

City of Angleton, Texas
 City Council Regular Meeting
 Tuesday, July 26, 2016
 @ 6:00 p.m.

The City of Angleton, Texas, City Council will conduct a Regular Meeting beginning at 6 p.m., Tuesday, July 26, 2016 at City Council Chambers, 120 S. Chenango, Angleton, TX, to consider the following agenda items.

1. Declaration of quorum and call to order.
2. Pledge of Allegiance.
3. Invocation led by the Mayor.
4. Approval of City Council Minutes from the meetings of June 28, 2016 and July 12, 2016.
5. PRESENTATIONS: Keep Angleton Beautiful Yard and Business of the Month: 6 Harvest Glen and 301 Cannan Drive.
6. Citizens Wishing to Address Council.
7. Requests to Address Council Other Than Citizenry.
8. *ALL ITEMS LISTED UNDER THE "CONSENT AGENDA" ARE CONSIDERED TO BE ROUTINE BY THE CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS A COUNCIL MEMBER REQUESTS, IN WHICH EVENT THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED BY A SEPARATE ACTION.*

Consent items: Ratify Accounts Payable for June, 2016.

9. Discussion and Possible Action on a Request for a Sign Variance to Allow an Additional Freestanding Ground Sign for Bobby Ford Kubota Tractor and Equipment at 2498 N. Highway 288 (Michael Stoldt, City Manager).
10. Public Hearing on the Zion Townhomes Subdivision Preliminary Plat, Which is a Replat of Lots 19-36, Block 4, and Lots 1-18, Block 5, Angleton Country Estates Subdivision, as Recorded in Volume 11, Page 48 of the Plat Records of Brazoria County, Texas with a Legal Description of a 9.99 acre Tract Being the South One-Half (1/2) of Tract 45 of the Bryan and Kiber Subdivision of the I. T. Tinsley Survey, Abstract 375, Brazoria County, Texas, located on Buchta Road, also known as County Road 428.

11. Discussion and Possible Action on the Zion Townhomes Subdivision Preliminary Plat, Which is a Replat of Lots 19-36, Block 4 and Lots 1-18, Block 5, Angleton Country Estates Subdivision, as Recorded in Volume 11, Page 48 of the Plat Records of Brazoria County, Texas, with a legal description of a 9.99 Acre Tract Being the South One-Half (1/2) of Tract 45 of the Bryan and Kiber Subdivision of the I. T. Tinsley Survey, Abstract 375, Brazoria County, Texas, located on Buchta Road, also known as County Road 428 (Michael Stoldt, City Manager).
12. Discussion and Possible Action on the Preliminary Plat, Which is a Replat of Tract 5 of the Angleton Commercial Subdivision No. 4, in the J de J Valderas Survey, Abstract 380, Brazoria County, Texas, According to the Plat of Said Subdivision Recorded in Volume 24, Pages 109-110 of the Plat Records of Brazoria County, Texas, located on the Southwest Corner of Highway 288B and FM 523 (Michael Stoldt, City Manager).
13. Public Hearing on ORDINANCE NO. 2016-O-7A; AN ORDINANCE OF THE CITY OF ANGLETON, TEXAS, AMENDING CHAPTER 28 (ZONING ORDINANCE) OF THE CODE OF ORDINANCES BY AMENDING THE DEFINITION FOR RESIDENTIAL DWELLING, EXISTING.
14. Discussion and Possible Action on ORDINANCE NO. 2016-O-7A; AN ORDINANCE OF THE CITY OF ANGLETON, TEXAS, AMENDING CHAPTER 28 (ZONING ORDINANCE) OF THE CODE OF ORDINANCES BY AMENDING THE DEFINITION FOR RESIDENTIAL DWELLING, EXISTING (Michael Stoldt, City Manager).
15. Public Hearing on a Request for a Variance to Section 3-5, Alcoholic Beverages, to Allow the Sale of Beer and Wine for Off-premises Consumption at Srilak Mart #2 Convenience Store located at 2851 North Downing Street, Which is Located Within 300 Feet of a Public School.
16. Discussion and Possible Action on ORDINANCE NO. 2016-O-7B; AN ORDINANCE OF THE CITY OF ANGLETON, TEXAS, GRANTING A VARIANCE TO ALUTHDURAGE GUNASEKARA, OWNER OF SRILAK MART #2, A CONVENIENCE STORE LOCATED AT 2851 NORTH DOWNING, ANGLETON, TEXAS, TO ALLOW THE SALE OF BEER AND WINE FOR OFF-PREMISES CONSUMPTION AT SAID LOCATION EVEN THOUGH SAID LOCATION IS WITHIN 300 FEET OF A SCHOOL (Michael Stoldt, City Manager).
17. Public Hearing regarding a resolution authorizing application submission to the Texas Parks & Wildlife Department, designating

certain officials as being responsible for, acting for, and on behalf³ of the applicant in dealing with the Texas Parks & Wildlife Department, for the purpose of participating in the local park grant program, certifying that the applicant is eligible to receive program assistance, certifying that the applicant matching share is readily available and dedicating the proposed site for permanent (or for the term of the lease for leased property) public Park and Recreational uses.

18. Discussion and Possible Action on RESOLUTION NO. 2016-R-7A; A RESOLUTION OF THE CITY OF ANGLETON, TEXAS, AS HEREINAFTER REFERRED TO AS "APPLICANT", DESIGNATING CERTAIN OFFICIALS AS BEING RESPONSIBLE FOR, ACTING FOR, AND ON BEHALF OF THE APPLICANT IN DEALING WITH THE TEXAS PARKS & WILDLIFE DEPARTMENT, HEREINAFTER REFERRED TO AS "DEPARTMENT" FOR THE PURPOSE OF PARTICIPATING IN THE LOCAL PARK GRANT PROGRAM, HEREINAFTER REFERRED TO AS THE "PROGRAM"; CERTIFYING THAT THE APPLICANT IS ELIGIBLE TO RECEIVE PROGRAM ASSISTANCE; CERTIFYING THAT THE APPLICANT MATCHING SHARE IS READILY AVAILABLE AND DEDICATING THE PROPOSED SITE FOR PERMANENT (OR FOR THE TERM OF THE LEASE FOR LEASED PROPERTY) PUBLIC PARK AND RECREATIONAL USES; FINDING THAT THE MEETING COMPLIED WITH THE OPEN MEETINGS ACT AND DECLARING AN EFFECTIVE DATE (Will Blackstock, Parks and Recreation Director)
19. Public Hearing on a Request for a Specific Use Permit to Sell Portable Buildings at 1409 South Velasco Street (Hwy 288B) with a legal description of Exline & Kiber (AO134 E. Waller) (Angleton), Lots 33-34, Acres 1.500. *THIS PUBLIC HEARING NOTICE WAS PUBLISHED IN THE FACTS NEWSPAPER AND ON THE WEBSITE, HOWEVER, THE APPLICATION HAS BEEN WITHDRAWN.*
20. Discussion and Possible Action on Awarding a Contract to Jaco Roofing and Construction, Inc. to Re-roof the City of Angleton Recreation Center (Karen Barclay, Building Department Supervisor).
21. Discussion and Possible Action on Removing and Replacing the Grating for Head-Works at Waste Water Treatment Plant and awarding the contract to Matula & Matula.
22. **Reports of Boards & Commissions:**
Angleton Better Living Corporation
Angleton Parks Board
Senior Citizen Commission
23. **Staff Reports & Questions for Staff**
A) Building Services Reports

- B) Economic Development and Tourism Report
- C) Emergency Management Report
- D) Finance Department Reports
- E) Fire Department Report
- F) Keep Angleton Beautiful
- G) Municipal Court Reports
- H) Parks & Recreation Reports
- I) Police Department Reports
- J) Public Works Department Reports
- K) Utility Department Reports

24. **Council Information (limited to items of community interest)**
 Mayor Randy Rhyne
 Mayor Pro Tem Hardwick Bieri (Position 1)
 Councilman Williams Tigner (Position 2)
 Councilman Wesley Rolan (Position 3)
 Councilwoman Bonnie McDaniel (Position 4)
 Councilman Cody Vasut (Position 5)
25. Council Will Adjourn Into Executive Session as Authorized by Texas Government Code:
- a) Section 551.074 (Personnel Matters) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the City Manager, with possible discussion and action related thereto in open session; and
 - b) Section 551.074 (Personnel Matters) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the Economic Development Director, with possible discussion and action related thereto in open session.
26. Adjourn.

The City Council reserves the right to meet in Executive 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, Sections 551.071 (consultation with attorney), 551.072 (deliberations about real property), 551.073 (deliberations about gifts and donations), 551.074 (personnel matters), 551.076 (deliberations about security devices) and 551.087 (economic development). The description of an item in "Executive Sessions" constitutes the written interpretation by the City Attorney of Chapter 551 of the Texas Government Code and her determination that said item may be legally discussed in Closed Meeting in compliance with Chapter 551 of the Texas Government Code. In compliance with the Americans with Disabilities Act, the City of Angleton will provide for reasonable accommodations for persons attending City Council meetings. To better serve you, requests should be received 24 hours prior to the meetings. Please contact Shelly Deisher, City Secretary, at 979-849-4364, extension 2115.

CERTIFICATION

I certify that copies of this agenda of items to be considered by the City of Angleton City Council were posted in the following locations:

City Hall Bulletin Board: Date: _____ Time: _____

City of Angleton Website: Date: _____ Time: _____

Shelly Deisher, City Secretary

State of Texas
 County of Brazoria
 City of Angleton

The City of Angleton, Texas City Council conducted its Regular Meeting at 6 p.m., Tuesday, June 28, 2016, with the following in attendance:

Randy Rhyne	Mayor
Hardwick Bieri	Mayor Pro Tem/ Position 1
Williams Tigner	Councilman Position 2
Wesley Rolan	Councilman Position 3
Bonnie McDaniel	Councilwoman Position 4
Cody Vasut	Councilman Position 5
OTHERS PRESENT:	
Michael Stoldt	City Manager
Patti Worfe	Asst. City Manager and Economic Development Director
Mary Kay Fischer	City Attorney
Alyssa Deaton	Asst. City Secretary
David Ashburn	Chief of Police
Susie Hernandez	Finance Director
Kacey Hamlet	Utility Dept. Supervisor
Karen Barclay	Building Services Supervisor
Dana Alsobrook	Municipal Court Administrator
Jeff Sifford	Interim Public Works Director

And those listed on the guest registry.

1. CALL TO ORDER BY MAYOR RHYNE at 6:00 p.m. Declare a quorum.
2. Pledge of Allegiance.
3. Invocation led by the Mayor.
4. Approval of City Council Minutes from the meeting of May 24, 2016 and June 14, 2016.

Motion by Councilwoman McDaniel to approve the City Council Meeting Minutes from May 24, 2016 and June 14, 2016 with changes to item #18 from the minutes of June 14 to reflect voting of 5 for; 1 against (Rolan) and 0 absent;
 Second by Councilman Rolan.

Motion passes with 6 for; 0 against; 0 absent.

5. PRESENTATIONS:
 - A) Texas Empire Rampage Proclamation

- B) National Disability Voter Registration Week Proclamation
 - C) Employee Appreciation.
6. Citizens Wishing to Address Council – David Linder (County Commissioner) spoke about how much he appreciated the City of Angleton and Angleton PD stepping up to help during the flood.
 7. Requests to Address Council Other Than Citizenry.

CONSENT AGENDA:

8. ALL ITEMS LISTED UNDER THE “CONSENT AGENDA” ARE CONSIDERED TO BE ROUTINE BY THE CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS A COUNCIL MEMBER REQUESTS, IN WHICH EVENT THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED BY A SEPARATE ACTION.

Consent items:

- A) Ratify Accounts Payable for May, 2016 and
- B) Declare Police Department Analog Radios as surplus.

Motion by Councilman Rolan to approve the consent agenda;
Second by Councilwoman McDaniel.

Motion passes with 6 for; 0 against; 0 absent.

9. Discussion and Possible Action on Approval of a Pipeline Permit to Gulf South Pipeline Company, LP for the Construction of an Interstate Natural Gas Pipeline as it pertains to Public Streets, Alleys or Other Public Way or Easement.

Michael Stoldt spoke about the pipeline, crossing only one city street. Staff recommends approval after engineer reviewed the site plan.

Motion by Councilman Tigner to approve the pipeline permit to Gulf South Pipeline Co.;
Second by Councilman Rolan.

Motion passes with 6 for; 0 against; 0 absent.

10. Discussion and Presentation by Connect Transit on the Southern Brazoria County Transit System.

Connie Westfall, representative for Connect Transit, presented a

slideshow.

11. Discussion and Possible Action on an "Ad Valorem Tax Refund Incentive Program Agreement" Between the City of Angleton and Donald Peltier for 1117 Shady Oak in Angleton, Texas.

Motion by Councilman Rolan to approve the Ad Valorem Tax Refund Incentive Program Agreement with Donald Peltier for 1117 Shady Oak in Angleton;
Second by Councilman Vasut.

Motion passes with 6 for; 0 against; 0 absent.

12. Public Hearing on Ordinance 2016-O-6C; an Ordinance amending the Official Zoning Map for the City of Angleton, Texas.

Motion by Councilman Tigner to open the public hearing;
Second by Councilman Rolan.

Motion passes with 6 for; 0 against; 0 absent.

Mayor asked if anyone wished to speak on, for or against the public hearing.

Judy Shaefer asked if this was adding what they voted on already to the map.

Michael Stoldt: This is voting to update the map. Not actually doing any new rezoning.

Motion by Councilman Tigner to close the public hearing;
Second by Councilman Rolan.

Motion passes with 6 for; 0 against; 0 absent.

13. Discussion and Possible Action on ORDINANCE NO. 2016-O-6C; AN ORDINANCE OF THE CITY OF ANGLETON, TEXAS, ADOPTING A NEW OFFICIAL ZONING DISTRICT MAP TO SUPERSEDE AND REPLACE THE ORIGINAL OFFICIAL ZONING MAP REFERRED TO IN SECTION 3 OF THE ZONING ORDINANCE, ORDINANCE NO. 2009-O-4A OF THE CITY OF ANGLETON, TEXAS, ADOPTED ON THE 14TH DAY OF APRIL, 2009 AND AMENDED AND ADOPTED ON APRIL 8, 2014; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN OPEN MEETINGS CLAUSE AND PROVIDING AN EFFECTIVE DATE.

Motion by Councilman Rolan to approve Ordinance No. 2016-O-

6C;
Second by Mayor Pro Tem Bieri.

Motion passes with 6 for; 0 against; 0 absent.

14. Discussion and Possible Action on RESOLUTION NO. 2016-R-6C;
A RESOLUTION OF THE CITY OF ANGLETON, TEXAS,
ESTABLISHING A POLICY REGARDING INVOCATIONS AT
MEETINGS OF THE CITY COUNCIL OF THE CITY OF ANGLETON.

Mary Kay Fischer: This is just a written policy to clarify and codify the invocation practices, regarding opening the meetings with an invocation. Took some of the information that was discussed at the last meeting, like the 30 minute *[sic]* length, and the other guidelines that were based on recommendation and guidelines discussed by Justices of the Supreme Court as to how we could have a policy. These are guidelines I was proposing to adopt for our policy and practice for the invocation.

Councilman Vasut: I know I threw out the 30 seconds last time and maybe one minute might be a little better of a time. I tried to think how long the prayer was today but I couldn't multi-task like that.

Councilman Tigner: I haven't seen anyone with a stopwatch and it is just a number in here. I don't think anybody is going to jump on the mayor if he goes 35 seconds. I don't want to be here for five minutes listening to supreme court prayers or how much direction they need.

Motion by Councilman Rolan to approve Resolution No. 2016-R-6C with changes to Item #2 in the wording to include "approximately 30 seconds" for length of prayer;
Second by Councilman Vasut.

Motion passes with 5 for; 1 against (McDaniel); 0 absent.

15. Discussion and Possible Action on Hiring a Second Motorcycle Traffic Officer.

Chief Ashburn explained it was not hiring a second motorcycle traffic officer but had a traffic and motor officer. Kept traffic officer position empty and are still one officer down but hope to have the hiring board within the next week. Looks like we have five good ones to look at to get on board. The motor officer we have right now is real versatile. Already have an officer that has certification. Is moving this officer to a motor officer. If we need him on a shift if people are on vacation or out, he can

move to a car. Biggest cost for a motorcycle officer is a special camera that has a waterproof head on it and radio is the same way.

Michael Stoldt: We have the money in the budget to purchase the things needed for the motorcycle. Staff recommends approval.

Motion by Mayor Pro Tem Bieri to approve the action of a second motorcycle officer;
Second by Councilman Rolan.

Motion passes with 6 for; 0 against; 0 absent.

16. Discussion and Possible Action on ORDINANCE NO. 2016-O-6H; AN ORDINANCE OF THE CITY OF ANGLETON, TEXAS, GRANTING A SPECIFIC USE PERMIT TO CONTINUE TO ALLOW OPERATION OF AN AMUSEMENT REDEMPTION MACHINE GAME ROOM AT 1501 S VELASCO IN THE CITY OF ANGLETON, BRAZORIA COUNTY, TEXAS; PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000 FOR EACH AND EVERY OFFENSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR AN OPEN MEETINGS CLAUSE; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

Michael Stoldt: Last time this item was postponed because no one was here to speak for it. I don't think there is a representative here tonight, even though they have been informed.

Alyssa Deaton: No one is present.

Karen Barclay: I did speak to the manager. She was personally informed.

Mayor Rhyne: the county did raid that place last year and one of the gentlemen on the lease or the application for it and lives in Houston actually pled guilty to a misdemeanor offense.

Motion by Councilman Vasut to reject the Special Use Permit indicated in Ordinance No. 2016-O-6H,
Second by Councilman Rolan.

Motion passes with 6 for; 0 against; 0 absent.

17. Discussion And Possible Action on Directing Staff on Issues Related to Signage for Bobby Ford Kubota Tractor and Equipment.

Jonathan Powell spoke for Bobby Ford stating they had issues. Nothing was explained that there would be any problems with the signage. Already had permission a year before they came to Angleton. Ran into a problem at the end of the road and told they were only allowed one sign for the premises.

Michael Stoldt: I understand you purchased this sign for another location?

Jonathan Powell: No. Richwood location was only temporary and only supposed to be there about four months. Delay of us moving was weather and other things. The sign was part of the franchise purchase.

Michael Stoldt: You used two different sign companies. Our sign ordinance only allows for one pole mounted sign. Our ordinance doesn't even allow for a variance for a second pole-mounted sign. We need to amend the ordinance to allow for a variance. Cautioned council regarding allowing him to put up a second pole mounted sign as it sets a precedent, which may allow multiple pole mounted signs at other premises. What he originally submitted in the plans was actually a monument sign. They could still use the pole mounted sign. They would have to cut off the pole and mount at ground level. Allowing multiple pole signs will clutter the highways. The original sign company that submitted the plans and given a permit were given the ordinance and were aware of the rules. The contractor that is trying to get this permit is not a registered sign contractor in the city.

Councilman Vasut: Does your franchise agreement require a certain way of mounting that branding sign?

Jonathan Powell: Yes, I have a letter from the manufacturer stating, by my dealer and sales and service agreement, that I need to have some type of Kubota branded sign.

Councilman Vasut: Does it require that it is pole mounted...does it matter as long as you have the Kubota branded sign?

Jonathan Powell: They have a couple of options. The smallest is 19 feet and one was 29 feet.

Councilman Rolan: So you are going to operate two businesses out of this location?

Jonathan Powell: Advertising for Kubota and Bobby Ford.

Motion by Councilman Tigner to instruct staff to amend the ordinance to allow a variance for additional pole signs,
Second by Councilman Vasut.

Motion passes with 6 for; 0 against; 0 absent.

18. Reports of Boards & Commissions:
Angleton Parks Board – Canceled last meeting.
Senior Citizen Commission – had meeting. Seniors party coming up.
19. Staff Reports & Questions for Staff
- A) Building Services Reports
 - B) Economic Development and Tourism Report
 - C) Emergency Management Report
 - D) Finance Department Reports
 - E) Fire Department Report
 - F) Keep Angleton Beautiful
 - G) Municipal Court Reports
 - H) Parks & Recreation Reports
 - I) Police Department Reports
 - J) Public Works Department Reports
 - K) Utility Department Reports

Councilwoman McDaniel asked about fire dept. reports. Did not have a heading. A lot of fire calls. Mayor Pro Tem Bieri explained that all alarm calls were logged, even if there was no fire.

Mayor: Good turnout for bench dedication. Thank you Will and parks dept.

Councilman Vasut: Wanted to know how many citations had been issued since the texting ordinance. Dana Alsobrook stated about half a dozen had been issued.

Mayor Pro Tem Bieri asked if anything was ever going to be done with the old Holcomb building. Karen Barclay stated that the owner rents it out as storage. Mayor Pro Tem Bieri commented how it looks really bad.

Councilwoman McDaniel is very proud of the Keep Angleton Beautiful group and Erin for all the hard work they have done. Attended KTB award ceremony.

Mayor asked about lighting for the heart on Loop 274. Will Blackstock stated that it is better illuminated with the lights pointed down.

Mayor: it looks like we haven't had as many trials. Dana Alsobrook stated they are caught up. Those that want jury trial usually plea out.

20. Council Information (limited to items of community interest)
 Mayor Randy Rhyne – Sat. July 2 is Freedom Festival at fairgrounds. July 4 is a holiday. July 9 is Hurricane Preparedness expo. Budget workshops are July 30, Aug. 2, August 4, August 9th. Thanks to city staff for taking care of business during the flooding. Inmates filled over 30,000 sand bags.
 Mayor Pro Tem Hardwick Bieri – Preplanning and bagging was great. Appreciate all the hard work.
 Councilman Williams Tigner – nothing.
 Councilman Wesley Rolan – nothing.
 Councilwoman Bonnie McDaniel – looking forward to fireworks.
 Councilman Cody Vasut – nothing.

21. Council Adjourned Into Executive Session at 7:39 p.m. as Authorized by Texas Government Code Section 551.072 (Deliberations about Real Property) to deliberate the purchase, exchange, lease or value of real property for street construction purposes. Deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. There may be possible discussion and action related thereto in open session.

Reconvened into open session at 9:11 p.m.

Action out of executive session: Motion by Councilman Williams to authorize the city manager to spend up to \$63,260.00 to purchase the Shanks Road right of way and associated closing costs;

Second by Mayor Pro Tem Bieri.

Motion passes with 6 for; 0 against; 0 absent.

22. Adjourn at 9:13 p.m.

Randy Rhyne, Mayor

Shelly Deisher, City Secretary

State of Texas
 County of Brazoria
 City of Angleton

The City of Angleton, Texas City Council conducted a Special Meeting at 6 p.m., Tuesday, July 12, 2016, with the following in attendance:

Randy Rhyne	Mayor
Hardwick Bieri	Mayor Pro Tem Position 1
Williams Tigner	Councilman Position 2
Wesley Rolan	Councilman Position 3
Bonnie McDaniel	Councilwoman Position 4
Cody Vasut	Councilman Position 5
OTHERS PRESENT:	
Michael Stoldt	City Manager
Mary Kay Fischer	City Attorney
Shelly Deisher	City Secretary
Jeff Sifford	Interim Public Works Director
Karen Barclay	Building Services Dept. Supervisor
Will Blackstock	Parks and Recreation Director

And those listed on the guest registry.

1. CALL TO ORDER BY MAYOR RHYNE at 6:00 p.m. Declare a quorum.
2. Pledge of Allegiance.
3. Invocation led by the Mayor.
4. PRESENTATION: Employee recognition.
5. Citizens Wishing to Address Council.
6. Requests to Address Council Other Than Citizenry: none.
7. ALL ITEMS LISTED UNDER THE "CONSENT AGENDA" ARE CONSIDERED TO BE ROUTINE BY THE CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS A COUNCIL MEMBER REQUESTS, IN WHICH EVENT THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED BY A SEPARATE ACTION.
 Consent items: Surplus the following Public Works Vehicles and Equipment: PW73 (1984 Dump Truck), PW27 (1990 Chev Dump Truck), PW41 (2000 Yazoo Mower); PW42 (2006 JD Mower); PW44 (2006 JD Mower) and PW43 (2006 JD Mower).

Motion by Mayor Pro Tem Bieri to approve the consent agenda;
Second by Councilman Rolan.

Motion passes with 6 for; 0 against; 0 absent.

8. Discussion and Possible Action on ORDINANCE NO. 2016-O-7C;
AN ORDINANCE OF THE CITY OF ANGLETON, TEXAS,
AMENDING CHAPTER 21.5, SIGNS, SEC. 21.5-13, VARIANCE;
PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES;
PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN OPEN
MEETINGS CLAUSE AND PROVIDING AN EFFECTIVE DATE.

Motion by Councilman Rolan to approve Ordinance No. 2016-O-7C;
Second by Mayor Pro Tem Bieri.

Motion passes with 6 for; 0 against; 0 absent.

9. Discussion and Possible Action on an Offer for Tax Resale
Property from the Property Tax Resale Committee of the
Brazoria County Tax Office with a legal description of AO380 J
de J Valderas, Tract 166E1, Acres 0.270, West Miller Street.

Motion by Councilwoman McDaniel to approve Tax Resale
Property from the Property Tax Resale Committee of the
Brazoria County Tax Office with a legal description of AO380 J
de J Valderas, Tract 166E1, Acres 0.270, West Miller Street;
Second by Councilman Rolan.

Motion passes with 6 for; 0 against; 0 absent.

10. Discussion and Possible Action on Repairs to the Electronic
Message Sign Located in Front of City Hall.

Motion by Councilman Rolan to table this item until the City
Secretary can find out information such as how many panels
total there are to each side of the sign and if there is a cover
available to protect the sign from the weather;
Second by Councilman Vasut.

Motion passes with 6 for; 0 against; 0 absent.

11. Discussion and Possible Action on the Purchase of a Blower Unit
for the City Wastewater Treatment Plant.

Motion by Councilman Rolan to approve the purchase of the

blower from PPI (Precision Pneumatics, Inc.) subject to completion and receipt of Form 1295;
Second by Councilwoman McDaniel.

Motion passes with 6 for; 0 against; 0 absent.

12. Council adjourned into Executive Session at 6:25 p.m., as authorized by:
- A) Texas Government Code Section 551.074 (Personnel Matters) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the Public Works Director, with possible discussion and action related thereto in open session; and
 - B) Texas Government Code Section 551.087 (Deliberation Regarding Economic Development Negotiations) to discuss or deliberate regarding commercial or financial information that the governing 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; or to deliberate the offer of a financial or other incentive to a business prospect, with possible discussion and action related thereto in open session.

Council reconvened into open session at 7:20 p.m.

Action out of Executive Session:

Motion by Mayor Pro Tem Bieri to promote Jeff Sifford to Public Works Director;
Second by Councilman Rolan.

Motion passes with 6 for; 0 against; 0 absent.

13. Adjourn at 7:22 p.m.

Randy Rhyne, Mayor

Shelly Deisher, City Secretary



CITY COUNCIL AGENDA ITEM
Meeting Date: July 26, 2016

SUBJECT: Presentation of July 2016 Yard and Business of the Month

Consent item Discussion item
 Discussion and possible action Public Hearing

REQUESTED BY: Geri Gonzales

Attachments: July 2016 Yard and Business of the Month PowerPoint to follow

Executive Summary: Board members of Keep Angleton Beautiful would like to present the yard and business of the month winners for the month of July. The yard is 6 Harvest Glen and the business is 301 Cannan Drive.

Recommendation:

Name

Date



CITY COUNCIL AGENDA ITEM
Meeting Date: July 26, 2016

SUBJECT: Accounts Payable for the Month of June 30, 2016

Consent item Discussion item
 Discussion and possible action Public Hearing

REQUESTED BY: Susie J Hernandez

Budgeted amount: N/A **Funds requested:** N/A **Fund:** N/A

Attachments: (Attachment description)

Accounts Payable for the Month of June total, \$2,147,140.61.
Accounts Payable for the Month of June but paid in July total, \$160,507.67 .

Executive Summary:

Recommendation:

Ratify as presented

Susie J Hernandez

Name

July 18, 2016

Date



CITY COUNCIL AGENDA ITEM

Meeting Date: July 26, 2016

SUBJECT: DISCUSSION AND POSSIBLE ACTION ON A REQUEST FOR A SIGN VARIANCE TO ALLOW AN ADDITIONAL FREESTANDING GROUND SIGN FOR BOBBY FORD KUBOTA TRACTOR AND EQUIPMENT AT 2498 N. HIGHWAY 288.

Consent item
 Discussion and possible action

Discussion item
 Public Hearing

REQUESTED BY: Jonathan Powell, Bobby Ford Kubota Tractor

Attachments:

Letter from Bobby Ford Kubota Tractor

Executive Summary:

The Ordinance amending the Sign Variance provisions in section 21.5-13 was approved at the last council meeting, which allows Council to grant a variance for an additional freestanding ground sign to Bobby Ford Kubota Tractor and Equipment.

Michael Stoldt
Name

July 19, 2016
Date



BOBBY FORD TRACTOR & EQUIPMENT

Michael Stoldt
City Manager
City of Angleton
111 S Velasco
Angleton, TX 77515

Re: Request to have City Council review sign variance request.

Dear Sir,

We are requesting a hearing of a sign variance issue before the City Council, which is meeting on Tuesday June 28th, 2016.

Our issue concerns the placement of a pylon boarding sign being placed in front of our Kubota ownership at 2498 N Hwy 288 in Angleton, TX 77515.

Please refer our request for a hearing to the City Council. Thank you for your continuous help and cooperation.

Sincerely,


Jonathan Powell
General Manager
Bobby Ford Tractor and Equipment
2498 N Hwy 288
Angleton TX 77515



CITY COUNCIL AGENDA ITEM
Meeting Date: July 26, 2016

SUBJECT: Public Hearing on the Zion Townhomes Subdivision preliminary plat, which is a replat of Lots 19-36, Block-4, & Lots 1-18, Block-5, Angleton Country Estates Subdivision, as Recorded in Volume 11, Page 48, of the Plat Records of Brazoria County, Texas, with a legal description of: A 9.99 Acre Tract Being the South One-Half (1/2) of Tract 45 of the Bryan and Kiber Subdivision of the I.T. Tinsley Survey, Abstract 375, Brazoria County, Texas, located on Buchta Road, also known as County Road 428.

Consent item Discussion item
 Discussion and possible action Public Hearing

REQUESTED BY: Zion Lovingier

Budgeted amount: **Funds requested:** **Fund:**

Attachments: (Attachment description)

Notice to Facts and to owners within 200 feet in the original subdivision

Executive Summary:

According to the Texas Local Government Code, Section 212.015, owners within 200 feet of the original subdivision must be notified of the replat. This parcel was originally platted to be part of the Angleton Country Estates Subdivision, but was never developed.

Recommendation:

Shelly Deisher

July 14, 2016

Name

Date

Public Hearing Notice

The City of Angleton has received a request for the Zion Townhomes Subdivision preliminary plat, which is a replat of Lots 19-36, Block-4, & Lots 1-18, Block-5, Angleton Country Estates Subdivision, as Recorded in Volume 11, Page 48, of the Plat Records of Brazoria County, Texas, with a legal description of: A 9.99 Acre Tract Being the South One-Half (1/2) of Tract 45 of the Bryan and Kiber Subdivision of the I.T. Tinsley Survey, Abstract 375, Brazoria County, Texas, located on Buchta Road, also known as County Road 428. The Planning and Zoning Commission will conduct a public hearing on this request on Wednesday, July 13, 2016 at 12:00 pm and the City Council will conduct a public hearing on this request on Tuesday, July 26, 2016 at 6:00 pm. The public hearings will be held in the Council Chambers located at 120 South Chenango, Angleton, Texas 77515. The purpose of the public hearings is to receive comments from residents and property owners on the requested replat. City Hall is accessible to the disabled. Disabled individuals who might have difficulty attending these public hearings should contact the City Secretary's Office at (979) 849-4364, extension 2115, to arrange for special assistance. If anyone interested in attending these hearings requires a translator, please contact the City Secretary's Office prior to the hearing so arrangements can be made. If you are unable to attend the public hearings, comments may be sent to:

City of Angleton
121 South Velasco
Angleton, Texas 77515
Attn: Shelly Deisher, City Secretary

State law requires that on residential replats, the following language be included in the notice of the public hearing: *If the proposed replat requires a variance and is protested in accordance with this subsection, the proposed replat must receive, in order to be approved, the affirmative vote of at least three-fourths of the members present of the municipal planning commission or governing body, or both. For legal protest, written instruments signed by the owners of at least 20 percent of the area of the lots or land immediately adjoining the area covered by the proposed replat and extending 200 feet from that area, but within the original subdivision, must be filed with the municipal planning commission or governing body, or both, prior to the close of the public hearing.* No variance is being requested, therefore, the above provision will not apply.

For additional information concerning this replat, please contact Alyssa Deaton at (979) 849-4364 ext. 2114.

Date: 6-13-16
To: The Facts – Public Hearing
From: City of Angleton
To be published once on: Sunday, June 26th, 2016

Please provide publisher's affidavit and total amount to be billed
If you have any questions, please contact Alyssa @ 979-849-4364 ext. 2114.



June 30, 2016

Public Hearing Notice

The City of Angleton has received a request for the Zion Townhomes Subdivision preliminary plat, which is a replat of Lots 19-36, Block-4, & Lots 1-18, Block-5, Angleton Country Estates Subdivision, as Recorded in Volume 11, Page 48, of the Plat Records of Brazoria County, Texas, with a legal description of: A 9.99 Acre Tract Being the South One-Half (1/2) of Tract 45 of the Bryan and Kiber Subdivision of the I.T. Tinsley Survey, Abstract 375, Brazoria County, Texas, located on Buchta Road, also known as County Road 428. The Planning and Zoning Commission will conduct a public hearing on this request on Wednesday, July 13, 2016 at 12:00 pm and the City Council will conduct a public hearing on this request on Tuesday, July 26, 2016 at 6:00 pm. The public hearings will be held in the Council Chambers located at 120 South Chenango, Angleton, Texas 77515. The purpose of the public hearings is to receive comments from residents and property owners on the requested replat. City Hall is accessible to the disabled. Disabled individuals who might have difficulty attending these public hearings should contact the City Secretary's Office at (979) 849-4364, extension 2115, to arrange for special assistance. If anyone interested in attending these hearings requires a translator, please contact the City Secretary's Office prior to the hearing so arrangements can be made. If you are unable to attend the public hearings, comments may be sent to:

Alyssa Deaton
Asst. City Secretary

Mayor
Randy Rhyne

Mayor Pro Tem
Hardwick Bieri
Position 1

Council Members
Williams Tigner
Position 2

Wesley Rolan
Position 3

Bonnie McDaniel
Position 4

Cody Vasut
Position 5

City Manager
Michael Stoldt

121 S Velasco
Angleton, TX 77515
Phone: 979-849-4364
Fax: 979-849-5561

www.angleton.tx.us

City of Angleton
121 South Velasco
Angleton, Texas 77515
Attn: Shelly Deisher, City Secretary

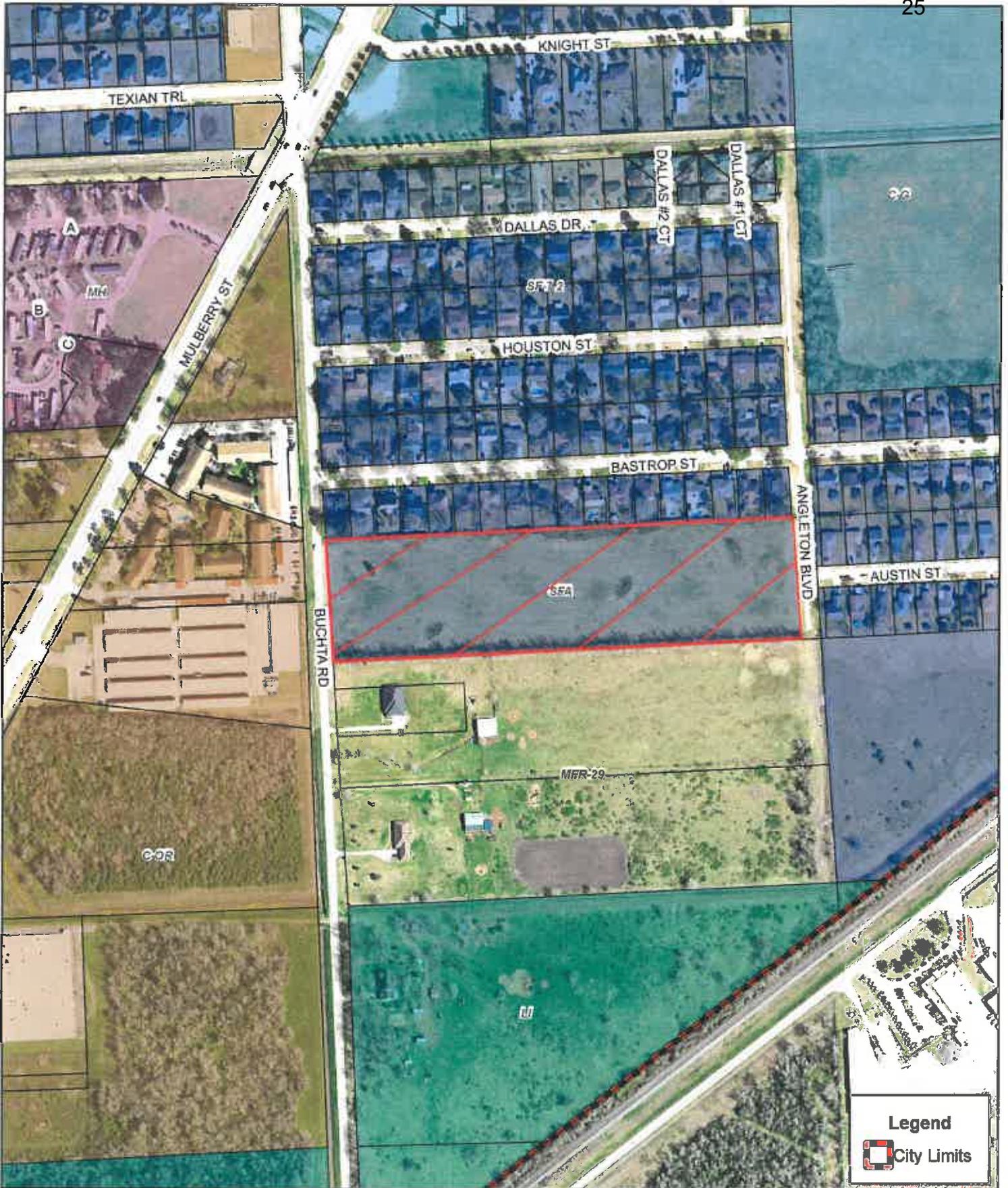
State law requires that on residential replats, the following language be included in the notice of the public hearing: *If the proposed replat requires a variance and is protested in accordance with this subsection, the proposed replat must receive, in order to be approved, the affirmative vote of at least three-fourths of the members present of the municipal planning commission or governing body, or both. For legal protest, written instruments signed by the owners of at least 20 percent of the area of the lots or land immediately adjoining the area covered by the proposed replat and extending 200 feet from that area, but within the original subdivision, must be filed with the municipal planning commission or governing body, or both, prior to the close of the public hearing.* No variance is being requested, therefore, the above provision will not apply.

This notice has been sent to you because property you own is in the original subdivision and is within 200 feet of the parcel to be replatted, as indicated on the most recently approved municipal tax roll.

For additional information concerning this replat, please contact Alyssa Deaton at 979-849-4364, ext. 2114.

Cordially,

Alyssa Deaton
Assistant City Secretary



Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Gov. C. §2501.102. The user is encouraged to independently verify all information contained in this product. The City of Angleton makes no representation or warranty as to the accuracy of this product or to its fitness for a particular purpose. The user: (1) accepts the product AS IS, WITH ALL FAULTS; (2) assumes all responsibility for the use thereof; and (3) releases the City of Angleton from any damage, loss, or liability arising from such use.



Operated by:
 City of Angleton
 121 S. Velasco St.
 Angleton, TX 77515
 979-849-4364

City of Angleton GIS Mapping

1" = 337'





APPLICATION FOR PLAT REVIEW/APPROVAL

Date: 5-17-16

TYPE OF APPLICATION: _____ SHORT FORM
_____ PRELIMINARY/FINAL PLAT
_____ COMMERCIAL
 x RESIDENTIAL

Address of property Buhta Rd.

Name of Applicant: Zion Louingier Phone: 951-972-6875

Name of Company: Diakonos Holdings + MZR Residential, LLC Phone: _____

E-mail: Zion

Name of Owner of Property: Diakonos Holdings LLC + MZR Residential LLC

Address: 3042 South Durango, Las Vegas, NV 89117

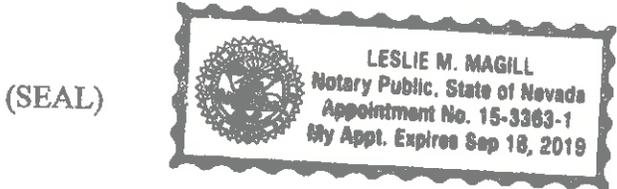
Phone: _____; E-mail: _____

I HEREBY REQUEST approval of the preliminary and final plat of the subject property according to the plans which are submitted as a part of this application. I HEREBY AUTHORIZE the staff of the City of Angleton to inspect the premises of the subject property. I HEREBY SWEAR AND AFFIRM that all statements contained herein and attached hereto are true and correct to the best of my knowledge and belief.

Signature of Owner or Agent for Owner (Applicant) [Signature]

NOTARIAL STATEMENT FOR APPLICANT:

Sworn to and subscribed before me this 19 day of may, 2016.



[Signature]
Notary Public for the State of ~~Texas~~ nevada
Commission Expires: 9-18-19

APPLICATION, ALL REQUIRED DOCUMENTATION AND PLATS MUST BE SUBMITTED FOR REVIEW A MINIMUM OF 15 DAYS PRIOR TO THE NEXT PLANNING & ZONING COMMISSION MEETING. (Note - Any form that is not completely filled out may be delayed, may result in a denial or may be returned to the Applicant).

PROJECT SUMMARY FORM

Address of property East side of Buena and one
block South of

The subject property fronts 330 feet on the East side of Buena Rd.

Depth: 1,320' Area: 10.0 Acres: 435,600 square feet

INDICATE THE PURPOSE OF THE REQUESTED PLAT APPROVAL (BE SPECIFIC):

Development of 97 townhomes to be
Sold individually

Is this platting a requirement for obtaining a building permit? YES NO

INDICATE ADDITIONAL INFORMATION THAT WILL ASSIST WITH THE REVIEW OF THIS APPLICATION.

Drainage + Detention Plan has been
reviewed + approved by Angleton
Drainage District

Name: Zion Louingier
by: Robin Crouch

Date: 5-18-16

**AFFIDAVIT OF
AUTHORIZATION BY PROPERTY OWNER**

I swear that I am the owner of (indicate address and/or legal description)
S/2 LT 45 375 F T Tinsley Acres 10.00
Buchta Rd

which is the subject of the attached application for land platting and is shown in the records of Brazoria County, Texas.

I authorize the person named below to act as my agent in the pursuit of this application for the platting of the subject property.

NAME OF APPLICANT: DOUG ROESTER of BAKER + LAWSON INC

ADDRESS: 300 E. CEDAR Angleton TX 77515

APPLICANT PHONE # 97 E-MAIL: D

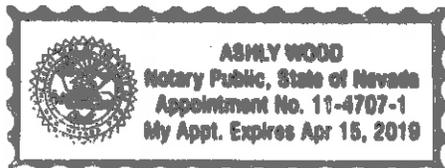
PRINTED NAME OF OWNER: Zion Lovinger (DIAKONOS Holdings LLC)

SIGNATURE OF OWNER: [Signature] DATE: 05-25-2016

NOTARIAL STATEMENT FOR PROPERTY OWNER:

Sworn to and subscribed before me this 25 day of May, 2016.

(SEAL)



Ashly Wood
Notary Public for the State of Texas ~~TEXAS~~ NEVADA
Commission Expires: April 15, 2019

Zion Townhomes Preliminary Plat Staff Comments

Zoning Ordinance Review:

Area Regulations

1. Size of lots
 - a. **Minimum Lot Area (2,500sqft)**
Ok - except lot 46, which is 1.09sqft small (room to adjust with lot 47 & Reserve A - avoids a variance and possible protest)
 - b. **Maximum Density (10 lots per acre)**
OK
 - c. **Maximum Project Size (25 acres)**
OK
 - d. **Minimum Lot Width (20 feet)**
OK (except greenbelts)
 - e. **Minimum Lot Depth (100 feet)**
OK
2. Size of Yards
 - a. **Minimum Front Yard**
Needs to be at least 20 feet with front entry garage
 - b. **Minimum Side Yard**
Lots 47 & 48 need 15 foot side yard on Angleton Blvd.
 - c. **Minimum Rear Yard**
OK, but may reduce to 15 feet to make up for larger front yard
3. Maximum Lot Coverage (70%)
N/A for plat approval, but should be considered for home building permits.
 - a. **Minimum Parking Spaces**
OK
 - b. **Visitor Parking Spaces (25 spaces required)**
Plans only show 22, need 3 more (could fit on "Reserve A")
4. Minimum Floor Area
N/A for plat approval but 800sqft of conditioned space required
5. Special Requirements
 - a. **Maintenance of Common Areas**
Property owners association required
 - b. **Streets**
OK
 - c. **Refuse**
OK if using individual service to each unit

- d. Utilities
OK
- e. **Single Family Detached**
Lot 47? Must comply with SF-6.3.
- f. Private Yard
N/A for approval, but OK as shown on plat
- g. Elimination of Garage Space
N/A for plat approval.
Other zoning requirements not applicable to plat review/approval but developer should review all requirements before developing lots

Public Improvements/Infrastructure

1. **Streets**
Rename Street since it does not actually connect through to back part of Austin Street (eliminates confusion with public trying to access existing Austin Street)
2. **Emergency Access**
Cul-de-sac must include emergency access to Angleton Blvd
3. **Fire Hydrants**
Add two more fire hydrants; one at beginning of lots and one in or near cul-de-sac (600 ft. spacing).
4. **Water Lines**
 - a. Scale for water line is incorrect on page C3.
 - b. Water service taps should be 1.5 inches and serve to 1 inch taps.
 - c. Show size of casing for water lines.
5. **Drainage**
 - a. Verify flow lines of proposed swales. It appears some of them are higher than the adjacent natural ground.
 - b. Adjust the depth of the proposed swales to a minimum depth of 4 inches.
 - c. Verify the required detention calculations.
 - d. Verify the available detention provided in the plans.

Dedicatory Statement

1. Dedicatory statement must dedicate easements & R.O.W. to the public – use following sentence in dedicatory statement: "...hereby dedicate to the public all easements and rights-of-way shown hereon for their use forever..."
2. Acreage in dedicatory statement does not match other acreage statement

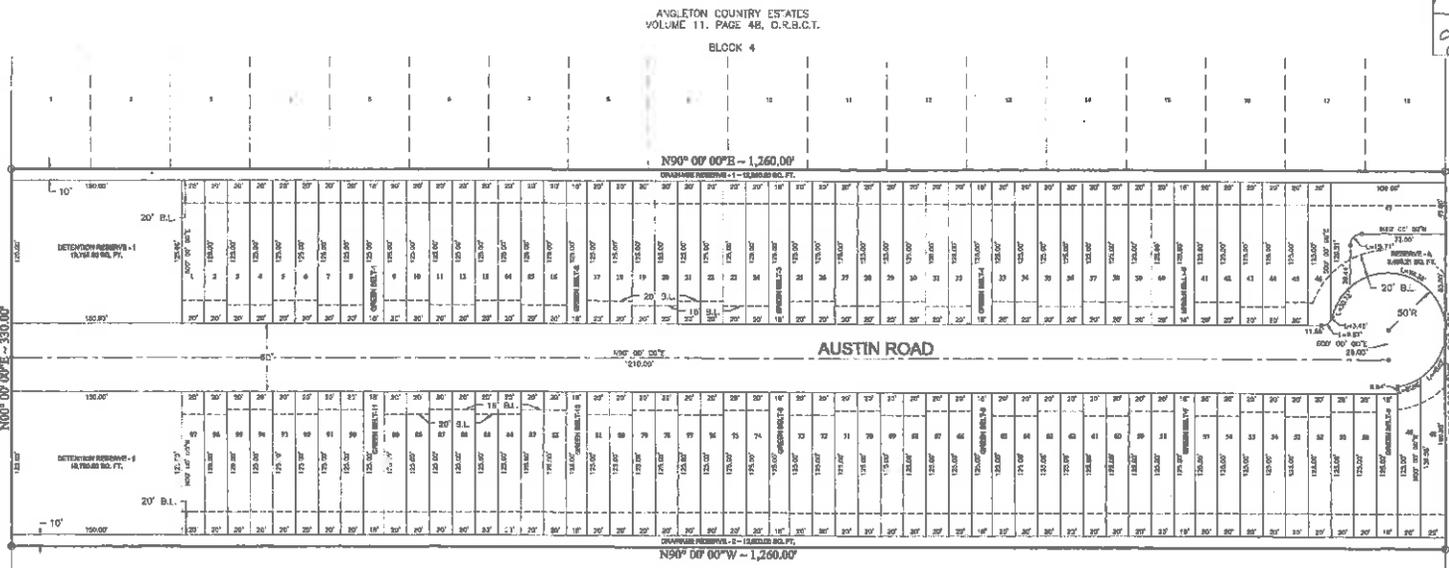
ZION TOWNHOMES

BRAZORIA COUNTY, TEXAS



LEGEND
O.R.B.C.T. = OFFICIAL RECORDS OF BRAZORIA COUNTY, TEXAS
C.C.F.N.O. = COUNTY CLERK'S FILE NUMBER
D.E. = DRAINAGE EASEMENT
B.L. = BUILDING LINE
U.E. = UTILITY EASEMENT
B = FOLDED UP FROM BOOK
O = SET 5/8" FROM ROAD WITH "BAKER & LAWSON" CAP

BUCHTUTA ROAD
(80' RIGHT-OF-WAY)



BENCHMARK
(SEE NOTE 3)

ANGLETON BOULEVARD
(60' RIGHT-OF-WAY)

- REVISIONS:**
1. ALL BEARINGS AND DISTANCES INDICATED HEREON ARE BASED ON THE STATE COORDINATE SYSTEM, NORTH AMERICAN DATUM OF 1983, SOUTH CENTRAL ZONE, G.A. SERVICE FEET.
 2. THE AREA ACROSS IN THIS SUBDIVISION IS IN ZONE 20' AN INCH ON T, OR ZONAL, 1984 S - BENCHMARE AND IS OUTSIDE OF THE 50' VULNERABILITY ZONE.
 3. BENCHMARKS AND NAD 83 WEST FACE OF POWER POLE LOCATED IN THE NORTH EAST CORNER OF THE INTERSECTION OF ANGLETON AND AUSTIN BOULEVARD - 33.30' BARED ON NAD 83, IS 100' VULNERABILITY ZONE.

DAKONCS HOLDINGS, LLC
& MCK RESIDENTIAL, LLC
9.99 ACRES BEING THE SOUTH HALF OF
TRACTS 45, BRYAN AND KEBER SUBDIVISION
C.C.F.N.O. 2015053344, O.R.B.C.T.

PROVISIONS APPROVED
CITY PLANNING COMMISSION
CITY OF ANGLETON
CITY CLERK
THIS 15th DAY OF _____, 2015
BY THE CITY PLANNING COMMISSION OF ANGLETON, TEXAS.

LOT #	AREA (SQ. FT.)
1-43	3,428.00
44	2,428.00
45	2,504.00
46	3,314.43
47	2,693.30
50 - 57	3,428.00
TOTAL	2,500.00

I HEREBY CERTIFY THAT THIS RE-PLAT WAS MADE ON THE ORIGINAL SURVEY AND MY BEST KNOWLEDGE AND BELIEF THAT THE SAME IS CORRECT AND ACCURATE AND THAT THE SAME IS IN ACCORDANCE WITH THE CITY OF ANGLETON, TEXAS, ORDINANCES AND RESOLUTIONS AND THE CITY OF ANGLETON, TEXAS, CHARTER.

STATE OF TEXAS
COUNTY OF BRAZORIA
KNOW ALL MEN BY THESE PRESENTS THAT:
I, JONATHAN L. MCKAY, OWNER OF THE PROPERTY DESCRIBED IN THE FOREGOING RE-PLAT OF THE SOUTH HALF OF TRACTS 45, BRYAN AND KEBER SUBDIVISION, C.C.F.N.O. 2015053344, O.R.B.C.T., DO HEREBY CERTIFY THAT THE SAME IS CORRECT AND ACCURATE AND THAT THE SAME IS IN ACCORDANCE WITH THE CITY OF ANGLETON, TEXAS, CHARTER.

JONATHAN L. MCKAY
REGISTERED PROFESSIONAL
LAND SURVEYOR, NO. 640

STATE OF TEXAS
COUNTY OF BRAZORIA
KNOW ALL MEN BY THESE PRESENTS THAT:
I, JONATHAN L. MCKAY, OWNER OF THE PROPERTY DESCRIBED IN THE FOREGOING RE-PLAT OF THE SOUTH HALF OF TRACTS 45, BRYAN AND KEBER SUBDIVISION, C.C.F.N.O. 2015053344, O.R.B.C.T., DO HEREBY CERTIFY THAT THE SAME IS CORRECT AND ACCURATE AND THAT THE SAME IS IN ACCORDANCE WITH THE CITY OF ANGLETON, TEXAS, CHARTER.

BEFORE ME THIS UNDISBURSED AUTHORITY ON THIS DAY PERSONALLY APPEARED JONATHAN L. MCKAY, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE SAWS WAS THE ACTING PRESIDENT FOR THE PURPOSES AND CONSIDERATION THEREIN FORWARDS AND BY HIS CAPACITY THEREIN FORTH.

BEFORE ME THIS UNDISBURSED AUTHORITY ON THIS DAY PERSONALLY APPEARED JONATHAN L. MCKAY, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE SAWS WAS THE ACTING PRESIDENT FOR THE PURPOSES AND CONSIDERATION THEREIN FORWARDS AND BY HIS CAPACITY THEREIN FORTH.

SUBSCRIBED BY AND FOR THE STATE OF TEXAS
BY COMMISSIONER

SUBSCRIBED BY AND FOR THE STATE OF TEXAS
BY COMMISSIONER

CHAIRMAN
WITHIN MY HAND AND SEAL OF OFFICE THIS 15th DAY OF _____, 2015.

CITY SECRETARY

ANGLETON DRAINAGE DISTRICT
ANGLETON DRAINAGE DISTRICT APPROVED THIS 15th DAY OF _____, 2015.
THE BOARD OF DRAINAGE DISTRICT DOES NOT WARRANT, REPRESENT OR GUARANTEE.

1. THAT DRAINAGE FACILITIES OUTSIDE THE BOUNDARIES OF THE SUBDIVISION PLAN ARE AVAILABLE TO RECEIVE RUNOFF FROM THE FACILITIES APPROVED BY THIS PLAT.
2. THAT THE DRAINAGE FACILITIES LOCATED OUTSIDE THE PLAT ARE ADEQUATE FOR RAINFALL IN EXCESS OF ANGLETON DRAINAGE DISTRICT DESIGN CAPACITY.
3. THAT BUILDING ELEVATION REQUIREMENTS HAVE BEEN DETERMINED BY THE ANGLETON DRAINAGE DISTRICT.
4. THAT THE DISTRICT AGREES TO BE RESPONSIBLE FOR CONSTRUCTION OF A DRAINAGE FACILITY OR MAINTENANCE OF EXISTING DRAINAGE FACILITY. THE DISTRICT'S OBLIGATION IS LIMITED TO THE LOCATION AND MAINTENANCE OF THE FACILITY AS SHOWN ON THE PLAT AS SUBMITTED BY THE SUBSCRIBER TO THE CITY OF ANGLETON, TEXAS, CHARTER.

THE DISTRICT'S OBLIGATION IS LIMITED TO THE LOCATION AND MAINTENANCE OF THE FACILITY AS SHOWN ON THE PLAT AS SUBMITTED BY THE SUBSCRIBER TO THE CITY OF ANGLETON, TEXAS, CHARTER.

CHECKED: _____
DATE: _____

CITY CLERK
CITY OF ANGLETON
THIS 15th DAY OF _____, 2015
BY THE CITY CLERK OF ANGLETON, TEXAS.

SEAL
BANK OF AMERICA SHALL BE SUBJECT TO ALL THE REQUIREMENTS OF THE CODE OF ORDINANCES OF THE CITY OF ANGLETON, TEXAS.
WITHIN MY HAND THIS 15th DAY OF _____, 2015.

CITY SECRETARY

BAKER & LAWSON, INC.
300 EAST CEDAR ST.
ANGLETON, TEXAS 77615
OFFICE: (978) 849-6881
TBPLS No. 10052500

BOOK	PAGE	APPROVED BY	DATE
11511			

1 OF 1

PRELIMINARY RE-PLAT
OF
LOTS 19-36, BLOCK-4, & LOTS 1-18, BLOCK-5
ANGLETON COUNTRY ESTATES SUBDIVISION
AS RECORDED IN
VOLUME 11, PAGE 48, O.R.B.C.T.
SITUATED IN
I. TINSLEY LEAGUE, ABSTRACT-375,
CITY OF ANGLETON
BRAZORIA COUNTY, TEXAS

OWNER:
ZION LOVINGER
3042 DURANGO DRIVE
LAS VEGAS, NEVADA 89117



CITY COUNCIL AGENDA ITEM
Meeting Date: July 26, 2016

SUBJECT: Discussion and Possible Action on the Preliminary Plat, which is a replat, of Tract 5 of the Angleton Commercial Subdivision No. 4, in the J De J Valderas Survey, Abstract 380, Brazoria County, Texas, According to the Plat of Said Subdivision Recorded in Volume 24, Pages 109-110, of the Plat Records of Brazoria County, Texas, located on the southwest corner of Highway 288B and FM 523.

Consent item Discussion item
 Discussion and possible action Public Hearing

REQUESTED BY: Paul O'Farrell

Budgeted amount: **Funds requested:** **Fund:**

Attachments: (Attachment description)
 Application, plat, GIS map

Executive Summary:
 Owner wants to replat two 3 acre lots out of the ~70 acre tract.

Recommendation:
 Planning & Zoning recommend approval of the plat with staff recommendations.

Shelly Deisher

July 14, 2016

Name

Date



APPLICATION FOR PLAT REVIEW/APPROVAL

Date: 6-23-16

TYPE OF APPLICATION: SHORT FORM
 PRELIMINARY/FINAL PLAT
 COMMERCIAL
 RESIDENTIAL

Address of property Tract 5 of Angleton Commercial
Subdivision No 4

Name of Applicant: Paul O'Farrell Phone: _____

Name of Company: _____ Phone: _____

E-mail: _____

Name of Owner of Property: Paul O'Farrell

Address: P.O. Box 1439 Angleton, TX

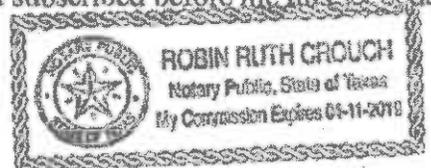
Phone: 979-848-7260 E-mail: _____

I HEREBY REQUEST approval of the preliminary and final plat of the subject property according to the plans which are submitted as a part of this application. I HEREBY AUTHORIZE the staff of the City of Angleton to inspect the premises of the subject property. I HEREBY SWEAR AND AFFIRM that all statements contained herein and attached hereto are true and correct to the best of my knowledge and belief.

Signature of Owner or Agent for Owner (Applicant) Paul O'Farrell

NOTARIAL STATEMENT FOR APPLICANT:

Sworn to and subscribed before me this 23 day of June, 2016.



(SEAL)

Robin Ruth Crouch
Notary Public for the State of Texas
Commission Expires: 1-11-18

APPLICATION, ALL REQUIRED DOCUMENTATION AND PLATS MUST BE SUBMITTED FOR REVIEW A MINIMUM OF 15 DAYS PRIOR TO THE NEXT PLANNING & ZONING COMMISSION MEETING. (Note - Any form that is not completely filled out may be delayed, may result in a denial or may be returned to the Applicant).

PROJECT SUMMARY FORM

Address of property Tract 5 of Angleton Commercial
Subdivision 010 4

The subject property fronts 54250A feet on the _____ side of _____

Depth: _____ Area: _____ Acres: _____ square feet
Replat of Tracts 5A + 5B (3 Acre Tracts)

INDICATE THE PURPOSE OF THE REQUESTED PLAT APPROVAL (BE SPECIFIC):

Replat Tract 5 to Subdivide 2.3 Acre
Tracts - Tracts 5A + 5B

Is this platting a requirement for obtaining a building permit? YES NO

INDICATE ADDITIONAL INFORMATION THAT WILL ASSIST WITH THE REVIEW OF THIS APPLICATION.

Name: Robin Cohen

Date: 5-6-20-16



CITY OF ANGLETON APPOINTMENT OF AGENT

As owner of the property described as Tract 5 of Angleton Commercial
I hereby appoint the person designated below to act for me, as my agent in this request. SID #4

Name of Agent: Josh McGinn

Mailing Address: 300 E. Cedar Email: _____

City: Angleton State: Tx Zip: 77515

Home Phone: () _____ Business Phone: 6 _____

I verify that I am the legal owner of the subject property and I acknowledge and affirm that I will be legally bound by the words and acts of my agent, and by my signature below, I fully authorize my agent to:

be the point of contact between myself and the City; make legally binding representations of fact and commitments of every kind on my behalf; grant legally binding waivers of rights and releases of liabilities of every kind on my behalf; to consent to legally binding modifications, conditions, and exceptions on my behalf; and, to execute documents on my behalf which are legally binding on me.

I understand that the City will deal only with a fully authorized agent. At any time it should appear that my agent has less than full authority to act, then the application may be suspended and I will have to personally participate in the disposition of the application. I understand that all communications related to this application are part of an official proceeding of City government and, that the City will rely upon statements made by my agent. Therefore, I agree to hold harmless and indemnify the City of Angleton, its officers, agents, employees, and third parties who act in reliance upon my agent's words and actions from all damages, attorney fees, interest and costs arising from this matter. If my property is owned by a corporation, partnership, venture, or other legal entity, then I certify that I have legal authority to make this binding appointment on behalf of the entity, and every reference herein to 'I', 'my', or 'me' is a reference to the entity.

Signature of owner Paul O'Farrell Title Agent

Printed/Typed Name of owner Paul O'Farrell Date 6-17-16

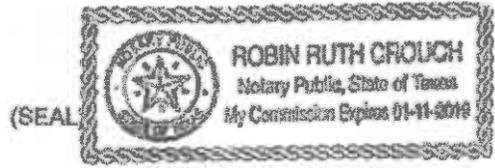
*Application must be signed by the individual applicant, by each partner of a partnership, or by an officer of a corporation or association.

STATE OF TEXAS §

COUNTY OF Brazoria §
Robin Crouch

Before me, Robin Crouch, on this day personally appeared Paul O'Farrell known to me (or proved to me on the oath of _____) or through (personally) to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration therein expressed.

Given under my hand and seal of office this 17th day of June, 2016



Robin R Crouch
Notary Public Signature
1-11-19
Commission Expires

**AFFIDAVIT OF
AUTHORIZATION BY PROPERTY OWNER**

I swear that I am the owner of (indicate address and/or legal description)
Tract 5 of Angleton Commercial Subdivision No 4

which is the subject of the attached application for land platting and is shown in the records of Brazoria County, Texas.

I authorize the person named below to act as my agent in the pursuit of this application for the platting of the subject property.

NAME OF APPLICANT: Paul O'Farrell

ADDRESS: Clu Baker & Lawson, Inc.
300 E. Cedar, Angleton, TX 77515

APPLICANT PHONE # _____ E-MAIL: f. [unclear]@ [unclear].net

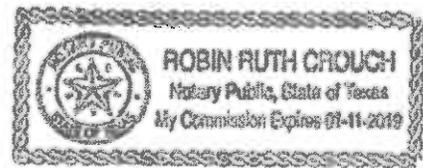
PRINTED NAME OF OWNER: Paul O'Farrell

SIGNATURE OF OWNER: Paul O'Farrell DATE: 6-17-16

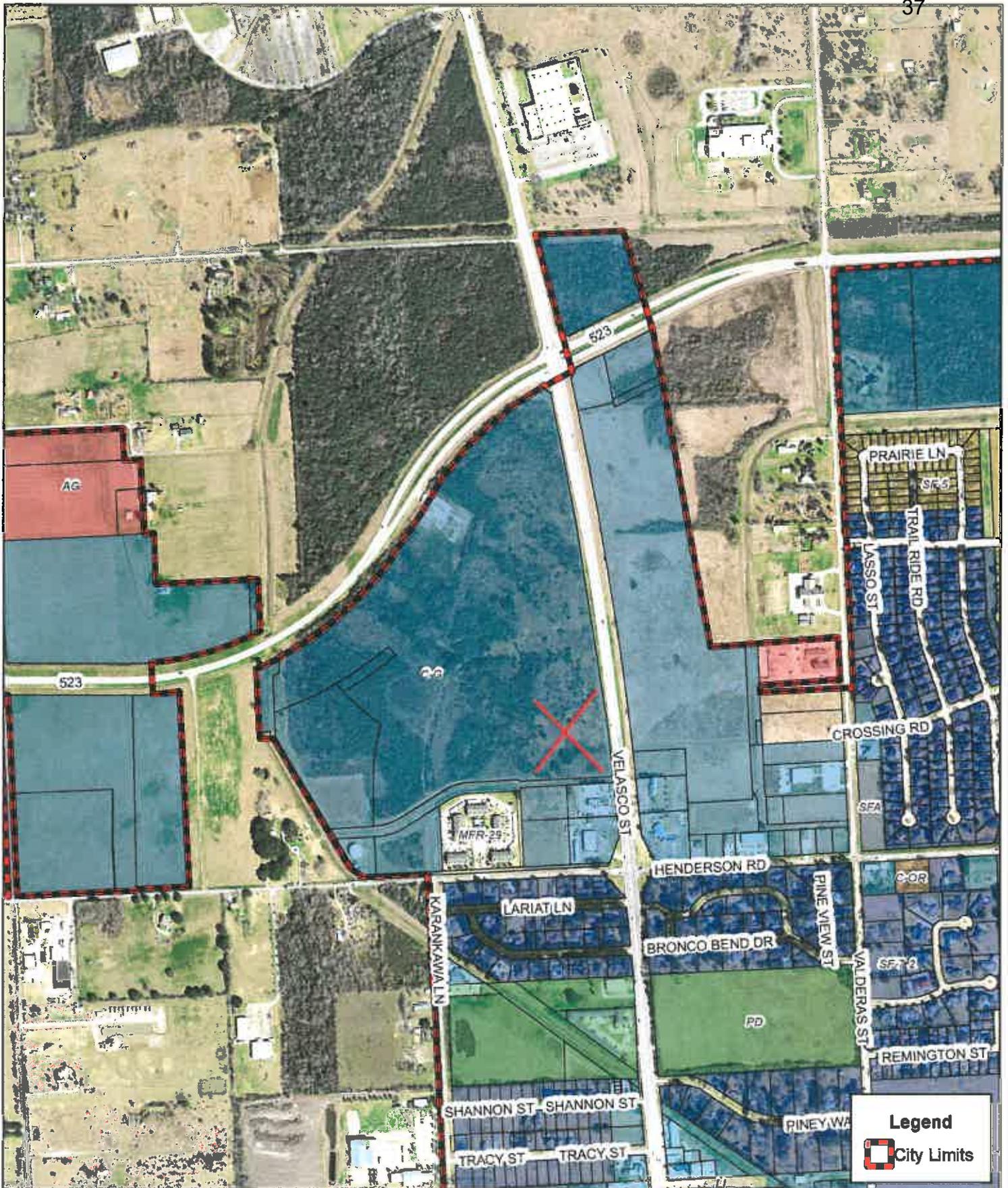
NOTARIAL STATEMENT FOR PROPERTY OWNER:

Sworn to and subscribed before me this 16th day of June, 2016.

(SEAL)



Robin R. Crouch
Notary Public for the State of Texas
Commission Expires: 6-17-16



Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Gov. C. §2501.102. The user is encouraged to independently verify all information contained in this product. The City of Angleton makes no representation or warranty as to the accuracy of this product or to its fitness for a particular purpose. The user (1) accepts the product AS-IS, WITH ALL FAULTS, (2) assumes all responsibility for the use thereof, and (3) releases the City of Angleton from any damage, loss, or liability arising from such use.



Operated by:
 City of Angleton
 121 S. Velasco St.
 Angleton, TX 77515
 979-849-4364

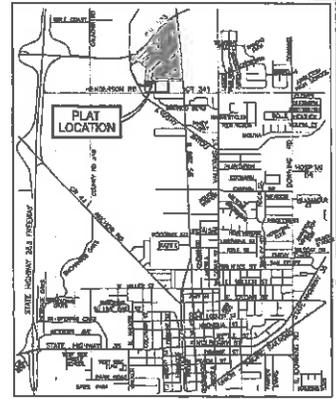
City of Angleton GIS Mapping

1" = 799'



**BRAZORIA COUNTY,
TEXAS**

**REPLAT OF
TRACT 5
OF ANGLETON COMMERCIAL
SUBDIVISION NO. 4**



CITY OF ANGLETON
VICINITY MAP
APPROX. SCALE: 1" = 1/2 MILE

STATE OF TEXAS
COUNTY OF BRAZORIA

KNOW ALL MEN BY THESE PRESENTS, THAT:
L. PAUL OFFARRELL, OWNER OF THE PROPERTY SUBDIVIDED IN THE FOREGOING REPLAT OF TRACT 5 OF ANGLETON COMMERCIAL SUBDIVISION NO. 4, IN THE J. DE J. VALDERAS SURVEY, ABSTRACT NO. 380, AN ADDITION TO THE CITY OF ANGLETON, BRAZORIA COUNTY, TEXAS, DO HEREBY SUBMIT THIS REPLAT IN ACCORDANCE WITH THE EASES, LOTS, EASEMENTS AND DRAINAGE RIGHTS-OF-WAY SHOWN HEREON AND DO HEREBY DEDICATE TO THE PUBLIC ALL EASEMENTS AND RIGHTS HEREON FOR THEIR BENEFIT, AND DO THIS UNDER VOL. OR HEARS, BOOKS AND ASSURE TO MAINTAIN AND DEFEND THE TITLE SO DEDICATED.

WITNESSEY HAND THIS THE ____ DAY OF _____, 2014.

PAUL OFFARRELL
STATE OF TEXAS
COUNTY OF BRAZORIA

BEFORE ME, THE UNDEPUTED AUTHORITY, ON THIS DAY APPEARED PAUL OFFARRELL, OWNER, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE DEDICATED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE ____ DAY OF _____, 2014.

REPLAT PUBLIC
STATE OF TEXAS

CITY PLANNING COMMISSION

I CERTIFY THAT THE ABOVE AND FOREGOING REPLAT OF TRACT 5 OF ANGLETON COMMERCIAL SUBDIVISION NO. 4, WAS APPROVED

THIS THE ____ DAY OF _____, 2014

BY THE CITY PLANNING COMMISSION OF ANGLETON, TEXAS.

CHAIRMAN
WITNESSEY HAND THIS THE ____ DAY OF _____, 2014.

CITY SECRETARY

CITY COUNCIL

I CERTIFY THAT THE ABOVE AND FOREGOING REPLAT OF TRACT 5 OF ANGLETON COMMERCIAL SUBDIVISION NO. 4, WAS APPROVED

THIS THE ____ DAY OF _____, 2014

BY THE CITY COUNCIL OF ANGLETON, TEXAS.

MAYOR

AND ADOPTION SHALL BE SUBJECT TO ALL THE REQUIREMENTS OF THE CODE OF ORDINANCES OF THE CITY OF ANGLETON, TEXAS.

WITNESSEY HAND THIS THE ____ DAY OF _____, 2014.

ANGLETON DRAINAGE DISTRICT

ACCEPTED, THIS THE ____ DAY OF _____, 2014

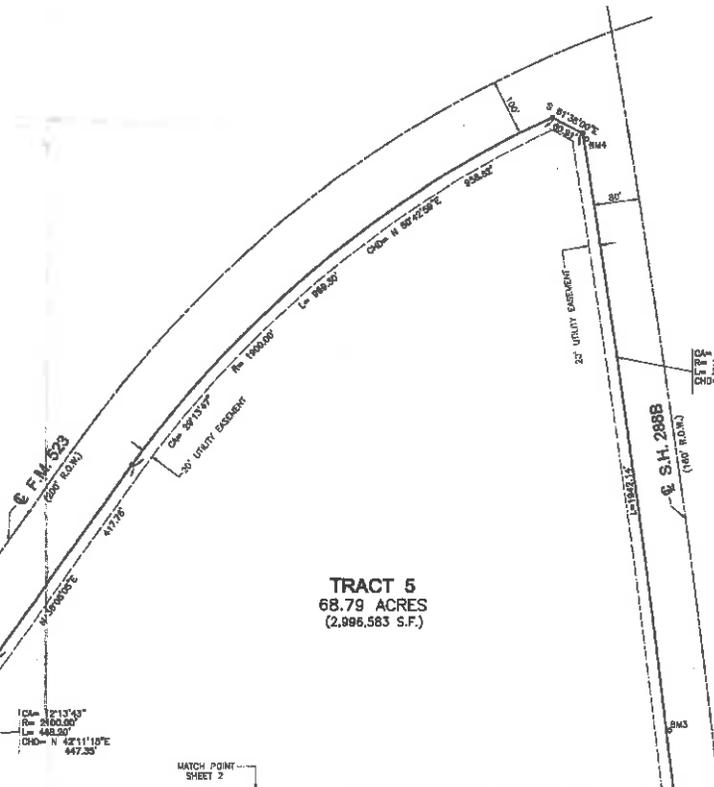
THE BOARD OF SUPERVISORS OF THE ANGLETON DRAINAGE DISTRICT DOES NOT WARRANT, REPRESENT OR GUARANTEE:

1. THAT DRAINAGE FACILITIES OUTSIDE THE BOUNDARIES OF THIS SUBDIVISION PLAT ARE AVAILABLE TO RECEIVE RUNOFF FROM THE FACILITIES DESCRIBED IN THIS PLAT.
 2. THAT DRAINAGE FACILITIES DESCRIBED IN THIS PLAT ARE ADEQUATE FOR RAINFALL IN EXCESS OF ANGLETON DRAINAGE DISTRICT DESIGN REQUIREMENTS.
 3. THAT BUILDING ELEVATION REQUIREMENTS HAVE BEEN DETERMINED BY THE ANGLETON DRAINAGE DISTRICT.
 4. THAT THIS DISTRICT ASSUMES ANY RESPONSIBILITY FOR CONSTRUCTION, OPERATION OR MAINTENANCE OF SUBDIVISION DRAINAGE FACILITIES.
- THE DISTRICT'S REVIEW IS BASED SOLELY ON THE DOCUMENTATION SUBMITTED FOR REVIEW, AND ON THE HONORANCE ON THE REPORT SUBMITTED BY THE TEXAS REGISTERED PROFESSIONAL ENGINEER.
- THE DISTRICT'S REVIEW IS NOT INTENDED NOR WILL BECOME AS A SUBSTITUTION OF THE OVERALL RESPONSIBILITY AND/OR DECISION MAKING POWER OF THE PARTY SUBMITTING THE PLAT OR PLAIN HEREON, THEIR OR ITS ENGINEERS OR AGENTS.

CHAIRMAN
MEMBER
MEMBER

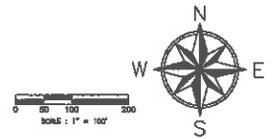
- NOTES:**
1. THE POSSIBLE EXISTENCE OF UNDERGROUND FACILITIES OR SURFACE CONDITIONS OTHER THAN THOSE SHOWN MAY AFFECT THE USE AND DEVELOPMENT OF THE SUBJECT PROPERTY IN ANY MANNER.
 2. THE DOCUMENTS REFERRED TO HEREON, WHETHER THESE OF PUBLIC RECORD OR OTHERWISE, WERE OBTAINED BY THE SURVEYOR AND/OR PROVIDED BY THE CLIENT, EXCEPT AS SPECIFICALLY STATED OR SHOWN ON THIS PLAT. THIS SURVEY DOES NOT PURPORT TO REVEAL ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT AREA: EASEMENTS, OTHER THAN POSSIBLE EASEMENTS W/RECD, MINER RIGHTS OR THE EXISTENCE AT THE TIME OF MAKING THIS SURVEY OF ANY OTHER SURFACE OR SUBSURFACE CONDITIONS, CONDUIT OR OTHER LAND-USE REGULATIONS, AND OTHER FACTS OTHER THAN THOSE WHICH AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.
 3. ALL BEARINGS AND DISTANCES ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD83, U.S. FEET.
 4. FLOOD ZONE STATEMENT: THE SURVEYOR NAMED HEREON HAS EXAMINED THE FEDERAL BUREAU OF MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP FOR BRAZORIA COUNTY, MAP NUMBER 48488-0101, WITH EFFECTIVE DATE OF JUNE 01, 1989, AND THAT MAP INDICATES THAT THE PROPERTY SURVEYED IS WITHIN ZONE "X" (SHADE), AREA "A" RETURNED TO BE OUTSIDE THE 100-YEAR FLOOD PLAIN. HOWEVER, THIS PLAT SURVEYOR DOES NOT IMPLY THAT THE PROPERTY AND/OR STRUCTURES WILL BE FREE FROM FLOODING OR FLOOD DAMAGE, AND WILL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.
 5. THE PROPERTY SURVEYED IS WITHIN THE CITY LIMITS OF THE CITY OF ANGLETON.

- BENCHMARKS**
- ELEVATIONS ARE BASED ON THE NATIONAL GEOGRAPHIC VERTICAL DATUM OF 1929, 1973 ADJUSTMENT.
1. TOP BRASS CAP ON CONCRETE HEADWALL ELEV. 39.70 ON SOUTH SIDE OF P.M. 883 AT BRUSHY CANYON.
 2. RAILROAD SPIKE IN POWER POLE ELEV. 33.54 WEST SIDE OF S.H. 2888 AND 11895 NORTH OF HENDERSON ROAD.
 3. RAILROAD SPIKE IN POWER POLE ELEV. 34.31 ON WEST SIDE OF S.H. 2888 AND 3025 NORTH OF HENDERSON ROAD.
 4. RAILROAD SPIKE IN POWER POLE ELEV. 38.21 ON WEST SIDE OF S.H. 2888 AND 125 SOUTH OF EASTERN OUTBACK CORNER AT P.M. 883.
 5. SQUARE CUT ON TOP IRON END OF HEADWALL ELEV. 31.64 NORTH SIDE OF HENDERSON ROAD AT BRUSHY CANYON.



I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND, THAT THIS PLAT CORRECTLY REPRESENTS THE FACTS FOUND AT THE TIME OF SURVEY AND THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT TEXAS SOCIETY OF PROFESSIONAL SURVEYING STANDARDS AND SPECIFICATIONS FOR A CATEGORY II, CATEGORY II SURVEY.

JOSHUA A. MOORM
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 687



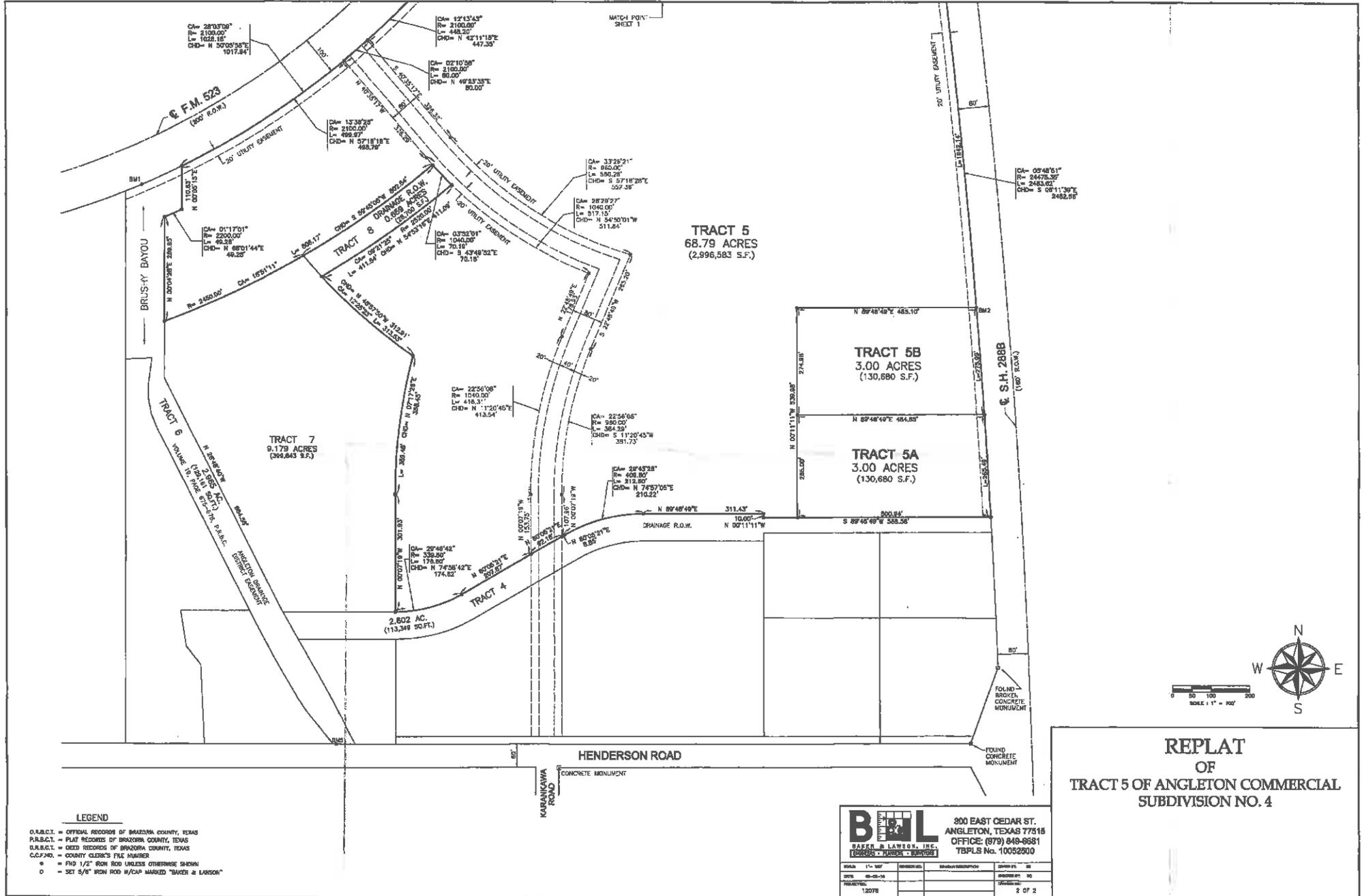
- LEGEND**
- D.R.E.C.T. = OFFICIAL RECORDS OF BRAZORIA COUNTY, TEXAS
 - P.R.E.C.T. = PLAT RECORDS OF BRAZORIA COUNTY, TEXAS
 - A.B.S.A.T. = DEED RECORDS OF BRAZORIA COUNTY, TEXAS
 - C.A.F.M.A. = COUNTY CLERK'S FILE NUMBER
 - o = TWO 1/2" IRON ROD IN/LESS OTHERWISE SHOWN
 - o = SET 5/8" IRON ROD 8/CAP MARKED "BAKER & LAWSON"

FILE NO.	13078	DATE	05-23-14	DRAWN BY	AC	CHECKED BY	AC	SHEET NO.	1 OF 2
	13078		05-23-14		AC		AC		1 OF 2

REPLAT
OF
TRACT 5 OF ANGLETON COMMERCIAL
SUBDIVISION NO. 4, IN THE J. DE J. VALDERAS
SURVEY, ABSTRACT 380, BRAZORIA COUNTY,
TEXAS, ACCORDING TO THE PLAT OF SAID
SUBDIVISION RECORDED IN VOLUME 24,
PAGES 109-110, PLAT RECORDS OF
BRAZORIA COUNTY, TEXAS.

TRACT 5
68.79 ACRES
(2,986,583 S.F.)

HATCH POINT
SHEET 2





CITY COUNCIL AGENDA ITEM
Meeting Date: July 26, 2016

SUBJECT: Public Hearing on ORDINANCE NO. 2016-O-7A AN ORDINANCE OF THE CITY OF ANGLETON, TEXAS, AMENDING CHAPTER 28 (ZONING ORDINANCE) OF THE CODE OF ORDINANCES BY AMENDING THE DEFINITION FOR RESIDENTIAL DWELLING, EXISTING.

Consent item Discussion item
 Discussion and possible action Public Hearing

REQUESTED BY: Michael Stoldt

Budgeted amount: **Funds requested:** **Fund:**

Attachments: (Attachment description)
 Notice to the Facts

Executive Summary:

Recommendation:

Shelly Deisher

July 14, 2016

Name

Date

Public Hearing Notice

Public Hearing on ORDINANCE NO. 2016-O-7A AN ORDINANCE OF THE CITY OF ANGLETON, TEXAS, AMENDING CHAPTER 28 (ZONING ORDINANCE) OF THE CODE OF ORDINANCES BY AMENDING THE DEFINITION FOR RESIDENTIAL DWELLING, EXISTING. The Planning and Zoning Commission will conduct a Public Hearing on Wednesday, July 13, 2016 at 12:00 pm. The City Council will conduct a Public Hearing on Tuesday, July 26, 2016 at 6:00 pm. The Public Hearings will be held in City Council Chambers located at 120 South Chenango Street, Angleton, Texas, 77515. If you are unable to attend the public hearings, comments may be sent to: City of Angleton; 121 South Velasco; Angleton, Texas 77515; Attn: Shelly Deisher, City Secretary. For additional information concerning the proposed Ordinance, please contact Alyssa Deaton at (979) 849-4364 ext. 2114.

Date: June 21, 2016

To: The Facts -- Legal Notices

From: City of Angleton

To be published once on: Sunday, June 26, 2016

Please provide publisher's affidavit and total amount to be billed.

If you have any questions, please contact Alyssa Deaton @ 979-849-4364 ext. 2114.



CITY COUNCIL AGENDA ITEM
Meeting Date: July 26, 2016

SUBJECT: Discussion and Possible Action on ORDINANCE NO. 2016-O-7A AN ORDINANCE OF THE CITY OF ANGLETON, TEXAS, AMENDING CHAPTER 28 (ZONING ORDINANCE) OF THE CODE OF ORDINANCES BY AMENDING THE DEFINITION FOR RESIDENTIAL DWELLING, EXISTING.

Consent item Discussion item
 Discussion and possible action Public Hearing

REQUESTED BY: Michael Stoldt

Budgeted amount: **Funds requested:** **Fund:**

Attachments: (Attachment description)
Ordinance 2016-O-7A

Executive Summary:

Many homes in Angleton were zoned commercial or commercial office/retail when the zoning map was created. We have had situations in the past where a buyer was unable to secure financing because the insurance company wanted a guarantee that the home could be rebuilt if damaged more than 50%. Current rules state that they would have to rezone in order to rebuild as a home, but with some we have seen, it would be impossible because of spot zoning. With this sentence added to the definition, homes that have been residential dwellings for many years and intend to continue to be a residential dwelling will be allowed to rebuild in case of disaster without having to go through the rezoning process.

Recommendation:

Staff recommends approval contingent upon comments.

Shelly Deisher

July 14, 2016

Name

Date

ORDINANCE NO. 2016-O-7A

AN ORDINANCE OF THE CITY OF ANGLETON, TEXAS, AMENDING CHAPTER 28 (ZONING ORDINANCE) OF THE CODE OF ORDINANCES BY AMENDING THE DEFINITION FOR RESIDENTIAL DWELLING, EXISTING; PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000 FOR EACH AND EVERY OFFENSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

WHEREAS, the definition being amended is to protect the investment of property owners, if such an event were to occur that their Residential dwelling, Existing should be damaged or destroyed by fire, force of nature or other unintentional cause, they shall be allowed to rebuild by right in the zoning district(s) shown in Section 28-81 (b) Use Charts in the Code of Ordinances as a Residential dwelling, Existing; and

WHEREAS, Chapter 28 of the Code of Ordinances authorizes the City Council to amend, supplement, or change the regulations of the Zoning Ordinance or the boundaries of zoning districts specified in the zoning map; and

WHEREAS, any amendment to the zoning ordinance text or to zoning district boundaries may be initiated by the Planning and Zoning Commission, who shall then make a recommendation to the City Council; and

WHEREAS, pursuant to state law, notice was published in the newspaper advising that the Planning and Zoning Commission was conducting a public hearing on Wednesday, July 13, 2016 and the City Council was conducting a public hearing on Tuesday, July 26, 2016, to discuss amending the definition for Residential dwelling, Existing; and

WHEREAS, after conducting a public hearing, the Planning and Zoning Commission recommended the approval of the change to amend the definition for Residential dwelling, Existing by a vote of 4 for, 0 against, 3 absent;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ANGLETON, TEXAS:

SECTION 1: That the foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part of this Ordinance for all purposes as findings of fact.

SECTION 1: That Section 28-112 Definition of Residential dwelling, Existing of the Code of Ordinances is hereby amended to read:

Residential dwelling, Existing: any Single-family dwelling (attached or detached), Patio Home, or Two-family dwelling (duplex) constructed before 2014 and located in a Non-Residential Zoning District or any Single-family dwelling (attached or detached), Patio Home, or Two-family dwelling (duplex) constructed after 2014 and located on property receiving a subsequent re-zoning designation, after the residential construction, to a Non-Residential Zoning District. Existing Residential Dwellings that are changed to a non-residential use shall cease to be defined as an Existing Residential Dwelling. Any Existing

Residential Dwelling that is damaged or destroyed to the extent of more than 50 percent by fire, force of nature or other unintentional cause, shall be allowed to be reconstructed; provided the reconstruction meets all development standards and requirements set forth by the City and shall thereafter continue to be defined as a Residential dwelling, Existing.

SECTION 2: That the definition noted above is hereby amended in accordance with the provisions of this Ordinance.

SECTION 3: That should any section or part of this Ordinance be held unconstitutional, illegal, or invalid, such unconstitutionality, illegality, or invalidity of such section, or part shall in no wise affect, impair or invalidate the remaining portion thereof, but as to such remaining portion, the same shall remain in full force and effect.

SECTION 4: That it is hereby found and determined that the meetings at which this Ordinance is considered are open to the public and that notice of the time, place and purpose thereof was given in accordance with the provisions of the Texas Government Code – Chapter 551, as amended, and that a quorum of the City Council was present.

SECTION 5: That this ordinance shall be effective not less than 10 days from the date of its passage and in accordance with the time set forth in the City Charter and the City Secretary is directed to cause the descriptive caption of this Ordinance to be published in the official newspaper of the City, at least once within ten days after the passing of the Ordinance.

SECTION 6: That any person or corporation violating any of the provisions of this Ordinance shall upon conviction be fined any sum not exceeding \$2,000 and each and every day that the provisions of this Ordinance are violated shall constitute a separate and distinct offense.

SECTION 7: That this Ordinance shall be effective from and after August 5th, 2016.

PASSED AND ADOPTED THIS 26TH DAY OF JULY, 2016.

RANDY RHYNE, Mayor

ATTEST:

SHELLY DEISHER, City Secretary

APPROVED AS TO FORM:

MARY KAY FISCHER, City Attorney



CITY COUNCIL AGENDA ITEM

Meeting Date: July 26, 2016

SUBJECT: Public Hearing on a Request for a Variance to allow Aluthdurage Gunasekara, Owner of Srilak Mart #2, a Convenience Store Located at 2851 North Downing, Angleton, Texas, to Allow the Sale of Beer and Wine for Off-Premises Consumption at said Location even though said location is within 300 feet of a school.

Consent item Discussion item
 Discussion and possible action Public Hearing

REQUESTED BY: Aluthdurage Gunasekara, Owner of Convenience Store

Budgeted amount: N/A **Funds requested:** N/A **Fund:** N/A

Attachments: (Attachment description)
 Public Hearing Notice

Executive Summary:

The public hearing notice was published in The Facts newspaper and placed on the Public Hearing Notice section of the City Website on July 10, 2016.

Recommendation:

Shelly Deisher

July 19, 2016

Name

Date

NOTICE OF PUBLIC HEARING

The City Council for the City of Angleton, Texas, will hold a public hearing on a request for a variance to Section 3-5, Alcoholic Beverages, to allow the sale of beer and wine for off-premises consumption at Srilak Mart #2 Convenience Store located at 2851 North Downing Street, which is located within 300 feet of a public school. The hearing will be held on Tuesday, July 26, 2016, at 6:00 p.m. in the City Council Chambers at City Hall located at 120 S. Chenango Street in Angleton, Texas 77515. The meeting will be held for the purpose of receiving community input on the request for the variance.

All citizens and interested persons are encouraged to attend these public hearings to present their views. City Hall is accessible to the disabled. Disabled individuals who might have difficulty attending this public hearing should contact the City Secretary's Office at (979) 849-4364, extension 2115, to arrange for special assistance. If anyone interested in attending these hearings requires a translator, please contact the City Secretary's Office prior to the hearing so arrangements can be made. If you are unable to attend the public hearings, comments may be sent to:

City of Angleton
121 South Velasco
Angleton, Texas 77515
Attn: Shelly Deisher, City Secretary

For additional information concerning these matters, please contact Shelly Deisher at (979) 849-4364 ext. 2115.

To: City of Angleton City Council
Attn: Shelly Deisher, City Secretary
121 S Velasco
Angleton TX 77515

From: From: Srilak Mart #2
Aluthdurage Gunasekara
231 W 2nd Street
Freeport TX 77541

June 22, 2016

Dear City of Angleton,

I am applicant for a Texas Alcoholic Beverage Commission (TABC) Wine and Beer Retailers' Off-Premise Permit to sale beer and wine to-go only 15 2851 N Downing Street in the City of Angleton. Because the property of my business is within 300 feet of Angleton Junior High school, I hereby request a Variance from City Council to allow for certification of the TABC application.

Attached is a letter from Angleton Junior High School stating they have no objection to allowing the TABC permit for my business.

If you require anything additional, you may contact me at 832-878-1891 or ryndula@gmail.com I assure you that we will take every step to be certain that our employees do not sale to minors and the business will be a valued part of the community.

Sincerely,



Aluthdurage Gunasekara

AN ORDINANCE OF THE CITY OF ANGLETON, TEXAS, GRANTING A VARIANCE TO ALUTHDURAGE GUNASEKARA, OWNER OF SRILAK MART #2, A CONVENIENCE STORE LOCATED AT 2851 NORTH DOWNING, ANGLETON, TEXAS, TO ALLOW THE SALE OF BEER AND WINE FOR OFF-PREMISES CONSUMPTION AT SAID LOCATION EVEN THOUGH SAID LOCATION IS WITHIN 300 FEET OF A SCHOOL.

WHEREAS, on this 26th day of July, 2016, the City Council conducted a public hearing to hear all persons interested in either granting or denying the variance request of Aluthdurage Gunasekara, Owner of Srilak Mart #2, located at 2851 North Downing, to allow to obtain an off-premise beer and wine permit from the Texas Alcoholic Beverage Commission, and

WHEREAS, the City Council has determined that the granting of said variance would not be detrimental to the school located within 300 feet of said establishment and Angleton Independent School District has no objection to granting the variance, and

WHEREAS, the City Council, after consideration of the health, safety, and welfare of the public and the equities of the situation, determines it is in the best interest of the community to grant the variance;

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

SECTION 1. A variance is hereby granted to Aluthdurage Gunasekara, Owner of Srilak Mart #2, located at 2851 North Downing, to allow it to obtain a beer and wine off-premises permit from the Texas Alcoholic Beverage Commission, even though said establishment is located within 300 feet of a school, for its retail sales business located at 2851 North Downing, Angleton, Texas.

SECTION 2. Said variance is granted to this applicant only and is non-transferable without the written consent of the City Council of the City of Angleton.

SECTION 3. This ordinance shall be effective as of the date of its passage.

PASSED AND ADOPTED THIS 26TH DAY OF JULY, 2016.

RANDY RHYNE, MAYOR

ATTEST:

SHELLY DEISHER, CITY SECRETARY

APPROVED AS TO FORM:

MARY KAY FISCHER, CITY ATTORNEY

Patricia Montgomery, Ed.D.
Superintendent
1900 North Downing
Angleton, Texas 77515
(979) 864-8025

Angleton Independent School District

City of Angleton
Shelly Deisher, City Secretary
121 South Velasco Street
Angleton, Texas 77515

Dear Ms. Deisher:

I understand that Aluthdurage Gunasekara is the owner of a convenience store located at 2851 North Downing and has applied to the Texas Alcoholic Beverage Commission (TABC) for a wine and beer retailer's off-premise permit to sell beer and wine. Because that property is within 300 feet of Angleton Junior High School, it is necessary for the district to state that it has no objection to that request.

Based upon the fact that this site previously held such a permit and that there were minimal issues with the sale of such items and that the owner has assured me in writing "that we will take every step to be certain that our employees do not sell to minors", I have no objection to this location regaining its permit to sell beer and wine.

Please let me know if you have any questions or concerns.

Sincerely,



Patricia Montgomery, Ed.D.
Superintendent

cc: Aluthdurage Gunasekara

AIISD . . . the tradition of excellence continues . . .

The Angleton Independent School District and its career and technology education program does not discriminate on the basis of sex, disability, race, color, age or national origin in its educational program, activities or employment as required by Title IX, Section 504 and Title VI.



CITY COUNCIL AGENDA ITEM

Meeting Date: July 26, 2016

SUBJECT: Public Hearing regarding a resolution authorizing application submission to the Texas Parks & Wildlife Department, designating certain officials as being responsible for, acting for, and on behalf of the applicant in dealing with the Texas Parks & Wildlife Department, for the purpose of participating in the local park grant program, certifying that the applicant is eligible to receive program assistance, certifying that the applicant matching share is readily available and dedicating the proposed site for permanent (or for the term of the lease for leased property) public Park and Recreation Uses.

Consent item Discussion item
 Discussion and possible action Public Hearing

REQUESTED BY: Will Blackstock, Parks & Recreation Director

Budgeted amount:

Funds requested:

Fund:

Attachments: (Attachment description)

Public Hearing Notice published on the City of Angleton website and on the public board located at City Hall.

Executive Summary:

Recommendation:

Shelly Deisher

July 21, 2016

Name

Date

PUBLIC HEARING NOTICE:

The City Council of the City of Angleton will hold a Public Hearing on Tuesday, July 26, 2016 at 6 pm regarding a resolution authorizing application submission to the Texas Parks & Wildlife Department, designating certain officials as being responsible for, acting for, and on behalf of the applicant in dealing with the Texas Parks & Wildlife Department, for the purpose of participating in the local park grant program, certifying that the applicant is eligible to receive program assistance, certifying that the applicant matching share is readily available and dedicating the proposed site for permanent (or for the term of the lease for leased property) public Park and Recreational uses.

CERTIFICATION

I certify that copies of this agenda of items to be considered by the City of Angleton City Council were posted in the following locations:

City Hall Bulletin Board: Date: _____ Time: _____

City of Angleton Website: Date: _____ Time: _____

Shelly Deisher, City Secretary

RESOLUTION NO. 2016-R-7A

A RESOLUTION OF THE CITY OF ANGLETON, TEXAS, AS HEREINAFTER REFERRED TO AS “APPLICANT”, DESIGNATING CERTAIN OFFICIALS AS BEING RESPONSIBLE FOR, ACTING FOR, AND ON BEHALF OF THE APPLICANT IN DEALING WITH THE TEXAS PARKS & WILDLIFE DEPARTMENT, HEREINAFTER REFERRED TO AS “DEPARTMENT,” FOR THE PURPOSE OF PARTICIPATING IN THE LOCAL PARK GRANT PROGRAM, HEREINAFTER REFERRED TO AS THE “PROGRAM”; CERTIFYING THAT THE APPLICANT IS ELIGIBLE TO RECEIVE PROGRAM ASSISTANCE; CERTIFYING THAT THE APPLICANT MATCHING SHARE IS READILY AVAILABLE; AND DEDICATING THE PROPOSED SITE FOR PERMANENT (OR FOR THE TERM OF THE LEASE FOR LEASED PROPERTY) PUBLIC PARK AND RECREATIONAL USES; FINDING THAT THE MEETING COMPLIED WITH THE OPEN MEETINGS ACT; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the Applicant is fully eligible to receive assistance under the Program; and **WHEREAS**, the Applicant is desirous of authorizing an official to represent and act for the Applicant in dealing with the Department concerning the Program; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ANGLETON, TEXAS:

Section 1. That the Applicant hereby certifies that they are eligible to receive assistance under the Program, and that notice of the application has been posted according to local public hearing requirements.

Section 2. That the Applicant hereby certifies that the matching share for this application is readily available at this time.

Section 3. That the Applicant hereby authorizes and directs the Director of Parks and Recreation to act for the Applicant in dealing with the Department for the purposes of the Program, and that Will Blackstock is hereby officially designated as the representative in this regard.

Section 4. The Applicant hereby specifically authorizes the official to make application to the Department concerning the site to be known as Lakeside Park in the City of Angleton for use as a park site and is hereby dedicated (or will be dedicated upon completion of the proposed acquisition) for public park and recreation purposes in perpetuity (or for the lease term, if legal control is through a lease). Projects with federal monies may have differing requirements.

PASSED AND APPROVED this 26th day of July, 2016.

CITY OF ANGLETON, TEXAS

RANDY RHYNE, MAYOR

ATTEST:

SHELLY DEISHER, CITY SECRETARY

APPROVED AS TO FORM:

MARY KAY FISCHER, CITY ATTORNEY



Local Park Grant Program Applicant's Certification & Program Assurances

As the duly authorized representative of the sponsor designated in the Resolution Section 3, I certify that the sponsor.

1. Has complied with all pertinent local and state laws, and Local Parks Grants Program requirements regarding public hearings, including floodplain development, if appropriate.
2. Has the required proportionate share of funds available and sufficient for the project as required by Section 13.309 of the Parks and Wildlife Code.
3. Will maintain and operate areas acquired or developed with program assistance at sponsor expense as required by Section 13.309 of the Parks & Wildlife Code.
4. Will permanently dedicate for public park and recreation use all project area(s) which receive program assistance, as required by Chapter 640.1.2 of the *Local Park Grant Program Manual*.
5. Has the legal authority to apply for program assistance and the institutional, managerial and financial capability to ensure proper planning, management and completion of the project described in this application.
6. Will give the State of Texas, hereafter referred to as "State," through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the assistance; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
7. Will not dispose of, modify the use of, or change the terms of the real property title or other interest in the site and facilities without permission and instructions from the Texas Parks & Wildlife Department, and will record any federal interest in the title of real property in accordance with U. S. Department of Interior directives.
8. Will dedicate and permanently maintain any property designated as a natural area, wetland, or open space to meet program guidelines.
11. Will comply with all provisions of the "Summary of Guidelines for Administration of Local Park Grant Acquisition & Development Projects."
12. Will comply with the requirements of the Department with regard to the drafting, review and approval of construction plans and specifications.
13. Will obtain all required state and/or federal permits related to project development.
14. Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the completed work conforms to the approved plans and specifications.
15. Will furnish quarterly progress reports and such other information as may be required by the Department.
16. Will initiate and complete the work within the applicable time frame after receipt of approval from the Department.
17. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest or personal gain.

Applicant's Certification & Program Assurances - Continued

18. Will comply with all State and Federal statutes relating to non-discrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§ 1681-1686) which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794) which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101-6107) which prohibits discrimination on the basis of age; (e) any other non-discrimination provisions in the specific statute(s) under which application for program assistance is being made, and (f) the requirements of any other non-discrimination statute(s) which may apply to the application.
19. Will comply with the flood insurance purchase requirements of Section 4012(a) of the Flood Disaster Protection Act of 1973 which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance in an amount at least equal to its development or project cost.
20. Will comply with environmental standards which may be prescribed to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplain in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S. C. §§ 1451 et seq.); (f) conformity of Federal actions to State (Clear Air) Implementation Plans under Section 176(c) of the Clear Air Act of 1955, as amended (42 U.S.C. § 7401 et seq.);(g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
21. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§ 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
22. Will assist the Department in assuring compliance with the Texas Antiquities Code.
23. Will cause to be performed the required financial and compliance audits in accordance with the state or federal Single Audit requirements.
24. Will comply with all applicable requirements of all other State and Federal laws, regulations and policies governing this program.

Sponsor/ Project Name

Signature of Official Authorized in Resolution

Print Name and Title of Official

Date



CITY COUNCIL AGENDA ITEM

Meeting Date: July 26, 2016

SUBJECT: Public Hearing on a request for a Specific Use Permit to sell portable buildings at 1409 South Velasco Street (Hwy 288B), with a legal description of Exline & Kiber (A0134 E Waller) (Angleton), Lots 33-34, Acres 1.500.

Consent item Discussion item
 Discussion and possible action Public Hearing

REQUESTED BY: Claire Nichols, designated agent for Stephen Ramsower, property owner

Budgeted amount: **Funds requested:** **Fund:**

Attachments: (Attachment description)
 Notice to the facts and to residents within 200ft.

Executive Summary: After publication, this request was withdrawn. Claire Nichols called and asked for the application to be removed from the agenda. The public hearing still has to be held because the public was notified.

Recommendation:

Shelly Deisher

7-14-16

Name

Date

Public Hearing Notice

The City of Angleton has received a request for a Specific Use Permit to sell portable buildings at 1409 South Velasco Street (Hwy 288B), with a legal description of Exline & Kiber (A0134 E Waller)(Angleton), Lots 33-34, Acres 1.500. The Planning and Zoning Commission will conduct a public hearing on this request on Wednesday, July 13, 2016 at 12:00 pm and the City Council will conduct a public hearing on this request on Tuesday, July 26, 2016 at 6:00 pm. The public hearings will be held in the Council Chambers located at 120 South Chenango, Angleton, Texas 77515. The purpose of the public hearings is to receive comments from residents and property owners on the requested Specific Use Permit. City Hall is accessible to the disabled. Disabled individuals who might have difficulty attending these public hearings should contact the City Secretary's Office at (979) 849-4364, extension 2115, to arrange for special assistance. If anyone interested in attending these hearings requires a translator, please contact the City Secretary's Office prior to the hearing so arrangements can be made. If you are unable to attend the public hearings, comments may be sent to:

City of Angleton
121 South Velasco
Angleton, Texas 77515
Attn: Shelly Deisher, City Secretary

For additional information concerning this Specific Use Permit, please contact Alyssa Deaton at (979) 849-4364 ext. 2114.

Date: June 13, 2016

To: The Facts – Public Hearing

From: City of Angleton

To be published once on: Sunday, June 26th, 2016

Please provide publisher's affidavit and total amount to be billed

If you have any questions, please contact Alyssa @ 979-849-4364 ext. 2114.



June 30, 2016

Public Hearing Notice

The City of Angleton has received a request for a Specific Use Permit to sell portable buildings at 1409 South Velasco Street (Hwy 288B), with a legal description of Exline & Kiber (A0134 E Waller)(Angleton), Lots 33-34, Acres 1.500. The Planning and Zoning Commission will conduct a public hearing on this request on Wednesday, July 13, 2016 at 12:00 pm and the City Council will conduct a public hearing on this request on Tuesday, July 26, 2016 at 6:00 pm. The public hearings will be held in the Council Chambers located at 120 South Chenango, Angleton, Texas 77515. The purpose of the public hearings is to receive comments from residents and property owners on the requested Specific Use Permit. City Hall is accessible to the disabled. Disabled individuals who might have difficulty attending these public hearings should contact the City Secretary's Office at (979) 849-4364, extension 2115, to arrange for special assistance. If anyone interested in attending these hearings requires a translator, please contact the City Secretary's Office prior to the hearing so arrangements can be made. If you are unable to attend the public hearings, comments may be sent to:

City of Angleton
121 South Velasco
Angleton, Texas 77515
Attn: Shelly Deisher, City Secretary

This notice has been sent to you as it has been determined that the property you own possibly lies within 200 feet of the above-referenced property. Property owners within 200 feet of this property have the legal right to protest the request by filing a written protest signed by the property owner. In such event, the City will have a surveyor determine which properties are within exactly 200 feet of the subject property. Property owners should be aware that if they oppose or protest the requested Specific Use Permit, such opposition must be submitted in written form, with the property owner's signature and address included.

For additional information concerning this Specific Use Permit, please contact Alyssa Deaton at 979-849-4364, ext. 2114.

Cordially,

Alyssa Deaton
Assistant City Secretary

Alyssa Deaton
Asst. City Secretary

Mayor
Randy Rhyne

Mayor Pro Tem
Hardwick Bieri
Position 1

Council Members
Williams Tigner
Position 2

Wesley Rolan
Position 3

Bonnie McDaniel
Position 4

Cody Vasut
Position 5

City Manager
Michael Stoldt

121 S Velasco
Angleton, TX 77515
Phone: 979-849-4364
Fax: 979-849-5561

www.angleton.tx.us

Sign in



OFFICE

PARKING

PORTABLE BUILDINGS

Forever Strong Strength & Conditioning

S Velasco St

S Velasco St

Philly Station

80 St

286

286

Google



CITY COUNCIL AGENDA ITEM

Meeting Date: July 26, 2016

SUBJECT: Discussion and Possible Action on Awarding a Contract to Jaco Roofing and Construction, Inc. to Re-roof the City of Angleton Recreation Center.

Consent item Discussion item
 Discussion and possible action Public Hearing

REQUESTED BY: Karen Barclay, Building Supervisor

Budgeted amount: N/A **Funds requested:** \$428,468.00 **Fund:** 126-506-315

Attachments: (Attachment description)
Form 1295 Certificate of Interested Parties and Jaco Proposal

Executive Summary:

A significant hail event on April 17, 2015 affected many of the city's roof systems and accessories. Staff is seeking Council approval to enter into a contract with Jaco Roofing & Construction, Inc. This contract is for re-roofing of the City of Angleton Recreation Center. This roof was significantly affected by the hail event.

The new roof will be compliant with the Texas Department of Insurance (TDI) windstorm inspection program for certification. This bid was presented through the TIPS Interlocal Purchasing System, which is a purchasing coop available for schools, colleges, universities, cities, counties and other governmental entities.

Funding for this project is provided through our insurance company in the total amount of \$834,549.67.

Recommendation:

Staff recommends approval.

Shelly Deisher

July 20, 2016

Name

Date



Proposal - Based on Contract #2092415 with TIPS

Revised July 20, 2016

City of Angleton
121 S. Velasco
Angleton, TX 77515

Attn: Karen Barclay

Re: Angleton Recreational Center, 1601 N. Valderas St., Angleton, TX

Roof over Swimming Pool Area and Roof over Workout Room

Jaco Roofing and Construction, Inc. proposes to furnish labor, material, equipment, supervision and insurance for the following scope of work:

1. Remove existing standing seam roof and wall systems on swimming pool roof and pitched workout room roof.
2. Install new self-adhering Carlisle WIP 300HT ice and water shield synthetic underlayment over decking.
3. Replace wall panels with new 24-gauge MBCI Battenlok HS pre-finished standing seam panels.
4. Replace soffit panels on workout room roof.
5. Colors to match existing as close as possible (to be determined by owner).
6. Install new 24-gauge MBCI Battenlok HS pre-finished standing seam roof system.
7. Roof system to be in compliance with Engineer's direction for windstorm rating.
8. Includes all related trim components to complete the roof and wall systems.
9. Clean up and haul away all debris associated with this work.
10. Excludes framing and skylight work.
11. Excludes deck replacement.
12. Includes a 20-year MBCI Standard-1 Manufacturers Warranty on Material & Labor.
13. Engineering services provided:
 - a. Engineering Testing for TDI approved attachment into existing Tectum III Roof Panels.
 - b. Engineering services with Texas seal.
 - c. Texas windstorm certificate.
 - d. Metal roof system shop drawings.
14. Sales tax is not included.
15. Includes payment and performance bond.

TOTAL COST \$428,468.00

Office Address:
415 S. Hwy 288B
Clute, TX 77531
(979) 265-6101

Mailing Address:
P. O. Box 937
Clute, TX 77531
(979) 265-6448 Fax

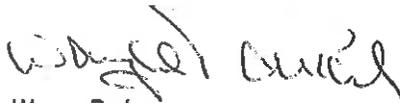
1-800-265-JACO

Qualifications/Clarifications:

1. Quotation based on Jaco's Standard Insurance Limits; 1 Million General Liability, 2 Million General Aggregate with 5 Million Excess/Umbrella Liability, 1 Million Automobile Liability.
2. **This pricing proposal was developed using Jaco's contract number 2092415 with The Interlocal Purchasing Systems (TIPS). If this proposal is accepted, the Jaco TIPS price schedule, terms and conditions will be applied. A purchase order, Notice to Proceed or AIA document will need to be sent to TIPS Purchasing @ tipspo@tips-usa.com**
3. Payment terms: Monthly progress billing of 100% labor and material stored or utilized on project; All invoices are due on/or before 10 days after receipt unless otherwise agreed upon. All past due invoices shall bear interest at 10% per annum until paid. Buyer agrees to stated payment terms above and Buyer further agrees to pay Jaco Roofing and Construction Inc.'s legal cost or any collection agency fees incurred for collections of any past due invoices. Payment to be made upon completion in accordance with above specifications, payable to Jaco Roofing and Construction, Inc., P.O. Box 937, Clute, Brazoria County, Texas 77531.
4. Price subject to change if not accepted within 30 days of quote date due to fluctuation of material market.

Respectfully Submitted,

JACO ROOFING AND CONSTRUCTION, INC.


Wayne Parker
Sales Manager

Agreed and Accepted:

By:

(Authorized Signing Officer)

(Printed Name)

(Title)

(Date)



CITY COUNCIL AGENDA ITEM

Meeting Date: July 26, 2016

SUBJECT: Discussion and Possible Action on Removing and Replacing the Grating for Head-Works at Waste Water Treatment Plant and awarding the contract to Matula & Matula.

Consent item Discussion item
 Discussion and possible action Public Hearing

REQUESTED BY: Jeff Sifford, Public Works Director

Budgeted amount: \$20,000.00

Funds requested: \$29,500.00

Fund: 03-571-315

Attachments:

Proposals from three companies and Form 1295 for Matula & Matula.

Executive Summary: Remove and Replace Grating at Waste Water Treatment Plant; TCEQ highly recommended it needed to be replaced.

Recommendations: Staff Recommends Approval

Jeff Sifford

July 20, 2016

Name

Date

Matula & Matula Construction, Inc.

122 West Way, Ste 325 (979) 480-0030 Phone
 Lake Jackson, TX 77566 (979) 480-0060 Fax

Estimate

7/11/2016	212-664
Due on receipt	
E16-37 Remove and Replace ...	

Ship To

Bill To

Angleton, City of
 121 S. Velasco
 Angleton, TX 77515

<p>Remove and replace old 1 1/4" galvanized grating with new 1 1/4" FRP grating (400 sq. ft.). Also remove and replace drainage plate at Manuel Bar Screen with new stainless steel drainage plate with perforations.</p> <p>Note: Deduct \$2,000 to replace grating with HDG material in lieu of fiberglass.</p>		29,500.00	29,500.00
Estimate must be signed and returned to us prior to work being performed. Thank You, Glenn Byrd		Total	\$29,500.00

Signature _____

CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

Complete Nos. 1 - 4 and 6 if there are interested parties.
Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

**OFFICE USE ONLY
CERTIFICATION OF FILING**

Certificate Number:
2016-86745

Date Filed:
07/19/2016

Date Acknowledged:

1 Name of business entity filing form, and the city, state and country of the business entity's place of business.

Matula & Matula Construction, Inc.
Lake Jackson, TX United States

2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.

City of Angleton

3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.

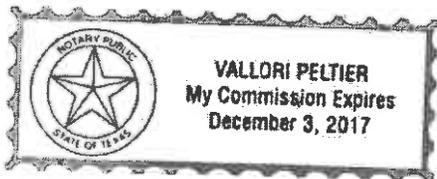
2016-07-03
Remove & Replace Grating

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary
	Gonzalez, Delia Yvette	Lake Jackson, TX United States		X
	Murphy, James Michael	El Campo, TX United States		X
	Matula, Jon	Lake Jackson, TX United States	X	

5 Check only if there is NO interested Party.

6 AFFIDAVIT

I swear, or affirm, under penalty of perjury, that the above disclosure is true and correct.



James Michael Murphy
Signature of authorized agent of contracting business entity

AFFIX NOTARY STAMP / SEAL ABOVE

Sworn to and subscribed before me, by the said James Michael Murphy, this the 19 day of July, 2016, to certify which, witness my hand and seal of office.

Vallori Peltier

Signature of officer administering oath

Vallori Peltier

Printed name of officer administering oath

Notary

Title of officer administering oath

Coastal Machine & Mechanical, LLC

14004 HWY 288-B

Angleton, TX 77515

Phone: 979.848.8900

Fax: 979.849.9325

P-16056

GENERAL CONTRACTORS

FABRICATION / MACHINE WORKS - MAINTENANCE & REPAIR \ FIELD SERVICES

To: Angleton Waste Water Treatment Plant

Prop#: P-16056

Date: 02/17/2016

Attn: Olga Flores O.Flores@angleton.tx.us

Page: Cover + 0

COASTAL MACHINE & MECHANICAL, LLC is pleased to quote for three options on Grating replacement. Options are for Smooth bar galvanized, serrated galvanize and Duradek/Pultruded Fiberglass Grating.

THE PRICE INCLUDES REPLACEMENT OF EXISTING GRATING DISCUSSED WITH ALL DEMOLISHED MATERIAL TO REMAIN ON SITE PROPERTY. INCLUDES LABOR, MATERIAL, CONSUMABLES AND EQUIPMENT.

F.O.B. Plant site
Delivery: To Be Determined
Terms: Net 30 days.
Invoice: **25% down payment** for materials with balance due 30 days upon completion

Prices are firm for 21 days

Smooth Bar Galvanized Grating: \$56,068.00

Part #6401180132: GW 100A -1"x 1/4" Bearing, 1-3/16" on Center, Regular cross bars on 4" centers, 19W4 Spacing

Serrated Galvanized Grating: \$57,582.00

Part #6401310232: GW 100 Serrated, welded construction, 1" x 3/16" Bearing Bars, 1-3/16" on center, Regular Cross Bars on 4" centers, 19W4 Spacing

DURADEK Fiberglass Grating: \$61,109.00

Part #F116010G32: I-Bars, MS I-6010 Spacing, Gray 1" Bearing Bars, Medium Grit Surface, Gray Cross Bars, 6" on center, 60% Open area, Panel, Bearing Bars run parallel to length

CLARIFICATIONS:

- 1) Excludes painting or any type of coatings
- 2) Based on a continuous flow of work from commencement to completion, and is exclusive of any remobilization costs.
- 3) This proposal is based on quantities received and does not include items not detailed, dimensioned or specified.
- 4) A signed copy of this proposal with purchase order or work order by accounting department will be necessary for a job order to be assigned and material purchased.

All agreements are contingent upon delays beyond our control and unavoidable such as strikes, accidents, and delays of carriers and acts of God. All quotations are made for prompt acceptance (7 days) and are subject to change without notice. No charges for labor or material furnished by the purchaser shall be allowed as a credit on this agreement, unless authorized in writing by COASTAL MACHINE & MECHANICAL, LLC. This proposal includes Workmen's Compensation Insurance, Texas Unemployment Insurance and Social Security Taxes. Any special insurance requirements must be requested prior to award of contract. TEXAS STATE OR LOCAL SALES AND USE TAXES ARE NOT INCLUDED. This proposal, when signed by the purchaser or his duly authorized representative, implies an acceptance of the above conditions and terms and this proposal becomes a contract in full force and effect. The contract, when so made, contains all of the representatives and agreements on the part of Coastal Machine & Mechanical, LLC

WE ARE AN EQUAL OPPORTUNITY EMPLOYER
OUR CONTINUOUS IMPROVEMENT PROGRAM IS ONGOING

Respectfully,

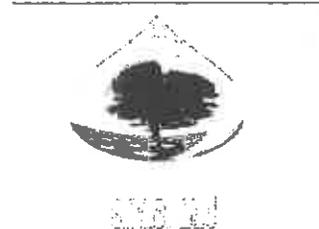
L.G. "Butch" Murrell, Jr.

Purchaser's Signature _____

Coastal Machine & Mechanical, LLC

Grace Water Services, LLC
 19406 Little Pine Lane
 Katy, Texas 77449
 281 851-5544
mzanelli@gracewaterservices.net

Water/Wastewater
 Instrumentation
 Chem-feed
 Equipment
 Sales/Service



Quote

Customer Name: City of Angleton Contact: Olga Flores Address: 500Sebasta Rd Angleton, TX. 77515 Telephone: (979)849-3514 Fax: (979)849-3148 Email: gflores@angleton.tx.us	Quote Number: 001912ANG Date 2/25/2016 Subject: Grating Replacement Delivery 4 weeks
--	---

Item #	Product Description	Qty.	Price per Unit	Cost
#1	Replacement of existing Grating (headworks) Installing New MS, I-6010 Gray Fiber glass grating including trusses, wall angle, and cover grating.	lot		\$73,620.00
	Note: All demolish material to be store at the job site (no removal) Quote includes material, Labor, and Expenses			

Subtotal	\$73,620.00
Tax	N/A
Shipping	Included
TOTAL	\$73,620.00

*Quote is valid for 30 Days:
 Standard delivery:*

Accepted by :

Date

Issue by :Graciela Zanelli