CITY OF SAN ANGELO TEXAS
Development Corporation

Agenda
4/24/2019

Notice is hereby given of a regular meeting of the City of San Angelo Development Corporation (COSADC) to be held on April 24, 2019 at 8:30 AM at the McNease Convention Center – South Meeting Room, 501 Rio Concho Drive, San Angelo, Texas, for the purpose of considering the following agenda items.

1. **Call to Order**
2. **Prayer**
3. **Public Comment**

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

4. **Consent Agenda**
   a. Consider approving the March 27, 2019 meeting minutes
   b. Consider Approving the necessary Corporation Disbursements
   c. Consider a resolution authorizing the Board President to negotiate and execute a Business Resource Center Office Lease Agreement with James T. Hill, d/b/a JT Hill & Co.
5. **Regular Agenda**
   a. Consider approving the March 2019 financial statements (Presentation by Tina Dierschke, Director of Finance)
   b. Public Hearing regarding the use of sales and use tax funds in an amount not to exceed $200,000 to provide an Economic Development Incentive to SMC-Global for a project related to Business Enterprises that create or retain primary jobs, as authorized for a Type B Corporation under Local Government Code Chapter 504 Subchapter C. (Presentation by Shannon Scott, Business, Retention & Expansion Coordinator & Michael Looney, Vice President of Economic Development)
   c. Public Hearing regarding the use of sales and use tax funds in an amount not to exceed $50,000 to provide an Economic Development Incentive to Ener-Tel Services for a project related to Business Enterprises that create or retain primary jobs, as authorized for a Type B Corporation under Local Government Code Chapter 504 Subchapter C. (Presentation by Shannon Scott, Business, Retention & Expansion Coordinator)

d. Consider a resolution authorizing the Board President or his designee to negotiate and execute a Memorandum of Understanding with the City of San Angelo relating to infrastructure improvements necessary for platting a 153.007 +/- acre portion of the subdivision of Phase II of the San Angelo Business & Industrial Park encompassing a future allocation of up to four million dollars. (Presentation by Robert Schneeman, Economic Development Project Manager)

e. Presentation of the Chamber of Commerce 2nd Quarter Report, January - March 2019 (Presentation made by Michael Looney, Vice President of Economic Development)

6. Closed Session

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

a. Section 551.072 to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person

   A vacant tract of land being 180 +/- acres out of J C Matthews Abstract 8071, Survey 0178, and being a portion of Property identified as Tax ID #61-08071-0711-000-00

b. Section 551.087 to deliberate regarding commercial or financial information that the Board is receiving from business prospects with whom economic development negotiations are being conducted, and discuss financial or other incentives relating to the following projects:

   Project 2019-S28
   Project 2019-DB68
   Project 2019-J32
   Project Chem 1
   Project Chem 2

7. Follow Up and Administrative Issues

a. Announcements and consideration of Future Agenda Items

8. Adjournment

CERTIFICATION

I hereby certify that the above notice of meeting was posted on the bulletin board at the City Hall of the City of San Angelo, Texas,

_____

Guy Andrews, Economic Development Director

All agenda items are subject to action. All contracts/agreements may be subject to further negotiation prior to execution. The Board reserves the right to consider business out of posted order and/or meet in a closed session on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code. In compliance with the Americans with Disabilities Act, the City of San Angelo Development Corporation will provide for reasonable accommodations for persons attending board meetings. To better serve you, requests should be received 48 hours prior to the meetings. Please contact the Economic Development Office at 325-653-7197. COSADC meetings are broadcast on Channel 17-Government Access at 8:00 A.M. on every Wednesday on the Wednesday after each meeting.

Report to Board

CITY OF SAN ANGELO TEXAS
Development Corporation

Requestor: Robert Schneeman, Economic Development Coordinator, COSADC, 325.653.7197

Meeting Date: April 24, 2019

Item type: Consent Item

Caption:

Consider approving the March 27, 2019 meeting minutes

Summary/History:

Financial Impact:

Other Information/Recommendation:

Attachments:

1. COSADC Meeting Minutes 03-27-2019 COSADC Meeting Minutes 03-27-2019.doc

Presentation:

Approvals/Reviews:

Robert Schneeman	Created/Initiated
Dan Saluri	Approved
Nolan Sosa	Approved
Tina Dierschke	Approved
Guy Andrews	Final Approval

City of San Angelo, Texas
Development Corporation Meeting
Wednesday, March 27, 2019

Todd Kolls, President
Dr. David Cummings, 2nd Vice President
Edward Carrasco, Director
Max Puello, Director
Garland Freeze, Director

1. Call to Order

With a quorum of the City of San Angelo Development Corporation Board Members present, President Todd Kolls called the regular session of the City of San Angelo Development Corporation meeting to order at 8:32 a.m., on Wednesday, March 27, 2019 in the San Angelo McNease Convention Center, 501 Rio Concho Drive, San Angelo, TX 76903

2. Prayer

An invocation was provided by President Kolls

3. Public Comment

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

No public comment

4. Consent Agenda

a. Consider approving the February 27, 2019 meeting Minutes

b. Consider approving the necessary Corporation Disbursements

c. Consider approving the February 2019 Financial Statements

Director Carrasco made a motion, seconded by Director Puello to approve the consent agenda as presented. The motion carried unanimously four (4) ayes to zero (0) nays.

5. Regular Agenda

a. Consider a resolution of COSADC Board of Directors authorizing the use of sales and use tax funds in an amount not to exceed $50,000 to provide an Economic Development Incentive to Ener-Tel Service, Inc. for a project related to Business Enterprises that create or retain primary jobs, as authorized for a Type B Corporation under Local Government Code Chapter 501 Subchapter C, and authorizing the Director of Economic Development to prepare an economic

development performance agreement with ENER-TEL SERVICES, INC. in compliance with the Development Corporation Act in a form approved by the City Attorney's Office; authorizing the COSADC Board President to execute said agreement and related documents; and recommending to City Council ratification of the incentive and approval of the economic development performance agreement (Presentation made by Shannon Scott, Business, Retention & Expansion Coordinator)

Director Carrasco recused himself from this item. [Due to a lack of quorum item will be presented later in the meeting.]

b. Consider a resolution of COSADC Board of Directors authorizing the use of sales and use tax funds in an amount not to exceed $200,000 to provide an Economic Development Incentive to Special Materials Company for a project related to Business Enterprises that create or retain primary jobs, as authorized for a Type B Corporation under Local Government Code Chapter 501 Subchapter C, and authorizing the Director of Economic Development to prepare an economic development performance agreement with SPECIAL MATERIALS COMPANY in compliance with the Development Corporation Act in a form approved by the City Attorney's Office; authorizing the COSADC Board President to execute said agreement and related documents; and recommending to City Council ratification of the incentive and approval of the economic development performance agreement (Presentation made by Shannon Scott, Business, Retention & Expansion Coordinator & Michael Looney, Vice President of Economic Development)

Motion: Director Puello made a motion, seconded by Director Carrasco to approve there solution as presented. The motion carried unanimously four (4) ayes to zero (0) nays.

c. Consider a resolution authorizing the use of Sales and Use Tax funds in an amount not to exceed $3,750,000 over a five year period, for infrastructure improvements to the Chadbourne Street Pedestrian Corridor, a project authorized under Chapter 505 of the Texas Local Government Code for Type B Development Corporation; and, authorizing the Board President to enter into a Memorandum of Understanding with the City of San Angelo establishing terms of the project grant agreement (Presentation made by Robert Schneeman, Economic Development Project Manager)

Motion: Director Carrasco made a motion, seconded by Director Puello to approve the resolution as presented. The motion carried unanimously four (4) ayes to zero (0) nays.

President Kolls requested this project be presented as an update at a future meeting

d. Public Hearing regarding the use of sales and use tax funds in an amount not to exceed $3,750,000 over a five year period, for infrastructure improvements to the Chadbourne Street Pedestrian Corridor, a project authorized under Chapter 505 of the Texas Local Government Code for Type B Development Corporation (Presentation by Robert Schneeman, Economic Development Project Manager)

No action taken on this item

e. Consider appointing a COSADC board representative to the I-14 Gulf Coast Strategic Highway Coalition board of Directors (Presentation made by Guy Andrews, Director of Economic Development)

Motion: Director Carrasco made a motion to appoint Guy Andrews as the representative, seconded by Director Puello to approve there solution as presented. The motion carried unanimously four (4) ayes to zero (0) nays.

f. Consider a resolution establishing a Highway Corridor Transportation Committee in support of the integration of San Angelo, the Concho Valley and West Texas into national and international highway systems and appointing committee members (Presentation made by Guy Andrews, Director of Economic Development)

Motion: Director Puello made a motion, seconded by Director Carrasco to approve there solution as presented. The motion carried unanimously four (4) ayes to zero (0) nays.

g. Consider a resolution supporting the Designation of an Extension of Interstate 27 as a Future Interstate in Texas (Presentation made by Guy Andrews)

Motion: Director Carrasco made a motion, seconded by Director Freeze to approve there solution as presented. The motion carried unanimously four (4) ayes to zero (0) nays.

6. Closed Session

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

a. Section 551.087 to deliberate regarding commercial or financial information that the Board is receiving from business prospects with whom economic development negotiations are being conducted, and discuss financial or other incentives relating to the following projects:

At 9:11 a.m., the Board convened in Executive Session under the provision of Government Code, Title 5. Open Government; Ethics, Subtitle A. Open Government, Chapter 551. Open Meeting, Subchapter D. Exceptions to Requirement that Meetings be Open under the following sections:

Project 2019-J32
Project 2019-T35
Project 2019-S28

Second Vice President Dr. Cummings arrived at 9:25 a.m.

Project 2019-DB68
Project Cam 1
Project Cam 2
Project Reno
SMC Global Exp 3

No action was taken

b. Section 551.071(2) consult with attorney when the governmental body seeks the advice of its attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter, regarding:

Economic Development Administration Grant Agreement

Item was resolved prior to meeting. No discussion required.

c. Section 551.072 to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person

Contract for sale of land

No action was taken

7. Follow Up and Administrative Issues

a. Announcements and consideration of Future Agenda Items

Motion: Second Vice President Dr. Cummings made a motion, seconded by Director Puello to approve item 5a as presented. The motion carried unanimously four (4) ayes to zero (0) nays.

8. Adjournment

At 10:00 a.m. Director Puello made a motion, seconded by Director Carrasco to adjourn the meeting. The motion carried unanimously five (5) ayes to zero (0) nays.

THE CITY OF SAN ANGELO

_____
Corporation President

ATTEST:

_____
Corporation Secretary

In accordance with Chapter 2, Article 2.300, of the Official Code of the City of San Angelo, the minutes of this meeting consist of the preceding Minute Record and the Supplement Minute Record. Details on Board meetings may be obtained from the City Clerk's Office. (Portions of the video recording may be distorted due to equipment malfunction or other uncontrollable factors.)

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Report to Board

CITY OF SAN ANGELO TEXAS
Development Corporation

Requestor: Robert Schneeman, Economic Development Coordinator, COSADC, 325.653.7197

Meeting Date: April 24, 2019

Item type: Consent Item

Caption:

Consider Approving the necessary Corporation Disbursements

Summary/History:

Financial Impact:

Other Information/Recommendation:

Attachments:

1. Disbursement 04-24-2019 — Disbursement 04-24-2019.pdf

Presentation:

Approvals/Reviews:

Robert Schneeman	Created/Initiated
Dan Saluri	Approved
Nolan Sosa	Approved
Tina Dierschke	Approved
Dan Saluri	Approved
Guy Andrews	Final Approval

City of San Angelo Development Corporation
Check Disbursements
For Board Approval March 27, 2019

Economic Development

Principal LED	$	100,000.00	2019 Capital Invest. Exp.	*Ck. 4552*
Tom Green County		64,423.64	DEAA Grant for GFAB Training Mission Proj	*Ck. 4551*
Netco		4,500.00	Perf. Agreement - Incentive for Job Creation for 2018	*Ck. 4532*
CalTech Software Systems, Inc.		20,000.00	Perf. Agreement - Incentives for Job Creation, 2018	*Ck. 4538*
PK Kelley Insurance		4,367.00	Directors & Officers Liability Renewal Insurance	*Ck. 4545*
Parkhill Smith & Cooper		4,227.83	Prof Serv Indust Park - Phase II (Inv. 01940617.00-15)	*Ck. 4541*
Shea Transportation		22,390.00	Rail Project Consulting (Inv. 1)	*Ck. 4544*
COSA		4,236.97	2nd Qtr Reimburse H T E (Elec. = $1,358.04; Office supplies = $365.28; Comm. = $527.52; Cell Phone = $600.00; Travel & Lodging = $1,344.55; Prof. Dues = $15.00; & Postage =$26.58)	*Ck. 4549*
Dell Marketing LP		1,473.77	Purchase desktop and laptop (Inv. 10307303939)	*Ck. 4543*
Total for Board Consideration	**$**	**225,619.21**		
MC Electric	$	877.25	Replace bulbs & ballast at BRC (Inv. 508)	*Ck. 4553*
Standard Times		799.50	Legal notice advertising (No. 2253416 & 2260403)	*Ck. 4561*
Dirt Doc, LLC		725.00	General cleaning (Inv. 3713)	*Ck. 4557*
Chamber of Commerce		600.00	Purchase addtl table for Annual Banquet (Inv 84746)	*Ck. 4535*
J&R Silva			Tree service and landscaping (01/12-03/02)	
Rock Your World		448.31	Business Plan FY 18-1st Place (Inv. 1029)	*Ck. 4546*
West Office Technology		350.00	IT Services for Business Factory (Inv. F10658)	*Ck. 4560*
Chamber of Commerce		250.00	Attend March 2019 Luncheon (Inv. 85535)	
Automatic Fire Protection, Inc.		250.00	Annual Fire Sprinkler Inspec and backflow test (Inv. 29371)	
Clare's Heating and Air Conditioning		241.79	Replace air filters at BRC (Inv 4818)	*Ck. 4558*
		225.78	Water Utility Serv @ BRC & Industrial Park	*Ck. 4556*
Staples		186.67	Office supplies order (Inv. 3409352846)	*Ck. 4554*
Decoty Coffee Company		168.18	2018 Tax Rebate	*Ck. 4547*
COSA Utilitity Billing		133.69	Water & sewer utilities at BRC (Serv date 02/27/2019 - 04/01/2019 $116.44) stormwater fee (Serv dates 02/27/2019 - 03/28/2019 $17.25)	
Protection1		124.94	Burglar & Fire alarm monitor at BRC & fix control panel (Inv. 127923915)	*Ck. 4539*
CTWP		109.07	Overage charge for copier (Inv. 1046129)	*Ck. 4537*
Atmos Energy		91.58	Gas Utilities at BRC (Serv date 03/07 - 04/05)	*Ck. 4555*
COSA - Info Technology		86.94	Internet Web Serv. (Inv. 51543)	*Ck. 4550*
MDK Services		59.00	Quarterly Pest Control at BRC (Inv. 1435)	*Ck. 4559*
Angelo Water Service		41.75	Water deliver at BRC (Delivery dates 04/01 - 04/30)	*Ck. 4533*
Fastsigns		40.26	Name tag for new board member (Inv. 613-9610)	*Ck. 4562*
Angelo Awards		11.85	New name plate (Inv. 5500)	*Ck. 4534*
Total Routine Disbursements	**$**	**5,821.56**		
Total Economic Development Disbursements	**$**	**231,440.77**		

Ballot

First Title Co	$	44,003.90	Sell of 604 W. 19th	*Ck. 1508*
PK Kelley Insurance Agency		4,512.00	Directors & Officers Liability Renewal Insurance	*CK. 1509*
COSA		1,135.00	West Texas Water Partnership - March 2019 (Inv. 85)	
Total for Board Consideration	**$**	**49,650.90**		
Total Routine Disbursements	**$**	**-**		
Total Ballot Disbursements	**$**	**49,650.90**		
Grand Total Disbursements this Period	**$**	**281,091.67**		

Report to Board

CITY OF SAN ANGELO TEXAS
Development Corporation

Requestor: Nora Nevarez, Executive Office Coordinator, COSADC, 325-653-7197

Meeting Date: April 24, 2019

Item type: Consent Item

Caption:

Consider a resolution authorizing the Board President to negotiate and execute a Business Resource Center Office Lease Agreement with James T. Hill, d/b/a JT Hill & Co.

Summary/History:

Financial Impact:

Other Information/Recommendation:

Attachments:

1.	19-0097_COSADC_BRC_HILL_OFC_LSE_RESO	19-0097_COSADC_BRC_HILL_OFC_LSE_RESO.docx
2.	19-0097_COSADC_BRC_HILL_OFC_LSE_FINAL	19-0097_COSADC_BRC_HILL_OFC_LSE_FINAL.docx

Presentation:

Approvals/Reviews:

Nora Nevarez	Created/Initiated
Nolan Sosa	Approved
Tina Dierschke	Approved
Dan Saluri	Approved
Guy Andrews	Final Approval

A RESOLUTION OF THE CITY OF SAN ANGELO DEVELOPMENT CORPORATION, AUTHORIZING THE BOARD PRESIDENT TO NEGOTIATE AND EXECUTE A BUSINESS RESOURCE CENTER OFFICE LEASE AGREEMENT WITH JAMES T. HILL, d/b/a JT HILL & CO.

WHEREAS**,** the City of San Angelo Development Corporation (COSADC) has vacant administrative office space in the BRC; and,

WHEREAS, James T. Hill, d/b/a JT Hill & Co. would like to lease a portion of such vacant space, the lease of which is beneficial to the corporation;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF SAN ANGELO DEVELOPMENT CORPORATION THAT:

The Board authorizes the Board President to negotiate and execute an Office Lease Agreement for a portion of the vacant administrative office space in the Business Resource Center for rent and under terms and conditions and substantially in the form of the attached Business Resource Center Office Lease Agreement.

ADOPTED on this the 24th day of April, 2019.

CITY OF SAN ANGELO DEVELOPMENT CORPORATION

ATTEST:

BY: _____
Todd Kolls, President

BY: _____
Nora Nevarez, Corporation Secretary

RATIFIED by City Council this 7th day of May, 2019.

_____
Brenda Gunter, Mayor

ATTEST:

_____
Julia Antilley, Interim City Clerk

APPROVED FOR CONTENT

_____
Glen Andrews, Director of Economic Development

APPROVED AS TO FORM

_____
Dan T. Saluri, Deputy City Attorney

City of San Angelo Development Corporation

Business Resource Center

Office Lease Agreement

Basic Terms

Effective Date: May 1, 2019

Landlord: CITY OF SAN ANGELO DEVELOPMENT CORPORATION, a Texas municipal development corporation

Landlord's Address: 69 N. Chadbourne St., San Angelo, Tom Green County, Texas 76903

Tenant: JASON T. HILL d/b/a JT HILL & CO.

Tenant's Address: 69 N. Chadbourne Street, San Angelo, Texas 76903

Phone: (512) 806-1060

Email: jason@jthill.com.

Leased Premises: Office suite number 120, located on the first floor of the Business Resource Center, 69 N. Chadbourne St., San Angelo Texas, being approximately 137 square feet, as depicted in the diagram of first floor of the BRC, attached hereto as **Exhibit "A"** ("Leased Premises").

Term: One (1) year, commencing on the **Effective Date** and automatically extending for up to one (1) additional one year term, unless earlier terminated as herein provided.

Termination Date: May 1, 2020, subject to one extension of term for an additional year, Terminating on April 30, 2021

Permitted Use: Tenant shall use the Leased Premises for the limited purpose of professional business office and related uses.

Zoning: The Permitted Use shall be subject to use restrictions in the designated zoning district for the Leased Premises. At commencement of the Lease Term the designated zoning district for the Leased Premises is "Central Business District" (CBD).

Initial Payment: Initial Rent Payment due and payable on execution of this Lease, is the sum of Seven Hundred Ninety-Two and 15/100 Dollars ($792.15), which includes: (a) Five Hundred Twenty-Eight and 10/100 Dollars ($528.10) one time Security Deposit; and, (b) first month's rent of Two Hundred Sixty-Four and 05/100 Dollars ($264.05). The deposit is refundable within 30 days of termination or expiration of the lease, net of amounts credited to reimburse landlord for reasonable expenses

necessary to restore the Leased Premises to their condition at commencement of the lease, normal wear and tear excepted.

Monthly Rent: Except as provided herein for the Initial Payment, monthly Rent shall be in the sum of Two Hundred Sixty-Four and 05/100 Dollars ($264.05), payable in advance on or before the 1st day of each month during the term of this Lease. Payments due under this Lease shall be made to the Landlord at 69 N. Chadbourne St., San Angelo, Texas 76903.

Clauses and Covenants

A. Tenant agrees to—

1. Lease the Premises on an annual term with rent payable in advance in equal monthly installments.

2. Comply with all applicable laws, ordinances, rules and regulations relating to Tenant's occupancy, use and maintenance of the Leased Premises.

3. Pay when due the Initial Rent Payment, regular Rent payments and any other payment obligation of Tenant under the terms of this Lease.

4. Pay to Landlord a late charge ten percent of the rent due plus interest accrued on the balance past due at the lower of ten percent (10%) per annum or the maximum rate allowed by law. Acceptance by Landlord of late rent, charges or interest shall not be construed as a waiver of the right of Landlord to terminate this Lease at its option as authorized herein.

5. Pay all taxes on Tenant's property located on the Leased Premises.

6. Use the Leased Premises for the Permitted Use only and uses incidental thereto in compliance with applicable law.

7. Tenant shall return the Leased Premises to Landlord in the same condition as when received, reasonable wear and tear excepted.

8. TENANT AGREES TO INDEMNIFY DEFEND, AND HOLD HARMLESS, LANDLORD, ITS BOARD MEMBERS, OFFICERS, AGENTS AND EMPLOYEES, FROM ANY AND ALL CLAIMS, FAULT, LIABILITIES, DEMANDS, SUITS, CAUSES OF ACTION, PROCEEDINGS OF ANY KIND AND JUDGMENTS FOR PERSONAL INJURY AND/OR PROPERTY LOSS OR DAMAGE, PLUS REASONABLE ATTORNEYS' FEES AND COST OF DEFENSE, WHICH THE INDEMNIFIED PARTIES MAY INCUR ARISING DIRECTLY OR INDIRECTLY OUT OF THE SOLE OR JOINT NEGLIGENCE, ERROR, OMISSION, OR INTENTIONAL ACTS OF TENANT IN THE EXERCISE BY TENANT OF THE PRIVILEGES CONFERRED UNDER THIS LEASE.

THIS INDEMNIFICATION, DEFEND AND HOLD HARMLESS AGREEMENT SHALL SURVIVE THE TERM OF THIS AGREEMENT AS LONG AS ANY LIABILITY COULD BE ASSERTED. NOTHING HEREIN SHALL REQUIRE THE INDEMNIFYING PARTY TO INDEMNIFY, DEFEND OR HOLD HARMLESS ANY INDEMNIFIED PARTY FOR THE INDEMNIFIED PARTY'S OWN GROSS NEGLIGENCE OR WILLFUL MISCONDUCT.

9. Maintain Insurance as follows:

a. Tenant shall, at all times during the term hereof, maintain such insurance coverage as may be required by CITY and approved by the City of San Angelo Risk Manager of the types and in the amounts specified in **Exhibit "B"** attached hereto, which by this reference is incorporated into this Agreement for all purposes, and with insurers licensed to do business in Texas. All insurance required herein will defend and shall be drawn in the name of Tenant, with CITY, its board members, officers, agents, guests, invitees, consultants and employees named as additional insureds, except on coverage for Workers' Compensation. Every policy required above shall be primary insurance. Any insurance or self-insurance benefits carried by CITY, its board members, officers, or employees, shall be excess and not contributory to that provided by Tenant. All such insurance, including renewals, shall be subject to the approval of the City of San Angelo Risk Manager for adequacy of protection and evidence of such coverage shall be furnished to the City Risk Manager on Certificates of Insurance indicating such insurance to be in force and effect and providing that it will not be canceled during the performance of Services under this Agreement without thirty (30) calendar days prior written notice to City. Completed Certificates of Insurance shall be filed with City's Risk Manager at City Hall, 72 W. College Avenue, San Angelo, Texas 76903, prior to Tenant occupying or utilizing the Leased Premises, provided however, that Tenant shall at any time upon request file duplicate copies of the policies of such insurance with CITY.

b. Tenant shall notify City's Risk Manager of any reduction or exhaustion of insurance policy aggregate limits. Should Tenant fail to immediately secure other insurance, as specified, for any policy canceled before expiration of the Lease Term or any extension thereof, City may procure such insurance and assess the cost thereof against Tenant as additional rent.

c. Tenant shall require its insurance carrier(s), with respect to Commercial General Liability and Automobile Liability insurance policies, to waive all rights of subrogation against CITY, its board members, officers, agents, guests, invitees, consultants and employees.

d. The procuring of such policies of insurance shall not be construed to be a limitation upon Tenant's liability or as a full performance of its obligations under the indemnification provisions of this Lease. Tenant's obligations are, notwithstanding said policies of insurance, for the full and total amount of any damage, injury or loss caused by or attributable to its occupation or control over the Leased Premises pursuant to this Lease or any extension thereof.

10. Vacate the Leased Premises on the last day of the Term.

B. Tenant agrees not to—

1. Use the Leased Premises for any purpose other than the Permitted Use, including that:

a. No permanent improvements shall be made or construction without the prior written consent of Landlord.

b. No storage or dispensing of petroleum products or hazardous materials without Landlord's prior written consent. ("Hazardous Material" being the presence of which requires investigation, notice or remediation under any federal, state or local statute, regulation, ordinance.)

2. Create or allow any nuisance or waste on Leased Premises.

3. Cause or allow a lien to be placed on the Leased Premises.

4. Assign this Lease or sublease any portion of the Leased Premises without Landlord's prior written consent.

5. Litter or leave trash or debris on the Leased Premises.

C. Landlord agrees to—

Lease to Tenant the Leased Premises subject to the terms and conditions herein provided beginning on the Commencement Date. Landlord covenants and agrees that at all times when Tenant is not in default under the terms of this Lease, Tenant's quiet and peaceable enjoyment of the Leased Premises for the Permitted Use shall not be disturbed or interfered with by Landlord or any person claiming by, through or under Landlord, except as otherwise may be specifically provided for under the terms of this Lease.

D. Landlord agrees not to—

Allow any use of the Leased Premises inconsistent with Tenant's Permitted Use, subject to the reservations of rights herein stated, and so long as Tenant is not in default.

E. Landlord and Tenant mutually agree to the following:

1. Rent Adjustment. N/A.

2. Disclaimer of Warranties. ALL WARRANTIES OF LANDLORD THAT MAY ARISE IN COMMON LAW ARE EXCLUDED. THERE ARE NO WARRANTIES THAT EXTEND BEYOND THOSE EXPRESSLY STATED IN THIS LEASE.

3. RESERVATIONS. LANDLORD OPERATES THE BUSINESS FACTORY INCUBATOR PROGRAM AND IN ADDITION TO TENANT, OFFICE SPACE IN THE BRC IS OCCUPIED BY VARIOUS PRIVATE BUSINESS ENTITIES. LANDLORD IS RESPONSIBLE FOR BUILDING OPERATION AND MAINTENANCE OF COMMON AREAS, INCLUDING USE OF PARKING FACILITIES AND SECURITY. LANDLORD RESERVES THE RIGHT TO ADOPT REASONABLE RULES AND REGULATIONS RELATING TO OFFICE USE OF THE BRC BY MULTIPLE PRIVATE BUSINESS ENTITIES, IN ADDITION TO CITY, CITY OFFICES, AND ASU SMALL BUSINESS DEVELOPMENT CENTER. TENANT AGREES TO COMPLY WITH SUCH RULES AND REGULATIONS.

4. *Termination of Lease.* Landlord or Tenant may terminate this lease for convenience on thirty (30) days written notice to the other party. *The foregoing provision for termination is in addition to termination pursuant to Default* by Tenant, under Section 9 herein.

5. No Encumbrances. Tenant shall not have the right to encumber the Leased Premises.

6. Transfer, Assignment and Subletting. Tenant may not transfer, assign or sublet the Leased Premises, in whole or in part, without the prior written consent of the Landlord, which consent may be withheld in the sole discretion of Landlord.

7. Fees Related to Leased Premises.

a. Utilities: Usual utilities (electric, water, HVAC) are provided by Landlord. Telephone and other services are provided by Tenant at Tenant's expense. Any use of Landlord's copier will be charged as additional rent at the rate of $.10 per page for color copies. Landlord will permit Tenant up to 250 black and white copies per month without charge. Each black and white copy exceeding 250 in any calendar month will be charged as additional rent at the rate of $.08 per page.

b. Tenant will be permitted occasional use of the conference room located on the first floor of the BRC without charge, unless Tenant charges a fee for attendees at a meeting or event utilizing the conference room. Tenant will be charged as additional rent at the rate of $75 for half day (up to four hours) or $175 for full day (exceeding four hours but not more than eight hours). Scheduling of use of the conference room will be pursuant to BRC policy approved by Landlord.

c. Taxes: Tenant shall be solely responsible for the payment of any taxes assessed relating to Tenant improvements or personal property placed upon the Leased Premises. Tenant shall pay all such taxes, charges, and assessments to the public officer charged with the collection thereof not less than fifteen (15) days before the same shall become delinquent, and **Tenant agrees to indemnify and save harmless Landlord from all such taxes, charges and assessments**. Failure to pay such taxes and assessments as provided herein shall, at the option of Landlord, result in termination of this Lease.

8. Default by Tenant/Events. The following shall constitute events of default by Tenant:

a. failure to timely pay Rent or other charges payable by Tenant under this Lease; or,

b. failure to comply with any provision of this Lease Agreement other than timely payment of Rent.

9. Default by Tenant/Landlord's Remedies. Landlord's remedy for Tenant's default, after providing a notice describing the nature of default and such default continues for a period of ten (10) days after notice, is to terminate this Lease Agreement by written notice, take possession of the Leased Premises, and seek judicial relief for costs, rents due and such other damages or relief to which Landlord may be entitled. Landlord may enter and take physical possession and control over the Leased Premises on termination of this Lease by self-help, and may prohibit the Tenant in default or any other person who may be occupying the Leased Premises, from access thereto or the use thereof, and shall not be liable in trespass or for damages therefore.

10. Default/Waiver/Mitigation. It is not a waiver of default if the Landlord fails to declare immediately a default or delays in taking any action. Pursuit of any remedy set forth in this Lease does not preclude pursuit of other remedies under this Lease or provided by law.

11. Reimbursement of Landlord's Expenses. Tenant shall pay on demand Landlord's expenses necessarily incurred, including, but not limited to attorney's fees and court costs, to enforce any Tenant obligation under this Lease or to terminate this Lease for Tenant's default and retake physical possession of the Leased Premises.

12. Amendment of Lease. This Lease may be amended only by an instrument in writing signed by Landlord and Tenant.

13. Notices. Any notice required or permitted under this Lease must be in writing and delivered to the address for the recipient party. Any notice required by this Lease will be deemed to be delivered (whether actually received or not) on the second day after deposited with the United States Postal Service, postage prepaid, certified mail, return receipt requested, and addressed to the intended recipient at the address below. Notice may also be given by personal delivery or commercial courier delivery and will be effective when actually received. Any address for notice may be changed by written notice delivered to the other party as provided herein.

LANDLORD:	**TENANT:**
City of San Angelo Attn: Dir. of Economic Development 69 N. Chadbourne St. San Angelo, Texas 76903	Jason T. Hill, d/b/a JT Hill & Co. 69 N. Chadbourne Street, Ste. 120 San Angelo, Texas 76903

14. Entire Agreement. This Lease Agreement constitutes the entire agreement of the parties concerning the lease of the Premises by Landlord to Tenant. There are no representations, warranties, agreements, or promises pertaining to the lease of the Leased Premises by Landlord to Tenant that are not in this Lease Agreement.

EXECUTED by the parties in duplicate originals on the dates indicated below.

TENANT:
JASON T. HILL, d/b/a JT HILL & CO.

BY: _____
Jason T. Hill
DATE: _____, 2019

LANDLORD:
CITY OF SAN ANGELO DEVELOPMENT CORPORATION

Attest:

_____
Nora Nevarez, Secretary

BY: _____
Todd Kolls, President

DATE: _____

APPROVED AS TO FORM

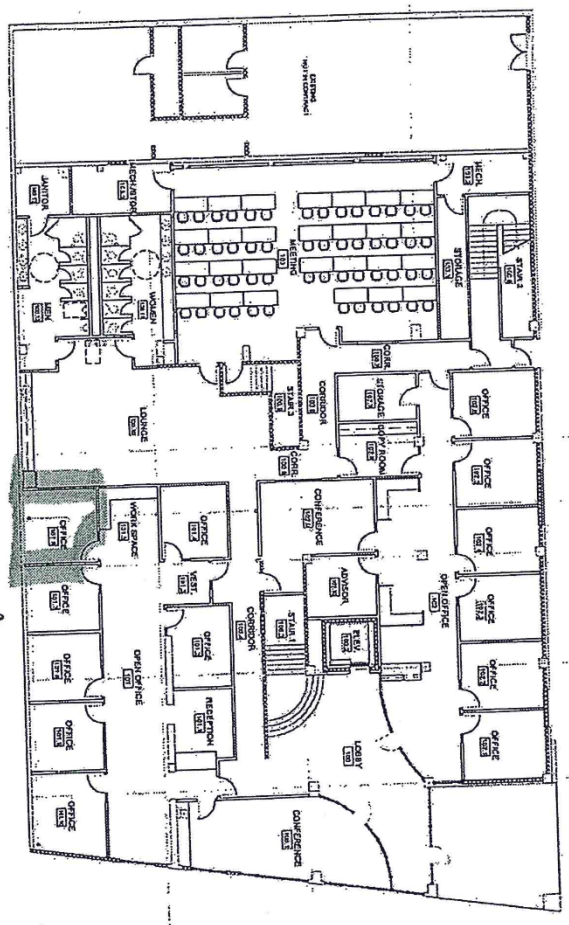
_____
Dan T. Saluri, Deputy City Attorney

APPROVED AS TO RISK

_____
Charles Hagen, Risk Manager

File Name: 201109_A-1SI_Floor.dwg
File Path: P:\201109-San Angelo BRC\CAD Files\X-Refs\
Plotted: July 27, 2011 - 3:38pm

EXHIBIT A



1 PROPOSED SCHEMATIC DESIGN - 1ST FLOOR

EXHIBIT "B"

SPECIAL INSURANCE RIDER

TYPES AND AMOUNTS OF INSURANCE REQUIRED. Provider shall obtain and continuously maintain in effect at all times during the term hereof, at Provider's sole expense, insurance coverage as follows with limits not less than those set forth below:

1.1 **Commercial General Liability**. Tenant shall obtain and maintain policies of insurance covering the Leased Premises and Tenant's activities thereon at all times during the Term, including comprehensive general liability insurance with a minimum combined occurrence and annual limitation of $1,000,000.00; and Fire Damage on the building and fixtures with a minimum combined occurrence and annual limitation of $150,000. This policy shall be an occurrence-type policy and shall protect Tenant and additional insureds against all claims arising from bodily injury, sickness, disease or death of any person (other than Tenant's employees) and damage to property of City or others arising out of the act or omission of Provider or its agents and employees. This policy shall also include protection against claims for the contractual liability assumed by Provider under the paragraph of this Agreement entitled "Indemnification".

Report to Board

CITY OF SAN ANGELO TEXAS
Development Corporation

Requestor: Robert Schneeman, Economic Development Coordinator, COSADC, 325.653.7197

Meeting Date: April 24, 2019

Item type: Regular Item

Caption:

Consider approving the March 2019 financial statements (Presentation by Tina Dierschke, Director of Finance)

Summary/History:

Financial Impact:

Other Information/Recommendation:

Attachments:

1. COSADC Stmts 1903 — COSADC Stmts 1903.pdf

Presentation:

Approvals/Reviews:

Robert Schneeman	Created/Initiated
Dan Saluri	Approved
Nolan Sosa	Approved
Tina Dierschke	Approved
Dan Saluri	Approved
Guy Andrews	Final Approval

City of San Angelo Development Corporation

Financial Information and Schedules
As of March 31, 2019

Contents

Executive Summary

Economic Development

- Balance Sheet
- Revenue & Expenditure Report
- Project Commitments

Ballot

- Balance Sheet
- Revenue & Expenditure Report
- Project Commitments

Transaction Detail by Account

2011 Bond Issue

Hickory Water Supply

This UNAUDITED information is designed for internal use and analysis only.

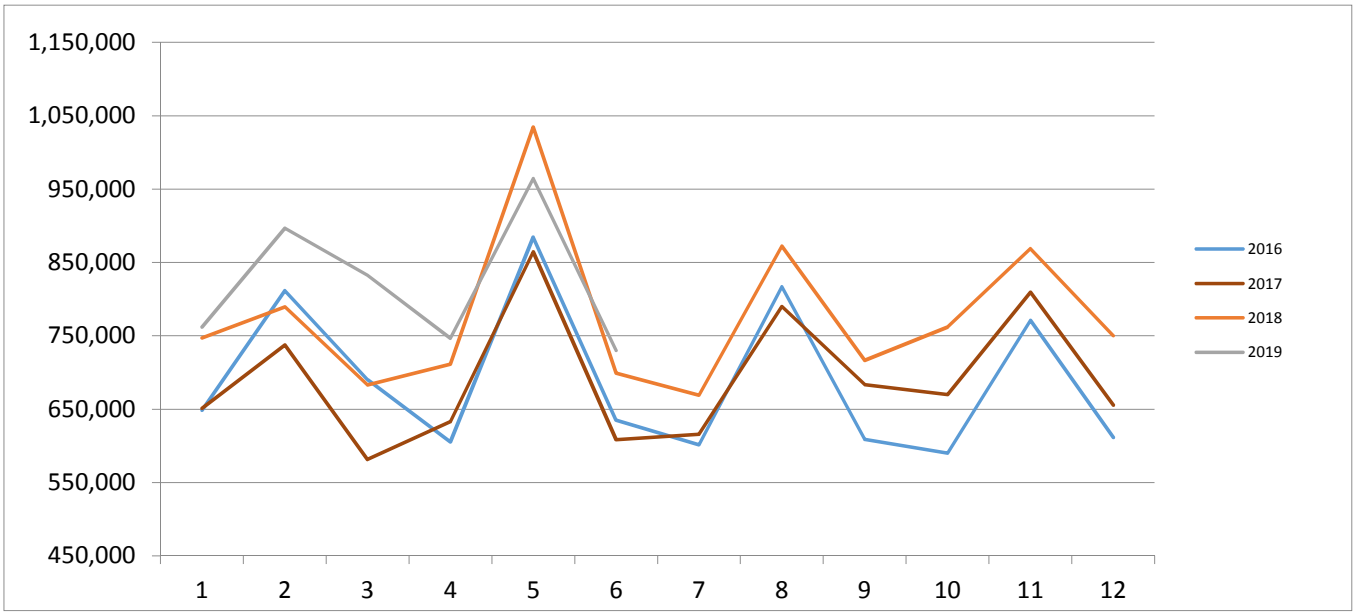
City of San Angelo Development Corporation
Executive Summary
March 2019

Available Fund Balances

Unassigned Fund Balance-Economic Development	11,088,224
Unassigned Fund Balance-Ballot	41,636

Sales Tax Analysis

Month	2016	2017	2018	2019	% Over/(Under)
Oct	648,367	650,926	747,063	761,865	1.98%
Nov	811,466	737,436	789,302	896,890	13.63%
Dec	690,231	581,382	683,012	832,486	21.88%
Jan	605,393	632,603	711,415	746,604	4.95%
Feb	884,468	864,339	1,034,662	964,281	-6.80%
Mar	635,021	608,253	699,086	730,020	4.42%
Apr	601,420	615,673	669,034		
May	816,925	789,680	872,259		
Jun	608,947	683,530	716,509		
Jul	590,012	669,686	761,927		
Aug	771,109	809,685	868,604		
Sep	611,361	655,327	750,212		



City of San Angelo Development Corporation
Balance Sheet - Economic Development
As of March 31, 2019

ASSETS	
Current Assets	
Checking/Savings	
101101 · Cash	814,674
103200 · Money Market	4,919,550
Total Checking/Savings	5,734,224
Accounts Receivable	
115000 · Sales Tax Receivables	426,206
Total Accounts Receivable	426,206
Other Current Assets	
117000 · Investments	10,001,998
Total Other Current Assets	10,001,998
Total Current Assets	16,162,428
Fixed Assets	
140500 · Land -Industrial Park	85,728
141000 · Industrial Park-Phase I	734,002
143000 · Industrial Park-Phase II	38,624
144000 · Industrial Park-Phase III	20,377
152000 · Building-Business Resource Ctr	2,004,967
159999 · Accum Depr-Building	(659,968)
Total Fixed Assets	2,223,730
TOTAL ASSETS	18,386,158
LIABILITIES & FUND EQUITY	
Liabilities	
Current Liabilities	
201000 · Accounts Payable	143,609
Total Current Liabilities	143,609
Total Liabilities	143,609
Fund Equity	
Committed for Eco. Dev. Projects	4,930,595
Restricted for Fixed Assets	2,223,730
Unassigned Fund Balance	11,088,224
Total Fund Equity	18,242,549
TOTAL LIABILITIES & FUND EQUITY	18,386,158

City of San Angelo Development Corporation
Revenue & Expenditure Report - Economic Development
March 2019

	Budget	Month Actual	YTD Actual	Over/(Under) Budget	% of Budget
Revenues					
313000 · Income-Sales & Use Tax	2,581,684	255,210	1,374,208	(1,207,476)	53%
360000 · Interest on Investments	100,000	11,280	159,217	59,217	159%
363101 · Lease Income	55,894	0	21,170	(34,724)	38%
366000 · Reimbursements	0	0	10,874	10,874	100%
Total Revenues	2,737,578	266,490	1,565,469	(1,172,109)	57%
Expenditures					
410000 · Administrative	124,343	3,131	33,297	(91,046)	27%
412000 · Partner Affiliations	103,892	15,000	101,297	(2,595)	98%
415000 · City Services	548,373	137,093	274,186	(274,187)	50%
415331 · Annual Report	500	0	0	(500)	0%
420000 · Industrial Park Ops & Maint	16,310	356	6,455	(9,855)	40%
440000 · Marketing-Chamber of Commerce	225,000	0	112,500	(112,500)	50%
440200 · Business Ret & Exp Prog	375,853	600	7,088	(368,765)	2%
445000 · Promotion (SADC Marketing)	5,000	0	0	(5,000)	0%
450000 · Business Resource Ctr	36,817	3,040	21,190	(15,627)	58%
452101 · Business Factory	87,000	1,158	10,393	(76,607)	12%
Total Operating Expenditures	1,523,088	160,378	566,406	(956,682)	37%
452115 · Project-Blue Cross Blue Shield	37,119	0	0	(37,119)	0%
452119 · Project-Air Service Marketing	5,955	0	5,000	(955)	84%
452124 · Project-DeCoty Coffee	81,734	0	0	(81,734)	0%
452132 · Project-TGC/GAFB	8,399	0	0	(8,399)	0%
452134 · Project-Principle LED	109,005	0	0	(109,005)	0%
452136 · Project-Phase II Sewer Line	96,000	0	0	(96,000)	0%
452137 · Project-TXDOT Aside Prog. Grant	60,500	0	0	(60,500)	0%
452138 · Project-CalTech	582,899	0	0	(582,899)	0%
452139 · Project-Parkhill	84,548	0	19,004	(65,544)	22%
452140 · Project-Grant Works	50,000	0	0	(50,000)	0%
452142 · Project-Netco	10,000	4,500	4,500	(5,500)	45%
452145 · Project-Elite Solutions	40,260	0	0	(40,260)	0%
452146 · Project-GAFB	1,500,000	0	246,872	(1,253,128)	16%
452147 · Project-Ind Park Phase II	2,000,000	0	200	(1,999,800)	0%
452149 · Project-Howard College Const Tr	128,030	0	54,925	(73,105)	43%
452151 · Project-US Customs Retention	25,000	0	0	(25,000)	0%
452152 · Project-US Customs Retention Ph. II	49,225	0	49,225	0	100%
452153 · Project-Airport Master Plan	120,991	0	120,991	0	100%
452154 · Project-Principle LED BREP	300,147	0	0	(300,147)	0%
452155 · Project-Carter Fentress	20,000	0	0	(20,000)	0%
452156 · Project-Shea Transportation	49,000	0	0	(49,000)	0%
452158 · Project-Comm. Dev. Strategies	65,000	0	0	(65,000)	0%
452159 · Project-Centurion Planning	7,500	0	0	(7,500)	0%
452900 · Project-Future Projects	2,948,855	0	0	(2,948,855)	0%
453000 · Capital Purchases	30,000	0	0	(30,000)	0%
Total Project Expenditures	8,410,167	4,500	500,717	(7,909,450)	6%
Total Expenditures	9,933,255	164,878	1,067,123	(8,866,132)	11%
Revenue Over/(Under) Expenditures	(7,195,677)	101,612	498,346	7,694,023	

City of San Angelo Development Corporation
Economic Development Projects
As of March 31, 2019

Project	Original Allocation	Current Allocation	Current Year Activity	Inception to Date	Remaining Allocation
Blue Cross Blue Shield	371,190	371,190	0	334,071	37,119
Air Service Marketing	60,000	60,000	5,000	59,045	955
DeCoty Coffee	101,835	101,835	0	20,101	81,734
TGC/GAFB	633,000	633,000	0	624,601	8,399
Principle LED	550,001	550,001	0	440,996	109,005
Phase II Sewer Line TGC	100,000	100,000	0	4,000	96,000
TXDOT Aside Prog. Grant	100,000	100,000	0	39,500	60,500
CalTech	603,999	603,999	0	21,100	582,899
Parkhill	308,000	323,000	19,004	257,456	65,544
Grant Works	54,000	54,000	0	4,000	50,000
Netco	60,000	60,000	4,500	54,500	5,500
Elite Solutions	40,260	40,260	0	0	40,260
GAFB	1,500,000	1,500,000	246,872	246,872	1,253,128
Ind Park Phase II	2,000,000	2,000,000	200	200	1,999,800
Howard College Construction Trades	168,000	168,000	54,925	94,895	73,105
US Customs Retention	25,000	25,000	0	0	25,000
US Customs Retention Ph. II	46,435	49,225	49,225	49,225	0
Airport Master Plan	120,991	120,991	120,991	120,991	0
Principle LED BREP	300,147	300,147	0	0	300,147
Carter Fentress	20,000	20,000	0	0	20,000
Shea Transportation	49,000	49,000	0	0	49,000
Comm. Dev. Strategies	65,000	65,000	0	0	65,000
Centurion	7,500	7,500	0	0	7,500
	7,284,358	7,302,148	500,717	2,371,553	4,930,595

Total Committed, Not Expended	4,930,595

City of San Angelo Development Corporation
Balance Sheet - Ballot
As of March 31, 2019

ASSETS	
Current Assets	
Checking/Savings	
101101 · Cash	3,634
103200 · Money Market	4,087,974
Total Checking/Savings	4,091,608
Accounts Receivable	
115000 · Sales Tax Receivables	1,095,606
115201 · Note Receivable	10,955
Total Accounts Receivable	1,106,561
Total Current Assets	5,198,169
TOTAL ASSETS	5,198,169
LIABILITIES & FUND EQUITY	
Liabilities	
Current Liabilities	
201000 · Accounts Payable	15,233
Total Current Liabilities	15,233
Total Liabilities	15,233
Fund Equity	
Committed for Ballot Projects	394,406
Assigned for Debt Service	4,746,894
Unassigned Fund Balance	41,636
Total Fund Equity	5,182,936
TOTAL LIABILITIES & FUND EQUITY	5,198,169

City of San Angelo Development Corporation
Revenue & Expenditure Report - Ballot
March 2019

	Budget	Month Actual	YTD Actual	Over/(Under) Budget	% of Budget
Revenues					
313000 · Income-Sales & Use Tax	6,638,617	656,255	3,533,677	(3,104,940)	53%
360000 · Interest on Investments	30,000	7,930	31,711	1,711	106%
Total Revenues	6,668,617	664,185	3,565,388	(3,103,229)	53%
Expenditures					
410000 · Administrative	4,512	0	0	(4,512)	0%
415000 · City Services	60,930	15,233	30,466	(30,464)	50%
430000 · Loan/Debt Service	5,279,175	0	0	(5,279,175)	0%
Total Operating Expenditures	5,344,617	15,233	30,466	(5,314,151)	1%
451200 · Project-Affordable Housing	361,139	48,057	141,686	(219,453)	39%
452123 · Project-W. Tx Water Partnership	200,000	8,812	25,047	(174,953)	13%
452900 · Project-Future Projects	819,135	0	0	(819,135)	0%
Total Project Expenditures	1,380,274	56,869	166,733	(1,213,541)	12%
Total Expenditures	6,724,891	72,102	197,199	(6,527,692)	3%
Revenue Over/(Under) Expenditures	(56,274)	592,083	3,368,189	3,424,463	

City of San Angelo Development Corporation
Ballot Projects
As of March 31, 2019

Project	Project Allocation	Current Year Activity	Inception to Date	Remaining Allocation
Ballot Projects:				
Water Supply Projects				
West Texas Water Partnership	655,708	25,047	480,755	174,953
* Reclaimed Water Alternatives	1,389,965	0	1,389,965	-
* Red Arroyo Storm Water Basin	151,040	0	151,040	-
Total Expenditures	2,196,713	25,047	2,021,760	174,953
Total Water Supply Projects				174,953
Affordable Housing				
Revenues				
* Sale of Fixed Assets - Blackshear Properties	394,351	0	394,351	-
Total Revenues				
Expenditures				
Affordable Housing	3,159,195	141,686	2,939,742	219,453
* Administrative Contract	120,405	0	120,405	-
* Blackshear Neighborhood Boundary	28,300	0	28,300	-
* Blackshear Properties	404,125	0	404,125	-
* Neighborhood Blitz	550,000	0	550,000	-
* Neighbors Helping Neighbors	53,000	0	53,000	-
* Rebuilding Together - Housing One Stop	23,759	0	23,759	-
* Rebuilding Together - Housing Repair	74,920	0	74,920	-
* Rehabs	114,487	0	114,487	-
* Roofing Grant	200,000	0	200,000	-
Total Expenditures	4,728,191	141,686	4,508,739	219,453
Total Affordable Housing				219,453
Other Projects				
* Sports Facilities Maintenance	285,353	0	285,353	-
Total Expenditures	285,353	0	285,353	-
Total Ballot Projects Committed, Not Expended				394,406
Voter Approved Projects:				
* Fort Concho Improvements	900,000	0	900,000	-
* Sports & Athletics Facilities	708,744	0	708,744	-
* 29th Street Sports Complex	1,750,000	0	1,750,000	-
Total Expenditures	3,358,744	-	3,358,744	-
Total Voter Approved Projects Committed, Not Expended				-

* Completed

Economic Development

	Num	Name	Memo	Amount
313000 · Income-Sales & Use Tax (700-0000-313.00-00)				
	905	City of San Angelo	Adjustment to January Sales Tax Receivable	13,113.07
	906	City of San Angelo	Record March Sales Tax Receivable	242,097.39
Total 313000 · Income-Sales & Use Tax (700-0000-313.00-00)				255,210.46
360000 · Interest on Investments (700-0000-361.10-00)				
	907		Record Interest for March	1,784.62
	907		Record MM Interest for March	9,494.91
Total 360000 · Interest on Investments (700-0000-361.10-00)				11,279.53
410000 · Administrative				
410530 · Admin-Communication				
	909		Accrue Reimburse 2nd Quarter HTE Expenses	-527.52
Total 410530 · Admin-Communication				-527.52
410531 · Admin-Cell Phone				
	909		Accrue Reimburse 2nd Quarter HTE Expenses	-600.00
Total 410531 · Admin-Cell Phone				-600.00
410580 · Admin-Travel & Lodging				
	909		Accrue Reimburse 2nd Quarter HTE Expenses	-1,344.55
Total 410580 · Admin-Travel & Lodging				-1,344.55
410591 · Admin-Professional Dues				
	909		Accrue Reimburse 2nd Quarter HTE Expenses	-15.00
Total 410591 · Admin-Professional Dues				-15.00
410600 · Admin-Fees & Subscriptions				
	908		Record Bank Fees	-35.00
Total 410600 · Admin-Fees & Subscriptions				-35.00
410610 · Admin-Office Supplies (700-0000-411.06-10)				
	4522	Angelo Awards	Inv. 5348	-84.01
	4534	Angelo Awards	Inv. 5500	-11.85
	4537	CTWP	Inv. 1046129	-109.07
	909		Accrue Reimburse 2nd Quarter HTE Expenses	-365.28
Total 410610 · Admin-Office Supplies (700-0000-411.06-10)				-570.21
410614 · Admin-Postage				
	4530	FedEx	Inv. 6-482-95742	-12.06
	909		Accrue Reimburse 2nd Quarter HTE Expenses	-26.58
Total 410614 · Admin-Postage				-38.64
Total 410000 · Administrative				-3,130.92
412000 · Partner Affiliations				
412030 · I-14 Gulf Coast Strategic Hwy				
	4531	Gulf Coast Strategic Hwy Coalition	Inv. 1918	-15,000.00
Total 412030 · I-14 Gulf Coast Strategic Hwy				-15,000.00
Total 412000 · Partner Affiliations				-15,000.00
415000 · City Services				
415310 · COSA-Legal Services				
	909		Accrue 2nd Quarter Admin Services Contract	-137,093.00
Total 415310 · COSA-Legal Services				-137,093.00
Total 415000 · City Services				-137,093.00
420000 · Industrial Park Ops & Maint				
420411 · Ind Park-Water/Sewer Utilities				
	4526	City of San Angelo Utility Billing	Acc 118947-187774 Service Period 02/04/19 - 02/27/19	-34.85
	4526	City of San Angelo Utility Billing	Acc 118947-187770 Service Period 02/04/19 - 02/28/19	-28.62
	4526	City of San Angelo Utility Billing	Acc 118947-187772 Service Period 02/04/19 - 02/27/19	-28.62
Total 420411 · Ind Park-Water/Sewer Utilities				-92.09

	Num	Name	Memo	Amount
420000 · Industrial Park Ops & Maint - Other				
	4529	J & R Silva Tree Service & Landscaping	Inv. 2359	-264.00
Total 420000 · Industrial Park Ops & Maint - Other				-264.00
Total 420000 · Industrial Park Ops & Maint				-356.09
440200 · Business Ret & Exp Prog				
	4535	San Angelo Chamber of Commerce	Inv. 84716	-600.00
Total 440200 · Business Ret & Exp Prog				-600.00
450000 · Business Resource Ctr				
450010 · BRC-Water/Sewer Utilities				
	4526	City of San Angelo Utility Billing	Acc. 186765-50710 Service Period 01/30/19 - 02/27/19	-17.25
	4526	City of San Angelo Utility Billing	Acc 171939-179340 Service Period 01/29/19 - 02/27/19	-135.79
Total 450010 · BRC-Water/Sewer Utilities				-153.04
450011 · BRC-Electricity				
	909		Accrue Reimburse 2nd Quarter HTE Expenses	-1,358.04
Total 450011 · BRC-Electricity				-1,358.04
450012 · BRC-Gas Utilities				
	4525	Atmos Energy	Acc. 3036648466 Service Period 02/08/19 - 03/06/19	-183.08
Total 450012 · BRC-Gas Utilities				-183.08
450000 · Business Resource Ctr - Other				
	4520	Protection 1	Inv. 127433147	-112.45
	4521	House of Chemicals Inc	Inv. 557736	-67.64
	4524	MC Electric	Inv. 490	-108.00
	4527	Dirt Doctor of San Angelo	Inv. 3672	-652.50
	4529	J & R Silva Tree Service & Landscaping	Inv. 2360	-367.20
	4533	Angelo Water Service	Acc. 7005 Service Period 04/01/19 - 04/30/19	-37.58
Total 450000 · Business Resource Ctr - Other				-1,345.37
Total 450000 · Business Resource Ctr				-3,039.53
452101 · Business Factory				
	4520	Protection 1	Inv. 127433147	-12.49
	4523	Rock Your World Decorative Conrete	FY18 - 1st Place - Inv. 1028	-366.86
	4524	MC Electric	Inv. 490	-12.00
	4527	Dirt Doctor of San Angelo	Inv. 3672	-72.50
	4528	West Office Technology	Inv. F10631	-350.00
	4529	J & R Silva Tree Service & Landscaping	Inv. 2360	-40.80
	4533	Angelo Water Service	Acc. 7005 Service Period 04/01/19 - 04/30/19	-4.17
	4536	Canon Financial Services, Inc.	Inv. 19845374	-299.36
Total 452101 · Business Factory				-1,158.18
452142 · Project-Netco				
	4532	Netco Energy Products, Inc	Job Creation Incentives	-4,500.00
Total 452142 · Project-Netco				-4,500.00
TOTAL				**101,612.27**

Ballot

313000 · Income-Sales & Use Tax				
	317	City of San Angelo	Adjustment to January Sales Tax Recievable	33,719.35
	318	City of San Angelo	Record March Sales Tax Receivable	622,536.14
Total 313000 · Income-Sales & Use Tax				656,255.49
360000 · Interest on Investments				
	2564	ZP Kirby Park Villas, LP	Note Receivable Interest	29.46
	319		Record MM Interest for March	7,889.94
	319		Record Interest for March	10.31
Total 360000 · Interest on Investments				7,929.71

City of San Angelo Development Corp
Transaction Detail by Account
March 2019

	Num	Name	Memo	Amount
415000 · City Services				
415310 · COSA-Legal Services				
	320		Accrue 2nd Quarter Admin Services	-15,233.00
Total 415310 · COSA-Legal Services				-15,233.00
Total 415000 · City Services				-15,233.00
451200 · Project-Affordable Housing				
	1506	First Title Company	Sell of 734 Julian St.	-48,057.25
Total 451200 · Project-Affordable Housing				-48,057.25
452123 · Project-W. Tx Water Partnership				
	1507	City of San Angelo (COSA)	WTWP Reimbursement - Dec '18	-4,070.16
	1507	City of San Angelo (COSA)	WTWP Reimbursement - Jan '19	-2,665.03
	1507	City of San Angelo (COSA)	WTWP Reimbursement - Feb '19	-2,076.37
Total 452123 · Project-W. Tx Water Partnership				-8,811.56
TOTAL				**592,083.39**

THE CITY OF SAN ANGELO, TEXAS

Schedule of Revenues and Expenditures
Fiscal Year through March 31, 2019

2011A Tax/Revenue C.O. - Fund 514

For Airport, Ft. Concho, and Parks Improvements
Debt Payments Through 2024

	Dept	Current Budget	Month Actual	YTD W/Enc	Over/(Under) Budget	Previous Years Activity	Inception to Date
Beginning Fund Balance		**885,533**		**885,533**			
REVENUES:							
C.O. Proceeds		-	-	-	-	13,780,000	13,780,000
Municipal Pool Donation		-	-	-	-	21,225	21,225
SASSRA Stock Barn		-	-	-	-	157,722	157,722
Transfer from Dev. Corp.		-	-	-	-	4,220,000	4,220,000
Interest Income		-	151	690	690	167,421	168,111
Total Revenues		-	151	690	690	18,346,368	18,347,058
EXPENDITURES:							
Airport Terminal Rehab	3925	-	-	-	-	500,000	500,000
Concho River	4119	286,873	-	24,667	(267,581)	8,313,129	8,337,796
Parks	6000	468,271	-	21,155	(505,546)	456,801	477,956
Red Arroyo Trail	6040	-	-	-	-	325,000	325,000
Recreation	6100	75,000	-	-	(75,000)	2,597,817	2,597,817
Fort Concho Improvements	6301	-	-	-	-	100,001	100,001
Auditorium	6602	-	-	-	-	3,750,001	3,750,001
Fairgrounds	6636	-	-	-	-	1,157,722	1,157,722
Issue Costs	9900	-	-	-	-	260,363	260,363
Total Expenditures		830,144	-	45,822	(848,127)	17,460,834	17,506,656
Revenue Over/(Under) Expenditures		**(830,144)**	**151**	**(45,132)**			
Ending Fund Balance		**55,389**		**840,401**			

THE CITY OF SAN ANGELO, TEXAS

Schedule of Revenues and Expenditures
Fiscal Year through March 31, 2019

Hickory Water Supply - Fund 516

	Dept	Current Budget	Month Actual	YTD W/Enc	Over/(Under) Budget	Previous Years Activity	Inception to Date
Beginning Fund Balance		**2,541,619**		**2,541,619**			
REVENUES:							
Interest		-	2,059	9,420	9,420	580,869	590,289
C.O. Proceeds		-	-	-	-	119,998,750	119,998,750
Total Revenues		-	2,059	9,420	9,420	120,579,619	120,589,039
EXPENDITURES:							
Easements/Property Damage	4150	308,670	-	-	(308,670)	106,865	106,865
Engineering	4157	767,047	-	180,527	(586,520)	17,058,198	17,238,725
Well Field Pipelines	4152	3,083	-	-	(3,083)	3,026,918	3,026,918
30 " Transmission Main	4153	-	-	-	-	38,681,022	38,681,022
Well Field Pumps	4154	-	-	-	-	12,831,038	12,831,038
Well Field Pump Station	4155	1,344,420	-	-	(1,344,420)	1,617,139	1,617,139
Well Field Expansion	4158	-	-	-	-	7,668,888	7,668,888
Treatment Plant	4156	-	-	-	-	27,132,194	27,132,194
Well Field Expansion #2	4159	124,049	-	-	(124,049)	9,640,252	9,640,252
Issue Costs	9900	-	-	-	-	172,251	172,251
Total Expenditures		2,547,269	-	180,527	(2,366,742)	117,934,765	118,115,292
Revenue Over/(Under) Expenditures		**(2,547,269)**	**2,059**	**(171,107)**			
Ending Fund Balance		**(5,650)**		**2,370,512**			

	Revenues
Previous Years Activity	120,579,619
Current Year Budget	1,249
Less Interest Earned	(580,869)
TOTAL	**120,000,000**

Report to Board

CITY OF SAN ANGELO TEXAS
Development Corporation

Requestor: Shannon Scott, Economic Development Specialist, COSADC, 325.653.7197

Meeting Date: April 24, 2019

Item type: Regular Item

Caption:

Public Hearing regarding the use of sales and use tax funds in an amount not to exceed $200,000 to provide an Economic Development Incentive to SMC-Global for a project related to Business Enterprises that create or retain primary jobs, as authorized for a Type B Corporation under Local Government Code Chapter 504 Subchapter C. (Presentation by Shannon Scott, Business, Retention & Expansion Coordinator & Michael Looney, Vice President of Economic Development)

Summary/History:

Financial Impact:

Other Information/Recommendation:

Attachments:

1. 19-XXXX_COSADC_SMC_PROJECT_RESO 19-XXXX_COSADC_SMC_PROJECT_RESO.pdf

Presentation:

Approvals/Reviews:

Shannon Scott	Created/Initiated
Dan Saluri	Approved
Nolan Sosa	Approved
Tina Dierschke	Approved
Dan Saluri	Approved
Guy Andrews	Final Approval

A RESOLUTION OF THE CITY OF SAN ANGELO DEVELOPMENT CORPORATION BOARD OF DIRECTORS AUTHORIZING THE USE OF SALES AND USE TAX FUNDS IN AN AMOUNT NOT TO EXCEED $200,000, TO PROVIDE AN ECONOMIC DEVELOPMENT INCENTIVE TO SPECIAL MATERIALS COMPANY, FOR A PROJECT RELATED TO BUSINESS ENTERPRISES THAT CREATE OR RETAIN PRIMARY JOBS, AS AUTHORIZED FOR A TYPE B CORPORATION UNDER LOCAL GOVERNMENT CODE CHAPTER 505 SUBCHAPTER D.

WHEREAS, The voters of the City of San Angelo on November 2, 2010 approved the use of sales and use tax proceeds for the continued economic development projects authorized under Section 4B of the Development Corporation Act, including but not limited to, the development, promotion, creation, retention, or expansion of business enterprises that create or retain primary jobs, including suitable infrastructure, and

WHEREAS, SPECIAL MATERIALS COMPANY is a foreign corporation authorized to conduct business in Texas, and intends to retain at its facilities in San Angelo eleven (11) existing full time primary jobs and,

WHEREAS, SPECIAL MATERIALS COMPANY would like to invest a minimum of $3,300,000 in business personal property and inventory at its new facility located at Loop 306 2801 W. San Angelo, Texas

WHEREAS, SPECIAL MATERIALS COMPANY has applied with COSADC under the Business Retention and Expansion Program (BREP) for an incentive to carry out business expansion plans, and the Board has determined that the Project will promote or develop the expansion of a business enterprise that creates or retains primary jobs; and,

WHEREAS, at least sixty (60) days prior to undertaking a project, a public notice of the specific project shall be published and at least one public hearing shall be held by the Development Corporation prior to expending funds on the Project in compliance with the requirements of the Development Corporation Act, Sections 505.159 and 505.160 of the Local Government Code and

WHEREAS, the City of San Angelo Development Corporation shall hold a Public Hearing on the Project prior to expending authorized grant funds;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF SAN ANGELO DEVELOPMENT CORPORATION THAT:

The City of San Angelo Development Corporation offers this Resolution authorizing the use of sales and use tax funds as an economic development incentive to SPECIAL MATERIALS COMPANY, in an amount not to exceed $200,000; authorizing the Director of Economic Development to prepare an economic development performance agreement with SPECIAL MATERIALS COMPANY, in compliance with the Development Corporation Act and as approved by the City Attorney; authorizing the COSADC Board President to execute

said agreement and related documents; and recommending to City Council ratification of the incentive and approval of the economic development performance agreement.

ADOPTED THIS _____ DAY OF March, 2019

CITY OF SAN ANGELO DEVELOPMENT CORPORATION

ATTEST: By: _____
Todd Kolls, President

_____
Nora Nevarez, Corporate Secretary

RATIFIED by City Council this _____ day of _____, 2019.

_____
Brenda Gunter, Mayor

ATTEST:

_____
Julia Antilley, Interim City Clerk

APPROVED FOR CONTENT

_____
Shannon Scott, Business Retention & Expansion Coordinator

APPROVED AS TO FORM

_____
Dan T. Saluri, Deputy City Attorney

Report to Board

CITY OF SAN ANGELO TEXAS
Development Corporation

Requestor: Shannon Scott, Economic Development Specialist, COSADC, 325.653.7197

Meeting Date: April 24, 2019

Item type: Regular Item

Caption:

Public Hearing regarding the use of sales and use tax funds in an amount not to exceed $50,000 to provide an Economic Development Incentive to Ener-Tel Services for a project related to Business Enterprises that create or retain primary jobs, as authorized for a Type B Corporation under Local Government Code Chapter 504 Subchapter C. (Presentation by Shannon Scott, Business, Retention & Expansion Coordinator)

Summary/History:

Financial Impact:

Other Information/Recommendation:

Attachments:

1. COSADC_ENER-TEL_PROJECT_RESO COSADC_ENER-TEL_PROJECT_RESO.pdf

Presentation:

Approvals/Reviews:

Shannon Scott	Created/Initiated
Dan Saluri	Approved
Nolan Sosa	Approved
Tina Dierschke	Approved
Dan Saluri	Approved
Guy Andrews	Final Approval

A RESOLUTION OF THE CITY OF SAN ANGELO DEVELOPMENT CORPORATION BOARD OF DIRECTORS AUTHORIZING THE USE OF SALES AND USE TAX FUNDS IN AN AMOUNT NOT TO EXCEED $50,000 TO PROVIDE AN ECONOMIC DEVELOPMENT INCENTIVE TO ENER-TEL SERVICES, INC FOR A PROJECT RELATED TO BUSINESS ENTERPRISES THAT CREATE OR RETAIN PRIMARY JOBS, AS AUTHORIZED FOR A TYPE B CORPORATION UNDER LOCAL GOVERNMENT CODE CHAPTER 505 SUBCHAPTER D.

WHEREAS, The voters of the City of San Angelo on November 2, 2010 approved the use of sales and use tax proceeds for the continued economic development projects authorized under Section 4B of the Act, including but not limited to, the development, promotion, creation, retention, or expansion of business enterprises that create or retain primary jobs, including suitable infrastructure, and,

WHEREAS, ENER-TEL SERVICES, INC. (hereinafter "ENER-TEL") is a business enterprise engaged in the design, installation and servicing of security systems at its facilities in San Angelo, and is in the process of expanding its business; and,

WHEREAS, ENER-TEL SERVICES intends to retain at its facilities in San Angelo seventy-three (73) existing full time primary jobs and would like to create a minimum of three (3), but up to fifteen (10) new Full Time Equivalent Primary Jobs (FTE's); and,

WHEREAS, ENER-TEL SERVICES has applied with COSADC under the Business Retention and Expansion Program (BREP) for an incentive to carry out business expansion plans and the Board has determined that the Project will promote or develop expansion of its business enterprise in San Angelo that creates or retains primary jobs; and,

WHEREAS, at least sixty (60) days prior to undertaking a project, a public notice of the specific project shall be published and at least one public hearing shall be held by the Development Corporation prior to expending funds on the Project in compliance with the requirements of the Development Corporation Act, Sections 505.159 and 505.160 of the Local Government Code and

WHEREAS, the City of San Angelo Development Corporation shall hold a Public Hearing on the Project prior to expending authorized grant funds;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF SAN ANGELO DEVELOPMENT CORPORATION THAT:

The City of San Angelo Development Corporation offers this Resolution authorizing the use of sales and use tax funds as an economic development incentive to ENER-TEL SERVICES, INC., in an amount not to exceed $50,000.00; authorizing the Director of Economic Development to prepare an economic development performance agreement with ENER-TEL SERVICES, INC. in compliance with the Development

Corporation Act and as approved by the City Attorney; authorizing the COSADC Board President to execute said agreement and related documents; and recommending to City Council ratification of the incentive and approval of the economic development performance agreement.

ADOPTED THIS _____ DAY OF March, 2019

CITY OF SAN ANGELO DEVELOPMENT CORPORATION

ATTEST: By:_____
Todd Kolls, President

_____
Nora Nevarez, Corporate Secretary

RATIFIED by City Council this _____ day of _____, 2019.

_____
Brenda Gunter, Mayor

ATTEST:

_____
Julia Antilley, Interim City Clerk

APPROVED FOR CONTENT

_____
Shannon Scott, Business Retention & Expansion Coordinator

APPROVED AS TO FORM

_____
Dan T. Saluri, Deputy City Attorney

Report to Board

CITY OF SAN ANGELO TEXAS
Development Corporation

Requestor: Robert Schneeman, Economic Development Coordinator, COSADC, 325.653.7197

Meeting Date: April 24, 2019

Item type: Regular Item

Caption:

Consider a resolution authorizing the Board President or his designee to negotiate and execute a Memorandum of Understanding wit relating to infrastructure improvements necessary for platting a 153.007 +/- acre portion of the subdivision of Phase II of the San Ang Park encompassing a future allocation of up to four million dollars. (Presentation by Robert Schneeman, Economic Development Proj

Summary/History:

COSADC is in the process of subdividing 153 +/- acres of real property out of Phase II of the San Angelo Business and Industrial Park.

On November 19, 2018, the City of San Angelo Planning Commission approved a Revised Preliminary Plat of San Angelo Gateway Ad (hereinafter "Subdivision"), being the subdivision of a 153 +/- acre portion of Phase II of the San Angelo Business and Industrial Park, s required site improvements designated on the plat or suitable security therefore; and, conditioned upon a memorandum of understa and CITY acknowledging the responsibility of COSADC or a future developer for paving designated street improvements (extension of construction of Monument Drive).

Parkhill, Smith & Cooper, Inc. has performed engineering and surveying services for infrastructure for the San Angelo Business & Indu which the allocation of up to $4M, may be required for the extension of water and sewer, drainage and other utilities improvements Gateway Drive and the construction of Monument Drive. The $4M is the total construction cost which will be allocated from COSADC Economic Development Administration grant.

This MOU is intended to satisfy the Planning Commission condition referenced above.

Financial Impact:

No impact at this time. Account No. 452-147 budget of $2M. EDA grant approved at $1.25M; budget amendment will be required on value engineering, if any, is complete.

Other Information/Recommendation:

Attachments:

1. 19-111_COSADC_INDUST_PK_II_I_153_AC_INFASTRUC_RESO 19-111_COSADC_INDUST_PK_II_I_153_AC_INFASTRUC
2. 19-111_COSADC_CITY_INDUST_PK_II_I_153_ACR_INFASTRUC_MOU_No_5 19-111_COSADC_CITY_INDUST_PK_II_I_153_ACR_INFA
3. Final Plat of Blocks 3, 4, & 5 San Angelo Gateway Addition Section 2 Final Plat of Blocks 3, 4, & 5 San Angelo Gateway Additi

Presentation:

Approvals/Reviews:

Robert Schneeman	Created/Initiated
Dan Saluri	Approved
Nolan Sosa	Approved
Tina Dierschke	Approved
Dan Saluri	Approved
Guy Andrews	Final Approval

A RESOLUTION OF THE CITY OF SAN ANGELO CITY DEVELOPMENT CORPORATION AUTHORIZING THE BOARD PRESIDENT OR HIS DESIGNEE TO NEGOTIATE AND EXECUTE A MEMORANDUM OF UNDERSTANDING WITH THE CITY OF SAN ANGELO RELATING TO INFRASTRUCTURE IMPROVEMENTS NECESSARY FOR PLATTING A 153.007 +/- ACRE PORTION OF THE SUBDIVISION OF PHASE II OF THE SAN ANGELO BUSINESS & INDUSTRIAL PARK ENCOMPASSING A FUTURE ALLOCATION OF UP TO FOUR MILLION DOLLARS..

WHEREAS, COSADC intends to subdivide 153.007 +/- acres of real property out of Phase II of the San Angelo Business and Industrial Park, and,

WHEREAS, on November 19, 2018, the City of San Angelo Planning Commission approved a Revised Preliminary Plat of San Angelo Gateway Addition, Section Two (hereinafter "Subdivision"), being the subdivision of a 153 +/- acre portion of Phase II of the San Angelo Business and Industrial Park described and depicted on **Exhibit "A"** attached hereto, subject to completion of required site improvements designated on the plat or suitable security therefore; and, conditioned upon a memorandum of understanding between COSADC and CITY acknowledging the responsibility of COSADC or a future developer for paving designated street improvements(extension of Gateway Drive and construction of Monument Drive);

WHEREAS, Parkhill, Smith & Cooper, Inc. has performed engineering and surveying services for infrastructure for the San Angelo Business & Industrial Park, according to which the allocation of up to $4M, may be required for the extension of water and sewer, drainage and other utilities improvements for an extension of Gateway Drive and the construction of Monument Drive;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF THE CITY OF SAN ANGELO DEVELOPMENT CORPORATION THAT:

The Board of the City of San Angelo Development Corporation approves that certain Memorandum of Understanding (MOU) with the City of San Angelo; and, authorizes the Board President to negotiate and execute the MOU in substantially the form of **Exhibit "A"** attached to this Resolution.

PASSED and APPROVED THIS 24th DAY OF April, 2019.

CITY OF SAN ANGELO DEVELOPMENT CORPORATION

ATTEST:

_____
Todd Kolls, President

_____
Nora Nevarez, Secretary

APPROVED AS TO CONTENT

Guy Andrews, Director of
Economic Development

APPROVED AS TO FORM

Dan T. Saluri, Depuby City Attorney

MEMORANDUM OF UNDERSTANDING BY AND BETWEEN THE CITY OF SAN ANGELO DEVELOPMENT CORPORATION AND THE CITY OF SAN ANGELO RELATING TO INFRASTRUCTURE IMPROVEMENTS NECESSARY FOR PLATTING A 153.007 +/- ACRE PORTION OF THE SUBDIVISION OF PHASE II OF THE SAN ANGELO BUSINESS & INDUSTRIAL PARK ENCOMPASSING A FUTURE ALLOCATION OF UP TO FOUR MILLION DOLLARS.

This Memorandum of Understanding ("MOU") entered into by and between the CITY OF SAN ANGELO DEVELOPMENT CORPORATION, a State of Texas non-profit Type B development corporation ("COSADC") and the CITY OF SAN ANGELO, TEXAS, a home rule municipal corporation ("CITY"), effective April 1, 2019 ("Effective Date"), relates to platting the subdivision of Phase II of the San Angelo Business & Industrial Park.

RECITALS

WHEREAS, COSADC intends to subdivide 153.007 +/- acres of real property out of Phase II of the San Angelo Business and Industrial Park, and,

WHEREAS, on November 19, 2018, the City of San Angelo Planning Commission approved a Revised Preliminary Plat of San Angelo Gateway Addition, Section Two (hereinafter "Subdivision"), being the subdivision of a 153 +/- acre portion of Phase II of the San Angelo Business and Industrial Park described and depicted on **Exhibit "A"** attached hereto**, being out of that certain 406.674 acre tract described by General Warranty Deed recorded in Vol. 798, Page 801, et seq., Official Public Records of Real Property, Tom Green County, Texas**, subject to completion of required site improvements designated on the plat or suitable security therefore; and, conditioned upon a memorandum of understanding between COSADC and CITY acknowledging the responsibility of COSADC or a future developer for paving designated street improvements(extension of Gateway Drive and construction of Monument Drive);

WHEREAS, Parkhill, Smith & Cooper, Inc. has performed engineering and surveying services for infrastructure for the San Angelo Business & Industrial Park, according to which the allocation of up to $4M, may be required for the extension of water and sewer, drainage and other utilities improvements for an extension of Gateway Drive and the construction of Monument Drive;

NOW THEREFORE, the Parties hereto cause this MOU to be executed by their duly authorized representatives for the purpose of memorializing the terms expressed herein.

1. **Recitals:** The foregoing recitals are true and correct and are adopted by the parties as part of this MOU.

2. **Term:** This MOU shall become enforceable upon its Effective Date first hereinabove provided, and, except as may be otherwise agreed to between the Parties, shall automatically terminate one year from and after completion of construction of the publicly dedicated improvements.

3. Funding Obligation of COSADC:

a. COSADC shall be responsible for (1) the extension of underground utilities and paving of designated extension of Gateway Drive and construction of Monument Drive and (2) the construction of all drainage improvements as shown in the approved plans prepared by Parkhill Smith & Cooper , dated 12/20/17, as required for recordation of said plat of 154 +/- acres out of Phase II, San Angelo Gateway Addition, Section 2, a copy of which preliminary plat is attached hereto as **Exhibit "A",** in a sum not to exceed FOUR MILLION AND NO/100 DOLLARS ($4,000,000).

b. COSADC or future adjacent developer(s) shall be responsible for paving the full width of streets within the future rights-of-way for the extension of Gateway Drive and construction of Monument Drive at the time of platting those adjacent properties and any other public improvements including drainage as required for recordation of said plat.

4. City's Obligations: CITY shall accept public dedication of extended underground utilities, extension of Gateway Drive, newly platted Monument Drive, and all public drainage facilities including underground drains and open channels shown on the plat or as may be required by the City as public drainage improvements.

5. Assignment: This MOU shall not be assigned by any of the Parties to it, in whole or in part, without the prior written consent of each of the other Parties, which consent may be arbitrarily withheld or conditioned.

6. Notices: All notices required under this MOU shall be in writing and shall be given by hand-delivery or by certified U.S. Mail, return receipt requested, addressed to the other Party at the address indicated herein or to such other address as a Party may designate by notice given as herein provided. Notice shall be deemed given on the day on which personally delivered; or, if by mail, on the third day after being deposited with the U.S. Mail or the date of actual receipt, whichever is earlier.

CITY OF SAN ANGELO DEVELOPMENT CORPORATION
Attention: Director of Economic Development
69 N. Chadbourne Street
San Angelo, Texas 76903

CITY OF SAN ANGELO
Attention: City Manager
72 W. College Avenue
San Angelo, Texas 76903

With a mandatory copy to:

City Attorney's Office
72 W. College Avenue
San Angelo, Texas 76903

7. Contingency Clause: The funding obligation of COSADC under this MOU is contingent on the availability of funds and continued authorization for project activities. This MOU is subject to amendment

due to lack of funds, reduction of funds and/or change in regulations, upon thirty (30) days' written notice thereof to CITY.

8. **No Joint Venture:** It is acknowledged and agreed by the Parties hereto that the terms of this MOU are not intended to and shall not be deemed to create any partnership or joint venture between the Parties. COSADC, its past and future officers, employees and agents do not assume responsibilities or liabilities of any third Party in connection with CITY's operations, employees or contractors.

9. **Miscellaneous Provisions:**

A. This MOU shall be construed and enforced according to the laws of the State of Texas. The Parties acknowledge that this MOU can be performed in Tom Green County, Texas, and that venue for the resolution of any dispute between the Parties relating to this MOU shall be in Tom Green County, Texas.

B. Title and paragraph headings are for convenient reference and are not a part of this MOU.

C. The meaning of capitalized terms shall be as defined under this MOU.

D. Should any provision, paragraph, sentence, word or phrase contained in this MOU be determined by a court of competent jurisdiction to be invalid, illegal or otherwise unenforceable under the laws of the State of Texas or the City of San Angelo, such provision, paragraph, sentence, word or phrase shall be deemed modified to the extent necessary in order to conform with such laws, or if not modifiable, then same shall be deemed severable, and in either event, the remaining terms and provisions of this MOU shall remain unmodified and in full force and effect or limitation of its use.

E. This MOU constitutes the sole and entire agreement between the Parties hereto relating to the subject matter of this MOU. No modification or amendment hereto shall be valid unless in writing and executed by properly authorized representatives of the Parties hereto.

F. Any delay or failure in the performance by either Party hereunder shall be excused if and to the extent caused by the occurrence of a Force Majeure. For purposes of this MOU, Force Majeure shall mean a cause or event that is not reasonably foreseeable or otherwise caused by or under the control of the Party claiming Force Majeure, including acts of God, fires, floods, explosions, riots, wars, hurricane, sabotage terrorism, vandalism. accident, restraint of government, governmental acts, injunctions, labor strikes that prevent a Party from performing, and other like events that are beyond the reasonable anticipation and control of the Party affected thereby, despite such Party's reasonable efforts to prevent, avoid, delay, or mitigate the effect of such acts, events or occurrences, and which events or the effects thereof are not attributable to a Party's failure to perform its obligations under this MOU.

G. This MOU shall be binding upon the Parties hereto, their legal representatives, successors or permitted assigns.

H. This MOU may be executed in multiple counterparts, each of which shall be deemed an original, and all of which, taken together, shall constitute but one and the same instrument, which may be sufficiently evidenced by one counterpart.

I. No waiver or breach of any provision of this MOU shall constitute a waiver of any subsequent breach of the same or any other provision hereof, and no waiver shall be effective unless made in writing. Failure by a Party on one or more occasions to exercise one or more of its rights under this MOU shall not be construed as waiver of such right or rights, and rights granted hereunder are in addition to those available under law and equity.

J. The provisions of this MOU, which by their nature extend beyond the expiration or termination of this MOU, will survive expiration or termination of this MOU.

K. This MOU has been officially authorized by the governing body of each Party hereto and each signatory to this MOU guarantees and warrants that the signatory has full authority to execute this MOU and to legally bind the respective Party to it.

IN WITNESS WHEREOF, the Parties hereto have caused this instrument to be executed by their respective officials thereunto duly authorized, on the dates indicated below.

ATTEST:

CITY OF SAN ANGELO DEVELOPMENT CORPORATION

_____
Nora Nevarez, Secretary

_____
Todd Kolls, President

ATTEST:

CITY OF SAN ANGELO

_____
Julia Antilley, City Clerk

_____
Daniel Valenzuela, CITY Manager

STATE OF TEXAS §
§
COUNTY OF TOM GREEN §

This instrument was acknowledged before me on _____, 2019, by TODD KOLLS, President of the CITY OF SAN ANGELO DEVELOPMENT CORPORATION, on behalf of such corporation by authority of its governing body.

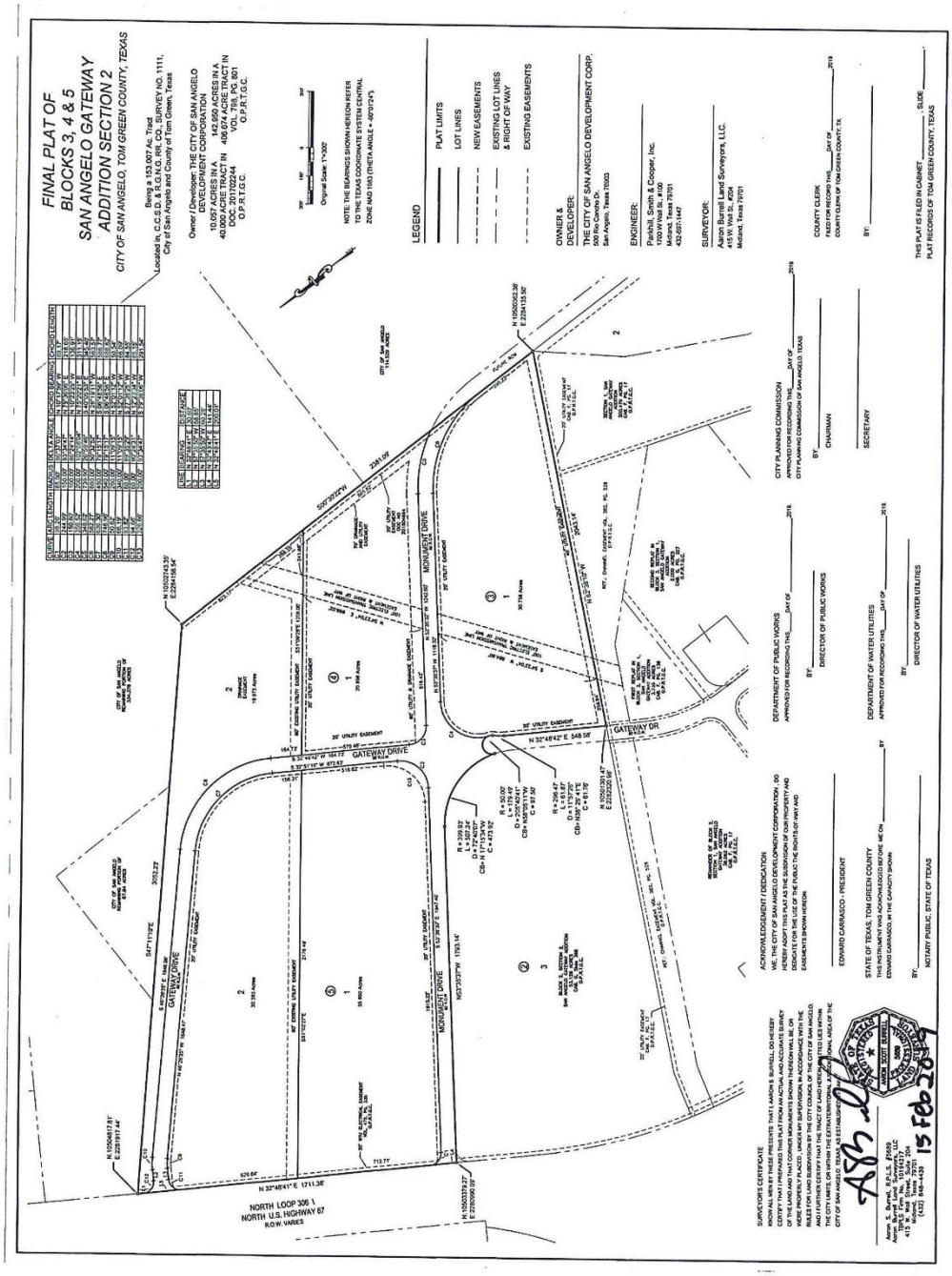
_____
Notary Public, State of Texas

STATE OF TEXAS §
§
COUNTY OF TOM GREEN §

This instrument was acknowledged before me on _____, 2019, by DANIEL VALENZUELA, City Manager of the CITY OF SAN ANGELO, a Texas home-rule municipal corporation, on behalf of such corporation by authority of its governing body.

_____
Notary Public, State of Texas

EXHIBIT "A"


FINAL PLAT OF
BLOCKS 3, 4 & 5
SAN ANGELO GATEWAY
ADDITION SECTION 2
CITY OF SAN ANGELO, TOM GREEN COUNTY, TEXAS
Being a 153.007 Ac. Tract
Located in, C.C.S.D. & R.G.N.G. RR. CO., SURVEY NO. 1111,
City of San Angelo and County of Tom Green, Texas
Owner / Developer: THE CITY OF SAN ANGELO
DEVELOPMENT CORPORATION
10.057 ACRES IN A
40.000 ACRE TRACT IN
DOC. 2015004784
O.P.R.T.G.C.
142.950 ACRES IN A
406.674 ACRE TRACT IN
DOC. 2015004801
O.P.R.T.G.C.
NOTE: THE BEARINGS SHOWN HEREON REFER
TO THE TEXAS COORDINATE SYSTEM CENTRAL
ZONE NAD 1983 (CNETA ANGLE = 00°07'24")
Original Scale: 1"=300'
LEGEND
PLAT LIMITS
LOT LINES
NEW EASEMENTS
EXISTING LOT LINES
& RIGHT OF WAY
EXISTING EASEMENTS
OWNER &
DEVELOPER:
THE CITY OF SAN ANGELO DEVELOPMENT CORP.
ENGINEER:
Parkhill, Smith & Cooper, Inc.
SURVEYOR:
Aaron Burrell Land Surveyors, LLC.
GATEWAY DRIVE
MONUMENT DRIVE
GATEWAY DR.
NORTH LOOP 306 \
NORTH U.S. HIGHWAY 67
R.O.W. VARIES
SURVEYOR'S CERTIFICATE
ACKNOWLEDGEMENT / DEDICATION
DEPARTMENT OF PUBLIC WORKS
CITY PLANNING COMMISSION
COUNTY CLERK
DEPARTMENT OF WATER UTILITIES
STATE OF TEXAS, TOM GREEN COUNTY
DIRECTOR OF PUBLIC WORKS
CHAIRMAN
SECRETARY
DIRECTOR OF WATER UTILITIES
NOTARY PUBLIC, STATE OF TEXAS
THIS PLAT IS FILED IN CABINET _____, SLIDE _____
PLAT RECORDS OF TOM GREEN COUNTY, TEXAS

APPROVED AS TO CONTENT

Jon James, Director of
Planning & Development

APPROVED AS TO CONTENT

Guy Andrews, Director of
Economic Development

APPROVED AS TO FORM

Dan T. Saluri, Deputy City Attorney

FINAL PLAT OF BLOCKS 3, 4 & 5 SAN ANGELO GATEWAY ADDITION SECTION 2

CITY OF SAN ANGELO, TOM GREEN COUNTY, TEXAS

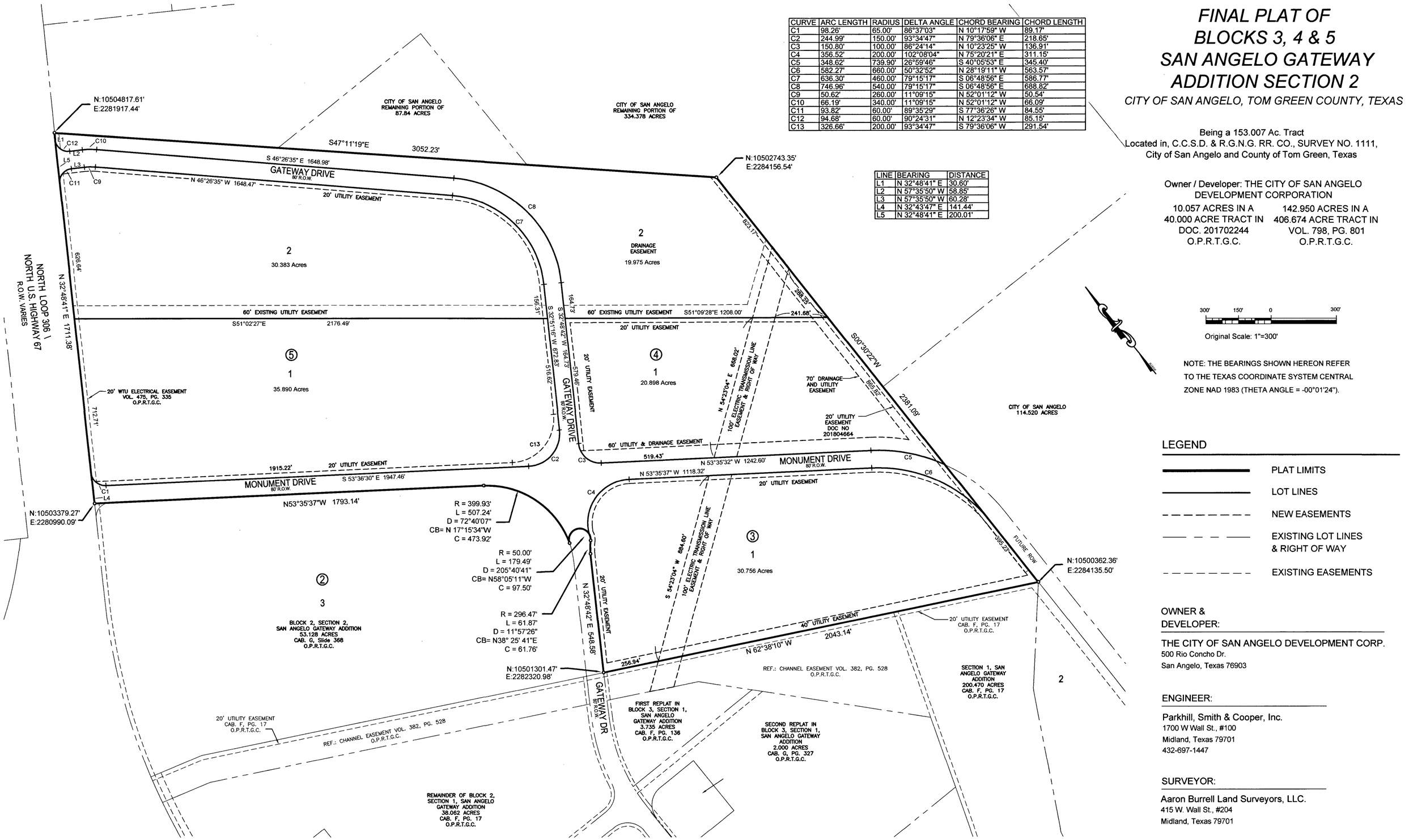
Being a 153.007 Ac. Tract
Located in, C.C.S.D. & R.G.N.G. RR. CO., SURVEY NO. 1111,
City of San Angelo and County of Tom Green, Texas

Owner / Developer: THE CITY OF SAN ANGELO DEVELOPMENT CORPORATION

10.057 ACRES IN A 40.000 ACRE TRACT IN DOC. 201702244 O.P.R.T.G.C.	142.950 ACRES IN A 406.674 ACRE TRACT IN VOL. 798, PG. 801 O.P.R.T.G.C.

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	98.26'	65.00'	86°37'03"	N 10°17'59" W	89.17'
C2	244.99'	150.00'	93°34'47"	N 79°36'06" E	218.65'
C3	150.80'	100.00'	86°24'14"	N 10°23'25" W	136.91'
C4	356.52'	200.00'	102°08'04"	N 75°20'21" E	311.15'
C5	348.62'	739.90'	26°59'46"	S 40°05'53" E	345.40'
C6	582.27'	660.00'	50°32'52"	N 28°19'11" W	563.57'
C7	636.30'	460.00'	79°15'17"	S 06°48'56" E	586.77'
C8	746.96'	540.00'	79°15'17"	S 06°48'56" E	688.82'
C9	50.62'	260.00'	11°09'15"	N 52°01'12" W	50.54'
C10	66.19'	340.00'	11°09'15"	N 52°01'12" W	66.09'
C11	93.82'	60.00'	89°35'29"	S 77°36'26" W	84.55'
C12	94.68'	60.00'	90°24'31"	N 12°23'34" W	85.15'
C13	326.66'	200.00'	93°34'47"	S 79°36'06" W	291.54'

LINE	BEARING	DISTANCE
L1	N 32°48'41" E	30.60'
L2	N 57°35'50" W	58.85'
L3	N 57°35'50" W	60.28'
L4	N 32°43'47" E	141.44'
L5	N 32°48'41" E	200.01'



300' 150' 0 300'

Original Scale: 1"=300'

NOTE: THE BEARINGS SHOWN HEREON REFER TO THE TEXAS COORDINATE SYSTEM CENTRAL ZONE NAD 1983 (THETA ANGLE = -00°01'24").

LEGEND

- PLAT LIMITS
- LOT LINES
- NEW EASEMENTS
- EXISTING LOT LINES & RIGHT OF WAY
- EXISTING EASEMENTS

OWNER & DEVELOPER:

THE CITY OF SAN ANGELO DEVELOPMENT CORP.
500 Rio Concho Dr.
San Angelo, Texas 76903

ENGINEER:

Parkhill, Smith & Cooper, Inc.
1700 W Wall St., #100
Midland, Texas 79701
432-697-1447

SURVEYOR:

Aaron Burrell Land Surveyors, LLC.
415 W. Wall St., #204
Midland, Texas 79701

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS: THAT I, AARON S. BURRELL, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND AND THAT CORNER MONUMENTS SHOWN THEREON WILL BE, OR WERE PROPERLY PLACED , UNDER MY SUPERVISION, IN ACCORDANCE WITH THE RULES FOR LAND SUBDIVISION BY THE CITY COUNCIL OF THE CITY OF SAN ANGELO; AND I FURTHER CERTIFY THAT THE TRACT OF LAND HEREIN PLATTED LIES WITHIN THE CITY LIMITS, OR WITHIN THE EXTRATERRITORIAL JURISDICTIONAL AREA OF THE CITY OF SAN ANGELO, TEXAS, AS ESTABLISHED BY LAW.

ASB

STATE OF TEXAS REGISTERED AARON SCOTT BURRELL 5689 PROFESSIONAL LAND SURVEYOR

Aaron S. Burrell, R.P.L.S. #5689
Aaron Burrell Land Surveyors, LLC
TBPLS Firm No. 10194217
415 W. Wall Street, Suite 204
Midland, Texas 79701
(432) 848-4439

15 Feb 2019

ACKNOWLEDGEMENT / DEDICATION

WE, THE CITY OF SAN ANGELO DEVELOPMENT CORPORATION , DO HEREBY ADOPT THIS PLAT AS THE SUBDIVISION OF OUR PROPERTY AND DEDICATE FOR THE USE OF THE PUBLIC THE RIGHTS-OF-WAY AND EASEMENTS SHOWN HEREON.

EDWARD CARRASCO - PRESIDENT

STATE OF TEXAS, TOM GREEN COUNTY

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON _____ BY EDWARD CARRASCO, IN THE CAPACITY SHOWN.

BY:_____
NOTARY PUBLIC, STATE OF TEXAS

DEPARTMENT OF PUBLIC WORKS

APPROVED FOR RECORDING THIS_____DAY OF _____,2019.

BY:_____
DIRECTOR OF PUBLIC WORKS

DEPARTMENT OF WATER UTILITIES

APPROVED FOR RECORDING THIS_____DAY OF _____,2019.

BY:_____
DIRECTOR OF WATER UTILITIES

CITY PLANNING COMMISSION

APPROVED FOR RECORDING THIS_____DAY OF _____,2019.
CITY PLANNING COMMISSION OF SAN ANGELO, TEXAS

BY:_____
CHAIRMAN

_____
SECRETARY

COUNTY CLERK

FILED FOR RECORD THIS_____DAY OF _____,2019.
COUNTY CLERK OF TOM GREEN COUNTY, TX.

BY: _____

THIS PLAT IS FILED IN CABINET _____ , SLIDE _____ ,
PLAT RECORDS OF TOM GREEN COUNTY, TEXAS

Report to Board

CITY OF SAN ANGELO TEXAS
Development Corporation

Requestor: Nora Nevarez, Executive Office Coordinator, COSADC, 325-653-7197

Meeting Date: April 24, 2019

Item type: Regular Item

Caption:

Presentation of the Chamber of Commerce 2nd Quarter Report, January - March 2019 (Presentation made by Michael Looney, Vice President of Economic Development)

Summary/History:

Financial Impact:

Other Information/Recommendation:

Attachments:

Presentation:

Approvals/Reviews:

Nora Nevarez	Created/Initiated
Guy Andrews	Final Approval

Report to Board

CITY OF SAN ANGELO TEXAS
Development Corporation

Requestor: Robert Schneeman, Economic Development Coordinator, COSADC, 325.653.7197

Meeting Date: April 24, 2019

Item type: Executive Session Item

Caption:

Section 551.072 to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person

A vacant tract of land being 180 +/- acres out of J C Matthews Abstract 8071, Survey 0178, and being a portion of Property identified as Tax ID #61-08071-0711-000-00

Summary/History:

Financial Impact:

Other Information/Recommendation:

Attachments:

Presentation:

Approvals/Reviews:

Robert Schneeman	Created/Initiated
Dan Saluri	Approved
Guy Andrews	Final Approval

Report to Board

CITY OF SAN ANGELO TEXAS
Development Corporation

Requestor: Shannon Scott, Economic Development Specialist, Economic Development, 325.653.7197

Meeting Date: April 24, 2019

Item type: Executive Session Item

Caption:

Section 551.087 to deliberate regarding commercial or financial information that the Board is receiving from business prospects with whom economic development negotiations are being conducted, and discuss financial or other incentives relating to the following projects:

Project 2019-S28
Project 2019-DB68
Project 2019-J32
Project Chem 1
Project Chem 2

Summary/History:

Financial Impact:

Other Information/Recommendation:

Attachments:

Presentation:

Approvals/Reviews:

Shannon Scott	Created/Initiated
Dan Saluri	Approved
Guy Andrews	Final Approval