



City Council Agenda 3/16/2021

Notice is hereby given of a regular meeting of the City Council of City of San Angelo to be held March 16, 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

2. Chaplain Prayer & Pledges

3. Proclamations/Recognitions

- a. Proclamation of March 17, 2021 as Texas Small Business Development Center Day

4. Public Comment

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

5. Consent Agenda

- a. Consider approving the March 2, 2021 City Council regular meeting minutes (Julia Antilley)
- b. Consider authorizing the City Manager to negotiate and execute a right-of-way license use agreement with David Alexander representing Box Hangar Two Ten, LLC to allow for the construction of an approximate 250-sq ft canopy within the W. Beauregard Ave. public right-of-way adjacent to 19 W. Beauregard Ave. (Jon James)
- c. Consider awarding AP-01-21 Airport Engineering Services to Jviation, a Woolpert Company, and authorizing the City Manager to negotiate and execute all related documents (Jeremy Valgardson)
- d. Consider approving Change Orders to ES-03-20 Chadbourne Street Improvements Project - Phase A to Ti-Zack Concrete, Inc. decreasing the total contract amount by \$70,733.10 bringing the new contract total to \$7,575,940.89 and authorizing the City Manager to negotiate and execute all related documents pending TXDOT concurrence (Mitchell Gatlin)
- e. Consider approving a policy limiting Animal Services service area to San Angelo city limits (Morgan Chegwiddden)
- f. Consider resolutions authorizing revisions to the Investment Policies for the City of San Angelo, Lake Nasworthy Trust, and Development Corporation Funds (Tina Dierschke)
- g. Second reading of an ordinance approving EMS Compliance and Fire Compliance Assignment Pay (Brian Dunn)
- h. Consider approving a contract with Gilbert Consulting Services, LLC, in the amount of \$60,000 and authorizing the City Manager to negotiate and execute all related documents (Sylvia Guadarrama)

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 exempt from the time limit above and must instead limit their remarks to less than five minutes.

- a. First reading and public hearing of ordinances:
 1. CP21-01, amending the City of San Angelo Comprehensive Plan, changing certain lands from the Neighborhood Future Land Use to the Commercial Future Land Use, being 0.16 acres located in the 200 block of W. 23rd St.; and
 2. Z21-01, rezoning property from the General Commercial/Heavy Commercial and Single-Family Residential zoning districts to the General Commercial zoning district, located at 2218 Martin Luther King Dr., three lots in the 200 block of W. 22nd St., and one lot in the 200 block of W. 23rd St., being 1.125 acres (Presentation made by Planning & Development Services Director Jon James)
- b. First reading and public hearing of an ordinance providing for the abandonment of 6,582-sq ft of the south side of the W. 23rd St. right-of-way between Martin Luther King Dr. and Farr St. (Presentation made by Planning & Development Services Director Jon James)
- c. First reading and public hearing of an ordinance approving case PD21-01, a rezoning from the Light Manufacturing, General Commercial/Heavy Commercial, Low Rise Multifamily Residential, and Two-Family Residential zoning districts to the Planned Development (PD21-01) zoning district to allow for museums, offices, and associated uses; located north of E. Washington St., east of S. Oakes St., south of the Texas Pacific Railway, and west of Rust St.; being approximately 38 acres (Presentation made by Planning & Development Services Director Jon James)
- d. First reading and public hearing of an ordinance amending the Planned Development (PD15-04) zoning district of a medical facilities campus to expand the district boundaries, to modify the development standards, and to allow all uses in the Central Business District, as well as hospitals and drug processing, and related accessory uses; being approximately 49 acres located north of E. Twohig Ave., east of Chadbourne St., south of Woodrow St., and west of Main St. (Presentation made by Planning & Development Services Director Jon James)
- e. First reading and public hearing of an ordinance approving case Z21-02, a request for approval of a rezoning from the Light Manufacturing zoning district to the Central Business District zoning district, being 0.396 acres located at 124-128 W. 4th St. (Presentation made by Planning & Development Services Director Jon James)

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 the water contamination issue

8. Follow Up and Administrative Issues

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

- b. Discussion of May meeting schedule, will need to meet to canvass votes Wednesday, May 12, 2021 (second week of the month)
- c. Announcements and consideration of Future Agenda Items

9. Adjournment

CERTIFICATION

I hereby certify that the above notice of meeting was posted on the bulletin board at City Hall in the City of San Angelo, Texas, on the 12th day of March 2021, at 9:12 a.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.

Proclamation

The 79 county South-West Texas Border SBDC Network has provided small business assistance to starting and growing Texas's small businesses. The 31,868 advising clients and 25,198 training participants in 2020 represent a large percent of the 148,784 employer businesses. Working with its economic development partners, the Angelo State University Small Business Development Center continues to demonstrate its service, hard work and continued commitment that has helped small businesses in San Angelo and the surrounding nine county area to survive, recover and prosper.

When COVID-19 stay-at-home orders were first issued March of 2020, the South-West Texas Border SBDC Network immediately pivoted small business advising and training for virtual delivery. Additionally, CARES Act funding administered by the US Small Business Administration (SBA) allowed the SDVD to bring additional resources to our service area. To date, the South-West Texas Border SBDC Network has assisted more than 11,858 entrepreneurs with COVID-19 disaster related business assistance. The virtual and in person advising and training has resulted in over \$51 million in EIDL, PPP, other SBA loan products, and local grant and loan program funding.

Therefore, I, Brenda Gunter, Mayor of the City of San Angelo, Texas on behalf of the City Council, do hereby proclaim March 17th as

"Texas Small Business Development Center Day"

In San Angelo, Texas and call this observance to the attention of all of our citizens.

In Witness Whereof, I have hereunto set my hand and have caused the Official Seal of the City of San Angelo to be affixed this 16th day of March, 2021.

Brenda Gunter
Mayor of the City of San Angelo

City of San Angelo, Texas
Regular City Council Meeting
Tuesday, March 2, 2021

Present:

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

1. Call to Order

With a quorum of the City Council Members present, Mayor Gunter called the regular session of the San Angelo City Council to order at 8:31 a.m. on Tuesday, March 2, 2021 in the San Angelo McNease Convention Center, 501 Rio Concho Drive, San Angelo, Texas 76903.

2. Chaplain Prayer & Pledges

San Angelo Police Department Chaplains Marcella Jenkins provided an invocation and Gary Jenkins provided a prayer of gratitude for the council and city staff and led the pledges.

3. Proclamations/Recognitions

- a. February 12, 2021 was proclaimed the NAACP Local Chapter's 75th Anniversary
- b. March 2021 was proclaimed Disability Awareness Month
- c. John Rangel was recognized for his retirement after 30 years of service to the City of San Angelo

4. Public Comment

Mayor Gunter spoke regarding Winter Storm Uri and thanked the citizens for caring for others while enduring their own power and water outages, along with grocery shortages, and long waits for plumbers due to damages in our area and throughout the state. She also thanked city staff and Johnson Street Church of Christ members for handwriting thank you notes to the City. Citizens were reminded that the sidewalks along Knickerbocker have not, and will not, be funded by the City. Additionally, she stated that the city has authorized private ambulance companies to provide transport services but stated the City of San Angelo ambulances are still available for transport services.

City Attorney Theresa James provided various governmental websites for citizens experiencing personal damages to their home/business: www.distasterassistance.gov, www.FEMA.gov, and <https://www.cosatx.us/winterstorm>.

Operations Director Shane Kelton updated council and citizens on road damage due to the storm and stated the damage will increase with spring rain and heating/thawing of the ground. Operations staff has assessed all streets and submitted 307 new work orders for street repairs. In several areas entire blocks of street were lost. This focus on storm related repairs has diverted crews from the annual projects done this time of year in preparation for the annual sealcoating. Citizens are encouraged to allow time for initial repairs before reporting new potholes that emerge.

Finance Director Tina Dierschke announced the Capital Improvement Program kicks off this week, and the city will seek public input through the website from March 4th to 24th, 2021.

Citizen Chrisandra Holden (SMD4) spoke regarding the water contamination in the PaulAnn neighborhood, the side effects she and her family have experienced, and stated she would like the responsible parties to be held accountable.

Citizen Cathy Brown (3518 W. Beauregard) thanked the council and staff for their response to the storm and expressed concern over the Covid-19 spikes and safety issues associated with the carnivals located at the mall parking lot.

Citizen Juanita Brown (4845 Bermuda Drive) expressed concern over safety issues in the city, particularly in the Southland area in regards to carnivals in the mall parking lot.

5. Consent Agenda

- a. Approval of the February 16, 2021 regular meeting and February 19, 2021 and February 20, 2021 emergency meeting City Council minutes (Julia Antilley)
- b. Authorization of the City Manager to sign all documents necessary to dedicate a portion of a city-owned property as a public right-of-way, providing public access to residential Lots 24-A and 24-B, Block 3, Section Sixteen-E, Bentwood Country Club Estates, said right-of-way will be an extension of Beaty Rd. (Cindy Preas)
- c. Award of PK-01-21 Twin Buttes Courtesy Dock to Futra-Vest Construction in the amount of \$58,999.99 budgeted for purchase with Bureau of Reclamation and City funding, and authorizing the City Manager to negotiate and execute all related documents (Charles Michalewicz)
- d. Adoption of a resolution authorizing the Fire Department to accept a donation of four Onan portable generators from a private citizen, with a value of \$5,000 (Patrick Brody) (Pg. 79, 2021-026)
- e. Adoption of a resolution renewing a Memorandum of Understanding with the Bureau of Reclamation and Texas Parks and Wildlife Department for the management of public hunting at the Twin Buttes Reservoir and authorizing the City Manager to negotiate and execute all related documents (Carl White) (Pg. 80, 2021-027)
- f. Approval of the 2019 Consolidated Annual Performance and Evaluation Report (CAPER) (Bob Salas)
- g. Second reading and adoption of an ordinance annexing into the City of San Angelo, by petition of the property owner, for 1.658 acres out of Casper Berberich Survey 177, Abstract No. 52, Tom Green County, Texas; and authorizing the City Manager to negotiate and execute all related documents (Jon James) (Pg. 81, 2021-028)
- h. Second reading and adoption of ordinances approving cases:
 1. CP20-08, amending the City of San Angelo Comprehensive Plan, changing certain lands from the "Neighborhood" Future Land Use to the "Transitional" Future Land Use, being 1.658 acres (Pg. 89, 2021-029);
 2. Z20-21, rezoning property from the Single-Family Residential zoning district to the General Commercial zoning district, Lots 1, 2 & Tract A in the Lucky Lou Addition, being 8.916 acres generally located south of Loop 306, west of Old Stone Dr., and east of N. Bentwood Dr. (Jon James) (Pg. 92, 2021-030)
- i. Second reading and adoption of an ordinance approving case Z20-22, a request for approval of a rezoning from the Neighborhood Commercial, General Commercial, General Commercial/Heavy Commercial, and Low Rise Multi-Family Residential zoning districts to the Central Business District, being 0.54 acres located at 2 N. Koenigheim St. and 2.72 acres west of Martin Luther King Dr., north of W. Harris Ave., and south of W. College Ave. (Jon James) (Pg. 95, 2021-031)

- j. Second reading and adoption of an ordinance approving a request to name private streets to Tractor Trl. and Roy Robb Dr., over the complete length from N. US Hwy. 67/277 extending 0.25 miles southeast and then 0.45 miles northeast, located in northeast San Angelo near the Tom Green County Detention Center (Jon James) (Pg. 98, 2021-032)
- k. Second reading and adoption of an ordinance amending the budget for the fiscal year beginning October 1, 2020, and ending September 30, 2021, for capital items, grants, and programs (Tina Dierschke) (Pg. 101, 2021-033)
- l. Authorization of the City Manager to negotiate and execute all related documents for a temporary monitoring well in the city's right-of-way (Kevin Pate)

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

Motion: Council Member Thompson made a motion, seconded by Council Member Carter, to approve item 5l, as presented by Interim City Engineer Kevin Pate, with the condition that the owner of Randall Motors be notified regarding the exact well placement and length of monitoring before the project moves forward. The motion carried unanimously (7) ayes to (0) nays.

6. Regular Agenda

- a. Adoption of a resolution and public hearing approving a substantial amendment to the 2020 Annual Action Plan for use of CARES Act II CDBG-CV grant funds and authorizing the City Manager to execute all related documents (applications, required certifications, and annual funding agreement) for the additional allocation of \$582,116 of CDBG-CV funding (Presentation made by Neighborhood Services Director Bob Salas) (Pg. 104, 2021-034)

MHMR Executive Director Greg Rowe spoke regarding their request for funds to use towards their rental assistance program for MHMR clients, those with mental illness or substance abuse disorders, as they recover from the economic impacts of Covid-19 and wait on potential HUD-funded housing.

CVCAA Executive Director Mark Bethune spoke regarding their request for utility assistance funds to support those that do not qualify for federal funding but need assistance due to increased utility bills related to Covid-19 work-from-home increased expenses.

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

- b. First reading and public hearing of an ordinance approving EMS Compliance and Fire Compliance Assignment Pay (Presentation made by Fire Chief Brian Dunn)

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.

- c. MLK/Parks restroom discussion

NAACP Chapter President Sherley Spears gave an update on the request for permanently constructed restrooms at the Martin Luther King Memorial Park in SMD4. She stated the porta-potties currently on site have been there approximately twenty years due to the former restrooms being unable to meet code standards in the 2003/2004 park renovations. She noted members of the NAACP requested permanent restroom facilities through the 2019 CIP process, but funding (estimated between \$196,000 and \$262,000) was not identified at the time. She noted a city-wide petition is circulating with over 550 signatures to date.

Council Member Gonzales expressed her continued interest in exploring funding options for the project.

City Manager Daniel Valenzuela clarified that the park is still classified as a neighborhood park, spoke regarding the upcoming CIP process, and noted the decreased revenues citywide due to Covid-19.

City Council asked staff to provide an updated cost estimate for construction of permanent restrooms, spoke about potential grants, and a need to educate council on the definition of neighborhood versus community parks to better understand the criteria and whether this would lead other parks in the system to be reclassified. In addition, the cost of cleaning and maintenance need to be included in considering the overall project costs.

No Action Taken on this Item.

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:
 - 1. contract for judicial services at Municipal Court
 - 2. Rodolfo Navarrette v. City of San Angelo
 - 3. water contamination issue
- b. 551.072 Deliberations about Real Property regarding:
 - 1. Block 18, San Angelo Addition
 - 2. Block 1, Kleck Addition
 - 3. Lot 9D, Section 9A, Red Arroyo Hills Addition

8. Follow Up and Administrative Issues

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

Water Utilities Director Allison Strube gave an update on the water contamination issue in the northern area of town (white section on the maps). She announced this was not a contamination of ground water or surface water, it occurred when a customer's backflow failed and their contaminants entered the city's water supply. This contamination impacted an isolated area, the northeast quadrant.

She stated four Customer Service Inspectors are in town and the search to identify the responsible party remains ongoing. The CSIs are going to every commercial industrial business in the area to identify the source of the contamination and any deficiencies so updates can be made to prevent the issue from occurring again.

The northern industrial area of town (zoned white) has been valved off to protect the rest of the water system, and weekly samples will be collected with results posted online.

- b. Approval of various Board nominations
Construction Board of Adjustment & Appeals: John Rogers (SMD3) to a second term, Brooks Wehner (SMD5) to a third term, Lyndon Butler (SMD6) to a third term, and Scott Allison (Mayor) to a first full term, all ending February 2023, Roger Julien (Mayor) to a second term, and David Jacobo (Mayor) to a third term, both ending February 2022
Economic Development Corporation: Max Puello (SMD3) to a second term, Erika Lara (SMD4) to a second term, and Garland Freeze (SMD6) to a second term, all ending February 2023

Fort Concho Museum Board: Roger Banks (Mayor) to a third term, and Donald Barnhart (Mayor) to a first term, both ending January 2023

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.

c. **Announcements and consideration of Future Agenda Items**

No Action Taken on this Item.

9. **Adjournment**

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

There being no further business, the meeting adjourned at 11:40 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: Jeff Fisher, Sr. Planner, Planning and Development Services, 325.657.4210

Meeting Date: March 16, 2021

Item type: Consent Item

Caption:

Consider authorizing the City Manager to negotiate and execute a right-of-way license use agreement with David Alexander representing Box Hangar Two Ten, LLC to allow for the construction of an approximate 250-sq ft canopy within the W. Beauregard Ave. public right-of-way adjacent to 19 W. Beauregard Ave. (Jon James)

Summary/History:

On February 5, 2021, the applicants submitted a Right-Of-Way Encroachment request to allow construction of a new 9' x 27' 2nd floor canopy attached to the building at 19 West Beauregard Avenue.

The applicants received approval from the Design and Historic Review Commission on January 16, 2020 for the proposed materials and colors. An associated building permit for the canopy was recently submitted and is pending approval of this encroachment request.

The proposed canopy will have a vertical clearance of 12'7" and a sidewalk clearance of 6'5" to allow safe pedestrian access in front of the new structure. The canopy will be constructed of painted metal with four steel support posts.

This request was circulated to City departments and external utility providers for comments. There were no objections received.

Financial Impact:

N/A

Other Information/Recommendation:

Staff recommends **APPROVAL with two (2) Conditions of Approval:**

1. The owners shall obtain City Council approval and enter into a temporary nonexclusive right-of-way license use agreement for the encroachment.
2. The owners shall obtain an approved final inspection for the associated permit from the Inspections & Permits Division prior to occupancy.

Notes:

1. Prior to a final CO, the colors, dimensions, and materials of all construction shall be consistent with the renderings approved by the Design and Historic Review Commission. Minor deviations may be approved by the Planning and Development Services Director. (DD20-01, Approval Conditions).

2. The canopy needs to be engineered to the satisfaction of Permits and Inspections as part of the associated building permit.

Attachments:

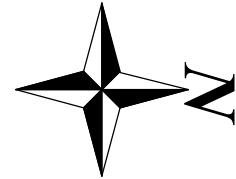
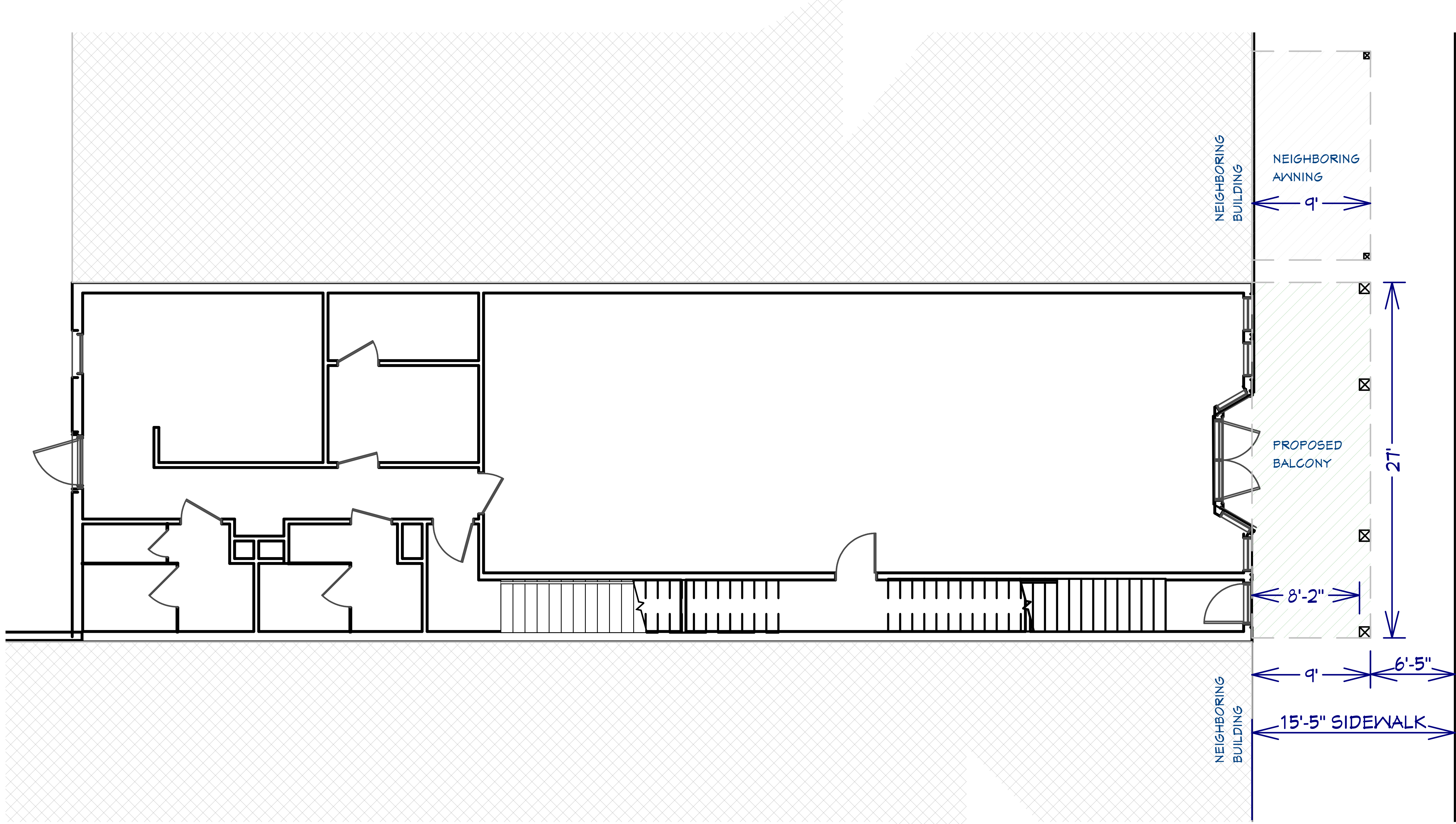
- | | | |
|----|------------------------------------|--|
| 1. | 002 Plot Plan | 002 Plot Plan.pdf |
| 2. | 001 Elevation | 001 Elevation.pdf |
| 3. | PL_Agreement (19 W Beauregard Ave) | PL_Agreement (19 W Beauregard Ave).pdf |

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 |



PLOT PLAN
SCALE: 1/4" = 1'

SHEET

8

DATE

2/8/21

DRAWINGS BY

NORTHSTAR

REMODELING & CONSTRUCTION

CUSTOMER NAME/ADDRESS

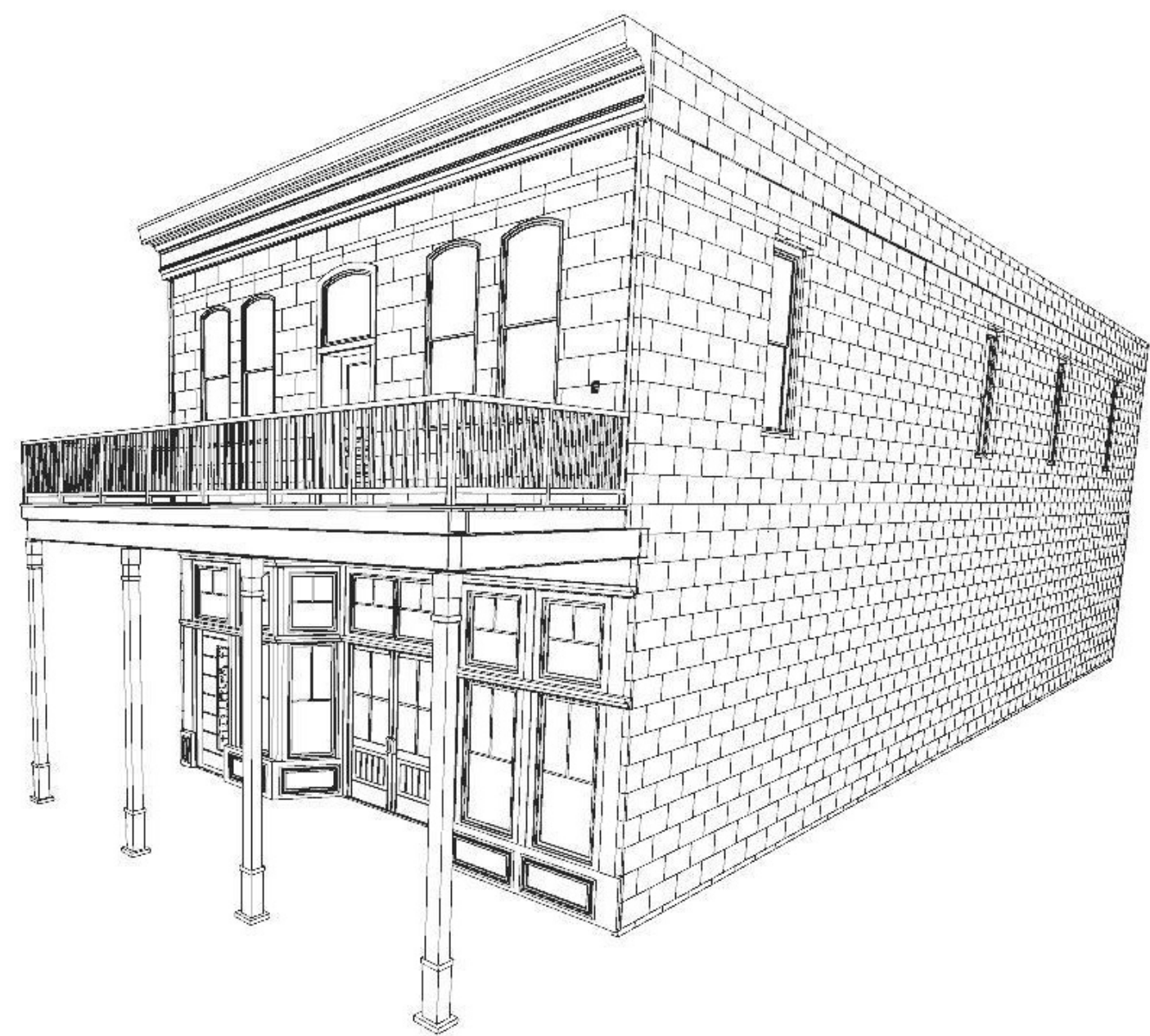
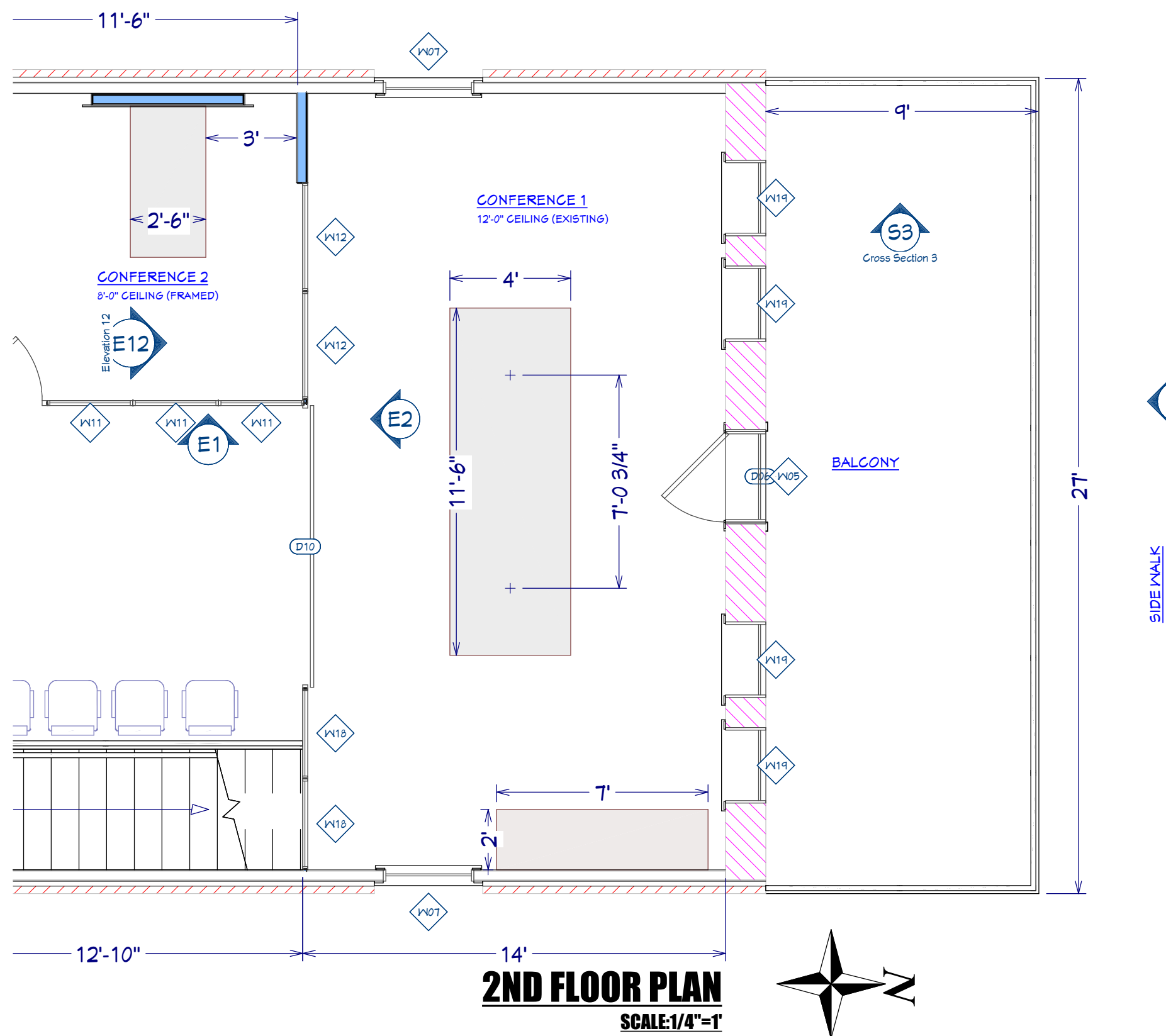
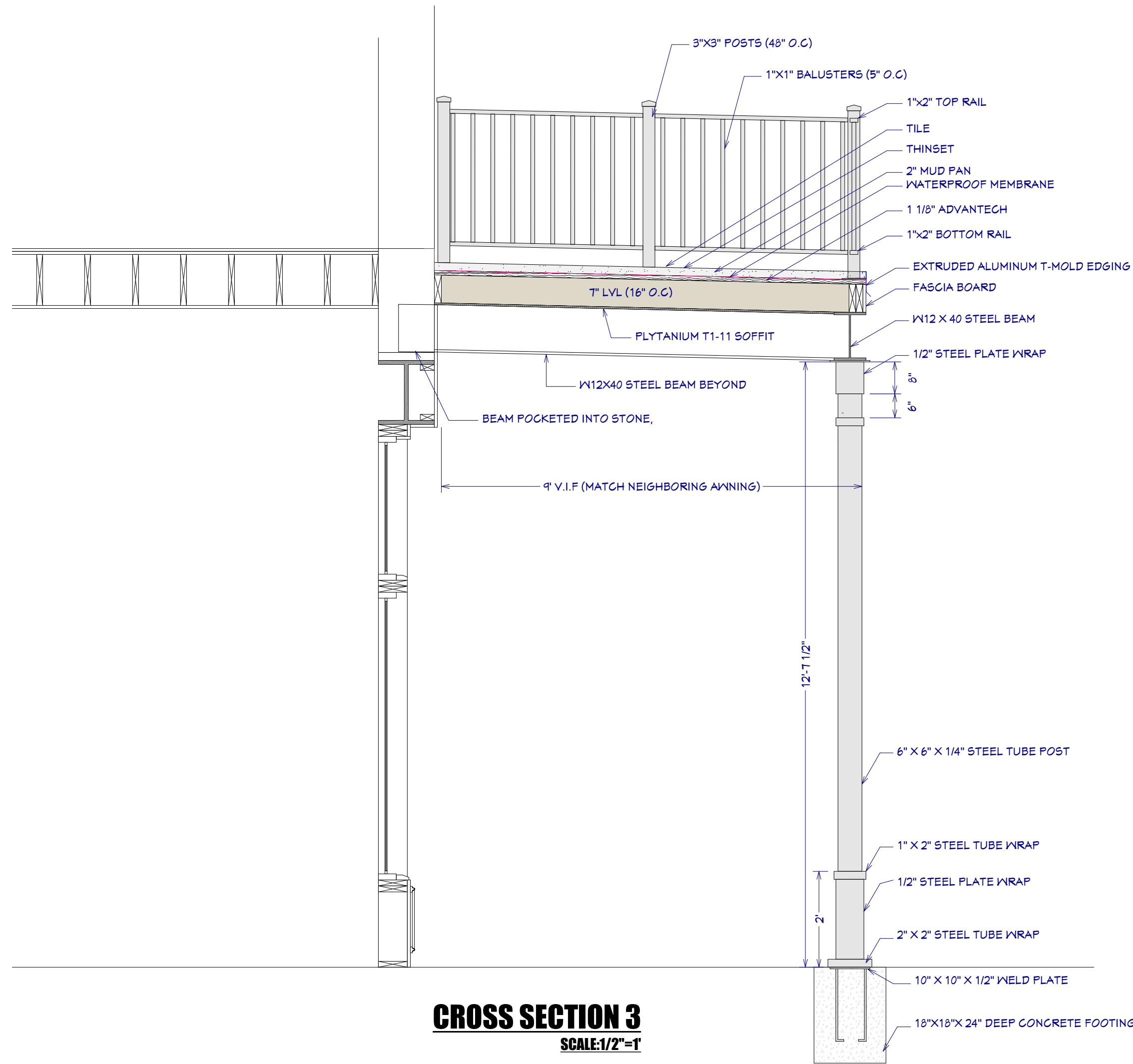
CENTURION PLANNING
19 W. BEAUREGARD
SAN ANGELO, TX

DRAWING NAME

BALCONY PLOT

LAYOUT SIZE

ARCH D 24"x36"



LAYOUT SIZE

ARCH D 24"x36"

DRAWING NAME

BALCONY

CUSTOMER NAME/ADDRESS

CENTURION PLANNING
19 W. BEAUREGARD
SAN ANGELO, TX

DRAWINGS BY

NORTHSTAR
REMODELING & CONSTRUCTION

DATE

2/8/21

SHEET

7

TEMPORARY NONEXCLUSIVE RIGHT-OF-WAY LICENSE USE AGREEMENT

THE STATE OF TEXAS

§

TOM GREEN COUNTY §

THIS TEMPORARY NONEXCLUSIVE RIGHT-OF-WAY LICENSE USE AGREEMENT, hereinafter referred to as (“License”), is entered into by and between the City of San Angelo, a municipal corporation of the State of Texas, hereinafter referred to as (“Licensor” or “City”), and **Box Hangar Two Ten, LLC, a Texas limited liability company** hereinafter referred to as (“Licensee”), with an Effective Date of the _____ day of _____, 2021.

WITNESSETH:

That Licensor, for consideration of ten dollars (\$10.00) and other good and valuable consideration the receipt of which is hereby acknowledged, does hereby grant to Licensee the non-exclusive, temporary, revocable right, privilege and license to utilize a designated portion of the public street right-of-way along the south side of West Beauregard Avenue, immediately adjacent to a property at 19 West Beauregard Avenue described as 0.129 acres being the east 28 feet of the north 90 feet of the west 53 feet of Lot 13, and the east 28 feet of the west 53 feet of Lot 18 in Block 8 of the San Angelo Addition, for the purpose of a new +/-250-square foot balcony with four steel support posts to service a commercial development on the property; as more particularly described in **Exhibit "A"**, attached hereto and made a part hereof for all purposes (hereinafter collectively referred to as the "Licensed Premises"), and as depicted in **Exhibit "B"**, attached hereto and made a part hereof for all purposes.

The “Licensed Use” as set forth herein, commencing from the foregoing effective date, is subject to the conditions, restrictions, covenants and exceptions hereinafter set forth:

1. Interest Conferred by this License: This License confers no exclusive possession or tenancy of Licensed Premises. The Licensee cannot exclude City from Licensed Premises. This License solely authorizes Licensee to the temporary use of Licensed Premises for the limited purposes set forth herein and for no other purpose. The parties hereby agree that the provisions of this License

do not constitute a lease. The rights of Licensee hereunder are not those of a tenant, but are a mere personal privilege to do certain acts of a temporary character on Licensed Premises and to use Licensed Premises, subject to the terms of this License. City retains dominion, possession and control of the Licensed Premises. Therefore, no lease interest in Licensed Premises is conferred upon Licensee under the provisions hereof. Licensee does not and shall not claim at any time any interest or estate of any kind or extent whatsoever in Licensed Premises by virtue of this License or its use of Licensed Premises hereunder. Additionally, Licensee does not and shall not claim at any time any interest or estate of any kind or extent whatsoever in Licensed Premises by virtue of any expenditure of funds by Licensee for improvements, construction, repairs, partitions, or alterations to Licensed Premises which may be authorized by City.

2. Licensed Use: Licensed Premises shall be used for the limited purpose of constructing a new +/-250-square foot balcony with four steel support posts to service a commercial development on the property at 19 West Beauregard Avenue; substantially as described and depicted in **Exhibits “A” and “B”**, attached hereto and made a part hereof for all purposes.

3. Term: This License shall commence on the effective date set forth herein above and if not earlier terminated as herein provided, continue for a period of forty (40) years to _____, 2061, at which time this License shall automatically extend annually until terminated as herein provided.

4. Non-exclusive License: This license is non-exclusive and is made expressly subject and subordinate to the reserved right of the City to use or permit the use of the Licensed Premises for public sidewalk area, utility right-of-way or any other public purpose.

5. Right of Termination:

- (a) The City reserves the right to terminate and cancel this License by resolution passed by its Governing Body upon a finding that the License is inconsistent or incompatible with the reserved right of the City to use or permit the use of the Licensed Premises or whenever the purpose or use of the License is or has become a nuisance as determined in the discretion of the City Council, and all rights granted hereunder shall thereupon be considered fully terminated and canceled

and the City shall not be held liable by reason thereof. The parties hereto concur that said resolution shall be final and shall not be subject to review by the Courts.

- (b) Upon termination or cancellation by City or Licensee, this License shall become null and void and Licensee or anyone claiming any rights under this instrument shall remove, to the extent required by City, any or all improvements, appurtenances and encroachments owned by Licensee from the Licensed Premises at Licensee's expense, and shall restore the Licensed Premises to its condition at the effective date of this License at the sole cost of the Licensee. In the event that Licensee shall fail to remove its improvements, appurtenances and encroachments as required and to restore the Licensed Premises, City shall have the right to do the necessary work to remove said improvements, appurtenances and encroachments and to restore the Licensed Premises to its condition at the effective date of this License, or to cause such work to be done, and to assess reasonable allocated costs or the incurred cost of all such work against Licensee and premises of which Licensed Premises is a part.

6. Improvements: Licensee may utilize a designated portion of the public street right-of-way along the south side of West Beauregard Avenue, immediately adjacent to a property at 19 West Beauregard Avenue described as 0.129 acres being the east 28 feet of the north 90 feet of the west 53 feet of Lot 13, and the east 28 feet of the west 53 feet of Lot 18 in Block 8 of the San Angelo Addition, for the purpose of a new +/-250-square foot balcony with four steel support posts to service a commercial development on the property; substantially as described and depicted and described in **Exhibits "A" and "B"**, attached hereto and made a part hereof for all purposes. Licensee shall not install any additional improvements or permanent fixtures on the Licensed Premises without first securing the written permission of City.

7. Codes, Ordinances and Regulations: Licensee shall comply with all applicable codes, ordinances and regulations of local, state and federal governments in the exercise of its use of the Licensed Premises. This requirement shall include, but not be limited to, compliance at all times with the Texas Architectural Barriers Act, Texas Accessibility Standards, Americans with

Disabilities Act, as well as local ordinances and regulations relating to occupancy loads, unobstructed passage ways, entrances and exits, and signage.

8. **Improvements and Maintenance:** It is further understood that if and when the City, in the exercise of its discretion, shall determine that the grade of any street or sidewalk should be modified or changed, or that any other work should be done in connection with any public improvement which will affect the Licensed Premises, Licensee's improvements or appurtenances thereon, or the use thereof by Licensee, City may proceed with such improvement or work without liability to Licensee. Further, any modifications or changes to Licensees' facilities in the licensed area or in construction or reconstruction of any public improvement attributable to Licensees' use of the licensed area and/or its installations and improvements shall be made at the sole expense of Licensee and to the satisfaction of City.

9. **Insurance and Indemnification:** At such time as this license is granted, it is agreed that Licensee shall hold harmless and indemnify City and procure and keep in full force and effect Insurance coverage of the kind and in the minimum amounts, all as set forth in Exhibit "C", attached and made a part hereof for all purposes, which provisions shall survive termination or expiration of the term of this License Agreement.

10. **Reservations:** This License is subject and subordinate to any existing utilities or communication facilities, including drainage, presently located within or about the Licensed Premises, owned or operated by the City or any utility or communications company, public or private, and to any vested rights presently owned by any utility or communications company, public or private, for the use of the Licensed Premises for facilities presently located within the boundaries of said Licensed Premises. No improvement or appurtenance shall be constructed or placed upon, over or across the Licensed Premises in such a manner as to interfere with the operation of any utilities or communication facilities. All and any communication company and utility, both public and private, shall have the right to remove and keep removed all or parts of any improvement or appurtenance which may in any way endanger or interfere with the construction, maintenance or efficiency of its respective systems within the Licensed Premises. All communication companies and utilities, both public and private, shall have the full right to remove and keep removed all parts of any improvements or appurtenances which in any way may endanger or interfere with the

construction, maintenance and efficiency of its respective system and shall at all times have the full right of ingress and egress to or from and upon the Licensed Premises for the purpose of constructing, relocating, inspecting, patrolling, maintaining and adding to or removing all or part of its respective systems without the necessity at any time of procuring the permission of Licensee.

11. Successors and Assigns: The terms of this License shall be binding upon the Licensee and Licensee's successors and assigns.

12. Non-assignable: This License may not be assigned by Licensee without the prior written approval from the City. The assignee shall deliver a copy of the assignment, along with the assignee's written acceptance of the provisions of this License, to the Director of Planning and Development Services for the City of San Angelo, or his designee, within ten (10) days of such assignment. Should Licensee fail to obtain prior written approval for assignment of this License or fail to provide the City with the required written acceptance and a copy of the assignment as provided, the Director of Planning and Development Services or his designee, may terminate this License.

IN WITNESS WHEREOF, the parties hereto have caused License to be executed in duplicate and intend to be legally bound thereby.

LICENSOR:
CITY OF SAN ANGELO

BY: _____
Daniel Valenzuela, City Manager

ATTEST:

Date: _____, 2021

Julia Antilley, City Clerk

LICENSEE:
BOX HANGAR TWO TEN, LLC

BY: _____
David Alexander, Managing Member

Date: _____, 2021

BY: _____
Molly Waller, Managing Member

Date: _____, 2021

STATE OF TEXAS §

COUNTY OF TOM GREEN §

This instrument was acknowledged before me on the _____ day of _____, 2021,
by **David Alexander, Managing Member of Box Hangar Two Ten, LLC, a Texas limited liability company, on behalf of said company.**

Notary Public, State of Texas

This instrument was acknowledged before me on the _____ day of _____, 2020,
by **Molly Waller, Managing Member of Box Hangar Two Ten, LLC, a Texas limited liability company, on behalf of said company.**

Notary Public, State of Texas

**TEMPORARY NONEXCLUSIVE RIGHT-OF-WAY USE LICENSE AGREEMENT
BETWEEN CITY OF SAN ANGELO AND BOX HANGER TWO TEN, LLC**

APPROVED AS TO INSURANCE
REQUIREMENTS:

Charles Hagen,
Risk Manager

APPROVED AS TO FORM:

Brandon Dyson,
Assistant City Attorney

APPROVED AS TO CONTENT:

Jon James, AICP
Director of Planning and Development Services

EXHIBIT A
LEGAL DESCRIPTION
Page 1 of 2 pages

THAT portion of the West Beauregard Avenue public right-of-way as follows:

COMMENCING from the northwest corner of the property (Legal: Acres: 0.129, Blk: 8, Subd: SAN ANGELO ADDITION, E28' OF N90' OF W53' OF LOT 13 & E28' OF W53' OF LOT 18)

Proceeding northerly within the W. Beauregard Right of way (within sidewalk) for a distance of 9 feet;

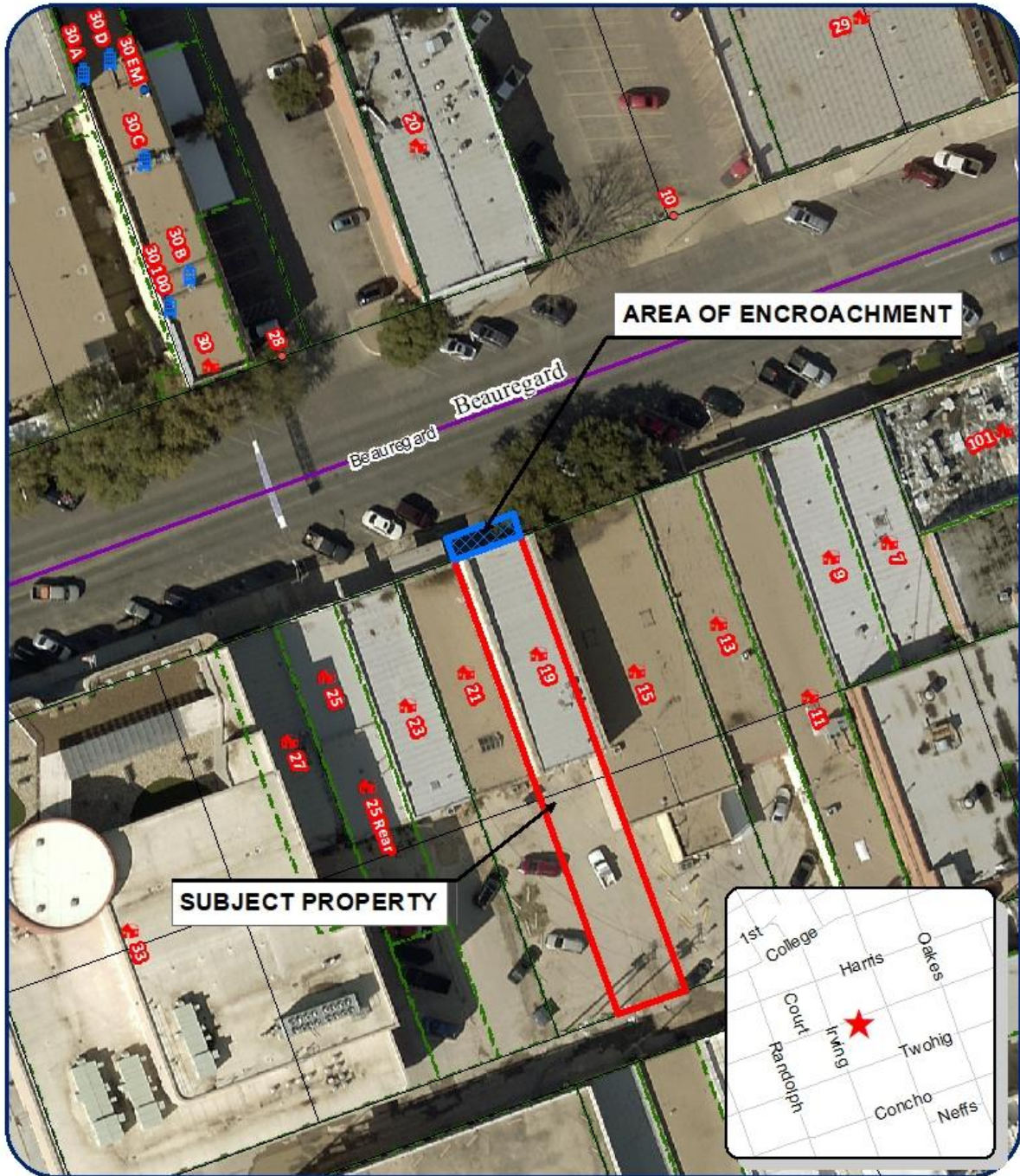
Proceeding easterly within the W. Beauregard Right of way (within sidewalk) for a distance of 27 feet;

Proceeding southerly within the W. Beauregard Right of way (within sidewalk) for a distance of 9 feet;

Proceeding westerly within the W. Beauregard Right of way (within sidewalk) for a distance of 27 feet;

Comprising a total of 243 square feet as depicted in the attached Exhibit B.

EXHIBIT A
PLAN VIEW
Page 2 of 2 pages



Right-Of-Way Encroachment

Box Hangar Two Ten, LLC

Council District: Harry Thomas - District 3

Neighborhood: Downtown

Scale: 1" approx. = 50 ft

19 W. Beauregard Ave.

Legend

Subject Properties:

Current Zoning:

Requested Zoning Change:

Vision:

CBD

N/A

Downtown



EXHIBIT B
PLOT PLAN

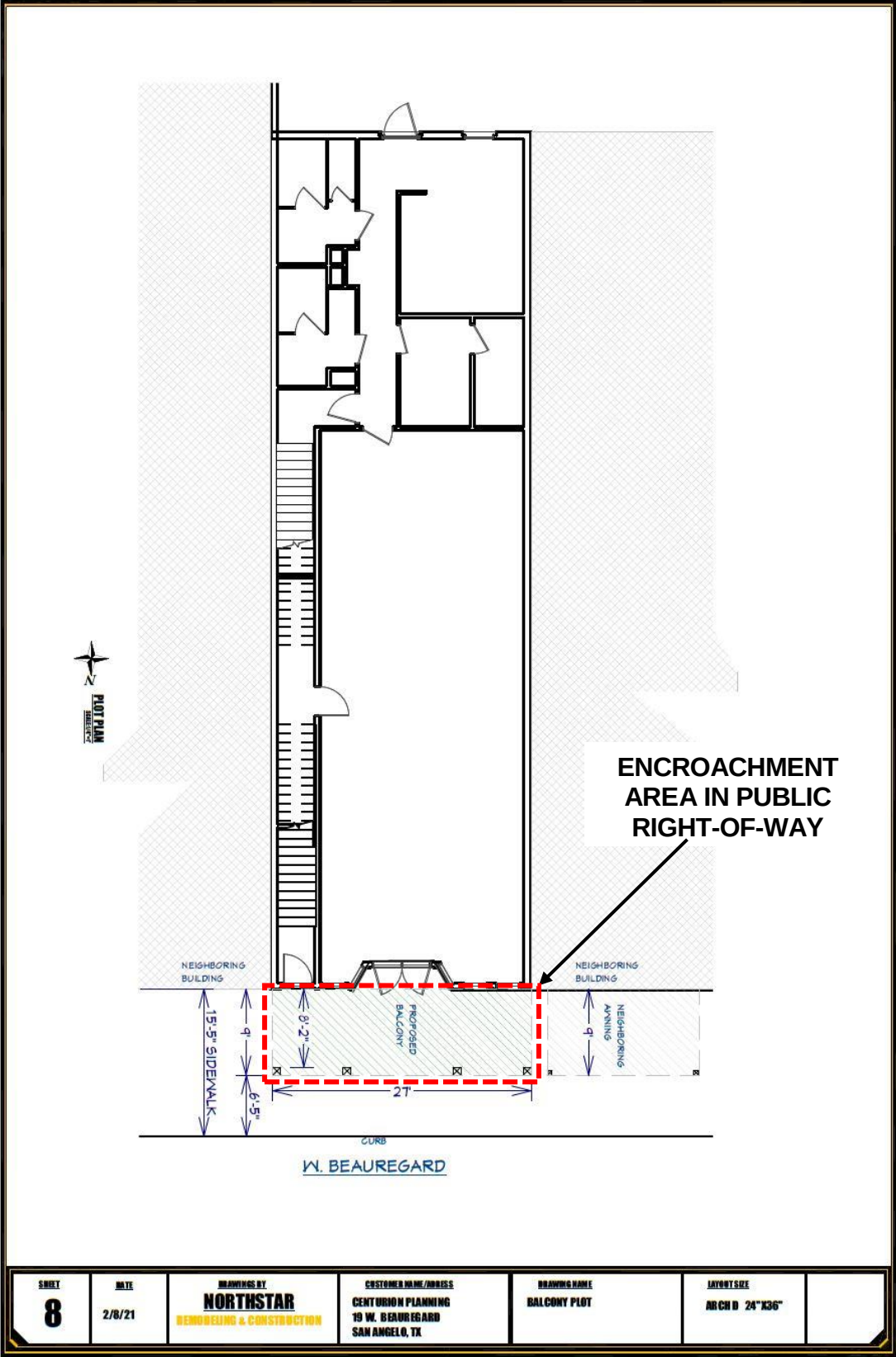


EXHIBIT B PROPOSED BALCONY

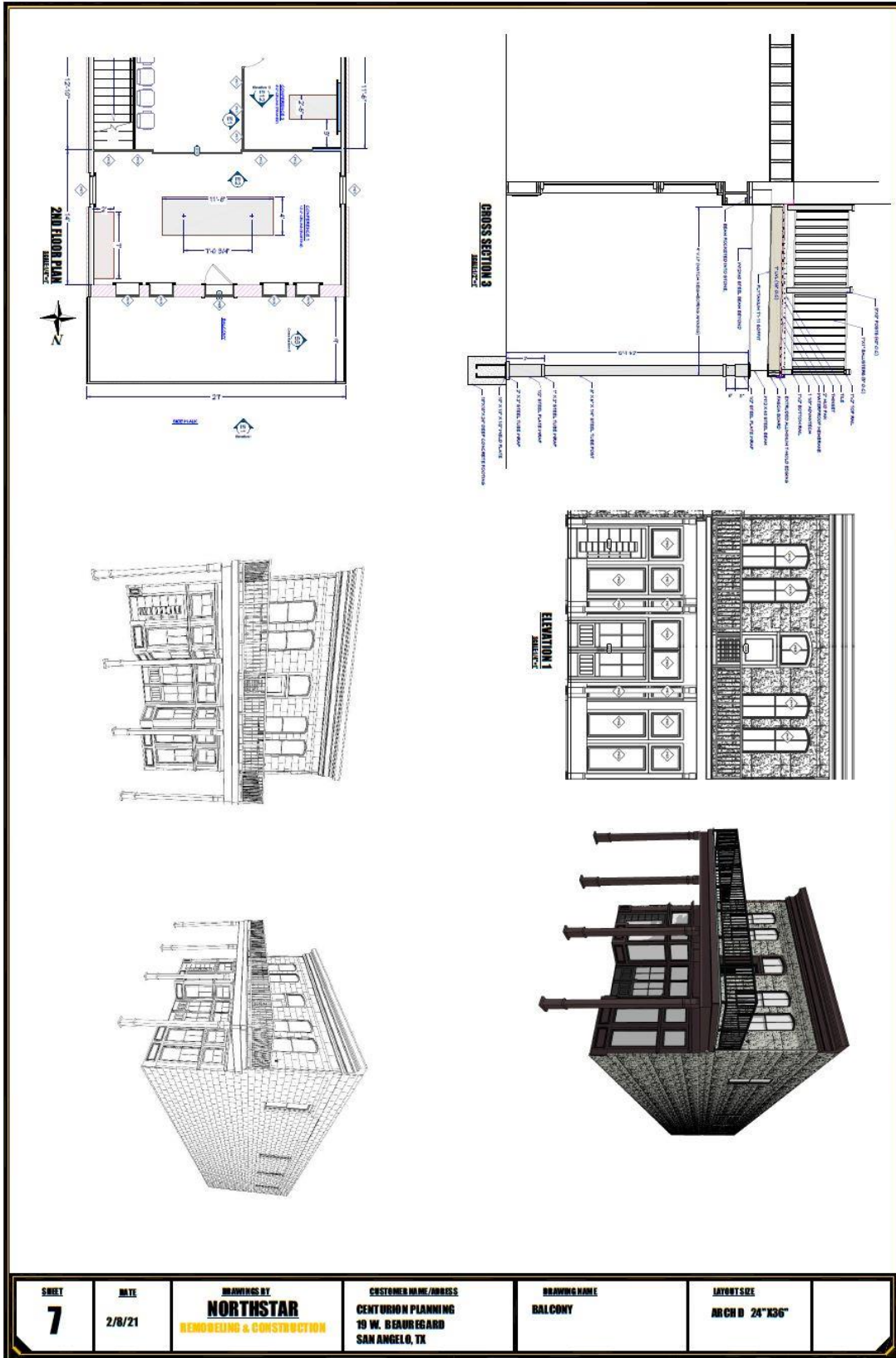


EXHIBIT "C"

TEMPORARY NONEXCLUSIVE SIDEWALK USE LICENSE AGREEMENT INSURANCE REQUIREMENTS

1. INDEMNIFICATION.

1.1 GENERAL INDEMNIFICATION. LICENSEE AGREES TO INDEMNIFY, DEFEND, AND HOLD CITY, ITS COUNCIL MEMBERS, BOARD AND COMMISSION MEMBERS, OFFICIALS, AGENTS, GUESTS, INVITEES, CONSULTANTS AND EMPLOYEES FREE AND HARMLESS FROM AND AGAINST ANY AND ALL CLAIMS, DEMANDS, PROCEEDINGS, SUITS, JUDGMENTS, COSTS, PENALTIES, FINES, DAMAGES, LOSSES, ATTORNEYS' FEES AND EXPENSES ASSERTED BY ANY PERSON OR PERSONS, INCLUDING AGENTS OR EMPLOYEES OF LICENSEE OR CITY, BY REASON OF DEATH OR INJURY TO PERSONS, OR LOSS OR DAMAGE TO PROPERTY, RESULTING FROM OR ARISING OUT OF, THE VIOLATION OF ANY LAW OR REGULATION OR IN ANY MANNER ATTRIBUTABLE TO ANY ACT OF COMMISSION, OMISSION, NEGLIGENCE OR FAULT OF LICENSEE, ITS AGENTS OR EMPLOYEES, OR THE JOINT NEGLIGENCE OF LICENSEE AND ANY OTHER ENTITY, AS A CONSEQUENCE OF ITS EXECUTION OR PERFORMANCE OF THIS CONTRACT OR SUSTAINED IN OR UPON THE PREMISES, OR AS A RESULT OF ANYTHING CLAIMED TO BE DONE OR ADMITTED TO BE DONE BY LICENSEE HEREUNDER. THIS INDEMNIFICATION SHALL SURVIVE THE TERM OF THIS CONTRACT AS LONG AS ANY LIABILITY COULD BE ASSERTED. NOTHING HEREIN SHALL REQUIRE LICENSEE TO INDEMNIFY, DEFEND OR HOLD HARMLESS ANY INDEMNIFIED PARTY FOR THE INDEMNIFIED PARTY'S OWN GROSS NEGLIGENCE OR WILLFUL MISCONDUCT.

1.3 PROSPECTIVE APPLICATION. ANY AND ALL INDEMNITY PROVIDED FOR IN THIS CONTRACT SHALL SURVIVE THE EXPIRATION OF THIS CONTRACT AND THE DISCHARGE OF ALL OTHER OBLIGATIONS OWED BY THE PARTIES TO EACH OTHER HEREUNDER AND SHALL APPLY PROSPECTIVELY NOT ONLY DURING THE TERM OF THIS CONTRACT BUT THEREAFTER SO LONG AS ANY LIABILITY (INCLUDING BUT NOT LIMITED TO LIABILITY FOR CLOSURE AND POST CLOSURE COSTS) COULD BE ASSERTED IN REGARD TO ANY ACTS OR OMISSIONS OF LICENSEE IN PERFORMING UNDER THIS CONTRACT.

2. Insurance.

2.1 General Conditions. The following conditions shall apply to all insurance policies obtained by Licensee for the purpose of complying with this Contract.

2.1.1 Satisfactory Companies. Coverage shall be maintained with insurers and under forms of policies satisfactory to City and with insurers licensed to do business in Texas.

2.1.2 Named Insureds. All insurance policies required herein shall be drawn in the name of Licensee, with City, its council members, board and commission members, officials, agents, guests, invitees, consultants and employees named as additional insureds, except on Workers' Compensation coverage.

2.1.3 Waiver of Subrogation. Licensee shall require its insurance carrier(s), with respect to all insurance policies, to waive all rights of subrogation against City, its council members, board and commission members, officials, agents, guests, invitees, consultants and employees.

2.1.4 Certificates of Insurance. At or before the time of execution of this Contract, Licensee shall furnish City's Risk Manager with certificates of insurance as evidence that all of the policies required herein are in full force and effect and provide the required coverages and limits of insurance. All certificates of insurance shall clearly state that all applicable requirements have been satisfied. The certificates shall provide that any company issuing an insurance policy shall provide to City not less than thirty (30) days advance notice in writing of cancellation, non-renewal or material change in the policy of insurance. In addition, Licensee and insurance company shall immediately provide written notice to City's Risk Manager upon receipt of notice of cancellation of any insurance policy, or of a decision to terminate or alter any insurance policy. Copies of required endorsements will be attached to the certificates to confirm the required endorsements are in effect. Certificates of insurance and notices of cancellations, terminations or alterations shall be furnished to City's Risk Manager at City Hall, 72 W College Avenue, San Angelo, Texas 76903.

2.1.5 Licensee's Liability. The procurement of such policy of insurance shall not be construed to be a limitation upon Licensee's liability or as a full performance

on its part of the indemnification provisions of this Contract. Licensee's obligations are, notwithstanding any policy of insurance, for the full and total amount of any damage, injury or loss caused by or attributable to its activities conducted at or upon the premises. Failure of Licensee to maintain adequate coverage shall not relieve Licensee of any contractual responsibility or obligation.

2.1.6 Sub-Licensees' Insurance. Licensee shall cause each Sub-Licensee and Sub-Sub-Licensee of Licensee to purchase and maintain insurance of the types and in the amounts specified below. Licensee shall require Sub-Licensees and Sub-sub-Licensees to furnish copies of certificates of insurance to Licensee's Risk Manager evidencing coverage for each Sub-Licensee and Sub-Sub-Licensee.

2.2 Types and Amounts of Insurance Required. Licensee shall obtain and continuously maintain in effect at all times during the term hereof, at Licensee's sole expense, insurance coverages as follows with limits not less than those set forth below:

2.2.1 Commercial General Liability. This policy shall be an occurrence-type policy and shall protect the Licensee and additional insureds against all claims arising from bodily injury, sickness, disease or death of any person (other than the Licensee's employees) and damage to property of the City or others arising out of the act or omission of the Licensee or its agents and employees. This policy shall also include protection against claims for the contractual liability assumed by Licensee under the paragraph of this Contract entitled "Indemnification." Coverage shall not be less than:

\$ 1,000,000.00 General Aggregate

\$ 1,000,000.00 Each Occurrence

2.2.2 Builder's Risk (All Risk). This insurance shall include contractual liability in its coverage, and the coverage under this policy shall survive the term of this Agreement as long as any liability could be asserted. Limit of liability per claim shall not be less than:

\$ 700,000.00 Combined Single Limits

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: March 16, 2021

Item type: Consent Item

Caption:

Consider awarding AP-01-21 Airport Engineering Services to Jviation, a Woolpert Company, and authorizing the City Manager to negotiate and execute all related documents (Jeremy Valgardson)

Summary/History:

The 5-year airport engineering agreement with KSA Engineers has expired and the airport submitted an RFQ in compliance with FAA AC 150/5100-14e.

6 firms submitted a proposal:

- GEE
- KSA
- Centurion
- Jviation
- PSC
- Garver

After the bids were submitted the review committee consisting of 5 members scored the submittals in Bonfire. Jviation scored the highest, followed by Garver, followed by Centurion. The review committee agreed Jviation was the most qualified based on the RFQ process due to their extensive knowledge in airport engineering, FAA grant administration, FAA familiarity, and experience in similar projects.

The scores were reviewed with the Airport Advisory Board on March 4th. The Airport Board recommends awarding Jviation the engineering / consulting on-call contract over the next five year period. With no public comments the vote was unanimous in Jviation's favor.

Financial Impact:

No immediate fiscal responsibility.

Each design project will be accompanied with a separate contract or task order in the amount proposed by the engineer. Those task orders will follow the proper purchasing channels.

Each design project to be done under an FAA grant will be accompanied by an Independent Fee Estimate (IFE) to ensure the engineering fees are fair and reasonable prior to awarding the individual task order.

Other Information/Recommendation:

Attachments:

1. Acknowledgement

Acknowledgement.pdf

Presentation:

Jeremy Valgardson

Approvals/Reviews:

Jeremy Valgardson

Theresa James

Nolan Sosa

Tina Dierschke

Julia Antilley

Created/Initiated

Approved

Approved

Approved

Final Approval



City of San Angelo

RFP Acknowledgement

AP-01-21 Engineering Services

February 11, 2021 at 2 p.m.

Received

- 1 Centurion Planning & Design, LLC
 - 2 Garver
 - 3 GEE Consultants, Inc.
 - 4 Jviation, A Woolpert Company
 - 5 KSA Engineers, Inc.
 - 6 Parkhill, Smith & Cooper, Inc.
-

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Charles Michalewicz, Engineer, Engineering Services, 325-657-4201

Meeting Date: March 16, 2021

Item type: Consent Item

Caption:

Consider approving Change Orders to ES-03-20 Chadbourne Street Improvements Project - Phase A to Ti-Zack Concrete, Inc. decreasing the total contract amount by \$70,733.10 bringing the new contract total to \$7,575,940.89 and authorizing the City Manager to negotiate and execute all related documents pending TXDOT concurrence (Mitchell Gatlin)

Summary/History:

The Downtown Chadbourne Street Project is well underway and, as expected, there have been several previously unknown issues come to light. In an effort to address these issues, City staff is requesting approval of three change orders.

Change Order #3 is needed to lower a 4" PVC water main and remove an abandoned gas main. The total for Change Order #3 is \$8,214.00.

Change Order #4 includes additional conduit and wiring required for adjustments to street lighting and traffic signal lights. The total for Change Order #4 is \$31,120.90.

Change Order #5 includes the removal of a concrete stairwell, railing and an abandoned cast iron pipe at a cost of \$8,029.75. It also includes the sealing off and filling of an abandoned elevator shaft in the ROW at a cost of \$14,485.50. The remainder of Change Order #5 is a substantial cost reducing change allowing for 8" of flexible base material to replace 4" of HMA material. The cost reduction is \$132,583.25. The total cost for Change Order #5 is (\$110,068.00).

With the total of all change orders there will be an overall reduction to the contract of \$70,733.10.

Financial Impact:

There will be a \$70,733.00 reduction to the contract that was awarded to Ti-Zack Concrete, Inc.

Original Contract -	\$8,892,361.87
Total after Change order #1 -	\$7,689,905.99
Total after Change Order #2 -	\$7,536,605.99
Total after Change Order#3, #4 #5 -	\$7,575,940.89

Other Information/Recommendation:

Attachments:

1. 2146-L Change_Order_No_3. excluding 2146 2146-L Change_Order_No_3. excluding 2146.pdf

2. 2146 Form_Change Order #4
3. 2146L Change Order #5

2146 Form_Change Order #4.pdf
2146L Change Order #5.pdf

Presentation:

Mitchell Gatlin

Approvals/Reviews:

Charles Michalewicz
Shane Kelton
Theresa James
Nolan Sosa
Tina Dierschke
Julia Antilley

Created/Initiated
Approved
Approved
Approved
Approved
Final Approval



City of San Angelo
RFB: ES-03-20; Change Order Form
Chadbourne Street Improvements - Phase A

Change Order No. 3

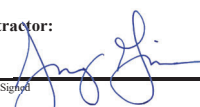
Contractor: Ti-Zack Concrete, Inc.

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	-	-	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	-	-	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 Asphalt Pavement	18100	SY	\$ 13.10	\$ 237,110.00	-	-	14,820	\$ 194,142.00
5.05	TxDOT 105	Remove and Dispose of Existing Flexible Base	18100	SY	\$ 4.45	\$ 80,545.00	-	-	14,820	\$ 65,949.00
5.06	TxDOT 110	Excavation (6")	3000	CY	\$ 22.90	\$ 68,700.00	-	-	2,455	\$ 56,219.50
5.07	TxDOT 152	Road Grader Work (Density Control)	19140	SY	\$ 1.00	\$ 19,140.00	-	-	15,670	\$ 15,670.00
5.08	TxDOT 340	4" HMAC Type B Base Material	4126	TON	\$ 150.00	\$ 618,840.00	-	-	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	-	-	12,407	\$ 1,240,720.00
5.12	TxDOT 529	6" Concrete Curb and Gutter (TY II)	6304	LF	\$ 45.00	\$ 283,680.00	-	-	5,264	\$ 236,880.00
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	-	-	173	\$ 14,514.70
5.15	---	Adjusting Electric Manhole to Grade	6	EA	\$ 1,030.00	\$ 6,180.00	-	-	6	\$ 6,180.00
Subtotal =						\$ 3,164,697.60				\$ 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	-	-	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	-	-	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 =						\$ 114,124.91				\$ 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				\$ 489,170.00

Item No.	Specification	Item Description	Quantity	Unit	Unit Price	Total Price	Add Quantities	Deduct Quantities	Revised Quantities	Adjusted Total Price
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
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	EA	\$ 12,000.00	\$ 36,000.00	-	-	0	\$ -
8.25	---	GRIDSMART CAMERA	3	EA	\$ 39,100.00	\$ 117,300.00	-	-	0	\$ -
8.26	---	CAT5 ETHERNET CABLE	170	EA	\$ 3.50	\$ 595.00	-	-	170	\$ 595.00
Subtotal =						\$ 885,237.50				\$ 731,937.50
Item 9: Amenities										
9.01	---	Excavation of base for planters (24" depth)	551	CY	\$ 40.00	\$ 22,040.00	-	-	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	-	-	399	\$ 39,820.20
9.04	---	Gateway Columns	8	EA	\$ 23,200.00	\$ 185,600.00	-	-	0	\$ -
9.05	TxDOT 170	Irrigation System	1	LS	\$ 140,000.00	\$ 140,000.00	-	-	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	-	-	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	-	-	104	\$ 5,356.00
9.10	TxDOT 192	Shrub (3 gal)	200	EA	\$ 30.90	\$ 6,180.00	-	-	77	\$ 2,379.30
9.11	TxDOT 192	Shrub (1 gal)	112	EA	\$ 15.50	\$ 1,736.00	-	-	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	-	-	185	\$ 9,139.00
9.14	TxDOT 529	12" Concrete Stand Up Curb (Planter Boxes)	2290	LF	\$ 77.60	\$ 177,704.00	-	-	1,572	\$ 121,987.20
9.15	---	Paver-grate tree grates (1,081 sf)	27	EA	\$ 2,700.00	\$ 72,900.00	-	-	13	\$ 35,100.00
9.16	TxDOT 192	Bed Prep	7443	SF	\$ 0.88	\$ 6,549.84	-	-	5,017	\$ 4,414.96
9.17	TxDOT 192	3/4" Rock Mulch	6362	SF	\$ 1.80	\$ 11,451.60	-	-	5,017	\$ 9,030.60
9.18	---	Banner Pole	14	EA	\$ 1,000.00	\$ 14,000.00	-	-	14	\$ 14,000.00
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	-	-	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 GRI-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	-	-	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	-	-	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	-	-	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

Item No.	Specification	Item Description	Quantity	Unit	Unit Price	Total Price	Add Quantities	Deduct Quantities	Revised Quantities	Adjusted Total Price
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: Pestrrian 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
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	-	-	3,637	\$ 51,281.70
11.12	TxDOT 450	TxDOT HANDRAIL PRD-13 TYPE E	652	LF	\$ 118.00	\$ 76,936.00	-	-	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
Contingencies - Change Order #3 - Water Line Relocate										
CO3.01	---	Remove & Replace Watermain	60	LF	\$ 108.70	\$ 6,522.00	-	-	60	\$ 6,522.00
CO3.02	---	Remove Gas Mains	60	LF	\$ 28.20	\$ 1,692.00	-	-	60	\$ 1,692.00
Subtotal = \$ 8,214.00										\$ 8,214.00

Contract Adjustment			
Original Contract Completion Date:		Original Contract Sum	\$ 8,892,361.87
Original Contract Construction Days:			
Prior Days Added:	0	Total Sum after Changer Order #1	\$ 7,689,905.99
Days Added this Change Order:	0		
Revised Contract Construction Days:	0	Total Sum after Changer Order #2	\$ 7,536,605.99
Revised Contract Completion Date:	---		
		Total Change Order Amount	\$ 8,214.00
		Total Sum After Change Order	\$ 7,544,819.99

Approval			
Contractor:		Comments	
Signed  Printed JEREMY GIBBS Date: 1/25/21	Remove and relocated 4" watermain along Neff's Way to a lower depth. Removed abandoned gas line along Neff's Way.		
City of San Angelo, Engineering Services:			
Signed Printed Date:			

CONSTRUCTION CONTRACT CHANGE ORDER NUMBER: 4

1. CONTRACTOR: Ti-Zack Concrete, Inc.

2. Change Order Work Limits: Sta. 26+00 to Sta. 42+50

3. Type of Change (on federal-aid non-exempt projects): Minor (Major/Minor)

4. Describe the change and the reason for the change order. When necessary, include exceptions to this agreement.

Additional conduit and wiring is required for the completion per the project design.

CCSJ: 0907-24-048
Project: _____
Highway: _____
County: _____
District: 07 - San Angelo
Contract Number: _____

5. New or revised plan sheet(s) are attached and numbered: N/A

Each signatory hereby warrants that each has the authority to execute this Change Order.

By signing this change order, the contractor agrees to waive any and all claims for additional compensation due to any and all other expenses; additional changes for time, overhead and profit; or loss of compensation as a result of this change. Further, the contractor agrees that this agreement is made in accordance with Item 4 and the Contract. Exceptions should be noted in the response for #5 above. THE CONTRACTOR _____ Date _____ By _____ Typed/Printed Name _____ Typed/Printed Title _____	The following information must be provided Time Ext. #: <u>0</u> Days added on this C.O.: <u>0</u> Amt. added by this change order: <u>\$31,120.90</u>
	For TxDOT use only: Days participating: _____ Amount participating: _____
	Signature _____ Date _____
	Name/Title _____

RECOMMENDED FOR EXECUTION:

Name/Title _____ Date _____

Name/Title _____ Date _____
☐ APPROVED ☐ REQUEST APPROVAL

Name/Title _____ Date _____

Name/Title _____ Date _____
☐ APPROVED ☐ REQUEST APPROVAL

Name/Title _____ Date _____

Name/Title _____ Date _____
☐ APPROVED ☐ REQUEST APPROVAL

Name/Title _____ Date _____

Name/Title _____ Date _____
☐ APPROVED

Engineer's Seal:



City of San Angelo
RFB: ES-03-20; Change Order Form
Chadbourne Street Improvements - Phase A

Change Order No. 4

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	-	-	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	-	-	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 Asphalt Pavement	18100	SY	\$ 13.10	\$ 237,110.00	-	-	14,820	\$ 194,142.00
5.05	TxDOT 105	Remove and Dispose of Existing Flexible Base	18100	SY	\$ 4.45	\$ 80,545.00	-	-	14,820	\$ 65,949.00
5.06	TxDOT 110	Excavation (6")	3000	CY	\$ 22.90	\$ 68,700.00	-	-	2,455	\$ 56,219.50
5.07	TxDOT 152	Road Grader Work (Desity Control)	19140	SY	\$ 1.00	\$ 19,140.00	-	-	15,670	\$ 15,670.00
5.08	TxDOT 340	4" HMAC Type B Base Material	4126	TON	\$ 150.00	\$ 618,840.00	-	-	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	-	-	12,407	\$ 1,240,720.00
5.12	TxDOT 329	6" Concrete Curb and Gutter (TY II)	6304	LF	\$ 45.00	\$ 283,680.00	-	-	5,264	\$ 236,880.00
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	-	-	173	\$ 14,514.70
5.15	---	Adjusting Electric Manhole to Grade	6	EA	\$ 1,030.00	\$ 6,180.00	-	-	6	\$ 6,180.00
Subtotal =						\$ 3,164,697.60				\$ 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	-	-	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	-	-	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 =						\$ 114,124.91				\$ 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	-	-	16	\$ 48,480.00
7.04	TxDOT 620	#2 AWG	3500	LF	\$ 3.75	\$ 13,125.00	1,086	-	4,586	\$ 17,197.50
7.05	TxDOT 620	#8 AWG	1750	LF	\$ 1.50	\$ 2,625.00	543	-	2,293	\$ 3,439.50
7.06	TxDOT 618	2" PVC conduit	1600	LF	\$ 3.30	\$ 5,280.00	693	-	2,293	\$ 7,566.90
7.07	TxDOT 618	Trenching and backfill	1600	LF	\$ 17.00	\$ 27,200.00	693	-	2,293	\$ 38,981.00
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	-	-	3	\$ 4,560.00
7.09	TxDOT 610	Roadway Illumination Assembly (Remove)	25	EA	\$ 1,150.00	\$ 28,750.00	-	-	25	\$ 28,750.00
Subtotal =						\$ 489,170.00				\$ 503,574.90

Item No.	Specification	Item Description	Quantity	Unit	Unit Price	Total Price	Add Quantities	Deduct Quantities	Revised Quantities	Adjusted Total Price
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
8.04	TxDOT 618	CONDT (PVC) (SCHD 80) (4")	250	LF	\$ 25.00	\$ 6,250.00	-	-	250	\$ 6,250.00
8.05	TxDOT 818	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	EA	\$ 12,000.00	\$ 36,000.00	-	-	0	\$ -
8.25	---	GRIDSMAST CAMERA	3	EA	\$ 39,100.00	\$ 117,300.00	-	-	0	\$ -
8.26	---	CAT5 ETHERNET CABLE	170	EA	\$ 3.50	\$ 595.00	-	-	170	\$ 595.00
Subtotal =						\$ 885,237.50				\$ 731,937.50
Item 9: Amenities										
9.01	---	Excavation of base for planters (24" depth)	551	CY	\$ 40.00	\$ 22,040.00	-	-	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	-	-	399	\$ 39,820.20
9.04	---	Gateway Columns	8	EA	\$ 23,200.00	\$ 185,600.00	-	-	0	\$ -
9.05	TxDOT 170	Irrigation System	1	LS	\$ 140,000.00	\$ 140,000.00	-	-	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	-	-	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	-	-	104	\$ 5,356.00
9.10	TxDOT 192	Shrub (3 gal)	200	EA	\$ 30.90	\$ 6,180.00	-	-	77	\$ 2,379.30
9.11	TxDOT 192	Shrub (1 gal)	112	EA	\$ 15.50	\$ 1,736.00	-	-	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	-	-	185	\$ 9,139.00
9.14	TxDOT 529	12" Concrete Stand Up Curb (Planter Boxes)	2290	LF	\$ 77.60	\$ 177,704.00	-	-	1,572	\$ 121,987.20
9.15	---	Paver-grate tree grates (1,081 sf)	27	EA	\$ 2,700.00	\$ 72,900.00	-	-	13	\$ 35,100.00
9.16	TxDOT 192	Bed Prep	7443	SF	\$ 0.88	\$ 6,549.84	-	-	5,017	\$ 4,414.96
9.17	TxDOT 192	3/4" Rock Mulch	6362	SF	\$ 1.80	\$ 11,451.60	-	-	5,017	\$ 9,030.60
9.18	---	Banner Pole	14	EA	\$ 1,000.00	\$ 14,000.00	-	-	14	\$ 14,000.00
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	-	-	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 GRI-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	-	-	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	-	-	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	-	-	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	-	-	16	\$ 48,480.00
10.16	620	#2 AWG	3500	LF	\$ 3.75	\$ 13,125.00	1,140	-	4,640	\$ 17,400.00
10.17	620	#8 AWG	1750	LF	\$ 1.50	\$ 2,625.00	570	-	2,320	\$ 3,480.00
10.18	618	2" PVC conduit	1600	LF	\$ 3.30	\$ 5,280.00	720	-	2,320	\$ 7,656.00
10.19	618	Trenching and backfill	1600	LF	\$ 17.00	\$ 27,200.00	720	-	2,320	\$ 39,440.00
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

Item No.	Specification	Item Description	Quantity	Unit	Unit Price	Total Price	Add Quantities	Deduct Quantities	Revised Quantities	Adjusted Total Price
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				\$ 2,092,217.10
Item 11: Pestrrian 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
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	-	-	3,637	\$ 51,281.70
11.12	TxDOT 450	TxDOT HANDRAIL PRD-13 TYPE E	652	LF	\$ 118.00	\$ 76,936.00	-	-	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
Contingencies - Change Order #3 - Water Line Relocate										
CO.01	---	Remove & Replace Watermain	60	LF	\$ 108.70	\$ 6,522.00	-	-	60	\$ 6,522.00
CO.02	---	Remove Gas Mains	60	LF	\$ 28.20	\$ 1,692.00	-	-	60	\$ 1,692.00
Subtotal =						\$ 8,214.00				\$ 8,214.00

Contract Adjustment			
Original Contract Completion Date:		Original Contract Sum	\$ 8,892,361.87
Original Contract Construction Days:			
Prior Days Added:	0	Total Sum after Changer Order #1	\$ 7,689,905.99
Days Added this Change Order:	0		
Revised Contract Construction Days:	0	Total Sum after Changer Order #2	\$ 7,536,605.99
Revised Contract Completion Date:	---		
		Total Sum after Changer Order #3	\$ 7,544,819.99
		Total Change Order Amount	\$ 31,120.90
		Total Sum After Change Order	\$ 7,575,940.89

Approval	
Contractor:	Comments
Date:	Additional conduit and wiring is required for the completion per the project design.
Signed _____ Printed _____	
City of San Angelo, Engineering Services:	
Date:	
Signed _____ Printed _____	

CONSTRUCTION CONTRACT CHANGE ORDER NUMBER: 5

1. CONTRACTOR: Ti-Zack Concrete, Inc.

2. Change Order Work Limits: Sta. 26+00 to Sta. 42+50

3. Type of Change (on federal-aid non-exempt projects): Minor (Major/Minor)

4. Describe the change and the reason for the change order. When necessary, include exceptions to this agreement.

- 1. Alternate base section for remainder of project to replace 4" HMAC section with 8" flexible base
- 2. Removal of stairwell and piping from site of proposed ADA ramp
- 3. Sealing wall in elevator shaft and filling with flowable fill

CCSJ: 0907-24-048
Project: _____
Highway: _____
County: _____
District: 07 - San Angelo
Contract Number: _____

5. New or revised plan sheet(s) are attached and numbered: N/A

Each signatory hereby warrants that each has the authority to execute this Change Order.

By signing this change order, the contractor agrees to waive any and all claims for additional compensation due to any and all other expenses; additional changes for time, overhead and profit; or loss of compensation as a result of this change. Further, the contractor agrees that this agreement is made in accordance with Item 4 and the Contract. Exceptions should be noted in the response for #5 above.	The following information must be provided Time Ext. #: <u>0</u> Days added on this C.O.: <u>0</u> Amt. added by this change order: <u>-\$110,068.00</u>
	For TxDOT use only: Days participating: _____ Amount participating: _____ Signature _____ Date _____ Name/Title _____
THE CONTRACTOR _____ Date _____ By _____ Typed/Printed Name _____ Typed/Printed Title _____	

RECOMMENDED FOR EXECUTION:

Name/Title _____ Date _____

Name/Title _____ Date _____
☐ APPROVED ☐ REQUEST APPROVAL

Name/Title _____ Date _____

Name/Title _____ Date _____
☐ APPROVED ☐ REQUEST APPROVAL

Name/Title _____ Date _____

Name/Title _____ Date _____
☐ APPROVED ☐ REQUEST APPROVAL

Name/Title _____ Date _____

Name/Title _____ Date _____
☐ APPROVED

Engineer's Seal:



City of San Angelo
RFB: ES-03-20; Change Order Form
Chadbourne Street Improvements - Phase A

Change Order No. 5

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	4,331	LF	\$ 11.10	\$ 48,074.10	-	-	3,246	\$ 36,030.60
5.02	TxDOT 104	Remove and Dispose of Existing Brick Pavers (COSA to keep brick)	18,100	SY	\$ 2.00	\$ 36,200.00	-	-	14,820	\$ 29,640.00
5.03	TxDOT 104	Remove and Dispose of Existing Trolley Rail and Cross Ties	1,650	LF	\$ 5.00	\$ 8,250.00	-	-	1,650	\$ 8,250.00
5.04	TxDOT 105	Remove and Dispose of Existing Apshalt Pavement	18,100	SY	\$ 13.10	\$ 237,110.00	-	-	14,820	\$ 194,142.00
5.05	TxDOT 105	Remove and Dispose of Existing Flexible Base	18,100	SY	\$ 4.45	\$ 80,545.00	-	-	14,820	\$ 65,949.00
5.06	TxDOT 110	Excavation (6")	3,000	CY	\$ 22.90	\$ 68,700.00	-	2,138	317	\$ 7,259.30
5.07	TxDOT 152	Road Grader Work (Desity Control)	19,140	SY	\$ 1.00	\$ 19,140.00	-	-	15,670	\$ 15,670.00
5.08	TxDOT 340	4" HMAC Type B Base Material	4,126	TON	\$ 150.00	\$ 618,840.00	-	2,971	438	\$ 65,640.00
5.09	TxDOT 528	Integral Colored Stamped Concrete - Star Intersections	3,410	SF	\$ 27.70	\$ 94,457.00	-	-	3,410	\$ 94,457.00
5.10	TxDOT 528	Integral Colored Stamped Concrete Medians (Brick Pattern Finish)	5,645	SF	\$ 19.90	\$ 112,335.50	-	-	5,645	\$ 112,335.50
5.11	TxDOT 360	7" Reinforced Concrete Pavement (Class P)	15,152	SY	\$ 100.00	\$ 1,515,220.00	-	-	12,407	\$ 1,240,720.00
5.12	TxDOT 529	6" Concrete Curb and Gutter (TY II)	6,304	LF	\$ 45.00	\$ 283,680.00	-	-	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	-	-	173	\$ 14,514.70
5.15	---	Adjusting Electric Manhole to Grade	6	EA	\$ 1,030.00	\$ 6,180.00	-	-	6	\$ 6,180.00
Subtotal = \$ 3,164,697.60										\$ 2,142,659.10
Item 6: Pavement Markings and Signage										
6.01	TxDOT 666	Refl Pav Mrk Ty 1 (Y) 4" (SLD)(100MIL) (SURF PREP subsidiary)	3,545	LF	\$ 2.70	\$ 9,571.50	-	-	4,545	\$ 12,271.50
6.02	TxDOT 666	Refl Pav Mrk Ty 1 (W) 4" (SLD)(100MIL)	7,830	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)	8,310	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)	1,145	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)	1,157	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	-	-	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 = \$ 114,124.91										\$ 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	-	-	16	\$ 48,480.00
7.04	TxDOT 620	#2 AWG	3,500	LF	\$ 3.75	\$ 13,125.00	-	-	4,586	\$ 17,197.50
7.05	TxDOT 620	#8 AWG	1,750	LF	\$ 1.50	\$ 2,625.00	-	-	2,293	\$ 3,439.50
7.06	TxDOT 618	2" PVC conduit	1,600	LF	\$ 3.30	\$ 5,280.00	-	-	2,293	\$ 7,566.90
7.07	TxDOT 618	Trenching and backfill	1,600	LF	\$ 17.00	\$ 27,200.00	-	-	2,293	\$ 38,981.00
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	-	-	3	\$ 4,560.00
7.09	TxDOT 610	Roadway Illumination Assembly (Remove)	25	EA	\$ 1,150.00	\$ 28,750.00	-	-	25	\$ 28,750.00
Subtotal = \$ 489,170.00										\$ 503,574.90
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	3,070	LF	\$ 1.50	\$ 4,605.00	-	-	3,070	\$ 4,605.00
8.07	TxDOT 620	ELEC CONDUCTOR (NO. 6) BARE	1,620	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)	1,610	LF	\$ 3.00	\$ 4,830.00	-	-	1,610	\$ 4,830.00
8.21	TxDOT 684	TRF SIG CBL (TY A) (14 AWG) (20 CONDR)	1,655	LF	\$ 6.00	\$ 9,930.00	-	-	1,655	\$ 9,930.00
8.22	TxDOT 684	TRF SIG CBL (TY C) (12 AWG) (3 CONDR)	3,265	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	EA	\$ 12,000.00	\$ 36,000.00	-	-	0	\$ -
8.25	---	GRIDSMART CAMERA	3	EA	\$ 39,100.00	\$ 117,300.00	-	-	0	\$ -
8.26	---	CAT5 ETHERNET CABLE	170	EA	\$ 3.50	\$ 595.00	-	-	170	\$ 595.00
Subtotal =						\$ 885,237.50				\$ 731,937.50
Item 9: Amenities										
9.01	---	Excavation of base for planters (24" depth)	551	CY	\$ 40.00	\$ 22,040.00	-	-	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	-	-	399	\$ 39,820.20
9.04	---	Gateway Columns	8	EA	\$ 23,200.00	\$ 185,600.00	-	-	0	\$ -
9.05	TxDOT 170	Irrigation System	1	LS	\$ 140,000.00	\$ 140,000.00	-	-	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	-	-	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	-	-	104	\$ 5,356.00
9.10	TxDOT 192	Shrub (3 gal)	200	EA	\$ 30.90	\$ 6,180.00	-	-	77	\$ 2,379.30
9.11	TxDOT 192	Shrub (1 gal)	112	EA	\$ 15.50	\$ 1,736.00	-	-	86	\$ 1,333.00
9.12	TxDOT 192	Bermuda Sod	4,414	SF	\$ 0.88	\$ 3,884.32	-	-	4,414	\$ 3,884.32
9.13	TxDOT 160	Imported Topsoil	551	CY	\$ 49.40	\$ 27,219.40	-	-	185	\$ 9,139.00
9.14	TxDOT 529	12" Concrete Stand Up Curb (Planter Boxes)	2,290	LF	\$ 77.60	\$ 177,704.00	-	-	1,572	\$ 121,987.20
9.15	---	Paver-grate tree grates (1,081 sf)	27	EA	\$ 2,700.00	\$ 72,900.00	-	-	13	\$ 35,100.00
9.16	TxDOT 192	Bed Prep	7,443	SF	\$ 0.88	\$ 6,549.84	-	-	5,017	\$ 4,414.96
9.17	TxDOT 192	3/4" Rock Mulch	6,362	SF	\$ 1.80	\$ 11,451.60	-	-	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	-	-	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)	6,325	SY	\$ 33.60	\$ 212,520.00	-	-	6,325	\$ 212,520.00
10.06	TxDOT 110	Excavation	1,730	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)	1,447	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)	13,574	SF	\$ 18.10	\$ 245,689.40	-	-	7,851	\$ 142,103.10
10.10	TxDOT 531	6" Concrete Sidewalks with Sand Blasted Finish 3'x3' (P-02)	9,134	SF	\$ 13.90	\$ 126,962.60	-	-	8,710	\$ 121,069.00
10.11	TxDOT 531	6" Concrete Sidewalks with Sand Blasted Finish 5'x5' (P-03)	38,704	SF	\$ 13.50	\$ 522,504.00	-	-	22,963	\$ 310,000.50
10.12	TxDOT 528	Integral Colored Stamped 6" Concrete Sidewalks (Wood Grain Finish) (P-04)	11,692	SF	\$ 19.80	\$ 231,501.60	-	-	11,692	\$ 231,501.60
10.13	TxDOT 528	Integral Colored Stamped 7" Concrete Crosswalks (Brick Pattern)	5,384	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	-	-	16	\$ 48,480.00
10.16	620	#2 AWG	3,500	LF	\$ 3.75	\$ 13,125.00	-	-	4,640	\$ 17,400.00
10.17	620	#8 AWG	1,750	LF	\$ 1.50	\$ 2,625.00	-	-	2,320	\$ 3,480.00
10.18	618	2" PVC conduit	1,600	LF	\$ 3.30	\$ 5,280.00	-	-	2,320	\$ 7,656.00
10.19	618	Trenching and backfill	1,600	LF	\$ 17.00	\$ 27,200.00	-	-	2,320	\$ 39,440.00
10.20	624	11x17 Inground Pullbox	4	EA	\$ 1,520.00	\$ 6,080.00	-	-	4	\$ 6,080.00
10.21	TxDOT 528	ADA Pavers	1,106	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				\$ 2,092,217.10
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	8,000	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	5,000	FF	\$ 28.80	\$ 144,000.00	-	-	5,000	\$ 144,000.00
11.07	---	CONCRETE BLOCK RETAINING WALL FOOTING	1,500	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	3,305	SF	\$ 18.10	\$ 59,820.50	-	-	3,305	\$ 59,820.50
11.11	TxDOT 531	6" Concrete Sidewalk with Broom Finish	2,171	SF	\$ 14.10	\$ 30,611.10	-	-	3,637	\$ 51,281.70
11.12	TxDOT 450	TxDOT HANDRAIL PRD-13 TYPE E	652	LF	\$ 118.00	\$ 76,936.00	-	-	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	3,780	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
Contingencies - Change Order #3 - Water Line Relocate										
CO3.01	---	Remove & Replace Watermain	60	LF	\$ 108.70	\$ 6,522.00	-	-	60	\$ 6,522.00
CO3.02	---	Remove Gas Mains	60	LF	\$ 28.20	\$ 1,692.00	-	-	60	\$ 1,692.00
Subtotal =						\$ 8,214.00				\$ 8,214.00
Contingencies - Change Order #5 - Change in Base Material, Stairwell Removal, and Elevator Shaft Removal										
CO5.01	---	EXCAVATION (10")	4,102	CY	\$ 22.90	\$ 93,935.80	-	-	4,102	\$ 93,935.80
CO5.02	---	8" FL BS (CMP IN PLC)(TY A GR1-2)(FNAL POS)	3,294	CY	\$ 75.00	\$ 247,050.00	-	-	3,294	\$ 247,050.00
CO5.03	---	PRIME COAT (AE-P)	3,108	GAL	\$ 6.77	\$ 21,041.16	-	-	3,108	\$ 21,041.16
CO5.04	---	REMOVE RAILING	68	LF	\$ 3.71	\$ 252.28	-	-	68	\$ 252.28
CO5.05	---	REMOVE PIPE	34	LF	\$ 3.71	\$ 126.14	-	-	34	\$ 126.14
CO5.06	---	SAWCUT AND REMOVE STAIRWAY	1	LS	\$ 7,651.33	\$ 7,651.33	-	-	1	\$ 7,651.33
CO5.07	---	FURNISH & INSTALL CMU WALL	152	SF	\$ 24.16	\$ 3,672.32			152	\$ 3,672.32
CO5.08	---	WATERPROOF WALL	152	SF	\$ 2.64	\$ 401.28			152	\$ 401.28
CO5.09	---	FILL SHAFT WITH FLOWABLE FILL	45	CY	\$ 231.17	\$ 10,411.90	-	-	45	\$ 10,411.90
Subtotal =						\$ 384,542.21				\$ 384,542.21
Contract Adjustment										
Original Contract Completion Date:				Original Contract Sum						\$ 8,892,361.87
Original Contract Construction Days:										
Prior Days Added:			0	Total Sum after Changer Order #1						\$ 7,689,905.99
Days Added this Change Order:			0							
Revised Contract Construction Days:			0	Total Sum after Changer Order #2						\$ 7,536,605.99
Revised Contract Completion Date:			---							
				Total Sum after Changer Order #3						\$ 7,544,819.99
				Total Sum after Change Order #4						\$ 7,575,940.89
				Total Change Order Amount						\$ (110,068.00)

Item No.	Specification	Item Description	Quantity	Unit	Unit Price	Total Price	Add Quantities	Deduct Quantities	Revised Quantities	Adjusted Total Price
				Total Sum After Change Order						\$ 7,465,872.89
Approval										
Contractor: Signed Printed							Comments			
City of San Angelo, Engineering Services: Signed Printed							Alternate base section for remainder of project to replace 4" HMAC section with 8" flexible base. (CO5.01-CO5.03)			
							Removal of stairwell and piping from site of proposed ADA ramp (CO5.04-CO5.06)			
							Sealing wall in elevator shaft and filling with flowable fill. (CO5.07-CO5.09)			

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Morgan Chegwiddden, Assistant Director of Neighborhood Services, Neighborhood and Family Services, 325-657-4224

Meeting Date: March 16, 2021

Item type: Consent Item

Caption:

Consider approving a policy limiting Animal Services service area to San Angelo city limits (Morgan Chegwiddden)

Summary/History:

This item serves to recommend limiting animal services intake to be within city limits only. Animal services currently accepts stray, owned and bite quarantine pets within Tom Green County. We ask that animals only be allowed into our programming if residing in San Angelo city limits only.

This includes:

- Cat, dog, other and
- Owned, stray, bite quarantine.

To become a No Kill community, we must manage our intake. Although some programs have marginally decreased intake, more work is necessary to achieve a 90% live release rate by 9/30/21.

FY20 intake was 4,560, 3.2 times best practices. Uncontrolled intake is unmanageable for staff and programming. We do not have sufficient resources to provide a live release for these animals.

American Pets Alive!, a data driven methodology to save more pets faster, recommends taking in 14 animals per 1,000 residents. For an estimated census population of 105,000 we should aim for 1,470 animals annually. Although we don't expect San Angelo intake to ever be that low, a goal of 2,900 animals taken in annually would offer much relief.

Currently no statute, ordinance or interlocal agreement requires the intake of animals outside city limits.

Animal services is constantly full and in need of relief from the high intake of animals. Refusing animals from outside city limits could decrease intake by 10%, or 450 animals annually.

Although a sampling of intake shows 10% of animals come from outside city limits, these animals are disproportionately represented in our long stay dogs (18%) and sick cats (50% of deaths in August 2020).

Animal Services will continue to support law enforcement by housing owned pets of arrested individuals.

Financial Impact:

Unknown

Other Information/Recommendation:

Staff recommends approval.

Animal Shelter Advisory Committee recommended approval at their January 21, 2021 meeting.

Tom Green County Judge Floyd recommended approval March 5, 2021.

Attachments:

- | | | |
|----|-------------------------------------|--|
| 1. | 210305 Policy - Intake Service Area | 210305 Policy - Intake Service Area.docx |
|----|-------------------------------------|--|

Presentation:

Morgan Chegwidden

Approvals/Reviews:

Morgan Chegwidden	Created/Initiated
Bob Salas	Approved
Theresa James	Approved
Tina Dierschke	Approved
Theresa James	Approved
Julia Antilley	Final Approval

Animal Services – Intake Service Area

City of San Angelo

Neighborhood & Family Services

Animal Services

Policy

Animal Services – Intake Service Area

Animal Shelter Advisory Committee approved 1/21/21

City Council considers 3/16/21

The San Angelo City Council and Animal Shelter Advisory Committee authorize animal intake for residents in San Angelo city limits*.

This includes all species (cat, dog, other) and statuses (owned, stray, bite quarantine).

The San Angelo city council set a goal to become a No Kill community. To do so, we must manage our intake. Although some programs have marginally decreased intake, more work is necessary to achieve and maintain a 90% live release rate.

FY20 intake was 4,560 animals, 3.2 times best practices. This intake is unmanageable for staff and programming. We do not have sufficient resources to provide a live release for 90% of these animals.

American Pets Alive!, a data driven methodology to save more pets faster, recommends taking in 14 animals per 1,000 residents. For an estimated census population of 105,000, we should aim for 1,470 animals annually.

- 14 animals per 1,000 residents
- 105,000 estimated population
- 1,470 recommended annual intake

Although we don't expect San Angelo intake to ever be that low, a goal of 2,900 animals taken in annually would offer much relief.

- 4,560 FY20 annual intake
- 3,900 FY21 goal annual intake
- 2,900 FY22 goal annual intake

Animal Services – Intake Service Area

To intake an animal, San Angelo residents:

- Must be 18 years of age; and
- Confirm residency with a valid government identification; and
- Sign a statement disclosing any bite history.

*San Angelo animal services will continue to support law enforcement by housing owned pets of arrested individuals. This includes all agencies over this jurisdiction such as Texas Department of Public Safety and Tom Green County Sheriff's Office.

DRAFT

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: March 16, 2021

Item type: Consent Item

Caption:

Consider resolutions authorizing revisions to the Investment Policies for the City of San Angelo, Lake Nasworthy Trust, and Development Corporation Funds (Tina Dierschke)

Summary/History:

The City Council adopted resolutions at the January 12, 2021, meeting for the annual update of the Investment Policies. Two revisions were subsequently recommended by the City's Investment Adviser and reviewed and approved by the Investment Oversight Committee. The revisions are as follows:

- Added the ability to invest in revenue bonds
- Changing agency ratings from two (2) ratings to one (1) rating

Financial Impact:

Other Information/Recommendation:

Attachments:

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

Presentation:

Tina Dierschke

Approvals/Reviews:

Ryan Gaddy	Created/Initiated
Tina Dierschke	Approved
Theresa James	Approved
Nolan Sosa	Approved
Tina Dierschke	Approved
Theresa James	Approved

Julia Antilley

Final Approval

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 (6)	Added the ability to invest in revenue bonds.
Four (6)	Changing agency ratings from two (2) ratings to one (1) rating.

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 16th day of March, 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

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 and revenue bonds of states, agencies, counties, cities and other political subdivisions of any state rated "A" or better or its equivalent by one nationally recognized rating agency and with a stated final 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.

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.

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 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.

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

Section Seven: Training

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

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)	Added the ability to invest in revenue bonds.
Four (6)	Changing agency ratings from two (2) ratings to one (1) rating.

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 16th day of March, 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

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 obligation and revenue bonds of states, agencies, counties, cities and other political subdivisions of any state rated "A" or better or its equivalent by one nationally recognized rating agency 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) AI/PI 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

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 (6)	Added the ability to invest in revenue bonds.
Four (6)	Changing agency ratings from two (2) ratings to one (1) rating.

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 16th day of March, 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

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 and revenue bonds of states, agencies, counties, cities and other political subdivisions of any state rated "A" or better or its equivalent by one 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

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: March 16, 2021

Item type: Consent Item

Caption:

Second reading of an ordinance approving EMS Compliance and Fire Compliance Assignment Pay (Brian Dunn)

Summary/History:

The San Angelo Fire Department will have to assume several new responsibilities in administering and ensuring DSHS (Department of State Health Services) and TCFP (Texas Commission on Fire Protection) procedures Starting in January 2021. TCFP has decided that they will no longer write curriculum for any certification courses other than basic structural firefighting. This means that someone from this department must take on the responsibility of writing the curriculum for all the other courses that we certify our personnel in. The list is as follows:

ARFF-Aircraft Rescue Fire Fighting
PADO-Pumper Apparatus Driver Operator
Incident Safety Officer
Fire Instructor
Fire Investigator
Fire Inspector
Officer 1
Officer 2
Officer 3
Officer 4
Wildland Fire Fighting
Plans Examiner
Hazardous Materials Incident Commander
Haz-Mat Technician

TCFP wrote the curriculum for all of these classes in the past. It is now the responsibility of the department that is giving the certification class to write an up dated curriculum each time the source material changes which is every 2-3 years. Several of these certifications are vital to the city on a daily basis such as the ARFF which allows us to keep enough aircraft firefighters to keep the airport and commercial air traffic coming and going to and from the city. Another one is fire inspector so as to keep the public safe within the buildings in the city.

Added Responsibilities for the Fire Compliance Assignment:

Oversee Compliance with TCFP
Oversee compliance with SFFMA
Develop and write certification courses
Run basic fire academy for SAFD
Run basic fire academy for high school and adults when implemented

Liaison with TCFP, TEEX, SFFMA, and GAFB
Coordinate and lead Area School

Howard College is moving from completing the paramedic portion of training that we currently are enrolled in from 12 months to about 30 months. The impact for the city in this is that the recruits that we hire can't begin work for us until they are completely certified. Currently they are completely fire and EMS certified in about 16 months. The new total certification period would be about 36 months. We are working on a MOA (Memorandum of Agreement) with Howard so that we may continue to instruct our own paramedic class under their credentialing umbrella. This will allow us to continue to complete our entire training for fire and EMS in 16 months. There are several things that we need to do to make sure we comply with DSHS in several areas. The EMS compliance assignment would be responsible for the following:

- Oversee compliance with DSHS (Department of State Health Services)
- Oversee ordering and inventory of EMS supplies
- Evaluation and correction of QA/QI (Quality Assurance/Quality Improvement)
- Liaison between medical director, hospitals, nursing homes
- Ensure all SAFD personnel are up to date on all training and certifications
- Serve as CPR instructor for SAFD and future public CPR program
- Serve as Administrator of Record for DSHS
- Hold EMS Coordinator Certification in the future
- Hold EMS Instructor

This assignment pay would be in the amount of \$1250 per month to take on these responsibilities and whomever is placed in this assignment would be in an Exempt position.

If we hired 2 FTE's (full time employees) it would be a minimum of about \$150,000 with benefits.

If we paid each position 10 hours of overtime per week it would cost about \$61,000 per year.

The assignment pay comes out to \$37,332 with the benefits attached.

I can adjust some budgets to pay for this, through savings of the department doing some of items internally. We aren't asking for any extra funding to accomplish this assignment pay. We are at council because it happens in 143 civil service and must be approved by council.

Financial Impact:

\$37,332 within the fire departments operating budget. No outside funding needed.

Other Information/Recommendation:

Attachments:

1. ORD amending Chapter 2 Assignment Pay ORD amending Chapter 2 Assignment Pay .docx

Presentation:

Brian Dunn

Approvals/Reviews:

Brian Dunn

Brian Dunn

Theresa James

Tina Dierschke

Julia Antilley

Created/Initiated

Approved

Approved

Approved

Final Approval

ORDINANCE 2021-0xx

AN ORDINANCE AMENDING THE CODE OF ORDINANCES FOR THE CITY OF SAN ANGELO, TEXAS AMENDING CHAPTER 2 "ADMINISTRATION AND PERSONNEL", ARTICLE 2.08 "CLASSIFIED SERVICE", SECTION 2.08.016 "ASSIGNMENT PAY" BY ADDING SUBSECTION E "EMS COMPLIANCE AND FIRE COMPLIANCE"; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

BE IT ORDAINED BY THE CITY OF SAN ANGELO:

- 1) THAT**, Chapter 2, Article 2.08, Section 2.08.016 "Assignment Pay" is hereby amended by adding subsection (e) as follows:

"(e) EMS Compliance and Fire Compliance. Firefighters assigned by the Chief to oversee EMS Compliance or Fire Compliance for the San Angelo Fire Department shall be eligible for additional assignment pay in the amount of \$1250 per month for each month assigned."

- 2) THAT**, all remaining provisions not amended by this ordinance remain in full force and effect.

- 3) THAT**, the following severability clause is hereby adopted with this amendment:

SEVERABILITY:

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

- 5) THAT**, this Ordinance shall be effective on, from, and after the date of its passage.

INTRODUCED on the 16th day of February, 2021, and finally **PASSED, APPROVED** and **ADOPTED** on this the 2nd day of March, 2021.

THE CITY OF SAN ANGELO:

Brenda Gunter, Mayor

ATTEST:

Julia Antilley, City Clerk

APPROVED AS TO FORM:

Theresa James, City Attorney

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



Requestor: Sylvia Guadarrama, Court Director, Municipal Court,

Meeting Date: March 16, 2021

Item type: Consent Item

Caption:

Consider approving a contract with Gilbert Consulting Services, LLC, in the amount of \$60,000 and authorizing the City Manager to negotiate and execute all related documents (Sylvia Guadarrama)

Summary/History:

Requesting contract for a one year term in order to provide the court with an Associate Judge, Allen Gilbert of Gilbert Consulting Services, LLC, to handle any court activities when the Presiding Judge is unavailable. Currently, our Associate Judge is assisting us with our weekly court dockets in order to effectively serve our customers needs. This allows the court to assist the public in an expedient manner. Our Associate Judge also serves as a consultant to the court in answering questions for the Court Administrator, Judge, and City Marshal. Also assists with interpreting new laws by State legislation and adapting to new court policies and procedures.

Financial Impact:

The expenditures for this contract are taken out of the court's restricted funds as allocated by State Law.

Other Information/Recommendation:

Attachments:

Presentation:

Sylvia Guadarrama

Approvals/Reviews:

Sylvia Guadarrama	Created/Initiated
Theresa James	Approved
Brandon Dyson	Approved
Nolan Sosa	Approved
Tina Dierschke	Approved
Theresa James	Approved
Julia Antilley	Final Approval

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: March 16, 2021

Item type: Regular Item

Caption:

First reading and public hearing of ordinances:

1. CP21-01, amending the City of San Angelo Comprehensive Plan, changing certain lands from the Neighborhood Future Land Use to the Commercial Future Land Use, being 0.16 acres located in the 200 block of W. 23rd St.; and
2. Z21-01, rezoning property from the General Commercial/Heavy Commercial and Single-Family Residential zoning districts to the General Commercial zoning district, located at 2218 Martin Luther King Dr., three lots in the 200 block of W. 22nd St., and one lot in the 200 block of W. 23rd St., being 1.125 acres (Presentation made by Planning & Development Services Director Jon James)

Summary/History:

The applicant has applied for a Comprehensive Plan amendment and rezoning on various properties located east of Martin Luther King Drive, between West 22nd and West 23rd Street. Approval of the applications would allow future expansion of commercial development on the properties.

The plan amendment is for an unaddressed property identified as Lot 4 in Block 43 of the Lasker Addition facing West 23rd Street, which serves as overflow parking for the adjacent restaurant. The plan amendment would change the Future Land Use from Neighborhood to Commercial to facilitate the rezoning on this property from Single-Family Residential (RS-1) to General Commercial (CG).

As part of this request, the remaining six lots will be rezoned from General Commercial/Heavy Commercial (CG/CH) to General Commercial (CG). This will eliminate the heavy commercial CH component, consistent with the land use pattern in the area.

Financial Impact:

N/A

Other Information/Recommendation:

On February 22, 2021, the Planning Commission recommended **APPROVAL** of both requests by a unanimous 7-0 vote.

Attachments:

- | | |
|----------------------------------|-----------------------------------|
| 1. Ordinance (CP21-01) | Ordinance (CP21-01).docx |
| 2. Ordinance (Z21-01) | Ordinance (Z21-01).docx |
| 3. Staff Report (CP21-01_Z21-01) | Staff Report (CP21-01_Z21-01).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 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 SOUTH OF WEST 23RD STREET BETWEEN MARTIN LUTHER KING DRIVE AND FARR STREET BEING 0.16 ACRES, FROM "NEIGHBORHOOD" TO "COMMERCIAL;" PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

CP-21-01

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 property generally located south of West 23rd Street between Martin Luther King Drive and Farr Street, more specifically being Lot 4 in Block 43 of the Lasker's Addition, and comprising 0.16 acres; San Angelo, Tom Green County, Texas; from "Neighborhood" to "Commercial;"

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 **16th day of March, 2021**, and finally ADOPTED on this the **6th day of April, 2021**.

THE CITY OF SAN ANGELO

Brenda Gunter, Mayor

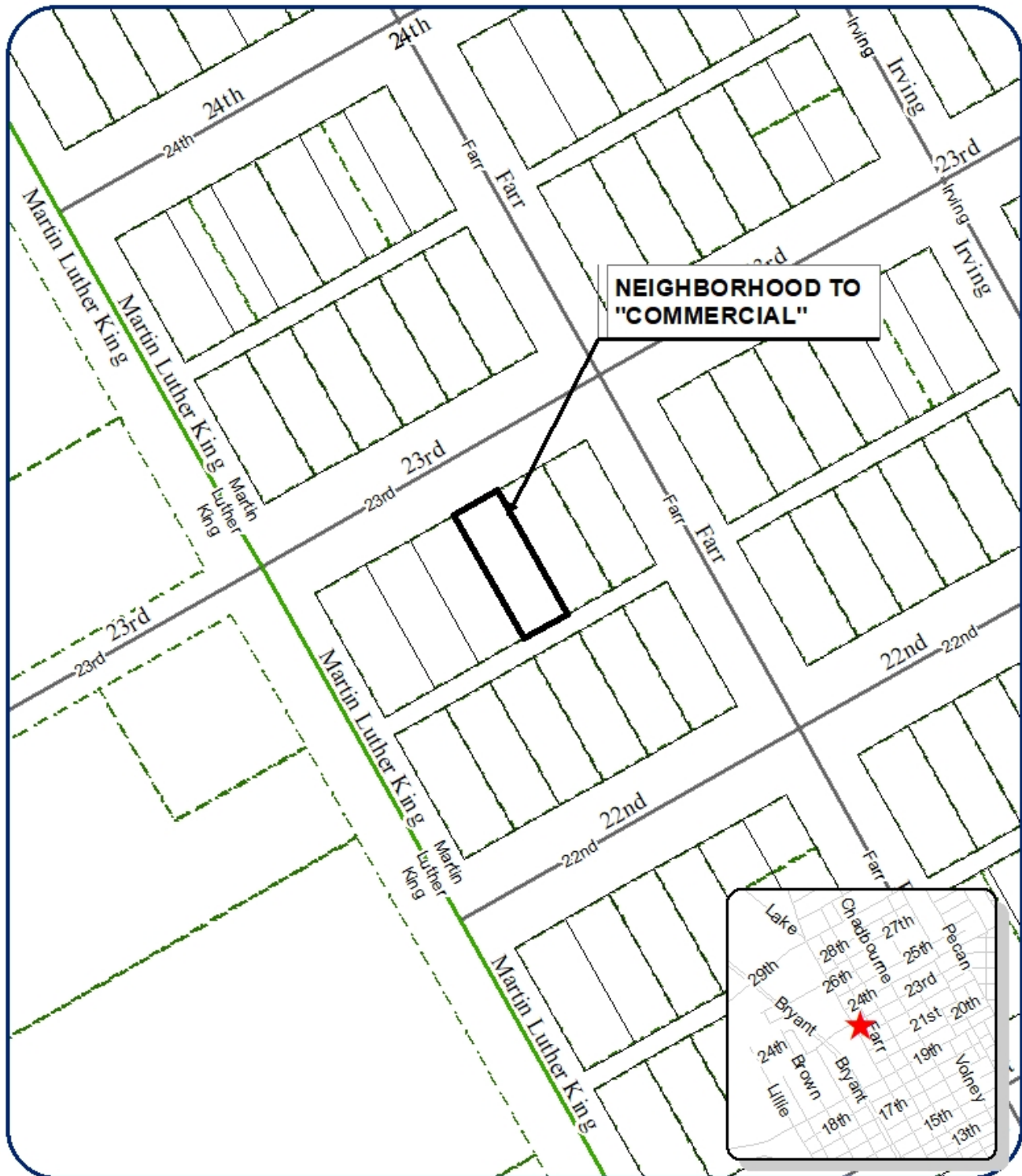
ATTEST:

APPROVED AS TO FORM:

Julia Antilley, City Clerk

Theresa James, City Attorney

EXHIBIT "A"



Comprehensive Plan Amendment

CP21-01

Council District: Lucy Gonzales - District 4

Neighborhood: Reagan

Scale: 1" approx. = 125 ft

200 Block of W. 23rd St. 0.16 ac.

Legend

Subject Properties: (black outline)
Current Zoning: RS-1
Future Land Use: Neighborhood
Proposed Future Land Use: Commercial



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 PROPERTIES: **LOTS 1-4 AND 10-12 IN BLOCK 43 OF THE LASKER'S ADDITION; LOCATED EAST OF MARTIN LUTHER KING DRIVE BETWEEN WEST 22ND AND 23RD STREETS AND BEING 1.125 ACRES**, FROM THE GENERAL COMMERCIAL/HEAVY COMMERCIAL (CG/CH) AND SINGLE-FAMILY RESIDENTIAL (RS-1) ZONING DISTRICTS TO THE GENERAL COMMERCIAL (CG) ZONING DISTRICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

Z21-01: 2218 Martin Luther King Drive and various properties

WHEREAS, on the 22nd day of February, 2021, the Planning Commission for the City of San Angelo in compliance with the City Charter, City ordinance and state law, and after holding a public hearing thereon, caused to be prepared and delivered a report and recommendation to City Council to approve the proposed General Commercial (CG) Zoning District; and,

WHEREAS, on the 16th day of March, 2021, City Council held a public hearing on Z21-01, pursuant to published notice, and has considered the application, comments, reports and recommendations of the Planning Commission and staff, public testimony, and other relevant support materials;

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

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

The real properties located east of Martin Luther King Drive between West 22nd and 23rd Streets being Lots 1-4 and 10-12 in Block 43 of the Lasker's Addition, comprising 1.125 acres; San Angelo, Tom Green County, Texas.

SECTION 2: The Director of the Planning & Development Department, or his/her designee, is hereby directed to correct zoning district maps in the office of the Planning

& Development Department, to implement the zoning provision adopted herein, as further depicted on **Exhibit A** of this Ordinance.

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

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

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

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

INTRODUCED with public hearing on the **16th day of March, 2021**, and finally PASSED, on this the **6th day of April, 2021**.

THE CITY OF SAN ANGELO

Brenda Gunter, Mayor

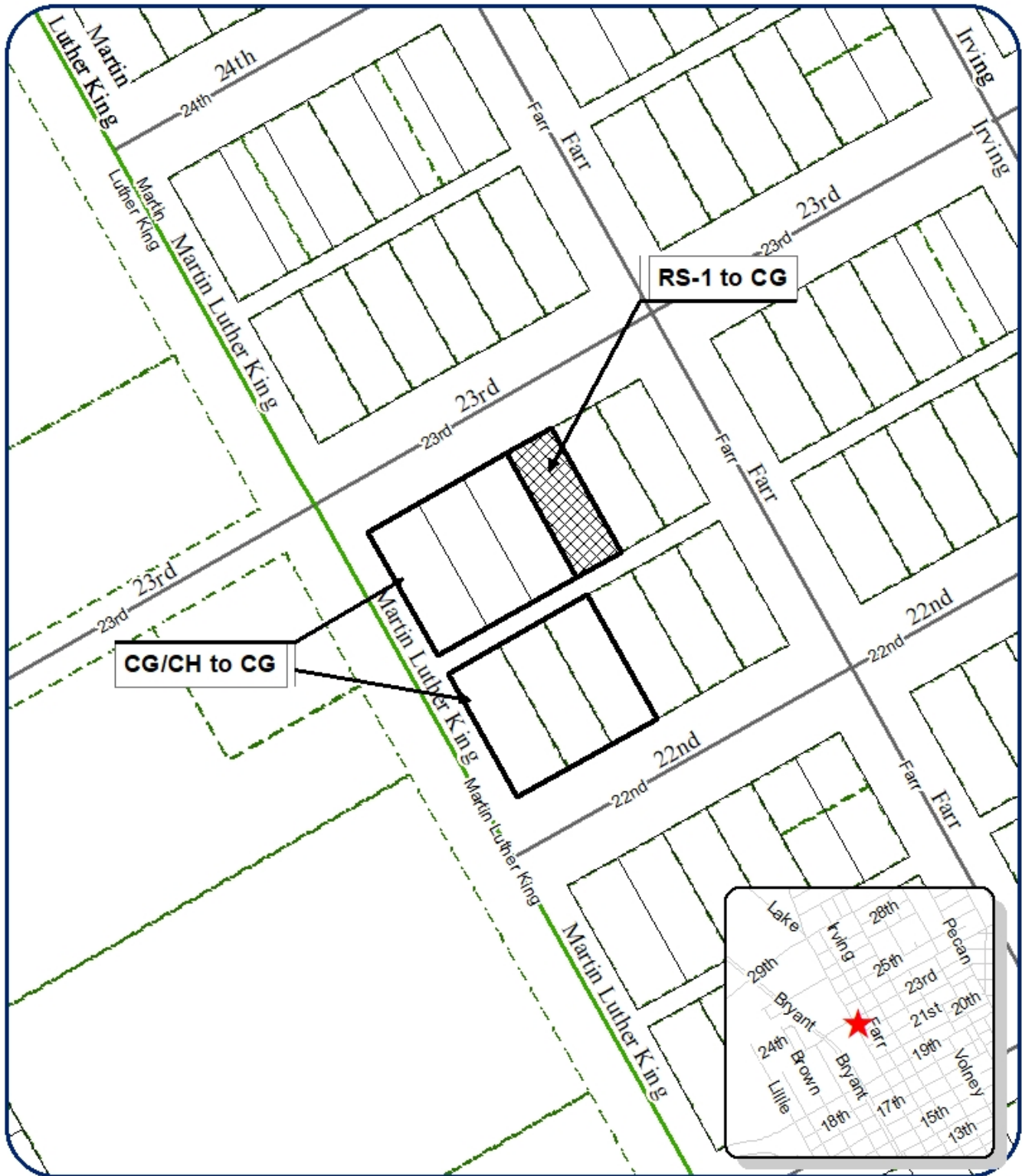
ATTEST:

APPROVED AS TO FORM:

Julia Antilley, City Clerk

Theresa James, City Attorney

EXHIBIT "A"



Rezoning

Z21-01

Council District: Lucy Gonzales - District 4

Neighborhood: Reagan

Scale: 1" approx. = 125 ft

2218 Martin Luther King Dr, 200 Blocks of W. 22nd, 23rd St. 1.125 ac.

Legend

Subject Properties: 
 Current Zoning: **CG/CH, RS-1**
 Requested Zoning Change: **CG**
 Vision: **Commercial, Neighborhood**

N



CITY COUNCIL – MARCH 16, 2021
STAFF REPORT



APPLICATION TYPE:		CASES:	
Comprehensive Plan Amendment & Rezoning		CP21-01/Z21-01: (Martin Luther King Drive/West 23 rd Street)	
SYNOPSIS:			
The applicant has applied for a Comprehensive Plan amendment and rezoning on various properties located east of Martin Luther King Drive, between West 22nd and West 23rd Street. Approval of the applications would allow future expansion of commercial development on the properties. The plan amendment is for an unaddressed property identified as Lot 4 in Block 43 of the Lasker Addition facing West 23rd Street, which serves as overflow parking for the adjacent restaurant. The plan amendment would change the Future Land Use from Neighborhood to Commercial to facilitate the rezoning on this property from Single-Family Residential (RS-1) to General Commercial (CG). As part of this request, the remaining six lots will be rezoned from General Commercial/Heavy Commercial (CG/CH) to General Commercial (CG). This will eliminate the heavy commercial CH component, consistent with the land use pattern in the area.			
LOCATION:		LEGAL DESCRIPTION:	
East of Martin Luther King Drive between West 22 nd and West 23 rd Streets		Lots 1-4, 10-12 in Block 43 of the Lasker Addition	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD District #4 – Lucy Gonzales Reagan Neighborhood	CG/CH, RS-1	Commercial & Neighborhood	1.125 acres
THOROUGHFARE PLAN:			
Martin Luther King Drive – Urban Collector Street, Required: 60’ right-of-way, 50’ pavement; Provided: 80’ right-of-way, 38’ pavement West 22nd and 23rd Streets – Urban Local Streets, Required: 50’ right-of-way, 40’ pavement or 36’ with 4’ sidewalk; Provided: 100’ right-of-way, 40’ pavement with no sidewalk			
NOTIFICATIONS:			
14 notifications for CP21-01 and 22 notifications for Z21-01 were mailed within a 200-foot radius on February 1, 2021. CP21-01 – one response in support from owner; Z21-01: Two responses in support (two from owners) and one in opposition.			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of a Comprehensive Plan Amendment changing the Future Land Use designation from “Neighborhood” to “Commercial” on 0.16 acres of land; and APPROVAL of a rezoning from the General Commercial/Heavy Commercial (CG/CH) and Single-Family Residential (RS-1) Zoning Districts to the General Commercial (CG) Zoning District on 1.125 acres of land as identified on the attached maps.			
PROPERTY OWNER/PETITIONER:			
2218 Martin Luther King Property, LLC Lee Pfluger			
STAFF CONTACT:			
Jeff Fisher, AICP Principal Planner (325) 657-4210, Extension 1550 jeff.fisher@cosatx.us			

Comprehensive Plan Amendments and 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 as outlined in #1 through #7 below. Comprehensive Plan Amendments are reviewed in the context of the San Angelo Strategic Plan, the 2009 Update to the Comprehensive Plan and outlined in #1 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.** The proposed Comprehensive Plan Amendment from Neighborhood to Commercial on Lot 4 will facilitate the rezoning to General Commercial (CG), consistent with a Commercial Future Land Use. The property is part of the Franco's Restaurant site which includes six lots immediately west; three adjacent to West 23rd Street and three adjacent to West 22nd Street. The subject lot has been used for overflow parking since at least 1996 according to historic aerials and likely earlier since the Appraisal District indicates there was a café building on the property since 1967. Changing the Future Land Use to Commercial will legalize the existing commercial parking area on the property and allow its expansion. The City's Comprehensive Plan defines the Commercial Future Land Use as often "single-use centers consisting of large retail and office clusters that seek visibility and convenient access offered by frontage on the major street network." The rezoning would support this policy in recognizing the seven lots as a single, retail commercial use onto Martin Luther King Drive, an urban collector street designed to carry large traffic volumes.
2. **Consistent with Zoning Ordinance. Whether and the extent to which the proposed amendment would conflict with any portion of this Zoning Ordinance.** As indicated, the applicant agreed with Staff's recommendation to remove the heavy commercial component from the existing six lots, and change all seven lots to General Commercial (CG). Staff believes that the CG zoning fits the character of this commercial coCorridor best, which includes several retail businesses and institutional uses, and is located adjacent to a residential neighborhood to the east. The subject property is a double frontage lot and the current building does not meet the required 25-foot front yard setback facing West 23rd Street. However, the applicant has applied for an associated street right-of-way abandonment to acquire an additional 25 feet facing West 23rd Street. This additional and would provide a sufficient front yard setback for the current building. Any future development would also trigger a review of current parking standards as several of the parking areas are deteriorated or unpaved. Finally, any future development on Lots 4 and 10 adjacent to RS-1 zoning and residential uses shall install a minimum 6-foot tall privacy fence, reduced to 4 feet within the front yard setbacks. A privacy fence already exists adjacent to a portion of Lot 4, but an extension of this fence would be required at time of future development to close the remaining 60-foot gap.
3. **Compatible with Surrounding Area. Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject land and is the appropriate zoning district for the land.** The rezoning is compatible with surrounding land uses, which include other retail uses and institutional uses along the Martin Luther King Drive commercial corridor.

4. **Changed Conditions.** *Whether and the extent to which there are changed conditions that require an amendment.* The subject property has remained as a parking lot for over 50 years. Rezoning to CG would allow the use(s) of the property for commercial development, while still retaining some of the parking area. There is ample parking already in the area for retail commercial shopping plazas. A rezoning to CG will allow the applicants to develop the property commercially and provide an effective transition between more intense commercial and single-family residential uses. Zoning north of 25th Street to 29th Street on the east side of Martin Luther King Drive is zoned CG/CH for commercial development. On the west side from 29th Street south to downtown is zoned for commercial or industrial development. Therefore, Staff believes that expanding east to include an additional commercial lot, in particular since this lot has been a commercial parking area since at least the mid-1990s, is appropriate.
5. **Effect on Natural Environment.** *Whether and the extent to which the proposed amendment would result in significant adverse impacts on the natural environment, including but not limited to water and air quality, noise, storm water management, wildlife, vegetation, wetlands and the practical functioning of the natural environment.* Staff does not anticipate any adverse environmental affects at this time. A review of grading, drainage, and stormwater would be conducted at time of permitting for any new buildings or additions. This would include a review of any new parking or resurfacing of any existing parking that is required.
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 the proposed Comprehensive Plan amendment and rezoning. Rezoning to CG will facilitate future expansion of the properties and remove the heavy commercial component to protect the adjacent neighborhood. These properties are also located within the north TIRZ area and removing the heavy commercial component also made sense to support any future aesthetic enhancement of the properties for retail or related purposes.
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.* Staff anticipates the majority of traffic will continue to enter the site from Martin Luther King Drive, an urban collector street, and there will be no change to existing development patterns. There is a possibility for a new approach from West 23rd Street and this could be reviewed at time of permitting.

Planning Commission Recommendation:

On February 22, 2021, the Planning Commission recommended unanimous **APPROVAL** by a 7-0 vote of an amendment to the City of San Angelo Comprehensive Plan, changing certain lands from the Neighborhood Future Land Use to the Commercial Future Land Use, being 0.16 acres; and a rezoning from the General Commercial/Heavy Commercial (CG/CH) and Single-Family Residential (RS-1) Zoning Districts to the General Commercial (CG) Zoning District, being 1.125 acres. **The following is the complete excerpt of the draft minutes from the February 22, 2021 meeting for these cases which were presented concurrently:**

Jeff Fisher, Principal Planner, presented the proposed comprehensive plan amendment and rezoning. Mr. Fisher explained that these cases were tabled from February 15, 2021 due to inclement weather. He explained that the comprehensive plan amendment to Commercial on the one lot will facilitate the associated rezoning of this lot from RS-1 to CG. He also indicated that as part this request, the applicant at the request of Staff decided to rezone the remaining six lots from CG/CH to CG, removing the heavy commercial (CH) component given close proximity to nearby residences. Mr. Fisher further explained that the applicant Franco's restaurant was planning to expand their building to the north and improve their parking which triggered the applications. Mr. Fisher displayed photos for the area and that the rezoning of the RS-1 lot would allow overflow parking. He indicated that Staff received one response in favor for both requests. He then outlined Staff's recommendation to improve the requests on the grounds that the Commercial designation will facilitate the associated rezoning to CG; that the lots will comply with all CG requirements once the associated abandonment on the north side is approved; that the restaurant is compatible with the surrounding retail and institutional uses; and that there is a community need as the rezoning will facilitate future expansion and remove the heavy commercial (CH) component from these properties.

Chair Stribling, asked Mr. Fisher if he could present the right-of-way abandonment case immediately after these ones since it is related.

Mr. Fisher responded that he will.

Chair Stribling opened public comment.

Mr. Fisher, asked the applicant, Lee Pfluger, if he had any questions regarding the changes.

Mr. Pfluger responded that the expansion on the north side will be for take-out services for the restaurant.

Chair Stribling closed public comment.

Commissioner Smith made a motion to RECOMMEND APPROVAL of an amendment to the City of San Angelo Comprehensive Plan, changing certain lands from the Neighborhood Future Land Use to the Commercial Future Land Use, being 0.16 acres located in the 200 block of West 23rd Street; and, to RECOMMEND APPROVAL of a rezoning from the General Commercial/Heavy Commercial (CG/CH) and Single-Family Residential (RS-1) Zoning Districts to the General Commercial (CG) Zoning District, located at 2218 Martin Luther King Drive, three lots in the 200 block of West 22nd Street, and one lot in the 200 block of West 23rd Street, being 1.125 acres. Commissioner Davis seconded the motion. The motion carried unanimously, 7-0.

Recommendation:

Staff's recommendation is for City Council to:

1. **APPROVE** an amendment to the City of San Angelo Comprehensive Plan, changing certain lands

from the “Neighborhood” Future Land Use to the “Commercial” Future Land Use, being 0.16 acres located in the 200 block of West 23rd Street.

2. **APPROVE** a rezoning from the General Commercial/Heavy Commercial (CG/CH) and Single-Family Residential (RS-1) Zoning Districts to the General Commercial (CG) Zoning District, being located at 2218 Martin Luther King Drive, three lots in the 200 block of West 22nd Street, and one lot in the 200 block of West 23rd Street.

Attachments:

Aerial Map

Future Land Use Map

Zoning Map

Photographs

Citizen Letters

Zone Change Criteria Sheet

Applications



Rezoning

Z21-01

Council District: Lucy Gonzales - District 4

Neighborhood: Reagan

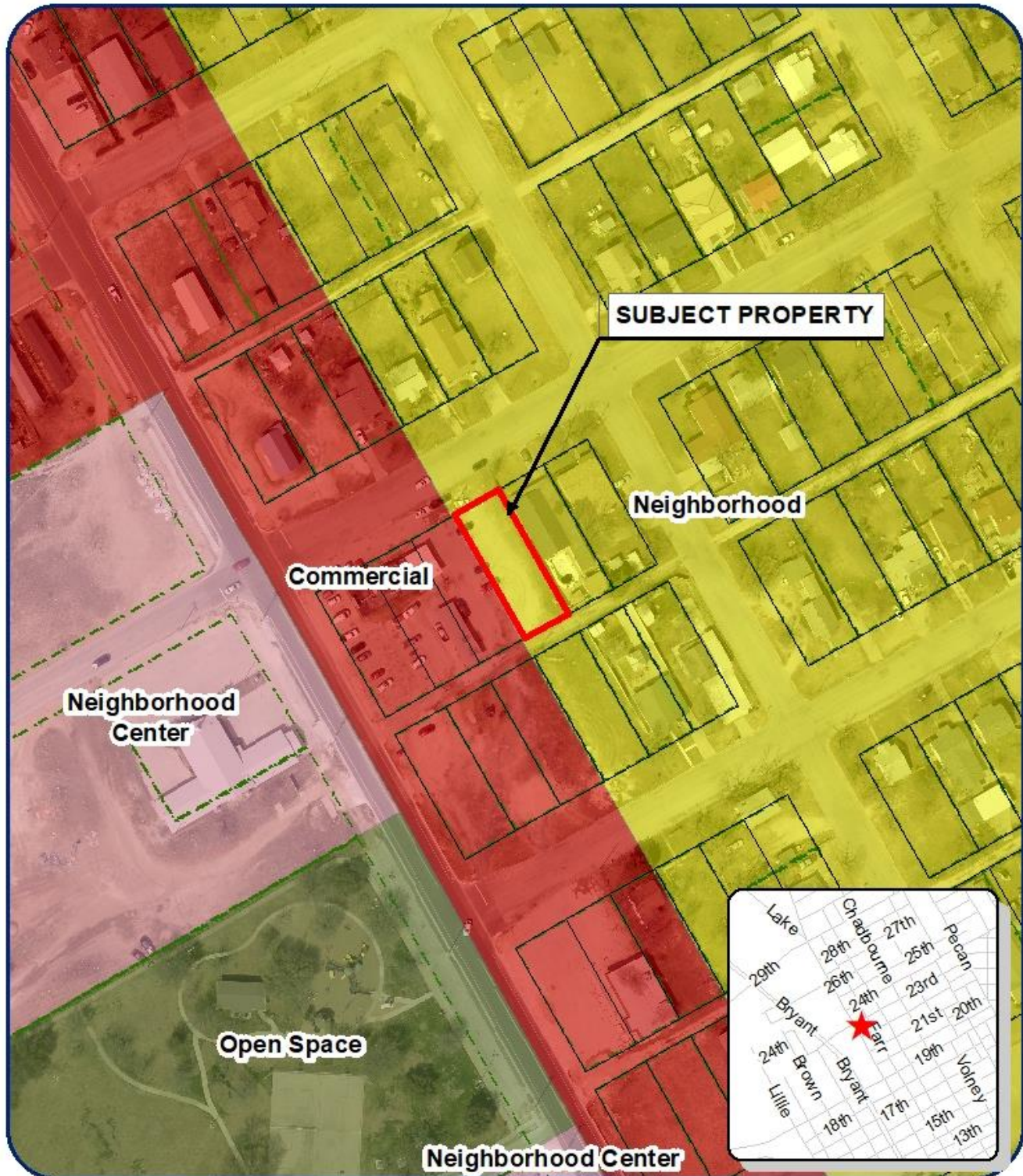
Scale: 1" approx. = 125 ft

2218 Martin Luther King Dr, 200 Blocks of W. 22nd, 23rd St. 1.125 ac.

Legend

Subject Properties: 
Current Zoning: **CG/CH, RS-1**
Requested Zoning Change: **CG**
Vision: **Commercial, Neighborhood**



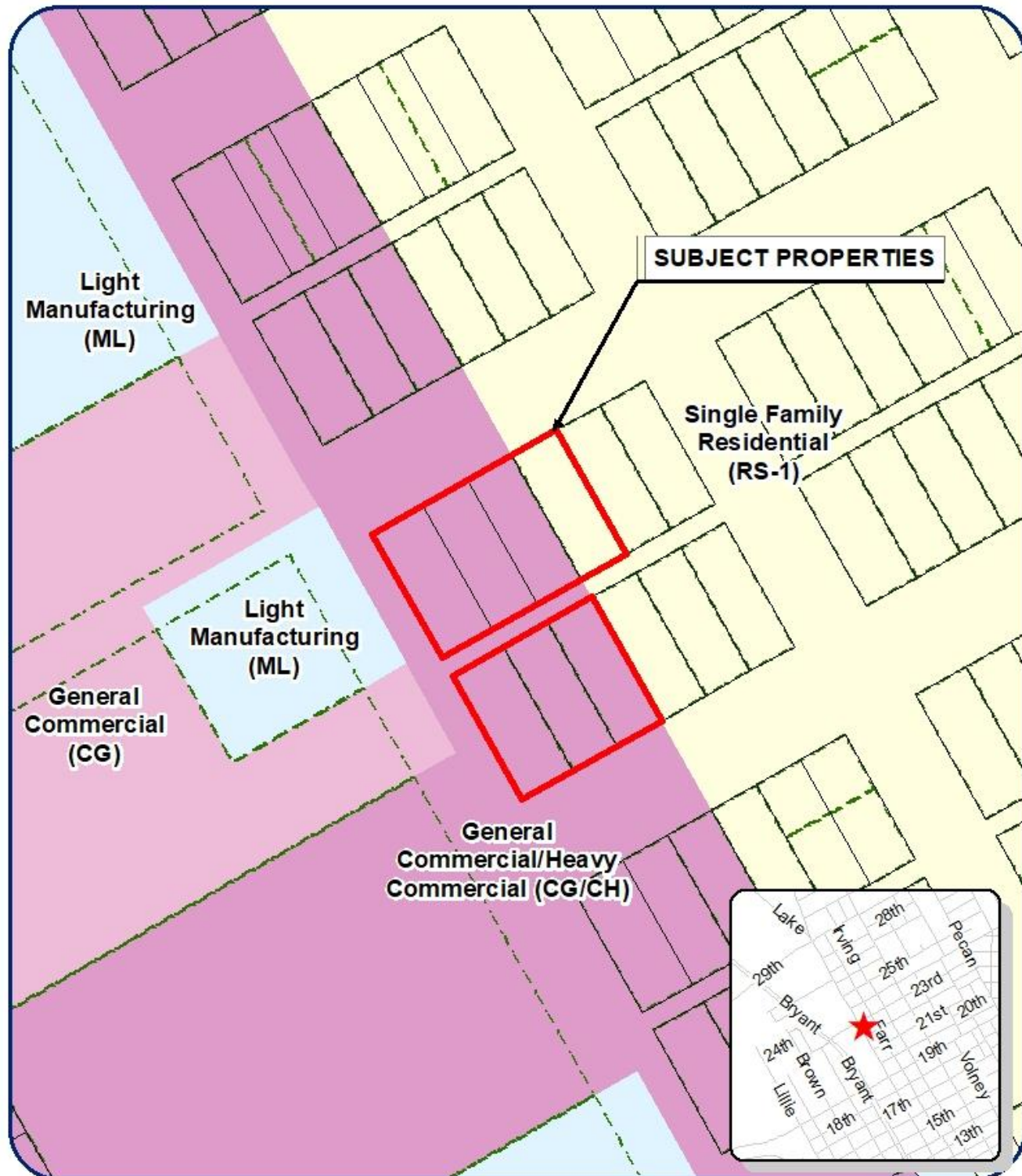
**Comprehensive Plan Amendment****CP21-01**

Council District: Lucy Gonzales - District 4

Neighborhood: Reagan

Scale: 1" approx. = 125 ft

200 Block of W. 23rd St. 0.16 ac.**Legend**Subject Properties: —Current Zoning: **RS-1**Future Land Use: **Neighborhood**Proposed Future Land Use: **Commercial**

**Rezoning****Z21-01**

Council District: Lucy Gonzales - District 4

Neighborhood: Reagan

Scale: 1" approx. = 125 ft

2218 Martin Luther King Dr, 200 Blocks of W. 22nd, 23rd St. 1.125 ac.**Legend**

Subject Properties: —
 Current Zoning: **CG/CH, RS-1**
 Requested Zoning Change: **CG**
 Vision: **Commercial, Neighborhood**



Photos of Site and Surrounding Area

2218 MARTIN LUTHER KING DR. (FRANCO'S)



2218 MARTIN LUTHER KING DR. (FRANCO'S)



LOT 4 – W. 23RD ST. (OVERFLOW PARKING)



LOTS 10-12 – W. 22ND ST. (OVERFLOW PARKING)



MARTIN LUTHER KING DR. LOOKING SOUTH



WEST 23RD ST. LOOKING EAST



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

(☒)

IN FAVOR

(☐)

IN OPPOSITION

REASON(S) _____

NAME: Big Lake Ranch LP

ADDRESS: Box 1991
San Angelo, Tx 76902

SIGNATURE: Addison Lee Blum

CP21-01: 200 Block of West 23rd Street

property owner number: 3

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

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

(X)

IN FAVOR

()

IN OPPOSITION

REASON(S) _____

NAME: Big Lake Ranch LP

ADDRESS: Box 1991

San Angelo Tx 76902

SIGNATURE: Addison LuBeug

Z21-01: 2218 Martin Luther King Drive, 200 Blocks of West 22nd & 23rd Streets

property owner number: 4

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

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

(yes) IN FAVOR () IN OPPOSITION

REASON(S)

I need To Fix my Front yard and
my Driveway. Also I Plan on Putting
up a good looking Fence.

NAME: Juan Perez JUAN PEREZ
ADDRESS: 205 W. 23 ST.
San Angelo, TX 76901

SIGNATURE: Juan Perez 2-11-21

Z21-01: 2218 Martin Luther King Drive, 200 Blocks of West 22nd & 23rd Streets

property owner number: 16

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

Staff Report –CP21-01 & Z21-01: 2218 Martin Luther King Drive and 200 Blks W 22nd and W. 23rd Streets
March 16, 2021

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) _____

Need more information on the
proposal and purpose of zoning
permit.

NAME: _____

Alex Perez

ADDRESS: _____

112 W. College Ave.
San Angelo, TX 76903

SIGNATURE: _____

Alex Perez

Z21-01: 2218 Martin Luther King Drive, 200 Blocks of West 22nd & 23rd Streets

property owner number: 17

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

Sec. 212. Amendments to Text or Official Zoning Map

G. Amendment Criteria. The wisdom of amending the text of this Zoning Ordinance or the Official Zoning Map is a matter committed to the sound legislative discretion of the City Council and is not controlled by any one factor. In determining whether to adopt, adopt with modifications or deny the proposed amendment, the City Council shall at a minimum consider the following factors.

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 CG Zoning will be compatible with the Comprehensive Plan

Amendment change to Commercial.

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 CG Zoning will allow Lot 4 (adjacent to the currently operating

Franco's Café) to be available for development for overflow parking when the need arises.

3. Compatible with Surrounding Area. Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject land and is the appropriate zoning district for the land.

The six lots located West and South of Lot 4 are currently owned and used in the operations of Franco's Café. Changing the Zoning of Lot 4 to CG is compatible with the current utilization of the adjacent six lots.

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

The currently planned expansion of Franco Café's Carry Out capability will reduce the Café's current parking capacity along 23rd Street and if in-dining volumes increase as the COVID-19 pandemic subsides, operationally, Franco's Café may need the flexibility to expand its parking capacity sometime in the future.

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
- N/A – Any future utilization of Lot 4 for overflow parking for Franco's Café will require City approvals at that time.

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

Franco's Café is a restaurant icon for the North Side of San Angelo. Franco's Café services the community with affordable food and an opportunity for employment for ~~area~~ residents.

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 CG Zoning of Lot 4 would not alter the current use pattern for patrons and staff of Franco's Café. Staff will still enter from the East side of the property and Patrons will continue to access In-House-Dining through the current (West Side) front door on Martin Luther King Blvd.
- _____

Staff Report –CP21-01 & Z21-01: 2218 Martin Luther King Drive and 200 Blks W 22nd and W. 23rd Streets
March 16, 2021

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): 2218 Martin Luther King Property, LLC

☒ Owner

☐ Representative (Notarized Affidavit Required)

P.O. Box 1991

San Angelo

Texas

76902

Mailing Address

City

State

Zip Code

325-944-4444

lee.pfluger@cactushotel.net

Contact Phone Number

Contact E-mail Address

2218 Martin Luther King Blvd. and 214, 216, 218 West 22nd Street, San Angelo

Texas

76903

Subject Property Address

City

State

Zip Code

Lots 1 thru 4 and Lots 10 thru 12, Block 43, Lasker Addition, San Angelo, Tom Green County, Texas

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

Existing Zoning: CG /HC & RS-1 Proposed Zoning: CG Lot size: 50' x 140'

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

Section 2: Site Specific Details

Existing Use of Property: Existing Restaurant and Parking

*Proposed Use of Property: Existing Restaurant and Parking

*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.

2218 Martin Luther King Property, LLC

Owner Name (Print)

Signature

Addison Lee Bluger
Company/Organization (If Applicable)

Date

21 Jan 2021

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: ____/____/____

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): 2218 Martin Luther King Property, LLC

☒ Owner ☐ Representative (Notarized Affidavit Required)

P.O. Box 1991 San Angelo Texas 76902

Mailing Address City State Zip Code

325-944-4444 lee.pflugger@cactushotel.net

Contact Phone Number Contact E-mail Address
 Lot 4, Block 43, Lasker Addition San Angelo TX 76903

Subject Property Address City State Zip Code

Lot Size: 50' x 140' Zoning: RS - 1

Section 2: Site Specific Details

Existing Use of Property: DRIVEWAY

Proposed Use of Property: DRIVEWAY AND OVERFLOW PARKING

Existing Comprehensive Plan Land Use Designation: NEIGHBORHOOD

Requested Comprehensive Plan Land Use Designation: COMMERICAL

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

The change in the Comprehensive Plan has been requested to support a Zoning Change which will

Allow Lot 4, Block 43 to be used for parking in the future.

Effective January 3, 2017

Section 3: Applicant(s) Acknowledgement**Please initial the following:**

AP 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.

AP 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.

AP 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).

AP 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.

AP 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.

AP 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.

AP 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.

AP 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.

Addison Lee Pfluger
Signature of licensee or authorized representative

21 Jan 2021
Date

Addison Lee Pfluger
Printed name of licensee or authorized representative

2218 Martin Luther King Property LLC
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: ____/____/____

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: March 16, 2021

Item type: Regular Item

Caption:

First reading and public hearing of an ordinance providing for the abandonment of 6,582-sq ft of the south side of the W. 23rd St. right-of-way between Martin Luther King Dr. and Farr St. (Presentation made by Planning & Development Services Director Jon James)

Summary/History:

The applicant has applied to abandon a portion of the south side of West 23rd Street between Martin Luther King Drive and Farr Street. The purpose of the abandonment is to allow Franco's restaurant to expand to the north facing West 23rd Street and achieve the required front yard setback from West 23rd Street.

The applicant's original request was to abandon 7,455 square feet, which would have provided an additional 25 feet of right-of-way. However, Engineering Services and the Operations Department have discussed with Planning Staff and the applicant and have decided to abandon only 22 feet to allow for an existing water line located near the right-of-way. The revised abandonment area is now 6,582 square feet and will allow the applicant to expand the building with an administrative variance for a 22.5-foot front setback from West 23rd Street.

Financial Impact:

N/A

Other Information/Recommendation:

On February 22, 2021, the Planning Commission recommended unanimous **APPROVAL** by a vote of 7-0 to approve the requested abandonment, subject to three conditions of approval as presented.

Attachments:

- | | |
|--|--|
| 1. Ordinance (W.23rdSt_ROW_Abandon) | 2020-03-12 Ordinance (6b) W. 23rd St_ROW_Abandon.pdf |
| 2. Staff Report (W.23rdSt_ROW_Abandon) | Staff Report (W.23rdSt_ROW_Abandon).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 STREET RIGHT-OF-WAY COMPRISING OF APPROXIMATELY 0.151 ACRES (6,582 SQUARE FEET) OUT OF WEST 23RD STREET RIGHT-OF-WAY, TOM GREEN COUNTY, TEXAS; LOCATED ON THE SOUTH SIDE OF WEST 23RD STREET BETWEEN MARTIN LUTHER KING DRIVE AND FARR 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 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 0.151 acres (6,582 square feet) out of the south side of West 23rd Street between Martin Luther King Drive and Farr Street, 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 of, 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. On the replat, the area within the abandonment shall include an unobstructed utility, maintenance, and pedestrian access easement.
- 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 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 right-of-way.

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 **16th day of March, 2021**, and finally PASSED, APPROVED AND ADOPTED on this the **6th day of April, 2021**.

THE CITY OF SAN ANGELO

Brenda Gunter, Mayor

ATTEST:

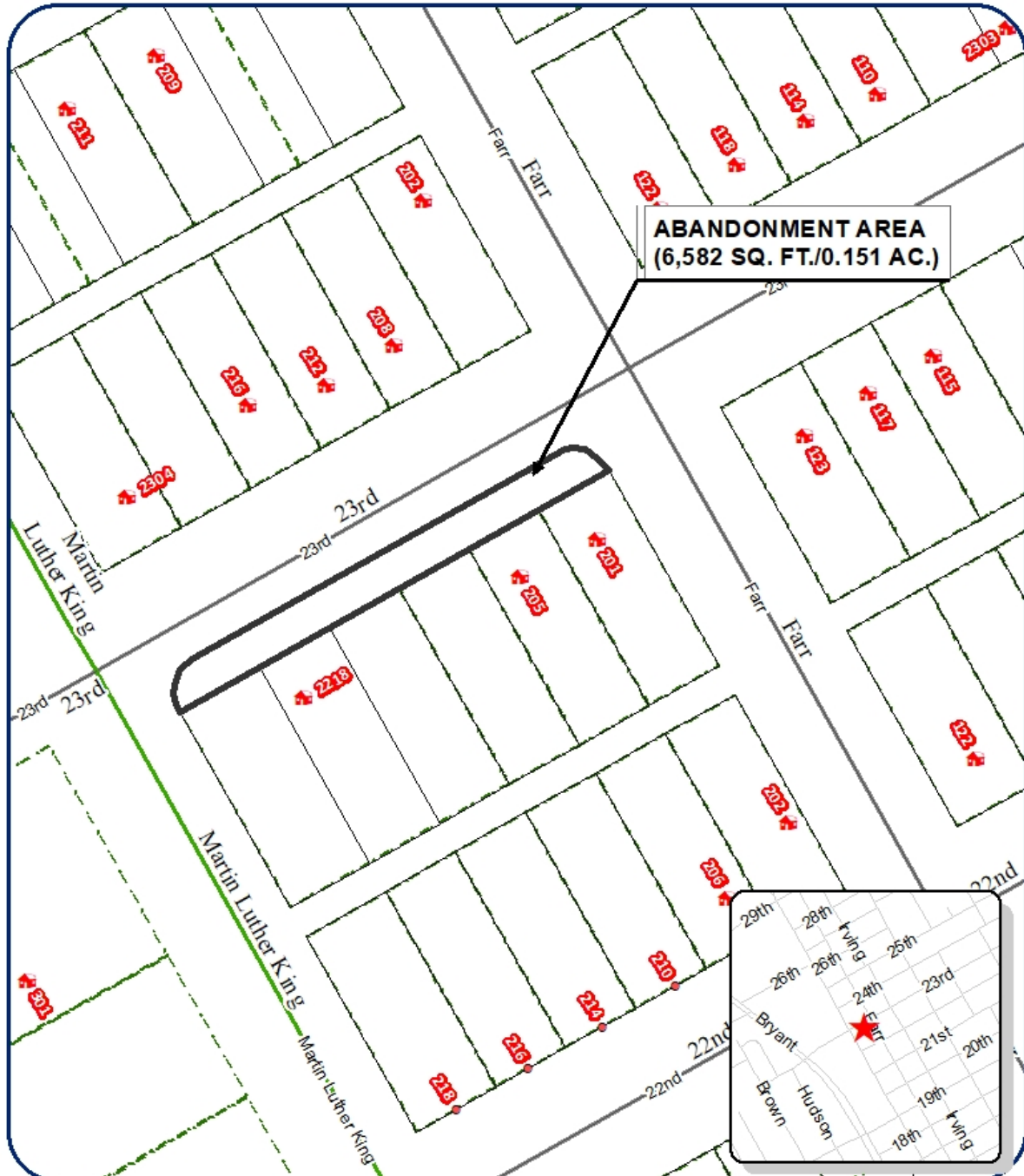
APPROVED AS TO FORM:

Julia Antilley, City Clerk

Theresa James, City Attorney

EXHIBIT "A"

Page 1 of 3



Street Right-Of-Way Abandonment

200 Block of West 23rd Street

Council District: Lucy Gonzales - District 4

Neighborhood: Reagan

Scale: 1" approx. = 80 ft

200 Block of W. 23rd between MLK Dr. and Farr St.

Legend

Subject Properties: **CG/CH, RS-1**
Current Zoning: **CG**
Requested Zoning Change: **Commercial, Neighborhood**
Vision: **Commercial, Neighborhood**



EXHIBIT "A"

Page 2 of 3

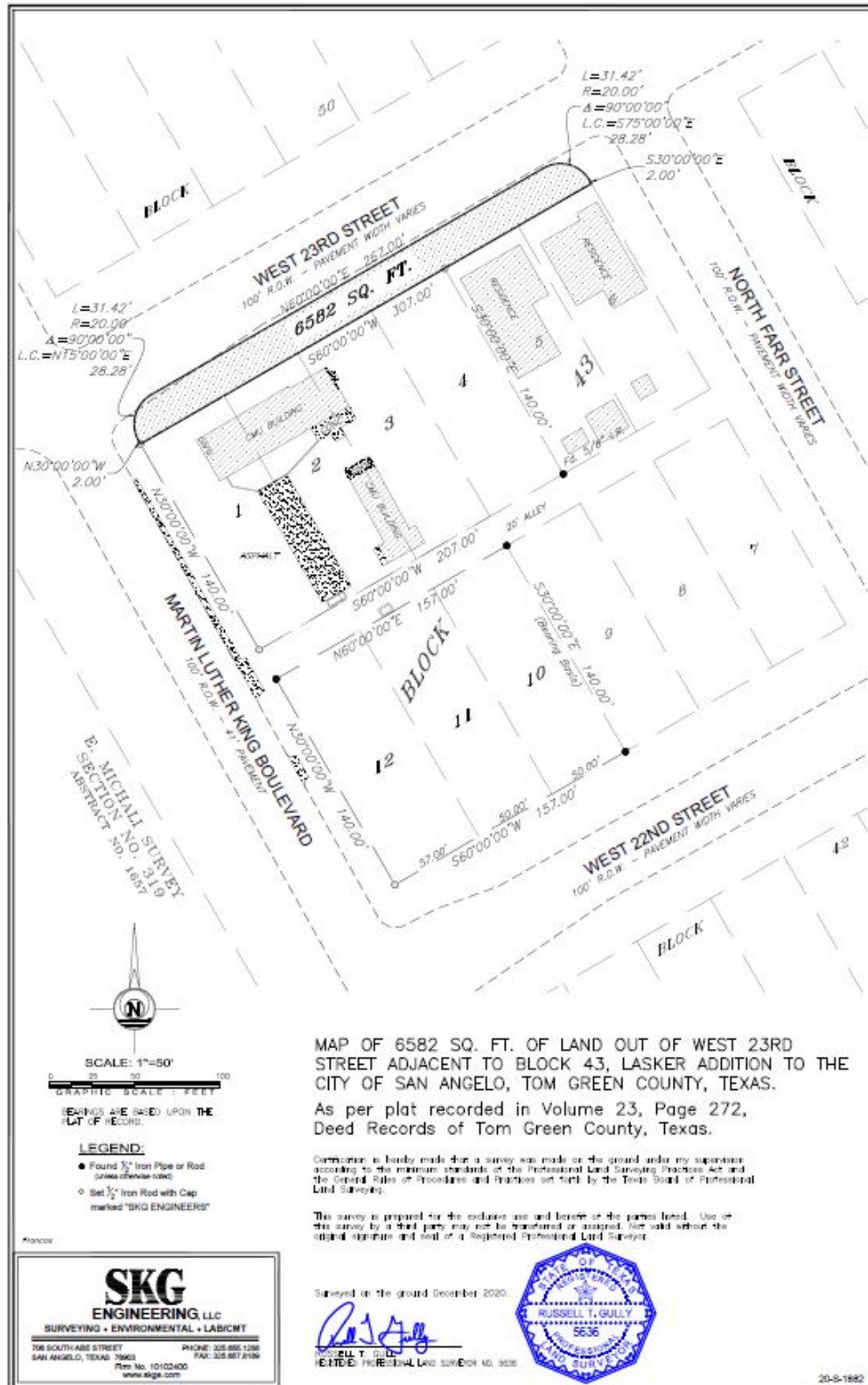


EXHIBIT "A"

Page 3 of 3

FIELD NOTES

6582 Square Feet

December 10, 2020
20-S-1882

Being an area of 6582 Square Feet of land out of West 23rd Street right-of-way adjacent to Block 43, Lasker Addition to the City of San Angelo, Tom Green County, Texas as per plat recorded in Volume 23, Page 272, Deed Records of Tom Green County, Texas and said 6582 square foot tract being more particularly described by metes and bounds as follows:

Beginning at a ½" iron rod with cap marked "SKG ENGINEERS" set for the southwest corner of this tract and the northwest corner of said Block 43 and being the intersection of the south line of said West 23rd Street and the east line of Martin Luther King Boulevard;

Thence with the west line of this tract and the east line of said Martin Luther King Boulevard N. 30° 00' 00" W. 2.00 feet to the beginning of a curve to the right;

Thence with a curve to the right, having a radius of 20.00 feet, central angle of 90° 00' 00", arc length of 31.42 feet and whose long chord bears N. 15° 00' 00" E. 28.28 feet to the northwest corner of this tract;

Thence with the north line of this tract and across said West 23rd Street, N. 60° 00' 00" E. 267.00 feet to the northeast corner of this tract and the beginning of a curve to the right;

Thence with said curve to the right, having a radius of 20.00 feet, central angle of 90° 00' 00", arc length of 31.42 feet and whose long chord bears S. 75° 00' 00" E. 28.28 feet to the end of this curve in the west line of Farr Street;

Thence with the east line of this tract and west line of said Farr Street, S. 30° 00' 00" E. 2.00 feet to the southeast corner of this tract and the northeast corner of said Block 43;

Thence with the south line of this tract and north line of said Block 43, S. 60° 00' 00" W. 307.00 feet to the place of beginning and containing an area of 6582 Square Feet of land.

See Attached Plat of Survey.



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



CITY COUNCIL – MARCH 16, 2021
STAFF REPORT



APPLICATION TYPE:		CASE:	
Street Right-of-way Abandonment		200 Block of West 23 rd Street (Pfluger)	
SYNOPSIS:			
The applicant has applied to abandon a portion of the south side of West 23rd Street between Martin Luther King Drive and Farr Street. The purpose of the abandonment is to allow Franco's restaurant to expand to the north facing West 23rd Street and achieve the required front yard setback from West 23rd Street. The applicant's original request was to abandon 7,455 square feet, which would have provided an additional 25 feet of right-of-way. However, Engineering Services and the Operations Department have discussed with Planning Staff and the applicant and have decided to abandon only 22 feet to allow for an existing water line located near the right-of-way. The revised abandonment area is now 6,582 square feet and will allow the applicant to expand the building with an administrative variance for a 22.5-foot front setback from West 23rd Street.			
LOCATION:		LEGAL DESCRIPTION:	
South of West 23 rd Street between Martin Luther King Drive and Farr Street		Being 6,582-square feet of street right-of-way on the south side of West 23 rd Street between Martin Luther King Dr. and Farr St.	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
District #4 – Lucy Gonzales Reagan Neighborhood	CG/CH and RS-1	Commercial and Neighborhood	0.151 ac. (6,582 sq. ft.)
THOROUGHFARE PLAN:			
West 23rd Street – Urban Local Street, Required: 50' right-of-way, 40' pavement or 36' with 4' sidewalk; Provided: 100' right-of-way; 40' pavement			
NOTIFICATIONS:			
20 notifications were mailed within a 200-foot radius of the property on February 2, 2021. No responses have been received for or against to date.			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of the Street Right-of-Way Abandonment of 6,582 square feet (0.151 ac.) on the south side of the West 23rd Street right-of-way between Martin Luther King Drive and Farr Street, subject to three Conditions of Approval.			
PROPERTY OWNER/PETITIONER:			
Big Lake Ranch LP Lee Pfluger			
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. Staff received responses from City Engineering and Operations, AEP, and Altice (formerly Suddenlink), indicating they would support the abandonment provided various easements are provided for their utilities/equipment. City Engineering and Operations recommends a 5-foot unobstructed utility and maintenance easement across the north 5 feet of abandonment area for an existing city water line and for any future road maintenance. AEP requires a 10-foot unobstructed easement for overhead electrical lines along the south 10 feet of the abandonment area. Altice has confirmed that this easement will be sufficient for their equipment located on the AEP electric poles in the area to be abandoned. Staff has discussed with AEP and the proposed drive-thru in this area for Franco's is allowed provided no permanent structures are located in this area.

Planning Staff conducted a site visit to the property on Wednesday, February 3, 2021. Staff noted no issues that would restrict the abandonment or create concerns for the surrounding area if the abandonment is approved, provided that the above easements are dedicated, and the entire length the 22-foot wide strip between Martin Luther King Drive and Farr Street is abandoned. Planning Staff is recommending that the 5-foot easement include pedestrian access to allow for a future sidewalk.

The proposed abandonment would not contradict any applicable City Ordinance. West 23rd Street is a local road and has the minimum required 40-foot paving width. With the additional 22 feet of right-of-way, the new building addition will be able to obtain an administrative setback variance from West 23rd Street, allowing space for the new building addition and drive-thru lane.

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 street abandonment. A condition of approval will be that the applicant replat the abandoned area into the adjacent properties. Through the platting process, the applicant can dedicate required easements and make any necessary adjustments to curbing for public safety. Once the subject area is abandoned, there will be adequate space for a future building addition and drive-thru queue.
- *Utilities:* As indicated, the utility providers with poles, lines, and equipment in the right-of-way (City of San Angelo, AEP and Altice) support the abandonment if easements are provided.
- *Community Impact:* Staff sees no negative community impact if this street portion is abandoned. By adding the abandoned areas to the properties, there will be adequate space for a future building addition and drive-thru for Franco's Restaurant. In addition, the deficient front yard setbacks for the two homes at 201 and 205 West 23rd Street would comply with the required 25-foot front yard setbacks.
- *Public Benefit:* Abandoning this street portion would not remove any current public benefit and

would create the additional public benefit of allowing a commercial business (Franco's) to expand and providing additional front yard space for adjacent residential properties.

Planning Commission Recommendation:

On February 22, 2021, the Planning Commission recommended unanimous **APPROVAL** by a vote of 7-0 to approve a Street Right-of-Way Abandonment of 6,582 square feet (0.151 ac.) on the south side of the West 23rd Street right-of-way between Martin Luther King Drive and Farr Street, subject to three Conditions of Approval. The following is the complete excerpt of the draft minutes from the February 22, 2021, meeting for this case:

Jeff Fisher, Principal Planner, presented the proposed street right-of-way abandonment. He explained that the original request was for 25 feet or 7,455 square feet, but due to a city water line and for future maintenance, Staff agreed to only support abandoning 22 feet or 6,582 square feet on the south side of West 23rd Street. Mr. Fisher mentioned that as a condition of approval, the City will retain an easement for the water line, maintenance, and other utilities now in the right-of-way while allowing the applicant to place a drive-through in the abandoned area. He also explained that the abandonment will allow the two residential homes to the east which are part of the request to have complying front setbacks. Mr. Fisher then outlined Staff's recommendation to approve provided an easement is placed in the front facing W. 23rd Street; and that the lots and abandoned area are replatted. He concluded his presentation by outlining the three conditions of approval as presented.

Chair Stribling asked if the two adjacent single-family homeowners are also acquiring their portion of the frontage.

Mr. Fisher, replied that this is the intent but asked the applicant, Lee Pfluger to verify.

Hillary Bueker, Planning Manager, indicated that the two adjacent homeowners were part of the associated replat which was recently submitted.

The applicant, Lee Pfluger explained that all of the building improvements will be on the property already owned. He explained that the two adjacent homeowners are in support of the request given their current front setbacks and parking are non-compliant.

Chair Stribling opened public comment.

Ms. Bueker stated that there is not any additional public comment.

Chair Stribling asked if the only owners who can acquire the abandoned portion of West 23rd Street in front of their properties, besides Franco's, are the two adjacent homeowners.

Ms. Bueker replied that this was correct.

Chair Stribling then asked that if the two adjacent property owners do not elect to acquire the abandoned portions, if an irregular jog would be created.

Ms. Bueker responded that this was correct.

Mr. Pfluger, replied that both homeowners want to acquire their adjacent portions of abandoned right-of-way, and if there are any financial concerns, that he will get this resolved.

Chair Stribling closed public comment.

Commissioner Smith made a motion to RECOMMEND APPROVAL of a request for abandonment of 6,582 square feet of the south side of the West 23rd Street right-of-way between Martin Luther King Drive and Farr Street subject to three conditions of approval. Vice Chair Jackson seconded the motion. The motion carried unanimously, 7-0.

Recommendation:

Staff recommends that City Council **APPROVE** a Street Right-of-Way Abandonment of 6,582 square feet (0.151 ac.) on the south side of the West 23rd Street right-of-way between Martin Luther King Drive and Farr Street, subject to **three Conditions of Approval**:

1. Per Land Development and Subdivision Ordinance, Chapter 1.V, submit, obtain approval of, 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. On the replat, the area within the abandonment shall include an unobstructed utility, maintenance, and pedestrian access easement.
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 right-of-way.

NOTES:

1. Future replatting may require roadway improvements, including changes to the street to ensure that the entire street and curbing is within the new right-of-way.
2. No buildings or other permanent structures may be placed within the unobstructed access easements.

Attachments:

Aerial Map

Future Land Use Map

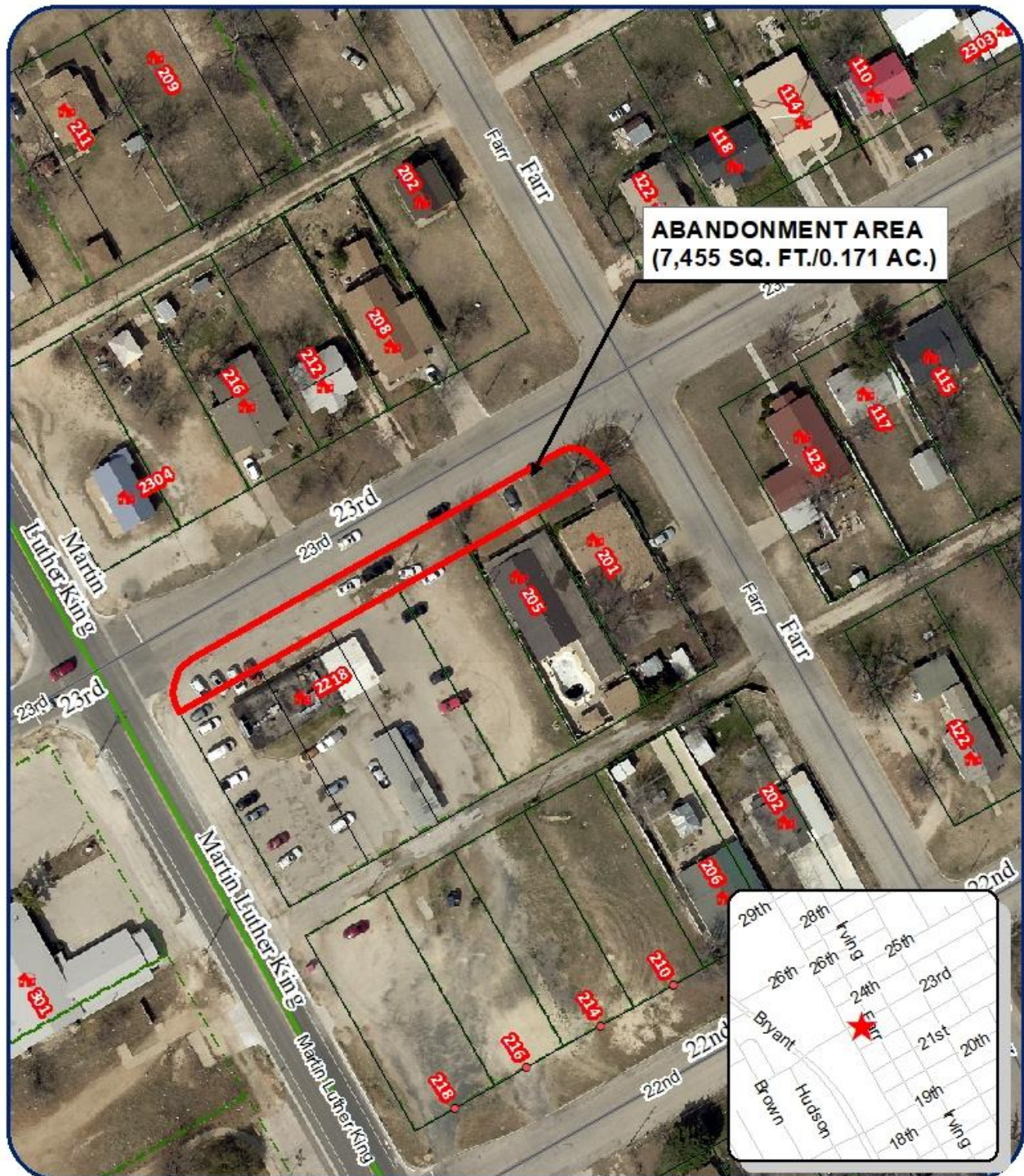
Zoning Map

Photographs

Abandonment Area Plan

Application

Staff Report – Street ROW Abandonment, 200 block of West 23rd Street
March 16, 2021



Street Right-Of-Way Abandonment

200 Block of West 23rd Street

Council District: Lucy Gonzales - District 4

Neighborhood: Reagan

Scale: 1" approx. = 80 ft

200 Block of W. 23rd between MLK Dr. and Farr St.

Legend

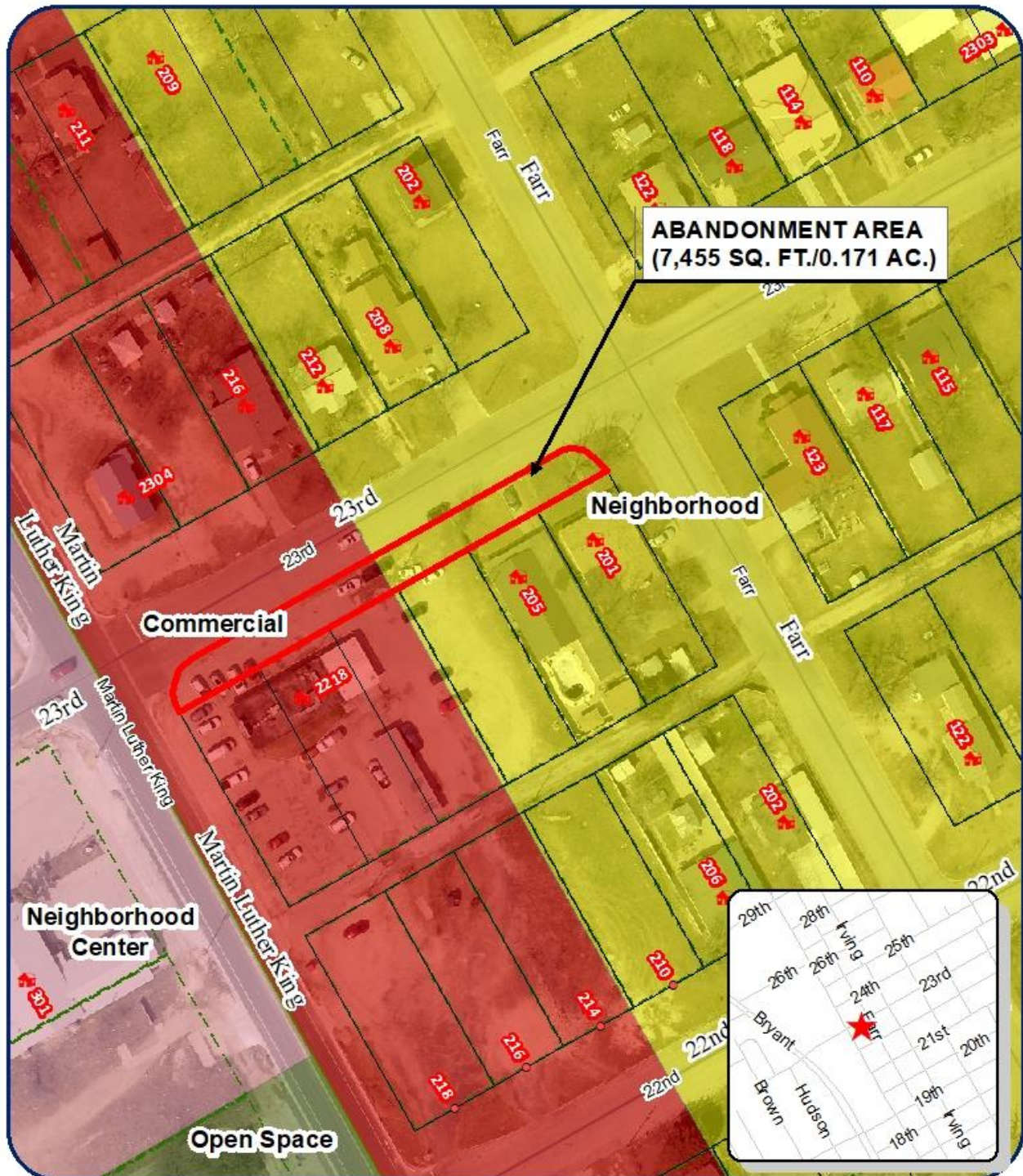
Subject Properties: —

Current Zoning: CG/CH, RS-1

Requested Zoning Change: CG

Vision: Commercial, Neighborhood



**Street Right-Of-Way Abandonment****200 Block of West 23rd Street**

Council District: Lucy Gonzales - District 4

Neighborhood: Reagan

Scale: 1" approx. = 80 ft

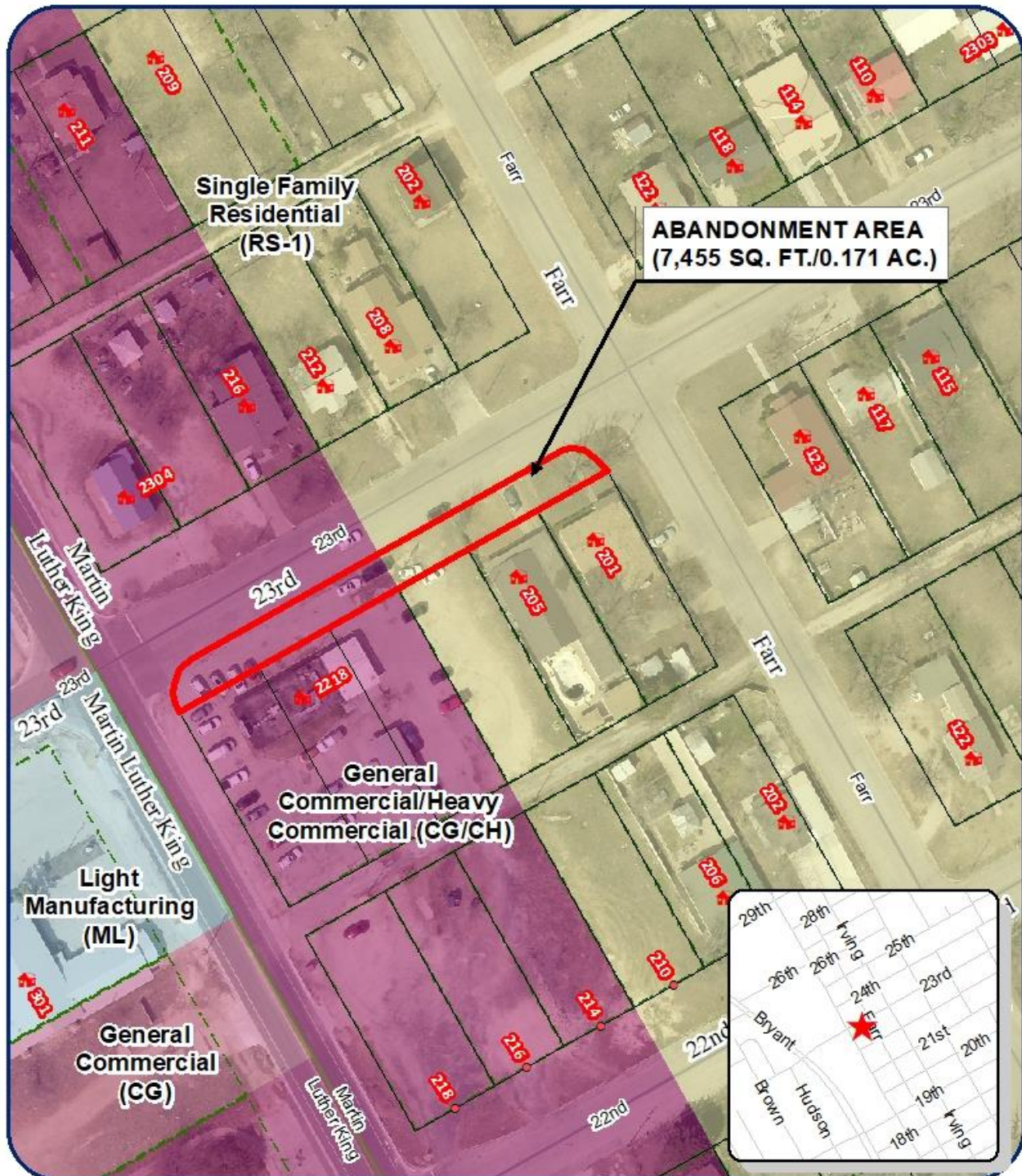
200 Block of W. 23rd between MLK Dr. and Farr St.**Legend**Subject Properties:  CG/CH, RS-1

Current Zoning: CG

Requested Zoning Change: CG

Vision: **Commercial, Neighborhood**

Staff Report – Street ROW Abandonment, 200 block of West 23rd Street
March 16, 2021



Street Right-Of-Way Abandonment

200 Block of West 23rd Street

Council District: Lucy Gonzales - District 4

Neighborhood: Reagan

Scale: 1" approx. = 80 ft

200 Block of W. 23rd between MLK Dr. and Farr St.

Legend

Subject Properties: — CG/CH, RS-1

Current Zoning: CG

Requested Zoning Change: CG

Vision: Commercial, Neighborhood



Photos of Site and Surrounding Area

2218 MARTIN LUTHER KING DR. (FRANCO'S)



2218 MARTIN LUTHER KING DR. (FRANCO'S)



LOT 4 – W. 23RD ST. (OVERFLOW PARKING)



LOTS 10-12 – W. 22ND ST. (OVERFLOW PARKING)



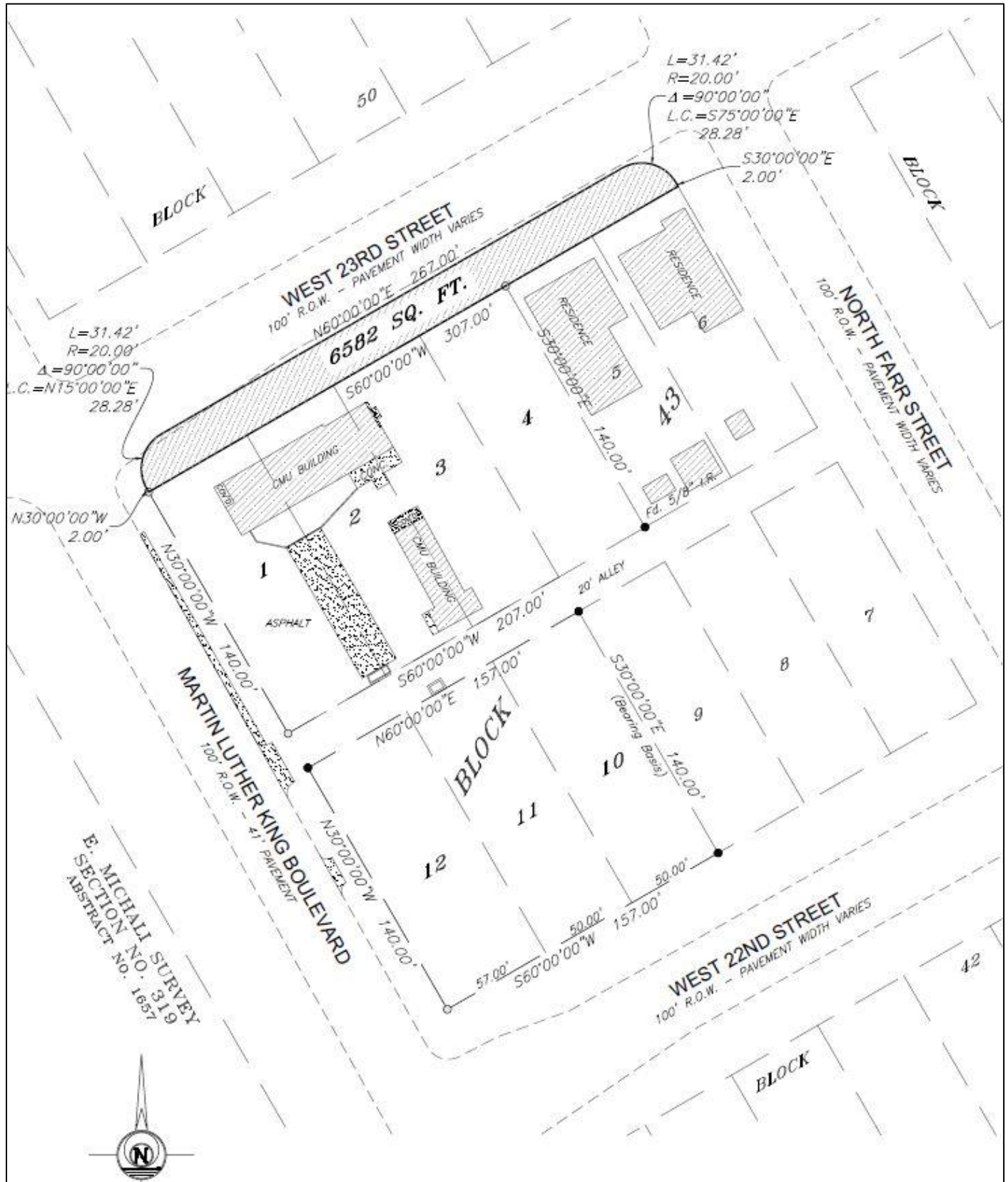
MARTIN LUTHER KING DR. LOOKING SOUTH



WEST 23RD ST. LOOKING EAST (**FUTURE ABANDONMENT AREA**)



Abandonment Area Plan



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)**

Jeff

**Section 1: Basic Information**Name of Applicant(s): 2218 Martin Luther King Property LLC☒ Owner☐ Representative (Affidavit Required)

P.O. Box 1991 San Angelo TX 76902
 Mailing Address City State Zip Code

325-234-7777 lee.pfluger@cactushotel.net
 Contact Phone Number Contact E-mail Address

2218 MLK San Angelo TX 76903
 Subject Property Address City State Zip Code

Lots 1, 2, 3, 4, 10 and 12 Block 43 LASKER ADDITION City of San Angelo, TX
 Legal Description (can be found on property tax statement or at www.tamarsencad.com)

Lot Size: _____ Zoning: _____

Section 2: Site Specific DetailsSubdivision Name: LASKER ADDITIONLots and/or Blocks Affected: Lots 1, 2, 3, 4, 10 and 14 Block 43General Description of Location: Southeast Corner of MLK and 23rd Street

Reason for Abandonment: To expand the 2218 MLK building currently
 on the property toward 23rd street

*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.

Addison Lee Pflug
Signature of licensee or authorized representative
affirming the truth of the above statement.29 December 2020
DateAddison Lee Pflug
Printed name of licensee or authorized representative2218 MLK Property LLC
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: Jeff Fisher, Sr. Planner, Planning and Development Services, 325.657.4210

Meeting Date: March 16, 2021

Item type: Regular Item

Caption:

First reading and public hearing of an ordinance approving case PD21-01, a rezoning from the Light Manufacturing, General Commercial/Heavy Commercial, Low Rise Multifamily Residential, and Two-Family Residential zoning districts to the Planned Development (PD21-01) zoning district to allow for museums, offices, and associated uses; located north of E. Washington St., east of S. Oakes St., south of the Texas Pacific Railway, and west of Rust St.; being approximately 38 acres (Presentation made by Planning & Development Services Director Jon James)

Summary/History:

The City of San Angelo (COSA) has initiated a zone change for a Planned Development (PD) to allow for museums, offices, and associated uses on City-owned land. The land is located on eleven contiguous blocks of the Fort Concho subdivision.

The PD will serve several purposes including 1) creating one comprehensive zoning district for the existing Fort and neighboring office uses (revoking the 1991 Special Permit SP91-11 that had four different zoning districts each with their own development standards); 2) applying the CBD development standards to allow flexibility for new development including 0-foot setbacks; and 3) expanding the area to include portions of Block 61, 62, and the east part of 65 owned by the City.

Financial Impact:

N/A

Other Information/Recommendation:

On February 22, 2021, the Planning Commission recommended **APPROVAL** of the request by a unanimous 7-0 vote, subject to three conditions of approval as presented.

Attachments:

- | | |
|---------------------------|----------------------------|
| 1. Ordinance (PD21-01) | Ordinance (PD21-01).docx |
| 2. Staff Report (PD21-01) | Staff Report (PD21-01).pdf |

Presentation:

Jon James

Approvals/Reviews:

Jeff Fisher	Created/Initiated
Hillary Bueker	Approved
Jon James	Approved
Brandon Dyson	Approved

Jon James
Theresa James
Julia Antilley

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: **APPROXIMATELY 39 ACRES LOCATED NORTH OF EAST WASHINGTON DRIVE; EAST OF SOUTH OAKES STREET; SOUTH OF THE TEXAS PACIFIC RAILWAY; AND WEST OF RUST STREET;** FROM THE LIGHT MANUFACTURING (ML), GENERAL COMMERCIAL/HEAVY COMMERCIAL (CG/CH), LOW RISE MULTIFAMILY (RM-1), AND TWO-FAMILY RESIDENTIAL (RS-2) ZONING DISTRICTS TO A PLANNED DEVELOPMENT (PD) ZONING DISTRICT TO ALLOW FOR SPECIFIC USES AND DEVELOPMENT STANDARDS AS OUTLINED IN THE ORDINANCE; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE

RE: PD21-01: 630 SOUTH OAKES STREET AND SURROUNDING PROPERTIES

WHEREAS, on the 22nd day of February, 2021, 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 (PD21-01) Zoning District to allow for specific uses and development standards as outlined in the Ordinance, and,

WHEREAS, on the 16th day of March, 2021, City Council held a public hearing on PD21-01, 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 (PD21-01) ZONING DISTRICT;

The real properties generally located north of East Washington Drive; east of South Oakes Street; south of the Texas Pacific Railway; and west of Rust Street being approximately 39 acres; City of San Angelo, Tom Green County, Texas as more particularly described and depicted on Exhibit “A”

of this Ordinance, shall henceforth be permanently zoned as follows: Planned Development (PD21-01) 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 “A”** 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 “B”** 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 **16th day of March, 2021**, and finally PASSED, APPROVED AND ADOPTED on this the **6th day of April, 2021**.

THE CITY OF SAN ANGELO

Brenda Gunter, Mayor

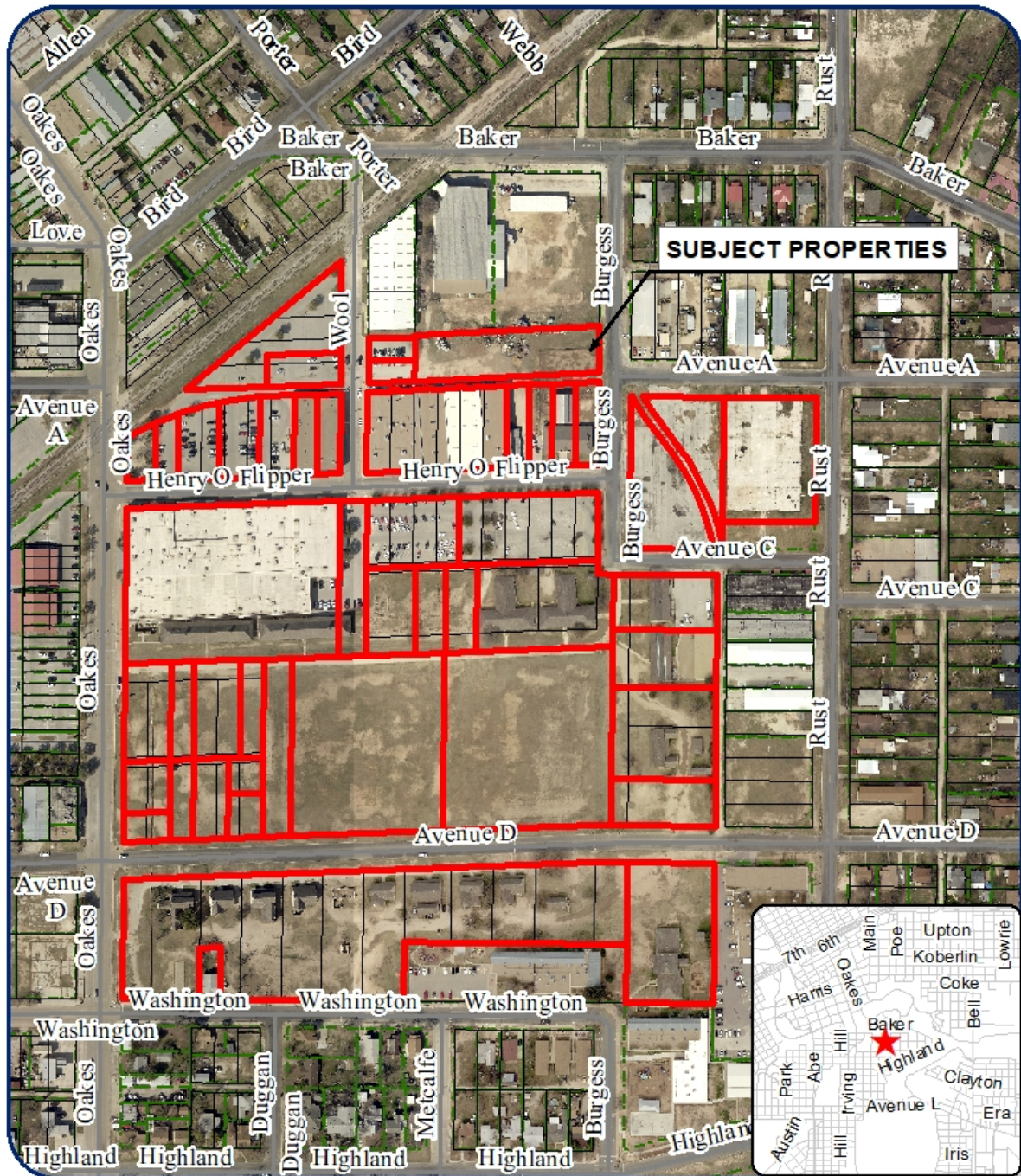
ATTEST:

APPROVED AS TO FORM:

Julia Antilley, City Clerk

Theresa James, City Attorney

Exhibit "A" (PD Boundary Map)-



Planned Development Zone Change

PD21-01 (Fort Concho)

Council District: Harry Thomas - District 3

Neighborhood: Fort Concho

Scale: 1" approx. = 275 ft

630 S. Oakes St. and various addresses

Legend

Subject Properties: —

Current Zoning: ML, CG/CH, RM-1, RS-2

Requested Zoning Change: N/A

Vision: Campus/Institutional and Commercial



Exhibit “B”
Applicable Regulations

1. The following uses shall be allowed in the Planned Development (PD) Zoning District:
 - a. museums with associated retail sales;
 - b. offices;
 - c. convention and meeting halls;
 - d. special events, including those specifically authorized by City Council;
 - e. commercial parking;
 - f. accessory uses including parking, maintenance facilities, and storage
2. Except as otherwise specified, the development of the subject property shall generally conform to the Central Business District (CBD) Zoning District standards.
3. Approval of the PD Ordinance revokes and replaces Special Permit SP 91-11.

CITY COUNCIL – MARCH 16, 2021
STAFF REPORT



APPLICATION TYPE:		CASE:	
Planned Development		PD21-01: 630 S. Oakes et al. (Fort Concho)	
SYNOPSIS:			
The City of San Angelo (COSA) has initiated a zone change for a Planned Development (PD) to allow for museums, offices, and associated uses on City-owned land. The land is located on ten contiguous blocks of the Fort Concho subdivision. The PD will serve several purposes including 1) creating one comprehensive zoning district for the existing Fort and neighboring office uses (revoking the 1991 Special Permit SP91-11 that had four different zoning districts each with their own development standards); 2) applying the CBD development standards to allow flexibility for new development including 0-foot setbacks; and 3) expanding the area to include portions of Block 61, 62, and the east part of 65 owned by the City (see Additional Information).			
LOCATION:		LEGAL DESCRIPTION:	
Various properties north of East Washington Drive; east of South Oakes Street; south of the Texas Pacific Railway; and west of Rust Street		Fort Concho Addition, Block 55, Lots 1-6 and part Lots 7-10; Blocks 56, 57, 58, 59, 60 and abandoned adjacent streets and alleys; Block 61; Block 62, south 100' of Lot 1, Lots 2-12; east ½ of Block 65; Block 66, Lots 1-5	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD District #3 – Harry Thomas Fort Concho Neighborhood	ML, CG/CH, RM-1 and RS-2	Campus/Institutional and Commercial	39 acres
THOROUGHFARE PLAN:			
<i>S. Oakes, E. Washington, Rust St., Henry O. Flipper St, Wool St, Burgess St, East Ave A, C, D</i> – Urban Local Street; <u>ROW Required 50'</u>; Existing: S. Oakes 100', Rust St, E. Ave. A and D 80', Burgess 70', E. Washington, E Ave C, Henry O. Flipper, Wool St. 60'; <u>Paving Required 40' or 36' with 4' sidewalk</u>; Existing: S. Oakes St. 60', all other streets 36'			
NOTIFICATIONS:			
47 notifications mailed within 200-foot radius on February 2, 2021. Three received in support and one in opposition to the request to date.			
STAFF RECOMMENDATION:			
Staff's recommendation is for the Planning Commission to recommend APPROVAL of a rezoning from the Light Manufacturing (ML), General Commercial/Heavy Commercial (CG/CH), Low Rise Multifamily Residential (RM-1), and Two-Family Residential (RS-2) Zoning Districts to the Planned Development (PD21-01) Zoning District to allow for specific uses and development standards as outlined in the Ordinance, subject to Three Conditions of Approval.			
PROPERTY OWNER/PETITIONER:			
City of San Angelo, Fort Concho Museum Board			
STAFF CONTACT:			
Jeff Fisher, AICP Principal Planner (325) 657-4210, Extension 1550 jeff.fisher@cosatx.us			

Additional Information: The proposed PD came as a result of a recent site plan submitted by Fort Concho showing 0-foot rear setbacks which did not comply with the required 20-foot rear setbacks within the RM-1 zoning. The new PD, if approved, would allow these buildings to be constructed with the new 0-foot setbacks, as well as setting a framework for future development within Historic Fort Concho and immediate area. The majority of the properties, except for those in Block 61, parts of Block 62, and the east half of Block 65, are all within the Fort Concho Historic Overlay Zone and require a Certificate of Appropriateness by the Design and Historic Review Commission prior to construction. Staff took this into consideration when preparing its recommendations.

Current Use of each PD Block (see attached maps):

- Block 55 – Fort Concho Office Quarters buildings and historic chapel/schoolhouse;
- Block 56, 57, 58 – Fort Concho Parade Grounds;
- Block 59 – State of Texas Services Center building; Fort Concho Barracks buildings 1 and 2;
- Block 60 – Fort Concho Barracks/Mess Hall Buildings 5 & 6 and parking (proposed buildings 3 & 4);
- Block 61 – Fort Concho Maintenance Building and parking;
- Block 62 – Texas Workforce Commission offices; Fort Concho Stables and storage; vacant land
- Block 65 - parking and vacant land
- Block 66 – Fort Concho commissary buildings, quartermaster building, and headquarters, comfort station and Ruffini buildings

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 majority of the PD properties are designated “Campus/Institutional” in the City’s Comprehensive Plan which call to “improve the standing of community centers and public facilities as pillars of their local neighborhoods and central features of the community as a whole.” Staff believes that consolidating the original four zoning districts of the Special Permit into a single Planned Development (PD) with one set of development standards adheres to this policy. The properties north of the alleys in Blocks 61 and 62, and all of Block 65 are designated “Commercial” which are “often single-use centers consisting of large retail and office clusters that seek visibility and convenient access offered by frontage onto the major street network.” These properties are currently used for parking or are vacant, and future offices which would be allowed in the PD would be consistent with the Commercial policies which support offices and related uses.
2. **Consistent with Zoning Ordinance. *Whether and the extent to which the proposed special use would conflict with any portion of this Zoning Ordinance.*** Most of the existing buildings within the PD area were built to the property lines (0-foot front setbacks) which would not comply with today’s zoning standards requiring 25-foot front yards. Therefore, Staff is recommending that the new PD apply the Central Business District (CBD) development standards which allow 0-foot front yards; and 0-foot side and rear yards unless abutting a residential use which would require a 10-foot side or rear setback. This would make all current buildings conforming uses, and allow

additional space for future building construction. The CBD standards would also exempt any parking requirements, allowing Fort Concho, the Texas office complex, and Workforce solutions to self-govern in terms of its parking situation (if parking is provided however it would still need to meet the standards of Section 511 of the Zoning Ordinance).

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 PD will allow museums with associated retail sales; offices; convention and meeting halls; special events; commercial parking; and accessory uses including associated parking, maintenance facilities, and storage. Staff believes all of these uses are compatible with the surrounding area which also contains existing offices, retail, and maintenance facilities.
4. **Changed Conditions. Whether and the extent to which there are changed conditions that require an amendment.** The proposed Barracks and Mess Hall buildings 3 and 4 in Block 60 of the Fort triggered this PD request. The barracks buildings were not able to meet current setbacks, and as part of the review, Staff recommended to the applicants submission of a PD for the entire area to allow these buildings and future buildings without having to rezone or seek variances for each request.
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.** Staff does not anticipate any negative environmental affects with the proposed PD. Most of the properties are already built-out, and any development will require a review of drainage, grading, and stormwater per normal practice.
6. **Community Need. Whether and the extent to which the proposed special use addresses a demonstrated community need.** The original Fort was built in 1867 the same year as the City of San Angelo was founded. The Fort is a National Historic Site and historically overlaid. Staff believes that the PD addresses a community need for uniform standards to protect the historic of the Fort.
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.** Approval of this PD will not change the development patterns in the area. All existing lots and streets remain in the same configuration at the present time. The PD will simply provide a uniform set of standards and remove the multiple zoning designations and standards in the Special Permit.

Planning Commission Recommendation:

On February 22, 2021, the Planning Commission recommended unanimous **APPROVAL** by a vote of 7-0 of a rezoning from the Light Manufacturing (ML), General Commercial/Heavy Commercial (CG/CH), Low Rise Multifamily Residential (RM-1), and Two-Family Residential (RS-2) Zoning Districts to the Planned Development (PD21-01) Zoning District to allow for specific uses and development standards as outlined in the Ordinance, subject to Three Conditions of Approval. The following is the complete excerpt of the

draft minutes from the February 22, 2021, meeting for this case:

Jeff Fisher, Principal Planner, presented the proposed PD rezoning which was initiated by Historic Fort Concho. He explained that the PD was triggered when Fort Concho submitted permits for construction of two new historic buildings which did not meet required setbacks. Mr. Fisher explained that the PD will combine the four separate zoning districts in this area into a single PD and allow 0-foot setbacks. Mr. Fisher then displayed photos of the Fort and surrounding buildings which included the Texas State and Workforce buildings. He indicated that Staff received 3 letters in support and 1 in opposition of the request. Mr. Fisher then outlined Staff's recommendation to approve the PD on the grounds that the PD is consistent with the Future Land Uses of Campus/Institutional and Commercial in the Comprehensive Plan; that it is consistent with the underlying CBD development standards including 0-foot front setbacks and no parking requirement; and that the PD will allow all of the Fort uses, as well the offices, parking lots, and accessory uses within the PD boundary. Mr. Fisher concluded his presentation by outlining the three conditions of approval as presented.

Chair Stribling asked if anyone had any questions for the planning staff.

Ms. Bueker expressed Staff's support for the PD, creating one comprehensive PD zoning district, replacing the current four separate zoning districts.

Mr. Fisher explained that the new building designs will closely match the original construction.

Chair Stribling opened public comment.

Mr. Robert Bluthardt, Fort Concho, the applicant, thanked staff and expressed support for the PD rezoning.

Mr. Killis Almond, architect for the applicant, stated that the proposed changes will allow Fort Concho to construct new buildings.

Chair Stribling closed public comment.

Commissioner Smith made a motion to RECOMMEND APPROVAL of a rezoning from the Light Manufacturing (ML), General Commercial/Heavy Commercial (CG/CH), Low Rise Multifamily Residential (RM-1), and Two-Family Residential (RS-2) Zoning Districts to the Planned Development (PD21-01) Zoning District to allow for museums, offices, and associated uses; located north of East Washington Street; east of South Oakes Street; south of the Texas Pacific Railway; and west of Rust Street, being approximately 38 acres. Vice Chair Jackson seconded the motion. The motion carried unanimously, 7-0.

Recommendation:

Staff's recommendation is for City Council to **APPROVE** a rezoning from the Light Manufacturing (ML), General Commercial/Heavy Commercial (CG/CH), Low Rise Multifamily Residential (RM-1), and Two-Family Residential (RS-2) Zoning Districts to the Planned Development (PD21-01) Zoning District to

allow for specific uses and development standards outlined in the Ordinance, **subject to Three Conditions of Approval:**

1. The following uses shall be allowed in the Planned Development (PD) Zoning District:
 - a. museums with associated retail sales;
 - b. offices;
 - c. convention and meeting halls;
 - d. special events, including those specifically authorized by City Council;
 - e. commercial parking;
 - f. accessory uses including parking, maintenance facilities, and storage
2. Except as otherwise specified, the development of the subject property shall generally conform to the Central Business District (CBD) Zoning District standards.
3. Approval of the PD Ordinance revokes and replaces Special Permit SP 91-11.

Attachments:

Aerial Map

Future Land Use Map

Zoning Map

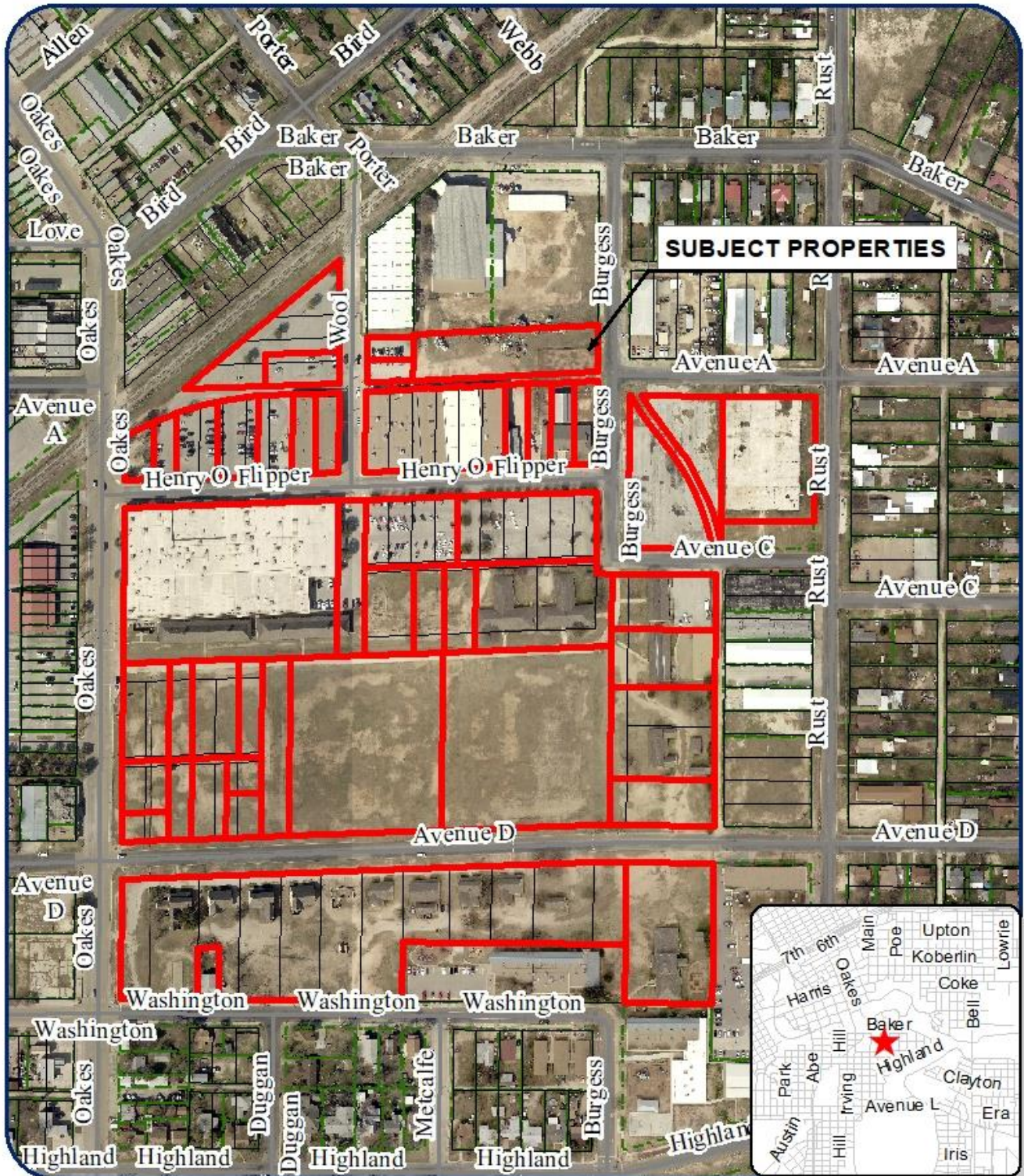
Photographs

Concept Rendering

Citizen Letters

Application

March 16, 2021

**Planned Development Zone Change****PD21-01 (Fort Concho)**

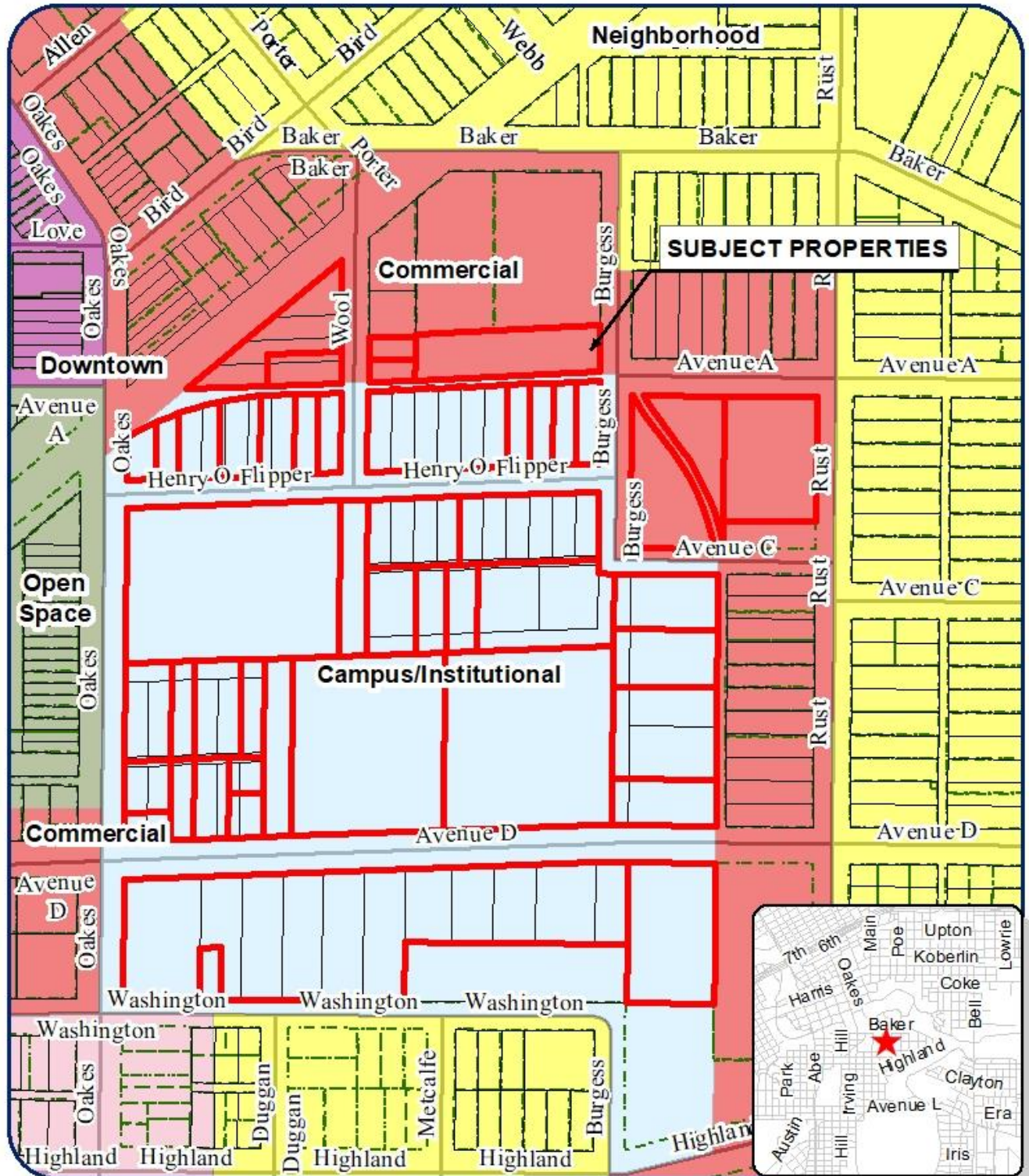
Council District: Harry Thomas - District 3

Neighborhood: Fort Concho

Scale: 1" approx. = 275 ft

630 S. Oakes St. and various addresses**Legend**Subject Properties: —Current Zoning: **ML, CG/CH, RM-1, RS-2**Requested Zoning Change: **N/A**Vision: **Campus/Institutional and Commercial**

March 16, 2021

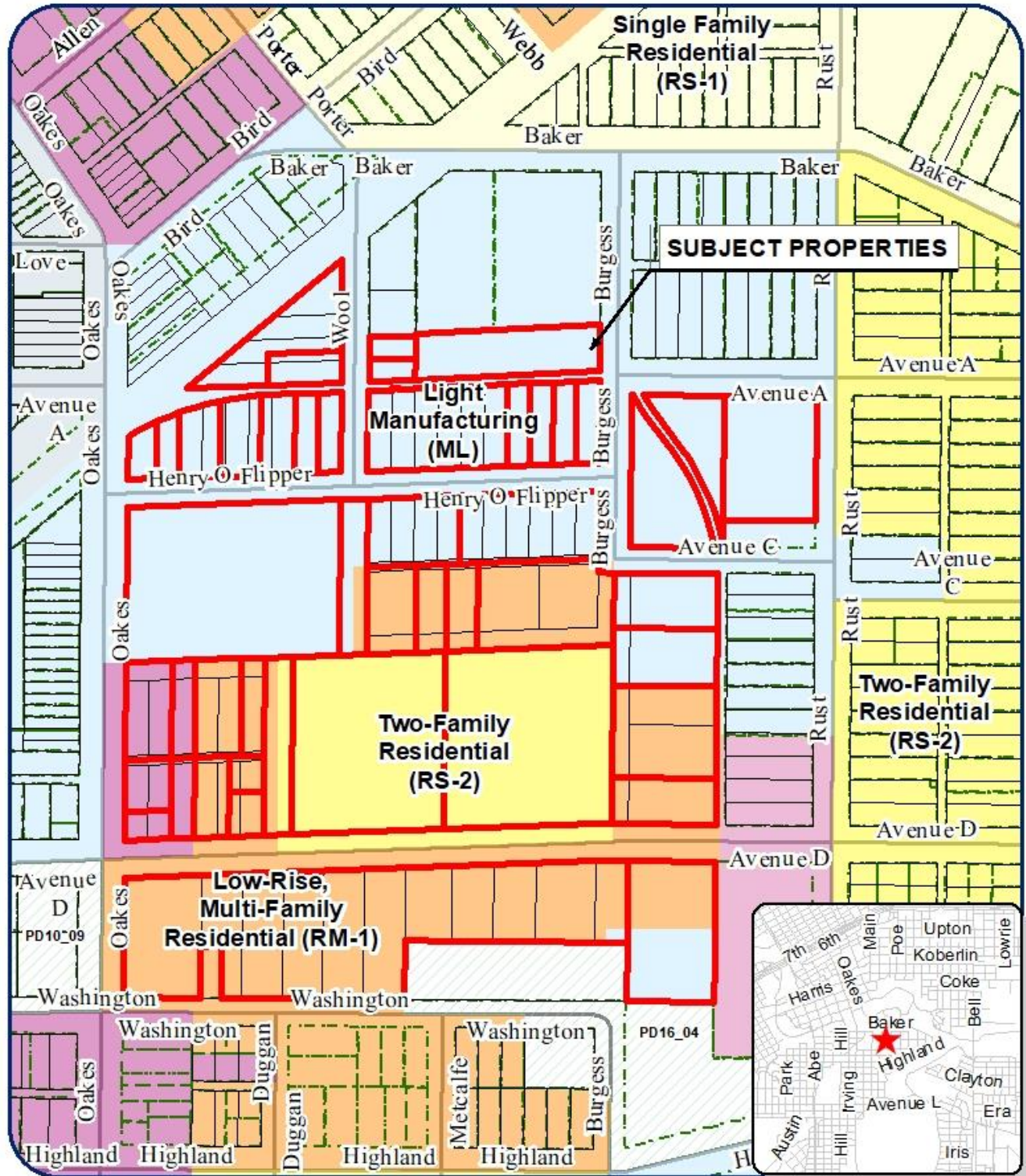
**Planned Development Zone Change****PD21-01 (Fort Concho)**

Council District: Harry Thomas - District 3

Neighborhood: Fort Concho

Scale: 1" approx. = 275 ft

630 S. Oakes St. and various addresses**Legend**Subject Properties: —Current Zoning: — ML, CG/CH, RM-1, RS-2Requested Zoning Change: — N/AVision: — Campus/Institutional and Commercial

**Planned Development Zone Change****PD21-01 (Fort Concho)**

Council District: Harry Thomas - District 3

Neighborhood: Fort Concho

Scale: 1" approx. = 275 ft

630 S. Oakes St. and various addresses**Legend**

Subject Properties: —

Current Zoning: **ML, CG/CH, RM-1, RS-2**Requested Zoning Change: **N/A**Vision: **Campus/Institutional and Commercial**

Photos of Site and Surrounding Area

BLOCK 61



BLOCK 62



BLOCK 65



BLOCK 66



BLOCK 84



BLOCK 55



Photos of Site and Surrounding Area

BLOCKS 56-58



BLOCK 59



BLOCK 60



BLOCK 60



BLOCK 60 NEW BUILDINGS LOCATION



BLOCK 60 NEW BUILDINGS LOCATION



Fort Concho City Property



March 16, 2021

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 72 W COLLEGE STREET IN SAN ANGELO, TEXAS 76903.

(X)

IN FAVOR

()

IN OPPOSITION

REASON(S)

NAME:

Addison Lee Pfeiffer

ADDRESS:

Box 1991

SA 76902

PHONE:

325-944-4444

SIGNATURE:

Addison Lee Pfeiffer

PD21-01: 630 S. Oakes St. et. al.

Property owner number: 7

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

March 16, 2021

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 72 W COLLEGE STREET IN SAN ANGELO, TEXAS 76903.

(☒) IN FAVOR () IN OPPOSITION

REASON(S) _____

NAME: Addison Lee Zengul

ADDRESS: Box 1991

SA 76902

PHONE: 325-944-4444

SIGNATURE: Addison Lee Zengul

PD21-01: 630 S. Oakes St. et. al.

Property owner number: 24

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

TO BE FORMALLY ON RECORD IN FAVOR OR AGAINST THIS REQUEST, YOU MAY ALSO FILL OUT THIS FORM, SIGN IT AND MAIL IT BACK TO THE PLANNING DIVISION AT 72 W COLLEGE STREET IN SAN ANGELO, TEXAS 76903.

(☒)

IN FAVOR

()

IN OPPOSITION

REASON(S) _____

NAME: _____

ADDRESS: _____

PHONE: _____

SIGNATURE: Guy McFar

PD21-01: 630 S. Oakes St. et. al.

Property owner number: 35

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

March 16, 2021

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 72 W COLLEGE STREET IN SAN ANGELO, TEXAS 76903.

☐ IN FAVOR☒ IN OPPOSITION

REASON(S) _____

Because our taxes will go up again.

NAME: TERESA + DAGOBERTO SALASADDRESS: 215 EAST WASHINGTON DR.

PHONE: _____

SIGNATURE: Teresa Salas

PD21-01: 630 S. Oakes St. et. al.

Property owner number: 33

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

March 16, 2021

DocuSign Envelope ID: B13C78D1-D8A4-40C7-8F10-1E01E4E65490

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): City of San Angelo☒ Owner☐ Representative (Notarized Affidavit Required)72 W. College Ave San Angelo TX 76903Mailing Address City State Zip Code(325) 234-0316 director@fortconcho.comContact Phone Number Contact E-mail Address630 South Oakes San Angelo TX 76903Subject Property Address City State Zip Code

See Attached Summary

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

Lot width (in feet): _____ Lot depth (in feet): _____ Lot area (in acreage or square feet): _____ > See Provided Map

Existing Zoning: _____ (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: Museum and Historic Site, commercial and private parking lots, and "State Bldg"*Proposed Use of Property: Campus Institutionals, commercial and private parking lot, and "State Bldg"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: This PD reflects the Forts commitment to better recreational and public facilities. Its function as a historic site attracts distant guests and thus supports the tourism economy.2. Consistent with Zoning Ordinance. Whether and the extent to which the proposed amendment would conflict with any portion of this [Zoning Ordinance](#).Explanation: This PD will reflect the current and future use of the property and will not conflict with area zoning or city policies.

March 16, 2021

DocuSign Envelope ID: B13C78D1-D8A4-40C7-8F10-1E01E4E65490

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: This PD will more accurately and appropriately reflect the use of this property as well as the
Forts mission.

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

Explanation: This PD reflects current use of past 50-plus 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, stormwater management, wildlife, vegetation, wetlands and the practical functioning of the natural environment.

Explanation: This PD will have no effect.

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

Explanation: This PD is necessary to reflect and codify the actual and city-approved use and mission of the
property.

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: This PD will not change current property use or relationships to other property.

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.

March 16, 2021

DocuSign Envelope ID: B13C78D1-D8A4-40C7-8F10-1E01E4E85490

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.

Daniel Valenzuela or his designee	<i>DocuSigned by: fick Wese</i>	City of San Angelo	12/28/2020 3:09 PM	CST
Owner Name (Print)	Signature	Company/Organization (If Applicable)	Date	
Robert Bluthardt, Fort Concho Manager	<i>DocuSigned by: Robert Bluthardt</i>	Fort Concho	12/28/2020 3:08 PM	CST
Representative Name (Print)	Signature	Company/Organization	Date	
Approved as to Content:		Carl White, Director, Parks and Recreation		

FOR OFFICE USE ONLY:

☐ Verified Complete ☐ Verified Incomplete

Date of Application: ____/____/____

Case No.: PD ____ - ____

Fully-dimensional concept plan: ☐

Select from the following:

Date paid: ____/____/____

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 #:	_____

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

Meeting Date: March 16, 2021

Item type: Regular Item

Caption:

First reading and public hearing of an ordinance amending the Planned Development (PD15-04) zoning district of a medical facilities campus to expand the district boundaries, to modify the development standards, and to allow all uses in the Central Business District, as well as hospitals and drug processing, and related accessory uses; being approximately 49 acres located north of E. Twohig Ave., east of Chadbourne St., south of Woodrow St., and west of Main St. (Presentation made by Planning & Development Services Director Jon James)

Summary/History:

The applicant has applied for an amendment to the Planned Development (PD15-04) Zoning District for a medical facilities campus to expand the boundaries to add two new properties and allow the additional uses of warehousing, alcohol and drug recovery facility, drug processing, pharmacy, and community services.

Given its location Downtown and adjacency to the Central Business District (CBD), staff is proposing that the amendment allow all of the CBD uses which includes most of the applicant's uses, and adding the remaining uses of hospital and drug processing, which are not allowed by right in the CBD. This will provide greater flexibility for uses and development standards. This flexibility also reduces the need for PD amendments with every new development within the campus.

Financial Impact:

N/A

Other Information/Recommendation:

On February 22, 2021, the Planning Commission recommended **APPROVAL** of the request by a unanimous 7-0 vote, subject to the conditions of approval as set forth in Exhibit D of the attached Ordinance, which modified the list of approved building materials for PD15-04.

Attachments:

- | | |
|--|---|
| 1. Staff Report (Amend_PD15-04) | Staff Report (Amend_PD15-04).pdf |
| 2. Ordinance (PD15-04 Amendment_CLEAN) | Ordinance (PD15-04 Amendment_CLEAN).pdf |

Presentation:

Jon James

Approvals/Reviews:

Jeff Fisher	Created/Initiated
Hillary Bueker	Approved
Jon James	Approved

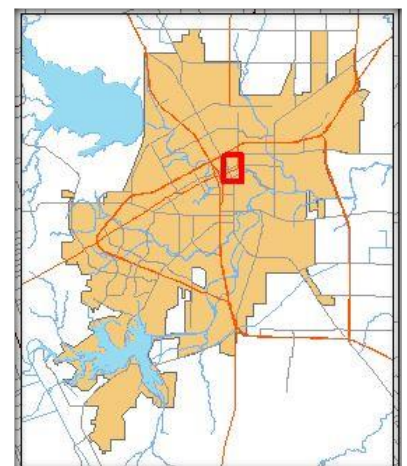
Brandon Dyson
Jon James
Theresa James
Julia Antilley

Approved
Approved
Approved
Final Approval

CITY COUNCIL – MARCH 16, 2021
STAFF REPORT



APPLICATION TYPE:	CASE:		
Planned Development (PD)	PD15-04 Amendment: 120 E. Harris Avenue and various properties		
SYNOPSIS:			
The applicant has applied for an amendment to the Planned Development (PD15-04) Zoning District for a medical facilities campus to add two new properties and allow the additional uses of warehousing; alcohol and drug recovery facility; drug processing, pharmacy; and community services. Given its location Downtown and adjacency to the Central Business District (CBD), staff is proposing that the amendment allow all of the CBD uses which includes most of the applicant's uses, and adding the remaining uses of hospitals and drug processing which are not allowed by right in the CBD. This will provide greater flexibility and allow the applicant to provide new uses without having to obtain subsequent ordinance amendments each time from City Council.			
LOCATION:		LEGAL DESCRIPTION:	
North of East Twohig Avenue; east of Chadbourne Street; south of Woodrow Street; west of Main Street		Various platted lots	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD District #3 – Harry Thomas Downtown Neighborhood	PD15-04/CBD/RM-1	D - Downtown	49 acres
THOROUGHFARE PLAN:			
<u>Oakes Street, Magdalen Street, Woodrow Street, Koberlin Street, College Avenue, East Twohig Avenue</u> – Urban local streets, Required: 50' ROW & 40' or 36' with a 4' sidewalk Paving Width <u>Main Street, East Harris Avenue, East Beauregard Avenue</u> – Urban arterial streets, Required: 80' ROW & 64' Paving Width			
NOTIFICATIONS:			
73 notifications mailed within 200-foot radius on November 2, 2021. Three received in support or opposition of the request to date.			
STAFF RECOMMENDATION:			
Staff's recommendation is for City Council to APPROVE an amendment to the Planned Development (PD15-04) Zoning District; being approximately 49 acres located north of East Twohig Avenue, east of Chadbourne Street, south of Woodrow Street, and west of Main Street; subject to Conditions of Approval as set forth in attached Exhibit D.			
PROPERTY OWNER/PETITIONER:			
Shannon Medical Center Mr. Dale Droll			
STAFF CONTACT:			
Jeff Fisher, AICP Principal Planner (325) 657-4210, Extension 1550 jeff.fisher@cosatx.us			



Additional information: In addition to the new PD uses, the amendment will add two new properties, 114 E. Twohig Avenue and 215 N. Magdalen Street. The new properties are hatched in red on the attached concept plan.

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 properties are designed “Downtown” in the City’s Comprehensive Plan, updated in 2009. The intent of the Downtown Future Land Use is “To reinforce downtown San Angelo’s position as the principal commercial, service, and cultural center within the region, while restoring its potentialities for residential development, neighborhood services, and amenities, while promoting and enhancing its existing and historic character.” Staff believes the proposed PD achieves all of these objectives. The rezoning will allow CBD uses which are consistent with the Downtown Future Land Use, and will further continue to recognize the Shannon Medical Campus and its contribution in providing health care services to area. It will also provide more flexible development standards consistent with CBD and downtown, including the removal of parking requirements to allow new development to self-govern its parking needs.
2. **Consistent with Zoning Ordinance. *Whether and the extent to which the proposed special use would conflict with any portion of this Zoning Ordinance.*** Staff is proposing that most of the CBD District development standards apply to the properties (**see attached Comparison Chart for current and proposed standards at the end of this report**). Here are the major highlights of the new PD as recommended by Staff:
 - The front, side, and rear setbacks will remain at 0 feet, or 10 feet if abutting a residential district or use, consistent with the surrounding development pattern of downtown buildings.
 - Removal of the parking requirements consistent with CBD. This will avoid having to review for parking for each new occupancy within the 49-acre development.
 - Removal of the Floor Area Ratio (FAR) of 4.0 (gross building floor area divided by the total lot area) and replacing with a maximum 10 stories. This allows taller buildings without the FAR limitation which often prevents greater building heights on smaller lots. It would also be consistent with other tall buildings located downtown including the Cactus hotel which is 14 stories.
 - Removal of the Master Sign Plan from the PD and the requirement for a PD amendment every time a new sign is proposed.
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 PD uses are consistent with the uses allowed in the CBD Zoning District located immediately west and south of the PD boundary. The additional uses of hospitals and drug processing will be consistent with the existing Shannon Medical Campus.

4. **Changed Conditions. Whether and the extent to which there are changed conditions that require an amendment.** The applicant is planning for future development that may include warehousing, alcohol drug recovery facilities, drug processing, pharmacies, and community services, which are not allowed in the current PD which was specific to a medical facilities campus. The proposed PD amendment will recognize these uses as well as expanding to allow other uses that are allowed in the CBD. The additional two properties also included a PD boundary expansion.
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.** Staff does not anticipate any negative environmental affects with this PD. The PD is located within an urban area of Downtown San Angelo that is paved or contains existing buildings. A review of grading and drainage will accompany any request for a new or expanded parking area.
6. **Community Need. Whether and the extent to which the proposed special use addresses a demonstrated community need.** Staff believes that the expanded PD addresses a community need, allowing Shannon Medical to expand and provide additional health care services to San Angelo residents. Shannon has served the San Angelo area for over 80 years and includes a hospital, medical office building, trauma facility, and radiology services. The PD will also allow additional uses to complement the medical campus (e.g. retail stores not affiliated with the medical campus), and provide more flexible development standards to assist in new construction.
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.** The existing development pattern will not change with the PD amendment. All existing facilities have frontage onto the existing downtown street network.

Planning Commission Recommendation:

On February 22, 2021, the Planning Commission recommended unanimous **APPROVAL** by a vote of 7-0 of an amendment to the Planned Development (PD15-04) Zoning District of a medical facilities campus to expand the district boundaries; to allow all uses in the Central Business District (CBD), as well as hospitals and drug processing, and related accessory uses; to modify the development standards per the revised Exhibit D; and, **MODIFYING** the list of approved building materials, adding new materials proposed by the applicant as negotiated with the Planning Division; being approximately 49 acres located north of East Twohig Avenue, east of Chadbourne Street, south of Woodrow Street, and west of Main Street. Commissioner Ionita seconded the motion. The motion carried unanimously, 7-0. The following is the complete excerpt of the draft minutes from the February 22, 2021, meeting for this case:

Jeff Fisher, Principal Planner, presented the proposed PD amendment. He explained that this is the latest in a series of amendments for the Shannon Medical Campus. Mr. Fisher indicated that the proposed PD will allow some additional uses that were not allowed by right including drug and alcohol facilities and

drug processing, as well as add two new properties which are being used as parking at this time. He then went over the proposed PD development standards which included 0-foot front setbacks; no parking requirement; allowing up to 10 stories in height; allowing an administrative approval option by the Planning Director for materials not listed in the PD; and removal of the sign plan, thereby allowing new signs without requiring PD amendments each time.

Chair Stribling opened public comment.

Russell Gully, SKG Engineering, representing the applicant, asked if Staff could add glass as an approved façade material, as well as an option to allow a synthetic version of concrete masonry similar to an EIFS.

Hillary Bueker, Planning Manager, clarified that the developer has the discretion to use certain building materials. She then explained that the city prefers that developers use higher quality materials within the proposed PD district.

Jon James, Planning and Development Services Director, replied that it would be beneficial to include modified language to specify situations when presenting to City Council.

Ms. Bueker indicated that the motion could include the additional building materials as recommended by the applicant.

Chair Stribling closed public comment.

Vice Chair Jackson made a motion to RECOMMEND APPROVAL of an amendment to the Planned Development (PD15-04) Zoning District of a medical facilities campus to expand the district boundaries, to modify the development standards, and to allow all uses in the Central Business District (CBD), as well as hospitals and drug processing, and related accessory uses, MODIFYING the list of approved building materials, adding new materials proposed by the applicant as negotiated with the Planning Division; being approximately 49 acres located north of East Twohig Avenue, east of Chadbourne Street, south of Woodrow Street, and west of Main Street. Commissioner Ionita seconded the motion. The motion carried unanimously, 7-0.

Recommendation:

Staff's recommendation is for City Council to **APPROVE** an amendment to the Planned Development (PD15-04) Zoning District to

- expand the district boundaries,
- allow all uses in the Central Business District (CBD), as well as hospitals and drug processing, and related accessory uses; and
- modify the development standards,

being approximately 49 acres located north of East Twohig Avenue, east of Chadbourne Street, south of Woodrow Street, and west of Main Street; with the **Conditions of Approval as set forth in attached Exhibit D.**

Attachments:

Aerial Map

Future Land Use Map

Zoning Map

Photographs

Citizen Letters

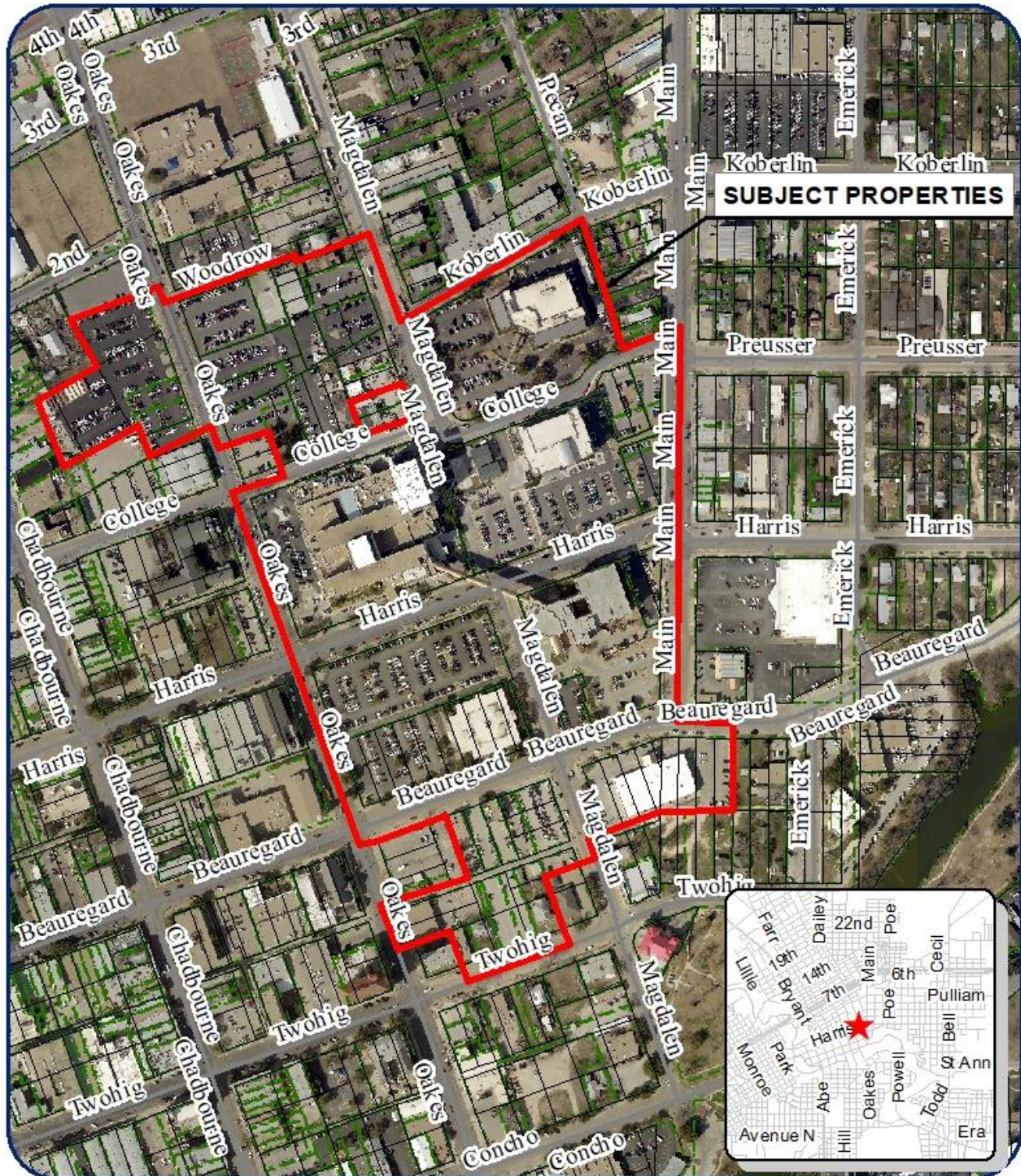
Concept Plan

Comparison Chart – Current vs. Proposed Ordinance

Draft Regulations-Exhibit D

Application

March 16, 2021

**Planned Development Zone Change****PD15-04 Amendment (Shannon Medical)**

Council District: Harry Thomas - District 3

Neighborhood: Downtown

Scale: 1" approx. = 350 ft

120 E. Harris Ave and various addresses**Legend**

Subject Properties:

Current Zoning:

Requested Zoning Change:

Vision:

PD15-04

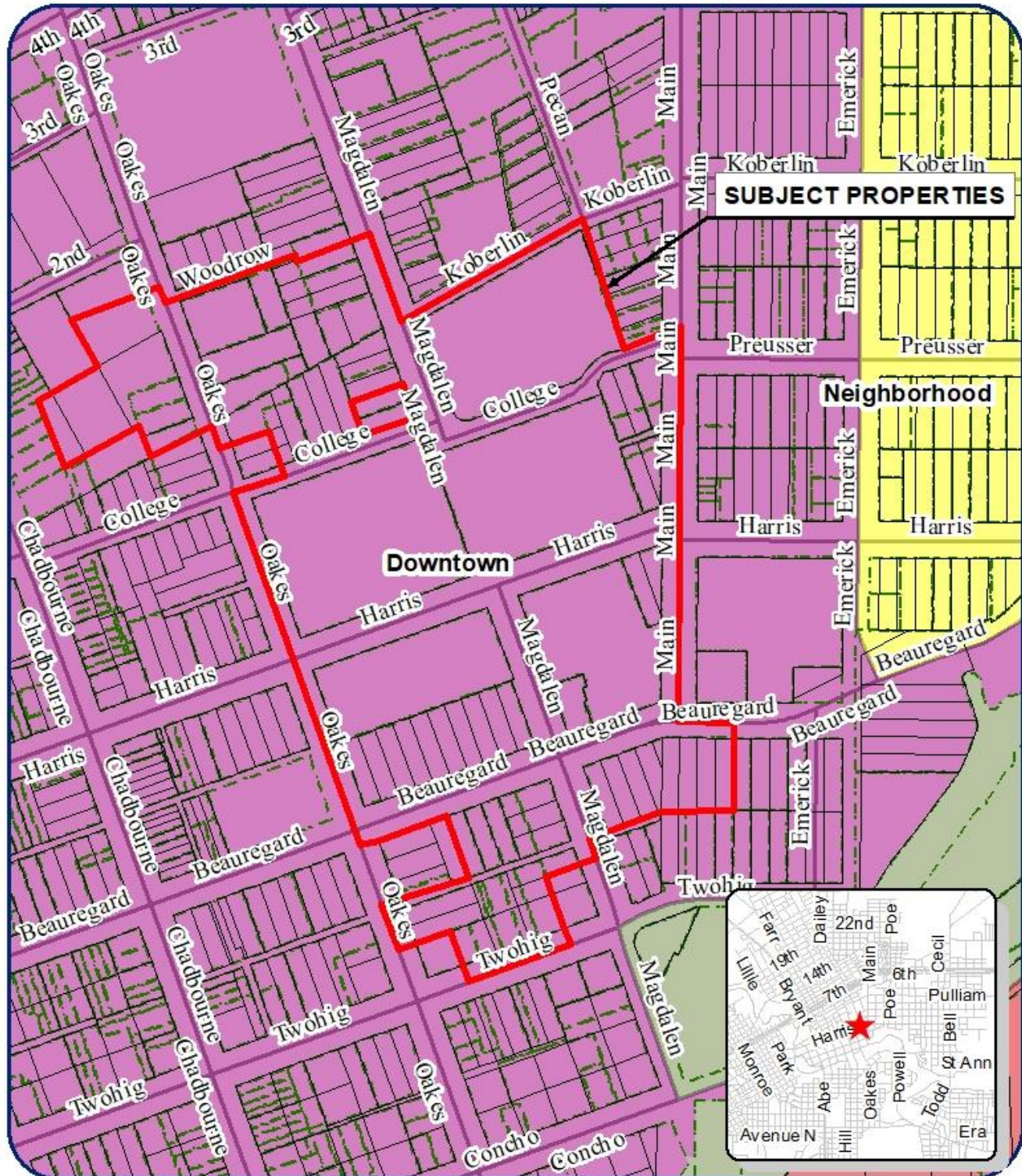
Amendment to PD15-04

Downtown

N



March 16, 2021

**Planned Development Zone Change****PD15-04 Amendment (Shannon Medical)**

Council District: Harry Thomas - District 3

Neighborhood: Downtown

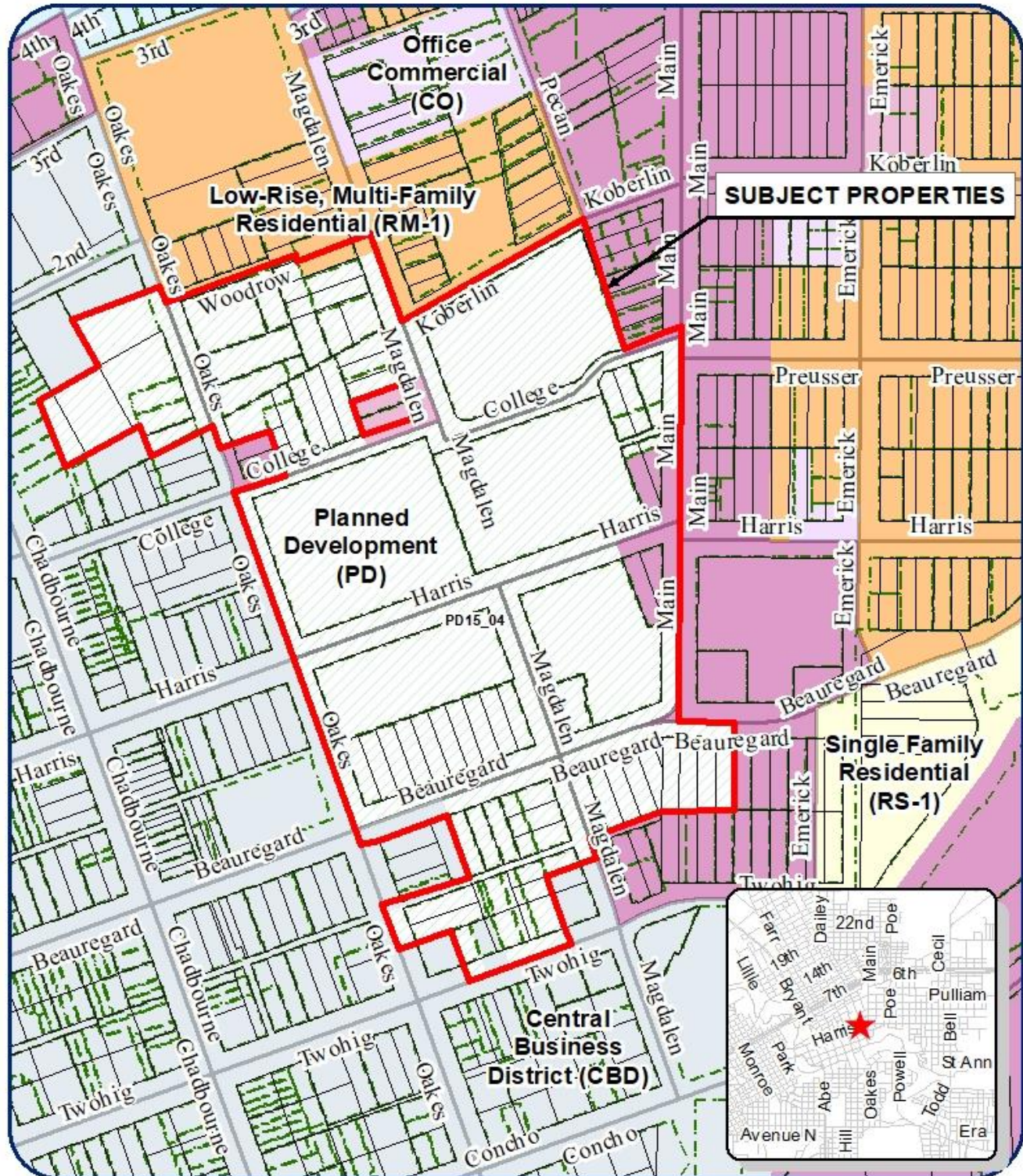
Scale: 1" approx. = 350 ft

120 E. Harris Ave and various addresses**Legend**Subject Properties: —Current Zoning: PD15-04Requested Zoning Change: Amendment to PD15-04Vision: Downtown

N



March 16, 2021

**Planned Development Zone Change****PD15-04 Amendment (Shannon Medical)**

Council District: Harry Thomas - District 3

Neighborhood: Downtown

Scale: 1" approx. = 350 ft

120 E. Harris Ave and various addresses**Legend**Subject Properties: Current Zoning: **PD15-04**Requested Zoning Change: **Amendment to PD15-04**Vision: **Downtown**

N



Photos of Site and Surrounding Area

EXISTING MAINTENANCE FACILITY (WOODROW ST)



SHANNON PARKING LOT (OAKES, N. OF COLLEGE)



HOSPITAL (120 E. HARRIS AVE)



HOSPITAL (120 E. HARRIS AVE)



SHANNON CLINIC (120 E. BEAUREGARD AVE)



TWOHIG AVE. – FUTURE PARKING GARAGE



Photos of Site and Surrounding Area

SHANNON PEDIATRICS (225 E. BEAUREGARD)



SHANNON WOMEN AND CHILDRENS (201 E. HARRIS)



MEDICAL OFFICE BUILDING (220 E. COLLEGE)



SHANNON CLINIC (102 N. MAGDALEN)



PROPERTY FOR PARKING ADDED TO PD (215 N. MAGDALEN)



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 72 W ~~29~~ COLLEGE STREET IN SAN ANGELO, TEXAS 76903.

(X)

IN FAVOR

()

IN OPPOSITION

REASON(S)

I would hope it will increase
the value of my home.

NAME: Janie Rodriguez

ADDRESS: 251 Koberlin

PHONE: 325-227-3375

SIGNATURE:

Janie Rodriguez

Amendment to PD15-04: 120 E. Harris Avenue et. al.

Property owner number: 55

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

TO BE FORMALLY ON RECORD IN FAVOR OR AGAINST THIS REQUEST, YOU MAY ALSO FILL OUT THIS FORM, SIGN IT AND MAIL IT BACK TO THE PLANNING DIVISION AT 72 W COLLEGE STREET IN SAN ANGELO, TEXAS 76903.

(X)

IN FAVOR

()

IN OPPOSITION

REASON(S) _____

NAME: _____

ADDRESS: _____

PHONE: _____

SIGNATURE: Gege Mof

Amendment to PD15-04: 120 E. Harris Avenue et. al.

Property owner number: 61

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

March 16, 2021

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 72 W COLLEGE STREET IN SAN ANGELO, TEXAS 76903.

(X)

IN FAVOR

()

IN OPPOSITION

REASON(S)

NAME:

JR Meyer

ADDRESS:

2104 Douglas St

PHONE:

656-8960

SIGNATURE:

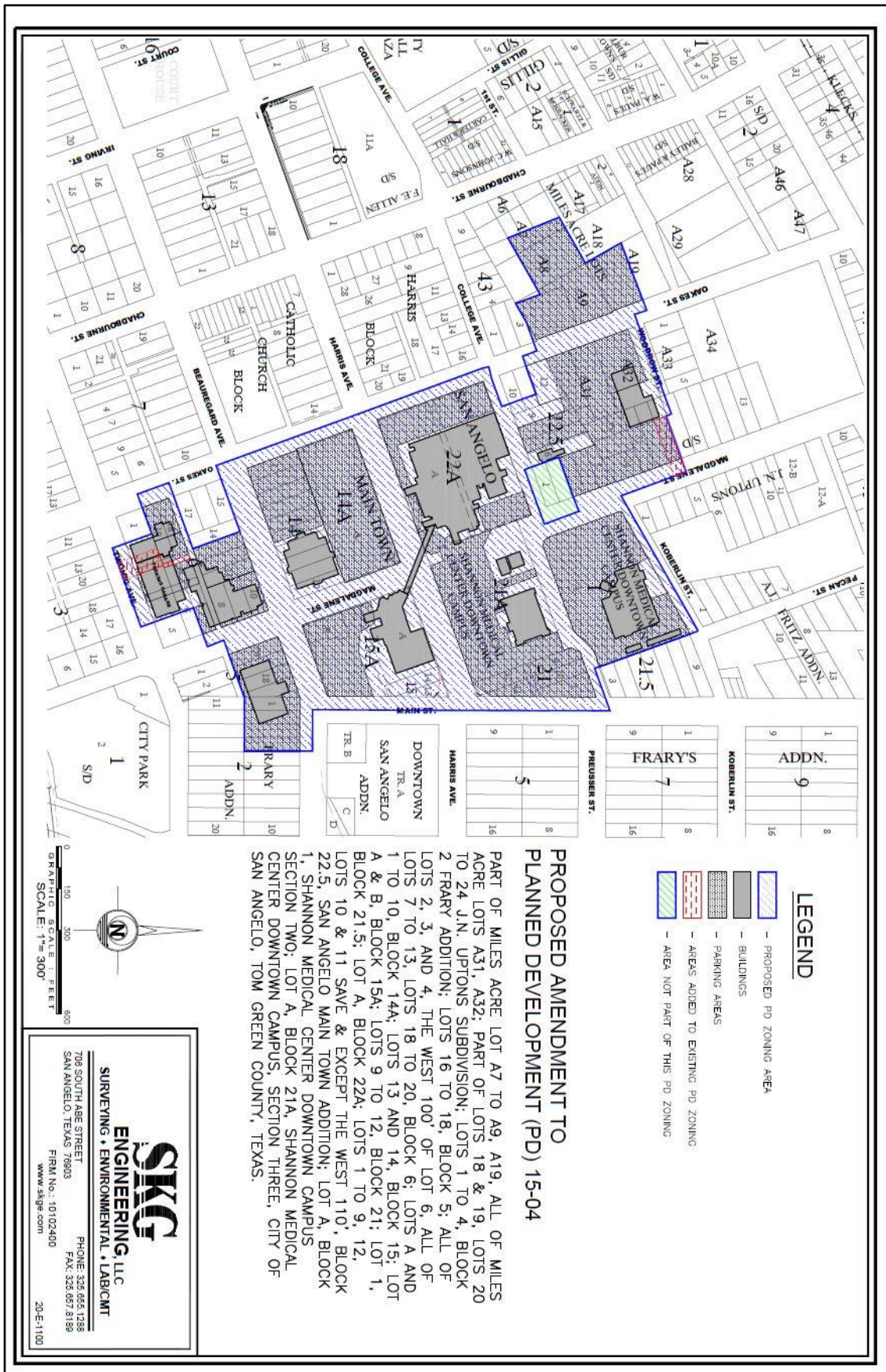
John R Meyer

Amendment to PD15-04: 120 E. Harris Avenue et. al.

Property owner number:

68

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

PD Concept Plan

March 16, 2021

PD Comparison Chart

Standard	Current PD Ordinance (2017)	Proposed Amendment (2021)
Uses	Medical Facilities Campus only, includes medical offices, parking, housing for staff and visitors and accessory uses	All CBD uses, hospitals and drug processing (this will allow all of the medical facilities campus uses)
Height/Density	Maximum Floor Ratio (FAR) 4.0	Replace with FAR with Maximum Height of 10 stories
Setbacks	0 feet front, side and rear; 10 feet if abutting residential use	No change
Exterior Building Materials	Brick, stucco, masonry, hardiplank, field and cast stone, metal buildings less than 1,200 sq. ft., additional materials by Planning Director	Addition of quality metal panel systems (not prefabricated above 1,200 sq. ft.); glass, synthetic materials that appear as one of the approved materials, and allowing Planning Director to approve exceptions
Parking	Hospitals: 1 space/4 patient beds, 1 space per doctor, ¼ employees; Medical offices 1/300 sq. ft.; housing facilities 1/unit	No parking requirement consistent with CBD zoning (if parking provided, must meet standards in Zoning Ordinance)
Loading	Same as Section 512 of Zoning Ordinance	No loading requirement consistent with CBD zoning (if loading provided, must meet standards in Zoning Ordinance)
Signs	New signs subject to Master Sign Plan requiring PD Amendment; maximum freestanding area 220 sq. ft. and 2.0 sq. ft. per linear foot of street frontage per lot	Removal of Master Sign Plan requiring PD amendments when new signs added; maintain other standards; remove 220 sq. ft. maximum freestanding area (allowing 250 sq. ft. consistent with CBD; maintain sign area 2.0 sq. ft./1 linear foot frontage (max 1.5/1 linear foot in Sign Ordinance)

Exhibit "D"
Applicable Regulations

1. The following uses shall be allowed in the Planned Development (PD15-04) Zoning District, as amended:

- a. All of the uses allowed by right in the Central Business District (CBD);
- b. Hospitals;
- c. Drug processing
- d. Related accessory uses to an allowed use

~~1. That the following are approved as allowed uses for the described property:~~

- ~~A. Hospitals. Such use provides medical and/or surgical care to patients and offers overnight care for said patients.~~
- ~~B. Medical office buildings. Such use provides medical and/or surgical care to patients with no overnight care provided for said patients.~~
- ~~C. Parking garages. Such use provides for a multi-story structure for parking for the exclusive use of staff, trainees, patients, and their visitors.~~
- ~~D. Housing facilities for staff or trainees. Such use shall provide living quarters for the exclusive use of staff and/or trainees.~~
- ~~E. Housing facilities for visiting family of patients. Such use provides short term (less than 30 days) living quarters for the visiting family of patients in care.~~
- ~~F. Accessory uses. Such uses shall be functionally connected with the operation of a medical facilities campus and therefore are approved for the property previously described, so long as they remain "accessory" as defined in SECTION 8 below:~~
 - ~~I. parking for emergency vehicles that service the medical facilities;~~
 - ~~II. offices to serve the allowed uses of the medical campus for the exclusive use of staff and/or trainees;~~
 - ~~III. laboratories for the exclusive use of staff and/or trainees;~~

March 16, 2021

- ~~IV. teaching facilities for the exclusive use of staff and/or trainees;~~
- ~~V. maintenance facilities to service the medical campus for the exclusive use of staff and/or trainees;~~
- ~~VI. food and beverage sales to exclusively service staff, trainees, patients, and their visitors;~~
- ~~VII. retail goods sales to exclusively service staff, trainees, patients, and their visitors;~~
- ~~VIII. religious institutions and services to service staff, trainees, patients, and their visitors;~~
- ~~IX. day care to provide care, protection, and supervision for children and/or adults to exclusively service staff, trainees, patients, and their visitors; and;~~
- ~~X. meeting areas for medical related discussion.~~

~~SECTION 7: Development standards for the Shannon Medical Center Downtown shall include the following:~~

~~2. Except as otherwise specified below, development within the PD zoning district shall conform to the Central Business District (CBD) standards:~~

- ~~A. Maximum floor area ratio for each lot shall not exceed 4.0.~~
- ~~B. Setbacks (front, side, and rear) for all structures shall be 0 feet, or 10' if abutting a residential district or use.~~
- ~~C. Outdoor storage shall not exceed 5 percent of the total area of each lot.~~

~~A. Maximum building height for each lot is ten stories. Requests for buildings greater than 10 stories shall require an approved Conditional Use from the Planning Commission.~~

- ~~D.B.~~ The following features shall be reasonably screened from street right-of-way:
- 1. Outdoor storage; and
 - 2. Mechanical equipment greater than 10 square feet in size.

March 16, 2021

~~B.C.~~ The following features shall be at least partially screened from street view by ~~fencing, walls, berms, and/or landscaping (as detailed in SECTION 11), by benches and other street furniture, or by the use of landscaping along with berms, walls, or decorative fences,~~ as approved by the Planning Director:

1. Water quality control facilities;
2. Stormwater drainage facilities;
3. Metal buildings; ~~less than 1200 square foot; and~~
4. ~~Areas where vehicles are moved, loaded, or stored.~~ Loading and maintenance areas

~~B.~~ Screening shall be of a natural material coordinating with building facades shown in Exhibit A and listed in Section 6.C. of this ordinance or landscaping as detailed in SECTION 11 of this ordinance.

~~B.~~ Metal buildings less than 1200 square foot shall be allowed.

~~G.D.~~ Opaque metal barbed or razor wire fences shall not be allowed.

~~D.E.~~ Decorative metal fencing shall be allowed.

~~SECTION 6:~~

3. Building façade standards within the PD zoning district shall be limited to the following: ~~for the Shannon Medical Center Downtown shall include the following:~~

~~Building facades shall be consistent and unified in architectural style, color palette, materials, and detailed ornamental features as detailed in Exhibit A.~~

~~Building entrances shall be clearly defined through architectural details, materials, and/or ornamental features, and highly visible.~~

~~Exterior materials shall be limited to the following:~~

- a. Brick;
- b. Stucco (cementitious finish only);
- c. Architectural concrete masonry;
- d. Hardiplank or similar cementitious siding;
- e. Field stone, ledge stone, or other native veneer;
- f. Cast stone (for lintels, trim elements, and ornamentation);
- ~~g. Metal (for beams, lintels, trim elements, siding, and ornamentation).~~

March 16, 2021

g. Prefabricated metal panel facades, such as R-panel construction, on a building less than 1200 square feet in floor area;
h. Metal construction as part of an architectural design, not including prefabricated metal paneling such as R-panel construction, and metal for beams, lintels, trim elements, and ornamentation;

i. Glass;

j. Synthetic materials that provide the appearance of the above materials;

k. Exceptions that meet the intent of these standards may be approved at the discretion of the Director of the Planning & Development Department, or his/her designee.

~~Additional building façade material types may be approved at the discretion of the Director of the Planning & Development Department, or his/her designee.~~

~~SECTION 8: Off street parking standards for the Shannon Medical Center Downtown shall be consistent with those standards as outlined in Chapter 8 of the Zoning Ordinance:~~

~~— Hospitals: 1 parking space per 4 patient beds, and 1 parking space per staff doctor, and 1 parking space per 4 employees.~~

~~— Medical office buildings: 1 parking space per 300 square feet.~~

~~— Housing facilities for staff or trainees: 1 parking space per residential unit.~~

~~— Housing facilities for visiting families of patients: 1 parking space per residential unit.~~

~~— Accessory uses shall not require off street parking.~~

~~SECTION 9: Loading space standards for the Shannon Medical Center Downtown shall be as follows:~~

~~A. Every nonresidential building having at least 20,000 square feet of gross floor area shall have a minimum of one off street loading space, with one additional off street loading space for each additional 60,000 square feet of gross floor area or major fraction thereof.~~

March 16, 2021

~~A. Each required off street loading space shall be not less than 10' in width, 45' in length, and 14' in height.~~

~~A. Each required off street loading space shall be located entirely outside of public rights of way for streets and alleys and on the same block as the building to which it is accessory.~~

~~A. No open area in a required off street loading area shall be consistently encroached upon by another use.~~

~~A. In no case shall off street parking spaces be used to satisfy off street loading space requirements.~~

~~A. Off street loading space off of an alley shall not requiring screening as detailed in Section 7.E.~~

~~SECTION 10:~~

~~4. Except as otherwise specified below, all signage within the PD zoning district shall conform to the Sign Ordinance:~~

~~All signage for the Shannon Medical Center Downtown shall conform to the following, as shown on Exhibit B (Master Sign Plan) and Exhibit C (Sign Details):~~

~~a. Freestanding pole signs shall not be permitted.~~

~~b. Freestanding signs shall not exceed a height of 30 feet. Freestanding signs shall not exceed 30 feet in height or 220 square feet in area.~~

~~c. All signage shall be of materials and colors as shown in Exhibit C or of a natural material and color coordinating with building facades, and listed in Section 6.C. of this ordinance.~~

~~d. All signage may be internally illuminated. All signage may be internally illuminated.~~

~~e. No signage shall be located within the future City right-of-way as depicted on Exhibit CD (Future Right-Of-Way), at the southwest corner of North Main Street and East Harris Avenue.~~

~~f. Freestanding signs (including Monument, Wayfinding, Building ID, and Parking Lot ID Signs) shall comply with the following:~~

- I. maximum signage area shall not exceed 2.0 square feet per 1 linear foot of street frontage per lot;
- II. may be placed at any angle relative to the property line;
- III. ~~must be set back at least 5 feet from an internal side lot line;~~
- IV. may set adjacent to any right-of-way edge;
- V. shall not exceed 20 feet in height if placed within 10 feet of any right-of-way pavement edge;
- VI. signage exceeding three feet in height shall be prohibited within any 15-foot by 15-foot sight triangle at the intersection of two street lines measured from back of curb.

a. Attached signs (canopy, awning, fascia, projecting, sloping roof signs) shall not extend more than 5 feet above the roofline ~~or more than 5 feet above the top of the wall~~ of the building to which it is attached;

~~shall not extend more than 5 feet above the top of the wall to which it is attached;~~

~~maximum signage area may be up to 25 percent of the area of the wall to which the sign(s) is(are) attached;~~

~~signs projecting over any public rights-of-way that are larger than 16 square feet must be approved by the City Council after notice and public hearing to consider any potentially detrimental effects;~~

~~signs projecting over the public rights-of-way that are less than 16 square feet shall maintain a distance of at least 18 inches from the curb line or street edge, if no curb exists;~~

~~IV. signs projecting over the public rights-of-way that are less than 16 square feet shall maintain a minimum height of 9 feet from the grade level to the bottom of the sign.~~

~~VII. Any changes in the proposed type, location, and/or number of signs shall require a new Planned Development (PD) Amendment application and revised Master Sign Plan.~~

SECTION 11:

4.5. Landscaping standards within the PD zoning district shall comply with the following standards: for the Shannon Medical Center Downtown shall be as follows:

- A. Xeriscaping and water use reduction strategies shall be incorporated into overall landscape design through the use of drought tolerant plant species native and well suited to West Texas.
- B. Landscaped areas may include planters, brick, stone, natural forms, or other landscape features that provide a park-like setting.
- C. Landscaped areas, or plants, adjacent to pavement must be protected with a concrete curb or equivalent barrier such as:
 - 1. Asphalt curbs;
 - 2. Railroad ties (anchored);
 - 3. Rock or stone curbs (anchored); or
 - 4. Wheelstops (anchored).
- D. Landscaping plant material shall be of healthy stock, be native or naturalized, and have low water requirements.
- E. Dying or diseased landscaping plant material shall be replaced with a healthy plant material.
- F. Adequate soil depth and width to encourage healthy growth shall be provided.
- G. Shannon Medical Center Downtown shall be responsible for the irrigation of required landscape areas and plant materials, utilizing one or a combination of the following methods:
 - 1. An automatic or manual underground irrigation system;
 - 2. A drip irrigation system;
 - 3. A rainwater capture system or equivalent; or
 - 4. Any other comparable method.
- H. Landscaped areas planted with native grasses and wildflowers may use a temporary and above ground irrigation system and shall be required to provide irrigation only for the first growing season.
- I. Irrigation methods used shall:

1. Provide a moisture level in an amount and frequency adequate to sustain growth of the plant material on a permanent basis; and
 2. Be maintained and kept operational at all times to provide for efficient water distribution.
- J. No irrigation shall be required for undisturbed natural areas or undisturbed existing trees.
- K. On-ground parking lots shall have no less than 5 percent of the square footage landscaped.
- L. Parking lot landscaping shall be located within the boundaries of the parking lot area as follows:
1. Landscaping boundaries;
 2. Landscaping medians;
 3. Landscaping islands; or
 4. Landscaping peninsulas.
- M. All landscaping plants located in or immediately adjacent to vehicular use areas shall, at maturity, be as follows:
1. Shrubs and other plant material shall be a maximum of 36 inches in height.
 2. Trees shall have a minimum 72 inch clearance from grade to the lowest branches.

~~SECTION 12: Except as otherwise specified or limited elsewhere in this ordinance, the use and development of the Shannon Medical Center Downtown shall generally conform to Central Business (CBD) District zoning standards. All activities shall be limited to those associated with the operation of a medical facilities campus as determined by the Director of the Planning & Development Department, or his/her designee, for the City of San Angelo.~~

~~INTRODUCED on the 7th day of March, 2017 and finally PASSED, APPROVED AND ADOPTED on this the 21st day of March, 2017.~~

~~_____
THE CITY OF SAN ANGELO~~

~~_____
by: _____~~

~~_____
Dwain Morrison, Mayor~~

~~ATTEST:~~

by: _____
_____ Bryan Kendrick, City Clerk

~~Approved As To Form:~~

by: _____
_____ Theresa James, City Attorney

DRAFT

March 16, 2021

Effective October 7, 2019



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): Shannon Medical Center

☒ Owner

☐ Representative (Notarized Affidavit Required)

PO Box 1879 San Angelo Texas 76902
Mailing Address City State Zip Code

325.657.8233 DaleDroll@shannonhealth.org
Contact Phone Number Contact E-mail Address

Per PD15-04 as amended San Angelo Texas 76902
Subject Property Address City State Zip Code

Per PD15-04 as amended
Legal Description (can be found on property tax statement or at www.tamgreenland.com)

Existing Zoning: PD Proposed Zoning: PD Lot size: Per PD15-04
(Zoning Map available on [City Maps](#))

Section 2: Site Specific Details

Existing Use of Property: Per Section 5 of PD15-04 as amended

*Proposed Use of Property: Per Section 5 of PD15-04 as amended with proposed revision to Section 5. F. to add Warehouse, Recovery facility, Alcohol and drug; drug processing; pharmacy; and community services

*Use separate attachment if necessary

Section 2: Type of PD Request

1. New PD District (City Council approval required) ☒ Text Amendment to PD District (City Council approval required) ☒
Major Site Plan / Amendment (Planning Commission approval required) ☐ Minor Site Plan / Amendment (Planning Director approval required) ☐

2. Site Plan attached? Yes ☒ No ☐

* New and amended PD site plan applications require a separate scaled plan that includes all new and existing buildings and structures; location of all parking spaces to be painted and striped; and all driveway entrances, drive-thru areas, easements, and maneuvering areas

(For additional information refer to Zoning Ordinance or contact Planning Division at 325-657-4210)

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.

March 16, 2021

Effective October 7, 2019

Section 3 continued: Applicant(s) Acknowledgement

☒ 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.

☒ 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.

<u>Dale Droll</u>	<u>[Signature]</u>	Shannon Medical Center	12-28-2020
Owner Name (Print)	Signature	Company/Organization (If Applicable)	Date
Russell T. Gully	<u>[Signature]</u>	SKG Engineering	12-28-2020
Representative Name (Print)	Signature	Company/Organization	Date

FOR OFFICE USE ONLY:

☐ Verified Complete ☐ Verified Incomplete

Date of Application: ____/____/____

Case No.: PD ____ -- ____

Fully-dimensioned site plan: ☐

Select from the following:

New PD District nonrefundable fee	\$600.00	Receipt #:	____	Date paid:	____/____/____
Text Amendment to PD Ordinance	\$225.00	Receipt #:	____	Date paid:	____/____/____
PD Site Plan, major/minor amendment	\$125.00	Receipt #:	____	Date paid:	____/____/____
Newspaper Notification Fee (PD District/Text Amd)	\$125.00	Receipt #:	____	Date paid:	____/____/____
Sign Deposit (minor site plans exempt)	\$20.00	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, case no: Z ____ -- ____

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

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

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

Publication date: ____/____/____

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

AN ORDINANCE AMENDING CHAPTER 12, EXHIBIT "A" OF THE CODE OF ORDINANCES, CITY OF SAN ANGELO, TEXAS, WHICH ADOPTS ZONING REGULATIONS, USE DISTRICTS AND A ZONING MAP, IN ACCORDANCE WITH A COMPREHENSIVE PLAN, BY CHANGING THE ZONING AND CLASSIFICATION OF THE FOLLOWING PROPERTY: APPROXIMATELY 49 ACRES LOCATED NORTH OF EAST TWOHIG AVENUE, EAST OF NORTH CHADBOURNE STREET; SOUTH OF WOODROW STREET; AND WEST OF MAIN STREET; FROM THE PLANNED DEVELOPMENT (PD) ZONING DISTRICT FOR A MEDICAL CAMPUS TO A PLANNED DEVELOPMENT (PD) ZONING DISTRICT TO ALLOW FOR SPECIFIC USES AND DEVELOPMENT STANDARDS OUTLINED IN THIS ORDINANCE; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE

RE: Amendment to PD15-04: 120 East Harris Avenue and surrounding properties

WHEREAS, on the 22nd day of February, 2021, the Planning Commission for the City of San Angelo in compliance with the City Charter, City ordinance, and state law, 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 (PD) Zoning District to allow for specific uses and development standards outlined in this ordinance;

WHEREAS, on the **16th day of March 2021**, City Council held a public hearing on an **Amendment to PD15-04**, 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 THAT:

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 Planned Development (PD) District to allow for specific uses and development standards outlined in this ordinance:

The real properties located north of East Twohig Avenue, east of North Chadbourne Street; south of Woodrow Street, and west of Main Street being approximately 49 acres; Tom Green County, Texas, as more particularly described and depicted on Exhibit "B" of this Ordinance, shall permanently be zoned as follows: Planned Development (PD15-04) Zoning District, as amended.

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 properties shall be subject to all applicable regulations contained in Exhibit “D” 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 for 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.

INTRODUCED on the **16th day of March, 2021**, and finally PASSED, APPROVED AND ADOPTED on this the **6th day of April, 2021.**

THE CITY OF SAN ANGELO

Brenda Gunter, Mayor

ATTEST:

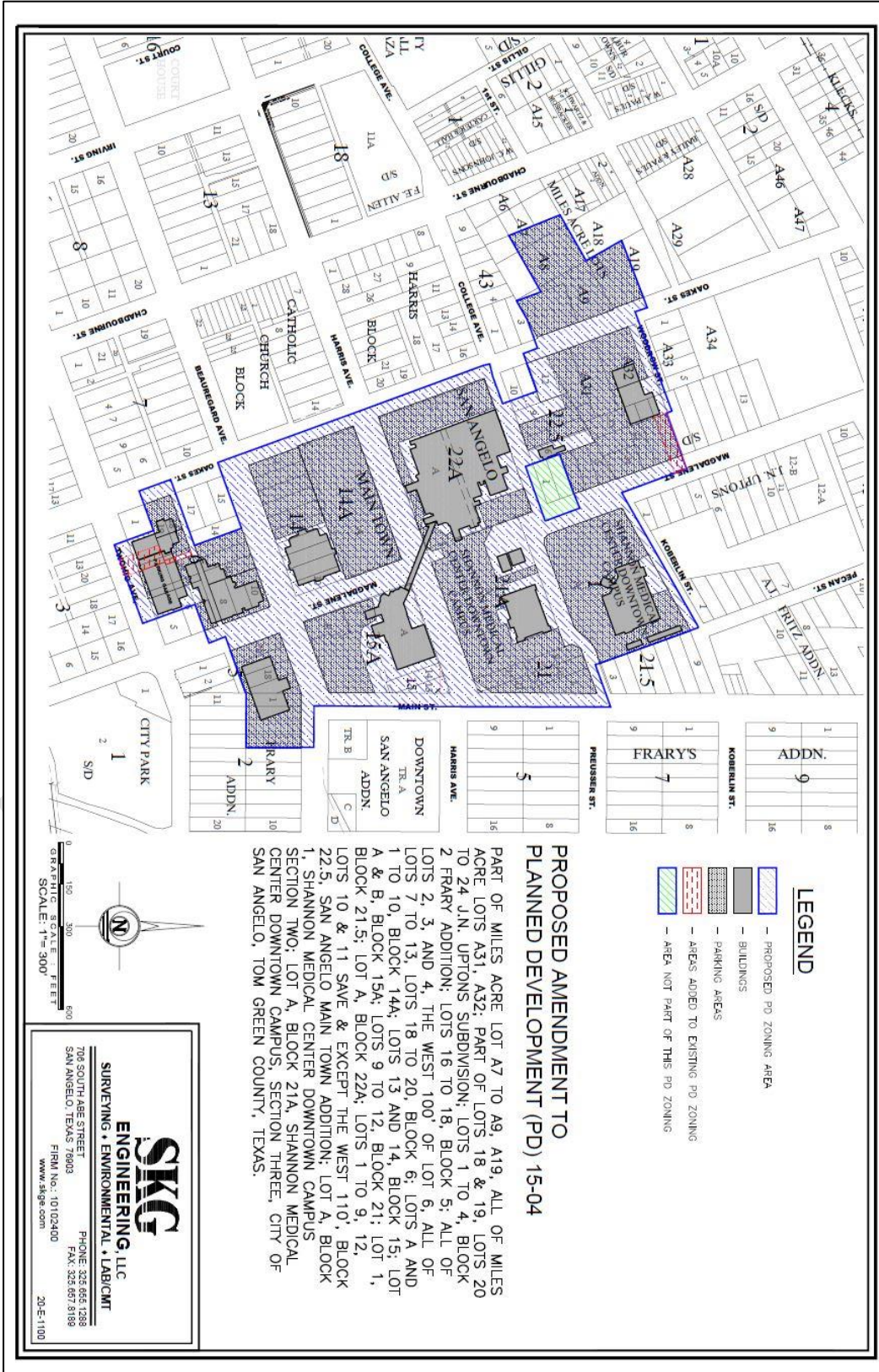
APPROVED AS TO FORM:

Julia Antilley, City Clerk

Theresa James, City Attorney

Exhibit "A"

(PD Concept Plan)



[illegible]

“Exhibit C” (Future Right-Of-Way Detail)

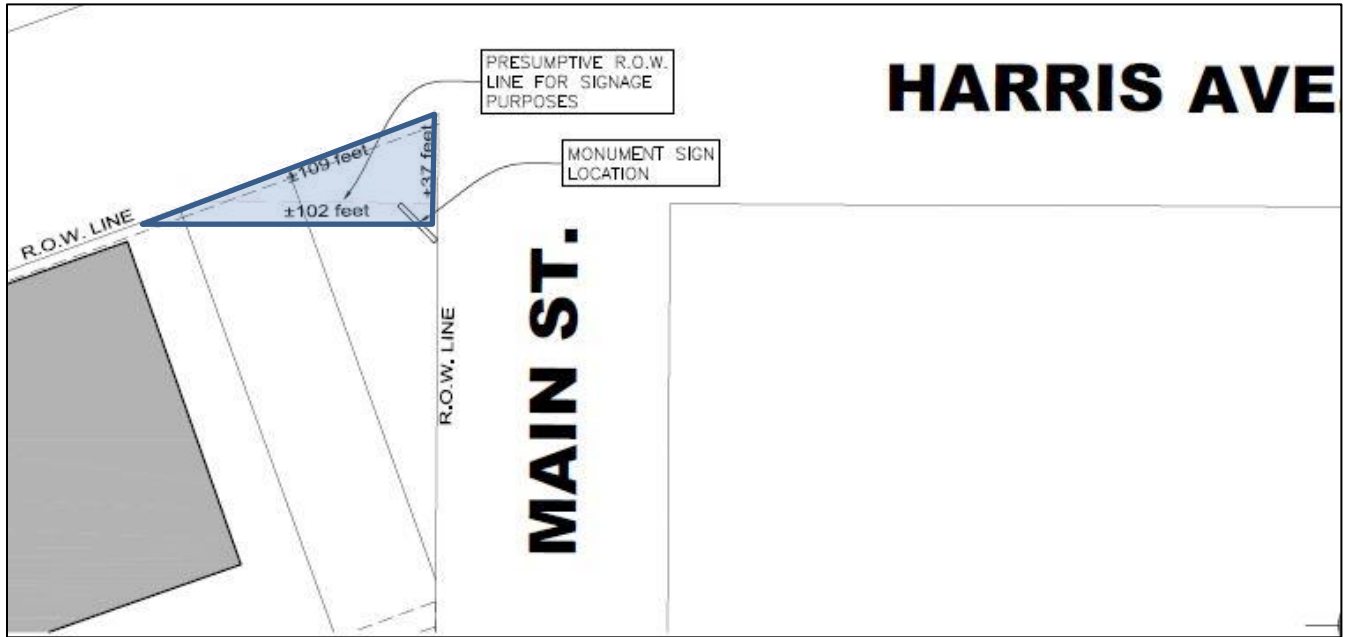


Exhibit “D”
Applicable Regulations

1. The following uses shall be allowed in the Planned Development (PD15-04) Zoning District, as amended:
 - a. All of the uses allowed by right in the Central Business District (CBD);
 - b. Hospitals;
 - c. Drug processing
 - d. Related accessory uses to an allowed use
2. Except as otherwise specified below, development within the PD zoning district shall conform to the Central Business District (CBD) standards:
 - A. Maximum building height for each lot is ten stories. Requests for buildings greater than 10 stories shall require an approved Conditional Use from the Planning Commission.
 - B. The following features shall be reasonably screened from street right-of-way:
 1. Outdoor storage; and
 2. Mechanical equipment greater than 10 square feet in size.
 - C. The following features shall be at least partially screened from street view by fencing, walls, berms, and/or landscaping, as approved by the Planning Director:
 1. Water quality control facilities;
 2. Stormwater drainage facilities;
 3. Metal buildings;
 4. Loading and maintenance areas
 - D. Opaque metal, barbed, or razor wire fences shall not be allowed.
3. Building façade standards within the PD zoning district shall be limited to the following:
 - a. Brick;
 - b. Stucco (cementitious finish only);
 - c. Architectural concrete masonry;
 - d. Hardiplank or similar cementitious siding;
 - e. Field stone, ledge stone, or other native veneer;
 - f. Cast stone (for lintels, trim elements, and ornamentation);

- g. Prefabricated metal panel facades, such as R-panel construction, on a building less than 1200 square feet in floor area;
- h. Metal construction as part of an architectural design, not including prefabricated metal paneling such as R-panel construction, and metal for beams, lintels, trim elements, and ornamentation;
- i. Glass;
- j. Synthetic materials that provide the appearance of the above materials; and,
- k. Exceptions that meet the intent of these standards may be approved at the discretion of the Director of the Planning & Development Department, or his/her designee.

- 4. Except as otherwise specified below, all signage within the PD zoning district shall conform to the Sign Ordinance:
 - a. Freestanding pole signs shall not be permitted.
 - b. Freestanding signs shall not exceed a height of 30 feet.
 - c. All signage shall be of a natural material and color coordinating with building facades.
 - d. All signage may be internally illuminated.
 - e. No signage shall be located within the future City right-of-way as depicted on **Exhibit C (Future Right-Of-Way)**, at the southwest corner of North Main Street and East Harris Avenue.
 - f. Freestanding signs (including Monument, Wayfinding, Building ID, and Parking Lot ID Signs) shall comply with the following:
 - I. maximum signage area shall not exceed 2.0 square feet per 1 linear foot of street frontage per lot;
 - II. may be placed at any angle relative to the property line;
 - III. may set adjacent to any right-of-way edge;
 - IV. shall not exceed 20 feet in height if placed within 10 feet of any right-of-way pavement edge;

- V. signage exceeding three feet in height shall be prohibited within any 15-foot by 15-foot sight triangle at the intersection of two street lines measured from back of curb.

g. Attached signs (canopy, awning, fascia, projecting, sloping roof signs) shall not extend more than 5 feet above the roofline or more than 5 feet above the top of the wall of the building to which it is attached.

- 5. Landscaping within the PD zoning district shall comply with the following standards:
 - A. Xeriscaping and water use reduction strategies shall be incorporated into overall landscape design through the use of drought tolerant plant species native and well suited to West Texas.
 - B. Landscaped areas may include planters, brick, stone, natural forms, or other landscape features that provide a park-like setting.
 - C. Landscaped areas, or plants, adjacent to pavement must be protected with a concrete curb or equivalent barrier such as:
 - 1. Asphalt curbs;
 - 2. Railroad ties (anchored);
 - 3. Rock or stone curbs (anchored); or
 - 4. Wheelstops (anchored).
 - D. Landscaping plant material shall be of healthy stock, be native or naturalized, and have low water requirements.
 - E. Dying or diseased landscaping plant material shall be replaced with a healthy plant material.
 - F. Adequate soil depth and width to encourage healthy growth shall be provided.
 - G. Shannon Medical Center Downtown shall be responsible for the irrigation of required landscape areas and plant materials, utilizing one or a combination of the following methods:
 - 1. An automatic or manual underground irrigation system;
 - 2. A drip irrigation system;
 - 3. A rainwater capture system or equivalent; or
 - 4. Any other comparable method.

- H. Landscaped areas planted with native grasses and wildflowers may use a temporary and above ground irrigation system and shall be required to provide irrigation only for the first growing season.
- I. Irrigation methods used shall:
 - 1. Provide a moisture level in an amount and frequency adequate to sustain growth of the plant material on a permanent basis; and
 - 2. Be maintained and kept operational at all times to provide for efficient water distribution.
- J. No irrigation shall be required for undisturbed natural areas or undisturbed existing trees.
- K. On-ground parking lots shall have no less than 5 percent of the square footage landscaped.
- L. Parking lot landscaping shall be located within the boundaries of the parking lot area as follows:
 - 1. Landscaping boundaries;
 - 2. Landscaping medians;
 - 3. Landscaping islands; or
 - 4. Landscaping peninsulas.
- M. All landscaping plants located in or immediately adjacent to vehicular use areas shall, at maturity, be as follows:
 - 1. Shrubs and other plant material shall be a maximum of 36 inches in height.
 - 2. Trees shall have a minimum 72 inch clearance from grade to the lowest branches.

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL



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

Meeting Date: March 16, 2021

Item type: Regular Item

Caption:

First reading and public hearing of an ordinance approving case Z21-02, a request for approval of a rezoning from the Light Manufacturing zoning district to the Central Business District zoning district, being 0.396 acres located at 124-128 W. 4th St. (Presentation made by Planning & Development Services Director Jon James)

Summary/History:

A request for approval of a rezoning from the Light Manufacturing (ML) zoning district to the Central Business District (CBD) zoning district. The applicant is proposing to use a portion of the building for a warehouse and another portion of the building for living quarters. A Conditional Use to allow for household living in the Light Manufacturing (ML) zoning district was approved on this property on January 27, 2020. Household living is allowed by-right within the CBD zoning district.

Financial Impact:

N/A

Other Information/Recommendation:

On February 22, 2021, the Planning Commission recommended **APPROVAL** of the rezoning by unanimous vote of 7-0.

Attachments:

- | | | |
|----|------------------------|-----------------------------|
| 1. | Z21-02_Staff Report_CC | Z21-02_Staff Report_CC.docx |
| 2. | Z21-02_Ordinance | Z21-02_Ordinance.docx |

Presentation:

Jon James

Approvals/Reviews:

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

CITY COUNCIL – MARCH 16th & APRIL 6th
STAFF REPORT



APPLICATION TYPE:		CASE:	
Rezoning		Z21-02: 124-128 West 4 th Street	
SYNOPSIS:			
A request for approval of a rezoning from the Light Manufacturing (ML) zoning district to the Central Business District (CBD) zoning district. The applicant is proposing to use a portion of the building for a warehouse and another portion of the building for living quarters. A Conditional Use to allow for household living in the Light Manufacturing (ML) zoning district was approved on this property on January 27, 2020. Household living is allowed by-right within the CBD zoning district.			
LOCATION:		LEGAL DESCRIPTION:	
124-128 West 4 th Street		Being 0.395 acres being out of acre Lot 45 Miles Addition & Abstract. 1848 & Tract Adj, Abstract. 1848 S-0322, Survey: C Salinger.	
SM DISTRICT / NEIGHBORHOOD:	ZONING:	FUTURE LAND USE:	SIZE:
SMD District #3 – Harry Thomas Downtown Neighborhood	ML	Downtown	0.396 acres
THOROUGHFARE PLAN:			
West 4 th Street – Urban Local Street – ROW 50' Required (40' Existing) – Pavement Width 40' or 36' with 4' Sidewalk Required (29' Existing)			
NOTIFICATIONS:			
12 notifications were mailed within a 200-foot radius of the property on February 2, 2021. One response was received in favor or against for the case.			
STAFF RECOMMENDATION:			
Staff recommends APPROVAL of a rezoning from the Light Manufacturing (ML) Zoning District to the Central Business District (CBD).			
PROPERTY OWNER/PETITIONER:			
Lori Lara			
STAFF CONTACT:			
Shelly Paschal Planner (325) 657-4210, Extension 1533 shelly.paschal@cosatx.us			

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

1. **Compatible with Plans and Policies.** *Whether the proposed amendment is compatible with the Comprehensive Plan and any other land use policies adopted by the Planning Commission or City Council.* The proposed rezoning to Central Business District is in keeping with the Future Land Use of the City's Comprehensive Plan. The Downtown Designation intends "To reinforce downtown San Angelo's position as the principal commercial, service, and cultural center within the region, while restoring its potentialities for residential development, neighborhood services, and amenities, while promoting and enhancing its existing and historic character." The proposed uses, warehousing and living quarters, meet the intent of the comprehensive plan and this rezoning will allow additional future development possibilities.
2. **Consistent with Zoning Ordinance.** *Whether and the extent to which the proposed amendment would conflict with any portion of this Zoning Ordinance.* Once the property is rezoned the development requirements for the Central Business District will apply, including reduced requirements for setbacks and parking. This will allow the applicant to develop/utilize the property as desired. Part of the intent of the zoning ordinance is to help protect existing uses from undue impact. In this case the conversion of part of this structure into living quarters is in keeping with the intent of the zoning code and the end result will allow compatibility with the surrounding uses.
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.* Most of the surrounding uses are warehousing or industrial. A portion of the existing structure will remain the same, as a warehouse, so there is no anticipated impact to the surrounding area. The addition of a portion of the building being utilized for living quarters should not impact the surrounding properties.
4. **Changed Conditions.** *Whether and the extent to which there are changed conditions that require an amendment.* The subject property has been a warehouse for many years. As the Downtown area continues to grow and redevelop, as it has in the last several years, the need for new housing will continue to grow. Rezoning this property to CBD will help encourage this type of growth and redevelopment.
5. **Effect on Natural Environment.** *Whether and the extent to which the proposed amendment would result in significant adverse impacts on the natural environment, including but not limited to water and air quality, noise, storm water management, wildlife, vegetation, wetlands and the practical functioning of the natural environment.* Staff does not believe that there will be any

adverse effects on the natural environment. The area is already developed and is part of the downtown area.

6. **Community Need.** *Whether and the extent to which the proposed amendment addresses a demonstrated community need.* The City's recently conducted housing study indicates a need for additional housing, including rental housing in the downtown area. This rezoning will allow the existing warehousing use to continue, but with the addition of living space as well.
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.* As an area in transition, this application is consistent with that pattern and should not have a negative effect on the development within this area.

Planning Commission Recommendation:

On February 22, 2021, the Planning Commission recommended **APPROVAL by a unanimous vote (7-0)** of a rezoning from the Light Manufacturing (ML) Zoning District to the Central Business District (CBD), located at 124-128 West 4th Street, Being 0.395 acres being out of acre Lot 45 Miles Addition & Abstract. 1848 & Tract Adj, Abstract. 1848 S-0322, Survey: C Salinger. The following is the complete excerpt of the draft minutes from the February 22, 2021, meeting for this case:

2. Rezoning

City Council has final authority for approval of rezonings.

D. Z21-02: 124-128 West 4th Street

A request for approval of a rezoning from the Light Manufacturing (ML) zoning district to the Central Business District (CBD) zoning district, being 0.396 acres located at 124-128 West 4th Street.

Shelly Paschal, Planner, presented the rezoning case. Mrs. Paschal shared photos of the area and explained that the Future Land Use of the subject property is Downtown. Mrs. Paschal explained that of the 12 notices that were mailed, she did receive one response in favor or against. Mrs. Paschal then outlined Staff's recommendation to approve the rezoning on the grounds that that the CBD zoning is consistent with the Downtown Future Land Use, the character of this area has changed and the rezoning is consistent with the adjacent mixed use development in the area.

Chair Stribling opened public comment.

Lori Lara, applicant, came forward to speak. She stated that she wanted this opportunity for a rezoning to revitalize her property located at 124-128 West 4th Street.

Chair Stribling closed public comment.

Commissioner Jackson made a motion to RECOMMEND APPROVAL of a rezoning from the Light Manufacturing (ML) Zoning District to the Central Business District (CBD) Zoning District, located

at 124-128 West 4th Street. Commissioner Smith seconded the motion. The motion carried unanimously 7-0.

Recommendation:

Staff's recommendation is for City Council to: **APPROVAL** of a rezoning from the Light Manufacturing (ML) Zoning District to Central Business District (CBD).

Attachments:

Aerial Map
Future Land Use Map
Zoning Map
Notification Map
Photographs
In Favor
Application



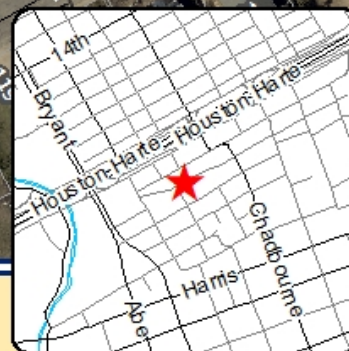
Zoning Case Map

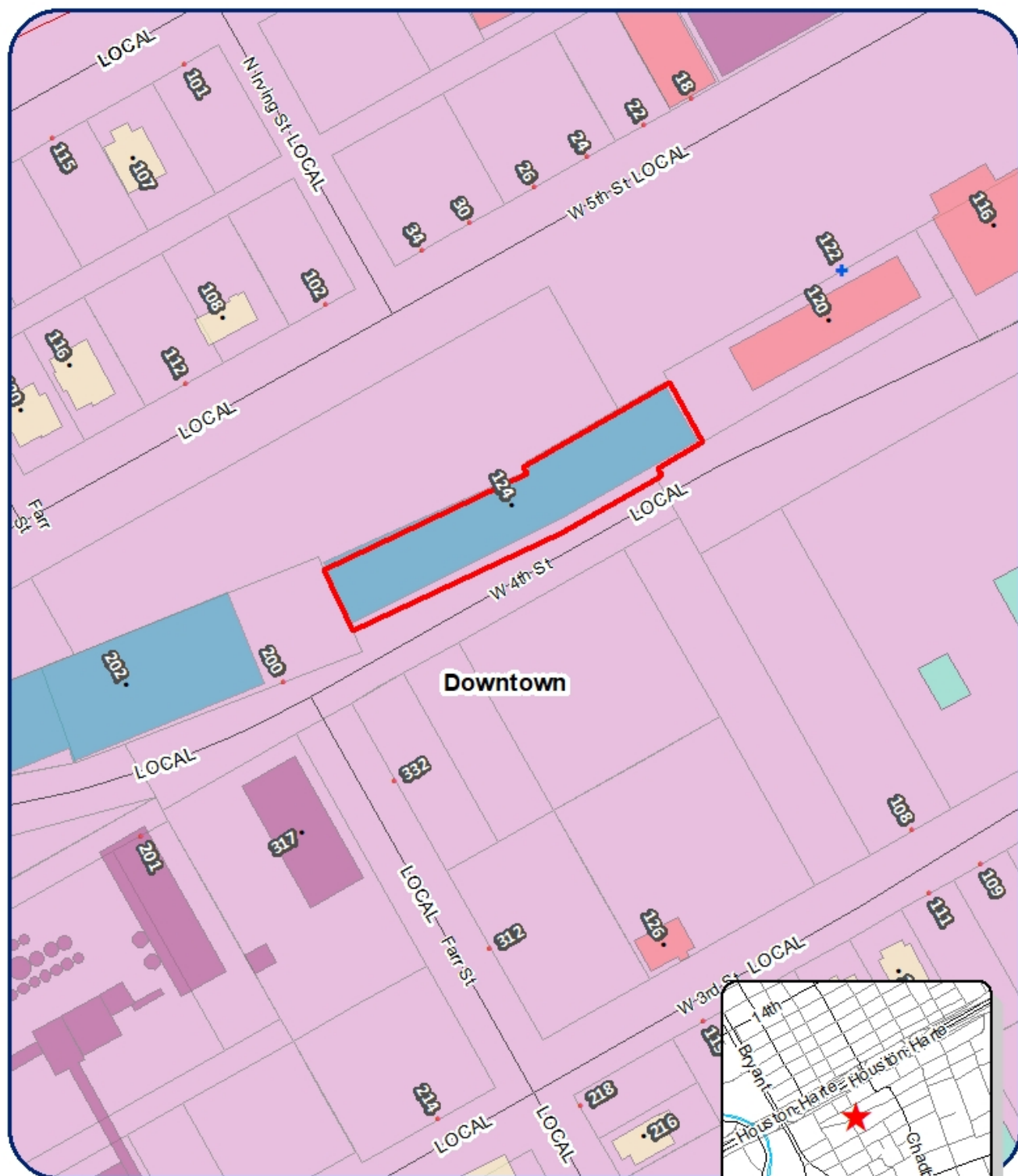
124-128 West 4th Street

Council District: SMD #3 - Harry Thomas
Neighborhood: Downtown
Scale: 1" approx. = 100 ft

Legend

Subject Properties: —
Current Zoning: ML
Requested Zoning Change: CBD
Vision: Downtown





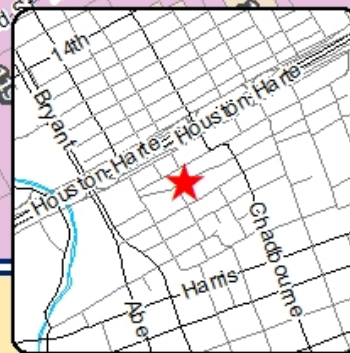
Zoning Case Map

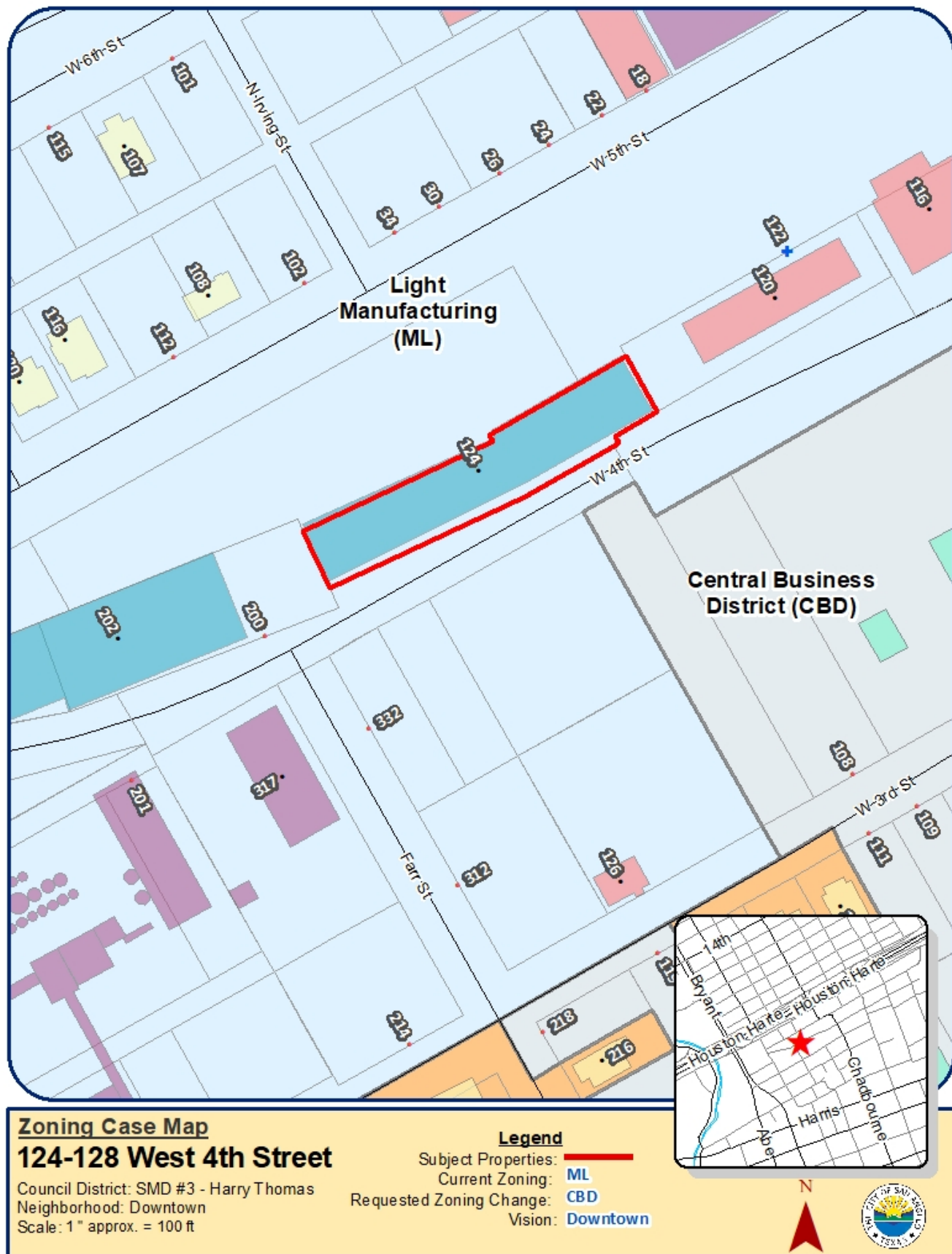
124-128 West 4th Street

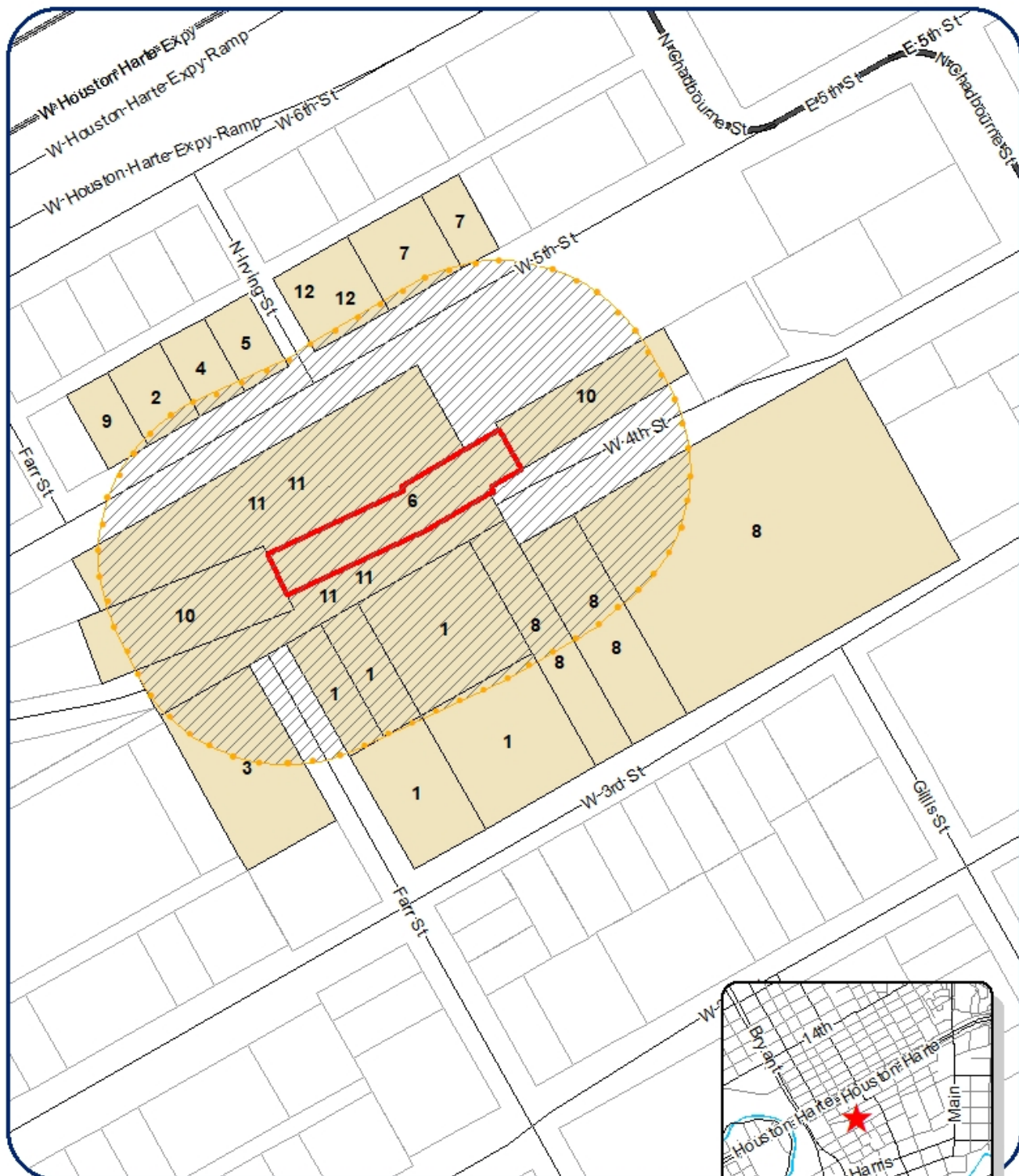
Council District: SMD #3 - Harry Thomas
Neighborhood: Downtown
Scale: 1" approx. = 100 ft

Legend

Subject Properties: —
Current Zoning: ML
Requested Zoning Change: CBD
Vision: Downtown



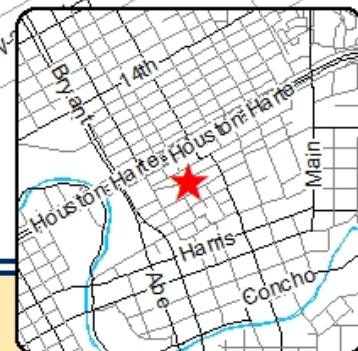


**Zoning Case Map****124-128 West 4th Street**

Council District: SMD #3 - Harry Thomas
 Neighborhood: Downtown
 Scale: 1" approx. = 150 ft

Legend

Subject Properties: —
 Current Zoning: **ML**
 Requested Zoning Change: **CBD**
 Vision: **Downtown**



Photos of Site and Surrounding Area



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

(X) IN FAVOR () IN OPPOSITION

REASON(S) _____

NAME: Southwest Orient Properties LLC

ADDRESS: Box 1991
San Angelo, TX 76902

SIGNATURE: Addison Lee Buegn

Z21-02: 124-128 West 4th Street

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): LORI LARA☒ Owner☐ Representative (Notarized Affidavit Required)

PO BOX 62702

SAN ANGELO

TX

76906

Mailing Address

City

State

Zip Code

325-650-5061

TWOFOOLDJPLLC@GMAIL.COM

Contact Phone Number

Contact E-mail Address

124/128 W. 4TH ST

SAN ANGELO

TX

76903

Subject Property Address

City

State

Zip Code

: 0.396, Abst: A-1848 S-0322, Survey: C SALINGER, 0.395 ACRES BEING OUT OF ACRE LOT 45 MILES ADD & ABS 1848 & TRACT ADJ

Legal Description (can be found on property tax statement or at www.tamgreencad.com)Existing Zoning: MLProposed Zoning: CBDLot size: 17,250 sq. ft(Zoning Map available on [City Maps](#))**Section 2: Site Specific Details**Existing Use of Property: 128TH WAREHOUSE 124TH OFFICE/GRAPHIC PAPER SUPPLY COMPANY (LEASE DOWNSTAIRS)*Proposed Use of Property: 124TH MIXED USE-WAREHOUSE-RESIDENTIAL-128TH VENUE-WAREHOUSE -FUTURE LONG TERM 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.

Owner Name (Print) Lori Lara Signature [Signature] Company/Organization (If Applicable) Two Fold Journey Properties LLC Date 1-7-21

Representative Name (Print) _____ Signature _____ Company/Organization _____ Date _____

FOR OFFICE USE ONLY:

☐ Verified Complete ☐ Verified Incomplete

Date of Application: 1, 19, 21

Case No.: 2 --

Fully-dimensional site plan: ☐

Nonrefundable fee: \$ 625.00

Receipt #: 130124

Date paid: 1, 19, 21

Sign Deposit ~~\$37.50~~ 20.00

Receipt #: 130124

Date paid: 1, 19, 21

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

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

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

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

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

Publication date: ____/____/____

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

AN ORDINANCE AMENDING CHAPTER 12, EXHIBIT "A" OF THE CODE OF ORDINANCES, CITY OF SAN ANGELO, TEXAS, WHICH ADOPTS ZONING REGULATIONS, USE DISTRICTS AND A ZONING MAP, IN ACCORDANCE WITH A COMPREHENSIVE PLAN, BY CHANGING THE ZONING AND CLASSIFICATION OF THE FOLLOWING PROPERTY: **124-128 West 4th Street**, FROM THE LIGHT MANUFACTURING (ML) ZONING DISTRICT TO THE CENTRAL BUSINESS DISTRICT (CBD) ZONING DISTRICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

Z21-02: 124-128 West 4th Street

WHEREAS, on the 22nd day of February, 2021, the Planning Commission for the City of San Angelo in compliance with the City Charter, City ordinance and state law, and after holding a public hearing thereon, caused to be prepared and delivered a report and recommendation to City Council to approve the proposed Central Business District (CBD) Zoning District; and,

WHEREAS, on the 16th day of March, 2021, City Council held a public hearing on Z21-02, 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 CENTRAL BUSINESS DISTRICT (CBD) Zoning District:

The real property located at 124-128 West 4th Street; specifically being 0.395 acres being out of acre Lot 45 Miles Addition & Abstract 1848 & tract adj, Abstract 1848 S-0322, Survey: C Salinger, San Angelo, Tom Green County, Texas.

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

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

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

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

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

INTRODUCED with public hearing on the **16th day of March, 2021**, and finally PASSED, on this the **6th day of April, 2021**.

THE CITY OF SAN ANGELO

Brenda Gunter, Mayor

ATTEST:

APPROVED AS TO FORM:

Julia Antilley, City Clerk

Theresa James, City Attorney

EXHIBIT "A"



MAY 2021

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
25	26	27	28	29	30	1
2	3	4 1 st Tuesday, Council	5	6	7	8
9	10	11	12 Canvass votes, 2 council members needed for quorum	13	14	15
16	17	18 3 rd Tuesday, Council	19	20	21	22
23	24	25	26	27	28	29
30	31 Memorial Day	1	2	3	4	5