



City Council Agenda 09/19/2017

Notice is hereby given of a regular meeting of the City Council of City of San Angelo to be held on September 19, 2017 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. Recognition of Mira Velez for loaning the City of San Angelo the 9/11 New York Trade Center Twin Tower artifact presented to the Velez family
- b. Proclamation declaring the week of September 17-23, 2017, as "Constitution Week"
- c. Proclamation declaring the week of October 8-14, 2017 as "Fire Prevention Week"
- d. Proclamation declaring that "Angelo State University is 10,000 Strong"

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 three 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 September 5, 2017 City Council regular meeting minutes (B.Kendrick)
- b. Consider approving an amendment to Lake Nasworthy Residential Lot Lease with Tenant of 1506 South Concho, providing an additional six (6) months be added to the end of the Lease (C.Preas)
- c. Consider a resolution authorizing the City Manager to execute an interlocal agreement with Tom Green County providing for Mental Health Unit (MHU) Services; making provision for city participation in the costs associated with the MHU not to exceed \$117,080 for fiscal year 2017-2018; and finding a public purpose and benefit (F. Carter)
- d. Consider a resolution authorizing the City Manager to execute an interlocal agreement with Tom Green County providing for Crisis Intervention Unit (CIU) Services; making provision for city participation in the costs associated with the CIU not to exceed \$44,074, for fiscal year 2017-2018; and finding a public purpose and benefit (F. Carter)

- e. Consider approving a renewal of a lease agreement with Federal Express Corporation in the amount of \$47,224.60 and authorizing City Manager to negotiate and execute all related documents (L.Elguetzabal)
- f. Consider approving a purchase with Weaver Technologies, LLC utilizing Texas DIR Contract DIR-SDD-1951 in an amount of \$112,280.38, budgeted in FY17, for the purchase and installation of a new server and storage system for email and authentication services, and authorizing the City Manager or designee to execute any related documents (B. Hasty)
- g. Second reading and adoption of an ordinance deleting and replacing Chapter 2, Article 2.08, Section 2.08.002 "Classification Plan" of the San Angelo Code of Ordinances (T.James)

6. 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) consult with attorney when the governmental body seeks the advice of its attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter, regarding the Meet and Confer Agreement

7. Regular Agenda

- a. Discussion and possible action on accepting the abandonment by the San Angelo Coalition of Police (SACOP) of the Meet and Confer contract negotiations and the Meet and Confer process (Presentation by Lisa Marley, Director of Human Resources & Civil Service Director)
- b. Second public hearing and adoption of an ordinance of the City of San Angelo approving and adopting the budget for the fiscal year beginning October 1, 2017, and ending September 30, 2018. This budget will raise more total property taxes than last year's budget by \$1,540,425 (4.29%), and of that amount, \$635,425 is tax revenue to be raised from new property added to the tax roll this year - (Presentation by Finance Director Tina Dierschke)
- c. Second public hearing and adoption of an ordinance levying property taxes for the City of San Angelo for the 2017 tax year. An ordinance fixing and levying ad valorem taxes for the current tax year for use and support of the municipal government of the City of San Angelo, Texas, for the 2017-2018 budget year; providing for the assessment and collection thereof; providing when the tax shall become due; providing when the tax shall become delinquent; providing for exemptions; providing for severability; providing for publication on the city operated web site; and, providing for an effective date - (Presentation by Finance Director Tina Dierschke)
- d. First reading and public hearing of an ordinance amending Chapter 5, Article 5.02 Alcohol and Beverage Regulations of the City Code of Ordinances to add a minimum 300-foot separation for the sale of any alcoholic beverage, liquor, beer, wine, or vinous liquor from a church - (Presentation by Planning & Development Services Director Jon James)

- e. First reading and public hearing of an ordinance for Z17-10 a rezoning from the Office/Warehouse (OW) Zoning District to the Single-Family Residential (RS-1) Zoning District, being 0.5 acres generally located on an unaddressed tract north of 6622 Clarice Court - (Presentation by Planning & Development Services Director Jon James)
- f. First reading and public hearing of an ordinance for Z17-11 a rezoning from the Planned Development (PD13-02) Zoning District to the Office Warehouse (OW) Zoning District, being 1.50 acres located at 1221 Grand Canal Road - (Presentation by Planning & Development Services Director Jon James)
- g. First reading and public hearing of an ordinance for the vacation and abandonment of a 0.642-acre (28,000-square feet) segment of the South Marie Street public right-of-way generally located between Bryan Street and Roosevelt Street - (Presentation by Planning & Development Services Director Jon James)
- h. First reading and public hearing of an ordinance amending the Major Thoroughfare Plan component of the San Angelo Comprehensive Plan in an area north of Clubhouse Lane, east of North Bentwood Drive, south of West Loop 306, and west of Foster Road - (Presentation by Planning & Development Services Director Jon James)
- i. Consider awarding RFB-PK-04-17, Construction of Concession Building at the Texas Bank Sports Complex to Onyx General Contractors, LLC of Midland, Texas in the amount not to exceed \$740,000, budgeted for purchase in FY17, and authorizing the City Manager or designee to negotiate and execute any related documents - (Presentation by Construction Manager David Knapp)
- j. Update on Sales Tax revenue performance - (Presentation by Finance Director Tina Dierschke)

8. Closed Session

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

- a. Section 551.071(1)(A) consult with attorney when the governmental body seeks the advice of its attorney about pending or contemplated litigation regarding:
 - 1. 2013 Sealcoating Program Contract
 - 2. Templeton Construction, Inc.
 - 3. Alsay, Inc. v. City of San Angelo, Texas Carollo Engineers, Inc.
- b. Section 551.072 Deliberations about Real Property regarding 703 S. Chadbourne
- c. Section 551.071(2) consultation with attorney regarding 703 S. Chadbourne

9. Follow Up and Administrative Issues

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

- b. Consider approving the following Board nominations:

Airport Advisory Board: Teresa Special (SMD2) to a 1st full term ending October 2020; William Pritchard (SMD6) to a 1st full term ending October 2020; and Elizabeth Grindstaff (Mayor) to a 2nd full term ending October 2020

Animal Shelter Advisory Commission: Carah Dunagan (SMD5) to an unexpired term ending January 2019

- c. Announcements and consideration of Future Agenda Items

10. Adjournment

CERTIFICATION

I hereby certify that the above notice of meeting was posted on the bulletin board at the City Hall of the City of San Angelo, Texas, on the 15th day of September 2017, at 11:30 a.m.

Bryan Kendrick, City Clerk

All agenda items are subject to action. All contracts/agreements may be subject to further negotiation prior to execution. 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.

Recognition

Just as the tragic event of Pearl Harbor is etched in the memories of Americans everywhere, so the incredible loss and destruction of 9/11 will always be remembered.

As Americans however, we do not focus only on the loss, because we are reminded also of the heroes in our history. Never has that been more the case than it was with the first responders in the wake of the destruction left behind by the cowardice of terrorism.

The families of first responders across this great nation of ours are always aware of danger and possible sacrifice that they and their loved ones face day in and day out.

Mira Velez is an amazing student, always pressing forward to become the best as she balances that with her love for the arts and her volunteer work.

Additionally however, Mira is also the daughter of Rosendo Velez a first responder on that fateful day 16 years ago. Mira and many other family members of first responders were presented with artifacts from the remains of the Twin Towers in New York City.

Finally, when Mira heard of the vandalization of the City of San Angelo 9/11 Memorial and the theft of the original steel artifact, she immediately recognized the need for this reminder to be restored and she selflessly offered to loan the artifact to the City of San Angelo.

NOW, THEREFORE, I, Brenda Gunter, Mayor of the City of San Angelo, Texas, on behalf of the City Council, do hereby recognize and applaud

Mira Velez

as the artifact that she shares with this community reminds us of both the pain and the courage shown on September 11, 2001. Through tear filled eyes we declare we will never forget!

In Witness Whereof, I have hereunto set my hand and have caused the Official Seal of the City of San Angelo to be affixed this 19th day of September, 2017.

Brenda Gunter
Mayor of the City of San Angelo

Proclamation

Our Founders, in order to secure the blessings of liberty for themselves and their posterity, did ordain and establish a Constitution for the United States of America. It is of the greatest importance that all citizens fully understand the provisions and principles contained in the Constitution in order to support, preserve, and defend it against all enemies, whether foreign or domestic.

To commemorate the September 17, 1787 signing of the Constitution of the United States, Congress has designated September 17th of each year as Constitution Day and September 17-23 as Constitution Week and has declared that the independence guaranteed to American citizens, whether by birth or naturalization, should be celebrated by appropriate ceremonies and activities during Constitution Week.

The 230th anniversary of the Signing of the Constitution provides an historic opportunity for all Americans to remember the achievements of our Framers of the Constitution and the rights, privileges and responsibilities they afforded us in this unique document.

NOW, THEREFORE I, Brenda Gunter, Mayor of the City of San Angelo, Texas, on behalf of the City Council, do hereby acknowledge the week of September 17-23, 2017 as

"CONSTITUTION WEEK"

in the City of San Angelo, Texas, and urge all our citizens to reflect during that week on the many benefits of our Federal Constitution and the privileges as well as the responsibilities of American citizenship.

In Witness Whereof, I have hereunto set my hand and have caused the Official Seal of the City of San Angelo to be affixed this 19th day of September, 2017.

Brenda Gunter
Mayor of the City of San Angelo

Proclamation

Fire is serious public safety concern both locally and nationally, and homes are the locations where people are at the greatest risk from fire

Fire departments in the United States responded to nearly 400,00 home fires in a single year

San Angelo residents are responsive to public education measures and are able to take personal steps to increase their safety from fire, especially in their homes

The fire service of San Angelo is dedicated to the safety of life and property from the devastating effects of fire, and they are joined by other emergency service providers, businesses, safety advocates, schools, and service clubs

NOW THEREFORE, I, Brenda Gunter, Mayor of the City of San Angelo, Texas, on behalf of the City Council, do hereby proclaim the week of October 8-14 2017 as

"FIRE PREVENTION WEEK"

and call upon the people of San Angelo to participate in fire prevention activities at home, work, and school, and practice home fire safety especially this week which commemorates the great Chicago Fire of 1871 which killed 250 persons, left 100,000 homeless, and destroyed 17,400 buildings.

In Witness Whereof, I have hereunto set my hand and have caused the Official Seal of the City of San Angelo to be affixed this 19th day of September, 2017

Brenda Gunter
Mayor of the City of San Angelo

Proclamation

Angelo State University and the community of San Angelo have a long-standing partnership in providing quality higher education opportunities to students from throughout the Concho Valley, Texas, the U.S. and the world.

Angelo State University's annual fall enrollment numbers have increased dramatically in recent years, from 6,494 students in 2014 to 9,581 students in 2016.

Angelo State University has set new graduate student enrollment highs in 16 consecutive long semesters.

Angelo State University instituted a new dual credit program in 2015 that now enrolls over 2,700 students from close to 30 school districts in West and Central Texas, allowing them to earn both high school and ASU credit for courses taught on their high school campuses.

Angelo State University has been designated a Hispanic Serving Institution by the U.S. Department of Education since 2010, and corresponding federal grants have significantly enhanced undergraduate recruiting and retention programs.

Angelo State University educational opportunities have grown to include 1 doctoral degree in Physical Therapy, 21 master's degree programs, 42 undergraduate degree programs, and over 100 majors and concentrations.

Angelo State University has accomplished its goal of reaching 10,000 in student enrollment three years ahead of its target year of 2020 as stated in its "Vision 2020" strategic plan;

***NOW, THEREFORE,** I, Brenda Gunter, Mayor of the City of San Angelo, Texas, on behalf of the City Council, do hereby proclaim that*

" ANGELO STATE UNIVERSITY IS 10,000 STRONG "

and call upon the citizens of our area to recognize this remarkable achievement, as well as the integral relationships between our city and campus communities and the comprehensive educational opportunities at Angelo State University

***In Witness Whereof,** I have hereunto set my hand and have caused the Official Seal of the City of San Angelo to be affixed this 19th day of September, 2017.*

Brenda Gunter
Mayor of the City of San Angelo

City of San Angelo, Texas
Regular City Council Meeting
Tuesday, September 5, 2017

Present:

Mayor Brenda Gunter
Mayor Pro tem Lane Carter, SMD 5
Council Member Tommy Hiebert, SMD 1
Council Member Tom Thompson, SMD 2
Council Member Harry Thomas, SMD 3
Council Member Lucy Gonzales, SMD 4
Council Member Billie F. DeWitt, SMD 6

1. Call to Order

With a quorum of the City Council Members present, Mayor Gunter called the regular session of the San Angelo City Council to order at 8:32 a.m. on Tuesday, September 5, 2017 in the San Angelo McNease Convention Center, 501 Rio Concho Drive, San Angelo, Texas 76903.

2. Prayer and Pledge

An invocation was provided by City Clerk Bryan Kendrick; and the pledges were led by Elia Robinson and Hailee Harris (5th graders) with Cornerstone Christian School.

3. Proclamations/Recognitions

Western intermediate Little League was recognized for making it to the World Series

Mason Matthews was recognized for his leadership and coordination of the 2017 Texas Firefighter Summer Games

Jeremy Bryant, the voice of Angelo State University, was recognized for winning the Lone Star Broadcaster of the Year Award for an unprecedented fifth time.

The United Way of the Concho Valley was recognized for its 2017 campaign, themed "Change Starts Here"

September 2017 was proclaimed as "National Childhood Cancer Awareness Month"

The week of September 10, 2017 was proclaimed as "Direct Support Professional Recognition Week"

4. Public Comment

Citizen Steve Hampton expressed concerns over the budget and the Consent Agenda.

5. Consent Agenda

- a. Approval of the August 15, 2017 and August 22, 2017 City Council meeting minutes
- b. Approval of authorizing the sale of the following Lake Nasworthy property to the current residential lot lease holder for the appraised value:
 1. 1708 Shad Road; Lake Nasworthy Addition; \$91,500
 2. 2246 Joy Road; Lake Nasworthy Addition; \$96,000

- 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: (Pg. 206, #2017-09-126)
 - 1. South 25 feet of Lot 3, Block 27, H C Upton Addition; Escobar (\$1,400)
- d. Adoption of a resolution authorizing emergency fuel purchases pursuant to Texas Local Government Code Section 252.022(a)(2) and authorizing the City Manager to execute any related documents (Pg. 207, #2017-09-127)
- e. Approval of awarding FS-12-17 Asphalt Compactor to Sakai America, Inc. utilizing Buyboard Contract #515-16, in an amount of \$79,950, budgeted in FY17, for the purchase of one unit, and authorizing the City Manager or designee to execute any related documents
- f. Approval of the Assignment of a Services Agreement (RFB:CFM-02-14) with Electrical by Deb to MC Electrical for the remainder of the contract period and any options to extend and authorizing City Manager to negotiate and execute all related documents
- g. Approval of authorizing the City Manager to approve an Interlocal Agreement with SAISD for use of Carl Ray Johnson Recreation Center for emergency use by Carver Learning Center
- h. Approval of TIRZ incentive requests for 2 North-TIRZ private projects totaling \$123,452
- i. Adoption of a resolution authorizing the City Manager, or his designee, to execute a Temporary Nonexclusive Sidewalk Use License Agreement with Shannon Medical Center to allow for the erection of three illuminated, wayfinding directional signs within the public right-of-way, adjacent to 120 East Harris Avenue, on the north side of East Harris Avenue (Pg. 208, #2017-09-128)
- j. Adoption of a resolution authorizing the City Manager, or his designee, to execute a Temporary Nonexclusive Sidewalk Use License Agreement with San Angelo ISD to allow for an existing 6-foot high chain link fence with modifications within the public right-of-way, adjacent to East Highland Boulevard in front of Fort Concho Elementary School at 422 East Highland Boulevard (Pg. 215, #2017-09-129)
- k. Second reading and adoption of an ordinance amending Chapter 1, Section IV, Subsection C, "Appeal to City Council" of the City's Land Development and Subdivision Ordinance to allow the Planning Director or Director of Public Works to appeal variances, granted or denied by the Planning Commission, to City Council (Pg. 221, #2017-09-130)
- l. Second reading and adoption of an ordinance amending Chapter 12, Article 12.03 Division 2 of the City Code of Ordinances and Chapter 12, Article 3 of Exhibit "A," City's Zoning Ordinance to allow for an approval process for manufactured homes to be placed on residentially-zoned properties with additional development standards (Pg. 223, #2017-09-131)
- m. Second reading and adoption of an ordinance amending the City Code of Ordinances, Chapter 4, Section 4.04.035, Concrete and Foundation Construction, which would introduce a procedure for ensuring the accurate placement of residential building foundations (Pg. 230, #2017-09-132)
- n. Second reading and adoption of an ordinance amending the 2016-2017 budget for incomplete projects, equipment replacement, and grants (Pg. 232, #2017-09-133)

Motion: Council Member Thomas made a motion, seconded by Council Member Hiebert, to approve the consent agenda, as presented. The motion carried unanimously (7) ayes to (0) nays.

6. Regular Agenda

- a. Presentation of report from the Chamber of Commerce Economic Development Council and the Convention & Visitors Bureau (CVB) - (A presentation was made by CVB Director Diann Bayes and Chamber Vice President for Economic Development Michael Looney)

- b. Presentation of the annual report from the San Angelo Cultural Affairs Council - (A presentation was made by Director of SACAC Cynthia Lackey)
- c. Approval of authorizing the City Manager to reject the bid received from Reece Albert, Inc. for the RFB No. ES-11-17, Bell Street Phase 1 Improvements Project - (A presentation was made by City Engineer Russell Pehl)

Motion: Council Member Thomas made a motion, seconded by Council Member Thompson, to reject the bid and rebid all three phases. The motion carried unanimously (7) ayes to (0) nays.

- d. Approval of first public hearing and introduction of an ordinance deleting and replacing Chapter 2, Article 2.08, Section 2.08.002 "Classification Plan" of the San Angelo Code of Ordinances - (A presentation was made by City Attorney Theresa James)

Motion: Council Member Hiebert made a motion, seconded by Council Member Carter, to approve the ordinance, as presented. The motion carried unanimously (7) ayes to (0) nays.

- e. Approval of matters related to the fiscal year 2017-2018 operating budget including:
 - 1. First public hearing and introduction of an ordinance of the City of San Angelo approving and adopting the budget for the fiscal year beginning October 1, 2017, and ending September 30, 2018. This budget will raise more total property taxes than last year's budget by \$1,540,425 (4.29%), and of that amount, \$635,425 is tax revenue to be raised from new property added to the tax roll this year
 - 2. Conduct a separate record vote to ratify the property tax revenue increase reflected in the budget and place the adoption of this tax rate on the agenda for the September 5, 2017 regular meeting of the City Council as an action item – (A presentation was made by Finance Director Tina Dierschke)

This item was pulled into executive session under Section 55.071(2) consultation with an attorney.

Motion: Council Member Thomas made a motion, seconded by Council Member Hiebert, to approve the ordinance (item 6e1), as presented. The motion carried unanimously (7) ayes to (0) nays

Motion: Council Member Carter made a motion, seconded by Council Member DeWitt, to ratify the property tax revenue increase and place the adoption of this tax rate on the agenda, as presented. The motion carried unanimously (7) ayes to (0) nays

- f. Approval of first public hearing and introduction of an ordinance levying property taxes for the City of San Angelo for the 2017 tax year:

An ordinance fixing and levying ad valorem taxes for the current tax year for use and support of the municipal government of the City of San Angelo, Texas, for the 2017-2018 budget year; providing for the assessment and collection thereof; providing when the tax shall become due; providing when the tax shall become delinquent; providing for exemptions; providing for severability; providing for publication on the city operated web site; and, providing for an effective date - (A presentation was made by Finance Director Tina Dierschke)

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

7. Closed Session

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

- a. ~~Section 551.071(1)(A) consult with attorney when the governmental body seeks the advice of its attorney about pending or contemplated litigation regarding:~~
 - ~~1. 2013 Sealcoating Program Contract~~
 - ~~2. Templeton Construction, Inc.~~
 - ~~3. Alsay, Inc. v. City of San Angelo, Texas Carollo Engineers, Inc.~~
- b. Section 551.072 Deliberations about Real Property regarding 703 S. Chadbourne
- c. Section 551.071(2) consultation with attorney regarding: 703 S. Chadbourne *and item 6e on this agenda.*
- d. Section 551.087(1) to discuss or deliberate PROJECT 2017-223G regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations

8. Follow Up and Administrative Issues

- a. Consider items discussed in Executive Session:

Motion: Council Member Hiebert made a motion, seconded by Council Member Thompson, not to renew the lease related to 703 S. Chadbourne. The motion carried unanimously seven (7) ayes to zero (0) nays.

- b. Announcements and consideration of Future Agenda Items

Council Member Carter asked for an update on the Water Rate Structure and its relationship to the most recent contract hiring a consulting firm for future water projects. Mr. Carter also asked for an update related to the status of the West Texas Water Partnership.

City Manager Daniel Valenzuela invited everyone to attend the rededication of the 911 monument on September 8th.

Mayor Gunter asked for an update/presentation on the previous contracts with Consulting firms related to Water projects concerning what benefits were realized.

9. Adjournment

Motion: Council Member Hiebert made a motion, seconded by Council Member Thomas, 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 12:21 p.m.

Brenda Gunter, 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: Cynthia Preas, Real Estate Manager, Real Estate, 325-657-4212

Meeting Date: September 19, 2017

Item type: Consent Item

Caption:

Consider approving an amendment to Lake Nasworthy Residential Lot Lease with Tenant of 1506 South Concho, providing an additional six (6) months be added to the end of the Lease (C.Preas)

Summary/History:

The City owns and leases residential lot commonly known as 1506 South Concho Drive, being Lot 23, Group South Concho, Lake Nasworthy Addition, San Angelo, Texas.

Tenant requests an amendment to the Lease to add an additional 6 months (for financing purposes) to the term of the Lease, which will end April 30, 2037. If approved, the new end date will be October 31, 2037.

Tenant is in good standing as to all lease obligations.

Financial Impact:

No financial impact as the yearly lease payment will be based on the appraised value of the lot.

Other Information/Recommendation:

Staff recommends approval.

Attachments:

Presentation:

Approvals/Reviews:

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

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Ryan Jansa, Budget Analyst, Police, (325)657-4262

Meeting Date: September 19, 2017

Item type: Consent Item

Caption:

Consider a resolution authorizing the City Manager to execute an interlocal agreement with Tom Green County providing for Mental Health Unit (MHU) Services; making provision for city participation in the costs associated with the MHU not to exceed \$117,080 for fiscal year 2017-2018; and finding a public purpose and benefit (F. Carter)

Summary/History:

During the Budget process the City Council approved contributions to the County for provision of Mental Health Unit services. The Mental Health Unit responds to crisis calls involving the mentally ill, suicidal, or homicidal subjects for assessment and transport to the appropriate and safe facility. This agreement details services which are provided to the City by the Mental Health Unit.

Financial Impact:

The City of San Angelo will pay the County \$117,080 to support the Mental Health Unit. The funds for this are budgeted in the Police Department 2017-2018 budget.

Other Information/Recommendation:

Attachments:

- | | | |
|----|----------------------|--|
| 1. | Resolution | MENTAL HEALTH UNIT RESOLUTION.docx |
| 2. | Interlocal Agreement | Menatl Health Unit Interlocal Agreement.docx |

Presentation:

No

Approvals/Reviews:

Ryan Jansa	Created/Initiated
Frank Carter	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 TO EXECUTE AN INTERLOCAL AGREEMENT WITH TOM GREEN COUNTY PROVIDING FOR MENTAL HEALTH UNIT (THE MHU) SERVICES; MAKING PROVISION FOR CITY PARTICIPATION IN THE COSTS ASSOCIATED WITH THE MHU NOT TO EXCEED \$117,080, FOR FISCAL YEAR 2017-2018; AND FINDING A PUBLIC PURPOSE AND BENEFIT

WHEREAS, the Mental Health Unit (MHU) is a public service, first responder group that is called out by local law enforcement officer request; and,

WHEREAS, MHU staff respond to crisis calls involving the mentally ill or suicidal or homicidal subjects for assessment and transport to appropriate and safe facilities; and,

WHEREAS, the arrival of the MHU allows the patrol unit to return to their law enforcement duties in a timely manner; and,

WHEREAS, the services of the MHU have been jointly supported through interlocal agreement between the City of San Angelo and Tom Green County; and,

WHEREAS, the services of the MHU provide a health and safety benefit for the citizens of City and County.

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

1. The services of the Tom Green County MHU are deemed to provide a health and safety benefit for the citizens of the City of San Angelo, Texas which serves a valid public purpose.
2. The City Manager or his designee is hereby authorized to execute the Interlocal Agreement Between The City Of San Angelo And Tom Green County For Services From The MHU, providing for MHU response on request of local law enforcement for the provision of services to the needs of mentally ill, suicidal or homicidal persons in crisis for assessment and transport to appropriate and safe facilities
3. Authorizes City participation in the costs associated with the MHU not to exceed \$117,080, for fiscal year 2017-2018.

PASSED and APPROVED THIS _____ DAY OF _____, 2017.

CITY OF SAN ANGELO, TEXAS

ATTEST:

Brenda Gunter, Mayor

Bryan Kendrick, City Clerk

APPROVED AS TO FORM

Theresa James, City Attorney

**INTERLOCAL AGREEMENT BETWEEN
CITY OF SAN ANGELO AND TOM GREEN COUNTY
AND THE TOM GREEN COUNTY SHERIFF
FOR SERVICES FROM THE COUNTY MENTAL HEALTH UNIT**

This Interlocal Agreement (hereinafter “this Agreement”) is entered into, pursuant to the Interlocal Cooperation Act, Texas Government Code Section 791.000 *et. seq.*, by and between **Tom Green County**, and the Tom Green County Sheriff (hereinafter “County”) and the **City of San Angelo, Texas**, a Texas home rule municipal corporation situated in Tom Green County, Texas, (hereinafter “City”). City and County may be referred to as “Party” or “Parties” herein.

WITNESSETH

WHEREAS, County operates a mental health unit (“MHU”) for the benefit of its citizens and to allow patrol units to return to their law enforcement duties when a mental health situation arises; and

WHEREAS, City desires to support County in this endeavor; and

WHEREAS, this Agreement provides for City to benefit from the operation of the MHU and to contribute to the expenses associated with the MHU;

NOW THEREFORE, IN CONSIDERATION OF THE MUTUAL PROMISES AND BENEFITS SET FORTH BELOW, THE PARTIES AGREE AS FOLLOWS:

ARTICLE 1: PURPOSE.

The purpose of this Agreement is to set forth the terms and conditions agreed upon by the Parties in order for City to participate in the costs and benefits associated with the MHU. Any funds expended for undertaking governmental functions under this Agreement shall come from the current funds of the Party.

ARTICLE 2: TERM.

The term of this Agreement shall commence on October 1, 2017 and shall continue in full force and effect until September 30, 2018. This Agreement may be terminated prior to this date in accordance with the termination provisions contained herein.

ARTICLE 3: OBLIGATIONS OF CITY.

City agrees to:

Pay to County One Hundred Seventeen Thousand Eighty and 00/100 dollars (\$117,080.00) upon execution of this Agreement.

ARTICLE 4: OBLIGATIONS OF COUNTY.

County agrees to operate a MHU through the Tom Green County Sheriff's Department. The MHU shall:

1. Consist of five (5) deputies and one (1) supervisor.
2. Operate three hundred sixty-five (365) days per year, twenty-four (24) hours per day.
3. Respond to crisis calls involving the mentally ill or suicidal/homicidal subjects in City and County.
4. Assure that mentally ill and suicidal/homicidal subjects are assessed and transported to appropriate and safe facilities.
5. Utilize the One Hundred Seventeen Thousand Eighty and 00/100 dollars (\$117,080.00) provided by City to support the MHU by paying salaries, providing supplies and equipment, and maintenance of equipment, including automobiles.

ARTICLE 5: NO JOINT ENTERPRISE.

This Agreement is not intended to create a joint enterprise. By entering this Agreement, the Parties are undertaking a governmental function or service, the purpose of which is to further the public good. The Parties do not jointly or severally have a pecuniary purpose or profit motive in executing or performing this Agreement. The Parties do not have an equal or mutual right of control.

ARTICLE 6: 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, agents or representatives of City and not of County, and County agrees that all persons employed by it to furnish services hereunder are employees, agents or representatives of County and not of City. Such employees, agents or representatives of either entity are not entitled to benefits conferred on the other entity's employees.

ARTICLE 7: TERMINATION.

This Agreement may be terminated at any time by mutual agreement of the Parties.

ARTICLE 8: 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.

ARTICLE 9: ENTIRE AGREEMENT.

This Agreement supersedes any and all other agreements, either oral or in writing, between the Parties hereto with respect to the subject matter hereof, and no other agreement, statement, or promise relating to the subject matter of this Agreement, which is not contained herein, shall be valid or binding.

ARTICLE 10: AMENDMENT.

This Agreement may only be amended by the mutual agreement of the Parties hereto in a writing signed by a duly authorized representative of each Party and attached to and incorporated into this Agreement. All amendments to this Agreement shall be submitted to the City Council and Commissioners Court for their consideration and approval.

ARTICLE 11: 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 provisions herein, and this Agreement shall be construed as if such invalid, illegal, or unenforceable provision had never been contained herein.

ARTICLE 12: 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 the Parties hereto, it shall not be considered a breach of this Agreement.

ARTICLE 13: EXCLUSIVITY.

This Agreement is non-exclusive and nothing herein shall in any way limit the right of the Parties to enter into agreements with other individuals or entities to provide the same or similar service.

ARTICLE 14: NOTICE.

Any notice to be given hereunder by either Party to the other shall be in writing and sent by First Class U.S. Mail, registered or certified, return receipt requested as

follows:

To County:
Name: Honorable Steve Floyd
Title: County Judge
Address: 122 West Harris
San Angelo, Texas 76903
Telephone No.: 325/653-3318
Facsimile No.: 325/659-3258

To City:
Name: The City of San Angelo
Title: Attn: City Manager
Address: 72 West College Ave.
San Angelo, Texas 76903
Telephone No.: 325/657-4241
Facsimile No.: 325/657-4335

ARTICLE NO. 15: APPLICABLE LAW

This Agreement is not intended to create any legal rights enforceable by any third Party against either Party, nor is it intended to waive any rights or defenses available to any Party. City and County will have rights, immunities, and defenses available to them under law. Venue for any proceeding brought pursuant to this Agreement shall be in Tom Green County, Texas.

Nothing herein contained shall be deemed to constitute a waiver by City or County of the immunities afforded them under State law.

ARTICLE NO. 16: ASSIGNMENT OF RIGHTS AND DELEGATION OF DUTIES.

Due to the unique nature of this Agreement, the Parties agree that neither City nor County may assign its rights or delegate its duties hereunder to any third Party without the prior written consent and approval of the other Party, which consent shall not be unreasonably withheld. Any purported assignment, transfer or conveyance without such written consent shall be null and void.

ARTICLE NO. 17: CAPTIONS.

The headings of the various sections of this Agreement have been inserted for convenient reference only and shall not modify, define, limit or expand the expressed provisions of this Agreement.

(Signature Page to Follow)

EXECUTED in duplicate originals by Tom Green County on this the _____ day of _____, 2017.

TOM GREEN COUNTY:

By:

Steve Floyd, County Judge,
Tom Green County, acting in his official
capacity as County Judge and not
individually

By:

David Jones, Tom Green County
Sheriff, acting in his official capacity as
Sheriff and not individually

ATTEST:

Elizabeth McGill, County Clerk

EXECUTED in duplicate originals by the City of San Angelo on this the _____ day of _____, 2017.

CITY OF SAN ANGELO:

By:

Daniel Valenzuela, City Manager

ATTEST:

Bryan Kendrick, City Clerk

Approved as to content:

By:

Frank Carter,
City of San Angelo Police Chief

Approved as to form:

By:

Theresa James,
City Attorney

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Ryan Jansa, Budget Analyst, Police, (325)657-4262

Meeting Date: September 19, 2017

Item type: Consent Item

Caption:

Consider a resolution authorizing the City Manager to execute an interlocal agreement with Tom Green County providing for Crisis Intervention Unit (CIU) Services; making provision for city participation in the costs associated with the CIU not to exceed \$44,074, for fiscal year 2017-2018; and finding a public purpose and benefit (F. Carter)

Summary/History:

During the Budget process the City Council approved contributions to the County for provision of the Crisis Intervention Unit service. The Crisis Intervention Unit responds to crisis calls involving crime victims. They provide crisis counseling, assessment of needs, information and referrals, emergency transportation, assist with emergency protective orders for victims of family violence. This agreement details services which are provided to the City by the Crisis Intervention Unit.

Financial Impact:

The City of San Angelo will pay the County \$44,074 to support the Crisis Intervention Unit. The funds for this are budgeted in the Police Department 2017-2018 budget.

Other Information/Recommendation:

Attachments:

- | | |
|-------------------------|-------------------------------|
| 1. Interlocal Agreement | CIU Interlocal Agreement.docx |
| 2. Resolution | CIU Resolution.docx |

Presentation:

No

Approvals/Reviews:

Ryan Jansa	Created/Initiated
Frank Carter	Approved
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
FOR SERVICES FROM THE COUNTY CRISIS INTERVENTION UNIT**

This Interlocal Agreement (hereinafter "this Agreement") is entered into, pursuant to the Interlocal Cooperation Act, Texas Government Code Section 791.000 *et. seq.*, by and between **Tom Green County**, (hereinafter "County") and the **City of San Angelo, Texas**, a Texas home rule municipal corporation situated in Tom Green County, Texas, (hereinafter "City"). City and County may be referred to as "Party" or "Parties" herein.

WITNESSETH

WHEREAS, County operates a crisis intervention unit ("CIU") to provide services to victims of crime; and

WHEREAS, City desires to support County in this endeavor; and

WHEREAS, this Agreement provides for City to benefit from the operation of the CIU and to contribute to the expenses associated with the CIU;

NOW THEREFORE, IN CONSIDERATION OF THE MUTUAL PROMISES AND BENEFITS SET FORTH BELOW, THE PARTIES AGREE AS FOLLOWS:

ARTICLE 1: PURPOSE.

The purpose of this Agreement is to set forth the terms and conditions agreed upon by the Parties in order for City to participate in the costs and benefits associated with the CIU.

ARTICLE 2: TERM.

The term of this Agreement shall commence on October 1, 2017 and shall continue in full force and effect until September 30, 2018. This Agreement may be terminated prior to this date in accordance with the termination provisions contained herein.

ARTICLE 3: OBLIGATIONS OF CITY.

City agrees to:

Pay to County Forty-Four Thousand Seventy-Four and 00/100 dollars (\$44,074.00) upon execution of this Agreement.

ARTICLE 4: OBLIGATIONS OF COUNTY.

County agrees to operate a CIU through the Tom Green County Sheriff's Department.

The CIU shall:

1. Provide staff and trained civilian volunteers.
2. Operate three hundred sixty-five (365) days per year, twenty-four (24) hours per day.
3. Respond to crisis calls involving crime victims in City and County.
4. Provide crisis counseling, assessment of needs, information and referrals, emergency transportation, assist with emergency protective orders for victims of family violence and stalking and respond to death scenes when requested.
5. Utilize the Forty-Four Thousand Seventy-Four and 00/100 dollars (\$44,074.00) provided by City to support the CIU by paying a portion of the salary, benefits and cell phone expenses of the CIU coordinator.

ARTICLE 5: NO JOINT ENTERPRISE.

This Agreement is not intended to create a joint enterprise. By entering this Agreement, the Parties are undertaking a governmental function or service, the purpose of which is to further the public good. The Parties do not jointly or severally have a pecuniary purpose or profit motive in executing or performing this Agreement. The Parties do not have an equal or mutual right of control. Any funds expended for undertaking the governmental function under this Agreement shall come from the current funds of the Party.

ARTICLE 6: 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, agents or representatives of City and not of County, and County agrees that all persons employed by it to furnish services hereunder are employees, agents or representatives of County and not of City. Such employees, agents or representatives of either entity are not entitled to benefits conferred on the other entity's employees.

ARTICLE 7: TERMINATION.

This Agreement may be terminated at any time by mutual agreement of the Parties.

ARTICLE 8: 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.

ARTICLE 9: ENTIRE AGREEMENT.

This Agreement supersedes any and all other agreements, either oral or in writing, between the Parties hereto with respect to the subject matter hereof, and no other agreement, statement, or promise relating to the subject matter of this Agreement, which is not contained herein, shall be valid or binding.

ARTICLE 10: AMENDMENT.

This Agreement may only be amended by the mutual agreement of the Parties hereto in a writing signed by a duly authorized representative of each Party and attached to and incorporated into this Agreement. All amendments to this Agreement shall be submitted to the City Council and Commissioners Court for their consideration and approval.

ARTICLE 11: 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 provisions herein, and this Agreement shall be construed as if such invalid, illegal, or unenforceable provision had never been contained herein.

ARTICLE 12: 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 the Parties hereto, it shall not be considered a breach of this Agreement.

ARTICLE 13: EXCLUSIVITY.

This Agreement is non-exclusive and nothing herein shall in any way limit the right of the Parties to enter into agreements with other individuals or entities to provide the same or similar service.

ARTICLE 14: NOTICE.

Any notice to be given hereunder by either Party to the other shall be in writing and sent by First Class U.S. Mail, registered or certified, return receipt requested as follows:

To County:
Name: Honorable Steve Floyd
Title: County Judge
Address: 122 West Harris
San Angelo, Texas 76903
Telephone No.: 325/653-3318
Facsimile No.: 325/659-3258

To City:
Name: The City of San Angelo
Title: Attn: City Manager
Address: 72 West College Ave.
San Angelo, Texas 76903
Telephone No.: 325/657-4241
Facsimile No.: 325/657-4335

ARTICLE NO. 15: APPLICABLE LAW

This Agreement is not intended to create any legal rights enforceable by any third Party against either Party, nor is it intended to waive any rights or defenses available to any Party. City and County will have rights, immunities, and defenses available to them under law. Venue for any proceeding brought pursuant to this Agreement shall be in Tom Green County, Texas.

Nothing herein contained shall be deemed to constitute a waiver by City or County of the immunities afforded them under state law.

ARTICLE NO. 16: ASSIGNMENT OF RIGHTS AND DELEGATION OF DUTIES.

Due to the unique nature of this Agreement, the Parties agree that neither City nor County may assign its rights or delegate its duties hereunder to any third Party without the prior written consent and approval of the other Party, which consent shall not be unreasonably withheld. Any purported assignment, transfer or conveyance without such written consent shall be null and void.

ARTICLE NO. 17: CAPTIONS.

The headings of the various sections of this Agreement have been inserted for convenient reference only and shall not modify, define, limit or expand the expressed provisions of this Agreement.

[Signature Page to Follow]

EXECUTED in duplicate originals by Tom Green County on this the _____ day of _____, 2017.

TOM GREEN COUNTY:

By:

Steve Floyd, County Judge,
Tom Green County, acting in his official
capacity as County Judge and not
individually

By:

David Jones, Tom Green County
Sheriff, acting in his official capacity as
Sheriff and not individually

ATTEST:

Elizabeth McGill, County Clerk

EXECUTED in duplicate originals by the City of San Angelo on this the _____ day of _____, 2017.

CITY OF SAN ANGELO:

By:

Daniel Valenzuela, City Manager

ATTEST:

Bryan Kendrick, City Clerk

Approved as to content:

By: _____
Frank Carter,
City of San Angelo Police Chief

Approved as to form:

By: _____
Theresa James,
City Attorney

A RESOLUTION OF THE CITY OF SAN ANGELO AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN INTERLOCAL AGREEMENT WITH TOM GREEN COUNTY PROVIDING FOR CRISIS INTERVENTION UNIT (THE CIU) SERVICES; MAKING PROVISION FOR CITY PARTICIPATION IN THE COSTS ASSOCIATED WITH THE CIU NOT TO EXCEED \$44,074, FOR FISCAL YEAR 2017-2018; AND FINDING A PUBLIC PURPOSE AND BENEFIT

WHEREAS, the Crisis Intervention Unit (CIU) is a public service that assists victims of crime; and,

WHEREAS, CIU staff provide crisis counseling, assessment of needs, information and referrals, emergency transportation, assistance with emergency protective orders and respond to death scenes when requested; and,

WHEREAS, the services of the CIU have been jointly supported through interlocal agreement between the City of San Angelo and Tom Green County; and,

WHEREAS, the services of the CIU provide a health and safety benefit for the citizens of the City and County;

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

1. The services of the Tom Green County CIU are deemed to provide a health and safety benefit for the citizens of the City of San Angelo, Texas which serves a valid public purpose.
2. The City Manager or his designee is hereby authorized to execute the Interlocal Agreement Between The City Of San Angelo And Tom Green County For Services From The CIU and making provision for City participation in the costs associated with the CIU not to exceed \$44,074, for fiscal year 2017-2018.

PASSED and APPROVED THIS _____ DAY OF _____, 2017.

CITY OF SAN ANGELO, TEXAS

ATTEST:

Brenda Gunter, Mayor

Bryan Kendrick, City Clerk

APPROVED AS TO FORM

Theresa James, City Attorney

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Lindsey Janzen , Business & Finance Analyst, Airport, (325) 659-6409 X 101

Meeting Date: September 19, 2017

Item type: Consent Item

Caption:

Consider approving a renewal of a lease agreement with Federal Express Corporation in the amount of \$47,224.60 and authorizing City Manager to negotiate and execute all related documents (L.Elguetzabal)

Summary/History:

Federal Express Corporation entered into a lease agreement with the City on May 1, 2002, and amended the lease three times extending the lease each time by five years to 2018. Federal Express would like to exercise its fourth option to renew for an additional five years. Base rental fees of \$3,935.38 per month minimum will result in \$47,224.60 per year. All other terms and conditions will remain in place.

Financial Impact:

Base rental fees of \$3,935.38 per month minimum will result in \$47,224.60 per year. All other terms and conditions will remain in place.

Other Information/Recommendation:

Staff recommends approval.

Attachments:

Presentation:

Approvals/Reviews:

Lindsey Janzen	Created/Initiated
Luis Elguetzabal	Approved
Theresa James	Approved
Anthony Wilson	Approved
Tina Dierschke	Approved
Theresa James	Approved
Becky Dunn	Approved
Bryan Kendrick	Final Approval

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Bucky Hasty, IT Manager, Information Technology, 325-486-3767

Meeting Date: September 19, 2017

Item type: Consent Item

Caption:

Consider approving a purchase with Weaver Technologies, LLC utilizing Texas DIR Contract DIR-SDD-1951 in an amount of \$112,280.38, budgeted in FY17, for the purchase and installation of a new server and storage system for email and authentication services, and authorizing the City Manager or designee to execute any related documents (B. Hasty)

Summary/History:

The current Exchange email server is running on hardware that is over 6 years old and is in need of replacement due to age and decreased performance. The server software is 10 years old and incompatible with the latest Microsoft Office products. The proposed solution will give the City a new high-availability email system also capable of operating our Active Directory server which is used for authentication purposes. In addition, the proposed solution is expandable and modular by design. This will allow us to add servers or expand the storage capacity at a later date.

Financial Impact:

Other Information/Recommendation:

Attachments:

- | | | |
|----|---------------------------|---|
| 1. | Data Center Refresh SOW | SOW_City of San Angelo_Data Center Upgrade_v1_08Sep2017.pdf |
| 2. | Data Center Refresh Quote | Weaver_Tec.000846.v2.2.pdf |

Presentation:

Approvals/Reviews:

Bucky Hasty	Created/Initiated
Bucky Hasty	Approved
Theresa James	Approved
Anthony Wilson	Approved
Julia Antilley	Approved
Tina Dierschke	Approved
Theresa James	Approved
Becky Dunn	Approved
Bryan Kendrick	Final Approval

Professional Services Agreement

for

City of San Angelo

Data Center Upgrade

September 8, 2017

Developed By

**Weaver Technologies, LLC
P.O. Box 2779
Fredericksburg, Texas 78624**



© 2017 Weaver Technologies, LLC. All Rights Reserved.

The information contained herein is considered Weaver Technologies, LLC confidential and proprietary information and is solely for the Client identified above; accordingly, this Agreement is provided to Client in confidence on the understanding that it will not be disclosed to any other party without the prior written consent of Weaver Technologies, LLC. Weaver Technologies, LLC makes no warranties, express or implied, in this Agreement.

Statement of Work For

City of San Angelo

This services agreement (this “Agreement”) is dated and effective September 8, 2017 (“Effective Date”) by and between Weaver Technologies, LLC and City of San Angelo (“CUSTOMER” or “Client”) whereby Weaver Technologies, LLC agrees to provide particular consulting services (“Services”) to the client as further described below, subject to the Terms and Conditions attached hereto, which are made a part of this Agreement and incorporated herein by this reference.

Confidentiality: All information supplied to Client for the purpose of this SOW is to be considered Weaver Technologies, LLC confidential.

Scope and Approach

Weaver Technologies will provide professional resources to setup and perform Active Directory and Exchange migration in the Client’s environment. Weaver Technologies will provide professional resources to Install, setup, and configure a Dell FX2 with 2 – R630 server and a Dell Compellent SCv5020 Storage array.

Objectives

Weaver Technologies will meet the following Services objectives:

Discovery

- Conduct and document discovery session on:
 - Current Domain and Exchange environment.
 - Current Server and Storage environment

Design

- Review the proposed topology design and validate the requirements to implement
 - New 2016 Domain Controller
 - New Exchange Server 2016
 - Two (2) new R630 Servers for Dell FX2 configuration
 - New Dell Compellent SCv5020 Storage array

Implementation

- Active Directory and Exchange Migration
 - Promote a new Server 2016 Domain Controller.
 - Migrate the FSMO roles to new 2016 Domain Controller.
 - Demote the old Domain Controller.
 - Raise the Domain functional level to 2016.
 - Install Exchange 2013 and required components.
 - Add Exchange 2013 to the Exchange 2007 farm.
 - Configure Exchange 2013 and Exchange 2007 coexistence.
 - Migrate Exchange 2007 mailboxes, public folders, and other components to Exchange 2013.
 - Validate mailbox migration, public folders and other components.
 - Decommission and remove Exchange 2007 server.
 - Install Exchange 2016 and required components.

- Configure Exchange 2016 and Exchange 2013 coexistence.
- Migrate Exchange 2013 mailboxes, public folders, and other components to Exchange 2016.
- Decommission and remove all Exchange 2013 servers.
- Validate mailbox migration, public folders and other components.
- Enterprise Installation of PowerEdge FX2
 - PowerEdge FX2 Installation
 - Installation and Configuration of (2) PowerEdge FX2 Chassis
 - Installation and Configuration of (2) CMC Management Interfaces on PowerEdge FX2 Chassis
 - Installation and Configuration of (4) Force10 FN410S 10GbE SFP+ I/O Aggregators
 - Installation and Configuration of (6) PowerEdge FC630 blades with Microsoft Server 2012 R2
- Microsoft Server 2012 R2 Cluster Implementation
 - Installation and Configuration of (6) Microsoft Server 2012R2 hosts for Clustering
 - Installation and Configuration of Windows Updates for (6) Microsoft Server 2012 R2 hosts.
 - Installation and Configuration of Microsoft Server 2012 R2 Clustering Role on (6) Microsoft Server 2012R2 Hosts Servers
 - Installation and Configuration of shared storage from Dell Compellent SC9000, present shared storage to each host server
 - Installation and Configuration of quorum drive presented from Dell Compellent SC9000
 - Installation and Configuration of Microsoft System Center Virtual Machine Manager with latest updates and revisions
 - Installation of Microsoft SQL database for Microsoft System Center Virtual Machine Manager on mirrored of clustered environment
- Dell Compellent SCv5020 Installation and configuration
 - Unbox Dell Compellent SCv2080 storage array
 - Unbox Dell Compellent hard drives
 - Mount Dell Compellent SCv2080 storage array into space designated by customer
 - Install Dell Compellent hard drives into correct hard drive bays
 - Connect Network cables from back of SCv2080 to designated network ports on customer network. Need ports for iSCSI and for Management
 - Power on Dell Compellent SCv2080 server, verify no error lights on the storage array
 - Connect directly into each Compellent Storage controller management port and configure the management IP address as designated by customer
 - After IP address has been assigned, connect web browser to the management IP address and go through initial configuration of Dell Compellent storage array
 - Once initial configuration is done, configure hard drives per customer requirements
 - Configure iSCSI IP addresses designated by customer
 - Initiate call-in from Dell Compellent SCv2080 to have Copilot support verify configuration and release any relevant updates needed
 - Update Dell Compellent SCv2080 storage array to latest recommended version
 - Configure Compellent storage array iSCSI to connect with customers designated Servers that need access to the Compellent storage array
 - Knowledge transfer customer on managing and monitoring Compellent Storage array
- Dell S4048ON Installation and core replacement
 - Configure Dell S4048ON as a VLT stack
 - Configure Dell S4048ON to match configuration of N4064 currently in place
 - Replace N4064 Core switch with Dell S4048ON
 - Verify connectivity is working as expected across both VRF and VLT

Knowledge Transfer

- Conduct a knowledge transfer with client to review as built documentation.
- Review the 2016 Domain and 2016 Exchange environment build with customer.

Project Specific Assumptions

- The T&M rate for out-of-scope work or wait time onsite is \$150 per engineer hour, plus any applicable travel expenses. Weaver Technologies will document any Client-caused delays or other T&M wait time on the customer sign off and acceptance document. Billing will be in fifteen (15) minute increments.
- Unscheduled re-trips to any location for any reason and through no fault of Weaver Technologies will be billed at \$150 per engineer hour, plus any applicable travel expenses. All re-trips will be billed with a two (2) hour minimum.
- Implementation cancellations or aborts that occur within forty-eight (48) hours of the scheduled project start will be billed at fifty percent (50%) of the Services fee. Implementation cancellations or aborts that occur between two (2) to ten (10) business days prior to the scheduled project start will be billed at ten percent (10%) of the services fee. Implementation cancellations or aborts that occur more than ten (10) business days prior to the scheduled project start will not be billed.

Deliverables

- Customer sign off and acceptance document
- As Built Documentation

Weaver Technologies Responsibilities

Weaver Technologies is responsible for the following:

- Weaver Technologies will provide the applicable and necessary labor, consultation, materials, project management and/or tools to perform the Services and provide the Deliverables described herein.

Client Responsibilities

Client is responsible for the following:

- Client will acquire and/or install all software, hardware, network wiring, permits, licenses and rights of way necessary for the completion of this project in a timeframe that allows Weaver Technologies to complete or meet the project-specific milestones.
- Client and its employees, contractors, and agents will: (a) cooperate with any reasonable request of Weaver Technologies, (b) provide input throughout the project and will review progress at review meetings requested by Weaver Technologies; and (c) provide Weaver Technologies with access to all of Client's information, documentation and technology, necessary for Weaver Technologies to perform the Services, including a list of all Client and third-party contacts necessary for Weaver Technologies to do so. Such cooperation, input, access, and license are critical to this project, and Client's representation at all review meetings is essential. Weaver Technologies is hereby granted and shall have a nonexclusive, royalty-free license, during the term of the Services, to access and use the Client Technology solely for the purposes of delivering the Services to Client.

City of San Angelo



- Client will ensure that the Weaver Technologies project staff is given access to all necessary facilities and workspace, and is provided all furniture; supplies and equipment (telephones, faxes, LAN connectivity, printer access, dial-out modem lines, passwords, keys, etc.) required to successfully perform, troubleshoot, and complete the Services for the duration of the Services. In addition, Client will ensure that the work environment is free of hazardous materials and free from asbestos, and that all Weaver Technologies personnel are provided with all necessary safety equipment and training while on Client's or its customer's site.
- Client will be responsible for providing adequate and secure onsite storage for all deliveries.
- Client will be responsible for: (a) Back-up and/or data migration of existing data unless otherwise agreed to by Weaver Technologies; (b) Computer system and network designs; and (c) Component selection as it relates to the performance of the computer system and/or the network.
- Client will communicate any issues or concerns with respect to the Services or Deliverables in a timely manner.

Timeframes

Services will be limited to a period of time not to exceed three (3) contiguous business weeks; provided, however, in the event the Client suspends Weaver Technologies performance of the services, Weaver Technologies performance of this SOW shall be similarly suspended. Any such suspension will not count against the Services Schedule nor will it result in any additional fees, costs, charges, or expenses.

The table below is an estimate of the general project duration by phase and is intended for planning purposes only. The actual schedule may change as the project progresses.

Estimated Duration Table

Phase	Estimated Duration	Onsite/Remote
AD & Exchange Migration	80 Hours	Remote
FX2 & Compellent	32 Hours	Onsite
Total	112 Hours	Onsite & Remote

Payment Criteria

Fee: Payment for Services is a fixed fee listed below.

Fixed Services Fee	
Fixed Services Fee	\$19,629.00

Invoice/Payment Terms: Invoice for Services will be issued upon completion of the scope and approach outlined in this SOW. Payment is due thirty (30) days from date of invoice.

Taxes: Weaver Technologies, LLC's pricing does not include applicable local taxes.

Scope Changes: Additional fees may apply if Customer changes or expands the scope of the Services. Any additional work that is required outside the scope of this SOW requires written approval by Customer and Weaver Technologies, LLC as described in the Change Control Process detailed in this SOW.

Services Scheduling: Services may not be scheduled or commenced until the Purchase Order (if any) and signed SOW is received by Weaver Technologies, LLC. Upon receipt of a signed SOW and Purchase Order, Weaver Technologies, LLC will typically contact you within 7 business days to begin Services scheduling. Services Scheduling will be based upon Customer's schedule preferences/requirements and the availability of required resources.

Termination

Customer may terminate this SOW for convenience upon providing Weaver Technologies, LLC with thirty (30) days written notice. Upon any termination of this SOW or the associated Agreement, Customer shall pay all of Weaver Technologies, LLC's unpaid fees and out-of-pocket expenses accrued through the effective date of such termination. If Customer fails to perform any payment obligations hereunder and such failure remains unremedied for fifteen (15) days, Weaver Technologies, LLC may suspend its performance until payment is received or terminate this SOW and the associated Agreement upon written notice.

Order of Precedence

This SOW, together with the Purchase Order (if any) and the Agreement, states all of the rights and responsibilities of, and supersedes all prior and contemporaneous oral and written communications between Weaver Technologies, LLC and Customer regarding this Service. The use of pre-printed forms, such as Purchase Orders, will be for convenience only, and all pre-printed terms and conditions stated on such forms will not apply to this Agreement. Should a conflict arise between the terms of the Purchase Order, SOW and Agreement, the following order of precedence shall be followed: first, the SOW, second the Agreement, and third the Purchase Order (if any); provided, however, that any terms and conditions printed on the Purchase Order shall not apply.

Signature

This SOW is only valid if signed within 30 days from September 8, 2017.

CUSTOMER		Weaver Technologies, LLC	
By:		By:	
Print Name:		Print Name:	Dwayne E. Alexander
Title:		Title:	Director of Services
Date:		Date:	

Customer	Customer Name: City of San Angelo Contact Name: Phone: Email:
Weaver Technologies, LLC Contact	Charles Coker Account Executive 512.289.6236 ccoker@weavertech.us
Location Where Work Will Be Performed	Onsite and Remote



We have prepared a quote for you

City of San Angelo - Data Center Refresh

Quote # 000846
Version 2

Prepared for:

City of San Angelo

Prepared by:

Charles Coker

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The information contained herein is considered Weaver Technologies, LLC confidential and proprietary information and is solely for the Client identified above; accordingly, this Agreement is provided to Client in confidence on the understanding that it will not be disclosed to any other party without the prior written consent of Weaver Technologies, LLC. Weaver Technologies, LLC makes no warranties, express or implied, in this Agreement.

Hardware

Description	Price	Qty	Ext. Price
DIR-SDD-1951			
QLogic 57810 Dual Port 10Gb Direct Attach/SFP+ Low Profile Network Adapter, Customer Kit PowerEdge FX2 PowerEdge FX2 Chassis for up to 4 Half-Width Nodes FX2S Chassis Configuration Label PowerEdge FX2S Chassis Configuration with Flexible IO (up to 8 PCIe Slots) PowerEdge FX2 Shipping FX2 ReadyRails Sliding Rails Power Supply, Redundancy Alerting Enabled Configuration Dual, Hot-plug, Redundant Power Supply, 2000W, C19/C20 Power Cord Required for Use USER Guide, FX2 Chassis US Order PowerEdge FN I/O Module User Documentation SD Storage for Chassis Management Controller CMC Enterprise for FX2 Redundant Ethernet Switch Configuration Dell Hardware Limited Warranty Plus On Site Service Initial Year Dell Hardware Limited Warranty Plus On Site Service Extended Year Mission Critical Package: 4-Hour 7x24 On-Site Service with Emergency Dispatch, Initial Year Mission Critical Package: 4-Hour 7x24 On-Site Service with Emergency Dispatch, 2 Year Extended ProSupport: 7x24 HW / SW Tech Support and Assistance, 3 Year MISSION CRITICAL PACKAGE: Enhanced Services, 3 Year Thank you choosing Dell ProSupport. For tech support, visit http://www.dell.com/support or call 1-800- 945-3355 Dell Proactive Systems Management - Declined - www.dell.com/Proactive On-Site Installation Declined Declined Remote Consulting Service Power Cord, C20 to C19, PDU Style, 16A, 250V, 2ft (0.6m) X 2 Serial I/O Management Cable, for Ethernet Blade Switches Windows Server 2016 Datacenter, Media Kit FX2 Half-Width Node Filler Blank X 2	\$2,420.02	1	\$2,420.02
TrippLite C13 to C20 12AWG Heavy Duty Power cord - 7 ft	\$21.75	2	\$43.50
APC Standard - 4-Outlet Basic Rack PDU 208 V, 24 Amps	\$217.79	1	\$217.79

Hardware

Description	Price	Qty	Ext. Price
PowerEdge FX2 - [dellstar_1293] Dell PowerEdge FN410S I/O Module, 8x Internal to 4x SFP+ external ports, Factory Installed Software, Rights to use Full-Switch Mode, FN I/O Module Dell Hardware Limited Warranty Plus On Site Service ProSupport Mission Critical: 4-Hour 7x24 On-Site Service with Emergency Dispatch, 3 Years ProSupport Mission Critical: 7x24 HW / SW Technical Support and Assistance, 3 Years Thank you choosing Dell ProSupport. For tech support, visit http://www.dell.com/support or call 1-800- 945-3355 US Order On-Site Installation Declined Dell Networking, Cable, SFP+ to SFP+, 10GbE, Copper Twinax Direct Attach Cable, 3 Meter X 4	\$1,709.27	2	\$3,418.54

Hardware

Description	Price	Qty	Ext. Price
PowerEdge FC630 PowerEdge FC630 Server Node PowerEdge FC630 Motherboard MLK PowerEdge FC630 Regulatory Label, DAO No Trusted Platform Module 2.5" Backplane with up to 2 Hard Drives and PERC RAID Controller System ordered as part of Multipack order Intel Xeon E5-2667 v4 3.2GHz,25M Cache,9.60GT/s QPI,Turbo,HT,8C/16T (135W) Max Mem 2400MHz Intel Xeon E5-2667 v4 3.2GHz,25M Cache,9.60GT/s QPI,Turbo,HT,8C/16T (135W) Max Mem 2400MHz DIMM Blanks for System with 2 Processors 104MM Heatsink for PowerEdge FC630 Processor 1 104MM Heatsink for PowerEdge FC630 Processor 2 104MM Processor Heatsink Shroud for PowerEdge FC630 Standard Cooling,FC630 2400MT/s RDIMMs Performance Optimized RAID 1 for H330/H730/H730P (2 HDDs, SAS/SATA/SSD) H730 Controller iDRAC8 Enterprise, integrated Dell Remote Access Controller, Enterprise OpenManage Essentials, Server Configuration Management No Internal SD Module Performance BIOS Settings No Systems Documentation, No OpenManage DVD Kit No Media Required UEFI BIOS Boot Mode with GPT Partition US Order PowerEdge FC PCIE Mezzanine Adapter QLogic 57840S 10Gb Quad Port KR CNA Blade Network Daughter Card Thank you for choosing Dell ProSupport Plus. For tech support, visit http://www.dell.com/contactdell Dell Hardware Limited Warranty Plus On Site Service ProSupport Plus: Mission Critical 4-Hour 7x24 On-Site Service with Emergency Dispatch, 3 Year ProSupport Plus: 7x24 HW/SW Tech Support and Assistance, 3 Year Dell Proactive Systems Management - Declined - www.dell.com/Proactive On-Site Installation Declined Declined Remote Consulting Service 32GB RDIMM, 2400MT/s, Dual Rank, x4 Data Width X 4 120GB Solid State Drive SATA Boot 6Gbps 2.5in Hot-plug Drive X 2 Windows Server 2016 Datacenter,16CORE,Factory Installed, No Media,UnLTD VMs,NO CALs 3000017075334.1	\$15,012.20	2	\$30,024.40

Hardware

Description	Price	Qty	Ext. Price
SC5020 <u>Hardware & Drives</u> • SC5020, Mezz Card, SFP+, 4-port, Qty 2 • SC5020 Storage Array • SC5020, 1.92TB, SAS, 12Gb, RI SSD, 2.5" X 6 • SC5020 Drive Blank X 24 • SC5020, Power Supply, C14-C15, Qty2 • DAC Cable, SFP+, Copper, 3M X 8 • C13 to C14, PDU Style, 10 AMP, 6.5 Feet (2m), Power Cord, Qty2 • SC5020 Bezel <u>Software Storage</u> • Center SW Bundle, Base License Includes: Dynamic Capacity, Dual Controller, Dell Storage Manager: Foundations & Reporter, MPIO, Compression, Local Data Protection • Storage Center Drive License (one license per drive) X 5 <u>Professional Services</u> • Codeliver Notification - Restricted Access: Codeliver Eligible Partners only (Requires ProDeploy) • ProDeploy Dell Storage SC Series 5XXX SAN	\$37,167.13	1	\$37,167.13
CS-RRISD-LOADMASTER VLM-2000 2 000MBPS 1000 SUPREQUIRED	\$5,280.00	2	\$10,560.00
CS-RRISD-3YR ENT SUP SUB 24X7 VLM-2000 ESP IP K360 APV REQ 3000017206414.1	\$4,400.00	2	\$8,800.00
Dell S4048-ON switches for Core Network Replacement (Retail \$26,500.00)	\$0.00	2	\$0.00
Subtotal			\$92,651.38

Services

Description	Price	Qty	Ext. Price
Enterprise Services	\$19,629.00	1	\$19,629.00
Subtotal			\$19,629.00

City of San Angelo - Data Center Refresh



Prepared by:

Weaver Technologies LLC.

Charles Coker
512.436.0415 Ext 710
Fax (512) 519-8048
ccoker@weavertech.us

Prepared for:

City of San Angelo

AJ Deardorff
(325) 657-4439
andrew.deardorff@sanangelotexas.us

Quote Information:

Quote #: 000846

Version: 2
Delivery Date: 09/08/2017
Expiration Date: 10/07/2017

Quote Summary

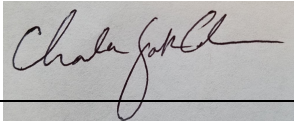
Description	Amount
Hardware	\$92,651.38
Services	\$19,629.00
Total:	\$112,280.38

Taxes, shipping, handling and other fees may apply. We reserve the right to cancel orders arising from pricing or other errors.

Weaver Technologies LLC.

City of San Angelo

Signature: _____



Name: Charles Coker

Title: Account Executive

Date: 09/08/2017

Signature: _____

Name: AJ Deardorff

Date: _____

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Bryan Kendrick, City Clerk, Legal,

Meeting Date: September 19, 2017

Item type: Regular Item

Caption:

Second reading and adoption of an ordinance deleting and replacing Chapter 2, Article 2.08, Section 2.08.002 "Classification Plan" of the San Angelo Code of Ordinances (T.James)

Summary/History:

This item is part of the continuing process of reviewing and updating the San Angelo Code of Ordinances. Currently, the classification plan found in Section 2.08.002 of the Code of Ordinances specifies the number of positions of each rank in the police and fire departments. This number of positions is also currently included in the budget ordinance passed in accordance with state law each year.

As the classification plan is a part of the approved budget ordinance, to also include that plan within the code of ordinances is not only unnecessary but also provides an opportunity for inconsistencies within the two documents.

The attached ordinance amends the current language in the code by clarifying that the classification plan outlining the number of positions in each rank of the police and fire departments will be adopted each year through the budget ordinance in accordance with state law.

Financial Impact:

N/A

Other Information/Recommendation:

Attachments:

1. Ordinance 17-864_AMEND Section 2.08.002 Classification Plan.doc

Presentation:

Theresa James

Approvals/Reviews:

Bryan Kendrick
Theresa James
Becky Dunn
Bryan Kendrick

Created/Initiated
Approved
Approved
Final Approval

AN ORDINANCE DELETING AND REPLACING CHAPTER 2 “ADMINISTRATION AND PERSONNEL”, ARTICLE 2.08 “CLASSIFIED SERVICE”, SECTION 2.08.002 “CLASSIFICATION PLAN” OF THE CODE OF ORDINANCES OF THE CITY OF SAN ANGELO; PROVIDING FOR SEVERABILITY; AND PROVIDING EFFECTIVE DATES

BE IT ORDAINED BY THE CITY OF SAN ANGELO:

1) THAT, Chapter 2, Article 2.08, Section 2.08.002 of the Code of Ordinances of the City of San Angelo, Texas, is hereby deleted and replaced as follows:

“Sec. 2.08.002 Classification plan

(a.) Plan. Upon the recommendation of the ~~city manager~~director, the city council ~~will adopt hereby establishes and adopts the~~an official classification plan ~~herein set forth as the official classification plan~~ of all positions in the classified service of the city ~~through the budget ordinance adopted in accordance with state law.~~ The city council reserves to itself the sole right to designate new classes of positions, or combine, divide, alter or abolish existing classes, subject only to the provisions of the civil service law and this article.

~~(b) — Staffing levels. The following is the authorized number of positions for the fire and police departments:~~

~~(1) — (A) — Fire department:~~

Fire chief	1
Assistant chief	2
Battalion chief	4
Fire captain	12, effective 4/1/06
Fire lieutenant	20, effective 10/4/11
Fire engineer (or driver)	50, effective 4/21/15
Firefighter	74, effective 4/21/15

~~(B) — Police department:~~

Police chief	1
Police major (assistant chief)	3, effective 8/4/09
Police captain	0, effective 4/1/06
Police lieutenant	7, effective 4/1/06
Police sergeant	28, effective 4/5/11
Police officer	126, effective 4/5/11

(b.) In order to keep staffing levels consistent and vacancies to a minimum and in anticipation of the lengthy hiring and training process required, the city may:

____ (1) Temporarily hire up to five percent (5%) more police officers than the total number ____ of police department positions authorized above; and

____ (2) Temporarily hire up to five percent (5%) more firefighters than the total number of fire department positions authorized above.”

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

SEVERABILITY:

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

3) THAT, this Ordinance shall be effective on October 1, 2017.

INTRODUCED on the 5th day of September, 2017, and finally PASSED, APPROVED and ADOPTED on this the 19th day of September, 2017.

CITY OF SAN ANGELO

ATTEST:

BY:

Brenda Gunter, Mayor

Bryan Kendrick, City Clerk

APPROVED AS TO FORM:

Theresa James, City Attorney

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Lisa Marley, Human Resources Director

Meeting Date: September 19, 2017

Item type: Regular Item

Caption:

Discussion and possible action on accepting the abandonment by the San Angelo Coalition of Police (SACOP) of the Meet and Confer contract negotiations and the Meet and Confer process (Presentation by Lisa Marley, Director of Human Resources & Civil Service Director)

Summary/History:

The current Meet & Confer contract is set to expire on September 30, 2017. Negotiations have been underway since July 6, 2017. While many items in the contract were successfully negotiated to take effect in October 2017, an agreement on compensation resulted in a halt to negotiations.

City Council authorized a 1% salary increase to sworn police officers for FY 2017/18. The 1% was allocated in the first reading of the FY 2017/18 budget on September 5, 2017. This salary offer was declined and an impasse to the negotiations was declared by the police negotiating team.

If there is no agreement on compensation, the current contract will expire and provisions under the Meet & Confer process will revert back to Texas Civil Service law. The most notable provisions to expire are: a 3rd Assistant Police Chief, part time police officers, sign-on bonuses and lateral transfers. Existing salaries and add pays for special assignments will remain intact through City ordinance.

Financial Impact:

City Council authorized a 1% salary increase (\$119,473) to sworn police officers for FY 2017/18, and five (5) additional police officers (\$319,815). The 1% and 5 officers were allocated in the first reading of the FY 2017/18 budget on September 5, 2017.

The salary increase offer was declined and an impasse to the negotiations was declared by the SACOP team.

Other Information/Recommendation:

Attachments:

Presentation:

Lisa Marley

Approvals/Reviews:

Bryan Kendrick

Created/Initiated

Lisa Marley
Theresa James
Becky Dunn
Bryan Kendrick

Approved
Approved
Approved
Final Approval

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Lisa Marley, Human Resources Director

Meeting Date: September 19, 2017

Item type: Regular Item

Caption:

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Other Information/Recommendation:

Attachments:

Presentation:

Lisa Marley

Approvals/Reviews:

Bryan Kendrick

Created/Initiated

Lisa Marley
Theresa James
Becky Dunn
Bryan Kendrick

Approved
Approved
Approved
Final Approval

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Kimberly Holle, Budget Analyst, Sr., Budget, 325-657-4270

Meeting Date: September 19, 2017

Item type: Regular Item

Caption:

Second public hearing and adoption of an ordinance of the City of San Angelo approving and adopting the budget for the fiscal year beginning October 1, 2017, and ending September 30, 2018. This budget will raise more total property taxes than last year's budget by \$1,540,425 (4.29%), and of that amount, \$635,425 is tax revenue to be raised from new property added to the tax roll this year - (Presentation by Finance Director Tina Dierschke)

Summary/History:

This is the second public hearing and introduction of the budget ordinance for the fiscal year beginning October 1, 2017 and ending September 30, 2018. The ordinance appropriates funds for the 2017-2018 fiscal year (exhibit A), and approves the pay schedule for all City employees (exhibit B). It also determines and approves budget amendment authorizations.

The ordinance authorizes the city manager to apply for the routine, recurring grants listed in exhibit C and execute any documents related to these grants. Lastly, the staffing head count is authorized in sections nine (for civil service) and ten (for civilians) with support in exhibit D.

The proposed 2017-2018 budget is balanced for all funds and meets all legal requirements.

Financial Impact:

Total operating budget of \$136,794,591. See attached budget ordinance for specific funds.

Other Information/Recommendation:

Attachments:

- | | | |
|----|-----------------|--|
| 1. | Ordinance | 170905 Budget 9-5-17 Budget Ordinance COMPLETE.pdf |
| 2. | Proposed Budget | 170916 Budget 9-19-17 Budget Ordinance ppt COMPLETE.pptx |
| 3. | Presentation | 170916 Budget 9-19-17 Budget Ordinance ppt COMPLETE.pptx |

Presentation:

Tina Dierschke

Approvals/Reviews:

Kimberly Holle
Theresa James
Anthony Wilson

Created/Initiated
Approved
Approved

Tina Dierschke
Theresa James
Becky Dunn
Bryan Kendrick

Approved
Approved
Approved
Final Approval

AN ORDINANCE OF THE CITY OF SAN ANGELO APPROVING AND ADOPTING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2017, AND ENDING SEPTEMBER 30, 2018; AUTHORIZING EMPLOYEE COMPENSATION SCHEDULES; PROVIDING FOR THE GENERAL APPROPRIATION OF FUNDS; PROVIDING FOR LAPSE OF ALL UNENCUMBERED OR UNOBLIGATED FUNDS FOR THE PRIOR FISCAL YEAR AND FOR CARRY OVER OF ALL APPROPRIATIONS OF ENCUMBERED, OBLIGATED OR RESTRICTED FUNDS; RESERVING UNTO THE CITY COUNCIL THE POWER, ONLY AS PERMITTED BY LAW, TO AMEND OR MAKE CHANGES IN THE BUDGET FOR MUNICIPAL PURPOSES; PROVIDING AUTHORITY FOR THE CITY MANAGER OR HIS DESIGNEE TO MAKE CERTAIN ADJUSTMENTS FROM TIME TO TIME IN OR BETWEEN BUDGETED ALLOCATIONS; AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO APPLY FOR CERTAIN GRANTS AND EXECUTE ANY RELATED DOCUMENTS; AUTHORIZING THE CITY MANAGER TO EXECUTE ANY INTERLOCAL AGREEMENT THAT DOES NOT REQUIRE THE EXPENDITURE OF CITY FUNDS; AND, PROVIDING FOR FILING OF THE BUDGET.

WHEREAS, a budget for the fiscal year beginning October 1, 2017, and ending September 30, 2018, has been proposed and submitted by the City Manager to the City Council as required by law; and,

WHEREAS, the proposed budget has been filed with the City Clerk and has been posted on the website for the City of San Angelo, for inspection by any person for more than fifteen (15) days immediately prior to the public hearing upon said budget and more than thirty (30) days prior to a tax levy for the fiscal year; and,

WHEREAS, proper notice of public hearing upon this budget has been posted and published in accordance with applicable law; and,

WHEREAS, the City Council has conducted the necessary public hearings as required by law; and,

WHEREAS, after a full and final consideration of the financial condition and estimated revenues and proposed expenditures as set forth in the budget as filed and amended, it is the consensus of opinion of the Council that the budget as filed and amended should be approved.

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

SECTION 1 The facts and matters set forth in the preamble of this Ordinance are found to be true and correct.

SECTION 2 The proposed budget as filed with the City Clerk and as amended by the City Council, for the fiscal year October 1, 2017, through September 30, 2018, (hereinafter the "Budget") is hereby approved and adopted. A copy of the Budget, as amended, approved, and adopted, is attached hereto as **Exhibit "A"** and made a part hereof for all purposes.

SECTION 3 The Competitive Pay Plan Grade and Step Tables for Fire and Police Civil Service employees and the Salary Ranges for all other City employees set forth in the Budget are attached hereto as **Exhibit “B”** and made a part hereof for all purposes. Employee compensation schedules that are in accordance with the Competitive Pay Plan and Grade Step Tables for Fire and Police Civil Service employees and the Salary Ranges for all other City employees as set forth are hereby authorized.

SECTION 4 By virtue of the adoption of the Budget, there are hereby appropriated out of available cash funds and out of the general and special revenues of the City that will be received in the treasury during the course of the 2017-2018 fiscal year, the amounts set forth in the Budget for the purposes therein stated.

SECTION 5. All unencumbered or unobligated funds for the prior fiscal year shall lapse at the end of the prior fiscal year. All appropriations for encumbered, obligated, or restricted funds shall carry over to the subsequent fiscal year and be considered committed in order to complete these transactions.

SECTION 6. The expenditures of the City shall be made in accordance with the financial summaries included within the Budget approved by this ordinance provided however:

1. The City Council may, from time to time and as permitted by law, amend this ordinance to authorize changes that increase or decrease the total appropriation of any fund or otherwise make changes in the budget for municipal purposes.
2. The City Manager or his designee is authorized to approve changes that move budgeted amounts between accounts within a fund.
3. The City Manager is authorized to approve budget amendments that reduce the total amount of budgeted revenues and expenditures in a fund. Under this authorization the reduction in budgeted expenditures must equal or exceed any reduction in budgeted revenues.

SECTION 7. Certain grants are identified in the Budget, as listed on **Exhibit “C”**, attached hereto and made a part hereof for all purposes. The City Manager or his designee is hereby authorized to apply for and accept those grants and execute any documents related thereto.

SECTION 8. The City Manager or his designee is hereby authorized to execute any documents necessary for the application for any grants in which the City expenditure of funds is less than \$50,000.

SECTION 9. The City Manager is authorized to execute any Interlocal Agreement formed under Chapter 791 of the Texas Government Code that does not require the expenditure of City funds.

SECTION 10. The Classification plan for authorized police and fire positions set out in Chapter 2, Article 2.1500, Section 2.1502, paragraph (b) of the City of San Angelo Code of Ordinances, as amended, are attached hereto as **Exhibit “D”** and are hereby authorized and made part hereof for all purposes.

SECTION 11. The total number of civilian employees in place as shown on **Exhibit “D”** is

hereby authorized. The City Manager or his designee is authorized to adjust compensation and position titles for any non-civil service positions and hire all part time positions deemed necessary to retain qualified individuals or for the efficient administration of the City.

SECTION 12. The Budget as amended and adopted shall be filed with the City Clerk and posted on the City's website. The City Clerk is hereby directed to provide a certified copy of this budget ordinance and the Budget as amended, approved and adopted to the County Clerk of Tom Green County for recording after final passage and adoption hereof.

SECTION 13. Should any section, provision, clause, or word of this Ordinance be declared unconstitutional or invalid for any reason, the remainder of this ordinance shall not be affected thereby.

INTRODUCED on the 5th day of September, 2017, and finally PASSED, APPROVED and ADOPTED on this the 19th day of September, 2017.

<u>YES</u>	<u>NO</u>	CITY OF SAN ANGELO, TEXAS
_____	_____	_____ Brenda Gunter, Mayor
_____	_____	_____ Tommy Hiebert, SMD #1
_____	_____	_____ Tom Thompson, SMD #2
_____	_____	_____ Harry Thomas, SMD #3
_____	_____	_____ Lucy Gonzales, SMD #4
_____	_____	_____ Lane Carter, SMD #5
_____	_____	_____ Billie DeWitt, SMD #6

ATTEST:

APPROVED AS TO FORM:

Bryan Kendrick, City Clerk

Theresa James, City Attorney

City of San Angelo

Consolidated Financial Schedule

Revenue and Expenditures, Fiscal Year Ending September 30, 2018

Fund No.	Fund Name	Beginning Balance	Operating Revenues	Transfers In	Amount Available	Operating Expenditures	Transfers Out	Total Expenditures	Rev Over/ (Under) Exp	Ending Balance
101	General	\$19,628,629	\$65,756,899	\$6,746,428	\$92,131,956	\$69,226,672	\$3,276,655	\$72,503,327	\$0	\$19,628,629
105	General Debt Service	(211,433)	4,570,976	2,909,822	7,269,365	7,480,798	0	7,480,798	0	(211,433)
501	Equipment Replacement	343,644	150,000	1,201,373	1,695,017	1,351,373	0	1,351,373	0	343,644
502	Capital Projects	94,771	5,705	244,295	344,771	250,000	0	250,000	0	94,771
103	Intergovernmental	84,497	1,990,530	386,137	2,461,164	2,309,082	67,585	2,376,667	0	84,497
106	TIRZ	1,499,343	886,826	0	2,386,169	886,826	0	886,826	0	1,499,343
453	Community Development Block Grant	0	720,898	0	720,898	720,898	0	720,898	0	0
483	HOME Grant	0	341,744	0	341,744	341,744	0	341,744	0	0
601	Designated Revenue	224,037	42,690	0	266,727	42,690	0	42,690	0	224,037
605	Hotel Occupancy Tax	1,396,084	1,884,894	0	3,280,978	1,045,375	991,600	2,036,975	(152,081)	1,244,003
640	Lake Nasworthy Trust	14,150,603	939,020	0	15,089,623	50,000	185,524	235,524	703,496	14,854,099
203	Texas Bank Sports Complex	265,163	165,709	751,728	1,182,600	917,437	0	917,437	0	265,163
410	Civic Events	839,511	579,178	891,600	2,310,289	1,371,546	99,232	1,470,778	0	839,511
420	Fort Concho	231,484	651,267	406,388	1,289,139	1,057,655	0	1,057,655	0	231,484
440	Fairmount Cemetery	(83,366)	340,900	86,734	344,268	415,634	0	415,634	12,000	(71,366)
201	State Office Building	199,239	1,293,998	0	1,493,237	1,271,057	22,941	1,293,998	0	199,239
220	Airport Operating	218,381	1,474,092	0	1,692,473	1,389,892	84,200	1,474,092	0	218,381
529	Airport PFC	950,816	272,586	0	1,223,402	0	272,586	272,586	0	950,816
230	Solid Waste Enterprise	2,526,409	1,610,814	0	4,137,223	1,055,814	255,000	1,310,814	300,000	2,826,409
240	Stormwater	3,071,684	2,928,154	95,000	6,094,838	2,663,915	359,239	3,023,154	0	3,071,684
260	Water Operating	3,344,344	26,324,721	1,279,705	30,948,770	16,934,146	9,809,099	26,743,245	861,181	4,205,525
261	Water Debt Service	306,082	0	11,474,221	11,780,303	11,474,221	0	11,474,221	0	306,082
512	Water / Supply Capital Projects	8,374,074	4,782,946	200,000	13,357,020	3,178,179	1,804,767	4,982,946	0	8,374,074
270	Wastewater Operating	8,626,775	13,392,433	0	22,019,208	5,999,211	5,639,637	11,638,848	1,753,585	10,380,360
271	Wastewater Debt Service	234,257	0	4,014,333	4,248,590	4,014,333	0	4,014,333	0	234,257
520	Wastewater Capital Projects	7,690,779	1,806,002	0	9,496,781	1,346,093	459,909	1,806,002	0	7,690,779
Operating Totals		\$74,005,807	\$132,912,982	\$30,687,764	\$237,606,553	\$136,794,591	\$23,327,974	\$160,122,565	\$3,478,181	\$77,483,988
301	Vehicle Maintenance	(\$260,914)	\$6,959,909	\$0	\$6,698,995	\$6,908,792	\$0	\$6,908,792	\$51,117	(\$209,797)
305	Communications	145,631	750,431	0	896,062	750,431	0	750,431	0	145,631
310	Health Insurance	(1,333,192)	8,778,645	0	7,445,453	8,778,645	0	8,778,645	0	(1,333,192)
320	Property/Casualty	948,493	849,512	0	1,798,005	849,512	0	849,512	0	948,493
330	Workers' Compensation	(912,655)	1,385,132	0	472,477	952,513	0	952,513	432,619	(480,036)
Total Internal Service Funds		(\$1,412,637)	\$18,723,629	\$0	\$17,310,992	\$18,239,893	\$0	\$18,239,893	\$483,736	(\$928,901)

**City of San Angelo Development Corporation
Schedule of Revenues and Expenditures
Fiscal Year Beginning October 1, 2017**

	Proposed 2017-2018
Revenue	
Economic Development Revenue	2,556,250
Ballot Revenue	5,656,000
Total Revenue	\$ 8,212,250
 Expenditures	
Economic Development Projects	2,556,250
Ballot Projects	5,656,000
Total Expenditures	\$ 8,212,250
 Revenue Over/(Under) Expenditures	 -

2016-2017 Fund Balance Designated for Existing Projects	
Estimated Balance of Existing Economic Development Projects	4,384,564
Estimated Balance of Existing Ballot Projects	79,702
Estimated 9/30/17 Balance of Existing Projects	\$ 4,464,266

City of San Angelo
Salary Ranges
Effective 10-1-17

<u>Grade</u>	<u>Min</u>	<u>Mid</u>	<u>Max</u>
47	\$133,583	\$166,844	\$200,105
43	\$109,995	\$137,359	\$164,722
42	\$104,784	\$130,845	\$156,905
39	\$90,645	\$113,157	\$135,669
38	\$86,329	\$107,769	\$129,208
37	\$82,218	\$102,637	\$123,056
36	\$78,421	\$97,891	\$117,360
35	\$74,624	\$93,145	\$111,665
34	\$71,097	\$88,736	\$106,374
33	\$67,754	\$84,558	\$101,361
32	\$64,537	\$80,536	\$96,534
31	\$61,516	\$76,754	\$91,991
30	\$58,587	\$73,099	\$87,610
29	\$55,823	\$69,644	\$83,464
28	\$54,770	\$68,327	\$81,884
27	\$52,818	\$66,023	\$79,228
25	\$48,016	\$60,021	\$72,025
24	\$45,730	\$57,162	\$68,594
23	\$43,552	\$54,441	\$65,329
22	\$41,479	\$51,848	\$62,216
21	\$39,502	\$49,378	\$59,253
20	\$36,526	\$45,658	\$54,790
19	\$35,864	\$44,806	\$53,747
18	\$34,786	\$43,484	\$52,181
17	\$31,868	\$39,835	\$47,801
16	\$31,443	\$39,304	\$47,165
15	\$30,363	\$37,953	\$45,542
14	\$30,050	\$37,563	\$45,075
13	\$27,719	\$34,648	\$41,577
12	\$26,483	\$33,103	\$39,723
11	\$22,075	\$27,594	\$33,113

Non-Civil Service Public Safety

<u>Grade</u>	<u>Min</u>	<u>Max</u>
GR 30M	\$78,064	\$87,759
GR 29M	\$68,075	\$77,281
GR 27M	\$48,439	\$66,100

**City of San Angelo
Civil Service Pay Plan
Fire Department
Effective 10/1/17**

		<u>Monthly</u>	<u>Annually</u>
GR 24	Recruit	\$3,193.00	\$38,316
GR 26	Probationary FF	\$3,277.83	\$39,334
GR 27	Firefighter II	\$4,102.25	\$49,227
GR 28	Driver	\$4,687.17	\$56,246
GR 29	Lieutenant	\$4,997.83	\$59,974
GR 30	Captain	\$5,729.75	\$68,757
GR 31	Battalion Chief	\$6,778.17	\$81,338

**City of San Angelo
 Civil Service Grade and Step Plan
 Police Department**

Effective 10/1/2017														
	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>8</u>	<u>9</u>	<u>10</u>	<u>11</u>	<u>12</u>	<u>13</u>	
GR 23 Recruit	\$42,856													
GR 26 Probationary PO	\$45,316													
GR 27 Police Officer	\$48,923	\$50,410	\$51,896	\$53,383	\$54,869	\$56,356	\$57,843	\$59,328	\$60,815	\$62,302	\$63,788	\$65,274	\$66,761	
GR 29 Sergeant	\$68,756	\$69,918	\$71,081	\$72,242	\$73,405	\$74,567	\$75,729	\$76,891	\$78,054					
GR 30 Lieutenant	\$78,845	\$80,069	\$81,293	\$82,516	\$83,740	\$84,964	\$86,188	\$87,412	\$88,637					

City Council authorizes application for and acceptance of the following grants:

1115 Healthcare Transformation Waiver
Atmos Energy Grant
Bureau of Justice Assistance Edward Byrne Memorial Local Justice Assistance Grant
Community Development Block Grant
Emergency Food and Shelter Program Grant
Emergency Management Performance Grant
Environmental Health Service and Bureau of Regional Local Health Operations Grant
Federal Aviation Administration Grants - Entitlements and Discretionary
Gang Initiative Grant
HOME Grant
Office of Justice Programs Bulletproof Vest Partnership
Office of the Governor Criminal Justice Division Body-Worn Camera Program
Hazards Grant
State and Federal Hazard Mitigation Grants
State and Federal Homeland Security Grants Programs
San Angelo Cultural Affairs Council Grant
State Events Trust Fund Grant
Texas Department of State Health Services Healthy Communities Grant
Texas Department of Transportation Routine Airport Maintenance Program
Texas Department of Transportation Click It or Ticket Grant
Title III C-1 Congregate Nutrition Services
Transit and Transportation Planning Grants - Federal and State
Women, Infant, and Children Grant

Fire Department – Civil Service

Fire Chief	1
Assistant Chief	2
Battalion Chief	4
Fire Captain	12
Fire Lieutenant	20
Fire Engineer (or Driver)	50
Fire Fighter	82
Total Fire Department – Civil Service	171

Police Department – Civil Service

Police Chief	1
Assistant Chief	3
Police Lieutenant	7
Police Sergeant	28
Police Officer	131
Total Police Department – Civil Service	170

All Others

Civilians	610
Total All Others	610
Grand Total Staffing Levels	951



City Council

Sept. 19, 2017



Budget ordinance

1. Second public hearing of an ordinance adopting the 2017-18 budget
 - Salary adjustments
 - Health insurance
 - Additional ambulance crew
 - Additional police officers





City Council

Sept. 19, 2017





City Council

Sept. 19, 2017



Budget ordinance

1. Second public hearing of an ordinance adopting the 2017-18 budget
 - Salary adjustments
 - Health insurance
 - Additional ambulance crew
 - Additional police officers





City Council

Sept. 19, 2017



REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Kimberly Holle, Budget Analyst, Sr., Budget, 325-657-4270

Meeting Date: September 19, 2017

Item type: Regular Item

Caption:

Second public hearing and adoption of an ordinance levying property taxes for the City of San Angelo for the 2017 tax year. An ordinance fixing and levying ad valorem taxes for the current tax year for use and support of the municipal government of the City of San Angelo, Texas, for the 2017-2018 budget year; providing for the assessment and collection thereof; providing when the tax shall become due; providing when the tax shall become delinquent; providing for exemptions; providing for severability; providing for publication on the city operated web site; and, providing for an effective date - (Presentation by Finance Director Tina Dierschke)

Summary/History:

This item is the second public hearing and adoption of the ordinance to levy property taxes for the tax year 2017. The ordinance sets the total tax rate of 0.7760 per \$100 valuation and establishes taxes are delinquent on February 1, 2018. No changes are proposed to the existing exemptions, including the continuation of the 20% homestead exemption available to property owners on their primary residence.

The overall tax rate is proposed to remain the same as the prior year's tax rate of 0.776 per \$100 valuation. The proposed tax rate will be applied as follows.

For the purposes of maintenance and operations in the General Fund: 0.6824

To pay annual interest and maturities and create debt service funding to discharge outstanding bonded indebtedness of the City of San Angelo: 0.0936

The total tax rate for the aforementioned purposes is: 0.7760

This year's proposed tax rate does not exceed either of the two benchmark rates, the effective tax rate or the rollback tax rate. The associated additional notices and actions are not needed for this ordinance.

Financial Impact:

The proposed tax rate will generate property tax revenue as follows for the General Fund and the Debt Service Fund, providing a 98% collection rate.

General Fund: \$32,952,042

Debt Service Fund: \$4,519,799

Total Property Tax Revenue: \$37,471,842

Other Information/Recommendation:

None at this time.

Attachments:

- | | | |
|----|--------------|--|
| 1. | Presentation | 170916 Budget 9-19-17 Tax Levy ppt COMPLETE.pptx |
| 2. | Ordinance | 170905 Budget 9-5-17 Tax Levy Ordinance COMPLETE.pdf |

Presentation:

Tina Dierschke

Approvals/Reviews:

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



City Council

Sept. 19, 2017



Property tax levy

- Second public hearing of an ordinance levying property taxes for the 2017 tax year
- Proposed rate is 0.776 / \$100 valuation



Property tax levy

Proposed property tax rate

Maintenance & operations	0.6824
Debt service	0.0936
Total proposed property tax rate	0.7760



Property tax levy

“I move that the property tax rate remain the same by the adoption of a tax rate of 0.7760 per \$100 valuation.”





City Council

Sept. 19, 2017



AN ORDINANCE FIXING AND LEVYING AD VALOREM TAXES FOR THE CURRENT TAX YEAR FOR USE AND SUPPORT OF THE MUNICIPAL GOVERNMENT OF THE CITY OF SAN ANGELO, TEXAS, FOR THE 2017-2018 BUDGET YEAR; PROVIDING FOR THE ASSESSMENT AND COLLECTION THEREOF; PROVIDING WHEN THE TAX SHALL BECOME DUE; PROVIDING WHEN THE TAX SHALL BECOME DELINQUENT; PROVIDING FOR EXEMPTIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION ON THE CITY OPERATED WEB SITE; AND, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Charter for the City of San Angelo provides that the City Council at its first meeting in September of each year, or as soon thereafter as practicable, shall levy the annual tax for such year; and,

WHEREAS, Section 26.05 of the Texas Tax Code requires that the City of San Angelo, Texas, adopt a tax rate for the next fiscal year by September 30, 2017; and,

WHEREAS, the City Council finds that all public notices have been given and published as required by law for fixing and levying the ad valorem taxes; and,

WHEREAS, the City Council further finds that the taxes for the fiscal year beginning October 1, 2017, and ending September 30, 2018, hereinafter levied therefore are necessary to pay interest and maturities and create a sinking fund to discharge outstanding bonded indebtedness of the City; and,

WHEREAS, the City Council further finds that the tax for the fiscal year beginning October 1, 2017, and ending September 30, 2018, hereinafter levied for purposes of maintenance and operations must be levied to provide for the revenue requirements of the budget for the ensuing fiscal year:

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

Section One: "THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE."

Section Two. The following taxes be and are hereby levied for the fiscal year 2017-2018, upon each One Hundred Dollar (\$100) valuation of property subject to taxation in the City of San Angelo for said year:

To pay annual interest and maturities and create a sinking fund to discharge outstanding bonded indebtedness of the City of San Angelo	\$0.0936
--	----------

For the purposes of maintenance and operations in the General Fund	<u>\$0.6824</u>
---	-----------------

The total tax rate for the aforementioned purposes is:	\$0.7760
--	----------

Section Three: The taxes levied herein shall be assessed and proper record made thereof, as required by law by the officers performing the duties of assessor and collector of taxes for the City of San Angelo and their successors in office and said officers shall collect such taxes and remit the same required by law and this ordinance.

Section Four: All taxes levied and due under this ordinance, plus penalties and interest thereon, shall become a lien upon the property against which the tax is assessed, as provided by City Charter and State law, and the officers performing the duties of assessor and collector of taxes for the City of San Angelo and their successors in office, or their designee, are hereby authorized and empowered to enforce the collection of such taxes, penalties and interest according to the Constitution and laws of the State of Texas and the Charter and Ordinances of the City of San Angelo. Penalties and interest collected shall be paid to and credited to the General Fund of the City of San Angelo.

Section Five: Taxes levied under this ordinance shall be due on October 1, 2017, and if not paid as provided by law, shall immediately become delinquent on February 1, 2018.

Section Six: The City hereby affirms the adoption of the following exemptions from taxation of real property:

An individual may claim an exemption from taxation equal to twenty percent (20%) of the appraised value of his/her residence homestead, but not less than five thousand dollars (\$5,000) or the value of the homestead if said value is less than \$5,000.

Section Seven: Should any part, portion, or section of this ordinance be declared invalid, inoperative, or void for any reason by a court of competent jurisdiction, such decision, opinion or judgment shall in no way affect the remaining parts, portions or sections of this ordinance, which provisions shall be, remain and continue in full force and effect.

Section Eight: The City Manager or his designee shall cause a copy of this Ordinance, in its entirety, as passed, to be published on the web site operated by the City of San Angelo

Section Nine: This ordinance shall become effective on the date Approved and Adopted.

INTRODUCED on the 5th day of September, 2017, and APPROVED and ADOPTED on this the 19th day of September, 2017.

YES

NO

CITY OF SAN ANGELO, TEXAS

Brenda Gunter, Mayor

Tommy Hiebert, SMD #1

Tom Thompson, SMD #2

Harry Thomas, SMD #3

Lucy Gonzales, SMD #4

Lane Carter, SMD #5

Billie DeWitt, SMD #6

ATTEST:

Bryan Kendrick, City Clerk

Approved as to Content

Approved as to Form

Tina Dierschke, Finance Director

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: September 19, 2017

Item type: Regular Item

Caption:

First reading and public hearing of an ordinance amending Chapter 5, Article 5.02 Alcohol and Beverage Regulations of the City Code of Ordinances to add a minimum 300-foot separation for the sale of any alcoholic beverage, liquor, beer, wine, or vinous liquor from a church - (Presentation by Planning & Development Services Director Jon James)

Summary/History:

The attached is an amendment to Chapter 5, Article 5.02 of the San Angelo Code of Ordinances, Alcohol and Beverage Regulations, to introduce a minimum separation for the sale of any alcoholic beverage, liquor, beer, wine or vinous liquor from a church.

On August 15, 2017, City Council directed staff to produce a map delineating the location of all businesses in the City that sell alcoholic beverages, liquors, beers, wines, or vinous liquors, as well as the location of all churches in the City. They asked staff to determine which, if any, were within 300 feet of each other and to coordinate with the Police Department for any call-outs in those identified areas.

Financial Impact:

N/A

Other Information/Recommendation:

This request was considered by the Planning Commission at their meeting on July 17, 2017. Commissioner Spano made a Motion to recommend DENIAL of the Text Amendment. Commissioner Smith seconded the Motion. The Motion to recommend DENIAL passed 4-3, with Commissioners Spano, Smith, Stribling, and Priess voting for the denial, and Commissioners Jackson, Farmer, and Crisp voting for approval of the amendment.

Based on the denial recommendation by the Planning Commission, a three-fourths super-majority vote by the City Council will be required to approve this item.

On August 21, 2017, City Council tabled the item. They directed staff to further research the matter, identify locations throughout the City that may have churches and bars within 300 feet of each other, and coordinate with the Police Department in regards to incident calls received by their officers at any of these locations.

Attachments:

- Memo_Churches & Liquor Licenses_Council (2).docx
Ordinance_Churches & Liquor Licenses_Council (1).docx
ChurchBarAnalysis_Map.pdf

Jon James

Rebeca Guerra	Created/Initiated
Jon James	Approved
Theresa James	Approved
Anthony Wilson	Approved
Jon James	Approved
Tina Dierschke	Approved
Theresa James	Approved
Becky Dunn	Approved
Bryan Kendrick	Final Approval

MEMO

**Meeting**

Date: September 5, 2017
September 19, 2017

To: City Council

From: Jon C. James, AICP
Director

Request: Text Amendment to Chapter 5, Article 5.02 of the San Angelo Code of Ordinances, Alcohol and Beverage Regulations

Background:

The attached is an amendment to Chapter 5, Article 5.02 of the San Angelo Code of Ordinances, Alcohol and Beverage Regulations, to introduce a minimum separation for the sale of any alcoholic beverage, liquor, beer, wine or vinous liquor from a church.

On November 21, 2016, the Planning & Development Services Department coordinated a discussion with the Planning Commission in order to solicit feedback regarding the addition of a 300-foot setback requirement for churches. During that meeting, staff informed the Commission that the Texas Alcoholic Beverage Code, Section 109.33 "SALES NEAR SCHOOL, CHURCH, OR HOSPITAL" allows municipalities to prohibit the sale of alcoholic beverages by a dealer whose place of business is within 300 feet of a church. Staff also provided a list to the Commissioners of ten other nearby cities which had already included this restriction in their Code of Ordinances. These cities were: Abilene, Arlington, Amarillo, Andrews, Big Springs, Kerrville, Lubbock, Midland, Odessa, and Wichita Falls.

During the Commission meeting, a pastor in the Blackshear neighborhood spoke in favor of the additional distance requirement, indicating that while he was not against bars or liquor stores in general, their proximity to churches was troubling. Several Commissioner expressed their desire to have the matter return in the form of a text amendment for review and decision.

Section 5.02.033 currently only requires that any place of business for the sale of any alcoholic beverage, liquor, beer or wine, and vinous liquor be a minimum of three hundred feet (300') from any tax-supported elementary or secondary public school. Staff is proposing that churches be added so that alcohol sales would also not be allowed within 300 feet of such a use. Given the compact and urban nature of development in the downtown area, as well as the proliferation of bars and churches already co-existing in the area, staff is also proposing that this section not apply to churches that have a zoning designation of Central Business District (CBD). Lastly, the "grandfather" clause has been stricken as it will legalize any use implemented after initial adoption of the restriction as to the location of schools. Any existing legal use will become legally nonconforming under the Zoning Ordinance without providing for such additional right in this amendment.

On August 15, 2017, City Council directed staff to produce a map delineating the location of all businesses in the City that sell alcoholic beverages, liquors, beers, wines, or vinous liquors, as well as the location of all churches in the City. They asked staff to determine which, if any, were within 300 feet of each other and to coordinate with the Police Department for any call-outs in those identified areas.

Planning Commission Action:

This request was considered by the Planning Commission at their meeting on July 17, 2017. Below is an excerpt from the meeting's unofficial minutes:

Ms. Rebeca Guerra, Planning Manager, presented the proposed text amendment. She indicated that State Statute allows counties and municipalities to establish minimum distance requirements to churches and schools from establishments that sell alcohol. Ms. Guerra further indicated that at least 10 other nearby cities in Texas also have a 300-foot distance requirement from churches. She outlined the proposed text amendment which would now require establishments selling alcohol to be at least 300 feet from churches, unless these churches are located in the City's Central Business District (CBD) zone.

Commissioner Spano asked why this was an issue and expressed his opposition to the change. Commissioner Smith agreed with Commissioner Spano and also expressed his opposition. Commissioner Crisp asked why this item was brought forward for discussion.

Ms. Guerra responded that a local pastor and several neighbors had experienced problems related to an existing bar in their neighborhood. As a result, staff had been directed by a Council member to review the issue and propose changes to the Ordinance. She reminded the Planning Commission that they had the option to recommend approval or denial of the proposed amendment.

Commissioner Spano reiterated his opposition to the amendment and that he did not believe that the Planning Commission and the City were responsible for regulating individual behavior. He indicated that if there was an incident in future, that this would be a private issue to be resolved between the church, bar, and the police.

Commissioner Crisp asked Ms. Guerra what would happen to existing businesses selling alcohol and if they could be required to shut down.

Ms. Guerra responded that any existing business selling alcohol within 300 feet of a church would become legally non-conforming and would be allowed to continue. She indicated, however, that if a legal non-conforming business ceased to operate for more than 12 months, they would lose this status and would then have to comply with the setback requirements.

Commissioner Spano made a Motion to recommend DENIAL of the Text Amendment. Commissioner Smith seconded the Motion. The Motion to recommend DENIAL passed 4-3, with Commissioners Spano, Smith, Stribling, and Priess voting for the denial, and Commissioners Jackson, Farmer, and Crisp voting for approval of the amendment.

Attachment: Proposed Text Amendment

CHAPTER 5 BUSINESS AND COMMERCE

ARTICLE 5.02 ALCOHOLIC BEVERAGES REGULATIONS

Division 2. License

Section 5.02.033 Prohibited licenses

No license authorizing the sale of any alcoholic beverage, liquor, beer or wine and vinous liquor shall be issued to any dealer where the place of business of any such dealer is within the corporate limits of the city and is within three hundred feet (300') of any church or tax-supported elementary or secondary public school. The measurement of the distance between the place of business where alcoholic beverages are sold and the church or public school shall be in a direct line from the property line of the church or public school to the property line of the place of business, and in a direct line across intersections. Provided that this section shall not apply ~~to any dealer whose place of business is within three hundred feet (300') of any religious institution or tax-supported elementary or secondary school as of the date of this article or to any of their successors within the Central Business District (CBD).~~

AN ORDINANCE OF THE CITY OF SAN ANGELO, TEXAS, AMENDING CHAPTER 5 “BUSINESS AND COMMERCE”, ARTICLE 5.02, “ALCOHOLIC BEVERAGES REGULATIONS,” SECTION 5.02.033 “PROHIBITED LICENSES” ADDING A PROVISION THAT NO LICENSE AUTHORIZING THE SALE OF ANY ALCOHOLIC BEVERAGE BE ISSUED TO ANY DEALER WHERE THE PLACE OF BUSINESS IS WITHIN THREE HUNDRED FEET OF A CHURCH AND ADDING AN EXEMPTION FOR THE CENTRAL BUSINESS DISTRICT; PROVIDING FOR SEVERABILITY; AND, PROVIDING AN EFFECTIVE DATE

WHEREAS, the Texas State Alcoholic Beverage Code permits a municipality to prohibit the sale of alcoholic beverages by a dealer whose place of business is within 300 feet of a church;

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

Section 1. That Chapter 5, ‘Business and Commerce’, Article 5.02 “Alcoholic Beverages Regulations,” Section 5.02.033 “Prohibited Licenses” is amended in its entirety to read as follows:

“No license authorizing the sale of any alcoholic beverage, liquor, beer or wine and vinous liquor shall be issued to any dealer where the place of business of any such dealer is within the corporate limits of the city and is within three hundred feet (300') of any church or tax-supported elementary or secondary public school. The measurement of the distance between the place of business where alcoholic beverages are sold and the church or public school shall be in a direct line from the property line of the church or public school to the property line of the place of business, and in a direct line across intersections. Provided that this section shall not apply to any dealer whose place of business is within three hundred feet (300') of any religious institution or tax-supported elementary or secondary school as of the date of this article or to any of their successors within the Central Business District (CBD).

Section 2. 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 3. This Ordinance shall be effective on, from and after the date of adoption.

INTRODUCED on the 15th day of August, 2017, and finally PASSED, APPROVED AND ADOPTED on this the 5th day of September, 2017.

THE CITY OF SAN ANGELO

ATTEST:

BT: _____
Brenda Gunter, Mayor

Bryan Kendrick, City Clerk

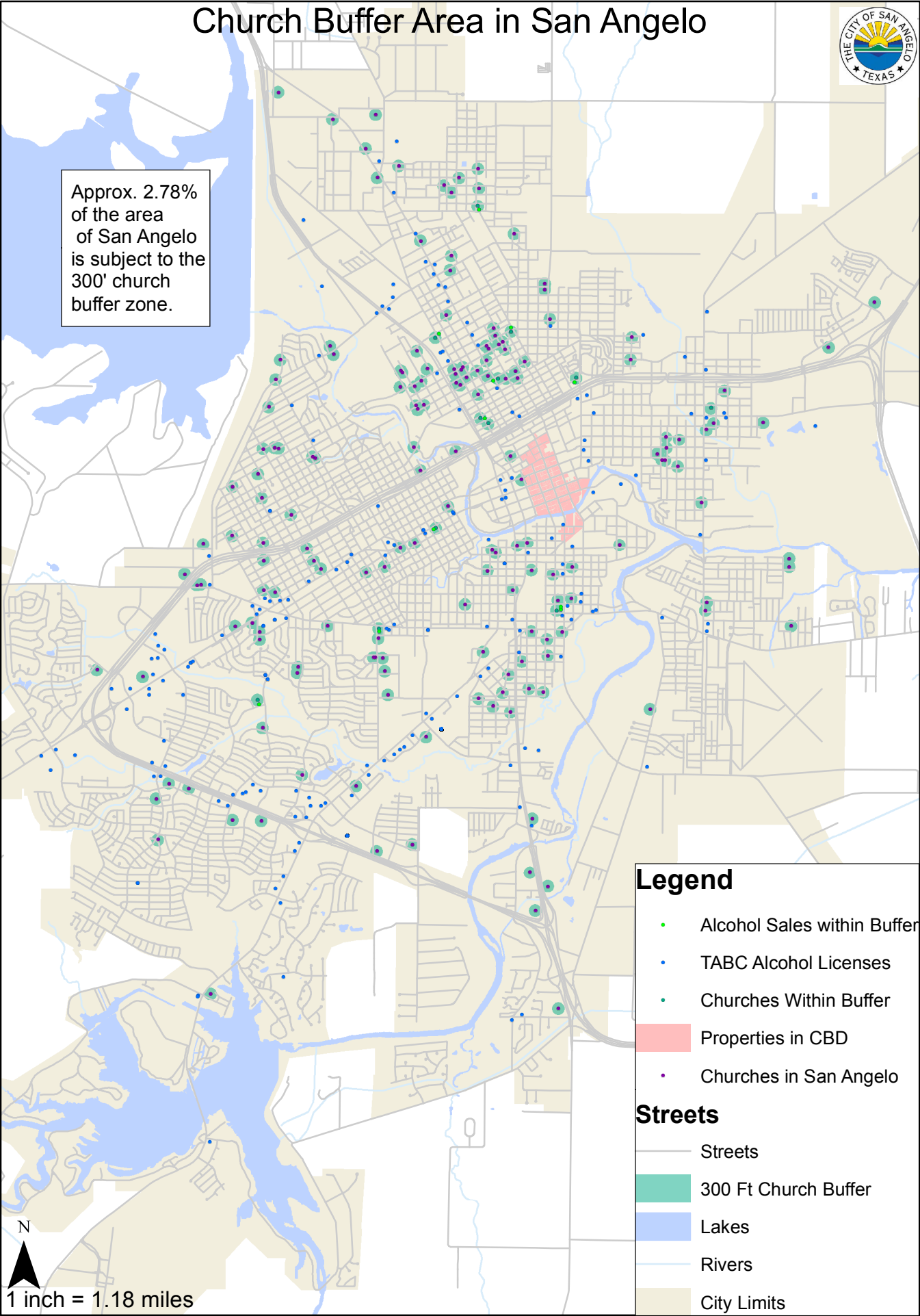
APPROVED AS TO FORM

Theresa James, City Attorney

Church Buffer Area in San Angelo



Approx. 2.78%
of the area
of San Angelo
is subject to the
300' church
buffer zone.



Legend

- Alcohol Sales within Buffer
- TABC Alcohol Licenses
- Churches Within Buffer
- Properties in CBD
- Churches in San Angelo

Streets

- Streets
- 300 Ft Church Buffer
- Lakes
- Rivers
- City Limits

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: September 19, 2017

Item type: Regular Item

Caption:

First reading and public hearing of an ordinance for Z17-10 a rezoning from the Office/Warehouse (OW) Zoning District to the Single-Family Residential (RS-1) Zoning District, being 0.5 acres generally located on an unaddressed tract north of 6622 Clarice Court - (Presentation by Planning & Development Services Director Jon James)

Summary/History:

This item is a request for approval of a rezoning from Office/Warehouse (OW) zoning district to Single-Family Residence (RS-1) Zoning District. The applicant is seeking to add a parcel of land being re-platted to their existing home lot. This would allow the entire new lot to be zoned consistently RS-1.

Financial Impact:

N/A

Other Information/Recommendation:

On August 21, 2017, the Planning Commission recommended APPROVAL of the Rezoning request. Commissioner Crisp made a Motion to recommend APPROVAL of the proposed Rezoning from the Office-Warehouse (OW) Zoning District to the Single-Family Residence (RS-1) Zoning District on the subject property. Commissioner Jackson seconded the Motion. The Motion passed unanimously, 6-0.

Attachments:

- | | |
|--------------------|-----------------------------------|
| 1. Staff Report | CC Staff Report Z17-10 Taylor.pdf |
| 2. Draft Ordinance | PL_Z17-10 Ordinance.docx |

Presentation:

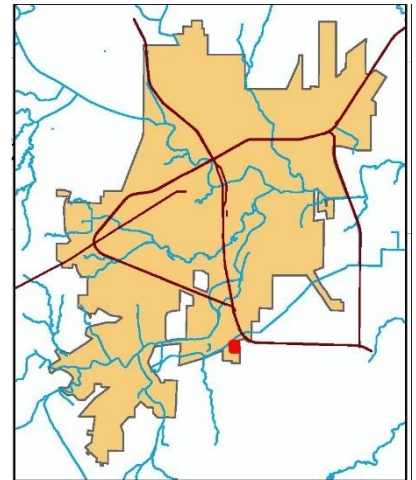
Jon James

Approvals/Reviews:

Rebeca Guerra	Created/Initiated
Jon James	Approved
Theresa James	Approved
Anthony Wilson	Approved
Jon James	Approved
Tina Dierschke	Approved
Theresa James	Approved
Becky Dunn	Approved
Bryan Kendrick	Final Approval

CITY COUNCIL – September 19, 2017
STAFF REPORT



APPLICATION TYPE:		CASES:	
Rezoning		Z17-10: Taylor	
SYNOPSIS:			
A request for approval of a rezoning from Office/Warehouse (OW) zoning district to Single-Family Residence (RS-1) Zoning District. The applicant is seeking to add a parcel of land being re-platted to their existing home lot. This would allow the entire new lot to be zoned consistently RS-1.			
LOCATION:		LEGAL DESCRIPTION:	
An unaddressed tract north of 6622 Clarice Court		Being 0.5 acre of land out of Lot 17A, Block Two, Section Two, Second Replat in Block Two, Sunset Ranch Estates, Section Two, City of San Angelo, Tom Green County, Texas	
SM DISTRICT / NEIGHBORHOOD:		ZONING:	FLU:
Country Club Neighborhood SMD #1 – Tommy Hiebert		OW – Office/Warehouse	Transitional
		SIZE:	0.5 acre
THOROUGHFARE PLAN:			
With the approval of the re-plat for Sunset Ranch this parcel will become part of the adjacent home lot 16k located on Clarice Court. Local Road – 50' ROW required and met, 40' Pavement require and met.			
NOTIFICATIONS:			
10 notifications were mailed within a 200-foot radius on August 10, 2017. One response has been received in support and zero in opposition.			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of the proposed rezoning to the Single-Family Residential (RS-1) Zoning District.			
PETITIONERS:			
William & Debra Taylor			
STAFF CONTACT:			
Hillary Bueker, RLA Senior Planner (325) 657-4210, Extension 1547 hillary.bueker@cosatx.us			

Rezoning: 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 Comprehensive Plan's original intent was to provide transition areas for a scaling back of activity from more intense areas to neighborhoods which should be more passive in character. Since this property's Future Land Use (FLU) designation is Transitional, this would allow for a less intense use of single-family residential to buffer the higher intensity heavy commercial (CH) and office/warehouse (OW) from the adjacent neighborhood. The RS-1 Zoning District appears to be consistent with the FLU in this regard.
2. **Consistent with Zoning Ordinance.** *Whether and the extent to which the proposed amendment would conflict with any portion of this Zoning Ordinance.* The Single-Family Residential District is intended to provide opportunities for development of detached single-family residences at medium densities. Since a replat will attach this parcel to the adjacent single-family residential lot, the zoning would be consistent over the entire platted lot and allow for continued residential uses consistent with the proposed RS-1 zoning.
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 property is located within an area that has mixed uses. This parcel will be adjoined to the adjacent single family residential lot that already has a home built. The 2009 Comprehensive Plan update designated this property as Transitional presumably to accommodate this buffering from the higher intensity CH zoning along US Highway 277 and allow for additional residential, if needed.
4. **Changed Conditions.** *Whether and the extent to which there are changed conditions that require an amendment.* When the Transitional FLU was placed on the property, this reflected a belief that this land would develop as a transitional area between the more intense uses along US Highway 277 and the RS-1 properties to the west. Additionally, the property was originally part of a larger tract that developed in a commercial manner. Over time, it has remained vacant. Now, the property is seeking to be combined with an adjacent residential lot for continued residential use.
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.* There are no anticipated negative effects on the natural environment from these actions. Land use would continue in the same residential manner, and intensity, as already exist on the adjacent site it will be replatted with.

6. **Community Need. Whether and the extent to which the proposed amendment addresses a demonstrated community need.** There has not been any demonstrated community need for a use on the site other than residential. The site has remained undeveloped for many years. As a result, it has become landlocked through the years. Allowing the site to rezone to RS-1 would be reflective of the continuing need for residential in the area, rather than allowing a continuance of a zoning designation that has been little used in the past.
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 development pattern in the immediate area to the west is primarily detached, single-family residential. This parcel will be added to an existing RS-1 lot and keep in continuity with the adjoining residential lots immediately to the west.

Planning Commission Recommendation:

On August 21, 2017, the Planning Commission recommended APPROVAL of the Rezoning from the Office/Warehouse (OW) zoning district to the Single-Family Residential (RS-1) Zoning District on the subject property, being 0.5 acre of land out of Lot 17A, Block Two, Section Two, Second Replat in Block Two, Sunset Ranch Estates, Section Two. The following is the complete excerpt of the minutes from the August 21, 2017, meeting for this case:

Hillary Bueker, Senior Planner, presented the case. She explained that the proposed rezoning pertained to the 0.5-acre remnant parcel that is being replatted as part of the Sunset Ranch Estates replat that was approved earlier at today's meeting. Ms. Bueker outlined Staff's rationale for approval which included that the property would act as a buffer between the single-family residential use to the south and office warehouse use to the north; that it would allow a comprehensive RS-1 zone for the entire property; and that development patterns to the west were predominantly residential.

Russell Gully, SKG Engineering, LLC, representing the applicant, asked what would happen to the zoning if the plat was never recorded. He expressed concerns that should the plat not be recorded, the current owner of the adjacent Office Warehouse (OW) lot would be left with a remnant zoned residential.

Rebeca Guerra, Planning Manager, indicated that Staff could not place a condition on a rezoning and that the rezoning and recordation of the associated plat were two separate processes. She explained that the rezoning could be approved even if the plat were never recorded.

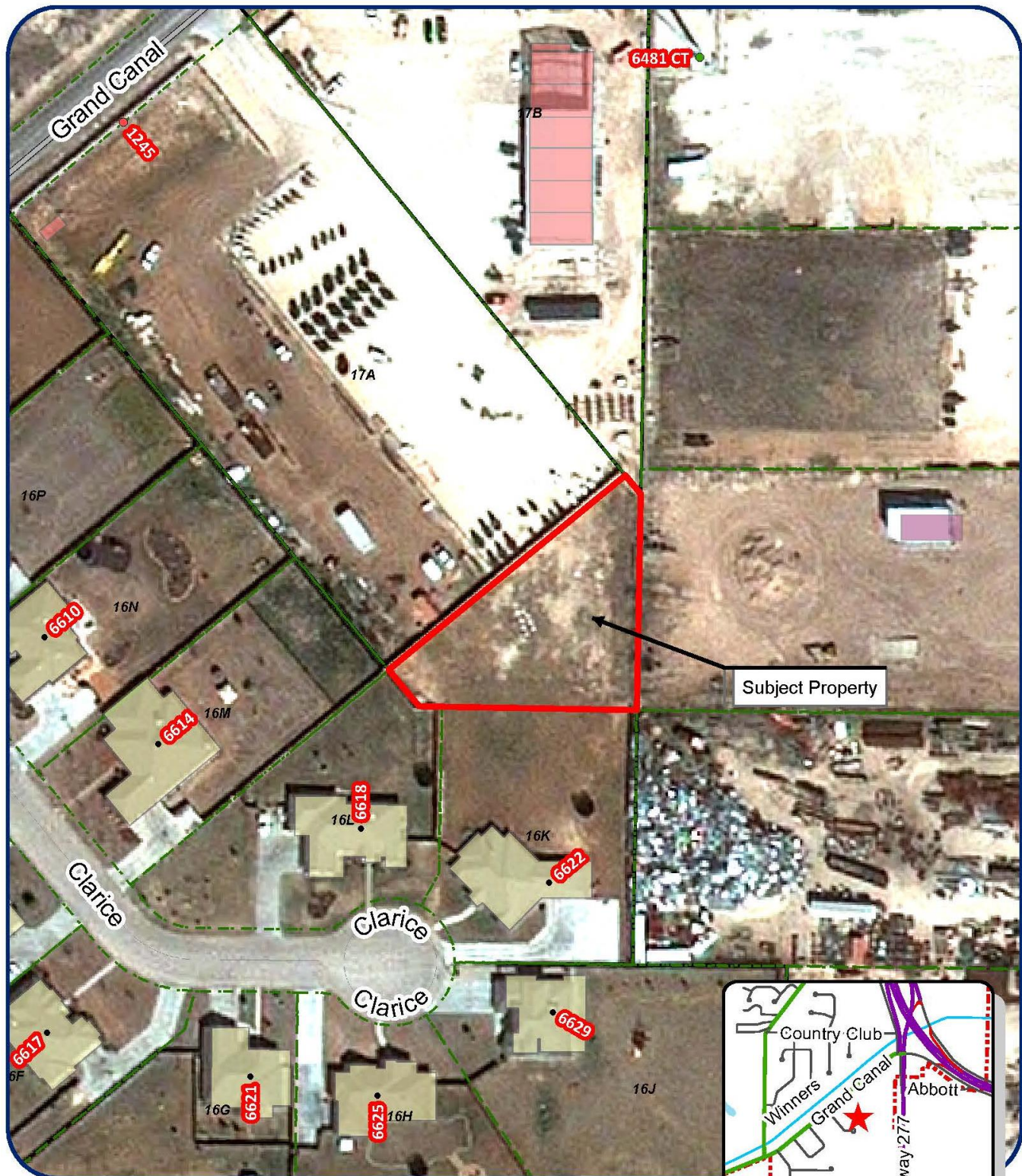
Commissioner Crisp made a Motion to recommend APPROVAL of the proposed Rezoning from the Office-Warehouse (OW) Zoning District to the Single-Family Residence (RS-1) Zoning District on the subject property. Commissioner Jackson seconded the Motion. The Motion passed unanimously, 6-0.

Recommendation:

Staff's recommendation is for City Council to **APPROVE** a rezoning from the Office/Warehouse (OW) Zoning District to the **Single Family Residential (RS-1) Zoning District**.

Attachments:

Aerial Map
Future Land Use Map
Zoning Map
Photos of Site
Resident Letter
Application



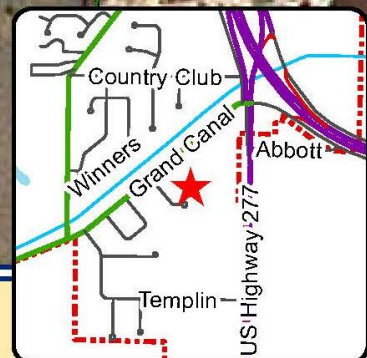
Z17-10: Taylor

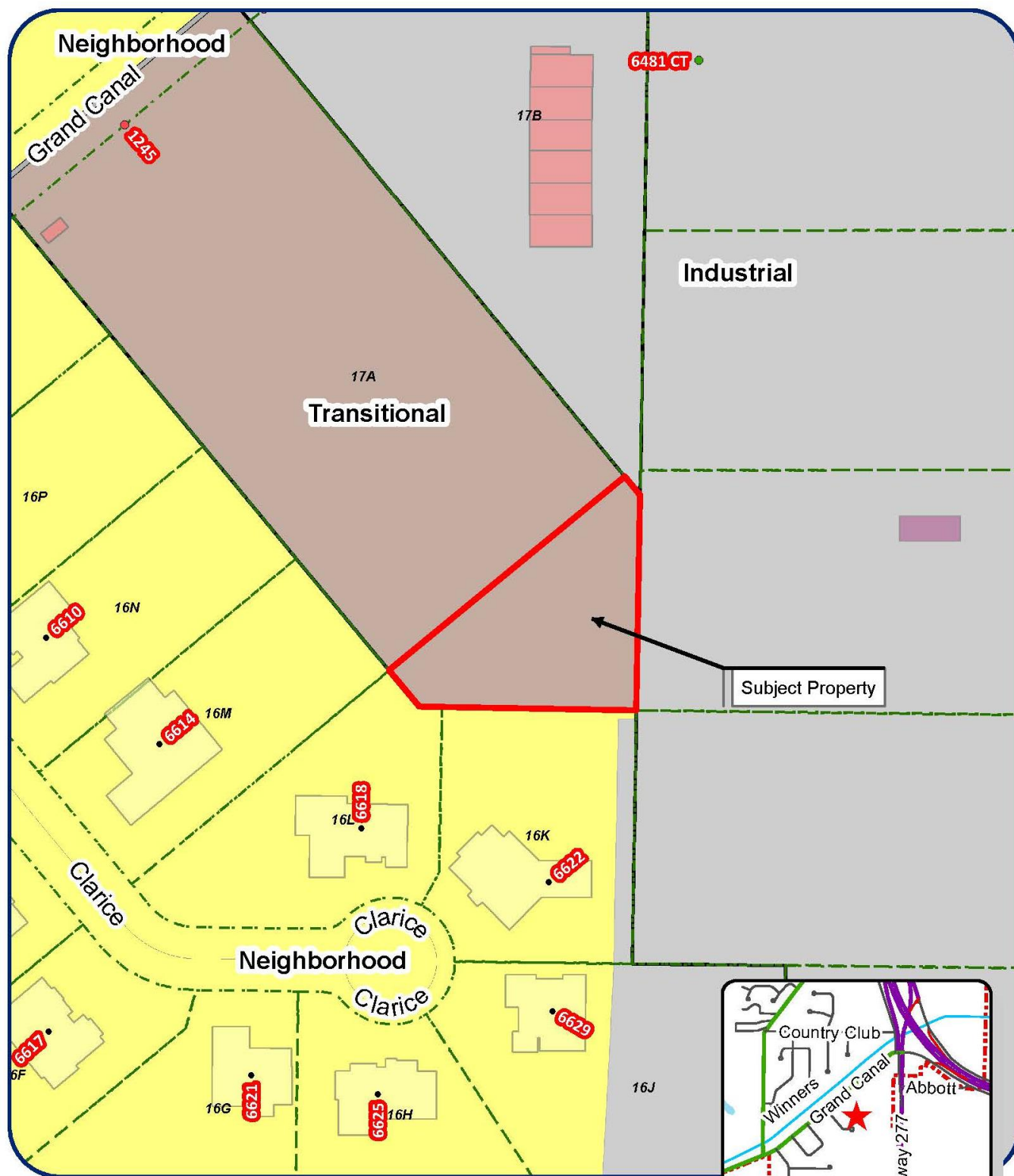
.5 Ac Unaddressed Tract

Council District: Tommy Hiebert
Neighborhood: Country Club
Scale: 1" approx. = 100 ft

Legend

Subject Properties: —
Current Zoning: **OW**
Requested Zoning Change: **RS-1**
Vision: **Transitional**





Z17-10: Taylor

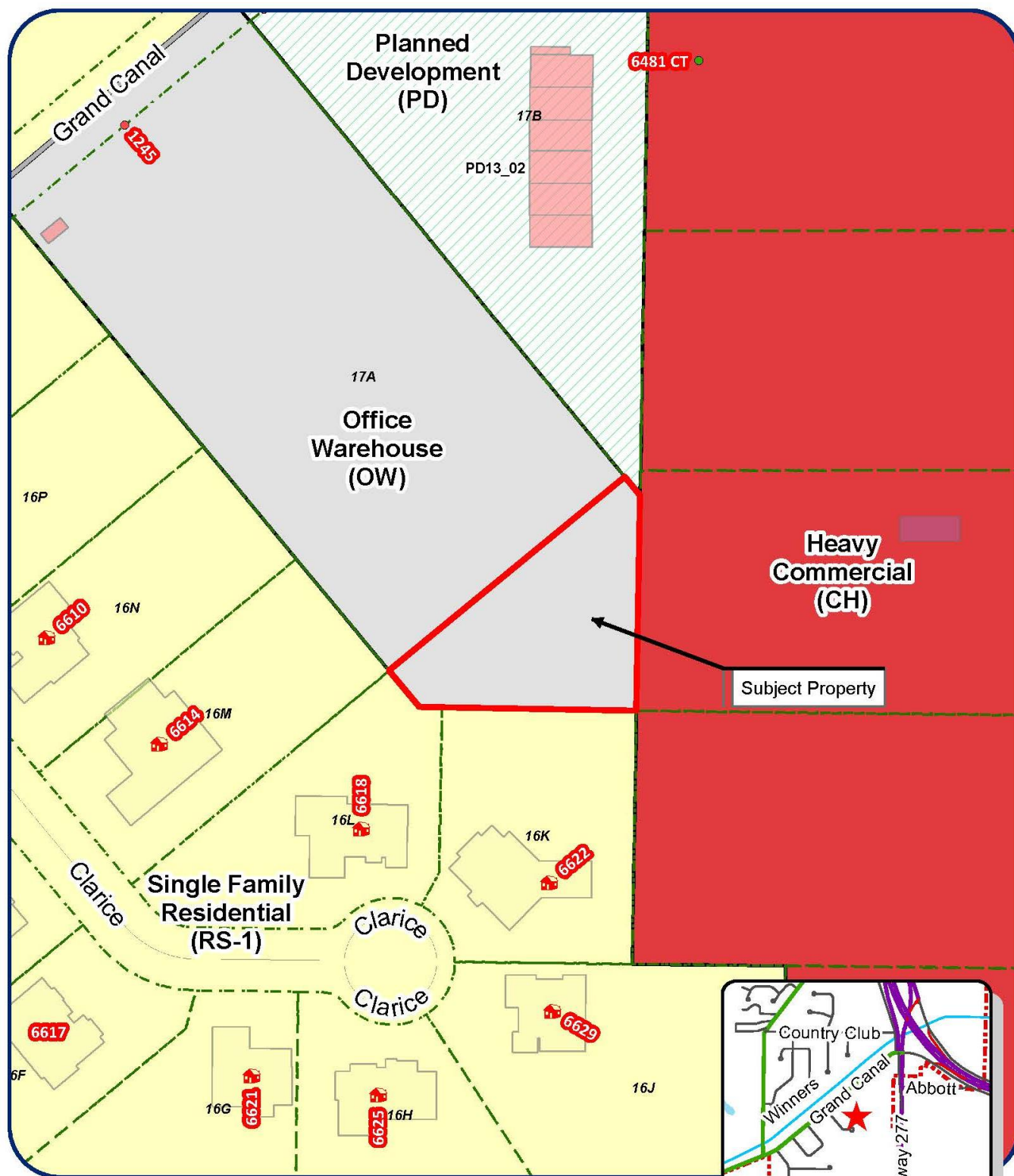
.5 Ac Unaddressed Tract

Council District: Tommy Hiebert
Neighborhood: Country Club
Scale: 1" approx. = 100 ft

Legend

Subject Properties: —
Current Zoning: **OW**
Requested Zoning Change: **RS-1**
Vision: **Transitional**





Z17-10: Taylor

.5 Ac Unaddressed Tract

Council District: Tommy Hiebert
Neighborhood: Country Club
Scale: 1" approx. = 100 ft

Legend

Subject Properties: —
Current Zoning: **OW**
Requested Zoning Change: **RS-1**
Vision: **Transitional**

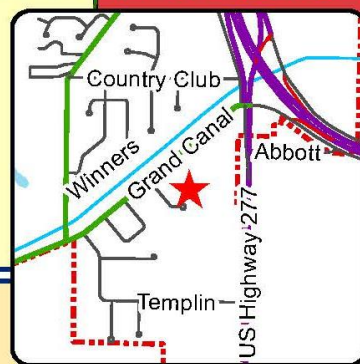


Photo of Site



Looking at the property from the adjacent Office-Warehouse (OW) Property to the Northwest



The Home the Subject Property will Adjoin.



TO BE FORMALLY ON RECORD IN FAVOR OR AGAINST THIS REQUEST, YOU MAY ALSO FILL OUT THIS FORM, SIGN IT AND MAIL IT BACK TO THE PLANNING DIVISION AT 52 W COLLEGE STREET IN SAN ANGELO, TEXAS 76903.

(☒) IN FAVOR () IN OPPOSITION

REASON(S) _____

NAME: J.R. ABBOTT

ADDRESS: 6577 Hwy 277 S
SAN ANGELO TX 76904

SIGNATURE: 

Z17-10: Taylor

Property owner number: 1

If you have any questions about these proceedings, please call Mrs. Hillary Bueker, Senior Planner, with the City of San Angelo's Planning Division at telephone number 325-657-4210. The Planning Division staff may also be reached by email at hillary.bueker@cosatx.us.

Effective January 3, 2017



City of San Angelo, Texas – Planning Division
52 West College Avenue



Application for Approval of a Zone Change

Section 1: Basic Information

Name of Applicant(s): Bill Taylor William + Debra Taylor

☒ Owner

☐ Representative (Notarized Affidavit Required)

Mailing Address: 6222 Clarice Ct San Angelo TX 76904

Contact Phone Number: 325-212-8061 Contact E-mail Address: bill@orwcpa.com (lingrasso@hotmail.com)

Subject Property Address: San Angelo TX 76904

Legal Description (can be found on property tax statement or at www.tomgreencad.com): Blk 2 Section 2 Sunset Ranch Estates 17A.5 Acres

Existing Zoning: OW Proposed Zoning: RS1 Lot size: .5 Acre

(Zoning Map available on [City Maps](#))

Section 2: Site Specific Details

Existing Use of Property: Property is already purchased by Meek + Bonds
Description as a buffer zone to the ow zone behind would
like to join it to the residential property.

*Proposed Use of Property: RS1 yard space / buffer zone.

*Current lot is part of two other ow zones that can't be
*Use separate attachment if necessary sold because it creates a remnant lot.

Section 3: Applicant(s) Acknowledgement

(By checking the boxes you indicate that you understand below rules and regulations for the Planning Commissions case.)

☒ An application for a zone change on a property may only be made by the owner of that property, an authorized representative of the property owner, the Planning Director, the Planning Commission or City Council. An authorized representative shall present a notarized affidavit from the property owner;

☒ No application will be processed if a zoning violation exists on the property, unless such processing is authorized by City Council. Use of the subject property for any new activity (not allowed by present zoning) cannot occur before City Council's approval of the requested zone change. Any such unauthorized use of the subject property is subject to prosecution in Municipal Court.

☒ If approved, a zone change is applied to the property, not the property owner.

☒ The Planning Commission makes recommendations to City Council. If the Planning Commission recommends approval of a zone change request, the case must still go before City Council for final action.

☒ If a zone change request is granted by City Council, permits for building construction and/or utility connection may be obtained from the City's Permits and Inspections Department.

☒ Certain minimum building setbacks from some or all property lines must be maintained, and room for a minimum number of off-street parking spaces must be reserved on a subject property, based on that property's zoning classification and the nature of its proposed use. A privacy fence may also be required between more restrictive and less restrictive zoning districts. These requirements are outlined in San Angelo's Zoning Ordinance. It is to the applicant's benefit to make sure that any proposed development will fit onto the subject property, in compliance with these and other applicable requirements of the City's Code of Ordinances.

☒ One or more notice sign(s) will be placed on the subject property by the Planning Department. However, it is the applicant's responsibility to ensure that the notice sign(s) has/have been posted at least ten (10) days prior to the Planning Commission meeting. If notice sign(s) is/are not posted accordingly, City Council may delay a request. The Planning Department will also notify, in writing, owners of property within 200-feet of the subject property of the zone change request.

☒ If the Planning Commission recommends denial of a request, the applicant will have ten (10) days to appeal this decision, in writing, to the City Council. If an appeal is made within three (3) days from the Planning Commission meeting, no re-notification fee will be required. Otherwise, there will be a nonrefundable \$35 fee to re-notify owners of nearby property of City Council's public hearing date. If Planning Commission's recommendation of denial is not appealed, it will be the final action on a request.

Effective January 3, 2017

Section 3 continued : Applicant(s) Acknowledgement

☒ The applicant or an authorized representative should attend public hearing(s) pertaining to his/her request, prepared to present his/her case and to answer any relevant questions from Planning Commission or City Council members.

I/We the undersigned acknowledge that the information provided above is true and correct.

William Taylor Bill Taylor 7-19-17
Owner Name (Print) Signature Company/Organization (If Applicable) Date

Representative Name (Print) Signature Company/Organization Date

FOR OFFICE USE ONLY:

☒ Verified Complete ☐ Verified Incomplete

Date of Application: 7 / 20 / 17

Case No.: Z 17 -- 10

Fully-dimensioned site plan: ☐

Nonrefundable fee: \$ 500

Receipt #: 269499 Date paid: 7 / 20 / 17

Sign Deposit \$37.50

Receipt #: 269499 Date paid: 7 / 20 / 17

Affidavit attached? ☐ Yes ☒ No ☐ N/A Applicant's signature on information sheet? ☒ Yes ☐ No

Previous Zone Change Inquiry? ☒ Yes ☐ No If yes, ZCI case no.: 07 -- 03

River Corridor Commission? ☐ Yes ☒ No If yes, RCC meeting date: ____/____/____

Planning Commission hearing date: 8 / 21 / 17 Date notifications due: ____/____/____

City Council hearing date: ____/____/____ Packets due date: ____/____/____

Publication date: ____/____/____

Reviewed/Accepted by: Hillary Beecher Date: 8 / 1 / 17

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: **an unaddressed 0.5 acre tract; generally located north of 6622 Clarice Court and approximately 575 feet from the intersection of Grand Canal Road and Clarice Court; more specifically being 0.5 acres of land out of Lot 17A, Second Replat in Block Two, Sunset Ranch Estates, Section Two,** FROM OFFICE-WAREHOUSE (OW) ZONING DISTRICT TO THE SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT; AND PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

RE: Z17-10: Taylor

WHEREAS, on consideration of the application for zoning change from Office-Warehouse (OW) to Single-Family Residential (RS-1), Z17-10, (Taylor); the Planning Commission and City Council having given notice of public hearing on the application as required under the Zoning Ordinance; City having published notice of public hearing in compliance with the Zoning Ordinance; City Council having afforded a full and fair public hearing on the application and having considered the amendment criteria applicable under the Zoning Ordinance; and, City Council 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:

The real property generally located north of 6622 Clarice Court and approximately 575 feet from the intersection of Grand Canal Road and Clarice Court; more specifically being 0.5 acres of land out of Lot 17A, Second Replat in Block Two, Sunset Ranch

Estates, Section Two, City of San Angelo, Tom Green County, Texas, shall henceforth be permanently zoned as follows: Single-Family Residential (RS-1) Zoning District.

SECTION 2: 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 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.

SECTION 4. 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 5 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 6: This Ordinance shall be effective on, from and after the date of adoption.

INTRODUCED on the **19th day of September, 2017**, and finally PASSED, APPROVED AND ADOPTED on this the **3rd day of October, 2017**.

THE CITY OF SAN ANGELO

Brenda Gunter, Mayor

ATTEST:

APPROVED AS TO FORM:

Bryan Kendrick, City Clerk

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: September 19, 2017

Item type: Regular Item

Caption:

First reading and public hearing of an ordinance for Z17-11 a rezoning from the Planned Development (PD13-02) Zoning District to the Office Warehouse (OW) Zoning District, being 1.50 acres located at 1221 Grand Canal Road - (Presentation by Planning & Development Services Director Jon James)

Summary/History:

This is an application to rezone a 1.50-acre tract from the Planned Development (PD) Zoning District to the Office Warehouse (OW) Zoning District. The lot was originally zoned OW, in 2013 the applicant requested a zone change PD (PD13-02) to facilitate the development of a welding business. The property owner is requesting to return to the original OW Zoning District to pursue a different business venue.

Financial Impact:

N/A

Other Information/Recommendation:

On August 21, 2017, the Planning Commission recommended APPROVAL of a Rezoning from the Planned Development (PD) Zoning District to the Office Warehouse (OW) Zoning District. Commissioner Crisp made a Motion to recommend APPROVAL of the proposed Rezoning. Commissioner Farmer seconded the Motion. The Motion passed unanimously, 6-0.

Attachments:

- | | |
|--------------------|----------------------------|
| 1. Staff Report | PL_Staff Report Z17-11.pdf |
| 2. Draft Ordinance | PL_Z17-11_BURNETT_ORD.docx |

Presentation:

Jon James

Approvals/Reviews:

Rebeca Guerra	Created/Initiated
Jon James	Approved
Theresa James	Approved
Anthony Wilson	Approved
Jon James	Approved
Tina Dierschke	Approved
Theresa James	Approved
Becky Dunn	Approved
Bryan Kendrick	Final Approval

CITY COUNCIL – September 19 and October 3, 2017
STAFF REPORT



APPLICATION TYPE:	CASE:		
Rezoning	Z17-11: Burnett		
SYNOPSIS:			
This is an application to rezone a 1.50-acre tract from the Planned Development (PD) Zoning District to the Office Warehouse (OW) Zoning District. The lot was originally zoned OW, in 2013 the applicant requested a zone change PD (PD13-02) to facilitate the development of a welding business. The property owner is requesting to return to the original OW Zoning District to pursue a different business venue.			
LOCATION:		LEGAL DESCRIPTION:	
1221 Grand Canal Road; generally located 1,240 feet southwest from the intersection of Grand Canal Road and U.S. Highway 277		Sunset Ranch Estates, Section 2, Block 2, Lot 17B, City of San Angelo, Texas	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FLU:	SIZE:
SMD #1 – Tommy Hiebert Country Club Neighborhood	PD – Planned Development with underlying OW – Office Warehouse	Industrial	1.50 acres
THOROUGHFARE PLAN:			
Grand Canal Road – Major Collector, Required 60' min. ROW, 50' min. pavement Actual 52' ROW, 34' pavement with no sidewalk			
NOTIFICATIONS:			
8 notifications were mailed within a 200-foot radius on August 7, 2017. Zero responses have been received in support and zero in opposition.			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of the proposed Rezoning from the Planned Development (PD) Zoning District to the Office Warehouse (OW) Zoning District			
PROPERTY OWNER/PETITIONER:			
<i>Property Owner(s):</i> Luke Burnett <i>Agent:</i> Luke Burnett, Owner			
STAFF CONTACT:			
Kristina Heredia Staff Planner (325) 657-4210, Extension 1546 kristina.heredia@cosatx.us			

Rezoning: 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.* Changing the zoning from PD to OW is consistent with the Future Land Use designation of Industrial. The Comprehensive Plan shows this area as being designated to grow in an industrial manner and current development patterns reflect this.
2. **Consistent with Zoning Ordinance.** *Whether and the extent to which the proposed amendment would conflict with any portion of this Zoning Ordinance.* When the property owner changed the Zoning District from OW to a Planned Development in 2013, the underlying zone of OW remained in place. The applicant is proposing to remove the PD designation to allow a new business venue that is not explicitly called out in the PD Ordinance (PD13-02), but is still consistent with the OW Zoning District. The Office-Warehouse District is intended to provide opportunities for development of self-storage warehouses, small wholesale trade activities with limited truck traffic and integrated office/warehouse uses.
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.* As indicated above, the property is located within an area that has clearly developed as industrial. While there is a residential zone to the southwest of the applicant's property, there is an additional tract that is zoned OW that abuts the subject property and provides a buffer between the two zoning districts. Furthermore, the property that separates the subject property from the residential zoning district has a Future Land Use designation of Transitional.
4. **Changed Conditions.** *Whether and the extent to which there are changed conditions that require an amendment.* The applicant is no longer seeking the business that required the change from OW to a Planned Development. The new business the applicant would like to pursue on his property does not align with the stringent requirements of the PD, thus a reversion to the original zoning of OW is the necessary change needed for the applicant to pursue his changed development plan.
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 lot already has a building located on it, therefore any new construction might have an impact on the environment temporarily. There is potential for construction noises to affect the residential houses to the southwest, however those properties are over 200 feet away, so any impacts would be lessened. The use the applicant is proposing is less intensive than the current allowed use, which could result in a smaller impact as well.

6. **Community Need.** *Whether and the extent to which the proposed amendment addresses a demonstrated community need.* The City has designated that the appropriate development for this site be Industrial in nature. The reasoning for such a designation was presumably based on a community need for the associated uses in this particular area. An Office Warehouse zoning is compatible with an Industrial Future Land Use and would appear to meet the anticipated community need.
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.* This lot is situated within an Industrial Future Land Use and is adjacent to a Transitional Future Land Use. Keeping the lot utilized in an industrial capacity results in an orderly pattern of development and does not hinder the development of the transitional lot. As the proposed use is less intense than the current allowed use, this will create a logical flow to the community that transitions to neighborhood and residential uses cohesively and without disruption.

Planning Commission Recommendation:

On August 21, 2017, the Planning Commission recommended **APPROVAL** of a Rezoning from the Planned Development (PD) Zoning District to the **Office Warehouse (OW) Zoning District**.

The following is the complete excerpt of the minutes from the August 21, 2017, meeting for this case:

Z17-11: Burnett

Public hearing and consideration of a request for approval of a Rezoning from the Planned Development (PD) Zoning District to the Office Warehouse (OW) Zoning District, for property located at 1221 Grand Canal Road; generally located 1,240 feet southwest from the intersection of Grand Canal Road and U.S. Highway 277; more specifically located in Sunset Ranch Estates, Section 2, Block 2, Lot 17B, City of San Angelo, Texas, consisting of a total of 1.50 acres.

Kristina Heredia, Planner, presented the case. She explained that the proposed rezoning to Office-Warehouse (OW) would allow certain uses that the current Planned Development zoning did not allow. She explained that the OW zoning would be suitable for the applicant's current business needs. Mr. Heredia outlined Staff's rationale for approval which included that the OW zoning was consistent with the City's Comprehensive Plan, that the PD zoning was not being utilized; and that there appeared to be a community need for the proposed zoning.

There was no public comment.

Commissioner Crisp made a Motion to recommend **APPROVAL** of the proposed Rezoning from the Planned Development (PD) Zoning District to the Office-Warehouse (OW) Zoning District on the subject property. Commissioner Farmer seconded the Motion. The Motion passed unanimously, 6-0.

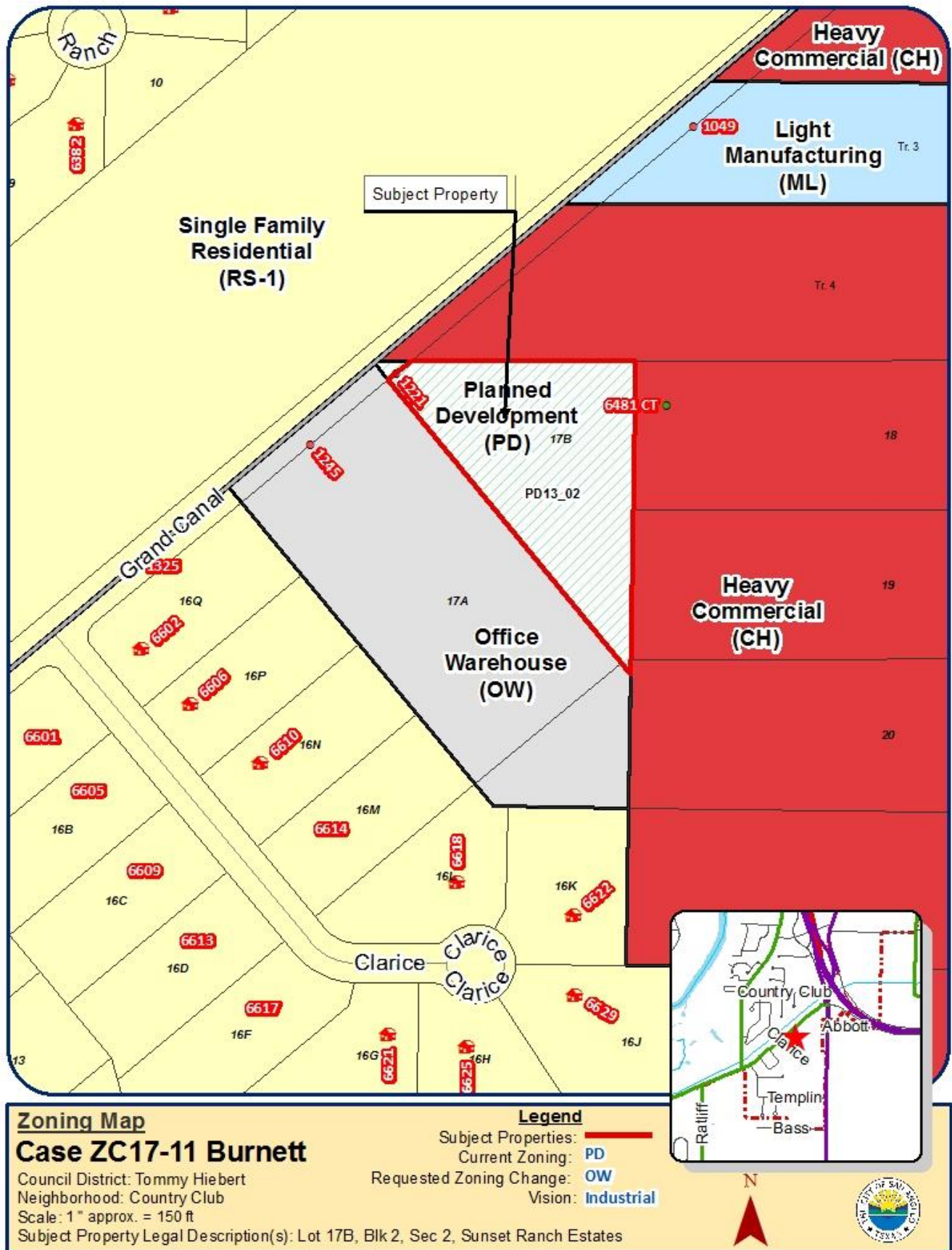
Recommendation:

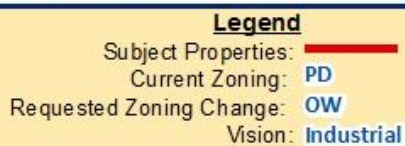
Staff's recommendation is for the Planning Commission to recommend **APPROVAL** of a Rezoning from the Planned Development (PD) Zoning District to the **Office Warehouse (OW) Zoning District**.

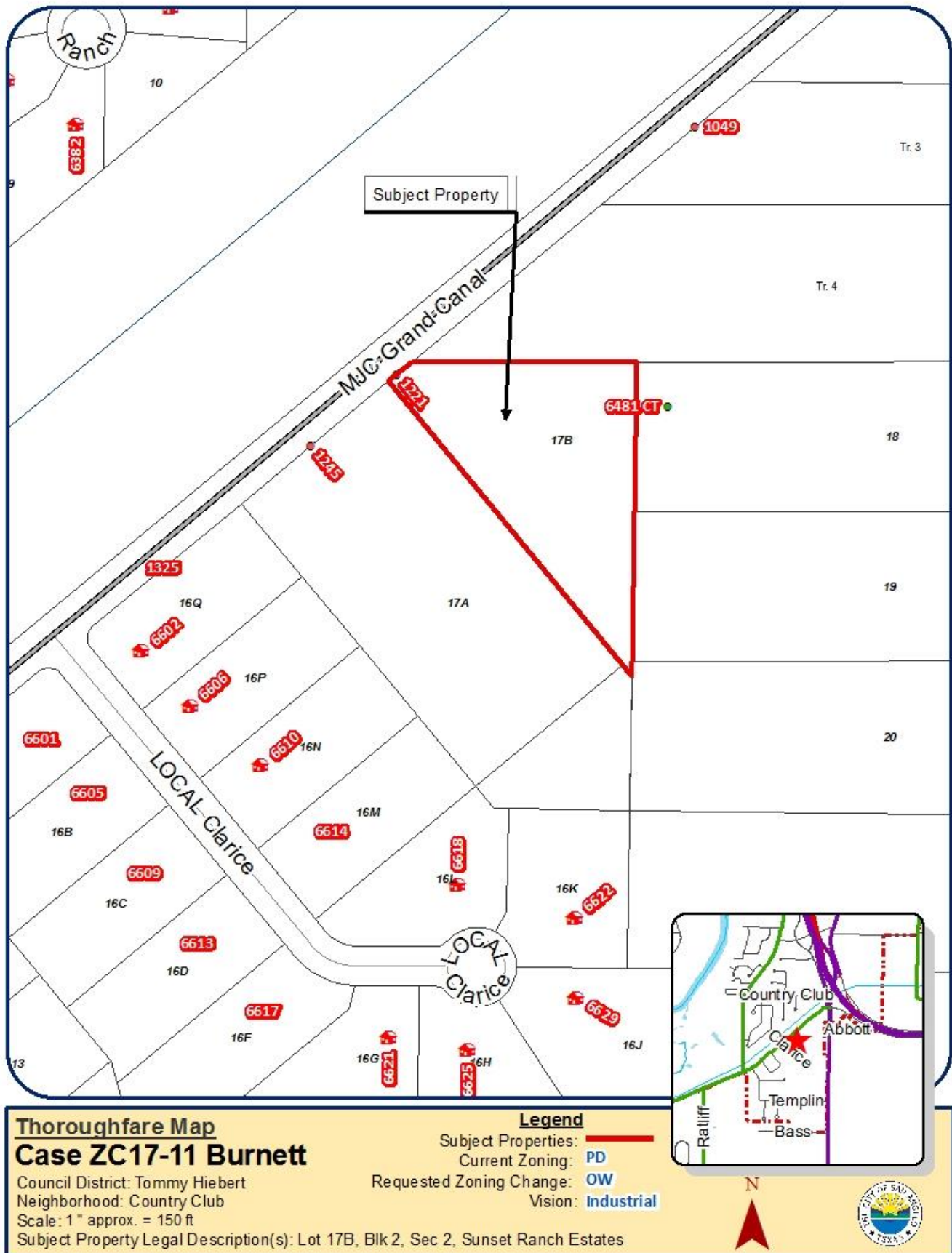
Attachments:

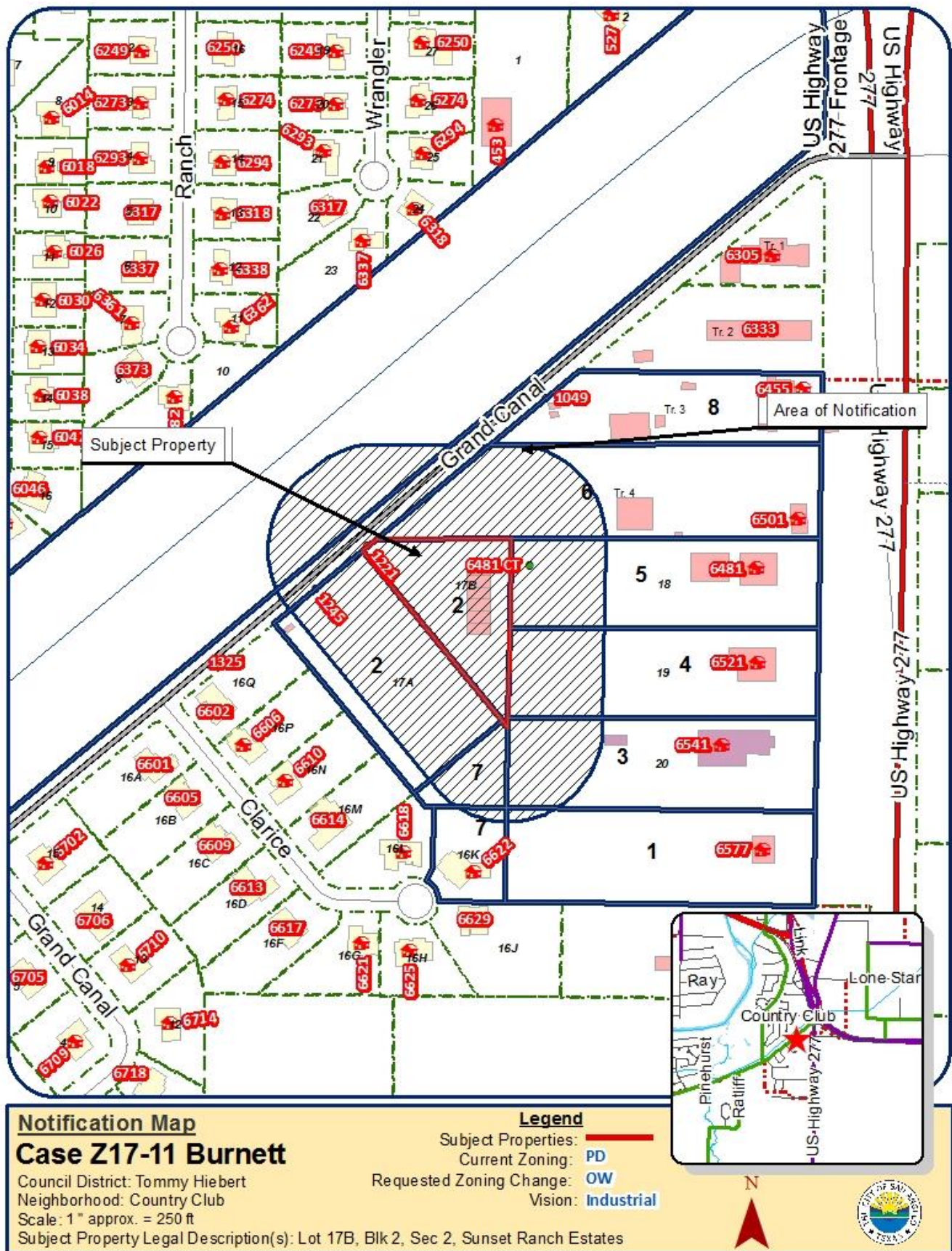
1. Aerial Map
2. Zoning Map
3. Future Land Use (FLU) Map
4. Thoroughfare Map
5. Notification Map
6. Site Photos











Site Photos

1221 Grand Canal Road



Existing Building



Looking SW on Grand Canal



Looking NE on Grand Canal



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: **1221 Grand Canal Road, compromising a total of 1.50 acres**, FROM PLANNED DEVELOPMENT (PD) ZONING DISTRICT TO OFFICE WAREHOUSE (OW) ZONING DISTRICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, on consideration of the application for zoning change from Planned Development (PD) to Office Warehouse (OW) Zoning District, Z17-11, Burnett; the Planning Commission and City Council having given notice of public hearing on the application as required under the Zoning Ordinance; City having published notice of public hearing in compliance with the Zoning Ordinance; City Council having afforded a full and fair public hearing on the application and having considered the amendment criteria applicable under the Zoning Ordinance; and, City Council 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:

The real property located at 1221 Grand Canal Road, within the corporate limits of the City of San Angelo; more specifically being Section 2, Block 2, Lot 17B, of the Sunset Ranch Estates, San Angelo, Texas, compromising a total of 1.50 acres, Planned Development (PD) Zoning District, shall henceforth be permanently zoned as follows: Office Warehouse (OW) Zoning District.

SECTION 2: 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 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.

SECTION 4. 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 5 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 6: This Ordinance shall be effective on, from and after the date of adoption.

INTRODUCED on the **19th day of September, 2017**, and finally PASSED, APPROVED AND ADOPTED on this the **3rd day of October, 2017**.

THE CITY OF SAN ANGELO

Brenda Gunter, Mayor

ATTEST:

APPROVED AS TO FORM:

Bryan Kendrick, City Clerk

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: September 19, 2017

Item type: Regular Item

Caption:

First reading and public hearing of an ordinance for the vacation and abandonment of a 0.642-acre (28,000-square feet) segment of the South Marie Street public right-of-way generally located between Bryan Street and Roosevelt Street - (Presentation by Planning & Development Services Director Jon James)

Summary/History:

The applicant has requested the vacation and abandonment of a 70-foot wide by 400-foot long portion of South Marie Street, comprising a total of 28,000 square feet (0.642 acres) immediately east of their property. The applicant's intent is to use this space for an additional driveway, parking and deliveries to the site. This portion of South Marie Street extends in a north-south direction 400 feet between Bryan Street to the north and Roosevelt Street to the south. The street is identified as a local street in the City's Master Thoroughfare Plan (MTP) and has a caliche surface. At present, this portion of South Marie Street extends an additional 400 feet north as a dirt road to Culberson Street.

Financial Impact:

N/A

Other Information/Recommendation:

On August 21, 2017, the Planning Commission recommended APPROVAL of the proposed vacation and abandonment of the subject portion of South Marie Street, REMOVING both the original Condition #1 requiring a replat of the abandoned area with the adjacent property, and the original Condition #4 requiring a rezoning for a portion of the abandoned area. Commissioner Farmer made a Motion to recommend APPROVAL of the proposed vacation and abandonment of the subject portion of South Marie Street, REMOVING Conditions #1 and #4. Commissioner Crisp seconded the Motion. The Motion passed unanimously, 6-0.

Staff, however, is recommending that the street abandonment be APPROVED subject to four Conditions:

1. Submit, obtain approval, and official recording of a subdivision replat absorbing the subject abandonment area into the abutting property, 1608 & 1610 Roosevelt Street, meeting all requirements of the Land Subdivision Ordinance.
2. Remit payment for the assessment formula outlined in the fee schedule, if the abandonment is approved, for the entire abandoned area, totaling \$2,625.00. The City, as an abutting property owner, is entitled to ½ of the abandoned right-of-way, but the City has determined its portion of the abandoned right-of-way is surplus property and authorizes the City Manager to sign documents necessary to convey its portion of the abandoned right-of-way to the applicant, per the Code of Ordinances, Section A9.008.
3. Provide the City of San Angelo with a perpetual public sidewalk and utility easement along the west portion of the abutting property, 1608 & 1610 Roosevelt Street, for a future public sidewalk and utilities. The City will pay the

applicant \$660.00 for use and benefit of the said easement.

4. A 20-foot wide Fire Lane paved with two-course asphalt or concrete shall be provided to service the neighboring businesses. The lane shall be marked with a red line and white lettering. If the fire lane extends more than 150 feet in length, a proper turnaround will need to be installed, consistent with the 2015 International Fire Code.

Attachments:

- | | | |
|----|-----------------|---|
| 1. | Staff Report | PL_S. Marie ROW Abandonment report.pdf |
| 2. | Draft Ordinance | PL_S_Marie ROW Abandonment Ordinance.docx |

Presentation:

Jon James

Approvals/Reviews:

Rebeca Guerra	Created/Initiated
Jon James	Approved
Theresa James	Approved
Anthony Wilson	Approved
Jon James	Approved
Tina Dierschke	Approved
Theresa James	Approved
Becky Dunn	Approved
Bryan Kendrick	Final Approval



CITY COUNCIL – September 19, 2017

STAFF REPORT

APPLICATION TYPE:		CASE:	
Street Right-of-Way Abandonment		Street Right-of-Way Abandonment: Talk O' Texas Brands, Inc.	
SYNOPSIS:			
The applicant has requested the vacation and abandonment of a 70-foot wide by 400-foot long portion of South Marie Street, comprising a total of 28,000 square feet (0.642 acres) immediately east of their property. The applicant's intent is to use this space for an additional driveway, parking and deliveries to the site. This portion of South Marie Street extends in a north-south direction 400 feet between Bryan Street to the north and Roosevelt Street to the south. The street is identified as a local street in the City's Master Thoroughfare Plan (MTP) and has a caliche surface. At present, this portion of South Marie Street extends an additional 400 feet north as a dirt road to Culberson Street (See additional information below).			
LOCATION:		LEGAL DESCRIPTION:	
South portion of South Marie Street between Bryan Street and Roosevelt Street		Being a 28,000-square foot (0.642-acre) portion of an urban local street located immediately east of Block 13 in the Carruthers Addition to San Angelo, comprising a width of 70 feet and a length of 400 feet.	
SM DISTRICT / NEIGHBORHOOD:		ZONING:	FLU:
West Half: SMD District #3 – Harry Thomas East Half: SMD #4 – Lucy Gonzales Fort Concho Neighborhood		West half: CG/CH – General Commercial/ Heavy Commercial East half: RS-1 - Single-Family Residential	West half: C – Commercial East half: I – Industrial
SIZE:			
28,000 square feet (0.642 acres)			
THOROUGHFARE PLAN:			
South Marie Street – Urban Local Street Required: 50' right-of-way, 40' pavement or 36' pavement with a 4-foot sidewalk Provided: 70' right-of-way, 24' unpaved (caliche) and no sidewalk (pre-existing street exempt from these standards, public dedication in accordance with standards at that time).			
NOTIFICATIONS:			
4 notifications mailed within 200-foot radius on August 10, 2017, as required. As of September 8, 2017, there was one letter received in support, and zero received in opposition.			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of the Street Right-of-Way Abandonment request, subject to the four Conditions of Approval described below.			
PROPERTY OWNER/PETITIONER:			
<i>Adjacent Property Owners: Albert Ricci and Mary Brown</i> <i>Applicant: Erica Carter, SKG Engineering, LLC on behalf of Ricci/Brown (Talk O' Texas Brands, Inc)</i>			
STAFF CONTACT:			
Jeff Fisher, Senior Planner (325) 657-4210, Extension 1550 jeff.fisher@cosatx.us			

Additional Information:

Planning Staff circulated all relevant municipal departments, as well as public and private utility companies and there were no responses in opposition to the request. The Fire Prevention Division will require, as a condition of approval, that a minimum 20-foot fire lane be installed along the east side of the building within the South Marie Street proposed abandonment area for fire safety. This portion of South Marie Street has a 70-foot right-of-way and a minimum paving width (caliche surface) of 24 feet at its narrowest point. This would allow sufficient space for future parking and maneuvering area, with the latter acting as the future fire lane which would require a minimum of 24-feet for two-way traffic as per Section 511.G. of the Zoning Ordinance.

The City of San Angelo intends to acquire a perpetual public sidewalk and utility easement along the west portion of the applicant's property adjacent to South Bell Street for a future sidewalk and water main within this area. The city will require this easement prior to recordation of any future right-of-way abandonment, ensuring that a future water main and sidewalk can be constructed for the benefit of the city and its residents. Additional conditions will include a replat of the abandoned portion of the street into the adjacent lot, a zone change of the remaining 35-foot wide strip of the future abandoned area zoned RS-1 to CG/CH to avoid dual zoning and an unbuildable portion, and payment of the City's assessment formula for the abandoned area. The applicant has expressed interest in obtaining the entire 0.642-acre abandonment area, and the City, which owns the property immediately to the east, has waived their interest in acquiring their half of the abandoned area. Therefore, the applicant will be required to pay the full assessed value of the abandoned area, to be determined by the City's Real Estate Division.

At the August 21, 2017 Planning Commission Meeting, Planning Staff recommended removal of the original Condition #4 which required a rezoning of a portion of the abandoned street zoned RS-1 to CG/CH, consistent with the CG/CH zone on the applicant's (Talk O'Texas) adjacent property. Whereas the applicant intends to acquire the entire abandoned portion of the street, it was determined by the Planning Director and Legal Services that a rezoning would not be required as the entire vacated abandoned area would inevitably be acquired by the same owner. The Planning Commission concurred and recommended approval, removing this condition (see below).

Analysis:

Planning Staff reviewed all relevant case history, relevant ordinances and policies, and conducted a site visit to the property on August 15, 2017 to determine the appropriateness of abandoning the said public street right-of-way.

Site Analysis and Traffic Circulation Patterns

Planning Staff does not believe existing or anticipated traffic patterns would be negatively affected if the subject portion of South Marie Street between Bryan Street and Roosevelt Street is closed. At present, this portion of South Marie Street acts as a rear yard for the existing Talk O' Texas okra pickle bottling facility. Surrounding properties use alternate streets for access and do not appear to utilize this portion of South Marie Street. The storage facility to the north has access from North Bell Street and the two residential properties to the north are accessed from Culberson Street as the portion of South Marie Street north of the proposed abandonment is a dirt road in poor condition. As discussed, the City owns the vacant property to the east. At this time, the City has not expressed any plans to develop this property. The Planned Development (PD09-01) boundary for the future expansion of the City Maintenance Facility is located further southeast, and does not include the City's property east of the abandonment. Should the City decide to develop this lot or sell in future, access could be provided from Roosevelt Street, which is designated as a future Arterial Road in the Master Thoroughfare Plan (MTP).

For these reasons, Staff believe closing this portion of South Marie Street would not create any detrimental effects as this portion does not appear to be used by any surrounding property owner, except for the applicant who intends to acquire, pave, and maintain it. Staff does not believe this portion provides any public benefit. Closing this portion would also remove any additional expense of the City having to upgrade it in future.

Case History

Planning Staff reviewed past case history pertaining to the subject street portion. On July 14, 1975, the Planning Commission denied a request to abandon the full length of South Marie Street from Culberson Street to Roosevelt Street as well as the portion of Bryan Street between South Bell Street and South Marie Street. The City Engineer at that time cited water and sewer lines and circulation as grounds for denial. It was also referenced that this street was to provide access to an approved subdivision, Ricci Addition, which was approved but never recorded. Today, there are no water or sewer lines in this portion of South Marie Street, and the Ricci Addition was never approved. A future replat would still have abutting access from three streets – South Bell Street, Roosevelt Street, and Bryan Street, providing ample access alternatives. As mentioned, it appears that the development of this area has used other streets as main access points, and this portion of South Marie Street only provides access to Talk O' Texas.

Relevant Ordinances and Policies

The proposed abandonment would not contravene any applicable City Ordinance. As conditions of approval, the applicant would be required to replat the abandonment area into the Talk O' Texas property as well as rezone the east half from RS-1 to CG/CH to avoid dual zoning and an unbuildable lot portion as the RS-1 zone requires a 50 foot frontage and the east half of the abandonment would only be 35 feet. The associated replat would allow the city to obtain the necessary street improvements of one-half the incremental paving width for Roosevelt Street and Bell Street, Arterial Streets, and Bryan Street, a Local Street. The required minimum 20-foot fire lane will ensure the City will have access for fire emergencies.

Planning Commission Recommendation:

On August 21, 2017, the Planning Commission recommended **APPROVAL of the proposed vacation and abandonment of the subject portion of South Marie Street, REMOVING both the original Condition #1 requiring a replat of the abandoned area with the adjacent property, and the original Condition #4 requiring a rezoning for a portion of the abandoned area.** The following is the complete excerpt of the minutes from the August 21, 2017, meeting for this case:

Jeff Fisher, Senior Planner, presented the case. He displayed the subject area of the proposed street abandonment for the Planning Commission, being the south portion of South Marie Street between Bryan Street and Roosevelt Street. Mr. Fisher outlined Staff's rationale for approval which included that the portion of the street to be abandoned is exclusively used by the adjacent landowner and proponent of the request, Talk O' Texas as a rear yard to their pickle bottling facility. Mr. Fisher outlined current traffic patterns and explained that other properties are accessed from alternate streets and that there would be no negative impacts on adjacent properties if this portion of South Marie Street was abandoned. Mr. Fisher concluded his presentation by recommending three conditions of approval, but removing condition #4 no longer requiring a zone change due to the applicant acquiring the full abandoned portion of the street. He explained that the CG/CH zoning would apply to the entire abandoned area and therefore this condition was no longer required.

Russell Gully, SKG Engineering, LLC, representing the applicant, requested that Condition #1 requiring a replat be removed, as it would require the applicant to make all the improvements, which he believed would cost \$250,000. He further requested that Staff explain the legal basis for why a replat was required as a condition of the abandonment.

Jon James, Planning and Development Services Director, indicated that it had been Staff’s practice to require the abandoned street to be included in the replat with the adjacent property. He further explained, however, that the appropriate time to discuss street improvements was when the plat is submitted.

Dan Saluri, Deputy City Attorney, added that a condition requiring replatting is optional.

Mr. Gully cited the relevant section of Chapter 1 of the Subdivision Ordinance which he believed exempted an abandoned street from being required to be replatted.

Mr. James concurred with Mr. Gully that there was no specific provision requiring a street abandonment to be replatted, however, there was also no provision that stated that a condition could not be imposed requiring this area to be replatted with the adjacent property.

Rebeca Guerra, Planning Manager, indicated that the abandoned area would be required to be platted only if a building permit was needed on this land, but that Staff was requiring a replat as part of the approval to maintain one cohesive property.

Mr. James indicated that in order to maintain good land records, Staff is recommending that the abandoned portion be replatted with the adjacent property, but that this decision would be determined by the Planning Commission.

Commissioner Farmer indicated that if the applicant submitted a replat there would be no guarantee they would be given a variance from street improvements. Ms. Guerra affirmed this was correct.

Lance Overstreet, Assistant City Engineer, indicated that the City was not planning a significant widening of South Bell Street, but rather, the installation of a sidewalk. He indicated that the Engineering Department would likely support a variance from any improvements on South Bell Street given that funds are already available and improvements will be made in future.

Commissioner Farmer made a Motion to recommend APPROVAL of the proposed vacation and abandonment of the subject portion of South Marie Street, REMOVING Conditions #1 and #4. Commissioner Crisp seconded the Motion. The Motion passed unanimously, 6-0.

The final three Conditions would read as follows:

- 1. Remit payment for the assessment formula outlined in the fee schedule, if the abandonment is approved, for the entire abandoned area, totaling \$2,625.00. The City, as an abutting property owner, is entitled to ½ of the abandoned right-of-way, but the City has determined its portion of the abandoned right-of-way is surplus property and authorizes the City Manager to sign documents necessary to convey its portion of the abandoned right-of-way to the applicant, per the Code of Ordinances, Section A9.008.**
- 2. Provide the City of San Angelo with a perpetual public sidewalk and utility easement along the west portion of the abutting property, 1608 & 1610 Roosevelt Street, for a future public sidewalk and utilities. The City will pay the applicant \$660.00 for use and benefit of the said easement.**

3. A 20-foot wide Fire Lane paved with two-course asphalt or concrete shall be provided to service the neighboring businesses. The lane shall be marked with a red line and white lettering. If the fire lane extends more than 150 feet in length, a proper turnaround will need to be installed, consistent with the 2015 International Fire Code.

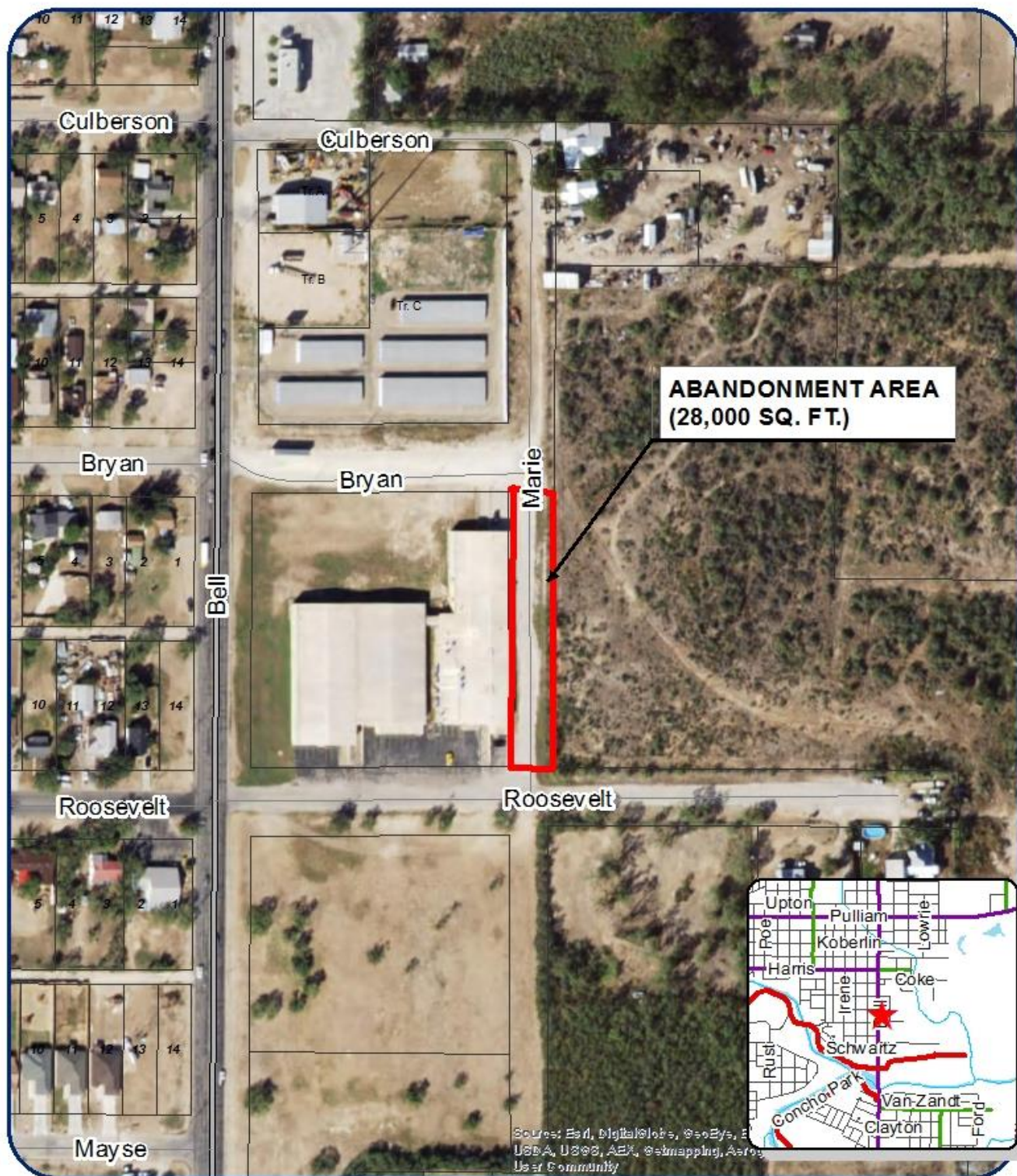
Recommendation:

Staff’s recommendation is for City Council to **APPROVE** the proposed vacation and abandonment of a 0.642-acre (28,000-square feet) segment of the South Marie Street public right-of-way, **subject to following four Conditions of Approval:**

1. Submit, obtain approval, and official recording of a subdivision replat absorbing the subject abandonment area into the abutting property, 1608 & 1610 Roosevelt Street, meeting all requirements of the Land Subdivision Ordinance.
2. Remit payment for the assessment formula outlined in the fee schedule, if the abandonment is approved, for the entire abandoned area, totaling \$2,625.00. The City, as an abutting property owner, is entitled to ½ of the abandoned right-of-way, but the City has determined its portion of the abandoned right-of-way is surplus property and authorizes the City Manager to sign documents necessary to convey its portion of the abandoned right-of-way to the applicant, per the Code of Ordinances, Section A9.008.
3. Provide the City of San Angelo with a perpetual public sidewalk and utility easement along the west portion of the abutting property, 1608 & 1610 Roosevelt Street, for a future public sidewalk and utilities. The City will pay the applicant \$660.00 for use and benefit of the said easement.
4. A 20-foot wide Fire Lane paved with two-course asphalt or concrete shall be provided to service the neighboring businesses. The lane shall be marked with a red line and white lettering. If the fire lane extends more than 150 feet in length, a proper turnaround will need to be installed, consistent with the 2015 International Fire Code.

Attachments:

Aerial Map
Future Land Use Map
Zoning Map
Surrounding Area Map
Resident Letter
Roadway Abandonment Exhibit
Field Notes
Application



ROW (Street) Abandonment Case File

Talk O' Texas Brands Inc.

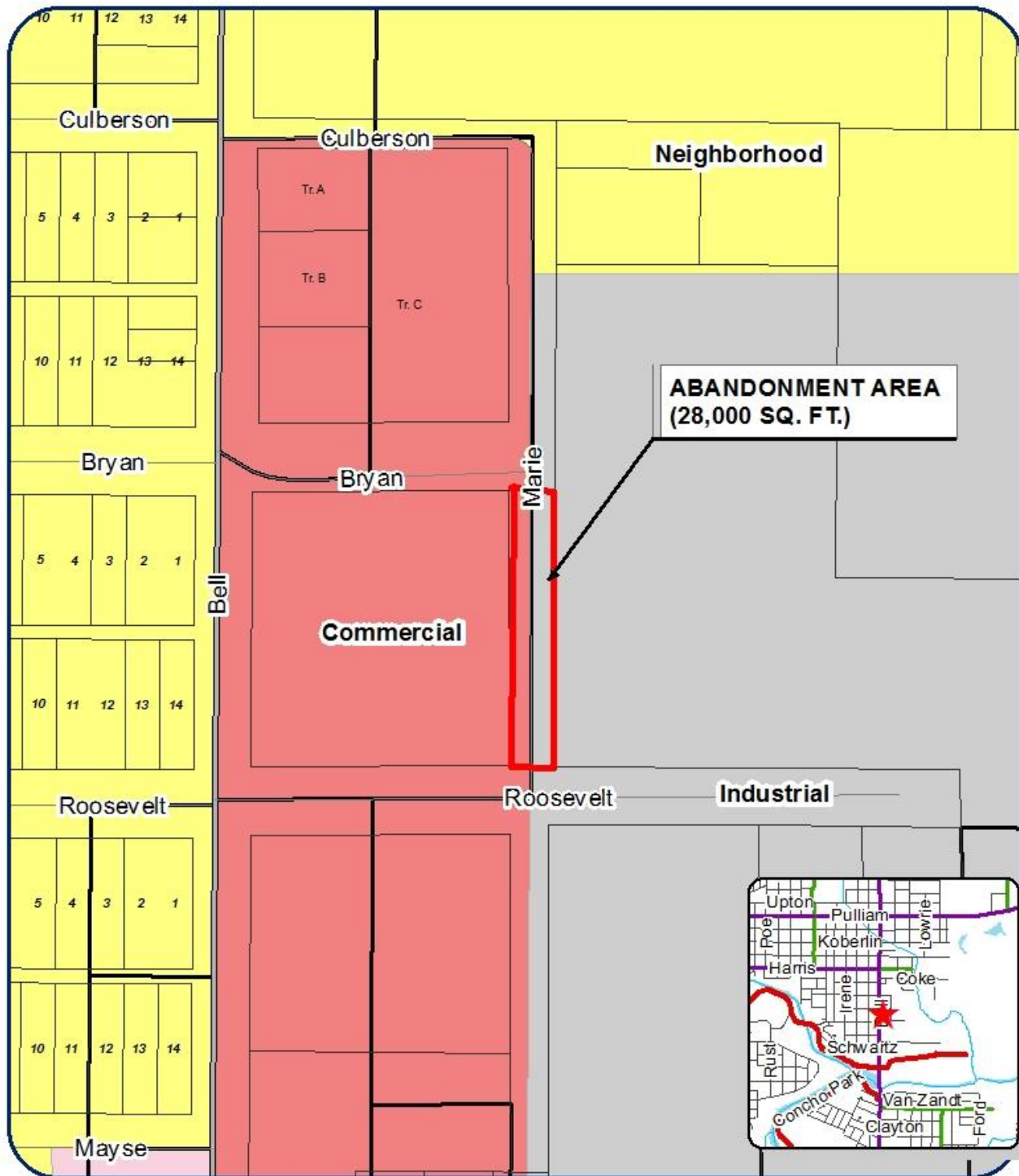
Council District: Thomas (SMD3)/Gonzales (SMD4)
 Neighborhood: Fort Concho East
 Scale: 1" approx. = 4,870 ft
 Subject Property: East of 1610 Roosevelt St.

Legend

Subject Properties: —
 Current Zoning: **CG/CH AND RS-1**
 Requested Zoning Change: **N/A**
 Vision: **Commercial and Industrial**



September 19, 2017

**ROW (Street) Abandonment Case File****Talk O' Texas Brands Inc.**

Council District: Thomas (SMD3)/Gonzales (SMD4)

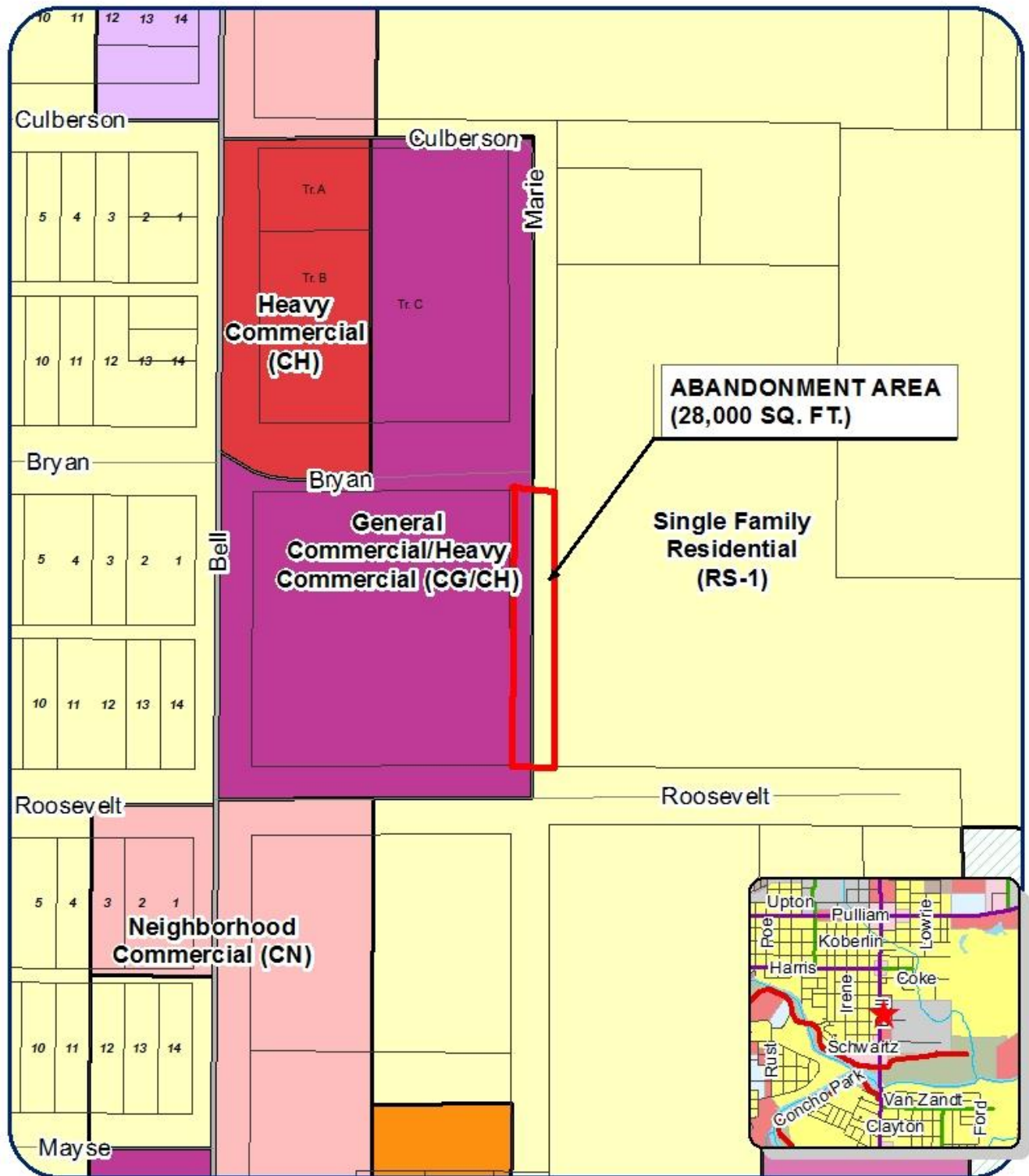
Neighborhood: Fort Concho East

Scale: 1" approx. = 4,870 ft

Subject Property: East of 1610 Roosevelt St.

LegendSubject Properties: —Current Zoning: CG/CH AND RS-1Requested Zoning Change: N/AVision: Commercial and Industrial

September 19, 2017

**ROW (Street) Abandonment Case File****Talk O' Texas Brands Inc.**

Council District: Thomas (SMD3)/Gonzales (SMD4)

Neighborhood: Fort Concho East

Scale: 1" approx. = 4,870 ft

Subject Property: East of 1610 Roosevelt St.

LegendSubject Properties: —Current Zoning: CG/CH AND RS-1Requested Zoning Change: N/AVision: Commercial and Industrial

Surrounding Area Map

Surrounding Area Map

**S. Bell Street
(Arterial)**

**64' paved required
64' paved provided**

Bryan Street (Local)

**40' paved required
40' caliche provided**

S. Marie Street (Local)

**40' paved required
24' caliche provided**

**Roosevelt Street
(Arterial)**

**64' paved required
36' caliche provided**



TO BE FORMALLY ON RECORD IN FAVOR OR AGAINST THIS REQUEST, YOU MAY ALSO FILL OUT THIS FORM, SIGN IT AND MAIL IT BACK TO THE PLANNING DIVISION AT 52 W COLLEGE STREET IN SAN ANGELO, TEXAS 76903.

(☒)

IN FAVOR

()

IN OPPOSITION

REASON(S) _____

NAME: _____

ADDRESS: _____

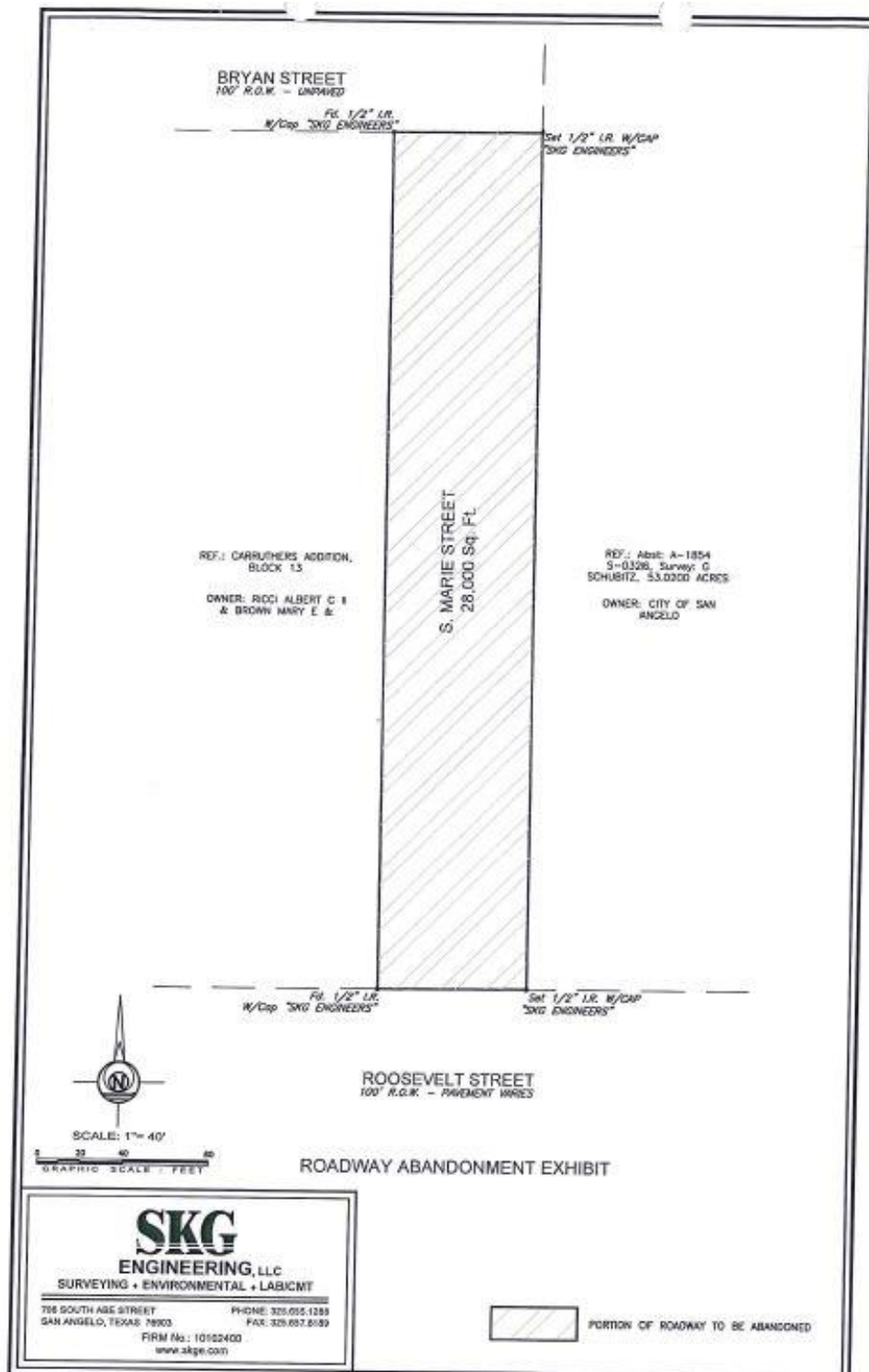
SIGNATURE: Earl W. Ayers

ROW Abandonment S. Marie St. (Talk O' Texas Brands Inc.)

property owner number: 1

If you have any questions about these proceedings, please call Mr. Jeff Fisher, Planner, with the City of San Angelo's Planning Division at telephone number 325-657-4210. The Planning Division staff may also be reached by email at jeff.fisher@cosatx.us.

Roadway Abandonment Exhibit



Field Notes

FIELD NOTES

Roadway Abandonment (28,000 Square Feet)

June 22, 2017

17-S-0074

Being an area of 28,000 Square Feet of land and being a part of South Marie Street adjacent to Block 13, Carruthers Addition, City of San Angelo, Tom Green County, Texas as per plat recorded in Volume 108, Page 80-81, Deed Records of Tom Green County, Texas and said 28,000 Square Feet Tract being more particularly described by metes and bounds as follows:

Beginning at a ½" iron rod with cap marked "SKG ENGINEERS" found for the northwest corner of this tract and northeast corner of said Block 13, and being the intersection of the south line of Bryan Street and the west line of said South Marie Street;

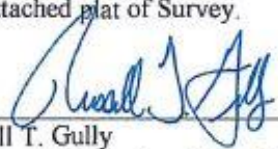
Thence with the north line of this tract and the extension of the south line of said Bryan Street, N. 89° 47' 28" E. 70.00 feet to a ½" iron rod with cap marked "SKG ENGINEERS" set for the northeast corner of this tract;

Thence with the east line of this tract and said South Marie Street, S. 00° 12' 32" E. 400.00 feet to a ½" iron rod with cap marked "SKG ENGINEERS" set for the southeast corner of this tract and being the intersection of the east line of said South Marie Street and the north line of Roosevelt Street;

Thence with the south line of this tract and the north line of said Roosevelt Street, S. 89° 47' 28" W. 70.00 feet to a ½" iron rod with cap marked "SKG ENGINEERS" found for the southwest corner of this tract and the southeast corner of said Block 13 and being the intersection of the north line of said Roosevelt Street and the west line of said South Marie Street;

Thence with the west line of this tract and said South Marie Street and the east line of said Block 13, N. 00° 12' 32" W. 400.00 feet to the place of beginning and containing an area of 28,000 square feet of land.

See attached plat of Survey.


Russell T. Gully
Registered Professional Land Surveyor No. 5636
SKG Engineering, LLC
Firm No. 10102400



Staff Report – Street Right-of-Way Abandonment – South Marie Street (Talk O' Texas)
September 19, 2017



City of San Angelo, Texas – Planning Division
52 West College Avenue
**Application to Abandon Right-of-way for
Street(s) and/or Alley(s)**

**Section 1: Basic Information**Name of Applicant(s): SKG Engineering, LLC.☐ Owner☒ Representative (Affidavit Required)706 South Abe StreetSan AngeloTexas76901

Mailing Address

City

State

Zip Code

325.655.1288erica@skge.com

Contact Phone Number

Contact E-mail Address

1610 RooseveltSan AngeloTexas76905

Subject Property Address

City

State

Zip Code

Tract A, Ricci AdditionLegal Description (can be found on property tax statement or at www.texasgreencard.com)Lot Size: 3.6800Zoning: CG/CH**Section 2: Site Specific Details**Subdivision Name: Ricci AdditionLots and/or Blocks Affected*: Tract A and a portion of South Marie Street

General Description of Location*: 400' by 70' portion of South Marie Street adjacent to 3.6800 acres, Tract A, Ricci Addition. The right of way has not been maintained and is unsafe.

Reason for Abandonment*: The only people who use this portion of the road daily are the employees and delivery trucks for Talk of Texas. It would be safer to abandon and make a part of Talk of Texas land so they can pave that area in the future and keep it maintained.

*Use attachment if necessary.

Effective January 3, 2017

Section 3: Applicant's acknowledgement

I/We the undersigned acknowledge that the information provided above is true and correct.


Signature of licensee or authorized representative
affirming the truth of the above statement.7/10/17
DateERICA CARTER
Printed name of licensee or authorized representativeSKG ENGINEERING LLC
Name of business/Entity of representative**FOR OFFICE USE ONLY:**Date of Application: 8, 4, 17Non-Refundable Fee: \$ 450.00 Receipt #: 269514Date paid: 8, 4, 17Date of hearing by Planning Commission: 8, 21, 17Date of hearing by City Council: 9, 19, 17Reviewed/Accepted by: J. Fisherand 10/3/17

AN ORDINANCE PROVIDING FOR ABANDONMENT AND CLOSING OF A PORTION OF SOUTH MARIE STREET, BETWEEN BRYAN STREET TO THE NORTH AND ROOSEVELT STREET TO THE SOUTH IMMEDIATELY EAST OF BLOCK 13 IN THE CARRUTHER'S ADDITION, CONSISTING OF 28,000 SQUARE FEET; AUTHORIZING CONVEYANCE THEREOF BY QUITCLAIM DEED TO ABUTTING PROPERTY OWNERS; AND PROVIDING TERMS AND CONDITIONS OF ABANDONMENT AND CONVEYANCE.

WHEREAS, the City Council of the City of San Angelo, acting pursuant to law, is of the opinion that the portion of South Marie Street described herein is no longer needed for public use and therefore deems it advisable to abandon and convey the herein described tract of land to the abutting property owners; and

WHEREAS, the City Council of the City of San Angelo is of the opinion that the best interest and welfare of the public will be served by abandoning and conveying said tract of land to the abutting property owner(s), subject to the conditions and restrictions contained herein;

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

SECTION 1: The public rights-of-way and street located in the City of San Angelo, Tom Green County, Texas, generally described as a portion of South Marie Street running between Bryan Street to the north and Roosevelt Street to the south, more particularly described and depicted in **Exhibit "A,"** attached hereto and made a part hereof for all purposes, be and the same are hereby abandoned, vacated and closed insofar as the right, title and easement of the public are concerned; subject however, to the conditions and restrictions hereinafter more fully set out.

SECTION 2: The abandonments and conveyances provided for herein are made and accepted subject to all present zoning and deed restrictions, if the latter exist, and all existing easements, if any, whether apparent or non-apparent, aerial, surface, underground or otherwise.

SECTION 3: The abandonment and conveyance provided for herein shall extend only to the public right, title, easement and interest and shall be construed to extend only to the interest which the governing body for the City of San Angelo may legally and lawfully abandon and vacate.

SECTION 4: As conditions of the abandonment and as part of the consideration for the abandonment by quitclaim deed authorized under this Ordinance, the adjacent owner of platted lots to the west adjoining the abandoned right-of-way shall:

- a) Submit, obtain approval, and official recording of a subdivision replat absorbing the subject abandonment area into the abutting property, 1608 & 1610 Roosevelt Street, meeting all requirements of the Land Subdivision Ordinance.
- b) Remit payment for the assessment formula outlined in the fee schedule, if the abandonment is approved, for the entire abandoned area, totaling \$2,625.00. The City, as an abutting property owner, is entitled to ½ of the abandoned right-of-way, but the City has determined its portion of the abandoned right-of-way is surplus property and authorizes the City Manager to sign documents necessary to convey its portion of the abandoned right-of-way to the applicant, per the Code of Ordinances, Section A9.008.
- c) Provide the City of San Angelo with a perpetual public sidewalk and utility easement along the west portion of the abutting property, 1608 & 1610 Roosevelt Street, for a future public sidewalk and utilities. The City will pay the applicant \$660.00 for use and benefit of the said easement.
- d) A 20-foot wide Fire Lane paved with two-course asphalt or concrete shall be provided to service the neighboring businesses. The lane shall be marked with a red line and white lettering. If the fire lane extends more than 150 feet in length, a proper turnaround will need to be installed, consistent with the 2015 International Fire Code.

SECTION 5: That the terms and conditions contained in this Ordinance shall be binding upon Grantees and Grantees' heirs, successors and assigns.

SECTION 6: That the Mayor of the City of San Angelo is hereby authorized to execute and, upon receipt of the consideration provided for at Section 4, herein, deliver quit claim deeds conveying the subject tracts of land as described in **Exhibit “A,”** to the abutting property owners.

SECTION 7: That the City Clerk is hereby authorized and directed to certify a copy of this adopted Ordinance for recordation in the Official Real Property Records of Tom Green County, Texas, wherein the tracts of land are located.

INTRODUCED on the **19th day of September, 2017**, and finally PASSED, APPROVED AND ADOPTED on this the **3rd day of October, 2017**.

THE CITY OF SAN ANGELO

Brenda Gunter, Mayor

ATTEST:

APPROVED AS TO FORM:

Bryan Kendrick, City Clerk

Theresa James, City Attorney

Exhibit "A"
FIELD NOTES

FIELD NOTES

Roadway Abandonment (28,000 Square Feet)

June 22, 2017

17-S-0074

Being an area of 28,000 Square Feet of land and being a part of South Marie Street adjacent to Block 13, Carruthers Addition, City of San Angelo, Tom Green County, Texas as per plat recorded in Volume 108, Page 80-81, Deed Records of Tom Green County, Texas and said 28,000 Square Feet Tract being more particularly described by metes and bounds as follows:

Beginning at a ½" iron rod with cap marked "SKG ENGINEERS" found for the northwest corner of this tract and northeast corner of said Block 13, and being the intersection of the south line of Bryan Street and the west line of said South Marie Street;

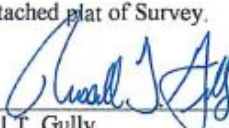
Thence with the north line of this tract and the extension of the south line of said Bryan Street, N. 89° 47' 28" E. 70.00 feet to a ½" iron rod with cap marked "SKG ENGINEERS" set for the northeast corner of this tract;

Thence with the east line of this tract and said South Marie Street, S. 00° 12' 32" E. 400.00 feet to a ½" iron rod with cap marked "SKG ENGINEERS" set for the southeast corner of this tract and being the intersection of the east line of said South Marie Street and the north line of Roosevelt Street;

Thence with the south line of this tract and the north line of said Roosevelt Street, S. 89° 47' 28" W. 70.00 feet to a ½" iron rod with cap marked "SKG ENGINEERS" found for the southwest corner of this tract and the southeast corner of said Block 13 and being the intersection of the north line of said Roosevelt Street and the west line of said South Marie Street;

Thence with the west line of this tract and said South Marie Street and the east line of said Block 13, N. 00° 12' 32" W. 400.00 feet to the place of beginning and containing an area of 28,000 square feet of land.

See attached plat of Survey.

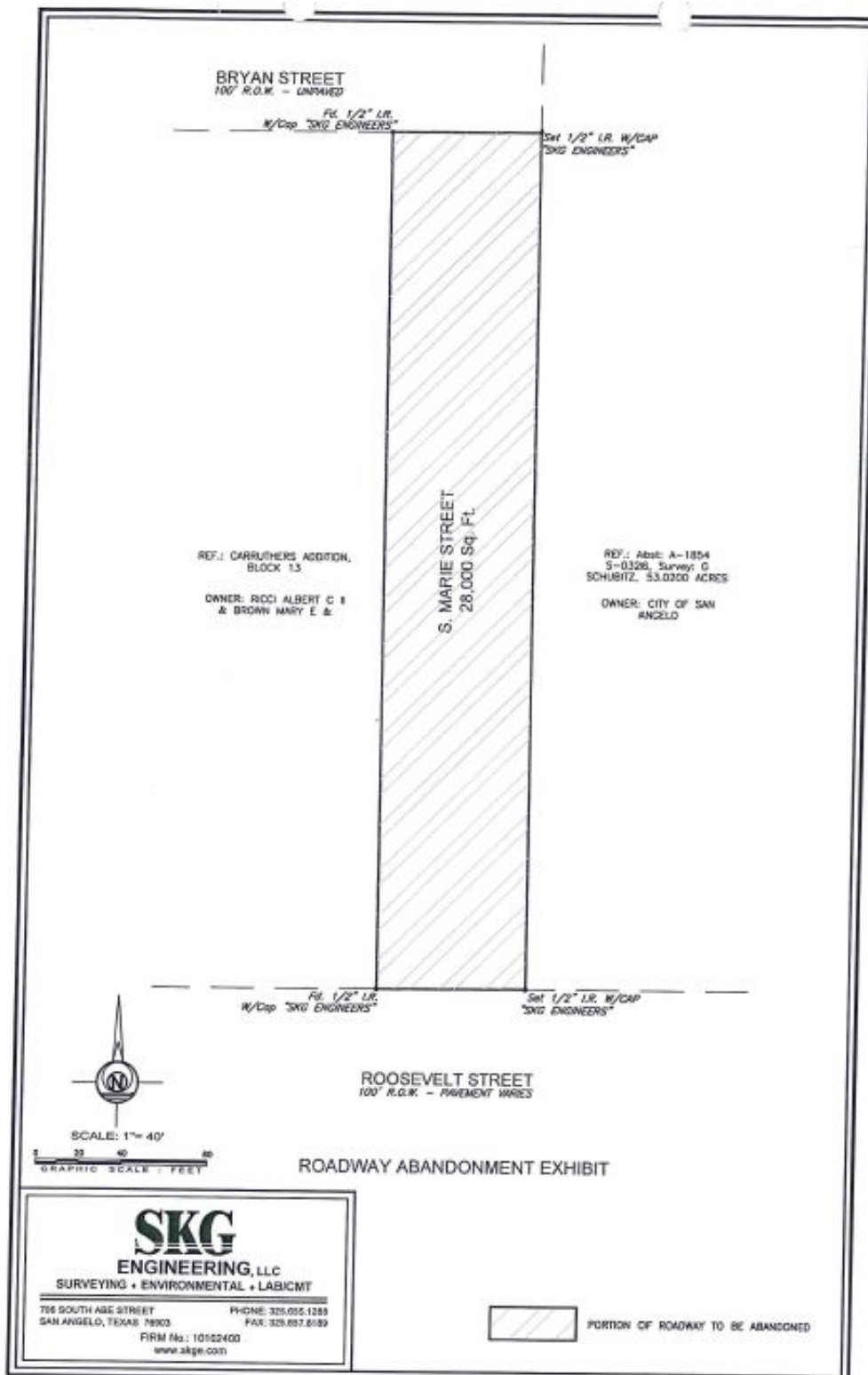


Russell T. Gully
Registered Professional Land Surveyor No. 5636
SKG Engineering, LLC
Firm No. 10102400



Exhibit "A"

SURVEY PLAN



REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: September 19, 2017

Item type: Regular Item

Caption:

First reading and public hearing of an ordinance amending the Major Thoroughfare Plan component of the San Angelo Comprehensive Plan in an area north of Clubhouse Lane, east of North Bentwood Drive, south of West Loop 306, and west of Foster Road - (Presentation by Planning & Development Services Director Jon James)

Summary/History:

This item is a request for amending the Major Thoroughfare Plan component of the San Angelo Comprehensive Plan in the areas Bentwood Country Club and surrounding area. The subject area is generally located north of Clubhouse Lane, east of North Bentwood Drive, south of West Loop 306, and west of Foster Road.

Financial Impact:

N/A

Other Information/Recommendation:

This item is scheduled to be heard by the Planning Commission on September 18, 2017.

Attachments:

- | | | |
|----|-----------------|------------------------------------|
| 1. | Staff Report | PL_Staff Report MTP Amendment.docx |
| 2. | Draft Ordinance | PL_Ordinance MTP Amendment.docx |

Presentation:

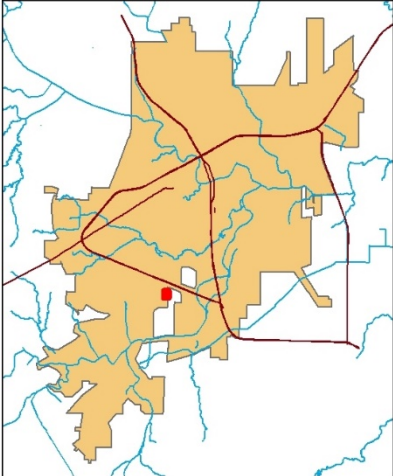
Jon James

Approvals/Reviews:

Rebeca Guerra	Created/Initiated
Jon James	Approved
Theresa James	Approved
Anthony Wilson	Approved
Jon James	Approved
Tina Dierschke	Approved
Theresa James	Approved
Becky Dunn	Approved
Bryan Kendrick	Final Approval

CITY COUNCIL – September 19 and October 3, 2017
STAFF REPORT



APPLICATION TYPE:		CASES:	
Master Thoroughfare Plan Amendment		2017 – Bentwood Area	
SYNOPSIS:			
A request for amending the Major Thoroughfare Plan component of the San Angelo Comprehensive Plan in the areas Bentwood Country Club and surrounding area.			
LOCATION:			
Subject area north of Clubhouse Lane, east of North Bentwood Drive, south of West Loop 306, and west of Foster Road.			
SM DISTRICT /	ZONING:	FLU:	SIZE:
Country Club Neighborhood SMD #1 – Tommy Hiebert	RS-1 - Single-Family Residential RM-1 – Low Rise Multi-Family Residential ML – Light Manufacturing CG – General Commercial CO – Office Commercial R&E – Ranch and Estate	Transitional Neighborhood Center Neighborhood	Approx. 515 acres
THOROUGHFARE PLAN:			
Collectors require 60-foot right-of-way; Arterials require 80-foot right-of-way (See Attached Map)			
NOTIFICATIONS:			
This request was published in the San Angelo Standard Times on August 31, 2017. Zero responses have been received in support and zero in opposition.			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of the proposed Master Thoroughfare Plan Amendment .			
PETITIONERS:			
City of San Angelo			
STAFF CONTACT:			
Jeff Fisher, AICP, Senior Planner Hillary Bueker, RLA, Senior Planner (325) 657-4210 jeff.fisher@cosatx.us hillary.bueker@cosatx.us			

Background:

The San Angelo Comprehensive Plan, adopted in 2003 and updated in 2009, includes a Major Thoroughfare Plan (MTP) component that designates existing major streets as freeways, arterial or collector streets. The MTP also shows the planned future path of new freeways, arterial and collector streets in areas of future development around the urban fringe of San Angelo. Staff periodically reviews areas and proposes amendments based new information or changing development patterns.

A review of the MTP for the Bentwood Area arose when the developer of Bentwood Country Club Estates submitted its most recent Final Plat, “Bentwood Country Club Estates, Section 39” on July 25, 2017. The original plat submission for 29 single-family home lots (later revised to 31 lots) showed future streets “Crystal Point Drive” which ran west-east, and “Karsten Creek Drive” which ran north-south as being “Urban Local Streets” with a right-of-way of only 50 feet. However, the current MTP has these streets designated as “Urban Collector Streets” of 60 feet. At that time, staff met with the consultant and representatives from Bentwood to discuss the future plans and options to revise the MTP to meet the plan’s original intent and Bentwood’s objectives. A Bentwood representative provided plans for the future development of homes in this area to allow staff to work closely with the proposed development. While looking at all alternatives in the Bentwood Area, staff realized these changes would affect a larger area and it was decided to expand the area to the current boundary of the requested amendment. Staff determined that it was imperative to provide greater connectivity between existing and future developments ranging over an estimated 515 acre area. The applicant subsequently agreed to postpone the plat until after the MTP amendments were considered.

As part of its MTP review of the Bentwood Area, Staff examined:

- current build-out of previous Bentwood Country Club subdivisions;
- future projected development and the demand on the existing street network;
- potential additions and modifications to existing and future projected collector and arterial streets to improve traffic flow and enhance public safety

The review concluded that several changes needed to be made to the current MTP map, and Staff revised the proposed MTP street map with the goals of providing access and connectivity to all parcels of land. The map was then distributed to City staff from the departments of Engineering Services and Operations, and local utilities representatives. Meetings were then held with the group which led to extending the proposed routes to logical termini points and eliminating routes that interfered with known development plans.

Analysis:

The current MTP map for this portion of Bentwood delineates four future collector streets, the future east-west extensions of Clubhouse Lane, Crystal Point Drive, Pine Valley Drive, and an unnamed north-south street which is identified as “Karsten Creek Drive” on the recent plat, Bentwood Country Club Estates, Section 39. Also delineated is a future arterial street “Buckskin Drive” which runs north-south and makes a sharp easterly turn north of Clubhouse Lane and joins with Foster Road, currently an arterial street.

The following is a summary of the proposed changes to the MTP map (see attached map for corresponding number sequence):

North-South Collector – Remove Current “1A” and Relocate to “1”

The current north-south Collector Street extends approximately 1.11 miles from West Loop 306 to the north to Club House Lane to the south. The subject street is labelled as “Karsten Creek Drive” on the Section 39 plat currently on hold pending this MTP Amendment. Staff believes that maintaining a north-south Collector Street in this area is important given increased single-family residential development in the area extending eastward towards Foster Road. However, relocating this street eastward would be more appropriate, connecting directly to the future Arterial Street Buckskin Drive. Shifting this street eastward would also allow Karsten Creek Drive to remain as a Local Road, allowing Bentwood Section 39 to be approved, as submitted.

East-West Collectors – Remove Current “2A”, “3A”, “4A”, and Add “2”

The current west-east Collectors extend from North Bentwood Drive towards Foster Road. Collector 2A is approximately 0.59 miles and connects directly to Foster Road, and 3A and 4A which are currently part of the same Collector Street extend approximately 0.62 miles in total and end at Buckskin Drive. Staff believes that these Collector Streets either no longer function as Collector Streets or are no longer needed and should be replaced by one Collector Street “2” providing a smooth transition from the new north-south Collector Street direct to Foster Road, an arterial street which connects to West Loop 306. Removal of 2A makes logical sense given the close proximity to Loop 306 which already provides east-west connectivity to the area. Staff also believes that removing the 3A portion of the southerly west-east collector makes sense due to previous plat approvals classifying Crystal Point Drive in this area as a Local Street, including Sections 29, 30, 36 and the proposed Section 39 for Bentwood Country Club Estates. Maintaining Crystal Point Drive as a Collector Street would create an irregular jog in the roadway for future subdivisions. Therefore, Staff believes it is more appropriate to create a new Collector Street from east of the current Crystal Point Drive and the existing Bentwood development to connect to Foster Road. Removing the collector designation from the west portion of Crystal Point Drive is consistent with previous plat approvals. Extending the Collector “2” from east of the Bentwood development would be consistent with the governing Revised Preliminary Plat for all of Bentwood Country Club Estates, ratified by City Council on June 7, 2005, which shows Crystal Point extending in this direction towards Foster Road. Finally, Staff believes that removal of 4A would be logical given that the preliminary plat shows the collector further north in its proposed location and not dipping southeasterly in an irregular configuration.

North-South Arterial – Re-Aligned Future Major Arterial “5A”

The current north-south future arterial portion of Foster Road within the Bentwood area extends approximately 0.57 miles. This portion of the overall Arterial Street connects from the current Arterial portion of Foster Road to the north past Clubhouse Drive to the south. It is part of a larger Arterial that collects to the southerly most limits of the City. Staff believes this future arterial road should be maintained given its importance as one of the major Arterial corridors connecting the southerly part of the City, which includes the Bentwood Area, to West Loop 306. However, Staff recommends a straighter re-alignment of this street to ensure a smoother transition of traffic flow as shown on the attached map as “5A”. The precise location will be determined by Engineering and Operations Staff in consultation with affected utility providers and other stakeholders, but Staff believes the proposed general location provides a future roadmap for development.

Comments:

Planning Staff circulated this proposal to City departments and relevant external agencies for comments. Staff received no comments or objections from most departments or agencies, but did receive comments from Atmos Energy. Atmos indicated the location of a high pressured gas line within an easement that extends west-east from Knickerbocker Road to Foster Road, south of Crystal Point Drive. They had no objections given that the proposed changes would continue to maintain two crossings of streets over the existing gas lines. However, they will require that prior to any future development within this gas easement, the developer would be responsible for ensuring that the existing gas line is not affected. This requirement would be reviewed through future plat submissions prior to development but would not affect approval of the Master Thoroughfare Plan.

Planning Commission Recommendation:

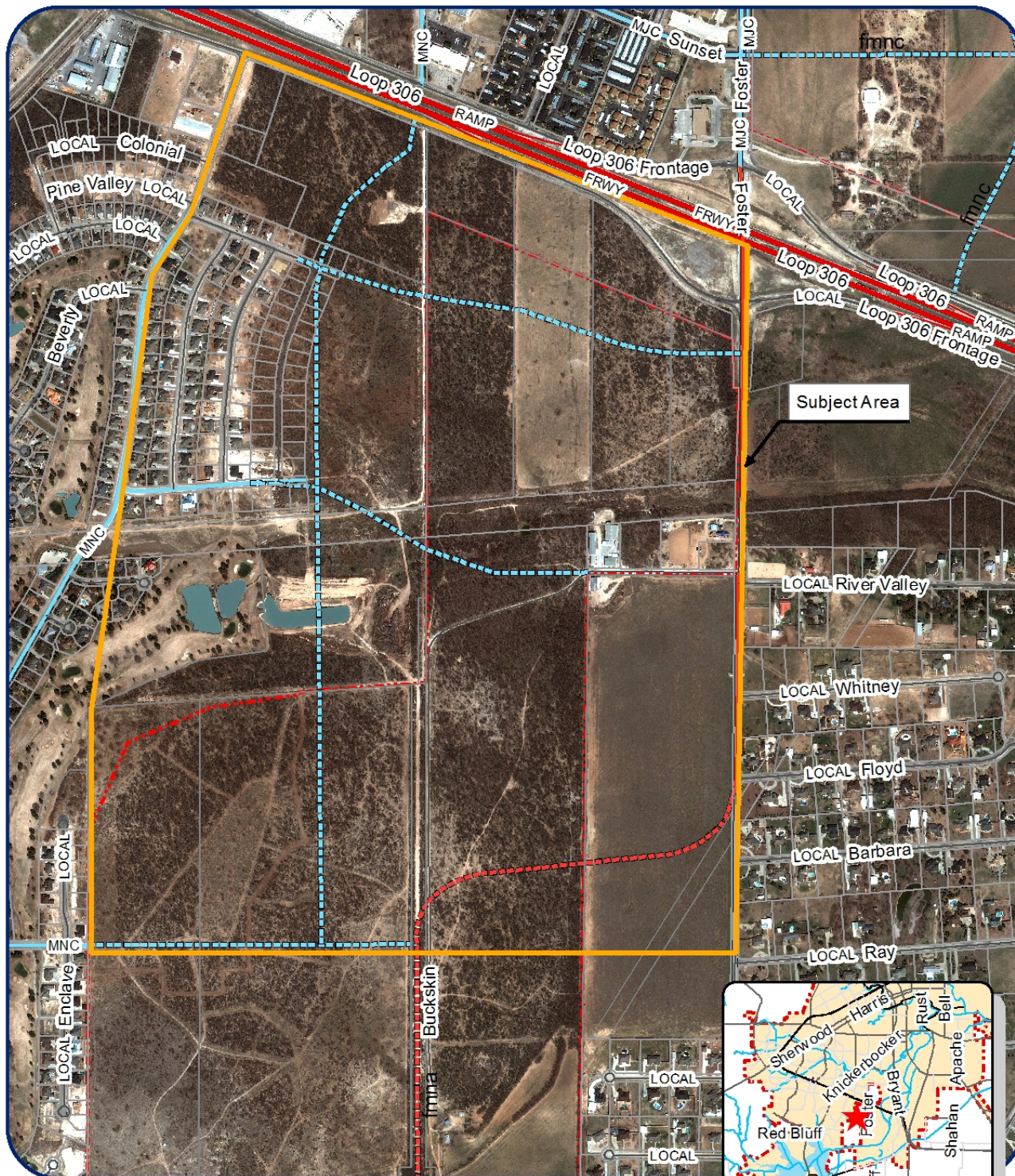
On September 18, 2017, the Planning Commission will conduct a public hearing for the proposed Major Thoroughfare Plan component of the San Angelo Comprehensive Plan in the Bentwood Country Club and surrounding area. Therefore, the associated recommendation of the Planning Commission and Official Minutes are not yet available.

Recommendation:

Staff’s recommendation is for City Council to **APPROVE** the proposed **Master Thoroughfare Plan Amendment**.

Attachments:

Aerial Map
Future Land Use Map
Zoning Map
Photo of Site
Proposed Major Thoroughfare Amendment Map

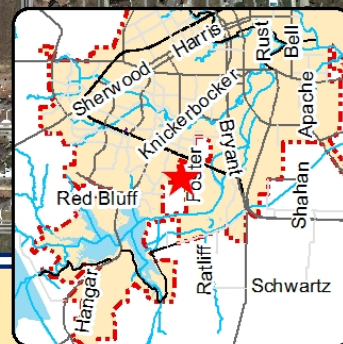


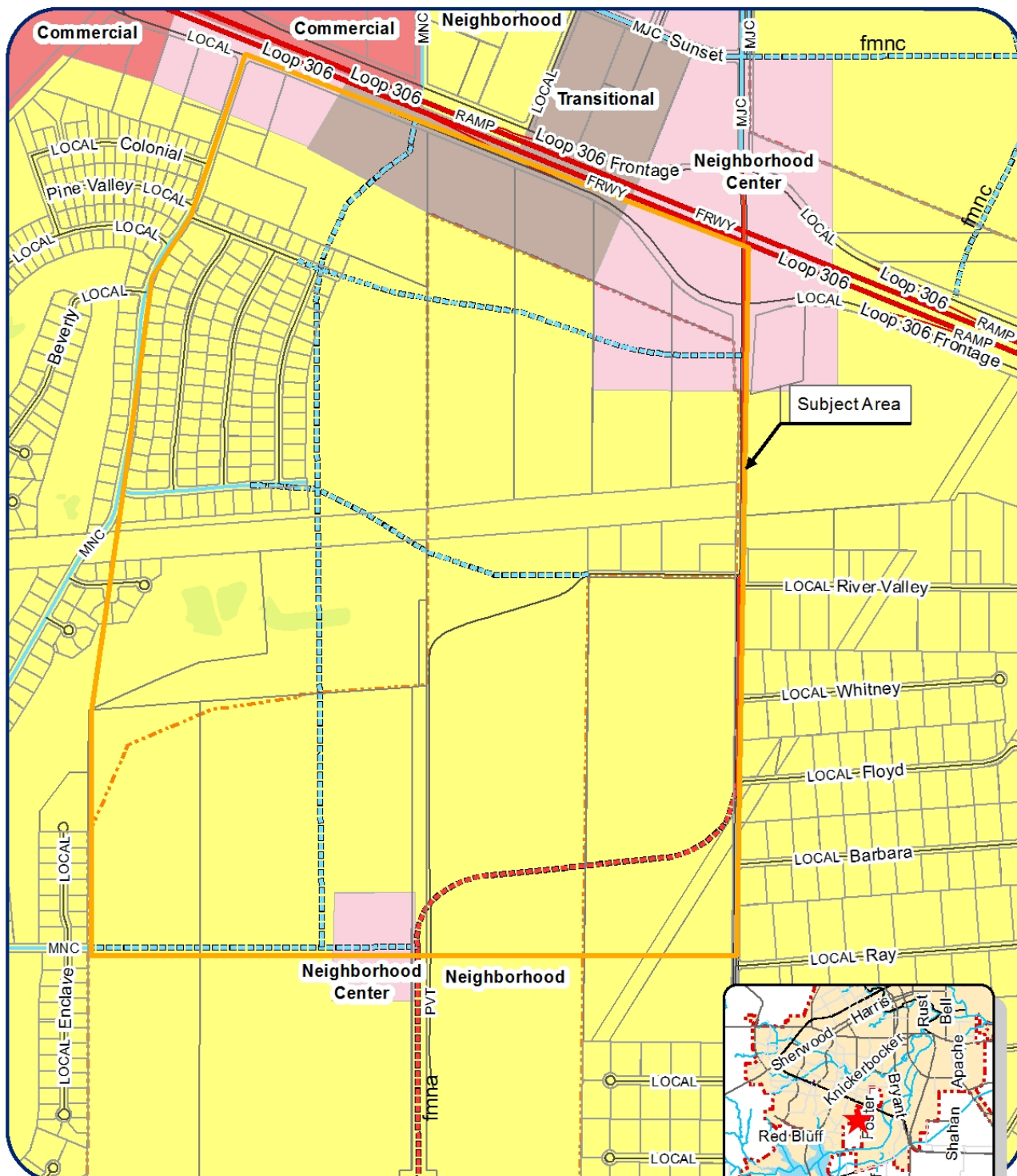
Master Thoroughfare Plan Amendment 2017 - Bentwood Area

Council District: SMD #1 - Tommy Hiebert
 Neighborhood: Country Club
 Scale: 1" approx. = 850 ft

Legend

Subject Area:



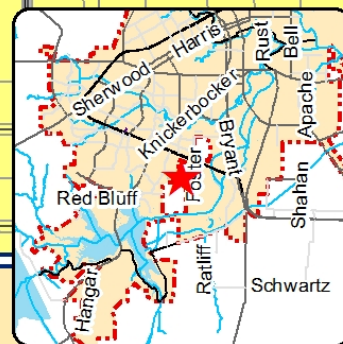


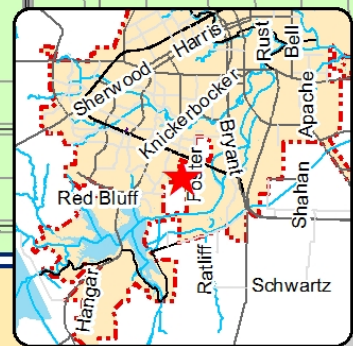
Master Thoroughfare Plan Amendment **2017 - Bentwood Area**

Council District: SMD #1 - Tommy Hiebert
 Neighborhood: Country Club
 Scale: 1" approx. = 850 ft

Legend

Subject Area: ———





Legend

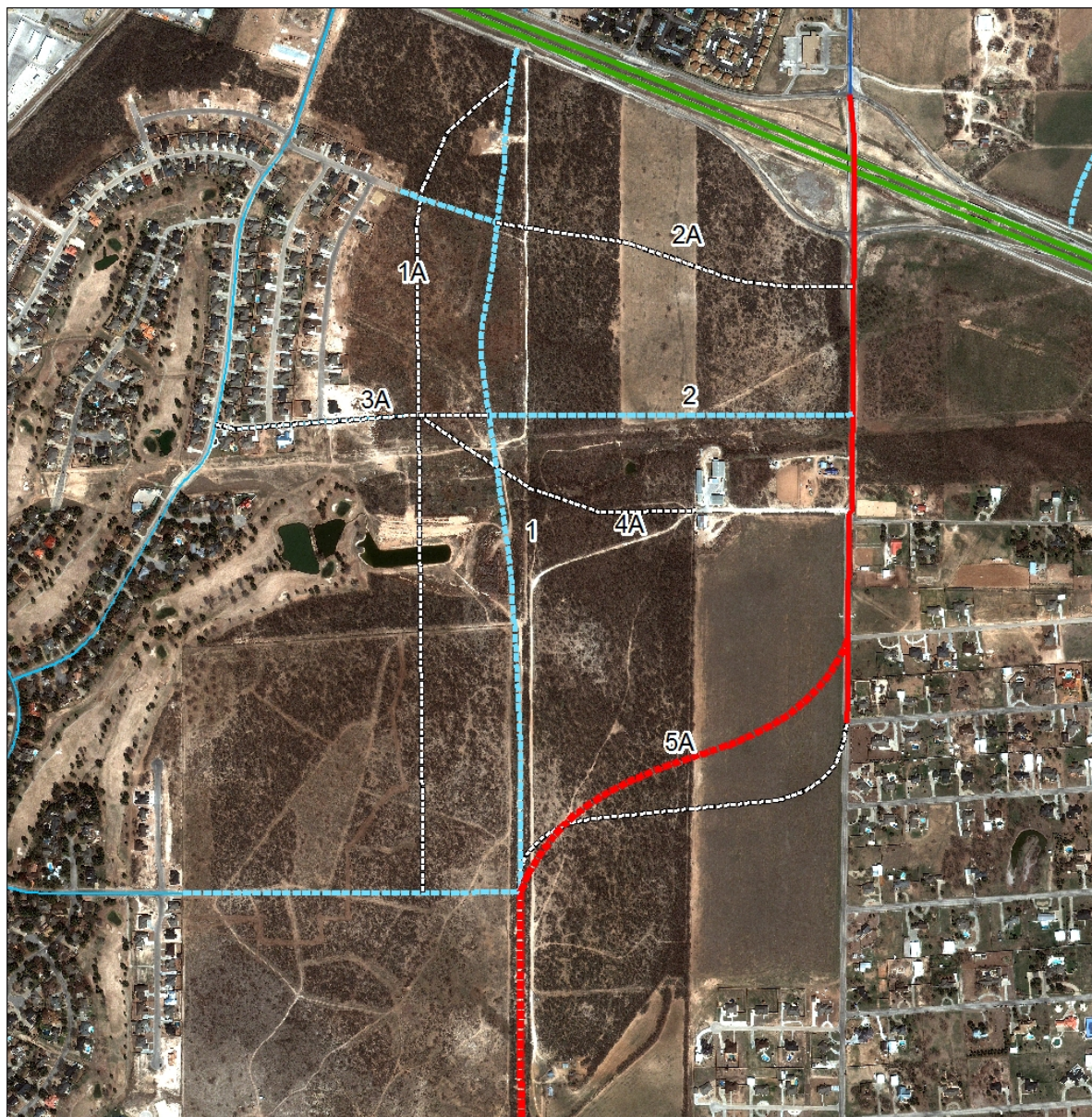


Council District: SMD #1 - Tommy Hiebert
Neighborhood: Country Club
Scale: 1" approx. = 850 ft

Photo of Site



Bentwood Area Future Thoroughfare Adjustments



- Future Freeway
- Removed Segments
- Future Major Arterial
- Future Minor Arterial
- Future Major Collector
- Future Minor Collector
- Future Parkway
- Freeway
- Major Arterial
- Minor Arterial
- Major Collector
- Minor Collector
- Parkway

Removed/Changed

- 1A Removed Future Minor Collector
- 2A Removed Future Minor Collector
- 3A Removed Minor Collector
- 4A Removed Future Minor Collector
- 5A Aligned Future Minor Arterial

Added

- 1 Future Minor Collector
- 2 Future Minor Collector

1 inch = 0.13 miles



AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN ANGELO, TEXAS AMENDING THE MASTER THOROUGHFARE PLAN AND MAP OF THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of San Angelo is a Home Rule municipal corporation operating under a municipal charter adopted as authorized by Article XI, Section 5 of the Texas Constitution; and,

WHEREAS, in 2003, pursuant to the authority under Chapter 213 of the Texas Local Government Code, the City of San Angelo adopted a Comprehensive Plan for promoting the long range sound development of the City and promoting public health, safety and welfare, updated in 2009 with the adoption of a strategic plan; and,

WHEREAS, the Comprehensive Plan includes the Major Thoroughfare Plan (MTP) and map; and,

WHEREAS, the City Planning and Development Services Department has conducted an analysis of existing and proposed land uses; existing collector streets, arterial streets and highways; and the needs for north-south and east-west routes and connectivity within the City; and,

WHEREAS, as a result of its analysis the City Planning and Development Services Department proposes amendment to the MTP and map as set forth in Exhibit "A" to this Resolution, necessary to achieve connectivity to existing and proposed roadways and access to all parcels that will aid in orderly development; and,

WHEREAS, the proposed amendment has been evaluated and concurred with by the San Angelo Metropolitan Planning Organization (MPO) which voted to recommend its approval of the amendment to the MPO Policy Board; and,

WHEREAS, on September 18, 2017, the Planning Commission recommended approval of the proposed amendment to the MTP; and,

WHEREAS, proper notice of public hearing upon this ordinance has been posted in accordance with applicable law and City Council has conducted the necessary public hearing thereon;

NOW THEREFORE BE IT ORDAINED BY THE CITY OF SAN ANGELO:

Section 1. The recitals set forth above are deemed to be the findings and determinations made by the City Council and are incorporated into the body of this Ordinance as if fully set forth herein.

Section 2. The Major Thoroughfare Plan and map component of the Comprehensive Plan is hereby amended as set forth in **Exhibit "A"** to this Ordinance, as if fully set forth herein.

Section 3. The terms and provisions of this Ordinance shall be deemed to be severable in that if any portion of this Ordinance shall be declared to be invalid, the same shall not affect the validity of the other provisions of this Ordinance.

Section 4. This ordinance shall be effective from and after the date of its adoption.

INTRODUCED on the **19th day of September, 2017**, and finally PASSED,
APPROVED AND ADOPTED on this the **3rd day of October, 2017**.

THE CITY OF SAN ANGELO

Brenda Gunter, Mayor

ATTEST:

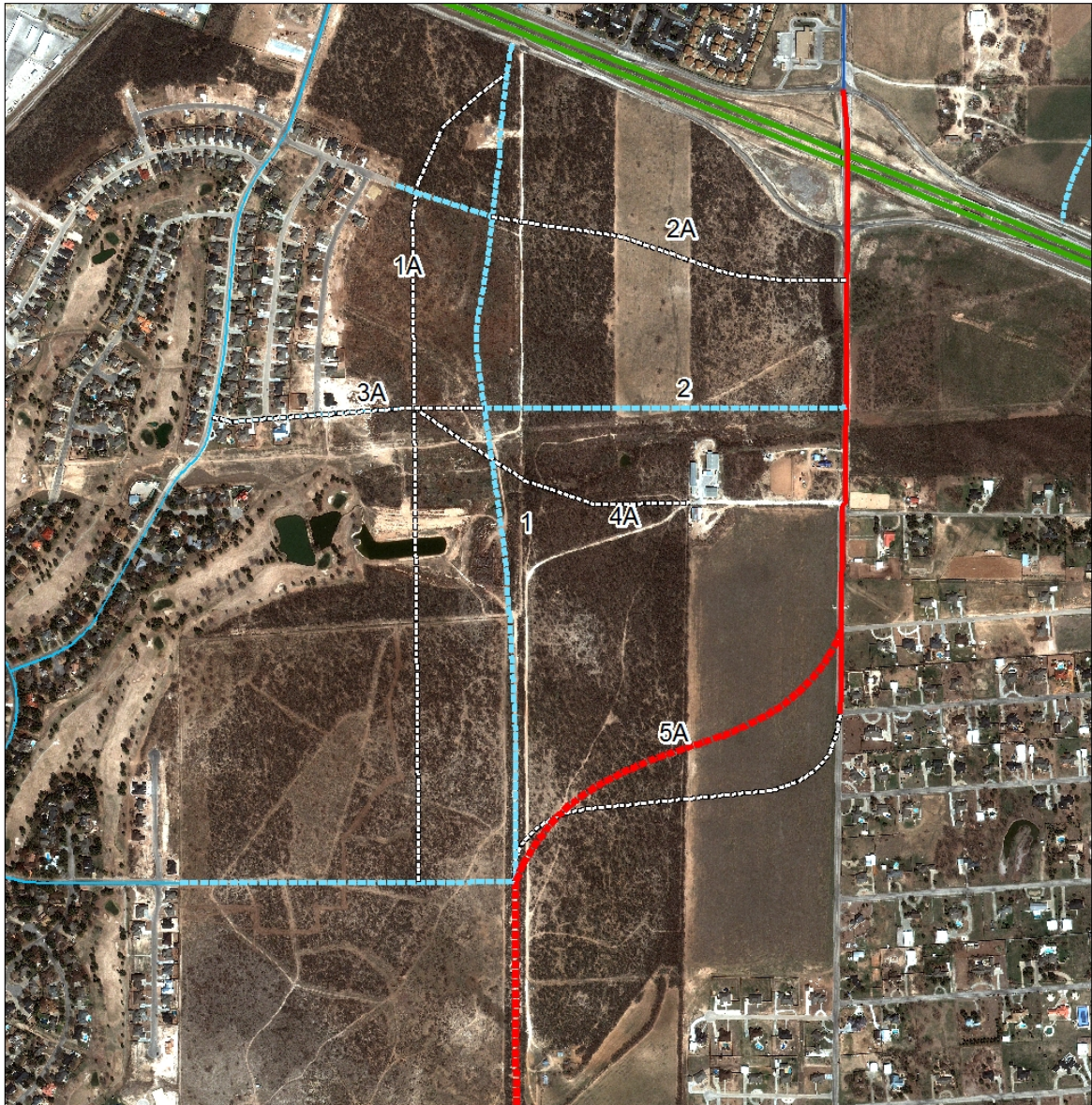
APPROVED AS TO FORM:

Bryan Kendrick, City Clerk

Theresa James, City Attorney

EXHIBIT A

Bentwood Area Future Thoroughfare Adjustments



Future Freeway

Removed Segments

Future Major Arterial

Future Minor Arterial

Future Major Collector

Future Minor Collector

Future Parkway

Freeway

Major Arterial

Minor Arterial

Major Collector

Minor Collector

Parkway

Removed/Changed

1A Removed Future Minor Collector

2A Removed Future Minor Collector

3A Removed Minor Collector

4A Removed Future Minor Collector

5A Aligned Future Minor Arterial

Added

1 Future Minor Collector

2 Future Minor Collector

1 inch = 0.13 miles



REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: David Knapp, Construction Manager, Construction Management, 325-262-1357

Meeting Date: September 19, 2017

Item type: Regular Item

Caption:

Consider awarding RFB-PK-04-17, Construction of Concession Building at the Texas Bank Sports Complex to Onyx General Contractors, LLC of Midland, Texas in the amount not to exceed \$740,000, budgeted for purchase in FY17, and authorizing the City Manager or designee to negotiate and execute any related documents - (Presentation by Construction Manager David Knapp)

Summary/History:

The proposal for a new concession building at the Texas Bank Sports Complex was approved by Council on December 1, 2015. Kinney Franke Architects were hired for professional design services and this project was previously bid as a Request For Competitive Sealed Proposals (RFCSP PK-02-17) in early 2017. The base bid was for the new concession building at Quad #2 of the TBSC. Alternates included a new pavilion with power and lights near the existing playground and decorative shade fabric for all three concession buildings. We received only one bid that was significantly over budget. After some negotiations, we were forced to reject the bid.

The scope of the project was reduced by eliminating the additional Pavilion and reducing the restrictions regarding the turf areas during construction. The rebid yielded two bidders and a lower project cost.

Financial Impact:

The Project funds are budgeted:

- 502-5019-800.07-30 - \$653,294 (4b Half Cent Sales tax - Sports & Athletic Facilities, Texas Bank Sports Complex)
- 203-6019-800.07-30- \$11,706 (Texas Bank Sports Complex Capital equipment)
- 514-6100-451.03-30 - \$75,000 (4b Half Cent Sales tax - Sports & Athletic Facilities)
- Total Funding: \$740,000

Proposed contract amount: \$740,000

Other Information/Recommendation:

Staff Recommends Approval

Attachments:

1. Bid Tab PK-05-17 Bid Tab - 091217.pdf

Presentation:

Approvals/Reviews:

David Knapp

Theresa James

Anthony Wilson

Julia Antilley

Tina Dierschke

Theresa James

Becky Dunn

Bryan Kendrick

Created/Initiated

Approved

Approved

Approved

Approved

Approved

Approved

Final Approval



City of San Angelo

RFB Bid Tabulation * PK-04-17/ REBID - Construction of Concession Building

09/12/17 at 3:30 p.m.

DESCRIPTION	Mid-Tex	Onyx
	AMOUNT	AMOUNT
Base Bid	\$ 804,100.00	\$ 704,500.00
Contingency Allowance	\$ 20,000.00	\$ 20,000.00
Signage Allowance	\$ 500.00	\$ 500.00
Total Base Bid	\$ 824,600.00	\$ 725,000.00
Alternate 1	\$ 10,488.00	\$ 15,000.00
Total Base Bid + Alternate 1	\$ 835,088.00	\$ 740,000.00

Estimated Time of Completion:

150

135

(City estimate is 135 days)

Bid Bond (5%)

yes

yes

USB within 24 hours

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Tina Dierschke, Finance Director, Finance, 325-657-4268

Meeting Date: September 19, 2017

Item type: Regular Item

Caption:

Update on Sales Tax revenue performance - (Presentation by Finance Director Tina Dierschke)

Summary/History:

The Finance Department has been closely monitoring the performance of Sales Tax revenue this year given the challenging year the City had in fiscal year 2016.

Sales Tax Revenue has performed as follows this fiscal year:

October - increase of 0.39%
November - decrease of 10.04%
December - decrease of 18.72%
January - increase of 4.3%
February - decrease of 2.3%
March - decrease of 4.4%
April - increase of 2.37%
May - decrease of 3.45%
June - increase of 12.25%
July - increase of 13.50%
August - increase of 5.0%
September - increase of 7.19%

Year to date, revenue is approximately \$602,960 short of the target. Because of this trend, the Finance Department has been in regular discussions with all departments to develop a plan that protects the General Fund's fund balance and solvency moving forward.

The City Manager and the Finance Department have met with the General Fund and other department directors weekly to suggest and discuss ways to mitigate risk while still providing the core services that our citizens deserve and expect as well as meeting the goals of our City Council. To date, the City has implemented a hiring freeze for non-essential personnel and a decrease to per diem travel and mileage rates effective until September 30, 2017. We have also implemented a food policy and a hold on non-essential travel. We continue to work toward implementing other cost saving measures on an ongoing basis.

Financial Impact:

Sales Tax revenue for fiscal year 2017 was under budget by 3.51% and \$602,960 after September 2017 receipts.

Other Information/Recommendation:

Attachments:

1. Chart Monthly Revenue Trends 2017 - September.pdf
2. Slides FIN+180919+Strategic+Planning+-+Sales+Tax+-+Council (2).pptx

Presentation:

Tina Dierschke

Approvals/Reviews:

Tina Dierschke

Becky Dunn

Bryan Kendrick

Created/Initiated

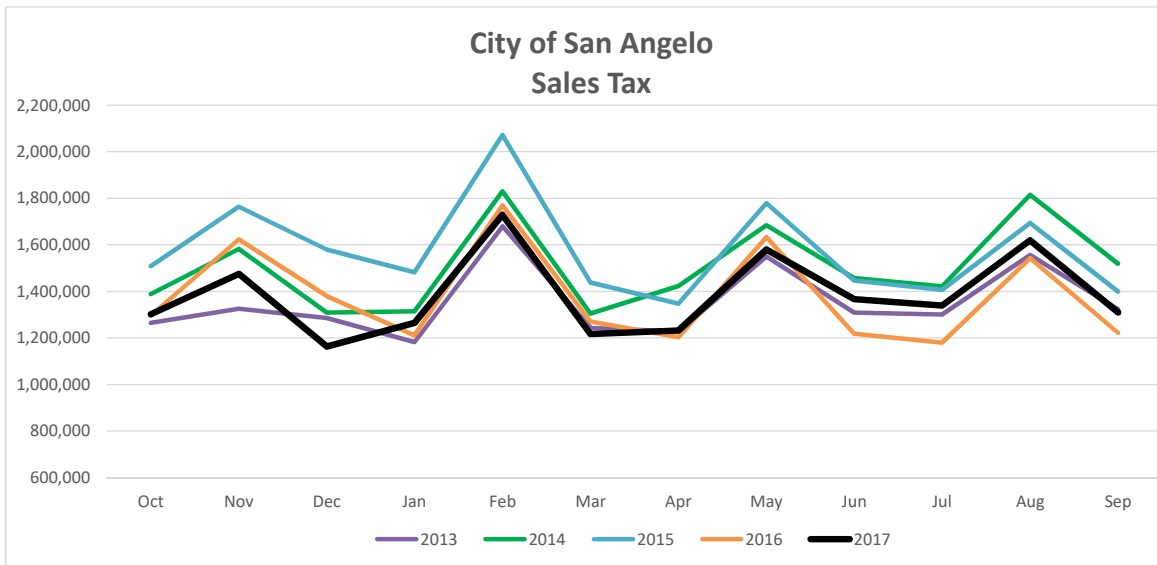
Approved

Final Approval

City of San Angelo

Sales Tax - General Fund

Month	2013	2014	2015	2016	2017	% Change	Budget Allocation by Month	Difference from Budget Allocation	Over / (Under) FY2016	% Over / (Under)
Oct	1,264,349	1,388,436	1,508,233	1,296,733	1,301,852	0.39%	1,337,503	(35,651)	5,119	0.39%
Nov	1,325,810	1,582,107	1,764,518	1,622,933	1,474,872	-9.12%	1,531,075	(56,203)	(148,061)	-10.04%
Dec	1,285,109	1,308,812	1,579,718	1,380,463	1,162,763	-15.77%	1,358,305	(195,542)	(217,700)	-18.72%
Jan	1,182,268	1,314,856	1,482,453	1,210,786	1,265,207	4.49%	1,288,557	(23,350)	54,421	4.30%
Feb	1,679,307	1,829,723	2,071,878	1,768,937	1,728,678	-2.28%	1,834,154	(105,476)	(40,259)	-2.33%
Mar	1,242,578	1,304,418	1,438,299	1,270,043	1,216,505	-4.22%	1,288,078	(71,572)	(53,537)	-4.40%
Apr	1,227,766	1,423,130	1,347,047	1,202,841	1,231,345	2.37%	1,289,856	(58,511)	28,505	2.31%
May	1,548,822	1,684,129	1,779,019	1,633,849	1,579,360	-3.34%	1,639,001	(59,641)	(54,490)	-3.45%
Jun	1,309,232	1,457,046	1,446,101	1,217,893	1,367,061	12.25%	1,334,941	32,120	149,168	10.91%
Jul	1,300,467	1,421,110	1,405,787	1,180,024	1,339,373	13.50%	1,317,478	21,895	159,349	11.90%
Aug	1,556,125	1,814,100	1,693,299	1,542,217	1,619,370	5.00%	1,621,567	(2,197)	77,153	4.76%
Sep	1,322,921	1,519,457	1,400,015	1,222,722	1,310,654	7.19%	1,359,485	(48,831)	87,932	6.71%
Total	16,244,755	18,047,324	18,916,368	16,549,442	16,597,040	0.29%	17,200,000	(602,960)	47,598	0.29%
Orig Budget	14,888,588	16,075,699	18,427,862	19,200,000	17,200,000					



Projection - Flat	16,597,040
Over/(Under) Budget - Flat	(602,960)

YTD Collections	16,597,040
PYTD Collections	16,549,442
% increase	0.29%

YTD Original Budget	17,200,000
YTD Collections	16,597,040
YTD Over/ (Under)	(602,960)
YTD Over/ (Under)	-3.51%



City Council

September 19, 2017



Sales Tax Revenue

- Up 7.19% in August compared with the same month in prior year
- Under budget for revenue by \$602,960 year to date





City Council

September 19, 2017

