



City Council Agenda 11/17/2020

Notice is hereby given of a regular meeting of the City Council of City of San Angelo to be held November 17, 2020 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.

Members of the public who wish to submit Public Comment on agenda items must send their written comments via email to Julia.Antilley@cosatx.us by noon November 16, 2020.

The subject must be in the following format: "Public Comment, [item number] – November 17, 2020."

All emails must include your name and address or SMD.

Please note all Public Comment emails relevant to posted agenda items received by the deadline will be added to the agenda packet and are therefore public record.

Call 325-657-4405 for staff assistance.

1. Call to Order

2. Chaplain Prayer & Pledges

3. Proclamations/Recognitions

- a. Recognition of December 9, 2020 as San Angelo Reads Day

4. Public Comment

Issues or concerns not on the Regular Agenda may be raised by the public at this time. Citizens should speak from the podium, address all comments to the dais, begin by stating their name and address or Single Member District number, and limit their remarks to less than three minutes.

5. Consent Agenda

- a. Consider approving the November 3, 2020 City Council regular meeting minutes (Julia Antilley)
- b. Consider a resolution authorizing a tax resale deed (Quitclaim) to be executed by the Mayor on behalf of the city and all taxing units in the Tax Foreclosure Judgment or Tax Warrant for 3022 Rock Brook, being Lot 6, Block 36, Section 16, Southland Park Addition (\$16,500) (Cindy Preas)
- c. Consider a resolution approving non-monetary in-kind support for the Downtown San Angelo Inc. "Reverse Parade" for Christmas to be held December 12, 2020 (Carl White)
- d. Consider approving Buyboard contract #592-19 with Exerplay, Inc. for playground equipment and safety surfacing for Unidad Park in the amount of \$396,477.65 and authorizing the City Manager to negotiate and execute all related documents (Carl White)
- e. Consider awarding WU-01-21 to Darnell Construction, LLC for the construction of the North Bentwood Lift Station and Site Improvements in the amount of \$1,352,217.50, budgeted for purchase in fiscal year 2021 and authorizing the City Manager to negotiate and execute all related documents (Andy Vecellio)
- f. Consider approving an agreement with Computer Solutions, Inc. for purchase and installation of

core networking switches at the San Angelo Police Department and Public Safety Communications Data Center via DIR TSO-4167 in the amount of \$76,704.29 using Coronavirus Relief Funds and authorizing the City Manager to execute all related documents (Bucky Hasty)

- g. Consider approving a purchase of Microsoft Office Professional Plus Licenses in the amount of \$141,591.78 from SHI Government Solutions via DIR-TSO-4092 using Coronavirus Relief Funds and authorizing the City Manager to execute all related documents (Frank Carter)
- h. Consider authorizing the City Manager to execute an interlocal agreement with Tom Green County providing for Mental Health Unit (MHU) Services with associated costs not to exceed \$120,391 for fiscal year 2021 (Frank Carter)
- i. Consider authorizing the City Manager to execute an interlocal agreement with Tom Green County providing for Crisis Intervention Unit (CIU) Services with associated costs not to exceed \$36,045 for fiscal year 2021 (Frank Carter)
- j. Consider a resolution allowing the Fire Department to accept a donation of eight Webber Smokers from Lowes Home Improvement Store, estimated value of donation \$8,000 (Patrick Brody)
- k. Consider confirming appointments to MHMR Services for the Concho Valley Board of Trustees recommended by the Liaison Representative Committee (Julia Antilley)
- l. Second reading of an ordinance approving case Z20-13, a rezoning from the Light Manufacturing zoning district to the General Commercial zoning district, being 2.97 acres located at 1801 and 1819 Knickerbocker Rd. and adjacent vacant lots located on Industrial Ave. between Market St. and Commerce St. (Jon James)
- m. Second reading of an ordinance approving case Z20-16, a rezoning from Low Rise Multifamily Residence, Neighborhood Commercial, and Light Manufacturing to the Central Business District zoning district, being 6.487 acres located at 122 W. 2nd St., 209 & 215 Gillis St., 34 W. 3rd St., 214 & 218 Farr St. and other unaddressed properties in the 100 and 200 blocks of W. 2nd St. and W. 3rd St. (Jon James)
- n. Second reading of an ordinance amending Article 12.04 "Signs" in Chapter 12 of the City Code of Ordinances by amending Section 12.04.005 "On-site Regulations" and deleting Section 12.04.006 "Off-site Regulations" in its entirety (Jon James)
- o. Consider authorizing a Memorandum of Understanding with Peoplefund, a community development financial institution, for the administration of financial assistance in the form of grants to eligible businesses in our community (Tina Dierschke)

6. Regular Agenda

Comments regarding items on the Regular Agenda may be made by the public when each item is discussed as outlined above. Applicants, proponents, and appellants are excepted from the time limit above and must limit their remarks to less than five minutes.

- a. Consider approving a Change Order to the Ave. P Stormwater Detention Basin Construction Agreement with Darnell Construction, increasing the total contract amount from \$1,550,145 to \$1,793,137, and authorizing the City Manager to negotiate and execute all related documents (Presentation made by City Engineer Lance Overstreet)

- b. Consider a resolution nominating W&W-AFCO Steel, LLC to the Office of the Governor, Economic Development and Tourism (EDT) through the Economic Development Bank for designation as an Enterprise Project pursuant to the Texas Enterprise Zone Act (Presentation made by Business, Retention & Expansion Coordinator Shannon Scott)
- c. First reading and public hearing of an ordinance amending Chapter 6 "Fire and Rescue", Article 6.05 "Ambulances and Ambulance Companies" allowing for private ambulances (Presentation made by Fire Chief Brian Dunn)
- d. First reading and public hearing of an ordinance amending Chapter 8 "Offenses and Nuisances", Article 8.11 "Outdoor Lighting", Section 8.11.002 "Outdoor Lighting Standard" to clarify lighting standard measurements (Presentation made by Neighborhood & Family Services Director Bob Salas)
- e. First reading and public hearing of an ordinance amending Chapter 10 "Traffic Control", Article 10.01 "General Provisions" amending Section 10.01.013 "Pedestrian's Rights and Duties" (Presentation made by City Attorney Theresa James)
- f. First reading and public hearing of an ordinance amending Chapter 5 "Business and Commerce", Article 5.04 "Itinerant Merchants" by amending Section 5.04.003 "Hours of Solicitation" (Presentation made by City Attorney Theresa James)
- g. Public hearings on proposed annexations and first reading of ordinances annexing into the City of San Angelo, by petition of the property owner, for the following properties, and authorizing the City Manager to negotiate and execute all related documents:
 - 1) 10.480 acres out of the C. Berberich Survey No. 177, Abstract No. 52, generally located south of Loop 306 along Old Stone Dr.
 - 2) 18.753 acres out of the C. Berberich Survey No. 177, Abstract No. 52 and H. Zerbach Survey No. 178, Abstract No. 4210, generally located east of the intersection of Club House Ln. and Enclave Ct.
 - 3) 18.325 acres out of Abstract: 8108, Survey: 0008, A. Willeke, out of the west ½ of Survey 8, generally located west of the intersection of Dominion Ridge and Coral Way
 - 4) 88.936 acres out of Tract 2 and Tract 3, Block 1, Section One, Tom Green County Business Park, generally located east of N. US Hwy 277 north of Tractor Trl.(Presentation made by Planning & Development Services Director Jon James)
- h. First reading and public hearing of an ordinance approving case Z20-14, zoning property to the Single-Family Residential zoning district in connection with an annexation, being 10.480 acres located along south Old Stone Dr. (Presentation made by Planning & Development Services Director Jon James)
- i. First reading and public hearing of an ordinance approving case Z20-15, zoning property to the Single-Family Residential zoning district in connection with an annexation, being 18.753 acres located east of the intersection of Club House Ln. and Enclave Ct. (Presentation made by Planning & Development Services Director Jon James)
- j. First reading and public hearing of an ordinance approving case Z20-17, zoning property to the Single-Family Residential zoning district in connection with an annexation, being 18.325 acres located west of the intersection of Dominion Ridge and Coral Way (Presentation made by

Planning & Development Services Director Jon James)

- k. First public hearing and introduction of an ordinance amending the budget for the fiscal year beginning October 1, 2020, and ending September 30, 2021, for capital items, donations, grants, and projects (Presentation made by Finance Director Tina Dierschke)

7. Closed Session

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

- a. 551.072 Deliberations about Real Property regarding:
 - 1. Water Rights
 - 2. Block 24, Millspaugh Addition
 - 3. Lands near or adjacent to Red Bluff and Middle Concho Roads
- b. 551.071 Consultation with Attorney regarding Sheila Andrews

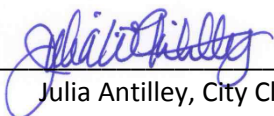
8. Follow Up and Administrative Issues

- a. Consider items discussed in Closed Session, if needed
- b. Consideration of approving various Board nominations:
Fort Concho Museum Board: Yukio Kuniyuki (SMD3) to an unexpired term ending January 2021
- c. Announcements and consideration of Future Agenda Items

9. Adjournment

CERTIFICATION

I hereby certify that the above notice of meeting was posted on the bulletin board at City Hall in the City of San Angelo, Texas, on the 13th day of November 2020, at 1:32 p.m.



Julia Antilley, City Clerk

All agenda items are subject to action. The City Council reserves the right to consider business out of posted order and/or meet in a closed session on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

In compliance with the Americans with Disabilities Act, the City of San Angelo will provide for reasonable accommodations for persons attending City Council meetings. To better serve you, requests should be received 48 hours prior to the meetings. Please contact the City Clerk's Office at 325-657-4405.

Citizen requests to display materials on the city's monitors must submit the request 96 hours prior to the meeting by email to Julia.Antilley@cosatx.us. Time limits for discussion are as stated above and materials cannot exceed 10-pages. Citizens bringing materials for distribution to City Council members during the meeting must bring a minimum of 12 copies.

City Council regular meetings are broadcast on SATV Channel 17-Government Access at 10:30 a.m. and 7:00 p.m. every day, beginning the evening of the meeting until the evening of the next meeting.

Recognition

San Angelo ISD is committed to building the literacy skills of the children of San Angelo and to instill a passion for reading in every student.

As part of this commitment, SAISD is partnering with the City of San Angelo, the San Angelo Area Foundation and other community groups on a community-wide literacy initiative to focus on the importance of literacy called “San Angelo Reads!”

SAISD administrators, principals, and educators are focusing on this initiative in schools together with comprehensive literacy programs.

SAISD invites the San Angelo community to join in and get to reading!

Therefore, I, Brenda Gunter, Mayor of the City of San Angelo, Texas, on behalf of the City Council, and together with San Angelo Independent School District administrators, principals, educators, staff, and students do hereby recognize December 9, 2020 as

SAN ANGELO READS! DAY

and urge all citizens in San Angelo, Texas to acknowledge the occasion of this day in celebration of the importance of literacy and of instilling a passion for reading in our youth.

In Witness Whereof, I have set my hand and have caused the Official Seal of the City of San Angelo to be affixed this 17th day of November, 2020.

Brenda Gunter
Mayor of the City of San Angelo

City of San Angelo, Texas
Regular City Council Meeting
Tuesday, November 3, 2020

Present:

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

1. Call to Order

With a quorum of the City Council Members present, Mayor Gunter called the regular session of the San Angelo City Council to order at 8:31 a.m. on Tuesday, November 3, 2020, in the San Angelo McNease Convention Center, 501 Rio Concho Drive, San Angelo, Texas 76903.

2. Chaplain Prayer & Pledges

San Angelo Police Department Chaplain Tommy Tallas provided an invocation and led the pledges.

3. Proclamations/Recognitions

There were no proclamations or recognitions.

4. Public Comment

Mayor Gunter thanked citizens for their support of local businesses and for taking personal responsibility for maintaining a healthy community. She then read recent statistics related to Covid. In the past seven days, the highest number of tests were administered, which resulted in higher case rates. Our positive rate is 15.9%. This is up from 13.7% in the prior week. The 20-29 age range group has the greatest increases in cases. In the over 70 age range the number of cases has stabilized. The Covid hospital rate is around 6% of capacity, still under the 15% rate which will trigger rollback to limited operating capacity.

5. Consent Agenda

- a. Approval of the October 20, 2020 City Council regular meeting minutes (Julia Antilley)
- b. Authorization of the City Manager to negotiate and execute an amendment to the lease agreement with the Trustees of the First United Methodist Church for use of the property at 304 W. Ave. A for operation of a Boy Scout Troop and extending the lease term (Carl White)
- c. Adoption of a resolution accepting the donation of funds from West Texas 4Wheel & Offroad to be used for the purchase of communications equipment for the San Angelo Police Crisis Negotiation Team (Frank Carter) (Pg. 472, 2020-096)
- d. Award of ED-01-21 Gateway Signage to Entrenos, Inc. in the amount of \$113,572.20, budgeted for purchase in fiscal year 2021, and authorizing the City Manager to execute all related documents (Alfonso Torres)
- e. Ratification of an agreement for the mutual termination of the Memorandum of Understanding by and between the City of San Angelo Development Corporation and the City of San Angelo providing an economic development incentive to U.S. Customs & Border Protection Air and Marine Operations with participation by the City for a project related to business enterprises that create or retain primary jobs (Guy Andrews)

- f. Ratification of a resolution authorizing the use of sales and use tax funds in an amount not to exceed \$150,000, to provide an economic development incentive matching grant with Ethicon, Inc. and Principal LED, LLC to SME Education Foundation for its SME Prime next generation of manufacturing, fabrication and engineering talent high school or similar program for high school students in the City of San Angelo (Guy Andrews)
- g. Ratification of an extension of the professional services performance agreement with the San Angelo Chamber of Commerce, Incorporated as provided in the agreement, through December 31, 2021, for adjusted compensation in the annual sum of \$262,500 (Guy Andrews)
- h. Ratification of a resolution of the San Angelo Development Corporation authorizing the use of Sales and Use Tax Funds in an amount not to exceed \$100,000, for monument signage and related landscaping welcoming travelers into the City of San Angelo, enhancing an approved project for cleanup, open space improvement and landscaping of the Knickerbocker Rd. right of way and adjoining Bureau of Reclamation land, open space fronting the San Angelo Regional Airport - Mathis Field (Guy Andrews)
- i. Ratification of the first addendum to an Memorandum of Understanding between the City of San Angelo Development Corporation and the City of San Angelo concerning a project for open space improvement, landscaping and related facilities necessary to enhance the Knickerbocker Rd. right of way and adjoining Bureau of Reclamation land fronting the San Angelo Regional Airport - Mathis Field (Guy Andrews)
- j. Second reading and adoption of an ordinance approving case PD20-02, a rezoning property from a Planned Development allowing retail sales and service uses and offices with Type 1 outdoor storage, to a Planned Development allowing multifamily housing development; being 1.425 acres located at 3824 Green Meadow Dr. (Jon James) (Pg. 473, 2020-097)
- k. Second reading and adoption of an ordinance approving case CP20-06, a Comprehensive Plan Amendment from Neighborhood to Neighborhood Center, being 0.553 acres located at the northwest corner of S. Bell St. and Paint Rock Rd. (Jon James) (Pg. 478, 2020-098)
- l. Second reading and adoption of an ordinance approving case Z20-12, a rezoning from the Single Family Residence zoning district to the Low Rise Multi-Family zoning district, being 0.415 acres located at 2314 Carlton Way (Jon James) (Pg. 481, 2020-099)
- m. Second reading and adoption of ordinances approving:
 - 1. Case CP20-05, an amendment to the City of San Angelo Comprehensive Plan, changing certain lands from Neighborhood and Neighborhood Center to Commercial, on 12 acres located at 913 W. 33rd St. (Pg. 484, 2020-100)
 - 2. Case Z20-11, a rezoning from the Single-Family Residential zoning district to the General Commercial zoning district, on 10 acres located at 913 W. 33rd St. (Jon James) (Pg. 487, 2020-101)
- n. Amendment of the Low Income Assistance Program Agreement with Concho Valley Community Action Agency to allow customers to receive assistance twice annually and to increase funding for 2020 by \$100,000 with CARES Act Coronavirus Relief Funds (Allison Strube)
- o. Approval of an amendment to the lease agreement between the City of San Angelo and Golden Antlers Corp., the Spring Creek Marina lease, modifying the section entitled prohibited events, and authorizing the City Manager to negotiate and execute all related documents (Carl White)

Motion: Council Member DeWitt made a motion, seconded by Council Member Gonzales, to approve the Consent Agenda, with the exception of items 5f, 5n, and 5o. The motion carried unanimously (7) ayes to (0) nays.

- Motion: Council Member DeWitt made a motion, seconded by Council Member Hiebert, to approve item 5f, as presented by Economic Development Director Guy Andrews. The motion carried unanimously (7) ayes to (0) nays.
- Motion: Council Member Gonzales made a motion, seconded by Council Member Carter, to approve item 5n, as presented by Water Utilities Director Allison Strube. The motion carried unanimously (7) ayes to (0) nays.
- Motion: Council Member Thomas made a motion, seconded by Council Member Hiebert, to approve item 5o, as presented by Parks & Recreation Director Carl White. The motion carried unanimously (7) ayes to (0) nays.

6. Regular Agenda

- a. Approval of an Infill Empowerment Zone request for infrastructure funding for up to 50% of costs for water lines, sewer lines, fire hydrant, and roadway construction costs in an amount not to exceed \$136,400 for the Denny Addition, Section 2 (Presentation made by A'lisa Denny, introduction made by Planning & Development Services Director Jon James)

- Motion: Council Member Thompson made a motion, seconded by Council Member Thomas, to table [postpone] the item until further discussions can be held to review alternative options and resolve funding concerns. The motion carried unanimously (7) ayes to (0) nays.

- b. 1. First reading and public hearing of an ordinance amending Article 12.04 "Signs" in Chapter 12 of the City Code of Ordinances by amending Section 12.04.005 "On-site Regulations" and deleting Section 12.04.006 "Off-site Regulations" in its entirety
2. Adoption of a resolution to temporarily suspend issuance of sign permits affected by this ordinance amendment pending the adoption of the ordinance (Presentation made by Planning and Development Services Director Jon James) (Pg. 490, 2020-102)

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

- c. First reading and public hearing of an ordinance approving case Z20-13, a rezoning from the Light Manufacturing zoning district to the General Commercial zoning district, being 2.97 acres located at 1801 and 1819 Knickerbocker Rd. and adjacent vacant lots located on Industrial Ave. between Market St. and Commerce St. (Presentation made by Planning and Development Services Director Jon James)

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

- d. First reading and public hearing of an ordinance approving case Z20-16, a request for a rezoning from Low Rise Multifamily Residence, Neighborhood Commercial, and Light Manufacturing to the Central Business District zoning district, being 6.487 acres located at 122 W. 2nd St., 209 & 215 Gillis St., 34 W. 3rd St., 214 & 218 Farr St. and other unaddressed properties in the 100 and 200 blocks of W. 2nd St. and W. 3rd St. (Presentation made by Planning & Development Services Director Jon James)

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

7. Closed Session

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

- a. 551.071 Consultation with Attorney regarding Wastewater Treatment Plant (TCEQ Permit WQ0010641003)
- b. 551.087 Business Prospect/Economic development regarding San Angelo Regional Airport - Mathis Field
- c. 551.074 Personnel Matters regarding the annual evaluation of the City Manager

8. Follow Up and Administrative Issues

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

No Action Taken on this Item.

- b. Approval of various Board nominations:
Airport Advisory Board: Bruce Partain (SMD1) to a first term and Teresa Special (SMD2) to a second term, both ending October 2022

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

- c. Announcements and consideration of Future Agenda Items

No Action Taken on this Item.

9. Adjournment

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

There being no further business, the meeting adjourned at 10:57 a.m.

THE CITY OF SAN ANGELO, TEXAS:

ATTEST:

Brenda Gunter, Mayor

Julia Antilley, City Clerk

In accordance with Chapter 2, Article 2.300, of the Official Code of the City of San Angelo, the minutes of this meeting consist of the preceding Minute Record and the Supplemental Minute Record. Details on Council meetings may be obtained from the City Clerk's Office or a video of the entire meeting may be purchased from the Public Information Officer at 481-2727. (Portions of the Supplemental Minute Record video tape recording may be distorted due to equipment malfunction or other uncontrollable factors.)

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Cynthia Preas, Real Estate Manager, Real Estate, 325-657-4407

Meeting Date: November 17, 2020

Item type: Consent Item

Caption:

Consider a resolution authorizing a tax resale deed (Quitclaim) to be executed by the Mayor on behalf of the city and all taxing units in the Tax Foreclosure Judgment or Tax Warrant for 3022 Rock Brook, being Lot 6, Block 36, Section 16, Southland Park Addition (\$16,500) (Cindy Preas)

Summary/History:

Subject property was auctioned at Sheriff's Sale on October 6, 2020. No offers were received causing the subject property to be struck-off to the City, as Trustee for the taxing entities.

Financial Impact:

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

Other Information/Recommendation:

Staff recommends approval.

Attachments:

- | | |
|--------------------------------|---------------------------------|
| 1. Property Analysis Southland | Property Analysis Southland.pdf |
| 2. Tax Resale Resolution | Tax Resale Resolution.docx |
| 3. Map Southland | Map Southland.pdf |

Presentation:

Approvals/Reviews:

Cynthia Preas	Created/Initiated
Cynthia Preas	Approved
Theresa James	Approved
Tina Dierschke	Approved
Theresa James	Approved
Julia Antilley	Final Approval

PROPERTY ANALYSIS

For Tax Resale Property

Legal Description: Lot 6, Block 36, Section 16, Southland Park Addition, City of San Angelo, Tom Green County, Texas, as described in deed recorded in Volume 662, Page 19, Deed Records, Tom Green County, Texas

Improved/Unimproved Unimproved

Tax Suit Number: C160192TAX

Location: 3022 Rock Brook

City of San Angelo, et al. vs. Wayne Lee Bunn

Tax ID Number: 24-44600-0036-006-00

Judgment Date: December 5, 2017

Date of Sheriff's Sale: October 6, 2020

Sheriff's Deed Recorded: October 16, 2020

Years Held in Trust

1 month

Adjudge Value: \$ 20,474.87

Urban Redevelopment Program?

No

Amount of Offer: \$ 16,500.00

Purchaser: Miguel Duran

	Amounts Due		Priority	% of	Pro Rata	Amounts
	Fees	Judgment	Allocations	Remainder	Allocations	Distributed
Administration Fee	\$500.00		\$500.00	100.00%		\$500.00
Maintenance Fee			\$0.00	100.00%		
Sheriff's Fee	\$100.00		\$100.00	100.00%		\$100.00
District Clerk	\$503.00		\$503.00	100.00%		\$503.00
Attorney Fee	\$335.00		\$335.00	100.00%		\$335.00
Taxes	\$ 8,957.62		\$8,957.62	100.00%		\$8,957.62
Municipal Liens		\$10,579.25		57.70%		\$6,104.38
Total	\$10,395.62	\$10,579.25	\$10,395.62		\$0.00	\$16,500.00
Actual Total Amt Due		\$20,974.87				

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

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

WHEREAS, by Sheriff's Sale, the property described below was struck-off to the City of San Angelo, Trustee, pursuant to a delinquent tax foreclosure decree of the 340th Judicial District, Tom Green County, Texas; and

WHEREAS, an offer has been made for the purchase of said property pursuant to Section 34.05, Texas Tax Code Ann.(Vernon, 1982); and

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN ANGELO that its Mayor, Brenda Gunter, is hereby authorized to execute a Tax-Resale (quitclaim) Deed conveying all of the right, title, and interest of the City of San Angelo, and all other taxing units interested in the below described real property to the named individual or entity:

Conveying to:

Miguel Duran (\$16,500)

Lot 6, Block 36, Section 16, Southland Park Addition, City of San Angelo, Tom Green County, Texas, as described in deed recorded in Volume 662, Page 19, Deed Records, Tom Green County, Texas, described in Judgment foreclosing tax lien entered December 5, 2017, 340th District Court, Tom Green County, Cause No. C160192TAX, and conveyed by Sheriff's Deed dated October 14, 2020, recorded as Instrument No. 202016169.
Acct. #24-44600-0036-006-00

APPROVED AND ADOPTED ON THE _____ DAY OF _____, 2020.

THE CITY OF SAN ANGELO

Attest:

Brenda Gunter, Mayor

Julia Antilley, City Clerk

Approved As to Content:

Approved As to Form:

Cynthia S. Preas, Real Estate Manager

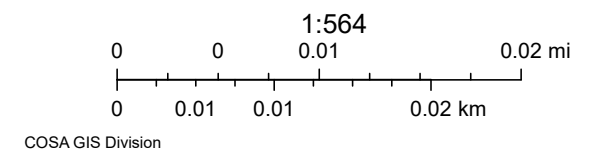
Theresa James, City Attorney

3022 Rock Brook



11/5/2020 9:04:19 AM

-  Parcels
-  Road Centerlines
-  Parcels
-  Site Address Points



REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Carl White, Parks and Recreation Director, Parks and Recreation, 325-657-4450

Meeting Date: November 17, 2020

Item type: Consent Item

Caption:

Consider a resolution approving non-monetary in-kind support for the Downtown San Angelo Inc. "Reverse Parade" for Christmas to be held December 12, 2020 (Carl White)

Summary/History:

Downtown San Angelo is requesting the waiving of fees related to the "Reverse Parade" for Christmas they wish to host this fall, as well as waiving any costs associated with the parade such as Police traffic control. In essence, the group is asking for the City to co-sponsor the parade.

The request states, "Downtown San Angelo, Inc. is planning to have a Reverse Christmas Parade on Saturday, December 12, 2020 from 7:00 pm to 8:00 pm. Guests are welcome to drive through historic downtown to view elaborate floats and performances from inside their vehicles. Patrons of the Reverse Christmas Parade route will begin at 136 W. Twohig Avenue and end at 200 S. Magdalen Street. Viewership must be maintained from within the attendee's vehicle. Walking will not be permitted. The queue for attendees will be expected to form on W. River Drive and S. Randolph Street. If participants choose to hand out candy or goods, disposable gloves and masks must be worn to comply with safety guidelines."

Downtown San Angelo, Inc. has submitted a special event application and street use permits for this parade. In addition, they have submitted a COVID-19 mitigation plan that has been approved.

Financial Impact:

The non-monetary value of this request is estimated at \$2,085 and is based on the following:

Permit fee: \$35.00

Barricade fees: \$250.00

Police officer fees: \$1,800.00

Refundable deposits would also normally be required and the value of those deposits is \$350.00

A Certificate of Insurance (COI) is still required and must be acquired before the parade. The COI is not a fee, rather it protects the City, Downtown San Angelo Inc., as well as participants and spectators. This is a hard cost and difficult to estimate. Downtown San Angelo must secure the COI for the parade at their expense.

Other Information/Recommendation:

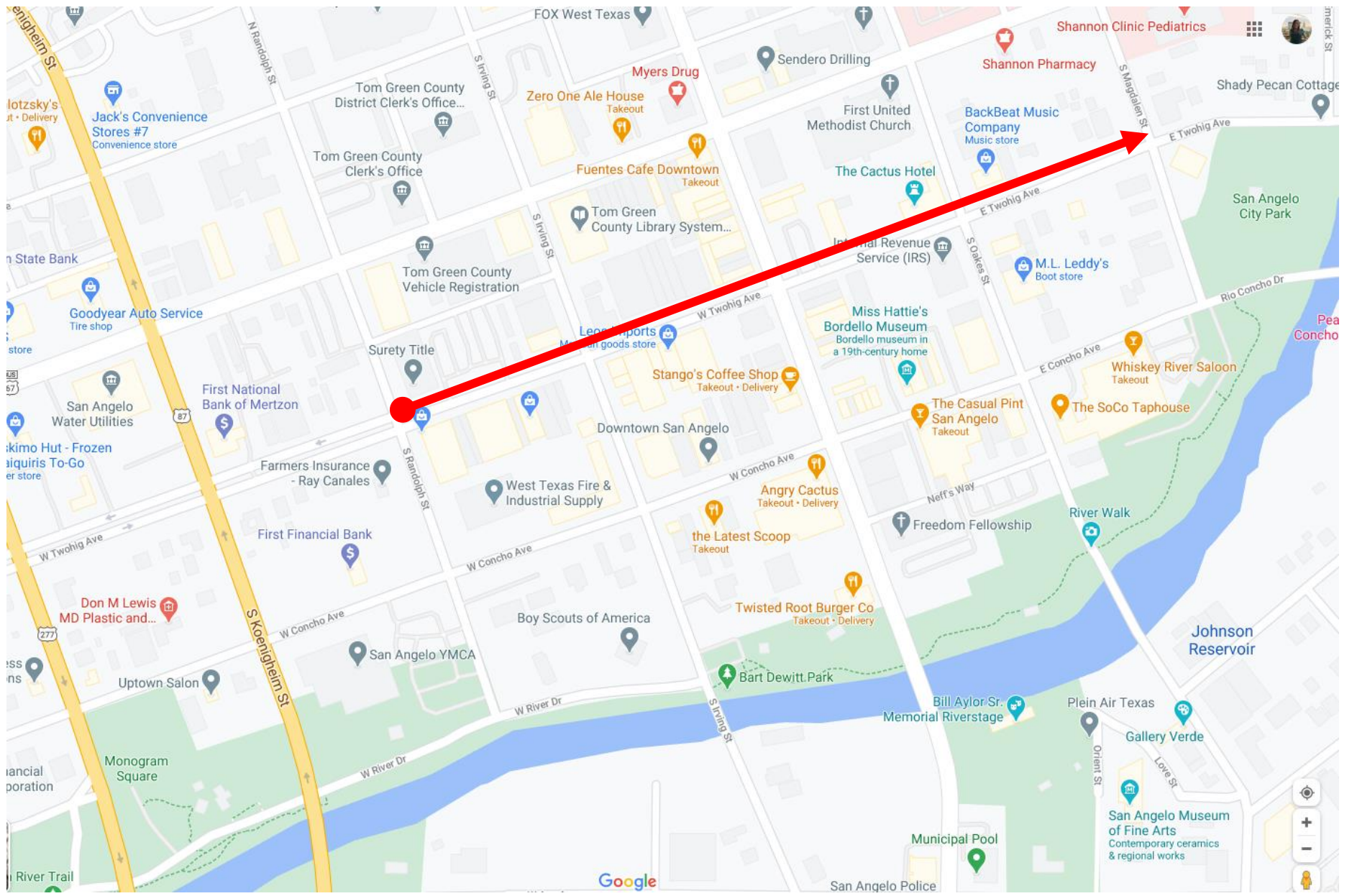
Attachments:

- | | | |
|----|--|--|
| 1. | Parade Route Map (revised) | Parade Route Map (revised).pdf |
| 2. | Special Event App-Street Closure App-Cert of Insurance | Special Event App-Street Closure App-Cert of Insurance.pdf |
| 3. | Resolution - Waiving Fees DTSA Reverse Parade | Resolution - Waiving Fees DTSA Reverse Parade.docx |

Presentation:

Approvals/Reviews:

Carl White	Created/Initiated
Theresa James	Approved
Tina Dierschke	Approved
Julia Antilley	Final Approval



City of San Angelo – Special Event Application (ver. April 19, 2013)

Complete and return this application to the City of San Angelo Parks and Recreation Department Office at 702 South Chadbourne St. at least **30 days** prior to the event for events not requesting City Support. **Events Requesting City Services** (paid by the applicant) **must submit a finalized Special Event application based on the schedule:** by Jan. 31st for events in May, Jun., or Jul.; by Apr. 30th for events in Aug., Sept., or Oct.; by Jul. 31st for events in Nov., Dec., or Jan.; and by Oct. 31st for events in Feb., Mar., or Apr..

Event Information	
Event Name: Downtown San Angelo Reverse Christmas Parade	
Event Date(s) and Hours: 12/12/20 7:00pm - 9:00pm	Event Purpose & Description: Christmas Celebration
Event Location(s): 136 W Twonies Ave to 200 S Magdalen	For a reverse parade floats and other forms of participation will remain stationary. Attendees will drive past the floats in their vehicles, which they will remain in for the duration of the parade.
Attendance, Estimated Daily/Overall: 1300	
Type of Event (Check one – see Special Events Policy for additional information)	
☒ Non-Profit Event ☐ For-Profit Event * for private events contact Parks & Rec. Admin. at 325-657-4279 for reservations ☐ City Operated/Sponsored Event ☐ City Co-Sponsored Event ☐ Political or Ballot Issue Event ☒ Parade, Block Party, Road Run/Walk/Etc – Specify: <u>Reverse Parade</u> ☐ other (describe): _____	
Event Sponsor Information	
Legal Business Name: Downtown San Angelo Inc	
Address: 24 W Concho Ave, San Angelo TX 76903	
Mailing Address: 15	
Telephone: (325) 655-2345	Email Address: info@dtasa.org
Contact Name: Del V. Velasquez	Title: Executive Director
Contact Number: (325) 655-2345	Email Address: director@dtasa.org
Event Information (continued)	
Estimated date/time for set up: 12/12 4:30 pm	Describe set up and clean up procedures: float owners, and other presentors participating in the parade will be required to clean up after their display.
Estimated date/time for clean up: 12/12 10:00pm	
Will street closure and/or use be necessary? ☒ YES ☐ NO If yes, complete the street closure/use form. <u>If yes, show proposed road uses, emergency vehicle access, and barricade locations on your event map.</u> Note that the City of San Angelo does not have authority to close County and State roads.	
Describe crowd and parking control and security plans for this event: Sponsors of an event must have certified police officers present, if required. This requirement, as well as the number of officers needed, will depend on the type of event (including activities), number of anticipated attendees at the event, whether or not alcohol will be consumed at the event, as well as other factors. Event attendees will remain inside their vehicles, they will line up and drive past the parade in an orderly line. No alcohol will be allowed; 15 police officers will be needed to direct 3 block traffic.	

Event Information (continued)																											
Will music be provided/included during the event? ☒ YES ☐ NO Describe type of music proposed: ☒ Live ☐ Amplification ☒ Recorded ☒ Loudspeakers Proposed time music will begin: 7pm Proposed time music will end: 8pm Describe noise control: Noise will be monitored to ensure the noise level stays below the Sound Ordinance Requirements <u>Show proposed location of live band/disc jockey/loudspeakers/equipment on your attached event map</u>																											
Do you plan to have special event signs and banners? ☒ YES ☐ NO Signs must conform to City Ordinances Describe the general nature of signage used for the event: Signage to direct traffic, sponsors, & signage used by group's parade float <u>Show locations for proposed placement of banners and signs on your attached event map.</u>																											
Will the event have activities such as inflatables , amusement rides, climbing walls, live animals, etc? ☒ YES ☐ NO If yes, the vendor or provider of the inflatable, amusement ride, etc. will be required to provide proof of insurance naming the City of San Angelo as an additional insured on all policies, except workers' compensation, and providing a waiver of subrogation in favor of the City on all policies. If yes, <u>describe in detail</u> the types of attractions and activities proposed: inflatables will be present. live animals might be present, depending on if participating individuals! parade display requires them. Expected animals might be animals such as horses <u>Show locations for all proposed activities on your attached event map.</u>																											
Will the event have food, beverage, or concessions? ☐ YES ☒ NO See Section H of the Special Events Policy for health department approvals and temporary food license requirements. Describe the general nature and scope of food, beverage, and concessions vendors: <u>Show locations for proposed placement of food, beverage, and concessions vendors on your attached event map.</u>																											
Do you plan to have alcohol served at this event? ☐ YES ☒ NO Public events which sell alcohol must use the services of the City's Concessionaire. The Parks & Recreation Staff can provide you with the contact information for the Concessionaire. If alcohol is present at the event, describe measures to be taken to prohibit the sale and distribution of alcohol to minors:																											
Will the following be placed or located in the event area? No stakes of any kind allowed on any walkway, roadway, or other hard surface. <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; width: 25%;"><u>Item</u></th> <th style="text-align: left; width: 15%;"><u>Quantity</u></th> <th style="text-align: left; width: 25%;"><u>Item</u></th> <th style="text-align: left; width: 35%;"><u>Quantity</u></th> </tr> </thead> <tbody> <tr> <td>☐ Booths:</td> <td>_____</td> <td>☐ Tables:</td> <td>_____</td> </tr> <tr> <td>☐ Tents*:</td> <td>_____</td> <td>☐ Rides:</td> <td>_____</td> </tr> <tr> <td>☐ Awnings:</td> <td>_____</td> <td>☐ Portable Toilets:</td> <td>_____</td> </tr> <tr> <td>☐ Canopies:</td> <td>_____</td> <td>(may be required depending on event)</td> <td></td> </tr> <tr> <td>☐ Rides:</td> <td>_____</td> <td>☒ other (describe): parade float</td> <td>approx 50</td> </tr> </tbody> </table> * Tents that exceed 120 square feet of area will require special permit. Contact Permits Office at 657-4421/2. <u>You must attach a plan of the proposed event map and layout. Include the proposed location of booths, tents, tables, portable toilets, rides, routes, etc.</u>				<u>Item</u>	<u>Quantity</u>	<u>Item</u>	<u>Quantity</u>	☐ Booths:	_____	☐ Tables:	_____	☐ Tents*:	_____	☐ Rides:	_____	☐ Awnings:	_____	☐ Portable Toilets:	_____	☐ Canopies:	_____	(may be required depending on event)		☐ Rides:	_____	☒ other (describe): parade float	approx 50
<u>Item</u>	<u>Quantity</u>	<u>Item</u>	<u>Quantity</u>																								
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☐ Canopies:	_____	(may be required depending on event)																									
☐ Rides:	_____	☒ other (describe): parade float	approx 50																								

Event Information (continued)**Will the event require the use of any of the following municipal materials?**

Sponsoring organization will be charged for use, delivery, placement, and pickup of these items. See the Special Events Policy for additional information and schedule of rates. City staff will deliver the materials at the date, time, and location as specified on the event application. Due to other obligations, materials may not be available. Private vendors are available in San Angelo to provide materials below for the event.

- | | | | |
|---|---------------------------------|--|--------------------|
| ☐ Trash Receptacles* | Quantity: _____ | ☐ Benches (8') | Quantity: _____ |
| ☒ Barricades | Quantity: <u>as required by</u> | ☐ Chairs | Quantity: _____ |
| ☐ Traffic Cones | Quantity: _____ | ☐ Tables (8') | Quantity: _____ |
| ☐ Stage Sections (4' x 8') | Quantity: _____ | ☐ Fencing, Temporary | Linear Feet: _____ |
| ☐ Water Connection | Quantity: _____ | ☐ Electrical Connection | Quantity: _____ |
- ☐ other (describe): _____

*Sponsoring Organization may be required to supply a dumpster and portable restrooms.

Application Check List (failure to provide necessary documentation will delay application review and approval)**I have attached the following items:**

- ☒ Completed Application ☒ Application Non-Refundable Permit Fee of \$25.00 ☐ Deposit
- ☒ Certificate of Insurance (submit to the Risk Mgmt. Office at City Hall, 10 business days prior to first day of event)
- ☒ Detailed Event Map (showing road uses, signage, vending, tent, and activity locations, etc.)

If any document is missing, please explain:

The applicant and sponsoring organization understands and agrees to:

- provide a certificate of insurance with all coverage deemed necessary for the event, name the City of San Angelo as an additional insured on all applicable policies, and submit the certificate to the City Risk Management Office no later than 10 business days prior to the event (contact the Risk Management Office at 325-657-4359);
- comply with all City and County ordinances and applicable state laws, comply with City policies, and acknowledge that the special events permit does not relieve the applicant or sponsoring organization from meeting any application requirements of law or other public bodies or agencies; and
- promptly pay any billing for City services rendered or deemed necessary as part of the event and event approval.

Applicant and sponsoring organization further understands the approval of this special event may include additional requirements and/or limitations based on the City's review of this application, in accordance with the City's Special Events Policy. The applicant and sponsoring organization understand that it may be necessary to meet with City staff during the review of this application and that City Council approval may be necessary. The applicant agrees the sponsoring organization will operate the event in conformance with the written approval.

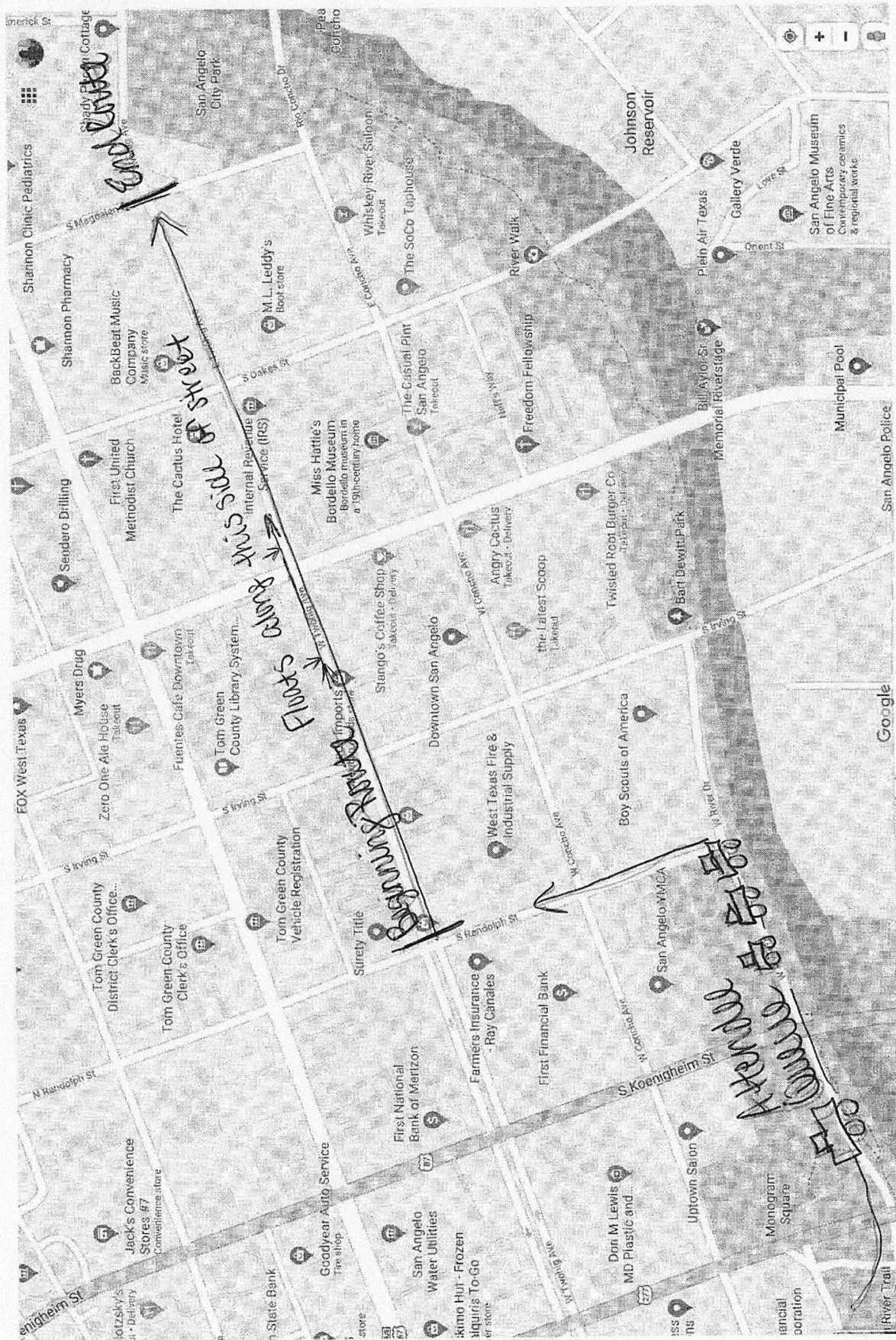
Sponsors of events, in which food and/or beverage vendors will be present, should contact the City of San Angelo Health Department **90 days** prior to the event date. **Contact the City of San Angelo Health Department at 325-657-4493.**

As the duly authorized agent of the sponsoring organization, I hereby apply for approval of the Special Event and affirm the above understandings. The information provided on this application is true and complete to the best of my knowledge.

Applicant Signature:**Date:**

Complete and return this application to the City of San Angelo Parks and Recreation Department Office at 702 South Chadbourne St. at least **30 days** prior to the event for events not requesting City Support. **Events Requesting City Services** (paid by the applicant) **must submit a finalized Special Event application based on the schedule: by Jan. 31st for events in May, Jun., or Jul.; by Apr. 30th for events in Aug., Sept., or Oct.; by Jul. 31st for events in Nov., Dec., or Jan.; and by Oct. 31st for events in Feb., Mar., or Apr..** Contact the Parks & Recreation Department at 657-4279/4450 if you have any questions about this application, this policy, or your event.

**Final
Approval:****Date:****Application
Receipt Date & Time:**





City of San Angelo, Texas - Building Permits & Inspections
52 West College Avenue
Street Use/Street Closure Application



NOTE: Incomplete applications will not be accepted. All required fields must be filled in adequately. The Authorized Representative (as designated in Section 1) will be notified of any changes in status & contacted with any questions. Use "N/A" where an item is not applicable.

OFFICE USE ONLY:

PERMIT #:

DATE ACCEPTED:

PLEASE PRINT ALL INFORMATION

Section 1: Basic Information

24 W Concho Ave Downtown San Angelo Reverse Parade Downtown San Angelo Inc.
Address Name of Event Organization/Applicant's name

Del V. Velasquez (325) 655-2345 director@dt-sa.org
Authorized Representative Daytime Phone Number Email Address

Section 2: Descriptions and Location(s)

Will event require setup time? ☒ Yes ☐ No If yes,

12/12 4:30pm to 12/12 6:30
Date/Time Date/Time

Duration time of actual event: 2 hrs

12/12 7:00pm 12/12 9:00pm
Start Date/Time End Date/Time

Will event require cleanup time? ☒ Yes ☐ No If yes,

12/12 9:30 to 12/12 10:00
Date/Time Date/Time

An Aerial map must be provided that will include but not be limited to: Route, parking, restrooms, staging areas for loading and unloading, sound booths, stages, seating areas, tables, inflatables.

Generally describe the event: Floats, and other parade displays will remain stationary on the road.
Attendees will drive past floats and view them safely from inside of their vehicle.

Is this event sponsored or co-sponsored by the City of San Angelo?

☒ Yes☐ NoIf yes, please provide the Department/Division name that approved the sponsorship: RecreationsIs alcohol involved? ☐ Yes☒ No

Describe: _____

Section 3: Security

How many locations will be blocked? 10 What type of security will be requested? SAPID

Section 4: Applicant(s) Acknowledgement**Agreement to Comply with Rules and Regulations. (Please read separate form entitled Street Use/Closure Policy)**

I, Monica Ramos, serving as a representative for the Downtown San Angelo organization, have read and understand the rules and regulations and certify that all information provided on this application is correct and current.

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

Monica Ramos
Signature of licensee or authorized representative

10/29/2020
Date

Monica Ramos
Printed name of licensee or authorized representative

Downtown San Angelo, Inc
Name of business/Entity of representative

FOR OFFICE USE ONLY:

Number of officers needed: _____ Hours needed per officer: _____

Total number of barricade locations: _____

Verification of City Sponsorship? Yes _____ No _____

Public Works Approval By: _____ Date: _____

Officer Fees: \$40 per hour (per officer) \$ _____

Permit Fee: \$ 35.00

Barricade Fee: (Exempt if City Sponsored) \$ _____

Deposit: (Exempt if City Sponsored) \$ _____

Total Fees: \$ _____

Approved By: _____ Date: _____



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

10/26/2020

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 have ADDITIONAL INSURED provisions or 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 Meadows-Fisher and Cleere 311 S. Abe PO Box 28 San Angelo TX 76903	CONTACT NAME: Pat Kopecky PHONE (A/C, No, Ext): (325) 655-8926 E-MAIL ADDRESS: pat@mfcleere.com FAX (A/C, No): (325) 658-3483
INSURED DOWNTOWN SAN ANGELO INC 24 W CONCHO AVE SAN ANGELO TX 76903-6414	INSURER(S) AFFORDING COVERAGE INSURER A: United Fire Lloyds INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:

COVERAGES**CERTIFICATE NUMBER:** CL20102600895**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 INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☐ PRO-JECT ☐ LOC OTHER:	Y	Y	60393541	07/08/2020	07/08/2021	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 Lead Liab Exclusion \$
	AUTOMOBILE LIABILITY ☐ ANY AUTO ☐ OWNED AUTOS ONLY ☐ HIRED AUTOS ONLY ☐ SCHEDULED AUTOS ☐ NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	UMBRELLA LIAB EXCESS LIAB DED ☐ RETENTION \$ ☐						EACH OCCURRENCE \$ AGGREGATE \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below Y / N ☐ N / A						PER STATUTE ☐ OTH-ER ☐ E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

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

Saturday, December 5, 2020
7:00 - 8:00 PM
136 W Twohig Ave to 200 S Magdalen St
City of San Angelo named as Additional Insured and in Favor of Waiver of Subrogation

CERTIFICATE HOLDER**CANCELLATION**

City of San Angelo 72 W College Avenue San Angelo TX 76903	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
--	---

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Date: 10/20 /2020

Dr. Vretis, Mrs. James, Mrs. Villarreal:

Downtown San Angelo, Inc. is planning to have a Reverse Christmas Parade on Saturday, December 12, 2020 from 7:00 PM to 8:00 PM. Guests are welcome to drive through historic downtown to view elaborate floats and performances from inside their vehicles. Patrons of the Reverse Christmas Parade route will begin at 136 W Twohig Avenue and end at 200 S Magdalen Street. Viewership must be maintained from within the attendees' vehicle. Walking will not be permitted. Queue for attendees will be expected to form on W River Drive and S Randolph Street.

If participants choose to hand out candy or goods, disposable gloves and masks must be worn to comply with safety guidelines.

Please see additional rules for participants below:

1. All participants must **remain stationary** throughout the event.
2. A space of 5 feet between each unit will be enforced.
3. If candy or other goods will be handed out to attendees' disposable gloves and masks must be worn to comply with safety guidelines.
4. Alcoholic beverages are forbidden on any float, in any vehicle, or on the person of any participant. Participants consuming alcohol prior to or during the parade will be removed from the lineup.
5. Drivers of all vehicles in the parade areas must possess a valid driver's license, be at least 18 years old, and possess all liability vehicle insurance.
6. If applicable, all Livestock and Domestic **animals must be cleaned up after** by their handlers. If handles fail to comply Fees may be issued.
7. Use of high intensity sound making devices is strongly discouraged. Sound of any type must be approved by the Downtown San Angelo Inc. and meet the Sound Ordinance Requirements set by the County. **Only Christmas theme music will be allowed.**
8. Costumes worn by parade participants must conform to the standards of reasonable public taste. Costumes are to be family friendly.
9. Performances by parade participants must conform to the standards of reasonable public taste. Performances are to be family friendly.
10. Political Campaigning is not permitted. Politicians are welcome to participate in the parade but handing out of materials, flyers, etc. is not permitted.

We look forward to your approval of this event. Should you have any additional questions, please do not hesitate to contact me via email or at 325-655-2345.

Del V. Velasquez
Executive Director

A RESOLUTION BY THE CITY OF SAN ANGELO CITY COUNCIL APPROVING FUNDING TO DOWNTOWN SAN ANGELO INC. TO SUPPORT A “REVERSE PARADE” AND DECLARING A PUBLIC PURPOSE.

WHEREAS, the Christmas season is a time for national celebration that allows us all to spend time with family and enjoy public events such as parades; and

WHEREAS, one of the ways San Angelo has historically celebrated the Christmas season is through a Christmas Parade; and

WHEREAS, Downtown San Angelo Inc. has requested that the City of San Angelo partner with them and waive permit fees, barricade fees, and police officer fees for the event; and

WHEREAS, the Texas Constitution requires that before a City can make a donation of fund to a private entity there must be a finding by City Council that such a donation constitutes a valid public purpose.

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

Part 1: That the City of San Angelo is authorized to provide in kind donations to Downtown San Angelo Inc. for the purpose of hosting a Reverse Parade in the form of waiver of permit fees, barricade fees, and police officer fees.

Part 2: That public events celebrating the Christmas season are good for the morale of our community and constitutes a valid public purpose to justify the funding of this event.

Part 3: That Downtown San Angelo Inc. shall provide a report to the City Operations department at the conclusion of the event documenting the success of the event.

PASSED and APPROVED THIS 17th day of November, 2020.

CITY OF SAN ANGELO, TEXAS

ATTEST:

Brenda Gunter, Mayor

Julia Antilley, City Clerk

APPROVED AS TO FORM

Theresa James, City Attorney

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Carl White, Parks and Recreation Director, Parks and Recreation, 325-657-4450

Meeting Date: November 17, 2020

Item type: Consent Item

Caption:

Consider approving Buyboard contract #592-19 with Exerplay, Inc. for playground equipment and safety surfacing for Unidad Park in the amount of \$396,477.65 and authorizing the City Manager to negotiate and execute all related documents (Carl White)

Summary/History:

Approval of this item will allow us to purchase all the new playground equipment and fall zone area material for the Karen Stribling Unidad Park. This would be a BuyBoard cooperative purchase.

As with all playground equipment, it has a finite lifespan (generally no more than 20 years) and since it has been well-used, it has now reached the end of its expected life.

From the beginning of the envisioning of the playground and park, the need and goal remains the same, to provide a park with new and safe play equipment, to allows disabled and able-bodied children the opportunity to interact with each other in an environment that encourages acceptance.

Goals/objectives:

- a. Promote mental and physical health through exercise and social interaction.
- b. Bring children and families from all over the city to play and spend time together.
- c. Create a good place for special-needs children to gain a little independence.
- d. Provide a safe and fun public place for special events for city-wide socialization.
- e. To help build community.
- f. To help create memories.

Implementation schedule: We anticipate beginning the refurbishment project the summer of 2021. This will be an in-house project, primarily to save money, and will take about 4-5 months to complete.

Financial Impact:

Costs:

\$396,478 cost of playground equipment and fall zone area

Funding:

\$198,859 half-cent sales tax funds dedicated to park improvements

\$183,807 San Angelo Health Foundation grant

\$13,812 Unidad Park maintenance 601 account

\$396,478 total funding

Other Information/Recommendation:

Attachments:

- | | | |
|----|-------------------------------------|---|
| 1. | OR090220-1 | OR090220-1.pdf |
| 2. | Unidad Park Full Replacement 3D (1) | Unidad Park Full Replacement 3D (1).jpg |
| 3. | Unidad Park Full Replacement 3D (2) | Unidad Park Full Replacement 3D (2).jpg |
| 4. | Unidad Park Full Replacement 3D (3) | Unidad Park Full Replacement 3D (3).jpg |
| 5. | Unidad Park Full Replacement 3D (4) | Unidad Park Full Replacement 3D (4).jpg |
| 6. | Unidad Park Full Replacement 3D (5) | Unidad Park Full Replacement 3D (5).jpg |
| 7. | Unidad Park Full Replacement 3D (6) | Unidad Park Full Replacement 3D (6).jpg |
| 8. | Unidad Park Full Replacement 3D (7) | Unidad Park Full Replacement 3D (7).jpg |

Presentation:**Approvals/Reviews:**

Carl White	Created/Initiated
Carl White	Approved
Theresa James	Approved
Nolan Sosa	Approved
Tina Dierschke	Approved
Theresa James	Approved
Julia Antilley	Final Approval

PO Box 1160
Cedar Crest, NM 87008-1160
Fax 505.281.0155
Toll Free 800.457-5444
www.exerplay.com



DATE NUMBER
9/2/2020 OR090220-1

QUOTATION

Quote Prepared for:

Purchase Order to be Issued To:

City of San Angelo
7

Exerplay, Inc
PO Box 1160
Cedar Crest, NM 87008
Fax copy of PO to 505-281-0155

SHIPPED VIA	TERMS	REP	FOB	EST. SHIP DATE
Common Carrier	Net 30	JT	San Angelo	5-8 Weeks ARO

ITEM	DESCRIPTION	QTY	COST	TOTAL
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Project UNIDAD PARK - PLAYGROUND EQUIPMENT AND SAFETY SURFACING

LSI	LANDSCAPE STRUCTURES, INC. PlayBooster® (5-12 years), PlayShaper® (2-5 years), Freestanding Play (5-12 years) (2-12 years), per Design 160943G	1	209,415.00	209,415.00
-----	---	---	------------	------------

BuyBoard	Contract #592-19		-5.00%	-10,470.75
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Courtesy Disc...	Courtesy discount		-5.00%	-10,470.75
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Freight	Freight/shipping charges (082820)	1	8,000.00	8,000.00
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PIP	SAFETY SURFACING Installation and Material for 3½" and 4" of Poured In Place 50% Color and 50% Black, Aliphatic Binder, 11,803 sq/ft. (1225124 JT)	1	196,417.00	196,417.00
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BuyBoard	Contract #592-19		-5.00%	-9,820.85
----------	------------------	--	--------	-----------

Bond	Performance/Payment Bond	1	13,408.00	13,408.00
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Notes I Pricing is for the above listed equipment and installation only and does not include off loading of equipment at time of delivery, storage, security, site preparation, security fencing, or any applicable taxes or permits.

There will be a 3.5% fee added to your invoice if you choose to pay by credit card

JT For more information please contact Jeff Talley at (806) 670-4006, or jeff@exerplay.com

- PRICING IS GOOD FOR 30 DAYS. -

Quote prepared by Olivia Ramirez
olivia@exerplay.com

TOTAL	\$396,477.65
--------------	---------------------



landscape
structures

Unidad Park Playground
New Playground Option
160943G • 09.01.2020

exerplay

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landscape
structures

Unidad Park Playground
New Playground Option
160943G • 09.01.2020

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Unidad Park Playground
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slr
landscape
structures

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structures

Unidad Park Playground
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REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Andy Vecellio, Project Engineer, Water Utilities, 325-657-4218

Meeting Date: November 17, 2020

Item type: Consent Item

Caption:

Consider awarding WU-01-21 to Darnell Construction, LLC for the construction of the North Bentwood Lift Station and Site Improvements in the amount of \$1,352,217.50, budgeted for purchase in fiscal year 2021 and authorizing the City Manager to negotiate and execute all related documents (Andy Vecellio)

Summary/History:

The North Bentwood Lift Station has deteriorated to the point of needing major repairs. With the continued development in the sewer service area of the lift station, it also is at maximum pump capacity. In an agreement with three development entities with upcoming projects along with the condition of the existing system, the City is replacing and upgrading the sewer lift station and pumps to handle the increase loads.

General scope of the project includes:

- Fabrication, delivery, and installation of a new North Bentwood Lift Station with additional capacity.
- Site, electrical, fencing, and yard piping (pressure and gravity sewer) improvements to provide for the operation of a functional lift station and sufficient site conditions for the new lift station.
- Demolition and abandonment of existing lift station structures, piping, and related assemblies, and site cleanup and restoration.

The project was bid on October 29 and two bids were received. Staff recommends moving forward with the low bid from Darnell Construction, LLC. The recommended project award is in the amount of \$1,352,217.50 for the project base bid, owner's allowance for additional work, and a spare (shelf) pump. Purchasing the spare pump through this project is more cost effective than purchasing the spare pump individually following the project.

Financial Impact:

The total recommended project award is \$1,352,217.50. Three development entities are contributing payments totaling \$247,500 in lieu of upgrading the pumps and electrical system; therefore, the funds can be put towards the overall project upgrades. The project balance will be paid from FY21 wastewater capital funds.

Other Information/Recommendation:

Staff recommends that the Task Order be awarded to Darnell Construction, LLC, and the City Manager be authorized to execute any related documents.

Attachments:

- | | |
|--|---|
| 1. WU-01-21 Bid Tabulation v2 | WU-01-21 Bid Tabulation v2.pdf |
| 2. Recommendation of Award | Recommendation of Award.pdf |
| 3. 2020 November 17 CC N Bentwood LS 5.e | 2020 November 17 CC N Bentwood LS 5.e.pdf |

Presentation:

Approvals/Reviews:

Andy Vecellio	Created/Initiated
Allison Strube	Approved
Theresa James	Approved
Nolan Sosa	Approved
Tina Dierschke	Approved
Theresa James	Approved
Julia Antilley	Final Approval



City of San Angelo Purchasing Division
RFB Bid Tabulation
WU-01-21 • North Bentwood Lift Station
October 29, 2020 at 2:00 p.m.

Item #	Item Description	Quantity Required	Unit of Measurement (UOM)	Darnell Construction LLC		Keystone Construction	
				Unit Price	Total Cost	Unit Price	Total Cost
1	Base Bid						
#1-1	Mobilization, Bonding & Insurance (not to exceed 5% of Base Bid Sub-Total)	1	LS	\$ 62,000.00	\$ 62,000.00	\$ 80,000.00	\$ 80,000.00
#1-2	Lift Station Site Improvements, including FRP Wet Well, Pumps (3), Valve Vault, Valves, Piping, and all related assemblies, as shown and specified	1	LS	\$ 808,546.00	\$ 808,546.00	\$ 1,090,000.00	\$ 1,090,000.00
#1-3	Lift Station Site Electrical Improvements, including new Electrical Service, Controls, Panels, Conduits, Wiring, Shade Structure and all related assemblies as, as shown and specified	1	LS	\$ 202,360.00	\$ 202,360.00	\$ 260,000.00	\$ 260,000.00
#1-4	Lift Station Site Concrete Paving, including Grading, Formwork, Placing, Finishing and all related assemblies, as shown and specified	125	SY	\$ 234.00	\$ 29,250.00	\$ 400.00	\$ 50,000.00
#1-5	Lift Station Site Fencing and Gates, as shown and specified	1	LS	\$ 17,434.00	\$ 17,434.00	\$ 25,000.00	\$ 25,000.00
#1-6	Bypass Pumping, in accordance with Specification Section 4.29, as shown and specified	1	LS	\$ 32,230.00	\$ 32,230.00	\$ 30,000.00	\$ 30,000.00
#1-7	15" SDR-35 PVC Sanitary Sewer Line by Open Cut, as shown and specified	50	LF	\$ 179.75	\$ 8,987.50	\$ 400.00	\$ 20,000.00
#1-8	8" C900 DR-18 PVC Force Main by Open Cut (With Fittings), as shown and specified	160	LF	\$ 224.00	\$ 35,840.00	\$ 200.00	\$ 32,000.00
#1-9	60" Diameter FRP Sanitary Sewer Manhole (Type A), as shown and specified	1	EA	\$ 19,312.00	\$ 19,312.00	\$ 25,000.00	\$ 25,000.00
#1-10	60" Diameter FRP Sanitary Sewer Manhole (Type B) for Bypass Force Main Check Valve Vault, as shown and specified	1	EA	\$ 14,473.00	\$ 14,473.00	\$ 20,000.00	\$ 20,000.00
#1-11	8" Gate Valve Assembly, as shown and specified	3	EA	\$ 2,715.00	\$ 8,145.00	\$ 2,000.00	\$ 6,000.00
#1-12	Erosion Control Measures, as shown and specified	1	LS	\$ 3,079.00	\$ 3,079.00	\$ 2,000.00	\$ 2,000.00
#1-13	Trench Excavation and Safety Plan, in accordance with Specification Section 4.4, as shown and specified	210	LF	\$ 13.00	\$ 2,730.00	\$ 20.00	\$ 4,200.00
#1-14	Demolition and Abandonment of Existing Lift Station Structures, Pipes, and all related assemblies, as shown and specified	1	LS	\$ 6,415.00	\$ 6,415.00	\$ 25,000.00	\$ 25,000.00
#1-15	Final Grading, Site Clean Up, and Surface Restoration, as shown and specified	1	LS	\$ 3,992.00	\$ 3,992.00	\$ 5,000.00	\$ 5,000.00
#1-16	Install 4" Flex Base	400	SY	\$ 9.81	\$ 3,924.00	\$ 15.00	\$ 6,000.00
Total for Base Bid					\$ 1,258,717.50		\$ 1,680,200.00
2	Substitute Alternate Bid - Alternative Wet Well Material - Polymer Concrete (1)						
#2-1	Lift Station Site Improvements, including Polymer Concrete Wet Well, Pumps (3), Valve Vault, Valves, Piping and all related assemblies, as shown and specified	1	LS	\$0	\$ -	\$1,230,000.00	\$1,230,000.00
Total for Substitute Alternate Bid					\$ -		\$1,230,000.00
3	Add Alternate Bid - Spare Pump (1)						
#3-1	Additional Pump (Shelf Spare), delivered to City, as shown and specified	1	LS	\$43,500.00	\$43,500.00	\$48,000.00	\$48,000.00
Total for Add Alternate Bid					\$ 43,500.00		\$48,000.00
Add: Owner's Allowance for Additional Work				\$ 50,000.00	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00
Base Bid + Owner's Allowance					\$ 1,308,717.50		\$ 1,730,200.00

Lowest Cost Per Item
Highlighted in Green



November 9, 2020

City of San Angelo
72 W. College Avenue
San Angelo, Texas 79603
Attn: Mr. Andy Vecellio

**Re: WU-01-21
Recommendation of Award
North Bentwood Lift Station Replacement**

Dear Mr. Vecellio:

Bids for the referenced project were opened on Thursday, October 29, 2020. Two (2) bids were received, and the bid tabulation was provided to me. The apparent low bidder is Darnell Construction LLC. (Darnell), from San Angelo, Texas.

Based on the known reputation and qualifications of Darnell, eHT recommends award of the contract to Darnell Construction, Inc., for the North Bentwood Lift Station Replacement Project, as the lowest responsive and responsible bidder. Darnell's Base Bid plus Add Alternate Bid plus Owner's Allowance totals \$1,352,217.50.

We look forward to working with the City of San Angelo as this project moves into the construction phase.

Sincerely,

Enprotec / Hibbs & Todd, Inc.

Joseph T. Mangrem, P.E.
Project Manager

JM/jd



11/9/2020

Attachment: Bid Tabulation
c: Nolan Sosa, Purchasing Manager
Project File: 7629

P:\Projects\San Angelo, City of\7629 North Bentwood LS Replacement\5. Bidding Phase\Bidder Evaluation\Recommendation of Award.docx

Environmental, Civil & Geotechnical Engineers

Abilene Office
402 Cedar
Abilene, Texas 79601
P.O. Box 3097
Abilene, Texas 79604
325.698.5560 | 325.690.3240 fax

Lubbock Office
6310 Genoa Avenue, Suite E
Lubbock, Texas 79424
806.794.1100 | 806.794.0778 fax

www.e-ht.com

Granbury Office
1310 Weatherford Highway, Suite 116
Granbury, Texas 76048
682.498.6000 | 682.498.6293 fax

PE Firm Registration No. 1151
PG Firm Registration No. 50103
RPLS Firm Registration No. 10011900



City Council

November 17, 2020



Project Scope

- Replacement and upgrade of North Bentwood Lift Station
- Lift station is currently in a deteriorated condition and at maximum capacity
- Design phase has been completed and construction project was bid on October 29, 2020
- Darnell Construction, LLC is the low bidder (two bids)



Project Financials

- Total recommended contract award of \$1,352,217.50
 - Base bid of \$1,258,717.50
 - Alternate bid for spare pump of \$43,500.00
 - Owner's allowance for additional work of \$50,000.00
- Development entities have contributed \$247,500 in lieu of replacing pumps and electrical
- A project that replaces the lift station in its entirety is beneficial to both the City and developers

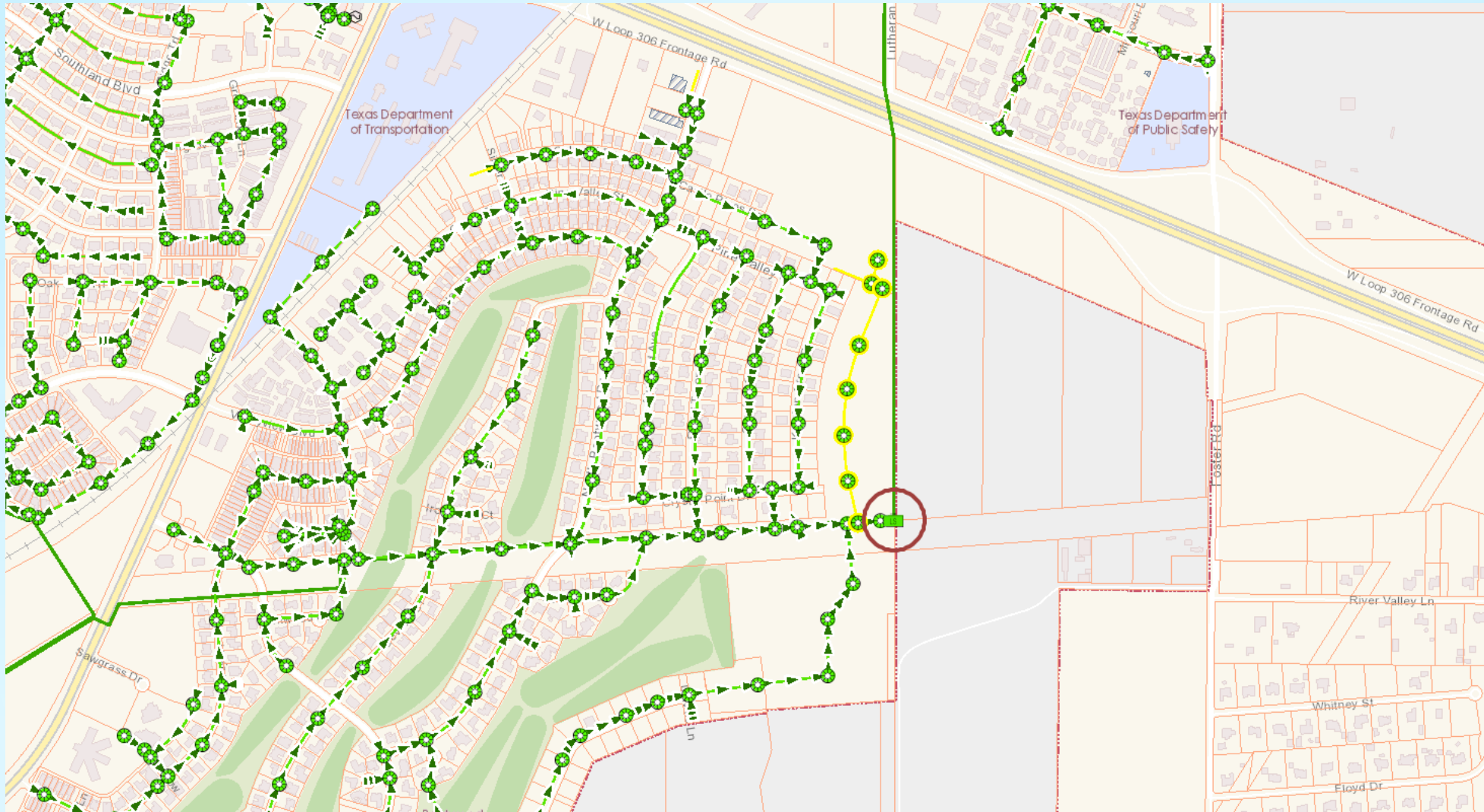


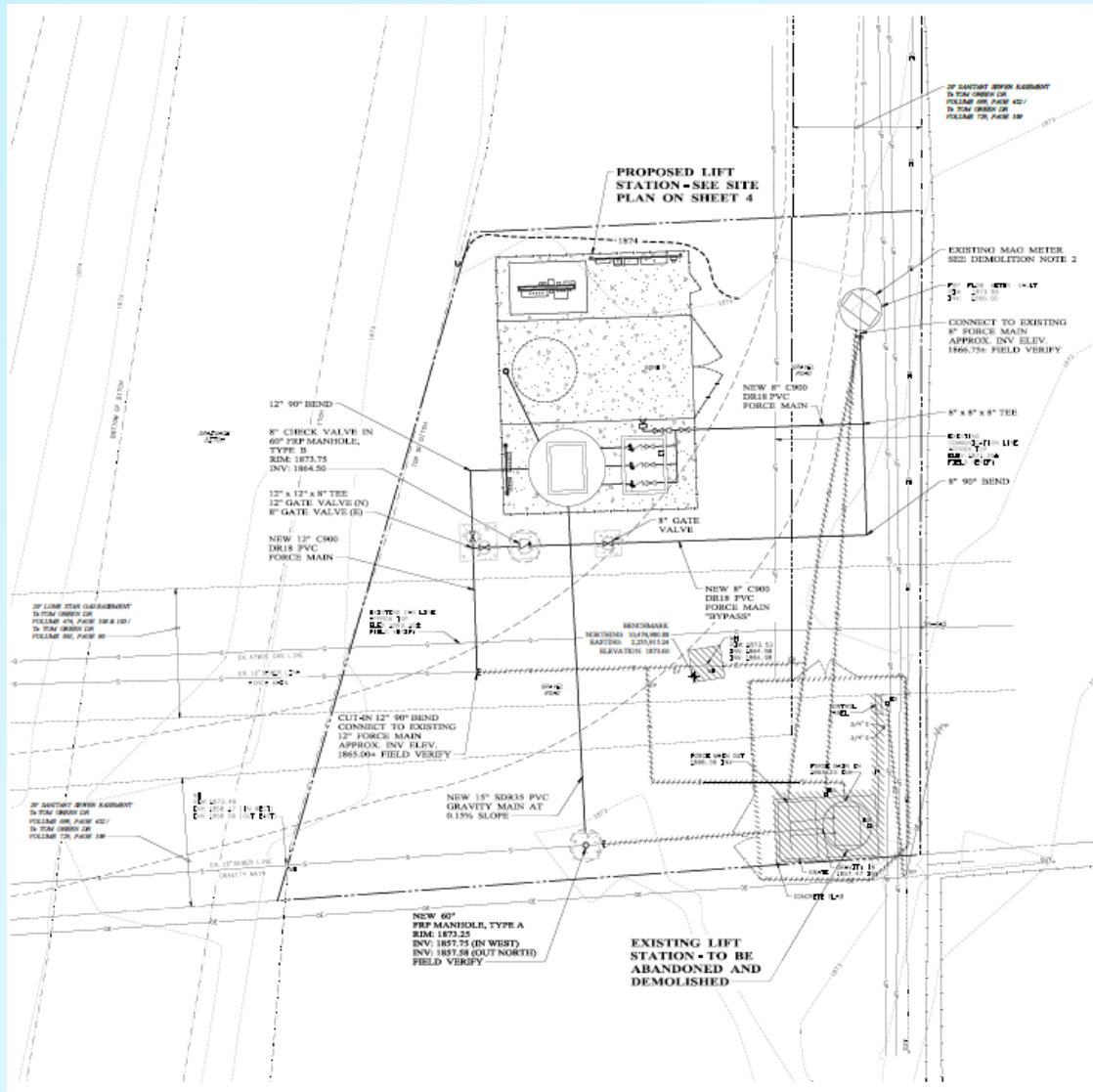
Project Construction

- Construction contract length of 150 days
- Construction of new and upgraded lift station with new pumps, electrical, and piping
- Site work including yard piping, access improvements, fencing, and electrical service
- Bypass pumping to transition from old to new lift station
- Demolition and abandonment of existing lift station



North Bentwood Lift Station – Project Location





North Bentwood Lift Station – Current Condition



North Bentwood Lift Station – Current Condition





City Council

November 17, 2020



REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: November 17, 2020

Item type: Consent Item

Caption:

Consider approving an agreement with Computer Solutions, Inc. for purchase and installation of core networking switches at the San Angelo Police Department and Public Safety Communications Data Center via DIR TSO-4167 in the amount of \$76,704.29 using Coronavirus Relief Funds and authorizing the City Manager to execute all related documents (Bucky Hasty)

Summary/History:

Purchase and installation of computer networking switches for the San Angelo Police Department and Public Safety Communications data center. These switches will replace outdated equipment that is currently overburdened and causing intermittent issues with Dispatch.

Financial Impact:

The purchase in the amount of \$76,704.29 will be paid from Coronavirus Relief Funds.

Other Information/Recommendation:

Staff recommends approving an agreement with Computer Solutions, Inc. in the amount of \$76,704.29 to be paid from Coronavirus Relief Funds and authorizing the City Manager to execute all related documents.

Attachments:

1. Quote 1026610 Quote 1026610.pdf

Presentation:

Approvals/Reviews:

Bucky Hasty	Created/Initiated
Theresa James	Approved
Nolan Sosa	Approved
Tina Dierschke	Approved
Theresa James	Approved
Julia Antilley	Final Approval



Great South Texas Corp dba Computer Solutions

814 Arion Parkway, Suite 101
San Antonio, Texas 78216
United States
http://www.comsoltx.com
(P) (210) 369-0300
(F) 210-369-0389

Quote (Open)

Date Oct 05, 2020 11:09 AM CDT	Expiration Date 11/04/2020
--	--------------------------------------

Modified Date
Oct 21, 2020 06:12 AM CDT

Doc #
1026610 - rev 1 of 1

Description
PD/CJIS Switching Upgrades

SalesRep
Watkins, Craig
(P) 210-369-0355
(F) 210-369-0389

Customer Contact
Deardorff, AJ
(P) 325-486-3794
aj.deardorff@cosatx.us

Customer

City of San Angelo (CityOfSanAngelo)
Deardorff, AJ
72 W College Ave
San Angelo, TX 76903
United States

Bill To

City of San Angelo
Payables, Accounts
72 W College Ave
San Angelo, TX 76903
United States

Ship To

City of San Angelo
AJ DEARDORFF, IT DEPT
72 W College Ave
San Angelo, TX 76903
United States

Contract Programs:

Cisco
DIR-TSO-4167 Expires
07/03/2021 - Cisco
Certifications: WBE/SBE/HUB;
1942650013800 Exp:
04/26/2022
Sales Order Type: Drop
Ship - Ship to customers
location

Customer PO:	Terms: Undefined	Ship Via: FedEx Ground
Special Instructions:		Carrier Account #:

#	Description	Part #	List Price	Qty	Unit Price	Total
Equipment						
1	Catalyst 9200 48-port PoE+, Network Advantage Network Advantage - switch - L3 - smart - 48 x 10/100/1000 (PoE+) - rack-mountable - PoE+	C9200-48P-A	\$113,034.35	11	\$3,391.02	\$37,301.22
2	Catalyst 9200 4 x 10G Network Module Expansion module - 10 Gigabit SFP+ x 4 - for Catalyst 9200, 9200L	C9200-NM-4X=	\$2,007.00	8	\$662.31	\$5,298.48
3	Cisco Catalyst 9200 Stack Module Network stacking module - for Catalyst 9200, 9200L	C9200-STACK-KIT=	\$1,316.88	11	\$434.57	\$4,780.27
4	1M Type 4 Stacking Cable Stacking cable - 3.3 ft - for Catalyst 9200, 9200L	STACK-T4-1M=	\$200.70	3	\$66.23	\$198.69
5	10GBASE-SR SFP Module SFP+ transceiver module - 10 GigE - 10GBase-SR - LC/PC multi-mode - up to 984 ft - 850 nm - for Catalyst Switch Module 3012, Switch Module 3110; Nexus 5010, 93180, 9336, 9372	SFP-10G-SR=	\$1,035.48	8	\$341.70	\$2,733.60
6	10GBASE-LRM SFP Module SFP+ transceiver module - 10 GigE - 10GBase-LRM - LC/PC - up to 984 ft - 1310 nm - for Nexus 93180YC-FX, 9372PX-E	SFP-10G-LRM=	\$1,185.85	12	\$391.33	\$4,695.96
7	Nexus 9300 with 48p 10G-T, 6p 100G QSFP28 Switch - L3 - managed - 48 x 10GBase-T + 6 x 40 Gigabit / 100 Gigabit QSFP28 - rack-mountable	N9K-C93108TC-FX	\$28,889.25	1	\$11,270.87	\$11,270.87
8	NX-OS Essentials license for Nexus 9300 (10G+) Platforms License - 1 license	NXOS-ES-XF	\$11,698.50	1	\$4,625.44	\$4,625.44
9	QSFP to SFP10G adapter Network adapter - SFP/SFP+ to QSFP	CVR-QSFP-SFP10G=	\$400.23	2	\$148.08	\$296.16

#	Description	Part #	List Price	Qty	Unit Price	Total
						Subtotal \$71,200.69
Installation & Configuration Services						
10	Installation and Configuration Services	COMSOL-SVC	\$0.00	24	\$205.00	\$4,920.00
						Subtotal \$4,920.00
11	Travel Expense	TRAVEL-EXPENSE	\$0.00	1	\$583.60	\$583.60
Note: Hotel - 2 Nights x \$125.00 - \$250.00 Per Diem - 2 Days x \$45.00 - \$90.00 Mileage to and from San Angelo, TX - 420 Miles x \$0.58/mi - \$243.60 Total: \$583.60						

Thank you for the opportunity to provide this quote.

Due to the recent COVID-19 pandemic, shortages in components may cause an item(s) to have longer than usual estimated shipping dates. If an item goes on backorder and the manufacturer increases the cost of the product, the increased cost will be passed onto to our customers. We will alert customers as soon as we know when a price increase on a backordered item occurs.

Subtotal: \$76,704.29
 Tax (0.000%): \$0.00
 Shipping: \$0.00
Total: \$76,704.29
(List Price: \$208,080.38)

Freight charges are estimates only.

Returns are subject to approval and may include a restocking fee.

Leasing Only: The information provided is a proposal and is subject to credit approval. The proposal provides an approximate monthly payment for hardware, software and services based upon the contract type and term in months. Taxes, fees and insurance are not included. Any change in the amount financed will change this information.

This document and the information contained is PROPRIETARY and CONFIDENTIAL and may not be duplicated, redistributed or displayed to any other party without the written permission of Computer Solutions.

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Gail Smith, Budget Analyst, Police,

Meeting Date: November 17, 2020

Item type: Consent Item

Caption:

Consider approving a purchase of Microsoft Office Professional Plus Licenses in the amount of \$141,591.78 from SHI Government Solutions via DIR-TSO-4092 using Coronavirus Relief Funds and authorizing the City Manager to execute all related documents (Frank Carter)

Summary/History:

The San Angelo Police Department is requesting for consideration the purchase of 394 Microsoft Office 2019 Professional Plus licenses for funding by the CARES Act. The following outlines the major benefits of the upgrade:

- OneDrive cloud storage will allow users to collaborate their documents in real-time to be accessed from anywhere which promotes social distancing
- Skype Business will bring our staff together for remote meetings as more
- SAPD staff work remotely from home due to COVID-19
- This software will allow us to upgrade the entire department to be FBI & Texas DPS CJIS compliant for Microsoft Office

Financial Impact:

There is no impact on the Police Budget.

There are no annual recurring maintenance expenses.

Licenses are perpetual.

Other Information/Recommendation:

Attachments:

1. SHI_quote#19627656

SHI_quote#19627656.pdf

Presentation:

Approvals/Reviews:

Gail Smith
Frank Carter
Theresa James
Nolan Sosa
Tina Dierschke
Theresa James
Julia Antilley

Created/Initiated
Approved
Approved
Approved
Approved
Approved
Final Approval

Hi,

Below is the quote for the products you have requested. Please send all new requests to texas@shi.com.

If you have any questions regarding this quote, feel free to contact me at Jeff_Rosen@SHI.com.

Regards,
Jeff



Pricing Proposal

Quotation #:	19627656
Description:	Microsoft Select Plus - Office Pro
Created On:	Oct-29-2020
Valid Until:	Oct-30-2020

City of San Angelo TX

John Welch

401 E Beauregard Ave
San Angelo Police Dept.
San Angelo, Texas 76903
UNITED STATES
Phone: (325) 657-4254
Fax:
Email: john.welch@sanangelopolice.org

Senior Inside Account Manager

Jeff Rosen

3828 Pecana Trail
Austin, TX 78749
Phone: 800-870-6079 ext 8686150
Fax: (512)732-0232
Email: Jeff_Rosen@shi.com

[Click here to order this quote](#)

All Prices are in US Dollar(USD)

Product	Qty	Your Price	Total
1 Microsoft Office Professional Plus 2019 - License - 1 PC - Select Plus - Win - Single Language Microsoft - Part#: 79P-05746 Contract Name: Microsoft Software VAR Contract #: DIR-TSO-4092	394	\$359.37	\$141,591.78
			Subtotal \$141,591.78
			Shipping \$0.00
			Total \$141,591.78

Additional Comments

Thank you for choosing SHI-GS! The pricing offered on this quote proposal is valid through the expiration date set above. To ensure the best level of service, please provide End User Name, Phone Number, Email Address, Quote Number, and applicable Contract Number when submitting a Purchase Order. SHI Government Solutions, Inc. is 100% Minority Owned, Woman Owned Business. TAX ID# 22-3695478; DUNS# 14-724-3096

Hardware items on this quote may be updated to reflect changes due to industry wide constraints and fluctuations.

The products offered under this proposal are resold in accordance with the terms and conditions of the Contract referenced under that applicable line item.

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Gail Smith, Budget Analyst, Police,

Meeting Date: November 17, 2020

Item type: Consent Item

Caption:

Consider authorizing the City Manager to execute an interlocal agreement with Tom Green County providing for Mental Health Unit (MHU) Services with associated costs not to exceed \$120,391 for fiscal year 2021 (Frank Carter)

Summary/History:

During budget preparations for the current fiscal year, staff earmarked funds for contributions to Tom Green County for Mental Health Unit services. The Mental Health Unit responds to crisis calls involving the mentally ill, suicidal, or homicidal subjects for assessment and transport to the appropriate and safe facility. This agreement details services which are provided to the City by the Mental Health Unit.

Financial Impact:

This amount is budgeted in fiscal year 2021 in General Fund account 101-8000-421.03-30 (Contract Services).

Other Information/Recommendation:

Attachments:

1. SAPD_TGC_MHU_INTERLOCAL_Prelim FY2020-2021 SAPD_TGC_MHU_INTERLOCAL_Prelim FY2020-2021.docx

Presentation:

Approvals/Reviews:

Gail Smith	Created/Initiated
Frank Carter	Approved
Theresa James	Approved
Tina Dierschke	Approved
Theresa James	Approved
Julia Antilley	Final Approval

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

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

WITNESSETH

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

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

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

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

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

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

ARTICLE 1: PURPOSE.

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

ARTICLE 2: TERM.

This Agreement shall be effective from and after October 1, 2020 (the Effective Date) subject to approval of the governing bodies of each of the parties; and shall terminate on September 30, 2021, unless earlier terminated as herein provided.

ARTICLE 3: OBLIGATIONS OF CITY.

City agrees to:

1. Pay Tom Green County for MHU services the sum of One Hundred Twenty Thousand Three Hundred Ninety-one and 00/100 dollars (\$120,391.00) upon execution of this Agreement.
2. Should County discontinue the provision of MHU services during the term of this agreement, County shall reimburse City a pro-rata share of sum paid by City for such services, based upon the period of time remaining under the Agreement in which MHU services are discontinued.

ARTICLE 4: OBLIGATIONS OF COUNTY.

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

1. Consist of five (5) deputies and one (1) supervisor.
2. Provide the MHU services three hundred sixty-five (365) days per year, twenty-four (24) hours per day.
3. Respond to crisis calls involving the mentally ill or suicidal/homicidal subjects in City and County.
4. Assure that mentally ill and suicidal/homicidal subjects are assessed and transported to appropriate and safe facilities.
5. Utilize the funds provided by City pursuant to this Agreement toward support of providing the MHU services, to include salaries, supplies, equipment, and maintenance of equipment, including automobiles.

ARTICLE 5: NO JOINT VENTURE.

This Agreement is not intended to create a joint venture between the parties.

ARTICLE 6: STATUS OF EMPLOYEES.

Each Party shall retain supervision and control of its employees at all times while performing services pursuant to this Agreement. No employee of one entity shall be considered a borrowed servant of the other entity for Workers' Compensation purposes or for any other purpose. City agrees that all persons employed by it, although not required to furnish services hereunder, are at all times employees, agents or representatives of City and not of County, and County agrees that all persons employed by it to furnish services as required hereunder are at all times employees, agents or representatives of County and not of City. At no time shall such employees, agents or

representatives of a Party be entitled to benefits conferred on the other Party's employees, agents or representatives.

ARTICLE 7: TERMINATION.

This Agreement may be terminated at any time by mutual agreement of the Parties, subject to approval of their governing bodies.

ARTICLE 8: EXECUTION.

This Agreement shall not become effective until approved by the governing body of each of the parties.

ARTICLE 9: ENTIRE AGREEMENT.

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

ARTICLE 10: AMENDMENT.

This Agreement may only be amended by the mutual agreement of the Parties hereto in a writing signed by a duly authorized representative of each Party and attached to and incorporated into this Agreement. All amendments to this Agreement shall require approval of the governing body of each party.

ARTICLE 11: SEVERABILITY.

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

ARTICLE 12: FORCE MAJEURE.

In the event that either Party shall be prevented from performing its duties under this Agreement by an act of nature, by acts of war, riot, or civil commotion, by an act of State, by strikes, fire, flood, or by the occurrence of any other event beyond the control or reasonable anticipation with the exercise of due diligence of a Party hereto, the same shall not be considered a breach of this Agreement.

ARTICLE 13: EXCLUSIVITY.

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

the same or similar service.

ARTICLE 14: NOTICE.

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

To County:

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

To City:

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

ARTICLE NO. 15: THIRD PARTIES/VENUE.

Nothing in this Agreement, whether express or implied, is intended or shall be construed to confer, directly or indirectly, upon or give to any person, other than the Parties hereto, any legal or equitable right, remedy or claim under or in respect of this Agreement or any covenant, condition or other provision contained herein.

Venue for any proceeding brought pursuant to this Agreement shall be in Tom Green County, Texas.

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

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

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

ARTICLE NO. 17: CAPTIONS.

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

ARTICLE NO. 18: AVAILABILITY OF FUNDS.

Notwithstanding anything to the contrary in this Agreement, each party making any payment hereunder must make the payment from current revenues available to the paying party; and, the payment obligations of the parties to this Agreement are conditioned upon the availability of such funds.

IN WITNESS WHEREOF the undersigned execute this Interlocal Agreement in their official capacities pursuant to authorization of the respective governing bodies of the parties.

TOM GREEN COUNTY:

By:

Steve Floyd, Tom Green County Judge

By:

David Jones, Tom Green County Sheriff

ATTEST:

Elizabeth McGill, County Clerk

CITY OF SAN ANGELO:

By:

Daniel Valenzuela, City Manager

ATTEST:

Julia Antilley, City Clerk

Approved as to form:

By: _____
Theresa James, City Attorney

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Gail Smith, Budget Analyst, Police,

Meeting Date: November 17, 2020

Item type: Consent Item

Caption:

Consider authorizing the City Manager to execute an interlocal agreement with Tom Green County providing for Crisis Intervention Unit (CIU) Services with associated costs not to exceed \$36,045 for fiscal year 2021 (Frank Carter)

Summary/History:

During budget preparation for the current fiscal year, staff included a line item for disbursements to Tom Green County for Crisis Intervention Unit Services. The Crisis Intervention Unit responds to crisis calls involving crime victims. They provide crisis counseling, assessment of needs, information and referrals, emergency transportation, assist with emergency protective orders for victims of family violence. This agreement details services which are provided to the City by the Crisis Intervention Unit.

Financial Impact:

This item is a budgeted item paid from account 101-8000-421.03-30 (Contract Services).

Other Information/Recommendation:

Attachments:

1. SAPD_TGC_CIU_INTERLOCAL_Prelim FY2020-2021 SAPD_TGC_CIU_INTERLOCAL_Prelim FY2020-2021.docx

Presentation:

Approvals/Reviews:

Gail Smith	Created/Initiated
Frank Carter	Approved
Theresa James	Approved
Tina Dierschke	Approved
Theresa James	Approved
Julia Antilley	Final Approval

**INTERLOCAL AGREEMENT BETWEEN
CITY OF SAN ANGELO AND TOM GREEN COUNTY
FOR SERVICES FROM THE COUNTY CRISIS INTERVENTION UNIT**

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

WITNESSETH

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

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

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

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

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

ARTICLE 1: PURPOSE.

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

ARTICLE 2: TERM.

This Agreement shall be effective from and after October 1, 2020 (the Effective Date) subject to approval of the governing bodies of each of the parties; and shall terminate on September 30, 2021, unless earlier terminated as herein provided.

ARTICLE 3: OBLIGATIONS OF CITY.

City agrees to:

1. Pay to Tom Green County for CIU services the sum of Thirty-six Thousand Forty-

five and 00/100 dollars (\$36,045.00) upon execution of this Agreement.

2. Should County discontinue the provision of CIU services during the term of this agreement, County shall reimburse City a pro-rata share of sum paid by City for such services, based upon the period of time remaining under the Agreement in which CIU services are discontinued.

ARTICLE 4: OBLIGATIONS OF COUNTY.

County agrees to provide CIU services through the Tom Green County Sheriff's Department. The CIU services shall:

1. Include provision for sufficient staff and trained civilian volunteers.
2. Provide the CIU services three hundred sixty-five (365) days per year, twenty-four (24) hours per day.
3. Respond to crisis calls involving crime victims in City and County.
4. Provide crisis counseling, assessment of needs, information and referrals, emergency transportation, assist with emergency protective orders for victims of family violence and stalking and respond to death scenes when requested.
5. Utilize the funds provided by City pursuant to this Agreement toward support in providing the CIU services, to include a portion of the salary, benefits and cell phone expenses of the CIU coordinator.

ARTICLE 5: NO JOINT VENTURE.

This Agreement is not intended to create a joint venture between the parties.

ARTICLE 6: STATUS OF EMPLOYEES.

Each Party shall retain supervision and control of its employees at all times while performing services pursuant to this Agreement. No employee of one entity shall be considered a borrowed servant of the other entity for Workers' Compensation purposes or for any other purpose. City agrees that all persons employed by it, although not required to furnish services hereunder, are at all times employees, agents or representatives of City and not of County, and County agrees that all persons employed by it to furnish services as required hereunder are at all times employees, agents or representatives of County and not of City. At no time shall such employees, agents or representatives of a Party be entitled to benefits conferred on the other entity's employees, agents or representatives.

ARTICLE 7: TERMINATION.

This Agreement may be terminated at any time by mutual agreement of the Parties, subject to approval of their governing bodies.

ARTICLE 8: EXECUTION.

This Agreement shall not become effective until approved by the governing body of each of the Parties.

ARTICLE 9: ENTIRE AGREEMENT.

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

ARTICLE 10: AMENDMENT.

This Agreement may only be amended by the mutual agreement of the Parties hereto in a writing signed by a duly authorized representative of each Party and attached to and incorporated into this Agreement. All amendments to this Agreement shall require approval of the governing body of each Party.

ARTICLE 11: SEVERABILITY.

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

ARTICLE 12: FORCE MAJEURE.

In the event that either Party shall be prevented from performing its duties under this Agreement by an act of nature, by acts of war, riot, or civil commotion, by an act of State, by strikes, fire, flood, or by the occurrence of any other event beyond the control or reasonable anticipation with the exercise of due diligence of a party hereto, the same shall not be considered a breach of this Agreement.

ARTICLE 13: EXCLUSIVITY.

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

the same or similar service.

ARTICLE 14: NOTICE.

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

To County:

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

To City:

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

ARTICLE NO. 15: THIRD PARTIES/VENUE

Nothing in this Agreement, whether express or implied, is intended or shall be construed to confer, directly or indirectly, upon or give to any person, other than the Parties hereto, any legal or equitable right, remedy or claim under or in respect of this Agreement or any covenant, condition or other provision contained herein.

Venue for any proceeding brought pursuant to this Agreement shall be in Tom Green County, Texas.

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

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

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

ARTICLE NO. 17: CAPTIONS.

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

ARTICLE NO. 18: AVAILABILITY OF FUNDS.

Notwithstanding anything to the contrary in this Agreement, each party making any payment hereunder must make the payment from current revenues available to the paying party; and, the payment obligations of the parties to this Agreement are conditioned upon the availability of such funds.

IN WITNESS WHEREOF the undersigned execute this Interlocal Agreement in their official capacities pursuant to authorization of the respective governing bodies of the parties.

TOM GREEN COUNTY:

By:

Steve Floyd, Tom Green County Judge

By:

David Jones, Tom Green County Sheriff

ATTEST:

Elizabeth McGill, County Clerk

CITY OF SAN ANGELO:

By:

Daniel Valenzuela, City Manager

ATTEST:

Julia Antilley, City Clerk

Approved as to form:

Theresa James, City Attorney

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Patrick Brody, Assistant Fire Chief, Fire Department, 325-657-4355 ext 300

Meeting Date: November 17, 2020

Item type: Consent Item

Caption:

Consider a resolution allowing the Fire Department to accept a donation of eight Webber Smokers from Lowes Home Improvement Store, estimated value of donation \$8,000 (Patrick Brody)

Summary/History:

Lowes Home Improvement would like to make a donation to the Fire Department to show their support to the local Fire Department. The donation includes eight (8) smoker style Webber grills.

Financial Impact:

There is no fiscal impact for this item.

Other Information/Recommendation:

Attachments:

- | | |
|---------------------------------|-----------------------------------|
| 1. Resolution accepting smokers | Resolution accepting smokers.DOCX |
|---------------------------------|-----------------------------------|

Presentation:

Approvals/Reviews:

Patrick Brody	Created/Initiated
Brian Dunn	Approved
Theresa James	Approved
Tina Dierschke	Approved
Theresa James	Approved
Julia Antilley	Final Approval

A RESOLUTION BY THE CITY OF SAN ANGELO CITY COUNCIL ACCEPTING A DONATION GRILLS FOR THE SAN ANGELO FIRE DEPARTMENT

WHEREAS, Section 51.076(a) of the Texas Local Government Code provides that a municipality may hold property that it receives by gift, deed, devise, or other manner; and

WHEREAS, Lowe's would like to donate 8 Webber smokers with an estimated value of \$8000 to the San Angelo Fire Department; and

WHEREAS, the San Angelo Fire Department has use for the smokers to further the mission and purpose of the Department.

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

Part 1: That the City of San Angelo hereby accepts a donation of 8 Webber smokers from Lowe's.

Part 2: That the donations shall be used by the City of San Angelo San Angelo Fire Department.

PASSED and APPROVED THIS 17th Day of November, 2020.

CITY OF SAN ANGELO, TEXAS

ATTEST:

Brenda Gunter, Mayor

Julia Antilley, City Clerk

APPROVED AS TO FORM

Theresa James, City Attorney

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Julia Antilley, City Clerk, City Clerk, 325-657-4405

Meeting Date: November 17, 2020

Item type: Consent Item

Caption:

Consider confirming appointments to MHMR Services for the Concho Valley Board of Trustees recommended by the Liaison Representative Committee (Julia Antilley)

Summary/History:

Council Member Gonzales serves as the Council Representative to the MHMR Liaison Representative Committee which presented the nominations.

The proposed term for all four re-appointments is November 1, 2020 through October 31, 2022 for:

- Cary Houston
- Donald W. McKee
- Sangeeta Singg
- John Stokes

Financial Impact:

Other Information/Recommendation:

None

Attachments:

Presentation:

Approvals/Reviews:

Julia Antilley
Theresa James
Julia Antilley

Created/Initiated
Approved
Final Approval

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Hillary Bueker, Planning Manager, Planning and Development Services, 325-657-4210

Meeting Date: November 17, 2020

Item type: Consent Item

Caption:

Second reading of an ordinance approving case Z20-13, a rezoning from the Light Manufacturing zoning district to the General Commercial zoning district, being 2.97 acres located at 1801 and 1819 Knickerbocker Rd. and adjacent vacant lots located on Industrial Ave. between Market St. and Commerce St. (Jon James)

Summary/History:

As part of a sales contract for 1819 Knickerbocker Road, the applicant is seeking the requested rezoning. Staff is unaware, at this time what the new proposed use will be. 1801 Knickerbocker Road is the only property within the current block that would remain Light Manufacturing (ML) zoning so City Staff has initiated a rezoning for this property. The current use is a restaurant which would not be allowed in the ML but with the proposed CG zoning would be allow to continue and possibly expand if needed.

Financial Impact:

N/A

Other Information/Recommendation:

On October 19, 2020, the Planning Commission unanimously recommended APPROVAL of the rezoning.

On November 3, 2020, the City Council unanimously recommended APPROVAL of the rezoning, with a 7-0 vote.

Attachments:

- | | |
|---------------------------|----------------------------|
| 1. Ordinance (Z20-13) | Ordinance (Z20-13).docx |
| 2. Staff Report Z20-13 CC | Staff Report Z20-13 CC.pdf |

Presentation:

Jon James

Approvals/Reviews:

Hillary Bueker	Created/Initiated
Hillary Bueker	Approved
Jon James	Approved
Brandon Dyson	Approved
Jon James	Approved
Theresa James	Approved
Julia Antilley	Final Approval

AN ORDINANCE AMENDING CHAPTER 12, EXHIBIT "A" OF THE CODE OF ORDINANCES, CITY OF SAN ANGELO, TEXAS, WHICH ADOPTS ZONING REGULATIONS, USE DISTRICTS AND A ZONING MAP, IN ACCORDANCE WITH A COMPREHENSIVE PLAN, BY CHANGING THE ZONING AND CLASSIFICATION OF THE FOLLOWING PROPERTY: **1801 AND 1819 KNICKERBOCKER ROAD AND ADJACENT VACANT LOTS LOCATED ON INDUSTRIAL AVENUE BETWEEN MARKET STREET AND COMMERCE STREET; BEING 2.034 ACRES IN ABST: A-1641 S-0176.25, SURVEY: J MC NEESE AND 0.936 ACRES IN LOT 1, BLOCK 1, GOLDEN CORRAL ADDITION**, FROM THE LIGHT MANUFACTURING (ML) ZONING DISTRICT TO THE GENERAL COMMERCIAL (CG) ZONING DISTRICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

Z20-13: 1819 Knickerbocker Road

WHEREAS, on the 19th day of October, 2020, the Planning Commission for the City of San Angelo in compliance with the City Charter, City ordinance and state law, and after holding a public hearing thereon, caused to be prepared and delivered a report and recommendation to City Council to approve the proposed General Commercial (CG) Zoning District; and,

WHEREAS, on the 3rd day of November, 2020, City Council held a public hearing on Z20-13, pursuant to published notice, and has considered the application, comments, reports and recommendations of the Planning Commission and staff, public testimony, and other relevant support materials;

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

SECTION 1: The basic zoning ordinance for the City of San Angelo, as enacted by the governing body for the City of San Angelo effective January 4, 2000, and included within Exhibit "A" of Chapter 12 of the Code of Ordinances of the City of San Angelo, and zoning map be and the same are hereby amended to designate the following described properties permanently zoned GENERAL COMMERCIAL (CG) Zoning District:

The real property located at 1801 and 1819 Knickerbocker Road and adjacent vacant lots located on Industrial Avenue between Market Street And Commerce Street; Being 2.034 Acres in Abst: A-1641 S-0176.25, Survey: J Mc Neese And 0.936 Acres in Lot 1, Block 1, Golden Corral Addition, San Angelo, Tom Green County, Texas.

SECTION 2: The Director of the Planning & Development Department, or his/her designee, is hereby directed to correct zoning district maps in the office of the Planning & Development Department, to implement the zoning provision adopted herein, as further depicted on **Exhibit A** of this Ordinance.

SECTION 3: In all other respects, the use of the hereinabove described property shall be subject to all applicable regulations contained in Chapter 12 of the Code of Ordinances for the City of San Angelo, as amended.

SECTION 4. The remaining provisions of Chapter 12 of the Code of Ordinances of the City of San Angelo, Texas, not amended under Sections 1 and 2 of this Ordinance shall remain in full force and effect.

SECTION 5 The terms and provisions of this Ordinance shall be deemed to be severable in that, if any portion of this Ordinance shall be declared to be invalid, the same shall not affect the validity of the other provisions of this Ordinance.

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

INTRODUCED with public hearing on the **3rd day of November, 2020**, and finally PASSED, on this the **17th day of November, 2020**.

THE CITY OF SAN ANGELO

Brenda Gunter, Mayor

ATTEST:

APPROVED AS TO FORM:

Julia Antilley, City Clerk

Theresa James, City Attorney

General Commercial (CG) Zoning Boundary Map



PLANNING COMMISSION – OCTOBER 19, 2020

STAFF REPORT



APPLICATION TYPE:		CASES:	
Rezoning		Z20-13: 1819 Knickerbocker Road	
SYNOPSIS:			
A request for approval of a rezoning from the Light Manufacturing (ML) Zoning District to the General Commercial (CG) Zoning District, being 2.97 acres located at 1819 & 1801 Knickerbocker Rd. As part of a sales contract this property is seeking a rezoning. Staff is unaware at this time what the new proposed use will be.			
LOCATION:		LEGAL DESCRIPTION:	
1819 & 1801 Knickerbocker Road		Being 2.034 acres in Abst: A-1641 S-0176.25, Survey: J Mc Neese, and 0.936 acres in Lot 1, Block 1, Golden Corral Addition	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD District #5 – Lane Carter ASU – College Hills Neighborhood	Light Manufacturing (ML)	Commercial	2.97 acres
THOROUGHFARE PLAN:			
<u>Knickerbocker Road</u> – TXDOT - Urban Arterial Street, Required 80' min. ROW (108' Existing), Required 64' min. pavement width (87' Existing). <u>Market Street, Commerce Street, Industrial Avenue</u> – Urban Local Streets, Required 50' min. ROW (60' Existing), Required 40' or 36' with a 4' sidewalk min. pavement width (40' Existing).			
NOTIFICATIONS:			
6 notifications were mailed within a 200-foot radius on October 8, 2020. Zero received in support or opposition.			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of a rezoning from the Light Manufacturing (ML) Zoning District to the General Commercial (CG) Zoning District located at 1819 & 1801 Knickerbocker Road.			
PETITIONER:			
Patricia Bunyard, FAB-KOR, Inc., The Estate of Mary Louise Korona/ COSA			
STAFF CONTACT:			
Hillary Bueker Planning Manager (325) 657-4210, Ext. 1547 hillary.bueker@cosatx.us			

Rezoning: Section 212(G) of the Zoning Ordinance requires that the Planning Commission and City Council consider, at minimum, seven (7) factors in determining the appropriateness of any Rezoning request:

1. **Compatible with Plans and Policies.** **Whether the proposed amendment is compatible with the Comprehensive Plan and any other land use policies adopted by the Planning Commission or City Council.** The subject area has been identified as Commercial Future Land Use since the 2009 update to the City's Comprehensive Plan. The goal of the Commercial designation is to "create single-use centers consisting of large retail and office clusters that seek visibility and convenient access offered by frontage on the major street network. The uses within this area often draw from the larger regional area." This area of Knickerbocker is predominately commercial and offers access from major street networks. This parcels have the opportunity to draw customers from a larger regional area and there for this rezoning to General Commercial would be consistent with the Comprehensive Plan.
2. **Consistent with Zoning Ordinance.** **Whether and the extent to which the proposed amendment would conflict with any portion of this Zoning Ordinance.** The subject properties exceed the minimum lot width of 50 feet, lot depth of 80 feet, and lot area of 6,000 square feet in the CG zoning district. The current buildings exceed the front yard setback for Knickerbocker Rd. and with no residential adjacent there are currently no rear or side setbacks. If the existing buildings apply for a change of occupancy, then parking will have to meet current standards. For the two vacant properties, any new development will have to meet current ordinances.
3. **Compatible with Surrounding Area.** **Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject land and is the appropriate zoning district for the land.** The properties are located within an area that is currently comprised of mostly commercial with minimal residential. The existing development fits in with the existing mixed use development pattern, and would allow from continuation of existing businesses and additional commercial development.
4. **Changed Conditions.** **Whether and the extent to which there are changed conditions that require an amendment.** The property have been zoned ML since 1959 when at that time this area was envisioned to be an industrial park. That park did not developed and since commercial spread along the Knickerbocker Rd. frontage. Approving this zone change will be consistent with the comprehensive plan and surrounding existing development.
5. **Effect on Natural Environment.** **Whether and the extent to which the proposed amendment would result in significant adverse impacts on the natural environment, including but not limited to water and air quality, noise, storm water management, wildlife, vegetation, wetlands and the practical functioning of the natural environment.** The rezoning is anticipated to have little to no adverse impact on the natural environment. Two of the properties are currently developed and continue to operate in a commercial capacity. Any new development may have temporary noise and air impacts during construction. The subject lots are not located within any floodway or

floodplain, and a review of grading, drainage, and stormwater would be conducted at time of any future permitting.

6. **Community Need.** *Whether and the extent to which the proposed amendment addresses a demonstrated community need.* Allowing this area to rezone to general commercial would allow existing businesses to continue to serve the community while also allowing additional commercial development in a mixed use area.
7. **Development Patterns.** *Whether and the extent to which the proposed amendment would result in a logical and orderly pattern of urban development in the community.* The existing development pattern in the subject area is predominately commercial with some residential, approving the rezoning will allow the parcels to keep in continuity with the adjoining development in the area.

Planning Commission Recommendation:

On October 19, 2020, the Planning Commission unanimously recommended **APPROVAL** of a rezoning from the Light Manufacturing (ML) Zoning District to the General Commercial (CG) Zoning District located at 1819 & 1801 Knickerbocker Road. The following is the complete excerpt of the draft minutes from the October 19, 2020 meeting for these cases:

Hillary Bueker, Planning Manager, presented the rezoning case. She explained that the current zoning is Light Manufacturing (ML) and there was a recent rezoning approved to the south to General Commercial (CG). Ms. Bueker explained that the rezoning includes the Korona and Bonzai Garden properties and two properties immediately behind them. She indicated that of the 6 notices that were mailed, Staff did not receive any responses. Ms. Bueker then outlined Staff's recommendation to approve the rezoning on the grounds that the rezoning is compatible with the Commercial Future Land Use; that the property complies with the CG zoning standards including the front yard setbacks; that the area is already mostly commercial; that the properties have remained retail or vacant since at least 1970s and 1980s; and that the rezoning will allow continuity of commercial uses within the adjacent area.

Chair Stribling opened public comment.

Chair Stribling closed public comment.

Commissioner Smith made a motion to RECOMMEND APPROVAL of a rezoning from the Light Manufacturing (ML) Zoning District to the General Commercial (CG) Zoning District, being 2.97 acres located at 1801 and 1819 Knickerbocker Rd. Vice Chair Jackson seconded the motion. The motion carried unanimously 7-0.

Recommendation:

Staff recommends **APPROVAL** of a rezoning from the Light Manufacturing (ML) Zoning District to the General Commercial (CG) Zoning District located at 1819 & 1801 Knickerbocker Road.

Attachments:

Aerial Map
Future Land Use Map
Zoning Map
Photographs
Notification Map



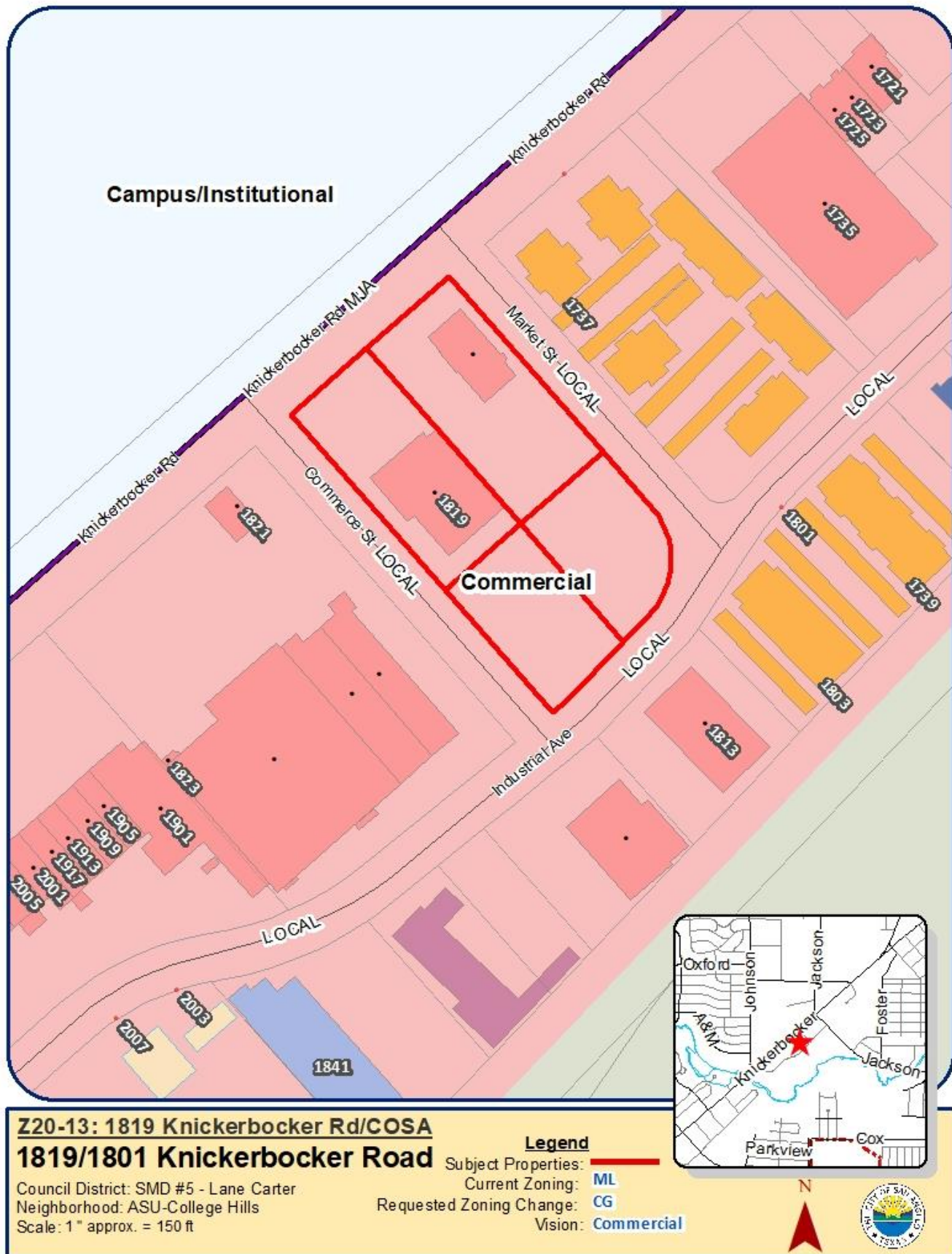
Z20-13: 1819 Knickerbocker Rd/COSA
1819/1801 Knickerbocker Road

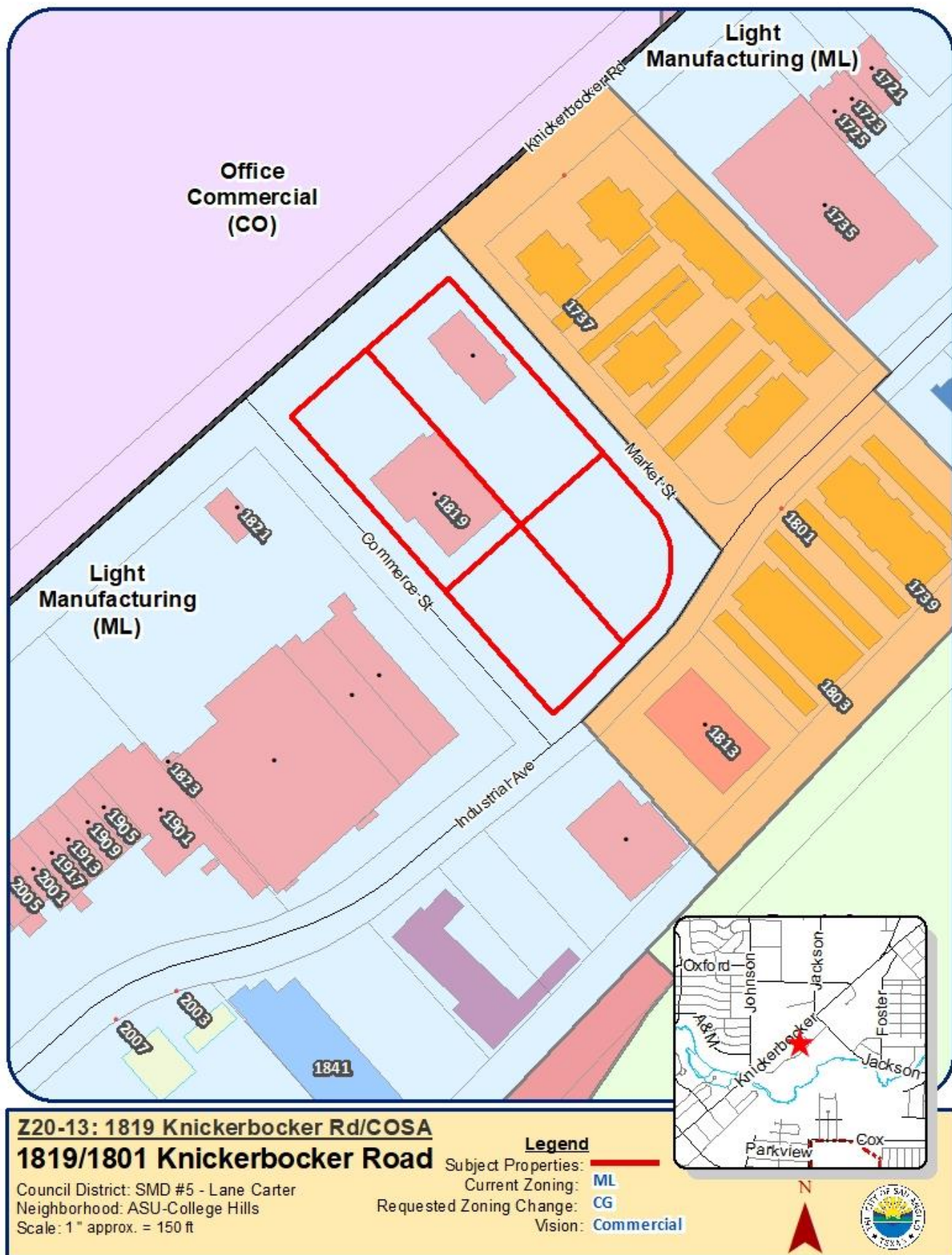
Council District: SMD #5 - Lane Carter
Neighborhood: ASU-College Hills
Scale: 1" approx. = 150 ft

Legend

Subject Properties: —
Current Zoning: ML
Requested Zoning Change: CG
Vision: Commercial







Photos



Applicant's existing commercial property



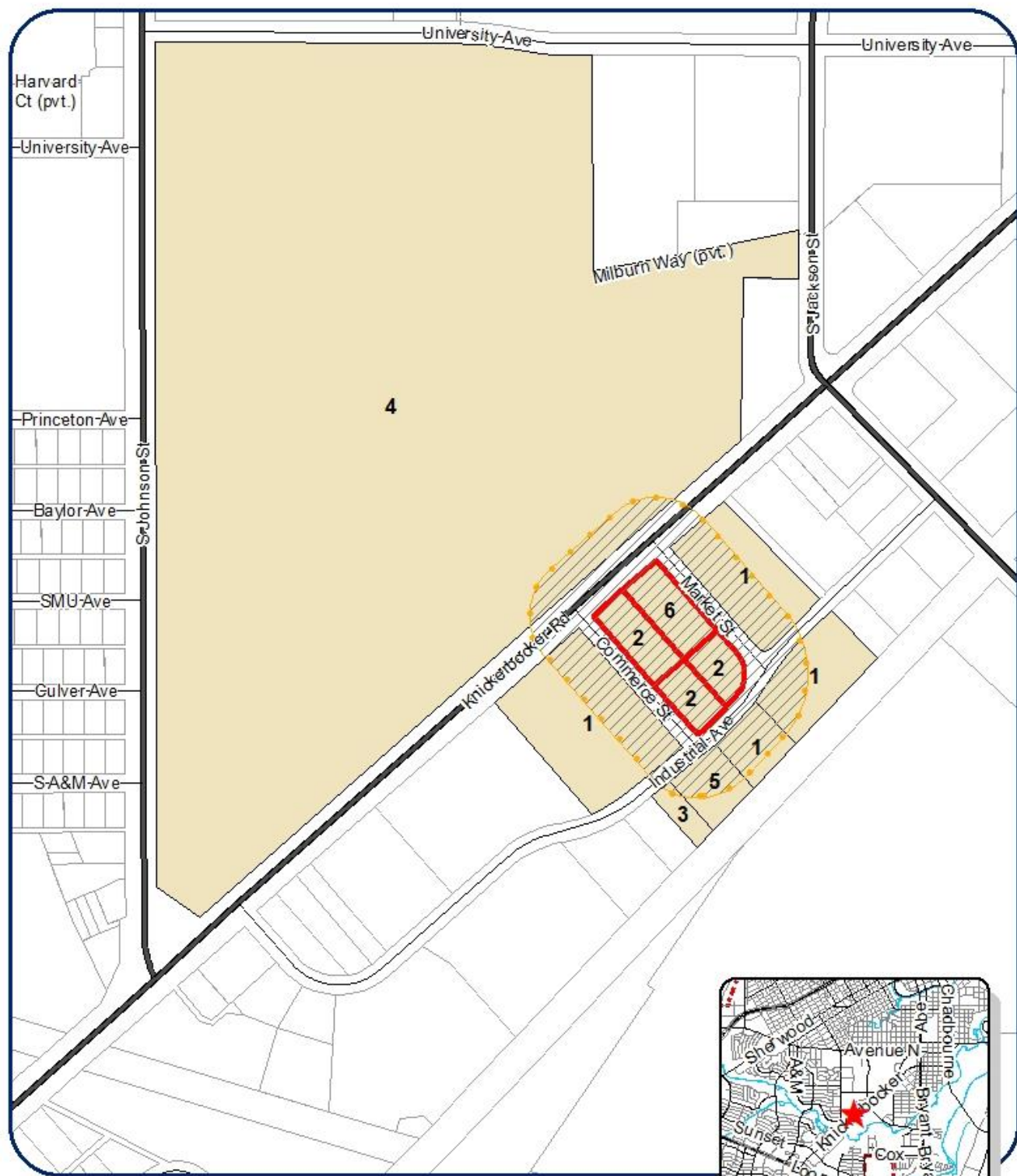
Adjacent property (rezoning initiated by COSA)



Vacant Property at Commerce Street and Industrial Avenue



Vacant Property at Market Street and Industrial Avenue



Z20-13: 1819 Knickerbocker Rd/COSA
1819/1801 Knickerbocker Road

Council District: SMD #5 - Lane Carter
 Neighborhood: ASU-College Hills
 Scale: 1" approx. = 400 ft

Legend

Subject Properties: —
 Current Zoning: ML
 Requested Zoning Change: CG
 Vision: Commercial



REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Sherry Bailey, Sr. Planner, Planning and Development Services,

Meeting Date: November 17, 2020

Item type: Consent Item

Caption:

Second reading of an ordinance approving case Z20-16, a rezoning from Low Rise Multifamily Residence, Neighborhood Commercial, and Light Manufacturing to the Central Business District zoning district, being 6.487 acres located at 122 W. 2nd St., 209 & 215 Gillis St., 34 W. 3rd St., 214 & 218 Farr St. and other unaddressed properties in the 100 and 200 blocks of W. 2nd St. and W. 3rd St. (Jon James)

Summary/History:

The Salvation Army is divesting the organization of multiple properties in both of the blocks mentioned above to facilitate consolidation of their operations and move their organization to a central campus. These properties are located one block off Chadbourne Street, generally located at the Gillis Street and 3rd Street intersection. The applicant's proposed rezoning brings forward a situation that rarely happens in an older downtown area. The applicant has requested rezoning to Central Business District for 16 individual properties. Those properties are contained within a two block area and are adjacent to each other. Some of the properties have structures on them, some have parking lots and some are vacant.

Financial Impact:

N/A

Other Information/Recommendation:

At their October 19, 2020 Planning Commission meeting the Planning Commission voted unanimously (7-0) to recommend approval of the request to rezone the property to Central Business District (CBD).

At the City Council meeting on November 4, 2020 the City Council voted unanimously (7-0) to approve the First Reading.

Attachments:

- | | | |
|----|------------------------|----------------------------|
| 1. | Z20-16_Ordinance | Z20-16_Ordinance.docx |
| 2. | Z20-16 Staff report CC | Z20-16 Staff report CC.pdf |

Presentation:

Jon James

Approvals/Reviews:

Sherry Bailey	Created/Initiated
Hillary Bueker	Approved
Jon James	Approved
Brandon Dyson	Approved
Jon James	Approved

Theresa James
Julia Antilley

Approved
Final Approval

AN ORDINANCE AMENDING CHAPTER 12, EXHIBIT "A" OF THE CODE OF ORDINANCES, CITY OF SAN ANGELO, TEXAS, WHICH ADOPTS ZONING REGULATIONS, USE DISTRICTS AND A ZONING MAP, IN ACCORDANCE WITH A COMPREHENSIVE PLAN, BY CHANGING THE ZONING AND CLASSIFICATION OF THE FOLLOWING PROPERTY: **LOCATED AT 122 WEST 2ND STREET, 209 & 215 GILLIS STREET, 34 WEST 3RD STREET, 214 & 218 FARR STREET AND VARIOUS PROPERTIES IN THE 100 AND 200 BLOCKS OF WEST 2ND STREET AND WEST 3RD STREET**, FROM THE LOW RISE MULTIFAMILY RESIDENCE (RM-1) ZONING DISTRICT, THE NEIGHBORHOOD COMMERCIAL (CN) AND LIGHT MANUFACTURING (LM) ZONING DISTRICTS TO THE CENTRAL BUSINESS DISTRICT ZONING DISTRICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

Z20-16: Salvation Army Properties

WHEREAS, on the 19th day of October, 2020, the Planning Commission for the City of San Angelo in compliance with the City Charter, City ordinance and state law, and after holding a public hearing thereon, caused to be prepared and delivered a report and recommendation to City Council to approve the proposed Central Business District Zoning District; and,

WHEREAS, on the 3rd day of November, 2020, City Council held a public hearing on Z20-16, pursuant to published notice, and has considered the application, comments, reports and recommendations of the Planning Commission and staff, public testimony, and other relevant support materials;

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

SECTION 1: The basic zoning ordinance for the City of San Angelo, as enacted by the governing body for the City of San Angelo effective January 4, 2000, and included within Exhibit "A" of Chapter 12 of the Code of Ordinances of the City of San Angelo, and zoning map be and the same are hereby amended to designate the following described property permanently zoned CENTRAL BUSINESS DISTRICT Zoning District:

The real properties located at 122 West 2ND Street, 209 & 215 Gillis Street, 34 West 3RD Street, 214 & 218 Farr Street and various properties in the 100 and 200 blocks of West 2ND Street and West 3RD Street, more particularly described as approximately 6.487 acres described in Exhibit A, City of San Angelo, Tom Green County, Texas;

SECTION 2: The Director of the Planning & Development Department, or his/her designee, is hereby directed to correct zoning district maps in the office of the Planning & Development Department, to implement the zoning provision adopted herein, as further depicted on **Exhibit B** of this Ordinance.

SECTION 3: In all other respects, the use of the hereinabove described property shall be subject to all applicable regulations contained in Chapter 12 of the Code of Ordinances for the City of San Angelo, as amended.

SECTION 4. The remaining provisions of Chapter 12 of the Code of Ordinances of the City of San Angelo, Texas, not amended under Sections 1 and 2 of this Ordinance shall remain in full force and effect.

SECTION 5 The terms and provisions of this Ordinance shall be deemed to be severable in that, if any portion of this Ordinance shall be declared to be invalid, the same shall not affect the validity of the other provisions of this Ordinance.

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

INTRODUCED on the **3rd day of November, 2020**, and finally ADOPTED on this the **17th day of November, 2020**.

THE CITY OF SAN ANGELO

Brenda Gunter, Mayor

ATTEST:

APPROVED AS TO FORM:

Julia Antilley, City Clerk

Theresa James, City Attorney

EXHIBIT "A"

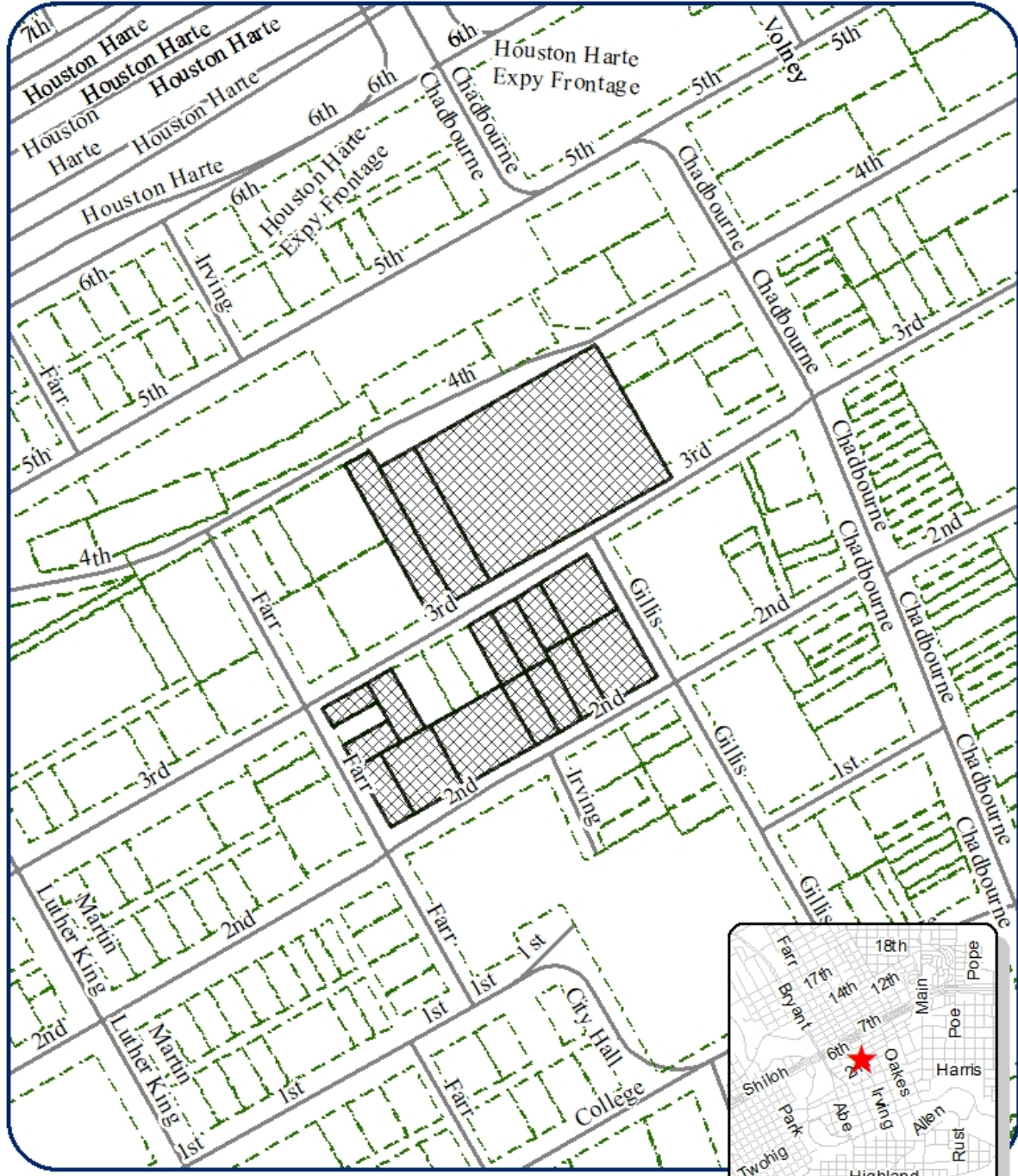
TRACT 1

Blk. V., Wells Subd. of Miles Addition, N38.9 ft. of Lot 4 & N38.9 ft. of W 40 ft. of Lot 5
Blk. V., Wells Subd. Of Miles Addition, E10 ft. of Lot 5 & W40 ft. of Lot 6
Blk. V., Wells Subd. Of Miles Addition, S45 ft. of Lot 4 & s45 ft. of W40 ft. of Lot 5
Lot 1, Blk. V. Wells Subd. Of Miles Addition
Lot 2 & 3 (former Orlebeke Tract) Blk. V Wells Subd. Of Miles Addition
Miles Acre Lots Addition, W47 3/4 of S1/2 of W95 1/2 of AC Blk.22
Miles Acre Lots Addition, South 1/2 of Acre Blk. 12 (Planned Parenthood Tract)
Miles Acre Lots Addition, E47 3/4 of S 1/2 of W95 1/2 of AC Blk. 22 Former Carroll Tract
Miles Acre Lots Addition, E52 ft. of N111 of AC Blk. 22
Miles Acre Lots Addition, S135 ft. of E52 ft. of AC Blk. 22
Miles Acre Lots Addition, N111 ft. of 100 ft. of AC 23
Miles Acre Lots Addition, S135 ft. of W100 ft. of AC 23
Miles Acre Lots Addition, W1/2 of N1/2 of W95 ft. of AC 22
Miles Acre Lots Addition, E 1/2 of N 1/2 of W 95 1/2 ft. of AC 22 (Former Garcia Tract – V 13 PG 580)

TRACT 2

Lot 21 & 27, Blk. X & the W 73.6 ft. of Blk. PT, Blk. X, Wells Subd. Of Miles Addition
East 1/2 of Blk. 33 and all of Blk. 34, Miles Acre Lots Addition

EXHIBIT "B"



Location Map Z20-16

Legend

Salvation Army properties

Council District 3 - Harry Thomas
Neighborhood: Downtown
Scale: 1" approx. = 225 ft

Future Land Use Map

Subject Properties: **ML, RM-1, CN**
Current Zoning: **Central Business District (CBD)**
Requested Zoning Change: **Downtown**
Vision:



CITY COUNCIL – NOVEMBER 3, 2020
STAFF REPORT



APPLICATION TYPE:		CASES:	
Rezoning		Z20-16: 122 West 2 nd Street, 209 & 215 Gillis Street, 34 West 3 rd Street, 214 & 218 Farr Street and various properties	
SYNOPSIS:			
A request for a rezoning from Low Rise Multifamily Residence (RM-1) , Neighborhood Commercial (CN) and Light Manufacturing (ML) Zoning Districts to the Central Business District (CBD) Zoning District, being 122 West 2nd Street, 209 & 215 Gillis Street, 34 West 3rd Street, 214 & 218 Farr Street and various properties in the 100 and 200 blocks of West 2nd Street and West 3rd Street. The Salvation Army is divesting the organization of multiple properties in both of the blocks mentioned above to facilitate consolidation of their operations and move their organization to a central campus. These properties are located one block off Chadbourne Street, generally located at the Gillis Street and 3rd Street intersection. (Continued)			
LOCATION:		LEGAL DESCRIPTION:	
Near Farr Street, Gillis Street, 3 rd Street and 2 nd Street		Being 6.487 acres with properties listed on a separate page 16 individual pieces of property	
SM DISTRICT / NEIGHBORHOOD:		ZONING:	FUTURE LAND USE:
SMD District #3 – Harry Thomas Downtown		ML; RM-1; CN	Downtown
THOROUGHFARE PLAN:		SIZE:	
Gillis Street – Urban Local Street, Required: 50’ right-of-way, 40’ pavement or 36’ with 4’ sidewalk; Provided: 48’ right-of-way, 38’ pavement with no sidewalk Farr Street - Urban Local Street, Required: 50’ right-of-way, 40’ pavement or 36’ with 4’ sidewalk; Provided: 50’ right-of-way, 30’ pavement with no sidewalk 2nd and 3rd Street -- Urban Local Street, Required: 50’ right-of-way, 40’ pavement or 36’ with 4’ sidewalk; Provided: 50’ - 43’ right-of-way , 36-38’ pavement with no sidewalk		6.487 acres	
NOTIFICATIONS:			
Twenty eight notifications were mailed within a 200-foot radius of the property on October 1, 2020. One response in favor and one against were received.			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of a rezoning from the Light Manufacturing (ML) Zoning District, Low Rise Multifamily (RM-1) and Neighborhood Commercial (CN) to the Central Business District Zoning District (CBD).			
PROPERTY OWNER/PETITIONER:			
The Salvation Army Steve Eustis - Representative			
STAFF CONTACT:			
Sherry Bailey Principal Planner (325) 657-4210, Extension 1546 Sherry.bailey@cosatx.us			

Additional Information: The applicant's proposed rezoning brings forward a situation that rarely happens in an older downtown area. The applicant has requested rezoning to Central Business District for 16 individual properties. Those properties are contained within a two block area and are adjacent to each other. Some of the properties have structures on them, some have parking lots and some are vacant. There are multiple corner pieces of property. There is a church, a shelter, and a business property with a fenced yard. All of these properties are within one block of the main downtown area on Chadbourne Street, well within the larger downtown area that should be attractive to mixed-use development, offices, and retail development. The property is also adjacent to the Performing Arts Center and the City Hall Complex. With some active marketing and downtown organization participation, a creative developer could see the potential for development. Utilities are available, streets with curbs and gutter are existing, and the property has multiple parking lots existing alongside the existing buildings or vacant property. This area is identified as part of the "Downtown" in the City's Vision plan, which encourages innovative out of the box thinking. Even the church property presents a unique approach to offices for development. There are three homes on 3rd Street and one home on Farr Street that are not included within the rezoning request. Those are owned by individual property owners who are maintaining their residential character. These homes are zoned RM-1 and will remain so for the time being.

Rezoning: Section 212(G) of the Zoning Ordinance requires that the Planning Commission and City Council consider, at minimum, seven (7) factors in determining the appropriateness of any Rezoning request:

1. **Compatible with Plans and Policies.** **Whether the proposed amendment is compatible with the Comprehensive Plan and any other land use policies adopted by the Planning Commission or City Council.** The proposed rezoning to Central Business District is in keeping with the Future Land Use of the City's Master Plan and makes development sense. The properties are within the larger area identified by the City recently for rezoning to CBD. This request is timely and matches the goal for the area as identified in the City's Master Plan.
2. **Consistent with Zoning Ordinance.** **Whether and the extent to which the proposed amendment would conflict with any portion of this Zoning Ordinance.** Once the property is rezoned, the development requirements for the Central Business District will apply, including reduced setback requirements and parking requirements. This property will benefit from the reduced development requirements found in the CBD.
3. **Compatible with Surrounding Area.** **Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject land and is the appropriate zoning district for the land.** As mentioned previously, the property immediately adjacent to these 16 lots is part of the City's cultural, governmental, and entertainment core. These properties could help with the overall goal of downtown development and redevelopment.
4. **Changed Conditions.** **Whether and the extent to which there are changed conditions that require an amendment.** The Salvation Army collected these properties over time. However, now pulling

them all together as a cohesive six acres presents opportunities that positive marketing should be able to build upon. Now rezoning them to the one Central Business District (CBD) Zoning District with its development friendly requirements should attract interest.

5. **Effect on Natural Environment.** *Whether and the extent to which the proposed amendment would result in significant adverse impacts on the natural environment, including but not limited to water and air quality, noise, storm water management, wildlife, vegetation, wetlands and the practical functioning of the natural environment.* Staff does not believe that there will be any adverse effects on the natural environment. The area is already developed and is part of the downtown area. Encouraging downtown development, where utilities and services already exist, helps avoid excessive development in lower density, less environmentally friendly areas.
6. **Community Need.** *Whether and the extent to which the proposed amendment addresses a demonstrated community need.* There are ample indications from past comments that pulling this amount of developable land together in a cohesive approach to development may well meet the needs that have been identified for a variety of desirable downtown uses.
7. **Development Patterns.** *Whether and the extent to which the proposed amendment would result in a logical and orderly pattern of urban development in the community.* The property has access to multiple developed street frontages, with large parcels having access to two or three streets. The development patterns are existing and additional traffic would have little impact on the existing ability to meet development needs.

Recommendation:

Staff recommends **APPROVAL** of a rezoning from the Light Manufacturing (ML) Zoning District, Low Rise Multifamily (RM-1) Zoning District, and Neighborhood Commercial (CN) Zoning District to the Central Business District (CBD).

Planning Commission:

Z20-16: 122 West 2nd Street, 34 West 3rd Street, and 209 & 215 Gillis Street

A request for a rezoning from Low Rise Multifamily Residence (RM-1), Neighborhood Commercial (CN), and Light Manufacturing (ML) Zoning Districts to the Central Business District (CBD) Zoning District, being 6.487 acres located at 122 West 2nd Street, 209 & 215 Gillis Street, 34 West 3rd Street, 214 & 218 Farr Street, and other unaddressed properties in the 100 and 200 blocks of West 2nd Street and West 3rd Street.

Sherry Bailey, Principal Planner, presented the rezoning case. She explained that the Salvation Army is the property owner and plans to rezone these properties and divest themselves of them. Ms. Bailey explained the properties are a mix of different zoning districts and the rezoning would change all of the properties to the Central Business District (CBD). She indicated that of the 34 notices mailed, she received one in favor and zero opposed. Ms. Bailey then outlined Staff's recommendation to approve the rezoning on the grounds that the proposed rezoning is in keeping with the City's Vision and Comprehensive Plan; that the CBD zoning is logical given the property is Downtown; that this an opportunity to combine several properties downtown for development; and there is a community need for more economic opportunities downtown.

Chair Stribling opened public comment.

Steve Eustis, representing the applicant, indicated that he was available for questions.

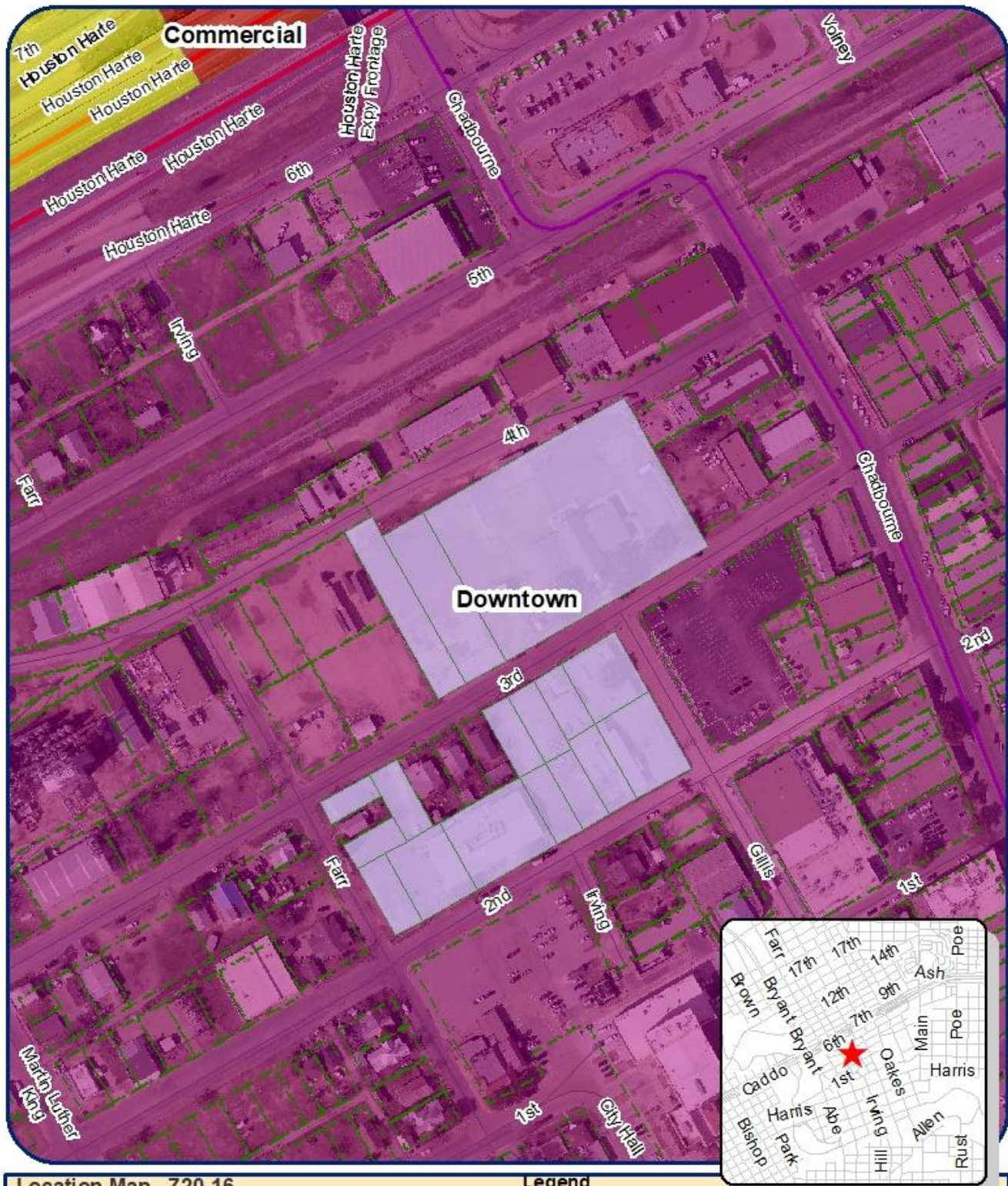
Chair Stribling closed public comment.

Vice Chair Jackson made a motion to RECOMMEND APPROVAL of a rezoning from Low Rise Multifamily Residence (RM-1), Neighborhood Commercial (CN), and Light Manufacturing (ML) Zoning Districts to the Central Business District (CBD) Zoning District, being 6.487 acres located at 122 West 2nd Street, 209 & 215 Gillis Street, 34 West 3rd Street, 214 & 218 Farr Street, and other unaddressed properties in the 100 and 200 blocks of West 2nd Street and West 3rd Street. Commissioner Uherik seconded the motion. The motion carried unanimously 7-0.

Attachments:

Aerial Map
Future Land Use Map
Zoning Map
Notification Map
Photographs
Zone Change Application
Legal Descriptions





Location Map Z20-16

Legend

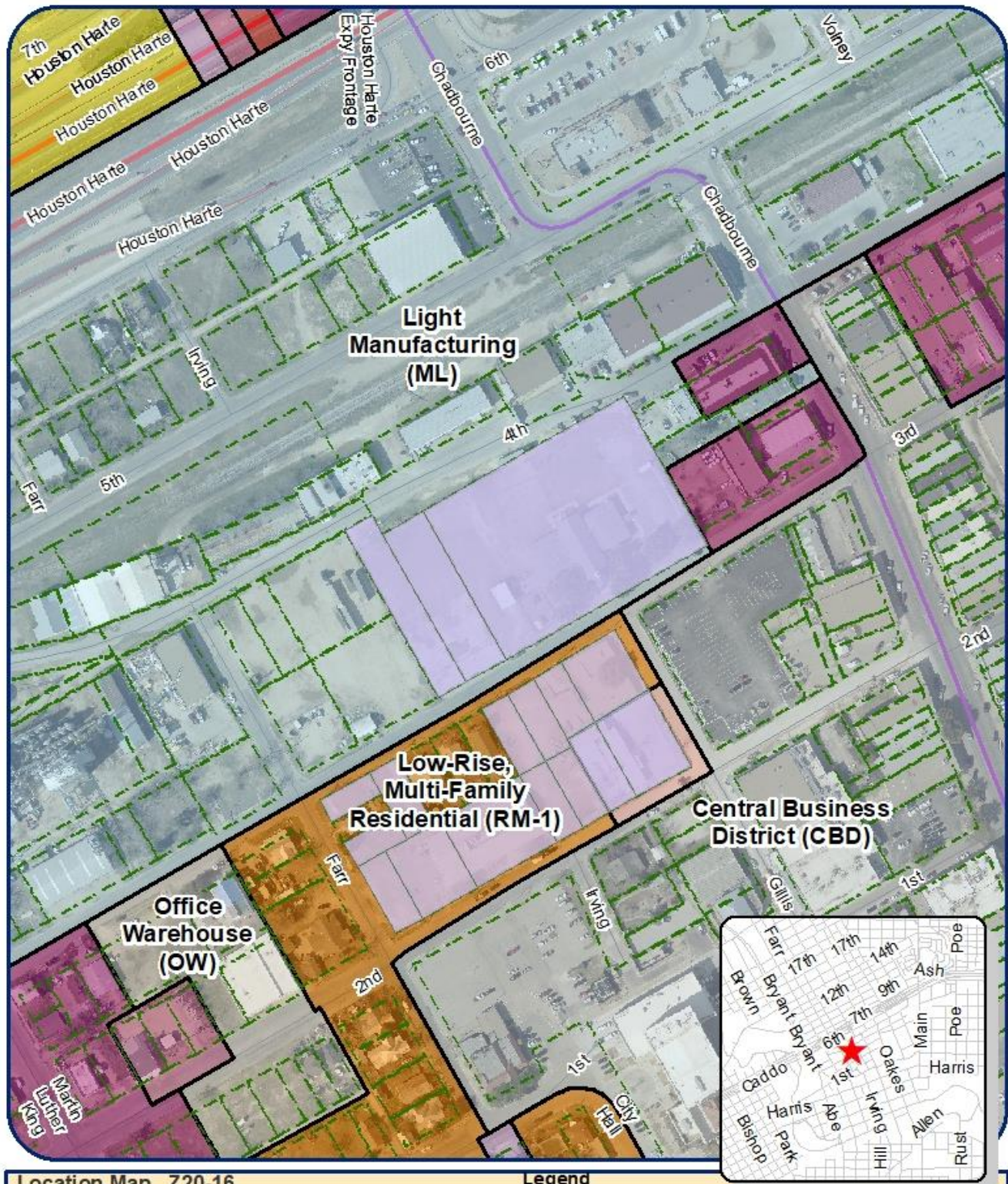
Salvation Army properties

Council District 3 - Harry Thomas
Neighborhood: Downtown
Scale: 1" approx. = 200 ft

Subject Properties: ML, RM-1, CN
Current Zoning: Central Business District (CBD)
Requested Zoning Change: Downtown
Vision:

Future Land Use Map





Location Map Z20-16

Legend

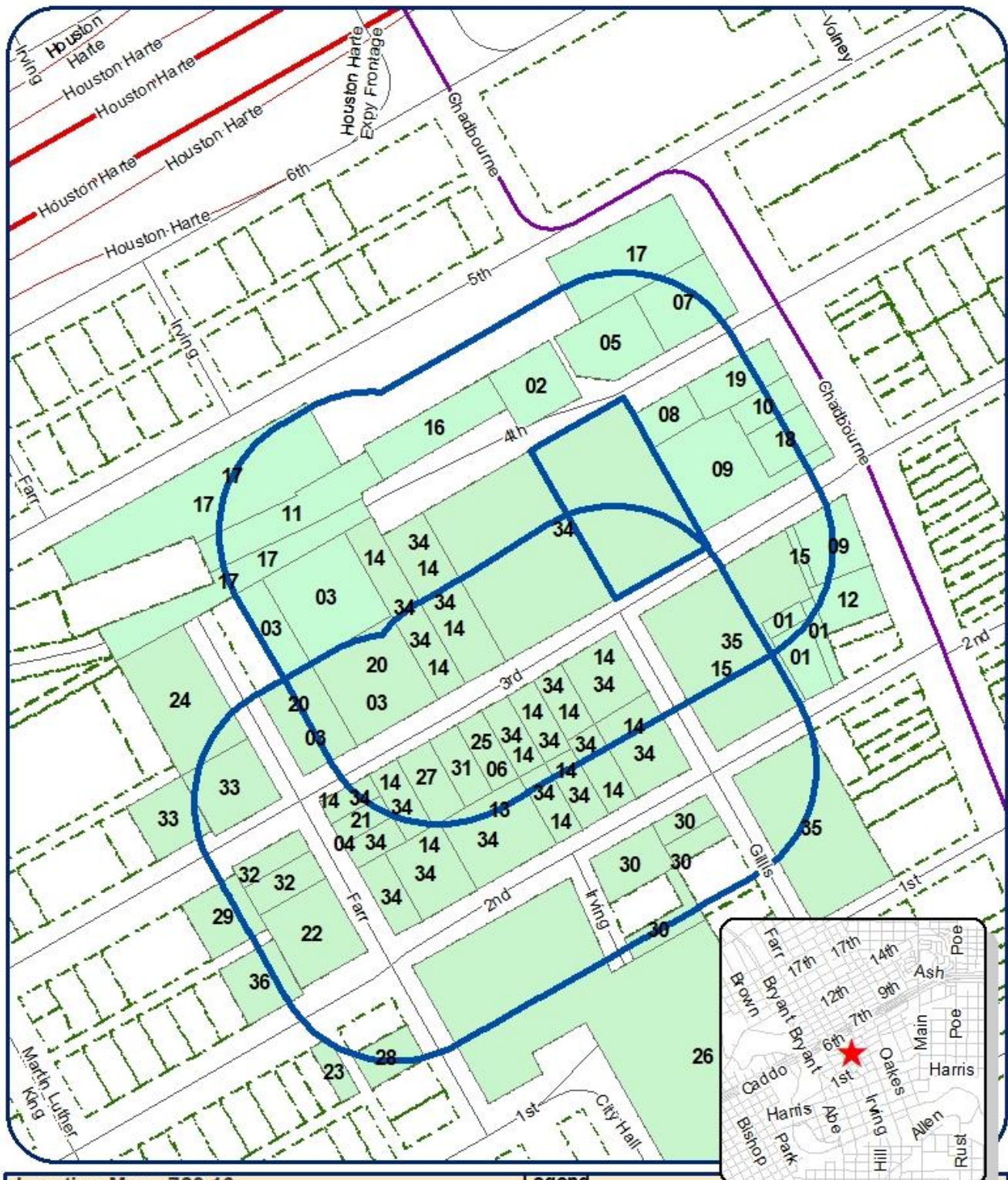
Salvation Army properties

Council District 3 - Harry Thomas
Neighborhood: Downtown
Scale: 1" approx. = 200 ft

Subject Properties: **ML, RM-1, CN**
Current Zoning: **Central Business District (CBD)**
Requested Zoning Change: **Downtown**
Vision:

Zoning Map





Location Map Z20-16

Legend

Salvation Army properties

Council District 3 - Harry Thomas
Neighborhood: Downtown
Scale: 1" approx. = 200 ft

Subject Properties: **ML, RM-1, CN**
Current Zoning: **Central Business District (CBD)**
Requested Zoning Change: **Downtown**
Vision:

Notification Map



OFFICE

DATE: OCTOBER 13, 2020
TO: LEE
FROM: CYNTHIA
PERSONNEL RETURNED YOUR CALL

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

(X) IN FAVOR () IN OPPOSITION

REASON(S) _____

NAME: Southwest Orient Properties
ADDRESS: Owner #16

SIGNATURE: Addison Lee Ruzon

Z20-16:
Z20-26: Salvation Army Properties

Property owner number: 16

If you have any questions about these proceedings, please call Sherry Bailey, Principal Planner, with the City of San Angelo's Planning Division at telephone number 325-657-1546. The Planning Division staff may also be reached by email at sherry.bailey1@cosatx.us.

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

() IN FAVOR

(X) IN OPPOSITION

REASON(S)

Worried about Bars/Clubs opening in
this neighborhood. Also will
Taxes increase?

NAME: Thomas & Frances Dempsey

ADDRESS: 117 West 3rd
San Angelo, Tx. 76903

SIGNATURE: Thomas & Frances Dempsey

Z20-16:

Z20-26: Salvation Army Properties

Property owner number: 27

If you have any questions about these proceedings, please call Sherry Bailey, Principal Planner, with the City of San Angelo's Planning Division at telephone number 325-657-1546. The Planning Division staff may also be reached by email at sherry.bailey@cosatx.us.

Photos of Site are Properties



Gillis Street building



Gillis Street and 3rd Street corner



Old Emergency Shelter building



Church and playground



Corner of Farr Street and 2nd Street



Corner of Farr Street and 3rd Street



Houses not included in rezoning



Three houses not included in rezoning

220-16

Effective January 3, 2017



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

Application for Approval of a Zone Change



Section 1: Basic Information

Name of Applicant(s): The Salvation Army

☒ Owner

☐ Representative (Notarized Affidavit Required)

1221 River Bend Dr.

Dallas

TX

75247

Mailing Address

City

State

Zip Code

214.956.6000 barry.corbett@uss.salvationarmy.org or our representative Steve Eustis 653.1489

Contact Phone Number

Contact E-mail Address

122 W 2nd; 209 & 215 Gillis; 34 W 3rd and all contiguous vacant land that is owned by Salvation Army (see attached)

Subject Property Address

City

State

Zip Code

See attached

Legal Description (can be found on property tax statement or at www.tomgreencad.com)

Existing Zoning: RM-1; CN; ML Proposed Zoning: CBD Lot size: attached

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

Section 2: Site Specific Details

Existing Use of Property: The former Red Lodge Shelter, offices, former thrift store and church

*Proposed Use of Property: Some will stay the same, 122 W. 2nd will be a kidney dialysis clinic

*Use separate attachment if necessary

Section 3: Applicant(s) Acknowledgement

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

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

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

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

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

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

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

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

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

Effective January 3, 2017

Section 3 continued : Applicant(s) Acknowledgement

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

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

Owner Name (Print) _____	Signature _____	Company/Organization (If Applicable) _____	Date _____
Representative Name (Print) <u>THE SCLEROTIC ALUM</u>	Signature <u>[Signature]</u>	Company/Organization _____	Date <u>9-16-20</u>

FOR OFFICE USE ONLY:

☐ Verified Complete ☐ Verified Incomplete

Date of Application: ____/____/____

Case No.: 2 - ____

Fully-dimensioned site plan: ☐

Nonrefundable fee: \$ _____

Receipt #: 396702 Date paid: ____/____/____

Sign Deposit \$37.50

Receipt #: 396772 Date paid: ____/____/____

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

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

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

Planning Commission hearing date: ____/____/____ Date notifications due: ____/____/____

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

Publication date: ____/____/____

Reviewed/Accepted by: _____ Date: ____/____/____

ArcGIS Web Map



9/17/2020, 2:50:58 PM

Address Parcel popups

Parcel Lines ETJ

Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS,
ArcGIS Web AppBuilder
COSA GIS | COSA GIS Division | Maxar, Microsoft | Esri, HERE, Garmin, IBC, I

SUBJECT PROPERTY - TRACT 1	
<u>Legal Description</u>	
Acres: 0.080, Blk: V, Subd: WELLS S/D OF MILES ADDN, N38.9 OF LOT 4 & N 38.9 OF W 40 OF 5	
Acres: 0.140, Blk: V, Subd: WELLS S/D OF MILES ADDN, E10' OF 5 & W40' OF 6	
Acres: 0.093, Blk: V, Subd: WELLS S/D OF MILES ADDN, S45 FT OF LOT 4 & S45 FT OF W40 FT OF LOT 5	
Acres: 0.140, Lot: 1, Blk: V, Subd: WELLS S/D OF MILES ADDN	
Acres: 0.280, Lot: 2 & 3 (FORMER ORLEBEKE TRACT) *PARKING, Blk: V, Subd: WELLS S/D OF MILES ADDN	
Acres: 0.133, Subd: MILES ACRE LOTS ADDITION, W47 3/4OF S1/2OF W95 1/2OF AC BLK22	
Subd: MILES ACRE LOTS ADDITION, SOUTH 1/2 OF ACRE BLOCK 21 (PLANNED PARENTHOOD TRACT)	
Acres: 0.133, Subd: MILES ACRE LOTS ADDITION, E47 3/4OF S1/2OF W95 1/2OF AC BLK22 FORMER CARROLL TRACT	
Subd: MILES ACRE LOTS ADDITION, E52' OF N 111 OF AC BLK 22	
Subd: MILES ACRE LOTS ADDITION, S135' OF E52' OF AC BLK 22	
Subd: MILES ACRE LOTS ADDITION, N111' OF W100' OF AC 23	
Subd: MILES ACRE LOTS ADDITION, S135 OF W100 OF AC 23	
Acres: 0.134, Subd: MILES ACRE LOTS ADDITION, W1/2 OF N1/2 OF W95 OF AC 22	
Acres: 0.134, Subd: MILES ACRE LOTS ADDITION, E 1/2 OF N 1/2 OF W 95 1/2 OF AC 22 (FORMER GARCIA TRACT-VOL 13 PG 580)	

SUBJECT PROPERTY – TRACT 2

Legal Description

Lot 21 & 27, Blk X & the West 73.6 ft of Blk PT, Blk X, Wells S/D of Miles Addition
East ½ of Block 33 and all of Block 34, Miles Acre Lot Addition

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Jon James, Director of Planning & Development Services, Planning and Development Services, x1180

Meeting Date: November 17, 2020

Item type: Consent Item

Caption:

Second reading of an ordinance amending Article 12.04 "Signs" in Chapter 12 of the City Code of Ordinances by amending Section 12.04.005 "On-site Regulations" and deleting Section 12.04.006 "Off-site Regulations" in its entirety (Jon James)

Summary/History:

A recent decision by the United States Court of Appeals for the Fifth Circuit in "Reagan National Advertising/Lamar Outdoor Advantage v. City of Austin" resulted in portions of the City's ordinance regarding signs being deemed unconstitutional. This decision resulted in the inability to distinguish between on-site (business) signs and off-site (billboard) signs in the City's sign regulations.

The existing ordinance needs to be updated to reflect these changes in case law, but such a change will take some time to prepare. The attached ordinance represents a temporary fix pending a more thorough review of the City's sign regulations. This ordinance effectively eliminates the distinction between on-site (business) signs and off-site (billboard) signs in order to comply with the recent court decision. This will allow the City to continue to apply most of the requirements of the ordinance while immediately addressing the impacts of the court decision pending a more comprehensive amendment to the ordinance.

Financial Impact:

N/A

Other Information/Recommendation:

At the November 3 meeting, the City Council approved this ordinance on first reading by a vote of 7-0.

Attachments:

- | | |
|--|--|
| 1. Adopting Ordinance off site sign deletion (Final) | Adopting Ordinance off site sign deletion (Final).docx |
| 2. Exhibit A_Sign Regulations (ver2) | Exhibit A_Sign Regulations (ver2).pdf |

Presentation:

Jon James

Approvals/Reviews:

Jon James	Created/Initiated
Jon James	Approved
Brandon Dyson	Approved
Jon James	Approved
Theresa James	Approved

Julia Antilley

Final Approval

AN ORDINANCE OF THE CITY OF SAN ANGELO, TEXAS, AMENDING CHAPTER 12 “PLANNING AND DEVELOPMENT”, ARTICLE 12.04 “SIGNS”, SECTION 12.04.005 “ON-SITE REGULATIONS” AND DELETING SECTION 12.04.006 “OFF-SITE REGULATIONS” IN ITS ENTIRETY; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EXPIRATION DATE

WHEREAS, a recent decision by the United States Court of Appeals for the Fifth Circuit in “Reagan National Advertising/Lamar Outdoor Advantage v. City of Austin” resulted in the on-site and off-site sign designations of the City’s Sign Ordinance being deemed unenforceable; and

WHEREAS, the existing ordinance needs to be updated to reflect these changes in case law, but such a change will take some time to prepare; and

WHEREAS, suspension of specific ordinance provisions will allow the City to continue to apply the remaining requirements of the ordinance while immediately addressing the impacts of the court decision pending a more comprehensive amendment to the ordinance.

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

SECTION 1. THAT Chapter 12 “Planning and Development”, Section 12.04.005 “On Site Regulations” is hereby amended and Section 12.04.006 “Off-Site Regulations” is hereby deleted as set out in Exhibit A.

SECTION 2. THAT any reference to Section 12.05.006 in the Code of Ordinances shall be changed to Section 12.05.005.

SECTION 3. THAT all references to “on-site” or “off-site” shall be deleted.

SECTION 4. THAT the terms and provisions of this Ordinance shall be deemed to be severable in that, if any portion of this Ordinance shall be declared to be invalid, the same shall not affect the validity of the other provisions of this Ordinance.

SECTION 5. THAT this Ordinance shall take effect and be in full force and effect from and after the date of its passage and shall remain in effect until December 31, 2021 unless otherwise replaced or extended by the San Angelo City Council.

INTRODUCED with public hearing on the 3rd day of November, 2020 and finally PASSED, APPROVED AND ADOPTED on this the 17th day of November, 2020.

THE CITY OF SAN ANGELO

ATTEST:

Brenda Gunter, Mayor

Julia Antilley, City Clerk

APPROVED AS TO FORM

Theresa James, City Attorney

EXHIBIT A

Section 12.04.005 “On-Site regulations” and Section 12.04.006 “Off-Site regulations” shall hereby be amended as follows:

Sec. 12.04.005 — ~~Sign On-site R~~egulations

- (a) *Residential districts.* Freestanding and attached signs as defined within this article are prohibited within districts zoned for residential use except where specifically authorized elsewhere in this article.
 - (1) *Multifamily residence district regulations.* Any use authorized in RM-1 (Low Rise Multifamily Residence) and RM-2 (High Rise Multifamily Residence) zoning districts shall be allowed signage according to the following regulations, except where specifically prohibited elsewhere in the code:
 - (A) *Area.* A multifamily residence sign shall be no larger than one-half square foot of sign area for one linear foot of lot frontage, not to exceed a maximum of 64 square feet.
 - (B) *Height.* A multifamily residence sign shall be no taller than one foot of height for each foot of setback from the property line, not to exceed eight feet in height. Five feet of height is allowed at the property line, provided a ten-foot minimum setback is maintained from the curb line.
 - (C) *Number.* No more than one multifamily residence sign per street frontage is allowed.
 - (D) *Setback.* A multifamily residence sign must be set back ten feet from the curb line or zero feet from the property line, whichever is greater. Additionally, one foot of additional setback is required for each additional foot of height in excess of five feet.
 - (2) *Nonresidential uses allowed within residential zoning districts.* Nonresidential uses allowed within a residential district shall be allowed signage according to the following regulations:
 - (A) *Area.* A nonresidential use sign shall be no larger than one-half square foot of sign area for one linear foot of lot frontage, not to exceed a maximum of 64 square feet.
 - (B) *Height.* A nonresidential use sign shall be no taller than one foot of height for each foot of setback from the property line, not to exceed eight feet in height. Five feet of height is allowed at the property line, provided a ten-foot minimum setback is maintained from the curb line.
 - (C) *Number.* No more than one nonresidential use sign one per street frontage is allowed.
 - (D) *Setback.* A nonresidential use sign must be set back ten feet from the curb line or street edge or zero feet from the property line, whichever is greater. Additionally, one foot of additional setback is required for each additional foot of height in excess of five feet.
 - (3) *Subdivision development signs.* A subdivision development sign is a sign identifying a residential development or subdivision and is designed to be permanent. The ongoing future maintenance of the sign shall be provided for prior to issuance of a permit or placement of the sign.
 - (A) *Area.* A subdivision development sign shall be no larger than 48 square feet.
 - (B) *Height.* A subdivision development sign shall be no taller than six feet in height.
 - (C) *Number.* No more than two subdivision development signs per development are authorized.

(D) *Setback.* A subdivision development sign may not be placed closer than 15 feet from any curb line or zero feet for the property line, whichever is greater.

(b) *Commercial districts.* ~~On-site~~^F-freestanding and attached signs shall be allowed as a matter of right in all commercial and manufacturing zoning districts, except as regulated by the terms of section 12.04.017 regulating signs in the River Corridor [District](#), [Downtown District](#), [Cultural District Overlays](#) and in section 12.04.018 regulating signs in the Fort Concho Historic District.

(1) *Freestanding signs.* Freestanding ~~on-site~~ signs shall be governed by the following regulations:

(A) *Area.*

~~(1) The aggregate area of all freestanding signs shall not exceed an amount equal to one and one-half square feet for each one linear foot of land on the lot's frontage abutting the primary street, except that a minimum 48 square feet of sign area is allowed regardless of lot frontage. In-Except as provided in 12.04.005(b)(1)(A)(2) no case shall the sign area of any one freestanding sign shall not exceed 250 square feet. Only one street frontage shall be considered the primary street frontage on a lot.~~

~~(2) Except as prohibited by the terms of section 12.04.009 prohibiting the use of public right-of-way, section 12.04.017 regulating signs in the River Corridor [District](#), [Downtown District](#), [Cultural District Overlays](#), and in section 12.04.018 regulating signs in the Fort Concho Historic District, signs in excess of 250 square feet shall be allowed as a matter of right in the following zoning districts:~~

~~(a) CH, OW, ML, and MH; and~~

~~(b) in CG and CG/CH districts in a designated area adjacent to the following thoroughfares:~~

~~i. North Bryant Boulevard (U.S. Highway 87) from West 14th Street north to the city limits~~

~~ii. North Chadbourne Street from 37th Street north to the city limits.~~

~~iii. Pulliam Street from North Bell Street east to the city limits.~~

~~iv. South Chadbourne Street from Avenue N south to the city limits.~~

~~v. Loop 306 from Sherwood Way east to the city limits.~~

~~vi. South Bryant Boulevard (U.S. Highway 87) from San Jacinto Street south to the city limits.~~

~~vii. Sherwood Way from Clare Drive southwest to the city limits.~~

~~vii. Arden Road from Sherwood Way west to the city limits.~~

~~(c) Area. In the ML and MH zoning districts, signs shall not exceed 700 square feet of copy area per face. In the CH, OW, CG and CG/CH zoning districts, signs~~

shall not exceed 300 square feet of copy area per face. Sign extensions of not more than ten percent of the total sign area shall be permitted in addition to the maximum area permitted above.

(d) Spacing. Spacing between signs permitted under Section 12.04.005(b)(2) shall be at least 500 feet measured along the same side of the street and separated from a lot or parcel of land in an RS-1, RS-2, RS-3 or MHS zoning district by a minimum of 100 feet. Signs located closer than 100 feet to a lot or parcel of and in an RM-1 or RM-2 zoning district shall have a maximum height of 30 feet.

(B) *Number.*

- (1i) The maximum number of freestanding signs allowed shall be determined by the linear feet of land on the lot's frontage abutting the primary street, as follows:

Lot Frontage	Number of Signs Permitted
0 - 199.99'	One
200' - 349.99'	Two
350' - 499.99'	Three
500' - 699.99'	Four
700'+	Five

The maximum number of freestanding signs allowed on a lot shall be five. Only one street frontage shall be considered the primary street frontage on a lot.

- (2ii) All lots located at the intersection of two streets shall be allowed a minimum of one freestanding sign on each of both such street frontages. The message portion for only one sign on a lot located at the intersection of two streets may be placed at a 45 degree angle perpendicular to the street corner such that the sign is legible from each intersecting street.
- (C) *Setback.* Each sign shall be set back from the front property line, and any other property line which is adjacent to a major collector or arterial street, ten feet from the curb line or street edge or zero feet from the property line, whichever is greater. A maximum height of 20 feet shall be authorized at the property line. One foot of additional setback is required for each two feet of height. A five-foot minimum setback from the side property line shall be required. Where the side property line borders a residential lot, a 30-foot setback shall be required from said property line for a 75 square foot or less size sign. A 100-foot setback shall be required from said property line for a sign greater than 75 square feet where the property line borders a residential lot.

(D) *Height.* Maximum sign height for each zoning district shall be as follows:

(1i) CN and CO districts: 25 feet.

(2ii) CBD district: 40 feet.

(3iii) CG, CH, CG/CH, OW, ML and MH districts: 50 feet.

(E) ~~—~~*Ground clearance.* The sign shall maintain a clearance from the ground of nine feet, unless the sign is a ground sign with the base of the sign within three feet of the average grade.

(2) ~~—~~*Attached signs.* Attached on-site signs shall be allowed on any building, wall or canopy within any commercial or industrial zoning districts and shall be governed by the following regulations:

(A) *Area.* Total aggregate area of canopy, fixed awning, fascia, projecting or sloping roof signs attached to a structure shall not exceed 25 percent of the area of the wall on which the sign is attached or fronts.

(B) *Setback.* No setback shall be required for any sign in the CBD zoning district. Projection over the public right-of-way shall be permitted in the CBD zoning district, provided the leading edge of any sign shall maintain a distance of at least 18 inches from the curb line or street edge. Any sign which projects into the public right-of-way shall maintain a minimum height of nine feet from the grade level to the bottom of the sign.

(C) *Height.*

(1i) No sloping roof sign shall project horizontally beyond the perimeters of the roof or vertically more than three feet above the roof ridgeline.

(2ii) No fascia sign shall extend more than three feet above the top of the wall to which the sign is attached.

(3iii) No projecting sign shall extend vertically or horizontally beyond the perimeter of the wall on which it is attached.

(4iv) Any projecting sign larger than 16 square feet that extends into the public right-of-way shall be subject to approval of city council on consideration of the purposes of this article 12.04, after notice and public hearing.

(3) *Roof signs.* For purposes of this article, standard roof signs, excluding those on sloping roofs, shall be considered as freestanding signs, and as such shall conform to all of the requirements for freestanding signs contained within this article.

Sec. 12.04.006 — ~~Reserved.~~ Off-site regulations

~~(a) — Residential districts. Off-site signs are prohibited within districts zoned for residential use except for garage sale, auction and estate sale signs and real estate signs as authorized under section 12.04.008 of this article.~~

~~(b) — Commercial districts. Except as prohibited by the terms of section 12.04.009 [12.04.017] regulating signs in the River Corridor and in section 12.04.009 [12.04.018] regulating signs in the Fort Concho Historic District, off-site signs shall be allowed as a matter of right in the following zoning districts:~~

~~(1) — CH, OW, ML, and MH; and~~

~~(2) — Off-site signs in CG and CG/CH districts are allowed in a designated area adjacent to the following thoroughfares:~~

~~(A) — North Bryant Boulevard (U.S. Highway 87) from West 14th Street north to the city limits.~~

~~(B) — North Chadbourne Street from 37th Street north to the city limits.~~

- ~~(C) — Pulliam Street from North Bell Street east to the city limits.~~
- ~~(D) — South Chadbourne Street from Avenue N south to the city limits.~~
- ~~(E) — Loop 306 from Sherwood Way east to the city limits.~~
- ~~(F) — South Bryant Boulevard (U.S. Highway 87) from San Jacinto Street south to the city limits.~~
- ~~(G) — Sherwood Way from Clare Drive southwest to the city limits.~~
- ~~(H) — Arden Road from Sherwood Way west to the city limits.~~

- ~~(3) — *Area*. In the ML and MH zoning districts, signs shall not exceed 700 square feet of copy area per face. In the CH, OW, CG and CG/CH zoning districts, signs shall not exceed 300 square feet of copy area per face. Sign extensions of not more than ten percent of the total sign area shall be permitted in addition to the maximum area permitted above.~~
- ~~(4) — *Height*. Off site signs shall meet the same height requirements as set forth for freestanding signs in section 12.04.006(a) [sic] and as set forth in section 12.606(g) [sic].~~

Editor's note — As set forth in the 1996 Code, subsection (4) contained a reference to section 12.605(a) (now 12.04.006(a)) and section 12.606(g). Both references appear to be incorrect. There was no section 12.606(g) in the code.

- ~~(5) — *Ground clearance*. Signs shall maintain a minimum clearance from the ground of nine feet unless the sign is a ground sign with the base of the sign within three feet of the average grade.~~
- ~~(6) — *Setback*. Each sign shall be set back from the front property line, and any other property line which is adjacent to a major collector or arterial street, 25 feet from the curb line or street edge or zero feet from the property line, whichever is greater. A maximum height of 20 feet shall be authorized at the property line. One foot of additional setback is required for each two feet of height. A five foot minimum setback from the side property line shall be required. Where the side property line borders a residential lot, a 30 foot setback shall be required from said property line for a 75 square foot or less size sign. A 100 foot setback shall be required from said property line for a sign greater than 75 square feet where the property line borders a residential lot.~~
- ~~(7) — *Definition of "adjacent"*. For the purposes of this subsection, an off site sign is considered adjacent to a thoroughfare if the following statements are both true:
 - ~~(A) — The supporting post is placed at a distance no greater than 75 feet from the right of way line of the listed thoroughfare; and~~
 - ~~(B) — The message portion of the off site sign is placed at an angle perpendicular to the right of way line of the thoroughfare, such that the message faces traffic flow on that thoroughfare only.~~~~
- ~~(8) — *Spacing*. Spacing between off site signs shall be at least 500 feet measured along the same side of the street.~~
- ~~(9) — *Separation from residential zoning districts*. Any off site sign shall be separated from a lot or parcel of land in an RS 1, RS 2, RS 3 or MHS zoning district by a minimum of 100 feet. Signs located closer than 100 feet to a lot or parcel of and in an RM 1 or RM 2 zoning district shall have a maximum height of 30 feet.~~
- ~~(10) — *Identification*. Every off site sign erected in the city shall bear a clearly marked means of identification, attached to the fascia or structure, which can be easily read and is clearly visible. This identification shall show the name of the owner of the sign.~~

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: November 17, 2020

Item type: Consent Item

Caption:

Consider authorizing a Memorandum of Understanding with Peoplefund, a community development financial institution, for the administration of financial assistance in the form of grants to eligible businesses in our community (Tina Dierschke)

Summary/History:

The City of San Angelo has an opportunity to establish a program to provide financial relief to small businesses impacted by the COVID19 crisis in the City of San Angelo.

The City has received funding of approximately \$5,000,000 (Five million dollars) through the Coronavirus Relief Fund (CRF) Grant. While 75% of that amount is restricted for use for Public Health and Public Safety initiatives, 25% may be used for programs that provide relief to our community.

A partnership with Peoplefund would benefit the public by providing grants to eligible businesses; therefore, increasing the access to capital and stimulating economic development in the region.

Financial Impact:

Funding for this program will come from the Coronavirus Relief Fund grant.

Other Information/Recommendation:

Attachments:

Presentation:

Approvals/Reviews:

Tina Dierschke	Created/Initiated
Tina Dierschke	Approved
Theresa James	Approved
Nolan Sosa	Approved
Tina Dierschke	Approved
Theresa James	Approved
Julia Antilley	Final Approval

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Kevin Pate, Project Engineer, Engineering Services, (325) 657-4263

Meeting Date: November 17, 2020

Item type: Regular Item

Caption:

Consider approving a Change Order to the Ave. P Stormwater Detention Basin Construction Agreement with Darnell Construction, increasing the total contract amount from \$1,550,145 to \$1,793,137, and authorizing the City Manager to negotiate and execute all related documents (Presentation made by City Engineer Lance Overstreet)

Summary/History:

The Ave. P Stormwater Detention Basin design needs the revision of the following because unexpected ground water levels were discovered during excavation:

Retaining wall foundation,
Basin inlets concrete riprap
Concrete paving

Financial Impact:

STORMWATER FUND

ORIGINAL CONTRACT : \$ 1,533,697.00
APPROVED CHANGE ORDERS: \$ 25,448.00
APPROVED CONTRACT AMOUNT: \$ 1,559,145.00
THIS CHANGE ORDER:: \$ 233,992.00
REVISED CONTRACT AMOUNT: \$ 1,793,137.00
REMAINING CONTINGENCY: \$ 127,922.00
AMOUNT BEING REQUESTED: \$ 106,070.00

FUNDING OPTIONS FOR AMOUNT REQUESTED:

- A. SALES TAX SURPLUS.
- B. STORMWATER/Operations - DELAYING SUNSET LAKE DREDGING (FY 2020)

Other Information/Recommendation:

Staff recommends approval of the Change Order to the Ave. P Stormwater Detention Basin Construction Agreement (ES-08-19) with Darnell Construction and authorization for the City Manager to execute all related documents.

Attachments:

- | | | |
|----|-----------------------------|---------------------------------|
| 1. | ES-08-19 AVE P CHANGE ORDER | ES-08-19 AVE P CHANGE ORDER.pdf |
|----|-----------------------------|---------------------------------|

Presentation:

Lance Overstreet

Approvals/Reviews:

Kevin Pate

Created/Initiated

Lance Overstreet

Theresa James

Nolan Sosa

Tina Dierschke

Theresa James

Julia Antilley

Approved

Approved

Approved

Approved

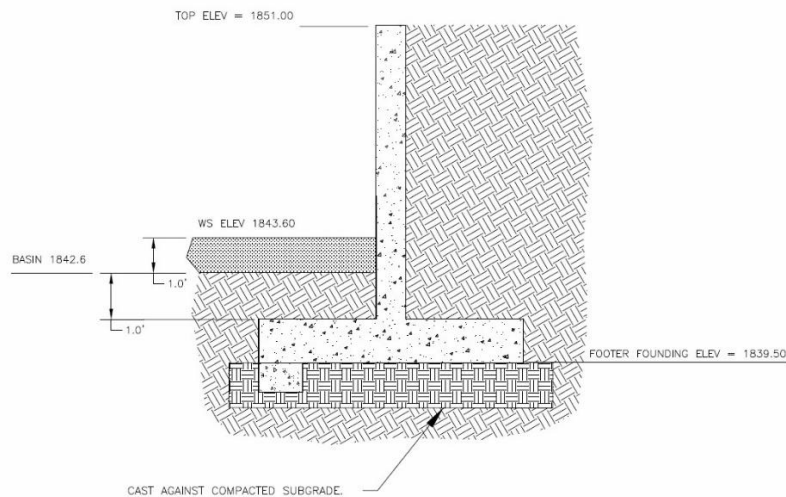
Approved

Final Approval

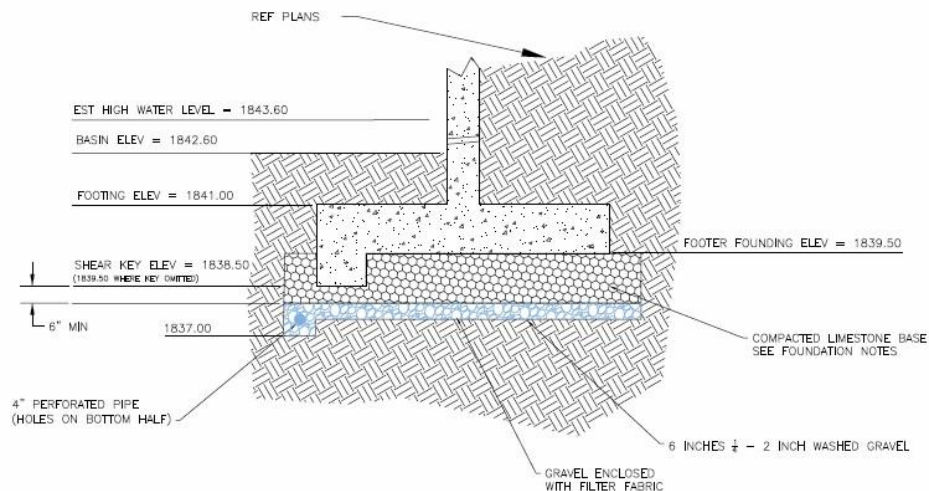
AVE P DETENTION BASIN PROJECT (ES-08-19); CHANGE ORDER

ADDITIONAL WORK to complete the project has been identified; the basin outfall on the east side requires concrete riprap, curb and dewatering of the retaining wall foundation excavation, concrete riprap is required at the south basin inlet and the northeast basin corner to control unexpected erosion by water received from Ener-Tel way and Ener-Tel property and lime treatment of the soil beneath the concrete paving is required.

1. **RETAINING WALL FOUNDATION** - Excavation revealed fluctuating levels of groundwater not identified in the Geotechnical Report commissioned by the engineering firm. The maximum level observed during construction was 1 ft above the basin elevation. The level sometimes fell below the basin surface to a depth where vehicles could enter the basin without rutting.
 - a. Basin design has 340 ft of retaining wall supported by a spread footing. Supporting the footing requires soil beneath it be compacted which is prevented by the groundwater.

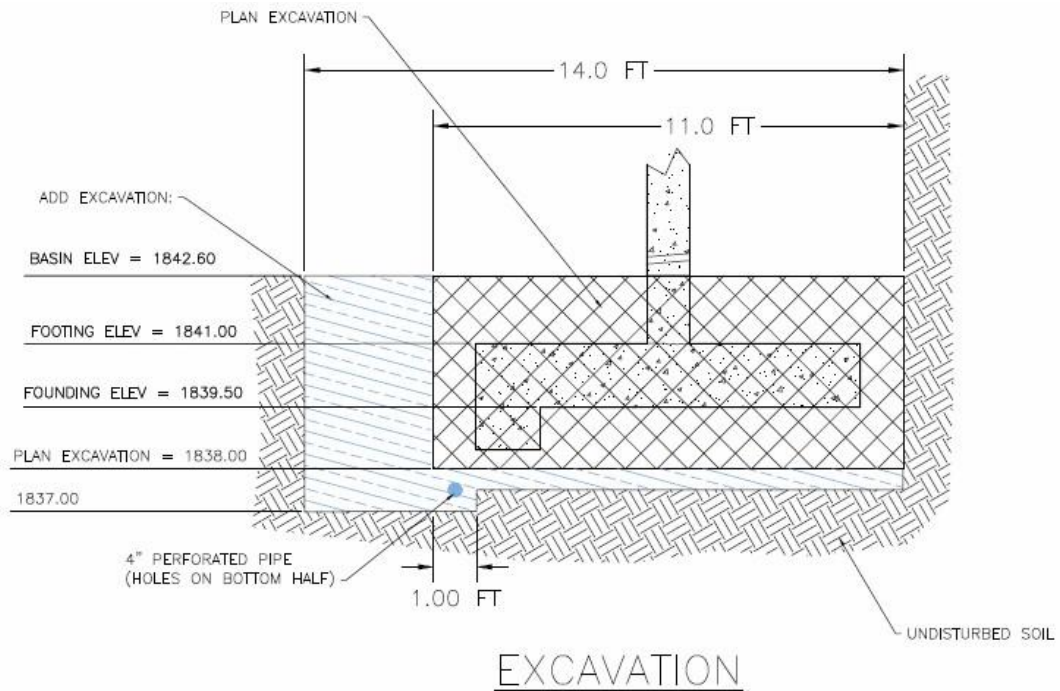


- b. The engineer requested an amended Geotechnical Report and determined the proposed design is viable but dewatering the excavation is required while constructing the retaining wall.
 - c. The following has been proposed by the contractor.



INSTALLED

- d. Which requires the following work not included in the original bid since groundwater levels were not expected.



- e. The contractor's estimate to complete the work is:

CHANGE ORDER – RETAINING WALL					
	ITEM DESCRIPTION	UNIT	QTY	UNIT COST	TOTAL
1	PERFORATED PIPE	LF	340	\$ 18.00	\$ 6,120.00
2	FILTER FABRIC (TXDOT 566)	LF	340	\$ 24.00	\$ 8,160.00
3	FOUNDATION EXCAVATION	CY	621	\$ 39.00	\$ 24,219.00
4	WASHED GRAVEL (INSTALLED)*	TN	380	\$ 63.00	\$ 23,940.00
5	BASE (COMPACTED IN PLACE)**	TN	500	\$ 47.00	\$ 23,500.00
6	DEWATERING (PUMPING)	DAYS	49	\$ 833.00	\$ 40,817.00
TOTALS					\$ 126,756.00

* 2700 LBS / CY

** 4,050 LBS / CY

2. ADDITIONAL CONCRETE CURBS AND RIPRAP :

a. **SOUTH INLET** – Plan Quantities were underestimated by 11 cubic yards.

b. **OUTFALL STRUCTURE:**

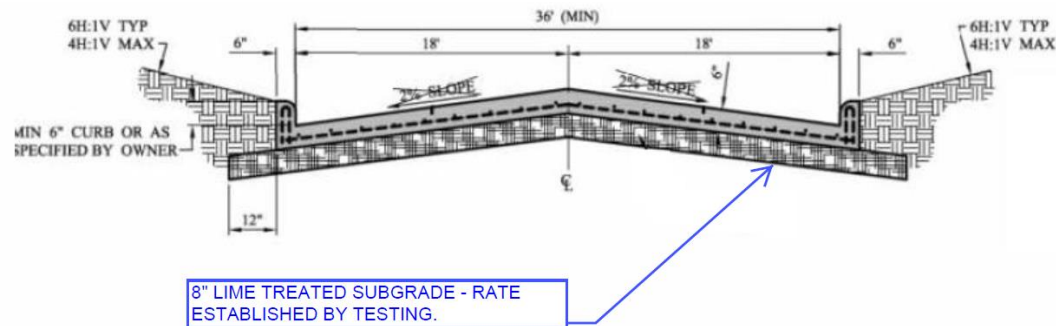
i. Water from ASCO's property is not intended to flow directly into the detention basin. Rather it is channeled along the north property line and flows onto La Cruz St. The flow volume and velocity causes soil erosion adjacent to the outfall structure. A 4 ft wide by 50 ft long concrete flume sloped to an 8 ft wide flat curb at street gutter elevation is needed. The flume is considered additional riprap.

ii. Existing curb & gutter (110 LF) intended to be salvaged is deteriorated.

iii. Area between street curb and stilling basin is shown to be soil. It poses a maintenance burden and needs to be gravel or riprap.

c. **NORTHEAST BASIN CORNER** – Water flows south on Ener-Tel Way towards Ener-Tels NW property line. Water from the street and a drainage flume on Ener-Tel's property causes unexpected levels of erosion on the basin's sloped boundary and undermines the adjacent pavement. Concrete riprap (125 CY) is needed to prevent this erosion.

3. **PAVEMENT – TREATED SUBGRADE** – The unexpected ground water levels and character of the soil supporting the concrete pavement requires the soil properties be modified by lime which reduces the soils "shrink/swell" which could cause pavement failures.



4. OVERALL PROJECT - CURRENTLY

PROJECT OVERALL				EXPENDED	
PROJECT SEGMENT	STATUS	BID AMOUNT	CONTINGENCY	WORK	CONTINGENCY
WATER LINE	SUBSTANTIALLY COMPLE	\$ 116,213.00	\$ 11,621.00	\$ 91,936.00	\$ -
SEWER LINE	SUBSTANTIALLY COMPLE	\$ 487,470.00	\$ 48,747.00	\$ 442,251.50	\$ -
DRAINAGE IMPROVEMENTS	60% COMPLETE	\$ 1,533,697.00	\$ 153,370.00	\$ 915,170.10	\$ 27,697.60

5. OVERALL PROJECT – THIS CHANGE ORDER

CHANGE ORDERS	STATUS	BID ITEM	UNIT	UNIT COST	BID QTY	BID AMOUNT	CHG QTY	CHG AMOUNT
PREPARE ROW (SITE) - UNKNOWN BURIED CONCRETE	APPROVED	2-1	AC	\$13,786.00	6	\$ 82,716.00	1.6	\$ 22,057.60
PREPARE ROW (CONCRETE PIERS)2 UNKNOWN	APPROVED	2-2	EA	\$ 1,695.00	9	\$ 15,255.00	2	\$ 3,390.00
CONCRETE RIPRAP (5")	THIS CHANGE ORDER	2-8	CY	\$ 542.40	325	\$ 176,280.00	157	\$ 85,156.80
FENCE (CHAIN LINK)(INSTALL)	THIS CHANGE ORDER	2-9	LF	\$ 30.00	1676	\$ 50,280.00	75	\$ 2,250.00
CURB AND GUTTER	THIS CHANGE ORDER	2-16	LF	\$ 122.00	238	\$ 29,036.00	118	\$ 14,396.00
PERFORATED PIPE	THIS CHANGE ORDER	N / A	LF	\$ 18.00	0	0	340	\$ 6,120.00
FILTER FABRIC (TXDOT 566)	THIS CHANGE ORDER	N / A	LF	\$ 24.00	0	0	340	\$ 8,160.00
FOUNDATION EXCAVATION	THIS CHANGE ORDER	N / A	CY	\$ 12.00	0	0	621	\$ 7,452.00
WASHED GRAVEL (INSTALLED)*	THIS CHANGE ORDER	N / A	TN	\$ 63.00	0	0	380	\$ 23,940.00
BASE (COMPACTED IN PLACE)**	THIS CHANGE ORDER	N / A	TN	\$ 47.00	0	0	500	\$ 23,500.00
DEWATERING (PUMPING)	THIS CHANGE ORDER	N / A	DAYS	\$ 833.00	0	0	49	\$ 40,817.00
LIME TREATED SUBGRADE	THIS CHANGE ORDER	N / A	SF	\$ 3.00	0	0	7400	\$ 22,200.00
						TOTAL CHG		\$ 259,439.40
						CONTINGENCY		\$ 153,370.00
						THIS REQUEST		\$ 106,070.00
						DRAINAGE IMPROVEMENT TOTAL		\$ 1,793,136.40
						PERCENT ABOVE BID		16.9%

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: November 17, 2020

Item type: Regular Item

Caption:

Consider a resolution nominating W&W-AFCO Steel, LLC to the Office of the Governor, Economic Development and Tourism (EDT) through the Economic Development Bank for designation as an Enterprise Project pursuant to the Texas Enterprise Zone Act (Presentation made by Business, Retention & Expansion Coordinator Shannon Scott)

Summary/History:

W&W-AFCO Steel LLC (W&W-AFCO), a subsidiary of Alleghany Capital Corporation and WWSC Holdings, is a steel fabrication and construction company that operates the 626 Art Street facility in San Angelo that it acquired from Hirschfeld Industries in 2018. The steel fabrication facility has been in operation in San Angelo since the 1970s and employs approximately 350 employees. W&W-AFCO has requested the City nominate them as an Enterprise Zone project under the Texas Enterprise Zone Program. If designated by the Governor's Office, W&W-AFCO will be eligible for state sales and use tax refunds on purchases made at the facility in the amount of \$2,500 per job that is created or retained in San Angelo. The refund is up to a maximum of \$1.25 million.

The Texas Enterprise Zone Program (EZP) is a state sales and use tax refund program designed to encourage private investment and job retention/creation in economically distressed areas of the state. The program is run by the Governor's Office of Economic Development.

Staff recommends approval.

Financial Impact:

No impact at this time.

Other Information/Recommendation:

Attachments:

1. 21-00XX_ED_WW_ENTERP_P_RESO_RDLN (003) 21-00XX_ED_WW_ENTERP_P_RESO_RDLN (003).pdf

Presentation:

Approvals/Reviews:

Shannon Scott
Guy Andrews
Theresa James
Tina Dierschke

Created/Initiated
Approved
Approved
Approved

Theresa James
Julia Antilley

Approved
Final Approval

RESOLUTION NO. 2020 --

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN ANGELO, TEXAS, NOMINATING W&W-AFCO STEEL LLC TO THE OFFICE OF THE GOVERNOR, ECONOMIC DEVELOPMENT AND TOURISM (EDT) THROUGH THE ECONOMIC DEVELOPMENT BANK (BANK) FOR DESIGNATION AS AN ENTERPRISE PROJECT PURSUANT TO THE TEXAS ENTERPRISE ZONE ACT.

WHEREAS, on February 19, 2019, the City of San Angelo (City) City Council passed Ordinance No. 2019-026, electing to participate in the Texas Enterprise Zone Program, pursuant to the Texas Enterprise Zone Act, Chapter 2303 of the Texas Government Code (the Act), and the local incentives offered under this resolution are the same on this date as were outlined in Ordinance No. 2019—026; and,

WHEREAS, the Office of the Governor Economic Development and Tourism (EDC) through the Economic Development Bank (Bank) will consider W&W—AFCO STEEL LLC, located at 617 Art Street, San Angelo, within a designated Enterprise Zone under the Act, as an enterprise project pursuant to a nomination and an application made by the City; and,

WHEREAS, pursuant to Section 312.2011 of the Texas Tax Code, the Property Redevelopment and Tax Abatement Act provides that the designation of an area as an enterprise zone under the Act constitutes designation of an area as a reinvestment zone without further hearing or other procedural requirements; and,

WHEREAS, the City desires to pursue the creation of the proper economic and social environment in order to induce the investment of private resources in productive business enterprises located in the City and to provide employment to residents of enterprise zones and to other economically disadvantaged individuals;

WHEREAS, pursuant to Chapter 2303, Subchapter F of the Act, W&W—AFCO STEEL LLC has applied to the City for designation as an enterprise project;

WHEREAS, the City finds that W&W—AFCO STEEL LLC, 617 Art Street, San Angelo, meets the criteria for designation as an enterprise project under Chapter 2303, Subchapter F of the Act on the following grounds:

- a. W&W—AFCO STEEL LLC is a "qualified business" under Section 2303.402 of the Act since it will be engaged in the active conduct of a trade or business at a qualified business site located in an enterprise zone and at least twenty-five percent (25.0%) of the business' new employees will be residents of an enterprise zone, economically disadvantaged individuals, or veterans; and,
- b. There has been and will continue to be a high level of cooperation between public, private, and neighborhood entities within the area; and,

- c. The designation of W&W—AFCO STEEL LLC as an enterprise project will contribute significantly to the achievement of the plans of the City for development and revitalization of the area; and,

WHEREAS, the City finds that W&W—AFCO STEEL LLC meets the criteria for tax relief and other incentives adopted by the City and nominates W&W—AFCO STEEL LLC for enterprise project status on the grounds that it will be located at the qualified business site, will create a higher level of employment, economic activity and stability; and,

WHEREAS, the City finds that it is in the best interest of the City of San Angelo to nominate W&W—AFCO STEEL LLC as an enterprise project pursuant to the Act;

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

Section 1: The findings of the City and its actions approving this resolution taken at the council meeting are hereby approved and adopted.

Section 2: W&W-AFCO STEEL LLC is a "qualified business", as defined in Section 2303.402 of the Act, and meets the criteria for designation as an enterprise project, as set forth in Section 2303, Subchapter F of the Act, and therefore, the City nominates W&W-AFCO Steel LLC for designation as an enterprise project.

Section 3. The enterprise project shall take effect on the date of designation of the enterprise project by the Office of the Governor, Economic Development and Tourism, through the Economic Development Bank, and terminate 5 years after the date of designation.

PASSED by the City Council of the City of San Angelo this 17th day of November, 2020.

THE CITY OF SAN ANGELO, TEXAS:

Brenda Gunter, Mayor

ATTEST:

Julia Antilley, City Clerk

APPROVED AS TO CONTENT:

Guy Andrews, Economic Development
Director

APPROVED AS TO FORM:

Theresa James, City Attorney

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Brian Dunn, Fire Chief, Fire Department, 325-657-4355

Meeting Date: November 17, 2020

Item type: Regular Item

Caption:

First reading and public hearing of an ordinance amending Chapter 6 "Fire and Rescue", Article 6.05 "Ambulances and Ambulance Companies" allowing for private ambulances (Presentation made by Fire Chief Brian Dunn)

Summary/History:

The San Angelo Fire Department is recommending the City of San Angelo change the ordinance to allow private ambulance services to transport non-emergency transfers inside the city limits of San Angelo. This ordinance has been in place for many years. The volume in the past has been handled with little issue to emergency responses. Last year we did approximately 600 of these transfers, that were worth about \$150,000. Even if the San Angelo Fire Department doesn't do any more non-emergency transports our response volume is still going up about 400-600 responses per year. The emergency responses are reimbursed at a significantly higher rate and require a higher level of care in the responses. This will offset any loss of future revenue.

The reason we are coming to council at this time is with Shannon's acquisition of Community Medical Center, the transfers between facilities has risen dramatically. The San Angelo Fire Department's ability to perform all of these transports in a timely manner and not jeopardize emergency responses by having too many ambulances tied up doing non-emergency transports. We are performing these transports currently, but they are having to wait when there are several transports stacked up and we have multiple ambulances out on emergency runs.

We would recommend permitting four ambulance transport companies at the current time and updating the ordinance to list the new provisions. This amount of companies should be able to handle the volume of transports and allow them not to cannibalize each other. Eventually this will allow the San Angelo Fire Department to exit non-emergency transport calls and strictly handle 911 emergency calls.

Financial Impact:

If we stop doing non emergency transports it is a loss of about \$150,000 in revenue. Our run volume is going up by 400-600 runs per year so this revenue will be offset by this new run volume.

Other Information/Recommendation:

Approve and adopt updated ordinance.

Attachments:

- | | |
|---|---|
| 1. Enacting Ordinance Ambulance private transport | Enacting Ordinance Ambulance private transport.docx |
| 2. Exhibit A Ambulance Ordinance | Exhibit A Ambulance Ordinance.doc |

Presentation:

Chief Brian Dunn

Approvals/Reviews:

Brian Dunn

Theresa James

Nolan Sosa

Tina Dierschke

Theresa James

Julia Antilley

Created/Initiated

Approved

Approved

Approved

Approved

Final Approval

**AN ORDINANCE OF THE CITY OF SAN ANGELO, TEXAS, AMENDING
CHAPTER 6 “FIRE AND RESCUE”, ARTICLE 6.05 “AMBULANCES AND
AMBULANCE COMPANIES”, PROVIDING FOR SEVERABILITY; AND
CREATING AN EFFECTIVE DATE**

WHEREAS, the City of San Angelo has an ordinance the regulates the operation of
ambulances and ambulance companies in the City of San Angelo, and

WHEREAS, there is a desire by the San Angelo Fire Department to allow private
ambulance companies to perform non-emergency transports, and

WHEREAS, it is necessary to amend the ordinance in order to allow private ambulance
companies to operate in this manner.

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

SECTION 1. THAT Chapter 6, Article 6.05 is hereby amended as depicted in Exhibit A.

SECTION 2. THAT the terms and provisions of this Ordinance shall be deemed to be
severable in that, if any portion of this Ordinance shall be declared to be invalid, the same shall
not affect the validity of the other provisions of this Ordinance.

SECTION 3. THAT this Ordinance shall take effect and be in full force and effect from
and after the date of its passage unless otherwise replaced by the San Angelo City Council.

INTRODUCED with public hearing on the 17th day of November, 2020 and finally
PASSED, APPROVED AND ADOPTED on this the 15th day of December, 2020.

THE CITY OF SAN ANGELO

ATTEST:

Brenda Gunter, Mayor

Julia Antilley, City Clerk

APPROVED AS TO FORM:

Theresa James, City Attorney

EXHIBIT A

Chapter 6, Article 6.05 of the San Angelo Code of Ordinances shall be amended as follows:

ARTICLE 6.05 - AMBULANCES AND AMBULANCE COMPANIES

DIVISION 1. - GENERALLY

Sec. 6.05.001 - Definitions

The following definitions shall apply in the interpretation and enforcement of this article:

Ambulance. Any publicly or privately owned motor vehicle equipped or used for transporting or transferring any injured, sick, disabled, or deceased persons.

Ambulance service. The business of transporting injured, sick, disabled or deceased persons.

~~Person. An individual person, firm, corporation, or association.~~

~~Street. Any street, alley, public place, square or highway within the corporate limits of the city.~~

Sec. 6.05.002 - Penalties

Any person, either by himself or agent, who shall do anything prohibited by the terms of this article, or in any way violate the provisions thereof, shall be fined in accordance with the general penalty provision found in section 1.01.009 of this code, and if the person or service is a licensee hereunder, such license shall be terminated. It shall not be necessary for the complaint to allege or for proof to be made that the act was knowingly done; nor shall it be necessary for the complaint to negative any exception contained in this article concerning any prohibited act, but any such exception made herein may be urged as a defense by any person charged by such complaint.

Sec. 6.05.003 - ~~Duties of city health officer~~Inspection of vehicles and premises

The ~~city health officer~~Fire Chief or designee shall inspect the vehicles and premises designated in an application hereunder and shall certify his approval ~~in writing to the city manager~~ when he/she finds that such vehicles and premises are suitable from the standpoint of health and sanitation for the conduct of an ambulance business and that all state laws and local ordinances relating to health, safety and sanitation have been complied with.

Sec. 6.05.004 - Insurance

(a) All transport ambulance services licensed hereunder shall procure and keep in full force and effect a policy or policies of public liability and property damage insurance issued by a casualty insurance company authorized to do business in the state and in the standard form approved by the state department of insurance, the coverage provision insuring the public from any loss or damage that may

arise to any person or property by reason of the operation of an ambulance of such service and providing that the amount of recovery on each ambulance shall be in limits as approved by the City of San Angelo Risk Manager ~~and not less than the following sums:~~

~~(1) For damages arising out of bodily injury to or death of one person in any one accident, \$100,000.00.~~

~~(2) For damages arising out of bodily injury to or death of two or more persons in any one accident, \$300,000.00.~~

~~(3) For injury to or destruction of property in any one accident, \$50,000.00.~~

(b) If any such policy is terminated and is not replaced with like insurance prior to such termination, then any license issued hereunder shall automatically terminate.

Sec. 6.05.005 - Personnel

(a) All transport ambulance services will have at least one attendant and one driver for all ambulance calls. ~~(including transfers and emergency calls).~~

(b) All attendants, drivers and other individuals employed to work on an ambulance within the city shall meet at least the following minimum qualifications:

(1) Is at least 18 years of age, and morally fit for such employment.

(2) Is of sound physique and good eyesight, and not suffering from any disease of body or mind which might render him unfit for the safe operation of an ambulance.

(3) Is able to speak, read and write the English language.

(4) Is clean of dress and person and not suffering from alcoholism or narcotism, nor under the influence of alcohol or narcotics.

(5) Is an emergency medical technician as certified by the Texas Department of State Health Services.

~~(5) — Holds, prior to March 15, 1980, at least an American Red Cross certificate. On and after March 15, 1980, all personnel employed on an ambulance must hold a currently registered emergency medical technician certificate from the department of state health services.~~

~~(56)~~ Has complied with the requirements of this article and all other governing laws and ordinances.

Sec. 6.05.006 - Ambulance equipment

All ambulances operated by a licensed service shall have and maintain the following equipment:

~~(1) Traction splints, oxygen, a first aid kit and other equipment prescribed by the state board of health. All equipment required by the Texas Department of State Health Services.~~

~~(2) In the case of ambulances used for emergency runs, two-way radios capable of being tuned to the operating police frequency.~~

~~(3) All other equipment as may be required by city ordinance or state statute.~~

Sec. 6.05.007 - Following emergency vehicle prohibited

No person shall follow, in a motor vehicle, any ambulance, police car or other emergency vehicle which is traveling on a public street in response to a report of an accident collision or occurrence of any nature.

Sec. 6.05.008 - Uncalled ambulance prohibited; exception

No person shall drive an ambulance to or near the scene or situs of any accident or collision in the city unless such person has been called to the scene by ~~the police~~ a peace officer or the fire department, ~~or by a person involved in such a collision or accident, or by a person responsible for someone who is involved in a collision or accident.~~

Sec. 6.05.009 - Solicitation prohibited

No person shall solicit in any manner, directly or indirectly, on the streets of the city, the business of transporting sick, injured, disabled or deceased persons. Proof of the presence of any person engaged in the ambulance service or the presence of any ambulance or motor vehicle operated by any person either as owner, operator, agent or employee of any ambulance service shall be prima facie evidence of a solicitation in violation of this section.

Sec. 6.05.010 ~~— Refusal of calls prohibited; exception~~ Emergency Response and Non-Emergency Transports

Only the San Angelo Fire Department EMS shall respond to emergency calls. Non-Emergency transports will be allowed by private companies permitted by the City of San Angelo. The City of San Angelo shall issue four licenses to ambulance transfer companies. If these companies fail to provide service or are derelict in their ability to provide enough ambulances to support their transport services, the license may be revoked by the Fire Chief. Non-Emergency Transports are not permitted to run Code 3 (lights and sirens) within the City of San Angelo.

~~No ambulance service licensed under this article shall refuse any call to the scene or situs of any accident, collision or occurrence of any nature within the city unless all ambulances within the service called are engaged elsewhere at the time such call is received. Any refusal not herein authorized shall work an immediate revocation of the license of such service.~~

Sec. 6.05.011 - Nonpayment of ambulance fees unlawful

It shall be unlawful for any person requesting ambulance services of any licensed ambulance service to refuse to pay, with the intent to defraud, a reasonable and customary fee for services rendered for such person by any licensed ambulance service. Failure to pay such fee within ten days after receiving a statement of such fee, or within 30 days after the date such services are rendered, whichever period is greater, shall constitute prima facie evidence of intent to defraud.

~~Sec. 6.05.012 – Reports to police department~~

~~When on a police-directed call, the ambulance service shall, within 24 hours after the call is completed, report to the police department the name and address of the person transported, the nature and circumstances of the call, and the disposition of the person so transported.~~

Secs. 6.05.01~~2~~²³—6.05.030 - Reserved

DIVISION 2. - LICENSE

Sec. 6.05.031 - Required

All transport ambulance services operating in the city shall be licensed as herein provided, and no person shall drive an ambulance upon the streets of the city unless such ambulance is operated by a duly licensed ambulance service; provided, however, a license shall not be required for any public owned ambulance.

Sec. 6.05.032 - Application

Applications for licenses hereunder shall be made to the city and shall contain:

- (1) The name and address of the owner of the ambulance service.
- (2) A description of each of the ambulances to be used, including the make, model and year of manufacture; current state license number; and motor and chassis numbers.
- (3) The schedule of rates proposed to be charged.
- (4) The location and description of the place or places from which such ambulance service is intended to operate.
- (5) Such other information as the city may deem reasonably necessary to determine if all the provisions of this article have been fully complied with.
- (6) Supplemental information shall be provided at such time as any ambulance is added to or deleted from such ambulance service.

Sec. 6.05.033 - Fee

An application hereunder shall be accompanied by a license fee as provided for in the fee schedule found in appendix A of this code.

Sec. 6.05.034 - License period; renewal

Any license granted hereunder shall be for a period of one year, and the same may be renewed from year to year upon payment of the fee set out above, unless the initial application set out above is found to be materially incorrect at such time of renewal.

Sec. 6.05.035 - Granting

(a) Within ten days after receipt of an application under this article, the ~~city manager~~Fire Chief or designee shall cause an investigation to be made of the applicant and its proposed operation. The ~~city Fire Chief~~manager shall then certify his findings to the ~~Ceity~~ Manager~~council~~ based upon the following:

- (1) The ambulances, drivers and attendants, and premises have been certified by the ~~city health officer~~Fire Chief as provided herein.
- (2) Insurance policies required by this article have been obtained and provided to the City Risk Manager.
- (3) The applicant and all drivers and attendants are fit and proper persons to conduct or work in the proposed ambulance service.
- (4) The applicant owes no delinquent taxes or other fees or charges to the ~~Ceity~~.
- (5) All requirements of this article and all other applicable laws and ordinances have been fully complied with.
- (6) Necessary~~s~~State licenses have been obtained for each ambulance to be operated.

(b) After such certification by the ~~city manager~~Fire Chief, the ~~city council~~City manager may grant a license upon a finding that public convenience and necessity require the proposed transport ambulance service. In determining whether the public convenience and necessity require the proposed transport ambulance service, the city council shall consider whether the public, at the time application is made, is adequately served; the financial responsibility of the applicant; the number, kind and type of equipment; the schedule of rates proposed to be charged; whether the safe use of the streets by the public will be preserved; and such other facts as the city ~~council~~manager shall consider reasonable and relevant.

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Bob Salas, Neighborhood Services Director, Neighborhood and Family Services, 325-655-0824

Meeting Date: November 17, 2020

Item type: Regular Item

Caption:

First reading and public hearing of an ordinance amending Chapter 8 "Offenses and Nuisances", Article 8.11 "Outdoor Lighting", Section 8.11.002 "Outdoor Lighting Standard" to clarify lighting standard measurements (Presentation made by Neighborhood & Family Services Director Bob Salas)

Summary/History:

Currently, Sec. 8.1.11.002, identifies the lighting standard as "all outdoor luminaires shall be located, adequately shielded, and directed such that **no light** shines beyond the boundaries of the property...". City staff is unable to measure a "no light" standard and virtually impossible for businesses to adhere to that standard.

Staff requests approval to amend the ordinance to read "Any luminaries shall be located, adequately shielded, and directed so as not to produce glare or direct illumination across a bounding property line of such intensity as to create a nuisance or detract from the use or enjoyment of adjacent property. All outside lights shall be made up of a light source and reflector so selected that acting together the light beam is controlled and not directed across any bounding property line above a height of three feet. The allowable maximum intensity measured at the property line abutting a residential use shall be 0.5 footcandles."

Amending the ordinance will provide staff the ability to measure the lighting standard similar to that of light trespass which is 0.5 footcandles.

Financial Impact:

No fiscal impact.

Other Information/Recommendation:

Attachments:

- | | |
|---|---|
| 1. Enacting OrdinanceLIGHT TRESPASS 2020 | Enacting OrdinanceLIGHT TRESPASS 2020.docx |
| 2. Light trespass Exhibit A.DOCX (002) 2020 | Light trespass Exhibit A.DOCX (002) 2020.DOCX |

Presentation:

Bob Salas

Approvals/Reviews:

Bob Salas
Theresa James
Julia Antilley

Created/Initiated
Approved
Final Approval

AN ORDINANCE OF THE CITY OF SAN ANGELO, TEXAS, AMENDING CHAPTER 8 “OFFENSES AND NUISANCES”, ARTICLE 8.11 “OUTDOOR LIGHTING”, SECTION 8.11.002 “OUTDOOR LIGHTING STANDARD” AND SECTION 8.11.005 “LIGHT TRESPASS”; PROVIDING FOR SEVERABILITY; AND CREATING AN EFFECTIVE DATE

WHEREAS, the City of San Angelo has an ordinance that regulates light trespass onto a person’s property, and

WHEREAS, there is an apparent conflict within the language of the ordinance as currently written that causes confusion and difficulty in enforcement, and

WHEREAS, it is necessary to amend the ordinance in order to clarify the light trespass requirements.

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

SECTION 1. THAT Chapter 8, Article 8.11 Sections 8.11.002 and 8.11.005 are hereby amended as depicted in Exhibit A

SECTION 2. THAT the terms and provisions of this Ordinance shall be deemed to be severable in that, if any portion of this Ordinance shall be declared to be invalid, the same shall not affect the validity of the other provisions of this Ordinance.

SECTION 3. THAT this Ordinance shall take effect and be in full force and effect from and after the date of its passage unless otherwise replaced by the San Angelo City Council.

INTRODUCED with public hearing on the 17th day of November, 2020 and finally **PASSED, APPROVED AND ADOPTED** on this the 15th day of December, 2020.

THE CITY OF SAN ANGELO

ATTEST:

Brenda Gunter, Mayor

Julia Antilley, City Clerk

APPROVED AS TO FORM:

Theresa James, City Attorney

EXHIBIT A

Chapter 8, Article 8.11, Sections 8.11.002 and 8.11.005 shall be amended as set out below.

Sec. 8.11.00~~2~~²⁵ — Lighting standard and light trespass

Any ~~use of~~ luminaries shall be located, adequately shielded, and directed~~operated~~ so as not to produce glare or direct illumination across the a bounding property line ~~from a visible source of illumination~~ of such intensity as to create a nuisance or detract from the use or enjoyment of adjacent property. All outside lights shall be made up of a light source and reflector so selected that acting together the light beam is controlled and not directed across any bounding property line above a height of three feet. The allowable maximum intensity measured at the property line abutting a residential use shall be 0.5 footcandles.

Sec. 8.11.005 RESERVED.

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Julia Antilley, City Clerk, Legal, 325-657-4405

Meeting Date: November 17, 2020

Item type: Regular Item

Caption:

First reading and public hearing of an ordinance amending Chapter 10 "Traffic Control", Article 10.01 "General Provisions" amending Section 10.01.013 "Pedestrian's Rights and Duties" (Presentation made by City Attorney Theresa James)

Summary/History:

Recently there has been an increasing number of pedestrians loitering at the intersections and under bridges and intersections of US Highway 277, US Highway 67 and Loop 306 within the City of San Angelo. Intersections, bridges, and underpasses along these highways are particularly dangerous because of the high traffic counts and complex turning patterns that are part of these intersections. This behavior has resulted in numerous complaints and concerns about traffic safety.

This ordinance will prohibit laying sitting, loitering, standing or soliciting in these areas for the protection of the health, safety and welfare of the pedestrians as well as the traffic in the area.

Financial Impact:

Other Information/Recommendation:

Attachments:

- | | |
|---|---|
| 1. Enacting Ordinance standing stopping | Enacting Ordinance standing stopping.docx |
| 2. Exhibit A Standing stopping | Exhibit A Standing stopping.doc |

Presentation:

Theresa James

Approvals/Reviews:

Julia Antilley	Created/Initiated
Theresa James	Approved
Julia Antilley	Final Approval

**AN ORDINANCE OF THE CITY OF SAN ANGELO, TEXAS, AMENDING
CHAPTER 10 “TRAFFIC CONTROL”, ARTICLE 10.01 “GENERAL
PROVISIONS”, SECTION 10.01.013 “PEDESTRIAN’S RIGHTS AND DUTIES”
PROVIDING FOR SEVERABILITY; AND CREATING AN EFFECTIVE DATE**

WHEREAS, the City of San Angelo has an ordinance that specifies the rights and duties of pedestrians; and

WHEREAS, as part of the ordinance, pedestrians are restricted from portions of the public right of way when access to those areas poses a safety concern for pedestrians, infrastructure or vehicles; and

WHEREAS, the areas under and around intersections and overpasses of US Highway 277, US Highway 67, and Loop 306 within the City of San Angelo are particularly dangerous due to high traffic counts and complex turning patterns requiring restriction of pedestrian activities in those locations.

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

SECTION 1. THAT Chapter 10, Article 10.01, Section 10.01.013 is hereby amended as depicted in Exhibit A

SECTION 2. THAT the terms and provisions of this Ordinance shall be deemed to be severable in that, if any portion of this Ordinance shall be declared to be invalid, the same shall not affect the validity of the other provisions of this Ordinance.

SECTION 3. THAT this Ordinance shall take effect and be in full force and effect from and after the date of its passage unless otherwise replaced by the San Angelo City Council.

INTRODUCED with public hearing on the 17th day of November, 2020 and finally
PASSED, APPROVED AND ADOPTED on this the 15th day of December, 2020.

THE CITY OF SAN ANGELO

ATTEST:

Brenda Gunter, Mayor

Julia Antilley, City Clerk

APPROVED AS TO FORM:

Theresa James, City Attorney

EXHIBIT A

Chapter 10, Article 10.01, Section 10.01.013 is hereby amended as set out below:

Sec. 10.01.013 - Pedestrian's rights and duties

- (a) *Pedestrians subject to traffic-control signals.* Pedestrians shall be subject to traffic-control signals, but at all other places pedestrians shall be granted those rights and be subject to the restrictions stated herein.
- (b) *Pedestrian's right-of-way in crosswalks.*
 - (1) *Drivers to yield right-of-way.* When traffic-control signs are not in place or not in operation, the driver of a vehicle shall yield the right-of-way, slowing down or stopping if need be so to yield, to a pedestrian crossing the roadway within a crosswalk when the pedestrian is upon the half of the roadway upon which the vehicle is traveling, or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger. It shall be unlawful for any pedestrian suddenly to leave a curb or other place of safety and walk or run into the path of a vehicle which is so close that it is impossible for the driver to yield. A pedestrian's right-of-way in a crosswalk is modified under the conditions and as stated herein.
 - (2) *Passing stopped vehicle.* Whenever any vehicle is stopped at a marked crosswalk or at any unmarked crosswalk at an intersection to permit a pedestrian to cross the roadway, the driver of any other vehicle approaching from the rear shall not overtake and pass such stopped vehicle.
 - (3) *Pedestrians to use right half of crosswalks.* Pedestrians shall move, whenever practicable, upon the right half of crosswalks.
- (c) *Crossing at right angles.* It shall be unlawful for any pedestrian to cross a roadway at any place other than by a route at right angles to the curb or by the shortest route to the opposite curb, except in a crosswalk.
- (d) *When pedestrian shall yield.*
 - (1) Every pedestrian crossing a roadway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right-of-way to all vehicles upon the roadway.
 - (2) Any pedestrian crossing a roadway at a point where a pedestrian tunnel or overhead pedestrian crossing has been provided shall yield the right-of-way to all vehicles upon the roadway.
 - (3) The foregoing rules have no application under the conditions stated herein when pedestrians are prohibited from crossing at certain designated places.
- (e) *Prohibited crossing.* Between adjacent intersections at which traffic-control signals are in operation, pedestrians shall not cross at any place except in a crosswalk.
- (f) *Obedience of pedestrians to railroad signals.* It shall be unlawful for a pedestrian to pass through, around, over or under any crossing gate or barrier at a railroad grade crossing while such gate or barrier is closed or is being opened or closed.
- (g) *Pedestrians walking along roadway.*
 - (1) Where sidewalks are provided, it shall be unlawful for any pedestrian to walk along and upon an adjacent roadway.
 - (2) Where sidewalks are not provided, any pedestrian walking along or upon a highway shall when practicable walk only on the left side of the roadway or its shoulder, facing traffic which may approach from the opposite direction.
- (h) *Pedestrians standing or soliciting ~~rides or~~ business.*

- (1) It shall be unlawful for any person to enter into any public street for the purpose of soliciting a ride, employment, business, donations or contributions from the occupant of any vehicle being driven or operated on such public street.
 - (2) It shall be unlawful for any person to stand on or in proximity to a street or highway for the purpose of soliciting the watching or guarding of any vehicle while parked or about to be parked on a street or highway.
 - (3) It shall be unlawful for any person to lie, sit, loiter, stand, or solicit for any purpose in any median in the City or in any intersection, underpass, or under any bridge located along US Highway 277, US Highway 67, or Loop 306 within the City of San Angelo.
- (i) *Drivers to exercise due care.* Notwithstanding the foregoing provisions, every driver of a vehicle shall exercise due care to avoid colliding with any pedestrian upon any roadway and shall give warning by sounding the horn when necessary and shall exercise proper precaution upon observing any child or any confused or incapacitated person upon a roadway.

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Julia Antilley, City Clerk, City Clerk, 325-657-4405

Meeting Date: November 17, 2020

Item type: Regular Item

Caption:

First reading and public hearing of an ordinance amending Chapter 5 "Business and Commerce", Article 5.04 "Itinerant Merchants" by amending Section 5.04.003 "Hours of Solicitation" (Presentation made by City Attorney Theresa James)

Summary/History:

After concerns were expressed related to vendors going door to door within the City of San Angelo late into the evening, the Mayor requested the City Attorney's office to review the solicitation ordinance and determine whether the hours of door to door solicitation can be adjusted.

After legal research and review of the court decisions related to solicitation, the attached ordinances amends the City Code of Ordinances to allow door to door solicitation between the hours of 9:00 am and 7:30 pm.

Financial Impact:

Other Information/Recommendation:

Attachments:

- | | | |
|----|--|---|
| 1. | Enacting Ordinance hours of solicitation | Enacting Ordinance hours of solicitation.docx |
| 2. | Exhibit A Hours of Solicitation | Exhibit A Hours of Solicitation.docx |

Presentation:

Approvals/Reviews:

Julia Antilley	Created/Initiated
Theresa James	Approved
Julia Antilley	Final Approval

**AN ORDINANCE OF THE CITY OF SAN ANGELO, TEXAS, AMENDING
CHAPTER 5 “BUSINESS AND COMMERCE”, ARTICLE 5.04 “ITINERANT
MERCHANTS”, SECTION 5.04.003 “HOURS OF SOLICITATION”**

WHEREAS, citizens of San Angelo have expressed concerns and complaints over door to door salespersons interrupting the enjoyment and safety of their homes during the evening hours, and

WHEREAS, the City of San Angelo has the right to defend its citizens ability to enjoy their property in a state of reasonable peace and security, and

WHEREAS, the current wording of Section 5.04.003 restricts itinerant merchants from going door to door for the purposes of soliciting, selling or taking orders for or offering to sell or take orders for any goods, wares, merchandise or services except between the hours of 8:00 a.m. and 9:00 p.m. and

WHEREAS, it has been suggested to amend the hours door to door itinerant merchants are allowed to operate to between the hours of 9:00 a.m. and 7:30 p.m. in order to address the health, safety and welfare concerns of the citizens of San Angelo.

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

SECTION 1. THAT Chapter 5 “Business and Commerce”, Section 5.04.003 “Hours of Solicitation” is hereby amended as depicted in Exhibit A

SECTION 2. THAT the terms and provisions of this Ordinance shall be deemed to be severable in that, if any portion of this Ordinance shall be declared to be invalid, the same shall not affect the validity of the other provisions of this Ordinance.

SECTION 3. THAT this Ordinance shall take effect and be in full force and effect from and after the date of its passage unless otherwise replaced by the San Angelo City Council.

INTRODUCED with public hearing on the 17th day of November, 2020 and finally PASSED, APPROVED AND ADOPTED on this the 15th day of December, 2020.

THE CITY OF SAN ANGELO

ATTEST:

Brenda Gunter, Mayor

Julia Antilley, City Clerk

APPROVED AS TO FORM

Theresa James, City Attorney

EXHIBIT A

Chapter 5, Article 5.04, Section 5.04.003 shall hereby be AMENDED as follows:

Sec. 5.04.003 - Hours of solicitation

Every license issued under the provisions of this article permitting going from house to house or from place to place in the city for the purpose of soliciting, selling or taking orders for or offering to sell or take orders for any goods, wares, merchandise or services authorizes such activity only during the hours of 9:00 a.m. to 7:30 p.m.

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Hillary Bueker, Planning Manager, Planning and Development Services, 325-657-4210

Meeting Date: November 17, 2020

Item type: Regular Item

Caption:

Public hearings on proposed annexations and first reading of ordinances annexing into the City of San Angelo, by petition of the property owner, for the following properties, and authorizing the City Manager to negotiate and execute all related documents:

- 1) 10.480 acres out of the C. Berberich Survey No. 177, Abstract No. 52, generally located south of Loop 306 along Old Stone Dr.
- 2) 18.753 acres out of the C. Berberich Survey No. 177, Abstract No. 52 and H. Zerbach Survey No. 178, Abstract No. 4210, generally located east of the intersection of Club House Ln. and Enclave Ct.
- 3) 18.325 acres out of Abstract: 8108, Survey: 0008, A. Willeke, out of the west ½ of Survey 8, generally located west of the intersection of Dominion Ridge and Coral Way
- 4) 88.936 acres out of Tract 2 and Tract 3, Block 1, Section One, Tom Green County Business Park, generally located east of N. US Hwy 277 north of Tractor Trl.

(Presentation made by Planning & Development Services Director Jon James)

Summary/History:

Below is a summary of each annexation request:

- 1) The applicant, Performance Land & Cattle Co. LLC, has submitted a petition to annex 10.480 acres of property for single-family residential development south of Loop 306, west of Foster Road and along Old Stone Drive. The property is phase two of Old Stone Ranch, phase one of which was annexed earlier this year. The applicant has submitted concurrently with the annexation request an application to zone the unzoned property Single Family Residence (RS-1). That request is before the Council later in the agenda (Z20-14).
- 2) The applicant, Bentwood C.C. LLC, has submitted a petition to annex 18.753 acres of property for single-family residential development immediately east of the City Limits and Enclave Court in the City's Extra-Territorial Jurisdiction (ETJ). The property is adjacent to previously approved phases of Bentwood Country Club Estates, Sections 32, 33, and 38. The applicant has submitted concurrently with the annexation request, an application to zone (Z20-15) the unzoned property to Single-Family Residential (RS-1) to allow new single-family home lots. They also received approval of an associated preliminary plat which encompasses the annexation area by the Planning Commission on October 19, 2020.
- 3) The applicant, Sierra Vista Construction, Inc., Danny Aguero, President, has submitted a petition to annex 18.325 acres of property for single-family residential development immediately south/southwest of the City Limits in the City's Extra-Territorial Jurisdiction (ETJ). This property is located west of the intersection of Dominion Ridge and Coral Way. The property is adjacent and directly west to the previously approved Twin Oaks Addition, Section Thirty-One. The applicant has submitted concurrently with the annexation request, an application to zone (Z20-17) the unzoned property to Single-Family Residential (RS-1) to allow new single-family home lots. They also received approval of an associated preliminary plat which encompasses the annexation area by the Planning Commission on October 19, 2020.

4) Tom Green County submitted a request for dis-annexation from the City of San Angelo's jurisdictional boundaries on January 26, 2017. At that time, they indicated that such action was for the purpose of pursuing a State grant. As part of an Interlocal Development Agreement, water and sewer service are provided to the site at negotiated rates consistent with those imposed for lands within the city limits. To further facilitate this, there was also an amendment to a Memorandum of Understanding. On September 15, 2020 Tom Green County Commissioners Court requested re-annexation of 88.936 acres of the original 184.627 acres that was dis-annexed in 2017.

Financial Impact:

Annexations may have long-term impacts on city finances, which may be discussed at the meeting. However, there are no immediate anticipated fiscal impacts.

Other Information/Recommendation:

City staff recommends adopting ordinances annexing the subject parcels into the city limit of the City of San Angelo.

Attachments:

- | | | |
|----|---|--|
| 1. | Ordinance - 10.480 ac - Old Stone Ranch Section Two | Ordinance - 10.480 ac - Old Stone Ranch Section Two.docx |
| 2. | Ordinance - 18.753 ac - Bentwood | Annexation Ordinance&Service Plan_Bentwood CC.docx |
| 3. | Ordinance - 18.325 ac - Meridian | Meridian Ordinance 2020.docx |
| 4. | Ordinance - 88.936 ac - TGC | Ordinance.docx |

Presentation:

Jon James

Approvals/Reviews:

Hillary Bueker	Created/Initiated
Hillary Bueker	Approved
Jon James	Approved
Brandon Dyson	Approved
Jon James	Approved
Theresa James	Approved
Julia Antilley	Final Approval

AN ORDINANCE ANNEXING INTO THE CITY OF SAN ANGELO, TOM GREEN COUNTY, TEXAS, ON PETITION OF PROPERTY OWNERS, TERRITORY GENERALLY DESCRIBED AS 10.480 ACRES OF LAND OUT OF CASPER BERBERICH SURVEY 177, ABSTRACT NO. 52 CITY OF SAN ANGELO, TOM GREEN COUNTY, TEXAS; GENERALLY LOCATED SOUTH OF LOOP 306, WEST OF FOSTER ROAD ALONG OLD STONE DRIVE; FINDING THAT ALL NECESSARY AND REQUIRED LEGAL CONDITIONS HAVE BEEN SATISFIED; PROVIDING FOR AMENDMENT OF THE BOUNDARIES AND OFFICIAL MAP OF THE CITY; APPROVING A SERVICE AGREEMENT THEREFORE; SUBJECTING THE PROPERTY SITUATED THEREIN TO BEAR ITS PRO RATA PART OF TAXES LEVIED; PROVIDING RIGHTS AND PRIVILEGES AS WELL AS DUTIES AND RESPONSIBILITIES OF INHABITANTS AND OWNERS OF SAID TERRITORY; DIRECTING NOTICES AS REQUIRED BY LAW; PROVIDING A SEVERABILITY CLAUSE; DECLARING COMPLIANCE WITH OPEN MEETINGS ACT; AND, PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of San Angelo, Texas (the "City") is a home-rule municipality authorized by State law and the City Charter to annex territory lying adjacent and contiguous to the corporate limits of said City; and

WHEREAS, pursuant to Texas Local Government Code, Section 43.0671, all of the owners of a tract of land containing 10.480 acres situated immediately south/southeast of the City, generally located south of Loop 306, west of Foster Road along Old Stone Drive, more fully described in Exhibit "A," attached hereto and made a part hereof for all purposes (hereinafter the "Territory"), have petitioned the City Council in writing to annex the Territory into the corporate limits of the City; and,

WHEREAS, the Territory is not appraised for ad valorem tax purposes as land for agricultural or wildlife management use, or as timber land, and Section 43.016 of the Texas Local Government Code does not apply to the proposed annexation; and,

WHEREAS, the City Council accepted the Petition Requesting Annexation by Territory owners, and directed Planning staff to proceed with the proposed annexation schedule, at a regularly held meeting of the City Council on October 6, 2020; and,

WHEREAS, a public hearing on the annexation was held, the 17th of November, 2020, as required by law, where all interested persons were provided an opportunity to be heard on the proposed annexation of the Territory; and

WHEREAS, all notices have been issued as required by law and all public hearings have been held within the time required by law pursuant to notices duly posted and published; and

WHEREAS, a service plan has been prepared that provides for the extension of appropriate municipal services into the Territory, which plan is attached hereto, and the City is able to provide such services; and

WHEREAS, the Territory is not within the boundaries of any other municipality, lies within the extraterritorial jurisdiction of the City, and lies adjacent to and adjoins the present boundaries of the City;

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

Section 1. Findings of Fact. All of the above premises are hereby found to be true and correct and are incorporated into the body of this ordinance as if fully set forth; and all required legal conditions for annexation have been met.

Section 2. Annexation. The Territory described in Exhibit "A," attached hereto and incorporated herein for all purposes, said Territory lying adjacent to and contiguous with the present boundaries of the City, be and is hereby added and annexed into the City, and said Territory shall hereafter be included within the corporate limits of the City, and the present boundary lines of said City, at various points contiguous with the Territory annexed, are hereby altered, extended and amended so as to include said Territory within the corporate limits of the City.

Section 3. Amendment of Boundaries and Official Map of City. The official map and boundaries of the City, heretofore adopted and amended, shall be and are hereby amended so as to include the aforementioned annexed Territory as part of the City.

Section 4. Service Plan. The service plan attached hereto as Exhibit "B" is hereby approved and is incorporated herein for all purposes. The City makes an affirmative determination that this service plan provides for the extension of services to the annexed Territory which are comparable to other areas within the City with similar land utilization, population density and topography. It is further found that those characteristics of land use, population density and topography which distinguish this Territory from other areas of the City are considered a sufficient basis for providing a different level of services in the annexed Territory.

Section 5. Pro Rata Share of Taxes. The annexed Territory, being a part of the City for all purposes, shall bear its pro rata part of taxes levied by the City.

Section 6. Rights, Privileges and Duties of Inhabitants. The inhabitants of the annexed Territory shall be entitled to all the rights and privileges of the other citizens of the City and shall be bound by the Charter, Ordinances, Resolutions and other regulations of the City.

Section 7. Filing and Notice of Ordinance. The City Clerk is hereby directed to file a certified copy of this Ordinance with the County Clerk of Tom Green County, Texas, the Voting Registrar of Tom Green County, the Tom Green County Appraisal District, and the Texas Comptroller of Public Accounts in the manner required by law. The City Clerk is further

directed to notify any service providers of services in the annexed Area, and all other parties as required by law.

Section 8. Severability. If any part, provision, section, subsection, sentence, clause or phrase of this ordinance (or the application of same to any person or set of circumstances) is for any reason held to be unconstitutional, void, or invalid, the validity of the remaining parts of this ordinance (or their application to other persons or sets of circumstances) shall not be affected thereby, it being the intent of City Council in adopting this ordinance, that no part thereof or provision contained herein shall become inoperative or fail by reason of any unconstitutionality of any other part hereof, and all provisions of this ordinance are declared to be severable for that purpose.

Section 9. Open Meeting Act Compliance. The City Council for the City of San Angelo hereby finds and declares that the meetings at which this ordinance was introduced and finally passed were open to the public as required by law and that public notice of the time, place and purpose of said meetings was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

Section 10. Effective Date. This ordinance will become effective on, from and after its date of adoption.

INTRODUCED on the 17th day of November, 2020, and finally PASSED, APPROVED AND ADOPTED on this the 15th day of December, 2020.

THE CITY OF SAN ANGELO

By: _____
Brenda Gunter, Mayor

ATTEST:

By: _____
Julia Antilley, City Clerk

APPROVED AS TO FORM

Theresa James, City Attorney

Exhibit "A" (Legal Description and Survey)

FIELD NOTES

10.480 Acres

November 2, 2019
19-E-1160_10.480ac

Being an area of 10.480 acres of land out of C. Berberich Survey No. 177, Abstract No. 52, City of San Angelo, Tom Green County, Texas and said 10.480 acre tract also being out of that certain 25.361 acre tract described and recorded in Instrument No. 201915688, Official Public Records of Tom Green County, Texas and said 10.480 acre tract being more particularly described by metes and bounds as follows:

Beginning at a point at railroad tie fence corner found for the southeast corner of this tract and said 25.361 acre tract and the southwest corner of a certain 22.341 acre tract described and recorded in Volume 727, Page 412, Deed Records of Tom Green County, Texas and said beginning corner also being in the north line of a certain West Texas Utility Company 9.563 acre tract described and recorded in Volume 452, Page 71, Deed Records of Tom Green County, Texas;

Thence with the south line of this tract, said 25.361 acre tract and north line of said West Texas Utility Company 9.563 acre tract, S. 85° 46' 00" W. 525.08 feet to a 1/2" iron rod with cap marked "SKG ENGINEERS" found for the southwest corner of this tract, said 25.361 acre tract and southeast corner of a certain 31.987 acre tract described and recorded in Volume 1183, Page 20, Official Public Records of Real Property of Tom Green County, Texas;

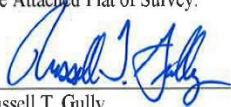
Thence with the west line of this tract, said 25.361 acre tract and the east line of said 31.987 acre tract, N. 00° 06' 45" E. 891.82 feet to a 1/2" iron rod with cap marked "SKG ENGINEERS" found for the northwest corner of this tract and the southwest corner of certain Old Stone Ranch, Section One according to the map or plat recorded in Cabinet H, Slide 11, Plat Records of Tom Green County, Texas;

Thence with the north line of this tract and south line of said Section One, S. 89° 53' 15" E. 523.57 feet to a 1/2" iron rod with cap marked "SKG ENGINEERS" found for the northeast corner of this tract and southeast corner of said Section One and being in the east line of said 25.361 acre tract;

Thence with the east line of this tract and said 25.361 acre tract, S. 00° 06' 45" W. 852.03 feet to the place of beginning and containing an area of 10.480 acres of land.

Bearings recited hereon are based on Texas Coordinate System NAD83 – Texas Central Zone by GPS observation.

See Attached Plat of Survey.



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



SKG

ENGINEERING, LLC
SURVEYING • ENVIRONMENTAL • LAB/CMT

708 SOUTH ABE STREET
SAN ANGELO, TEXAS 76903
FIRM No. 10102400
www.skg.com

PH-ENR 529 855 1288
FAX: 325 857 8180

FD. 1/2" I.R. w/ Cap
Mkt. SKG ENGINEERS

STATE HWY. LOOP 306
300' ROW (min.)

FD. 1/2" I.R. w/ Cap
Mkt. SKG ENGINEERS

FD. 1/2" I.R. w/ Cap
Mkt. SKG ENGINEERS

1
2.718 ACRES

1
2.048 ACRES

2

2

3

3

4

4

5

5

Block 6 B

Block 6 A

7

7

8

8

9

9

589°53'15"E 523.57'

REF: 31,967 Ac.Tr.
Vol. 1153, Pg. 26 OP&PP

REF: 22,341 Ac.Tr.
Vol. 737, Pg. 412 DR

C. BERBERICH
SURVEY NO. 177
Abstract No. 52

REF: Remainder of 25.361 Ac. Tr.
Instrument No. 201915688 ORP

10.480 Ac.

Proposed
City Limits

Sp. Enderich Corp. Easmt.
Vol. 674, Pg. 542 DR

85°46'00"W 525.08'

REF: 9,563 Ac. W.T.U. Tr.
Vol. 452, Pg. 71 DR

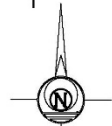
PLAT SHOWING A SURVEY OF 10.480 ACRES OUT
OF C. BERBERICH SURVEY NO. 177, ABSTRACT
NO. 52, TOM GREEN COUNTY, TEXAS.

Certification is hereby made that a survey was made on the ground under my
supervision according to the minimum standards of the Professional Land Surveying
Practices Act and the General Rules of Procedures and Practices set forth by the
Texas Board of Professional Land Surveying.

Surveyed on the ground August 20, 2020.

Russell T. Gully
RUSSELL T. GULLY
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5636

19-E-1160



SCALE: 1" = 200'

0 100 200 400
GRAPHIC SCALE - FEET

NOTE: Bearings shown hereon are based on
the Texas Coordinate System -
Central Zone.
Distances shown are surface horizontal.

• Found 1/2" Iron Pipe or Rod
(unless otherwise noted)



EXHIBIT B

SERVICE PLAN AGREEMENT. This Agreement, including the following Service Plan, constitutes the service plan agreement between the parties and supersedes all prior oral and written agreements between said parties. This Agreement shall not be amended unless executed in writing by both parties.

COMMENCEMENT OF SERVICES. Except as otherwise provided herein, the City will provide the municipal services set forth below commencing on the effective date of annexation. As used in this Agreement, “providing services” includes having services provided by any method or means by which the City may extend municipal services to any other area of the City, including the City’s infrastructure extension policies and developer or property owner participation in accordance with applicable city ordinances, rules, regulations, and policies.

SERVICES NOT PROVIDED. Pursuant to Texas Local Government Code Section 43.0672(c), it is understood and agreed that the City is not required to provide a municipal service that is not included in this Agreement.

AGREEMENT RUNS WITH THE LAND. This Agreement is binding on and inures to the benefit of the parties, their successors, and assigns. The terms of this Agreement constitute covenants running with the land comprising the Territory and is binding on the Owner(s).

Executed on the ____ day of December, 2020, to be effective on the effective date of annexation of the Territory.

CITY OF SAN ANGELO

**PERFORMANCE LAND &
CATTLE CO. LLC**

By: _____
Daniel Valenzuela
City Manager

By: _____
Bryan Dorman
Managing Member

Attest:

Approved as to Form and Legality:

Julia Antilley, City Clerk

Theresa James, City Attorney

Approved as to Content:

Jon James, Planning &
Development Services Director

**SERVICE PLAN FOR MUNICIPAL SERVICES WITHIN AN AREA/TERRITORY
DESCRIBED AS FOLLOWS:**

Generally located south of Loop 306 and west of Foster Road along Old Stone Drive and specifically described as approximately 10.480 acres of land out of Casper Berberich Survey 177, Abstract No. 52, City of San Angelo, Tom Green County, Texas and said 10.480 acre tract also being out of that certain 25.361 acre tract described and recorded in Instrument No. 201915688, Official Public Records of Tom Green County, Texas more particularly described by metes and bounds in Exhibit "A" to the duly adopted Ordinance annexing the Territory.

SERVICE PROVIDED ON THE EFFECTIVE DATE OF ANNEXATION:

1. POLICE PROTECTION

Existing Services: None

Services to be provided:

The City of San Angelo, Texas and its Police Department will provide police protection to the newly annexed territory at the same or similar service now being provided to other areas of the City of San Angelo, Texas.

Patrolling, radio and dispatch responses to calls, traffic enforcement, and other routine police services will be provided. The typical response time within City limits is less than 3.5 minutes for emergency calls.

2. FIRE PROTECTION AND EMERGENCY SERVICES

Existing Services: Emergency medical services provided by the City of San Angelo currently extend to medical emergencies county wide. No other services currently provided.

Services to be provided:

The City of San Angelo, Texas and its Fire Department will provide fire protection and emergency medical service to the newly annexed territory at the same or similar level of service now being provided to other areas of the City of San Angelo, Texas which exhibit land use and population densities similar to that of the newly annexed area.

The City of San Angelo Fire Department will respond to all dispatched calls (including those for emergency medical services) and other requests for service or assistance within the newly annexed area, the same as it would within other areas inside the City limits of San Angelo. The typical Fire Department response time is under 4 minutes.

Topography, land use, and population density will not affect fire or emergency services. The newly annexed area has provided plans and a proposed installation schedule for new water hydrants to service the area.

3. SOLID WASTE COLLECTION

Existing Services: None

Services to be provided:

The same regular solid waste collection services now provided within the City will be extended (as appropriate) to the newly annexed area on the effective date of annexation.

4. **MAINTAINING WATER AND WASTEWATER FACILITIES**

Existing Services: None.

Services to be provided:

Water and wastewater services will be provided in accordance with the applicable codes and departmental policy. When other property develops in the adjacent area, water and wastewater services shall be provided in accordance with extension ordinances. Extension of service shall comply with City of San Angelo codes and ordinances.

5. **MAINTAINING ROADS, STREETS, AND ALLEYWAYS**

Existing Services: None

Services to be provided:

Developers of land within the newly annexed territory will be required to provide streets in accordance with applicable ordinances of the City of San Angelo, and such street improvements shall comply with specifications required by the City of San Angelo, for properly dedicated streets. Any and all roads, streets or alleyways which have been properly dedicated to the public shall be maintained to the same degree and extent that other roads, streets and alleyways are maintained in areas with similar land use, population density and topography.

6. **MAINTAINING PARKS, PLAYGROUNDS, AND SWIMMING POOLS**

Existing Services: None

Services to be provided:

The City Council of the City of San Angelo, Texas is not aware of the existence of any parks, playgrounds or public swimming pools now located in the newly annexed territory.

Upon annexation, the owners and residents of property located within the annexed area shall be entitled to the use of all municipal parks and recreational facilities, subject to the same restrictions, fees, and availability that pertains to the use of those facilities by other citizens of the City.

Private parks, playgrounds, and/or swimming pools will remain under private ownership and will be maintained under private ownership and responsibility.

The subject annexation area has been identified as a key underserved area in the City of San Angelo Parks Master Plan. The City has recently completed the process

of updating its Master Plan which reviewed these underserved areas.

7. **BUILDING INSPECTION**

Existing Services: None

Services to be provided:

The Permits & Inspections Division will provide building permitting and inspection services upon annexation. This includes issuing building, electrical, plumbing, mechanical, and related permits for any new construction and remodeling, and enforcing all other applicable codes which regulate building construction within the City of San Angelo. These services can be provided within the division's current budget.

8. **PLANNING AND ZONING**

Existing Services: None

Services to be provided:

The Planning Division's responsibility for regulating development and land use through the administration of the City of San Angelo Zoning Ordinance and Comprehensive Plan will extend to this area on the effective date of the annexation. The property will also continue to be regulated under the requirements of the City of San Angelo Land Development and Subdivision Ordinance. These services can be provided within the division's current budget.

9. **CODE COMPLIANCE**

Existing Services: None

Services to be provided:

The Code Compliance Division generally enforces compliance with the City's Codes and Ordinances, largely on a complaint basis. This includes inspection of properties to ensure such compliance.

10. **MAINTAINING OTHER PUBLIC OWNED FACILITIES OR BUILDINGS**

Existing Services: None

Services to be provided:

In the event any such publicly-owned facility or building does exist and would become the responsibility of the City of San Angelo, or is constructed in the future, the City shall maintain such facilities or buildings to the same extent and degree that it maintains similar municipal facilities and buildings now incorporated in the City of San Angelo, Texas, subject to funding by the City Council.

The City Council of the City of San Angelo, Texas is not aware of the existence of any publicly-owned facility or building now located in the area proposed for annexation.

Upon annexation, the owners and residents of property located within the newly annexed areas shall be entitled to the use of all municipal facilities, buildings, and services, subject to the same restrictions, fees, and availability that pertains to the use of those

11. STORM WATER MANAGEMENT

Existing Services: None

Services to be provided:

Developers will provide storm water drainage at their own expense and will be inspected by the City Engineers at time of completion. Upon approval and acceptance by the City, the City will be responsible for ongoing maintenance of drainage facilities.

12. STREET LIGHTING

Existing Services: None

Services to be provided:

The City of San Angelo will coordinate any request for improved street lighting with the local electric provider in accordance with standard policy for all areas within the city limits of the City of San Angelo.

AN ORDINANCE ANNEXING INTO THE CITY OF SAN ANGELO, TOM GREEN COUNTY, TEXAS, ON PETITION OF PROPERTY OWNERS, TERRITORY GENERALLY DESCRIBED AS 18.753 ACRES OF LAND OUT OF THE C. BERBERICH SURVEY NO. 177, ABSTRACT NO. 52 AND H. ZERBACH SURVEY NO. 178, ABSTRACT NO. 4210, TOM GREEN COUNTY, TEXAS, SITUATED IMMEDIATELY EAST OF THE CITY LIMITS, GENERALLY LOCATED EAST OF ENCLAVE COURT BETWEEN CLUB HOUSE LANE AND LINVILLE LANE; FINDING THAT ALL NECESSARY AND REQUIRED LEGAL CONDITIONS HAVE BEEN SATISFIED; PROVIDING FOR AMENDMENT OF THE BOUNDARIES AND OFFICIAL MAP OF THE CITY; APPROVING A SERVICE PLAN THEREFORE; SUBJECTING THE PROPERTY SITUATED THEREIN TO BEAR ITS PRO RATA PART OF TAXES LEVIED; PROVIDING RIGHTS AND PRIVILEGES AS WELL AS DUTIES AND RESPONSIBILITIES OF INHABITANTS AND OWNERS OF SAID TERRITORY; DIRECTING NOTICES AS REQUIRED BY LAW; PROVIDING A SEVERABILITY CLAUSE; DECLARING COMPLIANCE WITH OPEN MEETINGS ACT; AND, PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of San Angelo, Texas (the "City") is a home-rule municipality authorized by State law and the City Charter to annex territory lying adjacent and contiguous to the corporate limits of said City; and

WHEREAS, pursuant to Texas Local Government Code, Section 43.0671, all of the owners of a tract of land containing 18.753 acres situated immediately east of the City Limits, generally located east of Enclave Court between Club House Lane and Linville Lane, more fully described in Exhibit "A," attached hereto and made a part hereof for all purposes (hereinafter the "Territory"), have petitioned the City Council in writing to annex the Territory into the corporate limits of the City; and,

WHEREAS, the Territory is not appraised for ad valorem tax purposes as land for agricultural or wildlife management use, or as timber land, and Section 43.016 of the Texas Local Government Code does not apply to the proposed annexation; and,

WHEREAS, the City Council accepted the Petition Requesting Annexation by Territory owners, and directed Planning staff to proceed with the proposed annexation schedule, at a regularly held meeting of the City Council on October 6, 2020; and,

WHEREAS, a public hearing on the annexation was held, the 17th day of November, 2020, as required by law, where all interested persons were provided an opportunity to be heard on the proposed annexation of the Territory; and

WHEREAS, all notices have been issued as required by law and all public hearings have been held within the time required by law pursuant to notices duly posted and published; and

WHEREAS, a service plan has been prepared that provides for the extension of appropriate municipal services into the Territory, which plan is attached hereto, and the City is able to provide such services; and

WHEREAS, the Territory is not within the boundaries of any other municipality, lies within the extraterritorial jurisdiction of the City, and lies adjacent to and adjoins the present boundaries of the City;

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

Section 1 Findings of Fact. All of the above premises are hereby found to be true and correct and are incorporated into the body of this ordinance as if fully set forth; and all required legal conditions for annexation have been met.

Section 2 Annexation. The Territory described in Exhibit "A," attached hereto and incorporated herein for all purposes, said Territory lying adjacent to and contiguous with the present boundaries of the City, be and is hereby added and annexed into the City, and said Territory shall hereafter be included within the corporate limits of the City, and the present boundary lines of said City, at various points contiguous with the Territory annexed, are hereby altered, extended and amended so as to include said Territory within the corporate limits of the City.

Section 3 Amendment of Boundaries and Official Map of City. The official map and boundaries of the City, heretofore adopted and amended, shall be and are hereby amended so as to include the aforementioned annexed Territory as part of the City.

Section 4 Service Plan. The service plan attached hereto as Exhibit "B" is hereby approved and is incorporated herein for all purposes. The City makes an affirmative determination that this service plan provides for the extension of services to the annexed Territory which are comparable to other areas within the City with similar land utilization, population density and topography. It is further found that those characteristics of land use, population density and topography which distinguish this Territory from other areas of the City are considered a sufficient basis for providing a different level of services in the annexed Territory.

Section 5 Pro Rata Share of Taxes. The annexed Territory, being a part of the City for all purposes, shall bear its pro rata part of taxes levied by the City.

Section 6 Rights, Privileges and Duties of Inhabitants. The inhabitants of the annexed Territory shall be entitled to all the rights and privileges of the other citizens of the City and shall be bound by the Charter, Ordinances, Resolutions and other regulations of the City.

Section 7 Filing and Notice of Ordinance. The City Clerk is hereby directed to file a certified copy of this Ordinance with the County Clerk of Tom Green County, Texas, the Voting Registrar of Tom Green County, the Tom Green County Appraisal District,

and the Texas Comptroller of Public Accounts in the manner required by law. The City Clerk is further directed to notify any service providers of services in the annexed Area, and all other parties as required by law.

Section 8. Severability. If any part, provision, section, subsection, sentence, clause or phrase of this ordinance (or the application of same to any person or set of circumstances) is for any reason held to be unconstitutional, void, or invalid, the validity of the remaining parts of this ordinance (or their application to other persons or sets of circumstances) shall not be affected thereby, it being the intent of City Council in adopting this ordinance, that no part thereof or provision contained herein shall become inoperative or fail by reason of any unconstitutionality of any other part hereof, and all provisions of this ordinance are declared to be severable for that purpose.

Section 9. Open Meeting Act Compliance. The City Council for the City of San Angelo hereby finds and declares that the meetings at which this ordinance was introduced and finally passed were open to the public as required by law and that public notice of the time, place and purpose of said meetings was given as require by the Open Meetings Act, Chapter 551 of the Texas Government Code.

Section 10. Effective Date. This ordinance will become effective on, from and after its date of adoption.

INTRODUCED on the 17th day of November, 2020, and finally PASSED, APPROVED AND ADOPTED on this the 15th day of December, 2020.

THE CITY OF SAN ANGELO

By: _____
Brenda Gunter, Mayor

ATTEST:

APPROVED AS TO FORM:

By: _____
Julia Antilley, City Clerk

Theresa James, City Attorney

Exhibit "A" (Legal Description and Survey)

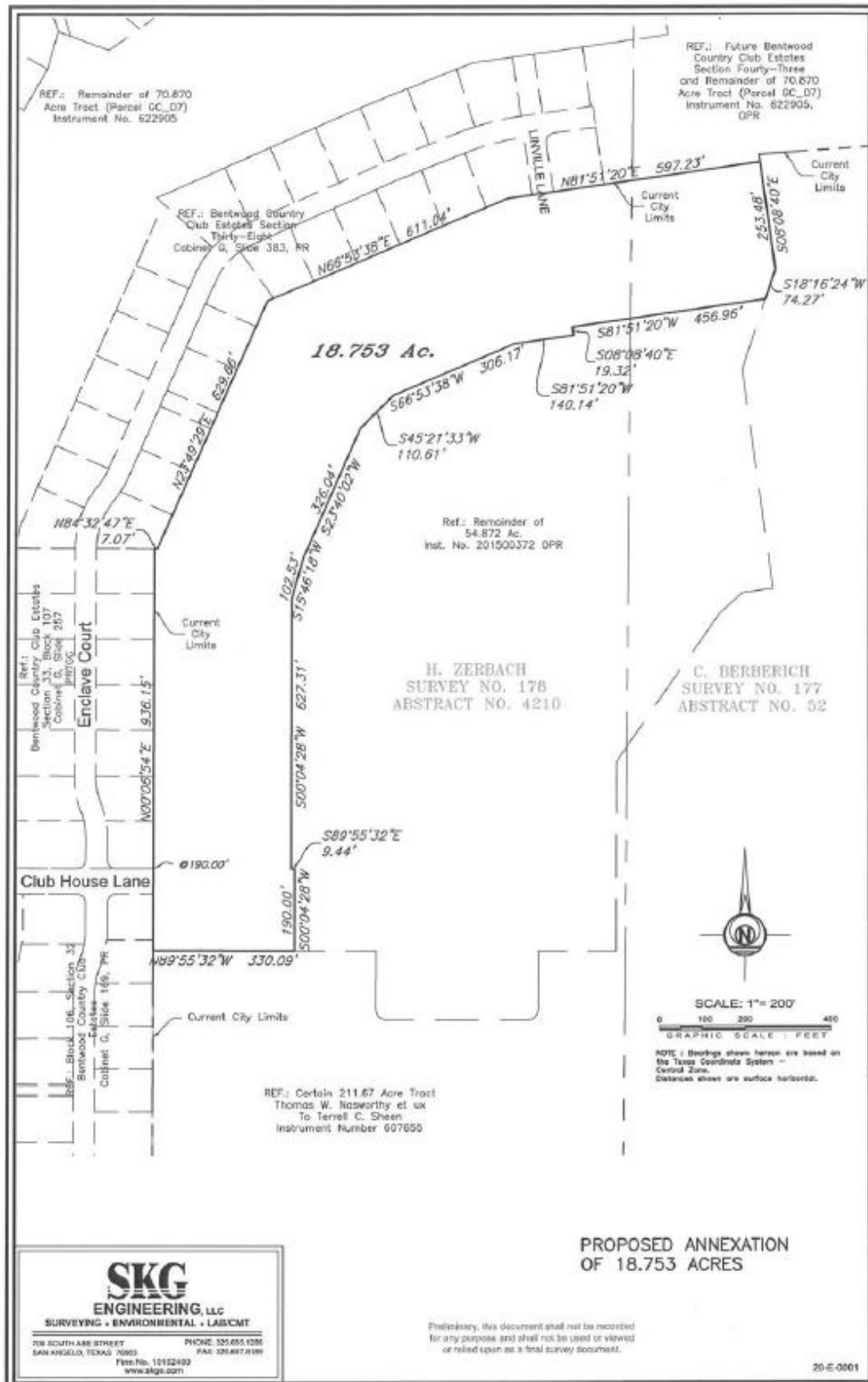


Exhibit "A" (Legal Description and Survey)

FIELD NOTES PROPOSED ANNEXATION

18.753 Acres

August 18, 2020
20-E-0001_18.753

Being an area of 18.753 acres of land out of C. Berberich Survey No. 177, Abstract No. 52 and H. Zerbach Survey No. 178, Abstract No. 4210, Tom Green County, Texas and said 18.753 acre tract also being out of that certain 54.872 acre tract described and recorded in Instrument No. 201500372, Official Public Records of Tom Green County, Texas and said 18.753 acre tract being more particularly described by metes and bounds as follows:

Beginning at the southwest corner of this tract and west southwest corner of said 54.872 acre tract and being in the east line of Block 106, Bentwood Country Club Estates, Section 32, City of San Angelo, Tom Green County, Texas as per plat recorded in Cabinet G, Slide 169, Plat Records of Tom Green County, Texas;

Thence with the west line of this tract and said 54.872 acre tract and the east line of said Block 106, N. 00° 06' 54" E. at 190.00 feet pass the northeast corner of said Section 32 and the southeast corner of Bentwood Country Club Estates, Section 33, City of San Angelo, Tom Green County, Texas as per plat recorded in Cabinet G, Slide 257, Plat Records of Tom Green County, Texas, in all a total distance of 936.15 feet to the northeast corner of said Section 33 and ell corner of this tract and being in the south line of Bentwood Country Club Estates, Section Thirty-Eight, City of San Angelo, Tom Green County, Texas as per plat recorded in Cabinet G, Slide 383, Plat Records of Tom Green County, Texas;

Thence with the south line of said Section Thirty-Eight, N. 84° 32' 47" E. 7.07 feet to an ell corner of this tract and the southeast corner of said Section Thirty-Eight;

Thence with the northwest line of this tract and the southeast line of said Section Thirty-Eight, N. 23° 49' 29" E. 629.66 feet to an angle corner, N. 66° 53' 38" E. 611.04 feet to an angle corner, N. 81° 51' 20" E. 597.23 feet to the northeast corner of this tract in the easterly line of said 54.872 acre tract;

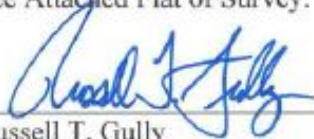
Thence with the east line of this tract and said 54.872 acre tract, S. 08° 08' 40" E. 253.48 feet to an angle corner, S. 18° 16' 24" W. 74.27 feet to the east southeast corner of this tract;

Thence with the southeast and east line of this tract as follows, S. 81° 51' 20" W. 456.96 feet to an ell corner, S. 08° 08' 40" E. 19.32 feet to an ell corner, S. 81° 51' 20" W. 140.14 feet to an angle corner, S. 66° 53' 38" W. 306.17 feet to an angle corner, S. 45° 21' 33" W. 110.61 feet to an angle corner, S. 23° 40' 02" W. 326.04 feet to an angle corner, S. 15° 46' 18" W. 102.53 feet to an angle corner, S. 00° 04' 28" W. 627.31 feet to an ell corner, S. 89° 55' 32" E. 9.44 feet to an ell corner, S. 00° 04' 28" W. 190.00 feet to the south southeast corner of this tract in a southerly line of said 54.872 acre tract;

Exhibit "A" (Legal Description and Survey)

Thence with the south line of this tract and said 54.872 acre tract, N. 89° 55' 32" W, 330.09 feet to the place of beginning and containing an area of 18.753 acres of land.

See Attached Plat of Survey.



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



EXHIBIT B

SERVICE PLAN AGREEMENT. This Agreement, including the following Service Plan, constitutes the service plan agreement between the parties and supersedes all prior oral and written agreements between said parties. This Agreement shall not be amended unless executed in writing by both parties.

COMMENCEMENT OF SERVICES. Except as otherwise provided herein, the City will provide the municipal services set forth below commencing on the effective date of annexation. As used in this Agreement, "providing services" includes having services provided by any method or means by which the City may extend municipal services to any other area of the City, including the City's infrastructure extension policies and developer or property owner participation in accordance with applicable city ordinances, rules, regulations, and policies.

SERVICES NOT PROVIDED. Pursuant to Texas Local Government Code Section 43.0672(c), it is understood and agreed that the City is not required to provide a municipal service that is not included in this Agreement.

AGREEMENT RUNS WITH THE LAND. This Agreement is binding on and inures to the benefit of the parties, their successors, and assigns. The terms of this Agreement constitute covenants running with the land comprising the Territory and is binding on the Owner(s).

Executed on the ____ day of December, 2020, to be effective on the effective date of annexation of the Territory.

CITY OF SAN ANGELO

By: _____
Daniel Valenzuela
City Manager

Attest:

Julia Antilley, City Clerk

Approved as to Content:

Jon James, Planning &
Development Services Director

BENTWOOD CC LLC (OWNER)

By: _____
Kevin Collins
Managing Partner

Approved as to Form and Legality:

Theresa James, City Attorney

SERVICE PLAN FOR MUNICIPAL SERVICES WITHIN AN AREA/TERRITORY DESCRIBED AS FOLLOWS:

Generally located east of Enclave Court between Club House Lane and Linville Lane and specifically described as 18.753 acres of land out of the C. Berberich Survey No. 177, Abstract No. 52 and H. Zerbach Survey No. 178, Abstract No. 4210, Tom Green County, Texas.

SERVICE PROVIDED ON THE EFFECTIVE DATE OF ANNEXATION:

1. POLICE PROTECTION

Existing Services: None

Services to be provided:

The City of San Angelo, Texas and its Police Department will provide police protection to the newly annexed territory at the same or similar service now being provided to other areas of the City of San Angelo, Texas.

Patrolling, radio and dispatch responses to calls, traffic enforcement, and other routine police services will be provided. The typical response time within City limits is less than 3.5 minutes for emergency calls.

2. FIRE PROTECTION AND EMERGENCY SERVICES

Existing Services: Emergency medical services provided by the City of San Angelo currently extend to medical emergencies county wide. No other services currently provided.

Services to be provided:

The City of San Angelo, Texas and its Fire Department will provide fire protection and emergency medical service to the newly annexed territory at the same or similar level of service now being provided to other areas of the City of San Angelo, Texas which exhibit land use and population densities similar to that of the newly annexed area.

The City of San Angelo Fire Department will respond to all dispatched calls (including those for emergency medical services) and other requests for service or assistance within the newly annexed area, the same as it would within other areas inside the City limits of San Angelo. The typical Fire Department response time is under 4 minutes.

Topography, land use, and population density will not affect fire or emergency services. The newly annexed area has provided plans and a proposed installation schedule for new water hydrants to service the area.

3. SOLID WASTE COLLECTION

Existing Services: None

Services to be provided:

The same regular solid waste collection services now provided within the City will be extended

(as appropriate) to the newly annexed area on the effective date of annexation.

4. **MAINTAINING WATER AND WASTEWATER FACILITIES**

Existing Services: None

Services to be provided:

Water and sanitary sewer service to the area will be provided in accordance with the City Code of Ordinances and departmental policy. When other property develops in the adjacent area, water and sanitary sewer service shall be extended in accordance with the City of San Angelo Code of Ordinances and departmental policy. Prior to future development, a subdivision plat(s) shall be approved by the City and recorded with Tom Green County that includes any required provisions for water and sanitary sewer service.

5. **MAINTAINING ROADS, STREETS, AND ALLEYWAYS**

Existing Services: None

Services to be provided:

Developers of land within the newly annexed territory will be required to provide internal streets (and to improve peripheral or boundary streets) in accordance with applicable ordinances of the City of San Angelo, including the Land Development and Subdivision Ordinance and the City's Master Thoroughfare Plan (MTP), and such street improvements shall comply with specifications required by the City of San Angelo, for properly dedicated streets. Any and all roads, streets or alleyways which have been properly dedicated to the public shall be maintained to the same degree and extent that other roads, streets and alleyways are maintained in areas with similar land use, population density and topography.

6. **MAINTAINING PARKS, PLAYGROUNDS, AND SWIMMING POOLS**

Existing Services: None

Services to be provided:

The City Council of the City of San Angelo, Texas **is not** aware of the existence of any parks, playgrounds or public swimming pools now located in the newly annexed territory.

Upon annexation, the owners and residents of property located within the annexed area shall be entitled to the use of all municipal parks and recreational facilities, subject to the same restrictions, fees, and availability that pertains to the use of those facilities by other citizens of the City.

Private parks, playgrounds, and/or swimming pools will remain under private ownership and will be maintained under private ownership and responsibility.

The subject annexation area has been identified as a key underserved area in the City of San Angelo's Parks Master Plan, but there are no planned parks within the area to be annexed.

7. **BUILDING INSPECTION**

Existing Services: None

Services to be provided:

The Permits & Inspections Division will provide building, permitting and inspection services upon annexation. This includes issuing building, electrical, plumbing, mechanical, and related permits for any new construction and remodeling, and enforcing all other applicable codes which regulate building construction within the City of San Angelo. These services can be provided within the division's current budget.

8. **PLANNING AND ZONING**

Existing Services: None

Services to be provided:

The Planning Division's responsibility for regulating development and land use through the administration of the City of San Angelo Zoning Ordinance and Comprehensive Plan will extend to this area on the effective date of the annexation. The property will also continue to be regulated under the requirements of the City of San Angelo Land Development and Subdivision Ordinance. These services can be provided within the division's current budget.

9. **CODE COMPLIANCE**

Existing Services: None

Services to be provided:

The Code Compliance Division generally enforces compliance with the City's Codes and Ordinances, largely on a complaint basis. This includes inspection of properties to ensure such compliance.

10. **MAINTAINING OTHER PUBLIC OWNED FACILITIES OR BUILDINGS**

Existing Services: None

Services to be provided:

In the event any such publicly-owned facility or building does exist and would become the responsibility of the City of San Angelo, or is constructed in the future, the City shall maintain such facilities or buildings to the same extent and degree that it maintains similar municipal facilities and buildings now incorporated in the City of San Angelo, Texas, subject to funding by the City Council.

The City Council of the City of San Angelo, Texas is not aware of the existence of any publicly-owned facility or building now located in the area proposed for annexation.

Upon annexation, the owners and residents of property located within the newly annexed areas shall be entitled to the use of all municipal facilities, buildings, and services, subject to the same restrictions, fees, and availability that pertains to the use of those.

11. **STORM WATER MANAGEMENT**

Existing Services: None

Services to be provided:

Developers will provide storm water drainage at their own expense and will be inspected by the City Engineers at time of completion. Upon approval and acceptance by the City, the City will then be responsible for ongoing maintenance of drainage facilities.

12. **STREET LIGHTING**

Existing Services: None

Services to be provided:

The City of San Angelo will coordinate any request for improved street lighting with the local electric provider in accordance with standard policy for all areas within the city limits of the City of San Angelo.

AN ORDINANCE ANNEXING INTO THE CITY OF SAN ANGELO, TOM GREEN COUNTY, TEXAS, ON PETITION OF PROPERTY OWNERS, TERRITORY GENERALLY DESCRIBED AS 18.325 ACRES OF LAND SITUATED IMMEDIATELY SOUTH/SOUTHWEST OF THE CITY, GENERALLY LOCATED WEST OF THE INTERSECTION OF DOMINION RIDGE AND CORAL WAY; FINDING THAT ALL NECESSARY AND REQUIRED LEGAL CONDITIONS HAVE BEEN SATISFIED; PROVIDING FOR AMENDMENT OF THE BOUNDARIES AND OFFICIAL MAP OF THE CITY; APPROVING A SERVICE PLAN THEREFORE; SUBJECTING THE PROPERTY SITUATED THEREIN TO BEAR ITS PRO RATA PART OF TAXES LEVIED; PROVIDING RIGHTS AND PRIVILEGES AS WELL AS DUTIES AND RESPONSIBILITIES OF INHABITANTS AND OWNERS OF SAID TERRITORY; DIRECTING NOTICES AS REQUIRED BY LAW; PROVIDING A SEVERABILITY CLAUSE; DECLARING COMPLIANCE WITH OPEN MEETINGS ACT; AND, PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of San Angelo, Texas (the "City") is a home-rule municipality authorized by State law and the City Charter to annex territory lying adjacent and contiguous to the corporate limits of said City; and

WHEREAS, pursuant to Texas Local Government Code, Section 43.0671, all of the owners of a tract of land containing 18.325 acres situated immediately south/southwest of the City, generally located west of the intersection of Dominion Ridge and Coral Way, more fully described in Exhibit "A," attached hereto and made a part hereof for all purposes (hereinafter the "Territory"), have petitioned the City Council in writing to annex the Territory into the corporate limits of the City; and,

WHEREAS, the Territory is not appraised for ad valorem tax purposes as land for agricultural or wildlife management use, or as timber land, and Section 43.016 of the Texas Local Government Code does not apply to the proposed annexation; and,

WHEREAS, the City Council accepted the Petition Requesting Annexation by Territory owners, and directed Planning staff to proceed with the proposed annexation schedule, at a regularly held meeting of the City Council on October 6, 2020; and,

WHEREAS, a public hearing on the annexation was held, the 17th day of November, 2020, as required by law, where all interested persons were provided an opportunity to be heard on the proposed annexation of the Territory; and

WHEREAS, all notices have been issued as required by law and all public hearings have been held within the time required by law pursuant to notices duly posted and published; and

WHEREAS, a service plan has been prepared that provides for the extension of appropriate municipal services into the Territory, which plan is attached hereto, and the City is able to provide such services; and

WHEREAS, the Territory is not within the boundaries of any other municipality, lies within the extraterritorial jurisdiction of the City, and lies adjacent to and adjoins the present boundaries of the City;

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

Section 1 Findings of Fact. All of the above premises are hereby found to be true and correct and are incorporated into the body of this ordinance as if fully set forth; and all required legal conditions for annexation have been met.

Section 2 Annexation. The Territory described in Exhibit "A," attached hereto and incorporated herein for all purposes, said Territory lying adjacent to and contiguous with the present boundaries of the City, be and is hereby added and annexed into the City, and said Territory shall hereafter be included within the corporate limits of the City, and the present boundary lines of said City, at various points contiguous with the Territory annexed, are hereby altered, extended and amended so as to include said Territory within the corporate limits of the City.

Section 3 Amendment of Boundaries and Official Map of City. The official map and boundaries of the City, heretofore adopted and amended, shall be and are hereby amended so as to include the aforementioned annexed Territory as part of the City.

Section 4 Service Plan. The service plan attached hereto as Exhibit "B" is hereby approved and is incorporated herein for all purposes. The City makes an affirmative determination that this service plan provides for the extension of services to the annexed Territory which are comparable to other areas within the City with similar land utilization, population density and topography. It is further found that those characteristics of land use, population density and topography which distinguish this Territory from other areas of the City are considered a sufficient basis for providing a different level of services in the annexed Territory.

Section 5 Pro Rata Share of Taxes. The annexed Territory, being a part of the City for all purposes, shall bear its pro rata part of taxes levied by the City.

Section 6 Rights, Privileges and Duties of Inhabitants. The inhabitants of the annexed Territory shall be entitled to all the rights and privileges of the other citizens of the City and shall be bound by the Charter, Ordinances, Resolutions and other regulations of the City.

Section 7 Filing and Notice of Ordinance. The City Clerk is hereby directed to file a certified copy of this Ordinance with the County Clerk of Tom Green County, Texas, the Voting Registrar of Tom Green County, the Tom Green County Appraisal District, and the Texas Comptroller of Public Accounts in the manner required by law. The City Clerk is further directed to notify any service providers of services in the annexed Area, and all other parties as required by law.

Section 8. Severability. If any part, provision, section, subsection, sentence, clause or phrase of this ordinance (or the application of same to any person or set of circumstances) is for any reason held to be unconstitutional, void, or invalid, the validity of the remaining parts of this ordinance (or their application to other persons or sets of circumstances) shall not be affected thereby, it being the intent of City Council in adopting this ordinance, that no part thereof or provision contained herein shall become inoperative or fail by reason of any unconstitutionality of any other part hereof, and all provisions of this ordinance are declared to be severable for that purpose.

Section 9. Open Meeting Act Compliance. The City Council for the City of San Angelo hereby finds and declares that the meetings at which this ordinance was introduced and finally passed were open to the public as required by law and that public notice of the time, place and purpose of said meetings was given as require by the Open Meetings Act, Chapter 551 of the Texas Government Code.

Section 10. Effective Date. This ordinance will become effective on, from and after its date of adoption.

INTRODUCED on the 17th day of November, 2020, and finally PASSED, APPROVED AND ADOPTED on this the 15th day of December, 2020.

THE CITY OF SAN ANGELO

By: _____
Brenda Gunter, Mayor

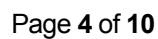
ATTEST:

APPROVED AS TO FORM:

By: _____
Julia Antilley, City Clerk

Theresa James, City Attorney

Exhibit "A" (Legal Description and Survey)



FIELD NOTES

18.325 Acres (Proposed Annexation)

November 10, 2020
20-E-0028_18.325ac

Being an area of 18.325 acres of land out of and a part of the West One-Half (W/2) of Section No. 8, Abstract No. 8108, A. Willeke Survey, Tom Green County, Texas and said 18.325 acre tract also being out of that certain 33.045 acre tract described and recorded in Instrument No. 201414335, Official Public Records of Tom Green County, Texas and said 18.325 acre tract being more particularly described by metes and bounds as follows:

Beginning at a 1/2" iron rod found for the southeast corner of this tract and said 33.045 acre tract in the west line of Twin Oaks Addition, Section Thirty-One as per plat recorded in Cabinet G, Slide 134, Plat Records of Tom Green County, Texas and said beginning corner also being the northeast corner of that certain 49.36 acre tract described in Contract and Grant of Right of Way Easement from the United States of America to Theodore Doc Willeke and wife, Erma O. Willeke which is recorded in Volume 415, Page 529, Deed Records of Tom Green County, Texas (hereinafter referred to as Railroad Tract) and said beginning corner being 28.72 feet N. 00° 59' 18" E. from the southwest corner of said Twin Oaks Addition, Section Thirty-One;

Thence with the south line of this tract and said 33.045 acre tract and the north line of said Railroad Tract, N. 59° 30' 34" W. 858.99 feet to the west or southwest corner of this tract;

Thence with the westerly line of this tract and across said 33.045 acre tract as follows, N. 30° 29' 26" E. 150.00 feet to an ell corner, N. 59° 30' 34" W. 44.63 feet to an ell corner, N. 30° 29' 26" E. 180.00 feet to an ell corner, N. 59° 30' 34" W. 68.32 feet to an ell corner, N. 30° 29' 26" E. 98.30 feet to an angle corner, N. 00° 59' 18" E. 240.00 feet to an ell corner, S. 89° 00' 42" E. 35.00 feet to an ell corner, N. 00° 59' 18" E. 320.00 feet to the northwest corner of this tract in the north line of said 33.045 acre tract;

Thence with the north line of this tract and said 33.045 acre tract, S. 89° 00' 42" E. 415.00 feet to a 1/2" iron rod with cap found for an ell corner of this tract and said 33.045 acre tract;

Thence N. 00° 59' 18" E. 25.00 feet to a 1/2" iron rod with cap found for a north northwest corner of this tract and said 33.045 acre tract;

Thence with the most northerly line of this tract and said 33.045 acre tract, S. 89° 00' 42" E. 185.00 feet to a 1/2" iron rod with cap found for the northeast corner of this tract and said 33.045 acre tract and in the west line of a certain 94.368 acre tract described and recorded in Instrument No. 619408, Official Public Records of Real Property, Tom Green County, Texas;

Thence with the east line of this tract and said 33.045 acre tract and west line of said 94.368 acre tract and said Section Thirty-One, S. 00° 59' 18" W. at 729.25 feet pass the northwest corner of said Section Thirty-One, in all a total distance of 1436.40 feet to the place of beginning and containing an area of 18.325 acres of land.

See Attached Plat of Survey.



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



EXHIBIT B

SERVICE PLAN AGREEMENT. This Agreement, including the following Service Plan, constitutes the service plan agreement between the parties and supersedes all prior oral and written agreements between said parties. This Agreement shall not be amended unless executed in writing by both parties.

COMMENCEMENT OF SERVICES. Except as otherwise provided herein, the City will provide the municipal services set forth below commencing on the effective date of annexation. As used in this Agreement, "providing services" includes having services provided by any method or means by which the City may extend municipal services to any other area of the City, including the City's infrastructure extension policies and developer or property owner participation in accordance with applicable city ordinances, rules, regulations, and policies.

SERVICES NOT PROVIDED. Pursuant to Texas Local Government Code Section 43.0672(c), it is understood and agreed that the City is not required to provide a municipal service that is not included in this Agreement.

AGREEMENT RUNS WITH THE LAND. This Agreement is binding on and inures to the benefit of the parties, their successors, and assigns. The terms of this Agreement constitute covenants running with the land comprising the Territory and is binding on the Owner(s).

Executed on the ____ day of December, 2020, to be effective on the effective date of annexation of the Territory.

CITY OF SAN ANGELO

SIERRA VISTA CONSTRUCTION, INC.

By: _____
Daniel Valenzuela
City Manager

By: _____
Danny Aguero
President

Attest:

Approved as to Form and Legality:

Julia Antilley, City Clerk

Theresa James, City Attorney

Approved as to Content:

Jon James, Planning &
Development Services Director

**SERVICE PLAN FOR MUNICIPAL SERVICES WITHIN AN AREA/TERRITORY
DESCRIBED AS FOLLOWS:**

Generally located west of the intersection of Dominion Ridge and Coral Way and specifically described as 18.325 acres of land out of and a part of the West One-Half (W/2) of Survey No. 8, Abstract No. 8108, A. Willeke, Tom Green County, Texas, and said 18.325 acres tract also being out of that certain 33.045 acre tract described and recorded in Instrument No. 201414335, Official Public Records of Tom Green Country, Texas.

SERVICE PROVIDED ON THE EFFECTIVE DATE OF ANNEXATION:

1. POLICE PROTECTION

Existing Services: None

Services to be provided:

The City of San Angelo, Texas and its Police Department will provide police protection to the newly annexed territory at the same or similar service now being provided to other areas of the City of San Angelo, Texas.

Patrolling, radio and dispatch responses to calls, traffic enforcement, and other routine police services will be provided. The typical response time within City limits is less than 3.5 minutes for emergency calls.

2. FIRE PROTECTION AND EMERGENCY SERVICES

Existing Services: Emergency medical services provided by the City of San Angelo currently extend to medical emergencies county wide.

Services to be provided:

The City of San Angelo, Texas and its Fire Department will provide fire protection and emergency medical service to the newly annexed territory at the same or similar level of service now being provided to other areas of the City of San Angelo, Texas which exhibit land use and population densities similar to that of the newly annexed area.

The City of San Angelo Fire Department will respond to all dispatched calls (including those for emergency medical services) and other requests for service or assistance within the newly annexed area, the same as it would within other areas inside the City limits of San Angelo. The typical Fire Department response time is under 4 minutes.

Topography, land use, and population density will not affect fire or emergency services. The newly annexed area has provided plans and a proposed installation schedule for new water hydrants to service the area.

3. SOLID WASTE COLLECTION

Existing Services: None

Services to be provided:

The same regular solid waste collection services now provided within the city will be extended (as appropriate) to the newly annexed area on the effective date of annexation.

4. MAINTAINING WATER AND WASTEWATER FACILITIES

Existing Services: None.

Services to be provided:

Water and wastewater services will be provided in accordance with the applicable codes and departmental policy. When other property develops in the adjacent area, water and wastewater services shall be provided in accordance with extension ordinances. Extension of service shall comply with City of San Angelo codes and ordinances. Prior to future development, a subdivision plat(s) shall be approved by the City and recorded with Tom Green County that includes any required provisions for water and sanitary sewer service.

5. MAINTAINING ROADS, STREETS, AND ALLEYWAYS

Existing Services: None

Services to be provided:

Developers of land within the newly annexed territory will be required to provide streets in accordance with applicable ordinances of the City of San Angelo, including the Land Development and Subdivision Ordinance and the City's Master Thoroughfare Plan (MTP), and such street improvements shall comply with specifications required by the City of San Angelo, for properly dedicated streets. Once accepted by the City of San Angelo, any and all roads, streets or alleyways which have been properly dedicated to the public shall be maintained to the same degree and extent that other roads, streets and alleyways are maintained in areas with similar land use, population density and topography.

6. MAINTAINING PARKS, PLAYGROUNDS, AND SWIMMING POOLS

Existing Services: None

Services to be provided:

The City Council of the City of San Angelo, Texas is not aware of the existence of any parks, playgrounds or public swimming pools now located in the newly annexed territory.

Upon annexation, the owners and residents of property located within the annexed area shall be entitled to the use of all municipal parks and recreational facilities, subject to the same restrictions, fees, and availability that pertains to the use of those facilities by other citizens of the City.

Private parks, playgrounds, and/or swimming pools will remain under private ownership and will be maintained under private ownership and responsibility.

The subject annexation area has been identified as a key underserved area in the City of San Angelo Parks Master Plan. The City has recently completed the process of updating its Master Plan which reviewed these underserved areas.

7. BUILDING INSPECTION

Existing Services: None

Services to be provided:

The Permits & Inspections Division will provide building permitting and inspection services upon annexation. This includes issuing building, electrical, plumbing, mechanical, and related permits for any new construction and remodeling, and enforcing all other applicable codes which regulate building construction within the City of San Angelo. These services can be provided within the division's current budget.

8. PLANNING AND ZONING

Existing Services: None

Services to be provided:

The Planning Division's responsibility for regulating development and land use through the administration of the City of San Angelo Zoning Ordinance and Comprehensive Plan will extend to this area on the effective date of the annexation. The property will also continue to be regulated under the requirements of the City of San Angelo Land Development and Subdivision Ordinance. These services can be provided within the division's current budget.

9. CODE COMPLIANCE

Existing Services: None

Services to be provided:

The Code Compliance Division generally enforces compliance with the City's Codes and Ordinances, largely on a complaint basis. This includes inspection of properties to ensure such compliance.

10. MAINTAINING OTHER PUBLIC OWNED FACILITIES OR BUILDINGS

Existing Services: None

Services to be provided:

In the event any such publicly-owned facility or building does exist and would become the responsibility of the City of San Angelo, or is constructed in the future, the City shall maintain such facilities or buildings to the same extent and degree that it maintains similar municipal facilities and buildings now incorporated in the City of San Angelo, Texas, subject to funding by the City Council.

The City Council of the City of San Angelo, Texas is not aware of the existence of any publicly-owned facility or building now located in the area proposed for annexation.

Upon annexation, the owners and residents of property located within the newly annexed areas shall be entitled to the use of all municipal facilities, buildings, and services, subject to the same restrictions, fees, and availability that pertains to the use of those.

11. **STORM WATER MANAGEMENT**

Existing Services: None

Services to be provided:

Developers will provide storm water drainage at their own expense and will be inspected by the City Engineers at time of completion. Upon approval and acceptance by the City, the City will be responsible for ongoing maintenance of drainage facilities.

12. **STREET LIGHTING**

Existing Services: None

Services to be provided:

The City of San Angelo will coordinate any request for improved street lighting with the local electric provider in accordance with standard policy for all areas within the city limits of the City of San Angelo.

AN ORDINANCE ANNEXING INTO THE CITY OF SAN ANGELO, TOM GREEN COUNTY, TEXAS, ON PETITION OF PROPERTY OWNERS, TERRITORY GENERALLY DESCRIBED AS 88.936 ACRES OF LAND SITUATED EAST OF NORTH US HIGHWAY 67 & 277 NORTH OF TRACTOR TRAIL; FINDING THAT ALL NECESSARY AND REQUIRED LEGAL CONDITIONS HAVE BEEN SATISFIED; PROVIDING FOR AMENDMENT OF THE BOUNDARIES AND OFFICIAL MAP OF THE CITY; APPROVING A SERVICE PLAN THEREFORE; SUBJECTING THE PROPERTY SITUATED THEREIN TO BEAR ITS PRO RATA PART OF TAXES LEVIED; PROVIDING RIGHTS AND PRIVILEGES AS WELL AS DUTIES AND RESPONSIBILITIES OF INHABITANTS AND OWNERS OF SAID TERRITORY; DIRECTING NOTICES AS REQUIRED BY LAW; PROVIDING A SEVERABILITY CLAUSE; DECLARING COMPLIANCE WITH OPEN MEETINGS ACT; AND, PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of San Angelo, Texas (the "City") is a home-rule municipality authorized by State law and the City Charter to annex territory lying adjacent and contiguous to the corporate limits of said City; and

WHEREAS, pursuant to Texas Local Government Code, Section 43.0671, all of the owners of a tract of land containing 88.936 acres of land situated east of north Us Highway 67 & 277 north of Tractor Trail., more fully described in Exhibit "A," attached hereto and made a part hereof for all purposes (hereinafter the "Territory"), have petitioned the City Council in writing to annex the Territory into the corporate limits of the City; and,

WHEREAS, the Territory is not appraised for ad valorem tax purposes as land for agricultural or wildlife management use, or as timber land, and Section 43.016 of the Texas Local Government Code does not apply to the proposed annexation; and,

WHEREAS, the City Council accepted the Petition Requesting Annexation by Territory owners, and directed Planning staff to proceed with the proposed annexation schedule, at a regularly held meeting of the City Council on October 6, 2020; and,

WHEREAS, a public hearing on the annexation was held, the 17th day of November, 2020, as required by law, where all interested persons were provided an opportunity to be heard on the proposed annexation of the Territory; and

WHEREAS, all notices have been issued as required by law and all public hearings have been held within the time required by law pursuant to notices duly posted and published; and

WHEREAS, a service plan has been prepared that provides for the extension of appropriate municipal services into the Territory, which plan is attached hereto, and the City is able to provide such services; and

WHEREAS, the Territory is not within the boundaries of any other municipality, lies within the extraterritorial jurisdiction of the City, and lies adjacent to and adjoins the present boundaries of the City;

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

Section 1 Findings of Fact. All of the above premises are hereby found to be true and correct and are incorporated into the body of this ordinance as if fully set forth; and all required legal conditions for annexation have been met.

Section 2 Annexation. The Territory described in Exhibit "A," attached hereto and incorporated herein for all purposes, said Territory lying adjacent to and contiguous with the present boundaries of the City, be and is hereby added and annexed into the City, and said Territory shall hereafter be included within the corporate limits of the City, and the present boundary lines of said City, at various points contiguous with the Territory annexed, are hereby altered, extended and amended so as to include said Territory within the corporate limits of the City.

Section 3 Amendment of Boundaries and Official Map of City. The official map and boundaries of the City, heretofore adopted and amended, shall be and are hereby amended so as to include the aforementioned annexed Territory as part of the City.

Section 4 Service Plan. The service plan attached hereto as Exhibit "B" is hereby approved and is incorporated herein for all purposes. The City makes an affirmative determination that this service plan provides for the extension of services to the annexed Territory which are comparable to other areas within the City with similar land utilization, population density and topography. It is further found that those characteristics of land use, population density and topography which distinguish this Territory from other areas of the City are considered a sufficient basis for providing a different level of services in the annexed Territory.

Section 5 Pro Rata Share of Taxes. The annexed Territory, being a part of the City for all purposes, shall bear its pro rata part of taxes levied by the City.

Section 6 Rights, Privileges and Duties of Inhabitants. The inhabitants of the annexed Territory shall be entitled to all the rights and privileges of the other citizens of the City and shall be bound by the Charter, Ordinances, Resolutions and other regulations of the City.

Section 7 Filing and Notice of Ordinance. The City Clerk is hereby directed to file a certified copy of this Ordinance with the County Clerk of Tom Green County, Texas, the Voting Registrar of Tom Green County, the Tom Green County Appraisal District, and the Texas Comptroller of Public Accounts in the

manner required by law. The City Clerk is further directed to notify any service providers of services in the annexed Area, and all other parties as required by law.

Section 8. Severability. If any part, provision, section, subsection, sentence, clause or phrase of this ordinance (or the application of same to any person or set of circumstances) is for any reason held to be unconstitutional, void, or invalid, the validity of the remaining parts of this ordinance (or their application to other persons or sets of circumstances) shall not be affected thereby, it being the intent of City Council in adopting this ordinance, that no part thereof or provision contained herein shall become inoperative or fail by reason of any unconstitutionality of any other part hereof, and all provisions of this ordinance are declared to be severable for that purpose.

Section 9. Open Meeting Act Compliance. The City Council for the City of San Angelo hereby finds and declares that the meetings at which this ordinance was introduced and finally passed were open to the public as required by law and that public notice of the time, place and purpose of said meetings was given as require by the Open Meetings Act, Chapter 551 of the Texas Government Code.

Section 10. Effective Date. This ordinance will become effective on, from and after its date of adoption.

INTRODUCED on the 17th day of November, 2020, and finally PASSED, APPROVED AND ADOPTED on this the 15th day of December, 2020.

THE CITY OF SAN ANGELO

By: _____
Brenda Gunter, Mayor

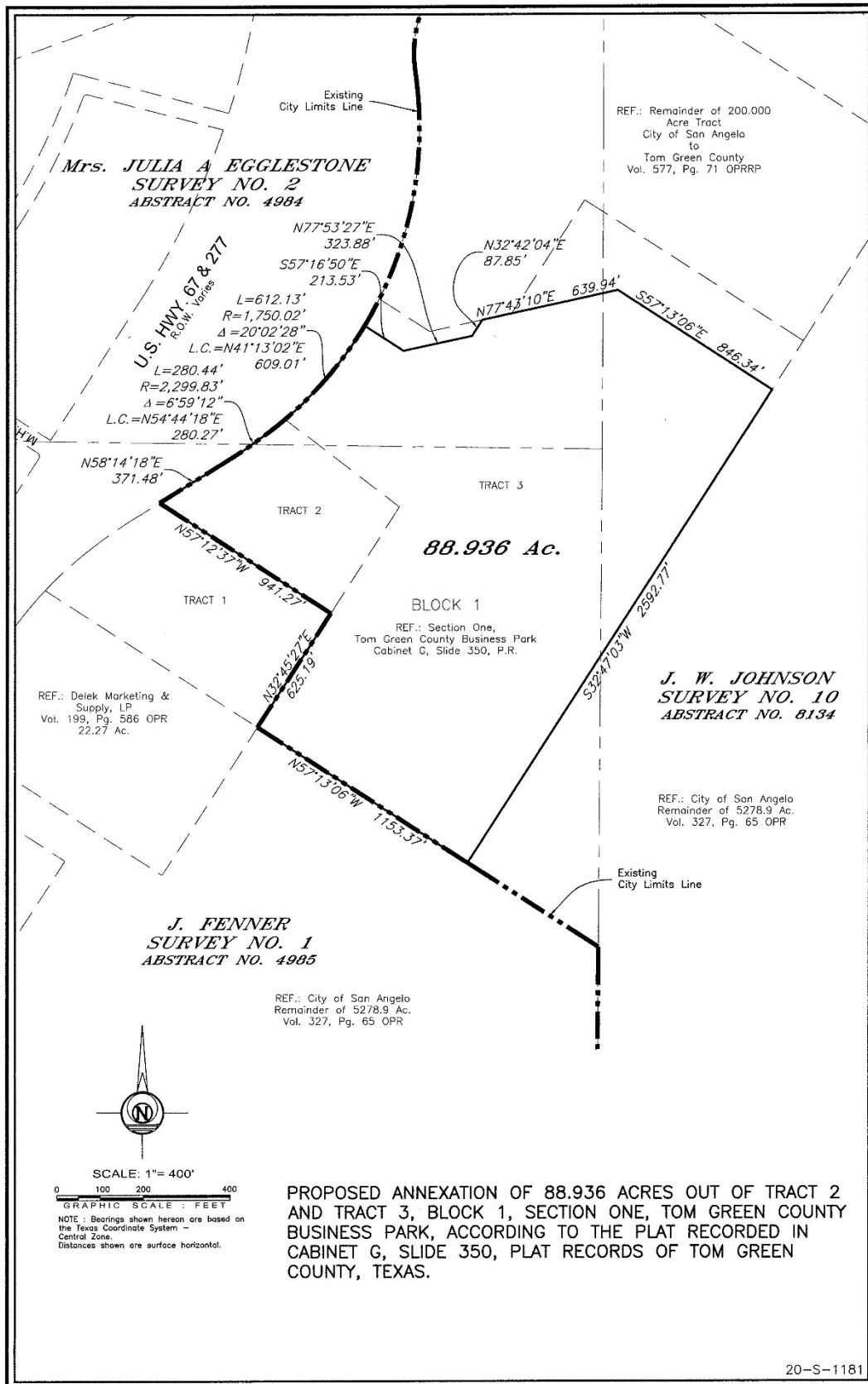
ATTEST:

APPROVED AS TO FORM:

By: _____
Julia Antilley, City Clerk

Theresa James, City Attorney

Exhibit "A" (Legal Description and Survey)



**FIELD NOTES
PROPOSED ANNEXATION**

88.936 Acres

August 28, 2020
20-S-1181

Being an area of 88.936 acres of land out of Tract 2 and Tract 3, Block 1, Section One, Tom Green County Business Park, according to the plat recorded in Cabinet G, Slide 350, Plat Records of Tom Green County, Texas and said 88.936 acre tract being more particularly described by metes and bounds as follows:

Beginning at the south corner of this tract and said Tract 3;

Thence with the southwest line of said Tract 3, N. $57^{\circ} 13' 06''$ W. 1153.37 feet to the most southerly west corner of said Tract 3 and being the south corner of certain Tract 1 of said Block 1;

Thence with the southeast line of said Tract 1, N. $32^{\circ} 45' 27''$ E. 625.19 feet to an ell corner of this tract and the east corner of said Tract 1 and the south corner of said Tract 2;

Thence with the southwest line of said Tract 2 and northeast line of said Tract 1, N. $57^{\circ} 12' 37''$ W. 941.27 feet to a west corner of this tract and said Tract 2 and north corner of said Tract 1 and being in the southeast right-of-way line of U. S. Hwy. 67 & 277;

Thence with the northwest line of said Tract 2 and the southeast line of said U. S. Hwy. 67 & 277, N. $58^{\circ} 14' 18''$ E. 371.48 feet to the beginning of a curve to the left;

Thence with said curve to the left, having a radius of 2,299.83 feet, central angle of $06^{\circ} 59' 12''$, arc length of 280.44 feet and whose long chord bears N. $54^{\circ} 44' 18''$ E. 280.27 feet to the end of this curve and the beginning of a curve to the left;

Thence with said curve to the left, having a radius of 1,750.02 feet, central angle for this part traversed of $20^{\circ} 02' 28''$, arc length of 612.13 feet and whose long chord bears N. $41^{\circ} 13' 02''$ E. 609.01 feet to an ell corner of this tract;

Thence with the north line of this tract and across said Tract 3 as follows, S. $57^{\circ} 16' 50''$ E. 213.53 feet to an angle corner, N. $77^{\circ} 53' 27''$ E. 323.88 feet to an angle corner, N. $32^{\circ} 42' 04''$ E. 87.85 feet to an angle corner and in a north line of said Tract 3;

Thence with the north line of said Tract 3, N. $77^{\circ} 43' 10''$ E. 639.94 feet to an angle corner of this tract;

Thence with the northeast line of this tract and across said Tract 3, S. $57^{\circ} 13' 06''$ E. 846.34 feet to the east corner of this tract in the southeast line of said Tract 3;

Thence with the southeast line of this tract and said Tract 3, S. 32° 47' 03" W. 2592.77 feet to the place of beginning and containing an area of 88.936 acres of land.

Bearings recited hereon are based on Texas Coordinate System NAD83 – Texas Central Zone by GPS observation.

See Attached Plat of Survey.



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



EXHIBIT B

SERVICE PLAN AGREEMENT. This Agreement, including the following Service Plan, constitutes the service plan agreement between the parties and supersedes all prior oral and written agreements between said parties. This Agreement shall not be amended unless executed in writing by both parties.

COMMENCEMENT OF SERVICES. Except as otherwise provided herein, the City will provide the municipal services set forth below commencing on the effective date of annexation. As used in this Agreement, "providing services" includes having services provided by any method or means by which the City may extend municipal services to any other area of the City, including the City's infrastructure extension policies and developer or property owner participation in accordance with applicable city ordinances, rules, regulations, and policies.

SERVICES NOT PROVIDED. Pursuant to Texas Local Government Code Section 43.0672(c), it is understood and agreed that the City is not required to provide a municipal service that is not included in this Agreement.

AGREEMENT RUNS WITH THE LAND. This Agreement is binding on and inures to the benefit of the parties, their successors, and assigns. The terms of this Agreement constitute covenants running with the land comprising the Territory and is binding on the Owner(s).

Executed on the ____ day of December, 2020, to be effective on the effective date of annexation of the Territory.

CITY OF SAN ANGELO

By: _____
Daniel Valenzuela
City Manager

Attest:

Julia Antilley, City Clerk

Approved as to Content:

Jon James, Planning &
Development Services Director

TOM GREEN COUNTY:

By: _____
Stephen C. Floyd
County Judge

Approved as to Form and Legality:

Theresa James, City Attorney

**SERVICE PLAN FOR MUNICIPAL SERVICES WITHIN AN AREA/TERRITORY
DESCRIBED AS FOLLOWS:**

Generally located east of North US Highway 277 and north of Tractor Trail and specifically described as 88.936 acres of land out of Tract 2 and Tract 3, Block 1, Section One, Tom Green County Business Park, Tom Green County, Texas, according to the plat recorded in Cabinet G, Slide 350, Plat Records of Tom Green County, Texas.

SERVICE PROVIDED ON THE EFFECTIVE DATE OF ANNEXATION:

1. POLICE PROTECTION

Existing Services: None

Services to be provided:

The City of San Angelo, Texas and its Police Department will provide police protection to the newly annexed territory at the same or similar service now being provided to other areas of the City of San Angelo, Texas.

Patrolling, radio and dispatch responses to calls, traffic enforcement, and other routine police services will be provided. The typical response time within City limits is less than 3.5 minutes for emergency calls.

2. FIRE PROTECTION AND EMERGENCY SERVICES

Existing Services: Fire protection response is currently provided to this area through an inter-local agreement between the City of San Angelo and Tom Green County. Emergency medical services provided by the City of San Angelo currently extend to medical emergencies county wide.

Services to be provided:

The City of San Angelo, Texas and its Fire Department will provide fire protection and emergency medical service to the newly annexed territory at the same or similar level of service now being provided to other areas of the City of San Angelo, Texas which exhibit land use and population densities similar to that of the newly annexed area.

The City of San Angelo Fire Department will respond to all dispatched calls (including those for emergency medical services) and other requests for service or assistance within the newly annexed area, the same as it would within other areas inside the City limits of San Angelo. The typical Fire Department response time is under 4 minutes.

Topography, land use, and population density will not affect fire or emergency services.

3. SOLID WASTE COLLECTION

Existing Services: None

Services to be provided:

The same regular solid waste collection services now provided within the City will be extended (as appropriate) to the newly annexed area on the effective date of annexation.

4. **MAINTAINING WATER AND WASTEWATER FACILITIES**

Existing Services: Property currently serviced with City water and wastewater facilities.

Services to be provided:

Water and wastewater services will be maintained at the same or similar level of service now being provided to other areas of the City of San Angelo.

5. **MAINTAINING ROADS, STREETS, AND ALLEYWAYS**

Existing Services: None

Services to be provided:

Tom Green County will be required to maintain current private access streets until the time that streets come in to compliance with applicable ordinances of the City of San Angelo, and specifications required by the City of San Angelo, for properly dedicated streets. Once accepted by the City of San Angelo, any and all roads, streets or alleyways which have been properly dedicated to the public shall be maintained to the same degree and extent that other roads, streets and alleyways are maintained in areas with similar land use, population density and topography.

6. **MAINTAINING PARKS, PLAYGROUNDS, AND SWIMMING POOLS**

Existing Services: None

Services to be provided:

The City Council of the City of San Angelo, Texas **is not** aware of the existence of any parks, playgrounds or public swimming pools now located in the newly annexed territory.

Upon annexation, the owners and residents of property located within the annexed area shall be entitled to the use of all municipal parks and recreational facilities, subject to the same restrictions, fees, and availability that pertains to the use of those facilities by other citizens of the City.

Private parks, playgrounds, and/or swimming pools will remain under private ownership and will be maintained under private ownership and responsibility.

The subject annexation area has been identified as a key underserved area in the City of San Angelo Parks Master Plan. The City has recently completed the process of updating its Master Plan which reviewed these underserved areas.

7. **BUILDING INSPECTION**

Existing Services: None

Services to be provided:

The Permits & Inspections Division will provide building permitting and inspection services upon annexation. This includes issuing building, electrical, plumbing, mechanical, and related permits for any new construction and remodeling, and enforcing all other applicable codes which regulate building construction within the City of San Angelo. These services can be provided within the division's current budget.

8. PLANNING AND ZONING

Existing Services: None

Services to be provided:

The Planning Division's responsibility for regulating development and land use through the administration of the City of San Angelo Zoning Ordinance and Comprehensive Plan will extend to this area on the effective date of the annexation. The property will also continue to be regulated under the requirements of the City of San Angelo Land Development and Subdivision Ordinance. These services can be provided within the division's current budget.

9. CODE COMPLIANCE

Existing Services: None

Services to be provided:

The Code Compliance Division generally enforces compliance with the City's Codes and Ordinances, largely on a complaint basis. This includes inspection of properties to ensure such compliance.

10. MAINTAINING OTHER PUBLIC OWNED FACILITIES OR BUILDINGS

Existing Services: None

Services to be provided:

In the event any such publicly-owned facility or building does exist and would become the responsibility of the City of San Angelo, or is constructed in the future, the City shall maintain such facilities or buildings to the same extent and degree that it maintains similar municipal facilities and buildings now incorporated in the City of San Angelo, Texas, subject to funding by the City Council.

The City Council of the City of San Angelo, Texas is not aware of the existence of any publicly-owned facility or building now located in the area proposed for annexation.

Upon annexation, the owners and residents of property located within the newly annexed areas shall be entitled to the use of all municipal facilities, buildings, and services, subject to the same restrictions, fees, and availability that pertains to the use of those

11. STORM WATER MANAGEMENT

Existing Services: None

Services to be provided:

Developers will provide storm water drainage at their own expense and will be inspected by the City Engineers at time of completion. Upon approval and acceptance by the City, the City will be responsible for ongoing maintenance of drainage facilities.

12. STREET LIGHTING

Existing Services: None

Services to be provided:

The City of San Angelo will coordinate any request for improved street lighting with the local electric provider in accordance with standard policy for all areas within the city limits of the City of San Angelo.

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Sherry Bailey, Sr. Planner, Planning and Development Services,

Meeting Date: November 17, 2020

Item type: Regular Item

Caption:

First reading and public hearing of an ordinance approving case Z20-14, zoning property to the Single-Family Residential zoning district in connection with an annexation, being 10.480 acres located along south Old Stone Dr. (Presentation made by Planning & Development Services Director Jon James)

Summary/History:

A request for approval to zone a property to the Single-Family Residential (RS-1) Zoning District in connection with an annexation, being 10.480 acres located along south Old Stone Drive. The proposed zoning and annexation would facilitate the construction of 17 new single-family home sites as shown within the adopted preliminary plat. The rezoning and annexation are running concurrently on the same timeline so that the properties will be immediately zoned RS-1 upon annexation, facilitating extension of utilities and new home construction.

Financial Impact:

N/A

Other Information/Recommendation:

At their October 19, 2020 Planning Commission meeting the Commission voted unanimously to recommend approval of the rezoning 7-0.

Attachments:

- | | |
|-----------------|------------------|
| 1. Staff Report | Staff Report.pdf |
| 2. Ordinance | Ordinance.docx |

Presentation:

Jon James

Approvals/Reviews:

Sherry Bailey	Created/Initiated
Hillary Bueker	Approved
Jon James	Approved
Brandon Dyson	Approved
Jon James	Approved
Theresa James	Approved
Julia Antilley	Final Approval

CITY COUNCIL – November 17, 2020
STAFF REPORT



APPLICATION TYPE:	CASES:		
Rezoning	Z20-14: Old Stone Ranch, Section Two		
SYNOPSIS:			
A request for approval to zone a property to the Single-Family Residential (RS-1) Zoning District in connection with an annexation, being 10.480 acres located along south Old Stone Drive. The proposed zoning and annexation would facilitate the construction of 17 new single-family home sites as shown within the adopted preliminary plat. The rezoning and annexation are running concurrently on the same timeline so that the properties will be immediately zoned RS-1 upon annexation, facilitating extension of utilities and new home construction			
LOCATION:		LEGAL DESCRIPTION:	
Generally located south of Loop 306 along Old Stone Drive		10.480 acres out of land out of C. Berberich Survey No. 177, Abstract No. 52, Tom Green County, Texas.	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SM District: N/A (future: SMD 1-Hiebert) Neighborhood: N/A (future: Country Club)	N/A	Neighborhood	10.480 acres
THOROUGHFARE PLAN:			
West Loop 306 –Freeway, (TXDOT) Old Stone Drive – Urban Local Street, Required 50’ min. ROW; 40 ft. pavement width (Extension of existing)			
NOTIFICATIONS:			
4 notifications were mailed within a 200-foot radius on October 5, 2020. Zero responses received in favor and Zero responses received in opposition			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL to zone a property to the Single-Family Residential (RS-1) Zoning District in connection with an annexation, being 10.480 acres located along south Old Stone Drive.			
PROPERTY OWNER/PETITIONER:			
Performance Land and Cattle Co. LLC.			
STAFF CONTACT:			
Sherry Bailey Principal Planner (325) 657-4210, Extension 1546 sherry.bailey@cosatx.us			



Additional Information: The applicant has an approved plat on Section One and will be following up with a plat submittal on Section Two. The annexation process should be being finalized by City Council before they act on the zoning request. The zoning is the last step that was required for the applicant to meet his stated goals. The applicant is requesting a zoning of Single Family Residence (RS-1) similar to what was requested for his first annexation and rezoning for Section One. The first section had platted lots that are half acre in size since for the foreseeable future, the lots will be on septic systems. It is anticipated that Section Two will be similar since their development is moving faster than the sewer capacity expansion project that is expected to be completed within seven years. These lots will be on individual septic systems until they fail and then they will be required to connect to the city sewer. The RS-1 zoning that is being requested is the nearest zoning that could accommodate the half acre lot size. The next zoning R&E requires at least one acre and is larger than the applicant had intended.

Rezoning: Section 212(G) of the Zoning Ordinance requires that the Planning Commission and City Council consider, at minimum, seven (7) factors in determining the appropriateness of any Rezoning request:

1. **Compatible with Plans and Policies.** **Whether the proposed amendment is compatible with the Comprehensive Plan and any other land use policies adopted by the Planning Commission or City Council.** The Comprehensive Plan identifies this area as Neighborhood residential. The zone change proposed is compatible with that designation. This area is part of the growing residential development in the southwest area of town. It is close to the proposed neighborhood commercial along the Loop 306 Service Road and is part of the area surrounded by the City of San Angelo that forms a donut hole. Good Planning practice dictates that surrounded county land within a city's boundaries needs to be annexed to forestall future problems.
2. **Consistent with Zoning Ordinance.** **Whether and the extent to which the proposed amendment would conflict with any portion of this Zoning Ordinance.** The proposed zone change is consistent with the existing residential zoning in the same development to the north. The Single Family Residence (RS-1) zoning is the most comprehensive way to accommodate the present sewer situation and yet provide for transitioning into a typical single family neighborhood for a growing residential area. This area of the City is identified as a residential neighborhood growth area and single family residential is still an identified need. Adjacent residential neighborhoods in Bentwood and by Foster Road are quickly being built out with single family homes and a large multiple family complex. This rezoning project will complete the property already identified by the Planning Commission for single family home development
3. **Compatible with Surrounding Area.** **Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject land and is the appropriate zoning district for the land.** The property is adjacent to un-annexed land to the left and right. However, it is reasonable to assume that the surrounding land will develop in similar fashion once the area is opened up for sewer service by the San Angelo Sewer Capacity project.

4. **Changed Conditions.** *Whether and the extent to which there are changed conditions that require an amendment.* The zoning requested is in keeping with the existing uses and compatible with those uses. The intended use is compatible with single family uses. Once the sewer capacity project is completed staff assumes that the property on both sides will annex into the City and that will place this entire area part of a broad residential neighborhood area south of Loop 306.
5. **Effect on Natural Environment.** *Whether and the extent to which the proposed amendment would result in significant adverse impacts on the natural environment, including but not limited to water and air quality, noise, storm water management, wildlife, vegetation, wetlands and the practical functioning of the natural environment.* The rezoning is anticipated to have a minimal effect on the natural environment because this is an area completely surrounded by the City of San Angelo. It is reasonable to assume much of the environmental impact to the area has already occurred with previous development.
6. **Community Need.** *Whether and the extent to which the proposed amendment addresses a demonstrated community need.* Housing continues to be a demonstrated need within the City of San Angelo. Within the next forty years cities within Texas are expected to grow by half of their existing population at this time. San Angelo appears to be managing the city's growth without the impacts of cities further to the east.
7. **Development Patterns.** *Whether and the extent to which the proposed amendment would result in a logical and orderly pattern of urban development in the community.* The existing development pattern in the immediate area reflects a development pattern that is consistent with the past seventy-five years.

Planning Commission Recommendation:

A. Z20-14: Old Stone Drive

A request to zone a property to the Single Family Residential (RS-1) Zoning District in connection with an annexation, being 10.480 acres located along south Old Stone Drive.

Sherry Bailey, Principal Planner, presented the zoning case. She explained that this request is for the second phase of Old Stone Ranch which was annexed and rezoned last year. Ms. Bailey indicated that the new phase will allow for 17 single-family home lots once the zoning and associated annexation are approved. She indicated that of the 4 notices mailed, she received no responses. Ms. Bailey then outlined Staff's recommendation to approve the rezoning on the grounds that the RS-1 zone is compatible with the Neighborhood Future Land Use; that the half acre lots will meet the minimum RS-1 standards; that single-family homes are compatible with the surrounding area which is residential away from Loop 306; that the homes are able to connect to private septic systems until the City's sewer capacity expansion project is complete; and that single-family housing remains a major need within San Angelo.

Chair Stribling opened public comment.

Russell Gully, SKG Engineering, representing the applicant, asked that the Planning Commission approve the new zoning and that he was available for questions.

Chair Stribling closed public comment.

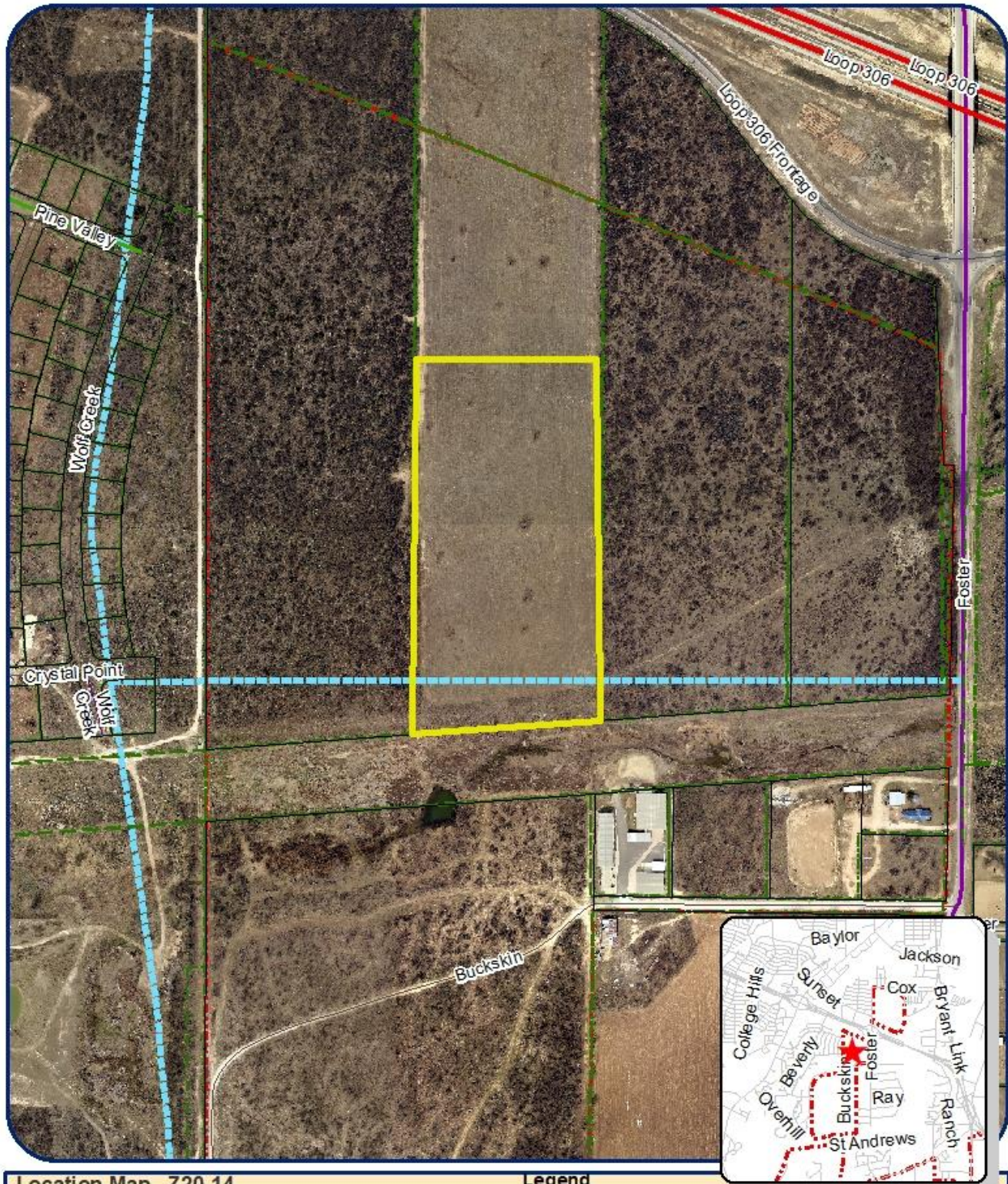
Vice Chair Jackson made a motion to RECOMMEND APPROVAL to zone a property to the Single Family Residential (RS-1) Zoning District in connection with an annexation, being 10.480 acres located along south Old Stone Drive. Commissioner Self seconded the motion. The motion carried unanimously 7-0.

Recommendation:

Staff's recommendation is for the City Council to **APPROVE** the zoning request to rezone the property to the Single-Family Residential (RS-1) Zoning District in connection with an annexation, being 10.480 acres located along south Old Stone Drive.

Attachments:

Aerial Map
Future Land Use Map
Zoning Map
Notification Map
Photograph
Application



Location Map Z20-14

Old Stone Ranch

Council District 1 - Tommy Hiebert
Neighborhood: Country Club
Scale: 1" approx. = 350 ft

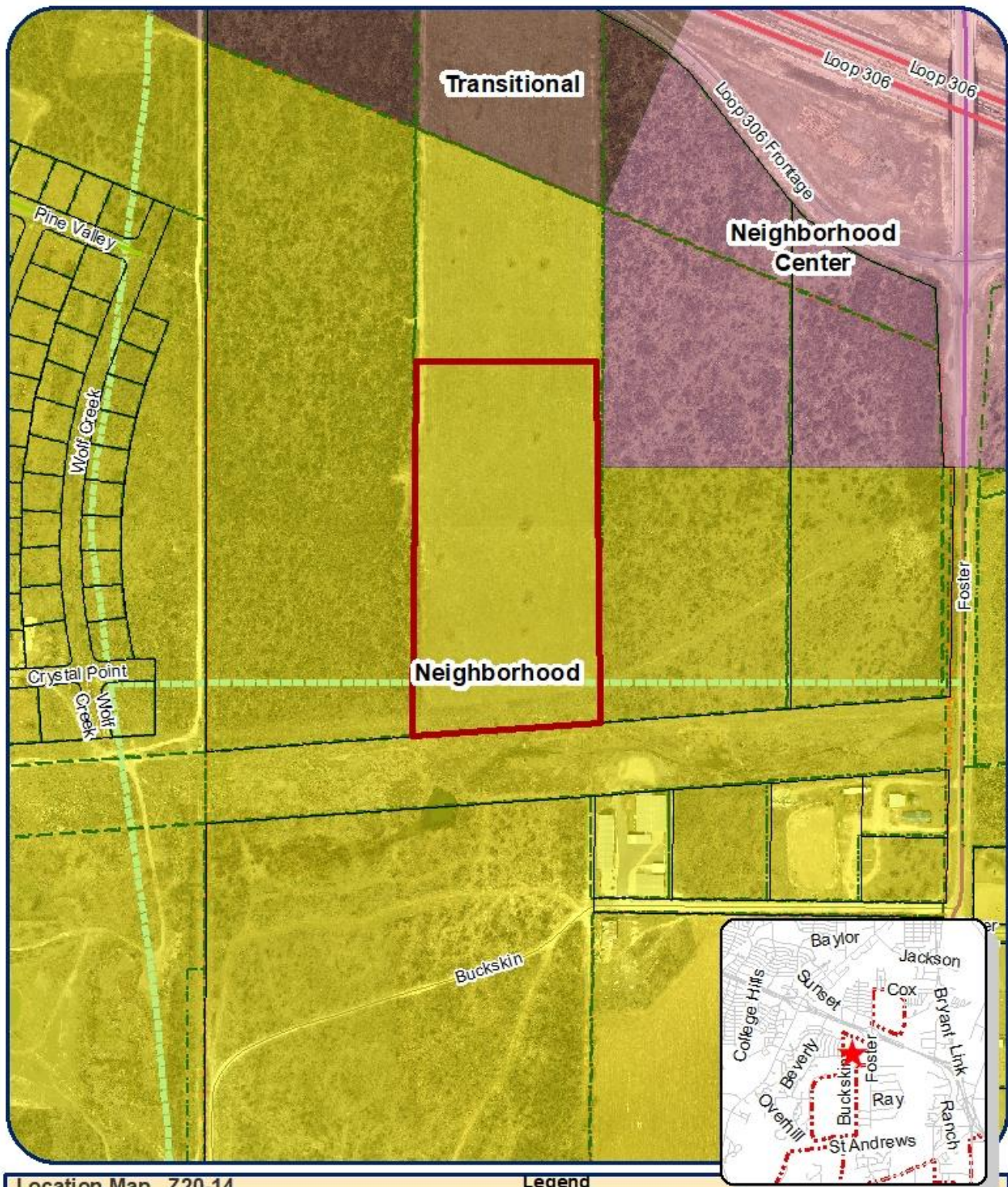
10, 480 acres in C. Berberich Survey No. 177, Abstract No. 52

Legend

Subject Properties: 
Current Zoning: **Un-zoned**
Requested Zoning Change: **Single Family Residence (RS-1)**
Vision: **Neighborhood**

Aerial Map





Location Map Z20-14

Old Stone Ranch

Council District 1 - Tommy Hiebert
 Neighborhood: Country Club
 Scale: 1" approx. = 350 ft

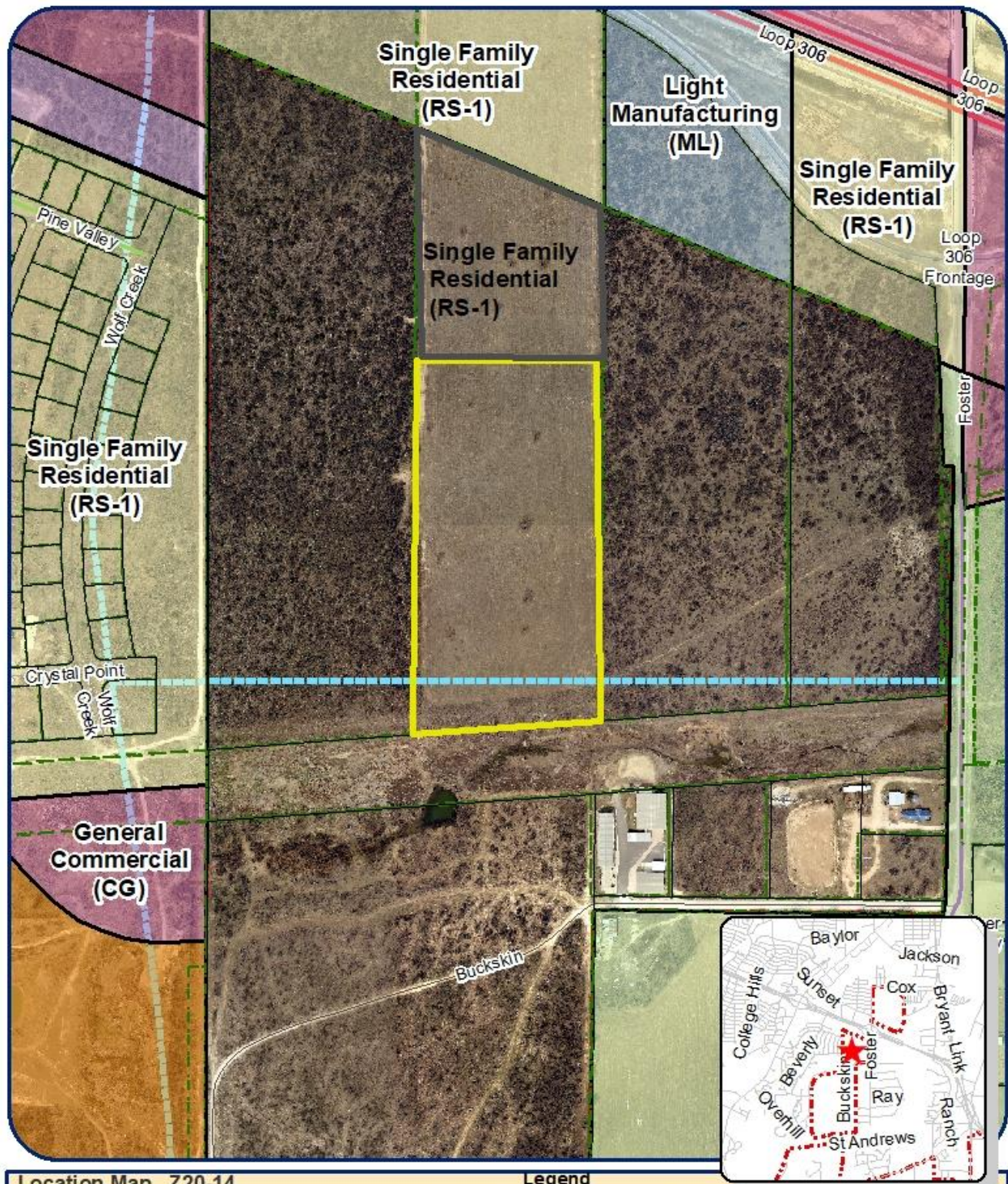
10, 480 acres in C. Berberich Survey No. 177, Abstract No. 52

Legend

Subject Properties:
 Current Zoning: **Un-zoned**
 Requested Zoning Change: **Single Family Residence (RS-1)**
 Vision: **Neighborhood**



Future Land Use Map



Location Map Z20-14

Old Stone Ranch

Council District 1 - Tommy Hiebert
 Neighborhood: Country Club
 Scale: 1" approx. = 350 ft

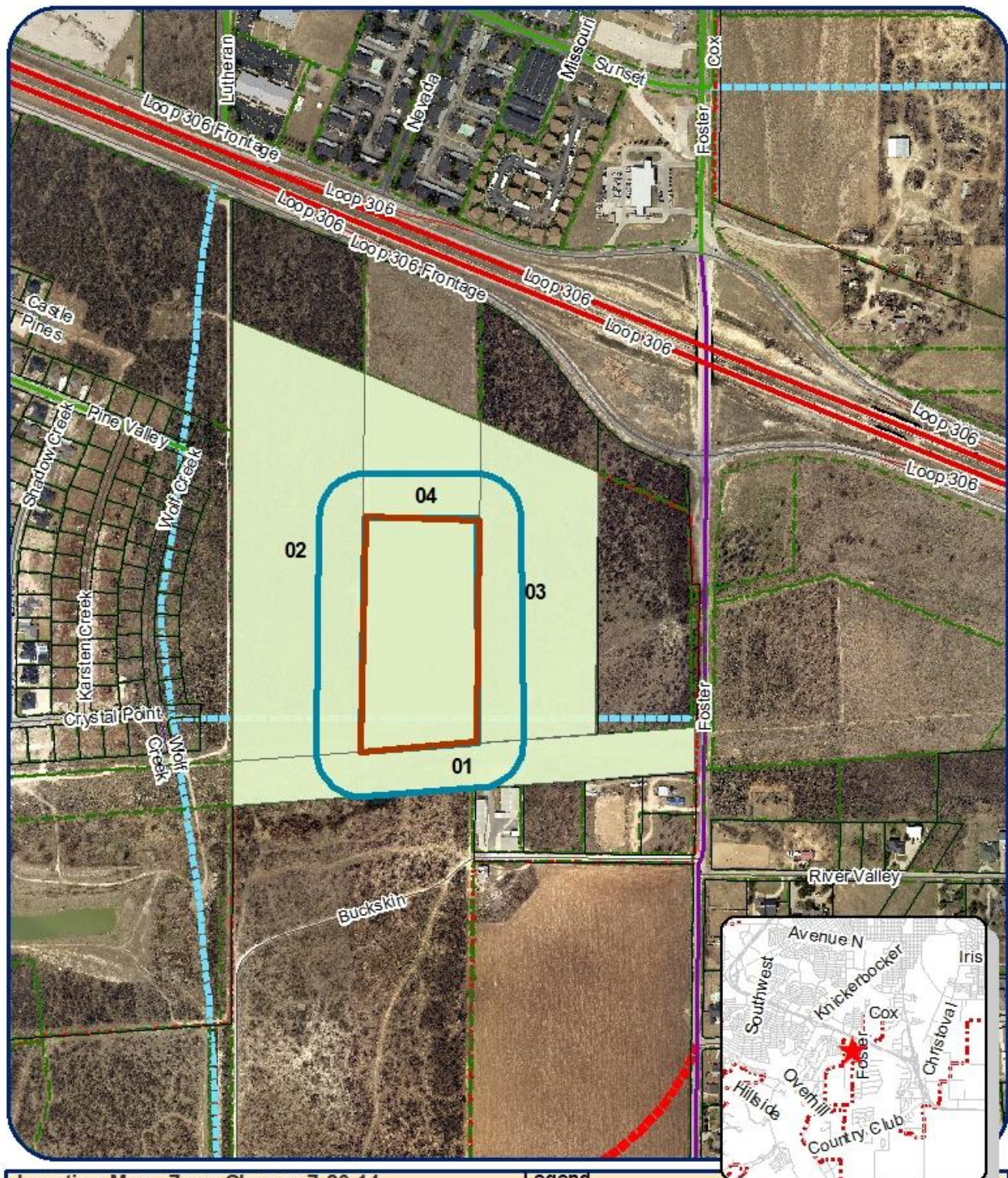
10, 480 acres in C. Berberich Survey No. 177, Abstract No. 52

Legend

Subject Properties:
 Current Zoning: **Un-zoned**
 Requested Zoning Change: **Single Family Residence (RS-1)**
 Vision: **Neighborhood**



Zoning Map



Location Map Zone Change Z-20-14

Old Stone Ranch

Council District 1 - Tommy Hiebert
Neighborhood: Country Club
Scale: 1" approx. = 560 ft

10.480 acres located along south Old Stone Drive

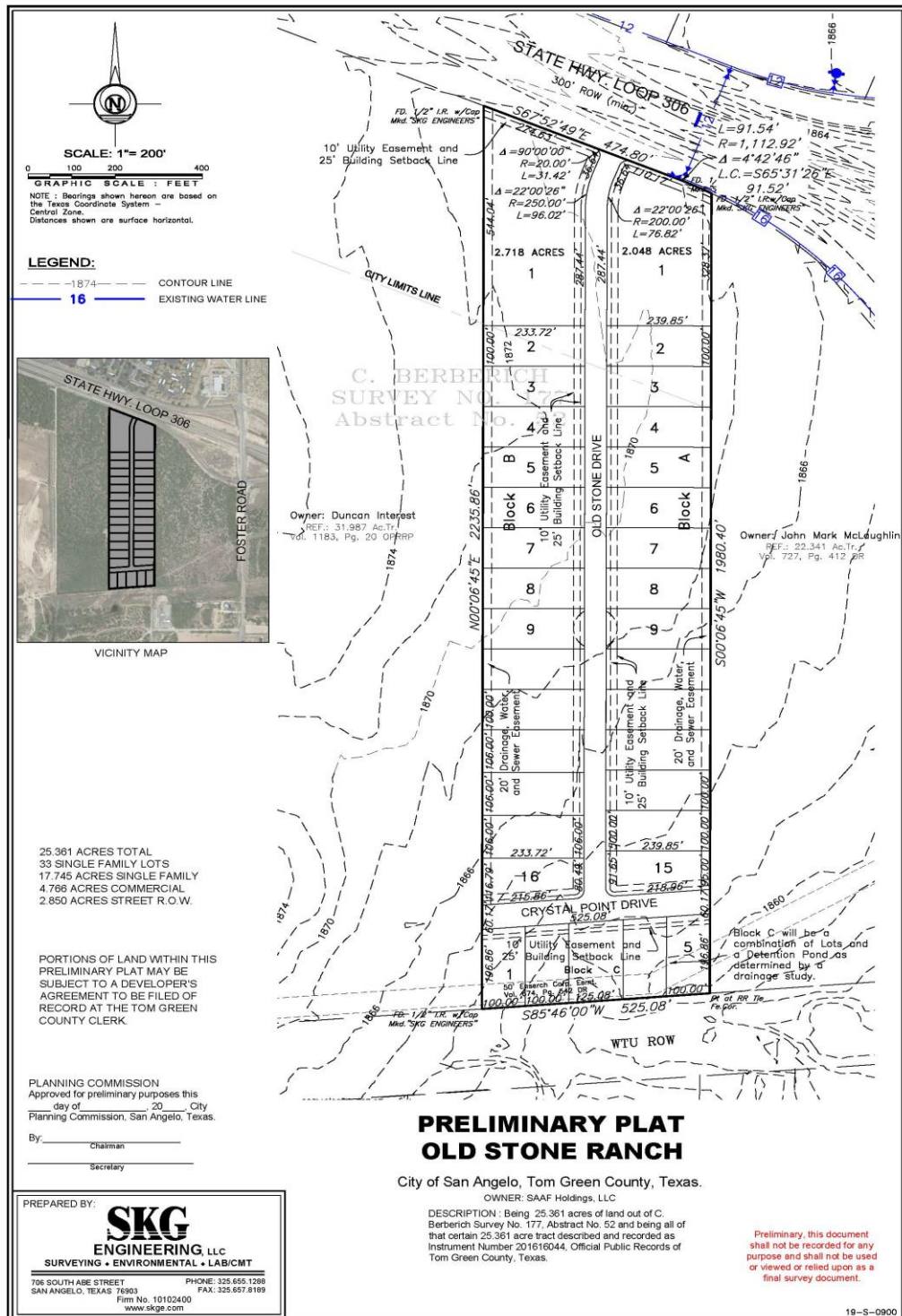
Legend

Subject Properties:
Current Zoning: **Unzoned**
Requested Zoning Change: **RS-1**
Vision: **Neighborhood**

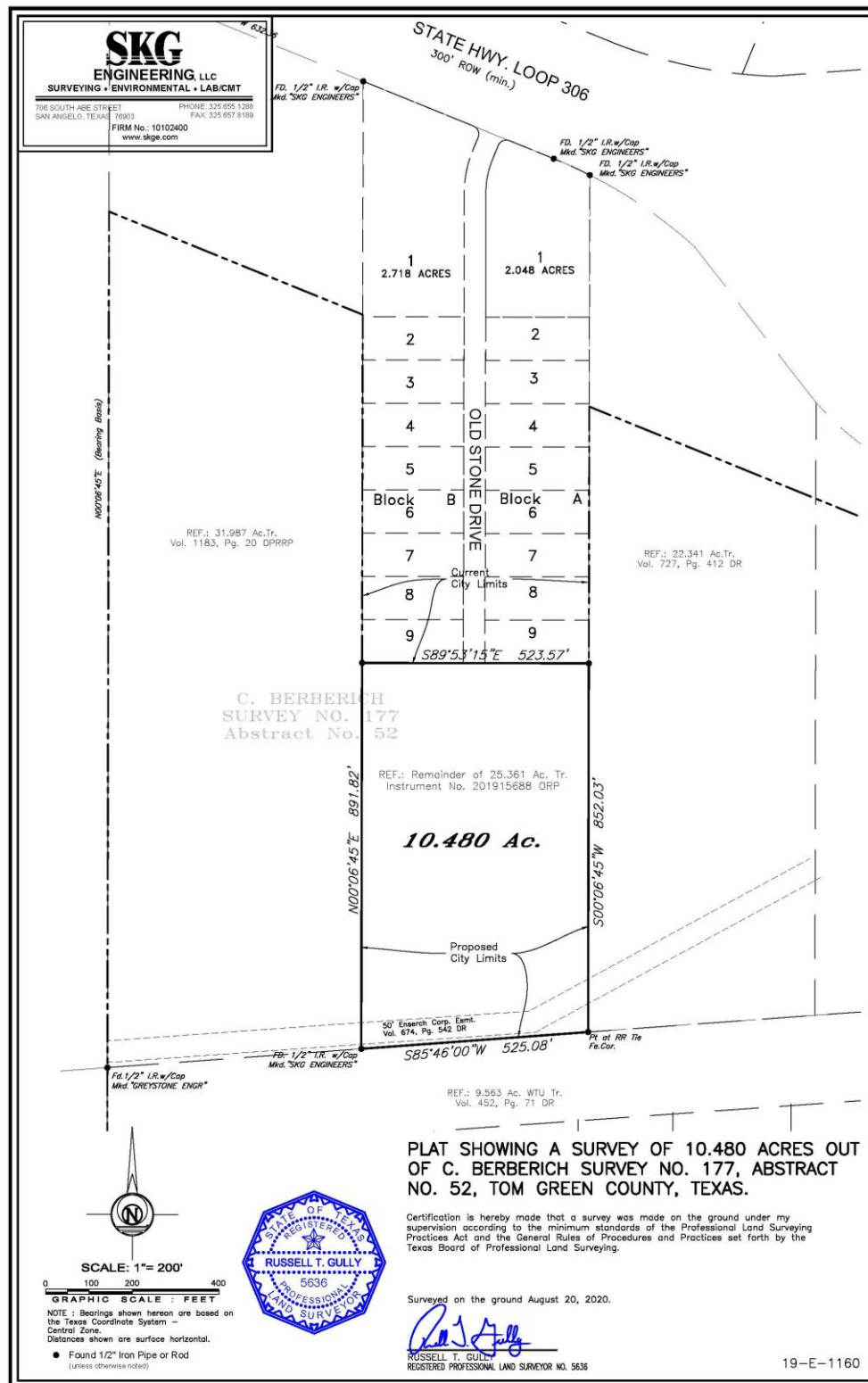
Notification Map



APPROVED PRELIMINARY PLAT 2019



OLD STONE RANCH ANNEXATION SECTION TWO



Photo



Area to the south of existing development road area to AEP easement

Effective January 3, 2017



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

Application for Approval of a Zone Change



645.00

Section 1: Basic Information

Name of Applicant(s): Performance Land & Cattle Co., LLC

☒ Owner ☐ Representative (Notarized Affidavit Required)

P.O. Box 1059 Eldorado Texas 76936

Mailing Address City State Zip Code

325-650-8921 bwdorman@yahoo.com

Contact Phone Number Contact E-mail Address

Old Stone Drive San Angelo Texas 76904

Subject Property Address City State Zip Code

10.480 Acres out of C. Berberich Survey No. 177, Abst. No. 52

Legal Description (can be found on property tax statement or at www.tomgreencad.com)

Existing Zoning: R&E Proposed Zoning: RS-1 Lot size: 10.480 acres

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

Section 2: Site Specific Details

Existing Use of Property: Vacant

*Proposed Use of Property: Residential

*Use separate attachment if necessary

Section 3: Applicant(s) Acknowledgement

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

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

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

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

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

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

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

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

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

Effective January 3, 2017

Section 3 continued : Applicant(s) Acknowledgement

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

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

Bryan Dorman

Owner Name (Print)

Signature

Performance Land & Cattle Co.

Company/Organization (If Applicable)

9-2-2020

Date

RUSSELL GULLEY

Representative Name (Print)

Signature

SKG ENGINEERING

Company/Organization

9.2.2020

Date

FOR OFFICE USE ONLY:

☐ Verified Complete ☐ Verified Incomplete

Date of Application: ____/____/____

Case No.: Z ____ - ____

Fully-dimensional site plan: ☐

Nonrefundable fee: \$ ____

Receipt #: ____ Date paid: ____/____/____

Sign Deposit \$37.50

Receipt #: ____ Date paid: ____/____/____

Affidavit attached?

☐ Yes ☐ No☐ N/A

Applicant's signature on information sheet?

☐ Yes ☐ No

Previous Zone Change Inquiry?

☐ Yes ☐ No

If yes, ZCI case no.: ____ - ____

River Corridor Commission?

☐ Yes ☐ No

If yes, RCC meeting date: ____/____/____

Planning Commission hearing date: ____/____/____

Date notifications due: ____/____/____

City Council hearing date: ____/____/____

Packets due date: ____/____/____

Publication date: ____/____/____

Reviewed/Accepted by: _____

Date: ____/____/____

AN ORDINANCE AMENDING CHAPTER 12, EXHIBIT "A" OF THE CODE OF ORDINANCES, CITY OF SAN ANGELO, TEXAS, WHICH ADOPTS ZONING REGULATIONS, USE DISTRICTS AND A ZONING MAP, IN ACCORDANCE WITH A COMPREHENSIVE PLAN, BY ZONING AND CLASSIFYING THE FOLLOWING PROPERTY: **10.480 ACRES OF LAND OUT OF THE C. BERBERICH SURVEY NO. 177, ABSTRACT NO. 52 TOM GREEN COUNTY, TEXAS, GENERALLY LOCATED WEST OF FOSTER ROAD AND SOUTH ALONG OLD STONE DRIVE**, FROM UNZONED LAND TO THE SINGLE-FAMILY RESIDENTIAL (RS-1) ZONING DISTRICT IN CONNECTION WITH AN ANNEXATION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

Z20-14: Old Stone Ranch, Section Two

WHEREAS, on the 19th day of October, 2020, the Planning Commission for the City of San Angelo in compliance with the City Charter, City ordinance and state law, and after holding a public hearing thereon, caused to be prepared and delivered a report and recommendation to City Council to approve the proposed Single-Family Residential (RS-1) Zoning District; and,

WHEREAS, on the 17th day of November, 2020, City Council held a public hearing on Z20-14, pursuant to published notice, and has considered the application, comments, reports and recommendations of the Planning Commission and staff, public testimony, and other relevant support materials;

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

SECTION 1: The basic zoning ordinance for the City of San Angelo, as enacted by the governing body for the City of San Angelo effective January 4, 2000, and included within Exhibit "A" of Chapter 12 of the Code of Ordinances of the City of San Angelo, and zoning map be and the same are hereby amended to designate the following described property permanently zoned SINGLE-FAMILY RESIDENTIAL (RS-1) Zoning District:

The real property generally located west of Foster Road and south along Old Stone Drive, being 10.480 acres of land out of the C. Berberich Survey No. 177, Abstract No. 52 and H. Zerbach Survey No. 178, Tom Green County, Texas.

SECTION 2: The Director of the Planning & Development Department, or his/her designee, is hereby directed to correct zoning district maps in the office of the Planning

& Development Department, to implement the zoning provision adopted herein, as further depicted on **Exhibit A** of this Ordinance.

SECTION 3: In all other respects, the use of the hereinabove described property shall be subject to all applicable regulations contained in Chapter 12 of the Code of Ordinances for the City of San Angelo, as amended.

SECTION 4. The remaining provisions of Chapter 12 of the Code of Ordinances of the City of San Angelo, Texas, not amended under Sections 1 and 2 of this Ordinance shall remain in full force and effect.

SECTION 5 The terms and provisions of this Ordinance shall be deemed to be severable in that, if any portion of this Ordinance shall be declared to be invalid, the same shall not affect the validity of the other provisions of this Ordinance.

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

INTRODUCED with public hearing on the **17th day of November, 2020**, and finally PASSED, on this the **15th day of December, 2020**.

THE CITY OF SAN ANGELO

Brenda Gunter, Mayor

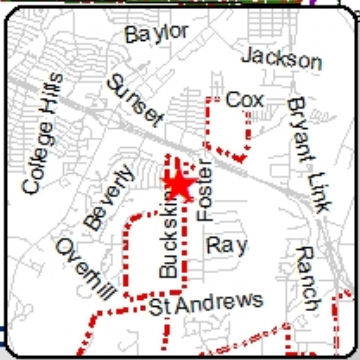
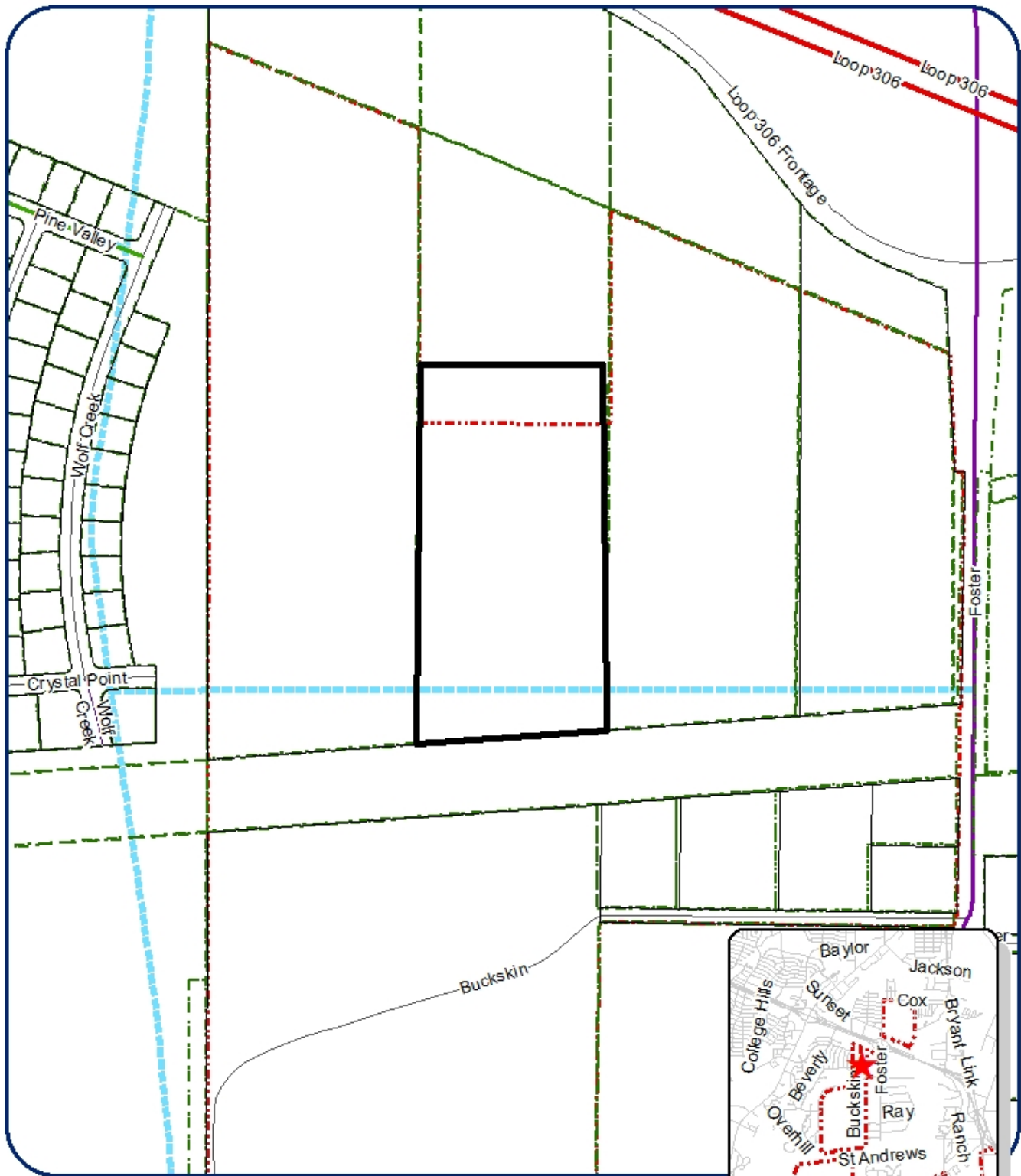
ATTEST:

APPROVED AS TO FORM:

Julia Antilley, City Clerk

Theresa James, City Attorney

EXHIBIT "A"



Location Map Z20-14

Old Stone Ranch

Council District 1 - Tommy Hiebert
Neighborhood: Country Club
Scale: 1" approx. = 350 ft

Legend

Subject Properties: —
Current Zoning: **Un-zoned**
Requested Zoning Change: **Single Family Residence (RS-1)**
Vision: **Neighborhood**



10, 480 acres in C. Berberich Survey No. 177, Abstract No. 52

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Jeff Fisher, Sr. Planner, Planning and Development Services, 325.657.4210

Meeting Date: November 17, 2020

Item type: Regular Item

Caption:

First reading and public hearing of an ordinance approving case Z20-15, zoning property to the Single-Family Residential zoning district in connection with an annexation, being 18.753 acres located east of the intersection of Club House Ln. and Enclave Ct. (Presentation made by Planning & Development Services Director Jon James)

Summary/History:

The applicant has applied to zone portions of unplatted tracts to Single-Family Residential (RS-1) in connection with an annexation request and preliminary subdivision plat. The proposed zoning and annexation would facilitate the construction of 62 new single-family homes as shown within the proposed preliminary plat. The rezoning and annexation are running concurrently on the same timeline so that the properties will be immediately zoned RS-1 upon annexation, facilitating extension of utilities and new home construction.

Financial Impact:

N/A

Other Information/Recommendation:

On October 19, 2020, the Planning Commission recommended APPROVAL of the request to zone the property to the Single-Family Residential (RS-1) Zoning District in connection with an annexation by a unanimous vote of 7-0.

Attachments:

- | | | |
|----|-----------------------|---------------------------|
| 1. | Ordinance (Z20-15) | Ordinance (Z20-15).docx |
| 2. | Staff Report (Z20-15) | Staff Report (Z20-15).pdf |

Presentation:

Jon James

Approvals/Reviews:

Jeff Fisher	Created/Initiated
Hillary Bueker	Approved
Jon James	Approved
Brandon Dyson	Approved
Jon James	Approved
Theresa James	Approved
Julia Antilley	Final Approval

AN ORDINANCE AMENDING CHAPTER 12, EXHIBIT "A" OF THE CODE OF ORDINANCES, CITY OF SAN ANGELO, TEXAS, WHICH ADOPTS ZONING REGULATIONS, USE DISTRICTS AND A ZONING MAP, IN ACCORDANCE WITH A COMPREHENSIVE PLAN, BY ZONING AND CLASSIFYING THE FOLLOWING PROPERTY: **18.753 ACRES OF LAND OUT OF THE C. BERBERICH SURVEY NO. 177, ABSTRACT NO. 52 AND H. ZERBACH SURVEY NO. 178, ABSTRACT NO. 4210, TOM GREEN COUNTY, TEXAS, GENERALLY LOCATED EAST OF ENCLAVE COURT BETWEEN CLUB HOUSE LANE AND LINVILLE LANE**, FROM UNZONED LAND TO THE SINGLE-FAMILY RESIDENTIAL (RS-1) ZONING DISTRICT IN CONNECTION WITH AN ANNEXATION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

Z20-15: Club House Lane (Bentwood C.C., LLC)

WHEREAS, on the 19th day of October, 2020, the Planning Commission for the City of San Angelo in compliance with the City Charter, City ordinance and state law, and after holding a public hearing thereon, caused to be prepared and delivered a report and recommendation to City Council to approve the proposed Single-Family Residential (RS-1) Zoning District; and,

WHEREAS, on the 17th day of November, 2020, City Council held a public hearing on Z20-15, pursuant to published notice, and has considered the application, comments, reports and recommendations of the Planning Commission and staff, public testimony, and other relevant support materials;

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

SECTION 1: The basic zoning ordinance for the City of San Angelo, as enacted by the governing body for the City of San Angelo effective January 4, 2000, and included within Exhibit "A" of Chapter 12 of the Code of Ordinances of the City of San Angelo, and zoning map be and the same are hereby amended to designate the following described property permanently zoned SINGLE-FAMILY RESIDENTIAL (RS-1) Zoning District:

The real property generally located east of Enclave Court between Club House Lane and Linville Lane, being 18.753 acres of land out of the C. Berberich Survey No. 177, Abstract No. 52 and H. Zerbach Survey No. 178, Abstract No. 4210, Tom Green County, Texas.

SECTION 2: The Director of the Planning & Development Department, or his/her designee, is hereby directed to correct zoning district maps in the office of the Planning & Development Department, to implement the zoning provision adopted herein, as further depicted on **Exhibit A** of this Ordinance.

SECTION 3: In all other respects, the use of the hereinabove described property shall be subject to all applicable regulations contained in Chapter 12 of the Code of Ordinances for the City of San Angelo, as amended.

SECTION 4. The remaining provisions of Chapter 12 of the Code of Ordinances of the City of San Angelo, Texas, not amended under Sections 1 and 2 of this Ordinance shall remain in full force and effect.

SECTION 5 The terms and provisions of this Ordinance shall be deemed to be severable in that, if any portion of this Ordinance shall be declared to be invalid, the same shall not affect the validity of the other provisions of this Ordinance.

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

INTRODUCED with public hearing on the **17th day of November, 2020**, and finally PASSED, on this the **15th day of December, 2020**.

THE CITY OF SAN ANGELO

Brenda Gunter, Mayor

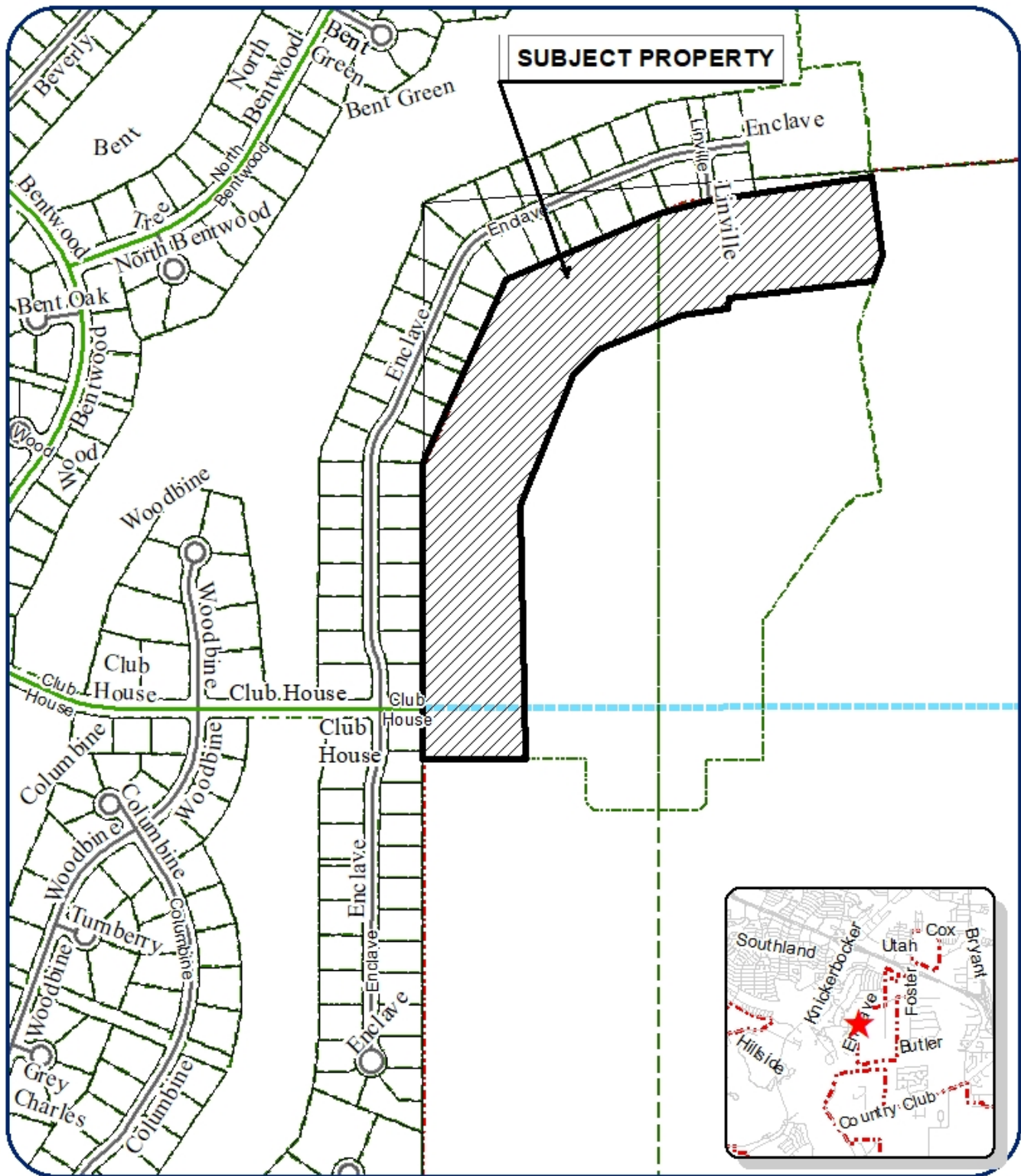
ATTEST:

APPROVED AS TO FORM:

Julia Antilley, City Clerk

Theresa James, City Attorney

EXHIBIT "A"



Zone Change Z20-15

Club House Lane (Bentwood C.C.)

Council District: N/A

Neighborhood: N/A

Scale: 1" approx. = 400 ft

18.753 acres east of Club House Lane and Enclave Court

Legend

Subject Properties:

N/A

Current Zoning:

RS-1

Requested Zoning Change:

Neighborhood

Vision:

Neighborhood

N



CITY COUNCIL – November 17, 2020
STAFF REPORT



APPLICATION TYPE:		CASES:	
Rezoning		Z20-15: Club House Lane (Bentwood C.C., LLC)	
SYNOPSIS:			
The applicant has applied to zone portions of unplatted tracts to Single-Family Residential (RS-1) in connection with an annexation request and preliminary subdivision plat. The proposed zoning and annexation would facilitate the construction of 62 new single-family homes as shown within the proposed preliminary plat. The rezoning and annexation are running concurrently on the same timeline so that the properties will be immediately zoned RS-1 upon annexation, facilitating extension of utilities and new home construction.			
LOCATION:		LEGAL DESCRIPTION:	
East of Club House Lane and Enclave Court		18.753 acres of the C. Berberich Survey No. 177, Abstract No. 52 and H. Zerbach Survey No. 178, Abstract No. 4210	
SM DISTRICT / NEIGHBORHOOD:		ZONING:	FUTURE LAND USE:
SM District: N/A (future: SMD 1-Hiebert) Neighborhood: N/A (future: Country Club)		N/A	Neighborhood
			SIZE:
			18.753 acres
THOROUGHFARE PLAN:			
Future Extension of Club House Lane: Urban Collector Street, Required: 60' right-of-way, 50' pavement; Proposed: 60' right-of-way, 50' pavement Future Extension of Linville Lane & Future Street "A": Urban Local Streets, Required: 50' right-of-way, 40' pavement or 36' with 4' sidewalk; Proposed: 50' right-of-way, 40' pavement			
NOTIFICATIONS:			
29 notifications were mailed within a 200-foot radius of the property on October 7, 2020. Three responses in support from the owner and applicant who owns multiple properties, and one received in opposition.			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of a request to zone a property to the Single-Family Residential (RS-1) Zoning District in connection with an annexation, being 18.753 acres located east of the intersection of Club House Lane and Enclave Court.			
PROPERTY OWNER/PETITIONER:			
Owner: Bentwood C.C. LLC (Kevin Collins) Petitioner: Mr. Russell Gully, P.E., SKG Engineering, LLC			
STAFF CONTACT:			
Jeff Fisher, AICP Principal Planner (325) 657-4210, Extension 1550 jeff.fisher@cosatx.us			

Rezoning: Section 212(G) of the Zoning Ordinance requires that the Planning Commission and City Council consider, at minimum, seven (7) factors in determining the appropriateness of any Rezoning request:

1. **Compatible with Plans and Policies.** **Whether the proposed amendment is compatible with the Comprehensive Plan and any other land use policies adopted by the Planning Commission or City Council.** The proposed RS-1 zoning will be consistent with the Neighborhood Future Land Use in the City's Comprehensive Plan, 2009 Strategic Plan update. The Neighborhood policies call to "promote neighborhood diversity and security by encouraging a mix of age, income, and housing choices within San Angelo neighborhoods." The proposed zoning as indicated will facilitate the construction of 62 new single-family homes consistent with the above policy and serves as an easterly extension of the Bentwood Country Club Estates community. The lots west of Linville Lane will average 60 feet wide by 120 feet long (7,200 square feet in area), approximately 55% smaller in lot area than adjacent Bentwood subdivisions which averaged 100' by 130' (13,000 square feet in area). This will hopefully provide some differentiation in housing prices also consistent with the above policy. The extension of Club House Lane, identified as a future collector street in the City's Master Thoroughfare Plan, will connect to the existing Club House Lane, "continuing using the major street (thoroughfare) plan to promote arterial and collector street connections among new residential subdivisions" consistent with the Neighborhood policies. Finally, while the Parks and Recreation Department has not identified the subject area for a future park, the newly annexed area to be zoned is within a few blocks from the Bentwood Country Club which includes outdoor recreation areas and a golf course, "improving access to open space for all residents" consistent with this Neighborhood policy.
2. **Consistent with Zoning Ordinance.** **Whether and the extent to which the proposed amendment would conflict with any portion of this Zoning Ordinance.** All new lots will comply with the RS-1 zoning standards upon annexation. As indicated, the average lot size west of Linville Lane is 60' x 120' with a minimum lot area of 7,200 square feet, 44% larger than the minimum RS-1 lot area of 5,000 square feet. The lots east of Linville Lane will average 110' x 130', with a minimum lot area of 14,300 square feet, 186% larger than the RS-1 minimum. All lots will be serviced by extension of the existing streets, Club House Lane from the south running east-west, and Linville Lane from the north running north-south. A new local street identified as "Street A" on the associated preliminary plat will connect Club House Lane to Linville Lane, ensuring efficient traffic flow.
3. **Compatible with Surrounding Area.** **Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject land and is the appropriate zoning district for the land.** The proposed single-family homes will be consistent with previous phases of single-family homes in Bentwood Country Club Estates directly to the west. The new lots will be just several blocks from the Bentwood Country Club and greenspace.

4. **Changed Conditions.** *Whether and the extent to which there are changed conditions that require an amendment.* The properties continue to remain vacant and outside the City Limits. The developer has requested annexing the properties into the City Limits and this zone change to facilitate future single-family residential construction upon annexation approval. Since the lots are each under half an acre, they will require extension of existing city water and sewer service. This is achievable as water and sewer were extended immediately to the west of the subject properties in previous phases of Bentwood Country Club Estates.
5. **Effect on Natural Environment.** *Whether and the extent to which the proposed amendment would result in significant adverse impacts on the natural environment, including but not limited to water and air quality, noise, storm water management, wildlife, vegetation, wetlands and the practical functioning of the natural environment.* The properties are not located within a FEMA floodplain or floodway and staff does not anticipate significant adverse effects on the natural environment. There appears to be a slight grade differential of up to four feet as the properties continue to the east although this does not appear significant. A thorough review of grading, drainage, and stormwater will be conducted as part of the preliminary plat and subsequent final plat for this development to address any concerns.
6. **Community Need.** *Whether and the extent to which the proposed amendment addresses a demonstrated community need.* Planning Staff believe there is a demonstrated community need for additional single-family homes in this area. As indicated, the area to be zoned is an easterly extension of the existing Bentwood Country Club Estates community. The new RS-1 zoning will be consistent with the Neighborhood Future Land Use in the City's Comprehensive Plan and facilitate future single-family home construction.
7. **Development Patterns.** *Whether and the extent to which the proposed amendment would result in a logical and orderly pattern of urban development in the community.* The proposed zoning will result in a logical development pattern. Club House Lane, a collector street, will be extended eastward, allowing for future subdivision phases within the associated preliminary plat, and an eventually connection to the Foster Road street extension in the Master Thoroughfare Plan (MTP). This will eventually provide additional transportation routes for residents of Bentwood Country Club Estates through the City. Until then, Staff believes that the new single-family homes will be adequately serviced with the new streets within the zoned area, which have access to Club House Lane and several routes back to Knickerbocker Road.

Planning Commission Recommendation:

On October 19, 2020, the Planning Commission recommended unanimous **APPROVAL** by a vote of 7-0 of a request to zone a property to the Single-Family Residential (RS-1) Zoning District in connection with an annexation, being 18.753 acres located east of the intersection of Club House Lane and Enclave

Court as identified on the attached maps. **The following is the complete excerpt of the draft minutes from the October 19, 2020 meeting for this case:**

Jeff Fisher, Principal Planner, presented the zoning case. He explained that this request is only for the portion of the associated preliminary plat approved earlier this morning subject to annexation, being 18.753 acres. Mr. Fisher explained the new zoning would allow 62 single-family homes within the zoning boundary. He explained that most of the lots will be under half an acre but should be able to connect to city water and sewer mains. He indicated that of the 29 notices mailed, he did not receive any responses. Mr. Fisher then outlined Staff's recommendation to approve the proposed zoning on the grounds that the RS-1 zone will be compatible with the Neighborhood Future Land Use which supports the different lot sizes ranging from 7,200 square feet to 20,000 square feet; that the RS-1 zone is a logical extension of the adjacent Bentwood subdivisions of single-family homes; and that the zoning is consistent with current development patterns, providing a logical extension of surrounding streets. He noted that future phases of Bentwood Country Club Estates to the east will eventually connect Club House Lane to the Buckskin Road/Foster Road future extension allowing a second access to the development.

Chair Stribling opened public comment.

Russell Gully, SKG Engineering, representing the applicant, asked that the Planning Commission approve the new zoning and that he was available for questions.

Chair Stribling closed public comment.

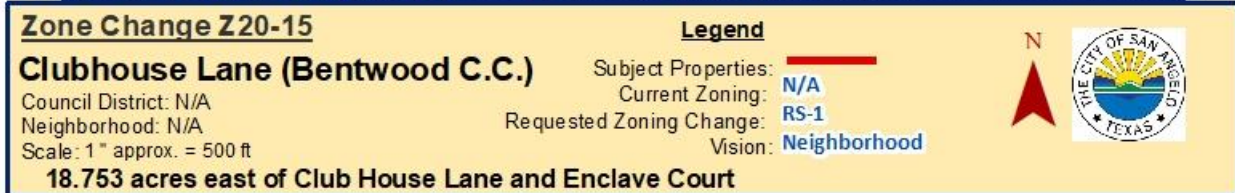
Commissioner Davis made a motion to RECOMMEND APPROVAL to zone a property to the Single-Family Residential (RS-1) Zoning District in connection with an annexation, being 18.753 acres located east of the intersection of Club House Lane and Enclave Court. Vice Chair Jackson seconded the motion. The motion carried unanimously 7-0.

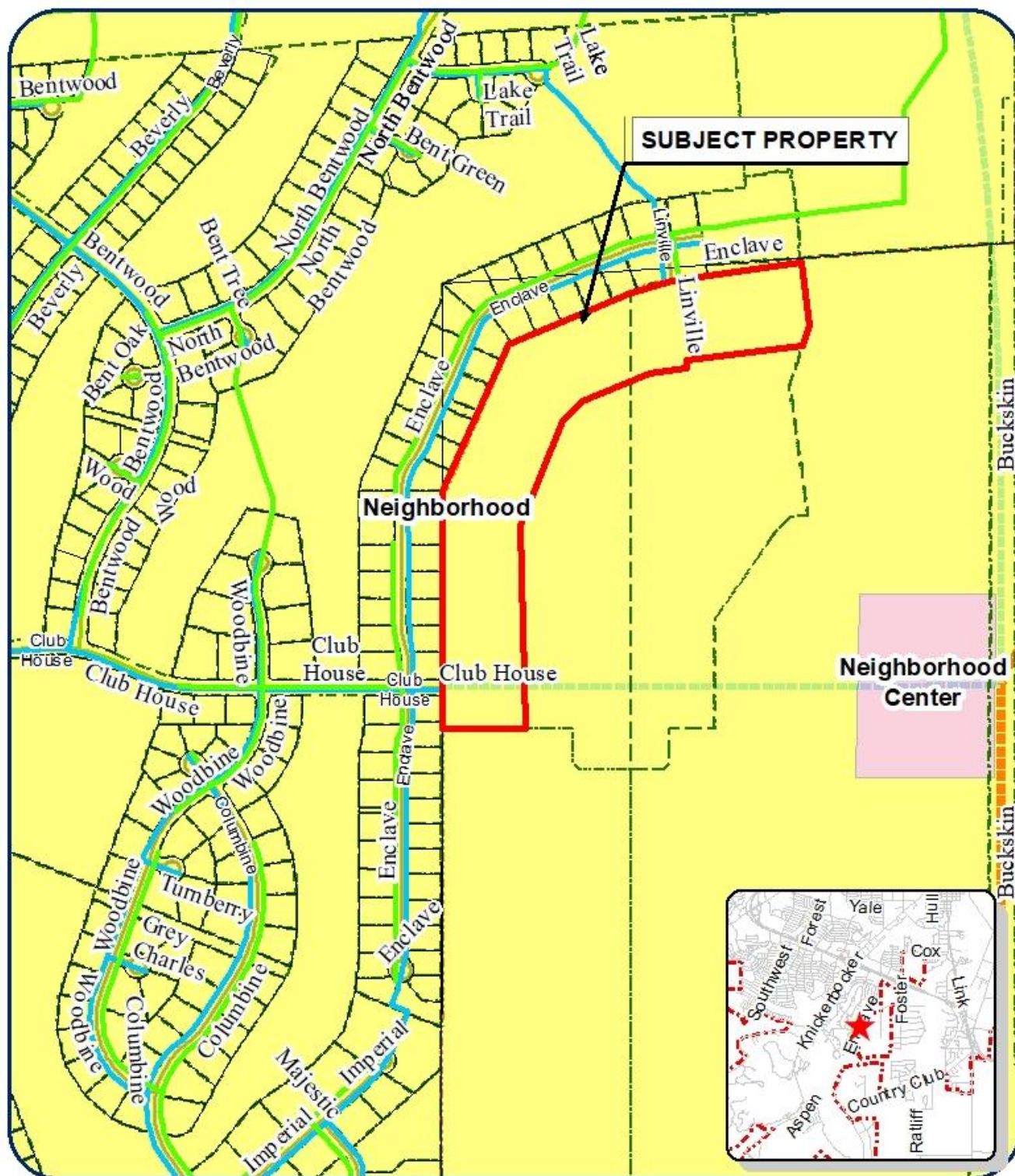
Recommendation:

Staff's recommendation is for City Council to **APPROVE** a request to zone a property to the Single-Family Residential (RS-1) Zoning District in connection with an annexation, being 18.753 acres located east of the intersection of Club House Lane and Enclave Court.

Attachments:

Aerial Map
Future Land Use Map
Zoning Map
Photographs
Resident Letters
Zone Change Exhibit
Preliminary Plat Exhibit
Application





Zone Change Z20-15

Clubhouse Lane (Bentwood C.C.)

Council District: N/A

Neighborhood: N/A

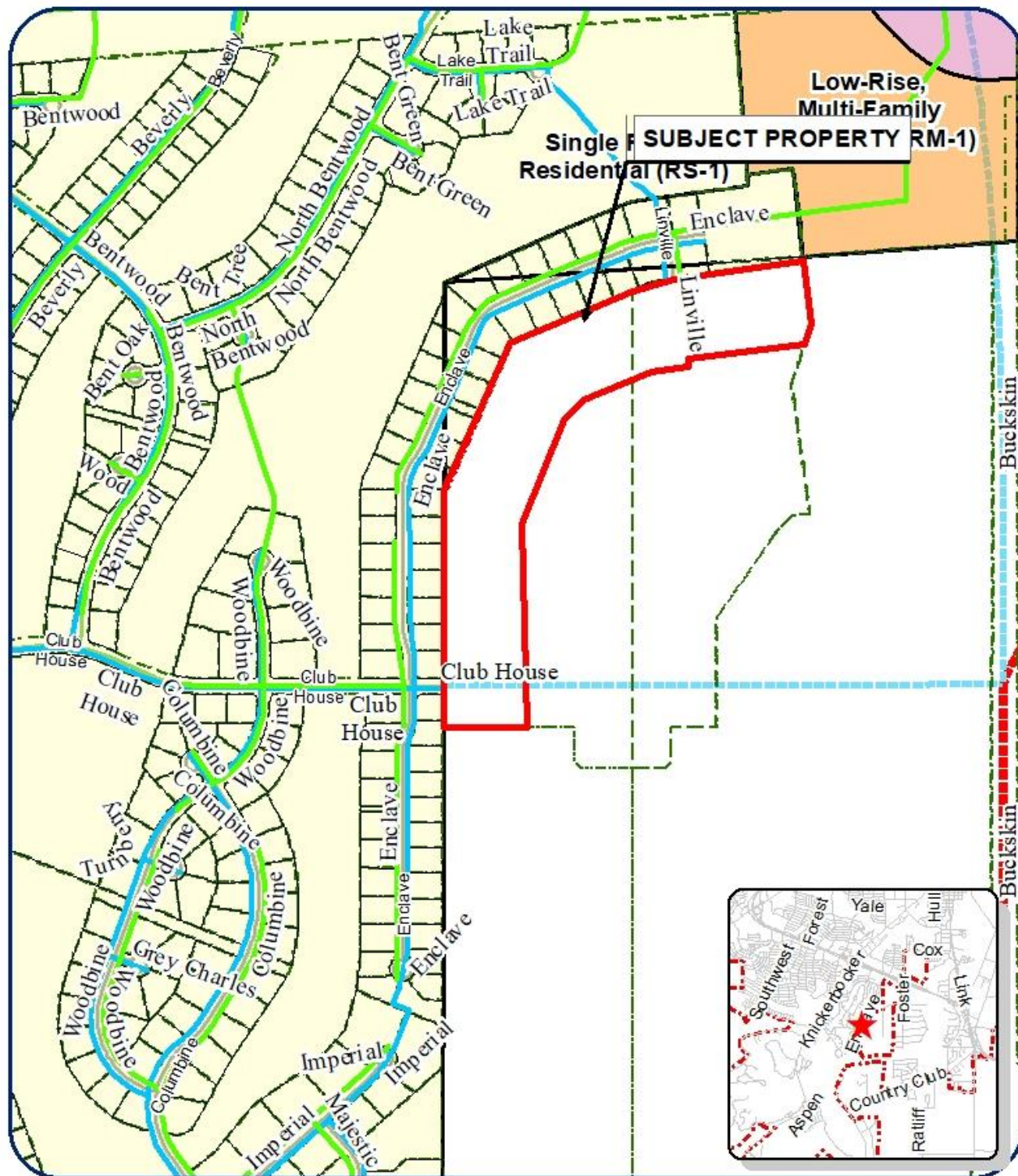
Scale: 1" approx. = 500 ft

18.753 acres east of Club House Lane and Enclave Court

Legend

Subject Properties: —
Current Zoning: N/A
Requested Zoning Change: RS-1
Vision: Neighborhood





Zone Change Z20-15

Clubhouse Lane (Bentwood C.C.)

Council District: N/A

Neighborhood: N/A

Scale: 1" approx. = 500 ft

18.753 acres east of Club House Lane and Enclave Court

Legend

Subject Properties: —
 Current Zoning: N/A
 Requested Zoning Change: RS-1
 Vision: Neighborhood



Photos of Site and Surrounding Area

FUTURE EXTENSION OF CLUB HOUSE LANE



FUTURE EXTENSION OF LINVILLE LANE



NORTH ON ENCLAVE COURT AT CLUB HOUSE LN.



NORTH ON ENCLAVE COURT



SOUTH ON ENCLAVE COURT



NORTH ON ENCLAVE COURT AT LINVILLE LN



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

(X)

IN FAVOR

()

IN OPPOSITION

REASON(S) _____

NAME: Kevin Collins

ADDRESS: 2111 Clubhouse Lane
San Angelo, Texas 76901

SIGNATURE: _____



Z20-15: Club House Lane

property owner number: 2

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

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

☒) IN FAVOR () IN OPPOSITION
REASON(S) _____

NAME: Kevin Collins

ADDRESS: 2111 Clubhouse Lane
San Angelo, Texas 76904

SIGNATURE: [Signature]

Z20-15: Club House Lane

property owner number: 3

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

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

(☒)

IN FAVOR

()

IN OPPOSITION

REASON(S)

NAME:

ADDRESS:

SIGNATURE:

Z20-15: Club House Lane

property owner number:

4

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

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

() IN FAVOR

(X) IN OPPOSITION

REASON(S) INCREASE IN construction traffic on a
neighborhood street! INCREASE IN NOISE!
MORE TRASH AND DUST DUE TO THE construction.
Possible disruption of water and electric service
to connect new subdivision.

NAME: TERRY PRICER

ADDRESS: 5449 ENCLAVE CT
SAN ANGELO, TX

SIGNATURE: T Pricer

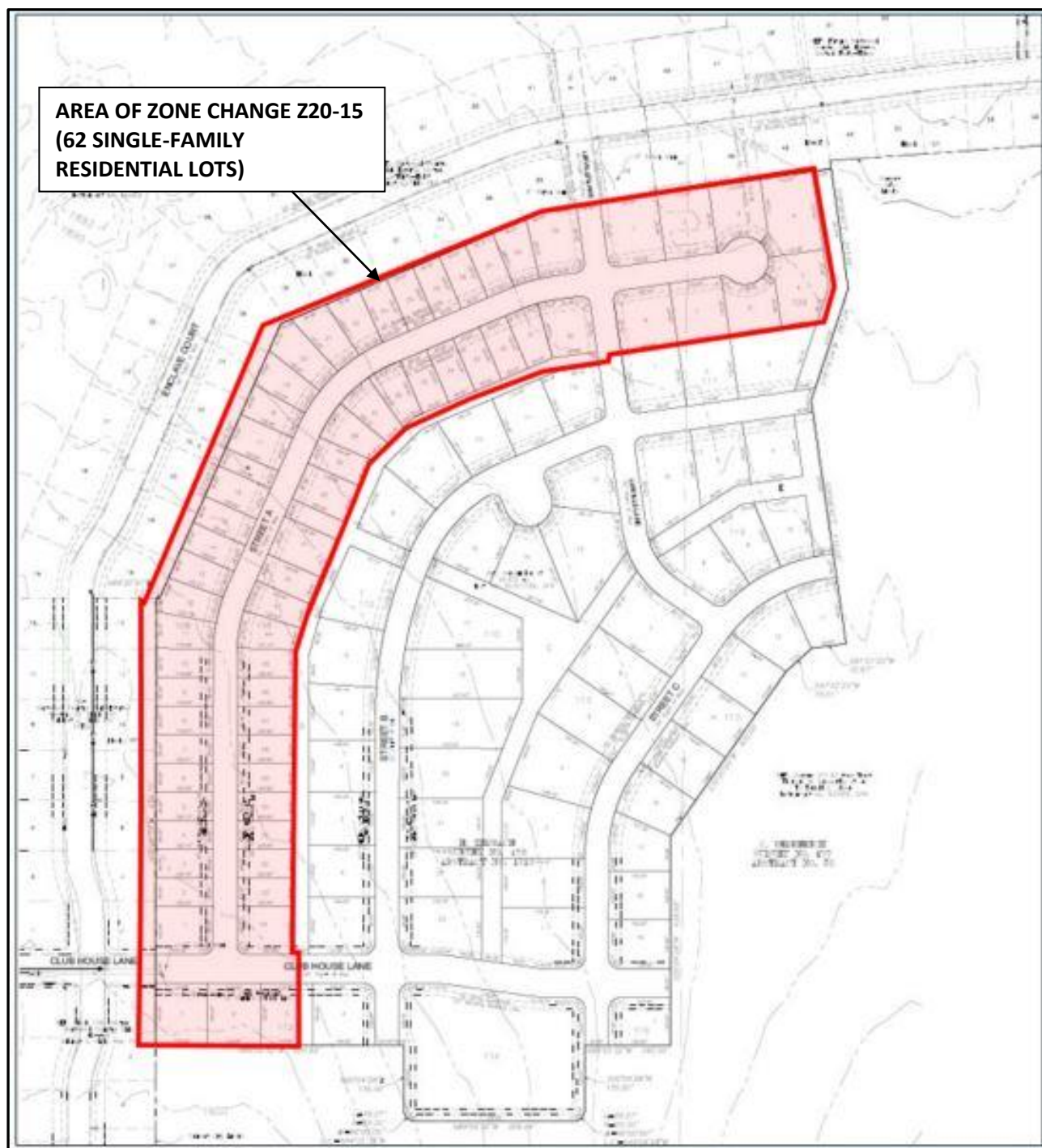
Z20-15: Club House Lane

property owner number: 19

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



**AREA OF ZONE CHANGE Z20-15
(62 SINGLE-FAMILY
RESIDENTIAL LOTS)**



Effective January 3, 2017

	City of San Angelo, Texas – Planning Division 52 West College Avenue	
Application for Approval of a Zone Change		
Section 1: Basic Information		
Name of Applicant(s): <u>Bentwood C.C. L.L.C.</u>		
☒ Owner ☐ Representative (Notarized Affidavit Required)		
2111 Club House Lane Mailing Address 325-374-7023	San Angelo City bentwoodtennis@cs.com Contact E-mail Address San Angelo City	Texas 76904 State Zip Code Texas 76904 State Zip Code
Contact Phone Number Clubhouse Lane Subject Property Address 18.753 acres out of Abst: A-4210 S-0178, Survey: H ZERBACH and Abst: A-0052 S-0177, Survey: C BERBERICK		
Legal Description (can be found on property tax statement or at www.lorngreencad.com)		
Existing Zoning: <u>R&E</u> Proposed Zoning: <u>RS-1</u> Lot size: <u>18.753 acres</u>		
(Zoning Map available on City Maps)		
Section 2: Site Specific Details		
Existing Use of Property: <u>Vacant</u>		
*Proposed Use of Property: <u>Residential</u>		
*Use separate attachment if necessary		
Section 3: Applicant(s) Acknowledgement (By checking the boxes you indicate that you understand below rules and regulations for the Planning Commissions case.)		
☒ An application for a zone change on a property may only be made by the owner of that property, an authorized representative of the property owner, the Planning Director, the Planning Commission or City Council. An authorized representative shall present a notarized affidavit from the property owner.		
☒ No application will be processed if a zoning violation exists on the property, unless such processing is authorized by City Council. Use of the subject property for any new activity (not allowed by present zoning) cannot occur before City Council's approval of the requested zone change. Any such unauthorized use of the subject property is subject to prosecution in Municipal Court.		
☒ If approved, a zone change is applied to the property, not the property owner.		
☒ The Planning Commission makes recommendations to City Council. If the Planning Commission recommends approval of a zone change request, the case must still go before City Council for final action.		
☒ If a zone change request is granted by City Council, permits for building construction and/or utility connection may be obtained from the City's Permits and Inspections Department.		
☒ Certain minimum building setbacks from some or all property lines must be maintained, and room for a minimum number of off-street parking spaces must be reserved on a subject property, based on that property's zoning classification and the nature of its proposed use. A privacy fence may also be required between more restrictive and less restrictive zoning districts. These requirements are outlined in San Angelo's Zoning Ordinance. It is to the applicant's benefit to make sure that any proposed development will fit onto the subject property, in compliance with these and other applicable requirements of the City's Code of Ordinances.		
☒ One or more notice sign(s) will be placed on the subject property by the Planning Department. However, it is the applicant's responsibility to ensure that the notice sign(s) has/have been posted at least ten (10) days prior to the Planning Commission meeting. If notice sign(s) is/are not posted accordingly, City Council may delay a request. The Planning Department will also notify, in writing, owners of property within 200-feet of the subject property of the zone change request.		
☒ If the Planning Commission recommends denial of a request, the applicant will have ten (10) days to appeal this decision, in writing, to the City Council. If an appeal is made within three (3) days from the Planning Commission meeting, no re-notification fee will be required. Otherwise, there will be a nonrefundable \$35 fee to re-notify owners of nearby property of City Council's public hearing date. If Planning Commission's recommendation of denial is not appealed, it will be the final action on a request.		

Effective January 3, 2017

Section 3 continued : Applicant(s) Acknowledgement

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

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

Kevin Collins

Signature

Bentwood C.C. L.L.C.

Company/Organization (If Applicable)

9-2-2020

Date

Owner Name (Print)

Russell Galey

Signature

SKG

Company/Organization

9.4.2020

Date

Representative Name (Print)

FOR OFFICE USE ONLY:

☐ Verified Complete ☐ Verified Incomplete

Date of Application: ____/____/____

Case No.: Z ____ -- ____

Fully-dimensional site plan: ☐

Nonrefundable fee: \$ ____

Receipt #: ____ Date paid: ____/____/____

Sign Deposit \$37.50

Receipt #: ____ Date paid: ____/____/____

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

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

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

Planning Commission hearing date: ____/____/____ Date notifications due: ____/____/____

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

Publication date: ____/____/____

Reviewed/Accepted by: _____ Date: ____/____/____

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Shelly Paschal, Planner, Planning and Development Services, 325-657-4210

Meeting Date: November 17, 2020

Item type: Regular Item

Caption:

First reading and public hearing of an ordinance approving case Z20-17, zoning property to the Single-Family Residential zoning district in connection with an annexation, being 18.325 acres located west of the intersection of Dominion Ridge and Coral Way (Presentation made by Planning & Development Services Director Jon James)

Summary/History:

The applicant has applied to zone portions of unplatted tracts to Single-Family Residential (RS-1) in connection with an annexation request and preliminary subdivision plat. The proposed zoning and annexation would facilitate the construction of 51 new single-family homes as shown within the proposed preliminary plat. The rezoning and annexation are running concurrently on the same timeline so that the properties will be immediately zoned RS-1 upon annexation, facilitating extension of utilities and new home construction.

Financial Impact:

N/A

Other Information/Recommendation:

On October 19, 2020, the Planning Commission recommended APPROVAL of the request to zone the property to the Single-Family Residential (RS-1) Zoning District in connection with an annexation by a unanimous vote of 7-0.

Attachments:

- | | | |
|----|------------------------|----------------------------|
| 1. | Z20-17_CC_Staff Report | Z20-17_CC_Staff Report.pdf |
| 2. | Z20-17_Ordinance | Z20-17_Ordinance.pdf |

Presentation:

Jon James

Approvals/Reviews:

Shelly Paschal	Created/Initiated
Hillary Bueker	Approved
Jon James	Approved
Brandon Dyson	Approved
Jon James	Approved
Theresa James	Approved
Julia Antilley	Final Approval

CITY COUNCIL – November 17th & December 1st 2020
STAFF REPORT



APPLICATION TYPE:		CASES:	
Rezoning		Z20-17: Dominion Ridge (The Meridian Annexation)	
SYNOPSIS:			
The applicant has applied to zone portions of unplatted tracts to Single-Family Residential (RS-1) in connection with an annexation request and preliminary subdivision plat. The proposed zoning and annexation would facilitate the construction of 51 new single-family homes as shown within the proposed preliminary plat. The rezoning and annexation are running concurrently on the same timeline so that the properties will be immediately zoned RS-1 upon annexation, facilitating extension of utilities and new home construction.			
LOCATION:		LEGAL DESCRIPTION:	
East of Dominion Ridge and Coral Way		Being 18.325 acres of the a Willeke Survey-0008, Abstract-8108	
SM DISTRICT / NEIGHBORHOOD:		ZONING:	FUTURE LAND USE:
SMD District: N/A (future: Billie Dewitt #6) Neighborhood: N/A (future: Bonham)		N/A	Neighborhood
			SIZE:
			18.325 acres
THOROUGHFARE PLAN:			
Future Extension of Royal Oak: Urban Collector Street, Required: 60' right-of-way, 50' pavement; Proposed: 60' right-of-way, 50' pavement Future Extension of Dominion Ridge: Urban Local Street, Required: 50' right-of-way, 40' pavement or 36' with 4' sidewalk; Proposed: 50' right-of-way, 40' pavement Future Street "A" & Meridian Drive – Urban Local Street, Required: 50' right-of-way, 40' pavement or 36' with 4' sidewalk; Proposed: 50' right-of-way, 40' pavement			
NOTIFICATIONS:			
20 notifications were mailed within a 200-foot radius of the property on October 8, 2020. No response was received in favor, none against to date.			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of a request to zone a property to the Single-Family Residential (RS-1) Zoning District in connection with an annexation, being 18.325 acres located west of the intersection of Dominion Ridge and Coral Way.			
PROPERTY OWNER/PETITIONER:			
Owner: Danny Aguerro; Sierra Vista Construction, Inc.			
Petitioner: Mr. Russell Gully; SKG Engineering, LLC			
STAFF CONTACT:			
Shelly Paschal Planner (325) 657-4210, Extension 1533 shelly.paschal@cosatx.us			

Additional Information:

There is currently an annexation petition for 18.325 acres of land, generally located west of the intersection of Dominion Ridge and Coral Way. Currently, this is a request for approval of a rezoning (Z20-17) from previous unzoned property due to being outside of the City Limits to the Single-Family Residential (RS-1) Zoning in connection with an annexation. This annexation and zoning will allow for a plat currently proposed to create 51 new single-family lots. However, there is also a request for approval of a Preliminary plat for The Meridian, being 33.045 acre tract out of the Willeke Hudson Limit Partnership. Therefore, even though currently the annexation will be 18.325 acres, in the future years there is a possibility of an additional abutting 14.72 acres to consider (total 33.045 acres) and an additional 44 single-family home lots bringing the total to 95 lots, at least per the currently proposed Preliminary Plat).

Rezoning: Section 212(G) of the Zoning Ordinance requires that the Planning Commission and City Council consider, at minimum, seven (7) factors in determining the appropriateness of any Rezoning request:

1. **Compatible with Plans and Policies.** **Whether the proposed amendment is compatible with the Comprehensive Plan and any other land use policies adopted by the Planning Commission or City Council.** The proposed RS-1 zoning will be consistent with the Neighborhood Future Land Use in the City's Comprehensive Plan, 2009 Strategic Plan update. The Neighborhood policies call to "promote neighborhood diversity and security by encouraging a mix of age, income, and housing choices within San Angelo neighborhoods." The proposed rezoning as indicated will facilitate the construction of 51 new single-family homes consistent with the above policy. The lots will average 80 feet wide by 130-150 feet long, which is a little larger than most properties in this area of town. This will hopefully provide some differentiation in housing prices also consistent with the above policy. The extension of Royal Oak, identified as a future collector street in the City's Master Thoroughfare Plan, will connect to the existing Royal Oak, "continuing using the major street (thoroughfare) plan to promote arterial and collector street connections among new residential subdivisions" consistent with the Neighborhood policies.
2. **Consistent with Zoning Ordinance.** **Whether and the extent to which the proposed amendment would conflict with any portion of this Zoning Ordinance.** All of the proposed new lots will comply with the RS-1 zoning standards upon annexation. As indicated, the average lot size is 60' x 130-150' with a minimum lot area, which meets the minimum RS-1 lot area of 5,000 square feet. The lots will be serviced by extension of the existing streets, Dominion Ridge, Royal Oak from the east running west, and Meridian Drive and Street "A" running north-south. A new local street identified as Meridian Drive and "Street A" on the associated preliminary plat will connect Royal Oak to Dominion Ridge, ensuring efficient traffic flow.

3. **Compatible with Surrounding Area.** *Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject land and is the appropriate zoning district for the land.* This area of San Angelo is exclusively residential. The proposed single-family development will be consistent with previous phases with single-family homes in this area directly to the east.
4. **Changed Conditions.** *Whether and the extent to which there are changed conditions that require an amendment.* The properties continue to remain vacant and outside the City Limits. The developer has requested annexing the properties into the City Limits and has concurrently requested this zoning to facility future single-family residential construction upon annexation approval. Since the lots are under 0.5 acre, they will require extension of existing city water and sewer service. This is achievable as water and sewer were already extended to the edge of the subject properties to the east.
5. **Effect on Natural Environment.** *Whether and the extent to which the proposed amendment would result in significant adverse impacts on the natural environment, including but not limited to water and air quality, noise, storm water management, wildlife, vegetation, wetlands and the practical functioning of the natural environment.* A thorough review of grading, drainage, and stormwater will be conducted as part of the preliminary plat and subsequent final plat for this development to address any concerns. The properties are not located within a FEMA floodplain or floodway and staff does not anticipate significant adverse effects on the natural environment.
6. **Community Need.** *Whether and the extent to which the proposed amendment addresses a demonstrated community need.* Planning Staff believe there is a demonstrated community need for additional single-family homes in this area. As indicated, the area to be zoned is an extension of the existing neighborhood. The new RS-1 zoning will be consistent with the Neighborhood Future Land Use in the City's Comprehensive Plan and facilitate future single-family home construction.
7. **Development Patterns.** *Whether and the extent to which the proposed amendment would result in a logical and orderly pattern of urban development in the community.* The proposed zoning will result in a logical and orderly development pattern. Royal Oak, a collector street, will be extended westward, allowing for future subdivision phases within the associated preliminary plat, and an eventually connection to Pinon Ridge (future minor collector road), which will extend to Highway 67 in the Master Thoroughfare Plan (MTP). This will eventually provide additional transportation routes for residents of Southland area. Until then, Staff believes that the new single-family homes will be adequately serviced with the new streets within the zoned area.

Planning Commission Recommendation:

On October 19, 2020, the Planning Commission recommended **APPROVAL by a vote of 7-0** to zone a property to the single-Family Residential (RS-1) Zoning District in connection with an annexation on 18.325 acres located west of the intersection of Dominion Ridge and Coral Way. The following is the complete excerpt of the draft minutes from the October 19, 2020, meeting for this case:

2. Rezoning

City Council has final authority for approval of Rezoning.

E. Z20-17: Dominion Ridge Drive

A request to zone a property to the Single-Family Residential (RS-1) Zoning District in connection with an annexation, on 18.325 acres located west of the intersection of Dominion Ridge and Coral Way.

Shelly Paschal, Planner, presented the zoning case. She explained that the property being zoned to RS-1 is associated with an annexation for this area and the Meridian preliminary plat for 51 single-family home lots which the Planning Commission approved earlier this morning. Mrs. Paschal indicated that of the 20 notices that were mailed, Staff did not receive any responses. She then outlined Staff's recommendation to approve the zoning on the grounds that the zoning to RS-1 is consistent with the Neighborhood Future Land Use; that the new lots will comply with the RS-1 zoning standards; that the lots will be serviced by the extension of streets; that the new zoning is compatible with surrounding area which is already single-family homes; and that the lots are currently vacant and are now being annexed into the City. Mrs. Paschal noted that the lots are each under half an acre and will require water and sewer extensions but that these services are available directly east of the properties.

Chair Stribling opened public comment.

Mr. Russell Gully, the representative, indicated that he would ask that the Commission approve this request.

Chair Stribling closed public comment.

Commissioner Davis made a motion to RECOMMEND APPROVAL to zone a property to the Single-Family (RS-1) Zoning District in connection with an annexation, on 18.325 acres located west of the intersection of Dominion Ridge and Coral Way. Commissioner Jackson seconded the motion. The motion to RECOMMEND APPROVAL of the zoning carried unanimously 7-0.

Recommendation:

Staff's recommendation is for City Council to: **APPROVE** a request to zone a property to the Single-Family Residential (RS-1) Zoning District in connection with an annexation, being 18.325 acres

located west of the intersection of Dominion Ridge and Coral Way.

Attachments:

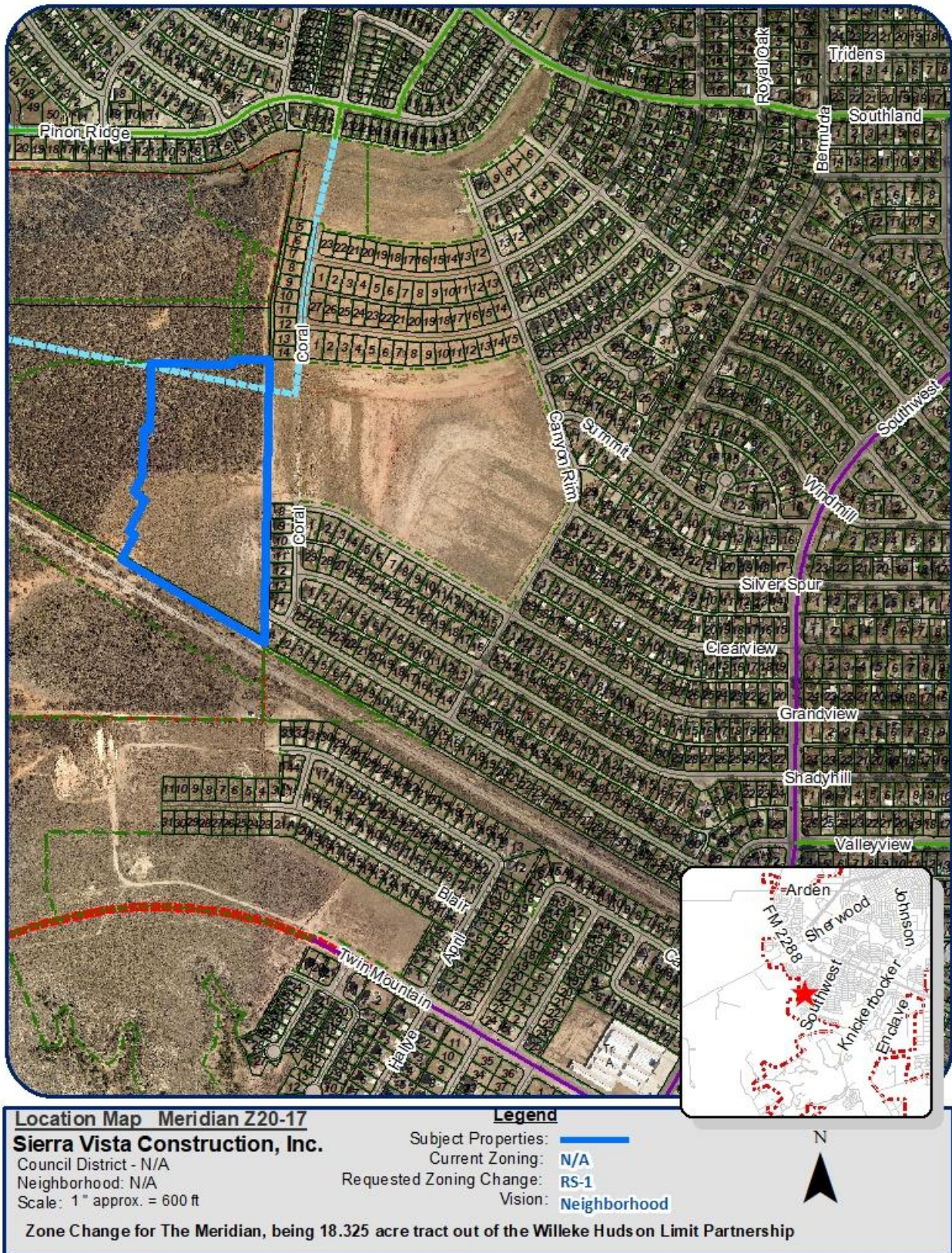
Aerial Map

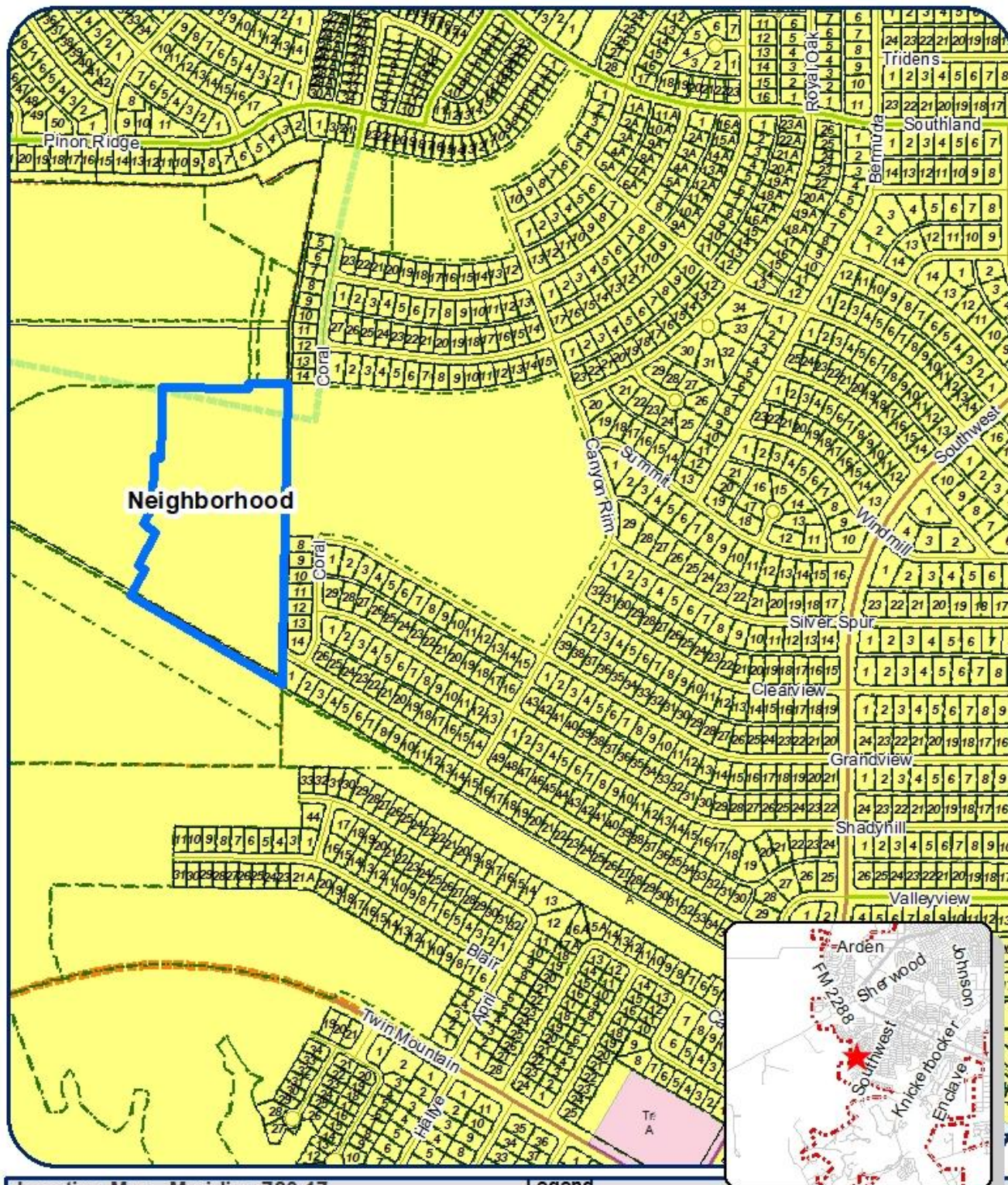
Future Land Use Map

Zoning Map

Photos

Current Proposed Annexation and Prelim Plat
Application





Location Map Meridian Z20-17

Sierra Vista Construction, Inc.

Council District - N/A

Neighborhood: N/A

Scale: 1" approx. = 600 ft

Legend

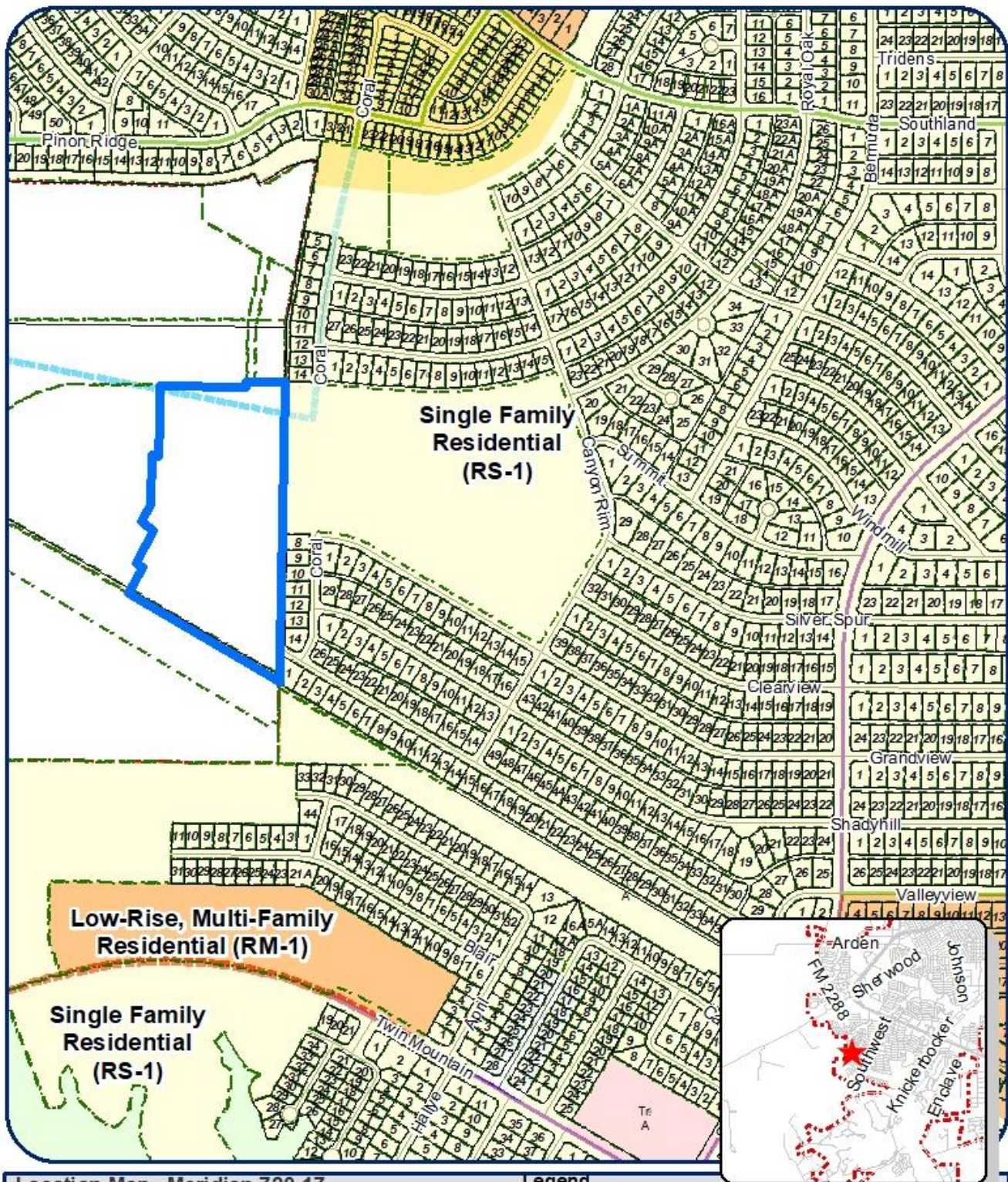
Subject Properties:

Current Zoning: N/A

Requested Zoning Change: RS-1

Vision: Neighborhood

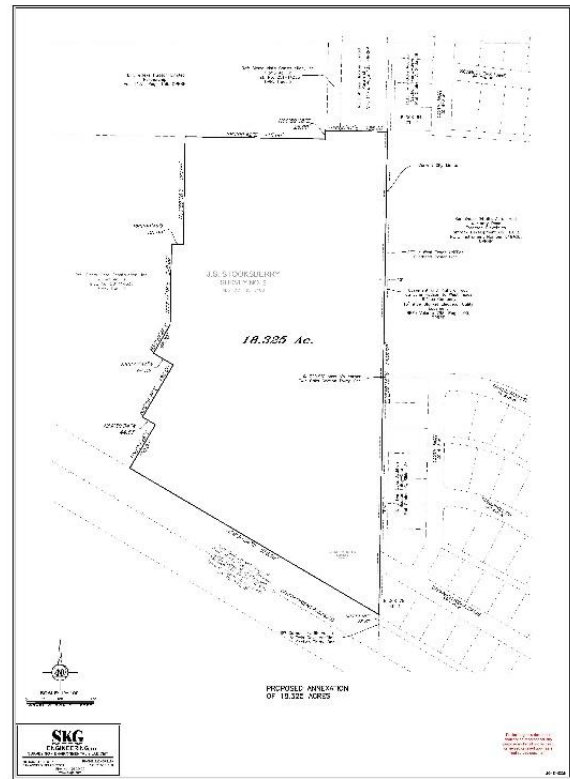
Zone Change for The Meridian, being 18.325 acre tract out of the Willeke Hudson Limit Partnership



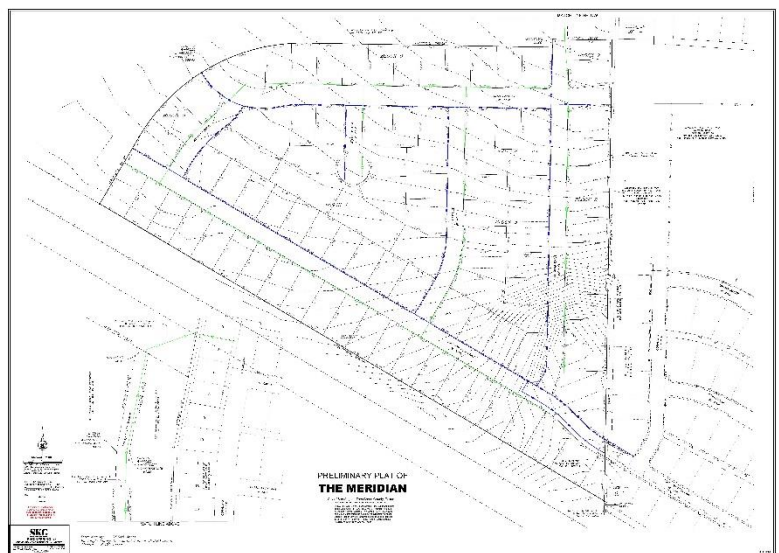
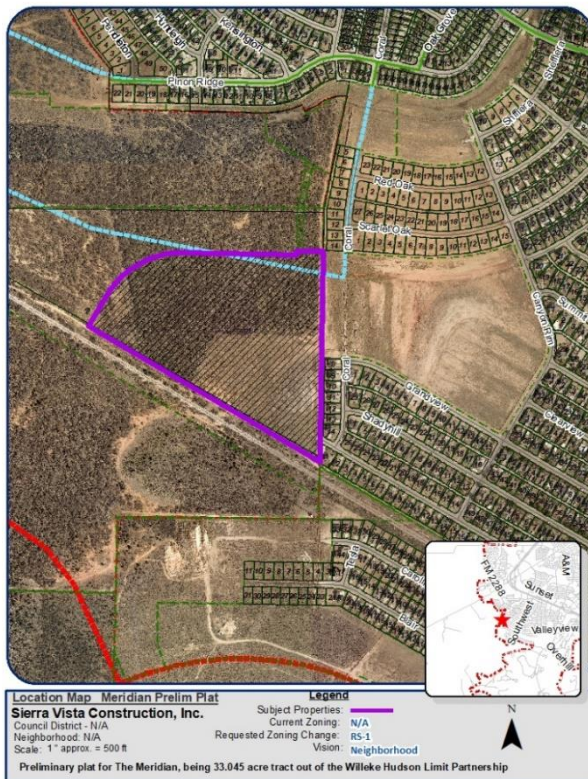
Subject property



CURRENT PROPOSED ANNEXATION AREA



CURRENT PROPOSED PRELIMINARY PLAT AREA



Effective January 3, 2017

	City of San Angelo, Texas – Planning Division 52 West College Avenue Application for Approval of a Zone Change	
Section 1: Basic Information		
Name of Applicant(s): <u>Sierra Vista Construction, Inc.</u>		
☒ Owner ☐ Representative (Notarized Affidavit Required)		
5946 Tarin Street	San Angelo	Texas
Mailing Address	City	State
325-212-9257	sierravistaconstruction@lives.com	
Contact Phone Number	Contact E-mail Address	
Dominion Ridge Drive	San Angelo	Texas
Subject Property Address	City	State
		76904
33.045 acres out of Abst: A-8108 S-0008, Survey: A WILLEKE, out of the west 1/2 of Survey 8		
Legal Description (can be found on property tax statement or at www.fomgreencad.com)		
Existing Zoning: <u>R&E</u> Proposed Zoning: <u>RS-1</u> Lot size: <u>18.325 acres</u>		
(Zoning Map available on City Maps)		
Section 2: Site Specific Details		
Existing Use of Property: <u>Vacant</u>		
*Proposed Use of Property: <u>Residential</u>		
*Use separate attachment if necessary		
Section 3: Applicant(s) Acknowledgement		
(By checking the boxes you indicate that you understand below rules and regulations for the Planning Commissions case.)		
☒ An application for a zone change on a property may only be made by the owner of that property, an authorized representative of the property owner, the Planning Director, the Planning Commission or City Council. An authorized representative shall present a notarized affidavit from the property owner;		
☒ No application will be processed if a zoning violation exists on the property, unless such processing is authorized by City Council. Use of the subject property for any new activity (not allowed by present zoning) cannot occur before City Council's approval of the requested zone change. Any such unauthorized use of the subject property is subject to prosecution in Municipal Court.		
☒ If approved, a zone change is applied to the property, not the property owner.		
☒ The Planning Commission makes recommendations to City Council. If the Planning Commission recommends approval of a zone change request, the case must still go before City Council for final action.		
☒ If a zone change request is granted by City Council, permits for building construction and/or utility connection may be obtained from the City's Permits and Inspections Department.		
☒ Certain minimum building setbacks from some or all property lines must be maintained, and room for a minimum number of off-street parking spaces must be reserved on a subject property, based on that property's zoning classification and the nature of its proposed use. A privacy fence may also be required between more restrictive and less restrictive zoning districts. These requirements are outlined in San Angelo's Zoning Ordinance. It is to the applicant's benefit to make sure that any proposed development will fit onto the subject property, in compliance with these and other applicable requirements of the City's Code of Ordinances.		
☒ One or more notice sign(s) will be placed on the subject property by the Planning Department. However, it is the applicant's responsibility to ensure that the notice sign(s) has/have been posted at least ten (10) days prior to the Planning Commission meeting. If notice sign(s) is/are not posted accordingly, City Council may delay a request. The Planning Department will also notify, in writing, owners of property within 200-feet of the subject property of the zone change request.		
☒ If the Planning Commission recommends denial of a request, the applicant will have ten (10) days to appeal this decision, in writing, to the City Council. If an appeal is made within three (3) days from the Planning Commission meeting, no re-notification fee will be required. Otherwise, there will be a nonrefundable \$35 fee to re-notify owners of nearby property of City Council's public hearing date. If Planning Commission's recommendation of denial is not appealed, it will be the final action on a request.		

Effective January 3, 2017

Section 3 continued : Applicant(s) Acknowledgement

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

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

Danny Aguerro



Sierra Vista Construction

9-22-2020

Owner Name (Print)

Signature

Company/Organization (If Applicable)

Date

Representative Name (Print)

Signature

Company/Organization

Date

FOR OFFICE USE ONLY:

☐ Verified Complete ☐ Verified Incomplete

Date of Application: ____/____/____

Case No.: Z ____ -- ____

Fully-dimensioned site plan: ☐

Nonrefundable fee: \$ ____

Receipt #: ____ Date paid: ____/____/____

Sign Deposit \$37.50

Receipt #: ____ Date paid: ____/____/____

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

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

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

Planning Commission hearing date: ____/____/____ Date notifications due: ____/____/____

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

Publication date: ____/____/____

Reviewed/Accepted by: _____ Date: ____/____/____

AN ORDINANCE AMENDING CHAPTER 12, EXHIBIT "A" OF THE CODE OF ORDINANCES, CITY OF SAN ANGELO, TEXAS, WHICH ADOPTS ZONING REGULATIONS, USE DISTRICTS AND A ZONING MAP, IN ACCORDANCE WITH A COMPREHENSIVE PLAN, BY CHANGING THE ZONING AND CLASSIFICATION OF THE FOLLOWING PROPERTY: **BEING 19.325 ACRES LOCATED WEST OF THE INTERSECTION OF DOMINION RIDGE AND CORAL WAY**, TO ZONE THIS PROPERTY TO THE SINGLE-FAMILY RESIDENTIAL (RS-1) ZONING DISTRICT IN CONNECTION WITH AN ANNEXATION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

Z20-17: Dominion Ridge

WHEREAS, on the 19th day of October, 2020, the Planning Commission for the City of San Angelo in compliance with the City Charter, City ordinance and state law, and after holding a public hearing thereon, caused to be prepared and delivered a report and recommendation to City Council to approve the proposed Single-Family (RS-1) Zoning District; and,

WHEREAS, on the 17th day of November, 2020, City Council held a public hearing on Z20-17, pursuant to published notice, and has considered the application, comments, reports and recommendations of the Planning Commission and staff, public testimony, and other relevant support materials;

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

SECTION 1: The basic zoning ordinance for the City of San Angelo, as enacted by the governing body for the City of San Angelo effective January 4, 2000, and included within Exhibit "A" of Chapter 12 of the Code of Ordinances of the City of San Angelo, and zoning map be and the same are hereby amended to designate the following described property permanently zoned GENERAL COMMERCIAL (CG) Zoning District:

Being 18.325 acres, generally located west of the intersection of Dominion Ridge and Coral Way, more particularly described as approximately 18.325 acres being Abstract 8108, Survey 0008, A Willeke, Tom Green County, Texas;

SECTION 2: The Director of the Planning & Development Department, or his/her designee, is hereby directed to correct zoning district maps in the office of the Planning & Development Department, to implement the zoning provision adopted herein, as further depicted on **Exhibit A** of this Ordinance.

SECTION 3: In all other respects, the use of the hereinabove described property shall be subject to all applicable regulations contained in Chapter 12 of the Code of Ordinances for the City of San Angelo, as amended.

SECTION 4. The remaining provisions of Chapter 12 of the Code of Ordinances of the City of San Angelo, Texas, not amended under Sections 1 and 2 of this Ordinance shall remain in full force and effect.

SECTION 5 The terms and provisions of this Ordinance shall be deemed to be severable in that, if any portion of this Ordinance shall be declared to be invalid, the same shall not affect the validity of the other provisions of this Ordinance.

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

INTRODUCED on the **17th day of November, 2020**, and finally ADOPTED on this the **15th day of December, 2020**.

THE CITY OF SAN ANGELO

Brenda Gunter, Mayor

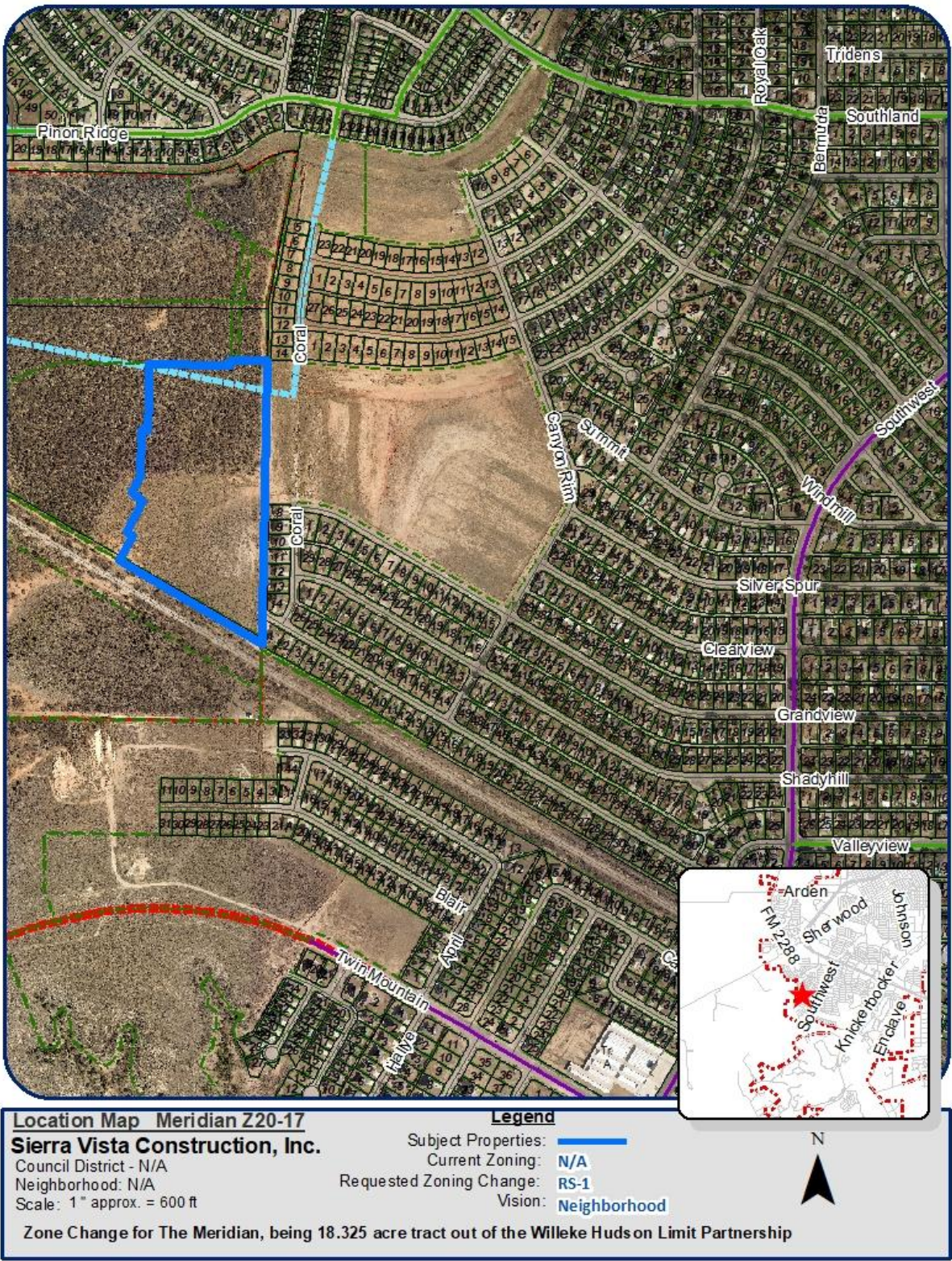
ATTEST:

APPROVED AS TO FORM:

Julia Antilley, City Clerk

Theresa James, City Attorney

EXHIBIT "A"



REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Kimberly Holle, Budget Manager, Budget, 325-657-4211

Meeting Date: November 17, 2020

Item type: Regular Item

Caption:

First public hearing and introduction of an ordinance amending the budget for the fiscal year beginning October 1, 2020, and ending September 30, 2021, for capital items, donations, grants, and projects (Presentation made by Finance Director Tina Dierschke)

Summary/History:

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

- General Police donations
- Ambulance CARES Grant
- Texas Municipal League reimbursed expenses
- Stormwater Equipment Replacement
- Carryovers from fiscal year 2019-20

Financial Impact:

See Exhibit A of the ordinance.

Other Information/Recommendation:

Staff recommends approval.

Attachments:

- | | | |
|----|--------------------|------------------------------------|
| 1. | BA Memos | BA Memo - All.pdf |
| 2. | Ordinance 11.17.20 | Ordinance 11.17.20.docx |
| 3. | Presentation | 11.17.20 FIN Budget Amendment.pptx |

Presentation:

Tina Dierschke

Approvals/Reviews:

Kimberly Holle	Created/Initiated
Kimberly Holle	Approved
Tina Dierschke	Approved
Theresa James	Approved
Julia Antilley	Final Approval

Memo

To: Tina Dierschke, Finance Director

From: Frank Carter, Chief of Police

Date: 11/17/20

Re: Budget Amendment Request

Purpose of Budget Amendment Request:

Budget for communications equipment for the San Angelo Police Crisis Negotiation Team

Source of Funding:

Back the Badge (\$20,000), West Texas 4Wheel & Offroad (\$4,190), and various small donations received throughout the year.

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

Yes, October 6 and November 3, 2021 City Council meetings

Project/Budget to be amended	Current Budget	Proposed Change	Proposed Revised Budget
Donation Revenue	0	25,000	25,000
Expense	0	25,000	25,000
			0
			0
			0
			0

Additional Comments:

Memo

To: Tina Dierschke, Finance Director

From: Brian Dunn, Fire Chief

Date: 11/17/20

Re: Budget Amendment Request

Purpose of Budget Amendment Request:

Budget for grant revenue associated with transferring COVID-19 patients, funds will be utilized to assist with the purchase of a new ambulance.

Source of Funding:

Health and Human Services Commission

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

Project/Budget to be amended	Current Budget	Proposed Change	Proposed Revised Budget
Grant Revenue	0	96,754	96,754
Capital Expense	0	96,754	96,754
			0
			0
			0
			0

Additional Comments:

Memo

To: Tina Dierschke, Finance Director

From: Charles Hagen, Risk Manager

Date: 06/29/20

Re: Budget Amendment Request

Purpose of Budget Amendment Request:

Budget for reimbursed expenses for storm damage repairs to multiple facilities

Source of Funding:

Texas Municipal League Intergovernmental Risk Pool, the City's excess insurance carrier will be covering the majority of costs through claims filings

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

Yes, June 29, 2020 by City Council. Current invoices have already exhausted the original funding and additional funds are needed.

Project/Budget to be amended	Current Budget	Proposed Change	Proposed Revised Budget
Revenue:			0
Insurance proceeds - Buildings	1,215,000	1,460,196	2,675,196
			0
Expenses:			0
Building Damage	1,215,000	1,460,196	2,675,196
			0

Additional Comments:

The City has a \$10,000 deductible per event on buildings. Current risk funds are able to cover the deductibles.

Memo

To: Tina Dierschke, Finance Director
From: Patrick Frerich, Assistant Director of Operations
Date: 10/12/20
Re: Budget Amendment Request

Purpose of Budget Amendment Request:

Utilize fund balance for the replacement of Stormwater equipment

Source of Funding:

Fund 240 Fund Balance

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

No

Project/Budget to be amended	Current Budget	Proposed Change	Proposed Revised Budget
Machinery	150,000	345,000	495,000
			0
			0
			0
			0
			0

Additional Comments:

Utilizing fund balance previously banked for future equipment replacement

Memo

To: Tina Dierschke, Finance Director

From: Kimberly Holle, Budget Manager

Date: 11/17/20

Re: Budget Amendment Request

Purpose of Budget Amendment Request:

Carryover remaining fiscal year 2019-20 funds for incomplete projects

Source of Funding:

Multiple funds - Fund Balance

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

City Council approved the 2020-21 budget ordinance on September 29, 2020

Project/Budget to be amended	Current Budget	Proposed Change	Proposed Revised Budget
			0
			0
			0
			0
			0
			0

Additional Comments:

See Attached chart for details

City of San Angelo

FUND	DIVISION	PURPOSE	CARRYOVER
101	City Clerk	Purchase of a records retention scanning software and unexpected expenses for the 2020 Census Redistricting fees.	\$91,000
101	Billing & Receipts	Phase two of new payment processor which was delayed due to COVID-19 and is now scheduled in year 2021.	\$7,172
101	Traffic	Signal support material	\$15,480
101	Human Resources	Service Awards were delayed due to COVID-19. Final invoices are still being received.	\$12,000
101	Code Compliance	Safety Vest for Code Compliance Officers	\$1,299
101	Social Services	Infill Development	\$90,000
101	Social Services	Indigent Care - Homeless emergency transitional housing	\$6,194
101	Fire	Fire technology improvements	\$104,521
203	Texas Bank Sports Complex	Equipment and materials storage building	\$24,000
240	Stormwater	Vehicle upfit equipment	\$425
240	Stormwater	Sunset Lake Dredging and various other projects	\$400,000
310	Health Insurance	Wellness dollars for a First Responder Employee Assistance Program	\$11,200
501	Police/Fire	Vehicle upfit equipment	\$80,472
605	Hotel Occupancy Tax	Final quarterly payment for Convention and Visitors Bureau under old contract	\$61,746
GRAND TOTAL			\$905,509

**AN ORDINANCE OF THE CITY OF SAN ANGELO AMENDING
THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER
1, 2020, AND ENDING SEPTEMBER 30, 2021, FOR CAPITAL
ITEMS, DONATIONS, GRANTS, AND PROJECTS.**

WHEREAS the City of San Angelo has determined that certain budgeted amounts should be amended due to project changes and unforeseen circumstances, and

WHEREAS the resources necessary for these changes are available;

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

The City's budget for fiscal year 2020-2021 be amended by the amounts contained in Exhibit A.

INTRODUCED on the 17th day of November 2020, and APPROVED and ADOPTED on this 15th day of December.

ATTEST:

CITY OF SAN ANGELO, TEXAS:

Julia Antilley, City Clerk

Brenda Gunter, Mayor

APPROVED AS TO CONTENT:

APPROVED AS TO FORM:

Tina Dierschke, Finance Director

Theresa James, City Attorney

City of San Angelo
Proposed Budget Amendment
Exhibit A

Fund	Total Revenue Amendment	Total Expense Amendment	Net Benefit/(Cost)
General	-	327,666	(327,666)
Intergovernmental	96,754	96,754	-
Texas Banks Sports Complex	-	24,000	(24,000)
Stormwater	-	745,425	(745,425)
Health Insurance	-	11,200	(11,200)
Property/Casualty	1,460,196	1,460,196	-
Equipment Replacement	-	80,472	(80,472)
Citizen Contribution	25,000	25,000	-
Hotel Occupancy Tax	-	61,746	(61,746)
	\$1,581,950	\$2,832,459	\$(1,250,509)

City of San Angelo
Proposed Budget Amendment
Additional Information

Project/Need	Source of Funding	Revenue	Expense	Net Benefit/(Cost)
PD General Donations	Back the Badge & West Texas4Wheel & Offroad	25,000	25,000	-
Storm Damage Repairs	Texas Municipal League	1,460,196	1,460,196	-
Ambulance CARES Grant	Health and Human Services Commission	96,754	96,754	-
Stormwater Equipment Replacement	Fund Balance	-	345,000	(345,000)
Fiscal Year 2020 incomplete projects	Fund Balances	-	905,509	(905,509)
		\$1,581,950	\$2,832,459	\$(1,250,509)



City Council

November 17, 2020



Budget Amendment

Citizen Contribution Fund	Revenue	Expense
Police Donations	\$25,000	
Project Expense		\$25,000



Budget Amendment

Intergovernmental Fund	Revenue	Expense
Fire Grant Revenue	\$96,754	
Ambulance Expense		\$96,754



Budget Amendment

Property/Casualty Fund	Revenue	Expense
Insurance Proceeds	\$1,460,196	
Building Damage		\$1,460,196



Budget Amendment

Stormwater Fund	Revenue	Expense
Equipment Replacement		\$345,000



Budget Amendment

General Fund	Revenue	Expense
City Clerk – 2020 Census Redistricting Fees & records retention software		\$91,000
Billing & Receipts – Payment Processor Phase II		\$7,172
Traffic – Signal Support Material		\$15,480



Budget Amendment

General Fund	Revenue	Expense
Human Resources – Service Awards		\$12,000
Code Compliance – Safety Vest		\$1,299
Social Services – Infill Development		\$90,000



Budget Amendment

General Fund	Revenue	Expense
Social Services – Indigent Care		\$6,194
Fire – Technology Upgrades		\$104,521



Budget Amendment

Other Funds	Revenue	Expense
TBSC – Storage Building		\$24,000
Stormwater – Vehicle Upfit		\$425
Stormwater – Sunset Lake Dredging; various projects		\$400,000
Health Insurance – Wellness Program		\$11,200



Budget Amendment

Other Funds	Revenue	Expense
Equipment Replacement – Police Upfit		\$73,512
Equipment Replacement – Fire Vehicle Accessories		\$6,960
HOT – Conventions & Visitors Bureau		\$61,746





City Council

November 17, 2020





**APPLICATION FOR
BOARDS and COMMISSIONS**

Name: YukioA. Kuniyuki III

Address: _____

City: San Angelo State: TX Zip: 76904

Phone (Home): _____ (Office): _____

Resident of San Angelo since: 2016 SMD: _____

Are you a registered voter of San Angelo? Yes: X No: _____

Occupation/Business Affiliation: Retired US Army Officer

Occupation/Business Address: _____

Title/Position: Lieutenant Colonel (retired)

Email: _____

By executing this document, the applicant does hereby certify and affirm the truth and accuracy of the information contained herein. The applicant further authorizes the City Council, or its designee, to verify any information. The applicant agrees to release and hold harmless the City from all claims incident to the verification of information contained herein.

Applicant's Signature [Signature] Date 09 October 2020

NOTE: This application is a public record. * Public Service opportunities are offered by the City of San Angelo without regard to race, color, national origin, religion, sex, or disability.

Return to: _____ or City of San Angelo, c/o City Clerk, 72 W. College, San Angelo, Texas 76903

Applying for:

- ☐ Airport Advisory Board
- ☐ Airport Zoning Board
- ☐ Animal Shelter Advisory Committee
- ☐ Civic Events Advisory Board
- ☐ Civil Service Commission
- ☐ Construction Board of Adjustment & Appeals
- ☐ Design & Historic Review Commission
- ☐ Economic Development Corporation
- ☐ Fairmount Cemetery Board
- ☒ Fort Concho Museum Board
- ☐ Keep San Angelo Beautiful Board
- ☐ Park Commission
- ☐ Parks & Recreation Advisory Board
- ☐ Planning Commission
- ☐ Public Art Commission
- ☐ Tax Increment Reinvestment Zone Board
- ☐ Water Advisory Board
- ☐ Zoning Board of Adjustment

Specific membership criteria requirements apply - see back page for more information.

Recommended by: _____

Feel free to attach additional sheets, if necessary.

Based on your board selection, do you meet the membership criteria? X Yes No

If no, which criteria (see back page for board criteria): _____

Education and/or Professional Licenses: Masters in Intelligence Studies; Bachelors in Chinese; graduate US Army Command and General Staff College; Military Intelligence Captain's Career Course; government contracting (2009-present)

Current Municipal and Civic Organization Memberships (position and dates): _____

Previous Municipal Experience (position, location, and dates): Fort Concho honorary board member 2016-18.

What personal qualifications can you bring to this board? Event planning, volunteerism, public affairs, leadership, and understanding of US Cavalry heritage

What is your personal vision for the City? My vision for the City is to further expand the arts and music offerings available especially in the downtown area. We need to find a way to recapitalize many of the older buildings and find new investors.

Why do you want to serve on this board? I want to help with the preservation of this key historical site and be a part of the many great events that it hosts.

Additional relevant information: _____

*The City Council adopted the Code of Ethics for members of the City Council and for the City's boards and commissions to assure public confidence in the integrity of local government and its effective and fair operation. Therefore, all Members shall comply with the laws of the nation, the State of Texas, and the City of San Angelo in the performance of their public duties. If you been convicted of a MISDEMEANOR or FELONY, and/or placed on probation, fined or given a suspended sentence such as pretrial diversion or deferred adjudication in court within the last ten years, disclosure of such should be forwarded under separate cover. For a complete copy of the Code of Ethics, contact the City Clerk.