



City Council Agenda 10/18/2016

Notice is hereby given of a regular meeting of the City Council of City of San Angelo to be held on October 18, 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. Proclamation declaring Oct. 24-28, 2016, as Red Ribbon Week in the City of San Angelo to be received by Concho Valley CARES Program Coordinator & Outreach Coordinator LaTonya Smith
- b. Recognition of Fort Concho Cavalry riders Ron Perry and Rick Dill
- c. Proclamation declaring the month of October 2016, as Pink Out Concho Valley in the City of San Angelo Dr. Linda Ross, Regional Director of the Laura W. Bush Institute for Women's Health at Angelo State

4. 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.

5. Consent Agenda

- a. Consider approving the October 4, 2016 City Council regular meeting minutes (B.Kendrick)
- b. Consider awarding WU-05-16 Water Meter Inventory bid to HD Supply Waterworks (San Angelo, TX) for commercial and residential water meter inventory supplies in the amount of \$500,000 annually budgeted for purchase FY2017, FY2018, and FY2019, and authorizing the City Manager or designee to execute any related documents (A.Strube)
- c. Consider awarding RFB OP-01-17 Modular Office Building to Ramtech Building Systems from Buyboard Contract #463-14 in the amount of \$125,516, budgeted for purchase FY2017, and authorizing the City Manager or designee to execute any related documents (P. Frerich)
- d. Consider a resolution authorizing a tax resale deed (Quitclaim) to be executed by the Mayor on behalf of the city and all taxing units in the Tax Foreclosure Judgment or Tax Warrant to the following properties: (C. Preas)
 - 1.) Mineola Addition, Block 12, Lot 4; 835 W. 16th St; Cerda (\$750)
 - 2.) Miles Addition, Block 70, Lot 3; 211 W. 13th St; Habitat for Humanity (\$750)
 - 3.) Miles Addition, Block 70, Lot 12; 214 W. 12th St; Habitat for Humanity (\$750)

- e. Consider authorizing the sale of the following Lake Nasworthy properties to current residential lake lot lease holders for the appraised values (C. Preas):
 - 1.) Lot 111, Block 9, Section 2, Group Shady Point, Lake Nasworthy; 6650 Knickerbocker Rd (\$26,300)
 - 2.) Lot 48, Block 7, Section 2, Group Shady Point, Lake Nasworthy; 1924 Shady Point Circle Dr (\$56,182)
- f. Consider a resolution authorizing the City Attorney to begin termination of Lake Nasworthy Residential Lot Lease and eviction proceedings for non-payment of annual rent (more than 180 days delinquent) on the following property: Jerry Dean Clements (\$1,182): Lot 130, Group Shady Point, Lake Nasworthy Addition (C.Preas)
- g. Consider approving an Interlocal Agreement with Tom Green County for the support of City of San Angelo Emergency Management Operations in the amount of \$85,500 and authorizing City Manager to negotiate and execute all related documents (S.Mild)
- h. Consider approving an Agreement with the Concho Valley Council of Governments-Area Agency on Aging for the Senior Service Nutrition Congregate meal program in the estimated amount of \$116,163.48 and authorizing City Manager to negotiate and execute all related documents (S.Aguilar)
- i. Consider resolution authorizing the City Manager to negotiate and execute required documents that record the Economic Development Administration's interest in the fire training center. (M. Chegwiddden)

6. Regular Agenda

- a. First Reading and Public Hearing for Case PD16-04, an Ordinance approving a request for a rezoning from the Low Rise Multi-Family Residence (RM-1) and Light Manufacturing (ML) Zoning Districts to the Planned Development (PD) Zoning District for a school with accessory uses including: play areas, cafeterias, recreational and sport facilities, auditoriums and before or after-school day care, generally located north, east, and southwest of the intersection of East Washington Drive and Burgess Street, on 3.769 acres (Presentation by Planning & Development Services Director Jon James)
- b. First Reading and Public Hearing for Case SU16-01, an Ordinance approving a request for a Special Use to allow for a Golf Course with Incidental Uses and Buildings within the Single-family Residential (RS-1) Zoning District for property generally located west of the intersection of Country Club Road and Ben Ficklin Road, on 177.450 acres (Presentation by Planning & Development Director Jon James)
- c. Consider matters relating to a conceptual master plan for a botanical garden in Civic League Park and the removal of three specific trees causing maintenance issues with the International Water Lily Collection (Presentation by Parks Senior Manager Roger Havlak)

- d. First public hearing and consideration of an ordinance amending chapter 10, "Traffic Controls", Article 10.04 "Stopping, Standing and Parking", section 10.04.009 "Angle Parking Zones" of the Code of Ordinances, providing for severability and an effective date (Presentation by Traffic Operations Superintendent Ryan Ward)
- e. Consider approving the proposed Change Order No. 3 for Annex Finish Out to the Lee Lewis Construction contract as Construction Manager at Risk (CE 02-14) for completion of the annex and proposed additional work, all to be funded by the project budget; and authorizing the City Manager to execute said change order (Presentation by Construction Manager David Knapp)
- f. First public hearing and introduction of an ordinance amending the 2016-2017 budget for grants, contributions and capital projects - (Presentation by Budget Manager Morgan Chegwiddden)

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(2) to consult with 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 West Texas Water Partnership
- b. 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. Templeton Construction, Inc.
 - 3. Alsay, Inc.
- c. 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:
 - 1. Assignment of rights Hickory wellfield property
 - 2. The Martifer Hirschfeld agreement
- d. Section 551.072 Deliberations about Real Property

8. Follow Up and Administrative Issues

- a. Consider items discussed in Executive/Closed Session, if needed
- b. Consider re-appointment of Council Member Charlotte Farmer for a two year term to the Ports-to-Plains Advisory Board
- c. Announcements and consideration of Future Agenda Items

9. 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 14th day of October 2016, at 9:30 a.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

Alcohol is a primary factor in the four leading causes of death for ages 10-21; and,

Almost 100,000 people die each year from alcohol-related causes, including drinking and driving crashes; and,

Approximately 15 million drinkers in the U.S. are dependent on alcohol; and,

Adolescents use alcohol more than tobacco or illicit drugs and begin drinking, on average, at 13 years of age; and,

Young people who begin drinking before age 15 are four times more likely to develop alcohol dependence than those who begin drinking at 21; and,

Alcohol abuse is linked to up to two-thirds of all sexual assaults and date rapes, and is a major factor in contracting sexually transmitted diseases; and,

The typical American will see 100,000 alcohol related commercials before he or she turns 18;

Therefore, I, Dwain Morrison, Mayor of the City of San Angelo, Texas, on behalf of the City Council, do hereby proclaim Oct. 24-28, 2016, as

“Red Ribbon Week”

In San Angelo, Texas, and call upon all in the city of San Angelo to support efforts to increase awareness and support for individuals and families coping with alcoholism and drug addiction 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 18th day of October, 2016.

Dwain Morrison
Mayor of the City of San Angelo

Recognition

Ron Perry and Rick Dill have dedicated many years and hundreds of hours of service to the Fort Concho Cavalry, promoting our historic site and community across the state and nation.

Rick joined the unit in 1991 and Ron in 2000. Both men have participated in the National Cavalry Competition sponsored by the United States Cavalry Association for the past seven years. Most years they bring back a handful of competition awards, and last month's annual competition was no exception!

Ron won a special award for his years of service to the organization. Rick won ribbons for first place in combat horsemanship and second place in the mounted saber course. Both men were recognized for their years of competing – usually as the oldest riders in the event! Indeed, “the two grandpas,” as the younger competitors who are half or one-third their age call them, look up to Rick and Ron. Both have been generous with their time, advice and support for the competition and all of the riders.

San Angelo salutes these fine ambassadors for our city! And the Fort Concho Cavalry invites you to the Regional Cavalry Competition hosted by Fort Concho next year, April 19-22.

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

Ron Perry and Rick Dill

for their 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 18th day of October, 2016.

Dwain Morrison
Mayor of the City of San Angelo

Proclamation

The Laura W. Bush Institute for Women's Health is dedicated to improving the lives of women and girls in Texas and across the nation by advancing science in women's health

Recognizing that differences matter, the Institute promotes health, through research, education, and outreach that impacts the community for today and tomorrow

The Institute is dedicated to improving the lives of women by bringing awareness, screenings and treatment of breast cancer to women of the Concho Valley

During the month of October, the month that has been nationally designated as breast cancer awareness month, the Laura W. Bush Institute for Women's Health at Angelo State University has launched Pink Out the Concho Valley

This month brings the opportunity to raise awareness of and provide education about of Breast Cancer as well as raise funds to help women in need of breast cancer treatment

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

"Pink Out the Concho Valley"

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 18th day of October, 2016.

Dwain Morrison
Mayor of the City of San Angelo

City of San Angelo, Texas
Regular City Council Meeting
Tuesday, October 4, 2016

Present:

Mayor Dwain Morrison
Mayor Pro tem Charlotte Farmer, SMD 6
Council Member Bill Richardson, SMD 1
Council Member Marty Self, SMD 2
Council Member Harry Thomas, SMD 3
Council Member Lucy Gonzales, SMD 4
Council Member Lane Carter, SMD 5

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 8:38 a.m. on October 4, 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 Richard Evans with Lakeview Church; and the pledges were led by Fire Marshal Ross Coleman.

3. Proclamations/Recognitions

"Fire Prevention Week" October 9-15, 2016 was received by Arson Investigator/Inspector Thomas Truett.

"Medical Assistant Recognition Week" October 17-21, was received by Michelle Trubenstein, Dean of Health Professions/Program Chair Medical Assistant Program and Gina Brown, Instructor for the Medical Assistant Program.

"World Habitat Day" October 3, 2016 was received by Habitat for Humanity of San Angelo Executive Director Judy Sikes.

Recognition of the Finance Department for earning the Certificate of Achievement for Excellence in Financial Reporting for its 2015 comprehensive annual financial report from the Government Finance Officers Association of the United States and Canada was received by Finance Director Tina Dierschke and Accountant Jose Menchaca.

Recognition of the Public Information Office for winning six awards – including two first-place trophies – for video storytelling from the Texas Association of Telecommunications Officers and Advisors was received by Multimedia Coordinator Brian Groves.

4. Public Comment

Budget Manager Morgan Chegwiddden invited everyone to participate in the CityFit 5k on October 6, 2016 at 6:00 p.m. in Unidad Park.

5. Consent Agenda

- a. Approval of the September 20, 2016 City Council regular meeting minutes (B.Kendrick)

- b. Approval of authorizing staff of the Real Estate Division of the Finance Department to commence non-judicial termination of leases for failure to pay annual rent on behalf of the City for the following described Recreational and Agricultural Lease Agreements pursuant to lease terms and ratifying notices of default given: (C. Preas)
 - 1. 19.96 Acres abutting Concho River
 - 2. 1.07 Acres abutting Middle Concho River
- c. Adoption of a resolution authorizing a tax resale deed (Quitclaim) to be executed by the Mayor on behalf of the city and all taxing units in the Tax Foreclosure Judgment or Tax Warrant to the following property: (C. Preas)

Lot 4, Block 2 Mineola Annex: 612 W. 15th St.: Filiberto and Maria Medellin (\$750)
- d. Adoption of a resolution allowing the City of San Angelo to apply for the Concho Valley Council of Governments FY 2016 Regional Solid Waste Grants Program in the amount of \$23,000 for the benefit of a Regional Household Hazardous Waste Event hosted by SAFE Recycling (P.Frerich)
- e. Adoption of a resolution finding a public purpose and approving financial assistance to the San Angelo Friends of the Environment (SAFE Recycling) to host a Household Hazardous Waste Collection Event in an amount not to exceed \$50,000 (J.Miller)
- f. Approval of awarding:
 - 1. RFB FD-02-15 Ambulance chassis to Jim Bass Ford in the amount of \$70,986.00 for two ambulance chassis, budgeted for purchase FY2017, and authorizing the City Manager or designee to execute any related documents
 - 2. FD-01-17 to Ambulance box remounts to Frazer, LTD, utilizing HGAC contract # AM10-16, budgeted for purchase in FY2017 for two (2) ambulance box remounts in the amount of \$166,900.00 and authorizing the City Manager or his designee to execute any necessary related documents (V.Hancock)
- g. Approval of awarding RFB FS-06-16 Truck Chassis with Dump System to Summit Truck Group (San Angelo, TX) in the amount of \$97,233, budgeted in FY17, for the purchase of one (1) unit and authorizing the City Manager or designee to execute any related documents (R.Kramer)
- h. Approval of awarding WU-02-16 Liquid Ammonium Sulfate to Chameleon Industries in the amount of \$20,000 annually for one (1) year with two (2) additional one (1) year term extensions, budgeted for purchase FY2017, FY2018, and FY2019, and authorizing the City Manager or designee to execute any related documents (A.Strube)
- i. Approval of awarding WU-03-16 Water Distribution / Wastewater Collection Warehouse Inventory bid to three (3) vendors (HD Supply Waterworks, Morrison Supply, & Western Industrial Supply) based on the lowest unit bid in compliance with the bid requirements for each specific item for one (1) year with two (2) additional one (1) year term extensions, budgeted for purchase FY2017, FY2018, and FY2019, and authorizing the City Manager or designee to execute any related documents (A.Strube)
- j. Approval of awarding WU-04-16 Liquid Chlorine to DPC Industries in the amount of \$68,400 annually for one (1) year with two (2) additional one (1) year term extensions, budgeted for purchase FY2017, FY2018, and FY2019, and authorizing the City Manager or designee to execute any related documents (A.Strube)
- k. Approval of authorizing the City Manager to execute a Memorandum of Understanding (MOU) with Tom Green County for the proposed Tom Green County Jail facility. City would be responsible for designing, inspecting construction and maintaining a sanitary sewer main and City street. Tom Green County would be responsible for extending said sanitary sewer main and City street to the proposed jail facility (R.Pehl)
- l. Approval of ratifying COSADC acceptance of an offer by AEP Texas North Company for the purchase of 52 acres more or less at the Business & Industrial Park at a sales price of \$1,196,000

and authorizing the Board President to negotiate and execute a real estate sales contract in substantially the same form as attached. (R.Pena)

- m. Adoption of a resolution of the City of San Angelo City Council approving a project and ratifying the authorization of the City of San Angelo Development Corporation (COSADC) board for the negotiation and execution of a memorandum of understanding with the City of San Angelo providing funding not to exceed \$63,000, for air service marketing and recruitment services for the San Angelo Regional Airport—Mathis Field; authorizing Task Order No. 106 under the professional services agreement with KSA Engineers, Inc., RFQ NO. AP-02-15, for such services; and, authorizing the City Manager or his designee to execute Task Order No. 106 and the MOU on behalf of the City. (R. Peña)
- n. Approval of ratifying COSADC's approval of the City of San Angelo Agreement for Provision of Administrative Services for FY 2016 and FY 2017 in the amount of \$471,273.59 for FY 2016 and \$513,677 for FY 2017 and authorizing the City Manager to execute the agreement in substantially the same form as the attached (R.Pena)
- o. Approval of Second Reading for Case VP16-01, and adoption of an Ordinance approving a request to authorize an amendment to the Vision Plan component of the San Angelo Comprehensive Plan to change the Future Land Use designation from "Neighborhood Center" to "Neighborhood," on an approximately 0.14 acre tract, located at 14 South Bishop Street (J.James)
- p. Approval of Second Reading for Case Z16-05, and adoption of an Ordinance approving a request to authorize a rezoning from General Commercial/Heavy Commercial (CG/CH) Zoning District to the Two-Family Residential (RS-2) Zoning District for property located at 14 South Bishop Street, on 0.14 acres (J.James)
- q. Approval of Second reading and adoption of an ordinance amending Chapter 7, Article 7.02 "Property Maintenance" Section 7.02.070 "Abatement, expenses and lien" to allow citizens an option to request a judicial case review and recommendation prior to abatement (J.Flores)

Motion: Council Member Thomas made a motion, seconded by Council Member Farmer, to approve the consent agenda, with the exception of items 5k and 5m. The motion carried unanimously (7) ayes to (0) nays.

Motion: Council Member Richardson made a motion, seconded by Council Member Self, to approve item 5k, as presented. The motion carried unanimously (7) ayes to (0) nays.

Motion: Council Member Richardson made a motion, seconded by Council Member Carter, to approve item 5m. The motion carried unanimously (7) ayes to (0) nays.

6. Regular Agenda

- a. Approval of adopting a resolution amending the 2016-2021 Capital Improvement Plan to include a stormwater office building and the reconstruction of South Jackson Street
A presentation was made by Budget Manager Morgan Chegwiddden.

Motion: Council Member Thomas made a motion, seconded by Council Member Gonzales, to adopt the resolution, as presented. The motion carried unanimously (7) ayes to (0) nays.

- b. Discussion on an Ordinance and possible moratorium regarding Chapter 12, Exhibit "A," Zoning Ordinance, for Bed and Breakfast Establishments and Short Term Rentals
A presentation was made by Planning & Development Services Director Jon James

Several Public Comments were made expressing concerns about the allowance of Short Term Rentals and the possibility of any moratorium on enforcement.

Public Comments were also made in support of the allowance of Short Term Rentals and the possibility of any moratorium on enforcement.

Motion: Council Member Lucy Gonzales made a motion, seconded by Council Member Charlotte Farmer, to bring a proposed ordinance at the next meeting with the two additions presented, and allowing for a moratorium on enforcement until a decision is made on the proposed ordinance. The motion carried (6) ayes to (1) nay, with Council Member Richardson casting the dissenting vote.

- c. Recommendation to use unallocated funds for calendar year 2017 health insurance premiums in the amount of \$322,946

A presentation by Human Resources Director Lisa Marley

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 551.074(1) to deliberate the annual evaluation of the City Manager.
- b. ~~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. Templeton Construction, Inc.~~
 - ~~3. Alsay, Inc.~~
- c. 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:
 - ~~1. Assignment of rights Hickory wellfield property~~
 - 2. The Martifer Hirschfeld agreement
- d. Section 551.072 Deliberations about Real Property

8. Follow Up and Administrative Issues

- a. Consider items discussed in Executive/Closed Session, if needed

No action was taken on this item.

- b. Approval of various Board nominations:
Design & Historic Review Commission: Ashley Young Turner (SMD3) to a 2nd full term ending September 2018
Airport Advisory Board: Charles Powell (SMD3) to a 6th full term ending October 2019

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

- c. Announcements and consideration of Future Agenda Items

Council Member Farmer asked for a policy to be formalized regarding the enforcement of ordinances that are currently in a review process. Ms. Farmer also asked for a review of the West Texas Water Partnership.

Council Member Richardson asked for a review of the decision to move Fire Station #4.

Council Member Thomas asked for an update from Fleet Services on the savings realized from the Vehicle Software that was purchased previously.

City Clerk Bryan Kendrick asked for clarification on the timing of the first reading of the ordinance related to Short Term Rentals to allow staff to publish the appropriate notices in the paper.

Consensus of Council was to hold the first public hearing on December 6, 2016.

City Clerk Bryan Kendrick provided the scheduled dates for the January 2017 City Council Meetings and asked about the need for adjustment of the first meeting due to the holidays.

Consensus of Council was to cancel the January 3, 2017 Meeting and hold the one meeting on January 17, 2017.

9. Adjournment

Motion: Council Member Farmer made a motion, seconded by Council Member Self, to adjourn the meeting. The motion carried unanimously seven (7) ayes to zero (0) nays.

There being no further business, the meeting was adjourned at 11:22 a.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: Allison Strube, Water Utilities Assistant Director, Water Utilities, 325-657-4209

Meeting Date: October 18, 2016

Item type: Consent Item

Caption:

Consider awarding WU-05-16 Water Meter Inventory bid to HD Supply Waterworks (San Angelo, TX) for commercial and residential water meter inventory supplies in the amount of \$500,000 annually budgeted for purchase FY2017, FY2018, and FY2019, and authorizing the City Manager or designee to execute any related documents (A.Strube)

Summary/History:

This bid provides both residential and commercial water meters as well as Automated Meter Register (AMR) equipment to operate with the City's established AMR system. HD Supply Waterworks is the sole available vendor for Neptune meter and registers. This bid and contract lock in pricing for 5/8" through 2" meter bodies and registers for a minimum of one (1) year with two (2) one (1) year extensions.

This equipment will be purchased as needed and stored as inventory until it is required for repairs or for the establishment of new residential or commercial customers.

Financial Impact:

Budgeted within Water Distribution Operating Budget and Meter Replacement Capital Improvement Funds

Other Information/Recommendation:

Staff recommends that the bid be awarded to HD Supply Waterworks and the City Manager be authorized to execute the contract documents.

Attachments:

1. Bid Tab WU-05-16 Bid Tab.pdf

Presentation:

Approvals/Reviews:

Allison Strube	Created/Initiated
Bill Riley	Approved
Theresa James	Approved
Anthony Wilson	Approved
Tina Dierschke	Approved
Theresa James	Approved
Becky Dunn	Approved
Bryan Kendrick	Final Approval



City of San Angelo
WU-05-16 Water Meter Inventory
Price Quote

				VENDOR NAME/LOCATION		
Item No.	Item Description	Estimated Yearly Quantity*	Units	Standard Production / Lead Time *		
				Unit Cost	Extended Cost	
1	5/8" T10 Neptune Meter w/ AMR R450i Register	500	EA	\$199.75	\$99,875.00	3-4 Weeks
2	5/8" T10 Neptune Meter w/o AMR R450i Register	500	EA	\$41.00	\$20,500.00	3-4 Weeks
3	5/8" Neptune AMR R450i Register w/o Meter Body	300	EA	\$169.00	\$50,700.00	3-4 Weeks
4	1" T10 Neptune Meter w/ AMR R450i Register	150	EA	\$293.00	\$43,950.00	3-4 Weeks
5	1" T10 Neptune Meter w/o AMR R450i Register	100	EA	\$130.00	\$13,000.00	3-4 Weeks
6	1" Neptune AMR R450i Register w/o Meter Body	50	EA	\$169.00	\$8,450.00	3-4 Weeks
7	2" Turbine T10 Neptune Meter w/ AMR R450i Register	50	EA	\$748.00	\$37,400.00	3-4 Weeks
8	2" Turbine T10 Neptune Meter w/o AMR R450i Register	50	EA	\$635.00	\$31,750.00	3-4 Weeks
9	2" Turbine Neptune AMR R450i Register w/o Meter Body	40	EA	\$177.00	\$7,080.00	3-4 Weeks
10	2" Compound T10 Neptune Meter w/ AMR R450i Register	110	EA	\$1,740.00	\$191,400.00	3-4 Weeks
11	2" Compound T10 Neptune Meter w/o AMR R450i Register	110	EA	\$1,405.00	\$154,550.00	3-4 Weeks
12	2" Compound Neptune AMR R450i Register w/o Meter Body	55	EA	\$177.00	\$9,735.00	3-4 Weeks
13	Repair Maintenance Program			\$0.00	\$0.00	
Time is of the essence in the delivery of these products				Total Base Bid:	\$668,390.00	

*Quantities may vary dependant on need - quantities are estimated for a yearly supply

Vendor Agrees to allow Piggy-Back Procurements

Yes_x____ No_____

Will you accept a City Purchasing Card (MASTERCARD) for payment?

Yes_x____ No_____

Will you offer a payment discount if a Purchasing Card is utilized?

Yes_____ No_x_____

If Yes, how much?

Payment Terms/Discount:

Net: 30

% Discount for items not listed above:

0%

Required to complete the Bid Submission

- * Manufacturer Certificate of Compliance to Specification
 - i. Specification sheet for each item
- * List of Repair Parts for each Meter (include price/discount)
- * Repair and Maintenance Program
- * Warrantee Statement

Quote your best price F.O.B. destination on each item.

Note: Should there be any differences between the unit price and the extended pricing calculations, the unit price will prevail.

The vendor's signature constitutes an offer to sell under the terms and conditions contained in the bid documents. The delivery of a Purchase Order with the valid signature of the procurement official constitutes acceptance of the offer to sell and consummates the binding contractual agreement.

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Patrick Frerich, Asst. Director of Operations, Stormwater, (325) 657-4206

Meeting Date: October 18, 2016

Item type: Consent Item

Caption:

Consider awarding RFB OP-01-17 Modular Office Building to Ramtech Building Systems from Buyboard Contract #463-14 in the amount of \$125,516, budgeted for purchase FY2017, and authorizing the City Manager or designee to execute any related documents (P. Frerich)

Summary/History:

The Street and Bridge office building on Saint Ann Street was constructed in 1970's and houses the City's Street and Bridge and Storm Water Divisions. The Storm Water Division, created in 2010, was assigned to office in the same building forcing a remodel of the building to accommodate two Divisions instead of one. With the addition of personnel associated with the Council's priority of street maintenance, and the hiring of a Storm Water Superintendent, the current facility does not have enough capacity to allow the Storm Water Division designated offices.

The purchase of the Ramtech Modular Office Building will allow for adequate space to house the current Storm Water employees and allow for some future growth. The long term plan is a Combined Public Works Facility, which has been submitted in the CIP. This purchase will allow the Division to continue independent operations until the Combined Public Works Facility is scheduled and completed; after which time, the building can be used by other City departments as a temporary office building or sold.

Financial Impact:

This purchase will be for \$125,516 from the Buyboard Purchasing Co-op from the Storm Water Fund and will include full construction, delivery, and installation by the vendor. Monies are budgeted in Fiscal Year 2017.

Other Information/Recommendation:

Attachments:

Presentation:

Approvals/Reviews:

Patrick Frerich
Shane Kelton
Theresa James
Anthony Wilson
Tina Dierschke

Created/Initiated
Approved
Approved
Approved
Approved

Theresa James
Becky Dunn
Bryan Kendrick

Approved
Approved
Final Approval

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Cynthia Preas, Real Estate Manager, Real Estate, 325-657-4212

Meeting Date: October 18, 2016

Item type: Consent Item

Caption:

Consider a resolution authorizing a tax resale deed (Quitclaim) to be executed by the Mayor on behalf of the city and all taxing units in the Tax Foreclosure Judgment or Tax Warrant to the following properties: (C. Preas)

- 1.) Mineola Addition, Block 12, Lot 4; 835 W. 16th St; Cerda (\$750)
- 2.) Miles Addition, Block 70, Lot 3; 211 W. 13th St; Habitat for Humanity (\$750)
- 3.) Miles Addition, Block 70, Lot 12; 214 W. 12th St; Habitat for Humanity (\$750)

Summary/History:

The subject properties were auctioned at Sheriff's Sale. No offers were received causing subject properties to be struck-off to the City as Trustee for itself and the other taxing entities.

The City, as Trustee, managed each of the properties for more than six years. City's maintenance cost on each Trustee lot is a minimum \$90 per year. Staff recommends sale of Trustee lots managed by City for more than five years be sold at a reduced price to lessen maintenance costs and return these lots to the tax roll.

Financial Impact:

Upon approval: (1) The City will retain a \$500 Administration fee; (2) The balance will be distributed according to the judgment or tax warrant on the Sheriff's Return; and (3) Properties will be reinstated back onto tax roll.

Other Information/Recommendation:

Staff recommends approval.

Attachments:

- | | |
|---|--|
| 1. RE Resolution, Tax Resale | Tax Resale Resolution - Sept 18, 2016.docx |
| 2. Property Analysis Mineola Addtn | Property Analysis Mineola.pdf |
| 3. Map Mineola, Blk 12, Lot 4 | Map Mineola, Blk 12, Lot 4.pdf |
| 4. Property Analysis Miles Addtn, Blk 70, Lot 3 | Property Analysis Miles Lt 3, Blk 70.pdf |
| 5. Map Miles Addtn, Lot 3, Blk 70 | Map Lot 3, Blk 70, Miles.pdf |
| 6. Property Analysis, Miles Addtn, Lot 12, Blk 70 | Property Analysis Miles Lt 12, Blk 70.pdf |
| 7. Map, Miles Addtn, Lot 12, Blk 70 | Map Lot 12, Block 70, Miles.pdf |

Presentation:

None

Approvals/Reviews:

Cynthia Preas
Cynthia Preas

Created/Initiated
Approved

Theresa James
Anthony Wilson
Tina Dierschke
Theresa James
Becky Dunn
Bryan Kendrick

Approved
Approved
Approved
Approved
Approved
Final Approval

**A RESOLUTION OF THE CITY OF SAN ANGELO AUTHORIZING THE
MAYOR TO EXECUTE A TAX-RESALE (QUITCLAIM) DEED
CONVEYING ALL RIGHT, TITLE AND INTEREST OF THE CITY OF
SAN ANGELO, AND ALL OTHER TAXING UNITS INTERESTED IN
THE TAX FORECLOSURE JUDGMENT**

WHEREAS, by Sheriff's Sale, the properties described below were struck-off to the City of San Angelo, Trustee, pursuant to a delinquent tax foreclosure decree of the 119th Judicial District, Tom Green County, Texas; and reduce

WHEREAS, offers have been made for the purchase of said properties pursuant to Section 34.05, Texas Tax Code Ann.(Vernon, 1982); and

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN ANGELO that its Mayor, Dwain Morrison, is hereby authorized to execute a Tax-Resale (quitclaim) Deed conveying the described real properties to the following as specified below, all of the right, title, and interest of the City of San Angelo, and all other taxing units interested in the tax foreclosure judgment, located in San Angelo, Tom Green County, Texas:

Conveying to:

Jose I. Cerda (\$750.00)

Lot 4, Block 12, Mineola Addition, City of San Angelo, Tom Green County, Texas
Acct. #20-34900-0012-004-00

Habitat for Humanity of San Angelo (\$750)

Lot 12, Block 70, Miles Addition, City of San Angelo, Tom Green County, Texas
Acct. #19-34200-0070-012-00

Habitat for Humanity of San Angelo (\$750)

Lot 3, Block 70, Miles Addition, City of San Angelo, Tom Green County, Texas
Acct. #19-34200-0070-004-00

APPROVED AND ADOPTED ON THE _____ DAY OF _____, 2016.

THE CITY OF SAN ANGELO

Attest:

Dwain Morrison, Mayor

Bryan Kendrick, City Clerk

Approved As to Content:

Approved As to Form:

Cindy S. Preas, Real Estate Manager

Theresa James, City Attorney

PROPERTY ANALYSIS

For Tax Resale Property

Legal Description: Lot 4, Block 12, Mineola Addition, an addition to the City of San Angelo, Tom Green County, Texas, as described in Volume 167, Page 397, Deed Records of Tom Green County, Texas.

Improved/Unimproved Unimproved

Tax Suit Number: B-06-0216-T

Location: 835 W 16th Street

City of San Angelo, et al. Michelle Sampson
vs.

Tax ID Number: Acct #20-34900-0012-004-00

Judgment Date: June 8, 2009

Date of Sheriff's Sale: October 5, 2010

Sheriff's Deed Recorded: October 19, 2010

Years Held in Trust

6 yrs

Adjudge Value: \$ 2,288.00

Urban Redevelopment Program?

NO

Amount of Offer: \$ 750.00

Purchaser: Jose I. Cerda

	Amounts Due		Priority Allocations	% of Remainder	Pro Rata Allocations	Amounts Distributed
	Fees	Judgment				
Administration Fee	\$500.00		\$500.00	0.00%		\$500.00
Maintenance Fee	\$540.00		\$540.00	13.00%		\$70.20
District Clerk	\$144.00		\$144.00	13.00%		\$18.72
Sheriff's Fee	\$100.00		\$100.00	13.00%		\$13.00
Attorney Fee	\$196.00		\$196.00	13.00%		\$25.48
Municipal Liens	\$ -					\$0.00
Taxes	\$ -	\$1,848.00		6.63%		\$122.60
Total	\$1,480.00	\$1,848.00	\$1,480.00		\$0.00	\$750.00
Actual Total Amt Due		\$3,328.00				
Amount Remaining						

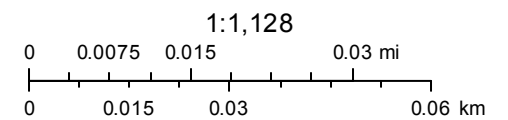
Offer will satisfy a portion of the court costs and Taxes, according to the Judgment.

835 W 16th St/Mineola Addtn, Blk 12, Lot 4



October 6, 2016

 Ownership Parcels



PROPERTY ANALYSIS

For Tax Resale Property

Legal Description: Lot 3, Block 70, Miles Addition, City of San Angelo, Tom Green County, Texas, as described in Volume 570, Page 499, Deed Records of Tom Green County, Texas.

Improved/Unimproved Unimproved

Tax Suit Number: B-08-0003-T

Location: 211 W. 13th

City of San Angelo, et al. Unknown Heirs of Ralph Bermea, deceased
vs.

Tax ID Number: Acct #19-34200-0070-003-00

Judgment Date: January 13, 2010

Date of Sheriff's Sale: August 3, 2010

Sheriff's Deed Recorded: August 13, 2010

Years Held in Trust

6 yrs

Adjudge Value: \$ 3,000.00

Urban Redevelopment Program?

NO

Amount of Offer: \$ 750.00

Purchaser: Habitat for Humanity

	Amounts Due		Priority Allocations	% of Remainder	Pro Rata Allocations	Amounts Distributed
	Fees	Judgment				
Administration Fee	\$500.00		\$500.00	0.00%		\$500.00
Maintenance Fee	\$540.00		\$540.00	10.11%		\$54.59
District Clerk	\$507.00		\$507.00	10.11%		\$51.25
Sheriff's Fee	\$100.00		\$100.00	10.11%		\$10.11
Attorney Fee	\$365.00		\$365.00	10.11%		\$36.90
Municipal Liens		\$4,142.42		2.01%		\$83.26
Taxes		\$689.23		2.01%		\$13.88
Total	\$2,012.00	\$4,831.65	\$2,012.00		\$0.00	\$750.00
Actual Total Amt Due		\$6,843.65				
Amount Remaining						

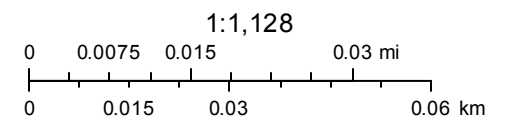
Offer will satisfy a portion of the court costs and Taxes, according to the Judgment.

211 W 13th St/ Lot 3, BIK 70 Miles



October 5, 2016

 Ownership Parcels



PROPERTY ANALYSIS

For Tax Resale Property

Legal Description: Lot 12, Block 70, Miles Addition, an Addition to the City of San Angelo, Tom Green County, Texas, as described in Volume 599, Page 849, Deed Records of Tom Green County, Texas.

Improved/Unimproved Unimproved

Tax Suit Number: B--04-0050-T

Location: 214 W. 12th Street

City of San Angelo, et al. J. C. Cornelius
vs.

Tax ID Number: Acct #19-34200-0070-012-00

Judgment Date: February 10, 2006

Date of Sheriff's Sale: April 4, 2006

Sheriff's Deed Recorded: April 11, 2006

Years Held in Trust

10 yrs 6 mo

Adjudge Value: \$ 2,680.00

Urban Redevelopment Program?

NO

Amount of Offer: \$ 750.00

Purchaser: Habitat for Humanity

	Amounts Due		Priority Allocations	% of Remainder	Pro Rata Allocations	Amounts Distributed
	Fees	Judgment				
Administration Fee	\$500.00		\$500.00	0.00%		\$500.00
Maintenance Fee	\$945.00		\$945.00	12.00%		\$113.40
District Clerk	\$354.00		\$354.00	12.00%		\$42.48
Sheriff's Fee	\$100.00		\$100.00	12.00%		\$12.00
Attorney Fee	\$332.00		\$332.00	12.00%		\$39.84
Municipal Liens				2.00%		\$0.00
Taxes		\$1,894.20		2.23%		\$42.28
Total	\$2,231.00	\$1,894.20	\$2,231.00		\$0.00	\$750.00
Actual Total Amt Due		\$4,125.20				
Amount Remaining						

Offer will satisfy a portion of the court costs and Taxes, according to the Judgment.

 Ownership Parcels

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Cynthia Preas, Real Estate Manager, Real Estate, 325-657-4212

Meeting Date: October 18, 2016

Item type: Consent Item

Caption:

Consider authorizing the sale of the following Lake Nasworthy properties to current residential lake lot lease holders for the appraised values (C. Preas):

- 1.) Lot 111, Block 9, Section 2, Group Shady Point, Lake Nasworthy; 6650 Knickerbocker Rd (\$26,300)
- 2.) Lot 48, Block 7, Section 2, Group Shady Point, Lake Nasworthy; 1924 Shady Point Circle Dr (\$56,182)

Summary/History:

If the sale is approved at the appraised value, a title examination will be performed, and legal staff will prepare a Real Estate Contract of Sale, Special Warranty deed, and Surrender of Lease.

Financial Impact:

Upon approval, proceeds from the sale of residential lake lots will be placed in the Lake Nasworthy Trust Fund.

Other Information/Recommendation:

Staff recommends approval.

Attachments:

- | | |
|---------------------------------------|--|
| 1. RE Appraisal 6650 Knickerbocker Rd | Appraisal Summary 6650 Knickerbocker 8-26-16.pdf |
| 2. RE Appraisal 1924 Shady Point Cir | Appraisal Summary 1924 Shady Pt. Circle.pdf |

Presentation:

None

Approvals/Reviews:

Cynthia Preas	Created/Initiated
Cynthia Preas	Approved
Theresa James	Approved
Anthony Wilson	Approved
Tina Dierschke	Approved
Theresa James	Approved
Becky Dunn	Approved
Bryan Kendrick	Final Approval

APPRAISAL OF REAL PROPERTY

LOCATED AT

6650 Knickerbocker Rd
San Angelo, TX 76904
Lot 111, Block 9, Section 2, Group Shady Point, Lake Nasworthy Addition

FOR

City of San Angelo
72 W. College Ave
San Angelo, TX 76903

AS OF

08/26/2016

BY

Kevin J. Halfmann
Crystal N. Bancroft
Halfmann Appraisals
133 W Concho Ave Ste 208
San Angelo, TX 76903-6462
(325) 655-1278
www.halfmannrealty.com

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133 W Concho Ave Ste 208
San Angelo, TX 76903-6462
(325) 655-1278
www.halfmannrealty.com

09/29/2016

City of San Angelo
Real Estate Division
72 W. College Ave
San Angelo, TX 76903

Re: Property: 6650 Knickerbocker Rd
San Angelo, TX 76904
Borrower: Burch, Jimmy
File No.: R16-0190

Opinion of Value: \$ 26,300
Effective Date: 08/26/2016

In accordance with your request, we have appraised the above referenced property. The report of that appraisal is attached.

The purpose of the appraisal is to develop an opinion of market value for the property described in this appraisal report, as improved, in unencumbered fee simple title of ownership (surface only).

This report is based on a physical analysis of the site only, a locational analysis of the neighborhood and city, and an economic analysis of the market for properties such as the subject. The appraisal was developed and the report was prepared in accordance with the Uniform Standards of Professional Appraisal Practice.

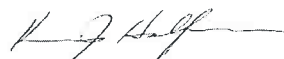
The opinion of value reported above is as of the stated effective date and is contingent upon the certification and limiting conditions attached.

It has been a pleasure to assist you. Please do not hesitate to contact me or any of my staff if we can be of additional service to you.

Respectfully Submitted,



Crystal N. Bancroft
Appraiser Trainee
License or Certification #: 1340109
State: TX Expires: 05/31/2018
niki@halfmannrealty.com



Kevin J. Halfmann
License or Certification #: 1320469-G
State: TX Expires: 04/30/2017
(325)655-1278
kevin@halfmannrealty.com

APPRAISAL OF REAL PROPERTY

LOCATED AT

1924 Shady Point Circle Dr
San Angelo, TX 76904
Lot 48, Block 7, Section 2, Group Shady Point, Lake Nasworthy Addition

FOR

City of San Angelo
72 W. College Ave
San Angelo, TX 76903

AS OF

09/27/2016

BY

Kevin J. Halfmann
Crystal N. Bancroft
Halfmann Appraisals
133 W Concho Ave Ste 208
San Angelo, TX 76903-6462
(325) 655-1278
www.halfmannrealty.com

Halfmann Appraisals
San Angelo, TX 76903-6462
(325) 655-1278
www.halfmannrealty.com
www.halfmannrealty.com

09/30/2016

City of San Angelo
Real Estate Division
72 W. College Ave
San Angelo, TX 76903

Re: Property: 1924 Shady Point Circle Dr
San Angelo, TX 76904
Borrower: Bowles, Chet
File No.: R16-0280

Opinion of Value: \$ 56,182
Effective Date: 09/27/2016

In accordance with your request, we have appraised the above referenced property. The report of that appraisal is attached.

The purpose of this appraisal is to estimate the market value of the property described in this appraisal report, as unimproved, in Leased Fee ownership per the hypothetical condition given by the City of San Angelo stated in the Addenda.

This report is based on a physical analysis of the site only, an analysis of the neighborhood and city, and an economic analysis of the market for properties such as the subject. The appraisal was developed and the report was prepared in accordance with the Real Estate Uniform Standards of Professional Appraisal Practice.

The value conclusions reported, are as of the effective date stated in the body of the report. This is contingent upon the certification and limiting conditions, as well as the hypothetical condition given by the City of San Angelo.

It has been a pleasure to assist you. Please do not hesitate to contact me or any of my staff if we can be of additional service to you.

Respectfully Submitted,



Crystal N. Bancroft
Appraiser Trainee
License or Certification #: 1340109
State: TX Expires: 05/31/2018
Niki@halfmannrealty.com



Kevin J. Halfmann
License or Certification #: 1320469-G
State: TX Expires: 04/30/2017
Kevin@halfmannrealty.com

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Cynthia Preas, Real Estate Manager, Real Estate, 325-657-4212

Meeting Date: October 18, 2016

Item type: Consent Item

Caption:

Consider a resolution authorizing the City Attorney to begin termination of Lake Nasworthy Residential Lot Lease and eviction proceedings for non-payment of annual rent (more than 180 days delinquent) on the following property: Jerry Dean Clements (\$1,182): Lot 130, Group Shady Point, Lake Nasworthy Addition (C.Preas)

Summary/History:

Lessee is more than 180 days delinquent in paying annual Lake Nasworthy residential lot lease fees. All reasonable collection efforts made by the Real Estate Department have failed. It is the recommendation of the Real Estate Department that the City Attorney's Office terminate the Lake Nasworthy Residential Lot Lease and begin the eviction process.

Total amount due includes annual rent and delinquent fees.

February 6, 2007 City Council approved the Procedure for Lake Lease Delinquent Billing and Termination Notices. Staff has followed the established procedures, to include a 30-day notice to Lessee and their lender advising of the default, to date all collection efforts have failed.

Financial Impact:

Lessee has failed to pay annual rent and delinquent fees totaling \$1,182.

Other Information/Recommendation:

Staff recommends City Attorney's Office begin termination of Lease and eviction proceedings against Tenant.

Attachments:

- | | |
|------------------------------------|-----------------------------|
| 1. RE Lease Termination Resolution | Termination Resolution.docx |
|------------------------------------|-----------------------------|

Presentation:

None

Approvals/Reviews:

Cynthia Preas	Created/Initiated
Cynthia Preas	Approved
Theresa James	Approved
Anthony Wilson	Approved
Tina Dierschke	Approved
Theresa James	Approved
Becky Dunn	Approved
Bryan Kendrick	Final Approval

A RESOLUTION OF THE CITY OF SAN ANGELO AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE IN CONSULTATION WITH THE CITY ATTORNEY TO PROVIDE LEGAL NOTICE OF TERMINATION OF LEASE FOR LESSEES DEFAULT IN LEASE TERMS RELATING TO NON-PAYMENT OF ANNUAL RENT PURSUANT TO NOTICE OF DEFAULT PREVIOUSLY GIVEN UNDER THE LEASE, ANNUAL RENT NOW BEING PAST DUE FOR MORE THAN 180 DAYS, ON THE FOLLOWING LAKE NASWORTHY RESIDENTIAL LOT: (1) LOT 130, GROUP SHADY POINT, LAKE NASWORTHY ADDITION.

WHEREAS, the City of San Angelo (City) is owner and Lessor of certain Lake Nasworthy residential lots, located in San Angelo, Tom Green County, Texas; and,

WHEREAS, under the terms of the Lake Nasworthy Residential Lot Leases annual rent is due each year; and,

WHEREAS, the following Lessee is more than 180 days delinquent in paying annual rent;

Jerry Dean Clements (\$1,182): Lot 130, Group Red Bluff, Lake Nasworthy Addition

WHEREAS, 30-day notice (August 8, 2016) was given to Lessee advising failure to pay the full annual rent when due constitutes a material breach of the lease agreement; and,

WHEREAS, Lessee has not paid annual rent or made payment arrangements; and

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

The City Manager or his designee in consultation with the City Attorney, is hereby authorized to provide legal notice of termination of lease for Lessees default in lease terms relating to non-payment of annual rent pursuant to notice of default previously given under the lease, annual rent now being past due for more than 180 days, on the following Lake Nasworthy residential lot:

Jerry Dean Clements (\$1,182): Lot 130, Group Red Bluff, Lake Nasworthy Addition

PASSED and APPROVED THIS _____ DAY OF _____, 2016.

CITY OF SAN ANGELO, TEXAS

ATTEST:

Dwain Morrison, Mayor

Bryan Kendrick, City Clerk

APPROVED AS TO CONTENT

APPROVED AS TO FORM

Cindy S. Preas, Real Estate Administrator

Theresa James City Attorney

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Steve Mild, Emergency Management Coordinator, Emergency Management, 325-657-4230

Meeting Date: October 18, 2016

Item type: Consent Item

Caption:

Consider approving an Interlocal Agreement with Tom Green County for the support of City of San Angelo Emergency Management Operations in the amount of \$85,500 and authorizing City Manager to negotiate and execute all related documents (S.Mild)

Summary/History:

Until two years ago, Tom Green County did not support the Office of Emergency Management Operations financially. Two years ago I visited with Judge Floyd about the possibility of the County supporting the office financially by contributing 50% of the cost of the operations above the amount reimbursed by the state under the EMPG Grant. Tom Green County agreed to do so, and has continued to do so. This is a renewal of that original agreement.

Financial Impact:

This agreement, if approved, will reduce the amount of money needed from the General Fund of the City for the operations of the Office of Emergency Management by \$85,500.00, as that money will now come from the county.

Other Information/Recommendation:

Attachments:

1. City/County MOU - 2017 2017 Interlocal Agmt - EM funding - Joint Operation Ofc of Em Mgt.doc

Presentation:

Approvals/Reviews:

Steve Mild	Created/Initiated
Theresa James	Approved
Anthony Wilson	Approved
Tina Dierschke	Approved
Theresa James	Approved
Becky Dunn	Approved
Bryan Kendrick	Final Approval

**INTERLOCAL AGREEMENT
BETWEEN
CITY OF SAN ANGELO AND TOM GREEN COUNTY
JOINT OPERATION OF OFFICE OF EMERGENCY MANAGEMENT**

This Interlocal Agreement (“Agreement”) is entered into this _____day of _____, 2015 (but effective as of _____ 2016) (“Effective Date”) by and between City of San Angelo, Texas, a local government (“City”) and Tom Green County, Texas, a local government (“County”) (singularly and individually, “Party,” and jointly, “Parties”), under the authority of Sections 791.001 – 791.011 of the Texas Government Code.

RECITALS:

A. Parties are authorized to enter into an interlocal agreement to perform a governmental function or service in which Parties are mutually interested and which each Party to the agreement is authorized to perform individually.

B. Joint operation of the San Angelo/Tom Green County Office of Emergency Management to meet the needs of the citizens and communities within Tom Green County, Texas, is a governmental function or service in which Parties are mutually interested and which each Party to this Agreement is authorized to perform individually.

C. Parties desire for City to operate the San Angelo/Tom Green County Office of Emergency Management (“Office”) to provide emergency management services throughout Tom Green County during periods of disasters and major emergencies and non-emergencies. County shall reimburse City for one-half (1/2) of such costs of those services not covered by any grant funding.

D. On the ____ day of _____, 2016, the City Council of the City of San Angelo, Texas, authorized the City Manager to enter into this Agreement with County, under the terms and conditions set forth herein.

NOW, THEREFORE, in consideration of the mutual covenants and conditions contained herein, Parties agree as follows:

TERMS:

1. **RECITALS:** The recitals are true and correct and hereby incorporated into and made a part of this Agreement.
2. **TERM:** The term of this Agreement shall be one year commencing on Effective Date.
3. **OPTION TO EXTEND:** Upon mutual agreement of Parties, Parties shall have the option to extend the term hereof, based on a finding that the exercise of the option is in the best interest of each Party, subject to the availability and appropriation of funds. Each Party to this Agreement must make payments under this Agreement from current revenues available to the paying Party.
4. **OBLIGATION OF CITY:** City agrees to provide all trained personnel, office supplies and equipment necessary for the proper operation of Office. City agrees to operate Office on a twenty-four (24) hour, seven (7) day a week, three hundred sixty-five (365) days per year when needed during disasters and major emergencies and eight (8) hours per day, five (5) days per week during non-disaster or emergencies. City agrees to pay all bills incurred during the operation of Office, and to pay the salaries and benefits of the employees in Office.
5. **REIMBURSEMENT OBLIGATION OF COUNTY:** County agrees to reimburse City the sum of EIGHTY-FIVE THOUSAND FIVE HUNDRED AND NO/100 DOLLARS (\$85,500.00) to support the daily operation of Office during the term of this Agreement.
6. **CONTINGENCY CLAUSE:** The obligation of County to reimburse City under the provisions of this Agreement is expressly made contingent upon the appropriation, budgeting or availability of sufficient funds by County. In the event that such funds are not budgeted, appropriated or otherwise not made available for the purpose of payment under this Agreement at any time after the current fiscal year, then County shall have the option of terminating the Agreement under Section 8,

TERMINATION, below, except that all services provided to that point shall be compensated at the agreed rate.

7. INDEPENDENT CONTRACTOR: Parties shall act at all times under this Agreement as independent contractors. Parties agree that County shall not have and shall not exercise any control or direction over the manner or method by which City provides its obligations under this Agreement. The provisions set forth herein shall survive the expiration or other termination of this Agreement, regardless of the cause of such termination.

8. STATUS OF EMPLOYEES: Each Party shall retain supervision and control of its own employees at all times while performing this Agreement and no employee of one entity shall be considered a borrowed servant of the other entity for Workers' Compensation purposes or for any other reason. City agrees that all persons employed by it to furnish services hereunder are employees or agents of the City and not of County, and County agrees that all persons employed by it to furnish services hereunder are employees or agents of County and not of City. Such employees or agents of either entity are not entitled to benefits conferred on the other entity's employees.

9. TERMINATION: This Agreement may be terminated by either Party upon sixty (60) days prior written notice to the other Party and shall continue in force and remain binding on Parties until such time as the governing body of either party terminates said Agreement.

10. EXECUTION: If the governing body of a Party is required to approve this Agreement, it shall not become effective until approved by the governing body of that Party. In that event, this Agreement shall be executed by the duly authorized official(s) of the Party as expressed in the approving resolution or order of the governing body of said Party.

11. ENTIRE AGREEMENT: This Agreement supersedes any and all other agreements, either oral or in writing, between Parties with respect to the operation of Office. No other agreement, statement, or promise relating to the subject matter of this Agreement, which is not contained herein, shall be

valid or binding.

12. LIABILITY: Neither Party to this Agreement waives or relinquishes any immunity or defense on behalf of itself, elected officials, officers, employees, agents, and volunteers as a result of its execution of this Agreement and the performance of the duties, covenants and conditions contained herein. Furthermore, no provision of this Agreement shall prohibit either Party from seeking financial aid or in-kind reimbursement from any state or federal agency or program. Each Party of this Agreement agrees that it shall have no liability whatsoever for the actions or omissions of the other Party's employees, elected officials, officers or agents. Each Party is solely responsible for its actions or omissions of its employees, elected officials, officers and agents; however, such responsibility is only to the extent required by state law. Where injury, death or property damage results from the joint or concurring acts or omissions of Parties, any liability shall be shared by each Party in accordance with the applicable law, subject to all defenses, including governmental immunity. These provisions are solely for the benefit of the Parties and not for the benefit of any person or entity not a party hereto; nor shall any provisions of this Agreement be deemed a waiver of any defense available by law to a Party of this Agreement.

13. AMENDMENT: This Agreement may only be amended by the mutual agreement of Parties in writing, signed by a duly authorized representative of each Party.

14. SEVERABILITY: In the event that any one or more of the provisions contained in this Agreement shall be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision herein, and this Agreement shall be construed as if such invalid, illegal, or unenforceable provision had never been contained herein.

15. FORCE MAJEURE: In the event that either Party shall be prevented from performing its duties under this Agreement by an act of nature, by acts of war, riot, or civil commotion, by an act of State, by strikes, fire, flood, or by the occurrence of any other event beyond the control of either Party, it shall

not be considered a breach of this Agreement.

16. NOTICE: Notice given by one Party to the other hereunder shall be in writing and deemed to have been properly given if deposited with the United States Postal Service, registered or certified mail, return receipt requested, addressed as follows:

COUNTY

Tom Green County
Hon. Stephen C. Floyd
County Judge
122 West Harris
San Angelo, Texas 76903
Phone: (325) 653-3318
Fax: (325) 659-3258

CITY

City of San Angelo
Daniel Valenzuela
City Manager
72 W. College
San Angelo, Texas 76902
Phone: (325) 657-4241
Fax: (325) 657-4335

EXECUTED in duplicate originals by Tom Green County and the City of San Angelo on
this the _____ day of _____, 2016.

TOM GREEN COUNTY

By: _____
Stephen C. Floyd, County Judge,
Tom Green County, acting in his
official capacity as County Judge
and not individually

CITY OF SAN ANGELO

By: _____
Dwain Morrison, Mayor

ATTEST:

By: _____
Elizabeth McGill, County Clerk

ATTEST:

By: _____
Bryan Kendrick, City Clerk

Approved as to Content:

Steve Mild, Emergency Management
Coordinator

Approved as to Insurance Requirements:

Charles Hagen, Risk Manager

Approved as to Form:

Theresa James, City Attorney

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Sandra Aguilar, Recreation Supervisor - Senior Services, Senior Services, 325-481-2798

Meeting Date: October 18, 2016

Item type: Consent Item

Caption:

Consider approving an Agreement with the Concho Valley Council of Governments-Area Agency on Aging for the Senior Service Nutrition Congregate meal program in the estimated amount of \$116,163.48 and authorizing City Manager to negotiate and execute all related documents (S.Aguilar)

Summary/History:

The Nutrition program provides congregate meals to the seniors of San Angelo 60 years of age and older. A hot meal is provided from 11:00am to 12:30pm at Santa Fe Crossing Senior Center, along with staff delivering meals to two satellite sites, Christian Village and Plaza del Sol. Seniors are encouraged to pay a suggested \$3.00 donation to contribute to the program. Funding for the Nutrition program is provided by grants from the Concho Valley Council of Governments-Area Agency on Aging, City of San Angelo, and Contributions

Financial Impact:

Funding for the Nutrition program is provided by grants from the Concho Valley Council of Governments-Area Agency on Aging, City of San Angelo, and Contributions

Other Information/Recommendation:

Attachments:

- | | |
|--|---------------------------|
| 1. Sr. Services Nutrition Vendor agreement | Vendor agreement-2017.pdf |
|--|---------------------------|

Presentation:

Approvals/Reviews:

Sandra Aguilar	Created/Initiated
Theresa James	Approved
Anthony Wilson	Approved
Tina Dierschke	Approved
Theresa James	Approved
Becky Dunn	Approved
Bryan Kendrick	Final Approval



**AREA AGENCY ON AGING OF
THE CONCHO VALLEY
VENDOR AGREEMENT**

The City of San Angelo, hereinafter referred to as Vendor, and Area Agency on Aging (CV) do hereby agree to provide services effective beginning October 1, 2016, in accordance with the Older Americans Act of 1965 (OAA), as amended, regulations of the Department of Aging and Disability Services (DADS), the AAA Direct Purchase of Services program and the stated Scope of Services.

The AAA Direct Purchase of Services program is designed to promote the development of a comprehensive and coordinated service delivery system to meet the needs of older individuals (60 years of age or older) and their caregivers. This agreement provides a mechanism for the creation of an individualized network of community resources accessible to a program participant in compliance with the OAA and DADS AAA Access and Assistance guidelines.

The purpose of the system of Access and Assistance is to develop cooperative working relationships with service providers to build an integrated service delivery system that ensures broad access to and information about community services, maximizes the use of existing resources, avoids duplication of effort, identifies gaps in services, and facilitates the ability of people who need services to easily find the most appropriate Vendor.

1. SCOPE OF SERVICES

- A. The Vendor agrees to provide the following service(s) as identified below to program participants authorized by the AAA staff, in accordance with the vendor application, all required assurances, licenses, certifications and rate setting documents, as applicable.

Service: Congregate Meal

Service Definition:

A hot or other appropriate meal served to an eligible older individual which meets 33⅓ percent of the dietary reference intakes established by the Food and Nutrition Board of the Institute of Medicine of the National Academy of Sciences and complies with the most recent Dietary Guidelines for Americans, published by the Secretary of Agriculture, and which is served in a congregate setting. The objective is to reduce food insecurity and promote socialization of older individuals.

Unit Definition:

One Meal.

Service Area: City of San Angelo, Tom Green County

All Texas Administrative Code standards are located at the Texas Secretary of State website: www.sos.state.tx.us.

All Older Americans Act and other required rules and regulations are located at http://www.aoa.gov/AoARoot/About/Authorizing_Statutes/index.aspx.

Targeting: AAA services are designed to identify eligible program participants, with an emphasis on high-risk program participants and to serve older individuals with greatest economic and social need, low-income minorities and those residing in rural areas, as required by the OAA.

B. Services & Reimbursement Methodology:

Service	Fixed Rate (include rate)	Variable Rate (identify range)	Cost Reimbursement
CONGREGATE	\$6.54		
HOME DELIVERED	N/A		

2. TERMS OF AGREEMENT

A. The Vendor agrees to:

1. provide services in accordance with current or revised DADS policies and standards and the OAA.
2. submit billings with appropriate documentation as required by the AAA by the close of business on the **fifth (5th)** day of each month following the last day of the month in which services were provided.
 - a. If the **fifth (5th)** day falls on a weekend or holiday, the information shall be delivered by the close of business on the preceding business day.
 - b. The AAA cannot guarantee payment of a reimbursement request received for more than **45** calendar days of service delivery.
 - c. No reimbursement for services provided will be made if vendor payment invoices are not submitted to the AAA within **45** days of service delivery.
3. encourage program participant contributions (program income) on a voluntary and confidential basis. Such contributions will be properly safeguarded and accurately accounted for as receipts and expenditures on Vendor's financial reports if contributions are not required to be forwarded to the AAA. Client contributions (program income) will be reported fully, as required, to the AAA. Vendor agrees to expend all program income to expand or enhance the program/service under which it is earned.
4. notify the AAA Director within **24** hours if, for any reason, the Vendor becomes unable to provide the service(s).
5. maintain communication and correspondence concerning program participants' status.
6. establish a method to guarantee the confidentiality of all information relating to the program participant in accordance with applicable federal and state laws, rules, and regulations. This provision shall not be construed as limiting AAA or any federal or state authorized representative's right of access to program participant case records or other information relating to program participants served under this agreement.
7. keep financial and program supporting documents, statistical records, and any other records pertinent to the services for which a claim for reimbursement was submitted to the AAA. The records and documents will be kept for a minimum of five years after close of vendor's fiscal year.
8. make available at reasonable times and for required periods all fiscal and program participant records, books, and supporting documents pertaining to services provided under this agreement, for purposes of inspection, monitoring, auditing, or evaluations by AAA staff, the Comptroller General of the United States and the State of Texas, through any authorized representative(s).
9. if applicable, comply with the DADS process for Centers for Medicare and Medicaid Services (CMS) screening for excluded individuals and entities involved with the delivery of the Legal Assistance and Legal Awareness services.

B. The Vendor further agrees:

1. The agreement may be terminated for cause or without cause upon the giving of thirty(30) days advance written notice.
2. The agreement does not guarantee a total level of reimbursement other than for individual units/services authorized; contingent upon receipt of funds.
3. Vendor is an independent provider, NOT an agent of the AAA. Thus, the Vendor indemnifies, saves and holds harmless AAA of the Concho Valley against expense or liability of any kind arising out of service delivery performed by the Vendor. Vendor must immediately notify the AAA if the Vendor becomes involved in or is threatened with litigation related to program participants receiving services funded by the AAA.
4. Employees of the Vendor will not solicit or accept gifts or favors of monetary value by or on behalf of program participants as a gift, reward or payment.

C. Through the Direct Purchase of Services program, the AAA of the Concho Valley agrees to:

1. review program participant intake and assessment forms completed by the Vendor, as applicable, to determine program participant eligibility. Service authorization is based on program participant need and the availability of funds.
2. provide timely written notification to Vendor of program participant's eligibility and authorization to receive services.
3. maintain communication and correspondence concerning the program participants' status.
4. provide timely technical assistance to Vendor as requested and as available.
5. conduct quality-assurance procedures, which may include on-site visits, to ensure quality services are being provided and if applicable, CMS exclusion reviews are conducted.
6. provide written policies, procedures, and standard documents concerning program participant authorization to release information (both a general and medical/health related release), client rights and responsibilities, contributions, and complaints/grievances and appeals to all program participants.
7. contingent upon the AAA's receipt of funds authorized for this purpose from DADS, reimburse the Vendor based on the agreed reimbursement methodology, approved rate(s), service(s) authorized, and in accordance with subsection (A)(2) of this document, within 45 days of the AAA's receipt of Vendor's invoice.

3. ASSURANCES

The Vendor shall comply with:

- A. Title VI of the Civil Rights Act of 1964 (42 U.S.C. §2000d *et seq.*)
- B. Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. §794)
- C. Americans with Disabilities Act of 1990 (42 U.S.C. §12101 *et seq.*)
- D. Age Discrimination in Employment Act of 1975 (42 U.S.C. §§6101-6107)
- E. Title IX of the Education Amendments of 1972 (20 U.S.C. §§1681-1688)
- F. Food Stamp Act of 1977 (7 U.S.C. §200 *et seq.*)
- G. Drug Free Workplace Act of 1988
- H. Texas Senate Bill 1 - 1991, as applicable
- I. DADS administrative rules, as set forth in the Texas Administrative Code, to the extent applicable to this Agreement

- J. Certification Regarding Debarment - 45CFR §92.35 Subawards to debarred and suspended parties; this document is required annually as long as this agreement is in effect
- K. Centers for Medicare and Medicaid Services (CMS) State Medicaid Director Letter SMDL #09-001 regarding Individuals or Entities Excluded from Participation in Federal Health Care Programs
- L. DADS Information Letter 11-07 – Obligation to Identify Individuals or Entities Excluded from Participation in Federal Health Care Programs
- M. Notification of Conflict of Interest

4. SIGNATURES

For the faithful performance of the terms of this agreement, the parties affix their signatures and bind themselves **effective October 1, 2016 through September 30, 2017.**

Authorized Vendor Signature Print Name Title Date	Authorized Signature <u>Concho Valley Area Agency on Aging</u> (Agency) <u>2801 W. Loop 306, Ste. A; PO Box 60050</u> (Address) <u>San Angelo TX 76906</u> (City, State, Zip) (Date)
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REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: October 18, 2016

Item type: Consent Item

Caption:

Consider resolution authorizing the City Manager to negotiate and execute required documents that record the Economic Development Administration's interest in the fire training center. (M. Chegwidden)

Summary/History:

On October 1, 2012, the Economic Development Administration (EDA) awarded a grant of \$1,200,000 to the City of San Angelo to fund a portion of the new fire training center construction. The grant agreement states that the City shall record the EDA's interest in the project for a period of 20 years. Compliance with this requirement will ensure continued receipt of the grant funds.

Financial Impact:

Receipt of budgeted grant revenue of \$1,200,000.

Other Information/Recommendation:

Staff recommends approval.

Attachments:

1. Resolution 16-633 Resolution Authorizing recording of EDA interest in Fire Training Facility.docx

Presentation:

None

Approvals/Reviews:

Morgan Chegwidden
Theresa James
Anthony Wilson
Tina Dierschke
Theresa James
Becky Dunn
Bryan Kendrick

Created/Initiated
Approved
Approved
Approved
Approved
Approved
Final Approval

**A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF SAN ANGELO, TEXAS**

WHEREAS, On October 1, 2012, the Economic Development Administration (EDA) awarded a grant of \$1,200,000 to the City of San Angelo to fund a portion of the new fire training center construction; and

WHEREAS, the grant agreement states that the City shall record the EDA's interest in the project for a period of 20 years; and

WHEREAS, Compliance with this requirement is necessary to ensure continued receipt of the grant funds: and

NOW, THEREFORE, BE IT RESOLVED, that

Part 1: the City Council of the City of San Angelo authorizes the City Manager to negotiate and execute all documents necessary to record the interest of the EDA as required by the grant documents.

PASSED, APPROVED, and ADOPTED on this 18th day of October, 2016.

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: Rebeca Guerra, Planning Manager, Planning and Development Services, 325-657-4210

Meeting Date: October 18, 2016

Item type: Regular Item

Caption:

First Reading and Public Hearing for Case PD16-04, an Ordinance approving a request for a rezoning from the Low Rise Multi-Family Residence (RM-1) and Light Manufacturing (ML) Zoning Districts to the Planned Development (PD) Zoning District for a school with accessory uses including: play areas, cafeterias, recreational and sport facilities, auditoriums and before or after-school day care, generally located north, east, and southwest of the intersection of East Washington Drive and Burgess Street, on 3.769 acres (Presentation by Planning & Development Services Director Jon James)

Summary/History:

On August 16, 2016, the applicant submitted a Planned Development (PD) Zoning application for a request for a Rezoning from the Low Rise Multi-Family Residence (RM-1) and Light Manufacturing (ML) Zoning Districts to the Planned Development (PD) Zoning District for a school (Fort Concho Elementary) with accessory uses including: play areas, cafeterias, recreational and sport facilities, auditoriums and before or after-school day care. The San Angelo Independent School District (SAISD) wishes to add a six classroom wing (9,067 square feet) to the existing classroom building "C" at Fort Concho Elementary which lies in the Light Manufacturing (ML) Zoning District. The Zoning Ordinance does not allow schools in the ML District, hence the need for a Rezoning.

Financial Impact:

N/A

Other Information/Recommendation:

On September 19, 2016, the Planning Commission reviewed the subject request. Commissioner Stribling made a Motion to recommend APPROVAL of the request, revising Condition #4 as follows: "All driveways shall be as required by the Fire Department." Commissioner Crisp seconded the Motion. The Motion passed unanimously, 7-0.

Attachments:

- | | | |
|----|-----------------|---|
| 1. | Draft Ordinance | PD16-04 SAISD (Fort Concho Elementary) ordinance.docx |
| 2. | Staff Report | PD16-04 CC Staff Report.docx |

Presentation:

Jon James

Approvals/Reviews:

Rebeca Guerra	Created/Initiated
Jon James	Approved
Theresa James	Approved
Anthony Wilson	Approved
Tina Dierschke	Approved

Theresa James
Becky Dunn
Bryan Kendrick

Approved
Approved
Final Approval

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: **Six addressed & unaddressed parcels totally 3.769 acres; generally located north, east and southwest of the intersection of East Washington Drive and Burgess Street, more specifically being .447 acres of Lots 1-3, Block 54, Dabney Subdivision; and around 3.322 acres out of the Fort Concho Addition, Southwest part of Block 84 being 190 feet by 321.5 feet, Fort Concho Addition; South 100 feet of East half of Block 84, Abandoned Railroad being 50 feet by 521 feet, Fort Concho Addition; South part of Lots 7-10, .206 acres of Burgess Street, Block 55, Fort Concho Addition. A request for approval of a Rezoning from the Low Rise Multi-Family Residence (RM-1) and Light Manufacturing (ML) Zoning Districts to the Planned Development (PD) Zoning District for Fort Concho Elementary with accessory uses including: play areas, cafeterias, recreational and sport facilities, auditoriums and before or after-school day care; AND PROVIDING FOR SEVERABILITY**

RE: PD16-04: SAISD (Fort Concho Elementary)

WHEREAS, the Planning Commission for the City of San Angelo and the governing body 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 basic zoning ordinance for the City of San Angelo, as enacted by the governing body for the City of San Angelo on January 4, 2000, and included within Chapter 12 of the Code of Ordinances for the City of San Angelo, be and the same is hereby amended insofar as the property hereinafter set forth, and said ordinance generally and the zoning map shall be amended insofar as the property hereinafter described:

Six addressed & unaddressed parcels totally 3.769 acres; generally located north, east and southwest of the intersection of East Washington Drive and Burgess Street, more specifically being .447 acres of Lots 1-3, Block 54, Dabney Subdivision; and around 3.322 acres out of the Fort Concho Addition, Southwest part of Block 84 being 190 feet by 321.5 feet, Fort Concho Addition; South 100 feet of East half of Block 84, Abandoned Railroad being 50 feet by 521 feet, Fort Concho Addition; South part of Lots 7-10, .206

acres of Burgess Street, Block 55, Fort Concho Addition shall henceforth be permanently zoned as follows: **Planned Development (PD) Zoning District**.

The Director of the Planning & Development Services Department is hereby directed to correct zoning district maps in the office of the Director of the Planning & 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: That the following severability clause is adopted with this amendment:

SEVERABILITY:

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: Except as otherwise specified or limited below, the use and development of the subject property shall generally conform to the **Office Commercial (CO) Zoning District**.

SECTION 5: Overall site use shall be in accordance with the **Site Concept Plan**. Major changes to the usage of this property shall be approved through an amendment to this Planned Development District with approval from the Planning Commission and City Council. Minor deviations may be approved by the Planning Director provided no changes to the Zoning Ordinance are required.

SECTION 6: Building facades shall be consistent and unified in architectural style, colors, and materials with existing campus buildings. The applicant shall submit a final color palette showing all proposed building colors to the Director of Planning & Development Services for approval. Additional building façade material types may be approved at the discretion of the Planning Director.

SECTION 7: A parking table shall be required for the entire PD for current and for planned future growth. The table will require a total number of spaces for office use of 1 parking space for every 300 square feet and 1.5 spaces for every classroom is required for this Planned Development. Any amendments to facilitate new development may result in a new parking standard, as determined by the Director of Planning & Development Services. All driveways shall be as required by the Fire Department.

SECTION 8: A landscaping plan shall be submitted and approved by the Planning Division and be maintained on file in the offices of the Planning Division.

SECTION 9: The sidewalks as shown on the Site Concept Plan and the added sidewalk along East Highland Boulevard shall be no less than five feet in width, shall be installed prior to the issuance of a certificate of occupancy, and shall meet all TAS accessibility standards.

SECTION 10: A Replat for the subject 3.769-acre property shall be recorded with the Tom Green County Clerk.

INTRODUCED on the **18th day of October, 2016**, and finally PASSED, APPROVED AND ADOPTED on this the **1st day of November, 2016**.

THE CITY OF SAN ANGELO

ATTEST:

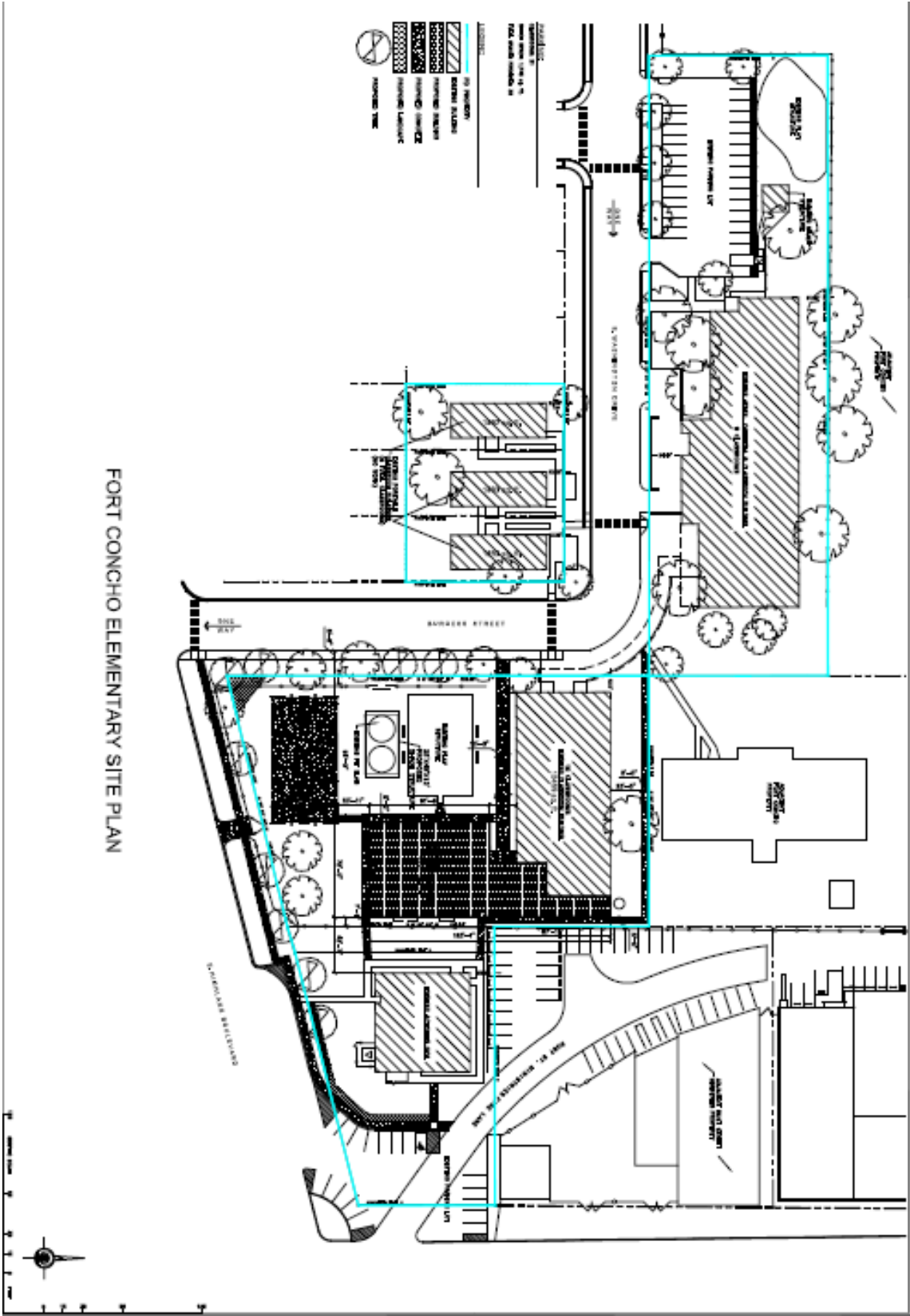
Dwain Morrison, Mayor

Bryan Kendrick, City Clerk

Approved As To Form:

Theresa James, City Attorney

EXHIBIT A



FORT CONCHO ELEMENTARY SITE PLAN

STAFF REPORT

**City Council**

Meetings: October 18, 2016
November 1, 2016

From: Jon James, AICP
Director of Planning and Development Services

Through: Rebeca A. Guerra, AICP, LEED-AP, CPD
Planning Manager

Case: PD16-04: SAISD

Request: A request for approval of a Rezoning from the Low Rise Multi-Family Residence (RM-1) and Light Manufacturing (ML) Zoning Districts to the Planned Development (PD) Zoning District for a school with accessory uses including: play areas, cafeterias, recreational and sport facilities, auditoriums and before or after-school day care

Location: Six addressed & unaddressed parcels totaling 3.769 acres; generally located north, east, and southwest of the intersection of East Washington Drive and Burgess Street

Legal

Description: .447 acres of Lots 1-3, Block 54, Dabney Subdivision; and around 3.322 acres out of the Fort Concho Addition, Southwest part of Block 84 being 190 feet by 321.5 feet, Fort Concho Addition; South 100 feet of East half of Block 84, Abandoned Railroad being 50 feet by 521 feet, Fort Concho Addition; South part of Lots 7-10, .206 acres of Burgess Street, Block 55, Fort Concho Addition

Size: 3.769 acres

General Information

Future Land Use: Campus/Institutional, Neighborhood and Commercial

Current Zoning: Low Rise Multi-Family Residence (RM-1) and Light Manufacturing (ML)

Existing Land Use: School

Surrounding Zoning / Land Use:

North:	Low Rise Multi-Family Residential (RM-1) and Light Manufacturing (ML)	Fort Concho (COSA), Rust Street Ministries
West:	Light Manufacturing (ML)	Single Family Residences and Fort Concho (COSA)
South:	Light Manufacturing (ML) and Low Rise Multi-Family Residential (RM-1)	American Electric Power (AEP) Texas and Single Family Residence
East:	Light Manufacturing (ML) and Two Family Residential (RS-2)	Rust Street Ministries

District: SMD #3 – Harry Thomas

Neighborhood: Fort Concho

Thoroughfares/Streets:

Per the Major Thoroughfare Plan (MTP), East Highland Boulevard, Burgess Street and Rust Street are classified as local streets. Local streets in the MTP require a 50-foot right-of-way and a 40-foot paving width, or a 36-foot paving width with a sidewalk. East Highland Boulevard has a right-of-way of 100 feet and a paving width of 36 feet without a sidewalk which is not in currently in compliance with the MTP but a sidewalk is planned as part of the Planned Development of Fort Concho Elementary. Burgess Street has a right-of-way width of 70 feet and a paving width of 36 feet in compliance with the MTP. Rust Street has a 79 foot right-of-way

width of 70 feet and a paving width of 36 feet in which is not compliance with the MTP.

History and Background:

On August 16, 2016, the applicant submitted a Planned Development (PD) Zoning application for a request for a Rezoning from the Low Rise Multi-Family Residence (RM-1) and Light Manufacturing (ML) Zoning Districts to the Planned Development (PD) Zoning District for a school (Fort Concho Elementary) with accessory uses including: play areas, cafeterias, recreational and sport facilities, auditoriums and before or after-school day care. The San Angelo Independent School District (SAISD) wishes to add a six classroom wing (9,067 square feet) to the existing classroom building "C" at Fort Concho Elementary which lies in the Light Manufacturing (ML) Zoning District. The Zoning Ordinance does not allow schools in the ML District, hence the need for a Rezoning.

Analysis:

The Planned Development Zoning District is a tailor-made Zoning District designed for a specific purpose in a specific location, allowing for greater flexibility, improved design standards, and additional requirements such as landscaping, noise mitigation, density capping, and resource protection.

Concept Plan: A Site Concept Plan outlining the general intent of the development, as well as a tentative layout of uses, accompanies the application to indicate the overall extent and complexity of the development. The Planned Development would encompass six parcels containing six existing campus buildings: the Cafeteria and Administrative Building with nine classrooms (approximately 18,341 square feet), three portable classroom buildings (1,893 square feet each), Building "C" with 10 classrooms (10,459 square feet) and the added six classroom wing (9,067 square feet) and the Gym (approximately 5,835 square feet). Other structures included are two playgrounds and a shade structure with picnic tables. The school library is housed in the former post hospital on the grounds of Fort Concho National Historic Landmark abutting north of the school. The library will not be within the bounds of the Planned Development. Current enrollment is 471 students and 40 faculty and staff. The underlying zoning classification for uses in the PD would be Office Commercial (CO) as schools are allowed by right in the CO Zoning District. The CO Zoning District development standards will apply with the exception of off-street parking (see parking section below) and the required setbacks which shall be zero (0) feet on all sides of the PD. Building materials and color for the new classroom wing shall be consistent with existing school buildings.

The applicant will be required to plat as noted at the Development Review Commission (DRC) meeting on the site plan. The Replat will include the entire future 3.769 acre within the Planned Development zoning boundary.

Parking:

An off-street parking table shall be required for the entire PD for current and for planned future growth. The table will require a total number of spaces for office use of 1 parking space for every 300 square feet and 1.5 spaces for every classroom.

Landscape Plan:

The Landscape Plan will show new trees, plantings/xeriscaping along the entire east side of Burgess Street south of Building "C" to the intersection of Burgess Street and East Highland Boulevard. It will extend east along the north side of East Highland Boulevard paralleling the required new sidewalk to the east entrance of the gym. No planting or xeriscaping shall exceed three feet in height in the site triangle at the intersection.

Sidewalks:

A five foot wide sidewalk will be built in the gap from the intersection of Burgess Street and East Highland Boulevard to connect eastward with the proposed sidewalk in front of the gym. Landscaping will be provided along the entire length of the new sidewalk.

Criteria: 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 Planned Development (PD) Zoning District appears to be consistent in with the Comprehensive Plan's Future Land Use (FLU) designation of Campus/Institutional, Commercial and Neighborhood. The Campus/Institutional designation use is fully compatible and is by definition associated with school campuses. Fort Concho Elementary would be well served under this category. The three portable classrooms lie within the Neighborhood designation and are compatible use. The Comprehensive Plan expressly calls to "improve street, bicycle, and pedestrian connectivity between neighborhoods and their associate neighborhood centers, public spaces, schools, and parks" and "coordinate with San Angelo Independent School District (SAISD) to improve walkability and connections between neighborhoods and nearby schools." The gym is in a FLU Commercial area but it, too, is compatible as the "design for a campus-like environment organized around a central feature or public space, to instill a pedestrian-friendly element and establish synergies between compatible

businesses.” The gym is typically a meeting and event venue for schools without an auditorium. The compatibility with Rust Street Ministries is somewhat synergistic they aid people with clothes and food (among other services) and families with school children are sometimes in need of that kind of assistance.

2. Consistent with Zoning Ordinance. *Whether and the extent to which the proposed amendment would conflict with any portion of this Zoning Ordinance.*

The purposes of a Planned Development District include, but are not limited to, the following: (1) To allow diversification of uses, structures, and open spaces and to promote flexibility of design in a manner compatible with existing and allowed uses of land on adjacent properties; (2) To preserve the natural amenities and environmental assets of the land by encouraging the preservation and improvement of open space; (3) To provide an appropriate balance between the intensity of development and the ability to provide adequate supporting public facilities and services; (4) To promote the efficient use of land to facilitate a more economic arrangement of buildings, uses of land and utilities; and (5) To promote the development of vacant property within the presently developed urban (or suburban) area.

The Planned Development will afford a multitude of complementary and logical accessory uses. Schools are more than classrooms and Fort Concho Elementary is no different. School cafeterias function as a centralized place on campus to feed large numbers of students and staff. Playgrounds require open space and large outdoor playground equipment. The playground acts to entertain and keep children from wandering off campus. Gyms require a large open floor plan and off-street parking for those who come for sporting events and other large school functions. Off-street parking reduces spillover of cars seeking parking on nearby streets. The bulk of the campus has existed since Fort Concho was established in 1987 in its present location. The original school was located on the parade grounds in 1907, so the relocation protected the historical integrity of Fort Concho while promoting a mixed use of sorts with the former post hospital exterior serving as the school library in the interior of the building. Insuring that the additional classroom wing can be built promotes the use of public infrastructure that is currently in place rather than forcing students to transfer to other schools further from their neighborhoods. More compact campuses are more economical and better served by public services as existing school buildings are used rather than building new schools elsewhere to accommodate the growth in school enrollment.

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 Planned Development is compatible with existing and proposed uses surrounding the area. The area is currently zoned as Two-Family Residence (RS-2) Zoning District on the west side and Light Manufacturing (ML) on the east side with the dividing line being Burgess Street. The ML Zoning District does not allow schools nor is a Conditional Use an option. The RS-2 District does provide for schools if a Conditional Use is granted; however, this would accommodate for only half the campus and a Planned Development would offer the flexibility to treat the school as an entire unit and not result in piecemeal development. The school as a use is compatible with the neighboring residential homes on the west side as it was been there for nearly 30 years and neighbors are fully aware there is a nearby established school. In fact, if one counts the original Fort Concho school, there has been a school in that neighborhood for 109 years. Fort Concho National Historic Landmark to north and west is compatible with the school as they have a unique bond rarely found in the United State where a school abuts a historic landmark and has been intertwined for over a century. School children see history outside the classroom window every day and presence of the school prevents other less desirable uses from taking root near the old fort. The east side of the campus in the ML Zoning District is compatible as well. American Electric Power (AEP) owns the land south of East Highland Boulevard. It is a large open area for the substation. Perimeter fencing topped with barbed wire and secondary fences around the transformers setback from the street insure that children not likely to wander onto the property. Rust Street Ministries on the east side offer programs that are geared to help out a variety of people in need including families that lack food or clothing. That is convenient for families with school age children.

4. Changed Conditions. *Whether and the extent to which there are changed conditions that require an amendment.*

The proposed wing addition with its six classrooms spurred interest in rethinking how the campus can accommodate more students. Fort Concho already has three portable classrooms out of necessity, but most parents would prefer more permanent and spacious classrooms that have interior hallways like a conventional school. Students who attend classes in these buildings must cross the street to reach the bulk of the campus which is not an ideal situation from a safety standpoint. Adding classroom space and other structures in a Planned Development would be made easier and faster if the SAISD would make the school a legal use not having to apply for a Conditional Use or the Expansion of a Non-Conforming Use or Structure for any and every exterior change. The addition to the existing building will expand to the east somewhat but the bulk of it extends southward where the existing basketball court is now. The new basketball court will be built south of the ball pits. A 12-foot high chain link fence is proposed to replace the four foot fence that lines the perimeter of the playground. Presumably, this will reduce the number of balls that end up in the streets and reduce the danger

of drivers hitting the children pursuing those balls. The extension of the sidewalk as part of PD and the elimination of sidewalk gaps will reduce the number of children choosing to walk through the mud or take their chances walking on the streets. The landscaping requirement part of the PD should make the campus more visually appealing while offering added shade on the playground.

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.*

The school has been its current location for nearly 30 years and the proposed classroom addition largely be on the existing paved basketball court. The new basketball court will result in a larger impervious surface increasing runoff somewhat but there will be some mitigation on the environment with more required landscaping due to the PD. There may some improvement as children can attend a school closer to their neighborhood, rather than having school buses going to other schools and having parents driving further as part of their commuting pattern. Future development will require building permits, which would include a review of grading, drainage, and stormwater runoff to further ensure there are no negative environmental impacts. There will be some increased traffic in the area, but Burgess Street is a one way street during school hours and with a better sidewalk network more children may walk to school. More students could equate to more noise, but the classroom addition will be on the east side of campus away from the residential area and the portable classrooms. Some students in the portable classrooms may be moved to the new wing.

6. **Community Need.** *Whether and the extent to which the proposed amendment addresses a demonstrated community need.*

The school clearly needs additional classroom space if portable classrooms are being used as a stopgap measure. The population growth in San Angelo is increasing but the increase has been greater in comparable metro areas in Texas (see table below).

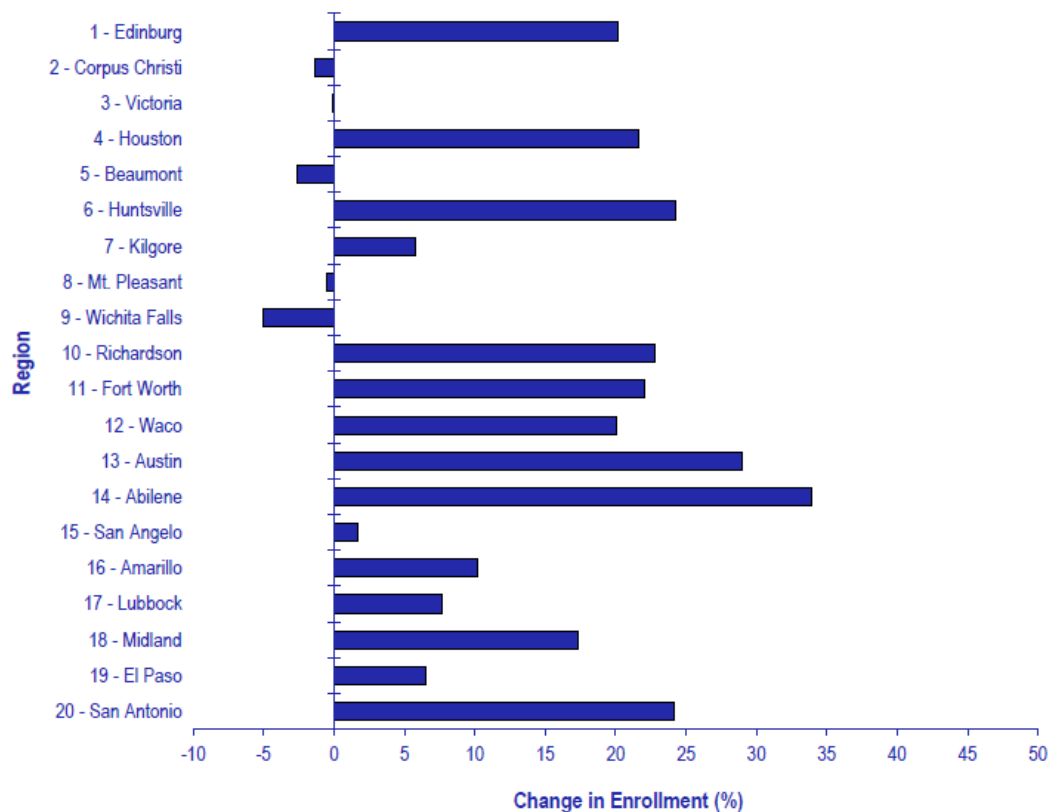
Area	Census 2000	Census 2010	Population Change	Population Change (%)
Abilene MSA	160,245	165,252	5,007	3.1%
Amarillo MSA	226,522	249,881	23,359	10.3%
Lubbock MSA	249,700	284,890	35,190	14.1%
Midland MSA	116,009	136,872	20,863	18.0%

Area	Census 2000	Census 2010	Population Change	Population Change (%)
Odessa MSA	121,123	137,130	16,007	13.2%
San Angelo MSA	105,781	111,823	6,042	5.7%
Waco MSA	213,517	234,906	21,389	10.0%
Wichita Falls MSA	151,524	151,306	-218	-0.1%

<http://dshs.texas.gov/chs/popdat/Census2010.shtm>

People with children looking to move to a new location frequently inquire about the state of the local school system. Overcrowded classrooms are not an inducement to move to a community and if the population growth exceeds expectations there is a lag time to catch up by adding capacity to schools after fact to accommodate larger enrollment. Regional enrollment figures show sluggish growth in the last decade (below).

Figure 12
Change in Enrollment Within Education Service Centers, Texas Public Schools, 2004-05 to 2014-15



Source: Division of Research and Analysis, Department of Assessment and Accountability, Texas Education Agency, April 2016

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 proposed Planned Development would encompass Fort Concho Elementary which functions as neighborhood school which has been in the Fort Concho neighborhood since 1907. The existing use as a school will remain the same as the proposed use is as a school. The PD would merely bring more continuity into a single zoning district made for a school with multiple buildings and multiple accessory uses. The PD designation streamlines future development in one school by not relying on piecemeal development applications before the City Planning Boards and City Council which will have to deal with multiple building and structural expansions on 23 different schools with the SAISD system.

Notification:

On September 6, 2016, twenty-eight (28) notifications were mailed out, and on September 3, 2016, notice was published in the San Angelo Standard-Times. As of September 14, 2016, Staff has received zero (0) responses in opposition and zero (0) responses in support to the request.

Planning Commission Action:

This request was scheduled for review and consideration on the September 19, 2016, Planning Commission. In a 7-0 vote, the Commission recommended APPROVAL of the request. Below is an excerpt from the meeting's unofficial minutes:

The request was for approval of a Rezoning from the Low Rise Multi-Family Residence (RM-1) and Light Manufacturing (ML) Zoning Districts to the Planned Development (PD) Zoning District for a school with accessory uses including: play areas, cafeterias, recreational and sport facilities, auditoriums and before or after-school day care.

David Fee, Senior Planner, outlined the case. The Future Land Use of the site is Campus/Institutional, Neighborhood, and Commercial and current zoning is Low Rise Multi-Family Residence (RM-1) and Light Manufacturing (ML). He outlined Planning Staff's rationale to recommend approval of the application subject to seven conditions of approval. The rationale included that the request was consistent with the Future Land Use designations, that the school use is a well-established neighborhood school, and that the use is not incompatible with surrounding uses.

Russell Gully representing the applicant asked for Condition of Approval #4 to be amended to allow for driveway widths to be determined by the Fire Department. Staff indicated they did not have any objections to the request.

Commissioner Stribling made a Motion to recommend APPROVAL of the request, revising Condition #4 as follows: "All driveways shall be ~~a minimum of 26 feet wide~~, as required by the Fire Department." Commissioner Crisp seconded the Motion. The Motion passed unanimously, 7-0.

Staff's Recommendation:

Staff's recommendation is for the Planning Commission to recommend **APPROVAL** of the proposed Rezoning from the Low Rise Multi-Family Residence (RM-1) and Light Manufacturing (ML) Zoning Districts to the Planned Development (PD) Zoning District for a school with accessory uses including: play areas, cafeterias, recreational and sport facilities, auditoriums and before or after-school day care, **subject to the following seven (7) Conditions of Approval:**

1. Except as otherwise specified or limited below, the use and development of the subject property shall generally conform to the Office Commercial (CO) Zoning District.
2. Overall site use shall be in accordance with the Site Concept Plan. Major changes to the usage of this property shall be approved through an amendment to this Planned Development District with approval from the Planning Commission and City Council. Minor deviations may be approved by the Planning Director, consistent the Zoning Ordinance.
3. Building facades shall be consistent and unified in architectural style, colors, and materials with existing campus buildings. The applicant shall submit a final color palette showing all proposed building colors to the Director of Planning & Development Services for approval. Additional building façade material types may be approved at the discretion of the Planning Director.
4. A parking table shall be required for the entire PD for current and for planned future growth. The table will require a total number of spaces for office use of 1 parking space for every 300 square feet and 1.5 spaces for every classroom is required for this Planned Development. Any amendments to facilitate new development may result in a new parking standard, as determined by the Director of Planning & Development Services. All driveways shall be as required by the Fire Department.
5. A landscaping plan shall be submitted and approved by the Planning Division and be maintained on file in the offices of the Planning Division.

6. The sidewalks as shown on the Site Concept Plan and the added sidewalk along East Highland Boulevard shall be no less than five feet in width, shall be installed prior to the issuance of a certificate of occupancy, and shall meet all TAS accessibility standards.
7. A Replat for the subject 3.769-acre property shall be recorded with the Tom Green County Clerk.

Attachments:

Aerial Map
Future Land Use Map
Zoning Map
Major Thoroughfare Map
Notification Map
Notification List
Site Concept Plan
Publication Proof



Zoning Case Files

PD16-04 Fort Concho Elementary

Council District: SMD #3 Harry Thomas

Neighborhood: Fort Concho

Scale: 1 inch :: 200 feet

Legal Description: Six addressed & unaddressed lots; 3.876 acres in Dabney Subdivision and in Fort Concho Addition

Legend

Subject Properties:

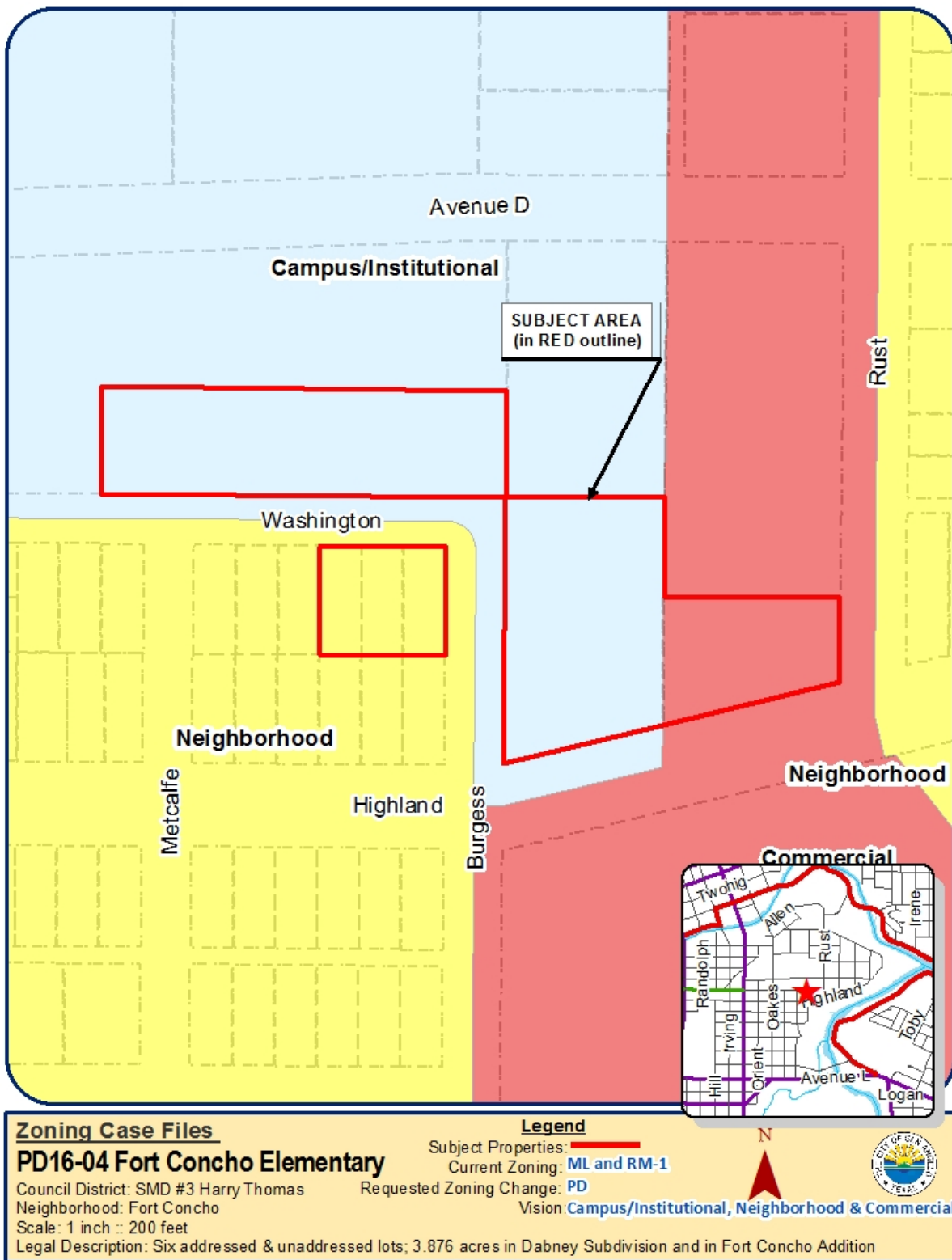
Current Zoning: ML and RM-1

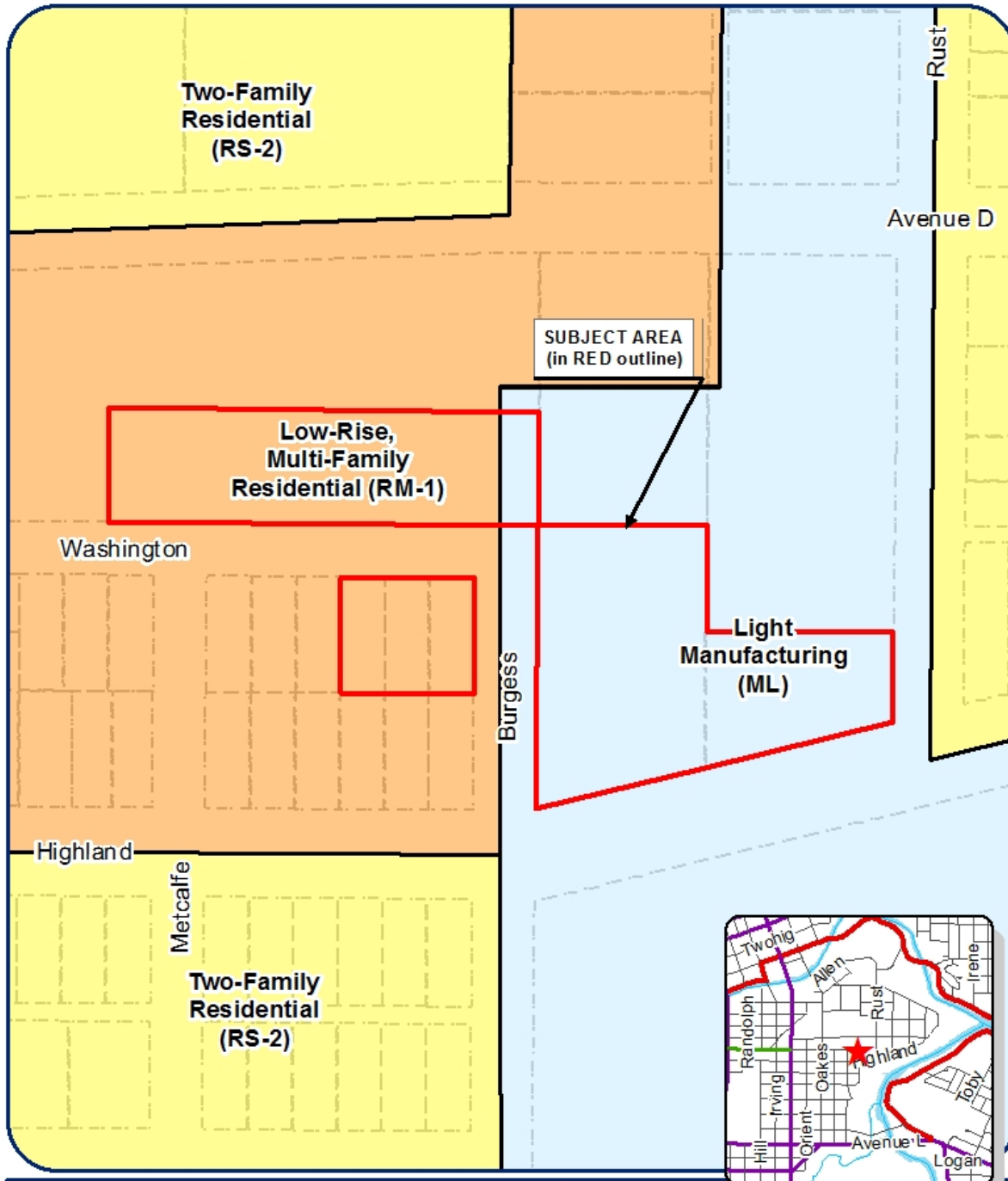
Requested Zoning Change: PD

Vision: Campus/Institutional, Neighborhood & Commercial

N







Zoning Case Files

PD16-04 Fort Concho Elementary

Council District: SMD #3 Harry Thomas

Neighborhood: Fort Concho

Scale: 1 inch = 200 feet

Legal Description: Six addressed & unaddressed lots; 3.876 acres in Dabney Subdivision and in Fort Concho Addition

Legend

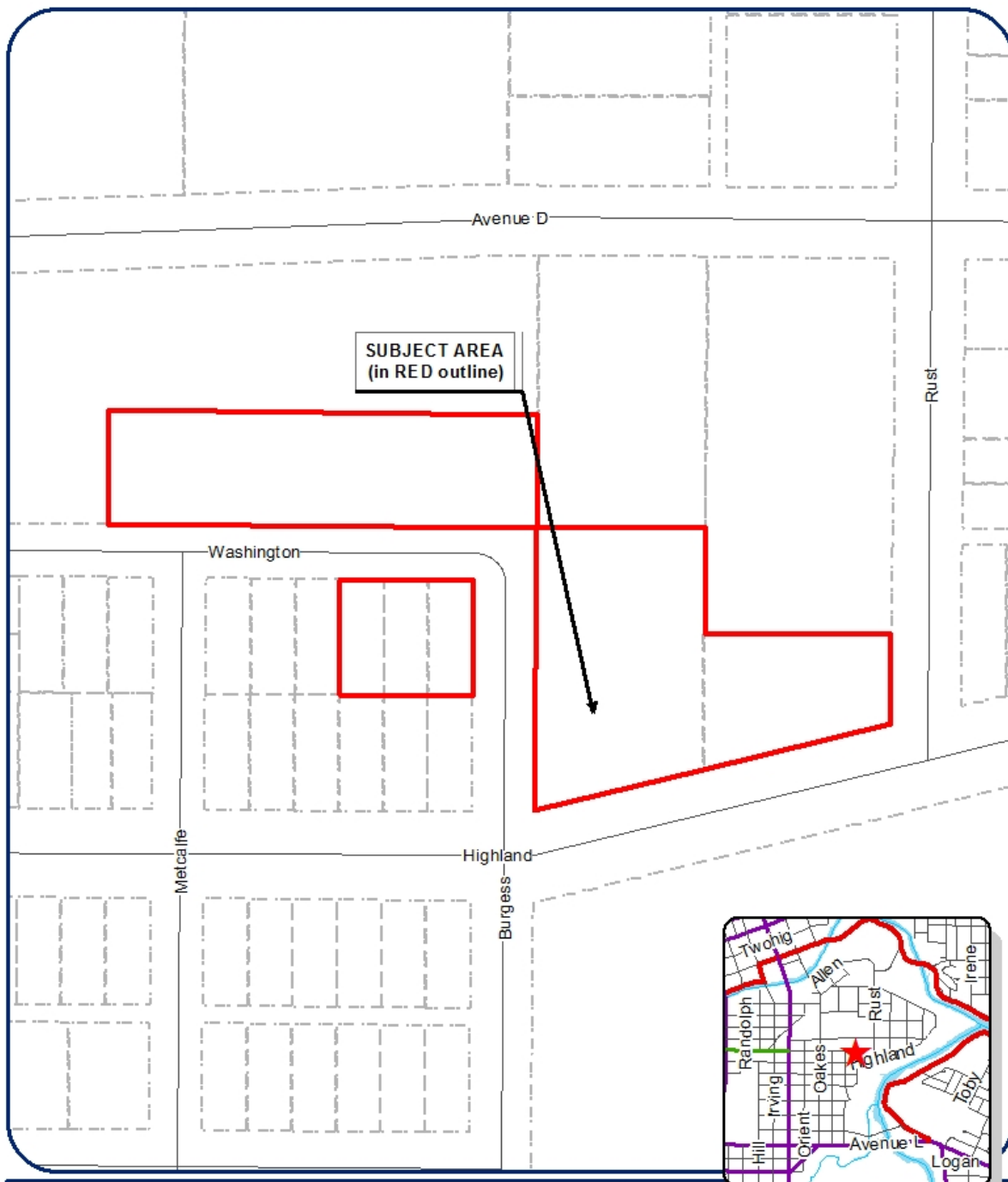
Subject Properties: —

Current Zoning: ML and RM-1

Requested Zoning Change: PD

Vision: Campus/Institutional, Neighborhood & Commercial





Zoning Case Files

PD16-04 Fort Concho Elementary

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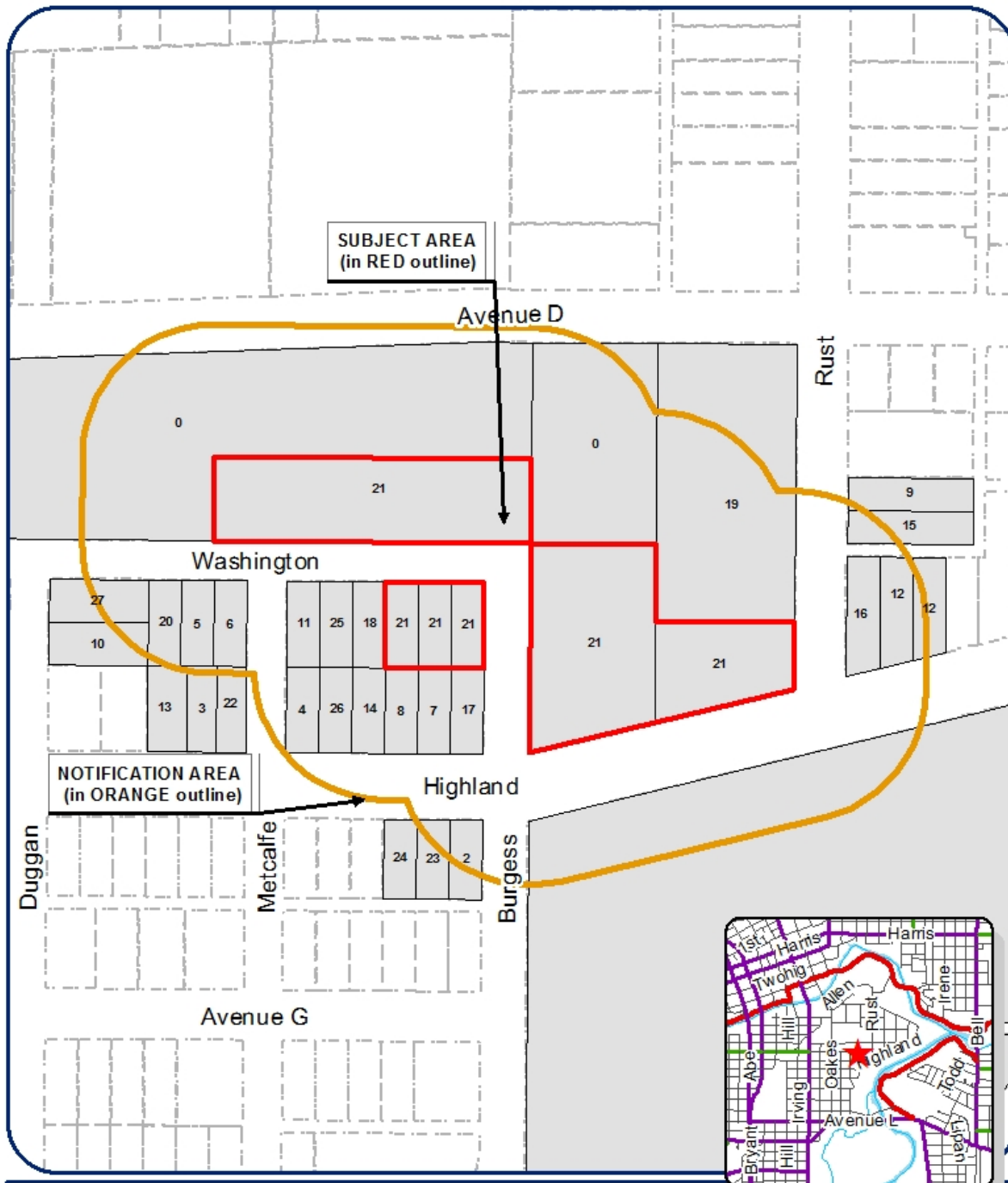
Legend

Subject Properties: —
Current Zoning: ML and RM-1

Requested Zoning Change: PD

Vision: Campus/Institutional, Neighborhood & Commercial





Zoning Case Files

PD16-04 Fort Concho Elementary

Council District: SMD #3 Harry Thomas

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Scale: 1 inch :: 200 feet

Legal Description: Six addressed & unaddressed lots; 3.876 acres in Dabney Subdivision and in Fort Concho Addition

Legend

Subject Properties: —

Current Zoning: **ML and RM-1**

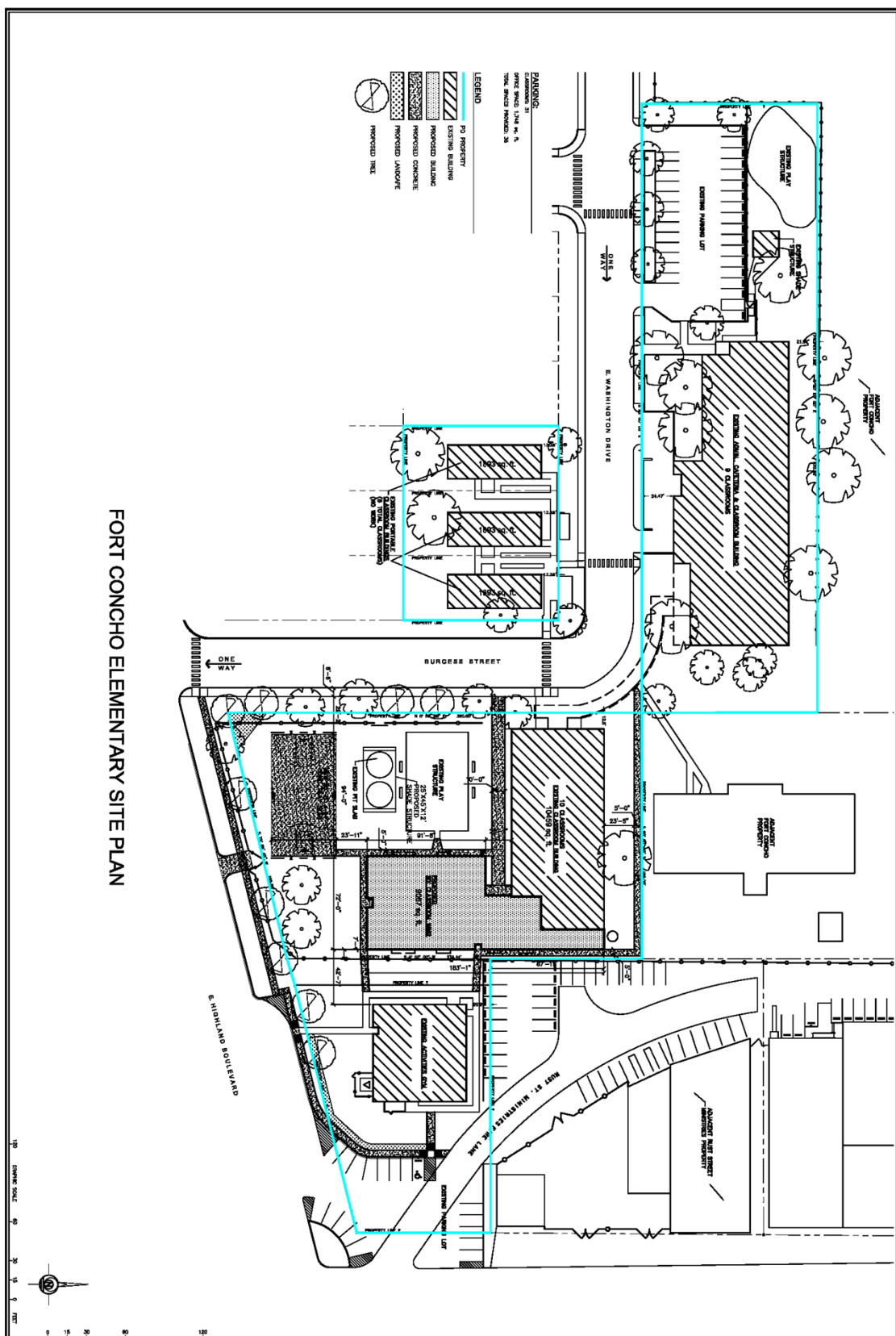
Requested Zoning Change: **PD**

Vision: **Campus/Institutional, Neighborhood & Commercial**

N



0	CITY OF SAN ANGELO	% DAVID FEE, PLANNING	72 W COLLEGE AVE	SAN ANGELO	TX	76903-5814
1	AEP TEXAS NORTH COMPANY	TAX DEPARTMENT 27TH FLOOR	PO BOX 16428	COLUMBUS	OH	43216-6428
2	ARRIANGA JUANITA	.	323 E HIGHLAND	SAN ANGELO	TX	76903-7407
3	BARA CLAUDIA	.	218 E HIGHLAND BLVD	SAN ANGELO	TX	76903-7406
4	CARDENAS IRENE	.	912 METCALFE ST	SAN ANGELO	TX	76903-7447
5	CRAY LUDIVINA H	.	217 E WASHINGTON	SAN ANGELO	TX	76903-7457
6	CRIBB ANA/DAVILA MANUEL DE JESUS M	.	18 W 19TH ST	SAN ANGELO	TX	76903-3829
7	ESCOBEDO JOSE A & EVA C	.	320 E HIGHLAND	SAN ANGELO	TX	76903-7408
8	ESCOBEDO JUANITA	.	318 E HIGHLAND	SAN ANGELO	TX	76903-7408
9	ESCOBEDO MARIA	.	816 RUST ST	SAN ANGELO	TX	76903-7135
10	FUENTES ROSALINDA GONZALES	.	908 DUGGAN ST	SAN ANGELO	TX	76903-7431
11	GUERRERO CANDIDO S	.	1425 COKE ST	SAN ANGELO	TX	76903-6138
12	LEAL MARIA ISABEL	.	508 E HIGHLAND BLVD	SAN ANGELO	TX	76903-7411
13	MORRIS PAMELA A	.	212 E HIGHLAND BLVD	SAN ANGELO	TX	76903-7406
14	MUNOZ CHON	.	308 E HIGHLAND BLVD	SAN ANGELO	TX	76903-7408
15	RAMOS ENRIQUE	SERANO ESTELLA H(LFE-EST)	822 RUST STREET	SAN ANGELO	TX	76903-7135
16	RAMOS RICKY	.	836 RUST	SAN ANGELO	TX	76903-7135
17	REGINO JESUS Y	.	322 E HIGHLAND BLVD	SAN ANGELO	TX	76903-7408
18	RIVERA JANET NARBAIZ	.	309 E WASHINGTON	SAN ANGELO	TX	76903-7459
19	RUST STREET MINISTRIES	.	819 RUST ST	SAN ANGELO	TX	76903-7134
20	SALAS DAGOBERTO & TERESA	.	215 E WASHINGTON DR	SAN ANGELO	TX	76903-7457
21	SAN ANGELO ISD	.	1621 UNIVERSITY AVE	SAN ANGELO	TX	76904-5164
22	SANTILLAN MARIA DEL ROSARIO	.	224 E HIGHLAND BLVD	SAN ANGELO	TX	76903-7406
23	TORRES LUCIANO	.	136 VAN ZANDT	SAN ANGELO	TX	76905-7736
24	TORRES PATRICIA L	.	311 E HIGHLAND	SAN ANGELO	TX	76903-7407
25	VALLES LEANDRO JR & SALLY	.	303 E WASHINGTON DR	SAN ANGELO	TX	76903-7459
26	VALLES MARY JESSIE - DECEASED	.	306 E HIGHLAND BLVD	SAN ANGELO	TX	76903-7408
27	VELASQUEZ DEBRA & RODRIGUEZ ERICA V	.	900 DUGGAN	SAN ANGELO	TX	76903-7431





► Insertion Information

Page:

Publications: SS-San Angelo Standard-Times, SS-Internet-go sanangelo.com

I agree this ad is accurate and as ordered.

THE *Journal of Management Education* (*JME*) is a peer-reviewed journal that publishes research, theory, and practice in the field of management education. The journal is published quarterly by the American Management Education Association (AMEA). The journal's content is organized into four sections: Research, Theory, Practice, and Reviews. The Research section publishes empirical studies that contribute to the understanding of management education. The Theory section publishes theoretical articles that explore the underlying principles of management education. The Practice section publishes articles that describe innovative teaching methods and classroom practices. The Reviews section publishes critical evaluations of books and articles in the field. The journal is a key source of information for management educators and researchers.

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REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Rebeca Guerra, Planning Manager, Planning and Development Services, 325-657-4210

Meeting Date: October 18, 2016

Item type: Regular Item

Caption:

First Reading and Public Hearing for Case SU16-01, an Ordinance approving a request for a Special Use to allow for a Golf Course with Incidental Uses and Buildings within the Single-family Residential (RS-1) Zoning District for property generally located west of the intersection of Country Club Road and Ben Ficklin Road, on 177.450 acres (Presentation by Planning & Development Director Jon James)

Summary/History:

The subject property was annexed in November of 1989, and it consists of approximately 178 acres of unplatted land. The property has been used as a golf course since 1920, originally as a nine-hole venue and subsequently expanded to 18 holes in 1927. The owner/petitioner is requesting approval of an application to rezone the subject property from the Single-family Residential (RS-1) Zoning District to a Special Use Zoning District to allow for a Golf Course with Incidental Buildings and Uses in order to cure a long-standing inconsistency.

Financial Impact:

N/A

Other Information/Recommendation:

On September 19, 2016, the Planning Commission reviewed the subject request. Commissioner Smith made a Motion to recommend APPROVAL of the Special Use to allow for a Golf Course with Incidental Uses and Buildings within the Single-family Residential (RS-1) Zoning District, subject to all Conditions recommended by Staff. Commissioner Stribling seconded the Motion. The Motion failed, 2-5 (Preiss, Spano, Jackson, Farmer, and Crisp dissenting).

Commissioner Spano made a Motion to recommend APPROVAL of the Special Use to allow for a Golf Course with Incidental Uses and Buildings within the Single-family Residential (RS-1) Zoning District, subject to all Conditions except Condition number two. Commissioner Jackson seconded the Motion. The Motion passed, 5-2 (Stribling and Smith dissenting).

Attachments:

- | | |
|--------------------|---------------------------------------|
| 1. Staff Report | SU16-01_Staff_Report_CityCouncil.docx |
| 2. Draft Ordinance | SU16-01_Ordinance.docx |
| 3. Exhibit A | SU16-01_Ordinance(Ex-A).pdf |

Presentation:

Jon James

Approvals/Reviews:

Rebeca Guerra

Created/Initiated

Jon James
Theresa James
Anthony Wilson
Tina Dierschke
Theresa James
Becky Dunn
Bryan Kendrick

Approved
Approved
Approved
Approved
Approved
Approved
Final Approval

STAFF REPORT



City Council

Meetings: October 18, 2016; November 1, 2016

From: Jon James, AICP
Director of Planning and Development Services

Through: Rebeca A. Guerra, AICP, LEED-AP, CPD
Planning Manager

Case: SU16-01: San Angelo Country Club

Request: A request for approval of a Special Use to allow for a Golf Course with Incidental Uses and Buildings within the Single-family Residential (RS-1) Zoning District

Location: 1609 Country Club Road; generally located west of the intersection of Country Club Road and Ben Ficklin Road

Legal

Description: 177.450 acres out of the M. Meyer Survey, Number 169, Abstract 1647, Tom Green County, Texas

Size: 177.450 acres

General Information

Future Land Use: Open Space

Current Zoning: Single-family Residential (RS-1)

Existing Land Use: Golf Course (San Angelo Country Club)

Surrounding Zoning / Land Use:

North:	Single-Family Residential (RS-1); Two-Family Residential (RS2); Twinhome/Townhome/Zero-Lot- Line Residential (RS3)	Concho River; Residential
West:	Single-Family Residential (RS-1)	Residential
South:	Single-Family Residential (RS-1)	Drainage rights-of-way
East:	Single-Family Residential (RS-1)	Residential

District: SMD #1 – Richardson

Neighborhood: Country Club

Thoroughfares/Streets:

Country Club Road, from Ben Ficklin Road southward to Grand Canal Road is defined as a “Minor Collector” in the City’s Master Thoroughfare Plan (MTP). Minor Collectors are intended to serve primarily to collect traffic from residential or local streets and discharge it onto a major collector street.

Country Club Road, southwest from Grand Canal Road onward, is defined as a “Major Collector” in the City’s Master Thoroughfare Plan (MTP). Minor Collectors are intended to serve primarily to collect traffic from residential or local streets and discharge it onto an arterial street.

Collectors, in general, consist of a minimum right-of-way width of sixty feet (60’) and may have pavement widths as little as thirty feet (30’ for a rural cross-section, no curb and gutter required) up to fifty feet (50’ for an urban cross-section, curb and gutter required).

History and Background:

The subject property was annexed in November of 1989, and it consists of approximately 178 acres of unplatted land. The property has been used as a golf course since 1920, originally as a nine-hole venue and subsequently expanded to 18 holes in 1927. The owner/petitioner is requesting approval of an application to rezone the subject property from the Single-family Residential (RS-1) Zoning District to a Special Use Zoning District to allow for a Golf Course

with Incidental Buildings and Uses in order to cure a long-standing inconsistency. Details on the Special Use category are furnished with this report.

Analysis:

Zoning: The property is currently zoned as Single-family Residential, or RS-1. This zoning classification is intended to provide opportunities for development of detached single-family residences at medium densities. The San Antonio Country Club (or “SACC”) had existed on the property prior to the 1989 annexation and is therefore considered a legal non-conforming land use under Article 6 of the Zoning Ordinance. In order to expand existing buildings or construct new buildings on the premises, the approval of either a legal non-conforming use expansion or a Special Use must be obtained from the San Angelo Planning Commission. The Petitioner is requesting Special Use approval to facilitate a Golf Course with Incidental Buildings and Uses on the property.

Special use review allows for the review of specified larger-scale uses that may be appropriate in designated areas, provided that consideration is given to conditions that will minimize any negative impacts of the use. All special use approvals issued shall be subject to the requirement that the property for which the approval was issued must actually acquire a building permit for the approved use within 12 months from the granting of the special use approval, provided that the Planning Director, with significant evidence that the designated use cannot be realistically implemented with due diligence within that time period, may grant a longer period of time, but in no event shall such extension period exceed an additional 12 months. If the designated use is not made of the property within the time limitation granted, the Special Use approval shall be canceled and revoked and be of no effect.

Comprehensive (Vision) Plan: The subject area currently has a Future Land Use designation of “Open Space.” According to the Comprehensive Plan, local open spaces, particularly along the Concho River and Red Arroyo, are ideally suited for development as an interconnected series of parks, trails and diverse recreational opportunities. Although SACC is a private, members-only facility, the Plan does not differentiate between public or private recreational amenities, therefore it appears to meet the intent of the Plan by providing some form of area recreational opportunity. The fact that this facility is situated along the Concho River appears to meet Goal number three (3), as this facility “make(s) efficient and valuable use of regional drainageways...” and has the potential for inclusion into “a regional trail network that follows the regional watershed and incorporates all parts of the City, (thereby) ensuring (that) no neighborhood area is without direct access to a comprehensive trails network.” The proposed Special Use appears to be consistent with the underlying Future Land Use designation.

Criteria: Section 209(H) of the Zoning Ordinance requires that the Planning Commission and City Council consider, at minimum, seven (7) factors in determining the appropriateness of any Special Use request.

1. **Impacts Minimized.** *Whether and the extent to which the site plan minimizes adverse effects, including adverse visual impacts, on adjacent properties.*

As previously mentioned, the current land use, a golf course and country club, have been in existence on the property since 1920. The majority of residential development that surrounds the golf course began in the early 1980's and consist largely of ½-acre single-family residential lots, with the exception of some townhome lots to the northeast of the property that were platted in the mid-to-late 1970's. By and large, golf courses provide an indirect open space and visual amenity that lasts as long as the property owner remains either financially solvent or committed to ongoing maintenance. It is presumed that the golf course has maintained a mutually agreeable relationship with neighboring residents and plans to continue maintaining status quo upon the approval of the Special Use.

2. **Consistent with Zoning Ordinance.** *Whether and the extent to which the proposed amendment would conflict with any portion of this Zoning Ordinance.*

Per §310 of the Zoning Ordinance, the Special Use review and approval process allows a golf course and any incidental uses within an RS-1 zone only through Special Use review and approval. Currently, the use is protected as a legal non-conforming use under Article 6 of the Zoning Ordinance, given that the use existed prior to the 1989 annexation and subsequent initial RS-1 zoning classification. A nonconforming use "may not be enlarged, expanded or extended to occupy a greater area of land or floor area than was occupied on the effective date of the Zoning Ordinance, except upon authorization by the Planning Commission and in conformance with the procedures set forth in §609 of the Zoning Ordinance." The Special Use authorization, however, will allow the current use to operate without further sanction from the Planning Commission and will bring the use into consistency with the Zoning Ordinance.

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 Special Use appears to be compatible with the area. The existing golf course and country club have been in existence on the property since 1920. The majority of residential development that surrounds the golf course began in the early 1980's and consist largely of ½-acre single-family residential lots, with the exception of some townhome lots to the northeast of the property that were platted in the mid-to-late 1970's. It is presumed that the Special Use will maintain a status quo relationship with the surrounding neighborhood for the life of the Special Use. Certain conditions of approval may be imposed to ensure that compatibility is maintained.

4. **Traffic Circulation.** *Whether and the extent to which the proposed special use is likely to result in extraordinarily prolonged or recurrent congestion of surrounding streets, especially minor residential streets.*

The subject property abuts Collector roadways along the east and south property lines. Sole primary access is gained at the northeast corner of the property near the intersection of Ben Ficklin and Country Club Roads. The Special Use does not call for any intensification of land use, but it will allow the subsequent maintenance of the current status quo in a manner that is more consistent with the Zoning Ordinance. In light of this, no additional traffic impacts are anticipated as a result of the Special Use authorization.

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.*

The existing golf course predates the 1989 incorporation of the property into the City's limits. There are no records, previous or current, that indicate that the current land use has caused, or will continue to cause appreciable adverse impact on the surrounding natural environment and its resources, local health conditions, and socioeconomic conditions, nor are there any outstanding concerns over effects on physical and cultural heritage, or issues of a historical, archaeological, paleontological or architectural nature. In light of this, authorization of the Special Use should not trigger any additional environmental assessments.

6. **Community Need.** *Whether and the extent to which the proposed amendment addresses a demonstrated community need.*

The need to rectify inconsistencies between the Zoning Map and existing land use patterns on the ground serves as a community need. The proposed Special Use should further key goals and objectives of the adopted Comprehensive Plan, a key growth management tool. Among those goals are the improvement of the relationship between non-residential and residential land use adjacencies and the transitioning away from ineffective zoning categories.

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 existing golf course and country club have been in existence on the property since 1920. The majority of residential development that surrounds the golf course began in the early 1980's and consist largely of ½-acre single-family residential lots, with the exception of some townhome lots to the northeast of the property that were platted in the mid-to-late 1970's. The country club currently provides an open space amenity for the surrounding neighborhoods in addition to providing limited recreational

opportunities. The country club and the surrounding neighborhood have enjoyed a mutually amicable relationship, and continued maintenance of that relationship will most likely be maintained through the approved Special Use.

Notification:

On August 29, 2016, sixty (60) notifications were mailed out to property owners of record within a 200-foot radius of the subject area. On September 9, 2016, a separate written notice was mailed out to the local school district, in accordance with Section 211.007, Texas Local Government Code. As of the date of this publication, Staff has received two (2) responses in favor of, and zero (0) responses in opposition to, the request.

Planning Commission Action:

This request was scheduled for review and consideration on the September 19, 2016, Planning Commission docket as Regular Agenda Item *III.2.C*. Below is an excerpt from the meeting's unofficial minutes:

Chairperson Preiss introduced Regular Agenda Item *III.2.C* and read the project description into the record. 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.

Mr. Russell Gully, SKG Engineering, representing the applicant, approached the podium, identified himself, and proceeded to address the Commission. Mr. Gully asked about the need for recommended Condition number two, which required Urban Design Review for any future building permits on the subject property. Rebeca Guerra, Planning Manager, responded that the Condition was necessary because of residential adjacency and the need to maintain compatibility. Jon James, Planning and Development Services Director expounded by stating that any applicant aggrieved by a Staff decision made during an Urban Design Review may appeal the decision to the Planning Commission. Mr. Gully opined that the Condition was nothing more than more "governmental red tape" and unnecessary regulation, citing that the Country Club would not do anything that was detrimental to itself.

Commissioner Smith made a Motion to recommend APPROVAL of the Special Use to allow for a Golf Course with Incidental Uses and Buildings within the Single-family Residential (RS-1) Zoning District, subject to all Conditions recommended by Staff. Commissioner Stribling seconded the Motion. The Motion failed, 2-5 (Preiss, Spano, Jackson, Farmer and Crisp dissenting).

Commissioner Spano made a Motion to recommend **APPROVAL** of the Special Use to allow for a Golf Course with Incidental Uses and Buildings within the Single-family Residential (RS-1) Zoning District, subject to all Conditions except Condition number two (2). Commissioner Jackson seconded the Motion. The Motion passed, 5-2 (Stribling and Smith dissenting).

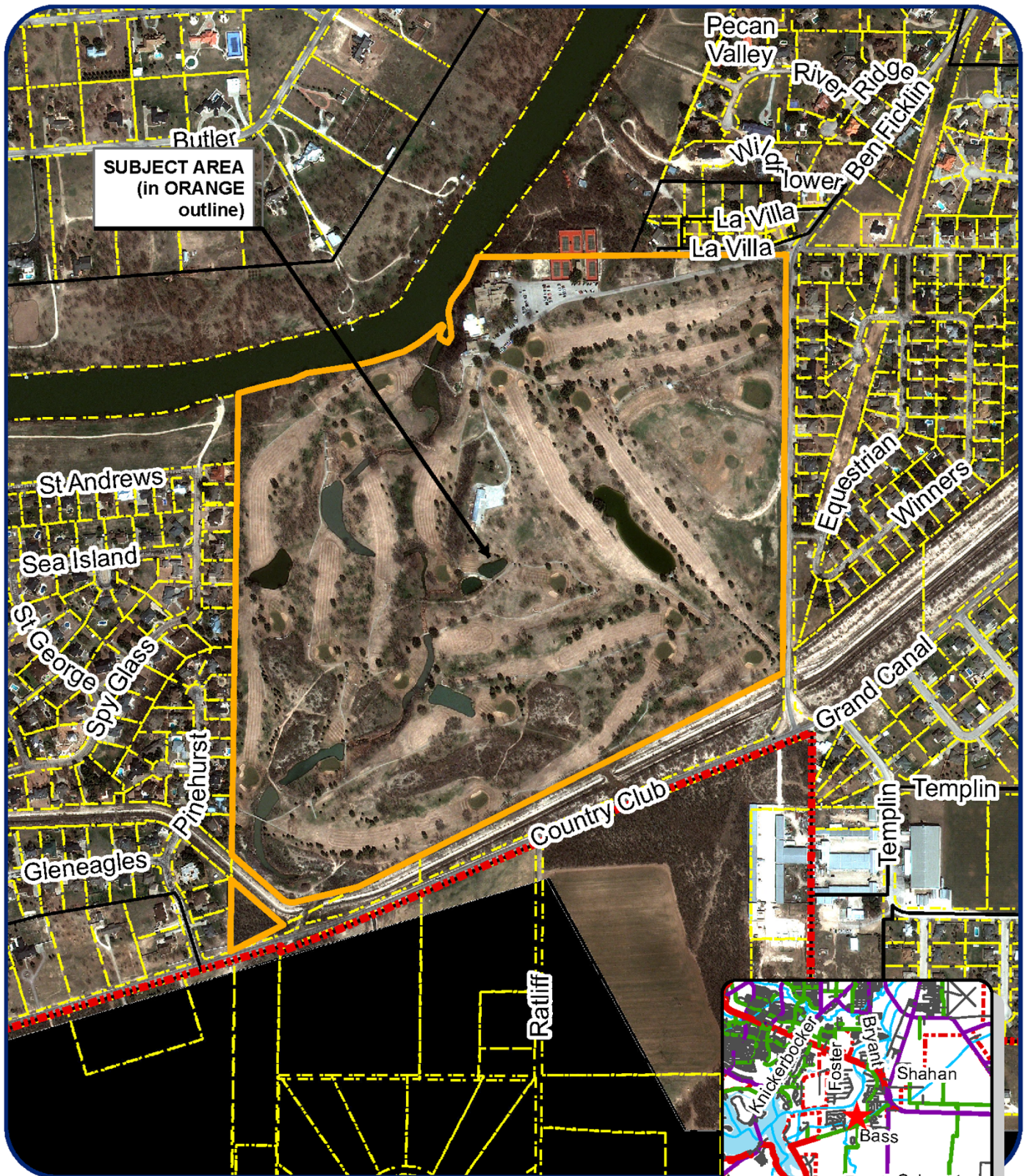
Staff Recommendation:

Staff's recommendation is that the Planning Commission recommend **APPROVAL** of Case SU16-01, a request for approval of a Special Use to allow for a Golf Course with Incidental Uses and Buildings within the Single-family Residential (RS-1) Zoning District, subject to the following three Conditions of Approval:

1. All new site lighting on the premises shall be shielded, downward emitting and configured in such as manner as to satisfactorily minimize or eliminate light trespass onto adjacent residential uses or lands and is suitably engineered for night-sky purposes. No new site lighting or building lighting shall be upward emitting. New site lighting shall utilize light emitting diode (LED) illumination.
2. All subsequent new construction shall require Urban Design Review from the Planning Division.
3. Should any multi-purpose or recreational trail plans be considered and adopted along an abutting portion of the Concho River or along any abutting Collector roadway, the property owner shall work with the City of San Angelo toward a mutually satisfactory agreement that will provide for suitable multi-purpose and recreational trail extensions and connections for the general public's use.

Attachments:

Aerial Map
Future Land Use Map
Zoning Map
Major Thoroughfare Plan
Survey
Petitioner Justification
Excerpt of SU Permitted Uses and Provisions
Site Photographs



Special Use Case File

SU16-01 S.A. Country Club

Council District: SMD #1 (Richardson)

Neighborhood: Country Club

Scale: 1 inch :: 800 feet

Legal Desc: 177.450 acres out of the M. Meyer Survey #169, Abstract 1647

Legend

Subject Properties: —

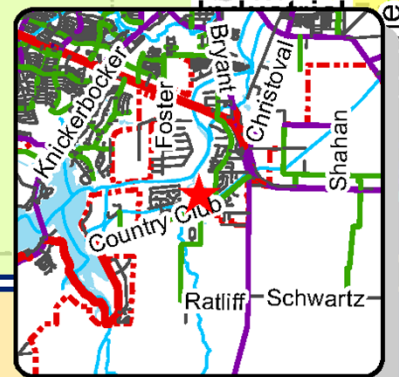
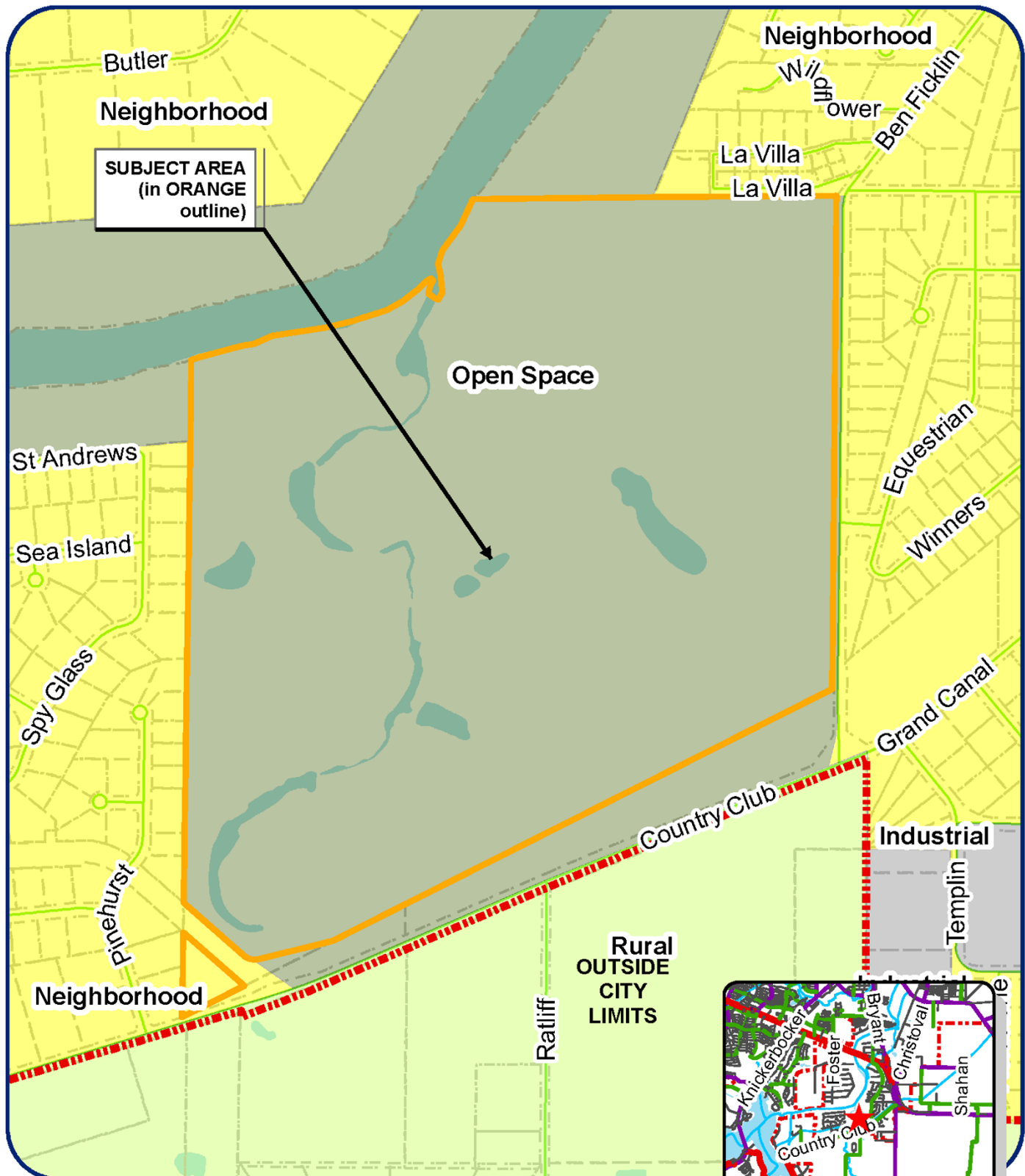
Current Zoning: **RS-1**

Requested Zoning Change: **SU**

Vision: **Open Space**

N





Special Use Case File

SU16-01 S.A. Country Club

Council District: SMD #1 (Richardson)

Neighborhood: Country Club

Scale: 1 inch :: 600 feet

Legal Desc: 177.450 acres out of the M. Meyer Survey #169, Abstract 1647

Legend

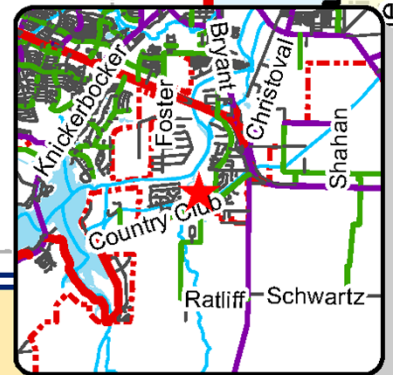
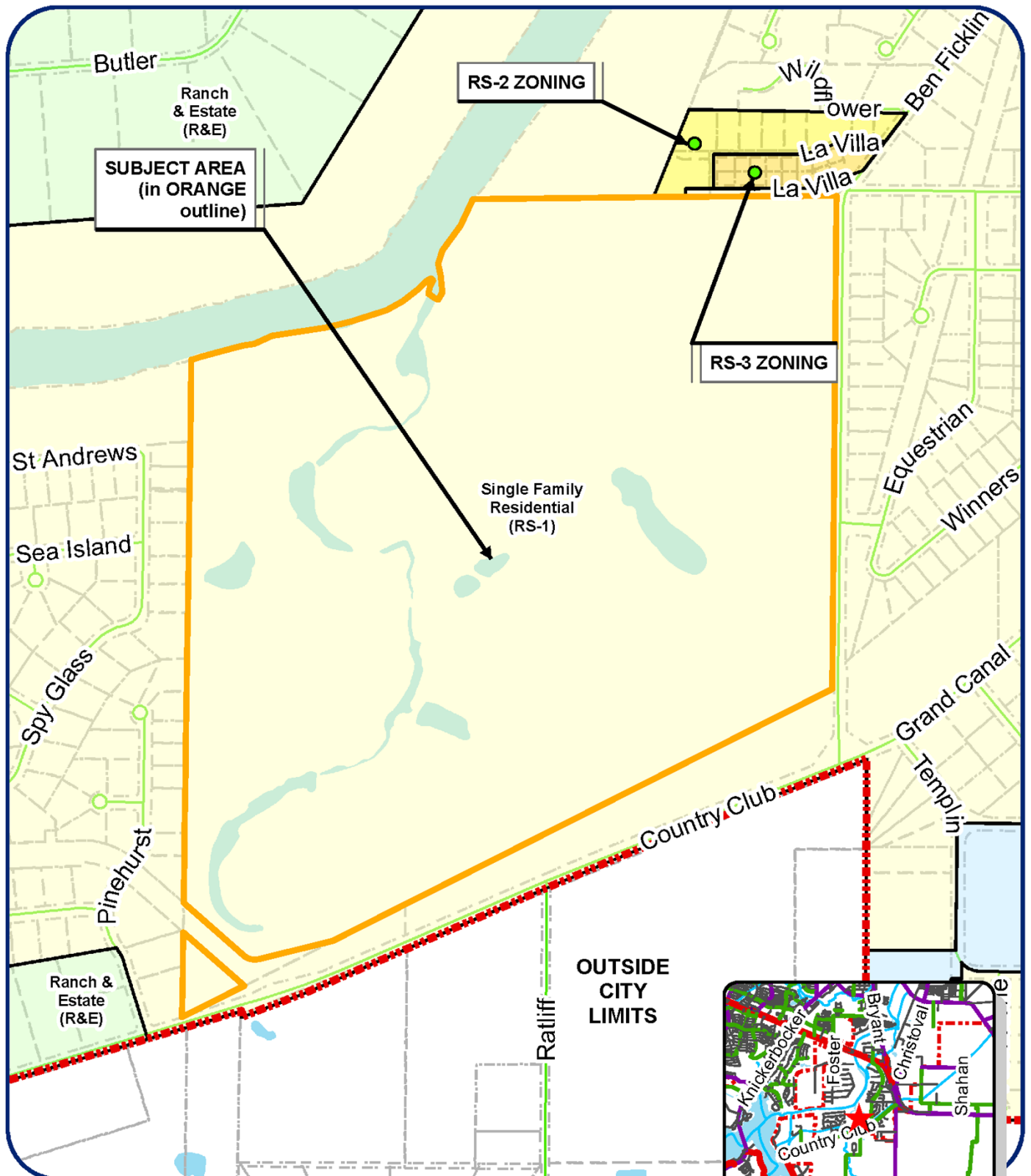
Subject Properties: —

Current Zoning: **RS-1**

Requested Zoning Change: **SU**

Vision: **Open Space**





Special Use Case File

SU16-01 S.A. Country Club

Council District: SMD #1 (Richardson)

Neighborhood: Country Club

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Legend

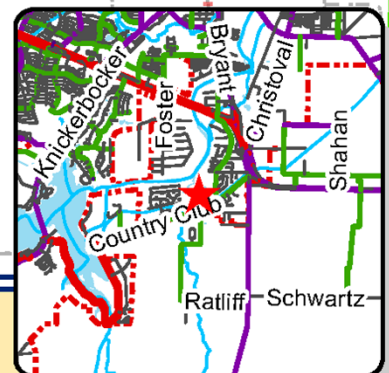
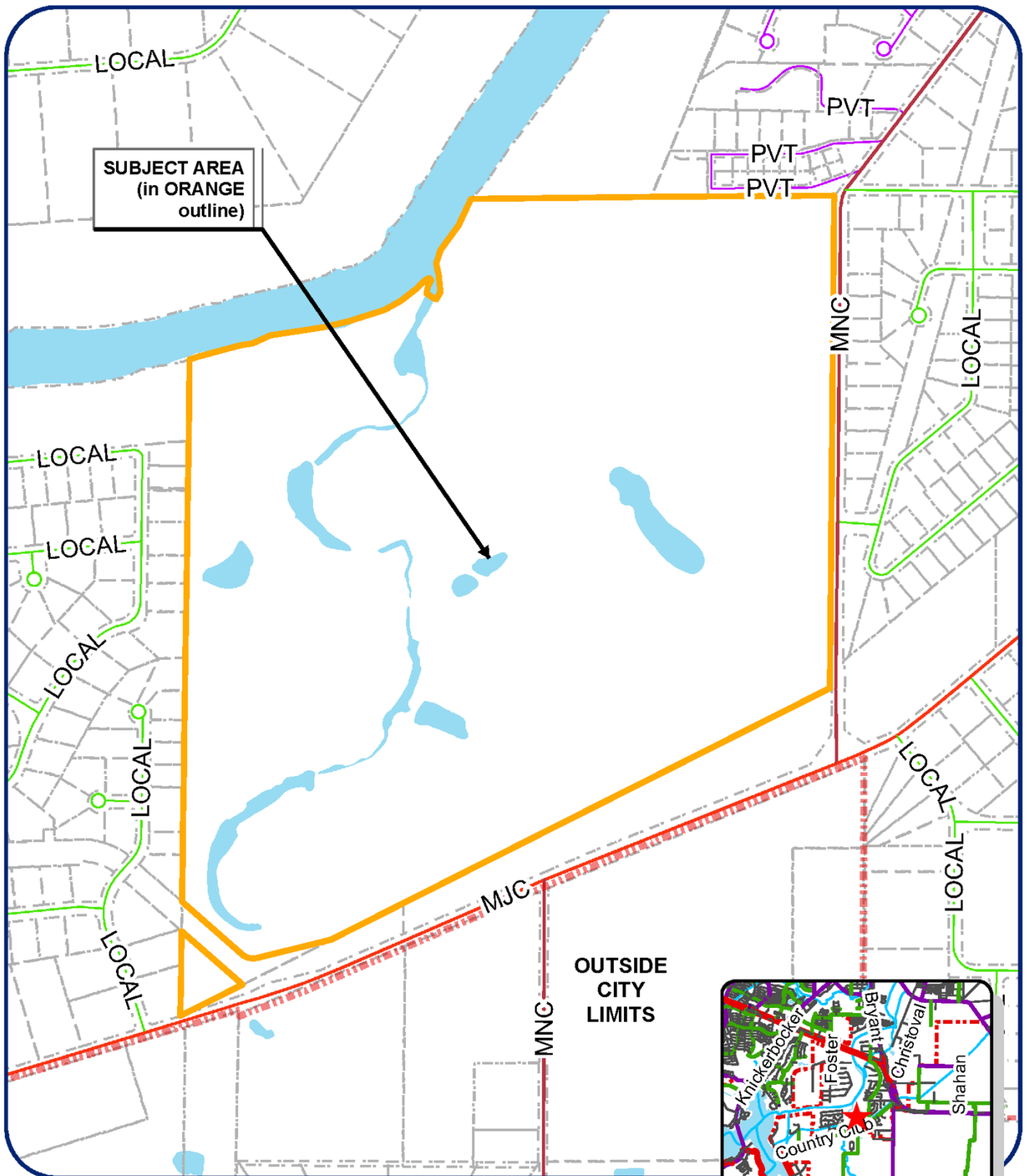
Subject Properties:

Current Zoning: **RS-1**

Requested Zoning Change: **SU**

Vision: **Open Space**





Special Use Case File

SU16-01 S.A. Country Club

Council District: SMD #1 (Richardson)

Neighborhood: Country Club

Scale: 1 inch = 600 feet

Legal Desc: 177.450 acres out of the M. Meyer Survey #169, Abstract 1647

Legend

Subject Properties: —

Current Zoning: **RS-1**

Requested Zoning Change: **SU**

Vision: **Open Space**

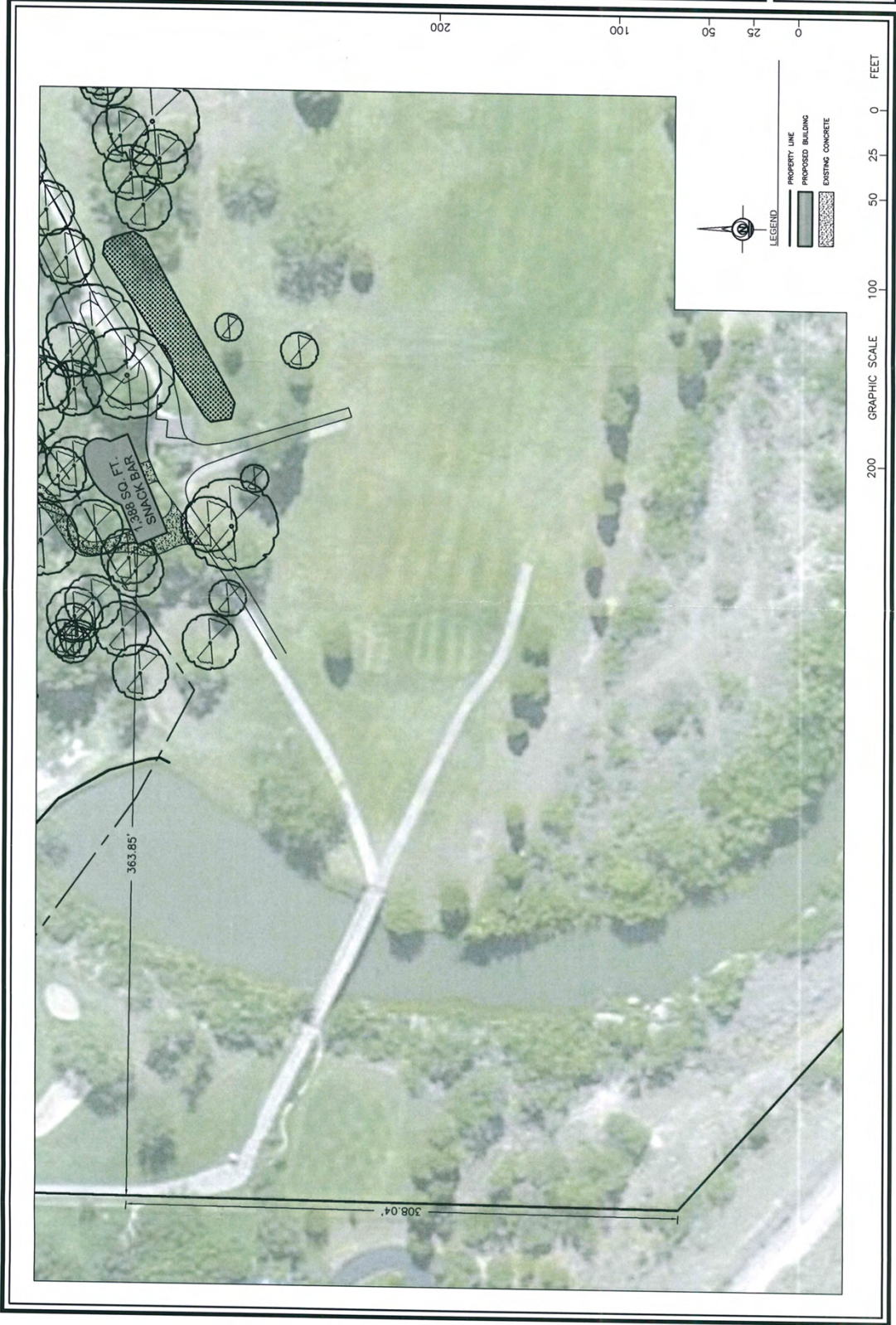


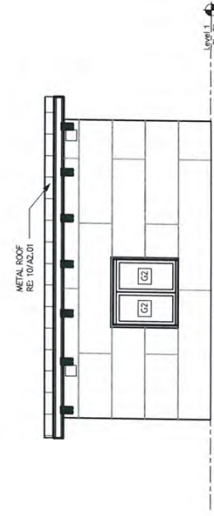
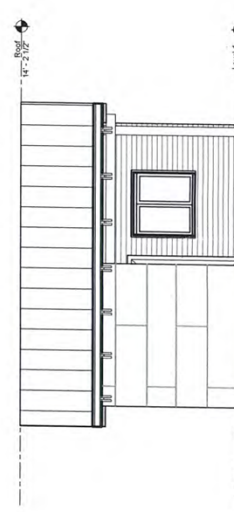
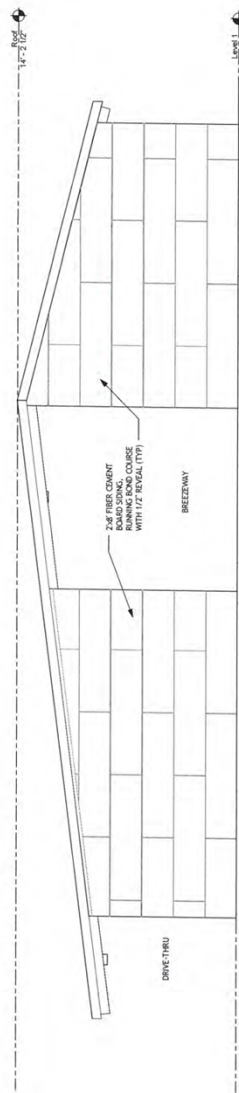
SKG
ENGINEERING, LLC
 SURVEYING • ENVIRONMENTAL • LANDSCAPE
 1000 WEST 10TH STREET
 SUITE 100, DALLAS, TEXAS 75208
 PHONE: 214.444.1111
 FAX: 214.444.1112
 WWW.SKG-LLC.COM

SAN ANGELO COUNTRY CLUB
SAN ANGELO, TEXAS

SITE PLAN

DATE	10-1-2014
BY	SKG
CHECKED BY	SKG
SCALE	1"=50'
TITLE	SITE PLAN
PROJECT	SAN ANGELO COUNTRY CLUB
LOCATION	SAN ANGELO, TEXAS
CLIENT	SAN ANGELO COUNTRY CLUB
DESIGNED BY	SKG
DRAWN BY	SKG
DATE	10-1-2014







Planning Division
52 W College Ave.
San Angelo, TX 76903
(325) 657-4210, #2
www.cosatx.us/planning

PLANNING

Planning is a Division of the Department of Planning & Development Services

SPECIAL USES

What is a Special Use?

A use allowed in a specific district, provided that approval is obtained from the Planning Commission and City Council, and that any special conditions are observed. Uses allowed via the approval of a Special Use are larger-scale uses those which are not generally appropriate in most locations; however, with the customization of a use with conditions to minimize negative effects, it may be considered appropriate in some situations. Examples include: golf courses, firearms ranges, campgrounds/RV parks, and detention facilities.

Who can approve Conditional Uses?

The Planning Commission makes recommendation, and the City Council is the approving authority.

What is the process for this type of request?

1. Submit a completed application with the required application fee, as outlined on the Planning Fee Schedule. The director may require a site plan of existing and proposed development of the site also be submitted.
2. Once the completed application is received, the Planning Division will review the application for completeness & resolve any questions.
3. The application is scheduled for hearing based on the adopted submittal schedule, and may be found on the Planning Division's website.
4. The Planning Commission conducts a hearing and makes a recommendation on the request.
5. The City Council approves, approves with conditions necessary to prevent or minimize adverse effects upon the surrounding neighborhood, or denies the request.

What criteria are used to determine the ruling on this type of request?

- *Impacts Minimized.* Whether and the extent to which the proposed conditional use creates adverse effects on adjacent properties;
- *Consistent with the Zoning Ordinance.* Whether and the extent to which the proposed conditional use would conflict with any portion of the Zoning Ordinance, including the applicable zoning district intent statement;
- *Compatible with Surrounding Area.* Whether and the extent to which the proposed conditional use is compatible with existing and anticipated uses surrounding the subject area;
- *Effect on Natural Environment.* Whether and the extent to which the proposed conditional use would result in significant adverse impacts on the natural environment;

Hours of Operation: 8 AM - 12 PM & 1 PM - 5 PM

- *Community Need.* Whether and the extent to which the proposed conditional use addresses a demonstrated community need; and,
- *Development Patterns.* Whether and the extent to which the proposed conditional use would result in a logical and orderly pattern of urban development in the community.

Does the decision expire?

- All approvals issued are subject to the requirement that the property must actually acquire a building permit for the approved use within 12 months from the approval date. Otherwise, the approval shall be cancelled and revoked.

SUBJECT PROPERTY (Bird's Eye Perspective)



FRONT ENTRANCE (Northeast corner of the property)



NORTH OF THE SUBJECT AREA



LOOKING SOUTH TOWARD COUNTRY CLUB ROAD



AN ORDINANCE AMENDING CHAPTER 12, EXHIBIT "A" OF THE CODE OF ORDINANCES, CITY OF SAN ANGELO, TEXAS, WHICH 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: **1609 Country Club Road; generally located west of the intersection of Country Club Road and Ben Ficklin Road, and (legal description to be inserted at a later date)**, AUTHORIZING A SPECIAL USE TO ALLOW A GOLF COURSE WITH INCIDENTAL USES AND BUILDINGS WITHIN THE SINGLE-FAMILY RESIDENTIAL (RS-1) ZONING DISTRICT; AND PROVIDING FOR SEVERABILITY

WHEREAS, the Planning Commission and the City Council for the City of San Angelo, in compliance with the City Charter and state law regarding zoning regulations and zoning map, having given requisite notice of public hearing by publication and otherwise, and having afforded a full and fair hearing to all property owners and persons interested, including persons situated in the vicinity of the affected area, being 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: Chapter 12 of the Code of Ordinances of the City of San Angelo, the basic Zoning Ordinance for the City adopted on January 4, 2000, and the Zoning Map be and the same are hereby amended as follows:

1609 Country Club Road; generally located west of the intersection of Country Club Road and Ben Ficklin Road, and (legal description to be inserted at a later date), zoned Single-family Residential (RS-1) Zoning District shall henceforth permanently have a **Special Use to allow for a Golf Course with Incidental Uses and Buildings within the Single-family Residential (RS-1) Zoning District.**

SECTION 2: The Director of the Planning and Development Services Department is hereby authorized and directed to correct Zoning District Maps in the Office of the Director of the Planning and Development Services Department, to reflect the herein described changes in zoning.

SECTION 3: 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. The Special Use, as hereby authorized, shall have no fundamental effect upon the subject property's underlying or base zoning classification.

SECTION 4: The Special Use, as hereby authorized, shall be subject to the following Conditions:

1. All new site lighting on the premises shall be shielded, downward emitting and configured in such as manner as to satisfactorily minimize or eliminate light trespass onto adjacent residential uses or lands and is suitably engineered for night-sky purposes. No new site lighting or building lighting shall be upward emitting. New site lighting shall utilize light emitting diode (LED) illumination.
2. All subsequent new construction shall require Urban Design Review from the Planning Division.
3. Should any multi-purpose or recreational trail plans be considered and adopted along an abutting portion of the Concho River or along any abutting Collector roadway, the property owner shall work with the City of San Angelo toward a mutually satisfactory agreement that will provide for suitable multi-purpose and recreational trail extensions and connections for the general public's use.

SECTION 5. The remaining provisions of Chapter 12 of the Code of Ordinances of the City of San Angelo, Texas, not amended under Sections 1 and 2 of this Ordinance shall remain in full force and effect.

SECTION 6 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 7: This Ordinance shall be effective on, from and after the date of adoption.

INTRODUCED on the **18th day of October, 2016**, and finally PASSED, APPROVED AND ADOPTED on this, the **1st day of November, 2016**.

THE CITY OF SAN ANGELO

Dwain Morrison, Mayor

ATTEST:

APPROVED AS TO FORM:

Bryan Kendrick, City Clerk

Theresa James, City Attorney

EXHIBIT A (PG. 1 OF 2)

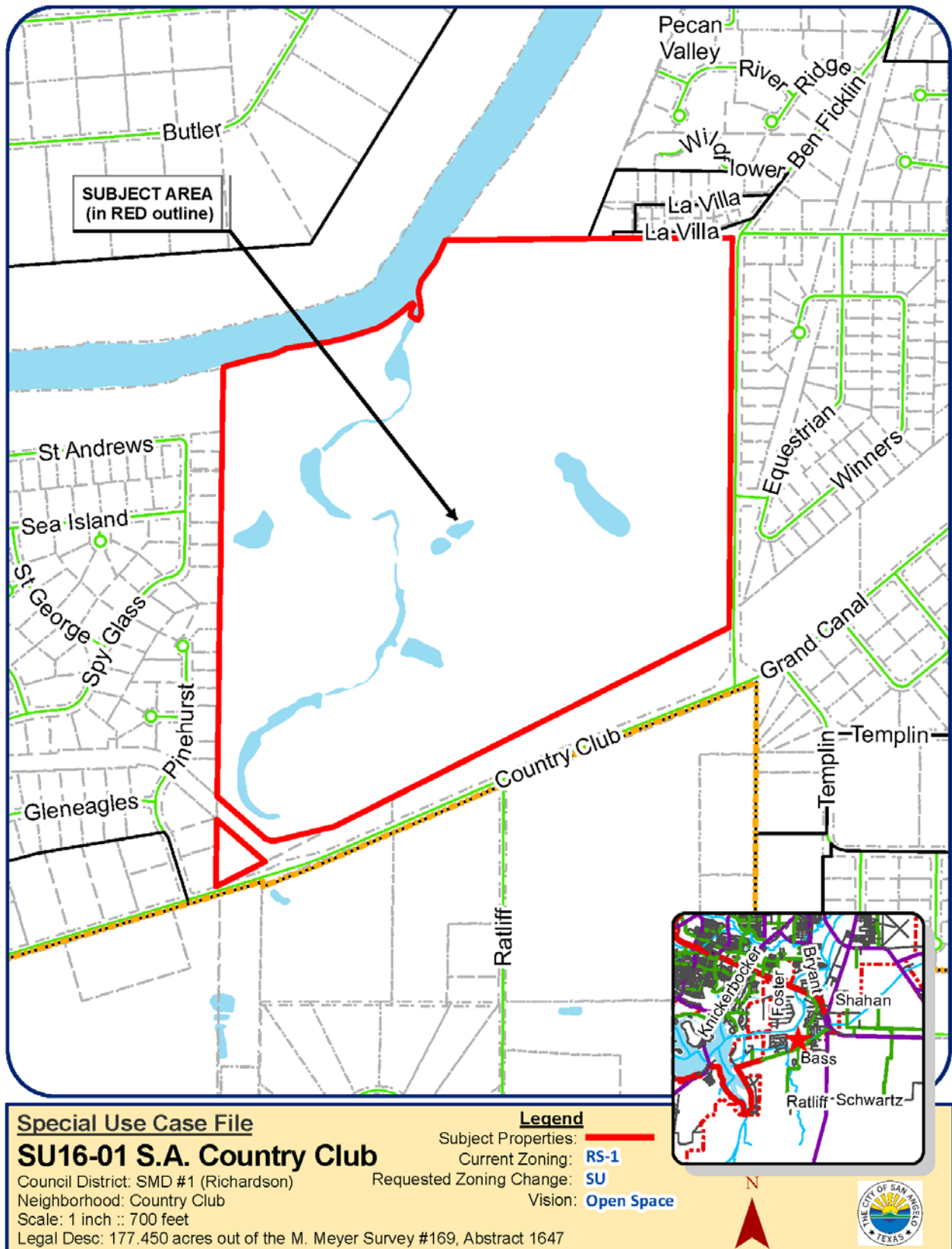


EXHIBIT A (PG. 2 OF 2)

METES AND BOUNDS DESCRIPTION OF SAN ANGELO COUNTRY CLUB

178.7 acres of land out of Martin Mayer Survey No. 169, Abstract No. 1647, described by metes and bounds as follows:

Beginning at a stake on the South bank of Main Concho River the original upper or Northwest corner of Martin Mayer, Survey No. 169;

Thence South 2929.2 feet to a stake and stone mound on North line of road in West line of said Survey No. 169;

Thence N. 62° 25' E. with North line of road 3251.4 feet to a stone mound 50 feet West of the Southwest corner of Survey No. 168;

Thence North 2188.1 feet to a stake 50 feet West of a large rock set in the ground for Northeast corner of tract sold to W.D. Jones by Mrs. E.B. Taylor and others out of this tract;

Thence West 1616.7 feet to a stake on South bank of river;

Thence up the river with its meanders to the place of beginning and containing 178.7 acres of land.

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Roger Havlak, Senior Parks Manager, Parks, 325-659-8563

Meeting Date: October 18, 2016

Item type: Regular Item

Caption:

Consider matters relating to a conceptual master plan for a botanical garden in Civic League Park and the removal of three specific trees causing maintenance issues with the International Water Lily Collection (Presentation by Parks Senior Manager Roger Havlak)

Summary/History:

The purpose of this presentation is to discuss the concept of a master plan for a botanical garden in Civic League Park and the removal of three trees (Live Oak, Texas Red Oak, and Pecan) adjacent to the water lily collection. Or September 22, 2016 the Parks and Recreation Advisory Board recommended approval of this action item (5-yes, 1-no, 1-abstain) for the removal of the trees. The concept of a master plan for a botanical garden was also recommended for approval by the Parks and Recreation Advisory Board on July 14, 2016.

A community group made up of San Angelo Garden Club members, Agrilife Extension personnel, and City employees met several months ago to consider the possibility of expanding the horticultural amenities at Civic League Park in hopes of producing a West Texas-style botanical garden. Civic League Park, located along Park Street and adjacent to Central High School, is currently the home of the renowned International Water Lily Collection, diverse landscape beds, scenic nature trails, and a wonderful rose garden. This park is one of the first parks established in San Angelo in the early 1900's. Recently, a pavilion was added to this site in order to accommodate parties and other events, including the annual Lily Fest held in September.

For several years, City staff has discussed establishing a botanical garden at this park to serve as an educational resource for the Concho Valley. Other cities in Texas including San Antonio, Austin, and Fort Worth have these types of sites for citizens and visitors to enjoy. These gardens are quite beautiful and offer a tremendous variety of plants and scenic areas to enjoy as you browse through their trails. Staff feels it is time to consider this for San Angelo, and Civic League Park appears to be the perfect setting.

Presently, the group is putting together ideas and conceptual drawings in order to produce a master plan for this botanical garden. Examples of thoughts/ideas include having a unique building used as a learning center. This structure would have meeting rooms, educational components, a shaded patio, restrooms, parking, and possibly rainwater harvesting tanks and a conservatory. New landscape beds throughout the park would demonstrate desert garden sites, xeriscape beds, rose gardens, and appropriate smaller areas showing the different varieties of turfgrass that can be used and maintained in the Concho Valley. In other words, sites would be established and designed to show landscapes utilizing no irrigation, minimal irrigation, and conservative irrigation. New walking paths would also be established throughout the park for convenient viewing of all the new amenities which would tie in with the existing water lily collection and pavilion. Other thoughts included the addition of a small gazebo near the water ponds for weddings and other private gatherings and a walk bridge which crosses the Concho River and connects with the existing river trails. A goal for City staff would be to work with this group and lease the site to them with a 501(c)(3) status in order to seek grant funds and donations.

Ken Landon is currently contracted with the City of San Angelo to maintain the water lily collection at Civic League Park. Again, this collection is revered as one of the best in the United States as well as being recognized internationally. Throughout a given year, Mr. Landon and his staff battle with the ongoing presence of debris from the adjacent Live Oak, Texas Red Oak, and Pecan trees (reproductive tassels, pollen, leaves, acorns, etc.) blowing into the lily basins. Their concern focuses on the additional time it takes to clean the ponds on a daily basis and the potential for creating voids and/or holes in the bottom liner which holds the water in the basins.

The Live Oak and Texas Red Oak trees are located above the lilies on the west side and are still quite immature with anticipated growth in future years. The Pecan is a large and mature tree located in the garden beds just south of the collection. Park's staff and Texas Agrilife Extension Service personnel agree that none of the trees in question pose a safety hazard and each is considered a healthy, viable tree. But, we also agree that these trees produce a tremendous maintenance issue with the lily basins, and if removed, could be replaced with more appropriate tree and ornamental shrub species in locations consistent with the conceptual master plan that do not pose future problems.

Financial Impact:

The time and effort it takes for Ken Landon and his staff to clean the additional debris in all of the lily ponds is substantial. The financial impact could be quite severe if the liner in the main basin is compromised by the debris. Replacing this liner is estimated at \$80,000.

The estimated cost to relocate both the Live Oak and Texas Red Oak trees to other sites would be \$2,000. Because of the type, size, location, and age of these trees, there would be no warranty for survival from the local vendor. The Pecan tree is too large to relocate.

Estimated costs for replacement trees and ornamental shrubs/plants would be \$2,500.

Possible funding sources for tree removal include the Elegant Lily Fund, the Botanical Garden Master Plan community group funds, or Park's general fund (06-15 Botanical/Ag account).

Possible funding sources for the conceptual botanical garden master plan include the future donations, grants, etc. acquired from the newly formed community group.

Other Information/Recommendation:

Attachments:

1. PowerPoint presentation for October 18, 2016 City Council meeting
2. Letter from Allison Watkins (Agrilife Extension Horticulturist—Tom Green County) supporting the removal of the three trees
3. Letter from John Begnaud (Retired Extension Horticulturist--Tom Green County) supporting the removal of the three trees

4. Draft minutes of the Parks and Recreation Advisory Board meeting (September 22, 2016)
5. Draft minutes of the Parks and Recreation Advisory Board meeting (July 14, 2016)

Recommendations:

Staff recommends the removal of the Live Oak, Texas Red Oak, and Pecan trees. If approved, replacement trees and ornamental shrubs will be purchased and planted within 6 months. Staff would seek funds from the Elegant Lily Fund and/or the new Botanica Garden group for tree removal and replacement plants.

Attachments:

1. PK Botanical Garden Concept and Tree Removal Regular Agenda Item October 18, 2016 PK Botanical Garden Concept and Tree Removal Agenda Item October 18 2016.pptx
2. Supporting document for removal of trees in Civic League Statement for Parks Board - Allison Watkins.pdf
Park
3. John Begnaud supporting document for removal of trees Parks support letter from John Begnaud 9 Octr 2016.docx
4. Draft minutes Parks and Recreation Advisory Board September 22, 2016 Draft Minutes Parks and Recreation Sept 22 2016.docx
5. Draft minutes Parks and Recreation Advisory Board July 14, 2016 Draft Parks and Recreation Amended Minutes 7-14-16.docx

Presentation:

Roger D. Havlak, Parks Senior Manager

Approvals/Reviews:

Roger Havlak	Created/Initiated
Carl White	Approved
Theresa James	Approved
Anthony Wilson	Approved
Tina Dierschke	Approved
Theresa James	Approved
Becky Dunn	Approved
Bryan Kendrick	Final Approval



City Council

October 18, 2016



Botanical garden master plan

- Civic League Park—unofficial botanical garden
- International Water Lily Collection, rose garden, perennial beds, native plants, river setting
- A community group formed in early 2016 to begin the development of an official botanical garden.
- Initial group members: Park's staff, Agrilife Extension personnel, garden club members, Ken Landon, and local interested citizens



Botanical garden master plan

- Local citizen community group seeking 501(c)(3) status to obtain grants, donations, etc. and potentially operate park through a lease contract
- Draft 3-phase master plan developed
- Draft conceptual drawing developed



Conceptual botanical garden



Botanical garden master plan

- July 14, 2016—Parks and Recreation Advisory Board recommended approval of concept
- Staff is seeking approval for the concept of a botanical garden master plan for Civic League Park.



Tree removal in Civic League Park

- Tree removal and tree planting are part of the botanical garden master plan.
- Pecan, Live Oak, and Texas Red Oak trees
- No tree health or safety concerns with the trees
- Concern: substantial maintenance issues with the lily ponds and potential damage to the primary basin liner



Pecan tree



Live Oak and Texas Red Oak trees



Live Oak and Texas Red Oak trees



Tree removal in Civic League Park

- September 22, 2016—Parks and Recreation Advisory Board recommended approval to remove the three trees
- Staff is seeking approval to remove the Pecan, Live Oak, and Texas Red Oak trees in Civic League Park.
- The estimated cost for tree relocation (Live Oak and Texas Red Oak) is \$2,000 with no warranty for survival. Pecan tree is too large to relocate.





City Council

October 18, 2016



Allison Watkins
113 W Beauregard
San Angelo, TX 76903
325-659-6528

September 15, 2016

To the San Angelo Parks Board,

I would like to submit this statement to provide my full support of the proposal regarding Civic League Park. It is my recommendation that the proposal to remove the indicated trees be accepted, in order to promote the continued success of the water lily collection and to hopefully grow the park into a botanical garden.

I enjoy the park and the water lily collection immensely from a personal standpoint as a citizen that lives in that neighborhood, and also professionally as a horticulturist. It is a great asset and provides a lot of educational opportunities.

It is my opinion as a horticulturist and certified arborist that the trees indicated for removal interfere aesthetically and/or functionally with the water lily collection. From a horticulture standpoint, it is important to remember the function of a garden or park, and consider each plant and whether it adds or detracts from the main goal of the park. While I do love trees and understand that there are always reservations when removing any, the main feature of this garden is the water lily collection and I think it would be best to remove plants that interfere with the operation of the water lily pools.

Respectfully,

Allison Watkins
County Extension Agent – Horticulture
Tom Green County

Tom Green County
113 West Beauregard
San Angelo, TX 76903

Tel. 325-659-6522
Fax. 325-659-6467
tom-green-tx@tamu.edu

9 October 2016

City of San Angelo Mayor and City Council

Dear Mayor and members of the San Angelo City Council

I am writing in support of the development and adoption of a master plan for Civic League Park in San Angelo which includes the removal of a few trees.

Thanks to the foresight and support of the San Angelo City Council, Parks Department and the general public the gardens at Civic League Park have become an important landmark for both local use and tourism. The lily garden pools are a key contributor to the success of the gardens.

As long range goals and a master plan are being developed more immediate needs have been identified that need action. This includes the removal of a few trees that have become unsightly and less useful and a few that are healthy (i.e. Live Oak, Texas Red Oak, and Pecan) but contribute to the premature destruction of the existing lily pools.

It makes good sense to protect the investment in the gardens that you have sanctioned. Few people enjoy removing any tree in west Texas let alone healthy ones. I agree the removal of these trees is warranted and for good reasons. I also agree with a group of supporters involved in the master plan development for the park that these trees should be removed. This action is also supported by parks personnel and the Parks and Recreation Advisory Board.

I think it is good to make sound, well advised decisions such as the removal of these trees for the sake of today's stakeholders as well as our future residents and visitors.

Thank You for your consideration of this matter.

Sincerely

John Begnaud

Retired County Extension Horticulturist

**THE CITY OF SAN ANGELO, TEXAS
MINUTE RECORD OF A REGULAR MEETING OF THE
PARKS & RECREATION ADVISORY BOARD**

Following notice and publication, the Parks & Recreation Advisory Board convened in a regular meeting at 3:30 p.m. September 22, 2016 in the South Meeting Room, McNease Convention Center, 500 Rio Concho Dr., San Angelo, Texas.

Board members present were Mr. Louis Perez, Mr. Donald Barnhart, Ms. Gloria Henderson, Mr. Edward Dotson, Ms. Christina Woodard, Ms. Bitsy Stone and Ms. Mary Palos,

Staff members present were Mr. Carl White, Mr. Roger Havlak and Mr. Mike Hitchcock and minutes were recorded by Mrs. Ida Rios.

I. OPEN SESSION (3:30 p.m.)

A. Call to Order.

Mr. Perez called the meeting to order at 3:32 p.m.

B. Public Comment.

None.

II. CONSENT AGENDA

1. Consideration of approving the July 14, 2016 meeting minutes.

Ms. Stone made a motion to approve the meeting minutes as recorded. Ms. Henderson seconded the motion which passed unanimously.

III. REGULAR AGENDA: PUBLIC HEARING AND COMMENT

2. Consideration of recommending removal of a few trees near the International Water Lily Collection at Civic League Park.

Mr. Havlak gave an update and background information on the botanical garden. Staff is seeking approval of the removal of selected trees at Civic League Park. This item will require Council action. The Board discussed whether or not Parks had to request permission for the removal of trees from other parks. Parks operations does not seek permission on trees where there is a safety or health concern for the tree or shrub. The live oak, red oak and pecan tree have no health or safety concern but, as part of the conception of the botanical garden the trees may need to be replaced with trees that will not affect the lily garden in the future. Mr. John Begnaud, Retired County Extension Agent for Tom Green County read a letter submitted by Ms. Allison Watkins the County Extension Agent stating that she is in support of the removal of the trees. A copy of the letter is attached as a part of the permanent record. Ms. Bitsy Stone made motion to recommend the removal of the trees, as presented. Ms. Woodard seconded the motion. The motion passed with five for, one against and one abstaining.

3. Discussion of adopting an ordinance to limit smoking in the parks in order to give staff direction regarding the matter.

Board Member Mr. Don Barnhart noticed that in some larger cities, Dallas, Ft. Worth and Houston have passed city ordinances that limit smoking in their city parks, golf courses and anything maintained by the City. Attached are some related articles as a part of the permanent record. The Board discussed whether or not this is something that San Angelo would like to do. City Attorney, Theresa James discussed the current ordinance and ordinances in some other cities that limit smoking in city facilities and if the Board wants to provide Council direction for a new ordinance, it will take two meetings. The Board discussed areas that would be included, enforcing the ordinance, smoking at the entrance or in concentrated areas that the public will walk through to get to a certain area and designated areas for smoking. Vaping is not included but could be added to the ordinance. This item was tabled.

4. Update on River Fest 2016.

Mr. White gave an update on the River Fest.

5. Update on improvement projects: dog park, Texas Bank Sports Complex additional restrooms, 29th St. Sports Complex redevelopment, Bradford Park renovation and Middle Concho Park boat ramp.

Mr. White gave an update on improvement projects.

6. Consideration of future agenda items.

Follow up on an ordinance for no smoking in city parks, the multi-generational facility and summer events and programs.

IV. ADJOURNMENT

The meeting was adjourned at 4:04 p.m.

Approved

THE CITY OF SAN ANGELO, TEXAS
AMENDED
MINUTE RECORD OF A REGULAR MEETING OF THE
PARKS & RECREATION ADVISORY BOARD

Following notice and publication, the Parks & Recreation Advisory Board convened in a regular meeting at 3:00 p.m. July 14, 2016 in the South Meeting Room, McNease Convention Center, 500 Rio Concho Dr., San Angelo, Texas.

Board members present were Mr. Louis Perez, Mr. Donald Barnhart, Ms. Gloria Henderson, Mr. Edward Dotson, Mr. Francis Jelensperger, Ms. Christina Woodard and Ms. Mary Palos,

Staff members present were Mr. Carl White, Mr. Brent Casey, Mr. Roger Havlak and Mr. Mike Hitchcock and minutes were recorded by Mrs. Ida Rios.

I. OPEN SESSION (3:00 p.m.)

A. Call to Order.

Mr. Barnhart called the meeting to order at 3:10 p.m.

B. Public Comment.

None.

II. CONSENT AGENDA

1. Consideration of approving the June 16, 2016 meeting minutes.

Ms. Henderson made a motion to approve the meeting minutes as recorded. Ms. Woodard seconded the motion which passed unanimously.

III. REGULAR AGENDA: PUBLIC HEARING AND COMMENT

2. Consideration of approving a conceptual master plan for the creation and development of a public botanical garden at Civic League Park and any matters related thereto.

Mr. Havlak gave an update and background information on the botanical garden. Staff is seeking approval of the conceptual master plan. The Board discussed the removal of trees. Mr. Barnhart made a motion to approve the development of a conceptual master plan for the creation of a public botanical garden at Civic League Park. Ms. Henderson seconded the motion. The motion passed unanimously. Mr. Ken Landon, Mrs. Irene Thompson from the San Angelo Garden Club and Mr. Larry Jolly made public comment regarding the removal of the trees. Mr. Jolly also discussed the contract between the City and Mr. Landon and stated that by not allowing the removal of the trees that the City is in breach of contract. Mr. White suggested at this time that we table the item until the City can get additional information from the City Attorney's office.

3. Discussion of advocacy and planning for the new multi-generational recreation center.

The Board discussed forming a committee to do additional research on a multi-generational facility, visiting other centers, addressing the needs of the community and the feasibility and funding of a center. The committee would report back to the Board. Mr. Jessie Stout, Ms. Mertis Davis and Ms. Gloria Torres commented that they are not interested in sharing a facility with children and do not want the current center to be shut down. Ms. Henderson stated that she had been approached by seniors that would like to have a facility with enough room for all activities. A sub-committee was formed with the Board members, Ms. Gloria Henderson, Mr. Louie Perez and Mr. Edward Dotson. The Board discussed clarifying the term "multi-generational" for the public.

4. Consideration of a policy and procedure for in-kind support for sports tournaments and approval of matters related thereto.

Mr. Brent Casey provided the Board with a proposed policy and procedure for in-kind support. A copy is attached as a part of the permanent record. The Board discussed adding information on insurance and a correction on the request for budget information from 45 days to 90 days before, and the actual budget after the event, should be submitted no later than 30 days after. The Board also discussed in-kind support versus monetary support. Ms. Henderson made a motion to approve the proposed policy with the changes discussed. Ms. Palos seconded the motion. The motion passed unanimously.

5. Update on the 2016 River Fest.

Mr. White gave an update on the River Fest a copy of the tentative schedule is attached as a part of the permanent record.

6. Update on improvement projects: dog park, Texas Bank Sports Complex additional restrooms, 29th St. Sports Complex redevelopment, Bradford Park renovation and Lake Nasworthy boat ramps (Spring Creek and Middle Concho Parks).

Funding has been secured for the dog park and Twin Mountain Fence Co. has been contracted to install the fence. Kinney Franke Architects is working on the design for the restroom and concessions at the Texas Bank Sports Complex. A final Request for Qualifications for architects will go out for the 29th Street Complex soon. Bradford Park is near completion and the next park renovation will be Brentwood. The boat ramp at Spring Creek was complete for the boat races and the project will be fully complete soon with additional paving around the ramp. The ramp at Middle Concho Park is entering the design stage soon and the demolition of the Carrier Bldg. will also take place soon.

7. Consideration of future agenda items.

Follow up on the Civic League Garden Master Plan and trees, updates on summer programs will be considered at the next meeting. The Board requests additional information on dog leashes for the Red Arroyo Trail and smoking in the parks.

IV. ADJOURNMENT

The meeting was adjourned at 4:30 p.m.

Approved

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Ryan Ward, Traffic Operations Superintendent, Traffic Operations, (325) 657-4377

Meeting Date: October 18, 2016

Item type: Regular Item

Caption:

First public hearing and consideration of an ordinance amending chapter 10, "Traffic Controls", Article 10.04 "Stopping, Standing and Parking", section 10.04.009 "Angle Parking Zones" of the Code of Ordinances, providing for severability and an effective date (Presentation by Traffic Operations Superintendent Ryan Ward)

Summary/History:

This Ordinance change allows, "*The designation of angle parking zones may be done by administrative order of the city manager or designee.*" Approving this modification will expedite parking changes or additions to be implemented within City Right-of-Way (ROW), eliminating the need for council approval. All modifications will follow best practices using the Texas Manual of Uniformed Traffic Control Devices (MUTCD) and engineering guidance to standardize future changes.

Financial Impact:

N/A

Other Information/Recommendation:

Staff recommends approval.

Attachments:

- | | | |
|----|---------------------------------------|--|
| 1. | 16-587 Parking Ordinance Modification | 16-587 First Reading Ordinance Traffic operations administrative orders.docx |
|----|---------------------------------------|--|

Presentation:

N/A

Approvals/Reviews:

Ryan Ward	Created/Initiated
Theresa James	Approved
Anthony Wilson	Approved
Tina Dierschke	Approved
Theresa James	Approved
Becky Dunn	Approved
Bryan Kendrick	Final Approval

AN ORDINANCE AMENDING CHAPTER 10, "TRAFFIC CONTROLS", ARTICLE 10.04 "STOPPING, STANDING AND PARKING", SECTION 10.04.009 "ANGLE PARKING ZONES" OF THE CODE OF ORDINANCES, CITY OF SAN ANGELO TEXAS, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE

BE IT ORDAINED BY THE CITY OF SAN ANGELO:

1) THAT, Chapter 10, Article 10.04, Section 10.04.009 "Angle Parking Zones" of the Code of Ordinances, City of San Angelo, Texas, is hereby amended as follows:

"Sec. 10.04.009 Angle parking zones

The following streets or parts of streets are hereby declared to be angle parking zones:

- (1) Forty-five degree (45°) parking.
 - (A) East Avenue K from Chadbourne Street to Metcalfe Street.
 - (B) Avenue A from Chadbourne Street to Irving Street.
 - (C) Avenue B from Orient Street to Irving Street.
 - (D) Randolph Street from Concho Street to Harris Street.
 - (E) Irving Street from the North Concho River to Harris Avenue.
 - (F) Oakes Street from Concho Street to Harris Avenue, except the west side of Oakes Street between Twohig Street to the alley immediately north thereof.
 - (G) West side of Oakes Street from Third Street to Fourth Street.
 - (H) Twohig Street from Randolph Street to Magdalene Street.
 - (I) Concho Street from Randolph Street to Magdalene Street.
 - (J) East side of Irving Street between Avenue L and the alley north of Avenue L, from six o'clock (6:00) a.m. to twelve o'clock (12:00) noon on each Sunday.
 - (K) North side of Avenue A beginning at Randolph Street and extending west to the end of the pavement.
 - (L) Randolph Street from Concho Avenue to River Drive.
 - (M) David Street from Concho Avenue to Santa Fe Drive.
 - (N) North side of Bird Street, beginning at Oakes Street and extending to the alley.

(O) South side of Bird Street, beginning at Oakes Street and extending to Baker Street.

(2) Twenty-eight degree (28°) parking.

(A) Oakes Street from the bridge to Avenue A.

(B) Beauregard Street from Randolph Street to Oakes Street except the north side of Beauregard from the Angelus Storage Garage to Irving Street, and both sides of Beauregard Street extending one hundred fifty feet (150') in each direction from its intersection with Chadbourne Street.

(C) Chadbourne Street from Beauregard Avenue to Concho Avenue.

(D) Chadbourne Street from College Avenue to Fifth Street.

(3) Twenty-two degree (22°) parking.

(A) Randolph Street from Harris Avenue to College Street.

(B) Irving Street from Harris Avenue to College Street.

(C) Oakes Street from Harris Avenue to College Street.

(D) Beauregard from Oakes Street to Main Street.

(E) West side of Main Street from Beauregard Street to Harris Street.

(F) East side of Main Street from Harris Street to Koberlin Street.

(G) West side of Main Street from Koberlin Street to Spaulding Street.

(H) Randolph Street from Harris Avenue to Beauregard Avenue.

(I) Irving Street from Harris Avenue to Beauregard Avenue

(J) Oakes Street from College Avenue to Beauregard Avenue.

(K) Chadbourne Street from College Avenue to Beauregard Avenue.

(L) South side of Beauregard Avenue from Main Street to Emerick Street.

(4) Sixty degree (60°) parking.

(A) West side of South David Street, beginning at West Beauregard Avenue and extending south to the nearest intersecting alley.

(5) Ninety degree (90°) parking.

(A) A segment on the north side of Chestnut Street between Hatcher Street and North Campus Boulevard, beginning at a point 200 feet in a southwestern direction from the northwest corner of intersecting rights-of-way for North Campus Boulevard and Chestnut Street, and extending for a distance of 100 feet further in a southwestern direction.

(B) A segment on the north side of West Avenue B between South Koenigheim and South Abe Streets, beginning at a point 30 feet in a western direction from the northwest corner of intersecting rights-of-way for South Koenigheim Street and West Avenue B, and extending for a distance of 384 feet further in a western direction.

(C) A segment on the north side of East Avenue K, beginning at a point 40 feet east from the northeast corner of intersecting rights-of-way for Metcalfe Street and East Avenue K, extending for a distance of 60 feet further in an eastern direction.

(D) A segment on the north side of East Avenue K, beginning at a point 35 feet west from the northeast corner of intersecting rights-of-way for South Concho Park Drive and East Avenue K, extending for a distance of 84 feet further in a western direction.

(6) Ten to fifteen degree (10° - 15°) parking.

(A) The entire north side of East 5th Street between North Chadbourne and Volney Streets, specifically, for parking of local transit vehicles only.

(7) The designation of angle parking zones may be done by administrative order of the city manager or designee."

2) THAT all remaining provisions not amended by this ordinance remain in full force and effect.

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 date of its passage and publication as required by law.

INTRODUCED on the 4th day of October, 2016, and finally PASSED, APPROVED and ADOPTED on this the 18th day of October, 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: David Knapp, Construction Manager, Construction Management, 325-262-1357

Meeting Date: October 18, 2016

Item type: Regular Item

Caption:

Consider approving the proposed Change Order No. 3 for Annex Finish Out to the Lee Lewis Construction contract as Construction Manager at Risk (CE 02-14) for completion of the annex and proposed additional work, all to be funded by the project budget; and authorizing the City Manager to execute said change order (Presentation by Construction Manager David Knapp)

Summary/History:

It has been the goal of the City and SAPAC to have the funds necessary to complete the annex at the stage level. This includes all the walls, doors, lights, electrical, plumbing for multiple dressing rooms, change rooms and rehearsal space.

This work has been listed under "Proposed Additional Work" along with other key elements important to character of the building, the operation, and maintenance of the facility and other enhancements to the project. The completion of the annex at stage level completes the loading dock and crew areas, essential to accommodating traveling shows. There are ample dressing rooms with showers and restrooms suitable for local and traveling shows. While the back of house finishes are minimal and durable, the completion of the annex makes it a full service facility with all the other amenities and upgrades for sound and lighting.

Bid amount to complete annex spaces at stage level: TBD (will be presented at meeting)
Additional Items we are asking for approval for are:

- | | |
|---|---------------------------|
| 1. Duplicate Historical Stage Curtain | \$35,000 anticipated cost |
| 2. Additional Site Improvements | \$85,000 anticipated cost |
| 3. Main Lobby Plaster & Paint restoration | \$50,000 anticipated cost |
| 4. Exterior Window Protection | \$90,000 anticipated cost |
| 5. Lead Abatement & Painting | \$32,000 anticipated cost |
| 6. Roof Hatch & Ladder for GPS access | \$12,000 anticipated cost |

TOTAL Anticipated Cost \$300,000

TOTAL Change Order No. 3 = TBD (will be presented at meeting)

Additional contract days and new substantial completion date to be presented at meeting.

Staff recommends approval of the Change Order #3 and related documents

Financial Impact:

The current project funding will cover the proposed cost of Change Order #3. No additional funding is required.

Other Information/Recommendation:

Attachments:

1. Exhibit 'A'

Auditorium - Exhibit 'A'.pdf

Presentation:

Approvals/Reviews:

David Knapp	Created/Initiated
Theresa James	Approved
Anthony Wilson	Approved
Tina Dierschke	Approved
Theresa James	Approved
Becky Dunn	Approved
Bryan Kendrick	Final Approval

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	
SAPAC / SAAF - Historic Tax Credits	\$ 1,600,000	
	\$ 7,753,401	\$ 8,266,100
TOTAL FUNDING		16,019,501

Project Expenses	SAPAC / COSA
CO Proceeds - Expenditures prior to current phase (End of FY13)	\$ 1,873,254
COSA Risk Mgmt - Insurance Proceeds (Professional Services)	\$ 11,981
COSA Construction Management	\$ 150,000
SAPAC Operating Reserve	\$ 400,000
Killis Almond Architects + Consultants	\$ 737,300
Asbestos/Testing / Security (paid FY15 + allowances)	\$ 118,348
Owner Project Contingency	\$ 300,000
Lee Lewis Construction, Inc. - Base Contract	\$ 10,369,494
Change Order No. 1 - Bid Alternates & Allowance (approved 4/19/16)	\$ 593,916
Change Order No. 2 - Auditorium Seating (approved 7/12/16)	\$ 445,948
TOTAL EXPENDITURES	\$ 15,000,241

PROJECT BUDGET SUMMARY

Total Project Funding	\$ 16,019,501
Total Project Budgeted Expenses	\$ 15,000,241
Funding Balance (+/-)	\$ 1,019,260

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: October 18, 2016

Item type: Regular Item

Caption:

First public hearing and introduction of an ordinance amending the 2016-2017 budget for grants, contributions and capital projects - (Presentation by Budget Manager Morgan Chegwidden)

Summary/History:

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

- Economic Development travel;
- Utility trench repair reassignment;
- Airport service marketing and recruitment services;
- Repairs and improvements to Civic Events facilities;
- Grant proceeds for wastewater reuse piloting; and
- Reallocation of Police donations.

Financial Impact:

\$988,426 (see attached detail on Exhibit A of the ordinance).

Other Information/Recommendation:

Attachments:

- | | |
|-----------------------------------|------------------------------------|
| 1. Ordinance | 1 Ordinance.pdf |
| 2. Exhibit A | 2 Exhibit A.pdf |
| 3. Additional Information | 3 Additional Information.pdf |
| 4. Memo - Dev Corp | A - Dev Corp travel.docx |
| 5. Memo - Utility Trench Repair | B - Utility Trench Repair.docx |
| 6. Memo - Airport | C - Airport (KSA & COSADC).docx |
| 7. Memo - Civic Events | D - Civic Events Capital.docx |
| 8. Memo - Water Capital | E - Water capital grant.docx |
| 9. Memo - Police Donations | F - Police Donations.docx |
| 10. PowerPoint - Budget Amendment | 10-18-16 FIN Budget Amendment.pptx |

Presentation:

Morgan Chegwidden

Approvals/Reviews:

Morgan Chegwidden

Theresa James

Anthony Wilson

Tina Dierschke

Theresa James

Becky Dunn

Bryan Kendrick

Created/Initiated

Approved

Approved

Approved

Approved

Approved

Final Approval

**AN ORDINANCE OF THE CITY OF SAN ANGELO AMENDING
THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER
1, 2016, AND ENDING SEPTEMBER 30, 2017, FOR GRANTS,
CONTRIBUTIONS 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 2016-2017 be amended by the amounts contained in Exhibit A.

INTRODUCED on the 18th day of October, 2016, and APPROVED and ADOPTED on this the 1st day of November, 2016.

CITY OF SAN ANGELO, TEXAS

Dwain Morrison, Mayor

ATTEST:

Bryan Kendrick, City Clerk

Approved as to Content and Form:

Tina Dierschke, Finance Director

City of San Angelo
Proposed Budget Amendment
Exhibit A

Fund	Description	Total Revenue Amendment	Total Expense Amendment	Net Benefit/ (Cost)
101	General Fund	172,746	172,746	-
220	Airport	63,000	63,000	-
260	Water Operating	-	-	-
270	Wastewater Operating	-	-	-
410	Civic Events	-	450,000	(450,000)
512	Water Capital Projects	300,000	300,000	-
601	Designated Revenue	2,680	2,680	-
Total		538,426	988,426	(450,000)

City of San Angelo
Proposed Budget Amendment
Additional
Information

Project/Need	Source of Funding	Revenue	Expense	Net Benefit / (Cost)
Economic Development Travel	Type B Sales Tax	19,000	19,000	-
Utility Trench Repair Reassignment	Water and Sewer Operating Budget	153,746	153,746	-
Airport service marketing and recruitment services	Type B Sales Tax	63,000	63,000	-
Repairs and improvements to Civic Events facilities	Civic Events Fund – Fund Balance	-	450,000	(450,000)
Grant proceeds for wastewater reuse piloting	Federal Bureau of Reclamation Grant	300,000	300,000	-
Reallocation of Police donations	Citizen Contributions	2,680	2,680	-
Total		538,426	988,426	(450,000)

Memo

To: Morgan Chegwiddden, Budget Manager

From: Roland Peña, Economic Development Director

Date: October 12, 2016

Re: Budget Amendment Request

Purpose of Budget Amendment Request:

Budget for the creation of travel accounts for Amin Travel and ACT Work Ready Community Travel on HTE

Source of Funding:

Economic Development Fund – Admin -Travel & Lodging Account 410580 (Type B Sales Tax)

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

Travel: City Council approved budget in September 20, 2016. COSADC budget on COSADC approved budget on July 27, 2016.

Project/Budget to be amended	Original Budget	Proposed Change	Proposed Revised Budget
Interfund Transfers Revenue / Transfers from Dev. Corp. 101-0700-391.04-00	\$471,250	\$19,000	\$490,250
Travel & Lodging Expense 101-0700-411.05-80	\$0	\$19,000	\$19,000

Additional Comments:

Memo

To: Morgan Chegwiddden, Budget Manager
From: Patrick Frerich Assistant Director of Operations
Date: October 12, 2016
Re: Budget Amendment Request

Purpose of Budget Amendment Request: Increase the number of budgeted Full Time Equivalent positions by four (4) for the purpose of performing utility trench repairs in-house

Source of Funding: Water and Sewer Funds Operating Budget

Funding previously approved? If so, by City Manager or City Council and when? Approved by City Manager August 2016.

Project/Budget to be amended	Original Budget	Proposed Change	Proposed Revised Budget
Wastewater Contract Services Expense 270-5000-507.03-60	137,224	-137,224	0
Wastewater Transfers Out Expense 270-5500-507.08-90	485,566	137,224	622,790
Water Contract Services Expense 260-4301-503.03-60	510,000	-16,522	493,478
Water Transfers Out Expense 260-4000-530.08-90	2,197,702	16,522	2,214,224
General Fund Transfers In Revenue 101-0000-341.50-05	2,683,268	153,746	2,837,014
Street & Bridge Payroll Expense 101-3200-432.xx-xx	1,589,508	153,746	1,743,254

Additional Comments: Funding for these positions will generate from the Water and Sewer fund and will have a financial neutral impact on the General Fund.

City of San Angelo
 Budget Ordinance
 Exhibit D
 Staffing Levels

Fire Department – Civil Service

Fire Chief	1
Assistant Chief	2
Battalion Chief	4
Fire Captain	12
Fire Lieutenant	20
Fire Engineer (or Driver)	33
Fire Fighter	91
Total Fire Department – Civil Service	163

Police Department – Civil Service

Police Chief	1
Assistant Chief	3
Police Lieutenant	7
Police Sergeant	28
Police Officer	126
Total Police Department – Civil Service	165

All
 Others

Civilians	618
Total All Others	618
Grand Total Staffing Levels	946

Memo

To: Morgan Chegwiddden, Budget Manager
From: Liz Atwater, Business and Finance Analyst
Date: October 5, 2016
Re: Budget Amendment Request

Purpose of Budget Amendment Request:

Utilize Development Corp type B sales tax funding for KSA task order 106 for professional air service marketing and recruitment services.

Source of Funding:

Development Corp type B sales tax

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

Approved by City Council October 4, 2016

Project/Budget to be amended	Original Budget	Proposed Change	Proposed Revised Budget
Airport Transfer from Development Corporation Revenue 220-0000-391.04-00	0	63,000	63,000
Airport Contract Services Expense 220-3901-514.03-30	122,122	63,000	185,122

Additional Comments:

Memo

To: Morgan Chegwiddden, Budget Manager
From: Sidney Walker, Civic Events Manager
Date: October 4, 2016
Re: Budget Amendment Request

Purpose of Budget Amendment Request:

To make needed repairs and improvements to Civic Events facilities

Source of Funding:

Civic Events Fund – Fund Balance

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

Yes, by City Council on September 6, 2016

Project/Budget to be amended	Original Budget	Proposed Change	Proposed Revised Budget
Convention Center Sewer Line, Roofing, and Misc. Repairs 410-6699-800.07-30	0	336,000	336,000
River Stage Chairs 410-6699-800.07-43	0	10,000	10,000
Coliseum Climate Control 410-6699-800.07-44	0	104,000	104,000

Additional Comments:

Memo

To: Morgan Chegwiddden, Budget Manager
From: Allison Strube, Assistant Director of Water Utilities
Date: October 11, 2016
Re: Budget Amendment Request

Purpose of Budget Amendment Request:

To budget for grant proceeds for wastewater reuse piloting

Source of Funding:

Federal Bureau of Reclamation grant award

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

May 18, 2016

Project/Budget to be amended	Original Budget	Proposed Change	Proposed Revised Budget
Grant revenue 512-0000-xxx.xx-xx	-0-	\$300,000	\$300,000
Grant expense 512-4156-800.07-30	-0-	\$300,000	\$300,000

Additional Comments:

Memo

To: Morgan Chegwiddden, Budget Manager
From: Chief Frank Carter, Police Chief
Date: October 12, 2016
Re: Budget Amendment Request

Purpose of Budget Amendment Request: Capture unspent donations to the criminal investigations division as well as sale of brass from the police gun range into the police memorial statue project. Also, plan to raise the final amount necessary of \$2,680 to fully fund the police memorial statue.

Source of Funding: Donations from citizens.

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
Police memorial statue donation revenue 601-8010-365.00-00	-0-	2,680	2,680
Police CID donations expense 601-8006-421.06-16	1,049	-1,049	-0-
Police gun range brass sales expense 601-8001-421.06-16	8,377	-8,377	-0-
Police memorial statue donations expense 601-8010-421.07-41	3,050	12,106	15,156

Additional Comments: The purpose for which the original donations were made has been met and these funds can now be released for other police needs.



City Council

October 18, 2016



Budget Amendment

	Revenue	Expense
Economic Development travel	19,000	19,000
Utility trench repair reassignment	153,746	153,746
Airport service marketing and recruitment services	63,000	63,000



Budget Amendment

	Revenue	Expense
Repairs and improvements to Civic Events facilities	-	450,000
Grant proceeds for wastewater reuse piloting	300,000	300,000
Reallocation of Police donations	2,680	2,680





City Council

October 18, 2016

