



City Council Agenda 1/12/2021

Notice is hereby given of a special meeting of the City Council of City of San Angelo to be held January 12, 2021 at 8:30 AM at the McNease Convention Center – South Meeting Room, 501 Rio Concho Drive, San Angelo, Texas, for the purpose of considering the following agenda items.

1. Call to Order/Roll Call to Establish Quorum

2. Chaplain Prayer & Pledges

3. Proclamations/Recognitions

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 December 15, 2020 City Council regular meeting minutes (Julia Antilley)
- b. Consider authorizing the City Attorney to terminate the Recreational and Agricultural Lease on 4 acres of land adjacent to 4052 S. Bryant Blvd., for non-payment of annual rent (more than 240 days delinquent) (Cindy Preas)
- c. Consider declaring 28 acres of land out of Johann Kurtenacker S-335, and Mary McMillan S-535 1/2, surplus and disposing of said surplus property under RE-01-21 for the highest sealed bid, being \$232,000 submitted by Double J Lamb, Inc. and authorizing the City Manager to negotiate and execute all documents necessary to convey the surface estate only in the surplus property by Special Warranty Deed, reserving unto the City of San Angelo all mineral interests, surface and ground water rights (Cindy Preas)
- d. Consider authorizing the City Manager to terminate the Lease Agreement and Modification of Lease on 28 acres of land commonly known as 1146 City Farm Rd., upon the conveyance of the surface estate to Double J Lamb, Inc., being the Tenant under said Lease (Cindy Preas)
- e. Consider authorizing the City Manager to execute all documents necessary to convey a small, narrow strip of land, being a remnant of the realignment of 11th St. right-of-way and containing 1,323-sq ft, and further described as being adjacent to Blocks 2 & 3, Merrick Subdivision, to the adjacent property owner (Cindy Preas and Shane Kelton)
- f. Consider authorizing the City Manager to enter into an agreement with Bar Five Land Group, LLC, providing for the capping of three existing water wells and drilling three new water wells on a 210.46 acre tract, which City retained all ground water and water rights to this property in Instrument 201516058, Official Public Records, Tom Green County, Texas (Cindy Preas and Allison Strube)
- g. Consider approving a Lease Agreement between WIC and Cornerstone Community Action Agency

in Coleman (Cristina Eureste)

- h. Consider a resolution to accept a non-competitive Texas Emergency Rental Assistance Program (TERAP) grant from the Texas Department of Housing & Community Affairs (TDHCA) in the amount of \$197,919.21 to extend rental assistance for households experiencing income loss due to COVID-19 related issues (Bob Salas)
- i. Consider resolutions authorizing the Investment Policies for the City of San Angelo, Lake Nasworthy Trust, and Development Corporation Funds (Ryan Gaddy)
- j. Consider rescinding the "Naming Rights Policy" adopted on November 28, 2006, and later revised on June 1, 2010 (Carl White)
- k. Consider approving an Agreement with Progressive Aquatics, Inc. in the amount of \$221,369 for improvements at Municipal Pool via BuyBoard Contract #613-20 and authorizing the City Manager to negotiate and execute all related documents (Carl White)
- l. Consider approving a Change Order to AP-01-20 with American Road Maintenance in the amount of \$54,711.90 for the Rehabilitation of Runway 18-36 at the San Angelo Regional Airport (FAA AIP: 3-48-0191-039-2019) (Jeremy Valgardson)
- m. Consider awarding WU-02-21 Water Treatment Coagulants to Chameleon Industries, Inc. based on pre-selection criteria for best treatment quality for different source waters for one-year with one additional one-year term extension, budgeted for purchase in fiscal years 2021 through 2022, and authorizing the City Manager to negotiate and execute all related documents (Allison Strube)
- n. Second reading of an ordinance approving case PD20-03, rezoning property from the General Commercial and Single-Family Residential zoning districts to a Planned Development zoning district to allow for a sports facility, related recreational activities and events, and other improvements as shown on the concept plan; being 21.536 acres located at 2838 S. College Hills Blvd. (Jon James)
- o. Second reading of ordinances approving:
 - 1. CP20-07, an amendment to the City of San Angelo Comprehensive Plan, changing certain lands from the Open Space and Neighborhood Center Future Land Uses to the Neighborhood Land Use, located at 607 and 609 Locust St.
 - 2. Z20-18, a rezoning from the Single Family Residence zoning district to the Two Family Residence zoning district, being 0.321 acres located at 607 and 609 Locust St. (Jon James)
- p. Second reading of an ordinance approving case Z20-19, a rezoning from the Single-Family Residential zoning district to the Two-Family Residential zoning district, located at 1602 Kenwood Dr. (Jon James)
- q. Second reading of an ordinance providing for the abandonment of approximately 7,200-sq ft (0.165 acres) of alley right-of-way, located north of E. Washington Dr. between S. Chadbourne St. and Orient St. (Jon James)

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 a resolution creating the Catalyst Project Infill Program and designating a funding source (Presentation made by Planning & Development Services Director Jon James)
- b. Consider approving a Catalyst Project Infill Program request for infrastructure funding in an amount not to exceed \$77,050 for the Lakeview Addition, Block 11 (Presentation made by Chad Decker, introduction by Planning & Development Services Director Jon James)
- c. First reading and public hearing of an ordinance providing for the abandonment of approximately 218-sq ft of street right-of-way out of the southwest corner of S. College Hills Blvd. and Valleyview Blvd. (Presentation made by Planning & Development Services Director Jon James)
- d. Consider items related to the Chadbourne Street Project:
 1. Consider approving Change Order #1 to the Agreement with Ti-Zack Concrete, Inc., reducing the total contract amount by \$1,202,455.88, and authorizing the City Manager to negotiate and execute all related documents; and
 2. Consider allocating contingency funding in the amount of \$768,995 and authorizing the City Manager to negotiate and execute all related documents (Presentation made by Interim City Engineer Kevin Pate)
- e. 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, 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:

8. Follow Up and Administrative Issues

- a. Consider items discussed in Closed Session, if needed
- b. 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 8th day of January 2021, at 5:41 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.

City of San Angelo, Texas
Regular City Council Meeting
Tuesday, December 15, 2020

Present:

Mayor Brenda Gunter
Mayor Pro tem Harry Thomas, SMD 3
Council Member Tommy Hiebert, SMD 1 (virtually via Zoom)
Council Member Tom Thompson, SMD 2 (virtually via Zoom)
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, December 15, 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 Gary Jenkins provided an invocation and Chaplain Marcella Jenkins led the pledges.

3. Proclamations/Recognitions

December 5, 2020 was proclaimed as Concho Christmas Celebration Day.

January 6, 2021 was proclaimed as Kiwanis International Day and as the 100-year local chapter anniversary.

4. Public Comment

Citizen Sylvia Martinez (SMD3) spoke regarding hoarding issues and the lack of enforcement against hoarding within the city.

Mayor Gunter encouraged anyone with Covid-19 symptoms, or anyone exposed to a positive case, to be tested. Earlier testing/detection of Covid-19 will allow for earlier treatment and a reduced chance of developing a severe case. Mayor Gunter stated that the loss of Gregorio Gutierrez is a loss to our community.

Council Member Gonzales asked for an update to the homeless population on Chadbourne and expressed her condolences to everyone that has lost a loved one, especially with the approaching holidays.

5. Consent Agenda

- a. Approval of the November 17, 2020 City Council regular meeting minutes (Julia Antilley)
- b. Approval of a contract with the San Angelo Convention & Visitors Bureau (CVB) allocating \$765,518 of Hotel Occupancy Tax (HOT) receipts for eligible activities and authorizing the City Manager to negotiate and execute all related documents (Tina Dierschke)
- c. Approval of a purchase of a budgeting and capital improvement software in the amount of \$80,687.50 from ClearGov, Inc. via BuyBoard Contract #607-20 using CARES funding and authorizing the City Manager to execute all related documents (Kimberly Holle)
- d. Approval of a purchase of bunker gear and boots in the amount of \$176,761.50 from Casco Industries through BuyBoard Contract #603-20, budgeted for purchase in fiscal year 2021, with an option to purchase an additional \$50,000 of equipment at staff discretion, and authorizing the City Manager to execute all related documents (Patrick Brody)

- e. Approval of BuyBoard Contract #597-19 for the purchase of four mowers, with the option to purchase one additional mower, from Kubota Tractor Corporation, in the amount of \$68,986.10, budgeted in fiscal year 2021, and authorizing the City Manager to execute all related documents (Ryan Kramer)
- f. Adoption of a resolution authorizing City of San Angelo to serve as the political subdivision for the Region 9 Upper Colorado Regional Flood Planning Group pursuant to 31 Texas Administrative Code Chapters 361 and 362 and allow for the submission of a Request for Applications for Regional Flood Planning Grants to the Texas Water Development Board (Allison Strube) (Pg. 518, 2020-110)
- g. Adoption of a resolution authorizing the City Manager to negotiate and execute an agreement to contribute Right of Way Funds to the State of Texas related to highway improvements on SL 378 (Old Christoval Rd) from FM 1223 to US 87 for Right of Way Acquisition (Shane Kelton) (Pg. 521, 2020-111)
- h. Acceptance of an annexation petition for 1.658 acres out of Casper Berberich Survey 177, Abstract No. 52, Tom Green County, Texas; generally located south of W. Loop 306, west of Old Stone Dr. and east of N. Bentwood Dr.; and setting a Public Hearing on the annexation for the February 16, 2021 City Council meeting (Jon James)
- i. Second reading and adoption of an ordinance amending Chapter 6 "Fire and Rescue", Article 6.05 "Ambulances and Ambulance Companies" allowing for private ambulances (Brian Dunn) (Pg. 522, 2020-112)
- j. Second reading and adoption of an ordinance amending Chapter 10 "Traffic Control", Article 10.01 "General Provisions" amending Section 10.01.013 "Pedestrian's Rights and Duties" (Theresa James) (Pg. 527, 2020-113)
- k. Second reading and adoption 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. (Pg. 530, 2020-114)
 - 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. (Pg. 538, 2020-115)
 - 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 (Pg. 548, 2020-116)
 - 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. (Jon James) (Pg. 556, 2020-117)
- l. Second reading and adoption 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. (Jon James) (Pg. 565, 2020-118)
- m. Second reading and adoption 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. (Jon James) (Pg. 568, 2020-119)
- n. Second reading and adoption 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 (Jon James) (Pg. 571, 2020-120)

- o. Authorization of the City Manager to develop and implement a policy to waive late fees for water, sewer, stormwater, and trash utility accounts (Allison Strube)

Motion: Council Member Thomas made a motion, seconded by Council Member Carter, to approve the Consent Agenda, with the exception of item 5o. The motion carried unanimously (7) ayes to (0) nays.

Motion: Council Member Gonzales made a motion, seconded by Council Member Thomas, to approve item 5o, as presented by Water Utilities Director Allison Strube. The motion carried unanimously (7) ayes to (0) nays.

6. Regular Agenda

- a. Second public hearing and adoption 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) (Pg. 574, 2020-121)

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

- b. Award of the following purchases for the Fire Department and authorizing the City Manager to negotiate and execute all related documents:
 - 1. FS-02-21 Ambulance Chassis to Jim Bass Ford (San Angelo, TX) in the amount of \$87,762 per fiscal year, for the purchase of two units
 - 2. Ambulance Boxes to Frazer using HGAC Contract #AM10-20 in the amount of \$294,870.84 for fiscal year 2021 for the purchase and installation of two units (Presentation made by Senior Fleet Manager Ryan Kramer)

Motion: Council Member Gonzales made a motion, seconded by Council Member Thomas, to approve the item, as presented by Assistant Fire Chief Patrick Brody. The motion carried unanimously (7) ayes to (0) nays.

- c. Award of FS-01-21 Fuel Purchases, in an annual amount of \$2,500,000 to multiple vendors and authorizing the City Manager to negotiate and execute all related documents (Presentation made by Senior Fleet Manager Ryan Kramer)

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

- d. Award of ES-01-21 Southwest Boulevard Improvements to Reece Albert, Inc. in the amount of \$5,925,288.67 and authorizing the City Manager to negotiate and execute all related documents (Presentation made by Project Engineer Mitchell Gatlin)

Citizen Sylvia Martinez (SMD3) requested sidewalks near Fort Concho Elementary School on Oakes Street.

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

- e. Approval of a Memorandum of Understanding (MOU) between the San Angelo Area Foundation and the City of San Angelo to facilitate the reconstruction of Barracks 3 and Mess Hall 3 at Fort Concho and authorizing the City Manager to negotiate and execute all related documents (Presentation made by Fort Concho Museum Manager Bob Bluthardt)

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

- f. Allocation of up to \$227,000 from the Civic Event's fund balance for facility improvements (Presentation made by Civic Events Manager Sidney Walker)

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

- g. Second reading and adoption 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) (Pg. 577, 2020-122)

Citizen Jennifer Pape (SMD5) provided photos for display. She expressed concern over a lack of Code Enforcement regarding light emissions.

Shawn Box, Owner of Sports Next Level, stated they used the same poles as the previous owner, but did change the light bulbs to increase energy efficiencies. They have adjusted the lights to be downward facing, but have not shielded the lights as of yet.

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

- h. First reading and public hearing of an ordinance approving case PD20-03, rezoning property from the General Commercial and Single-Family Residential zoning districts to a Planned Development zoning district to allow for sports facility, related recreational activities and events, and other improvements as shown on the concept plan; being 21.536 acres located at 2838 S. College Hills Blvd. (Presentation made by Planning & Development Services Director Jon James)

Citizen Jennifer Pape (SMD5) requested a timeline for compliance.

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

- i. First reading and public hearing of an ordinance approving:
 - 1. CP20-07, an amendment to the City of San Angelo Comprehensive Plan, changing certain lands from the Open Space and Neighborhood Center Future Land Uses to the Neighborhood Land Use, located at 607 and 609 Locust St.
 - 2. Z20-18, a rezoning from the Single Family Residence zoning district to the Two Family Residence zoning district, being 0.321 acres located at 607 and 609 Locust St. (Presentation made by Planning & Development Services Director Jon James)

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

- j. First reading and public hearing of an ordinance approving case Z20-19, a rezoning from the Single-Family Residential zoning district to the Two-Family Residential zoning district, located at 1602 Kenwood Dr. (Presentation made by Planning & Development Services Director Jon James)

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

- k. First reading and public hearing of an ordinance providing for the abandonment of approximately 7,200-sq ft (0.165 acres) of alley right-of-way, located north of E. Washington Dr. between S. Chadbourne St. and Orient St. (Presentation made by Planning & Development Services Director Jon James)

Motion: Council Member Thomas made a motion, seconded by Council Member Carter, to approve the item, as presented. The motion carried unanimously (6) ayes to (0) nays, and (1) abstention, with Mayor Gunter abstaining from the vote.

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 Sheila Andrews
- b. 551.072 Deliberations about Real Property regarding Ford Ranch
- c. 551.074 Personnel Matters regarding the annual evaluation of the City Manager
- d. 551.087 Deliberation regarding Economic Development Negotiations regarding Mathis Field Project

Quorum for Remainder of Meeting:

Mayor Brenda Gunter
Mayor Pro tem Harry Thomas, SMD 3
Council Member Tommy Hiebert, SMD 1 (virtually via Zoom)
Council Member Lucy Gonzalez, SMD 4
Council Member Lane Carter, SMD 5
Council Member Billie DeWitt, SMD 6

8. Follow Up and Administrative Issues

- a. Consideration of items discussed in Closed Session, if needed

No Action Taken on this Item.

- b. Approval of various Board nominations:

Civic Events Advisory Board: Billy Najara (SMD3) to a third term, Steve Mahaffey (SMD5) to a third term, and Del Velasquez (Mayor) to a third term, all ending December 2022

Concho River Watermaster Advisory Committee: Council Members Tom Thompson and Tommy Hiebert, Mayor Brenda Gunter, Daniel Valenzuela (City Manager), and Allison Strube (Water Utilities Director), all to terms ending August 2022

Parks & Recreation Advisory Board: Kenneth Dierschke (SMD1) to a third term, Laurie Dicello (SMD3) to a third term, and Debbie Wilson (SMD4) to a second term, all ending December 2022

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

- c. Announcements and consideration of Future Agenda Items

Mayor Gunter wished everyone a very Merry Christmas and announced this will be our last meeting of 2020. The City Council will meet again January 12, 2021.

9. Adjournment

Motion: Council Member Carter made a motion, seconded by Council Member Gonzales, to adjourn the meeting. The motion carried unanimously (6) ayes to (0) nays.

There being no further business, the meeting was adjourned at 11:12 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: January 12, 2021

Item type: Consent Item

Caption:

Consider authorizing the City Attorney to terminate the Recreational and Agricultural Lease on 4 acres of land adjacent to 4052 S. Bryant Blvd., for non-payment of annual rent (more than 240 days delinquent) (Cindy Preas)

Summary/History:

Tenant, Sharon Fessell, Trustee and Authorized Representative of Harry Behrend Estate, is more than 240 days delinquent in paying the annual lease fee on 4.00 Acres of land adjacent to 4052 S. Bryant Blvd.

All reasonable collection efforts made by the Real Estate Division have failed. It is the recommendation of the Real Estate Division that the Recreational and Agricultural Lease be terminated.

Financial Impact:

Sharon Fessell, Trustee and Authorized Representative of Harry Behrend Estate, Tenant, has failed to pay annual rent due June 1, 2020. Total amount due, including late fees, is \$639.

Other Information/Recommendation:

Staff recommends the Recreational and Agricultural Lease be terminated for non-payment of annual lease fee.

Attachments:

1. Behrend Map Behrend Map.pdf

Presentation:

Cynthia Preas

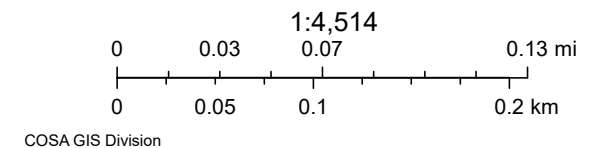
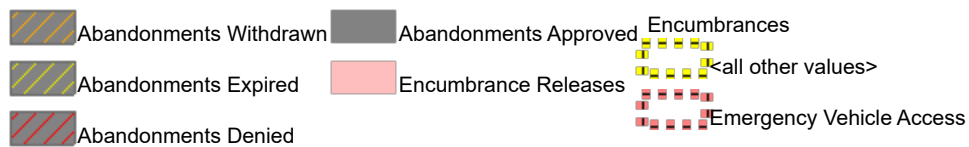
Approvals/Reviews:

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

Behrend Lease Area - 4 Acres



12/29/2020 4:00:38 PM



REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: January 12, 2021

Item type: Consent Item

Caption:

Consider declaring 28 acres of land out of Johann Kurtenacker S-335, and Mary McMillan S-535 1/2, surplus and disposing of said surplus property under RE-01-21 for the highest sealed bid, being \$232,000 submitted by Double J Lamb, Inc. and authorizing the City Manager to negotiate and execute all documents necessary to convey the surface estate only in the surplus property by Special Warranty Deed, reserving unto the City of San Angelo all mineral interests, surface and ground water rights (Cindy Preas)

Summary/History:

The 28 acre tract is currently under lease to Double J Lamb, Inc.

The Water Utilities Department has determined the land is surplus and requests the surface estate be conveyed for the highest sealed bid under RFB RE-01-21.

The land was appraised at \$232,000, which was the opening bid. The highest sealed bid, \$232,000, was submitted by Double J Lamb, Inc. The City will reserve from the conveyance certain utility easements and all mineral interests, surface and ground water rights.

Financial Impact:

Purchase price of \$232,000, which was the highest sealed bid and the appraised value.

Other Information/Recommendation:

Staff recommends declaring the property surplus and authorizing the City Manager to sign all documents necessary to convey the surface estate only to Double J Lamb Inc. for the highest sealed bid of \$232,000.

Attachments:

- | | |
|------------------------------|-------------------------------|
| 1. Survey 28 Ac RFB RE-01-21 | Survey 28 Ac RFB RE-01-21.pdf |
| 2. RE-01-21 Bid Tabulation | RE-01-21 Bid Tabulation.pdf |

Presentation:

Cynthia Preas

Approvals/Reviews:

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

Line #	Length	Direction
L1	1225.41'	S 66°11'37" E
L2	683.99'	S 53°36'30" W
L3	644.34'	N 70°50'10" W
L4	20.00'	N 19°09'51" E
L5	639.87'	S 70°50'10" E
L6	328.64'	N 53°36'30" E
L7	49.46'	N 65°37'02" W
L8	20.00'	N 25°27'30" E
L9	60.27'	S 65°37'13" E
L10	292.59'	N 53°36'30" E
L11	718.93'	N 66°11'37" W
L12	506.90'	S 41°50'24" W
L13	20.00'	N 48°09'36" W

Line #	Length	Direction
L14	500.39'	N 41°50'24" E
L15	449.40'	N 66°11'37" W
L16	426.03'	S 45°32'26" W
L17	237.56'	S 48°09'22" E
L18	20.00'	S 41°50'38" W
L19	238.86'	N 48°09'22" W
L20	290.42'	S 45°32'26" W
L21	221.10'	S 47°08'18" E
L22	20.00'	S 42°51'42" W
L23	222.04'	N 47°08'18" W
L24	198.20'	S 45°32'26" W
L25	15.00'	N 44°27'34" W
L26	964.89'	N 45°32'26" E

"5,278.9 ACRES"
CENTRAL NATIONAL BANK OF FIRST NATIONAL
BANK AT LUBBOCK TO CITY OF SAN ANGELO
VOLUME 327, PAGE 65
OFFICIAL PUBLIC RECORDS OF REAL PROPERTY,
TOM GREEN COUNTY, TEXAS

JOHANN KURTENACKER
SURVEY No. 335
ABSTRACT No. 1557

NOTES:

1. FIELD NOTES TO ACCOMPANY THIS PLAT
2. SURVEY COMPLETED WITHOUT THE BENEFIT OF A TITLE COMMITMENT. THERE MAY BE EASEMENTS AND/OR COVENANTS AFFECTING THIS PROPERTY NOT SHOWN HEREON.

BASIS OF BEARINGS

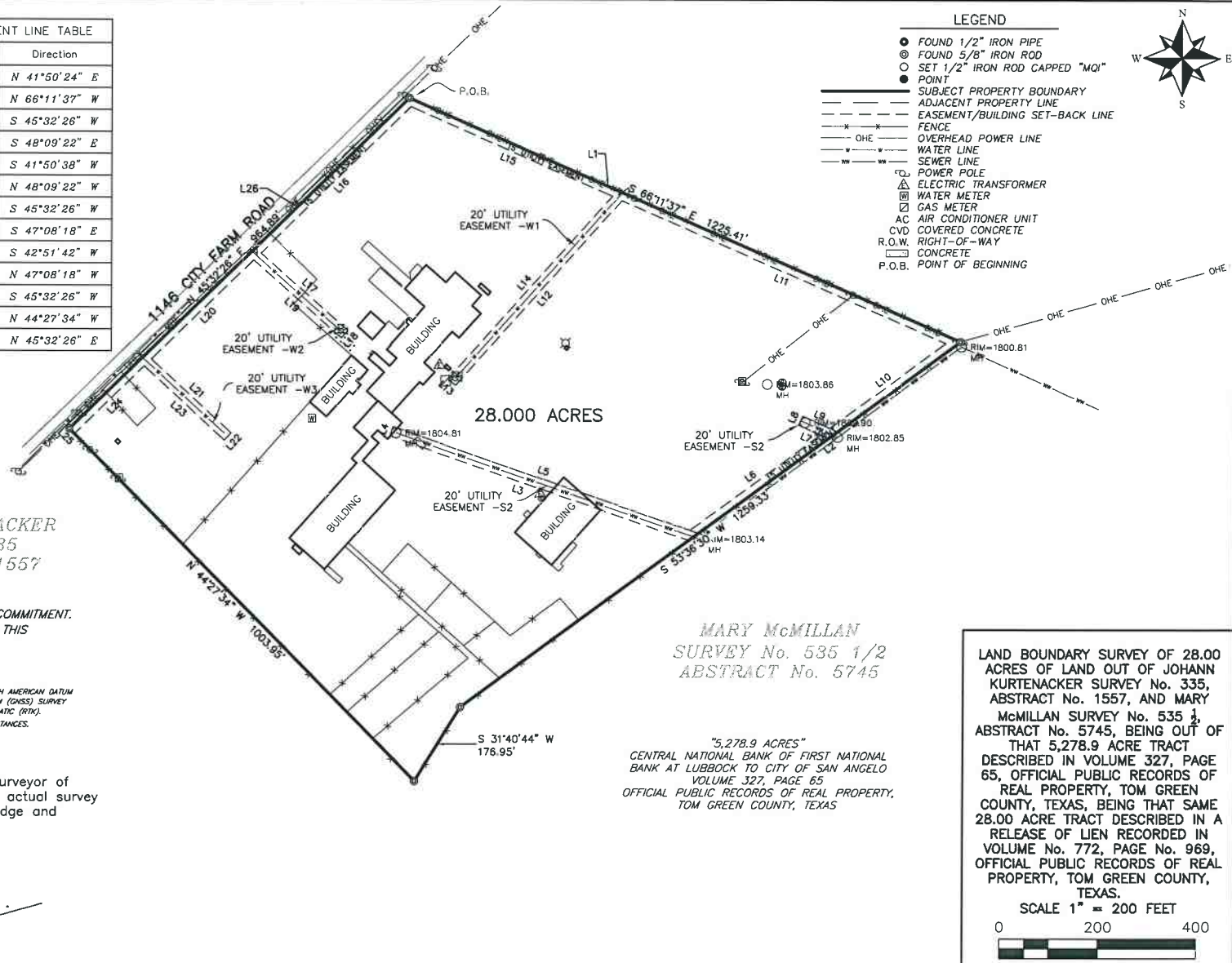
BEARING BASIS HEREON IS TEXAS STATE PLANE COORDINATE SYSTEM, REFERENCE FRAME NORTH AMERICAN DATUM 1983 (2011) (EPOCH 2010.0000), AS DETERMINED FROM GLOBAL NAVIGATION SATELLITE SYSTEM (GNSS) SURVEY EQUIPMENT BY STATIC, VIRTUAL REFERENCE SYSTEM (VRS) NETWORK AND OR REAL TIME KINEMATIC (RTK). DISTANCES SHOWN HEREON ARE SHOWN AS GRID TEXAS STATE PLANE COORDINATE SYSTEM DISTANCES.

I, Wesley Ray Quinn, Registered Professional Land Surveyor of Texas, do hereby state that this plat represents an actual survey made under my direction to the best of my knowledge and ability, this the 19th day of November, 2020.



Wesley Ray Quinn

Registered Prof. Land Surveyor
Texas Registration No. 6625

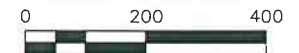


MARY McMILLAN
SURVEY No. 535 1/2
ABSTRACT No. 5745

"5,278.9 ACRES"
CENTRAL NATIONAL BANK OF FIRST NATIONAL
BANK AT LUBBOCK TO CITY OF SAN ANGELO
VOLUME 327, PAGE 65
OFFICIAL PUBLIC RECORDS OF REAL PROPERTY,
TOM GREEN COUNTY, TEXAS

LAND BOUNDARY SURVEY OF 28.00 ACRES OF LAND OUT OF JOHANN KURTENACKER SURVEY No. 335, ABSTRACT No. 1557, AND MARY McMILLAN SURVEY No. 535 1/2, ABSTRACT No. 5745, BEING OUT OF THAT 5,278.9 ACRE TRACT DESCRIBED IN VOLUME 327, PAGE 65, OFFICIAL PUBLIC RECORDS OF REAL PROPERTY, TOM GREEN COUNTY, TEXAS, BEING THAT SAME 28.00 ACRE TRACT DESCRIBED IN A RELEASE OF LIEN RECORDED IN VOLUME No. 772, PAGE No. 969, OFFICIAL PUBLIC RECORDS OF REAL PROPERTY, TOM GREEN COUNTY, TEXAS.

SCALE 1" = 200 FEET



MQI	McMILLAN AND QUINN INC. LAND SURVEYING	FIRM NO. 10194241 P.O. BOX 3506 SAN ANGELO, TEXAS PHONE: (325) 939-0043 EMAIL: info@mqi.com Copyright 2019 All Rights Reserved	FIELD: HB OFFICE: Q JOB NO.: 20100042	COSA 1 OF 2



City of San Angelo Purchasing Division

RFB Bid Tabulation

RE-01-21 • 28 Acre Tract (*Land Only*)

Tuesday, January 5, 2021

28 Acre Tract, generally located at or
about 1146 City Farm Road

Double J Lamb, Inc.

Base Bid

\$ 232,000.00

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: January 12, 2021

Item type: Consent Item

Caption:

Consider authorizing the City Manager to terminate the Lease Agreement and Modification of Lease on 28 acres of land commonly known as 1146 City Farm Rd., upon the conveyance of the surface estate to Double J Lamb, Inc., being the Tenant under said Lease (Cindy Preas)

Summary/History:

The City of San Angelo entered into a Lease Agreement, dated April 2, 1996, for the surface estate only in 28 acres of land, commonly known as 1146 City Farm Road, with Rancher's Lamb of Texas, Inc. Prior to September 5, 2005 Crockett National Bank acquired the leasehold estate and Tenant-owned improvements. The Bank transferred the lease and tenant-owned improvements to Producers Lamb & Goat, L.P. on or about September 5, 2005. Prior to September 19, 2006, Bank reacquired the leasehold estate and assigned the lease to San Angelo Packing Company, Inc. On or about July 18, 2014, San Angelo Packing company, Inc. assigned the lease to Robinson Premium Beef, LLC. On or about September 2, 2016, Robinson Premium Beef, LLC filed for bankruptcy. On April 18, 2017, the City Council adopted a resolution modifying the Lease Agreement dated April 2, 1996, which modification agreement was signed by the City of San Angelo and Robinson Premium Beef, LLC. On May 4, 2018, Robinson Premium Beef, LLC, filed a Certificate of Amendment with the Texas Secretary of State changing its name to 7 S Packing, LLC. On September 1, 2020, the City Council approved a transfer of the leasehold estate to Double J Lamb, Inc.

Upon declaring the 28 acres surplus and awarding RFB RE-01-21 for the highest sealed bid submitted by Double J. Lamb, Inc, Tenant under the Lease, the City Manager shall have authority to terminate the Lease Agreement and Modification of Lease.

Financial Impact:

Loss of monthly rental income. City will receive appraised value from the sale of the 28 acre tract, being \$232,000.

Other Information/Recommendation:

Staff recommends termination of the Lease Agreement and Modifications to Lease of 28 acre tract upon the conveyance of the surface estate only in said 28 acre tract to Double J Lamb, LLC, Tenant under the Lease.

Attachments:

Presentation:

Cynthia Preas

Approvals/Reviews:

Cynthia Preas

Created/Initiated

Theresa James
Tina Dierschke
Theresa James
Julia Antilley

Approved
Approved
Approved
Final Approval

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: January 12, 2021

Item type: Consent Item

Caption:

Consider authorizing the City Manager to execute all documents necessary to convey a small, narrow strip of land, being a remnant of the realignment of 11th St. right-of-way and containing 1,323-sq ft, and further described as being adjacent to Blocks 2 & 3, Merrick Subdivision, to the adjacent property owner (Cindy Preas and Shane Kelton)

Summary/History:

The small narrow strip of land, being 1,323 square feet of land is out of M. Himmer Survey No. 321, Abstract No. 355, and out of 10 Acre Lot No. 10/19, Pulliam & Johnson Subdivision and out a portion of a street as shown on the plat of the C.W. Merrick Subdivision, Tom Green County, Texas. The plats established and dedicated to the public a segment of 11th Street, which is extraordinarily wide at its point of adjacency with Blocks 2 & 3 and is deemed excess right-of-way. This small narrow strip of land is an unbuildable segment of property.

The Operations Department has indicated their belief that this property is not necessary to the municipality. Texas state law allows for property which is not necessary to the municipality and is not buildable to be sold to the adjacent property owner, being Richard Salmon.

Financial Impact:

None. Richard Salmon will dedicate to the public 2,715 square feet of land needed for the 11th Street realignment.

Other Information/Recommendation:

Staff recommends the small narrow strip of land, being surplus right-of-way and containing 1,323 square feet of land, be conveyed to the adjacent property owner.

Attachments:

1. Map Excess Right-of-Way 11th St. Map Excess Right-of-Way 11th St..pdf

Presentation:

Approvals/Reviews:

Cynthia Preas
Theresa James
Tina Dierschke
Theresa James
Julia Antilley

Created/Initiated
Approved
Approved
Approved
Final Approval

TRACT ONE		
Line #	Length	Direction
L20	139.71'	N 59°58'02" E
L21	41.14'	N 71°29'00" E
L22	180.02'	S 59°55'53" W
L23	8.33'	N 30°01'58" W

TRACT TWO		
Line #	Length	Direction
L30	37.42'	S 15°41'52" W
L31	36.14'	S 60°56'08" W
L32	16.74'	N 30°15'33" W
L33	56.78'	S 71°29'00" W
L34	63.25'	N 59°55'53" E
L35	26.06'	N 36°29'04" E
L36	44.47'	N 60°10'22" E
L37	13.06'	S 28°21'51" E

- LEGEND**
- FOUND 1/2" IRON PIPE
 - FOUND 1/2" IRON ROD
 - SET 1/2" IRON ROD CAPPED "MO"
 - POINT
 - SUBJECT PROPERTY
 - SUBJECT PROPERTY BOUNDARY
 - EASEMENT/BUILDING SET-BACK LINE
 - FENCE
 - SURVEYED TRACT LINE
 - R.O.W. RIGHT-OF-WAY



BASIS OF BEARINGS

BEARING BASIS HEREON IS TEXAS STATE PLANE COORDINATE SYSTEM, REFERENCE FRAME NORTH AMERICAN DATUM 83 (NAD 83) (FIPS 201100000), AS DERIVED FROM GLOBAL POSITIONING SYSTEM (GPS) SURVEY DATA. DISTANCES SHOWN HEREON ARE SHOWN AS ONE TEXAS STATE PLANE COORDINATE SYSTEM DISTANCES.

I, Wesley Roy Quinn, Registered Professional Land Surveyor of Texas, do hereby state that this plat represents an actual survey made under my direction to the best of my knowledge and ability, this the 15th day of April, 2020.



Registered Prof. Land Surveyor
Texas Registration No. 6625

NOTES:

1. FIELD NOTES TO ACCOMPANY THIS PLAT
2. SURVEY COMPLETED WITHOUT THE BENEFIT OF A TITLE COMMITMENT. THERE MAY BE EASEMENTS AND/OR COVENANTS AFFECTING THIS PROPERTY NOT SHOWN HEREON.

LAND BOUNDARY SURVEY OF TWO TRACTS OF LAND: TRACT ONE, BEING A 0.0004 ACRE TRACT OF LAND, MORE OR LESS, OUT OF M. HIMMER SURVEY No. 321, ABSTRACT No. 355, TOM GREEN COUNTY, TEXAS, AND OUT OF 10 ACRE LOT No. 18, PULLIAM & JOHNSON SUBDIVISION, TOM GREEN COUNTY, TEXAS, AND OUT OF A PORTION OF A STREET AS SHOWN ON THE PLAT OF THE C.W. MERRICK SUBDIVISION, TOM GREEN COUNTY, TEXAS, AND BEING OUT OF PARCEL 4, DESCRIBED IN A WARRANTY DEED WITH VENDORS' LIEN TO RICHARD SALMON, RECORDED IN INSTRUMENT No. 729315, OFFICIAL PUBLIC RECORDS, TOM GREEN COUNTY, TEXAS.

TRACT TWO, BEING A 0.0623 ACRE TRACT OF LAND, MORE OR LESS, OUT OF M. HIMMER SURVEY No. 321, ABSTRACT No. 355, TOM GREEN COUNTY, TEXAS, AND OUT OF 10 ACRE LOT No. 18, PULLIAM & JOHNSON SUBDIVISION, TOM GREEN COUNTY, TEXAS, AND OUT OF A PORTION OF A STREET AS SHOWN ON THE PLAT OF THE C.W. MERRICK SUBDIVISION, TOM GREEN COUNTY, TEXAS, AND BEING OUT OF PARCEL 4, DESCRIBED IN A WARRANTY DEED WITH VENDORS' LIEN TO RICHARD SALMON, RECORDED IN INSTRUMENT No. 729315, OFFICIAL PUBLIC RECORDS, TOM GREEN COUNTY, TEXAS.

SCALE 1" = 30 FEET



M. HILLMAN AND QUINN, INC.
LAND SURVEYING
FIRM NO. 10194241
P.O. BOX 3506, SAN ANGELO, TEXAS
PHONE: (325) 595-0043 EMAIL: info@mql.com
Copyright 2020 All Rights Reserved
FIELD: BO
OFFICE: O
JOB NO.: 20120071
SALMON TRACT ONE AND TRACT TWO

STATE OF TEXAS

LEGAL DESCRIPTION

COUNTY OF TOM GREEN

TRACT ONE - 0.0304 ACRE

Field notes of a 0.0304-acre tract of land, more or less, out of M. Himmer Survey No. 321, Abstract No. 355, Tom Green County, Texas, and out of 10 Acre Lot No. 10/19, Pulliam & Johnson Subdivision, Tom Green County, Texas, and out of a portion of a street as shown on the plat of the C.W. Merrick Subdivision, Tom Green County, Texas, said 0.0304 acre tract being further described by metes and bounds as follows;

Beginning at a ½" iron rod set at the southwest corner of Lot 2, Block 3 of said C.W. Merrick Subdivision, in the east line of Lot 1 of said Block 3, for the southwest corner of this herein described tract of land;

Thence North 59°58'02" East, a distance of 139.71 feet along the south line of said Block 3, to a ½" iron rod set in the south line of Lot 4, said Block 3, in the south line of Parcel 4, Tract 4, described in a Warranty Deed With Vendor's Lien, recorded in Instrument No. 729315, Official Public Records, Tom Green County, Texas, for the northwest corner of this herein described tract of land;

Thence North 71°29'00" East, a distance of 41.13 feet along the south line of said Parcel 4, Tract 4, to a ½" iron rod set at the west corner of a 0.0623 acre tract, surveyed this day, for the northeast corner of this herein described tract of land;

Thence South 59°55'53" West, a distance of 180.02 feet to a ½" iron rod set in the east line of said Lot 1 for the southeast corner of this herein described tract of land;

Thence North 30°01'58" West, a distance of 8.33 feet to the Place of Beginning, containing 0.0304-acres of land, more or less, subject to all easements of record.

Bearing Basis hereon is Texas State Plane Coordinate System, Reference Frame North American Datum 1983 (2011) (EPOCH 2010.0000), as determined from Global Navigation Satellite System (GNSS) survey equipment by Static, Virtual Reference System (VRS) network and or Real Time Kinematic (RTK). Distances shown hereon are shown as grid Texas State Plane Coordinate System distances.

I, Wesley Quinn, Registered Professional Land Surveyor of Texas, do hereby state that this description represents an actual survey made on the ground this the 15th day of April, 2020.



A handwritten signature in black ink, appearing to read "Wesley Quinn", with a long horizontal flourish extending to the right.

Registered Professional Land Surveyor
Texas Registration No. 6625

A plat accompanies this metes and bounds description.
Job # 20120071 SALMON TRACT ONE 0.0304-acre

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: January 12, 2021

Item type: Consent Item

Caption:

Consider authorizing the City Manager to enter into an agreement with Bar Five Land Group, LLC, providing for the capping of three existing water wells and drilling three new water wells on a 210.46 acre tract, which City retained all ground water and water rights to this property in Instrument 201516058, Official Public Records, Tom Green County, Texas (Cindy Preas and Allison Strube)

Summary/History:

On August 18, 2014, City Council approved the sale of 210.46 acres of land, more particularly described in Instrument 201516058, Official Public Records, Tom Green County, Texas, for the highest sealed bid published under RFB RE-03-15, to Bar Five Land Group, LLC ("Owner").

The City conveyed the surface estate only, reserving all ground water and water rights, including the exclusive right of drilling; subject to limited use of water from existing wells for domestic or household purposes only.

Owner is requesting to "cap" the 3 existing wells identified as being: 1) located approximately 6' from Dove Creek; 2) an old irrigation well; and 3) an old well near Hwy 335, believed to be used by the old Dove Creek Church.

Owner will provide the Water Utilities Director a map identifying the location of the new wells, which shall not be located within the floodway or the 100-year flood plan as stipulated by Federal Emergency Management Agency (FEMA) Flood Maps, and allow the director or her designee access to the Property to confirm existing water wells are capped and identify the location of the 3 new well sites.

Financial Impact:

None

Other Information/Recommendation:

Staff recommends City Manager be authorized to enter into an agreement with Bar Five Land Group, LLC, providing for the capping of 3 existing water wells and provide Owner the right to drill 3 new wells, which shall not be located within the floodway or the 100-year flood plan as stipulated by Federal Emergency Management Agency (FEMA) Flood Maps; and limit water usage from the new wells to domestic or household purposes only and further provide Owners, or their successors or assigns shall not sell, transport, convey, use or permit the use of well water from the Property for off premises consumption.

Attachments:

1. Map Bar Five Land Group

Map Bar Five Land Group.pdf

Presentation:

Cynthia Preas

Approvals/Reviews:

Cynthia Preas

Allison Strube

Theresa James

Tina Dierschke

Theresa James

Julia Antilley

Created/Initiated

Approved

Approved

Approved

Approved

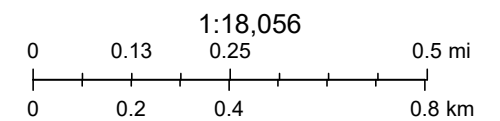
Final Approval

Map Bar Five Land Group



12/30/2020 8:13:05 AM

-  Final Subdivision Plat Boundaries
-  Preliminary Subdivision Plat Boundaries



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Cristina Eureste, WIC Manager, WIC,

Meeting Date: January 12, 2021

Item type: Consent Item

Caption:

Consider approving a Lease Agreement between WIC and Cornerstone Community Action Agency in Coleman (Cristina Eureste)

Summary/History:

The current WIC lease agreement in Coleman has expired November 30, 2020 and was agreeable to a one year term only. Staff is requesting approval to execute a new lease agreement with Cornerstone Community Action Agency effective December 1, 2020. WIC will be paying \$250 a month for rent of space, which is necessary to maintain a satellite clinic presence in Coleman. This is within the WIC budget.

Financial Impact:

WIC will be paying \$250 a month for rent of space. This is within the WIC budget.

Other Information/Recommendation:

Staff recommends approval.

Attachments:

Presentation:

Cristina Eureste

Approvals/Reviews:

Cristina Eureste

Bob Salas

Theresa James

Tina Dierschke

Theresa James

Julia Antilley

Created/Initiated

Approved

Approved

Approved

Approved

Final Approval

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: January 12, 2021

Item type: Consent Item

Caption:

Consider a resolution to accept a non-competitive Texas Emergency Rental Assistance Program (TERAP) grant from the Texas Department of Housing & Community Affairs (TDHCA) in the amount of \$197,919.21 to extend rental assistance for households experiencing income loss due to COVID-19 related issues (Bob Salas)

Summary/History:

The TERAP provides rental assistance to income-eligible households impacted by COVID-19 to help them stay housed during the pandemic and help them recover economically from the impact of the pandemic. Administered by the TDHCA, with Community Development Block Grant (CDBG) CARE Act funds, the program can pay up to six (6) months of eligible household's rent, including rental arrears, with at least one of those months covering a month of future rent. The program can specifically provide rental assistance to tenants who have been sued for eviction (i.e. forcible detainer action filed against them), providing landlords and tenants an alternative to eviction.

As a CDBG grant entitlement city, we are normally prohibited from participating in TDHCA programs funded by CDBG. However, TDHCA was approved by HUD to offer a non-competitive grant to entitlement cities that currently have a COVID recovery rental assistance program, which San Angelo currently has in place. If approved by Council, the City will receive \$197,919.21 to be expended within 12 months from allocation of funds.

Financial Impact:

NFS department will receive \$197,919.21 from TDHCA to be managed by the Community & Housing Support division.

Other Information/Recommendation:

Attachments:

- | | |
|--------------------------------------|--|
| 1. TERAP Grant Acceptance Resolution | TERAP Grant Acceptance Resolution.docx |
|--------------------------------------|--|

Presentation:

Bob Salas

Approvals/Reviews:

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

A RESOLUTION BY THE SAN ANGELO CITY COUNCIL AUTHORIZING THE CITY MANAGER TO ACCEPT A NON-COMPETITIVE TEXAS EMERGENCY RENTAL ASSISTANCE PROGRAM GRANT AWARD FROM THE TEXAS DEPARTMENT OF HOUSING & COMMUNITY AFFAIRS IN THE SUM OF \$197,919.21 TO EXTEND RENTAL ASSISTANCE FOR HOUSEHOLDS EXPERIENCING INCOME LOSS DUE TO COVID-19 RELATED ISSUES.

WHEREAS, the Texas Emergency Rental Assistance Program (TERAP) provides rental assistance to income-eligible households impacted by COVID-19 to help them stay housed during the pandemic and help them recover economically from the impact of the pandemic; and

WHEREAS, TERAP is administered by the Texas Department of Housing & Community Affairs (TDHCA), and TDHCA has designated \$105 million to eligible jurisdictions; and

WHEREAS, TDHCA is authorized to offer a non-competitive grant to entitlement cities that currently have a COVID recovery rental assistance program, which the City of San Angelo currently has in place; and

WHEREAS, having met the eligibility requirements, the City has been offered TERAP grant funding in the amount of \$197,919.21; and

WHEREAS, there will be no matching requirement for the TERAP funds received.

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

The City Manager for the City of San Angelo is hereby directed and authorized to execute any and all documents necessary to accept the grant award under the Texas Emergency Rental Assistance Program from the Texas Department of Housing & Community Affairs in the sum of ONE HUNDRED NINETY-SEVEN THOUSAND NINE HUNDRED NINETEEN DOLLARS AND 21/100 (\$197,919.21) to be used to extend rental assistance to eligible households in accordance with all program requirements.

PASSED, APPROVED, AND ADOPTED this 12th day of January, 2021.

ATTEST:

CITY OF SAN ANGELO, TEXAS

Julia Antilley, City Clerk

Brenda Gunter, Mayor

APPROVED AS TO FORM

Theresa James, City Attorney

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Ryan Gaddy, Assistant Finance Director, Accounting, 325-657-4270

Meeting Date: January 12, 2021

Item type: Consent Item

Caption:

Consider resolutions authorizing the Investment Policies for the City of San Angelo, Lake Nasworthy Trust, and Development Corporation Funds (Ryan Gaddy)

Summary/History:

Each year, the City Council must adopt an investment policy and strategy in accordance with the Public Funds Investment Act (PFIA). The updated investment policy is attached with changes being made from last year. They include:

City Investments

Section Change

Four (1) Extending years of maturity of Depository Certificates of Deposit from one (1) year to two (2) years.

Four (6) Extending years of maturity of General Debt Obligation bonds from two (2) to three (3) years.

Four (9) Extending maximum maturity for Commercial Paper from ninety (90) days to two-hundred seventy (270) days.

Four Increasing maximum percentage of overall portfolio for Commercial Paper from 20% to 25%.

Four Increasing maximum percentage of overall portfolio of Issuer limitation for Commercial Paper from 5% to 10%.

Addendum B Added FHN Financial, Piper Sandler & Co., StoneX Group Inc., Robert W. Baird, UBS, Moreton Capital Markets and removed FTN Financial, Piper Jaffray, and Int'l FC Stone.

Lake Nasworthy Trust Investments

Section Change

Four (6) Extending years of maturity of General Debt Obligation bonds from two (2) to three (3) years.

Four (9) Added A1/P1 domestic commercial paper with a maximum maturity of two hundred seventy (270) days.

Addendum B Added FHN Financial, Piper Sandler & Co., StoneX Group Inc., Robert W. Baird, UBS, Moreton Capital Markets and removed FTN Financial, Piper Jaffray, and Int'l FC Stone.

Development Corporation Investments

Section Change

Four (1) Extending years of maturity of Depository Certificates of Deposit from one (1) year to two (2) years.

Four (9) Extending maximum maturity for Commercial Paper from ninety (90) days to two hundred seventy (270) days.

Four Increasing maximum percentage of overall portfolio for Municipal and State Obligations from 40% to 50%.

Four Increasing maximum percentage of overall portfolio for Commercial Paper from 15% to 20%.

Addendum B Added FHN Financial, Piper Sandler & Co., StoneX Group Inc., Robert W. Baird, UBS, Moreton Capital Markets and removed FTN Financial, Piper Jaffray, and Int'l FC Stone.

Adopting these three policies will keep the City in compliance with the Public Funds Investment Act ("PFIA") which requires the City to review and adopt the policies annually.

Financial Impact:

Other Information/Recommendation:

Attachments:

1.	2021 City Investment Policy	2021 City Investment Policy.pdf
2.	2021 Lake Nasworthy Investment Policy	2021 Lake Nasworthy Investment Policy.pdf
3.	2021 DC Investment Policy	2021 DC Investment Policy.pdf
4.	Resolution City of San Angelo Investment Funds	Resolution City of San Angelo Investment Funds.docx
5.	Resolution Lake Nasworthy Investment Funds	Resolution Lake Nasworthy Investment Funds.docx
6.	Resolution Development Corporation Investment Funds	Resolution Development Corporation Investment Funds.docx

Presentation:

Ryan Gaddy

Approvals/Reviews:

Ryan Gaddy	Created/Initiated
Theresa James	Approved
Tina Dierschke	Approved
Theresa James	Approved
Julia Antilley	Final Approval

CITY OF SAN ANGELO, TEXAS

INVESTMENT POLICY

2021

It is the policy of the City of San Angelo (the "City") to invest public funds in a manner which will provide the highest reasonable market return with the maximum security while meeting the daily cash flow demands of the City and conforming to all state and local statutes governing the investment of public funds.

This policy satisfies the requirement of the Public Funds Investment Act (the "Act"), Texas Government Code 2256, which requires the creation and annual adoption of a written investment policy and its addendums. The City Council shall review and adopt, no less than annually, the Investment Policy and its incorporated strategies. Any changes to the Policy will be detailed in the adopting resolution.

Section One: Scope

This investment policy applies to all the financial assets of the City except funds of Lake Nasworthy. The funds are accounted for in the City's Comprehensive Annual Financial Report and include:

- Operating Funds
- Debt Service Funds
- Bond, Capital and Special Project Funds
- Reserve Funds
- Non-expendable Trust Funds

Section Two: Investment Objectives and Standard of Care

The objectives of the City's investment program shall be, in order of priority, safety, liquidity and yield. Safety of principal shall be the foremost objective of the City's investment program. Each investment transaction shall seek to first ensure that capital losses are avoided, whether they are from securities, defaults or erosion of market value. The portfolio shall be managed with the objective of obtaining a reasonable market yield.

The standard of prudence to be used by investment officers shall be the *prudent person standard* and shall be applied in the context of managing the overall portfolio. Investments shall be made with judgment and care under circumstances then prevailing which a person of prudence, discretion and intelligence would exercise in the management of his/her own affairs with consideration given to the probable safety of capital as well as the probable income to be derived. Investments shall not be made for speculative purposes.

Investment officers acting in accordance with written procedures and the Investment Policy and exercising due diligence shall be relieved of personal liability for an individual security's credit or market risk, provided that deviations from expectations are reported in a timely fashion and

appropriate action is taken to control adverse developments.

Section Three: Investment Strategy

The City of San Angelo funds shall be commingled for investment purposes recognizing the cash flow needs of the individual funds which makeup the portfolio. The total portfolio will maintain a maximum weighted average maturity of one (1) year which is based on the cash flow analysis and cash requirements of the City.

The City of San Angelo's investment portfolio shall be diversified for safety and shall consist of a variety of securities and maturities which may include any or all of the authorized investments listed in Section Four, Authorized Investments, of this Policy. In order to meet Policy objective, securities will be of the highest credit quality and marketability. The portfolio's objectives can be attained by utilization of high credit quality securities and a modified ladder structure in the short-term area to match known liabilities.

- (1) Operating Funds - Operating funds ensure that anticipated cash flows are matched for adequate liquidity on major payment obligations such as payroll.
- (2) Debt Service Funds - Debt service funds must cover the upcoming debt service obligations on the required payment dates.
- (3) Bond, Capital and Special Project Funds - Bond proceeds and special project funds are used for anticipated liabilities on the projects.
- (4) Reserve Funds - Reserve funds provide liquidity for fund obligations and generate a dependable revenue stream from securities.
- (5) Non-expendable Trust Funds - Non-expendable trust funds generate dependable revenue streams for their designated uses.

It is the City of San Angelo's intent to hold purchased securities to maturity investing in such a manner as to ensure both the safety and liquidity of such transactions. However, under conditions defined and procedures approved by the Oversight Committee, securities may be sold or "swapped" before maturity to capture capital gains and allow for reinvestment into the portfolio. Securities purchased specifically for non-expendable trust funds shall be valued continuously and may be sold prior to the stated maturity date in order to capture capital gains.

The City of San Angelo's investment officers, or designated investment advisors, will evaluate the City's cash position daily to determine the amount of funds available for investment and to project the term for such investments and will then decide on placement of the investment based on fund type and market conditions, fund cash flow, the offering yield for eligible investment and diversity in the portfolio

Section Four: Authorized Investments

The City shall invest only in those instruments authorized by law of the State of Texas (Texas Government Code 2256, Public Funds Investment Act) as further defined by this policy. Insofar as they meet this requirement, the City may invest in the following:

(1) Depository certificates of deposit issued by state and national banks doing business in Texas that do not exceed two (2) years to maturity from date of issue, and:

- a. are guaranteed or insured by the Federal Deposit Insurance Corporation or its successor: or
- b. are collateralized at 102% by obligations of the United States or its agencies and instrumentalities (excluding letters of credit) or direct obligations of any state, its subdivisions, or its agencies which have been rated as to investment quality by a nationally recognized investment rating firm and have received a rating of not less than "A" or the equivalent.

(2) Obligations of the United States Government, its agencies and instrumentalities not to exceed 3 years to their stated maturity date;

(3) Fully collateralized repurchase agreements having a defined termination date not to exceed six (6) months, secured by obligations of the United States or its agencies and instrumentalities, collateralized at 102%, executed under a written Master Repurchase Agreement, with securities safe-kept with a third party selected or approved by the City, and placed through a bank doing business in Texas or a primary government securities dealer as defined by the Federal Reserve. Flex repurchase agreements used for bond funds or special project funds may have a stated termination date not to exceed the estimated completion date of the project(s).

(4) Local government investment pools as defined by the Act which strive to maintain a \$1 net asset value, which are rated as to investment quality by a nationally recognized credit rating agency and have received a rating of not less than "AAA" or its equivalent. Investment in each pool must be specifically authorized by Resolution of the City Council.

(5) AAA-rated, SEC registered money market mutual funds striving to maintain a \$1 net asset value.

(6) General obligation bonds of states, agencies, counties, cities and other political subdivisions of any state rated "A" or better or its equivalent by two nationally recognized rating agencies and with a stated maturity not to exceed three (3) years.

(7) FDIC insured brokered certificate of deposit securities from banks in any US state, delivered versus payment to the City's safekeeping depository, not to exceed one year to maturity. Before purchase, the Investment Officer or advisor must verify the FDIC status of the bank on www.fdic.gov to assure that bank is FDIC insured.

(8) Fully insured or collateralized, interest bearing accounts of any bank doing business in Texas.

(9) A1/P1 domestic commercial paper with a maximum maturity of two hundred seventy (270) days.

In order to provide diversification in the portfolio which reduces market and credit risk exposures, the following diversification parameters are established for the Portfolio. Diversification parameters must be met at the time of purchase although cash flows may change the percentages over time. Effort will be made to maintain the diversification guidelines through cyclical cash flow periods.

<u>Security Type</u>	<u>Max. % in Overall Portfolio</u>
CDs	40%
Per bank	10 %
US Treasuries	80%
US Agencies & Instrumentalities	80%
Repurchase Agreements	50%
Flex for bond funds	100 %
Constant Dollar LGIP	80%
Ownership of the pool	10 %
Money Market Mutual Funds	75 %
Municipal and State Obligations	40 %
Issuer limitation	5 %
FDIC Brokered CDs	20 %
Commercial paper	25 %
Issuer limitation	10 %

Delivery versus Payment

All security transactions (with the exception of pool or fund participation) by the City shall be purchased "delivery versus payment". That is, the City shall authorize release of its *funds* only after a purchased security has been received by its safekeeping agent or after the City has received notification from its safekeeping agent that a purchased security has been received in the City's safekeeping account.

Competitive Bidding Required

All investments shall be purchased or sold on a competitive basis with bids or offers from three City authorized broker/dealers for the best yield and maturity. Offers of new issue agencies need not be competitively bid but must be made from City authorized broker/dealers.

Loss of Rating

The City is not required to liquidate investments that were authorized investments at the time of purchase (Chapter 2256.017). However, should a security that requires a minimum rating under state law not have that required rating, the investment officer shall take all prudent measures to liquidate the security (Chapter 2256.021).

Monitoring FDIC Coverage

The Investment Officer or Investment Advisor shall monitor, on no less than a weekly basis, the status and ownership of all banks issuing brokered CDs owned by the City based upon information from the FDIC. If any bank has been acquired or merged with another bank in which brokered CDs are owned, the Investment Officer or Advisor shall immediately liquidate any brokered CD which places the City above the FDIC insurance level.

Monitoring Credit Ratings

The Investment Officer or investment advisor shall monitor, on no less than a weekly basis, the credit rating on all authorized investments in the portfolio based upon independent information from a nationally recognized rating agency. If any security falls below the minimum rating required by Policy, the Investment Officer or advisor shall notify the Finance Director and City Manager of the loss of rating, conditions affecting the rating and possible loss of principal with liquidation options available, within two weeks after the loss of the required rating.

Section Five: Collateral and Safekeeping

Time and Demand Bank Deposits Pledged Collateral

Collateralization is required on all bank time and demand deposits over the applicable FDIC insurance coverage. All securities pledged to the City for these deposits shall be held by an independent third party institution outside the holding company of the pledging bank.

In order to anticipate market changes and provide a level of additional security for all funds, the market value of the collateral will be maintained at 102% of total principal and accrued interest. The depository will be responsible for monitoring and maintaining the collateral and margins at all times. The custodian will provide monthly reports to the City detailing the collateral.

Collateral will be pledged under the terms of a written depository agreement addressing acceptance, substitution and valuation of collateral, executed under the terms of FIRREA¹. (If the custodian is the Federal Reserve the City will execute as an alternate a FRBPledgee Agreement of Circular 7 form.) The agreement shall be approved by resolution of the bank's board or loan committee.

Acceptable collateral shall include only obligations of the U.S. Government, its agencies and instrumentalities, including mortgage backed securities passing the bank test, municipal securities rated A or better by two nationally recognized rating agencies and letters of credit. A monthly report of collateral will be provided directly from the custodian.

Repurchase Agreements Owned Collateral

¹ The Financial Institutions Resource and Recovery Enforcement Act (FIRREA) governs the deliberations of the FDIC in the case of default or bankruptcy of the bank.

Collateral under a repurchase agreement is owned by the City. It will be held by an independent third party safekeeping agent approved by the City under an executed SIFMA² Master Repurchase Agreement. Collateral with a market value totaling 102% of the principal and accrued interest is required and the counter-party is responsible for the monitoring and maintaining of collateral and margins at all times.

Safekeeping

The laws of the State, this Policy, and prudent treasury management require that all securities be settled on a delivery versus payment basis and be held in safekeeping by an independent third party financial institution approved by the City.

Securities shall not be bought from the banking services bank in order to perfect delivery versus payment separation in the transaction.

All safekeeping arrangements shall be approved by the Investment Officers and an agreement of the terms executed in writing. The third party custodian shall be required to issue original safekeeping receipts to the City listing each specific security, rate, description, maturity, cusip, and other pertinent information. Each safekeeping receipt shall be clearly marked that the security is held for the City.

Section Six: Investment Officer Designation

The City Council hereby designates the Finance Director, or his designated representative, and the Finance Department position handling the daily treasury functions (currently the Cash and Debt Analyst), as duly authorized investment officers of the City and grants to them the authority to invest City funds as outlined herein. The City may further contract with a registered investment advisor to advise in the management of the City's portfolio. No person may engage in an investment transaction except as provided under the terms of this Policy and supporting procedures. Any disbursement of City funds for the purchase of investment instruments must bear the signature of two investment officers.

The investment officers will establish written procedures for the operation of the investment program consistent with this Investment Policy.

Officers, employees and advisors involved in the investment process shall refrain from personal business activity that could conflict with proper and unbiased execution of the investment program or which could impair their ability to make impartial investment decisions. Any business or personal relationship shall be disclosed to the City Council. If the relationship falls within the second degree of blood or marriage disclosure should also be sent to the Texas Ethics Commission.

Section Seven: Training

²Security Industry and Financial Markets Association, formerly the Bond Market Association.
Investment Policy 2021
City of San Angelo

The Finance Director and all City officials designated herein as investment officers and their designated representatives within the parameters of this Policy shall attend ten hours of training within twelve months of taking the position and eight hours in each succeeding two year fiscal period (beginning on the first day of the fiscal year) relating to investment responsibilities. The training must include investment controls, security risks, strategy risks, market risks, portfolio diversification and compliance with the Act.

The training provider must be an independent source approved by the Investment Oversight Committee. A list of approved training sources is attached as Addendum A.

Section Eight: Investment Activity Reporting

Reporting for investments will be made in accordance with the state law (Chapter 2256.023). Reports of investments should be prepared and presented at least quarterly to the City Council and City Manager and should reflect the cost, term, yield, market value, purchase date, maturity date, description and cusip number for each investment. Market values shall be obtained at least monthly from the trust department of the City's depository bank or other independent source as approved by the Oversight Committee.

On a quarterly basis the investment officer, or his designee, shall prepare a series of detail and management level signed investment reports in accordance with the Act, disclosing at a minimum:

- 1) The investment activity for the previous quarter;
- 2) The book and market value of investments at the beginning and end of the quarter;
- 3) Assessments of the market value of each investment and change in market value;
- 4) Fully accrued interest and earnings for the period in accordance with generally accepted accounting principles;
- 5) The change in market value, and
- 6) Compliance with the Public Funds Investment Act and this Policy.

Prices for the valuation of securities' market value shall be obtained from an independent source.

Section Nine: Investment Oversight Committee

The City Council shall appoint an Investment Oversight Committee to review the City's investment portfolio with the Finance Director and City Manager, or his designee, at least quarterly and to then report to the City Council. The Committee shall be comprised of two City Council members, two citizens with experience as investment advisors or analysts, the City's independent auditor (as a non-voting member), the City Manager or his designee, and the City's Finance Director. The duties of the Oversight Committee shall include:

- 1) Review of the quarterly report submitted by the Investment Officers of the City,
- 2) Review and adoption of a list of authorized qualified brokers and counter-parties that have provided the required certification and are authorized to engage in investment transactions with the City,

- 3) Review of the list of authorized brokers at least annually, and
- 4) Approval of the independent training provider as required in this Policy (Addendum A).

The Oversight Committee shall have the authority, subject to City Council review, to make such rules as deemed necessary for the orderly operation of the Committee. All changes to the Policy must be reviewed and adopted by the City Council before changes are made in the investment process.

Section Ten: Audit

The City's independent auditor shall formally review the quarterly investment reports prepared in accordance with this Policy and applicable state statutes (Chapter 2256.023). The review shall be conducted annually and the results of the review shall be reported to the City Council. In addition, in conjunction with the annual audit the City shall perform a compliance audit of management controls on investments and adherence to this Policy. Results of this audit will be reported to the oversight Committee. [Chapter 2256.005(m)].

Section Eleven: Authorized Financial Institutions and Broker/Dealers

The Investment Officer and Adviser will maintain a list of financial institutions and broker/dealers authorized to do business with the City. These firms will be selected according to credit worthiness and service. Brokers may include "primary dealers" or regional dealers that qualify under the SEC's Rule 15C3-1 (uniform net capital rule). All broker/dealers must provide the Investment Officer with:

- 1) Proof of Financial Industry Regulatory Authority (FINRA) registration,
- 2) Proof of registration with the Texas State Securities Commission, and
- 3) Completed City questionnaire.

All authorized broker/dealers will be sent the Investment Policy and any changes made in the future.

In accordance with the Public Funds Investment Act [Chapter 2256.005(k)] a copy of the City's Investment Policy shall be presented to any pool in which the City participates. The pool must execute a written certificate in a form acceptable to the City that they have (1) reviewed the Investment Policy and (2) acknowledged that they have implemented reasonable procedures and controls to preclude investment transactions conducted between the City and the pool which are not authorized by the Policy.

The City Council or the Investment Oversight Committee will at least annually review, revise and adopt a list of authorized brokers authorized to engage in investment transactions. The list of authorized counter-parties is shown as Addendum B of this Policy and approved with adoption of this Policy.

Section Twelve: Policy Adoption and Revisions

The City Council will review the Policy not less than annually and adopt a resolution stating that the Policy and incorporated strategies have been reviewed and including all changes to the Policy. This Policy may be amended only by action of the City Council.

The City Manager and Oversight Committee are authorized to recommend revisions to the Policy to the City Council whenever such revisions are necessary and prudent due to changes in State Law, the needs of the City, or the economy and market opportunities. All changes to the Policy must be reviewed and adopted by the City Council before changes are made in the investment process.

ADOPTED on this the ----- day of _____, 2021.

CITY OF SAN ANGELO, TEXAS

Brenda Gunter, Mayor

ATTEST:

Julia Antilley, City Clerk

Approved as to Content:

Tina Dierschke, Finance Director

Approved as to Form:

Theresa James, City Attorney

ADDENDUM A

By adoption of this Investment Policy, the following associations and organizations are approved for Investment Officer training.

- Texas Municipal League
- Government Finance Officers Association of Texas
- Government Treasurers Organization of Texas

ADDENDUM B

Broker/Dealer List

The authorized list for City of San Angelo is shown below. Each of these firms, and the individual covering the account, are sent the current Investment Policy.

The City's Policy establishes specific criteria for the brokers and requires that the list of broker/dealers be approved annually by the City Council or Investment Committee established by the Council. The City's investment advisor, Patterson & Associates, maintains the brokerage compliance files for the City.

When any material changes are made to the Investment Policy, the new Policy is sent out for re-certification.

The broker/dealers certified by the City are:

- Bank of America/Merrill Lynch
- Cantor Fitzgerald
- FHN Financial
- Incapital
- Morgan Stanley
- Great Pacific Securities
- Stone X Group, Inc.
- Mutual Securities
- Mizuho Securities
- Oppenheimer
- Piper Sandler & Co.
- BOK Financial
- Raymond James
- RBC Capital Markets
- Stifel Nicolaus
- Wells Fargo
- Robert W. Baird
- UBS
- Moreton Capital Markets

LAKE NASWORTHY - SAN ANGELO, TEXAS
INVESTMENT POLICY
2021

It is the policy of the City of San Angelo (the "City") to invest public funds in a manner which will provide the highest reasonable market return with the maximum security while meeting the objectives of the City and conforming to all state and local statutes governing the investment of public funds.

This policy satisfies the requirement of the Public Funds Investment Act (the "Act"), Texas Government Code 2256 which requires the creation and annual adoption of a written investment policy. The City Council shall no less than annually review and adopt the Investment Policy and its incorporated strategies. Any changes to the Policy will be detailed in the adopting resolution.

Section One: Scope

This investment policy applies solely to the financial assets applied to the maintenance and support of Lake Nasworthy, San Angelo, Texas.

Section Two: Investment Objectives and Standard of Care

The objective of the Lake Nasworthy portfolio is to produce a revenue stream which can be used in the maintenance of the Lake Nasworthy area. The principal is not intended to be used for operational purposes.

The objectives of this Investment Policy shall be, in order of priority, safety, liquidity, diversification, and yield. Safety of principal shall be the foremost objective of the City's investment program. Each investment transaction shall seek to first ensure that capital losses are avoided, whether they be from market, credit or collateral risk. Investments shall not be made for speculative purposes. The portfolio shall be managed with the objective of obtaining a reasonable market yield in keeping with the capital appreciation and cash flow requirements of the fund.

The standard of prudence to be used by investment officers shall be the prudent person standard and shall be applied in the context of managing the overall portfolio. Investments shall be made with judgment and care under circumstance then prevailing which a person of prudence, discretion and intelligence would exercise in the management of his or her own affairs with consideration given to the probable safety of capital as well as the probable income to be derived.

Investment officers acting in accordance with written procedures and the Investment Policy and exercising due diligence shall be relieved of personal liability for an individual security's credit or market risk, provided that deviations from expectations are reported in a timely fashion and appropriate action is taken to control adverse developments.

Section Three: Investment Strategy

The investment strategy for Lake Nasworthy funds will focus on utilization of high credit quality, intermediate term securities which will generate a reasonable stream of income for the ongoing maintenance of the Lake. The principal of the fund is not expected to be used for any ongoing expenditures. The investment strategy is designed to generate a revenue stream and a low degree of volatility and market risk. Securities will be of a high quality, with short to intermediate term maturities chosen to hold their market value. The portfolio will use a range of maturities dependent on market conditions.

The City, or its designated investment advisors, will evaluate cash flow needs and the portfolio's position on a regular basis to determine ongoing market strategy. Market conditions and interest rate forecasts will determine portfolio structure. Securities may be sold or "swapped" before maturity to capture capital gains and allow for reinvestment into the portfolio.

The portfolio will maintain a maximum weighted average maturity (WAM) of three (3) years and the maximum expected or stated maturity in the fund will be ten (10) years for any individual security. The benchmark for risk and performance on the portfolio will be the three year Treasury Note for the comparable period in accordance with the anticipated WAM.

Section Four: Authorized Investments

The City shall invest only in those instruments authorized by law of the State of Texas (Texas Government Code 2256, Public Funds Investment Act). Insofar as they meet this requirement, the City may invest in the following:

(1) Depository Certificates of Deposit issued by state and national banks doing business in Texas that do not exceed two (2) years to maturity from date of issue, and:

- a. are guaranteed or insured by the Federal Deposit Insurance Corporation or its successor; or
- b. are collateralized at 102% by obligations of the United States or its agencies and instrumentalities or direct obligations of the State of Texas, its subdivisions, or its agencies which have been rated as to investment quality by a nationally recognized investment rating firm and have received a rating of not less than "A" or the equivalent.

(2) Obligations of the United States Government, its agencies and instrumentalities not to exceed ten (10) years to their stated maturity date, to include mortgaged backed securities passing the bank test;

(3) Fully collateralized repurchase agreements including reverse repurchase agreements, having a defined termination date not to exceed six (6) months, secured by obligations of the United States or its agencies and instrumentalities, collateralized at 102%, executed under a written Bond Market Association Master Repurchase Agreement, safe-kept with a third party selected or approved by the City, and placed through a bank doing business in Texas or a primary government securities dealer as defined by the Federal Reserve. Flex repurchase agreements

used for bond funds or special project funds may have a stated termination date not to exceed the estimated completion date of the project(s):

(4) Local government investment pools as defined by the Act, which strive to maintain a \$1 net asset value, as amended, which are rated as to investment quality by a nationally recognized credit rating agency and have received a rating of not less than "AAA" or its equivalent. Investment in each pool must be specifically authorized by Resolution of the City Council.

(5) AAA-rated, SEC registered money market mutual funds which strive to maintain a \$1 net asset value.

(6) General debt obligation bonds of states, agencies, counties, cities and other political subdivisions of any state rated "A" or better or its equivalent by two nationally recognized rating agencies and with a stated maturity not to exceed three (3) years.

(7) FDIC insured *brokered* certificate of deposit securities from banks in any US state, delivered versus payment to the City's safekeeping depository, not to exceed one year to maturity. Before purchase, the Investment Officer or Advisor must verify the FDIC status of the bank on www.fdic.gov to assure that bank is FDIC insured.

(8) Fully insured or collateralized, interest bearing accounts of any bank doing business in Texas.

(9) A1/P1 domestic commercial paper with a maximum maturity of two hundred seventy (270) days.

Diversification

The Fund will strive for diversification in the portfolio by market sector and maturity to reduce market and credit risk exposures.

Delivery versus Payment

All security transactions (with the exception of pool or fund participation) by the City shall be purchased "delivery versus payment". That is, the City shall authorize release of its *funds* only after a purchased security has been received by its safekeeping agent or after the City has received notification from its safekeeping agent that a purchased security has been received in the City's safekeeping account.

Competitive Bidding Required

All investments shall be purchased or sold on a competitive basis with bids or offers from three City authorized broker/dealers for the best yield and maturity. Offers of new issue agencies need not be competitively bid but must be made from City authorized broker/dealers.

Loss of Rating

The City is not required to liquidate investments that were authorized investments at the time

of purchase (Chapter 2256.017). However, should a security that requires a minimum rating under state law not have that required rating, the investment officer shall take all prudent measures to liquidate the security (Chapter 2256.021).

Monitoring FDIC Coverage

The Investment Officer or Investment Advisor shall monitor, on no less than a weekly basis, the status and ownership of all banks issuing brokered CDs owned by the City based upon information from the FDIC. If any bank has been acquired or merged with another bank in which brokered CDs are owned, the Investment Officer or Advisor shall immediately liquidate any brokered CD which places the City above the FDIC insurance level.

Monitoring Credit Ratings

The Investment Officer or investment advisor shall monitor, on no less than a weekly basis, the credit rating on all authorized investments in the portfolio based upon independent information from a nationally recognized rating agency. If any security falls below the minimum rating required by Policy, the Investment Officer or advisor shall notify the Finance Director and City Manager of the loss of rating, conditions affecting the rating and possible loss of principal with liquidation options available, within two weeks after the loss of the required rating.

Time and Demand Bank Deposits Pledged Collateral

Collateralization is required on all bank time and demand deposits over the applicable FDIC insurance coverage. All securities pledged to the City for these deposits shall be held by an independent third party institution outside the holding company of the pledging bank.

In order to anticipate market changes and provide a level of additional security for all funds, the market value of the collateral will be maintained at 102% of total principal and accrued interest. The depository will be responsible for monitoring and maintaining the collateral and margins at all times. The custodian will provide monthly reports to the City detailing the collateral.

Collateral will be pledged under the terms of a written depository agreement addressing acceptance, substitution and valuation of collateral, executed under the terms of FIRREA¹. (If the custodian is the Federal Reserve, the City will execute the Pledge Agreement of Circular 7 form.) The agreement shall be approved by resolution of the bank's board or loan committee.

Acceptable collateral shall include only obligations of the U.S. Government, its agencies and instrumentalities, including mortgage backed securities passing the bank test, municipal securities rated "A" or better by two nationally recognized rating agencies and letters of credit. A monthly report of collateral will be provided directly from the custodian.

Repurchase Agreements Owned Collateral

Collateral under a repurchase agreement is owned by the City. It will be held by an independent third party safekeeping agent approved by the City under an executed Bond

¹ The Financial Institutions Resource and Recovery Enforcement Act governs the deliberations of the FDIC in the case of default or bankruptcy of the bank.

Market Master Repurchase Agreement. Collateral with a market value totaling 102% of the principal and accrued interest is required and the counter-party is responsible for the monitoring and maintaining of collateral and margins at all times.

Safekeeping

The laws of the State, this Policy, and prudent treasury management require that all securities be settled on a delivery versus payment basis and be held in safekeeping by an independent third party financial institution approved by the City.

Securities shall not be bought from the banking services bank in order to perfect delivery versus payment separation in the transaction.

All safekeeping arrangements shall be approved by the Investment Officers and an agreement of the terms executed in writing. The third party custodian shall be required to issue original safekeeping receipts to the City listing each specific security, rate, description, maturity, cusip, and other pertinent information. Each safekeeping receipt shall be clearly marked that the security is held for the City.

Section Five: Investment Officer Designation

The City Council has designated the Finance Director, or his designated representative, and the Finance Department position handling the daily treasury functions (currently the Cash and Debt Analyst), as duly authorized investment officers of the City and grants to them the authority to invest Lake Nasworthy funds as outlined herein. The City may further contract with a registered investment advisor to advise in the management of this portfolio.

No person may engage in an investment transaction except as provided under the terms of this Policy and supporting procedures. Any disbursement of City funds for the purchase of investment instruments must bear the signature of two investment officers.

The investment officers will establish written procedures for the operation of the investment program consistent with this Investment Policy.

Officers, employees and advisors involved in the investment process shall refrain from personal business activity that could conflict with proper and unbiased execution of the investment program or which could impair their ability to make impartial investment decisions. Any business or personal relationship shall be disclosed to the City Council. If the relationship falls within the second degree of blood or marriage disclosure should also be sent to the Texas Ethics Commission.

Section Six: Training

All City officials designated herein as investment officers and their designated representatives within the parameters of this Policy shall attend ten hours of training within twelve months of taking the position and eight hours in each succeeding two fiscal year period (beginning on the

first day of the fiscal year) relating to investment responsibilities. The training must include investment controls, security risks, strategy risks, market risks, portfolio diversification and compliance with the Act.

The training provider must be an independent source approved by the Investment Oversight Committee. A list of approved training sources is attached as Addendum A.

Section Seven: Investment Activity Reporting

Reporting for investments will be made in accordance with the state law. (Chapter 2256.023) Reports of investments should be issued at least quarterly to the City Council and City Manager and should reflect the cost, term, yield, market value, purchase date, maturity date, description and cusip number for each investment. Market values shall be obtained monthly from the trust department of the City's depository bank or other independent source as approved by the Oversight Committee.

On a quarterly basis the investment officer, or his designee, shall prepare a series of detail and management level signed investment reports in accordance with the Act, disclosing at a minimum:

- 1) The investment activity for the previous quarter;
- 2) The book and market value of investments at the beginning and end of the quarter;
- 3) Assessments of the market value of each investment and change in market value;
- 4) Fully accrued interest and earnings for the period in accordance with generally accepted accounting principles;
- 5) The change in market value, and
- 6) Compliance with the Public Funds Investment Act and this Policy.

Prices for the valuation of securities' market value shall be obtained from an independent source.

Section Eight: Oversight Committee

The City Council shall appoint an Investment Oversight Committee to review the City's investment portfolio with the Finance Director and City Manager, or his designee, at least quarterly and to then report to the City Council. The Committee shall be comprised of two City Council members, two citizens with experience as investment advisors or analysts, the City's independent auditor (as a non-voting member), the City Manager or his designee, and the City's Finance Director. The duties of the Oversight Committee shall include:

- 1) Review of the quarterly report submitted by the Investment Officers of the City,
- 2) Review and adopt the list of counter-parties that have provided the required certification and are authorized to engage in investment transactions with the City,
- 3) Review of the list of authorized brokers at least annually, and
- 4) Approval of the independent training provider as required in this Policy.

The Oversight Committee shall have the authority, subject to City Council review, to make such rules as deemed necessary for the orderly operation of the Committee. All changes to the Policy

must be reviewed and adopted by the City Council before changes are made in the investment process.

Section Nine: Audit

The City's independent auditor shall formally review the quarterly investment reports prepared in accordance with this Policy and applicable state statutes (Chapter 2256.023). The review shall be conducted annually and the results of the review shall be reported to the City Council. In addition, in conjunction with the annual audit the City shall perform a compliance audit of management controls on investments and adherence to this Policy. Results of this audit will be reported to the oversight Committee. [(Chapter 2256.005(m))].

Section Ten: Authorized Financial Institutions and Broker/Dealers

The Investment Officer will maintain a list of financial institutions and broker/dealers authorized to do business with the City. These firms will be selected according to credit worthiness and service. Brokers may include "primary dealers" or regional dealers that qualify under the SEC's Rule 15C3-1 (uniform net capital rule). All broker/dealers must provide the Investment Officer with:

- 1) Proof of National Association of Securities Dealers certification,
- 2) Proof of registration with the Texas State Securities Commission, and,
- 3) Completed City questionnaire.

All authorized broker/dealers will be sent the Investment Policy and any changes made in the future.

In accordance with the Public Funds Investment Act [Chapter 2256.005(k)] a copy of the City's Investment Policy shall be presented to any pool in which Lake Nasworthy participates. The pool must execute a written certificate in a form acceptable to the City that they have (1) reviewed the Investment Policy and (2) acknowledged that they have implemented reasonable procedures and controls to preclude investment transactions conducted between the City and the pool which are not authorized by the Policy.

The City Council or the Investment Oversight Committee will at least annually review, revise and adopt a list of authorized brokers authorized to engage in investment transactions. The list of authorized counter-parties is shown as Addendum B of this Policy and approved with Council adoption of this Policy.

Section Eleven: Policy Adoption and Revisions

The City Council will review the Policy not less than annually and adopt a resolution stating that the Policy and its incorporated strategies has been reviewed and including all changes to the Policy. This Policy may be amended only by action of the City Council.

The City Manager and Oversight Committee are authorized to recommend revisions to the Policy to the City Council whenever such revisions are necessary and prudent due to changes in State Law, the needs of the City, or the economy and market opportunities. All changes to the Policy must be reviewed and adopted by the City Council before changes are made in the investment process.

ADOPTED on this the _____ day of _____, 2021.

CITY OF SAN ANGELO, TEXAS

Brenda Gunter, Mayor

ATTEST:

Julia Antilley, City Clerk

Approved as to Content:

Approved as to Form:

Tina Dierschke, Finance Director

Theresa James, City Attorney

ADDENDUM A

By adoption of this Investment Policy, the following associations and organizations are approved for Investment Officer training.

- Texas Municipal League
- Government Finance Officers Association of Texas
- Government Treasurers Organization of Texas

ADDENDUM B

Broker/Dealer List

The authorized list for City of San Angelo is shown below. Each of these firms, and the individual covering the account, are sent the current Investment Policy.

The City's Policy establishes specific criteria for the brokers and requires that the list of broker/dealers be approved annually by the City Council or Investment Committee established by the Council. The City's investment advisor, Patterson & Associates, maintains the brokerage compliance files for the City.

When any material changes are made to the Investment Policy, the new Policy is sent out for re-certification.

The broker/dealers certified by the City are:

- Bank of America/Merrill Lynch
- Cantor Fitzgerald
- FHN Financial
- Incapital
- Morgan Stanley
- Great Pacific Securities
- StoneX Group, Inc.
- Mutual Securities
- Mizuho Securities
- Oppenheimer
- Piper Sandler & Co.
- BOK Financial
- Raymond James
- RBC Capital Markets
- Stifel Nicolaus
- Wells Fargo
- UBS
- Robert W. Baird
- Moreton Capital Markets

CITY OF SAN ANGELO DEVELOPMENT CORPORATION
INVESTMENT POLICY, STRATEGY AND BROKER/DEALER LIST

2021

It is the policy of the City of San Angelo Development Corporation (the "COSADC") to invest its funds in a manner which will provide the highest reasonable market return within security guidelines while meeting the demands of the COSADC and conforming to all state and local statutes governing the investment of public funds.

This policy satisfies the requirement of the Public Funds Investment Act (the "Act"), Texas Government Code 2256, which requires the creation and annual adoption of a written investment policy.

Section One: Scope

This investment policy applies to all the financial assets of the COSADC.

Section Two: Investment Objectives and Standard of Care

The objectives of the COSADC's investment program shall be, in order of priority, safety, liquidity and yield. Safety of principal shall be the foremost objective of the COSADC's investment program. Investment transactions shall seek to insure that capital losses are avoided, whether they are from securities, defaults or erosion of market value. The portfolio shall be managed with the objective of obtaining a reasonable market yield.

The standard of prudence to be used by investment officers shall be the *prudent person standard* and shall be applied in the context of managing the overall portfolio. Investments shall be made with judgment and care under circumstances then prevailing which a person of prudence, discretion and intelligence would exercise in the management of his/her own affairs with consideration given to the probable safety of capital as well as the probable income to be derived. Investments shall not be made for speculative purposes.

Section Three: Investment Strategy

The COSADC of San Angelo funds shall recognize cash flow needs and adopt a pro-active yet conservative portfolio strategy. The total portfolio will maintain a maximum weighted average maturity of two (2) year which is based on the cash requirements of the COSADC. The long term nature of some projects of the COSADC will allow a maximum maturity of five (5) years.

The COSADC of San Angelo's investment portfolio shall be diversified for safety and shall consist of a variety of securities and maturities. In order to meet Policy objective, securities will be of the highest credit quality and marketability. The portfolio's objectives can be attained by utilization of high credit quality securities and a structure based on cash flow needs in the short and intermediate-term.

It is the intent of the COSADC to hold purchased securities to maturity. However, under conditions defined and procedures approved by the Oversight Committee securities may be traded to capture capital gains and allow for reinvestment into the portfolio.

The investment officers, or designated investment advisors, will create a strategy to project the term for such investments and will invest based on market conditions, cash flow, and diversity in the portfolio

Section Four: Authorized Investments

The COSADC shall invest only in those instruments authorized by law of the State of Texas (Texas Government Code 2256, Public Funds Investment Act) as further limited by this policy.

(1) Depository certificates of deposit issued by state and national banks doing business in Texas that do not exceed two (2) years to maturity from date of issue;

(2) Obligations of the United States Government, its agencies and instrumentalities excluding mortgage-backed securities, not to exceed five (5) years to their stated maturity date;

(3) Fully collateralized repurchase agreements having a defined termination date not to exceed six (6) months, secured by obligations of the United States or its agencies and instrumentalities, collateralized at 102%, executed under a written repurchase agreement, with securities safe-kept with a third party selected or approved by the COSADC, and placed through a bank doing business in Texas or a primary government securities dealer.

(4) Local government investment pools which strive to maintain a \$1 net asset value and as defined by the Act, rated AAA, or its equivalent, as to investment quality by a nationally recognized credit rating agency. Investment in each pool must be specifically authorized by Resolution of the COSADC Board.

(5) AAA-rated, SEC registered money market mutual funds which strive to maintain a \$1 net asset value.

(6) General obligation bonds of states, agencies, counties, cities and other political subdivisions of any state rated A or better or its equivalent by a nationally recognized rating agency and with a stated maturity not to exceed five (5) years.

(7) FDIC insured brokered certificate of deposit securities from banks in any US state, delivered versus payment to the COSADC's safekeeping depository, not to exceed one year to maturity. Before purchase, the Investment Officer or advisor must verify the FDIC status of the bank on www.fdic.gov to assure that bank is FDIC insured.

(8) Fully insured interest bearing accounts of any bank doing business in Texas.

(9) A1/P1 domestic commercial paper with a maximum maturity of two hundred seventy (270) days.

In order to provide diversification in the portfolio which reduces market and credit risk exposures the following diversification parameters are established for the Portfolio. Diversification parameters must be met at the time of purchase although cash flows may change the percentages over time. Effort will be made to maintain the diversification guidelines through cyclical cash flow periods.

<u>Security Type</u>	<u>Max. % in Overall Portfolio</u>
Depository CDs	40 %
Per bank	10 %
US Treasuries	80 %
US Agencies & Instrumentalities	80 %
Repurchase Agreements	50 %
Constant Dollar LGIP	80 %
Ownership of the pool	10 %
Money Market Mutual Funds	75 %
Municipal and State Obligations	50 %
FDIC Brokered CDs	20 %
Commercial paper	20 %

Delivery versus Payment

All security transactions shall be purchased and settled "delivery versus payment". That is, the COSADC shall authorize release of its funds only after a purchased security has been received by its safekeeping agent.

Competitive Bidding Required

All investments shall be purchased or sold on a competitive basis with bids or offers from at least three authorized broker/dealers for the best yield and maturity. Offers of new issue agencies need not be competitively bid but must be made from COSADC authorized broker/dealers.

Loss of Rating

There is no requirement to liquidate investments that were authorized investments at the time of purchase. However, should a security that requires a minimum rating under state law not have that required rating, the investment officer shall take all prudent measures to liquidate the security.

Monitoring FDIC Coverage

The Investment Officer or Investment Advisor shall monitor, on no less than a weekly basis, the status and ownership of all banks issuing brokered CDs owned by the COSADC based upon information from the FDIC. If any bank has been acquired or merged with another bank in

which brokered CDs are owned, the Investment Officer or Advisor shall immediately liquidate any brokered CD which places the COSADC above the FDIC insurance level.

Monitoring Credit Ratings

The Investment Officer or investment advisor shall monitor, on no less than a weekly basis, the credit rating on all authorized investments in the portfolio based upon independent information from a nationally recognized rating agency. If any security falls below the minimum rating required by Policy, the Investment Officer or advisor shall notify the City and the COSADC Director, within three days, of the loss of rating, conditions affecting the rating and possible loss of principal with liquidation options available.

Section Five: Collateral and Safekeeping

As a public *corporation* the COSADC is not authorized by FDIC regulations to be pledged collateral for bank deposits. As such all time and demand deposits shall be kept below the FDIC insurance coverage in any one institution.

Repurchase Agreements Owned Collateral

Collateral under a repurchase agreement is owned by the COSADC. It will be held by an independent third party safekeeping agent approved by the COSADC under an executed master repurchase agreement. Collateral with a market value totaling 102% of the principal and accrued interest is required and the counter-party is responsible for the monitoring and maintaining of collateral and margins at all times.

Safekeeping

The laws of the State, this Policy, and prudent treasury management require that all securities be settled on a delivery versus payment basis and be held in safekeeping by an independent third party financial institution approved by the COSADC.

Securities shall not be bought from the banking services bank in order to perfect delivery versus payment separation in the transaction.

All safekeeping arrangements shall be approved by the City and COSADC Board and an agreement of the terms executed in writing. The third party safekeeping institution shall issue original safekeeping receipts to the COSADC listing each specific security, rate, description, maturity, cusip, ownership, and other pertinent information.

Section Six: Investment Officer Designation

The COSADC Board hereby designates the City authorized investment officers and investment adviser as investment officers for COSADC and grants to them the authority to invest COSADC funds as outlined herein on a non-discretionary basis.

No person may engage in an investment transaction except as provided under the terms of this

Policy. Any disbursement of COSADC funds for the purchase of investment instruments must bear the signature of an investment officer.

The investment officers will establish and submit written procedures for the operation of the COSADC investment program consistent with this Investment Policy.

Officers, employees and advisors involved in the investment process shall refrain from personal business activity that could conflict with proper and unbiased execution of the investment program or which could impair their ability to make impartial investment decisions. Any business or personal relationship shall be disclosed to the COSADC Board. If the relationship falls within the second degree of blood or marriage disclosure should also be sent to the Texas Ethics Commission.

Section Seven: Training

All officials designated as investment officers shall attend ten hours of training within twelve months of taking the position and eight hours in each succeeding two year fiscal period (beginning on the first day of the fiscal year) relating to investment responsibilities. The training must include investment controls, security risks, strategy risks, market risks, portfolio diversification and compliance with the Act.

The training provider shall be an independent source approved by the City Investment Committee.

Section Eight: Investment Activity Reporting

Reporting for investments will be made in accordance with the state law. Reports of investments are to be prepared and presented at least quarterly to the COSADC Board. Market values shall be obtained at least monthly from an independent source.

On a quarterly basis the investment officer, or investment adviser, shall prepare a series of detail and management level reports signed by the investment officers in accordance with the Act, disclosing at a minimum:

- 1) The investment activity for the previous quarter;
- 2) The book and market value of investments at the beginning and end of the quarter;
- 3) Assessments of the market value of each investment and change in market value;
- 4) Fully accrued interest and earnings for the period in accordance with GAAP;
- 5) The change in market value, and
- 6) Compliance with the Public Funds Investment Act and this Policy.

Section Nine: Audit

The COSADC independent auditor shall formally review the quarterly investment reports prepared in accordance with this Policy and applicable state statutes. The review shall be

conducted annually and the results of the review shall be reported to the COSADC Board. In addition, in conjunction with the annual audit the COSADC shall perform a compliance audit of management controls on investments and adherence to this Policy. Results of this audit will be reported to the Board.

Section Ten: Authorized Financial Institutions and Broker/Dealers

The Investment Officer will maintain a list of financial institutions and broker/dealers authorized to do business with the COSADC. These firms will be selected according to credit worthiness and service. Brokers may include "primary dealers" or regional dealers that qualify under the SEC's Rule 15C3-1 (uniform net capital rule). All broker/dealers must provide the Investment Officer with:

- Proof of Financial Industry Regulatory Authority (FINRA) registration,
- Proof of registration with the Texas State Securities Commission, and
- Completed COSADC questionnaire.

In accordance with the Public Funds Investment Act, a copy of the COSADC's Investment Policy shall be presented to any pool with which COSADC has become a participant. The pool must execute a written certificate in a form acceptable to the COSADC that they have (1) reviewed the Investment Policy and (2) acknowledged that they have implemented reasonable procedures and controls to preclude investment transactions conducted between the COSADC and the firm which are not authorized by the Policy.

The City Investment Committee will at least annually review, revise and adopt a list of authorized brokers authorized to engage in investment transactions.

Section Eleven: Policy Adoption and Revisions

The COSADC Board will review the Investment Policy not less than annually and adopt a resolution stating that the Policy and incorporated strategies have been reviewed and including all changes to the Policy. This Policy may be amended only by action of the COSADC Board.

The COSADC Board and City Investment Oversight Committee are authorized to recommend revisions to the Policy to the COSADC Board whenever such revisions are necessary and prudent due to changes in State Law, the needs of the COSADC, or the economy and market opportunities. All changes to the Policy must be reviewed and adopted by the COSADC Board before any changes are made in the investment process.

ADOPTED on this the _____ day of _____, 2021

Exhibit A
City of San Angelo Development Corporation
Authorized Broker/Dealer List

2021

The authorized broker/dealer list for City of San Angelo Development Corporations is shown below. Each of these firms, and the individual covering the account, are sent the current COSADC Investment Policy.

The Policy establishes specific criteria for the brokers and requires that the list of broker/dealers be approved annually by the Board. Patterson & Associates maintains the brokerage compliance files for the COSADC.

When any material changes are made to the Investment Policy the new Policy is sent out to all broker/dealers.

Bank of America/Merrill Lynch
BOK Financial
Cantor Fitzgerald
FHN Financial
Incapital
Morgan Stanley
Mutual Securities
Great Pacific Securities
StoneX Group, Inc.
Mizuho Securities
Oppenheimer
Piper Sadler & Co.
Raymond James
RBC Capital Markets
Stifel Nicolaus
Wells Fargo Securities
Robert W. Baird
UBS
Moreton Capital Markets

RESOLUTION # _____

**A RESOLUTION ADOPTING THE CITY OF SAN ANGELO
INVESTMENT POLICY AND INVESTMENT STRATEGY**

WHEREAS, the Public Funds Investment Act codified in the Texas Government Code Chapter 2256 governs local government investment; and

WHEREAS, the Public Fund Investment Act (Section 2256.005a), as amended, requires the City to adopt an investment policy and investment strategies by rule, order, ordinance or resolution governing the investment of funds under its control; and

WHEREAS, the Public Fund Investment Act (Section 2256.005e), requires the governing body to review and adopt that investment policy and investment strategies by rule, order, ordinance or resolution not less than annually, recording any changes made thereto; and

WHEREAS, the City Council has reviewed the City Policy and decided to make the following changes:

<u>Section</u>	<u>Change</u>
Four (1)	Extending years of maturity of Depository Certificates of Deposit from one (1) year to two (2) years.
Four (6)	Extending years of maturity of General Debt Obligation bonds from two (2) to three (3) years.
Four (9)	Extending maximum maturity for Commercial Paper from ninety (90) days to two-hundred seventy (270) days.
Four	Increasing maximum percentage of overall portfolio for Commercial Paper from 20% to 25%.
Four	Increasing maximum percentage of overall portfolio of Issuer limitation for Commercial Paper from 5% to 10%.
Addendum B	Added FHN Financial, Piper Sandler & Co., StoneX Group Inc., Robert W. Baird, UBS, Moreton Capital Markets and removed FTN Financial, Piper Jaffray, and Int'l FC Stone.

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

That the City has complied with the requirements of the Public Funds Investment Act and the City's Investment Policy and adopts the Investment Policy and Investment Strategy, with the changes as shown, as the Investment Policy and Strategy of the City effective the date of this resolution.

ADOPTED this the 12th day of January, 2021.

THE CITY OF SAN ANGELO, TEXAS:

Brenda Gunter, Mayor

ATTEST:

Julia Antilley, City Clerk

APPROVED AS TO CONTENT:

APPROVED AS TO FORM:

Tina Dierschke, Finance Director

Theresa James, City Attorney

RESOLUTION # _____

**A RESOLUTION ADOPTING THE LAKE NASWORTHY
INVESTMENT POLICY AND INVESTMENT STRATEGY**

WHEREAS, the Public Funds Investment Act codified in the Texas Government Code Chapter 2256 governs local government investment; and

WHEREAS, the Public Fund Investment Act (Section 2256.005a), as amended, requires the City to adopt an investment policy and investment strategies by rule, order, ordinance or resolution governing the investment of funds under its control; and

WHEREAS, the Public Fund Investment Act (Section 2256.005e), requires the governing body to review and adopt that investment policy and investment strategies by rule, order, ordinance or resolution not less than annually, recording any changes made thereto; and

WHEREAS, the City Council has reviewed the Lake Nasworthy Investment Policy and decided to make the following changes:

<u>Section</u>	<u>Change</u>
Four (6)	Extending years of maturity of General Debt Obligation bonds from two (2) to three (3) years.
Four (9)	Added A1/P1 domestic commercial paper with a maximum maturity of two hundred seventy (270) days.
Addendum B	Added FHN Financial, Piper Sandler & Co., StoneX Group Inc., Robert W. Baird, UBS, Moreton Capital Markets and removed FTN Financial, Piper Jaffray, and Int'l FC Stone.

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

That the City has complied with the requirements of the Public Funds Investment Act and the City's Investment Policy and adopts the Investment Policy and Investment Strategy, with the changes as shown, as the Investment Policy and Strategy of Lake Nasworthy effective the date of this resolution.

ADOPTED this the 12th day of January, 2021.

THE CITY OF SAN ANGELO, TEXAS:

Brenda Gunter, Mayor

ATTEST:

Julia Antilley, City Clerk

APPROVED AS TO CONTENT:

APPROVED AS TO FORM:

Tina Dierschke, Finance Director

Theresa James, City Attorney

RESOLUTION # _____

**A RESOLUTION ADOPTING THE DEVELOPMENT CORPORATION INVESTMENT POLICY,
INVESTMENT STRATEGY AND AUTHORIZED BROKER/DEALERS**

WHEREAS, the Public Funds Investment Act (Texas Government Code, Chapter 2256) governs local government investment; and

WHEREAS, the Public Fund Investment Act (Section 2256.005a) requires the Development Corporation to adopt an investment policy and investment strategy by rule, order, ordinance or resolution governing the investment of funds under its control; and

WHEREAS, the Public Fund Investment Act (Section 2256.005e), requires the Board to review and adopt that investment policy and investment strategy by rule, order, ordinance or resolution not less than annually, recording any changes made thereto; and

WHEREAS, the Public Funds Investment Act (Section 2256.025) requires that the Corporation annually review, revise and adopt a list of qualified broker/dealers authorized to engage in investment transactions with the Corporation, and

WHEREAS, the Corporation Board has reviewed the Investment Policy and decided to make the following changes:

<u>Section</u>	<u>Change</u>
Four (1)	Extending years of maturity of Depository Certificates of Deposit from one (1) year to two (2) years.
Four (9)	Extending maximum maturity for Commercial Paper from ninety (90) days to two hundred seventy (270) days.
Four	Increasing maximum percentage of overall portfolio for Municipal and State Obligations from 40% to 50%.
Four	Increasing maximum percentage of overall portfolio for Commercial Paper from 15% to 20%.
Addendum B	Added FHN Financial, Piper Sandler & Co., StoneX Group Inc., Robert W. Baird, UBS, Moreton Capital Markets and removed FTN Financial, Piper Jaffray, and Int'l FC Stone.

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

That the Corporation has complied with the requirements of the Public Funds Investment Act and the Investment Policy and adopts the Investment Policy and Investment Strategy, with the list of broker/dealers, as the Investment Policy and Strategy of the Corporation effective the date of this resolution.

ADOPTED this the 12th day of January, 2021.

CITY OF SAN ANGELO, TEXAS:

Brenda Gunter, Mayor

ATTEST:

Julia Antilley, City Clerk

APPROVED AS TO CONTENT:

APPROVED AS TO FORM:

Tina Dierschke, Finance Director

Theresa James, City Attorney

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: January 12, 2021

Item type: Consent Item

Caption:

Consider rescinding the "Naming Rights Policy" adopted on November 28, 2006, and later revised on June 1, 2010 (Carl White)

Summary/History:

The "Naming Rights Policy" (policy) was originally adopted on November 28, 2006 and later revised on June 1, 2010. The policy was originally adopted to provide guidance in approving sponsorships for City owned, leased or controlled properties while recognizing financial contributions by any individual or entity.

On June 1, 2010, the City entered into an agreement with Citywise Marketing (agent) for the exclusive sale of naming rights sponsorship. City Council recently authorized a new Naming Rights Agreement with the agent on October 20, 2020. Both the City and agent have requested provisions in the new agreement that would conflict with the policy as currently written.

Examples of conflicts include: required minimum/maximum terms for 3rd party agreements; that City boards/commissions with facility oversight are required to review proposed naming rights agreements; that agent and City would like for agent to have the option to waive exclusivity for certain properties; and that the definition of "City Property" be expanded to include items other than real property.

Everything currently addressed in the policy can be covered in the agreement with the agent. Also, with the agent being the exclusive provider there isn't an overarching need to have a consistent policy (like if we had multiple vendors marketing naming rights). Naming rights agreements will still be required to come to Council for approval. Rescinding the policy will allow staff and agent more flexibility in negotiating agent's contract, as well as future 3rd party contracts with sponsors.

Staff recommends rescinding the "Naming Rights Policy" in its entirety.

Financial Impact:

Other than staff coordination time, there is no direct cost to the City. Approving this item will help to streamline the negotiation and sale of naming rights, bringing in much-needed private funds to help maintain our assets.

Other Information/Recommendation:

Attachments:

1. Policy Naming Rights June 1 2010

Policy Naming Rights June 1 2010.pdf

Presentation:

Carl White

Approvals/Reviews:

Carl White

Brandon Dyson

Theresa James

Tina Dierschke

Theresa James

Julia Antilley

Created/Initiated

Approved

Approved

Approved

Approved

Final Approval

City of San Angelo

Policy for Selling Naming Rights

I. Purpose

This policy shall apply to the selling or granting of naming rights for any public property owned, controlled or leased by the City of San Angelo, or any feature or component of a City public property (e.g. a playing field in a park or sports complex, a room in a facility, a fountain). The aim of this policy is to:

1. Create a clear and consistent process for entering into agreements with third parties that mutually benefit both parties.
2. Optimize opportunities to generate non-tax revenue for the City and its partners.
3. Ensure the City's stewardship of public assets and interests.

II. Definitions

A. "Naming Rights" shall mean a type of sponsorship in which a third party purchases the exclusive right to place its name on a City Property or Facility as described herein. Sponsorship naming rights are considered in the commercial context only, in which the naming right is sold or exchanged for cash, goods, in-kind services or other revenue support. This agreement and its terms, including the display of advertising/signage in conjunction with the granting of a naming right, must be documented in a contract between the City (or its lessees, such as the San Angelo Stock Show and Rodeo Association) and the interested party, and shall have a specified end date to the contractual obligations.

B. "City Property or Facility" shall mean any City-owned, -leased or -controlled real property, public facilities such as buildings or parks, and features or attributes of a facility.

C. "Naming Rights Agreement" shall mean a mutually beneficial, contractual agreement that reflects the business arrangement and obligations for the exchange of commercial and/or marketing benefits between the City (or its lessee in the case of the San Angelo Fairgrounds) and a third party for a specified term. Such agreement shall be a written contract evidencing the right to name or re-name City-owned, -leased or -controlled property or facility. All such agreements are to be drafted and/or reviewed by the City Attorney's office prior to consideration by the City Council.

D. "Advertising" shall mean the display of a third party's signage on a City Property or Facility in exchange for cash, goods, in-kind services or other revenue support. The independent contractor with whom the City has contracted to provide

advertising services shall have the exclusive right to sell advertising on City Properties or Facilities. This agreement and its terms must be documented in a contract between the independent contractor and the third party, and shall have a specified end date to the contractual obligations.

III. Policy

A. This policy does not apply to existing naming rights agreements, until the term of said agreements expire. Further, the name of the Convention Center shall remain the McNease Convention Center, at least until its next remodeling.

B. All naming rights proposals and contracts shall be subject to review and approval by the City Council.

C. Naming rights sponsorships will not result in any loss of City jurisdiction or authority.

D. The City shall have sole discretion on the number, types and sizes of advertising placed on City property in association with the granting of a naming right. Full graphic designs must be submitted to and approved by the City prior to the installation of any advertising.

E. The term of any Naming Rights Agreement shall be not less than five (5) years and no more than ten (10) years. Upon expiration of the term, the third party in the agreement shall have the first right of refusal to enter into a new contract and retain the naming rights of the City property under terms agreed to by both sides.

F. The independent contractor with whom the City has contracted to provide advertising services shall, for a percentage of the revenue generated, have the exclusive right to market on the City's behalf naming rights to all City properties with the following exceptions: the San Angelo Coliseum, all other City-owned buildings on the San Angelo Fairgrounds and the sports complex at Rio Concho Community Park. City staff will participate with the independent contractor in the negotiating of naming rights agreements.

G. The San Angelo Stock Show and Rodeo Association may solicit and negotiate naming rights agreements for the properties it manages on the San Angelo Fairgrounds. The SASSRA is entitled to a 25% royalty fee from the revenue generated by such agreements. The remaining 75% shall be used by the SASSRA on the upkeep and maintenance of its leased properties on the Fairgrounds and improvements located thereon for the term of its lease agreement.

H. The San Angelo Stock Show and Rodeo Association is the only lessee of City property that may solicit and negotiate naming rights agreements. The City's

independent contractor shall have the exclusive right to market naming rights for all leased City properties except those on the San Angelo Fairgrounds. The City Council may grant exceptions for lessees who administer and maintain a City property. If such an exception is granted, the lessee is entitled to a 25% royalty fee from the revenue generated by such agreements. The remaining 75% shall be used by the lessee on the upkeep and maintenance of the leased property and improvements located thereon for the term of its lease agreement.

I. The City's independent contractor will bring naming rights offers to the City for its consideration. Terms of naming rights agreements will, with the independent contractor's involvement, be negotiated between the City and the interested third party. Negotiated agreements shall be presented to the City board or commission with oversight of the City Property or Facility for said board or commission's recommendation. That recommendation will be presented to the City Council for its consideration.

J. The purchaser of a naming rights sponsorship must pay all costs associated with the production and maintenance of any signage placed on a City property. The naming rights sponsor is also responsible for the costs of installing any electrical connections necessary to illuminate its signage. The City may require separate metering and payment by the naming rights sponsor to recover electric costs based upon the signage installed.

K. Upon termination or expiration of a naming rights agreement, the sponsor shall return the City property to its original condition. In the alternative, the sponsor may reach an agreement to leave its signage infrastructure in place, at which time said infrastructure becomes City property.

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Brent Casey, Recreation Manager, Recreation, 325-657-4450

Meeting Date: January 12, 2021

Item type: Consent Item

Caption:

Consider approving an Agreement with Progressive Aquatics, Inc. in the amount of \$221,369 for improvements at Municipal Pool via BuyBoard Contract #613-20 and authorizing the City Manager to negotiate and execute all related documents (Carl White)

Summary/History:

The municipal pool has completed nine summer seasons since renovations were complete in early 2012. Renovations included a beach entry with several water features and water toys, including two large slides. These improvements have been very popular for thousands of visitors the last several years.

With time and high use, all things need repair. The plaster placed in the beach entry area had an initial life span of up to eight years. We have repaired the plaster twice the last two years. The plaster is due for complete replacement. In addition, both slides and all water toys need refinishing. This work includes thorough cleaning and removal of rust and mineral buildup, repairs and recoating. Doing all this work will return the pool to its reopening conditions.

Additional work needs to be done to repair concrete on the northwest corner of the pool, but that work would be accomplished by another contractor in an amount not to reach \$50,000, thus not requiring City Council approval.

Financial Impact:

Funding for these needed repairs would come from account 502-6019-800.07-30, half-cent sales tax funds dedicated to parks and recreation facilities.

Other Information/Recommendation:

Staff recommends approval of an agreement with Progressive Aquatics, Inc via BuyBoard # 613-20 and authorization for the City Manager or their designee to execute all related documents. The scope of work generally includes removal and replacement of plaster, refurbishing aquatic play features, refurbishing two slides, and the replacement of main drain covers at the bottom of the pool for a total cost of \$221,369.

Attachments:

- | | |
|---|---|
| 1. san angelo replaster with new maindrain covers and slides with toys 121420 | san angelo replaster with new maindrain covers and slides with toys 121420.docx |
|---|---|

Presentation:

Carl White

Approvals/Reviews:

Brent Casey

Created/Initiated

Carl White
Theresa James
Nolan Sosa
Tina Dierschke
Theresa James
Julia Antilley

Approved
Approved
Approved
Approved
Approved
Final Approval



Project Name: City of San Angelo Replaster/slides/toys
Attn: John Perez/ Jordan Minjarez
Date: 12/14/20
Buyboard#613-20

Replaster Portion:

Full Strip Replaster:

- Saw cut around all lights and return fittings and Tile/gutter.
- Chip 95% of Plaster and remove down to Gunitite shell.
- Acid wash and pressure wash shell to prep for new quartz tier 1 plaster.
- Plaster in quartz tier 1, once finished then we will acid wash and scrub surface of plaster.
- Plaster Beach entry in sandy beach mini pebble.
- City to drain and refill pool once finished as well as do startup chemicals and cleaning since they have the staff to do so and is not included but instructions will be given.
- Dumpster rentals included, must be able to put right outside of the front entrance against the curb otherwise there could be an additional charge if it sits too far from the pool.

***There is a 5 year warranty against delamination.

Total: \$160,973.00

****Pricing good for 6 months.**

****Maindrain covers are included in this cost for replacement.**

****If bond is needed we will need to add that to the quote so please let us know.**

****Due to current schedules and jobs already on the books, please let us know as soon as possible if you wish to move forward as we are about a month out right now for projects such as this.**

Toy/Slide Refinishing Portion:

Progressive Commercial Aquatics is pleased to submit a proposal for all labor, supervision, equipment, and materials to refinish the interior and exterior of the two slides **Slide A:** (Green—Open Body Slide), **Slide B:** (Red—Closed Body Slide) with *SlideRenu ColorShield* and *ChloraShield*.

Slide A: (Interior/Exterior) 103’ x 42” \$23,496.75

Slide B: (Interior/Exterior) 95’ x 32” \$20,849.40

Total..... \$44,346.15

** The scope of work includes cleaning, sanding, wiping with solvent-based wetting agents and adhesion promoters, removing surface rust from bolts on exterior surfaces, spot prime bolts with a rust-inhibitor (if applicable), apply *SlideRenu* ABC primer, apply *SlideRenu* Colorshield, apply *SlideRenu* ChloraShield to the **interior** and **exterior** surfaces of **Slide A** and **Slide B**. The seams of both **Slides A** and **B** will be cleaned and re-caulked, and fiberglass repairs using Fiberglass Resin/Gel Coat are also included. #

** The coating will be applied by PCA in accordance with the application instructions provided by SlideCare, LLC to ensure the long-term performance of the coating. *SlideRenu* coatings form a molecular bond with the gel coat surface that, when cured, are harder than the factory applied gel coat finish. The coatings penetrate into the gel coat skin and fill-in the microscopic porous fiberglass cavities to retard oxidation and chalking. The coatings will be hand applied and/or sprayed depending on the slide’s proximity to other features of the park and weather conditions.

Final application method will be determined by PCA at the job site and with consultation from management. (PLEASE NOTE: Hand applied coatings are not quite as smooth but very difficult to decipher from sprayed coatings. Spray applied coatings will have a slight corrugated surface texture). These coatings have been formulated especially for use on all types of color faded gel coat water slide surfaces. The coatings are 90% solid; contain ZERO VOC's or lead and have outstanding resistance to abrasion caused by riders. They are also CHLORINE RESISTANT and suitable for pool water immersion and have excellent resistance to ultra violet light degradation. The coatings will provide a long-term high WET LOOK SHINE and color retention to all color faded gel coat water slide surfaces.

** Progressive Commercial Aquatics may access the flumes using ladders, self-erected scaffolding and/or man lifts. Owner is responsible for providing access to the slide to enable PCA to get a man lift or scaffolding to the slide.

Aquatic Play Features

Mushroom (2 Colors)..... \$3,800.00

Water Rail (Up to 2 Colors)..... \$950.00

Fountain Stick (Blue)..... \$1,150.00

Fountain Stick (Green)..... \$1,150.00

Arch (Purple)..... \$2,500.00

Arch (Green)..... \$2,500.00

Shimmer Sheet (L – Maroon)..... \$2,000.00

Shimmer Sheet (L – Purple)..... \$2,000.00

Total.....\$16,050.00

****This pricing reflects if all done at the same time, if done separate then additional travel charges will apply.**

****The scope of work includes cleaning, sanding, or grinding down to bare metal, wiping with solvent-based wetting agents and adhesion promoters, applying *SlideRenu ABC primer*, applying *SlideRenu ColorShield*, apply *SlideRenu ChloroShield* to the aquatic play features.**

Grand Total For All Projects Combined: \$221,369.15

****Bonds not included and if required will be added to this total.**

Thank you,

Myles Phelps

Progressive Commercial Aquatics, Inc.

15616 Schmidt Loop Manor, Texas 78653 (512) 278-0801 Fax (512) 350-2154

Website www.proaquatic.com www.proaquaticsupply.com **E-Mail:**
Mylesproaquatic@gmail.com

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Jeremy Valgardson, Airport Director, Airport, 325-659-6409

Meeting Date: January 12, 2021

Item type: Consent Item

Caption:

Consider approving a Change Order to AP-01-20 with American Road Maintenance in the amount of \$54,711.90 for the Rehabilitation of Runway 18-36 at the San Angelo Regional Airport (FAA AIP: 3-48-0191-039-2019) (Jeremy Valgardson)

Summary/History:

This project consisted of removing all rubber and paint from Runway 18-36, applying GSB-88 seal coat, and a new application of runway markings. The actual rubber buildup was found to be higher than the engineers estimate. To meet FAA specs, all rubber needed to be removed.

The FAA has approved the change order and is allowing us to use remaining grant money and PFC's to cover the additional cost.

Financial Impact:

Requesting an increase of \$54,711.90

FAA Grant 39 90%: \$49,240.71

Local Match (PFC) 10%: \$5,471.19

GRANT SUMMARY

FAA Grant 39 Amount: \$1,100,600

Local Match (PFC's): \$122,289

Total eligible grant amount: \$1,222,889

American Road Maintenance Original Cost: \$647,693

Change Order 1: \$54,711.90

KSA Contract: \$85,919

NEW TOTAL construction and design: \$788,323.90

TOTAL SUMMARY

FAA's Portion 90%: \$709,491.50

Local Match (PFC) 10%: \$78,832.40

Other Information/Recommendation:

Prior to this change order we have roughly \$480,000 remaining in this FY-19 FAA Grant. All additional work is eligible for FAA reimbursement.

Attachments:

1. Change Order No. 1

Change Order No. 1.pdf

Presentation:

Jeremy Valgardson

Approvals/Reviews:

Jeremy Valgardson

Theresa James

Nolan Sosa

Tina Dierschke

Theresa James

Julia Antilley

Created/Initiated

Approved

Approved

Approved

Approved

Final Approval

CONTRACT CHANGE ORDER NO. 1

American Road Maintenance 4554 E Eco Industrial Place Tuscon, AZ 85756		San Angelo Regional Airport - Mathis Field Runway 18-36 Rehabilitation AIP No. 3-48-0191-039-2019	
		Total Contract Price: Original \$647,693.00 C01 \$54,711.90 Adjusted \$702,404.90	

Item No. (1)	Description of changes – Quantities, Units, Unit Price, Change in Completion Schedule, Etc. (2)	Decrease in Contract Price (3)	Increase in Contract Price (4)
2.01	Paint and Rubber Removal	\$ -	\$ 75,218.40
2.05	White Markings (Reflective)	\$ (5,120.00)	
2.06	Yellow Markings (Reflective)	\$ (4,576.50)	
2.07	Black Markings (Non-Reflective)	\$ (10,150.00)	
2.08	Surface Painted Signs	\$ (660.00)	
Change in contract price due to this Change Order:			
Total Decrease		\$ (20,506.50)	
Total Increase			\$ 75,218.40
Difference between Columns (3) and (4)		\$ 54,711.90	
Net (increase) (decrease) (unchanged) in contract price		\$ 54,711.90	

The sum of \$ 54,711.90 is hereby ~~(unchanged from)~~ (added to) ~~(deducted from)~~ the total contract price, and the total adjusted contract price to date thereby is \$ 702,404.90

The time provided for completion in the contract is (unchanged) ~~(increased by ___ calendar days)~~ ~~(decreased by ___ calendar days)~~ for a ~~new~~ total time provided for completion of 30 calendar days. This document shall become an amendment to the contract and all provisions of the contract will apply hereto.

Recommended by (Engineer)	 _____ KSA Engineers, Inc.	12/16/2020 _____ Date
Accepted by (Contractor)	 _____ American Road Maintenance	12-28-20 _____ Date
Approved by (Owner)	_____ Airport Director, San Angelo Regional Airport	_____ Date

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Allison Strube, Water Utilities Director, Water Utilities, 325-657-4209

Meeting Date: January 12, 2021

Item type: Consent Item

Caption:

Consider awarding WU-02-21 Water Treatment Coagulants to Chameleon Industries, Inc. based on pre-selection criteria for best treatment quality for different source waters for one-year with one additional one-year term extension, budgeted for purchase in fiscal years 2021 through 2022, and authorizing the City Manager to negotiate and execute all related documents (Allison Strube)

Summary/History:

The Water Treatment Plant publishes a bid on a host of coagulants priced per pounds that have undergone pre-testing prior to the submission of bids to determine the dosing and effectiveness with the City's water supply. Purchases are made based on the lowest unit bid in compliance with the bid requirements and chemistry of water supply.

Bids have been received from one vendors. The vendor was Chameleon Industries, Inc. (Mesquite, Texas).

Financial Impact:

Budgeted within Water Treatment Plant operating budget.

Other Information/Recommendation:

Staff recommends the bid be accepted and the City Manager be authorized to execute any related documents.

Attachments:

- | | |
|----------------------------|-----------------------------|
| 1. WU-02-21 Bid Tabulation | WU-02-21 Bid Tabulation.pdf |
|----------------------------|-----------------------------|

Presentation:

Allison Strube

Approvals/Reviews:

Allison Strube	Created/Initiated
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-02-21 • Water Treatment Coagulants
Monday, December 14, 2020

Chameleon Industries

		Coagulant Name	# of Delivery Days	Unit Price	Pounds of Coagulant to treat one million gallons	Total Cost
#1-1	Water Treatment Coagulant	Aluminum Sulfate	2	\$0.08	83.40	\$6.59
#2-1	Alternate 1	CI-8840	2	\$0.69	8.34	\$5.73

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Jeff Fisher, Sr. Planner, Planning and Development Services, 325.657.4210

Meeting Date: January 12, 2021

Item type: Consent Item

Caption:

Second reading of an ordinance approving case PD20-03, rezoning property from the General Commercial and Single-Family Residential zoning districts to a Planned Development zoning district to allow for a sports facility, related recreational activities and events, and other improvements as shown on the concept plan; being 21.536 acres located at 2838 S. College Hills Blvd. (Jon James)

Summary/History:

On July 2, 2019, the applicant received a Special Use approval from City Council for a new multi-use sports facility with related recreational activities that included a golf driving range, outdoor miniature golf, and outdoor events on 21.536 acres of leased land from the City (SU19-02). It was discovered in August 2020 that the applicant added a new caliche parking lot, a portion of which was in the FEMA floodway, without necessary permits or approvals. This area was shown for a future building on the approved Special Use concept plan. The applicant has now applied for a Planned Development (PD20-03) to allow a caliche (all-weather) surface parking lot on their concept plan, which would not be allowed by the Special Use nor under the normal terms of the zoning ordinance. The application also includes lighting details of new LED lights to address nearby complaints of light trespass.

Financial Impact:

N/A

Other Information/Recommendation:

On November 16, 2020, the Planning Commission recommended unanimous APPROVAL by a vote of 5-0, subject to nine conditions, adding Condition #9 that all parking shall be paved per the requirements of the Zoning Ordinance within three years, and amending Condition #7 to add that all site lighting be shielded.

On December 15, 2020, City Council APPROVED the requested abandonment unanimously by a vote of 7-0, per the Planning Commission recommendation.

Attachments:

- | | | |
|----|------------------------|----------------------------|
| 1. | Ordinance (PD20-03) | Ordinance (PD20-03).docx |
| 2. | Staff Report (PD20-03) | Staff Report (PD20-03).pdf |

Presentation:

Jon James

Approvals/Reviews:

Jeff Fisher
Hillary Bueker

Created/Initiated
Approved

Jon James
Brandon Dyson
Jon James
Theresa James
Julia Antilley

Approved
Approved
Approved
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: **21.536 ACRES IN THE J. MCNEESE SURVEY NO. 0176.25, ABSTRACT NO. 1641; LOCATED AT 2838 SOUTH COLLEGE HILLS BOULEVARD;** FROM THE GENERAL COMMERCIAL (CG) AND SINGLE-FAMILY RESIDENTIAL (RS-1) ZONING DISTRICTS TO A PLANNED DEVELOPMENT (PD) ZONING DISTRICT TO ALLOW FOR A SPORTS FACILITY, RELATED RECREATIONAL ACTIVITIES AND EVENTS, AND OTHER IMPROVEMENTS AS SHOWN ON THE CONCEPT PLAN; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE

RE: PD20-03: 2838 South College Hills Boulevard

WHEREAS, on the 16th day of November, 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 Planned Development (PD20-03) Zoning District to allow for a sports facility, related recreational activities and events, and other improvements as shown on the approved Concept Plan, as further depicted on **Exhibit “A”** of this Ordinance (**“PD Concept Plan”**); and,

WHEREAS, on the 15th day of December, 2020, City Council held a public hearing on PD20-03, 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 PLANNED DEVELOPMENT (PD20-03) ZONING DISTRICT;

The real property generally located east of the intersection of South College Hills Boulevard and Millbrook Drive; being 21.536 acres in the J. McNeese Survey No. 0176.25, Abstract No. 1641, City of San Angelo, Tom Green County, Texas as more particularly described and depicted on Exhibit

“B” of this Ordinance, shall henceforth be permanently zoned as follows: Planned Development (PD20-03) Zoning District.

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 (**“PD Boundary Map”**).

SECTION 3: The use of the hereinabove described property shall be subject to all applicable regulations contained in **Exhibit “C”** of this Ordinance (**“Applicable Regulations”**), and 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 herein 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 **15th day of December, 2020**, and finally PASSED, APPROVED AND ADOPTED on this the **12th day of January, 2021**.

THE CITY OF SAN ANGELO

Brenda Gunter, Mayor

ATTEST:

APPROVED AS TO FORM:

Julia Antilley, City Clerk

Theresa James, City Attorney

Exhibit “A” (PD Concept Plan)

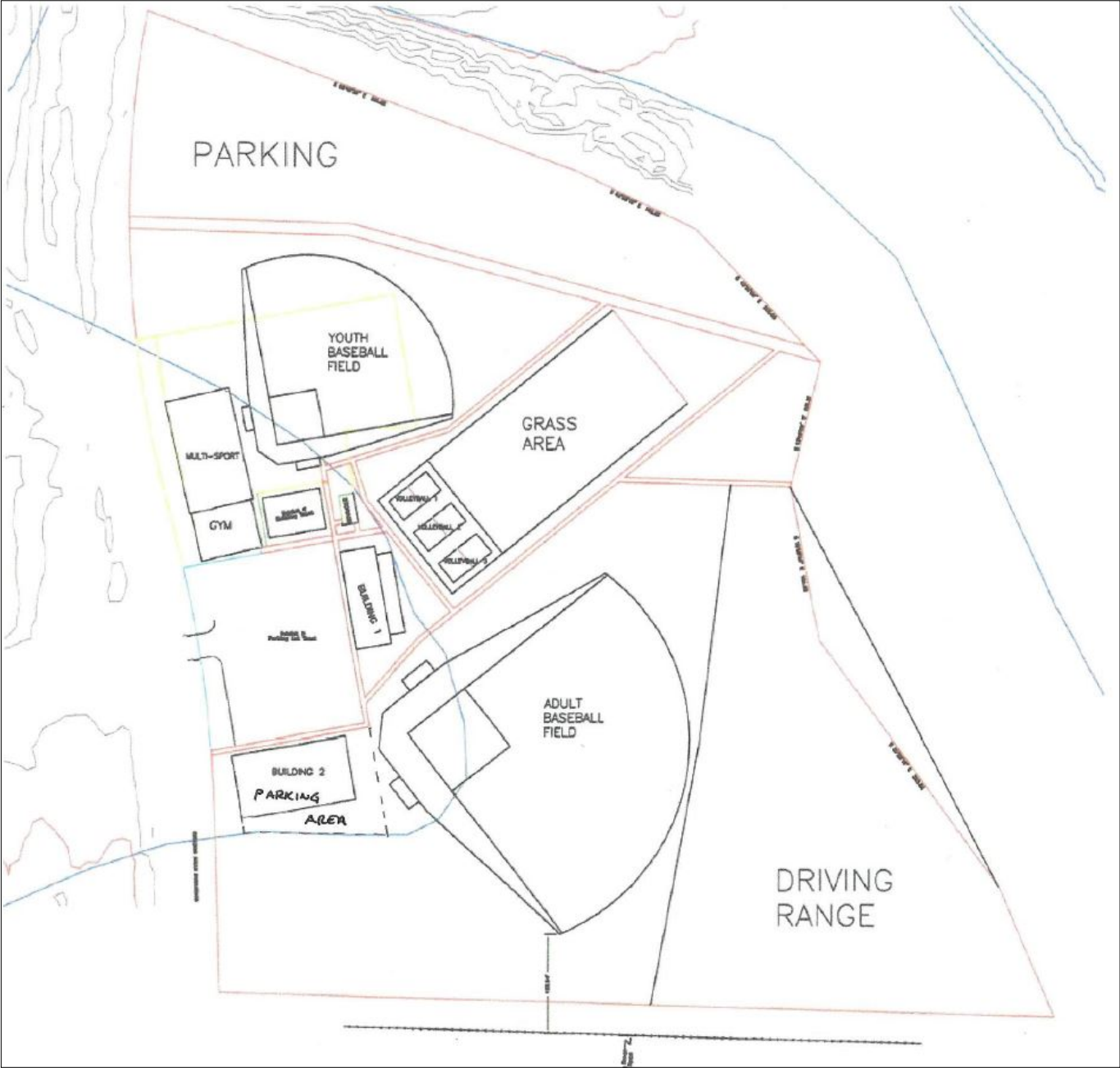
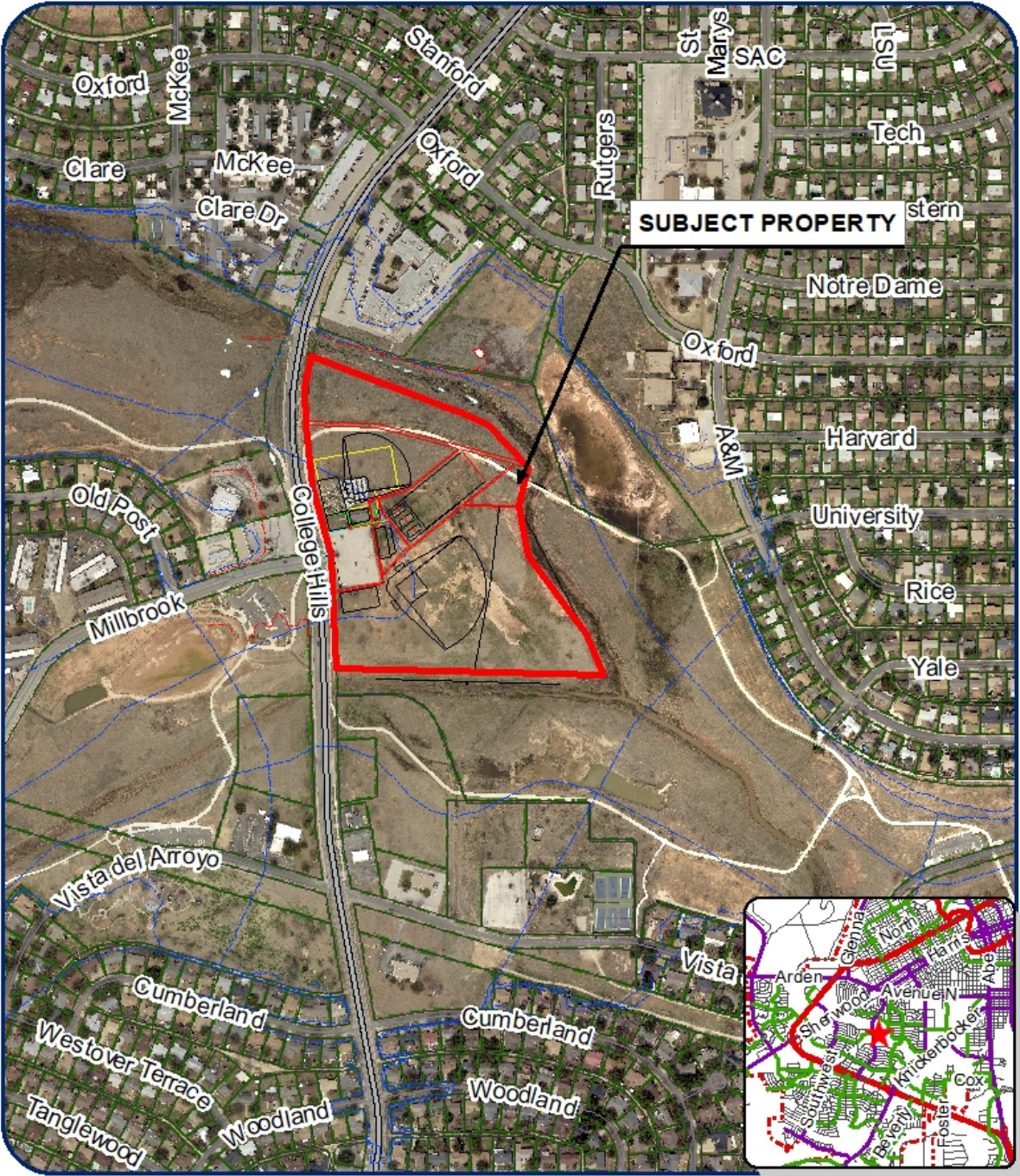


Exhibit “B” (PD Boundary Map)-



PD Zoning Case File

PD20-03: 2838 S. College Hills Blvd.

Council District: Lane Carter (SMD#5)
Neighborhood: Vista Del Arroyo
Scale: 1" approx. = 500 ft
Subject Property: 2838 South College Hills Blvd

Legend

Subject Properties: —
Current Zoning: CG and RS-1
Requested Zoning Change: PD
Vision: Open Space



Exhibit “C”

Applicable Regulations

1. Except as otherwise specified or limited below, the development of the subject property shall generally conform to the General Commercial (CG) Zoning District.
2. The minimum front yard setback for the gym building shall remain 22.5 feet.
3. Overall site use shall be in accordance with a revised Concept Plan showing only paved parking. Major changes to the use of this property shall be approved through an amendment to this Planned Development District with approval from the Planning Commission and City Council. Minor deviations may be approved by the Planning Director.
4. The applicant shall obtain approval from the City’s Flood Plain Manager for all development within the floodplain/floodway, as required.
5. The applicant shall be required to obtain approval of an amendment to their Urban Design Review to be approved by the Planning Director prior to development.
6. The applicant shall be required to obtain approval of a Parking Lot Permit for the new parking lot to be approved by the Planning Director prior to development.
7. All site lighting on the premises shall be downward emitting if necessary, must be shielded, and configured in such a manner as to satisfactorily minimize or eliminate light trespass onto adjacent residential uses or lands. All outdoor lighting shall be turned off between 10:30 p.m. and 6:30 a.m., and all outdoor events shall be limited to between 6:30 a.m. and 10:30 p.m.
8. That approval of the PD Ordinance revokes and replaces Special Use SU19-02.
9. All parking shall be paved per the requirements of the Zoning Ordinance within three (3) years.

CITY COUNCIL – December 15, 2020
STAFF REPORT



APPLICATION TYPE:		CASE:	
Special Use		PD20-03: 2838 South College Hills Boulevard	
SYNOPSIS:			
On July 2, 2019, the applicant received a Special Use approval from City Council for a new multi-use sports facility with related recreational activities that included a golf driving range, outdoor miniature golf, and outdoor events on 21.536 acres of leased land from the City (SU19-02). It was discovered in August 2020 that the applicant added a new caliche parking lot, a portion of which was in the FEMA floodway, without necessary permits or approvals. This area was shown for a future building on the approved Special Use concept plan. The applicant has now applied for a Planned Development (PD20-03) to allow a caliche (all-weather) surface parking lot on their concept plan, which would not be allowed by the Special Use nor under the normal terms of the zoning ordinance. The application also includes lighting details of new LED lights to address nearby complaints of light trespass.			
LOCATION:		LEGAL DESCRIPTION:	
2838 South College Hills Boulevard; generally located east of the intersection of South College Hills Boulevard and Millbrook Drive		Being 21.536 acres in the J. McNeese Survey.	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD District #5 – Lane Carter Vista Del Arroyo Neighborhood	CG and RS-1	OS – Open Space	21.536 acres
THOROUGHFARE PLAN:			
South College Hills Boulevard – Urban Arterial Street, Required: 80' right-of-way, 64' pavement, Provided: 100' right-of-way, 64' pavement			
NOTIFICATIONS:			
6 notifications mailed within 200-foot radius on November 5, 2020. One received in support of the request within the 200-foot radius and one against outside the 200-foot radius. Three residents on Cumberland Drive outside the 200-foot radius have filed complaints with Code Compliance regarding light trespass from the facility.			
STAFF RECOMMENDATION:			
Staff's recommendation is for City Council to APPROVE a Rezoning from the General Commercial (CG) and Single-Family Residential (RS-1) Zoning Districts to a Planned Development (PD) Zoning District to allow for a sports facility, related recreational activities and events, and other improvements as shown on the concept plan; being 21.536 acres located at 2838 South College Hills Boulevard, subject to nine conditions, adding Condition #9 that all parking shall be paved per the requirements of the Zoning Ordinance within three (3) years, and amending Condition #7 to add that all site lighting be shielded.			
PROPERTY OWNER/PETITIONER:			
Property Owner: City of San Angelo; Applicant: Mr. Shawn Box (Next Level Sports)			
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 subject property is designed “Open Space” in the City’s Comprehensive Plan to “Provide a balanced system of parks, open space, and recreational facilities in terms of function and location”. The multi-use sports facility and related recreational uses is compatible with this designation, providing additional recreational opportunities for San Angelo residents.
2. **Consistent with Zoning Ordinance. *Whether and the extent to which the proposed special use would conflict with any portion of this Zoning Ordinance.*** Planning Staff believe that the existing CG zoning which applies to the Special Use area should continue as the underlying zoning for the PD. The CG zoning recognizes the retail commercial nature of the sports facility. Staff recommends that language be incorporated into the PD to recognize the 22.5-foot front yard setback for the gym building which has already received approval. The paved parking lot (not including the new caliche lot) contains 80 parking spaces and the current uses require 65. *Staff objects to the applicant’s request to allow a caliche parking lot as part of the PD.* Section 511.A.2 of the Zoning Ordinance approved in May 2019 by City Council requires “minimum spacing, maneuvering, and paving standards to ensure longevity and adequacy of parking lots throughout the City.” Staff does not believe there is justification for a caliche parking lot at this location, which is visible from South College Hills Boulevard, a minor arterial road. The parking lot, which can hold up to 50 vehicles, is immediately adjacent to the FEMA floodway and stormwater runoff issues become a major concern. Further, a caliche lot makes it difficult to clearly identify parking spaces and maneuvering areas, leading to potential accidents. The ordinance makes exceptions only for special events, temporary uses, and storage and repair of vehicles or equipment. Staff conducted several site visits and verify this parking lot is used regularly for customers and not only for special or temporary events or other uses.
3. **Compatible with Surrounding Area. *Whether and the extent to which the proposed special use is compatible with existing and anticipated uses surrounding the subject land.*** The proposed uses would be compatible with the surrounding area, and is located in close proximity to other recreational uses including the Red Arroyo Trail and College Hills Swim and Racquet Club, as well as several retail areas to the west and north.
4. **Changed Conditions. *Whether and the extent to which there are changed conditions that require an amendment.*** The allowance for a new caliche parking lot triggered the PD request. This allows a change to the approved Special Use concept plan to allow a parking lot as an option in an area reserved for a future building.
5. **Effect on Natural Environment. *Whether and the extent to which the proposed special use would result in significant adverse impacts on the natural environment, including but not***

limited to water or air quality, noise, stormwater management, wildlife, vegetation, wetlands and the practical functioning of the natural environment. To mitigate environmental concerns, the City's Engineering Services is requiring the applicant to obtain a floodplain development permit for all development in the FEMA floodplain (including the new parking lot), to remove the portion of the caliche parking lot in the floodway, and provide erosion controls around the affected area until stabilization occurs. In addition, the Planning Division will require a Parking Lot Permit per Section 511.C. of the Zoning Ordinance.

6. **Community Need. Whether and the extent to which the proposed special use addresses a demonstrated community need.** The multi-use sports facility provides a wide range of sports including baseball, volleyball, and the continued golf driving range, as well as indoor facilities to serve San Angelo residents.
7. **Development Patterns. Whether and the extent to which the proposed special use would result in a logical and orderly pattern of urban development in the community.** Current development patterns would not change. Access would continue to be from South College Hills Boulevard, a minor arterial road which can accommodate large traffic volumes.

Lighting Issues:

The City's Code Compliance Division received three complaints about light trespass from the applicant's outdoor light fixtures. These three residents live on Cumberland Drive and light glare can be seen from their rear yards, even though they are over 1,500 feet from the closest light pole. The applicant has provided lighting details indicating that lighting (lumens) has already been reduced by 75% with new LED fixtures and readjusting the lights on a slanted angle. The applicant indicated this will change to 70% once new fixtures are added on two of the light poles, but still represents a significant reduction. The applicant also provided a photometric lighting plan showing foot candles between 0.0 and 2.8 to the floodway. From this point, there is an additional 1,500 to the closest homes and Staff is confident there will no light trespass. Code Compliance is the division responsible for enforcing the outdoor lighting provisions in Article 8.11 of the City Code, however, the Planning Division recommends the PD incorporate the following to assist in this regard: That all lighting be turned off by 10:30pm and that lighting remains angled downward to reduce light trespass toward neighboring properties.

Planning Commission Recommendation:

On November 16, 2020, the Planning Commission recommended unanimous **APPROVAL** by a vote of 5-0 the rezoning from the General Commercial (CG) and Single-Family Residential (RS-1) Zoning Districts to a Planned Development (PD) Zoning District to allow for sports facility, related recreational activities and events, and other improvements as shown on the concept plan; being 21.536 acres located at 2838 South College Hills Boulevard, **subject to nine conditions, adding Condition #9 that all parking shall be paved per the requirements of the Zoning Ordinance within three (3) years, and amending Condition #7 to add that all site lighting be shielded.** The following is the complete excerpt of the draft minutes from the November 16, 2020, meeting for this case:

Jeff Fisher, Principal Planner, presented the zoning case. He explained that the applicant received a Special Use for a sports facility and outdoor recreational uses last year, but added a new caliche parking lot a few months ago without an approval. Mr. Fisher explained that a PD option would allow a caliche parking lot if approved by City Council, and that the Special Use option does not allow the paving requirements of the Zoning Ordinance to be waived. He also indicated that the PD will allow Staff to impose some new conditions on the outdoor lighting. Mr. Fisher then advised the Commissioners that of the 6 notices that were mailed, Staff received one opposition letter to the PD, and three letters objecting to the outdoor light fixtures. He also displayed the applicant's concept plan, lighting plan, and light fixture details from the applicant showing the LED lumens reduced by 70% once the new fixtures are installed. Mr. Fisher then outlined Staff's recommendation to approve the proposed PD zoning with a paved parking lot and subject to eight conditions as presented, on the grounds that the multi-use sports facility and outdoor uses are compatible with the Open Space Future Land Use; that the property will comply with the underlying CG standards except for the parking lot which staff requests is paved and striped; and that the use is compatible with other recreational uses in the area including the Red Arroyo Trails and College Hills Swim and Racquet Club.

Commissioner Davis asked when the Swim and Racquet Club turned off their lights.

Daniel Fisher, City Code Compliance Officer, responded that he believes they turn their lights off by 10:00 p.m.

Commissioner Davis if the applicant will be placing screens on the lights.

Daniel Fisher indicated that the lights were brighter than what was originally.

Jeff Fisher indicated that he understood that the lights have been titled on an angle, but that the applicant has chosen not to shield them for concern of his driving range not being visible for his customers.

Vice Chair Jackson asked if the LED lights were brighter than a regular bulb.

Hillary Bueker, Planning Manager, indicated that we would require more information from a lighting expert to know specifics, but that she concurred that the lights were visible.

Jeff Fisher indicated that one of the complainants in her letter had requested a lighting engineer to ensure that lights would not disturb surrounding properties.

Chair Stribling asked if Staff had details about the boundary line between the FEMA floodplain and floodway and if the applicant was allowed to develop in each of these areas.

Lance Overstreet, City Engineer, indicated that construction in the floodway would require a no-rise study and that no rise in flood levels would be allowed. He further explained that in the floodplain, development could occur provided it was at least two feet above flood elevation.

Chair Stribling asked if that meant the developer could construct a parking lot in the floodway.

Mr. Overstreet responded that this would not be allowed without the no-rise study.

Chair Stribling opened public comment.

Marianne White, owner of 302 Cumberland Drive, recommended a lighting expert, and that the LED lights are four times brighter at night. She explained that the applicant lowered the lights down but titled one back out.

Mr. Shawn Box, applicant, indicated that the original lights were shining outward but now they have been adjusted, and a lighting plan shows there is no light trespass past the property line. He acknowledged there was still some glare. Mr. Box also explained that all parking in the floodway has been removed. He indicated that having to pave the parking lot would require him to have to remove it again if he constructs a building here.

Jeff Fisher indicated that if Mr. Box constructs a building in the caliche parking area, he will not require to pave the parking lot because a building is now in this location instead. However, he also explained that if a building goes in this location, it too will require parking and the applicant is tight for space as most of the remainder of the land is within the floodway.

Jennifer Pape and Shane Bearden, residents of 2014 Cumberland Drive, expressed their opposition due to uncontrolled light. Ms. Pape explained that LED lights are brighter and despite shining downward they are more visible than the previous fixtures. She expressed concerns that a light meter cannot be used to adequately measure LEDs. Mr. Bearden concurred that there is no reduction in light.

Ms. Bueker explained to the Commissioners that any PD conditions must be enforceable and that Staff does not have the equipment to measure lumens. She explained that shielding the lights could be an option.

Mr. Bearden raised additional concerns if the new baseball fields were added in future.

Chair Stribling closed public comment.

Commissioner Spano indicated he was comfortable with the current parking lot as it is but not necessarily for ten years.

Chair Stribling asked what could be done to ensure that eventually the parking lot is paved.

Ms. Bueker indicated that a condition could be implemented to ensure that parking is eventually paved within a certain amount of time, but expressed concerns of this timeframe being too long given the caliche parking lot is in the floodplain.

Commissioner Uherik left the meeting at 10:45 a.m.

Jeff Fisher explained that the Commission could choose to approve with a caliche parking lot, require it be paved immediately after Council approval, or require it be paved within a certain amount of time after Council approval, should Council approve the case.

Chair Stribling asked if three years would be long enough before having to pave the parking lot.

Mr. Box explained that would be plenty of time.

Commissioner Davis made a motion to RECOMMEND APPROVAL of a rezoning from the General Commercial (CG) and Single-Family Residential (RS-1) Zoning Districts to a Planned Development (PD) Zoning District to allow for a sports facility, related recreational activities and events, and other improvements as shown on the concept plan; being 21.536 acres located at 2838 South College Hills Boulevard, subject to nine conditions, adding Condition #9 that all parking shall be paved per the requirements of the Zoning Ordinance within three (3) years, and amending Condition #7 to add that all site lighting be shielded. Vice Chair Jackson seconded the motion. The motion carried unanimously 5-0.

Recommendation:

Staff's recommendation is for City Council to **APPROVE** a Rezoning from the General Commercial (CG) and Single-Family Residential (RS-1) Zoning Districts to a Planned Development (PD) Zoning District to allow for a sports facility, related recreational activities and events, and other improvements as shown on the concept plan; being 21.536 acres located at 2838 South College Hills Boulevard, **subject to nine conditions, adding Condition #9 that all parking shall be paved per the requirements of the Zoning Ordinance within three (3) years, and amending Condition #7 to add that all site lighting be shielded.**

1. Except as otherwise specified or limited below, the development of the subject property shall generally conform to the General Commercial (CG) Zoning District.
2. The minimum front yard setback for the gym building shall remain 22.5 feet.
3. Overall site use shall be in accordance with a revised Concept Plan showing only paved parking. Major changes to the use of this property shall be approved through an amendment to this Planned Development District with approval from the Planning Commission and City Council. Minor deviations may be approved by the Planning Director.
4. The applicant shall obtain approval from the City's Flood Plain Manager for all development within the floodplain/floodway, as required.
5. The applicant shall be required to obtain approval of an amendment to their Urban Design Review to be approved by the Planning Director prior to development.

December 15, 2020

6. The applicant shall be required to obtain approval of a Parking Lot Permit for the new parking lot to be approved by the Planning Director prior to development.
7. All site lighting on the premises shall be downward emitting if necessary, must be shielded, and configured in such a manner as to satisfactorily minimize or eliminate light trespass onto adjacent residential uses or lands. All outdoor lighting shall be turned off between 10:30 p.m. and 6:30 a.m., and all outdoor events shall be limited to between 6:30 a.m. and 10:30 p.m.
8. That approval of the PD Ordinance revokes and replaces Special Use SU19-02.
9. All parking shall be paved per the requirements of the Zoning Ordinance within three (3) years.

Attachments:

Aerial Map

Future Land Use Map

Zoning Map

Photographs

Response Letters

Site Concept Plan

Lighting Plan

Existing and New Lighting

Application

**PD Zoning Case File****PD20-03: 2838 S. College Hills Blvd.**

Council District: Lane Carter (SMD#5)

Neighborhood: Vista Del Arroyo

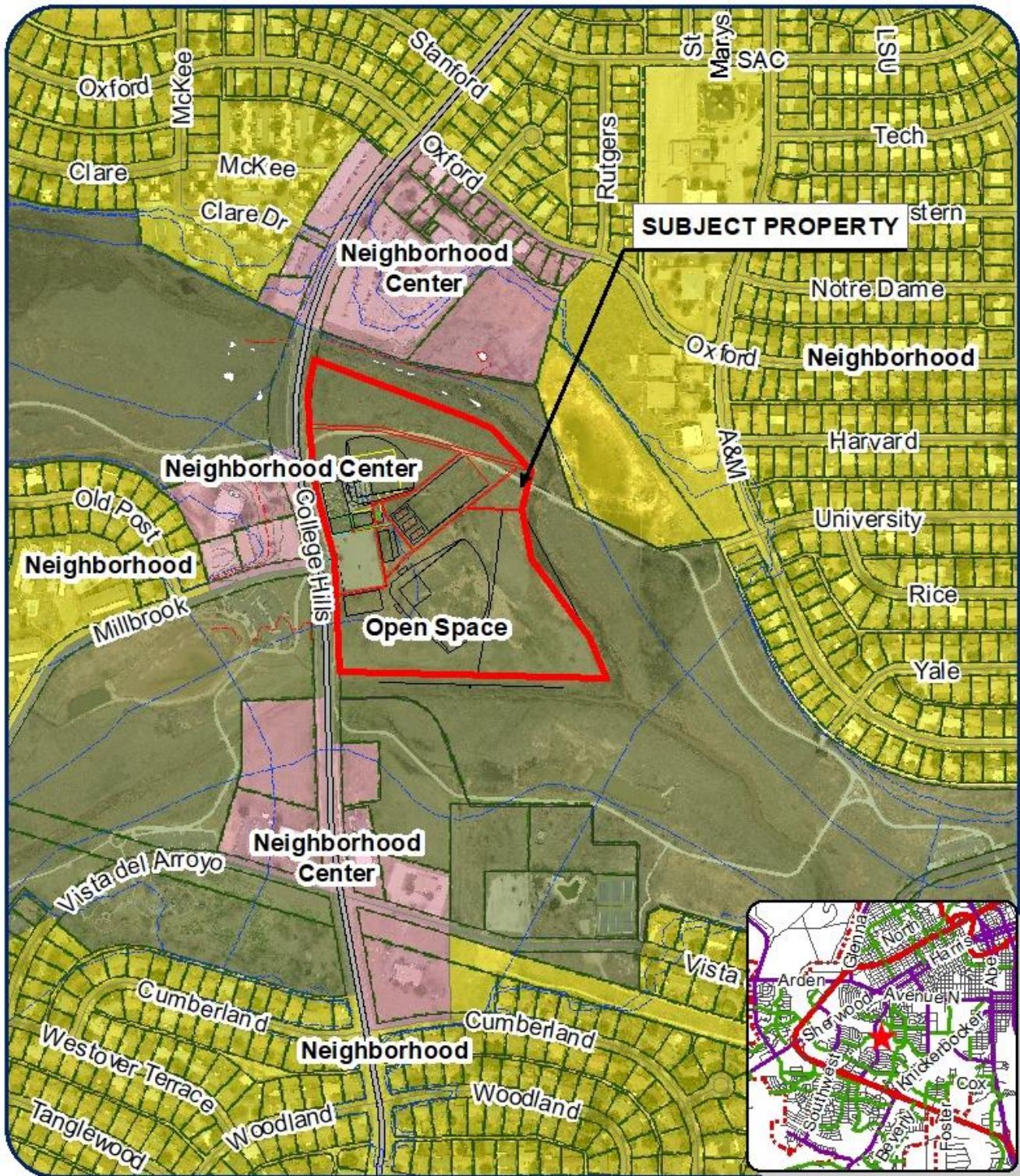
Scale: 1" approx. = 500 ft

Subject Property: 2838 South College Hills Blvd

LegendSubject Properties: —Current Zoning: **CG and RS-1**Requested Zoning Change: **PD**Vision: **Open Space**

N



**PD Zoning Case File****PD20-03: 2838 S. College Hills Blvd.**

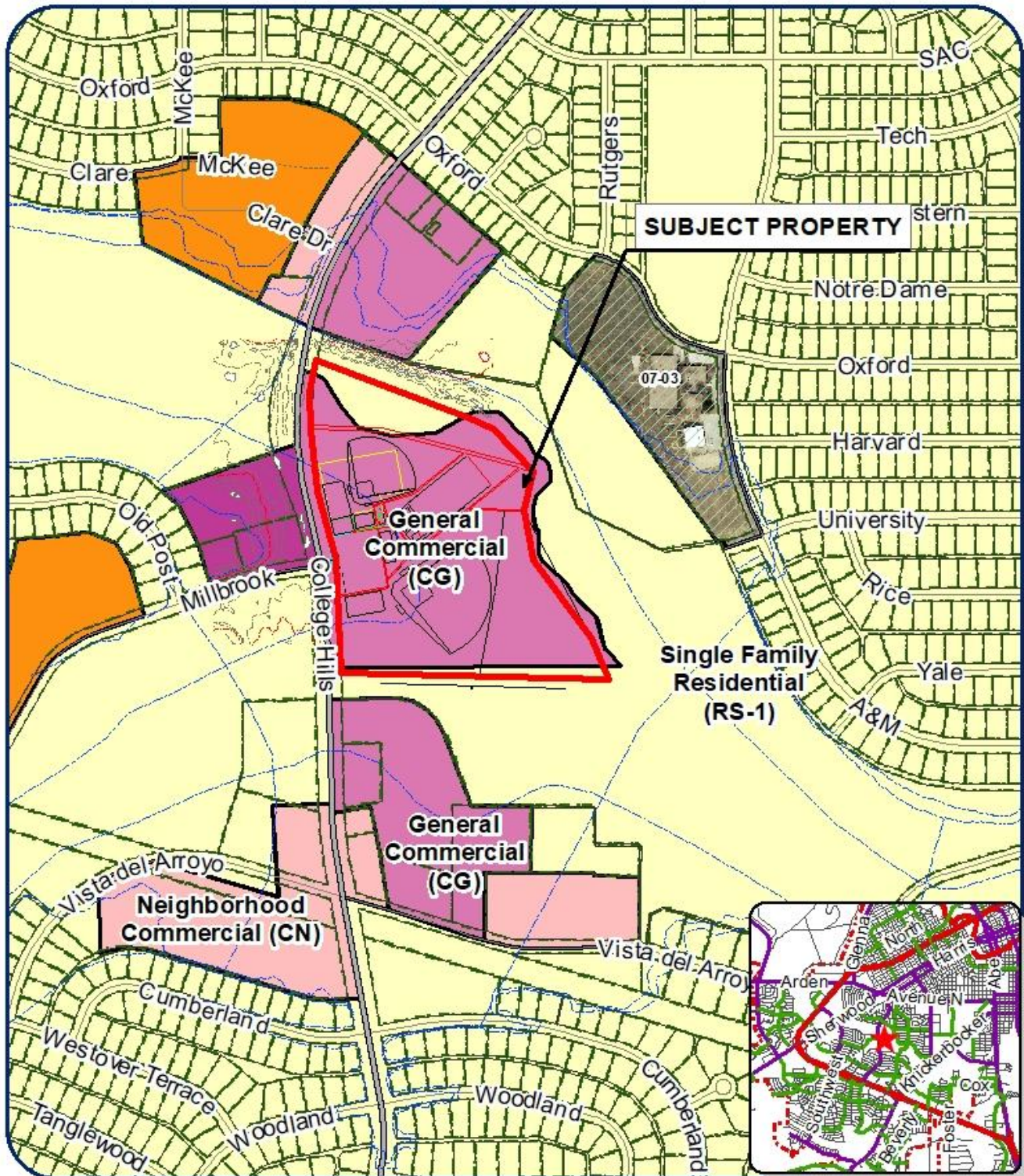
Council District: Lane Carter (SMD#5)

Neighborhood: Vista Del Arroyo

Scale: 1" approx. = 500 ft

Subject Property: 2838 South College Hills Blvd

LegendSubject Properties: —Current Zoning: **CG and RS-1**Requested Zoning Change: **PD**Vision: **Open Space**

**PD Zoning Case File****PD20-03: 2838 S. College Hills Blvd.**

Council District: Lane Carter (SMD#5)

Neighborhood: Vista Del Arroyo

Scale: 1" approx. = 500 ft

Subject Property: 2838 South College Hills Blvd

Legend

Subject Properties:

Current Zoning: **CG and RS-1**Requested Zoning Change: **PD**Vision: **Open Space**

N



Photos of Site and Surrounding Area

SOUTH



NORTH



WEST



EXISTING MULTI-SPORT BUILDINGS



NEW CALICHE PARKING LOT



NEW CALICHE PARKING LOT



Photos of Site and Surrounding Area

OUTDOOR DRIVING RANGE



OUTDOOR DRIVING RANGE



EXISTING LIGHT FIXTURE



NIGHT VIEW FROM ALLEY SOUTH OF PROPERTY



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)

In favor of the sports complex.

NAME: *A.J. Moore - CEO of San Angelo YMCA*

ADDRESS: *353 S. Randolph St.*

San Angelo, TX. 76903

SIGNATURE:

A.J. Moore

PD20-03: 2838 South College Hills Boulevard

Property owner number: 6

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

Public Comment

Item No. III. 3. A. Rezoning: PD 20-03: 2838 College Hills Boulevard

November 16, 2020

I, Jennifer R. Pape, and R. Shane Bearden, my fiancé, reside at 3014 Cumberland Dr. San Angelo, TX 76904 (SMD 5) and are **in opposition of PD 20-03**. Our home, which has been in my family for almost 40 years, as well as our neighbors' homes and other homes in the surrounding area of Next Level Sports have been having trouble with glare and light coming from the driving range since February 2020 which is still not resolved. The lights illuminate our back yards, patios, back of house, inside the home through and around edges of closed curtains and shades from approximately 1500-1800 ft away. This is a violation of city ordinance Sec. 8.11.005 on Light trespass.

I attempted to speak to the owner regarding the lights as soon as they were placed in February 2020 and the owner walked off, leaving me to speak with the electrician. The electrician said he "knew it was a matter of time before the neighbors would start coming to complain" and how he "begged the owner not to put up those new lights" due to them being "too bright". I tried to file a complaint in March but Mr. Ibarra said there would be no action taken due to Covid. I was finally able to file a formal complaint with code compliance in early May, who sent an officer out in June to observe the lighting and said "the owner will have to shield the lights". The officer took photos and did a light meter reading (which is inaccurate since LED lights cannot be measured the same way as metal halide lights). I got a call a few weeks later from code compliance stating per the owner of the complex, the lights were corrected. We observed no changes and the officer came to our home again to observe no change as well. For months, Shane and I continued calling code compliance and the police department to inform them of the light trespass and noise from the music which was sometimes until 1 and 2am, disturbing our sleep (the light comes through the shades in the living room and around the edges of our blackout curtains in the bedroom). There was no enforcement or changes in the lighting. Code compliance still communicated with me that the owner was reluctant to change the lighting or shield it. At the end of September, we noticed the driving range lights were angled downward and turned off by 10:30pm but the light and glare still shined onto our homes and other area homes. Then we noticed one light turned back up facing our home directly and when I called code compliance, I was told by Mr. Rudy Ibarra and Mr. Bob Salas of neighborhood services that by order of the city manager, enforcement of outdoor lighting ordinance violations are on hold in order to amend city ordinance 8.11.002 on

outdoor lighting standard. We don't understand why section 8.11.005 of the ordinance on light trespass was never and still not enforced since it is not the part of the ordinance being amended. As it stands now, when we sit on our back patio porch swing, or anywhere in our back yard, the lights from the driving range still shine directly into our faces and onto our bodies as well as the back of our home including the windows. This is how it is every evening from approximately 5:15pm to 10:30 pm, **7 days per week**. We have not been able to enjoy our back yard since February, constantly trip and stumble in the yard since the glare blocks our ability to see the ground, we must shield our eyes with our hand to see the person we are talking to, are concerned this LED light shining into our eyes could eventually be damaging to our eyesight, and have even heard stories of people tripping on uneven surfaces on the red arroyo trail. These lights are also distracting to drivers on Vista del Arroyo, College Hills, and Cumberland streets.

For decades, neither my family nor I have had any issues from the previous driving range (same location of Next Level Sports) which had metal halide bulbs. After speaking to some electricians and other lighting professionals, and after much research on LED vs. metal halide lighting, we noticed some inaccuracies in Mr. Box's report of his driving range lighting which explain why the lights are brighter and reach our homes. According to the report Mr. Box submitted, page 10 of the photo under New Lighting, he wrote he replaced the metal halide bulbs with LED bulbs; however, not all of the LED's are the equivalent replacements of the previous metal halide bulbs. 9 of the 18 LED bulbs (the 300 watt LED's) Mr. Box placed are the equivalent to 9 metal halide bulbs (at 1000 watts each). The other 9 LED bulbs Mr. Box selected **far exceed the equivalent wattage and lumens** of the previous metal halide bulbs. Mr. Box also did not properly calculate the lumens emitted by LED's and therefore **he has chosen luminaires that are overpowered and thus brighter than their previous counterpart metal halides**. LED lights may have fewer lumens but LED lights will emit 4 times more visible light, making it brighter. Light meter readings in foot candles are also inaccurate when using the same meter on LED lights as you would to measure metal halides. Metal halide lights produce mostly photopic lumens that can be detected with a meter whereas LED lights produce mostly scotopic lumens. When calculating lumens on LED lights, one must use an S/P ratio, which Mr. Box did not do on page 10 of his report submitted. Mr. Box did NOT have a reduction of light emitted from the new LED lights he placed when compared to the previous metal halides; he greatly increased the light emitted and has not properly controlled the beams.

We will not be in favor of the zone change or expansion of the complex until the owner shows he can be responsible by hiring a lighting engineer or LED light expert to utilize the lights for the maximum benefit of the complex by selecting appropriate lights, shielding and reflecting as to not disturb surrounding properties.

From: Marianne White [mailto:mwhite0304@gmail.com]
Sent: Friday, November 13, 2020 1:49 PM
To: Fisher, Jeff <jeff.fisher@cosatx.us>
Subject: Re: Message from WHITE MARIANNE (9792182170)

CAUTION: This email was received from an EXTERNAL source, use caution when clicking links or opening attachments.

Thank you for your email. Unfortunately I am affected even though I'm not in the 200' radius. The lights are horrendous at night. After dark, I can walk through my house without turning on any lights. You can see quite clearly,
Marianne White



Fri 11/6/2020 2:08 PM

Ibarra, Rudy

RE: Next Level - Lighting

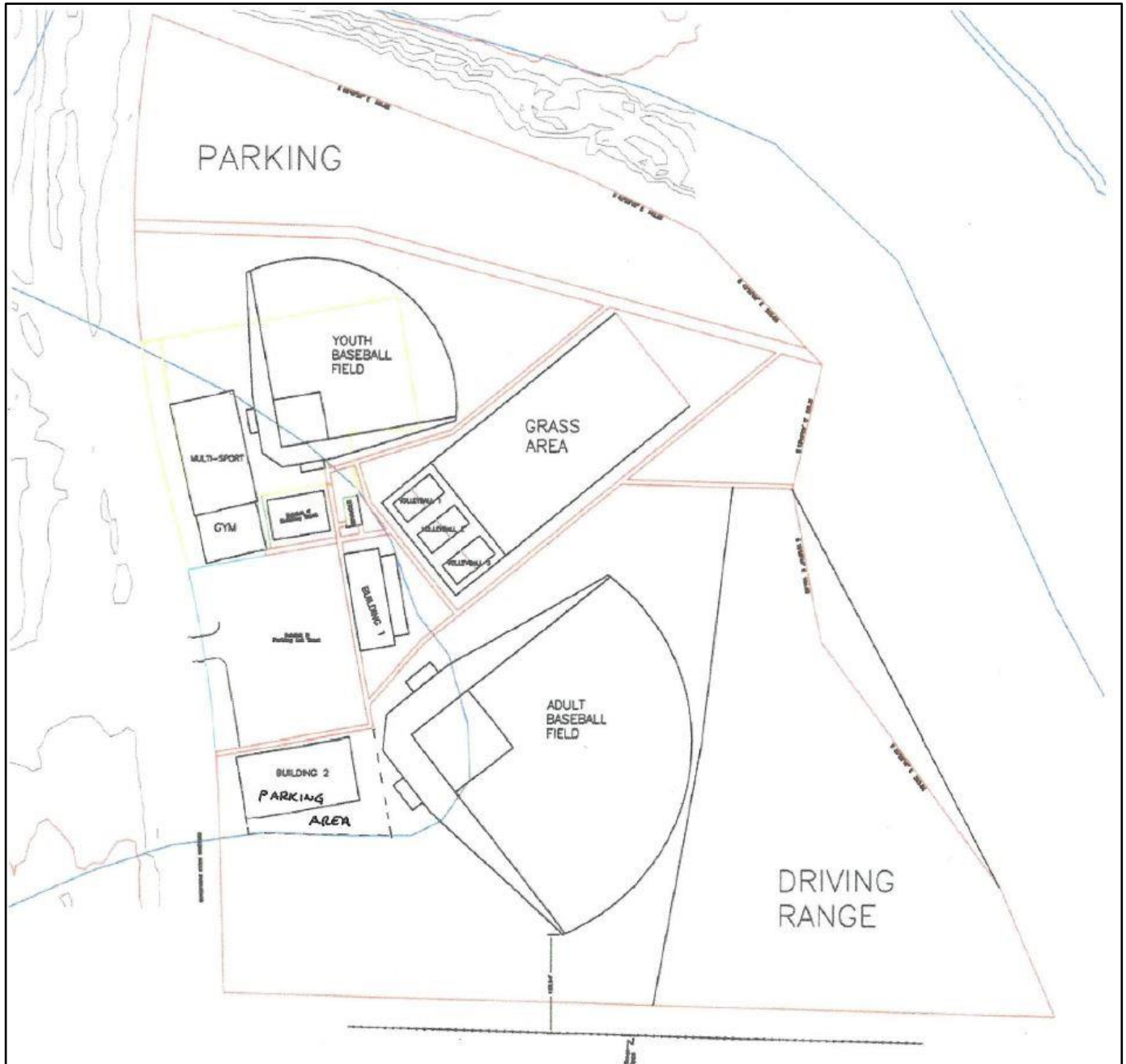
To  Fisher, Jeff;  Fisher, Daniel

 You replied to this message on 11/6/2020 2:32 PM.

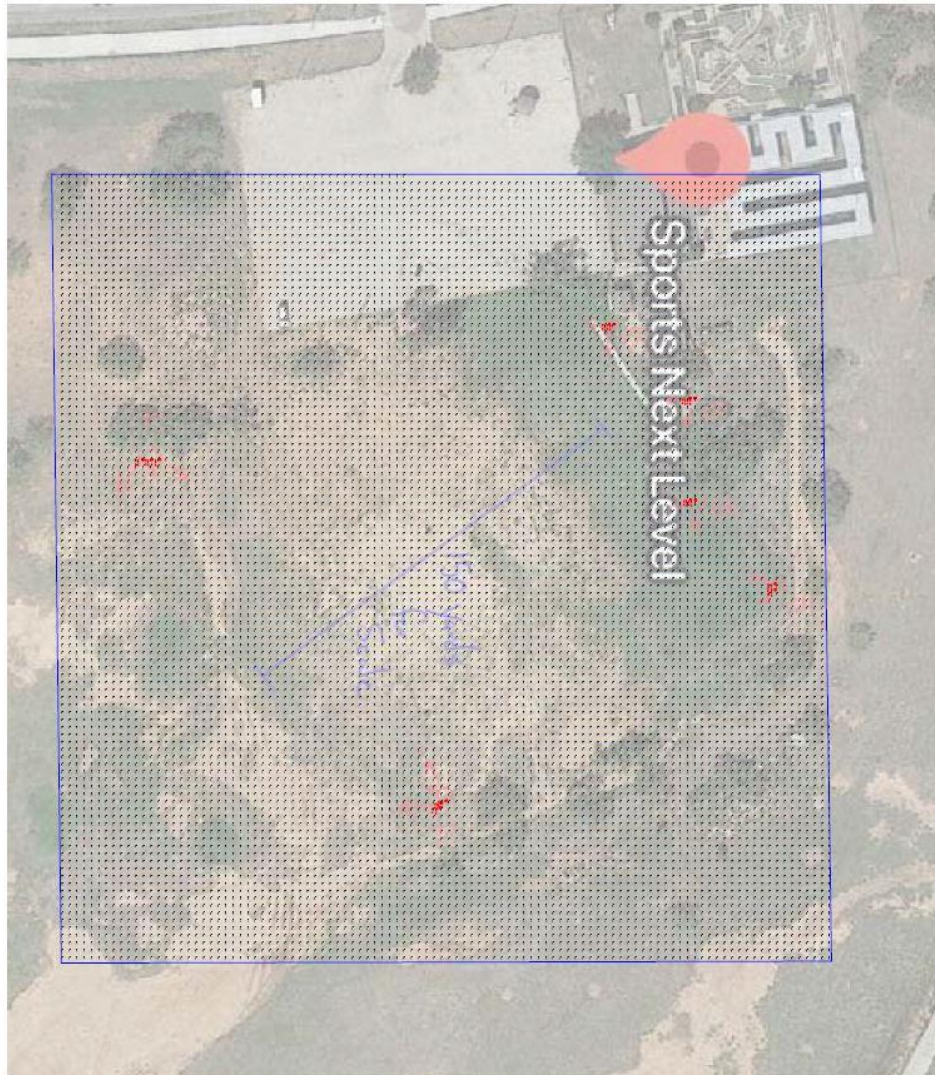
FYI on the lighting standard, that part of the rule is on hold per CMO. The complainants names/addresses are as follows:

Jennifer Pape 3014 Cumberland, ph.# 325-374-1424
James Parry 3008 Cumberland
Amanda Brag 3002 Cumberland

Site Concept Plan



Lighting Plan



Project	Org	Location	ILP	Donor/Refugee	Year/Pop	Total Pop	Life Expects
1	1	1	1	1	1	1	1
2	2	2	2	2	2	2	2
3	3	3	3	3	3	3	3
4	4	4	4	4	4	4	4
5	5	5	5	5	5	5	5
6	6	6	6	6	6	6	6
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100	100	100	100	100	100	100	100

Label	Cat ² /g ²	1000	log	900	90	log ₁₀	90/900	log ₁₀ ²	log ₁₀ ³
RTB	Residence	N	10	90	90	90	90	90	90

the results of a study by researchers at the University of Illinois, Chicago, in 1991, in which 100 patients with rheumatoid arthritis were given 100 mg of celecoxib daily for 12 weeks. The researchers found that the patients who took celecoxib had significantly less pain and swelling than those who took naproxen. In addition, the patients who took celecoxib had significantly less damage to their joints than those who took naproxen. The researchers also found that the patients who took celecoxib had significantly less side effects than those who took naproxen. The researchers concluded that celecoxib is a safe and effective treatment for rheumatoid arthritis.

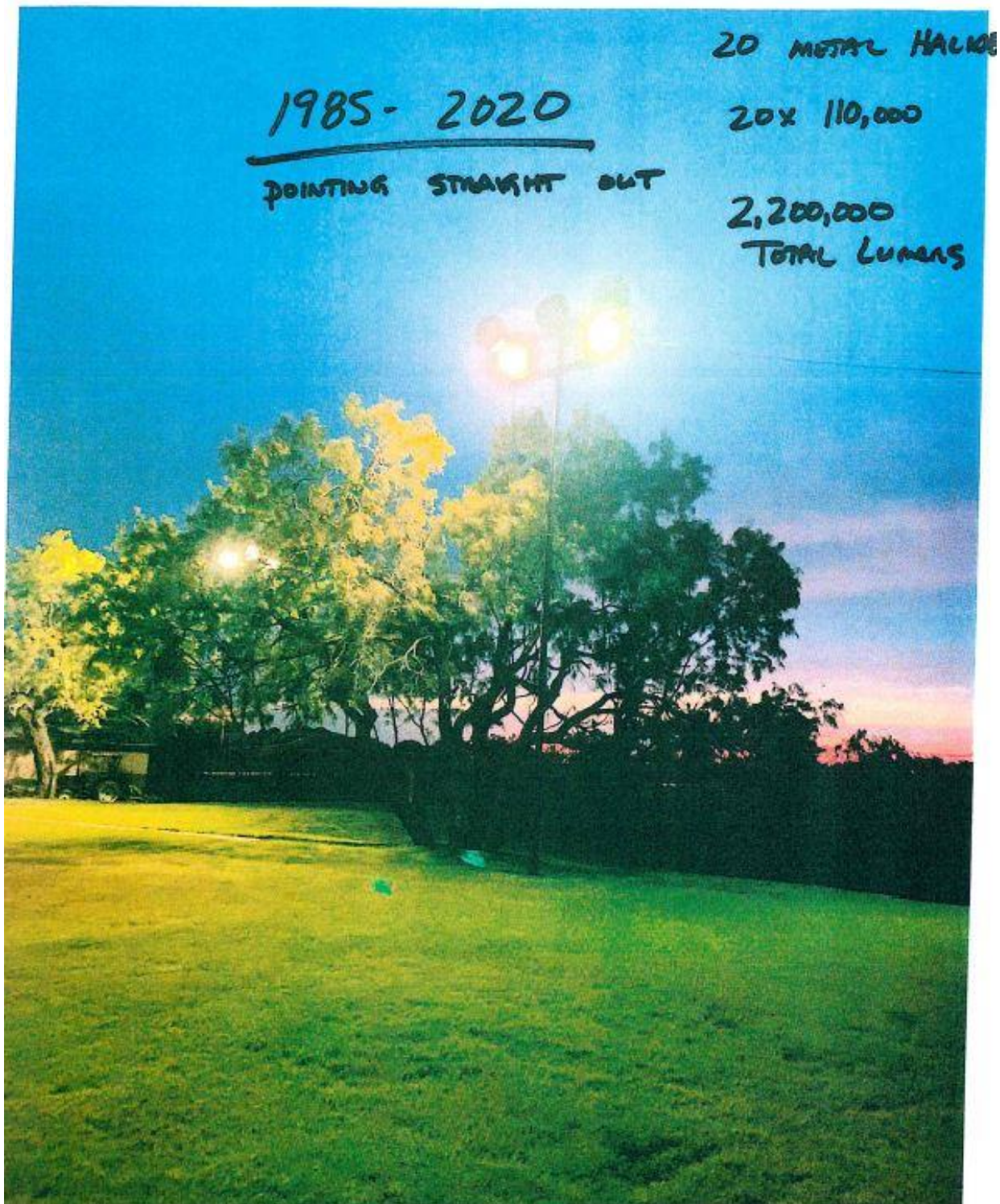
[illegible]

TEXAS LIGHTING SOLUTIONS

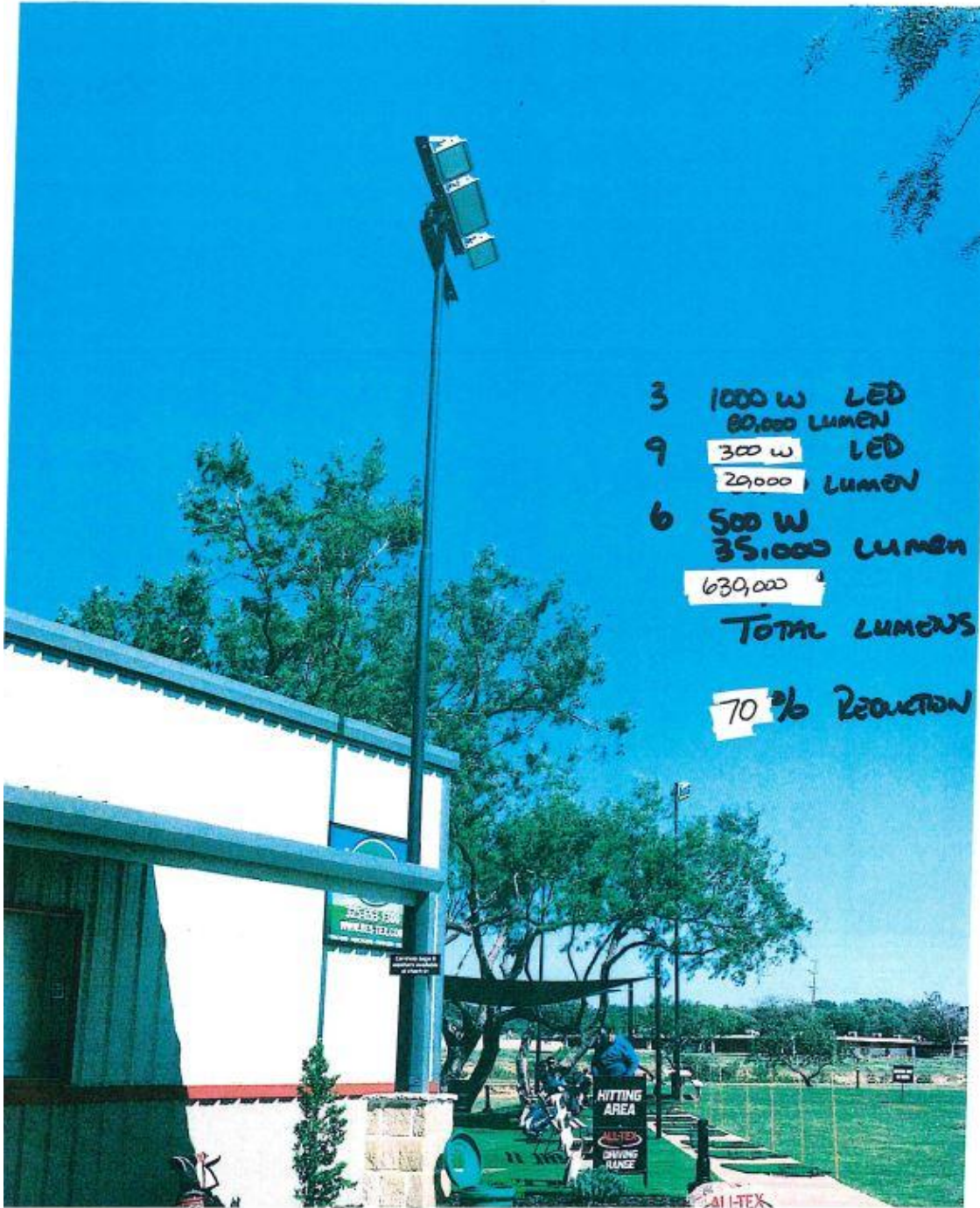
831 WEST EULESS BLVD, SUITE 15
EULESS, TEXAS 76040
TEL: 817-267-9300
T.L.S. CONSULTANT/WELLINGTON MARINHO
CLIENT: CARY HOUSTON



Existing Lighting



New Lighting



Effective April 1, 2020



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



Planned Development (PD) - Zone Change or Site Plan

Section 1: Basic Information

Name of Applicant(s): STANWORTH BOX

☒ Owner ☐ Representative (Notarized Affidavit Required)

Mailing Address: 2838 COLLEGE HILLS BLVD SAN ANGELO TX 76904
City State Zip Code

Contact Phone Number: 325-374-2590 Contact E-mail Address: INFO@SPORTSNEXTLEVEL.COM

Subject Property Address: 2838 COLLEGE HILLS BLVD SAN ANGELO TX 76904
City State Zip Code

21 ACRES

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

Lot width (in feet): _____ Lot depth (in feet): _____ Lot area (in acreage or square feet): _____

Existing Zoning: CS (Zoning Map available on [City Maps](#))

Section 2: Type of PD Request (minimum one acre property is required):

1. New PD District (City Council approval required) ☒ Text Amendment to PD District Ordinance (City Council approval required) ☐
Major Site Plan Amendment (Planning Commission approval required) ☐ Minor Site Plan Amendment (Planning Director approval required) ☐
2. Concept Plan attached? Yes ☒ No ☐

Notes:

- For site plan amendments, the Planning Director shall determine if the plan is deemed minor or major based on the criteria outlined in [Section 210](#) of the Zoning Ordinance.
- The concept plan shall be drawn to scale and shall include but not be limited to: locations of new and existing buildings on the property with required zoning setbacks; outdoor uses and storage areas; location of all drive approaches and maneuvering areas; layout, striping and surfacing of all parking and loading spaces; sidewalks; and required fencing. Additional requirements such as landscaping, dumpster screening, and lighting may be provided on the concept plan or separate plan as determined by the Planning Director at time of submission or afterwards.

Section 3: Site Specific Details (Use separate attachment if necessary)

Existing Use of Property: SPECIAL USE TO ALLOW FOR A GOLF DRIVING RANGE;
OUTDOOR MULTI USE SPORTS FACILITIES AND RELATED RECREATIONAL ACTIVITIES;
OUTDOOR MINOR GOLF, OUTDOOR EVENTS, ON PROPERTY ZONED CS

*Proposed Use of Property: SAME USE AS ABOVE AND A NEW ALL WEATHER
SURFACE (CALKITE) PARKING LOT DIMENSIONS

I understand that City Council is required by law to consider the following criteria when making a zone change decision, and I assert that my request meets all of the required criteria based on my explanation(s) below:

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. (Vision Plan Map available on [City Maps](#) and see pages 34-44 in [San Angelo Strategic Plan](#))

Explanation: SPORTS COMPLEX AND OUTDOOR RECREATIONAL AREA
ARE COMPATIBLE WITH FUTURE LAND USE OF
OPEN SPACE

2. **Consistent with Zoning Ordinance.** Whether and the extent to which the proposed amendment would conflict with any portion of this [Zoning Ordinance](#).

Explanation: THE FACILITY COMPLIES W ALL ZONING STANDARDS
AND THE PD WILL ALLOW AN ALL WEATHER
PARKING SURFACE.

Effective April 1, 2020

Section 3: Site Specific Details continued

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.

Explanation: YES LOCATION IS NEXT TO RED ARROY TRAIL
AND OTHER RECREATIONAL USES

4. Changed Conditions. Whether and the extent to which there are changed conditions that require an amendment.

Explanation: NEW PARKING LOT WAS BUILT AND PD
WOULD ALLOW ALL WEATHER SURFACE

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, stormwater management, wildlife, vegetation, wetlands and the practical functioning of the natural environment.

Explanation: WORKED WITH ENGINEERING ON MAKING SURE
NOTHING IS IN FLOW WAY

6. Community Need. Whether and the extent to which the proposed amendment addresses a demonstrated community need.

Explanation: THE NEW PARKING LOT WILL HELP ACCOMMODATE
THE EVENTS THAT GO ON AT COMPLEX PLUS
EXTRA PARKING FOR TRAIL WALKERS

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.

Explanation: NO CHANGES. ACCESS WILL BE FROM COLLEGE HILLS

Section 4: 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 PD 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;

☒ Minor site plan amendments may be approved or denied by the Planning Director, or referred by the Director to the Planning Commission for a decision where a revision constitutes a substantial alteration from the original approved plan. An applicant may appeal a denial by the Planning Director to the Planning Commission within 30 days of the decision.

☒ Major site plan amendments may be approved, approved with conditions, or denied by the Planning Commission at a public hearing. An applicant may appeal a denial by the Planning Commission to the City Council within 30 days of the decision.

☒ 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 PD zone change is applied to the property, not the property owner.

☒ For PD zone changes, one or more notice sign(s) will be placed on the subject property by the Planning Department. The Planning Department will also notify, in writing, owners of property within 200-feet of the subject property of the PD zone change request.

☒ For PD zone changes, the Planning Commission shall conduct a public hearing and shall recommend that the City Council approve, approve with modifications, or deny the proposed amendment. If the Planning Commission recommends approval of a PD zone change request, the case must still go before City Council for final action.

☒ A recommendation by the Planning Commission to deny a request for a PD zone change may be appealed in writing to City Council within 10 days, or the decision is considered final.

Effective April 1, 2020

- ☒ For PD zone changes, a public hearing and final decision will be made by City Council.
- ☒ The City Council may approve, approve with modifications, or deny the proposed PD zone change. Where the Planning Commission has recommended denial, or written protest against such amendment is made and signed by (a) the owners of 20 percent or more of the area subject to the zone change or (b) the owners of 20 percent or more of the area within 200 feet of the affected area, then the proposed amendment shall require a favorable vote of at least three-fourths of all the members of the City Council to become effective. The area of rights-of-way and streets shall be included in any computation of land area under this subsection.
- ☒ Appeal of a City Council decision to deny a PD zone change shall be made within 30 days to the applicable state District Court in Tom Green County.
- ☒ If a PD 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.
- ☒ The applicant shall ensure at the time of permitting, that the proposed uses and buildings comply with all development standards of the new zoning district(s) and the general development standards of the Zoning Ordinance including setbacks, parking, and any required privacy fencing. These requirements are outlined in San Angelo's Zoning Ordinance.
- ☒ 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) SHAWN BOY Signature [Signature] Company/Organization (If Applicable) _____ Date 11/2/20
 Representative Name (Print) _____ Signature _____ Company/Organization _____ Date _____

FOR OFFICE USE ONLY:

☐ Verified Complete ☐ Verified Incomplete

Date of Application: ____/____/____

Case No.: PD ____ -- ____

Fully-dimensioned concept plan: ☐

Select from the following:

New PD District nonrefundable fee (\$600.00): \$ _____ Receipt #: _____
 Text Amendment or Major Site Plan Amendment (\$225.00): \$ _____ Receipt #: _____
 Minor Site Plan Amendment (\$125.00): \$ _____ Receipt #: _____
 Newspaper Notice Fee \$125.00 (minor site plans exempt) \$ _____ Receipt #: _____
 Sign Deposit \$20.00 (minor site plans exempt) \$ _____ Receipt #: _____

Date paid: ____/____/____

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

Related Case(s)? ☐ Yes ☐ No If yes, case nos.: ____ -- ____

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

City Council hearing date: ____/____/____ Newspaper publication date: ____/____/____

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

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: January 12, 2021

Item type: Consent Item

Caption:

Second reading of ordinances approving:

1. CP20-07, an amendment to the City of San Angelo Comprehensive Plan, changing certain lands from the Open Space and Neighborhood Center Future Land Uses to the Neighborhood Land Use, located at 607 and 609 Locust St.
2. Z20-18, a rezoning from the Single Family Residence zoning district to the Two Family Residence zoning district, being 0.321 acres located at 607 and 609 Locust St. (Jon James)

Summary/History:

The applicant has applied for a Comprehensive Plan Amendment from Neighborhood Center and Open Space to Neighborhood, and to rezone the two lots from the Single Family Residence (RS-1) Zoning District to the Two Family Residence (RS-2) Zoning District. The applicant intends on building a duplex on each of the subject lots. These two lots were part of the recent city owned land sale that was the old City maintenance building area.

Financial Impact:

N/A

Other Information/Recommendation:

At the November 16, 2020 regular Planning Commission meeting the Commission voted unanimously to recommend approval of the amendment to the Comprehensive Plan (6-0) and the rezoning to Two Family Residence (RS-2), (6-0).

On December 15, 2020, the City Council approved these items on first reading by a vote of 6-0, with Mayor Gunter abstaining from the vote.

Attachments:

- | | |
|------------------------|--------------------------|
| 1. Ordinance (CP20-07) | Ordinance (CP20-07).docx |
| 2. Ordinance (Z20-18) | Ordinance (Z20-18).docx |
| 3. Staff Report CC | 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 OF THE CITY OF SAN ANGELO, TEXAS, AMENDING THE CITY'S COMPREHENSIVE PLAN BY CHANGING THE FUTURE LAND USE PLAN MAP DESIGNATION OF CERTAIN LANDS LOCATED AT 607 AND 609 LOCUST STREET BEING 0.3213 ACRES, FROM "NEIGHBORHOOD CENTER AND OPEN SPACE" TO "NEIGHBORHOOD;" PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

CP-20-07

WHEREAS, the City Council for the City of San Angelo, Texas, in accordance with the City Charter and Chapter 213 of the Texas Local Government Code, has adopted a Comprehensive Plan (Vision Plan and Future Land Use Map within the San Angelo Strategic Plan adopted by City Council as updated on October 20, 2009) to guide the long-range development of the City, manage the future growth of the City and promote the health, safety and welfare of its citizens; and

WHEREAS, the Comprehensive Plan includes a Future Land Use Map to serve as a geographical representation of anticipated land use patterns and long range development for the City; and

WHEREAS, inconsistencies have developed between current long standing land use and development patterns and development envisioned by the Future Land Use Map, which inconsistencies call for compatible revisions to the Future Land Use Map; and

WHEREAS, the Planning Commission and the City Council for the City of San Angelo, in compliance with the City Charter and Chapter 213 of the Texas Local Government Code regarding adoption and amendment of the City's Comprehensive Plan, having given requisite notice of public hearing by publication and otherwise, and having afforded a full and fair hearing to all property owners and persons interested, including persons situated in the vicinity of the affected area, being of the opinion that revision of the Comprehensive Plan and Future Land Use Map changes should be made as set out herein;

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

SECTION 1: The Future Land Use Plan Map, a component of the adopted Comprehensive Plan for the City of San Angelo be and the same is hereby amended to change the Future Land Use designations of the following described parcels as outlined below:

The real properties located at 607 and 609 Locust Street, specifically being 0.3213 acres in Lots 3 and 4, Block 15, Angelo Heights Addition; San Angelo, Tom Green County, Texas; from “Neighborhood Center and Open Space” to “Neighborhood;”

SECTION 2: The Director of the Planning and Development Services Department is hereby authorized and directed to amend the Future Land Use Planning Map maintained in the Office of the Director to incorporate the foregoing amendments, as further depicted on **Exhibit “A”** of this Ordinance.

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

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

INTRODUCED on the **15th day of December, 2020**, and finally ADOPTED on this the **12th day of January, 2021**.

THE CITY OF SAN ANGELO

Brenda Gunter, Mayor

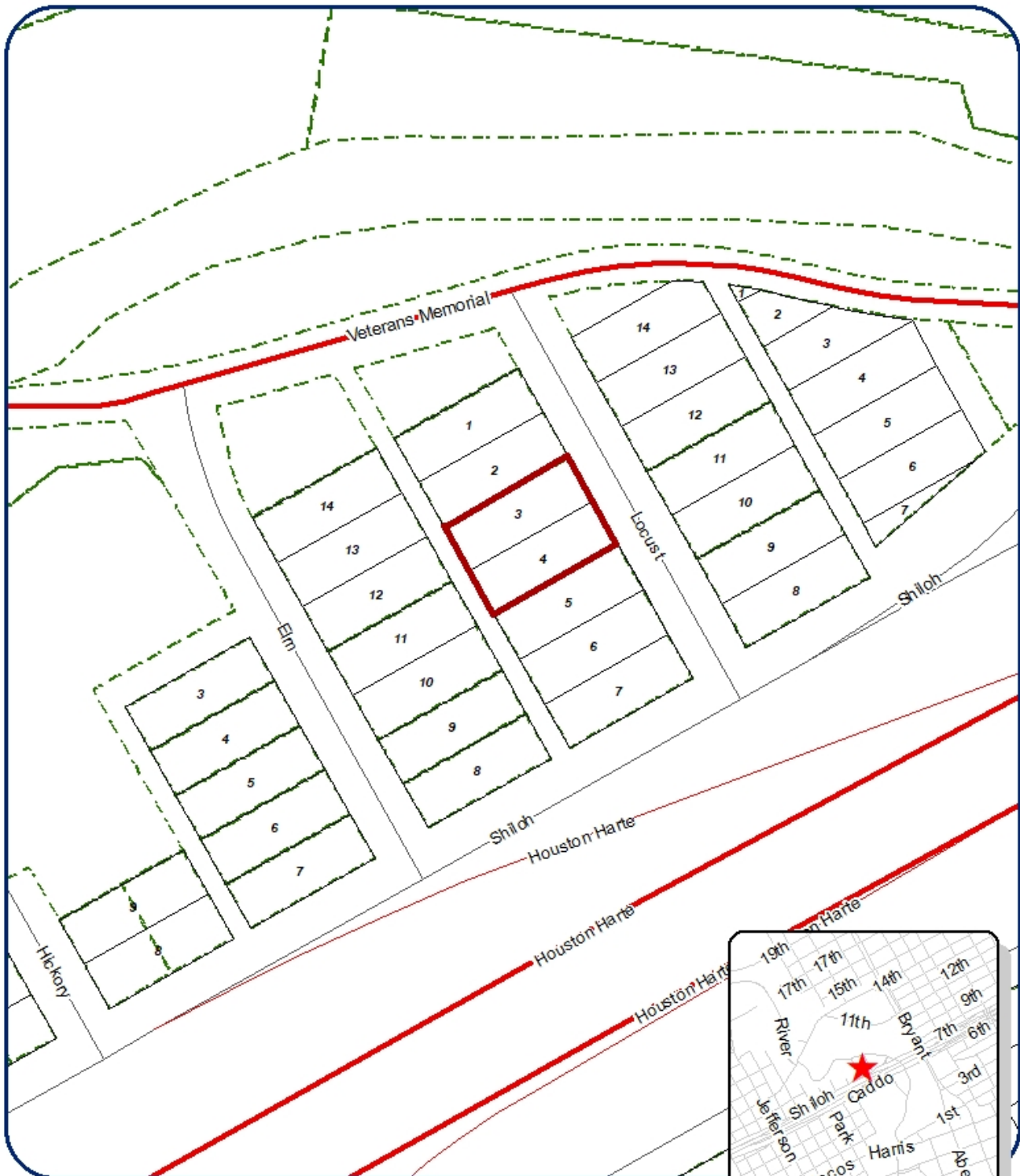
ATTEST:

APPROVED AS TO FORM:

Julia Antilley, City Clerk

Theresa James, City Attorney

EXHIBIT "A"



Location Map CP20-07

607 & 609 Locust Street

Council District 4 - Lucy Gonzales

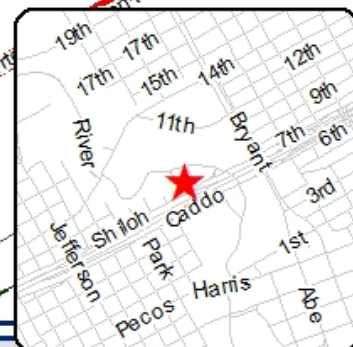
Neighborhood: Central

Scale: 1" approx. = 125 ft

Lots 3 & 4, Blk. 15, Angelo Heights Addition

Legend

Subject Properties:
 Current Zoning: **RS-1**
 Requested CP Change: **Neighborhood**
 Vision: **NC & OS**



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 607 AND 609 LOCUST STREET, FROM THE SINGLE-FAMILY RESIDENCE (RS-1) ZONING DISTRICT TO THE TWO FAMILY RESIDENCE (RS-2) ZONING DISTRICT; GENERALLY LOCATED MID-BLOCK ON LOCUST STREET, BETWEEN VETERANS MEMORIAL DRIVE AND SHILOH STREET; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE**

Z20-18: 607 & 609 Locust Street

WHEREAS, on the 16th day of November, 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 Two Family Residence Zoning District; and,

WHEREAS, on the 15th day of December, 2020, the City Council held a public hearing on Z20-18, 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 TWO FAMILY RESIDENCE Zoning District:

The real properties located at 607 and 609 Locust Street, generally located mid-block on Locust Street, between Veterans Memorial Drive and Shiloh Street; more particularly described as approximately 0.3213 acres being Lots 3 & 4, Block 15, Angelo Heights Addition, 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 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 **15th day of December, 2020**, and finally ADOPTED on this the **12th day of January, 2021**.

THE CITY OF SAN ANGELO

Brenda Gunter, Mayor

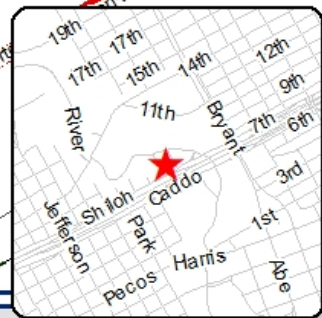
ATTEST:

APPROVED AS TO FORM:

Julia Antilley, City Clerk

Theresa James, City Attorney

EXHIBIT "A"



Location Map Z20-18

607 & 609 Locust Street

Council District 4 - Lucy Gonzales
Neighborhood: Central
Scale: 1" approx. = 125 ft

Lots 3 & 4, Blk. 15, Angelo Heights Addition

Legend

Subject Properties:
Current Zoning: **RS-1**
Requested CP Change: **Neighborhood**
Vision: **NC & OS**

N



CITY COUNCIL – December 15, 2020
STAFF REPORT



APPLICATION TYPE:		CASES:	
Comprehensive Plan Amendment & Rezoning		CP20-07 & Z20-18: 607 & 609 Locust Street	
SYNOPSIS:			
The applicant has applied for a Comprehensive Plan Amendment from Neighborhood Center and Open Space to Neighborhood, and to rezone two lots from the Single Family Residence (RS-1) Zoning District to the Two Family Residence (RS-2) Zoning District. The applicant intends on building a duplex on each of the subject lots.			
LOCATION:		LEGAL DESCRIPTION:	
607 and 609 Locust Street, generally located north of Shiloh Street		Lots 3 & 4, Block 15, Angelo Heights Addition	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD: District 4 – Lucy Gonzales Neighborhood: Central	Single Family Residence (RS-1)	Open Space & Neighborhood Center	0.3213 acres
THOROUGHFARE PLAN:			
Locust Street: Urban Local Street Required: 50' right-of-way, 40' pavement or 36' pavement with a 4' sidewalk Provided: 60' right-of-way, 36' pavement			
NOTIFICATIONS:			
9 notifications were mailed within a 200-foot radius of the property on October 29, 2020. No response was received in favor or against to date.			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of a Comprehensive Plan Amendment from Neighborhood Center and Open Space to Neighborhood and APPROVAL of a rezoning to the Two Family Residence (RS-2) Zoning District located at 607 & 609 Locust Street. Planning Commission on a unanimous vote (6-0) recommended APPROVAL.			
PROPERTY OWNER/PETITIONER:			
Miguel Duran			
STAFF CONTACT:			
Sherry Bailey Principal Planner (325) 657-4210, Extension 1546 sherry.bailey@cosatx.us			

Additional Information:

The applicant recently purchased these two lots from a city bid sale. This area although zoned Single-Family is a mixed use area. The city building on the front three lots has historically been used as a city maintenance building. The building to the north of these two lots is owned by a non-profit and used as a chemical dependence center. Across the street the property is owned by a non-profit and functions as a meeting center. The building on the corner was a building construction facility for a long while. The building at the other end of the block on Shiloh is a Bed and Breakfast. Though the area has evolved over time into a mixed use area it functions well and maintains a neighborhood feel. The Future Land Use for the block is split between Neighborhood Commercial and Open Space. The Open Space designation is both a result of the adjacent location of the River and the designation of the area as Flood Plain. The applicant would like to re-designate both lots Neighborhood which would then allow him to request to rezone the two lots to Two - Family Residence (RS-2). The two duplexes will have to be built above the Base Flood Elevation. However, the close proximity of the river also makes this area a pleasant place to live. The two lots the applicant has purchased are also in the River Corridor Overlay area which will necessitate a design review by the Design Historic Review Commission (DHRC). The new units will be a positive addition to the area.

Comprehensive Plan Amendment Analysis: The comprehensive plan states that the intent of Neighborhood Center is to “Establish Neighborhood Centers that take on a more pedestrian-friendly character, are more integrated with and connected to their surroundings, and cluster buildings to generate synergies between complementary uses. The Neighborhood Center allows for a mix of uses that could include residential but the second lot is designated Open Space which is intended to “interconnected a series of parks, trails, enhanced multi-modal streetscapes, and natural areas that provide recreation, improved air and water quality, and natural habitat.” After discussion with the applicant it was determined the best approach would be to amend the Comprehensive Plan to Neighborhood which would allow the rezoning. In looking at the Neighborhood Center designation a case could be made for housing under mixed use. However, Open Space does not allow for commercial or residential development. This area of the community has historically been residential or a mixed use area. Water and sewer infrastructure is in the alley and street, the area is platted and there exists a real mixed use approach to this neighborhood. The area is still a vital area with multiple uses thriving. The Open Space Land Use make sense for the area along the river, the trail and park area on the north side of the Veterans Memorial River Drive. It is an area that is a jewel in the City of San Angelo’s community planning. However, extending the Open Space designation across the street into the residential and commercial area where uses exist is harder to understand. Staff believes a case could be made for looking at this area more closely in the future, but for now, changing the designation to Neighborhood on these two lots will allow this development and will help keep an area prospering.

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-2 zoning will be consistent with the Neighborhood Future Land Use in the City's Comprehensive Plan once CP20-07, the Comprehensive Plan Amendment necessitated by this rezoning request, is approved. The City is in support of that amendment. The Neighborhood policies in the Comprehensive Plan encourage the diversity of housing types and the mix of age, income, and housing choices within San Angelo neighborhoods. The proposed rezoning is a good example of the mix of uses within a neighborhood that are compatible. This neighborhood is bounded by Shiloh Street, a service road for Houston Harte Expressway on the south and the Veterans Memorial N. River Drive on the north.
2. **Consistent with Zoning Ordinance.** *Whether and the extent to which the proposed amendment would conflict with any portion of this Zoning Ordinance.* The existing lots meet the width and square footage requirement for the Two Family Residence (RS-2) Zoning District. The Zoning Ordinance contains specific development standards that must be met by this Zoning Category and those will be adhered to by this 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.* This area of San Angelo is an older area that has had to adapt as conditions have changed over the years. With the construction of the Houston Harte Expressway this area was compressed between the expressway and the river. Neighborhoods have evolved and uses have blended. The duplex use intended for these two lots is appropriate for this area of mixed uses and will contribute to the overall neighborhood feel.
4. **Changed Conditions.** *Whether and the extent to which there are changed conditions that require an amendment.* With the growth of the City to the southwest and the evolution of this area the neighborhoods have adapted to change. This area is a good example of uses working within an area to help keep the neighborhood relevant and alive. It can be anticipated that this area will continue to change and the additional construction of two duplexes will help maintain the neighborhood.
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*

The map displays the Victory Acres area with various flood hazard zones. A large area is labeled 'FLOODWAY Zone AE' with red diagonal hatching. Other areas are labeled 'Zone AE' in blue. A specific area is labeled '15' with a red arrow pointing to it. The map also shows 'VICTORY ACRES', 'HTS', 'ADDN', 'Shiloh St', 'Locust St', 'Ramp', and 'AREA OF MINIMAL FLOOD HAZARD Zone X'. A red arrow points to a specific area labeled '15'.

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 housing in this area. The R-2 zoning will provide a housing type that is missing in much of San Angelo. It allows rental living without having to be confined to a large multiple family unit. It is supportive of single family living within a safe environment.
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 while still providing for choice

and flexibility. The accesses to the site and the major traffic movement patterns are beneficial to the neighborhood as well as to the city. Continuing to develop within a neighborhood to encourage infill contributes to overall pattern of development and growth the City encourages.

Recommendation:

Staff's recommendation is for **APPROVAL** of a Comprehensive Plan Amendment from Neighborhood Center and Open Space to Neighborhood and **APPROVAL** of a rezoning to the Two Family Residence (RS-2) Zoning District located at 607 & 609 Locust Street.

Planning Commission:

A. 607 and 609 Locust Street

i. CP20-07: 607 and 609 Locust Street

A request for approval of an amendment to the City of San Angelo Comprehensive Plan, changing certain lands from the Open Space and Neighborhood Center Future Land Uses to the Neighborhood Land Use, being 0.321 acres located at 607 and 609 Locust Street.

ii. Z20-18: 607 and 609 Locust Street

A request for a rezoning from the Single Family Residence (RS-1) Zoning District to the Two Family Residence (RS-2) Zoning District, being 0.321 acres located at 607 and 609 Locust Street.

Sherry Bailey, Principal Planner, presented the proposed Comprehensive Plan Amendment and Rezoning cases. She explained that the applicant purchased these lots from the city and plans to put duplexes on them and requires an RS-2 zoning. She further explained that the Future Land Use of one of the lots is Open Space and the other is Neighborhood Center, both of which require the Comprehensive Plan Amendment to Neighborhood to allow the residential uses.

Chair Stribling asked if there was an apartment complex in this area.

Ms. Bailey responded that an apartment complex was located further west.

Ms. Bailey showed a floodplain and floodway map to show that the lots were not in the floodway but were in the floodplain and that the applicant is aware he has to build above the base floor level. She indicated that Staff mailed out 9 notices and did not receive any responses in favor or opposed. Ms. Bailey then outlined Staff's recommendation to approve the Comprehensive Plan on the grounds that the community has historically been residential or mixed use; that amending the plan allows the existing mix of uses in the area to continue; and that the Open Space designation is more appropriate across Veterans Memorial River Drive in the open area by the water. Ms. Bailey then outlined Staff's support for the rezoning on the grounds that this is an area with a mix of uses already; that the existing lots will comply with the RS-2 provisions; that the neighborhood area has two-family uses and other uses already; and that duplexes will help meet the need for additional rental property.

Chair Stribling opened public comment.

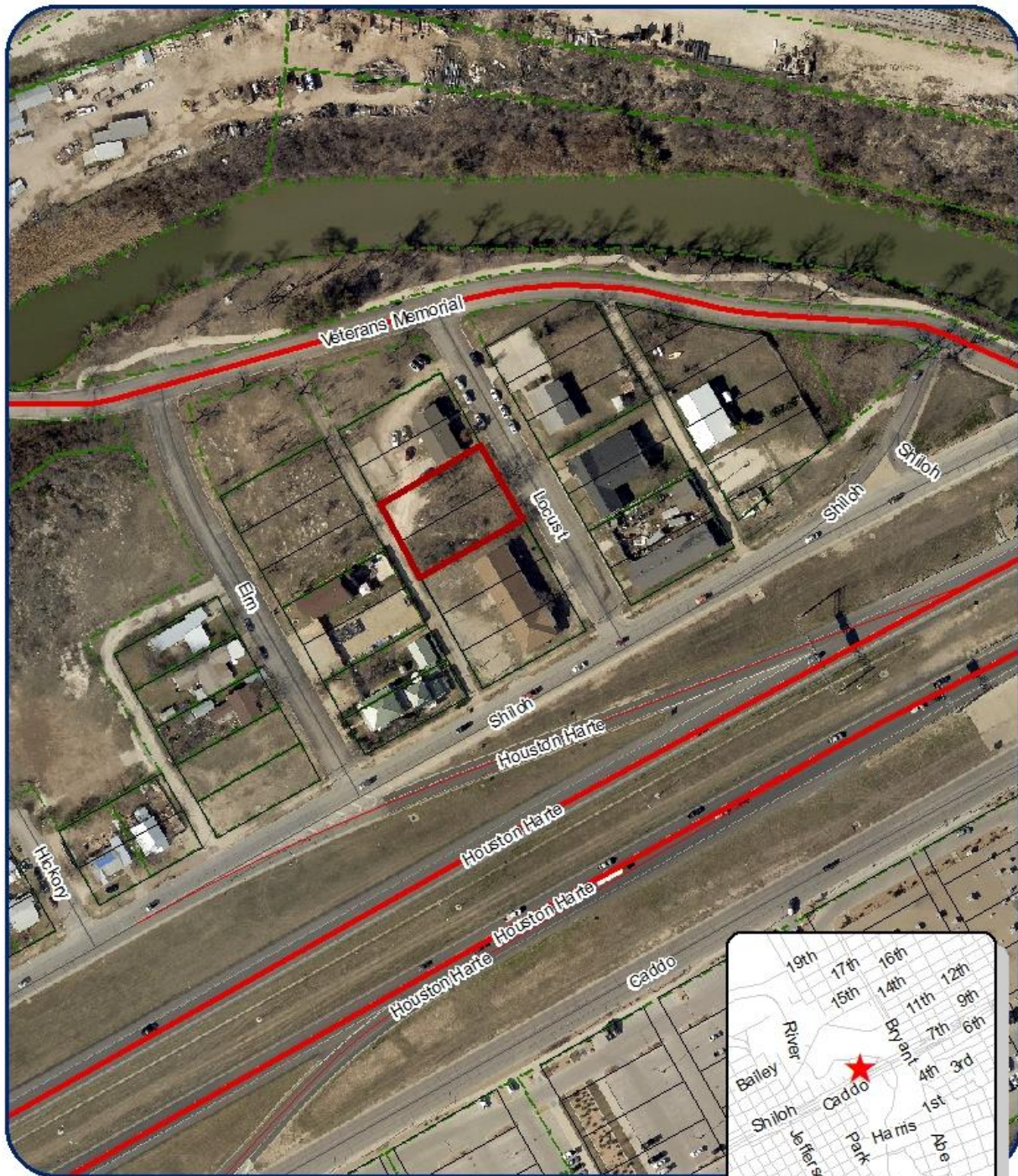
Hillary Bueker, Planning Manager, mentioned that there was no one available for public comment.

Chair Stribling closed public comment.

Commissioner Davis made a motion to RECOMMEND APPROVAL of an amendment to the City of San Angelo Comprehensive Plan, changing certain lands from the Open Space and Neighborhood Center Future Land Uses to the Neighborhood Land Use; and to RECOMMEND APPROVAL of a rezoning from the Single Family Residence (RS-1) Zoning District to the Two Family Residence (RS-2) Zoning District; being 0.321 acres located at 607 and 609 Locust Street. Vice Chair Jackson seconded the motion. The motion carried unanimously 6-0.

Attachments:

Aerial Map
Future Land Use Map
Zoning Map
Notification Map
Photos
Application



Location Map Zoning 20-18

607 & 609 Locust Street

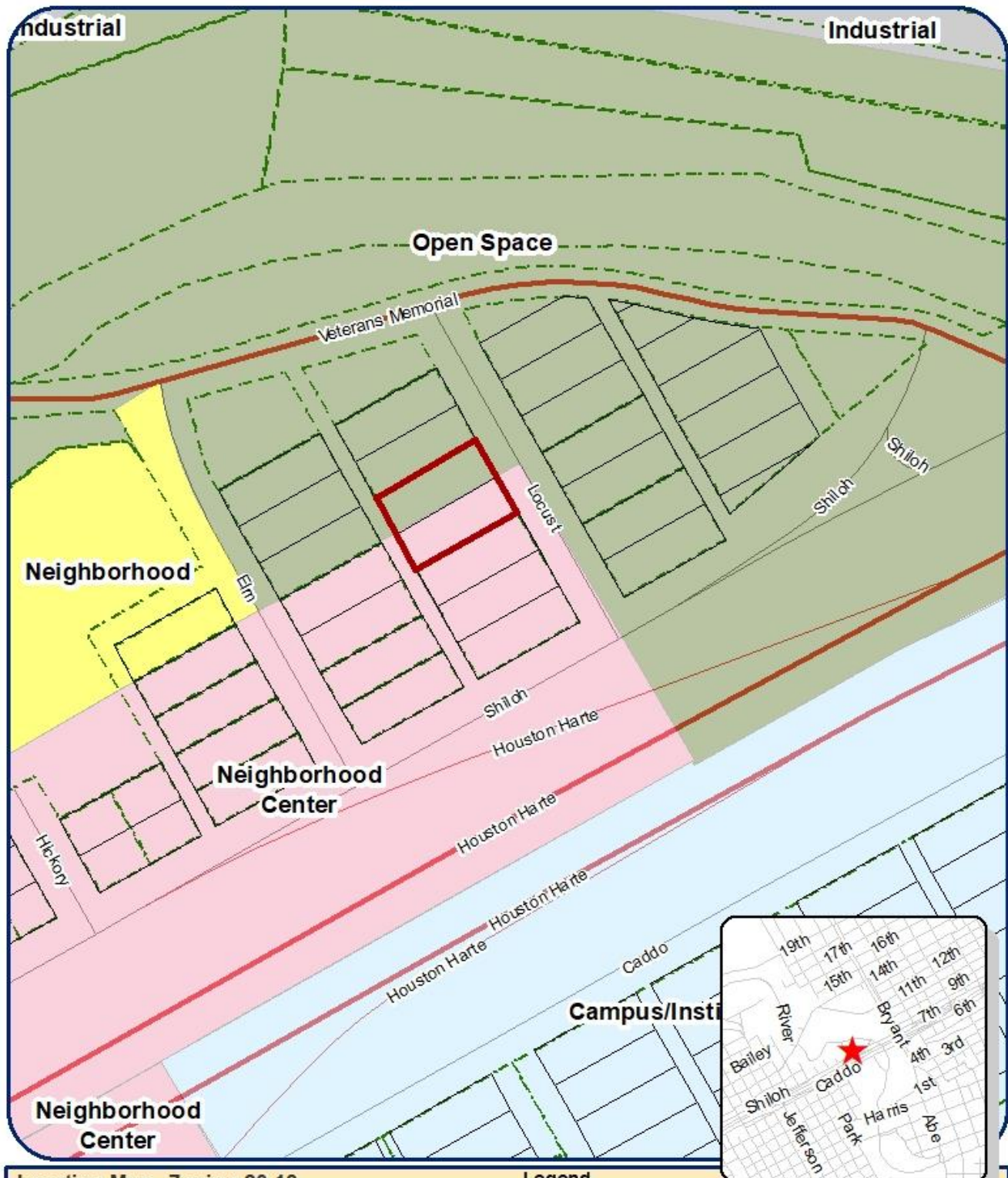
Council District 4 - Lucy Gonzales
Neighborhood: Central
Scale: 1" approx. = 150 ft

Lots 3 & 4, Blk 15, Angelo Heights Addition

Legend

Subject Properties: 
Current Zoning: **Single Family (RS-1)**
Requested Zoning Change: **Two Family (RS-2)**
Vision: **((CN) & (OS))**





Location Map Zoning 20-18

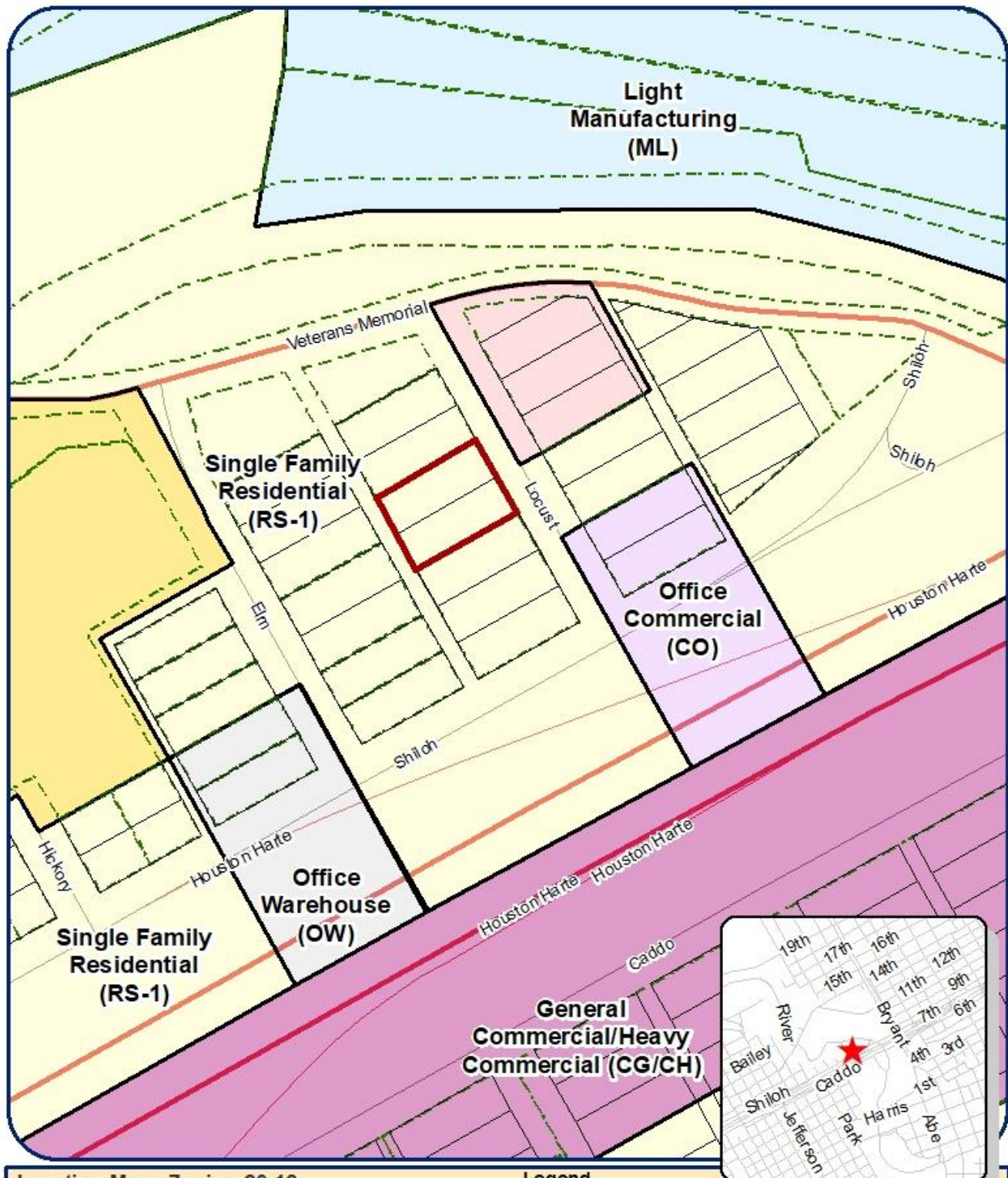
607 & 609 Locust Street

Council District 4 - Lucy Gonzales
Neighborhood: Central
Scale: 1" approx. = 150 ft

Legend

Subject Properties:
Current Zoning: **Single Family (RS-1)**
Requested Zoning Change: **Two Family (RS-2)**
Vision: **((CN) & (OS))**

Lots 3 & 4, Blk 15, Angelo Heights Addition



Location Map Zoning 20-18

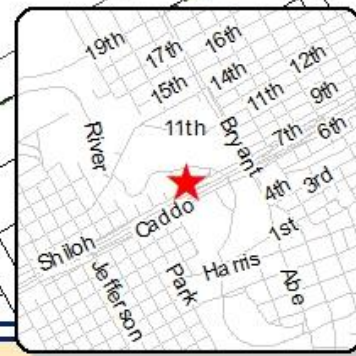
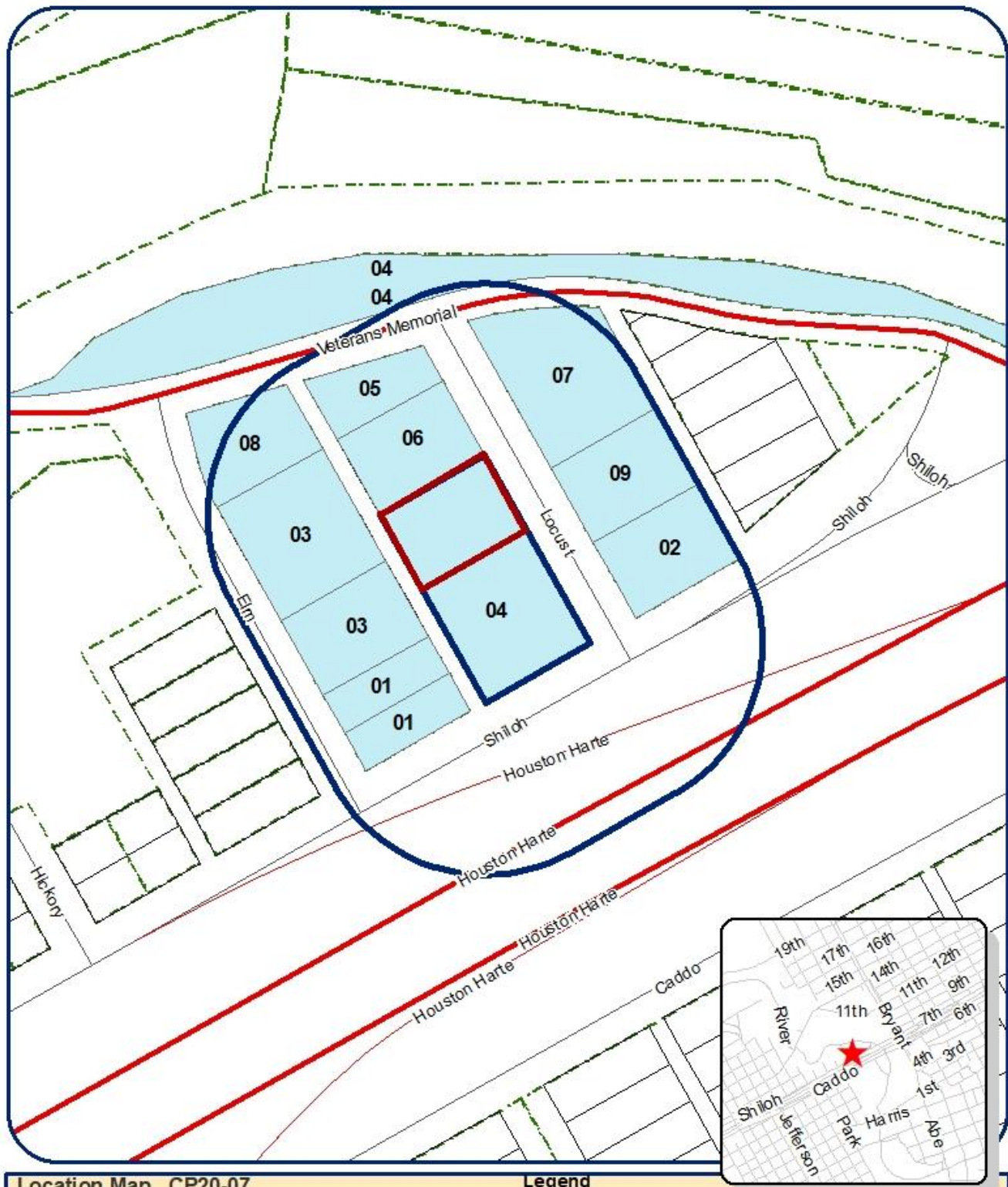
607 & 609 Locust Street

Council District 4 - Lucy Gonzales
Neighborhood: Central
Scale: 1" approx. = 150 ft

Legend

Subject Properties:
Current Zoning: **Single Family (RS-1)**
Requested Zoning Change: **Two Family (RS-2)**
Vision: **((CN) & (OS))**

Lots 3 & 4, Blk 15, Angelo Heights Addition



Location Map CP20-07

607 & 609 Locust Street

Council District 4 - Lucy Gonzales
Neighborhood: Central
Scale: 1" approx. = 145 ft
Lots 3 & 4, Block 15, Angelo Heights Addition

Legend

Subject Properties: 
Current Zoning: **RS-1**
Requested CP Change: **Neighborhood**
Vision: **OS & NC**



Photos

Subject property and adjacent neighbor.



Property adjacent that used to be owned by the City used for maintenance.



The two lots where the duplexes will be built.



Effective January 3, 2017



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

Application for Request to Amend Comprehensive Plan



Section 1: Basic Information

Name of Applicant(s): Miguel Duran
☒ Owner ☐ Representative (Notarized Affidavit Required)
Mailing Address: 1110 Ashford Dr. San Angelo TX 76901
City State Zip Code
Contact Phone Number: 951-741-9983 Contact E-mail Address: Duran929@hotmail.com
Subject Property Address: 607 and 609 Locust St. San Angelo TX 76901
City State Zip Code
Lot Size: 50X140 Each Zoning: RS1

Section 2: Site Specific Details

Existing Use of Property: Vacant Lots
Proposed Use of Property: RS2
Existing Comprehensive Plan Land Use Designation: 607-Neighborhood - 609-Open Space
Requested Comprehensive Plan Land Use Designation: 607-Neighborhood - 609-Open Space

Reason(s) and justification(s) for requesting Comprehensive Plan Amendment:

The Neighborhood Designation Allowed me to Rezone: my Properties
to RS2 to build Duplexes

Effective January 3, 2017

Section 3: Applicant(s) Acknowledgement

Please initial the following:

MP This process does NOT change the zoning on the property. Future applications filed for zone change will be evaluated by comparing the request against the Comprehensive Plan category, to insure consistency as required by the Local Government Code. This Code directs cities to make zoning decisions in accordance with this planning document.

MP Filing of this application is simply a request that the Planning Commission consider an amendment to the Comprehensive Plan map. Both the Planning Commission and City Council have the option to determine no amendment is necessary. If amendment is deemed necessary, staff will recommend updates based on the facts and evidence collected, and in accordance with the principles of the Comprehensive Plan adopted in 2009.

MP If approved, the Comprehensive Plan Amendment is applied to the property and runs with the land; it does not apply to the property owner(s).

MP The Planning Commission makes recommendations to City Council. If the Planning Commission recommends approval of a Comprehensive Plan Amendment request, the request must still go before City Council for final action.

MP If a Comprehensive Plan Amendment request is granted by City Council, a Zone Change application must still be filed to begin the rezoning process. While such applications may be filed concurrently, refund of a rezoning application fee is not possible; as such, it may be advisable to wait for a final decision on said Comprehensive Plan Amendment before proceeding with a rezoning request.

MP Comprehensive Plan Amendments are not done on a property by property basis, since zoning is largely based upon anticipating & mitigating the effects and unintended consequences land uses have on their surroundings. The neighborhood or area where your property lies will be evaluated and studied by staff, the Planning Commission, and City Council.

MP Areas will be examined no more than once per calendar year. The analysis, study, and evaluation by staff, the Planning Commission is a three month process; City Council must also adopt any changes.

MP 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.

Miguel Duran
Signature of licensee or authorized representative

10-15-20
Date

Miguel Duran
Printed name of licensee or authorized representative

Name of business/Entity of representative

FOR OFFICE USE ONLY:

Case No.: CPA.: _____ Planning Commission Date: ____/____/____

City Council Date(s): ____/____/____

Non-Refundable Fee: \$ _____ Receipt #: _____ Date paid: ____/____/____

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

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): Miguel Duran
☒ Owner ☐ Representative (Notarized Affidavit Required)

Mailing Address: 1110 Ashford Dr. City: San Angelo State: TX Zip Code: 76901
Contact Phone Number: 957-741-9983 Contact E-mail Address: Duran929@hotmail.com

Subject Property Address: 607 & 609 Locust St. City: San Angelo State: TX Zip Code: 76901
Legal Description (can be found on property tax statement or at www.tamgreencad.com): L3 & 4 B15, Angelo Hts

Existing Zoning: RS1 Proposed Zoning: RS2 Lot size: 50x140 Each
(Zoning Map available on [City Maps](#))

Section 2: Site Specific Details

Existing Use of Property: Vacant + Lots

*Proposed Use of Property: Duplexes

*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.

Hours of Operation: 8 AM - 4 PM, MON - FRI

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Shelly Paschal, Planner, Planning and Development Services, 325-657-4210

Meeting Date: January 12, 2021

Item type: Consent Item

Caption:

Second reading of an ordinance approving case Z20-19, a rezoning from the Single-Family Residential zoning district to the Two-Family Residential zoning district, located at 1602 Kenwood Dr. (Jon James)

Summary/History:

A request for approval of a rezoning from the Single-Family Residential (RS-1) Zoning District to the Two-Family Residential (RS-2) Zoning District. The applicant is requesting this zone change to legalize the existing structures on this property. The home and the accessory apartment were built in 1956 according to the Tom Green Tax Appraisal District.

Financial Impact:

N/A

Other Information/Recommendation:

On November 16, 2020, the Planning Commission recommended APPROVAL of the request by a unanimous vote of 5-0.

On December 15, 2020, the City Council recommended APPROVAL of the request by a unanimous vote of 7-0.

Attachments:

- | | | |
|----|------------------|----------------------|
| 1. | Z20-19_Ordinance | Z20-19_Ordinance.pdf |
| 2. | Z20-19_CC_Report | Z20-19_CC_Report.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

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 1602 KENWOOD DRIVE, FROM THE SINGLE-FAMILY RESIDENTIAL (RS-1) ZONING DISTRICT TO THE TWO-FAMILY RESIDENTIAL (RS-2) ZONING DISTRICT**; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

Z20-19: 1602 Kenwood Drive

WHEREAS, on the 16th day of November, 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 Two-Family Residential (RS-2) Zoning District; and,

WHEREAS, on the 15th day of December, 2020, City Council held a public hearing on Z20-19, 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 TWO-FAMILY RESIDENTIAL (RS-2) Zoning District:

The real properties located at 1602 Kenwood Drive; more particularly described as 0.207 acres, specifically being Lot 1, Block 55, Park Heights Addition, 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 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 **15th day of December, 2020**, and finally ADOPTED on this the **12th day of January, 2021**.

THE CITY OF SAN ANGELO

Brenda Gunter, Mayor

ATTEST:

APPROVED AS TO FORM:

Julia Antilley, City Clerk

Theresa James, City Attorney

EXHIBIT "A"



**CITY COUNCIL – December 15, 2020 & January 12, 2021
STAFF REPORT**



APPLICATION TYPE:		CASES:	
Rezoning		Z20-19: 1602 Kenwood Drive	
SYNOPSIS:			
A request for approval of a rezoning from the Single-Family Residential (RS-1) Zoning District to the Two-Family Residential (RS-2) Zoning District. The applicant is requesting this zone change to legalize the existing structures on this property. The home and the accessory apartment were built in 1956 according to the Tom Green Tax Appraisal District.			
LOCATION:		LEGAL DESCRIPTION:	
1602 Kenwood Drive		Being 0.207 acres, specifically being Lot 1, Block 55, Park Heights Addition, City of San Angelo, Tom Green County, Texas	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD District #5 – Lane Carter Neighborhood – Santa Rita	Single-Family Residential (RS-1)	Neighborhood	0.207 acres
THOROUGHFARE PLAN:			
<i>Kenwood Drive</i> – Local Street, 50' ROW required (73' existing), 40' pavement required (35' provided)			
<i>West Avenue L</i> – Local Street, 50' ROW required (75' existing), 40' pavement required (32' provided)			
NOTIFICATIONS:			
25 notifications were mailed within a 200-foot radius on October 30, 2020. One response has been received in support and One response has been received in opposition.			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of a rezoning from the Single-Family Residential (RS-1) Zoning District to the Two-Family (RS-2) Zoning District.			
PROPERTY OWNER/PETITIONER:			
Property Owner: Connor Wilson Representative: Russell Gully			
STAFF CONTACT:			
Shelly Paschal Planner (325) 657-4210, Extension 1533 shelly.paschal@cosatx.us			

Additional Information:

The existing single-family home and accessory apartment were built on this subject property according to the Tom Green County Tax Appraisal District in 1956. The applicant is wanting to legalize the existing structures on the subject property. Due to the age of the homes in this area, it is not uncommon for two residences to have been built on one tract of land.

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 Neighborhood policies in the Comprehensive Plan encourage the diversity of housing types and the mix of age, income, and housing choices within San Angelo neighborhoods. The zone change proposed is compatible with that designation in that both single family and two family residential fit under the Neighborhood residential designation as they are seen as neighborhood uses.
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 zones in the area and the uses within the neighborhood. The older sections of San Angelo have a variety of structure types within the residential districts. As a result, the neighborhoods exhibit a checkerboard of uses approved over time. The lot meets the size requirements for a two family structure in RS-2. Parking requirements for each unit will be met on the lot and setbacks are consistent with the RS-2 requirements.
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 an older area that has had to adapt as conditions have changed over the years. The property is located within an area that has mixed uses and zoning districts. Several properties in this area currently have accessory dwellings. Directly to the east of the subject property is zoned RS-2, and this request would extend the adjacent RS-2 onto the subject property.
4. **Changed Conditions.** **Whether and the extent to which there are changed conditions that require an amendment.** The existing uses on the subject property and surrounding properties have existed since the 1950s. The zoning was R-1 at that time, but didn't allow this type of use, two-family. However, there is an RS-2 directly east of the subject property. This area of town is known to have lots of accessory apartments, which over time turn into a second residence on the property. This is demonstrated by the fact that many of these type of uses have been located within this larger neighborhood for over 40 years.
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 adverse impact on

the natural environment. The two existing residences will remain and there will not be any additions that will have an adverse impact on the natural environment.

6. **Community Need.** *Whether and the extent to which the proposed amendment addresses a demonstrated community need.* Planning Staff believes there is a demonstrated community need in San Angelo for more living opportunities other than single-family homes. Allowing this site to rezone continues an already demonstrated need for individual small rental residences in the area in keeping with the existing 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 existing development pattern in the immediate area reflects a transitional development pattern which is in keeping with the older neighborhoods. This is common in older areas near the city center as they change and grow. This rezoning seeks to allow a balance to allow for mixed housing types while allowing the transition to adaptable neighborhoods.

Planning Commission Recommendation:

On November 16, 2020, the Planning Commission recommended **APPROVAL by a unanimous vote of 5-0** of a rezoning from the Single-Family Residential (RS-1) Zoning District to the Two-Family Residential (RS-2) Zoning District at 1602 Kenwood Drive. The following is the complete excerpt of the draft minutes from the November 16, 2020, meeting for this case:

2. Rezoning

City Council has final authority for approval of rezonings.

C. Z20-19: 1602 Kenwood Drive

A request for a rezoning from the Single-Family Residential (RS-1) Zoning District to the Two-Family Residential (RS-2) Zoning District, being 0.207 acres located at 1602 Kenwood Drive.

Shelly Paschal, Planner, presented the proposed rezoning. She indicated that she sent out 25 notices for the rezoning. Mrs. Paschal explained that she did receive one response in opposition and zero responses in favor and there was a few phone calls, but there were no major concerns. Mrs. Paschal explained that based on the zone change criteria, City Planning Staff supports this proposed zone change and recommends approval.

Chairman Stribling opened public comment.

Mr. Russell Gully, the representative for the applicant, expressed that he would like the Commission to support and approve this requested zone change.

Chairman Stribling closed public comment.

Commissioner Jackson made a motion to recommend APPROVAL of a rezoning from the Single-Family Residential (RS-1) Zoning District to the Two-Family Residential (RS-2) Zoning District, located at 1602 Kenwood Drive. Commissioner Spano seconded the motion. The motion carried by a unanimous vote

(5-0).

Recommendation:

Staff's recommendation is for City Council to: **APPROVE** a rezoning from Single-Family Residential (RS-1) zoning district to the Two-Family (RS-2) zoning district.

Attachments:

Aerial Map
Future Land Use Map
Zoning Map
Notification Map
Photographs
Response letters
Application





Location Map Z20-19

1602 Kenwood Drive

Council District 5 - Lane Carter

Neighborhood: Santa Rita

Scale: 1" approx. = 100 ft

1602 Kenwood Drive, being Lot 1, Block 55, Park Heights Addition

Legend

Subject Properties:

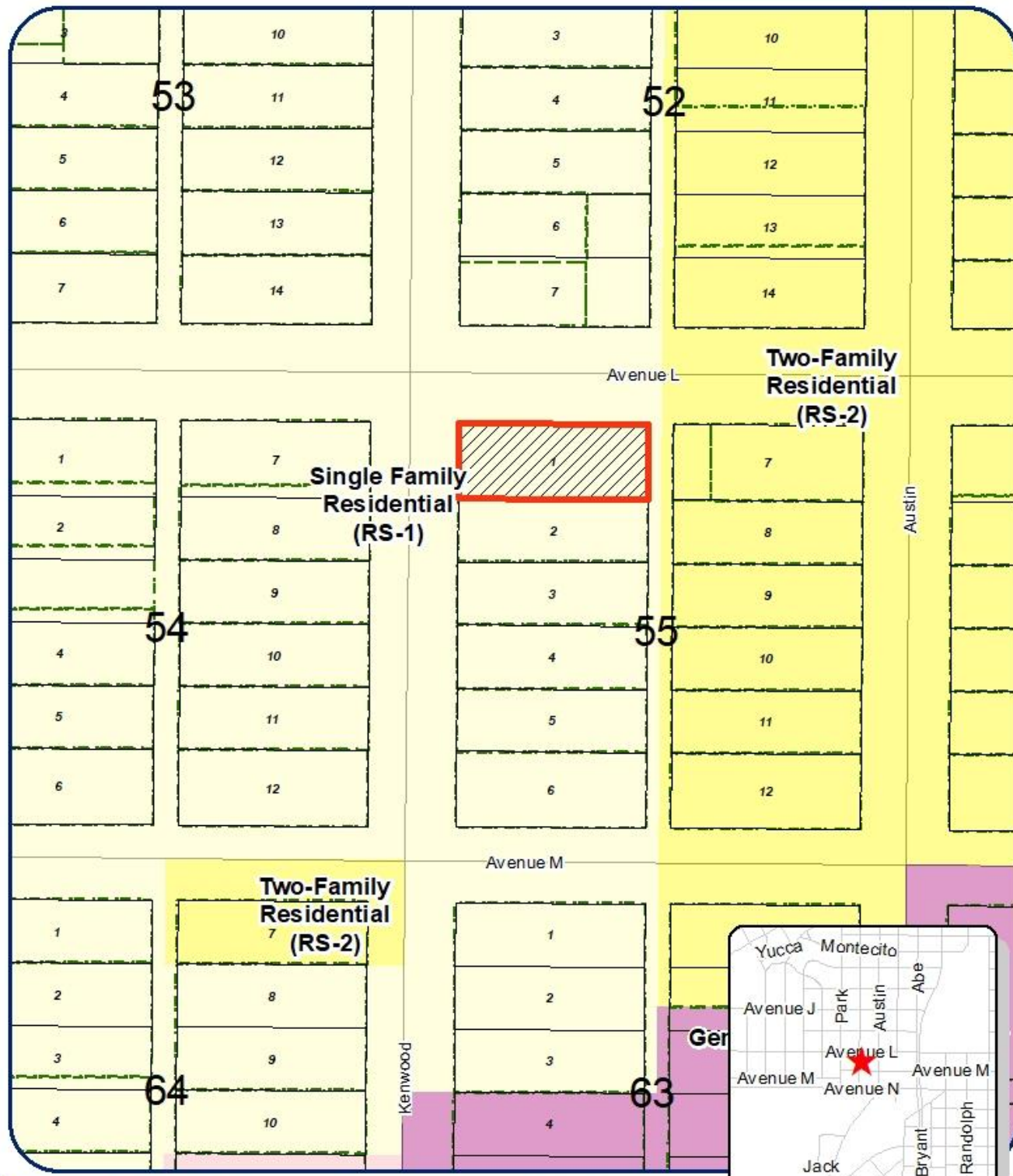
Current Zoning: **RS-1**

Requested Zoning Change: **RS-2**

Vision: **Neighborhood**

N





Location Map Z20-19

1602 Kenwood Drive

Council District 5 - Lane Carter

Neighborhood: Santa Rita

Scale: 1" approx. = 100 ft

1602 Kenwood Drive, being Lot 1, Block 55, Park Heights Addition

Legend

Subject Properties:

Current Zoning: **RS-1**

Requested Zoning Change: **RS-2**

Vision: **Neighborhood**

N





Location Map Z20-19

1602 Kenwood Drive

Council District 5 - Lane Carter

Neighborhood: Santa Rita

Scale: 1" approx. = 100 ft

1602 Kenwood Drive, being Lot 1, Block 55, Park Heights Addition

Legend

Subject Properties:

Current Zoning:

Requested Zoning Change:

Vision:

RS-1
RS-2
Neighborhood

N



Site and surrounding property photos



Front Residence



Rear Residence

Examples of other homes near subject property



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)

We see no reason to object.

NAME: SIOBHAN & DAVID ROTH

ADDRESS: 1517 AUSTIN STREET

SAN ANGELO, TX 76903

SIGNATURE:

Z20-19: 1602 Kenwood Drive

Property owner number: 15

If you have any questions about these proceedings, please call Mrs. Shelly Paschal, 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 shelly.paschal@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

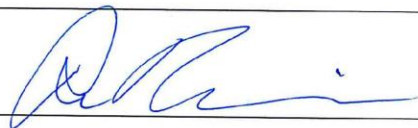
(X) IN OPPOSITION

REASON(S)

- 1) Public Safety : KENWOOD is already A busy Roadway AND OFTEN CARS ARE PARKED ON THE CURB. Additional Residents will only increase AN already congested AREA.
- 2) DEVALUE Property AS THE AREA IS SINGLE FAMILY.
- 3) CHANGE CHARACTER OF THE NEIGHBORHOOD

NAME: RON TREPANIER

ADDRESS: 1300 DORAL RD SAN ANGELO TX 76904

SIGNATURE: 

Z20-19: 1602 Kenwood Drive

Property owner number: 10

If you have any questions about these proceedings, please call Mrs. Shelly Paschal, 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 shelly.paschal@cosatx.us.

Effective January 3, 2017



City of San Angelo, Texas – Planning Division
 52 West College Avenue
Application for Approval of a Zone Change



Section 1: Basic Information

Name of Applicant(s): Connor Wilson

☒ Owner ☐ Representative (Notarized Affidavit Required)

2438 Industry Blvd Abilene Texas 79605

Mailing Address City State Zip Code

325-450-9364 cdwilson0302@yahoo.com

Contact Phone Number Contact E-mail Address

1602 Kendwood Drive San Angelo Texas 76903

Subject Property Address City State Zip Code

Lot 1, Block 55, Park Heights Addition

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

Existing Zoning: RS-1 Proposed Zoning: RS-2 Lot size: 60x150

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

Section 2: Site Specific Details

Existing Use of Property: Two Family residential

*Proposed Use of Property: Two Family 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.

Connor Wilson

10/15/2020

Owner Name (Print)

Russell Gully



cn=Russell Gully, o, ou,
email=rg@skge.com, c=US
2020.10.12 11:27:44 -0500

Company/Organization (If Applicable)

SKG Engineering

Date

10-12-2020

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: ____/____/____

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Jeff Fisher, Sr. Planner, Planning and Development Services, 325.657.4210

Meeting Date: January 12, 2021

Item type: Consent Item

Caption:

Second reading of an ordinance providing for the abandonment of approximately 7,200-sq ft (0.165 acres) of alley right-of-way, located north of E. Washington Dr. between S. Chadbourne St. and Orient St. (Jon James)

Summary/History:

The applicant has applied to abandon an existing 7,200 square-foot (0.165-acre) alley that extends in an L-formation, running north-south from East Washington Street and then turning east-west to Orient Street. The purpose of the abandonment is to provide additional land for the applicants' vehicle repair business for parking and to pave the east-west portion of the alley as a second access.

Financial Impact:

N/A

Other Information/Recommendation:

On November 16, 2020, the Planning Commission recommended unanimous **APPROVAL** by a vote of 5-0 to approve the requested abandonment, subject to three conditions of approval as presented.

On December 15, 2020, City Council **APPROVED** the requested abandonment unanimously by a vote of 6-0, subject to three conditions of approval as presented, with Mayor Gunter abstaining.

Attachments:

- | | |
|---|--|
| 1. Ordinance (Alley-Abandon_Millspaugh_Bl14) | Ordinance (Alley-Abandon_Millspaugh_Bl14).pdf |
| 2. Staff Report (Alley-Abandon_Millspaugh_Bl14) | Staff Report (Alley-Abandon_Millspaugh_Bl14).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 PROVIDING FOR ABANDONMENT AND VACATION OF A PORTION OF AN ALLEY RIGHT-OF-WAY COMPRISING OF APPROXIMATELY 0.165 ACRES (7,200 SQUARE FEET) WITHIN BLOCK 14 OF THE MILLSPAUGH ADDITION; LOCATED NORTH OF EAST WASHINGTON DRIVE BETWEEN SOUTH CHADBOURNE STREET AND ORIENT STREET; AUTHORIZING CONVEYANCE THEREOF BY QUITCLAIM DEED TO ABUTTING PROPERTY OWNERS; AND PROVIDING TERMS AND CONDITIONS OF ABANDONMENT AND CONVEYANCE.

WHEREAS, the City Council of the City of San Angelo, Texas, acting pursuant to law, is of the opinion that the public alley right-of-way within Block 14 of the Millspaugh Addition, Tom Green County, Texas, is no longer needed for public use and therefore deems it advisable to abandon said portion of alley right-of-way; and,

WHEREAS, the City Council is of the opinion that the best interest and welfare of the public will be served by conditionally conveying the underlying abandoned public alley right-of-way to the abutting property owners;

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

SECTION 1: The public alley right-of-way located in the City of San Angelo, comprising of approximately 0.165 acres (7,200 square feet) of alley right-of-way within Block 14 of the Millspaugh Addition, Tom Green County, Texas, more particularly described and depicted in **Exhibit “A,”** attached hereto and made a part hereof for all purposes, be and the same is hereby vacated, abandoned and closed insofar as the right, title and easement of the public are concerned, subject to the conditions and restrictions herein set forth.

SECTION 2: The abandonments and conveyances provided for herein are made and accepted subject to all present zoning and deed restrictions, if the latter exist, and all existing easements, if any, whether apparent or not, aerial, surface, underground or otherwise.

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

SECTION 4: The following conditions precedent to the abandonment shall apply and be part of the consideration for conveyance by quitclaim deed(s) of the underlying tracts of land to owners of abutting properties:

- a) Per Land Development and Subdivision Ordinance, Chapter 1.V, submit, obtain approval, and officially record a subdivision replat absorbing all of the abandoned right-of-way into adjacent lot(s) meeting all requirements of the Land Development and Subdivision Ordinance, within 36 months of City Council's decision.
 - 1. On the replat provide a 20-foot wide unobstructed access easement within the abandoned alley to accommodate existing and future utilities.
- b) Per the Schedule of Fees and Charges adopted by City Council Resolution 2020-004, dated January 7, 2020, payment shall be remitted, per the assessment formula, for all of the abandoned alley right-of-way.
- c) After approval of the associated plat and payment, request issuance and recordation of a Quit Claim Deed from the City's Real Estate Division conveying the City's interest in the entirety of the abandoned alley(s).

SECTION 5: The terms and conditions set forth hereinabove shall be applicable to the conveyances of rights-of-way herein provided for, and shall be binding upon Grantees thereof and their heirs, successors and assigns.

SECTION 6: Upon confirmation from the Planning Director of compliance with conditions hereinabove set forth, the Mayor of the City of San Angelo is hereby authorized to execute and deliver quit claim deeds conveying the subject tracts of abandoned right-of-way described and depicted in **Exhibit "A,"** to the owners of the designated abutting properties.

SECTION 7: Upon confirmation from the Planning Director of compliance with conditions hereinabove set forth, the City Clerk is hereby authorized and directed to certify a copy of this adopted Ordinance for recordation in the Official Real Property Records of Tom Green County, Texas, wherein the tracts of land are located.

INTRODUCED on the **15th day of December, 2020**, and finally PASSED, APPROVED AND ADOPTED on this the **12th day of January, 2020**.

THE CITY OF SAN ANGELO

Brenda Gunter, Mayor

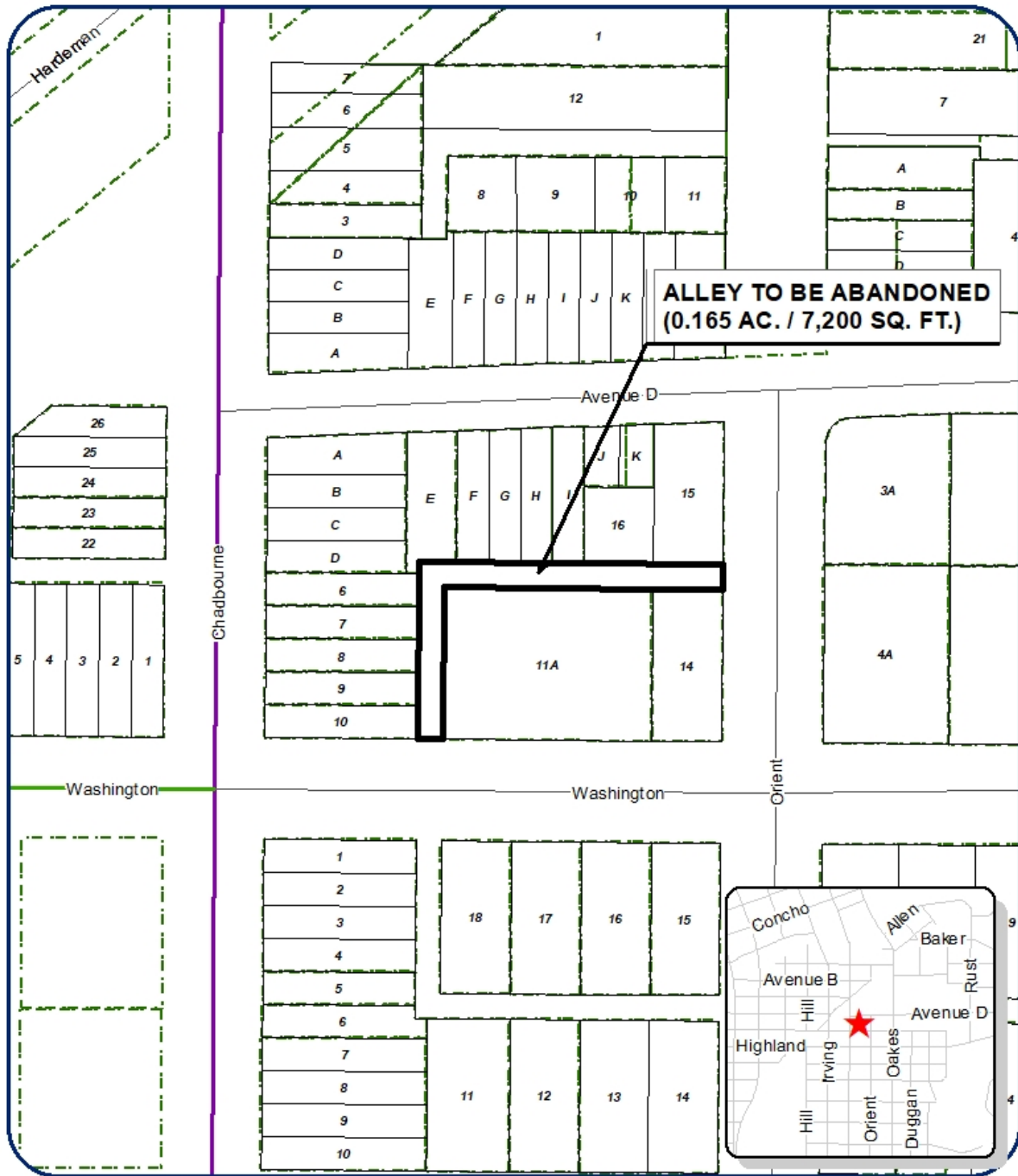
ATTEST:

APPROVED AS TO FORM:

Julia Antilley, City Clerk

Theresa James, City Attorney

EXHIBIT "A"



Alley Abandonment

Millspaugh Addition, Block 14

Council District: Harry Thomas - District 3

Neighborhood: Fort Concho

Scale: 1" approx. = 100 ft

0.165 acres north of E. Washington Dr. between Chadbourne and Orient Sts

Legend

Subject Properties:

Current Zoning: **CG/CH**

Requested Zoning Change: **N/A**

Vision: **Commercial**



CITY COUNCIL – December 15, 2020
STAFF REPORT



APPLICATION TYPE:		CASE:	
Alley Right-of-way Abandonment		0-100 block of East Washington Street (Garcia)	
SYNOPSIS:			
The applicant has applied to abandon an existing 7,200 square-foot (0.165-acre) alley that extends in an L-formation, running north-south from East Washington Street and then turning east-west to Orient Street. The purpose of the abandonment is to provide additional land for the applicants' vehicle repair business for parking, and to pave the east-west portion of the alley as a second access (see Additional Information).			
LOCATION:		LEGAL DESCRIPTION:	
North of East Washington Drive between South Chadbourne Street and Orient Street		Being a 7,200 square-foot alley in Block 14 of the Millspaugh Addition	
SM DISTRICT / NEIGHBORHOOD:		ZONING:	FUTURE LAND USE:
District #3 – Harry Thomas Fort Concho Neighborhood		CG/CH	Commercial
			SIZE:
			0.165 ac. (7,200 sq. ft.)
THOROUGHFARE PLAN:			
East Washington Drive – Urban Local Street, Required: 50' right-of-way, 40' pavement or 36' with 4' sidewalk; Provided: 80' right-of-way; 48' pavement Orient Street – Urban Local Street, Required: 50' right-of-way, 40' pavement or 36' with 4' sidewalk; Provided: 80' right-of-way; 36' pavement and no sidewalk			
NOTIFICATIONS:			
13 notifications were mailed within a 200-foot radius of the property on October 30, 2020. On November 30, 2020, Staff sent out letters to all owners abutting the alley via certified mail advising if they wish to purchase their incremental half. No responses have been received for or against to date.			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of the Alley Right-of-Way Abandonment of a 7,200 square-foot alley in Block 14 of the Millspaugh Addition, subject to three Conditions of Approval.			
PROPERTY OWNER/PETITIONER:			
Mario and Grace Garcia			
STAFF CONTACT:			
Jeff Fisher, AICP Principal Planner (325) 657-4210, Ext. 1550 jeff.fisher@cosatx.us			

Staff Report – Alley ROW Abandonment, 0-100 block of East Washington Street (Garcia)
December 15, 2020

Analysis:

City Staff circulated to all relevant municipal departments, as well as public and private utility companies. Staff received responses from City Engineering, and Altice (formerly Suddenlink), Frontier Communications, AEP, and Atmos indicating they would support the abandonment provided an unobstructed access easement is provided for their mains, lines, and cables located in the alley (see below).

Staff also conducted a site visit to the property on Thursday, October 29, 2020. The north-south alley is current being used to park vehicles related to the applicants' vehicle repair business due to lack of space. If approved, the alley could be used for this purpose.

The proposed abandonment would not contradict any applicable City Ordinance. The alley was originally platted as part of Block 14 in the Millspaugh Addition in 1888, and the applicants replatted three of their lots east of the alley in 2017. The applicant will be required to replat the alley abandonment area into the adjacent lot(s); and pay the required assessment formula fee.

Rationale:

Planning Staff reviewed all relevant history, ordinances, policies, and as indicated above, conducted a site visit to the property to determine the appropriateness of abandoning this public right-of-way.

- *Traffic patterns:* Staff does not believe that traffic patterns would be negatively affected by the alley closure. The east-west portion of this alley remains unpaved and is not used by any adjacent business owner. The north-south alley is shared between the applicants' business at 18 E. Washington Drive, and the properties to the west which have their storefronts and parking area facing Chadbourne Street, not the alley side. As indicated, the applicant intends to pave the east-west portion of the alley to provide a second access to their property, and the additional land north-south would allow more space for parking. Providing none of the adjacent owners have objections, Staff supports the abandonment.
- *Utilities:* All of the utility providers that responded were in support of the request provided an unobstructed access easement was provided to access their facilities. These utilities include a City sewer main extending east-west from Orient Street in the alley; above ground and underground cables for Frontier; aerial lines for AEP and Altice, and underground lines for Atmos. The unobstructed access easement can be used for paved driveways satisfying the applicant's future plans.
- *Community Impact:* There would be no negative community impact if this alley was abandoned. As indicated, none of the adjacent businesses which front onto neighboring streets use the east-west portion which is a grassed, unpaved area. The north-south alley appears to be used only by the applicants for additional parking for their business.
- *Public Benefit:* Abandoning this alley would not remove any current public benefit as the east-west portion is unpaved and unused, and the north-south portion would be used for additional land for the applicant's business. That said, surrounding property owners at this time have yet

Staff Report – Alley ROW Abandonment, 0-100 block of East Washington Street (Garcia)
December 15, 2020

to respond. Therefore, Staff is recommending approval based on no opposition from adjacent owners. If adjacent owners object later in the process, Staff may reconsider the recommendation of approval.

Planning Commission Recommendation:

On November 16, 2020, the Planning Commission recommended unanimous **APPROVAL** by a vote of 5-0 to approve the abandonment of approximately 7,200 square feet (0.165 acres) of alley right-of-way, located north of East Washington Drive between South Chadbourne Street and Orient Street, subject to three conditions of approval as presented. The following is the complete excerpt of the draft minutes from the November 16, 2020, meeting for this case:

Jeff Fisher, Principal Planner, presented the proposed alley right-of-way abandonment. He explained that the owners of 18 East Washington Drive who own an auto collision business want to abandon this L-shaped alley to use for a new driveway and additional parking. He indicated that of the 13 notices mailed, Staff received none in favor or against. Mr. Fisher explained that Staff is recommending approval based on no opposition from adjacent owners. He indicated that at least one hour directly north according to the applicants, property owner #12 on the notification list, had no objections. Mr. Fisher outlined Staff's rationale to recommend approval with three conditions on the grounds that the east-west portion is unused and unpaved and only one other owner can access the north-south portion but has their storefront facing Chadbourne Street; that an unobstructed access easement will satisfy City Engineering and all private utility companies who have lines in the alley; that there is no community impact; and no public benefit provided the adjacent owners confirm they have no objections.

Chair Stribling asked if the City received written responses yet from all abutting property owners.

Mr. Fisher responded that as of now Staff have not received written responses from abutting owners but that it is Staff's intent to attempt to have these responses before City Council.

Chair Stribling asked what the timeframe is for receiving these responses.

Mr. Fisher explained that ideally this is as soon as possible, and normally, if the abutting owners do not respond, that Council would approve the abandonment with abutting owners entitled to half of the alley abutting their properties.

Chair Stribling expressed that adjacent owners need adequate time to respond.

Hillary Bueker, Planning Manager, explained that the Real Estate Division sends out certified letters to abutting owners to allow them time to respond.

Mr. Brandon Dyson, Deputy City Attorney, explained that all abutting owners have the opportunity to acquire their half of the alley but that an owner that wants to acquire part of an alley must have land touching it.

Chair Stribling clarified that he wanted to make sure the abutting property owners were in agreement and received notice.

**Staff Report – Alley ROW Abandonment, 0-100 block of East Washington Street (Garcia)
December 15, 2020**

Ms. Bueker explained that Staff would attempt to have the majority of responses from adjacent owners before taking this abandonment to Council.

Chair Stribling opened public comment.

Mr. Mario Garcia, one of the applicants, explained that they were purchasing the Gunter Building to the west, and that they own the property to the east abutting the east end of the alley. He further explained that he wants to the alley to expand his business.

Chair Stribling closed public comment.

Commissioner Davis made a motion to RECOMMEND APPROVAL of a request to approve the abandonment of approximately 7,200 square feet (0.165 acres) of alley right-of-way, located north of East Washington Drive between South Chadbourne Street and Orient Street, subject to three conditions of approval as presented. Commissioner Self seconded the motion. The motion carried unanimously 5-0.

Recommendation:

Staff recommends **APPROVAL** of the Alley Right-of-Way Abandonment of a 7,200 square-foot alley in Block 14 of the Millspaugh Addition, subject to **three Conditions of Approval:**

1. Per Land Development and Subdivision Ordinance, Chapter 1.V, submit, obtain approval, and officially record a subdivision replat absorbing all of the abandoned right-of-way into adjacent lot(s) meeting all requirements of the Land Development and Subdivision Ordinance, within 36 months of City Council's decision.
 - a. On the replat provide a 20-foot wide unobstructed access easement within the abandonment alley to accommodate existing and future utilities.
2. Per the Schedule of Fees and Charges adopted by City Council Resolution 2020-004, dated January 7, 2020, payment shall be remitted, per the assessment formula, for all of the abandoned alley right-of-way.
3. After approval of the associated plat and payment, request issuance and recordation of a Quit Claim Deed from the City's Real Estate Division conveying the City's interest in the entirety of the abandoned alley(s).

NOTES:

1. Future replatting may require roadway improvements.
2. If the access easement is paved, it shall be paved and constructed to applicable standards under the International Fire Code Pursuant, Article 6,03 "Fire Code" of the City of San Angelo Code of

Ordinances.

3. No fencing or buildings may be placed within the unobstructed access easement.

Attachments:

Aerial Map

Future Land Use Map

Zoning Map

Photographs

Previous Subdivision Plats

Application

Staff Report – Alley ROW Abandonment, 0-100 block of East Washington Street (Garcia)

December 15, 2020

**Alley Abandonment****Millspaugh Addition, Block 14**

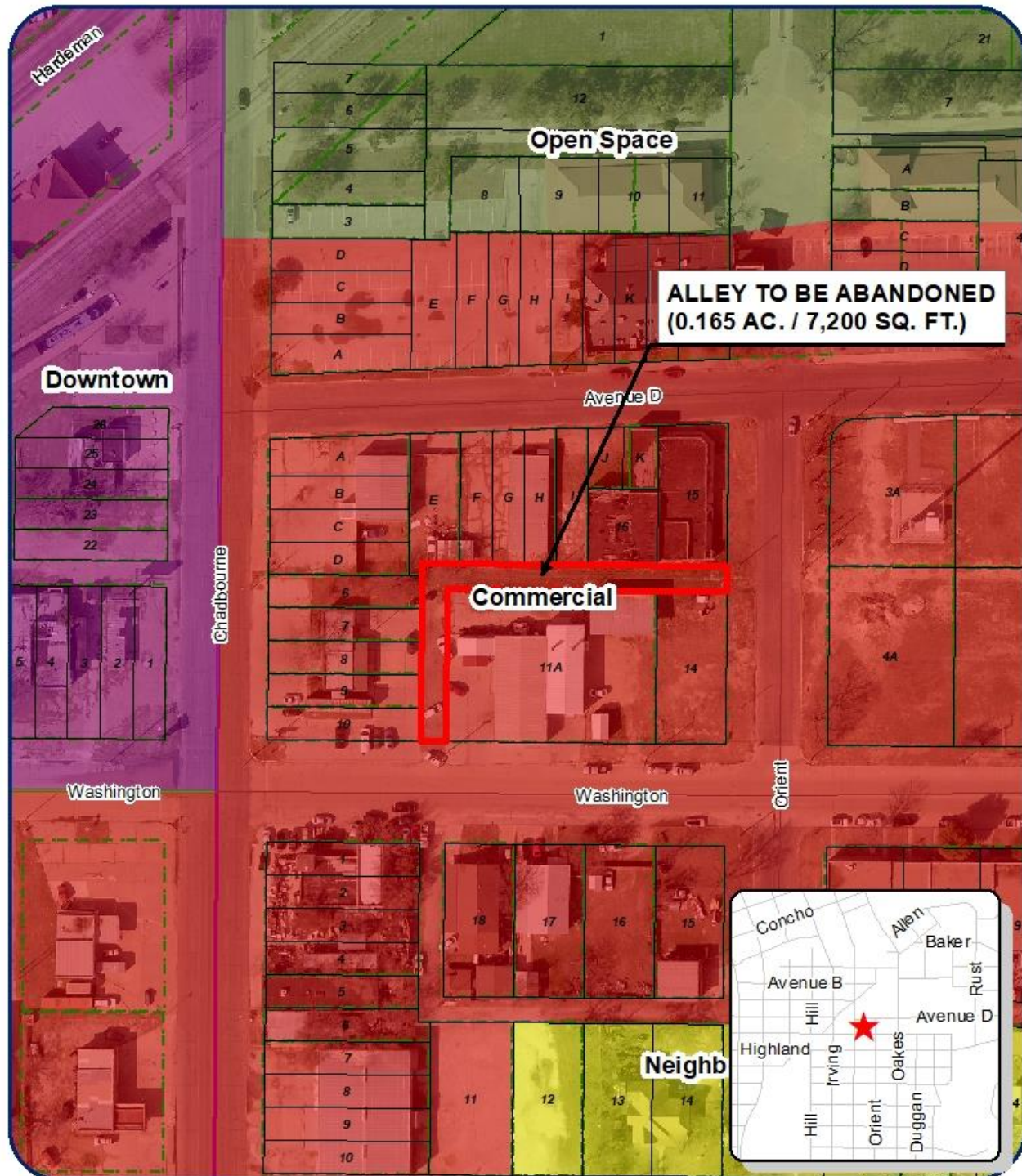
Council District: Harry Thomas - District 3

Neighborhood: Fort Concho

Scale: 1" approx. = 100 ft

LegendSubject Properties: Current Zoning: **CG/CH**Requested Zoning Change: **N/A**Vision: **Commercial****0.165 acres north of E. Washington Dr. between Chadbourne and Orient Sts**

December 15, 2020

**Alley Abandonment****Millspaugh Addition, Block 14**

Council District: Harry Thomas - District 3

Neighborhood: Fort Concho

Scale: 1" approx. = 100 ft

Legend

Subject Properties:

Current Zoning: CG/CH

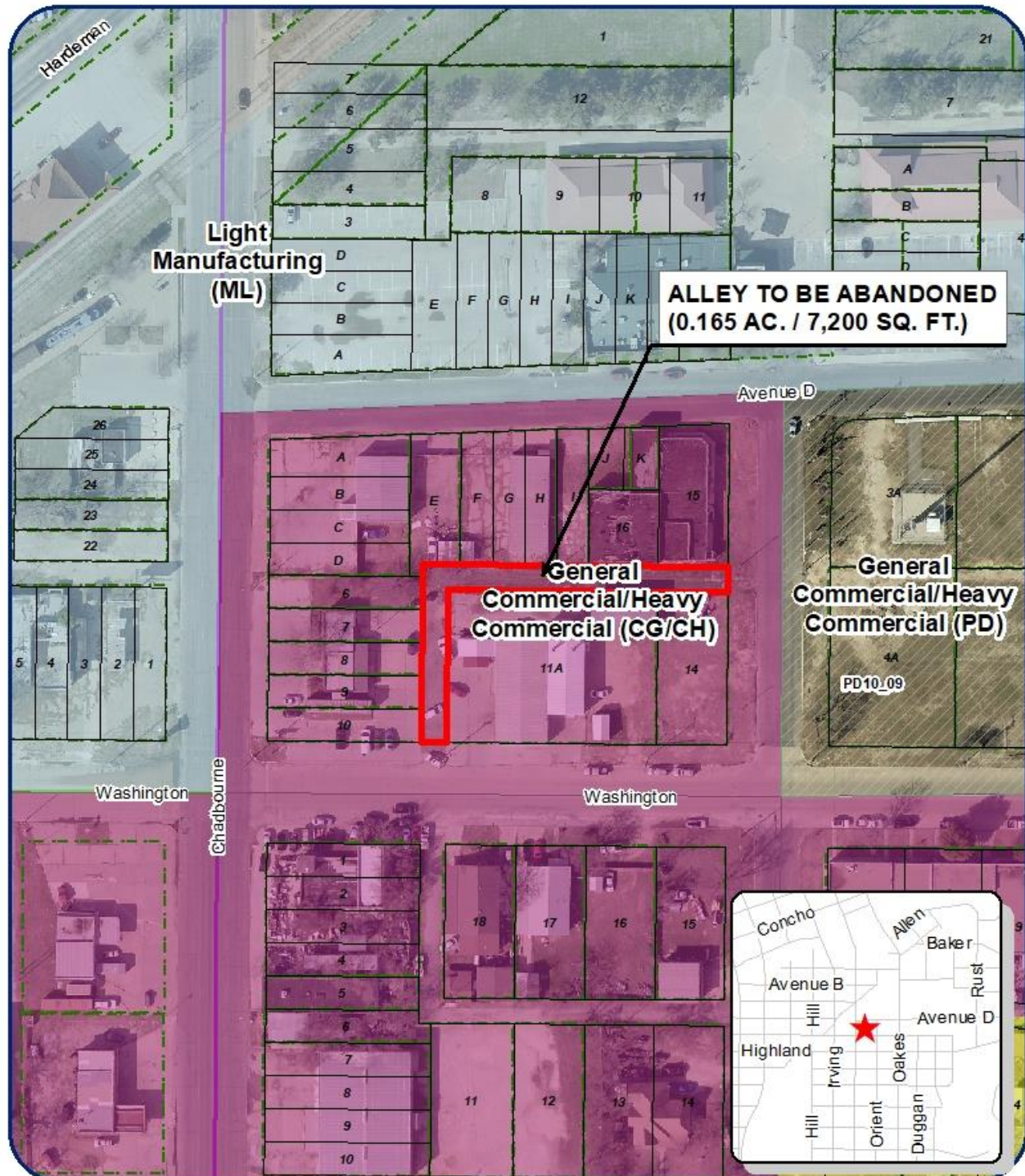
Requested Zoning Change: N/A

Vision: Commercial



0.165 acres north of E. Washington Dr. between Chadbourne and Orient Sts

December 15, 2020

**Alley Abandonment****Millspaugh Addition, Block 14**

Council District: Harry Thomas - District 3

Neighborhood: Fort Concho

Scale: 1" approx. = 100 ft

Legend

Subject Properties:

Current Zoning: **CG/CH**Requested Zoning Change: **N/A**Vision: **Commercial****0.165 acres north of E. Washington Dr. between Chadbourne and Orient Sts**

Photos of Site and Surrounding Area

NORTH-SOUTH ALLEY PORTION TO BE
ABANDONED VIEW FROM WASHINGTON DRIVE



ADJACENT BUSINESS TO EAST
VIEW FROM WASHINGTON DRIVE



EAST-WEST ALLEY PORTION TO BE ABANDONED
VIEW FROM ORIENT STREET



LOOKING SOUTH FROM AVENUE D



Staff Report – Alley ROW Abandonment, 0-100 block of East Washington Street (Garcia)

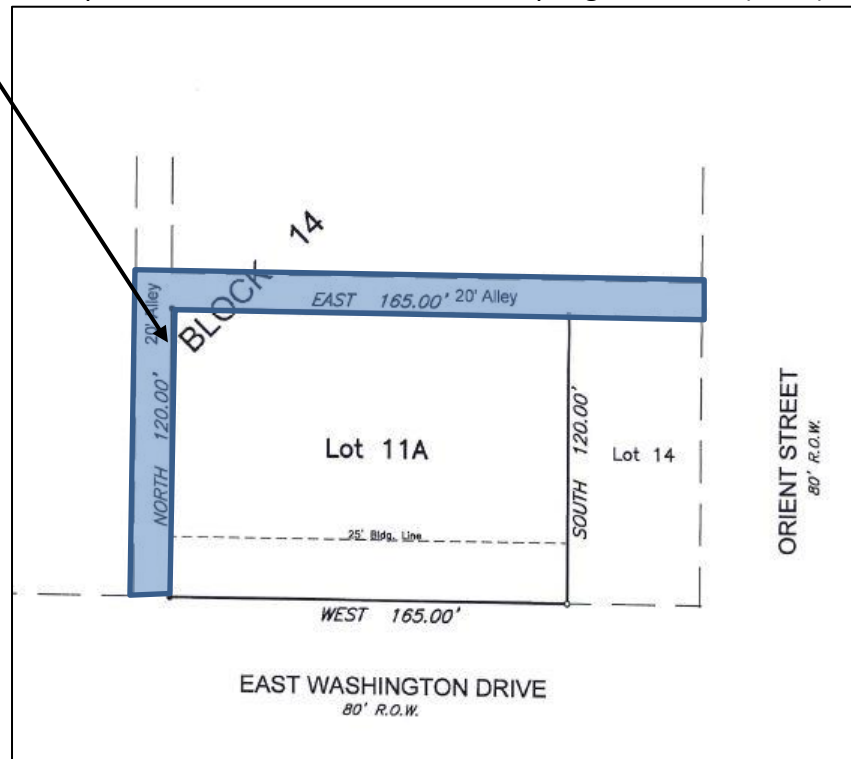
December 15, 2020

Original Plat Millspaugh Addition (1888)



7,200-SQUARE FOOT
ALLEY TO BE
ABANDONED

Replat of Lots 11, 12, 13, Blk 14, Millspaugh Addition (2017)



Staff Report – Alley ROW Abandonment, 0-100 block of East Washington Street (Garcia)
December 15, 2020

Effective January 3, 2017



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

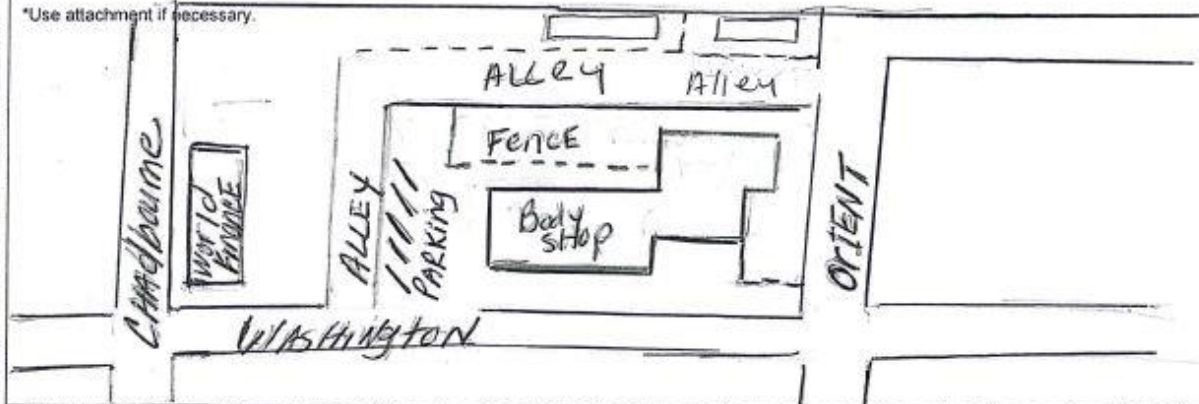
**Section 1: Basic Information**

Name of Applicant(s): MARCO A. GARCIA / Duane Garcia
☒ Owner ☐ Representative (Affidavit Required)
 Mailing Address: 18 E. WASHINGTON Dr SAN ANGELO, TX 76903
 City State Zip Code
 Contact Phone Number: (325) 703-6397 Contact E-mail Address: txlonestargrace@gmail.com
 Subject Property Address: 18 E. WASHINGTON (Alley) SAN ANGELO, TX 76903
 City State Zip Code
 Acres: 0.455, LOT 11A, BIK 14 Subd: RP OF LOTS 11, 12 & 13 BIK 14
 Legal Description (can be found on property tax statement or at www.tamgreencad.com)
28 E. WASHINGTON ACRES 0.152, LOT 14 BIK 14 Subd: MILLSPAUGH
 Lot Size: _____ Zoning: Commercial 1

Section 2: Site Specific Details

Subdivision Name: MILLSPAUGH ADDITION
 Lots and/or Blocks Affected: LOT 11A, BIK 14 and LOTS 11, 12 & 13 - Alley
Runs in front of Chadbourne through Orient St. Alley
also runs to the side of parking area of the main building
 General Description of Location: Body Shop Business Located on 18 E. Washington
The Alley is located behind the Shop & on the side of the
Parking area - Behind World Finance building
 Reason for Abandonment: SEE diagram
This Alley is NOT USED By the City or for the
intended purpose.

*Use attachment if necessary.



December 15, 2020

Effective January 3, 2017

Section 3: Applicant's acknowledgement

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

Signature of licensee or authorized representative
affirming the truth of the above statement.

Date

Printed name of licensee or authorized representative

Name of business/Entity of representative

FOR OFFICE USE ONLY:

Date of Application:

Non-Refundable Fee: \$

Receipt #:

Date paid:

Date of hearing by Planning Commission:

Date of hearing by City Council:

Reviewed/Accepted by:

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: January 12, 2021

Item type: Regular Item

Caption:

Consider a resolution creating the Catalyst Project Infill Program and designating a funding source (Presentation made by Planning & Development Services Director Jon James)

Summary/History:

This resolution creates a third infill incentive program, called the **Catalyst Project Infill Program**, which will allow designated infill funds to be used for projects that meet the criteria for this program, in addition to any funds used under one of the other two infill programs, as summarized below.

On September 4, 2019, the City Council approved an **Infill Development Incentive Program** which provides \$5,000 incentives for new home construction within the neighborhoods included in the City's Neighborhood Revitalization Plan.

On February 4, 2020, the City Council added a second option for infill development, the **Empowerment Zone #1 Infill Incentives**, which allows for alternative incentives to further increase economic development and housing development within economically distressed areas of the City. This second program uses the same funds as allocated for the first Infill Development Incentive Program and a developer can only access one of these two options for a project.

Funds available for all three incentive programs will come from the same money allocated for the Infill Development Incentive Program initially approved by the City Council on September 4, 2019, and as approved for subsequent years. Once those funds are depleted each year, no further incentives will be given until such time that Council takes action allocating additional funds.

Financial Impact:

Funds available for this Catalyst Project Infill Program, as well as the other two existing infill incentive programs, will come from the same money allocated for the Infill Development Incentive Program initially approved by the City Council on September 4, 2019, and as approved for subsequent years. Once those funds are depleted each year, no further incentives will be given until such time that Council takes action allocating additional funds.

Other Information/Recommendation:

Attachments:

- | | |
|---|---|
| 1. Resolution creating Catalyst Project Infill Program (2021-01-12) | Resolution creating Catalyst Project Infill Program (2021-01-12).docx |
| 2. Community Development Target Areas - Exhibit A | Community Development Target Areas - Exhibit A.pdf |

Presentation:

Jon James

Approvals/Reviews:

Jon James

Jon James

Brandon Dyson

Jon James

Tina Dierschke

Theresa James

Julia Antilley

Created/Initiated

Approved

Approved

Approved

Approved

Approved

Final Approval

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN ANGELO, TEXAS
CREATING THE CATALYST PROJECT INFILL PROGRAM AND ALLOCATING FUNDING
FOR INCENTIVES**

WHEREAS, on September 4, 2019 the City Council of the City of San Angelo, Texas approved an Infill Development Incentive Program which provides \$5,000 incentives for new home construction within the neighborhoods included in the City's Neighborhood Revitalization Plan; and

WHEREAS, on February 4, 2020, the City Council added a second option for infill development, the Empowerment Zone #1 Infill Incentives, which allows for alternative incentives to further increase economic development and housing development within economically distressed areas of the City; and

WHEREAS, the City of San Angelo wants to further increase economic development and housing development within these economically distressed areas of the City; and

WHEREAS, the City Council finds that it is in the best interest of the City to create the City of San Angelo Catalyst Project Infill Program within the areas included in the City's Neighborhood Revitalization Plan.

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

- 1) That the City designates an area more particularly described and illustrated in "Exhibit A" attached hereto and incorporated herein for designation as the San Angelo Catalyst Project Infill Area ("Infill Area").
- 2) The boundaries of the Infill Area shall create the infill development program boundaries.
- 3) The City Council finds that the creation of the Infill Area is for the public purpose of increasing the public health, safety, and welfare of the persons in the City of San Angelo.
- 4) The City Council may authorize funding under this program for development costs, either for the subject property or costs associated with extending services to or beyond the subject property, with particular emphasis on costs to extend water, sewer, and road infrastructure.
- 5) Incentives shall be based on consideration of the following criteria for catalyst projects:
 - a. Projects that include extending water, sewer, or roads beyond those needed to serve the subject property and help expand development opportunities to adjacent or nearby properties.
 - b. Projects where development has not occurred due to utility extensions costs that are substantially higher as compared to typical development.
 - c. Projects that expand options beyond single-family housing, such as duplexes and small-scale apartment buildings.

- d. Projects that are hindered by other development obstacles in the area.
- 6) Funds available for the incentives listed under provision 4 of this Resolution shall come from the same money allocated for the Infill Development Incentive Program initially approved by Council on September 4, 2019, and as approved for subsequent years. Once that fund has been depleted, no further incentives will be given until such time that Council takes official action allocating additional funds.
- 7) Developers may receive incentives under this program in addition to funds received under the City's Infill Development Incentive Program or the Empowerment Zone #1 incentive program.

PASSED, APPROVED, and ADOPTED on this 12th day of January, 2021.

CITY OF SAN ANGELO

Brenda Gunter, Mayor

ATTEST:

Julia Antilley, City Clerk

APPROVED AS TO FORM:

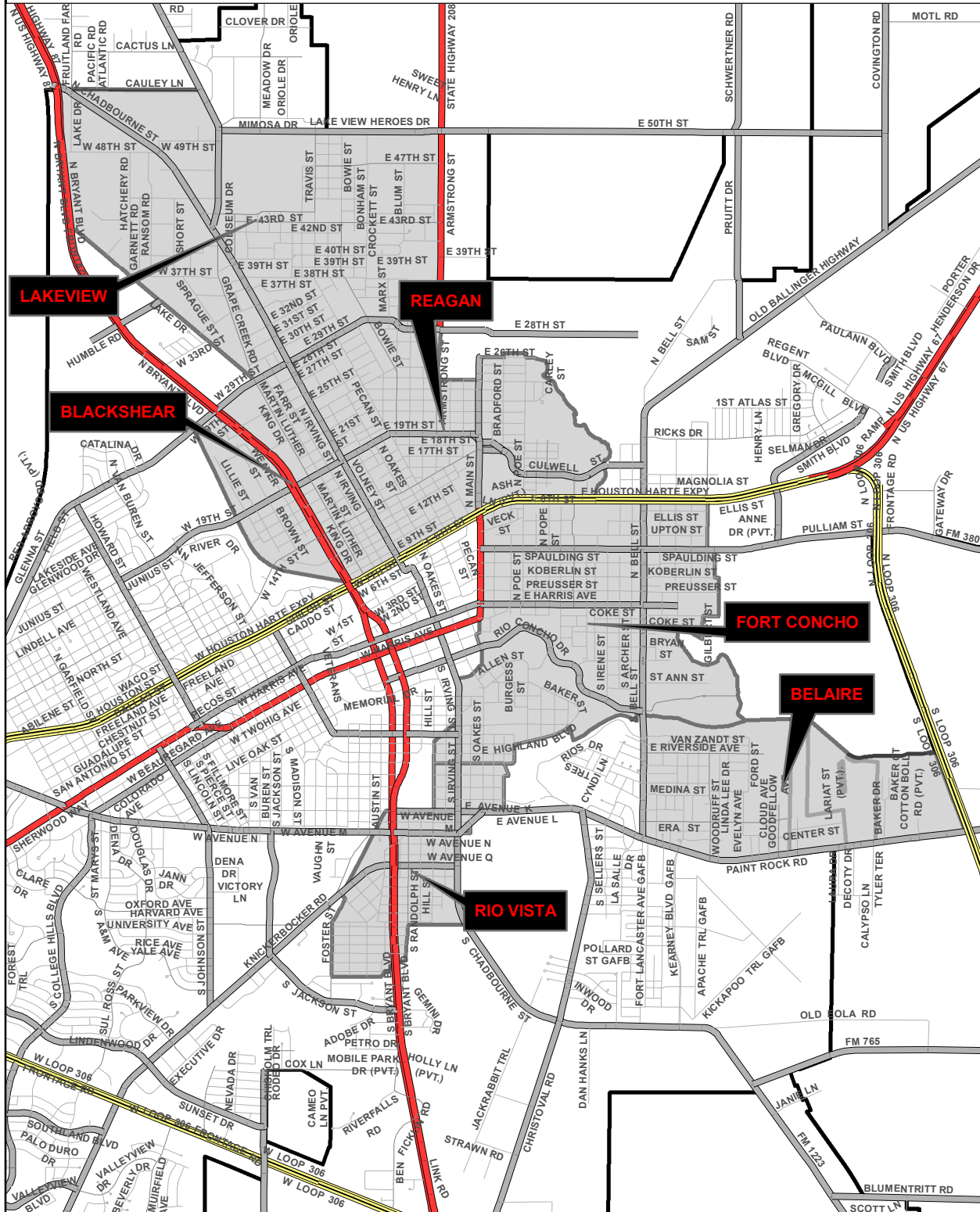
Theresa James, City Attorney

Date: 2/2/2018
COSA GIS Division
Copyright 1987 - 2018 City of San Angelo



Community Development Target Area Map

1 inch = 5,375 feet



REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: January 12, 2021

Item type: Regular Item

Caption:

Consider approving a Catalyst Project Infill Program request for infrastructure funding in an amount not to exceed \$77,050 for the Lakeview Addition, Block 11 (Presentation made by Chad Decker, introduction by Planning & Development Services Director Jon James)

Summary/History:

This is an infill project seeking funding under the new Catalyst Project Infill Program.

The developer's project in this case is served by water and sewer infrastructure in Bowie Street. However, City development ordinances require that developers extend water and sewer lines to the edge of their property in order to ensure developability for subsequent development. In this situation, however, the additional costs of those extensions, which do not directly benefit the subject development, create a hardship to development of the project. Rather than waive this requirement to extend services, City staff believes the better option is to use infill funding to assist with these extensions that help make adjacent properties developable. This furthers the purpose of the infill program by helping to "expand development opportunities to adjacent or nearby properties" which is one of the criteria for the Catalyst Project Infill Program.

Financial Impact:

This request is for designated Infill Development Funds and will not affect the General Fund.

Other Information/Recommendation:

Attachments:

- | | |
|--|---|
| 1. Request Letter Blk 11 Lakeview Addition | Request Letter Blk 11 Lakeview Addition.pdf |
| 2. Lakeview Addition Blk 11 Cost Estimate | Lakeview Addition Blk 11 Cost Estimate.pdf |

Presentation:

Jon James

Approvals/Reviews:

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

Julia Antilley

Final Approval



CARTER-FENTRESS ENGINEERING

MUNICIPAL & DEVELOPMENT SOLUTIONS

January 7, 2021

City of San Angelo
Mr. Daniel Valenzuela
72 West College Avenue
San Angelo, Texas 76903

Re: Replat of Block 11, Lakeview Addition, Catalyst Project Infill Program

Dear Mr. Valenzuela:

This letter is on behalf of Mr. Chad Decker, owner of Nu-Homes Constructors, LLC. Mr. Decker is requesting that the extension of water and sewer utility infrastructure being required by the City of San Angelo, as part of the Replat of Block 11, Lakeview Addition, be accepted into the City of San Angelo Catalyst Project Infill Program. As part of the program, Mr. Decker requests that all expenses incurred while installing the necessary infrastructure be covered by the City of San Angelo.

If you have any questions or need additional information, please contact me at (325)215-4332 or by e-mail at ecarter@fentresseng.com.

Thank you for your assistance in this matter.

Sincerely,

Erica Carter

Erica B. Carter, P.E.



CARTER-FENTRESS ENGINEERING

MUNICIPAL & DEVELOPMENT SOLUTIONS

ENGINEER'S OPINION OF COST

Prepared For:

Lakeview Addition, Block 11

Tom Green County, San Angelo, Texas

6 LOTS TOTAL

<u>No.</u>	<u>Description of Work (UTILITIES)</u>	<u>Unit</u>	<u>Qty</u>	<u>Unit Cost</u>	<u>Total Price</u>
1.	Mobilization/De-mobilization	L.S.	1	\$1,000	\$1,000
2.	Construct 8" C900 DR 18 Water Main	L.F.	400	\$75	\$30,000
3.	Construct 8" Tapping Sleeve	Ea.	2	\$3,500	\$7,000
4.	Construct 8-inch SDR 35 Sanitary Sewer	L.F.	360	\$80	\$28,800
5.	Connection to Existing San. Sew. Manhole	Ea.	1	\$750	\$750
6.	Construct 8-inch San. Sew. Cleanout with Concrete Pad	Ea.	2	\$500	\$1,000
7.	Construct New Fiberglass Manhole	Ea.	1	\$8,500	\$8,500
				Subtotal	\$77,050
				TOTAL	\$77,050
				Per Lot	\$12,841.67

This Document is Released for the Purpose of:

General Planning

Under the Authority of:

Engineer: Erica Carter, P.E.

License No.: 114215 Firm No.:18818

It is Preliminary in Nature and not to be Used for Feasibility of Land Purchases, Bond Applications, Loans or Grants. The unit costs shown are based on numbers from local contractors as of 1/8/2021 and are subject to change.

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Jeff Fisher, Sr. Planner, Planning and Development Services, 325.657.4210

Meeting Date: January 12, 2021

Item type: Regular Item

Caption:

First reading and public hearing of an ordinance providing for the abandonment of approximately 218-sq ft of street right-of-way out of the southwest corner of S. College Hills Blvd. and Valleyview Blvd. (Presentation made by Planning & Development Services Director Jon James)

Summary/History:

The applicant has submitted this request to abandon a 218-square foot portion of the southwest corner of the Valleyview Boulevard and South College Hills Boulevard right-of-way. The purpose of this request is to reduce the right-of-way on Valleyview Boulevard from its current 80 feet down to 60 feet consistent with its collector street designation. This will allow the associated preliminary and final plats for Southland Hills Addition, Section 22, to be approved with the 60-foot right-of-way width.

Operations and Engineering Services are requesting that the right-of-way remain 80 feet consistent with the right-of-way to the east and west. City Operations and Engineering Services have appealed the Planning Commission approval to allow the 60-feet of right-of-way to City Council.

Staff recommends the full 80 foot right-of-way, as requested, and therefore recommends denial of this abandonment request. If however the Council approves the applicant's appeal on the associated plat, then staff would recommend approval of this abandonment.

Financial Impact:

N/A

Other Information/Recommendation:

On December 14, 2020, the Planning Commission recommended unanimous **APPROVAL** by a vote of 5-0 to approve the requested abandonment, subject to three conditions of approval as presented.

Staff recommends DENIAL of this request to abandon the subject right-of-way, consistent with the recommendation of approval for the appeal on the associated subdivision plat case.

Attachments:

- | | |
|---|--|
| 1. Ordinance (Southland Hills_ROW_Abandon) | Ordinance (Southland Hills_ROW_Abandon).docx |
| 2. Southland Hills ROW Abandonment | Southland Hills ROW Abandonment.pdf |
| 3. Staff Report (Southland Hills_ROW_Abandon) | Staff Report (Southland Hills_ROW_Abandon).pdf |

Presentation:

Jon James

Approvals/Reviews:

Jeff Fisher

Hillary Bueker

Jon James

Brandon Dyson

Jon James

Theresa James

Julia Antilley

Created/Initiated

Approved

Approved

Approved

Approved

Approved

Final Approval

AN ORDINANCE PROVIDING FOR ABANDONMENT AND VACATION OF A PORTION OF STREET RIGHT-OF-WAY COMPRISING OF APPROXIMATELY 0.005 ACRES (218 SQUARE FEET) OUT OF THE C. DAMMANN SURVEY NO. 180, ABSTRACT NO. 0141, TOM GREEN COUNTY, TEXAS; LOCATED AT THE SOUTHWEST CORNER OF SOUTH COLLEGE HILLS BOULEVARD AND VALLEYVIEW BOULEVARD; AUTHORIZING CONVEYANCE THEREOF BY QUITCLAIM DEED TO ABUTTING PROPERTY OWNERS; AND PROVIDING TERMS AND CONDITIONS OF ABANDONMENT AND CONVEYANCE.

WHEREAS, the City Council of the City of San Angelo, Texas, acting pursuant to law, is of the opinion that the public street right-of-way described above, is no longer needed for public use and therefore deems it advisable to abandon said portion of street right-of-way; and,

WHEREAS, the City Council is of the opinion that the best interest and welfare of the public will be served by conditionally conveying the underlying abandoned public street right-of-way to the abutting property owners;

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

SECTION 1: The public street right-of-way located in the City of San Angelo, comprising of approximately 0.005 acres (218 square feet) out of the C. Dammann Survey, No. 180, Abstract No. 0141, Tom Green County, Texas, more particularly described and depicted in **Exhibit “A,”** attached hereto and made a part hereof for all purposes, be and the same is hereby vacated, abandoned and closed insofar as the right, title and easement of the public are concerned, subject to the conditions and restrictions herein set forth.

SECTION 2: The abandonments and conveyances provided for herein are made and accepted subject to all present zoning and deed restrictions, if the latter exist, and all existing easements, if any, whether apparent or not, aerial, surface, underground or otherwise.

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

SECTION 4: The following conditions precedent to the abandonment shall apply and be part of the consideration for conveyance by quitclaim deed(s) of the underlying tracts of land to owners of abutting properties:

- a) Per Land Development and Subdivision Ordinance, Chapter 1.V, submit, obtain approval, and officially record a subdivision replat absorbing all of the abandoned right-of-way into adjacent lot(s) meeting all requirements of the Land Development and Subdivision Ordinance, within 36 months of City Council's decision.
- b) Per the Schedule of Fees and Charges adopted by City Council Resolution 2020-004, dated January 7, 2020, payment shall be remitted, per the assessment formula, for all of the abandoned street right-of-way.
- c) After approval of the associated plat and payment, request issuance and recordation of a Quit Claim Deed from the City's Real Estate Division conveying the City's interest in the entirety of the abandoned street(s).

SECTION 5: The terms and conditions set forth hereinabove shall be applicable to the conveyances of rights-of-way herein provided for, and shall be binding upon Grantees thereof and their heirs, successors and assigns.

SECTION 6: Upon confirmation from the Planning Director of compliance with conditions hereinabove set forth, the Mayor of the City of San Angelo is hereby authorized to execute and deliver quit claim deeds conveying the subject tracts of abandoned right-of-way described and depicted in **Exhibit "A,"** to the owners of the designated abutting properties.

SECTION 7: Upon confirmation from the Planning Director of compliance with conditions hereinabove set forth, the City Clerk is hereby authorized and directed to certify a copy of this adopted Ordinance for recordation in the Official Real Property Records of Tom Green County, Texas, wherein the tracts of land are located.

INTRODUCED on the **12th day of January, 2021**, and finally PASSED, APPROVED AND ADOPTED on this the **19th day of January, 2021**.

THE CITY OF SAN ANGELO

Brenda Gunter, Mayor

ATTEST:

APPROVED AS TO FORM:

Julia Antilley, City Clerk

Theresa James, City Attorney

EXHIBIT “A”



Quit Claim Deed, 0.201 acre, City of San Angelo
to owners of the property adjacent thereto,
August 25, 1998, Vol. 660, Pg. 77, OPR

REF.: Remainder of 135.633 acres, Southridge
Development Company to Southland Hills, Inc.,
August 27, 1993, Vol. 387, Pg. 823, OPR

North line of 37.567 acres, Vol. 249, Pg.
258, OPR & a south line of 135.633
acres, Vol. 387, Pg. 823, OPR
Bearing N58°49'33"W

REF.: Remainder of 37.567 acres,
Freeman Pickett, Inc. to Fall Creek, Inc.,
May 20, 1991, Vol. 249, Pg. 258, OPR

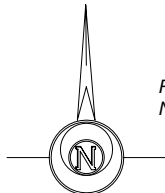
S58° 49' 33"E 1.38'
N29° 06' 11"E 10.01'
D=095° 47' 51"
L=33.44'
R=20.00'
L.C.=N10° 55' 37"W 29.68'

Radial Bearing
S31°10'27"W

D=095° 47' 51"
L=33.44'
R=20.00'
L.C.=S10° 55' 37"E 29.68'

Original northeast
corner of 37.567 acres,
Vol. 249, Pg. 258, OPR

0.005 acre out of the southwest corner
of the intersection of College Hills
Boulevard and Valleyview Boulevard



Scale : 1" = 30'

0 7.5' 15' 30' 60'

Bearings and distances shown hereon
are based on Southland Hills Addition,
Section 9, Cabinet E, Slide 87, Plat
Records, Tom Green County, Texas.

Bearings and distances hereon are of the
Texas Coordinate System Central Zone NAD83.

LEGEND: ● - Found 1/2" Iron Rod
○ - Point for corner

@ 25.41' S63° 23' 07"E 50.63'

East line of 37.567 acres, Vol. 249, Pg.
258, OPR & a west line of 135.633
acres, Vol. 387, Pg. 823, OPR
Bearing N36°58'18"E

REF.: Remainder of 135.633 acres, Southridge
Development Company to Southland Hills, Inc.,
August 27, 1993, Vol. 387, Pg. 823, OPR

College Hills Boulevard - 75' ROW

Lot 1
Block 52

REF.: Southland Hills
Addition, Section 9,
Cabinet E, Slide 87,
Plat Records

Valleyview Boulevard - 80' ROW

Plat of 0.005 acre out of the southwest corner of the intersection of College Hills Boulevard and Valleyview Boulevard, Section 9, SOUTHLAND HILLS ADDITION, City of San Angelo, Tom Green County, Texas, according to the Plat recorded in Plat Cabinet E, Slide 87 of the Plat Records of Tom Green County, Texas

Surveyed on the ground September 29, 2020 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 Engineers and Land Surveyors.

A complete title search was not performed for the purpose of this survey.
There may be other easements or dedications not shown hereon.

This survey is **VOID** without an original signature and **EMBOSSSED SEAL**.
See attached "Exhibit A" field notes of metes and bounds description.

**This document is released for the purpose of interim review under the authority of Blake Wilde, RPLS No. 6759 on November 6, 2020.
Preliminary, this document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document.**

BLAKE WILDE

REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6759

WE Wilde Engineering, LLC

5770 FM 765

San Angelo, Texas 76905

325.277.8682

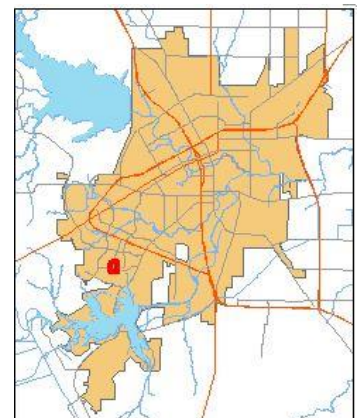
TBPLS Firm # 10,193,857

www.wilde-eng.com

CITY COUNCIL – January 12, 2021
STAFF REPORT



APPLICATION TYPE:		CASE:	
Street Right-of-way Abandonment		Southwest Corner of Valleyview Blvd. and S. College Hills Blvd.	
SYNOPSIS:			
The applicant has submitted this request to abandon a 218-square foot portion (0.005 acres) of the southwest corner of the Valleyview Boulevard and South College Hills Boulevard right-of-way. The purpose of this request is to reduce the right-of-way on Valleyview Boulevard from its current 80 feet down to 60 feet consistent with its collector street designation. This will allow the associated preliminary and final plats for Southland Hills Addition, Section 22, to be approved with the 60-foot right-of-way width. City Operations and Engineering Services is requesting that the right-of-way remain 80 feet consistent with the right-of-way to the east and west, and for future maintenance.			
LOCATION:		LEGAL DESCRIPTION:	
Southwest corner of South College Hills Boulevard and Valleyview Boulevard.		Being approximately 218 square feet (0.005 acres) of street-of-way out of the southwest corner of South College Hills Boulevard and Valleyview Boulevard.	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD District: (#1)Tommy Hiebert Neighborhood: Bonham	RM-1	Neighborhood	218 sq. ft. (0.005 acres)
THOROUGHFARE PLAN:			
Valleyview Boulevard: Urban Collector Street, Required: 60' right-of-way, 50' pavement; Proposed: 60' right-of-way, 50' pavement (City staff requesting 80' right-of-way) South College Hills Boulevard: Urban Local Street, Required: 50' right-of-way, 40' pavement or 36' with a 4' sidewalk; Proposed: 50' right-of-way, 40' pavement			
NOTIFICATIONS:			
N/A			
STAFF RECOMMENDATION:			
Staff recommends DENIAL of the Street Right-of-Way Abandonment of 218 square feet (0.005 ac.) of street-of-way out of the southwest corner of South College Hills Boulevard and Valleyview Boulevard.			
PROPERTY OWNER/PETITIONER:			
Owner: Fall Creek, Inc. and Southland Hills, Inc. Petitioner: Erica Carter, Carter-Fentress Engineering			
STAFF CONTACT:			
Jeff Fisher, AICP Principal Planner (325) 657-4210, Ext. 1550 jeff.fisher@cosatx.us			



Analysis:

City Staff circulated to all relevant municipal departments, as well as public and private utility companies, and there were no responses in opposition to the request. However, the associated plats delineating the required right-of-way on Valleyview Boulevard of 60 feet, the collector street standard, does not meet staff's recommendation. Chapter 10.III of the Land Development and Subdivision Ordinance (LDSO) states that the "minimum widths and specifications may be increased or modified where necessary for proper drainage, traffic flow and/or pedestrian movement, or to ensure a consistent street alignment with a minimum of undesirable curvature." City Staff believe as indicated that an 80-foot right-of-way will allow for future maintenance and consistency with the right-of-way to the east and west.

Rationale:

Planning Staff reviewed all relevant history, ordinances, policies, and as indicated above, conducted a site visit to the property to determine the appropriateness of abandoning this public right-of-way.

- *Traffic patterns:* The proposed subdivision plat will extend Valleyview Boulevard to connect the portions already constructed west and east of the subdivision. In both directions, Valleyview Boulevard has 80 feet of right-of-way and leaving this portion only 60 feet would create a narrower right-of-way which could affect maintenance issues in future. Staff is not requesting the applicant to widen the paving of Valleyview Boulevard to the arterial road standard of 64 feet as it exists to the west, but requiring the additional right-of-way now would allow the City to upgrade this street to an arterial road in future should it be warranted.
- *Utilities:* There are no existing City or private utilities in this segment of street right-of-way, and Staff received no objections from utility providers in the area.
- *Community Impact:* Staff believes there could be a negative impact if the additional right-of-way is not provided. As indicated, if traffic continues to increase in the area, the additional right-of-way would allow the city to widen the street in the future as needed.
- *Public Benefit:* Staff believes there would be a greater public benefit if the additional street right-of-way was dedicated for the reasons above.

Planning Commission Recommendation:

On December 14, 2020, the Planning Commission recommended unanimous **APPROVAL** by a vote of 5-0 to approve the abandonment of 218 square feet (0.005 ac.) of street-of-way out of the southwest corner of South College Hills Boulevard and Valleyview Boulevard. The following is the complete excerpt of the draft minutes from the December 14, 2020, meeting for this case:

Jeff Fisher, Principal Planner, presented the proposed street right-of-way abandonment. He explained that the proposed abandonment was to reduce the right-of-way of Valleyview Boulevard to 60 feet to allow the associated subdivision plats to move forward. Mr. Fisher further explained that Staff opposed the request, instead requiring 80 feet of right-of-way consistent with Valleyview Boulevard to the west and east and for future maintenance. Mr. Fisher concluded his presentation outlining the rationale for

**Staff Report – SW corner of S College Hills Blvd & Valleyview Blvd Street ROW Abandonment
January 12, 2021**

denial based on the requirement for consistency with the above, and to allow a future widening of Valleyview Boulevard in future if necessary.

Hillary Bueker, Planning Manager, indicated that even though the Commission approved the plats earlier today with 60-foot right-of-ways, it could still deny this request and require the 80-foot right-of-way.

Vice Chair Jackson opened public comment.

Ms. Erica Carter, Carter-Fentress Engineering, representing the applicant, indicated that the Commission had already approved the plats with a 60-foot right-of-way for Valleyview Boulevard and that this was a clean-up. She asked the surveyor, Blake Wilde, who was present at this virtual meeting, if he had any comments.

Mr. Blake Wilde indicated that he did not have further comments and asked for approval of this abandonment.

Mr. Fisher indicated that should the Commission decide to approve the abandonment, there were conditions of approval recommended by Staff. He then presented the three proposed conditions of approval.

Vice Chair Jackson closed public comment.

Commissioner Davis made a motion to RECOMMEND APPROVAL of a request to approve the abandonment of 218 square feet (0.005 ac.) of street-of-way out of the southwest corner of South College Hills Boulevard and Valleyview Boulevard. Commissioner Smith seconded the motion. The motion carried unanimously 5-0.

Recommendation:

Staff recommends **DENIAL** of the Street Right-of-Way Abandonment of 218 square feet (0.005 ac.) of street-of-way out of the southwest corner of South College Hills Boulevard and Valleyview Boulevard.

Attachments:

Aerial Map
Future Land Use Map
Zoning Map
Abandonment Graphic
Application

Staff Report – SW corner of S College Hills Blvd & Valleyview Blvd Street ROW Abandonment
January 12, 2021



Street Right-of-Way Abandonment
Southland Hills Addition, Section 22

Council District: SMD1- Hiebert
Neighborhood: Bonham
Scale: 1" approx. = 125 ft

SW corner S. College Hills Blvd/Valleyview Blvd.

Legend

Subject Properties: —
Current Zoning: RM-1
Requested Zoning Change: N/A
Vision: Neighborhood



Staff Report – SW corner of S College Hills Blvd & Valleyview Blvd Street ROW Abandonment
January 12, 2021



Street Right-of-Way Abandonment

Southland Hills Addition, Section 22

Council District: SMD1- Hiebert

Neighborhood: Bonham

Scale: 1" approx. = 125 ft

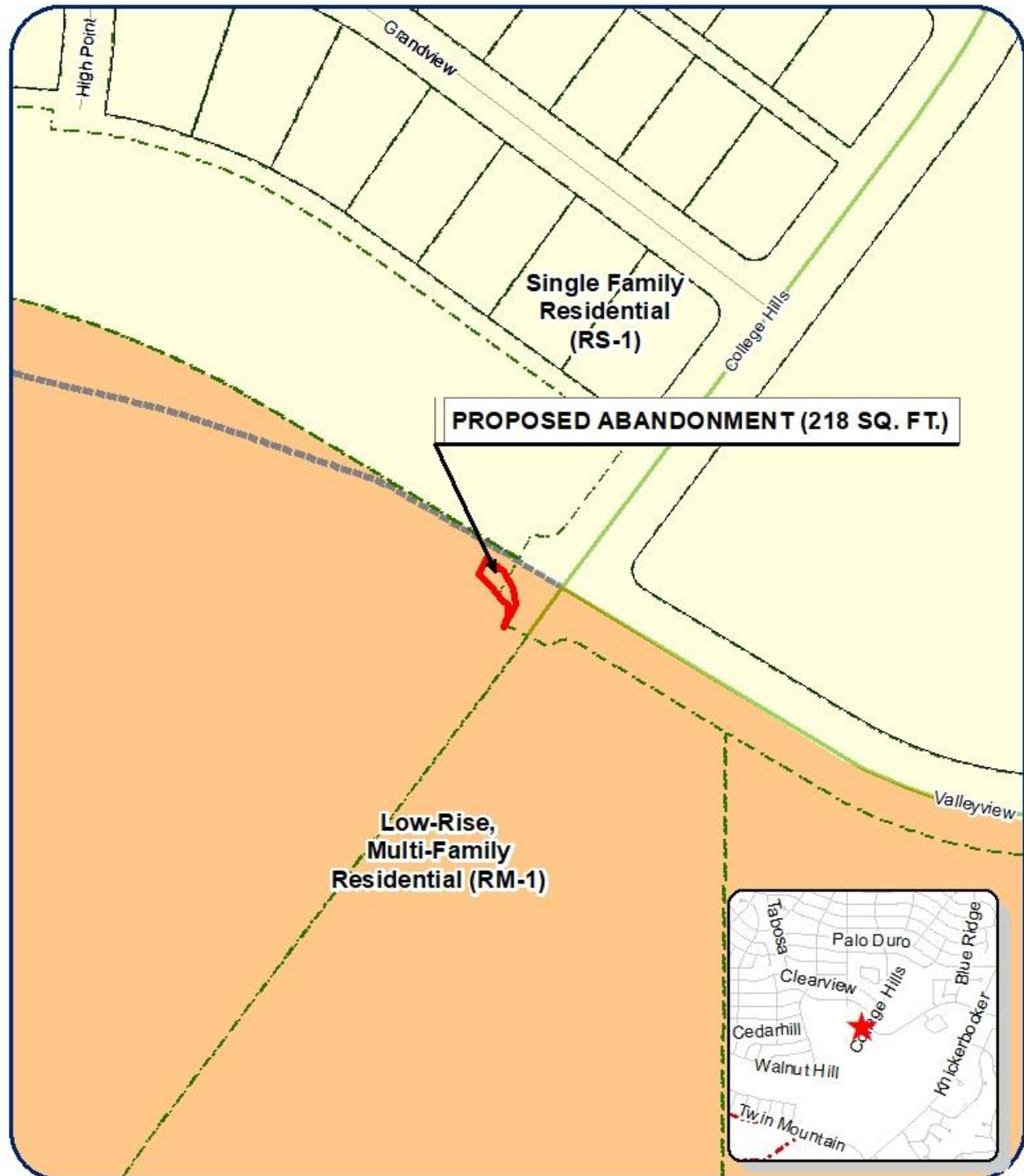
SW corner S. College Hills Blvd/Valleyview Blvd.

Legend

Subject Properties: —
Current Zoning: RM-1
Requested Zoning Change: N/A
Vision: Neighborhood



Staff Report – SW corner of S College Hills Blvd & Valleyview Blvd Street ROW Abandonment
January 12, 2021



Street Right-of-Way Abandonment

Southland Hills Addition, Section 22

Council District: SMD1- Hiebert

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Scale: 1" approx. = 125 ft

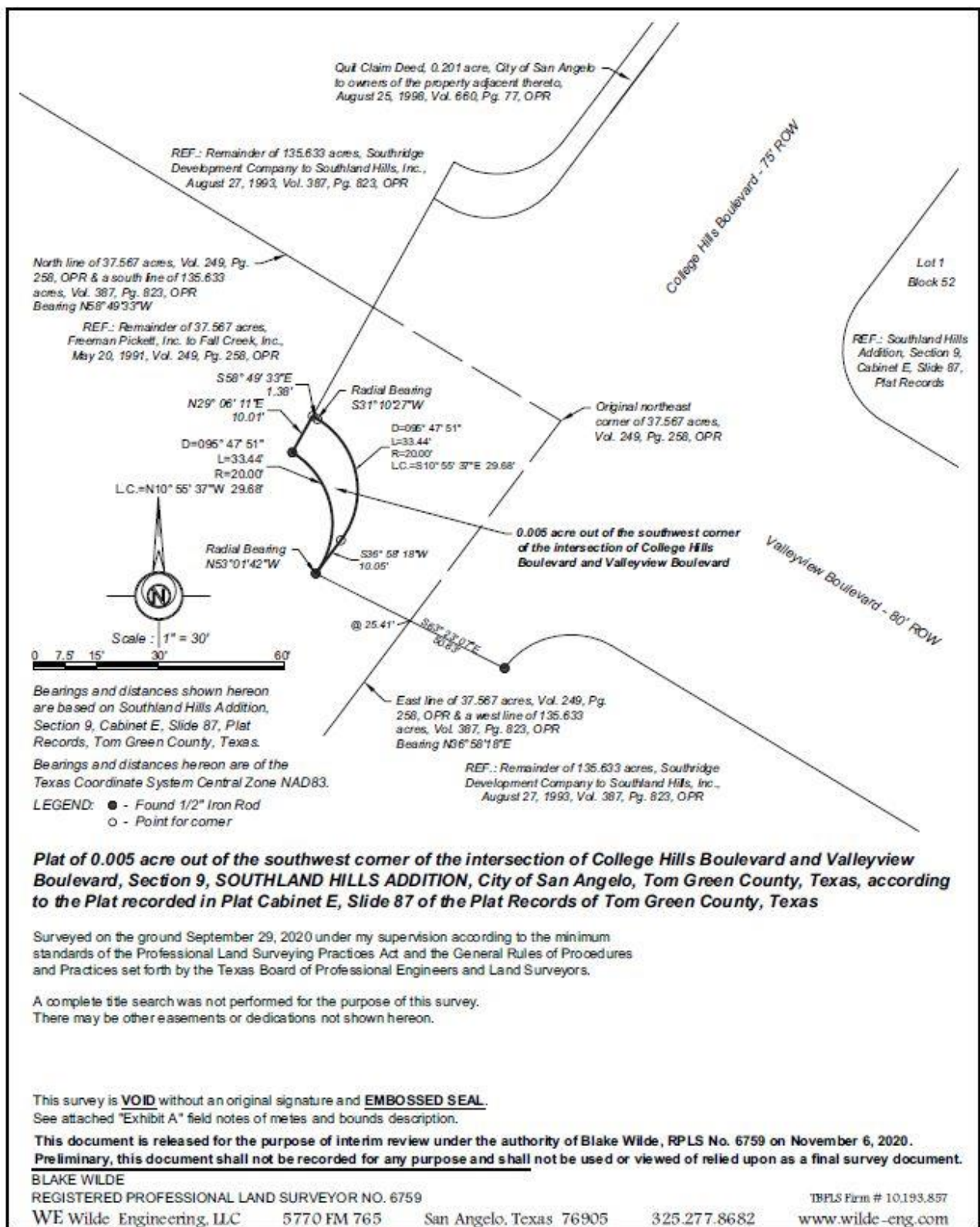
SW corner S. College Hills Blvd/Valleyview Blvd.

Legend

Subject Properties: —
Current Zoning: RM-1
Requested Zoning Change: N/A
Vision: Neighborhood



Staff Report – SW corner of S College Hills Blvd & Valleyview Blvd Street ROW Abandonment
January 12, 2021



Staff Report – SW corner of S College Hills Blvd & Valleyview Blvd Street ROW Abandonment
January 12, 2021

Effective January 3, 2017



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

**Section 1: Basic Information**Name of Applicant(s): Erica Carter for Fall Creek, Inc.
☐ Owner ☒ Representative (Affidavit Required)

113 W Twohig Ave San Angelo TX 76903

Mailing Address City State Zip Code

325-716-3013 ecarter@fentresseng.com

Contact Phone Number Contact E-mail Address

sw corner College Hills & Valleyview San Angelo TX

Subject Property Address City State Zip Code

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

Lot Size: 0.005 acre Zoning: RM-1
Section 2: Site Specific DetailsSubdivision Name: Southland Hills Addition, Section 9

Lots and/or Blocks Affected*: _____

General Description of Location*: 0.005 acre out of the southwest corner of the intersection of College Hills Boulevard and Valleyview Boulevard, Section 9, Southland Hills Addition, City of San Angelo, Tom Green County, Texas according to the Plat recorded in Plat Cabinet E, Slide 87 of the Plat Records of Tom Gree County, Texas

Reason for Abandonment*: reducing right-of-way width from 80 feet to 60 feet

*Use attachment if necessary.

Effective January 3, 2017

Section 3: Applicant's acknowledgement**I/We the undersigned acknowledge that the information provided above is true and correct.**

November 17, 2020

Signature of licensee or authorized representative
affirming the truth of the above statement.

Date

Erica Carter

Printed name of licensee or authorized representative

Carter-Fentress Engineering

Name of business/Entity of representative

FOR OFFICE USE ONLY:

Date of Application: ____/____/____

Non-Refundable Fee: \$____ Receipt #: ____ Date paid: ____/____/____

Date of hearing by Planning Commission: ____/____/____ Date of hearing by City Council: ____/____/____

Reviewed/Accepted by: _____

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: January 12, 2021

Item type: Consent Item

Caption:

Consider items related to the Chadbourne Street Project:

1. Consider approving Change Order #1 to the Agreement with Ti-Zack Concrete, Inc., reducing the total contract amount by \$1,202,455.88, and authorizing the City Manager to negotiate and execute all related documents; and
2. Consider allocating contingency funding in the amount of \$768,995 and authorizing the City Manager to negotiate and execute all related documents (Presentation made by Interim City Engineer Kevin Pate)

Summary/History:

The Chadbourne Street Phase A project Bid amounts exceeded the available funding, as discussed in Executive Session on August 18, 2020. A reduction in scope was negotiated with the Contractor & TXDOT Grant Managers. The change in scope eliminated peripheral project elements which do not negatively impact the project goals.

Financial Impact:

The project has multiple funding sources; TIRZ, COSADC, COSA Stormwater and Bond and a TXDOT Grant.

Other Information/Recommendation:

Attachments:

- | | | |
|----|-----------------------------------|---------------------------------------|
| 1. | 2020.12.18 - Revised CO #1 Signed | 2020.12.18 - Revised CO #1 Signed.pdf |
|----|-----------------------------------|---------------------------------------|

Presentation:

Kevin Pate

Approvals/Reviews:

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



City of San Angelo
RFB: ES-03-20; Change Order Form
Chadbourne Street Improvements - Phase A

Change Order No. 1

Contractor: Ti-Zack Concrete, Inc.

Item No.	Specification	Item Description	Quantity	Unit	Unit Price	Total Price	Add Quantities	Deduct Quantities	Revised Quantities	Adjusted Total Price
Item 1: Mobilization, Temporary Access and Erosion/Sedimentation Control Measures										
1.01	TxDOT 500	Mobilization	1	LS	\$ 434,200.00	\$ 434,200.00	-	-	1	\$ 434,200.00
1.02	TxDOT 502	Barricades, Signs, and Traffic Handling	24	MO	\$ 500.00	\$ 12,000.00	-	-	24	\$ 12,000.00
1.03	TxDOT 506	Storm Water Management	24	MO	\$ 300.00	\$ 7,200.00	-	-	24	\$ 7,200.00
Subtotal =						\$ 453,400.00				\$ 453,400.00
Item 2: Utilities - Sanitary Sewer										
2.01	TxDOT 479	Adjusting Manholes (Sanitary)(Provide new ring and lid)	12	EA	\$ 1,160.00	\$ 13,920.00	-	-	12	\$ 13,920.00
2.02	---	Adjusting Sewer Clean Out to Grade	4	EA	\$ 685.00	\$ 2,740.00	-	-	4	\$ 2,740.00
2.03	---	4' Diameter FRP Manhole (TY B, <10')	1	EA	\$ 5,950.00	\$ 5,950.00	-	-	1	\$ 5,950.00
Subtotal =						\$ 22,610.00				\$ 22,610.00
Item 3: Utilities - Water										
3.01	TxDOT 479	Adjusting Water Valve Stand to Grade	34	EA	\$ 472.00	\$ 16,048.00	-	-	34	\$ 16,048.00
3.02	TxDOT 479	Adjusting Water Meter Box to Grade	21	EA	\$ 433.00	\$ 9,093.00	-	-	21	\$ 9,093.00
3.03	---	Relocate Fire Hydrant per COSA Standards	5	EA	\$ 8,500.00	\$ 42,500.00	-	-	5	\$ 42,500.00
3.04	---	Relocate Water Meter Box	19	EA	\$ 4,070.00	\$ 77,330.00	-	-	19	\$ 77,330.00
Subtotal =						\$ 144,971.00				\$ 144,971.00
Item 4: Storm Drains										
4.01	---	Remove existing inlets	2	EA	\$ 896.00	\$ 1,792.00	-	-	2	\$ 1,792.00
4.02	---	Nyloplast 30" Drain Basin	2	EA	\$ 4,760.00	\$ 9,520.00	-	-	2	\$ 9,520.00
4.03	---	18" Curb Inlet (2'x3' Rect)	2	EA	\$ 4,930.00	\$ 9,860.00	-	-	2	\$ 9,860.00
4.04	---	18" HDPE Pipe	35	LF	\$ 160.00	\$ 5,600.00	-	-	35	\$ 5,600.00
Subtotal =						\$ 26,772.00				\$ 26,772.00
Item 5: Paving										
5.01	TxDOT 104	Remove and Dispose of Existing Concrete Curb and Gutter	4331	LF	\$ 11.10	\$ 48,074.10	-	(1,085.00)	3,246	\$ 36,030.60
5.02	TxDOT 104	Remove and Dispose of Existing Brick Pavers (COSA to keep brick)	18100	SY	\$ 2.00	\$ 36,200.00	-	(3,280.00)	14,820	\$ 29,640.00
5.03	TxDOT 104	Remove and Dispose of Existing Trolley Rail and Cross Ties	1650	LF	\$ 5.00	\$ 8,250.00	-	-	1,650	\$ 8,250.00
5.04	TxDOT 105	Remove and Dispose of Existing Apshalt Pavement	18100	SY	\$ 13.10	\$ 237,110.00	-	(3,280.00)	14,820	\$ 194,142.00
5.05	TxDOT 105	Remove and Dispose of Existing Flexible Base	18100	SY	\$ 4.45	\$ 80,545.00	-	(3,280.00)	14,820	\$ 65,949.00
5.06	TxDOT 110	Excavation (6")	3000	CY	\$ 22.90	\$ 68,700.00	-	(545.00)	2,455	\$ 56,219.50
5.07	TxDOT 152	Road Grader Work (Desity Control)	19140	SY	\$ 1.00	\$ 19,140.00	-	(3,470.00)	15,670	\$ 15,670.00
5.08	TxDOT 340	4" HMAC Type B Base Material	4126	TON	\$ 150.00	\$ 618,840.00	-	(717.00)	3,409	\$ 511,290.00
5.09	TxDOT 528	Integral Colored Stamped Concrete - Star Intersections	3410	SF	\$ 27.70	\$ 94,457.00	-	-	3,410	\$ 94,457.00
5.10	TxDOT 528	Integral Colored Stamped Concrete Medians (Brick Pattern Finish)	5645	SF	\$ 19.90	\$ 112,335.50	-	-	5,645	\$ 112,335.50
5.11	TxDOT 360	7" Reinforced Concrete Pavement (Class P)	15152	SY	\$ 100.00	\$ 1,515,220.00	-	(2,745.00)	12,407	\$ 1,240,720.00
5.12	TxDOT 529	6" Concrete Curb and Gutter (TY II)	6304	LF	\$ 45.00	\$ 283,680.00	-	(1,040.00)	5,264	\$ 236,880.00

Item No.	Specification	Item Description	Quantity	Unit	Unit Price	Total Price	Add Quantities	Deduct Quantities	Revised Quantities	Adjusted Total Price
5.13		3" Concrete Curb and Gutter	263	LF	\$ 57.00	\$ 14,991.00	-	-	263	\$ 14,991.00
5.14	TxDOT 530	Driveway Reconnections	250	SY	\$ 83.90	\$ 20,975.00	-	(77.00)	173	\$ 14,514.70
5.15	---	Adjusting Electric Manhole to Grade	6	EA	\$ 1,030.00	\$ 6,180.00	-	-	6	\$ 6,180.00
Subtotal =										\$ 2,637,269.30
Item 6: Pavement Markings and Signage										
6.01	TxDOT 666	Refl Pav Mrk Ty 1 (Y) 4" (SLD)(100MIL) (SURF PREP subsidiary)	3545	LF	\$ 2.70	\$ 9,571.50	1,000	-	4,545	\$ 12,271.50
6.02	TxDOT 666	Refl Pav Mrk Ty 1 (W) 4" (SLD)(100MIL)	7830	LF	\$ 1.85	\$ 14,485.80	-	-	7,830	\$ 14,485.80
6.03	TxDOT 666	Refl Pav Mrk Ty I(BLACK)7"(BLACK)(100MIL) (SURF PREP subsidiary)	8310	LF	\$ 3.85	\$ 31,991.96	-	-	8,310	\$ 31,991.96
6.04	TxDOT 666	Refl Pav Mrk Ty 1 (W) 4" (DOT)(100MIL)	642	LF	\$ 1.90	\$ 1,219.80	-	-	642	\$ 1,219.80
6.05	TxDOT 666	Refl Pav Mrk Ty 1 (W) 8" (SLD)(100MIL)	1145	LF	\$ 3.45	\$ 3,950.25	-	-	1,145	\$ 3,950.25
6.06	TxDOT 666	Refl Pav Mrk Ty I(BLACK)11"(BLACK)(100MIL) (SURF PREP subsidiary)	1157	LF	\$ 6.50	\$ 7,520.50	-	-	1,157	\$ 7,520.50
6.07	TxDOT 666	Refl Pav Mrk Ty 1 (W) 12" (SLD)(100MIL)	290	LF	\$ 6.00	\$ 1,740.00	-	-	290	\$ 1,740.00
6.08	TxDOT 666	Refl Pav Mrk Ty I(BLACK)15"(BLACK)(100MIL) (SURF PREP subsidiary)	302	LF	\$ 9.80	\$ 2,959.60	-	-	302	\$ 2,959.60
6.09	TxDOT 666	Refl Pav Mrk Ty 1 (W) (ARW) (SURF PREP subsidiary)	26	EA	\$ 210.00	\$ 5,460.00	-	-	26	\$ 5,460.00
6.10	TxDOT 666	Refl Pav Mrk Ty 1 (W) (WORD) (SURF PREP subsidiary)	12	EA	\$ 205.00	\$ 2,460.00	-	-	12	\$ 2,460.00
6.11	TxDOT 672	Raised Pav Mrk Ty II-A-A (SURF PREP subsidiary)	198	EA	\$ 26.50	\$ 5,247.00	-	-	198	\$ 5,247.00
6.12	TxDOT 672	Raised Pav Mrk Ty I-C (SURF PREP subsidiary)	59	EA	\$ 26.50	\$ 1,563.50	-	-	59	\$ 1,563.50
6.13	TxDOT 636	Aluminum Signs (TY A)	95	SF	\$ 65.00	\$ 6,175.00	-	(28.00)	67	\$ 4,355.00
6.14	TxDOT 668	Prefab Pav Mrk Acc Prkng (W) 48"x48" (SURF PREP subsidiary)	8	EA	\$ 860.00	\$ 6,880.00	-	-	8	\$ 6,880.00
6.15	TxDOT 644	IN SM RD SUP&AM TY10BWG (1) WS (P) (Wedge Anchor Steel System)	43	EA	\$ 300.00	\$ 12,900.00	-	-	43	\$ 12,900.00
Subtotal =										\$ 115,004.91
Item 7: Street Lighting										
7.01	TxDOT 628	Service Pole	1	EA	\$ 11,200.00	\$ 11,200.00	-	-	1	\$ 11,200.00
7.02	TxDOT 610	30' Strenberg Aluminium Pole with double light fixture	17	EA	\$ 20,200.00	\$ 343,400.00	-	-	17	\$ 343,400.00
7.03	TxDOT 416	30" Drill Shaft Foundation	17	EA	\$ 3,030.00	\$ 51,510.00	-	-	17	\$ 51,510.00
7.04	TxDOT 620	#2 AWG	3500	LF	\$ 3.75	\$ 13,125.00	-	-	3,500	\$ 13,125.00
7.05	TxDOT 620	#8 AWG	1750	LF	\$ 1.50	\$ 2,625.00	-	-	1,750	\$ 2,625.00
7.06	TxDOT 618	2" PVC conduit	1600	LF	\$ 3.30	\$ 5,280.00	-	-	1,600	\$ 5,280.00
7.07	TxDOT 618	Trenching and backfill	1600	LF	\$ 17.00	\$ 27,200.00	-	-	1,600	\$ 27,200.00
7.08	TxDOT 618	Bore	0	LF	\$ 55.00	\$ -	-	-	0	\$ -
7.08*	TxDOT 624	11x17 Inground Pullbox	4	EA	\$ 1,520.00	\$ 6,080.00	-	-	4	\$ 6,080.00
7.09	TxDOT 610	Roadway Illumination Assembly (Remove)	25	EA	\$ 1,150.00	\$ 28,750.00	-	-	25	\$ 28,750.00
Subtotal =										\$ 489,170.00
Item 8: Traffic Signals										
8.01	TxDOT 416	DRILL SHAFT (TRF SIG POLE) (30 IN)	132	LF	\$ 505.00	\$ 66,660.00	-	-	132	\$ 66,660.00
8.02	TxDOT 618	CONDT (PVC) (SCHD 80) (2")	60	LF	\$ 14.00	\$ 840.00	-	-	60	\$ 840.00
8.03	TxDOT 618	CONDT (PVC) (SCHD 80) (3")	420	LF	\$ 20.00	\$ 8,400.00	-	-	420	\$ 8,400.00

Item No.	Specification	Item Description	Quantity	Unit	Unit Price	Total Price	Add Quantities	Deduct Quantities	Revised Quantities	Adjusted Total Price
8.04	TxDOT 618	CONDT (PVC) (SCHD 80) (4")	250	LF	\$ 25.00	\$ 6,250.00	-	-	250	\$ 6,250.00
8.05	TxDOT 618	CONDT (PVC) (SCHD 80) (4") (BORE)	860	LF	\$ 55.00	\$ 47,300.00	-	-	860	\$ 47,300.00
8.06	TxDOT 620	ELEC CONDUCTOR (NO. 8) INSULATED	3070	LF	\$ 1.50	\$ 4,605.00	-	-	3,070	\$ 4,605.00
8.07	TxDOT 620	ELEC CONDUCTOR (NO. 6) BARE	1620	LF	\$ 1.60	\$ 2,592.00	-	-	1,620	\$ 2,592.00
8.08	TxDOT 620	ELEC CONDUCTOR (NO. 6) INSULATED	180	LF	\$ 1.75	\$ 315.00	-	-	180	\$ 315.00
8.09	TxDOT 624	GROUND BOX TY D (162922) W/APRON	15	EA	\$ 1,890.00	\$ 28,350.00	-	-	15	\$ 28,350.00
8.10	TxDOT 628	ELC SRV TY D 120/240 070 (NS)AL(E)PS(U)	3	EA	\$ 7,580.00	\$ 22,740.00	-	-	3	\$ 22,740.00
8.11	TxDOT 680	INSTALL HWY TRAF SIG (ISOLATED)	3	EA	\$ 41,000.00	\$ 123,000.00	-	-	3	\$ 123,000.00
8.12	TxDOT 680	REMOVING TRAFFIC SIGNALS	3	EA	\$ 11,400.00	\$ 34,200.00	-	-	3	\$ 34,200.00
8.13	TxDOT 682	VEH SIG SEC (12") LED (GRN)	24	EA	\$ 379.00	\$ 9,096.00	-	-	24	\$ 9,096.00
8.14	TxDOT 682	VEH SIG SEC (12") LED (YEL)	24	EA	\$ 379.00	\$ 9,096.00	-	-	24	\$ 9,096.00
8.15	TxDOT 682	VEH SIG SEC (12") LED (YEL ARW)	24	EA	\$ 379.00	\$ 9,096.00	-	-	24	\$ 9,096.00
8.16	TxDOT 682	VEH SIG SEC (12") LED (RED)	24	EA	\$ 379.00	\$ 9,096.00	-	-	24	\$ 9,096.00
8.17	TxDOT 682	VEH SIG SEC (12") LED (RED ARW)	12	EA	\$ 379.00	\$ 4,548.00	-	-	12	\$ 4,548.00
8.18	TxDOT 682	BACKPLATE (12")(3 SEC)(VENTED)ALUM	24	EA	\$ 107.00	\$ 2,568.00	-	-	24	\$ 2,568.00
8.19	TxDOT 682	BACKPLATE (12")(5 SEC)(VENTED)ALUM	12	EA	\$ 139.00	\$ 1,668.00	-	-	12	\$ 1,668.00
8.20	TxDOT 684	TRF SIG CBL (TY A) (14 AWG) (10 CONDR)	1610	LF	\$ 3.00	\$ 4,830.00	-	-	1,610	\$ 4,830.00
8.21	TxDOT 684	TRF SIG CBL (TY A) (14 AWG) (20 CONDR)	1655	LF	\$ 6.00	\$ 9,930.00	-	-	1,655	\$ 9,930.00
8.22	TxDOT 684	TRF SIG CBL (TY C) (12 AWG) (3 CONDR)	3265	LF	\$ 2.50	\$ 8,162.50	-	-	3,265	\$ 8,162.50
8.23	TxDOT 686	INS TRF SIG PL AM (S) 1 ARM (28') LUM	12	EA	\$ 26,500.00	\$ 318,000.00	-	-	12	\$ 318,000.00
8.24	TxDOT 6058	BBU SYSTEM (EXTERNAL BATT CABINET)	3	LF	\$ 12,000.00	\$ 36,000.00	-	-	3	\$ 36,000.00
8.25	---	GRIDSMART CAMERA	3	EA	\$ 39,100.00	\$ 117,300.00	-	-	3	\$ 117,300.00
8.26	---	CAT5 ETHERNET CABLE	170	EA	\$ 3.50	\$ 595.00	-	-	170	\$ 595.00
Subtotal =						\$ 885,237.50	\$ 885,237.50			
Item 9: Amenities										
9.01	---	Excavation of base for planters (24" depth)	551	CY	\$ 40.00	\$ 22,040.00	-	(366.00)	185	\$ 7,400.00
9.02	---	Remove existing trees	10	EA	\$ 79.30	\$ 793.00	-	-	10	\$ 793.00
9.03	TxDOT 450	TxDOT Handrail PRD-13 Type C	434	LF	\$ 99.80	\$ 43,313.20	-	(35.00)	399	\$ 39,820.20
9.04	---	Gateway Columns	8	EA	\$ 23,200.00	\$ 185,600.00	-	(8.00)	0	\$ -
9.05	TxDOT 170	Irrigation System	1	LS	\$ 140,000.00	\$ 140,000.00	-	(0.20)	0.80	\$ 112,000.00
9.06	TxDOT 192	Tree (30 gal)	18	EA	\$ 515.00	\$ 9,270.00	-	-	18	\$ 9,270.00
9.07	TxDOT 192	Tree (65 gal)	25	EA	\$ 773.00	\$ 19,325.00	-	(8.00)	17	\$ 13,141.00
9.08	TxDOT 192	Shrub (7 gal)	104	EA	\$ 77.30	\$ 8,039.20	-	-	104	\$ 8,039.20
9.09	TxDOT 192	Shrub (5 gal)	134	EA	\$ 51.50	\$ 6,901.00	-	(30.00)	104	\$ 5,356.00
9.10	TxDOT 192	Shrub (3 gal)	200	EA	\$ 30.90	\$ 6,180.00	-	(123.00)	77	\$ 2,379.30
9.11	TxDOT 192	Shrub (1 gal)	112	EA	\$ 15.50	\$ 1,736.00	-	(26.00)	86	\$ 1,333.00
9.12	TxDOT 192	Bermuda Sod	4414	SF	\$ 0.88	\$ 3,884.32	-	-	4,414	\$ 3,884.32
9.13	TxDOT 160	Imported Topsoil	551	CY	\$ 49.40	\$ 27,219.40	-	(366.00)	185	\$ 9,139.00
9.14	TxDOT 529	12" Concrete Stand Up Curb (Planter Boxes)	2290	LF	\$ 77.60	\$ 177,704.00	-	(718.00)	1,572	\$ 121,987.20
9.15	---	Paver-grate tree grates (1,081 sf)	27	EA	\$ 2,700.00	\$ 72,900.00	-	(14.00)	13	\$ 35,100.00
9.16	TxDOT 192	Bed Prep	7443	SF	\$ 0.88	\$ 6,549.84	-	(2,426.00)	5,017	\$ 4,414.96
9.17	TxDOT 192	3/4" Rock Mulch	6362	SF	\$ 1.80	\$ 11,451.60	-	(1,345.00)	5,017	\$ 9,030.60
9.18	---	Banner Pole	14	EA	\$ 1,000.00	\$ 14,000.00	-	-	14	\$ 14,000.00

Item No.	Specification	Item Description	Quantity	Unit	Unit Price	Total Price	Add Quantities	Deduct Quantities	Revised Quantities	Adjusted Total Price
Subtotal =						\$ 756,906.56				\$ 397,087.78
Item 10: Grant Eligible Items										
10.01	---	Decorative Benches	10	EA	\$ 803.00	\$ 8,030.00	-	-	10	\$ 8,030.00
10.02	---	Bike Racks	5	EA	\$ 747.00	\$ 3,735.00	-	-	5	\$ 3,735.00
10.03	---	Stone benches/seating	174	LF	\$ 258.00	\$ 44,892.00	-	(28.00)	146	\$ 37,668.00
10.04	---	Trash receptacles	5	EA	\$ 2,060.00	\$ 10,300.00	-	-	5	\$ 10,300.00
10.05	TxDOT 104	Remove Concrete (Sidewalk)	6325	SY	\$ 33.60	\$ 212,520.00	-	-	6,325	\$ 212,520.00
10.06	TxDOT 110	Excavation	1730	CY	\$ 87.80	\$ 151,894.00	-	-	1,730	\$ 151,894.00
10.07	TxDOT 247	Embankment (Final)(Ord Comp)(TY A) FL BS (CMP IN PLC)(TY A GR1-2)(FNAL POS)	1447	CY	\$ 75.00	\$ 108,532.50	-	-	1,447	\$ 108,532.50
10.08	TxDOT 192	Shade Trees at Rest Areas (65 gal)	7	EA	\$ 773.00	\$ 5,411.00	-	-	7	\$ 5,411.00
10.09	TxDOT 531	6" Concrete Sidewalk with Broom Finish (P-01 and P-11)	13574	SF	\$ 18.10	\$ 245,689.40	-	(5,723.00)	7,851	\$ 142,103.10
10.10	TxDOT 531	6" Concrete Sidewalks with Sand Blasted Finish 3'x3' (P-02)	9134	SF	\$ 13.90	\$ 126,962.60	-	(424.00)	8,710	\$ 121,069.00
10.11	TxDOT 531	6" Concrete Sidewalks with Sand Blasted Finish 5'x5' (P-03)	38704	SF	\$ 13.50	\$ 522,504.00	-	(15,741.00)	22,963	\$ 310,000.50
10.12	TxDOT 528	Integral Colored Stamped 6" Concrete Sidewalks (Wood Grain Finish) (P-04)	11692	SF	\$ 19.80	\$ 231,501.60	-	-	11,692	\$ 231,501.60
10.13	TxDOT 528	Integral Colored Stamped 7" Concrete Crosswalks (Brick Pattern)	5384	SF	\$ 19.70	\$ 106,064.80	-	-	5,384	\$ 106,064.80
10.14	610	23' Strenberg Aluminium Pole with single light fixture	17	EA	\$ 15,800.00	\$ 268,600.00	-	-	17	\$ 268,600.00
10.15	416	30" Drill Shaft Foundation	17	EA	\$ 3,030.00	\$ 51,510.00	-	-	17	\$ 51,510.00
10.16	620	#2 AWG	3500	LF	\$ 3.75	\$ 13,125.00	-	-	3,500	\$ 13,125.00
10.17	620	#8 AWG	1750	LF	\$ 1.50	\$ 2,625.00	-	-	1,750	\$ 2,625.00
10.18	618	2" PVC conduit	1600	LF	\$ 3.30	\$ 5,280.00	-	-	1,600	\$ 5,280.00
10.19	618	Trenching and backfill	1600	LF	\$ 17.00	\$ 27,200.00	-	-	1,600	\$ 27,200.00
10.20	624	11x17 Inground Pullbox	4	EA	\$ 1,520.00	\$ 6,080.00	-	-	4	\$ 6,080.00
10.21	TxDOT 528	ADA Pavers	1106	SF	\$ 11.60	\$ 12,829.60	-	-	1,106	\$ 12,829.60
10.22	TxDOT 531	Curb Ramp (TY 1)	28	EA	\$ 1,650.00	\$ 46,200.00	-	-	28	\$ 46,200.00
10.23	---	6" Wide Trench Drain with Slip Resistant Grate Cover (ADA accessible)	300	LF	\$ 264.00	\$ 79,200.00	-	-	300	\$ 79,200.00
10.24	TxDOT 666	Refl Pav Mrk Ty 1 (BIKE SYM) (SURF PREP subsidiary)	16	EA	\$ 485.00	\$ 7,760.00	-	-	16	\$ 7,760.00
10.25	TxDOT 666	Refl Pav Mrk Ty 1 (BIKE ARW) (SURF PREP subsidiary)	4	EA	\$ 269.00	\$ 1,076.00	-	-	4	\$ 1,076.00
10.26	TxDOT 666	Refl Pav Mrk Ty 1 (BIKE CHEV) (SURF PREP subsidiary)	12	EA	\$ 175.00	\$ 2,100.00	-	-	12	\$ 2,100.00
10.27	TxDOT 687	PEDESTAL POLE ASSEMBLY	12	EA	\$ 3,540.00	\$ 42,480.00	-	-	12	\$ 42,480.00
10.28	TxDOT 688	PED DETECT PUSH BUTTON (APS)	24	EA	\$ 1,010.00	\$ 24,240.00	-	-	24	\$ 24,240.00
10.29	TxDOT 688	PED DETECTOR CONTROLLER UNIT	3	EA	\$ 5,050.00	\$ 15,150.00	-	-	3	\$ 15,150.00
10.30	TxDOT 682	PED SIG SEC (LED) (COUNTDOWN)	24	EA	\$ 884.00	\$ 21,216.00	-	-	24	\$ 21,216.00
Subtotal =						\$ 2,404,708.50				\$ 2,075,501.10
Item 11: Pestrian Ramp (Grant Eligible)										
11.01	---	Excavation & Fill	150	CY	\$ 20.00	\$ 3,000.00	-	-	150	\$ 3,000.00
11.02	---	Backfill/Compact	110	CY	\$ 12.00	\$ 1,320.00	-	-	110	\$ 1,320.00
11.03	---	Level & Grade For Excavation	8000	SF	\$ 0.29	\$ 2,320.00	-	-	8,000	\$ 2,320.00
11.04	---	Crushed Stone Base	50	TONS	\$ 35.00	\$ 1,750.00	-	-	50	\$ 1,750.00
11.05	TxDOT 531	12" CONCRETE MOW CURB	163	LF	\$ 21.70	\$ 3,537.10	-	-	163	\$ 3,537.10

Item No.	Specification	Item Description	Quantity	Unit	Unit Price	Total Price	Add Quantities	Deduct Quantities	Revised Quantities	Adjusted Total Price
11.06	TxDOT 423	CONCRETE BLOCK RETAINING WALL	5000	FF	\$ 28.80	\$ 144,000.00	-	-	5,000	\$ 144,000.00
11.07	---	CONCRETE BLOCK RETAINING WALL FOOTING	1500	SF	\$ 12.40	\$ 18,600.00	-	-	1,500	\$ 18,600.00
11.08	---	PRE-MANUFACTURED PEDESTRIAN BRIDGE	1	EA	\$ 43,300.00	\$ 43,300.00	-	-	1	\$ 43,300.00
11.09	---	STEEL BOLLARD	4	EA	\$ 1,130.00	\$ 4,520.00	-	-	4	\$ 4,520.00
11.10	TxDOT 531	6" Concrete Sidewalk with handrails	3305	SF	\$ 18.10	\$ 59,820.50	-	-	3,305	\$ 59,820.50
11.11	TxDOT 531	6" Concrete Sidewalk with Broom Finish	2171	SF	\$ 14.10	\$ 30,611.10	1,466.00	-	3,637	\$ 51,281.70
11.12	TxDOT 450	TxDOT HANDRAIL PRD-13 TYPE E	652	LF	\$ 118.00	\$ 76,936.00	-	(64.00)	588	\$ 69,384.00
11.13	TxDOT 450	TxDOT HANDRAIL PRD-13 TYPE B	170	LF	\$ 90.60	\$ 15,402.00	-	-	170	\$ 15,402.00
Subtotal =						\$ 405,116.70				\$ 418,235.30
Add/Alternate 1: Tree Lighting Conduit and Lines										
AA.101	---	2" PVC Conduit	3780	LF	\$ 3.10	\$ 11,718.00	-	-	3,780	\$ 11,718.00
AA.102	---	Trenching and Backfill	607	LF	\$ 21.30	\$ 12,929.10	-	-	607	\$ 12,929.10
Subtotal =						\$ 24,647.10				\$ 24,647.10
Contract Adjustment										
Original Contract Completion Date:				Original Contract Sum						\$ 8,892,361.87
Original Contract Construction Days:										
Prior Days Added:			0	Total Change Order Amount						\$ (1,202,455.88)
Days Added this Change Order:			0							
Revised Contract Construction Days:			0	Total Sum After Change Order						\$ 7,689,905.99
Revised Contract Completion Date:			---							
Approval										
Contractor:  Date: 1/7/2021 City of San Angelo, Engineering Services: Date:						Comments				

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Kimberly Holle, Budget Manager, Budget, 325-657-4211

Meeting Date: January 12, 2021

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, grants, and projects (Presentation made by Finance Director Tina Dierschke)

Summary/History:

This proposed amendment contains the following items (additional information attached):

- Fairmount truck purchase
- Development Services Software
- Reallocation of the West Texas Water Partnership payment
- Debt service payment of the Ford Ranch
- Animal Shelter neuter-release program
- Keep San Angelo Beautiful
- Civic Events Facility Improvements
- Police Justice Assistance Grant

Financial Impact:

See Exhibit A of the ordinance.

Other Information/Recommendation:

Staff recommends approval.

Attachments:

- | | | |
|----|--------------|------------------------------------|
| 1. | BA Memos | BA Memo - ALL.pdf |
| 2. | Ordinance | 01.26.21 Ordinance.docx |
| 3. | Presentation | 01.12.20 FIN Budget Amendment.pptx |

Presentation:

Tina Dierschke

Approvals/Reviews:

Kimberly Holle	Created/Initiated
Tina Dierschke	Approved
Theresa James	Approved
Julia Antilley	Final Approval

Memo

To: Tina Dierschke, Finance Director

From: Ryan Kramer, Senior Fleet Manager

Date: 01/12/21

Re: Budget Amendment Request

Purpose of Budget Amendment Request:

Budget for purchase of truck for Fairmount Cemetery

Source of Funding:

General Capital Fund

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
Revenue	0	45,000	45,000
			0
Expense	0	45,000	45,000
			0
	0		0
	0		0

Additional Comments:

Memo

To: Tina Dierschke, Finance Director

From: Sidney Walker, Civic Events Manager

Date: 01/12/21

Re: Budget Amendment Request

Purpose of Budget Amendment Request:

Improvements for Civic events for fire suppression system, point of sale stations, internet and Wi-Fi.

Source of Funding:

Restricted Facility Use Fees (\$115,000) and Unrestricted Fund Balance (\$112,000)

Funding previously approved? If so, by City Manager or City Council and when?

December 15, 2020

Project/Budget to be amended	Current Budget	Proposed Change	Proposed Revised Budget
Facility Improvements		227,000	227,000
			0
			0
			0
			0
			0

Additional Comments:

Memo

To: Tina Dierschke, Finance Director

From: Jon James, Planning Director

Date: 01/12/21

Re: Budget Amendment Request

Purpose of Budget Amendment Request:

Using excess permit revenue to cover extra upfront software costs for years 1 and 2 of Avolve contract (years 3-5 will be less, resulting in a net decrease).

Source of Funding:

Marginal Permits Revenue

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
Permits Revenue	735,500	68,388	803,888
Avolve Expense	97,508	68,388	165,896
			0
			0
			0
			0

Additional Comments:

Memo

To: Tina Dierschke, Finance Director

From: Allison Strube, Director of Water Utilities

Date: 01/12/21

Re: Budget Amendment Request

Purpose of Budget Amendment Request:

Move the West Texas Water Partnership expenditures to the Water Operating Fund

Source of Funding:

City of San Angelo Development Corporation - Type B Sales tax

Funding previously approved? If so, by City Manager or City Council and when?

Funds were previously approved in the Water Capital Fund.

Project/Budget to be amended	Current Budget	Proposed Change	Proposed Revised Budget
Revenue - COSA DC		698,960	698,960
WTWP Expenses		689,960	689,960
			0
			0
			0
			0

Additional Comments:

Memo

To: Tina Dierschke, Finance Director

From: Allison Strube, Director of Water Utilities

Date: 01/12/21

Re: Budget Amendment Request

Purpose of Budget Amendment Request:

The original budget for the Water Debt Service fund had a planned use of fund balance, those funds are being restricted for the Ford Ranch debt payment

Source of Funding:

Water Operating Fund

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
Water Fund Contribution	12,072,643	1,594,875	13,667,518
			0
			0
			0
			0
			0

Additional Comments:

This will create a balanced budget in the Water Debt Service Fund.

Memo

To: Tina Dierschke, Finance Director
From: Charlotte Anderson, Executive Director of KSAB
Date: 01/12/21
Re: Budget Amendment Request

Purpose of Budget Amendment Request:

Budget for the Household Hazardous Waste Event that took place in September 2020.

Source of Funding:

Solid Waste Fund

Funding previously approved? If so, by City Manager or City Council and when?

Yes - 10/6/2020 - City Council

Project/Budget to be amended	Current Budget	Proposed Change	Proposed Revised Budget
Solid Waste Contribution	65,000	15,000	80,000
Household Hazardous Waste	0	15,000	15,000
			0
			0
			0
			0

Additional Comments:

Memo

To: Tina Dierschke, Finance Director

From: Frank Carter, Police Chief

Date: 01/12/21

Re: Budget Amendment Request

Purpose of Budget Amendment Request:

Budget for the grant revenue and expense for dispatch software

Source of Funding:

Edward Byrne JAG Local Assistance grant

Funding previously approved? If so, by City Manager or City Council and when?

Approved by City Council on September 29, 2020 meeting; consent agenda item f.

Project/Budget to be amended	Current Budget	Proposed Change	Proposed Revised Budget
Grant Revnue	0	22,859	22,859
Dispatch Expense	0	16,458	16,458
Tom Green County Portion	0	6,401	6,401
			0
			0
			0

Additional Comments:

Memo

To: Tina Dierschke, Finance Director
From: Morgan Chegwiddden, Asst. Director of Neighborhood Svcs.
Date: 01/12/21
Re: Budget Amendment Request

Purpose of Budget Amendment Request:

Capture revenue for lifesaving program to meet no kill goal in FY21 and allocate funding to the shelter-neuter-release program

Source of Funding:

Restitution payments

Funding previously approved? If so, by City Manager or City Council and when?

City manager executed agreement August 2020

Project/Budget to be amended	Current Budget	Proposed Change	Proposed Revised Budget
Restitution reveue	48,000	5,215	53,215
Shelter-Neuter-Release Program	0	5,215	5,215
			0
			0
			0
			0

Additional Comments:

This will create a balanced budget in the Water Debt Service Fund.

ORDINANCE 2020-121

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, 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 OF SAN ANGELO, TEXAS THAT:

The City's budget for fiscal year 2020-2021 be amended by the amounts contained in **Exhibit "A"**.

INTRODUCED with public hearing on the 12th day of January 2021, and finally **PASSED** on this 19th day of January.

ATTEST:

THE 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

Exhibit A

**City of San Angelo
Proposed Budget Amendment**

Fund	Total Revenue Amendment	Total Expense Amendment	Net Benefit/(Cost)
General	73,603	73,603	-
Intergovernmental	22,859	22,859	-
Water	698,960	698,960	-
Water Debt	1,594,875	-	1,594,875
Civic Events	-	227,000	(227,000)
Fairmount Cemetery	45,000	45,000	-
Equipment Replacement	(45,000)	(45,000)	-
Keep San Angelo Beautiful	15,000	15,000	-
	\$2,405,297	\$1,037,422	\$1,367,875

City of San Angelo
Proposed Budget Amendment
Additional Information

Project/Need	Source of Funding	Revenue	Expense	Net Benefit/(Cost)
Fairmount Vehicle Purchase	General Capital Fund	-	-	-
Improvements for Civic Events	Use of Fund Balance	-	227,000	(227,000)
Avolve Software	Marginal Permits Revenue	68,388	68,388	-
West Texas Water Partnership	Type B Sales Tax	698,960	698,960	-
Water Debt Service	Water Operating Fund	-	1,594,875	(1,594,875)
Household Hazardous Waste Event	Solid Waste Fund	15,000	15,000	-
Software for Dispatch	Justice Assistance Grant	22,859	22,859	-
Shelter-Neuter-Release Program	Restitution Payments	5,215	5,215	-
		\$2,405,297	\$1,037,422	\$1,367,875



City Council

January 12, 2021



Budget Amendment

Fairmount Cemetery Fund	Revenue	Expense
General Equipment	\$45,000	
Vehicle Purchase		\$45,000



Budget Amendment

Civic Events Fund	Revenue	Expense
Capital Improvements		\$227,000



Budget Amendment

General Fund	Revenue	Expense
Building Permits Revenue	\$68,388	
Avolve Software		\$68,388



Budget Amendment

Water Fund	Revenue	Expense
Type B Sales Tax	\$698,960	
West Texas Water Partnership		\$698,960



Budget Amendment

Water Debt Service	Revenue	Expense
Transfer from Water Fund	\$1,594,875	



Budget Amendment

Keep San Angelo Beautiful	Revenue	Expense
Solid Waste Contribution	\$15,000	
Household Hazardous Waste		\$15,000



Budget Amendment

Intergovernmental Fund	Revenue	Expense
Grant Revenue	\$22,859	
Dispatch Software		\$16,458
Tom Green County Portion		\$6,401



Budget Amendment

General Fund	Revenue	Expense
Restitution Revenue	\$5,215	
Shelter-Neuter-Release Program		\$5,215





City Council

January 12, 2021

