increment reinvestment zone, “Reinvestment Zone Number One, City of San Angelo” to preserve the near and long term integrity of the economic and social investment in the designated area and needed to encourage additional new projects within the designated area; and,

WHEREAS, the City of San Angelo draws upon its citizens for their experience, knowledge and expertise to serve as volunteers on a number of boards and commissions; and,

WHEREAS, the City Council has determined that it is in the public’s interest to have adequate representation from all single member districts of the city in the overall appointment process and has adopted by resolution a uniform policy for appointment of City advisory boards and commissions by single member district; and,

WHEREAS, the City Council finds that an appointment process with respect to members of the Tax Increment Reinvestment Zone Board similar to its uniform policy for the appointment of members of advisory boards and commissions would serve the best interest of the public; and,

WHEREAS, the Tax Increment Reinvestment Zone and the Downtown Development Commission have overlapping duties and both are advisory to the City Council; and,

WHEREAS, the duties required of the Downtown Development Commission can be fulfilled by the Tax Increment Financing Board, the Commission can be disbanded:

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

Section 1. Chapter 2 “Administration,” Article 2.7 “Boards, Committees and Commissions,” Division 10, “Tax Increment Reinvestment Zone Board, Sections 2.07.281 through 2.07.285, are amended by restating said sections in their entirety to read as follows:

“Section 2.07.281 Organization and Procedure

There is hereby created within the city a tax increment reinvestment zone board that consists of twelve (12) regular board members to be filled by nomination and appointment as follows:

- (1) One (1) board seat shall be appointed by City Council from a nomination of the mayor;
- (2) Each of six board member seats shall be appointed by City Council, designated for City Council single member districts one through six respectively, from nomination of each council member representing each designated single member district;
- (3) Two (2) board member seats shall be appointed by the County Commissioners Court, Tom Green County;
- (5) One (1) board member seat shall be appointed by Goodfellow Air Force Base;
- (6) One (1) board member seat shall be appointed by Angelo State University; and
- (7) One (1) board member seat shall be appointed by San Angelo Independent School District.”

“Section 2.07.282 Qualifications

All regular and alternate board members shall be at least eighteen (18) years of age and a resident of Tom Green County. Any regular board member who ceases to possess such qualifications shall automatically be deemed to have vacated his or her membership on the board.”

Section 3. Chapter 2 “Administration,” Article 2.7 “Boards, Committees and Commissions,” Division 10, “Tax Increment Reinvestment Zone Board”, Section 2.07.283 “Terms,” is amended by restating said section in its entirety to read as follows:

“Section 2.07.283 Terms

- (1) Of the initial board member appointments by City Council after the effective date of the ordinance, four (4) shall be for a two (2) year term, and three (3) shall be for a three (3) year term. Of the initial board member appointments by the county commissioners’ court after the effective date of this ordinance, one (1) shall be for a two (2) year term, and one (1) shall be for a three (3) year term. Of the initial board member appointments by the San Angelo Independent School District after the effective date of this ordinance, one (1) shall be for a two (3) year term. Of the initial board member appointments by Goodfellow Air Force Base after the effective date of this ordinance, one (1) shall be for a three (3) year term. Of the initial board member appointments by Angelo State University after the effective date of this ordinance, one (1) shall be for a two (2) year term.
- (2) All appointments for regular members made after the initial appointments shall be for a term of two (2) years, except vacancies for unexpired terms, which shall be filled for the remainder of the unexpired term, thereby maintaining staggered terms.
- (3) No individual may serve more than three, full consecutive board member terms, except after one full year from the date of last service as a board member.”

“Sec. 2.07.284 Duties

The TIRZ board shall act as an advisory board to the City Council in the operation and administration of the TIRZ; all action by the board is subject to City Council approval. The authority and responsibility of the board expressly includes:

- (1) Make recommendations to the City Council regarding the administration of this division.
- (2) Make recommendations to the City Council regarding agreements that are necessary or convenient to implement the project plan and reinvestment zone financing plan.

- (3) Make recommendations to the City Council regarding agreements with local governments or political subdivisions for management of the zone or implementing the project plan and reinvestment zone financing plan.
- (4) Make recommendations to the City Council regarding establishing and providing for the establishment of programs that:
 - (A) Develop and diversify the economy of the zone;
 - (B) Eliminate unemployment and underemployment in the zone;
 - (C) Develop or expand transportation, business and commercial activity in the zone;
 - (D) Make grants and loans; and
 - (E) Stimulate business and commercial activity in the zone.
- (5) Contract with the city regarding allocation from the tax increment fund to pay for the incremental costs of providing municipal services incurred as a result of the creation of the zone or the development or redevelopment of land within the zone.
- (6) Make recommendations to the City Council regarding the expenditure of TIRZ funds related to development and redevelopment of land within the zone, in conformance with the following process:
 - (A) An affirmative recommendation to expend TIRZ funds for a project in the same area as that from which the funds are derived requires a simple majority vote of the TIRZ board members present when the matter is voted upon. The City Council may approve expenditures under this subsection by a simple majority vote if such expenditure is recommended by the TIRZ board.
 - (B) An affirmative recommendation to expend TIRZ funds for a project located in the area outside that from which the funds are derived requires an affirmative vote by three-quarters of the TIRZ board members present when the matter is voted upon. The City Council may only approve expenditures under this subsection when such expenditures are recommended by the TIRZ board and with an affirmative vote of six (6) members of the City Council.

- (7) Acting as the lead entity in working with other boards and commissions regarding incentives, regulations, infrastructure and all other physical and economic development decisions related to the TIRZ district.
- (8) Providing a progress report to the City Council annually, or as requested by the City Council.”

“Sec. 2.07.285 Officers

The City Council shall appoint a chair, as established in Section 311.009.f of the Local Government Code, for a term of one year, beginning in January. The board may appoint other officers as it may establish in its bylaws.”

Section 2 Chapter 2 “Administration,” Article 2.7 “Boards, Committees and Commissions,” Division 10, “Tax Increment Reinvestment Zone Board, is amended by adding Section 2.07.292 “Conflicts of Interest,” to read as follows:

“Section 2.07.292 Conflicts of Interest

- (1) No member of the board shall participate in any case in which he or she has financial or personal interest in the property concerned, or will be directly affected by the decision, or has any other conflict of interest as defined by applicable law. The determination of “substantial” interest in a business entity, as well as rules affecting participation of board members in cases affected thereby, are described in Chapter 171 in the State of Texas Local Government Code.
- (2) No member of the San Angelo City Council, or person related to a council member within the second degree by consanguinity or affinity, shall be eligible for a grant or assistance from the board during his/her tenure or for six months thereafter.
- (3) No member of the TIRZ board, or person related to a board member within the second degree by consanguinity or affinity, shall be eligible for a grant or assistance from the board during his/her tenure or for six months thereafter.
- (4) No employee of the Planning & Development Services Department, or person related to an employee or supervisor of this Department within the second degree by consanguinity or affinity, shall be eligible for assistance from the TIRZ during his/her employment or for six months thereafter.

(5) A member may disqualify himself/herself from voting whenever any requestor, or his/her agent, has sought to influence the vote of the member in any setting, other than in the public meeting.”

Section 3. Chapter 2 “Administration”, Article 2.7 “Boards, Committees and Commissions”, Division 11 “Downtown Development Commission” is hereby repealed in its entirety.

Section 4. All prior actions of the Tax Increment Reinvestment Zone Board and the Downtown Development Commission; all prior actions of the City Council on recommendations made by the Board and Commission; and, all prior actions of City staff in connection therewith, are hereby ratified and approved.

Section 5. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City Council hereby declares that it would have passed this Ordinance, and each section, paragraph, clause or phrase thereof irrespective of the fact that any one or more sections, paragraphs, sentences, clauses or phrases be declared unconstitutional; or invalid.

Section 6. This Ordinance shall become effective from and after its adoption as required by law.

INTRODUCED on the day of _____, 2016, and finally PASSED,
APPROVED and ADOPTED on this the _____ day of _____ 2016.

ATTEST:

CITY OF SAN ANGELO

Bryan Kendrick, City Clerk

BY: _____
Dwain Morrison, Mayor

Approved as to form:

Theresa James, City Attorney

**MINUTE RECORD OF THE CITY OF SAN ANGELO TAX INCREMENT
REINVESTMENT ZONE MEETING HELD ON WEDNESDAY, March 23, 2016
AT 12:00 PM, MCNEASE CONVENTION CENTER, 501 RIO CONCHO
DRIVE.**

PRESENT: Lee Pfluger, William Dendle, Dominic Santos, Mike Campbell, John Klingemann, Johnny Calvert, Travis Stribling, Anne Coverston, Nelly Perez

ABSENT: Craig Kinney (AE), Bob Pfluger (AE), David Mazur (AE)

STAFF: Jon James, AICP
Sarah Tackett
Dan Saluri
Rick Weise

I. Call to order, establish quorum.

The meeting was called to order at 12:00 pm. It was established that a quorum was present.

II. Public comment.

No public comment.

III. Consideration of approving the minutes from the December 16, 2015 TIRZ Board Meeting.

Motion to approve the minutes from the March 2, 2016 TIRZ Board Meeting with changes by Mr. Mike Campbell, seconded by Ms. Anne Coverston and carried unanimously.

IV. Streetscape

Mr. Russell Pehl, City Engineer, presented an update to the board on the North Chadbourne Streetscape Project. The project limits of Phase II & III are: Chadbourne Street, both sides 7th to 14th. Extension: Chadbourne Street (east side) 14th to 18th. An aerial overview of the project was presented. Construction work included: sidewalks, brick pavers, curb/gutter, pedestrian ramps, crosswalk markings, handrails, and conduit for future lighting. Project is a collaboration between COSA and Concho Valley Transit District (CVTD) which will result in a design that rehabilitated each block

from the ROW line/face of building to approximately 2' past the edge of pavement providing an ADA accessible sidewalk. Construction began on February 2, 2015 on Phase II & III. Grant funding ended on June 15, 2015. Construction after this time was solely paid by TIRZ funds. Construction began on the extension (14th to 18th) on August 2, 2015 and was completed the week of September 7, 2015. Following the ADA inspection, corrections were made and construction was completed on January 26, 2016. Overview of the funding: Federal Funds \$506,583, TIRZ Funds \$511,642, Total Funding \$1,018,225. Phase II & III totaled \$814,580. Construction to date (Phase II, III, and extension) totaled \$1,017,528.70. All payments have been processed and retainage released.

General discussion followed.

No action taken.

- V. Update and discussion regarding the FY 2016 Budget.

Mr. Jon James stated that the current balance sheet was provided in the packet.

No action taken.

- VI. Discussion and possible action regarding reorganization of the TIRZ Board.

Mr. Lee Pfluger presented an overview that of the survey that the Reorganization Subcommittee created. Mr. Dan Saluri, attorney, stated that the information received in the survey will be public record. Mr. Johnny Calvert stated he does not think the goal of the reorganization has been defined, Mr. Mike Campbell agreed. Mr. John Klingemann stated that the reorganization will lessen the number on the board and certain areas of San Angelo will not be represented and this will be a very negative impact. Mr. Travis Stribling feels that the new term limits are not long enough, 4 years is too short. Mr. William Dendle stated that if there is an all new board progress will stop until the new members get up to speed; very dependent on the appointments. Mr. Lee Pfluger stated that there was some questions regarding appointments; the file was atrocious. Mr. William Dendle stated that the two current vacancies are city council appointees. Ms. Anne Coverston stated that theoretically less seats, less vacancies. Mr. Lee Pfluger stated in the City's file there were some good applicants, very astute people that did not get appointed to the board. Ms. Anne Coverston, having some kind of vested interest in seeing the TIRZ revitalized is a positive; there is a chance with the proposed new membership that the real impact of the what the TIRZ Board will not be realized. She added, if they do not own property they may not realize the impact. Mike Campbell, ownership does create a different level of

understanding; to change this requirement would have a negative impact. Mr. Travis Stribling stated there is a benefit to having board members who have a vested interest. Mr. Johnny Calvert I am a business owner and I live in the district. Mr. Dominic Santos, I feel the underlying reason may be to avoid conflict of interest. Mr. Lee Pfluger, there is an effort, been going on for maybe 8 or 9 months to standardize the conflict of interest. Mr. Dan Saluri there is a State code of Conflict of Interest, there is a proposal to for the City Council to define conflicts of interest. Mr. Dan Saluri explained a few of the items that cc will be looking at. Currently, under the charter the State Code is adopted. Mr. William Dendle stated that both zones will be affected by this change. Mr. Jon James, some of the requirements are to own property or a business; some TIRZ boards require that you live in the zone. Mr. Lee Pfluger stated a good thought, however, only 10% of the zone is residential. Mr. Travis Stribling stated that a possibility for a requirement to serve on the board would be to work in the zone. With regards to ASU, GAFB, and SAISD; Ms. Anne Coverston feels that those three members bring a lot to the board. I, myself, have community planning experience. She added, she feels it would be a mistake to remove them from the board. Mr. William Dendle feels their representation is so valuable, very large employers of San Angelo. Mr. Lee Pfluger stated that ASU is a larger user of the downtown. Mr. Johnny Calvert stated that from the beginning he felt they were a very important part of the board.

The TIRZ Board's completed surveys are part of the permanent supplemental minutes.

No action taken.

- VII. Announcements and consideration of future agenda items.
The subcommittee stated they would compile all the data from the surveys and compose a summary; the board suggested a meeting to review summary for March 30, 2016.

a) Next regularly scheduled meeting – April 20, 2016

- VIII. Adjournment.

Motion to adjourn by Mr. Johnny Calvert, seconded by Mr. John Klingemann and carried unanimously. Meeting was adjourned at 1:09 PM.

Lee Pfluger, TIRZ Chairman

DRAFT

DOWNTOWN DEVELOPMENT COMMISSION MINUTE RECORD March 29, 2016

I. OPEN SESSION

BE IT REMEMBERED Downtown Development Commission convened in a regular meeting at 3:00P.M., Tuesday, December 8, 2015 in the San Angelo McNease Convention Center, 501 Rio Concho Drive, San Angelo, Texas. All duly authorized members of the Commission to wit:

Co-Chair Jim Cummings

Co-Chair Tim Edwards

Board Member Lisa Eady

Board Member Jim Raymond

Board Member Brenda Gunter

Were present and acting, thus constituting a quorum. Whereupon, the following business was transacted:

A. Call to Order

Meeting was called to order by Co-Chair Jim Cummings at 4:00 PM.

B. Public Hearing and Comment

Co-Chair Jim Cummings opened the floor for Public Comment; there were no Public Comments, moved to regular agenda.

C. REGULAR AGENDA

1. Consideration of approving the minutes from December 8, 2015 Downtown Development Commission Meeting.

Motion to approve the December 8, 2015 DDC Minutes by Mr. Gary Cox, seconded by Ms. Brenda Gunter and carried unanimously.

2. Discussion and possible action regarding the consolidation of the Downtown Development Commission (DDC) and the Tax Increment Reinvestment Zone Board (TIRZ).

Mr. Jon James, Director, over the last 6 months we have been discussing the consolidation of the TIRZ and DDC. A timeline was presented: February 23, 2016 - County Commissioners Meeting, March 2, 2016 - TIRZ Board Meeting, March 23, 2016 - TIRZ Board Meeting, March 29, 2016 – DDC Meeting, March 30, 2016 - TIRZ Board Meeting, April 19, 2016 - City Council (1st reading) and May 3, 2016 City Council (2nd Reading). The current proposal would dissolve the current TIRZ Board and DDC; the board will be called the TIRZ Board due to state requirements. The proposal includes membership from 15 to 12. Seven appointed from city council and mayor, 1 each from San Angelo Independent School District (SAISD), Goodfellow Air Force Base (GAFB) and Angelo State University (ASU) and 2 from Tom Green County (TGC). Proposed term limits would be 3 consecutive 2 year terms, remove requirement of owning property in the TIRZ boundary. Staff proposed reducing to bi-monthly meetings; current TIRZ board would like to keep meetings monthly. Questions proposed to DDC, how many members should be required to own a business/property or live/work in the zone? Which appointees should this apply to? Mr. Jim Raymond asked where the TIRZ boundaries are located; a map was presented. Mr. Jim Cummings, so I understand, there is no state law that requires a TIRZ Board member to own property/business or work/live in the TIRZ zone. Mr. James stated that the members only have to live in the county. Mr. Brenda Gunter if there are any recommendations or was there a discussion regarding serving on the TIRZ Board and applying for funds; are you allowed to discuss/vote? Mr. Jon

James answered; the new proposal includes a Conflict of Interest Provision stating that if you serve on the TIRZ Board, you are not eligible to receive TIRZ Incentive Funding.

Ms. Brenda Gunter stated she has heard people comment that the DDC was going away due to the fact the Downtown Master Developer Project fell through, is this true? Mr. Jon James stated that the answer is a little bit of both, the DDC is not necessarily going away, and the duties have been folded into the duties of the new TIRZ board. Ms. Brenda Gunter asked if there has been conversation that the city is going to look for a Master Developer or is Mr. Paris Rutherford is just in remission. Mr. James stated that to a larger question that is what we will propose to City Council; Council has stated that they are not prepared at this point to move forward with any future phases of the contract with Mr. Paris Rutherford. Ms. Brenda Gunter added that doesn't change the need or desire to have the DDC as an organization or combined with the TIRZ. Mr. Jon James responded; we recognize that there are still things for the DDC to do either separate or combined with the TIRZ Board. Ms. Brenda Gunter asked Mr. Jon James, can you please name the things that the DDC will be working on, focusing on? Please define the roll; is it to spend the TIRZ money, look for developers or are there some specifics that City Council believes as a board we should continue. Mr. Jon James answered that, all of the items you stated, our goal for the reorganized board not let duties fall by the wayside. Clearly, the TIRZ Board will decide how TIRZ funds are spent; we would also encouraging and seeking out development in downtown. Mr. Jim Cummings stated, the DDC as it is today is going away; it's not going to be this body of folks. Will any of us serve or want to serve? Ms. Brenda Gunter asked, are we remaking the TIRZ Board or is there an intent to have some of the items of the DDC become part of the TIRZ? Mr. Rick Weise, the intent is to develop the synergy that those two boards have; two forces working towards a common goal. The DDC, with regards to the Master Developer Plan, those things coupled with the goals of the TIRZ Board makes a nice package. The council will decide who the board is comprised of.

Ms. Brenda Gunter, one of the things that seems to be missing to me is, Downtown San Angelo Inc., I feel you would want someone representing downtown San Angelo. Mr. Jim Cumming, could we recommend to City Council that one of the new members is from Downtown San Angelo, Inc. (DSA)? Ms. Brenda Gunter stated that this seems to be complicating the story for someone who is looking to develop downtown. Mr. Rick Weise, people are going to go to who they feel most comfortable with, be it, DSA, the Chamber or Roland with Economic Development.

Mr. Jim Raymond, regarding the composition of the board, I understand SAISD, the county and city representatives because of where the funding comes from and where it's going. It's been my experience that when you allocate membership it becomes a political board, this is an economic board. Mr. Jon James 7 of the 12 would be appointed by City Council, 2 from County and one each from GAFB, SAISD, and ASU. Ms. Brenda Gunter asked about the 12 member board, have we had good results from 12 member board. Mr. Jon James stated, part of our original proposal was to decrease the number on the board. Mr. Jon James, our recommendation was for a 9 member board. Mr. Jim Cummings asked if staff is taking TIRZ comments and DDC comments to City Council. Mr. Jon James stated that you can take action to take your feedback or specific recommendations to City Council. Mr. Rick Weise added that specific action helps, it gives clear direction as to how you felt.

Mr. Craig Myers, I have two issues, I doubt that it will affect what happens. When you talk about the map regarding the TIRZ area, Mr. Raymond stated that he doesn't want it political; it is political. The reason the money was divided up because it was an at-large board. The city has decided every time to not go back to an at-large board. There is a real possibility of almost going back to an at-large board. It's not just people that have a business downtown, it is people who live in the areas. It was decided after some conflict early on, with a statutory TIRZ board. Just the sheer weight of influence there are an awful lot of people that could be assigned to this board. I agree with taking ASU, GAFB and SAISD off of the board. The very big elephant in the room is the north, from the north Wal-Mart, between 70-80% of the funds come from the north Wal-Mart. Ms. Brenda Gunter added, he original documents for TIRZ will not change, the north will always have their own funds. The makeup of the board does not change the makeup of the north and south. We would hope that the board members that represent the northern TIRZ would represent well. Mr. Jim Cummings stated he felt Mr. Craig Meyers comments were right on point; I hope you make it to the City Council Meeting.

Mr. Lee Pfluger, with regards to the county, they already had their representation cut from 4 to 2. The experience in Abilene is they county pulled out of TIRZ, they felt as if they were not represented well. The county supplies about

35% of the money to TIRZ. GAFB and ASU feel they are important to the TIRZ Board, they are long term planners, and they have experience with grants. That skill set is very important to the board. Most importantly, the reason we put those 2 (ASU & GAFB) on the board; we felt like those 2 constituents were very important to the revitalization to the Historic City Center. The young people from GAFB and ASU; come downtown at night and create economic drivers; input from these 2 is very important. DSA could be in that slot where SAISD is currently. Mr. Lee Pfluger gave a brief overview of the survey that the TIRZ Board completed. West Texas Organizing Strategies (WTOS) did street marches to get people involved. People in the north know what people in the zone need. Take 20 people and boil them down to 9 and give them twice the skillset requirements, two completely different skillsets, drop it down to half; the TIRZ Board felt like that was a stretch.

Motion by Mr. Jim Raymond to support the recommendation of dissolution of Tax Increment Reinvestment Zone Board and Downtown Development Commission and the formation of a new board as being presented with the recommendation of a 9 member board, 8 council appointees and 1 county appointee, seconded by Mr. Jim Cummings.

Amendment to the Motion made by Ms. Gunter to recommend to City Council that one board member be appointed from Downtown San Angelo Inc., seconded by Mr. Tim Edwards. Amendment passed 4-2, Mr. Gary Cox and Mr. Jim Raymond voted nay.

Vote on Mr. Jim Raymond's motion, 3-3, yay-Mr. Jim Raymond, Mr. Tim Edwards, Ms. Lisa Eady, nay-Mr. Jim Cummings, Mr. Gary Cox, Ms. Brenda Gunter; Motion fails.

Motion by Mr. Tim Edwards to recommend to City Council the consolidation of the Downtown Development Commission and Tax Increment Reinvestment Zone Board; and ask staff to communicate to City Council the discussion/concerns that took place today and for City Council communicate to the DDC its ongoing support for the DDC mission , seconded by Mr. Gary Cox. Motion passed 5-1, Mr. Jim Raymond voted nay.

II. Adjournment.

Motion to adjourn, by Mr. Jim Cummings and seconded by Ms. Lisa Eady and carried unanimously. The meeting was adjourned at 5:18 PM.

**MINUTE RECORD OF THE CITY OF SAN ANGELO TAX INCREMENT
REINVESTMENT ZONE MEETING HELD ON WEDNESDAY, March 30, 2016
AT 12:00 PM, MCNEASE CONVENTION CENTER, 501 RIO CONCHO
DRIVE.**

PRESENT: Lee Pfluger, Bob Pfluger, David Mazur, Johnny Calvert, Mike Campbell, Anne Converstson, Craig Kinney

ABSENT: Dominic Santos (AE), Travis Stribling (AE), William Dendle (AE), Nelly Perez (AE)
John Klingemann (AE)

STAFF: Jon James, AICP
AJ Fawver, AICP
Sarah Tackett
Rick Weise
Theresa James
Dan Saluri

I. Call to order, establish quorum.

The meeting was called to order at 12:29 pm. It was established that a quorum was present.

II. Public comment.

No public comment.

III. Discussion and possible action regarding the reorganization of the TIRZ Board.

Mr. Lee Pfluger stated that committee/board member Travis Stribling prepared a summary of the board member's responses to the survey. An Executive Summary of this information was prepared and distributed to all board members and staff. Mr. Lee Pfluger added that at the end of this meeting I would like to vote either individually on each item or the survey as a whole. Mr. Jon James presented a brief presentation of items that have changed since the last TIRZ meeting. He added that today's meeting conflicted with the deadline for City Council, so this item will go before City Council on April 9th for the 1st reading. A timeline of meetings to discuss this reorganization was also presented. The new proposal would reduce the size of the TIRZ Board from 15 to 12; the members from GAFB, ASU and SAISD were added

back in. In addition we have proposed keeping the current term limit of 3 consecutive two-year terms. The original proposal was to go to bi-monthly meetings; based on your discussion and recommendations we are proposing to keep meetings monthly; however, we have added that the board meet at least quarterly. In the last 8 years, the TIRZ Board has averaged 8 meetings a year. In the summer, City Council suggested a Conflict of Interest Provision similar to what the City of San Angelo Development Corporation (COSADC) follows. This provision would not allow board members, Council Members or Planning & Development Services staff to receive TIRZ funding. Currently, board members may not participate or vote on items affecting them financially. Mr. Jon James gave a brief overview of the Downtown Development Commission's (DDC) meeting on March 29, 2016. They are generally supportive of merging the functions of the two boards, they would like to ensure that the mission of the DDC is adequately reflected in the mission of the new board; some believed that a 12 member board would be too large, also they would like Downtown San Angelo, Inc. (DSA) to be represented. They did take a vote, it was 3-3 for a slightly smaller board, 9 or 10 members; no formal recommendation.

Questions for you today as we prepare to take this item to City Council, how many members should be required to own a business/property or live/work in the zone? Which appointees should this apply to? We don't feel it should be the entire board. This board raised the concern regarding north and south representation. Term limits; either 3 two-year terms or 2 four-year terms. In the survey, the board had 6 votes for 6 years, 3 votes for 8 years. Mr. Jon James added that we need a formal vote for your term limit recommendation.

Mr. Craig Kinney, you guys have dialed back what was previously proposed in the original recommendation and it seems as though we are trying to find a middle ground here. Mr. Jon James stated we were listening to you, we were waiting to receive feedback from this board regarding your recommendations. Mr. Bob Pfluger thanked Mr. James for listening to the board. Mr. Lee Pfluger stated that currently about one half the board owns property in either zone. If we make the qualification more general, that you can live/work/own property; the council representatives can split 3/3 for each zone. Mr. Lee Pfluger stated that the City Council will have 7 representatives, including the mayor; the county will have 2 representatives. Ms. Anne Coverston, I feel the majority of the board should own property or live/work in the area; I have no problem with at least 6, I feel it should be a majority. Mr. David Mazur, I agree, I feel it has worked well so far. Mr. Mike Campbell, I'm curious if the SMD cover the zone; the equality of votes is important. Mr. Bob Pfluger, I feel 3 and 3 would be a good representation of the north and south.

Motion by Mr. Johnny Calvert that of the seven representatives from the city; there be 3 representatives from the north and 3 representatives from the south that either own property, live, or work in the zone, seconded Mr. Bob Pfluger and carried unanimously.

Motion by Mr. Craig Kinney for two year terms, seconded by Mr. David Mazur and carried unanimously.

Motion by Mr. Bob Pfluger for an 8 year maximum term, seconded by Mr. Mike Campbell and carried unanimously.

Motion by Mr. Lee Pfluger to recommend to City Council to make all Conflict of Interest Provisions consistent and standardized for all boards, including City Council; seconded by Ms. Anne Coverston and carried unanimously.

Mrs. Theresa James, City Attorney stated that currently if you have a conflict of interest you must recuse yourself and sign a disclosure.

Motion by Mr. Bob Pfluger to adopt the Executive Summary as the TIRZ Board's recommendation to City Council, seconded by Mr. Johnny Calvert and carried unanimously.

IV. Announcements and consideration of future agenda items.

a) Next Meeting – April 20, 2016

V. Adjournment.

Motion to adjourn by Mr. David Mazur, seconded by Mr. Mike Campbell and carried unanimously. Meeting was adjourned at 1:00 PM.

Lee Pfluger, TIRZ Chairman

TAX INCREMENT REINVESTMENT ZONE STRUCTURE REORGANIZATION SURVEY MARCH 9, 2016

EXECUTIVE SUMMARY

At the direction of the City Council, City staff initialed a program to reorganize the TIRZ Program. On several occasions, City Staff solicited input from the TIRZ Board regarding the proposed reorganization and suggested the TIRZ Board augment its verbal observations with a written presentation. In compliance, the TIRZ Board conducted a survey with the following results:

Overall, the Board feels that the TIRZ Board is **Very Effective (9.11)** as it is currently structured, and that the proposed reorganization plan will **Negatively (2.22)** impact the TIRZ Program going forward.

An issue that surfaced about a year ago pertained to the persistent vacancies in City Council Board appointments (currently vacant: 2½ yrs., 2½ yrs. & 1 yr.) and the inability of the City Staff to accurately determine the tenure of the currently seated Board.

The City's struggle with timely appointments (an issue apparently not experienced by the other appointing organizations) and record keeping, appears as more of a management rather than a TIRZ structural issue; however, the Board felt that the reorganization (reducing the number of Council appointments from 9 to 7 appointees) could **Somewhat (4.56)** solve the City's difficulties associated with filling the Council's TIRZ Board appointments.

With regard to the individual changes to the TIRZ Structure, the Board's observations were as follows:

1. The Board sees a parallel between the concepts of TIRZ Board Representation with Zone Affiliation Requirements to the City's concept of Single Member District representation, e.g. bringing representation to the effected contingency. The Board feels that eliminating the requirement that qualifies board members based on their Zone Affiliation would **Negatively (2.67)** impact the input from board members concerning the issue and needs in the Zone.

2. The Board feels that the proposed reorganization would **Negatively** impact representation from both the North Zone (2.0) and South Zone (2.89), while elimination of GAFB, ASU and SAISD ("The 3") representation would **Very Negatively (1.11)** impact the effectiveness of the TIRZ Board. The consensus was that the organizational paradigms inherent in "The 3"

organizations developed skill sets that are especially beneficial to the TIRZ Mission, e.g. in particular, long term planning, grant writing / evaluation and interaction with young consumers of revitalized Zone services.

3. The Board feels that reducing the size of the TIRZ Board from 15 to 9 members would **Very Negatively (1.22)** impact the depth of knowledge and experience available for TIRZ decisions.

The Board recognizes that the proposed reduction of 6 members from the TIRZ Board coupled with the fact that _____ of the City Councils current appointees have more than four year's service that adoption of the proposed reorganization plan would result in the replacement of practically every current member of the TIRZ Board. The Board feels to lose that much experience from the Board at one time would be **Very Detrimental ()** to the TIRZ Program. The Board suggests a 12 member seated Board or a 15 member Board if the Council continues to experience challenges with Board appointments.

4. The Board recognizes that all TIRZ Board Members can be replaced at any time by their appointing organization; however, it feels that a reduction of Board Term Limits from 6 to 4 years will **Negatively (2.11)** impact the effectiveness of the TIRZ Board and that a longer **Term Limit (6.67 years)** would be most effective.

TIRZ Mission revolves around redevelopment of structures (buildings and streetscapes) which require money and time to complete. Familiarization with the grant projects from start to finish was highly regarded by the Board. The Board's experiences to-date has been that the knowledge and follow through has been complimented by the current Board tenure due to the high turnover in City Staff leadership (3 Planning Directors in 6 years).

5. The Board feels that the change to bi-monthly Board meeting would **Very Negatively (1.56)** impact the effectiveness of the TIRZ Board.

6. The proposed reorganization plan did not address the Conflict of Interest provision of the TIRZ By Laws. It is the Board's understanding that standardization of the Conflict of Interest provision for all City activities continue to be under review by the City's Legal Department.

A requirement that board members have been told has made it difficult for city council to appoint members to TIRZ is that some board members must own land or a business in the zone. The board feels that people that are familiar with the zones (spending time) can better understand where to spend money making improvements that will benefit the area. Perhaps the board members should be required to have a tie to the zone (land or business ownership, work or live in the zone).

Concern that SMD and mayor appointments will not equally represent North and South zones on board.

Allow SMD to appoint anyone they see fit (not requiring that they live in the SMD).

Terms should run concurrently with SMD and mayor (4 years I believe). With max of 8 consecutive years served.



City Council

April 19, 2016

Regular Agenda

Planning & Development Services Department





TIRZ & DDC Board Reorganization

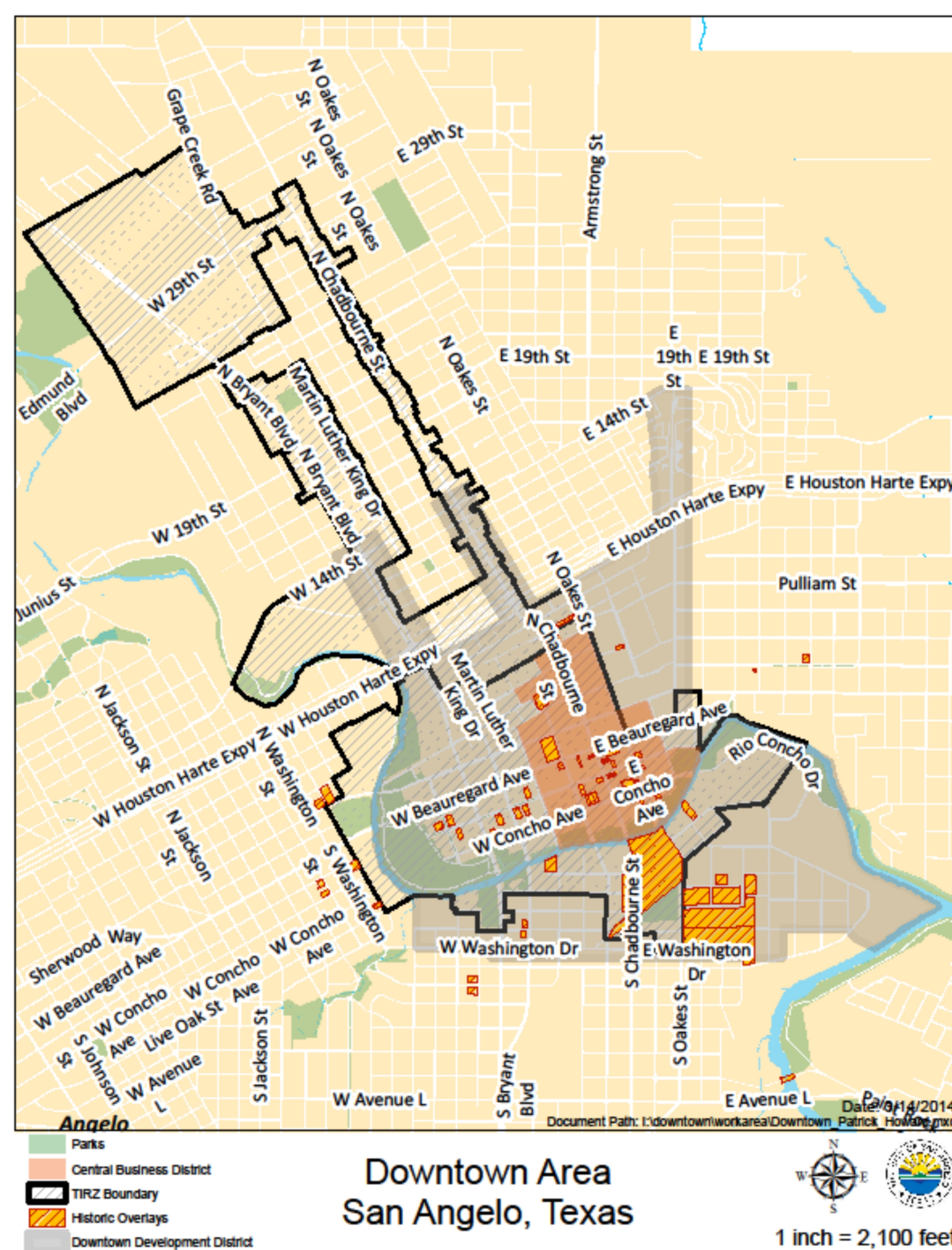


Background

- Tax Increment Reinvestment Zone (TIRZ) Board oversees the implementation of the reinvestment zone
- Downtown Development Commission (DDC) oversees development and redevelopment in the downtown
- During the summer of 2015 discussions began about the possibility of merging the functions of the two boards



Map



Reorganization – Recent Timeline

- February 23 County Commissioners discussion
- March 2 TIRZ Board
- March 23 TIRZ Board
- March 29 Downtown Development Comm.
- March 30 TIRZ Board
- **April 19 City Council, 1st Reading**
- May 3 City Council, 2nd Reading



Reorganization – Current Proposal

- Create new TIRZ Board, dissolving existing TIRZ and DDC
- Incorporate both TIRZ and DDC functions
- Reduce TIRZ from 15 to 12 members
 - 7 appointed by City Council
 - 2 appointed by County
 - 3 appointments by GAFB, SAISD, or ASU



Reorganization – Current Proposal

- Keep current term limit of 3 consecutive two-year terms (6 years total)
- Remove requirement of owning property in the zone



Reorganization – Current Proposal

- Conflict of interest provision would not allow board members, Council members, or P&DS staff to receive TIRZ funding
- Board members cannot participate or vote on items affecting them financially



TIRZ Board

- Generally supportive of merging the functions of the two boards
- Do not support eliminating GAFB, SAISD, and ASU representation on the board
- Prefer 12 members instead of 9
- Prefer 8 year term limit instead of 6 years



TIRZ Board

- Prefer requiring interest in the zone (live, work, own property or business)
 - Of Council's 7 appointments, 3 in North Zone and 3 in South Zone
- Prefer that the Council adopt a consistent citywide conflict of interest policy for all boards and commissions



Downtown Development Commission

- Generally supportive of merging the functions of the two boards
- Ensure that mission of Downtown Development Commission is adequately reflected in the mission of the new board
- Some believed that a 12 member board would be too large and preferred 9 or 10 members
- Some wanted to ensure representation of *Downtown San Angelo, Inc.*



Downtown Development Commission

- Dissolution of the current DDC as proposed may impact the current agreement with the San Angelo Health Foundation.





City Council

April 19, 2016

Regular Agenda

Planning & Development Services Department



REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: AJ Fawver, Planning & Development Administrator, Planning and Development Services, x1542

Meeting Date: April 19, 2016

Item type: Regular Item

Caption:

Discussion and consideration of amendments to the bylaws for the Tax Increment Reinvestment Zone Board -
(Presentation by Planning & Development Services Director Jon James)

Summary/History:

At the July 21st City Council meeting, the Council discussed recommendations from the TIRZ board concerning incentive requests made under the FY15 TIRZ Incentives policy, and emphasized their desire to revisit the policy, bylaws, and ordinance for the TIRZ board. At the September 16th meeting of the TIRZ board, staff presented some proposed changes for consideration. No action was taken. During the December 8th meeting of the DDC, the board discussed the idea of consolidation. At the December 16th meeting of the TIRZ board, the board also discussed this idea of consolidation. Since this meeting, additional discussions have continued amongst the TIRZ members, DDC members, some Council members, and the City staff regarding a proposal to consolidate the TIRZ and the DDC into a single board.

Attached are the current ordinance and current bylaws for this board, with the suggested changes redlined for ease in reading. Below is a brief summary of each of the changes being presented for consideration.

AMENDMENTS TO BYLAWS – ALL PROPOSED UNTIL AND UNLESS ADOPTED

1. All references to “chairman” are changed to “chair”.
2. Article 1 – General Governing Statutes, Ordinances and Rules

The reference to Vernon’s Annotated Revised Civil Statutes was replaced with the correct reference to the Texas Government Code, and the reference to the city’s Code of Ordinances is proposed to be corrected.

3. Article 2 – Authority of the Board

For simplicity’s sake, because this section of the bylaws duplicates language already addressed in the ordinance, that information is proposed to be removed and a simple reference back to the ordinance section inserted. Also, the language regarding the removal of a board member for cause is proposed to be removed, due to the role of this board as simply an advisory, not a regulatory, board.

4. Article 3 – Membership of the Board

Again, for simplicity’s sake, because this section of the bylaws duplicates language already addressed in the ordinance, that information is proposed to be removed and a simple reference back to the ordinance section inserted. Also, the language regarding absences is proposed to be updated, to match the ordinance.

5. Article 4 – Meeting Date, Time and Place

Rather than establishing a regular schedule of meetings, the nature of the business this board does – and the windows for incentives – means that parts of the year may require many meetings, and others, less so. This amendment provides for a minimum of one quarterly meeting, but allows maximum flexibility for the board to meet as often as necessary when the work of the board dictates it.

6. Article 5 – Conduct of Meetings

The word “simple” is proposed to be added, to provide clarity that a simple majority of members would constitute a quorum. The reference to Vernon’s Annotated Revised Civil Statutes is proposed to be replaced with the correct reference to the Texas Government Code, and the reference to the city’s Code of Ordinances was corrected, as in Article 1.

7. Article 7 – Officers of the Tax Increment Reinvestment Board

Added that the selection of a chair is subject to City Council approval – this is a requirement in the Local Government Code which was previously not mentioned within the bylaws.

8. Article 8 – Conduct of Board Members

The conflict of interest language, mirroring that adopted by COSADC, was inserted here, as proposed. It addresses conflicts as they pertain to Council members, TIRZ members, and staff; namely, that eligibility for assistance does not exist for a Council member, TIRZ board member, or Planning & Development Services Department member (or a person related to any of these within the second degree by consanguinity or affinity) until they have vacated that position for at least six months.

Alternatively, an approach could be to eliminate this entire section and instead adopt a City-wide policy addressing conflicts of interest for all boards and commissions with the city.

9. Article 9, 10, 11, & 12 – Officers of the TIRZ Board, Conduct of Board Members, Miscellaneous, and Amending or Waiving These By-Laws

The original version of the bylaws had some incorrect numbering and jumped from Article 6 to Article 9. The renumbering is proposed to be corrected, to Article 7, 8, 9, and 10, respectively.

Financial Impact:

N/A

Other Information/Recommendation:

City staff **recommends approving** these amendments as proposed.

The DDC board met on March 29th to discuss this item. While no formal recommendation is carried forward to the City Council, the board did have some specific concerns which they expressed at that time, and asked that the staff convey them. These included:

- a general support for merging the functions of the two boards;
- ensuring that the mission of the DDC is adequately reflected in the mission of the new board;
- preventing the board from being too large, preferring 9 or 10 members over 12 or more; and,
- some members wanted to ensure representation of Downtown San Angelo, Inc.

The TIRZ board met to discuss this item on both March 23rd and March 30th. Their formal recommendations were centered on five key areas.

- Ownership requirements: The existing TIRZ requires that 6 of the total board members own land within the TIRZ, and that 5 own businesses within it. The board recommends - by a vote of 7-0 - that of the 7 members appointed by the City Council, 3 must own property, own a business, live, or work in the TIRZ – North; furthermore, another 3 must own property, own a business, live, or work in the TIRZ – South. This recommendation represents a suggested modification to the staff recommendation, which would eliminate all requirements other than being residents of the County, as required by state law.
- Term length: The board recommends – by a vote of 7-0 – that the terms for each member be two years each. This recommendation matches the staff recommendation.
- Maximum number of terms: The board recommends – by a vote of 7-0 – that members be limited to four terms maximum. This recommendation represents a suggested modification to the staff recommendation of a three term limit (for a total of 6 years).
- Conflicts of interest: The board recommends – by a vote of 7-0 – that there be a single conflict of interest policy to apply citywide to all boards and commissions, as well as the City Council. This recommendation matches the staff recommendation, except that staff recognizes that such a document does not yet exist, and followed the City Council directive to apply the COSADC conflict language into the ordinance amendment.
- Executive summary: The board recommends – by a vote of 7-0 – their executive summary of survey findings compiled by polling each individual board member.

Attachments:

- | | |
|------------------------|------------------------|
| 1. TIRZ Bylaws changes | TIRZ Bylaws_final.docx |
|------------------------|------------------------|

Presentation:

Jon James, Director of Planning & Development Services

Approvals/Reviews:

Fawver, AJ	Created/Initiated
James, Jon	Approved
James, Theresa	Approved
Carriger, Tina	Approved
James, Theresa	Approved
Dunn, Becky	Approved
Kendrick, Bryan	Final Approval

BY-LAWS OF THE TAX INCREMENT REINVESTMENT ZONE BOARD
OF THE CITY OF SAN ANGELO

Article 1. General Governing Statutes, Ordinances and Rules

The Tax Increment Reinvestment Zone Board, hereinafter referred to as the “Board”, shall be governed by the following statutes and rules, to the extent that they remain in force and effect, as they are amended, and as they may be added to:

- 1.1 Chapter 551 of the Texas Government Code, concerning the open conduct of meetings and posting of meeting agendas.
- 1.2 Chapter 171 in the State of Texas Local Government Code, regulating conflicts of interest of officers of municipalities.
- 1.3 Article 2.4300 in Chapter 2 (Administration) of the Code of Ordinances, 1996, San Angelo, Texas. Division 10 of Article 2.07 “Committees and Commissions”, Chapter 2 of the Code of Ordinances of the City of San Angelo, Texas.
- 1.4 By-laws of the Tax Increment Reinvestment Zone Board, as set forth herein.

Article 2. Authority of the Board

The Tax Increment Reinvestment Zone Board shall: have authority as outlined in the regulations adopted by City Council under Chapter 2, Article 2.07, Division 10, Section 2.07.284, “Duties”.

- ~~2.1 — Make recommendations on formulating the project plan and reinvestment zone financing plan.~~
- ~~2.2 — Make recommendations to City Council regarding agreements that are necessary for implementation of the project plan and reinvestment zone financing plan.~~
- ~~2.3 — Make recommendations to City Council regarding agreements with local governments or political subdivisions for management of the zone or implementing the project plan and reinvestment zone financing plan.~~
- ~~2.4 — Make recommendations to City Council regarding establishing and providing for the establishment of programs that:
 - ~~1. — Develop and diversify the economy of the zone;~~
 - ~~2. — Eliminate unemployment or underemployment in the zone;~~
 - ~~3. — Develop or expand transportation, business or commercial activity in the zone;~~
 - ~~4. — Make grants and loans;~~
 - ~~5. — Stimulate business and commercial activity in the zone.~~~~
- ~~2.5 — Contract with the city regarding allocation from the tax increment fund to pay for the incremental costs of providing municipal services incurred as a result of the creation of the zone or the development or redevelopment of land within the zone.~~

Article 3. Membership of the Board

The Tax Increment Reinvestment Zone Board shall be composed of ~~fifteen (15)~~twelve (12) members. The members shall be appointed ~~as follows:~~as outlined in the regulations adopted by City Council under Chapter 2, Article 2.07, Division 10, Section 2.07.281, "Organization and Procedure".

- ~~(1) — Five (5) shall be appointed by the city council from those who own property within the zone of which four (4) shall reside within single member districts (SMD) #2, #3, #4, and #5 respectively;~~
- ~~(2) — One (1) shall be appointed by the county commissioners from those who own property within the zone;~~
- ~~(3) — Three (3) shall be appointed by the city council from those who own businesses within the zone;~~
- ~~(4) — Two (2) shall be appointed by the county commissioners from those who own businesses with the zone;~~
- ~~(5) — One (1) member shall be appointed by the county commissioners;~~
- ~~(6) — One (1) member shall be appointed by Goodfellow Air Force Base;~~
- ~~(7) — One (1) member shall be appointed by Angelo State University; and~~
- ~~(8) — One (1) member shall be appointed by San Angelo Independent School District.~~

3.1 The term of each member shall be ~~(2) years as outlined in the regulations adopted by City Council under Chapter 2, Article 2.07, Division 10, Section 2.07.283, "Terms"~~.

- ~~(a) — Of the members first appointed by the City Council, five (5) shall be appointed for a term of two (2) and three (3) years, (3) shall be appointed for a term of one (1) year. Of the members first appointed by Tom Green County, two (2) shall be for a one (1) year term. Appointments by all other entities shall be for two (2) year terms~~
- ~~(b) — All additional appointments shall be for a term of two (2) years, except vacancies for unexpired terms which shall be filled for the remainder of the unexpired term.~~

~~3.2 — The City Council may remove a board member for cause, on a written charge and after a public hearing on the matter.~~

~~3.3-2~~ When members propose to resign, they shall give notice of their intent to the ~~chairman~~chair and board staff liaison. When a member resigns or a position otherwise becomes vacant for other causes, the liaison shall promptly indicate to the City Council that a vacancy exists.

~~3.4-3~~ Any vacancy occurring on the Board shall be filled by the appointment of an interim member by the City Council or other appointing agency as designated. Such interim appointment shall be for the unexpired term of the member whose position is vacated; provided, however, that a person serving such an interim appointment shall nevertheless be eligible to serve two full consecutive terms after completion of his or her interim appointment.

~~3.5-4~~ No board member shall serve more than three (3) consecutive two-year terms, but may be reappointed after one (1) year has passed. However, in the event that a successor is not named to serve in place of a member whose term has expired, said member shall continue to serve as board member until the City Council or other designated agency duly appoints a successor.

- 3.6-5 ~~In the event of three (3) consecutive absences or a cumulative total of four (4) absences by a member within a calendar year from regularly scheduled meetings, a board member shall be deemed to have resigned unless the board excused such absences by procedures established herein. Any member who fails to attend at least two-thirds (2/3) of the meetings in any one year period shall be deemed to have automatically resigned from office.~~ The board staff liaison shall make periodic attendance reports to the Tax Increment Reinvestment Zone Board, and a replacement shall be appointed in the manner provided above for any Tax Increment Reinvestment Zone Board member who has automatically resigned.

Article 4. Meeting date, time and place.

Meeting date, time, place and regularity will vary depending upon requests for funding and the need to conduct business related to other duties as previously described-; at a minimum, the board will meet quarterly.

- 4.01 ~~The number of meetings per month and schedule of meeting dates, as well as the place of meetings, may be altered or changed at any regularly scheduled meeting or upon call of the ChairmanChair, staff liaison or City Council.~~

Article 5. Conduct of Meetings

- 5.1 Each meeting of the Tax Increment Reinvestment Zone Board must be attended by a simple majority of appointed members of the board in order to constitute a quorum.
- 5.2 A majority vote of the membership present (at any duly-advertised meeting attended by a quorum of voting members) shall be necessary for the Tax Increment Reinvestment Zone Board to approve any motion made before it.
- 5.3 It shall be customary for the ~~chairman~~chair to vote on all matters pending before the Tax Increment Reinvestment Zone Board, except whereas he or she may otherwise be disqualified from voting.
- 5.4 All meetings of the board shall be open to the public and in compliance with ~~the open meeting requirements of Article 6252-17 in Vernon's Annotated Revised Civil Statutes (V.A.R.C.S.) of the State of Texas Chapter 551 of the Texas Government Code.~~ This requirement for open meetings does not prevent the board from convening in executive session, under the limitations of said ~~Article 6252-17~~Chapter 551.
- 5.5 Robert's Rules of Order, Newly Revised shall be adopted as the regular rule for the conduct of meetings, provided such rules do not conflict with the bylaws adopted herein, in which case these bylaws shall supersede Robert's Rules of Order. Furthermore, such rules of order are accepted to be advisory and shall not be binding should the board, by its determination, vary or change such rules of conduct for its meeting.
- 5.6 Order for consideration of each agenda item. The following procedure shall generally be observed for the presentation of relevant evidence and information; however, it may be rearranged by the chairmanchair for individual items, if necessary for the expeditious conduct of business:
- The chair introduces the item to be considered, summarizing the nature of the request as described on the meeting agenda.
 - City staff describes in more detail the nature of the item provides relevant background information and a recommendation.

- c. The board may ask questions of the staff, concerning its presentation and report.
 - d. Members of the public, in attendance at the meeting, are given an opportunity to speak and present relevant information prior to a decision by the board.
- 5.7 All decisions of the board shall be made at a public meeting by a motion made and seconded, and by a show of hands.
- 5.8 The chair may elect, subject to being overruled by a majority of the board members in attendance, on a motion duly passed, to:
- a. proceed immediately to determination and decision, on conclusion of the hearing on the particular agenda item
 - b. defer determination and decision until later in the same meeting; or
 - c. defer determination and decision until another specified regular or special meeting of the Board, in order to obtain additional information or for other good cause.
- 5.9 Recess. Any regular or special meeting may be recessed or adjourned from day to day, or to the time of any previously announced regular or special meeting.
- 5.10 Cancellation. If no business is scheduled before the board, or if it is apparent that a quorum will not be available, any meeting may be canceled by the ~~chairman~~ chair.

Article 6. Minutes

- 6.1 The board shall maintain a minute record book which shall be kept posted to date. In the minute record book shall be recorded the board's proceedings, showing attendance and all absences, any disqualifications of members, the records of its deliberations and other official actions, as well as the vote of each member voting on every question.
- 6.2 The draft minute record of a board meeting shall be presented for approval at any subsequent meeting of the Tax Increment Reinvestment Zone Board. This minute record must be approved by a majority of the members who were present at the meeting applicable to the subject minutes. If this not possible due to resignations, deaths, or the fact that other members were present at the applicable meeting and not present at the current meeting, then a majority of the members present and voting shall be all that is necessary to approve the minutes.
- 6.3 The minutes shall be considered filed after each of the following has occurred: a) the minutes have been approved by the Board, b) the ~~ChairmanChair~~ or Vice ~~ChairmanChair~~ has signed the minutes, and c) the board staff liaison has posted the minutes in the record book contained in the office of the City of San Angelo's Planning Division. The minutes of the board shall be a public record, kept in the offices of the Planning Division.

~~Article 97.~~ Officers of the Tax Increment Reinvestment Zone Board

- ~~97.1 Election of ~~ChairmanChair~~ and Vice-~~ChairmanChair~~. Annually, as the first item of new business at the regular meeting of the board in the month of January, the board shall elect a chairman and vice-chairman. The election shall be determined by a majority of those members present and constituting a quorum at said meeting. If such regular meeting is canceled or a quorum is lacking, the election shall be held within 36 days thereafter at a regular or special meeting. If no quorum can be obtained within 36 days, the~~

Comment [FA1]: This section of the existing bylaws are numbered incorrectly as Article 9 – when there is no Article 7 or 8. This has been corrected.

~~secretary shall notify the City Council which shall appoint a chairman and vice-chairman to serve until the next regular election in the month of January. The City Council shall appoint a chair, as established in Section 311.009.f of the Local Government Code, for a term of one year, beginning in January. The Tax Increment Reinvestment Zone Board shall elect a vice-chair, for the same term.~~

97.2 Succession of Vice-~~ChairmanChair~~ to office of ~~ChairmanChair~~. If the ~~chairmanchair~~ resigns his office or becomes no longer a member of the board, the vice-~~chairmanchair~~ shall succeed him in office ~~for the remainder of the term~~until the City Council appoints a new chair. If the vice-~~chairmanchair~~ resigns his office, becomes no longer a member of the board, or succeeds to the ~~chairmanchair~~'s office, a special election shall be held at the next regular meeting of the board to select a vice-~~chairmanchair~~ to complete the term.

97.3 Presiding at Meetings. If present and able, the ~~chairmanchair~~ shall preside at all meetings and hearings. If the ~~chairmanchair~~ is absent or unable to preside, the vice-~~chairmanchair~~ shall preside. If both are absent or unable to preside, the members present shall appoint a temporary ~~chairmanchair~~ to preside.

In accordance with these and other applicable rules, the presiding officer shall decide all points of procedure or order, unless otherwise directed by a majority of the members in attendance on motion duly made and passed. The presiding officer shall maintain order and decorum, and to that end, may order removal of disorderly or disruptive persons. The presiding officer shall administer oaths to all witnesses, if so desired by the board, or arrange for such oaths to be administered.

97.4 Other Responsibilities and Duties of ~~ChairmanChair~~. The ~~chairmanchair~~ shall have further duties and responsibilities, as indicated below:

97.5 The ~~chairmanchair~~ shall appoint such committees as may be found necessary.

97.6 Delegation to Vice-~~ChairmanChair~~. The ~~chairmanchair~~ may delegate specific duties generally to the vice-~~chairmanchair~~ or may authorize the vice-~~chairmanchair~~ to perform specific duties, during the ~~chairmanchair~~'s absence or in case of his other disability, so that necessary board functions are performed in a timely manner. The vice-~~chairmanchair~~ shall perform all duties so delegated. In case of absence or incapacity of the ~~chairmanchair~~, and on approval by a majority of the board, the vice-~~chairmanchair~~ shall perform any or all duties of the ~~chairmanchair~~, whether or not so delegated.

97.7 Appointment of Staff Liaison. The Director of Planning or his/her designee shall serve as staff liaison to the Tax Increment Reinvestment Zone Board. The liaison shall in general attend to all correspondence of the board, send out or cause to be published all notices required; attend all meetings of the board and all hearings (except when excused by the ~~chairmanchair~~ and with temporary services arranged); prepare staff reports and make recommendations on individual items to be heard by the board; scrutinize all matters to assure compliance with State law and municipal regulations and these rules; compile all required records; maintain the necessary schedule, files and indexes; and generally perform or supervise all clerical work of the board.

Article 108. Conduct of Board Members

108.1 Conflict of Interest. No member of the board shall participate in any case in which he or she has financial or personal interest in the property concerned, or will be directly affected by the decision, or has any other conflict of interest as defined by applicable law. The determination of "substantial" interest in a

business entity, as well as rules affecting participation of board members in cases affected thereby, are described in Chapter 171 in the State of Texas Local Government Code.

8.2 No member of the San Angelo city council, or person related to a council member within the second degree by consanguinity or affinity, shall be eligible for a grant or assistance from the board during his/her tenure or for six months thereafter.

8.3 No member of the TIRZ board, or person related to a board member within the second degree by consanguinity or affinity, shall be eligible for a grant or assistance from the board during his/her tenure or for six months thereafter.

8.4 No employee of the Planning & Development Services Department, or person related to an employee or supervisor of this Department within the second degree by consanguinity or affinity, shall be eligible for assistance from the TIRZ during his/her employment or for six months thereafter.

10.28.5 Influence Other Than at Public Hearing. A member may disqualify himself/herself from voting whenever any requestor, or his/her agent, has sought to influence the vote of the member in any setting, other than in the public meeting.

Article ~~149~~. Miscellaneous

129.1 The deadline for submission of a request for funding or for the placement of an item on an agenda of the Tax Increment Reinvestment Zone Board shall be no less than 15 days before the regular scheduled meeting of the Tax Increment Reinvestment Zone Board.

129.2 All materials related to said requests including maps, site plans, photographs or any other exhibits (or copies thereof) shown to the board for presentation purposes shall become the property of the City and part of the file record.

Article ~~1210~~. Amending or Waiving These By-laws

1310.1 Amending By-Laws. These rules may be amended at any regular or special called meeting of the Tax Increment Reinvestment Zone Board, by a majority of a quorum of board members present, provided that each of the following conditions is met:

- a. Such amendment will not be contrary to any requirement or limitation set by State law or City ordinance.
- b. Notice of said proposed amendment is furnished to each member, in writing, at least seven days prior to said meeting.

1310.2 Waiving By-Laws. A rule of procedure may be suspended at any meeting by a majority vote of all board members present, unless such rule is set by State law or City ordinance.

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Rebeca Guerra, Planning Manager, Planning and Development Services, 325-657-4210

Meeting Date: April 19, 2016

Item type: Regular Item

Caption:

First Reading and Public Hearing for Case Z16-01, an Ordinance approving a request from Jared Matlock to authorize a Rezoning from the Low Rise Multi-family Residential (RM-1) Zoning District to the Office Commercial (CO) Zoning District, on 0.14 acres generally located along the south side of West First Street, across from Farr Street (Presentation by Planning & Development Services Director Jon James)

Summary/History:

According to zoning maps dating as far back as 1954, the subject property has always been zoned for multi-family residential use (R-3). The subject property contains a single-story, 1,600-square-foot building that was originally constructed as a duplex residence in 1959, according to CAD records. A Special Use Permit (SP-75) was approved in September of 1962 to allow the limited operation of an accounting office on the premises. No special development standards or limitations other than the use were imposed under the approved Permit. The applicant, Jared Matlock, is requesting approval of an application to rezone the subject property from the Low Rise Multi-family Residential (RM-1) Zoning District to the Office Commercial (CO) Zoning District in order to expand its office tenancy potential beyond accounting-based businesses.

The proposed Zone Change request will be consistent with the underlying "Downtown" Future Land Use (FLU), an area which extends from the Houston Harte Expressway to as far south as West Washington Street, as far east as Emerick Street, and as far west as Santa Fe Park Drive and the North Concho River. A mixture of uses already prevails within the area surrounding the subject property, including municipal offices, legal offices, bail bond services, an art gallery, multi-family conversions, single-family residences, a medical clinic and a credit union.

Financial Impact:

N/A

Other Information/Recommendation:

Attachments:

- | | | |
|----|-----------------|-----------------------------|
| 1. | Staff Report | Z16-01_CC_Staff_Report.docx |
| 2. | Draft Ordinance | Z16-01_Ordinance.docx |

Presentation:

Jon James

Approvals/Reviews:

Guerra, Rebeca

James, Jon

James, Theresa

Carriger, Tina

James, Theresa

Dunn, Becky

Kendrick, Bryan

Created/Initiated

Approved

Approved

Approved

Approved

Approved

Final Approval

STAFF REPORT



City Council

Meetings:

April 19, 2016
May 3, 2016

From:

Jon James, AICP
Director of Planning and Development Services

Through:

Rebeca A. Guerra, AICP, LEED-AP, CPD
Planning Manager

Case:

Z16-01: Matlock

Request:

A request for approval of a Zone Change from the Low Rise Multi-family Residential (RM-1) Zoning District to the Office Commercial (CO) Zoning District

Location:

123 West First Street; generally located along the south side of West First Street, across from Farr Street

Legal

Description:

Lots 14 and 15, Block T, Miles Addition

Size:

0.14 acres

-

General Information

Future Land Use:	Downtown
Current Zoning:	Low Rise Multi-family Residential (RM-1)
Existing Land Use:	One-story Office Building

Surrounding Zoning / Land Use:

North:	Low Rise Multi-family Residential (RM1); Central Business District (CBD)	Farr Street; Single-family Residential; Municipal Offices
West:	Low Rise Multi-family Residential (RM1)	Single-family Residential
South:	Low Rise Multi-family Residential (RM1)	Surface parking for a non-residential (office) use
East:	Low Rise Multi-family Residential (RM1)	Art Gallery

District: SMD #3 – Johnny Silvas

Neighborhood: Downtown

Thoroughfares/Streets:

West First Street is defined as a “Local or Minor Road” in the City’s Master Thoroughfare Plan (MTP). Local or Minor Roads are designed to collect traffic from a localized area and discharge it into a larger distribution system. This type of roadway is used primarily for access to abutting properties and generally consist of a minimum right-of-way width of fifty feet (50’).

History and Background:

According to zoning maps dating as far back as 1954, the subject property has always been zoned for multi-family residential use (R-3). The subject property contains a single-story, 1,600-square-foot building that was originally constructed as a duplex residence in 1959, according to CAD records. A Special Use Permit (SP-75) was approved in September of 1962 to allow the limited operation of an accounting office on the premises. No special development standards or limitations other than the use were imposed under the approved Permit. The applicant, Jared Matlock, is requesting approval of an application to rezone the subject property from the Low Rise Multi-family Residential (RM-1) Zoning District to the Office Commercial (CO) Zoning District in order to expand its office tenancy potential beyond accounting-based businesses. Details on the CO Zoning District, including development standards and allowable land uses, are furnished with this report.

The proposed Zone Change request will be consistent with the underlying “Downtown” Future Land Use (FLU), an area which extends from the Houston Harte Expressway to as far south as West Washington Street, as far east as Emerick Street, and as far west as Santa Fe Park Drive and the North Concho River. A mixture of uses already prevails within the area surrounding the subject property, including municipal offices, legal offices, bail bond

services, an art gallery, multi-family conversions, single-family residences, a medical clinic and a credit union.

Analysis:

Section 212(G) of the Zoning Ordinance requires that the Planning Commission and City Council consider, at minimum, seven (7) factors in determining the appropriateness of any Rezoning request.

1. **Compatible with Plans and Policies.** *Whether the proposed amendment is compatible with the Comprehensive Plan and any other land use policies adopted by the Planning Commission or City Council.*

The proposed Zone Change from the Low Rise Multi-family Residential (RM-1) Zoning District to the Office Commercial (CO) Zoning District appears to be compatible with a Future Land Use (FLU) designation of “Downtown” in this location. Downtown, according to the Comprehensive Plan, is the principal commercial, service, and cultural center of San Angelo. The focus for this area is on the restoration of residential uses, provision of neighborhood services and amenities, and the promotion and enhancement of its historic qualities and attributes. This implies that mixed uses are not only acceptable for this area, but are also strongly encouraged. The Comprehensive Plan does encourage redevelopment activities near transit centers (Downtown Goal number Seven [7]). In this case, the proposed zone change would meet this goal, given that the Concho Valley Transit Terminal is approximately three (3) blocks away from the subject property.

The property is located in the Downtown Strategic Planning Area, Sub-district Three, which is the Civic Activity District. The proposed zone change would not interfere with the urban design elements specified for this District. The Strategic Plan does call for an increase in mixed-use infill development around the City Hall campus (RE: Catalyst number four [4]). The zone change would also appear to meet an expressed goal of focusing redevelopment activity near transit centers (RE: Catalyst number eight [8]).

2. **Consistent with Zoning Ordinance.** *Whether and the extent to which the proposed amendment would conflict with any portion of this Zoning Ordinance.*

The CO Zoning District is intended to provide opportunities for development of small-scale or neighborhood-level businesses and professional and financial offices. The subject property already contains an office use that has been permitted under the auspices of an approved Special Use Permit. The subject property complies with most provisions of the CO Zoning District as it contains the minimum 6,000-square-foot lot area and meets or exceeds minimum lot width and depth requirements (50-ft width required, 60-ft provided; 80-ft depth required, 100-ft provided).

Although an approved zone change will negate the Special Use Permit, it will also allow for an escalation in land uses. Under the current Zoning Ordinance, accounting businesses are categorized as office uses, which require a parking space ratio of one (1) space for every 300 feet of gross floor area. Gross floor area is defined as the floor area intended for customer or employee use, exclusive of incidental maintenance areas, restrooms and storage areas (RE: Section 511[C][5], Zoning Ordinance). Without the benefit of a site plan outlining specific public and employee areas, parking must be calculated on an overall building area of approximately 1,564 square feet, which will call for a minimum of five (5) parking spaces. The premises contains two paved, head-in parking spaces in front of the premises that are fed directly from, and are perpendicular to West First Street. This is permitted under Section 511.G.5 of the Zoning Ordinance. There are no other noticeable off-street parking provisions on the premises.

It should be noted, however, that the property abuts a platted service alley right-of-way to the south. Initial GIS measurements between the rear property line and the rear building elevation indicate rear yard dimensions of at least 32 to 33 feet in depth by 60 feet in width. This should provide sufficient room for three (3) angled parking spaces directly fed one-way from the adjacent alley, taking into account parking stall separations between buildings and lot lines, adequate maneuverability into, and out of the parking area, line-of-sight issues regarding approaches to the parking area and any stall placements in relation to existing overhead electric lines. The applicant has been advised to provide either a preliminary site plan demonstrating adequate off-street parking provisions, subject to Engineering Department approval, or shared parking arrangements with a nearby property owner. Off-street parking accommodations should be given strong consideration in order to eliminate the possibility of future Variance requests related to parking. Off-street parking areas to be provided must be constructed in accordance with Section 511, subsections F and G of the Zoning Ordinance.

It should be further noted that an approved zone change will perpetuate an existing legal non-conforming building encroachment into the required front yard setback by approximately seven feet (7'), as well as a legal non-conforming side yard encroachment of at least four feet (4') along the west property line. It is undeterminable how the current building location came to pass, particularly as the 1954 Zoning Code prescribed a 25-foot front yard setback and 5-foot side yard setback for the R-3 Zoning District. Any future building modifications or additions may require Variance approval, however.

3. **Compatible with Surrounding Area.** *Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject land and is the appropriate zoning district for the land.*

The proposed CO Zoning District appears to be compatible with the surrounding area. As indicated above, the property is surrounded by a mixture of uses, including

municipal offices, legal offices, bail bond services, an art gallery, multi-family conversions, single-family residences, a medical clinic and a credit union. The zone change would not set adverse precedent to allow for a non-residential encroachment into a residential area. A non-residential encroachment has been in place for over half a century by virtue of the Special Use Permit that was approved in 1962.

4. **Changed Conditions.** *Whether and the extent to which there are changed conditions that require an amendment.*

Given that the Special Use Permit limited non-residential activity on the premises to an accounting office, this imposition may have been done in consideration of a predominance of residential uses in the surrounding area. Although commercial encroachment may have been discouraged due to a stronger adherence to Euclidean standards at the time, the particular office use allowed under the Special Use Permit may have been viewed as benign and of minimal adverse impact to area residences. There have been notable changes over the 50-plus years that the Permit has been in place, including changes to the Comprehensive Plan and the implementation of a Downtown Strategic Plan, both of which now encourage mixed-use development. The current use limitation that has been imposed may not fully carry out the goals of those Plans. The current use limitation may also not be a practical and suitable response to local evolving commercial and office markets.

5. **Effect on Natural Environment.** *Whether and the extent to which the proposed amendment would result in significant adverse impacts on the natural environment, including but not limited to water and air quality, noise, storm water management, wildlife, vegetation, wetlands and the practical functioning of the natural environment.*

Effects on the natural environment should prove negligible. The land use, an accounting office, has been allowed on the premises for over half a century. Small-scale office uses are generally viewed as low employment and traffic generators and are usually deemed suitable within a neighborhood context. Given that the building was constructed prior to 1980, any subsequent building modifications or new construction on the premises will require certification by a licensed professional that asbestos mitigation measures are adequately provided, if applicable. The zone change will not alter or minimize this requirement.

6. **Community Need.** *Whether and the extent to which the proposed amendment addresses a demonstrated community need.*

There may be a need in this particular portion of the overall Downtown area for an increased level and type of office space that will be afforded under the new CO Zoning District. The property may be underutilized under the current limitations imposed through the governing Special Use Permit. The Downtown Strategic Plan suggests that mixed use development around the City Hall campus, to include office uses, would be the best and highest use of land. The

placement of flexible, neighborhood-level office space in this area could help to provide reasonable economy of scale and reduce the number of commutes, instead providing proportional employment opportunities for residents within walking distance of the subject property.

7. Development Patterns. *Whether and the extent to which the proposed amendment would result in a logical and orderly pattern of urban development in the community.*

The property is located along a classified local or minor roadway within a perimeter older neighborhood of the Downtown area and near a civic activity center, City Hall Plaza. The property is surrounded by a mixture of uses, including municipal offices, legal offices, bail bond services, an art gallery, multi-family conversions, single-family residences, a medical clinic and a credit union. Mixed uses are strongly encouraged in the Downtown area.

Notification:

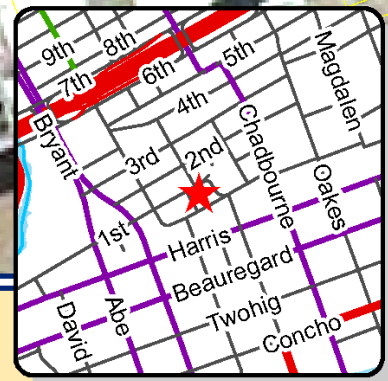
On March 8, 2016, thirteen (13) notifications were mailed out to property owners of record within a 200-foot radius of the subject area. A separate notice was hand-delivered to the Kendall Art Gallery, located at 119 West First Street, on March 10, 2016. To date, Staff has received one (1) response in favor of and zero (0) responses in opposition to the request.

Recommendation:

At the March 21, 2016, public meeting, the Planning Commission reviewed and considered this matter. Below is an excerpt of the minutes from that meeting:

David Stallworth, Principal Planner, provided a brief synopsis of the case. Mr. Stallworth indicated the location for the subject area, showed existing site conditions as well as various perspectives of the surrounding area. Mr. Stallworth concluded his presentation with a recommendation of APPROVAL, along with his basis for the recommendation.

Commissioner Stribling opened up deliberation by inquiring on whether or not there was adequate off-street parking on the premises. Mr. Stallworth responded by referencing the staff report, which indicated that there was room along the rear of the property to facilitate additional parking spaces. Barring further questions for Staff, Chairperson Preiss opened the public hearing. With no public input, Chairperson Preiss closed the public hearing and opened the floor for a Motion. Commissioner Farmer made a Motion to APPROVE the request, and Commissioner Jackson seconded the Motion. The Motion passed unanimously, 7-0.



Zoning Case File

Case Z16-01 Matlock

Council District: Johnny Silvas

Neighborhood: Downtown

Scale: 1 inch :: 100 feet

Legal Desc: Lots 14 & 15, Blk T, Miles Addition

Legend

Subject Properties:

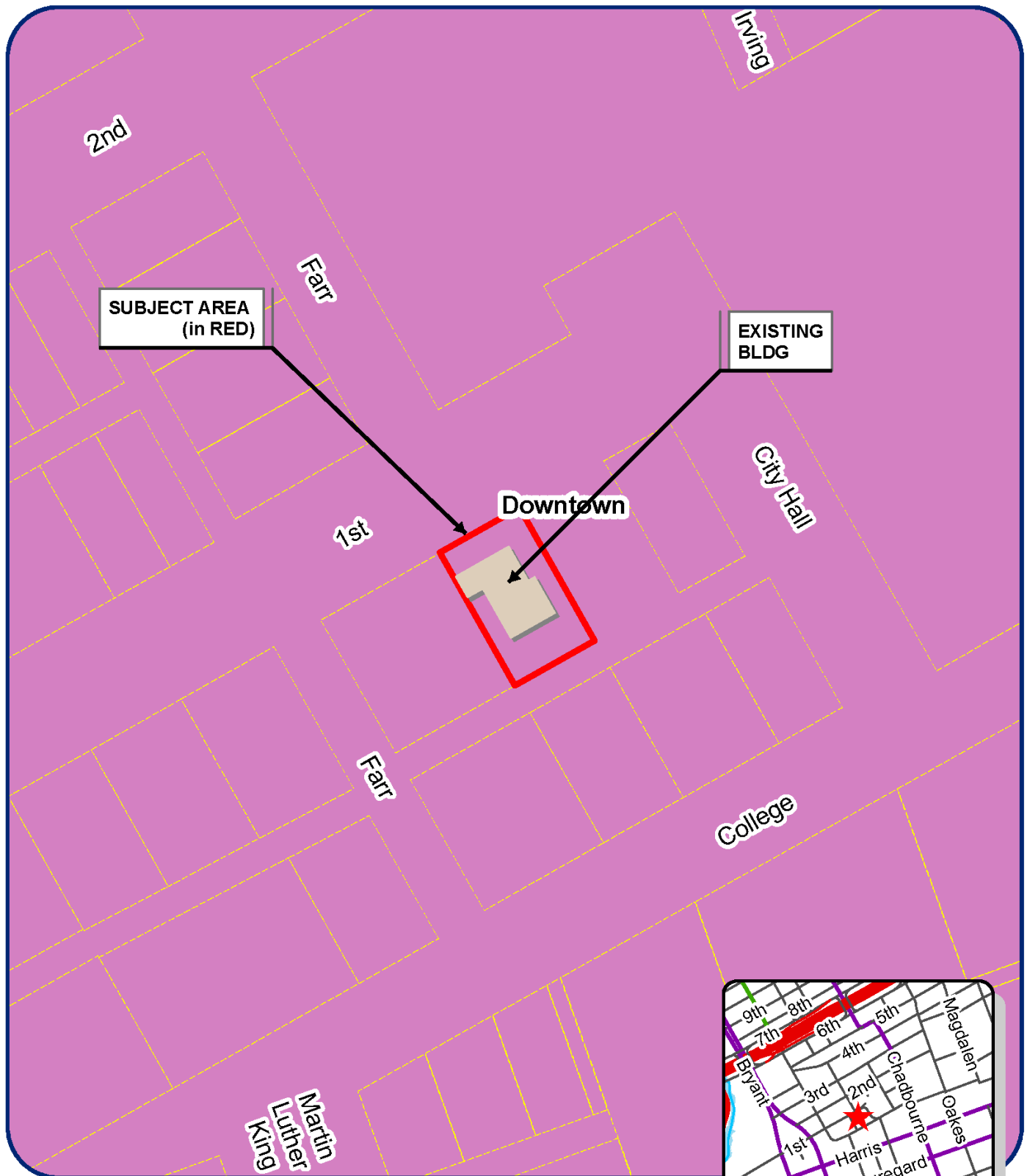
Current Zoning: **RM 1**

Requested Zoning Change: **CO**

Vision: **Downtown**

N





Zoning Case File

Case Z16-01 Matlock

Council District: Johnny Silvas

Neighborhood: Downtown

Scale: 1 inch :: 100 feet

Legal Desc: Lots 14 & 15, Blk T, Miles Addition

Legend

Subject Properties: —

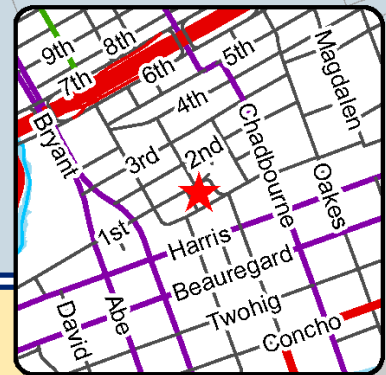
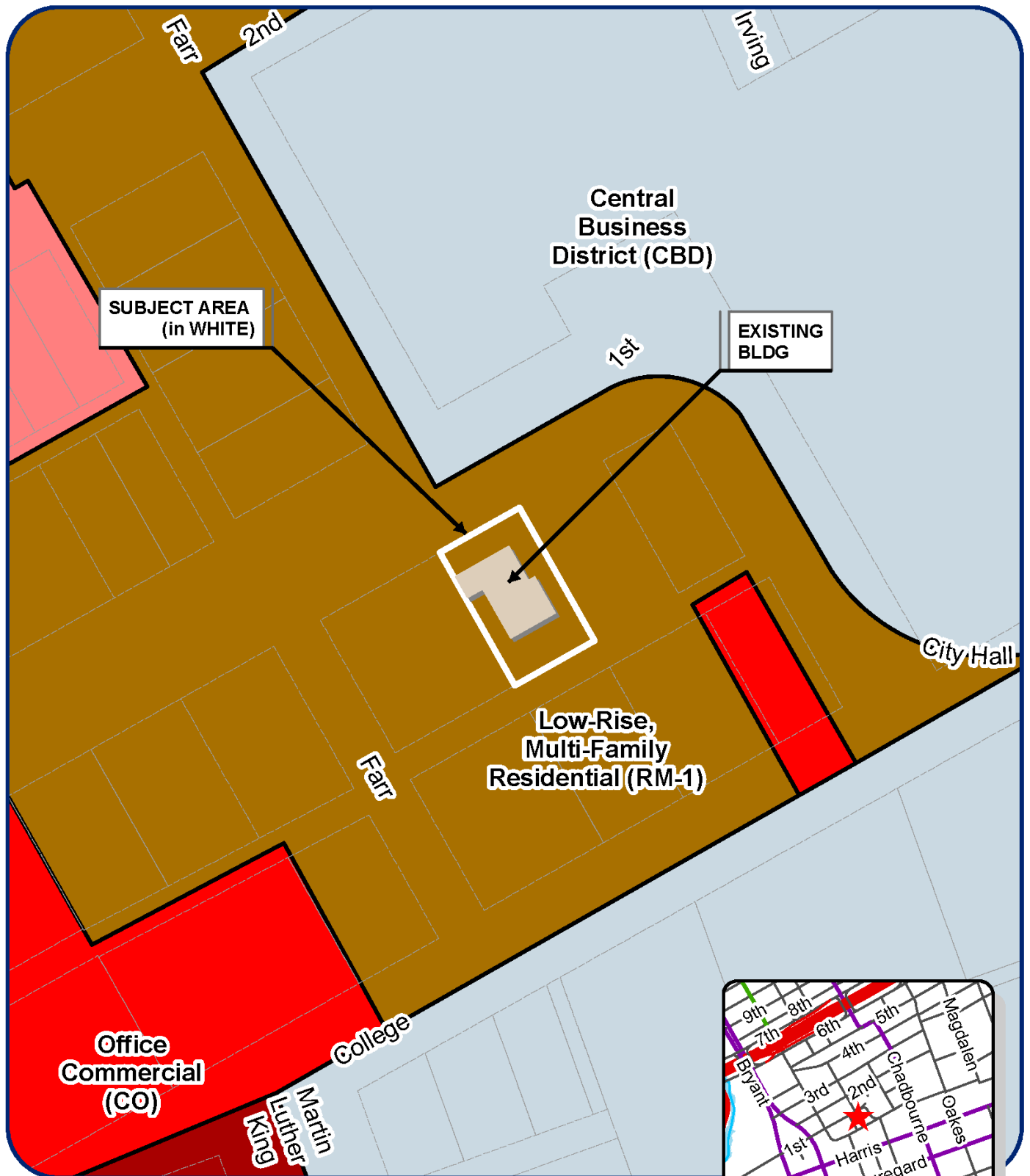
Current Zoning: RM 1

Requested Zoning Change: CO

Vision: Downtown

N





Zoning Case File

Case Z16-01 Matlock

Council District: Johnny Silvas

Neighborhood: Downtown

Scale: 1 inch :: 100 feet

Legal Desc: Lots 14 & 15, Blk T, Miles Addition

Legend

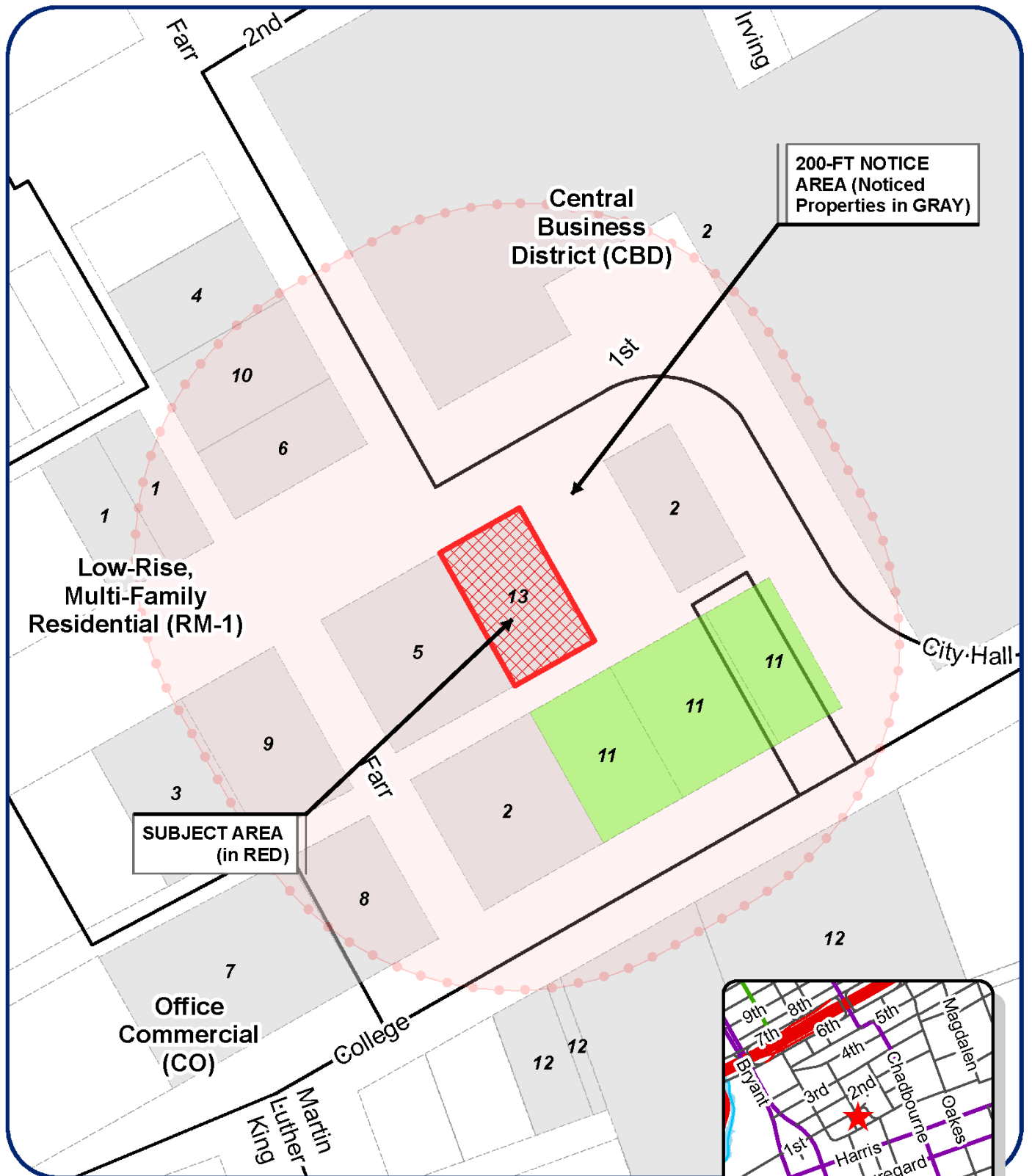
Subject Properties:

Current Zoning: **RM 1**

Requested Zoning Change: **CO**

Vision: **Downtown**





Zoning Case File

Case Z16-01 Matlock

Council District: Johnny Silvas

Neighborhood: Downtown

Scale: 1 inch :: 100 feet

Legal Desc: Lots 14 & 15, Blk T, Miles Addition

Legend

Subject Properties:

Properties in Favor:

Properties Against:

Current Zoning: **RM 1**

Requested Zoning Change: **CO**

Vision: **Downtown**



TO BE FORMALLY ON RECORD IN FAVOR OR AGAINST THIS REQUEST, YOU MAY ALSO FILL OUT THIS FORM, SIGN IT AND MAIL THIS FORM BACK TO THE PLANNING DIVISION, CITY OF SAN ANGELO, 52 WEST COLLEGE AVENUE, SAN ANGELO, TEXAS 76903.

(☒)

IN FAVOR

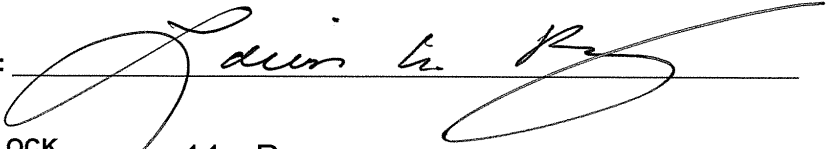
(☐)

IN OPPOSITION

REASON(S) _____

NAME: Louis A. Perez

ADDRESS: 112 W. College Ave.
San Angelo, TX 76903

SIGNATURE: 

Z16-01: MATLOCK

Property owner number: 11 - Perez

If you have any questions about these proceedings, please contact David Stallworth, Staff Planner with the City of San Angelo's Planning Division at either (325) 657-4210, extension 1547, or via e-mail at david.stallworth@cosatx.us

AREA TO BE REZONED FROM:

The Low Rise Multi-family Residential, or RM-1 Zoning District

TO:

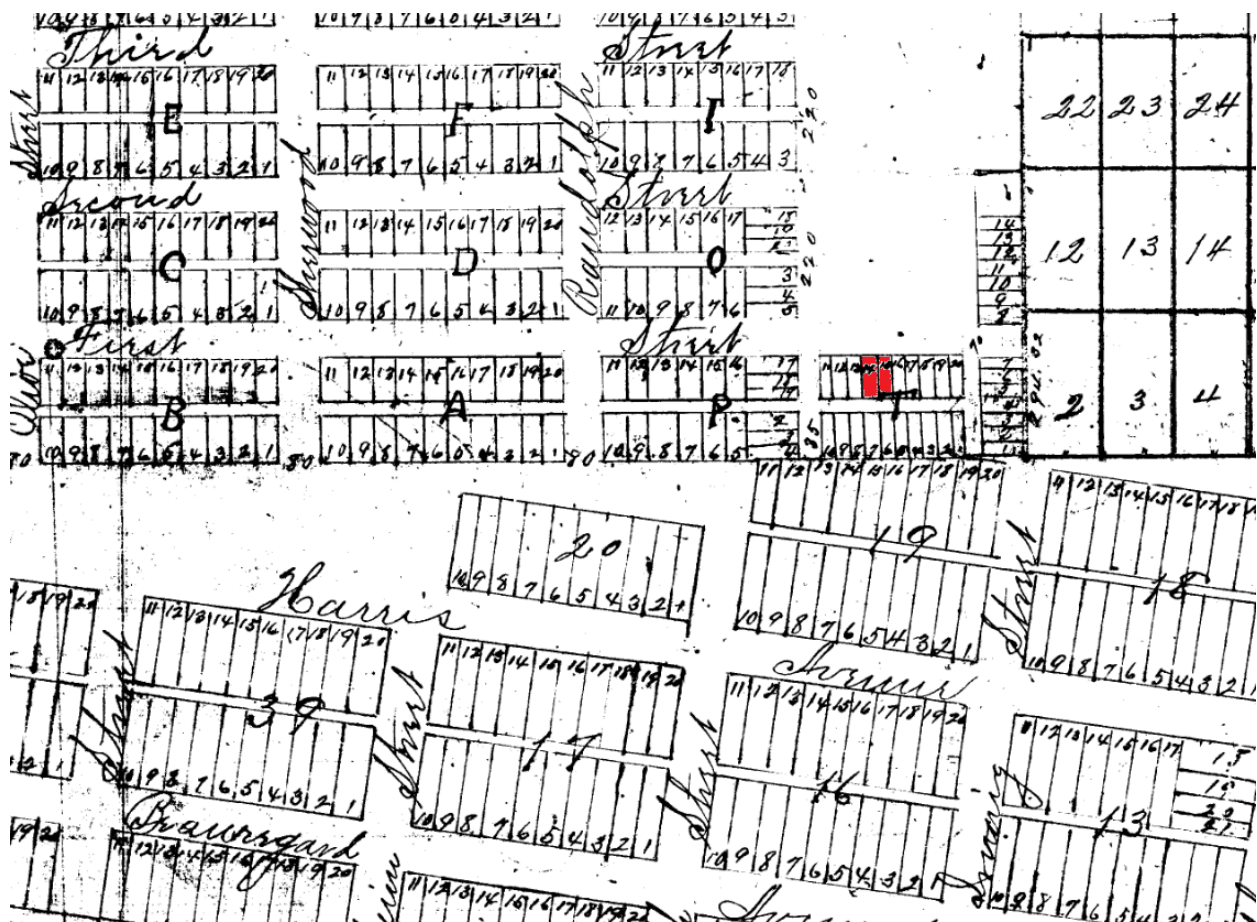
The Office Commercial, or CO Zoning District

PROPERTY LOCATION:

123 West First Street, which is generally located along the south side of West First Street, across from Farr Street;

LEGAL DESCRIPTION:

Lots 14 and 15, Block T, Miles Addition





Planning Division
72 W. College Ave.
San Angelo, TX 76903
(325) 657-4210 ph.
(325) 657-4227 fx.
www.sanangelotexas.us

PLANNING DIVISION

OFFICE COMMERCIAL (CO) ZONING DISTRICTS

Allowed Uses:

- Group living
- Drug and alcohol recovery facility
- College
- Public, nonprofit or charitable community services
- Day care for children or adults
- Meeting areas for religious institutions
- Schools
- Business, government, professional, medical or financial offices
- Commercial parking
- Public safety and emergency services

Conditional Uses:

- Household living
- Bed & breakfast
- Self-service storage
- Hospital
- Retail sales
- Vehicle service (performed while the customer waits)
- Personal service-oriented business
- Entertainment-oriented business
- Repair-oriented business
- Restaurants
- Veterinary clinic for small animals
- Waste-related uses

These uses are allowed with the approval of a "conditional use" by the Planning Commission. Applications for a conditional use may be completed through the Planning Division. The Development handout titled "Conditional Uses" gives a thorough explanation of the process.

Special Uses:

Facilities for golf, including practice areas
Any use which the Planning Commission and the City Council deem appropriate as a transition between zoning districts

These uses are allowed with the approval of a "special use" by the Planning Commission and the City Council. Applications for a special use may be completed through the Planning Division. The Development handout titled "Special Uses" gives a thorough explanation of the process.

Required Setbacks:

- Front Setback: 25 feet
- Side Setback: None required
10 feet if abutting a residential district or use
- Rear Setback: None required
10 feet if abutting a residential district or use

DEVELOPMENT SERVICES DEPARTMENT
Planning is a Division of the Department of Development Services



Planning Division
72 W. College Ave.
San Angelo, TX 76903
(325) 657-4210 ph.
(325) 657-4227 fx.
www.sanangelotexas.us

PLANNING DIVISION

Setbacks refer to the distance that a structure must be 'set back' off of the appropriate property line. For example, the front setback of 25 feet means that the front wall of the structure must be separated by at least 25 feet from the front property line of the lot. This 25 feet must be open and unobstructed, except for the following exceptions: (1) projection of window sills, belt courses and other ornamental features for a distance of 12 inches or less; (2) projection of chimneys and flues for a distance of 3 ½ feet or less; (3) projection of eaves and awnings for a distance of 2 feet or less; and (4) open or lattice-enclosed fire escapes and fireproof outside stairs, for a distance of 3 ½ feet or less.

Maximum Floor Area Ratio: 2.0

The maximum floor area ratio refers to the gross floor area of all buildings on the lot divided by the total area of the lot.

Minimum Lot Size: 6,000 square feet

Off-Street Parking: Off-street parking requirements are determined by the use of the property and other related factors. For specific calculations, angles, shared parking requirements and other questions, consult with the Planning Division at 657-4210.

Off-Street Loading: A minimum of one space is required
For industrial and commercial uses, one additional space for each additional 40,000 square feet or major fraction thereof
For institutional uses, one additional space for each additional 60,000 square feet or major fraction thereof

Outdoor Storage: Type 1, Outdoor Display, is allowed; Type 1 allows for display adjacent to a principal building wall and extending to a distance no greater than 5 feet from the wall. This storage may not block windows, entrances or exits, or impair the ability of pedestrians to use the building.

IMAGERY OF THE SUBJECT PROPERTY (West 1st Street Frontage)



REAR IMAGERY OF THE SUBJECT PROPERTY (Along alley to the south)



AREA IMAGERY LOOKING WEST DOWN W. 1ST STREET



LOOKING NORTH ALONG FARR STREET



LOOKING EAST ALONG WEST 1ST STREET (TOWARDS THE CITY HALL)



AN ORDINANCE AMENDING CHAPTER 12, EXHIBIT "A" OF THE CODE OF ORDINANCES, CITY OF SAN ANGELO, TEXAS, WHICH SAID EXHIBIT "A" OF CHAPTER 12 ADOPTS ZONING REGULATIONS, USE DISTRICTS AND A ZONING MAP, IN ACCORDANCE WITH A COMPREHENSIVE PLAN, BY CHANGING THE ZONING AND CLASSIFICATION OF THE FOLLOWING PROPERTY, TO WIT: **123 West First Street; generally located along the south side of West First Street, across from Farr Street, and described as Lots 14 and 15, Block T, Miles Addition, City of San Angelo, Tom Green County, Texas, consisting of 0.14 acres, a request for approval of a Zone Change from the Low Rise Multi-family Residential (RM-1) Zoning District to the Office Commercial (CO) Zoning District;** PROVIDING FOR SEVERABILITY AND PROVIDING A PENALTY

RE: Z16-01: MATLOCK

WHEREAS, the Planning Commission for the City of San Angelo and the City Council for the City of San Angelo, in compliance with the charter and the state law with reference to zoning regulations and a zoning map, have given requisite notice by publication and otherwise, and after holding hearings and affording a full and fair hearing to all property owners and persons interested, generally, and to persons situated in the affected area and in the vicinity thereof, is of the opinion that zoning changes should be made as set out herein; **NOW THEREFORE**,

BE IT ORDAINED BY THE CITY OF SAN ANGELO:

SECTION 1: That the Zoning Ordinance for the City of San Angelo, as codified under Chapter 12, Exhibit "A" of the Code of Ordinances on January 4, 2000, and the Official Zoning Map, all heretofore adopted by the City Council, shall be amended insofar as the property hereinafter described:

123 West First Street; generally located along the south side of West First Street, across from Farr Street, and described as Lots 14 and 15, Block T, Miles Addition, City of San Angelo, Tom Green County, Texas, consisting of 0.14 acres, a request for approval of a Zone Change from the Low Rise Multi-family Residential (RM-1) Zoning District to the Office Commercial (CO) Zoning District, shall henceforth be permanently zoned as follows: **Office Commercial (CO) Zoning District**.

The Director of the Planning and Development Services Department is hereby directed to amend the Official Zoning Map in the Office of the Director of the Planning and Development Services Department to reflect the herein described changes in zoning.

SECTION 2: That in all other respects, the use of the hereinabove described property shall be subject to all applicable regulations contained in Chapter 12 of the Code of Ordinances for the City of San Angelo, as amended.

SECTION 3: The terms and provisions of this Ordinance shall be deemed to be severable in that, if any portion of this Ordinance shall be declared to be invalid, the same shall not affect the validity of the other provisions of this Ordinance.

SECTION 4: Any person who violates any provisions of this article shall be guilty of a misdemeanor and, upon conviction, shall be subject to a fine as provided for in Section 1.106 of the Code of Ordinances for the City of San Angelo. Each day of such violation shall constitute a separate offense.

INTRODUCED on the **19th day of April, 2016** and finally PASSED, APPROVED AND ADOPTED on this the **3rd day of May, 2016**.

THE CITY OF SAN ANGELO

ATTEST:

Dwain Morrison, Mayor

Bryan Kendrick, City Clerk

Approved As To Form:

□□□_____
Theresa James, City Attorney

ATTACHMENT - A

AREA TO BE REZONED FROM:

The Low Rise Multi-family Residential, or RM-1 Zoning District

TO:

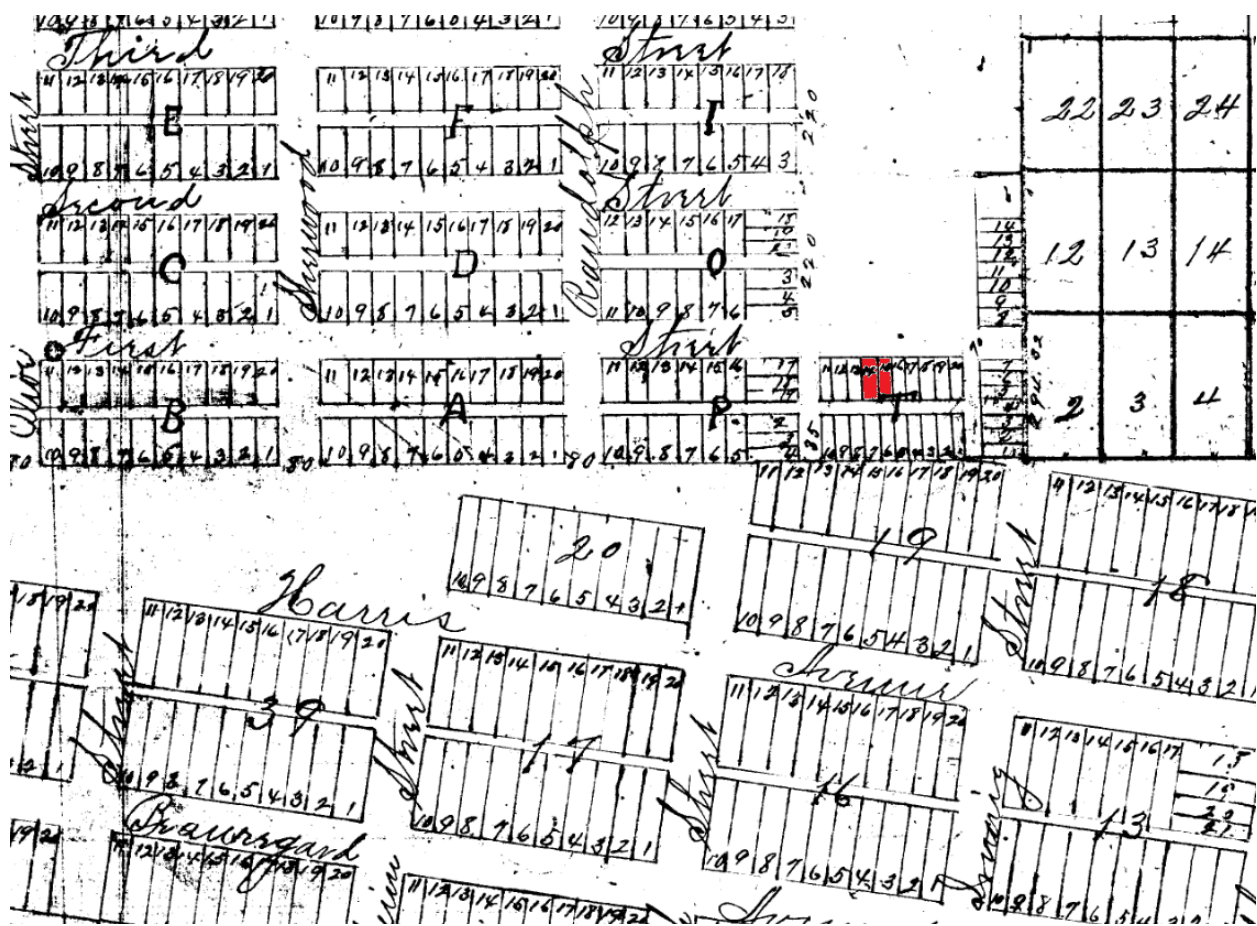
The Office Commercial, or CO Zoning District

PROPERTY LOCATION:

123 West First Street, which is generally located along the south side of West First Street, across from Farr Street;

LEGAL DESCRIPTION:

Lots 14 and 15, Block T, Miles Addition



REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Rebeca Guerra, Planning Manager, Planning and Development Services, 325-657-4210

Meeting Date: April 19, 2016

Item type: Regular Item

Caption:

First Reading and Public Hearing for Case Z16-02, an Ordinance approving a request from Bryan Burger to authorize a Rezoning from the Light Manufacturing (ML) Zoning District to the General Commercial (CG) Zoning District, on 1.30 acres generally located at the corner of Knickerbocker Road and South Jackson Street (Presentation by Planning & Development Services Director Jon James)

Summary/History:

According to Zoning maps dating as far back as 1954, the subject property has always been zoned for light manufacturing use (M-1). The subject property contains a single-story, 9,000-square-foot bank building with a drive-thru component that was constructed in 1974, according to CAD records. No zone changes, variances, plats or special exceptions are associated with the subject property. The applicant, Brian Burger of Burger Engineering, is requesting approval of an application to rezone the subject property from the Light Manufacturing (ML) Zoning District to the General Commercial (CG) Zoning District to facilitate the proposed development of a fast food restaurant with a drive-thru.

Approval of the request would constitute neither a spot zone nor a strip zone. Similar zoning exists to the south, east and north of the subject property. Furthermore, the proposed zone change request will be consistent with the underlying "Commercial" Future Land Use (FLU), as dictated under the City's Comprehensive Plan, and it will be in character with ongoing growth and land use patterns along Knickerbocker Road.

Financial Impact:

N/A

Other Information/Recommendation:

Attachments:

- | | |
|--------------------|-----------------------------|
| 1. Staff Report | Z16-02_CC_Staff_Report.docx |
| 2. Draft Ordinance | Z16-02_Ordinance.docx |

Presentation:

Jon James

Approvals/Reviews:

Guerra, Rebeca
James, Jon
James, Theresa
Carriger, Tina
James, Theresa
Dunn, Becky
Kendrick, Bryan

Created/Initiated
Approved
Approved
Approved
Approved
Approved
Final Approval

STAFF REPORT



City Council

Meetings:

April 19, 2016
May 3, 2016

From:

Jon James, AICP
Director of Planning and Development Services

Through:

Rebeca A. Guerra, AICP, LEED-AP, CPD
Planning Manager

Case:

Z16-02; Burger

Request:

A request for approval of a Zone Change from the Light Manufacturing (ML) Zoning District to the General Commercial (CG) Zoning District

Location:

1609 Knickerbocker Road; generally located at the east-northeast corner of Knickerbocker Road and South Jackson Street

Legal

Description:

1.30 acres out of the J. McNeese Survey, No. 176.25, Abstract no. 1641, Tom Green County, TX

Size:

1.30 acres

General Information

Future Land Use:	Commercial
Current Zoning:	Light Manufacturing (ML)
Existing Land Use:	Vacant Commercial Building (Former Citibank)

Surrounding Zoning / Land Use:

North:	General Commercial (CG)	Knickerbocker Road; Retail/Service (Restaurant)
West:	Light Manufacturing (ML)	South Jackson Street; Retail/Service
South:	General Commercial (CG)	Surface parking for a non- residential (retail/service) use
East:	General Commercial (CG)	Retail/Service (Restaurant)

District: SMD #5 – Elizabeth Grindstaff

Neighborhood: ASU – College Hills

Thoroughfares/Streets:

Knickerbocker Road (FM 584) is defined as an Urban “Major Arterial Road” in the City’s Master Thoroughfare Plan (MTP), and is under TX-DOT jurisdiction. Urban Arterial Roads are designed to connect Collector Streets to freeways and other arterials that carry large volumes of traffic at high speeds and typically require a minimum right-of-way width of eighty feet and a minimum paving width of 64 feet. Knickerbocker Road has an existing right-of-way of 110 feet and an existing paving width of 86 feet, in compliance with the MTP.

South Jackson Street is classified as a “Major Collector Street” in the MTP and is designed to carry traffic at moderate speeds to connect arterials with local streets. South Jackson Street requires a right-of-way width of 60 feet and a paving width of 50 feet. The existing right-of-way is 80 feet, in compliance with the MTP. The portion of South Jackson Street lying south of Knickerbocker Road is 64 feet, which is more than what would be required per the MTP.

History and Background:

According to zoning maps dating as far back as 1954, the subject property has always been zoned for light manufacturing use (M-1). The subject property contains a single-story, 9,000-square-foot bank building with a drive-thru component that was constructed in 1974, according to CAD records. No zone changes, variances, plats or special exceptions are associated with the subject property. The applicant, Brian Burger of Burger Engineering, is requesting approval of an application to rezone the subject property from the Light

Manufacturing (ML) Zoning District to the General Commercial (CG) Zoning District to facilitate the proposed development of a fast food restaurant with a drive-thru. Details on the CG Zoning District, including development standards and allowable land uses, are furnished with this report.

Approval of the request would constitute neither a spot zone nor a strip zone. Similar zoning exists to the south, east and north of the subject property. Furthermore, the proposed zone change request will be consistent with the underlying "Commercial" Future Land Use (FLU), as dictated under the City's Comprehensive Plan, and it will be in character with ongoing growth and land use patterns along Knickerbocker Road.

Analysis:

Section 212(G) of the Zoning Ordinance requires that the Planning Commission and City Council consider, at minimum, seven (7) factors in determining the appropriateness of any Rezoning request.

1. **Compatible with Plans and Policies.** *Whether the proposed amendment is compatible with the Comprehensive Plan and any other land use policies adopted by the Planning Commission or City Council.*

The proposed zone change from the Light Manufacturing (ML) Zoning District to the General Commercial (CG) Zoning District appears to be compatible with a Future Land Use (FLU) designation of "Commercial" in this location. Commercial uses, according to the Comprehensive Plan, are often single-use centers consisting of large retail and office clusters that seek visibility and convenient access offered by frontage along the major street network. The uses within the Commercial Future Land Use area often draw from the larger regional area, thus necessitating their siting. This is evidenced by the properties surrounding the subject area, many of which include fast food and sit-down restaurants that provide services to nearby multi-family developments as well as students and employees from nearby Angelo State University. Additionally, the subject property is adjacent to both South Jackson Street (Major Collector) and Knickerbocker Road (Major Arterial), each of which is designed to accommodate significant traffic volumes.

2. **Consistent with Zoning Ordinance.** *Whether and the extent to which the proposed amendment would conflict with any portion of this Zoning Ordinance.*

The subject area is square in configuration, relatively flat and oriented in a southeast-to-northwest manner. The property contains reverse frontage along both Knickerbocker Road (220 feet) and South Jackson Street (259 feet). The CG Zoning District allows for both office uses and retail sales/service uses, including banks, restaurants, grocery and convenience stores, as a matter of right, unlike the current ML zoning which will require Conditional Use Permit approval to facilitate the proposed fast food restaurant use. The subject property meets or exceeds all

development standards of the CG Zoning District regarding minimum lot areas, widths, and depths. As this redevelopment will involve the demolition of the existing vacant bank building, the developer must adhere to prescribed parking, vehicle stacking and building siting requirements as prescribed by the CG Zoning District. As the subject property is being redeveloped, an approved and recorded plat will be necessary to file an application for a building permit.

3. **Compatible with Surrounding Area.** *Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject land and is the appropriate zoning district for the land.*

The proposed CG Zoning District will be compatible with both the underlying Commercial Future Land Use and the surrounding area. As indicated above, the property is surrounded by numerous commercial properties which include fast food and sit-down restaurants that provide services to nearby multi-family developments as well as students and employees from the Angelo State University campus. The subject property will be located along two principal roadways which are designed to accommodate significant traffic volumes.

4. **Changed Conditions.** *Whether and the extent to which there are changed conditions that require an amendment.*

Although a significant portion of the southeast side of Knickerbocker Road has been zoned for manufacturing uses as far back as 1954, much of this type of light industrial and manufacturing development has been limited to northeast and south of the Texas-Pacifico rail line at the Knickerbocker Road grade crossing. Outside of occasional pockets of ML-type development in the area, the remaining balance of Knickerbocker Road contains conventional commercial and office strip and pad development as well as multi-family and hotel development, primarily in response to the University and the Community Medical Center hospital, both of which abut Knickerbocker Road. As a result, there has been substantial zone change activity along Knickerbocker Road southwest of the rail crossing as well as an indeterminable allowance of commercial and office uses within existing ML-zoned properties. One might conclude that there are no reasonable expectations for appreciable manufacturing and light industrial growth along Knickerbocker, southwest of the Texas-Pacifico grade crossing.

5. **Effect on Natural Environment.** *Whether and the extent to which the proposed amendment would result in significant adverse impacts on the natural environment, including but not limited to water and air quality, noise, storm water management, wildlife, vegetation, wetlands and the practical functioning of the natural environment.*

Effects on the natural environment should prove negligible. Given that the building was constructed prior to 1980, any subsequent demolitions on the premises will require certification by a licensed professional that hazardous material mitigation

measures are adequately provided, if applicable. The zone change will not alter or minimize this requirement. Subsequent redevelopment will require building permits that will also include signage, traffic, grading and drainage, and storm water containment reviews to mitigate any adverse area impacts.

6. **Community Need.** *Whether and the extent to which the proposed amendment addresses a demonstrated community need.*

The property is presently underutilized as the former tenant has left the local market, and the building has stood vacant for quite some time. There may be a community need for a CG Zoning District given the property's current underutilization and its adjoining access onto major roadways such as Knickerbocker Road and South Jackson Street. The location is strategic to meeting the needs of several customer and neighborhood bases such as hotel visitors, area residents, employees, and students.

7. **Development Patterns.** *Whether and the extent to which the proposed amendment would result in a logical and orderly pattern of urban development in the community.*

The change to a CG Zoning District is consistent with commercial and office use patterns along Knickerbocker Road southwest of the Texas-Pacifico grade crossing. The subject property is located along two major roadways and close to an academic activity center, Angelo State University. The property is surrounded by numerous commercial retail and service uses, which include fast food and sit-down restaurants that provide goods and services to nearby multi-family residents and hotel occupants as well as students and employees from the University campus.

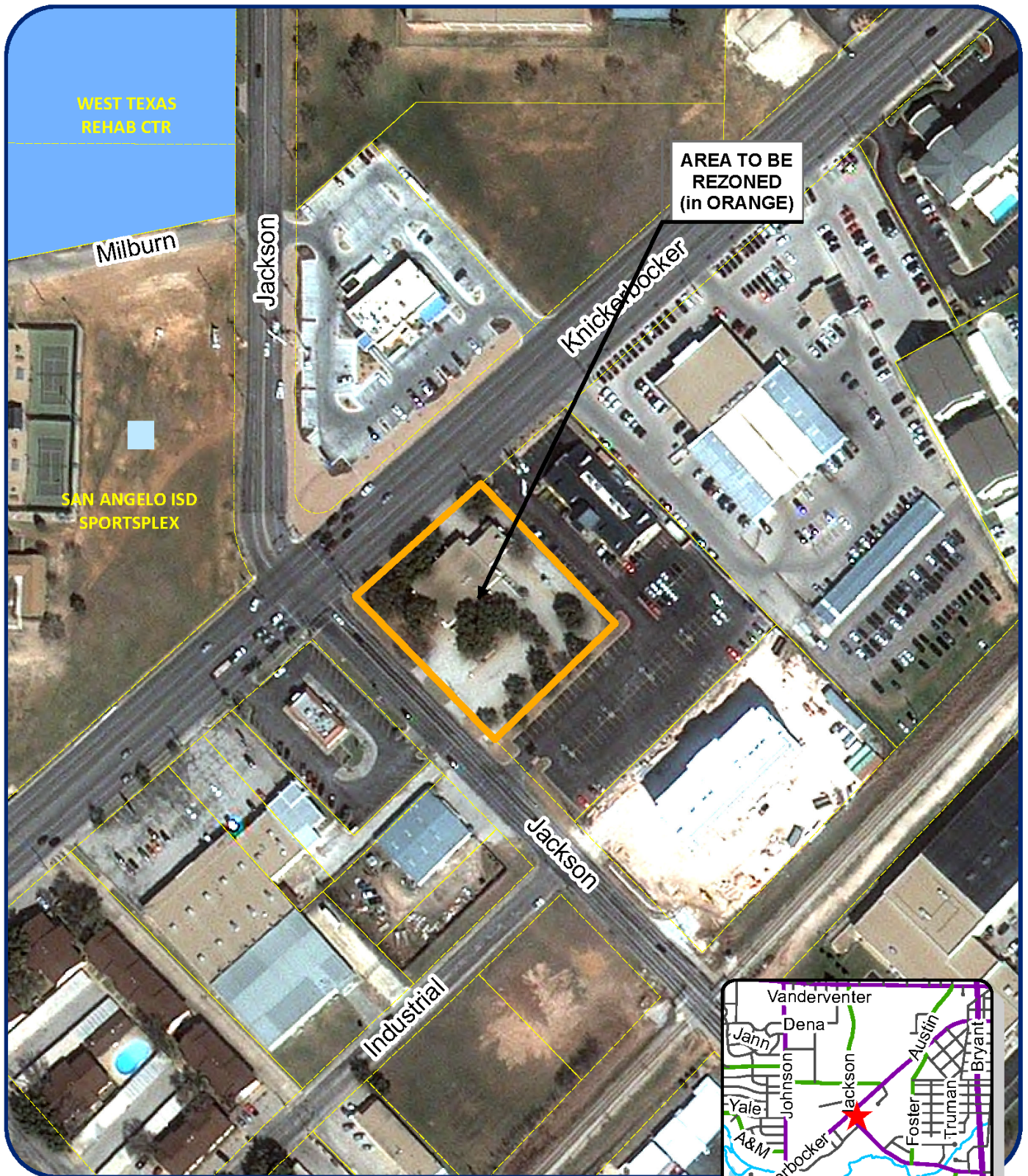
Notification:

On March 8, 2016, eleven (11) notifications were mailed out to property owners of record within a 200-foot radius of the subject area. To date, Staff has received one (1) response in favor of, and zero (0) responses in opposition to the request. There was one (1) inquiry as to the type of development to be facilitated by the zone change.

Recommendation:

At the March 21, 2016, public meeting, the Planning Commission reviewed and considered this matter. Below is an excerpt of the minutes from that meeting:

David Stallworth, Principal Planner, provided a brief synopsis of the case. Mr. Stallworth indicated the location for the subject area and showed existing site conditions as well as various perspectives of the surrounding area. Mr. Stallworth concluded his presentation with a recommendation of approval, along with his basis for the recommendation. Chairperson Preiss opened the public hearing. With no public input, Chairperson Preiss closed the public



Zoning Case File

Case Z16-02, Burger

Council District: Elizabeth Grindstaff

Neighborhood: ASU/College Hills

Scale: 1 inch :: 200 feet

Legal Desc.: 1.30 AC out of the J McNeese Survey 0176.25, Abs-1641

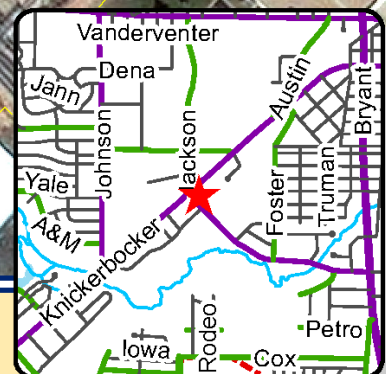
Legend

Subject Properties:

Current Zoning: **ML**

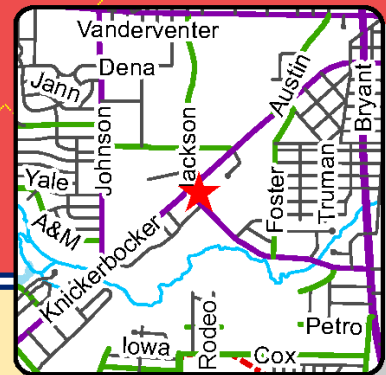
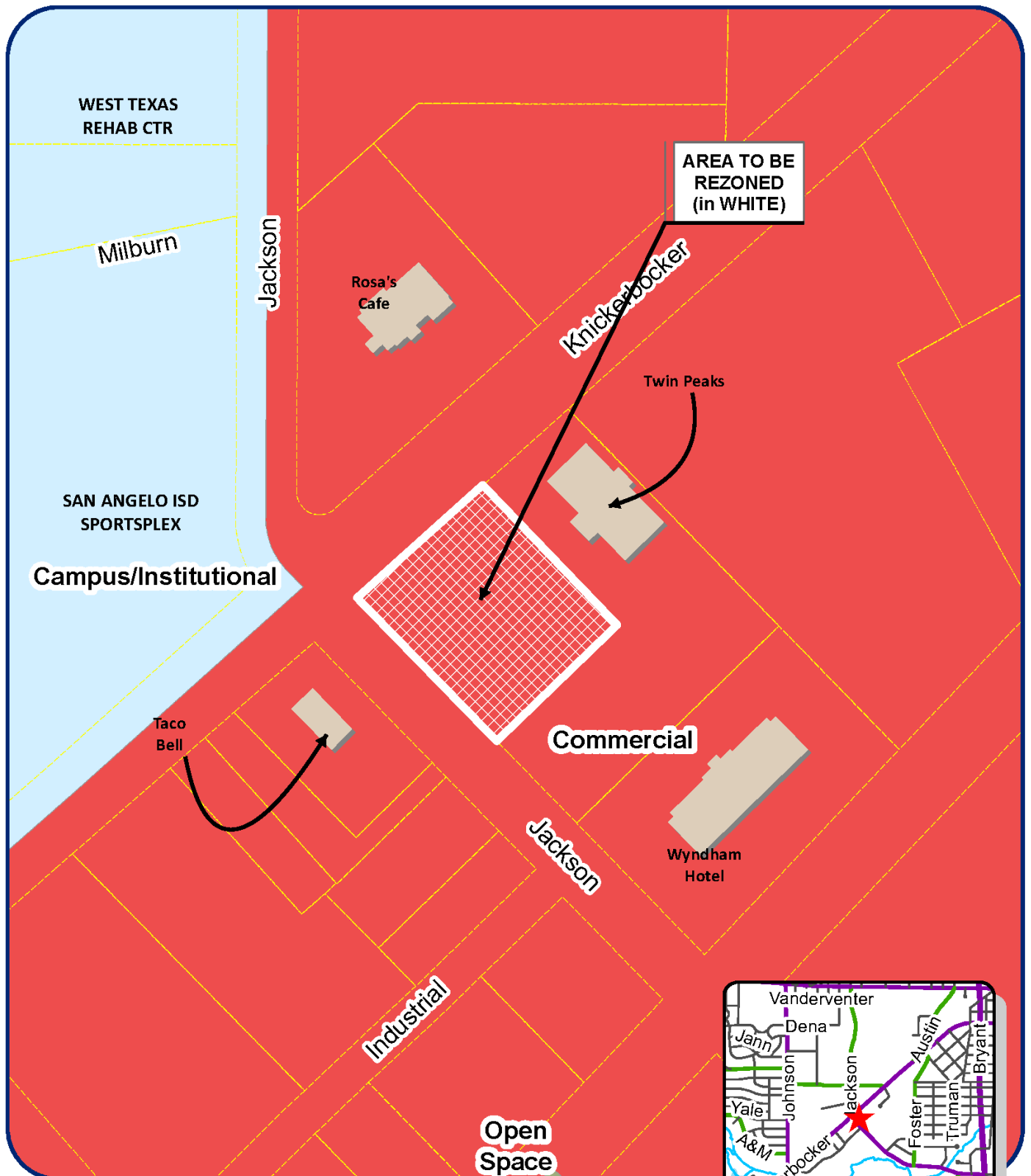
Requested Zoning Change: **CG**

Vision: **Commercial**



N





Zoning Case File

Case Z16-02, Burger

Council District: Elizabeth Grindstaff

Neighborhood: ASU/College Hills

Scale: 1 inch :: 200 feet

Legal Desc.: 1.30 AC out of the J McNeese Survey 0176.25, Abs-1641

Legend

Subject Properties:

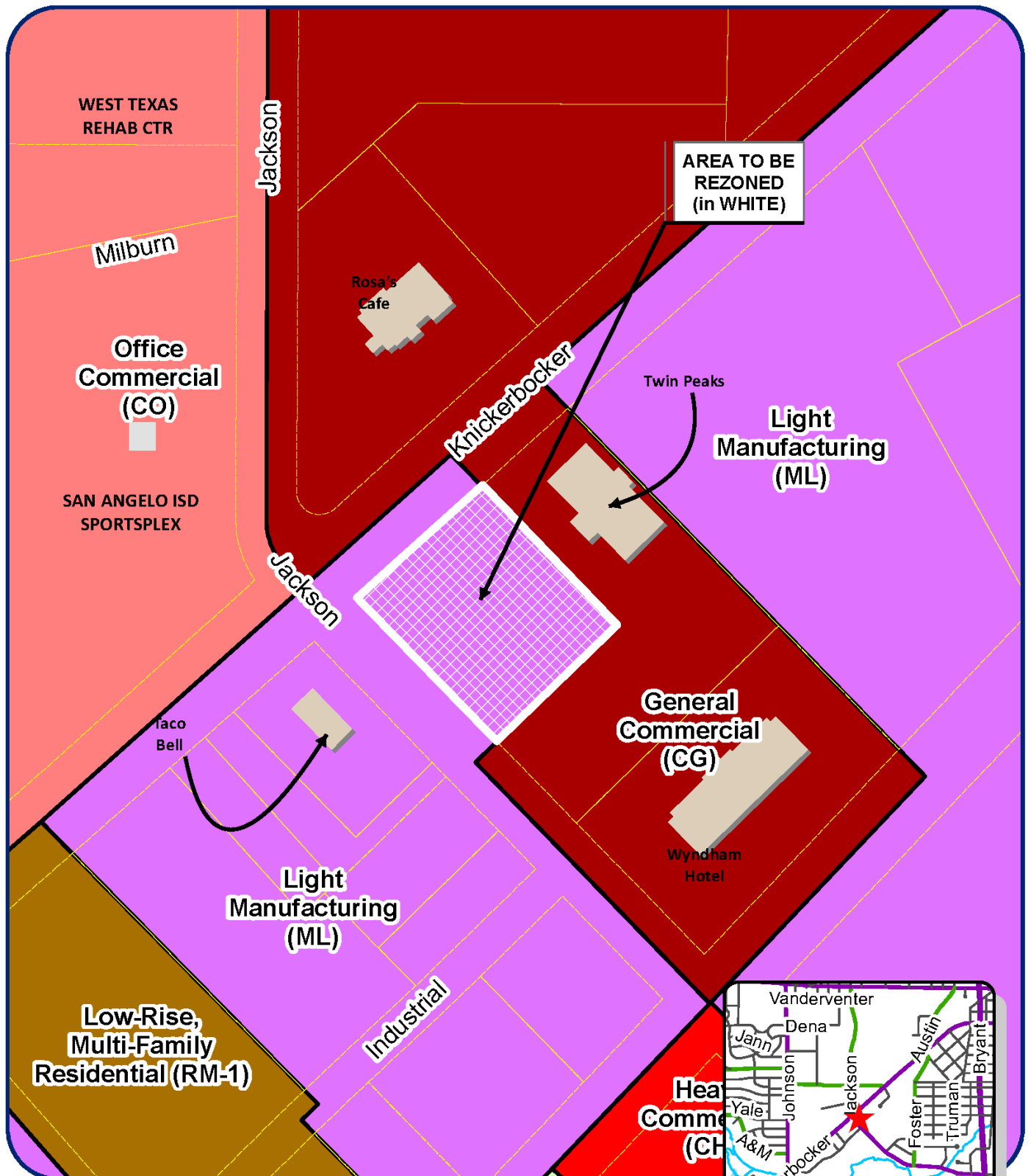
Current Zoning: **ML**

Requested Zoning Change: **CG**

Vision: **Commercial**

N





Zoning Case File

Case Z16-02, Burger

Council District: Elizabeth Grindstaff

Neighborhood: ASU/College Hills

Scale: 1 inch :: 200 feet

Legal Desc.: 1.30 AC out of the J McNeese Survey 0176.25, Abs-1641

Legend

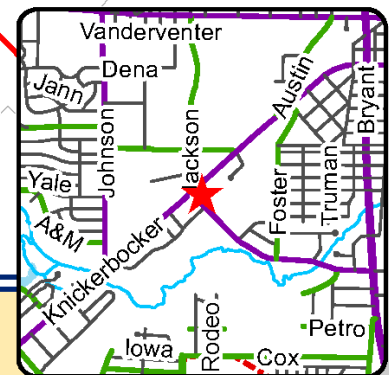
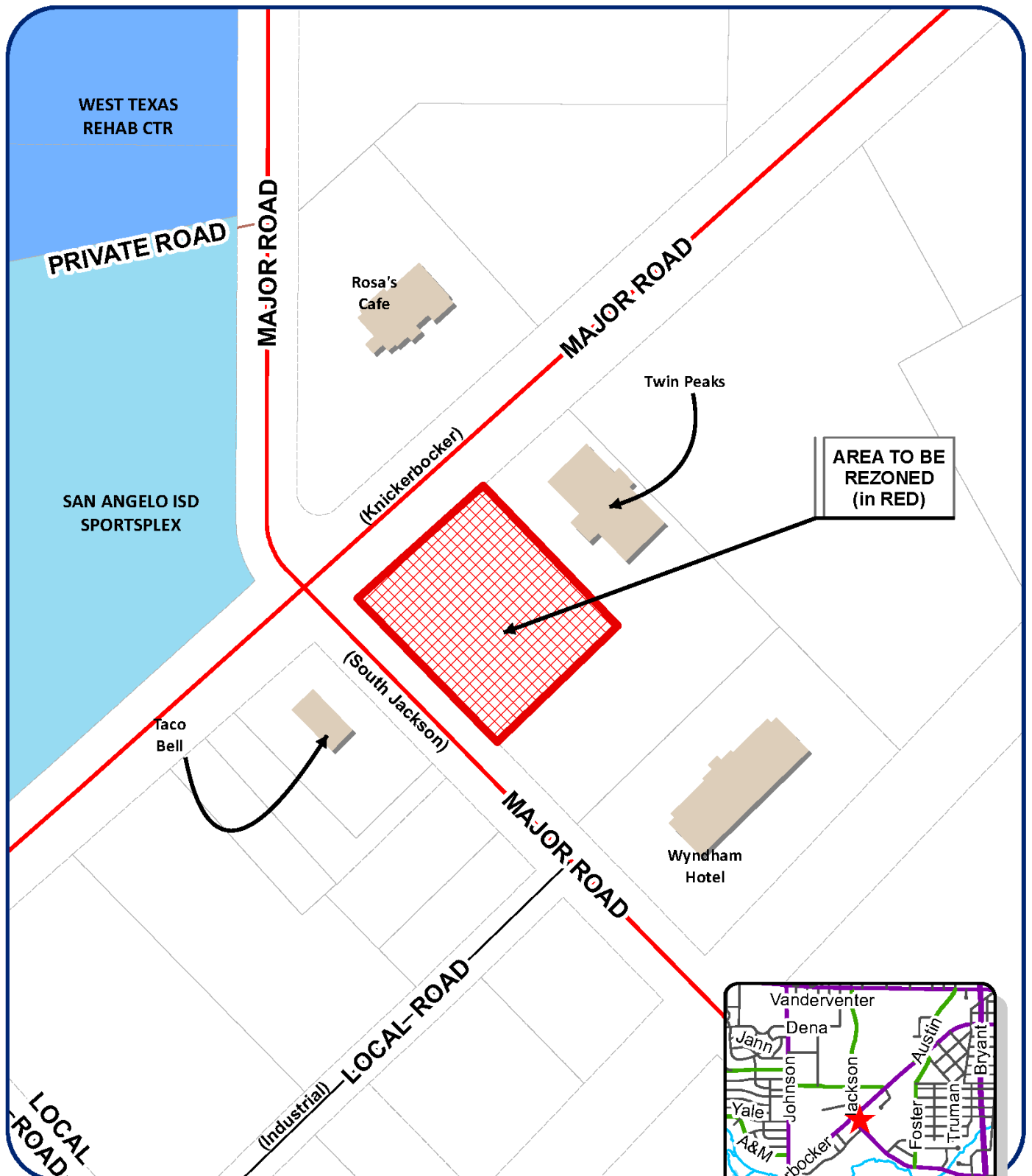
Subject Properties:

Current Zoning: **ML**

Requested Zoning Change: **CG**

Vision: **Commercial**





Zoning Case File

Case Z16-02, Burger

Council District: Elizabeth Grindstaff

Neighborhood: ASU/College Hills

Scale: 1 inch :: 200 feet

Legal Desc.: 1.30 AC out of the J McNeese Survey 0176.25, Abs-1641

Legend

Subject Properties:

Current Zoning:

ML

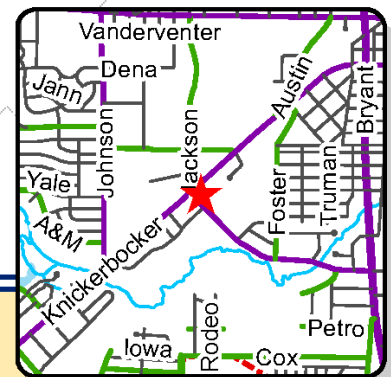
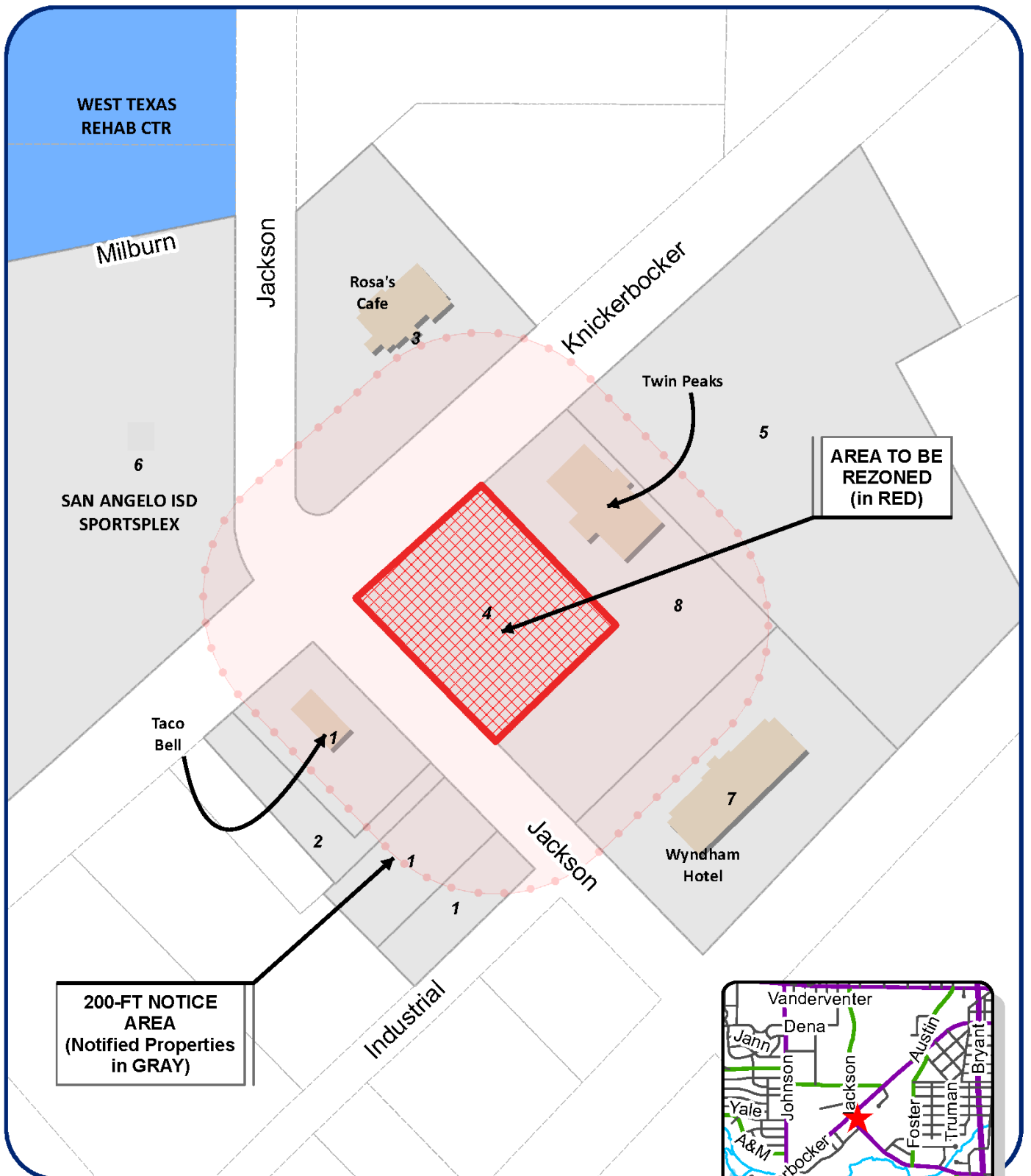
Requested Zoning Change:

CG

Vision:

Commercial





Zoning Case File

Case Z16-02, Burger

Council District: Elizabeth Grindstaff

Neighborhood: ASU/College Hills

Scale: 1 inch :: 200 feet

Legal Desc.: 1.30 AC out of the J McNeese Survey 0176.25, Abs-1641

Legend

Subject Properties: —

Current Zoning: ML

Requested Zoning Change: CG

Vision: Commercial



**B | BURGER
ENGINEERING**
Civil Consultants

February 25, 2016

Mr. David Stallworth
Planning & Development Services
City of San Angelo
52 West College Avenue
San Angelo, Texas 76903

Re: Requested Zoning Change
1609 Knickerbocker Road
San Angelo, Texas 76904
B.E. No. 013-196

Dear Mr. Stallworth,

Our client is requesting a zoning change at the above referenced address from ML (Light Manufacturing) to CG (General Commercial) to be consistent with the zoning districts currently surrounding the property. The properties to the north, south, and east are currently zoned CG (General Commercial). The existing bank building located at this address is intended to be demolished and the site re-developed with a dine-in and drive-through restaurant. The rezoning of this property would allow for the development of a dine-in and drive-through restaurant consistent with other developments in the area.

Please contact our office if you have any questions or comments.

Sincerely,



Bryan M. Burger, P.E.

BRYAN M. BURGER, P.E.

17103 Preston Road, Suite 180N | Dallas, Texas 75248 | Office: 972.630.3360 | Fax: 972.630.3380

B

Being an area of 1.292 acres of land, more or less, out of John McNeese Survey No. 176-114, Abstract No. 1641, City of San Angelo, Tom Green County, Texas, and being all of that 3.207 acre tract of land conveyed to San Angelo Savings Association by deed dated March 30, 1972, recorded in Volume 590, Page 419, Deed Records, Tom Green County, Texas, save and except the south part of said tract conveyed to H & M Enterprises by deed dated May 4, 1994 recorded in Volume 429, Page 713, Official Public Records, Tom Green County, Texas, said 1.292 acre tract of land being further described as follows:

Beginning at a 1/2" iron rod found in the southeast right-of-way line of Knickerbocker Road, for the west corner of a called 2.129 acre tract of land described and recorded in Instrument No. 201500809, Official Public Records, Tom Green County, Texas, for the north corner of this herein described 1.292 acre tract;

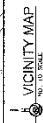
Thence along the southwesterly boundary of said 2.129 acre tract, S. 44°25'00" E. a distance of 254.37 feet to a 1/2" iron rod found for a corner of said 2.129 acre tract and the east corner of this herein described 1.292 acre tract;

Thence continuing along the southwesterly boundary of said 2.129 acre tract,

S. 45°35'00" W. a distance of 217.40 feet to a 1/2" iron rod found in the northeast right-of-way line of South Jackson Street, for the southwest corner of said 2.129 acre tract and the south corner of this herein described 1.292 acre tract;

Thence along the northeast right-of-way line of South Jackson Street, N. 44°25'00" W. a distance of 263.29 feet to a point at the intersection of the southeast right-of-way line of Knickerbocker Road and the northeast right-of-way line of South Jackson Street, for the west corner of this herein described 1.292 acre tract, from which a 1/2" iron rod found bears N. 89°43'12" W. a distance of 0.34 feet;

Thence along the southeast right-of-way line of Knickerbocker Road, N. 47°56'00" E. a distance of 217.58 feet to the place of beginning and containing an area of 1.292 acres of land.



Regular Working Expenses	20
Accumulated Parking Expenses	1
Total	21

Planning Department
City of San Angelo
558.667.4000

[illegible]

TABLE A NOTES

[illegible]

At the time of this survey, there were no encroachments, encumbrances or boundary line conflicts relative to the property. As the date of this survey, there were no encumbrances observed on the land of this survey, it was observed that this property has a street access off Alhambra Road to Santa Anita Road. Santa Anita County Appraiser advised the property is in Parcel 11, Santa Anita County Appraiser District. At the time of this survey, John Owen County Appraiser District advised the property is recorded in Volume 426, Page 712, Official Public Record of Santa Anita County, Nevada. The owner of the property is the same as the owner recorded prior to the time of this survey.

1: DLE Medicals Builders file Insurance Company
- Effective Date: September 23, 2010
- 31 No. 014-002282
- Issued: November 30, 2010
- Restrictive Covenants recorded by Volume 474, Page 209, Deed
- Records of Tom Craig County, Texas.

0. Not a survey item.
a. Not a survey item.
b. Not a survey item.
c. Not a survey item.
d. Not a survey item.
e. Not a survey item.
f. Not a survey item.
g. Not a survey item.
h. Not a survey item.

SKC
ENGINEERING, LLC
SURVEYING • ENVIRONMENTAL • LABORATORY

SOUTH AFR 270687
MAR 25 12 00AM '98
PHONE: 918/621-5125
FAC: 918/687-4784
FIRM NO.: 10102403
NOTAL GROUP, LLC



- [illegible]

[illegible][illegible]

1609 KNIKERBOCKER ROAD
1.292 ACRES OF LAND, MORE OR LESS, OUT
TO JOHN CHEN SESE SURVEY NO. 178-114, ABSTRACT
NO. 1641, CITY OF SAN ANGELO, TOM GREEN
COUNTY, TEXAS, AND BEING ALL OF THAT 3.20
ACRE TRACT OF LAND CONVEYED TO SAN ANGELO
SAVINGS ASSOCIATION BY DEED DATED MARCH
1917, RECORDED VOLUME 550, PAGE 174, IN
PUBLIC RECORDS, TOM GREEN COUNTY, TEXAS,
AND BEING THE SOUTH PART OF SAID TRACT
AND EXCEPT TO H & M ENTERPRISES BY DEED
DATED MAY 4, 1994 RECORDED IN VOLUME 428
PAGE 713, OFFICIAL PUBLIC RECORDS, TOM GREEN
COUNTY, TEXAS.

LG Acquisition, LLC, Citibank, and the heretofore undisclosed insurance company. The successors to ailing and the bankrupted company.

© 2010 Blackwell Publishing Ltd *Journal of Internal Medicine* 268: 105–114



Planning Division
72 W. College Ave.
San Angelo, TX 76903
(325) 657-4210 ph.
(325) 657-4227 fx.
www.sanangelotexas.us

PLANNING DIVISION

GENERAL COMMERCIAL (CG) ZONING DISTRICTS

Allowed Uses:

- Group living
- Alcohol and drug recovery facility
- College
- Public, nonprofit, or charitable uses providing service to the community
- Day care for children or adults
- Meeting areas for religious institutions
- Public safety and emergency services
- Schools
- Auto and boat dealer
- Bed & breakfast
- Business, government, professional, medical or financial offices
- Commercial parking
- Retail sales
- Self-service storage
- Vehicle service (performed while the customer waits)
- Vehicle wash
- Small animal veterinary clinic
- Personal service-oriented business
- Entertainment-oriented business
- Repair-oriented business
- Restaurants
- Manufacturing Craft Work by Artisan

Conditional Uses:

- Hospital
- Alcoholic beverage sales for on-site consumption
- Game hall
- Equipment rental
- Vehicle repair
- Warehouse and freight movement
- Waste-related uses
- Wholesale trade
- Passenger terminals

These uses are allowed with the approval of a "conditional use" by the Planning Commission. Applications for a conditional use may be completed through the Planning Division. The Development handout titled "Conditional Uses" gives a thorough explanation of the process.

Special Uses:

- Detention facilities
- Facilities for golf, including practice areas
- Campground and/or Recreational Vehicle park
- Outdoor and entertainment recreation
- Major entertainment event
- Firearms range
- Any use which the Planning Commission and the City Council deem appropriate as a transition between zoning districts

These uses are allowed with the approval of a "special use" by the Planning Commission and the City Council. Applications for a special use may be completed through the Planning Division. The Development handout titled "Special Uses" gives a thorough explanation of the process.

DEVELOPMENT SERVICES DEPARTMENT
Planning is a Division of the Department of Development Services



Planning Division
72 W. College Ave.
San Angelo, TX 76903
(325) 657-4210 ph.
(325) 657-4227 fx.
www.sanangelotexas.us

PLANNING DIVISION

Setbacks refer to the distance that a structure must be 'set back' off of the appropriate property line. For example, the front setback of 25 feet means that the front wall of the structure must be separated by at least 25 feet from the front property line of the lot. This 25 feet must be open and unobstructed, except for the following exceptions: (1) projection of window sills, belt courses and other ornamental features for a distance of 12 inches or less; (2) projection of chimneys and flues for a distance of 3 ½ feet or less; (3) projection of eaves and awnings for a distance of 2 feet or less; and (4) open or lattice-enclosed fire escapes and fireproof outside stairs, for a distance of 3 ½ feet or less.

Maximum Floor Area Ratio: 2.0

The maximum floor area ratio refers to the gross floor area of all buildings on the lot divided by the total area of the lot.

Minimum Lot Size: 6,000 square feet

Off-Street Parking: Off-street parking requirements are determined by the use of the property and other related factors. For specific calculations, angles, shared parking requirements and other questions, consult with the Planning Division at 657-4210.

Off-Street Loading: A minimum of one space is required
For industrial and commercial uses, one additional space for each additional 40,000 square feet or major fraction thereof
For institutional uses, one additional space for each additional 60,000 square feet or major fraction thereof

Outdoor Storage: Type 1, Outdoor Display, is allowed; Type 1 allows for display adjacent to a principal building wall and extending to a distance no greater than 5 feet from the wall. This storage may not block windows, entrances or exits, or impair the ability of pedestrians to use the building.

DEVELOPMENT SERVICES DEPARTMENT

Planning is a Division of the Department of Development Services

IMAGERY OF THE SUBJECT PROPERTY (Knickerbocker Road Frontage)



SIDE IMAGERY OF THE SUBJECT PROPERTY (South Jackson Frontage)



LOOKING SOUTH OF THE SUBJECT PROPERTY (Wyndham Hotel)



LOOKING NORTH OF THE SUBJECT PROPERTY



LOOKING WEST ALONG KNICKERBOCKER ROAD



LOOKING EAST ALONG KNICKERBOCKER ROAD



AN ORDINANCE AMENDING CHAPTER 12, EXHIBIT "A" OF THE CODE OF ORDINANCES, CITY OF SAN ANGELO, TEXAS, WHICH SAID EXHIBIT "A" OF CHAPTER 12 ADOPTS ZONING REGULATIONS, USE DISTRICTS AND A ZONING MAP, IN ACCORDANCE WITH A COMPREHENSIVE PLAN, BY CHANGING THE ZONING AND CLASSIFICATION OF THE FOLLOWING PROPERTY, TO WIT: **1609 Knickerbocker Road (former Citibank building), generally located at the corner of Knickerbocker Road and South Jackson Street, and described as 1.30 acres out of the J. McNeese Survey, no. 176.25, Abstract no. 1641, City of San Angelo, Tom Green County, Texas, a request for approval of a Zone Change from the Light Manufacturing (ML) Zoning District to the General Commercial (CG) Zoning District;** PROVIDING FOR SEVERABILITY AND PROVIDING A PENALTY

RE: Z16-02: BURGER

WHEREAS, the Planning Commission for the City of San Angelo and the City Council for the City of San Angelo, in compliance with the charter and the state law with reference to zoning regulations and a zoning map, have given requisite notice by publication and otherwise, and after holding hearings and affording a full and fair hearing to all property owners and persons interested, generally, and to persons situated in the affected area and in the vicinity thereof, is of the opinion that zoning changes should be made as set out herein; **NOW THEREFORE**,

BE IT ORDAINED BY THE CITY OF SAN ANGELO:

SECTION 1: That the Zoning Ordinance for the City of San Angelo, as codified under Chapter 12, Exhibit "A" of the Code of Ordinances on January 4, 2000, and the Official Zoning Map, all heretofore adopted by the City Council, shall be amended insofar as the property hereinafter described:

1609 Knickerbocker Road (former Citibank building), generally located at the corner of Knickerbocker Road and South Jackson Street, and described as 1.30 acres out of the J. McNeese Survey, no. 176.25, Abstract no. 1641, City of San Angelo, Tom Green County, Texas, a request for approval of a Zone Change from the Light Manufacturing (ML) Zoning District to the General Commercial (CG) Zoning District, shall henceforth be permanently zoned as follows: General Commercial (CG) Zoning District.

The Director of the Planning and Development Services Department is hereby directed to correct the Official Zoning Map in the Office of the Director of the Planning and Development Services Department, to reflect the herein described changes in zoning.

SECTION 2: That in all other respects, the use of the hereinabove described property shall be subject to all applicable regulations contained in Chapter 12 of the Code of Ordinances for the City of San Angelo, as amended.

SECTION 3: The terms and provisions of this Ordinance shall be deemed to be severable in that, if any portion of this Ordinance shall be declared to be invalid, the same shall not affect the validity of the other provisions of this Ordinance.

SECTION 4: Any person who violates any provisions of this article shall be guilty of a misdemeanor and, upon conviction, shall be subject to a fine as provided for in Section 1.106 of the Code of Ordinances for the City of San Angelo. Each day of such violation shall constitute a separate offense.

INTRODUCED on the **19th day of April, 2016** and finally PASSED, APPROVED AND ADOPTED on this the **3rd day of May, 2016**.

THE CITY OF SAN ANGELO

ATTEST:

Dwain Morrison, Mayor

Bryan Kendrick, City Clerk

Approved As To Form:

□□□_____
Theresa James, City Attorney

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: David Knapp, Construction Manager, Construction Management, 325-262-1357

Meeting Date: April 19, 2016

Item type: Regular Item

Caption:

Consider adopting a resolution approving a Memorandum of Understanding (MOU) with the San Angelo Performing Arts Coalition (SAPAC) modifying an existing MOU describing fiscal responsibilities relating to the Renovation of the Auditorium and the approval of a Change Order to the Lee Lewis Construction contract for selected alternates and construction allowance totaling \$593,916 and authorization to execute any related documents - (Presentation by Construction Manager David Knapp)

Summary/History:

The City currently has a MOU with SAPAC for the operation of the City auditorium and are partnering to renovate and expand the facility. SAPAC also has a long term lease to operate the facility.

The purpose of this item is to secure City Council approval of a Memorandum of Understanding (MOU) with the San Angelo Performing Arts Coalition (SAPAC) modifying an existing MOU, describing fiscal responsibilities relating to the Renovation of the auditorium. SAPAC is trying to secure Historic Tax Credits from the Texas Historical Commission for the renovation of the auditorium only. They must be the fiscal agent for the project to receive any potential tax credits.

Here are the key terms of the MOU:

- The City Manager is hereby authorized to amend or assign the contract with Lee Lewis as necessary to facilitate the receipt of Historic Tax Credits by SAPAC and to execute any related documents.
- The City Manager is hereby authorized to accept the add alternates to the Lee Lewis Contract in the amount of \$318,916 and to execute any related documents.
- The City Manager is hereby authorized to accept the proposed allowance for the installation of an orchestra pit lift system to the Lee Lewis Contract not to exceed \$275,000 and to execute any related documents.
- The City will advance funds from reserves in the amount of \$1.6M to assist SAPAC with completion of selected alternates related to the project, detailed in Exhibit B upon written agreement from the SAPAC board that SAPAC will reimburse the City said \$1.6M within 30 days of SAPAC's sale of the Historic Tax Credits or through private donations if the tax credits are not available.
- The City would like to add SAPAC to the construction contract as a third party, responsible for payment of all applications for payment from LLCI for this project

Staff recommends approval of the MOU and related documents

Financial Impact:

See Exhibit A

Other Information/Recommendation:

Attachments:

- | | | |
|----|----------------------|---|
| 1. | THC submittal Part A | San Angelo Part A approved copy.pdf |
| 2. | THC Submittal Part B | San Angelo Part B approved copy.pdf |
| 3. | Exhibit A | MOU - SAPAC - Exhibit 'A'.pdf |
| 4. | Exhibit B | MOU - SAPAC - Exhibit B.pdf |
| 5. | Resolution | 16-324 Resolution adopting revised city auditorium funding plan for tax credit.docx |

Presentation:

Approvals/Reviews:

Knapp, David	Created/Initiated
James, Theresa	Approved
Carriger, Tina	Approved
Weise, Rick	Approved
James, Theresa	Approved
Dunn, Becky	Approved
Kendrick, Bryan	Final Approval

TEXAS HISTORICAL COMMISSION
real places telling real stories

January 8, 2016

Killis Almond
Killis Almond & Associates
342 Wilkens Avenue
San Antonio, TX 78210

PROPERTY: San Angelo City Auditorium, San Angelo
PROJECT NUMBER: THPTC-0110-16-029
APPLICATION: Part A
DECISION: Building Certified Historic

Dear Mr. Almond,

The Texas Historical Commission has reviewed your Texas Historic Preservation Tax Credit Application, Part A – Evaluation of Significance for this property, and has determined that the property listed above is a certified historic structure for the purposes of this tax credit program. Details of the property's historic designation may be found on the Part A form, enclosed.

Congratulations on completing the first part of your tax credit application. If you have not done so already, the next step in the application process is submission of the Part B – Description of Rehabilitation. Note that the Part B should be submitted as early as possible in the course of the project to ensure compliance with program requirements.

Thank you for your interest in the cultural heritage of Texas, and we look forward to working with you on this project. **If you have any questions concerning our review of the Part A application, please contact Greg Smith at greg.smith@thc.state.tx.us, or at 512-463-6013. If we can be of assistance regarding further steps in the application process or with general questions about the tax credit program, please contact Valerie Magolan at valerie.magolan@thc.state.tx.us, or at 512-463-3857.**

Yours truly,



Sharon Fleming, AIA
Deputy State Historic Preservation Officer
Director, Division of Architecture



TEXAS HISTORICAL COMMISSION

RECEIVED
DEC 04
DIVISION OF
ARCHITECTURE

Texas Historic Preservation Tax Credit Application Part A: Evaluation of Significance

Read instructions carefully before completing application. No certification will be made unless a completed, signed application form has been received.
Type or print clearly in black ink. Signatures must be original. If additional space is needed, attach blank sheets. 12/2014

State Project ID:

THPTC-0110-11-029

☒ State Only

☐ State and Federal

Federal Project ID:

THC - - -

Property Name: San Angelo City Auditorium

Property Address: 72 W. College Ave

Street

San Angelo

City

Tom Green

County

76903

Zip Code

Historic Designation

- ☒ Individually listed on the National Register of Historic Places
☐ Individually listed as a Recorded Texas Historic Landmark
☐ Individually listed as a State Antiquities Landmark

- ☐ Contributing resource in existing National Register District
☐ Contributing resource in certified Local Historic District
Name of district:

- ☐ This is a preliminary request for individual determination of eligibility for the National Register of Historic Places

- ☐ This is a preliminary request for a property outside the Area or Period of Significance of an existing district

Applicant				Project Contact			
Name <u>Killis Almond (architect)</u>				Name <u>Matt Lewis (fiscal sponsor)</u>			
Company <u>Killis Almond & Associates</u>				Company <u>San Angelo Performing Arts Coalition</u>			
Address <u>342 Wilkens Ave</u>				Address <u>221 S. Irving</u>			
City <u>San Antonio</u>	State <u>TX</u>	Zip <u>78210</u>		City <u>San Angelo</u>	State <u>TX</u>	Zip <u>76903</u>	
Telephone <u>210-532-3212</u>	Email <u>killis@almond-architects.com</u>			Telephone <u>325-947-7071</u>	Email <u>mlewis@saafound.org</u>		
Property Owner 1				Property Owner 2			
Name <u>Delilah Harper (Board President)</u>				Name <u>Dwain Morrison (Mayor)</u>			
Company <u>San Angelo Performing Arts Coalition</u>				Company <u>City of San Angelo</u>			
Address <u>221 S. Irving St</u>				Address <u>72 W. College Ave</u>			
City <u>San Angelo</u>	State <u>TX</u>	Zip <u>76903</u>		City <u>San Angelo</u>	State <u>TX</u>	Zip <u>76903</u>	
Telephone <u>325-947-7071</u>	Email <u>rayh1@suddenlink.net</u>			Telephone <u>325-657-4241</u>	Email <u>dwain.morrison@cosatx.us</u>		

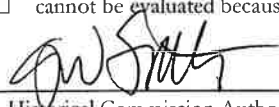
THC Official Use Only

The Texas Historical Commission has reviewed Part A for the above-named property and has determined that the property:

- ☒ is currently listed individually on the National Register, or as a State Antiquities Landmark or Recorded Texas Historic Landmark.
Date of listing 11-25-1988 Name as listed (if different from above) San Angelo City Hall
☐ contributes to the significance of the above-named district or National Register property and is a certified historic structure.
☐ does not contribute to the significance of the above-named district or property.

Preliminary determinations of eligibility:

- ☐ appears to meet the National Register Criteria for Evaluation or criteria for approval as a SAL or RTHL, and will likely be listed as such if nominated according to official procedures.
☐ does not appear to meet the criteria for individual listing in the National Register or as a SAL or RTHL.
☐ appears to contribute to the significance of a potential historic district, which will likely be listed if duly nominated.
☐ appears to contribute to the significance of a registered historic district if the period or area of significance as currently documented in NPS/THC records is expanded.
☐ does not appear to qualify as a certified historic structure.
☐ cannot be evaluated because insufficient information has been provided.


Texas Historical Commission Authorized Signatory

1-6-16
Date

Description of Physical Appearance

(add continuation sheets if necessary)

A multi-storied, roughly T-Shaped structure housing municipal offices and a community auditorium. The office portion is a symmetrical massing of cubical sections using 3, 4, and 5 story elements veneered with smooth, coursed stone with some decorative banding and spandrels. Over-scaled main entry pavilion contains three French Romanesque arched doorways with the original heavy, paneled and studded metal double doors approached by monumental stairs. Windows are 1/1, all replaced in the municipal portion in 2011, with ornamental spandrels in the tallest section. The brick veneered auditorium is located to the rear (north) of the municipal offices and features four large Roman arched stained glass windows with steel sashes. The building contains an exquisite original polychromatic color scheme.

Construction date(s) 1928 Date(s) of alterations 1981, 2011 Source(s) of date(s) City Hall records

No. buildings on site 1 No. buildings contributing 1 Has building been moved? ☐ Y ☒ N Date _____

Statement of Significance

(add continuation sheets if necessary)

Note: this section is not required if the property is a Registered Texas Historic Landmark or State Antiquities Landmark and has no additional outbuildings or secondary resources.

This building, both the city municipal offices and the city auditorium, represent a significant example of work of noteworthy El Paso architectural firm of Trost & Trost. Erected in 1928 during a period of community expansion and revitalization made possible by new oil revenues. Designed in Moderne style, rare for this area, it features richly detailed interior decoration as well as imposing exterior massing. One of the most important buildings in San Angelo, it compares favorably to any 1920's public architecture in Texas. (taken from the narrative of the National Registry listing for this property) Minor work (mostly paint) in 1981 has left the auditorium in the its original state. In 2011, the city municipal offices located in a multi-story southern portion, was rehabilitated and restored, however restoration and rehabilitative work on the auditorium portion of this building is planned to begin in January 2016 with completion in spring of 2017. The City of San Angelo is the owner of the building since 1928 and has entered into a 50 year lease with the San Angelo Performing Arts Coalition, in which the Coalition has raised charitable dollars to reconstruct the building in accordance with historical standards and will operate the auditorium as a performing arts center.

Photographs and Maps

Please submit photos (exterior and interior) and a map with your application. See instructions for details.

Applicant Agreement

I hereby swear or affirm, under penalty of perjury, that the information which has been provided in this application is, to the best of my knowledge, true, correct, and complete. I further swear or affirm that I am the owner or have the authority to act on behalf of the owner(s) of the above-described property (within the meaning of *owner* set forth in Title 13, section 13.1 of the Texas Administrative Code). If I am not the owner of this property, the owner(s) is/are aware of the action I am taking relative to this application, has no objection, and has signed below to affirm the same.

Applicant Signature

Killis Almond

Applicant Name

Date

11/20/2015

Owner Signature

Dwain Morrison / Delilah Harper

Owner Name

Date

11/20/2015☐ Continuation sheets attached

TEXAS HISTORICAL COMMISSION

real places telling real stories

January 11, 2016

Killis Almond
Killis Almond & Associates
342 Wilkens Avenue
San Antonio, TX 78210

PROPERTY: San Angelo City Auditorium, San Angelo, Tom Green County
PROJECT NUMBER: THPTC-0110-16-029
APPLICATION: Part B
DECISION: Approved

Dear Mr. Almond,

The Texas Historical Commission has received the Texas Historic Preservation Tax Credit Application, Part B – Description of Rehabilitation for the above-referenced property. This letter represents the official determination of the Executive Director of the Texas Historical Commission on this application. The rehabilitation as described in the submitted Part B application, will meet the Secretary of the Interior's Standards for Rehabilitation provided that the following condition is met:

- Please provide additional information related to the brick design for the proposed new annex, including the intended colors of the brick to be used. We have concerns about the proposal for the use of contrasting brick; while this design feature will clearly differentiate the new from the old, we feel that the proposed brick design may cause the addition to more conspicuous than it should be in keeping with the Secretary's Standards. We encourage additional exploration of this idea as a design feature and careful selection of brick.

Please note that any substantive change in the work as described in the Part B application, and any information requested in this letter, must be submitted as an official amendment to ensure that the proposed project continues to meet the Standards. When your rehabilitation project is complete, you may submit Part C – Request for Certification of Completed Work, along with either a Certificate of Occupancy or an Architect's Certificate of Substantial Completion as required to document the Placed-In Service date of the project.

Thank you for your interest in the cultural heritage of Texas. **If you have any questions concerning our review or if we can be of further assistance, please contact Caroline Wright at caroline.wright@thc.state.tx.us or at 512-463-7687.**

Yours truly,



Sharon Fleming, AIA
Deputy State Historic Preservation Officer
Director, Division of Architecture



Applicant Agreement

I hereby swear or affirm, under penalty of perjury, that the information which has been provided in this application is, to the best of my knowledge, true, correct, and complete. I further swear or affirm that I am the owner or have the authority to act on behalf of the owner(s) of the above-described property (within the meaning of *owner* set forth in Title 13, section 13.1 of the Texas Administrative Code). If I am not the owner of this property, the owner(s) is/are aware of the action I am taking relative to this application, has no objection, and has signed below to affirm the same.

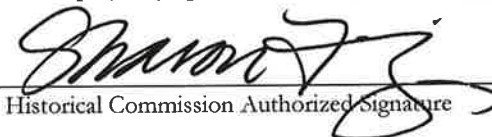
	<u>Killis Almond</u>	<u>11/20/2015</u>
Applicant Signature	Applicant Name	Date
	<u>Dwain Morrison / Delilah Harper</u>	<u>11/20/2015</u>
Owner Signature	Owner Name	Date

THC Official Use Only

☒ Application fee received

The Texas Historical Commission has reviewed the Historic Preservation Tax Credit Application – Part B for the above-named property and has determined that:

- ☐ The proposed rehabilitation described herein is consistent with the character of the property and, where applicable, with the district in which it is located and that the project meets the Secretary of the Interior's *Standards for Rehabilitation*. This letter is a preliminary determination only, since a formal certification of rehabilitation can be issued to the owner(s) of a certified historic structure only after rehabilitation work is complete and found to conform to the description provided in this application.
- ☒ The proposed rehabilitation will meet the Secretary of the Interior's *Standards for Rehabilitation* if the attached conditions are met.
- ☐ The proposed rehabilitation is not consistent with the historic character of the property or the district in which it is located, and that the project does not meet the Secretary of the Interior's *Standards for Rehabilitation*.
- ☐ There is not enough information to determine whether the proposed rehabilitation will meet the Secretary of the Interior's *Standards for Rehabilitation*.
- ☐ The project (or portions thereof) does not appear to meet the program's eligibility requirements.

	<u>11/15/16</u>
Texas Historical Commission Authorized Signature	Date

TEXAS HISTORICAL COMMISSION

RECEIVED
DEC 04 2015
DIVISION OF
ARCHITECTURE

Texas Historic Preservation Tax Credit Application Part B: Description of Rehabilitation

Read instructions carefully before completing application. No certification will be made unless a completed, signed application form has been received.
Type or print **clearly** in black ink. Signatures must be original. If additional space is needed, attach blank sheets. 12/2014

State Project ID:

THPTC 0110 - 111 - 029

☒ State Only

☐ State and Federal

Federal Project ID:

THC - - -

Property Name: San Angelo City Auditorium

Property Address: 72 W. College Ave

Street

San Angelo

City

Tom Green

County

76903

Zip Code

Part A – Evaluation of Significance submitted? ☒ Y ☐ N Date submitted 12-4-15 Date of certification _____

Historic District name _____ ☐ Not in district Subject to Local Review by CLG? ☐ Y ☐ N

Applicant (if different from owner listed below)				Project Contact			
Name <u>Killis Almond (architect)</u>				Name <u>Matt Lewis (fiscal sponsor)</u>			
Company <u>Killis Almond & Associates</u>				Company <u>San Angelo Performing Arts Coalition</u>			
Address <u>342 Wilkens Ave</u>				Address <u>221 S. Irving St.</u>			
City <u>San Antonio</u>	State <u>TX</u>	Zip <u>78210</u>		City <u>San Angelo</u>	State <u>TX</u>	Zip <u>76903</u>	
Telephone <u>210-532-3212</u>	Email <u>killis@almond-architects.com</u>			Telephone <u>325-947-7071</u>	Email <u>mlewis@saafound.org</u>		
Property Owner 1				Property Owner 2 (list additional owners on separate page)			
Name <u>Delilah Harper (Board President)</u>				Name <u>Dwain Morrison (Mayor)</u>			
Company <u>San Angelo Performing Arts Coalition</u>				Company <u>City of San Angelo</u>			
Address <u>221 S. Irving St</u>				Address <u>72 W. College Ave</u>			
City <u>San Angelo</u>	State <u>TX</u>	Zip <u>76903</u>		City <u>San Angelo</u>	State <u>TX</u>	Zip <u>76903</u>	
Telephone <u>325-947-7071</u>	Email <u>rayh1@suddenlink.net</u>			Telephone <u>325-657-4241</u>	Email <u>dwain.morrison@cosatx.us</u>		

Project Information			
Number of buildings on site / involved in project:		# on site <u>one</u>	# in project <u>one</u>
Estimated total / qualified costs of project:		Total \$ <u>12,500,000</u>	Qualified \$ <u>8,500,000</u>
Estimated start / completion dates of project:		Start date <u>01/15/2016</u>	Completion <u>04/01/2017</u>
Property use before / after rehabilitation:		Before <u>performance hall</u>	After <u>performance hall</u>
Check all that apply: ☐ Non-residential real property (e.g. restaurant, retail, warehouse, or office used by a taxable entity)			
☐ Residential rental property ☐ Tax exempt use property			
☐ Owner-occupied ☐ Leased (Term of lease: <u>50 year lease</u>)			
Property value before / after rehabilitation (est.):		Before <u>\$10,000,000</u>	After (est.) <u>\$25,000,000</u>
Floor area before / after rehabilitation (est.):		Before <u>21,169</u> sqft	After <u>38,957</u> sqft
Number of housing units before / after rehabilitation:		Before <u>n/a</u>	After <u>n/a</u>
Architecture firms, developers, and/or construction companies to be involved in project (optional):		<u>Killis Almond & Associates</u>	
		<u>Lee Lewis Construction</u>	

Exhibit 'A' - Auditorium Renovation and Expansion

Project Funding (All Phases)	SAPAC	COSA
Half Cent Sales Tax (2010)		3,750,000
COSA Risk Management		316,100
COSA-DC (Annex Construction)		1,500,000
City of San Angelo - Additional Funding Sources		2,500,000
Dian Graves Owen Foundation Grant		200,000
SAPAC / Naming Rights	\$ 3,000,000	
SAPAC / Pledged	\$ 2,000,000	
SAPAC - Additional Donations Received	\$ 153,401	
SAPAC - SAAF Security Pledge	1,000,000.00	
SAPAC - Historic Tax Credits (\$1.6M - \$2.3M)(SAAF Security Pledge)	\$ 1,600,000	
	\$ 6,753,401	8,266,100
TOTAL FUNDING		15,019,501

Project Expenses	SAPAC	COSA
CO Proceeds - Expenditures to date		1,876,746
Insurance Proceeds		11,981
COSA Construction Management		80,000
SAPAC Operating Reserve	\$ 400,000	
Killis Almond Architects	\$ 737,300	
Asbestos/Testing / Security		118,348
Auditorium Seating	\$ 549,191	
Project Contingency	\$ 300,000	
Lee Lewis Construction, Inc. (\$10,369,494)	\$ 4,190,469	6,179,025
	\$ 6,176,960	8,266,100
TOTAL EXPENDITURES		14,443,060

Total Project Funding \$ 15,019,501

Total Project Expenses \$ 14,443,060

Funding Balance (+/-) **\$ 576,441**

FOR COUNCIL APPROVAL			
Total Add Alternates			
1	Civil Revisions (per Contract Documents)	\$	168,038.00
2	Audio / Video Options with Sub	\$	22,783.00
3	Use Forbo linoleum in Lieu of Paint at dressing rooms	\$	25,000.00
4	Add 80 mil PVC versus 60 mil TPO Roofing	\$ 18,200.00	NA
5	Add Ceramic Tiles at restrooms in lieu of Epoxy	\$	30,500.00
6	Use Bid Documents for Theatrical Rigging & Lighting in lieu of VE list	(GMP Attachment 'A') \$	72,595.00
7	Acoustiment plaster ceiling in lieu of gypsum plaster below balcony	\$ 42,801.00	NA
		\$	318,916.00
X	Orchestra Pit Lift Equipment, etc. - Allowance	ESTIMATE	\$ 275,000.00
	Lift Equipment, electrical, flooring, engineering, installation		
		\$	593,916.00

Funding Balance (+/-) **\$ (17,475)**

Proposed Additional Work - Future Council Approvals

Orchestra Shell

SAPAC - Furniture, Fixtures & Equipment

Site Improvements - Lighting/Irrigation/Landscaping

Finish Stage Level Annex (A/E Fees + LLCI)

Exhibit 'B'

City Auditorium - Renovation & Expansion

Change Order #1 Lee Lewis Construction, Inc. - ADD Alternates:

Alternate #1 - Site Work	\$168,038
---------------------------------	------------------

Per construction documents; C1.2, C2.2, C3.2

Rework WIC parking lot to accommodate drainage, pedestrian circulation, new curbs/islands, etc.; Relocate existing Fire Hydrant

New pedestrian connection between the Auditorium and Performing Arts Center along north side of WIC parking lot

Sidewalk paving adjacent to building and along north side of WIC parking lot to match existing style and pattern with pavers and stone banding

Alternate #2 - Audio / Video	\$22,783
-------------------------------------	-----------------

ADDs 12 monitors, 8 microphones, subwoofer, and 4 head sets to increase functionality and efficiency for local & touring shows.

Alternate #3 - Linoleum Flooring	\$25,000
---	-----------------

ADDs Linoleum floor in lieu of epoxy painted floors at basement dressing rooms in auditorium and annex

Alternate #5 - Ceramic Tile Flooring	\$30,500
---	-----------------

ADD Ceramic tile floor at ALL restrooms in lieu of epoxy coated floor; per Bid Documents

This includes the balcony restrooms and the stage & annex restrooms

Alternate #6 - Theatrical Rigging & Lighting	\$72,595
---	-----------------

ADD more FOH rail positions, 2 Sharks tooth Scrims (black & white), upgraded light fixtures (mfg) and adding lenses

Allowance - Orchestra Pit Lift System	\$275,000
--	------------------

ADD Allowance to cover the cost of equipment including required electrical, structural, flooring

TOTAL of Selected Add Alternates + Allowance = \$593,916

A RESOLUTION BY THE SAN ANGELO CITY COUNCIL APPROVING A REVISED FUNDING PLAN FOR THE CITY AUDITORIUM PROJECT, ALLOCATING AN ADDITIONAL \$1.6 MILLION TO ASSIST WITH ADDITIONAL COSTS RELATED TO THE PROJECT; AUTHORIZING THE CITY MANAGER TO AMEND THE AGREEMENT WITH LEE LEWIS CONSTRUCTION AS NECESSARY; AND APPROVING ALTERNATES TO THE CONTRACT FOR CONSTRUCTION OF THE RENOVATIONS

WHEREAS, in 2010, voters approved \$3.75M for the renovation of City Auditorium; and,

WHEREAS, on April 17, 2012, the City entered into a partnership with the San Angelo Performing Arts Coalition ("SAPAC") for the operation and management of City Auditorium wherein SAPAC committed to participating in the renovation of the auditorium by raising \$2.5M for the project; and

WHEREAS, On April 15, 2014, the City Council authorized the 1st Amended and Restated Development and Operating Agreement for SAPAC to jointly undertake the renovation and expansion of City Auditorium with an initial term of twenty years with the option for three ten-year extensions; and,

WHEREAS, on July 16, 2014 SAPAC and the City entered into an agreement with Killis Almond and Associates for complete architectural services for the Auditorium and a new annex for a fixed fee of \$737,300 and SAPAC agreed to pay for the services from their funds raised; and

WHEREAS, On Sept. 2, 2014, The City of San Angelo accepted a generous donation of \$2.5M from Elta Joyce Murphey McAfee for commemorative naming rights at the Auditorium in addition to \$500,000 previously committed to the project from Elta Joyce Murphey McAfee thereby increasing the total amount of SAPAC's commitment to the renovation of the auditorium to \$5M; and,

WHEREAS, the City of San Angelo and COSADC have dedicated additional funding for the project in the amounts of \$304,119 from risk management for a roof damage claim, \$2.5 M from City funds, \$1.5 M from COSADC funds for the addition of the annex, and a \$200,000 grant for the project from the Dian Graves Owen Foundation; and

WHEREAS, on November 9, 2015 the City of San Angelo received a financial guarantee of an additional \$1 M from the San Angelo Area Foundation as an assurance that sufficient funds would be available to pay the contract with Construction Manager at Risk, Lee Lewis Construction, Inc. for the construction of the auditorium; and

WHEREAS, City and SAPAC agree to continue to seek additional donations, grants, and tax credits to further fund alternate elements related to the reconstruction and operation of the Auditorium to include alternate rigging and lights, audio/visual upgrades, ceramic tile upgrade in all restrooms, orchestra lift, orchestra shell, furnishings and equipment, plaster upgrades, linoleum upgrades backstage, roof upgrades and an interior floor finish in the annex; and

WHEREAS, the City of San Angelo and SAPAC have agreed upon a funding plan outlining the past and future funds and expenditures related to this project; and

WHEREAS, the City of San Angelo authorized a prior resolution on December 1, 2015, adopting said funding plan; and

WHEREAS, SAPAC has received reasonable assurance that SAPAC will receive a minimum of \$1.6M from sale of tax credits through the State Historic Preservation Tax Credit Program; and

WHEREAS, in order to qualify for the Historic Preservation Tax Credit program the Texas Historic Commission requires that all of the renovations be paid for by SAPAC; and

WHEREAS, in order to qualify for the Historic Tax Credits, it is necessary to amend or assign the contract with Lee Lewis Construction to SAPAC to allow SAPAC to receive funding for the project from all sources and receive and pay invoices from Lee Lewis Construction; and

WHEREAS, the additional \$600,000 will be used to pay for the alternate elements related to the reconstruction and operation of the auditorium; and

WHEREAS, SAPAC is requesting that the City advance \$1.6M to pay base bid and alternate elements out of reserve funds to be reimbursed by SAPAC once those funds are received from the sale of the Historic Tax Credits or from private donations if funds from the Historic Preservation Tax Credits are not received.

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

PART 1: All recitals above are correct and incorporated into this resolution for all purposes.

PART 2: The revised funding plan with SAPAC attached hereto as Exhibit "A" is hereby approved.

PART 3: The City Manager is hereby authorized to amend or assign the contract with Lee Lewis as necessary to facilitate the receipt of Preservation Tax Credits by SAPAC and to execute any related documents.

PART 4: The City Manager is hereby authorized to accept the add alternates to the Lee Lewis Contract in the amount of \$318,916 and to execute any related documents.

PART 5: The City Manager is hereby authorized to accept the proposed allowance for the design and installation of an orchestra pit lift system to the Lee Lewis Contract not to exceed \$275,000 and to execute any related documents

PART 6: The City will advance funds from reserves in the amount of \$1.6M to assist SAPAC with completion of base bid contract and selected alternates related to the project, detailed in Exhibit B upon written agreement from the SAPAC board that SAPAC will reimburse the City said \$1.6M within 30 days of SAPAC's sale of the Historic Tax Credits or through private donations if the tax credits are not available.

PASSED and APPROVED THIS 19th DAY OF April, 2016.

CITY OF SAN ANGELO, TEXAS

ATTEST:

Dwain Morrison, Mayor

Bryan Kendrick, City Clerk

APPROVED AS TO FORM:

Theresa James, City Attorney

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Joe Mangrem, Assistant City Engineer, Engineering Services, 325-657-4201

Meeting Date: April 19, 2016

Item type: Regular Item

Caption:

Consider adopting a resolution authorizing the Public Works Department to adopt and implement the Construction Details and Approved Materials List for Water and Sewer in order to ensure reliable and consistent development of the municipal water distribution and sanitary sewer systems infrastructure for San Angelo - (Presentation by City Engineer Russell Pehl)

Summary/History:

The City of San Angelo Engineering Services Division has developed these standards to be used by city employees, developers, design professionals, contractors and vendors when designing and installing improvements to the city's water distribution and sanitary sewer collection systems. Adoption of these standards will ensure consistency through the development process and improve operational efficiency of these systems by standardizing the materials and methods used within them. Input from the development community was sought during the development of these standards and will continue to be considered as improvements are made.

Financial Impact:

There is no financial impact from this action.

Other Information/Recommendation:

City staff recommends adoption of these standards.

Attachments:

- | | | |
|----|---|---|
| 1. | Approved Materials List for Water and Sewer | Approved Material List - Final - April 2016.pdf |
| 2. | Construction Details for Water and Sewer | Construction Details for Water and Sewer.pdf |
| 3. | Resolution | 16-358 Resolution adopting Construction and Materials list for water and sewer.docx |

Presentation:

Joe Mangrem, Assistant City Engineer

Approvals/Reviews:

Mangrem, Joe	Created/Initiated
Pehl, Russell	Approved
James, Theresa	Approved
Strube, Allison	Approved
Riley, Bill	Approved

Carriger, Tina
Dunn, Becky
Kendrick, Bryan
Dunn, Becky

Approved
Approved
Approved
Final Approval

City of San Angelo
Approved Materials and Manufacturers
For Water and Sewer



Prepared By:
The Department of Public Works
Engineering Services Division

April 2016

PAGE INTENTIONALLY LEFT BLANK

Table of Contents

Section 1	Introduction.....	1
Section 2	Water Distribution System.....	1
2.1	Water Main Pipe	1
2.2	Tapping Sleeve.....	1
2.3	Fire Hydrant	1
2.4	Fire Hydrant Extension	2
2.5	Gate Valve – 4-inch to 12-inch	2
2.6	Butterfly Valve – 16-inch to 48-inch	2
2.7	Insertable Valve	2
2.8	Valve Box & Lid.....	2
2.9	Ductile Iron Fitting – Bend, Tee, Crosse, Reducer, Plug.....	3
2.10	Ductile Iron Couplings – Transition or Straight	3
2.11	Mechanical Joint Restraint.....	3
2.12	Water Service Pipe.....	3
2.13	Service Saddle.....	4
2.14	Service Valve	4
2.15	Backflow Preventor.....	5
2.16	Air Release Valve and Air/Vacuum Valve	5
2.17	Check Valves	5
2.18	Casing Spacer.....	5
2.19	End Seal	5
2.20	Precast Concrete Vault.....	6
2.21	Precast Concrete Vault Door.....	6
2.22	Tracer Wire	6
2.23	Detectable Marking Tape.....	6
Section 3	Sewer Collection System.....	7
3.1	Gravity Sewer Pipe	7
3.2	Pressure Sewer Pipe and Fitting.....	7
3.3	Gravity Sewer Fitting.....	7
3.4	Manhole	7

3.5 Manhole Frame & Cover (30") 8

3.6 Cleanout Boot & Lid..... 8

3.7 Manhole Coatings & Protective Lining System..... 8

3.8 Manhole Joint Sealant 8

3.9 Inflow Prevention Device 8

3.10 Service Saddle..... 8

3.11 Sewage Combination Air/Vacuum Valve..... 8

3.12 Check Valve 9

3.13 Wastewater Pump 9

3.14 Tracer Wire 9

3.15 Detectable Marking Tape..... 9

Section 1 Introduction

This list includes specific products and manufacturers that have been approved for use within the City of San Angelo water distribution and sanitary sewer collection systems. This listing is intended to be used as a reference for city employees, designers, developers, contractors and vendors. Materials and manufacturers not listed herein are not acceptable for use within the city's system.

For consideration to be approved for use within the City of San Angelo water distribution and sanitary sewer collection system contact the Engineering Services Department at (325) 657-4201.

Section 2 Water Distribution System

2.1 Water Main Pipe

A) Polyvinyl Chloride (PVC) – 4-inch to 24-inch

PVC water main pipe shall be DR 18 (235 psi Pressure Rating) and conform to AWWA C900 or C905.

1. CertainTeed – Certa-Lok
2. Diamond Plastics
3. Jet Stream
4. JM Eagle
5. North American
6. Northern
7. Royal
8. Vinyltech

B) Cement-lined Ductile Iron Pipe (DIP) – 4-inch to 24-inch

Ductile iron pipe shall conform to AWWA C150 and AWWA C151.

1. American Cast Iron Pipe Company
2. McWane Pipe
3. U.S. Pipe and Foundry

C) Concrete Cylinder Pipe (CCP) – 24-inch to 48-inch

Concrete cylinder pipe shall conform to AWWA C301 or C303.

1. Hanson

2.2 Tapping Sleeve

Tapping sleeves shall be 304 stainless steel body with stainless or epoxy-coated carbon steel flange, gridded 360° rubber gasket, stainless steel armor plate and hardware, coated to prevent galling or seizing, 3/4" stainless steel test plug, and conform to AWWA C207 and C228.

1. Ford Fast
2. Powerseal 3480AS
3. Romac SST
4. Smith-Blair 663

2.3 Fire Hydrant

Fire hydrants shall be 30-inch standard bury depth, post type, dry barrel, traffic model with 5-1/4 inch main valve, two 2-1/2 inch hose nozzles and one 4-1/2 inch pumper nozzle with National Standard Threads (NST). Hydrants shall be painted OSHA "Safety Yellow" and shall conform to AWWA C502 & C550.

1. American Darling B-84-B

2. Clow Medallion
3. East Jordan Iron Works (EJIW) WaterMaster
4. Mueller Super Centurion A-423
5. M & H 129

2.4 Fire Hydrant Extension

Fire hydrant extensions must be of the same manufacturer and model as the hydrant they are being installed on. Standard extension sizes shall be 6", 12", 18" and 24". An extension above 24" will warrant replacement of the hydrant with an appropriate bury depth. No more than one extension per hydrant.

2.5 Gate Valve – 4-inch to 12-inch

Resilient Seated Gate Valves (RSGV) shall be ductile iron body, heat-fusion nylon or fusion bonded epoxy coated, non-rising stem, flanged or mechanical jointed, and shall conform to AWWA C504.

1. American Flow Control
2. American AVK
3. Clow
4. EJIW
5. J&S
6. Kennedy
7. Mueller
8. M&H

2.6 Butterfly Valve – 16-inch to 48-inch

Butterfly Valves shall be ductile iron body, heat-fusion nylon or fusion bonded epoxy coated, and shall conform to AWWA C504.

1. Clow
2. DeZurik
3. GA Industries
4. J&S
5. M&H
6. Mueller

2.7 Insertable Valve

- A) Insertable valves shall be NSF and ANSI certified for use in a potable water system.
1. Hydra-Stop IV-250
 2. AVT EZ Valve

2.8 Valve Box & Lid

Water valve box and lid shall be adjustable 3-piece screw type, non-locking lid marked "WATER", sized to fit 6" C900 or DI pipe and shall conform to ASTM A-48-84.

1. EJIW

2.9 Ductile Iron Fitting – Bend, Tee, Crosse, Reducer, Plug

Ductile iron fittings shall be domestic made, compact type, cement lined interior, asphaltic or fusion bonded epoxy coated exterior, and shall conform to AWWA C110 or C153.

1. American Cast Iron Pipe Company
2. North American Cast Iron Products
3. Tyler Union
4. Sigma Corporation
5. SIP
6. Star Pipe Products

2.10 Ductile Iron Couplings – Transition or Straight

Couplings shall be standard body length, heat-fusion nylon or fusion bonded epoxy coated and shall conform to AWWA C219

1. Dresser
2. Ford
3. JCM
4. Romac
5. Smith-Blair

2.11 Mechanical Joint Restraint

Mechanical joint restraints shall be ductile iron body, heat-fusion nylon or fusion bonded epoxy coated and shall conform to ASTM F1674.

1. EBAA Iron (Megalug)
2. Ford
3. Smith-Blair
4. Star

2.12 Water Service Pipe

A) Polyvinyl Chloride (PVC) – 2-inch

2" PVC service line pipe shall be IPS Schedule 40 with glue type joints, Schedule 80 fittings, and shall conform to ASTM D1785.

1. Charlotte
2. Diamond
3. Jet Stream
4. JM Eagle
5. North American
6. Northern
7. Royal
8. Texas United

B) Copper Tubing (CT) – 1-inch

Copper tubing shall be domestic made, CTS, type K, soft, and conform to ASTM B88.

1. Cambridge Lee

2. Cerro
3. Halstead
4. Wieland

2.13 Service Saddle

A) 2-inch

2" service saddles shall be bronze body, bronze double strap with bronze nuts, female iron pipe threaded outlet, and shall conform to AWWA C800.

1. Ford 202-B
2. James Jones J-979
3. Mueller BR2B
4. Romac 202-B

B) 1-inch

1" service saddles shall be bronze body, bronze double strap with bronze nuts, female CC/AWWA taper threaded outlet, and shall conform to AWWA C800.

1. Ford 202-B
2. James Jones J-979
3. Mueller BR2B
4. Romac 202-B

2.14 Service Valve

A) Brass Gate Valve – 2-inch

2" gate valves shall be brass body, full port, female iron pipe threaded inlet and outlet, non-rising stem with bronze hand wheel and NSF approval for potable water.

1. Hammond
2. Milwaukee

B) Corporation Stop – 1-inch

1" corporation stops shall be no-lead bronze, full-port ball valve, 1" male AWWA/CC taper threaded inlet by 1" flared copper tube size outlet with nut, and shall conform to AWWA C800.

1. Ford F-600-4NL
2. James Jones E-1500
3. McDonald 74701
4. Mueller H-15000N

C) Angle Stop – 1-inch

1" angle stops shall be no-lead bronze, 1" flared copper tube size inlet by 1-1/4" swivel meter coupling nut outlet with lockwing tee head, and shall conform to AWWA C800.

1. Ford KV23-444W
2. James Jones J-1525
3. McDonald 4622
4. Mueller H-14255

2.15 Backflow Preventor

Double Check, Double-Detector Check and Reduced Pressure Prevention Backflow Preventers shall have the American Society of Sanitation Engineering Seal of Approval and be installed as specified by TCEQ regulations.

1. Ames
2. FebCo
3. Watts
4. Wilkins

2.16 Air Release Valve and Air/Vacuum Valve

Air release and combination air/vacuum valves shall be:

1. APCO - DeZurik
2. ARI
3. Cla-Val
4. Crespin

2.17 Check Valves

Swing Check valves shall meet AWWA C508.

1. American
2. AVK
3. Clow
4. EJIW
5. Mueller
6. M & H

2.18 Casing Spacer

Casing spacers shall be polyethylene injection molded.

1. Advance Products
2. BMW
3. Calpico
4. Cascade
5. CCI Pipeline Systems
6. PSI

2.19 End Seal

End seals shall be pull-on or wrap-around type.

1. Advance Products
2. BMW
3. Calpico
4. Cascade
5. CCI Pipeline Systems
6. PSI

2.20 Precast Concrete Vault

Precast concrete vaults shall be HS-20 load rated.

1. Capital Concrete
2. Hanson
3. Turner
4. Tyler
5. Vaughn

2.21 Precast Concrete Vault Door

Precast concrete vault doors shall be H-20 load rated, double-leaf, heavy duty diamond-plated aluminum, with hold-open arm and slam latch.

1. Bilco
2. EJIW
3. Halliday

2.22 Tracer Wire

Tracer wire shall be 14-gauge, HDPE-coated copper/steel wire manufactured for direct burial.

1. Agave Wire
2. Copperhead
3. Southwire

2.23 Detectable Marking Tape

Marking tape shall be 2-inch, color coded blue for water.

1. Accucast
2. Presco
3. Pro-Line
4. Terra Tape

Section 3 Sewer Collection System

3.1 Gravity Sewer Pipe

A) PVC – 4-inch to 15-inch

4" – 15" PVC gravity sewer main pipe shall be SDR 35 or SDR 26 and conform to ASTM D3034.

1. Diamond Plastics
2. Jet Stream
3. JM Eagle
4. Northern
5. North American
6. Royal

B) PVC – 18-inch to 36-inch

18" – 36" PVC gravity sewer main pipe shall be SDR 26 and conform to ASTM F679.

1. Diamond Plastics
2. Jet Stream
3. JM Eagle
4. Northern
5. North American

3.2 Pressure Sewer Pipe and Fitting

PVC pipe and fittings used for pressurized sewer applications shall meet the requirements established in the water section of this list, except that the pipe shall be green in color.

3.3 Gravity Sewer Fitting

Sewer fittings shall be PVC of the same class as the pipe. Wyes and tees shall be swept type.

1. GPK
2. Royal
3. Spears

3.4 Manhole

A) Precast Concrete

Precast concrete manholes shall have gasketed riser connections and conform to ASTM C478.

1. Hanson
2. Locke Solutions
3. Turner
4. Tyler
5. Vaughn

B) Glass-Fiber Reinforced Polyester Manholes, Wetwells and Manhole Liners

Fiberglass manholes, wetwells and liners shall conform to ASTM D3753.

1. LFM
2. Containment Solutions

3.5 Manhole Frame & Cover (30")

A) Manhole Frame

Sanitary sewer manhole frame shall be cast iron, H-20 load rated bottom flange type, coated with bituminous emulsified asphalt, and conform to ASTM A48.

1. East Jordan

B) Manhole Cover

Sanitary sewer manhole cover shall be ductile iron, H-20 load rated, with pick-bar lifting rings, coated with bituminous emulsified asphalt, and conform to ASTM A48. Cover shall be marked "City of San Angelo Sanitary Sewer".

1. East Jordan

3.6 Cleanout Boot & Lid

Sanitary sewer cleanout boot shall be 18-1/8" wide, 28" long and 10-1/2" high. Lid shall have nominal outside diameter of 7-1/2" with two pick holes. Boot and Lid shall conform to ASTM A-48-84.

1. East Jordan

3.7 Manhole Coatings & Protective Lining System

Manhole coatings and protective liners shall be:

1. A-Lok – Dura Plate 100 PVC Liner
2. Raven 405
3. Tnemec – Series 431 PermaShield

3.8 Manhole Joint Sealant

Manhole joint sealant shall be:

1. RamNek
2. ConSeal 102

3.9 Inflow Prevention Device

Inflow prevention devices (IPDs) shall be non-corrodible with self-cleaning gas relieve and vacuum relief valve.

1. LFM – Rain Guard
2. NoFlow-InFlow
3. The Man Pan
4. Southwestern Packing and Seals, Inc. – Rainstopper

3.10 Service Saddle

Service saddles shall be:

1. Fernco
2. Mission
3. NDS

3.11 Sewage Combination Air/Vacuum Valve

Air/Vacuum Valves shall be designed and intended for use with sanitary sewer.

1. APCO - DeZurik
2. ARI

3. Cla-Val
4. Golden Anderson

3.12 Check Valve

Swing Check and Ball Check Valves shall be designed and intended for use in sanitary sewer.

1. American
2. AVK
3. Clow
4. EJIW
5. Mueller
6. M & H

3.13 Wastewater Pump

Wastewater pumps shall be:

1. Flygt N-Pump

3.14 Tracer Wire

Tracer wire shall be 14-gauge, HDPE-coated copper/steel wire manufactured for direct burial.

1. Agave Wire
2. Copperhead
3. Southwire

3.15 Detectable Marking Tape

Marking tape shall be 3-inch, color coded green for sewer.

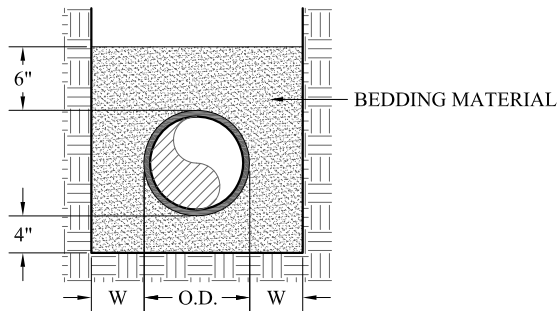
1. Accucast
2. Presco
3. Pro-Line
4. Terra Tape

CITY OF SAN ANGELO
STANDARD CONSTRUCTION DETAILS

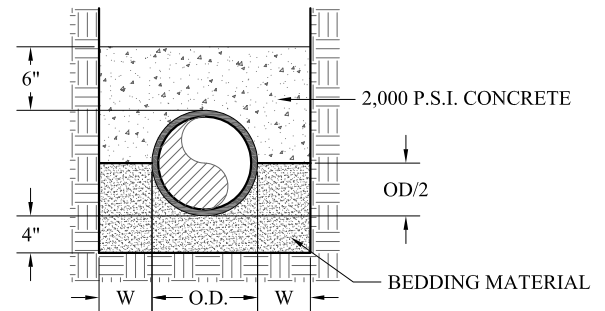


PREPARED BY:
THE DEPARTMENT OF PUBLIC WORKS
ENGINEERING SERVICES DIVISION
APRIL 2016

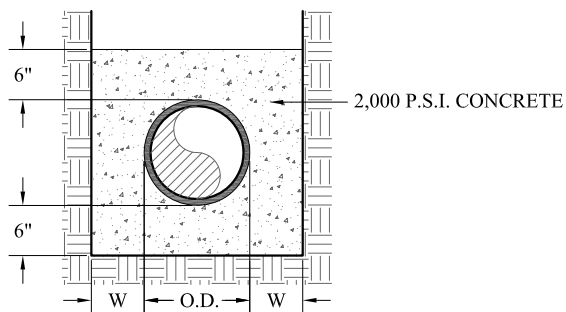
PIPE EMBEDMENT ZONE FOR WATER AND SEWER MAINS



GRAVEL EMBEDMENT



CONCRETE CAP



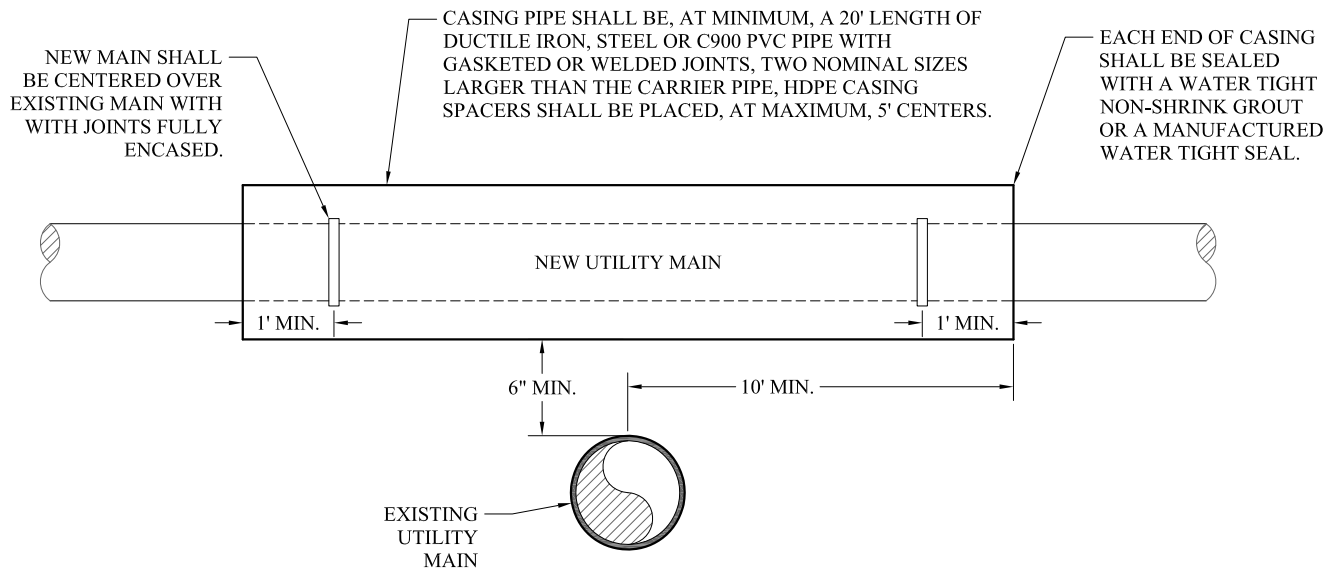
CONCRETE ENCASEMENT

STANDARD TRENCH WIDTH	
PIPE SIZE	W
16" OR LESS	6"
GREATER THAN 16"	AS SPECIFIED BY PIPE MFG. & APPROVED BY CITY OF SAN ANGELO

NOTES:

- BEDDING MATERIAL FOR THE INSTALLATION OF WATER AND SEWER MAINS SHALL BE CRUSHED STONE OR PEA GRAVEL THAT WILL REMAIN FIRM AND NOT PERMIT DISPLACEMENT OF THE PIPE EITHER DURING PIPE LAYING OR BACKFILLING OR FOLLOWING THE COMPLETION OF CONSTRUCTION.
- BEDDING MATERIAL SHALL BE FROM AN APPROVED BEDDING MATERIAL SOURCE PER THE LIST OF APPROVED BEDDING SUPPLIERS OR BE APPROVED BY THE CITY ENGINEER.
- TRENCH SPOILS ARE NOT ACCEPTABLE FOR "EMBEDMENT ZONE MATERIAL"

UTILITY CROSSING FOR WATER AND SEWER MAINS



NOTE:

1. IN ALL CROSSING SITUATIONS WHERE A NEW MAIN WILL CROSS WITHIN 2' VERTICALLY OF AN EXISTING MAIN, THE NEW MAIN SHALL BE ENCASED.
2. CROSSINGS NOT COVERED BY THIS DETAIL SHALL BE ACCOMPLISHED IN ACCORDANCE WITH TCEQ CHAPTERS 217 AND 290.

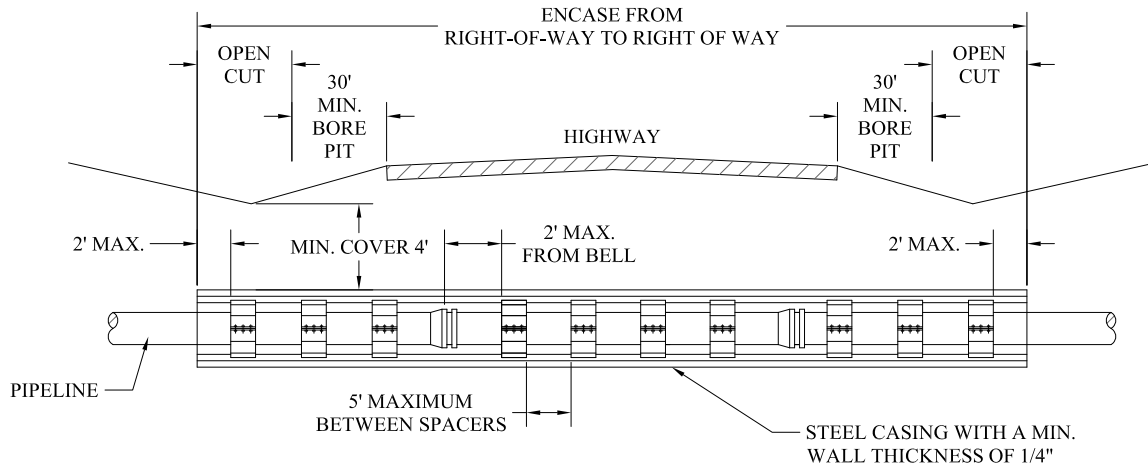
CITY OF SAN ANGELO

UTILITY CROSSING DETAIL
WATER AND SEWER MAINS

APRIL, 2016

W-UTIL-XING

HIGHWAY CROSSING



NOTES

1. ALL HIGHWAY CROSSINGS SHALL BE MADE BY BORING OR TUNNELING. ENCASEMENT PIPE SHALL EXTEND FROM ROW TO ROW. BORE PITS SHALL BE A MINIMUM OF 30' FROM THE EDGE OF PAVEMENT.
2. GROUT AROUND CASING ALL OVER CUTTING IN EXCESS OF 1".
3. GROUT EACH END OF ENCASEMENT A MINIMUM OF 2'.
4. GROUT SHALL HAVE A MINIMUM STRENGTH OF 1,800 P.S.I. IN 28 DAYS WITH A SLUMP OF 10" OR GREATER.
5. CASING SPACERS SHALL BE SPACED A MAXIMUM OF 2' FROM EACH END OF JOINT AND NOT MORE THAN 5' BETWEEN SPACERS. CASING SPACERS SHALL BE HDPE.
6. BORE PITS SHALL BE CONFINED TO THE WORK EASEMENT.
7. BORE PITS SHALL BE LOCATED AT THE SPECIFIED END OF ENCASEMENT PIPE AND SHALL BE CONSTRUCTED IN SUCH A MANNER AS TO NOT INTERFERE WITH HIGHWAY STRUCTURAL INTEGRITY OR SAFE TRAFFIC OPERATIONS. IF NECESSARY, SHORING SHALL BE USED.
8. LINES AND GRADES ARE CRITICAL AND SHALL BE MAINTAINED.
9. RESTORE HIGHWAY RIGHT-OF-WAY TO ORIGINAL OR BETTER CONDITION IN ACCORDANCE WITH TXDOT PERMIT REQUIREMENTS.

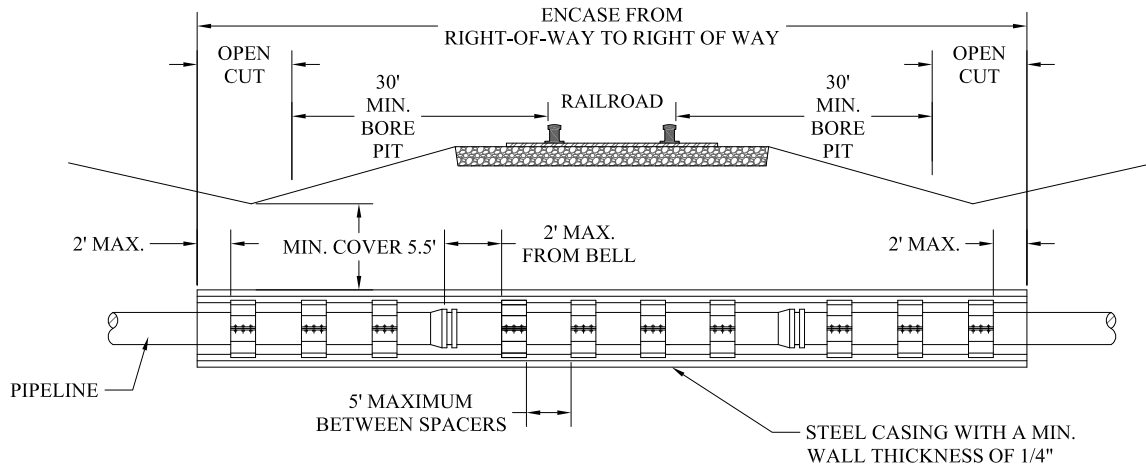
CITY OF SAN ANGELO

HIGHWAY CROSSING

APRIL, 2016

W-HWY-XING

RAILROAD CROSSING



NOTES

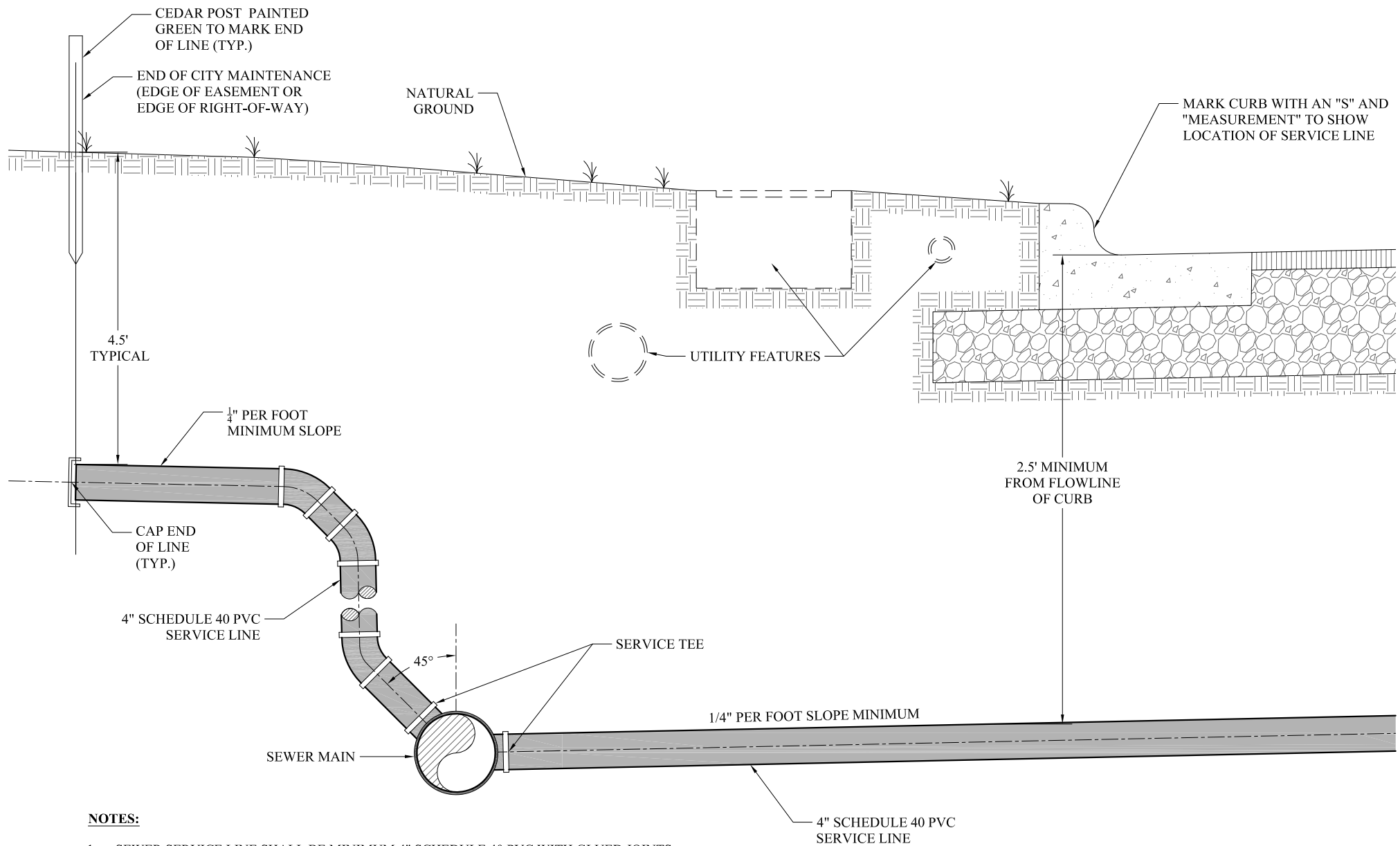
1. ALL RAILROAD CROSSINGS SHALL BE MADE BY BORING OR TUNNELING. ENCASEMENT PIPE SHALL EXTEND FROM ROW TO ROW. BORE PITS SHALL BE A MINIMUM OF 30' FROM THE EDGE NEAREST RAIL.
2. GROUT AROUND CASING ALL OVER CUTTING IN EXCESS OF 1".
3. GROUT EACH END OF ENCASEMENT A MINIMUM OF 2'.
4. GROUT SHALL HAVE A MINIMUM STRENGTH OF 1,800 P.S.I. IN 28 DAYS WITH A SLUMP OF 10" OR GREATER.
5. CASING SPACERS SHALL BE SPACED A MAXIMUM OF 2' FROM EACH END OF JOINT AND NOT MORE THAN 5' BETWEEN SPACERS. CASING SPACERS SHALL BE HDPE.
6. BORE PITS SHALL BE CONFINED TO THE WORK EASEMENT.
7. BORE PITS SHALL BE LOCATED AT THE SPECIFIED END OF ENCASEMENT PIPE AND SHALL BE CONSTRUCTED IN SUCH A MANNER AS TO NOT INTERFERE WITH RAILROAD STRUCTURAL INTEGRITY OR RAIL STRIKING DISTANCE. IF NECESSARY, SHORING SHALL BE USED.
8. LINES AND GRADES ARE CRITICAL AND SHALL BE MAINTAINED.
9. RESTORE RIGHT-OF-WAY TO ORIGINAL OR BETTER CONDITION IN ACCORDANCE WITH TXDOT PERMIT REQUIREMENTS.

CITY OF SAN ANGELO

RAILROAD CROSSING

APRIL, 2016

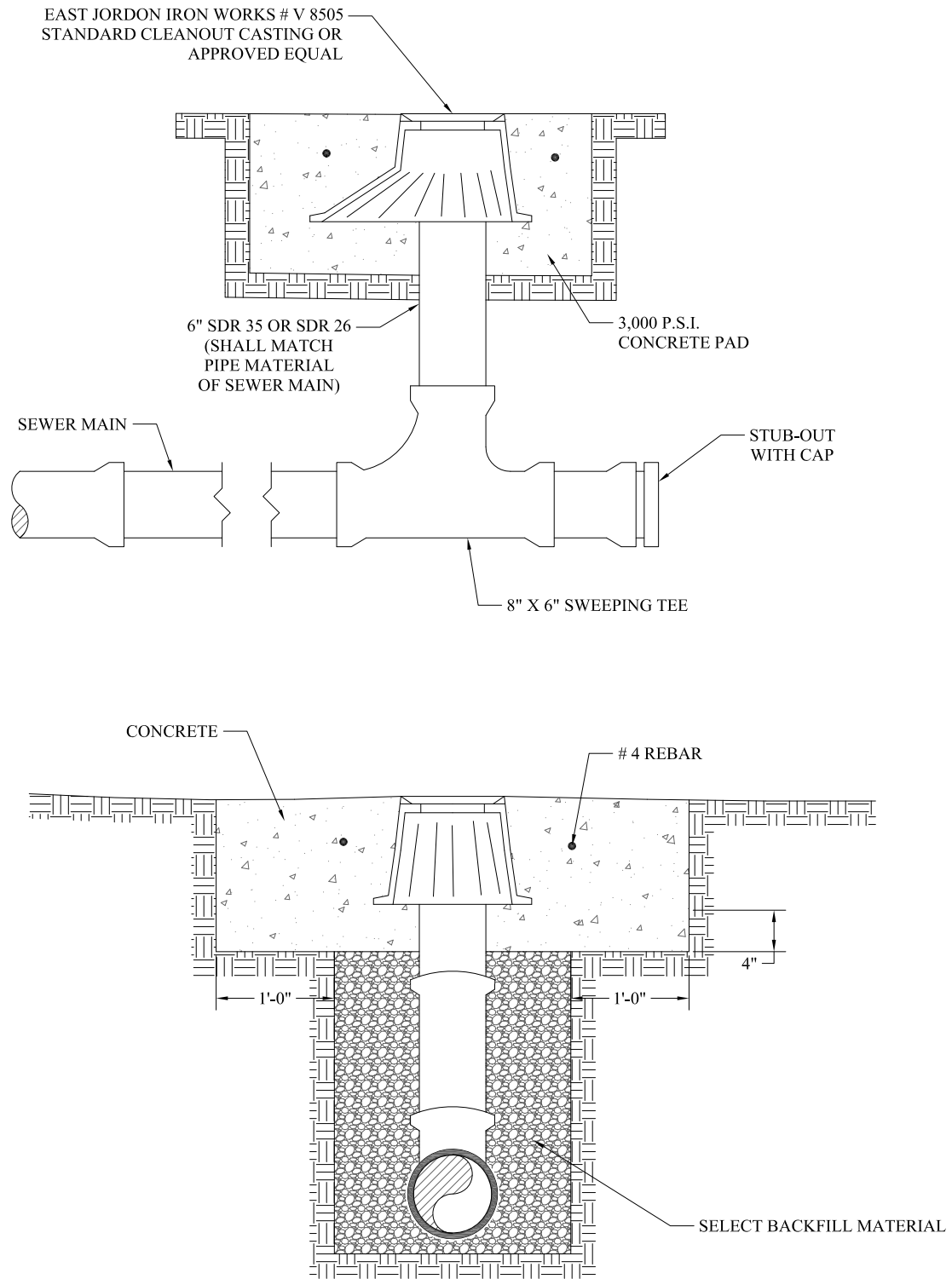
W-RR-XING



NOTES:

1. SEWER SERVICE LINE SHALL BE MINIMUM 4" SCHEDULE 40 PVC WITH GLUED JOINTS.
2. SERVICE LINE PIPE TO BE STANDARD 20' JOINTS, UNLESS TOTAL LENGTH OF SERVICE LINE IS LESS THAN 10', OR UNLESS APPROVED OTHERWISE BY THE CITY OF SAN ANGELO.
3. WHERE BENDS ARE NEEDED, MAXIMUM DEGREE ALLOWABLE SHALL BE 45°.
4. SEWER SERVICES WITH LESS THAN 2.5' OF COVER FROM THE FLOWLINE OF CURB ON THE SHALLOWER SIDE OF THE STREET REQUIRE A CONCRETE CAP.
5. SEWER SERVICE WITH LESS THAN 2.0' OF COVER FROM THE FLOWLINE OF CURB REQUIRE CITY OF SAN ANGELO APPROVAL.

STANDARD CLEANOUT



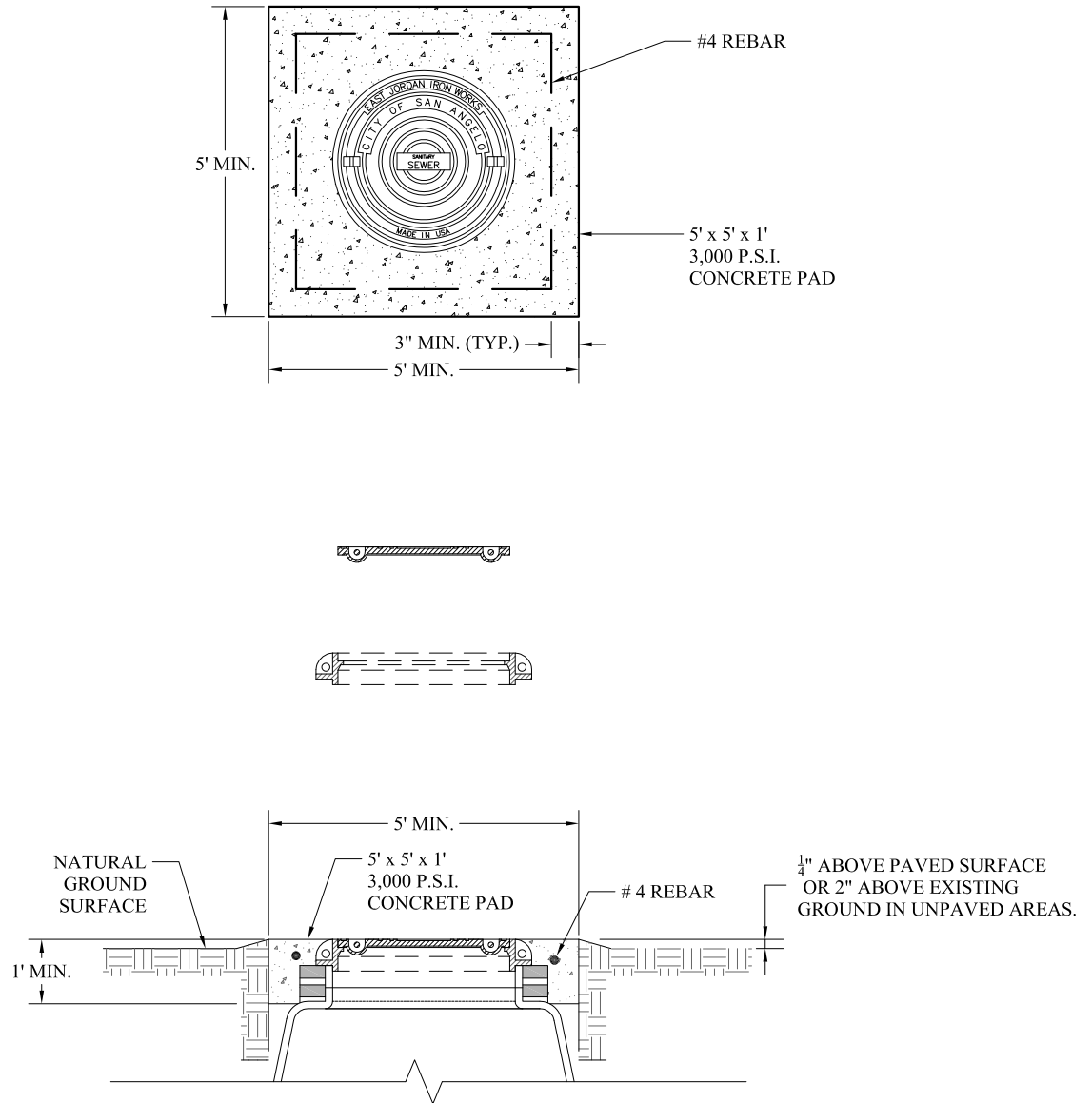
CITY OF SAN ANGELO

STANDARD CLEANOUT

APRIL, 2016

W-SA-CO

STANDARD SANITARY SEWER MANHOLE RING & LID WITH CONCRETE COLLAR



NOTES:

1. MANHOLE RING (V-1420) & LID (V-1430) SHALL BE EAST JORDAN IRON WORKS OR APPROVED EQUAL WITH THE ABOVE DETAILS AND "CITY OF SAN ANGELO" LABEL SPECIFIED.
2. WATER TIGHT, BOLT-DOWN SPECIFIED RING (V-1420) & LID (V-1430) SHALL BE EAST JORDAN IRON WORKS OR APPROVED EQUAL WITH AN INFLOW PREVENTION DEVICE (IPD) INCLUDING THE ABOVE DETAILS.
3. MANHOLE RING & LID SHALL BE MACHINE FITTED WITH TWO (2) PICK BAR SLOTS.
4. MANHOLE RING AND COVER SHALL BE CAST IRON, MEETING THE LATEST REVISION OF ASTM A-48 CLASS 30 WITH A HIGHWAY LOAD RATING OF H-20.
5. MANHOLES LOCATED WITHIN A 100-YEAR FLOOD PLAIN OR ANY AREA SUBJECT TO STORM WATER INFILTRATION SHALL INCORPORATE A WATERTIGHT, BOLT-DOWN RING AND LID AND AN INFLOW PREVENTION DEVICES (IPDs).

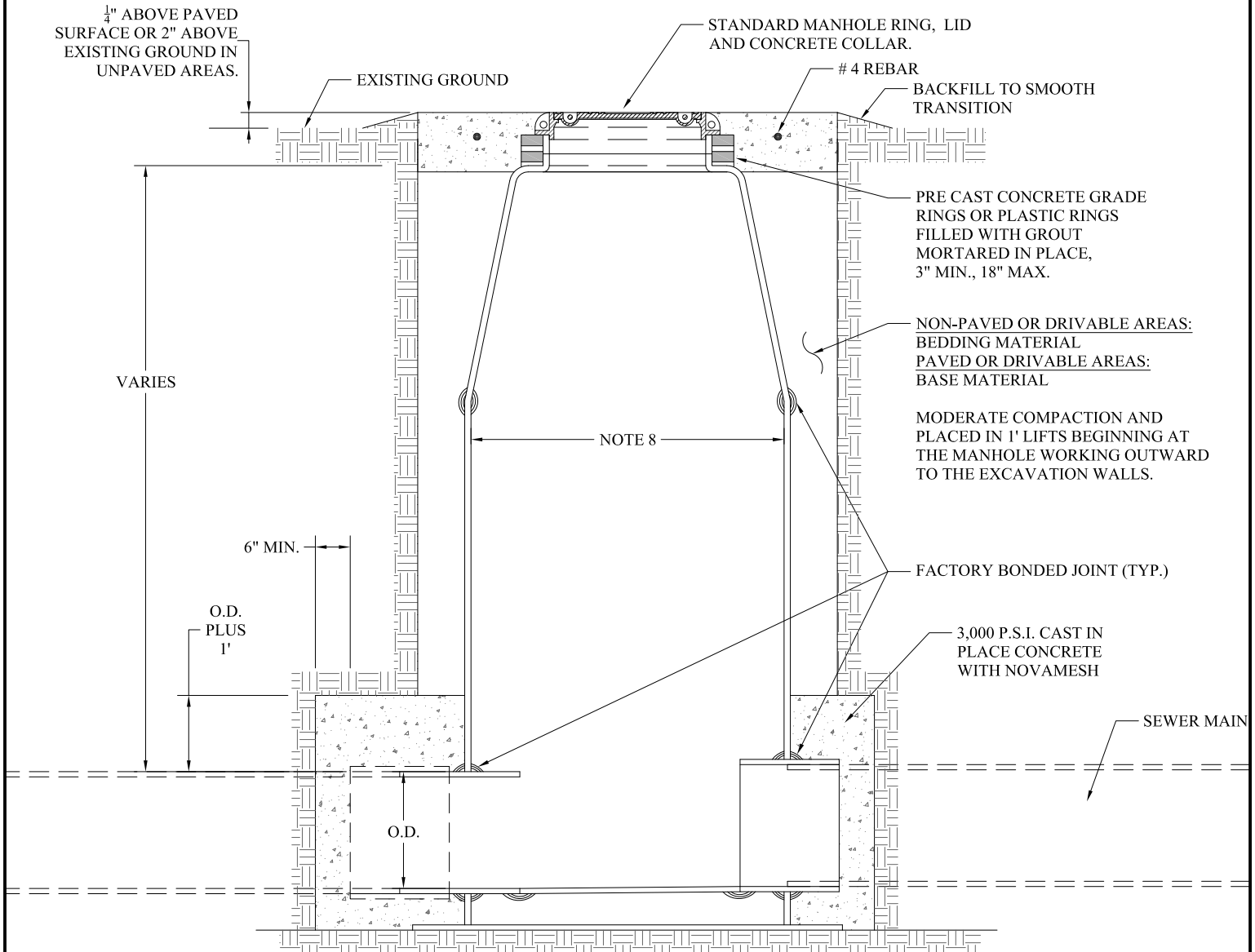
CITY OF SAN ANGELO

SANITARY SEWER STANDARD MANHOLE
RING & LID WITH CONCRETE COLLAR

APRIL, 2016

W-SA-LID

FIBERGLASS MANHOLE - TYPE A



NOTES

1. CONTRACTOR SHALL VERIFY MANHOLE DEPTHS, INLET AND OUTLET ELEVATIONS.
2. MANHOLE FLOOR SHALL BE FACTORY INSTALLED INTEGRAL FIBERGLASS BENCH AND INVERT AREA. CONCRETE IS NOT ALLOWED.
3. ALL INLETS AND OUTLETS SHALL BE BONDED INTO THE MANHOLE RISER BY THE MANUFACTURER.
4. CONCRETE SHALL BE PLACED A MINIMUM OF 6" BEYOND AND 1' ABOVE ALL CONNECTIONS.
5. MANHOLES SHALL BE STUBBED OUT WITH SUITABLE SIZE PIPE WHEREVER FUTURE EXTENSION OF THE SEWER IS ANTICIPATED.
6. STUB-OUTS SHALL EXTEND BEYOND THE EDGE OF EXISTING OR PROPOSED PAVING.
7. MANHOLES LOCATED WITHIN A 100-YEAR FLOOD PLAIN OR ANY AREA SUBJECT TO STORMWATER INFILTRATION SHALL INCORPORATE A WATERTIGHT, BOLT-DOWN RING AND LID AND AN INFLOW PREVENTION DEVICES (IPDs).
8. MANHOLE SPACING, DIAMETER AND DEPTHS SHALL BE AS FOLLOWS:

PIPE DIAMETER	MANHOLE DEPTH	MANHOLE DIAMETER	MAX. SPACING BETWEEN MANHOLES
15" OR SMALLER	0-16'	48"	500'
15" OR SMALLER	OVER 16'	60"	500'
OVER 15"	ALL DEPTHS	60"	800'
9. MINIMUM ELEVATION DIFFERENCE ACROSS MANHOLE INVERTS SHALL BE AS FOLLOWS:

DEFLECTION ANGLE BETWEEN INLET / OUTLET	MIN. ELEVATION DIFFERENCE
1/4"	1/8"

PIPE DIAMETER	MANHOLE DEPTH	MANHOLE DIAMETER	MAX. SPACING BETWEEN MANHOLES
15" OR SMALLER	0-16'	48"	500'
15" OR SMALLER	OVER 16'	60"	500'
OVER 15"	ALL DEPTHS	60"	800'

DEFLECTION ANGLE BETWEEN INLET / OUTLET	MIN. ELEVATION DIFFERENCE
LESS THAN 30°	0.10'
GREATER THAN 30°	0.20'

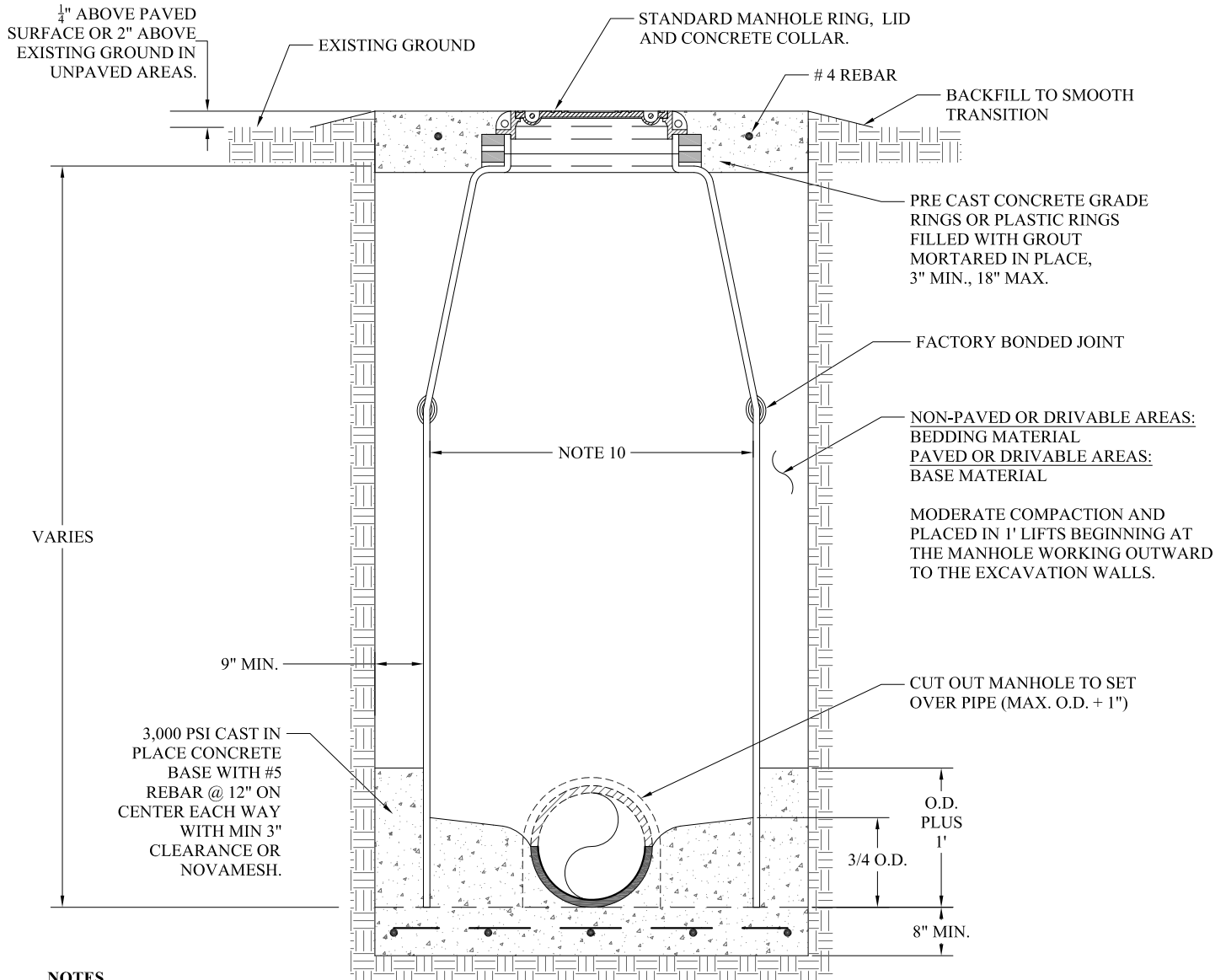
CITY OF SAN ANGELO

FIBERGLASS MANHOLE - TYPE A

APRIL, 2016

W-SA-MH-A

FIBERGLASS MANHOLE - TYPE B



NOTES

1. CONTRACTOR SHALL VERIFY MANHOLE DEPTHS, INLET AND OUTLET ELEVATIONS.
 2. MANHOLE CUTOUT TO BE MADE AT TIME OF INSTALLATION.
 3. CONCRETE BASE TO BE POURED IN PLACE IN TRENCH AND MANHOLE TO BE INSTALLED BY INSERTING INTO WET CONCRETE BASE.
 4. FLOW LINE INVERT MAY BE CHANNEL FORMED IN CONCRETE FLOOR OR PIPE SECTION WITH TOP CUT OUT.
 5. SEAL CONCRETE TO PIPE WITH ELASTOMERIC GASKET SEAL.
 6. CONCRETE SHALL BE PLACED A MINIMUM OF 6" BEYOND AND 1' ABOVE ALL CONNECTIONS.
 7. MANHOLES SHALL BE STUBBED OUT WITH SUITABLE SIZE PIPE WHEREVER FUTURE EXTENSION OF THE SEWER IS ANTICIPATED.
 8. STUB-OUTS SHALL EXTEND BEYOND THE EDGE OF EXISTING OR PROPOSED PAVING.
 9. MANHOLES LOCATED WITHIN A 100-YEAR FLOOD PLAIN OR ANY AREA SUBJECT TO STORMWATER INFILTRATION SHALL INCORPORATE A WATERTIGHT, BOLT-DOWN RING AND LID AND AN INFLOW PREVENTION DEVICES (IPDs).
 10. MANHOLE SPACING, DIAMETER AND DEPTH SHALL BE AS FOLLOWS:
- | PIPE
DIAMETER | MANHOLE
DEPTH | MANHOLE
DIAMETER | MAX. SPACING
BETWEEN MANHOLES |
|------------------|------------------|---------------------|----------------------------------|
| 15" OR SMALLER | 0-16' | 48" | 500' |
| 15" OR SMALLER | OVER 16' | 60" | 500' |
| OVER 15" | ALL DEPTHS | 60" | 800' |
11. MINIMUM ELEVATION DIFFERENCE ACROSS MANHOLE INVERTS SHALL BE AS FOLLOWS:

PIPE DIAMETER	MANHOLE DEPTH	MANHOLE DIAMETER	MAX. SPACING BETWEEN MANHOLES
15" OR SMALLER	0-16'	48"	500'
15" OR SMALLER	OVER 16'	60"	500'
OVER 15"	ALL DEPTHS	60"	800'

DEFLECTION ANGLE BETWEEN INLET / OUTLET	MIN. ELEVATION DIFFERENCE
LESS THAN 30°	0.10'
GREATER THAN 30°	0.20'

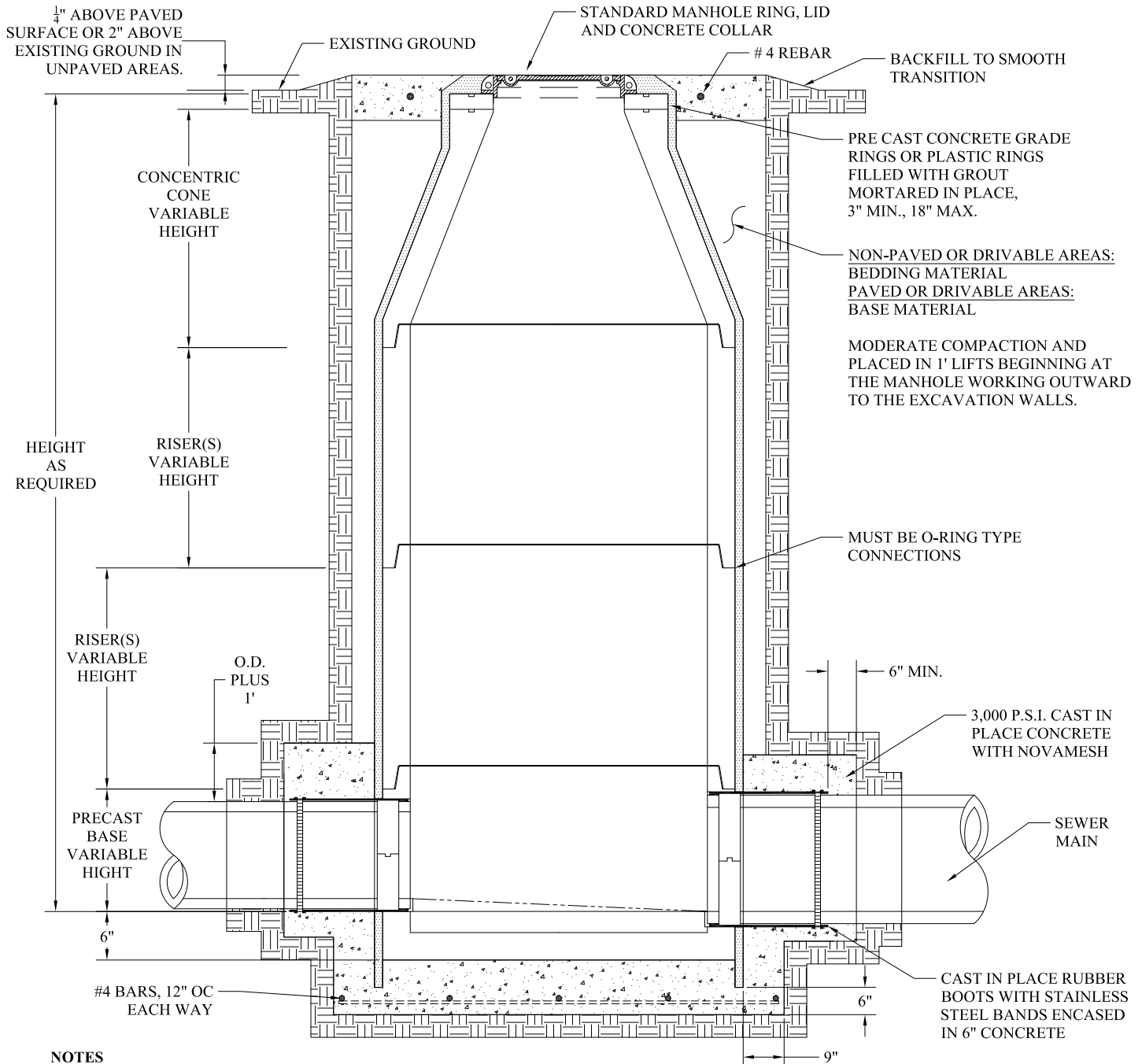
CITY OF SAN ANGELO

FIBERGLASS MANHOLE - TYPE B

APRIL, 2016

W-SA-MH-B

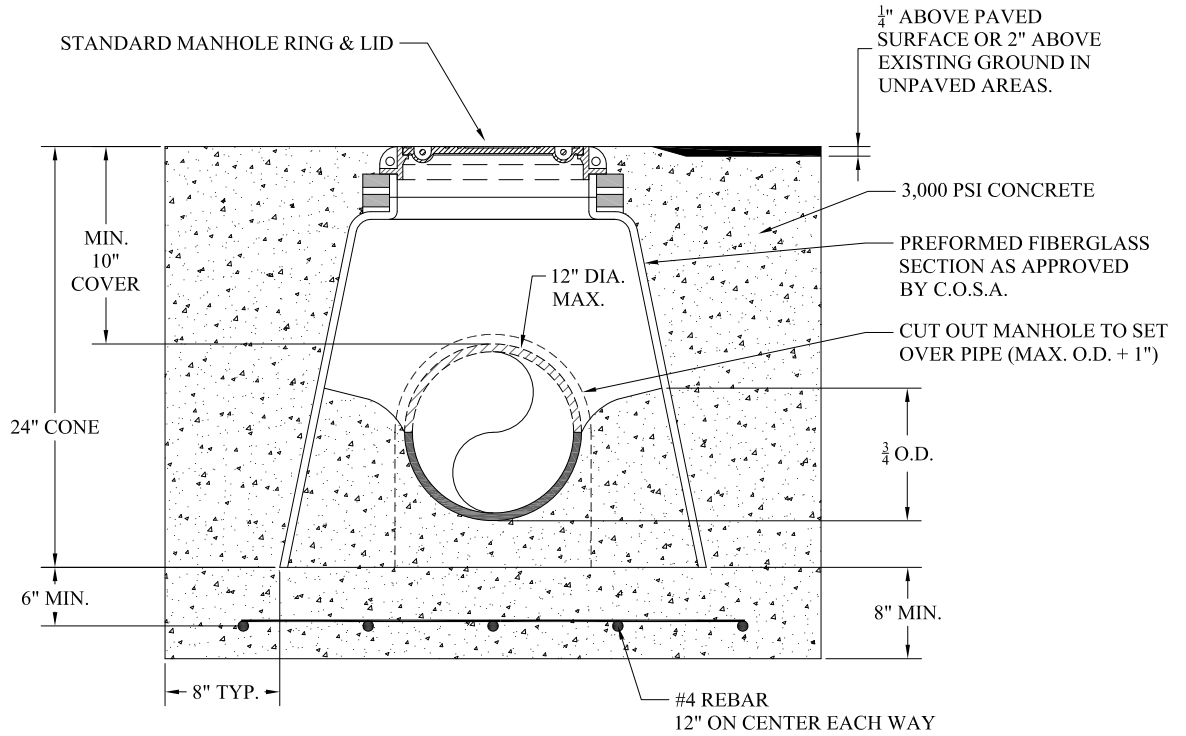
PRECAST CONCRETE MANHOLE



NOTES

1. MANHOLE SHALL BE CONCENTRIC CONE TYPE PRECAST CONCRETE WITH PRECAST OR POUR IN PLACE CONCRETE BASE.
2. MANHOLE INVERT MAY BE PRECAST OR PLACED IN THE FIELD.
3. THE BASE SHALL BE PLACED ON A GRAVEL FOUNDATION WITH MINIMUM THICKNESS OF 2" FOR LEVELING.
4. LIFTING EYES AND JOINTS SHALL BE GROUTED INSIDE AND OUT.
5. MANHOLES SHALL BE STUBBED OUT WITH SUITABLE SIZE PIPE WHEREVER FUTURE EXTENSION OF THE SEWER IS ANTICIPATED.
6. STUB-OUTS SHALL EXTEND BEYOND THE EDGE OF EXISTING OR PROPOSED PAVING.
7. MANHOLES LOCATED WITHIN A 100-YEAR FLOOD PLAIN OR ANY AREA SUBJECT TO STORMWATER INFILTRATION SHALL INCORPORATE A WATERTIGHT, BOLT-DOWN RING AND LID AND AN INFLOW PREVENTION DEVICES (IPDs).
8. MANHOLES GREATER THAN 16' DEEP OR SERVING PIPES LARGER THAN 15" SHALL BE 60" DIAMETER AND BE CONSTRUCTED WITH FIBERGLASS OR CONCRETE WITH AN APPROVED PROTECTIVE COATING SYSTEM.

SHALLOW MANHOLE WITH CONCRETE PAD



NOTES

1. DETAIL IS APPLICABLE FOR COVER LESS THAN 30" BUT A MINIMUM OF 10" AND FOR MAINS 12" OR SMALLER.
2. MANHOLES LOCATED WITHIN A 100-YEAR FLOOD PLAIN OR ANY AREA SUBJECT TO STORMWATER INFILTRATION SHALL INCORPORATE A WATERTIGHT, BOLT-DOWN RING AND LID AND AN INFLOW PREVENTION DEVICES (IPDs).
3. MINIMUM ELEVATION DIFFERENCE ACROSS MANHOLE INVERTS SHALL BE AS FOLLOWS:

DEFLECTION ANGLE BETWEEN INLET / OUTLET	MIN. ELEVATION DIFFERENCE
LESS THAN 30"	0.10'
GREATER THAN 30"	0.20'

4. THIS IS A NONE TRAFFIC RATED MANHOLE AND APPROVED ON A CASE BY CASE BASIS BY C.O.S.A. PRIOR TO CONSTRUCTION.

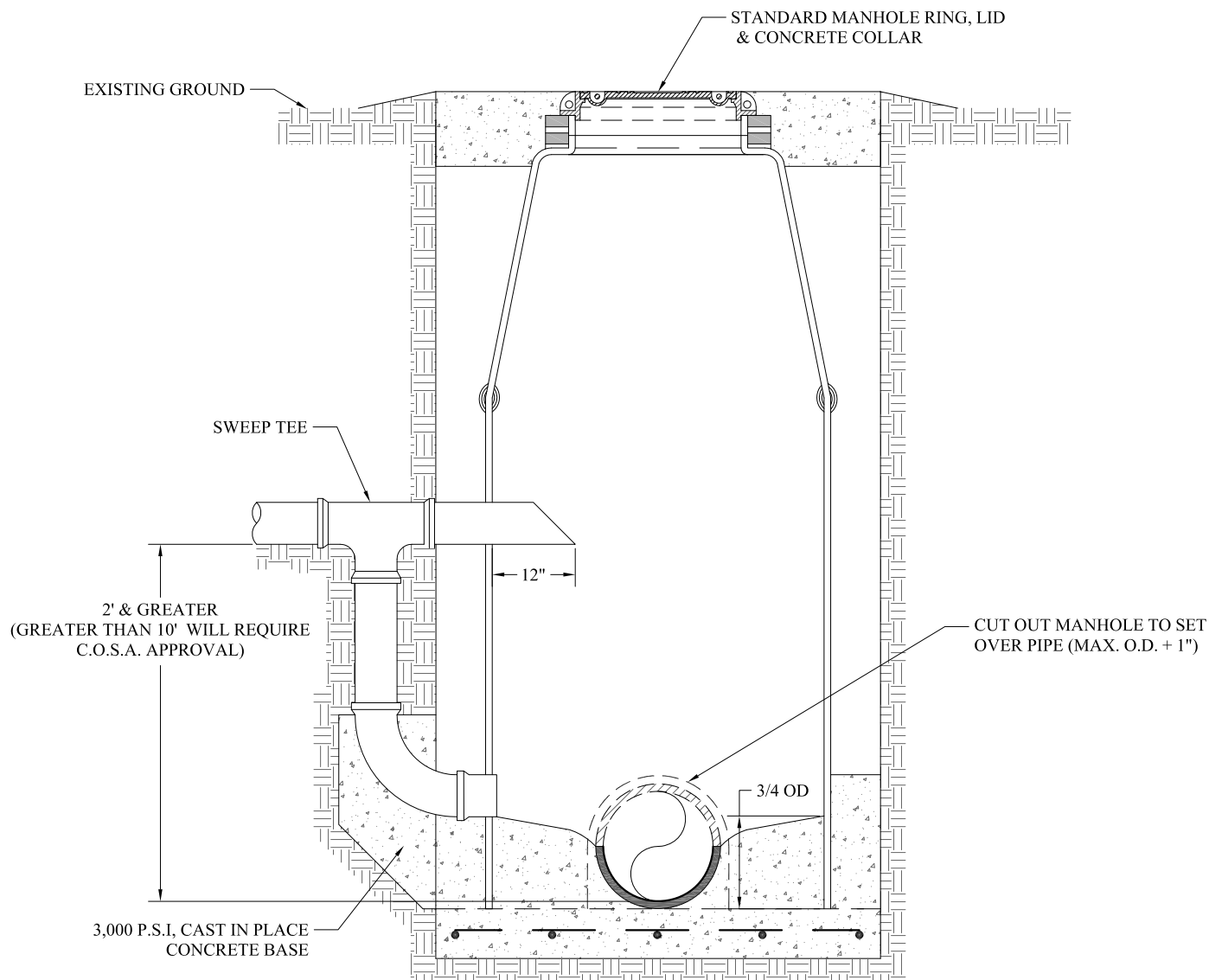
CITY OF SAN ANGELO

SHALLOW MANHOLE

APRIL, 2016

W-SA-MH-S

DROP MANHOLE



NOTES

1. CONSTRUCTION OF THE DROP MANHOLE IS IDENTICAL WITH THE STANDARD MANHOLES A, B AND PRECAST CONCRETE MANHOLE IN EVERY RESPECT EXCEPT THE METHOD OF ENTRANCE OF THE SEWAGE FROM THE LATERALS SHALL BE CONSTRUCTED AS SHOWN ABOVE.
2. WHEN ENTERING AN EXISTING MANHOLE WITH A NEW LINE AND THE DIFFERENCE IN ELEVATION OF THE TWO INVERTS EXCEEDS 2' THE METHOD OF ENTRANCE SHALL BE AS ABOVE.
3. BACKFILL SHALL BE COMPACTED IN 6" HORIZONTAL LAYERS MINIMUM DENSITY 95% MODIFIED PROCTOR.

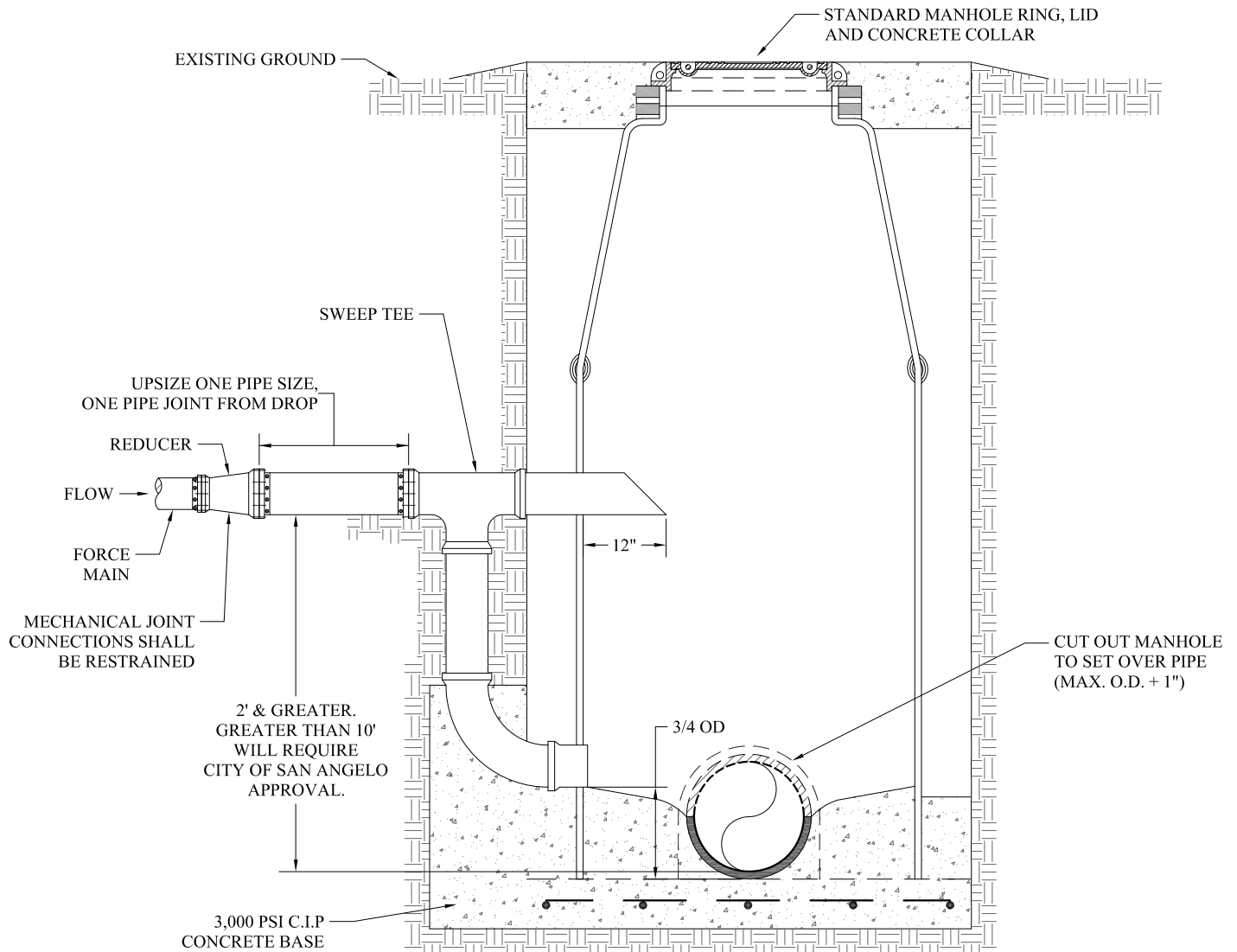
CITY OF SAN ANGELO

DROP MANHOLE

APRIL, 2016

W-SA-MH-D

FORCE MAIN UPSIZE INTO DROP MANHOLE



NOTES

1. CONSTRUCTION OF THE DROP MANHOLE IS IDENTICAL WITH THE STANDARD MANHOLE A, B AND PRECAST CONCRETE MANHOLE IN EVERY RESPECT EXCEPT THE METHOD OF ENTRANCE OF THE SEWAGE FROM THE LATERALS SHALL BE CONSTRUCTED AS SHOWN ABOVE.
2. WHEN ENTERING AN EXISTING MANHOLE WITH A NEW LINE AND THE DIFFERENCE IN ELEVATION OF THE TWO INVERTS EXCEEDS 2' THE METHOD OF ENTRANCE SHALL BE AS ABOVE.
3. BACKFILL SHALL BE COMPACTED IN 6" HORIZONTAL LAYERS MINIMUM DENSITY 95% MODIFIED PROCTOR.
4. FORCE MAINS SHALL DISCHARGE DIRECTLY INTO A MANHOLE OR WET-WELL WITH CONSIDERATION FOR MINIMIZING SPLASHING AND THE GENERATION OF DAMAGING AND MALODOROUS GASES.
5. MANHOLES AND WET-WELLS RECEIVING FORCE MAIN DISCHARGE SHALL BE CONSTRUCTED OF FIBERGLASS OR CONCRETE WITH AN APPROVED PROTECTIVE COATING SYSTEM.

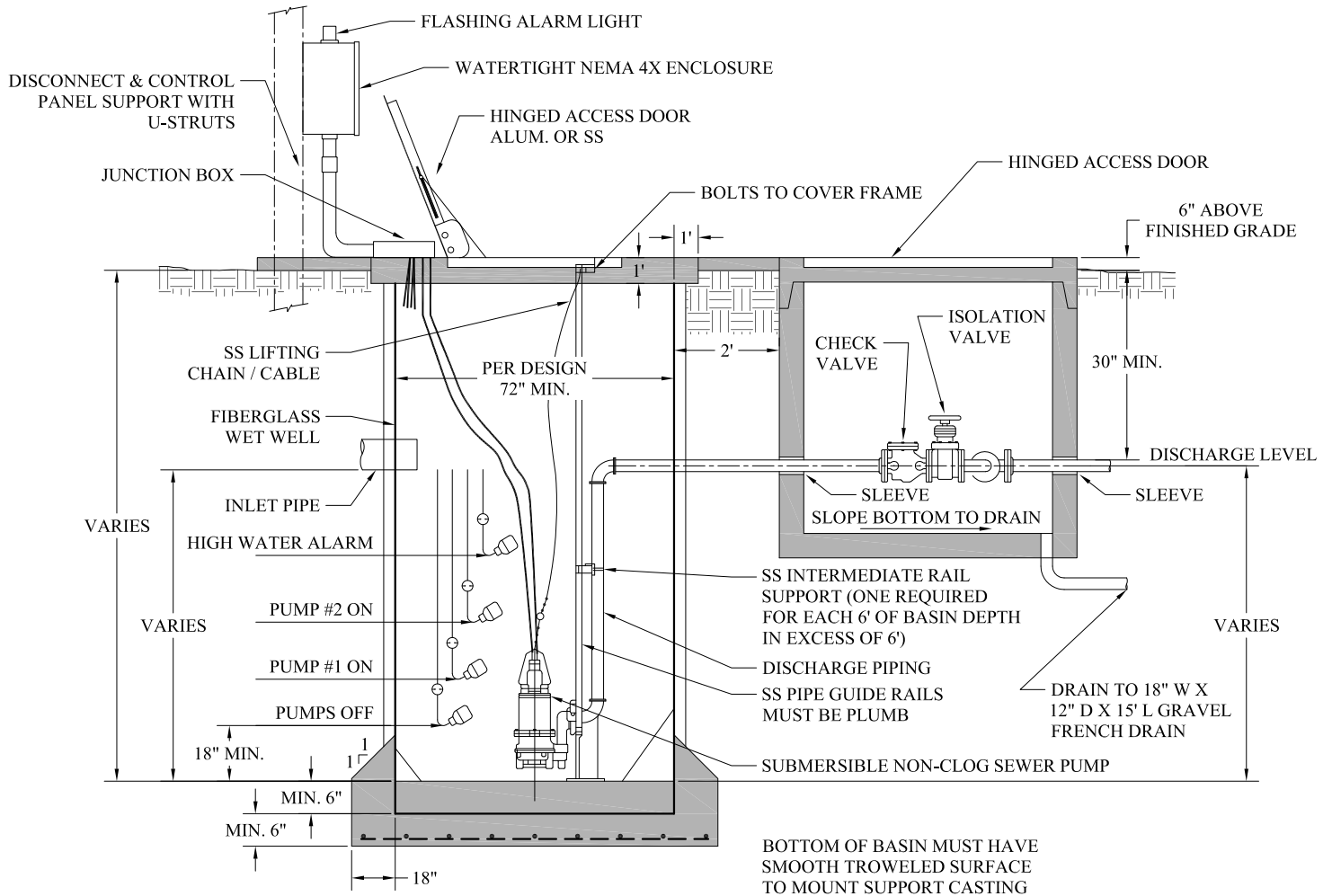
CITY OF SAN ANGELO

FORCE MAIN UPSIZE INTO DROP MANHOLE

APRIL, 2016

W-SA-MH-FM-D

SUBMERSIBLE DUPLEX LIFT STATION - PART 1 OF 4



NOTES

1. 2" ISOLATION VALVES SHALL BE FULL PORT BRASS BALL VALVES.
2. 2" CHECK VALVES SHALL BE BRASS.
3. 2" DISCHARGE PIPING SHALL BE SCH. 80 PVC WITH THREADED CONNECTIONS CONTINUOUS THROUGH THE VALVE BOX.
4. 4" AND LARGER DISCHARGE PIPING SHALL BE DUCTILE IRON.
5. REINFORCING STEEL FOR CAST-IN-PLACE CONCRETE.
 - A. 1 MAT OF #5 BARS @ 12" ON CENTER EACH WAY.
 - B. USE GRADE 60 DEFORMED REINFORCEMENT STEEL.
 - C. USE CLASS A CONCRETE 3000 PSI @ 28 DAYS.
6. BEFORE ATTEMPTING TO INSTALL ANY WET-WELL, MAKE SURE EXCAVATION IS PROPERLY SHORED.
7. CUTOUTS FOR INFLUENT AND EFFLUENT LINES SHALL BE MADE AT TIME OF INSTALLATION. INFLUENT AND EFFLUENT PIPE PENETRATIONS SHALL BE WATER TIGHT.
8. ALUMINUM GRATING SHALL BE 1-1/2 X 3/16 (DEPTH X THICKNESS) SERRATED SWAGE-LOCKED TYPE OR OWNER APPROVAL EQUAL.
9. WET-WELL AND ACCESS DOOR DIMENSIONS SHALL MEET MANUFACTURES SPECIFICATIONS FOR PUMP SPACING.
10. SS = STAINLESS STEEL.
11. PUMPS, MOTORS, CONTROLS, BASE AND GUIDE RAILS SHALL BE MANUFACTURED BY ITT FLYGT.

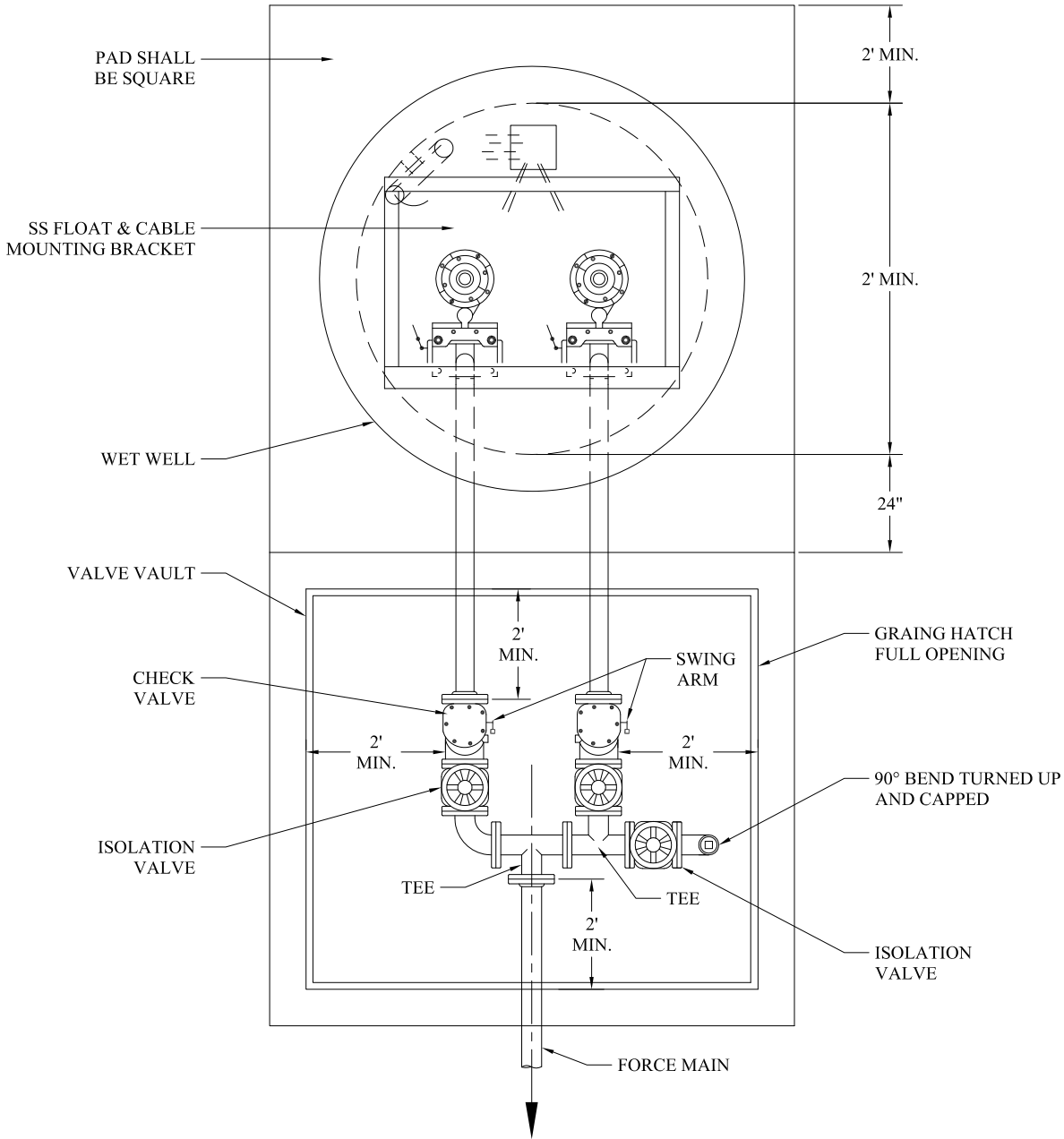
CITY OF SAN ANGELO

SUBMERSIBLE DUPLEX LIFT STATION
PART 1 OF 4

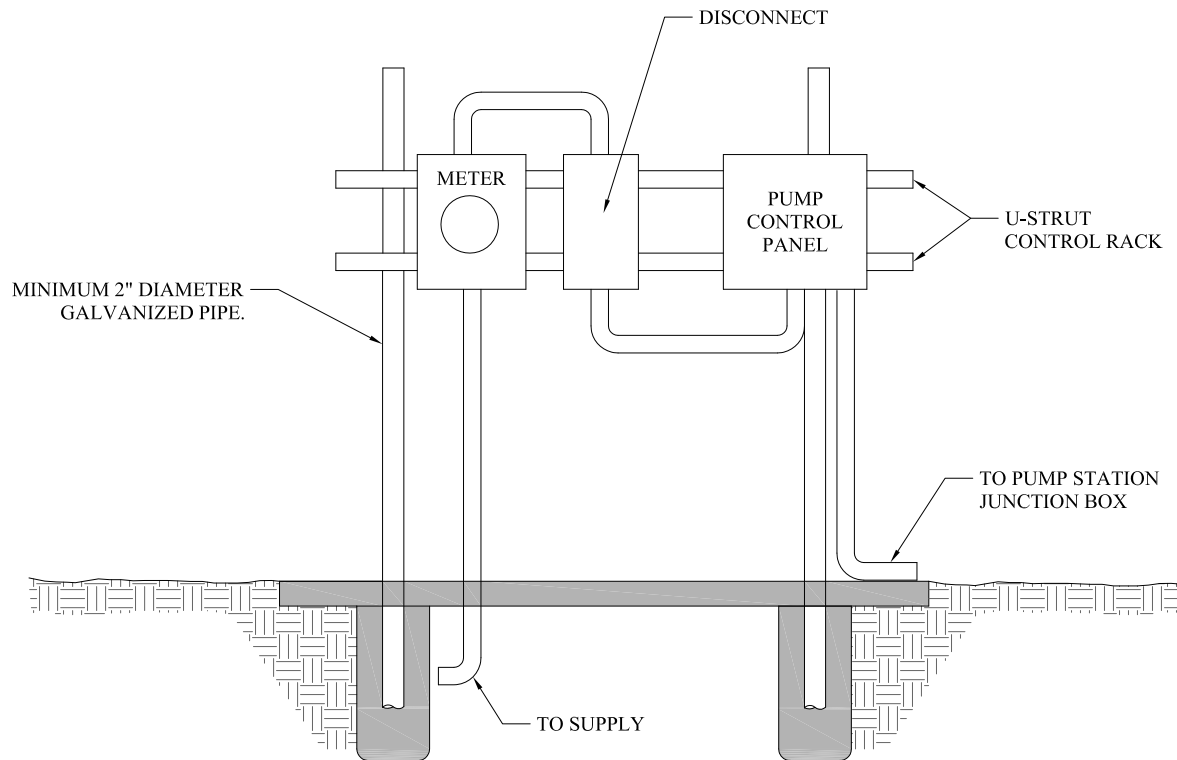
APRIL, 2016

W-SA-LS-1

SUBMERSIBLE DUPLEX LIFT STATION - PART 2 OF 4



SUBMERSIBLE DUPLEX LIFT STATION - PART 3 OF 4



NOTES

1. METER SHALL BE SUPPLIED BY OTHERS.
2. ALL CONDUCTORS AND CONDUIT SHALL BE SIZED IN FULL CONFORMANCE WITH ALL APPLICABLE LOCAL CODES AND NEC.
3. THE DISCONNECT AND PUMP CONTROL PANEL SHALL BE NEMA 4X STAINLESS STEEL.
4. METER, DISCONNECT AND PUMP CONTROL PANEL SHALL BE MOUNTED ON COMMON GALVANIZED U-STRUT CONTROL RACK.

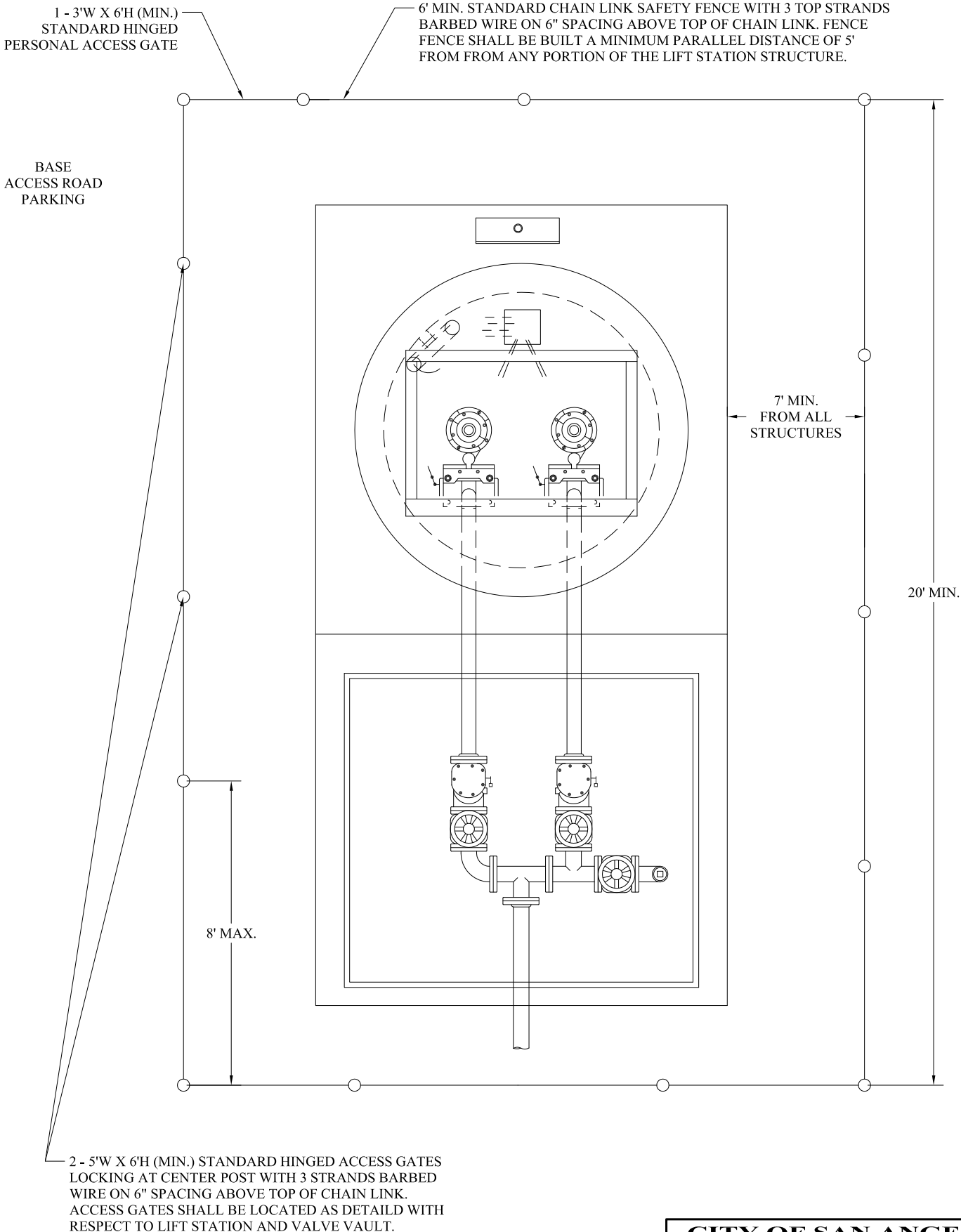
CITY OF SAN ANGELO

SUBMERSIBLE DUPLEX LIFT STATION
PART 3 OF 4

APRIL, 2016

W-SA-LS-3

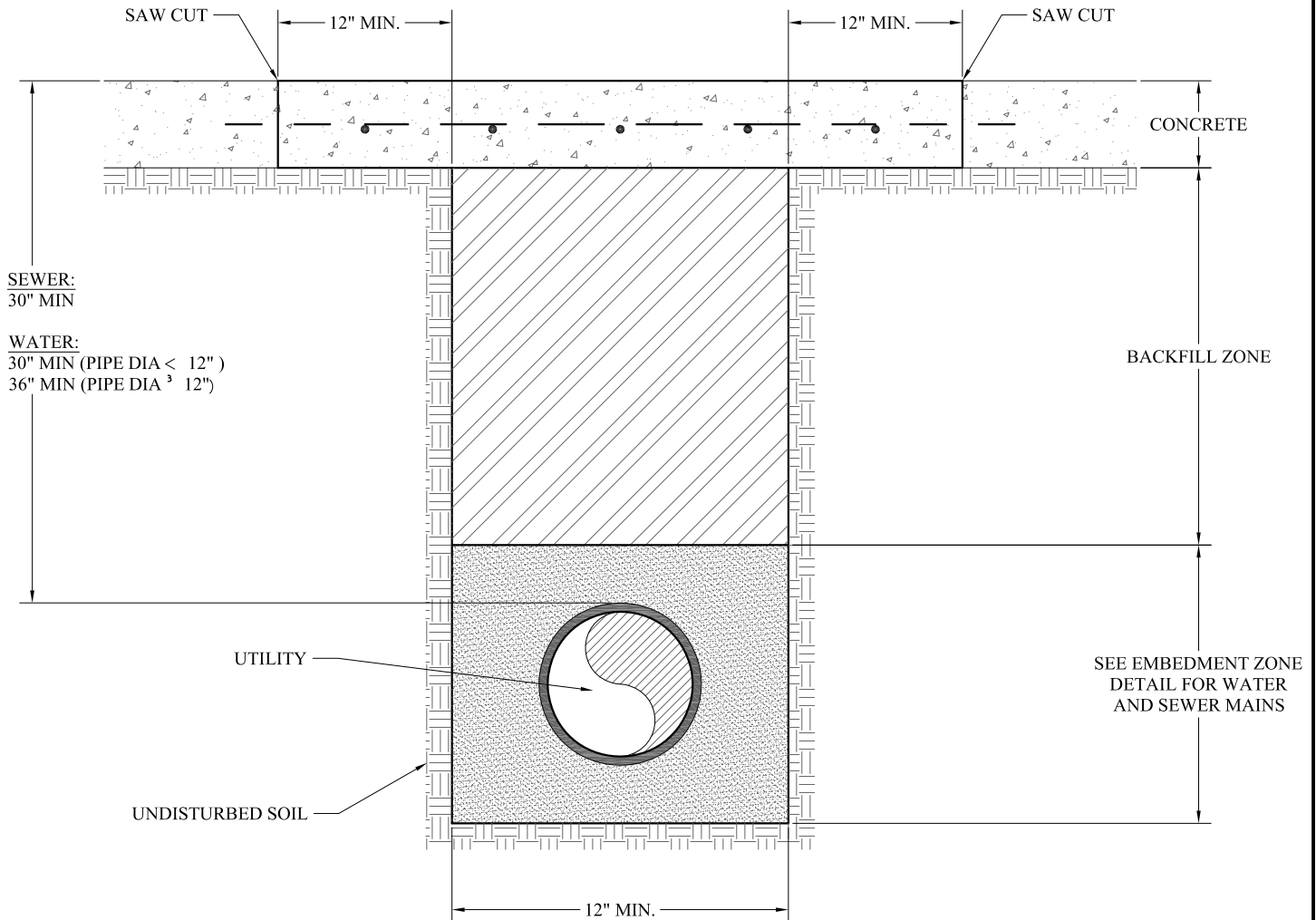
SUBMERSIBLE DUPLEX LIFT STATION - PART 4 OF 4



SEWER PIPE SLOPES

SIZE OF PIPE (INCHES)	MINIMUM SLOPE (%)	MAXIMUM SLOPE (%)
6	0.50	12.35
8	0.33	8.40
10	0.25	6.23
12	0.20	4.88
15	0.15	3.62
18	0.11	2.83
21	0.09	2.30
24	0.08	1.93
27	0.06	1.65
30	0.055	1.43
33	0.05	1.26
36	0.045	1.12
39	0.04	1.01
>39	*	*
* FOR PIPES LARGER THAN 39 INCHES IN DIAMETER, THE SLOPE IS DETERMINED BY MANNING'S FORMULA TO MAINTAIN A VELOCITY GREATER THAN 2.0 FEET PER SECOND AND LESS THAN 10.0 FEET PER SECOND WHEN FLOWING FULL.		

UTILITY TRENCH SECTION RIGID PAVEMENT



NOTES:

1. WATER OR SEWER MAINS AND SERVICES WITH LESS THAN 30" OF COVER AT ANY LOCATION SHALL REQUIRE C.O.S.A. APPROVAL PRIOR TO CONSTRUCTION.
2. CLASS P, 4,400 P.S.I. COMPRESSIVE; 680 P.S.I. FLEXURAL AT 28 DAY TEST. BEND EXISTING REBAR INTO CENTER OF NEW CONCRETE. REPLACE AS NECESSARY WITH #4 REBAR ON 12" CENTERS EACH WAY AND DOWEL IN #4 REBAR 9" DEEP WITH 24" LAP SPLICE AND MUST BE ALLOWED TO CURE FOR A PERIOD OF NOT LESS THAN 72 HOURS, OR CLASS P, 4,400 P.S.I. WITH 36 POUNDS OF NOVAMESH 850 PER CUBIC YARD WITH #4 REBAR DOWELS 9" DEEP AND 9" INTO THE TRENCH ON 18" CENTERS AND MUST BE ALLOWED TO CURE FOR A PERIOD OF NOT LESS THAN 72 HOURS.
3. CLASS K, 4,400 P.S.I. COMPRESSIVE; 680 P.S.I. FLEXURAL AT 28 DAY TEST. BEND EXISTING REBAR INTO CENTER OF NEW CONCRETE. REPLACE AS NECESSARY WITH #4 REBAR ON 12" CENTERS EACH WAY AND DOWEL IN #4 REBAR 9" DEEP WITH 24" LAP SPLICE AND MUST BE ALLOWED TO CURE FOR A PERIOD OF NOT LESS THAN 24 HOURS, OR CLASS K, 4,400 P.S.I. WITH 36 POUNDS OF NOVAMESH 850 PER CUBIC YARD WITH #4 REBAR DOWELS 9" DEEP AND 9" INTO THE TRENCH ON 18" CENTERS AND MUST BE ALLOWED TO CURE FOR A PERIOD OF NOT LESS THAN 24 HOURS.
4. FLEXIBLE BASE PER CITY OF SAN ANGELO SPECIFICATIONS COMPACTED IN 6" HORIZONTAL LAYERS. MINIMUM DENSITY 95% MODIFIED PROCTOR. (UNLESS APPROVED OTHERWISE IN WRITING).

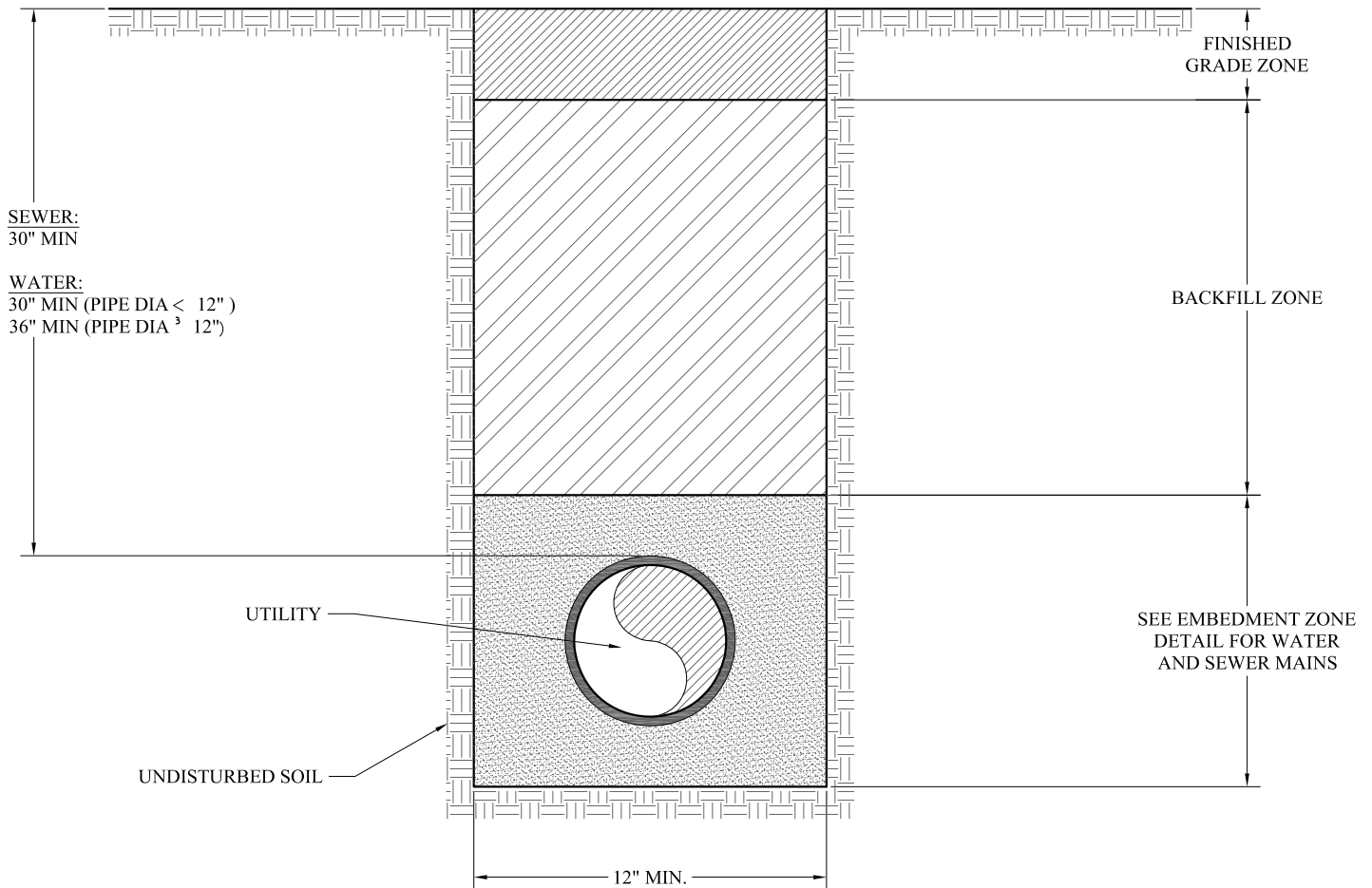
CITY OF SAN ANGELO

UTILITY TRENCH SECTION
RIGID PAVEMENT

APRIL, 2016

W-UTR-RIG

UTILITY TRENCH SECTION OTHER UNPAVED AREAS



NOTES:

BACKFILL ZONE:

OPTION #1: WHERE PULVERIZED OR GRANULAR MATERIAL IS AVAILABLE FROM EXCAVATION WHICH IS FREE OF SHARP EDGED STONES, OR STONES LARGER THAN 3" IN DIAMETER, CLAY, ORGANIC MATTER, OR OTHER UNSUITABLE SUBSTANCES, HAS A $PI \leq 20$ AND $LL \leq 40$, AND MEETS THE APPROVAL OF THE CITY SUCH MATERIAL MAY BE USED FOR BACKFILL MATERIAL AS INSTRUCTED BY THE OWNER. BACKFILL SHALL BE COMPACTED TO DENSITIES EQUAL TO OR GREATER THAN THAT OF SURROUNDING SOIL.

OPTION #2: FLEXIBLE BASE PER CITY OF SAN ANGELO SPECIFICATIONS COMPACTED IN 6" HORIZONTAL LAYERS TO MINIMUM DENSITY 95% MODIFIED PROCTOR.

FINISHED GRADE ZONE:

BACKFILL SHALL MATCH EXISTING GROUND CONDITIONS (SEE OPTIONS BELOW) OR AS DIRECTED BY THE OWNER.

OPTION A: UTILIZE BACKFILL ZONE MATERIAL FROM OPTION #1

OPTION B: 6" TOP SOIL.

OPTION C: 8" FLEXIBLE BASE

COVER:

WATER OR SEWER MAINS AND SERVICES WITH LESS THAN 30" OF COVER AT ANY LOCATION SHALL REQUIRE C.O.S.A. APPROVAL PRIOR TO CONSTRUCTION.

CITY OF SAN ANGELO

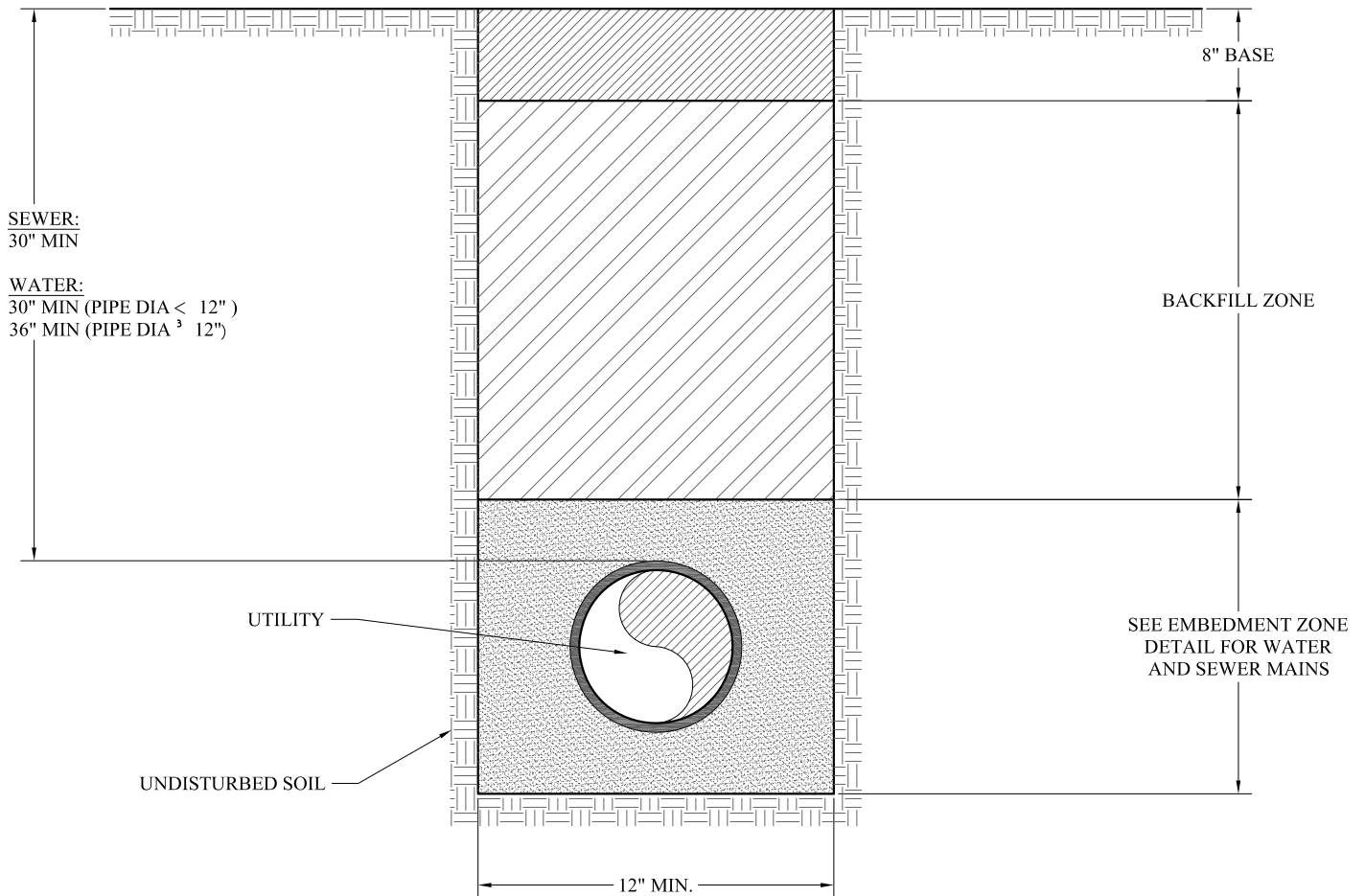
UTILITY TRENCH SECTION
OTHER UNPAVED AREAS

APRIL, 2016

W-UTR-OUA

UTILITY TRENCH SECTION

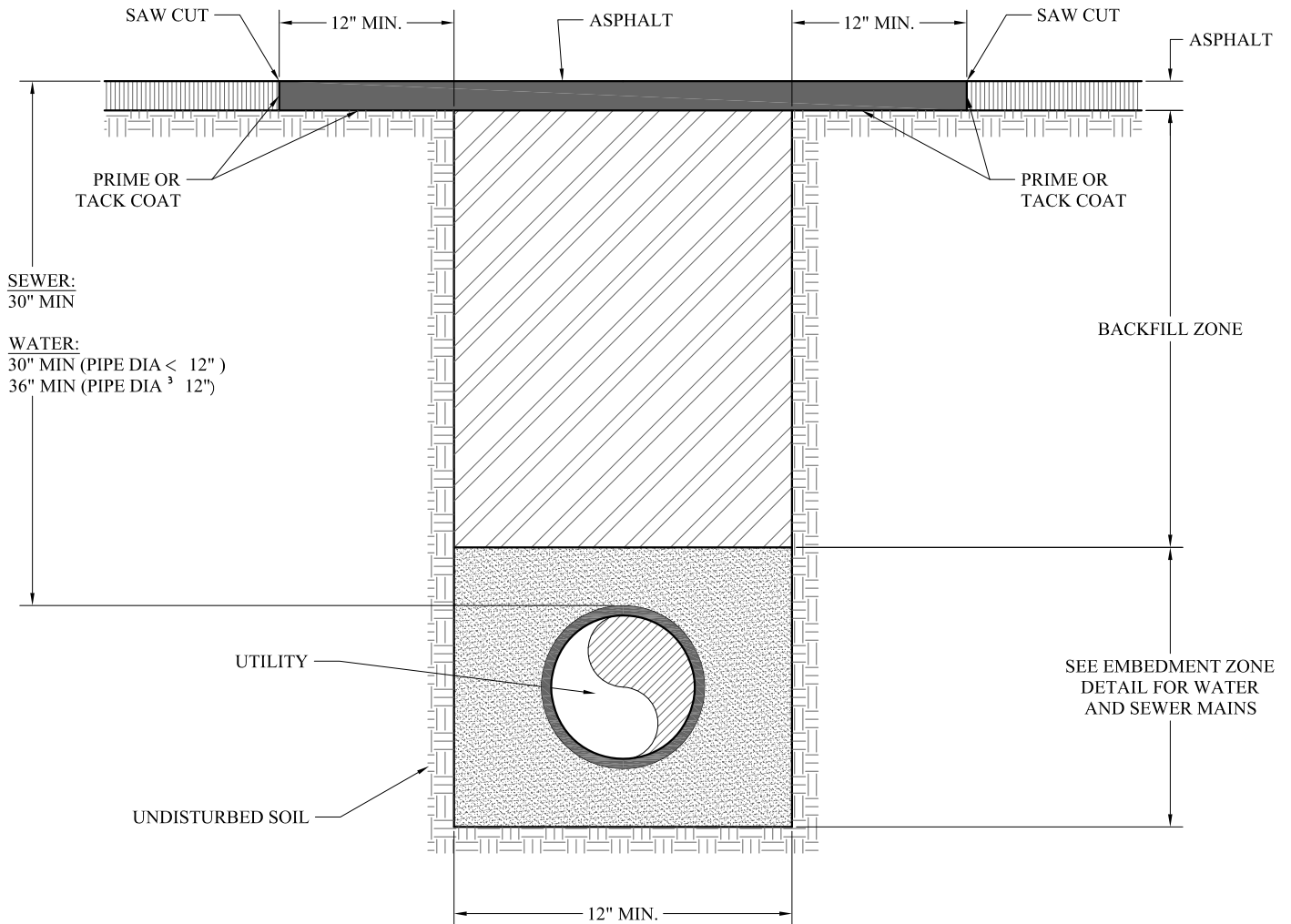
UNPAVED STREETS, ALLEYS & DRIVEWAYS



NOTES:

- BASE: FLEXIBLE BASE PER CITY OF SAN ANGELO SPECIFICATIONS. COMPACTED IN 6" LAYERS. MINIMUM DENSITY 95% MODIFIED PROCTOR.
- BACKFILL ZONE: WHERE PULVERIZED OR GRANULAR MATERIAL IS AVAILABLE FROM EXCAVATION WHICH IS FREE OF SHARP EDGED STONES, OR STONES LARGER THAN 3" IN DIAMETER, CLAY, ORGANIC MATTER, OR OTHER UNSUITABLE SUBSTANCES, HAS A $PI \leq 20$ AND $LL \leq 40$, AND MEETS THE APPROVAL OF THE CITY. SUCH MATERIAL MAY BE USED FOR BACKFILL MATERIAL AS INSTRUCTED BY THE OWNER.
- COVER: WATER OR SEWER MAINS AND SERVICES WITH LESS THAN 30" COVER AT ANY LOCATION SHALL REQUIRE C.O.S.A. APPROVAL PRIOR TO CONSTRUCTION.

UTILITY TRENCH SECTION ASPHALT PAVEMENT



NOTES:

ASPHALT:	2" LAYER TYPE D, TXDOT HOT MIX OR TYPE D, TXDOT HOT MIX - COLD LAID (MUST HAVE PRIOR CITY APPROVAL)
PRIME COAT:	TXDOT MC-30 OR AE-P ASPHALT AT THE RATE OF 0.25 TO 0.35 GALLON PER SQUARE YARD OF SURFACE
TACK COAT:	SHALL MEET THE REQUIREMENTS OF TXDOT ITEM 300 "ASPHALTS, OILS, AND EMULSIONS".
BACKFILL ZONE:	FLEXIBLE BASE PER CITY OF SAN ANGELO SPECIFICATIONS COMPACTED IN 6" HORIZONTAL LAYERS. MINIMUM DENSITY 95% MODIFIED PROCTOR.
COVER:	WATER OR SEWER MAINS AND SERVICES WITH LESS THAN 30" OF COVER AT ANY LOCATION SHALL REQUIRE C.O.S.A. APPROVAL PRIOR TO CONSTRUCTION.

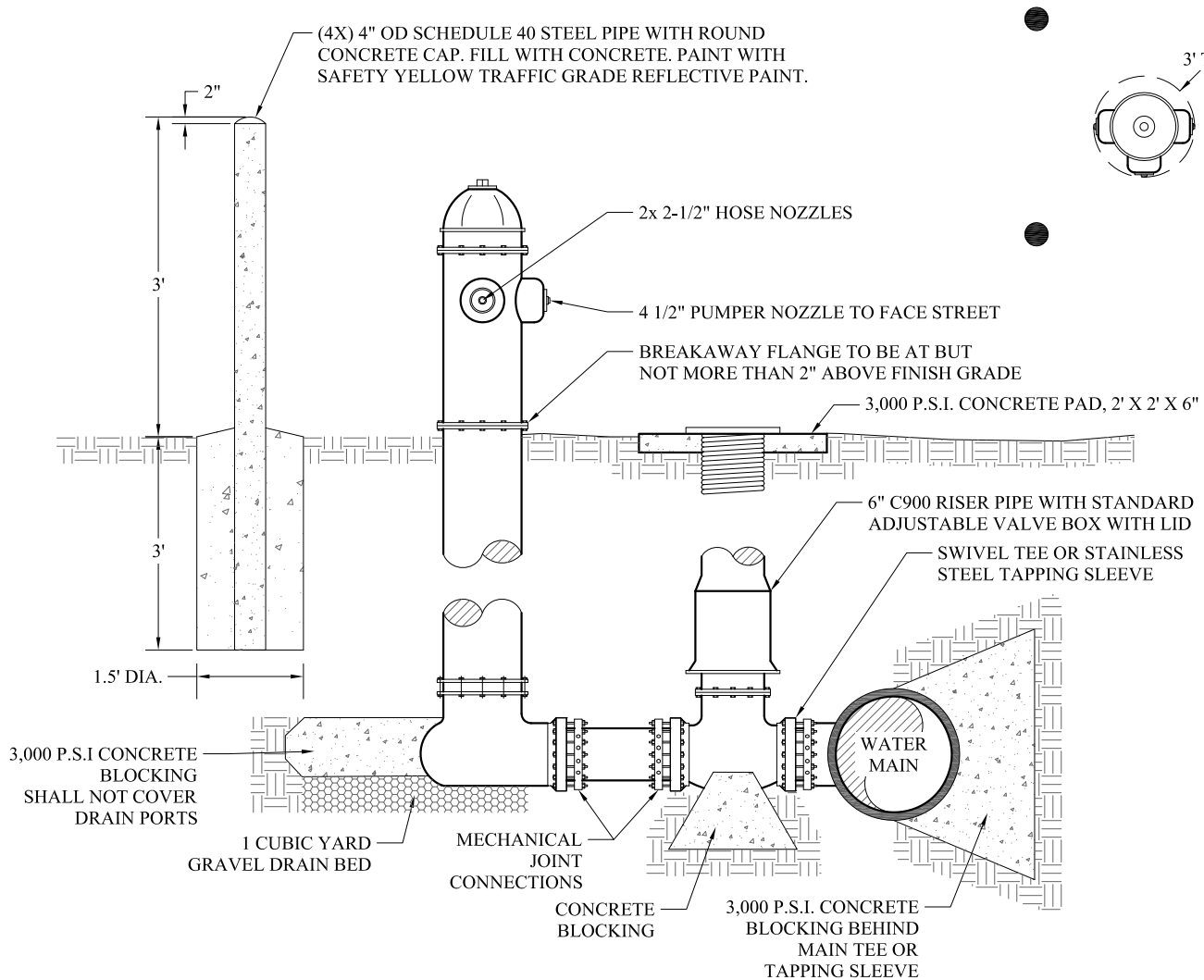
CITY OF SAN ANGELO

UTILITY TRENCH SECTION
ASPHALT PAVEMENT

APRIL, 2016

W-UTR-ASP

FIRE HYDRANT INSTALLATION WITH PIPE BOLLARD PROTECTION



NOTES

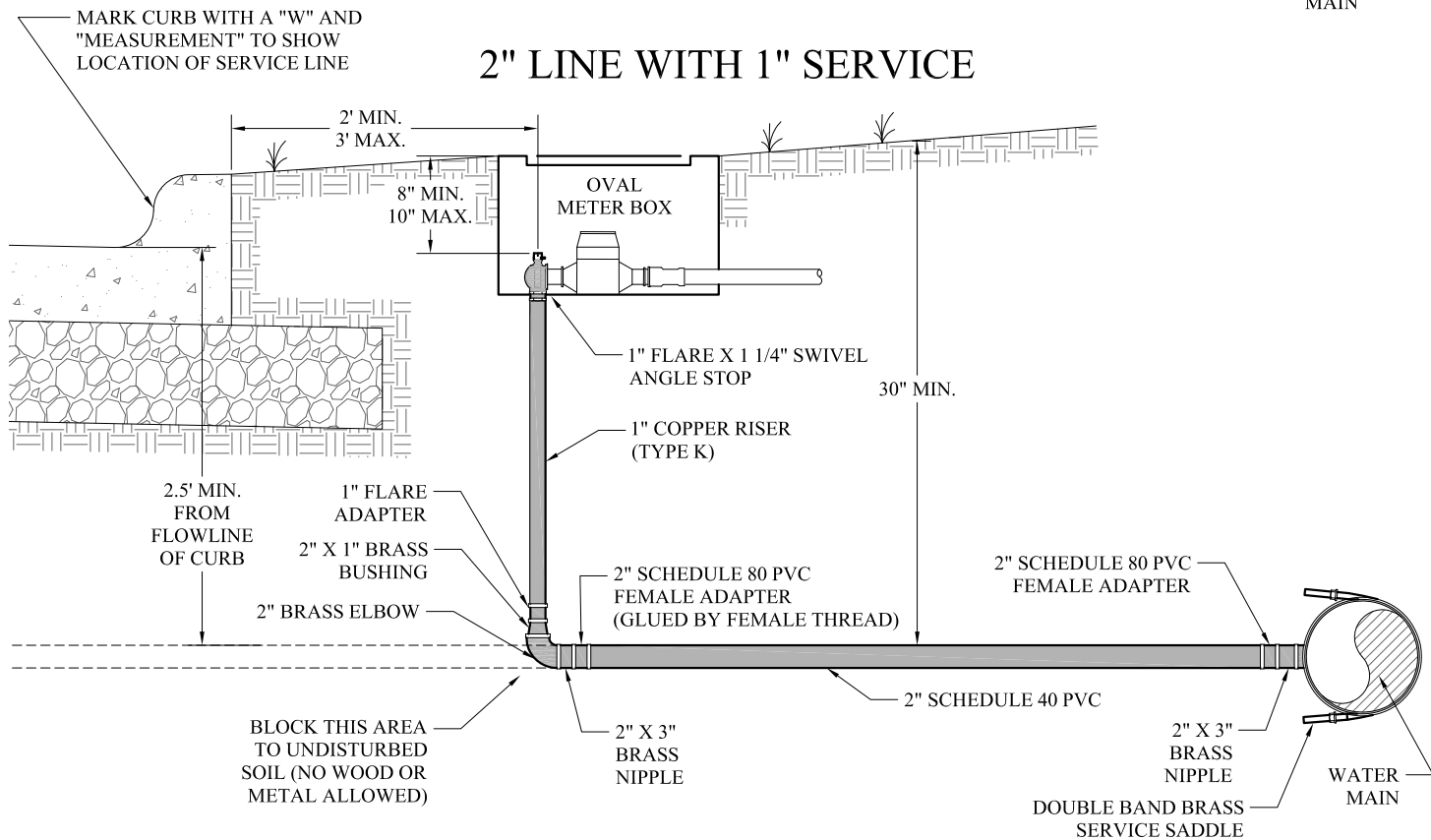
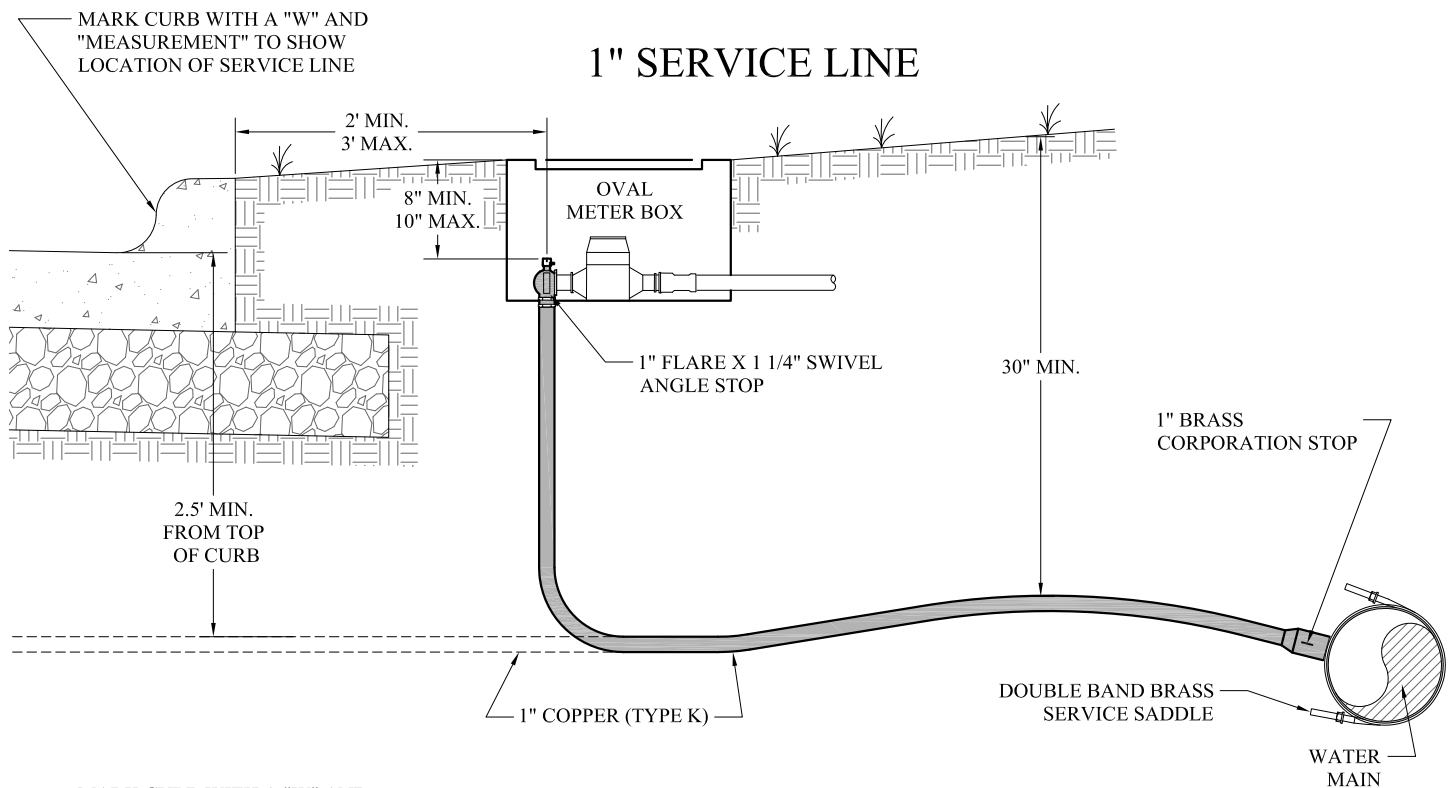
1. CONCRETE BLOCKING TO BE POURED TO UNDISTURBED SOIL.
2. PUMPER NOZZLE CAP TO BE NOT LESS THAN 18" NOR MORE THAN 36" BEHIND CURB.
3. WRAP ALL VALVES & FITTINGS WITH 3 MIL. POLYETHYLENE SHEET PLASTIC.
4. FIRE HYDRANT SHALL BE PAINTED YELLOW.
5. ALL MECHANICAL JOINT CONNECTIONS SHALL BE MECHANICALLY RESTRAINED.
6. ALL PIPE SECTIONS SHALL BE A MINIMUM OF 10' IN LENGTH, UNLESS TOTAL LENGTH OF FIRE HYDRANT LEAD IS LESS THAN 10', OR UNLESS APPROVED OTHERWISE BY THE CITY
7. FIRE HYDRANTS SHALL BE PROTECTED WITH BOLLARDS IN AREAS SUSCEPTIBLE TO VEHICULAR DAMAGE.

CITY OF SAN ANGELO

FIRE HYDRANT INSTALLATION
WITH PIPE BOLLARD PROTECTION

APRIL, 2016

W-FHI-MOL



NOTES

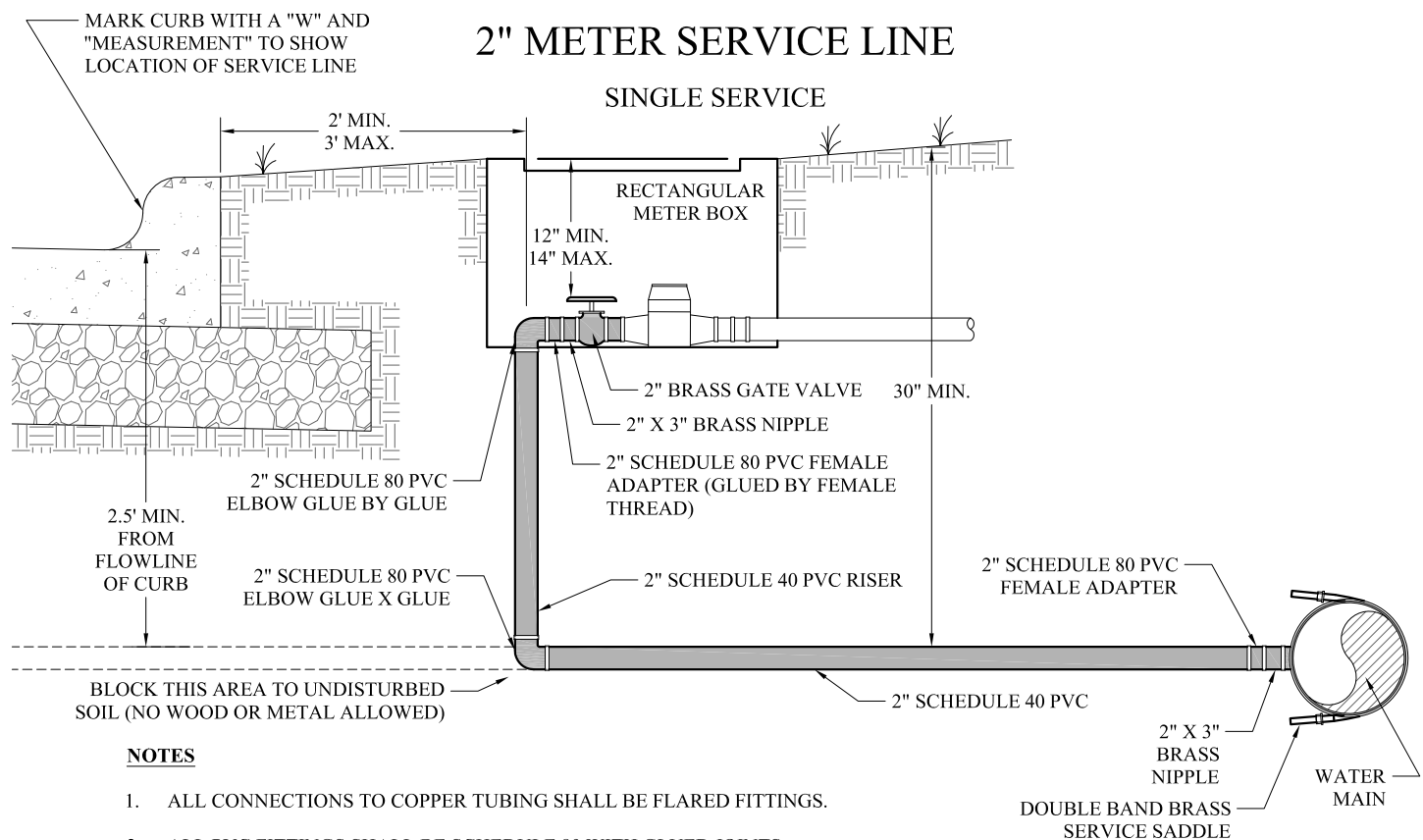
1. ALL CONNECTIONS TO COPPER TUBING SHALL BE FLARED FITTINGS.
2. ALL PVC FITTINGS SHALL BE SCHEDULE 80 WITH GLUED JOINTS.
3. ANY BUSHINGS REQUIRED SHALL BE BRASS WITH NEOPRENE GASKET.

CITY OF SAN ANGELO

1" SERVICE LINES

APRIL, 2016

W-SL-1



NOTES

1. ALL CONNECTIONS TO COPPER TUBING SHALL BE FLARED FITTINGS.
2. ALL PVC FITTINGS SHALL BE SCHEDULE 80 WITH GLUED JOINTS.
3. ANY BUSHINGS REQUIRED SHALL BE BRASS WITH NEOPRENE GASKET.

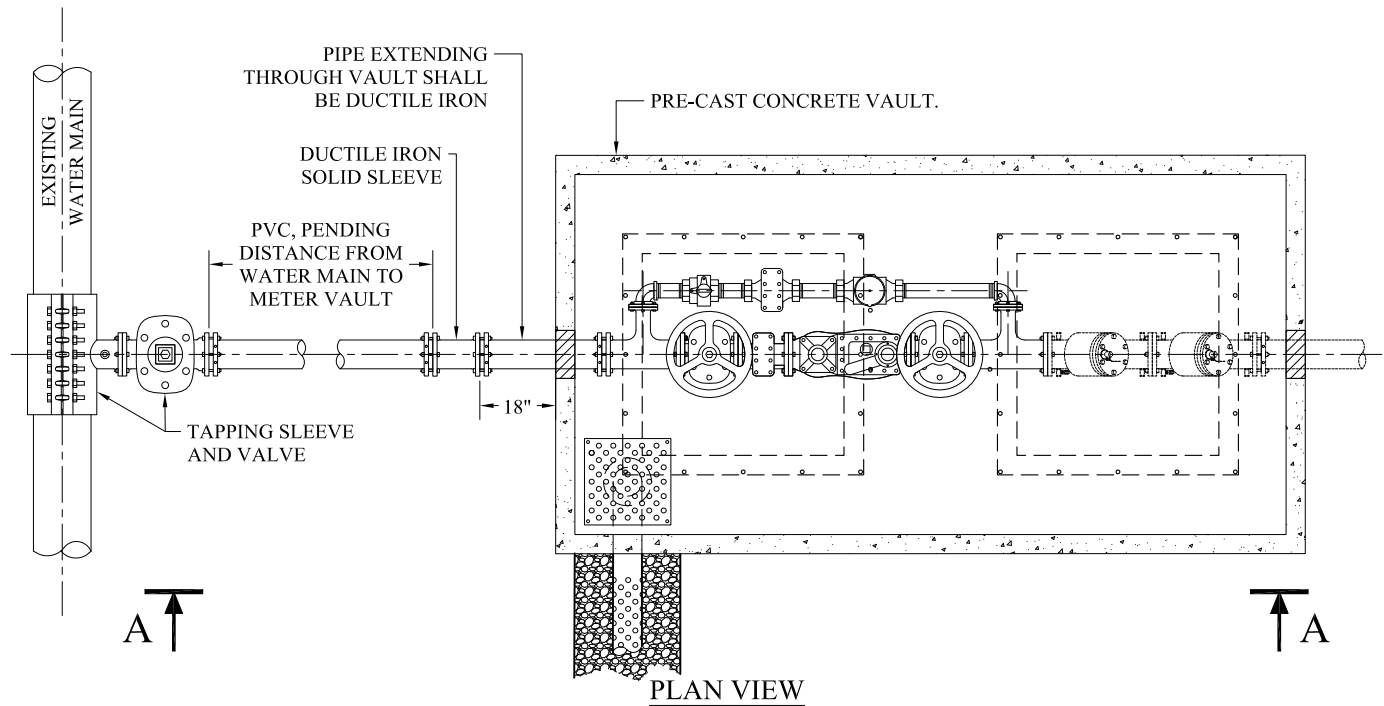
CITY OF SAN ANGELO

2" SERVICE LINES

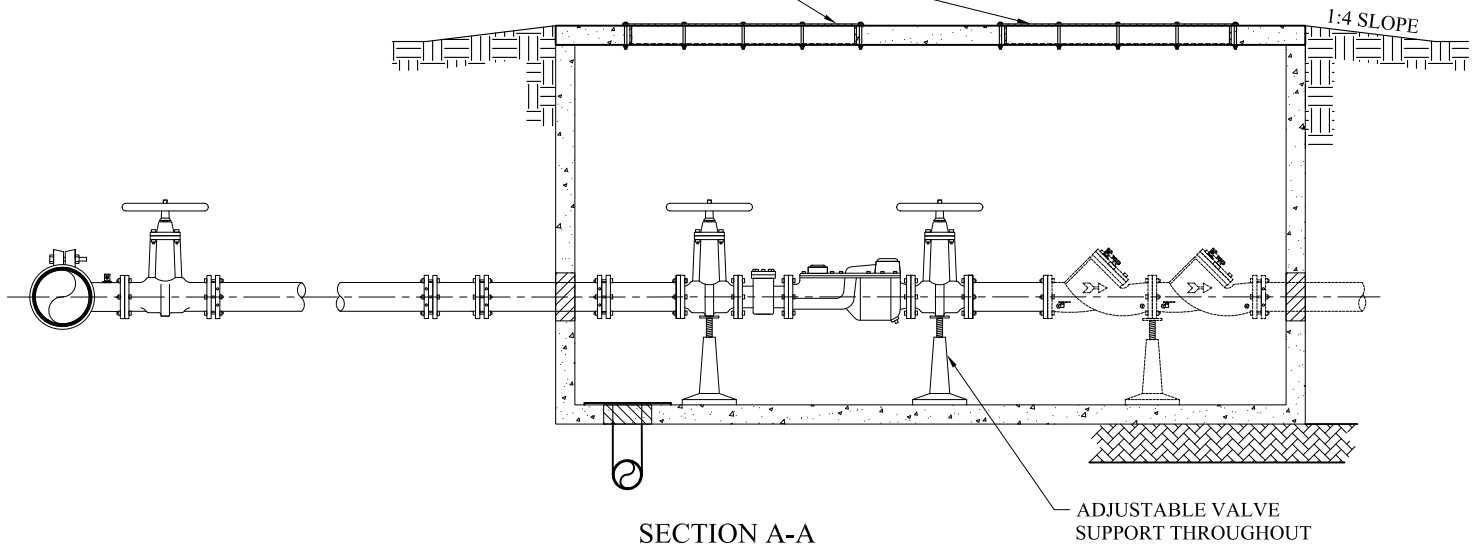
APRIL, 2016

W-SL-2

LARGE METER VAULT FOR 3" METERS AND LARGER



(2x) MIN. 30" X 42" ANGLE FRAMED ACCESS HATCHES WITH H-20 LOAD RATING. HATCH SHALL BE LOCKABLE AND HAVE SPRING ASSISTED OPENING AND A HOLD-OPEN ARM.



NOTES:

1. WATER METERS AND STRAINERS TO BE PROVIDED BY CITY OF SAN ANGELO.
2. PIPE JOINTS INSIDE VAULT SHALL BE FLANGED. MECHANICAL JOINT CONNECTIONS OUTSIDE VAULT SHALL BE MECHANICALLY RESTRAINED.
3. VAULT SHALL BE PLACED ON 4" OF COMPACTED CRUSHED LIMESTONE BASE.
4. FLOOR DRAIN SHALL DISCHARGE TO MINIMUM 20' JOINT OF 4" PERFORATED PIPE WITH A MINIMUM 1 CUBIC YARD OF CRUSHED STONE DRAIN BED.
5. TYPE OF BACKFLOW PREVENTION DEVICE TO BE DETERMINED BY DESIGN ENGINEER BASED ON TCEQ REGULATIONS.
6. ONLY DOUBLE CHECK AND DOUBLE DETECTOR CHECK VALVES ALLOWED IN VAULT.
7. REDUCED PRESSURE BACKFLOW DEVICE SHALL BE ABOVE GROUND, AFTER METER VAULT.

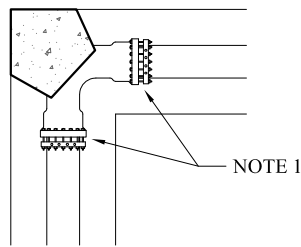
CITY OF SAN ANGELO

LARGE METER VAULT
FOR 3" METERS AND LARGER

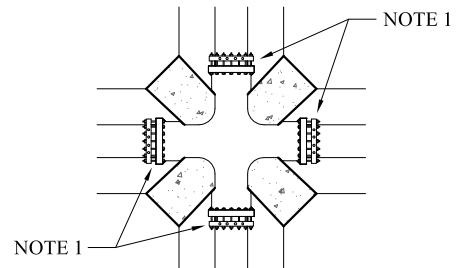
APRIL, 2016

W-SL-3

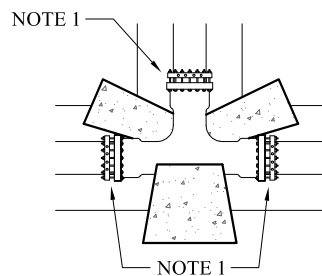
THRUST BLOCKING



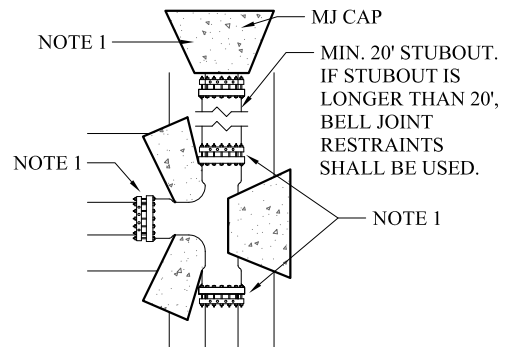
BEND



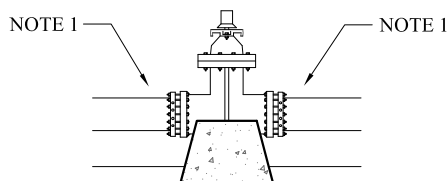
CROSS



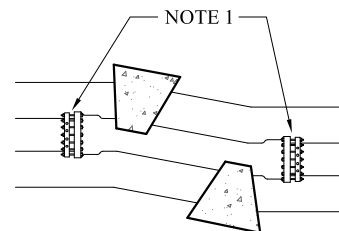
TEE



TEE WITH STUBOUT



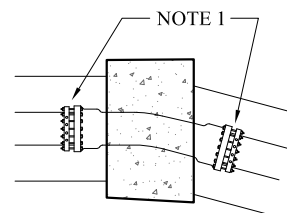
VALVE



OFFSET

NOTES:

1. ALL MECHANICAL JOINT CONNECTIONS ON BENDS AND VALVES SHALL BE MECHANICALLY RESTRAINED AND CONCRETE BLOCKED AS SHOWN.
2. ALL CONCRETE SHALL BE 3,000 P.S.I. CONCRETE.
3. ALL PIPE SECTIONS SHALL BE A MINIMUM OF 10' IN LENGTH UNLESS APPROVED OTHERWISE BY THE CITY
4. IF STUBOUT IS LONGER THAN 20', BELL JOINT RESTRAINTS SHALL BE USED.
5. ALL DUCTILE IRON SHALL BE WRAPPED IN 3 MIL. POLY SHEETING



VERTICAL BEND

CITY OF SAN ANGELO

THRUST BLOCKING

APRIL, 2016

W-TB-1

**A RESOLUTION OF THE CITY OF SAN ANGELO CITY COUNCIL
AUTHORIZING THE PUBLIC WORKS DEPARTMENT TO ADOPT AND
IMPLEMENT A CONSTRUCTION DETAILS AND APPROVED MATERIALS
AND MANUFACTURERS LIST FOR WATER AND SEWER CONSTRUCTION**

WHEREAS, the City of San Angelo has not adopted standards for the construction of water and sewer facilities built within the City limits; and

WHEREAS, adopted standards will ensure reliable and consistent development of the municipal water distribution and sanitary sewer systems for San Angelo; and,

WHEREAS, the City Engineering Services Division has developed standards to be used by the City, developers, design professionals, contractors, and vendors when designing and installing improvements to the City's water and sewer facilities; and

WHEREAS, input from the development community was sought as a part of the process in developing the standards.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF SAN ANGELO THAT:

Part 1: The City of San Angelo Approved Materials and Manufacturers for Water and Sewer attached hereto as Exhibit "A" is hereby adopted and shall be the required standards for the construction of municipal water distribution and sanitary sewer systems within the City of San Angelo.

Part 2: The City engineer is hereby authorized to make periodic revisions to these standards as necessary to ensure the reliable and consistent development of the municipal water distribution and sanitary sewer systems infrastructure.

PASSED and APPROVED THIS 19th DAY OF April, 2016.

THE CITY OF SAN ANGELO

Dwain Morrison, Mayor

Attest:

Bryan Kendrick, City Clerk

Approved As to Form:

Theresa James, City Attorney

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Morgan Chegwidden, Budget Manager, Budget, 325-653-6291

Meeting Date: April 19, 2016

Item type: Regular Item

Caption:

First public hearing and introduction of an ordinance amending the 2015-2016 budget for a capital project -
(Presentation by Budget Manager Morgan Chegwidden)

Summary/History:

Financial Impact:

\$600,000 (see attached detail on Exhibit A of the ordinance).

Other Information/Recommendation:

Attachments:

- | | | |
|----|------------|----------------------------------|
| 1. | Powerpoint | FIN Budget Amendment 5-3-16.pptx |
| 2. | Ordinance | Auditorium Ord.pdf |
| 3. | Exhibit A | Auditorium Exhibit A.pdf |
| 4. | BA Memo | 4.19.16 BA Memo Auditorium.doc |

Presentation:

Yes

Approvals/Reviews:

Chegwidden, Morgan	Created/Initiated
James, Theresa	Approved
Carriger, Tina	Approved
James, Theresa	Approved
Dunn, Becky	Approved
Kendrick, Bryan	Final Approval



City Council

April 19, 2016



Budget Amendment

	Revenue	Expense
Auditorium	\$600,000	\$600,000





City Council

April 19, 2016



**AN ORDINANCE OF THE CITY OF SAN ANGELO AMENDING
THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER
1, 2015, AND ENDING SEPTEMBER 30, 2016, FOR A CAPITAL
PROJECT.**

WHEREAS the City of San Angelo has determined that new projects not included in the current budget should begin, and

WHEREAS the City of San Angelo has determined that certain budgeted amounts should be amended due to project changes and unforeseen circumstances, and

WHEREAS the resources necessary for these changes are available;

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

The City's budget for fiscal year 2015-2016 be amended by the amounts contained in Exhibit A.

INTRODUCED on the 19th day of April, 2016, and APPROVED and ADOPTED on this the 5th day of May, 2016.

CITY OF SAN ANGELO, TEXAS

Dwain Morrison, Mayor

ATTEST:

Bryan Kendrick, City Clerk

Approved as to Content and Form:

Tina Carriger, Finance Director

City of San Angelo
Proposed Budget Amendment
Exhibit A

Fund	Description	Total Revenue Amendment	Total Expense Amendment	Net Benefit/ (Cost)
502	General Capital Projects	600,000	600,000	-
	Total	600,000	600,000	-

City of San Angelo
Proposed Budget Amendment
Additional
Information

Project/Need	Source of Funding	Revenue	Expense	Net Benefit/ (Cost)
Auditorium	Donation	600,000	600,000	-
Total		600,000	600,000	-

Memo

To: Morgan Chegwiddden, Budget Manager
From: Tina Carriger, Finance Director
Date: April 15, 2016
Re: Budget Amendment Request

Purpose of Budget Amendment Request:

Budget for the additional allocations for the auditorium renovation and expansion project.

Source of Funding:

SAPAC - Additional security pledge due to expected tax credits from the Texas Historical Commission
\$600,000

Funding previously approved? If so, by City Manager or City Council and when?

No. Will be considered by City Council at the April 19, 2016 meeting.

Project/Budget to be amended	Original Budget	Proposed Change	Proposed Revised Budget
Donations 502-6602-365.40-24	\$5,616,101	\$600,000	\$6,216,101
Auditorium Renovation and Expansion 502-6602-800.07-20	\$9,920,220	\$600,000	\$10,520,220

Additional Comments:

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Walt Wilkinson, Budget Analyst Sr., Budget, 325-481-2757

Meeting Date: April 19, 2016

Item type: Regular Item

Caption:

Discussion and consideration of the possibility of issuing rebates of water fees. (Presentation by Budget Manager Morgan Chegwidden)

Summary/History:

As stated in the water fee ordinance, during the months of April and November of each year, the City Council shall review the financial condition of the Water Operations Fund and determine whether a rebate to water customers is appropriate.

If a rebate is determined to be appropriate, such rebate shall be accomplished in May and December or as soon thereafter as practical. The amounts and methodology for providing a rebate shall be determined by the City Council.

Staff will present the estimated Water Operations Fund balance as of March 31, 2016 in an effort to provide Council with the information necessary to form an opinion.

The Water Operations Fund estimated fund balance as of March 31, 2016 is \$1,369,417. The goal for the water operations fund is 75 days of expense budget, or \$4,794,089. Since estimated fund balances is less than the goal, it would not be fiscally prudent to issue a rebate at this time. The fund balance in this fund is not at a level where staff would recommend a rebate.

There have been two occasions when this fund balance exceeded 75 days expenditures and the Council decided to use that excess. On one occasion, the base fees were changed to zero for two months; and for the other occasion, the excess was transferred to a capital projects fund to assist with capital improvements.

Financial Impact:

Could result in a reduction in fund balance - depending on the amount directed by City Council.

Other Information/Recommendation:

Staff recommends no action at this time.

Attachments:

1. Water Rebates - Powerpoint FIN 160419 Water Rebate Discussion.pptx

Presentation:

Morgan Chegwidden

Approvals/Reviews:

Wilkinson, Walt
James, Theresa
Riley, Bill
Carriger, Tina
James, Theresa
Dunn, Becky
Kendrick, Bryan

Created/Initiated
Approved
Approved
Approved
Approved
Approved
Final Approval



City Council

April 19, 2016



Water Rebate

The water rate ordinance states:

- Biannually (in April and November), the city council reviews the Water Fund's financial condition.
- The Council determines whether a rebate to water customers is appropriate.
- If action is taken, rebates shall occur in May and December or as soon thereafter as practical.
- The amounts and methodology for providing the rebate shall be determined by the city council.



Water Rebate

Since inception, Council has taken action twice:

1. Rebates granted – base fees were waived (changed to zero) for two months; and
2. Capital projects funding – excess fund balance was transferred to a capital projects fund to assist in paying for needed improvements.



2016 Fee Review

Water Fund

Estimated fund balance 3/31/16	\$1,369,417
75 day goal fund balance	\$4,794,089

Staff recommends no action at this time





City Council

April 19, 2016





APPLICATION FOR BOARDS and COMMISSIONS

Name: Todd Kolls
 Address: 3521 SILVER SPUR
 City: San Angelo (unless otherwise noted) Zip: 76904
 Phone (Home): 212 2894 (Office): 655 6557
 Resident of San Angelo since: 1985 SMD: 6
 Are you a registered voter of San Angelo? Yes: ☒ No: ☐
 Occupation / Business Affiliation: JEWELER, OWNER Kolls diamond
 Occupation / Business Address: design
 Position: OWNER
 Email: todd.kolls@aol.com

By executing this document, the applicant does hereby certify and affirm the truth and accuracy of the information contained herein. The applicant further authorizes the City Council, or its designee, to verify any information. The applicant agrees to release and hold harmless the City from all claims incident to the verification of information contained herein.

X [Signature] 4-7-16
 Applicant's Signature Date

NOTE: This application is information of public record.* Public Service opportunities are offered by the City of San Angelo without regard to race, color, national origin, religion, sex or disability.

RETURN TO: City of San Angelo, c/o City Clerk, 72 W. College, San Angelo, Texas 76903

Applying for:

- ☐ Airport Advisory Board
- ☐ Animal Shelter Adv Cmm*
- ☐ Civic Events Adv Board
- ☐ Civil Service Commission
- ☐ Construction Board of Adj/Appls*
- ☐ Design & Historic Review Cmm*
- ☒ Development Corporation
- ☐ Downtown Development Cmm*
- ☐ Fort Concho Museum Board
- ☐ Park Commission
- ☐ Parks & Recreation Adv Board
- ☐ Planning Commission
- ☐ Public Art Commission*
- ☐ Public Housing Authority
- ☐ Tax Incrmt Reinvsmnt Zone Board*
- ☐ Water Advisory Board*
- ☐ Zoning Board of Adjustment

*specific membership criteria requirements apply-See back page for more information

Recommended by:

Tell us about yourself. Feel free to attach additional sheets, if necessary.

Based on you board selection, do you meet the membership criteria*? ☒ Yes ☐ No If so, which criteria: ALL
 (see back page for board criteria)

Education and/or Professional Licenses: GEORATE GEMOLOGIST - GEMOLOGICAL ASS. AMERICA

Current Municipal and Civic Organization Memberships (Positions & Dates): N/A

Previous Municipal Experience (Positions, Dates, Where): N/A

What personal qualifications can you bring to this board? BUSINESS EXPERIENCE, BREAKING DOWN DIFFICULT SITUATIONS FOR CLEAR UNDERSTANDING

What is your personal vision for the City? GROWTH (KEEP THE CHARM)

Why do you want to serve on this board? CIVIL RESPONSIBILITIES + ITS VERY IMPORTANT FOR THE GROWTH + FUTURE OF SAN ANGELO

Anything else you would like for us to know? N/A

*The City Council adopted the Code of Ethics for members of the City Council and for the City's boards and commissions to assure public confidence in the integrity of local government and its effective and fair operation. Therefore, all Members shall comply with the laws of the nation, the State of Texas, and the City of San Angelo in the performance of their public duties. If you been convicted of a MISDEMEANOR or FELONY, and/or placed on probation, fined or given a suspended sentence such as pretrial diversion or deferred adjudication in court within the last ten years, disclosure of such should be forwarded under separate cover. For a complete copy of the Code of Ethics, contact the City Clerk at 657-4405.

For Office Use Only:

Appointed by:

City App/Reappt Date:

Term Dates: To

From

Kendrick, Bryan

From: Kendrick, Bryan
Sent: Friday, April 15, 2016 10:16 AM
Subject: FW: City of San Angelo, TX Boards and Commissions application

Survey Details

Page 1

NOTE: This application is information of public record.

Public Service opportunities are offered by the City of San Angelo without regard to race, color, national origin, religion, sex or disability.

1. Personal information

Name: Jason Pierce
Address: 6026 Averill Way
ZIP code: 76901
Home/mobile phone: 325 617-4137
Office/mobile phone: 325 942-2199
Resident of San Angelo since (year): 2009
City Council Single-Member District in which you reside: Charlotte Farmer
Registered San Angelo voter? (yes or no) Yes
Occupation/business affiliation: Angelo State University
Occupation/business address: Academic 210 D, ASU Station #10897
Title/position: Associate Professor
Email: jpierce8@angelol.edu

2. By executing this document, the applicant does hereby certify and affirm the truth and accuracy of the information contained herein. The applicant further authorizes the City Council, or its designee, to verify any information. The applicant agrees to release and hold harmless the City from all claims incident to the verification of information contained herein.

(o) Yes

3. Date

03/23/2016

4. Applying for:

NOTE: Specific membership requirements apply to boards/commissions marked with an asterisk. See the bottom page at [this link](#) for more details.

(o) Fort Concho Museum Board

5. Recommended by:

(Name): Kenneth Heinemann

6. Based on your board selection, do you meet the membership criteria?

(o) Yes

7. If so, which criteria?

I have expertise in both history and historic preservation issues.

8. Tell us about yourself.

Education and/or professional licenses:

PhD in American History with an emphasis in the History of the American West and Historic Preservation

Current municipal and civic organization memberships (positions and dates):

Cultural District Board, San Angelo Museum of Fine Arts, 2012-2014

Previous municipal experience (positions, dates, where):

None

What personal qualifications can you bring to the board?

I have a passion for history, and I believe Fort Concho is a tremendous asset for the city and the region. My enthusiasm and willingness to help promote this unique cultural treasure should be beneficial.

What is your personal vision for the City?

San Angelo is a unique place, and I'm proud to call it my home. Having lived in cities and smaller towns (Durango, Colorado, Denver, Portland, Oregon, among others), I appreciate what San Angelo offers and I'm pleased with the direction that the city has taken in the years I've lived here to make the city more livable. Projects like the Red Arroyo trail, the downtown revitalization efforts, the corridor along the river, etc. are making the slogan that San Angelo is an oasis a reality. Fort Concho and SAMFA are assets that help make San Angelo a remarkable place, and I'm happy to help the Fort continue its mission.

Why do you want to serve on this board?

I believe my expertise and knowledge of issues related to historic preservation nationally would help bring additional perspectives to the Fort and enable me to understand the challenges and opportunities facing the fort.

Is there anything else you would like to share about yourself?

No. Except that I'm excited to have the opportunity to serve.

The City Council adopted the Code of Ethics for members of the City Council and for the City's boards and commissions to assure public confidence in the integrity of local government and its effective and fair operation. Therefore, all Members shall comply with the laws of the nation, the State of Texas, and the City of San Angelo in the performance of their public duties. If you been convicted of a MISDEMEANOR or FELONY, and/or placed on probation, fined or given a suspended sentence such as pretrial diversion or deferred adjudication in court within the last ten years, disclosure of such should be forwarded under separate cover. For a complete copy of the Code of Ethics, contact the City Clerk at 325-657-4405.

Thank you,
City of San Angelo, TX

This is an automated message generated by the Vision Content Management System™. Please do not reply directly to this email.

Kendrick, Bryan

From: Kendrick, Bryan
Sent: Friday, April 8, 2016 10:49 AM
Subject: FW: City of San Angelo, TX Boards and Commissions application

Page 1

NOTE: This application is information of public record.

Public Service opportunities are offered by the City of San Angelo without regard to race, color, national origin, religion, sex or disability.

1. Personal information

Name: Jean N. Cornell
Address: 1519 South Madison
ZIP code: 76901
Home/mobile phone: 325.656.5979
Office/mobile phone: 325.656.5979
Resident of San Angelo since (year): 1998
City Council Single-Member District in which you reside: San Angelo
Registered San Angelo voter? (yes or no) Yes
Occupation/business affiliation: Photographer/rancher/trustee
Occupation/business address: 1519 S Madison
Title/position: Self-employed
Email: jcornell@suddenlink.net

2. By executing this document, the applicant does hereby certify and affirm the truth and accuracy of the information contained herein. The applicant further authorizes the City Council, or its designee, to verify any information. The applicant agrees to release and hold harmless the City from all claims incident to the verification of information contained herein.

(o) Yes

3. Date

3/14/16

4. Applying for:

NOTE: Specific membership requirements apply to boards/commissions marked with an asterisk. See the bottom page at [this link](#) for more details.

(o) Zoning Board of Adjustment

5. Recommended by:

(Name): Liz Grindstaff

6. Based on your board selection, do you meet the membership criteria?

Not answered

7. If so, which criteria?

Not answered

8. Tell us about yourself.

Education and/or professional licenses:

I have a Bachelor of Arts in Advertising from Texas Tech University.

Current municipal and civic organization memberships (positions and dates):

None

Previous municipal experience (positions, dates, where):

None

What personal qualifications can you bring to the board?

Being the daughter of an attorney and have contractual experience personally and in business, I have a natural aptitude for litigation and contracts.

What is your personal vision for the City?

I have hope that San Angelo will be a more business friendly community and become more attractive to businesses looking to make our city their home.

Why do you want to serve on this board?

I was involved with the sand depot debacle last year and became more interested in the board.

Is there anything else you would like to share about yourself?

Additionally, I think it is important to be civic/community minded and to be involved. I believe serving on a municipal board is the next step.

The City Council adopted the Code of Ethics for members of the City Council and for the City's boards and commissions to assure public confidence in the integrity of local government and its effective and fair operation. Therefore, all Members shall comply with the laws of the nation, the State of Texas, and the City of San Angelo in the performance of their public duties. If you been convicted of a MISDEMEANOR or FELONY, and/or placed on probation, fined or given a suspended sentence such as pretrial diversion or deferred adjudication in court within the last ten years, disclosure of such should be forwarded under separate cover. For a complete copy of the Code of Ethics, contact the City Clerk at 325-657-4405.

Thank you,
City of San Angelo, TX

This is an automated message generated by the Vision Content Management System™. Please do not reply directly to this email.