City of Abilene
City Council Agenda

Shane Price, Council Member Bruce Kreitler, Council Member Kyle McAlister, Council Member Robert Hanna, City Manager	Norm Archibald, Mayor	Anthony Williams, Mayor Pro-tem Jay Hardaway, Council Member Steve Savage, Council Member Stanley Smith, Interim City Attorney Danette Dunlap, City Secretary

Notice is hereby given of a meeting of the City Council of City of Abilene to be held on Thursday, January 28, 2016 at 8:30 AM at 555 Walnut Street, for the purpose of considering the following agenda items. All agenda items are subject to action. The City Council reserves the right to meet in a closed session on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

1. CALL TO ORDER

2. INVOCATION

1. Councilman Bruce Kreitler

3. PLEDGE TO THE UNITED STATES FLAG AND THE TEXAS FLAG

4. PRESENTATIONS, RECOGNITIONS, PROCLAMATIONS AND ANNOUCEMENTS

5. MINUTES

1. Approval of the Minutes from the Regular Called Meeting on January 14th 2016.

6. CONSENT AGENDA

All consent agenda items listed 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 Councilmember or Citizen so requests, in which event the item will be removed from the Consent Agenda and considered separately.

1. **Oral Resolution:** Street Use License Request by Banester Engineering Consultants, Ltd, on behalf of Allsups Convenience Store. ***(Rice)***
2. **Resolution:** Designating Peter Norton M.D. as Health Authority and Medical Director for the Abilene-Taylor County Public Health District. ***(Andrews)***
3. **Ordinance:** *(First Reading)* **CUP-2016-01** A request from Allen & Tanya Bolt, agent TowerTex, LLC, for a Conditional Use Permit to allow for 'Antenna Tower - Commercial' on property zoned GC (General Commercial), located at 7550 Hwy 83-84 (S. Clack St); and setting a public hearing for February 11, 2016. ***(Schoening)***

4. **Ordinance:** *(First Reading)* **Z-2016-01** A request from Cinemark USA, Inc., agent Ironwood Equity, LLC, to rezone property from AO (Agricultural Open Space) to GC (General Commercial) zoning, located at 750 E. Overland Tr and extending north being a total of 103.13 acres; and setting a public hearing for February 11, 2016 ***(Schoening)***

5. **Ordinance:** *(First Reading)* **Z-2016-02** A request from East Lake Five, LLC, agent Tal Fillingim, to rezone property from AO (Agricultural Open Space) to MD (Medium Density Residential) zoning, located at 1826 Colony Hill Rd; and setting a public hearing for February 11, 2016 ***(Schoening)***

6. **Ordinance:** *(First Reading)* **Z-2016-03** A request from Christian Service Center of Abilene, Inc. to rezone property from MD (Medium Density Residential) to GR (General Retail) zoning, located at 3185 N. 10th St; and setting a public hearing for February 11, 2016 ***(Schoening)***

7. REGULAR AGENDA - ORDINANCES AND PUBLIC HEARINGS - RESOLUTIONS

1. **Resolution:** Overland Property Group Resolution of Support Housing Tax Credit (HTC) Application. ***(Schoening)***
2. **Resolution:** Bid Award **#CB-1624** Antilley Rd. Overlay Project. ***(Rice)***
3. **Ordinance & Public Hearing:** ***(Final Reading)*** An Ordinance Adopting the *2014 National Electrical Code,* with Local Amendments. ***(Sartor)***
4. **Remove from the table - Oral Resolution**: Adopting a Fleet Replacement Policy for the City. ***(Rains)***

8. EXECUTIVE SESSION

The City Council of the City of Abilene reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney) see list below, 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters) see list below, 551.087 (Business Prospect/Economic Development), and 551.076 (Deliberations about Security Devices)

9. RECONVENE

10. REGULAR AGENDA

1. **Oral Resolution:** Discussion and possible action related to annual performance evaluations of City Manager, City Attorney, City Secretary and Municipal Judge
2. **Resolution:** Appointing members to various Boards and Commissions per City Charter. ***(Dunlap)***

11. ADJOURNMENT

In compliance with the Americans with Disabilities Act, the City of Abilene will provide for reasonable accommodations for persons attending City Council meetings. To better serve you, requests should be received 48 hours prior to the meetings. Please contact Danette Dunlap, City Secretary, at 325-676-6202.

CERTIFICATION

EXECUTIVE SESSION

(Litigation/Consultation with Attorney) Section 551.071

The following pending litigation subjects which may be discussed are:

1. City of Abilene, Texas v. Aurora Bumgarner; 104th Judicial District Court, Taylor County, Texas; filed November 17, 2011
2. Tammy Cass, et al. v. City of Abilene, et al.; No. 1:13-CV-00177-C; In the United States District Court, Northern District of Texas, Abilene Division, filed October 24, 2013
3. Joyce Janette Riddle v. City of Abilene; Cause No. 48519-A; 42nd Judicial District Court, Taylor County, Texas, served October 31, 2013
4. Chad Carter v. City of Abilene, Texas; Cause No. 10138-D, In the 350th Judicial District Court, Taylor County, Texas, filed June 17, 2014
5. The Estate of Taylor Huff, et al. v. City of Abilene, et al.; United States District Court, Northern District of Texas, Abilene Division; Case No. 15-cv-00001-P, filed January 5, 2015
6. Margarita Mitchell, et al. v. The City of Abilene, et al., filed in the 350th Judicial District Court, Taylor County, Texas, on October 21, 2015

(Personnel) Section 551.074

City Council may consider appointment, employment, reassignment, duties, discipline, or dismissal of public officers or employees, City Manager, City Attorney, Municipal Court Judge, City Secretary, and City Board and Commission Members. The following Boards and Commissions may be discussed:

Abilene Economic Development Company, Inc.
Abilene Health Facilities Development Corp.
Abilene Higher Education Facilities Corporation
Board of Building Standards
Abilene-Taylor County Events Venue District
Board of Adjustments
Civil Service Commission
Civic Abilene, Inc.
Friends of Safety City Board
Development Corporation of Abilene, Inc.
Abilene Housing Authority
Frontier Texas!
Library Board
Board of Directors Landmarks Commission
Local Redevelopment Authority
Mechanical/Plumbing/Electrical & Swimming Pool Board of Appeals
Mental Health-Mental Retardation Board of Trustees
9-1-1 Emergency Communications District Board of Managers
Planning and Zoning Commission
Parks & Recreation Board
Taylor County Appraisal District

(Real Property) Section 551.072

(Business Prospect/Economic Development) Section 551.087

(Deliberations about Gifts and Donations) Section 551.073

(Deliberations about Security Devices) Section 551.076

City Council
Agenda Memo

City Council Meeting Date: 1/28/2016

TO: **Robert Hanna, City Manager**

FROM: **Michael G. Rice, Director of Public Works**

SUBJECT: **Oral Resolution: Street Use License Request by Banester Engineering Consultants, Ltd, on behalf of Allsups Convenience Store. *(Rice)***

GENERAL INFORMATION

Banester Engineering Consultants, Ltd (Banester), on behalf of Allsups Convenience Store (Allsups), has applied for a Street Use License (SUL) to install two groundwater monitoring wells within City of Abilene right of way, bounded by Post Oak Road to the east, Brief Street to the west, Brookhollow Drive to the north and South Danville Drive on the south. Banester is conducting a groundwater assessment around the Allsups Convenience Store #326, located at 2550 South Clack Street, pursuant to requirements mandated by the Texas Commission on Environmental Quality (TCEQ).

SPECIAL CONSIDERATIONS

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

The staff recommends the City Council, by oral resolution, authorize the Mayor to execute the attached Street Use License Agreement with Banester Engineering Consultants, Ltd.

BOARD OR COMMISSION RECOMMENDATION

ATTACHMENTS:

Description	Type
SUL	Cover Memo
Location 1	Cover Memo
Location 2	Cover Memo

THE STATE OF TEXAS

STREET USE LICENSE AGREEMENT
EXTENDED TERM

COUNTY OF TAYLOR

THIS STREET USE LICENSE AGREEMENT, hereinafter referred to as "License", executed this ___ day of _____, A.D., 2016 __, by and between the CITY OF ABILENE, a municipal corporation situated in Taylor and Jones Counties, Texas, hereinafter referred to as "City", and Banester Engineering Consultants, Ltd., hereinafter referred to as "Licensee".

WITNESSETH:

That City, pursuant to Chapter 29, "Streets and Sidewalks", Article V, "Street Use License", does hereby grant to Licensee the privilege of using the following described public property, to-wit:

Use of the public right-of-way where necessary for the purpose described below, in the area bounded by:

Post Oak Road on the east, Brief Street on the west and Brookhollow Drive on the north and South Danville Drive on the south.

for and in consideration of THREE HUNDRED AND NO/l00 ($300.00) DOLLARS, commencing the date of execution unless otherwise specified, and upon the conditions and covenants set forth in this License and in Exhibit A incorporated by reference for all purposes herein.

I. Purpose:

The purpose of this License is to permit Licensee to:

Install two groundwater monitoring wells: Banester Engineering Consultants, Ltd., on behalf of Allsups Convenience Store is conducting additional lateral assessment activities as required by Texas Commission on Environmental Quality (TCEQ) for Allsups (#326) located at 2550 South Clack Street.

II. Indemnity:

A. Definitions

For the purpose of this section the following definitions apply:

"City" shall mean all officers, agents and employees of the City of Abilene.

"Claims" shall mean all claims, liens, suits, demands, accusations, allegations, assertions, complaints, petitions, proceedings and causes of action of every kind and description brought for damages.

"Licensee" includes the corporation, company, partnership, or other entity, its owners, officers, and/or partners, and their agents, successors, and assigns.

"Licensee's employees" shall mean any employees, officers, agents, subcontractors, licensee and invitees of Licensee.

"Damages" shall mean each and every injury, wound, hurt, harm, fee, damage, cost, expense, outlay, expenditure or loss of any and every nature, including but not limited to:

injury or damage to any property or right

injury, damage, or death to any person or entity

attorneys fees, witness fees, expert witness fees and expenses, and

all other costs and expenses of litigation

"Premise Defects" shall mean any defect, real or alleged, which now exists or which may hereafter arise upon the premises.

"Proven" shall mean that a court of competent jurisdiction has entered a final unappealable judgment on a claim adjudging an entity or person liable for a monetary judgment.

"Sole negligence" shall mean negligence of a party that is unmixed with the fault of any other person or entity.

B. Indemnity

The Licensee agrees to indemnify, hold harmless, and defend the City from and against liability for any claims arising out of the Licensee's occupancy or use of the premises described above and/or activities conducted in connection with this License.

Licensee must at all times exercise reasonable precautions on behalf of, and be solely responsible for, the safety of Licensee's employees while in the vicinity where the work is being done. The City is not liable or responsible for the negligence or intentional acts or omissions of the Licensee or Licensee's employees.

The City assumes no responsibility or liability for damages which are directly or indirectly attributable to premise defects which may now exist or which may hereafter arise on the premises, whether or not caused in whole or in party by improvements constructed by the Licensee. Responsibility for all such defects is expressly assumed by the Licensee.

The City and Licensee must provide the other prompt and timely notice of any covered event which in any way affects or might affect the Licensee or City. The City has the right to compromise and defend the same to the extent of its own interests.

BOTH CITY AND LICENSEE EXPRESSLY INTEND THIS LICENSE'S INDEMNITY PROVISION TO REQUIRE LICENSEE TO INDEMNIFY AND

PROTECT THE CITY FROM THE CONSEQUENCES OF THE CITY'S OWN NEGLIGENCE WHILE CITY IS PARTICIPATING IN THIS CONTRACT, WHERE THAT NEGLIGENCE IS A CONCURRING CAUSE OF THE DAMAGES. THIS CONTRACT'S INDEMNITY PROVISION DOES NOT APPLY TO ANY CLAIM WHERE DAMAGE IS PROVEN TO RESULT FROM THE SOLE NEGLIGENCE OF THE CITY.

III. Insurance

Licensee agrees to secure and maintain the following types and amounts of insurance, for the term of this license:

Type	Amount
Comprehensive General Liability	$250,000 --------Per Person
to include (but not limited to)	$500,000 --------Per Occurrence for
the following:	Bodily Injury, and
a) Premises/Operations Coverage	$l00,000 --------Per Occurrence for
a) Contractual Liability Coverage	Property Damage

The preceding insurance requirements notwithstanding, the City reserves the right to revise the types and amounts of insurance required by this License prior to the approval of the License or if License is in effect, to be effective thirty (30) days after notice is sent to the address provided herein.

All insurance policies or certificates shall contain the following provisions:

a. That the City of Abilene, Texas, is named as an additional insured.

b. That such insurance shall not be cancelled or materially changed without a minimum of thirty (30) day's advance notice in writing to the City.

All insurance policies shall be subject to the examination and approval of the Office of Risk Management, City of Abilene, Texas, for their adequacy as to form and content, form of protection, and insurance company. Licensee shall furnish to City Secretary for her License file certificates or copies of the policies, plainly and clearly evidencing such insurance at the time of application, and thereafter new certificates prior to the expiration date of any prior certificate.

Licensee understands that it is its sole responsibility to provide this necessary information and that failure to timely comply with the requirements of this article shall be a cause for termination of this License.

IV. License Requirements and Restrictions:

l. During the term of this License, Licensee shall maintain the premises licensed herein in a good and safe condition at all times. If the street surface, parkway, or facilities in the parkway, including landscaping, are damaged or disturbed by any activity associated with this License, the Licensee shall at its expense, restore the same to as good a condition as before the activity, to the satisfaction of the Director of Public Works or designee.

2. The construction signing and barricading requirements of the Texas Manual On Uniform Traffic Control Devices shall be met for all work done in the public right-of-way.

3. The Licensee shall be responsible for locating, protecting, and repairing (if damaged) all utilities within the area permitted and shall pay all costs associated with adjustments to utilities including street lights that are necessitated by the permitted use.

4. Permitted facilities shall be installed in accordance with all applicable laws, regulations, and codes.

5. The Licensee shall relocate its facilities at its own expense to accommodate public improvements in the right-of-way.

6. In the performing or permitting of work consistent with its normal course of duty within the right-of-way, the City shall not be liable for any damages to the Licensee's facilities or equipment or injury to Licensee, all such claim for damage or injury being expressly waived by Licensee.

7. If Street Use License regulations change, the Licensee shall agree to any new requirements or shall remove all constructed facilities from the right-of-way.

8. Upon termination the Licensee shall restore the property at its expense, to a good workmanlike condition and in a manner satisfactory to the Director of Public Works or designee.

9. The City Manager, Police Chief, Fire Chief, or a designee of such officials, shall have the authority to order immediate removal of any objects or materials placed on the premises by Licensee if, in the City's opinion, removal is necessary to protect the health, safety, or welfare of the public. If the Licensee fails to comply with the order, the City shall remove the materials, and the Licensee shall reimburse the City for the cost of compliance. The Licensee may appeal the removal order to the Abilene City Council by filing written notice with the City Secretary within 5 days of the order; provided, however that ANY APPEAL SHALL NOT STAY THE OFFICIAL'S ORDER OR THE REMOVAL PROCEDURE.

V. Termination

1. This License shall automatically terminate ten (10) years from the date of execution.

2. The City shall have the right to cancel this License at any time by giving Licensee thirty (30) days notice of its cancellation. The notice shall be in writing delivered to Licensee by certified mail.

3. In the event Licensee shall permit any City of Abilene, Abilene Independent School District, West Central Texas Municipal Water District, or any other taxes assessed against it to become delinquent, this License shall automatically terminate and become null and void.

4. This License may not be assigned or conveyed; any attempt by Licensee to do either shall automatically terminate the License. In the event Licensee should sell the property adjacent to the area for which the License has been granted, this License shall automatically terminate.

CITY OF ABILENE, TEXAS

_____
Mayor

ATTEST:

_____
City Secretary

APPROVED:

_____
City Attorney

NAME OF LICENSEE:

_____

By: _____
Signature

David Asvestas
Printed Name and Title

Business Address: 28070 Smithson Valley
San Antonio, TX 78261

STREET USE LICENSE AGREEMENT
WITH

Banester Engineering Consultants, Ltd.

The Street Use License Agreement is subject to the following conditions and covenants:

1. The Licensee shall contact the city's Engineering Division (676-6281) prior to commencing any work in the right-of-way.
2. The Licensee shall submit a traffic control plan to the Traffic and Transportation Division (676-6281) for approval before beginning any work that will result in blocking traffic lanes.
3. The Licensee shall contact the Traffic Signal Shop (676-6066) or the Traffic Engineering office (676-6281) for location of traffic signal facilities and shall contact the Water Utilities Department (676-6425) for location of water and sewer lines before beginning excavation in the right-of-way.
4. The Licensee shall contact the city of Abilene Building Inspections (676-6232) regarding any necessary permits for the installation of the requested facility.
5. The Licensee shall ensure all underground utilities are identified and marked prior to any excavation.
6. The Licensee shall barricade any excavation in the right-of-way to prevent pedestrian and/or vehicular access while excavation is unattended. Any barricades left in the right-of-way overnight must be lighted.
7. The Licensee shall promptly repair all signs, pavement markings, and other traffic control devices damaged by its work in the right-of-way.
8. If the City determines that the subject right-of-way is needed for purposes that would be adversely impacted by the permitted facility, the Licensee shall remove the permitted facility within sixty (60) days notice of cancellation.

BANES-1 OP ID: BT

ACORD

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 12/08/15

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
Monroe & Monroe Insurance Agency, Ltd.
2921 Galleria Dr., Suite 102
Arlington, TX 76011
Chris Monroe, CIC

817-640-5035
817-640-0131

CONTACT NAME: David Asvestas
PHONE (A/C, No, Ext): FAX (A/C, No):
E-MAIL ADDRESS:

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A : Mid-Continent Casualty Co.	23418
INSURER B : Texas Mutual Insurance Co.	22945
INSURER C :	
INSURER D :	
INSURER E :	
INSURER F :	

INSURED
Banester Engineering Consultants Ltd
28070 Smithson Valley Rd
San Antonio, TX 78261

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	GENERAL LIABILITY X COMMERCIAL GENERAL LIABILITY CLAIMS-MADE X OCCUR X Pollution Liab X Professional Liab GEN'L AGGREGATE LIMIT APPLIES PER X POLICY PRO-JECT LOC			08GL937991	09/23/15	09/23/16	EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurrence) MED EXP (Any one person) PERSONAL & ADV INJURY GENERAL AGGREGATE PRODUCTS - COMP/OP AGG	$ 1,000,000 $ 100,000 $ 0 $ 1,000,000 $ 2,000,000 $ 2,000,000 $
A	AUTOMOBILE LIABILITY ANY AUTO ALL OWNED AUTOS SCHEDULED AUTOS X HIRED AUTOS X NON-OWNED AUTOS			06CA2810701	09/23/15	09/23/16	COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident)	$ 1,000,000 $ $ $ $
A	UMBRELLA LIAB OCCUR X EXCESS LIAB CLAIMS-MADE DED RETENTION $ 10,000			04XS192771	09/23/15	09/23/16	EACH OCCURRENCE AGGREGATE	$ 1,000,000 $ 1,000,000 $
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? Y/N (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	N/A		000127925	11/27/15	11/27/16	WC STATU-TORY LIMITS OTH-ER E.L. EACH ACCIDENT E.L. DISEASE - EA EMPLOYEE E.L. DISEASE - POLICY LIMIT	$ 1,000,000 $ 1,000,000 $ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

The General Liability policy includes a blanket additional insured endorsement that provides additional insured status to the certificate holder only when there is a written "insured contract" between the named insured and the certificate holder that requires such status.

CERTIFICATE HOLDER

CABILEN

City of Abilene
P.O. Box 60
Abilene, TX 79604

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

C Monroe

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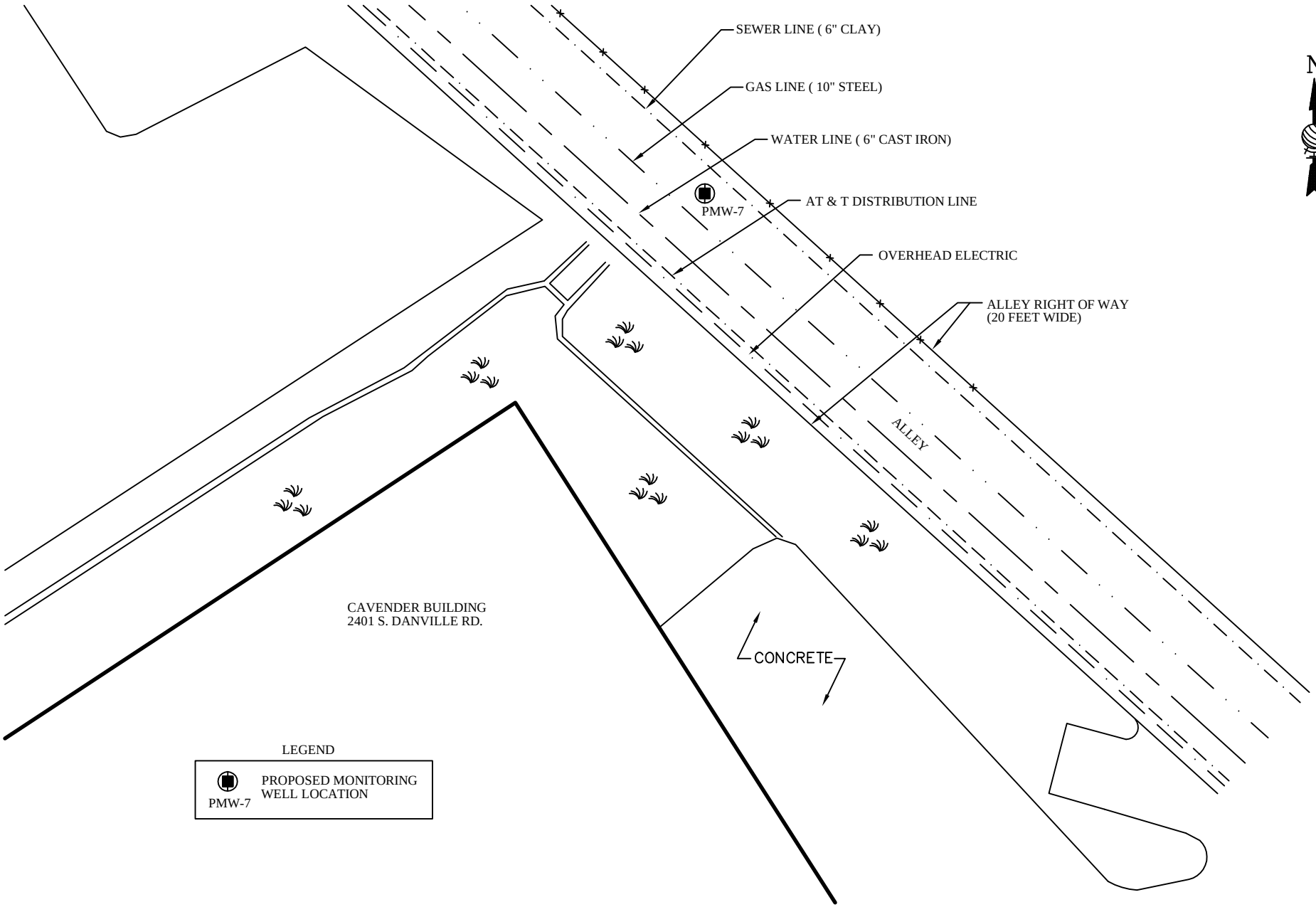


10 5 0 20

Scale 1" = 20'

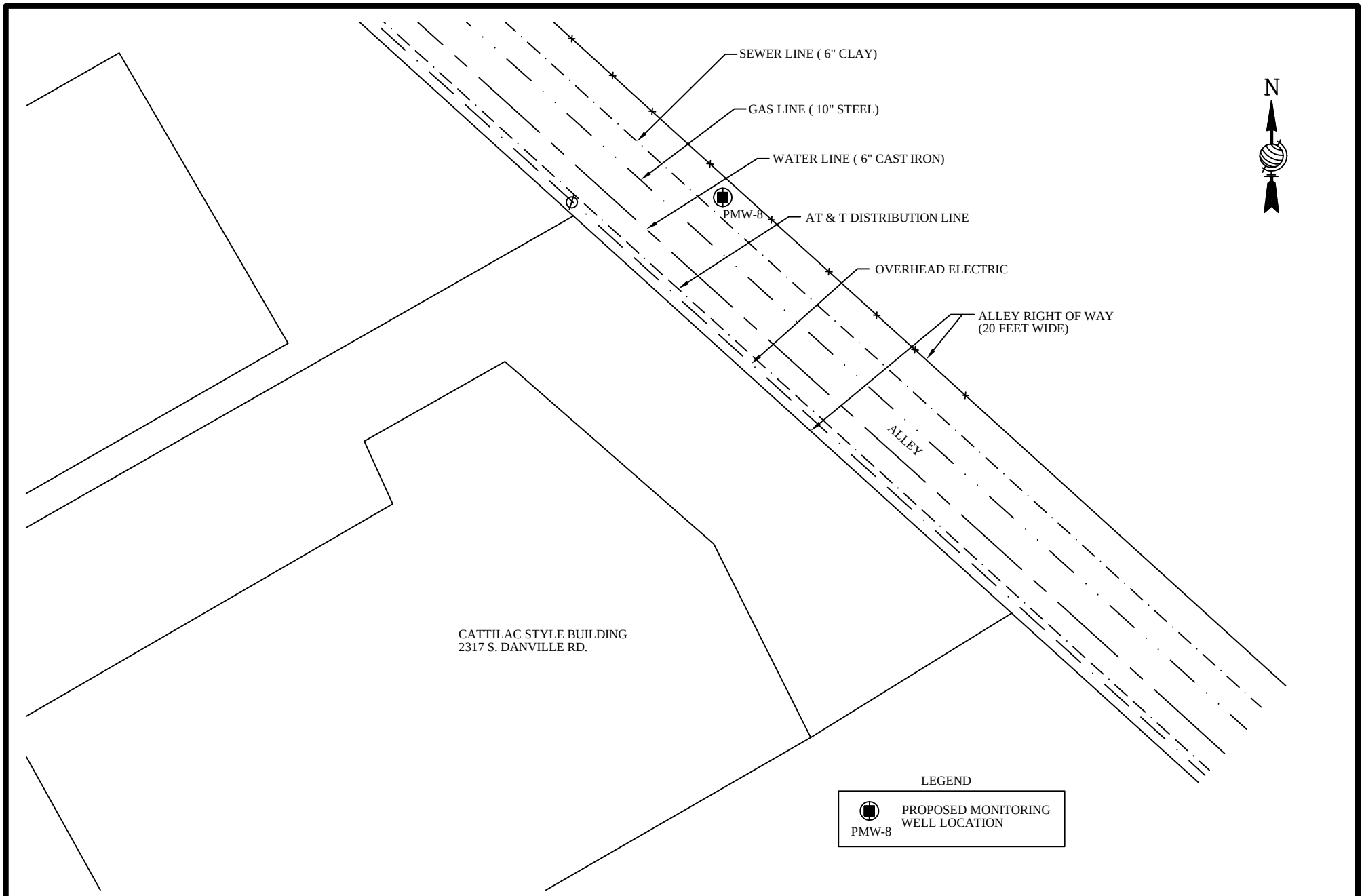
SITE MANAGER: DA	CHECKED BY: JLA
DRAWN BY: DA	DRAWING DATE: 01/11/16
SCALE: APPROX 1"=20'	TX Firm No. F-9126
CAD FILE NAME: WPLAN1	PROJECT NO.: 15-1520

BANESTER ENGINEERING

FIGURE 1

PROPOSED MONITORING WELL PMW-7

ALLSUP'S # 326 LPST # 118751
2550 SOUTH CLACK, ABILENE, TX 79606



10 5 0 20

Scale 1" = 20'

SITE MANAGER: DA	CHECKED BY: JLA
DRAWN BY: DA	DRAWING DATE: 01/11/16
SCALE: APPROX 1"=20'	TX Firm No. F-9126
CAD FILE NAME: WPLAN2	PROJECT NO.: 15-1520

BANESTER ENGINEERING

FIGURE 2

PROPOSED MONITORING WELL PMW-8

ALLSUP'S # 326 LPST # 118751
2550 SOUTH CLACK, ABILENE, TX 79606

City Council
Agenda Memo

City Council Meeting Date: 1/28/2016

TO: **Robert Hanna, City Manager**

FROM: **Lesli Andrews, Interim Director of Community Services**

SUBJECT: **Resolution: Designating Peter Norton M.D. as Health Authority and Medical Director for the Abilene-Taylor County Public Health District.** ***(Andrews)***

GENERAL INFORMATION

On January 23, 2014, the City Council approved a resolution designating Dr. Peter Norton as Health Authority and Medical Director for the Abilene-Taylor County Public Health District. It is necessary for the Council to designate a licensed physician as Health Authority and Medical Director every two years. The Health Authority and Medical Driector is responsible for assisting the Abilene-Taylor County Public Health District with its medical responsibilities in areas such as quarantine, inspections, food safety, disease prevention, vital statistics and general sanitation in the District's jurisdiction.

SPECIAL CONSIDERATIONS

FUNDING/FISCAL IMPACT

Funding is included in the General Fund and Refugee Grant program.

STAFF RECOMMENDATION

Approval of resolution designating Peter Norton M.D. as Health Authority and Medical Director for the Abilene-Taylor County Public Health District.

BOARD OR COMMISSION RECOMMENDATION

This item will also be presented for approval to the Taylor County Commissioners' Court at the January 26, 2016 meeting.

ATTACHMENTS:

	Description	Type
🗋	Resolution for Health Authority/Medical Director	Resolution Letter

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPOINTING A HEALTH AUTHORITY AND MEDICAL DIRECTOR FOR THE ABILENE-TAYLOR COUNTY PUBLIC HEALTH DISTRICT REGION.

WHEREAS, the Local Public Health Reorganization Act, Chapter 121, Texas Health and Safety Code provides that a governing body of a municipality or the commissioner's court of a county may enforce any law that is reasonably necessary to protect the public health; and

WHEREAS, the City of Abilene, Texas and Taylor County, Texas, have created the Abilene-Taylor County Public Health District to provide public health services in this region; and

WHEREAS, a Health Authority is a physician appointed under the terms of the Local Public Health Reorganization Act to administer state and local laws relating to public health within the appointing body's jurisdiction; and

WHEREAS, a Health Authority must be a competent physician with a reputable professional standing who is legally qualified to practice medicine in the state of Texas, and be a resident of the state of Texas, and

WHEREAS, the Health Authority shall serve a term of two years and may be appointed to successive terms; and

WHEREAS, Section 121.003, Health and Safety Code, provides that a governing body of a municipality or the commissioner's court of a county shall also appoint the Director of the local health department; and

WHEREAS, the Medical Director serves as the chief administrative officer of the local health department; and

WHEREAS, Dr. Peter Norton has served as the Health Authority and as the Medical Director for the proceeding two year term and has agreed to continue to serve; and

WHEREAS, Dr. Peter Norton meets the qualifications to be appointed as the Health Authority and as the Medical Director of the Abilene-Taylor County Public Health District.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TAYLOR COUNTY, TEXAS:

PART 1. That Dr. Peter Norton is appointed as the Health Authority for the region covered by the Abilene-Taylor County Public Health District, and shall serve a term of two years.

PART 2. That Dr. Peter Norton is appointed as the Medical Director for the Abilene-Taylor County Public Health District.

PART 3. That this Resolution shall be effective immediately upon adoption.

ADOPTED this 28th day of January 2016.

ATTEST:

_____ _____

Danette Dunlap, City Secretary Norm Archibald, Mayor

APPROVED:

_____

City Attorney

City Council
Agenda Memo

City Council Meeting Date: 1/28/2016

TO: **Robert Hanna, City Manager**

FROM: **Dana Schoening, Director Planning & Development Services**

SUBJECT: **<u>Ordinance:</u> *(First Reading)* CUP-2016-01 A request from Allen & Tanya Bolt, agent TowerTex, LLC, for a Conditional Use Permit to allow for 'Antenna Tower - Commercial' on property zoned GC (General Commercial), located at 7550 Hwy 83-84 (S. Clack St); and setting a public hearing for February 11, 2016. *<u>(Schoening)</u>***

GENERAL INFORMATION

Currently the property is zoned GC and is developed with a veterinarian clinic. The property is developed on the front portion of the property and has some vacant land to the rear. The surrounding area is generally undeveloped but there are a few single-family residential uses nearby. Highway 83/84 borders the property to the east. The request is to allow for an 'Antenna Tower – Commercial' for a new cell tower. The GC zoning district requires approval of a Conditional Use Permit for the proposed use.

The Future Land Use section of the Comprehensive Plan designates this general area as part of a 'Gateway/Mixed Use' area. The intersection of Beltway S. and Hwy 83/84 is planned to be a major node for retail and office uses. Highway 83/84 is designated as an 'enhancement corridor'. The requested CUP is compatible with the Future Land Use Map and the adjacent residential uses in the area. However, if there are concerns, conditions may be added to ensure compatibility with the area.

SPECIAL CONSIDERATIONS

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

Staff recommends approval as requested with no conditions.

BOARD OR COMMISSION RECOMMENDATION

The Planning and Zoning Commission recommended approval with a condition that the tower be located to the rear of the property (±330' from the front property line) by a vote of 4 in favor (Bixby, Dunnahoo, Rosenbaum, & McClarty) and none opposed.

ATTACHMENTS:

Description	Type
Ordinance Cover	Ordinance
Ordinance Exhibit	Ordinance
Staff Report with Maps	Backup Material

ORDINANCE NO._____

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, "LAND DEVELOPMENT CODE," OF THE ABILENE MUNICIPAL CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY AND CALLING A PUBLIC HEARING.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

PART 1: That Chapter 23, part known as the "Land Development Code" of the Abilene Municipal Code, be amended as set out in Exhibit "A," attached hereto and made a part of this ordinance for all purposes.

PART 2: That if any provision or any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way affect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.

PART 3: That any person, firm or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than Five Hundred Dollars ($500.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.

PASSED ON FIRST READING this 28th day of January, A.D. 2016.

A notice of the time and place, where and when said ordinance would be given a public hearing and considered for final passage, was published in the Abilene Reporter-News, a daily newspaper of general circulation in the City of Abilene, said publication being on the 18th day of December, 2015, the same being more than fifteen (15) days prior to a public hearing to be held in the Council Chamber of the City Hall in Abilene, Texas, at 8:30 a.m., on the 11th day of February, 2016, to permit the public to be heard prior to final consideration of this ordinance. Said ordinance, being a penal ordinance, becomes effective ten (10) days after its publication in the newspaper, as provided by Section 19 of the Charter of the City of Abilene.

PASSED ON SECOND AND FINAL READING THIS 11th day of February, A.D. 2016.

ATTEST:

_____ _____

CITY SECRETARY MAYOR

APPROVED:

_____

CITY ATTORNEY

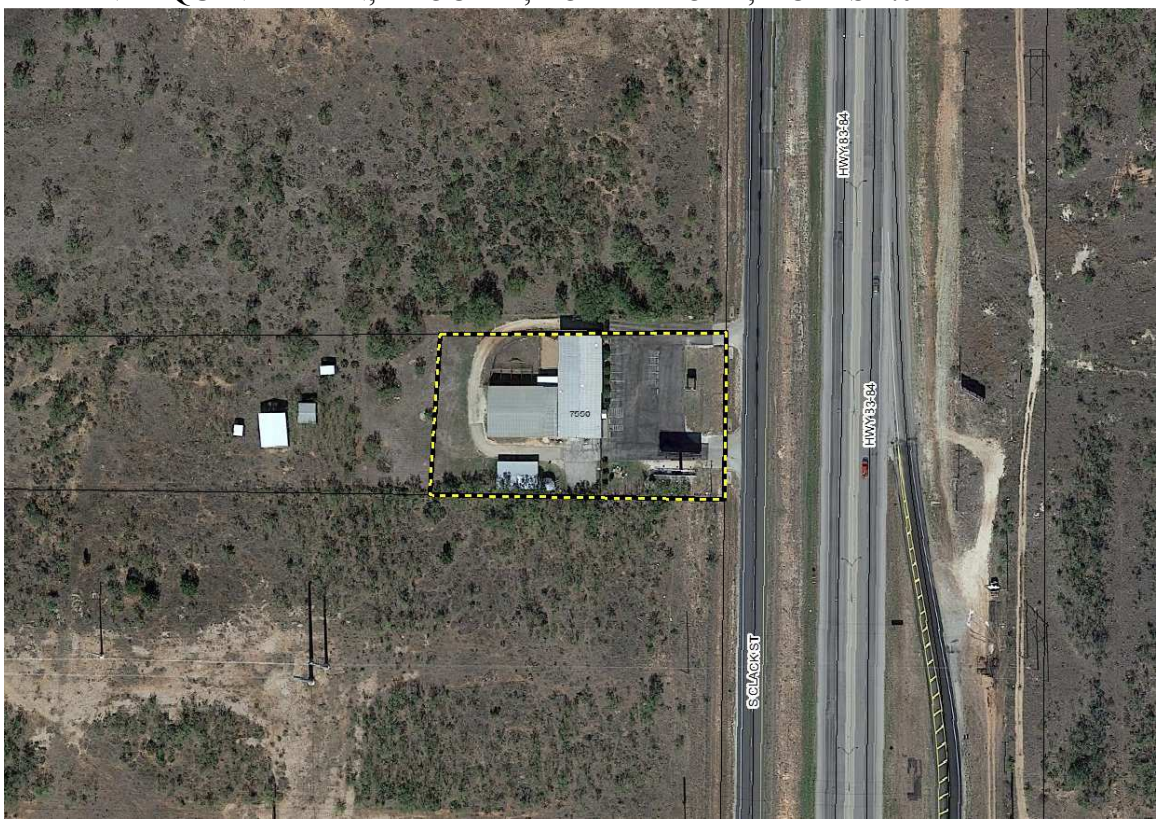
ORDINANCE NO. _____

EXHIBIT "A"

Approve a Conditional Use Permit for 'Antenna Tower – Commercial' on property zoned GC (General Commercial).

Location:
7550 Hwy 83-84 (S. Clack St)

Legal Description:
ABILENE EQUINE ADDN, BLOCK A, LOT E PT OF 1, ACRES 2.0



With the following condition:

- The tower shall be located to the rear of the property, approximately 330 feet from the front property line.

-END-

ZONING CASE CUP-2016-01
STAFF REPORT

APPLICANT INFORMATION:
Allen & Tanya Bolt
Agent: TowerTex, LLC

HEARING DATES:
P&Z Commission: January 4, 2016
City Council 1st Reading: January 28, 2016
City Council 2nd Reading: February 11, 2016

LOCATION:
7550 Hwy 83-84 (S. Clack St)

REQUESTED ACTION:
Conditional Use Permit to allow for 'Antenna Tower - Commercial' on property zoned GC (General Commercial)

SITE CHARACTERISTICS:
The subject parcel is the location for the Animal Health & Medical Center of Abilene veterinarian clinic. The property is developed on the front portion of the property and has some vacant land to the rear. The adjacent properties are zoned AO (Agricultural Open Space) to the north & south. The property to the west is zoned GC. Highway 83/84 borders the property to the east.

ZONING HISTORY:
The property was annexed into the City in 1980. The GC zoning was approved sometime after.

ANALYSIS:
- Current Planning Analysis
  Currently the property is zoned GC and is developed with a veterinarian clinic. The property is developed on the front portion of the property and has some vacant land to the rear. The surrounding area is generally undeveloped but there are a few single-family residential uses nearby. Highway 83/84 borders the property to the east. The request is to allow for an 'Antenna Tower – Commercial' for a new cell tower. The GC zoning district requires approval of a Conditional Use Permit for the proposed use.

- Comprehensive Planning Analysis
  The Future Land Use section of the Comprehensive Plan designates this general area as part of a 'Gateway/Mixed Use' area. The intersection of Beltway S. and Hwy 83/84 is planned to be a major node for retail and office uses. Highway 83/84 is designated as an 'enhancement corridor'. The requested CUP is compatible with the Future Land Use Map and the adjacent residential uses in the area. However, if there are concerns, conditions may be added to ensure compatibility with the area.

PLANNING STAFF RECOMMENDATION:

Staff recommends approval as requested with no conditions.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

The Planning and Zoning Commission recommended approval with a condition that the tower be located to the rear of the property (±330' from the front property line) by a vote of 4 in favor (Bixby, Dunnahoo, Rosenbaum, & McClarty) and none opposed.

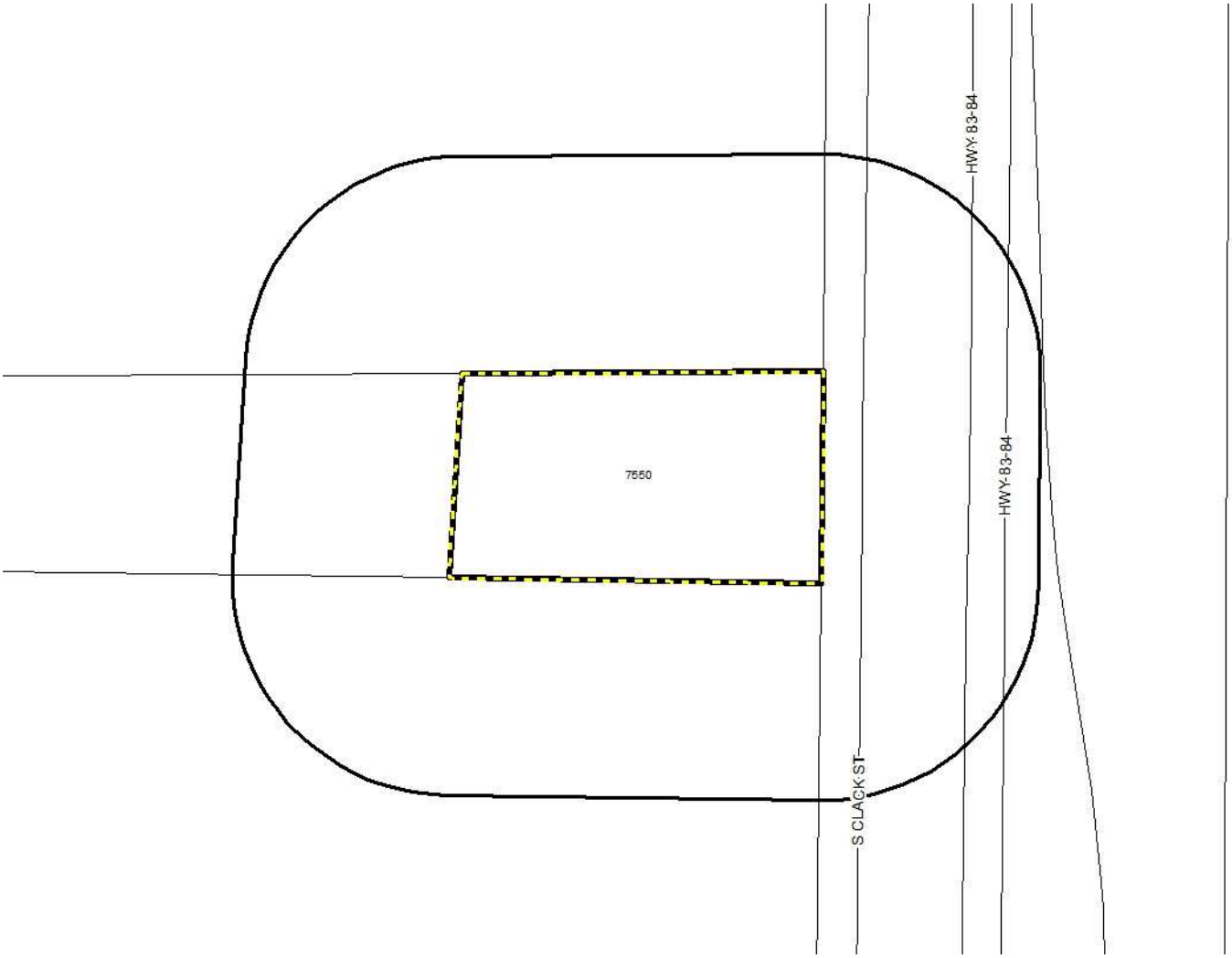
NOTIFICATION:

Property owners within a 200-foot radius were notified of the request:

OWNER	ADDRESS	RESPONSE
STRICKLIN JACK L		
STRICKLIN JOE B		
BOLT ALLEN J & TANYA ELAINE	7550 HWY 83-84	
WEST TEXAS UTILITIES CO		

0 in Favor- **Y**

0 Opposed- **N**



MF
MF
RS-8
GR
CHARTER HOUSE DR
MD
6950
7050
7450
AO
AO
HWY-83-84
S CLACK ST
PD
2582
2590
2550
2418
GC
7550
WALDROP DR
SPUR 707
2301
2201
1849
RR-1
AO
1701
7602
7750
7734
O
GR
7850
7918
7966
7982
GC
AO
1964
AO
1958
MF
STARLIGHT DR
SKYLINE DR
BELTWAY S
AO
2166
1209
1201
1102
1172
1234
1258
7849
7909
7965
GC
8049
1490
PD
1465
1473
1057
1033
967
933
1141
7802
7810
7818
7826
7834
7842
7850
7858
7801
7809
7817
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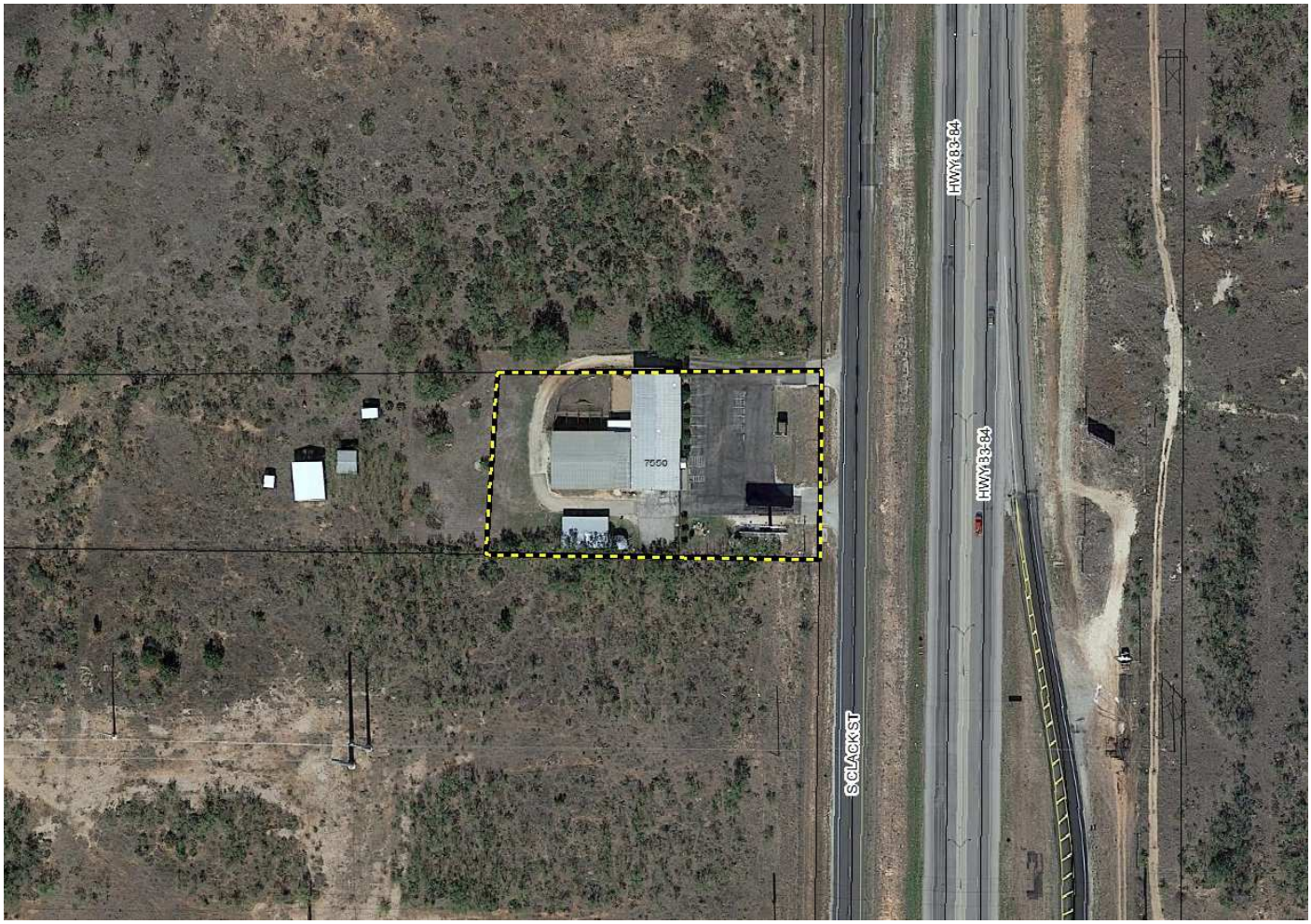
8042
8041
8134
8133
8126
8141
8150
8149
8142
DROVERS LN
SADDLE CREEK RD

HWY 83-84
S CLACK ST
WALDROP DR
SPUR 707
SKYLINE DR
BELTWAY S
DROVERS LN
SADDLE CREEK RD


7600
S CLACK ST
HWY 83-84
HWY 83-84

City Council
Agenda Memo

City Council Meeting Date: 1/28/2016

TO: **Robert Hanna, City Manager**

FROM: **Dana Schoening, Director, Planning & Development Services**

SUBJECT: **Ordinance:** ***(First Reading)*** **Z-2016-01 A request from Cinemark USA, Inc., agent Ironwood Equity, LLC, to rezone property from AO (Agricultural Open Space) to GC (General Commercial) zoning, located at 750 E. Overland Tr and extending north being a total of 103.13 acres; and setting a public hearing for February 11, 2016** ***(Schoening)***

GENERAL INFORMATION

Currently the property is undeveloped. The surrounding area is developed with a livestock auction and a warehouse facility to the east. The property to the north and west is undeveloped. Cedar Creek runs along the western edge of the property. Interstate 20 borders the property to the south. The applicant is proposing to develop a large part of the site with a new multi-screen movie theater. The remaining area would be set up for ancillary retail, office, and commercial uses.

The Future Land Use section of the Comprehensive Plan designates this general area as 'low density residential'. The area is adjacent to existing industrial and heavy agricultural uses to the east. The property has direct frontage onto the existing frontage road of Interstate 20. As the area develops it is anticipated that retail, office, and commercial development will occur. The requested zoning is deemed compatible with the Future Land Use Map and the adjacent properties. However, staff recommends GC zoning for the front area only. The existing floodway and inadequate street access does not justify zoning the entire area at this time.

SPECIAL CONSIDERATIONS

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

Staff recommends approval as requested but on the front portion only (±50 acres). The remainder area is within flood areas and does not have adequate street access to justify zoning the entire area.

BOARD OR COMMISSION RECOMMENDATION

The Planning and Zoning Commission recommended approval of GC zoning for the entire area as requested by a vote of 4 in favor (Bixby, Dunnahoo, Rosenbaum, & McClarty) and none opposed.

ATTACHMENTS:

Description	Type
Ordinance Cover	Ordinance
Ordinance Exhibit	Ordinance
Staff Report with Maps	Backup Material

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, "LAND DEVELOPMENT CODE," OF THE ABILENE MUNICIPAL CODE, BY CHANGING THE ZONING DISTRICT BOUNDARIES AFFECTING CERTAIN PROPERTIES; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

PART 1: That Chapter 23, part known as the Land Development Code of the City of Abilene, is hereby amended by changing the zoning district boundaries as set out in Exhibit "A," attached hereto and made a part of this ordinance for all purposes.

PART 2: That any person, firm or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than Five Hundred Dollars ($500.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.

PART 3: That the Planning Director be, and is hereby authorized and directed to change the official Zoning Map of the City of Abilene to correctly reflect the amendments thereto.

PASSED ON FIRST READING this 28th day of January, A.D. 2016.

A notice of the time and place, where and when said ordinance would be given a public hearing and considered for final passage, was published in the Abilene Reporter-News, a daily newspaper of general circulation in the City of Abilene, said publication being on the 18th day of December, 2015, the same being more than fifteen (15) days prior to a public hearing to be held in the Council Chamber of the City Hall in Abilene, Texas, at 8:30 a.m., on the 11th day of February, 2016 to permit the public to be heard prior to final consideration of this ordinance. Said ordinance, being a penal ordinance, becomes effective ten (10) days after its publication in the newspaper, as provided by Section 19 of the Charter of the City of Abilene.

PASSED ON SECOND AND FINAL READING THIS 11th day of February, A.D. 2016.

ATTEST:

_____
CITY SECRETARY

_____
MAYOR

APPROVED:

_____
CITY ATTORNEY

ORDINANCE NO. _____

EXHIBIT "A"

Rezone property from AO (Agricultural Open Space) to GC (General Commercial) zoning.

Legal Description:

A0389 SUR 82-83 T & P RY CO, BLOCK 14, ACRES 64.07
A PORTION OF A0580 SUR 84 T & P RY CO, BLOCK 14, ACRES 16.85
A0580 SUR 84 T & P RY CO, BLOCK 14, ACRES 22.2063

Location:
750 E. Overland Tr and extending north being a total of 103.13 acres

-END-

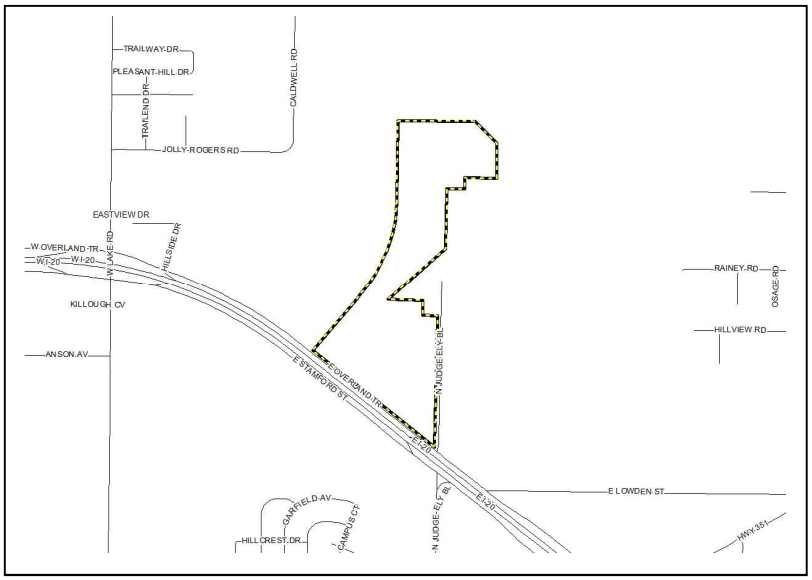
ZONING CASE Z-2016-01
STAFF REPORT

APPLICANT INFORMATION:
Cinemark USA, Inc.
Agent: Ironwood Equity, LLC

HEARING DATES:
P & Z Commission: January 4, 2016
City Council 1st Reading: January 28, 2016
City Council 2nd Reading: February 11, 2016

LOCATION:
750 E. Overland Tr, extending north being a total of 103.13 acres

REQUESTED ACTION:
Rezone property from AO (Agricultural Open Space) to GC (General Commercial) zoning



SITE CHARACTERISTICS:
The subject parcel totals approximately 103.13 acres and is currently zoned AO. It is currently undeveloped. The adjacent properties are zoned AO to the north & west and PD (Planned Development) to the east. Interstate 20 borders the property to the south.

ZONING HISTORY:
The property was annexed in 1980 and was zoned AO at that time.

ANALYSIS:
- <u>Current Planning Analysis</u>
  Currently the property is undeveloped. The surrounding area is developed with a livestock auction and a warehouse facility to the east. The property to the north and west is undeveloped. Cedar Creek runs along the western edge of the property. Interstate 20 borders the property to the south. The applicant is proposing to develop a large part of the site with a new multi-screen movie theater. The remaining area would be set up for ancillary retail, office, and commercial uses.

- <u>Comprehensive Planning Analysis</u>
  The Future Land Use section of the Comprehensive Plan designates this general area as 'low density residential'. The area is adjacent to existing industrial and heavy agricultural uses to the east. The property has direct frontage onto the existing frontage road of Interstate 20. As the area develops it is anticipated that retail, office, and commercial development will occur. The requested zoning is deemed compatible with the Future Land Use Map and the adjacent properties. However, staff recommends GC zoning for the front area only. The existing floodway and inadequate street access does not justify zoning the entire area at this time.

PLANNING STAFF RECOMMENDATION:

Staff recommends approval as requested but on the front portion only (±50 acres). The remainder area is within flood areas and does not have adequate street access to justify zoning the entire area.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

The Planning and Zoning Commission recommended approval of GC zoning for the entire area as requested by a vote of 4 in favor (Bixby, Dunnahoo, Rosenbaum, & McClarty) and none opposed.

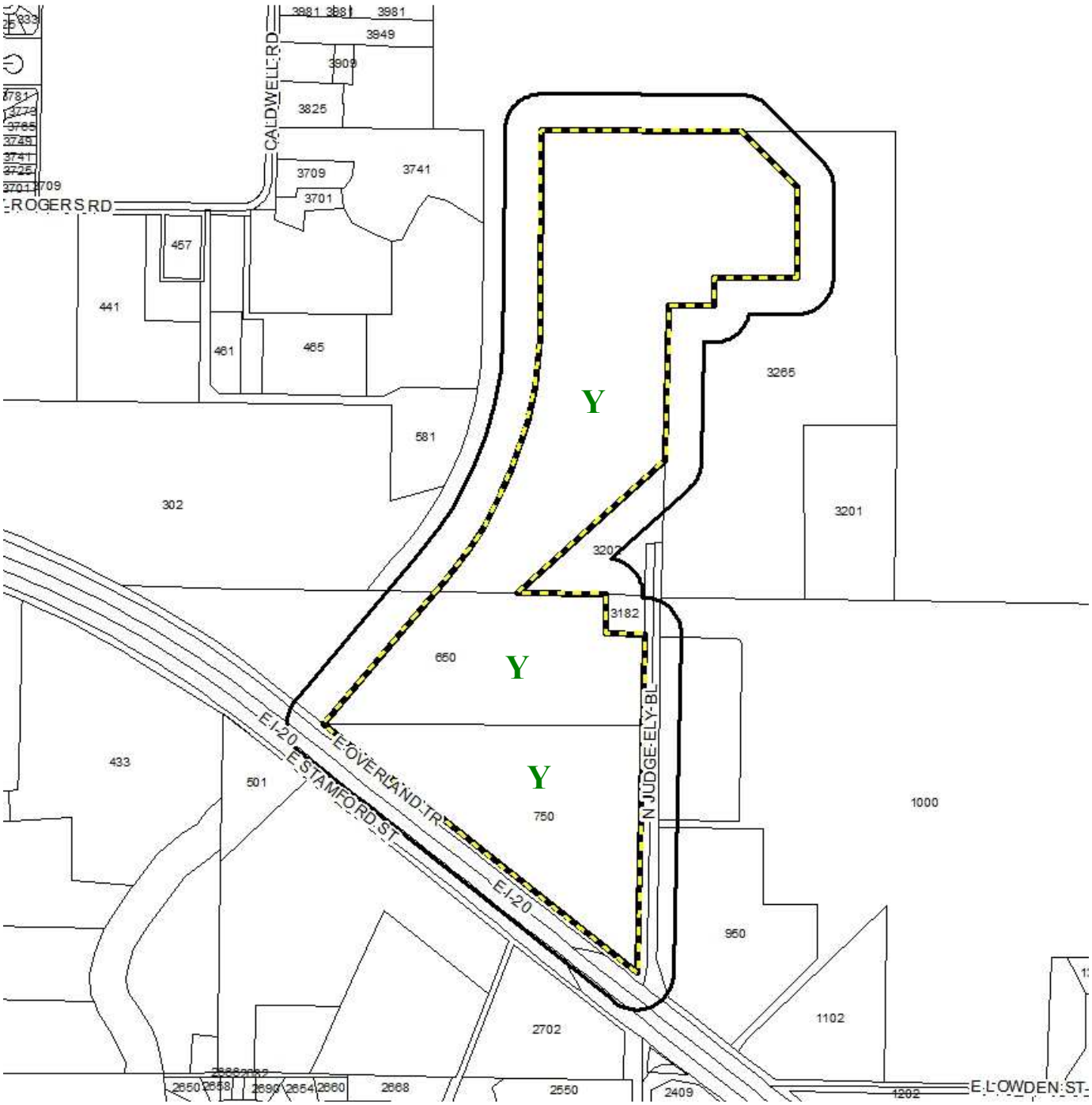
NOTIFICATION:

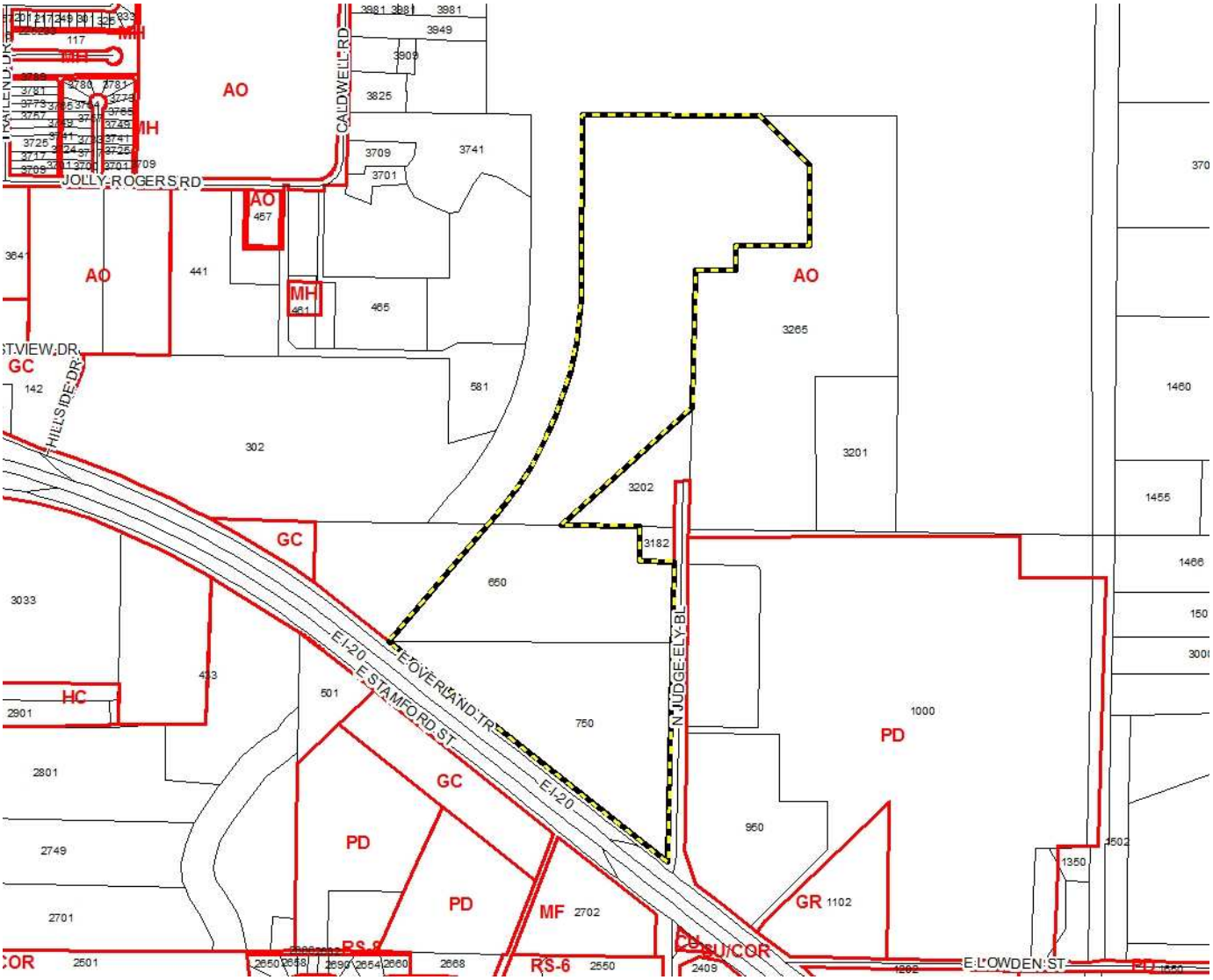
Property owners within a 200-foot radius were notified of the request.

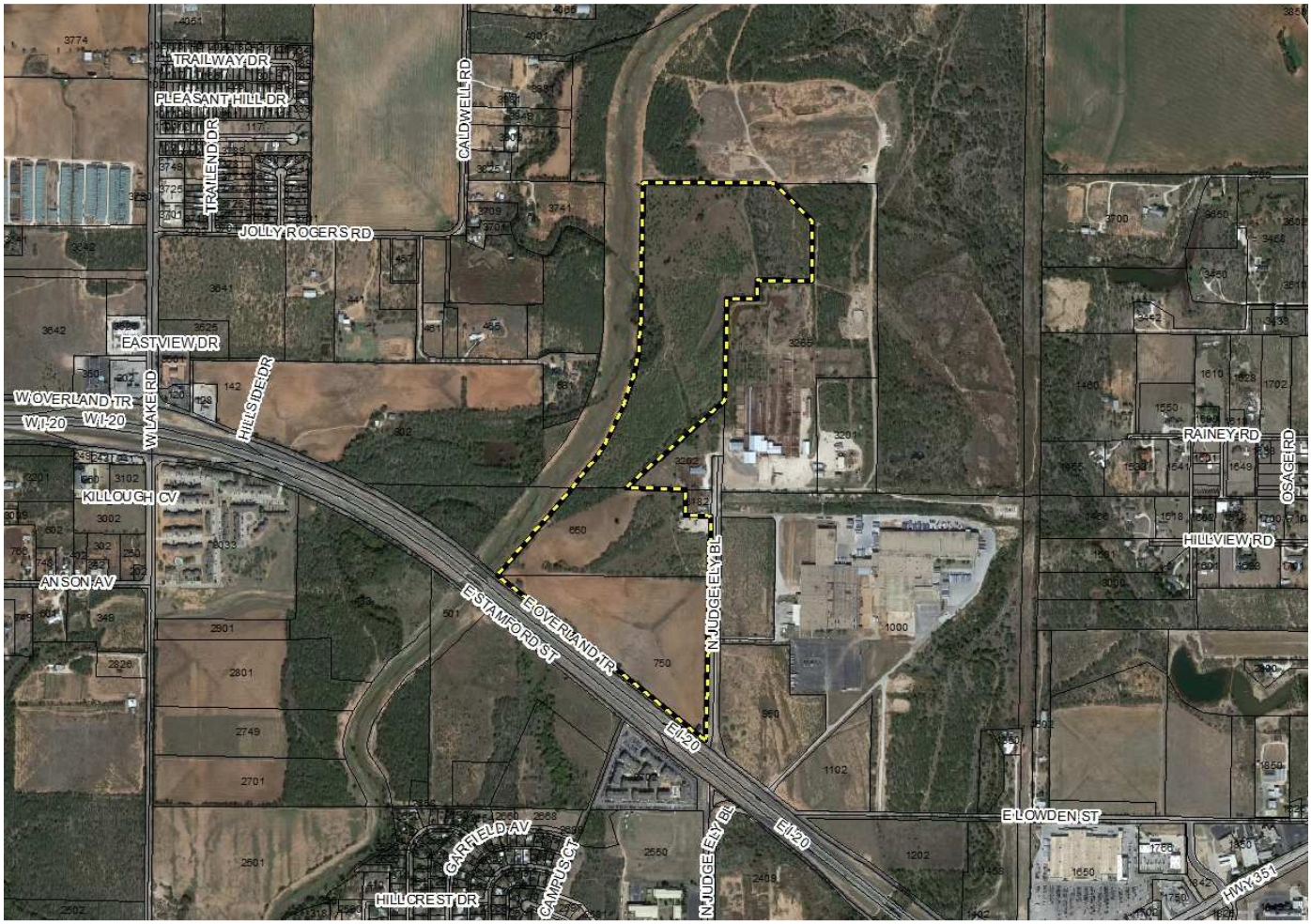
OWNER	ADDRESS	RESPONSE
MOOSA CHARLES		
ABILENE AUCTION INC	3182 N JUDGE ELY BL	
GOODWIN RODNEY & DEBRA KAY	3202 N JUDGE ELY BL	
RAMSEY LEASING INC		In Favor
RAMSEY LEASING INC	650 E OVERLAND TR	In Favor
CITY OF ABILENE		
RAMSEY LEASING INC	750 E OVERLAND TR	In Favor
ABILENE AUCTION INC	3265 N JUDGE ELY BL	
MOTONCO PARTNERS	950 E OVERLAND TR	
NIP OWNER III LLC	1000 E I-20	

3 in Favor- **Y**

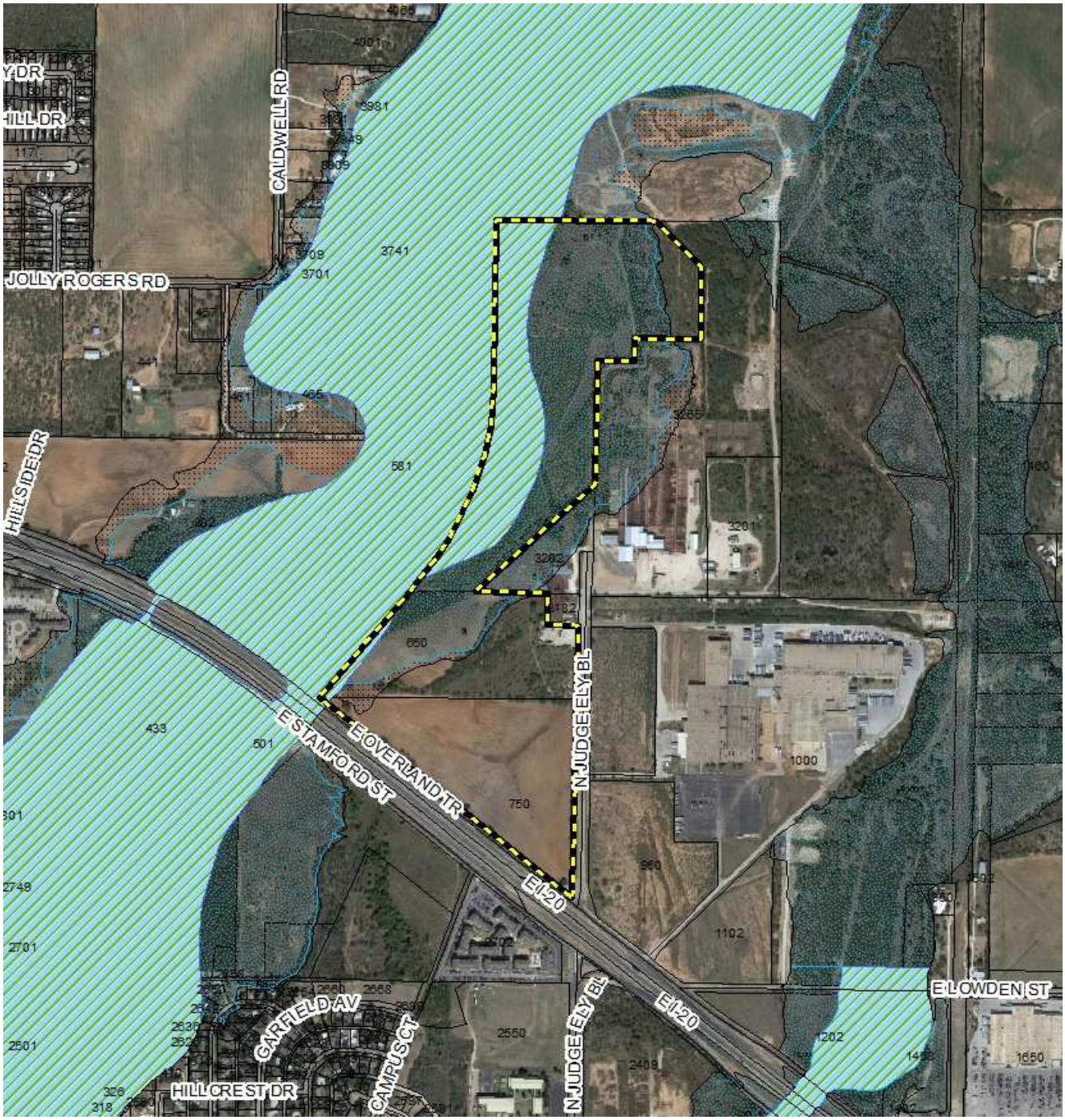
0 Opposed- **N**




AO
MH
CALDWELL RD
JOLLY ROGERS RD
AO
AO
MH
AO
GC
HILLSIDE DR
GC
HC
E I-20
E OVERLAND TR
E STAMFORD ST
N JUDGE ELY BL
PD
GC
PD
PD
MF
GR
E I-20
E LOWDEN ST
RS-6


TRAILWAY DR
PLEASANT HILL DR
TRAILEND DR
CALDWELL RD
JOLLY ROGERS RD
EASTVIEW DR
W OVERLAND TR
W I-20
W LAKE RD
HILLSIDE DR
KILLOUGH CV
ANSON AV
E STAMFORD ST
E OVERLAND TR
N JUDGE ELY BL
E I-20
RAINEY RD
OSAGE RD
HILLVIEW RD
E LOWDEN ST
GARFIELD AV
CAMPUS CT
HILLCREST DR
HWY 351

CALDWELL RD
OGERS RD
Area for GC Zoning
E I-20
E OVERLAND TR
E STAMFORD ST
N JUDGE ELY BL
E LOWDEN ST


CALDWELL RD
JOLLY ROGERS RD
HILLSIDE DR
E STAMFORD ST
E OVERLAND TR
N JUDGE ELY BL
E I-20
E LOWDEN ST
GARFIELD AV
CAMPUS CT
HILLCREST DR

City Council
Agenda Memo

City Council Meeting Date: 1/28/2016

TO: **Robert Hanna, City Manager**

FROM: **Dana Schoening, Director, Planning & Development Services**

SUBJECT: **Ordinance:** ***(First Reading)*** **Z-2016-02 A request from East Lake Five, LLC, agent Tal Fillingim, to rezone property from AO (Agricultural Open Space) to MD (Medium Density Residential) zoning, located at 1826 Colony Hill Rd; and setting a public hearing for February 11, 2016** ***(Schoening)***

GENERAL INFORMATION

Currently the property is undeveloped. The surrounding area is developed with single-family homes. The property to the east is developing as the Southlake Estates subdivision. The property to the south is undeveloped but does have land sufficient for farming activities. The applicant is proposing 'Medium Density Residential' zoning for this property which would allow for multi-family dwellings such as duplexes, triplexes, and quadplexes. The zoning would not allow for an apartment complex.

The Future Land Use section of the Comprehensive Plan designates this general area as 'low density residential'. Both Maple St and Colony Hill Rd are designated as 'arterial' roadways. The area is primarily single-family residential homes to the north, west & east. However, as the area develops it is anticipated that retail and office development will occur at the intersection of Maple St & Colony Hill Rd. The requested zoning is deemed compatible with the Future Land Use Map and the adjacent properties. The MD zoning would provide a transition to less intense zoning to the north and east.

SPECIAL CONSIDERATIONS

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

Staff recommends approval as requested.

BOARD OR COMMISSION RECOMMENDATION

The Planning and Zoning Commission recommended approval as requested by a vote of 4 in favor (Bixby, Dunnahoo, Rosenbaum, & McClarty) to none opposed.

ATTACHMENTS:

Description	Type
Ordinance Cover	Ordinance
Ordinance Exhibit	Ordinance
Staff Report with Maps	Ordinance

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, "LAND DEVELOPMENT CODE," OF THE ABILENE MUNICIPAL CODE, BY CHANGING THE ZONING DISTRICT BOUNDARIES AFFECTING CERTAIN PROPERTIES; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

PART 1: That Chapter 23, part known as the Land Development Code of the City of Abilene, is hereby amended by changing the zoning district boundaries as set out in Exhibit "A," attached hereto and made a part of this ordinance for all purposes.

PART 2: That any person, firm or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than Five Hundred Dollars ($500.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.

PART 3: That the Planning Director be, and is hereby authorized and directed to change the official Zoning Map of the City of Abilene to correctly reflect the amendments thereto.

PASSED ON FIRST READING this 28th day of January, A.D. 2016.

A notice of the time and place, where and when said ordinance would be given a public hearing and considered for final passage, was published in the Abilene Reporter-News, a daily newspaper of general circulation in the City of Abilene, said publication being on the 18th day of December, 2015, the same being more than fifteen (15) days prior to a public hearing to be held in the Council Chamber of the City Hall in Abilene, Texas, at 8:30 a.m., on the 11th day of February, 2016 to permit the public to be heard prior to final consideration of this ordinance. Said ordinance, being a penal ordinance, becomes effective ten (10) days after its publication in the newspaper, as provided by Section 19 of the Charter of the City of Abilene.

PASSED ON SECOND AND FINAL READING THIS 11th day of February, A.D. 2016.

ATTEST:

_____
CITY SECRETARY

_____
MAYOR

APPROVED:

_____
CITY ATTORNEY

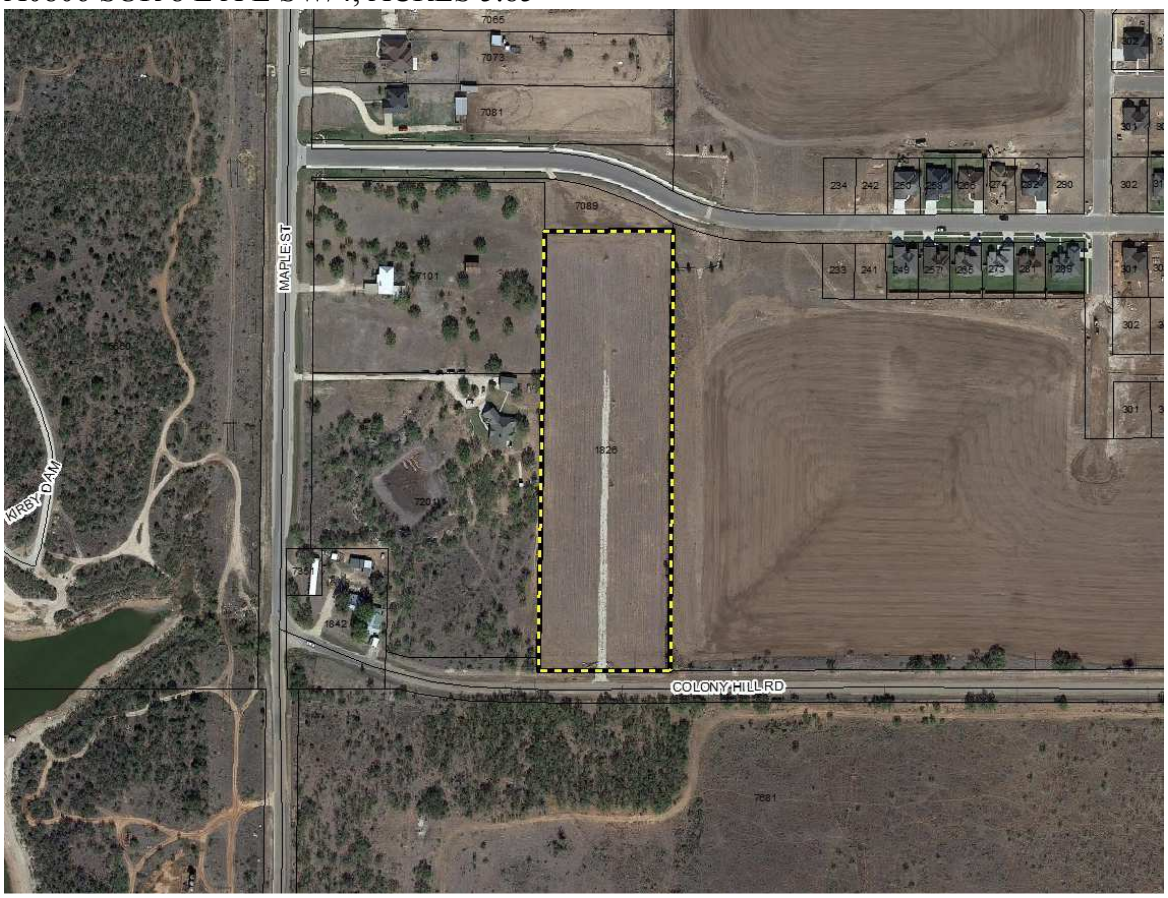
ORDINANCE NO. _____

EXHIBIT "A"

Rezone property from AO (Agricultural Open Space) to MD (Medium Density Residential) zoning.

Legal Description:

A0806 SUR 8 L A L SW/4, ACRES 5.85



Location:
1826 Colony Hill Rd

-END-

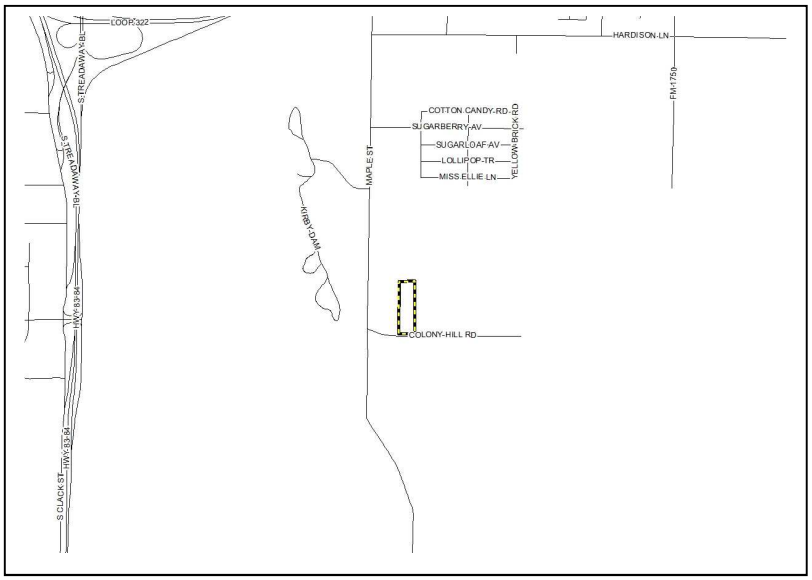
ZONING CASE Z-2016-02
STAFF REPORT

APPLICANT INFORMATION:
East Lake Five, LLC
Agent: Tal Fillingim

HEARING DATES:
P & Z Commission: January 4, 2016
City Council 1st Reading: January 28, 2016
City Council 2nd Reading: February 11, 2016

LOCATION:
1826 Colony Hill Rd

REQUESTED ACTION:
Rezone property from AO (Agricultural Open Space) to MD (Medium Density Residential) zoning



SITE CHARACTERISTICS:
The subject parcel totals approximately 5.85 acres and is currently zoned AO. It is currently undeveloped. The adjacent properties are zoned AO to the south & west and RS-6 (Single-Family Residential) to the north & east.

ZONING HISTORY:
The property was annexed in 2009 and was given the AO zoning at that time.

ANALYSIS:
- <u>Current Planning Analysis</u>
  Currently the property is undeveloped. The surrounding area is developed with single-family homes. The property to the east is developing as the Southlake Estates subdivision. The property to the south is undeveloped but does have land sufficient for farming activities. The applicant is proposing 'Medium Density Residential' zoning for this property which would allow for multi-family dwellings such as duplexes, triplexes, and quadplexes. The zoning would not allow for an apartment complex.

- <u>Comprehensive Planning Analysis</u>
  The Future Land Use section of the Comprehensive Plan designates this general area as 'low density residential'. Both Maple St and Colony Hill Rd are designated as 'arterial' roadways. The area is primarily single-family residential homes to the north, west & east. However, as the area develops it is anticipated that retail and office development will occur at the intersection of Maple St & Colony Hill Rd. The requested zoning is deemed compatible with the Future Land Use Map and the adjacent properties. The MD zoning would provide a transition to less intense zoning to the north and east.

PLANNING STAFF RECOMMENDATION:
Staff recommends approval as requested.

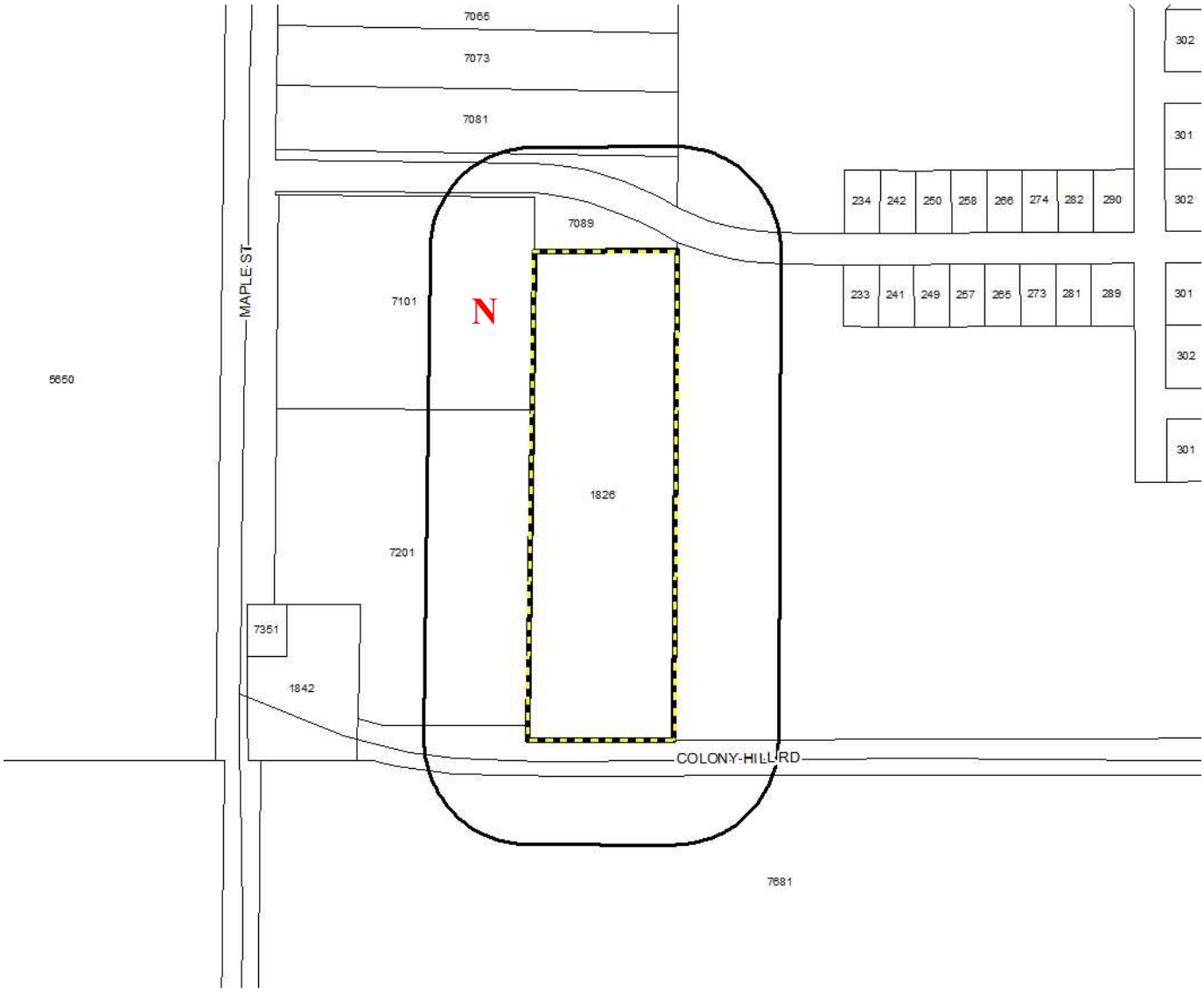
PLANNING AND ZONING COMMISSION RECOMMENDATION:
The Planning and Zoning Commission recommended approval as requested by a vote of 4 in favor (Bixby, Dunnahoo, Rosenbaum, & McClarty) to none opposed.

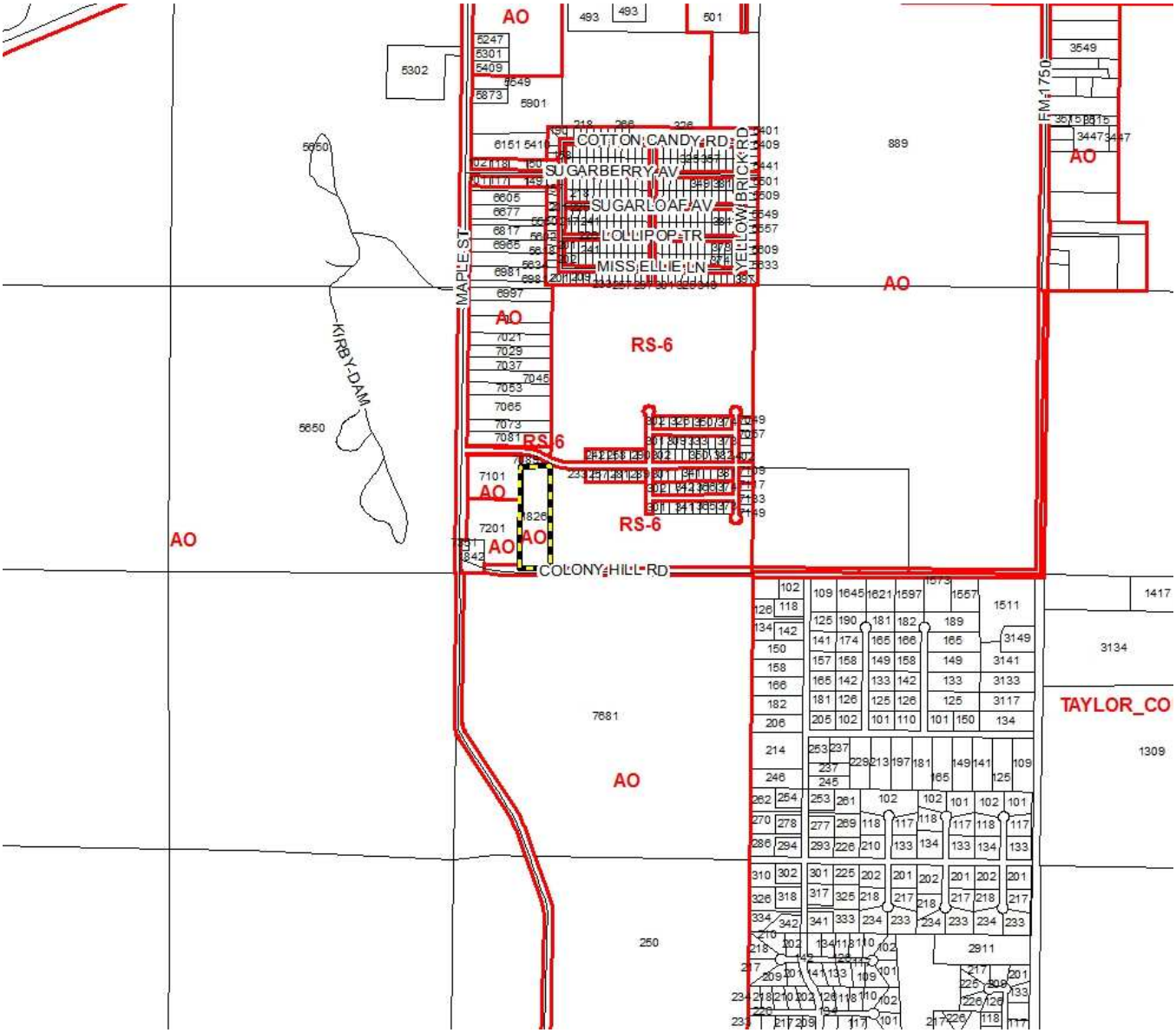
NOTIFICATION:
Property owners within a 200-foot radius were notified of the request.

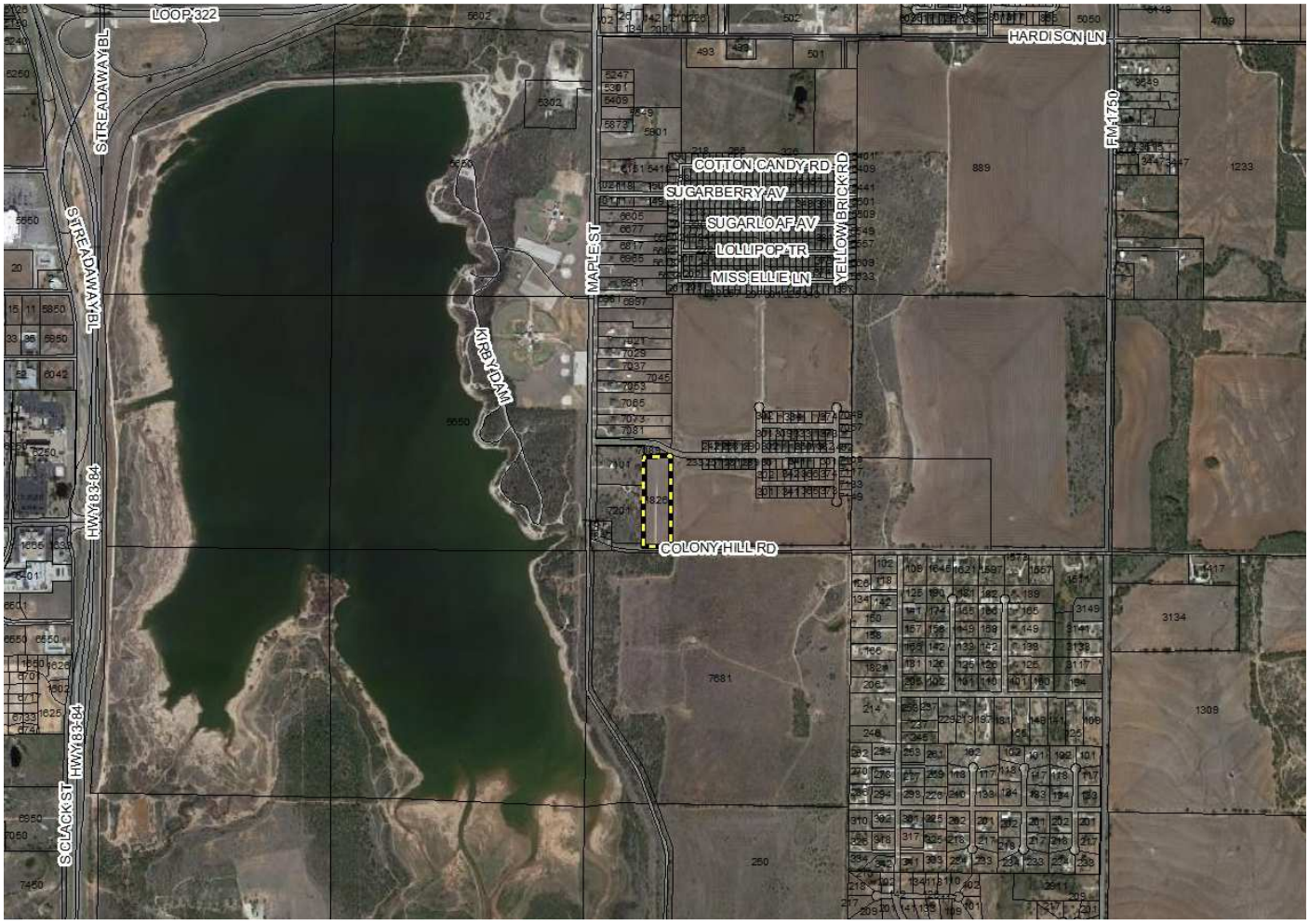
OWNER	ADDRESS	RESPONSE
NEWQUIST DENNIS M & AMY A	7201 MAPLE ST	
WEEKS ROBERT W	7101 MAPLE ST	Opposed
MC LEOD PROPERTY DEV LLC		
MC LEOD PROPERTY DEV LLC	7089 MAPLE ST	
CALVIN MARSHALL A & STEPHANIE D	7081 MAPLE ST	
TALIAFERRO SCOTT JR & LEIGH	7681 MAPLE ST	
RIVAS JOSE	1826 COLONY HILL RD	
MC LEOD PROPERTY DEV LLC		
MC LEOD PROPERTY DEV LLC		

0 in Favor- **Y**

1 Opposed- **N**




AO
RS-6
COTTON CANDY RD
SUGARBERRY AV
SUGARLOAF AV
LOLLIPOP TR
MISS ELLIE LN
YELLOW BRICK RD
MAPLE ST
KIRBY DAM
COLONY HILL RD
FM1750
TAYLOR_CO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HWY 183-84
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SUGARLOAF AV
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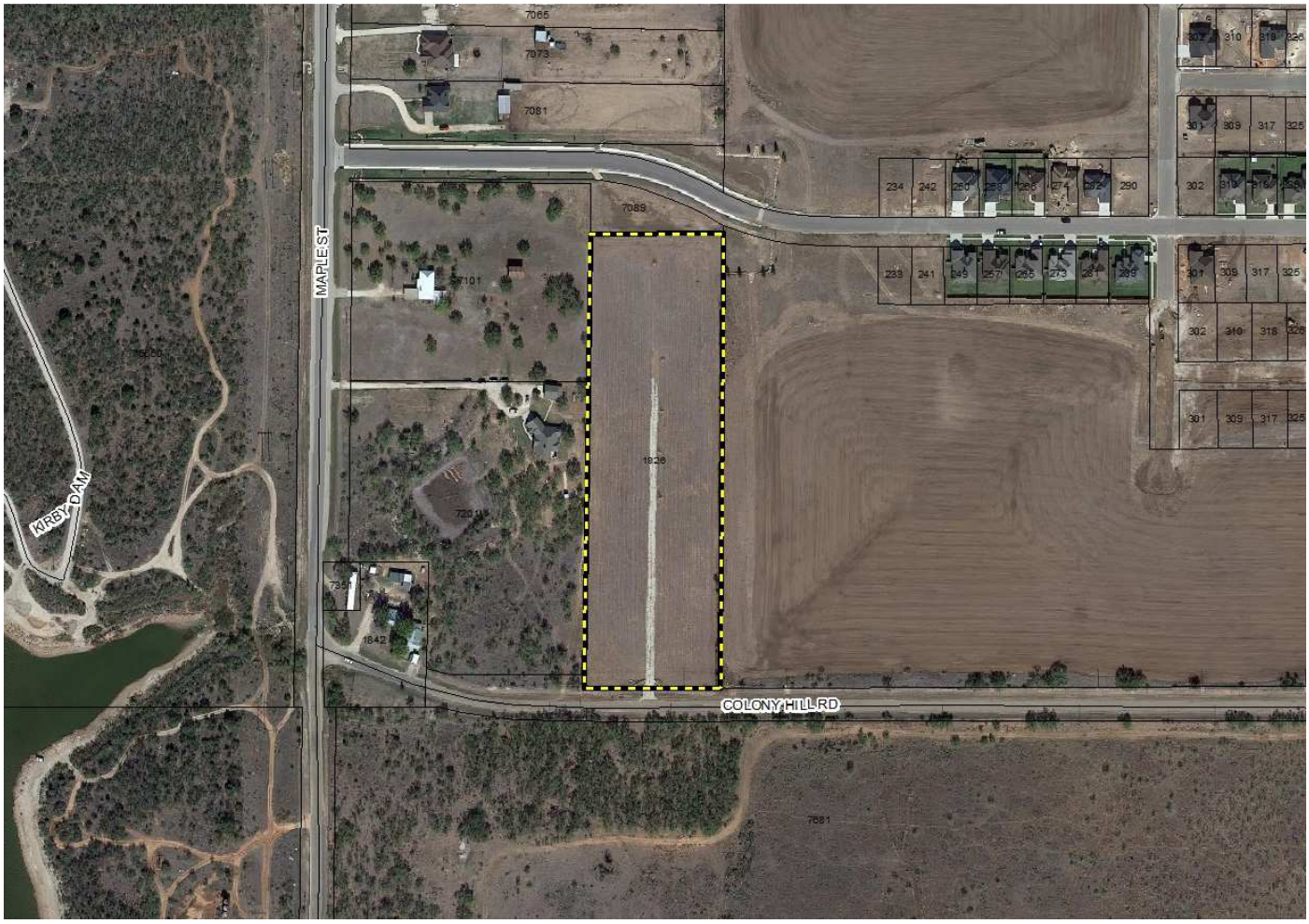
MISS ELLIE LN
MAPLE ST
YELLOW BRICK RD
KIRBY DAM
COLONY HILL RD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City Council
Agenda Memo

City Council Meeting Date: 1/28/2016

TO: **Robert Hanna, City Manager**

FROM: **Dana Schoening, Director, Planning & Development Services**

SUBJECT: **Ordinance:** ***(First Reading)*** **Z-2016-03 A request from Christian Service Center of Abilene, Inc. to rezone property from MD (Medium Density Residential) to GR (General Retail) zoning, located at 3185 N. 10th St; and setting a public hearing for February 11, 2016** ***(Schoening)***

GENERAL INFORMATION

Currently the property is developed with a church. The surrounding area is developed with additional churches to the north & south, an undeveloped property to the west, and retail uses to the east along N. Mockingbird Ln. The YMCA on State St is located just to the southwest of this site. The applicant is proposing to convert the church into their main office and distribution center. The applicant provides food and clothing to those in the community who are in need.

The Future Land Use section of the Comprehensive Plan designates this general area as a 'local community center' centered on the intersection of N. Mockingbird Ln and N. 10th St. North 10th St is designated as an 'enhancement corridor' as well. The area is part of a larger mixed use area that includes retail, office, churches, and residential. The requested zoning is deemed compatible with the Future Land Use Map and the adjacent properties. The zoning will allow the Christian Service Center to accommodate all existing services to include a small thrift store at this location.

SPECIAL CONSIDERATIONS

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

Staff recommends approval as requested.

BOARD OR COMMISSION RECOMMENDATION

The Planning and Zoning Commission recommended approval as requested by a vote of 4 in favor (Bixby,

Dunnahoo, Rosenbaum, & McClarty) to none opposed.

ATTACHMENTS:

Description	Type
Ordinance Cover	Ordinance
Ordinance Exhibit	Ordinance
Staff Report with Maps	Backup Material

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, "LAND DEVELOPMENT CODE," OF THE ABILENE MUNICIPAL CODE, BY CHANGING THE ZONING DISTRICT BOUNDARIES AFFECTING CERTAIN PROPERTIES; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

PART 1: That Chapter 23, part known as the Land Development Code of the City of Abilene, is hereby amended by changing the zoning district boundaries as set out in Exhibit "A," attached hereto and made a part of this ordinance for all purposes.

PART 2: That any person, firm or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than Five Hundred Dollars ($500.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.

PART 3: That the Planning Director be, and is hereby authorized and directed to change the official Zoning Map of the City of Abilene to correctly reflect the amendments thereto.

PASSED ON FIRST READING this 28th day of January, A.D. 2016.

A notice of the time and place, where and when said ordinance would be given a public hearing and considered for final passage, was published in the Abilene Reporter-News, a daily newspaper of general circulation in the City of Abilene, said publication being on the 18th day of December, 2015, the same being more than fifteen (15) days prior to a public hearing to be held in the Council Chamber of the City Hall in Abilene, Texas, at 8:30 a.m., on the 11th day of February, 2016 to permit the public to be heard prior to final consideration of this ordinance. Said ordinance, being a penal ordinance, becomes effective ten (10) days after its publication in the newspaper, as provided by Section 19 of the Charter of the City of Abilene.

PASSED ON SECOND AND FINAL READING THIS 11th day of February, A.D. 2016.

ATTEST:

_____
CITY SECRETARY

_____
MAYOR

APPROVED:

_____
CITY ATTORNEY

ORDINANCE NO. _____

EXHIBIT "A"

Rezone property from MD (Medium Density Residential) to GR (General Retail) zoning.

Legal Description:

GREENLEA ADDN, BLOCK 3, LOT 1

Location:
3185 N. 10th St

-END-

ZONING CASE Z-2016-03
STAFF REPORT

APPLICANT INFORMATION:
Christian Service Center of Abilene, Inc.

HEARING DATES:
P & Z Commission: January 4, 2016
City Council 1st Reading: January 28, 2016
City Council 2nd Reading: February 11, 2016

LOCATION:
3185 N. 10th St

REQUESTED ACTION:
Rezone property from MD (Medium Density Residential) to GR (General Retail) zoning

SITE CHARACTERISTICS:
The subject parcel totals approximately 2.31 acres and is currently zoned MD. It is currently developed and used by a church. The adjacent properties are zoned MD to the north & south, GC (General Commercial) to the east, and GR to the west.

ZONING HISTORY:
The property was annexed in 1957 and was zoned MD some time after.

ANALYSIS:
- Current Planning Analysis
  Currently the property is developed with a church. The surrounding area is developed with additional churches to the north & south, an undeveloped property to the west, and retail uses to the east along N. Mockingbird Ln. The YMCA on State St is located just to the southwest of this site. The applicant is proposing to convert the church into their main office and distribution center. The applicant provides food and clothing to those in the community who are in need.

- Comprehensive Planning Analysis
  The Future Land Use section of the Comprehensive Plan designates this general area as a 'local community center' centered on the intersection of N. Mockingbird Ln and N. 10th St. North 10th St is designated as an 'enhancement corridor' as well. The area is part of a larger mixed use area that includes retail, office, churches, and residential. The requested zoning is deemed compatible with the Future Land Use Map and the adjacent properties. The zoning will allow the Christian Service Center to accommodate all existing services to include a small thrift store at this location.

PLANNING STAFF RECOMMENDATION:
Staff recommends approval as requested.

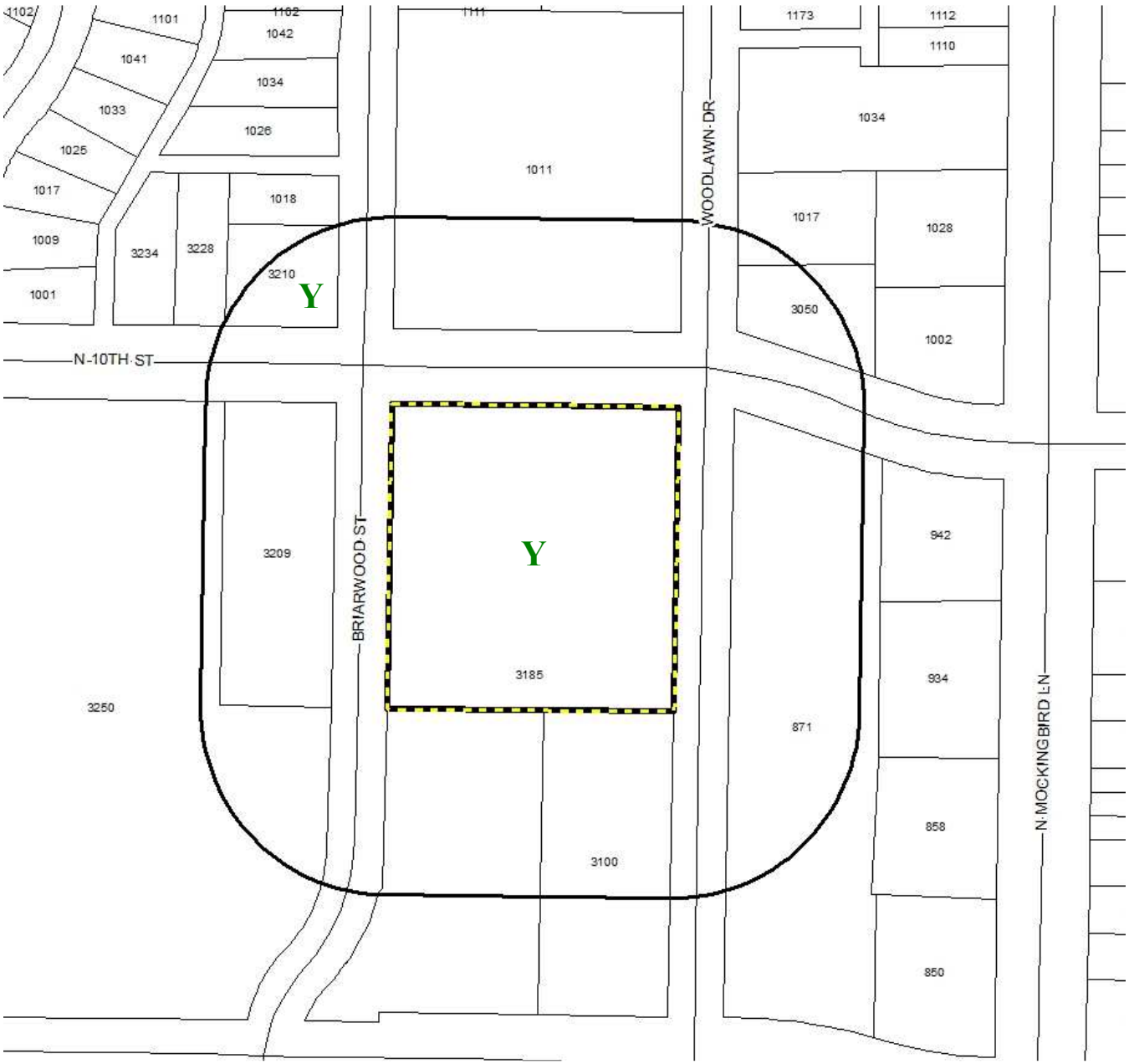
PLANNING AND ZONING COMMISSION RECOMMENDATION:
The Planning and Zoning Commission recommended approval as requested by a vote of 4 in favor (Bixby, Dunnahoo, Rosenbaum, & McClarty) to none opposed.

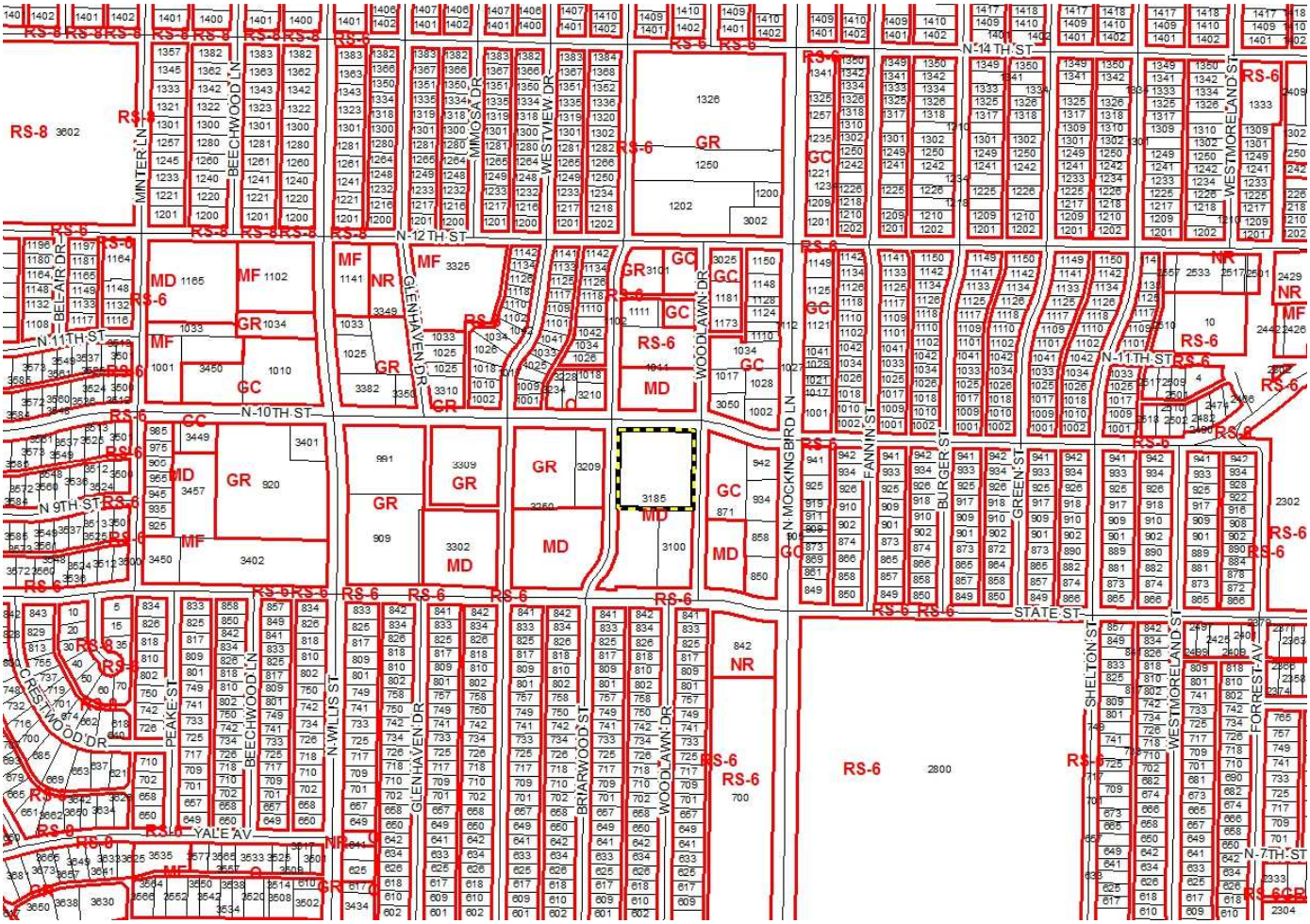
NOTIFICATION:
Property owners within a 200-foot radius were notified of the request.

OWNER	ADDRESS	RESPONSE
SANDERS RICK A & RISHA	3228 N 10TH ST	
CURRY JACK AND MARIE	3210 N 10TH ST	In Favor
CHRISTIAN SERVICE CENTER OF ABILENE INC	3185 N 10TH ST	In Favor
MC MILLAN MARK	1017 WOODLAWN DR	
HOLT BARBARA	3050 N 10TH ST	
TRINITY BAPTIST CHURCH	3100 STATE ST	
TRINITY BAPTIST CHURCH	871 WOODLAWN DR	
CURRY JACK AND MARIE	1018 BRIARWOOD ST	
GALILEE BAPTIST CHURCH	1011 BRIARWOOD ST	
YMCA	3250 STATE ST	
WOODLAWN CHURCH OF CHRIST	3209 N 10TH ST	

2 in Favor- **Y**

0 Opposed- **N**




N-14 TH ST
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N-11 TH ST
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N 9TH ST
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YALE AV
N-7TH ST
MINTER LN
BEECHWOOD LN
WESTVIEW DR
MIMOSA DR
GLENHAVEN DR
WOODLAWN DR
N MOCKINGBIRD LN
FANNIN ST
BURGER ST
GREEN ST
WESTMORELAND ST
SHELTON ST
FORREST AV
PEAKE ST
N-WILLIS ST
BRIARWOOD ST
CRESTWOOD DR
RS-6
RS-8
GR
GC
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MF
NR

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WESTMORELAND ST
MINTER LN
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MIMOSA DR
WESTVIEW DR
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GREEN ST
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SHELTON ST
WESTMORELAND ST
FORREST AV
CRESTWOOD DR
PEAKE ST
BEECHWOOD LN
N WILLIS ST
GLENHAVEN DR
BRIARWOOD ST
WOODLAWN DR
YALE AV
N 7TH ST

WESTVIEW DR
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City Council
Agenda Memo

City Council Meeting Date: 1/28/2016

TO: **Robert Hanna, City Manager**

FROM: **Dana Schoening, Director of Planning and Development Services**

SUBJECT: **Resolution: Overland Property Group Resolution of Support Housing Tax Credit (HTC) Application.** ***(Schoening)***

GENERAL INFORMATION

The Overland Property Group is applying for Housing Tax Credits through the Texas Department of Housing and Community Affairs to develop and construct a 40-48 unit facility for senior housing. Estimated cost of the project is $6.5 million. The following items constitute the proposed development:

- The proposed project will include up to 4 units at market rate, with the remaining units reserved for 30%-60% Area Median Income (AMI).
- There will be 2 units for handicap and one unit for hearing/visual impaired.
- Area amenities within the 1.5 mile radius include grocery, pharmacy, Church, bank, retail/shopping and dining.
- Unit amenities: appliances include a self-cleaning oven, refrigerator, microwave, garbage disposal and full size washer/dryer.
- The proposed site, located at Rebecca Lane and Autumn Sage, is currently zoned OA Open Agriculture and will need to be rezoned to accommodate the proposed development. There is no guarantee that a rezoning will be approved for the subject property site as this decision is made by the City Council with recommendation made by the Planning and Zoning Commission.
- Water main access and capacity would need to be improved to serve the proposed development at the developer's expense. This would involve a looped water main extension across Rebecca Lane to the proposed site and on to a looped connection point to the City's distribution system.
- A public sanitary sewer main would need to be extended to serve the proposed development at the developer's expense.

A primary objective associated with the 2015-2019 Consolidated Plan is to overall improve the housing stock in the Abilene community. A benefit of these types of projects is to improve housing stock in the community with modern amenities. In addition, these types of projects are required to have minimum 15 year ownership and maintenance agreements for the development.

SPECIAL CONSIDERATIONS

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

This project meets the stated goals and objectives of the 2015-2019 Consolidated Plan and the Land Use Plan. Staff recommends approval of the resolution of support.

BOARD OR COMMISSION RECOMMENDATION

ATTACHMENTS:

	Description	Type
	Overland Property Group Resolution of Support The Residence at Autumn Sage	Cover Memo

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, IN SUPPORT OF THE SUBMISSION OF AN APPLICATION TO THE HOUSING TAX CREDIT (HTC) PROGRAM THROUGH THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS (TDHCA) BY OVERLAND PROPERTY GROUP (OPG) AUTUMN SAGE PARTNERS, LLC FOR THE 2016 LOW INCOME HOUSING TAX CREDIT (HTC) PROGRAM FOR THE PROJECT KNOWN AS "THE RESIDENCE AT AUTUMN SAGE".

WHEREAS, the City Council of the City of Abilene has adopted the Goals and Objectives for its 2015-2019 Consolidated Plan for Community Planning and Development following public hearings and the receipt of comments on housing and community development needs and funding requests within the City; and

WHEREAS, the primary objective of the Community Planning and Development Program is to develop a viable urban community, including decent, safe, affordable housing and a suitable living environment, and to expand economic opportunities principally for persons of low- and moderate income; and

WHEREAS, one of the objectives of the 2015-2019 Consolidated Plan is to increase the availability, financial accessibility, and support for affordable and subsidized rental units; and

WHEREAS, consistent with said objective, and other goals and strategies eligible under applicable Federal regulations, the City of Abilene has previously supported Federal assistance to encourage construction of qualified HTC housing development projects.

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

Part 1. That the City supports the application by OPG Autumn Sage Partners, LLC for HTCs as administered by the TDHCA.

Part 2. That the support stated herein will enable the City to carry on appropriate community development activities directed toward meeting the specified objectives of the Consolidated Plan and the Comprehensive Land Use Plan and other potentially applicable adopted City Plans.

Part 3. That the City of Abilene will commit to provide the required de-minimis amount of no less than $10 in in-kind contributions for the development of The Residence

at Autumn Sage, which may be in the form of fee waivers and other in-kind contributions.

Part 4. That this resolution shall take effect immediately from and after its passage.

ADOPTED this the 28th day of January 2016.

ATTEST:

_____
CITY SECRETARY

_____
MAYOR

APPROVED:

_____
CITY ATTORNEY

City Council
Agenda Memo

City Council Meeting Date: 1/28/2016

TO: **Robert Hanna, City Manager**

FROM: **Michael G. Rice, P.E., Director of Public Works**

SUBJECT: **Resolution: Bid Award #CB-1624 Antilley Rd. Overlay Project. *(Rice)***

GENERAL INFORMATION

This project was advertised as a Public Notice on December 13th and 20th of 2015 with a bid opening dated January 12th 2016. This construction contract involves the resurfacing of Antilley Rd. from Buffalo Gap Rd. to South Clack St., it will include a mill and overlay as well as an underseal. The contract will also include removing and replacing sections of curb and gutter, small sections of sidewalk and a curb ramp, and the placement of bicycle route signs along the project length.

The Antilley Rd. Overlay Project is one of four streets projects scheduled for this year as part of Proposition 1 of the voter approved 2015 Bond Program.

SPECIAL CONSIDERATIONS

FUNDING/FISCAL IMPACT

The funds for this project will be paid through 2015 General Obligation funds.

STAFF RECOMMENDATION

Staff recommends bid award to Bontke Brothers Construction Co. of Abilene Texas in the amount of $1,091,675.39.

BOARD OR COMMISSION RECOMMENDATION

ATTACHMENTS:

Description	Type
Tabsheet	Cover Memo
Resolution	Resolution Letter

CITY OF ABILENE
PURCHASING DIVISION
TABULATION OF BIDS

DEPARTMENT: ENGINEERING
BID NO.: CB - 1624
TIME OF OPENING: 11:00
DATE OF OPENING: JANUARY 12, 2016

ITEM	DESCRIPTION	QTY	UNIT	Bontke Brothers Abilene, Texas UNIT PRICE	EXTENSION	Contract Paving Abilene, Texas UNIT PRICE	EXTENSION	J H Strain & Sons Inc. Abilene, Texas UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION
1	ANTILLEY OVERLAY PROJECT				$1,091,675.39		$1,224,367.06		$1,292,745.30						
BASE BID															
DISCOUNT															
TOTAL BID					*1,091,675.39										

*NOTES: INDICATES RECOMMENDED AWARD

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AWARDING BID TO BONTKE BROTHERS CONSTRUCTION CO. ABILENE TEXAS

WHEREAS, the City of Abilene duly advertised and gave such notice, as required by law, for bids for the construction contract involving the resurfacing of Antilley Road from Buffalo Gap Rd. to South Clack Street; and

WHEREAS, the project will include a mill and overlay as well as an underseal. The contract will also include removing and replacing sections of curb and gutter, small sections of sidewalk and a curb ramp, and the placement of bicycle route signs along the project length; and

WHEREAS, the following bids were received and opened on the January 12, 2016:

Bontke Brothers, Abilene Texas	$1,091,675.39
Contract Paving, Abilene, Texas	$1,224,367.06
J.H Strain & Sons Inc. Abilene, Texas	$1,292,745.30

WHEREAS, Bontke Brothers, Abilene, Texas submitted the low bid in the amount of $1,091,675.39 with the bid meeting specifications. Staff recommends awarding the bid to the low bidder, Bontke Brothers, Abilene, Texas.

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

PART 1: That the City Council approves this bid in the amount of $1,091,675.39.

PART 2: That this Resolution shall take effect immediately from and after passage.

ADOPTED this 28th day of January, 2016.

ATTEST:

_____
Danette Dunlap, City Secretary

_____
Norm Archibald, Mayor

APPROVED:

_____
Stanley Smith, Interim City Attorney

City Council
Agenda Memo

City Council Meeting Date: 1/28/2016

TO: **Robert Hanna, City Manager**

FROM: **Dana Schoening, Director of Planning & Development Services**

SUBJECT: **Ordinance & Public Hearing:** ***(Final Reading)*** **An Ordinance Adopting the** ***2014 National Electrical Code,*** **with Local Amendments.** ***(Sartor)***

GENERAL INFORMATION

The National Electrical Code is utilized throughout the United States. The City of Abilene is currently utilizing the *2011 National Electrical Code*, with amendments. It is recommended that the *2014 National Electrical Code*, with local amendments, be adopted in order that the City's construction regulations are kept up to date. Local amendments pertain to licensing and administrative procedures with very limited modifications made to the technical provisions of the National Electrical Code. It is important that Abilene maintains compatible construction regulations with other cities, in order to reduce variation to typical standards, and eliminate uncertainty to the design professions and the electrical contractors.

SPECIAL CONSIDERATIONS

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

Approval.

BOARD OR COMMISSION RECOMMENDATION

The following Committee and Board unanimously voted to recommend approval of the 2014 National Electrical Code, with amendments, on the dates listed below:

- Electrical Code Review Committee – December 17, 2014.
- Mechanical, Plumbing, Electrical & Swimming Pool Board of Appeals – August 11, 2015

ATTACHMENTS:

Description	Type
Enacting Ordinance	Cover Memo
Exhibit A	Cover Memo
Amendment Pamphlet	Cover Memo
Significant Changes	Cover Memo
PowerPoint Presentation	Cover Memo

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ABILENE AMENDING CHAPTER 8, ARTICLE VI, DIVISION 3, SECTION 8-496 "ELECTRICAL CODE", AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY; AND CALLING FOR A PUBLIC HEARING.

WHEREAS, there is a need to protect the health, safety, and welfare of the citizens of the City of Abilene; and

WHEREAS, the current provisions of Section 8-496, "Electrical Code" adopting the 2011 National Electric Code, are longer adequate to meet the needs of the community;

WHEREAS, the 2014 National Electric Code is currently the standard used throughout other cities in Texas;

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

PART 1: That Chapter 8, Article VI, Division 3, Section 8-496 "Electrical Code" of the Code of Ordinances, City of Abilene, Texas, is hereby amended as set out in Exhibit A, attached and made a part of this ordinance for all purposes.

PART 2: That if the provisions of any section, subsection, paragraph, subdivision or clause of this ordinance shall be adjudged invalid by a court of competent jurisdiction, such judgment shall not effect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this ordinance.

PART 4: That any person, firm, or corporation violating the provisions of this Ordinance shall be deemed to have committed a misdemeanor, and upon conviction thereof shall be fined in accordance with Chapter 1 (Section 1-9) of this Code.

PART 5: Each day such violation shall continue, or be permitted to continue, shall be deemed a separate offense. Said ordinance, being a penal ordinance, becomes effective thirty (30) days after its publication in the newspaper, as provided by Section 19 of the Charter of the City of Abilene.

PASSED ON FIRST READING this 14th day of January, 2016.

A notice of the time and place, where and when said ordinance would be given a public hearing and considered for final passage was published in the Abilene Reporter-News, a daily newspaper of general circulation in the City of Abilene, said publication being on the 24th day of January, 2016, the same being more than 24 hours prior to a public hearing being held in the Council Chamber of City Hall in Abilene, Texas, at 8:30 a.m. on the 28th day of January, 2016, to permit the public to be heard. Said Ordinance, being a penal ordinance, becomes effective thirty (30) days after its publication in the newspaper, as provided by Section 19 of the Charter of the City of Abilene.

PASSED ON SECOND AND FINAL READING this 28th day of January, 2016.

ATTEST:

_____
CITY SECRETARY

_____
MAYOR

APPROVED:

_____
CITY ATTORNEY

EXHIBIT A

CHAPTER 8. CONSTRUCTION REGULATIONS

ARTICLE VI. CODES AND OTHER REGULATIONS

DIVISION 3. ELECTRICAL CODE

Sec. 8-496. Adopted.

The National Electrical Code, 2014 edition, published by the National Fire Protection Association together with standards of the National Electrical Manufacturers Association and the American National Standards Institute, together with an electrical code pamphlet amending and supplementing that code, are hereby enacted and adopted by reference, as the electrical code for the city, and is hereby incorporated herein. The electrical code pamphlet, along with the National Electrical Code, are on file in the building official's and city secretary's offices.

CHAPTER 8, ARTICLE VI, DIVISION 3, SECTION 8-496 ELECTRICAL CODE

{Add an Article 80 – Administration and Enforcement as follows:}

ARTICLE 80
CHAPTER 1
TITLE AND GENERAL

Title

101. These regulations shall be known as the "Electrical Code", may be cited as such and will be referred to herein as "this code".

Application to Existing Electrical Systems and Equipment

102. (a) Additions, Alterations, or Repairs. Additions, alterations, or repairs may be made to an electrical system and equipment to comply with all the requirements of this code, provided the addition, alteration or repair conforms to that required for a new electrical system and equipment, and provided further that no hazard to life, health or safety will be created by such additions, alterations or repairs.

Minor additions, alterations and repairs to existing electrical system and equipment may be made in accordance with the law in effect at the time the original installation was made, when approved by the Electrical Inspector.

(b) Existing Installations. Electrical systems and equipment lawfully in existence at the time of the adoption of this code may have their use, maintenance or repair continued, if the use, maintenance or repair is in accordance with the original design and no hazard to life, health or property has been created by such electrical system and equipment

(c) Changes in Building Occupancy. Electrical systems and equipment which are a part of any building or structure undergoing a change in use or occupancy, as defined in Building Code, shall comply with the requirements of this code which are applicable to the new use or occupancy.

(d) Maintenance. All electrical systems and equipment, both existing and new, and all parts thereof, shall be maintained in a proper operating condition in accordance with the original design and in a safe and hazard-free condition. All devices or safeguards, which are required by this code, shall be maintained in conformance with this code. The owner, or designated agent, shall be responsible for the maintenance of the electrical system. To determine compliance with this subsection, the Building Official may cause any electrical system to be reinspected.

(e) Moved Building. Electrical systems and equipment, which are a part of buildings or structures moved into or within this jurisdiction, shall comply with the provisions of this code for new installations.

(f) Residential Rehabilitated and Condemned Buildings. Existing buildings which have been condemned may have existing serviceable electrical systems left in place, provided these systems were installed in accordance with the standards applicable at the time the building was built, and further provided that the following minimum provisions are met:

1. <u>Services</u>:

a. All exterior service equipment shall be of weatherproof materials, fittings and devices.
b. Latest approved service mast heights and points of attachment to structures shall be maintained.
c. Services shall be of a capacity large enough to carry anticipated load. No service conductor shall be less than 100 amps.

2. <u>Circuits</u>:

a. Existing two conductor non-metallic sheathed cable, if in safe condition, shall be allowed to remain with the addition of a single grounding conductor run separately to outlets located in bathroom, kitchen countertops, and laundry room areas. In lieu of grounding wire, a GFCI outlet may be substituted.
b. Other conforming wiring methods, not presently approved by the City of Abilene Electrical Code, may remain, if in safe condition, and not disturbed in any manner, other than reconnection to an electrical panel, provided also that these systems were legal at the time of original installation.
c. Receptacles shall be sufficient in numbers to serve the desired space in a practical manner, but not less than three (3) duplex receptacles per sleeping room and living areas, such as dens.
d. These Code requirements are not required to be added to existing serviceable electrical systems:
   (1) Exterior plugs for residences.

Where there is a question regarding the safety of any installed electrical system in a building which is being rehabilitated, the Electrical Inspector may require that the owner obtain the services of a licensed Master Electrician to completely examine and test the system and report on its safety. When systems are found to be unsafe, they must be replaced in accordance with the requirements of the National Electrical Code, as adopted by the City of Abilene.

Definitions

103. General. For the purpose of these provisions, certain terms, phrases, words and their derivatives, shall be construed as specified in this section. Where terms are not defined, they shall have their ordinarily accepted meanings, within the context with which they are used. The most current version of *Webster's Third New International Dictionary of the English Language, Unabridged,* shall be considered as providing ordinarily accepted meanings. Words used in the singular include the plural, and the plural the singular. Words used in the masculine gender include the feminine, and the feminine the masculine.

APPROVED, as to materials, equipment, and method of construction, refers to approval by the Building Official, as the result of investigations and tests conducted by the Building Official, or by reason of accepted principles or tests by recognized authorities, technical or scientific organizations.

APPROVED AGENCY is an established and recognized agency regularly engaged in conducting tests or furnishing inspection services, when the agency has been approved by the Building Official.

BUILDING CODE is the International Building Code promulgated by the International Code Council, as adopted by this jurisdiction.

BUILDING OFFICIAL is the officer charged with the administration and enforcement of this code, or a duly authorized representative, and is the authority having jurisdiction for this code.

ELECTRICAL INSPECTOR shall be the person providing expertise for the Building Official in the area of electrical regulations, and is a duly authorized representative and authority having jurisdiction for this code, under the supervision of the Building Official.

CODE ENFORCEMENT AGENCY is the department, division, or agency of this jurisdiction charged with the function of code enforcement and shall be under the administration and operational control of the Building Official.

ELECTRICAL CODE is the National Electrical Code promulgated by the National Fire Protection Association, and further amendments, as adopted by this jurisdiction.

ELECTRICAL WORK is any work related to, or involving the furnishing of labor, equipment, appliances or materials, or the performance of any operation in connection with electrical installations. It includes, but is not limited to, the following:

1. Power and lighting systems, secondary services, distribution panels, lighting panels, conduits, junction boxes, pull boxes, outlets, feeders, sub-feeders, wiring devices, service fittings, lighting fixtures, lamps, etc.

2. All power and control wiring, and any other electrical installations incidental to any equipment furnished by any other contractors, owners, or their agents.

FIREWALL shall be the same as is referenced in the Building Code.

INSTALLATION is any electrical work of any nature performed on, in, or near any premises.

LEGAL ENTITY Legal Entity shall be an electrical business, meeting the requirements for a licensed Master Electrician.

LISTED and LISTING are terms referring to equipment and materials, which are shown in a list published by an approved testing agency, qualified and equipped for experimental testing productions, and which listing states that the material or equipment complies with accepted national standards which are approved, or standards which have been evaluated for conformity with approved standards.

MULTIPLE OCCUPANCY BUILDING is a building having more than one tenant and may be of single or mixed use groups, as classified by the Building Code.

OCCUPANCY is the purpose for which a building, or part thereof, is used or intended to be used.

{Add a new definition as follows:}

On-Site Supervision--Exercise of supervision of electrical work or electrical sign work by a licensed individual other than an electrical apprentice. Continuous supervision of an electrical apprentice is not required, though the on-site supervising licensee shall be on-site at all times when an electrical apprentice is performing electrical work or electrical sign work. The on-site supervising licensee is responsible for review and inspection of the electrical apprentice's work to ensure compliance with any applicable codes or standards.

Conflicting Provisions

104. Where, in any specific case, different sections of this code specify different materials, methods of construction or other requirements, the most restrictive shall govern.

Alternate Materials and Methods of Construction

105. The provisions of this code are not intended to prevent the use of any material or method of construction not specifically prescribed by this code, provided any alternate has been approved and its use authorized by the Building Official.

The Building Official may approve any alternate, provided that the proposed design is satisfactory and complies with the provisions of this code, and that the material, method or work offered is for the purpose intended, and is at least the equivalent of that prescribed in this code in suitability, strength, effectiveness, fire resistance, durability and safety.

The Building Official shall require that sufficient evidence or proof be submitted to substantiate any claims, regarding the use of alternates. The details of an action granting approval of an alternate shall be recorded and entered in the files of the code enforcement agency.

Modifications

106. Whenever there are practical difficulties involved in carrying out the provisions of this code, the Building Official may grant modifications for individual cases, provided that a special individual reason makes the strict letter of this code impractical, and the modification is in conformity with the intent and purpose of this code, and that such modification does not lessen health, life, and fire safety requirements. The detail of actions granting modifications shall be recorded and entered in the files of the code enforcement agency.

Tests

107. Whenever there is insufficient evidence of compliance with any of the provisions of this code or evidence that materials or construction do not conform to the requirements of this code, the Building Official may require tests as evidence of compliance to be made at no expense to this jurisdiction.

Test methods shall be as specified by this code or by other recognized test standards. In the absence of recognized and accepted test methods for the proposed alternate, the Building Official shall determine test procedures.

All tests shall be made by an approved agency. Reports of such tests shall be retained by the Building Official for the period required for the retention of public records.

CHAPTER 2
ORGANIZATION AND ENFORCEMENT

Powers and Duties of Building Official

201. (a) General. The Building Official is hereby authorized and directed to enforce all the provisions of this code. For such purposes, the Building Official shall have the powers of a law enforcement officer.

(b) Deputies. In accordance with prescribed procedures, and with the approval of the appointing authority, the Building Official may appoint electrical inspectors and other related technical officers and inspectors and other employees as shall be authorized from time to time.

The Electrical Inspector shall be a competent person of good moral character; he shall have had at least a minimum of four (4) years experience as a Journeyman Electrician; he shall have adequate knowledge of current and approved methods and practices relating to electrical installations; and he shall have passed the examination for Journeyman Electricians.

The Electrical Inspector shall, when in the performance of their duties, carry a badge to be furnished by the City.

The Electrical Inspector shall not engage in the occupation of electrical wiring, nor have any financial or other interest in any electrical business doing electrical wiring, within the jurisdiction.

(c) Right of Entry. Whenever necessary to make an inspection to enforce the provisions of this code, or whenever the Building Official or an authorized representative has reasonable cause to believe that there exists in a building or upon a premises a condition or code violation which makes such building or premises unsafe, dangerous or hazardous, the Building Official, or an authorized representative, may enter such building or premises at all reasonable times to inspect the same, or to perform any duty imposed upon the Building Official by such codes, provided that if such building or premises be occupied, the Building Official shall first present proper credentials and request entry. If such building or premise is unoccupied, the Building Official or authorized representative, shall first make a reasonable effort to locate the owner or other persons having charge or control of the building or premises and request entry. If entry is refused, the Building Official, or an authorized representative, shall have recourse to every remedy provided by law to secure entry.

When the Building Official, or an authorized representative, shall have first obtained a proper inspection warrant, or other remedy provided by law, to secure entry, an owner or occupant or other persons having charge, care or control of the building or premises, shall not fail or neglect, after proper request is made as herein provided, to promptly permit entry herein by the Building Official, or authorized representative, for the purpose of inspection and examination, pursuant to this code.

(d) Stop Orders. Whenever work is being done contrary to the provisions of this code, the Electric Inspector may order the work stopped, by notice in writing served on persons engaged in doing the work to be done; and such persons shall forthwith stop such work until authorized by the Electrical Inspector to proceed with the work.

(e) Authority to Disconnect Utilities in Emergencies. The Building Official, or authorized representative, shall have the authority to disconnect electric power or energy service supplied to the building, structure, or building service equipment therein regulated by this code in case of emergency where necessary to eliminate an immediate hazard to life or property. The Building Official shall, whenever possible, notify the serving utility, the owner and occupant of the building, structure or electrical system, or

equipment, of the decision to disconnect prior to taking such action, and shall notify the serving utility, owner and occupant of the building, structure or building service equipment, in writing, of the disconnection immediately thereafter.

(f) Authority to Condemn Electrical System and Equipment. Whenever the Electrical Inspector ascertains that an electrical system or equipment regulated in this code has become hazardous to life, health or property, the Electrical Inspector shall order, in writing, that such electrical system or equipment either be removed or restored to a safe condition, whichever is appropriate. The written notice itself shall fix a time limit for compliance with such order. Persons shall not use or maintain defective electrical system or equipment after receiving notice.

When equipment or an installation is to be disconnected, a written notice of such disconnection and causes therefor shall be given, within twenty-four (24) hours of the order to disconnect to the serving utility, the owner and occupants of the building, structure or premises.

When an electrical system or equipment is maintained in violation of this code and in violation of a notice issued pursuant to the provisions of this section, the Electrical Inspector shall institute appropriate action to prevent, restrain, correct, or abate the violation.

(g) Connection after Order to Disconnect. Persons shall not make connections from an energy or power supply, nor supply power to an electrical system or equipment, which has been disconnected or ordered to be disconnected, by the Electrical Inspector, or the use of which has been ordered to be discontinued by the Electrical Inspector, until the Electrical Inspector authorizes the reconnection and use of the electrical system or equipment.

(h) Liability. The Building Official, or an authorized representative charged with the enforcement of this code, acting in good faith and without malice in the discharge of duties, shall not hereby render the Building Official, or authorized representative, personally liable for any damage that may accrue to persons or property as a result of an act or by reason of an act or omission in the discharge of duties. A suit brought against the Building Official or employee because of an act or omission performed by the Building Official in the enforcement of provisions of this code shall be defended by legal counsel provided by this jurisdiction until final termination of such proceedings.

This code shall not be construed to relieve from or lessen the responsibility of a person owning, operating or controlling any building, structure or building service equipment therein, for any damages to persons or property caused by defects, nor shall the code enforcement agency be held as assuming such liability by reason of the inspections authorized by this code or approvals issued under this code.

(i) Cooperation of Other Officials and Officers. The Building Official may request, and shall receive, so far as is required in the discharge of duties, the assistance and cooperation of other officials of this jurisdiction.

Unsafe Electrical Systems or Equipment

202. Electrical systems or equipment regulated by this code which are unsafe, or which constitute a fire hazard, or are otherwise dangerous to human life are, for the purpose of this section, unsafe. Use of electrical systems or equipment regulated by this code constituting a hazard to safety, health, or public welfare by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster, damage, or abandonment is, for the purpose of this section, an unsafe use.

Unsafe electrical systems or equipment are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition or removal, in accordance with the procedures set forth in the Uniform Code for the Abatement of Dangerous Buildings or an alternate procedure as may be adopted by this jurisdiction. As an alternative, the Building Official, or other employee, or Official of this jurisdiction as designated by the governing body, may institute other appropriate action to prevent, restrain, correct, or abate the violation.

Board of Appeals

203. General. The Board of Appeals may hear appeals of any decision of the building official or his/her representatives regarding the electrical, mechanical, plumbing, or swimming pool ordinance. The board does not have the authority to waive code requirements, but may consider alternate materials and methods for the purpose of complying with the provisions of this code. The board shall be as is established in the Municipal Code, Article V, Division 3, Sections 8-391 through 8-407 for the Mechanical, Plumbing, Electrical and Swimming Pool Board of Appeals.

Violations

204. Unlawful Acts. It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use or maintain an electrical system or equipment or cause or permit the same to be done in violation of this code.

204.1 Notice of Violation. The building official, or his/her representative, is authorized to serve a notice of violation or order on the person responsible for an unlawful act. Such order shall direct the discontinuance of the illegal action and the abatement of the violation.

204.2 Prosecution of Violation. If the notice of violation is not complied with promptly, the building official, or his/her representative, is authorized to issue citations, or to request the legal counsel of the jurisdiction to institute the appropriate proceeding

at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful act.

204.3 Violation Penalties. A person who violates a provision of this code or fails to comply with any of the requirements thereof or who performs electrical work in violation of this Code shall be subject to penalties as prescribed by law. Any such violation shall be a Class C misdemeanor and upon conviction thereof, shall be punishable by a fine, not to exceed $500. Each day a violation of any of the provisions of this Code is committed, or each day any such violation continues, shall constitute a separate offense and shall be subject to prosecution as stated above.

CHAPTER 3
PERMITS AND INSPECTIONS

Permits

301. (a) Permits Required. Except as specified in Subsection (b) of this section, no electrical system regulated by this code shall be installed, altered, repaired, replaced or remodeled, unless a separate electrical permit for each building or structure has first been obtained from the Building Official.

(b) Exempt Work. An electrical permit shall not be required for the following:

1. Portable motors or other portable appliances energized by means of a cord or cable having an attachment plug end to be connected to an approved receptacle when that cord or cable is permitted by this code.
2. Repair or replacement of fixed motors, transformers or fixed approved appliances of the same type and rating in the same location.
3. Temporary decorative lighting.
4. Repair or replacement of current-carrying parts of any switch, contactor or control device.
5. Reinstallation of attachment plug receptacles, but not the outlets therefor.
6. Repair or replacement of any overcurrent device of the required capacity, in the same location.

7. Repair or replacement of electrodes or transformers of the same size and capacity for signs or gas tube systems.

8. Taping joints.

9. Removal of electrical wiring.

10. Temporary wiring for experimental purposes in suitable experimental laboratories.

11. The wiring for temporary theater, motion picture or television stage sets.

12. Low-energy power, control and signal circuits of Classes II and III, as defined in this code.

13. A permit shall not be required for the installation, alteration or repair of electrical wiring, apparatus, or equipment or the generation, transmission, distribution or metering of electrical energy or in the operation of signals or the transmission of intelligence by a public or private utility in the exercise of its function as a serving utility and placed upon easements of such company.

14. Reference 90-2 (b) (5). Installations, including associated lighting, under the exclusive control of electric utilities for the purpose of communications, metering, generation, control, transformation, transmission, or distribution of electric energy. Such installations shall be located in buildings used exclusively by utilities for such purposes; outdoors on property owned or leased by the utility; on or along public highways, streets, roads, etc.; or outdoors on private property by established rights such as easements. Utility companies shall provide documentation of easements, prior to commencing work for outdoor lighting. At any time a lighting system is no longer under the control of the utility company, the system shall be modified to meet the National Electrical Code**.** **EXCEPTION**: Single pole guard lights do not require written documentation to be filed with the City of Abilene Building Inspection Department.

15. A permit shall not be required for the installation or repair of electrical wiring, apparatus, or equipment, pertaining to exterior, underground airport lighting and airport signs.

Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in violation of the provisions of this code, or any other law, or ordinances of this jurisdiction.

Permit Information

302. (a) Application. To obtain a permit, the applicant shall first file an application therefor in writing on a form furnished by the code enforcement agency for that purpose. Every such application shall:

1. Identify and describe the work to be covered by the permit for which application is made.

2. Describe the land on which the proposed work is to be done, by legal description, street address or similar description, which will readily identify and definitely locate the proposed building or work.

3. Indicate the use or occupancy for which the proposed work is intended.

4. Be accompanied by plans, diagrams, computations and specifications and other data as required in Subsection (b) of this section.

5. Be signed by permittee, or authorized agent.

6. Give such other data and information as may be required by the Electrical Inspector

(b) Exception: The Electrical Inspector may waive the submission of plans, calculations, etc., if the Electrical Inspector finds that the nature of the work applied for is such that reviewing of plans is not necessary to obtain compliance with this code.

(c) Information on Plans and Specifications. Plans and specifications shall be drawn to scale upon substantial paper or cloth and shall be of sufficient clarity to indicate the location, nature and extent of the work proposed, and show in detail that it will conform to the provisions of this code and all relevant laws, ordinances, rules and regulations.

Plans for buildings more than two stories in height of other than Groups R, Division 3 and U Occupancies shall indicate how required structural and fire-resistive integrity will be maintained where a penetration will be made for electrical and communication conduits, pipes and similar systems.

Permits Issuance

303. (a) Issuance. The application, plans and specifications, and other data, filed by an applicant for permit, shall be reviewed by the Electrical Inspector. Such plans may be reviewed by other departments of this jurisdiction to verify compliance with any applicable laws under their jurisdiction. If the Building Official finds that the work described in an application for a permit and the plans, specifications and other data filed therewith conform to the requirements of this code and other pertinent laws and ordinances, and that the fees specified in Section 304 have been paid, the Electrical Inspector shall issue a permit therefor to the applicant.

When the Building Official issues a permit, the plans and specifications shall be endorsed in writing or stamped "REVIEWED". Such approved plans and specifications shall not be changed, modified or altered without authorizations from the Electrical Inspector, and all work regulated by this code shall be done in accordance with the approved plans.

The Building Official may issue a permit for the construction of part of an electrical system before the entire plans and specifications for the whole system have been submitted or approved, provided adequate information and detailed statements have been filed complying with all pertinent requirements of this code. The holders of such permits shall proceed at their own risk, without assurance that the permit for the entire building, structure or building service will be granted.

(b) Retention of Plans. One set of approved plans, specifications and computations shall be retained by the Building Official until final approval of the work covered therein. One set of approved plans and specifications shall be returned to the applicant and shall be kept on the site of the building or work at all time during which the work authorized thereby is in progress.

(c) Validity of Permit. The issuance of a permit or approval of plans and specifications shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code, or of any other ordinance of the jurisdiction. Permits presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction shall not be valid.

The issuance of a permit based upon plans, specifications and other data shall not prevent the Electrical Inspector from thereafter requiring the correction of errors in said plans, specifications and other data, or from preventing building operations being carried on thereunder when in violation of these codes or any other ordinances of this jurisdiction.

(d) Expiration. Every permit issued by the Building Official under the provisions of this code shall expire by limitation and become null and void, if the building or work authorized by such permit is not commenced within one hundred eighty days (180) days. Before such work can be recommenced, a new permit shall be first obtained to do so, and the fee therefor shall be one half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work; and provided further that such suspension or abandonment has not exceeded one year. In order to renew action on a permit after expiration exceeds one year, the permittee shall pay a new full permit fee.

A permittee holding an unexpired permit may apply for an extension of the time within which work may be commenced under that permit when the permittee is unable to commence work within the time required by this section for good and satisfactory reasons. The Building Official may extend the time for action by the permittee for a period not exceeding one hundred eighty (180) days upon written request by the permittee showing that circumstances beyond the control of the permittee have prevented action from being taken.

(e) Suspension or Revocation. The Electrical Inspector may, in writing, suspend or revoke a permit issued under the provisions of this code whenever the permit is issued in error or on the basis of incorrect information supplied, or in violation of any ordinance or regulation of the jurisdiction.

Fees

304 (a) Permit Fees.
Permit fees shall be set by the City Council by resolution. Appendix A references approved fees at the time of adoption of this code. Fees published in this document are subject to change by Council action.

(b) Investigation Fees: Work Without a Permit.

1. **Investigation.** Whenever any work for which a permit is required by this code has been commenced without first obtaining said permit, a special investigation shall be made before a permit may be issued for such work.

2. **Fee.** An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee that would be required by this code if a permit were to be issued. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of either this code nor from any penalty prescribed by law. Further work performed by the same contractor, without permits, will result in penalty and investigation fee of ten (10) times the amount of the permit fee required by this code, if a permit were to be issued. At the end of twelve (12) months from issuance of the ten (10) times fee, a contractor with no further violations shall be determined to start without previous penalties.

(c) Fee Refunds.

1. The Building Official may authorize the refunding of any fee paid hereunder, which was erroneously paid or collected.

2. The Building Official may authorize the refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.

3. The Building Official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than one hundred eighty (180) days after the date of fee payment.

(d) Permit by Charge Account.

Permits may be obtained by charge account with the following restrictions:

1. The applicant shall make a deposit of $150.00 with the City of Abilene.
2. The deposit is security for the account and shall not be applied to the account of the applicant.
3. Every applicant shall be billed each month for the total balance of his/her account and a written list of permits shall be identified on the invoice.
4. All accounts shall be payable within 10 days after the billing date; any account not paid within 10 days, and upon notice from the Accounting Department to the Building Inspection Department, shall not be eligible for further issuance of permits. Failure to pay said account shall result in the applicant's deposit being forfeited to the City of Abilene. Charging privileges are therefore revoked, and a new deposit along with payment of all bills due to the City of Abilene must be paid before any additional charges are permitted.

Inspections

305. (a) General. All electrical systems and equipment for which a permit is required by this code shall be subject to inspection by the Electrical Inspector, and the electrical system shall remain accessible and exposed for inspection purposes until approved by the Electrical Inspector.

It shall be the duty of the permit applicant to cause the electrical system to remain accessible and exposed for inspection purposes. Neither the Electrical Inspector nor the jurisdiction shall be liable for the expense entailed in the removal or replacement of any material required to allow an inspection. When the installation of an electrical system and equipment is complete, an additional and final inspection shall be made.

Electrical systems and equipment regulated by this code shall not be connected to the energy source until authorized by the Electrical Inspector.

Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel provisions of this code or of other ordinances of the jurisdiction shall not be valid.

(b) Inspection Requests. It shall be the duty of the person doing the work authorized by a permit to notify the Electrical Inspector that such work is ready for inspection. The Electrical Inspector may require that every request for inspection be filed at least one working day before such inspection is desired. Such request may be in writing or by telephone at the option of the Electrical Inspector.

It shall be the duty of the person requesting inspections required by this code to provide access to and means for inspection of such work.

(c) Operation of Electrical Equipment. The requirements of this section shall not be construed to prohibit the operation of any electrical system or equipment installed to replace existing equipment. The request for inspection of such equipment must have been filed with the Electrical Inspector not more than forty eight (48) hours after such replacement work is completed and before any portion of such electrical system is concealed by any permanent portion of the building.

(d) Other Inspections. In addition to the called inspections required by this code, the Electrical Inspector may make or require other inspections of any work to ascertain compliance with the provisions of this code and other laws, which are enforced by the code enforcement agency.

(e) Reinspections. A reinspection fee may be assessed for each inspection or reinspection when such portion of work for which inspection is called is not complete or when corrections called for are not made.

This provision is not to be interpreted as requiring reinspection fees the first time a job is rejected for failure to comply with the requirements of this code, but as controlling the practice of calling for inspections before the job is ready for such inspection or reinspection.

Reinspection fees may be assessed when the approved plans are not readily available to the Inspector, for failure to provide access on the date for which inspection is requested, or for deviating from plans requiring the approval of the Electrical Inspector.

To obtain a reinspection, the applicant shall file an application therefore in writing, or by phone, and pay the reinspection fee in accordance with the fees adopted by the City Council.

In instances where reinspection fees have been assessed, no additional inspection of the work will be performed until the required fees have been paid.

Connection Approval

306 (a) Energy Connections. An electrical system or equipment regulated by this code for which a permit is required shall not be connected to a source of energy until approved by the Electrical Inspector.

(b) Temporary Connections. The Electrical Inspector may authorize the temporary connection of an electrical system or equipment to the source of energy or power for the purpose of testing equipment or for use under a temporary certificate of occupancy. Permits for temporary service shall be issued to the electrical contractor, and shall be limited to ninety (90) days. The owner, or legal representative of the owner, shall acknowledge temporary service restrictions in writing on the building permit application, or must file an Affidavit for temporary service utility release, with the office of the Electrical Inspector, prior to the electrical contractor requesting a temporary service permit and inspection.

CHAPTER 4
LICENSE REQUIREMENTS

License

401. **(a) Electrical License Required.** All persons who engage in or work at the actual installation, alteration, repair, renovation and/or maintenance of all electrical wiring systems and the appurtenances, apparatus, or equipment used in connection with the use of electrical energy in, on, outside, or attached to a building, residence, structure, property, or premises shall possess the appropriate license in accordance with the State of Texas Electrical Safety and Licensing Act, Title 8, Occupations Code, Chapter 1305.

(b) Homestead Exemption. A homeowner performing electrical work in accordance with Section 1305.003 (6) Exemptions shall additionally comply with the following:

1. The owner shall file with the Electrical Inspector approved plans and specifications, shall satisfy the Electrical Inspector as to his ability to install electrical wiring, shall apply for and secure a permit, shall pay the required fees, shall do work in accordance with this chapter and shall request the required inspections and obtain a certificate of approval.

2. Installation by an owner under this subsection shall be by himself, for himself on his homestead premises.

3. No homeowner shall be issued a permit under the provisions of this subsection more frequently than once each two (2) calendar years.

{Add a new article as follows:}
401.1 On-site Supervision of Apprentices. Apprentices shall not perform work unless they are under on-site supervision as defined in Article 80, Section 103 of this code.

402. Bond Requirements. Any person desiring to engage in the business of an electrical contractor, shall first file with the Building Official of the city, a surety bond in the penal sum of five thousand dollars ($5,000.00) to be approved by the City Manager, payable to the City of Abilene, and conditioned on a faithful performance of all of the provisions and regulations of the electrical code, this chapter, and all other ordinances of the city, and the surety on such bond shall be a company authorized to transact business in the state.

403. Contractor's registration required. All contractors shall first file with the code official of the City of Abilene, as a registered contractor, as per Section 8-161 of the Municipal Code, Article IV, Licenses.

404. Insurance Requirements. Any person desiring to engage in the business of an electrical contractor, shall first file with the Building Official of the City, a certificate of insurance providing for commercial general liability insurance, with a coverage amount of not less than $300,000.00 for all claims arising in any one year.

The following provisions are amendments to the 2014 National Electric Code:

CHAPTER 1
GENERAL

ARTICLE 110
Requirements for Electrical Installations

110.5 Conductors. ***{Amend to add two new sub- articles as follows:}***

110.5 (A) Conductors. The use of aluminum conductors is prohibited except where specifically addressed in the following articles as amended by this pamphlet:
225.6 (C), 230.23 (B), 230.31 (B), 310.10.

Exception : Aluminum conductors installed in accordance with Article 225.6 (A) 1 and 2.

110.5 (B) Prohibited Location.
The use of aluminum conductors inside or under a structure is prohibited.

Exception : Aluminum service conductors installed in accordance with Article 230.23 (B) and 230.31 (B) as amended by this pamphlet.

CHAPTER 2
WIRING AND PROTECTION

ARTICLE 210
Branch Circuits

210.11 Branch Circuits Required.
(C) Dwelling Units.
(1) Small-Appliance Branch Circuits. ***{Add the following.}***

(a) The small appliance circuits, as called for in the National Electrical Code, shall contain no more than six (6) outlets per circuit; provided further, the circuit conductor shall not be smaller than number 12 AWG. Loads shall be balanced.

ARTICLE 220
Branch-Circuit, Feeder, and Service Calculations

220.14 Other Loads – All Occupancies
(J) Dwelling Occupancies
{Add the following.}
(4) General purpose circuits for residential wiring shall contain no more than six (6) outlets per circuit.
Exception: Where central heat and air are existing, or are being added, this may be increased to no more than ten (10) outlets per circuit on a fifteen (15) amp breaker, or fourteen (14) outlets per circuit on a twenty (20) amp breaker.

ARTICLE 225
Outside Branch Circuit and Feeders

225.6 Conductor Size and Support. ***(Amend to add a new sub-article as follows:)***
(C) Aluminum Underground Conductors. For 1000 volts, nominal, or less, aluminum conductors installed underground shall not be smaller than 6 AWG aluminum.

ARTICLE 230
Services

230.23 (B) Minimum Size. ***{Amend to read as follows:}***
The conductors shall not be smaller than 8 AWG copper or three ought (3/0) aluminum or copper-clad aluminum.

230.28 (A) Strength. ***{Add the following sentence at the end of paragraph.}***
The riser shall be a minimum of two (2) inch rigid steel conduit or IMC.

230.31 (B) Minimum Size. ***{Amend to read as follows:}***
The conductors shall not be smaller than 8 AWG copper or three ought (3/0) aluminum or copper-clad aluminum.

CHAPTER 3
WIRING METHODS

ARTICLE 310
II. Installation

310.10 Uses Permitted. ***{Amend to add a new exception as follows:}***
Exception: The use of aluminum conductors is prohibited except where specifically addressed in the following articles as amended by this pamphlet:
225.6 (C), 230.23 (B), 230.31 (B), 310.10.

310.15 (B) Tables. ***{Amend to add a new paragraph as follows:}***
The use of aluminum conductors is prohibited except where specifically addressed in the following articles as amended by this pamphlet:
225.6 (C), 230.23 (B), 230.31 (B), 310.10.

ARTICLE 334
Nonmetallic-Sheathed Cable:
Types NM, NMC, and NMS

334.12 (A) Uses Not Permitted. ***{Add the following.}***

11. In other than residential structures, as defined in the City of Abilene Building Code, that are less than 5,000 square feet that are not constructed of convention wood frame construction.
12. In other than residential structures, as defined in the City of Abilene Building Code, 5,000 square feet or greater or when a addition to an existing structure increases the total building to 5,000 square feet or greater.
13. In other than residential structures, as defined in the City of Abilene Building Code, with a wiring system greater than 250 volts to ground and/or greater than a 400 Amp Service.

APPENDIX A

CITY OF ABILENE
ELECTRICAL PERMIT FEES

Minimum Permit Fee	50.00
Reinspection Fee	75.00
Electrical Device	.30
Lighting Fixture (includes opening)	.55
Fixed or Stationary Appliances	5.00
Exhaust or Ventilation Fan (fractional motor)	2.00
Gas Pump/Dispenser	5.00
Electric Welder	2.00
Motors Fractional up to 3 HP	1.50
Motors Fractional 3 to 5 HP	3.00
Motors Above 5 HP	5.00
Condenser Units/Chillers 3 Ton or less	5.00
Condenser Units/Chillers 3 to 5 Ton	6.00
Condenser Units/Chillers greater that 5 Ton	7.00
Lighted Signs - Pole Mounted	20.00
Lighted Signs - Exterior Building Mounted	5.00
Lighted Signs - Interior	2.50
Electric Heat per kw	.50
Buss Duct per foot	.50
Multi Outlet Assembly - First Circuit	1.00
Multi Outlet Assembly - Additional Circuit	.50
Temporary Power Pole	30.00
Temporary Service	30.00
New Service (per meter)	25.00
Service (Move, Change, Alter)	25.00
Generator	15.00
Elevators, Dumbwaiters	10.00
Area Lighting Poles up to 10' (less fixtures)	2.00
Area Lighting Poles above 10' (less fixtures	4.00
Residential Permit - New or additions per sq.ft.	.04
Unfinished living space per sq.ft.	.03

OTHER INSPECTIONS AND FEES

Inspections outside of normal business hours (Minimum Charge-two hours)	200.00
Special Request Inspections (Minimum Charge-one hour)	100.00
Board of Building Standards and Mechanical, Plumbing, Electrical, and Swimming Pool Board of Appeals request for hearing for alternate methods and materials	100.00
Contractor's Registration (annually, due by December 31 of each year)	65.00
Contractor's Registration Initial Set-up Fee	50.00
Stop Work Order Release Fee	125.00

Significant Code Changes of the 2014 National Electrical Code And the City of Abilene Local Amendments

Local Amendments – Administrative Provisions

- Chapters One, Two, Three and Four are unchanged from the 2011 code with the exception of the following:
  - **Definitions 103**. **General**. Change: changed to "The most current version of" in lieu of identifying an actual date of the Webster's dictionary.
  - **On-Site Supervision**: added "on-site supervising licensee shall be on-site at all times when an electrical apprentice is performing electrical work or electrical sign work".
  - **Permits 301. (c)** Removed: because this information is located in 401 (b). It did not need to be located in two different areas of the pamphlet.
  - **401. (b)** Was given a title of "**Homestead Exemption**", it did not previously have a title.
  - **401.1** New article added which coincides with the new definition of On-Site Supervision.

2014 National Electrical Code – Local Amendments (Pamphlet)

- The local amendments are the same as in the 2011 NEC with minor editorial changes to match changes to the article numbers in the 2014 NEC with the exception of the following:
  - **110.5 (B)** Prohibited Locations. Added: provisions from 215.1 (A) relocated here to better clarify the prohibition of installing aluminum conductors under a structure with no change to the existing provision.

  - **210.11(C) (1) (a)** Changed: The word "twelve" AWG was changed to the number "12" AWG to be consistent with the NEC format.
  - **215.1 (A)** Deleted**: provisions of this amendment were moved to 110.5 (B) therefore this amendment was no longer needed.**
  - **225.6 (C)** Added: "Aluminum" was added to the title. Changed: from 600 to 1000 volts to coincide with the 2014 NEC changes. Removed: "8 AWG copper" since the intent for the section was for aluminum only.
  - **230.28 (A)** Changed: the title from "Service Masts as Supports" to "Strength" to match the 2014 NEC title change.
  - **Removed** "**Appendix A**". This was initially put in the pamphlet in 2002 because the Energy Code was new and was inserted in order for learning purposes. The IECC has been used now for 13 years and is not needed in the pamphlet.

2014 National Electrical Code – As produced by the National Fire Protection Agency

- Numerous changes throughout the code raising the 600 volt threshold to 1000 volts. Previous versions of the NEC limited the maximum voltage of systems and equipment to 600 volts.
- All Ground Fault Circuit Interrupters (GFCI) receptacles are now required to be "readily accessible" (they cannot be installed behind equipment, under cabinets or behind access panels or doors).
- Article 100 – New definition of "readily accessible" now requires access to electrical service equipment and devices without requiring the use of tools. This is in addition to the existing requirements for ready access.
- Article 210.8(A)(7) – now requires all 125-volt, single-phase, 15 and 20 ampere receptacles within 6ft. of the outside edge of a dwelling unit sink to be GFCI protected.
- Article 210.8(A)(9) – now requires all 125-volt, single-phase, 15 and 20 ampere receptacles within 6ft. of the outside edge of a dwelling unit bathtub or shower stall be GFCI protected.
- Article 210.8(A)(10) – now requires all 125-volt, single-phase, 15 and 20 ampere receptacles installed within a dwelling unit laundry area be GFCI protected whether a sink is installed or not.
- Article 210.8(B)(8) – now requires all 125-volt, single-phase, 15 and 20 ampere receptacles installed in all non-dwelling unit garages, service bays and similar areas (other than vehicle exhibition halls and showrooms) to be GFCI protected.
- Article 210.8(D) – now requires all 125-volt, single-phase, 15 and 20 ampere receptacles supplying a dishwasher installed in dwelling units to be GFCI protected.
- Article 210.12 – the new provision requires all AFCI devices mandated by 210.12 to be installed in a "readily accessible" location.
- Article 210.12(A) – kitchen and laundry areas were added to the list of areas requiring AFCI protection, and AFCI protection was also expanded from outlets <u>only</u>, to include <u>all</u> electrical devices.
- Article 210.12(C) – now requires all 125-volt, single-phase, 15 and 20 ampere receptacles installed within dormitory unit bedrooms, living rooms, hallways, closets and similar rooms to be GFCI protected.
- Article 210.17 – requires outlets installed for the purpose of charging electric vehicles to be supplied by a separate branch circuit with no other outlets.
- Article 210.52(G)(1) – requires the branch circuit supplying receptacles in a garage to only serve the garage. Also, at least one receptacle must be provided for each car space.
- Article 250.21(C) – underground systems are now required to be legibly marked identifying the hazard and operating voltage of the system.
- Article 310.15(B)(7) – Table 310.15(B)(7) has been deleted and replaced with provisions which require calculations to determine dwelling service and feeder sizes.

- Article 314.25 – requires screws for attaching covers or other equipment to boxes be machine screws matching the thread gauge and size of the thread that is integral to the box or shall be in accordance with the manufacturer's instructions. Drywall screws or other non-appropriate fasteners are prohibited.
- Article 406.5(E) – change expands prohibition of installing receptacles in a face-up position to all occupancies, not just dwelling units. Listed receptacle assemblies for countertop applications have been recognized for this application as well.
- Article 406.9(B)(1) – Extra duty covers are now required on all 15 and 20 ampere, 125 and 250 volt receptacles installed in wet locations. This includes dwelling unit wet location receptacles as well.
- Article 406.12 – exceptions for tamper-resistant receptacles at dwelling units has been expanded to guest rooms and guest suites of hotels and motels, and to child care facilities.
- Article 410.10(F) – luminaires are no longer allowed to be installed within 1½ inches of the lowest metal deck surface. This is to lessen the potential for roofing and decking fasteners damaging the luminaire or its wiring.
- Article 422.5 – GFCI devices providing protection to appliances are required to be installed in "readily accessible" locations.
- Article 422.23 – GFCI protection is now required for all tire inflation and automotive vacuum machines provided for public use.
- Article 422.51 – GFCI protection has been expanded to hard-wired vending machines as well as to cord and plug connected vending machines.
- Article 424.66 (A) and (B) – new provisions require access be provided for service and maintenance of electrical enclosures for resistance heating element type duct heaters which are mounted on a duct system. When installed above a ceiling the enclosure shall be accessible through a lay in ceiling or access panel.

City of Abilene Electrical Code
2014 National Electrical Code

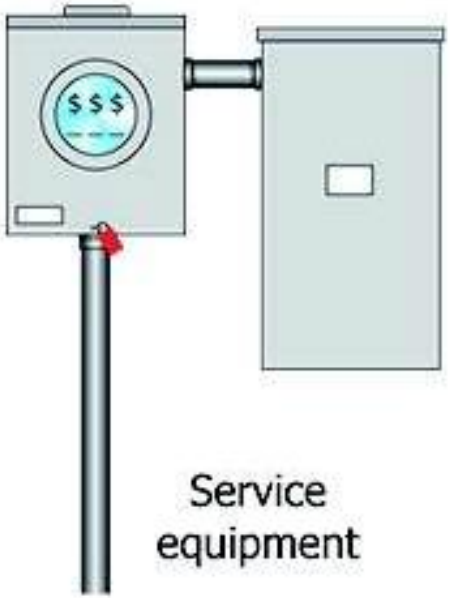
Code-Wide Changes

- 120 proposals submitted to raise the 600 volt threshold to 1000 volts
- Resulted in numerous changes throughout the *NEC*
- Proposals were submitted by the High Voltage Task Group (HVTG)

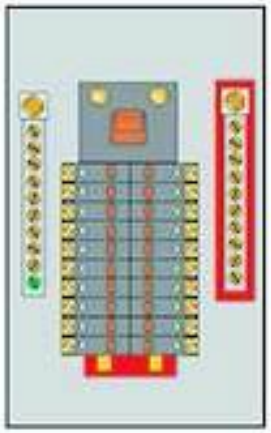
Numerous changes throughout the *NEC* from the 600 volts threshold to 1000 volts

Article 100 Definitions: Readily Accessible

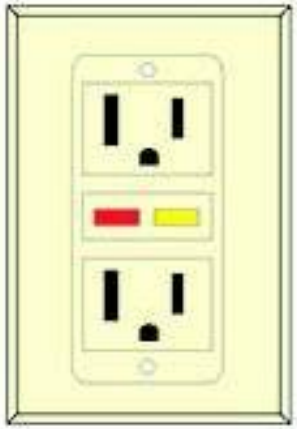
Accessible, Readily (Readily Accessible). Capable of being reached quickly for operation, renewal, or inspections without requiring those to whom ready access is requisite to actions such as to use tools, to climb over or remove obstacles, or to resort to portable ladders, and so forth.



Service equipment



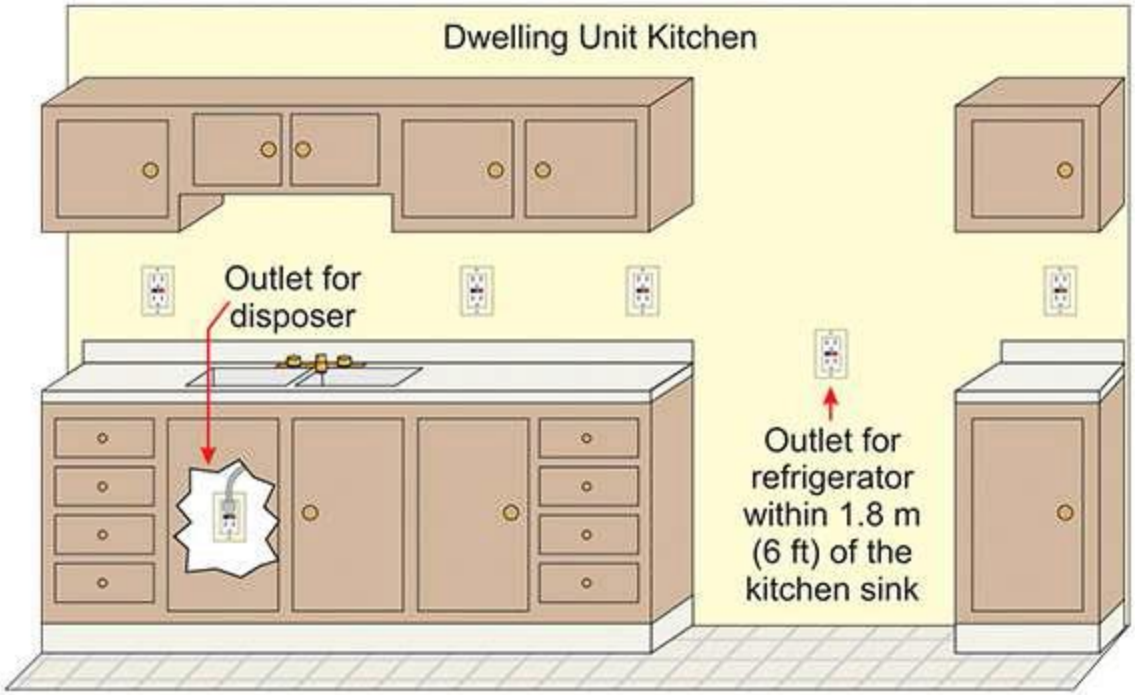
Overcurrent devices



GFCI devices

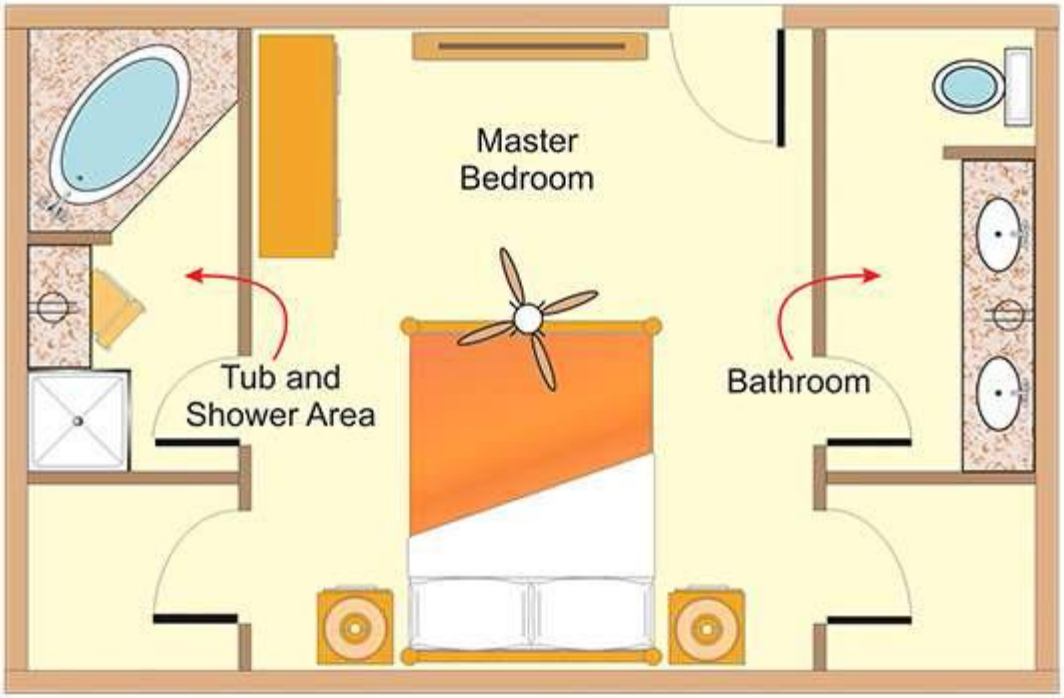
AFCI devices

210.8(A)(7) GFCI - Dwelling Unit Sinks



All 125-volt, single-phase, 15- and 20-ampere receptacles installed within 1.8 m (6 ft) of the outside edge of any dwelling unit sink now require GFCI protection.

210.8(A)(9) GFCI: Bathtubs or Shower Stalls



All 125-volt, single-phase, 15- and 20-ampere receptacles installed within 1.8 m (6 ft) of the outside edge of a dwelling unit bathtub or shower stall requires GFCI protection

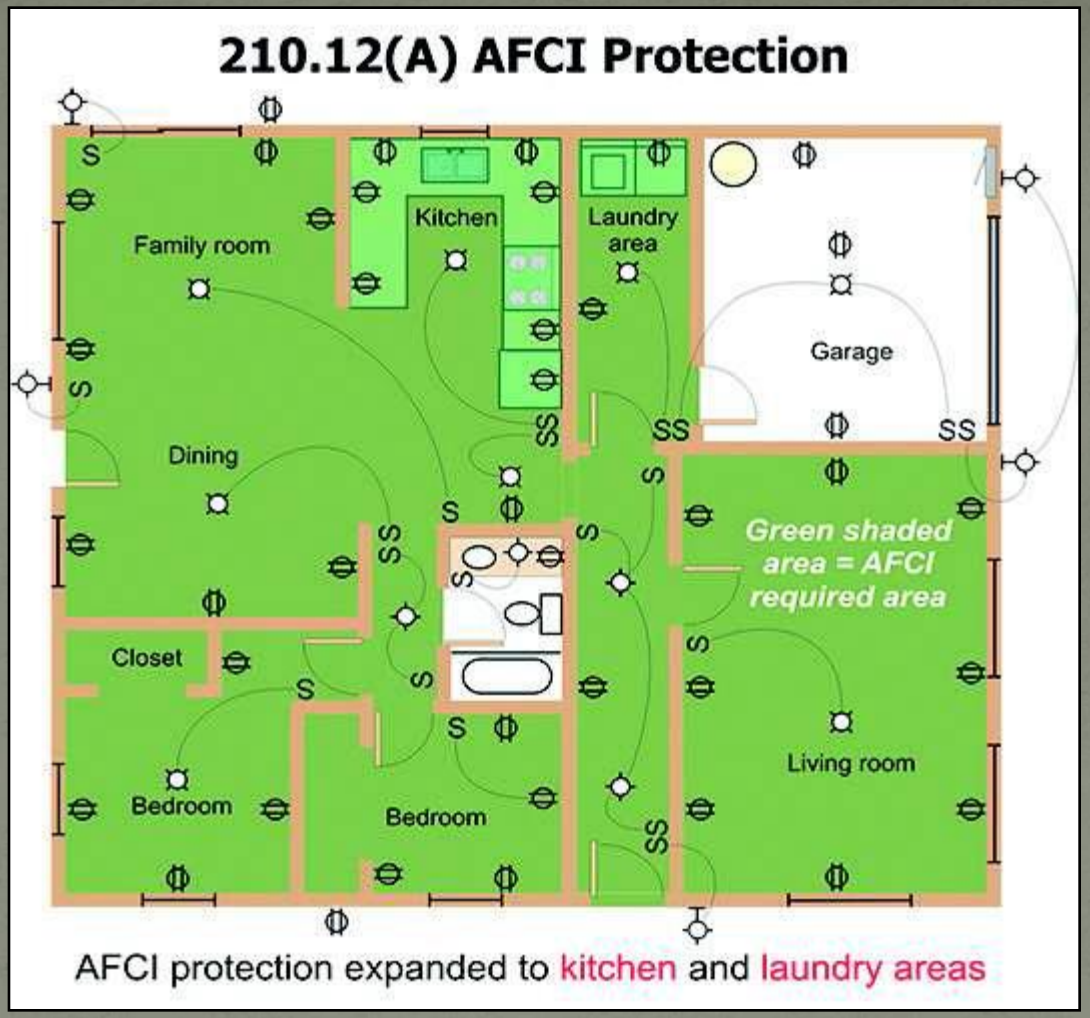
Now requires all 125-volt, single-phase, 15 and 20 ampere receptacles installed within a dwelling unit laundry area be GFCI protected whether a sink is installed or not.

Now requires all 125-volt, single-phase, 15 and 20 ampere receptacles installed in all non-dwelling unit garages, service bays and similar areas (other than vehicle exhibition halls and showrooms) to be GFCI protected.

Now requires all 125-volt, single-phase, 15 and 20 ampere receptacles supplying a dishwasher installed in dwelling units to be GFCI protected.

210.12 Arc-Fault Circuit-Interrupters

AFCI devices are required to be installed in a readily accessible location.

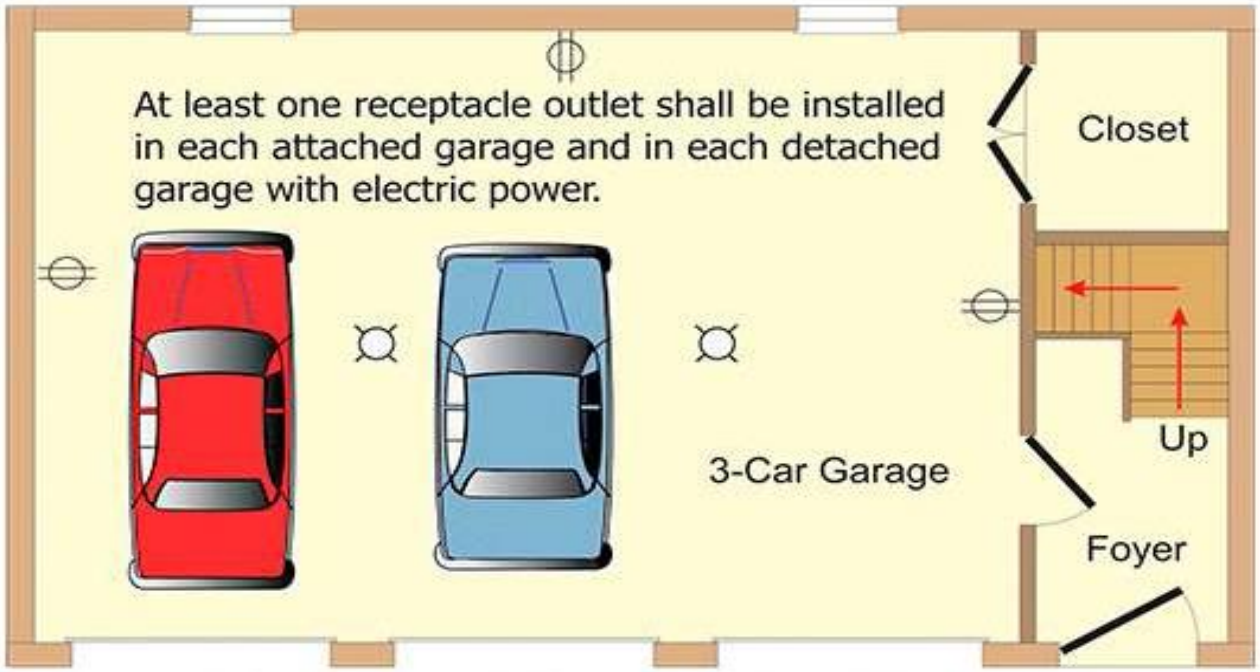


Kitchen and laundry areas were added to the list of areas requiring AFCI protection, and AFCI protection was also expanded from outlets <u>only</u>, to include <u>all</u> electrical devices.

Now requires all 125-volt, single-phase, 15 and 20 ampere receptacles installed within dormitory unit bedrooms, living rooms, hallways, closets and similar rooms to be GFCI protected.

Requires outlets installed for the purpose of charging electric vehicles to be supplied by a separate branch circuit with no other outlets.

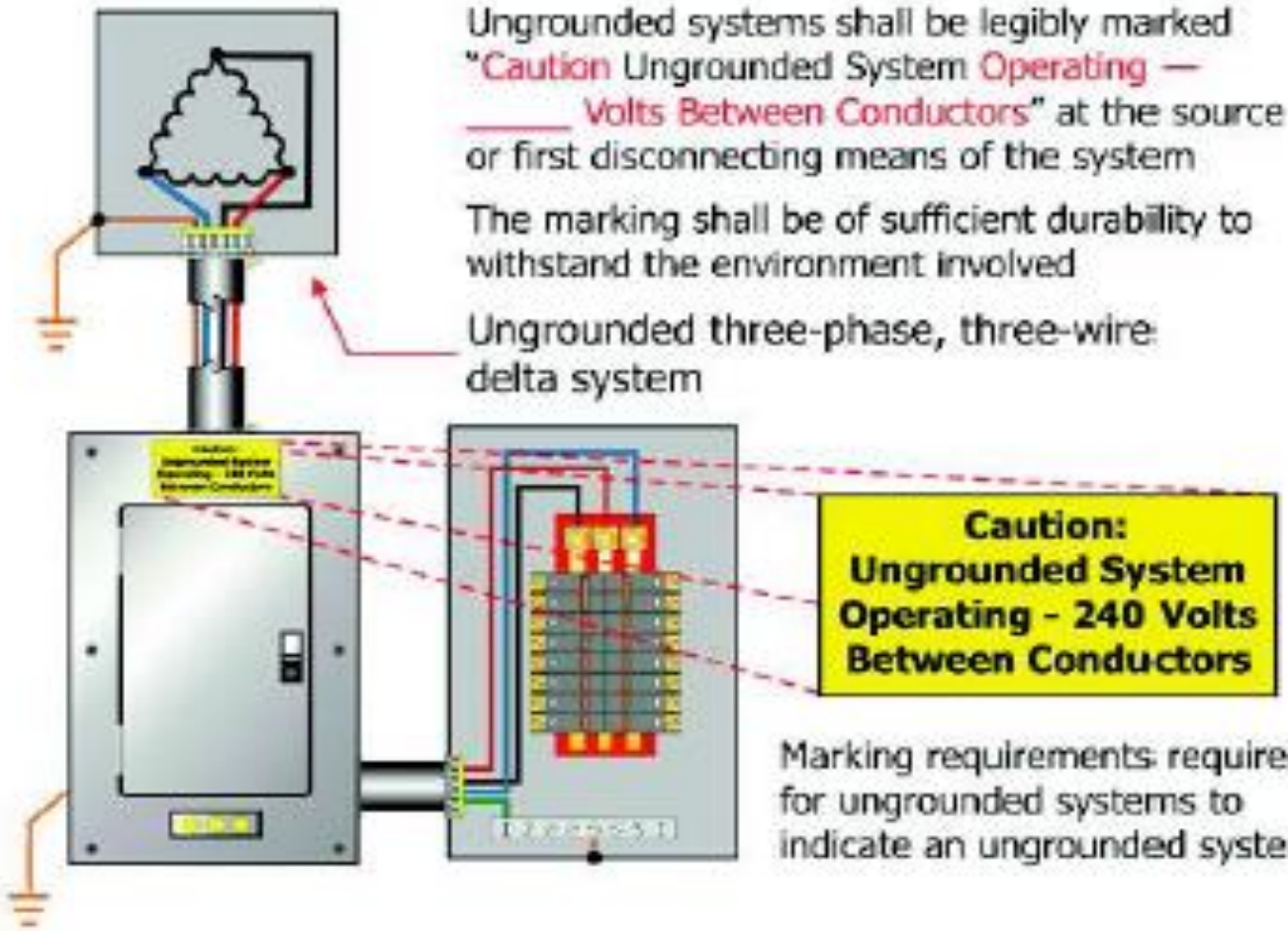
210.52(G)(1) Dwelling Unit Garages



The branch circuit supplying this receptacle(s) shall not supply outlets outside of the garage.

At least one receptacle outlet shall be installed for each car space.

250.21(C) Marking - Ungrounded Systems



Ungrounded systems shall be legibly marked "Caution Ungrounded System Operating — _____ Volts Between Conductors" at the source or first disconnecting means of the system

The marking shall be of sufficient durability to withstand the environment involved

Ungrounded three-phase, three-wire delta system

Marking requirements required for ungrounded systems to indicate an ungrounded system

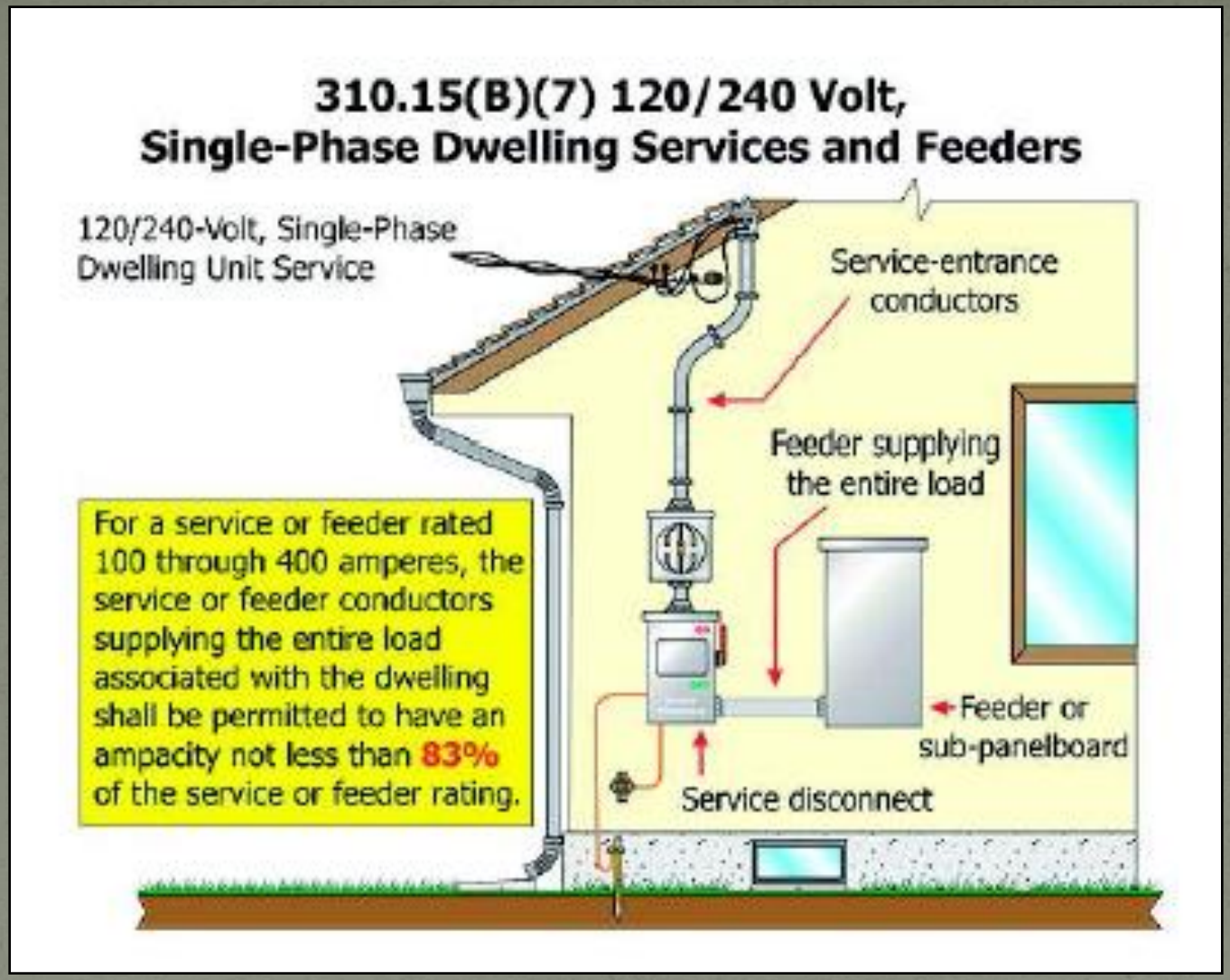
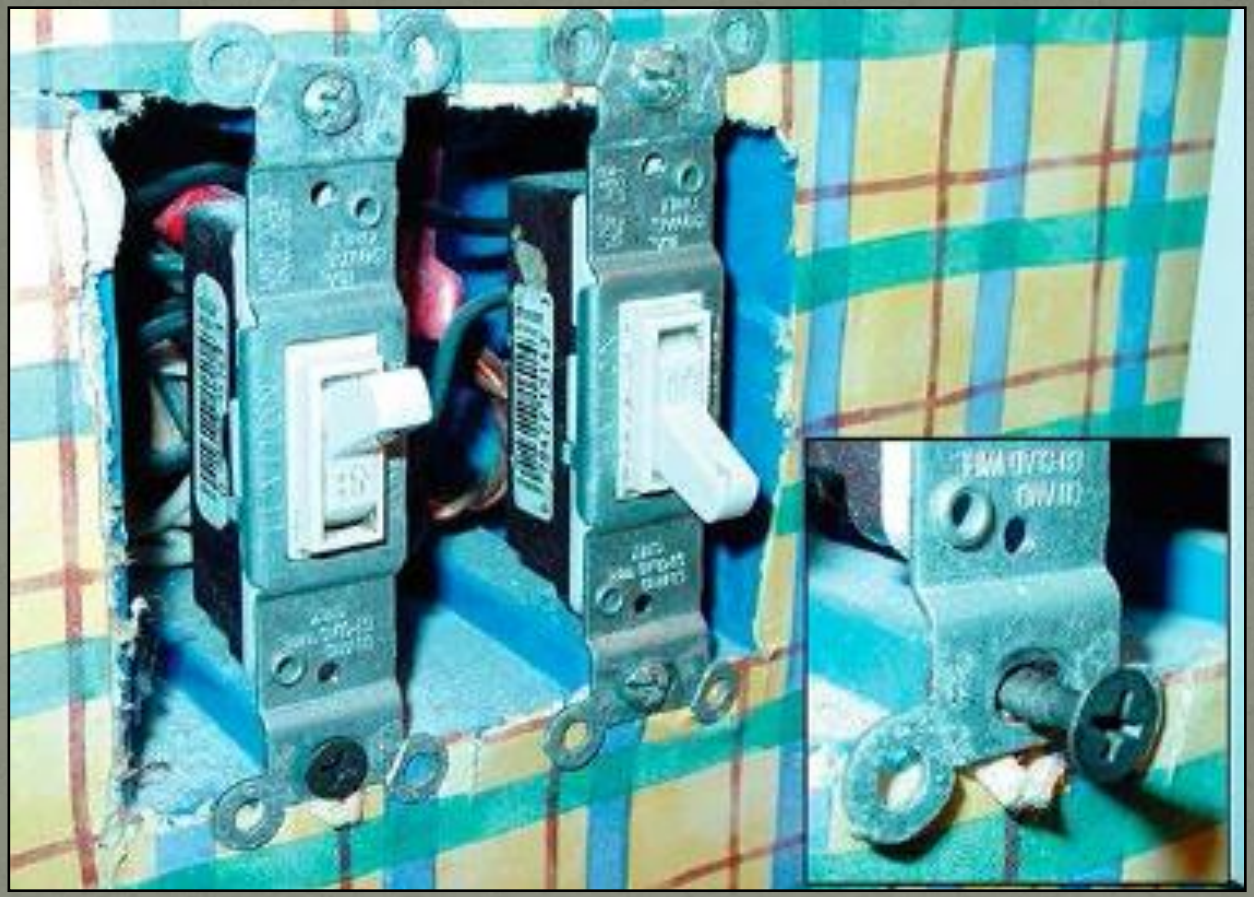


Table 310.15(B)(7) has been deleted and replaced with provisions which require calculations to determine dwelling service and feeder sizes.



Requires screws for attaching covers or other equipment to boxes be machine screws matching the thread gauge and size of the thread that is integral to the box or shall be in accordance with the manufacturer's instructions. Drywall screws or other non-appropriate fasteners are prohibited.

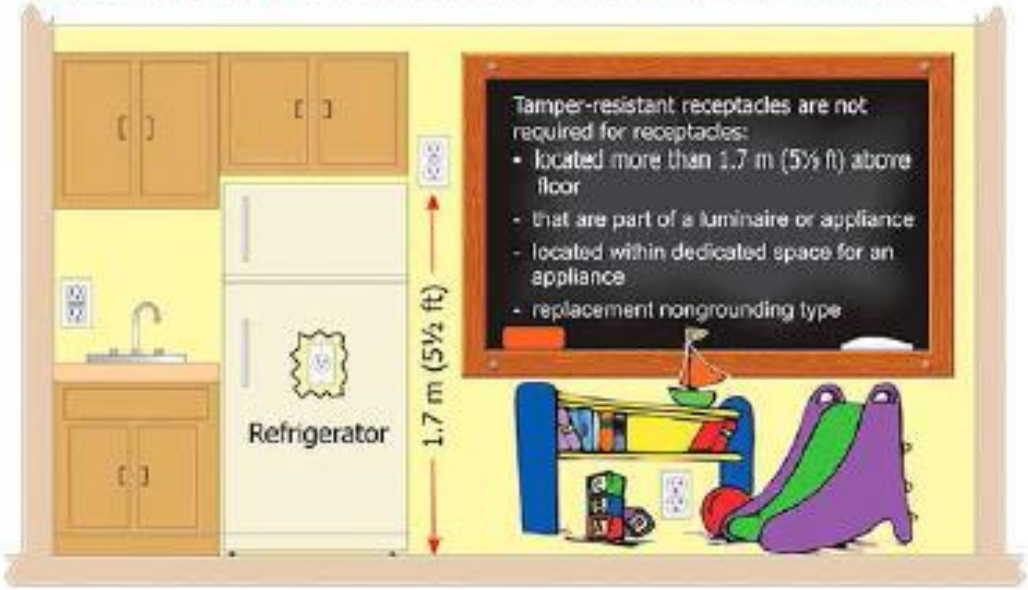
406.5(E) Receptacles in Countertops and Similar Work Surfaces ~~in Dwelling Units~~

Restriction to prohibit receptacles from being installed in the face-up position is expanded to all occupancies *(not just dwelling units)*

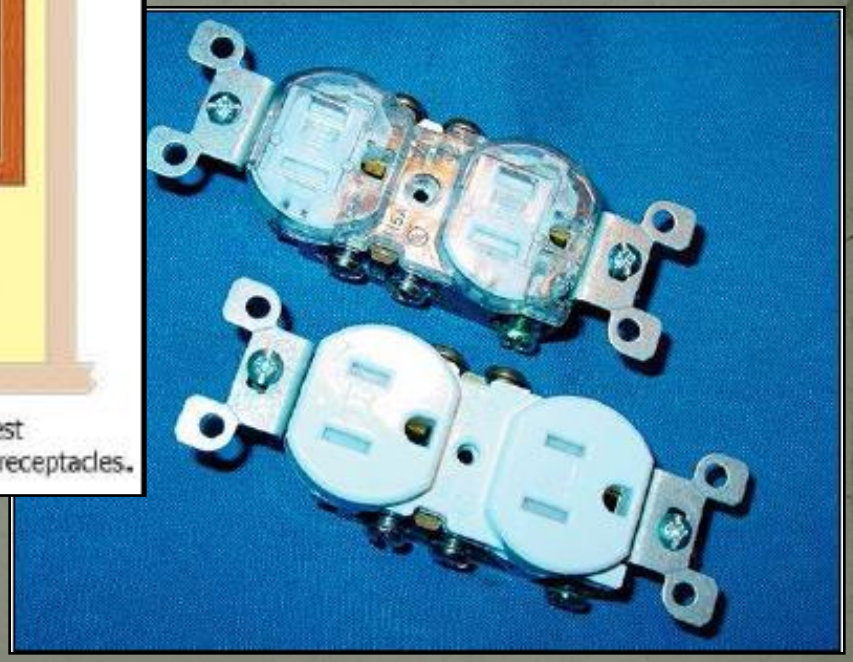
Extra duty covers are now required on all 15 and 20 ampere, 125 and 250 volt receptacles installed in wet locations. This includes dwelling unit wet location receptacles as well.

406.12 Tamper-Resistant Receptacles

Exception for tamper-resistant receptacles at dwelling units has been expanded to guest rooms and guest suites of hotels and motels and child care facilities.



All nonlocking type 125-volt, 15- and 20-ampere receptacles in hotel/motel guest rooms/suites and child care facilities are required to be listed tamper-resistant receptacles.



Luminaires are no longer allowed to be installed within 1½ inches of the lowest metal deck surface. This is to lessen the potential for roofing and decking fasteners damaging the luminaire or its wiring.

422.5 GFCI Protection (Appliances)

GFCI devices providing protection to appliances in Article 422 are required to be installed in readily accessible locations.

Drinking fountains

Vending machines

High-pressure spray washers

Tire inflation/auto vac machines

422.23 Tire Inflation and Auto Vacuum Machines

GFCI protection is now required for all tire inflation and automotive vacuum machines provided for public use.

422.51 Vending Machines

GFCI protection has been expanded to hard-wired vending machines as well as cord-and-plug-connected vending machines.

Vending machines not utilizing a cord-and-plug connection are required to be connected to a GFCI-protected circuit.

New provisions require access be provided for service and maintenance of electrical enclosures for resistance heating element type duct heaters which are mounted on a duct system. When installed above a ceiling the enclosure shall be accessible through a lay in ceiling or access panel.

City of Abilene Electrical Code
2014 National Electrical Code

City Council
Agenda Memo

City Council Meeting Date: 1/28/2016

TO: **Robert Hanna, City Manager**

FROM: **Mike Rains, Director of Finance**

SUBJECT: **Remove from the table - Oral Resolution: Adopting a Fleet Replacement Policy for the City. *(Rains)***

GENERAL INFORMATION

The purpose of a fleet replacement program is to provide exceptional service at the best possible price to the end recipient, the citizen. Reliable vehicles and equipment in good working order are essential to maintain streets, keep utilities in proper working order, ensure public safety officers are on the streets, and in performing countless other activities that ensure public services of all sorts are available to citizens in a timely and professional manner. These replacement guidelines will be used to ensure the citizens receive the best value for their tax dollars.

SPECIAL CONSIDERATIONS

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

Staff recommends approval of the policy.

BOARD OR COMMISSION RECOMMENDATION

ATTACHMENTS:

Description	Type
Fleet Replacement Policy	Cover Memo
Other City Comparison	Cover Memo

PURPOSE

The purpose of a fleet replacement program is to provide exceptional service at the best possible price to the end recipient, the citizen. Reliable vehicles and equipment in good working order are essential to maintain streets, keep utilities in proper working order, ensure public safety officers are on the streets, and to perform countless other activities that ensure public services of all sorts are available to citizens in a timely and professional manner. These replacement guidelines will be used to ensure the citizens receive the best value for their tax dollars.

POLICY AND PROCEDURE

The City shall exercise sound, conservative principles and other recognized best practices when recommending replacement of any and all fleet vehicles across the organization.

A. Equipment and Vehicle Procurement
   1. The City shall procure equipment and vehicles in the most productive and cost-effective way including exploring the purchase of used equipment and/or leasing of infrequently needed equipment.
   2. The purchase of used equipment and vehicles will be considered on procurements that are infrequently used.
   3. The leasing of equipment shall be considered when a vehicle or piece of equipment is needed until purchases of other equipment are received, the vehicle or piece of equipment is infrequently used, and the total cost of the lease is financially prudent.

B. Equipment and Vehicle Replacement
   1. Except in the case of police patrol vehicles, age/mileage alone shall not be a determining factor in the replacement of equipment or a vehicle. The City considers the totality of the vehicle (age, mileage, maintenance costs, parts availability, and total ownership cost to date) when replacing vehicles and equipment.
   2. The replacement criteria shall serve as guidelines to assist in the recommendation process. All known issues and mechanical defects of the vehicle are taken into consideration when making a recommendation. The timing of delivery of the equipment or vehicle from the manufacturer and the implementation into the City fleet are also considered. In most cases the replacement will be made using the attached fleet replacement criteria schedule, however, on occasion replacement may be made utilizing subjective criteria such as excessive maintenance or repair costs or availability of funds for replacement.

FLEET REPLACEMENT CRITERIA SCHEDULE

The City considers the totality of the vehicle (age, mileage, maintenance costs, parts availability and total ownership cost to date) when replacing vehicles and equipment.

Category	Estimated Useful Life in Years	Miles and/or Hours
Sedans (incl. Police and Fire Pursuit Sedans) Patrol SUV's and Animal Control Pickups Pickups & Utility Trucks (all sizes) Vans Minivans, SUV's, and Crossover SUV's	10	125,000 mi.
Police Motorcycles	10	60,000 mi.
Stake Trucks Heavy Trucks (>12,500 lbs. GVWR) not elsewhere categorized Dump Trucks, Single Axle	12	125,000 mi.
Dump Trucks, Tandem Axle	12	150,000 mi.
Frontloader Refuse Trucks	5	115,000 mi./10,000 hr.
Sideloader Refuse Trucks	7	100,000 mi./8,000 hr.
Rearloader Refuse Trucks	12	100,000 mi./12,000 hr.
Rolloff Trucks	12	200,000 mi.
Sewer (Flushing) Trucks	10	100,000 mi.
Bucket Trucks	15	120,000 mi.
Water Trucks, Trailers, Sand Spreaders	20	N/A
Street Sweepers	10	50,000 mi.
Haul Trucks	30	250,000 mi.
Knuckle Boom Trucks	12	100,000 mi./10,000 hr.
Small Riding Equipment Small Tractors Outfront Mowers	15	1,800 hr.
Motorgraders Tracked Equipment Backhoes Wheel Loaders	15	8,000 hr.
Other Heavy Equipment, 2 ton & above Tractor Mowers Trenchers Scrapers Medium & Major Compaction Equipment	15	5,000 hr.
Forklifts	30	7,500 hr.
ATV's (All-Terrain Vehicles)	10	5,000 hr.

Category	Estimated Useful Life in Years	Miles and/or Hours
CityLink Buses		
Heavy Duty Large Bus (33-40,000 GVW)	12	500,000 mi.
Heavy Duty Small Bus (26-33,000 GVW)	10	350,000 mi.
Medium Duty Bus (16-26,000 GVW)	7	200,000 mi.
Light Duty Mid-Sized Bus (10-16,000 GVW)	5	150,000 mi.
Light Duty Small Bus (6-14,000 GVW)	4	100,000 mi.
Fire Emergency Vehicles	15 years frontline service followed by 5 years reserve service	N/A
Fire Engine		
Fire Ladder Truck		
Airport Fire & Rescue Truck (ARFF)		

FLEET REPLACEMENT POLICY

Vehicle Type:→	Light-Duty Vehicles	Police Patrol Units	Heavy Trucks	Construction/Off Road Equipment
Entity: ↓				
City of Denton	10 yr./100,000 mi.	5-7 yr./100-130,000 mi.	5-10 yr./100-150,000 mi.; some 5-6,000 hr.	5-15 yr./3-10,000 hr.
City of Odessa	5 yr.	8 yr. Police (take home vehicles)	5 yr.	5 yr.
City of Lubbock	5 yr.	5 yr.	5 yr.	10 yr.
City of San Angelo	10 yr./100,000 mi.	10 yr./100,000 mi. (80% take home)	10 yr./100,000 mi.	10 yr.
City of Grand Prairie	6 yr./120,000 mi.	3 yr./120,000 mi.,-Any yr./150,000 mi.	10 yr./150,000 mi.	6-10 yr./5-6,000 hr.
City of Carrollton	10 yr./100,000 mi.	2½ yr./100,000 mi. (shared)	10-12 yr./100-150,000 mi.; some 5-9,000 hr.	3-12 yr./750-12,000 hr.
City of Coppell	10 yr./100,000 mi.	3 yr. (shared)	12 yr./100,000 mi.	5-15 yr./3,500 hr.
City of Killeen	6-15 yr./63-100,000 mi.	8-9 yr./85-120,000 mi.	9-20 yr./63-300,000 mi.	Did not provide data.
City of Waco	15 Point Rating System	15 Point Rating System	15 Point Rating System	15 Point Rating System
City of Wichita Falls	No formal policy	No formal policy	No formal policy	No formal policy
City of Midland	Did not provide data	Did not provide data	Did not provide data	Did not provide data
TxDOT	9-10 yr./100-130,000 mi.	N/A	10-17 yr./130-250,000 mi.	9-17 yr./2200-9000 hr.
General Services Administration (GSA)	3-7 yr./36-150,000 mi.	N/A	12 yr./100-250,000 mi.	N/A
North American Fleet Management Association	5-8 yr./ 95-120,000 mi.	5 yr./95,000 mi.	10-12 yr./70-150,000 mi.	10-12 yr./5-7,000 hr.
Abilene	5-10 yr./125,000 mi.	4-5 yr./125,000 mi. (shared)	5-12 yr./150,000 mi.	10-20 yr. 3,500-10,000 hr.

City Council
Agenda Memo

City Council Meeting Date: 1/28/2016

TO: **Mayor Archibald and City Council**

FROM: **Danette Dunlap, TMRC City Secretary**

SUBJECT: **Resolution: Appointing members to various Boards and Commissions per City Charter. *(Dunlap)***

GENERAL INFORMATION

SPECIAL CONSIDERATIONS

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

BOARD OR COMMISSION RECOMMENDATION

ATTACHMENTS:

Description	Type
Resolution	Resolution Letter
Resolution Exhibit	Backup Material

RESOLUTION NO._____-2016

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPOINTING MEMBERS TO VARIOUS BOARDS AND COMMISSIONS AS REQUIRED BY THE CHARTER OF THE CITY OF ABILENE AND STATUES OF THE STATE OF TEXAS

WHEREAS, the Charter of the City of Abilene and the Statutes of the State of Texas require that certain Boards and Commissions be established with a portion of the memberships thereof to be filled by appointment each year; and

WHEREAS, the City Council is of the opinion that the following members should be appointed to the designated Boards and Commissions, and has requested the Mayor to appoint same with the approval of the Council.

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

PART 1: That the list of Members is attached hereto as Exhibit A, shall be in all things, approved.

PART 2: That this resolution shall take effect immediately from and after its passage.

PASSED this 28th day of January, A.D. 2016.

ATTEST:

_____
Danette Dunlap, TRMC
City Secretary

_____
Norm Archibald
Mayor

APPROVED:

_____
Stanley Smith
Interim City Attorney

RESOLUTION NO. _____-2016

EXHIBIT "A"

Abilene Housing Authority

Member

- Vanessa Faz (Reappointment) Nov. 2017